



**West Palm Beach
Community Redevelopment Agency**

AGENDA

**August 9, 2021
4:00 P.M.**

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY CLERK'S OFFICE, 401 CLEMATIS STREET, WEST PALM BEACH, FLORIDA 33401, {(561) 822-1210}

**MAYOR
KEITH A. JAMES**

**CITY COMMISSION
PRESIDENT JOSEPH A. PEDUZZI**

**COMMISSIONER KELLY SHOAF
COMMISSIONER CHRISTY FOX**

**COMMISSIONER SHALONDA WARREN
COMMISSIONER CHRISTINA LAMBERT**

**ADMINISTRATION
CRA EXECUTIVE DIRECTOR, CHRISTOPHER ROOG
CITY ATTORNEY, KIMBERLY ROTHENBURG
TREASURER, MARK A. PARKS
CITY CLERK, HAZELINE CARSON**

1. ROLL CALL

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

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

COMMENTS FROM THE PUBLIC FOR NON-AGENDA ITEMS:

COMMENTS FROM THE BOARD:

ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA:

PRESENTATION (2):

2. **Presentation of the draft FY2022 Community Redevelopment Agency Budget for the Downtown/City Center CRA and the Northwood/Pleasant City CRA and the preliminary budget for the West Palm Beach Downtown Development Authority (DDA).**
Agenda Cover Memorandum No.: 23191

CONSENT CALENDAR (3):

3. **Minutes of the Community Redevelopment Agency Meeting of July 12, 2021.**
Agenda Cover Memorandum No.: 23192

Staff Recommended Motion:

Approve the Minutes of the Community Redevelopment Agency Meeting of July 12, 2021.

RESOLUTIONS (4-7):

4. **Resolution No. 21-32 approving a project funding interlocal agreement between the City of West Palm Beach and the West Palm Beach Community Redevelopment Agency for an amount not-to-exceed \$20,000 for funding of the art installation entitled "Natural Beauty" at the 500 Passageway on Clematis Street.**

RESOLUTION NO. 21-32: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A PROJECT FUNDING INTERLOCAL AGREEMENT BETWEEN THE CITY OF WEST PALM BEACH AND THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE FUNDING OF A MULTIMEDIA ART INSTALLATION AT THE 500 PASSAGEWAY ON CLEMATIS STREET BY LOCAL ARTIST ANTHONY BURKS, SR. FOR AN AMOUNT NOT-TO-EXCEED \$20,000; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 23193

Staff Recommended Motion:

Approve Resolution No. 21-32.

Background:

The West Palm Beach Community Redevelopment Agency's ("CRA") Strategic Finance Plan for the Downtown/City Center CRA District, Amendment No. 15, (the "Plan") identifies the downtown core as a target area with a focus on Clematis Street, including its passageways and alleys. The Plan states that the success of Clematis Street, the historic core of the City, is important to the overall vitality of the City and stresses the importance of positioning Clematis Street as a 24-hour, live-work-play environment. The Plan specifically provides that the CRA will coordinate with the City of West Palm Beach ("City") to market and revitalize the downtown by, among several other objectives, upgrading additional passageways downtown, adjacent to Clematis Street.

The CRA staff collaborated and coordinated with the City's Administrator for Public Art and Culture to issue a direct invitation, as provided for in Section 78-134 of the City's Code of Ordinances, to local artist, Anthony Burks, Sr. of ATB Fine Art Group, Inc. to create a multimedia art installation intended for the 500 Passageway on Clematis Street.

On June 2, 2021, the City's ArtLife WPB Committee voted unanimously to recommend Anthony Burks, Sr.'s multimedia art concept "Natural Beauty" for the 500 Passageway on Clematis Street located at the 500 Clematis Block between Clematis Street and Banyan Boulevard. It will be visible from multiple viewpoints and will enhance the pedestrian passageway experience.

The CRA wishes to fund the art installation to be managed by the City in an amount not-to-exceed \$20,000.

There is a companion item on the City Commission Agenda as Resolution No. 151-21 to approve the interlocal agreement.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

To be funded through the CRA's Public Art Support account.

5. **Resolution No. 21-38 approving a Transferable Development Rights purchase and sale agreement between Lineaire Group LLC and the West Palm Beach Community Redevelopment Agency for the sale of 26,723 square feet of transferable development rights from CRA properties located at 822 N. Tamarind Avenue, 1031 N. Sapodilla Avenue, 713-719 N. Sapodilla Avenue, 604 8th Street, 825 N. Rosemary Avenue, 800 Henrietta Avenue, 601 7th Street to 506 and 524 Datura Street, West Palm Beach, FL for a total purchase price of \$361,435.50.**

RESOLUTION NO. 21-38: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A TDR PURCHASE AND SALE AGREEMENT BETWEEN THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AND LINEAIRE GROUP, LLC FOR THE SALE OF 26,723 SQUARE FEET OF TRANSFERABLE DEVELOPMENT RIGHTS RELATED TO 822 N. TAMARIND AVENUE, 1031 N. SAPODILLA AVENUE, 713-719 N. SAPODILLA AVENUE, 604 8TH STREET, 825 N. ROSEMARY AVENUE, 800 HENRIETTA AVENUE, 601 7TH STREET; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 23194

Staff Recommended Motion:

Approve Resolution No. 21-38.

Background:

The Strategic Finance Plan for the Historic Northwest CRA District is a target area, with the redevelopment of properties included in the area work plan. Amendment No. 12 to the Strategic Finance Plan for the Downtown/City Center CRA District identifies the Historic Northwest area, and along Banyan Boulevard, as target areas for the redevelopment of properties.

Section 94-132 of the Code of Ordinances of the City of West Palm Beach provides a transfer of development rights program, which allows designated sending sites to transfer unused development rights (TDRs) from historic or landmark properties to a purchaser who may bank the TDRs for future use.

Resolution No. 21-38 authorizes the execution of a TDR Sale & Purchase Agreement between Lineaire Group, LLC (the "Buyer") and the West Palm Beach Community Redevelopment Agency (the "CRA"), whereby the CRA will sell the TDRs from the properties located at: 822 N. Tamarind Avenue, 1031 N. Sapodilla Avenue, 713-719 N. Sapodilla Avenue, 604 8th Street, 825 N. Rosemary Avenue, 800 Henrietta Avenue, 601 7th Street for the amount of Three Hundred Sixty-One Thousand Four Hundred Thirty-Five and 50/100 Dollars (\$361,435.50). The CRA will transfer and assign the rights to 26,723 square feet of TDRS to the Buyer upon the closing date set forth in the agreement. Lineaire Group, LLC agrees to utilize the TDRs for the development of the properties located at 506 and 524 Datura Street, which is a designated TDR receiving site.

Fiscal Note:

Transaction will result in CRA receiving proceeds of \$361,435.50, less any closing costs and recording fees.

6. **Resolution No. 21-39 approving a Transferable Development Rights purchase and sale agreement between WPB Resland Interests, LP and the West Palm Beach Community Redevelopment Agency for the sale of transferable development rights from the CRA properties located at 604 8th Street, 609 8th Street, 825 N. Rosemary Avenue, 800 Henrietta Avenue, 601 7th Street, 618-620 7th Street, 622-624 7th Street, 626-628 7th Street, and 630-634 7th Street to 370 and 375 Eucalyptus Street, West Palm Beach, FL for a total purchase price of \$378,499.50.**

RESOLUTION NO. 21-39: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A TDR PURCHASE AND SALE AGREEMENT BETWEEN THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AND WPB RESLAND INTERESTS, LP FOR THE SALE OF 28,037 SQUARE FEET OF TRANSFERABLE DEVELOPMENT RIGHTS RELATED TO 604 8TH STREET, 609 8TH STREET, 825 N. ROSEMARY AVENUE, 800 HENRIETTA AVENUE, 601 7TH STREET, 618-620 7TH STREET, 622-624 7TH STREET, 626-628 7TH STREET, AND 630-634 7TH STREET; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 23195

Staff Recommended Motion:

Approve Resolution No. 21-39.

Background:

The Strategic Finance Plan for the Historic Northwest CRA District is a target area, with the redevelopment of properties included in the area work plan. Amendment No. 12 to the Strategic Finance Plan for the Downtown/City Center CRA District identifies the Historic Northwest area, and along Banyan Boulevard as target areas for the redevelopment of properties.

Section 94-132 of the Code of Ordinances of the City of West Palm Beach provides a transfer of development rights program, which allows designated sending sites to transfer unused development rights (TDRs) from historic or landmark properties to a purchaser who may bank the TDRs for future use.

Resolution No. 21-39 authorizes the execution of a TDR Sale & Purchase Agreement between WPB Resland Interests, LP (the "Buyer") and the West Palm Beach Community Redevelopment Agency (the "CRA"), whereby the CRA will sell the TDRs from the properties located at: 604 8th Street, 609 8th Street, 825 N. Rosemary Avenue, 800 Henrietta Avenue, 601 7th Street, 618-620 7th Street, 622-624 7th Street, 626-628 7th Street, and 630-634 7th Street for the amount of Three Hundred Seventy-Eight Thousand Four Hundred Ninety-Nine and 50/100 Dollars (\$378,499.50). The CRA will transfer and assign the rights to 28,037 square feet of TDRs to the Buyer upon the closing date set forth in the agreement. WPB Resland Interests LP agrees to utilize the TDRs for the development of said properties located at 370 and 375 Eucalyptus Street, which is a designated TDR receiving site.

Fiscal Note:

CRA will receive proceeds of \$378,499.50, less any closing and recording costs.

- 7. Resolution No. 21-41 approving the First Amendment to the Property Development Agreement and Ground Lease with Immocorp Ventures, LLC for the development of the property known as the Anchor Site.**

RESOLUTION NO. 21-41: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE FIRST AMENDMENT TO THE PROPERTY DEVELOPMENT AGREEMENT AND GROUND LEASE WITH IMMOCORP VENTURES, LLC, FOR THE DEVELOPMENT OF PROPERTY KNOWN AS THE "ANCHOR SITE"; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 23196

Staff Recommended Motion:

Approve Resolution No. 21-41.

Background:

The West Palm Beach Community Redevelopment Agency is the owner of the following various real property parcels, which collectively are referred to as the "Anchor Site". The CRA issued Invitation to Negotiate 17-18-501 for the purchase/lease and development of the Anchor Site. The CRA Board heard presentations from interested developers and selected Immocorp Ventures, LLC with which to negotiate for the development and lease of the Anchor Site. The fully executed Property Development and Ground Lease Agreement ("Agreement") was approved by Resolution No. 20-53 and signed on September 22, 2020.

The First Amendment to the Agreement will: 1) approve a change to the Developer's structure; 2) clarify timeframes for submittal of permit applications for Phase 2; and 3) clarify certain other provisions.

The previously approved consent to transfer the membership interests of Immocorp Ventures to WPB Northwood Property will be terminated. Instead, Beachwold Residential, LLC will join the Developer's organizational structure as a member of the managing firm of the Developer. Beachwold Residential and its principals have built, owned, and managed multi-family properties for 40 years. They presently control 57 properties and 15,000 multi-family units in Florida, Georgia, Texas, Tennessee, Virginia, Maryland, New Jersey, and Connecticut.

The Agreement allows the Developer to have two (2) phases of development. Phase 1 included the first two residential buildings and the parking structure. Phase 2 included the third residential building and the commercial structure.

At this time; however, the Developer indicates that it is planning for a one-phase development. Nevertheless, there was a desire to clarify that if the Developer subsequently decides to build in two phases, the Phase 2 applications for governmental approvals would be submitted to later than six (6) months after submission of the building permit application for Phase 1.

The First Amendment also includes amendment to certain definitions and clarification to other terms.

Current Status: All applications for government approvals for Phase 1 will be due no later than six (6) months from approval of the Concept Plan. The CRA Board approved the Concept Plan on April 5, 2021. Accordingly, the applications for governmental approvals will be due no later than October 4, 2021.

Resolution No. 21-41 approves the First Amendment to the Property Development and Ground Lease Agreement with Immocorp Ventures, LLC.

CRA District: Northwood / Pleasant City.

Commission District 1: Commissioner Kelly Shoaf.

Fiscal Note:

No fiscal impact.

ADJOURNMENT:

NOTICE: IF ANY PERSON DECIDES TO APPEAL ANY DECISION OF THE CITY COMMISSION AT THIS MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR THAT PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY OF WEST PALM BEACH DOES NOT PREPARE OR PROVIDE SUCH A RECORD.