

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

**November 23, 2020**

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

*The November 9 Meeting was cancelled due to Hurricane Eta. It was rescheduled for November 16 and postponed to Monday November 23 because of a lack of a quorum on the 16<sup>th</sup>. The following minutes are for the November 23<sup>rd</sup> meeting.*

Mr. Daniels, the Board Chair, called the meeting to order at 5:02p.m. The roll was called by Ms. Bui.

**Present:** Ronald Daniels  
Joanne Rufty  
Yeraldi Benitez  
Ruth Haggerty

**Absent:** Enol Gilles  
Ralph Lewis  
Joseph Kirby

**Staff Present:** Elizée Michel, Executive Director  
Denise Pennell, Senior Planner  
Carmen Geraine, Bookkeeper  
Mai Bui, Administrative Assistant  
Thomas J. Baird, Esq., General Counsel (Virtually Via Zoom)

**Others Present:** Keith Jackson, PE, Engenuity Group, CRA Engineer (Virtually Via Zoom)

**II. AGENDA APPROVAL**

**1. Additions, Deletions, Substitutions to Agenda**

- Consent Agenda. was moved to regular agenda as item #2.

**2. Adoption of Agenda**

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

**III. ADOPTION OF W/BH CRA MINUTES**

- It was moved by Ms. Haggerty and seconded by Ms. Ruffy to adopt the minutes of the October 05, 2020 meeting. Motion carried (4-0)

#### **IV. PUBLIC COMMENT**

- No public comment

#### **V. DISCLOSURES**

- No disclosures

#### **VI. CONSENT AGENDA**

- No consent agenda

#### **VII. REGULAR AGENDA**

##### **1. Approval of Development Order Abandonment, Official Zoning Map Amendment, Concurrent Type II Variance Requests, and TCEA for 1703 Quail Drive (formerly Opportunity, Inc. Daycare)**

The agenda was introduced by Ms. Pennell and presented by Jordan from Schmidt Nichols Landscape Architecture and Urban Planning. The subject site, formerly known as Opportunity, Inc. Daycare, is located at the southwest corner of Quail Drive and Westgate Avenue. The owners of Opportunity Early Childhood Education & Family Center Opportunity Inc., (Erin H. Gilmour Early Learning Center), developed an expanded 226-student daycare facility on the north side of Westgate Avenue; construction was completed in 2019, operations were re-located, and the property listed for sale. The total acreage of the subject site is 1.01 acres and the total square footage of the existing building is 7,900 sf. The site is within the Urban Highway (UH) sub-area of the WCRAO. The site is zoned as RH (Residential High) with a Future Land Use designation (FLU) of HR-18 (High Residential, 18 du's per acre). The site is surrounded by properties supported by an HR-18 FLU designation and zoned RM (Multifamily Residential) to the south (Mallards Landing MF retention lake), east (Midpoint Commerce Center – office/warehouse,) and west (Westgate Plaza MF).

On behalf of the contract purchasers of the property, Palm Medical Holdings, LLC., the applicant is requesting recommendation of approval from the Westgate CRA of a Development Order Abandonment (ABN) which will render obsolete existing entitlements associated with the site, an Official Zoning Map Amendment (Rezoning) from RH to CG to allow a commercial use, and eight (8) Concurrent Type II Variances, necessary to bring

the site into compliance with current code by recognizing legal nonconformities. The request also includes an allocation of additional trips, as well as a return of previously used am and pm peak trips from/to the WCRA TCEA pool. Approval will permit the contract purchaser to repurpose the building for a Medical Office use, permitted by right in CG zoning districts per ULDC Table 4.B.2.A.

### **Summary of Petition**

The applicant requests a recommendation of approval for the project from the Westgate CRA, pursuant to Article 3.B.14.D.1, to include the following:

1. To allow a Development Order Abandonment (ABN) of Res. #ZR-2001-007 which allowed a Class B Conditional Use for a Daycare, General in the RH Zoning District;
2. To allow an Official Zoning Map Amendment from RH Zoning District to CG Zoning District to allow Medical Office, permitted by right in the CG Zoning District, utilizing Art. 3.B.14.D.2.A.2. which allows a rezoning to a commercial zoning district without a FLUA amendment;
3. To allow eight (8) Concurrent Type II Variances to bring the existing development into compliance with current UDLC regulations:
  - i. For a reduction in the required parking from 40 spaces to 26 spaces (Table 6.B.1.B);
  - ii. For a reduction of 39 ft. in the minimum front setback from the required 50 ft. to 11 ft. (Table 3.D.1.A);
  - iii. For a reduction of 35 ft. in the minimum lot depth from the required 200 ft. to 165 ft. (Table 3.D.1.A.);
  - iv. For a reduction of 3 ft. in the minimum required foundation planting along 40% of the façade from 8 ft. to 5 ft. (Table 7.C.3.B);
  - v. For a reduction of 10 ft. (west property line) and 5 ft. (east property line) in the minimum required Type II incompatibility landscape buffer width of 15 ft. (Table 7.C.2.C.);
  - vi. For a reduction of 1 ft. in the minimum setback requirement of 25 ft. from the western property line to 24 ft. (Art. 5.B.1.A.8);
  - vii. For a reduction of 4 ft. in the 8 ft. minimum width required in the terminal landscape island adjacent to the existing dumpster enclosure to 4 ft., and a reduction of 2 ft. in the 8 ft. minimum width required in the terminal landscape island along the project entrance to 6 ft. (Table 7.C.2.C.); and,
  - viii. For a reduction of 3 ft. in the minimum required rear setback of 25 ft. to 22 ft. (WCRAO Table 3.B.14.F.);

4. An increase of 51 trips per day to 247 trips per day, and a reduction of 17 am peak hour trips and 14 pm peak hour trips, from the previously vested development (Daycare, General) to be allocated from and returned to the WCRA Transportation Concurrency Exception Area (TCEA) pool

Staff recommended that the Board approves the applicant's request for recommendation of support for the project from the Westgate CRA.

Board members Haggerty commended the applicants for repurposing an existing building and reused it to provide a needed service in the community.

Mr. Daniels commented on the number of parking spaces.

Josh Nichols, from Schmidt Nichols, expressed a concern that the Zoning Division is asking the applicant to submit a separate variance application for the lot depth because Zoning staff does not think this type of variance can be processed concurrently with the others delaying the project for another month.

**It was moved by Ms. Haggerty and seconded by Ms. Rufty to approve the applicant's request. The motion passed unanimously (4-0)**

## **2. Approval of Two COVID-19 Small Business Emergency Relief Forgivable Loan Program Applications**

Mr. Michel and Ms. Pennell reported that two applications were reviewed for approval; However, after requesting more information from Star Electrical Contractors, one of the two applications, the owner decided to withdraw the application.

### **Star Electrical Contractors, Inc. (withdrawn by owner)**

It is an electrical company located at 1614 Latham Rd. They are requesting \$10,000 for rent, payroll and utilities. The business has been in the CRA for forty (40) years. Star Electrical Contractors, Inc. employs currently 7 employees and had a loss of an estimated \$110,000.00 due to the COVID-19 pandemic.

### **Anything Electric Inc.**

This business is an electrical contractor located at 1547 N. Florida Mango Rd. They are requesting \$10,000 for assistance with payroll, rent, and inventory. The business has been in the CRA for forty (40) years. Anything Electric, Inc. employs

9 employees and had a loss of an estimated \$150,000.00 due to the COVID-19 pandemic.

Mr. Daniels stated that he didn't think that the Board needed to discuss the application that was withdrawn. Ms. Haggerty agreed.

Staff recommended that the Board approves the application for Anything Electric Inc. since the applicant meets the requirements established by the Board.

**It was moved by Ms. Haggerty and seconded by Ms. Benitez to approve a funding allocation not to exceed \$10,000 for Anything Electric. The motion passed unanimously (4-0)**

#### **VIII. STAFF REPORTS**

Mr. Michel reported to the Board that the Belvedere Heights drainage project plans have been submitted to the County for permitting. Mr. Jackson, from the Engenuity Group, CRA Engineer, confirmed that his firm is addressing comments received from the County regarding the plans. The Water Utility is working on an agreement to combine the CRA's drainage project with their water mains replacement project for construction.

Mr. Michel reported that the County is still working on relocating the Fire Rescue Station to Westgate Avenue on the property the CRA owns at the southwest corner of the Westgate Avenue and Seminole Boulevard. The County's Department of Facilities Development and Operations will bring a proposal to the Board for consideration in the upcoming months.

Mr. Michel reported to the Board that Mi Pais Express construction project is progressing.

#### **IX. AJOURNMENT**

**It was moved by Ms. Rufty and seconded by Ms. Haggerty to adjourn the meeting. The meeting adjourned at 5:32 p.m.**

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Mai Bui Administrative Assistant, Westgate CRA