



## Legislation Details (With Text)

**File #:** 19-022      **Version:** 1      **Name:**

**Type:** Request      **Status:** Passed

**File created:** 12/26/2018      **In control:** City Commission

**On agenda:** 1/15/2019      **Final action:** 1/15/2019

**Title:** REPORT OF APPEALABLE LAND USE ITEMS FROM NOVEMBER 12, 2018 THROUGH JANUARY 4, 2019.

**Sponsors:** Development Services Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Cover Report, 2. Appealable Items Map, 3. A - Bluemercury - 445 E. Atlantic Ave, 4. B - JRD Building - 217 NE 4th Ave, 5. C - Chillis Rest. - 14530 S. Military Trail, 6. D - 1125 Wallace Dr., 7. E - T&G 5th Avenue - 416 SE 5th Street, 8. F - South Delray Shopping Center - 3001 S. Federal Hwy, 9. G - 531 N. Swinton Ave, 10. H - 101 NE 5th Street, 11. I - 230 George Bush, 12. J - 50 SE 4th Avenue, 13. K - Drug Abuse Foundation, 14. L - Coastal Business Park

Date	Ver.	Action By	Action	Result
1/15/2019	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Development Services Director  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** January 15, 2019

REPORT OF APPEALABLE LAND USE ITEMS FROM NOVEMBER 12, 2018 THROUGH JANUARY 4, 2019.

### **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 to the City Commission.

During the specified period, the Historic Preservation Board (HPB) and the Site Plan Review and Appearance Board (SPRAB) considered the project noted below. For the item below, a project report including the Board Staff Report is attached. No other Boards took actions on any appealable applications during this period.

### **Site Plan Review and Appearance Board November 14, 2018**

Item A. Bluemercury, 445 E. Atlantic Avenue  
Request: Consideration of a color change from Sunbrella White and Green to Sapphire Blue

Board Action: Awnings and Baby's Breath and Stratford Blue on the exterior walls.  
Approved on a 5 to 2 vote.

Item B. JRD Building, 217 NE 4<sup>th</sup> Avenue

Request: Consideration of a color change from Burnt Orange and Beige to Peanut Butter and Almond Latte.

Board Action: Approved on a 6 to 1 vote.

### **Site Plan Review and Appearance Board November 28, 2018**

Item C. Chillis Restaurant, 14530 S. Military Trail

Request: Consideration of an amendment to the Master Sign Program for Delray Square II.

Board Action: Approved on a 7 to 0 vote.

Item D. 1125 Wallace Drive

Request: Consideration of a Class I Site Plan Modification associated with a color change for Buildings A and B and minor architectural changes to Building B.

Board Action: Approved on a 7 to 0 vote.

Item E. T&G 5<sup>th</sup> Avenue, 416 SE 5<sup>th</sup> Street

Request: Consideration of a Class I Site Plan Modification associated with architectural elevation changes to install awnings.

Board Action: Approved on a 7 to 0 vote.

Item F. South Delray Shopping Center, 3001 S. Federal Highway

Request: Consideration of a Class III Site Plan Modification to introduce an outdoor dining area and associated site modifications.

Board Action: Approved on a 7 to 0 vote.

### **Historic Preservation Board December 5, 2018**

Item G. 531 N. Swinton Avenue

Request: Consideration of installation of a fabric awning on the existing historic structure.

Board Action: Approved on a 5 to 0 vote.

Item H. 101 NE 5<sup>th</sup> Street

Request: Consideration of construction of new two car garage.

Board Action: Approved on a 5 to 0 vote.

Item I. 230 George Bush

Request: Consideration of an elevation change and change in proposed use from a medical office to a mixed-use building (medical office and residence) to a non-contributing structure.

Board Action: Approved on a 5 to 0 vote.

**Site Plan Review and Appearance Board  
December 12, 2018**

Item J. 50 SE 4<sup>th</sup> Avenue

Request: Consideration of a Class I Site Plan Modification associated with the elimination of a condition of approval restricting the hours of restaurant operation on weekdays from a previous Class V Site Plan approval.

Board Action: Approved on a 6 to 0 vote.

Item K. Drug Abuse Foundation, 400 S. Swinton Avenue

Request: Consideration of a Class III Site Plan Modification associated with an addition to a Women and Children Center building and a new standalone Education Building for the existing multi-purpose treatment facility.

Board Action: Approved on a 6 to 0 vote.

Item L. Coastal Business Park,

Request: Consideration of a Class V Site Plan modification associated with the construction a new 28,493-sf, two-story warehouse building with associated site improvements.

Board Action: Approved on a 6 to 0 vote.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

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