



## Legislation Text

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File #: 23-115 CRA, Version: 1

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**TO:** CRA Board of Commissioners  
**FROM:** Ivan Cabrera, AICP, Redevelopment Manager  
**THROUGH:** Renee Jadusingh, Esq., CRA Executive Director  
**DATE:** June 1, 2023

**95 SW 5<sup>TH</sup> AVENUE AFFORDABLE COMMERCIAL DEVELOPMENT - REVOCABLE TEMPORARY USE AGREEMENT WITH AHRENS ENTERPRISES, INC., DBA AHRENS COMPANIES, FOR THE TEMPORARY USE OF THE CRA-OWNED PROPERTIES LOCATED AT 105 SW 5<sup>TH</sup> AVENUE, 46 SW 6<sup>TH</sup> AVENUE, AND 48 SW 6<sup>TH</sup> AVENUE, DELRAY BEACH, FLORIDA, 33444.**

### **Recommended Action:**

Approve the Temporary Use Agreement (Agreement) with Ahrens Enterprises, Inc., dba Ahrens Companies, (Ahrens) and authorize the Executive Director to execute the Agreement and all related documents for the temporary use of the CRA-Owned properties located at 105 SW 5<sup>th</sup> Avenue, 46 SW 6<sup>th</sup> Avenue, and 48 SW 6<sup>th</sup> Avenue as a parking and staging area for the 95 SW 5<sup>th</sup> Avenue Affordable Commercial Development, in substantially the attached form.

### **Background:**

On January 24, 2023, the CRA Board awarded Ahrens ITB CRA No. 2022-01 to construct a commercial building at 95 SW 5<sup>th</sup> Avenue (Project). The Agreement was executed by Ahrens and the Delray Beach Community Redevelopment Agency (CRA) on February 28, 2023 and the building permit for the Project is in the final stages of approval.

The building permit requires the CRA, as the owner of the property and building permit applicant, to provide a construction vehicle parking plan that meets the City of Delray Beach Land Development Regulation Section 7.1.8, Construction Parking and Staging. To comply with this requirement, the CRA is proposing Ahrens utilize the following CRA-owned properties: 105 SW 5<sup>th</sup> Avenue, 46 and 48 SW 6<sup>th</sup> Avenue, Delray Beach, Florida, 33444 (Exhibit A), that are located near the Project site.

To allow the utilization of the CRA-owned properties and parcels for parking and staging, a Temporary Use Agreement is required. The Agreement (Exhibit B) includes provisions concerning the use of the properties, containment of any trash, debris, etc., necessary repairs to the properties at the end of use, indemnification, and insurance.

At this time, CRA Staff is requesting the CRA Board approve the Agreement with Ahrens, allowing the temporary use of CRA-owned properties located 105 SW 5<sup>th</sup> Avenue, 46 and 48 SW 6<sup>th</sup> Avenue for construction related parking and staging purposes, and authorize the CRA Executive Director to execute the Agreement and all related documents, in substantially the attached form.

Attachment(s): Exhibit A - Location Map; Exhibit B - Temporary Use Agreement (without exhibits)

**CRA Attorney Review:**

The CRA Attorney reviewed the Temporary Use Agreement to form and determined it to be accepted.

**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