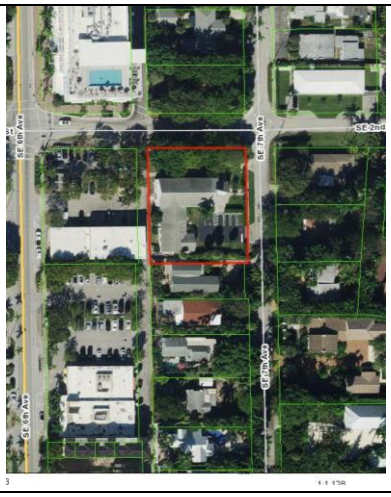
November 22, 2024

200 SE 7th Avenue
Comprehensive Plan Text Amendments & Amendment to Land Development Regulations
Justification Statement Letter

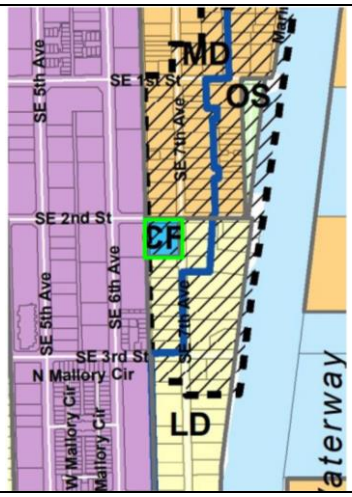
This Justification Letter is respectfully submitted on behalf of 200 SE 7th Avenue, LLC for the property located at 200 SE 7th Avenue, Delray Beach, FL 33483 (PCN:12-43-46-16-B3-000-0220), associated with the Comprehensive Plan Text Amendments & Amendment to Land Development Regulations to allow the preservation and adaptive reuse of historically contributing Church & Places of Worship to Single Family Dwellings in the CF zone district.

BACKGROUND:

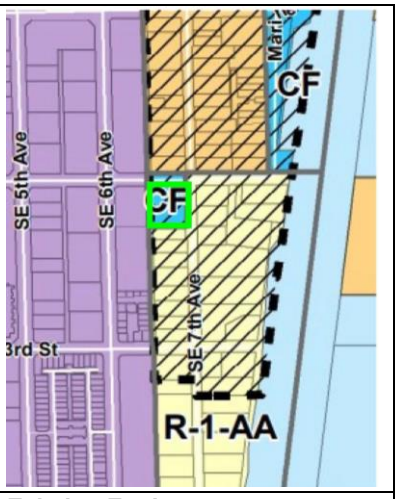
The 0.50-acre property is located at the southwest corner of SE 7th Avenue and SE 2nd Street. The property currently has an underlying Community Facilities (CF) Land Use Map designation and is also zoned Community Facilities (CF), within the Marina Historic District.



Subject Property



Existing Land Use



Existing Zoning

The property contains a 3,023 sf. church constructed in 1930 with a 2,366 sf. addition (classroom, office, restrooms) constructed in 1994. The 5,389 sf. church was converted into a museum in 2019.

At its meeting of July 9, 2024, the City Commission considered the request to change the Land Use Map designation from Community Facilities (CF) to Low Density Residential 0-5 du/ac (LD) and Rezoning from Community Facilities (CF) to Single Family Residential (R-1AA), to accommodate the conversion and adaptive reuse of the historically contributing museum/church into a single family residence. The conversion would have been required to comply with the City's Land Development Regulations, Historic Preservation Guidelines and Secretary of Interior's Standards.

During discussions, the Commission expressed concerns with the Land Use Map Amendment to LD and Rezoning to R-1-AA within the existing neighborhood and expressed a desire to maintain the existing CF Land Use Map and Zoning Map designations for the property to ensure preservation of the church structure. To address the Commission's concerns, the applicant offered an alternative proposal to amend the LDRs to allow adaptive reuse of an historically contributing churches and places of worship to a single family dwelling within the CF zoning district.

After discussing the item further, the City Commission provided direction to proceed with the amendment to the text of the Comprehensive Plan and Land Development Regulations to allow the adaptive reuse as suggested. The Commission denied the LUMA and Rezoning request, which included waiving the period for the applicant to reapply, per 2.2.1(E)(5).

DESCRIPTION OF PROPOSAL

The proposed Amendments to the Neighborhood, Districts and Corridors, Historic Preservation, and Housing Elements of the City's Comprehensive Plan include Data, Inventory, and Analysis (DIA) and Objective and Policies consistent with the Comprehensive Plan. The Amendment to LDR Section 4.4.21(B) *Principal uses and structures allowed.* is to include the following:

(12) Single Family Detached Dwelling within a historically contributing structure.

Sections 163.3177, 163.3184, and 163.3202, Florida Statutes, provide the requirements for comprehensive plan and Land Development Regulations adoption and updates.

COMPREHENSIVE PLAN TEXT AMENDMENT

LDR Section 2.4.5(A) Amendments to the Comprehensive Plan.

(1) Amendments to the Comprehensive Plan shall be processed pursuant to the Florida Community Planning Act in F.S. 163.3184 through 163.3253, as may be amended from time to time.

(2) Requests to amend the Land Use Map are subject to the Performance Standards in Chapter 3.

(3) Map amendments proposed within historic districts shall be reviewed by the Historic Preservation Board and a recommendation made to the City Commission; all other proposed Map amendments shall be reviewed by the Planning and Zoning Board and a recommendation made to the City Commission.

The request to amend the Comprehensive Plan Text is being processed pursuant to Florida Statutes, F.S. 163.3184 through F.S. 163.3253.

The Comprehensive Plan and LDR provide direction and regulations to appropriately develop and maintain property for both the overall benefit of the community and the private property owner. The proposed Objective and Policies will advance the preservation and adaptive reuse of churches and places of worship to ensure the preservation of historically contributing structures and community landmarks and will allow the conversion of a community landmark to a single family dwelling unit on property with CF (Community Facilities) Land Use and/or Zoning Map designations. The Objective and Policies will not create any conflicts between the current Comprehensive Plan Goals, Objectives and Policies (GOPs) and the current Land Development Regulations.

LAND DEVELOPMENT REGULATIONS (LDR) TEXT AMENDMENT

Pursuant to LDR Section 2.4.7(A)(5) ***Findings.*** For any approval, the City Commission must make a finding that the text amendment is consistent with the Comprehensive Plan, and that the amendment furthers the implementation of an adopted neighborhood plan, if applicable.

The Amendment to LDR Section 4.4.21(B) *Principal uses and structures allowed.* is to include the following:

(12) Single Family Detached Dwelling within a historically contributing structure.

Currently, the following residential uses are currently allowed within the CF zone district:

- Abused Souse Residence
- Assisted Living Facility
- Community Residence Housing (4-10 individuals) – Per LDR Definition of Community Residence: *"…A community residence shall be considered a residential use of property for purposes of all zoning, building, and property maintenance codes…"*
- Continuing Care Facility
- Senior Housing

The proposed amendments to the Neighborhood, Districts and Corridors, Historic Preservation, and Housing Elements of the City's Comprehensive Plan further support the preservation and adaptive reuse of historically contributing churches and places of worship in the CF zone district and throughout the City.

Based upon the above, approval of the Comprehensive Plan Text Amendment and LDR Amendment is respectfully requested.