

RESOLUTION NO. 179-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE REQUEST PURSUANT TO SECTION 4.4.6(H)(6) OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING A DENSITY BONUS IN EXCHANGE FOR WORKFORCE HOUSING FOR THE PROJECT KNOWN AS “FREDERICK ISLES” LOCATED AT 2621 FREDERICK BOULEVARD, AS MORE PARTICULARLY DESCRIBED, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach, Florida (“the City”) received a Conditional Use application (2020-243-USE) associated with the property located at 2621 Frederick Boulevard (“the Property”), as more particularly described in Exhibit "A", from Frederick Isles, LLC (“Applicant/Property Owner”) for a density bonus in exchange for the provision of workforce housing; and

WHEREAS, the Property is located in the Medium Density Residential (RM) District and Infill Workforce Housing Area; and

WHEREAS, the Section 4.4.6 of the City of Delray Beach Land Development Regulations (“the LDR”) allows for a maximum of 12 units per acre; and

WHEREAS, Section 4.4.6(H)(6) of the LDRs, allows for density bonuses above 12 units per acre as a conditional use for eligible properties located in the Infill Workforce Housing Area and,

WHEREAS, the Section 4.7.4 of the LDRs specifically allows two bonus units for each workforce unit restricted to moderate income households; and

WHEREAS, the Applicant proposes to provide one designated workforce housing unit restricted to moderate income households to obtain two bonus units; and

WHEREAS, the density of the Property with two bonus units will be 16 units per acre; and

WHEREAS, the Conditional Use application was considered by the Planning and Zoning Board at a public hearing on October 19, 2020, and the Board voted 6 to 1 to recommend approval; and

WHEREAS, Section 2.4.5(E) of the LDRs, which governs the findings necessary to establish a conditional use, requires the approving body to make a finding that the granting of a condition 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; and

WHEREAS, the requested Conditional Use in LDR Section 4.4.6(H) to obtain a density bonus by providing workforce housing was presented to the City Commission at a quasi-judicial hearing conducted on December 1, 2020; and

WHEREAS, the City Commission considered the Conditional Use request to increase density by providing two bonus units for one workforce housing unit restricted to moderate income households for the proposed "Frederick Isles" townhome project as well as the respective findings as set forth in the Land Development Regulations.

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

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

Section 2. The City Commission makes positive findings that the requested conditional use (1) will not have a significantly detrimental effect upon the stability of the neighborhood within which it will be located and (2) will not hinder development or redevelopment of nearby properties.

Section 3. The City Commission approves the Conditional Use request and authorizes two bonus units for one workforce housing unit restricted to moderate income households for the proposed "Frederick Isles" townhome project.

Section 4. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Shelly Petrolia, Mayor

ATTEST:

\_\_\_\_\_  
Katerri Johnson, City Clerk

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Lynn Gelin, City Attorney

**EXHIBIT "A"**  
**FREDERICK ISLES TOWNHOMES LEGAL DESCRIPTION**

LOTS 20, 21, 22, 23, 24 AND 25, BLOCK 35, DEL-RATON PARK, ACCORDING TO THE MAP OR PLAT THEROF AS RECORDED IN PLAT BOOK 14, PAGE 9 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY.