



Cover Memorandum/Staff Report

File #: 26-0874

Agenda Date: 7/21/2026

Item #: 6.K.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: July 21, 2026

ACCEPTANCE OF A FDOT LANDSCAPE MAINTENANCE AGREEMENT (LMA) FOR A PORTION OF 102 SE 5TH AVENUE AT THE CORNER OF SE 5TH AVENUE AND SE 1ST STREET.

Recommended Action:

Acceptance of a FDOT Landscape Maintenance Agreement (LMA) for a portion of 102 SE 5th Avenue landscape at the corner of SE 5th Avenue and SE 1st Street.

Background:

A Level 3 Site Plan Application request for 102 SE 5th Avenue, including Architectural Elevations and a Landscape Plan, to construct a four-story, 8-unit residential development, was approved by the Planning and Zoning Board on March 17, 2025, and includes landscaping improvements located within the public right-of-way. Such improvements require the approval of a Landscape Maintenance Agreement (LMA). These documents are ministerial and serve to implement the approved design; there are no changes to the 102 SE 1st Avenue Residential Development in this action.

The LMA is an agreement between the property owner and the City of Delray Beach (City). When such improvements are located within a public right-of-way owned by the Florida Department of Transportation (FDOT), an LMA inclusive of a Maintenance Memorandum of Agreement (MMOA) is also required. The MMOA is an agreement between the City and FDOT. The requirement for an MMOA began in 2012. Upon approval of the LMA, the City Manager will execute the MMOA.

City Attorney Review:

The agreement has been approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

The LMA will be effective immediately upon approval.