

IN THE CITY COMMISSION
CHAMBERS OF THE CITY OF
DELRAY BEACH, FLORIDA

**ORDER OF THE CITY COMMISSION
OF THE CITY OF DELRAY BEACH, FLORIDA**

**IN LIEU PARKING FEE REQUEST FOR
THE GROVE SIDE BAR**

1. This in lieu parking fee request for the purchase of 7 parking spaces in-lieu has come before the City Commission on July 5, 2017.

2. The Applicant and City staff presented documentary evidence and testimony to the City Commission pertaining to the In Lieu Parking Fee request for The Grove Side Bar at 183 NE 2nd Avenue located on the east side of NE 2nd Avenue and south of NE 2nd Street. All of the evidence is a part of the record in this case. Required findings are made in accordance with Subsection I.

I. IN LIEU PARKING FEE:

Pursuant to LDR Section 4.6.9(E)(3), In-Lieu Fee, new development, use conversion to existing buildings, building additions and/or renovations, that result in the requirement to provide new parking or additional parking, have the option of requesting some of the parking spaces to be approved by the City Commission through the payment in-lieu of parking program. Required parking for exclusively residential development or residential components of mixed use developments are not eligible for this in-lieu option. A maximum limit of 30% of eligible required parking can be provided under this option, except for use conversions for which there is no maximum.

Does the In Lieu Parking Fee request for the purchase of 7 parking spaces in-lieu meet the requirements of LDR Section 4.6.9(E)(3) and the conditions, if any, listed below?

At \$10,140.00 per space totaling \$70,980.00, the fee will be paid using an In-Lieu of Parking Fee Agreement. Fifty percent (50%) of the total fee is due upon issuance of a building permit (\$35,490). The second installment of twenty-five percent (25%) (\$17,745) of the total fee is due on the second anniversary date of the signing of the agreement and the third and final

installment of twenty-five percent (25%) (\$17,745) of the total fee is due on the third anniversary date of the signing of the agreement.

Yes ____ No ____

3. The City Commission hereby finds that the In Lieu Parking Fee Request meets the requirements of 4.6.9(E)(3) of the Land Development Regulations, with the conditions listed above, if any, and the City Commission has applied the Comprehensive Plan and finds that its determinations set forth in this Order are consistent with the Comprehensive Plan and Land Development Regulations.

4. The City Commission finds there is ample and competent substantial evidence to support its findings in the record submitted and adopts the facts contained in the record including but not limited to the staff reports, testimony of experts and other competent witnesses supporting these findings.

5. Based on the entire record before it, the City Commission approves ____ denies ____ the in lieu parking fee request as set forth above.

6. Based on the entire record before it, the City Commission hereby adopts this Order this 5th day of July, 2017, by a vote of ____ in favor and ____ opposed.

Cary D. Glickstein, Mayor

ATTEST:

Katerri Johnson, CMC., City Clerk

Approved as to legal form
And sufficiency:

R. Max Lohman, City Attorney

Department Head:

Timothy Stillings, Director of Planning, Zoning & Building