

RESOLUTION NO. 109-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A REQUEST FOR A CONDITIONAL USE MODIFICATION PURSUANT TO LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, AND THE COMPREHENSIVE PLAN, TO AUTHORIZE A MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT (KNOWN AS "VILLAGE SQUARE HOMES") TO INCREASE A PREVIOUSLY APPROVED DENSITY WITHIN THE CARVER ESTATES OVERLAY DISTRICT AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, Kimley Horn ("Agent") on behalf of Delray Beach Housing Authority ("Applicant/Property Owner") submitted a Conditional Use application (2019-126-USE-PZB) for a modification of an approved conditional use for a development known as Village Square Homes whose boundaries are fully described in Plat Book 118, Page 122 of the Public Records of Palm Beach County, Florida, and as more particularly described in Exhibit "A"; and

WHEREAS, a conditional use was approved on August 2, 2011, to allow a density of 13.9 dwelling units/acre (du/ac) on 18.18 acres within the Carver Estates Overlay District in accordance with the City's Land Development Regulations (LDRs) Section 4.7 Family/Workforce Housing; and

WHEREAS, a concurrent Class V Site Plan was approved by the Site Plan Review and Appearance Board on June 13, 2012, for a three phase development consisting of 253 residential units, with 228 units designated as workforce housing units within Phases I and II and 25 market rate residential units within Phase III; and

WHEREAS, Phase I and Phase II have been completed and a Class IV site plan modification has been submitted to develop 54 townhome units in accordance with the City's, LDRs Section 4.7 Family Workforce Housing within Phase III, thereby increasing the density of the development; and

WHEREAS, LDR Section 2.4.5(E)(5), *Establishment of a Conditional Use*, establishes the findings that in addition to provisions of Chapter 3 of the LDRs, the City Commission must make findings that establishing the conditional use will not have a significantly detrimental effect upon the stability of the neighborhood within which it will be located; nor hinder development or redevelopment of nearby properties; and

WHEREAS, LDRs Section 4.4.6(H), *Special Regulations*, establishes that a density may exceed the base of six units per acre only after the approving body makes a finding that the project has substantially complied the performance standards at listed in Section 4.4.6(I) and in no event shall a developments density exceed 12 units per acres, except within the Carver Estates Overlay as allowed by LDRs Section 4.4.6(D)(10); and

WHEREAS, the Conditional Use modification (2019-126-USE-PZB) was presented to the Planning and Zoning Board (PZB) at a public hearing conducted April 15, 2019, and the PZB recommended for approval 5-0; and

WHEREAS, the Conditional Use modification (2019-126-USE-PZB) was presented to the City Commission at a quasi-judicial hearing conducted on May 21, 2019; and

WHEREAS, the City Commission has reviewed the Conditional Use modification for Village Square Homes and has considered the respective findings for each as set forth in the Land Development Regulations.

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

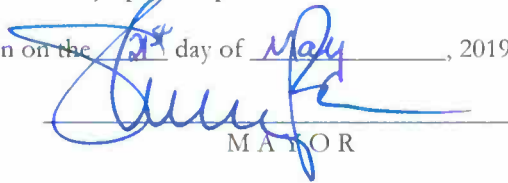
Section 1. That the forgoing recitals are hereby incorporated herein by this reference and are approved and adopted.

Section 2. The City Commission makes positive findings for granting approval of the Conditional Use to authorize the increase in density to 15.5 du/ac for Village Square Homes, incorporated herein as Exhibit "B", pursuant to Chapter 3 and LDR Sections 2.4.5(E)(5), 4.4.6(I),), and Article 4.7, subject to the following conditions:

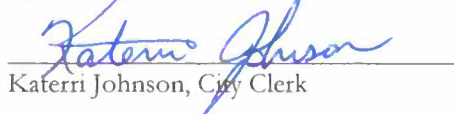
- a. Any restricted units are priced and/or rented at workforce housing levels and shall state that those units shall be sold to the eligible income group in accordance with LDR Article 4.7 Family/Workforce Housing in effect at the date of this resolution.
- b. Coordination with the City's Neighborhood & Community Services Department is required on buyer eligibility, housing prices, as well as any applicable requirement to record a covenant or to enforce resale restrictions.
- c. Prior to site plan approval, the site plans shall show traffic calming devices such as speed humps or raised paver cross-walks within the rear alley spaced to deter high speeds.
- d. Prior to site plan approval, a note will be added to the Phase III site plan modification noting that 34 workforce housing units must comply with the regulations of Section 4.7 and remain affordable for a period of no less than 40 years.
- e. Common areas must have a maintenance entity.
- f. One parking space in the two-car garage must be maintained for vehicular parking.

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

PASSED AND ADOPTED in regular session on the 24 day of May, 2019.


MAYOR

ATTEST:


Katerri Johnson, City Clerk

Approved as to form and legal sufficiency:

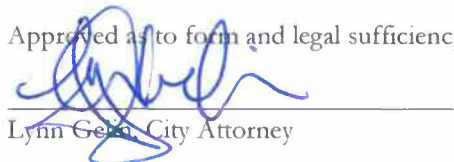

Lynn Gelfo, City Attorney

Exhibit "A"
Village Square Homes Legal Description

VILLAGE SQUARE AT DELRAY BEACH

A REPLAT OF TRACT 'B', A LIGHT INDUSTRIAL DEVELOPMENT FOR FRANZ / DELUX / KINNARD
PLAT BOOK 83, PAGE 93
AND

A REPLAT OF A PORTION OF
LOT 19 AND LOT 27,

A SUBDIVISION OF SECTION 20, TOWNSHIP 48 SOUTH, RANGE 43 EAST
PLAT BOOK 1, PAGE 4 ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA
BEING IN SECTION 20, TOWNSHIP 48 SOUTH, RANGE 43 EAST,
CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA

AREA TRANSLATION

TRACT 1-A	AREA	0.0000 AC
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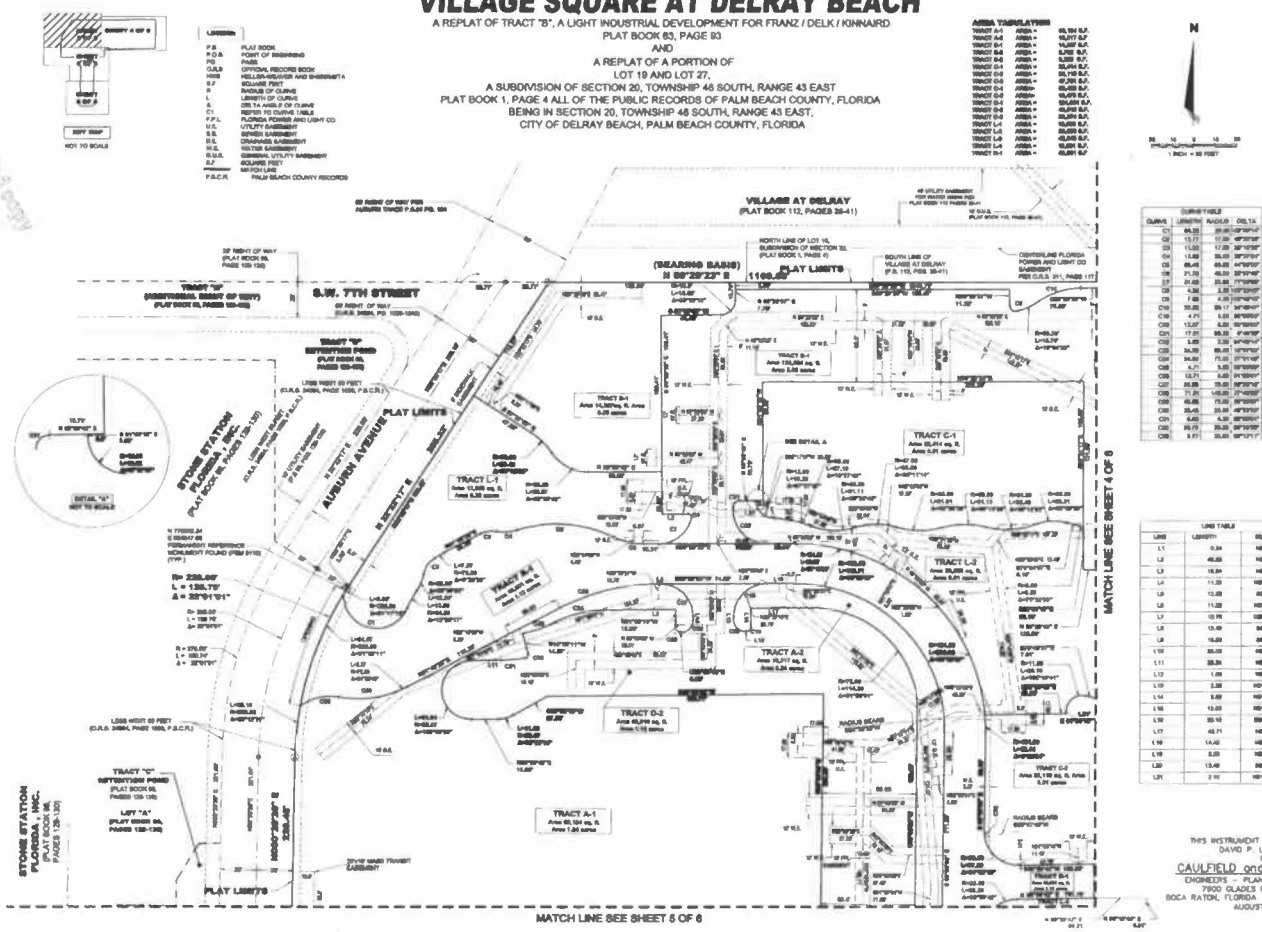


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STATE OF FLORIDA
COUNTY OF PALM BEACH
RECORD 41, PAGE 110
FILED
JUL 10 2013
BY: [Signature]
CLERK OF COUNTY

SHARON S. BOYD
CLERK OF COUNTY

SHEET 3 OF 8



AREA TRANSLATION

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THIS INSTRUMENT WAS PREPARED BY
DAVID N. LINDLEY, P.L.S.
OF
CAULFIELD AND WHEELER, INC.
ENGINEERS - PLANNERS - SURVEYORS
7800 GLADES ROAD, SUITE 100
BOCA RATON, FLORIDA 33434 - (561)382-1991
AUGUST - 2013

DELRAY BEACH HEIGHTS
(PLAY BOOK 25, PAGE 186)

VILLAGE SQUARE AT DELRAY BEACH

A REPLAT OF TRACT "B", A LIGHT INDUSTRIAL DEVELOPMENT FOR FRANZ DELK/KIRKHAIRD
PLAT BOOK 63, PAGE 93

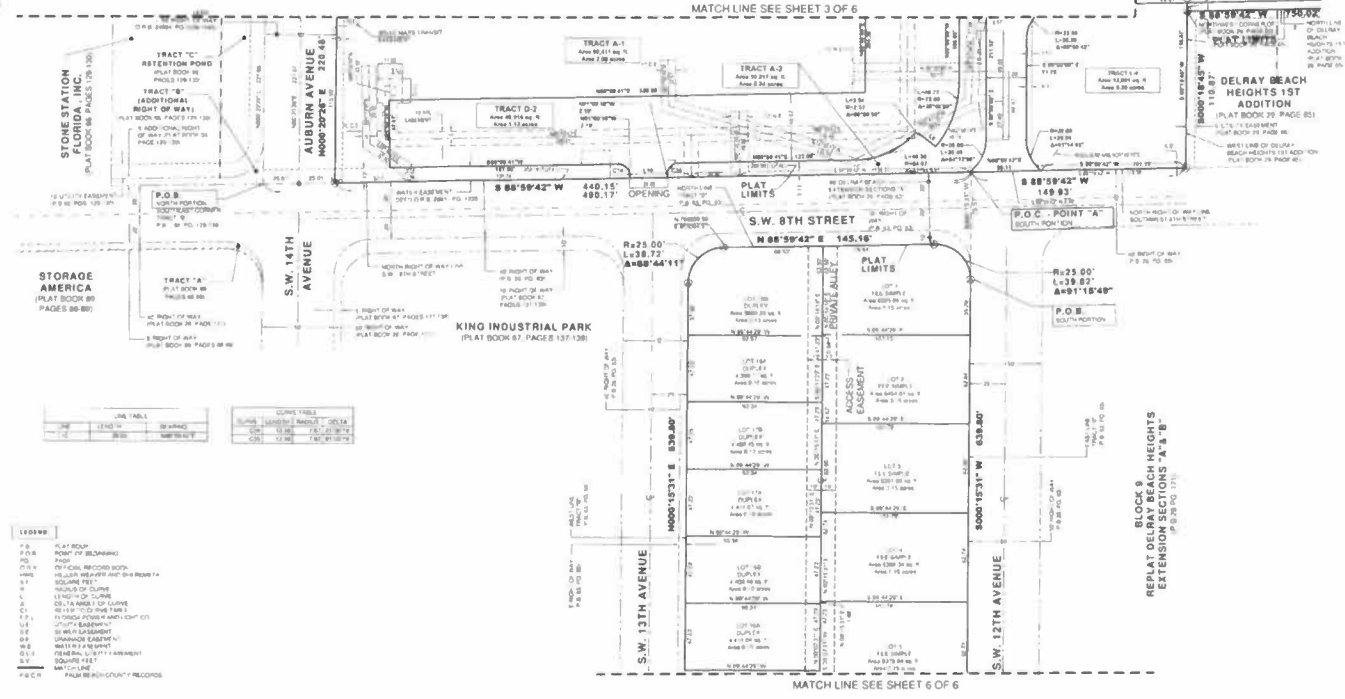
A REPLAT OF A PORTION OF
LOT 19 AND LOT 27

A SUBDIVISION OF SECTION 20, TOWNSHIP 46 SOUTH, RANGE 43 EAST
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CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA

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ENGINEERS - PLANNERS - SURVEYORS
7900 GLADES ROAD, SUITE 100
BOCA RATON, FLORIDA 33434 - (561)362-1991
AUGUST - 2013

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SHEET 5 OF 6



- LEGEND**
- P.B. PLAT BOOK
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF CORRECTION
 - P.O.D. POINT OF DISCONTINUITY
 - P.O.E. POINT OF ESTABLISHMENT
 - P.O.F. POINT OF FURTHER
 - P.O.G. POINT OF GROUND
 - P.O.H. POINT OF HORIZONTAL
 - P.O.I. POINT OF INTERSECTION
 - P.O.J. POINT OF JUNCTION
 - P.O.K. POINT OF KINK
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 - P.O.Z. POINT OF Z-SECTION

BLOCK 9
REPLAT DELRAY BEACH HEIGHTS
EXTENSION SECTIONS "A" & "B"

VILLAGE SQUARE AT DELRAY BEACH

A REPLAT OF TRACT "B", A LIGHT INDUSTRIAL DEVELOPMENT FOR FRANZ / DELK / KINNAIRD
PLAT BOOK 63, PAGE 93

AND
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AUGUST - 2013

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STATE OF FLORIDA
COUNTY OF PALM BEACH
NOTARY PUBLIC FOR
RECORD AT
A.D. 2013 AND DELAY RECORDS
IN PLAT BOOK 127
PAGE 127
SHARON R. BOCK
NOTARY AND COMPTROLLER

BY
DEPUTY CLERK
SHEET 6 OF 6



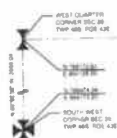
KING INDUSTRIAL PARK
(PLAT BOOK 47, PAGES 137-138)

BLOCK 6
REPLAT DELRAY BEACH
HEIGHTS EXTENSION
SECTIONS "A" & "B"



BLOCK 6
REPLAT DELRAY BEACH HEIGHTS
EXTENSION SECTIONS "A" & "B"

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PHASE I SENIOR*

UNIT TABULATION

UNIT TYPE	# UNITS	UNIT SF.	TOTAL SF.
A1 - ONE BEDROOM, ONE BATH	42	780 SF.	32,820 SF.
B1 - TWO BEDROOM, TWO BATH	24	940 SF.	22,560 SF.
B2 - TWO BEDROOM, TWO BATH	18	910 SF.	16,380 SF.
TOTAL	84		71,760 SF.

*100% OF THE UNITS WILL BE RESTRICTED TO RESIDENTS EARNING 60% OR LESS OF THE AREA MEDIAN INCOME

PARKING TABULATION

RESIDENTIAL	84
HANDICAP	10
TOTAL SPACES	94

PHASE II MULTIFAMILY - WORKFORCE HOUSING*

UNIT TABULATION

UNIT TYPE	# UNITS	UNIT SF.	TOTAL SF.
A1 - ONE BEDROOM, ONE BATH	6	780 SF.	4,680 SF.
B1 - TWO BEDROOM, TWO BATH	60	930 SF.	55,800 SF.
C1 - THREE BEDROOM, TWO BATH	48	1,267 SF.	60,816 SF.
D1 - FOUR BEDROOM, TWO BATH	24	1,501 SF.	36,024 SF.
TOTAL	138		157,320 SF.

*100% OF THE UNITS WILL BE RESTRICTED TO RESIDENTS EARNING 60% OR LESS OF THE AREA MEDIAN INCOME

BUILDING TABULATION

TYPE	# BLDGS.	UNITS/BLDG.	UNIT TYPES	BLDG. SF.	TOTAL SF.
A	1	24	B1-24	22,560 SF.	22,560 SF.
B	2	24	C1-24	25,200 SF.	50,400 SF.
C	2	24	B1-2, C1-2	25,200 SF.	50,400 SF.
D	1	24	A1-6, B1-18	21,060 SF.	21,060 SF.
TOTAL	6				144,620 SF.

PARKING TABULATION

RESIDENTIAL	138
GUEST	20
HANDICAP	1
CLUBHOUSE	9

*TOTAL SPACES 168

PHASE III SINGLE FAMILY*

UNIT TABULATION

UNIT TYPE	# UNITS	UNIT SF.	TOTAL SF.
C1 - THREE BEDROOM, TWO BATH HOUSE	11	1,363 SF.	14,993 SF.
C2 - THREE BEDROOM, TWO BATH UNIT	4	1,481 SF.	5,924 SF.
TOTAL	15		20,917 SF.

*ALL OF PHASE III TO BE MARKET RATE - FOR SALE ONLY

BUILDING TABULATION

TYPE	# BLDGS.	UNITS/BLDG.	UNIT TYPES	BLDG. SF.	TOTAL SF.
E	1	1	C1-1	14,993 SF.	14,993 SF.
F	1	1	C2-1	2,924 SF.	2,924 SF.
TOTAL	2				17,917 SF.

PARKING TABULATION

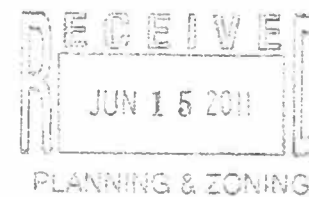
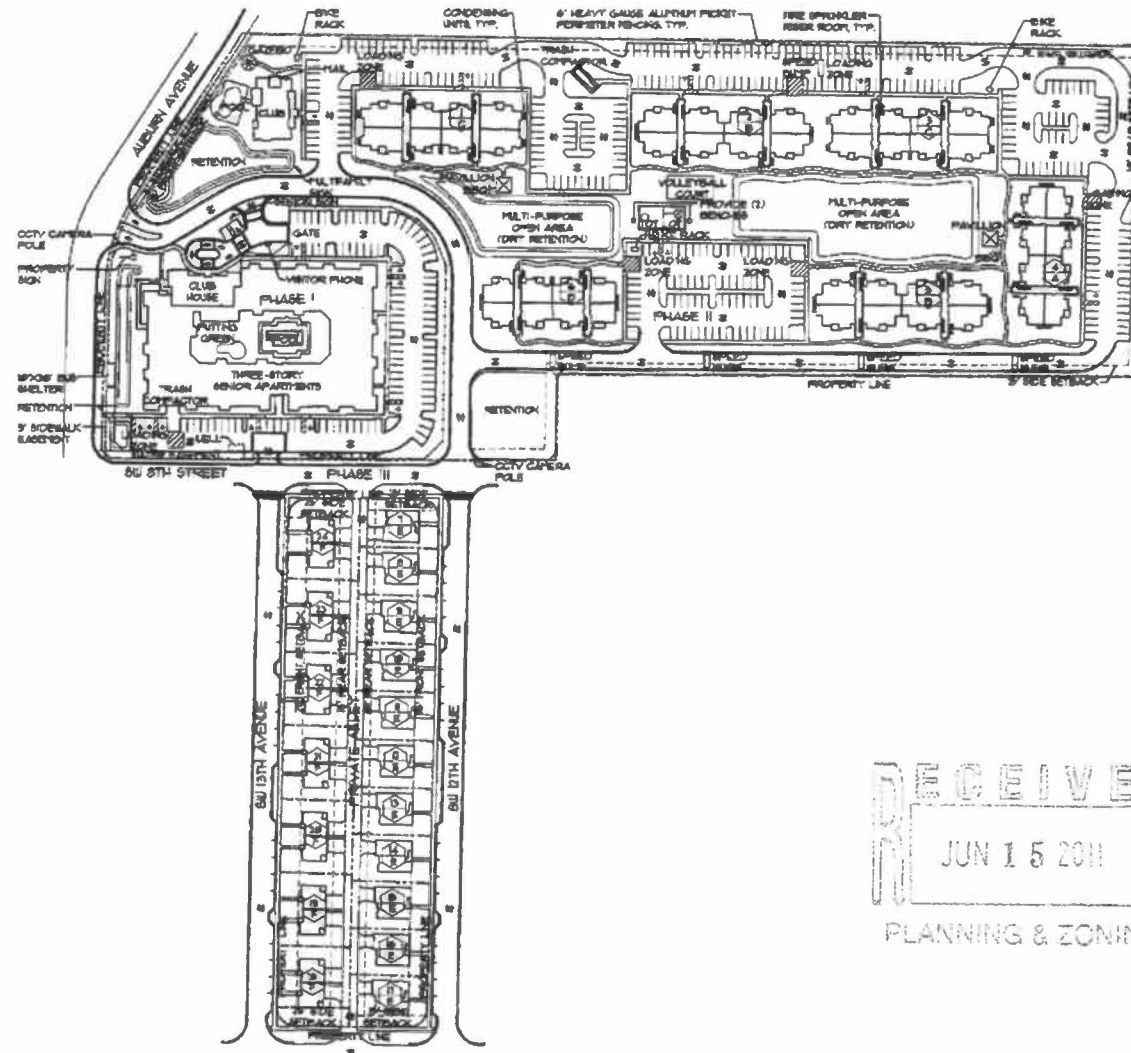
GARAGE SPACES	30
DRIVEWAY SPACES	30
TOTAL SPACES	60

BUILDING KEY

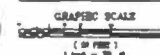
- 1 - BUILDING NUMBER
- A - BUILDING TYPE

NET CALCULATIONS

PHASE I UNITS	84	71,760 SF.
PHASE II UNITS	138	157,320 SF.
PHASE III UNITS	15	20,917 SF.
TOTAL UNITS	237	249,997 SF.



SITE PLAN



ARCHITECT:
CROSS ARCHITECTS
1255 W. 15TH STREET, SUITE 125
PLANO, TEXAS 75075
972-388-6844



VILLAGE SQUARE DELRAY BEACH, FLORIDA

OVERALL
SITE PLAN

06/15/2011

**Exhibit “B”
Village Square Homes
Site Plan**

PHASE I SENIOR

UNIT TABULATION

UNIT TYPE	#UNITS	UNIT S.F.	TOTAL S.F.
A1 = ONE BEDROOM, ONE BATH	42	742 S.F.	31,164 S.F.
B1 = TWO BEDROOM, TWO BATH	24	810 S.F.	19,440 S.F.
B2 = TWO BEDROOM, TWO BATH	18	970 S.F.	17,460 S.F.
TOTAL	84		68,064 S.F.

* NONE OF THE UNITS WILL BE RESTRICTED TO RESIDENTS EARNING LESS OR LESS OF THE AREA MEDIAN INCOME

PARKING TABULATION

RESIDENTIAL	81
HANDICAP	10
TOTAL SPACES	101

PHASE II MULTIFAMILY - WORKFORCE HOUSING

UNIT TABULATION

UNIT TYPE	#UNITS	UNIT S.F.	TOTAL S.F.
A1 = ONE BEDROOM, ONE BATH	8	750 S.F.	6,000 S.F.
B1 = TWO BEDROOM, TWO BATH	66	338 S.F.	22,308 S.F.
C1 = THREE BEDROOM, TWO BATH	48	1,267 S.F.	60,816 S.F.
D1 = FOUR BEDROOM, TWO BATH	24	1,509 S.F.	36,216 S.F.
TOTAL	144		165,340 S.F.

* NONE OF THE UNITS WILL BE RESTRICTED TO RESIDENTS EARNING LESS OR LESS OF THE AREA MEDIAN INCOME

BUILDING TABULATION

TYPE	#BLDGS	UNIT/BLDG	UNIT TYPE	BLDG S.F.	TOTAL S.F.
A	24	8	B1-24	22,312 S.F.	22,312 S.F.
B	2	24	71-24	30,808 S.F.	61,616 S.F.
C	2	24	81-12, 01-12	24,680 S.F.	49,360 S.F.
D	2	24	A1-8, B1-16	71,384 S.F.	142,768 S.F.
TOTAL	8				165,340 S.F.

PARKING TABULATION

RESIDENTIAL	279
QUEST	38
HANDICAP	7
CLUBHOUSE	3
TOTAL SPACES	329

PHASE III MULTIFAMILY

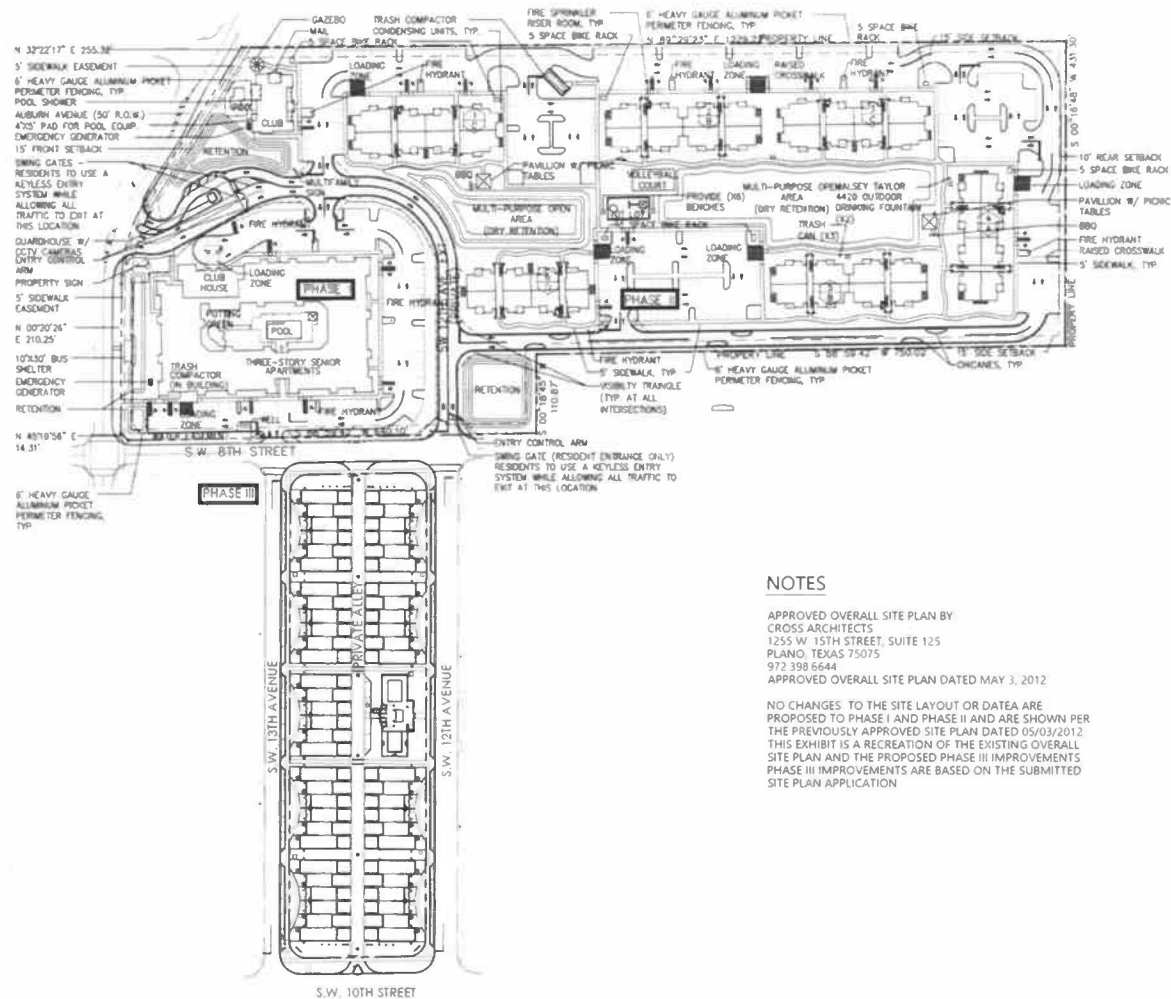
UNIT TABULATION

UNIT TYPE	#UNITS	UNIT S.F.	TOTAL S.F.
TWO STORY, TWO BEDROOM	12	1,467 S.F.	17,604 S.F.
THREE STORY, THREE BEDROOM	36	1,667 S.F.	60,012 S.F.
THREE STORY, THREE BEDROOM	6	1,366 S.F.	8,196 S.F.
TOTAL	54		85,812 S.F.

PARKING TABULATION

ONSITE APARTMENT	108
ONSITE PARALLEL	3
OFFSITE PARALLEL	48
ACCESSIBLE PARALLEL	3
TOTAL	162

BUILDING KEY



NOTES

APPROVED OVERALL SITE PLAN BY:
CROSS ARCHITECTS
1255 W. 15TH STREET, SUITE 125
PLANO, TEXAS 75075
972.398.6644
APPROVED OVERALL SITE PLAN DATED MAY 3, 2012

NO CHANGES TO THE SITE LAYOUT OR DATA ARE PROPOSED TO PHASE I AND PHASE II AND ARE SHOWN PER THE PREVIOUSLY APPROVED SITE PLAN DATED 05/03/2012. THIS EXHIBIT IS A RECREATION OF THE EXISTING OVERALL SITE PLAN AND THE PROPOSED PHASE III IMPROVEMENTS PHASE III IMPROVEMENTS ARE BASED ON THE SUBMITTED SITE PLAN APPLICATION



REG
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VILLAGE
SQUARE
HOMES PHASE
III
DELRAY BEACH, FL

NO. DATE DESCRIPTION

DATE: 11/11/2011

DESIGNER: REG

DRAWN: REG

CHECKED: REG

REG# 18008

REG# 18008

DATE: 11/11/2011

DESIGNER: REG

DRAWN: REG

CHECKED: REG

REG# 18008

REG# 18008

DATE: 11/11/2011

DESIGNER: REG

DRAWN: REG

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