



**West Palm Beach
Community Redevelopment Agency**

Special Meeting

**REVISED
AGENDA**

**March 26, 2018
4:30 P.M.**

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, FLORIDA 33401, {(561) 822-1210}

**MAYOR
GERALDINE MUOIO**

**CITY COMMISSION
PRESIDENT CORY NEERING**

**COMMISSIONER SYLVIA MOFFETT
COMMISSIONER KEITH JAMES**

**COMMISSIONER PAULA RYAN
COMMISSIONER SHANON MATERIO**

**ADMINISTRATION
CRA EXECUTIVE DIRECTOR, JON WARD
CITY ATTORNEY, KIMBERLY ROTHENBURG
TREASURER, MARK A. PARKS
CITY CLERK, HAZELINE CARSON**

1. ROLL CALL

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.

COMMENTS FROM THE PUBLIC FOR NON-AGENDA ITEMS:

COMMENTS FROM THE BOARD:

ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA:

RESOLUTIONS (2-3):

2. **Resolution No. 18-13 approving an agreement with Payne Chapel A.M.E. Church, Inc. for the purchase of Transferable Development Rights (TDRs).**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A TDR PURCHASE AND SALE AGREEMENT BETWEEN THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AND PAYNE CHAPEL A.M.E. CHURCH, INC., FOR THE PURCHASE OF TRANSFERABLE DEVELOPMENT RIGHTS RELATED TO 801 9TH STREET; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 1533](#)

Staff Recommended Motion:

Approve Resolution No. 18-13.

Background:

Amendment No. 12 to the Strategic Finance Plan for the Downtown/City Center CRA District identifies the Historic Northwest area, and along Banyan Boulevard as target areas for the redevelopment of properties.

Payne Chapel A.M.E. Church, Inc. is the owner of the real property and all improvements located at 801 9th Street, West Palm Beach, Florida, within the Downtown/Historic Northwest CRA District.

Section 94-132 of the Code of Ordinances of the City of West Palm Beach provides a transfer of development rights program which allows designated sending sites to transfer unused development rights (TDRs) from historic or landmark properties to a purchaser who may bank the TDRs for future use. Pursuant to Ordinance No. 4712-17, after recommendation of the Historic Preservation Board, the City Commission designated 801 9th Street as an historic Landmark which listed the property on the West Palm Beach Register of Historic Places. The designation provides the Church with 43,926 sq. ft. of TDRs that may be transferred from its property.

Resolution No. 18-13 approves a TDR Purchase Agreement with the Church whereby the CRA will purchase the TDRs from the Church property for the amount of \$649,383. The Church agrees to utilize the proceeds of the sale for rehabilitation of the historic structure. The TDR Purchase Agreement is structured to pay the Seller's architect and contractor directly for renovation work completed. The CRA will bank the TDRs pending a sale to an interested buyer, 303 Banyan, LLC, to be discussed in a related agenda item on this agenda, Resolution No. 18-14.

The property is located in District 3: Commissioner Paula Ryan.

3. Resolution No. 18-14 approving an agreement with 303 Banyan Street, LLC for the sale of Transferable Development Rights (TDRs).

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A TDR SALE AND PURCHASE AGREEMENT BETWEEN THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AND 303 BANYAN STREET, LLC, FOR THE SALE OF TRANSFERABLE DEVELOPMENT RIGHTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 1534](#)

Staff Recommended Motion:
Approve Resolution No. 18-14.

Background:

Amendment No. 12 to the Strategic Finance Plan for the Downtown/City Center CRA District identifies the Historic Northwest area, and along Banyan Boulevard as target areas for the redevelopment of properties.

Section 94-132 of the Code of Ordinances of the City of West Palm Beach provides a transfer of development rights program which allows designated sending sites to transfer unused development rights from historic or landmark properties to a purchaser who may bank the TDRs for future use. Resolution No. 18-13, to be considered by the CRA Board at the same meeting as this item, is a request to approve the purchase by the CRA of 43,626 sq. feet of transferable development rights (the "TDRs") from Payne Chapel A.M.E. Church, LLC, related to the restoration of its historic church in the Historic Northwest neighborhood. These TDRs will be banked by the CRA.

303 Banyan Street, LLC, ("Buyer") owns the real property located at 303 Banyan Boulevard, West Palm Beach, Florida, and desires to obtain the TDRs from CRA in order to redevelop its property, along the Banyan Boulevard target area.

Resolution No. 18-14 approves an agreement with 303 Banyan Street, LLC, for sale of the 43,626 sq. feet of banked TDRs for the amount of \$611,958.00. The Closing is expected to occur by June 15, 2019.

The sale will be contingent upon the CRA closing the purchase of the TDR's from the Church, Buyer closing a related sale with a third party purchaser; and the Buyer obtained no less than 80,000 TDRs in total from all sellers, at an acceptable price. Additionally, all transfers of the TDRs must be approved by the City's Downtown Action Committee (DAC).

The property is located in District 3: Commissioner Paula Ryan.

Fiscal Note:

CRA is acting as escrow agent of TDRs and project manager for renovation project.

ADJOURNMENT:

NOTICE: IF ANY PERSON DECIDES TO APPEAL ANY DECISION OF THE CITY COMMISSION AT THIS MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR THAT PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY OF WEST PALM BEACH DOES NOT PREPARE OR PROVIDE SUCH A RECORD.