



Legislation Details (With Text)

File #: 18-646 **Version:** 1 **Name:**
Type: Request **Status:** Passed
File created: 9/19/2018 **In control:** City Commission
On agenda: 10/16/2018 **Final action:** 10/16/2018
Title: ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR CALVARY CHAPEL LOCATED AT 200 STERLING AVENUE.
Sponsors: Development Services Department
Indexes:
Code sections:
Attachments: 1. Agenda Cover Report, 2. Perpetual Sidewalk Easement Agreement for Calvary Chapel, 3. Exhibit A-Survey, 4. PAPA Map_Calvary Chapel, 5. Legal Review Form-CalvaryChapelDelrayOutreach-Octmtg-7-23-18

Date	Ver.	Action By	Action	Result
10/16/2018	1	City Commission	approved	

TO: Mayor and Commissioners
FROM: Timothy Stillings, Development Services Director
THROUGH: Mark R. Lauzier, City Manager
DATE: October 16, 2018

ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR CALVARY CHAPEL LOCATED AT 200 STERLING AVENUE.

Recommended Action:

Motion to approve and accept a 5 foot wide sidewalk easement on 200 Sterling Avenue; legally described as Lots 2 through 7, inclusive, block 2, plat 1 of 2 Southridge, according to the plat thereof as recorded in Plat Book 13, Page 38 of Palm Beach County, Florida.

Background:

On January 25, 2018, the owner of the property, Calvary Chapel Delray Outreach, Inc., submitted a Class III Site Plan Modification associated with a change of use from a child care center and private school to church, construction of a new parking lot, and related site improvements. At its meeting on June 27, 2018 Site Plan and Review Board (SPRAB) approved a Class III Site Plan Modification, subject to the approval of this sidewalk easement agreement.

Per LDR Section 5.3.1(D)(2), the required right-of-way width for Sterling Avenue is 60 ft (Local Residential Street without curb and gutter) and 50 ft. currently exists according to the survey provided. Therefore, the redevelopment of the subject property requires a right-of-way dedication of 5 ft. However, in lieu of the 5 ft. right-of-way dedication requirement, a 5 ft. perpetual sidewalk easement can be accepted, per the City Engineer's review.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

This item has no financial impact to the City.

Timing of Request:

The request is required to certify the plans and issue a building permit.