



CITY OF DELRAY BEACH
DEPARTMENT OF DEVELOPMENT SERVICES
100 N.W. 1ST AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7040



TO: DEVELOPMENT SERVICES MANAGEMENT GROUP (DSMG)
FROM: Michelle Hoyland, Principal Planner - Historic
DATE: November 3, 2023
RE: RIGHT-OF-WAY REDUCTION REQUEST FOR SUNDY VILLAGE BLK 69 & 70

BACKGROUND DETAILS:

The subject request is for a portion of the 6.902-acre Sundy Village development project, particularly relating to Blocks 69 and 70. An application for major site plan modification and Certificate of Appropriateness have been submitted for development of the Block 69 portion of the site for a 4-story office building & parking garage and a new 4-story office building on Block 70. During the TAC review process, the City Engineer and Development Services staff determined that a 2.5-foot right-of-way dedication is required for each side of SE 1st Street. In accordance with MBL-1 of the City's Comprehensive Plan, SE 1st Street is classified as a collector which requires an ultimate right-of-way of 55 feet. The objective of the mobility element is designed to provide street improvements such as pedestrian pathways, sidewalks, and public utilities. Currently, SE 1st Street ultimate right-of-way exists at 50 feet.

The applicant is requesting a reduction of 2.5' of right-of-way for both sides of SE 1st Street adjacent to Blocks 69 & 70. Pursuant to Land Development Regulations (LDR) Section 5.3.1(A)(3), *"when development is adjacent to an existing or planned street, the development shall be responsible for providing one-half of the ultimate right-of-way or such portion of the ultimate right-of-way which is yet undedicated, and which is on that development's side of the ultimate right-of-way center line."*

A reduction in the required right-of-way width can be requested per LDR Section to 5.3.1(A)(7), which states "**Reduction in width.** A reduction in the required right-of-way width may be granted by the body having the approval authority of the associated development application in developments in which new streets are created. For existing streets, reductions in right-of-way width may be granted by the City Engineer upon a favorable recommendation from the Development Management Services Group (DSMG). Reductions in the required right-of-way width may be granted pursuant to the following:

- (a) *The reduction is supported by the City Engineer. Nonsupport by the City Engineer may be appealed to the City Commission.*
- (b) *That requiring full dedication would constitute a hardship in a particular instance and that all required improvements will be provided in a manner which will not endanger public safety and welfare*
- (c) *That acceptable, alternative provisions are made to accommodate features which would otherwise be accommodated within the right-of-way e.g. alternative drainage systems, alternative pedestrian walkways, alternative on-street parking, etc."*

The design of the site plan modification for Block 70 incorporates an arcade feature that is proposed to extend into the adjacent SE 1st Street right-of-way. Also, large utility/power poles and overhead lines exist along the north side of SE 1st Street adjacent to Block 69, which could limit the expansion potential of SE 1st Street. The property owner has requested that the Development Services Management Group issue a recommendation to the City Engineer that a right-of-way reduction is appropriate under the circumstances.

APPLICANT JUSTIFICATION:

See the attached justification letter.

APPROVAL PROCESS:

If the request is denied by the Development Services Management Group, the appeal will go before the City Commission for a final determination.

DSMG CONSIDERATION	LOCAL STREET
Required Pavement Width	55 feet
Reduction Request	50 feet