

**DOWNTOWN ACTION COMMITTEE AGENDA  
CITY OF WEST PALM BEACH  
December 8, 2021**

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***NOTICE REGARDING PUBLIC COMMENTS***

For those wishing to make public comment, you may do so in-person during the meeting, or submit your comments to the Planning Division **no later than 2:00pm on December 7, 2021**, via the following:

- Leaving a voicemail (not to exceed 3 minutes) at 561.320.6599
- Sending an email or video recording (not to exceed 3 minutes) to [DACPublicComment@wpb.org](mailto:DACPublicComment@wpb.org); or
- Completing a form on the City's website at [www.wpb.org/publiccomments](http://www.wpb.org/publiccomments).

Please be sure to indicate the case number for the item you are submitting comments for.

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**TIME:** 9:00 a.m.

**PLACE:** Commission Chambers  
City Center, 401 Clematis Street

**I. Call to Order/Roll Call/Pledge of Allegiance**

**II. Approval of Minutes**

A. November 10, 2021

**III. Report from the City Urban Designer**

**IV. Remarks by the Chairperson**

**V. Declaration of Ex-parte Communication**

**VI. Public Hearing**

**A. Swearing in of the Speakers**

**B. Continued Cases**

**C. New Cases**

1. **TDR Case No. 21-11:** A request by Diego Bonet on behalf of Lineaire Group LLC. for the DAC approval for the transfer of 10,699 square feet of development rights from 635 6<sup>th</sup> Street to the 506 and 524 Datura Street receiving sites, pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

The subject area is located within Commission District No. 3 – Commissioner

Christy Fox.

Case Manager: Chris Kimmerly, Urban Design Planner  
Phone: 561.822.1426 | 800.955.8771  
Email: [ckimmerly@wpb.org](mailto:ckimmerly@wpb.org)

- TDR Case No. 21-12:** A request by Diego Bonet on behalf of Lineaire Group LLC. for the DAC approval for the transfer of 11,228 square feet of development rights from 710 N Sapodilla Avenue to the 506 and 524 Datura Street receiving sites, pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

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- TDR Case No. 21-13:** A request by Diego Bonet on behalf of Lineaire Group LLC. for the DAC approval for the transfer of 24,576 square feet of development rights from 201 Clematis Street to the 506 and 524 Datura Street receiving sites, pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

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- TDR Case No. 21-14:** A request by Diego Bonet on behalf of Lineaire Group LLC. for the DAC approval for the transfer of 210 square feet of development rights from the Heart and Soul Park located at 604 8<sup>th</sup> Street, 825 North Rosemary Avenue, 800 Henrietta Avenue, and 601 7<sup>th</sup> Street to the 506 and 524 Datura Street receiving sites, pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

The subject area is located within Commission District No. 3 – Commissioner Christy Fox.

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- TDR Case No. 21-15:** A request by Diego Bonet on behalf of Lineaire Group

LLC. for the DAC approval for the transfer of 13,062 square feet of development rights from 525 Clematis Street to the 506 and 524 Datura Street receiving sites, pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

The subject area is located within Commission District No. 3 – Commissioner Christy Fox.

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6. **TDR Case No. 21-16:** A request by Philip Braunstein on behalf of Flagler Capital Acquisitions LLC. for the DAC approval for the transfer of 311 square feet of development rights from 601 N Dixie Hwy to the receiving TDR bank of Flagler Capital Acquisitions LLC., pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

The subject area is located within Commission District No. 3 – Commissioner Christy Fox.

Case Manager: Chris Kimmerly, Urban Design Planner  
Phone: 561.822.1426 | 800.955.8771  
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7. **TDR Case No. 21-17:** A request by Philip Braunstein on behalf of Flagler Capital Acquisitions LLC. for the DAC approval for the transfer of 26,797 square feet of development rights from 426 Clematis Street to the receiving TDR bank of Flagler Capital Acquisitions LLC., pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

The subject area is located within Commission District No. 3 – Commissioner Christy Fox.

Case Manager: Chris Kimmerly, Urban Design Planner  
Phone: 561.822.1426 | 800.955.8771  
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8. **TDR Case No. 21-18:** A request by Philip Braunstein on behalf of Flagler Capital Acquisitions LLC. for the DAC approval for the transfer of 6,312 square feet of development rights from 233 8<sup>th</sup> Street to the receiving TDR bank of Flagler Capital Acquisitions LLC., pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

The subject area is located within Commission District No. 3 – Commissioner Christy Fox.

Case Manager: Chris Kimmerly, Urban Design Planner  
Phone: 561.822.1426 | 800.955.8771  
Email: [ckimmerly@wpb.org](mailto:ckimmerly@wpb.org)

9. **TDR Case No. 21-19:** A request by Philip Braunstein on behalf of Flagler Capital Acquisitions LLC. for the DAC approval for the transfer of 28,615 square feet of development rights from 513 Clematis Street to the receiving TDR bank of Flagler Capital Acquisitions LLC., pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

The subject area is located within Commission District No. 3 – Commissioner Christy Fox.

Case Manager: Chris Kimmerly, Urban Design Planner  
Phone: 561.822.1426 | 800.955.8771  
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10. **TDR Case No. 21-20:** A request by Philip Braunstein on behalf of Flagler Capital Acquisitions LLC. for the DAC approval for the transfer of 595 square feet of development rights from 517 Clematis Street to the receiving TDR bank of Flagler Capital Acquisitions LLC., pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

The subject area is located within Commission District No. 3 – Commissioner Christy Fox.

Case Manager: Chris Kimmerly, Urban Design Planner  
Phone: 561.822.1426 | 800.955.8771  
Email: [ckimmerly@wpb.org](mailto:ckimmerly@wpb.org)

11. **TDR Case No. 21-21:** A request by Philip Braunstein on behalf of Flagler Capital Acquisitions LLC. for the DAC approval for the transfer of 13,483 square feet of development rights from 526 Clematis Street to the receiving TDR bank of Flagler Capital Acquisitions LLC., pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

The subject area is located within Commission District No. 3 – Commissioner Christy Fox.

Case Manager: Chris Kimmerly, Urban Design Planner  
Phone: 561.822.1426 | 800.955.8771  
Email: [ckimmerly@wpb.org](mailto:ckimmerly@wpb.org)

**12. DAC Case No. 21-03:** A request by Harvey E. Oyer of Shutts & Bowen LLP on behalf of Clematis Banyan JV, LLC for the DAC approval of a Special Review pursuant to Section 94-54(b)(2); a request for a variance from Table IV-55 : Incentive Building Requirements-CWD 10-12 story receiving sites regarding the minimum required active uses at the ground, 2<sup>nd</sup> and 3<sup>rd</sup> floor along a primary street, and a request for a variance from Table IV-7: Open Space Standards to allow overhead cover on a private open space terrace.

The project is located at 300 Banyan Boulevard and 301 Clematis Street, within Commission District No. 3– Commissioner Christy Fox.

Case Manager: Ana Maria Aponte, City Urban Designer  
Phone: 561.822.1439 | 800.955.8771  
Email: [aaponte@wpb.org](mailto:aaponte@wpb.org)

**13. DAC Case No. 21-04:** A request by Harvey E. Oyer of Shutts & Bowen LLP on behalf of Lineaire Group, LLC for the DAC approval of a Special Review, pursuant to Section 94-54(b)(2); and a request for a variance from Table IV-42: Incentive Building Requirements-QBD 10-25 story receiving sites regarding the minimum required active uses above the 2<sup>nd</sup> floor along a primary street.

The project is located at 524-506 Datura Street, within Commission District No. 3– Commissioner Christy Fox.

Case Manager: Ana Maria Aponte, City Urban Designer  
Phone: 561.822.1439 | 800.955.8771  
Email: [aaponte@wpb.org](mailto:aaponte@wpb.org)

**D. Code Revision Cases**

**E. Administrative Appeals**

**VII. Unfinished Business**

**VIII. New Business**

**IX. Other Business**

**X. Adjournment**

Please be advised that should any interested person seek to appeal any decision made by the Downtown Action Committee with respect to any matter considered at such hearing, such person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which an appeal is to be based.

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 working days prior

to any proceeding, contact the City Clerk's office, 401 Clematis Street, West Palm Beach, Florida 33401, {(561) 822-1210}.

Exact legal descriptions of the property involved may be obtained from the Planning Division of the City of West Palm Beach.

**PUBLISH:   The Palm Beach Post**  
**Sunday, November 28, 2021**