



Legislation Details (With Text)

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**Title:** CONSIDERATION OF A FINAL PLAT FOR KOLTER HOTEL DELRAY, LOCATED AT THE NORTHEAST CORNER OF SE 6TH AVENUE AND SE 2ND STREET.

**Sponsors:** Planning & Zoning Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Cover Memo, 2. Reduced Plat Exhibit, 3. Location Map, 4. Planning and Zoning Board Staff Report

Date	Ver.	Action By	Action	Result
3/6/2018	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Planning, Zoning and Building Director  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** March, 6, 2018

CONSIDERATION OF A FINAL PLAT FOR KOLTER HOTEL DELRAY, LOCATED AT THE NORTHEAST CORNER OF SE 6<sup>TH</sup> AVENUE AND SE 2<sup>ND</sup> STREET.

**Recommended Action:**

Move approval for the Final Plat for Kolter Hotel Delray by adopting the findings of fact and law contained in the staff report and finding that the request and approval thereof is consistent with the criteria set forth in Section 2.4.5(J), Major Subdivision of the Land Development Regulations, subject to the following condition:

1. That an easement is dedicated to FPL by separate instrument to cover the proposed transformer to be located at the southeast corner of the site and that such easement is recorded prior to the issuance of the first Certificate of Occupancy.

**Background:**

The subject property is zoned Central Business District (CBD) and has a Commercial Core (CC) Future Land Use Map (FLUM) designation. The site is vacant and most recently contained a gas station, which was demolished. On March 22, 2017, the Site Plan Review and Appearance Board approved a Class V site plan, landscape plan and architectural elevation plan for a four-story 150-room hotel with restaurant, lounge and meeting rooms with the provision of structured parking on the ground and second level.

The plat includes "Tract A" which will encompass the proposed development. The plat dedicates two tracts for right-of-way purposes. Tract "B", located on the east side of the property dedicates four feet of additional right-of-way along the alley including a corner clip at

the intersection of the alleyway and SE 2<sup>nd</sup> Avenue, and Tract "C" which provides a corner clip at the intersection of SE 6<sup>th</sup> Avenue and SE 2<sup>nd</sup> Street. The plat also dedicates a six-foot wide pedestrian clear zone easement located along the SE 2<sup>nd</sup> Street frontage. A proposed easement will be dedicated to FPL by separate instrument to cover the proposed transformer to be located at the southeast corner of the site.

**Plat Analysis:**

City staff has reviewed the plat and determined that all technical comments have been satisfied.

Pursuant to LDR Section 3.1.1, prior to approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information in the application, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. As shown in the attached Planning and Zoning Board staff report, positive findings can be made with respect to Future Land Use Map Consistency, Concurrency, Consistency with the Comprehensive Plan, and Compliance with the Land Development Regulations.

**Review By Others:**

The Planning and Zoning Board reviewed the Plat at its meeting of November 27, 2017, and recommended approval by a vote of 5 to 0 (Joseph Pike and Robin Bird absent) subject to the following conditions:

1. That an easement is dedicated to FPL by separate instrument to cover the proposed transformer to be located at the southeast corner of the site and that such easement is recorded prior to the issuance of the first Certificate of Occupancy.
2. That a pedestrian clear zone easement deed is dedicated on the plat to cover the six-foot wide pedestrian clear zone along the SE 2<sup>nd</sup> Street frontage and that the plat is revised reflecting such prior to City Commission consideration.

Subsequent to the Planning and Zoning Board meeting, the plat was revised to add the dedication of the pedestrian clear zone easement.

**Courtesy Notices:**

Courtesy notices have been provided to the following associations that have requested notice of developments in their areas:

- Chamber of Commerce
- Osceola Park
- Historic Marina

To date, no letters of objection or support for the Plat have been received. Any future letters of support or objection will be presented at the City Commission meeting.

**City Attorney Review:**

N/A

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

The plat must be approved and recorded prior to issuance of a building permit for the proposed project.

**Attachments:**

- Reduced Kolter Hotel Delray Plat
- Planning and Zoning Board Staff Report of November 27, 2017
- Location Map