



## Legislation Text

---

File #: 18-0624 CRA, Version: 1

---

**TO:** CRA Board of Commissioners  
**FROM:** Ivan Cabrera, AICP, Redevelopment Manager  
**THROUGH:** Renée A. Jadusingh, Esq., Executive Director  
**DATE:** July 28, 2020

### **FOLLOW-UP DISCUSSION - LOT 11 OF SUNDAY AND TENBROOK ADDITION TO DELRAY, FLORIDA - COMMENTS ON USE OF PROPERTY BY THE CITY OF DELRAY BEACH**

#### **Recommended Action:**

Discussion regarding the property located at 421 SW 5th Avenue, Delray Beach, Florida (Lot 11, Sundry & Tenbrook Addition to Delray, Florida) (Property) and City of Delray Beach's (City) use of the Property.

#### **Background:**

At the January 12, 2012, CRA Board meeting, the CRA Board approved Resolution 2012-01, an Interlocal Agreement with the City (ILA) and an Agreement for Purchase and Sale of Real Property (Agreement), associated with the transfer of the CRA-owned Property to the City with the purpose of aiding the City in addressing drainage issues in the surrounding area as part of a Citywide Storm Water Master Plan.

On March 6, 2012, the City Commission approved Resolution 09-12 acquiring the Property and accepting the terms and conditions stated in the ILA and the Agreement.

Section 14, Special Clauses, of the Agreement states:

- a) The City shall develop the Property as part of the City's drainage improvements, to the extent of the funding provided.
- b) In the event the City desires to discontinue the public use of the Property, it shall provide the CRA with thirty (30) days written notice of its intent to allow the CRA to comment on such change.

On March 6, 2020, the CRA received a Notice of Intent to Sell from the City, which is looking to sell the Property to a private owner. Pursuant to the Agreement, the CRA now has the opportunity to formally comment on this matter.

This item was originally scheduled to be heard by the City Commission on April 7, 2020, however, due to COVID-19 and the ensuing postponement of City Commission meetings, this item was postponed and will be heard by the City Commission on the next available meeting date.

At the June 23, 2020, CRA Board meeting, the CRA Board requested additional information regarding the purpose of the sale and the potential to develop the Property, specifically whether it's a

buildable lot. Based on the City's Land Use and Zoning Maps, the land use designation and zoning for the Property is Single Family Residential (R-1-A). The Property abuts a single family home to the west, an undeveloped alley to the east, a vacant lot (Lot 10) to the north, and another single family home to the south. The City has stated that the Property is not a buildable lot suitable to be developed on its own.

The City has a pending Vacant Land Contract for both the Property and Lot 10 for a combined purchase price of \$45,000.00. The City intends to sell both vacant lots to the single family home owner who abuts the Property to the west who intends to use the both lots to expand his backyard.

At this time, CRA Staff is requesting the CRA Board provide comments regarding the City's intent to sell the Property to a private owner and the potential transfer of the Property back to the CRA.

Attachment(s): Exhibit A - Location Map; Exhibit B - Notice of Intent to Sell; Exhibit C - Resolution 09-12; Exhibit D - Vacant Land Contract

**CRA Attorney Review:**

N/A

**Finance Review:**

N/A

**Funding Source/Financial Impact:**

N/A