



## Legislation Details (With Text)

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<b>On agenda:</b>	1/16/2020	<b>Final action:</b>		1/16/2020	
<b>Title:</b>	MINOR SUBDIVISION OF A REPLAT FOR AUTONATION LAND ROVER JAGUAR OF DELRAY BEACH, FLORIDA, AND THE CREATION OF A TEMPORARY CONSTRUCTION ACCESS EASEMENT AGREEMENT.				
<b>Sponsors:</b>	Development Services Department				
<b>Indexes:</b>					
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<b>Attachments:</b>	1. Agenda Cover Report, 2. AutoNation Land Rover Jaguar - Proposed Plat (2019-249), 3. AutoNation Land Rover Jaguar - Construction Easement (2019-249), 4. AutoNation Land Rover Jaguar - Site Plan Approval (2019-120), 5. 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

MINOR SUBDIVISION OF A REPLAT FOR AUTONATION LAND ROVER JAGUAR OF DELRAY BEACH, FLORIDA, AND THE CREATION OF A TEMPORARY CONSTRUCTION ACCESS EASEMENT AGREEMENT.

### **Recommended Action:**

Review and consider a minor subdivision request and the creation of a temporary construction easement agreement.

### **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). A final subdivision to replat the existing properties to create two parcels, "Parcel 1" and "Parcel 2", and the acceptance of a temporary construction easement agreement are required prior to the construction of the new full-service automotive dealership facility at 1111 W. Linton Blvd. Parcel 1 will be the AutoNation Land Rover Jaguar Dealership. Parcel 2 is the existing Mercedes Benz dealership.

The subdivision request is a replat of Tract C, Wallace Dodge, (PBC Records Plat Book 72 Page 54 and 55) together with Tracks D and E, Wallace Dodge replat (PBC Records Plat Book 74 Page 9 and 10), together with Parcel A, Bill Wallace Nissan (PBC Records Plat Book 56 Page 91) together with a portion of Lot 47 and a portion of the south 25 feet of Princess Boulevard, Sand's O'Sea (PBC

Records Plat Book 21 Page 27). The subdivision request includes the dedication of Tract "A" in perpetual use of the public for roadway purposes to The State of Florida Department of Transportation (FDOT).

Pursuant to LDR Section 2.4.5(K)(5), no specific findings are necessary for the approval of a final plat for a minor subdivision, except that when it is a boundary plat for a single parcel which is to be developed pursuant to an approved site and development plan, a finding must be made by the City Commission that the final plat is consistent with the findings made upon approval of the site and development plan. A Class IV site plan modification was approved by the Site Plan Review and Appearance Board on October 16, 2019, for the redevelopment of the property into a new full-service automotive dealership facility. As an outstanding item listed as part of the approval, a replat for the subject property shall be recorded prior to the issuance of a building permit. City staff has reviewed the plat and determined that all technical matters have been satisfied. Pursuant to LDR Section 2.4.5 (K)(1), Minor Subdivision (Boundary Plat, Lot Split): Rule, the platting of a minor subdivision shall involve only the City Commission. The City Commission shall be the final authority in this subdivision process. The City Commission may approve or deny the final plat. Therefore, no additional Boards have reviewed the plat for recommendation.

With the proposed abandonment of the existing utility easements as described in Resolution No. 04-20, the creation of a temporary construction easement agreement is required for the maintenance of public utilities/drainage facilities existing within the subject property, Parcel 1, until the new utility lines are constructed. The temporary easement encompasses the full site plan until the new lines are constructed in their final location. At that time, the temporary easement will be replaced with a perpetual easement agreement.

**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.