

March 3, 2020

**Docs Place FLUM Amendment justification  
Based on Future Land Use Element , Policy A-1.7  
of the Comprehensive Plan**

The main **demonstrated need** rests on the current parcels that are considered “underutilized”. As defined in the Comprehensive Plan, an Underutilized parcel has a land value that exceeds the improvement value on the site by more than 50%. This methodology indicates when the potential redevelopment of the land is worth more than the value with current structure(s) on the site. The current 2019 Palm Beach County property appraiser's improvement value for the Dunkin Donuts property is \$175,660 with a land value of \$1,335,709. This far exceeds the 50% threshold and demonstrates how the land value has far outpaced the existing structure's ability to support the commercial viability along Atlantic Avenue. The adjacent parking lot east of Dunkin Donuts has an Improvement value of \$7,907 with a land value of \$667,814 further creating the void financial void along with the physical void of attractive infill buildings. Just for reference and not part of the FLUM amendment or rezoning request, The Docs establishment property has an improvement value of \$168,232 with the land value at \$770,609. The underutilization of the properties requesting the CC designation shows a **demonstrated need** to bring this section of Atlantic Avenue finally into the vision the Delray Beach residents expressed in their Master Plan charrete conducted in April of 2001. The underutilization is due to the increased property values since the current building occupied by Dinkin Donuts was built in 1980 has 1,329 sf with the majority of the site a surface asphalt parking lot with numerous curb cuts along Atlantic Ave. The vision to create the master plan goals of Delray Beach along Atlantic Avenue can not be attained without a new owner paying for the property value and building a structure with enough feasibility to absorb the property cost. The change from HMU to CC will allow the improvements to be realized on the three parcels identified in this request. The redevelopment and vision for Atlantic Avenue on the northside of West Atlantic Avenue needs this change and will virtually assure the saving and restoring of Docs on the corner, which supports the current objective of the HMU land use designation.

The proposed request does not include Docs and needs to absorb the statistical underutilization of this parcel into the improvements planned for the other two parcels related to this request. This requested designation change would be **consistent** with the goals, objectives and policies of the most recently adopted Comprehensive Plan. The Comprehensive plan lists the Commercial Core as a District. The District is the zoning district that mainly implements the Commercial Core land use. The Central Business District has four sub-districts that are customized to respond to differing characteristics within the downtown area: Central Core, Beach, West Atlantic Neighborhood and the Railroad Corridor. These parcels are located in the West Atlantic Neighborhood area.

The requested change to Commercial Core (CC) Land Use would be **consistent** with the role it plays in the downtown as the Docs establishment will be preserved and the remainder of the street frontage will be infilled to continue the pedestrian experience towards the western commercial businesses along West Atlantic Avenue. This is supported by this definition contained in the Comprehensive Plan section of Neighborhoods, Districts and Corridors Element. The Commercial Core land use designation is applied to stimulate Delray Beach's vitality and economic growth while

simultaneously enhancing and preserving the cultural and historic downtown area. This designation change would be **compatible** with existing and future land uses of the surrounding area. This requested change would simulate not only the restoration of Docs, but upgrade the entire exterior character and landscaping on the NW corner of Swinton and Atlantic Avenues. This would make this block more **compatible** with Old School Square's park-like image.

The traffic analysis provided confirms that the development at the highest intensity possible under the requested designation can meet the adopted **concurrency** standards.

The proposed development under the requested designation for these parcels will be **compliant** with the provisions and requirements of the Land Development Regulations. The proposed development will also be **compliant** with the Delray Beach CBD Architectural Design Guidelines and the Delray Beach Master Plan.

The 2001 Delray Beach Master Plan was conducted and contracted with the Treasure Coast Regional Planning Council and compiled from the Summary of the Citizens Requests (charrette in April 2001). We have extracted all of the related goals (*bullet points in italics*) from the Delray Beach Master Plan to supplement our justification (**in bold**) along with our explanation of the manner in which the proposed project would adhere to those desires.

- *Accomplish a general sense of unity:* This was the citizens' most important request. Walking or driving along the Avenue should reflect continuity. The character of the Avenue does not have to be the same throughout its entire length, but it all has to be physically seamless.

**The removal of multiple surface parking lots along West Atlantic Ave between Swinton and NW 1st Avenue and replacement with the proposed continuous retail will create the desired continuity along the Avenue if walking or driving. The mixed use building will be a seamless and inviting improvement along with the preservation and restoration of Docs.**

- *Build mixed-use buildings along the Avenue with parking in rear:* Commercial uses along the majority of West Atlantic Avenue should be limited to 300' North and South of Atlantic Avenue.

**The project is a proposed mixed-use retail along the Avenue with office above with parking, not only behind, but located inside the structure.**

- *Encourage development without displacement at an appropriate scale:* Encourage development fronting along the Avenue, with three stories as ideal height and four stories being the maximum desired height.

**The project is proposed as the ideal three height of the proposed mixed use building with a style and scale appropriate along the east and west corridor of Atlantic Avenue.**

- *Infill along the Tennis Center:* Improve the character of the street and create an uninterrupted pedestrian transition between the East and the West.

**The project would provide a much needed link between the East and West downtown. It would encourage less traffic into the core of downtown and attract more pedestrians westward across Swinton Avenue.**

- *Erase the "dividing line" created by Swinton Avenue:* Swinton Avenue can be reconfigured to make pedestrian and vehicular crossings easier, eliminating the physical barrier between the East and the West.

**The project would still allow and possibly stimulate the reconfiguration of the Swinton and Atlantic intersection to reverse the physical and visual barrier to cross Swinton Avenue.**

- Large parking lots are not pedestrian oriented. Pedestrians are constantly "sharing" the car's environment. They are unsafe. Pedestrians generally find themselves avoiding cars that are pulling into or backing out of spaces. Another important fact—if a pedestrian walks by his car when walking from point A to point B within the city, chances are high that he'll drive rather than walk, generating unnecessary short trips.

**The project proposes to infill the surface parking lots and subsequently removes the multiple curb cuts that contribute to the danger of pedestrians walking between the intersections.**

- Parking lots in front of buildings duplicating the suburban strip shopping center model should be avoided. Parking lots along the Avenue should be infilled with liner buildings.

**The project again lines the Atlantic Ave with retail and will create more attraction to the NW corner location of Docs and further westward.**

This is essentially an infill project along West Atlantic Avenue by replacing surface parking lots with continuous retail and pedestrian arcades with structured parking behind.

The project will promote connectedness, recruit quality businesses, minimizes displacement ( saves Docs) as noted on page 90. The proposed zoning for the specified lots from OSSHAD to CBD would create the opportunity for a future project to be consistent and compatible with the goals and objectives of the City of Delray Beach.

Respectfully yours,



John W. Szerdi  
President, FL AR#7991