



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

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: January 13, 2021

File No.: 2019-220-SPF-SPR-CLIII

Application Name: 290 SE 2nd Avenue

General Data:

Applicant: Roger Cope

Agent: Mark Ford/290 SE 2nd Ave, LLC

Location: 290 SE 2nd Avenue

PCN: 12-43-46-16-01-079-0150

Property Size: 0.114 Acres

FLUM: Commercial Core (CC)

Zoning: Central Business District – Railroad Corridor (CBD-RC)

Adjacent Zoning:

- North: CBD
- East: CBD
- South: CBD
- West: RM (Multi Family Residential)

Existing Land Use: Single story office warehouse

Proposed Land Use: 2nd Story office and Yoga Studio



Item before the Board:

Consideration of a Class III Site Plan Modification for 290 SE 2nd Avenue pursuant to LDR Section 2.4.5 (G)(1)(c) and section 3.1.1, including the following:

- Site Plan
- Landscape Plan
- Architectural Elevations

Optional Board Motions for Action Items:

1. Move to continue with direction
2. Move approval of the Class III (2019-220) Site Plan Modification, Landscape Plan, Architectural Elevations for 290 SE 2nd Avenue, as amended, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
3. Move denial of the Class III (2019-220) Site Plan Modification, Landscape Plan, Architectural Elevations for 290 SE 2nd Avenue, by finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in the Land Development Regulations.

Note:

A sidewalk Easement and Corner Clip must be dedicated prior to issuance of a building permit.

Background:

The 0.1145-acre parcel consists of Town of Delray Lts 15 & 16 Blk 79 in the Central Business District Railroad District. There is an existing 2,087 Square Foot commercial/warehouse building constructed in 1975. The applicant is proposing a second-floor addition of 2,087 Square feet which includes a gym, office building, restroom and elevator.

On May 19, 2020, a waiver request was approved by the City Commission by Resolution No 64-20 which allowed a 4'7" setback

Project Planner:

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

Review Dates:

SPRAB Meeting Date January 13, 2021

Attachments

1. Site Plans
2. Landscape Plans
3. Architecture Plans



abutting the westside of the property in the rear where a 10-foot setback is required on the second floor. (The first floor is nonconforming).

Project Description:

The project consists of a second-floor addition of 2,087 Square Feet to an existing commercial building in the Central Business District Railroad Corridor. The existing uses on the bottom floor propose no change which include an Art Studio, and garage. The second story addition will consist of workout room, Jui-Jisu area, a reception area, offices and restroom along with the elevator. The property is unique as it has two front setbacks: one on SE 2nd Ave and one on SE 3rd Street. The applicant is proposing minor architectural elevation changes by introducing new windows to the second floor, elevator shaft, and awnings. In addition, new landscaping and a sidewalk along SE 3rd Street will be introduced. Parking is not required pursuant to LDR 4.4.13(I)(2)(d): since properties less than 65 feet in width are not required to provide off-street parking, except for restaurant and lounge uses. The property is only 29.95 feet wide. No building changes are proposed to the first floor of the building footprint, therefore, the streetscape and associated dimensional requirements are not reviewed with this proposal as they remain the same. However, a new sidewalk on SE 3rd Avenue and a Sidewalk Easement on SE 2nd Avenue is required.

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.

LDR Section 4.4.13(D) – Dimensional Requirements by CBD Sub-district

Pursuant to Figure 4.4.13-7 (Railroad Corridor Subdistricts), SE 2nd Avenue and SE 3rd Street are considered Secondary Streets. Pursuant to Table 4.4.13(B), the following dimensional requirements are applicable:

APPROVED BUILDING (CLIII)	Required	Proposed
Lot Width	20 ft. min.	29.95 ft.
Lot Area	2,000 sf. min.	4,954 sf
Front Setback SE 2 nd Avenue	10 ft. min./15 ft. max.	9.5 ft (north), 9.7 ft(south)**
Front Setback SE 3 rd Street	10 ft. min/15 ft. max	35.17**
Rear Setback	10 ft. min.	5 ft.*
Interior Side Setback	0 ft. (northside)	4'8" ft.
Maximum Height	54 ft.	22'/with elevator shaft 25'2"
Civic Open Space	N/A	N/A

* 1st floor existing nonconformity/2nd floor approved for waiver on May 19, 2020

**existing non-conformity

Parking

Pursuant to LDR 4.4.13(I)(2)(d) properties less than 65 feet in width are not required to provide off-street parking, except for restaurant and lounge uses. The property is 29.95 feet; therefore, parking is not required on site. However, there are five non-conforming existing parking spaces. Three back out spaces on SE 2nd Avenue that lead into the existing garage and two in the front of the building on SE 3rd Avenue. Pursuant to LDR 4.4.13(i)(3)(1), parking is not permitted in the front setbacks or side setbacks facing streets, parks, or civic open spaces.

Bicycle Parking

Pursuant to LDR Section 4.4.13(I)(4) bicycle parking is required. The new use of 2,087 SF of a workout area, and Jui-Jisu is 1 space per 2,500 requiring 1 bicycle space. The existing use of 2,087 is an art studio which is also 1 space per 2,500 requiring 1



bicycle space. Therefore, two bicycle spaces are required and provided for the project in the front.

Refuse Enclosure:

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. There is an existing concrete pad and enclosure on the side interior that will remain.

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 ultimate ROW on SE 2nd Avenue is 50 feet, as this is an existing building and the addition is to the second floor, a five-foot perpetual sidewalk easement is required as the ROW is only 15 feet. In addition, a new five-foot sidewalk is being introduced on SE 3rd Street and a corner clip is required pursuant to LDR 5.3.1(D)(3). A right-of-way dedication will be required at all intersections in the Central Business District (CBD). This right-of-way dedication will consist of an area of property located at the corner formed by the intersection of two or more public rights-of-way with two sides of the triangular area being 20 feet in length along the abutting public right-of-way lines. It is noted that the corner clip is encroaching on the nonconforming parking lot. A note has been indicated that the sidewalk easement and corner clip must be dedicated prior to issuance of a permit.

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. There are three Black Olive trees that are being removed on SE 2nd Avenue. A new cocoplum hedge and a Holly Tree will be placed along SE 3rd Street and to the rear to enclose the parking area. The parking island will have a Verawood Tree and Green Island Ficus. SE 2nd Avenue will contain sod, two holly tress, Imperial Bromeliad and Agave are introduced as ground cover.

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 is most closely related to Art Deco of the seven permitted architectural styles in LDR Section 4.4.13(F). The architectural elevation changes are to the second story and the elevator shaft that is to the rear of the building which is three feet two inches above the roofline. The first floor will have minor changes with the stucco to remain throughout the building. On the south elevation, the glass block panels will remain and flank the new door system and canopy. There are existing block windows and three garage doors on the east elevation and a block window system and two existing doors on the north elevation. There is an introduction of a cantilevered concrete eyebrow on the east elevation over the garage doors. The second floor includes new impact windows on the north, south east and west elevations. A new scored stucco finish and siding and a four-foot overhang is introduced to add symmetry to the building. A new door is introduced on the west elevation. The color of the building will remain the same grey color.



Review by Others:

At the meeting of March 9, 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:

- Osceola Park

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 Railroad Corridor 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 Railroad Corridor, 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>	CBD– Railroad Sub-district	Vacant commercial
<i>South:</i>	CBD – Railroad Sub-district	Warehouse
<i>East:</i>	CBD Railroad Sub-district	Railroad Tracks
<i>West:</i>	Medium Density Residential	Residential

The surrounding uses are a mix including residential, warehouse and commercial. The Art Studio and Workout room and Jui-Jisu are compatible with the surrounding mix of uses and consistent with CBD Railroad. New businesses to the CBD railroad bring a vitality and life to an area that does not have a lot of business and new hotels and apartment living have been being built around.

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 SE 3rd Street and to the rear of the property.
- Sewer Service is available via an 8” lateral along the rear of the property.

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, for the redevelopment of the property which will result in an additional 66 Average Daily Trips, 3 net new AM peak hour trips, and 7net new PM peak hour trips.

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 2087 sq. ft. of the gym use generates approximately 12.3 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 (K)

- 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 detrimental impact upon or result in a 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 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