



Legislation Details (With Text)

File #: 20-002 **Version:** 1 **Name:**

Type: Request **Status:** Passed

File created: 12/20/2019 **In control:** City Commission

On agenda: 1/16/2020 **Final action:** 1/16/2020

Title: REPORT OF APPEALABLE LAND USE ITEMS FROM DECEMBER 2, 2019, THROUGH JANUARY 3, 2020.

Sponsors: Development Services Department

Indexes:

Code sections:

Attachments: 1. Agenda Cover Report, 2. Appealable Items Map 1.16.20, 3. A - Appealable Report: 40-44 E Atlantic Ave, 4. B - Appealable Report: 1200 W. Linton Blvd - Target, 5. C - Appealable Report: 100 Gleason Street, 6. D- Appealable Report: 1205/1237 N. Federal Hwy - Delray Oasis Business Park, 7. E - Appealable Report: 302 E. Atlantic Ave - Pierre Delray 1 (SunTrust Bank), 8. F - Appealable Report: Similarity of Use - CF Zoning District, 9. G - Appealable Report: 25 NE 2nd Ave - Kasai & Koori, 10. H - Appealable Report: 307 E Atlantic Ave - Lionfish, 11. I - Appealable Report: 14470 E. Atlantic Ave - KFC, 12. J - Appealable Report: 1800 S. Federal Hwy - Chick Fil A, 13. K - Appealable Report: 354 SE 5th Avenue - 5th Avenue Square

Date	Ver.	Action By	Action	Result
1/16/2020	1	City Commission	approved	

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: George Gretsas, City Manager
DATE: January 16, 2020

REPORT OF APPEALABLE LAND USE ITEMS FROM DECEMBER 2, 2019, THROUGH JANUARY 3, 2020.

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), the Site Plan Review and Appearance Board (SPRAB), and the Planning and Zoning Board (PZB) 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.

Historic Preservation Board (HPB)
December 4, 2019

Item A. 40-44 E. Atlantic Ave.

Request: Consideration of a Certificate of Appropriateness request for a mural and exterior modification of a contributing property.

Board Action: Approved on a 6-0 vote

Site Plan Review and Appearance Board (SPRAB)

December 11, 2019

Item B. 1200 W. Linton Boulevard.; Target

Request: Consideration of a Color Change associated with the building elevations.

Board Action: Approved on a 5-2 vote

Item C. 100 Gleason Street

Request: Consideration of a Class II Site Plan Modification for an approved duplex site plan to allow rooftop appurtenances that exceed the maximum height.

PCN: 12-43-46-16-34-000-0280

Board Action: Approved on a 5-2 vote

Item D. 1205/1237 N. Federal Highway; Delray Oasis Business Park

Request: Consideration of a Class II Site Plan modification, Landscape Plan and Architectural Elevation associated with the use conversion of the 2nd floor of building 1205 from residential to commercial, a parking lot modification, minor site improvements, and the construction of a new 549 sf office building.

Board Action: Approved on a 7-0 vote

Item E. 302 E. Atlantic Avenue; Pierre Delray 1 (SunTrust Bank)

Request: Consideration of a Class III Site Plan Modification, and Architectural Elevation changes associated with facade improvements, and increase in size of the first floor, a new roof, and utility improvements in the public Right-of-Way.

Board Action: Approved on a 7-0 vote.

Planning and Zoning Board (PZB)

December 16, 2019

Item F. Similarity of Use; CF Zoning District

Request: Consideration of a similarity of use request to determine if the use of “garages and lots for the parking and storage of vehicles” is similar to other conditional uses allowed in the Community Facilities (CF) zoning district, particularly to the use listed as a “privately-operated parking lot”.

Board Action: Approved on a 5-1 vote.

Site Plan Review and Appearance Board (SPRAB)

December 19, 2019

Item G. 25 NE 2nd Avenue; Kasai & Koori

Request: Consideration of a Class I Site Plan Modification associated with an awning

installation and fabric recovering of two existing awnings.
Board Action: Approved on a 6-0 vote.

Item H. 307 E. Atlantic Avenue; Lionfish
Request: Consideration of a Class I Site Plan Modification associate with architectural elevations changes.
Board Action: Approved on a 6-0 vote.

Item I. 14470 S. Military Trail; Kentucky Fried Chicken (KFC)
Request: Consideration of a Class I Site Plan Modification associated with architectural elevations changes.
Board Action: Approved on a 6-0 vote

Item J. 1800 S. Federal Highway; Chick-Fil-A
Request: Consideration of a Class I Site Plan Modification associated with architectural elevations changes.
Board Action: Approved on a 6-0 vote

Item K. 354 SE 5th Avenue; 5th Avenue Square
Request: Consideration of a Class V Site Plan, Landscape Plan, and Architectural Elevations.
Board Action: Denied on a 6-0 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.