

RESOLUTION NO. 109-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A REQUEST FOR A CONDITIONAL USE MODIFICATION PURSUANT TO LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, AND THE COMPREHENSIVE PLAN, TO AUTHORIZE A MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT (KNOWN AS "VILLAGE SQUARE HOMES") TO INCREASE A PREVIOUSLY APPROVED DENSITY WITHIN THE CARVER ESTATES OVERLAY DISTRICT AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, Kimley Horn ("Agent") on behalf of Delray Beach Housing Authority ("Applicant/Property Owner") submitted a Conditional Use application (2019-126-USE-PZB) for a modification of an approved conditional use for a development known as Village Square Homes whose boundaries are fully described in Plat Book 118, Page 122 of the Public Records of Palm Beach County, Florida, and as more particularly described in Exhibit "A"; and

WHEREAS, a conditional use was approved on August 2, 2011, to allow a density of 13.9 dwelling units/acre (du/ac) on 18.18 acres within the Carver Estates Overlay District in accordance with the City's Land Development Regulations (LDRs) Section 4.7 Family/Workforce Housing; and

WHEREAS, a concurrent Class V Site Plan was approved by the Site Plan Review and Appearance Board on June 13, 2012, for a three phase development consisting of 253 residential units, with 228 units designated as workforce housing units within Phases I and II and 25 market rate residential units within Phase III; and

WHEREAS, Phase I and Phase II have been completed and a Class IV site plan modification has been submitted to develop 54 townhome units in accordance with the City's , LDRs Section 4.7 Family Workforce Housing within Phase III, thereby increasing the density of the development; and

WHEREAS, LDR Section 2.4.5(E)(5), *Establishment of a Conditional Use*, establishes the findings that in addition to provisions of Chapter 3 of the LDRs, the City Commission must make findings that establishing the conditional use will not have a significantly detrimental effect upon the stability of the neighborhood within which it will be located; nor hinder development or redevelopment of nearby properties; and

WHEREAS, LDRs Section 4.4.6(H), *Special Regulations*, establishes that a density may exceed the base of six units per acre only after the approving body makes a finding that the project has substantially complied the performance standards at listed in Section 4.4.6(I) and in no event shall a developments density exceed 12 units per acres, except within the Carver Estates Overlay as allowed by LDRs Section 4.4.6(D)(10); and

WHEREAS, the Conditional Use modification (2019-126-USE-PZB) was presented to the Planning and Zoning Board (PZB) at a public hearing conducted April 15, 2019, and the PZB recommended for approval 5-0; and

WHEREAS, the Conditional Use modification (2019-126-USE-PZB) was presented to the City Commission at a quasi-judicial hearing conducted on May 21, 2019; and

WHEREAS, the City Commission has reviewed the Conditional Use modification for Village Square Homes and has considered the respective findings for each as set forth in the Land Development Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

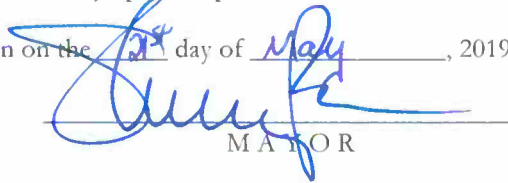
Section 1. That the forgoing recitals are hereby incorporated herein by this reference and are approved and adopted.

Section 2. The City Commission makes positive findings for granting approval of the Conditional Use to authorize the increase in density to 15.5 du/ac for Village Square Homes, incorporated herein as Exhibit "B", pursuant to Chapter 3 and LDR Sections 2.4.5(E)(5), 4.4.6(I), and Article 4.7, subject to the following conditions:

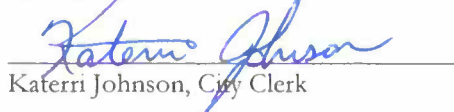
- a. Any restricted units are priced and/or rented at workforce housing levels and shall state that those units shall be sold to the eligible income group in accordance with LDR Article 4.7 Family/Workforce Housing in effect at the date of this resolution.
- b. Coordination with the City's Neighborhood & Community Services Department is required on buyer eligibility, housing prices, as well as any applicable requirement to record a covenant or to enforce resale restrictions.
- c. Prior to site plan approval, the site plans shall show traffic calming devices such as speed humps or raised paver cross-walks within the rear alley spaced to deter high speeds.
- d. Prior to site plan approval, a note will be added to the Phase III site plan modification noting that 34 workforce housing units must comply with the regulations of Section 4.7 and remain affordable for a period of no less than 40 years.
- e. Common areas must have a maintenance entity.
- f. One parking space in the two-car garage must be maintained for vehicular parking.

Section 3. This Resolution shall be effective immediately upon adoption.

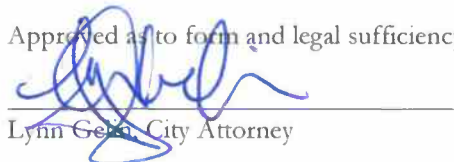
PASSED AND ADOPTED in regular session on the 24 day of May, 2019.

  
MAYOR

ATTEST:

  
Katerri Johnson, City Clerk

Approved as to form and legal sufficiency:

  
Lynn Gelfo, City Attorney

**Exhibit "A"**  
**Village Square Homes Legal Description**





A SUBDIVISION OF SECTION 20, TOWNSHIP 48 SOUTH, RANGE 43 EAST  
PLAT BOOK 1, PAGE 4 ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA  
BEING IN SECTION 20, TOWNSHIP 48 SOUTH, RANGE 43 EAST,  
CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA

|          |                                |
|----------|--------------------------------|
| P.B.     | PLAT BOOK                      |
| P.O.A.   | POINT OF BEGINNING             |
| P.Q.     | POLE                           |
| O.B.S.   | OFFICIAL RECORD BOOK           |
| W.B.     | WILLIAMSBURG AND SHENANDOAH    |
| S.F.     | SQUARE FEET                    |
| R.       | RADIUS OF CURVE                |
| L.       | LENGTH OF CURVE                |
| C1.      | SEE TABLE OF CURVE             |
| F.P.L.   | FEET PER SURVEY LINE           |
| S.B.     | SUBJECT PROPERTY AND LIGHT CO. |
| B.L.     | BEST INTEREST                  |
| W.L.     | WATER SUFFICIENCY              |
| G.S.S.   | GENERAL SURVEY AGREEMENT       |
| S.F.     | SQUARE FEET                    |
| P.A.C.R. | PALM BEACH COUNTY RECORDS      |

| TRACET | A-1 | ASMA | 05.104 E.F. |
|--------|-----|------|-------------|
| TRACET | A-1 | ASMA | 10.117 E.F. |
| TRACET | B-1 | ASMA | 10.127 E.F. |
| TRACET | B-1 | ASMA | 1.272 E.F.  |
| TRACET | B-1 | ASMA | 1.232 E.F.  |
| TRACET | C-1 | ASMA | 22.044 E.F. |
| TRACET | C-1 | ASMA | 22.112 E.F. |
| TRACET | C-1 | ASMA | 47.281 E.F. |
| TRACET | C-1 | ASMA | 55.423 E.F. |
| TRACET | C-1 | ASMA | 10.475 E.F. |
| TRACET | C-1 | ASMA | 10.428 E.F. |
| TRACET | C-1 | ASMA | 41.213 E.F. |
| TRACET | C-1 | ASMA | 22.214 E.F. |
| TRACET | L-1 | ASMA | 10.223 E.F. |
| TRACET | L-1 | ASMA | 22.223 E.F. |
| TRACET | L-1 | ASMA | 41.223 E.F. |
| TRACET | L-1 | ASMA | 41.223 E.F. |
| TRACET | L-1 | ASMA | 41.223 E.F. |



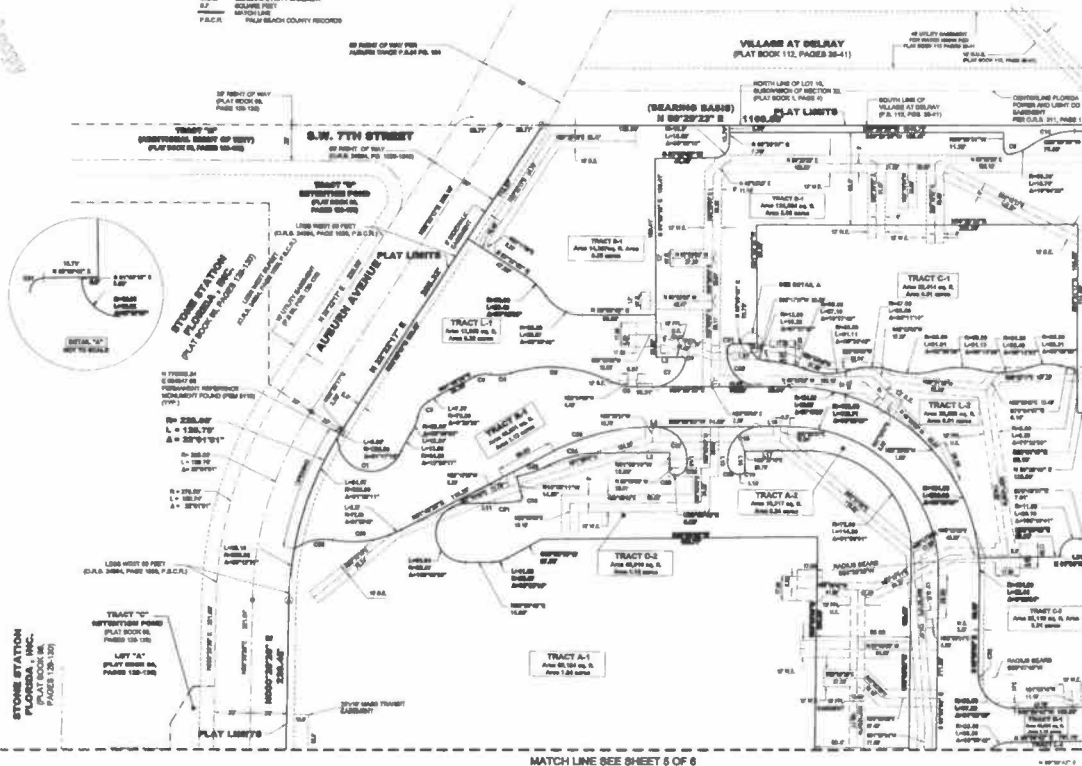
124

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THIS DEED WASE RECORDED AT \_\_\_\_\_  
RECORDED AT \_\_\_\_\_  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D. 2011, AND DEED TO RECORD  
IN PLAT BOOK \_\_\_\_\_ OF  
PAGE(S) \_\_\_\_\_

WITNESSE MY HAND  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

BY \_\_\_\_\_

SHEET 3 OF 8



| Quart | Summe | MA    | MA2   | MA3   |
|-------|-------|-------|-------|-------|
| Q1    | 84,33 | 84,33 | 84,33 | 84,33 |
| Q2    | 13,77 | 13,77 | 13,77 | 13,77 |
| Q3    | 15,03 | 15,03 | 15,03 | 15,03 |
| Q4    | 15,80 | 15,80 | 15,80 | 15,80 |
| Q5    | 65,67 | 65,67 | 65,67 | 65,67 |
| Q6    | 21,79 | 21,79 | 21,79 | 21,79 |
| Q7    | 29,49 | 29,49 | 29,49 | 29,49 |
| Q8    | 6,38  | 6,38  | 6,38  | 6,38  |
| Q9    | 7,88  | 7,88  | 7,88  | 7,88  |
| Q10   | 38,43 | 38,43 | 38,43 | 38,43 |
| Q19   | 4,71  | 4,71  | 4,71  | 4,71  |
| Q20   | 13,07 | 13,07 | 13,07 | 13,07 |
| Q21   | 17,01 | 17,01 | 17,01 | 17,01 |
| Q22   | 9,38  | 9,38  | 9,38  | 9,38  |
| Q23   | 66,87 | 66,87 | 66,87 | 66,87 |
| Q24   | 36,60 | 36,60 | 36,60 | 36,60 |
| Q25   | 4,71  | 4,71  | 4,71  | 4,71  |
| Q26   | 13,71 | 13,71 | 13,71 | 13,71 |
| Q27   | 38,43 | 38,43 | 38,43 | 38,43 |
| Q28   | 71,79 | 71,79 | 71,79 | 71,79 |
| Q29   | 48,88 | 48,88 | 48,88 | 48,88 |
| Q30   | 20,45 | 20,45 | 20,45 | 20,45 |
| Q31   | 6,80  | 6,80  | 6,80  | 6,80  |
| Q32   | 36,79 | 36,79 | 36,79 | 36,79 |
| Q33   | 8,77  | 8,77  | 8,77  | 8,77  |

| LINE TABLE |        |             |
|------------|--------|-------------|
| LINE       | LENGTH | DESCRIPTION |
| 1.1        | 0.34   | 1000000000  |
| 1.2        | 40.00  | 1000000000  |
| 1.3        | 10.00  | 1000000000  |
| 1.4        | 11.20  | 1000000000  |
| 1.5        | 13.00  | 1000000000  |
| 1.6        | 11.20  | 1000000000  |
| 1.7        | 10.70  | 1000000000  |
| 1.8        | 15.00  | 1000000000  |
| 1.9        | 16.00  | 1000000000  |
| 1.10       | 20.00  | 1000000000  |
| 1.11       | 20.00  | 1000000000  |
| 1.12       | 1.00   | 1000000000  |
| 1.13       | 3.00   | 1000000000  |
| 1.14       | 0.00   | 1000000000  |
| 1.15       | 13.00  | 1000000000  |
| 1.16       | 30.00  | 1000000000  |
| 1.17       | 40.71  | 1000000000  |
| 1.18       | 14.00  | 1000000000  |
| 1.19       | 0.00   | 1000000000  |
| 1.20       | 13.00  | 1000000000  |
| 1.21       | 2.00   | 1000000000  |

THIS INSTRUMENT WAS PREPARED BY  
DAVID P. LINDLEY, PLS  
OF  
CAULFIELD and WHEELER, INC.  
ENGINEERS - PLANNERS - SURVEYORS  
7800 GLADES ROAD, SUITE 100  
BOCA RATON, FLORIDA 33434 - (561)392-1091  
AUGUST - 2013

# VILLAGE SQUARE AT DELRAY BEACH

A REPLAT OF TRACT "B", A LIGHT INDUSTRIAL DEVELOPMENT FOR FRANZ / DELX / KIMBARD  
PLAT BOOK 63, PAGE 66

AND  
A REPLAT OF A PORTION OF  
LOT 19 AND LOT 27,

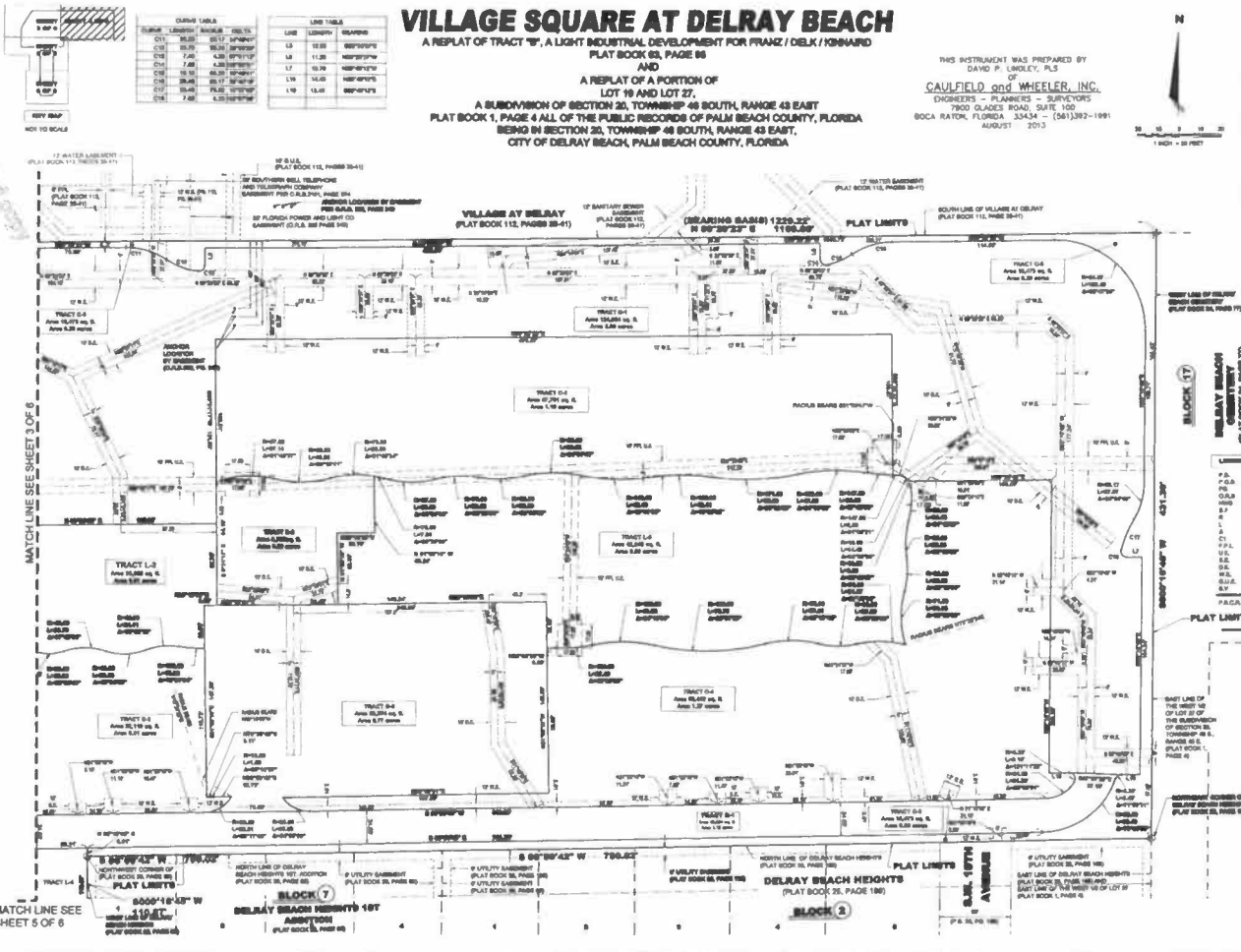
A SUBDIVISION OF SECTION 20, TOWNSHIP 48 SOUTH, RANGE 43 EAST  
PLAT BOOK 1, PAGE 4 ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA  
BEING IN SECTION 20, TOWNSHIP 48 SOUTH, RANGE 43 EAST,  
CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA

THIS INSTRUMENT WAS PREPARED BY  
DAVID P. LINDLEY, P.L.S.  
OF  
CAULFIELD AND WHEELER, INC.  
ENGINEERS - PLANNERS - SURVEYORS  
7500 GLADES ROAD, SUITE 100  
BOCA RATON, FLORIDA 33434 - (561)392-1991  
AUGUST 2013

125

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
SUG. PLAT AND FILED FOR  
RECORD AT DAY OF  
AUGUST 2013 AND FILED  
IN PLAT BOOK 125, PAGE 125  
BY DAVID P. LINDLEY, P.L.S.  
STATE OF FLORIDA  
COUNTY OF PALM BEACH  
SUG. PLAT AND FILED FOR  
RECORD AT DAY OF  
AUGUST 2013 AND FILED  
IN PLAT BOOK 125, PAGE 125  
BY DAVID P. LINDLEY, P.L.S.

SHEET 4 OF 6



LEGEND  
P.L.S. PROFESSIONAL LAND SURVEYOR  
O.S.A. OFFICIAL RECORD BOOK  
R.O.S. RECORD OF SURVEY  
E.C. EASEMENT  
U.L. UTILITY LINE  
W.L. WATER LINE  
G.L. GAS LINE  
S.L. SEWER LINE  
T.L. TELEPHONE LINE  
C.L. CABLE LINE  
F.L. FIRE LINE  
P.L. POWER LINE  
H.L. HIGH VOLTAGE LINE  
M.L. MAIN LINE  
B.L. BRANCH LINE  
S.L. SERVICE LINE  
T.L. TRENCH LINE  
C.L. CUT LINE  
F.L. FILL LINE  
P.L. PAVED LINE  
H.L. HATCHED LINE  
M.L. MATTED LINE  
B.L. Banded LINE  
S.L. Striped LINE  
T.L. Tiled LINE  
C.L. Coated LINE  
F.L. Faced LINE  
P.L. Placed LINE  
H.L. Healed LINE  
M.L. Mended LINE

PLAT LIMITS  
A REPLAT OF BLOCKS 12, 13, 14,  
15, 16 AND 17 THROUGH 37  
BLOCK 11  
DELRAY BEACH  
CITY  
PLAT BOOK 31, PAGE 289

MATCH LINE SEE  
SHEET 5 OF 6

MATCH LINE SEE SHEET 3 OF 6

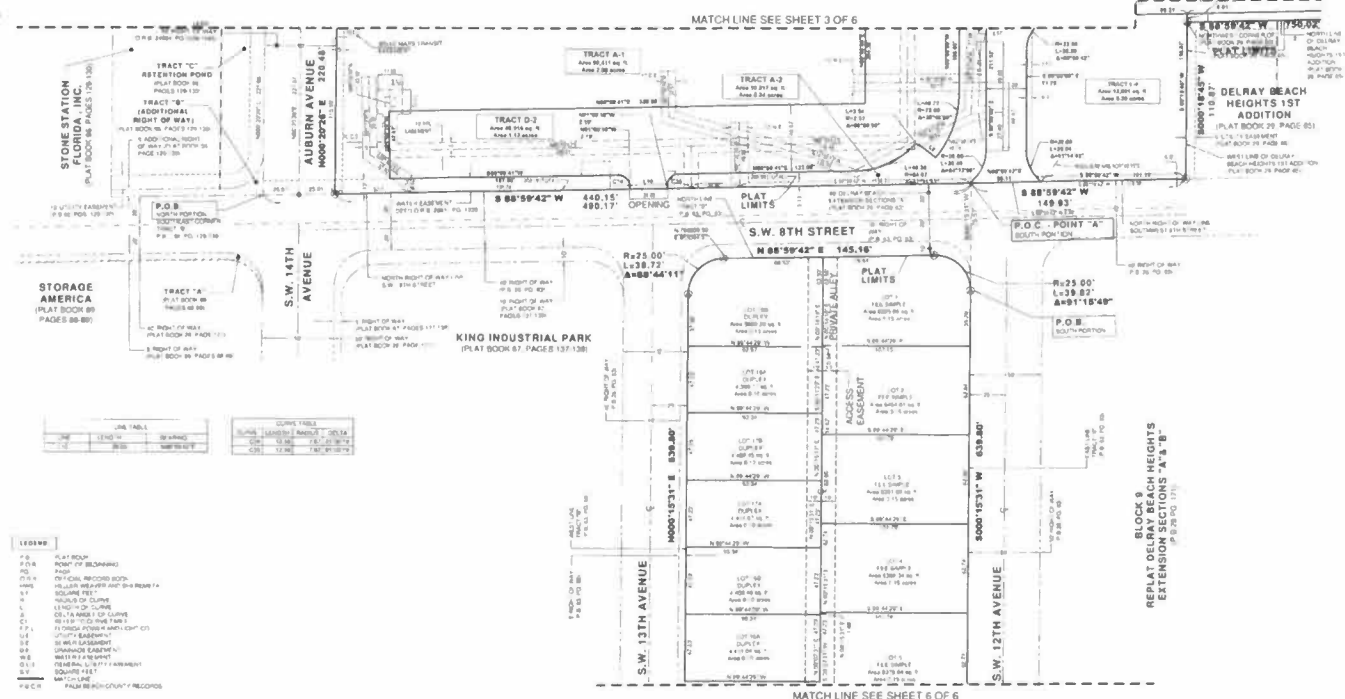
A REPLAT OF TRACT "B", A LIGHT INDUSTRIAL DEVELOPMENT FOR FRANZ / DELK / KINNAIRD  
PLAT BOOK 63, PAGE 93

LOT 19 AND LOT 27  
A SUBDIVISION OF SECTION 20, TOWNSHIP 46 SOUTH, RANGE 43 EAST  
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BEING IN SECTION 20, TOWNSHIP 46 SOUTH, RANGE 43 EAST,  
CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA

CAULFIELD and WHEELER, INC.

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THIS DEED WAS RECORDED FOR  
RECORD AT \_\_\_\_\_  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D. 2001 AND DULY RETURNED  
TO THE BOOK \_\_\_\_\_ OF THE  
PAGES \_\_\_\_\_  
SEARCHED BY \_\_\_\_\_  
CLEAN AND CORRECT BY \_\_\_\_\_

SHEET 5 OF 6



BLOCK 9  
REPLAT DELRAY BEACH HEIGHTS  
EXTENSION SECTIONS "A" & "B"

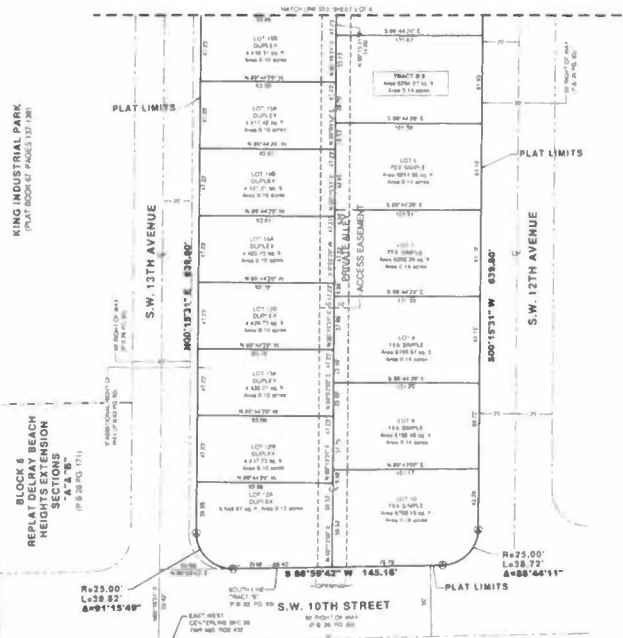
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CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA

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7900 GLADES ROAD, SUITE 100  
BOCA RATON, FLORIDA 33434 - (561)382-1991  
AUGUST - 2013

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THIS DAY HAS FILED FOR  
RECORD AT \_\_\_\_\_ M  
THIS DAY OF \_\_\_\_\_  
A.D. 20\_\_\_\_ AND DULY RECORDED  
IN BOOK \_\_\_\_\_ ON  
PAGE(S) \_\_\_\_\_

SHARON R. BOCK  
CLERK AND COMPTROLLER

SHEET 6 OF 8



BLOCK 9  
REPLAT DELRAY BEACH HEIGHTS  
EXTENSION SECTIONS "A" & "B"  
(P 18 28 PG 171)

| 100000 |                                  |
|--------|----------------------------------|
| #0     | PLAT BOON                        |
| #13    | POINT OF ASSIGNMENT              |
| #4     | MODE                             |
| #10    | CRITICAL RISK CODE BOON          |
| #60    | NUMBER OF ADVISE AND ADVISE REVS |
| #7     | SQUARE FEET                      |
| #1     | RADIUS OF CURVE                  |
| #2     | INCH OF CURVE                    |
| #3     | DETAILED ANGLE OF CURVE          |
| #4     | REFERS TO CURVE, SLEWS           |
| #5     | PLUCKING POWER & GUN, GUN        |
| #6     | TO BE ESTABLISHED                |
| #8     | NUMBER OF ADVISE                 |
| #9     | CRITICAL RISK ASSIGNMENT         |
| #10    | ADVISE RISK ASSIGNMENT           |
| #11    | GENERAL RISK RISK ASSIGNMENT     |
| #12    | SQUARE FEET                      |
| #13    | WATON                            |
| #14    | PLAT BOON                        |
| #15    | POINT OF ASSIGNMENT              |



# PHASE I SENIOR\*

## UNIT TABULATION

| UNIT TYPE                  | # UNITS   | UNIT SF. | TOTAL SF.         |
|----------------------------|-----------|----------|-------------------|
| A1 - ONE BEDROOM, ONE BATH | 42        | 780 SF.  | 32,820 SF.        |
| B1 - TWO BEDROOM, TWO BATH | 24        | 940 SF.  | 22,560 SF.        |
| B2 - TWO BEDROOM, TWO BATH | 18        | 910 SF.  | 16,380 SF.        |
| <b>TOTAL</b>               | <b>84</b> |          | <b>68,040 SF.</b> |

\*100% OF THE UNITS WILL BE RESTRICTED TO RESIDENTS EARNING 60% OR LESS OF THE AREA MEDIAN INCOME

## PARKING TABULATION

|                     |           |
|---------------------|-----------|
| RESIDENTIAL         | 84        |
| HANDICAP            | 10        |
| <b>TOTAL SPACES</b> | <b>94</b> |

# PHASE II MULTIFAMILY - WORKFORCE HOUSING\*

## UNIT TABULATION

| UNIT TYPE                    | # UNITS    | UNIT SF.  | TOTAL SF.          |
|------------------------------|------------|-----------|--------------------|
| A1 - ONE BEDROOM, ONE BATH   | 6          | 780 SF.   | 4,680 SF.          |
| B1 - TWO BEDROOM, TWO BATH   | 60         | 930 SF.   | 55,800 SF.         |
| C1 - THREE BEDROOM, TWO BATH | 48         | 1,267 SF. | 60,816 SF.         |
| D1 - FOUR BEDROOM, TWO BATH  | 24         | 1,501 SF. | 36,024 SF.         |
| <b>TOTAL</b>                 | <b>144</b> |           | <b>163,772 SF.</b> |

\*100% OF THE UNITS WILL BE RESTRICTED TO RESIDENTS EARNING 60% OR LESS OF THE AREA MEDIAN INCOME

## BUILDING TABULATION

| TYPE         | # BLDGS. | UNITS/BLDG. | UNIT TYPES  | BLDG. SF.  | TOTAL SF.          |
|--------------|----------|-------------|-------------|------------|--------------------|
| A            | 1        | 24          | B1-24       | 22,560 SF. | 22,560 SF.         |
| B            | 2        | 24          | C1-24       | 29,420 SF. | 58,840 SF.         |
| C            | 2        | 24          | B1-2, C1-2  | 29,280 SF. | 58,560 SF.         |
| D            | 1        | 24          | A1-6, B1-18 | 21,364 SF. | 21,364 SF.         |
| <b>TOTAL</b> | <b>6</b> |             |             |            | <b>163,772 SF.</b> |

## PARKING TABULATION

|             |     |
|-------------|-----|
| RESIDENTIAL | 273 |
| GUEST       | 20  |
| HANDICAP    | 1   |
| CLUBHOUSE   | 5   |

\*TOTAL SPACES 326

# PHASE III SINGLE FAMILY\*

## UNIT TABULATION

| UNIT TYPE                          | # UNITS   | UNIT SF.  | TOTAL SF.         |
|------------------------------------|-----------|-----------|-------------------|
| C1 - THREE BEDROOM, TWO BATH HOUSE | 11        | 1,363 SF. | 14,993 SF.        |
| C2 - THREE BEDROOM, TWO BATH UNIT  | 4         | 1,481 SF. | 5,924 SF.         |
| <b>TOTAL</b>                       | <b>15</b> |           | <b>20,917 SF.</b> |

\*ALL OF PHASE III TO BE MARKET RATE - FOR SALE ONLY

## BUILDING TABULATION

| TYPE         | # BLDGS. | UNITS/BLDG. | UNIT TYPES | BLDG. SF.  | TOTAL SF.         |
|--------------|----------|-------------|------------|------------|-------------------|
| E            | 1        | 1           | C1-1       | 14,993 SF. | 14,993 SF.        |
| F            | 1        | 1           | C2-1       | 2,924 SF.  | 2,924 SF.         |
| <b>TOTAL</b> | <b>2</b> |             |            |            | <b>17,917 SF.</b> |

## PARKING TABULATION

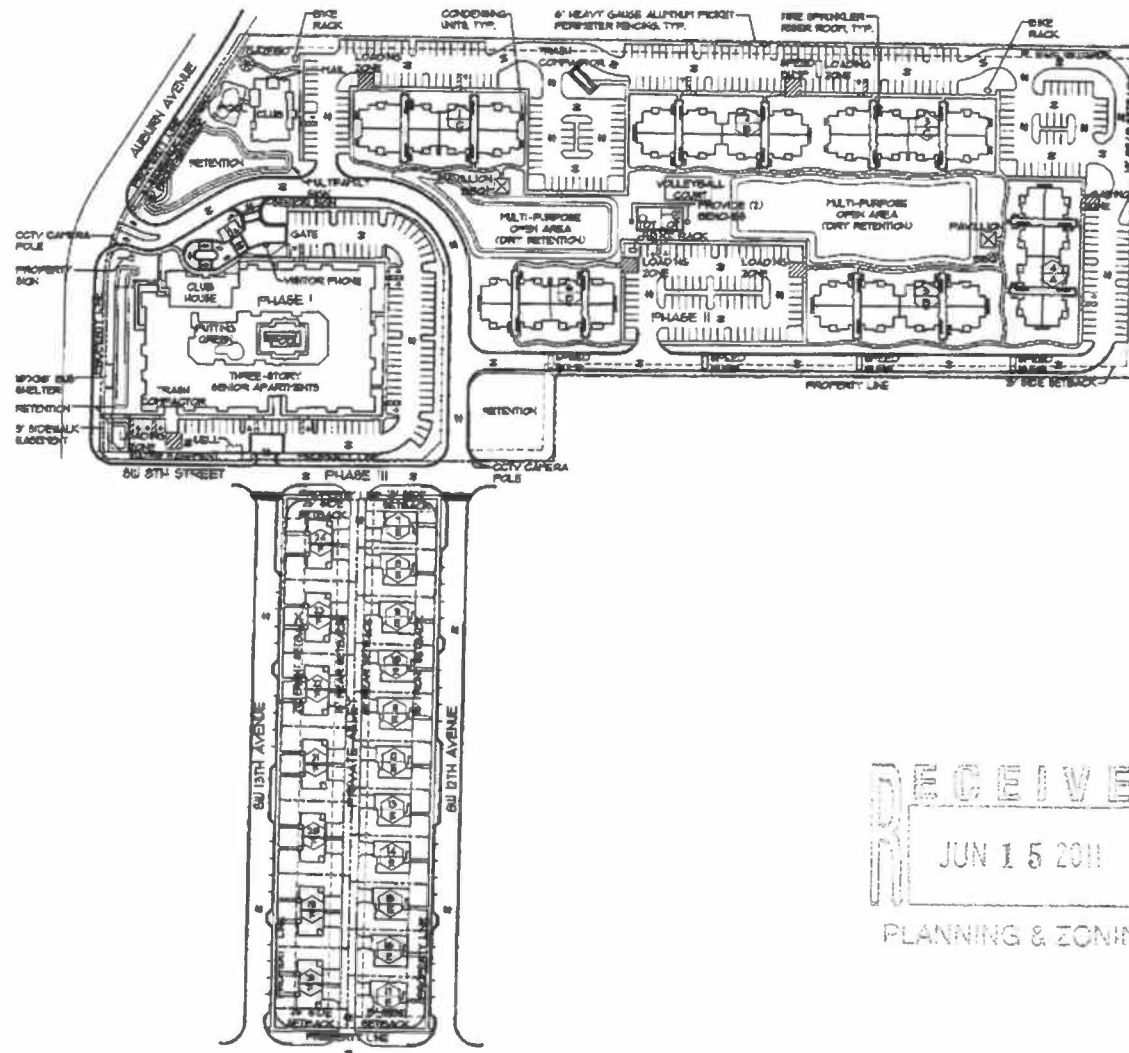
|                     |           |
|---------------------|-----------|
| GARAGE SPACES       | 30        |
| DRIVEWAY SPACES     | 30        |
| <b>TOTAL SPACES</b> | <b>60</b> |

## BUILDING KEY

- 1 - BUILDING NUMBER
- A - BUILDING TYPE

## AREA CALCULATIONS

|                   |       |                      |
|-------------------|-------|----------------------|
| PERVIOUS          | 51.6% | 408,540.4 SF.        |
| IMPERVIOUS        | 48.4% | 383,424.4 SF.        |
| <b>TOTAL SITE</b> |       | <b>791,964.8 SF.</b> |



RECEIVED  
JUN 15 2011  
PLANNING & ZONING



## SITE PLAN

GRAPHIC SCALE  
1" = 40' (SEE 1)  
1" = 40' N.E.

ARCHITECT:  
CROSS ARCHITECTS  
1255 W. 15TH STREET, SUITE 125  
PLANO, TEXAS 75075  
972-388-0844



# VILLAGE SQUARE DELRAY BEACH, FLORIDA

## OVERALL SITE PLAN

06/15/2011

**Exhibit “B”  
Village Square Homes  
Site Plan**

