



## Cover Memorandum/Staff Report

File #: 25-480

Agenda Date: 5/20/2025

Item #: 7.C.

**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Director  
**THROUGH:** Terrence Moore, ICMA-CM  
**DATE:** May 20, 2025

RESOLUTION NO. 58-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING IN-LIEU OF PARKING FEE REQUEST FOR THE PROJECT KNOWN AS SWINTON SOCIAL, LOCATED AT 27 S. SWINTON 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. 58-25, an in lieu of parking fee request in the amount of \$263,600 for 20 of the required 53 parking spaces for the project known as Swinton Social.

### **Background:**

The subject 0.74-acre property located within the Old School Square Historic District at 27 S. Swinton Avenue and has four one-story, frame vernacular, single-family residences constructed between 1937 and 1950. The project also includes an additional .18-acre vacant lot located at 104 SE 1<sup>st</sup> Ave, which was approved for use as a valet parking lot for the project known as Swinton Social. Swinton Social is an adaptive reuse of the single-family residences as restaurant and personal services (spa) uses.

A Class V Site Plan, Certificate of Appropriateness (COA), and Waiver approvals for the property were initially granted on November 16, 2011, by the Historic Preservation Board (HPB). At their meeting of December 7, 2011, the HPB approved a variance (2012-031) to reduce the open space requirement from 25% to 14.9% on the property located at 104 SE 1st Avenue. The variance was approved in association with the approved valet parking lot. The City Commission at the time approved additional Waivers on December 6, 2011, and a Conditional Use for outdoor dining on February 7, 2012. A detailed overview of the project's history is outlined in the attached Staff Report. The project is under different ownership than in 2011.

Based on the Shared Parking Calculations, the proposed uses require 53 parking spaces. The project has 33 parking spaces on site; thus, 20 additional parking spaces are needed. The subject request is to utilize the in lieu of parking fee for these spaces. The subject property is located within In Lieu Area 2, which has a fee amount of \$13,180 per space. Therefore, the in-lieu of parking fee is \$263,600.

Pursuant to LDR Section 4.6.9(G)(3)(d), the in-lieu of parking fee is used as an incentive to promote historic preservation, to maintain a moderate scale of the downtown, and to encourage revitalization and adaptive reuse by providing an alternative method to meet off-street parking requirements,

subject to approval by the City Commission. For historic properties, all nonresidential required parking can be provided by in-lieu of parking fees for use conversions, expansion of outdoor use areas, and additions resulting in buildings that are not more than a total of two stories in height.

Before granting the request on historic properties, the City Commission must determine if the request meets the standards and findings outlined below.

**LDR Section 2.4.11(F)(5)**

- (a) [Historic Properties are exempt from finding (a)]
- (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

The application meets findings (b)(1) and (c) as the in-lieu request supports the adaptive reuse of the historic structures and does not facilitate demolition. It is important to note, these properties have been in need of rehabilitation for over a decade and resolving the outstanding parking is necessary for the current owners to move the project forward.

On April 29, 2025, the Parking Management Advisory Board (PMAB) reviewed the parking in lieu fee request for 20 parking spaces and recommended approval.

On May 5, 2025 the project was forwarded to the Community Redevelopment Agency (CRA) for inclusion on the Development Application update memorandum.

On May 7, 2025, the Historic Preservation Board (HPB) reviewed the in lieu request for 20 parking spaces and recommended approval by a vote of 4-0.

**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 issuance of permit.