



Legislation Details (With Text)

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On agenda: 1/24/2017 **Final action:**

Title: APPEAL OF THE OCTOBER 26, 2016, SITE PLAN REVIEW AND APPEARANCE BOARD (SPRAB) ACTIONS ASSOCIATED WITH DELRAY PLACE SOUTH, LOCATED AT 1911 SOUTH FEDERAL HIGHWAY, SPECIFICALLY THE CLASS III SITE PLAN MODIFICATION, SPECIAL ACTION PARKING REDUCTION REQUEST, LANDSCAPE PLAN WITH LANDSCAPE ISLAND SHADE TREE WAIVER AND SPECIAL LANDSCAPE AREA WAIVER, AND ARCHITECTURAL ELEVATIONS (QUASI-JUDICIAL HEARING)

Sponsors: Planning & Zoning Department

Indexes:

Code sections:

Attachments: 1. Staff Report-Delray Place South-SPRAB Meeting 10-26-16 with All Exhibits, 2. Board Order by SPRAB from 10-26-16 SPRAB Hearing of Delray Place South, 3. 10-26-16 SPRAB Minutes - APPROVED, 4. Delray Place South - SPRAB APPROVAL LETTER - 10-26-16 - LETTERHEAD, 5. Delray Place South - Appeal Letter 11.4.16, 6. Delray Place South Appeal Board Order

Date	Ver.	Action By	Action	Result
1/24/2017	1	City Commission	tabled	Pass

TO: Mayor and Commissioners
FROM: Timothy Stillings, Director of Planning, Zoning and Building
THROUGH: Chief Neal de Jesus, Interim City Manager
DATE: January 24, 2017

APPEAL OF THE OCTOBER 26, 2016, SITE PLAN REVIEW AND APPEARANCE BOARD (SPRAB) ACTIONS ASSOCIATED WITH DELRAY PLACE SOUTH, LOCATED AT 1911 SOUTH FEDERAL HIGHWAY, SPECIFICALLY THE CLASS III SITE PLAN MODIFICATION, SPECIAL ACTION PARKING REDUCTION REQUEST, LANDSCAPE PLAN WITH LANDSCAPE ISLAND SHADE TREE WAIVER AND SPECIAL LANDSCAPE AREA WAIVER, AND ARCHITECTURAL ELEVATIONS (QUASI-JUDICIAL HEARING)

Recommended Action:

Motion to Approve the Class III Site Plan Modification, Special Action Parking Reduction, Landscape Plan with Landscape Island Shade Tree Waiver and Special Landscape Buffer Waiver, and Architectural Elevations with conditions for Delray Place South, located at 1911 South Federal Highway, as presented.

Background:

At its meeting of October 26, 2016, the SPRAB considered a Class III Site Plan Modification, Special Action Parking Reduction, Landscape Plan with Landscape Island Shade Tree Waiver and Special Landscape Buffer Waiver, Architectural Elevations associated with redevelopment of Delray Place South (fka Tropic Square), including but not limited to partial demolition of the site, construction of a new building addition, reconfiguration of the existing parking lot, landscaping upgrades and provision

of additional parking and outdoor dining areas located at 1911 South Federal Highway. The following are the actions taken by SPRAB on Oct. 26th:

- Class III Site Plan: denied (3-2)
- Special Action Parking Reduction Request: denied (5-0)
- Landscape Plan: approved (5-0)
- Architectural Elevations: approved (5-0)
- Landscape Island Shade Tree Waiver: approved (3-2)
- Special Landscape Buffer Waiver: approved (4-1)

Following the SPRAB hearing (on Nov. 4, 2016), the applicant for Delray Place South submitted an appeal of the two denials. On December 6, 2016, the City Commission appealed the four approvals for Delray Place South. Pursuant to LDR Section 2.4.7(E) Appeals, an appeal shall be conducted as a new evidentiary hearing via *de novo* review in accordance with the City's quasi-judicial procedures. Therefore, the City Commission is to consider the applicant's request for a Class III Site Plan Modification, Special Action Parking Reduction Request, Landscape Plan with associated Landscape Island Shade Tree Waiver and Special Landscape Buffer Waiver, and Architectural Elevations. The attached staff report for the October 26th SPRAB hearing outlines the analysis of the plans and waivers and provides the findings for each.

City Attorney Review:

Approved as to form and legal sufficiency.

Finance Department Review:

N/A

Timing of Request:

This is the final action for the requests. Any appeal of the Commission action would be to the Circuit Court.