



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

## PLANNING & ZONING BOARD STAFF REPORT

### Enclave at Sherwood Plat

Meeting	File No.	Application Type
June 20, 2022	2022-050-PMA 2022-054-PMF	Preliminary Plat Final Plat
Applicant	Owner	Authorized Agent
Andrew Maxey, Pulte Group	Sherwood Park Golf Club, Inc.	Wendy Tuma and Sandra Megrue, Urban Design Studio

### Request

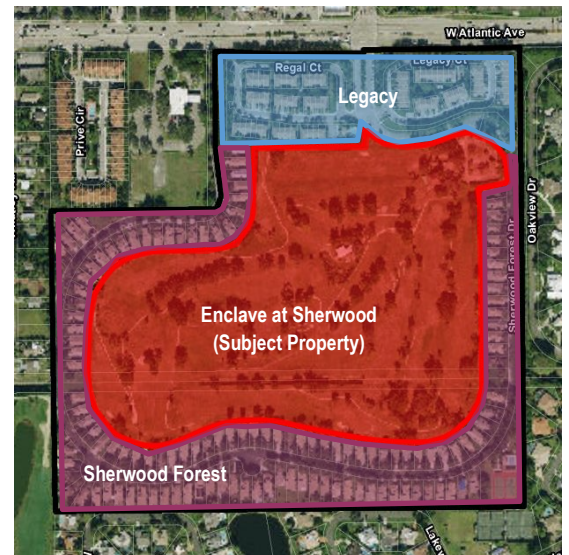
Consideration of the Preliminary Plat and recommendation to the City Commission for the certification of the Final Plat, "Enclave at Sherwood", a replat of the 74.91-acre Sherwood Forest plat recorded in Plat Book 62, Page 163 through 168, associated with the creation of 79 fee-simple lots, for the property currently addressed as 170 Sherwood Forest Drive.

### Background Information

The subject property is located at 170 Sherwood Forest Drive south of West Atlantic Avenue, west of Homewood Boulevard, and east of South Military Trail. The parcel is a vacant golf course associated with the Sherwood Forest development. The 37.31-acre property has a land use designation of Low Density (LD) and is zoned Planned Residential Development (PRD).

The approved Enclave at Sherwood development is part of the existing 74.91-acre Sherwood Forest PRD (see figure, area outlined in black). Sherwood Forest is a 28.5-acre, gated community consisting of detached 125 single-family residences surrounding the subject property to the west, south, and east. Legacy at Sherwood is a 9.08 acre, 72-unit single-family attached townhouse development to the north. The relevant development history is as follows:

- October 1988. The 74.91-acre Sherwood Park Golf Course, built in 1960, was voluntarily annexed from Palm Beach County.
- May 23, 1989. The 74.91-acre Sherwood Forest plat was recorded in Plat Book 62, Page 163 through 168, which included the 37.31-acre golf course subject property.
- November 20, 2002. A replat for Legacy at Sherwood Forest, the 9.08-acre townhome development, was recorded in Plat Book 96, Page 126 through 128.
- November 15, 2021. The Planning and Zoning Board approved an amendment to the Sherwood Forest Master Development Plan (MDP), to allow for the development of the 37.31-acre golf course as 79 zero lot line single family homes, to be known as the Enclave at Sherwood.
- January 11, 2022. The City Commission approved a land use map amendment for the 37.31-acre golf course from Open Space to Low Density land use, and rezoning from Open Space and Recreation to Planned Residential Development.



## Plat Description

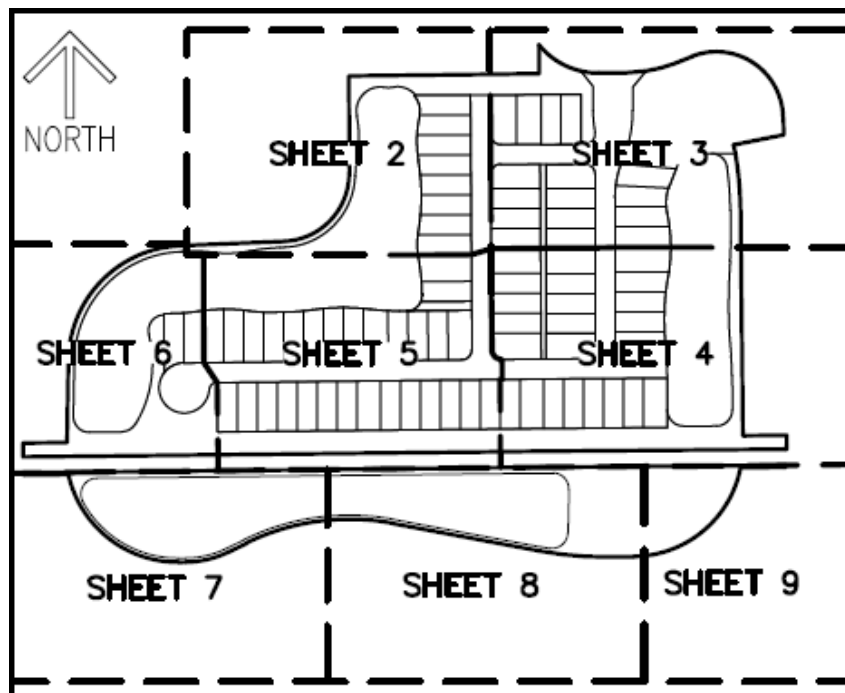
The proposed plat consists of 37.31 acres of land currently addressed as 170 Sherwood Forest Drive. The subject property is designated as the Sherwood Park Golf Course golf course (Tracts G-3 and G-4) on the plat recorded in 1989 in Plat Book 62, Page 163 through 168. The areas designated as Tracts G-3 and G-4 have been approved for a 79-unit single-family development with recreational amenities, pursuant to the approved MDP. The proposed major subdivision plat includes the components described below, and the allocation of acreage is summarized in the table.

- Dedication of Lots 1-79, each for a detached, single-family dwelling. The lots are a minimum of 50 feet wide by 124 feet deep, and the proposed minimum lot size is 6,200 square feet. Lots comprise 12.00 acres of the development.
- Tract R, Residential access streets, are named "Geillis Path" (the main entry road), "Scramble Way," "Matilda Court," and "Zelda Lane."

NAME	SQUARE FEET	ACRES
<i>Lots 1-79</i>	523,013	12.0067
<i>Tract R</i>	165,054	3.7891
<i>Tracts OS1-OS5</i>	332,891	7.6421
<i>Tract F</i>	77,992	1.7904
<i>Tracts W1-W3</i>	526,131	12.0784
<b>TOTAL</b>	<b>1,625,081</b>	<b>37.3067</b>

- Tracts OS1, OS2, OS3, OS4, and OS5, open space tracts. Totalling 7.64 acres, the open space tracts are dispersed throughout the development, and are shown on the figure at right. The open space is largely passive, with the exception of the area surrounding the clubhouse. The open space acreage includes the landscape buffers.
- Tract F, recreation tract. The 1.79-acre tract includes the clubhouse, pool, tot lot, and parking areas.
- Tracts W-1, W-2, and W-3, water management tracts. 12.08 acres of lake features are located on the west, east, and south side of the Enclave at Sherwood, providing separation between the Enclave at Sherwood and Sherwood Forest.
- General Utility Easements (G.U.E.), Drainage Easements (both public, and to the Sherwood Homeowners' Association, Inc.), Maintenance and Roof Overhang Easements.

The complete Sherwood Forest MDP is included in the plan provided below, with each area provided on the identified sheets within the attached plat. The applicant has also submitted an abandonment request (File No. 2022-093) for a utility easement, that will be heard by the City Commission subsequent to the plat approval, upon removal of the utilities in the easement. The abandonment is necessary because the easement lies under the proposed clubhouse.



## Review and Analysis

Pursuant to **LDR Section 2.4.5(J), Major Subdivision**, the Planning and Zoning Board must make findings pursuant to Chapter 3 on a preliminary plat. The City Commission must make a finding that the Final Plat is consistent with the findings associated with the preliminary plat.

The proposed plat qualifies as a Major Subdivision as it creates more than three lots and involves right-of-way dedication, per the definitions of "Major Subdivision" and "Minor Subdivision" in the LDR. Major subdivision plats require the certification of a preliminary plat by the Planning and Zoning Board, prior to receiving a recommendation to the City Commission regarding the Final Plat.

### **Required Findings: LDR Section 3.1.1**

*Prior to the approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information on the application, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. These findings relate to the Land Use Map, concurrency, consistency, and compliance with the Land Development Regulations.*

**(A) Land Use Map:** *The resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Land Use Map.*

The subject property has a Land Use Map (LUM) designation of LD (Low Density) and a zoning designation of PRD. The zoning district is consistent with the LUM designation, as it is a preferred implementing zoning district in the Always Delray Comprehensive Plan. Detached single-family residences and related amenities are permitted uses in the PRD zoning district.

**(B) Concurrency:** *Concurrency as defined by Objective NDC 3.1 of the Neighborhoods, Districts, and Corridors Element of the adopted Comprehensive Plan must be met and a determination made that the public facility needs, including public schools, of the requested land use and/or development application will not exceed the ability of the City and The School District of Palm Beach County to fund and provide, or to require the provision of, needed capital improvements in order to maintain the Levels of Service Standards established in Table CIE-2, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach.*

The proposed Enclave at Sherwood development was determined to meet concurrency standards, as part of the LUMA, RZ, and Master Development Plan approvals.

**(C) Consistency:** *A finding of overall consistency may be made even though the action will be in conflict with some individual performance standards contained within Article 3.2, provided that the approving body specifically finds that the beneficial aspects of the proposed project (hence compliance with some standards) outweighs the negative impacts of identified points of conflict.*

### **LDR Section 3.2.2, Basis for Determining Consistency**

*The performance standards set forth in this Article either reflect a policy from the adopted Comprehensive Plan or a principle of good planning practice. The performance standards set forth in the following sections as well as compliance with items specifically listed as required findings in appropriate portions of Section 2.4.5 shall be the basis upon which a finding of overall consistency [Section 3.1.1(C)] is to be made. However, exclusion from this Article shall not be a basis for not allowing consideration of other objectives and policies found in the adopted Comprehensive Plan in the making of a finding of overall consistency.*

The following Objectives and Policies from the Always Delray Comprehensive Plan are applicable to the subject request.

#### **Housing Element**

**Policy HOU 1.1.4** *Encourage walking, bicycling and transit use to benefit people of all ages, as a means to encourage social interaction and provide a sense of place in new developments and neighborhood improvements.*

ADA compliant 5-foot sidewalks are provided on both sides of the internal streets, and there are paved pedestrian crosswalks at the intersections. Additional sidewalk connections provide access to the other neighborhoods within the PRD, and to West Atlantic Avenue.

Pathways in the southeast and southwest portions of the development were approved to provide connectivity between Legacy, Sherwood Forest, and the Enclave at Sherwood. No improvements may be made in the Lake Worth Drainage District easement, which runs through the southern portion of the property. Therefore, the approved sidewalks terminate at the easement, and seating has been provided at the sidewalk terminus to allow a seated view of the east lake feature. A sidewalk is also provided in the northwest sector that connects the neighborhoods to West Atlantic Avenue.

**GOAL HOU 2 NEIGHBORHOOD ENHANCEMENT** *Preserve the integrity of existing stable neighborhoods, stabilize and enhance neighborhoods that are in transition, and revitalize and rehabilitate neighborhoods that have declined.*

**Policy HOU 2.1.4** *Support efforts to maintain the neighborhood integrity and quality of life for residents in Stable residential areas, and avoid allowing new development that may decrease or negatively impact the Stable classification of an area or neighborhood.*

The subject property is in the area characterized as Stable on the Residential Neighborhood Stabilization map (Always Delray Map AD-5). The proposed single-family zero lot line neighborhood is compatible with the surrounding existing low density, single-family, zero lot line Sherwood Forest neighborhood.

**Objective HOU 3.2 Expansion of the Housing Supply** *Expand the housing supply by allowing different unit types in a variety of locations for all income levels.*

**Policy HOU 3.2.1** *Allow a variety of housing types to reflect the needs of all household types, including both rental and ownership opportunities for single people, couples, families, seniors, persons with disabilities and multi-generational families.*




**Policy HOU 6.1.2** *Encourage income diversity by requiring a mix of unit types in new development.*

The Enclave at Sherwood plat is comprised of 79, single-family, zero lot line homes, which are a companion to the existing zero-lot line single-family Sherwood Forest neighborhood and Legacy at Sherwood townhome neighborhood. The variation in the model types with a range of 2 to 4 bedrooms will encourage a mix of family types and sizes, and ownership ages.

## **Neighborhoods, Districts, and Corridors Element**

**Objective NDC 1.1, Land Use Designation** *Establish compatible land use arrangements using land use categories appropriate for the diverse and difference neighborhoods, districts, and corridors throughout Delray Beach.*

**Policy NDC 1.1.2** *Provide a complementary mix of land uses, including residential, office, commercial, industrial, recreational, and community facilities, with design characteristics that provide:*

-  *Similar uses, intensity, height, and development patterns facing each other, especially in residential neighborhoods.*
-  *Uses that meet the daily needs of residents.*
-  *Public open spaces that are safe and attractive.*

**Policy NDC 1.1.12** *Develop and redevelop remaining infill lots in residential neighborhoods using zoning that is identical or most similar to the zoning of adjacent properties or that results in same or less intense development.*

**Policy NDC 1.1.14** *Continue to require that property be developed or redeveloped or accommodated, in a manner so that the use, intensity and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.*

The adopted Comprehensive Plan anticipates the population of the city to increase from 70,520 in 2020 to 81,874 in 2024; additional housing inventory is needed to accommodate the projected population increase. The existing Sherwood Forest neighborhood and proposed Enclave at Sherwood plat are similar in configuration. Lots in Sherwood Forest are zero lot line and are a minimum of 49 feet wide and 110 feet deep, with 11-foot side setbacks on some parcels. The proposed Enclave at Sherwood neighborhood has lot minimums of 50 feet wide by 124 feet deep. Lots in Sherwood Forest range between 5,390 square feet and 9,400 square feet; Enclave at Sherwood has a proposed minimum lot size of 6,200 square feet.



**Policy NDC 1.2.5** *Use the Low Density Residential land use designation to create and maintain low density residential neighborhoods up to five dwelling units per acre with high quality amenities.*

The proposed development is 100 percent detached single family units. The approved density of the subject property is approximately 2.12 dwelling units per acre; the maximum density under LD land use is five dwelling units per acre.

**Policy NDC 3.4.2** *Use the development review process to determine development, redevelopment, and adaptive reuse is consistent with and complementary to adjacent development, regardless of the implementing zoning designations for each land use designation (See Table NDC-1).*

The subject property is surrounded by LD land use to the west, south, and east, and Medium Density (MD) land use to the north. The property to the north is a townhome development as part of the Sherwood Forest PRD, and the properties immediately to the west, south, and east are a zero lot line single family neighborhood as part of the PRD. The land use to the south, east, and west of the PRD are LD land use as part of the single family golf course community to the east and south (The Hamlet) and single family to the west (County Club Acres).

**Policy NDC 2.3.1** *Preserve common areas used or designated as open space or recreational amenities in planned developments to maintain a high quality of life for the residents.*

The proposed Enclave at Sherwood plat dedicates 7.64 acres (20.48 percent) as open space through **Tracts OS1-OS5**.

**(D) Compliance with LDR.** *Whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.5 and in special regulation portions of individual zoning district regulations.*

**LDR Section 4.4.7 - Planned Residential Development (PRD) District**

PRD zoning “provides a residential zoning district with flexible densities in which multiple family and single family detached dwellings” are allowed to “promote improved design, character, and quality of development; to preserve natural, scenic, and open space features of a site; and to accommodate flexibility in design.”

Single family conventional and zero lot line lot patterns are allowed within the PRD district, and rezoning to PRD must be accompanied by an MDP. On November 15, 2021, an MDP amendment was approved for the subject property that generally complies with the requirements of **LDR Section 4.3.4(K), Development Standards Matrix**. The approved Enclave at Sherwood neighborhood has lot minimums of 50 feet wide by 124 feet deep and a minimum lot size of 6,200 square feet. The exception to compliance is a waiver from Section 4.3.4(K), which establishes minimum setback of 15 feet for structures in zero lot line developments (to allow a 10-foot setback), and a waiver from Section 4.3.4(H)(3)(a), which requires a minimum distance of 15 feet separation between zero lot line structures (to allow 10 feet of separation between structures). Both waivers were granted with the approval of the MDP.

**LDR Section 3.2.3(A) – (K), Standards for Site Plan and/or Plat Actions**, specifies the Standards required for site plans. The following standards are applicable to the review of the subject plat.

*(A) Building design, landscaping, and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.*

A Class II site plan modification was approved on April 27, 2022, by the Site Plan Review and Appearance Board (SPRAB) for the architectural elevations of the single-family units and clubhouse, and all common area improvements including parking, landscaping, and hardscaping.

*(B) All development shall provide pedestrian, bicycle, and vehicular interconnections to adjacent properties, where possible, and include accessible routes from the entry points of publicly-accessible buildings to the sidewalk network in accordance with the Americans with Disabilities Act (ADA).*

There is a single point of access into the Enclave at Sherwood from Sherwood Forest Drive, which serves as an entrance to the entire PRD. The applicant has provided ADA compliant 5-foot sidewalks internal to the development on both sides of the internal streets, with trees at 40-foot intervals. Paved pedestrian crosswalks are provided at intersections within the Enclave at Sherwood. Sidewalk connections between the existing and proposed neighborhoods within the PRD have been provided. Sidewalk connections are also provided at the southwest and southeast of the development, as well as pedestrian pathways to Atlantic Avenue.

Pathways in the southeast and southwest portions of the development were approved to provide connectivity between Legacy, Sherwood Forest, and the Enclave at Sherwood. No improvements may be made in the Lake Worth Drainage District easement, which runs through the southern portion of the property. Therefore, the approved sidewalks terminate at the easement, and seating has been provided at the sidewalk terminus to allow a seated view of the east lake feature. A sidewalk is also provided in the northwest sector that connects the neighborhoods to West Atlantic Avenue.

*(C) Open space enhancements and recreational amenities shall be provided to meet Objective OPR 1.4 and other requirements of the Goals, Objectives, and Policies, as applicable, of both the Open Space, Parks, and Recreation Element and Conservation Element.*

No natural features exist on the site, but the stormwater management lake features (**Tracts W1-W3**) in the PRD are configured to provide a lake view that provides both visual appeal and separation between the homes in the Enclave at Sherwood and Sherwood Forest for privacy purposes. Lakes comprise 32.37 percent of the proposed plat.

**LDR Section 4.4.7(F)(2)** requires that fifteen percent of the gross area in a property zoned Planned Residential Development must be placed in common open space. The plat proposes 20.4 percent open space dedicated as **Tracts OS-1 through OS-5**. A tot lot, clubhouse, and pool are located in the 1.79-acre **Tract F** in east of the main entry road.

*(D) Any proposed street widening or modifications to traffic circulation shall be evaluated by the City, and if found to have a detrimental impact upon or result in the degradation of an existing neighborhood, the request shall be modified or denied.*

Not applicable. Street widening is not proposed.

*(E) Development of residentially zoned vacant land shall be planned in a manner consistent with adjacent development regardless of zoning designations.*

*(F) Property shall be developed or redeveloped in a manner so that the use, intensity, and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.*

Enclave at Sherwood is compatible with the surrounding developments. The approved density of the subject property is approximately 2.12 dwelling units per acre. Country Club Acres, to the west, has a density of 5.33 dwelling units per acre (99 units on 18.58 acres). The Hamlet is a large golf course community to the south and west of the subject property. Including the golf course portion of the development, the overall density is 1.58 dwelling units per acre (475 units on 300 acres); excluding the golf course, the density is 3.10 dwelling units per acre (475 units on 153.34 acres). The property is also near commercial development; Bank of America is located to the northwest, and small commercial and retail, including a gasoline station, are located to the north across Atlantic Avenue.

*(G) Development shall provide a variety of housing types that accommodates the City's growing and socio-economically diverse population to meet the Goals, Objectives, and Policies the Housing Element.*

The proposed Enclave at Sherwood development has a range of unit types to serve diverse family compositions, but a range of incomes is not proposed.

*(H) Consideration shall be given to the effect a development will have on the safety, livability, and stability of surrounding neighborhoods and residential areas. Factors such as but not limited to, noise, odors, dust, and traffic volumes and circulation patterns shall be reviewed and if found to result in a degradation of the surrounding areas, the project shall be modified accordingly or denied.*

Enclave at Sherwood will be built at a density of 2.12 dwelling units per acre, and the development was reviewed as part of the amendment to the MDP governing the Sherwood Forest PRD.

- (I) *Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.*

The internal traffic circulation was approved as part of the Sherwood Forest MDP amendment. While an increase in traffic is anticipated, the applicant obtained a Traffic Performance Standards (TPS) approval letter from Palm Beach County.

- (J) *Tot lots and recreational areas, serving children, teens, and adults shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.*

A fenced-in tot lot is proposed as part of the recreation parcel on the northeast portion of the development adjacent to the clubhouse and pool area in **Tract F**.

- (K) *Development shall not exceed the maximum limits established in the Table NDC-1, Land Use Designations: Density, Intensity, and Implementing Zoning Districts, of the Neighborhoods, Districts, and Corridors Element or specific standards established in the zoning districts that limit density (dwelling units per acre) or intensity (floor area ratio) and must adhere to whichever limit is lower. Development in areas included in density or incentive programs (i.e. workforce housing programs specified in Article 4.7-Family/Workforce Housing) may exceed the Standard density limit, up to the specified Revitalization/Incentive density established for the program; development in all other areas shall not exceed the Standard density.*

The approved development consists of 100 percent single family detached units with a density of approximately 2.12 dwelling units per acre; the maximum density under LD land use is 5 dwelling units per acre.

#### Options for Board Action

##### Preliminary Plat

- A. Move approval of the preliminary plat "**Enclave at Sherwood**", associated with the creation of 79 fee-simple lots, for the property currently addressed as 170 Sherwood Forest Drive, finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- B. Move denial of the preliminary plat for "**Enclave at Sherwood**", associated with the creation of 79 fee-simple lots, for the property currently addressed as 170 Sherwood Forest Drive, finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in the Land Development Regulations.
- C. Continue with direction.

##### Final Plat

- A. Recommend approval to the City Commission for the certification of the Final Plat, "**Enclave at Sherwood**", associated with the creation of 79 fee-simple lots, for the property currently addressed as 170 Sherwood Forest Drive, finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- B. Recommend denial to the City Commission for or the certification of the Final Plat for "**Enclave at Sherwood**", associated with the creation of 79 fee-simple lots, for the property currently addressed as 170 Sherwood Forest Drive, finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in the Land Development Regulations.
- C. Continue with direction.

## Public and Courtesy Notices

X Courtesy Notices were sent to the following Homeowner Associations\*:

- Sherwood Forest
- The Hamlet
- Highland Park

\* The City of Delray Beach does not have contact information for an HOA in Sunset Pines, Country Club Acres and Legacy at Sherwood, if such organizations are in operation.

X Public Notice is not required for this request at Planning and Zoning Board.