



## Legislation Details (With Text)

**File #:** 17-523      **Version:** 1      **Name:**  
**Type:** Request      **Status:** Passed  
**File created:** 5/29/2017      **In control:** City Commission  
**On agenda:** 6/20/2017      **Final action:** 6/20/2017  
**Title:** REPORT OF APPEALABLE LAND USE ITEMS FROM MAY 8, 2017 THROUGH MAY 26, 2017  
**Sponsors:** Planning and Zoning Board  
**Indexes:**  
**Code sections:**

**Attachments:** 1. City Commission Map 6-20-17, 2. Plaza at Delray Bath & Body Works.pdf, 3. Delray Medical Center.pdf, 4. Delray Plaza.pdf, 5. Gunther Volvo.pdf, 6. Coastal Veterniary Clinic Color Change.pdf, 7. Coastal Veterniary Clinic Class II.pdf, 8. Delray Oasis Business Center.pdf, 9. Atlantic Crossing.pdf, 10. CVS Bed Bath & Beyond Plaza.pdf, 11. 2710 W Atlantic Avenue.pdf, 12. Space of Mind - Modern Schoolhouse.pdf

Date	Ver.	Action By	Action	Result
6/20/2017	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Planning, Zoning and Building Director  
**THROUGH:** Chief Neal de Jesus, Interim City Manager  
**DATE:** June 20, 2017

REPORT OF APPEALABLE LAND USE ITEMS FROM MAY 8, 2017 THROUGH MAY 26, 2017

### **Recommended Action:**

By motion, receive and file this report.

### **Background:**

Section 2.4.7(E), Appeals, of the Land Development Regulations applies. This is the method of informing the City of Delray Beach ("City") City Commission of the land use actions which may be appealed by the City Commission. After this meeting, the City Commission's appeal opportunity expires. An appeal by an aggrieved party must be made within ten working days of the action. To appeal:

- The item must be raised by a Commission member.
- By motion, an affirmative action must be taken to place the item on the next available meeting of the City Commission as an appealed item.

During the specified period, the Site Plan Review and Appearance Board and the Planning and Zoning Board considered the projects noted below. For the items below, a project report including the Board Staff Report is attached. No other Boards took action on any appealable applications during this period.

**SITE PLAN REVIEW AND APPEARANCE BOARD  
MAY 10, 2017**

**ITEM A. BATH & BODY WORKS, 1644 S. Federal Highway**

**Request:** Class I Site Plan Modification for architectural elevation changes.

**Board Action:** Approved the Class I Site Plan Modification and Architectural Elevation Plan on a 4 to 0 vote (Shannon Dawson, Fred Kaub and Laura Sullivan absent).

**ITEM B. DELRAY BEACH MEDICAL CENTER, 5352 Linton Boulevard**

**Request:** Class II Site Plan Modification for modifications to the porte-cochere, sidewalks, and loading space.

**Board Action:** Approved the Class II Site Plan Modification with conditions on a 4 to 0 vote (Shannon Dawson, Fred Kaub and Laura Sullivan absent). The Landscape Plan and Architectural Elevation Plan were approved as presented on a 4 to 0 vote (Shannon Dawson, Fred Kaub and Laura Sullivan absent).

**ITEM C. DELRAY PLAZA, 600 West Linton Boulevard**

**Request:** Class IV Site Plan Modification, Landscape Plan, Architectural Elevation, and Waiver associated with the demolition of existing buildings, construction of three new buildings, and exterior alterations to existing buildings with associated site improvements.

**Board Action:** Approved the Class IV Site Plan Modification and Landscape Plan with conditions on a 4 to 0 vote (Shannon Dawson, Fred Kaub and Laura Sullivan absent). The Architectural Elevation Plan was approved as presented on a 4 to 0 vote (Shannon Dawson, Fred Kaub and Laura Sullivan absent). The waiver request to LDR Section 4.6.16(H)(3)(k) to reduce the required 5' landscape strip between head to head parking rows to 0' was approved on a 4 to 0 vote (Shannon Dawson, Fred Kaub and Laura Sullivan absent).

**ITEM D. GUNTHER VOLVO, 2201 North Federal Highway**

**Request:** Class V Site Plan, Landscape Plan and Architectural Elevations for the new construction of a 31,035 square foot Showroom/Service building, and a three level parking garage.

**Board Action:** Approved the Class V Site Plan, Landscape Plan and Architectural Elevation Plan with conditions on a 4 to 0 vote (Shannon Dawson, Fred Kaub and Laura Sullivan absent).

**ITEM E. COASTAL VETERINARY CLINIC, 700 George Bush Boulevard**

**Request:** Color change to African Grey, Cyberspace and accent colors of Extra White and Obstinate Orange.

**Board Action:** Approved the Color change on a 4 to 0 vote (Shannon Dawson, Fred Kaub and Laura Sullivan absent).

**SITE PLAN REVIEW AND APPEARANCE BOARD  
MAY 24, 2017**

**ITEM E. COASTAL VETERINARY CLINIC, 700 George Bush Boulevard**

**Request:** Class II Site Plan Modification and Landscape Plan for improvements to the site.

**Board Action:** Approved the Class II Site Plan Modification and Landscape Plan on a 4 to 0 vote (Roger Cope, Linda Purdo and Shannon Dawson absent)

**ITEM F. DELRAY OASIS BUSINESS CENTER 1202, 1203, 1205, 1235 North Federal Highway**

**Request:** Class I Site Plan Modification for architectural elevation changes.

**Board Action:** Approved the Class I Site Plan Modification and Architectural Elevation Plan on a 4 to 0 vote (Roger Cope, Linda Purdo and Shannon Dawson absent)

**ITEM G. ATLANTIC CROSSING, 777 East Atlantic Avenue**

**Request:** Class II Site Plan Modification, Landscape Plan, and Architectural Elevations for a new two-way east/west roadway from NE 6<sup>th</sup> Avenue/North Federal Highway to NE 7<sup>th</sup> Avenue, and associated building and site revisions.

**Board Action:** Approved the Class II Site Plan Modification, Landscape Plan and Architectural Elevation Plan on a 4 to 0 vote (Roger Cope, Linda Purdo and Shannon Dawson absent)

**ITEM H. CVS AT BED BATH & BEYOND PLAZA, 14802 South Military Trail**

**Request:** Class IV Site Plan Modification, Landscape Plan, and Architectural Elevations for the demolition of and existing gas station and restaurant outbuilding, new construction of a 13,215 square foot retail building, and associated site improvements.

**Board Action:** Approved the Class IV Site Plan Modification with conditions on a 4 to 0 vote (Roger Cope, Linda Purdo and Shannon Dawson absent). The Landscape Plan and Architectural Elevation Plan were approved as presented on a 4 to 0 vote (Roger Cope, Linda Purdo and Shannon Dawson absent)

**ITEM I. 2710 WEST ATLANTIC AVENUE,**

**Request:** Class IV Site Plan Modification, Landscape Plan, and Architectural Elevations for the renovation and expansion of an existing office building and the construction of a new parking lot and associated site improvements.

**Board Action:** Approved the Class IV Site Plan Modification and Architectural Elevation Plan were approved with conditions on 4 to 0 vote (Roger Cope, Linda Purdo and Shannon Dawson absent). The Landscape Plan was approved as presented on 4 to 0 vote (Roger Cope, Linda Purdo and Shannon Dawson absent)

**PLANNING AND ZONING BOARD  
MAY 15, 2017**

**ITEM J. SPACE OF MIND - MODERN SCHOOLHOUSE, 102 North Swinton Avenue**

**Request:** A determination of similarity of use that the Space of Mind - Modern Schoolhouse is similar to that of "Educational and/or Instructional Activities" as listed in LDR Section 4.4.24 of the OSSHAD (Old School Square Historic Arts District) District.

**Board Action:** Approved the Determination of Similarity of Use on a 5 to 0 vote (Neal Jones and Joseph Pike absent).

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

N/A

**Funding Source:**

N/A

**Timing of Request:**

Action must be taken by the City Commission at the next available meeting following the Board's actions.

Attachments:

Location Map

Bath & Body Works

Delray Beach Medical Center

Delray Plaza

Gunther Volvo

Coastal Veterinary Clinic

Delray Oasis Business Center

Atlantic Crossing

CVS at Bed Bath & Beyond Plaza

2710 West Atlantic Avenue

Space of Mind-Modern Schoolhouse