



CITY OF DELRAY BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

100 N.W. 1ST AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7040



PLANNING & ZONING BOARD STAFF REPORT

Cason Court

Meeting	File No.	Application Type
February 27, 2023	2021-268-FLM-CCA 2023-066-REZ-CCA	Land Use Map Amendment (LUMA) and Rezoning
Applicant	Owner	Authorized Agent
Cason Court, LLC	Cason United Methodist Church, Inc.	Marcela Cambor and Associates, Inc.

Request

Provide a recommendation to the City Commission on Ordinance No. 06-23, a privately-initiated request for a Land Use Map Amendment (LUMA) from Community Facilities (CF) to Low Density (LD) for a 1.78-acre portion of the 5.88-acre property, and Ordinance No. 07-23, a privately initiated rezoning request from Community Facilities (CF) to Single Family Residential (R-1-A) for a 2.83-acre portion of the 5.88-acre property located at 342 North Swinton Avenue, further described in Exhibit A.

Background Information

The subject property is a 5.88-acre lot located on the southwest corner of Lake Ida Road and North Swinton Avenue. The property is currently developed with an 18,556 square foot church (Cason United Methodist Church) with a private school. The west 2.83-acre portion of the property remains vacant; the applicant is the contract purchaser of the subject area. The following is a summary of the property's history:

- 1968. The main church building was constructed.
- 1975-1981. Additions to the church were approved and completed.
- 1978. The property was rezoned from Multiple Family Residential (RM-15) to Single Family Residential (R-1-A).
- 1989. The property's land use was amended from Single Family (SF) to CF.
- 1988-2009. The church operated a daycare known as Cason Christian Academy.
- October 1990. A portion of the property was rezoned from R-1-A to CF through a Citywide ordinance.
- August 1991. The original ordinance that rezoned the property to CF was corrected to rezone the remaining portion of the property as CF.
- May 1992. A phased site plan was approved for the construction of a new 9,427 square foot fellowship hall, a 7,202 square foot addition to the main church building, a 1,712 square foot entry court, and expansion of the childcare area to accommodate 84 students.



Project Planner:

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Attachments:

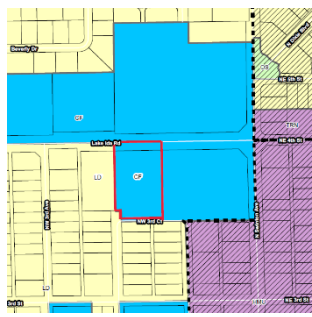
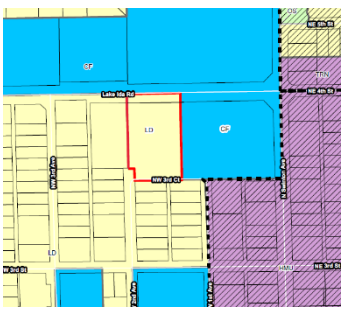
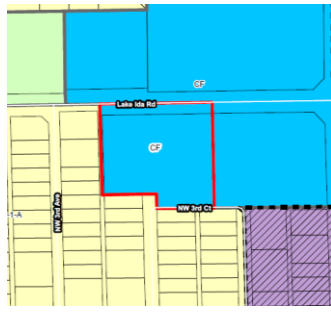
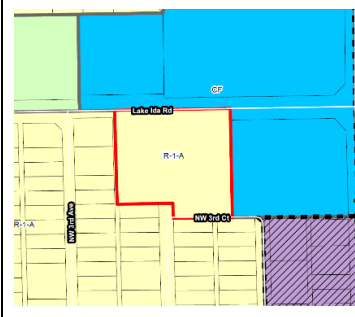
- Ordinance No. 06-23
- Ordinance No. 07-23
- Existing and Proposed Land Use
- Existing and Proposed Zoning
- Justification Statement

- May 3, 2021. A Conditional Use was approved to allow a private school accommodating a maximum of 36 students in connection with the religious facility.
- March 2022. The property owner recorded a 15-foot wide right-of-way dedication, extending the length of a portion of the property, along Lake Ida Road to Palm Beach County. Pursuant to the Mobility Element of the Always Delray Comprehensive Plan, the ultimate right-of-way for Lake Ida Road is 110 feet. As the current right-of-way width adjacent to the subject site is 80 feet, the portion of property proposed for redevelopment, which is also the LUMA and rezoning subject area, was required to dedicate half (15 feet) of the remaining ultimate right-of-way. It is noted that if the church property is ever to be demolished and redeveloped, a 15-foot right-of-way dedication will be required for that portion of the property as well.
- November 2022. The applicant brought a request forward to the Planning and Zoning Board that included a LUMA from CF to LD, a Rezoning from CF to Planned Residential Development 4 du/acre (PRD-4), a Master Development Plan, three variances, and a parking reduction. The Board discussed concerns with access, traffic, and site circulation, and voted to continue the item to the February 27, 2023 Planning and Zoning Board meeting.

The property currently has a LUM designation of CF (primarily) and LD (1.78 acres), with CF zoning on the entire subject property. The CF land use designation is intended to *provide a full range of local or regional community-based uses primarily intended to serve the public*. Similarly, the CF zoning district is intended for *locations at which facilities are provided to serve public, semi-public, and private purposes. Such purposes include governmental, religious, educational, health care, social service, and special facilities*.

Description of Proposal

The subject request is for a small-scale LUMA from CF to LD for a 1.78-acre portion of the property, and a rezoning from CF to R-1-A for a 2.83-acre portion of the property. The existing and proposed land use and zoning maps are shown below.

			
Existing Land Use	Proposed Land Use	Existing Zoning	Proposed Zoning

The requested LD land use has a maximum density of five dwelling units per acre; LD land use does not establish a maximum Floor Area Ratio (FAR). The LD land use is intended to maintain and enhance *the City's established neighborhood characteristics, while supporting new and revitalized housing that compliments the desired development pattern and intensity*.

The requested Single Family Residential R-1-A District, which is identified in Comprehensive Plan Table NDC-1 as a preferred implementing zoning district for the LD land use designation, *provides areas where the traditional single family detached residence can be established and maintained and be protected from the unwarranted intrusion of other inappropriate uses. Further, the Single Family Residential Districts are established in compliance with provisions of Goal HOU 2 of the Housing Element of the adopted Comprehensive Plan which calls for the preservation and maintenance of stable neighborhoods* (LDR Section 4.4.3(A)).

NOTE: While approval of the LUMA and rezoning would result in the establishment of two different zoning districts on one parcel, the property is required to be divided along the zoning district boundary line through a Minor Plat process. The platting of the individual residential lots, common area, and shared access easements will be completed through a separate Major Plat, which has been submitted by the applicant and is currently under review by City staff. A full list of all active applications associated with this request are outlined in the table below.

Application Type	Application Description	Approving Body
LUM Amendment	Amend land use from CF to LD	Planning and Zoning Board (recommendation) City Commission (2 readings)
Rezoning	Amend zoning from CF to R-1-A	Planning and Zoning Board (recommendation) City Commission (2 readings)
Major Subdivision Plat	Plat eight single-family residential lots and common area	Planning and Zoning Board (recommendation) City Commission
Minor Subdivision Plat	Separate residential development from church property	City Commission
Class II Site Plan	Establish common areas associated with the proposed Cason Court development	Site Plan Review and Appearance Board
Class III Site Plan (with parking reduction)	Modify the church property by moving the parent pick-up/drop-off location, establishing a shared drive aisle, and requesting a 16-space parking reduction	Site Plan Review and Appearance Board

Review and Analysis

Land Use Map Amendment

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

Amendments must follow the procedures outlined in the Florida Statutes. The LUM is adopted as part of the Comprehensive Plan. Therefore, the LUMA is being processed as a small-scale Comprehensive Plan amendment pursuant to Florida Statutes, F.S. 163.3184 through F.S. 163.3253.

LDR Section 3.1.1, Required Findings

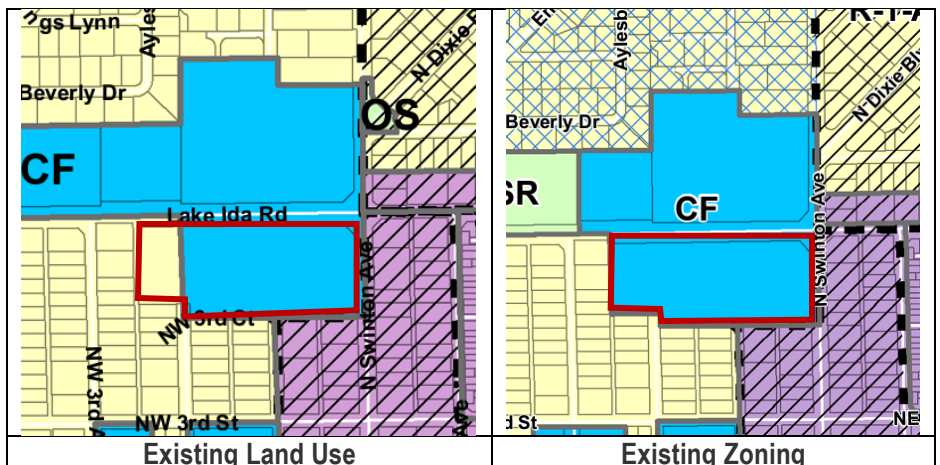
Prior to the approval of development applications, certain findings must be made. These findings relate to the Land Use Map, concurrency, consistency, and compliance with the Land Development Regulations.

(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.*

Neighborhoods, Districts, and Corridors Element

Table NDC-1, Land Use Designation: Density, Intensity, and Implementing Zoning District, identifies the preferred and compatible implementing zoning districts for each land use designation. The CF land use designation (existing) lists CF as a preferred implementing zoning district. The R-1-A zoning designation is not listed as an implementing zoning district for the CF land use designation. Therefore, the applicant has requested both a LUMA and a rezoning to meet the consistency requirement.

The table below provides a comparison of density and intensity limitations for both the



CF and LD land use designations. As residential uses are not permitted in the CF land use designation, the proposed LUMA will increase the potential density on the parcel; the potential intensity will decrease.




Land Use Designation	Density (Standard dwelling units/acre)	Intensity (Maximum Floor Area Ratio)
CF	---	1.0
LD	Up to 5	---

The Comprehensive Plan policies listed below describe the intent and provide direction regarding the implementation of the existing and proposed land use designations.

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 1.1.11 *Use the implementing zoning districts identified in Table NDC-1 to provide appropriate development and improvements that further the adopted strategies of and are compatible with the assigned land use designation.*

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.*

Objective NDC 1.2, Residential Land Use Designations *Apply the Low Density Residential and Medium Density Residential land use designations to maintain and enhance the City's established neighborhood characteristics, while supporting new and revitalized housing that compliments the desired development pattern and intensity.*

Policy NDC 1.2.4 *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.*

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.*

Objective NDC 3.4, Land Use Map Amendments *Use a consistent set of standards to evaluate amendments to the Land Use Map.*

Policy NDC 3.4.1 *Amend the Land Use Map only when a demonstrated need for the requested land use is based upon circumstances that are verified and supported by data and analysis, such as shifts in demographic trends, changes in the availability of land, changes in the existing character and Land Use Map designations of the surrounding area, fulfillment of a comprehensive plan objective or policy, annexation into the municipal boundaries, or similar circumstances, and the following findings can be determined:*

- That the requested land use designation is consistent with the goals, objectives, and policies of the most recently adopted Comprehensive Plan; and,*
- That development at the highest intensity possible under the requested land use designation meets the adopted concurrency standards; and,*
- That the requested land use designation is compatible with the land use designations of the surrounding area; and,*

- That the requested land use designations are compliant with the provisions and requirements of the Land Development Regulations.

Policy HOU 1.1.5 Accommodate Delray Beach's existing and future housing needs through maintenance of existing residential neighborhoods, provision of infill development opportunities and redevelopment of underutilized parcels.

Policy HOU 1.1.10 Utilize infill and redevelopment programs as a way to improve the neighborhood quality of life and to promote neighborhood preservation and stabilization.

The subject property is surrounded by LD, CF, and Historic Mixed Use (HMU) land uses, which are generally characterized by single-family neighborhoods; a 1.78-acre portion of the property already has a land use designation of LD. A church with an associated private school is located to the north (Recovery Church Delray and Trinity Delray Lutheran School). The proposed LD land use allows for zoning that facilitates small-scale residential development, which is compatible with the surrounding neighborhood in character and scale. The proposed R-1-A allows for the establishment of single-family residences at a density consistent with the general area. The chart below summarizes the surrounding development.

Location	Development Type / Uses	Land Use Designation	Zoning District
North	Church with school (Recovery Church Delray and Trinity Delray Lutheran School)	CF	CF
South	Single-family residences	LD and HMU	R-1-A and OSSHAD
East	Single-family residences	HMU	OSHHAD
West	Single-family residences	LD	R-1-A

(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.

Schools. The project is pending School Capacity Availability Determination (SCAD). Review and approval from the School Board is required prior to the adoption hearing to ensure the proposal meets the school capacity availability for Palm Beach County. If impact fees are required, such fees will be due at the time of building permit.

Water and Sewer. The site will be connected to existing City water and sewer connections. One of the City's active roadway projects involves replacing the six-inch watermain along NW 3rd Court. Therefore, a technical note associated with the Class II Site Plan application requires the project manager to coordinate with the City prior to constructing along NW 3rd Court to connect to the new water main.

Further, pursuant to the Comprehensive Plan, treatment capacity is available at the South Central County Waste Water Treatment Plant for the City at build-out; adequate water and sewer treatment capacity exists to meet the adopted LOS at the City's build-out population based on the current LUM designation. The designation change to LD will not significantly increase the demand on these services given the size of the property and proposed development.

Solid Waste. The subject area is unimproved and therefore, currently generates zero solid waste. Under the LD land use designation, a maximum of 10 single-family structures are permitted. Based on Palm Beach County Waste Generation Rates, a single-family residence generates 1.99 tons of waste per year. Therefore, the proposed land use permits development that has the possibility of generating approximately 19.9 tons of waste per year. A complete review of solid waste capacity is completed during the site plan review process.

It is noted that at this time, the landfill serving the property is projected to have sufficient capacity to meet the needs of city residents through the depletion year in 2054.

Drainage. Drainage will be accommodated onsite. Technical issues pertaining to the drainage are being addressed through the site plan review process, which requires the submittal of a signed and sealed drainage report indicating the proposed system's ability to meet storm water requirements in accordance with the South Florida Water Management District regulations and the LDR.

Parks and Open Space. Park impact fees are assessed at \$500.00 per dwelling unit and collected prior to issuance of the building permit; 8 units = \$4,000.00.

Traffic. The submitted traffic analysis, dated August 10, 2021 (attached), analyzes the traffic demands for the existing church and private school, and the anticipated traffic demands for 10 single-family residences. Based on the analysis, the addition of 10 single-family residences would generate less than 20 peak hour trips and less than 201 average daily trips. Further, based on the Traffic Performance Standards (TPS) letter issued by the Palm Beach County Traffic Division on August 12, 2021, the proposed development meets the TPS of Palm Beach County. The chart at right, from the traffic analysis, outlines the existing net trips versus the net trips anticipated from 10 additional single-family residences. It is noted that while the Traffic Impact Analysis and the TPS letter provide analysis for 10 single-family residences, the applicant intends to develop eight single-family residences if the proposed LUMA and rezoning are approved.

Land Use	Intensity	Daily Traffic	AM Peak Hour			PM Peak Hour			Weekend Peak Hour		
			In	Out	Total	In	Out	Total	In	Out	Total
EXISTING DEVELOPMENT											
Church	19,580 SF	136	4	2	6	5	5	10	94	102	196
Day Care	80 Students	327	33	29	62	30	33	63	0	0	0
Σ		463	37	31	68	35	38	73	94	102	196
Pass-By											
Church	5%	7	0	0	0	0	1	1	5	5	10
Day Care	50%	164	17	14	31	15	17	32	0	0	0
Σ		171	17	14	31	15	18	33	5	5	10
Net Existing Traffic		292	20	17	37	20	20	40	89	97	186
PROPOSED DEVELOPMENT											
Church	19,580 SF	136	4	2	6	5	5	10	94	102	196
Private School	36 Students	89	18	15	33	4	5	9	0	0	0
Single Family	10 DUs	100	2	5	7	7	4	11	-	-	-
Σ		325	24	22	46	16	14	30	94	102	196
Pass-By											
Church	5%	7	0	0	0	0	1	1	5	5	10
Net Proposed Traffic		318	24	22	46	16	13	29	89	97	186
Net Traffic		26	4	5	9	(4)	(7)	(11)	0	0	0

Based on the Palm Beach County Trip Generation Rates 11th Edition (September 1, 2022), a church generates approximately 7.6 trips per 1,000 square feet of floor area. A day care generates approximately 4.09 trips per student. Deducting the pass-by traffic of both uses, the existing Cason Methodist Church and Cocoplum Nature School generate approximately 297 trips. As noted, the developer intends to construct eight single-family residences if the subject LUMA and Rezoning are approved, which would generate approximately 80 additional daily trips.

(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.

Consistency with the Always Delray Comprehensive Plan is analyzed throughout the report.

(D) Compliance with LDR Whenever an item is identified elsewhere in these Land Development Regulations (LDR), 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.

The applicant has concurrently submitted a Class II and Class III Site Plan Modification to modify the parking on the east side of the property and to establish eight new single-family residences on the west side of the property. The proposed site plans are subject to all applicable provisions and requirements of the LDR. Additionally, the applicant has submitted a Major Subdivision Plat to establish eight single-family residential lots, and plans to submit a Minor Subdivision Plat to separate the residential development from the church property. A tabular breakdown of each active request is on Page 3 of the staff report.

Rezoning

LDR Section 2.4.5(D)(1), Change of zoning district designation: Rule

The City Commission may amend the Official Zoning Map by ordinance after review and recommendation for approval by the Planning and Zoning Board. The submitted application complies with the submittal requirements in LDR Section 2.4.3.

Upon a recommendation of approval by the Planning and Zoning Board, the requests can move forward for consideration by the City Commission. If a recommendation of approval is not made or does not pass, the request does not move forward to the City Commission for further consideration.

LDR Section 2.4.5(D)(2), Change of zoning district designation: Required Information,

A statement of the reasons for which the change is being sought must accompany the application. Valid reasons for approving a change in zoning are:

- That the zoning had previously been changed, or was originally established, in error;*
- That there has been a change in circumstance which makes the current zoning inappropriate;*
- That the requested zoning is of similar intensity as allowed under the Future Land Use Map and that it is more appropriate for the property based upon circumstances particular to the site and/or neighborhood.*

The application is being processed under the second and third criteria. As specified in the applicant's justification statement (attached), the existing church has secured a contract purchaser for the undeveloped portion of the site to ensure financial stability and to allow the preservation of the civic structure. The Board should consider whether the decreasing demand for church facilities at this location constitutes a change in circumstance, rendering the CF zoning district inappropriate. The proposed R-1-A zoning is consistent in density and scale with the surrounding neighborhood, should the Board determine that the requested rezoning is justified. A chart and map of the surrounding land use and zoning is provided in the LUMA analysis of this report.

Article 3.2, Performance Standards

Section 3.2.2 - Standards for Rezoning Actions

Rezoning requests must meet five standards, which are described below relative to the proposed rezoning under consideration.

- (A) *The most restrictive residential zoning district that is applicable given existing development patterns and typical lot sizes shall be applied. Requests for rezonings to a different zoning designation, other than Community Facilities, Open Space, Open Space and Recreation, or Conservation shall be denied unless the proposed changes implement an adopted neighborhood or redevelopment plan.*

Pursuant to Table NDC-1, the preferred residential zoning districts for the requested LD land use are Single Family Residential (R-1), Low Density Residential (RL), and PRD. Rural Residential (RR) is listed as a compatible residential zoning district. The chart to the right describes the features of each possible zoning district. As the R-1 and RR zoning districts only permit single-family residences, both districts are the most restrictive, with R-1 being the more appropriate district given the existing development pattern and lot sizes in the surrounding area.

	Permitted Housing Types
R-1	Single family
RL	Single family, duplex, multiple family structures
PRD	Single family, duplex, multiple family structures
RR	Single family

Both the existing and proposed zoning districts are low impact districts compared to other zoning districts in the City. The existing CF zoning, which has an intensity standard of 1.0 FAR, does not have a residential density, as residential uses are not permitted in that district. On the other hand, the proposed R-1-A zoning does not have an FAR standard, but does have a maximum density allowance of five du/acre. The R-1-A zoning district controls development intensity through setbacks and minimum open space requirements. The Board should consider the impact of the proposed R-1-A zoning district compared to the potential impact of development under the existing CF zoning.

- (B) *Rezoning of land located west of Interstate-95 to accommodate auto dealerships or to AC (Automotive Commercial) is prohibited pursuant to Policy NDC 2.5.2 of the Neighborhoods, Districts, and Corridors Element of the adopted Comprehensive Plan.*

Not applicable.

(C) *Zoning changes that would result in strip commercial development shall be avoided. Where strip commercial developments or zoning currently exists along an arterial street, consideration shall be given to increasing the depth of the mixed-use zoning to provide for more substantive, mixed-use projects that provide compatible transitions in form and use to the surrounding area.*

Not applicable.

(D) *Rezoning of land shall result in allowing land uses deemed compatible with adjacent and nearby land uses both existing and proposed; or that if an incompatibility may occur, that sufficient regulations exist to properly mitigate adverse impacts from the new use.*

The property is surrounded by a mix of CF, R-1-A, and OSSHAD zoning. The proposed LD land use and R-1-A zoning allows for single family residences at a maximum density of five dwelling units per acre, which is a use and density compatible with those in the neighborhood. A chart and maps of the surrounding land use and zoning is provided in the LUMA analysis of this report.

(E) *Remaining infill lots within the Coastal High Hazard Area of the Coastal Planning Area shall be developed using zoning which is identical or similar to the zoning of adjacent properties or that results in less intense development.*

Not applicable. The property is not located within the Coastal Planning Area.

Considerations

The Board should consider the following in reviewing the subject request:

Land Use Map Amendment: CF to LD

- Whether the requested land use designation of LDR is consistent with the applicable goals, objectives, and policies of the Comprehensive Plan.
- Whether the requested LD land use supports the redevelopment of a vacant portion of property into a resulting development that better enhances the character of the neighborhood than the development that could occur with CF land use.

Rezoning: CF to R-1-A

- Whether there has been a change in circumstances on the site or within the neighborhood that renders the CF zoning inappropriate.
- Whether the requested zoning is of similar intensity as allowed under the LD land use designation and is more appropriate for the property based upon circumstances particular to the site and/or neighborhood.

Review By Others

The **Community Redevelopment Agency (CRA)** reviewed the full Class V Site Plan request in its September 10, 2022 CRA report.

The first and second reading dates by the **City Commission** are anticipated in March or April of 2023.

Options for Board Action

Land Use Map Amendment

- A. Move a recommendation of **approval** to the City Commission of Ordinance No. 06-23, a privately-initiated request for a Land Use Map Amendment (LUMA) from Community Facilities (CF) to Low Density (LD) for a 1.78-acre portion of the 5.88-acre property located at 342 North Swinton Avenue, finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations.
- B. Move a recommendation of **approval as amended** to the City Commission of Ordinance No. 06-23, a privately-initiated request for a Land Use Map Amendment (LUMA) from Community Facilities (CF) to Low Density (LD) for a 1.78-acre portion of the 5.88-acre property located at 342 North Swinton Avenue, finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations.

C. Motion to **deny** Ordinance No. 06-23, a privately-initiated request for a Land Use Map Amendment (LUMA) from Community Facilities (CF) to Low Density (LD) for a 1.78-acre portion of the 5.88-acre property located at 342 North Swinton Avenue, finding that the amendment and approval thereof is not consistent with the Comprehensive Plan and does not meet the applicable criteria set forth in the Land Development Regulations.

D. **Continue With Direction.**

Rezoning

A. Move a recommendation of **approval** to the City Commission of Ordinance No. 07-23, a privately-initiated rezoning request from Community Facilities (CF) to Single Family Residential (R-1-A) for a 2.83-acre portion of the 5.88-acre property located at 342 North Swinton Avenue, finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations.

B. Move a recommendation of **approval as amended** to the City Commission of Ordinance No. 07-23, a privately-initiated rezoning request from Community Facilities (CF) to Single Family Residential (R-1-A) for a 2.83-acre portion of the 5.88-acre property located at 342 North Swinton Avenue, finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations.

C. Motion to **deny** Ordinance No. 07-23, a privately-initiated rezoning request from Community Facilities (CF) to Single Family Residential (R-1-A) for a 2.83-acre portion of the 5.88-acre property located at 342 North Swinton Avenue, finding that the request and approval thereof is not consistent with the Comprehensive Plan and does not meet the applicable criteria set forth in the Land Development Regulations.

D. **Continue With Direction.**

Public and Courtesy Notices

X Courtesy Notices were sent to the following:

- Pineapple Grove
- NW Community Improvement Association
- Del Ida Park

X Public Notice was posted at the property on Friday, February 17, 2023, at least 7 calendar days prior to the meeting.

X Public Notice was mailed to property owners within a 500' radius on Friday, February 17, 2023, at least 10 days prior to the meeting.

X Public Notice was published in the Sun Sentinel on Friday, February 17, 2023, 10 calendar days prior to the meeting.

X Public Notice was posted to the City's website on Friday, February 17, 2023, 10 calendar days prior to the meeting.

X Public Notice was posted in the main lobby at City Hall on Friday, February 17, 2023, 10 calendar days prior to the meeting.

X Agenda was posted on Friday, February 17, 2023, at least 5 working days prior to meeting.