

**WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY
1280 N. CONGRESS AVE., SUITE 215, WEST PALM BEACH, FL. 33409
MINUTES OF THE MONTHLY MEETING**

May 09, 2022

I. CALL TO ORDER (IN PERSON MEETING BROADCASTED ON ZOOM PLATFORM)

Mr. Daniels, the Board Chair, called the meeting to order at 6:07p.m. The roll was called by Ms. Pennell.

Present: Ronald L. Daniels
Joanne Ruffy
Joseph Kirby
Ruth Haggerty

Absent: Enol Gilles
Ralph Lewis
Yeraldi Benitez

Staff Present: Elizée Michel, Executive Director
Denise Pennell, Senior Planner
Carmen Geraine, Bookkeeper
Thomas J. Baird, Esq., General Counsel

Absent: Mai Bui, Administrative Assistant

Others Present: George Gomez, Deputy Adam Robinson (Present), Lilliana Vega, PE, Engenuity Group, CRA Engineer, Jennifer Morton, Pam Calzadilla, Jaime Mayo, J. Brinkman (All Virtually Via Zoom)

II. AGENDA APPROVAL

1. Additions, Deletions, Substitutions to Agenda

- No Additions, Deletions, Substitutions to Agenda

2. Adoption of Agenda

- It was moved by Ms. Ruffy and seconded by Mr. Kirby to adopt the Agenda as amended. Motion carried (4-0)

III. ADOPTION OF W/BH CRA MINUTES

- Board member Haggerty asked to revise the minutes to remove Consent Agenda. It was apparently carried from previous month.
- **It was moved by Ms. Haggerty and seconded by Ms. Ruffy to adopt the March 14, 2022 minutes as amended. Motion carried (4-0)**

IV. PUBLIC COMMENT

- PBSO Deputy Gomez and Deputy Robinson gave a brief report to the Board about police activities in the Westgate CRA area for the previous month.
- Ms. Calzadilla thank WCRA to let her attend the board meeting through zoom.

The regular meeting was suspended at 6:30p.m. to conduct Board nominations. There were no nominations.

V. DISCLOSURES

- No Disclosures

VI. CONSENT AGENDA

- **Agreement with BG Group to Remove Environmental Hazards and Demolish 2423 Westgate Avenue, 2426 & 2428 Cherokee Avenue**

It was moved by Ms. Ruffy and seconded by Ms. Haggerty to adopt the consent agenda. The motion passed unanimously (4-0)

VII. REGULAR AGENDA

1. **DRO Approval for a Site Plan Amendment for Office/Warehouse Use for Greene Industrial (aka McDonald Industrial) – 1501 N. Florida Mango Rd.**

Ms. Pennell introduced the item and the development team, Ms. Jennifer Morton, Kinsey Bowlek, and Jaime Mayo with J. Morton Planning and Landscape Architecture.

The Team made a presentation to the CRA Board.

The 4.12-acre property, located on N. Florida Mango Rd. is currently vacant and undeveloped. The property is within the Urban Industrial (UI) sub-area of the WCRAO and zoned Light Industrial (IL). The Future Land Use designation is Commercial High with an underlying Industrial Future Land Use Designation (CH/IND). The site is in the U/S Tier as well as in the URA, RRIO and Westgate CCRT area. To the immediate south lies a portion

of the L2 canal owned by Palm Beach County and the L2 Pump Station (a CRA flood mitigation project) zoned PO; beyond the canal is the Belvedere Heights single family residential neighborhood in the Residential Multifamily (RM) zoning district, with a FLU designation of MR-5. To the west (a small finger of the L2 canal runs along the rear of the site), is Light Industrial (IL) with a CH/IND FLU. To the north a multi-access self-storage facility zoned IL with a CH/IND FLU, and to the east is the City of West Palm Beach (taxi dispatch station). Old Okeechobee Blvd is approximately .3 miles to the north, and Belvedere Rd. is .5 miles to the south.

The site was previously approved for contractor storage accessory structure and warehouse in 2017 with conditions regarding dust control under the name McDonald Industrial. At the end of 2017, the property was sold. The new owner sought approval to use the site as a distribution facility with additional warehousing and a type 2 waiver to extend operation hours to 24 hours in the distribution facility in Building B with Building A operating within the hours allowed by code. Additional warehouse was approved for the site in the 2019, creating a third building labelled Building C which was to become the new distribution facility and Buildings A and B to work as warehouse space. The site at the time was being developed to relocate McArthur Dairy whose distribution facility was relocating from Flamingo Drive in West Palm Beach.

The applicant proposes to reconfigure the site plan to eliminate the structures as previously approved, and instead proposes a single 62,011 sf one-story office-warehouse building with associated site improvements; 46,508 sf of warehouse with 15,503 sf of accessory office. The development approval for the industrial warehouse use with accessory office would remain; the distribution facility use is no longer contemplated in the development proposal. No change in property ownership is planned, although the end-user tenants by bay are unknown and speculative at this time. Nine bays are proposed each at approximately 5,500 sf in total GFA with a double bay proposed at the rear of the structure. Since the Distribution Facility use is no longer contemplated, the Type 2 Waiver allowing 24-hour operations Monday-Saturday and 7am-7pm on Sunday is no longer required by the applicant, and will likely either be revoked or abandoned by the Zoning Division. The project is anticipated to be built out by 2024.

The applicant proposes to amend the approved site plan for the development of the 4.12-acre site on N. Florida Mango Rd., pursuant to the following:

1. Full DRO approval for a 9-bay +/- 62,011 sf office-warehouse structure with a total of +/- 46,508 sf of warehouse space and +/- 15,502 sf of office space, with each bay required to provide a minimum of 25% GFA of office space, up to a maximum of 30% GFA of office space. Buildings A, B and C the approved site plan would be eliminated; one new single-story building is proposed in their place;

2. Type 1 Administrative Waiver to allow a maximum 15% reduction in the required number of parking spaces, as needed; and,
3. 98 new daily trips, 10 am peak hour, and 11 pm peak hour trips are requested to be allocated from the WCRA Transportation Concurrency Exception Area (TCEA) pool.

Staff finds that applicant request is consistent with the CRA's Zoning Overlay and Redevelopment Plan.

Staff recommends approval of the development petition to amend the approved site plan for the development of the +/- 4.12-acre site on N. Florida Mango Rd., pursuant to the following:

1. Full DRO approval for a 9-bay +/- 62,011 sf office-warehouse structure with a total of +/- 46,508 sf of warehouse space and +/- 15,502 sf of office space, with each bay required to provide a minimum of 25% GFA of office space, up to a maximum of 30% GFA of office space. Buildings A, B and C the approved site plan would be eliminated; one new single-story building is proposed in their place;
2. Type 1 Administrative Waiver to allow a maximum 15% reduction in the required number of parking spaces, as needed; and,
3. 98 new daily trips, 10 am peak hour, and 11 pm peak hour trips are requested to be allocated from the WCRA Transportation Concurrency Exception Area (TCEA) pool.

It was moved by Ms. Haggerty and seconded by Ms. Ruffy to approve the development petition to amend the approved site plan. The motion passed unanimously (4-0)

2. Westgate CRA Zoning Overlay Amendment

Mr. Michel presented the item. Staff has been working with the County Planning Building and Zoning Department and the consultants representing the Hangar/Airfield Business Park (1050 N. Congress Ave. (PBKC 11ac. collateral site) to process an amendment, on recommendation by the CRA Board to allow the use in the UG sub-area. The proposed used is allowed by the underlying zoning district but prohibited by the Westgate CRA Zoning Overlay.

The following language is being proposed to give the CRA the option to approve a project that does not meet Overlay Standards to move forward if it meets the underlying Zoning District regulations. This is the language being proposed:

If a conflict exists between the WCRAO Overlay and other Chapters or Articles in this Code, the provisions of this Overlay shall apply to the extent of this conflict unless the WCRA Board authorizes the Zoning Director to apply the other Chapter or Articles of the Code.

The language is broad enough to address conflicts between WCRAO code and the articles and chapters of the ULDC, essentially giving the CRA Board authority to override or waive the provisions of its overlay to revert to what is permitted by the standards of the zoning district and Future Land Use (FLU).

Zoning, CRA staff and the consultants are still discussing the wording. We are confirming that the intent is to apply the language when a conflict arises across all provisions of the overlay, i.e. use regulations, PDRs, supplementary standards etc. and that the final authority will lie with the CRA Board.

If this text was to change significantly, staff will bring back the new and final version to the CRA Board for approval.

Also, staff is working on adding a waiver table to the overlay to allow the CRA to waive certain provisions that are exclusive to the overlay such as architectural guidelines, supplementary standards, and perhaps some PDRs to be included in an amendment later this year.

Staff recommends approval in concept of the following language to be included in Section 14 of the WCRA Overlay: "If a conflict exists between the WCRAO Overlay and other Chapters or Articles in this Code, the provisions of this Overlay shall apply to the extent of this conflict unless the WCRA Board authorizes the Zoning Director to apply the other Chapter or Articles of the Code."

It was moved by Ms. Rufty and seconded by Ms. Haggerty to approve in concept the proposed WCRA Overlay amendment. The motion passed unanimously (4-0)

3. Approval of Contract with Daniels Fence for Oswego Property

Mr. Michel presented the item. In 2018, the CRA received a grant from PBC Solid Waste Authority (SWA) Blighted & Distressed Properties Grant. The total amount was \$92,700 to clean-up, clear, sod and fence 6 vacant CRA-owned properties on Oswego Avenue east of Seminole Blvd. previously earmarked for the L-2 Canal Expansion project.

The CRA has improved three parcels and developed a dog park as part of the grant. The CRA is working with Daniels Fence to install a decorative fence around the other three parcels.

Daniel Fence is proposing to do the work for \$22,804.00.

Staff recommends that the Board approves the Daniels Fence proposal and authorizes the construction for an amount not to exceed \$22,804.00.

It was moved by Ms. Haggerty and seconded by Mr. Kirby to approve the Daniels Fence proposal and authorizes the construction for an amount not to exceed \$22,804.00. The motion passed unanimously (4-0)

4. Authorization to Issue a Request for Proposal to Secure a Loan to Pay for Infrastructure Improvement Projects

Mr. Michel presented the item. Staff is working with the Florida League of Cities Public Resources Advisory Group (PRAG) to request a bank loan to prepay the construction of Westgate Avenue Streetscape, Seminole Boulevard Streetscape and Cherry Road Streetscape.

The CRA received grants from the Palm Beach County Transportation Planning Agency to reconfigure Westgate Avenue. The project is estimated to cost approximately \$7.5 Million and another \$3.3 Million are needed for Seminole. Next year, Cherry Road design will be completed and is estimated to cost over \$2 Million.

CEI – Currently being processed:

Consultant: \$676,033
Staff: \$101,400 (15%)
Contingency: \$67,600 (10%)
Total: \$845,000

Construction – Bids Due 3/22

Contractor (estimate): \$5.3M
Staff: \$795k
Contingency: \$530k
Total (estimate): \$6,625,000

Total Needed from CRA \$7,470,000 (6,625,000.00 + 845,000.00)(subject to changed once actual bid amounts known)

Seminole Blvd Estimate

\$2,500,000	Construction Contract
\$250,000	CEI Costs

\$125,000	PBC Staff Costs
\$430,000	15% Contingency
\$3,305,000	Total

The CRA Plan contemplated that loans will be needed to complete these projects.

The Westgate CRA does not have any debt currently. Most CRAs, Cities and Counties take on debts to pay for their major infrastructure improvement projects. Palm Beach County is planning on taking more debts this year to pay for water, sewer, and housing projects.

According to current legislations, CRAs will not be dissolve if they have debts. They need to be continued until they pay off their debts.

The CRA, through Ordinance 89-6, is authorized to take on debt.

The RFQ will be sent to several banks that will submit a proposal to fund these projects with some repayment terms.

PRAG estimates that the terms can be 15 years and up to 4.5% annual interest rate.

Westgate and Seminole are ready for construction. Construction Bid Request was issued for the Westgate Project. The request was canceled because the CRA did not have the funds in place. For Seminole Blvd., FDOT will sign the Local Planning Program Agreement as soon as funding is secured.

A total of \$10.8 Million are needed for the two projects. FDOT will reimburse more than \$4 Million, possibly \$5 Million. We will negotiate the final amount when we know how much the CRA can raise.

We need to have all the money before the project can start. FDOT will reimburse its portion after construction pay application is submitted. The reimbursements can be used to prepay the loan (if the bank allowed) or can be used to fund other projects like Cherry Road, Westgate property acquisition, Belvedere Heights and Belvedere Homes. A 15-year \$10.6 Million loan at 4% will have a debt service of approximately \$945,000 a year, principal and interest included.

The debt service will be paid out of Tax Increment Financing revenues. The TIF is expected to reach \$3 Million in 2023.

PRAG expects to receive an answer from Banks before the next Board meeting with built in time to allow the CRA legal counsel and the Board Chair to review.

Staff recommends that the Board authorizes the issuance of the RFQ/RFP to request a loan of \$10.6 Million.

It was moved by Ms. Ruffy and seconded by Ms. Haggerty to authorize the issuance of the RFQ/RFP to request a loan of \$10.6 Million. The motion passed unanimously (4-0)

VIII. STAFF REPORTS

Dog Park is a successful project.

Rooney 5K Run was on April 16, 2022.

Celebrate Westgate was on April 9, 2022. It was a successful festival with positive feedback letter from Parks and Rec.

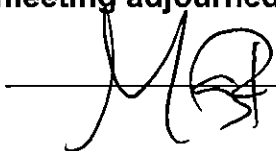
Yoga at the Park has been well received with good turnout for every other Saturday.

Liliana with Engenuity Group updated the Board on the Belvedere Heights project. Phase I is complete. Phase II has just completed its walk through and will be closed soon. The sidewalk and streetlight are under construction.

The streetlights project for the Westgate area is in development at Florida Power and Light.

IX. AJOURNMENT

It was moved by Ms. Rufty and seconded by Mr. Kirby to adjourn the meeting. The meeting adjourned at 6:48p.m.



Mai Bui

Administrative Assistant, Westgate CRA