



Cover Memorandum/Staff Report

File #: 25-366

Agenda Date: 4/8/2025

Item #: 7.B.

CERTIFICATION OF A FINAL PLAT FOR A MAJOR SUBDIVISION PLAT, "FIFTH AVENUE TOWNHOMES", A REPLAT OF PORTIONS OF LOTS 15 AND 16, BLOCK 102, TOWN OF LINTON, TO ESTABLISH FIVE FEE-SIMPLE LOTS AFFILIATED WITH A PREVIOUSLY APPROVED RESIDENTIAL TOWNHOME DEVELOPMENT AT 142 AND 152 SE 5TH AVENUE.

Recommended Action:

Review and consider a Final Plat for a Major Subdivision Plat, "Fifth Avenue Townhomes", a replat of portions of Lots 15 and 16, Block 102, Town of Linton, to establish five fee-simple lots affiliated with a previously approved residential townhome development at 142 and 152 SE 5th Avenue.

Background:

The subject site is located on the west side of SE 5th Avenue (South Federal Highway) between SE 1st Street and SE 2nd Street, and is currently addressed as 142 and 152 SE 5th Avenue. The properties are zoned Central Business (CBD) District, Central Core Sub-district, and have a Land Use Map Designation (LUM) of Commercial Core (CC). The original plat, Town of Delray (formerly known as Town of Linton), was platted in 1895. The survey (attached), dated September 22, 2023, depicts the property as two 61.43-foot x 125.02-foot lots.

On October 23, 2024, a Level 2 Site Plan, landscape waiver, and an internal adjustment to the side interior setbacks for swimming pools was approved for the construction of a three-story, five-unit townhouse development. The proposed Major Plat establishes five fee-simple lots related to the approved townhouse development. A 2-foot right-of-way dedication is provided in anticipation of the future widening of the alleyway. Vehicular access to each townhouse is provided off the alleyway; the project disperses traffic off of South Federal Highway and provides an alternate access point to each unit from SE 1st Street and SE 2nd Street. Further, the use of the alleyway reduces pedestrian-vehicular conflict points on the sidewalk, as the sidewalk and pedestrian access to each unit is provided off of SE 5th Avenue.

Key elements of the plat include:

- Dedication of Tract RW to the City, containing 2,449.2 square feet for future widening of the alleyway (the alleyway is currently 18 feet wide);
- 10-foot general utility easement at rear of property for maintenance of public and private utilities (e.g. storm drainage, electrical power, gas service, telephone lines, and cable television);
- 10-foot drainage easement at rear of property, dedicated to each respective lot owner for the purpose of drainage maintenance; and
- 3-foot access easement to allow rear access to internal lots (Lots 2-4).

LDR Section 3.1.1, Required Findings

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 complete review and analysis of the request based on the Required Findings of **LDR Section 3.1.1** is provided in the attached Planning and Zoning staff report. The plat meets the concurrency of the Always Delray Comprehensive Plan with no major impact to water and sewer, drainage, solid waste, and schools. Park impact fees are assessed at \$500.00 per dwelling unit and collected prior to issuance of the building permit.

A Traffic Performance Standards (TPS) letter and Traffic Statement indicate that the project will reduce the number of daily trips by one trip. Therefore, a total of 34 daily trips is anticipated, with two AM peak hour trips and three PM peak hour trips; the project meets Palm Beach County's requirements for traffic performance standards.

LDR Section 3.2.3(A) - (K), Standards for Site Plan and/or Plat Actions

The twelve different standards outlined in LDR Section 3.2.3 apply to both site plans and plats to help mitigate any potential negative impacts on the surrounding area. The approved site plan was reviewed against these criteria and deemed compliant. Further, the proposed plat, which implements the site plan, is also generally compliant with the standards for site plan and plat actions. There are no significant concerns identified relative to the overall consistency with Article 3.2.

On March 17, 2025, the Planning and Zoning Board (PZB) recommended approval 7-0 for the certification of the final plat.

City Attorney Review:

Not Applicable.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

The plat shall be recorded prior to the issuance of a building permit.