

September 28, 2020

**VIA HAND-DELIVERY & E-MAIL**

Anthea Gianniotas  
Development Services Director  
City of Delray Beach  
100 NW 1st Ave  
Delray Beach, FL 33444  
[gianniotasa@mydelraybeach.com](mailto:gianniotasa@mydelraybeach.com)

**Re: Project Name – The Linton**  
**Property Address – 510 West Linton Boulevard 100, Delray Beach, FL 33483**  
**Property Owner – NCC Rosebud Two, LLC (“Applicant” or “Owner”)**  
**PZB Conditional Use (Density) Application Narrative**

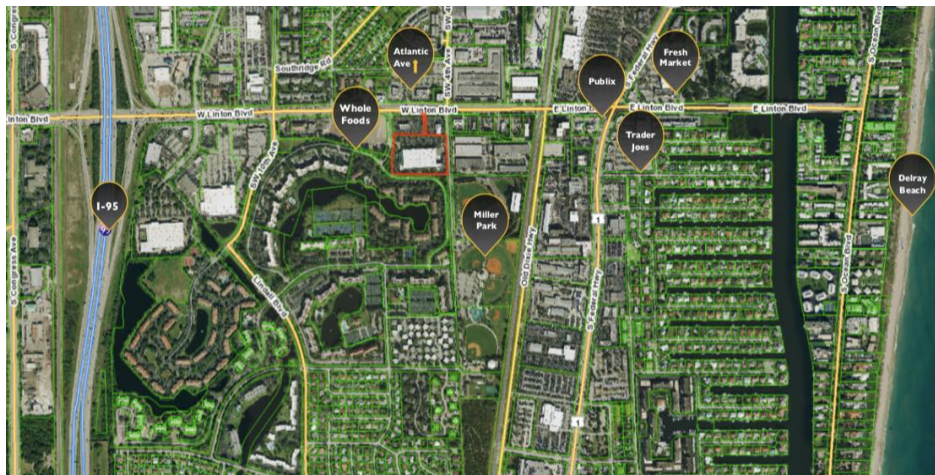
Dear Ms. Gianniotas:

The proposed redevelopment is of an existing underutilized shopping center into a multi-family residential project (hereafter “The Linton” or “Project”) located at the southwest corner of Linton Boulevard and SW 4<sup>th</sup> Avenue (hereafter the “Property”). The proposed redevelopment will replace an existing 78,399 square-foot general commercial building with a 277-unit multi-family building with a fully contained and screened parking garage.

The gross square footage of the Property is 403,640 square feet (9.2663 acres). The total number of units is proposed at 277 units (29.89 units/acre). Pursuant to LDR Section 4.7.5(d), “[i]n the Linton Commons Overlay District, the maximum density allowed is 30 units per acre as a Conditional Use.” Accordingly, the Applicant is seeking a conditional use approval for the increased density.

**I. ENTITLEMENT BACKGROUND, PROPERTY & PROJECT DESCRIPTION**

The Project is proposed to be located at 510 W Linton Boulevard 100, Delray Beach, Florida 33483 (Parcel No. 12-43-46-29-51-001-0000; hereafter “Parcel A”). *See highlighted aerial below outlining Parcel A.*



Parcel A is part of the New Century Commons Plat (Plat Book 65, Page 21)(the “Plat”), which is made up of three parcels – Parcel A, Parcel B and Parcel C (collectively “the Parcels”). The Parcels totaling 9.3480 acres (407,199 square feet) are currently developed as a shopping center, consisting of a 7,420 square-foot general

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commercial multi-bay building outparcel (Parcel B), a 3,339.70 square-foot bank outparcel (Parcel C), and a 78,399 square-foot general commercial three-bay anchor building (Parcel A).

Parcel A is the most southern parcel of the Plat and has residential to the south of it with Parcel B and Parcel C to the north of it. Current tenants of Parcel A are PetSmart and Guitar Center. Sports Authority and Orchard were previous anchor tenants in the third bay, but both retailers have since gone bankrupt and vacated this primary anchor bay. While the Applicant has been marketing the space since Orchard's bankruptcy, we have been unable to secure not only a long-term tenant for the entire space, but also a Comparable Tenant as defined by both PetSmart and Guitar Center's leases. Most recently, World of Décor licensed this third retail bay through a month-to-month below market license, but during COVID-19 and the government shutdowns, this tenant has since vacated. To date, the bay remains vacant despite our best efforts to lease it out. As noted in multiple news sources and industry publications, big box retail has been struggling for some time – simply unable to compete with Amazon and online pricing. And with COVID-19 government closures, retail has taken an even harder hit and as we are seeing from the multiple bankruptcies, many retailers will not come back.

Parcel B, located at 520 W Linton Boulevard 101, Delray Beach, Florida 33483 (Parcel No. 12-43-46-29-51-002-0000; hereafter the "Parcel B"), fronts Linton Boulevard on the northwest corner of the Plat. The existing use is commercial (retail and restaurant) and current tenants are Cream, AT&T, & Chipotle. Each of these tenants requested rent relief at the on-set of the COVID-19 government closures. With some minor common area landscaping and circulation improvements, this commercial outparcel will remain once the Project is built as part of an overall mixed-use development to compliment the proposed residential.

Parcel C is located at 500 W Linton Boulevard, Delray Beach, Florida 33483 (Parcel No. 12-43-46-29-51-003-0000; hereafter the "Parcel B") and fronts Linton Boulevard on the northeast corner of the Plat. The existing use is commercial and the current tenant is PNC Bank. This commercial outparcel will remain once the Project is built as part of an overall mixed-use development to compliment the proposed residential.

The Property has a land use designation of General Commercial and is zoned Planned Commercial (PC). In terms of the zoning of this area, to the north is General Commercial (GC) and Professional Office District (POD); to the south is Special Activities District (SAD); to the east is GC and Industrial (I); and to the west is PC.

The Property is centrally located. It is roughly a mile from the beach, three-quarters of a mile to I-95 and half-a-mile to U.S. 1. It is a 5-minute car drive to Atlantic Avenue/Delray's Downtown Core. It is directly adjacent to Whole Foods and a plethora of neighborhood retail stores, restaurants and personal services. Less than half of a mile east of the Property is Trader Joe's, Publix, Fresh Market, neighborhood retail, personal services and fitness options. To the southeast, is a 32-acre park and a 11.64 conservation area. Several hospitals, as well as FAU and Lynn University, are within a six to seven-mile drive of the Property. The Tri-Rail Station is roughly two miles from the Property and the planned Boca Raton Brightline Station is 4.7 miles from the Property. There are multiple PalmTran stops within walking/biking distance of the Property and a Park & Ride Stop at the nearby Tr-Rail Station.

The Property (all three parcels) originally contained a 187,218 square foot building constructed in 1990 for Costco. In 2007, a Class IV Site Plan Modification was approved for partial demolition of the old Costco building and conversion of roughly 72,500 square feet for multi-tenant retail use along with the two outparcel buildings. The most recent Site Plan Modification, in March 2017, was a Class IV for Orchard Supply Hardware (2017-066), which approved an addition to the structure on Parcel A, along with parking lot and landscaping modifications to the overall Property. Again, the existing multi-parcel development consists of the 7,420 square-

foot three-bay building front outparcel, the roughly 3,340 square-foot bank outparcel, and the 78,399 square-foot multi-bay anchor tenants building in the rear.

The gross square footage of the Property is 403,640 square feet (9.2663 acres). **The total number of units is proposed at 277 units (29.89 units/acre).** Pursuant to LDR Section 4.7.5(d), “[i]n the Linton Commons Overlay District, the maximum density allowed is 30 units per acre as a Conditional Use.” Accordingly, the Applicant is seeking a conditional use approval for the increased density.

Based on a market study we commissioned on housing in Delray, the Project will have a mix of unit sizes. Specifically, studios, one bedrooms, two bedrooms and three bedrooms. The units will range in size from 575 square feet to 1275 square feet. **Consistent with all applicable LDR sections, the Applicant shall provide workforce housing units, equal to at least 20% of the residential units. Such workforce housing units will be located within the development and will be a mix of unit types as well as a mix of units for very low, low and moderate income family levels.** The workforce housing units shall be noted on the updated site plan set for SPRAB review and prior to building permit issuance a Restrictive Covenant shall be recorded noting the workforce housing units.

## **II. CONDITIONAL USE**

The gross square footage of the Property is 403,640 square feet (9.2663 acres). **The total number of units is proposed at 277 units (29.89 units/acre).** Pursuant to LDR Section 4.7.5(d), “[i]n the Linton Commons Overlay District, the maximum density allowed is 30 units per acre as a Conditional Use.” Accordingly, the Applicant is seeking a conditional use approval for the increased density.

The City’s recently adopted 2020 Comprehensive Plan includes much of data which identifies Delray’s significant housing shortage and mixed-income housing needs. In fact, the 2020 Comp Plan provides the most compelling support for the desired bonus density and the proposed redevelopment.

“The ultimate goal is to provide housing in Delray Beach through complete, stable and attractive neighborhoods that contain quality, affordable, and accessible housing choices that serve all income levels and age groups and that preserve and reinforce livability, character and the special sense of place of Delray Beach.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 1.* “A wide range of high-quality housing is one of the most integral components for any City to thrive.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 1.* “[P]roviding quality affordable housing opportunities for existing and new residents at all income levels will be of primary importance for the City of Delray Beach in fulfilling its goals regarding community and quality of life.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 28.*

The increase of non-traditional family, married couples without children, and single person households’ signals “increasing demand for housing other than single-family detached units.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 4.* “Similar to the national trend, the average number of persons per household in Delray has declined...a decline average household size creates a greater demand for additional housing units than a larger household size, as more units are needed to absorb population growth.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 5.*

“Delray Beach is 98% developed with few remaining large parcels available for residential development.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 26.* “[A]n estimated 5,471 additional housing units will be needed to accommodate the anticipated population growth.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 26.* “Potential options to expand the housing supply include redevelopment of

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underutilized parcels where the potential to obtain higher densities exists.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 26.* “Higher density developments will be most beneficial to its residents and the City when located near job centers, commuter rail service, and existing and planned transit corridors.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 27.*

“By offering incentives...Delray Beach can encourage superior projects that deliver numerous community benefits. These benefits can include affordable housing, great design that beautifies our City and creates lively public places...” *Always Delray 2020 Comprehensive Plan, Housing Element, page 27.* “Density bonuses, expedited processing, fee waivers, and parking reductions are the most common [incentives] to meet affordable housing requirements provided by the private sector.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 30.*

Some Comprehensive Plan Housing Policies are laid out below that are applicable to the Project.

- Encourage walking, bicycling and transit use to benefit people of all ages, as a means to encourage social interaction and provide a sense of place in new developments and neighborhood improvements. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 1.1.4.*
- Provide opportunities for residential development to accommodate the housing needs of existing and future residents. *Always Delray 2020 Comprehensive Plan, Housing Element, Objective HOU 3.1.*
- Create and update an inventory of land suitable for residential development, including vacant land and underutilized land suitable for infill/redevelopment opportunities, every two years. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 3.1.7.*
- Expand the housing supply by allowing different unit types in a variety of locations. *Always Delray 2020 Comprehensive Plan, Housing Element, Objective HOU 3.2.*
- Allow a variety of housing types to reflect the needs of all household types, including...rental...opportunities.” *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 3.2.1.*
- Support innovative use of higher density in detached and attached housing which maintains usable open space, while providing larger living spaces. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 4.1.7.*
- Promote healthy, safe, and environmentally sustainable housing that is adaptable to changing conditions and diverse households. *Always Delray 2020 Comprehensive Plan, Housing Element, Objective HOU 4.2.*
- Encourage housing that supports sustainable development patterns by promoting the efficient uses of land, conservation of natural resources, easy access to public transit or other efficient modes of transportation, access to services and parks, efficient design and construction practices and the use of renewable energy resources. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 4.2.6.*
- Continue to require new development to include open space and recreational amenities that promotes and encourages healthy living. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 4.2.9.*
- Encourage residents and property owners to plant and maintain trees on their own property to increase air quality. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 4.2.10.*
- Support housing options which ensure equitable access and elimination of disparities for all residents and household types. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 5.1.*
- Encourage construction of mixed-income housing developments to avoid a concentration of affordable units in one development or neighborhood and provide a full range of residential unit types and prices. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 5.1.1.*
- Expand and diversify Delray Beach’s housing stock. *Always Delray 2020 Comprehensive Plan, Housing*

*Element, Policy HOU 6.1.*

- Promote mixed-income development in areas with access to amenities including parks, recreational and cultural facilities, transit services, employment centers and healthcare centers. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.1.3.*
- Implement incentives in the LDRs, such as increases in density, to establish workforce housing units within targeted areas. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.1.4.*
- Provide very-low, low, moderate, and high moderate income level housing opportunities through-out Delray Beach. *Always Delray 2020 Comprehensive Plan, Housing Element, Objective HOU 6.2.*
- Analyze and amend Workforce Housing regulations in the Land Development Regulations to implement the adopted comprehensive housing strategy. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.2.3.*
- Analyze areas targeted for workforce housing to determine opportunities for expansion and identify new areas which should be included. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.2.4.*
- Utilize incentives outlined in the workforce housing ordinance to develop additional workforce housing units. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.2.5.*
- Encourage a shared responsibility for the private sector to address workforce housing needs by offering incentives. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.4.10.*

In the Comprehensive Plan's Housing Element's list of goals and recommendations to address Delray's housing shortage, the below items are applicable to the proposed Project.

- Maintain adequate sites for affordable housing to all residents by continuing and expanding the Workforce Housing Program and affordable housing initiatives.
- Continue to promote mixed use and mixed income development.
- Focus long-term development on the redevelopment of underutilized properties and provide support through...changes to the City's Land Development Regulations.
- Promote higher density detached and attached housing with usable private yard space.
- Encourage development that focuses on wellness and facilitates aging in place to provide options for the 55+ population. *Always Delray 2020 Comprehensive Plan, Housing Element, page 35.*

In addition to the goals, objectives and policies of the Housing Element, the below also supports the Project's consistency with the 2020 Comprehensive Plan.

- Establish the maximum density, measured in dwelling units per gross acre, for residential land use and mixed-use designations. The Standard density is the range of density allowed in the land use designation. The Revitalization/Incentive density is the maximum density that may be offered in the Land Development Regulations to achieve a certain common benefit in a specific area as part of an incentive program, or to implement the recommendations of an adopted redevelopment or neighborhood plan. *Always Delray 2020 Comprehensive Plan, Neighborhoods, Districts and Corridors Element, Policy NDC 1.1.7.*
- Increase in percentage of tree canopy coverage. *Always Delray 2020 Comprehensive Plan, Conservation, Sustainability & Resiliency Element, Goal CSR 1 Performance Standards.*
- Improve neighborhood connectivity by connecting sidewalks and multi-use paths that lead to City parks and require new development and redevelopment to accommodate bicycle and pedestrian facilities and connections to existing development through the use of striped or buffered/marked bicycle lanes, cycle-tracks, parallel of-street paths and/or dedicated facilities. *Always Delray 2020 Comprehensive Plan, Conservation, Sustainability & Resiliency Element, Policy CSR 1.3.7.*

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- If providing more connections cannot be achieved, linking pedestrian and bicycle routes should be a priority. *Always Delray 2020 Comprehensive Plan, Mobility Element, page 13.*
- One of the objectives of the City has been to develop a multimodal transportation system. In Delray Beach, these modes include walking, bicycling, transit, and automobile. *Always Delray 2020 Comprehensive Plan, Mobility Element, MBL DIA page 17.*
- Delray Beach's residents include a higher share of the population that already uses alternatives to single occupant vehicles for commuting purposes than many surrounding communities. *Always Delray 2020 Comprehensive Plan, Mobility Element, MBL DIA page 17.*
- Delray Beach has a significant bicycling community that uses bicycles for community, shopping, and recreational purposes. *Always Delray 2020 Comprehensive Plan, Mobility Element, MBL DIA page 13.*
- An overarching goal of the updated Mobility Element is to provide mobility options for all users, not just motorists. It is therefore imperative that Delray Beach's Goals, Objectives and Policies provide direction and guidance to provide opportunities to reduce the necessity for automobile travel, by enhancing the options and built environment for bicyclists, pedestrians, and transit users. *Always Delray 2020 Comprehensive Plan, Mobility Element, MBL DIA page 13.*
- Promote biking and walking through the provisions of context-sensitive Complete Streets, when appropriate, and a connected system greenways and trails that encourages recreational physical activity and exposure to the environment. *Always Delray 2020 Comprehensive Plan, Healthy Community, Policy HCE 1.7.5.*
- Study existing neighborhoods to determine if residents can easily access commercial retailers to obtain daily necessities, and if public facilities such as schools, parks, and transit stops are less than a five-minute walk from residents. *Always Delray 2020 Comprehensive Plan Healthy Community, Policy HCE 19.3.*
- Improve street design to encourage reduced vehicular speeds to increase and promote the safety of pedestrians and cyclists. *Always Delray 2020 Comprehensive Plan Healthy Community, Policy HCE 1.9.5.*
- Transform existing streets to accommodate multiple modalities, such as walking, biking, and operating low speed vehicles (golf carts) by using techniques such as complete street design, where appropriate, traffic calming, and building and landscape position to increase the sense of spatial enclosure of the street, etc. *Always Delray 2020 Comprehensive Plan, Healthy Community, Policy HCE 1.9.7.*
- Reduce exposure to excess ultraviolet rays by providing shade along sidewalks and pedestrians pathways and on playgrounds, and educating residents on the importance of sunscreen, clothing, avoiding peak sunlight hours for outdoor activity, and the need for adequate exposure to sunlight in order to avoid Vitamin D deficiencies without other health risks. *Always Delray 2020 Comprehensive Plan, Healthy Community, Policy HCE 3.2.2*
- Accommodate pedestrian circulation mixed-use and commercial projects with sidewalks and internal pathways. *Always Delray 2020 Comprehensive Plan, Healthy Community, Policy HCE 3.3.7.*
- Continue to require that property be developed or redeveloped or accommodated, in a manner so that the use, intensity and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable good and service; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs. *Always Delray 2020 Comprehensive Plan, District, Neighborhoods, District, & Corridors, Policy NDC 1.1.14.*
- Apply mixed-use land use designations to foster development patterns that support pedestrian and bicycle activity, stimulate public transit ridership, and create a park-like environment. *Always Delray 2020 Comprehensive Plan, District, Neighborhoods, District, & Corridors, Policy NDC 1.3.1.*

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In the Comprehensive Plan's Healthy Community Element's list of performance measures, the below items are applicable to the proposed Project.

- Increasing the walkability and biking scores above 50%;
- Increasing the number of bike and golf cart spaces provided throughout Delray Beach;
- Increasing the number of green and healthy buildings;
- Reducing the number of substandard homes; and
- Increasing the tree canopy within Delray Beach. *Always Delray 2020 Comprehensive Plan, Healthy Community.*

In addition to the 2020 Comprehensive Plan supporting approval of the Project and requested Text Amendments, the City had two studies done that also support the approval of the Project and requested Text Amendments. In 2016, the City had a Housing Study prepared by Metrostudy and in 2019, the City had a Competitive Assessment Study prepared by FIU. Both studies provide data and recommendations in support of these requested LDR Text Amendments. Some key excerpts are below.

"As Delray Beach has become more popular, one of its biggest challenges has been new housing. Traditional large-scale residential development opportunities are extremely limited in Delray Beach, as most of the areas are significantly built out and future growth is geographically limited by city boundaries to the north, west, and south, plus the Atlantic Ocean to the east." *City of Delray Beach Housing Assessment Study, dated July 20, 2016, by Metrostudy, page 130.*

"The popularity and lack of housing opportunities has driven up land costs, and therefore housing prices, particularly closer to downtown and the ocean, causing a greater disparity in income and housing values among zip codes and/or census blocks." *City of Delray Beach Housing Assessment Study, dated July 20, 2016, by Metrostudy, page 130.*

"Long-term future development in Delray Beach will have to focus on redevelopment of existing underused properties such as church properties, golf courses, nurseries, shopping centers, and commercial spaces." *City of Delray Beach Housing Assessment Study, dated July 20, 2016, by Metrostudy, page 130.* "Residential growth in Delray will have to come mostly from redevelopment of existing uses." *City of Delray Beach Housing Assessment Study, dated July 20, 2016, by Metrostudy, page 16.*

The Longitudinal Employer-Household Dynamics (LEHD) indicates a significant mismatch between the jobs located within the City, and where employed residents actually work. Only 15% of employed residents actually work within the City. *City of Delray Beach Competitive Assessment and Cluster Strategies Study, dated March 2019, by Kevin T. Greiner, MUP/JD (The Florida International University Metropolitan Center), page 31.* "[C]ontinuing this pattern, without a significant change in working locations, cannot be sustained, risks exacerbating Delray's traffic congestion issues or negatively affecting its quality of life." *City of Delray Beach Competitive Assessment and Cluster Strategies Study, dated March 2019, by Kevin T. Greiner, MUP/JD (The Florida International University Metropolitan Center), page 31.*

"Like Palm Beach County, the largest numerical increase comes from the 55+ age group, with over 2,000 expected in the next 5 years. The 18-34 age group also shows good growth, with over 500, but the 35-54 age group (usually defined as the prime home-buying years) is projected to lose 425 people." *City of Delray Beach Housing Assessment Study, dated July 20, 2016, by Metrostudy, page 16.* "Based on the demographic growth and current/future housing supply, the demand for housing in Delray Beach will exceed the supply over the next 5 years. Extremely strong growth in the highest income brackets will continue to push demand for higher-end

housing, raising land prices and house prices.” *City of Delray Beach Housing Assessment Study, dated July 20, 2016, by Metrostudy, page 131.*

Rapidly rising housing prices and the almost non-existent new supply of housing units built in the City means that the City’s housing issues will continue to grow. “High housing prices can be one of the most significant challenges to economic growth, hurting poor families, young workers, and experienced seniors seeking to downsize. Rising housing costs may also be driving the City’s shrinking labor force participation.” *City of Delray Beach Competitive Assessment and Cluster Strategies Study, dated March 2019, by Kevin T. Greiner, MUP/JD (The Florida International University Metropolitan Center), page 55.* “The local housing market has major ramifications for the development of the City’s labor force, talent retention, and talent attraction.” *City of Delray Beach Competitive Assessment and Cluster Strategies Study, dated March 2019, by Kevin T. Greiner, MUP/JD (The Florida International University Metropolitan Center), page 33.* “The City can get ahead of this situation by aggressively pursuing an affordable housing program that delivers wider housing choice.” *City of Delray Beach Competitive Assessment and Cluster Strategies Study, dated March 2019, by Kevin T. Greiner, MUP/JD (The Florida International University Metropolitan Center), page 55.*

Both studies provide the City with a list of recommendations in order to deal with its housing shortage and mixed-income housing opportunities. Two excerpts are below.

Provide Zoning Incentives Such as Density Bonuses...to Developers of Affordable Housing. Density bonuses are a tool offered to developers that allows for increased floor space, taller buildings, or more housing units than the traditional zoning code permits, in exchange for including a certain number of affordable housing units. *City of Delray Beach Competitive Assessment and Cluster Strategies Study, dated March 2019, by Kevin T. Greiner, MUP/JD (The Florida International University Metropolitan Center), page 55.*

Zoning codes will have to allow more creative housing solutions. Rental housing will continue to play an important role for this buyer profile group as well. They may not be ready to buy right away, so new, safe, and quality rental housing will be in demand as well. Innovative redevelopment of underused properties will also be key. *City of Delray Beach Housing Assessment Study, dated July 20, 2016, by Metrostudy, page 131.*

Lastly, from a market study that we commissioned in January 2020, some additional data beyond what is detailed in the 2020 Comp Plan, the 2019 FIU Study and the 2016 Metrostudy, also supports this Project and the requested Text Amendments. 45% of the City are renters. There is a 95% overall occupancy average of the City’s existing apartment buildings, with most hovering around 97%. **As stated in the City’s Comp Plan and studies and as shown by this recent 2020 market study, there is a significant lack of housing to meet the City’s current and growing housing needs, particularly at this location.**

The Property has a land use designation of General Commercial and is zoned Planned Commercial (PC). In terms of the zoning and uses of this area, to the north is General Commercial (GC) and Professional Office District (POD); a one-story shopping center with quick-serve restaurants and a dentist and Women’s Cancer Center respectfully. To the south is Special Activities District (SAD); Laver’s North (multi-family residential condominiums). To the east is GC and Industrial (I); Shell Gas Station and Delray Industrial Park. And, to the west is PC – the recently built Whole Foods shopping center with neighborhood retail and restaurants.



The Property is centrally located and residential would be a perfect use for the currently underutilized Property. It is roughly a mile from the beach, three-quarters of a mile to I-95 and half-a-mile to U.S. 1. It is a 5-minute car drive to Atlantic Avenue/Delray's Downtown Core. It is directly adjacent to Whole Foods and a plethora of neighborhood retail stores, restaurants and personal services. Less than half of a mile east of the Property is Trader Joe's, Publix, Fresh Market, neighborhood retail, personal services and fitness options. To the southeast, is a 32-acre park and a 11.64 conservation area. Several hospitals, as well as FAU and Lynn University, are within a six to seven-mile drive of the Property. The Tri-Rail Station is roughly two miles from the Property and the planned Boca Raton Brightline Station is 4.7 miles from the Property. There are multiple PalmTran stops within walking/biking distance of the Property and a Park & Ride Stop at the nearby Tr-Rail Station.

Within walking/biking distance are four grocers already and multiple big retail shopping centers starting with Home Depot's plaza, Target's, and the newly built Whole Foods to the West and Public, Trader Joe's and Fresh Market to the east. Simply put the area is saturated with retail and restaurants, which has much higher traffic impacts than residential. There have been no new multi-family residential developments in the area since the Franklin, which is located on Federal Highway and north of Linton. Most of the recent multi-family has been concentrated in the Downtown Core. This location is ideal because it decreases the traffic impacts to Linton, adds much needed density to overly saturated commercial area, and redevelops an underutilized site with a use that is specifically called for in the 2020 Comprehensive Plan.

In addition to the housing needs of the City and the Property's ideal location, the design of the Project was done in a focused manner not only looking at the LDRs and the underlying PC zoning district, but also the goals, policies and objectives laid out in the 2020 Comprehensive Plan. A significant effort was put into the overall design and how the proposed apartment building would complement and tie into the overall Property (commercial parcels in the front) as well as the adjacent properties. From structure lay-out, to architecture, to multimodal design decisions, to amenities, to landscaping/tree canopy, to pedestrian connectivity – each design decision was made to support and an intended 2020 Comprehensive Plan Goal, Policy and/or Objective. These design details are described more fully above and in the SPRAB Class V application package, but for ease of review below is a sampling the Project's features that meet the Comp Plan's goals, policies and objectives.

- *Mixed-use and mixed-income high-density redevelopment of an underutilized site.*
- *20% of the 277 units are dedicated as workforce housing at three different income levels.*
- *Superior residential product with higher ceilings in residential units than standard and affordable workforce housing units.*
- *Setbacks ranging from 51'2" in the front to 90' in the rear.*
- *Ample bicycle storage facilities for its residents and visitors (60 in a common area secure storage area at entrance, multiple bike racks through-out entire Property and individual storage units through-out residential building).*
- *Oversized linear green space lining all sides of the structure and a paved multi-modal promenade to the north totaling 45,000 square feet.*
- *The tree species and lay-out was designed in order to maximize shade to encourage the residents to walk or bike to Miller Park or to Whole Foods or to lunch at Chipotle or to PNC Bank. All of the pedestrian passageways and sidewalks are lined with canopy trees to provide adequate shading as well as natural wayfinding to enhance non-vehicular connectivity.*
- *Exceeds every single landscaping code requirement.*
- *60,000 square foot third-level Amenity Deck designed to provide residents their own resort-level destination in order to meet their recreation and open space needs, and to support a healthy living lifestyle*
- *Increased tree canopy from 18% to just shy of 50%.*
- *Change of use decreases traffic and the multimodal design further encourages walking/biking to adjacent*

*uses for recreation, personal services, shopping and/or employment.*

- *The Property is centrally located and residential would be a perfect use for the currently underutilized Property.*
  - *1 mile from the beach, three-quarters of a mile to I-95 and half-a-mile to U.S. 1.*
  - *5-minute car drive to Atlantic Avenue/Delray's Downtown Core.*
  - *Directly adjacent to Whole Foods and a plethora of neighborhood retail stores, restaurants and personal services.*
  - *Less than half of a mile east of the Property is Trader Joe's, Publix, Fresh Market, neighborhood retail, personal services and fitness options.*
  - *To the southeast, is a 32-acre park and a 11.64 conservation area.*
  - *Several hospitals, as well as FAU and Lynn University, are within a six to seven-mile drive of the Property.*
  - *The Tri-Rail Station is roughly two miles from the Property and the planned Boca Raton Brightline Station is 4.7 miles from the Property.*
  - *There are multiple PalmTran stops within walking/biking distance of the Property and a Park & Ride Stop at the nearby Tr-Rail Station.*
- *Enhanced architectural design includes but is not limited to:*
  - *The Linton is designed in a Florida Vernacular style. The massing of the proposed structure is broken up first to appear as two separate 5-story buildings with a 2-story structure in between (the "separation" between the two residential buildings is 88'-4"). Each separate "structure" then has a symmetrical and repetitive pattern utilizing certain design elements to further break up the massing, provide articulation and define three distinct individual components. This coupled with the 51'2" front setback and tree lined entrance, significantly improves the aesthetics of the site and the streetview.*
  - *In addition to the banded flat roof, there are three different tower features to not only provide visual interest from Linton Boulevard, but also to be consistent with Florida Vernacular architecture. To further distinguish the building articulation and rhythmic pattern, certain building components have a metal roof accent. The metal is also consistent with this architectural style.*
  - *Consistent with the Florida Vernacular architecture, the Project includes design elements such as horizontal siding, projected balconies, brackets, trellises, articulated banding at flat roof line, crown moldings, awnings, decorative railings and Bahama shutters. Each of the ground floor units on all four sides of the building have porches. There are balconies and trellises throughout that not serve as decorative elements but also serve to break up the massing and further the building's rhythmic pattern.*
  - *The color palette is white on white to emphasize the detailing and massing of the buildings, which has steps and offsets for façade relief. The all white color palate serves as a visual contrast to the significant landscaping and greenery planned at the ground level and the upper level amenity deck as well as to provide a visible backdrop behind the commercial outparcels lining Linton Boulevard.*
  - *The parking is all provided in a completely hidden from view parking garage.*

In closing, the applicant is seeking conditional use approval for increased density to redevelop an underutilized property. In exchange for the desired entitlements, the Applicant is proposing to provide certain public benefits such as much needed additional housing supply, mixed-income housing, decreased traffic, superior architectural design, increased tree canopy and enhanced pedestrian/bicycle connectivity. **Simply put, this Project and the requested conditional use for bonus density is exactly what the 2020 Comp Plan calls for.**

“Potential options to expand the housing supply include redevelopment of underutilized parcels where the potential to obtain higher densities exists.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 26 (emphasis added).* “By offering incentives... Delray Beach can encourage superior projects that deliver numerous community benefits. These benefits can include affordable housing, great design that beautifies our City and creates lively public places...” *Always Delray 2020 Comprehensive Plan, Housing Element, page 27(emphasis added).* “Density bonuses, expedited processing, fee waivers, and parking reductions are the most common [incentives] to meet affordable housing requirements provided by the private sector.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 30(emphasis added).*

In addition to meeting the goals and objectives of the 2020 Comprehensive Plan, in order to obtain the bonus density, the Applicant must seek conditional use approval. Specifically, the Section 4.7.5(d) of the LDR’s provide:

**Developers of property in the Linton Commons Overlay District shall develop the properties to afford a minimum of 20 percent of the residential units as workforce housing units.**

- i. The 20 percent that are developed as workforce housing units must contain units that are affordable to very low, low or moderate income families.**

***Applicant Response:** Consistent with all applicable LDR sections, the Applicant shall provide workforce housing units, equal to at least 20% of the residential density. Such workforce housing units will be located within the development and will be a mix of unit types as well as an equal mix of units for very low, low and moderate income family levels. The workforce housing units shall be noted on the updated site plan set for SPRAB review and prior to building permit issuance a Restrictive Covenant shall be recorded noting the workforce housing units.*

- ii. In the Linton Commons Overlay District, the maximum density allowed is 30 units per acre as a Conditional Use. To obtain a density greater than six units per acre, not only must a minimum of 20 percent of the residential units be developed as workforce housing, but the performance standards of Section 4.4.6(I), shall also be substantially met.**

***Applicant Response:** The total square footage of the Property is 403,640 square feet (9.2663 acres). The total number of units is proposed at 277 units (29.89 units/acre). The Applicant is seeking a conditional use approval for the increased density.*

*The performance standards are as follows:*

***(a) The traffic circulation system is designed to control speed and reduce volumes on the interior and exterior street network. This can be accomplished through the use of traffic calming devices; street networks consisting of loops and short segments; multiple entrances and exits into the development; and similar measures that are intended to minimize through traffic and keep speeds within the development at or below 20 m.p.h.***

*In terms of traffic, the Applicant had a traffic study commissioned (“Traffic Study”), which it submitted to Palm Beach County for traffic concurrency review. The Traffic Study was completed in accordance with the requirements in the Traffic Performance Standards (TPS) adopted by Palm Beach County and trip generation rates from Palm Beach County were used to estimate the Project’s traffic impacts. The Traffic Study shows that the proposed redevelopment results in a trip reduction from the existing use.*

*Further, PBC's TPS has two tests to determine the impact of a proposed development. Test 1 is the project build-out test and intersection analysis. Test 2 addresses the total traffic anticipated at the end of five years. The Traffic Study showed that the Project satisfied Test 1 and Test 2 requirements in PBC's TPS. **PBC reviewed the Traffic Study and on June 23, 2020 issued a letter finding that "the proposed development meets the Traffic Performance Standards of Palm Beach County."** Both the Traffic Study and the County's letter is attached with this submittal package.*

*The Project will be located on Parcel A. However, there will be site changes to all three parcels with regards to the common areas. Specifically, the access drives off of SW 4th Avenue and Lavers Circle shift slightly to the south, which improves traffic circulation and access. All three parcels will have landscape changes including the entrance and entry drive off of Linton. Much of these landscaping changes was to increase the tree canopy (from 18% to 36% on the ground level alone) as well as to improve site circulation and pedestrian connectivity. The redesigned pedestrian pathways and sidewalks connect the residential building to not only the from commercial parcels but also to the adjacent uses in order to encourage residents to walk and bike to these nearby uses rather than drive.*

*The development proposes appropriate traffic calming measures such as striping and signage. There are 11 intersections/conflict points along the frontage of this project in the main drive aisle corridor (SW 4th Driveway, Lavers Driveway, 2 internal drives to Parcel B, 2 internal drives to Parcel C, 2 driveways to parking garage, ingress to pedestrian drop off, egress from pedestrian drop off, and main access road from Linton), all with stop conditions proposed in some form or fashion; along with parallel parking spaces which indicate to vehicles that this is an active pedestrian area thus naturally reducing speed.*

***(b) Buildings are placed throughout the development in a manner that reduces the overall massing and provides a feeling of open space.***

*The proposed residential structure will only occupy 37.4% of the Property and it has a FAR of 1.38. In terms of setbacks, the required front setback is 10' and the Project has a 51'2" front setback. The required side and rear setbacks are 10', and the Applicant is proposing 20' and 25' for the side and rear respectively. The third-story amenity deck directly adjacent to the residential to the south has setbacks ranging from 70-90'.*

*The massing of the proposed structure is broken up first to appear as two separate 5-story buildings with a 2-story structure in between (the "separation" between the two residential buildings is 88'-4"). Each separate "structure" then has a symmetrical and repetitive pattern utilizing certain design elements to further break up the massing, provide articulation and define three distinct individual components. In addition to the banded flat roof, there are three different tower features to not only provide visual interest from Linton Boulevard, but also to be consistent with Florida Vernacular architecture. To further distinguish the building articulation and rhythmic pattern, certain building components have a metal roof accent. The metal is also consistent with this architectural style.*

*Consistent with the Florida Vernacular architecture, the Project includes design elements such as horizontal siding, projected balconies, brackets, trellises, articulated banding at flat roof line, crown moldings, awnings, decorative railings and Bahama shutters. Each of the ground floor units on all four sides of the building have porches. There are balconies and trellises through-out that not serve as decorative elements but also serve to break up the massing and further the building's rhythmic pattern.*

*The color palette is white on white to emphasize the detailing and massing of the buildings, which has steps and offsets for façade relief. The all white color palate serves as a visual contrast to the significant landscaping and*

*greenery planned at the ground level and the upper level amenity deck as well as to provide a visible backdrop behind the commercial outparcels lining Linton Boulevard.*

*With regards to the 60,000 square foot third-level Amenity Deck, certain architectural elements and landscaping of this amenity deck was also focused on providing screening and aesthetic appeal to the residential neighbors to the rear (i.e., planters, tree placement, stepbacks, trellises, etc).*

***(c) Where immediately adjacent to residential zoning districts having a lower density, building setbacks and landscape materials along those adjacent property lines are increased beyond the required minimums in order to provide a meaningful buffer to those lower density areas. Building setbacks are increased by at least 25 percent of the required minimum; at least one tree per 30 linear feet (or fraction thereof) is provided; trees exceed the required height at time of planting by 25 percent or more; and a hedge, wall or fence is provided as a visual buffer between the properties.***

*In terms of the zoning of this area, to the north is General Commercial (GC) and Professional Office District (POD); to the south is Special Activities District (SAD); to the east is GC and Industrial (I); and to the west is PC.*

*The Project is basically surrounded by commercial or industrial uses. The only residential use is to the South, which was approved as a SAD. Currently operating as The Atlantic at East Delray, this apartment community was built in 1996, as a 3-story, 228-unit apartment complex.*

*A significant effort was put into the overall design and how the proposed apartment building would compliment and tie into the overall Property (commercial parcels in the front) as well as the adjacent properties. From structure lay-out, to architecture, to multi-modal design decisions, to amenities, to landscaping and pedestrian connectivity – each design decision was made to support and intended Comprehensive Plan Goal and/or to meet and/or exceed the LDRs.*

*In terms of setbacks, the required front setback is 10' and the Project has a 51'2" front setback. The required side and rear setbacks are 10' and the Applicant is proposing 20' and 25' for the side and rear setbacks respectively. The third-story amenity deck directly adjacent to the residential to the south has setbacks ranging from 70-90'.*

*The ground level tree canopy of The Linton covers roughly 146,900 square feet – almost 40% of the Property. On the 60,000 square foot Amenity Deck, the planting beds were intentionally left small to maximize the walkable footprint, but the addition of the trees species and sizes in oversized pots and in the perimeter planting provides 41,400 square feet of shade coverage that will reduce urban heat island roof effect and create a comfortable outdoor atmosphere for the residents and guests. The lay-out of the trees on the Amenity Deck also provides a floating forest view for the neighboring properties (while also mitigating noise impacts). When you add in the lush amenity deck, the overall site (ground plus amenity) will have a tree canopy of just under 50%.*

***(d) The development offers a varied streetscape and building design. For example, setbacks are staggered and offset, with varying roof heights (for multi-family buildings, the planes of the facades are offset to add interest and distinguish individual units). Building elevations incorporate diversity in window and door shapes and locations; features such as balconies, arches, porches, courtyards; and design elements such as shutters, window mullions, quoins, decorative tiles, etc.***

*The massing of the proposed structure is broken up first to appear as two separate 5-story buildings with a 2-story structure in between (the “separation” between the two residential buildings is 88'-4”). Each separate*

*“structure” then has a symmetrical and repetitive pattern utilizing certain design elements to further break up the massing, provide articulation and define three distinct individual components.*

*In terms of setbacks, the required front setback is 10’ and the Project has a 51’2” front setback. The required side and rear setbacks are 10’, and the Applicant is proposing 20’ and 25’ for the side and rear respectively. The third-story amenity deck directly adjacent to the residential to the south has setbacks ranging from 70-90’.*

*In addition to the banded flat roof, there are three different tower features to not only provide visual interest from Linton Boulevard, but also to be consistent with Florida Vernacular architecture. To further distinguish the building articulation and rhythmic pattern, certain building components have a metal roof accent. The metal is also consistent with this architectural style.*

*Windows and sliding glass doors are again designed and laid-out in a symmetrical and repetitive pattern. Significant glazing at the main entry and single light windows and sliding glass doors will allow for maximum daylight to enter the dwelling units while at the same time complimenting the contemporary interiors planned for this multi-family Project.*

*Consistent with the Florida Vernacular architecture, the Project includes design elements such as horizontal siding, projected balconies, brackets, trellises, articulated banding at flat roof line, crown moldings, awnings, decorative railings and Bahama shutters. Each of the ground floor units on all four sides of the building have porches. There are balconies and trellises through-out that not serve as decorative elements but also serve to break up the massing and further the building’s rhythmic pattern.*

*The color palette is white on white to emphasize the detailing and massing of the buildings, which has steps and offsets for façade relief. The all white color palate serves as a visual contrast to the significant landscaping and greenery planned at the ground level and the upper level amenity deck as well as to provide a visible backdrop behind the commercial outparcels lining Linton Boulevard.*

***(e) A number of different unit types, sizes and floor plans are available within the development in order to accommodate households of various ages and sizes. Multi-family housing will at a minimum have a mix of one, two and three bedroom units with varying floor plans. Single family housing (attached and detached) will at a minimum offer a mix of three and four bedroom units with varying floor plans.***

*Based on a market study we commissioned on housing in Delray, the Project will have a mix of unit sizes. Specifically, studios, one bedrooms, two bedrooms and three bedrooms. The units will range in size from 575 square feet to 1275 square feet. Sample floorplans of each unit type were included in the Class V Site Plan application package. **The Applicant is providing workforce housing units, equal to at least 20% of the bonus density. Such workforce housing units will be located within the development and will be a mix of unit types as well as a mix of units for very low, low and moderate income family levels.** The workforce housing units shall be noted on the site plan set for SPRAB review and prior to building permit issuance a Restrictive Covenant shall be recorded noting the workforce housing units.*

***(f) The development is designed to preserve and enhance existing natural areas and/or water bodies. Where no such areas exist, new areas which provide open space and native habitat are created and incorporated into the project.***

*The existing site has a tree canopy of only 18%. The Applicant is proposing a tree canopy for the ground level of 36%. When you add in the lush amenity deck, the overall site (ground plus amenity) will have **a tree canopy of just under 50%.***

*Additionally, the Applicant put much effort into pedestrian connectivity – not only to the commercial parcels in the front of the Property to reflect a mixed-use development, but also to the adjacent properties and uses to encourage multi-modal, non-vehicular behavior. The Project has an oversized linear green space lining all sides of the structure and a paved multi-modal promenade to the north. The width of the linear green spaces ranges from 25' to 65' at its widest feet and includes a 5' wide sidewalk, a Tot Lot, and a dog park (we also have pet spa in the interior adjacent to the dog park). **The total square footage of this linear green space is 45,000 square feet.***

*With regards to the 60,000 square foot third-level Amenity Deck, much focus was put into providing the residents their own resort-level destination in order to meet their recreation and open space needs, and support a healthy living lifestyle. Multiple outdoor seating and dining areas, multiple outdoor kitchen areas, multiple flex areas for working out or lounging or recreation both covered and uncovered, cabanas, a pool and spa, a 2,670 square foot clubhouse, and a 2,670 square foot state-of-the-art fitness studio with additional flex space in front of it for expanded outdoor work-out classes. Again, as shown in the landscape plans, much focus was given on the type of species and lay-out in order to maximize shading and outdoor use of this amenity deck. Lastly, certain architectural elements and landscaping of this amenity deck was also focused on providing screening to the residential neighbors to the rear (i.e., planters, tree placement, stepbacks, trellises, etc).*

***(g) The project provides a convenient and extensive bicycle/pedestrian network, and access to available transit.***

*Again, the Applicant put much effort into pedestrian connectivity – not only to the commercial parcels in the front of the Property to reflect a mixed-use development, but also to the adjacent properties and uses to encourage multi-modal, non-vehicular behavior. The Project has an oversized linear green space lining all sides of the structure and a paved multi-modal promenade to the north. The width of the linear green spaces ranges from 25' to 65' at its widest feet and includes a 5' wide sidewalk, a Tot Lot, and a dog park (we also have pet spa in the interior adjacent to the dog park). **The total square footage of this linear green space is 45,000 square feet.***

**iii. All sections of Article 4.7 apply to the Linton Commons Overlay District, except for Sections 4.7.4, 4.7.11 and 4.7.12.**

***Applicant Response:*** *The Applicant shall meet and/or exceed all applicable sections of Article 4.7.*

For Conditional Use applications, in addition to the provisions of Chapter 3 and Section 4.7.5(d), the City Commission must also make findings that establishing the Conditional Use will not:

- (a) Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located;
- (b) Hinder the redevelopment of nearby properties. *LDR Section 2.4.5(E)(5)*

***Applicant Response:*** *For the reasons set forth below, the proposed conditional use shall not have a detrimental effect on the stability of the neighborhood, but rather it shall improve it. It will also encourage the redevelopment of nearby properties primarily because it not only results in reduced traffic impact from the existing use, but also it improves the harmony and aesthetics of the area, and more importantly furthers the Goals, Objectives and Policies of the 2020 Comprehensive Plan.*

“The ultimate goal is to provide housing in Delray Beach through complete, stable and attractive neighborhoods that contain quality, affordable, and accessible housing choices that serve all income levels and age groups and that preserve and reinforce livability, character and the special sense of place of Delray Beach.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 1.* “A wide range of high-quality housing is

one of the most integral components for any City to thrive.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 1.* “[P]roviding quality affordable housing opportunities for existing and new residents at all income levels will be of primary importance for the City of Delray Beach in fulfilling its goals regarding community and quality of life.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 28.*

The increase of non-traditional family, married couples without children, and single person households’ signals “increasing demand for housing other than single-family detached units.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 4.* “Similar to the national trend, the average number of persons per household in Delray has declined...a decline average household size creates a greater demand for additional housing units than a larger household size, as more units are needed to absorb population growth.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 5.*

“Delray Beach is 98% developed with few remaining large parcels available for residential development.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 26.* “[A]n estimated 5,471 additional housing units will be needed to accommodate the anticipated population growth.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 26.* “Potential options to expand the housing supply include redevelopment of underutilized parcels where the potential to obtain higher densities exists.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 26.* “Higher density developments will be most beneficial to its residents and the City when located near job centers, commuter rail service, and existing and planned transit corridors.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 27.*

“By offering incentives...Delray Beach can encourage superior projects that deliver numerous community benefits. These benefits can include affordable housing, great design that beautifies our City and creates lively public places...” *Always Delray 2020 Comprehensive Plan, Housing Element, page 27.* “Density bonuses, expedited processing, fee waivers, and parking reductions are the most common [incentives] to meet affordable housing requirements provided by the private sector.” *Always Delray 2020 Comprehensive Plan, Housing Element, page 30.*

Some Comprehensive Plan Housing Policies are laid out below that are applicable to the Project.

- Encourage walking, bicycling and transit use to benefit people of all ages, as a means to encourage social interaction and provide a sense of place in new developments and neighborhood improvements. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 1.1.4.*
- Provide opportunities for residential development to accommodate the housing needs of existing and future residents. *Always Delray 2020 Comprehensive Plan, Housing Element, Objective HOU 3.1.*
- Create and update an inventory of land suitable for residential development, including vacant land and underutilized land suitable for infill/redevelopment opportunities, every two years. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 3.1.7.*
- Expand the housing supply by allowing different unit types in a variety of locations. *Always Delray 2020 Comprehensive Plan, Housing Element, Objective HOU 3.2.*
- Allow a variety of housing types to reflect the needs of all household types, including...rental...opportunities.” *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 3.2.1.*
- Support innovative use of higher density in detached and attached housing which maintains usable open space, while providing larger living spaces. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 4.1.7.*
- Promote healthy, safe, and environmentally sustainable housing that is adaptable to changing conditions and diverse households. *Always Delray 2020 Comprehensive Plan, Housing Element, Objective HOU*



4.2.

- Encourage housing that supports sustainable development patterns by promoting the efficient uses of land, conservation of natural resources, easy access to public transit or other efficient modes of transportation, access to services and parks, efficient design and construction practices and the use of renewable energy resources. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 4.2.6.*
- Continue to require new development to include open space and recreational amenities that promotes and encourages healthy living. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 4.2.9.*
- Encourage residents and property owners to plant and maintain trees on their own property to increase air quality. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 4.2.10.*
- Support housing options which ensure equitable access and elimination of disparities for all residents and household types. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 5.1.*
- Encourage construction of mixed-income housing developments to avoid a concentration of affordable units in one development or neighborhood and provide a full range of residential unit types and prices. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 5.1.1.*
- Expand and diversify Delray Beach's housing stock. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.1.*
- Promote mixed-income development in areas with access to amenities including parks, recreational and cultural facilities, transit services, employment centers and healthcare centers. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.1.3.*
- Implement incentives in the LDRs, such as increases in density, to establish workforce housing units within targeted areas. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.1.4.*
- Provide very-low, low, moderate, and high moderate income level housing opportunities through-out Delray Beach. *Always Delray 2020 Comprehensive Plan, Housing Element, Objective HOU 6.2.*
- Analyze and amend Workforce Housing regulations in the Land Development Regulations to implement the adopted comprehensive housing strategy. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.2.3.*
- Analyze areas targeted for workforce housing to determine opportunities for expansion and identify new areas which should be included. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.2.4.*
- Utilize incentives outlined in the workforce housing ordinance to develop additional workforce housing units. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.2.5.*
- Encourage a shared responsibility for the private sector to address workforce housing needs by offering incentives. *Always Delray 2020 Comprehensive Plan, Housing Element, Policy HOU 6.4.10.*

In the Comprehensive Plan's Housing Element's list of goals and recommendations to address Delray's housing shortage, the below items are applicable to the proposed Project.

- Maintain adequate sites for affordable housing to all residents by continuing and expanding the Workforce Housing Program and affordable housing initiatives.
- Continue to promote mixed use and mixed income development.
- Focus long-term development on the redevelopment of underutilized properties and provide support through...changes to the City's Land Development Regulations.
- Promote higher density detached and attached housing with usable private yard space.
- Encourage development that focuses on wellness and facilitates aging in place to provide options for the 55+ population. *Always Delray 2020 Comprehensive Plan, Housing Element, page 35.*

In addition to the goals, objectives and policies of the Housing Element, the below also supports the Project's consistency with the 2020 Comprehensive Plan.

- Establish the maximum density, measured in dwelling units per gross acre, for residential land use and mixed-use designations. The Standard density is the range of density allowed in the land use designation. The Revitalization/Incentive density is the maximum density that may be offered in the Land Development Regulations to achieve a certain common benefit in a specific area as part of an incentive program, or to implement the recommendations of an adopted redevelopment or neighborhood plan. *Always Delray 2020 Comprehensive Plan, Neighborhoods, Districts and Corridors Element, Policy NDC 1.1.7.*
- Increase in percentage of tree canopy coverage. *Always Delray 2020 Comprehensive Plan, Conservation, Sustainability & Resiliency Element, Goal CSR 1 Performance Standards.*
- Improve neighborhood connectivity by connecting sidewalks and multi-use paths that lead to City parks and require new development and redevelopment to accommodate bicycle and pedestrian facilities and connections to existing development through the use of striped or buffered/marked bicycle lanes, cycle-tracks, parallel of-street paths and/or dedicated facilities. *Always Delray 2020 Comprehensive Plan, Conservation, Sustainability & Resiliency Element, Policy CSR 1.3.7.*
- If providing more connections cannot be achieved, linking pedestrian and bicycle routes should be a priority. *Always Delray 2020 Comprehensive Plan, Mobility Element, page 13.*
- One of the objectives of the City has been to develop a multimodal transportation system. In Delray Beach, these modes include walking, bicycling, transit, and automobile. *Always Delray 2020 Comprehensive Plan, Mobility Element, MBL DIA page 17.*
- Delray Beach's residents include a higher share of the population that already uses alternatives to single occupant vehicles for commuting purposes than many surrounding communities. *Always Delray 2020 Comprehensive Plan, Mobility Element, MBL DIA page 17.*
- Delray Beach has a significant bicycling community that uses bicycles for community, shopping, and recreational purposes. *Always Delray 2020 Comprehensive Plan, Mobility Element, MBL DIA page 13.*
- An overarching goal of the updated Mobility Element is to provide mobility options for all users, not just motorists. It is therefore imperative that Delray Beach's Goals, Objectives and Policies provide direction and guidance to provide opportunities to reduce the necessity for automobile travel, by enhancing the options and built environment for bicyclists, pedestrians, and transit users. *Always Delray 2020 Comprehensive Plan, Mobility Element, MBL DIA page 13.*
- Promote biking and walking through the provisions of context-sensitive Complete Streets, when appropriate, and a connected system greenways and trails that encourages recreational physical activity and exposure to the environment. *Always Delray 2020 Comprehensive Plan, Healthy Community, Policy HCE 1.7.5.*
- Study existing neighborhoods to determine if residents can easily access commercial retailers to obtain daily necessities, and if public facilities such as schools, parks, and transit stops are less than a five-minute walk from residents. *Always Delray 2020 Comprehensive Plan Healthy Community, Policy HCE 19.3.*
- Improve street design to encourage reduced vehicular speeds to increase and promote the safety of pedestrians and cyclists. *Always Delray 2020 Comprehensive Plan Healthy Community, Policy HCE 1.9.5.*
- Transform existing streets to accommodate multiple modalities, such as walking, biking, and operating low speed vehicles (golf carts) by using techniques such as complete street design, where appropriate, traffic calming, and building and landscape position to increase the sense of spatial enclosure of the street, etc. *Always Delray 2020 Comprehensive Plan, Healthy Community, Policy HCE 1.9.7.*

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- Reduce exposure to excess ultraviolet rays by providing shade along sidewalks and pedestrians pathways and on playgrounds, and educating residents on the importance of sunscreen, clothing, avoiding peak sunlight hours for outdoor activity, and the need for adequate exposure to sunlight in order to avoid Vitamin D deficiencies without other health risks. *Always Delray 2020 Comprehensive Plan, Healthy Community, Policy HCE 3.2.2*
- Accommodate pedestrian circulation mixed-use and commercial projects with sidewalks and internal pathways. *Always Delray 2020 Comprehensive Plan, Healthy Community, Policy HCE 3.3.7.*
- Continue to require that property be developed or redeveloped or accommodated, in a manner so that the use, intensity and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable good and service; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs. *Always Delray 2020 Comprehensive Plan, District, Neighborhoods, District, & Corridors, Policy NDC 1.1.14.*
- Apply mixed-use land use designations to foster development patterns that support pedestrian and bicycle activity, stimulate public transit ridership, and create a park-like environment. *Always Delray 2020 Comprehensive Plan, District, Neighborhoods, District, & Corridors, Policy NDC 1.3.1.*

In the Comprehensive Plan's Healthy Community Element's list of performance measures, the below items are applicable to the proposed Project.

- Increasing the walkability and biking scores above 50%;
- Increasing the number of bike and golf cart spaces provided throughout Delray Beach;
- Increasing the number of green and healthy buildings;
- Reducing the number of substandard homes; and
- Increasing the tree canopy within Delray Beach. *Always Delray 2020 Comprehensive Plan, Healthy Community.*

The Property is centrally located and residential would be a perfect use for the currently underutilized Property. It is roughly a mile from the beach, three-quarters of a mile to I-95 and half-a-mile to U.S. 1. It is a 5-minute car drive to Atlantic Avenue/Delray's Downtown Core. It is directly adjacent to Whole Foods and a plethora of neighborhood retail stores, restaurants and personal services. Less than half of a mile east of the Property is Trader Joe's, Publix, Fresh Market, neighborhood retail, personal services and fitness options. To the southeast, is a 32-acre park and a 11.64 conservation area. Several hospitals, as well as FAU and Lynn University, are within a six to seven-mile drive of the Property. The Tri-Rail Station is roughly two miles from the Property and the planned Boca Raton Brightline Station is 4.7 miles from the Property. There are multiple PalmTran stops within walking/biking distance of the Property and a Park & Ride Stop at the nearby Tr-Rail Station.

Within walking/biking distance are four grocers already and multiple big retail shopping centers starting with Home Depot's plaza, Target's, and the newly built Whole Foods to the West and Public, Trader Joe's and Fresh Market to the east. Simply put the area is saturated with retail and restaurants, which has much higher traffic impacts than residential. There have been no new multi-family residential developments in the area since the Franklin, which is located on Federal Highway and north of Linton. Most of the recent multi-family has been concentrated in the Downtown Core. This location is ideal because it decreases the traffic impacts to Linton, adds much needed density to overly saturated commercial area, and redevelops an underutilized site with a use that is specifically called for in the 2020 Comprehensive Plan.

## **PZB Conditional Use (Density)**

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In addition to the housing needs of the City and the Property's ideal location, the design of the Project was done in a focused manner not only looking at the LDRs and the underlying PC zoning district, but also the Goals, Policies and Objectives laid out in the 2020 Comprehensive Plan. A significant effort was put into the overall design and how the proposed apartment building would complement and tie into the overall Property (commercial parcels in the front) as well as the adjacent properties. From structure lay-out, to architecture, to multimodal design decisions, to amenities, to landscaping/tree canopy, to pedestrian connectivity – each design decision was made to support and an intended 2020 Comprehensive Plan Goal, Policy and/or Objective. These design details are described more fully above and in the SPRAB Class V application package, but for ease of review below is a sampling the Project's features that meet the Comp Plan's goals, policies and objectives.

- *Mixed-use and mixed-income high-density redevelopment of an underutilized site.*
- *20% of the 277 units are dedicated as workforce housing at three different income levels.*
- *Superior residential product with higher ceilings in residential units than standard and affordable workforce housing units.*
- *Setbacks ranging from 51'2" in the front to 90' in the rear.*
- *Ample bicycle storage facilities for its residents and visitors (60 in a common area secure storage area at entrance, multiple bike racks through-out entire Property and individual storage units through-out residential building).*
- *Oversized linear green space lining all sides of the structure and a paved multi-modal promenade to the north totaling 45,000 square feet.*
- *The tree species and lay-out was designed in order to maximize shade to encourage the residents to walk or bike to Miller Park or to Whole Foods or to lunch at Chipotle or to PNC Bank. All of the pedestrian passageways and sidewalks are lined with canopy trees to provide adequate shading as well as natural wayfinding to enhance non-vehicular connectivity.*
- *Exceeds every single landscaping code requirement.*
- *60,000 square foot third-level Amenity Deck designed to provide residents their own resort-level destination in order to meet their recreation and open space needs, and to support a healthy living lifestyle*
- *Increased tree canopy from 18% to just shy of 50%.*
- *Change of use decreases traffic and the multimodal design further encourages walking/biking to adjacent uses for recreation, personal services, shopping and/or employment.*
- *The Property is centrally located and residential would be a perfect use for the currently underutilized Property.*
  - *1 mile from the beach, three-quarters of a mile to I-95 and half-a-mile to U.S. 1.*
  - *5-minute car drive to Atlantic Avenue/Delray's Downtown Core.*
  - *Directly adjacent to Whole Foods and a plethora of neighborhood retail stores, restaurants and personal services.*
  - *Less than half of a mile east of the Property is Trader Joe's, Publix, Fresh Market, neighborhood retail, personal services and fitness options.*
  - *To the southeast, is a 32-acre park and a 11.64 conservation area.*
  - *Several hospitals, as well as FAU and Lynn University, are within a six to seven-mile drive of the Property.*
  - *The Tri-Rail Station is roughly two miles from the Property and the planned Boca Raton Brightline Station is 4.7 miles from the Property.*
  - *There are multiple PalmTran stops within walking/biking distance of the Property and a Park & Ride Stop at the nearby Tr-Rail Station.*
- *Enhanced architectural design includes but is not limited to:*
  - *The Linton is designed in a Florida Vernacular style. The massing of the proposed structure is broken up first to appear as two separate 5-story buildings with a 2-story structure in between*

*(the “separation” between the two residential buildings is 88’-4”). Each separate “structure” then has a symmetrical and repetitive pattern utilizing certain design elements to further break up the massing, provide articulation and define three distinct individual components. This coupled with the 51’2” front setback and tree lined entrance, significantly improves the aesthetics of the site and the streetview.*

- *In addition to the banded flat roof, there are three different tower features to not only provide visual interest from Linton Boulevard, but also to be consistent with Florida Vernacular architecture. To further distinguish the building articulation and rhythmic pattern, certain building components have a metal roof accent. The metal is also consistent with this architectural style.*
- *Consistent with the Florida Vernacular architecture, the Project includes design elements such as horizontal siding, projected balconies, brackets, trellises, articulated banding at flat roof line, crown moldings, awnings, decorative railings and Bahama shutters. Each of the ground floor units on all four sides of the building have porches. There are balconies and trellises throughout that not serve as decorative elements but also serve to break up the massing and further the building’s rhythmic pattern.*
- *The color palette is white on white to emphasize the detailing and massing of the buildings, which has steps and offsets for façade relief. The all white color palate serves as a visual contrast to the significant landscaping and greenery planned at the ground level and the upper level amenity deck as well as to provide a visible backdrop behind the commercial outparcels lining Linton Boulevard.*
- *The parking is all provided in a completely hidden from view parking garage.*

### **III. CONCLUSION & REQUEST**

The Project meets the Goals and Objectives of the 2020 Comprehensive Plan. In addition, the Project meets or exceeds the criteria laid out in Section 4.3.4(J) and Section 2.4.5(E)(5) of the Land Development Regulations. Accordingly, we are respectfully requesting recommendation from the Planning and Zoning Board and approval from the City Commission of conditional use for increased height for the Property.

Should you need anything further, please do not hesitate to contact me at [jordana@menin.com](mailto:jordana@menin.com).

Very Truly Yours,

Jordana L. Jarjura

Enclosures

cc: Scott Pape, Principal Planner  
Craig Menin  
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(All Via E-Mail)