



Development Services Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: 524 W Atlantic Avenue
PCN: 12-43-46-16-01-021-0130
Board: Site Plan Review and Appearance Board
Meeting Date: October 28, 2020
Board Vote: 7-0

Board Action:

Approved (7-0)

Project Description:

The subject property consists of Town of Delray E 50 FT of W 175 FT of S 90 FT of N 110 Ft of Blk 21 and is zoned Central Business District (CBD) in the West Atlantic Sub District. The building was constructed in 1956 and was originally the Clearview Lounge. The property includes an existing one-story, 1,380 SF Stand Alone Bar, which at one time operated as Vintage Tap. At this time, the Stand-Alone bar is known as Pour and Famous.

The subject request is a Class III Site Plan modification that includes a change of use from a Stand-Alone Bar to a restaurant.

Minor Elevations changes are included with the addition of a restroom (74.75 SF) and a walk-in cooler (100 SF) to the rear of the building, as well as a landscape plan. No changes are proposed to the front of the existing building, therefore, the streetscape, frontage and associated dimensional requirements are not reviewed for this proposal, as they remain the same. However, a new front door was installed without the proper permits (CV 20-1778) and will be included with these improvements during the permit process. Outdoor seating is proposed to the rear of property which will seat 60 occupants. Parking is included under Ordinance 01-20.

Board Comments:

The Board included a condition of approval that more landscaping to the rear of the property to buffer the property from the residential property that abuts it and the residential component nearby. This is to be worked with staff during certification process.

Public Comments:

N/A

Associated Actions:

N/A

Next Action: The SPRAB action is final unless appealed by the City Commission.



SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

DEVELOPMENT SERVICES DEPARTMENT

100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444

PLANNING & ZONING DIVISION: (561) 243-7040 • BUILDING DIVISION: (561) 243-7200

SITE PLAN REVIEW AND APPEARANCE BOARD

Meeting: October 28, 2020

File No.: 2020-007 SPF-
SPR-CL3

Application Type: Class III Site Plan
Modification

General Data:

Agent/Applicant: Neil Schiller, Esq.

Owner: Delray H1 LLC & HRISG LLC

Location: 524 W Atlantic Avenue

PCN: 12-43-46-16-01-021-0130

Property Size: 0.10 Acres

FLUM: CC (Commercial Core)

Zoning: CBD (Central Business District)

Adjacent Zoning:

- North: CF (community Facilities)
- South: CBD
- East: CBD
- West: CBD

Existing Land Use: 1,380 SF Stand Alone Bar

Proposed Land Use: 1,380 SF restaurant with 1,336 SF addition of outdoor use.



Item before the Board:

The action before the Board is for the consideration of a Class III Site Plan application for Pour and Famous pursuant to LDR Section 2.4.5 (G), including:

- ☐ Change of Use
- ☐ Site Plan
- ☐ Landscape Plan
- ☐ Architectural Elevations

Optional Board Motions:

Move to continue with direction.

Move approval of the Class III (2020-007) Site Plan Modification, Landscape Plan, Architectural Elevations for Pour and Famous located at 524 W. Atlantic Avenue, as amended, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations, with the condition the outdoor area closes at 11 pm.

Move approval, as amended, of the Class III (2020-007) Site Plan Modification, Landscape Plan, Architectural Elevations for Pour and Famous located at 524 W. Atlantic Avenue, as amended, by finding that the request as amended is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations, with the condition the outdoor area closes at 11 pm.

Move denial of the Class III (2020-007) Site Plan Modification, Landscape Plan, Architectural Elevations for Pour and Famous

Project Planner:

Jennifer Buce, Planner;
buce@mydelraybeach.com,
561-243-7138

Review Dates:

SPRAB Board: October 28, 2020

Attachments:

1. Site Plans
2. Elevations
3. Landscape Plan



located at 524 W. Atlantic Avenue, by finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in the Land Development Regulations.

Technical Notes:

1. An Access Easement Agreement must be approved prior to building permit issuance.
2. Upon building permit submittal, if an exterior hood is needed a Class I will be submitted for the screening.
3. A Traffic Statement from Palm Beach County must be submitted prior to site plan certification.
4. A note needs to be placed on the plans acknowledging that a two-foot dedication will be required if the building is modified, as the existing building encroaches two feet onto Atlantic Avenue right of way which is 55 feet.
5. A Conditional Use for late night business is required to operate later than 12 midnight and/or earlier than 5 AM.

Background:

The subject property consists of Town of Delray E 50 FT of W 175 FT of S 90 FT of N 110 Ft of Blk 21 and is zoned Central Business District (CBD) in the West Atlantic Sub District. The building was constructed in 1956 and was originally the Clearview Lounge. The property includes an existing one-story, 1,380 SF Stand Alone Bar, which at one time operated as Vintage Tap. At this time, the Stand-Alone bar is known as Pour and Famous.

On June February 13, 2019, the Site Plan Review and Appearance Board approved a mural on the north, west, and east elevations.

A Conditional Use request has been submitted and will be reviewed by the Planning and Zoning Board and City Commission at a later date to operate after midnight. Pursuant to LDR 4.3.3(VV); 24-Hour or Late Night Businesses: Requirements: Unless otherwise specified, the following regulations shall apply to 24-Hour or late night businesses: (a)Conditional use: Any 24-Hour or late night business located or proposed to be located within a 300-foot straight line route from any residentially-zoned property shall obtain a conditional use permit from the City for the operation of such use. The distance shall be measured from the nearest point of the property on which the 24-Hour or late-night business is or will be located to the nearest point of a residentially zoned property. This property is within 300 feet of RM (Medium Density Residential Property (RM), therefore, requiring a Conditional Use for operating hours later than 12 midnight and earlier than 5 AM.

Now before the board is a Class III Site Plan Modification associated with a change of use from Stand Alone Bar to a restaurant and a new 1,336 SF outdoor use area with outdoor seating and a bocci ball court, and new restroom facilities.

Project Description:

The subject request is a Class III Site Plan modification that includes a change of use from a Stand-Alone Bar to a restaurant.

The definition of a bona fide restaurant is as follows: A bona fide restaurant shall mean an establishment engaged primarily in the service of food where the sale or service of alcoholic beverages is incidental to the sale and service of food. A cafeteria or fast-food establishment shall be deemed a bona fide restaurant for the purposes of zoning classification. All other establishments must meet the following criteria: 1.A bona fide restaurant must, during all hours of operation, continually offer food service consisting of full course meals; a. Full course meals shall include a salad or vegetable, entrée and dessert. 2. A bona fide restaurant must have full kitchen facilities, which are located in a completely enclosed room, under roof of the main structure, or in an interior court and food preparation staff capable of preparing and serving full course meals during all hours of operation. 3.A bona fide restaurant must have a customer service area consisting of tables, chairs or customer counters. The tables or customer counters within the customer service area must be of adequate size to accommodate the service of full course meals.4.In order for tables, chairs or customer counters to be included in the customer service area, the service of full course meals must be available at each seat or chair at each table or customer counter in accordance with the following: a. The total number of seats or chairs at the tables, customer counters and bars within the customer service area must be sufficient to accommodate the maximum occupant load of the restaurant; b. full occupant load shall be determined in accordance with the provisions of the standard Florida Building Code or its successor code.5.A bona fide restaurant must have the appropriate license issued by the state as well as all municipal or county permits required by law, and must meet all local zoning requirements.

In addition, the definition of a stand alone bar is as follows: Any licensed premises, including but not limited to, cocktail lounges, bars, nightclubs, dance clubs, piano bars and cigar bars, devoted during any time of operation predominantly or totally to serving alcoholic beverages, intoxicating beverages, or intoxicating liquors, or any combination thereof, for consumption on the licensed premises, in which the serving of food, if any, is merely incidental to the consumption of any such beverage; and the licensed



premises is not located within, and does not share any common entryway or common indoor area with, any other enclosed indoor workplace, including any business for which the sale of food or any other product or service is more than an incidental source of gross revenue. A place of business constitutes a stand alone bar in which the service of food is merely incidental in accordance with this definition if the licensed premises derives no more than ten percent (10%) of its gross revenue from the sale of food consumed on the licensed premises.

A kitchen is proposed that includes an oven, fryer, grill, under counter freezer, ice machine, prep area, prep sink, mop sink, and grease inceptor. A menu for the restaurant use has also been provided.

Minor Elevations changes are included with the addition of a restroom (74.75 SF) and a walk-in cooler (100 SF) to the rear of the building, as well as a landscape plan. No changes are proposed to the front of the existing building, therefore, the streetscape, frontage and associated dimensional requirements are not reviewed for this proposal, as they remain the same. However, a new front door was installed without the proper permits (CV 20-1778) and will be included with these improvements during the permit process. Outdoor seating is proposed to the rear of property which will seat 60 occupants.

The following items identified in the Land Development Regulations shall specifically be addressed by the Site Plan Review and Appearance Board (SPRAB) for final action on the site and development applications/requests, as presented.

Parking

The existing building is located on a site that has no parking. Per the current code, the 1,380 SF building would be required to have 8 parking spaces; however, since the site has no parking spaces, it is "vested" with 8 spaces. Typically, any additions or changes in use would be required to provide parking for the new use area. However, June, 16, 2020, the City adopted Ordinance No. 01-20 as an economic development tool for the West Atlantic Sub-district. Pursuant to Ordinance No. 01-20, within the West Atlantic Neighborhood Sub-district, changes in commercial use within existing commercial buildings and associated outdoor areas subject to the provisions of Section 4.6.6, shall not be required to provide additional on-site parking. The incentive is available until December 31, 2023 and subject to submittal of a building permit. In this case, the expanded building and new outdoor use area would have necessitated 8 additional parking spaces; however, under the provisions of the incentive, the project does not have to provide the parking or purchase In Lieu Parking spaces. It is important to note that if a building permit is not submitted prior to December 31, 2023, and the incentive is not extended by the City Commission through an adopted ordinance, the additional use area will be required to meet the parking requirements. A parking data chart has been provided to memorialize the parking based on the existing building and the allowance under Ordinance No. 01-20.

Restaurant	Square Feet		Spaces /SF	Parking Required
Existing Building	1,380 SF		6/1,000	8 spaces
New Use Area* ((includes outdoor seating, bocci ball court, restroom and cooler)	1,336 SF		6/1,000	8 spaces
Total Parking	2,716 SF			16 spaces

*Per Ordinance 01-20, the new use area is not required to provide parking.

Bicycle Parking:

Pursuant to LDR Section 4.4.13(l)(4) bicycle parking is required.

Use	Existing	Units/Sq. ft.	Number Required
Restaurant	2,716	1/1,000 sq. ft.	3
Total Bicycle Spaces Required			3

A total of three bicycle spaces is provided behind the dumpster.

Refuse Enclosure:

The trash and recycling for the building is located behind the building on south eastside of the building. Trash and recycling pick up



will be accomplished through an access easement agreement with the adjoining property through the rear of the building onto 11 SW 6th Avenue. The existing trash is now removed via 95-gallon containers onto the W. Atlantic Avenue. Pursuant to LDR Section 4.6.6(C)(1), dumpsters, recycling containers and similar service areas must be enclosed on three sides with vision obscuring gates on the fourth side, unless such areas are not visible from any adjacent public rights-of-way. A note has been indicated that the access Easement Agreement is required prior to building permit issuance.

Roof Mounted Equipment:

Pursuant to LDR 4.4.13(F)(6)(c), flat roofs shall be screened from adjacent properties and streets with decorative parapets. The maximum height of the parapet wall shall be six feet in height or sufficient height to screen all roof mounted equipment, whichever is greater, measured from the top of the roof deck to the top of the parapet wall. The applicant has proposed a ventless hood above the grill/oven and fryer. However, at building permit, if an external hood system will be required, a Class I Site Plan Modification will be required for the additional screening that will be required for an external hood system per the above code requirement.

Lighting:

Pursuant to LDR Section 4.6.8 the maximum luminaries height is 25 feet. All perimeter exterior lighting shall be full cutoff luminaries to minimize spillover on adjacent properties. To decrease urban glow, no luminaries shall be directed upwards. The illumination standards for building entrances are 1.0 to 10.0 and accent pathways are 0.5 to 5.0. A new light is proposed at the rear building entrance that is mounted on the wall. Three new freestanding lampposts, 20 feet tall, are proposed for the outdoor seating area and Bocci Ball Court; one light at the Bocci Ball Court in the northwest yard and two of the lights in the outdoor dining area located in the center of the yard.

Streets and (Rights of Way):

Pursuant to LDR 5.3.1: right-of-way Dimensions and Dedication required. Right-of-way dimensions and dedications, whether public or private, shall be consistent with Table MBL-1 "Street Network and Classification and Improvements" of the Mobility Element, providing for coordinated rights-of-way dedications with the Florida Department of Transportation and Palm Beach County. The required right of way width for Atlantic Avenue is 110 ft which makes half of the width requirement 55 ft. The existing building is encroaching two feet into the public right of way. A note will be required on the site plan prior to certification that in the future if the building is modified a two-foot dedication may be required at the time of the modification.

Landscape Analysis:

Pursuant to LDR section 4.6.16(C)(1)(a), prior to the issuance of a building permit for a structure or a paving permit, compliance with the requirements of Section 4.6.16 shall be assured through the review and approval of a landscape plan submitted pursuant to Section 2.4.3(C). The Senior Landscape Planner has reviewed the landscape plan and it meets the minimum standards. The applicant is proposing artificial turf where the outdoor seating is proposed. Podocarpus column, is proposed on the east and westsides as well as water ferns. The rear of the building will have a combination of Green Bamboo, Confederate Jasmine Dwarf Minima, Ficus Green Island, Iris, Maidenhair Fern and Queen Emma. However, the proposed landscaping in the rear is not continuous and is only proposing 4 Green Bamboo at eight to ten feet and 14 Podocarpus at a maximum of 30". This could be an adverse effect on the neighboring multi family dwelling and the funeral home to the rear for a sound barrier.

Architectural Elevations Analysis

Pursuant to LDR Section 4.4.13(F), the CBD has seven permitted architectural styles, which are described and illustrated in the Central Business District Architectural Design Guidelines. Pursuant to LDR Section 4.6.18(E), the following criteria shall be considered by the Site Plan Review and Appearance Board in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved.

1. The plan or the proposed structure is in conformity with good taste, good design, and in general contributes to the image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas, and high quality.
2. The proposed structure, or project, is in its exterior design and appearance of quality such as not to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.
3. The proposed structure, or project, is in harmony with the proposed developments in the general area, with the Comprehensive Plan, and with the supplemental criteria which may be set forth for the Board from time to time.



The existing building predates the seven permitted architectural styles in LDR Section 4.4.13(F), but is most closely related to Main Street Vernacular. The minor proposed architectural elevation changes are to the rear remain consistent with the existing architecture. They consist of a 11'-6" x 6'-6" restroom with a height of 8'-6"; which will be painted in a smooth stucco white. The walk-in cooler, which was installed without building permits, is 10' x 10' and is located to the east of the restroom and is separated from the restroom by an existing exterior door to the main building. The existing building is painted in red and white geometric pattern on the north, west, and east elevations. If the applicant chooses to carry the mural on to the exterior restroom walls, a separate application will be heard by the Art in Public Places Board; no application has been submitted to date. The outdoor seating is in the rear of the building with the bocci ball court to the west of the building. The outdoor seating consists of artificial turf, as well as pavers. The pavers were installed in April 2019 without a permit (CV 19-5305); this violation will be corrected with approval of the application. The occupancy for indoor seating is 45 patrons; the occupancy for the proposed outdoor seating area is 60 patrons. Although the rear of the property abuts property located within the Central Business District zoning district, one adjoining property is residential, another is a Funeral Home. Pour and Famous is within 300 feet of RM zoning district. The outdoor area could have an adverse effect on the surrounding area if it not sufficiently soundproofed. The landscaping proposed does meet the minimum landscape requirements; however as stated in the landscape analysis the hedge to the rear is not continuous and is only proposes four Green Bamboo at eight to ten feet and 14 Podocarpus at a maximum of 30". It is also noted from a sight visit that the existing gate and proposed gate do not match on the plans. Chapter 99 of the Code of Ordinances limits using or operating a radio, television set, musical instrument, loudspeaker, public address system, sound truck or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of one hundred (100) feet from the boundaries of the property surrounding the device or the building, structure, or vehicle in which the device is located, except as set forth in Section 99.03(A)(1)(a)(i), shall be prima facie evidence of a violation of this section. To ensure the outdoor use area does not violate the noise ordinance, a conditional of approval is provided that the outdoor area close at 11:00 pm.

Review by Others:

At the meeting of October 12, 2020, the DDA (Downtown Development Authority) reviewed the development proposal and voted in support of the project.

Courtesy Notice:

Courtesy notices have been provided to the following neighborhood associations, which have requested notice of developments in their areas:

- Ebony Delray
- Lincoln Park
- West Settlers
- Paradise Heights

Letters of objection or support, if any, will be presented at the Site Plan Review and Appearance Board (SPRAB) meeting.

Prior to the approval of development applications, certain findings must be made in a form which is a part of the official record. This may be achieved through information on the application, written materials submitted by the applicant, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application.

LAND USE MAP: The resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Land Use Map

The subject property has a Land Use Map designation of CC and a zoning designation of CBD. It is in the West Atlantic Sub-district. The CBD zoning is consistent with the Commercial Core LUM designation. Pursuant to Table 4.4.13(A), Allowable Uses in the CBD Sub-Districts, in the West Atlantic, principal uses "P" include retail, restaurant uses and business. Based upon the above, a positive finding is made with respect to consistency with the Land Use Map (LUM) designation.



CONCURRENCY: Concurrency as defined by Objective NDC 3.1 of the Neighborhoods, Districts, and Corridors Element of the adopted Comprehensive Plan must be met and a determination made that the public facility needs, including public schools, of the requested land use and/or development application will not exceed the ability of the City and The School District of Palm Beach County to fund and provide, or to require the provision of, needed capital improvements in order to maintain the Levels of Service Standards established in Table CIE-2, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach.

The Concurrency items and analysis are in Appendix "A".

CONSISTENCY: Compliance with performance standards set forth in Chapter 3 and required findings in Section 2.4.5(G)(5) for the request shall be the basis upon which a finding of overall consistency is to be made. Other objectives and policies found in the adopted Comprehensive Plan may be used in making a finding of overall consistency.

A finding of consistency is in Appendix "B"

COMPLIANCE WITH THE LAND DEVELOPMENT REGULATIONS (LDRs): Items identified in the Land Development Regulations shall specifically be addressed by the body taking final action on the site and development application/request.

See the Site Plan Analysis section of this report.

LDR Section 2.4.5(F) (5) - Compatibility (Site Plan Findings): The approving body must make a finding that development of the property pursuant to the site plan will be compatible and harmonious with adjacent and nearby properties and the City as a whole, so as not to cause substantial depreciation of property values.

The following zoning designations and uses are abutting the subject property:

	<i>Zoning Designation:</i>	<i>Land Use:</i>
<i>North</i>	CF- Community Facilities	City Fire Station
<i>South:</i>	CBD – West Atlantic Sub-district	Residential
<i>East:</i>	CBD – West Atlantic Sub-district	City Park
<i>West:</i>	CBD – West Atlantic Sub-district	Restaurant

The surrounding uses are a mix including City Facilities, restaurant, retail, service and residential. The restaurant use is compatible with the surrounding mix of uses and consistent with the mixed-use district in the West Atlantic Sub District however, with the occupancy of the outdoor use area for the restaurant greater than the indoor occupancy; there could be concern for negative impact to the residential neighborhood to the south, such as noise. A condition of approval is attached that the outdoor area close at 11:00 pm.

APPENDIX "A" – Concurrency Findings

Pursuant to LDR Section 3.1.1(B), Concurrency, as defined pursuant to Objective B-2 of the Land Use Element of the Comprehensive Plan, must be met and a determination made that the public facility needs of the requested land use and/or development application will not exceed the ability of the City to fund and provide, or to require the provision of, needed capital improvements for the following areas:

Water and Sewer:

- Water Service is available via an existing 8" water main along Atlantic Avenue.
- Sewer Service is available per the Capacity letter provided by the City of Delray Beach via an 8" lateral along SW 6th Avenue

Pursuant to the City's Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South-Central County Wastewater Treatment Plant for the City at build-out.

**Streets and Traffic:**

It is noted that the site is located within the City's Transportation Concurrency Exception Area (TCEA), which encompasses the CBD and OSSHAD zoning districts. A Trip Generation Analysis was prepared, which indicates that a development of a restaurant, would result in an additional 160 Average Daily Trips, 14 net new AM peak hour trips, and 13 net new PM peak hour trips. To date, a letter from Palm Beach County Traffic Division has not been received regarding review of the proposed project and determined the project meets the Traffic Performance Standards of Palm Beach County.

Parks and Recreation Facilities:

Pursuant to LDR Section 5.3.2, Whenever a development is proposed upon land which is not designated for park purposes in the Comprehensive Plan, an impact fee assessed for the purpose of providing park and recreational facilities shall be imposed. This is not applicable to this project.

Solid Waste:

The proposed 2,716 sq. ft. restaurant generates approximately 33.81 tons of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2047.

Drainage:

Drainage will be accommodated on site. No problems for adjacent properties are anticipated with respect to drainage as it relates to this standard.

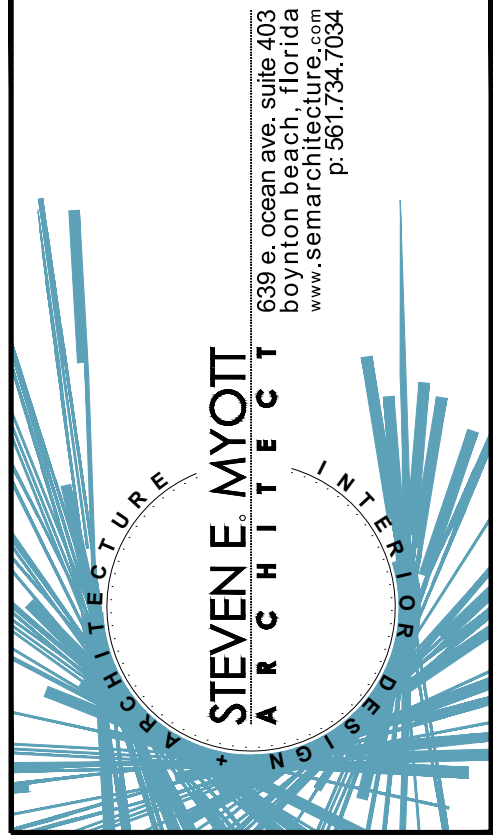
APPENDIX "B" - STANDARDS FOR SITE PLAN ACTIONS Sec. 3.2.3 (A) through (J)

- A. Building design, landscaping, and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- B. All development shall provide pedestrian, bicycle, and vehicular interconnections to adjacent properties, where possible, and include accessible routes from the entry points of publicly accessible buildings to the sidewalk network in accordance with the Americans with Disabilities Act (ADA).
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- C. Open space enhancements and recreational amenities shall be provided to meet Objective OPR 1.4 and other requirements of the Goals, Objectives and Policies, as applicable, of both the Open Space, Parks, and Recreation Element and Conservation Element.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- D. Any proposed street widening or modifications to traffic circulation shall be evaluated by the City, and if found to have a be detrimental impact upon or result in a the degradation in the existing neighborhood, the request shall be modified or denied.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- E. Development of residentially zoned vacant land shall be planned in a manner consistent with adjacent development regardless of zoning designations.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent



- F. Property shall be developed or redeveloped in a manner so that the use intensity and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfills remaining land use needs.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- G. Development of shall provide a variety of housing types that accommodates the City's growing and socio-economically diverse population to meet the Goals, Objectives, and Policies of the Housing Element.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- H. Consideration shall be given to the effect that a development will have on the safety, livability and stability of neighborhoods and residential areas. Factors such as but not limited to noise, odors, dust, and traffic volumes and circulation patterns shall be reviewed and if found to result in a degradation of surrounding areas, the projects shall be modified accordingly or denied.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- I. Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- J. Tot lots and recreational areas, serving children to teens and adults, shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- K. Development shall not exceed the maximum limits established in the Table NDC-1, Land Use Designations: Density, Intensity, and Implementing Zoning Districts, of the Neighborhoods, Districts, and Corridors Element or specific standards established in the zoning districts that limit density (dwelling units per acre) or intensity (floor area ratio) and must adhere to whichever limit is lower. Development in areas included in density or incentive programs (i.e. workforce housing programs specified in Article 4.7-Family/Workforce Housing) may exceed the Standard density limit, up to the specified Revitalization/Incentive density established for the program; development in all other areas shall not exceed the Standard density.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent

Pour AND FAMOUS



Pour AND FAMOUS

524 W ATLANTIC AVE
DELRAY BEACH, FLORIDA 33444

PROJECT TEAM & INDEX

524 W ATLANTIC AVE
DELRAY BEACH, FLORIDA 33444

PROJECT TEAM INDEX		DRAWING INDEX				SCOPE OF WORK		VICINITY MAP	
OWNER:	BH3 MANAGEMENT 21500 BISCAYNE BLVD AVENTURA, FL 33180 AVRAM NEW T: 1.954.416.3140x227 E: avram@bh3llc.com					<div>THE APPLICANT SEEKS TO: (1) CHANGE THE EXISTING USE OF THE PROPERTY FROM STANDALONE BAR TO A RESTAURANT, (2) BUILD OUT A NEW KITCHEN AND ADA COMPATIBLE BATHROOM, AND (3) TO INCORPORATE 1336 SF OF THE OUTDOOR AREA AS OUTDOOR DINING SPACE, BOCCO COURT, & BATHROOM. THE APPLICANT PREVIOUSLY INSTALLED PAVING IN ITS OUTDOOR AREA AS WELL AS A WALK IN COOLER WITHOUT A PERMIT, WHICH THIS PLAN SET SEEKS TO RECTIFY IN ADDITION TO THE IMPROVEMENTS EXPRESSED ABOVE.</div> <div>PROJECT INFORMATION</div> <div>ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THE FBC 6TH EDITION (2017), THE N.E.C., AND THE 6TH EDITION (2017) FLORIDA FIRE PREVENTION CODE: LEVEL OF ALTERATIONLEVEL II PER FBCC SEC 504 HEIGHT OF BUILDING1 STORY (14 FT) SITE AREA20,043 ACRES EXISTING BUILDING AREA1380 SF. (INCLUDING EXISTING WALK-IN COOLER) PROPOSED NEW OUTDOOR USE AREA1336 SF. (INCLUDES BOCCO COURT, OUTDOOR SEATING & BATHROOM) ZONING OCCUPANT LOADS TOTAL SEATING COUNT105 PEOPLE INTERIOR SEATING45 PEOPLE EXTERIOR SEATING60 PEOPLE FIXTURE CALCULATIONS: PER 2017 PLUMBING CODE SEC 403.1: NUMBER OF OCCUPANTS OF EACH SEX: THE OCCUPANT LOAD SHALL BE COMPOSED OF 50 PERCENT OF EACH SEX: PER TABLE 403.1: FIXTURE REQUIREMENTS: (PER FBC 403.1) WATER CLOSETS: 1 PER 15 LAVATORIES: 1 PER 200 FIXTURES PROVIDED: WATER CLOSETS: 3 (2 TOILETS & 1 URINAL) LAVATORIES: 2 TOTAL BATHROOM CAPACITY: 150 PEOPLE (75 MEN & 75 WOMEN)</div>			
ARCHITECT:	STEVEN E. MYOTT, ARCHITECT 639 EAST OCEAN AVENUE, SUITE 403 BOYNTON BEACH, FLORIDA 33435 T: 561.734.7034 MARK BORG E: mborg@semarchitecture.com								
CIVIL ENGINEER:	FLORIDA CONSULTING ENGINEERS, INC. 134 NW 16TH ST, SUITE 1 BOCA RATON, FLORIDA 33432 T: 561.353.1152 ZUHAIR JALLOUL, PE E: zjpe@flicengineers.com								
LANDSCAPE ARCHITECT:	MAUREEN SMITH LANDSCAPE ARCHITECT 968 DOGWOOD DR DELRAY BEACH, FL 33483 T: 561.279.4114 MAUREEN SMITH E: maureengrs@aol.com								

DOOR HARDWARE

DOOR IN THE MEANS OF EGRESS SHALL BE SINGLE ACTION RELEASE AND SHALL NOT REQUIRE THE USE OF A KEY, TOOL, OR SPECIAL KNOWLEDGE.

2. TRAVEL DISTANCES

NUMBER OF EXITS
FER FEC TABLE 1006.2.1;

MORE THAN 29 PERSONS- TWO EXITS REQUIRED

FER FEC 1010.12.1 DOOR MUST SWING WITH PATH OF EGRESS FOR OCCUPANT LOADS GREATER THAN 49 PERSONS

COMMON PATH OF TRAVEL
FER NFPA 101 CH. 13.5

AREA WITH 49 OR FEWER OCCUPANTS = '75'

AREA WITH 50 OR GREATER OCCUPANTS = '20'

MAXIMUM TRAVEL DISTANCE
FER FEC TABLE 1012.4 NFPA 101 CH. 13.6

NON-SPRINKLERED = '200'

DEAD END CORRIDORS
(WHERE MULTIPLE EXITS REQUIRED)
FER NFPA 101 CH. 13.5.1.3

NON-SPRINKLERED = '20'

3. EXIT WIDTH

FURNITURE LAYOUT TO BE DETERMINED BY TENANT. 3'-8" CLEAR MINIMUM WIDTHS TO ALL EXITS SHALL BE MAINTAINED.

EGRESS DOORS SHALL BE A MINIMUM OF 32" IN WIDTH

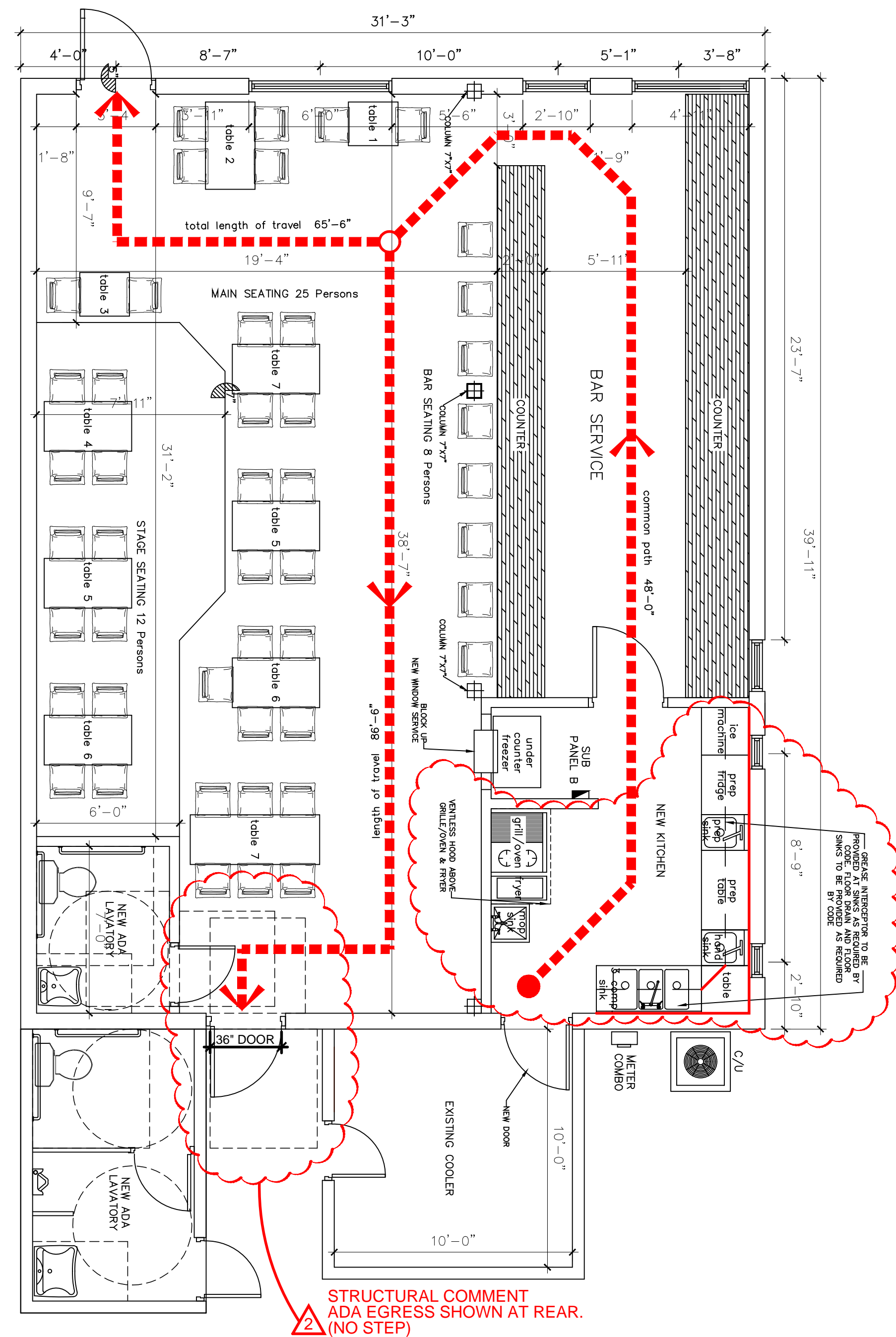
DENOTES COMPLETE TRAVEL DISTANCE TO EXIT

DENOTES COMMON PATH OF TRAVEL

DENOTES STARTING POINT FOR PATH OF TRAVEL

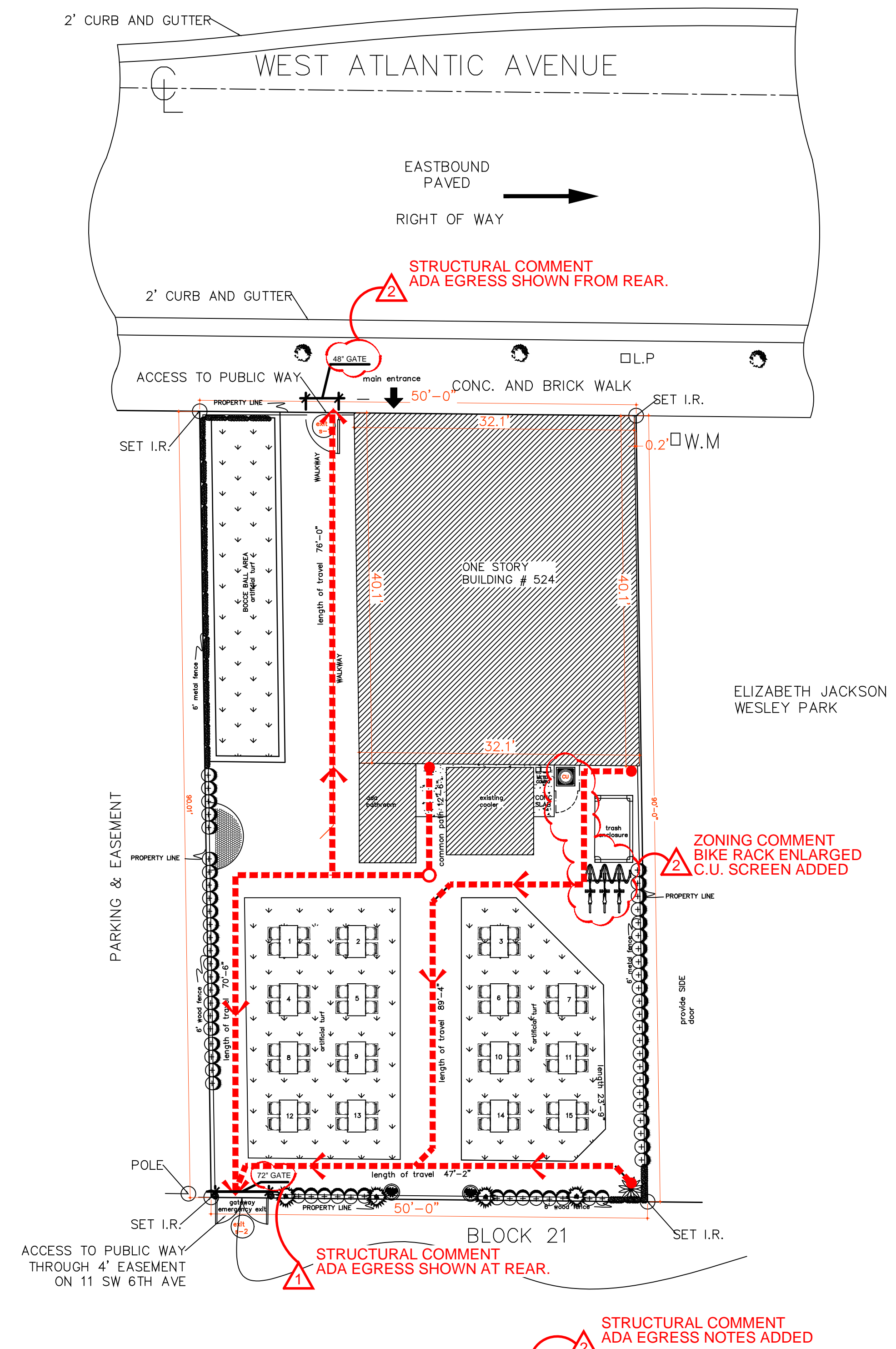
EXIT 1

LOCATION OF FIRE EXIT



2 STRUCTURAL COMMENTS
DRAIN NOTE ADDED
GREASE TRAP NOTE ADDED
SINK LABELS ADDED
HOOD NOTE ADDED

COORDINATION
KITCHEN LAYOUT UPDATED



A. HANDLES, PULLS, LATCHES, LOCKS, AND OTHER OPERABLE PARTS ON DOORS AND GATES SHALL BE 34 INCHES MINIMUM AND 48 INCHES MAXIMUM ABOVE THE FINISH FLOOR OR GROUND.

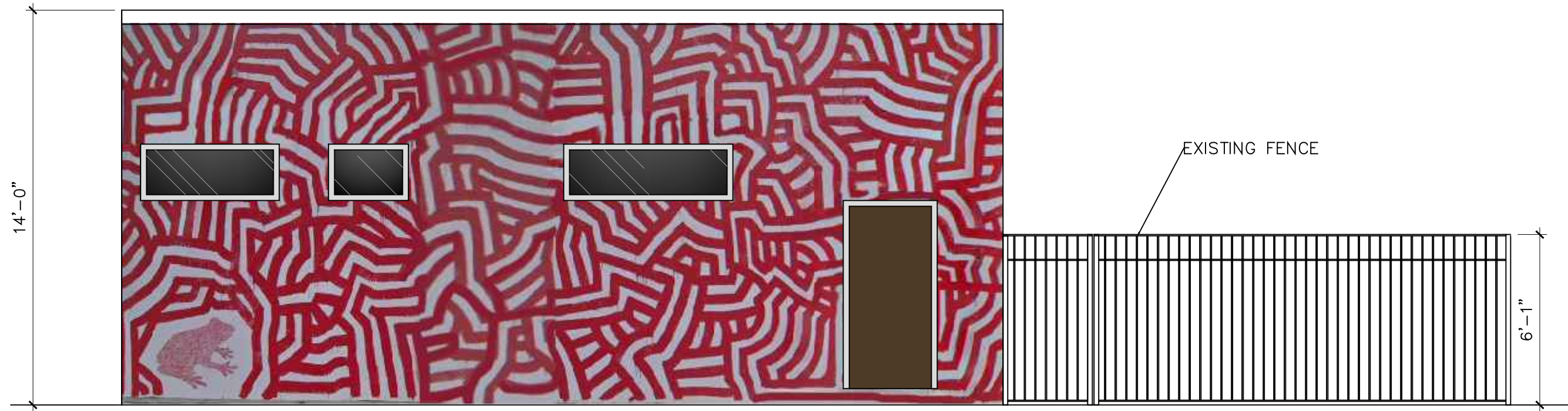
B. HARDWARE SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE OPERABLE PARTS SHALL BE 5 POUNDS MAXIMUM.

C. THE FORCE FOR PUSHING OR PULLING OPEN A DOOR OR GATE SHALL BE AS FOLLOWS:

1. INTERIOR HINGED DOORS AND GATES: 5 POUNDS (222 N) MAXIMUM.
2. SLIDING OR FOLDING DOORS: 5 POUNDS (222 N) MAXIMUM.
3. EXTERIOR HINGED DOORS SHALL BE DESIGNED SO THAT SUCH DOORS CAN BE PUSHED OR PULLED OPEN WITH A FORCE NOT EXCEEDING 85 POUNDS (318 N).

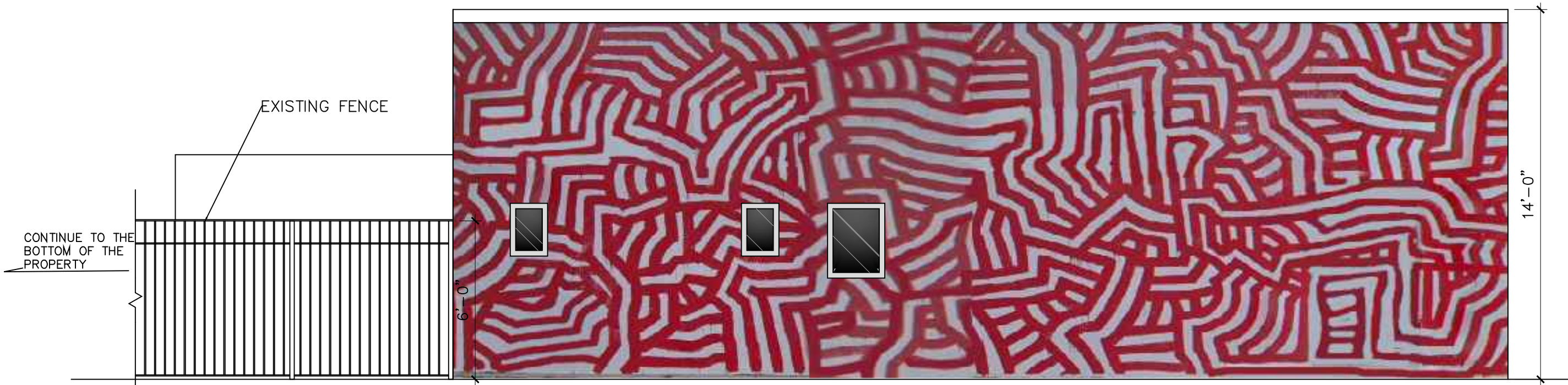
STRUCTURAL COMMENT
ADA EGRESS NOTES ADDED

S:\01_P\Projects\2020\20_049_Pour&Famous_Delray\20_049_CD_CAD\20_049_Pour & Famous_DB_SP5-R3.dwg 10/2/2020 2:56:56 PM mborg



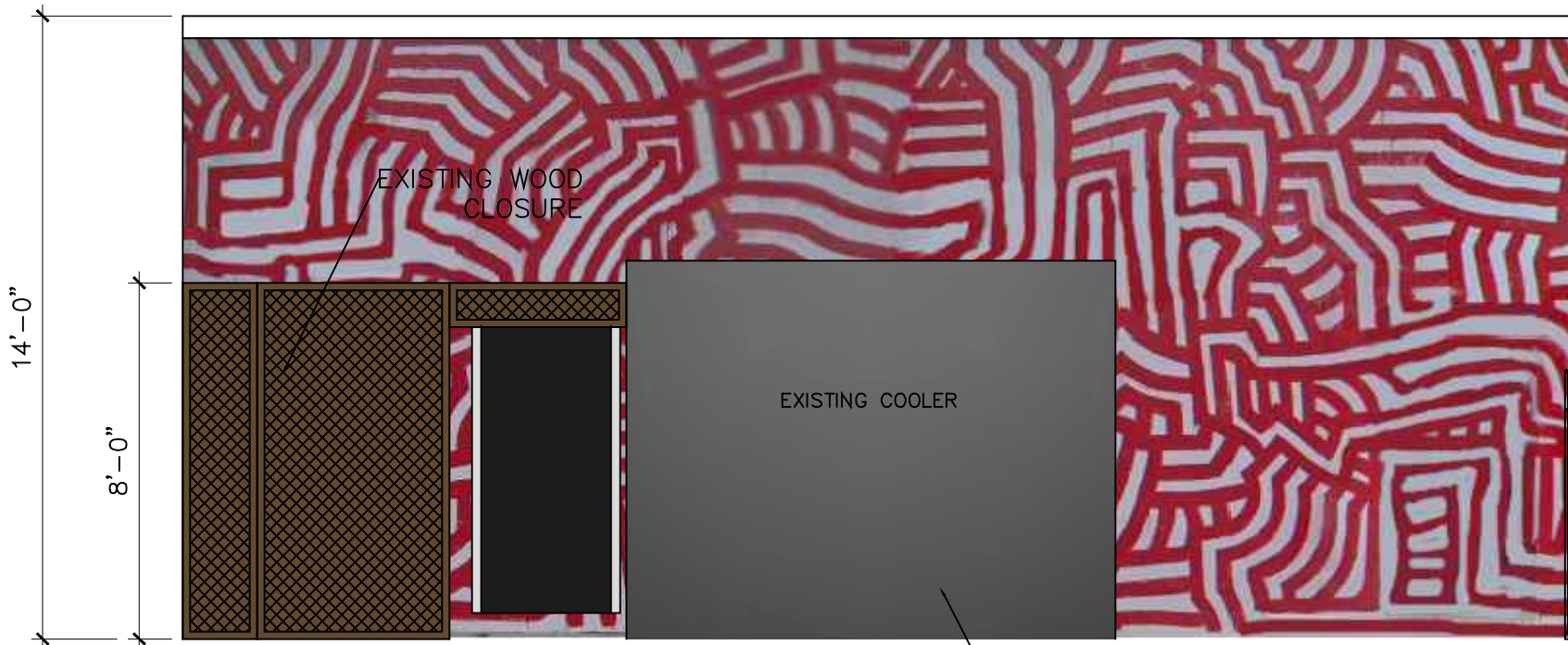
EXISTING NORTH ELEVATION
SCALE: 1/4" = 1'-0"

1



EXISTING EAST ELEVATION
SCALE: 1/4" = 1'-0"

2



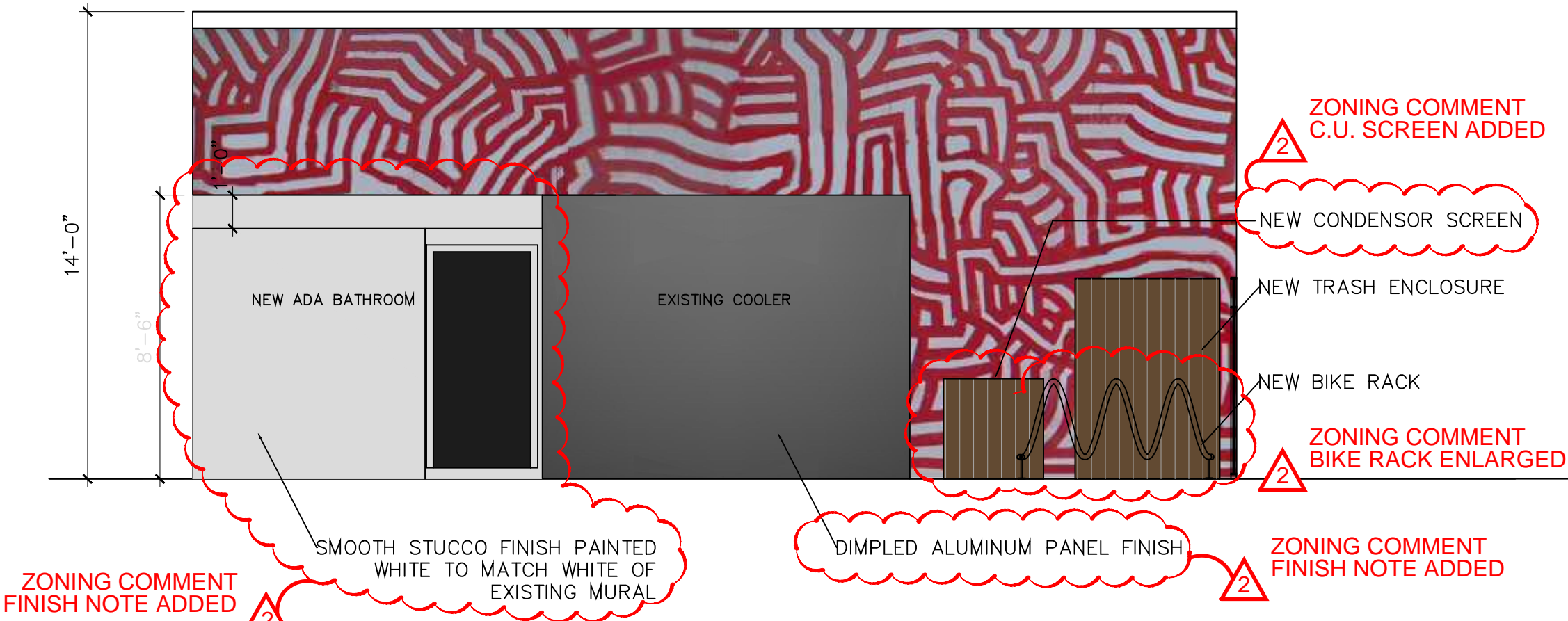
EXISTING SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

3



EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"

4



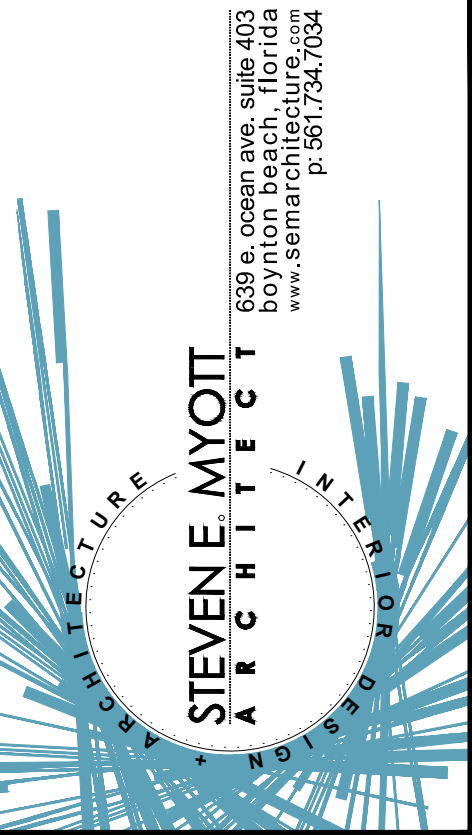
PROPOSED SOUTH ELEVATIO
SCALE: 1/4" = 1'-0"

5

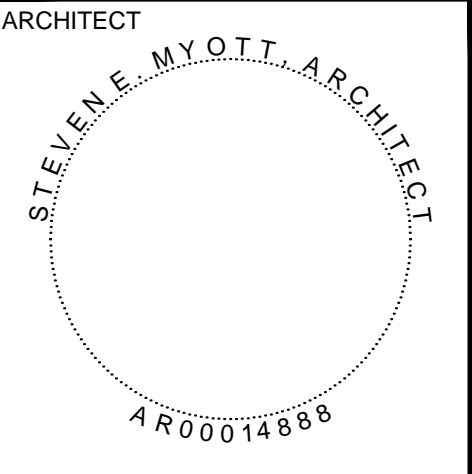


PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"

6



Pour & Famous
524 W ATLANTIC AVE
DELRAY BEACH, FLORIDA 33444



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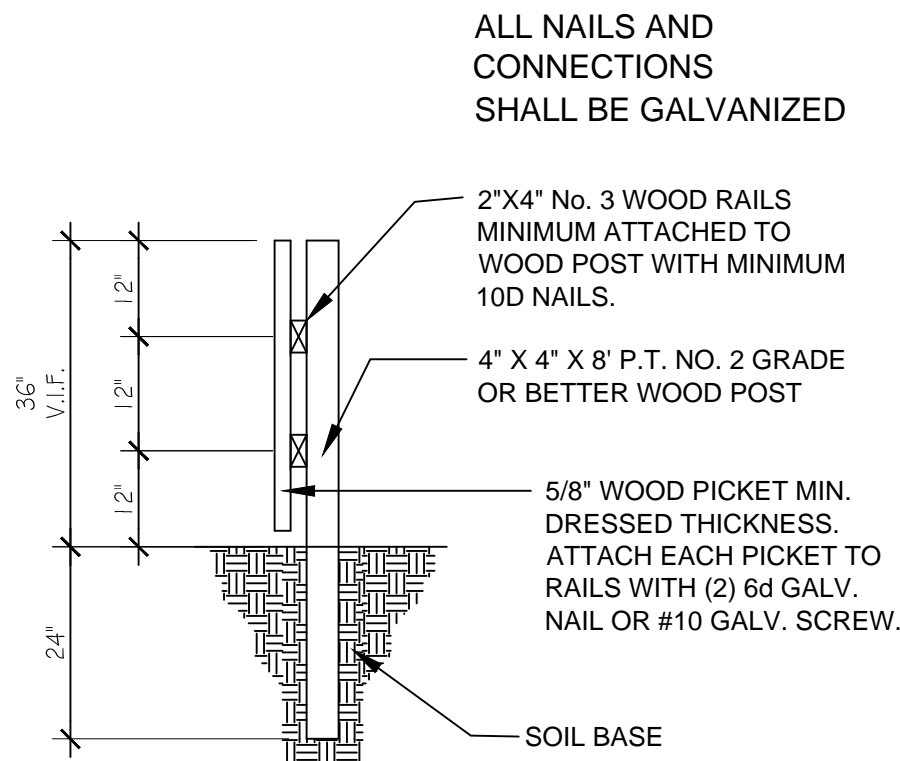
NO. DATE: ISSUED FOR:
1. 08.20.2020 ZONING RESPONSES
2. 10.02.2020 ZONING COMMENTS

EXTERIOR ELEVATIONS

A1.1

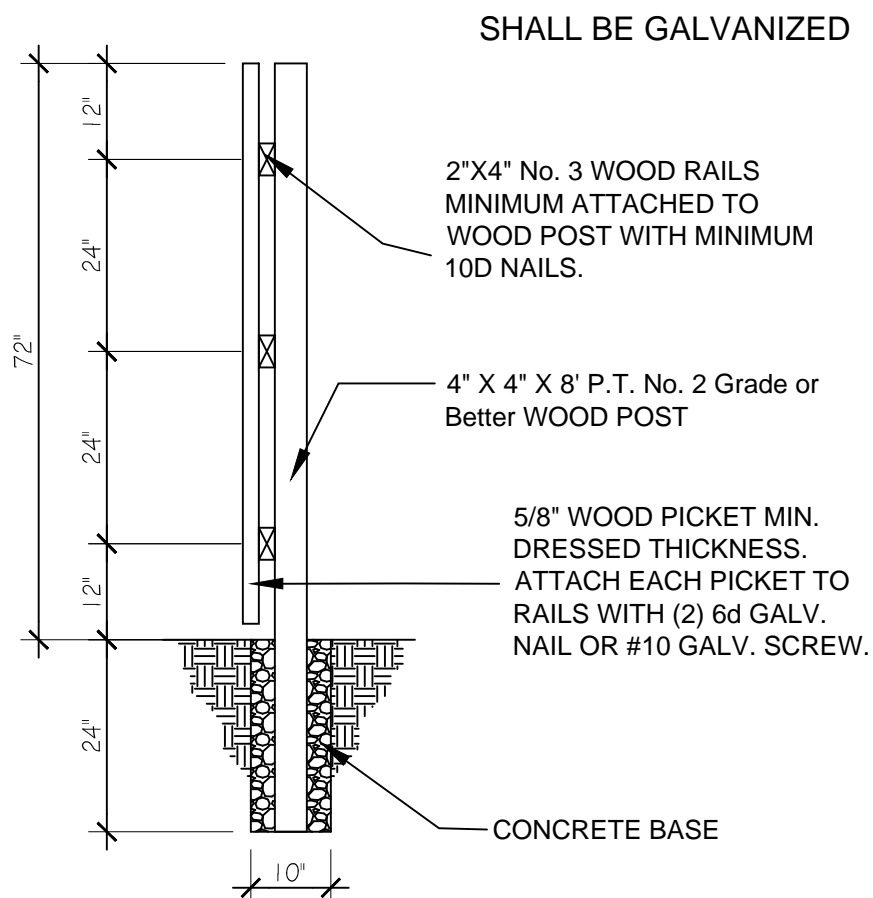
ZONING COMMENT
SCREEN DETAILS ADDED

2



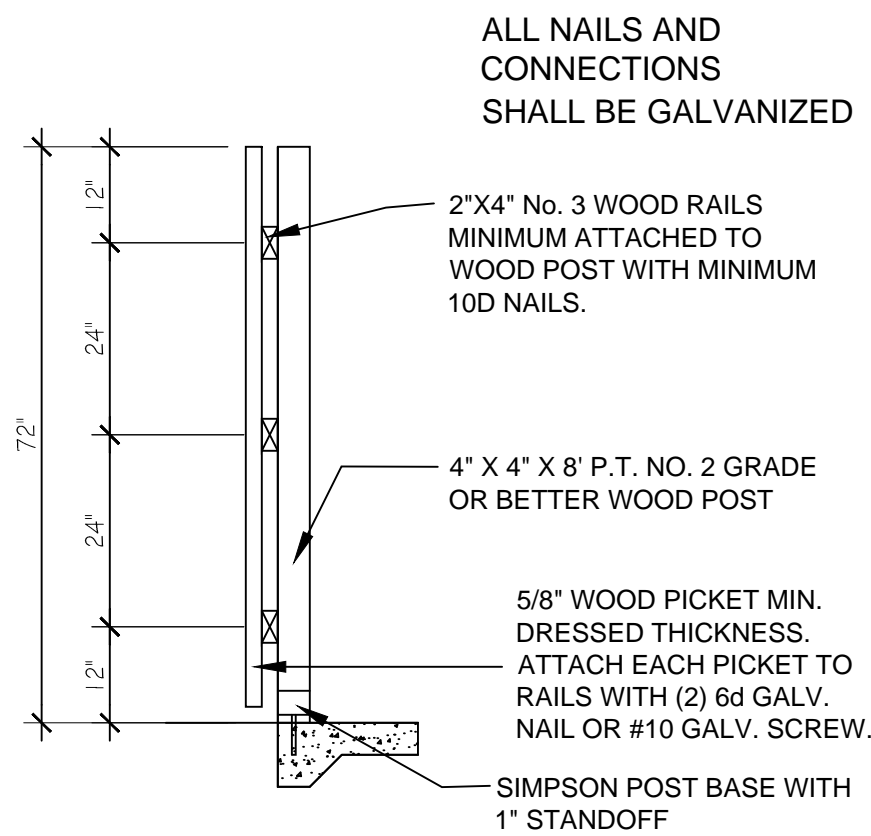
LOW SCREEN FENCE DETAIL (GROUND)
SCALE: 1/2" = 1'-0"

7



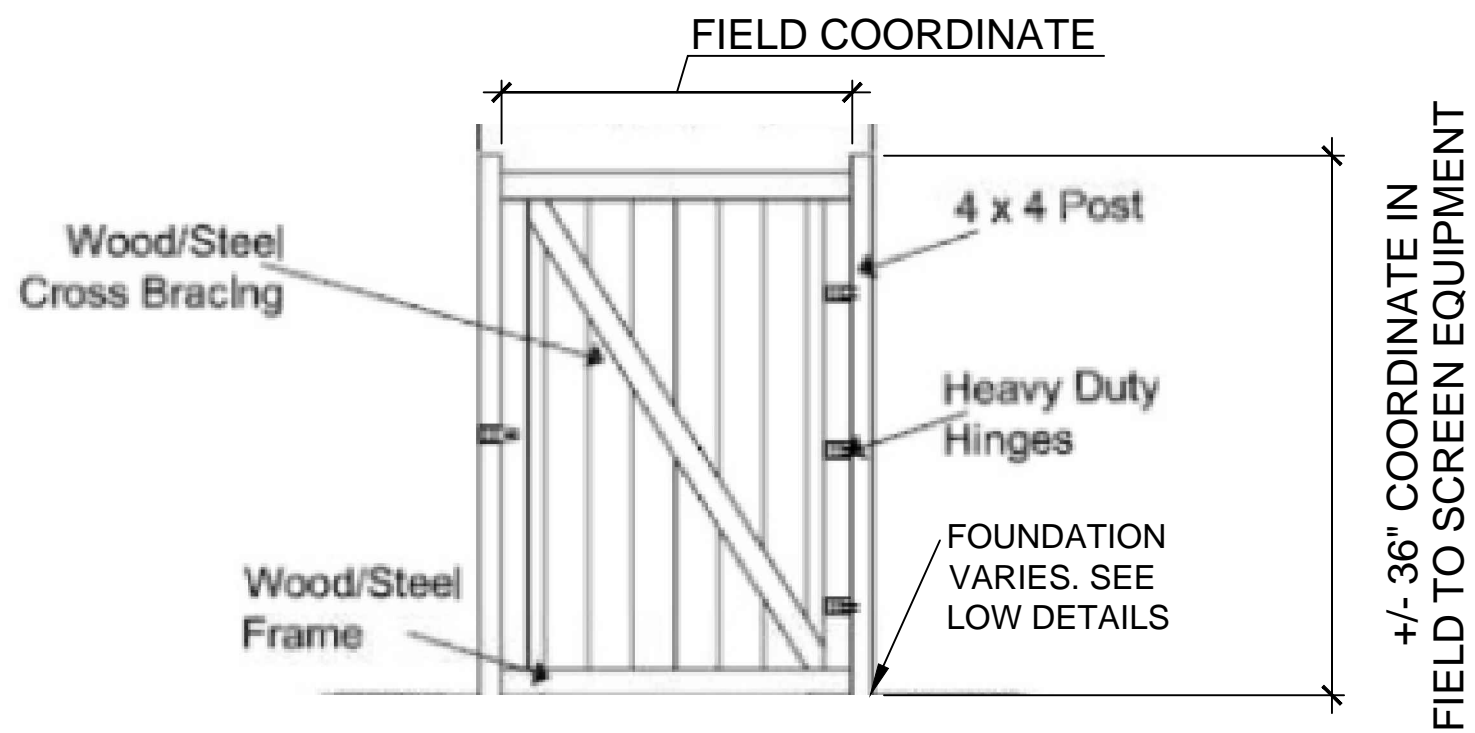
TYPICAL FENCE DETAIL
SCALE: 1/2" = 1'-0"

1



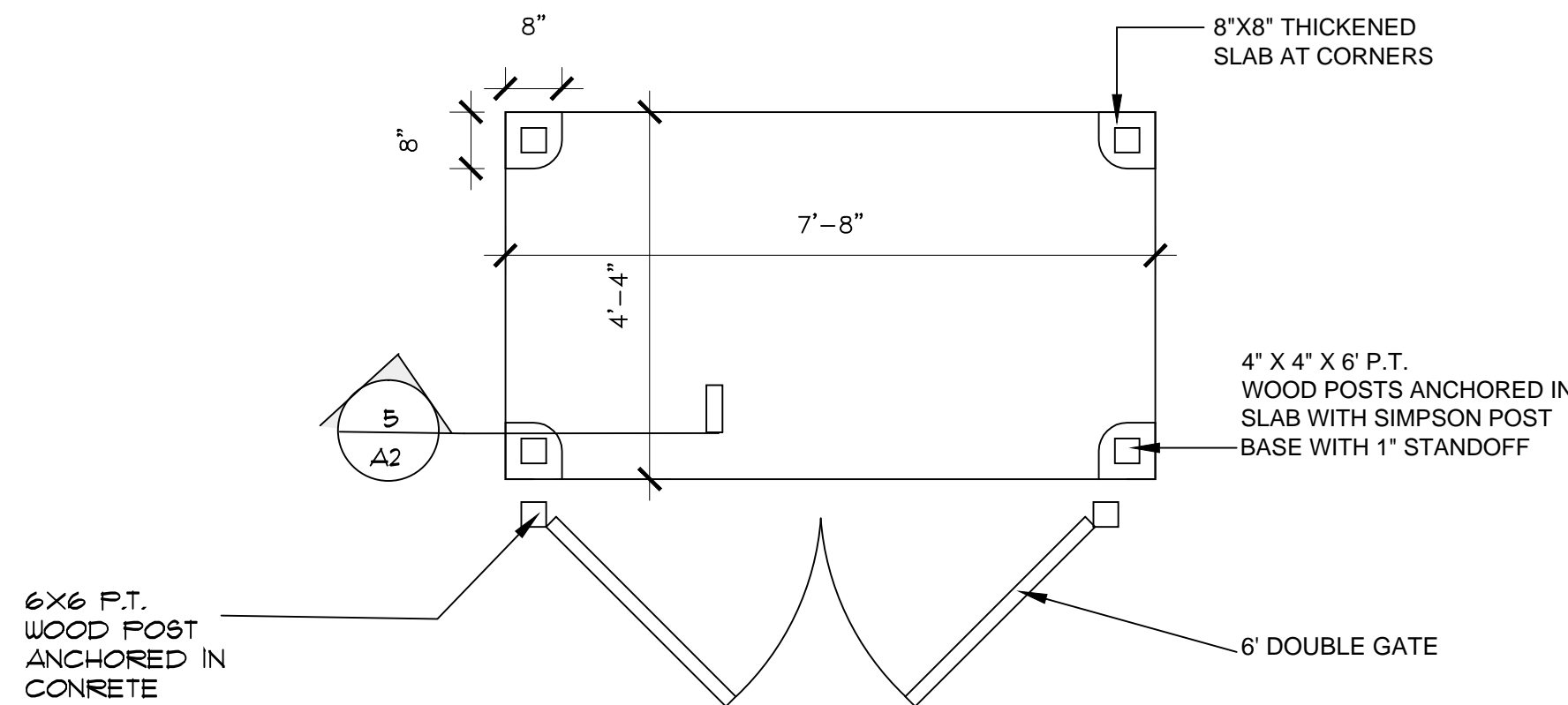
TRASH ENCLOSURE FENCE DETAIL
SCALE: 1/2" = 1'-0"

2



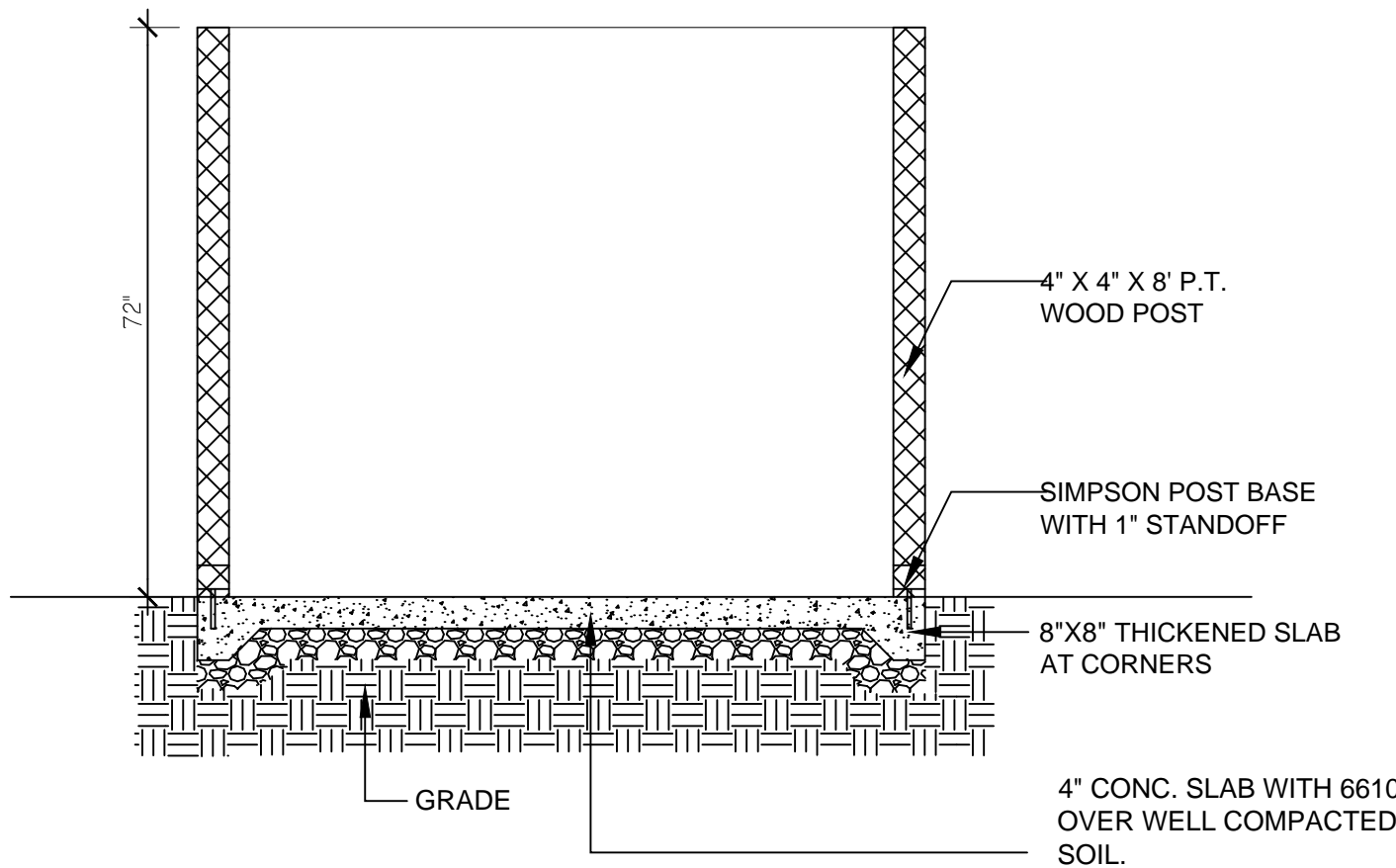
SINGLE GATE DETAIL
SCALE: N.T.S.

6



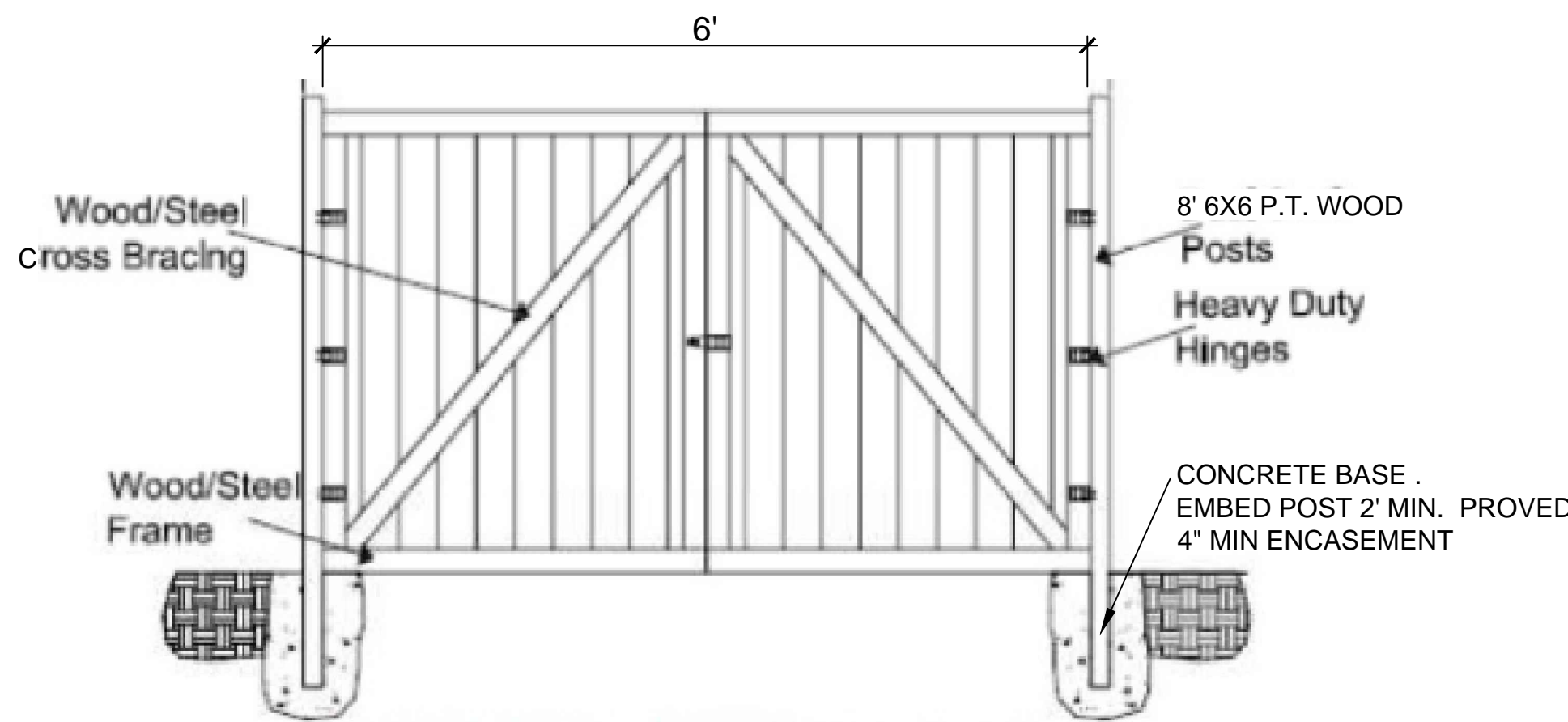
ENLARGED TRASH ENCLOSURE PLAN
SCALE: 1/2" = 1'-0"

3



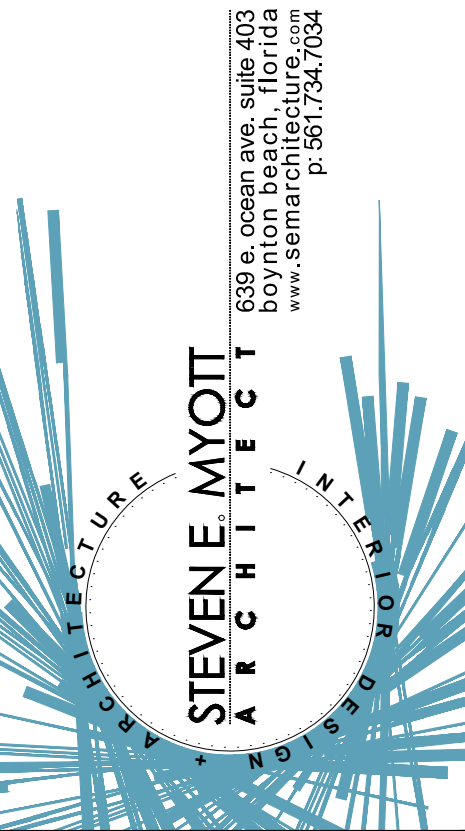
TRASH ENCLOSURE SECTION
SCALE: N.T.S.

5

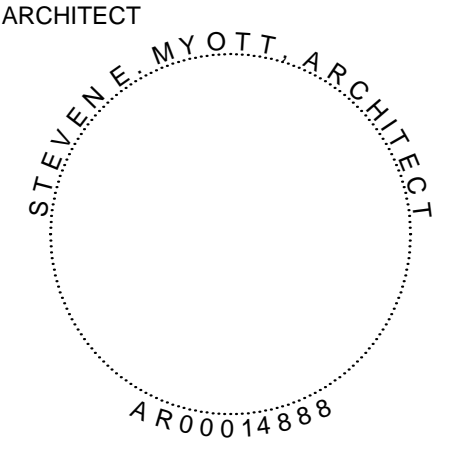


DOUBLE GATE DETAIL
SCALE: N.T.S.

4



Steven E. Myott
ARCHITECT
524 W ATLANTIC AVE
DELRAY BEACH, FLORIDA 33444



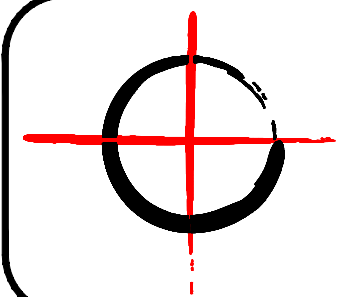
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PROJECT NO: 20.049
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NO. DATE: ISSUED FOR:
1. 08.20.2020 ZONING RESPONSES
2. 10.02.2020 ZONING COMMENTS

DETAILS

A2

**PINNELL SURVEY, Inc.**

PROFESSIONAL SURVEYORS AND MAPPERS
5300 WEST HILLSBORO BOULEVARD, SUITE 215-A
COCONUT CREEK, FLORIDA 33073
PHONE: (954)418-4940 FAX: (954)418-4941
LICENSED BUSINESS #6857

**PROJECT ADDRESS: 524 WEST ATLANTIC AVENUE
DELRAY BEACH, FLORIDA 33444**

CERTIFY TO:

1. DELRAY H1, LLC A FLORIDA LIMITED LIABILITY COMPANY AND ARISG, LLC A NEW YORK LIMITED LIABILITY COMPANY

LEGAL DESCRIPTION:

THE EAST 50 FEET OF THE WEST 175 FEET OF THE NORTH 110 FEET OF BLOCK 21, OF "THE TOWN OF LINTON (NOW DELRAY BEACH)", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, AT PAGE 3, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE NORTH 20 FEET FOR STATE ROAD 806 RIGHT OF WAY.

ENCROACHMENT NOTES:

- 1) ROOF EAVE OVERHANG CROSSES OVER THE NORTHERLY PROPERTY LINE.
- 2) 6 FOOT WOOD FENCE CROSSES OVER THE EASTERLY PROPERTY LINE.
- 3) 4 FOOT CHAIN LINK FENCE CROSSES OVER THE SOUTHERLY PROPERTY LINE.
- 4) FOOT CHAIN LINK FENCE CROSSES OVER THE WESTERLY PROPERTY LINE.

GENERAL NOTES:

- 1) TYPE OF SURVEY: BOUNDARY.
- 2) IF THIS SURVEY HAS BEEN REVISED AS INDICATED IN THE REVISION BOX SHOWN HEREON, THEN ANY AND ALL PREVIOUS VERSIONS OF THIS SURVEY PREPARED BY PINNELL SURVEY, INC. ARE NULL & VOID.
- 3) THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, UNLESS IT HAS BEEN ELECTRONICALLY SIGNED AND SEALED.
- 4) THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD BY PINNELL SURVEY, INC. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT DEPICTED ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY, FOR WHICH THE SUBJECT PROPERTY IS LOCATED IN.
- 5) UNLESS OTHERWISE NOTED, FIELD MEASUREMENTS ARE IN AGREEMENT WITH RECORD MEASUREMENTS.
- 6) ELEVATIONS SHOWN HEREON (IF ANY) ARE BASED ON THE NAVD '88, UNLESS OTHERWISE NOTED.
- 7) UNDERGROUND IMPROVEMENTS AND UTILITIES ARE NOT LOCATED.
- 8) FENCE AND WALL OWNERSHIP IS NOT DETERMINED.
- 9) THIS DRAWING IS THE PROPERTY OF PINNELL SURVEY, INC. AND SHALL NOT BE USED OR REPRODUCED, WHOLE OR IN PART WITHOUT WRITTEN PERMISSION & AUTHORIZATION FROM PINNELL SURVEY, INC.
- 10) ALL EASEMENTS SHOWN ON THE ATTACHED DRAWING ARE PER THE RECORD PLAT (UNLESS OTHERWISE NOTED).
- 11) REFERENCE BENCHMARK: PALM BEACH COUNTY ENGINEERING B.M. "D 31" ELEVATION = 16.282' (NAVD 1988)
- 12) BY GRAPHIC PLOTTING ONLY, THE PROPERTY SHOWN HEREON IS LOCATED WITHIN A FLOOD ZONE "X" WITH NO BASE FLOOD ELEVATION DETERMINED, AS SHOWN ON F.I.R.M. MAP 125101-0979-F, BEARING A MAP EFFECTIVE DATE OF 10/05/17 AND AN INDEX MAP REVISION DATE OF 10/05/17.
- 13) ADJACENT BUILDING LOCATIONS SHOWN HEREON ARE APPROXIMATE.
- 14) DATE FIELDWORK PERFORMED: 08/23/17 (FIELD BOOK 565, PAGE 52)
- 15) DRAWN BY: J.D.I. CHECKED BY: J.H.P.

CERTIFICATION:

THIS IS TO CERTIFY THAT I HAVE RECENTLY SURVEYED THE PROPERTY DESCRIBED IN THE FOREGOING TITLE CAPTION AND HAVE SET OR FOUND MONUMENTS AS INDICATED ON THIS SKETCH AND THAT SAID ABOVE GROUND SURVEY AND SKETCH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE UNDER RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA STATE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS.



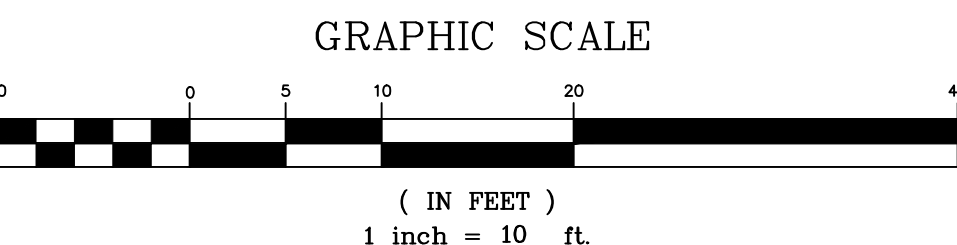
JASON H. PINNELL
PROFESSIONAL SURVEYOR & MAPPER
LICENSE NO. 5734 - STATE OF FLORIDA

REVISIONS:

REVISION	DATE	CHECKED BY
UPDATE SURVEY (19-1748)	08/23/19	O.C.
SITE ELEVATIONS (20-1333)	07/21/20	O.C.
ADJACENT LOTS SITE ELEVATIONS (20-1544)	08/14/20	S.A.
ADD CENTERLINE OF RIGHT OF WAY & ADJACENT BUILDINGS	09/18/20	J.P.

PROJECT NAME: DELRAY H1

JOB NO.: 17-1443

**LEGEND:**

- B.M. = BENCHMARK
B.C.R. = BROWARD COUNTY RECORDS
C = CALCULATED MEASUREMENT
CL = CENTERLINE
C.B. = CHORD BEARING
C.B.S. = CONCRETE BLOCK STRUCTURE
C.L.F. = CHAIN LINK FENCE
C.O. = CLEAN OUT
CONC. = CONCRETE
C.L.P. = CONCRETE LIGHT POLE
D = DEED MEASUREMENT
E.S. = ELECTRIC SERVICE
ELEV. = ELEVATION
F.P.L. = FLORIDA POWER & LIGHT
G.V. = GATE VALVE
L.P. = LIGHT POLE
M = MEASURED
M-D.C.R. = MIAMI-DADE COUNTY RECORDS
M.H. = MANHOLE
NAVD = NORTH AMERICAN VERTICAL DATUM
NGVD = NATIONAL GEODETIC VERTICAL DATUM
O.R.B. = OFFICIAL RECORDS BOOK
P = PLAT MEASUREMENT
P.B. = PLAT BOOK
P.E. = POOL EQUIPMENT
P.B.C.R. = PALM BEACH COUNTY RECORDS
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
TYP. = TYPICAL
W.F. = WOOD FENCE
W.P.P. = WOOD POWER POLE
A/C = AIR CONDITIONING UNIT
o/s = OFFSET
R/W = RIGHT-OF-WAY
H = HANDICAPPED PARKING
F = FIRE HYDRANT
U = UTILITY POLE
S = SPOT ELEVATION

S.W. 6th AVENUE

