



## Legislation Details (With Text)

**File #:** 21-1128      **Version:** 1      **Name:**  
**Type:** Request      **Status:** Agenda Ready  
**File created:** 9/23/2021      **In control:** City Commission  
**On agenda:** 10/5/2021      **Final action:**  
**Title:** REPORT OF APPEALABLE LAND USE ITEMS FROM SEPTEMBER 6, THROUGH SEPTEMBER 24, 2021.  
**Sponsors:** Development Services Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Agenda Cover Report, 2. Appealable Items Map, 3. A - 100 MacFarlane Drive, 4. B - 269 SE 5th Avenue, 5. C - Holey Donuts, 6. D - Grosvenor House, 7. E - Tesla, 8. F - 189 NE 2nd Avenue

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** October 5, 2021

REPORT OF APPEALABLE LAND USE ITEMS FROM SEPTEMBER 6, THROUGH SEPTEMBER 24, 2021.

### **Recommended Action:**

By motion, receive and file this report.

### **Background:**

Section 2.4.7(E), Appeals, of the Land Development Regulations applies. This report 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 Site Plan Review and Appearance Board ("SPRAB") and the Historic Preservation Board ("HPB") considered the projects noted below. For the items below, a project report including the Board Staff Report is attached for each item. No other Boards took actions on any appealable applications during this period.

### **Site Plan Review and Appearance Board (SPRAB) September 22, 2021**

Item A: 100 MacFarlane Drive

Request: Consideration of a color change.

PCN: 12-43-46-12-D2-000-0044

Board Action: Approved on a 7-0 vote

Item B: 269 SE 5th Avenue

Request: Consideration of a color change.

PCN: 12-43-46-16-01-111-0151

Board Action: Approved on a 7-0 vote

Item C: Holey Donuts - 1214 East Atlantic Avenue

Request: Consideration of a material change.

PCN: 12-43-46-16-28-002-0031

Board Action: Approved on a 7-0 vote

Item D: Grosvenor House - 120 North Ocean Boulevard

Request: Consideration of a color change.

PCN: 12-43-46-16-A1-000-0000

Board Action: Approved on a 6-0 vote (Carol Perez stepped down)

Item E: Tesla - 3000 South Federal Highway

Request: Consideration of a Class I Site Plan Modification associated with facade and site improvements such as painting of the two structures; modifications to the mansard roof; updating ADA compliance; addition of a freestanding canopy covering six parking spaces; and the addition of vehicle charging stations for service use only.

PCN: 12-43-46-16-G6-000-0010

Board Action: Approved on a 7-0 vote

Item F: 189 NE 2nd Avenue

Request: Consideration of a Class I Site Plan Modification associated with the expansion of the existing fabric patio awning to provide additional outdoor seating area from the proposed restaurant.

PCN: 12-43-46-16-01-083-0010

Board Action: Approved on a 7-0 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.