

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
WORKSHOP SUMMARY**

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**Meeting Date:** December 11, 2007 (9:30AM A)

**Department:** Facilities Development & Operations Department

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**Title:** Pending Projects with State Involvement – Juvenile Justice/Assessment Facility.

**Summary:** At the October 16, 2007 BCC meeting, Staff was directed to prepare a workshop item addressing concurrent requests from the Criminal Justice Commission and the 15<sup>th</sup> Circuit Juvenile Justice Board for the County to site the Juvenile Assessment Center (JAC) and an expanded detention center on County property. The County has no statutory or other mandated responsibility to assist the State of Florida Department of Juvenile Justice. Notwithstanding that, Staff is recommending that; 1) designate approximately seven (7) acres of the County's 45<sup>th</sup> Street and Australian Complex as the location for the Juvenile Assessment Center and expanded Juvenile Detention Center, and 2) commence discussions with the State on an agreement whereby the County would donate the land required for the JAC and an expanded/new detention center at no cost to the State subject to minimum donation requirements to be discussed and directed by the Board including the level of local involvement in the planning and design of the JAC facility. **(FDO Administration & PREM) Countywide (HJF)**

**Background and Policy Issues:**

**Establishment of the Juvenile Assessment Center**

In 1997 Florida Statute 985.209 allowed for the creation of juvenile assessment centers (JAC) comprising of community operated facilities and programs which provide colocated central intake and screening services for youth referred to DJJ. While juvenile justice issues are the responsibility of the State, effective management of the juveniles entering the system locally has real impacts on locally provided services. Primarily those accrue to the law enforcement agencies (both PBSO and municipal police forces. As such and in order to facilitate the establishment of the JAC, in January 1997 the BCC passed an ordinance known as the "*Juvenile Assessment Center Fund Ordinance*" providing for the imposition of a \$3 assessment on court costs associated with a variety of offenses for the Palm Beach County JAC to be used for implementation and operation of a JAC. The Ordinance and imposition of the fee was spearheaded by the Department of Justice in partnership with law enforcement and other criminal justice entities. Ultimately Article V, Revision 7, sunsetted the assessment.

Also in addition to the passage of the Ordinance, in February 1998 the BCC entered into a lease with Human Services Association (HSA), a management firm to lease the premises for a JAC, construct improvements and manage the JAC facility located at 3400 Belevedere Rd on Department of Airports Property for a term of five years with three renewal options of 5 years each.

(Continued)

**Attachments**

1. 45<sup>th</sup> Street and Australian Property

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>NET FISCAL IMPACT</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>

Is Item Included in Current Budget? Yes        No         
 Budget Account No: Fund        Department        Unit        Object         
 Reporting Category       

### B. Recommended Sources of Funds/Summary of Fiscal Impact:

### C. Departmental Fiscal Review: \_\_\_\_\_

## III. REVIEW COMMENTS:

### A. OFMB Fiscal and/or Contract Development & Control Comments:

The fiscal impact of this item is indeterminable at this time.

Jan Oul 12/4/07  
 OFMB  
 12/4/07

Dr. J. Jacob 12/5/07  
 Contract Dev. and Control

## **BACKGROUND & POLICY ISSUES (CONT'D)**

While the BCC entered into the lease, the funding for same was primarily from the Department of Juvenile Justice. The JAC opened for services in November 1998. The goals for the JAC were to:

- provide a one stop intake center upon youth's initial entry into the juvenile justice system for effective case planning,
- assess youth and their level of risk/treatment needs identified,
- provide space for DJJ delinquency case management and administrative staff to operate the JAC,
- provide space for the State Attorney's Office juvenile intake unit to determine whether to file charges or to divert youth into a diversion program, with 65% being diverted. After one year of operation, the percent of case canceled from diversion because of no contact with parent/child reduced 36.5%, second year, an additional 29.5%.

Initially the cost of security was covered by the Department of Juvenile Justice and local Law Enforcement Block Grants. In July 2001, the BCC approved participation in the collaborative funding strategy for the JAC to cover the costs of security. An equity formula was created based on usage to offset the cost of security not covered by the \$3 assessment and LEBG. Today, the cost of security is borne entirely by PBSO.

The HSA lease terminated on 7/30/03 and the BCC approved a lease between the Department of Airports and the State of Florida Department of Juvenile Justice terminating 6/30/08. Rent is approximately \$250,000 annually. DJJ pays additional \$128,000 in maintenance and utilities annually. DJJ partially off sets the costs by the following partners paying rent equivalent for the space they occupy as follows: Intensive Delinquency Diversion Services \$27,600, School District \$57,600 and the State Attorney \$33,600. In addition, the Drug Abuse Foundation (JET), PBSO Juvenile Arrest and Monitoring (JAM) and gang units; and Drug Abuse Treatment Association (DATA), Inc. are also co-located at the JAC, but do not pay rent equivalent.

At the time of lease, the Department of Airports cautioned that an extension to the 2008 lease termination date or long term lease would not be possible due to anticipated PBIA Expansion plans, but collectively the partners believed this to be not only the best location, but also that a lease scenario made sense due to the program being in its infancy and its ultimate success unknown.

### **Efforts to Secure Permanent JAC Facility**

In July 2005, after having received notice from the Department of Airports of its intent to develop the premises for airport purposes at the termination of the lease in 2008, a JAC Location Workgroup was formed to address the issue of a permanent location for the JAC. In January 2006, CJC Executive Committee voted to bring the CJC Board a request for the JAC to remain co-located in its current location. The Department of Airports was not able to commit to a long term lease of the JAC due to the property being required to accommodate the redevelopment of the property for Airport uses, but was able to extend the lease through June 2011. Ultimately, the CJC agreed to support the extension and ask the BCC to include a replacement facility in the County's five year capital building plan. A request to the BCC was never formally presented.

## **BACKGROUND & POLICY ISSUES (CONT'D)**

the property are; the County Home (HCD), the West Palm Beach Health Clinic (DOH), and High Ridge Family Center (PBC). The DJJ Detention Center is located immediately adjacent and to the east of the County's property. The primary undeveloped parcel is located in the south east corner of the County's property immediately to the south of the DJJ Detention Center. This site was the preference by County Staff due to the consistency with existing established DJJ, County and School Board programs, and possible adaptive re-use of existing facilities; both to reduce capital and operating costs. The JAC Location Workgroup acknowledged the site as the second preference again most concerned about maintaining proximity to existing facility.

- Long term lease of privately owned facility. No particular privately owned site was identified, however the pros and cons were discussed in depth. The only pros were; 1) more immediate implementation, and 2) reduced upfront capital costs as only tenant specific improvement costs would require funding. The cons were; 1) increased long term facility and operating costs. 2) lack of available sites with acceptable land and zoning for such a use, and 3) low probability that an private owner would want the use within its industrial setting. Ultimately the concept of a leased facility was discarded.

While a formal request for a site and the capital construction costs were never formally presented to the BCC for consideration, the 15<sup>th</sup> Circuit Juvenile Justice Board and other advocates have been pushing and following up on the identification of a permanent site for the JAC as well as the new issue of creating a Juvenile Justice Center which would ultimately include a new or expanded DJJ juvenile detention facility. The Juvenile Justice Board also envisioned that the uses would also be ideally provided at the site including juvenile courtrooms, central office for DJJ and a training facility for families and DJJ. The Juvenile Justice Board is established by Florida Statute 985.4135 in each of the 20 judicial circuits. The purpose of each juvenile justice board is to provide advice and direction to DJJ in the development and implementation of juvenile justice programs and to work collaboratively with DJJ in seeking improvements and policy changes to address and changing needs of Florida's youth who are at risk of delinquency. Its mission is to increase public safety by addressing juvenile delinquency through effective prevention, intervention, supervision and treatment services that strengthen families, communities and turns the lives of youth around.

In July 2007, the CJC sent correspondence to the BCC requesting that it consider directing Staff to site and plan a new Juvenile Justice Assessment Center in conjunction and cooperation with the State which plans to build a new Juvenile Detention Center.

The Juvenile Justice Board submitted a request to the State requesting that funding be allocated to begin planning for juvenile justice center in Palm Beach County. While neither the CJC nor Juvenile Justice Board requests specifically request a contribution of land by the County, the land surrounding the existing Center is owned by the County and is required for an expansion (as the existing facility already encroaches onto County land) and by doing so introduced the concept of the County making the land available for the JAC. The State funding was not received but Staff has confirmed that the Department of Juvenile Justice has made a series of requests for a five year plan for Palm Beach County's and JAC and detention centers in the following increments:

## **BACKGROUND & POLICY ISSUES (CONT'D)**

2007/2008. While these are non-recurring costs, the budget challenges ahead as a result of the tax reform may create further problems in the future.

The budget requests are not detailed and it is not possible for County Staff to evaluate whether the requests above are sufficient for the design and construction of the JAC to support the same level of services and programs currently provided and in the time frame required to not cause a disruption in services; however Staff can make the following observations.

- County Staff is comfortable that \$400,000 is sufficient for planning and pre-design activities.
- There is no detail to indicate what portion of the request is allocated to the JAC and what portion to the Detention Center and as such there is no way to determine at this point whether the State is in a position to accept the conditions of the donation agreement being contemplated with regard to minimum program requirements.
- There is no detail to indicate the approach to the development of the two facilities and therefore whether the JAC would be designed and constructed prior to, or in conjunction with the detention center. There is sufficient property to construct a new facility or as an expansion to the existing.
- The planning appropriation is not sufficient to make headway into design activities. Without proceeding with the design in FY 2008/2009 it is unlikely that the permanent JAC could be constructed in time (even if it was ahead of the detention center) and would result in a disruption of services unless the lease is extended or temporary accommodations are made elsewhere. Further, even with what appears to be the first construction appropriation in FY 2010/11, the construction would not be completed within the time frame that the existing temporary JAC is required to vacate their existing space.

### **County Staff Recommendation**

Despite the County having no statutory or other mandated responsibility to assist in the JAC as well as the uncertainty with the appropriation and the detail and/or knowledge of DJJ's intentions on the development of the JAC versus the detention facility; the County's 45<sup>th</sup> Street property represents the best location for both regardless of ultimate timing and funding responsibilities; the formal allocation of this property for this purpose, is appropriate and serves to further this objective.

As such, Staff recommends that the BCC direct Staff to:

1. Designate 7 acres of the County's 45<sup>th</sup> Street and Australian Property as the location for the JAC and expanded Juvenile Detention Center.
2. Commence discussions and negotiations with the State on an agreement whereby the County would donate the land required for the JAC and either an expanded/new detention center at no cost to the State as the County's ***full capital contribution*** to facilitate the State's construction and operation of these facilities which benefit the residents of Palm Beach County. The value of the land to be donated is estimated at \$ 3,500,000 in support of these State facilities, programs and services. The value of the site to the State for this purpose (or to the county for replacement purposes) is far greater than the stated amount due to the lack of

## **BACKGROUND & POLICY ISSUES (CONT'D)**

- a. Palm Beach County residents shall be served from this facility before those non-County residents. In the event of a default pursuant to the deed restriction, the property and improvements shall automatically revert to the County at no cost.
- b. A reverter in favor of the County for the entire property triggered by commence and complete construction dates for the JAC. The reverter would also be triggered in event that these programs/services are no longer offered on a Statewide basis. The property and improvements will also revert in the event that the State terminates services, or suspends services for a period of longer than 6 months, at this facility.
- c. A requirement that the JAC facility be planned, programmed, designed and constructed by the State to include no less than the same mix of local service and program partners, providing, at a minimum, the same levels of services in no less space than existing (unless the local partner voluntarily opts out). The list of local partners, services/programs currently provided and minimum space requirements will be attached to the donation agreement. Since the land would be entirely State owned and operated, County Staff believes that the planning, design and construction effort be managed solely by the State but with the requirements described in this paragraph and paragraph d in order to protect local interests and level of services within the JAC.
- d. A requirement that the State involve the Chairman of the JAC Steering Committee as a "user" in programming, planning, design and construction reviews and consider their input with the same weight as DJJ Corrections' staff input. Compliance with the requirements identified in Items #3 and #4 would be monitored by a representative of the Facilities Development & Operations Department as technical support to the JAC Steering Committee on real estate, development, design and construction issues.
- e. The property and improvements for both the detention center and the JAC will be maintained at the State's sole cost and expense.

In order to address the questions Staff has regarding the budget request and the State's approach and program for the joint facilities as well as to define the specifics of the reverter language with regard to start and completion of construction and the State's willingness to involve the local partners in the design and operation of the JAC; FDO (on behalf of and in conjunction with the Juvenile Justice Board) will need to initiate discussions with DJJ. Those discussions would generally include; 1) identifying DJJ's vision for the JAC and determine if a full service JAC is being contemplated, 2) the general approach to development of the site for both the JAC and detention facility, and 3) the budgetary requirements for the JAC portion of the project. These discussions would need to be completed by end of March to allow for the agreement to be finally negotiated and approved by July 1, 2008. Staff would provide a status report to the BCC in March with a status report and updated business terms.

Why is County Staff recommending commence negotiations with the State and the donation of land at this time:

Continues the partnership with Department of Juvenile Justice in Palm Beach County to

the West Palm Beach Health Clinic and provided \$12+ million dollars for the construction of the Department of Health's Administrative and Environment Health Offices.

1. Demonstrates the County's desire to commit to a permanent JAC to be operated by a number of State and local justice partners and facilitates the development of a permanent JAC in a timeframe that services will not be interrupted when the facility occupied by the temporary JAC is no longer available.



County Owned Properties on 45th and Australian

Attachment 1



RECEIVED

AUG - 3 2007

DIRECTOR'S OFFICE

July 31, 2007

**Criminal Justice Commission  
Community Justice Service Center**

01 North Olive Avenue, Suite 1001

West Palm Beach, FL 33402

(561) 355-4943

FAX: (561) 355-4941

www.pbcgov.com/cjc

**Palm Beach County  
Board of County  
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Jeff Koons, Vice Chair

Karen T. Marcus

Mary McCarty

Burt Aaronson

Jess R. Santamaria

**County Administrator**

Robert Weisman

**Criminal Justice  
Commission Officers**

Harry A. Johnston II, Chairman

James Barr, Vice Chairman

Fairmon Johnson, Secretary

Barbara Cheives, Treasurer

**Executive Director**

Michael L. Rodriguez

E-mail: mlrodrig@pbcgov.com

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Honorable Addie L. Greene, Chairperson and  
Members, Palm Beach County Board of County Commissioners  
301 North Olive Avenue, 12<sup>th</sup> Floor  
West Palm Beach, Florida, 33401

Dear Chairperson Greene and Commissioners:

The State Department of Juvenile Justice recently informed the 15<sup>th</sup> Circuit Juvenile Justice Board that the Palm Beach County Regional Juvenile Detention Center was identified as being one of seven facilities in the state that needs a new building in the near future. At the Criminal Justice Commission (CJC) Executive Committee meeting on July 9, 2007, members discussed a recommendation from the Juvenile Justice Board regarding the construction and joint location of a new Juvenile Assessment Center (JAC) and a Juvenile Detention facility.

The CJC respectfully suggests the Board of County Commissioners consider directing the appropriate staff of the Facilities Development and Operations Department for the site planning of a new Juvenile Assessment Center in conjunction and cooperation with the State's plans to build a new Juvenile Detention Center.

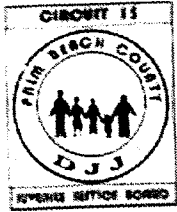
If you have any questions or require further information, please contact Michael L. Rodriguez, CJC Executive Director, at 355-2314.

Sincerely,

Harry A. Johnston II, Chairman

CC: Anthony Flowers, Superintendent Juvenile Detention Center  
Audrey Wolf, Director, PBC Facilities Development and Operations  
Corrections Task Force /Public Safety Coordinating Council Members  
Criminal Justice Commission Members  
Jay Bonner, Chairman, Juvenile Justice Board 15<sup>th</sup> Circuit  
Paul Milelli, Director, PBC Public Safety  
Robert Weisman, County Administrator  
Sheriff Ric Bradshaw, Palm Beach County Sheriff's Office  
Vince Bonvento, Assistant County Administrator

HAIJ/MLR/jmg



# Circuit 15 Juvenile Justice Board

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Barbara Gerlock

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Debra Coltun

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Mary Quinlan

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Carlton Cartwright  
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Leo Fisher  
Barbara Gerlock  
Rosby Glover  
Capt. Jeff Lindskoog  
Angelia Lockett  
Cory Neering  
Nate Nichols  
Brenda Oakes  
Pat Sheffield

October 9, 2007

OCT - 9 2007

Commissioner Jeff Koons  
Palm Beach County Governmental Center  
301 North Olive Avenue  
West Palm Beach, FL 33401

Re: Site evaluation for construction of the next JAC & Juvenile Detention Center

Dear Commissioner Jeff Koons,

I need your help in determining the best location to build the next Juvenile Assessment Center and Juvenile Detention Center. Currently there is a \$20,000,000 legislative budget request in the 2008 – 2009 Department of Juvenile Justice Budget to build this combined facility. The entire Palm Beach County Legislative Delegation, less one State Senator, has gone on record in support of this construction project. There is a very good chance that by July 2008 we will have the money to build. I want to know by then where is the best location to place this facility.

Palm Beach County needs to determine the best location. Please begin a formal site evaluation process as soon as possible. I need your help.

Attached are some prior communications.

Thank you,

Jay Bonner, Chair  
Circuit 15 Juvenile Justice Board  
561-744-2021 phone  
561-389-2189 cell  
bonnerjaydeb@juno.com



## **Criminal Justice Commission Law Enforcement Planning Council**

301 N. Olive Avenue, Suite 1001

West Palm Beach, FL 33401-4705

(561) 355-2326 Fax: (561) 355-4941

[www.pbcgov.com/cjc](http://www.pbcgov.com/cjc)

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September 6, 2007

Mr. Jay Bonner  
Chair, Circuit 15 Juvenile Justice Board  
P.O. Box 31224  
Palm Beach Gardens, FL 33420

Dear Mr. Bonner,

Thank you for appearing before the Law Enforcement Planning Council (LEPC) today and updating the membership as to the situation with our Juvenile Assessment Center (JAC).

The LEPC's membership consists of the 49 local, state and federal law enforcement / criminal justice agencies operating within Palm Beach County. The LEPC recognizes the need for a JAC as a vital part of the criminal justice system. The JAC not only frees up patrol officers to return to their duties after dealing with a juvenile but ensures that the juvenile receives the appropriate needed services.

Our existing JAC facility must be vacated by 2011 due to the expiration of its lease. It has been recommended that the new JAC be constructed at the 45th Street site of the current juvenile detention center, creating a juvenile justice campus. This would truly provide a "one stop shop" for juvenile issues.

The LEPC at its meeting today unanimously passed a motion to endorse the relocation of the JAC to the 45<sup>th</sup> Street site. Please call me at 799-4401 if you have any questions.

Sincerely,

Chief Stephen J. Stepp  
Chair, Law Enforcement Planning Council



July 31, 2007

**Criminal Justice Commission  
Community Justice Service Center**

301 North Olive Avenue, Suite 1001

West Palm Beach, FL 33402

(561) 355-4943

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Honorable Addie L. Greene, Chairperson and  
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301 North Olive Avenue, 12<sup>th</sup> Floor  
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Dear Chairperson Greene and Commissioners:

The State Department of Juvenile Justice recently informed the 15<sup>th</sup> Circuit Juvenile Justice Board that the Palm Beach County Regional Juvenile Detention Center was identified as being one of seven facilities in the state that needs a new building in the near future. At the Criminal Justice Commission (CJC) Executive Committee meeting on July 9, 2007, members discussed a recommendation from the Juvenile Justice Board regarding the construction and joint location of a new Juvenile Assessment Center (JAC) and a Juvenile Detention facility.

The CJC respectfully suggests the Board of County Commissioners consider directing the appropriate staff of the Facilities Development and Operations Department for the site planning of a new Juvenile Assessment Center in conjunction and cooperation with the State's plans to build a new Juvenile Detention Center.

If you have any questions or require further information, please contact Michael L. Rodriguez, CJC Executive Director, at 355-2314.

Sincerely,

  
Harry A. Johnston II, Chairman

CC: Anthony Flowers, Superintendent Juvenile Detention Center  
Audrey Wolf, Director, PBC Facilities Development and Operations  
Corrections Task Force /Public Safety Coordinating Council Members  
Criminal Justice Commission Members  
Jay Bonner, Chairman, Juvenile Justice Board 15<sup>th</sup> Circuit  
Paul Milelli, Director, PBC Public Safety  
Robert Weisman, County Administrator  
Sheriff Ric Bradshaw, Palm Beach County Sheriff's Office  
Vince Bonvento, Assistant County Administrator

HAI/MLR/jmg

# FINAL AGENDA

**MONDAY, July 9, 2007 - 8:00 a.m.**

## **PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION EXECUTIVE COMMITTEE**

McEaddy Conference Room  
12<sup>th</sup> Floor, 301 N. Olive Avenue  
West Palm Beach



[www.pbcgov.com/cjc](http://www.pbcgov.com/cjc)



- I. Welcome and opening comments – Chairman Harry Johnston, II**
- II. Roll Call**
- III. Introduction of guests**
- IV. Approval and/or additions to the Agenda**
- V. Approval and/or additions to the minutes of the April 9, 2007 Executive Committee meeting**
- VI. Chairman's Comments**  
Joint meeting with Broward County officials
- VII. Executive Director's Comments**
  - A.** Welcome to Rosalind Murray, new CJC Program Development Specialist.
  - B.** Congratulations to Shairette Major on her promotion to Housing Development Department. CJC is in the process of identifying a replacement.
- VIII. Business Consent Item(s)**
- IX. Old Business – Regular Item(s)**  
Recommendation concerning the use of up to \$16,000 in FY07 for the Civil Drug Court from the Drug Abuse Trust Fund for treatment and staff and up to \$75,000 in FY08 for treatment and staff. This is to "accommodate referrals" from the Justice Centers and the Youth Empowerment Centers. Concerns expressed for using money for staff as well as treatment. An additional \$10,000 is also sought to cover the FY07 Budget. *(Budget and letter requesting additional funds included in final agenda packet on blue paper)*

July 9, 2007

**X. New Business - Regular Item(s)**

- A. Recommendation by Vince Bonvento, Assistant County Administrator to fund a Mental Health Case Manager with funding from the CJC \$1 million account.
- B. Recommendation by Commissioner Newell for the CJC "Finance Committee" to review the existing criminal justice proposals and make a determination if alternative funding programs are available.
- C. Recommendation by Commissioner Newell supporting the Juvenile Justice Board recommendation to construct and to collocate a new Juvenile Assessment Center (JAC) and a Juvenile Detention facility. CJC with the cooperation of the County Property and Facilities Management Department will cooperate with the State agencies to locate and recommend a strategic site.
- D. Recommendation for a CJC member to serve as the CJC representative on the Juvenile Justice Board.

**XI. CJC Initiatives / Updates**

- A. CJC staff regarding gangs in Palm Beach County
- B. County/CJC Budget
- C. Committee/Task Force Updates (*included in final agenda packet for information*)

**XII. Special Presentation**

Six month update from FSU on Youth Violence Prevention Project - Becky Walker, Staff (document available on website [www.pbcgov.com/cjc](http://www.pbcgov.com/cjc) and hard copy may be obtained from Becky Walker)

**XIII. Member Comments**

**ANNOUNCEMENTS & UPCOMING MEETINGS**

**7/09/07**, Monday, 8:00 a.m., Criminal Justice Commission Executive Committee, McEaddy Conference Room, 12<sup>th</sup> Floor, 301 N. Olive Avenue, West Palm Beach

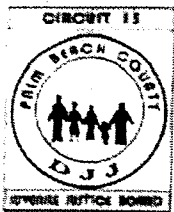
**8/1/07**, Wednesday, 12:00 p.m., Corrections Task Force, CJC Conference Room, 10<sup>th</sup> Floor, 301 N. Olive Avenue, West Palm Beach

**8/2/07**, Thursday, 9:30 a.m., Law Enforcement Planning Council, Clayton Hutcheson Exhibit Hall B, 559 N. Military Trail, West Palm Beach

**8/13/07**, Monday, 8:00 a.m., Criminal Justice Commission Executive Committee, McEaddy Conference Room, 12<sup>th</sup> Floor, 301 N. Olive Avenue, West Palm Beach

**9/5/07**, Wednesday, 12:00 p.m., Corrections Task Force, CJC Conference Room, 10<sup>th</sup> Floor, 301 N. Olive Avenue, West Palm Beach

**9/6/07**, Thursday, 9:30 a.m., Law Enforcement Planning Council, Clayton Hutcheson Exhibit Hall



## **Circuit 15 Juvenile Justice Board**

### **2007/09 Officers:**

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Barbara Gerlock

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Barbara White  
Matt Blust  
Jane Sullivan

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Nicole Saunders

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Paulette Burdick  
Doris Carroll  
Carlton Cartwright  
Peter Cummings  
Leo Fisher  
Barbara Gerlock  
Rosby Glover  
Capt. Jeff Lindskoog  
Angelia Lockett  
Lonnie Lovett  
Cory Neering  
Nate Nichols  
Brenda Oakes  
Pat Sheffield

On Monday, June 25, 2007 a community meeting was held to discuss the construction of a new building to house the Palm Beach Regional Juvenile Detention Center and the Juvenile Assessment Center with Department of Juvenile Justice Deputy Secretary Richard Davison and Assistant Secretary for Detention Ken Pifer. The goal of the meeting was to express the need and to demonstrate to the Department of Juvenile Justice that local community leaders are united in their support to build the next Juvenile Assessment Center (JAC) and Juvenile Detention Center.

### **Detention Center**

- Discussion was held concerning the age of the detention center. It was built in the 1970's and has given many years of service to Palm Beach County. Since February 2006 the Department of Juvenile Justice (DJJ) has spent 1.2 million dollars in building systems, CCTV, smell issues and repair issues, etc. DJJ Deputy Secretary Richard Davison stated that there might be a cost savings with a new facility compared with an old building and that DJJ asked for 3 million dollars in this legislative session and only received a million for the upkeep of the detention centers statewide. A study was conducted and it was found that seven (7) detention centers within the state are in serious need of replacement in the future. (Palm Beach, Miami, Broward, Orange, Seminole, Duval and Escambia). Questions were raised of how many more dollars DJJ was going to put into this detention center to correct the issues and DJJ Assistant Secretary for Detention Ken Pifer stated that DJJ is not going to stop trying to fix the problem so the youth are safe and healthy. He also stated that the Department of Health is involved trying to help DJJ to solve the smell issue and is telling DJJ that the air is safe to breathe. Apparently the smell appears after a big rain. A motion was made and passed that the smell be permanently fixed and the youth should not be there with that smell.
- Judge Ron Alvarez raised the concern of capacity, since the current detention center was designed for 93 youth but the number of youth needing services has increased to 114-116 on average. The detention center houses the 'neediest' of youth and with the increase of gang activity these groups now need separation within the detention center.
- Variety of Services – Need more classrooms, mental health areas, social services areas, space for nurses, diversified services to work with families and youth so they don't have to come back, prevention, intervention, behavioral management systems, etc. so we can prevent youth from coming into the system and 'reduce juvenile delinquency'. The detention center currently is designed as a temporary holding center and is not designed for treatment.

- Palm Beach County is the largest geographic county this side of the Mississippi and hopefully this can be taken into consideration for the prioritizing of who gets a new detention center first.
- **A vote was taken on the need in Palm Beach County for a new detention center and there were no objections that Palm Beach County does need a new detention center.** (Per DJJ Deputy Secretary Richard Davison the DJJ employees in attendance do not hold a vote due to legislative statutes.) This was a vote by those in attendance.

#### **Juvenile Assessment Center**

- The JAC is a well-run facility and a model program but is located on airport property and must vacate the building by June 2011.
- County Commissioner Warren Newell stated that the JAC was to be phased out years ago but it was continued due to how well it worked. Commissioner Newell stated that the county would work with the Juvenile Justice Board to find a location.
- Considerations for the new location: Central area for Law Enforcement Officers to be able to bring arrested youth (31 LEO groups in PB County – need to get these officers back on the street ASAP), appropriate personnel on hand to make a prudent assessment of youth, location to court house, Probation staff on hand, Palm Beach Sheriff Office on hand, etc. (Jacksonville has no JAC and stats show that youth aren't being arrested for the minor crimes and officers are tied up with youth and not on the street enough.) (Duval closed its JAC and now realizes they need it.)
- **A vote was taken on the need in Palm Beach County to replace the Juvenile Assessment Center and there were no objections that Palm Beach County does need to replace the JAC.** (Per DJJ Deputy Secretary Richard Davison the DJJ employees in attendance do not hold a vote due to legislative statutes.) This was a vote by those in attendance.

#### **Build a combined Juvenile Assessment Center / Juvenile Detention Center**

- ✓ If combined the youth can go straight from the JAC to the detention center without a lapse of time.
- ✓ Need to have a collaboration of efforts by all parties involved.
- ✓ Suggestion to build the new joint building on the 45<sup>th</sup> Street site and all agreed initially but DJJ Deputy Secretary Richard Davison and DJJ Assistant Secretary for Detention Ken Pifer are not sold on this, as we would be building a new building on an old problem.
- ✓ Areas for this new site will continue to be looked into and a motion was received and passed to facilitate a study on combining the JAC and the Detention Center.
- ✓ A motion was received and passed that the Detention Center not become privatized.
- ✓ **A vote was taken on the need to build a joint building that would contain the JAC and the Detention center and there were no objections to do so.** (Per DJJ Deputy Secretary Richard Davison the DJJ employees in attendance do not hold a vote due to legislative statutes.) This was a vote of those in attendance.

#### **Responsibilities / Commitments**

1. The Circuit 15 Juvenile Justice Board will submit a Legislative Budget Request asking the Department of Juvenile Justice to place in their budget the construction of a combined facility.
2. Palm Beach County will work with the Juvenile Justice Board to secure a location.

Respectfully submitted,  
Jay Bonner, Chair

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
WORKSHOP SUMMARY**

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**Meeting Date:** December 11, 2007 (9:30AM B)

**Department:** Facilities Development & Operations Department

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**I. EXECUTIVE BRIEF**

**Title:** Pending Projects with State Involvement - West Palm Beach Transit Oriented Development.

**Summary:** Over the past 16 months, items relating to the development of the West Palm Beach TOD have been to the Board formally on three occasions and informally on two other occasions. Each time, the Board provided specific directions as to the County's approach to, and specific actions to implement the County's participation in the TOD. Staff strongly recommends continuing with the previous Board direction. Further, Staff does not believe that the priority of this project should be elevated at this time since it is its belief that the TOD as currently envisioned is not viable in today's market and questionable availability of tax increment financing (TIF). As such, continuing with the current sequence of tasks will allow time for the issues associated with the vision for the TOD and questions regarding TIF to be answered concurrent with the discussions on the State land transaction. **(FDO Administration & PREM) Countywide (HJF)**

**Background & Policy Issues:** See attached memo from Facilities Development & Operations dated December 4, 2007.

**Attachments:**

Memo from Facilities Development & Operations dated December 4, 2007

## II. FISCAL IMPACT ANALYSIS

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>NET FISCAL IMPACT</b>	<u>-0-</u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>					



Is Item Included in Current Budget?    Yes \_\_\_\_\_    No \_\_\_\_\_  
Budget Account No: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
Reporting Category \_\_\_\_\_


**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

**C. Departmental Fiscal Review:**

### III. REVIEW COMMENTS:

**A. OFMB Fiscal and/or Contract Development & Control Comments:**

 12/5/07  
 OFMB  12/4/7

 12/6/07  
 Contract Dev. and Control



**Facilities Development &  
Operations Department**

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**Palm Beach County  
Board of County  
Commissioners**

Addie L. Greene, Chairperson

Jeff Koons, Vice Chair

Karen T. Marcus

Robert J. Kanjian

Mary McCarty

Burt Aaronson

Jess R. Santamaria

**County Administrator**

Robert Weisman

*"An Equal Opportunity  
Affirmative Action Employer"*

December 4, 2007

To: Addie L. Greene, Chairperson and Members of the Board of  
County Commissioners

From: Audrey Wolf, Director *A. Wolf*  
Facilities Development & Operations

Re: **December 11, 2007 Workshop Item**  
**West Palm Beach Transit Oriented Development and Status of**  
**Discussion with State on Co-Locating on Dimick Block**

In the past 16 months, items relating to the development of the West Palm Beach TOD have been to the Board formally on three occasions and informally on two other occasions. Each time, the Board provided specific direction as to the County's approach to, and specific actions to implement the County's participation in the TOD. Staff strongly recommends continuing with the previous Board direction. Further, Staff does not believe that the priority of this project should be elevated at this time since it is its belief that the TOD as currently envisioned is not viable in today's market and questionable availability of tax increment financing (TIF). As such, continuing with the current sequence of tasks will allow time for the issues associated with the vision for the TOD and questions regarding TIF to be answered concurrent with the discussions on the State land transaction. The following discussion summarizes the Board's actions taken to date and Attachment A provides status and transactional details as to Staff's efforts to implement Board direction.

On 7/18/06, the Board of County Commissioners (Board) held a workshop to update three facilities master plans; Downtown, Government Hill and Airport Center. With respect to the Government Hill (Evernia/Datura Property) Master Plan, the Board confirmed the need for facilities at Government Hill and indicated support to consider meeting its need for four acres on another property within Government Hill providing that it could be done through the creation of a "public use block" on the State's Dimick Block (Attachment B).

On 10/11/06, County and State Staff, along with representatives of the City, the Health Department (DOH) and Health Care District (HCD) met to work through the planning aspects of co-locating the public uses on the Dimick Block. A consensus plan was developed which addressed the physical planning aspects and identified the basic business and operations issues which would have to be addressed in order to implement that plan. On 10/20/06, Secretary Lewis sent a letter further detailing the basic business terms in the form of a proposal to the County (State Proposal).

On 12/05/06, the Board considered Staff's evaluation of the terms of the State's proposal (Attachment C) and directed Staff to;

- 1) fund the shortfall for DOH's facilities on the Dimick Block in the location identified on the Public Use Block,
- 2) implement the Palm Tran Intermodal project on the County's Wedge Property (also within the TOD) including a design which allows for further development on the Wedge in support of the TOD and memorializing the relationship with the SFRTA for parking, and
- 3) continue to participate in the planning and implementation of the West Palm Beach TOD by undertaking the following action items in the order listed; a) negotiate the terms of a land transaction with the State of Florida to locate the County's future facilities on the Dimick Block allowing for the sale of the County's Evernia/Datura Property for the TOD, b) process (by the City) of land use and development code amendments to facilitate the development of the TOD, c) prepare a request for proposals (RFP) for the disposal of the County's Evernia/Datura Property. It is critical that the land transaction with the State being finalized prior to the issuance of the RFP so that it can incorporate the critical terms of the State transaction which will become requirements of the RFP Respondents to pay for and/or assume. These will include such things as land acquisition/exchange costs, accommodation of off-Dimick Block structured parking requirements, etc.

The purpose of this workshop item is to receive direction on 1) whether to continue with the approach and specific direction previously provided, or 2) to modify that direction at the request of the Metropolitan Planning Organization (Attachment D) to allow Treasure Coast Regional Planning Council (TCRPC) to assist in preparing the Request for Proposals and that direction be given to County Staff to prioritize the work on this project.

Staff strongly recommends continuing with the previous Board direction in the order specified. Further, Staff does not believe that the priority of this project should be elevated at this time since it is its belief that the TOD as currently envisioned is not viable in today's market and questionable availability of tax increment financing (TIF). As such, continuing with the current sequence of tasks will allow time for the issues associated with the vision for the TOD and questions regarding TIF to be answered concurrent with the discussions on the State land transaction.

Attachments

- A. Staff Report dated 12/04/07
- B. Master Plan Update dated 07/12/06
- C. BCC Item dated 12/05/06
- D. Memo from Randy Whitfield, Executive Director MPO dated 10/24/07
- E. Letter from City of West Palm Beach dated 11/20/07

cc: Ross Hering, Director Property and Real Estate Management  
Dwight Chenette, CEO, Health Care District of Palm Beach County  
Lois Frankel, Mayor, City of West Palm Beach  
Kim Briesemeister, Executive Director, West Palm Beach CRA  
Secretary Michael W. Sole, Florida Department of Environmental Protection  
Scott Woolam, Chief of Public Land Administration, DEP, State Lands  
Ana M. Viamonte Ros, MD, MPH, State Surgeon General  
Ed McEachron, Bureau Chief, Department of Health  
Ron Walsh, Project Manager, Florida Department of Health  
Secretary Linda H. South, Florida Department of Management Services  
Dean Izzo, Program Manager, Florida Department of Management Services

**Attachment A**  
**West Palm Beach Transit Oriented Development**  
**Status Report Dated 12/04/07**

**Palm Tran Intermodal Facility on the Wedge Property**

The development of the Palm Tran Intermodal Facility on the Wedge Property is proceeding and the following discusses the status of the key components of the development project.

- A. Design. On January 17, 2007, a contract with Miller-Legg & Associates, Inc. was executed for the design of the Palm Tran Intermodal Facility. The design is currently in design development phase and reflects a site layout which maximizes the configuration and size of the land available for future non-Intermodal uses (the County also secured a parcel of land from FDOT on the south boundary of the Wedge contributing to the maximization of the residual land on the Wedge) including vertical construction over the Intermodal facility with minimal disruption to the on-going operation of the Intermodal facility. It is estimated that the construction documents will be completed in April 2008 and the next steps will be permitting and bidding. Construction is estimated to commence in October 2008 with completion in September 2009. In mid October, the City and DDA approved all non-building level approvals necessary for the development of the Intermodal Facility. The two biggest issues that Staff is working on which impact the design at this time are; 1) identifying what level of electronic messaging and signage will be provided in the Intermodal facility and what underground accommodations need to be made for future installations, and 2) working out the details of a security operations plan for the facility (in conjunction with the City and SFRTA in order to implement the required security plan.
- B. Various Land Transfers and Platting with City. On 10/02/07, the Board accepted a quit claim deed from the City of West Palm Beach which re-conveyed a .4 acres triangular shaped parcel at the corner of Banyan and Clearwater which was originally conveyed to the County in 1992 but reverted in 1995. *This is significant to furthering the development of the TOD because it 1) unifies title under the County ultimately simplifying the terms of the RFP for private development, and 2) maximizes the developability of the remaining portion of the Wedge property for TOD purposes.* On that same day, the Board approved the Intermodal Facility Plat for the entire 5.8 acre parcel which not only facilitated the development of the Intermodal Facility, but, together with the deed, also abandoned surplus right of ways and released any remaining City underlying interests in the overall County 5.8 acre parcel. *This is significant to furthering the development of the TOD in that these questions of title had previously been raised as obstacles to the eventual marketing and development of the Wedge by private parties for TOD purposes.*
- C. SFRTA Agreements. On 10/02/07, the Board entered into three agreements with the SFRTA pertaining to the WPB Intermodal Property (referred to as the Wedge Property for this discussion). The first was an easement agreement and temporary construction easement which will allow the County to construct some of its improvements on .25 acres SFRTA property (previously conveyed by the county to the SFRTA) between the eastern limits of the County Wedge Property and the

railroad ROW. *This is significant to furthering the development of the TOD in that contributed to the maximization of the land remaining for development of non-Intermodal TOD purposes.* The second agreement was a license agreement allowing County staff working within the Intermodal Facility to use existing SFRTA restroom facilities. A separate agreement between SFRTA and PalmTran will provide for the existing SFRTA staff to sell Palm Tran tickets. *This license agreement is significant to furthering the development of the TOD by providing for an interim shared use maximizing the remaining property available for development of non-Intermodal TOD purposes by allowing for the permanent facilities to be incorporated into the non-Intermodal uses and structures.* The third agreement is a parking agreement which will ensure that any conveyance or lease of the County's remaining undeveloped portion of the Wedge Property to a third party developer, will require the third party developer to enter into a separate agreement with the RTA which will include 250 public parking spaces in any future development. *This parking agreement is significant to furthering the development of the TOD in that it; 1) provides for the parking required to support the RTA purposes and ensure the success of the Intermodal Facility which is the basis for the TOD, 2) sets forth the concept of integrating Intermodal and non-Intermodal uses together on the Wedge Property to maximize development potential, and 3) provides the third party developer with the minimum requirements for RTA but allowing the details of the site plan and operations to be individual to the each developer's proposal.*

- D. Amendment to Interlocal Agreement R92-1479D with the City of West Palm Beach with regard to the development and operations of the Intermodal Facility. On October 13, 1992, the County, the City and the WPB CRA entered into an interlocal agreement providing for the development and operation of Intermodal Facility. The interlocal agreement had four major components; 1) shared funding for the acquisition of the property, 2) the conveyance of the .4 acre triangular parcel, 3) joint participation on determining the uses and urban form of the development on the Wedge Property, and 4) shared funding for the operation of the Intermodal Facility. The first component was completed in late 1992 according to the terms of the interlocal agreement. The intent of the second component was re-stored in October 2007 with the acceptance of the Quit Claim deed from the City for the parcel. The details of the third component have changed substantially from what was originally contemplated in terms of uses to be located on the Wedge and the specifics of the form of development.

As such, the details of the City's participation in the review and input into the form of development have changed substantially and participation in the evaluation and selection of a third party developer is now required. Also due to the changed uses, the imposition of certain conditions of development on the approved site plan and the future incorporation of non-Intermodal uses on the Wedge Property, there is a need to re-address the specifics of the shared funding for the operations of the Intermodal facility. *Amending the Interlocal Agreement with the City is significant to furthering the development of the TOD because it will; 1) provide the details of responsibility for the operations of the Intermodal Facility (security and operating hours being primary concerns) in a way that they can be documented for the third party developer in the RFP, 2) assure the City's participation in the evaluation and selection of the third party developer to ensure consistency with the vision to the TOD, and 3) provide the funding arrangements to ensure that the County and City can carry out its responsibilities.*

***Staff Recommendation: Continued management of the design and construction contracts for the Palm Tran Intermodal Facility and administration of the SFRTA Agreements 2007-1716, 2007-1717, 2007-1718, and 2007-1719. Commence discussions with the City on amendments to Interlocal Agreement R92-1497D.***

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**Department of Health (DOH) New Facilities on the Dimick Public Use Block**

On 09/24/07, the Board of Trustees of the Internal Improvement Trust Fund approved a Lease Agreement (Lease #4478) with the Department of Health to locate its new facilities on the Dimick Public Use Block facing Clematis Street, consistent with the recommended master plan for the development of the Public Use Block. That lease included several elements which are critical to furthering the development of TOD and those elements are as follows.

- a. Sublease #4478-01 with the Health Care District of Palm Beach County (HCD). Concurrent with the execution of the Trustees lease with DOH, a sublease between the Department of Health and the HCD providing for the HCD's location on the Dimick Public Use Block along Tamarind Ave. While necessary to commit to a property within the Dimick Block for HCD in order to secure the remaining funding for the construction of the new facilities, the Sublease requires the HCD to consider and accept an alternate location for the sublease which is consistent with the master plan for the Public Use Block within two (2) years or within 180 days from DOH's receipt of a Notice of Intent to Commence Design from HCD, whichever is shorter.

*This is significant to furthering the development of the TOD as it places a priority on 1) the City finalizing its modifications to the code demonstrating that the Dimick Public Use Block has the development potential, by right, to support the Public Use Block concept, 2) the State preparing the documentation necessary to demonstrate to the HCD that the alternate location has the same or greater development potential and operating characteristics to support the future HCD facility, and 3) the County and State finalizing the terms of its transaction for the location of the County's Government Center on the Dimick Public Use Block. Prior to this requirement, it is very possible that Items #2 and #3 would have dragged on due to no pressing need or reason (other than City's desire) to move forward with a land transaction for a development that is not projected to begin for 20+ years.*

- b. Modification of Department of Management Services Lease #3578. Also concurrent with the execution of the Lease #4478 and Sublease 4478-01, the Trustees modified an amendment to Lease #3578 with the Department of Management Services for the remainder of the Dimick Public Use Block (together the DOH and DMS leases cover the entire Dimick Public Use Block). *This is significant to furthering the development of the TOD as it not only introduces the concept of the Public Use Block into the other key Dimick Block partner's lease, but it; 1) defines DMS's requirements allowing for; a) the alternate HCD site to be finalized, and b) defines DMS's short and long term parking requirements which will be a key factor in the County/State land transaction, and 2) creates a structure for the short and long term relationship between DOH and DMS necessary to implement the Public Use Block concept and ultimately the TOD.*

- c. Long term Parking Requirements for Public Uses Both On and Off the Dimick Public Use Block. The Sublease requires that DOH and HCD jointly develop and ultimately agree to a joint surface parking plan for their uses upon their respective properties and allocates which; 1) requires shared parking between DMS, DOH and HCD on the Dimick Block, 2) acknowledges the need for both DOH and HCD to accommodate a portion of its parking needs outside of the Dimick Block (a key concept in the TOD), 3) requires that the DOH and HCD work cooperatively on a structured parking plan which a) accommodates the long term parking needs to DOH, DMS, and HCD, b) makes portion of the Dimick Block available for development by other public users (County), and 3) where each party (DOH, HCD, and DMS) is responsible for funding its share of the design, construction and operation of the future parking structure on the Dimick Block. *This is significant to furthering the development of the TOD in that it; 1) establishes that each party will be required to fund its share of the structured parking eliminating the concern that one party would bare an inequitable portion of the structured parking, and 2) provides guidance to the general structure for the County/State transaction in terms of how parking requirements will be met and funded.*

On 10/30/07, the Board transferred \$12,852,451 to the DOH continuing with its obligations under Agreement 2001-0587 as amended and the Health Care District is in the process of transferring the funding to the DOH pursuant to its sublease. The new DOH facilities are currently under construction.

***Staff Recommendation: Continued administration of County Funding Agreement 2001-0587 as amended and monitoring HCD and DOH's administration of Sublease 4478-01.***

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#### Next Steps to Implementation of the TOD

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#### **Agreement with the State of Florida with regard to the terms under which the County would locate its 350,000 sf Government Center and a portion of the 1400 parking space requirement to the Dimick Public Use Block.**

Using the framework and basic business terms approved by the BCC as part of its 12/5/06 direction on the State's proposal for the Dimick Block and the framework set up in State Leases #4478, #4478-01 and #3578; commence negotiations with the State on the form and details of the Agreement. To this end, a meeting between State Lands, the Department of Health, the Department of Management Services and County Staffs for December 12, 2007 to kick-off the negotiations with the key purpose being to identify the structure of the transaction. No assistance is required by the City or TCRPC in this action item as direction on the business terms has already been set forth and at this point is primarily a complicated exercise in structuring the agreement so that it; 1) assures the County sufficient property for the future development and operation of the Government Center on the Dimick Public Use Block, 2) assures the form and timing that the State will be compensated fair market value for the property that is being used solely by the County, 3) maintains flexibility required to address the unknown outcome of the HCD sublease and outcomes of the actions of various other parties over the next 20 years. *This is*

*significant to furthering the development of the TOD in that; 1) it is needed to ensure that the County has property to accommodate the relocation of the Government Center in the future so that it can offer the Evernia/Datura Property for disposal, 2) identifies the minimum compensation requirements for land being disposed of by the County for inclusion in the RFP, and 3) identifies the minimum parking requirements for the public uses which will have to be incorporated and integrated into the TOD, off of the Dimick Public Use Block for inclusion in the RFP.*

It is for this reason (as well as concluding the development of the vision for the TOD discussed below) that the issuance of the RFP can not proceed the conclusion of the Agreement with the State. As far as the actual preparation of the RFP for advertisement, once the; 1) relationship of the County, State, City and SFRTA are known and each parties' participation in the evaluation and selection of a TOD third party developer(s) has been delineated, 2) minimum requirements are known (compensation and parking are the only two areas that the County will mandate a specific response), and 3) the City's vision for the TOD are completed for inclusion as the background and technical requirements of the RFP; the RFP can be prepared for advertisement in less than 30 days.

It is for the same reasons that Staff can not recommend that any portion of the County's property east of Tamarind be disposed of prior to concluding the Agreement between the State and County as a partial disposal of property would; 1) reduce the remaining property on Evernia/Datura to point that it is insufficient to accommodate the Government Center in a manner which meets its visibility and operational requirements in the event that an Agreement with the State was not reached or ultimately any of the contingencies were unfilled, and 2) eliminate the ability of the County to ensure inclusion of all of the necessary minimum requirements in the partial disposal, further burdening the remaining property and decreasing the viability of the TOD.

***Staff Recommendation: Continue with the negotiations with the State of Florida documenting the terms of the County's relocation of its Government Center to the Dimick Public Use Block prior to issuing any RFP or considering the disposal of any County property, east of Tamarind Ave within the TOD.***

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### **City's Vision for the TOD**

In March 2006, at the lead of the City with assistance of TCRPC, stakeholders within the TOD worked on various urban form scenarios for the TOD along with a market analysis and public funding assistance requirements for the TOD. As a result of the State's Proposal dated 10/20/06 and subsequent Board's direction on 12/5/06, Amendments to the DOH and DMS Leases to create the Public Use Block, the change in the market conditions and recent judicial actions relating to the use of tax increment financing (TIF) funding; Staff believes it appropriate to revisit its Vision for the TOD. In general, the vision and plan need to be modified to reflect the current residential and non-residential market conditions and availability of public funding assistance as these are fundamental premises supporting the TOD as originally envisioned.

At a minimum, the areas of the TOD Vision that need to be re-visited are to; 1) incorporate the Public Use Block concept including identification of how the parking requirements for the public uses will be accomplished within the TOD, 2) evaluate whether the incorporation of a public market in the TOD is appropriate and compatible with the desired urban form, 3) define the specific uses that are desirable for the remaining portion of the Wedge property consistent to

maximize the extreme development potential assigned to the Wedge Property, 4) update the market analysis to update the intensities and densities of desired uses, provide a realistic phasing/approach to the development of the TOD, and 5) address the viability of the TOD in the event that TIF funding is not available for financing of public infrastructure.

*This revisit to the Vision is significant to furthering the development of the TOD in that it will; 1) serve as the basis for the content of the responses to RFP, 2) provide a plan from which a preliminary traffic analysis can be performed to determine if sufficient capacity exists to support the TOD and what improvements are required to accommodate same (a key issue in a developer's response to the RFP and in the value of the property being disposed of), 3) identify any additional modifications to the Downtown Master Plan that are needed to provide some level of certainty to the respondents of the RFP that the basic elements of the urban form can be accomplished within the City's code. The latter is critical to ensuring that the responses are consistent with the City's vision and ultimately expediting the development of the TOD. Of equal import, is the need for an updated vision and specific plan for the TOD including an updated market analysis and feasibility report which, at a minimum, will be needed to support a referendum for the use of TIF for the public improvements.*

In addition to County Staff recommending that no County property east of Tamarind Avenue be disposed of prior to execution of the Agreement between the State and County with respect to Dimick Public Use Block, County Staff can also not recommend the disposal of any property prior to revisiting the Vision in that to do so would compromise the overall ability to redevelop the TOD District in a manner consistent with the Vision. For the same reason, Staff can also not recommend that any approvals to develop the remaining portion of the Wedge property be considered until the revisited Vision is completed.

In August 2007, the City Commission approved amendments to the Downtown Master Plan Element of the Comprehensive Plan to include the concept of a TOD District incorporating different development requirements for three different areas within the TOD. The specific regulations for each of the three areas have been delineated in terms of allowing for mixed use development, increased maximum floor area ratios and increased maximum heights with the ability to increase maximum height restrictions by participating in incentive programs. The City is also currently undergoing a process to update the Zoning and Land Development regulations which implement the Downtown Master Plan as well as considering a Zoning in Progress action in December 2007 to allow for new development to proceed while the new zoning regulations are drafted. The general vision for the area emphasized the opportunities to design a new pedestrian friendly residential neighborhood within close proximity to public transportation. The area was identified to include attainable, work-force and market rate housing as well as a percentage of office uses encouraging the mix of uses that ideally creates an active urban neighborhood.

While that general vision for the TOD has not changed, further definition may be appropriate and/or warranted to better implement the revised Vision for the TOD. Further, by having a code in place that supports the City's Vision for the TOD, the development of the TOD is furthered by allowing for a RFP that is more likely to result in favorable responses by increasing the ability to implement the response within the established code thus; 1) increasing the competitive nature of the RFP resulting in the most responsive proposal to all requirements, 2) reducing the number of contingencies required within the responses, 3) providing for a more objective evaluation of the responses to the RFP, and 4) increasing the long term probability of successful implementation of the TOD by allowing the developers' responses to better focus its efforts/resources on affordable and workforce housing and increased participation in public infrastructure within the TOD.

***Staff Recommendation: Prior to the disposal of any County property east of Tamarind Ave or the approval of any development within the TOD west of Tamarind, that the County continue to work with the City on revisiting the Vision for the TOD including having TCRPC assist the City in the Vision, market analysis and alternate funding scenarios. When that is completed, work with the County to determine if further modifications to the Downtown Master Element are desirable to increase the probability of successful implementation of the TOD.***

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**Timing of the Issuance of the RFP**

As is discussed above and for the reasons previously delineated, Staff believes that the County and Staff has already made this transaction a priority by; 1) the amount of time spent on this unfunded project and 2) the actions which have furthered the TOD have been incorporated into all applicable and related transactions and agreement in the interim despite the TOD enabling language protracting the conclusion to, and increasing the complexity of those transactions and agreements in the interim

***Staff Recommendation: Continue with the previous Board direction and use the work products from Amendment to the Interlocal Agreement with the City, the terms of the Agreement between the State and the County with respect to the Dimick Public Use Block, and the City's Vision for the TOD; County Staff will prepare and issue a RFP.***



***Downtown Master Plan,  
Government Hill Master Plan, and  
East Central Regional Service Center Master Plan  
Updates - Projected Space Needs Through 2025 +***

In the 1980's, the Board of Commissioners made three significant decisions impacting its facilities future with its decision to; 1) construct the Governmental Center in downtown West Palm Beach ("Downtown"), 2) locate the Main Courthouse in the Downtown, and 3) locate the hub of countywide general government services at the East Central Regional Services Center ("Airport Center", see Map 1 for all properties). While Downtown is commonly known as the county seat, another County-owned property in downtown West Palm Beach plays a role in the future master plan for the County and that is known as the Government Hill property. For the purposes of this report, the Downtown and Government Hill properties are collectively referred to as the "County Center." With the significant facilities growth during the last 20+ years which included the creation and expansion of branch and satellite services, the decisions that; 1) the Downtown would be the home of the main offices of the Board of County Commissioners, the constitutional officers and the court system, and 2) that Airport Center would be the home of general government services, have together been the most basic and overriding factor in all facilities planning decisions.

In a series of workshops in 1994, the Board updated the three Master Plans which are the subject of this report (Downtown, East Central Regional Service Center, and Government Hill, collectively known as "Master Plans" in this report) and created four additional for the various multi-tenant campuses. Since that time, the Board has been implementing the acquisitions and dispositions necessary to implement the Master Plans. The only Master Plan that was required to be re-visited in the future was the Government Hill Master Plan pending the finalization of siting, funding and relocation of the State/Department of Health from the County's Government Hill property. While the agreement between the County and the State for the funding and relocation of the Health Department from Government Hill was executed in 2001, the date and actual new location for the Health Department was not known until recently. As a result, Staff is bringing this report to the Board at this time to update the Government Hill Master Plan. In order to update the Government Hill Master Plan, the Downtown Master Plan as well as that of the East Central Regional Service Center must also be updated simultaneously.

This report projects the overall space and facility needs for the entities that currently have their main offices in the Downtown, East Central Regional Service Center and Government Hill Properties through the Year 2025 and beyond, provide general information about development potential and property valuation for the purposes of determining whether the Master Plans need an update or modification and as such set forth the necessary actions required to continue implementation of the master plans.

It is important to note that implementation of the County's Property Master Plans have been successful in identifying and preserving land necessary for long term growth and being able to accommodate changes in the service delivery patterns throughout the County. Only once in the last 20 years has the County made a significant modification of its plans and that is with move of various uses from Section 6 to Vista Center. While that move is generally considered successful from various perspectives, it can not be compared to the magnitude of a decision which would change the three Master Plans discussed herein. In the case of the County Center, there is a historic presence in the current location, the current location is perceived as geographic center of coastal Palm Beach County and acts to recognize the County's role in both the unincorporated and municipalities, and the unavailability of properties with significant amounts of non-residential development potential; all of which lead to much narrower siting criteria and high risk associated with a modification to the Master Plans.

## ***1.0 Background Information***

### ***1.1 Property Information***

#### ***1.11 Downtown Property***

The Downtown Property consist of five blocks of various sizes; 1) Judicial Center Parking Garage Block, 2) Judicial Center Block, 3) Criminal Justice Building Block, 4) Block D, and 5) Government Center Block. These properties are shown on Map 2.

- 1.111 Judicial Center Parking Garage Block.** This 6.21 acre block is bounded by Baynan Blvd on the south, Rosemary Ave on the west, 3<sup>rd</sup> Street on the north and the FEC Railroad on the east. There is an elevated pedestrian bridge connecting this Block to the Judicial Center Block. Substantial portions of this Block were donated to the County by the West Palm Beach CRA in 1991-1995 for the purpose of constructing a parking garage to service the Judicial Center. Currently there are a total of 1223 parking spaces on the block; 1066 in a four story structured parking garage and 157 in surface parking. The planned expansion of 600 cars will increase the parking structure to six stories and is anticipated to accommodate the build-out of the 8<sup>th</sup> and 7<sup>th</sup> floors of the Courthouse.

This Block is currently zoned for a Building Type III and identified as an eligible 8 story receiving site with the transfer of development rights. The use of development rights could be used toward accomplishing a stand alone building on the current surface lot. However, based on the intense parking operation which occurs on this property, expansion of the parking structure over the surface lot was determined not to be cost effective as an alternative to vertical expansion of the garage. In addition, the construction of an occupied building/garage combination structure on the surface lot was also reviewed in detail prior to commencing design on the parking garage expansion and was determined not to be feasible due to; 1) the interim and permanent operational impacts on the parking operations, and 2) the inability to find a court use to occupy the building due to security and operational inefficiencies.

Therefore, while some additional office development potential exists on this property, it will likely remain unused due to operational considerations. As such, this block is not considered to have any future County development potential from an operational perspective.

- 1.112 Judicial Center Block.** This 4.96 acre block is bounded by Banyan Blvd on the south, Quardille on the west, 3<sup>rd</sup> Street on the north and Dixie Highway on the east. This Property was assembled by the County for the purpose of constructing the Main Courthouse. The Main Courthouse is a 700,000 sf building of 11 stories. Two stories remain as shell and are programmed for build-out within the next five years. This block has no further development potential.
- 1.113 Criminal Justice Block.** This 2.68 acre block is bounded by 3<sup>rd</sup> Street on the south, Quadrilla on the west, 4<sup>th</sup> Street on the north and Dixie Highway on the east. The property was assembled by the County with partial funding assistance by the City in 1991. The purpose of constructing the Criminal Justice Building of 165,000 sf to house the State Attorney and Public Defender offices as well as the Central Energy Plant. There is a small surface parking lot for both disabled public parking and some employee parking that has limited development potential. However, this parking area is not generally considered to be cost or operationally effective to expand upon due to; 1) the need for disabled surface parking in proximity of the Courthouse, and 2) the amount and type of underground utilities and central plant infrastructure which would have to be relocated. As such, this Block is considered to have no further development potential.
- 1.114 Block D.** This 3 acre block is bounded by 3<sup>rd</sup> Street on the south, Dixie Highway on the west, 4<sup>th</sup> Street on the north and Olive Avenue on the east. The property was purchased between 1991-1993 by the County at a cost of approximately \$6.8 million for the purposes of future expansion to the Courts. Currently there is a 325 car surface parking lot (225 for Government Center and 100 for Courts) and a 3,000 sf building slated for demolition upon completion of the 1916 Courthouse restoration. When this property is redeveloped, these existing parking spaces will have to be incorporated into a new garage structure as part of the new construction on Block D.
- 1.115 Governmental Center Block.** This 4.51 acre block is bounded by the 1<sup>st</sup> St/ 2<sup>nd</sup> St alley on the south, Dixie Highway on the west, 3<sup>rd</sup> Street on the north and Olive Ave on the east. A large part of this Block was the site of the original County Courthouse and general government offices. The remainder of the block was purchased in the 1980's for the Government Center and Government Center Parking Garage.

Currently the following improvements occupy the Government Center Block; 1) 36,000 sf 1916 Courthouse, 2) a 302,000 sf Governmental Center, and 3) a 640 car structured parking garage. The 1916 Courthouse site has development potential, but restrictions associated with the acceptance of State grant money for the restoration severely restrict and/or eliminate the re-development potential of this site. However, there is an estimated 359,842 in development rights that could be transferred to another County property in the Downtown Master Plan or sold under current City Ordinances. Beyond the transfer or sale of approximately 359,000 sf of development rights, this block has no further development potential.

### **1.12 Government Hill Property**

The Government Hill properties consist of two properties (see Map 3) for a total of 6.68 acres on both sides of Evernia Street. The north property (4.46 acres) is generally located between Datura and Evernia Streets and Tamarind and Sapodilla although both the east and west ends of the block are privately held. The south property (2.22 acres) is generally the north ½ of the block between Evernia and Fern Street, again with privately held parcels at the east and west end. This property and the building currently occupied by the Community Services Department on Datura Street was the previous location of general government uses initially moved from the County Courthouse/Government Center. The block immediately to the north (between Datura and Clematis) is owned by the State of Florida and is known as the Dimmick Block. The block immediately to the north of that (between Clematis and Banyan) is owned by the Federal Government and is slated for a new Federal District Courthouse.

In addition to the Community Services Building on Datura, there are four buildings on both sides of Evernia that are occupied by the State of Florida/Department of Health that have exceeded their useful life and are to be vacated by the DOH as soon as replacement space is constructed. Pursuant to an agreement with the State and DOH, the buildings will be vacated and returned to the County where they are slated for demolition.

Despite numerous offers and approaches by governmental and private parties over the years, the disposition of the property was last formally addressed by the Board of County Commissioners in 1994 at which time the direction was to not consider alternate uses until such time that the timing of the relocation of the Health Department was known and then to determine whether the land was required for County use or whether it could be sold and the proceeds used to purchase land in another location.

The County also owns approximately 5 acres of property immediately west of Government Hill and the CSX Railroad (see Map 3A), generally known as the Wedge property due to its unique shape. This property was purchased in 1992 with 80% FTA, 10% FDOT, 5% County and 5% City funding for the purpose of creating an Intermodal Transfer Station including parking for the Tri-Rail (a minimum of 250 spaces) and transit related private development. Because of its unique shape and the specific operating characteristics of the transit users, County development at the intensities required to meet the County's need as a replacement for the Government Hill properties is not feasible. This was confirmed by the proposal that was submitted by CSX (the previous owner) to the County's RFP for the East Central Regional Service Center (which resulted in the purchase of Airport Center). The CSX proposal responded to a need that was of lesser intensity than that required for a replacement property for Government Hill. While not suitable for County development and hence not considered a part of the County's Government Hill Master Plan, the property remains available and viable for private transit related and supporting development by private parties. This property is also an eligible receive site for a maximum of 20 stories pursuant to the Downtown Master Plan through the transfer of development rights.

### **1.13 East Central Regional Service Center (Airport Center)**

The 19 acre (of which about 6 acres are undeveloped) Airport Center Property (see Map 4) was purchased in 1992 after an RFP was conducted for properties suitable for the East Central Regional Service Center to house countywide general government services. The property is located at the northwest corner of the intersection of I-95 and Southern Blvd and is accessed from both Southern Blvd and Australian Avenue. Currently, two 62,000 sf buildings exist as well as a 16,000 sf building which will be sold back to the Hotel

as part of a Settlement Agreement. A scheduled capital improvement project to; 1) construct a central energy plant to serve the two existing buildings and the planned future office building and 2) undertake major building systems renovations/upgrades to the two existing buildings, are both planned for 2007. These improvements will also vest the remaining 175,000 sf of development potential on the property. At the completion of the central energy plant and renovations, the existing buildings will be loaded with countywide general government users.

## ***1.2 Tenant List and Space Requirements***

The following tenants are listed by functional group and are currently located in the County Center.

**Table 1**  
**Current County Center Tenant List**

<b><i>Board of County Commissioners</i></b>	<b><i>Constitutional Officers</i></b>	<b><i>General Government</i></b>	<b><i>Court and Court Related</i></b>
County Administration	Clerk & Comptroller	Community Services	15 <sup>th</sup> Judicial Circuit & County Court
County Attorney Office	Property Appraiser		Clerk & Comptroller
County Commissioners	Tax Collector		Justice Services
County Engineer			Public Defender
Criminal Justice Commission			Sheriff (Court Services Bureau including Civil Warrants)
Finance (Clerk & Comptroller)			State Attorney
Financial Management and Budget			
Information Systems and Services			
Legislative Delegation			
Municipal League			
Public Affairs			

This list demonstrates the overriding facilities trends of the last twenty years; 1) that general government services have been moved (with one exception) from the County Center to the East Central Regional Service Center, and 2) that constitutional offices have either relocated from the County Center or shifted substantial portion of operations to the branches; leaving only the direct Board of County Commission functions, the central offices for the Constitutional officers, and the Court functions in the Downtown.

Policy Decision: Is there any further decentralization or relocation which can occur within a functional group?

The space needs are based on historical growth information projected forward. For the purposes of this report, Staff was very sensitive to not overstate the needs, however this approach may result in fewer options in meeting its future governmental program and service objectives/requirements if decisions are made which reduce or eliminate the County's future flexibility.

**Table 2**  
**Current and Future Space Requirements by Functional Group**

<i>Functional Group</i>	<i>Current Space</i>	<i>Future Space Need <sup>1</sup></i>	<i>Total Space Need</i>
Board of County Commissioners & Constitutional Officers	302,000 sf & 865 parking spaces 19,000 sf (1916 Courthouse)	200,000 sf & 800 parking spaces.	502,000 sf & 2000 parking spaces.
General Government	27,000 sf and 150 spaces	30,000 sf & 120 parking spaces.	57,000 sf and 270 parking spaces
Court	865,000 sf and 1953 parking spaces	500,000 sf <sup>2</sup> & 2000 parking spaces <sup>3</sup>	1,365,000 sf & 3953 parking spaces
Total	1,213,000 and 2368 parking spaces	730,000 sf & 2920 parking spaces	1,924,000 sf & 6223 parking spaces

- 1 These projected needs do not take into account the addition of any new programs or the County assuming any additional programs from the State or Federal government.
- 2 Any space intensive operational changes to increase the effectiveness of the court are not considered in this number but will be known at the conclusion of the Judicial Facilities Master Plan Study in late 2006.
- 3 These needs are in addition to the 800 car garage expansion planned for 2006/2007 which are included in existing total. It also reduces the ratio of parking from 5/1000 to 4/1000.

The largest and most complex component of the projections are those for the Courts. The study is underway and is projected to be completed within the next 3-4 months in advance of the design and build-out of the 8<sup>th</sup> Floor of the Courthouse. While the gross future requirements are projected at this time, the operational details are not, and it should be re-stated that preserving flexibility is critical as any space intensive operational changes to increase the effectiveness of the court system are not considered in this number.

## **2.0 *Property Master Plan***

### **2.1 *2025 Master Plan Assignments***

In making the siting and space assignments, a series of site and space specific assumptions are required. The following siting assumptions were used in the existing and proposed updates to the Master Plans.

- 2.11 The base of court functions will remain in Downtown and court programs/services can not be split between two locations or campuses.
- 2.12 All Clerk & Comptroller functions will ultimately be housed with the Court function, but for Finance.
- 2.13 Space for the constitutional officers and the BCC departments currently located downtown, must remain either at the County Center or East Central Regional Service Center.
- 2.14 Services will continue to be provided based on general the same model/ratio of centralized to decentralized services.
- 2.15 The Master Plans should be based on only the level of density and intensity of development that is currently allowed by applicable codes, although changes that are being considered have been noted in the text.
- 2.16 The Master Plans should be based on the greatest projected space requirement and as a result the numbers identified in this report have eliminated the previously reported ranges and reflect the maximum projected space requirement.

### **2.2 *Downtown Property***

The growth needs of the Court as identified in Table 2 is 500,000 sf and 2000 spaces. The key assumptions are; 1) that all Court and court related functions must be located Downtown, 2) that the parking demand will be reduced from 5 spaces per 1000 sf to 4 spaces for 1000 sf, and 3) that 325 existing parking spaces will have to be made up as part of the new construction of Block D. The timing of the need for this space is likely to be 2012-2017.

As previously discussed, some development potential exists on the surface parking lot at the Judicial Center Parking Garage, but it is operationally and financially undesirable. In addition, development potential exists on the 1916 Courthouse portion of the Government Center block, but as previously discussed its only use/value is as development rights for transfer or sale. As such, the focus of the future development of the Downtown Properties is on Block D.

Block D is zoned by the City's Downtown Master Plan as a Building Type III which permits development up to five stories. The parcel is identified as an eligible 10 story receiving site on the TDR Map, meaning that Block D may be developed up to 10 stories with the transfer of development rights.

The actual design of the building and parking on Block D is dictated by the parking and security requirements for the Courts. Parking would not be feasible in any fashion within the building structure itself requiring the parking to be in an immediately adjacent structure. Due to the proximity of the parking to the Court building, parking will only be available to employees but would not provide for crossovers and multiple points of entry to the building. It has been assumed that in this particular case a 8 story parking deck (as compared to the maximum six story parking dek for mixed use garages) would be acceptable from an operational perspective as timing of ingress/egress and space allocation could be managed more closely than in a public lot. The parking demand and operational constraints associated with security will likely not allow for additional development beyond the 10 stories on Block D. For the same reasons listed above (security and limited parking), residential or other non-Court uses are not feasible on this block.

The most intense design option is a 10 story, 25,000 square ft/floor building with an eight story parking structure for a total of 1336 parking spaces (1000 needed for the new building + 325 replacement). This design option requires a minimum of 2.772 acres of this 3.0 acre property. Depending on the land development regulations in place at the time of development (buffers, setbacks, water retention, etc) it may be possible to increase the footprint of the parking garage to provide for 1864 spaces, allowing for about 375,000 sf of space and 11-12 stories of office building. The City of West Palm Beach has already directed its planning consultant to evaluate increasing the height allowed by code to 15 stories.

Policy Decision: Should the County request that the City amend its Master Plan to allow for 12 stories of development on Block D without the use of the development rights?

Therefore, in order to fulfill the Courts long term needs, there is a requirement for an additional 250,000 sf in Court expansion space which can only be met through the use of the Government Center Block. While the Government Center Building is 302,000 sf, by assuming that the Clerk & Comptroller, except for Finance, will remain Downtown; the entire building is accounted for.

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The following table summarizes the Courts' space needs and master plan in the Downtown.

**Table 3**  
**Downtown**  
**Space Allocation and Projections 2025 +**

<i>Use</i>	<i>Location</i>	<i>Square Footage &amp; Parking</i>
Court	Judicial Center Block & Judicial Center Parking Garage	700,000 sf and 1953 parking spaces
Court Related and Support	Criminal Justice Block	165,000 sf (pkg included above)
Court Related and Support	Block D	250,000 sf and 1336 parking spaces
Court Related and Support	Government Center Block	302,000 sf and 640 parking spaces
Total		1,417,000 sf and 3929 parking spaces

### **2.3     *Airport Center Property***

The constitutional officers, a couple departments providing countywide general government services and Community Services would be accommodated by a new tower and parking garage at Airport Center. As previously indicated, the County has capacity for 175,000 sf and associated parking to accommodate expansion of existing Building 1 and 2 users as well as the new users. The relocation of the constitutional officers would not impact the designation of West Palm Beach as the county seat, as the Board has the ability to amend, by resolution of the BCC the boundaries of the county seat beyond the municipal limits of West Palm Beach.

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Table 4 indicates the projected tenant list and space assignments for Airport Center. The timing for this construction is between 2012-2017.

**Table 4**  
**East Central Regional Service Center (Airport Center)**  
**Tenant List and Space Projections 2025+**

<b>Tenants - Existing</b>	<b>Future Space Requirements</b>
Facilities Management	12,500 sf
Housing and Community Development	18,000 sf
Human Resources	22,000 sf
Internal Auditor	6,000 sf
Public Safety, Consumer Affairs, Victim Services & Youth Affairs	20,000 sf
Purchasing	18,000 sf
Risk Management	24,000 sf
SBE Offices	5,000 sf
<b>Tenants - New</b>	
Community Services	48,500 sf
Property Appraiser	66,000 sf
Tax Collector	59,000 sf
Total	299,000 sf & 1200 parking spaces

#### **2.4 Government Hill Property**

The remainder of the County's long term space needs (350,000 sf and 1400 parking spaces) would be accomplished at the Government Hill property. The development potential and the location is highly desirable and hence the interest by other governmental entities and private parties throughout the years. The Government Hill Property has been included in various master planning efforts by the City and a private transit oriented development proposal put forth in 2005.

The location of this property (both adjacency to transit and adjacency to key governmental buildings and City Place) is a key reason for the interest. This property and surrounding two blocks are the only remaining large undeveloped or redevelopable parcels in the urban downtown. As a result, it is anticipated that the value of this property will continue to increase and at a much faster rate than other parcels and even undeveloped parcels in other existing and/or emerging downtowns or urban centers.

Using the 350,000 sf and 1400 parking space requirement, the following design options exist. It needs to be kept in mind, that development on this site is not likely to be required until after 2020 and likely after 2025.

The Government Hill Properties are eligible for building heights of up to 8-10 stories (it varies through the property) with the transfer of the development rights to the site. If the County were to construct to the existing Building Type III height limitation of 5 stories, it would just barely be able to meet its future space and parking needs as projects using all Government Hill holdings. The City of West Palm Beach is already considered amendments to the Downtown Master Plan and other initiatives that would increase the height restrictions on the Government Hill Property.

Policy Decision: Should the County request that the City amend its Master Plan to allow for 15 stories of development on the Government Hill property north of Evernia Street with or without the use of the development rights?

Assuming that building heights of 10 stories over the entire Government Hill property north of Evernia Street could be achieved (with a Downtown Master Plan change and the transfer of development rights), the County would require the entire Government Hill property north of Evernia Street to accomplish its projected space and parking needs.

Taking that one step further to try accommodate the County's needs for 350,000 sf and 1400 spaces and to minimize the County's land requirement at Government Hill; the following options could be implemented.

Design Option A	a 14 story, 25,000 sf ft/floor with 1400 spaces, 6 story garage = 3.38 acres
Design Option B	a 13 story, 26,923 sf ft/floor with 1400 spaces, 6 story garage = 3.42 acres
Design Option C	a 12 story, 29,167 sf ft/floor with 1400 spaces, 6 story garage = 3.48 acres

Staff recommends Option A be used for planning purposes and when considering changes to the Government Hill Master Plan.

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Table 5 summarizes the tenant list and spaces assignments for Government Hill.

**Table 5**  
**Government Hill**  
**Tenant List and Space Projections 2025+**

<b><i>Board of County Commissioners</i></b>	<b><i>Future Space Requirements</i></b>
County Administration	15,000 sf
County Attorney Office	35,000 sf
County Commissioners	20,000 sf
County Engineer	2,000 sf
Criminal Justice Commission	8,500 sf
Finance (Clerk & Comptroller)	40,000 sf
Financial Management and Budget	15,000 sf
Information Systems and Services	90,000 sf
Legislative Delegation	2,000 sf
Municipal League	1,000 sf
Public Affairs	40,000 sf
Contingency <sup>1</sup>	81,500 sf
Total Square Footage	350,000 sf

1 This square footage accounts for the total range of projected space requirements as well as contingency for new or modified requirements.

With the implementation of the above master plans, the following space assignments would exist. The agencies that have changed locations are shown in italics.

**Table 6**  
**County Center and East Central Regional Service Center 2025+**  
**Tenant List**

<i>Downtown</i>	<i>Airport Center</i>	<i>Government Hill</i>
<i>Courts</i>	<i>General Government</i>	<i>Board of County Commissioners</i>
15 <sup>th</sup> Judicial Circuit & County Court	<i>Community Services</i>	<i>County Administration</i>
Clerk & Comptroller - <i>Executive &amp; Court Services</i>	<i>Criminal Justice Commission</i>	<i>County Attorney Office</i>
Justice Services	<i>Property Appraiser</i>	<i>County Commissioners</i>
Public Defender	<i>Tax Collector</i>	<i>County Engineer</i>
Sheriff (Court Services Bureau including Civil Warrants)		<i>Criminal Justice</i>
State Attorney		<i>Finance (Clerk &amp; Comptroller)</i>
		<i>Financial Management and Budget</i>
		<i>Information Systems and Services</i>
		<i>Legislative Delegation</i>
		<i>Municipal League</i>
		<i>Public Affairs</i>

## 2.5 *Alternates to Government Hill*

In studying this tenant list two policy decisions are raised; 1) does the Board of County Commissioners need to located either near the Court and/or general government functional groups, and 2) should other locations (other than Government Hill) be considered for the location of the Board of County Commissioners?

Policy Decision: Does the Board of County Commissioners need to be located either near the Court and/or general government functional groups?

There are several properties that have, in the past have been considered, or can be considered for alternate locations for the Government Hill functions. These include; 1) the ±15 acre County-owned parcel at Belvedere Rd, 2) the ±19 acre PBIA Entrance Parcel, 3) the ±7 acre Armory parcel at the southwest corner of Congress and Southern Blvd, and 4) the Mangonia Park Park TOD. The location of all of these sites is shown on Map 5.

Policy Decision: Should other locations be considered for the future home of the Board of County Commissioners?

- 2.51 **Belvedere Road 50X Complex.** This approximately 15 acre parcel is currently County-owned and has good visibility and access. However, it is immediately adjacent to residential community and is a critical parcel in the Airports Master Plan. The County is currently negotiating an exchange of this property for the Airport owned Cherry Road facility (fka Kings Academy) to achieve the Airports long term airport related development goals as well as meet the County's long term needs for very low intensity warehouse and industrial uses.
- 2.52 **PBIA Entrance Parcel** - SW corner of Belvedere and Australian. This approximate 19 acre parcel is currently Airport owned and is planned for the development of airport related mixed used development.
- 2.53 **Armory Parcel.** This approximately 7 acre parcel is currently Airport owned and is included in the Airport Master Plan. While the visibility appears to be good at the SW corner of the intersection of Congress and Southern, there is no access from Southern Blvd, the Congress flyover eliminates access from Congress Ave, and the curve on Gun Club Rd may limit egress to right out only. For these reasons, this parcel can not practically support a high intensity use.
- 2.54 **Mangonia Park TOD.** The general location of this site is outside of what is considered to be the geographic center of the County, is without the visibility appropriate for these countywide functions, and because of the lack of related uses and businesses, would result in many additional vehicular trips which do not currently exist. The separation from both the functions housed Downtown and at the East Central Regional Service Center is problematic for the same reasons. Also, the County has been sensitive in the past to Riviera Beach's and Mangonia Park's formal and informal requests to limit/eliminate County land purchases within the municipal boundaries so as to maximize property tax revenues.

### **3.0 Modifications to the Master Plan**

In addition to making a decision to confirm the existing master plans or consider changes based solely on perception or historical factors, development potential to meet future needs and preserving the financial value of County's real estate; it is also necessary to take a second look at the assumptions that have been made and evaluate the other risks that may influence the ultimate outcome.

#### **3.1 Siting Assumptions**

Throughout this report, the following assumptions have been made and Staff believes them to be reasonable and appropriately conservative.

- 3.11 The base of court functions will remain in Downtown and court programs/services can not be split between two locations or campuses.
- 3.12 All Clerk & Comptroller functions will ultimately be housed with the Court function, but for Finance.
- 3.13 Space for the constitutional officers and the BCC departments currently located downtown, must remain either at the County Center or East Central Regional Service Center.
- 3.14 Services will continue to be provided based on general the same model/ratio of centralized to decentralized services.
- 3.15 The Master Plans should be based on only the level of density and intensity of development that is currently allowed by applicable codes.
- 3.16 The Master Plans should be based on the greatest projected space requirement and as a result the numbers identified in this report have eliminated the previously reported ranges and reflect the maximum projected space requirement. This approach should also provide for some contingency for changes in policy and service delivery over time.

#### **3.2 Risk Assumptions**

In addition to the specific assumptions that have been made, the following general risks exist and need to be monitored on an on-going basis to ensure that reality is tracking the projections so that interim course corrections can be made to adjust for deviations.

- 3.21 The projections are based on the actual parking demand for governmental offices reducing over time from 5 spaces per 1000 sf to 4 parking spaces per 1000 sf general government offices. Due to our large requirement, this could mean a difference of almost 1000 spaces. There is insufficient development potential in the County Center to support this parking need (unless provided off-site). Previous attempts (including substantial road construction, lack of parking, high fuel costs and incentives for transit use) to reduce parking needs in the Downtown have been less than successful.

- 3.22 No area wide traffic studies have been conducted to determine whether the downtown West Palm Beach roadway network can support this level of County development as well as the projected development and redevelopment of others. Since the County is projecting that it will not develop the Government Hill Property (or replacement property) until approximately 2025, the County will be last to develop and may be required (either operationally or from a regulatory perspective) to; 1) either limit its development to the available capacity, 2) make costly roadway infrastructure improvements, and/or 3) be required to make significant financial contributions to transit operations.
- 3.23 Land development regulations and ordinances will be modified and enacted over time. Those modifications and new regulations may further limit the development capability of a property (as opposed to define design of same). The risk is greater in municipalities where there is a separate governing body responsible for those codes. An example of this is the City of West Palm Beach's TDR Ordinance and Downtown Master Plan which could be modified or repealed and dramatically impact the development potential of the downtown properties.

### **3.3 *Policy Issues and Recommendations***

The following summarizes the key policy issues associated with the County Center and East Central Regional Service Center Master Plans and staff recommendations on each.

- 3.31 **Is there any further decentralization which can occur within functional groups?** Staff recommends that no further decentralization, beyond that already identified, occur within functional groups.
- 3.32 **Do the Board of County Commissioners and Constitutional Office functional groups need to be located adjacent to each other?** Staff recommends that the Board make this decision based on its opinion of the requirements, perception and convenience but that at a minimum, the County Commissioner and Constitutional functional groups be located either adjacent to each other, or at a combination of the County Center and Airport Center, but not any further distances.
- 3.33 **Should the County request that the City of West Palm Beach amend its Master Plan to allow for 12 stories of development on Block D without the use of the development rights?** Staff recommends that the Board authorize Staff to formally request an amendment to the Downtown Master Plan allowing for the development of 12-15 stories on Block D without transferring development rights. Staff believes this appropriate to ensure that the planned development on the block can be realized in support of the County's long term development plans. It also eliminates the risk that TDR Ordinance is amended in a way that precludes the transfer.
- 3.34 **Should the County request that the City amend its Master Plan to allow for 15 stories of development on the Government Hill property north of Evernia Street with or without the use of the development rights?** Staff recommends that the Board authorize Staff to request an amendment to the Downtown Master Plan allowing for the development of 15 stories on the Government Hill property north of Evernia Street with or without the transfer of development rights. Staff believes that this is appropriate to ensure that the planned development on Government Hill can be realized in support of the County's long term development plans as well as to facilitate other redevelopment objectives of the City. It also eliminates the risk that the TDR Ordinance is amended in a way that precludes the transfer.

- 3.35 **Is there any other acceptable location for the Board of County Commission functions besides for Government Hill?** For the primary reasons of; 1) adjacency to other key functional groups, 2) for maintaining the historic as well as perceived County Center, 3) and for the adjacency to key State and Federal governmental holdings, and 4) for strictly financial land holding reasons; Staff does not recommend that the Board of County Commissioner functional group be relocated from Government Hill.

However, Staff can recommend a partial disposition of the Government Hill holdings as follows (see Map 6).

- 3.351 Staff recommends the sale of the Government Hill property south of Evernia Street (GH - A), a total of 2.26 acres, upon the vacation of the property by the State/Health Department.
- 3.352 Staff recommends the sale of a .16 acre parcel (GH - B) subject to; 1) the owner agreeing to a certain number of attainable housing units, 2) County employees be given preference on sale/lease, and 3) only if and after the height restrictions on the Government Hill property north of Evernia is increased to 15 stories and the City releases/abandons all remaining interests in the Block, such as alleys, easement, etc.
- 3.353 Staff recommends that a 50' strip of land at the south end of the Evernia/Datura Block be reserved for either right-of way or incompatibility buffer (GH-C), a total of .32 acres only after; 1) the City releases/abandons all remaining interests in the block such as alleys, easements, etc and 2) the height restrictions on the Government Hill property, north of Evernia Street, is increased to 15 stories. If the ROW is ultimately needed, the ROW would be conveyed to the City. If the ROW is not required, the property would be retained by the County for ingress/egress for the parcel and an incompatibility buffer.
- 3.36 **Should the County consider meeting its need for four (4) acres on Government Hill in a different location within the City's proposed Transit Oriented Development District in order to facilitate the transit oriented development and workforce housing?** Staff can accommodate the County's requirements with the remaining four (4) acres between Datura/Evernia and would only recommend considering an exchange of this property for a site within the State Block for the office building with frontage on Tamarind and Clematis. A portion of the County's parking needs would be met through parking off the Dimmick Block. A concept similar to this was previously considered and was the only one that met the County's siting objectives in terms of visibility and access. Other operational benefits would also exist to the County (as well as the State) for co-locating adjacent to the Federal property.

It should be noted that unless the State were to immediately agree to this approach involving the ultimate disposition of a part of Dimmick, pursuing this County relocation strategy would delay the construction of the Health Department's replacement buildings which is inconsistent with the County's position that the buildings need to be constructed as soon as possible.

- 3.37 **What is should be done to facilitate the development of the Wedge site for the private transit oriented development?** Staff continues to recommend that it proceed with the development of the Wedge Site by completing the creation of the PalmTran Transfer Station and then either; 1)

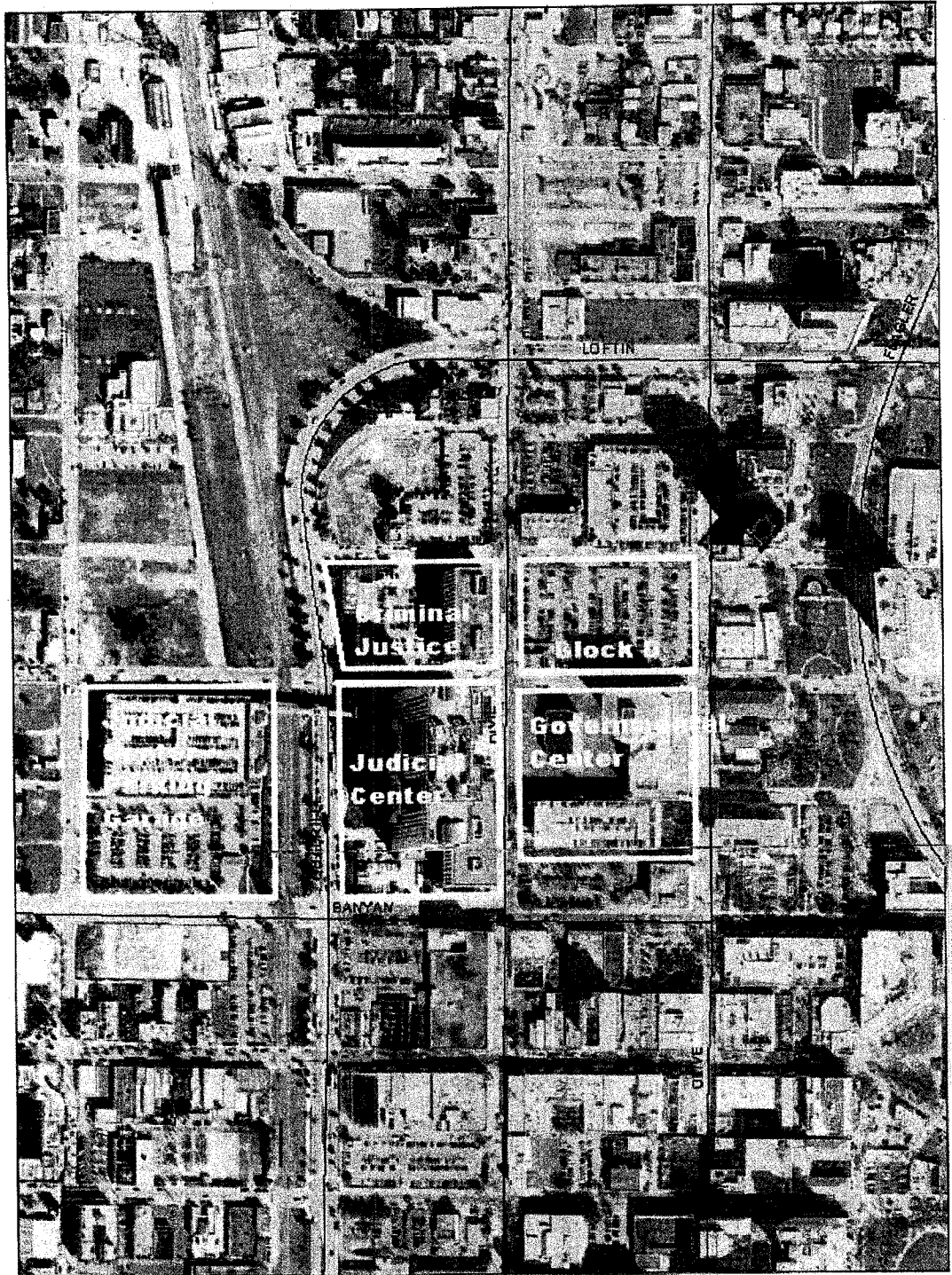
authorize the site to be included in the Transit Oriented Development District subject to the PalmTran uses and 250 parking spaces for Tri-Rail and direct Staff to participate in such discussions on behalf of the County, or 2) prepare a separate RFP to offer the property (subject to PalmTran uses and Tri-Rail parking requirements) for transit oriented private development which would incorporate the 250 parking spaces for Tri-Rail. Staff is recommending that its interest in this land be conveyed with no compensation to the County.

### *List of Maps*

Map 1	Current County Master Plan Locations
Map 2	Downtown Properties
Map 3	Government Hill Properties
Map 3A	Wedge Parcel
Map 4	Airport Center Property
Map 5	Location Map for Government Hill Alternate Properties
Map 6	Recommended Dispositions at Government Hill
Map 6A	Government Hill Property After Recommended Dispositions

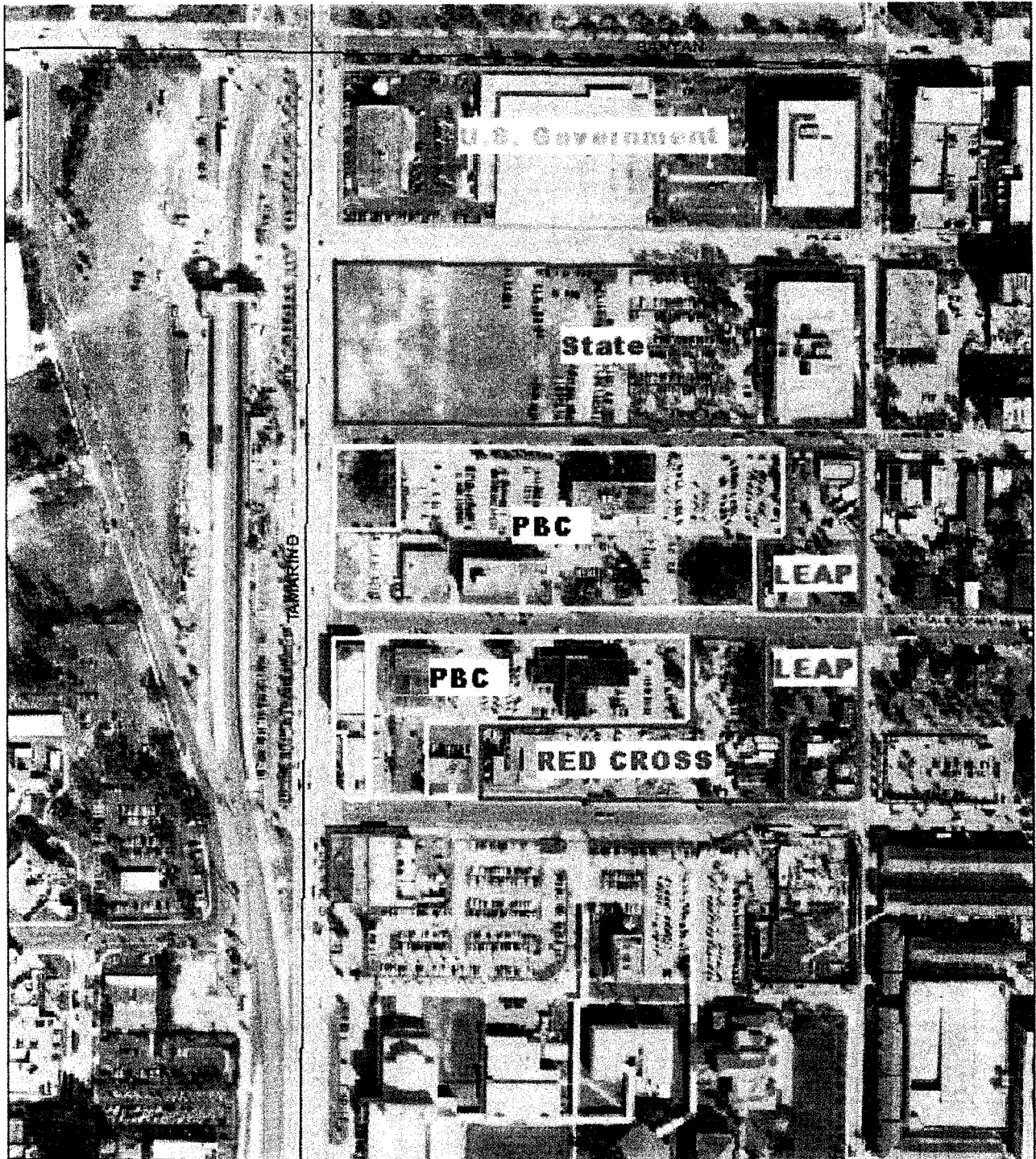


ATTACH A  
Pg 19



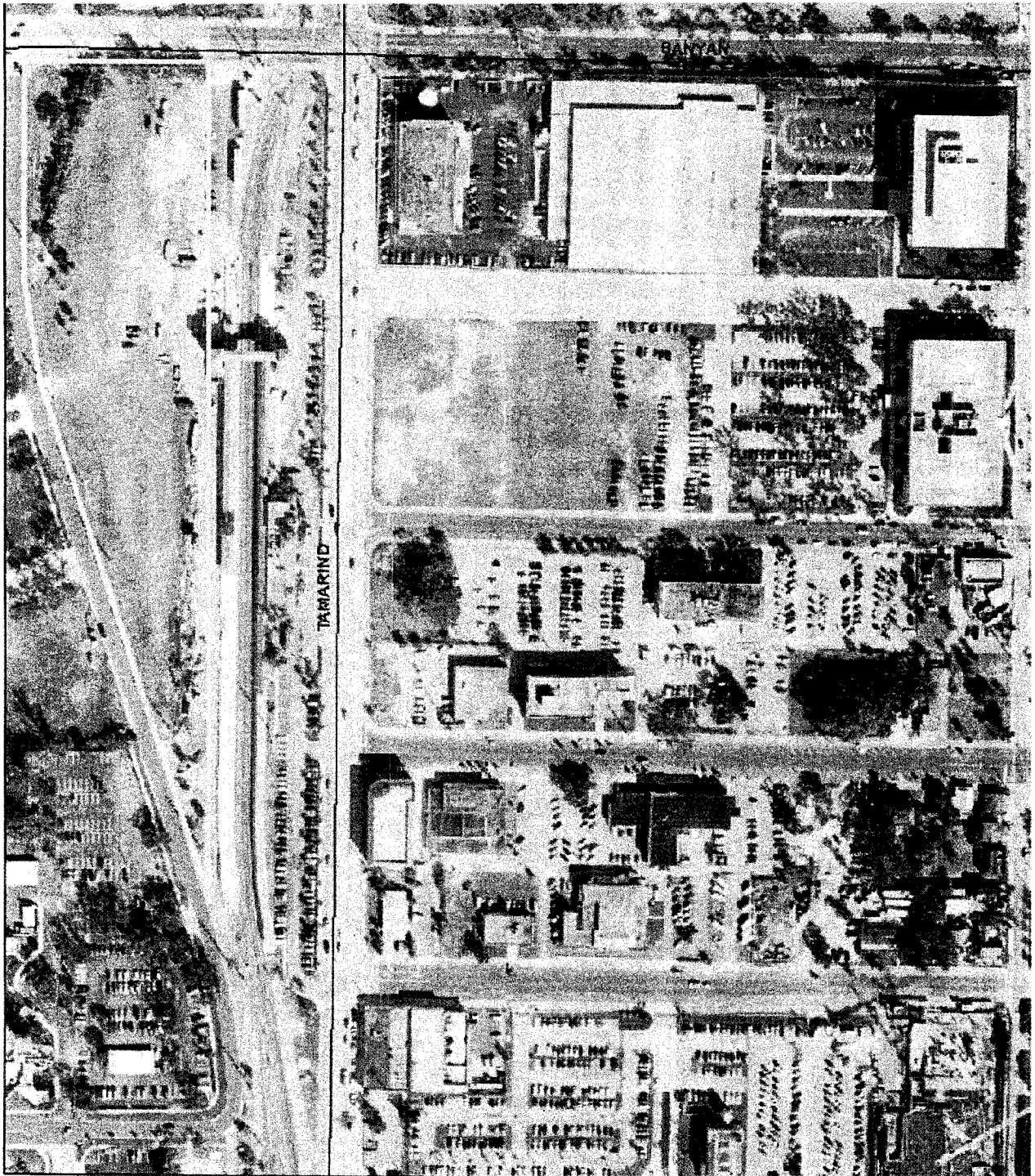
**Map 2 - Downtown Properties**

ATTACH A  
Pg 20



**Map 3 - Government Hill Properties**

ATTACH A  
Pg 21



**Map 3A - Wedge Parcel**

ATTACH A  
Pg 22

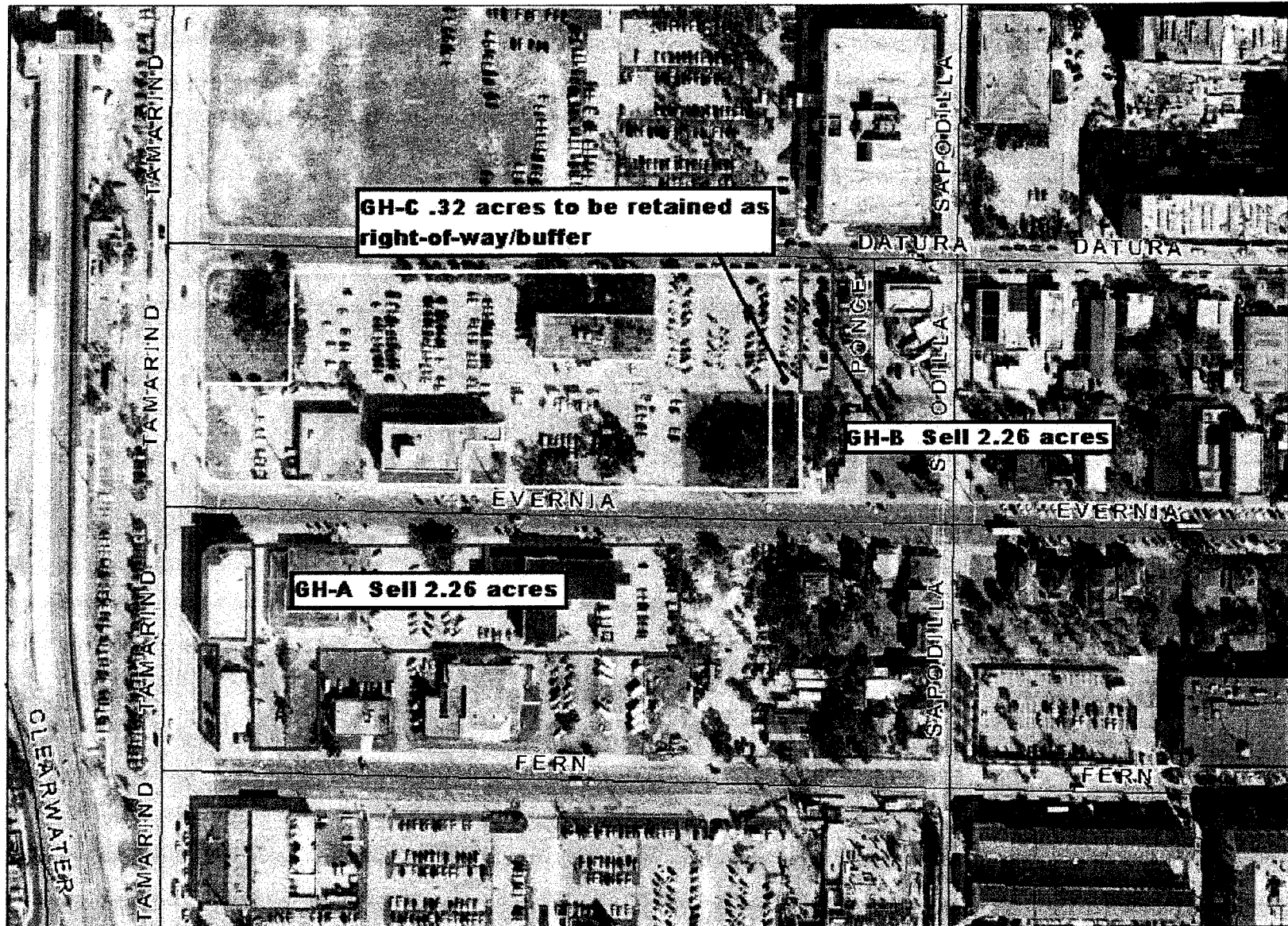


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Pg 23



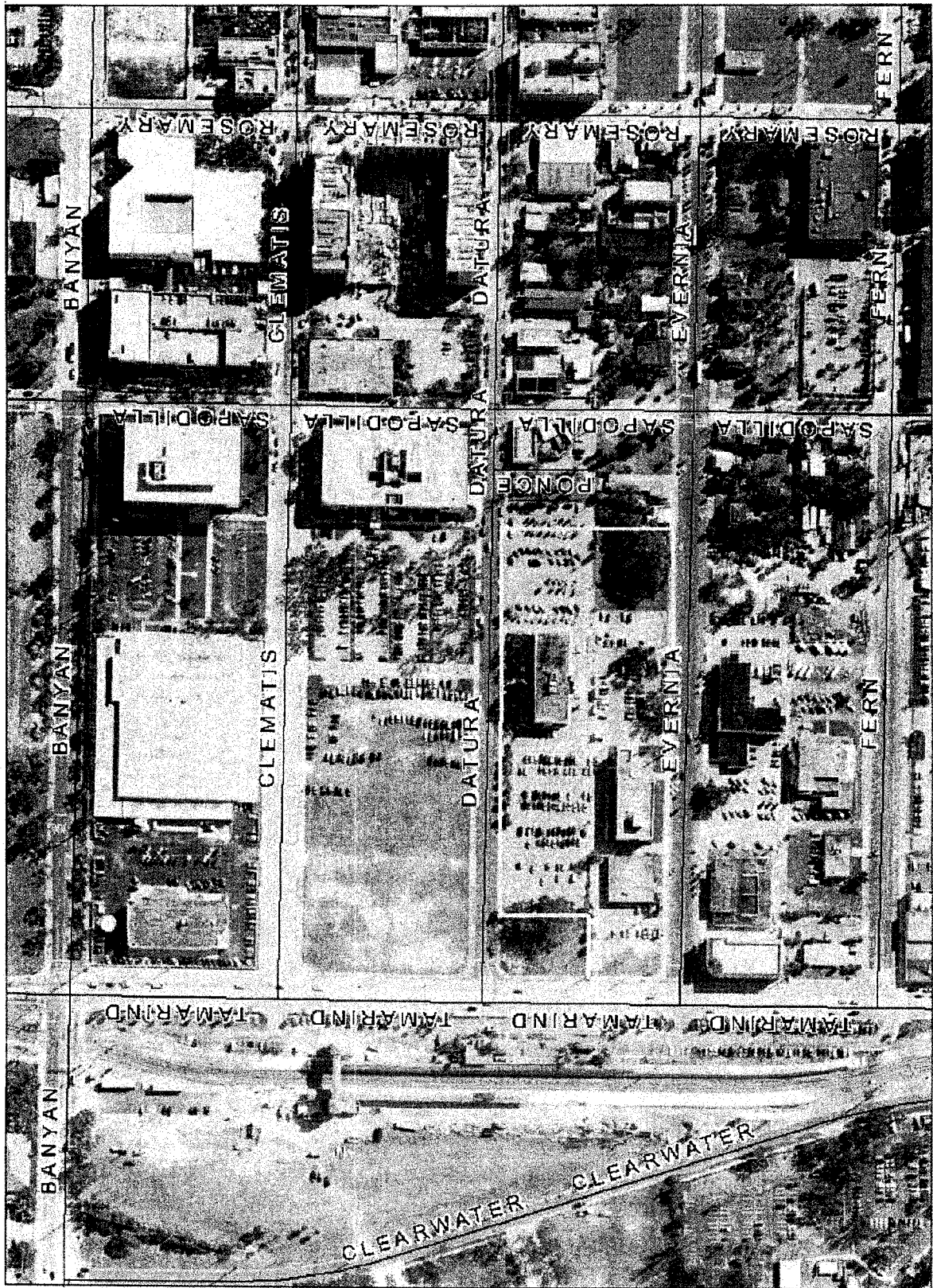
ATTACH A  
Pg 24

**Map 6 - Recommended Dispositions at Government Hill**



ATTACH A  
Pg 25

**Map6A - Government Hill Property After Recommended Dispositions**



**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS****AGENDA ITEM SUMMARY**

Meeting Date: December 5, 2006

[ ] Consent [X] Regular

[ ] Ordinance [ ] Public Hearing

Department: Facilities Development &amp; Operations

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff requests Board Direction: Regarding letter proposal from Secretary Lewis (Florida Department of Management Services) dated October 20, 2006 regarding: 1) co-locating public uses on the State's Dimick Block within the proposed West Palm Beach Transit Oriented Development District and; 2) requesting additional funding in the amount of \$2,900,000 for the construction of the new replacement Health Department Facilities.

**Summary:** On July 18, 2006, the Board held a workshop to update three County facilities master plans. With respect to the Government Hill Master Plan, the Board indicated support to consider meeting the County's need for four acres on Government Hill in a different location within the City's Transit Oriented Development District. On October 11, 2006, State and County Staff, representatives of the City, Health Department and Health Care District met to work through the planning aspects of co-locating the public uses on the Dimick Block. On October 20, 2006, Secretary Lewis sent a letter detailing the basic deal terms in the form of a proposal to the County which includes the consensus land allocation plan. While the physical aspects of the consensus Dimick Land Allocation Plan are feasible, Staff believes that the financial aspects of the business terms presented by Secretary Lewis to implement the transaction between the State and County are beyond the terms previously contemplated by the Board and the proposal as currently presented is not one that Staff can recommend the Board conceptually approve. (FDO Admin) (Countywide/District 7) (JM)

**Background and Policy Issues:** See attached letter from Bob Weisman dated November 29, 2006 for discussion of issues.

**Attachments:**

1. Letter from Bob Weisman dated November 29, 2006
2. Letter from Secretary Lewis dated October 20, 2006
3. Land Allocation Map dated October 20, 2006

Recommended by: \_\_\_\_\_

Department Director

11/29/06  
Date

Approved by: \_\_\_\_\_

County Administrator

11/29/06  
DateAttach B  
1/13

## II. FISCAL IMPACT ANALYSIS

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
Budget Account No: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
Reporting Category \_\_\_\_\_

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

**C. Departmental Fiscal Review:**

### III. REVIEW COMMENTS:

**A. OFMB Fiscal and/or Contract Development & Control Comments:**

**OFMB**

## Contract Dev. and Control

**B. Legal Sufficiency:**

**Assistant County Attorney**

**C. Other Department Review:**

АТТАЧ В  
2/18



November 29, 2006

To: Addie L. Greene, Chairperson and Members of the Board of  
County Commissioners

Thru: Robert Weisman, County Administrator *[Signature]*

From: Audrey Wolf, Director *[Signature]*  
Facilities Development & Operations

Re: December 5, 2006 Regular Agenda Item  
County's Government Hill Master Plan and Status of  
Discussion with State on Co-Locating on Dimick Block

On 7/18/06, the Board of County Commissioners (Board) held a workshop to update three facilities master plans; Downtown, Government Hill and Airport Center. With respect to the Government Hill Master Plan, the Board indicated support to consider meeting its need for four acres on Government Hill in a different location within the City's Transit Oriented Development District (TOD) providing that it could be done through the creation of a "public use block" on the State's Dimick Block.

On 10/11/06, County and State Staff, along with representatives of the City, the Health Department (DOH) and Health Care District (HCD) met to work through the planning aspects of co-locating the public uses on the Dimick Block. A consensus plan was developed which addressed the physical planning aspects and identified the basic business and operations issues which would have to be addressed in order to implement that plan. In addition at this meeting, the State indicated it intended to request additional local funding to cover delay costs on the DOH Building arising from participating in this planning effort. On 10/20/06, Secretary Lewis sent a letter further detailing the basic business terms in the form of a proposal to the County (State Proposal). An evaluation of the terms of the State's proposal, including the funding deficit request is attached as Exhibit A to this report.

*While the physical aspects of the consensus Dimick Land Allocation Plan are feasible, Staff believes that the financial aspects of the plan are beyond the terms previously contemplated by the Board and the proposal as currently presented is not one that Staff can recommend the Board conceptually endorse.*

In order for the Board to fully consider the State's Proposal, Staff believes it necessary to present the likely financial scenario and risks associated with the Board's ongoing participation in the TOD. While not specifically addressed by Staff at the 7/21/06 Board workshop, representations were made in various other presentations since late 2005 that the County's participation in the TOD would not result in out-of pocket expenses to the County and that if and when the property was disposed of to a TOD developer, the County would be able to recover its \$8.1M contribution to the DOH. Staff was never comfortable that the County's participation would result in a financially neutral position and with some of the terms of the County's participation now being defined, Staff can begin to quantify likely financial outcomes.

ATTACH B  
3/18

The following table reflects Staff's preliminary and rough estimate of the range of probable costs associated with its participation in the TOD. These costs should be viewed as minimum County funding requirements (Shortfall) to make the TOD feasible. There are dozens of factors which will influence the ultimate financial outcome. The first two risk factors (described after the table) will not only influence the financial picture, but also could be fatal flaws to proceeding with the TOD at all. Again, the purpose of this table is to provide a new frame of reference for considering on-going participation in the TOD.

It should also be noted that the DOH Facility funding deficit is estimated by the State to be \$2,900,000. Staff's recommendation is that the County not provide additional funding to the DOH. However, the Board's ultimate decision on funding can be independent of its consideration of the County's continued participation in the TOD, and is therefore not included in the following table.

**Preliminary Minimum County Funding Requirements  
in the West Palm Beach Transit Oriented Development**

Cost Category	Most Favorable	Least Favorable
Net Revenue From Disposition of County Block and partial purchase of the Dimick Block. See note 1 for assumptions.	\$ 5,380,000	\$ 2,208,000
Other costs associated with the partial purchase of the Dimick Block. See note 2 for assumptions.	\$ 0	\$ (5,055,000)
Costs associated with relocation of Community Services prior to scheduled relocation in 2015-2020. See note 4 for assumptions.	\$ (7,402,000)	\$ (10,600,000)
Costs associated with accelerating remainder of facilities to accommodate Community Services in larger County facility. See note 4 for assumptions.	\$ 0	\$ (46,000,000)
<b>Projected Shortfall</b>	<b>\$ (2,022,000)</b>	<b>\$ (13,447,000)</b>
<b>Projected Accelerated Costs</b>	<b>\$ 0</b>	<b>\$ (46,000,000)</b>

Notes:

1. The value of the County's 6.68 acre holdings (not including the Wedge Property) is estimated to be \$600,000/acre assuming current zoning and land development regulations and \$1,000,000/acre for property with zoning and land development regulations appropriate to support TOD style mixed use development and with requirements for the incorporation of workforce housing. The value of the Dimick Block property is estimated to be the same. The most favorable analysis assumes only 1.3 acres of Dimick are purchased and the least favorable analysis assumes that 3 acres of Dimick are purchased.

2. The State's proposal delineated terms for the State's participation in the TOD. The most favorable analysis assumes that Staff's recommendations are realized and the least favorable analysis assumes that the State's proposal is accepted. The differences between the State proposal and Staff's recommendation are discussed in detail in the Evaluation Terms 3, 4 and 5 and attached as Exhibit A.

3. The Community Services Building is a 36,000 sf building and 120 parking spaces currently located on the County block. The building was constructed in the 1970s, but has had all of its major building systems rehabbed or replaced in the last five to ten years in anticipation of another 15-20 years of service. The Airport Center Master Plan contemplates that the Community Services function would be relocated to Airport Center when those buildings are required in 2015-2020. If the development of the TOD requires an early relocation of this building the investment in the existing building will be lost. The most favorable analysis assumes move and relocation costs and a rental rate

consistent with "throw away" build-out. The least favorable analysis assumes that the County would have to relocate its facilities into space fit up to County standards. Both are for ten years (2008-2017) until the buildings at Airport Center are available.

4. If the needs of the Community Services Department grows faster than that of the Courts or constitutional officers or the interim period exceeds 7-10 years, the County will need to commit the funding necessary to construct the entire 175,000 sf at Airport Center as that property can only be built in one additional phase due to physical property constraints and the impacts on existing operations. The most favorable analysis assumes that no costs are accelerated and the least favorable analysis assumes that the costs of a 139,000 sf facility and 580 parking spaces (difference between 175,000 sf and 700 cars and 36,000 sf and 120 cars) would be accelerated. For comparison purposes all construction costs are shown in current dollars and not escalated to the actual year of construction.

In addition to the assumptions above, the following are four other major factors influencing the magnitude of the Shortfall. The first two of which could also become fatal flaws to the TOD development.

1. A major factor in the value of the County property will be having land development regulations in place which support TOD style developments, in advance of the RFP being advertised and negotiated. Without same, there is substantial risk to a purchaser under the RFP who will not know what development regulations they will be subject to. This risk equates to a reduction in price. This report assumes that the RFP will be held until the City modifies its comprehensive plan, zoning and land development code as well as the Downtown Master Plan to support a TOD style development.
2. No area-wide traffic studies have been conducted to determine whether the downtown West Palm Beach roadway network can support this level of development. Those studies when completed may; 1) reduce the overall development potential of the TOD to match available capacity thus reducing value of County property, 2) require the TOD developer or governmental partners to make costly roadway infrastructure improvements, 3) require the TOD developer or governmental partners to make significant financial contributions to transit operations and/or 4) result in the last partner(s) to develop having no development capacity.
3. While the structure of the governmental entities participation in the TOD presented in this report greatly simplifies the transaction from a developer's perspective (only work with the County), the existence of the Community Services Building and its on-going operation remains a tough issue for a future developer. Any additional conditions placed on the developer (ie: to replace surface parking, regulate timing of development to meet a non-market driven schedule) will reduce the value of the County property and/or reduce the viability of the TOD in general. A major example of such condition is that discussed in the Evaluation of the State Proposal, Term #3.
4. All projections as to parking demand are based on the actual parking demand reducing over time. Due to the large amount of governmental offices planned for the Dimick Block, if the parking demand does not diminish, the parking requirements would be underestimated by about 20% which would make the Dimick Master Plan infeasible if all entities built out to their max potential. Furthermore, this would require construction of additional garage spaces at our estimated costs of another \$9,000,000 to the governmental partners and create some operational issues.

The reason for including the preceding analysis in this particular report is to clarify that the County will likely not be in a financially neutral or revenue receiving position and that should be acknowledged by the Board, along with the non-financial benefits of participation, in evaluating its continued participation in the TOD.

Based on the above there are two overall policy questions for the Board.

1. Does the Board want to fund the funding deficit in the estimated amount of \$2,900,000 in whole or in part in order to ensure that the new DOH facilities move forward (Evaluation Item 6 below)?
2. Does the Board want to continue its participation in the planning and implementation of the West Palm Beach TOD based on an estimated funding contribution between \$2,000,000 and \$ 13,400,000 (Evaluation Items 2-5 and 7-8 below)?

Staff's comments on each deal term presented in the State's proposal as well as Staff's alternate recommendation are contained in Exhibit A for the Board's consideration.

#### Exhibits

- A. Evaluation of Secretary Lewis' October 20, 2006 Proposal
- B. Letter from Secretary Lewis dated 10/20/06
- C. Land Allocation Map dated 10/20/06

cc: Ross Hering, Director Property and Real Estate Management  
Dwight Chenette, CEO, Health Care District of Palm Beach County  
Lois Frankel, Mayor, City of West Palm Beach  
Kim Briesemeister, Executive Director, West Palm Beach CRA  
Secretary Colleen Castille, Florida Department of Environmental Protection  
Secretary M. Rony Francois, Florida Department of Health  
Tim Cerio, General Counsel, Florida Department of Health  
Ron Walsh, Project Manager, Florida Department of Health  
Dr. Jean Malecki, Director PBC Health Department  
Tom Arnedos, Director, General Services, PBC Health Department  
Steve Ferst, General Counsel, Florida Department of Management Services  
Tim Dimond, Director, Florida Department of Management Services  
Dean Izzi, Program Manager, Florida Department of Management Services

***Exhibit A***  
***Evaluation of Secretary Lewis' October 20, 2006 Proposal Letter***

**Definitions**

The following definitions are used in the evaluation of the State's letter proposal.

1. City: The City of West Palm Beach
2. County: Palm Beach County
3. County Block: A portion of the County's holdings on Government Hill, specifically the northern most County owned property being the majority of the block between Datura and Evernia Street.
4. Dimick Block: The State owned property between Clematis and Datura Streets.
5. DOH: The Department of Health commonly known as the Health Department.
6. DOH Phase I Building: The 92,000 sf building planned by the DOH, sufficient to meet its current needs.
7. HCD: Health Care District of Palm Beach County
8. Phase I Development: The total of DOH Phase I Building, the HCD Building and the parking facilities necessary to accommodate both buildings.
9. Phase II Development: The expansion to Dimick Building by the State, the County Building, or the Phase II DOH Building; whichever comes first.
10. Staff: Palm Beach County Staff
11. State: The State of Florida, specifically the Board of Trustees of the Internal Improvement Fund managing the State's real estate portfolio on behalf of the State agencies.
12. TOD: Transit Oriented Development

**Evaluation of Project Concept Set Forth in Secretary Lewis' 10/20/06 Letter**

**1. Dimick Block Master Plan -- State Uses**

- a. *10/20/06 Secretary Lewis Proposal.* State uses including the DOH and HCD would ultimately occupy the western portion of the block, shown on Attachment 2 in yellow and orange. Approximately 1200 parking spaces (3 spaces/1000 sf with a total of 393,000sf at build-out) for these uses combined would be provided within a structured parking garage to be located on the western portion of the Dimick Block, within the footprint of the identified County uses.

- b. *Staff Comments.* Staff concurs with the final land allocation plan, but does not agree that the land for the parking garage serving primarily non-County uses should be within the land to be conveyed to the County (discussed in Item #2 below).
- c. *Staff Recommendation.* Staff recommends that the State be encouraged to proceed with the re-design of the DOH facility for the location shown on Attachment #3 and proceed to construction as soon as possible. Staff also recommends that it be authorized to continue negotiations with the State on the conceptual business terms. It is recommended that such terms be finalized after the disposition of the County holdings.

2. Dimick Block Master Plan – County Uses

- a. *10/20/06 Secretary Lewis Proposal.* A 12-15 story, 350,000 sf building would be located on the western most portion of the Dimick Block along with a 1800 space structured parking garage serving the non-County uses and approximately 600 of the County's 1400 required parking spaces. The remainder of the County's parking spaces would be located in a parking structure on the County Block. The County would acquire the Dimick Block property at fair market value.
- b. *Staff Comments.* Staff concurs with the physical aspects of the land allocation plan, but is not in agreement that the land underlying the parking structure should be acquired by the County. The County is the only entity acquiring land within the Dimick Block for its use and to require the County to acquire the land underlying the parking structure which is primarily for the benefit of the State is completely inequitable. The cost of proceeding with the TOD should be shared amongst the partners. Further, the County previously donated 6 acres of property at 45<sup>th</sup> St and Australian for the DOH with no conditions and has agreed to fund \$8.1 M towards construction of the new DOH Phase I facility with no conditions. For these two reasons there is a good argument to be made that the land underlying the proposed County building should be donated to the County to increase the viability of the TOD (by reducing the County's shortfall) and recognizing the on-going partnership between the County and the State with respect to planning and facilities delivery in Palm Beach County.
- c. *Staff Recommendations.* Staff recommends that at a maximum it acquire only the property underlying the proposed County building at fair market value using the revenues derived from the sale of the County's holdings on Government Hill and that it not pay for its pro rata share of the land underlying the parking garage (approximately .6 acres). The County could pay either in cash or by the delivery of improvements on the Dimick Block.

Staff recommends that the County (as well as all other partners) fund the pro rata share of the design and construction costs associated with its assigned parking spaces at such time that the structured parking is constructed. In order to implement this, Staff would have to negotiate a parking development, operations and management agreement between the Health Department, HCD and State which would have; 1) each party funding its share of the design and construction costs, 2) the County responsible for daily garage operations and maintenance,

and 3) the State responsible for funding garage renewal and replacement and capital costs.

**3. Construction of Structured Parking for Phase 1 Development on Dimick Block**

- a. *10/20/06 Secretary Lewis Proposal.* The County would build a parking garage concurrent with the development of the HCD Building of sufficient size to accommodate the parking needs of the Phase 1 Development (existing Dimick Building, HCD Building and the DOH Phase 1 Building (at 2 spaces/1000 sf)) within the Dimick Block. The components of the Phase 1 Development which must be accommodated in this garage are; a) the surface parking lost by the development of the HCD Building, b) the parking for the HCD Building at 3 spaces/1000 sf, c) parking for the Dimick lost by the development of the garage, and d) surface parking lost by the dedication of the property for the street and linear park. The total of same is estimated to be 250 spaces.

- b. *Staff Comments.* This term shifts all costs associated with parking for the HCD development to the County as well as the cost of replacement parking for the Dimick Building as a result of the sublease between the State and the DOH; to which the County is not a party and but for the County's participation in the TOD planning efforts would have been borne by non-County entities. These costs are standard costs associated with development of a building and should be borne by the governmental partner developing its facilities.

In this case, there is already a sublease agreement between the State, HCD and DOH addressing, albeit conceptually, the intent of the parties with respect to parking. The sublease indicates that the parties will provide shared surface parking for their employees and guests within the DOH Leased and HCD subleased property pursuant to a future license agreement. This agreement also contemplated that the surface parking would be allocated by proportionate share. This agreement further contemplated that the surface parking would have to be vacated and replaced at some point and specifically stated "the parties shall cooperate in developing plans to assure that their future parking needs on the property are met."

- c. *Staff Recommendation.* Staff recommends that the State continue to surface park as many spaces as can be accommodated on the Dimick Block, with the remainder of the parking spaces required for Phase 1 Development being accommodated through surface parking on the County Block. DOH and HCD would each pay their fair share of the design and construction costs associated with the surface parking whether it be accommodated on the Dimick or County Blocks. This is consistent with the intent of the current agreement and does not shift the responsibility for same to the County.

Since the Dimick Block will accommodate all but about 100 spaces required for Phase I Development, we understand why it was suggested that the first portion of the garage be constructed on the Dimick. Due to the small size of this early phase of the garage when compared to the overall garage ultimately required for the Dimick Block, it is not advisable to tie the State and County into making decisions on the design and operation of a constrained 1800 car parking garage which is likely not needed for 15-20+ years, solely to accommodate

approximately 100-125 vehicles (6%-8% of the total garage). These 100-125 vehicles can be currently accommodated on the County Block at a very low cost.

If permitted by the City (see #4 below for more details), the County could make land available within the County Block to accommodate unmet non-County surface parking needs of Dimick Block users until; 1) the structured parking on Dimick Block is funded and constructed as part of the Phase 2 Development, 2) the County disposes of its holding and acquires the property on the Dimick Block, or 3) develops the County Block for its purposes, whichever comes first. This strategy maintains the current intent of the parties for parking on Dimick (State, HCD and DOH), reduces the cost to all parties, and allows the parties to maintain flexibility for the future. In order to implement this recommendation, additional terms would have to be added to the parking agreement discussed above to address the interim parking scenario. The value of use of the land is not considered in the Shortfall as the use does not present out of pocket costs.

It should be noted that while recognizing and enabling the parking shortfall of the State, HCD and DOH on the County Block benefits all governmental partners by reducing current costs and preserving flexibility for the future, it does represent an additional condition on the County Block which could result in; 1) a reduction in the value of the County Block and/or 2) a reduction in the viability of the TOD.

**4. Use of County Block for surface parking for DOH not accommodated on Dimick Block.**

- a. *10/20/06 Secretary Lewis Proposal.* The County would provide DOH use of surface parking spaces until the structured parking is available on Dimick. This actually represents the difference between the 2 spaces/1000 sf provided on Dimick and the 3 spaces/1000 sf required for that facility. This equates to 100-125 parking spaces.
- b. *Staff Comments.* With or without the TOD, continued use of the County's holdings for parking by the DOH was never contemplated by the County in its existing agreement with the State/DOH for the DOH to vacate the County property. During the course of the discussions regarding the TOD, it became evident that the DOH and State were assuming that the County Block would be made available for surface parking for the DOH so that the State could meet all of its parking requirements via surface parking.
- c. *Staff Recommendations.* Staff recommends that the County and State prepare an interim surface parking study which lays out the State's, (Dimick Building, DOH and HCD) surface parking needs on the undeveloped portion of Dimick Block (with the excess programmed for the County Block), to determine; 1) how many spaces are required to be located off Dimick, 2) the configuration of the parking on both the Dimick and County Blocks, 3) whether the City will permit the land to be transitionally used for surface parking and the requirements of that permit, and 4) the construction costs associated with the development of the surface parking lots, if any.

**5. Development of Surface Parking for DOH Phase I on Dimick Block.**

- a. *10/20/06 Secretary Lewis Proposal.* The County would develop, at no cost to the State or DOH, the surface parking required within the Dimick Block to accommodate the DOH Phase I building.
- b. *Staff Comments.* The County has already committed to \$8.1M toward the overall development costs of the DOH Phase I Building and associated parking. To require the County to pay for surface parking separate from that funding contribution represents an approximately \$500,000-\$600,000 funding increase. It is Staff's opinion that it is inappropriate to use this forum to request additional funding for parking as it is a basic expense and has nothing to do with the TOD development.
- c. *Staff Recommendation.* The DOH should fund all costs associated with the DOH Phase I Building from its project budget including parking.

**6. Funding for DOH Phase I Funding Shortfall due to DOH's participation in the local planning efforts.**

- a. *10/20/06 Secretary Lewis Proposal.* City and the County commit to funding the estimated \$2.9M DOH Phase I project funding shortfall due to the DOH's participation in the planning activities since February 2006. The proposal does recognize that part of the \$2.9M is included within the County's proposed obligation under #4 above. While not addressed in the proposal, Staff was told that this represents the increased construction costs during this period as well as the costs associated with the re-design of the building to another location within the Dimick Block.
- b. *Staff Comments.* There are basically three concepts that should be considered by the Board with regard to this term.
  - 1) Should the County participate (in whole or in part) in funding the DOH project deficit? In April 2001, the County committed to fund \$1.3 M toward the development of what is now known as DOH Phase I and the DOH committed to vacate the County buildings and land by January 1, 2005. In mid-2005, DOH approached the County and requested "deficit funding" in the amount of an additional \$6.8 M to make DOH Phase 1 happen. The County committed to funding that deficit without conditions, thereby raising the total funding commitment to \$8.1M. Thereafter, the State and DOH decided to participate in the local planning efforts associated with the TOD concept. The State made the decision to participate on its own and the City is the most significant benefactor of proceeding with the TOD the planning effort that resulted in the delay and costs.
  - 2) If the Board chooses to participate in funding the project shortfalls, should it be the only partner funding the deficit? Based on correspondence from the City to Secretary Lewis dated 10/26/06, "the CRA statute limits the ability of using tax increment for governmental

uses including public administrative offices. In addition, this block and the construction of the DOH building will not generate any taxes; therefore, there is no readily identifiable source of funds for the CRA or the City to access." No discussion or evaluation of other funding sources was provided.

Regardless of the amount of additional funding committed by the County, Staff recommends any commitment be specific and defined by a not to exceed amount.

- 3) Should the County make funding commitments which are necessitated solely to preserve the option to dispose of its land without knowing the total costs associated with the disposition and redevelopment on adjacent property? All of the terms set forth in Secretary Lewis' letter have an estimated financial impact of approximately \$5 M to the County. Staff is recommending alternative terms that would reduce those costs, however their acceptability to the State is not known at this time. Further, the overall costs to the County associated with its participation is estimated to be between \$2,022,000 to \$13,447,000; based upon the assumptions contained earlier in this report. It should be noted that the County can meet its long term development objectives on the County Block with greater flexibility at less costs than by relocating to the Dimick Block.

- c. *Staff Recommendation.* Staff recommends that the County not participate in funding the DOH Phase I project deficit and that the deficit be addressed by the State/DOH (additional legislative appropriation) and the City.

However, if the Board is considering providing some level of funding in order to facilitate the DOH project, it should be done to facilitate the replacement facilities for the DOH specifically and with no conditions or obligations from the State on further County participation in co-location. In addition, the County's participation should be limited to only those costs associated with the delay and not toward any costs that would be incurred by the State, DOH, HCD and/or City regardless of the outcome of the TOD development.

Notwithstanding the foregoing, Staff recommends that the County withhold the development, issuance and evaluation of an RFP for a TOD style development until; 1) the City has adopted new comprehensive plan, zoning and land development regulations which support a TOD style development, 2) the State conceptually agreeing to proceed with the DOH Phase I in the location shown on Attachment 2, and 3) the State conceptually agreeing to terms more closely matching Staff's recommendations than contained in the Secretary Lewis proposal.

#### **7. New Street and Linear Park**

- a. *10/20/06 Secretary Lewis Proposal.* The New Street proposed would be developed (funded and designed) by the City only after the structured parking is constructed. The land would be conveyed by sublease, sale at fair market value or dedication for TDR credit at the sole option of the State.

- b. *Staff Comments.* Based on a 10/26/06 letter from the City, they indicate that "there will be expenses related to public right of way improvements however, that the State will be required to construct, that the City or CRA may be able to participate in and are allowable expenses in our redevelopment plan.....Section 7 in your letter mandates the City fund the cost of the New Street and linear park and that the State through some form of transfer or sale, would retain the Transfer of Development Rights. We concur it is in the State's best interest to retain those development rights which we estimate to be values at approximately \$1.4 million. The only way for the State to capture those funds is to use the sale of the TDRS from the public green and the new street which the City would build at no cost to the State." The timing of conveyance of the land by the State is consistent with the timing of the land for the connecting southern portion of the land within the County Block.
- c. *Staff Recommendation.* This term is really between the State and the City as proposed, however if the County is participating in the TOD, it should negotiate a similar condition a part of its dedication of right of way for this purpose and that the County only have the obligation to convey the land for New Street in the event that the State does.

8. Structure of Transaction between the State and County

- a. *10/20/06 Secretary Lewis Proposal.* There were two items that pertained to the County in this Section. The first was the State sell the area reflected in blue on Attachment #2 to the County; and the second was that the State approve the project concept, subject to the basic conditions set forth in the 10/20/06 letter proposal.
- b. *Staff Comments.* Staff's comments about the size and purchase approach as well as the basic terms are set forth above, in some cases with alternate recommendations for consideration by the BCC.
- c. *Staff Recommendation.* Staff recommends that it be authorized to proceed with further negotiations with the State and that a new set of basic conditions based on direction received on 12/5/06 be drafted for conceptual approval by the State.



DEPARTMENT OF MANAGEMENT  
**SERVICES**

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serve Florida."

JEB BUSH  
Governor

Tom Lewis, Jr.  
Secretary

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Office of the Secretary  
4050 Esplanade Way  
Tallahassee, Florida  
32399-0950

October 20, 2006

Mr. Dwight Chenette, CEO  
Health Care District of Palm Beach County  
324 Datura Street  
Suite 401  
West Palm Beach, Florida 33401-5432

Mr. Robert Weisman, County Administrator  
Palm Beach County  
Post Office Box 1989  
West Palm Beach, Florida 33402

The Honorable Lois J. Frankel, Mayor  
The City of West Palm Beach  
Post Office Box 3366  
West Palm Beach, Florida 33402

Dear Mr. Weisman:

Based on the meeting held in West Palm Beach this October 11<sup>th</sup> we are in agreement on an approach that allows the Department of Health (DOH) facility to be moved to the east [from the previous Department of Management Services (DMS) recommended location], to the location most preferred by the Community Redevelopment Agency (CRA) shown in the area shaded orange on the attached Exhibit A (to approximate scale) and referred to herein as the "state block." We are prepared to revise the current 5 story design site plan to reflect that location based on your agreement to the following conditions as applicable:

1. The area reflected in orange and yellow on the attached Exhibit A would be allocated to accommodate the facility needs of the Health Care District (HCD), the initial Department of Health Administration facility and future expansions for DOH and DMS facilities.
2. The area shown in blue would be the location of the County's future Administration Building and a Parking Garage sufficient to accommodate, at a minimum, all parking needs of users of the "state block" (i.e. Dimick/Dimick expansion, DOH/DOH expansion, HCD and County Administration Building - I believe someone estimated a total of 1,800 spaces). Palm Beach County would purchase the area shaded in blue for fair market value to be used exclusively for that purpose.

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Mr. Robert Weisman  
October 20, 2006  
Page Two

3. The County will commit to build a Parking Garage concurrent with the development of the HCD facility, whenever it occurs. The Garage will accommodate, at a minimum:

- A. Surface parking lost by development of the HCD Facility.
- B. Surface parking lost by development of the Garage.
- C. Surface parking lost, or to be lost, by the City's development of the Street and Linear Park west of the existing Dimick Building.
- D. Required spaces to accommodate the HCD, based on 3 spaces/1000 GSF.

We project this would require the county to develop a Garage with a minimum of 599 spaces (but that needs to be verified based on 3.A. - 3.D.). The County may elect to build a larger Garage should it be more efficient. Future expansions to any Garage on the site will be horizontal, not vertical.

Should the unlikely event occur that the PBCHD and/or Dimick Building expansion occur before the HCD develops its projected 50,000 GSF facility; the state would provide the funding for a portion of the Garage, as necessary to accommodate its parking requirements. The County's obligation remains: (i) triggered by development of an HCD facility; and (ii) sized based on 3.A. - 3.D. above.

At the time the County develops its Administration Building, it will enlarge the Parking Garage sufficient to replace the number of spaces lost by the expanded Garage and development of the new facility and provide the number of spaces required by its new building.

- 4. The County will continue to provide DOH use of surface parking spaces until the Garage accommodating the total required spaces is open.
- 5. Concurrent with the development of the new DOH facility, the County will develop the surface parking reflected in the area shaded blue on the attached Exhibit A. That parking will be designated for use by those working at or using the facilities on the state block, without cost to the State.
- 6. The City and County will commit to provide the short-fall funding in the current DOH 5-story project caused by delays due to DOH's participation with the City and County in the various planning activities since February of 2006. Part of that funding is accomplished by the fulfillment of the County's obligation in "4" above. We project the total amount to currently be \$2.9 million not including what the County would do in "4" which would reduce this number).

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Mr. Robert Weisman  
October 20, 2006  
Page Three

7. The City's "Street and Linear Park" west of the Dimick Building will not be developed until the Parking Garage discussed in 3 above is opened. The cost of the Street/Park will be funded by the City. DMS will reserve the right to approve the design. Transfer of the property required for the Street/Linear Park may be by sublease, sale at fair market value or dedication in return for Transfer of Development Rights credit, at the sole option of the state.

Obviously, the DOH/DMS agreement to the terms herein are subject to the approval of the Board of Trustees. In order to support this concept, DOH and DMS are prepared to recommend to the Board of Trustees (BOT) that:

- i. BOT sell the area reflected in the blue (on the attached Exhibit A) to Palm Beach County;
- ii. DMS would "lease-swap" the area reflected in the orange with DOH;
- iii. DOH would "lease-swap" the area reflected in the yellow to DMS;
- iv. BOT would either sublease or dedicate the land needed for the City's Street and Linear Park.
- v. The Board of Trustees approves the project concept, subject to the basic conditions described herein.

If these conditions are acceptable to you, please so indicate by signature respectively below and we will proceed to revise the 5 story design locations. Since time is of the essence and DOH is ready to submit its plans, we need your response not later than October 30, 2006. Please call me if you have any questions. I look forward to working with you.

\_\_\_\_\_  
Palm Beach County

By: \_\_\_\_\_

Its: \_\_\_\_\_

Sincerely,



Tom Lewis, Jr.  
Secretary

ATTACH B  
16/18

NOV-29-2006 10:45

PALM BEACH ADMINISTRATION

P. 05/06

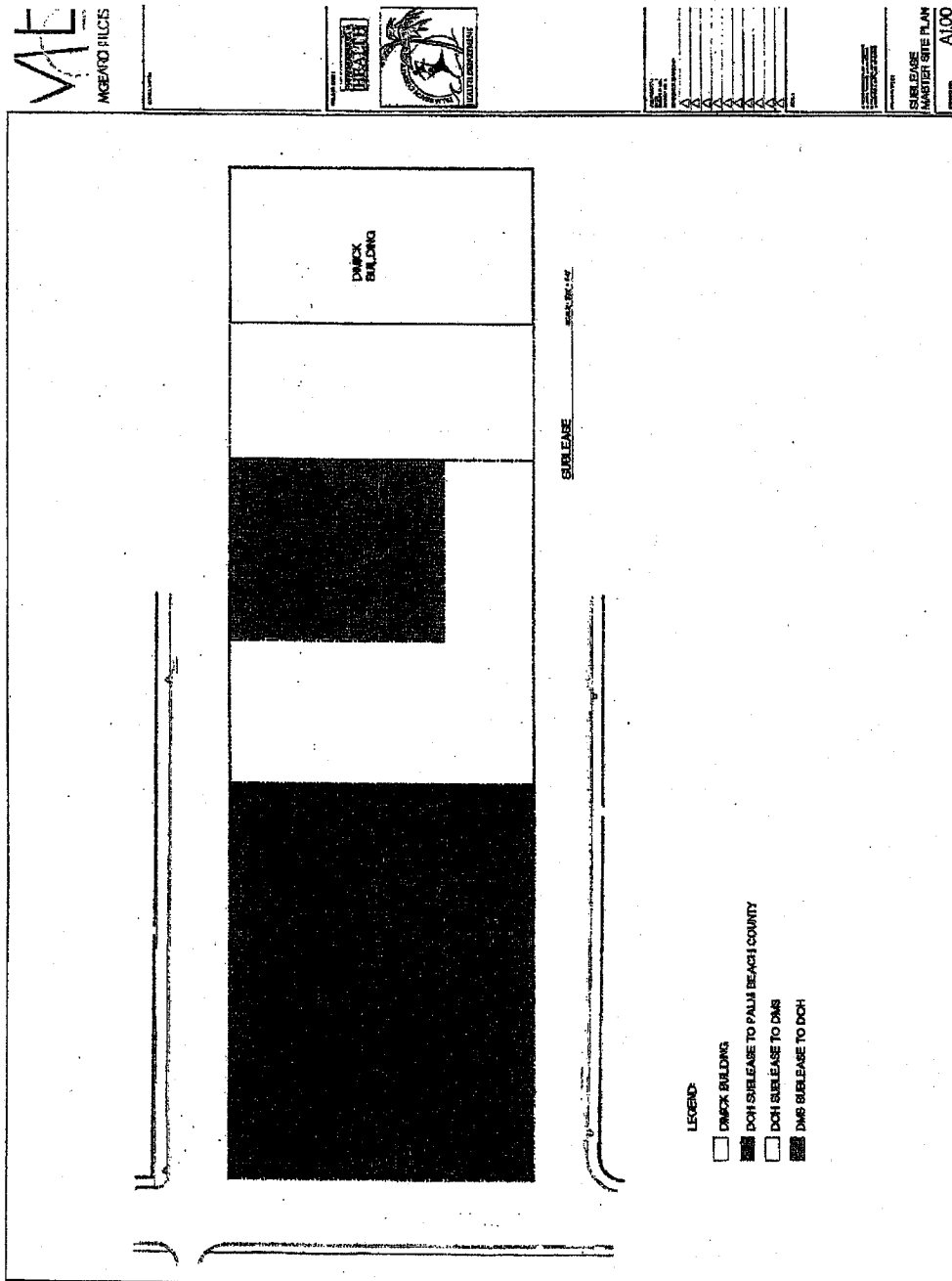
Mr. Robert Weisman  
October 20, 2006  
Page Four

**Attachment**

cc: Kim Briesemeister, Community Redevelopment Agency  
Secretary Colleen Castille, Florida Department of Environmental Protection  
Ron Walsh, Project Manager, Florida Department of Health  
Secretary Rony Francois, Florida Department of Health  
Tim Cerio, General Counsel, Florida Department of Health  
Steve Ferst, General Counsel, Florida Department of Management Services  
Tim Dimond, Director, Florida Department of Management Services  
Dean Izzo, Program Manager, Florida Department of Management Services

ATTACH B  
17/18

Exhibit C



ATTACH B  
18/18

# MEMORANDUM

To: Commissioner Karen Marcus

From: Randy Whitfield  
MPO Director

Date: October 24, 2007

RE: WEST PALM BEACH TRANSIT ORIENTED DEVELOPMENT  
PROJECT

---

At the MPO meeting on October 18, the Board received a status report on the West Palm Beach Transit Oriented Development (TOD) project located in the vicinity of the Amtrak rail station. The status report was provided by Kim Delaney from the Treasure Coast Regional Planning Council (TCRPC) who has been involved in the project since its initial phases.

In 2007, several key milestones have been achieved for the project's implementation. These include the following:

- \* Palm Beach County determined its potential future needs in the TOD district to be up to 350,000 SF of future County office space with up to 1,750 parking spaces. Per the County's preference, the updated TOD plan indicated the location of this future County space to be along Tamarind Avenue, between Clematis and Datura Streets, on property currently owned by the State of Florida. To accommodate the County's future space needs, an amendment to the City's Comprehensive Plan was needed to increase the maximum building heights in this location from ten to fifteen stories. The City of West Palm Beach has amended its Comprehensive Plan to allow for the increased building heights and is awaiting final approval from the Department of Community Affairs (anticipated October 25, 2007 per DCA staff). This Comprehensive Plan amendment was considered to be a critical step by County staff to (1) secure the County's ability to construct its maximum feasible building, and (2) allow other County-owned lands (which would then be surplus to the County's needs) to be offered for public/private development.

- \* The location of the Department of Health (DOH) building has been finalized in accordance with the updated TOD plan. The City has approved the DOH site plan, and the building is now under construction.

- \* The Health Care District (HCD) has finalized its lease with the State of

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Memo to Commissioner Karen Marcus  
Re: West Palm Beach TOD Project  
Date: October 24, 2007  
Page 2

Florida for a future building location either within the TOD district or in another comparable location at some future point.

\* Regarding the "wedge" property, the SFRTA and Palm Beach County have finalized an agreement to allow: (1) the construction of an intermodal facility to accommodate Palm-Tran and other transit modes, and (2) the SFRTA to utilize any remaining property (after the construction of the intermodal facility) for parking and potentially a joint public/private development. On October 22, 2007, the City Commission approved a quit claim deed for a small portion of the property and a boundary replat for the Wedge site to allow the project to move forward. The County has secured site plan approval from the City, and completion of the facility is anticipated by June 2008.

Given the accomplishment of these activities, the MPO Board discussed its desire for TCRPC to assist in moving the project forward into the next steps of implementation. These steps include negotiating the final details with the City, County, and various state agencies for their individual needs as well as the drafting of an RFP for lands to be considered for private development. Participation by County staff will be essential for the project to move forward. County staff needs direction from the Board of County Commissioners to prioritize this project so that it can move forward.

ATTACH C  
2/2



Come Grow With Us



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William Moss  
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Commissioner

Isaac "Ike" Robinson, Jr.  
Commissioner

Kim Briesemeister  
CRA Executive Director

Randy Sherman  
Treasurer

Blane Kauthen  
Secretary

November 20, 2007

Audrey Wolf  
Director, Facilities Development & Operations  
2633 Vista Parkway  
West Palm Beach, Florida 33411

RE: Responses to Questions Related to the West Palm Beach Transit Oriented Development (TOD).

Dear Audrey,

As requested, please find responses to questions raised in your letter of November 8, 2007 related to the development of the TOD. We look forward to the county's workshop on December 11, 2007 and appreciate the county commission moving forward with the process.

- TOD Master Plan

In March of 2006, stakeholders within the TOD worked on various development scenarios trying to reach consensus on future build out of the site. A consensus was reached however; major changes have occurred since that date, in particular the agreement to locate all the public uses on the State/Dimmick block between Clematis and Datura Streets. (In your letter you are now referring to that block as the public use block which we will reference hereinafter.) Other than the public use block, there is no definitive master plan for the remainder of the TOD area.

**Exhibit A** is the result of the most recent version of the site plan for the public use block including the Department of Health (DOH) building and the new street that is to be incorporated in all the blocks south of the public use block.

The city is waiting for the County and State to finalize the terms and conditions of sharing the public use block for future expansion space.

- Public Market

County staff scheduled meetings with the city to introduce the concept of a public market. City staff was receptive to exploring ideas related to the market and discussed incorporating the concept into the TOD or some other downtown location. Those preliminary discussions did not result in any commitment from the city, and it is still not clear if the public market will be compatible with the urban form the TOD will take after the RFP or bid to sell



## Office of the CRA Executive Director

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CRA Executive Director

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Treasurer

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the land is issued. CRA staff does not however recommend carving out a parcel for the public market in the interim.

- **Use of Tax Increment Financing (TIF)**

The city commission has publicly expressed support for utilizing TIF for the redevelopment of the TOD site. Although no parameters were defined, it is anticipated that the CRA will participate in the public realm and ROW improvements within the TOD district. Your letter stated the Supreme Court decision eliminated the use of TIF for this type of project. The court's decision did not eliminate the use of TIF; instead it determined a referendum was required to encumber ad valorem revenue. The court also did not delineate parameters for any public process causing great confusion. The city is waiting for the Supreme Court to issue a revised opinion based on a similar court case that is pending which may influence the Supreme Court ruling. Pending the outcome, the city will most likely utilize any process that is available to access TIF for the TOD project.

- **Revised Approach Proposed by Mr. Masanoff**

The city does not have any written information nor has it taken any action regarding any proposal by Mr. Masanoff or any other private sector developer. Since the county is obligated to follow procurement rules related to disposition of public property, the city would not take any action prior to the completion of that process.

- **Downtown Master Plan Amendments**

At the August 27, 2007 City Commission meeting, the City Commission approved the amendments to the Downtown Master Plan Element of the Comprehensive Plan incorporating the necessary changes to proceed with the development of the TOD area. The amendments introduced are the following:

1. **TOD District.** A TOD district has been identified within the Downtown area, including all Palm Beach County properties, State of Florida properties, the remaining private property encompassed between Fern Street, Clematis Street, Sapodilla Avenue and Tamarind Avenue and the piece of land known as the Wedge. A general vision for the area was also provided, emphasizing the opportunity to "design a new pedestrian-friendly residential neighborhood within close proximity to public transportation." The area was identified to include "attainable, workforce and market-rate housing as well as a percentage of office uses, encouraging the mix of uses that ideally creates an



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**Kim Briesemeister**  
CRA Executive Director

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active urban neighborhood." (**Exhibit C** – Downtown Master Plan)

2. **TOD District development capacity.** As part of the Downtown Master Plan the development capacity of the properties within the TOD District has been modified to better accommodate the vision of the area. (**Exhibit D** – Regulating Map and Incentive areas Map) The updated Master Plan allows the properties within the TOD area, east of Tamarind Avenue, to accommodate a mixed-use development with a maximum Floor-Area-Ratio of 2.75 and a maximum height of 10 stories. Additional intensity and height may be achieved through special incentives up to a 15 stories and an FAR of 3.75 for the properties immediately east of Tamarind Avenue.

Having completed the process to update the Downtown Master Plan Element of the Comprehensive Plan, the City is currently undergoing a process to update the Zoning and Land Development Regulations which implement the Downtown Master Plan Element.

A zoning in progress is scheduled for approval by the City Commission in December 2007. The zoning in progress will include an interim Urban Regulation which allows new development to proceed while the final urban regulation is drafted.

The proposed urban regulations reflect the TOD style development identified as desirable for the subject area in the Comprehensive Plan. A copy of the interim urban regulations will be submitted to the County staff for review and comments in the following weeks.

Please contact me if you need additional information.

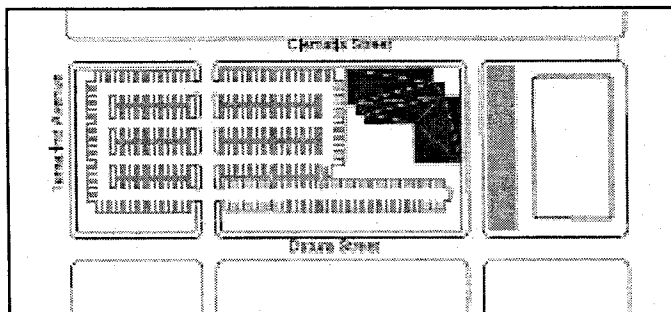
Sincerely

Kim Briesemeister  
Redevelopment Manager/CRA Director


**Exhibit B**  
**Public Use Block**

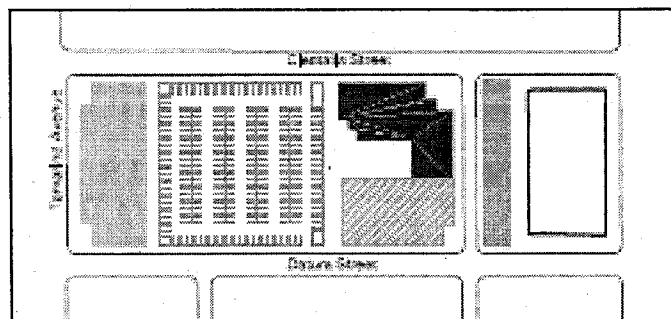
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4/33

### Alternative 3 DOH more efficient option







Proposed Phase I build out

 DOH Building  
Initial build out = 90,000sf (5 stories)



Recommended total build out

 DOH Building  
Initial build out = 90,000sf (5 stories)  
 PB County expansion Building  
Total build out = 350,000sf (33,000sf floor plate)  
 State expansion Building  
Total build out = 200,000sf (22,500sf floor plate)  
 Parking garage = 1500 spaces - 5 levels  
Required parking by code = 1280 spaces

**Exhibit C**  
City of West Palm Beach Comprehensive Plan  
Downtown Master Plan Element

**DOWNTOWN MASTER PLAN ELEMENT  
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## AMENDMENT HISTORY

History:      Adopted: 1/11/90, Ord. No. 2295-89  
                  Revised: NOI 1/26/96, Compromise, Settlement and Release Agreement  
                  7/15/97, Ord. No. 2758-94  
                  Revised 11/19/01, Ord. No. 3395-01  
                  Revised: 2/6/03, Ord. No. 3583-02  
                  Revised: 9/29/03. Ord. No. 3652-03

# DOWNTOWN MASTER PLAN ELEMENT

## Introduction

Readers of the Master Plan are encouraged to regard it as part of the ongoing planning history of West Palm Beach. The Plan reinforces historical design concepts which, by their continuing survival in the Downtown, have proved their validity for evolving conditions. It proposes that new action support the city's traditions rather than depart from them, so that new building does not devalue the old.

The 1923 plan which John Nolen drew for a growing small city was an elegant, wise, and holistic beginning. It deserves admiration for its simplicity and clarity. The heart of the plan was Clematis Street, its west end the city's entry from the train station, at that time the only connection to the rest of the world for West Palm Beach and Palm Beach. Half mile away (a ten minute walk) at the edge of Lake Worth, Clematis Street's east end was the embarkation point for the ferry to Palm Beach.

With the traffic entering both cities passing along Clematis Street, it can be imagined to have been at one time a vibrant commercial center.

History's events, which cannot be thoroughly chronicled here, brought drastic changes to this serene beginning of the future regional urban center. Automobile connections eclipsed the importance of train arrival and ferry crossing. US Highway 1, running north-south through the city, and later 1-95 west of Clear Lake, virtually replaced the train; and the first bridge to Palm Beach moved gateways and traffic from Clematis Street to Okeechobee Boulevard. Mid-century suburban growth to the west further dispersed the downtown focus of West Palm Beach. In a familiar American metropolitan scenario, the Downtown now competes with growing centers of more recent development throughout Palm Beach County.

In 1995 the City Commission of the City of West Palm Beach approved Ordinance No. 2758-94 adopting a comprehensive Master Plan which sought to provide a coherent context for West Palm Beach's apparently disparate projects, encourage private investment, and support the redevelopment of the downtown area.

The Master Plan, completed in 1994, was prepared for a downtown experiencing the typical decline of a small American City during the 70's and 80's. The Downtown population was diminishing, the shopping areas had been displaced to the suburbs, and surface parking lots were increasingly replacing old structures. Despite these conditions, in 1994, the rebuilding of the downtown area was an effort clearly identified by the citizens of West Palm Beach as an important cause to pursue.

Since 1994, the Downtown has substantially changed. Downtown population has increased from 4,569 residents in 2000 to 6,470 in 2005 and is estimated to reach 12,859

Attach D  
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residents by 2010. At the same time, 1,493 new residential units have been built since 1994 and an additional 2,703 units are currently under construction. Also, 1,160,521 square feet of non-residential uses have been built since 1994 and approximately 380,000 square feet of office space is currently under construction. However, despite the changes, the rebuilding of the downtown is still a valid goal. The downtown area still has approximately 125 acres of vacant land, including parking lots.

The participants in the 1994 Master Plan process enumerated the following characteristics as support for the continuing development effort:

1. Downtown West Palm Beach is the historic center of the region and, as such, remains the geographical and psychological focus of a large population.
2. It is the transit center for the region albeit not yet realized to its full potential. The West Palm Beach train station provides the rail connection to other cities in South Florida as well as to the rest of the state and the country. The regional airport is near Downtown, too.
3. It is the seat of government, both City and County.
4. It is the cultural center of the region, an ambition reinforced by recent investment in new facilities like the Kravis Center for the Performing Arts.

These characteristics are still present in downtown and have been continuously identified by the community as the basis for the constant effort on redeveloping the downtown area and making it a vibrant 24-hour City.

The City and the interests it represents have already invested a tremendous amount of effort and money to reinforce the Downtown's importance as the center of the region and to make West Palm Beach great. In addition to the completion of the projects underway at the time the 1994 DMP was approved, such as the improvements on Okeechobee Boulevard and Clematis Street, the downtown shuttle and CityPlace-Clematis Street trolley, the expansion of the Kravis Center of the Performing Arts and the County Courthouse, a continuous public and private commitment with the Downtown redevelopment can be seen in the completion of new projects such as the streetscape improvements for Dixie Highway and Olive Avenue, the construction of the Palm Beach County Convention Center, the construction of the CityPlace mixed use project and the development of approximately 1,493 new residential units.

The completion of these projects and the new projects currently under planning and construction process, such as the new City Hall and Library, the City Commons and

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waterfront park, and the approximately 2,700 new residential units will dramatically change the dynamics of the downtown.

### **Vision of the Master Plan**

It remains for the Master Plan to bring all these ambitious individual gestures together in a unified vision of a Downtown inspiring confidence and encouraging new development without waiting for the next real estate boom. With this goal, the plan promotes a vision of:

1. A place of unity, which its residents and visitors, at work or play, feel attached to and responsible for;
2. A place of unique character with public spaces in which people feel comfortable together;
3. A place of common vision and physical predictability for all new building, to ensure security of investment for property owners and developers as well as an aesthetic experience for users;
4. A memorable place of human interaction, safety, and commercial and cultural benefit.

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10/33

## GOALS, OBJECTIVES, AND POLICIES

Goal 1: The downtown area shall be a place of unity, which its residents and visitors, at work or play, feel attached to and responsible for. The downtown area shall be a place of unique character with public spaces in which people feel comfortable interacting.

Objective 1.1: The city shall promote, reinforce and protect the identity of each neighborhood, district, and corridor within the Downtown through the development and implementation of policies which establish appropriate regulations, consistent with the character of each neighborhood, district, and corridor.

Policy 1.1.1: The City shall implement regulations that meet the intent and character of each of the Downtown Districts described as follows and depicted on the Downtown District Map in Figure 16-1.

A. Northwest Neighborhood District: As the first historic district in the City, the Northwest Neighborhood is characterized as a single-family residential neighborhood with single-family Florida vernacular and Mediterranean revival houses. The single-family character and scale of the neighborhood shall be maintained and encouraged through rehabilitation and infill housing. The rehabilitation of existing multifamily structures shall be allowed. Neighborhood commercial uses are an important component of the character of the neighborhood and, as such, shall be permitted within originally constructed commercial structures. The connectivity of the neighborhood with the rest of the Downtown shall be enhanced through the opening of 7<sup>th</sup> Street at the FEC, and Douglass Avenue and Division Avenue at Banyan Boulevard.

The historic mixed-used corridors in the neighborhood, such as Tamarind Avenue and Rosemary Avenue, shall be encouraged and developed in a low scale compatible with the single-family structures. Within these corridors neighborhood commercial uses shall be allowed. The character and description of this district allow for the implementation of the recommendations outlined within the Stull and Lee Report approved by the City Commission of the City of West Palm Beach (Resolution No. 456-02).

B. Industrial Chic District: Located adjacent to the FEC railroad line and originally developed as industrial uses, the area is currently incompatible with the adjacent residential neighborhood. However, the existing structures provide an opportunity for an avant-garde neighborhood that promotes less conventional housing types such as live/work units and lofts. Comparable to a warehouse district, this area will appeal to emerging artists, individuals seeking atypical housing choices and small start-up businesses.

height to maintain the existing character of the street. Portions of the district adjacent to Banyan Boulevard and Datura Street provide a transition to adjacent districts, with building placements that preserve the scale of the Clematis Street corridor.

H. Quadrille Business District: The Quadrille Business District (QBD) is the prime location of office use and includes, with incentives, the greatest potential density of development and tallest building heights in the Downtown. The intent is to create an activity center that connects the retail areas at CityPlace and Clematis Street retail corridor. The QBD focuses the most intense development along Quadrille Boulevard to create a true office corridor. Although the district will include a mixture of uses, such as retail, commercial, hotel, and residential, the office uses will be preferred. Additional building height in this district is tied to the provision of substantial office space and the creation of the new road on the west side of the FEC corridor between Clematis Street and Gardenia Street. At the same time, the district respects the scale of Clematis Street and Rosemary Avenue by stepping down building heights along those corridors. This district shall create a strong connection with the Northwest Neighborhood through a transition from Banyan Boulevard that integrates the single family neighborhood.

I. Transit Oriented Development: The TOD District provides the opportunity to design a new pedestrian-friendly residential neighborhood within close proximity to public transportation in an area of the Downtown which is largely undeveloped. This district shall provide a gateway to the Seaboard Train Station from the Quadrille Business District, CityPlace, and Clematis Street, as well as the Northwest neighborhood. The area shall include attainable, workforce and market-rate housing as well as a percentage of office uses, encouraging the mix of uses that ideally creates an active urban neighborhood. This combination of accessibility to public transit, housing, and job opportunities will shape this district as an active urban neighborhood with uses and building designs which promote walkable streets, reduced parking ratios, and green spaces. This new residential area should support the retail area along Clematis Street and Rosemary Avenue, with only a small percentage of neighborhood services recommended within this district.

Within this District, the Tamarind Avenue corridor shall be reinforced as a pedestrian-friendly street that connects the district with the intermodal facilities at the Seaboard Train Station and accommodates the higher densities within the district. The interior of the district is envisioned as a mid-rise residential neighborhood including public amenities such as a neighborhood park. Two new connections, aligned with Division Avenue and Douglass Avenue, are recommended through the District between Clematis Street and Fern Street.

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C. Brelsford Park District: The Brelsford Park area is a primarily residential neighborhood whose building scale and character shall be preserved and reinforced by similar scale infill projects. Its potentially historically significant structures are an important part of the character of the neighborhood and should be preserved.

The Dixie Highway corridor, along the eastern edge of the District, is a primarily mixed-use corridor, ideal for accommodating low scale residential and commercial uses to support the residential area, provided that such uses do not negatively impact the residential character of Brelsford Park.

D. Providencia Park District: Providencia Park is a residential waterfront neighborhood with single-family homes of historic significance. Its scale and character as a residential neighborhood shall be preserved. The professional office overlay in portions of the district west of Olive Avenue allows for the conversion of residences into professional offices without changing the architectural character of the neighborhood.

E. Loftin District: The Loftin District will provide a transition between the high-rise districts of the Quadrille Garden District and the Flagler Waterfront and the lower scale of the Providencia Park District. The Loftin District is envisioned as a mixed-use district with an emphasis on residential uses.

F. Quadrille Garden District: The Quadrille Garden District was at one time an ill-defined assortment of commercial, residential, parking lots, and vacant lands stretching between Quadrille Boulevard to the west and Olive Avenue to the east. The Quadrille Garden District focuses higher density development and taller buildings along Quadrille Boulevard, with buildings stepping down to Dixie Highway and Olive Avenue. Office uses are encouraged along Quadrille Boulevard, while mid-rise residential uses dominate the interior of the district. Ground floor retail and live-work units are also encouraged. The Quadrille Garden District is contemplated as the neighborhood of the contemporary "Green City," with an emphasis on green building practices as well as creative uses of landscaping and plant materials. The preservation of the remaining low-scale Florida vernacular buildings within the District is encouraged to commemorate the architectural heritage of the City and its link to the natural environment.

G. Clematis Waterfront: The Clematis Waterfront district is a pedestrian oriented, historic retail corridor located between the waterfront and Rosemary Avenue along Clematis Street. This District shall be maintained with ground floor retail, along Clematis Street, with mixed-uses allowed above the first floor. The establishment of a conservation district will protect its scale and architectural character. Incentives shall be provided to maintain existing buildings that are lower than the maximum permitted

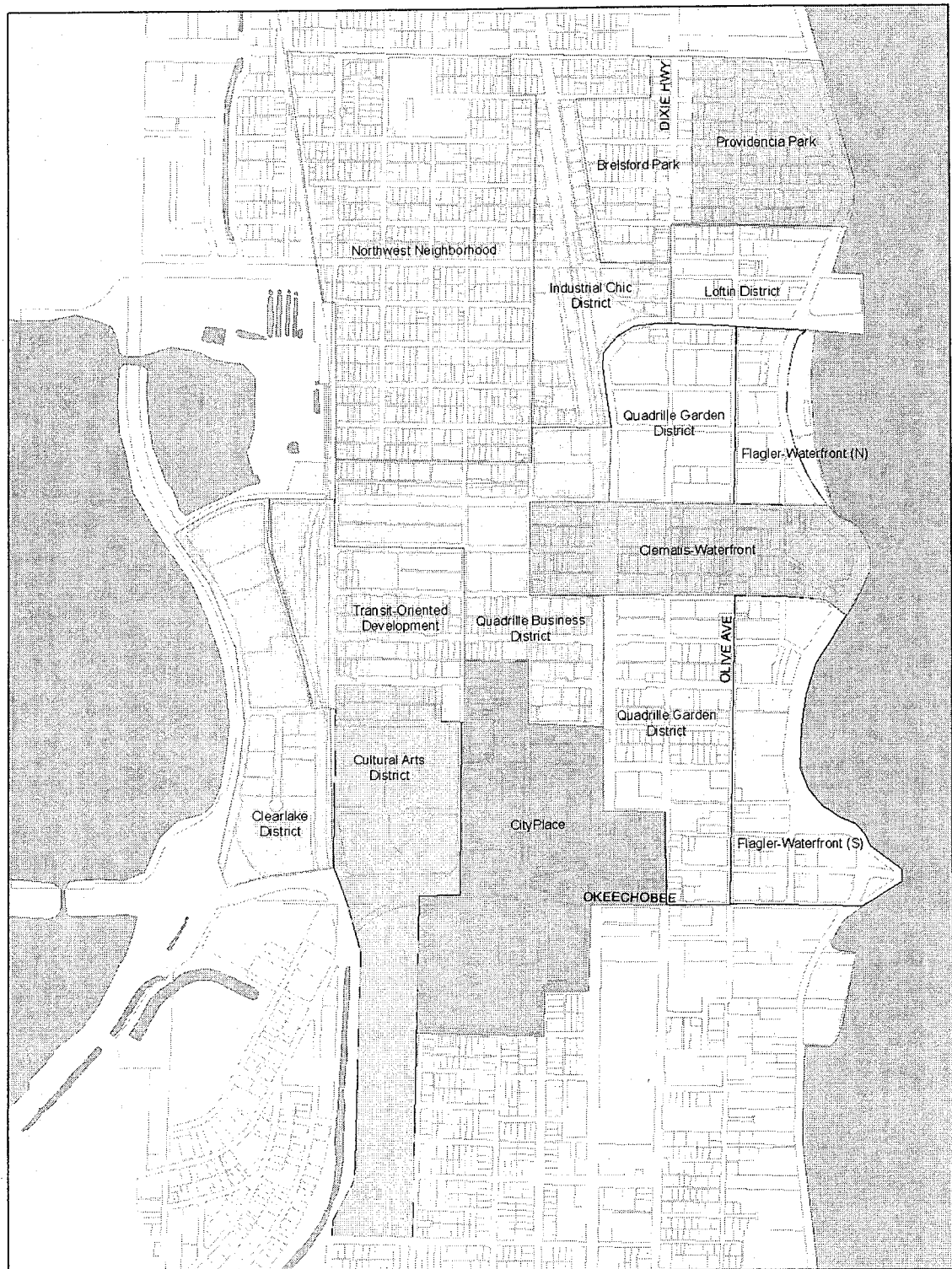
J. Clearlake District: Characterized by a mixture of high-rise office and residential buildings, this district does not share the historic street grid pattern of the Downtown. However, any new development shall be encouraged to provide pedestrian connectivity between the intermodal site on the east side of the District and Clear Lake to the west.

K. Cultural Arts District: Identified as the main cultural and educational center within the Downtown, the Cultural Arts District shall be reinforced by the promotion of additional cultural and educational facilities on the underutilized Fern Street properties located within the District. The District is anchored by the Kravis Center for the Performing Arts, the Dreyfoos School of the Arts, and the Palm Beach County Convention Center. A stronger connectivity between the cultural facilities and the rest of the City shall be promoted.

L. CityPlace District: CityPlace is a Development of Regional Impact characterized as a mixed-used District, with a primary emphasis on retail along Rosemary Avenue. Its restaurants, entertainment, and retail uses support the Convention Center and the nearby Cultural Arts District and serve as a southern attraction point to the Quadrille Business District. The CityPlace District, north of Okeechobee Boulevard, is primarily low-scale mixed-use, with low-scale residential west of Rosemary. The low-scale residential provides an alternative housing type not available elsewhere in the downtown. The development of the triangle site is recommended as low-scale development with a preference of open space.

M. Flagler Waterfront: The Flagler Waterfront district is located along Flagler Drive, the City's scenic Intracoastal waterfront roadway. The neighborhood is characterized by various waterfront green open spaces, high-rise condominium buildings and office towers. Any new development within this District shall be encouraged to provide pedestrian connectivity to the waterfront.

Figure 16-1 – District Map & Boundaries



Source: City of West Palm Beach, 2007

Policy 1.1.2: The City shall develop and adopt regulations that give preference to infill development and the rehabilitation of existing structures to preserve the character and scale of the Downtown. The demolition of existing structures shall be discouraged in the absence of building permits for new construction.

Policy 1.1.3: The City shall enforce vacant property regulations with fines and property liens on violators.

Objective 1.2: The City shall preserve and create sites of civic prominence which provide identity, illustrate history, and instill value. Sites of civic prominence include, but are not limited to, the termination of vistas, important civic structures, gateways and significant open spaces.

Policy 1.2.1: The Planning and Zoning Department shall identify current and potential civic sites and indicate their locations on the Regulating Map to highlight their importance within the urban fabric.

Policy 1.2.2: The Planning and Zoning Department shall establish standards for the review of civic sites which recognize the importance and prominence of such sites and buildings. The Downtown Action Committee shall review and approve the design of sites of civic prominence. The review shall ensure the quality of design and development.

Objective 1.3: The City shall encourage the preservation of downtown historic districts and historically significant buildings and sites to protect its historical character.

Policy 1.3.1: The Planning and Zoning Department and its Historic Preservation Division shall continue to apply the City's Historic Preservation Ordinance to the downtown area.

Policy 1.3.2: The City shall ensure the preservation of buildings and sites of historical value through the use of preservation tools such as Transfer of Development Rights, the Historic Preservation Ordinance, and Historic Conservation Districts, which preserve the character and streetscape of historic corridors.

Policy 1.3.3: The Planning and Zoning Department shall encourage the designation of buildings and sites of historic importance by identifying potentially eligible properties and indicating them as sending sites on the Transfer of Development Rights Map included in the Zoning and Land Development Regulations.

Policy 1.3.4: The Planning and Zoning Department shall maintain regulations and standards of review which ensure the compatibility between new buildings and historic structures and districts.

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Objective 1.4: The City shall encourage the creation and enhancement of public open spaces in the Downtown.

Policy 1.4.1: The Planning and Zoning Department, in collaboration with the Parks and Recreation Department, shall develop and maintain a comprehensive parks and open space plan including recommended standards and locations for neighborhood parks and open spaces within the Downtown.

Policy 1.4.2: The Planning and Zoning Department shall develop and maintain regulations that require the creation of public open spaces as part of major developments. A percentage of the development site shall be dedicated to public open space to provide relief from the higher densities introduced in the Downtown.

Policy 1.4.3: The City shall promote the enhancement of existing public open spaces such as the City Commons and Waterfront Park, Howard Park, and other neighborhood parks.

Policy 1.4.4: The City shall recognize the pedestrian portion of the public rights-of-way and its elements as part of the public open space system and, as such, promote its enhancement. The Planning and Zoning Department, in coordination with the Engineer Services Department, shall develop standards for rights-of-way regarding all streetscape elements such as, but not limited to, street furniture, landscape, and sidewalk material.

Goal 2: The City shall promote a variety of activities that support downtown West Palm Beach as the urban center of Palm Beach County and make it a memorable place of positive human interaction.

Objective 2.1: The City shall promote the growth of the downtown employment base.

Policy 2.1.1: The City shall create new or amend existing incentive programs, such as the Transfer of Development Rights, to encourage the development of the Quadrille Business District (QBD). The QBD will have the most intense development in the downtown and will create a new mixed use center, linking the Clematis Street retail corridor and CityPlace.

Policy 2.1.2: The City shall enhance Quadrille Boulevard as an urban parkway through improvements in streetscape and the construction of a frontage road along the west side of the FEC corridor between Gardenia Street and Clematis Street. The new frontage road will create a façade for the new Quadrille Business District and enhance the public realm along Quadrille Boulevard. A pedestrian connection shall be encouraged between

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Clematis Street and Banyan Boulevard, as well as from Gardenia Street and Okeechobee Boulevard.

Objective 2.2: The Downtown Development Authority and the Community Redevelopment Agency, in cooperation with the City, shall promote viable and sustainable retail businesses.

Policy 2.2.1: The Downtown Development Authority and the Community Redevelopment Agency, in cooperation with the City, shall promote retail businesses along Clematis Street and Rosemary Avenue as the main shopping and entertainment corridor, supporting the link between the Clematis Street retail corridor and the CityPlace development.

Policy 2.2.2: The City's architectural design guidelines shall include storefront design standards that address proper window display, entry design, signage, lighting, fixtures, and other elements which support successful retail.

Policy 2.2.3: The City, in cooperation with the Community Redevelopment Agency and the Downtown Development Authority, shall encourage the location of uses that specifically support a sustainable residential community, such as neighborhood commercial uses, including but not limited to, day care centers, schools, and grocery stores.

Objective 2.3: The City shall promote cultural and art related uses within the downtown.

Policy 2.3.1: The City shall encourage that any available sites within the Cultural Arts District identified in the Regulating Map be utilized for cultural arts uses, arts-related activities, and educational facilities. An increased connectivity with surrounding cultural facilities through the creation of prominent at-grade pedestrian crossings between cultural facilities such as, but not limited to, the Convention Center and the Kravis Center for the Performing Arts shall be promoted.

Policy 2.3.2: The City shall develop incentives that establish the Industrial Chic District as a neighborhood that supports emerging artists, galleries, and other creative industries.

Objective 2.4: The City shall encourage the construction of new housing and the renovation of existing housing within the Downtown for citizens of all income levels.

Policy 2.4.1: The City shall implement the goals, objectives and policies contained in the Housing Element of the City's Comprehensive Plan with

regards to assisting the Community Redevelopment Agency and other public and private agencies in providing housing in the downtown area.

Policy 2.4.2: The City shall promote the creation of workforce housing through the establishment of a Downtown Housing Strategy which incentivizes the provision of workforce housing units. The Downtown Housing Strategy will support the City's overall housing goals and shall be adopted within one year of the effective date of the adoption of the Downtown Master Plan Element of Amendment Round 07-01. The Downtown Housing Strategy shall specify recommendations for the following:

- 1) Locations and allocation of workforce housing units by district.
- 2) Minimum thresholds for the inclusion of workforce housing units in new development.
- 3) Appropriate mix of unit types and sizes.
- 4) Income eligibilities and targets ranges.
- 5) Design considerations for unit typologies by district.

Workforce housing incentives may include but are not be limited to:

- 1) An expedited site plan approval and zoning review process for new developments which provide a minimum number of workforce housing units.
- 2) A density bonus program allowing additional housing units, of which a portion are required to meet workforce housing requirements. Residential densities within downtown districts may be increased above the base floor area ratios as established within Downtown Master Plan Element Policy 3.1.3.
- 3) The waiver of Planning and Zoning fees for developments which provide a minimum number of workforce housing units.
- 4) A Utility Fee Waiver for water and sewer capacity charges which meet guidelines for workforce housing.
- 5) The completion of an Infill Housing Program by September 2008 for City and CRA-owned properties within the Northwest Neighborhood and Brelsford Park to support the creation of workforce housing.

Goal 3: The Downtown area shall be a place of physical predictability consistent with the character of each District that ensures confidence for property owners as well as an aesthetic experience for residents and users.

Objective 3.1: The City shall establish a regulatory framework for physical predictability that meets the intent and character of each district.

Policy 3.1.1: The City's Planning and Zoning Department shall develop and maintain a Regulating Map to identify each neighborhood, district and

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corridor and specify the maximum allowed heights and densities and intensities for each neighborhood, district and corridor, assuring the protection and reinforcement of their character. The Regulating Map is a graphic document that illustrates the buildable sites and designates open spaces in the master plan area. The Map indicates the downtown districts as defined in Policy 1.1.1 and the Urban Regulations; and the "Street Types" whose fronting buildings must follow all the pertinent regulations in order to maintain uniform spatial definition of public spaces and continuity of building frontage.

Policy 3.1.2: The City's Planning and Zoning Department shall maintain the Zoning and Land Development Regulations that outline the specific implementation measures and guidelines for each neighborhood, district and corridor, reinforcing the defining elements and character of each. The Zoning and Land Development Regulations implement the vision of the district through the regulation of their uses, Floor Area Ratios, building typologies, height and other elements necessary to preserve and enforce the character of each District.

Policy 3.1.3: The City shall establish zoning designations which are compatible with the intent and defined character of each district, following the maximum densities and intensities established for each district and further described within this policy. The intensities and densities described below are not intended to be a guarantee of capacity, and the actual capacity of individual properties may vary based upon site-specific design factors, such as lot size and configuration, parking, setbacks, etc.

It is the intent of the new FAR-based regulations to create greater flexibility, architectural variety, more open space and public amenities. The conversion to FAR from the form-based code established by the 1994 Downtown Master Plan is intended to reach these goals without causing an inordinate burden on any property. In no event, however, will the density and intensity for the DMP area under the FAR-based regulation exceed that allowed by right under the previous form-based code for the DMP area. (See Appendix I for maximum development capacity).

- A. Northwest Neighborhood District: The district is comprised of medium and low density mixed-use development located along Rosemary Avenue and Tamarind Avenue with residential uses in the interior.
- Tamarind Avenue corridor: identified as a mixed-use corridor with a maximum height of two stories and an FAR of 1.00 allowed. Properties within the existing Tamarind Avenue core between 6<sup>th</sup> Street and 9<sup>th</sup> Street are allowed a maximum height of five stories and a maximum FAR of

2.75, excluding properties located at the southeast corner of Tamarind Avenue and 9<sup>th</sup> Street. Properties on the west side of Tamarind Avenue, north of 9<sup>th</sup> Street, may be allowed additional height through special incentive programs to a maximum of four stories and 1.75 FAR. New buildings along this corridor shall be compatible in scale and character with the existing commercial structures as well as the adjacent residential uses.

- Palm Beach Lakes Boulevard corridor: properties within this corridor are allowed a maximum height of two stories and an FAR of 1.0.
  - Rosemary Avenue corridor: identified as a mixed-use corridor within the district. Along the corridor, properties north of 7<sup>th</sup> Street, west of Rosemary Avenue are allowed a maximum height of two stories and an FAR of 1.00. Properties located south of 7<sup>th</sup> Street to the south side of 4<sup>th</sup> Street are allowed a maximum height of four stories and an FAR of 1.75. The west side of Rosemary Avenue, between 2<sup>nd</sup> Street and the north side of 3<sup>rd</sup> Street, are allowed a maximum height of five stories and an FAR of 2.75.
  - The interior area of the district shall be residential uses with a maximum density of 14 dwelling units per acre and a maximum height of two stories. Accessory residential units, such as outbuildings, are permitted. Existing multifamily and commercial structures may be renovated and retained within the neighborhood.
  - Multifamily residential uses may be permitted for properties south of the alley immediately north of Second Street with a maximum density of 20 dwelling units per acre and a maximum height of three stories through incentives.
- B. Industrial Chic District: The district is a mixed-use district which permits residential, limited commercial and arts-related uses.
- Maximum FAR of 2.75 with a maximum height of five stories is assigned to the district.
  - Properties located north of 11<sup>th</sup> Street shall have a base FAR of 1.0 and height of two stories but shall be permitted to increase density through special incentives to a maximum FAR of 2.75 and a height of five stories.
- C. Brelsford Park District: The district is comprised of a mixed-use commercial corridor located along North Dixie Highway with primarily residential uses on the interior.

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- Dixie Highway and 7<sup>th</sup> Street corridors: maximum FAR of 2.75 with a maximum height of five stories.
- The interior of the neighborhood shall be primarily residential with a maximum of 14 dwelling units per acre and two stories in height. Through incentives, the density may be increased to a maximum of 20 dwelling units per acre and a maximum height of three stories. Accessory residential units such as outbuildings are permitted. Limited office and arts-related uses shall be permitted. The orientation and scale of the development shall be compatible with those of the residential neighborhood with appropriate front, side, and rear setbacks.
- Bed-and-breakfast establishments may be permitted with special requirements.

D. Providencia Park District: The district is primarily residential with a professional office overlay that allows the conversion of existing residential structures into professional office between Olive Avenue and Dixie Highway. No bonus FAR is permitted in this district.

- The maximum density shall be 14 dwelling units per acre and a maximum height of two stories. Accessory residential units such as outbuildings are permitted. New construction, whether for residential or office use, must be in scale and character with single-family development. Office uses shall be permitted as defined by the Providencia Park Professional Office overlay.

E. Loftin District: The district is a mixed-use district with emphasis on residential uses. The district serves as a transition area between the more commercial Quadrille Garden district and Flagler Waterfront, and the residential Providencia Park district. The district is divided into two different areas:

- District Corridors: The district shall be mixed-use with an FAR of 2.75 and a maximum height of ten stories for properties located along Dixie Highway between 8<sup>th</sup> Street and 6<sup>th</sup> Street, for properties along Olive Avenue between Eucalyptus Street and 6<sup>th</sup> Street and for properties located south of 7th Street and north of 6th street between Olive Avenue and Dixie Highway. Properties located north of Eucalyptus Street along Olive Avenue and the block immediately north of Loftin Boulevard, as well as the properties located on the east side of Olive Avenue shall

have a maximum FAR of 2.75 and a maximum height of five stories. A limited number of properties west of Flagler Drive east of Olive Avenue between 7<sup>th</sup> Street and 8<sup>th</sup> Street shall have a maximum density of 14 dwelling units per acre and a maximum height of two stories. Properties located between Eucalyptus Street, 6<sup>th</sup> Street, Olive Avenue and Dixie Highway, and properties located along Dixie Highway north of Eucalyptus Street may be allowed bonus height and density through special incentive programs to a maximum height of twelve stories and a maximum FAR of 3.25.

- District Interior: A limited number of properties located north of 7<sup>th</sup> Street, not located along the district corridors, shall be mixed-use with an FAR of 1.75 and a maximum height of four stories.

F. Quadrille Garden District: This district, comprised of mixed-use commercial development and residential uses, is divided into four main areas as follows:

- Lakeview corridor: South of Trinity Place, the area is defined as a mixed-use with a maximum FAR of 7.00 and a maximum height of twenty-five stories. No bonus densities are permitted in this area.
- Quadrille Boulevard corridor: This mixed-use area adjacent to Quadrille Boulevard has a base FAR of 2.75 and a base building height of ten stories. Properties within the corridor may receive additional density through incentive programs to a maximum building height of fifteen stories and a maximum FAR of 3.75. Additional height and density shall be oriented along the Quadrille Boulevard corridor, and step down towards Dixie Highway.
- District Interior: The remainder of the district is mixed-use, including commercial, residential, and ground-floor retail. The maximum building height is ten stories with a maximum FAR of 2.75. For properties north of Banyan Boulevard, additional height may be achieved through special incentives to a maximum of fifteen stories and an FAR of 3.75.
- Loftin corridor: The Loftin corridor is restricted to a maximum height of five stories with an FAR of 2.75.

G. Clematis Waterfront District: This district is divided into two distinct areas as follows:

- Clematis street corridor, including Clematis North and Clematis South: Maintaining the historic character of this corridor, the mixed-use buildings in this corridor are required a retail frontage on the first floor. Buildings within the corridor are allowed a maximum height of five stories and an FAR of 2.75. Additional height is not permitted within this corridor.
- Clematis transition area: This area includes the properties along the south side of Banyan Boulevard to the alley, and the north side of Datura Street to the alley, between Rosemary Avenue and Olive Avenue. Within this area, buildings are allowed a maximum height of ten stories with an FAR of 2.75. Additional height may be achieved through special incentives to a maximum of twelve stories and an FAR of 3.25.

H. Quadrille Business District: This district is divided into three distinct areas as follows:

- Banyan Boulevard corridor: The properties located immediately north of Banyan Boulevard, between Rosemary Avenue and Tamarind Avenue, shall be mixed-use with a base FAR of 1.0 and a maximum height of two stories, except for the properties located adjacent to Rosemary Avenue which have a base FAR of 2.75 and a maximum height of five stories. Properties located immediately south of Banyan Boulevard, between Rosemary Avenue and Tamarind Avenue, shall be mixed-use with a base FAR of 2.75 and a maximum height of ten stories. In order to create new through-street configurations per Policy 1.1.1, additional height may be achieved through special incentives to a maximum of fifteen stories with an FAR of 3.75 within the entire corridor. The additional height shall be oriented toward Banyan Boulevard, with a maximum height of five stories permitted along 2<sup>nd</sup> Street. The properties located between on the north side of Banyan Boulevard between Rosemary Avenue and Quadrille Boulevard shall have a base FAR of 2.75 and a maximum height of ten stories. Additional height may be achieved through special incentives to a maximum of 25 stories and an FAR of 6.5. Any additional height shall be oriented along Quadrille Boulevard and Banyan Boulevard and step down towards Rosemary Avenue with a maximum height of seven stories.
- South District: Properties south of the alley between Datura Street and Evernia Street shall have a maximum FAR of

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1.75 and a maximum height of eight stories. Additional height may be achieved through special incentives to a maximum of ten stories with an FAR of 2.75 for properties west of Rosemary Avenue. Properties east of Rosemary Avenue may achieve, through special incentives, a maximum height of twenty-five stories and an FAR of 5.5. Any additional height shall be oriented along Quadrille Boulevard and shall step down towards Rosemary Avenue with a maximum height of seven stories.

- District Interior: The remaining properties within the district shall have a base FAR of 2.75 and a height of ten stories. Properties located east of Rosemary Avenue may achieve, through special incentives, a maximum height of twenty-five stories and an FAR of 5.5. Any additional height shall be oriented along Quadrille Boulevard and shall step down towards Rosemary Avenue with a maximum height of seven stories.

I. Transit-Oriented Development: This district is comprised of three different areas:

- Intermodal Transit Facility: Located west of Tamarind Avenue, the Intermodal Transit site will support mixed-use development adjacent to transit services. Buildings on this site are allowed to a maximum height of twenty-five stories with an FAR of 7.00. No bonus densities are permitted in this area.
- Tamarind Corridor: The corridor provides a focus for office and residential uses, as well as some limited retail and services will support area employees and residents. The base FAR for properties east of Tamarind is 2.75 to a maximum height of ten stories. The Tamarind Avenue corridor may receive additional density through incentive programs to a maximum height of fifteen stories and an FAR of 3.75.
- District Interior: The remainder of the district is mixed-use with a focus on residential uses. The maximum FAR allowed is 2.75, with the maximum building height limited to ten stories. Additional density may be achieved through special incentives for workforce housing or open space to a maximum of 3.25 FAR and a height of ten stories. A limited number of properties located between Fern Street and the north side of Evernia Street, along Sapodilla Avenue have a base FAR of 1.75 and a maximum building height of eight stories. For these properties additional height may be achieved through special incentives for workforce housing

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or open space to a maximum of ten stories and an FAR of 2.75.

- J. Clearlake District: This district is primarily comprised of single-use office, hotel, or residential developments with limited ground-floor retail and services. The maximum allowed FAR is 7.00 within the district to a maximum height of twenty five stories. No bonus density is permitted within the district.
- K. Cultural Arts District: This district is primarily comprised of educational, cultural, and civic uses with a maximum FAR of 2.75. The district is a maximum of five stories in height, with limited residential and commercial uses also permitted. No bonus density is permitted within the district.
- L. CityPlace District: This densities and intensities of this district are contained within the CityPlace Development of Regional Impact regulations.
- M. Flagler Waterfront: The district is primarily comprised of various waterfront green open spaces and single-use developments, such as residential and commercial, with ground floor office and retail components. The permitted base FAR is 2.75 to a height of five stories. Additional density may be achieved through special incentives to a maximum height of fifteen stories and an FAR of 3.75.

Policy 3.1.4: The City shall establish zoning regulations which fulfill the following general conditions and requirements:

- A. To promote infill development, lots less than 55 feet in width are not required to provide parking. Those properties may increase their base FAR 0.75 points through special incentives. This provision does not apply to the Northwest Neighborhood, Brelsford Park and Providencia Park Districts.
- B. Properties which have received the Downtown Action Committee's approval for the transfer of development rights before the adoption of this amendment may complete the transfer to the approved receiving site even if the transfer results in an FAR that exceeds the FAR for which the site is eligible. In those cases where the development is seeking a new site plan approval or a modification of an existing approved site plan, the Downtown Action Committee shall review the project to determine the appropriate building configuration and design.

These properties are not eligible for special incentives to increase height and FAR.

- C. The City has identified specific areas within the Downtown Master Plan where an increase in density and intensity is appropriate. These areas will be subject to special incentives to promote the protection of historically significant structures, the creation of workforce housing and open space, among others. The incentive programs will be of a defined duration and will not change the base development rights. Properties designated as historic or historically-eligible shall not be appropriate for incentives to increase height or density. Any development incentive program within the Downtown area shall comply with the development caps and mix of uses required by the Transportation Element Objective 2.2.5 for the Downtown TCEA.
- D. New planned developments shall not be permitted and existing planned developments shall not expand. However, existing developments of regional impact may expand, provided that they meet the statutory requirements pertaining to developments of regional impact. If a planned development expires or is abandoned, the properties included within the planned development will be deemed to have the FAR, building heights, and zoning for the district in which the properties are located.
- E. The Fern Street Overlay, approved by the City Commission through Ordinance 3961-06, is recognized by the current Master Plan update and will be maintained as approved and amended.

Objective 3.2: The City shall promote an enhanced architectural design quality for all downtown development.

Policy 3.2.1: The Planning and Zoning Department shall maintain and implement architectural design guidelines which provide specific requirements for elements such as building facades, storefronts, fenestration, openings, articulation, materials, signage, lighting, roofing, and building variation. The guidelines shall aim to ensure an attractive and active public realm by addressing compatibility, articulation, safety and architectural variety and details.

Policy 3.2.2: The Planning and Zoning Department shall create a balance between building height and street section in order to ensure comfort of the pedestrian realm.

Policy 3.2.3: The City shall consider an architectural review board composed of design and planning professionals to review the architectural quality and compliance with the architectural design guidelines of major projects, developments adjacent to historic structures, and projects in historic conservation districts.

Policy 3.2.4: The City shall promote and encourage the implementation of green building practices as exemplified in the Leadership in Energy and Environmental Design (LEED) standards or the Florida Green Building Council.

Goal 4: The City shall encourage multiple modes of safe, comfortable, and efficient transportation systems.

Objective 4.1: The city shall seek a balance between motorized vehicular circulation and pedestrian comfort on downtown streets.

Policy 4.1.1: The City shall evaluate the feasibility to restore Dixie Highway and Olive Avenue to two way operation.

Policy 4.1.2: The City shall promote improvements that increase pedestrian comfort on downtown streets.

Policy 4.1.3: The Planning and Zoning Department shall develop regulations that mandate ground floor pedestrian-friendly uses where appropriate, and promote continuity in pedestrian travel by reducing vehicular intrusions. Continuous ground floor uses promote an urban environment that facilitates pedestrian movement.

Objective 4.2: The City shall encourage the use of alternative modes of transportation and implement strategies that mitigate the impact of single occupancy vehicles in downtown streets in support of the goals established by the Transportation Concurrency Exception Area as outlined in the Transportation Element.

Policy 4.2.1: The City shall explore expanding trolley routes to connect Downtown with surrounding neighborhoods. Service shall be continued as long as ridership demand and budgetary support exist. The City shall provide shelters, when feasible, and convenient headways to encourage the use of the service.

Policy 4.2.2: The City, in coordination with Palm Tran, the South Florida Regional Transportation Authority, and Palm Beach County, shall develop strategies to increase the safety, comfort, and accessibility of transit users by providing additional bus shelters, improved lighting, and other public facilities.

Policy 4.2.3: The City shall encourage the use of bicycles through the provision of bike racks, storage facilities, showers, and bike lanes, where appropriate, that provide safe access and connect Downtown with other neighborhoods.

Policy 4.2.4: The City shall encourage the development of a major intermodal transportation center by facilitating the construction of the Palm Tran transfer station, the improvement of the Seaboard Train Station, and other site improvements to increase safety, comfort and accessibility for transit users.

Policy 4.2.5: The City shall assist with and encourage the adoption and implementation of the South Florida East Coast Corridor Study, which seeks to provide public transit options within the existing FEC Railroad corridor.

Policy 4.2.6: The City shall promote a balance of land uses to achieve shorter trip lengths and reduce dependency upon automobiles.

Policy 4.2.7: The City shall assist and encourage the development and implementation of the Transit Oriented Development Area.

Objective 4.3: The City shall develop strategies by 2009 to manage the downtown parking supply and demand following the recommendations of the 2005 parking study prepared by Desman Associates.

Policy 4.3.1: The Planning and Zoning Department, in coordination with the Parking Administrator, shall develop alternatives to the provision of required off-street parking, including payment into a central parking fund, the allowance of shared parking, and other such options that recognize the urban conditions of the downtown area.

Policy 4.3.2: The City shall institute a plan to strategically locate parking garages and discourage the creation of new surface parking lots to maintain the integrity of the urban fabric. The City shall adopt regulations to improve the aesthetic quality of existing surface parking lots and enhance existing parking garages adding active uses on the first floors when possible.

Policy 4.3.3: The City shall develop a parking management program as a means to make more efficient use of parking resources. Parking management measures may include signage, adjustable parking rates and other strategies.

Policy 4.3.4: The City shall consider the implementation of a downtown parking impact fee.

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## APPENDIX I

### Downtown Master Plan Area Maximum Development Capacity

<b>1. 1994 DMP - Base</b>					
Building Type	I	II	III	IV	Total
Total Property Area	6,032,497	712,778	10,734,298	2,005,155	13,452,231
Maximum Building height (stories)	2	4	5	15	
Gross Development Capacity		2,851,112	53,671,490	30,077,325	86,599,927
Adjusted Gross development capacity "		2,423,445	46,157,481	25,866,500	74,447,426
Net development capacity (2)	883 units	1,454,067	27,694,489	15,519,900	44,668,456
(1) A percentage was deducted from the maximum development capacity to account for setbacks and sidewalks					
(2) A percentage was deducted from the adjusted gross development capacity to account for parking areas, chases, and efficiency					
<b>2. DMP - 1994 - Incentive Programs</b>					
<b>a. RIP - Bonus density/intensity</b>					
Building Type	I	II	III	IV	Total
Total Property area		712,778	10,734,298		
Additional Building Height (stories)	N/A	1	3	N/A	
Additional Gross Development Capacity		712,778	32,202,894		
Adjusted Gross Development Capacity (1)		605,861	27,694,489		
Net Development Capacity (2)		363,517	16,616,693		16,980,210
<b>b. TDR - Transfer density/intensity</b>					
Receiving Area	8-Story (II)	8-Story (III)	10-Story	20-Story	Total
Total Property area	104,271	2,554,102	2,727,221	2,280,311	7,665,905
Additional Building Height (stories)	4	3	5	5	
Additional Gross Bonus Area	417,084	7,662,306	13,636,105	11,401,555	33,117,050
Adjusted Gross Bonus Area	354,521	6,512,960	11,590,689	9,691,322	28,149,493

<b>1. 2007 DMP - Base</b>					
Equivalent 1994 DMP Building Type	I	II	III	IV	Total
Total Property Area	6,032,497	712,778	10,734,298	2,005,155	13,452,231
Base FAR	14 du/acre	1.75	2.75	7.00	
Net development capacity	833 units	1,247,362	29,519,320	14,036,085	44,802,766

Note: Since the majority of the downtown is a mixed-used area, the net development capacity estimated for the proposed amendment is not easily translated into a realistic maximum build-out density and/or intensity. The overall capacity for non-residential uses is limited by the caps set forth within the Transportation Concurrence Exception Area (TCEA) language included in the Transportation Element Objective 2.2.5. The maximum build-out density can be calculated by the difference between the overall downtown net development capacity (44,802,766 square feet) indicated on the table above, and the maximum allowed for non-residential uses (15,073,970 square feet), based on the TCEA. Unit counts estimated by assuming an average unit size of 1,000 square feet would yield a maximum density scenario of 29,728 units (based on 29,728,000 square feet of residential uses).

However, a more realistic projection of Downtown development is based upon trend estimates and future projections that indicate by the year 2015 the total number of residential units downtown will reach 12,761 units (per Palm Beach County 2007 Population Allocation Model) and the non-residential uses will occupy 10,146,006 square feet of development (per 2007 Lambert Advisors Market Analysis).

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This table has been included as an appendix to the Downtown Master Plan Element.

## APPENDIX I (continued)

### Downtown Development Projections

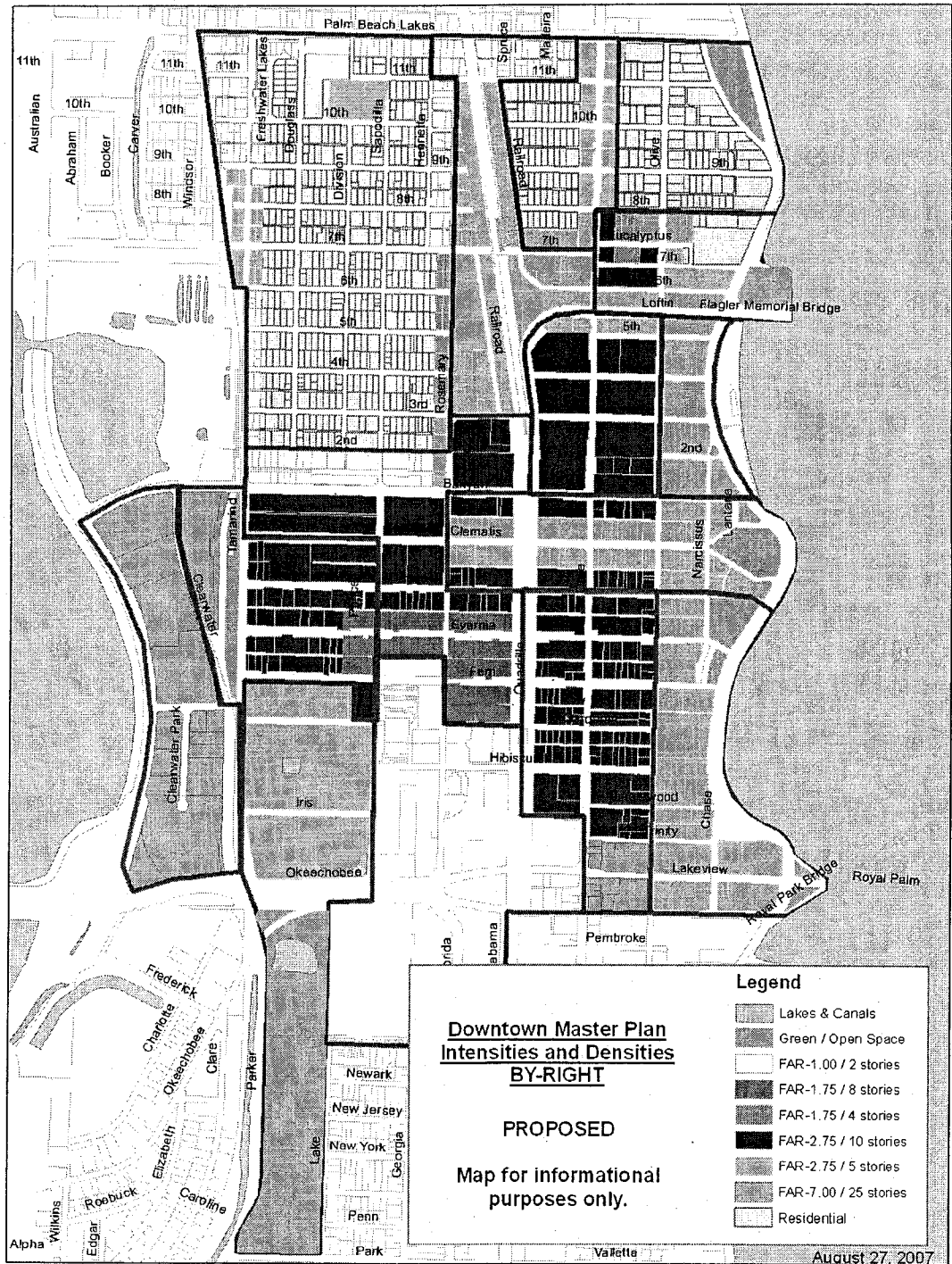
	Residential units	Total Residential units	Non-residential (sf)	Total Non- Residential (sf)	Residential to Non-Residential Ratio	TCEA Required Ratio
Total Development 2007	4,554		9,346,006		0.49	0.39
New projects under construction - 2009	2,045	6,599	360,000	9,726,006	0.68	0.42
Development projection 2015(1)	6,127	12,726	420,000 (2)	10,146,006	1.25	0.46

(1) Based on Palm Beach County 2007 Population allocation model for 2015 and utilizing its 1.76 persons per household (pph)

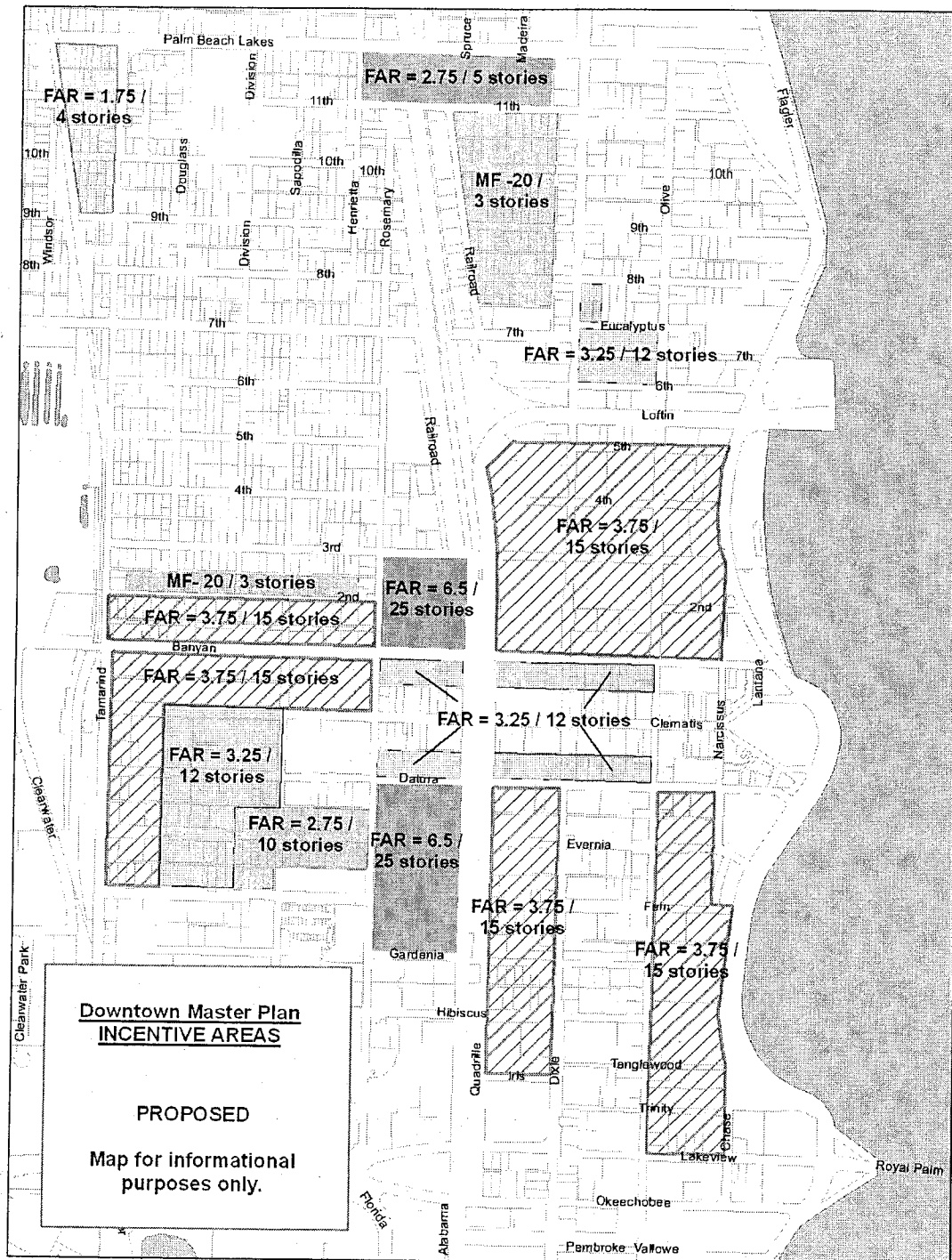
(2) Based on Lamber Advisory Market Analysis

Note: This table was amended after 3<sup>rd</sup> Reading to include the best available data from the Palm Beach County 2007 Population Allocation Model and it has been included as an appendix to the Downtown Master Plan Element.

# Exhibit D Regulating Map



# Exhibit D (cont.) Incentive areas Map



August 27, 2007

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