

Atlantic Grove Mt. Olive Addition Project Description

Legal Description

LOTS 16 THROUGH 21, INCLUSIVE, BLOCK 36, REVISED PLAT OF BLOCK 36, TOWN OF DELRAY, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED, IN PLAT BOOK 5, PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

THAT PORTION OF THE WEST OF THE 16 FOOT ALLEY RIGHT OF WAY, BLOCK 36, MAP OF LINTON (NOW DELRAY BEACH), ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LYING EAST OF AND ADJACENT TO LOTS 16 THROUGH 21, INCLUSIVE, BLOCK 36, REVISED PLAT OF BLOCK 36, TOWN OF DELRAY, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 5 PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LYING IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA. CONTAINING 21,547 SQUARE FEET, MORE OR LESS.

Project Background

In 2003, Atlantic Grove Partners completed the Atlantic Grove project with mixed-use buildings along W. Atlantic Avenue and townhomes behind. In total there were 75 residential units and 47,000 square feet of commercial uses in this mixed-use project—20 loft condominiums in the mixed-use buildings and 55 townhomes. In the 300 block of the development, a property owned by Mt. Olive Church in the middle of the townhomes was set to be sold to Atlantic Grove Partners in order to develop the whole block (see Figure 1 below).



Figure 1: Property Ownership in 2004

However, Mt. Olive Church failed to close on the property and Atlantic Grove Partners filed an action to enforce the contract, prevailing in district court and on appeal. Litigation ensued, tying up the property for over 15 years until the two parties reached a settlement agreement in August 2019. The settlement agreement provided the parcel in the 300 block to Atlantic Grove Partners and swapped a parking lot in the 400 block (see Figure 2 below).



Figure 2: Property Ownership in 2020

During this period of litigation, the zoning of the property changed from General Commercial (GC) to Central Business District (CBD), inhibiting Atlantic Grove Partners from completing Atlantic Grove as intended in 2003. Because the property is in the West Settlers Historic District, it would have been unable to participate in the Density Bonus Incentive Program (Sec. 4.4.13(H)(1)(b)). In the fall of 2019, Atlantic Grove Partners initiated a proposed text amendment to allow for non-contributing properties south of NW 1st Street to participate in the density bonus program up to 20 units per acre. The text amendment was approved by the Delray Beach City Commission on December 3, 2019.

With the property under control and the text amendment approved, Atlantic Grove Partners has proceeded in developing a plan to finish the Atlantic Grove Development as always intended. The original plan included a 6-unit townhome building facing the street and an 8-unit townhome building in the interior, mirroring the existing 8-unit building and creating a central courtyard for the development. Figure 3 below shows a site plan sketch from 2003 of how the development was intended.

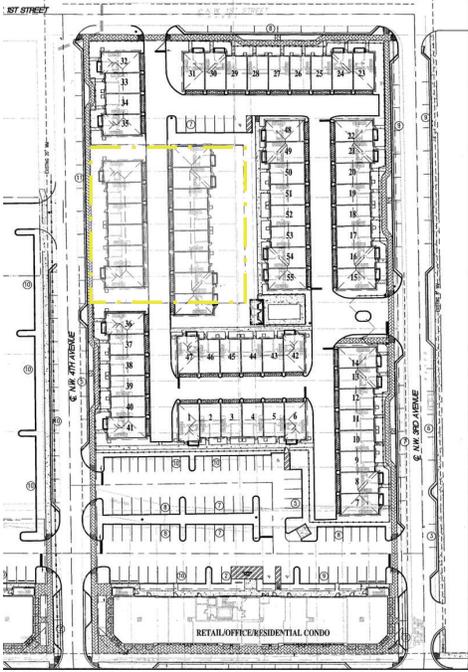


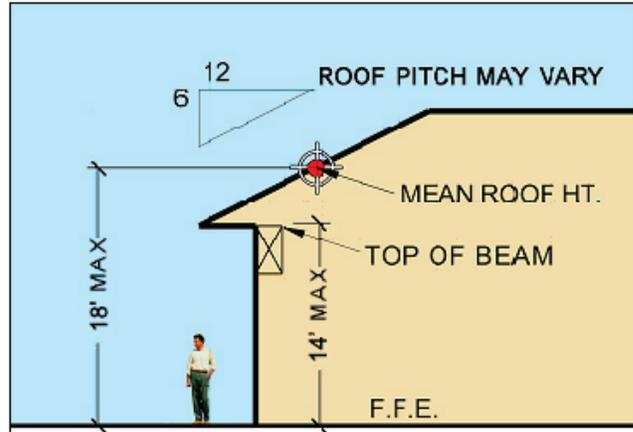
Figure 3: 300 Block from Site Plan in 2003

The current proposal seeks to modify the Atlantic Grove Site Plan to add the 6-unit building along NW 4th Avenue and the 8-unit building across from the existing 8-unit building. The existing site within Atlantic Grove is vacant. The 14 newly proposed buildings are largely similar to the existing townhomes but have been modified to meet the market preferences of 2020 as opposed to 2003. The proposal would add a total of 14 units to the Atlantic Grove Townhome community, bring the total of townhomes to 69 and the total number of residential units in Atlantic Grove to 89, well within the allowable density of 20 units/acre. The site data, including unit counts, building square footages, and parking calculations can be found on the site plan and in the tables in the application.

A residential courtyard is being designed and constructed between the two interior 8-unit buildings with access to the pool, benches, and a central green. At the south end of the courtyard, the pool cabana will be relocated to the west to open the courtyard for residents and extend the pool deck to accommodate more chaise lounges around the pool.

LDR Section 4.5.1(E)(7) Justification Statements

- (a) **Height.** The height of proposed buildings or modifications shall be visually compatible in comparison or relation to the height of existing structures and buildings in a historic district for all major and minor development. ~~For major development, visual compatibility with respect to the height of residential structures, as defined by 4.5.1(E)(2)(a), shall also be determined through application of the following: [Amd. Ord. 38-07 2/5/08]~~
1. ~~Building Height Plane (BHP): The building height plane technique sets back the overall height of a building from the front property line. [Amd. Ord. 38-07 2/5/08]~~
 - a. ~~The building height plane line is extended at an inclined angle from the intersection of the front yard property line and the average grade of the adjacent street along the lot frontage. The inclined angle shall be established at a two to one (2:1) ratio. See illustration below. [Amd. Ord. 38-07 2/5/08]~~
 - b. ~~A structure relocated to a historic district or to an individually designated historic site shall be exempt from this requirement. [Amd. Ord. 38-07 2/5/08]~~
 2. **First floor maximum height.** Single-story or first floor limits shall be established by: [Amd. Ord. 01-12 8/21/12]; [Amd. Ord. 38-07 2/5/08]
 - a. Height from finished floor elevation to top of beam (tie or bond) shall not exceed 14 feet. [Amd. Ord. 38-07 2/5/08]
 - b. Mean Roof Height shall not exceed 18 feet. [Amd. Ord. 38-07 2/5/08]
 - c. If any portion of the building exceeds the dimensions described in a. and b. above, the building shall be considered a multi-story structure. [Amd. Ord. 01-12 8/21/12]; [Amd. Ord. 38-07 2/5/08]
 - d. See illustration below: [Amd. Ord. 38-07 2/5/08]



e. Sections a., b., and c., above may be waived by the Historic Preservation Board when appropriate, based on the architectural style of the building. [Amd. Ord. 01-12 8/21/12]; [Amd. Ord. 38-07 2/5/08]

3. **Upper Story Height(s).** Height from finished floor elevation to finished floor elevation or top of beam (tie or bond) shall not exceed 12 feet. [Amd. Ord. 01-12 8/21/12]; [Amd. Ord. 38-07 2/5/08]

Justification: The ground floor heights of the proposed buildings do not exceed 14 feet and the heights of each floor and the height of the building match the existing townhome buildings.

- (b) **Front facade proportion.** The front facade of each building or structure shall be visually compatible with and be in direct relationship to the width of the building and to the height of the front elevation of other existing structures and buildings within the subject historic district. [Amd. Ord. 38-07 2/5/08]

Justification: The proposed townhome buildings are the same height and width, and the individual units are the same width, as the existing townhome buildings in Atlantic Grove.

- (c) **Proportion of openings (windows and doors).** The openings of any building within a historic district shall be visually compatible with the openings exemplified by prevailing historic architectural styles of similar buildings within the district. The relationship of the width of windows and doors to the height of windows and doors among buildings shall be visually compatible within the subject historic district. [Amd. Ord. 38-07 2/5/08]

Justification: The proposed townhome buildings will be the same size as what is existing at Atlantic Grove, but due to changes of the floor plan, the door and window placements have changed slightly and the sizes of some windows have changed slightly. These changes are not hugely significant and will still be compatible with the existing development. These elements will provide variety within the consistent pattern of massing on the streetscape.

- (d) **Rhythm of solids to voids.** The relationship of solids to voids of a building or structure shall be visually compatible with existing historic buildings or structures within the subject historic district for all development, with particular attention paid to the front facades. [Amd. Ord. 38-07 2/5/08]

Justification: The fenestration pattern on the proposed buildings is visually compatible with the existing townhome buildings in Atlantic Grove. There is a slight variation due to the change in floor plan in the new townhome units, but those variations are minimal and will likely aid the appearance of the streetscape due to a pattern of solid and voids that are orderly and similar yet varied.

- (e) **Rhythm of buildings on streets.** The relationship of buildings to open space between them and adjoining buildings shall be visually compatible with the relationship between existing historic buildings or structures within the subject historic district. [Amd. Ord. 38-07 2/5/08]

Justification: The proposed 6-unit townhome building will be equally spaced between the existing 4-unit and 6-unit buildings along NW 4th Avenue. The proposed 8-unit building will be aligned face to face with the existing 8-unit building in the center of the block, framing a courtyard.

- (f) **Rhythm of entrance and/or porch projections.** The relationship of entrances and porch projections to the sidewalks of a building shall be visually compatible with existing architectural styles of entrances and porch projections on existing historic buildings and structures within the subject historic district for all development. [Amd. Ord. 38-07 2/5/08]

Justification: The existing townhome buildings in Atlantic Grove have projecting balconies on their end units and recessed balconies on their interior units. We made the decision to do projecting balconies for all units on the proposed townhome buildings. While this detail will differ from the existing buildings, there is still consistency in massing between the buildings. These projecting balconies will add variety while still being consistent with the existing buildings.

- (g) **Relationship of materials, texture, and color.** The relationship of materials, texture, and color of the facade of a building and/or hardscaping shall be visually compatible with the predominant materials used in the historic buildings and structures within the subject historic district. [Amd. Ord. 38-07 2/5/08]

Justification: Again, our purpose in this proposal is to complete the Atlantic Grove townhome development, so the focus is on being compatible within the townhome community so that the entirety of Atlantic Grove will be consistent.

- (h) **Roof shapes.** The roof shape, including type and slope, of a building or structure shall be visually compatible with the roof shape of existing historic buildings or structures within the subject historic district. The roof shape shall be consistent with the architectural style of the building. [Amd. Ord. 38-07 2/5/08]

Justification: As the proposed buildings are of equal height and length of the existing townhome buildings in Atlantic Grove, the roof shapes of the proposed buildings will be compatible, if not identical, to the existing buildings.

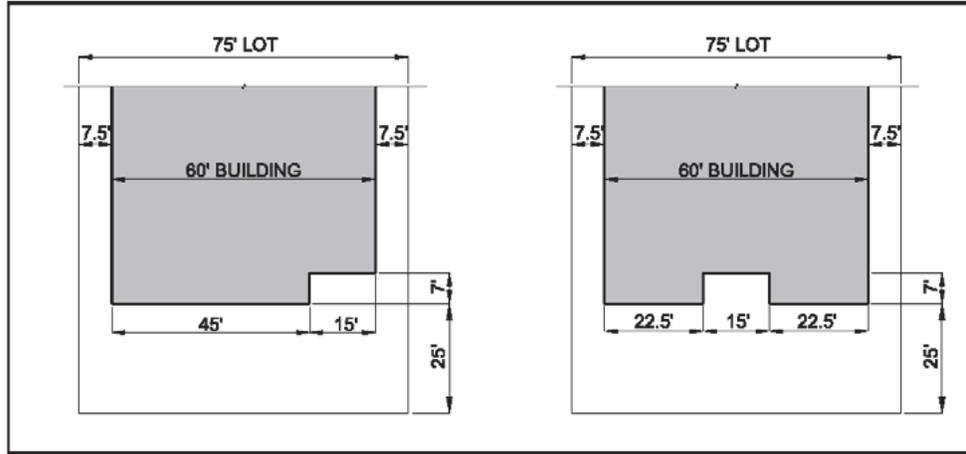
- (i) **Walls of continuity.** Walls, fences, evergreen landscape masses, or building facades, shall form cohesive walls of enclosure along a street to ensure visual compatibility with historic buildings or structures within the subject historic district and the structure to which it is visually related. [Amd. Ord. 38-07 2/5/08]

Justification: Currently, the subject property is a hole in the middle of the Atlantic Grove Townhomes on NW 4th Avenue. The property is roughly 150 feet wide between the 4-unit building to the north and the 6-unit building to the south. The addition of the proposed buildings will fill this hole with a townhome building have exact scale and will continue the fence and landscaping along NW 4th Avenue. New landscaping and street trees will be consistent with what exists currently along the streetscape.

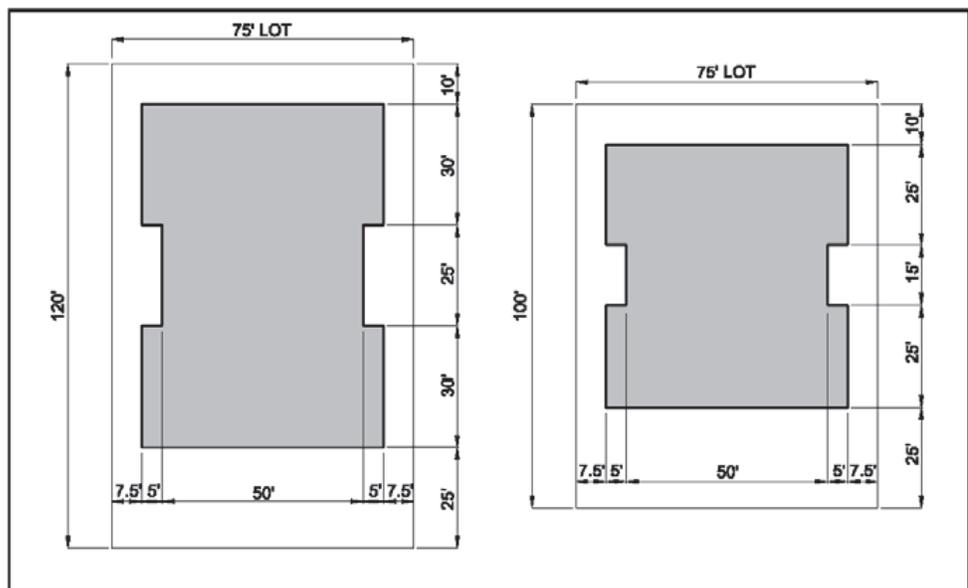
- (j) **Scale of a building.** The size of a building and the building mass in relation to open spaces, windows, door openings, balconies, porches, and lot size shall be visually compatible with the building size and mass of historic buildings and structures within a historic district for all development. To determine whether the scale of a building is appropriate, the following shall apply for major development only: [Amd. Ord. 38-07 2/5/08]

Justification: The proposed 6- and 8-unit townhome buildings are wider than 60% of the new site that is being added into Atlantic Grove, but it is a modification of the existing site plan. The proposed buildings are consistent in size with what already exists. The proposed 6-unit building is the same height and width as the existing 6-unit buildings in Atlantic Grove and the proposed 8-unit building is the same height and width as the existing 8-unit buildings in Atlantic Grove.

1. For buildings wider than 60 percent of the lot width, a portion of the front façade must be setback a minimum of seven additional feet from the front setback line: [Amd. Ord. 38-07 2/5/08]
 - a. Lots 65 feet or less in width are exempt from this requirement. [Amd. Ord. 38-07 2/5/08]
 - b. To calculate how much of the building width must comply with this provision, multiply the lot width by 40 percent and subtract the required minimum side setbacks (example: 100' lot width x 40% = 40' - 15' side yard setbacks = 25'). [Amd. Ord. 38-07 2/5/08]
 - c. Any part or parts of the front façade may be used to meet this requirement. [Amd. Ord. 38-07 2/5/08]
 - d. See illustration below: [Amd. Ord. 38-07 2/5/08]



- e. If the entire building is set back an additional seven (7) feet, no offset is required. [Amd. Ord. 38-07 2/5/08]
2. For buildings deeper than 50 percent of the lot depth, a portion of each side façade, which is greater than one story high, must be setback a minimum of five additional feet from the side setback line: [Amd. Ord. 38-07 2/5/08]
- a. To calculate how much of the building depth must comply with this provision, multiply the lot depth by 50 percent and subtract the required minimum front and rear setbacks (example: 120' lot depth x 50% = 60' - 25' front yard setback - 10' rear setback = 25'). [Amd. Ord. 38-07 2/5/08]
 - b. Any part or parts of the side façades may be used to meet this requirement. [Amd. Ord. 38-07 2/5/08]
 - c. See illustration below: [Amd. Ord. 38-07 2/5/08]



- d. If the entire building is set back an additional five feet from the side, no offsets are required on that side. [Amd. Ord. 38-07 2/5/08]
- 3. Porches may be placed in the offset portion of the front or side façades, provided they are completely open except for supporting columns and/or railings. [Amd. Ord. 38-07 2/5/08]
- (k) **Directional expression of front elevation.** A building shall be visually compatible with the buildings, structures, and sites within a historic district for all development with regard to its directional character, whether vertical or horizontal. [Amd. Ord. 38-07 2/5/08]

Justification: The proposed 6-unit building will be constructed in line with the existing buildings along NW 4th Avenue. It will be parallel with the street and face west just like the existing buildings on either side of it. The set back from the property line will be identical to the front setbacks of the existing buildings. These buildings along the street will be visually compatible as they will be the same height, the units will be the same width, the floors will be the same heights, and the setbacks from the street will be the same. The proposed 8-unit building will align face to face with the existing 8-unit building across a courtyard.

- (l) **Architectural style.** All major and minor development shall consist of only one architectural style per structure or property and not introduce elements definitive of another style. [Amd. Ord. 38-07 2/5/08]

Justification: Atlantic Grove was originally done in an Anglo Caribbean style architecture and the newly proposed buildings are as well. The facades of the buildings are changing slightly and will add nice variation to the community while still being architecturally consistent.

Department of the Interior Standards for Rehabilitation Justification Statements

- 9. New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Justification: The new construction townhomes within Atlantic Grove will vary slightly from the existing townhomes in terms of façade (fenestration and projecting balconies) but will be consistent in terms of size, massing, and materials. We adjusted the floor plans per changes in the market from 2003 to 2020 so the windows and doors necessarily had to change position slightly. These townhomes will finish the Atlantic Grove townhome community and fill a hole in the property and along NW 4th Avenue that has been there for 17 years.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Justification: The property is on a block that is entirely part of the Atlantic Grove townhome and mixed-use development. It was developed and constructed in 2003 and the newly proposed buildings will tie into the community's infrastructure and be architecturally similar to the existing buildings. It is meant to be one complete community. They buildings will be absorbed into the Atlantic Grove Townhome Owners Association, and thus the future of these new buildings will be tied directly to the future of the rest of the Atlantic Grove Townhomes.

Vicinity Map



Photographs of Property

From Southwest Looking Northeast



From West Looking East



From Northwest Looking Southeast



From East Looking West



From Southeast Looking Northwest



Current Aerial

