



Cover Memorandum/Staff Report

File #: 25-324

Agenda Date: 4/8/2025

Item #: 6.F.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: April 8, 2025

ACCEPTANCE OF AN EASEMENT AGREEMENT FOR PEDESTRIAN CLEAR ZONE AT 142 AND 152 SE 5TH AVENUE, ALSO KNOWN AS FIFTH AVENUE TOWNHOMES, TOTALING APPROXIMATELY TWO HUNDRED AND FOURTEEN SQUARE FEET (214), AS MORE PARTICULARLY DESCRIBED HEREIN.

Recommended Action:

Consider acceptance of a Easement Agreement for Pedestrian Clear Zone between the owner of 142 and 152 SE 5th Avenue, Fifth Avenue Delray LLC, and the City of Delray Beach.

Background:

On October 23, 2024, the Site Plan Review and Appearance Board (SPRAB) voted to approve the Level 2 Site Plan application for the construction of a five-unit townhouse development with detached garages, with a landscape waiver and an internal adjustment to the side interior setbacks for swimming pools for the property located at 142 and 152 SE 5th Avenue, known as Fifth Avenue Townhomes. The site plan requires an easement agreement for the pedestrian clear zone along the east side of the property line to comply with the required streetscape dimensions.

City Attorney Review:

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

Funding Source/Financial Impact:

N/A

Timing of Request:

The Easement Agreement for Pedestrian Clear Zone shall be recorded prior to Site Plan certification.