

RESOLUTION NO. 81-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT A ONE-TIME PAYMENT OF \$320,000 IN LIEU OF PROVIDING TWO ON-SITE WORKFORCE HOUSING UNITS FOR THE PROJECT FORMALLY KNOWN AS BLISS ON 4TH, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

WHEREAS, the Owner is represented by Jeffrey Lynne, Esq., (“Agent”) for the Property; and

WHEREAS, on June 13, 2023, the City Commission approved Resolution No. 110-23, approving 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 (LDR) in exchange for providing two workforce housing units (“Project”); and

WHEREAS, pursuant to LDR Section 4.7.3(B) developments requesting an increase in height and/or density must provide workforce housing units onsite, through an in-lieu payment, by delivery of offsite units, or a combination of these three options; and

WHEREAS, on March 24, 2026, the Agent submitted a request to utilize the option of making a one-time in-lieu payment to the City instead of providing the workforce housing units onsite (the “Request”); and

WHEREAS, pursuant to LDR Section 4.7.3(B)(2) a payment of \$160,000 payable to the City of Delray Beach Housing Trust Fund is required for each workforce housing unit approved by the City Commission as an in-lieu payment; and

WHEREAS, on May 19, 2026, the City Commission considered the Request and reviewed the respective portions of the Land Development Regulations and the Comprehensive Plan.

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

Section 1. The forgoing recitals are hereby incorporated herein by this reference and are approved and adopted.

Section 2. The City Commission hereby authorizes the City Manager to accept a one-time payment of \$320,000 payable to the City of Delray Beach Housing Trust Fund in-lieu of the provision of two on-site workforce housing units. No permits for the Project shall be issued until the funds are deposited with the City.

Section 3. This Resolution shall become effective immediately upon adoption.

Section 4. The City Clerk, or designee, is directed to send a certified copy of this Resolution to Jeffrey Lynne, Esq at 712 U.S. Highway One, Suite 400, North Palm Beach, Florida 33408.

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

PASSED AND ADOPTED in regular session on the _____ day of _____, 2026.

ATTEST:

Alexis Givings, City Clerk

Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

EXHIBIT "A"
Legal Description

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.