



Planning Solutions

December 4, 2020

Ms. Anthea Gianniotis, AICP, Director
Development Services Department
City of Delray Beach
100 NW 1st Avenue
Delray Beach, FL 33444

RE: Delray Swan Redevelopment (Block 79, Town of Delray) – Future Land Use Map Amendment and Rezoning Applications – Narrative Letter

Dear Ms. Gianniotis:

This Narrative Letter associated with the Future Land Use Map Amendment and Rezoning applications for properties within Block 79, Town of Delray is respectfully submitted on behalf of Delray Swan Holdings, LLC for the following properties totaling 1.41 acres located at 215, 219, 223, 227, 231, 237, 243, 251 and 253 SE 1st Avenue, Delray Beach, FL 33444 (PCNs 12434616010790060, 12434616010790080, 12434616010790090, 12434616010790100, 12434616010790110, 12434616010790120, 12434616010790130, 12434616010790141 & 12434616010790142).

PROPOSAL:

The request is to change the land use designation of the subject parcels from Medium Density (MD) to Commercial Core (CC) and zoning designation from Medium Density Residential (RM) to Central Business District (CBD).

The development proposal is to redevelop the properties along with the abutting properties to the east currently zoned CBD in the Railroad Corridor Sub-district and owned by the applicant to accommodate a Florida Vernacular style, four-story mixed-use building. The development will contain ground floor commercial uses along SE 2nd Street and SE 2nd Avenues, and residential uses fronting along SE 1st Avenue, in compliance with the CBD development standards.

ANALYSIS:

Future Land Use Map Amendment

Pursuant to **LDR Section 2.4.5(A)**, Comprehensive Plan amendments must follow the procedures outlined in the Florida Statutes. Therefore, the FLUM amendment is being processed as a small-scale Comprehensive Plan amendment pursuant to Florida Statutes, F.S. 163.3184 through F.S. 163.3253.

Pursuant to LDR Section 3.1.1, Required Findings, “...Findings shall be made by the body which has the authority to approve or deny the development application. These findings relate to the Future Land Use Map (FLUM) (A), Concurrence (B), Comprehensive Plan Consistency (C), and Compliance with the Land

Development Regulations (D). As indicated below, positive findings can be made with respect to LDR Sections 3.1.1 (A) – (D).

FUTURE LAND USE MAP

(A) Future Land Use Map, The resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Future Land Use Map.

Neighborhoods, Districts, and Corridors Element

Table NDC-1, Land Use Designation: Density, Intensity, and Implementing Zoning District, identifies the preferred and compatible implementing zoning districts for each land use designation. The existing land designation of MD lists RM and PRD zoning as the preferred implementing zoning district; with residential and community facilities-related zoning as compatible. Therefore, the FLUM Amendment and rezoning have been requested to meet the consistency requirement. The proposed CC designation and the requested zoning designation of CBD are consistent with each other.

The table below provides a comparison of density and intensity limitations for both the MD and CC land use designations. While the proposed Land Use Map amendment will increase the potential intensity and density on the parcels, the development will be designed in a manner that will be compatible with and complimentary to the surrounding area.

Land Use Designation	Density (Maximum dwelling units/acre)	Intensity (Maximum Floor Area Ratio)	Implementing Zoning Districts
Medium Density (MD)		---	Preferred: RM, PRD Compatible: A, RR, R-1, RL, CF, OS, OSR
Standard	5-12		
Revitalization Incentive	12-24		
Commercial Core (CC)		3.0	Preferred: CBD Compatible: CF, OS, OSR
Standard	12-30		
Revitalization Incentive	30-100		

The NDC Policies listed below describe the intent and provide direction regarding the implementation of the existing and proposed land use designations, especially as it relates to the FLUM Amendment from MD to CC and Rezoning from RM to CBD. Based upon the analysis below, positive findings can be made with respect to the referenced objectives and policies.

Policy NDC 1.1.2: *Provide a complementary mix of land uses, including residential, office, commercial, industrial, recreational, and community facilities, with design characteristics that provide:*

- *Similar uses, intensity, height, and development patterns facing each other, especially in residential neighborhoods.*
- *Uses that meet the daily needs of residents.*
- *Public open spaces that are safe and attractive.*

Policy NDC 1.1.3: *Provide transitions between land use designations at the rear of properties or at major corridors so that the prescribed uses and potential development patterns are arranged to achieve compatible and appropriate changes in intensity, height, and scale.*

Policy NDC 1.1.14 *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 goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.*

Objective NDC 1.3, Mixed-use Land Use Designations *Apply the mixed-use land use designations of Commercial Core, General Commercial, Transitional, Congress Mixed-Use, and Historic Mixed-Use to accommodate a wide range of commercial and residential housing opportunities appropriate in scale, intensity, and density for the diverse neighborhoods, districts, and corridors in the city.*

Policy NDC 1.3.1 *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.*

Policy NDC 1.3.2 *Apply the mixed-use land use designation that best maintains the scale, density, intensity, and enhances the character of the surrounding neighborhood, district, or corridor.*

Policy NDC 1.3.3 *Apply the density and intensity in mixed-use land use designations to encourage adaptive re-use, development, and redevelopment that advances strategic, policy-driven goals, such as diverse residential housing opportunities, sustainable building practices, historic preservation, public parking, civic open space, or economic development strategies.*

Policy NDC 1.3.5 *Use the Commercial Core land use designation to stimulate the vitality and economic growth of the city while simultaneously enhancing and preserving the cultural and historic downtown area.*

Policy NDC 1.3.7 *Implement the Commercial Core land use designation using form-based code to provide for adaptive-reuse, development, and redevelopment that preserves the downtown's historic moderate scale, while promoting a balanced mix of uses that will help the area continue to evolve into a traditional, self-sufficient downtown. This designation is applied to the Community's downtown area. It includes a substantial portion of the Transportation Concurrency Exception Area described in the Future Land Use Element and graphically shown in Map 9. The Commercial Core designation accommodates a variety of uses including commercial and office development; residential land use upper story apartments; older homes renovated to accommodate office use; and uses such as "bed and breakfast" establishment; and industrial/commerce type uses.*

The proposed CC land use and CBD zoning designations along with the associated CBD development standards will result in the provision of a complementary mix of land uses to the Osceola Park redevelopment area with similar uses, intensity and height; uses that meet the daily needs of residents; and, public open spaces that are safe and attractive. The anticipated development pattern on the subject properties will be consistent with the existing and potential development on the east side of SE 1st Avenue to the north and south of the subject properties, which are currently zoned CBD.

As identified in the Downtown Delray Beach Master Plan (referenced below), downtown housing is essential to provide the needed critical mass to provide a sustainable and self-sufficient downtown. Downtown housing is also a critical element to assist in the revitalization of underutilized properties and antiquated industrial uses found in the downtown, especially along the railroad corridor. These uses were historically established in downtown areas due to the market and transportation demands, which have altered over the years. The City recognizes the importance of providing housing in close

proximity to shopping, employment, and transportation, and the need to have a residential base to support the businesses in the downtown area.

The RM-zoned properties along SE 1st Avenue are identified on the Neighborhood Categorization Map as “Need Revitalization”. While the properties are currently zoned residential, they abut commercial properties with no physical separator such as an alley or street right-of-way. As indicated above, the MD land use designation allows up to 12-24 units per acre as a revitalization incentive and the RM zoning currently limits the revitalization incentive for this RM-zoned area to 18 units per acre. It is noted, the two existing multiple family buildings located on the west side of SE 1st Avenue at 206 SE 1st Avenue (8 units) and 238 SE 1st Avenue (10 units) have densities of 27 units per acre and 31 units per acre, respectively.

Under these circumstances and given the abutting CBD zoning and associated development standards, the existing SE 1st Avenue right-of-way provides a more appropriate transition between land use designations to allow development that can be designed to achieve compatibility in terms of intensity, height, and scale. Given the CBD development standards, the properties will be developed in a manner that meets the intent of the objectives and policies referenced above.

Objective NDC 2.2 Downtown and Surrounding Neighborhoods *Protect and enhance the “Village by the Sea” character of the downtown and neighborhoods located east of I-95.*

Objective NDC 2.7 Planning of Neighborhoods, Districts, and Corridors

Continue to respond to unique needs and conditions of the varied neighborhoods, districts, and corridors of Delray Beach using Neighborhood and Redevelopment Plans that determine specialized planning strategies and improvement projects to implement the vision of plans.

Policy NDC 2.7.16 *Continue to support the variety of commercial and light industrial uses on land with mixed-use land use designations in Osceola Park.*

Policy NDC 2.7.17 *Continue to support the accommodation of compatible housing types within Osceola Park based on the recommendations and overall intent of the adopted Osceola Park 2019 Redevelopment Plan Update.*

Policy NDC 2.7.18 *Consider the vision and strategies in the Osceola Park Redevelopment Plan Update (2019) when assessing rezoning requests, reviewing development applications, and planning public infrastructure projects.*

Objective NDC 3.4, Land Use Map Amendments *Use a consistent set of standards to evaluate amendments to the Land Use Map.*

Policy NDC 3.4.1 *Amend the Land Use Map only when a demonstrated need for the requested land use is based upon circumstances that are verified and supported by data and analysis, such as shifts in demographic trends, changes in the availability of land, changes in the existing character and Land Use Map designations of the surrounding area, fulfillment of a comprehensive plan objective or policy, annexation into the municipal boundaries, or similar circumstances, and the following findings can be determined:*

- *That the requested land use designation is consistent with the goals, objectives, and policies of the most recently adopted Comprehensive Plan; and,*

- *That development at the highest intensity possible under the requested land use designation meets the adopted concurrency standards; and,*
- *That the requested land use designation is compatible with the land use designations of the surrounding area; and,*
- *That the requested land use designations are compliant with the provisions and requirements of the Land Development Regulations.*

Policy NDC 3.4.2 *Use the development review process to determine development, redevelopment, and adaptive reuse is consistent with and complementary to adjacent development, regardless of the implementing zoning designations for each land use designation (See Table NDC-1).*

As stated throughout the Narrative Letter, the Land Use Map Amendment and associated Rezoning are consistent with the goals, objectives, and policies of the Always Delray Comprehensive Plan. As stated on Section 3.1.1(B)(Concurrency), while development at the highest intensity possible will meet adopted concurrency standards, this redevelopment initiative will be limited by all practical matters due the site constraints and in order to comply with the CBD development standards. The proposed CC FLUM designation and CBD zoning are compatible with the surrounding CC land use designation to the north, south and east, as well as the MD land use designation to the west. The CBD (form-based code) Land Development Regulations will ensure compatibility. The residents of this development will aid in the economic stability of the Osceola Park Redevelopment Area as well as the Atlantic Avenue downtown area as a whole. The rezoning is consistent with the urban fabric that has been established to the north, which includes The Mark and 111 First Delray condominiums along the east side of SE 1st Avenue, as well as the anticipated redevelopment of 301 SE 1st Avenue, to the south.

It is noted, the properties are surrounded on the north, east and south by CBD-zoned properties, within the Railroad Corridor Sub-District. The properties to the east have historically contained industrial uses, as with many other areas along the FEC railroad corridor in urban areas. These industrial uses generally have had limited parking and directly back-up to the residential properties without any separation such as a street or alley. The configuration of the block and shallowness of these lots, due to the existence of the FEC railroad, makes economically feasible redevelopment very challenging when providing an attractive pedestrian-friendly environment with adequate parking and civic open spaces in compliance with the CBD development standards. These residential properties have been designated as “Needing Revitalization”, per the City’s Neighborhood Categorizations Map. The FLUM Amendment and Rezoning to CBD will assist in the revitalization and stabilization efforts envisioned for the area.

In terms of safety, introducing a residential component to the downtown will likely improve the stability and reinforce the revitalization contemplated through the community engagement and planning process. It will introduce more nighttime activity, and more “eyes” to observe what is happening in the area, which will be a deterrent to criminal activity.

(B) CONCURRENCY

Pursuant to LDR Section 3.1.1(B), *Concurrency, concurrency as defined pursuant to Objective B-2 of the Future Land Use Element of the Comprehensive Plan must be met and a determination made that the public facility needs, including public schools, of the requested land use and/or development application will not exceed the ability of the City and The School District of Palm Beach County to fund and provide, or to require the provision of, needed capital improvements in order to maintain the Levels of Service Standards established in Table CI-GOP-1 of the adopted Comprehensive Plan of the City of Delray Beach.*

Traffic. A traffic study has been provided for the subject parcels in compliance with the requirements of the Palm Beach County Traffic Performance Standards Ordinance. The study's conclusions indicate a potential of 2,517 daily trips and 217 PM peak hour trips onto the surrounding roadway network, which will not cause any failures to the Year 2045 Transportation System Plan. Therefore, this land use plan amendment is in accordance with the goals and objectives of the Delray Beach Comprehensive Plan. With the submittal of a Class V Site Plan application, a traffic study will be provided based on the site specific development proposal. Any potential impacts can be mitigated, which could include diverse strategies due to the property's location at the edge of the City's Transportation Concurrency Exception Area (TCEA).

It is further noted, the proposed development is located within an area that consists of the traditional road grid system and includes completion/construction of streetscape improvements along the SE 1st and 2nd Avenues and portion of SE 2nd and 3rd Streets as well as infrastructure upgrades as applicable. This grid system is conducive to traffic distribution, wherein, vehicles have a diverse choice of options to navigate the downtown area. In addition, the majority residents will utilize other mobility options within the downtown area, given its pedestrian and bicycle friendly streetscapes. Given the diffusion of vehicle trips, it is unlikely that adjacent neighborhoods will be negatively impacted by the additional traffic.

Schools. The Palm Beach County School District School Capacity Availability Determination (SCAD) Application has been submitted for review. A review by the Palm Beach County School District for compliance with the adopted Level of Service for School Concurrency is pending. This requirement will be reviewed in more detail with the submittal of a Class V Site Plan application.

Water and Sewer. Municipal water service is available via connections to the existing water main located within SE 1st Avenue. While sewer service is currently provided via connections to an existing sanitary sewer line within the rear yard (north/south) of the properties, with redevelopment of the properties sewer main upgrades and relocation will be necessary. Pursuant to the City's Comprehensive Plan, treatment capacity is available at the South Central County Waste Water Treatment Plant for the City at build-out. With the Class V Site Plan application, sewage calculations will be provided based on the specific development proposal. The Comprehensive Plan also states that adequate water and sewer treatment capacity exists to meet the adopted LOS at the City's build-out population based on the current FLUM. The FLUM Amendment will not have a significant impact on this LOS.

Solid Waste. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2047.

Drainage. Drainage will be accommodated on-site via exfiltration trench systems or swale retention areas. No problems are anticipated obtaining a South Florida Water Management District permit.

Parks and Open Space: While there are sufficient recreation facilities to meet this LOS, the proposed CBD zoning requires dedication of civic open space in addition to the private recreation facilities that will be provided on-site. A park impact fee is collected to offset any impacts that a residential project may have on the City's recreational facilities. It is further noted, pursuant to LDR Section 5.3.2, a park impact fee of \$500.00 per dwelling unit will be collected prior to issuance of a building permit for each residential unit at the time a project is presented for approval at the Building Department. This item will be further addressed during the site plan review process.

(C)CONSISTENCY WITH COMPREHENSIVE PLAN

Pursuant to **LDR Section 3.1.1(C), Consistency**, *a finding of overall consistency may be made even though the action will be in conflict with some individual performance standards contained within [Article 3.2](#), provided that the approving body specifically finds that the beneficial aspects of the proposed project (hence compliance with some standards) outweighs the negative impacts of identified points of conflict.*

A review of the objectives and policies of the adopted Comprehensive Plan was conducted and the following applicable objectives and policies that are relevant to FLUM Amendment and Rezoning applications are noted, in addition to the NDC objectives and policies. As discussed below a finding of overall consistency can be made that the Land Use Map Amendment and Rezoning are consistent with the Goals, Objective and Policies of the Always Delray Comprehensive Plan, the Osceola Park Neighborhood Plan, Community Redevelopment Plan, and Downtown Delray Beach Master Plan.

Housing Element

Objective HOU 3.1 Development to Accommodate Housing Needs *Provide opportunities for residential development to accommodate the housing needs of existing and future residents.*

Policy HOU 3.1.3 *Identify areas near job centers, commuter rail service, existing and planned transit corridors that are appropriate for higher density, multi-modal development and provide incentives in the Land Development Regulations, to promote redevelopment.*

Policy HOU 3.1.4 *Encourage development of vacant or underdeveloped land for housing and mixed-uses, and promote rehabilitation of underutilized housing into desirable places to live.*

Objective HOU 3.2 Expansion of the Housing Supply *Expand the housing supply by allowing different unit types in a variety of locations for all income levels.*

Policy HOU 3.2.1 *Allow a variety of housing types to reflect the needs of all household types, including both rental and ownership opportunities for single people, couples, families, seniors, persons with disabilities and multi-generational families.*

Policy HOU 3.2.2 *Establish and regularly reassess criteria for requiring workforce housing units in new development (either on-site or through participation in a housing program) based upon proposed development density, intensity, and size. Policy HOU 6.1.2 Encourage income diversity by requiring a mix of unit types in new development.*

Policy HOU 6.1.3 *Promote mixed income development in areas with access to amenities including parks, recreational and cultural facilities, transit services, employment centers and healthcare services.*

Policy HOU 6.1.4 *Implement incentives in the Land Development Regulations, such as increases in density, to establish workforce housing units within targeted areas.*

Policy HOU 6.4.10 *Encourage a shared responsibility for the private sector to address workforce housing needs by offering incentives.*

The proposed FLUM Amendment and Rezoning will enable further revitalization and stabilization of the Osceola Park Neighborhood through redevelopment in a manner that is consistent with and furthers the goals and objectives of the Comprehensive Plan as well as the related Master Plans and Redevelopment

Plans for the area. The requested changes provide an opportunity to further fulfill the objectives and policies of the Housing Element referenced above through a variety of housing types for a range of income levels.

Economic Prosperity Element

Objective ECP 5.5 Sustainable Economies *Support the development of sustainable economies in commercial areas adjacent to or within lower income neighborhoods.*

Policy ECP 5.4.2 *Support development of neighborhood business centers that serve adjacent residential areas and neighborhoods within redevelopment areas.*

Policy ECP 5.5.1 *Identify neighborhoods that need additional assistance in strengthening the economies of their communities.*

Policy ECP 5.5.9 *Strengthen small business and retail opportunities beyond Atlantic Avenue and the downtown corridor by expanding support for businesses to relocate off of Atlantic Avenue, and marketing retail opportunities available in other commercial districts.*

Objective ECP 6.5 Support Small Business Growth *Support the growth and development of small businesses that enhance the vitality and quality of life in Delray Beach neighborhoods.*

The FLUM Amendment and Rezoning will result in a proposed mixed-use development that will include space for small businesses that will strengthen the economy and help further the referenced Objectives and Policies listed in the Economic Prosperity Element of the City's Comprehensive Plan. The project is located within a redevelopment area and will also enhance the quality of life while providing employment opportunities for the surrounding residential neighborhood.

A review of the adopted Downtown Delray Beach Master Plan, Osceola Park Neighborhood Plan and Community Redevelopment Plan were conducted, and the following are noted in support of the Future Land Use Map Amendment and Rezoning.

DOWNTOWN DELRAY BEACH MASTER PLAN – The following is an excerpt from the Downtown Delray Beach Master Plan pertaining to density in support of the FLUM Amendment and Rezoning requests.

Towards a Traditional and Self-Sufficient Downtown - *The Downtown Delray Beach Master Plan specifically addresses residential density as a critical component to creating a sustainable downtown. The blocks directly adjacent to Atlantic Avenue through the Central Core District are attracting development in the form of premixed designed packages that reproduce traditional and preexisting urban forms: office and residential buildings, townhouses, hotels, stores, restaurants, museums, parks and squares. These elements in general are positive additions to the District that will contribute to the vitality of the area. Increasing residential density is absolutely crucial to ensure a healthy and lasting life to the Central Core District. The residential component will be the element that will make the Central Core District evolve from a high-end leisure area for a few, to a true downtown that serves the needs of the community as a whole. It will be the factor that induces the proliferation of services for locals, today very scarce or even non-existent.*

In order to maintain the overall "Village Atmosphere" of the City, but at the same time create enough density to encourage a variety of local services and a more balanced mix of commercial uses in downtown, the Master Plan's recommendation supports higher densities within the downtown district,

especially in the four blocks north and south of Atlantic Avenue. It is Master Plan's additional recommendation to include a minimum density requirement in the zoning code. Within the downtown area, low, suburban densities will cause more harm than slightly higher ones. Within a downtown area, density is directly associated with the health and success of downtown.

OSCEOLA PARK NEIGHBORHOOD PLAN (2019 UPDATE)

Neighborhood Priorities – The Osceola Park Neighborhood Plan outlines five (5) priorities, along with strategies and action steps to address them. The applicable priorities are summarized below:

1. Osceola Park residents wish to enhance the neighborhood identity and character by bringing in the local culture, physically improving the area with gathering spaces and buffering the single-family area from the commercial/industrial areas to the west. Owner-occupied residences have declined, and one of the focuses of this plan is to develop conditions that increase homeownership.

2. The business community in Osceola Park was developed over time and does not have a cohesive theme. The commercial properties appear to be out of harmony with the adjacent residential community, not only in appearance but also in regard to the specific uses. Property investment and business development priorities in this plan address the disconnection and guide new businesses to serve the neighborhood needs, as well as offer more local leisure opportunities.

COMMUNITY REDEVELOPMENT PLAN

In addition, the FLUM Amendment and Rezoning is, and resulting redevelopment will be, consistent with the Redevelopment Strategies and Project Objectives in the Community Redevelopment Plan for Sub Area 7: “Osceola Park Redevelopment & Neighborhood Improvement Plan” as the proposed development will:

- *Eliminate slum and blighted conditions.*
- *Provide adequate parking for the commercial/industrial areas.*
- *Improve the sidewalk and alley networks to encourage biking, walking, and improved traffic circulation.*
- *Promote stabilization of the residential areas.*
- *Increase employment and business opportunities in the area.*
- *Provide streetscape beautification and on-street parking for business uses along SE 2nd Avenue, and landscaping along the FEC Railroad corridor.*
- *Property acquisition along SE 2nd Avenue to provide parking lots for area businesses.*

COMPLIANCE WITH LAND DEVELOPMENT REGULATIONS

(D) Compliance with LDRs. *Whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.5 and in special regulation portions of individual zoning district regulations.*

A redevelopment application has not been submitted for review; however, once submitted, the proposed development will be subject to all applicable provisions and requirements of the Land Development Regulations, particularly those applicable to the Railroad Corridor Sub-district and Osceola Park Redevelopment Area.

REZONING

Pursuant to **LDR Section 2.4.5(D)(1)**, the City Commission may amend the Official Zoning Map by ordinance after review and recommendation for approval by the Planning and Zoning Board. The submitted application complies with the submittal requirements in **LDR Section 2.4.3**.

LDR Section 2.4.5(D)(2) outlines the procedures for a zoning change, which includes the standard application items in Section 2.4.3. Valid reasons for approving a change in zoning, pursuant to **LDR Section 2.4.5(D)(2)** are:

- *That the zoning had previously been changed, or was originally established, in error;*
- *That there has been a change in circumstance which makes the current zoning inappropriate;*
- *That the requested zoning is of similar intensity as allowed under the Future Land Use Map and that it is more appropriate for the property based upon circumstances particular to the site and/or neighborhood.*

The rezoning is requested based on the second and third criterion referenced above. There has been a change on circumstances which makes the current RM zoning inappropriate. In addition, the CBD zoning will be of similar intensity as the requested CC Land Use designation and is more appropriate for the property based upon circumstances particular to the to the site and neighborhood.

The Comprehensive Plan and the Redevelopment Strategies for Osceola Park listed in the Community Redevelopment Plana as well as the Osceola Park Neighborhood Pan support the proposed changes to further revitalize the area. In addition, the Downtown Master Plan supports higher density within four (4) blocks north and south of Atlantic Avenue to create a sustainable downtown. The accompanying CBD LDR Amendment and future development will need to take into consideration workforce housing, providing additional housing opportunities for diverse incomes and neighborhood amenities. The proposed FLUM designation of CC supports a greater intensity of development consistent with these plans, and the density of the proposed CBD zoning designation is compatible with and supports the land use designation and the provision of workforce units.

As stated previously, the properties are surrounded on the north, east and south by CBD-zoned properties, within the Railroad Corridor Sub-District. The properties to the east have historically contained industrial uses, as with many other areas along the FEC railroad corridor in urban areas. These industrial uses generally have had limited parking and directly back-up to the residential properties without any separation such as a street or alley. The configuration of the block and shallowness of these lots, due to the existence of the FEC railroad, makes economically feasible redevelopment very challenging when providing an attractive pedestrian-friendly environment with adequate parking and civic open spaces in compliance with the CBD development standards. These residential properties have been designated as "Needing Revitalization", per the City's Neighborhood Categorizations Map. The FLUM Amendment and Rezoning to CBD will assist in the revitalization and stabilization efforts envisioned for the area.

Pursuant to **LDR Section 3.2.2, Standards for Rezoning Actions**, rezoning requests must meet five standards, which are described below as they relate to the proposed rezoning under consideration.

- (A) *The most restrictive residential zoning district that is applicable given existing development patterns and typical lot sizes shall be applied to those areas identified as "stable" and "stabilization" on the Residential Neighborhood Categorization Map. Requests for rezonings to*

a different zoning designation, other than Community Facilities, Open Space, Open Space and Recreation, or Conservation shall be denied.

Not applicable. It is noted; however, the properties are shown on the Neighborhood Categorization Map as an area “Needing Revitalization”. Pursuant to Housing Element Objective HOU 2.3 (Neighborhoods Needing Revitalization), implement strategies to prevent further decline, and prioritize measures needed to improve the classification of those neighborhoods identified as Needing Revitalization on the Residential Neighborhood Categorization Map. The proposed FLUM Amendment and Rezoning will result in the revitalization consistent with the Osceola Park Neighborhood Plan and Community Redevelopment Plan.

- (B) Rezoning to AC (Automotive Commercial) to accommodate auto dealerships shall not be permitted west of I-95.*

Not applicable. Auto dealerships are not a proposed use.

- (C) Zoning changes that would result in strip commercial development shall be avoided. Where strip commercial developments or zoning currently exists along an arterial street, consideration should be given to increasing the depth of the commercial zoning in order to provide for better project design.*

The rezoning to CBD will not result in strip commercial development, as the proposed CBD zoning district regulations are form-based and does not permit strip-type commercial development.

- (D) That the rezoning shall result in allowing land uses which are deemed compatible with adjacent and nearby land use both existing and proposed; or that if an incompatibility may occur, that sufficient regulations exist to properly mitigate adverse impacts from the new use.*

The existing uses and zoning surrounding the proposed development are as follows:

	Land Use Designation	Zoning District	Use
North	CC	CBD	Commercial & Mixed-Use
South	CC	CBD	Vacant Land (Approved Mixed-Use)
East	CC	CBD	Commercial & Industrial
West	MD	RM	Single & Multi-family

Under the proposed CC future land use designation, the proposed CBD zoning district will result in allowing land uses that are deemed compatible with the adjacent commercially CBD-zoned properties to the north, south and east. In addition, while the proposed development will be complementary to and enhance the surrounding area, the CBD regulations include provisions to mitigate any adverse impacts from the proposed development.

- (E) Remaining, isolated infill lots within the coastal planning area shall be developed under zoning which is identical or similar to the zoning of adjacent properties; and, the resulting development shall be of a design and intensity which is similar to the adjacent development.*

Not applicable. The proposed development is not within the coastal planning area.

Based upon the above, the proposal is consistent with the Always Delray Comprehensive Plan, Osceola Park Neighborhood Plan, Community Redevelopment Plan, and Downtown Delray Beach Master Plan. The proposal is also consistent with Chapter 3 (Performance Standards, LDR Section 3.1.1 (Required Findings), (A) Future Land Use Map, (B) Concurrency, (C) Consistency, and (D) Compliance with LDRs. Based upon the above, approval of the FLUM Amendment and Rezoning applications is respectfully requested.

Please contact me should you have questions or require additional information. Thank you for your consideration.

Sincerely,

Jeffrey A. Costello, AICP, FRA-RA, Principal
JC Planning Solutions, LLC

Attachments