



## Cover Memorandum/Staff Report

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**File #:** 24-142 CRA

**Agenda Date:** 11/18/2024

**Item #:** 9C.

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**TO:** CRA Board of Commissioners  
**FROM:** Christine Tibbs, Assistant Director  
**THROUGH:** Renée A. Jadusingh, Esq., CRA Executive Director  
**DATE:** November 18, 2024

### **RESOLUTION 2024-17 - PUBLIC NOTICE OF INTENT TO DISPOSE OF PORTIONS OF DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY OWNED PROPERTY - 106 NW 10<sup>th</sup> AVENUE**

#### **Recommended Action:**

- 1) Award the Public Notice of Intent to Dispose of substandard sized portions of CRA-owned property located at 106 NW 10<sup>th</sup> Avenue (Subject Property) to four (4) Abutting Property Owners - Lot 1: Margaret Jenkins Trust; Lot 2: Claremont Property Investments; Lot 3: LLC, Devonne Herrington; and Lot 4: Cheryl Denise Merrick for the purpose of replatting the Subject Property for the future development of affordable/workforce housing; and
- 2) Approve Resolution 2024-17 and four (4) Purchase and Sale Agreements with the Abutting Property Owners for the purchase of portions of property located at 106 NW 10<sup>th</sup> Avenue in substantially the same forms as attached in Exhibit D; and
- 3) Authorize the CRA Board Chair to execute the Purchase and Sale Agreements, and any related documents, in a form legally acceptable to the CRA Legal Counsel;
- 4) Authorize CRA Staff to plat 106 NW 10<sup>th</sup> Avenue, and include the four (4) Abutting Property Owners' properties within the CRA's plat application (with the anticipated result of platting seven (7) lots, and the removal of sub-standard lot sizes.)

#### **Background:**

On April 25, 2023, the CRA Board approved the purchase of 106 NW 10<sup>th</sup> Avenue (Subject Property). The Subject Property is located in the Northwest Neighborhood of The Set (CRA Sub-Area #4) and is a vacant lot that is approximately 20,427 sq. ft. and zoned R-1-A, Single Family Residential. The Subject Property is unique in that it includes remnants of an alley.

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At this time, CRA staff is preparing to plat the Subject Property into three (3) standard size lots and prepare the Subject Property for future development of affordable/workforce housing. During this process, CRA staff met several times with the City of Delray Beach Development Services staff and it has been determined that the entirety of the Subject Property would need to be included in the platting process and the alley remnants could not be left out of the platting process. Moreover, sub-standard lot sizes cannot be platted. Disposition of the portions of the Subject Property that comprise the alley remnants to abutting property owners and then including those property owners in the platting process was determined to be the best path forward for the CRA to meet one of its core objectives of providing additional affordable/workforce housing opportunities within the CRA District as identified in the CRA's Redevelopment Plan.

As such, on May 30, 2024, the CRA Board approved issuing a Notice of Intent to Dispose, pursuant to Section 163.380, Florida Statutes, to dispose of the alley remnants of the Subject Property to qualified abutting property owners to help facilitate the platting process and prepare the Subject Property for the future development of affordable/workforce housing.

The alley remnants were divided into four (4) portions, and those portions of the Subject Property were included in the Notice of Intent to Dispose (Exhibit B). Eligible respondents included those property owners that own property abutting those four (4) portions of the Subject Property. The Notice of Intent to Dispose was issued on August 14, 2024, and the due date for all responses was October 16, 2024. The Notice was published on the CRA's website and in the Palm Beach Post.



Four (4) responses were timely received by October 16, 2024 (Exhibit C):

Lot	Respondent	Abutting Property Owner
1	Margaret Jenkins Trust	Yes -100 NW 10 <sup>th</sup> Avenue
2	Claremont Property Investments, LLC	Yes - 114 NW 10 <sup>th</sup> Avenue
3	Devonne Herrington	Yes -118 NW 10 <sup>th</sup> Avenue
4	Cheryl Denise Merrick	Yes -122 NW 10 <sup>th</sup> Avenue

CRA staff and CRA Legal Counsel have reviewed the submitted responses and have found the respondents qualified Abutting Property Owners and their respective responses responsive to the Notice of Intent to Dispose.

At this time, CRA staff is recommending the CRA Board:

- 1) Award the Public Notice of Intent to Dispose of substandard sized portions of CRA-owned property located at 106 NW 10<sup>th</sup> Avenue (Subject Property) to four (4) Abutting Property Owners - Lot 1: Margaret Jenkins Trust; Lot 2: Claremont Property Investments; Lot 3: LLC, Devonne Herrington; and Lot 4: Cheryl Denise Merrick for the purpose of replatting the Subject Property for the future development of affordable/workforce housing; and
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Attachment(s): Exhibit A- Location Map; Exhibit B - Public Notice of Intent to Dispose; Exhibit C - Received Responses; Exhibit D - Resolution 2024-17; Exhibit E - Four Purchase and Sale Agreements

**CRA Attorney Review:**

CRA Legal Counsel has reviewed the submitted responses and drafted the Purchase and Sale Agreements in forms legally acceptable to the CRA Legal Counsel.

**Finance Review:**

N/A

**Funding Source/Financial Impact:**

N/A

**Overall need within the Community Redevelopment Area from Delray Beach CRA  
Redevelopment Plan:**

**Removal of Slum and Blight**

**Land Use**

Economic Development

**Affordable Housing**

Downtown Housing

Infrastructure

Recreation and Cultural Facilities