

## AGENDA

**Date:** January 11, 2023  
**Time:** 9:00am  
**Place:** Commission Chambers  
401 Clematis Street | West Palm Beach, FL 33401

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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 12:00pm on THE DAY BEFORE THE MEETING**, 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 No. for the item you are submitting comments for.

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

**II. Approval of Minutes**

A. December 14, 2022

**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**

**1. Formal Site Plan Review Case No. 22-20:**

A request by Harvey E. Oyer, III, of Shutts & Bowen, LLP, on behalf of City Place North Partners LP, for the DAC approval of a Special Review pursuant to Section 94-54(b.)(2.), a right-of-way abandonment pursuant to Chapter 78, Article VII and Section 94-112, and five requests for variances pursuant to Section 94-54(d.); to facilitate the construction of a 25-story Class-A office building at 515 Fern St. The project consists of approximately 425,236 sf of office space and 9,369 sf of ground-level retail.

The five variance requests are as follows:

- i. A variance request from Section 94-132 TABLE IV-44 regarding the 31' conditional setback on Primary Street frontages for parking garages above the 5th story (80'), specifically for levels six and seven of the proposed 7-level garage.
- ii. A variance request from Section 94-132 TABLE IV-44 and Section 94-109 which states parking garages are to provide an additional 15' setback on all sides when the building footprint exceeds the maximum permitted.
- iii. A variance request from Section 94-111 TABLE IV-9 which provides the required parking ratios based upon use, specifically the parking requirement for Office (2.5 spaces per 1,000 sf) and Retail (2 spaces per 1,000 sf).
- iv. A variance request from Section 94-113(d.)(2.) which requires street trees to be installed adjacent to the curb.
- v. A variance request from Section 94-113(d.)(2.) which requires street trees to be installed at intervals of 30' on center.

The subject property, consisting of approximately 1.75 acres is located at 515 Fern St., within Commission District No. 3 – Commissioner Christy Fox.

Case Manager:	Chris Kimmerly, AICP, Urban Design Planner
Phone:	561.822.1426   800.955.8771
Email:	<a href="mailto:ckimmerly@wpb.org">ckimmerly@wpb.org</a>

- C. New Cases**
- D. Code Revision Cases**
- E. Administrative Appeals**

**VII. Unfinished Business**

**VIII. New Business**

**IX. Other Business**

**X. Adjournment**

All interested parties may appear at the above Public Hearing at the stated time and place and be heard with respect thereto. 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. The hearing may be continued from time to time which may be necessary.

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 (3) 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.

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