



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

PLANNING AND ZONING BOARD STAFF REPORT

Bella Delray Plat

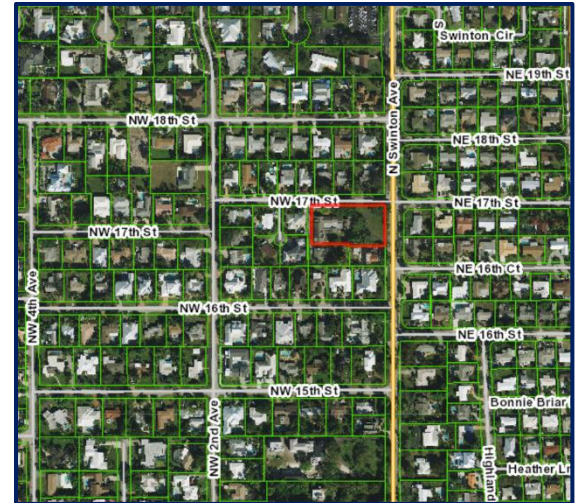
Meeting	File No.	Application Type
December 16, 2019	2020-015	Major Subdivision Plat

Request

Consideration to approve the Preliminary Plat and provide a recommendation to the Commission for Certification of the Final Plat.

Background Information

The subject property is located at the southwest corner of North Swinton Avenue and NW 17th Street within the Lake Ida Neighborhood. A single-family residence is located on the property. The residence could have historical significance as it was likely developed by F.J. Schrader, a local architect who came to Delray Beach in 1912, was president of Ocean City Lumber Company, built the Kentucky Hotel, was director of the Bank of Delray, and was a member of the Palm Beach County Board of Public Instruction. A brief review of building cards did not include Mr. Schrader's name; however, the research conducted by Staff was not extensive.



The property is within the Single-family Residential (R-1-AA) zoning district; the current legal description is of metes and bounds, indicating that the property has never been individually platted. The property is, however, included in the land of the Crest Lake Park Replat of 1944. The Crest Lake Replat was requested by Mr. Schrader to restore the land "to its original acreage"; the Crest Lake Plat of 1926 subdivided the land into lots and blocks and included named streets. Only one platted and developed lot remains from the Crest Lake Plat and is located to the south of the subject property at 1616 North Swinton Avenue.

Project Description

The proposed Bella Delray plat creates three conforming lots; all of the lots have frontage along NW 17th Street and the corner lot also fronts along North Swinton Avenue. A five-foot right-of-way dedication is included with the plat and is indicated as Tract RW along NW 17th Street. No additional right-of-way is required for North Swinton Avenue. The Plat also includes a 10-foot general utility easement along the north and east property lines.

Plat Analysis

Pursuant to **LDR Section 4.3.1(D)**, lots created after October 1, 1990, shall meet the minimum requirements established in Chapter 4, Zoning Regulations. The request is to subdivide a single, unplatted lot into three platted lots. The proposed lot configurations comply with the minimum development standards required for the R-1-AA zoning district; the lots exceed each requirement as detailed in the chart below.

R-1-AA Development Standards								
	Lot Size (Minimum Square Feet)		Lot Width (Minimum)		Lot Frontage (Minimum)		Lot Depth (Minimum)	
	Required	Proposed	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1 (Corner)	9,500	15,024	95 feet	150 feet	100 feet	150 feet	95 feet	135 feet
Lot 2 (Interior)	9,500	11,947	75 feet	85 feet	100 feet	85 feet	75 feet	138 – 145 feet
Lot 3 (Interior)	9,500	11,732	75 feet	85 feet	100 feet	85 feet	75 feet	138 feet

Pursuant to **LDR Section 3.1.1**, prior to the approval of development applications, certain findings must be made in a form which is 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. These findings relate to the following four areas:

- (A) **Future 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 Future Land Use Map.

The subject property has a zoning designation of Single Family Residential (R-1-A) zoning district and a Low Density Residential (LD) Future Land Use Map designation. The R-1-A zoning district is consistent with the LD Future Land Use Map (FLUM) designation.

- (B) **Concurrency.** Concurrency as defined pursuant to Objective B-2 of the Land Use Element of the Comprehensive Plan, must be met and a determination made that the public facility needs of the requested land use and/or development application will not exceed the ability of the City to fund and provide, or to require the provision of, needed capital improvements for the following areas:

Water and Sewer: Water service will be provided by an existing 12" line located within NW 17th Street, and sewer service will be provided to the 8" line located within NE 17th Street. Pursuant to the Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South Central County Regional Waste Water Treatment Plant for the City at build-out.

Streets and Traffic: The plat will increase the number of lots from one to three. A Traffic Statement was submitted indicating that the trips per day increase is 20, for a total number of 30 trips per day associated with the three lots.

Parks and Recreation Facilities: Pursuant to LDR Section 5.3.2, whenever a development is proposed upon land which is not designated for park purposes in the Comprehensive Plan, an impact fee assessed for the purpose of providing park and recreational facilities shall be imposed. The amount of the fee shall be \$500.00 per new dwelling unit, therefore a fee of \$1,000 will be collected prior to building permit issuance.

Solid Waste: Solid waste generated each year by this development will be approximately 1.99 tons per residential unit (3 units) for a total of 5.97 tons per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2046.

Drainage: Drainage will be accommodated on the site of each lot, as is required.

Schools: The School Capacity Availability Determine (SCAD) indicates that there will be a negative impact at the elementary school level, and that "the property owner shall contribute \$2,991 to the School District of Palm Beach County prior to the issuance of first building permit."

- (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.

Pursuant to **LDR Section 3.2.3, Standards for site plan and/or plat actions**, the following require review, as applicable:

- (A) Building design, landscaping and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.

Not applicable.

- (B) Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element.

Not applicable.

- (C) Open space enhancements as described in Policies found under Objective B-1 of the Open Space and Recreation Element are appropriately addressed.

Not applicable.

- (D) The City shall evaluate the effect that any street widening or traffic circulation modification may have upon an existing neighborhood. If it is determined that the widening or modification will be detrimental and result in a degradation of the neighborhood, the project shall not be permitted.

The proposed plat incorporates the required five foot right of way dedication along NE 17th Street, and therefore, meets the intent of this requirement.

- (E) Development of vacant land which is zoned for residential purposes shall be planned in a manner which is consistent with adjacent development regardless of zoning designations.

The proposed lots are consistent with the development pattern of adjacent development and the neighborhood. The proposed lot area of each exceeds the minimum requirements.

- (F) Property shall be developed or redeveloped in a manner so that the future use and intensity are appropriate in terms of soil, topographic, and other applicable physical considerations; complementary to adjacent land uses; and fulfills remaining land use needs.

The proposed plat meets the intent of this standard.

- (G) Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile and meet the housing needs identified in the Housing Element. This shall be accomplished through the implementation of policies under Objective B-2 of the Housing Element.

This Objective is not applicable as the associated Policies are specifically identify land west of Interstate 95, new adult oriented communities, new housing developments, and foster care home. The proposed lots are located in an established neighborhood and will provide two additional housing opportunities for residents.

- (H) The City shall consider the effect that the proposal will have on the stability of nearby neighborhoods. Factors such as noise, odors, dust, traffic volumes and circulation patterns shall be reviewed in terms of their potential to negatively impact the safety, habitability and stability of residential areas. If it is determined that a proposed development will result in a degradation of any neighborhood, the project shall be modified accordingly or denied.

The proposed plat meets the intent of this standard.

- (I) Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.

The proposed plat meets the intent of this standard.

- (J) Tot lots and recreational areas, serving children from toddler to teens, shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.

Not applicable.

- (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.

The Plat has been determined to be in compliance with the LDRs, and once the mylar copy is provided to the City with all appropriate signatures, the Final Plat certification can be scheduled for a City Commission meeting. When the building permits for the single-family residences are submitted, Lot 1 will be required to provide a front setback from North Swinton Avenue, which is classified as a City Collector, as opposed to NW 17th Street, which is classified as a Local Road. This determination is made by LDR Section 4.3.4(E)(3), which states that for corner lots, the side with frontage on a collector street shall be the front.

Optional Board Motions for Action Item

- A. Continue with direction.
- B. Move approval of the preliminary plat and recommend certification of the Final Plat to the City Commission for the **Bella Delray Plat**, by finding that the request is consistent with the Land Development Regulations and the Comprehensive Plan.
- C. Deny the preliminary plat and recommend denial of certification of the Final Plat to the City Commission for the **Bella Delray Plat**, by finding that the request is inconsistent with the Land Development Regulations and the Comprehensive Plan.

Public and Courtesy Notices

N/A Courtesy Notices are not applicable to this request

N/A Public Notices are not required for this request.

X Courtesy Notices were provided to the following, at least 5 working days prior to the meeting:

- Lake Ida Property Owners Association