INFILL/REDEVELOPMENT SUBCOMMITTEE
A SUBCOMMITTEE OF THE LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
MINUTES OF THE NOVEMBER 4, 2009 SUBCOMMITTEE MEETING
SPECIAL MEETING TO REVIEW THE IRO NON-CONFORMITIES AND DRAFT URA CODE

PREPARED BY EILEEN PLATTS, ZONING SECRETARY AND STEPHANIE GREGORY, PLANNER

On Wednesday, November 4, 2009 at 2:00 p.m. the Infill/Redevelopment Subcommittee met in the Second Floor Conference Room (VC-2E-12), at 2300 North Jog Road, West Palm Beach, Florida.

A. CALL TO ORDER

1) Roll Call

Wendy Tuma, Chairperson suggested this meeting be a continuation of the October 14, 2009 Subcommittee meeting therefore it does not require motions to adopt the Agenda and the Minutes or a roll call. The meeting began at 2:05 p.m.

Members Present – 8
Wendy Tuma – Chair
Joni Brinkman – Vice Chair/LDRAB
Jim Knight – LDRAB/BCC Dist. 4
Edward Wronsky – AIA
Jeff Brophy – ASLA
Ron Last – LDRAB/FES
Katharine Murray – PLC

Zoning Staff Present:
Maryann Kwok
William Cross
Eileen Platts
Jan Wiegand

Other Staff:
Stephanie Gregory – Planning
Edward Nessenthaler – Planning
Bryan Davis – Planning
Thuy Shutt – Westgate CRA
Eric McClellan – FD&O

Members Absent – 12
Joanne Davis – LDRAB/BCC Dist. 1
David Carpenter – LDRAB/BCC Dist. 2
Barbara Katz – LDRAB/BCC Dist. 3
Rick Gonzalez – Architect
Ray Puzzitiello – LDRAB/GCBA
Jose' Jaramillo – LDRAB/AIA
Ken Tuma – Engineer
Steven Dewhurst – LDRAB/AGCA
Wes Blackman – LDRAB/PBC Plan Cong.
Chris Roog – Gold Coast Builders Assoc.
Bradley Miller – Planner
Nancy Lodise – Interested Citizen

Audience:
Bill Whiteford – Team Plan, Inc.

B. IRO NON-CONFORMITIES – CONT'D FROM OCTOBER 14, 2009

Maryann Kwok briefed the Subcommittee Members on the White Paper and the Article 1 Summary of Amendments. She explained that everything in Article 1.E Prior Approvals that dealt with Non-conformities has been relocated to Article 1.F Non-conformities. Maryann clarified what "minor" and "major" non-conformities were (for uses and structures), how expansion, renovation, repair and maintenance to these structures works and, that per request from the Subcommittee, the percentage of the maximum allowable value of improvement has been changed from 125% to 150% of the Improvement Value based upon the PBC Property Appraiser's most recent assessment.

Motion to Move ahead to LDRAB with the recommendation for approval

Joni Brinkman motioned to move ahead to LDRAB with recommendation for approval. Jim Knight seconded the motion. The motion passed unanimously **(7-0)**.

C. URA DRAFT CODE

Bryan Davis of the Planning Division explained to the subcommittee changes that were made by staff since they last saw the draft URA code. The discussion began with the non-conformity section where Bryan Davis explained that the provisions allow for a conforming use with non-conforming structure maintenance, renovate or repair threshold to exceed the current 30%, up to 50% of the current assessed value. The property owner/developer can achieve this by providing one or more of the improvements/dedications listed in Table 3.B.16.A on page 3. Bill Whiteford suggested that staff should allow up to 55% in renovations to encourage property owners to do all four improvements listed in Table 3.B.16.A on page 3. Bryan Davis responded that it is unlikely that many parcels would be able to achieve all four improvements or dedications but that staff would look into it. Thuy Shutt then suggested that the language on page 3 should state "current improvement value" rather than "current assessed value."

In discussing the allowable uses, Joni Brinkman suggested that a note be added to Table 3.B.16.C-1 on page 11 and 12 for uses that potentially could have drive-thru to refer to the following standard on page 10: "Any project that wishes to operate a use with a drive-thru (including uses listed as 'P' in Table 3.B.16.C-1, Allowable Uses by Sub-Zones), must receive a Specialized District designation". It would avoid someone thinking the use is permitted, when in reality it would need a public hearing for the drive-thru. The subcommittee also suggested that the "Bed and Breakfast" use remain in the commercial uses section of the table as originally proposed, rather than in the residential use section.

The subcommittee then discussed the Permitted Stories Table on page 13. Jeff Brophy asked why the apartment building is limited to two stories by right for Urban Infill when most modern apartment complexes are three stories in height. Bryan Davis responded that based on historical examples of buildings around the County within municipalities, the apartment type tended to be two stories. However, he said that staff would look into the matter. Also during the discussion on the Permitted Stories Table, the subcommittee inquired as to how the Green Building Incentive program would be implemented. Bill Whiteford suggested some municipalities around the country that have standards requiring a penalty fee or other consequence for not achieving the LEED certification. Wendy Tuma then suggested that all of the tables on pages 17 to 19 include not only the maximum stories allowed for each building type, but also the permitted by right and LEED bonuses. The tables would end up mimicking the Permitted Stories Table on page 13.

D. NEXT MEETING TOPICS

The subcommittee requested an additional meeting to finish reviewing the rest of the draft URA Code. Stephanie Gregory stated that she would coordinate it.

The Infill/Redevelopment Subcommittee meeting adjourned at 4:40pm.

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