

City of Boca Raton

Ordinance 5289



CITY HALL • 201 WEST PALMETTO PARK ROAD • BOCA RATON, FLORIDA 33432-3795 • PHONE: (561) 393-7700
(FOR HEARING IMPAIRED) TDD: (561) 367-7046
SUNCOM: (561) 922-7700
INTERNET: www.myboca.us

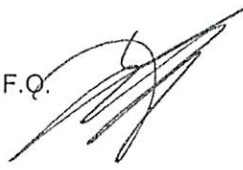
January 5, 2015

-REVISED-

To: Mayor and City Council

From: Leif J. Ahnell, C.P.A., C.G.F.Q.
City Manager

Subject: Ordinance No. 5289
Amendment to Downtown Development Order
Interim Design Guidelines
Minimum Parcel Size Requirement



Recommendation:

I recommend adoption of Ordinance No. 5289 that will amend the Boca Raton Development of Regional Impact (DDR) Development Order (as previously amended) to delete the minimum parcel size requirement for certain application for Downtown Quality Projects, which are those projects that proceed under the Interim Design Guidelines.

Background:

The Interim Design Guidelines (IDG) were first adopted in 2008 (Ordinance 5052). They were amended in 2012 (Ordinance 5203). The IDG provides an alternative to the 1992 design guidelines established in Ordinance 4035. The purpose of the IDG is to create an opportunity to improve the overall quality of development in the Downtown. The IDG regulations allow for an increase in height above the Ordinance 4035 100-foot limit subject to specific criteria, including greater articulation of buildings, a varying skyline, and other design characteristics intended to provide a diverse and vibrant atmosphere, superior architecture, and a strong pedestrian orientation.

As noted, the IDG were adopted in 2008. A minimum parcel size of 2 acres was included in the IDG so that no applicant on a small parcel would be required to use the IDG. Projects with land area greater than 2 acres, such as Via Mizner and RAM, have been approved under the IDG and are presently under construction.

The Tower 155 project, on East Boca Raton Road, received Individual Development Approval under the 1992 Development Order ("Ordinance 4035") on January 22, 2013. The project, as designed, complied with the 1992 regulations. Subsequently, the developer received approval on November 25, 2013, to reduce the number of units in the project while increasing the size of some units. This revision also complied with the 1992 regulations. The 1992 regulations do not require a minimum parcel size.

The developer for Tower 155 is now proposing design modifications to the project under the Interim Design Guidelines that will, in the opinion of staff and Urban Design Associates (UDA, the CRA's architectural design consultant for projects under the IDG) greatly improve the design and character of the project. During staff's review of the project, we discovered that Tower 155 does not meet the

minimum 2-acre requirement to proceed under the IDG. The proposed ordinance has not been drafted specifically to permit the Tower 155 project, although its situation did bring the question of the continued applicability and appropriateness of the minimum parcel size to our attention.

UDA reviewed the issue of minimum parcel size and provided memoranda dated November 6 and December 5, 2014 (attached). Initially, there was concern that deep setbacks could be challenging for design on small parcels, so a minimum parcel size of 2 acres was established. After additional review, UDA tested the setback and found that they are effective on small parcels. Consequently, they feel a minimum lot size and special provisions for small parcels are not necessary. They further note that a minimum parcel size was never intended to exclude an applicant from using the IDG rather than the 1992 (4035) Design Guidelines. Therefore, UDA recommends that there be no minimum parcel size for projects under the IDG.

The proposed ordinance does not change the minimum parcel size of 4 acres for properties fronting on Palmetto Park Road between Mizner Boulevard and NE 5th Avenue. This area was originally excluded from the IDG, which were applicable only in the "core" of Downtown, but the City Council subsequently determined (in Ordinance 5203), that the IDG should be applicable only to parcels of 4 acres or more in this specific area. Again, this provision is not changed in the proposed ordinance.

Staff has determined that the proposed ordinance is consistent with the Comprehensive Plan. The proposed ordinance does not change land use or increase density or intensity. Development in the downtown is controlled through office equivalency, setbacks, and bulk regulations, none of which are affected by the proposed ordinance. Accordingly, staff recommends a finding that the ordinance does not constitute a substantial deviation to the Downtown Development of Regional Impact development order.

There is no fiscal impact from adoption of this ordinance.

Attachment

Document originated by:

George S. Brown
Deputy City Manager

