

AGENDA

Date: March 8, 2023
Time: 9:00am
Place: Commission Chambers
401 Clematis Street | West Palm Beach, FL 33401

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

II. Approval of Minutes

A. January 11, 2023

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. 23-04:**

A request by the School Board of Palm Beach County for the DAC approval of the transfer of 489,176 square feet of TDRs from the Dreyfoos School of the Arts at 501 South Sapodilla Avenue to the City of West Palm Beach. The City, in turn, will sell the TDRs created by the historic designation of four structures at the Dreyfoos campus to three separate developers in need of the development rights. All of the revenues created by this sale will go directly to the School Board of Palm Beach County. The banking of TDRs is permitted pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

Case Manager: Rick Greene, AICP, Development Services Director
Phone: 561.822.1455 | 800.955.8771
Email: rgreene@wpb.org

2. **TDR Case No. 23-01:**

A request by George Sacks, on behalf of Commercial Florida Solana LLC, for the DAC approval of the transfer of 10,850 square feet of TDRs from the Dreyfoos School of the Arts at 501 South Sapodilla Avenue to a bank for holding. The TDRs may be used for the Solana development located at 992 – 996 Datura Street, pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

Case Manager: Rick Greene, AICP, Development Services Director
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3. **TDR Case No. 23-02:**

A request by Harvey E. Oyer, III of Shutts & Bowen LLP on behalf of West Palm TDRS LLC for the DAC approval of the transfer of 105,000 square feet of TDRs from the Dreyfoos School of the Arts at 501 South Sapodilla Avenue to a bank for holding. Once the final selection of the receiving site has been determined, then DAC approval for the transfer shall be required. The banking of TDRs is permitted pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

Case Manager: Rick Greene, AICP, Development Services Director
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4. **TDR Case No. 23-03:**

A request by Ned Grace on behalf of Nora Holdings LLC for the DAC approval of the transfer of 373,326 square feet of TDRs from the Dreyfoos School of the Arts at 501 South Sapodilla Avenue to a bank for holding created for the NORA district. Once the final selection of the receiving site has been determined, then DAC approval for the transfer shall be required. The banking of TDRs is permitted pursuant to the City of West Palm Beach Zoning and Land Development Regulations Article IV, Section 94-132.

Case Manager: Rick Greene, AICP, Development Services Director
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5. **Formal Site Plan Review Case No. 22-20:**

A request by Harvey Oyer on behalf of Commercial Florida Realty Ventures, LLC, for the Formal Level II Site Plan Review which involves DAC Special Review with two variances, to facilitate the construction of an 8-story, 61,045 sf, 90-unit multi-family residential project dubbed "Solana" on a 0.39-acre lot at 992 Datura St.

The DAC approval of a Special Review pursuant to Section 94-54(b.)(2.) with the addition of two variance requests is as follows:

1. A variance request from Section 94-120 TABLE IV-22 regarding the 60% minimum active use liners for stories 2 to 3 (44') fronting an Avenue street designation.
2. A variance request from Section 94-120 TABLE IV-22 regarding the 15' minimum active use liner depth for stories 2 to 3 (44').

The subject property, consisting of approximately 0.39 acres is located at 992 Datura St., within Commission District No. 3 – Commissioner Christy Fox.

Case Manager: Chris Kimmerly, AICP, Urban Design Planner
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Email: ckimmerly@wpb.org

6. **Formal Site Plan Review Case No. 22-19: continued**

~~A request by Ele Zachariades, Esq., of Dunay Miskel and Backman, LLP, on behalf of 520 W. Palm Beach Holdings LLC, for the DAC approval of a Special Review pursuant to Section 94-54(b)(2) for an 8-story, 296,863 square foot residential building within two (2) towers housing 321 Multifamily units: 78 microunits; 29 one-bedroom units; 107 one-bedroom units with a den; 99 two-bedroom unit; 7 three-bedroom units; and 1 live-work unit.~~

~~Location: The subject property, consisting of ±2.49 acres, is located at 410 N. Rosemary Avenue and 510-560 N. Rosemary Avenue, within Commission District No. 3 — Commissioner Christy Fox.~~

~~Case Manager: _____ Claudia D. Ibaven, City Urban Designer
Phone: _____ 561.822.1402 | 800.955.8774
Email: _____ cibaven@wpb.org~~

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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