

AGENDA

Date: August 9, 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. July 12, 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. DAC Case No. 23-02:

A request by Donna Weinberger of Inspire Recovery, on behalf of property owner Abe Haruri, for a Class B Special Use Permit and Variance to establish a Family Community Residence in an existing structure; as required by Section 94-106 (a)(7) of the Zoning and Land Development Regulations, and other such matters as may be contained in the application.

Location: The subject property is located at 414 9th Street within Commission District No. 3 – Commissioner Christy Fox.

Case Manager: Claudia D. Ibaven
Phone: 561.822.1402 | TTY: 800.955.8771
E-mail: cibaven@wpb.org

2. DAC Case No. 22-21:

A request by Harvey E. Oyer, III, of Shutts & Bowen LLP, on behalf of 11022 Santa Monica Blvd. Ltd. Partnership & 5816 Waring Partners, LLC, for the Formal Level II Site Plan Review and DAC Special Review of 120 South Dixie Avenue; a 12-story, 122,805sf, 159 unit multi-family residential project on an 0.87-acre lot.

The subject property, is generally located at 120 South Dixie Avenue and spans five parcels along Datura Street, within Commission District No. 3 – Commissioner Christy Fox.

The pending DAC Special Review approval is pursuant to Section 95-54 (b).(2.)

Case Manager: Chris Kimmerly, AICP, Urban Design Planner
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E-mail: ckimmerly@wpb.org

3. DAC Case No. 22-18:

A request by Brian Chegus, of iPlan & Design, LLC. on behalf of N Railroad Commercial LLC by Edward Grace, for the DAC review of five variances, to facilitate the construction of a 2-story, 17,554 sf mixed-use project within the NoRA-5 subdistrict.

The pending DAC approval of the five variances pursuant to Section 94-38(d).(6.) are as follows:

1. A variance request from Section 94-109 TABLE IV-7 regarding the minimum size for a public open space under the 'Courtyard' category.
2. A variance request from Section 94-109 TABLE IV-7 regarding the minimum seating required under the 'Courtyard' category.
3. A variance request from Section 94-109 TABLE IV-7 regarding the minimum percentage of vegetation required under the 'Courtyard' category.
4. A variance request from Section 94-109 TABLE IV-7 regarding the maximum percentage of overhead cover required under the 'Courtyard' category.
5. A variance request from Section 94-109 TABLE IV-7 regarding the minimum percentage of tree canopy required under the 'Courtyard' category.

The subject property, consisting of approximately 0.25 acres is generally located at 885-915 North Railroad Avenue (formerly 831 & 861 North Railroad Avenue), within Commission District No. 3 – Commissioner Christy Fox.

Case Manager: Chris Kimmerly, AICP, Urban Design Planner
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4. DAC Case No. 22-23:

A request by Brian Chegus, of iPlan & Design, LLC. on behalf of 925 N Railroad Ave LLC by Edward Grace, for the DAC review of two variances, to facilitate the construction of a 2-story, 21,965 sf mixed-use project within the NoRA-5 subdistrict.

The pending DAC approval of the two variances pursuant to Section 94-38(d).(6.) are as follows:

1. A variance request from Section 94-109 TABLE IV-7 regarding the minimum size for a public open space under the 'Passageway' category.
2. A variance request from Section 94-109 TABLE IV-7 regarding the minimum percentage of tree canopy required under the 'Passageway' category.

The subject property, consisting of approximately 0.355 acres is generally located at 1005-1015 North Railroad Avenue (formerly 925 North Railroad Avenue), within Commission District No. 3 – Commissioner Christy Fox.

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5. DAC Case No. 22-17:

A request by Brian Chegus, of iPlan & Design, LLC. on behalf of NORA HOLDINGS LLC by Edward Grace, for the DAC review of a variance, to facilitate the construction of a 2-story, 14,989 sf mixed-use project within the BPD-R subdistrict.

The pending DAC approval of the variance pursuant to Section 94-38(d)(6.) is as follows:

1. A variance request from Section 94-127 TABLE IV-35 regarding the side interior setback for mixed-uses along North Railroad Avenue.

The subject property, consisting of approximately 0.34 acres is generally located at 1040-1080 North Railroad Avenue (formerly 444 10th Street), within Commission District No. 3 – Commissioner Christy Fox.

Case Manager: Chris Kimmerly, AICP, Urban Design Planner
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6. DAC Case No. 22-14:

A request by Brian Chegus, of iPlan & Design, LLC. on behalf of N Railroad Land LLC & NORA W Spruce LLC by Edward Grace, for the Formal Level II Site Plan Review and DAC Special Review of a temporary surface parking lot, containing 169 spaces, that will satisfy the required offsite parking for several developments within the North Railroad Avenue (NoRA) subdistricts and neighborhood.

The pending DAC Special Review approval is pursuant to Section 95-54 (b.)(2.) and Section 94-111(g.)(1.-3.)

The subject property, consisting of approximately 1.63 acres is generally located at 495 11th Street (between Palm Beach Lakes Boulevard, Spruce Avenue, 11th Street, and the FEC ROW), within Commission District No. 3 – Commissioner Christy Fox.

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D. Code Revision Cases

E. Administrative Appeals

VII. Unfinished Business

VIII. New Business

IX. Other Business

1. Clarification of Transit Village Final Order

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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