



## Legislation Text

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**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** June 14, 2022

APPROVING THE FINAL (MAJOR) SUBDIVISION REPLAT OF A PORTION OF LOT 4, SECTION 9, MAP SHOWING SUBDIVISIONS OF PORTIONS OF TOWNSHIPS 45 AND 46 SOUTH, RANGE 43 EAST, RECORDED IN PLAT BOOK 1, PAGE 4, AND A REPLAT OF A PORTION OF CORRECTION MAP SHOWING SUBDIVISION OF PROPERTY OF HARRY SEEMILLER, RECORDED IN PLAT BOOK 9, PAGE 72, AND A REPLAT OF A PORTION OF LA-HACIENDA, RECORDED IN PLAT BOOK 15, PAGE 6, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 9, TOWNSHIP 46 SOUTH, RANGE 43 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA, ALSO KNOWN AS POPSTROKE DELRAY.

### **Recommended Action:**

Review and consider the Final (Major) Plat for Popstroke Delray, at 1314 North Federal Highway Highway and the associated parcels with PCN numbers 12-43-46-0912-000-0052, 12-43-46-0912-000-0061, 12-43-46-0912-000-0062, 12-43-46-0939-000-0045, by adopting that the request and approval thereof is consistent with the criteria set forth in the Land Development Regulations Section 2.4.5(J)(Major Subdivisions).

### **Background:**

At its meeting of March 23, 2022, the Site Plan Review and Appearance Board (SPRAB) approved a Class V Site Plan, Landscape Plan, and Architectural Elevations for a 4,628 square foot restaurant and 18-hole miniature golf course.

The Major Subdivision, which is required as part of the site plan approval process to unify the five parcels, includes the following:

- ☐ Replat of a portion of Lot 4, Section 9, Gulfstream Map showing subdivisions of portions of Townships 45 and 46 South, Range 43 East, Recorded in Plat Book 1, Page 4, and a replat of a portion of Correction Map showing subdivision of property of Harry Seemiller, recorded in Plat Book 9, Page 72, and a replat of a portion of La - Hacienda, recorded in Plat Book 15, Page 6, All of the Public Records of Palm Beach lying in Section 9, Township 46 South, Range 43 East, City of Delray Beach, Palm Beach County, Florida.
- ☐ Dedication of 10 feet of right-of-way for North Federal Highway to Florida Department of Transportation as Tract R for road, access, and other related purposes; and,
- ☐ Dedication of a public ingress and egress easement along the north property line at a depth of 22 feet.

Per LDR Section 2.4.5(J)(3)(b), a Major Plat must be reviewed by the Planning and Zoning Board. The Planning and Zoning Board must certify that the final plat is in compliance with the approved preliminary plat. A full analysis of the technical criteria and land development standards is provided in the attached Planning and Zoning Board Staff report.

On March 21, 2022, the Planning and Zoning Board voted 7 to 0 that the final plat was in compliance with the approved preliminary plat.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

Building Permit cannot be issued until the plat is recorded.