

**RESOLUTION NO. 45-09**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, FINDING THAT PROPOSED AMENDMENTS TO THE AMENDED AND RESTATED CITY CENTER COMMUNITY REDEVELOPMENT PLAN FOR THE EXPANDED CITY CENTER AREA ARE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; APPROVING AMENDMENTS TO THE AMENDED AND RESTATED CITY CENTER COMMUNITY REDEVELOPMENT PLAN FOR THE EXPANDED CITY CENTER AREA PLAN BY INCORPORATING ALL PAST AND CURRENT AMENDMENTS TO THE PLAN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

\* \* \* \* \*

WHEREAS, on February 27, 1997, the City Commission of the City of West Palm Beach adopted the Amended and Restated Community Redevelopment Plan for the Expanded City Center Area (the "Plan") pursuant to Resolution No. 76-97; and

WHEREAS, Resolution No. 445-01 amended the Plan to provide for residential incentive programs, additional community policing innovations, establish loan programs and participation in marketing activities within the Downtown/City Center Community Redevelopment area; and

WHEREAS, Resolution 375-02 further amended the Plan providing for the revitalization of Banyan Boulevard Corridor; and

WHEREAS, Resolution No. 492-05 amended the Plan to implement the goals and objectives outlined in the Five Year Strategic Finance Plan, including acquisition of real property by gift and purchase, issuance of revenue bonds, and extension of the time certain for completing all development financed by increment revenues to September 30, 2036; and

WHEREAS, the Community Redevelopment Agency ("Agency") is recommending additional amendments to incorporate text from the Downtown Master Plan element of the

Comprehensive Plan, eliminate references to eminent domain, correct scrivener errors and update general information to bring the Plan current; and

WHEREAS, the Agency, pursuant to Resolution 09-03, has recommended that the City Commission adopt the proposed amendments pursuant to Florida Statute Section 163.361.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA that:**

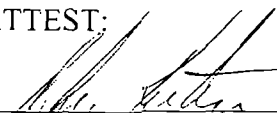
**SECTION 1:** The City Commission of the City of West Palm Beach, Florida finds that proposed amendments to the Amended and Restated City Center Community Redevelopment Plan for the expanded City Center Area are consistent with the City's Comprehensive Plan and hereby approves and adopts said amendments. A copy of the Plan, as amended by this Resolution, is attached hereto as Exhibit "A".

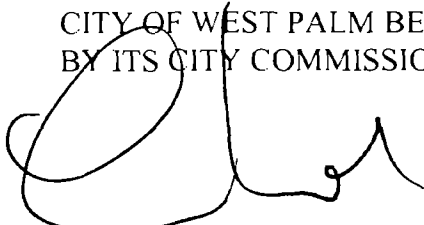
**SECTION 2:** This resolution shall take effect immediately upon passage.

PASSED AND ADOPTED THIS 6<sup>th</sup> DAY OF April, 2009.

(CORPORATE SEAL)

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

CITY OF WEST PALM BEACH  
BY ITS CITY COMMISSION  
  
\_\_\_\_\_  
PRESIDING OFFICER

CITY ATTORNEY'S OFFICE  
Approved as to form  
And legal sufficiency  
By: SM \_\_\_\_\_  
Date: 4-2-09 \_\_\_\_\_



**WEST PALM BEACH**

**AMENDED AND RESTATED**

**COMMUNITY REDEVELOPMENT PLAN**

**FOR THE EXPANDED CITY CENTER AREA**

October 1995

As Amended by Resolution No. 76-97  
Adopted on February 24, 1997

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I. INTRODUCTION

A. INTENT OF THE AMENDED AND RESTATED CITY CENTER COMMUNITY REDEVELOPMENT PLAN

The Community Redevelopment Agency ("Agency") has prepared this amended and restated "Plan" as a portion of a workable program for utilizing public resources and encouraging private resources to eliminate and prevent the development or spread of slum and blight conditions, to provide for rehabilitation and redevelopment of slum and/or blighted areas, to encourage housing affordable to residents of low and moderate income, including elderly, and to guide public improvements to suitably achieve the objectives of the program.

The Plan will direct the actions taken by the Agency with regard to capital facilities improvements and redevelopment projects as they affect the City Center redevelopment area. It will guide the future density of commercial and residential development, as well as prescribe a variety of people-oriented amenities to be provided by the public and private sectors. It also describes how future development will be encouraged while adequate capital facilities are provided and natural features are enhanced.

B. COMMUNITY REDEVELOPMENT PLANNING

Preparation of a Community Redevelopment Plan is authorized by the Community Redevelopment Act of 1969, Chapter 163, Part III Florida Statutes, as amended. This chapter provides for the rehabilitation, conservation, or redevelopment or a combination thereof, of slum and blighted areas and specifies the elements allowed in a plan.

The goal of preparing a plan is to arrive at a consensus of direction to guide future development as determined appropriate to eliminate existing conditions, and to encourage the provision of all levels of housing affordable to residents of low and moderate income, including the elderly. This plan contains: a residential element shown in the proposed land use section, a goals chapter and an implementation chapter. The Community Redevelopment Plan has been found to be in conformance with the City of West Palm Beach Comprehensive plan and has been approved by the Agency and the City.

C. COMMUNITY REDEVELOPMENT AGENCY

Upon finding that blighting conditions exist in a municipality and upon a further finding that there is a need for a Community Redevelopment Agency, a municipality may create a public body corporate and politic to be known as a "Community Redevelopment Agency". This agency is a public instrumentality and the exercise of the powers conferred by Chapter 163, Florida Statutes is held to be the performance of an essential public function.

The governing body of a municipality may declare itself to be the Community Redevelopment Agency, in which case all the rights, powers, duties, privileges, and immunities vested by Chapter 163 in an agency will be vested in the governing body of the municipality. The City Commission of West Palm Beach has chosen this option and functions as the Community Redevelopment Agency.

In 1984, the City conducted the necessary studies and findings of necessity which established the existence of slum and blighted areas within the City Center area. Resolution No. 184-85 was enacted which designated approximately 750 acres as a redevelopment area. More recently, additional blight studies and findings of necessity were conducted in the area south of Okeechobee Boulevard extending south to N Street between Alabama and Lake Avenues. This area was also found to be blighted and the Redevelopment Area was extended to this area by the adoption of Resolution No. 196-95 on October 10, 1995.

D. COMMUNITY REDEVELOPMENT AREA OVERVIEW

The City of West Palm Beach, incorporated in 1893, is one of the oldest cities in South Florida. Originally founded by Henry Morrison Flagler as a labor, service and commercial center for the Town of Palm Beach, it evolved and became the county's largest city. Named the County Seat when Palm Beach County was created in July, 1909, the city served as the area's governmental, financial and commercial center.

Like virtually all Florida municipalities, the city has experienced cyclical growth patterns throughout its history. During the great Florida land boom of the 1920's landmark structures were constructed: the Comeau, Harvey and Citizens



Buildings, and the Dixie Court Hotel. Associated with the land boom, growth occurred to the north and south of the original historic townsite. The city experienced a second major period of growth after 1945.

In the post-World War II era, the city expanded into the area located east of the Interstate 95 (I95) corridor. During this period, the Central Business District (CBD) was the county's principal employment, retail and cultural center. However this paramount position gradually was eroded due to the continued suburban growth occurring throughout the county during the 1960's and 1970'S. Of particular importance to the city's central business district was development of the "Westward Expansion" during this period. Originally city-owned property, approximately 4500 acres were sold for private development in 1957. This expansion has shifted some employment and commercial and retail activities from downtown.

During the 1970's and the first portion of the 1980's the city's downtown was stagnant, as new construction virtually ceased and businesses relocated to newer, more modern facilities outside the CBD. During this period, the only significant investments in the downtown area were made by public agencies: the federal government constructed the Paul C. Rodgers office building and postal service facilities; the state built the Dimick regional service facility, Palm Beach County modernized the courthouse; and the city built a new city hall.

Following this infusion of public funds, a series of office/commercial structures were developed by the private sector. These projects were concentrated along Clear Lake and east of Olive Avenue adjacent to Lake Worth. For the most part, the remaining areas of the City Center continued to experience limited redevelopment and decay. This was especially apparent in the residential neighborhoods of the City Center.

During the late 1980's, a substantial portion of the designated redevelopment area was assembled by the Downtown/Uptown Venture. This group assembled approximately 77 acres on both sides of Okeechobee Boulevard. After a series of planning studies, the owner submitted and received approval of an application for development approval (ADA) in 1989. The Downtown/Uptown Plan proposed an ambitious commercial, office, retail, hotel and residential development.

Despite the expenditures of public and private funds, numerous problems remained concentrated within the city's central area. Therefore the city elected to pursue the opportunities available to it through Florida's "Community Redevelopment Act".

E. LOCATION OF THE EXPANDED CITY CENTER COMMUNITY REDEVELOPMENT AREA

Pursuant to Resolution 196-95, the City determined that the area south of the northernmost east-west alleyway south of Okeechobee Boulevard, north of N Street, west of the F.E.C. Railroad and east of Lake Avenue to be blighted pursuant to Chapter 163, Florida Statutes, as amended, and therefore described as Parcel A in Exhibit "B", to include the expanded area (hereafter referred to as "City Center Redevelopment Area") described as Parcel B in Exhibit "B" attached hereto which describes the entire amended City Center Redevelopment Area as shown in Figure 1.

The City Center Redevelopment Area is a 780 acre area of West Palm Beach. Figure 1 depicts the general location of this area. The City Center Redevelopment Area contains fourteen subareas which are reflected on Figure 2. These subareas include:

1. Quadrille Business District
2. Quadrille Garden District
3. Transit-Oriented District
4. Cultural Arts District (excluding Howard Park)
5. Clearlake District
6. CityPlace District
7. Clematis-Waterfront District
8. Industrial Chic District
9. Loftin District
10. Flagler-Waterfront District
11. Brelsford Park District
12. Northwest Neighborhood District
13. Providencia Park District
14. and the City Marina area

The boundaries of this redevelopment area were selected for the following reasons:

1. Palm Beach Lakes Boulevard and Okeechobee Boulevard are major traffic corridors that provide a distinct separation

between neighborhoods. In addition, these roadways provide the northerly and southerly access to the City Center Redevelopment Area. The area extends south of Okeechobee Boulevard between Lake Avenue and the F.E.C. Railway to include all the ownership of the Downtown/Uptown project.

2. To the east and west of the area are barriers that separate the City Center Redevelopment Area from other neighborhoods: The Intracoastal Waterway to the east and the Seaboard Coast Line/Australian Avenue/Clear Lake to the west.
3. The neighborhoods included in the City Center Redevelopment Area have an inter-related influence in land use, transportation, utilities, and the health, safety and welfare of area residents and employees.
4. The boundaries were expanded in 1995 to include the entire area of the Downtown Uptown DRI as a result of the blight study conditions the City and the Finding of Necessity adopted under Resolution 196-95.

F. REDEVELOPMENT PROJECT

The Agency shall have the authority to acquire through purchase or otherwise, the property within the DRI and the Additional Project Site Area and surrounding properties located within the Redevelopment Area for a mixed-use redevelopment project.

G. EXISTING CONDITIONS

Within the City Center Redevelopment Area is a mixture of several land use types. In 1995, there was a total of approximately 8.2 million square feet of office, commercial, institutional and industrial space within the City Center Redevelopment Area. Of this total, nearly 3.18 million square feet consists of office space while another 3.2 million square feet is institutional space. Commercial -square footage is about 1.437 million square feet while industrial land uses total approximately 270,000 square feet.

In addition, in 1995 there were approximately 547 single family units and 2,142 multifamily units within the City Center. According to the Special Census conducted in 1995,

there were 4,828 persons living in the City Center Redevelopment Area. Of this total, 50% were White and 48% were of African American descent.

The 8.2 million square feet of development is equivalent to about 24,300 employees within the downtown. Of this total, 43% of the working population was employed in the private office market.

Since 1995, the Downtown has substantially changed. Downtown population has increased from 4,569 residents in 2000 to 6,470 in 2005. Estimates in 2007 suggest the population will reach 12,859 residents by 2010. An additional 1,363 units were completed in 2008. Also, 1,160,521 square feet of non-residential uses have been built since 1994 and approximately 380,000 square feet of office space have recently been constructed. However, despite the changes, the rebuilding of the downtown is still a valid goal. The downtown area still has approximately 125 acres of vacant land, including parking lots.

## II. CITY CENTER REDEVELOPMENT AREA GOALS

### A. INTRODUCTION

The City Center Redevelopment Area is a diverse area having many opportunities and constraints for a widely varied set of interests. The goals in the Plan are intended to provide a basis for decision making by the Agency as well as stating a general direction for action. As future decisions are made, it should be acknowledged that no one goal is intended to supersede another in the development of this Plan.

The Plan addresses a varied set of issues and recognizes the potential for conflicting goals and needs of the many groups interested in the City Center Redevelopment Area. The overriding principle followed in the Plan preparation is that the City Center serves people. The ultimate built environment and the accompanying services are designed to improve the quality of the downtown experience for the citizens of and visitors to West Palm Beach.

### B. GOALS

A community's goals represent a desired ultimate state or condition. They provide a scale against which community progress can be measured. Goals provide direction for establishing public policy; preparing development standards; appropriating fiscal resources; prioritizing capital improvements programs; establishing annual work programs for city departments; and short term planning efforts. The Agency has established the following goals:

1. The Community Redevelopment Agency, with the support of the City shall aggressively pursue redevelopment and revitalization of the City Center Redevelopment Area. The City Center Redevelopment Area shall remain the legal, commercial, financial and governmental center of Palm Beach County.
2. The Agency, in cooperation with the private sector, local institutions, community leaders, and interested citizens, shall ensure the City Center becomes and remains the center of legal, commercial, financial and governmental activity in Palm Beach County and becomes an acknowledged major center for such activities in South Florida.

3. The private sector shall be primarily responsible for the redevelopment and revitalization of the City Center Redevelopment Area.
4. The City Center Redevelopment Plan shall provide a general framework for redevelopment and revitalization activities.
5. The City Center Redevelopment Area shall be established as a Countywide and regional center for arts, culture and entertainment.
6. The aesthetic qualities of waterfront areas shall be enhanced. In connection with this goal, the CRA may acquire property interests along both sides of Flagler Drive north, south and adjacent to the eastern terminus of the Banyan corridor in order to encourage redevelopment of this area.
7. An affordable and efficient transportation system shall be developed for the City Center Redevelopment Area.
8. Provide funds necessary for transportation facilities and service.
9. Minimize the use of privately held property for transportation and maximize the use of existing rights-of-way in the improvements and expansion of the City Center street system. Avoid the use of privately held property for streets wherever possible.
10. Maximize the efficiency of the transportation system by encouraging increased transit usage and the use of traffic management strategies such as alternative work scheduling and ridesharing.
11. A variety of revenue sources shall be used to finance the redevelopment and revitalization of the City Center Redevelopment Area.

Objective 1. The Agency, to meet capital and other costs will have a finance program consisting of a variety of revenue sources including tax increment financing, general obligation bonds, revenue bonds and state or federal grants.

Objective 2. Initiate plans and actions that stimulate private sector investments and business activity in the Redevelopment Area consistent with the adopted land use and development plans. The CRA may accomplish this objective by supporting the City in encouraging and implementing the use of incentive programs, of limited duration, such as, additional density, bonus units, public-private partnerships, shared parking agreements for mixed uses, the use of its statutory powers, reimbursement for capital improvements, and similar incentives. "Limited duration," means four (4) years or such longer period which is determined by the City Commission to be necessary to further the residential goals in the comprehensive plan. Such incentive programs shall be consistent with the spirit and intent of the Downtown Master Plan and Five-Year Strategic Finance Plan.

12. Flexible development standards shall guide the redevelopment and revitalization of the City Center.
13. The Agency shall support land uses within the City Center Redevelopment Area that encourage a mix of activities, housing and employment opportunities and compatibility of adjoining uses.
14. The Agency, in cooperation with private development interests, may create a focal point for downtown revitalization by promoting the redevelopment of the waterfront as a people oriented mixed-use activity center.

Objective 1. The Agency may actively encourage redevelopment of the area, promote the activity center concept and implement a design of the waterfront.

Objective 2. The Agency may encourage development in the waterfront redevelopment sub-area to pursue compatibility of the physical structures with the people-oriented concept of the area.

Objective 3. If necessary, the Agency may utilize the following publicly owned property within the waterfront redevelopment sub-area to encourage redevelopment of the area and the activity center concept.

1. North Clematis Street Right-of-way

2. South Clematis Street Right-of-way
3. Parking lot at Banyan and Flagler Drive
4. Pedestrian Rights-of-way within the block bordered by South Clematis Street, Datura Street, Narcissus Avenue, and Flagler Drive.

15. The Agency, in cooperation with development interests and local residents, will seek to retain significant cultural and traditional elements of the City Center Redevelopment Area through encouraging the preservation, rehabilitation and utilization of structures possessing architectural, cultural or historic value.

Objective 1. Encourage the preservation, enhancement and adaptive reuse of historic structures through financial incentives to property owners.

Objective 2. Encourage public awareness of the values and community benefits associated with active, successful historic preservation programs.

16. The Agency shall encourage the preservation and reuse of materials from structures demolished in the redevelopment of the City Center Redevelopment Area.

17. The Agency shall encourage an integrated system of pedestrian circulation areas, parks and open spaces within the City Center Redevelopment Area.

Objective 1. Create an efficient, user-oriented pedestrian system within the central business district.

Objective 2. Establish an urban design theme to provide a common element throughout the pedestrian circulation system within the central business district.

Objective 3. Improve and expand the existing public parks and open space network within the City Center Redevelopment Area.

Objective 4. Encourage increased utilization of Flagler Drive and associated parks, open spaces and public facilities, as well as events attracting large numbers of spectators/participants to the central business district.

Objective 5. Encourage general purpose mini-parks, open green spaces within the City Center Redevelopment Area



residential districts.

18. The Agency, with financial, planning and technical assistance from the public and private sector organizations, shall seek an efficient parking system within the City Center Redevelopment Area.

Objective 1. The Agency, in cooperation with the private sector shall utilize a variety of financial and development techniques to provide additional parking facilities in the central business district.

Objective 2. Encourage location of parking in a manner to enhance the scenic quality of the downtown while preserving an efficient transportation network through the City Center Redevelopment Area.

19. The Agency shall encourage that potable water, wastewater treatment and stormwater drainage systems accommodate present and future demands in a timely, cost-efficient and equitable manner while protecting the health and welfare of system users and the environment.

20. Encourage growth and development within the City Center Redevelopment Area while preserving existing and desirable natural and manmade resources, regulating development intensity consistent with community attitudes and providing public amenities, schools and facilities desired and needed by the public.

Objective 1. The quantity of new development encouraged by the Agency at a particular time will be contingent upon the adequacy of public facilities (transportation, potable water, wastewater treatment and storm water drainage systems) to provide the required service levels to both existing and new users.

Objective 2. Encourage certain architectural, structural and use features which support increased pedestrian traffic throughout the central business district.

21. The Agency shall encourage the development of new residential units and the rehabilitation of existing units in the City Center Redevelopment Area. Such encouragement may include incentive programs, of limited duration, such as additional density, bonus units, public-private partnerships, shared parking agreements

for mixed uses, the use of its statutory powers and similar incentives. "Limited duration," means four (4) years or such longer period which is determined by the City Commission to be necessary to further the residential goals in the comprehensive plan. Such incentive programs shall be consistent with the spirit and intent of the Downtown Master Plan and Five-Year Strategic Finance Plan.

22. The Agency, with the assistance of neighborhood organizations, financial institutions, development interests and real estate representatives, shall preserve and enhance existing residential areas to provide a variety of housing opportunities for residents of all income levels. The City will also encourage new residential development in the central business district to further the concept of a "24-hour" downtown.
23. The Agency may utilize a portion of the tax increment funds received to assist in the redevelopment and funding of projects in the City Center consistent with the Downtown Master Plan and the Five-Year Strategic Finance Plan.
24. Protect and enhance the City Center Redevelopment Area neighborhoods and encourage a wide variety of housing opportunities for residents of all income levels.

Objective 1. Continue to stress improvement of public service systems, such as water and sewer within the City Center Redevelopment Area neighborhoods.

Objective 2. Encourage increased neighborhood housing stock through new development. Such encouragement may include residential programs designed to compensate for market imbalance and to meet the goals established in the Transportation Concurrency Exception Area (TCEA).

Objective 3. Seek to eliminate dilapidated housing and upgrade moderately deteriorated housing.

Objective 4. Strive to improve the physical appearance of City Center Redevelopment Area neighborhoods.

Objective 5. Encourage housing opportunities for all income levels be available in the City Center Redevelopment Area neighborhoods.

Objective 6. Encourage implementation of recommendations for residential areas as described in the Downtown Master Plan.

25. Initiate activities to prevent the recurrence and spread of blighting conditions including the development of community policing innovations and the marketing of the City Center Redevelopment Area.
26. The Agency, in cooperation with the City Police and Fire Departments, shall strive to create a safe, crime-free environment within the central business district and residential neighborhoods of the City Center Redevelopment Area. In connection with this effort, the Agency may expend money from the Redevelopment Trust Fund to fully or partially fund selected community policing innovations.
27. The Agency shall cooperate with the City and Palm Beach County School Board to identify additional public educational facilities and/ or structures within the City Center Redevelopment Area.
25. The Agency, in cooperation with the City, shall continue to recognize the importance of U.B. Kinsey/Palmview Elementary School and Palm Beach County School of the Arts within the City Center Redevelopment Area.
26. The Agency shall assist the City and other governmental entities to promote alternative modes of transportation, such as mass transit and bicycles, within the City Center Redevelopment Area.
28. The Agency, in cooperation with private development interests and the City, may encourage the revitalization of the Banyan Boulevard corridor by acquiring property interests within the Banyan Corridor area for the purpose of promoting redevelopment of the corridor, which may include a hotel, office, retail and residential mixed-use project on both sides of Flagler Drive at the eastern terminus of Banyan Boulevard.

Objective 1. The Agency may actively encourage redevelopment and revitalization of the Banyan Corridor area through sale, lease or other disposition of parcels with the Banyan Corridor area to a developer for a

mixed-use development project.

29. The Agency, in cooperation with private development interests, shall encourage a mixture of uses and activities which facilitate and stimulate economic growth in the City Center Redevelopment Area. Specifically, revitalization of the Banyan Corridor area may serve as an economic engine for continued growth in the central business district.
30. The Agency shall encourage additional economically compatible uses within the Redevelopment Area and provide an environment in which these uses can thrive by assisting the City and other governmental entities in developing and implementing marketing plans within the Redevelopment Area. To facilitate this goal, the Agency may expend money from the Redevelopment Trust Fund provided the marketing activities are directly tied to a specific project or undertaking aimed at alleviating blighted conditions within the City Center Redevelopment Area.
31. To accomplish the goals of the Community Redevelopment Plan, the Agency may establish loan and financial incentive programs and enter into cooperative arrangements with other public or private sources of funds to create economically compatible uses within the Redevelopment Area.

### III. FUTURE CITY CENTER REDEVELOPMENT

#### A. INTRODUCTION

The future land use plan for the City Center Redevelopment Area recognizes past and present uses and the trends currently influencing ultimate use. Over the last several decades, the downtown area has gone through significant change. This Plan is intended to encourage continuing change and shape future growth.

The downtown area is comprised of several districts or neighborhoods, each with distinctive character and opportunities for growth. These unique opportunities highlight the variety of development options within the downtown. This section will discuss the characteristics of future development, as well as the market forces which are expected to impact the needs of residential, commercial, and retail space in the area. The relevance of historic preservation, architectural quality, and the parks and open space are also included in this chapter.

#### B. FUTURE LAND USE

##### 1. Land Use Market Projections

It is clear that the Downtown area can no longer be described solely as a disinvested and abandoned area. As it was described by the 1994 Downtown Master Plan (DMP), Downtown West Palm Beach is the historic and cultural center of the region; it is the government seat; and now, more than ever, it is the geographical and symbolic focus of a growing population. The recent private and public investment has brought new residents and activity to the area, creating excellent conditions to promote a true urban environment and achieve the vision proposed by the 1994 DMP that is still valid now.

In 1995 the City Commission of the City of West Palm Beach approved Ordinance No. 2758-94 adopting a comprehensive Master Plan which sought to provide a coherent context for West Palm Beach's apparently disparate projects, encouraged private investment and re-building in Downtown.

The Master Plan, completed in 1994, was prepared for a downtown experiencing the typical decline of a small American City during the 70's and 80's. The Downtown population was diminishing, the shopping areas had been displaced to the suburbs and surface

parking lots were increasingly replacing old structures. Despite these conditions, in 1994, the rebuilding of the downtown area was an effort clearly identified by the citizens of West Palm Beach as a valuable cause to pursue.

A projection of downtown development according with the previous year's pattern estimates that by the year 2015 the total number of residential units downtown will reach 8,097 and the non-residential uses will occupy 10,146,000 square feet of development.

The City and the interests it represents have already invested a tremendous amount of effort and money to reinforce the Downtown's importance as the center of the region and to make West Palm Beach great. In addition to the completion of the projects underway at the time the 1994 DMP was approved, such as the improvements on Okeechobee Boulevard and Clematis Street, the downtown shuttle and CityPlace-Clematis Street trolley, the expansion of the Kravis Center of the Performing Arts and the County Courthouse, a continuous public and private commitment with the Downtown redevelopment can be seen in the completion of new projects such as the streetscape improvements for Dixie Highway and Olive Avenue, the construction of the Palm Beach County Convention Center, the construction of the CityPlace mixed use project and the development of approximately 1,493 new residential units.

The completion of these projects and the new projects currently under planning and construction process, such as the City Commons and waterfront park, and the new residential units will dramatically change the dynamics of the downtown.

#### Office Development

The expansion of the office market is an essential component to the success of the revised Downtown Master Plan. The opportunity to stimulate growth in the office sector will strengthen the job market. The product of these factors will increase the demand for retail services and housing.

According to a 2006 Market Report and a 2006 Market Analysis, West Palm Beach accounts for 35 to 40 percent of the county's total office inventory at around 10.2 million square feet. Nearly half of this, 4.7 million square feet, can be found within the downtown area. Construction of new office space in suburban areas like Wellington and in eastern cities like Boca Raton have decreased the overall share of office space in downtown West Palm Beach.

The Market Analysis predicts that the new demand for private sector office space is estimated to be approximately 800,000 square feet. The City Place Office Tower and Courthouse Commons projects, recently constructed, will supply 350,000 square feet of new Class A office space upon completion. The projected demand for Class A office space is supported by the estimated employment growth of more than 111,470 jobs over the next seven years. By 2010, the highest growth rate is expected to occur in professional business services.

### Retail

Downtown West Palm Beach includes two important retail areas, the historic Clematis Street, typical of the traditional retail district, which attracted residents and visitors from around the region during its heyday in the early 20<sup>th</sup> century, and CityPlace, completed at the end of the 1990s, as an example of a modern outdoor urban shopping experience which includes a mixture of office and residential space. The birth of CityPlace and other regional malls in Palm Beach County created significant competition for Clematis Street as a retail destination. The revitalization of Clematis Street and its link with Rosemary Avenue, along with the activation of other commercial properties are key to the creation of an active downtown.

According to the Market Analysis, household incomes for the area should continue to rise significantly as more of the planned high-end residential units come on-line. The projected increase in household income, along with the projected increase in the workforce should contribute to the sustainability of retail businesses.

### Cultural Arts

New policies should spur the development of a new cultural neighborhood geared toward the production of art. The Market Analysis estimates that there will be an increased demand for performing arts venues and gallery space. Incentives will be developed for this neighborhood to promote less conventional housing types such as live/work units and loft spaces. The intent of the district is to create an area that will appeal to emerging artists, entrepreneurs, and individuals seeking alternative housing types. The list of permitted uses for this district will be expanded to allow the mix of residential units, fine arts, design studios and galleries.

## Housing

The last five years saw an increase in the development of new housing units in West Palm Beach. During the early 1990s, the City averaged approximately 550 units per year. However, during its recent peak in 2003, over 3,400 units were added.

With the high cost of downtown land and increasing development costs, most for-sale housing can be expected to fall within the high-end market. This highlights the need for a comprehensive housing policy to deal with issues of affordability.

A study that was completed indicates the demand for rental housing in downtown West Palm Beach remains strong. However, due to the land and construction costs, developers find that rental projects remain financially unfeasible. Consequently, it is unlikely that any substantial number of rental units will be added downtown.

## 2. Future Land Use Distribution

These projections of future needs indicate that significant growth will continue in the City Center Redevelopment area. The location and distribution of this new growth and the spatial relationships of the various uses will, to a large extent, determine the quality of the future City Center environment. The Regulating Map and Downtown District map provide guidance for both the intensity of development and the character which it should consider, given its location within the downtown.

Future land uses within the City Center Redevelopment Area will be regulated as described in the Downtown Master Plan and the West Palm Beach Comprehensive Plan as adopted and amended from time to time. The CityPlace Development of Regional Impact (DRI) is considered vested pursuant to the applicable ordinances and not subject to the provisions of the Downtown Master Plan so long as the DRI is in full force and effect. Development with the CityPlace DRI shall be governed by the approved development order for that redevelopment project or as such development order as may be subsequently amended from time to time.

Redevelopment projects presently under consideration or under construction include the intermodal transit facility located west of Tamarind Avenue, the Waterfront and City Commons, and the new convention center hotel.



## C. FUTURE OPEN SPACE

### FLAGLER WATERFRONT

#### I. INTRODUCTION

The Flagler Waterfront is one of the City's most important natural assets. It provides a natural beauty few cities in Florida possess. The waterfront's desirability as a location for real estate development is evidenced by the significant number of new office and residential projects building along and near the waterfront over the last two decades. Recent construction along Clear Lake further exemplifies the attraction of the water.

Presently, the Flagler Waterfront is largely underutilized by residents, visitors, and downtown employees. Safety concerns have resulted in restrictions on people-oriented activities, such as fishing, along the water. A lack of shade trees, street furniture, and other amenities has discouraged pedestrian use. As a result, this valuable natural and scenic resource has been largely ignored except for motorists on Flagler Drive.

Redevelopment of the Flagler Waterfront would promote two related City Center goals: increased utilization of the waterfront and preservation of the natural qualities of the waterfront area. The City of West Palm Beach and the Community Redevelopment Agency are in favorable positions to direct the type and quality of development through careful use of publicly-owned rights-of-way and parcels within the area.

This section outlines the redevelopment concept and policies that will create a vital and attractive waterfront destination stretching along Flagler Drive and including the City Commons area. Once developed, the waterfront and the terminus of Clematis Street will reemerge as the center of the downtown and of West Palm Beach.

#### 2. Redevelopment Concept

The Waterfront and City Commons project includes all lands located east of Flagler Drive between Lakeview Avenue and Banyan Boulevard, and the site of the library at the terminus of Clematis Street. Other open public areas maybe included in future waterfront plans.

The Waterfront project is divided into three main activity

areas: a) the City Commons & Esplanade; b) the Waterfront Piers; and c) the South Cove. Each of the areas has special characteristics according to its location and assigned function within the entire waterfront design.

- a) The City Commons & Esplanade is the central area of the waterfront project and constitutes the view corridor that gave origin to the whole waterfront project. The conceptual design proposes to divide the commons into several components, each with a unique identity that relates across the entire Commons area. The City Commons area includes the site of the library and those areas immediately across Flagler Drive.

The City Commons site, presently the site of the City library, has long been an important public space. The space has evolved from an important public gathering place to a recreation area to a library and passive open space. Although patronage at the library is high, the area surrounding the building is relatively underutilized. The redesign of the Centennial Plaza and fountain was significant in reactivating that portion of the site. Future plans intend to reinvigorate the entire site as a whole.

In June 2003, the Mayor and City Commission asked the Urban Land Institute ("ULI") to study downtown West Palm Beach and make recommendations to enliven its downtown core. ULI recommended that the City "uncork" Clematis Street by re-establishing the historic link between the waterfront and the City's downtown area. As a result of the recommendations, the City pursued the relocation of the City library and proposed the design of a City Commons on the site, as part of the Waterfront project. The removal and relocation of the library building will provide the significant opportunity to visual and physically reconnect Clematis Street and the water.

The properties located immediately adjacent to the City Commons have long been the traditional center of the downtown. Development located in these blocks should respect the pedestrian-orientation of the waterfront park, providing ground-floor retail spaces, wide sidewalks, and other pedestrian amenities. Building facades above should include uses which address the street and the park space. A variety of uses should be promoted to provide activity throughout the day and into the evening.

- b) The Waterfront Piers are located immediately east of Flagler Drive, and are proposed to be located at the terminus of South Clematis Street, North Clematis Street and Evernia Street. The three piers are to serve as day docks for public use, as well as an opportunity for all to experience the waterfront from a unique perspective.
- c) The South Cove is located along the east side of Flagler south of Fern Street. The area is characterized as a promenade with shade trees, rest areas, and opportunities for public art. The promenade is designed for pedestrians, joggers, and bicyclists with contemplative rest areas.

#### D. REDEVELOPMENT AND REHABILITATION

##### 1. REDEVELOPMENT

The goals and objectives section indicates the City desires to become and remain the center of legal, commercial, financial and governmental activity in Palm Beach County as well as a regional center for arts, culture and entertainment.

The majority of this growth must occur as redevelopment. Such redevelopment is dependent upon many factors including: vehicular access, surrounding uses, existing structures, utilities, traffic congestion, pedestrian access, current land utilization, parking availability and the real estate/development market conditions.

While market conditions The Community Redevelopment Agency proposes to encourage redevelopment of the central business district, through developer assistance and public projects proposed in this plan.

Nearly every block contains potential to redevelop including large portions of the Transit Oriented Development area and QBD which has been cleared and ready for redevelopment. The agency proposes to encourage the development and redevelopment of the area through new construction, rehabilitation, owner and developer assistance and through the public projects proposed in this plan.

Redevelopment activities in this plan are proposed to encourage private, public and quasi-public organizations, and individuals, to pursue such opportunities.

The Agency may appropriate funds and make such expenditures as

may be necessary to remedy a shortage of housing affordable to residents of low and/or moderate income, including the elderly. Such funds may be a loan or grant with conditions to a housing authority, nonprofit agency, or a residential development corporation to rehabilitate or eliminate slum and blighted areas; to prevent the spread of blight into areas free from blight; to rehabilitate buildings or improvements; or to provide for utilities, open space and other public improvements associated with the provision of low and/or moderate income housing units.

2. Rehabilitation of Buildings - Rehabilitation is encouraged through proposed Agency actions as follows:
  - a. Engage in specific planning and programmatic activities with the purpose of encouraging modest cost housing.
  - b. Encourage an infill housing program for all eligible city center neighborhoods.
  - c. Examine existing programs and propose the development of new programs to conserve existing, physically sound housing units.
  - d. Encourage and assist qualified non-profit sponsors to seek available federal grants for construction of elderly housing within the area.
  - e. Encourage and assist qualified sponsors to seek available federal funds or grants for construction or rehabilitation of housing within the City Center Redevelopment Area.
  - f. Seek additional funding from federal, state or local sources, to encourage rehabilitation of smaller (4-8 units) rental properties primarily Occupied by low or moderate income residents.
  - g. In the Northwest Neighborhood, the Agency shall encourage the City to limit truck traffic generated by area commercial and industrial activities to Palm Beach Lakes Boulevard, Henrietta Avenue and 11th Street.
  - h. Cooperate actively with the School Board of Palm Beach County to continue educational and community service uses at the School of the Performing Arts site.

- i. Request that the plans for the School of the Performing Arts site provide appropriate recreation and community facilities for the Cultural Arts Neighborhood
- j. To upgrade the residential environment in the Providencia Park Neighborhood, the Agency shall encourage the development and implementation of programs which:
  - Maintain the low density residential character;
  - decrease the amount of non-residential traffic and activity;
  - increase the aesthetic qualities; and
  - create compatibility between single family units and multifamily units.
- k. Encourage flexibility in the City's building code applicable to designated historic structures and older buildings as a means to reduce the ultimate cost of structural renovations

3. Rehabilitation of Water and Sewer

To accommodate urban growth, adequate urban service systems must be existing or readily expandable. Three critical elements of the total support system network are potable water, wastewater treatment and drainage.

Potable water and wastewater treatment systems can be separated into three (3) major components: treatment (at one or more plants); distribution/collection (pipes, mains, pumping stations, etc.) and internal building use. To meet increased demands created by growth, both treatment and distribution systems either must possess sufficient existing capacity or the potential for capacity expansion.

The Agency shall encourage the City to:

- a. Retain and strengthen, if necessary, existing policies which limit public use and access to Clear Lake and Lake Mangonia as these serve as the City's surface water supply for potable water.
- b. Retain and strengthen, if necessary, existing policies which prohibit dumping trash, garbage, hazardous substances, etc., in and around Clear Lake and Lake Mangonia.

- c. Maintain and improve existing water and wastewater treatment facilities to ensure uninterrupted, efficient service.
- d. Adopt and implement a long range program to replace all obsolete or deteriorated water and sewer pipes throughout the city.
- e. Continue to implement appropriate sewage treatment standards adopted by federal, state and local legislative and regulatory agencies.
- f. Continue to implement drinking standards adopted by federal, state and local legislative and regulatory agencies.
- g. Maintain and enhance current policies which provide more than sufficient water flow to meet national fire protection standards.
- h. Continue to implement the City's Comprehensive Plan provisions regarding public facility capacity, service delivery, Level of Service Standards, and concurrency requirements for public facilities and services.

4. Rehabilitation of the Storm Water Drainage Network

A third critical element of the urban support system network is the provision of adequate stormwater drainage throughout the City Center Redevelopment Area. West Palm Beach, like many cities, maintains a separate stormwater drainage system. Virtually the entire City Center area is served by the drainage system; although, in certain areas the existing drainage system is inadequate and flooding may occur as a result of significant rainfall.

The purpose of a stormwater drainage system is to accommodate normal amounts of stormwater runoff. It is not an efficient use of public resources to construct and maintain a system to handle all runoff. Occasional flooding of low lying areas can be expected during periods of extraordinary rainfall. However, a comprehensive drainage report prepared for the City has indicated certain City Center areas which experience regular flooding during normal rainfall events and recommends improvements to alleviate these problems. The Agency encourages

the following actions for stormwater drainage:

- a. Improvements in the following areas:
  1. Tamarind Avenue - Palm Beach Lakes Boulevard to 8th Street;
  2. Henrietta Street - Palm Beach Lakes Boulevard to 10th Street;
  3. Rosemary Avenue - 11th Street to 8th Street, and 7th Street to 6th Street;
  4. West Railroad Avenue - 6th Street to 3rd Street;
  5. 9th Street - Dixie Highway to east of Flagler Drive;
  6. Fern Street - Florida Avenue to east of Flagler Drive; and
  7. Iris Street - Georgia Avenue to Dixie Highway.
- b. Continue to implement the appropriate portions of the 1973 "Comprehensive Storm Drainage and Road Paving Report" for Areas 1, 2 and 4.
- c. Continue and enhance current programs which clear and maintain existing drainage lines and stormwater drains.
- d. Where necessary, improve existing storm drainage systems in conjunction with proposed public projects shown in this plan.
- e. Require all new construction within the City Center to provide appropriate connections to the existing public stormwater drainage system. In the event public drainage facilities are not adequate, encourage all new construction to contribute a prorata share of the cost of necessary improvements.
- f. Require the developers of the Downtown Uptown DRI to implement the storm water drainage conditions contained within the approved development order.

#### E. STREET LAYOUT

##### 1. Introduction

The provision of adequate transportation service and facilities will be a key determinant of the success of City Center revitalization efforts. This particularly is true due to the quantity of available, developable land located along the I-95 corridor and other major areas throughout the county and region. To enhance its competitive position in the county and regional markets, the City Center must have fast and convenient access from all areas of the county.

Significant resources were devoted to the development of a transportation plan that will provide the accessibility required for a successful City Center. This was accomplished by establishing reasonable goals and objectives, performing a technically sound analysis of future conditions and preparing an affordable program of improvements tied to a realistic funding program.

## 2. Transportation System Existing Conditions

Access to the City Center Redevelopment Area is provided by several arterial streets, some serving city neighborhoods and two with direct east/west access to Interstate 95. Okeechobee Boulevard provides the most convenient link between the CBD and the interstate and is the most heavily used facility. Palm Beach Lakes Boulevard is the other link to the interstate, though it is a more circuitous route than Okeechobee Boulevard. Major north/south arterials providing access to the City Center are Olive Avenue, Dixie Highway, Flagler Drive, Australian Avenue, Quadrille Boulevard and Tamarind Avenue.

Traffic within the City Center Redevelopment Area is served by a grid street system-providing convenient access to all blocks. The primary circulation routes within the CBD are: Datura and First Streets; Olive Avenue and Dixie Highway.

## F. PARKING FACILITIES

Although it is hopeful that a mixed-use urban center will assist in reducing the overall need for vehicles and parking, it is unlikely in the short term given broader patterns of development and the workforce in-migration evident each day. As such, parking will continue to be a significant issue for the downtown. The challenge will be to balance parking needs which fluctuate significantly during the day and across different parts of the downtown area. As such, the provision of adequate and convenient parking is a key element of successful City Center redevelopment. The availability of parking often affects the economic feasibility of a downtown development project. The downtown site must be competitive with suburban site markets where inexpensive parking is plentiful.

In August 2005, a parking study for the City which counted both on-street and off-street parking within the urban core. Approximately 14,623 spaces are available in the downtown area, excluding the Northwest Neighborhood, Brelsford Park, and



Providencia Park. The study divided the downtown into four districts, and compared parking totals and user trends across each area. The study revealed that parking demand was highest during the middle of a typical weekday (from 11am to 1pm), while demand was lowest during non-event weeknights. System-wide occupancy during those peak hours averaged 85%. A surplus was indicated for on-street parking, with fewer available off-street spaces. Despite these system-wide characteristics, the study indicated an overall parking surplus in the downtown area. At the same time, however, parking availability across each district varied widely, indicating that much of the parking is not co-located with employment centers and public facilities.

Further expected redevelopment within the downtown will continue to place additional demands on the parking system. While new projects can accommodate a majority of their specific parking needs, public parking facilities will be necessary to stimulate development in other areas of the downtown. Off-site parking can allow prime land to be reserved for more desirable uses. Further, public parking facilities can effectively reduce the cost of development if those spaces can be accessed by future employers, residents, and visitors.

To address future parking demands, the Agency shall:

1. Analyze and develop parking suggestions appropriate for the downtown districts which respect their character and mix of uses.
2. Acquire land for and assist in the construction of garage sites as necessary for public and private development and redevelopment projects.
3. Discourage the construction of garages or surface parking facilities along avenues and streets which are primarily oriented towards pedestrian activities.

IV. FUTURE DOWNTOWN UPTOWN DRI AND ADDITIONAL PROJECT SITE AREA REDEVELOPMENT

A. HISTORY OF DOWNTOWN UPTOWN AND ITS FAILURE

The Downtown Uptown DRI is a development project that was initiated in 1987 after a large area on both sides on Okeechobee Boulevard, containing approximately 76.9 acres, was assembled by investors. After a series of planning and economic studies, the owners of the project submitted an application for development approval- (ADA/DRI) to the City of West Palm Beach and the Treasure Coast Regional Planning Council in March of 1988. - Supplements to the development request were submitted in August and November of 1988; and during January of 1989.

On March 29, 1989, the application for development approval was approved by the adoption of Ordinance 2268-89 by the City. This Ordinance was subsequently amended by Ordinance 2287-89 and Ordinance 2313-89 as may be amended. Ordinance Nos. 2268-89, 2287-89, and 2313-89 are hereby incorporated by reference into this Plan. The latter Ordinance amended the original Development Order to include the Kravis Center for the Performing Arts as a permitted use in the Development Plan and allowed this facility to be developed as Phase I of the Downtown Uptown project pursuant to certain conditions.

The Downtown Uptown Plan, which received ADA/DRI approval in 1989, proposed an ambitious commercial, office, retail and residential development program for the subject area. Although Okeechobee Boulevard, the Kravis Center for the Performing Arts, and some smaller improvements have taken place in this area, the Downtown Uptown Development Plan has faced a series of setbacks including lack of a developer, financial difficulties, and a series of recent foreclosures. As a result, the subject area is presently void of any development and is susceptible to numerous blighting influences.

B. BLIGHTED AREA

Pursuant to Resolution No. 196-95, in October 1995 the City Commission made a Finding of Necessity determining that a 26.8-acre area in the Downtown Uptown area south of Okeechobee Boulevard was blighted. The Finding of Necessity for the southerly area is attached hereto as Exhibit A and by reference made a part hereof. This 26.8-acre parcel has

therefore now been included in the City Center Redevelopment Area, which now totals approximately 780 acres.

Since essentially all of the Downtown Uptown DRI District is vacant, except for the Kravis Center of the Performing Arts, the blighted conditions set forth in the Finding of Necessity for the southerly portion of the DRI also prevail in the northerly area including, but not limited to diversity of ownership, defective and inadequate street layout, deterioration of site, and tax delinquency.

In order to spur development within the DRI and the Additional Project Site Area. In August of 1996. the Agency considered responses to a Request for Proposals. to develop a mixed-use project including but not limited retail space, movie theaters, restaurant space, residential, office space, cultural space and a hotel in the DRI and the Additional Project Site Area.

C. CITY PROPOSAL FOR CONVENTION CENTER

In May of 1995, the City submitted a proposal to the Palm Beach County Convention Center Task Force and the Palm Beach County Commission for a Convention Center to be located on a 25-acre parcel in the Downtown Uptown DRI, in the area south of Okeechobee Boulevard. The Palm Beach County Commission selected downtown West Palm Beach as the site for the County's Convention Center in August of 1996.

D. CITY/AGENCY ACQUISITION IN THE DRI AND THE ADDITIONAL PROJECT SITE AREA

On July 6, 1995 pursuant to Resolution 201-95, the City entered into a Loan Agreement with the Sunshine State Loan Commission for funding in the amount of \$15,000,000 and the ability to increase said funding to \$25,000,000 to fund the acquisition of the properties in the Downtown Uptown DRI and Additional Project Site Area.

In July, 1995, the City and the Agency purchased from Skopbank a total of 26 of the approximately 55 remaining developable acres in the DRI. Subsequently, the Agency has the power to continue to acquire through acquisition the remaining properties in the DRI and the Additional Project Site Area as well as other surrounding properties located in the Redevelopment Area.

On October 9, 1996, the Agency selected a developer for a redevelopment project to occur within the Downtown Uptown DRI and the Additional Project Site Area. The urban design strategy of the proposed development is a series of connecting civic plazas which link the proposed Convention Center which is located at the southern end of the project to a mixed use project on the north end of the project.

#### E. PROPERTY ACQUIRED BY THE CRA

The Tent Site, a 2.3 acre parcel owned by the CRA, is a prominent development site and a prime entryway on the corridor to the City located on Okeechobee Boulevard between Quadrille Boulevard and Dixie Highway.

#### F. TRANSIT ORIENTED DEVELOPMENT (TOD)

The Transit Oriented Development (TOD) site is an approximately 36-acre site anticipated to be a transit-oriented, urban neighborhood located immediately adjacent to the historic Seaboard Train Station on Tamarind Avenue. The TOD area encompasses from Banyan Boulevard to Fern Street and from Tamarind Avenue to Sapodilla Avenue and also includes the "wedge piece" of property abutting the station to the west. Palm Beach County identified the "wedge piece" as a future Intermodal Facility and transferred this parcel to South Florida Regional Transit Authority (SFRTA) for future redevelopment.

The TOD area is envisioned as a pedestrian friendly, neighborhood village comprised of a mix of uses, green connections and plazas with pedestrian and transit connectivity. The proposed uses include a multimodal facility, housing (including workforce and market rate, as well as rental and home ownership), educational, office (including government/agency offices), hotel, retail, restaurant and parking. The TOD study area includes parcels owned by the federal government, SFRTA, Red Cross, state, county, city and privately-owned parcels.

V. NEIGHBORHOOD IMPACT ELEMENT

A. RELOCATION

The redevelopment of the City Center Redevelopment Area will have tremendous positive impacts on many people. With a large amount of new construction and rehabilitation activity, a few people and businesses will be displaced.\* The welfare of those displaced is of considerable concern to the City of West Palm Beach.

To address the impact of displacement, the Agency will suggest a policy for displacement relocation. The objectives of this policy area will be to:

1. Carry out relocation activities in a manner that minimizes hardship to those that may be displaced.

2. Provide residents that may be displaced with full opportunity to occupy comparable replacement housing that is within their ability to pay and adequate for their needs and meets requirements for decent, safe, and sanitary housing, and to the extent possible, which satisfies their preference with regard to location and other considerations.

3. Provide business concerns assistance in establishing at their new locations with minimum delay and hardship.

4. Provide relocation assistance in accordance with the needs of those that may be displaced, through appropriate agencies including assistance to those who are chronically ill, homebound, and in need of support and follow-up services.

5. The Agency shall require developer's to provide displaced business owners and business tenants preference for re-entry into business in a redeveloped area and upon the same terms and conditions offered to other businesses. The displaced business must be compatible with the proposed uses, theme, operation, and quality of the other businesses in the development.

Displaced refers to any person or business who moves from real property or moves his personal property from real property as a result of the acquisition of such real property, in whole or in part, by the CRA.

6. To revitalize rather than clear neighborhoods.

7. Encourage and expedite acquisition by agreement with owners in order to avoid litigation, relieve congestion in the courts and promote confidence in land acquisition by the Agency.

8. Relocation Method

- (a) The relocation assistance will be handled for the Agency by the City's Department of Housing and Community Development and/or the Department of Engineering and Public Works and/or other sources as determined by the Agency. Those departments have personnel with experience in relocation assistance.
- (b) The Agency may provide reasonable relocation assistance to individuals, families, business concerns and others displaced by a redevelopment project in the Community Redevelopment Area. This is not intended to provide incentives for commercial businesses to move out of the redevelopment area. The Agency may elect to provide said relocation assistance where it determines that it is in the best interest of the project to do so.
- (c) The Agency may adopt rules and regulations governing the relocation of individuals, families and business concerns located within the Community Redevelopment Area. Said rules and regulations shall establish the requirements and conditions for relocation, eligibility requirements as well as the amount of relocation assistance, if any, to be provided. This relocation method may be amended at any time as the Agency may determine appropriate.
- (d) Until such time as modified, the Agency shall have a policy and utilize for residential relocation, the "Resident Relocation Policy, Affordable Housing Program," City of West Palm Beach.
- (e) Until such time as modified, the Agency may pay up to 80% of the reasonable and necessary moving expenses to move business concerns to locations not exceeding twenty (20) miles from the point of origin.
- (f) Business owners and business tenants are. those businesses engaged in bonafide business activities within the redevelopment area for a period of not less

than one year prior to the initiation of negotiations.

B. TRAFFIC CIRCULATION

In 1993, West Palm Beach set out to rebuild itself by creating a great Downtown through the vision of a livable, sustainable, and economically successful city. To achieve this, the City began several visionary initiatives in the Downtown that included mixed land uses and building types, beautification, increasing the City's walkability, and decreasing dependence on the automobile. In 1995, the City realized that this vision could not be achieved simultaneously with the redevelopment constraints of transportation concurrency and applied for a Traffic Concurrency Exception Area (TCEA) for the Downtown.

In 1997, the City adopted the TCEA into its Comprehensive Plan. The goals of the TCEA include, but are not limited to (1) promoting redevelopment of the Downtown to create an attractive, vibrant place where people live, work, and shop; (2) creating a Downtown that will be the judicial, governmental, cultural, and historic center of Palm Beach County; (3) offering a sustainable alternative to development through mixed use opportunities; and (4) reducing the City's dependence on automobiles. Generally, the TCEA is an extension or enabler for the implementation of the City's Downtown Master Plan (DMP), housed in the Downtown Master Plan Element of the City's Comprehensive Plan.

1. Purpose and Intent

As part of the approval of the City's TCEA, several goals, objectives, and policies (GOPs) were adopted in the Transportation, Capital Improvements, and Downtown Master Plan elements of the City's Comprehensive Plan. The GOPs were created to ensure that the City's Transportation Vision and the intent of the TCEA were maintained.

One of the policies identified was the creation of a transportation management system (TMS). The purpose and intent of the TMS is to efficiently and effectively utilize existing transportation facilities and services. According to the Institute of Transportation Engineers, TMS strategies can be classified into three basic

categories: creating efficient use of existing street space, reducing vehicle use in congested areas, and improving transit service.

2. Downtown Transit Service

Another TMS effort is to improve transit service in the Downtown. Currently, ten Palm Tran routes either terminate or go through the Downtown West Palm Beach area. In addition, the City has been operating since 2000 a trolley service between the Clematis Street District and CityPlace. During the last year, the trolley is averaging almost 30,000 riders per month. In 2004, the City was awarded a \$2 million Federal Transit Administration Capital Grant for the purchase of new trolleys to add new trolley routes that will be serving the Downtown in the future. Also in 2004, the Metropolitan Planning Organization (MPO) approved the City for a \$360,000 Community Transit Services Grant that contributes toward the operation of the WPB Trolley Transit Program.

3. Reduction of Motor Vehicle Use

TMS activities attempt to reduce motor vehicle use in congested areas, such as the Downtown. This relates to the supply and demand of transportation facilities and related infrastructure, such as the cost of parking, the supply of parking facilities, bicycle/pedestrian facilities, and transit service and infrastructure, as discussed above. The City is continually improving the pedestrian environment within the Downtown. The Dixie Highway/Olive Avenue Downtown Street Master Plan, developed for the reconstruction of these streets, included a minimum sidewalk width of eight feet. The plan also incorporated raised intersections at major pedestrian intersections, an increase in street trees, a greater separation between the sidewalk and the motor vehicle travel lanes, wider sidewalks, and on-street parking. The reconstruction of Dixie Highway and Olive Avenue that was completed in 2006 is an example where these principles have been incorporated.

The Downtown Master Plan (DMP) lowered the parking requirements for developments within the Downtown with the intent to reduce not only the amount of surface parking lots within the Downtown, but also to centralize the supply of parking, creating a "park once" environment that contributes to the reduction of motor



vehicle use in the Downtown. This is also consistent with the theory that increased provisions of free parking increases auto dependence and uses.

4. Promotion of Downtown Residential Projects

One of the requirements of the TCEA was for the City to increase the density and mix of land uses in Downtown and to increase the ratio of residential to non-residential land uses in order to achieve a better land use balance and reduce vehicular trips.

In early 2006, the City of West Palm Beach hired a consultant to conduct an operational traffic study for the Downtown Area, which matches the boundaries of the City's TCEA. The conclusion is the downtown roadways are not currently failing and are not expected to fail in the next eight (8) years.

C. ENVIRONMENTAL QUALITY

The Agency proposes to improve the environmental quality of the City Center Community Redevelopment Area as redevelopment proceeds. These improvements are outlined in the following summary impact sections: natural environment, business environment and residential environment.

1. Natural Environment

The Agency intends that redevelopment efforts impact in a very positive way upon the area. Traffic planning efforts have specifically avoided any alternative which includes bridging or major filling of Clear Lake, the final link in the city's potable water supply.

The Lake Worth waterfront area provides a natural beauty possessed by few cities in Florida. Many portions of the plan address not only preserving this area, but also the improvement of the area for the enjoyment of residents and visitors to West Palm Beach.

The redevelopment plan stresses the addition of landscape material to improve the area. This includes: landscaped entry points to commercial and residential neighborhoods, more intense landscaping along major streets that are adjacent to residential neighborhoods, and a program of planting trees in parkways and additional encouragements to private development/redevelopment interests to provide landscaping in their projects.

## 2. Commercial Environment

The Agency believes the impact of the proposed redevelopment will improve the environment for commercial activities through the following:

- (a) Increasing traffic access and traffic system capacity.
- (b) Increasing parking facilities.
- (c) Improving the pedestrian access and flow characteristics.
- (d) Allowing for change from residential Use to commercial use where appropriate.
- (e) Continuing to upgrade water, sewer, lighting and drainage facilities.
- (f) Preparing and implementing design guidelines relating to the size and scale of new and converted structures.
- (g) Encouraging improvement in the appearance of the railroad.
- (h) To control development intensities according to traffic and utility system capacities.

## 3. Residential Environment

The Agency believes the impact of the proposed redevelopment will improve the environment for residential activities through the following:

- (a) Encouraging new residential development in the CBD to further the concept of a "24 hour" downtown.
- (b) Encouraging a variety of housing opportunities for residents of all income levels with the assistance of neighborhood organizations financial institutions, development interests and other persons.
- (c) Ensuring the development of affordable housing within the Northwest Neighborhood by acquiring properties. The properties will be located between Seventh Street to the north, Banyan Boulevard to the south Douglass Avenue to

the West and Rosemary Avenue to the east.

(d) Encouraging a traffic noise reduction program along streets serving residential areas, to include more intense landscaping, vehicular speed restrictions and noise abating construction techniques.

(e) Encouraging improvement in the appearance of the railroad.

(f) Encouraging a buffer of commercial use between residential uses and industrial uses.

(g) Encouraging the continued upgrading of water, sewer, lighting and drainage facilities.

#### D. COMMUNITY FACILITIES/SERVICES

Positive impact is anticipated throughout the community redevelopment area in community facilities and services by encouraging the following:

1. Continuing improvement to all service systems (roads, sidewalks, Utilities, drainage, police, fire, etc.)
2. Improved recreation facilities through the provision of two neighborhood parks, a central urban park, improvement of Flagler Drive Open Space, Flagler Place redevelopment and the pedestrian network.
3. Public parking facilities in appropriate locations to meet anticipated parking needs.
4. The Agency intends to work with the School Board to encourage appropriate use of the School of the Performing Arts site.
5. The new, expanded library facilities are in a location appropriate to serve all residents.

#### E. SCHOOL POPULATION

School facilities, that currently provide for the school population in the redevelopment area, are adequate for the projected residential growth. Some neighborhoods currently within walking distance will be served by bus in the future.

As redevelopment continues within the Redevelopment Area, the Agency should assist the City and Palm Beach County School Board to identify necessary public educational facilities

F. OTHER PHYSICAL AND SOCIAL QUALITY ITEMS

Impact to other physical and social quality items is projected to be positive due to the following:

1. Encouraging continued awareness to solid waste relate problems.
2. Continued coordination with neighborhood, county, state, Regional and federal agencies/organizations.
3. Continued encouragement will be provided for increased use of mass transit in and to the City Center area. The City will continue to pursue economically feasible projects and distribute the costs of redevelopment among those that benefit.

## VI. PROPOSED PUBLIC IMPROVEMENTS

### A. INTRODUCTION

As in most Florida communities, West Palm Beach faces a future of great need for capital facilities and services, but limited fiscal resources with which to pay for these facilities and services. The City shall continue to seek various methods of funding to increase its fiscal resources. The projects outlined in this Community Redevelopment Plan may involve a variety of funding sources, but emphasis is placed upon the use of Tax Increment Financing as the primary funding source.

Tax Increment Financing is an important opportunity for local governments. It is designed to allow local government to finance, over a term of years, front-end costs involved in the redevelopment of slum and blighted areas. By using this tool, a local government can develop and adopt a redevelopment plan, repave or reroute streets, provide other public improvements and open space, provide redevelopment assistance to residential and business owners and, if necessary, acquire property within a redevelopment area, clear deteriorated structures, and make the property available for redevelopment.

The purpose of tax increment financing is to provide a method whereby slum or blighted areas can effectively pay for their own redevelopment. This is accomplished by requiring that the additional ad valorem taxes generated by the redeveloped area be used to offset the public expense incurred in preparing the area for redevelopment.

### B. COMPLETION OF REDEVELOPMENT

All redevelopment contemplated by this Amended and Restated Redevelopment Plan which are to be financed by increment revenues shall be completed on or before September 30, 2036 or at such later time as may hereafter be permitted by Florida law.

## VII. PLAN IMPLEMENTATION

### A. INTRODUCTION

The CRA formally adopted a Strategic Finance Plan that provides redevelopment strategies and allocates funding utilizing the City's bonding capacity for a five year redevelopment program. The Strategic Finance Plan is intended to act as an implementation or action plan to implement many of the goals and objective outlined in this original CRA Plan. The Strategic Finance Plan is intended to be updated annually as redevelopment progresses. Certain sections of this Plan will refer to the Strategic Finance Plan and are intended to include the intent of that plan in all redevelopment activity as described herein.

The key to success for any plan is the implementation of its objectives. The Community Redevelopment Act outlines the minimum criteria for community redevelopment plans and authorizes the use of various municipal powers to implement the plan. However, the success of the redevelopment depends upon the belief in the potential for the City Center Community Redevelopment Area and upon the enthusiastic support of community residents, businessmen, and other persons interested in the area as well as the city staff, the Agency and Agency staff. This section outlines the implementation steps anticipated by the Agency. Many additional efforts will be important to the success of the redevelopment program.

### B. PROPOSED LAND USE AND DEVELOPMENT REGULATIONS

Land uses within the City Center Community Redevelopment Area shall be consistent with the City Comprehensive Plan and the Downtown Master Plan for the City of West Palm Beach as adopted through Ordinance No. 4042-07, and as reflected in the Downtown District Regulating Maps. All development, redevelopment, and rehabilitation within the City Center Community Redevelopment Area shall be consistent with the Urban Regulations of the Downtown Master Plan, as amended from time to time, and the CityPlace DRI shall be subject to the CityPlace DRI Ordinances as in effect.

## C. ACQUISITION OF PROPERTY FOR REDEVELOPMENT

### 1. General

The Act authorizes the Agency or City to acquire Real Property by purchase, condemnation, gift, exchange or other lawful means in accordance with the approved Plan. The Acts also allows the Agency and City to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property.

The Agency shall acquire real property in the Redevelopment Area upon final approval of the City Commission at such times, in such phases, and in such quantities as may be required to carry out the intent and purposes of the Plan. Properties acquired by the Agency shall be sold or leased for development in accordance with the uses permitted in the Plan and as required by the Act.

The Agency may demolish, clear, or move buildings, structures, and other improvements from any real property in the Redevelopment Area. It may also rehabilitate, or as a condition of sale or lease, require a redeveloper or an owner-participant to rehabilitate, remodel, restore, repair, or otherwise improve property that is the subject of the sale, lease, or Agreement, in a manner prescribed by the City, Agency, and Plan

The Agency may reserve such powers and controls through disposition and development documents with purchasers or lessees of real Property as may be necessary to ensure that development begins within a reasonable period of time and that such development is carried out pursuant to the purpose of the Plan.

The City Center Redevelopment Plan includes several proposals that may require public acquisition of private property for road rights-of-way, public facilities and to encourage redevelopment of specific areas. This may include, but is not limited to, land for the development of the Downtown Uptown Development of Regional Impact and Convention Center.

The use of eminent domain for redevelopment purposes shall be exercised by the Agency upon approval of the City Commission and in accordance with Chapter 163, Part III, Florida Statutes, as amended.

In addition to any other power or purpose allowed by law, the power of eminent domain may be used in the following manner:

1. Within the context of the proposed City Center Community Redevelopment Plan, the power of eminent domain may be used for public use and in the manner as provided in Florida State Statute chapters 73 and 74.

#### D. CONTROLS, RESTRICTIONS AND COVENANTS

The Agency shall provide adequate safeguards to ensure that the provisions of the Plan will be carried out and to prevent the recurrence of blight. The leases, deeds, contracts, agreements, and declarations of restrictions relative to any real property conveyed by the Agency shall contain such restrictions, covenants, covenants running with the land, conditions subsequent, equitable servitude, or such other provisions as the City or Agency deems necessary to carry out the Plan.

Property in the Redevelopment Area is subject to the restrictions that there shall be no discrimination or segregation based upon race, religion, sex, age or national origin, in the sale, lease, sublease, transfer, use, Occupancy, tenure, or enjoyment of Property in the Redevelopment Area.

#### E. BUILDING REHABILITATION

The Agency will continue to expand opportunities to encourage and support rehabilitation of buildings in the City Center Community Redevelopment Area. Where practical, the relocation suggestion of the Agency will continue to encourage programs designed to revitalize rather than clear residential neighborhood. To support rehabilitation programs, the Agency proposes to pursue:

- (1) a transportation and noise reduction program to include noise abating techniques;
- (2) a program of buffering residential uses from adjacent conflicting land Uses;
- (3) a program of acquiring vacant lots and encouraging redevelopment of such lots.



F. NEIGHBORHOOD, BUSINESS, GOVERNMENTAL and QUASI-GOVERNMENTAL ORGANIZATIONS

The major objective of the City Center Community Redevelopment Plan is to encourage new investment in the plan area. Redevelopment, rehabilitation and new development will improve the physical and economic characteristics in the City Center. The City will encourage the aid and cooperation of other public bodies to coordinate this Plan with the plans of such public agencies in order to achieve the purpose of redevelopment in the highest public interest. Future development and redevelopment of areas in the City Center for Palm Beach County facilities, in the Government Hill area for many public agencies, on the present Dreyfoos School of the Arts site and other locations throughout the City Center Redevelopment Area, may require considerable cooperation and coordination.

The Agency will encourage the input of various organizations representing interests in the Civic Center. Examples include: neighborhood organization and business organizations such as the Downtown Development Authority and Chamber of Commerce.

G. HISTORICAL SIGNIFICANT STRUCTURES

Significant older structures make valuable contributions to the urban milieu. They demonstrate an attention to craftsmanship and detail often lost in new design and construction. This contrast between the old and new creates a richer, more varied urban fabric. A structure may be considered significant for many reasons: its design may exemplify a particular design philosophy or historic time frame; it may utilize unique building methods or materials or it may possess historical significance by connection with a particular person or event of historical importance. Structures of this nature create a tangible link with unique or historic elements of the community which may otherwise be lost.

The City Center area of West Palm Beach is the City's original townsite, settled in the early 1900's as a service community for Palm Beach. During the early 1920s, the Florida Land Boom provided the impetus for a tremendous upsurge in construction in and around the West Palm Beach area. The

majority of the older structures in the City Center areas were built during this time, then, as now, tourism was a major industry in West Palm Beach, and its influence on the building design of that period was unmistakable.

During the 1920s, the "Mediterranean Revival" design was widely used by architects and builders for two principal reasons: materials were readily available and characteristics of this style complemented local climatic conditions. The style's broad eaves and sheltered arcade provided much needed shade, while large windows allowed utilization of the area's prevailing breeze. Materials such as terra-cotta, stucco and tile were readily available in South Florida. Additionally, the pastel building colors associated with this particular architectural style assisted in reducing indoor temperatures by reflecting, rather than absorbing heat from the sun's rays.

The colorful walls and unique tile roofs helped create a festive, resort-like atmosphere in the town. Major elements of this style were incorporated into many of the early buildings in West Palm Beach, creating a permanent visual identity for the city.

In 1926, the early "Florida Land Boom" came to a close, halting growth and construction in West Palm Beach. The city's next major period of growth occurred following World War II. This post-WWII boom featured a suburban growth trend; structures in the City Center area were left intact. Since that period, many of the older structures have been altered or "modernized" in some fashion. Despite such renovations, many buildings possessing historic, cultural, or architectural significance remain within the City Center.

In order to retain significant cultural and traditional elements of the City Center through the preservation, rehabilitation and utilization of structures possessing architectural, cultural or historic value, the Agency proposes the following:

- (1) Disseminate to appropriate property owners up-to-date, detailed information regarding income tax benefits, property tax reductions and similar advantages available through federal and state government programs encouraging preservation and use of historic structures.
- (2) Investigate a transfer of development rights (TDR)

program within the City Center area (excluding the lakefront) to allow owners of historic, yet underutilized properties, an economic return for the retention of historic properties.

- (3) Encourage flexibility in the City's building code applicable to designated historic structures and older buildings as a means to reduce the ultimate cost of structural renovations; providing, however, the code shall not endanger the life or safety of individuals within such structures. This flexibility will apply to non-structural code elements, such as a reduction in the number of required electrical outlets, etc.

#### H. PLAN CONSISTENCY

The City Center Redevelopment Plan has been found by the Agency to be in conformity with the comprehensive plan for the City.

All owners, lessees, or developers of real property within the City Center Redevelopment Area must redevelop or develop projects in accordance with the provisions of the Plan. Descriptive text and drawings must be submitted for review to ensure conformance with the Plan.

#### I. ACTIONS BY THE CITY

Upon approval of this Community Redevelopment Plan by the City, the City warrants and represents to all parties acting in reliance on the Community Redevelopment Agency, that the City shall aid and cooperate with the Agency in carrying out this plan and shall take actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the spread or recurrence within the redevelopment area of conditions causing blight or other undesirable conditions. Actions by the City shall include all those actions authorized by law including, but not limited to, the following:

1. The City may continue to utilize the established review processing order to effectuate compliance and performance pursuant to the intent of this Plan. The City shall initiate and implement such actions as are necessary to delegate to the Agency, the responsibility and authority for administering aspects of this Plan.

2. The City may provide for administrative enforcement of this Plan. The City shall, through code enforcement, provide for continued maintenance by owners of all real property, both public and private, within the Redevelopment Area.

3. The City may apply building standards that maintain a relatively uniform scale and intensity of development within the redevelopment area zoning districts, and also allow the use of innovative design and construction techniques.

4. The City may implement Proceedings for opening, closing, vacating, widening or changing the grades of streets, alleys, public areas and other public rights-of-way, and for other necessary modifications of the streets, the street layout and other public rights-of-way and areas in the Redevelopment Area.

5. The City may perform all of the functions and services relating to public health, safety, and physical development normally rendered, in accordance with a schedule which will permit the redevelopment of the Redevelopment Area to be commenced and carried to completion without unnecessary delay.

J. DURATION, MODIFICATION AND SEVERABILITY OF THE PLAN

The redevelopment process shall continue until determined complete or otherwise discontinued by the Agency or for a period of thirty (30) years from the date the plan is adopted, or amended, whichever is later.

Any person, agency, or group may submit a recommendation to amend or modify the Plan which may include a change in the boundaries of the project area, major land use modifications or any changes which constitute a substantial deviation from the original plan. The Plan may be amended in any manner that is now or hereafter permitted by law.

If any provision of the Plan is held to be invalid, unconstitutional or otherwise locally infirm, such provision shall not affect the remaining portions of the Plan.

## VIII. FUTURE REDEVELOPMENT PROJECTS

### A. BANYAN BOULEVARD

Banyan Boulevard is one of the only three east/west streets in downtown West Palm Beach (the others being Okeechobee Boulevard and Palm Beach Lakes Boulevard) that connects Australian Avenue on the extreme west of the downtown with Flagler Drive and the intracoastal waterway on the east. Between these two extremes, the Banyan Boulevard corridor connects the Clearlake District, the Northwest Neighborhood, the Quadrille Business District and the Flagler Waterfront District, as well as the City's marina. As such, it is one of the principal gateways into downtown. It is also the city's civic corridor, fronting City Hall, the City's police headquarters building, the County Courthouse and the Federal Courthouse and administrative buildings. Currently, however, Banyan Boulevard also contains a haphazard mixture of abandoned buildings, parking garages and surface parking lots that do not contribute to the sense of continuity desired by the Downtown Master Plan.

### B. REDEVELOPMENT ANALYSIS

The Banyan Boulevard corridor can be divided into three separate segments; first, the eastern portion, comprised of the area from the marina west through the 300 block, second, the 400 and 500 blocks, and third, the area from the intersection of Rosemary Avenue west to Tamarind Avenue, the southern boundary of the Northwest Neighborhood.

At the eastern edge of the corridor, on the east side of Flagler Drive, lies the Marina, which is owned by the City but subject to a long term lease with a private operator. Across Flagler Drive from the Marina, lies the Helen Wilkes site. Although several developers have expressed interest in the site, the small size of the parcel is a significant constraint to its redevelopment as there is insufficient room to meet modern parking standards. Directly to the west, in the 200 block, lies the former site of the West Palm Beach City Hall and related surface parking facilities. Across Banyan Boulevard from the old City Hall site, is the Banyan garage, a four story parking garage in one of the City's oldest parking facilities. The assimilation of these sites presents an opportunity to develop a mixed-use waterfront project which would contribute to the goal of revitalizing the waterfront as well as providing another anchor to support Clematis Street. Combined with the recently completed projects at One North Clematis Street and 101 North

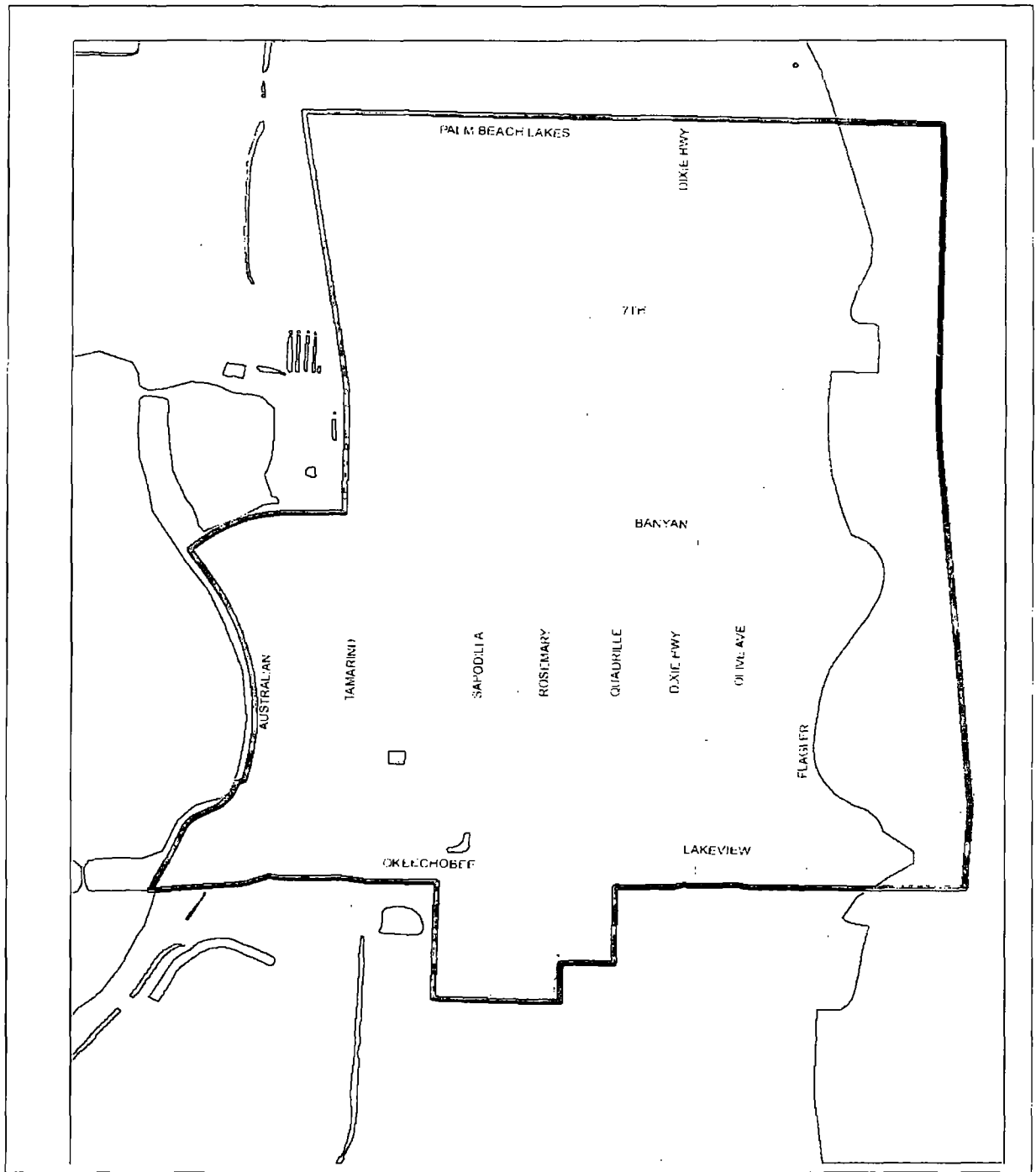
Clematis Street, these sites will create a critical mass of activity along the downtown waterfront.

The 300 block of Banyan Boulevard consists of three story Wachovia building and associated surface parking on the north and the USA parking to the south. These parcels could be grouped with the Marina, City Hall, the Banyan Garage and Helen Wilkes sites to create a larger redevelopment project.

The 400 and 500 blocks of Banyan Boulevard are occupied by the County Judicial Complex and parking facilities on the north and City Center and the parking garage to the south.

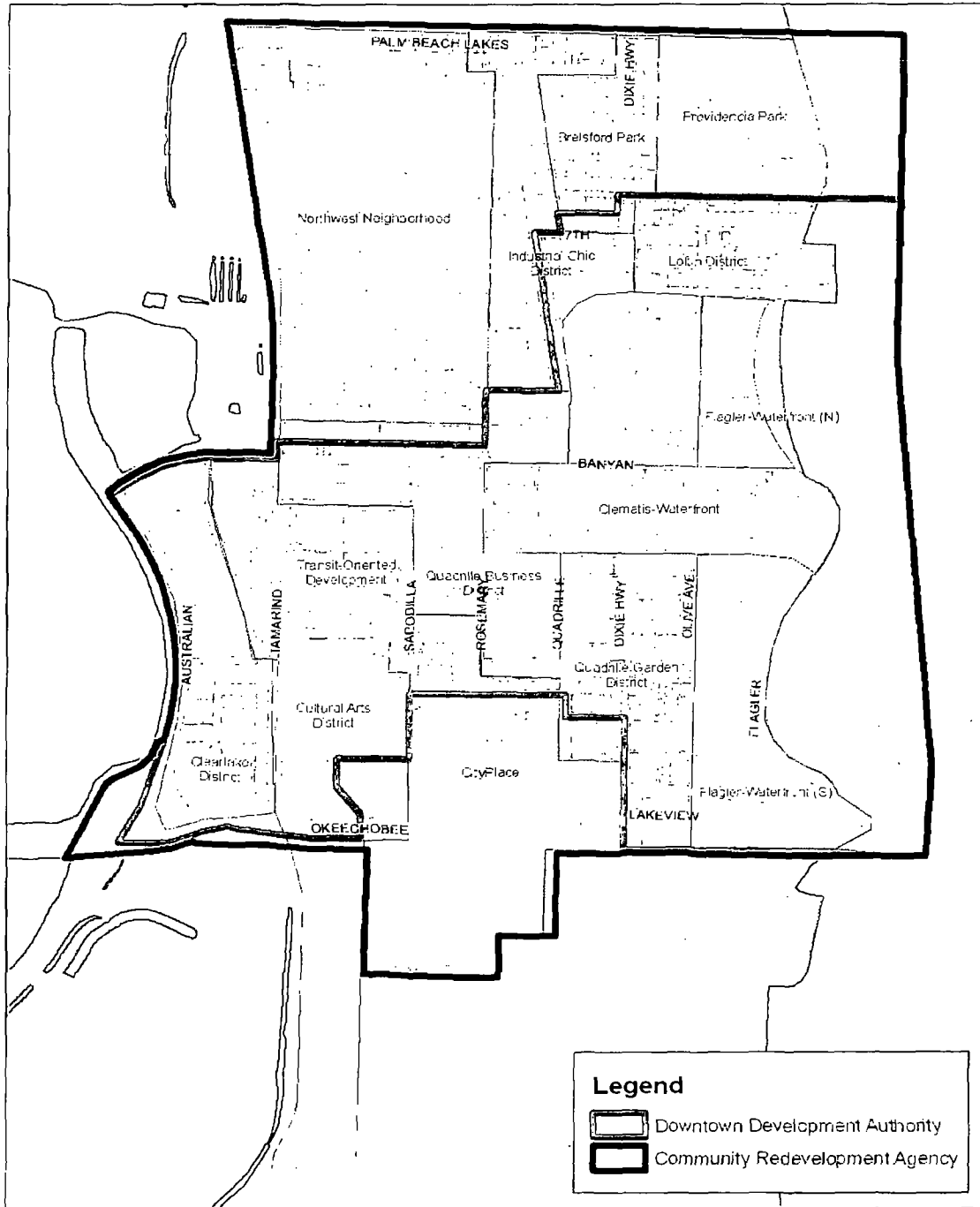
The northern side of Banyan Boulevard, west of Rosemary, forms the southern edge of the Northwest Neighborhood, and has been the focus of recent study by City staff. The City commissioned a study by Stull & Lee/Goody Clancy to analyze this area and make recommendations regarding its redevelopment. One of the reports suggestions is to increase the zoning on the north side of the street and to provide better connectivity with the rest of downtown. Subsequently, the City staff has initiated a comprehensive plan text change and map change to implement these recommendations.

## Downtown District Maps



**FIGURE 1**  
**CITY CENTER CRA BOUNDARY**





**FIGURE 2**  
**CITY CENTER CRA SUBAREAS**