



Cover Memorandum/Staff Report

File #: 25-716

Agenda Date: 6/3/2025

Item #: 7.C.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence Moore, ICMA-CM
DATE: June 3, 2025

RESOLUTION NO. 110-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN IN-LIEU OF PARKING FEE REQUEST FOR THE PROJECT LOCATED AT 270 EAST ATLANTIC AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT CONSISTENT WITH THE APPROVAL HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

Recommended Action:

Review and consider Resolution No. 110-25, an in-lieu of parking fee request in the amount of \$120,000 for 4 of the 46 required parking spaces associated with the development located at 270 East Atlantic Avenue, known as Roka Hula.

Background:

On October 8, 2024, the City received a Level 2 Site Plan Application (File No. 2025-008) for the addition of a walk-in cooler and outdoor seating along the breezeway for the existing restaurant located at 270 East Atlantic Avenue. The increase of square footage ultimately increases the required parking to 46 parking spaces, 42 of which are vested through the approved existing restaurant, leaving a 4 space deficit.

Pursuant to LDR Section 4.4.13(I)(3)(a)6., if the required parking is not or cannot be provided on-site or off-site, the applicant may request payment of an in-lieu of parking fee pursuant to LDR Section 4.6.9(G) for certain developments that advance City policy-driven goals.

On April 22, 2025, the applicant submitted a request for Parking In-lieu (File No. 2025-168) for the additional 4 parking spaces required for the addition. The walk-in cooler is 157 square feet, resulting in an increase of 2 parking spaces, and the outdoor dining along the breezeway on private property is 174 square feet, resulting in an increase of 2 parking spaces. The outdoor dining in the public right-of-way, in this case along Atlantic Avenue) is subject to a sidewalk cafe permit and is not assessed for parking.

The subject property is located within In-Lieu Area 1, which has a fee amount of \$30,000 per space. Therefore, the total in-lieu of parking fee is \$120,000.

The City Commission must determine if the request meets the standards and findings outlined below.

Applicable Findings: LDR Section 2.4.11(F)(5)

- (a) Public parking options, including on-street parking, public parking lots, and public parking garages are available within 1,320 feet measured along a pedestrian route to the building entrance. Parking with utilization rates higher than 80% in the 12 months preceding the request is not considered to be available. Historic properties, as defined in Section 4.6.9 (G)(2)(b) are exempt from this finding.
- (b) The in-lieu of parking fee request supports at least one of the following City policy driven goals:
 - 1. Preservation of a historic structure by allowing its use, adaptive reuse, or expansion while maintaining the character of the property or historic district by avoiding excessive use of historic properties for parking; or
 - 2. Investment in the West Atlantic Neighborhood Sub-district consistent with the West Atlantic Master Plan; or
 - 3. Adaptive reuse or expansion of an existing building resulting in a building not more than a total of two stories in height.
- (c) The in-lieu of parking fee request does not facilitate development that will demolish the following types of structures with Central Business (CBD) District or Old School Square Historic Arts District (OSSHAD) zoning:
 - 1. An individually designated or contributing historic structure in a historic district;
 - 2. A non-contributing structure that is at least 35 years old in a historic district, unless the Historic Preservation Board makes a finding the building should not be reclassified to contributing; or
 - 3. Any structure that has been identified for potential designation through a resource survey

On May 27, 2025, the Parking Management Advisory Board (PMAB) reviewed the parking in lieu fee request for 4 parking spaces and the recommendation will be provided at the City Commission meeting.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

N/A

Timing of Request:

Approval of the In Lieu of Parking fee request is required prior to the review of the Level 2 Site Plan.