

Development Services Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: 95 SW 5th Avenue Project Location: 95 SW 5th Avenue Request: Class V Site Plan PCN: 12-43-46-17-06-029-0280 Board: Site Plan Review and Appearance Board Meeting Date: August 25, 2021 Board Action: (6-0)

Board Action:

Approved (6-0)

Project Description:

The 0.1771-acre site consists of Lots 28 and 29 of the Re-Subdivision of Blocks 29 and 27, Delray, according to the Plat recorded in Plat Book 9, Page 66, of the Public Records of Palm Beach County, Florida. Currently situated on the site is a public parking lot.

On May 18, 2021, the City Commission adopted Resolution No. 74-21 granting a waiver to LDR Sections 4.4.13 (D)(2)(A), Table 4.4.13 (C), and Table 4.4.13 (E) to allow for a reduced front setback on the 1st floor of the building to 6 ft-6in and the 2nd floor to 0ft-0in at the southwest corner of the building adjacent to the 20 ft x 20 ft corner clip dedication area only.

The Class V Site Plan application (2020-133) is associated with the construction of a 9,981 gross square feet two-story office building located at 95 SW 5th Avenue. The ground floor will be 4,892 sf, which will include 1,282 sf of leasable tenant space and a covered parking area. The second floor will provide 5,089 sf of office space. The site improvements include decorative paving, landscaping and lighting.

Board Comments: N/A

Public Comments:

Associated Actions: N/A

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

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: August 25, 2021 File No: 2020-133-SPF-SPR-CLV Application Name: Delray Beach CRA Development

General Data:

Applicant: Delray Beach CRA Agent: Tara Toto, Redevelopment Manager Location: 95 SW 5th Avenue PCN: 12-43-46-17-06-029-0280 Property Size: 0.1771 acres FLUM: Commercial Core (CC) Zoning: Central Business District (CBD) - West Atlantic Neighborhood Sub-District

- Adjacent Zoning:
 - North: CBD
 - **East**: Community Facility (CF)
 - o South: CBD
 - West: CBD

Existing Land Use: Surface Parking Lot Proposed Land Use: Office/Retail building Floor Area Ratio: 1 37

Item before the Board:

The action before the Board is for the approval of a Class V Site Plan application for Delray Beach CRA Development pursuant to LDR section 2.4.5 (F)(3), including the following:

- □ Site Plan
- □ Landscape Plan
- Architectural Plan



Optional Board Motions for Action Items:

- 1. Move to continue with direction
- 2. Move approval of the Class V (2020-133) Site Plan, Landscape Plan, and Architectural Elevations for Delray Beach CRA Development located at 95 SW 5th 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 V (2020-133) Site Plan, Landscape Plan, and Architectural Elevations for Delray Beach CRA Development located at 95 SW 5th Avenue, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

Technical Notes:

SPRAB Board: 1.	Site Plans
August 25, 2021 2.	Landscape Plans
3.	Architecture Plans
	August 25, 2021 2.



- 1. Provide a recorded pedestrian clear zone easement agreement for the portion of the minimum 6-foot pedestrian clear zone that is on the private property prior to building permit issuance. If the minimum clear zone is provided within the right-of-way, this is not needed.
- 2. Provide an executed landscape maintenance agreement for the potted plants in the public right-of-way prior to building permit issuance.
- 3. Provide a corner clip dedication prior to building permit.
- 4. Provide revised photometric plans showing correct foot-candle calculation in the stairwells on the first and second floors.
- 5. Provide an approved Hold Harmless agreement from the building official for the portions of the roof awnings encroaching the public right-of-way prior to building permit issuance.
- 6. If the applicant chooses to move forward with a mural; an approved mural permit by the Public Arts Advisory Board will be required.

Project Description:

The Class V Site Plan application (2020-133) is associated with the construction of a 9,981 gross square feet two-story office building located at 95 SW 5th Avenue. The ground floor will be 4,892 sf, which will include 1,282 sf of leasable tenant space and a covered parking area. The second floor will provide 5,089 sf of office space. The site improvements include decorative paving, landscaping and lighting.

Background:

The 0.1771-acre site consists of Lots 28 and 29 of the Re-Subdivision of Blocks 29 and 27, Delray, according to the Plat recorded in Plat Book 9, Page 66, of the Public Records of Palm Beach County, Florida. Currently situated on the site is a public parking lot. The following is a list of events involving the site:

On July 25, 1991, permit 91-11836 was issued to demolish a home on the property.

- In April 2008, the CRA took ownership of the subject site according to Palm Beach County Property Appraiser (Property Appraiser) records.
- On March 24, 2010, a Class V site plan application (2010-085) was approved by the Site Plan Review and Appearance Board (SPRAB) for the construction of a 7-space public parking lot with open space area (existing site conditions).
- On May 18, 2021, the City Commission adopted Resolution No. 74-21 granting a waiver to LDR Sections 4.4.13 (D)(2)(A), Table 4.4.13 (C), and Table 4.4.13 (E) to allow for a reduced front setback on the 1st floor of the building to 6 ft-6in and the 2nd floor to 0ft-0in at the southwest corner of the building adjacent to the 20 ft x 20 ft corner clip dedication area only.

Site Plan Analysis:

Compliance with the Land Development Regulations:

Items identified in the Land Development Regulations shall specifically be addressed by the body taking final action on the site and development application/request.

Central Business District (CBD)

Pursuant to LDR Section 4.4.13(A), **Purpose and intent for the CBD**, The Central Business District (CBD) is established to preserve and protect the cultural and historic aspects of downtown Delray Beach and simultaneously provide for the stimulation and enhancement of the vitality and economic growth of this special area.

West Atlantic Neighborhood Sub-District (West Atlantic Sub-District):

Pursuant to LDR Section 4.4.13 (A)(3), the regulations are intended to be consistent with the Downtown Delray Beach Master Plan and The Set Transformation Plan. The emphasis of these regulations is on the preservation and enhancement of existing neighborhoods, while promoting a pedestrian friendly commercial area along West Atlantic Avenue that contains a mix of residential, commercial and civic functions. Businesses that are oriented toward serving the local neighborhood, as opposed to a regional area, are encouraged.

 The property is located in the CBD West Atlantic Neighborhood Sub-District at the northeast corner of SW 5th Avenue and SW 1st Street within the Ebony Delray Beach neighborhood. The project proposes leasable



commercial space in the ground story (retail) and office space in the 2nd story. The uses proposed will increase the availability of retail and office service to the neighborhood and surrounding community.

Pursuant to LDR Section 4.4.13 (B)(5), **West Atlantic Neighborhood Commercial Area**, the location of commercial uses is limited within the West Atlantic Neighborhood Sub-district to protect established residential areas from commercial intrusion.

 The subject site is located in the West Atlantic Neighborhood Commercial Area, which allows commercial uses. The size and scale of the development and the uses proposed, provide a small influx of commercial uses in the area which will not diminish the residential character of the neighborhood.

Base District Requirements:

LDR Sections 4.4.13 (D), Table 4.4.13 (B), Table 4.4.13 (C) and 4.3.4 (K) Development Standards Matrix

Zoning	Required / Allowed	Provided
Central Business District – Central Core	-	
Lot Frontage (Min./Max)	75% / 100%	81% (SW 5 th Ave),
		84% (SW 1 st Ave)
Lot Width (Min.)	20'	54'
Lot depth	N/A	138'9"
Lot Area (Min.)	2,000 sf	7,292 sf*
Height (Max.)		
Outside the West Atlantic	54'	24'
Limited Height Area		
Stories (Max.)		
Outside the West Atlantic	4 stories	2 stories
Limited Height Area		
Ground Floor Height (Min.)	12'	12'
Setbacks (Min.):		
Front (West)	10' (min) / 15' (max),	10' – 10'8" (SW 5 th Ave),
		6'-6" (1 st floor corner) **
		0'-0" (2 nd floor corner) **
Side Street (South)	10' (min) / 15' (max)***,	10'
Side Interior (North)	0'	0'
Rear Setback (East)	10'	10'
Civic Open Space	0% (lot less than 20k sq. ft.)	0%

*The lot area calculation provided is post dedication (7,713 sq. ft. pre-dedication).

**Resolution No. 74-21 – waiver granted for a reduced minimum 10' setback requirement for the ground floor to 6'-6" and 0'-0" for the second floor at the southwest corner of the property adjacent to the 20' x 20' corner clip dedication only.

***Pursuant to LDR Table 4.4.13 (C) note 1, side lot lines facing streets are regulated by front setback requirements.

Pursuant to LDR Section 4.4.13 (B) **Regulating Plans**, *The Delray Beach Central Business District (CBD) regulating plans depict additional information necessary to apply the standards contained in this Section and are hereby officially adopted as an integral part of these regulations.*

 According to the West Atlantic Neighborhood Sub-district regulating plan Figure 4.4.13-6, the subject site is located along a Primary Street (SW 5th Avenue).

Pursuant to LDR Section 4.4.13 (C)(2), **Primary Streets** are intended to develop over time as superior pedestrian environments and, as such, are held to higher standards in the regulations regarding building placement, building frontage, and the location of parking and service uses.

• The subject site has frontages on SW 5th Avenue (Primary Street) and SW 1st Avenue (Secondary Street).

Pursuant to LDR Section 4.4.13 (E)(2) **Minimum Streetscape Width**, the combination of public sidewalk (located within the right-of-way) and hardscape (located in front setback areas) shall provide a minimum streetscape area no less than 15 feet in width, measured from the back of curb.

The project meets the minimum streetscape design with 6'-15' paved walkable areas with shade trees that
provide an enhanced pedestrian environment.



The plans provided show existing conditions such as decorative terrazzo, a bus shelter pad, an electric panel box, and street light fixtures that were unable to be relocated. In some instances, these existing elements impacted the streetscape configuration from the edge of curb (curb zone, pedestrian clear zone, and remaining front setback). As such, a reconfigured streetscape design is necessary, as the pedestrian route at the corner moves into the curb zone to navigate around the electrical box and traffic sign. All other areas of the site plan provide the streetscape standards in the traditional manner.

Pursuant to LDR Section 4.4.13 (E)(2)(b)4., **In the event that site constraints**, such as existing utility easements, infrastructure, or right-of-way constraints prevent the installation of required street trees, <u>the Planning, Zoning and Building Director may approve a different organization of the curb and pedestrian clear zones</u>. Additional elements such as removable planters of small palms and shrubs, vines or seasonal flowers may be required. In addition, the building shall provide devices such as awnings or roof overhangs to establish a shaded pedestrian environment.

- Pursuant to LDR Section 4.4.13 (E)(3)(a)1., the curb zone shall be at least 4' in width and shall accommodate street, and public infrastructure needs such as utility poles, streetlights, street signs, parking meters, etc. The plans provided show a 4' curb zone adjacent to SW 5th Avenue and 8.7' curb zone along the SW 1st Street. The plans show that the curb zone will contain potted trees in the curb zone on SW 5th Avenue, and shade trees, bus shelters and utility boxes in the curb zones on SW 1st Street. A landscape maintenance agreement is needed prior to issuance of a building permit; this is included as a technical note.
- Pursuant to LDR Section 4.4.13 (E)(3)(a)2., the **pedestrian clear zone** shall be a least 6' feet wide and provide unobstructed walking space. The plans show a minimum 6' wide pedestrian clear zone which meanders from SW 1st Street to SW 5th Avenue, reflective of the transition from commercial street to residential area. The pedestrian clear zone is located between curb zone and the remaining front setback for the majority of the streetscape, but flips with the curb zone along a 50' segment at the northeast corner of the intersection, resulting from existing utility infrastructure. Per LDR Section 4.4.13 (E)(2)(b)4., the Development Services Director has approved the reconfigured streetscape for this area. In addition, the CRA board approved the reconfigured streetscape design at its meeting on October 27, 2020.
- Pursuant to LDR Section 4.4.13 (E)(2)(a)3., the remaining front setback area shall be detailed appropriately. The site plan shows hardscape features consisting of ramps, patios, and walkways and landscape features consisting of planter beds, and greenspace.



Pursuant to LDR Section 4.4.13 (E)(2)(b)1., **Street Trees**, All new construction, relocation of a building, or addition equal to or greater than 20 percent of the gross floor area of an existing building shall install street trees at the time of



development. Street trees shall be a canopy species, planted in the public right-of-way directly in front of the property line(s), uniformly spaced no greater than 30 feet on center.

- Resulting from the reconfigured streetscape, the plans provided show potted Pigeon Plum trees are provided along SW 5th Avenue to preserve the exiting terrazzo sidewalk. Stoppers are provided along SW 1st Street. Additional shade and canopy trees are provided within the front setback. The trees provided are Pigeon Plum, Stoppers, and Silver buttonwoods. A technical note has been added to the report requiring a landscape maintenance agreement be provided for the potted and planted trees in the public right-of-way prior to building permit issuance.
- The demolition plan provided shows existing Silver Buttonwood trees to be removed and relocated on site. The tree disposition chart shown on the plans show that 16 inches diameter at breast height (DBH) of trees are being removed and 17.5 inches of DBH will be replaced.

Pursuant to LDR Section 4.4.13 (E)(4)(a) **Porch**, *is an open-air structure attached to a building forming a covered* entrance large enough for comfortable use as an outdoor room. Table 4.4.13(E) provides the dimensional requirements and the maximum encroachment allowed, provided porches do not encroach into the minimum required curb zone or pedestrian clear zone as described in Section 4.4.13(E)(2).

The project is proposing a porch façade on the ground level adjacent to SW 5th Avenue (Primary Street). The porch design proposed complies with the Dimensional Requirements listed in LDR Section 4.4.13 (E)(4)(a) Table 4.4.13 (E). The following table demonstrates the project's compliance with the aforementioned LDR section:

Bindidio						
	Minimum	Maximum	Provided			
Building Setback	10'	15'	10'			
Depth	8'	12'	9.16'			
Width	40% Facade	100% Facade	48%			
Floor Elevation	0.5'	4'	0.5'			
Allowable Encroachment*	-	8'	0'			

Dimensional Requirements for Porch Table 4.4.13 (E)

* May not encroach into the curb zone or pedestrian clear zone (See Section 4.4.13(E)(2))

Pursuant to LDR Section 4.4.13 (E)(4)(g), **Lobby Entry**, is a frontage type that emphasizes the main entrance to the reception area of a building with a significant architectural feature. The lobby entry type provides an integral architectural element that provides a sheltered area to congregate in front of the main entrance to a commercial, mixed-use, multi-family, or civic building...

 The project is proposing a Lobby Entry to the building on SW 1st Avenue (Secondary Street). The following table demonstrates the project's compliance with the aforementioned LDR Section:

Dimensio	nai Requireme	This for LODby Entry 4.4.1	3 (N)
	Minimum	Maximum	Provided
Building Setback	10'	15'	15'
Lobby Entry Width	N/A	N/A	14.50'
Overhang/Awning Encroachment	N/A	10'	4'
Columns, Pilasters, Posts	N/A	5'	-
Lobby Entrance Recess	-	10'	6.25'

Dimensional Requirements for Lobby Entry 4.4.13 (K)

Pursuant to LDR Section 4.4.13 (F)(2)(d), **Façade composition compliance**, all development submittals shall provide diagrams and/or documentation to illustrate compliance with the requirements of this Section which includes <u>Building</u> <u>Articulation</u>, <u>Tripartite Composition</u>, and <u>Visual Screening</u>.

Pursuant to LDR section 4.4.13 (F)(2)(a)1., **Building Articulations**, form of a change in building height and building placement shall be incorporated so that building façade proportions do not exceed height to width ratios of 3:1 or 1:3. Building articulations shall be reinforced by changes in roof design, fenestration patterns, or architectural elements.



Sheet A2.1 show building façade articulation ratios that range from 1:1 to 3:1 in compliance with the LDR section.

Pursuant to LDR section 4.4.13 (F)(2)(b), **Tripartite Composition**, all buildings shall have a clearly expressed base, middle, and top in the façade design.

The LDR requires that all buildings in the CBD have a Tripartite Composition (base, middle, and top). The architectural designs provided demonstrate compliance with the LDR section. Specifically, the base of the building includes thickened stucco banding, and contrasting wall elements. The middle of the building features storefront facades, thickened wall elements, wood tile sheathing, murals and awnings. The top of the building features continuous parapet walls and decorative mechanical unit screening.

Pursuant to LDR section 4.4.13 (F)(3)(a) **Architectural Styles**, the "Delray Beach Central Business District Architectural Design Guidelines", identifies seven architectural styles as appropriate for downtown Delray Beach. The permitted architectural styles are outlined in the "Delray Beach Central Business District Architectural Design Guidelines" document.

The 95 SW 5th Avenue CRA Building proposes a Masonry Modern building design which is a allowable architectural style in accordance with the Delray Beach Central Business District Architectural Design Guidelines" document (The Guide). The guidelines describe masonry modern buildings as a type of architecture that emphasizes the solidity of the mass that appears to be carved from a solid volume. The building should include elements such as flat roofs, terraces, glass to wall ratios, recessed windows, and tripartite composition.

The building includes tripartite composition, arcades with terraces, and rooftop parking. The ground floor includes commercial retail tenant spaces with storefront glazing accentuated by a porch on the west façade and a lobby on the south facade. The middle portion of the building appears more solid, and include metal facades, aluminum storefront windows and doors framing, multi-colored stucco cladding, wood finish porcelain pavers, and decorative wood-like louvers. The proposed design reflects the monolithic intent of the masonry modern architecture which is clearly expressed in the building's exterior.



Architecture Elevations:

Pursuant to LDR section 4.6.18(B)(2), *buildings or structures located along strips of land or on single sites, and not a part of a unified multi-building complex, shall strive to achieve visual harmony with the surroundings.* The masonry modern design chosen for the 95 SW 5th Avenue CRA building is a compatible architectural style for buildings in the CBD. The design will provide a modern aesthetic area which is surrounded by older architecture. Below are some images of the adjacent buildings:

Pursuant to LDR section 4.6.18 (E), **Criteria for board action**, the following criteria shall be considered, by the Site Plan Review and Appearance Board or Historic Preservation Board, in the review of plans for building permits.

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.



- The building design is consistent with the downtown design guidelines and the size and scale of the proposed building comply with the LDR requirements for the CBD.
- 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.
 - The site is currently a vacant parking lot. The proposed building will improve the aesthetics in the area, provide additional parking, and infill an unoccupied lot in the downtown.
- 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 proposed project is compatible with the scale and zoning of the properties adjacent to the site. The
 project complies with the goals, objectives, and policies (GOP) listed in the comprehensive plan.
 Specifically, the project furthers the GOP of the comprehensive plan by improving building aesthetics in
 the CBD, furthering economic growth, creation of local business, and providing additional restaurant/retail
 and office spaces to the downtown corridor.

Civic Open Space

Pursuant to LDR Section 4.4.13 (G)(1)(a), "Sites smaller than 20,000 square feet have no civic open space requirement. The first 20,000 square feet of sites larger than 20,000 square feet are not used in the computation of required civic open spaces."

The subject site is 18,680 square feet; <u>no civic open space is required or provided</u>.

Visual Analysis

Pursuant to LDR Section 4.4.13 (K)(1)(e), A **Sight Line Study** of all development consisting of two or more stories shall be submitted for review by the approving body. The study shall include a one or more two-dimensional cross-section, at a minimum scale of 1:100, of the site showing the building with the equipment screening in relation to the adjacent properties (including views from upper stories) and/or the public street.

• The plans provided show a sight line visibility section that shows the screening of rooftop mechanical units.



CBD Parking Requirements

Pursuant to LDR Section 4.4.13 (I)(2)(d), Properties less than 65 feet in width are <u>not required to provide off-street</u> parking, except for restaurant and lounge uses.

The lot width of the subject site is 54'. The subject site is currently a public parking lot with 7 spaces. The proposed office/retail building has 5 parking spaces. The parking spaces provided consist of 3 standard parking spaces (9'x18') and 2 handicap parking spaces (12'x18'). Since the width of the site is less than 65', the development is not required provided parking spaces on site. If the uses change to include restaurant or lounge space, parking will be reassessed and required.

Pursuant to LDR Section 4.4.13(I)(4), Table 4.4.13 (M), **Bicycle Parking Requirement**, the following table lists the number of bicycle parking spaces required and provided for each of the uses proposed on the subject site:

Use	Area	Required	Provided
Retail Tenant Space	1,282 sq. ft.	1 per/1,000 sq. ft. = 1.30	
Commercial Office Space	3,821 sq. ft.	1 per/2,000 sq. ft. = 1.91	



	Total		3 Spaces	6 Spaces
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Per the LDR, the subject site is required to provide 3 bicycle parking spaces. The site plan provided indicates 6 bicycle spaces will be provided.

Supplemental District Regulations:

Lighting:

Pursuant to LDR Section 4.6.8 (A)(3) table 2, Photometric requirement, on-site lighting must be provided and be consistent with the minimum and maximum foot-candle illumination level requirements. The following chart shows the photometric calculations proposed for the site:

	Require	ements	Proposed		
Area	Minimum (fc)	Maximum (fc)	Minimum (fc)	Maximum (fc)	
Building Entrance	1.0	10.0	1.0	4.7	
Property Line	0.0	0.25	0.1	0.0	
Parking Garage Area	1.0	10.0	3.2	7.2	
Stairways	2.0	5.0	10.6*	21.6*	

Light Fixture Height	Maximum Allowed	Proposed
Commercial	25'	14' (max.)

The photometric plan shows light levels in the stairwell are higher than the maximum allowable foot-candles in the LDR. A note has been added to this report requiring that the photometric plans be revised to comply with the LDR requirements prior to site plan certification.

Required Findings:

Pursuant to LDR Section 3.1.1 **Required Findings**, prior to the approval of development applications, certain findings must be made in a form which is 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. These findings relate to the following areas:

Section 3.1.1 (A) - Land Use Map (LUM):

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 Future Land Use Map.

 The subject property has a LUM designation of Commercial Core (CC) and a Zoning map designation of Central Business District (CBD). The CBD zoning district is consistent with the CC LUM designation. In accordance with LDR Section 4.4.13 (C)(3), Table 4.4.13 (A), general retail, services, and facilities, and office uses are permitted principal uses in the CBD zoning district and West Atlantic Neighborhood sub-district

Section 3.1.1 (B) – Concurrency:

Facilities which are provided by, or through, the City shall be provide to new development concurrent with the issuance of a Certificate of Occupancy. The facilities shall be provided pursuant to levels of service established within the Comprehensive Plan.

 As described in Appendix "A", a positive finding can be made regarding water and sewer, streets and traffic, drainage, and solid waste.

Section 3.1.1 (C) – Consistency:

Compliance with performance standards set forth in Chapter 3 and required findings in section 2.4.5(F)(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.

 As described in Appendix "B", a positive finding of Consistency can be made as it relates to Standards for Site Plan Actions.



Section 3.1.1 (D) – Compliance with the 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.

Adjacent Land Uses:

Pursuant to LDR section 2.4.5(F)(5), Adjacent land use designations, "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 image indicates the zoning and land use of the properties surrounding the subject property:



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North	CBD – W. Atlantic Neigborhood	Commercial Core (CC)	Office building
East	CBD – W. Atlantic Neigborhood	Commercial Core (CC)	Multi-family
South	CBD – W. Atlantic Neigborhood	Commercial Core (CC)	Multi-family
West	CBD – W. Atlantic Neigborhood	Commercial Core (CC)	Church

The CBD West Atlantic Neighborhood sub-district allows for mix of residential, commercial and civic uses. The subject site is adjacent to office buildings, multi-family apartments, and a church. The proposed project demonstrates compatible and harmonious assimilation with the neighboring properties and will contribute to improving aesthetics in the area.

Comprehensive Plan Policies:

A review of the objectives and policies of the adopted "Always Delray" Comprehensive Plan was conducted, and the following applicable objectives or policies were noted.

Neighborhood, Districts and Corridors (Always Delray Comprehensive Plans)

Policy NDC 1.1.14: Continue to require that property be developed or redeveloped or accommodated, 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 fulfill remaining land use needs.

The proposed development is a 9,981 gross sq. ft., two-story retail/office building with a covered parking garage. The development is compatible in use, aesthetics, and scale with the adjacent properties in the CBD West Atlantic Neighborhood. The Floor Area Ratio (FAR) for the proposed building is 1.37 which is below the maximum 3.0 allowed in the Commercial Core. There are no conflicts between the proposed development and this policy.



Policy NDC 2.2.7 Within the Commercial Core, locate and design off-street parking areas in a manner that does not detract from the character by providing standards in the Land Development Regulations, such as locating parking to the side or rear of buildings, limiting size of lots, and landscaping and façade requirements. Large fields of parking between building facades and streets are generally not desirable.

The proposed development furthers the character of the commercial core by utilizing the small size to locate the surface parking spaces underneath rear portion of the building. The parking area features landscape buffers and low walls to screen the parking area from adjacent properties to adapt to the neighborhood.

Pursuant to LDR section 3.2.3 (B), All development shall provide pedestrian, bicycle, and vehicular interconnections to adjacent properties, <u>where possible</u>, 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).

The subject site situated at the corner of SW 5th Avenue and SW 1st Street provides interconnects to a bus route, pedestrian sidewalk network, and local roads. The site is not located along any planned bicycle routes. The plans show ADA accessible ramps and accessways that connect the building to handicap parking spaces and sidewalks.

Review by Others:

Utility Providers:

Pursuant LDR section to 2.4.2 (C)(2)(a), Utility providers for gas, electricity, telephone, cable television, etc. shall be notified of the submission of a site plan or plat.

 Florida Power and Light (FPL), American Telephone & Telegraph (AT&T), Florida Public Utilities Company (FPUC), and Comcast have all been notified of the proposed project. AT&T has indicated in their response that the proposed development would require extension of their utility service. The extension will be coordinated during the permit process.

Community Redevelopment Agency (CRA):

Pursuant to LDR Section 2.4.2 (C)(1)(b), Notice of all development applications within its geographic limits of the CRA is required.

A summary was provided to the CRA notifying the board of the project.

Downtown Development Authority (DDA):

Pursuant to LDR Section 2.4.2 (C)(1)(a), a notice of all development applications within its geographic limits of the DDA is required.

 A summary was provided to the DDA notifying the board of the project. On May 11, 2020, the DDA voted 3-2 in favor of the project.

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

Appendix "A" – Concurrency Findings

Pursuant to LDR Section 3.1.1(B), Concurrency. as defined by 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 CIE-2, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach:

Water and Sewer:

- Sheet C5.0 shows a proposed lateral connection to an existing 8" water main on SW 1st Street.
- Sheet C5.0 shows a proposed lateral connection to an existing 8" sanitary sewer main on SW 5th Avenue.

Streets and Traffic:



A traffic statement was provided with the site plan application. The statement mentions that the project will generate 163 new daily trips. The statement was provided to the Palm Beach County Traffic Division for review and complies with Traffic Performance Standards.

Solid Waste:

Proposed Demand:

Retail: 1,282 gsf x 10.2lbs = 13,076.40 / 2,000 = 6.54 tons per year Office: 3,821 gsf x 5.4lbs = 20,633.40 /2,000 = 10.31 tons per year

Tonnage per year = 16.85 tons

The proposed project will add approximately 16.85 tons of waste per year to the current demand. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2048.

Drainage:

Provided with the application was drainage calculations. The study shows that the proposed project complies with 10year 1-day storm event and mitigates designed storm stages. It is important to note that the project would be required to meet drainage provisions prior to building permit issuance.

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 modification to traffic circulation shall be evaluated by the City, and if found to have a detrimental impact upon or result in the degradation of an existing neighborhood, the request shall be modified or denied.

Not applicable

igtriangleq Meets intent of standa	rd
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E. Remaining infill lots within the Coastal High Hazard Area of the Coastal Planning Area shall be developed using zoning which is identical or similar to the zoning of adjacent properties or that results in less intense development.

🛛 No	t applicable
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-] 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 fulfill remaining land use needs.
 Not applicable



Meets intent of standard Does not meet intent

G. Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile and meet the housing needs identified in the Housing Element. This shall be accomplished through the implementation of policies under Objective B-2 of the Housing Element.



- Meets intent of standard
- Does not meet intent
- H. Consideration shall be given to the effect a development will have on the safety, livability, and stability of surrounding 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 the surrounding areas, the project shall be modified accordingly or denied.



- 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
 - \boxtimes Meets intent of standard
 - Does not meet intent
- J. Tot lots and recreational areas, serving children, 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







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Fotal 7 5	F	Regular Vehicular	N	/A	6	;	3	
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DELRAY BEACH
CRA
DEVELOPMENT

Kev Plan

7	BLDG DEPT. COMMENTS - RE	
7	BLDG DEPT. COMMENTS - REV	V #3 -08/02/2021
	Data	8 5 0000
	Date :	8.5.2020
	S+A Project No :	18069
	Owner Project No	:
	Drawn By :	EP
	Checked By ·	

Drawn By : E Checked By : J Phase :

SITE PLAN APPROVAL

Sheet Title :

SITE PLAN

Sheet # :



PERVIOUS / IMPERVIOUS DIAGRAM

02 1"= 20'-0"

SALGE

1

5

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TREE DISPOSITION CHART							
TREE #	COMMON NAME	BOTANICAL NAME	DBH	Height	Spread	Condition	DISPOSITION
1	Silver buttonwood	Conocarpus erectus	5"	10'	15'	Fair	Remove
2	Silver buttonwood	Conocarpus erectus	7"	10'	15'	Fair	Remove
3	Silver buttonwood	Conocarpus erectus	4"	8'	10'	Good	Remove
4	Silver buttonwood	Conocarpus erectus	8"	15'	20'	Good	Remain
5	Silver buttonwood	Conocarpus erectus	6"	10'	15'	Good	Remain
6	Silver buttonwood	Conocarpus erectus	8"	10'	15'	Good	Remain
7	Silver buttonwood	Conocarpus erectus	5"	8'	15'	Good	Remain
	MITIGATIO	N REQUIREMENTS					
TOTAL DBH TO BE REMOVED (INCHES)				16			
TREES # 1 = 5" + TREE #2 = 7" + TREE # 3 = 4"				16			
TOTAL TREES TO BE REPLACED				5			
TOTAL DBH REPLACED (INCHES) EUGENIA STOPPERS (5X3.5"CAL)			1	7.50			





ALL PLANT MATERIAL SHALL BE FLORIDA #1 OR BETTER.

MULCH SHALL BE APPLIED TO A MINIMUM DEPTH OF THREE (3) INCHES IN ALL PLANTING

ALL PROHIBITED PLANT SPECIES SHALL BE ERADICATED FROM THE SITE.

ALL LANDSCAPE AREAS SHALL BE PROVIDED WITH AN IRRIGATION SYSTEM, AUTOMATICALLY OPERATED, TO PROVIDE COMPLETE COVERAGE TO ALL PLANT MATERIAL AND GRASS TO BE MAINTAINED.

SOD AND IRRIGATION SHALL BE PROVIDED WITHIN THE UNPAVED PORTION OF THE RIGHT-OF-WAY ADJACENT TO THE PROPERTY LINE.

REINFORCED CONCRETE CURBING AT LEAST SIX (6) INCHES IN HEIGHT SHALL BE PROVIDED AROUND ALL LANDSCAPE ISLANDS AND AS A SEPARATOR BETWEEN ALL LANDSCAPED AREAS THAT ARE ADJACENT TO VEHICULAR USE AREAS UNLESS CURBING WILL INTERFERE WITH THE DRAINAGE.

EXISTING NATIVE SOIL WITHIN ALL LANDSCAPE ISLANDS, INTERIOR LANDSCAPE STRIPS AND PERIMETER LANDSCAPE STRIPS, ADJACENT TO VEHICULAR USE AREAS, SHALL BE EXCAVATED DOWN TO A DEPTH OF 30" BELOW GRADE, EXCEPT FOR A 12" BUFFER FROM THE INSIDE OF CURB OR PAVEMENT. a SUITABLE PLANTING MIXTURE OF FIFTY/FIFTY(50-50) SAND/TOPSOIL SHALL EITHER BE BACKFILLED IN PLACE OF NATIVE SOIL OR EFFICIENTLY MIXED WITH THE NATIVE SOIL TO CREATE AN OPTIMUM ENVIRONMENT FOR SUCCESSFUL ROOT DEVELOPMENT. IF NATIVE SOIL IS TO BE MIXED, IT SHALL FIRST BE SCREENED TO REMOVE ROCKS AND DEBRIS LARGER THAN $\frac{1}{2}$ " IN DIAMETER PRIOR TO MIXING. THE PROPERTY SHALL BE REQUIRED TO HAVE AN OPEN BED INSPECTION PRIOR TO BACKFILLING TO INSURE THE 30" DEPTH HAS BEEN MET.

LANDSCAPE CALCULATIONS

А	TOTAL LOT AREA	7292 S.F.				
В	STRUCTURES, PARKING, WALKWAYS, DRIVES, ETC.	6083 S.F.				
С	TOTAL PERVIOUS LOT AREA	1209 S.F.				
D	AREA OF SHRUBS AND GROUNDCOVER REQUIRED	437 S.F.				
E	AREA OF SHRUBS AND GROUNDCOVER PROVIDED	1862 S.F.				
F	NATIVE VEGETATION REQUIRED	110 S.F.				
G	NATIVE VEGETATION PROVIDED	354 S.F.				
Н	TOTAL PAVED VEHICULAR USE AREA	2512 S.F.				
I	TOTAL INTERIOR LANDSCAPE AREA REQUIRED	252 S.F.				
J	TOTAL INTERIOR LANDSCAPE AREA PROVIDED	662 S.F.				
К	TOTAL INTERIOR SHADE TREES REQUIRED	2.01				
L	TOTAL INTERIOR SHADE TREES PROVIDED	3				
Μ	TOTAL L.F. SURROUNDING PARKING OR VEHICULAR USE AREAS	202 L.F				
Ν	TOTAL NUMBER OF PERIMETER TREES REQUIRED	6.7				
0	TOTAL NUMBER OF PERIMETER TREES PROVIDED	9				
Р	TOTAL NUMBER OF EXISTING TREES TO BE SAVED	4				
Q	TOTAL NUMBER OF NATIVE TREES REQUIRED	4				
R	TOTAL NUMBER OF NATIVE TREES PROVIDED	15				
S	TOTAL NUMBER OF TREES ON PLAN PROVIDED	15				





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