

IN THE CITY COMMISSION
CHAMBERS OF THE CITY OF
DELRAY BEACH, FLORIDA

ORDER OF THE CITY COMMISSION
OF THE CITY OF DELRAY BEACH, FLORIDA

CONDITIONAL USE REQUEST FOR ASSISTED LIVING FACILITY

1. This conditional use request for Providence Living On Atlantic to allow an assisted living and memory care facility to be located at 4840 West Atlantic Avenue within the PC (Planned Commercial) Zoning District and Four Corners Overlay District has come before the City Commission on August 11, 2015.

2. The Applicant and City staff presented documentary evidence and testimony to the City Commission pertaining to the conditional use request for an assisted living and memory care facility for Providence Living On Atlantic. All of the evidence is a part of the record in this case. Required findings are made in accordance with Subsections I and II.

I. COMPREHENSIVE PLAN

a. **Comprehensive Plan - Future Land Use and Map**: Is the future use and intensity of the development consistent with the future land use map and comprehensive plan and is it appropriate in terms of soil, topographic, and other applicable physical considerations, complementary to adjacent land uses, and fulfills remaining land use needs?

Yes X No

b. **Concurrency**: Concurrency as defined pursuant to Objective B-2 of the Land Use Element of the Comprehensive Plan must be met and a determination made that the public facility needs of the requested land use and/or development application will not exceed the ability of the City to fund and provide, or to require the provision of, needed capital improvements for the following areas:

Are the concurrency requirements met, subject to the attached conditions, as respect to water, sewer, drainage, streets and traffic, parks, open space, solid waste and schools?

Yes X No

II. LDR REQUIREMENTS:

LDR Section 2.4.5(E) Required Findings: (Conditional Use): Pursuant to Section 2.4.5(E)(5), in addition to provisions of Chapter 3, the conditional use will not:

- i. Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located;
- ii. Hinder development or redevelopment of nearby properties.

Will the requirements of LDR Section 2.4.5(E) and Chapter 3 be met, subject to the attached condition(s)?

Yes X No

3. The comments and notes set forth in the staff report are hereby incorporated herein.

4. The City Commission has applied the Comprehensive Plan and LDR requirements in existence at the time the conditional use request was submitted and finds that its determinations set forth in this Order are consistent with the Comprehensive Plan and Land Development Regulations.

5. The City Commission finds there is ample and competent substantial evidence to support its findings in the record submitted and adopts the facts contained in the record including but not limited to the staff reports, testimony of experts and other competent witnesses supporting these findings.

6. Based on the entire record before it, the City Commission approves X denies the conditional use request and adopts the conditions as set forth in Exhibit "A", attached hereto and incorporated herein, and hereby adopts this Order this 11th day of August, 2015, by a vote of 5 in favor and 0 opposed.

ATTEST:


Chevelle Nubin, City Clerk

Approved as to legal form
And sufficiency:


City Attorney

Department Head:

 8/13/15
Timothy Stillings


Cary D. Glickstein, Mayor

EXHIBIT "A"

Conditions of Approval for Providence Living On Atlantic

1. Approval of a Class V Site Plan by SPRAB that is in general conformance to the submitted sketch plan and satisfies any outstanding technical comments from City Departments.
2. Approval of the special parking reduction by SPRAB, otherwise plans shall be revised to meet the parking requirements.
3. That a bus shelter and easement be provided along West Atlantic Avenue.