

IN THE CITY COMMISSION
CHAMBERS OF THE CITY OF
DELRAY BEACH, FLORIDA

**ORDER OF THE CITY COMMISSION
OF THE CITY OF DELRAY BEACH, FLORIDA**

**IN LIEU PARKING FEE REQUEST FOR
SILVERBALL MUSEUM**

1. This in lieu parking fee request for the purchase of 12 parking spaces in-lieu has come before the City Commission on October 4, 2016.

2. The Applicant and City staff presented documentary evidence and testimony to the City Commission pertaining to the in lieu parking fee request for Silverball Museum located at 19 NE 3rd Avenue. All of the evidence is a part of the record in this case. Required findings are made in accordance with Subsection I.

I. IN LIEU PARKING FEE:

Pursuant to LDR Section 4.6.9(E)(3), when additional parking is required due to expansions of use to an existing building, and it is impossible or inappropriate to provide such parking, the City Commission may approve the payment of an in lieu fee rather than provide the required parking. In the case of expansions of use, no existing parking spaces may be eliminated.

Does the In Lieu Parking Fee request for the purchase of 12 parking spaces in-lieu meet the requirements of LDR Section 4.6.9(E)(3) and the conditions, if any, listed below?

Motion to Approve the parking in-lieu fee request in the amount of \$121,680 for 12 parking spaces subject to the condition that the In-Lieu of Parking Fee Agreement be recorded and the first installment paid at the time that the recorded agreement is received by the applicant since there will be no further building permit issuance and that the subsequent two 25% payments are payed on or before the City Commission approval anniversary dates of October 4, 2017 and October 4, 2018, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in Section 4.6.9(E) of the Land Development Regulations for the Silver Ball Museum located at 19 NE 3rd Avenue.

At \$10,140.00 per space totaling \$121,680.00. Payment is due 50% (\$60,840.00) upon execution of the Agreement, 25% (\$30,420.00) on the 2nd anniversary and 25% (\$30420.00) on the 3rd anniversary of the Agreement.

Yes X

No _____

3. The City Commission hereby finds that the In Lieu Parking Fee Request meets the requirements of 4.6.9(E)(3) of the Land Development Regulations, with the conditions listed above, if any, and the City Commission has applied the Comprehensive Plan and finds that its determinations set forth in this Order are consistent with the Comprehensive Plan and Land Development Regulations.

4. The City Commission finds there is ample and competent substantial evidence to support its findings in the record submitted and adopts the facts contained in the record including but not limited to the staff reports, testimony of experts and other competent witnesses supporting these findings.


5. Based on the entire record before it, the City Commission approves X denies _____ the in lieu parking fee request as set forth above.

6. Based on the entire record before it, the City Commission hereby adopts this Order this 4th day of October, 2016, by a vote of 5 in favor and 0 opposed.

ATTEST:


Chevelle Nubin, City Clerk


Cary D. Glickstein, Mayor

 11/28/16
Tim Stillings, Director of Planning, Zoning and Building Department