



Cover Memorandum/Staff Report

File #: 19-635

Agenda Date: 7/2/2019

Item #: 6.D.

TO: Mayor and Commissioners
FROM: Timothy Stillings, Development Services Department
THROUGH: Neal de Jesus, Interim City Manager
DATE: July 2, 2019

FINAL (MINOR) SUBDIVISION REPLAT OF ALL OF TRACT 2 AND TRACT 5 OF THE PLAT OF DELRAY SQUARE II, PLAT BOOK 82, PAGES 63 THROUGH 64, ALSO KNOWN AS DELRAY SQUARE I.

Recommended Action:

Motion to approve the Final (Minor) Plat for Delray Square I, located at 4771 West Atlantic Avenue, by adopting that the request and approval thereof is consistent with the criteria set forth in Section 2.4.5(K)(Minor Subdivisions) of the Land Development Regulations.

Background:

Delray Square Shopping Center (Center) is located at the northeast corner of the intersection of West Atlantic Avenue and South Military Trail. The site has a Future Land Use Map (FLUM) designation of General Commercial (GC) and a zoning designation of Planned Commercial (PC) and is within the Four Corners Overlay District. In 1998, the northern 21 acres of the 33 acre shopping center were platted as Delray Square II, PB 82, PG 63. Two separate entities make up the ownership of the Center. One entity is in possession of Tracts 1A, 1B, 3, and 4. The other entity is in possession of Tracts 2 and 5. Within the Delray Square II plat, Tracts 3 and 5 were dedicated for all owners as lake management tracts and Tract 4 was dedicated for all owners as an ingress/egress access easement.

In 2015, a Master Development Plan (MDP) was approved for the Center. The MDP consisted of the relocation of the existing Publix, an additional retail building, the creation of two commercial outbuildings along West Atlantic Avenue and reconfiguration of the interior parking area. A Class IV Site Plan Modification for those site improvements was subsequently approved. In October 2017, a Class IV Site Plan Modification was approved for the area encompassed by Tracts 2 and 5 of Delray Square II Plat, as well as the southern unplatted area of the Center totaling approximately 18 acres. The approved site plan modification consisted of reductions to the building sizes. The landowner of Tract 2, Tract 5, and the unplatted area of Delray Square Shopping Center is the current plat applicant.

Within Tract 2, Tract 5, and the unplatted area, the applicant wishes to reconfigure the internal parcel lines to follow the logical division between the approved buildings, parking areas, and the outbuildings. An Amended and Restated Reciprocal Easement agreement between the two separate ownership entities of Delray Square Shopping Center to continue to have cross access and drainage between all tracts and parcels of the center has been recorded and is shown on the plat as ORB 29223, PG 1181 of the public records of Palm Beach County.

The plat is considered a minor plat as there are no additional parcels created by this replat. The plat proposes Parcels 1, 2, 3, and 4 to be reserved for the owners for private purposes as allowed pursuant to zoning regulations for the City of Delray Beach.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

N/A

Timing of Request:

N/A