



WEST PALM BEACH

City Commission Agenda Cover Memorandum

Originating Department: City Clerk (CC)	Meeting Type: Regular	Advertised: Required?: <input type="radio"/> Yes <input checked="" type="radio"/> No	ACM#: 22765
	Agenda Date: 01/13/2020		

Subject:

Minutes of the Regular City Commission Meeting of December 2, 2019.

Ordinance/Resolution:

Staff Recommended Motion:

Approve the Minutes of the Regular City Commission Meeting of December 2, 2019.

Background:

Fiscal Note

Current Year:	Annualized:	Budgeted:	Unbudgeted:	Funding Source:
---------------	-------------	-----------	-------------	-----------------

Comment: No fiscal impact.

Electronic Attachments: [Click here for assistance with naming convention.](#)

Is this ACM related to a **Grant**? Yes No

Is this ACM related to **Housing**? Yes No

Originating Department - Approved by: Hazeline Carson on 12/19/2019

Agenda Category/Status

Action requested by Reviewer before approval .

12/19/2019 Asst. City Administrator



12/19/2019 City Administrator



[Return to Agenda](#)

CITY OF WEST PALM BEACH
OFFICE OF THE CITY CLERK
REGULAR CITY COMMISSION MEETING
December 2, 2019

The City Commission of the City of West Palm Beach met in regular session on Monday, December 2, 2019 at 5:00 p.m., at City Hall, with the following persons present:

Mayor Keith James, President of the Commission Christina Lambert, Commissioner Cory Neering, Commissioner Joseph Peduzzi, Commissioner Richard Ryles, and Commissioner Kelly Shoaf, Interim City Administrator Faye Johnson, City Attorney Kimberly Rothenburg, and City Clerk Hazeline Carson.

CALL TO ORDER:

INVOCATION:

Mayor James requested a moment of silence.

PLEDGE OF ALLEGIANCE:

Commissioner Lambert led the Pledge of Allegiance.

CIVILITY AND DECORUM: The City of West Palm Beach is committed to civility and decorum by its officials, employees and members of the public who attend this meeting. The City Code, Sections 2-31(8), 2-31(18) and 2-31(22), provides in pertinent part:

- Officials shall be recognized by the Chair and shall not interrupt a speaker.
- Public comment shall be addressed to the City Commission as a whole and not to any individual on the dais or in the audience.
- Displays of anger, rudeness, ridicule, impatience, lack of respect and personal attacks are strictly prohibited.
- Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted.
- Offenders may be removed from the meeting.

ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA:

Faye Johnson, Interim City Administrator, said that item #9 is being removed from the agenda, as it is the companion item to the item that was removed from the CRA agenda. She stated that it will be brought back at a later date.

PRESENTATION AND AWARDS OF MERIT (2):

1. Presentation of activities for Holiday in Paradise 2019.

Mary Pinak, Community Events Manager, introduced the theme this year for Sandi as “Surf’s Up” and explained the reason the theme was chosen. The kickoff is this Thursday at Clematis by Night. She said they are working with Sustainability this year as a partner with the beach cleanup initiative. She provided a list of events that will be held this year. The tree lighting is on Thursday, December 5, 2019 from 6:00 p.m. until 9:30 p.m., and she mentioned other events that will take place at that time. She mentioned other events that will be held during the Green Market, Screen on the Green, and other events throughout the month of December.

Bill Unger, with the Florida Surfing Museum, stated that he does all of the events for the Florida Surfing Museum, and runs the Surf and Skate Expo. He explained how they came up with the theme for Sandi this year.

Richalyn Miller, CRA Marketing and Events Coordinator, listed events that will be taking place in Northwood Village: Ground Breaking Ceremony for the Sunset Lounge on December 13, 2019 at 5:00 p.m.; Winter in Paradise on December 13, 2019 from 5:30 p.m. until 9:00 p.m.; and Art Night Out, which will be every last Friday from 6:00 p.m. until 9:00 p.m.

COMMENTS BY THE MAYOR AND CITY COMMISSIONERS:

Commissioner Lambert commented on the Share a Supper Event and thanked everyone who participated. She asked about the golf course, the status of the RFP, and hosting a workshop to have further communication on the dais and with the community.

Mayor James asked if the letter that he requested regarding terminating the RFP had gone out.

Ms. Johnson said a letter was to go out today.

Rick Greene, Assistant City Administrator, said that the letter was sent to Law for review.

Mayor James stated that by terminating the RFP, it lifts the cone of silence and will allow conversations to take place.

Commissioner Lambert asked if it precluded McGetrick.

Mayor James responded no, and that they will schedule a workshop to discuss the golf course.

Commissioner Lambert said that it might be beneficial to have community input, without delaying this from moving forward.

Mayor James said they will work on that.

Commissioner Lambert asked about the status of the flood valves, which

is related to the king tides on Flagler Drive.

Scott Kelly, Assistant City Administrator, said they will discuss the short-term and long-term plan with the Commissioners at a workshop.

Commissioner Peduzzi commented on the golf course and said he hopes McGetrick is still part of the conversation. He complimented Scott Kelly with regard to the City's interest with the TPA regarding extension of State Road 7, and said that he has been a tremendous resource. He stated that he heard he is retiring and hopes he can still come back to assist the City.

Commissioner Neering commented on the event at Rosemary Square this past weekend, and that he is excited about the redevelopment of that area. He asked for an update on "Hello Sunshine," the art pieces around the City, but mainly about the one along Cumberland. He stated that this has been a long process, and would like to give an update to the constituents.

Commissioner Shoaf called attention to the map done by the CRA on the shops in Northwood Village. She stated that the Old Northwood Candlelight Home Tours will take place on December 15, 2019.

Commissioner Ryles commented on an item that was pulled off of the agenda for the 289 units to be done in the Northwest Neighborhood. He stated that this would become the largest project in over 40 years in that area, and that he understands the concerns from the citizens.

Mayor James commented on the event at Rosemary Square this past weekend and encouraged everyone to visit it. He commented on the swearing in of three new Police Officers today.

CONSENT CALENDAR (2-6):

Motion was made by Commissioner Shoaf, seconded by Commissioner Ryles, to approve the following Consent Calendar:

- 2. Minutes of the Regular City Commission Meeting of November 4, 2019.**
- 3. Resolution No. 281-19 accepting a grant of \$150,000 from the Community Foundation of Palm Beach and Martin Counties to fund Phase 2 of the Gehl Studio Project; Dance Into the Sunset and Development of the Office of Community Engagement and approving an agreement with Gehl Studios to be funded by the grant; and Resolution No 365-19 (F) appropriating the grant funds.**

Resolution No. 364-19 accepting a grant of \$30,000 from the Community Foundation of Palm Beach and Martin Counties to fund Dance Into the Sunset Pilot Public Space in the Historic Northwest Neighborhood on Rosemary Avenue; and Resolution No 366-19 (F) appropriating the grant funds.

RESOLUTION NO. 281-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA,

ACCEPTING A GRANT FROM THE JOHN S. AND JAMES L. KNIGHT FOUNDATION FUND OF THE COMMUNITY FOUNDATION FOR PALM BEACH AND MARTIN COUNTIES, IN THE AMOUNT OF \$150,000 TO FUND PHASE 2 OF THE DANCE INTO THE SUNSET PUBLIC SPACE PILOT PROGRAM; APPROVING THE AGREEMENT WITH GEHL STUDIO FOR PHASE 2 OF THE DANCE INTO THE SUNSET PROJECT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 365-19(F); A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF CITY FUNDS IN FISCAL YEAR 2019/2020 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE GRANT PROGRAMS SPECIAL REVENUE FUND TO PROVIDE FOR THE RECEIPT OF A GRANT FROM THE COMMUNITY FOUNDATION OF PALM BEACH AND MARTIN COUNTIES; APPROPRIATING FUNDS IN THE AMOUNT OF \$150,000 FOR PHASE 2 OF THE GEHL STUDIO DANCE INTO THE SUNSET PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 364-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ACCEPTING A GRANT IN THE AMOUNT OF \$30,000 FROM THE COMMUNITY FOUNDATION FOR PALM BEACH AND MARTIN COUNTIES, JOHN D. AND CATHERINE T. MACARTHUR FUND, TO FUND PHASE 2 OF THE DANCE INTO THE SUNSET PUBLIC SPACE PILOT PROGRAM IN THE HISTORIC NORTHWEST NEIGHBORHOOD ON NORTH ROSEMARY AVENUE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 366-19(F); A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF CITY FUNDS IN FISCAL YEAR 2019/2020 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE GRANT PROGRAMS SPECIAL REVENUE FUND TO PROVIDE FOR THE RECEIPT OF A GRANT FROM THE COMMUNITY FOUNDATION OF PALM BEACH AND MARTIN COUNTIES; APPROPRIATING FUNDS IN THE AMOUNT OF \$30,000 FOR THE DANCE INTO THE SUNSET PILOT PUBLIC SPACE IN THE HISTORIC NORTHWEST NEIGHBORHOOD ON NORTH ROSEMARY AVENUE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- 4. Resolution No. 358-19 authorizing an Agreement between the City and Mark Jones for the Use, Operation and Management of the Howard Park**

Tennis Center.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF WEST PALM BEACH AND MARK WELLINGTON JONES FOR THE USE, OPERATION AND MANAGEMENT OF THE HOWARD PARK TENNIS FACILITIES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

5. **Resolution No. 371-19(F) accepting funding in the amount of \$13,500 from the West Palm Beach Library Foundation to continue the "Get That Job" series at the Mandel Public Library of West Palm Beach during Fiscal Year 2019/2020.**

RESOLUTION NO. 371-19(F): A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF CITY FUNDS IN FISCAL YEAR 2019/2020 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE GRANT PROGRAMS SPECIAL REVENUE FUND BUDGET TO ACCEPT A CONTRIBUTION FROM THE WEST PALM BEACH LIBRARY FOUNDATION AND TO PROVIDE APPROPRIATIONS FOR THE "GET THAT JOB" PROGRAMMING FOR ADULTS FOR ONE YEAR; AUTHORIZING EXECUTION OF ANY DOCUMENTATION REQUIRED IN CONNECTION WITH FUNDING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6. **Resolution No. 382-19 authorizing the assessment of city liens in the total amount of \$30,910.88 for unpaid water service, sewer service, and stormwater service charges for the month of September 2019.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING AND AUTHORIZING AN ASSESSMENT OF CITY LIENS FOR UNPAID WATER SERVICE, SEWER SERVICE, AND STORMWATER SERVICE; PROVIDING THAT SAID LIENS SHALL BE PRIOR IN DIGNITY TO ALL OTHER LIENS AGAINST THE ASSESSED PROPERTIES, SAVE AND EXCEPT A LIEN FOR TAXES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

COMMENTS FROM THE PUBLIC FOR NON-AGENDA ITEMS:

Public comments were made by the following: Christina Romelus, Matt Chambers, Kevin Lawler, Will Davis, Karen Steele, and Susan Vitek.

Mayor James requested that Ms. Johnson set a meeting with residents, and representatives from Norton, regarding issues that were brought up under public comment.

RESOLUTIONS (7-9):

- 7. Resolution 385-19: Approving an Amended and Restated Restrictive Covenant for the property located at 401 Datura Street (Parking Lot B).**

RESOLUTION 385-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING AN AMENDED AND RESTATED RESTRICTIVE COVENANT BETWEEN IVY AT CLEMATIS, LLC AND THE CITY OF WEST PALM BEACH, FOR THE PROPERTY LOCATED AT 401 DATURA STREET; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Elizabeth Levesque, Urban Design Planner, presented this item and discussed the following: existing conditions; background; proposed project; restrictive covenant overview; changed downtown conditions; existing condition; compactor room proposal; public benefit; proposal-public parking spaces; maintenance; and staff's recommendation.

Commissioner Shoaf asked about the valet spots.

Ms. Levesque said that there will be a monthly pass that will be issued by Parking Administration.

Mr. Kelly said that they are proposing a hierarchy for parking, and we will do a demand based pricing, and who will be eligible for certain parking spots.

There was discussion regarding: the demand for the parking spots; having enough parking spaces; bringing a parking plan to the Commission; and securing the trash compactor.

Motion was made by Commissioner Ryles, seconded by Commissioner Peduzzi, to approve Resolution No. 385-19 for the approval of an Amended and Restated Restrictive Covenant between Ivy at Clematis, LLC and the City of West Palm Beach for the site located at 401 Datura Street; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

- 8. Resolution No. 393-19 approving an award of funds and authorizing the Mayor to execute an Award Agreement between the City of West Palm Beach and The Lord's Place, Inc., in the amount of \$215,000 for the provision of certain services to homeless persons.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING AN AWARD OF FUNDS AND AUTHORIZING THE MAYOR TO EXECUTE A

HOMELESS SERVICES AGREEMENT BETWEEN THE LORD'S PLACE, INC., AND THE CITY OF WEST PALM BEACH FOR THE PROVISION OF CERTAIN SERVICES TO HOMELESS PERSONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Jennifer Ferriol, Director of Housing and Community Development, provided an update on the new homeless initiatives. She stated that a Homeless Service Coordinator will be hired to bring all initiatives together. They will also have an online tool to produce homeless activity reports.

Mayor James asked her to get with the Director of Communications to work on a strategy to get the word out, especially as we get closer to implementation. He mentioned the segment on 60 Minutes last night regarding the homeless throughout the country, and wants to get the word out that West Palm Beach is working hard to address this problem.

Ms. Ferriol said the funds have been appropriated in the Housing and Community Development budget for \$140,000, and there is contribution from the DDA of \$75,000. The Lord's Place will provide engagement services, case management and referrals, housing, and other services. She provided the Lord's Place Statistics for 2018/19.

Commissioner Lambert asked that she continue to provide regular updates to the Commission.

Commissioner Shoaf clarified that this program goes beyond the downtown area.

Ms. Ferriol said this is a City-wide initiative.

Commissioner Neering said that he does not want to lose sight of transitional permanent housing, from the City and County level.

Ms. Ferriol stated that there are grants and other funds that, if passed by the State, will be allocated to West Palm Beach for housing, which is a step in the right direction.

Motion was made by Commissioner Lambert, seconded by Commissioner Ryles, to approve Resolution No. 393-19; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

9. Resolution No. 349-19 approving the Term Sheet for a loan to Rosemary WPB LLC in an amount not to exceed \$1,000,000 for the development of a 289 unit multi-family, mixed-income development in the Historic Northwest.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A LOAN TO ROSEMARY WPB, LLC, FOR THE DEVELOPMENT OF A 289 UNIT MULTIFAMILY RENTAL MIXED INCOME DEVELOPMENT IN

THE HISTORIC NORTHWEST AREA; APPROVING A TERM SHEET; AUTHORIZING THE MAYOR TO EXECUTE THE LOAN AGREEMENT AND RELATED LOAN DOCUMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion was made by Commissioner Ryles, seconded by Commissioner Lambert, to continue Resolution No. 349-19 to the December 16, 2019 City Commission Meeting; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

PUBLIC HEARING (15-19):

10. **Public Hearing and Second Reading of Ordinance No. 4882-19 amending the water and wastewater capacity charges for new or expanded development; and establishing a comprehensive schedule of current water and wastewater fees (no rate increase).**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ADJUSTING THE UTILITY SYSTEM CAPACITY CHARGES; SETTING FORTH THE CURRENT WATER AND WASTEWATER FEES AND CHARGES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Poonam Kalkat, Director of Public Utilities, said that there have been no changes since first reading.

Motion was made by Commissioner Ryles, seconded by Commissioner Shoaf, to approve Ordinance No. 4882-19 at Second Reading. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Ryles and Shoaf. Absent for the vote: Commissioner Peduzzi. Motion therefore carried 4-0.

11. **Public Hearing and Second Reading of Ordinance No. 4884-19 approving the holding of a referendum by the electors of the City for approval of the issuance General Obligation Bonds in an amount not to exceed \$30 million dollars for the improvement of City parks and recreational facilities.**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, PROVIDING, PURSUANT TO THE REQUIREMENTS OF THE GENERAL LAWS AND THE CONSTITUTION OF THE STATE OF FLORIDA AND THE CITY CHARTER OF THE CITY, FOR THE HOLDING OF A BOND REFERENDUM ELECTION IN CONJUNCTION WITH THE REGULAR MUNICIPAL ELECTION OF THE CITY OF WEST PALM BEACH, FLORIDA, ON MARCH 17, 2020, TO CONSIDER THE QUESTION OF WHETHER THE CITY SHALL BE AUTHORIZED TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$30,000,000, PAYABLE FROM UNLIMITED AD VALOREM TAXATION, BEARING INTEREST AT RATES

DETERMINED AT THE TIME OF SALE THEREOF, NOT EXCEEDING THE MAXIMUM LEGAL INTEREST RATE AT SUCH TIME, TO IMPROVE PUBLIC HEALTH AND PROTECT NATURAL AREAS BY IMPROVING PARKS AND RECREATIONAL FACILITIES, AS DESCRIBED HEREIN, AND TO PAY COSTS OF ISSUANCE OF SUCH BONDS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Armando Fana, Assistant City Administrator, said that there have been no changes since first reading, but there was a request on additional information regarding the process for the projects and community input.

Leah Rockwell, Director of Parks and Recreation, discussed the your City, your parks, your future from the Master Plan: community engagement, facility inventory, level of service analysis, needs assessment, assessment and analysis, operational and marketing analysis; the list of projects in the Master Plan; and the penny sales tax funding. She said once the bond referendum is approved they will meet with the neighborhoods to find out what they want done. Staff recommends approval on second reading.

Mayor James mentioned Operation Green Pen that he uses with his staff to track work done in the parks.

Commissioner Peduzzi asked if this bond referendum is for capital improvements. He said that we need to maintain the infrastructure that is in place to maintain these parks once renovations are done.

Ms. Rockwell responded yes, they are for capital improvements. She stated that every year they come to the Commission with their budget requests to maintain the parks.

Commissioner Ryles asked if there are any parks that are not on this list.

Ms. Rockwell explained what kind of parks are on the list, and the difference between a large park and a passive park.

There was discussion regarding different parks in the City.

Public comment was made by Matt Chambers.

Motion was made by Commissioner Shoaf, seconded by Commissioner Lambert, to approve Ordinance No. 4884-19 at Second Reading. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

12. **Public Hearing and First Reading of Ordinance No. 4883-19 amending Chapter 94 Zoning and Land Development Regulations, Article IV, Section 94-109, Definitions and minimum requirements; Section 94-132, Transfer of Development Rights program, and Figure IV-35, TDR Sending and Receiving Sites, to clarify certain regulations and update the**

eligible sending and receiving sites.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES AT CHAPTER 94 - ZONING AND LAND DEVELOPMENT REGULATIONS, SECTION 94-109-DEFINITIONS AND MINIMUM REQUIREMENTS; SECTION 94-132-TRANSFER OF DEVELOPMENT RIGHTS PROGRAM; AND FIGURE IV-35-TDR SENDING AND RECEIVING SITES; INTRODUCING ADDITIONAL REGULATIONS; CLARIFYING SEVERAL PROVISIONS; AND UPDATING THE ELIGIBLE TDR SENDING AND RECEIVING SITES; PROVIDING A CONFLICTS CLAUSE, A CODIFICATION CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Ana Aponte, City Urban Designer, presented this item and discussed the following: background; proposed amendment; TDR calculations; current table and new table; proposed additions to TDR map; notification; and recommendation.

Commissioner Shoaf asked about ownership by the County.

Mr. Greene explained the incentive provision.

Motion was made by Commissioner Ryles, seconded by Commissioner Lambert, to approve Ordinance No. 4883-19 amending the Zoning and Land Development Regulations at Section 94-109, Section 94-132 and Figure IV-35 to clarify certain regulations regarding transfer of development rights ("TDRs"). This motion is based on the factual testimony presented, the staff report, the recommendation of the Planning Board, and the finding that the amendment complies with the standards found in Section 94-32 of the City's Zoning and Land Development Regulations. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

- 13. Public Hearing and First Reading of Ordinance No. 4887-19 amending the Minority and Women Business Ordinance to better incorporate the recommendations of the Disparity Study.**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, AT CHAPTER 66 – PROCUREMENT, ARTICLE XI - MINORITY / WOMEN BUSINESS ENTERPRISE PROGRAM, SECTION 66-260, CONSTRUCTION SUBCONTRACTOR GOALS; SECTION 66-261, PROFESSIONAL SERVICES PREFERENCE, AND ARTICLE I - GENERAL, SECTION 66-4 – DEFINITIONS TO BETTER INCORPORATE THE RECOMMENDATIONS OF THE DISPARITY STUDY AND TO CLARIFY PROVISIONS; PROVIDING A CONFLICTS CLAUSE, A CODIFICATION CLAUSE, AND A

**SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE;
AND FOR OTHER PURPOSES.**

Nancy Urcheck, Deputy City Attorney, explained the amendment to the definition of professional services and other amendments.

Motion was made by Commissioner Shoaf, seconded by Commissioner Ryles, to approve Ordinance No. 4887-19 on First Reading and schedule a Second Reading on December 16, 2019. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

- 14. Public Hearing and First Reading of Ordinance No. 4874-19: correcting the legal description of the Rosarian Academy Community Services Planned Development.**

Public Hearing and First Reading of Ordinance No. 4873-19: transferring the site plan approvals and development regulations for Rosarian Academy Community Service Planned Development to a separate Resolution.

Discussion of Resolution No. 351-19: a Major Amendment to the Rosarian Academy Community Service Planned Development to permit the use of artificial turf for the soccer field, for modifications to the sports fields and for a waiver for the sports field fence height.

ORDINANCE NO. 4874-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING ORDINANCE NO. 3033-97 TO CORRECT THE LEGAL DESCRIPTION FOR THE ROSARIAN ACADEMY COMMUNITY SERVICES PLANNED DEVELOPMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Ms. Levesque presented this item and discussed the following: request; location; legal description cleanup; and recommendation to approve Ordinance No. 4874-19.

Jon Schmidt, of Schmidt Nichols on behalf of Rosarian Academy Inc., discussed what Ordinance No. 4873-19 and Resolution No. 351-19 would approve. He stated that this is in conjunction with the re-design of the sports fields. He showed a map of the current and proposed improvements.

Motion was made by Commissioner Ryles, seconded by Commissioner Shoaf, to approve Ordinance No. 4874-19 to correct the legal description for the Rosarian Academy CSPD. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

ORDINANCE NO. 4873-19: AN ORDINANCE OF THE CITY

COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING ORDINANCE NOS. 3033-97, 3376-00, 3506-02 AND 3941-06, AS AMENDED, RELATING TO THE ROSARIAN ACADEMY COMMUNITY SERVICE PLANNED DEVELOPMENT, LOCATED GENERALLY AT 807 NORTH FLAGLER DRIVE; TO TRANSFER THE SITE PLAN APPROVALS AND DEVELOPMENT REGULATIONS TO A SEPARATE RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion was made by Commissioner Ryles, seconded by Commissioner Neering, to approve Ordinance No. 4873-19, transferring the site plan approvals and development regulations for Rosarian Academy Community Service Planned Development to a separate Resolution. This motion is based upon the factual testimony presented, the application submitted, the staff report, the recommendation of the Planning Board, and the findings that the request is consistent with the Comprehensive Plan and complies with the standards found in Section 94-32 of the City's Zoning and Land Development Regulations. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

RESOLUTION NO. 351-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE ROSARIAN ACADEMY COMMUNITY SERVICE PLANNED DEVELOPMENT, LOCATED GENERALLY AT 807 NORTH FLAGLER DRIVE, TO PERMIT THE USE OF ARTIFICIAL TURF FOR THE SOCCER FIELD, FOR MODIFICATIONS TO THE SPORTS FIELDS, AND FOR A WAIVER FOR A MAXIMUM FENCE HEIGHT; DECLARING THIS AMENDMENT CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

This item was for discussion only.

**PUBLIC HEARING – QUASI JUDICIAL (15-19):
DISCLOSURE OF EX PARTE COMMUNICATIONS, IF ANY*
SWEARING IN OF WITNESSES**

The City Clerk swore in all those persons having an interest in items 15-19.

Commissioner Peduzzi disclosed as to item 15: He has had ex-parte communications; he has received written communications; he has not conducted an investigation; he has made a site visit; he has not received expert opinions.

Commissioner Peduzzi disclosed as to items 16, 17 and 19: He has had ex-parte communications; he has not received written communications; he has not conducted an investigation; he has not made a site visit; he has not received expert opinions.

Commissioner Peduzzi disclosed as to item 18: He has not had ex-parte communications; he has not received written communications; he has not conducted an investigation; he has not made a site visit; he has not received expert opinions. He requests that these disclosures and all written communications be made part of the record.

Commissioner Neering disclosed as to item 15: He has had ex-parte communications with the applicant's representatives; he has received written communications; he has not conducted an investigation; he has made a site visit; he has not received expert opinions. He requests that these disclosures and all written communications be made part of the record.

Commissioner Neering disclosed as to items 16, 17, 18, and 19: He has not had ex-parte communications; he has not received written communications; he has not conducted an investigation; he has not made a site visit; he has not received expert opinions. He requests that these disclosures and all written communications be made part of the record.

Commissioner Lambert disclosed as to item 15: She has had ex-parte communications; she has received written communications; she has not conducted an investigation; she has made a site visit; she has not received expert opinions.

Commissioner Lambert disclosed as to item 16: She has had ex-parte communications with the applicant's representative; she has not received written communications; she has not conducted an investigation; she has not made a site visit; she has not received expert opinions.

Commissioner Lambert disclosed as to items 17, 18, and 19: She has not had ex-parte communications; she has not received written communications; she has not conducted an investigation; she has not made a site visit; she has not received expert opinions. She requests that these disclosures and all written communications be made part of the record.

Commissioner Shoaf disclosed as to item 15: She has had ex-parte communications with the developer and their representatives; she has received written communications; she has not conducted an investigation; she has made a site visit; she has not received expert opinions.

Commissioner Shoaf disclosed as to item 16: She has had ex-parte communications with the developer and their representative; she has not received written communications; she has not conducted an investigation; she has not made a site visit; she has not received expert opinions.

Commissioner Shoaf disclosed as to items 17, 18, and 19: She has not had ex-parte communications; she has not received written communications; she has not conducted an investigation; she has not made a site visit; she has not received expert opinions. She requests that these disclosures and

all written communications be made part of the record.

Commissioner Ryles disclosed as to item 15: He has had ex-parte communications with the attorney of the applicant; he has received written communications; he has not conducted an investigation; he has made a site visit; he has not received expert opinions.

Commissioner Ryles disclosed as to item 16: He has had ex-parte communications with the developer's representatives; he has not received written communications; he has not conducted an investigation; he has not made a site visit; he has not received expert opinions.

Commissioner Ryles disclosed as to items 17, 18, and 19: He has not had ex-parte communications; he has not received written communications; he has not conducted an investigation; he has not made a site visit; he has not received expert opinions. He requests that these disclosures and all written communications be made part of the record.

- 15. Public Hearing and Second Reading of Ordinance No. 4863-19: Regarding a rezoning of ±0.85 acres located at 3907 South Flagler Drive from Multifamily High Density Residential to Residential Planned Development, including a waiver to the minimum land area required, to provide for the demolition of all existing structures and construction of a 27-unit multifamily development; and**

Public Hearing of Resolution No. 242-19: Regarding the development regulations and conditions for the 3907 South Flagler Drive Residential Planned Development, and the granting of waivers of the Zoning and Land Development Regulations.

The above-referenced requests are being made by F. Martin Perry and Susan Taylor, of Perry & Taylor, P.A., on behalf of Flagler WPB Owner LLC.

Ordinance No. 4863-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF WEST PALM BEACH BY REZONING AN APPROXIMATELY 0.85 ACRE PARCEL LOCATED AT 3907 SOUTH FLAGLER DRIVE FROM A MULTIFAMILY HIGH DENSITY RESIDENTIAL ZONING DESIGNATION TO RESIDENTIAL PLANNED DEVELOPMENT TO CREATE THE 3907 S. FLAGLER RESIDENTIAL PLANNED DEVELOPMENT; GRANTING A WAIVER OF THE MINIMUM AREA REQUIRED; PROVIDING FOR THE ESTABLISHMENT OF DEVELOPMENT REGULATIONS BY SEPARATE RESOLUTION; DECLARING THIS ZONING MAP AMENDMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; REVISING THE ZONING MAP OF THE CITY ACCORDINGLY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

John Roach, Principal Planner, discussed the history of the proposed development and why the project is back before the Commission. Staff

recommends approval, as well as the Planning Board.

Susan Taylor, of Perry & Taylor, P.A., for the applicant, discussed the 3907 S. Flagler Drive project and said the applicant would like to demolish the current site and build a 27 unit building on the site. She showed the site location and the surrounding properties. She showed the existing site and other buildings surrounding the property. She discussed the following: redevelopment option without rezoning; redevelopment option with rezoning; community outreach; comparative project parking analysis; and renderings of the proposed project. She discussed the objections raised about the project and the basis for the approval. She requests approval of the project.

Public comments were made by the following: Carol Webster, Evan Charney, Maya Malay, John Grawe, Rae Franks, Jill Weitz, Roger Everingham, Richard D'elia, Richard Brown, Mary Cleckner, Mark Rodberg, Pamela Gottfried, and Kindra White.

Martin Perry, of Perry & Taylor, P.A., provided background on his travels downtown and when the current buildings were built. He provided rebuttal to comments made by the public and explained why this project should be built. He agrees with staff's recommendation for approval.

Mayor James said it looks like a beautiful building and he would like to see the project go forward.

Commissioner Shoaf asked staff about the capacity of what could be developed versus what is being proposed and the difference in the volume.

Mr. Roach said it is 100,000 cubic feet larger than what could be built by right.

Ms. Taylor said with regard to building of right that would result in 782,136 cubic feet, and the 9 story would be 957,724 cubic feet, and both projects include the first story parking.

There was discussion regarding: going back to the neighborhood or if they are satisfied with where they are with the building today; buildings comparable to the .85 acre in the City; and the project being comparable to the neighborhood.

Mayor James asked the City Attorney to read the standards for making a decision on this project.

Ms. Rothenburg read the standards of Sec. 94-207, Planned Development, into the record on what the Commissioners need to consider in making their decision. She said it is based on the criteria in the code on whether the standards were met.

Motion was made by Commissioner Ryles, seconded by Commissioner Neering, to deny approval of Ordinance No. 4863-19; and thereafter it

was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

Resolution No. 242-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ESTABLISHING THE DEVELOPMENT REGULATIONS, INCLUDING THE SITE AND LANDSCAPE PLANS AND BUILDING ELEVATIONS, FOR THE 3907 S. FLAGLER RESIDENTIAL PLANNED DEVELOPMENT LOCATED AT 3907 SOUTH FLAGLER DRIVE; GRANTING WAIVERS TO THE ZONING AND LAND DEVELOPMENT REGULATIONS; DECLARING THIS AMENDMENT CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

16. **Public Hearing and Second Reading of Ordinance No. 4875-19: Regarding a request for a Future Land Use Map Amendment to change the Future Land Use designation of approximately 5.12 acres of land, located at 4700 North Congress Avenue, from Community Service (CS) to Commercial (C); and**

Public Hearing and Second Reading of Ordinance No. 4876-19: Regarding a request for a Rezoning of approximately 5.12 acres of land, located at 4700 North Congress Avenue, from Community Service (CS) to Office Commercial (OC).

The above-referenced requests are being made by Harvey E. Oyer III, of Shutts & Bowen LLP, on behalf of Velocis West Palm LP.

Ordinance No. 4875-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF WEST PALM BEACH, FLORIDA, BY CHANGING THE FUTURE LAND USE DESIGNATION OF ±5.12 ACRES, LOCATED AT 4700 NORTH CONGRESS AVENUE, FROM COMMUNITY SERVICE TO COMMERCIAL; DECLARING THE PROPOSED AMENDMENT TO THE FUTURE LAND USE MAP TO BE CONSISTENT WITH ALL OTHER ELEMENTS OF THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING A CONFLICTS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Angella Jones-Vann, Planning and Zoning Administrator, said that there have been no changes since first reading.

Motion was made by Commissioner Shoaf, seconded by Commissioner Neering, to approve Ordinance No. 4875-19, changing the Future Land Use designation of approximately 5.12 acres located at 4700 North Congress Avenue, from Community Service to Commercial. This motion is based upon the application submitted, the staff report, factual testimony, the recommendation of the Planning Board and the findings that the request complies with the standards found in Policy 1.1.5 of the

Future Land Use Element of the City's Comprehensive Plan. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

Ordinance No. 4876-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF WEST PALM BEACH BY REZONING ±5.12 ACRES LOCATED AT 4700 NORTH CONGRESS AVENUE FROM A COMMUNITY SERVICE ZONING DESIGNATION TO AN OFFICE COMMERCIAL ZONING DESIGNATION; DECLARING THIS ZONING MAP AMENDMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; REVISING THE ZONING MAP OF THE CITY ACCORDINGLY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion was made by Commissioner Shoaf, seconded by Commissioner Neering, to approve Ordinance No. 4876-19, changing the zoning designation of approximately 5.12 acres located at 4700 North Congress Avenue, from Community Service to Office Commercial. This motion is based upon the application submitted, the staff report, factual testimony, the recommendation of the Planning Board and the findings that the rezoning complies with the City's Comprehensive Plan and the standards in Section 94-32 of the City's Zoning and Land Development Regulations. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

17. **Public Hearing of Resolution No. 356-19: Regarding a request by Brian Terry, of Insite Studio, on behalf of RaceTrac, for a Major Amendment to the Northpoint Commercial Planned Development to provide for the reconstruction and expansion of the existing gas station and convenience store, and other associated site improvements, at 2995 45th Street.**

RESOLUTION 356-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE NORTHPOINT COMMERCIAL PLANNED DEVELOPMENT, GENERALLY LOCATED NORTH OF 45TH STREET AND WEST OF INTERSTATE 95, TO PROVIDE FOR THE RECONSTRUCTION AND EXPANSION OF THE EXISTING GAS STATION AND CONVENIENCE STORE LOCATED AT 2995 45TH STREET; DECLARING THIS AMENDMENT CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Harvey Oyer, on behalf of RaceTrac, presented this item and discussed the following: location; the proposal; why the site is before the Commission; the request; no variances or waivers requested; the proposed site plan; the project meets all requirements; and staff

recommends approval.

Commissioner Peduzzi asked what amenities will be included in this RaceTrac.

Samantha Jones, on behalf of RaceTrac, explained the amenities that will be included with the expansion.

Commissioner Neering asked what the timeframe is for this project.

Ms. Jones said once approved tonight, they can start in quarter three or four of next year, and construction will last about 6 months.

Motion was made by Commissioner Neering, seconded by Commissioner Peduzzi, to approve Resolution No. 356-19, approving a Major Amendment to the Northpoint Commercial Planned Development to provide for the reconstruction and expansion of the existing convenience store at 2995 45th Street. This motion is based upon the application submitted, the staff report, factual testimony, the recommendation of the Planning Board and the findings that the request is consistent with the Comprehensive Plan and complies with the standards found in Section 94-32 of the City's Zoning and Land Development Regulations; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

- 18. Public Hearing and First Reading of Ordinance No. 4886-19 approving the Local Landmark designation of 809 South Flagler Drive, also known as the First Church of Christ Scientist, on the West Palm Beach Local Register of Historic Places.**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, DESIGNATING 809 SOUTH FLAGLER DRIVE, AS A HISTORIC LANDMARK PROPERTY ON THE WEST PALM BEACH REGISTER OF HISTORIC PLACES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mr. Oyer, on behalf of co-applicants, presented this item and discussed the following: location map; request, landmark designation; Section 94-48(a)(2) Standards for designation of a historic landmark; chronology of the building; history of the architect Horace Trumbauer; history of Julian Francis Abele African American architect; the forgotten architect article that appeared in the Palm Beach Post; businesses involved in the construction of the church; and they meet four of the criteria to be designated as a landmark designation subject to the two contingency conditions.

Commissioners Peduzzi, Neering and Ryles commented on this item.

Commissioners Shoaf and Lambert asked about the perpetual preservation fund.

Mr. Oyer explained how the fund will operate and what the funds can be used for.

Public comments were made by the following: David Smith, Mayor read statements of support from others into the record, and Bill Newgent.

Motion was made by Commissioner Ryles, seconded by Commissioner Peduzzi, to approve Ordinance 4886-19, designating 809 South Flagler Drive, as a Landmark Site on the West Palm Beach Register of Historic Places. This motion is based upon the recommendation of the Historic Preservation Board, the factual testimony presented, the application submitted, the staff report, and the finding that the criteria set forth in Sec. 94-48 of the Zoning and Land Development Regulations have been met. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

- 19. A request by Alan J. Ciklin of Ciklin Lubitz and George Gentile of 2GHO, on behalf of Prime Development, LLC for the following:**

Public Hearing and First Reading of Ordinance No. 4877-19: Changing the Future Land Use designation of 5.02 acres of the overall 5.68-acre parcel, located at 5701 North Military Trail, from Industrial (I) to Commercial (C).

Public Hearing and First Reading of Ordinance No. 4878-19: Changing the zoning designation of 2.18 acres of the overall 5.68-acre parcel, located at 5701 North Military Trail, from Industrial (I) to General Commercial (GC).

Public Hearing and First Reading of Ordinance No. 4879-19: Changing the zoning designation of 2.84-acres of the overall 5.68-acre parcel, located at 5701 North Military Trail, from Industrial Planned Development (IPD) to Industrial (I) with a further rezoning to General Commercial (GC).

ORDINANCE NO. 4877-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF WEST PALM BEACH, FLORIDA, BY CHANGING THE FUTURE LAND USE DESIGNATION OF 5.02 ACRES OF THE OVERALL 5.68-ACRE PROPERTY AT 5701 NORTH MILITARY TRAIL FROM INDUSTRIAL TO COMMERCIAL; DECLARING THE PROPOSED AMENDMENT TO THE FUTURE LAND USE MAP TO BE CONSISTENT WITH ALL OTHER ELEMENTS OF THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

George Gentile, representing developer and owner, discussed the following: subject site; overall project area; what each ordinance would approve; future land use map amendment, existing and proposed; subject property: maximum development potential; impact of proposed

FLU on the subject property, level of service analysis; rezoning, existing and proposed; proposed land use, commercial (C), proposed zoning, general commercial (GC) zoning district; and overall project area.

Commissioner Neering stated that this is really exciting for this area.

Motion was made by Commissioner Peduzzi, seconded by Commissioner Ryles, to approve Ordinance 4877-19 to change the Future Land Use designation for 5.02 acres of the overall 5.68-acre subject parcel, located at 5701 North Military Trail from Industrial (I) to Commercial (C). This motion is based upon the application submitted, the staff report, the factual testimony, the recommendation of the Planning Board and the findings that the request complies with the Future Land Use Amendment Standards found in Policy 1.1.5 and Policy 1.1.6 of the Future Land Use Element of the City's Comprehensive Plan. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

ORDINANCE NO. 4878-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF WEST PALM BEACH TO REZONE 2.18 ACRES OF THE OVERALL 5.68-ACRE PROPERTY AT 5701 NORTH MILITARY TRAIL FROM INDUSTRIAL TO GENERAL COMMERCIAL; DECLARING THIS ZONING MAP AMENDMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; REVISING THE ZONING MAP OF THE CITY ACCORDINGLY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion was made by Commissioner Peduzzi, seconded by Commissioner Ryles, to approve Ordinance 4878-19 to change the zoning designation of 2.18 acres of the overall 5.68-acre subject parcel, located at 5701 North Military Trail, from Industrial (I) to General Commercial (GC). This motion is based upon the application submitted, the staff report, the testimony given, the recommendation of the Planning Board, along with the findings that the application complies with the Rezoning Standards of Section 94-32 of the City of West Palm Beach Zoning and Land Development Regulations. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

ORDINANCE NO. 4879-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF WEST PALM BEACH TO REZONE 2.84 ACRES OF THE OVERALL 5.68-ACRE PROPERTY AT 5701 NORTH MILITARY TRAIL FROM INDUSTRIAL PLANNED DEVELOPMENT TO INDUSTRIAL, WITH A FURTHER REZONING TO GENERAL COMMERCIAL; DECLARING THIS ZONING MAP AMENDMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY;

**REVISING THE ZONING MAP OF THE CITY ACCORDINGLY;
PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

Motion was made by Commissioner Peduzzi, seconded by Commissioner Neering, to approve Ordinance 4879-19 to change the zoning designation of 2.84 acres of the overall 5.68-acre subject parcel, located at 5701 North Military Trail, from Industrial Planned Development (IPD) to Industrial (I), with a further rezoning to General Commercial (GC). This motion is based upon the application submitted, the staff report, the testimony given, the recommendation of the Planning Board, along with the findings that the application complies with the Rezoning Standards of Section 94-32 of the City of West Palm Beach Zoning and Land Development Regulations. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

ADJOURNMENT:

There being no further business to come before the City Commission, the meeting was adjourned at 8:52 p.m.

**APPROVED AT THE CITY COMMISSION MEETING OF JANUARY 13,
2020.**

PRESIDING OFFICER

X

ATTEST:

X

CITY CLERK