



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

PLANNING AND ZONING BOARD STAFF REPORT

Delray East Townhomes Plat

Meeting	File No.	Application Type
May 17, 2021	2020-202	Major Subdivision
Applicant	Property Owner	Authorized Agent
Delray East Townhomes, LLC	Delray East Townhomes, LLC	Lennie F. Smith

Request

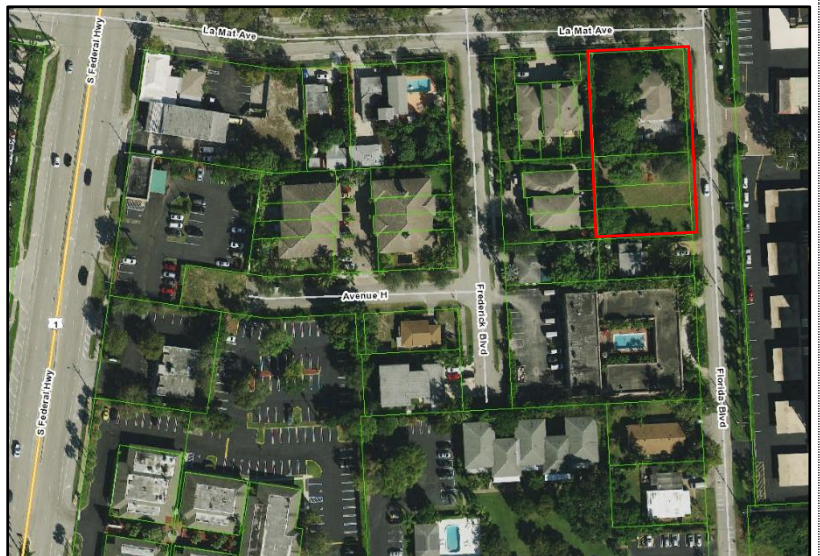
Consideration of the Preliminary Plat and recommendation to the City Commission for the certification of the Final Plat for the Delray East Townhome development to create seven fee-simple lots, provide easements and dedicate right-of-way for the properties currently addressed as 2800-2812 Florida Boulevard and located at the southwest corner of LaMat Avenue and Florida Boulevard.

Background Information

The subject properties, which consist of 0.59 acres, are generally located east of South Federal Highway, at the intersection of Florida Boulevard and La Mat Avenue. Located at 2800 – 2812 Florida Boulevard, the properties are all zoned Medium Density Residential (RM) with a Land Use Map (LUM) designation of Transitional (TRN).

The property located at 2900 Florida Boulevard is developed with an existing single-family home, which will be demolished. The properties at 2808, 2810 and 2812 were created in 2004 via the Florida Boulevard Townhomes Plat (Plat Book 112 Page 156) associated with an approved Class V Site Plan application for a 3-unit townhome project. The properties were never developed and the approval subsequently expired. As such, the lots remained vacant.

A Class V Site Plan application for a two-story, seven-unit townhome development with associated parking and landscaping will be reviewed by the Site Plan Review and Appearance Board (SPRAB) at an upcoming meeting. This Major Subdivision is required as part of the site plan approval process to create and establish the seven fee simple lots required for the townhouse development.



Plat Description

The proposed plat includes the following:

- Replat of Lots 64-68, inclusive Block 34, Del-Raton Park, according to the Plat thereof as recorded in Plat Book 14, Page 9 and 10 of the public records of Palm Beach County, Florida; and lots 1-3, inclusive, Florida Boulevard Townhomes at Delray Beach, as recorded in Plat Book 112, Pages 156-157, of the public records of Palm Beach County, Florida; and,
- Dedication of Lots 1-7 for each of the individual fee-simple townhomes; and,
- Dedication of Tract A to the City of Delray Beach as public right-of-way; and,

- Dedication of a 10-foot general utility easement (GUE) along the front of the property; an access easement to the rear of the townhome lots for purposes of ingress, egress, and maintenance for the owners of lots 1-7; and a drainage easement along Florida Boulevard and the corner of La Mat Avenue.

Review and Analysis

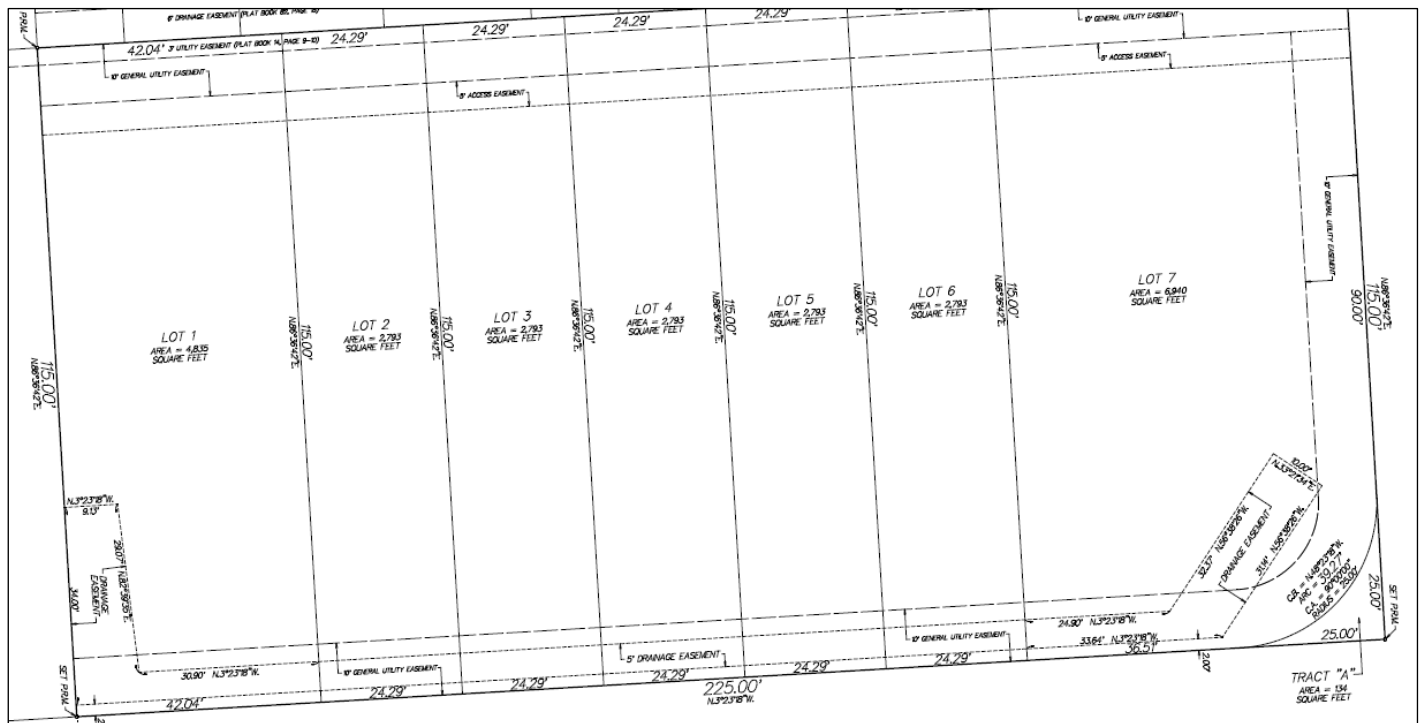
Pursuant to **LDR Section 4.3.3(O)(2), Townhouses and Townhouse Type of Development: Plat Required**, each townhouse, or townhouse type, development shall be platted with a minimum designation of the interior street system as a tract. When the dwelling units are to be sold, each such unit must be shown on the plat.

Pursuant to **LDR Section 4.3.3(O)(2), Townhouses and Townhouse Type of Development: Design Standards**, no townhouse row shall consist of more than eight dwelling units or a length of 200 feet, whichever is less.

The proposed plat includes seven lots for each townhouse at a total building length of 170.5 feet along Florida Boulevard. Lots 2 – 6 measure 24.29 feet wide by 115 feet deep. Lots 1 and 7, which are the two corner lots, measure 42.04 and 36.51 feet wide (respectively) by 115 feet deep. Tract "A" is dedicated to the City of Delray Beach as public right-of-way Florida Boulevard and the corner of the property. It is important to note that pursuant

Standard	Required (Minimum)	Provided (Overall)
Lot Size	8,000 sf	25,875 SF
Lot Width (Florida Boulevard)	60 ft	225 ft
Lot Depth (LaMat Avenue)	100 ft	115 ft
Lot Frontage (Florida Boulevard)	60 ft	225 ft

to **LDR Section 4.3.4(B), Base District Development Standards: Lot Area**, minimum lot areas do not need to be provided for individual ownerships within townhome developments. However, the minimum base standards to develop a property must be met. The Development Standards applicable to multi-family development in the RM zoning district are provided in the chart below. Each unit must also meet the minimum square footage requirements, which are based on the number of bedrooms to ensure that quality dwelling units are provided.



Pursuant to **LDR Section 2.4.5(J) Major Subdivision**, the Planning and Zoning Board must make findings pursuant to Chapter 3 on a preliminary plat. The City Commission must make a finding that the Final Plat is consistent with the findings associated with the preliminary plat.

The proposed plat qualifies as a Major Subdivision as it creates more than 3 lots and involves right-of-way dedication, per the definitions of "Major Subdivision" and "Minor Subdivision" in the LDRs. Major subdivision plats require the certification of a preliminary plat by the Planning and Zoning Board, and a recommendation to the City Commission regarding the Final Plat.

Required Findings: LDR Section 3.1.1

Prior to the approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information on the application, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application.

(A) 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 Land Use Map.*

The property has a LUM designation of TRN, and a zoning designation of RM, which are compatible with each other. The standard density for the TRN land use designation is five to 12 dwelling units per acre (du/ac); the maximum intensity for development is a Floor Area Ratio (FAR) of 1.0. Pursuant to LDR Section 4.4.6(B)(3), multiple family structures are allowed as a principal use in the RM zoning district with a base density of six and a maximum density of 12 du/ac. Based on the total existing land area of 0.59 acres, a density range of six to 12 du/ac yields three to seven dwelling units; the plat provides for seven townhouse units. The maximum square footage allowed for the total development is 25,700, which equals an FAR of 1.0 and will be reviewed for compliance with the associated site plan.

(B) Concurrency. *Concurrency as defined by Objective NDC 3.1 of the Neighborhoods, Districts, and Corridors Element of the adopted 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 CIE, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach.*

Compliance with traffic, schools, utilities, and solid waste is described below:

Traffic. The Applicant has received a Traffic Performance Standards (TPS) approval letter from Palm Beach County for seven Multi-Family Residential dwelling units. The approved project will generate 41 New Net Daily trips, 2 (1/1) New Net AM Peak Hour trips, and 3 (2/1) New Net PM Peak Hour Trips. Seven individual driveways are proposed to each unit that are accessed from Florida Boulevard.

Schools. The Applicant has applied for a School Capacity Availability Determination (SCAD) from the Palm Beach County School District, which will determine the impact on the public-school system resulting from the new units. The SCAD must be provided to City Staff prior to scheduling for final consideration by the City Commission.

Water. The survey indicates City water service is provided. The City's Water Atlas and the survey indicate water is provided to the site by an 8-inch water main located within the Florida Boulevard right-of-way.

Sewer. The survey indicates sanitary sewer service is provided. The City's Sewer Atlas indicates that sewer service provided to the site by an 8-inch water main located within Florida Boulevard right-of-way.

Solid Waste. 1 existing unit x 1.99tons = 1.99tons/ 3,980 lbs per year
6 new units x 1.99 tons = 11.94 tons/ 23,880 lbs. per year.

The proposed development will generate approximately 27,860 tons of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2047.

Drainage. The site plan includes 46% impervious surfaces on the site which is provided via the Drainage Easement along Florida Boulevard and the corner of La Mat Avenue.

(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.*

LDR Section 3.2.3(A) – (K), Standards for Site Plan and/or Plat Actions, specifies the Standards required for site plans. The following standards are applicable to the review of the plat; an in-depth review of the standards will be included with the associated Class V Site Plan to be reviewed by the SPRAB.

- A. *Building design, landscaping and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.*
- B. *All development shall provide pedestrian, bicycle, and vehicular interconnections to adjacent properties, where possible, and include accessible routes from the entry points of publicly-accessible buildings to the sidewalk network in accordance with the Americans with Disabilities Act (ADA).*
- C. *Open space enhancements and recreational amenities shall be provided to meet Objective OPR 1.4 and other requirements of Goals, Objectives and Policies, as applicable, of both the Open Space, Parks, and Recreation Element and Conservation Element.*
- E. *Development of residentially zoned vacant land shall be planned in a manner consistent with adjacent development regardless of zoning designations.*
- F. *Property shall be developed or redeveloped 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.*
- G. *Development shall provide a variety of housing types that accommodates the City's growing and socio-economically diverse population to meet the Goals, Objectives, and Policies the Housing Element.*
- H. *Consideration shall be given to the effect a development will have on the safety, livability, and stability of surrounding neighborhoods and residential areas. Factors such as but not limited to, noise, odors, dust, and traffic volumes and circulation patterns shall be reviewed and if found to result in a degradation of the-surrounding areas, the project shall be modified accordingly or denied.*
- I. *Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.*
- K. *Development shall not exceed the maximum limits established in the Table NDC-1, Land Use Designations: Density, Intensity, and Implementing Zoning Districts, of the Neighborhoods, Districts, and Corridors Element or specific standards established in the zoning districts that limit density (dwelling units per acre) or intensity (floor area ratio) and must adhere to whichever limit is lower. Development in areas included in density or incentive programs (i.e. workforce housing programs specified in Article 4.7-Family/Workforce Housing) may exceed the Standard density limit, up to the specified Revitalization/Incentive density established for the program: development in all other areas shall not exceed the Standard density.*

The development complies with the applicable standards for plat approvals. The building design is set back from the street and will not disrupt the flow of traffic. Lighting is low level and complementary to the surrounding area. Pedestrian connections are provided via the existing and proposed concrete walkway adjacent to the street. The site will be landscaped to enhance the open space areas. The development is complimentary to the surrounding residential development as there are several similar townhouse style developments with similar density and intensity within the same neighborhood. The townhouse type development adds to the diverse need for housing within the City and the design improves the safety, livability, and stability of the surrounding neighborhood. The project received a letter from Palm Beach County indicating that the proposed development would have a de minimis impact on the adjacent roadway system. Finally, the density proposed complies with the maximum limits of the Comprehensive Plan which allows a maximum of 12 dwelling units per acre for the subject site, and the applicant is proposing 12 dwelling units per acre.

(D) Compliance with the LDRs. *Whenever an item is identified elsewhere in the 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.*

Through the review of the Class V Site Plan application, the subject request will be required to meet the applicable regulations. Review of those LDRs applicable to the review of Plats is provided in this report.

Alternative Actions

- A. Continue with direction.
- B. Move approval of the preliminary plat and recommendation of approval to the City Commission for the certification of the Final Plat for **Delray East Townhomes**, finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- C. Move denial of the preliminary plat finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in the Land Development Regulations.

Public and Courtesy Notices

☒ Courtesy Notices are not applicable to this request.

☒ Public Notices are not required for this request.