



Legislation Details (With Text)

File #: 23-036 **Version:** 1 **Name:**
Type: Request **Status:** Passed
File created: 12/29/2022 **In control:** City Commission
On agenda: 1/17/2023 **Final action:** 1/17/2023

Title: RESOLUTION NO. 16-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW A FREE-STANDING MULTI-FAMILY RESIDENTIAL DEVELOPMENT ON A PROPERTY ZONED GENERAL COMMERCIAL (GC) LOCATED AT 1405 N FEDERAL HIGHWAY AND 716 N LAKE AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES AND THE COMPREHENSIVE PLAN OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

Sponsors: Development Services Department

Indexes:

Code sections:

Attachments: 1. Agenda Cover Report, 2. Reso 16-23 Conditional Use Multi-family, 3. 1405 N Federal Hwy Staff Report, 4. 1405 N Federal Hwy Applicant Narrative and Justification Statement, 5. 1405 N Federal Hwy Survey, 6. Simple Legal Review Approval Reso 16-23

Date	Ver.	Action By	Action	Result
1/17/2023	1	City Commission	approved	Pass

TO: Mayor and Commissioners
FROM: Anthea Giannotes, Development Services Director
THROUGH: Terrence Moore, ICMA-CM
DATE: January 17, 2023

RESOLUTION NO. 16-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW A FREE-STANDING MULTI-FAMILY RESIDENTIAL DEVELOPMENT ON A PROPERTY ZONED GENERAL COMMERCIAL (GC) LOCATED AT 1405 N FEDERAL HIGHWAY AND 716 N LAKE AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES AND THE COMPREHENSIVE PLAN OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

Recommended Action:

Review and consider Resolution No. 16-23, a request for conditional use approval to allow free-standing multi-family residential in the GC district.

Background:

A Class V site plan application was submitted for a nine unit residential development located at 1405 N. Federal Highway and 716 N Lake Avenue. Prior to consideration of a Site Plan action, a conditional use must be granted to allow free-standing multi-family residential within the General Commercial (GC) district. Multi-family residential is permissible as an accessory use to commercial uses in the form of a vertical mixed-use development. Without a commercial use component, multi-

family residential as a stand-alone use requires approval of a conditional use pursuant to LDR Section 4.4.9(D).

The Planning and Zoning Board (PZB) reviewed the conditional use request for free-standing multi-family residential within the GC district and recommended approval 6-0, subject to the condition that there is a maximum roof height of 35 feet with a maximum height of 48 feet for any architectural features, mechanical equipment, or rooftop appurtenances.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

N/A

Timing of Request:

Approval of the Conditional Use request is required prior to consideration of the Class V Site Plan application.