



Legislation Details (With Text)

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**File created:** 10/22/2018      **In control:** City Commission

**On agenda:** 12/4/2018      **Final action:** 12/4/2018

**Title:** FINAL (MAJOR) SUBDIVISION REPLAT AND ASSOCIATED LANDSCAPE MAINTAINENCE AGREEMENT FOR LOTS 101 AND 102, TROPIC ISLE, PLAT BOOK 24, PAGE 235, ALSO KNOWN AS DELRAY 7 TOWNHOMES.

**Sponsors:** Development Services Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Cover Report, 2. Location Map-CC, 3. Plat 1, 4. Plat 2, 5. A-1SITE PLAN, 6. LMA-Applicant signed, 7. PZB 101518 Delray 7 Staff Report Final, 8. Legal Review Form-LandscapeMA-Delray7Townhomes-10-16-18

Date	Ver.	Action By	Action	Result
12/4/2018	1	City Commission		

**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Development Services Director  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** December 4, 2018

FINAL (MAJOR) SUBDIVISION REPLAT AND ASSOCIATED LANDSCAPE MAINTAINENCE AGREEMENT FOR LOTS 101 AND 102, TROPIC ISLE, PLAT BOOK 24, PAGE 235, ALSO KNOWN AS DELRAY 7 TOWNHOMES.

**Recommended Action:**

Move approval for the Final (Major) Plat for Delray 7 Townhomes 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 along with approval of a Landscape Maintenance Agreement pursuant to Sec. 4.4.16 of the LDRs.

**Background:**

The vacant properties were previously platted as Tropic Isle Lots 101 and 102, Plat Book 24, Page 235, Palm Beach County Public Records. The 0.618 acre site is zoned Multiple Family Residential (RM) and has a Future Land Use Map designation of Medium Density Residential (MD).

On November 29, 2017, the Site Plan Review and Appearance Board approved a Class V site plan and landscape plan. Architectural elevations for seven fee-simple two story townhomes were approved on January 11, 2018. A major plat is required as a subdivision of more than three lots is proposed. The Planning and Zoning Board reviewed the Plat at its meeting of October 15, 2018 and recommended approval 6 to 0 (Neal Jones absent).

Dedication of two private street tracts, as well as two access easements, are proposed. Tract A and B

are dedicated for private street and utility purposes. Tract A provides access to Lots 1 and 2, Tract B provides access to Lots 3-7. A 5-ft. wide access easement through the adjoining properties is provided to ensure all lot owners have legal access to the rear of their lots. The common access easement that parallels Tract B along the northeast tract line provides for vehicular cross access between Lots 3-7. A drainage easement of varying width borders the rear of Lots 2-7, as well as the front of lots 2-7, to convey stormwater drainage to a shared stormwater system. A 10-ft. general utility easement is located along the outer perimeter of the development for utility connections to each lot. No additional public right-of-way (ROW) is required to be dedicated. The development includes landscape improvements within the public ROW of Florida Boulevard. A landscape maintenance agreement shall be recorded in conjunction with the plat. The agreement will specify the entity responsible for the maintenance of the ROW landscape improvements as well as any specific requirements that may affect the improvements such as mowing, pruning, or watering schedules.

***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 the Future Land Use Map Consistency, Concurrency, Consistency with the Comprehensive Plan and Compliance with the Land Development Regulations.

**City Attorney Review:**

N/A

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

Building permit cannot be issued prior to plat and maintenance agreement recordation.