



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

PLANNING AND ZONING BOARD STAFF REPORT

Delray Swan

Meeting	File No.	Application Type
May 18, 2026	PZ-283-2025	Level 3 Site Plan
Property Owner(s)		Agent
Delray HMH, LLC; Delray Residences, LLC; Delray Swan Holdings, LLC; and SM-CDR Assemblage Delray, LLC		Jeffrey Costello, AICP, FRA-RP, JC Planning Solutions

Request
 Consideration of a Level 3 Site Plan application with Architectural Elevations and Landscape Plan for Delray Swan, a 36-unit, fee-simple townhouse development at 118 SE 2nd Street; 240, 258, 264, and 280 SE 2nd Avenue; and 215, 219, 223, 227, 231, 237, 243, 251, and 253 SE 1st Avenue. Relief to the minimum loading berth requirement is also being requested as part of the application (three required, zero proposed).

Site Data & Information

Location: 118 SE 2nd Street; 240, 258, 264, and 280 SE 2nd Avenue; and 215, 219, 223, 227, 231, 237, 243, 251, and 253 SE 1st Avenue

PCNs: 12-43-46-16-01-079-0010; 12-43-46-16-01-079-0210; 12-43-46-16-01-079-0200; 12-43-46-16-01-079-0190; 12-43-46-16-01-079-0170; 12-43-46-16-01-079-0060; 12-43-46-16-01-079-0080; 12-43-46-16-01-079-0090; 12-43-46-16-01-079-0100; 12-43-46-16-01-079-0110; 12-43-46-16-01-079-0120; 12-43-46-16-01-079-0130; 12-43-46-16-01-079-0141; 12-43-46-16-01-079-0142

Property Size: 2.36 Acres (102,835 sf) prior to ROW dedications, 2.18 Acres (95,119 sf) after ROW dedication

Land Use Designation: Commercial Core (CC)

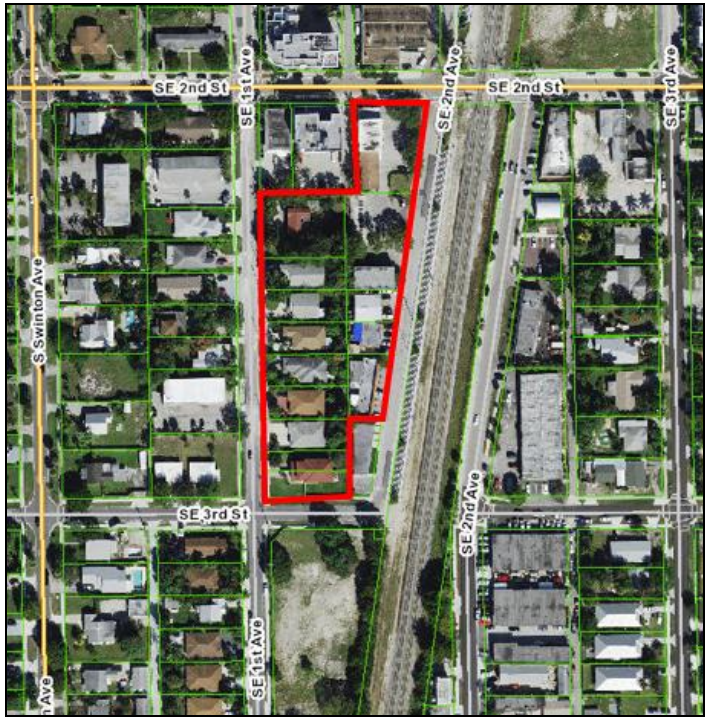
Zoning District: Central Business District (CBD), Railroad Corridor Sub-district

Adjacent Zoning:
North: CBD, Central Core Sub-district
South & East: CBD, Railroad Corridor Sub-district
West: Medium Density Residential

Current Use: Mix of Light Industrial, Warehouse Distribution, and Single Family Residential

Floor Area Ratio:
Proposed: 1.10 (106,297.00 sf)
Maximum Allowed: 3.0

CBD Railroad Corridor Sub-district
SE 1st Avenue and SE 2nd Street - Primary Street
SE 2nd Avenue and SE 3rd Street - Secondary Street





Background Information

The subject area is comprised of 14 parcels, spanning nearly an entire City block. Positioned on the western side of the block, across from RM zoning, is a duplex constructed in 2005 and seven single-family residences constructed between 1958 and 1998. The Eastern side of the block, facing CBD zoning, features a mix of light industrial and warehouse uses constructed between 1956 and 1984.

The subject property is located within Subarea 7 of the Community Redevelopment Agency (CRA) district boundaries, which is part of the Osceola Park Neighborhood Improvement area (Phase I and II). While the Property is not located within the Osceola Park Neighborhood, it is included in the 2019 Osceola Park Neighborhood Redevelopment Plan Update.

A brief history of recent development requests is summarized below:

- **May 4, 2021.** the City Commission approved Ordinance No. 09-21, a small-scale land use map amendment, to re-designate nine parcels on the west side of the block (215, 219, 223, 227, 231, 237, 243, 251, and 253 SE 1st Avenue) from Medium Density (MD) to Commercial Core (CC), and Ordinance No. 10-21, a rezoning to rezone the same nine parcels from Medium Density Residential (RM) to Central Business District (CBD), Railroad Corridor Sub-district. Currently, the entire block containing the subject property has a land use designation of CC and a zoning designation of CBD, Railroad Corridor Sub-district.
- **October 10, 2023.** City Commission considered and approved three waivers (Resolution Nos. 171-23, 172-23, and 173-23) following recommendations from the Site Plan Review and Appearance Board (SPRAB). The waivers granted relief from the front setback for all five floors along SE 2nd Avenue and relief from the required pedestrian/bicycle passageway, with the condition that the applicant provide a complete pedestrian connection around all sides of the block.
- **December 12, 2023.** City Commission approved Resolution No. 239-23, a Level 4 Site Plan application to construct a 165-unit, five-story mixed-use building, also known as Delray Swan, including a revitalization incentive density bonus of up to 70 dwelling units per acre (20 percent of the units workforce housing). The Level 4 Site Plan has not been certified and will expire on December 12, 2029 pursuant to the extension letter dated November 20, 2024.
- **November 6, 2025.** The City received the subject Level 3 Site Plan application for the 36-townhouse development, which if approved, is the intended development for the site.

Project Description

The proposal is for the construction of a new 36-unit, fee-simple, townhouse development. The architectural design is proposed in the Anglo-Caribbean style, which is a permitted style listed in the Central Business District Architectural Design Guidelines.



While the CBD Railroad Corridor Sub-district allows a base density of 30 dwelling units per acre, which equates to 70 units, the



density for the proposed 36 units is much lower at 16.5 dwelling units per acre.

The unit mix includes three variations of three-bedroom units (Unit A – Saltwater, Unit B – Marlow, and Unit C – Oakshore), ranging from 2,875 square feet to 2,970 square feet. Each unit includes a two-car garage and features a second-floor balcony. All units, except for Units 33 and 34, face a public street. Units 33 and 34 face the internal drive aisle, which is classified as a private alley. For addressing purposes, the private alley that abuts the two units will be named during the plat review process. Each unit provides a stoop frontage type. Buildings 1, 2, 3, and 8 directly front SE 1st Avenue and SE 2nd Street, which are primary streets designated and held to a higher standard of design to facilitate a high-quality public realm at the pedestrian level. Buildings 4, 5, 6, and 7 front SE 2nd Avenue, a secondary street, but are set back further behind the attached green, which lines the east side of the block and includes amenities such as benches, shade trees, and pet refuse containers.

Private amenities for the development are provided at the southeast corner of the site and include a pool and pool house secured with decorative aluminum fencing. Additionally, two 10-foot pedestrian passageways are provided through the development, which breaks up the block massing and provides enhanced connectivity from the west to east portions of the block.

As part of the required streetscape improvements, the applicant is providing 31 new on-street parking along the perimeter of the block. The project exceeds the minimum parking requirements by providing 105 spaces, whereas 78 spaces are required.

Review & Analysis: Site Plan

LDR Section 2.1.5 - The Planning and Zoning Board – Board Actions

The Planning and Zoning Board hereby has the authority to take final action on the following items pursuant to the procedures and standards of the LDR: Level 3 Site Plan applications, including any relief, as applicable

LDR Section 2.4.10(A)(1)(c), Level 3

Applications include new construction, additions to an existing building, or the conversion of an existing single-family residence or duplex, consisting of more than a total of five dwelling units for multi-family residential development or 15,000 gross square feet of mixed-use or nonresidential development.

The proposed 36-unit townhouse project therefore qualifies for Level 3 review.

LDR Section 2.4.10(A)(2)(d)4., Board Review

Level 3 Site Plan applications require review and action by the Planning and Zoning Board, with final action rendered by the City Commission, through the appealable process.

LDR Section 2.4.10(A)(3), Required Findings

Site plan applications must demonstrate consistency with the Comprehensive Plan and compliance with the applicable provisions of the Land Development Regulations. The following specifically apply:

- (b) Level 2, Level 3, and Level 4 Site Plan applications must comply with the findings in Chapter 3, Performance Standards.*
- (c) Landscape plans must comply with Section 4.6.16, Landscape Regulations.*
- (d) Architectural elevations must comply with Section 4.6.18, Architectural Elevations and Aesthetics, and adopted Architectural Design Guidelines.*

LDR Section 3.1.1 Required Findings

Prior to the approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information on the application, written materials submitted by the applicant, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application.

The required findings relate to the land use map, concurrency, consistency, and compliance with the Comprehensive Plan. Compliance with the required findings is discussed below:

- (A) Land Use Map** *The resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Land Use Map.*

The property has a Land Use Map designation of CC, and a zoning designation of CBD, which, pursuant to Table NDC-1 of the



Always Delray Comprehensive Plan, is the preferred zoning district to implement the CC land use designation. Pursuant to LDR Table 4.4.13(A), multi-family residential are permitted as a principal use in the Railroad Corridor Sub-district of the CBD. Therefore, the resulting use of land is compatible with the underlying land use.

(B) Concurrency as defined by Objective NDC 3.1 of the Neighborhoods, Districts, and Corridors Element of the adopted Comprehensive Plan must be met and a determination made that the public facility needs, including public schools, of the requested land use and/or development application will not exceed the ability of the City and The School District of Palm Beach County to fund and provide, or to require the provision of, needed capital improvements in order to maintain the Levels of Service Standards established in Table CIE, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach.

Potable Water and Sewer: Water and sewer services will be provided through two new sanitary sewer lateral mains. Pursuant to the Always Delray Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South-Central County Wastewater Treatment Plant for the City at build-out.

However, the Utilities Department has identified a site-specific utility coordination issue related to an existing building at 290 SE 2nd Avenue, which is outside the scope of the project and will remain. City GIS records indicate that the existing building is served by two sanitary sewer laterals, while the proposed sewer layout appears to show one lateral connection. Therefore, prior to site plan certification, the applicant shall verify, survey, and show on the plans all existing sanitary sewer laterals serving the building, including invert elevations, internal plumbing connections, and tie-in locations. The revised plans must demonstrate, to the satisfaction of the Utilities Department, that the proposed sanitary sewer layout will maintain service to the existing neighboring property without disruption.

The Utilities Department has also identified that the plat must show the required water and sewer utility easements, including easements for the proposed water main, proposed sanitary sewer main, and any lateral serving the existing building that will remain. The easements and dedication language must match the approved utility plans. If an additional lateral or easement is required to serve 290 SE 2nd Avenue, the site plan and plat shall be revised accordingly, including any necessary adjustment to the pool or related site improvements.

Drainage. Drainage and water run-off will be addressed through on-site retention through inlets and exfiltration trenches located along the perimeter of the property. These have the capacity to hold up to 43,500 cubic feet of water. Further, a storm sewer connection is provided at the southwest corner of the site for overflow.

Transportation: A Traffic Performance Standards (TPS) letter from Palm Beach County, dated November 24, 2025 and a Traffic Impact Statement, performed by JMD Engineering, provide traffic analysis for the development of 36 townhouse units.



Based on the TPS letter and Traffic Impact Statement, the project is anticipated to generate a total of 243 daily trips. As the previous uses generated 119 daily trips, the proposed development results in a net increase of 124 daily trips, with six AM peak hour trips and six PM peak hour trips.

Parks and Open Space: LDR Section 5.3.2 requires a park impact fee of \$500.00 per dwelling unit, which is collected prior to issuance of a building permit; the total obligation is \$18,000. Additionally, the project is required to provide 5,962 square feet of civic open space on site and does so successfully through the incorporation of a 6,969 square foot attached green along the east portion of the site. The remaining greenspace along the east portion of the site, while not included in the provided civic space calculation, is programed as an attached green for fluidity.

Solid Waste: Based on the waste generation rates for Palm Beach County, the proposed development will generate approximately 71.64 tons of solid waste per year (1.99 tons per unit per year). The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2071. Units 1 through 32 will be responsible for rolling out trash bins to the edge of the private alley. Units 33 through 36 will be responsible for rolling out trash bins to the trash collection area, located southwest of the units with access from the private alley. The letter provided by Waste Management, dated April 23, 2026, confirms that trash pick-up services can be provided to the site based on the proposed configuration.

Public Schools: The applicant has submitted a School Capacity Availability Determination application with the Palm Beach County School District. The School District stated that based on the findings and evaluation of the proposed development, there will be no negative impact on the School District of Palm Beach County public school system.

(C) Consistency *A finding of overall consistency may be made even though the action will be in conflict with some individual performance standards contained within Article 3.2, provided that the approving body specifically finds that the beneficial aspects of the proposed project (hence compliance with some standards) outweighs the negative impacts of identified points of conflict.*

The following standards in **Article 3.2, Performance Standards** are applicable:

- **LDR Section 3.2.1, Basis for Determining Consistency**
- **LDR Section 3.2.3, Standards for site plan and/or plat actions** (discussed below under (D), Compliance with the LDR)

LDR Section 3.2.1. Basis for Determining Consistency. *The performance standards set forth in this Article either reflect a policy from the adopted Comprehensive Plan or a principle of good planning practice. The performance standards set forth in the following sections as well as compliance with items specifically listed as required findings in appropriate portions of Section 2.4.5 shall be the basis upon which a finding of overall consistency [Section 3.1.1(C)] is to be made. However, exclusion from this Article shall not be a basis for not allowing consideration of other objectives and policies found in the adopted Comprehensive Plan in the making of a finding of overall consistency.*

The following applicable objectives and policies from the Always Delray Comprehensive Plan apply to the request:

Neighborhoods, Districts, and Corridors Element

Policy NDC 1.1.14 *Continue to require that property be developed or redeveloped or accommodated, in a manner so that the use, intensity and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.*

Objective NDC 1.3, Mixed-Use Land Use Designations *Apply the mixed-use land use designations of Commercial Core, General Commercial, Transitional, Congress Mixed-Use, and Historic Mixed-Use to accommodate a wide range of commercial and residential housing opportunities appropriate in scale, intensity, and density for the diverse neighborhoods, districts, and corridors in the city.*

Policy NDC 1.3.5 *Use the Commercial Core land use designation to stimulate the vitality and economic growth of the city while simultaneously enhancing and preserving the cultural and historic downtown area.*

Policy NDC 1.3.7 *Implement the Commercial Core land use designation using form-based code to provide for adaptive-reuse, development, and redevelopment that preserves the downtown's historic moderate scale, while promoting a balanced mix of uses that will help the area continue to evolve into a traditional, self-sufficient downtown.*



Policy NDC 2.2.7 *Within the Commercial Core, locate and design off-street parking areas in a manner that does not detract from the character by providing standards in the Land Development Regulations, such as locating parking to the side or rear of buildings, limiting size of lots, and landscaping and façade requirements. Large fields of parking between building facades and streets are generally not desirable.*

Overall, the proposed development is consistent with the applicable Goals, Objectives, and Policies of the Neighborhood, Districts, and Corridors Element of the Always Delray Comprehensive Plan. The Plan speaks to quality redevelopment that is compatible with adjacent land uses and fulfills remaining land use needs. The project proposes a density under the allowed maximum, providing an appropriate transition and buffer from the single-family residences to the west and the FEC Railway to the east.

However, the Commercial Core is intended to support *mixed-use* downtown vitality and offers incentives for increased density to provide a variety of housing options. Compared to the previous Level 4 Site Plan approval, this proposal reduces intensity and provides a lower-scale transition to the residential area west of SE 1st Avenue, but does not include commercial space or workforce housing. The Board may consider this tradeoff when weighing overall consistency with the Commercial Core and Housing Element policies.

Policy NDC 2.7.17 *Continue to support the accommodation of compatible housing types within Osceola Park based on the recommendations and overall intent of the adopted Osceola Park 2019 Redevelopment Plan Update.*

2019 Osceola Park Neighborhood Redevelopment Plan Update. Pursuant to Priority 2 of the Redevelopment Plan, updated in July of 2019, there should be an encouragement of *adaptive reuse and infill development within and around the neighborhood while respecting the single-family character in the heart of the community.* Strategy 2.1 specifically encourages redevelopment and adaptive reuse of existing properties in the commercial districts. The proposed development is an appropriate scale to provide transition between the neighborhood to the west and other surrounding commercial uses. Additionally, the development incorporates a mix of street trees and shrubs along the west perimeter to soften the façade and further buffer the building from the single-family residences across SE 1st Avenue.

Policy HOU 1.1.6 *Promote good design in new housing construction and rehabilitation that highlights beauty, flexibility, and innovation, and respects existing neighborhood character.*

Objective HOU 3.2 Expansion of the Housing Supply *Expand the housing supply by allowing different unit types in a variety of locations for all income levels.*

Policy HOU 6.1.2 *Encourage income diversity by requiring a mix of unit types in new development.*

The project implements quality design while achieving a scale that respects the neighborhood character. Based on projected population growth analyzed in both the Neighborhoods, Districts, and Corridors and Housing Elements, additional housing units are generally needed; however, an emphasis on varied housing types for all income levels are encouraged. The project adds a townhouse ownership product within the downtown housing inventory. However, because the proposal consists only of three-bedroom fee-simple units and does not include workforce housing, its contribution to income diversity and internal housing variety is limited. The Board may consider this limitation when weighing overall consistency with the Housing Element.

Mobility Element

Policy MBL 1.2.2 *Implement context-sensitive Complete Streets principles, where appropriate, in the planning, programming, and construction of new City roadways, redesigns, and resurfacing of existing roadways to address the needs of all users, including motorists, bicyclists, transit riders, and pedestrians of all ages and abilities.*

Policy MBL 2.5.2 *Ensure safe vehicular, pedestrian, and bicycle operations in all new development, redevelopment, and on all City streets, including at driveway entrances and at intersections.*

Policy MBL 2.5.5 *Require development to provide pedestrian, bicycle, and vehicular interconnections to adjacent properties.* Policy NDC 2.3.2 OPR 2.2.4.

The project is consistent with the Mobility Element by advancing Complete Streets principles through widened pedestrian clear zones, street trees, and ground-floor frontages (stoops) that interact with the street. Vehicular access is limited to the internal private alley, ensuring safe pedestrian and bicycle operations at the street edge and reducing potential conflicts.



Overall, the proposed development is generally consistent with the Always Delray Comprehensive Plan, as required by LDR Section 3.1.1(A). The project advances the goals, objectives, and policies of the Neighborhoods, Districts, and Corridors, Housing, and Mobility Elements by reinforcing compact urban form, expanding the supply of housing available for purchase, and enhancing the pedestrian environment through context-sensitive design. Where physical site constraints limit direct cross-access, the proposal nonetheless achieves functional integration within the CBD framework.

(D) Compliance with LDRs. *Whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.5 and in special regulation portions of individual zoning district regulations.*

As noted above, the applicable subsections of **Article 3.2, Performance Standards**, are **Section 3.2.1, Basis for consistency**, which requires a determination of consistency with the Comprehensive Plan, and **Section 3.2.3, Standards for site plan actions**. Generally, the standards either reflect a policy from the adopted Comprehensive Plan or a principle of good planning practice, and ensure that new development will not have a negative impact on the surrounding area. Specifically, the standards relate to the provision of appropriate amenities to enhance the quality of life for residents of residential units; the provision of appropriate mobility connections, open space, and recreational improvements; and compliance with the maximum intensity and density allowed for the land use designation and zoning district.

The proposed development complies with the applicable dimensional, use, open space, parking, landscape, and architectural design guidelines, subject to resolution of the technical notes prior to site plan certification. The remaining technical items relate to photometric plan revisions for building entrance illumination and full cutoff perimeter lighting, and to site-specific utility coordination involving sanitary sewer lateral verification, required utility easements, and continued sewer service to the existing building at 290 SE 2nd Avenue. The Board may also consider the policy tradeoff associated with replacing the previously approved mixed-use project, which included workforce housing, with a lower-intensity fee-simple townhouse development that does not include commercial space or workforce housing.

LDR Section 3.2.3, Standards for site plan action.

The following standards are applicable to the request:

(A) Building design, landscaping, and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.

The building layout and landscaping do not appear to create visibility obstruction for traffic circulation. The photometric plan has not yet fully demonstrated compliance with applicable lighting standards, including full-cutoff fixture requirements; however, lighting measurements along the property lines that exceed 0.25 foot candles are the minimum feasible when accounting for required street lighting. A technical note has been added requiring the applicant to demonstrate that all exterior perimeter lighting to be full cutoff luminaires.

(B) All development shall provide pedestrian, bicycle, and vehicular interconnections to adjacent properties, where possible, and include accessible routes from the entry points of publicly-accessible buildings to the sidewalk network in accordance with the Americans with Disabilities Act (ADA).

Sidewalks are provided along all four sides of the development, incorporated into the streetscape, and provide connection to each townhouse unit, which utilizes a stoop frontage type. Additionally, a 24-foot-wide internal private alley allows vehicles to access units from the rear where the garages are placed. A 22-foot-wide private alley with adequate dead-end turn-around space is provided for vehicular access to Buildings No. 7 and 8. Bicycle parking is provided in the attached green along SE 2nd Avenue and in front of the pool house along SE 3rd Street – both of which are accessible to residents and the public.

(C) Open space enhancements and recreational amenities shall be provided to meet Objective OPR 1.4 and other requirements of the Goals, Objectives and Policies, as applicable, of both the Open Space, Parks, and Recreation Element and Conservation Element.

The project provides 27.4 percent open space, where 25 percent is required. Recreational amenities include a pool, pool house, and an attached green along the east side of the block, programmed with shade trees, benches, bike racks, and pet refuse stations.

(D) Any proposed street widening or modifications to traffic circulation shall be evaluated by the City, and if found to have a



detrimental impact upon or result in the degradation of an existing neighborhood, the request shall be modified or denied.

A 10-foot right-of-way dedication is required along SE 2nd Avenue, and a five-foot right-of-way dedication is required along SE 1st Avenue. Additionally, corner clip dedications are required at the northeast and southwest corners of the block. These dedications are intended for future City right-of-way improvements, typically in support of pedestrian safety; a detrimental impact is not anticipated on the surrounding neighborhood.

(E) Development of residentially zoned vacant land shall be planned in a manner consistent with adjacent development regardless of zoning designations.

Not applicable. The subject property is zoned CBD, within the Railroad Corridor Sub-district.

(F) Property shall be developed or redeveloped in a manner so that the use, intensity, and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services: are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.

Although the proposal does not provide commercial space or workforce housing, it remains within the permitted residential use framework of the CBD Railroad Corridor Sub-district and is substantially below the maximum density and FAR. The lower scale may provide a transitional urban form between the CBD/Railroad Corridor context and the residential area west of SE 1st Avenue. The Board should weigh this transitional benefit against the reduced contribution to mixed-use vitality, income diversity, and housing variety.

(G) Development shall provide a variety of housing types that accommodates the City's growing and socio-economically diverse population to meet the Goals, Objectives, and Policies the Housing Element.

The project provides one residential unit type, consisting of three-bedroom units. The Board may consider whether the proposed unit mix satisfies the intent of this standard and the applicable Housing Element policies.

(H) Consideration shall be given to the effect a development will have on the safety, livability, and stability of surrounding neighborhoods and residential areas. Factors such as but not limited to, noise, odors, dust, and traffic volumes and circulation patterns shall be reviewed and if found to result in a degradation of the surrounding areas, the project shall be modified accordingly or denied.

The proposed use of a townhouse type development is an anticipated use in the CBD. The surrounding development includes a mix of single-family residences, commercial property, and the FEC Railway. The scale and massing of the development, along with the programming of civic open space, improved streetscape, and incorporation of street trees, contribute to an overall improvement of the area. The remaining utility and lighting items are technical plan-correction items that must be resolved prior to site plan certification. Subject to those revisions, the proposal is not anticipated to create adverse impacts on the safety, livability, or stability of the surrounding area.

(I) Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.

The provided TPS letter and Traffic Impact Statement anticipates a total of 243 daily trips for the proposed development. As the previous uses generated 119 daily trips, the project results in a net increase of 124 daily trips, with six AM peak hour trips and six PM peak hour trips. The traffic analysis does not identify the area becoming a high accident location as a result of the proposal.

(J) Tot lots and recreational areas, serving children, teens, and adults shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.

Not applicable. The subject property is located in the downtown (CBD, Railroad Corridor Sub-district).

(K) Development shall not exceed the maximum limits established in the Table NDC-1, Land Use Designations: Density, Intensity, and Implementing Zoning Districts, of the Neighborhoods, Districts, and Corridors Element or specific standards established in



the zoning districts that limit density (dwelling units per acre) or intensity (floor area ratio) and must adhere to whichever limit is lower. Development in areas included in density or incentive programs (i.e. workforce housing programs specified in Article 4.7-Family/Workforce Housing) may exceed the Standard density limit, up to the specified Revitalization/Incentive density established for the program: development in all other areas shall not exceed the Standard density.

The proposed density of 16.5 dwelling units per acre and FAR of 1.10 do not exceed the applicable maximum limits.

(L) Development shall meet the intent of CSR 5, Energy Efficiency and Diverse Energy Mix and, where applicable, the requirements of LDR Section 7.11.1, Green Building Regulations.

Compliance with applicable energy efficiency and green building requirements will be addressed at the building permit stage.

LDR Sec. 3.2.4. - Standards for specific areas or purposes.

The following standard is applicable to the request:

(A) Wellfield protection zones. The City shall continue to assure compliance with the County Wellfield Protection Ordinance by including compliance as a performance standard for which a specific finding must be made upon approval of any site plan or conditional use action, for any development or site improvements within a designated wellfield protection zone as designated on Map AD-20, in accordance with Goal 2, Water Resources, Conservation, and Protection, of the Conservation, Sustainability, and Resiliency Element.

The subject site is located within Wellfield Protection Zone 4. Therefore, a technical note has been added requiring that prior to site plan certification, the applicant shall provide an "affidavit of notification" from the Palm Beach County Environmental Resource Management (ERM) in accordance with LDR Section 4.5.5(B)(3)(a).

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Section 4.4.13, Central Business District

Standard/Regulation	Review
Height Table 4.4.13(C)	Maximum: <ul style="list-style-type: none"> 54 ft, 5 stories (south of SE 2nd Street) Proposed: <ul style="list-style-type: none"> 37'-2" – Buildings 2 and 6 38'-4" – Buildings 4, 7 and 8 38'-5" – Buildings 1, 3, and 5
Setbacks Table 4.4.13(C)	Required: Front: Min 10 ft – Max 15 ft Side: Min 5 ft Rear: Min 10 ft Proposed: Along SE 1st Avenue Front: 10'-1" Along SE 2nd Avenue: Front: 22'-9" to 73'-1" (Civic Open Space)* *Buildings may exceed the allowable maximum setback if adjacent to a civic open space, as a civic open space is an extension of the streetscape Along SE 2nd Street: Front: 10'-1" Along SE 3 rd Street: Front: 10'-2" and green space Interior Side Setbacks: 5'-8" to 10'-2"
Dwelling Unit Standards, Diverse Unit Types 4.4.13(D)(1)(d)1.	Required: <i>In projects consisting of more than 12 dwelling units, the proportion of efficiency or studio type units may not exceed 25 percent of the total units. One bedroom units may not exceed 30 percent; however, if no efficiency or studio units are constructed, the cumulative amount of one bedroom units may not exceed 55 percent.</i> Provided: Complies. The proposed project includes 36 three-bedroom townhouse units and does not include efficiency, studio, or one-bedroom units subject to the percentage limitations in this subsection.
Streetscape Standards 4.4.13(E)(2)	The project complies with the minimum requirements of the CBD streetscape standards.
Minimum Streetscape Width	Required: 15 ft (min) Curb Zone: 4 ft (min.) Ped. Clear Zone: 6 ft (min.) Remaining Front Setback Area: up to 15 ft Proposed: Along SE 2nd Street: Curb Zone: 4 ft Ped. Clear Zone: 6 ft Remaining Front Setback Area: 5 ft to 7'-1" Along SE 1st Avenue: Curb Zone: 4 ft Ped. Clear Zone: 6 ft Remaining Front Setback Area: 5'-1"



	<p>Along SE 2nd Avenue: Curb Zone: 4 ft Ped. Clear Zone: 8 ft Remaining Front Setback Area: 14'-9" to 65'-1"*</p> <p>*Buildings may exceed the allowable maximum setback if adjacent to a civic open space, as a civic open space is an extension of the streetscape</p> <p>Along SE 3rd Street: Curb Zone: 9 ft Ped. Clear Zone: 9 ft Remaining Front Setback Area: 6'-2"</p>
<p>Remaining Front Setback Area 4.4.13(E)(2)(a)3.</p>	<p>Required: Hardscape or Landscaping comprised of plants in removable planters, palms and/or ground planting may be installed adjacent to the building provided views into storefront windows are not obstructed.</p> <p>Proposed: The remaining front setback area is a mix of hardscape, street trees, and civic open space (attached green).</p>
<p>Frontage Type: Porch, Stoop, Storefront, Arcade, and Lobby 4.4.13(E)(4)(b)</p>	<p>Stoop Requirements: Building Setback: 10 to 15 ft, Provided: 15 ft Depth: 5 to 8 ft, Provided: 5 ft Width: Min 4 ft, Provided: 5'-8" Floor Elevation: 1'-4", Provided: 1'-6"</p>
<p>Civic Open Space LDR Section 4.4.13(G)</p>	<p>Required: 20,000 sf = 0 sf 20,000 – 40,000 sf = 1,000 sf <u>> 40,000 sf = 4,960.71 sf</u> Total = 5,960.71 sf</p> <p>Proposed: Attached Green = 6,969 sf</p>

Other Requirements

Standard/Regulation	Review
<p>Lighting (Photometric Plan) 4.6.8(A)(3), Illumination Standards: Table 2</p>	<p>Illumination spillover is limited to the maximum degree feasible given the minimum illumination requirements for street lighting, off-street parking illumination, and lighting at the building and garage entrance.</p> <p>A technical note has been added regarding the minimum illumination allowance at the entrance of Unit #19. Pursuant to LDR Section 4.6.8(A)(3), the minimum footcandle at a building entrance is 1.0; the photometric plan shows a footcandle of 0.9. Therefore, prior to site plan certification, the photometric plans shall be revised to comply with the minimum standard. <u>Failure to comply will require a waiver.</u></p> <p>Additionally, another technical note has been added regarding any perimeter lighting. LDR Section 4.6.8(B)(3)(b) requires all exterior perimeter lighting to be full cutoff luminaires. Therefore, prior to the site plan certification, the photometric plans shall be revised to comply with LDR Section 4.6.8(B)(3)(b). <u>Failure to comply will require a waiver.</u></p>
<p>Off-Street Parking</p>	<p>Required: 78 parking spaces (1.75 spaces per unit, 0.5 guest spaces for the first 20 units, and 0.3 guest spaces for units 21-36)</p>



	<p>Provided: 105 total parking spaces: 74 parking spaces are provided on site and 31 spaces are being created on-street</p>
<p>Bicycle Parking LDR Table 4.4.13(M)</p>	<p>Required: 2 Type 1 Spaces, 0 Type 2 Spaces</p> <p>Provided: 6 Type 1 Spaces, 0 Type 2 Spaces</p>
<p>Sec. 4.6.10. - Off-Street Loading.</p>	<p>Required: 3 Provided: 0</p> <p>The LDRs provide guidelines for off-street loading that suggests - for a project of the square footage as proposed – at least three loading berths should be provided in a configuration that complies with the minimum size requirements.</p> <p>Pursuant to LDR Section 4.6.10(C), <i>in circumstances where these guidelines are not applicable or appropriate, the applicant may provide a "loading demand statement" in which the normal demands for loading are set forth along with any restrictions which may be appropriate.</i></p> <p>The applicant has submitted a loading demand statement for the Board’s consideration to justify the sufficiency of providing zero loading berths in lieu of the required three loading berths.</p> <p>Based on the applicant's justification, move-in and move-out of residential tenants will be coordinated by property management to ensure appropriate parking location and move-in/move-out hours. The justification also attests that loading, unloading, and deliveries will be a short-term function that can be accommodated internally to the development, within the 24-foot-wide private alleyway, which should allow adequate space for vehicles to maneuver around a stopped delivery vehicle in a safe manner and should not impede parking or traffic circulation on the public streets.</p> <p>Deliveries such as USPS, FedEx, and Amazon will occur at the mail kiosk adjacent to the amenity parking area, which is accessible from the internal private alleyway. On-street parking spaces are also provided along the perimeter of the site as a parking option for delivery vehicles.</p> <p>While this manner of loading operations are typical for townhouse type developments in an urban setting, <u>the Board should consider the sufficiency of the proposed loading/unloading strategy for the proposed development and determine if providing zero loading berths instead of three is appropriate in this context.</u></p>

LDR Section 7.11.1(C), Green Building Certification Required

Certification is required through a green building certification entity for new construction or additions consisting of 15,000 square feet of gross floor area that is condition space.

The applicant is required to obtain certification level of LEED Silver or equivalent, as the total Gross Floor Area square footage is 106,297 square feet, under air.

Review & Analysis: Landscape Plan

LDR Section 2.4.10(A)(3)(c), Site Plan Applications: Findings

Landscape Plans, including modifications to existing landscaping, shall be consistent with Section 4.6.16, Landscape Regulations.

An overall determination of consistency with respect to the above items is required in order for a landscaping plan to be approved.

Based on technical review, the landscape plan is deemed compliant with the applicable requirements of LDR Section 4.6.16, subject



to the technical notes identified in this report. The project proposes a substantial landscape plan that accentuates the architecture, benefits the public realm, and creates a sense of cohesion between the private space and the public streetscape. The required shade trees are provided along the perimeter of the block with High Rise Oaks. Lavender Crepe Myrtles are also provided as accent trees and landscape island trees. Shade trees enhance the streetscape, providing a pleasant environment for pedestrians that incentivize and encourage walkability. The north side of the internal private alleyway is lined with Eagleston Holly and Yellow Tabebuia to create a visually appealing entrance into the community while softening the mass of the structures. The civic open space and other programed green spaces on the site are well designed with lush landscaping, including Sabal Palms, Medjool Date Palms, Sylvester Date Palms, Bayrum Tree, and Yellow Tabebuias. Other amenities including benches and pet refuse stations are provided.

The project proposes 50 percent of the trees as native/drought tolerant, and 25 percent of the remaining plat material as native/drought tolerant, thus complying (and exceeding) with the minimum native tree and plat requirement. A list of all proposed native trees and plat material are provided on Sheet LP-3 of the Landscape Plan.

There are a number of existing trees on site that are proposed to be removed in order to accommodate the proposed development. While some trees are being mitigated through on-site replacement, an in-lieu payment of \$38,450.00 into the tree trust fund is required in order to account for the deficiency in mitigation. The proposed building footprints and internal private alleyway are substantially greater than the existing building footprints being demolished. Although the project complies with the minimum applicable landscape requirements, the remaining open space is not sufficient to accommodate the number and size of replacement trees necessary to fully mitigate the proposed tree removal on site.

Review & Analysis: Architectural Elevations

LDR Section 2.4.10(A)(3)(d), Site Plan Applications: Findings

Architectural Elevations, including modifications to existing building facades, require an overall determination of consistency with the objectives and standards of Section 4.6.18, Architectural Elevations and Aesthetics, and any adopted architectural design guidelines and standards, as applicable.

The proposed elevations have been reviewed for compliance with the Delray Beach Central Business Architectural Design Guidelines, LDR Section 4.4.13, and the architectural standards in LDR Section 4.6.18.

Delray Beach Central Business Architectural Design Guidelines

Anglo-Caribbean architecture is often considered an eclectic style, common to the British-settled isles of the Caribbean and influenced by Portuguese, Dutch, French, and Spanish colonization. Anglo-Caribbean architecture is characterized by wooden upper floors and roofs historically added over time to the masonry ground floors of initial settlements. The style today often references this through a change in material between floors or as a predominantly masonry construction with sculptural transitions between horizontal and vertical areas, incorporating wood building features.



The minimum aesthetic standards of this Section have generally been met by the proposed architectural design. The architectural style of Anglo-Caribbean is a permitted design in the CBD, is regionally appropriate, and is a customary style for coastal Florida architecture.

The design utilizes a neutral color palette, predominantly white with accents of a light-toned green along the second and third floor, which is appropriate for the architectural style. The design is elevated through the use of various materials, such as smooth stucco on the ground floor and faux wood siding articulating the offset of the individual units as well contrasting the above floors; this use of



materials and colors assist in defining the base of the composition, articulating each townhouse unit, and add a textural interest across the building façade. Contrast is introduced by way of black accents in the balcony railings and window shutters. Other distinguished features in the Anglo-Caribbean style include the use of second-story balconies and porches, proposed on the front elevations of each townhouse. Subtle design details are placed throughout the composition to reinforce the style, and the minimal ornamentation is considered appropriate for an Anglo-Caribbean design. Staff would encourage the applicant to incorporate additional black accents as shown in the window shutters and railing to provide further contrast from the overall white facades, such as a darker metal roof aligning with the Anglo-Caribbean style.

Subtle detailing is used throughout the composition to introduce movement and interest across the façade. The ground floor is well integrated into the public realm through successful incorporation of appropriate stoop frontage types. While the building is a continuous homogenous mass, the structure is broken up through recesses and breaks in the mass that help alleviate any potential for the building to convey a sense of heaviness or repetition. There is significant variety provided throughout the different facades to create a composition where each elevation is harmoniously connected through common design threads, while being differentiated enough to deliver an interesting and varied structure. The design is repeated throughout each structure, only varying by the amount of units; the proposal has the opportunity to introduce other elements that may distinguish each structure as its own while still unifying the entire site, possibly introducing additional earth-toned colors.

The units are configured in a rowhouse typology which helps facilitate a sense of lower scale residential, reducing the visual impact and acting as a transition to the adjacent low intensity residential development along SE 1st Avenue. Furthermore, the unique constraints of this site, surrounded by a right-of-way on all four sides, provides an opportunity that with required setbacks, the proposed stoop frontages, and the large civic open space, each street is activated as a front tailoring to the pedestrian experience and the vehicular use is limited to the internal driveways.

LDR Section 4.4.13(F), Architectural Standards.

To ensure high quality architecture in the downtown area, the following architectural standards apply to all buildings in the Central Business District Sub-districts and in the OSSHAD with CBD Overlay. In addition to the standards in Section 4.6.18, the following standards apply in all CBD Sub-districts.

Standard/Regulation	Review
Façade Composition Tripartite Composition: Base Middle, Top 4.4.13(F)(2)	The proposed design conveys a clear tripartite composition. Variations in material and frontage elements, such as porches and stoops, help define the base; and additional detailing and ornamentation is interspersed throughout the upper floor to differentiate the top from the middle of the composition.
Walls 4.4.13(F)(4)	Required: Maximum two primary materials appropriate to architectural style Provided: Smooth stucco and faux wood siding
	Required: Maximum four base wall colors Provided: Two base wall colors (white and soft green); contrast color in railings and window shutters (black).
Openings 4.4.13(F)(5)	The frequency and distribution of window and door openings complies with minimum requirements. The applicant will be required to confirm that proposed window tint glazing meets maximum transparency requirements at time of building permit.
Roofs 4.4.13(F)(6)	The design proposes a gabled roof type. No rooftop mechanical equipment is proposed.
Parking Garages 4.4.13(F)(8)	The parking is integrated into the building design by way of ground floor individual garages per unit, and all garage doors are oriented to face away from the public street frontages.
Reduction of Urban Heat Islands 4.4.13(F)(9)	Shade trees are interspersed throughout the perimeter of the site which helps facilitate reduction in heat generated by exposed hardscape.



	The roofed area will be required to utilize Energy Star roof-compliant, high-reflectance and high emissivity roofing for a minimum of 75 percent of the roof's surface. Roofing details to ensure compliance with this requirement will need to be submitted at time of building permit.
Green Building Practices 4.4.13(F)(10) and LDR Section 7.11.1(C)(2)	<u>Green building certification of at least LEED Silver or an equivalent from a different certifying agency is required</u> for developments containing over 50,000 square feet. As the proposed development has a gross floor area above this threshold, the development shall achieve the minimum required level of certification from a green building certification entity. Documentation explaining how the green building certification will be achieved shall be provided at time of permit.

LDR Section 4.6.18, Architectural Elevations and Aesthetics

A) Minimum Requirements

1. *The requirements contained in this Section are minimum aesthetic standards for all site development, buildings, structures, or alterations except for single family development.*
2. *It is required that all site development, structures, buildings, or alterations to same, show proper design concepts, express honest design construction, and be appropriate to surroundings.*

(E) Criteria for Board Action

The following criteria shall be considered by the Site Plan Review and Appearance Board in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved.

1. *The plan or the proposed structure is in conformity with good taste, good design, and in general contributes to the image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas, and high quality.*
2. *The proposed structure, or project, is in its exterior design and appearance of quality such as not to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.*
3. *The proposed structure, or project, is in harmony with the proposed developments in the general area, with the Comprehensive Plan, and with the supplemental criteria which may be set forth for the Board from time to time.*

The proposed development is generally in conformity with good taste and good design as it incorporates many elements of the Anglo-Caribbean architectural style outlined in the Delray Beach CBD Architectural Guidelines. The overall design and quality appearance is not anticipated to “materially depreciate” the adjacent properties or other properties in the vicinity. Further, there are no specific design elements identified that are not in keeping with the architectural style or the intent of the Criteria for Board Action.



Review by Others

The **Community Redevelopment Agency (CRA)** reviewed the Level 3 Site Plan request in its May 1, 2026 CRA report.

Options for Board Action

- A. **Move approval** of the Level 3 Site Plan application with Architectural Elevations and Landscape Plan for Delray Swan, a 36-unit, fee-simple townhouse development at 118 SE 2nd Street; 240, 258, 264, and 280 SE 2nd Avenue; and 215, 219, 223, 227, 231, 237, 243, 251, and 253 SE 1st Avenue, including relief to the minimum loading berth requirement, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- B. **Move approval, as amended**, of the Level 3 Site Plan application with Architectural Elevations and Landscape Plan for Delray Swan, a 36-unit, fee-simple townhouse development at 118 SE 2nd Street; 240, 258, 264, and 280 SE 2nd Avenue; and 215, 219, 223, 227, 231, 237, 243, 251, and 253 SE 1st Avenue, including relief to the minimum loading berth requirement, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- C. **Move denial** of the Level 3 Site Plan application with Architectural Elevations and Landscape Plan for Delray Swan, a 36-unit, fee-simple townhouse development at 118 SE 2nd Street; 240, 258, 264, and 280 SE 2nd Avenue; and 215, 219, 223, 227, 231, 237, 243, 251, and 253 SE 1st Avenue, including relief to the minimum loading berth requirement, by finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in the Land Development Regulations.
- D. **Move to continue with direction.**

Technical Review of Comments (TAC) Timeline

Review No.	Submittal Date	TAC Comments Transmitted	Total Time with Applicant: 82 days
1	11/06/25 (Deemed sufficient 11/13/25)	12/08/25	Total Time Under Review: 100 days
2	01/23/26 (Routed to TAC 01/28/26)	02/18/26	
3	03/18/26 (Routed to TAC 03/20/26)	04/14/26	Total Time: 182 days (130 business days)
4	04/22/26 (Routed to TAC 04/24/26)	05/07/26	

Courtesy Notices

- Courtesy Notices were sent to:
- Osceola Park
 - Merritt Park

Technical Notes

Prior to the site plan certification, the following must be completed:

1. The applicant shall verify, survey, and show on the site plan, utility plan, and plat all existing sanitary sewer laterals serving the existing building at 290 SE 2nd Avenue, including invert elevations, internal plumbing connections, number of laterals, and tie-in locations. The applicant shall revise the utility plans and plat, as necessary, to demonstrate that sanitary sewer service to the existing building will be maintained without disruption. All required water and sewer utility easements, including easements for the proposed water main, proposed sanitary sewer main, and any lateral serving the existing building to remain, shall be shown on the plat with dedication language acceptable to the Utilities Department. If additional easement area or lateral configuration is required, the site plan, plat, and affected site improvements, including the pool area if applicable, shall be revised prior to certification.
2. Add a note to Sheet SP-1 and provide documentation to demonstrate the windows used to meet the minimum opening requirements meet the definition of transparent as outlined in LDR Section 4.4.13(F)(5)(a), meaning non-solar, non-mirrored glass with a light transmission reduction of no more than 20 percent.
3. As a portion of the pedestrian clear zone is located within the property lines, the property owner shall enter into a pedestrian clear zone easement agreement with the City.
4. As there are landscape improvements proposed in the City right-of-way, the property owner shall enter into a landscape maintenance agreement requiring the property owner to be responsible for and maintain any improvements made or installed



by the owner in the right of way.

5. Revise the Photometric Plan (Sheet PSP-1) to comply with the minimum lighting standard at building entrances. The Photometric Plan depicts a footcandle of less than 1.0 at the entrance of Unit #19. Pursuant to LDR Section 4.6.8(A)(3), the minimum footcandle at a building entrance is 1.0. Failure to comply will require a waiver.
6. Revise the Photometric Plan (Sheet PSP-1) to comply with LDR Section 4.6.8(B)(3)(b), which requires only full cutoff luminaires for perimeter exterior lighting. Failure to comply will require a waiver.
7. Provide the crosswalk striping and stop sign placement on the Site Plan and all associated plans, specifically connecting the civic open space to the north sidewalk.
8. The plans shall be revised to provide a minimum 2-foot separation between benches and water meter boxes, subject to review and approval by the Utilities Department.
9. Provide an "affidavit of notification" from the Palm Beach County Environmental Resource Management (ERM) in accordance with LDR Section 4.5.5(B)(3)(a).
10. Revise the civic open space calculation on the Site Plan and all associated plans to reflect the correct required area:
First 20,000 sf x 0% = 0 sf of civic open space required
20,000 sf - 40,000 sf (20,000 sf) x 5% = 1,000 sf of civic open space required
40,000 sf - 95,119 sf (55,119 sf) x 9% = 4,960.71 sf of civic open space required
Total required: 5,960.71 sf required

Prior to the submittal of a building permit, the following must be completed:

1. As the proposed development includes fee-simple townhouse units, a plat is required. The plat shall be recorded with the Clerk of Court prior to the submittal of any building permit. Prior to site plan certification, the plat shall be revised to identify all required utility easements and include dedication language acceptable to the Utilities Department. All existing structures on the property shall be demolished prior to plat recordation.
2. All addressing shall be completed. Please review the City's Addressing Policy online and apply for an address change.

Prior to the issuance of a building permit, the following must be completed:

1. The property owner shall submit documentation to demonstrate that the roofed area is Energy Star roof-compliant, high-reflectance and high emissivity roofing for a minimum of 75 percent of the roof's surface.
2. As the proposed development exceeds 50,000 square feet, the building shall achieve at least a certification level of LEED Silver or equivalent. Documentation explaining how the green building certification will be achieved shall be provided at time of permit.
3. Provide all additional details on MOT plan for site work and work in the right-of-way. The submitted MOT plan during site plan review shows all temporary construction parking on site. Note that if construction activities require use of right-of-way, such activities will need to be depicted on the MOT plan. Street closures less than 14 days may be approved administratively, while street closures 14 days or greater require approval from the City Commission.

Note: Submit separate application for review and approval of signage; not included with the subject request per LDR.