



Cover Memorandum/Staff Report

File #: 26-0913

Agenda Date: 8/11/2026

Item #: 6.D.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: August 11, 2026

ACCEPTANCE OF AN EASEMENT AGREEMENT FOR PEDESTRIAN CLEAR ZONE AT 215-253 SE 1ST AVENUE, 118 SE 2ND STREET, AND 240-280 SE 2ND AVENUE.

Recommended Action:

Acceptance of a Easement Agreement for Pedestrian Clear Zone between the owner of 215-253 SE 1st Avenue, 118 SE 2nd Street, and 240-280 SE 2nd Avenue, Delray HMH, LLC, Delray Residences, LLC, SM-CDR Assemblage Delray, LLC, and Delray Swan Holdings, LLC, and the City of Delray Beach.

Background:

A Level 3 Site Plan Application request, including Architectural Elevations and a Landscape Plan, for Delray Swan, a 36-unit, fee-simple townhouse development, was approved by the Planning and Zoning Board on May 18, 2026. Prior to site plan certification, an easement agreement is required for the Pedestrian Clear Zone along the north, south, east and west sides of the property to comply with the required streetscape dimensions. The Pedestrian Clear Zone is located along SE 2nd Avenue, SE 2nd Street, SE 3rd Street, and SE 1st Avenue.

City Attorney Review:

The Easement Agreement for Pedestrian Clear Zone has been reviewed as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

The Easement Agreement will be effective immediately upon approval.