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Mayor Keith A. James
Commission President Shalonda Warren (District 2)
Commissioner Cathleen Ward (District 1)
Commissioner Christy Fox (District 3)
Commissioner Joseph A. Peduzzi (District 4)
Commissioner Christina Lambert (District 5)

City Administrator Faye W. Johnson
City Attorney Kimberly Rothenburg
City Clerk Shaquita Edwards

City of West Palm Beach
City Commission
PASS/FAIL Agenda
Monday, April 1, 2024
5:00 PM

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, FL 33401, (561) 822-1210.

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

4. 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.
- Any person desiring to address the Commission **shall** file a written request with the city clerk prior to consideration of the matter by the Commission or prior to the public comment portion of a meeting. The person wishing to speak **shall** complete a comment card for each agenda item the person wishes to address, which **shall** include the person's full name, address, and the numbered agenda item. The person will not be recognized if the comment card is not completed.

**5. ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA-
ITEM 7.1 WAS PRESENTED AFTER ITEM 11.1**

6. PROCLAMATION- PRESENTED

- 6.1. Proclaiming the week of April 14-20, 2024 as: National Public Safety Telecommunications Week. Proclamation to be accepted by Suzette Dodd, Telecommunications Manager; and Tameca West, Assistant Chief of Police, West Palm Beach Police Department.

Originating Department:
Mayor's Office

7. PRESENTATION- PRESENTED AFTER ITEM 11.1

- 7.1. Legislative update by State Representative David Silvers.

Originating Department:
Mayor's Office

8. APPOINTMENTS- ALL ITEMS WERE APPROVED.

- 8.1. City Commission approval is requested for the Mayor's appointment of Peter L. Cruise, Ph.D. to the Downtown Development Authority for a term of three (3) years to expire on June 30, 2027. It is required that the City Commission confirms Dr. Cruise's appointment.

Originating Department:
Mayor's Office

- 8.2. City Commission approval is requested for the Mayor's reappointment of Ms. Deborah G. R. Raing to the Planning Board for a term of three (3) years to expire on February 4, 2027. Ms. Raing has served over the maximum allowed number of terms (3), and it is required that the City Commission confirms her reappointment.

Originating Department:
Mayor's Office

Staff Recommended Motion:

Ms. Raing's reappointment is supported due to her commitment to maintaining proper consideration of the community and her institutional knowledge.

9. CONSENT CALENDAR- ALL ITEMS WERE APPROVED.

All items listed under the consent calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items.

- 9.1. Minutes of the Regular City Commission Meeting of March 4, 2024.

Originating Department:

Mayor's Office

- 9.2. Resolution No. 54-24 approving a Statewide Mutual Aid Agreement with the Florida Division of Emergency Management.

Originating Department:

Fire

Ordinance/Resolution:

RESOLUTION NO. 54-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING PARTICIPATION BY THE CITY OF WEST PALM BEACH IN THE STATEWIDE MUTUAL AID AGREEMENT WITH THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT AND AUTHORIZING EXECUTION OF THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

The State of Florida is vulnerable to a wide range of disasters that are likely to cause the disruption of essential municipal services and the destruction of the infrastructure needed to deliver those services. Such disasters are likely to exceed the capability of any one local government to cope with the emergency with existing resources. Such disasters may also give rise to unusual technical needs that the City of West Palm Beach may be unable to meet with existing resources, but that other local governments may be able to offer.

The Emergency Management Act, Chapter 252, Florida Statutes, provides each local government the authority to develop and enter into mutual aid agreements within the state for reciprocal emergency aid and assistance in case of emergencies too extensive to be dealt with unassisted, and through such agreements to ensure the timely reimbursement of costs incurred by the local governments, which render such assistance.

The City of West Palm Beach desires to enter into the Florida Division of Emergency Management's Statewide Mutual Aid Agreement, so that the City may request assistance from the State or another local government in the event of a disaster.

The Statewide Mutual Aid Agreement may also be used for smaller events; no declaration of a state of emergency is needed to activate the agreement. The Agreement establishes a formal mutual aid process for the government entities to assist and aid each other.

Resolution No. 54-24 authorizes execution of the Statewide Mutual Aid Agreement.

- 9.3. Resolution No. 68-24 approving a Sponsorship Agreement between the City of West Palm Beach and the Historical Society of Palm Beach County valued at \$5,000 to produce "Evening on Antique Row" on April 13, 2024, from 6:00 p.m. to 10:00 p.m.

Originating Department:

Parks and Recreation

Ordinance/Resolution:

RESOLUTION NO. 68-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING SPONSORSHIP OF THE HISTORICAL SOCIETY OF PALM BEACH COUNTY'S "EVENING ON ANTIQUE ROW" TO BE HELD ON APRIL 13, 2024; WAIVING CERTAIN FEES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

The Historical Society of Palm Beach County has produced an "Evening on Antique Row" since 2007. The City was asked and agreed to sponsor the event in 2010 and has done so for eleven (11) years. This year, the event is scheduled for April 13, 2024, and the City has been asked to sponsor the event again. The Historical Society of Palm Beach County has followed the process for event approval; therefore, the event has been approved and permitted.

South Dixie Highway between Southern Boulevard and Monroe Drive will be closed on Saturday, April 13, 2024, for event set-up starting at 10:00 a.m. and will reopen at 12:00 a.m. on Sunday, April 14, 2024. The event will be held from 6:00 p.m. to 10:00 p.m.

General admission tickets are \$100 in advance and \$125 at the door. VIP, including after-party admission, is \$200 in advance and \$225 at the door. There will also be live entertainment, access to evening shopping, and food trucks along the street. This event is to raise awareness of and benefit educational programs of the Historical Society of Palm Beach County.

Resolution No. 68-24 approves a Sponsorship Agreement between the City and the Historical Society of Palm Beach County. The City will sponsor the event by waiving the Special Event Permit Fee of \$2,640 and dumpster fees of \$587 totalling \$3,227. In return, the Historical Society of Palm Beach County will provide the City with a sponsorship package valued at \$5,000, which includes marketing, public relations, and admission benefits associated with "Evening on Antique Row". The Historical Society of Palm Beach County will also provide the City with a \$1 million general liability insurance policy and a \$1 million liquor liability insurance policy naming the City as additionally insured.

Commission District 5: Commissioner Christina Lambert.

Fiscal Note:

The revenue lost from the sponsorship will be \$2,640 for the permit fee waiver and \$587 for the dumpster fee waiver totaling \$3,227. The City is receiving a sponsorship package valued at \$5k of in-kind marketing assets and admission tickets in return for the \$3,227 in waived fees.

- 9.4. Resolution No. 74-24(F) amending the Fiscal Year 2023/2024 Miscellaneous Trust Fund Budget to authorize appropriations of \$210,000 from the State Law Enforcement Forfeiture Receipts for Unmanned Aerial Vehicle (UAV) equipment, technology, and support services.

Originating Department:

Police

Ordinance/Resolution:

RESOLUTION NO. 74-24(F): A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF CITY FUNDS IN FISCAL YEAR 2023/2024 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE MISCELLANEOUS TRUST FUND BUDGET TO PROVIDE APPROPRIATIONS IN THE AMOUNT OF \$210,000 FROM THE STATE LAW ENFORCEMENT FORFEITURE RECEIPTS FOR POLICE UNMANNED AERIAL VEHICLE EQUIPMENT, TECHNOLOGY, AND SUPPORT SERVICES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

The Drone as First Responder (DFR) is an exciting new technological program being started as part of the West Palm Beach Police Departments (WPBPD) innovative policing technology initiative.

Beginning in May 2024, with approval, the WPBPD will be launching a DFR program to provide airborne support to police operations in a safe, responsible, and transparent manner to preserve peace, reduce response times, and increase the quality of life in the City of West Palm Beach (CWPB).

Currently, thirteen (13) DFR programs operate nationwide. The WPBPD will be the first agency in the State of Florida to launch a DFR program and the first nationwide to use SkyDio drones.

Un-crewed Aerial Systems (UAS), also commonly referred to as drones, are an efficient and effective way of providing law enforcement critical information to respond to calls for service involving imminent threats to life, serious property damage, or to conduct criminal investigations.

Examples include: providing an overhead view of an area or incident for ground personnel, safely clearing the interior of buildings, providing detailed documentation of crime and traffic crash scenes, and searching for lost and/or missing persons.

The proof of concept and pilot training will begin in May, with an anticipated go-live date of June 1st. The program will operate five (5) days a week, ten (10) hours a day, and cover an area in which 78% of our City-wide priority and priority one calls occur. These call types include: homicide, shootings, aggravated battery, in-progress calls of robbery, auto theft, burglary, fires, and major traffic crashes, to highlight a few.

The goal of the DFR program is to reduce response times to priority calls and have eyes on a scene before the arrival of the first marked unit.

The Proof of Concept will occur largely within the Community Redevelopment Agency (CRA) districts where 45% of the above noted calls occur.

While no additional funding is being requested from the CRA, we will be encumbering \$90,630 against this year's Innovative Technology fund and \$113,681 against the 2024/2025 budget allotment, which will be included in the budget request. The rest of the funding for this project, through the end of the 2024/2025 budget year, will come from the State Law Enforcement Forfeiture Trust.

Resolution No. 74-24(F) recognizes cash carryforward (\$210,000) and provides appropriations for Unmanned Ariel Vehicle (UAV) equipment, technology, and support service.

Commission District: Not District Specific.

Fiscal Note:

Approval will recognize cash carryforward (\$210,000) and provide appropriations for UAV equipment, technology, and support services.

Additional funding in place:
FY23/24 CRA Innovative Policing Technology funds = \$90,630.

FY24/25 CRA Innovative Policing Technology funds = \$113,681.

10. RESOLUTIONS- APPROVED

- 10.1. Resolution No. 53-24 authorizing and approving an interlocal agreement between the City and Palm Beach County to jointly provide housing assistance and supportive services to homeless individuals under the Pathway to Independence Program.

Originating Department:

Housing and Community Development

Ordinance/Resolution:

RESOLUTION NO. 53-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA AUTHORIZING THE CITY'S PARTICIPATION WITH PALM BEACH COUNTY IN THE PATHWAY TO INDEPENDENCE PROGRAM APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND PALM BEACH COUNTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 53-24.

Background Information:

The City, in partnership with Palm Beach County's Division of Human Services and Community Action (HSCA), applied for federal funding through the FY 2022 Continuum of Care (CoC) Program Competition. HSCA oversees the annual U. S. Department of Housing and Urban Development (HUD) CoC competition and is the Collaborative Applicant for the Palm Beach County Homeless and Housing Alliance (HHA), the local Continuum of Care. The City of West Palm Beach will serve as a project subrecipient with the Housing and Community Development Department (HCD) responsible for administering the project.

The proposed project, The Pathway to Independence Program (the "Program), was awarded \$482,117 to provide housing assistance and supportive services, including rental assistance, utility deposits, and case management, to people experiencing homelessness. The City was required to provide an in-kind match of \$120,530; which is supported through staff time spent on program implementation. The Program is based on the Housing First rapid re-housing model. It will assist up to twenty-two (22) chronically homeless and medically fragile individuals who are unsheltered and have a desire to be placed into permanent housing. Program participants will reside within the municipal boundaries of the City and will be identified based on the partnerships with street outreach teams through the Coordinated Entry System in Palm Beach County.

The Program is based upon a declining subsidy model and will provide 100% of the first, last, security deposit, and an additional three (3) months at 100% subsidy. The subsidy will be decreased every three (3) months by 25%, dependent on the financial assessment of the program participant. Subsidy reduction will be at the discretion of City staff. The programmatic goal is to have each client linked to other supportive services and maintain self-sufficiency without subsidy within twelve (12) months. The Program may last up to twenty-four (24) months for persons who may be in need of such. Rent and deposit payments will be made

directly to landlords and utility providers utilizing Palm Beach County's Online System for Community Access to Resources and Social Services (OSCARSS).

The Program demonstrates the City's continued commitment to addressing unsheltered homelessness through a collaborative approach with Palm Beach County and other service providers that will assist in providing supportive services.

Approval of Resolution No. 53-24 authorizes the Mayor to execute the interlocal agreement and related documents necessary to implement the Program.

11. PUBLIC HEARING - QUASI-JUDICIAL- ALL ITEMS WERE APPROVED.

Disclosure of ex-parte communications, if any*
Swearing-in of witnesses.

11.1. Public Hearing and First Reading of Ordinance No. 5092-24 designating the Karl Riddle House, 432 Ardmore Road on the West Palm Beach Register of Historic Places.

Originating Department:
Development Services

Ordinance/Resolution:
ORDINANCE NO. 5092-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, DESIGNATING 432 ARDMORE ROAD AS AN HISTORIC SITE ON THE WEST PALM BEACH REGISTER OF HISTORIC PLACES; PROVIDING A CONFLICTS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:
Approve Ordinance No. 5092-24 on First Reading and schedule Second Reading for April 15, 2024.

Background Information:
On May 22, 2022, the Historic Preservation Board approved the relocation of this building from 464 Fern Street to 432 Ardmore Road under HPB Case Number 22-34. One condition was re-designating the building at its new location in the Sunshine Park neighborhood.

This application is for the designation of the site at 432 Ardmore Road in the Sunshine Park neighborhood. The property has a primary two-story Mediterranean Revival structure built in 1925 that historically served as a single-family home. While it was used as the City of West Palm Beach's Health Clinic in its former location, the current owners are planning to rehabilitate it back into a single-family house.

The Karl Riddle House, historically known as 1000 Belmont Place, is a two-story Mediterranean Revival style house with a rectangular plan, frame, and hollow tile construction with a stucco exterior. The structure features a gable roof surfaced with barrel clay tile. The asymmetrical fenestration pattern features single-hung and casement multi-light windows. The front (west) elevation features vigas, semicircular fanlights over the windows and doors on the first floor, and a colonnaded loggia on the second floor, which has been enclosed. The original had been replaced at some point with aluminum awning windows, which have since been replaced with wood multi-light sash windows. The original barrel tile roof was replaced with asbestos shingles, which were then replaced with clay barrel tile as part of the Riddle House Restoration Project, which took place in the mid-1990s. The Karl Riddle House was designed by Mizner associate Lester Geisler during the Land Boom period (1920-1928).

The structure was initially located at 1000 Belmont Place in the Hillcrest section of West Palm Beach, where it was constructed for Karl Riddle in 1925. Karl Riddle was significant to local history as the first City Manager for the City of West Palm Beach, which is a position he served in from 1920-1922. Karl Riddle and his brother Kenyon formed the prominent engineering firm the Riddle Engineering Company, which operated in West Palm Beach.

On January 23, 2024, the Historic Preservation Board unanimously recommended approval (7 - 0) to designate this building.

Commission District 5: Commissioner Christina Lambert.

- 11.2. Public Hearing of Resolution No. 66-24 regarding a request by Brian M. Seymour, Esq., and Jack Rice, Esq., of Gunster, on behalf of RD IMV Owner, LLC, for a Major Amendment to The Marina Commercial Marine Planned Development (CMPD) to modify the Design Guidelines for the CMPD, at Section XI. Landscaping and Section XIII. Signage. The landscape modification permits the installation of additional landscape, and the signage modification expands the signage allowance within PBAs #2 and #3.

Originating Department:

Development Services

Ordinance/Resolution:

RESOLUTION NO. 66-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE MARINA COMMERCIAL MARINE PLANNED DEVELOPMENT (CMPD), GENERALLY LOCATED ON THE EAST SIDE OF NORTH FLAGLER DRIVE, BETWEEN 38TH AND 42ND STREETS, TO MODIFY THE DESIGN GUIDELINES FOR

THE CMPD SPECIFICALLY WITH REGARD TO SECTION XI. LANDSCAPING TO PERMIT THE INSTALLATION OF ADDITIONAL LANDSCAPE AND SECTION XIII. SIGNAGE TO EXPAND THE SIGNAGE ALLOWANCE WITHIN PERMISSIBLE BUILDING AREAS #2 AND #3; DECLARING THIS AMENDMENT CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 66-24.

This motion is based upon the application submitted, the staff report, factual testimony, the recommendation of the Planning Board, the findings that the request complies with the Comprehensive Plan, and the standards in Section 94-32 of the City's Zoning and Land Development Regulations.

Background Information:

The Marina Commercial Marine Planned Development (CMPD) consists of approximately 19-acres located along the east side of North Flagler Drive between 38th and 44th Streets. As part of The Marina CMPD, an overall Master Plan was approved regulating the development of the property, identifying the general locations of each use, circulation patterns, and infrastructure locations. The Master Plan was divided into smaller components called Permissible Building Areas (PBAs). Additionally, a set of Design Guidelines was approved to provide details and establish the regulatory framework for the CMPD, including development regulations, architectural standards, etc. The Master Plan and the Design Guidelines are not a final site plan; as each portion of the development moves forward, the Developer is required to submit a Level III Site Plan Review to be reviewed by City staff and presented before the Planning Board and City Commission. This process was established to ensure that each project phase would be vetted through a public hearing process.

On July 16, 2018, the City Commission approved Resolution No. 186-18, approving a Level III Site Plan for the construction of a building containing two (2) residential towers supported by a five-level parking structure. The North Flagler Drive frontage of the ground level of the parking structure includes active-use liner bays that will be used for commercial purposes. The Design Guidelines include signage provisions for the various PBAs; however, the signage for PBAs #2 and #3 does not include allowances for commercial uses. This amendment expands the commercial sign standards currently included for PBAs #1, #4, #7, #9, and #11 to PBAs #2 and #3. The commercial active-use liner bays in PBAs #2 and #3 will now be able to install an external sign band for the bays as well as pedestrian blade signs. The residential building identity sign allowance was increased for these PBAs, as well.

In addition to the signage changes to PBAs #2 and #3, staff has clarified that vehicular use and parking directional signage is permitted to include the name and/or logo of the business to which the sign is directing.

The final change to the Design Guidelines is to clarify that the Developer may install landscape in excess of the minimum landscape requirements.

STANDARDS

The Planning Division has determined that the Major Planned Development Amendment meets the amendment standards found in Section 94-32(a) of the City of West Palm Beach Zoning and Land Development Regulations.

Compliance with the above referenced standards is detailed in the Planning Board Staff Report (Attachment I).

PLANNING BOARD

At their Public Hearing on February 21, 2024, the Planning Board recommended approval (6-0) of the Major Planned Development Amendment to the City Commission after determining it complies with the amendment standards found in Section 94-32(a) of the City of West Palm Beach Zoning and Land Development Regulations.

NOTICE

Individual notices were mailed to all property owners within 500 feet of The Marina CMPD. Signs for the Major Planned Development Amendment were posted on the property on February 5, 2024.

Commission District 1: Commissioner Cathleen Ward.

Fiscal Note:

No fiscal impact.

- 11.3. Public Hearing of Resolution No. 12-24 regarding a request by Heather Danforth of Integrated Perspectives on behalf of Alexander Millan of Mercer Park Homes II, LLC, for approval of abandoning and vacating an approximately 0.083-acre portion of a platted alley right-of-way located north of Alpha Street, between Mercer Avenue and Wilkins Avenue.

Originating Department:

Development Services

Ordinance/Resolution:

RESOLUTION NO. 12-24: A RESOLUTION OF THE CITY

COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, VACATING AND ABANDONING AN APPROXIMATELY 0.083 ACRE PORTION OF A PLATTED ALLEY RIGHT-OF-WAY LOCATED NORTH OF ALPHA STREET, BETWEEN MERCER AVENUE AND WILKINS AVENUE; RESERVING A UTILITY EASEMENT; AUTHORIZING EXECUTION OF A DISCLAIMER OF INTEREST IN THE AFORESAID RIGHT-OF-WAY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 12-24.

The motion is based upon the factual testimony presented, the application submitted and the findings that the public welfare will be best served by approval of the request based on review and consideration of the criteria found in section 78-217 of the City's Code Ordinance.

Background Information:

The subject portion of the public alley is an approximate 12-foot wide right-of-way, located north of Alpha Street between Wilkins Avenue to the east and Mercer Avenue to the west. The applicant, who is also the owner of the tracts of land immediately north and immediately south of the right-of-way, desires to vacate the right-of-way to assemble the tracts for future development of the subject area. A location map of the subject area is provided in Exhibit A.

The abandonment of the subject alley is necessary for the petitioner to consolidate adjacent parcels of land for development; specifically, the subject alley and eleven (11) parcels will be combined to construct a residential building project known as "Mercer Park II," comprised of two (2) buildings on the north and south side of Alpha Street, with a total of 245 multifamily residential units (of which 16%, 30 units in the north building and 50%, or 31 units in the south building shall be workforce housing units at 100% AMI).

Due to the current location and existing condition, the subject right-of-way has very little development potential or use to anyone other than the adjacent property owners as part of an assemblage into their property. The abandonment of the subject portion of the public alley will not result in any negative impact to the surrounding area, since the right-of-way considered for abandonment is incorporated in the development proposal for the subject area.

An appraisal for the abandonment of the subject property was prepared by Anderson and Carr Inc. on December 5, 2023. According to the appraisal report, the market value for the subject area with the ingress/egress access and utility easements reservation is \$235,000.

STANDARDS

Staff has found the requested abandonment complies with the abandonment criteria as established in Section 78-217 of the City's Code of Ordinances.

NOTICES

Pursuant to the requirements of Section 78-215(b) of the City's Code of Ordinances, and 94-39(j)(2) individual notices were mailed to property owners within 500 feet of the subject property, a sign was posted on November 3, 2023, all owners of the land abutting the subject right-of-way have been noticed of the time and place of the public hearing, and the resolution as advertised in the Palm Beach Post.

Commission District 3: Commissioner Christy Fox.

- 11.4. Public Hearing of Resolution No. 67-24 regarding a request by Heather Danforth of Integrated Perspectives on behalf of Alexander Millan of Mercer Park Homes II, LLC, for the approval of a Special Site Plan Review for an affordable housing project in accordance with Resolution No. 306-22 to construct two (2) residential buildings with a total of 245 units located along the North and South side of Alpha Street, including variances and a waiver.

Originating Department:

Development Services

Ordinance/Resolution:

RESOLUTION NO. 67-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A SPECIAL SITE PLAN REVIEW FOR AN AFFORDABLE HOUSING PROJECT IN ACCORDANCE WITH RESOLUTION NO. 306-22 TO CONSTRUCT TWO (2) RESIDENTIAL BUILDINGS WITH A TOTAL OF 245 UNITS GENERALLY LOCATED ON THE NORTH AND SOUTH SIDE OF ALPHA STREET; GRANTING SIX (6) VARIANCES AND A WAIVER TO THE ZONING AND LAND DEVELOPMENT REGULATIONS - SECTION 94-443 RELATING TO THE LANDSCAPE BUFFER, SECTION 94-486 RELATING TO PARKING, SECTION 94-305(b)(5) RELATING TO AWNING SETBACKS, AND SECTION 94-77(a)(2)(a-d) RELATED TO BUILDING SETBACKS; DECLARING THIS RESOLUTION CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 67-24.

The motion is based upon the factual testimony presented, the application

submitted and the findings that the request, subject to the conditions set forth in the resolution, complies with the Interim Standards established by Resolution No. 306-22.

Background Information:

The proposed project is within a surrounding area, which has a mix of residential, commercial, and industrial zoning districts and land uses and is characterized by single family homes, duplexes, and small apartment buildings. The existing Mercer Park I Apartments, which was approved in 2019 with 51 units, lies to the north and west of the 3.83-acres subject property.

The proposed residential buildings consist of 245 units, dividing 184 units in the north building of which 16%, or 30 units, shall be workforce housing units and 61 units in the south building of which 50%, or 31 units, shall be workforce housing units at a 100% AMI in accordance with Resolution No. 306-22. The proposed residential buildings are divided by Alpha Street, a 24-foot right of way that runs east to west. The building north of Alpha Street has six (6) stories and eight (8) stories with a five-story parking garage with an amenity deck. The parking garage is tucked behind the building and is not seen from the public right-of-way, with access along two (2) roadways, Alpha Street and Wilkins Avenue. The south building steps down to four (4) stories with a height of 54 feet to be consistent with other redevelopment in the area, including Mercer Park Apartments and The District Flats. The south building has access to Alpha Street and Longwood Street. Renderings have been provided to show how the buildings step down in a logical pattern and create a tiered level of height in Attachment I. The residential project will also include a passive park area open to the public and amenities for the residence, including a pool, dog park, café with a study or conference room, gym, and rooftop pickleball court.

The subject property was rezoned under Ordinance No. 5080-24 for the total proposed number of units, and therefore, complied with the density allowance contained within Resolution No. 306-22 for properties zoned Multifamily High Density (MF32) Residential.

The applicant is requesting a total of six (6) variances, which include the required building setbacks, landscape buffer, and setback requirements for awnings, along with a waiver to the minimum number of parking spaces provided. The applicant's Justification Statement is included in Attachment II. Resolution No. 306-22 authorizes the City Commission to approve variances and waivers from the land development regulations as part of an affordable housing project.

The City Commission does not approve the specific site plan for the redevelopment of the site. The proposed site layout has been reviewed by City staff, and other than the requested waivers and variance,

complies with the City code. Staff issues a separate site plan approval letter upon City Commission approval of this Special Site Plan Review resolution. Staff has included the site and landscape plans as well as the architectural drawings for the new 245-unit residential buildings as Attachment III.

STANDARDS

The Planning Division has determined that the request complies with the standards for Special Site Plan Review for an affordable housing project and waiver standards listed in Section 4 of Resolution No. 306-22.

Compliance with the above referenced standards are included within Resolution No. 67-24.

PUBLIC OUTREACH

A public outreach meeting was held by the applicant on November 8, 2023 to provide information on the proposed project and address comments from the public in the surrounding area.

NOTICE

Individual notices were mailed to all property owners within 500 feet of the area covered by the Major Amendment. Signs for the Special Site Plan Review were posted on the property on November 3, 2023.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

No fiscal impact.

12. COMMENTS FROM THE PUBLIC

Public comments are limited to three (3) minutes. Anyone wishing to address the Commission should complete a "Comments by the Public" card and present it to the City Clerk prior to the Public Comments. When you are called to speak, please go to the podium and state your name and address for the record prior to addressing Commission. The Commission will not discuss the matter nor respond to the comment this evening. Comments made will become part of the record and may be addressed at a later date.

13. COMMENTS BY THE MAYOR AND CITY COMMISSIONERS

14. ADJOURNMENT- 6:44 p.m.

*Pursuant to Resolution No. 179-95, adopted according to the provisions of Section 286.0115, Florida Statutes, members of the Commission shall disclose on the record: 1) ex-parte communications - verbal or written; 2.) written communications shall be placed in the record; and 3) site visits, investigations, etc. shall be disclosed.

NOTICE: If any person decides to appeal any decision made by the City Commission at this meeting, that person will need a record of the proceedings, and that, for such purposes, may need to ensure that a verbatim records of the proceedings be made, which record includes the testimony and evidence upon which the appeal is based. The City of West Palm Beach does not prepare or provide such record.