

RESOLUTION NO. 110-23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CLASS V SITE PLAN, LANDSCAPE PLAN, AND ARCHITECTURAL ELEVATIONS AND APPROVING AN INCREASE IN RESIDENTIAL DENSITY PURSUANT TO SECTION 4.4.13(H)(1) OF THE LAND DEVELOPMENT REGULATIONS, "RESIDENTIAL INCENTIVE PROGRAM," FOR THE PROJECT KNOWN AS BLISS ON 4TH, LOCATED AT 10 SW 4TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Bliss on 4th LLC ("Owner") is the owner of a parcel of land located at 10 SW 4th Avenue ("the Property"), measuring approximately 0.33 acres, as more particularly described in Exhibit "A"; and

WHEREAS, the Owner is represented by Dunay, Miskel, and Backman (collectively with Owner referred to as the "Applicant"); and

WHEREAS, the Applicant submitted a Class V Site Plan, Landscape Plan, and Architectural Elevations (2022-223-SPF-SPR-CLV) for the construction of a four-story, mixed-use building on the Property, containing a retail bay and 9 residential units, utilizing the Incentive Program found in Section 4.4.13(H) of the City of Delray Beach Land Development Regulations ("the LDR"); and

WHEREAS, the Property is zoned Central Business District ("the CBD") within the West Atlantic Neighborhood Sub-district; and

WHEREAS, pursuant to Table 4.4.13(C) of the LDR, the maximum residential density for the Property is 12 units per acre; and

WHEREAS, LDR Section 4.4.13(H) allows for an increase in the permitted maximum density from 12 units per acre up to a maximum of 30 dwelling units per acre in the West Atlantic Neighborhood Sub-district if workforce housing equal to at least 20 percent of the total density distributed equally between the low-income and moderate-income levels is provided; and

WHEREAS, pursuant to LDR Section 4.4.13(H)(3)(a), applications to utilize the Incentive Program will be reviewed as part of a site plan by the Site Plan Review and Appearance Board for compliance with the LDR regarding building configuration, uses, open space, streetscape design, parking location and quantity, and the performance standards in Section 4.4.13(H)(2) of the LDR and the Site Plan Review and Appearance Board will make a recommendation to the City Commission on the entire site plan before the City Commission takes final action to approve or deny the site plan and the increased density; and

WHEREAS, at its meeting on April 26, 2023, the Site Plan Review and Appearance Board voted 4

to 0 to recommend approval to the City Commission of the Class V Site Plan, Landscape Plan, and Architectural Elevations, by finding that the request is consistent with the LDRs, the Delray Beach CBD Architectural Design Guidelines, and the Comprehensive Plan; and

WHEREAS, the City Commission considered the Class V Site Plan application, Landscape Plan, and Architectural Elevations (2022-223-SPF-SPR-CL5) for the construction of a four-story, mixed-use building on the Property, containing a retail bay and 9 residential units, utilizing the Incentive Program found in Section 4.4.13(H) of the LDR.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the foregoing recitals are hereby incorporated herein by this reference and are approved and adopted.

Section 2. The City Commission approves the Class V Site Plan, Landscape Plan, and Architectural Elevations for the Property, by finding that the request is consistent with the LDRs, the Delray Beach CBD Architectural Design Guidelines, and the Comprehensive Plan.

Section 3. The City Commission approves the increase in residential density from 12 dwelling units per acre to 27.3 dwelling units per acre for the Property in exchange for Applicant providing two onsite Workforce Housing Units, one restricted to low-income households and the other restricted to moderate-income households.

Section 4. The City Clerk, or designee, is directed to send a certified copy of this Resolution to Dunay, Miskel, and Backman, at 14 SE 4th Street, Suite 36, Boca Raton, Florida 33432.

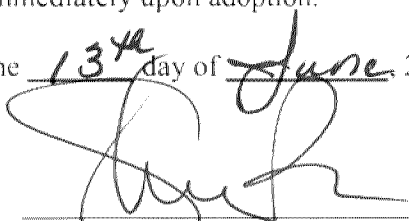
Section 5. All resolutions or parts of resolutions in conflict herewith shall be and hereby are repealed.

Section 6. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the 13th day of June, 2023.

ATTEST:


Katerri Johnson, City Clerk


Shelly Petrolis, Mayor

Approved as to form and legal sufficiency:

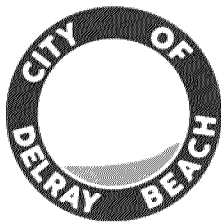
Lynn Gelin, City Attorney



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EXHIBIT "A"

Lots 7, 8, 9, and 10, Block 29, Re-Subdivision of Blocks 29 & 37, Delray, Florida, according to the map or plat thereof as recorded in Plat Book 9, Page 66, Public Records of Palm Beach County, Florida.



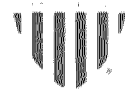
CITY OF DELRAY BEACH

OFFICE OF THE CITY CLERK

100 N.W. 1ST AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7050

Delray Beach

Florida



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CERTIFICATION

I, **Katerri Johnson**, City Clerk of the City of Delray Beach, do hereby certify that the attached document is a true and correct copy of **Resolution No. 110-23**, as the same was passed and adopted by the Delray Beach City Commission in regular session on the 13th day of June 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the City of Delray Beach, Florida, on this the 13th day of June 2023.

Katerri Johnson

City Clerk

City of Delray Beach, Florida



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