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Pierre Delray Two - East Atlantic Avenue, Delray Beach, Florida
In-Lieu Parking Request and Justification

Pierre Delray Two LLC ("Applicant"), is the owner of a 0.43-acre parcel of land located on the southwest corner of Atlantic Avenue and SE 3rd Avenue and the 0.11 – acre parcel immediately to its south (collectively referred to herein as the "Property") within the City of Delray Beach ("City"). The Property has a future land use map ("FLUM") designation of Commercial Core ("CC") and is zoned Central Business District ("CBD"). The Property is further located within the Central Core subdistrict of the CBD. The Property is currently developed with a surface parking lot. In an effort to improve the Property and surrounding area in accordance with the City's redevelopment plan for E. Atlantic Avenue, the Applicant proposes to develop the Property with a three-story mixed-use building comprised of retail and office uses and parking garage ("Project"). On November 19, 2020, the Site Plan Review and Appearance Board approved a Class V Site Plan application (2019-266) for the Project.

Since obtaining the above noted approvals, the Applicant was able to acquire the 0.11 acre parcel on the south end of the property and is able to incorporate the additional land into the Property, rather than leaving this parcel unusable. As a result, Petitioner is seeking to modify the approved site plan for the Project in order to expand the building south and incorporate the southern forty five feet (45') that would otherwise remain fallow. The revised Project results in +/- 15,505 square feet of office uses proposed for the second and third floors and +/- 7,312 square feet for a mix of restaurant and retail uses. At this time, the Applicant does not have the exact tenant mix that will utilize the ground level spaces once constructed. In addition, the ultimate mix of restaurant and retail uses may change over time. Given the uncertainty associated with the ultimate end users, Petitioner is proposing a payment-in-lieu of parking option given the most intense mix proposed for the ground level which would allow for all 7,312 square feet of the ground level to be used for restaurants. Under this scenario, ninety five (95) parking spaces would be required where eighty (80) will be provided for the Project. As a result, Petitioner is requesting the payment in-lieu option for the fifteen (15) space deficit. Should the ground level include a mix of both restaurant and retail uses, the Project will meet the required parking. Please refer to the attached shared parking tables for reference.

In accordance with Section 2.4.5(O)(5), in order to allow in-lieu requests, the City Commission must find that the request is consistent with the Land Development Regulations, City Comprehensive Plan, and all currently adopted City policies and/or studies. An additional finding must be made that adequate parking options are available.

Compliance with the Land Development Regulations:

Pursuant to LDR Section 4.4.13(A), the CBD is established to preserve and protect the cultural and historic aspects of downtown Delray Beach and simultaneously provide for the stimulation and enhancement of the vitality and economic growth of this special area. The Project complies with the intent of the CBD as it proposes new development in scale with the existing and historical elements of the downtown, while bringing a mix of uses that will stimulate and enhance the vitality of this area. More specifically, the Applicant is proposing a three-story office and restaurant/retail building. The project further complies with the development standards of the CBD.

Compliance with the Central Business District Regulating Plan:
Pursuant to the Central Core regulating plan Figure 4.4.13-5, the Property is located along a Primary Street with required Retail Frontages. Further, the Primary Streets are required to have superior pedestrian environments and are held to a higher standard in regard to building placement, frontage and location of parking and service uses. The Project meets the plan by providing restaurant uses on the ground floor that will continue to activate the primary street frontage.

Compliance with the Comprehensive Plan:
The Property has a FLUM designation of Commercial Core (CC) and a zoning map designation of CBD. The CBD zoning district is consistent with the CC FLUM designation. In accordance with LDR Section 4.4.14(C)(3), Table 4.4.13(A), general retail, services and facilities (restaurants) and office uses are permitted as principal uses in the CBD zoning district and on the ground floor for Required Retail corridors. The Project is proposing restaurant and retail uses on the ground floor in compliance with this section. The project further complies with the following policies of the Neighborhood, Districts and Corridors element of the Always Delray Comprehensive Plans:

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.

- Pierre Delray II building is a 49,282 sq.ft., three-story retail/restaurant/office building with a built-in parking garage. The development is compatible in use, aesthetics, and scale with the adjacent buildings in the downtown. The Floor Area Ratio (FAR) for the building is 2.6 which is below the maximum 3.0 allowed in the Commercial Core. There are no conflicts between the proposed development and this policy.

Policy NDC 2.2.7 Within the Commercial Core, locate and design off-street parking areas in a manner that does not detract from the character by providing standards in the Land Development Regulations, such as locating parking to the side or rear of buildings, limiting size of lots, and landscaping and façade requirements. Large fields of parking between building facades and streets are generally not desirable.

- The proposed development furthers the character of the downtown by facing retail/restaurant and office uses on E. Atlantic Avenue (required retail), and by locating the three-story, 62 space parking garage to the rear of the development facing SE 3rd Avenue. The development provides efficient use of a small site (0.42 acres), by locating parking spaces through the site in commonly underutilized areas (i.e. roofs) and providing arcades (2ndfloor spaces with terraces).

Pursuant to LDR section 3.2.3 (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)*.

- The subject site is not located along any bus or bicycle routes. The proposed development provides entry/access points on E. Atlantic Avenue and SE 3rd Avenue. The project provides 15' streetscapes along the avenues which provide adequate walking spaces and furthers pedestrian network. The project proposes three arcades that shade the sidewalks to improve walking conditions. The parking garage proposed includes bicycle parking spaces on the ground level which encourages a sustainable alternative to automobile transportation.

Finally, there are adequate public parking options available in the immediate vicinity of the Property, including the parking garage located just to the southeast of the Property at the newly opened Delray Beach Market at 33 SE 3rd Avenue. Additional public parking is also available two blocks to the west at the Robert Federspiel garage on SE 1st Avenue and at the iPic garage located one block to the east.