April 21, 2026

2419, 2507, 2515, 2519, 2601, 2605 & 2613 N. Federal Highway, Delray Beach, FL 33483
Conditional Use
Revised Narrative Letter

This revised narrative letter associated with the Conditional Use application for 2419 N. Federal Highway-MULTIFAMILY is respectfully submitted on behalf of Ultra Luxury Homes, LLC for the properties located at 2419, 2507, 2515, 2519, 2601, 2605 & 2613 N. Federal Highway, Delray Beach, FL 33483 (PCNs: 12-43-46-04-08-000-0351; 12-43-46-04-08-000-0352; 12-43-46-04-08-000-0340; 12-43-46-04-08-000-0330; 12-43-46-04-08-000-0320; 12-43-46-04-08-000-0310; 12-43-46-04-08-000-0300).The proposal is to redevelop the properties to accommodate a 47-unit free-standing multi-family (townhouse-type) residential development.

BACKGROUND:

The subject properties are located on the east side of North Federal Highway, approximately 745 feet south of Gulfstream Boulevard. The combined properties total 4.39 acres have an underlying Land Use Map designation of General Commercial, are zoned GC (General Commercial), and are within the North Federal Highway Redevelopment Area. The subject properties are currently vacant.

The most recent proposal related to the subject property are as follows:

- February 7, 2020 – a rezoning application (File No. 2020-108) was submitted requesting to change the zoning designation of Lots 31-35 from GC to AC (Automotive Commercial). Note: The request was withdrawn by the applicant on May 8, 2020.
- March 3, 2020 – File No. 2020-071, the temporary use for a parking lot, was removed from the City Commission agenda at the applicant's request and moved to a further date. City records do not show evidence of the item being heard at a later City Commission meeting.
- In 2022, – A rezoning application (File No. 2022-144) was submitted requesting to change the zoning designation for the subject 4.39 acre property from GC to AC with the intention to construct a full-service automotive dealership.
- August 16, 2022 – the City Commission denied the rezoning of the subject property from GC to AC.

DEVELOPMENT PROPOSAL:

The Conditional Use request is to allow the proposed 47-unit free-standing multiple-family development within the GC zoning district, per LDR Section 4.4.9(D)(10). An associated Level 4 Site Plan application is being processed concurrently for the proposed development.

Pursuant to LDR Section 4.4.9(D)(10), free-standing multiple family housing developments are allowed as conditional uses in the GC zoning district and are subject to the RM (Medium Density Residential) zoning district regulations except for setbacks and height, which are subject to the GC zoning district regulations.

The development proposal consists of the following:

- Construction of 39 2-story townhouse units (3-bed, 3.5 baths with 2-car garages and 2-car driveways. The townhouse units have the following range in sizes: 3,102 sf. (25-Type 2) to 3,268 sf. (14-Type 1).

- Construction of 8 3-story, 3,231 sf. townhouse units – Type 3 (3-bed, 3 baths, Elevator) with 2-car garages and 2-car driveways.
- Associated amenities consisting of a centrally located 2-story 2,411 sf. Clubhouse with club room, restrooms, an office and fitness area; a pool area, spa and play/tot lot area.
- Installation of associated guest parking, landscaping, site lighting, with refuse containers located within the garages of each unit.
- Dedication of 10' of right-of-way along N. Federal Highway.
- Modifications to and reduction of curb cuts along Federal Highway including retention of 3 existing parallel parking spaces and installation of a deceleration lane to be coordinated with FDOT.

REQUIRED FINDINGS – LDR SECTION 3.1.1

Pursuant to **LDR Section 3.1.1, Required Findings**, *prior to the approval of development applications, certain findings must be made in a form which is a part of the official record. This may be achieved through information on the application, written materials submitted by the applicant, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. As indicated below, positive findings can be made with respect to LDR Sections 3.1.1 (A) – (D).*

(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 property has a LUM designation of General Commercial (GC) and is zoned GC, which is a preferred zoning district under the GC land use designation. Pursuant to Section 4.4.9(D)(10), free-standing multiple-family housing is allowed as a conditional use within the GC zoning district. Per Neighborhoods, Districts, and Corridors Element Table NDC – 1 of the Comprehensive Plan, the GC land use designation allows a maximum floor area ratio (FAR) of 3.0, and a standard residential density of 12 dwelling units per acre. The proposed 47-unit multiple family development will have a density of 10.70 du/ac and an FAR of 0.79.

The vision of the North Federal Highway Redevelopment Plan includes improving the appearance of the area and stimulating economic investment and revitalization of the North Federal Highway Corridor by encouraging new development, including residential development. While the North Federal Highway Redevelopment Plan also indicates the potential for mixed-use development consisting of commercial uses on the ground floor and residential units on the upper floors, it is not a requirement. With the Market Analysis completed in 2014 for the North Federal Highway corridor, the need was identified for higher residential densities and greater building heights in selected locations to create a more coherent, pedestrian-friendly corridor and to support the current and potential commercial development along the corridor. The proposal meets the goal of providing additional residential units in the study area, consistent with the Federal Highway Overlay District development standards, which promote a more pedestrian-friendly streetscape. Therefore, positive findings can be made with respect to Land Use Map consistency. Similar findings have been made with previous multiple family developments along North Federal Highway, such as Old Palm Grove, St. George, Windsor at Delray Beach, The North Edge and most recently The Tropics.

(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 Palm Beach County School District School Capacity Availability Determination (SCAD) Application has been submitted for review for compliance with the adopted Level of Service for School Concurrency. No problems are anticipated.

Water and Sewer. Municipal water and service is available via connections to the existing water and sewer mains along Federal Highway. It is noted; installation of a lift station will be necessary. Pursuant to the City's Comprehensive Plan, adequate water and sewer treatment capacity exists to meet the adopted LOS at the City's build-out population, based on the current Land Use Map designation.

Solid Waste. Multi-family units with 5 or more units are calculated to generate 0.52 tons of solid waste per unit per year. The development proposal is to accommodate a maximum of 47 units, which represents 24.44 tons of solid waste per year. 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 on-site via an exfiltration trench system. No problems are anticipated obtaining a South Florida Water Management District permit. A signed and sealed drainage report has been submitted for review. The proposed system will meet storm water requirements in accordance with the South Florida Water Management District regulations per LDR Section 2.4.3(D)(8) as well as requirements in LDR Section 6.1.9 for the surface water management system.

Traffic. A traffic study was prepared and transmitted to Palm Beach County Traffic Division for review. The project will generate 324 average daily trips, 19 a.m. peak hour trips, and 24 p.m. peak hour trips. The Palm Beach County Traffic Division issued a TPS approval letter stating the project meets the Palm Beach County Traffic Performance Standards.

Parks and Open Space: While there are sufficient recreation facilities in the City to meet this LOS, the proposal includes private on-site amenities. A park impact fee in the amount of $500.00 per dwelling unit ($23,500) will be collected prior to issuance of a building permit to offset any impacts that a residential project may have on the City's recreational facilities.

(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.*

As discussed below, a finding of overall consistency can be made that the development proposal is consistent with the Goals, Objectives and Policies of the Always Delray Comprehensive Plan and North Federal Highway Redevelopment Plan.

Neighborhoods, Districts, and Corridors Element

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 1.3, Mixed-Use Land Use Designations: *Apply the mixed-use land use designations of Commercial Core, General Commercial, Transitional, Congress Mixed-Use, and Historic Mixed-Use to accommodate a wide range of commercial and residential housing opportunities appropriate in scale, intensity, and density for the diverse neighborhoods, districts, and corridors in the city.*

Policy NDC 1.3.3: *Apply the density and intensity in mixed-use land use designations to encourage adaptive re-use, development, and redevelopment that advances strategic, policy-driven goals, such as diverse residential housing opportunities, sustainable building practices, historic preservation, public parking, civic open space, or economic development strategies.*

Policy NDC 1.3.9: *Allow a maximum floor area ratio of 3.0 and a maximum standard density of 12 dwelling units per acre with a revitalization/incentive density of 12-30 dwelling units per acre in the General Commercial land use*

designation to accommodate general commercial uses such as retail, office, commercial services, and mixed use developments with limited residential development opportunities.

Policy NDC 1.3.10: *Use the General Commercial land use designation to accommodate a wide range of non-residential and mixed-use development, and limited stand-alone residential development, along major corridors and in certain districts in the city.*

Objective NDC 2.6 Improve City Corridors *Improve the appearance and function of visually prominent or distressed corridors in Delray Beach.*

Objective NDC 2.7 Planning of Neighborhoods, Districts, and Corridors *Continue to respond to unique needs and conditions of the varied neighborhoods, districts, and corridors of Delray Beach using Neighborhood and Redevelopment Plans that determine specialized planning strategies and improvement projects to implement the vision of plans.*

Policy NDC 2.7.9: *Review and update the North Federal Highway Redevelopment Plan to include new development and other improvements that have occurred since the Plan's adoption in 1999, and re-evaluate the vision for the North Federal Highway Redevelopment Area; new development shall comply with the provisions of the adopted Plan until an updated plan is adopted.*

Economic Prosperity Element
Policy ECP 3.3.4 *Continue to support efforts of commercial districts, streets and neighborhoods to improve their physical attributes by encouraging infill, adaptive reuse, redevelopment and other strategies.*

Policy ECP 3.3.6 *Promote development or redevelopment of vacant, underutilized or surplus properties, particularly those with the potential to serve as a catalyst for economic development.*

Housing Element
Objective HOU 3.1 *Provide opportunities for residential development to accommodate the housing needs of existing and future residents.*

Policy HOU 3.1.4 *Encourage development of vacant or underdeveloped land for housing and mixed-uses, and promote rehabilitation of underutilized housing into desirable places to live.*

The goals of the redevelopment plan are to improve the appearance of the area and to stimulate the revitalization of the North Federal Highway Corridor by encouraging new development. The proposed 47-unit multi-family development will help to stimulate related commercial development along Federal Highway by creating demand for goods and services in the area. The proposed development will also assist in the redevelopment of the North Federal Highway corridor in a manner consistent with the vision of the Redevelopment Plan as intended.

The proposed development will provide needed investment along the North Federal Highway corridor that will enhance the area, encourage re-investment in surrounding properties and provide additional residences that will support area businesses. The buildings are designed in a manner that is compatible with and complementary to the adjacent and surrounding developments, thereby meeting the intent of the goals, objectives and policies referenced above. This redevelopment initiative will further enable revitalization and stabilization of the North Federal Highway corridor in a manner that is consistent with and furthers the goals, objective and policies of the Comprehensive Plan and North Federal Highway Redevelopment Plan.

(D) Compliance with LDRs. *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.*

In conjunction with the Conditional Use Request, a Level 4 Site Plan application has been submitted and review/consideration by the Planning and Zoning Board will occur concurrent with the Conditional Use request.

Pursuant to Section 4.4.9(D)(10), free-standing multiple family housing developments are allowed as a conditional use within the GC zoning district. subject to the RM (Medium Density Residential) requirements, except for setback and height requirements. The proposed development complies with GC and RM zoning district regulations as well as other LDR requirements, as applicable, including but not limited to the North Federal Highway Overlay District regulations, as well as other development standards including building setbacks, height, lighting, off-street and bicycle parking. With the site plan application, relief has been requested to LDR provisions regarding reduction of vehicle stacking distance [LDR Section 4.6.9(D)(3)(c)], drive aisle width [LDR Section 4.6.9(D)(6)(d)], townhouse building setbacks [LDR Section 4.3.3(O)(3)(c)], townhouse offsets [LDR Section 4.3.3(O)(4)(a)], special landscape setbacks [LDR Section 4.3.4(H)(6)(b)], and distance between residential buildings [LDR Section 4.6.2 (Distance Between Residential Buildings)]. In addition, a reduction in the 100' stacking distance per LDR Section 4.6.9(D)(4) was submitted for review and approved by the Development Services Engineering Division Manager, per LDR Section 4.6.9(D)(5), and FDOT. The requests are site specific and do not impact the required findings associated with the conditional use request. Compliance with LDR Section 4.3.3(BB) *Performance standards for multi-family development* are discussed below.

LDR Section 4.3.3 (BB) Performance standards for multi-family development.

(1) Applicability. Except for proposals within the Central Business District, these standards shall apply, as follows, to new site plans or to modifications to existing site plans that create additional residential units:
(a) To increase the density beyond the minimum number of units per acre allowed by the zoning district.
(b) To meet the requirements of a revitalization incentive density bonus.
(c) Some performance standards may not be entirely applicable to small, infill residential projects. In such cases, the ultimate density should be based upon the attainment of the applicable performance standards, as well as the development's ability to meet or exceed other minimum code requirements.

Per LDR Section 4.4.9(D)(10), within the GC zoning district, free-standing multiple-family housing allowed as a Conditional Use, subject to the requirements of the RM District except for setback and height requirements which shall be pursuant to the GC zoning district regulations. The standard density within the GC Land Use Map designation is 12 du/ac. The proposal does not propose to increase the density above 12 du/ac and is not in an area eligible for the revitalization incentive bonus. However, Per LDR Section 4.4.6(H)***Special regulations.(***1) "*Density may exceed the base of six units per acre only after the approving body makes a finding that the project has substantially complied with the performance standards in Section 4.3.3(BB), which are intended to mitigate the impacts of the increased density and ensure that the project is compatible with surrounding land uses... "* Therefore, the following analysis of the Performance Standards found in LDR Section 4.3.3(BB) is provided below.

(3) Performance standards. The performance standards are as follows:

(a) The traffic circulation system is designed to control speed and reduce volumes on the interior and exterior street network. This can be accomplished through the use of traffic calming devices; street networks consisting of loops and short segments; multiple entrances and exits into the development; and similar measures that are intended to minimize through traffic and keep speeds within the development at or below 20 m.p.h.

This performance standard has been met. The interior street (driveway) network consists of loops and short segments no greater than 22' wide with a gated ingress/egress point to Federal Highway at the northwest corner of the site, which prevents through traffic and will keep speeds at or below 20 m.p.h. The posted speeed limit sign will be 15 m.p.h. with stops signs and stop bars at intersections and mid-blick crosswalks. The proposal includes elimination of multiple curb cuts onto Federal Highway. The proposed 47-unit townhouse-type condominium development will only generate 324 average daily trips, 19 a.m. peak hour trips, and 24 p.m. peak hour trips. The Palm Beach County Traffic Division issued a TPS approval letter stating the project meets the Palm Beach County Traffic Performance Standards.

(b) *Buildings are placed throughout the development in a manner that reduces the overall massing, and provides a feeling of open space.*

This performance standard has been met. The 2-story townhouse-type condominium buildings on the west side of the development are oriented facing N. Federal Highway consistent with the North Federal Highway Overlay District regulations and North Federal Highway Redevelopment Plan. The two 4-unit, 3-story buildings are located on the south side of the property abutting the commercial property and are obscured from the residential properties to the east by the proposed 2-story townhiouse type units located along the east side of the property as well as landscaping. The reduction of overall massing was taken into consideration as the majority of the buildings are no more than 2-stories in height and are set back at least 18' from the internal street system with internal open spaces areas, and setbacks have been increased along the east property line enhancing the feelng of open space.

(c) *Where immediately adjacent to residential zoning districts having a lower density, building setbacks and landscape materials along those adjacent property lines are increased beyond the required minimums in order to provide a meaningful buffer to those lower density areas. Building setbacks are increased by at least 25 percent of the required minimum; at least one tree per 30 linear feet (or fraction thereof) is provided; trees exceed the required height at time of planting by 25 percent or more; and a hedge, wall or fence is provided as a visual buffer between the properties.*

This performance standard has been met. The property abuts the Town of Gulfstream RS-P (Residential Single Family-Place Au Soleil District) zoning district and single family residences. An 8' high c.b.s. wall is proposed along the east property line abutting the single family residential properties. In addition, the landscape materials have been increased beyond the required minimums (20' at the time of planting) in order to provide a meaningful buffer. Trees have been provided every 25' and staggered or grouped to provide a solid mature buffer In addition, the building setbacks has been increased from 10' to 12.5' (25%).

(d) *The development offers a varied streetscape and building design. For example, setbacks are staggered and offset, with varying roof heights (for multi-family buildings, the planes of the facades are offset to add interest and distinguish individual units). Building elevations incorporate diversity in window and door shapes and locations; features such as balconies, arches, porches, courtyards; and design elements such as shutters, window mullions, quoins, decorative tiles, etc.*

This performance standard has been met. The development offers a varied streetscape and building design with elements described above including but not limited to setbacks that are staggered and offset throughout the development as well as façade plane offsets. The building elevations incorporate a variety of architectural elements consistent with the Contemporary Modern architectural style including façade offsets and projections, balconies, wood composite siding and aluminum horizontal railings.

(e) *A number of different unit types, sizes and floor plans are available within the development in order to accommodate households of various ages and sizes. Multi-family housing will at a minimum have a mix of one, two and three bedroom units with varying floor plans. Single family housing (attached and detached) will at a minimum offer a mix of three and four bedroom units with varying floor plans.*

The development meets the intent of this performance standard. The development provides home ownership in the form of attached single family housing (townhouses) wtihin the N. Federal Highway Redevelopment Area, which abuts a low density residential negihborhood to the east. The units are primarily 3 bedroom units with varying floor plans. Thus, the development provides a diverse mix of units and varying floor plans as required by the standard.

(f) *The development is designed to preserve and enhance existing natural areas and/or water bodies. Where no such areas exist, new areas which provide open space and native habitat are created and incorporated into the project.*

The development meets the intent of this performance standard. The project is urban infill redevelopment of commercial properties along the N. Federal Highway corridor within the North Federal Highway Redevelopment Area. There are no natural areas or water bodies. The proposed development provides the open space as required as well as extensive native landscaping.

(g) *The project provides a convenient and extensive bicycle/pedestrian network, and access to available transit.*

This performance standard has been met. The proposed develpomemt is located along N. Federal Highway, which contains bike lanes and is serviced by Palm Tran Bus Route 1. The project provides an extensive bicycle/pedestrian network and bicycle racks internal to the site adjacent to the amenity area with connections to the existing sidewalk and bike lane on N. Federal Highway as well as the bus stop within Federal Highway in front iof the Volkswagen dealership, just suth of the site.

(h) *Parking garage elevations provide a unified design with the main building through the use of similar building materials and color, vertical and horizontal elements, and architectural style.*

This performance standard is not applicable.

(i) *The project design creates a unified architectural character by the use of common architectural elements in the building(s), parking lot, and landscaping. Examples of unifying features are decorative freestanding light poles and exterior light fixtures; pedestrian amenities such as benches, shaded walkways, and decorative pavement treatment; focal points such as public art, water feature/fountain, courtyard or public plazas along a continuous pedestrian walkway; or a combination of similar features that meet the intent of this standard.*

This performance standard has been met. The proposed towmhouse-type condominium development provides a unified architectural character in the Contemporary Modern architectural style. The development will have gated vehicular access as well as gated pedestrian access to the townhouse units facing Federal Highway and the central amenity area, with internal pedstrian walkways as well. The design incorporates lighting that is complementary to the architectural style

(j) *The development provides common areas and/or amenities for residents such as swimming pools, exercise rooms, storage rooms or lockers, gardens, or courtyards.*

This performance standard has been met. The development provides common areas and amenities for residents including swimming pools, a spa, exercise facilities, storage areas within the townhouse units and private patio areas.

(k) *The development promotes pedestrian movements by providing convenient access to the public sidewalk system. Pedestrian areas adjacent to the building are enhanced by providing additional sidewalk area at the same level as the abutting public sidewalk. Accessways to parking areas are designed in a manner that minimizes conflicts between vehicles and pedestrians. The public street(s) immediately adjacent to the development are enhanced consistent with the streetscape in the surrounding area (i.e., installation of landscape nodes, extension of existing paver block system, installation of approved street lighting, etc.).*

This performance standard has been met. The walkways internal to the site provide convenient access to the existing public sidewalk and bus stop along N. Federal Highway. The internal walkways, garages driveways and guest parking are designed in a manner that minimizes conflicts. The streetscape along Federal Highway will be enhanced by landscape nodes with associated trees designed consistent with FDOT design standards. Due to overhead utility lines within the N. Federal Highway right-of-way abutting the property, the majority of the landscaping will be installed on-site adjacent to the right-of-way with mid-level trees installed within the 10' right-of-way dedication area, significantly enhancing the streetscape.

(l) The development provides opportunities to share parking, accessways, and driveways with adjoining properties, or additional parking spaces that may be used by the public.

This intent of this stadards has been met. The development eliminates multiple existing driveways and will provide on-street public parking spaces along Federal Highway, if permitted by FDOT.

(2) Findings. The approving body must make a finding that the development substantially complies with the performance standards listed in this section.

Based upon the above, positive findings can be made that the development complies with the applicable performance standards listed above.

Conditional Use Required Findings:

Pursuant to LDR Section 2.4.6(A)(5) (Findings), in addition to provisions of Chapter 3, the City Commission must make findings that establishing the conditional use will not:

(a) Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located;
(b) Hinder development or redevelopment of nearby properties.

The existing uses and zoning surrounding the proposed development are as follows:

	Land Use Map Designation	Zoning District	Use
North	**GC**	**GC**	**Office Building**
South	**GC**	**GC**	**Commercial Uses**
East- Town of Gulfstream	**SF**	**RS-P**	**Single Family Residential**
West	**GC**	**GC**	**Self Storage Facility, Motel, Vacant Restaurant**

The conditional use request is to allow a 47-unit free-standing multiple family development (combination of townhomes and condominium buildings) at 10.70 du/ac on GC zoned property within the North Federal Highway Redevelopment Area. The properties are being redeveloped in a manner that the use, intensity, and density is appropriate.

This redevelopment initiative will assist in the revitalization and stabilization of the North Federal Highway corridor. The proposed development along the corridor will provide a more permanent customer base for area businesses on a year-round basis, which will assist in achieving economic sustainability consistent with the Comprehensive Plan and North Federal Highway Redevelopment Plan.

Therefore, positive findings can be made with respect to LDR Section 2.4.6(A)(5) in that the proposed multi-family development will enhance and further stabilize the surrounding area and will encourage redevelopment of nearby properties in a manner envisioned by the City consistent with the Comprehensive Plan and North Federal Highway Redevelopment Plan.

In conclusion, the development proposal is consistent with the Always Delray Comprehensive Plan and The North Federal Highway Redevelopment Plan. The proposal is also consistent with Chapter 3 (Performance Standards, LDR Section 3.1.1 (Required Findings), (A) Future Land Use Map, (B) Concurrency, (C) Consistency, and (D) Compliance with LDRs. Based upon the above, approval of the Conditional Use application is respectfully requested.