



Legislation Details (With Text)

**File #:** 20-020      **Version:** 1      **Name:**

**Type:** Request      **Status:** Passed

**File created:** 1/2/2020      **In control:** City Commission

**On agenda:** 1/16/2020      **Final action:** 1/16/2020

**Title:** RESOLUTION NO. 18-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, PROVIDING FOR THE ABANDONMENT OF A INGRESS AND EGRESS EASEMENT.

**Sponsors:** Development Services Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Cover Report, 2. AutoNation Land Rover Jaguar - Site Plan Approval (2019-120), 3. AutoNation Land Rover Jaguar - Resolution 18-20 (2020-048), 4. AutoNation Land Rover Jaguar - Survey

Date	Ver.	Action By	Action	Result
1/16/2020	1	City Commission	approved	Pass

**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Director  
**THROUGH:** George Gretsas, City Manager  
**DATE:** January 16, 2020

RESOLUTION NO. 18-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, PROVIDING FOR THE ABANDONMENT OF A INGRESS AND EGRESS EASEMENT.

**Recommended Action:**

Review and consider Resolution No. 18-20.

**Background:**

The subject 20.5 acres property is located at the northeast corner of Linton Boulevard and Wallace Drive (1001 and 1111 Linton Boulevard) and is zoned Automotive Commercial (AC) with a Future Land Use designation of General Commercial (GC).

The approved site plan for AutoNation Land River Jaguar of Delray Beach requires the abandonment of easements (water, sanitary sewer, and ingress and egress easements) as the redevelopment of the property negates the need of these easements at their existing locations due to the configuration of the buildings (proposed and existing) and service locations on-site. This item is for the abandonment of an ingress and egress easement. The need for the easement, which granted access for the construction and maintenance of public utilities within Princess Boulevard is no longer needed as the road was abandoned by Resolution No. 63-86 of the City of Delray Beach as recorded in Official Records Book 5140 Page 1276 of the public records of Palm Beach County.

The proposed abandonment of easement is processed pursuant to Section 2.4.6(N), "Abandonment of Public Easement," of the LDRs. The request under review and consideration by the City

Commission includes a recommendation of approval by the City Engineer. Per LDR Section 2.4.6(N) (5). prior to granting an abandonment, the City Commission must make the finding that the abandonment will not result in detriment for the provision of utility services to adjacent properties or the general area.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

Action must be taken by the City Commission prior to the issuance of a building permit.