

Alliance of Delray Residential Associations, Inc.

Serving the Membership ♦ Improving the Community Lifestyle ♦ Working Toward Sustainable Development

Visit Our Website at: www.allianceofdelray.com

July 2020 issue of The Alliance Connection

ZOOMCAST Meetings

Wednesday July 1, 2020

Meet the Democratic Candidates!

Senate Districts 29 & 31; House Districts 81 & 91;

County Commission Districts 3 & 5

Wednesday July 15, 2020

Meet the Republican Candidates!

PLUS PBSO AND FIRE RESCUE UPDATES

Meetings Begin 10 AM

Go to www.allianceofdelray.com for links to meetings

Still time to send
this in! The
Alliance will be
attending the
August Zoning
Meeting

Let your voice be heard!

Please Return this to:

Alliance of Delray Residential Associations, Inc.

10290 W Atlantic Ave. #480504

Delray Beach, Florida 33448

OR

Email: allianceofdelray@bellsouth.net

PLEASE CHECK ONE:

_____ **I AM OPPOSED TO THE PROPOSED MCDONALD'S AT THE ATLANTIC AVENUE & LEGENDS WAY LOCATION**

_____ **I AM IN FAVOR OF THE PROPOSED MCDONALD'S AT THE ATLANTIC AVENUE & LEGENDS WAY LOCATION**

NAME: _____

COMMUNITY: _____

OFFICERS AND DIRECTORS OF THE ALLIANCE:

Robert Schulbaum, *President* Lori Vinikoor, *Executive Vice President*

Norma Arnold, *Vice President* Allen Hamlin, *Vice President* Arnold Katz, *Vice President* Ken Markowitz, *Vice President*

Evelyn Spielholz, *Secretary* Deborah Borenstein, *Treasurer*

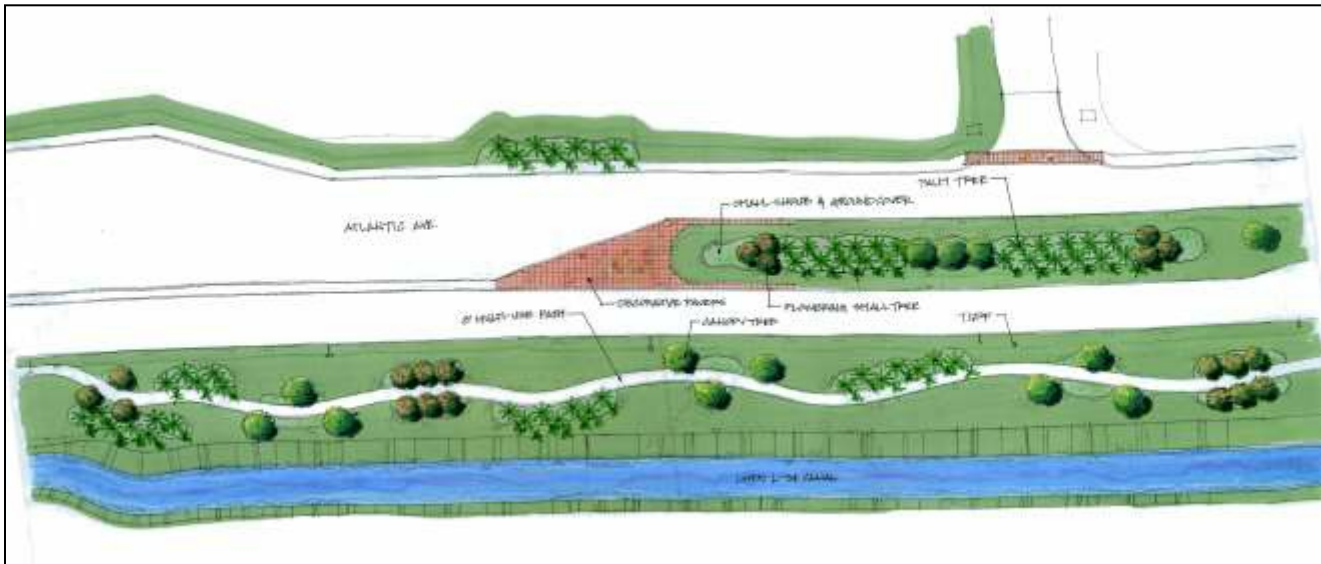
Directors: Paul Finkelstein Carol Klausner Phyllis Levine Susan Zuckerman

Assistants to the President: Rose DeSanto John Gentithes Rhoda Greifer Karen Rose Joel Vinikoor

Legal Counsel: Joshua Gerstin

Atlantic Avenue Expansion: Working on the Future

With the imminent expansion of Atlantic Avenue west of the Florida Turnpike comes the opportunity to beautify the gateway to the Agricultural Reserve and to create more usable green space for our residents. The Alliance has been working on plans to create a recreational strand next to the Lake Worth Drainage District (LWDD) canal which, with the expansion of the Avenue, will need to be relocated further south of where it now exists. The rendering shows a tree and shrub-lined “broadwalk” with a meandering multi-use path. In the coming months, more renderings including a monument for the gateway will be included in the newsletter. Watch for the updates. Any suggestions? Contact the Alliance.



Making State Road 7/441 Safer for Our Residents During this time of a pandemic that has caused a change in daily habits, there are more local residents bicycling, skating, and jogging along State Road 7/441. It was brought to the Alliance’s attention that at Winner’s Circle and 441 (the entrance to Sunshine Meadows), one of the busiest intersections between Atlantic and Clint Moore Road, the stop sign was missing. Evidently it was removed with the road improvements but not re-installed.

Executive Vice President Lori Vinikoor worked on the issue with the Florida Department of Transportation being notified. Not only was the stop sign re-installed, but a “Divided Roadway” sign was added to the post to alert drivers that in order to merge onto the widened highway and turn left, the driver needs to pass the median and turn left at the second roadway.

Safety is paramount for our residents who use the roadways, bike lanes, and sidewalks. If you see a roadway situation such as a missing sign or something that looks like it could be improved with a design modification, the Alliance can assist in the effort.



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CONDITIONS TREATED:

- Aortic Aneurysm**
- Carotid Artery Disease**
- Deep Vein Thrombosis/
Pulmonary Embolism**
- Diabetic Peripheral Neuropathy**
- Diabetic Ulcers/Wounds**
- Mesenteric and Renal Artery Disease**
- Pelvic Congestion Syndrome**
- Peripheral Vascular Disease**
- Peripheral Arterial Disease**
- Vascular Malformations**
- Venous Disease**



Joseph J. Ricotta MD, MS, DFSVS, FACS
National Medical Director, Vascular Surgery and
Endovascular Therapy, Tenet Healthcare;
Chairman, Department of Vascular Surgery,
Delray Medical Center



Keith Jones, MD, FACS, RPVI
Vascular Surgery
St. Mary's Medical Center



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The Alliance's Voice Was Heard "These Projects are Too Dense and Too Intense" Commission Denies 3 Applications



Fifteen years following the implementation of the plan for the Agricultural Reserve, the Roundtable discussions of 2014/2015 were a comprehensive effort at addressing the Tier as a whole. Included in the County's efforts following the Roundtable discussions were actions which affected the approximate 500 acres of existing non-residential uses. Such actions included providing pre-existing uses priority in obtaining full entitlement and efforts to correct land use/zoning. Limited additional commercial was also approved at appropriate locations near existing commercial and specifically near the intersections of Lyons Road and Atlantic Avenue and Lyons Road and Boynton Beach Boulevard.

Those discussions, workshops and hearings are still fresh in the public's mind. The Alliance supported the efforts of the Board of County Commissioners (BCC) and the BCC's direction to Staff which was to assess possible changes to the Tier with the perspective of maintaining agriculture and to consider minimum changes to existing conditions. Therefore, there is no need to attempt a complete overhaul of the Agricultural Reserve three years after the County went through the great expense of hiring outside consultants for the Roundtable discussions and spending hundreds of hours of Staff time sculpting the amendments that resulted from those public hearings.

In a letter to the Planning Commission of Palm Beach County and the Board of Commissioners, the Alliance clearly stated its objection to three projects which would have increased the commercial cap in the Agricultural Reserve and increased the density of housing in the Agricultural Reserve. The Planning Commission listened and made the recommendation to the Board of County Commissioners that all three applications be denied.

Alliance Requests Lease of West Delray Regional Park to be Extended Parks and Recreation is Working on This Request

The Alliance of Delray submitted a formal request asking Palm Beach County to execute a new lease agreement with the South Florida Water Management District (SFWMD) for the management and operation of the 313 acre Palm Beach Downs property located west of State Road 7 and north of Atlantic Ave. The current lease with SFWMD was executed in 2006 and is scheduled to terminate on January 1, 2021.



Parks & Recreation's Planning staff is working with their counterparts at the SFWMD to get the lease extended. In order to get state and federal grants, a 25 year lease is a necessity

The SFWMD acquired this property in 2000 with the plan to construct a water storage reservoir sometime after 2012. Because County Parks had immediate passive recreational needs in this area, the Board of County Commissioners authorized staff to negotiate a seven year lease with the District in 2005. The District was agreeable to an interim lease until 2013 followed by automatic extensions for additional one-year terms until January 1, 2021. Over the course of the lease period, the District determined that there was no longer a need for water storage on the property and more and more residents have come to enjoy the peace and tranquility of the property and the improvements that the County has made.

As with other property leases with the SFWMD, PBC Parks & Recreation has been an excellent steward of this property for more than 14 years. During this period, the County has spent \$1.35 million on site improvements and expends approximately \$75,000 in annual operating costs. The County has cleared exotic vegetation from large portions of the site, developed biking and equestrian trails, constructed a primitive camping area and developed launch points for non-motorized boats. The park has become a popular location for environmental education and numerous activities such as hiking, exercising, birding and fishing. A number of user groups have been permitted to utilize the Park including the Gold Coast Archers, Astronomical Society of the Palm Beaches, Boca Raton Amateur Radio Association and the Florida Off Road Cycling Enthusiasts to name a few. Use of the property as a public park is now widely acknowledged by the citizens of Palm Beach County and executing a new long-term lease with the District to ensure the property remains a park site for years to come is strongly supported by numerous property associations including the Alliance of Delray Residential Associations.

Lake Worth Drainage District Sale of Development Units In Lieu of Raising Property Taxes

At the Lake Worth Drainage District's (LWDD) Governing Board Meeting which occurred on June 10, 2020 the sale of development units within Ag Reserve was addressed including the inventory and potential value and the use of revenue and sale considerations.

At its January 15, 2020 Board Meeting, the LWDD Board approved to seek appraisal to establish minimum bid for units adjacent to preserve area, to site potential regional water supply projects and to establish a process and conditions for solicitation of competitive bids. At the April 15, 2020 LWDD Board Meeting the approval of \$70K minimum bid per unit and there was Board approval to solicit a Request for Bids. 313 acres (units) of LWDD property which are adjacent to preserve parcels (62 parcels in all) were up for bid.

It was established that revenue generated from sale would be used toward mission critical, capital improvement projects including : 1. Control Structure #9 Replacement (\$10M) 2. Updated hydrologic simulation of entire LWDD drainage system. 3. Continued enhancements to Telemetry/SCADA system. 4. Continued canal rehabilitation (vegetation and encroachment removal) and hardening of canal banks. 5. Hazard mitigation funds for storm recovery and drought. 6. Participation in regional water supply/quality projects. 7. Additional revenue may also be needed to mitigate shortfall in operating and capital expenses as impacts of COVID-19 pandemic are realized.

LWDD states that "especially during these times of economic uncertainty, it is the fiscal responsibility of governments to explore all options for funding necessary projects instead of raising taxes."

LWDD owns property in fee simple. According to LWDD, no action has been previously taken by LWDD to relinquish or extinguish its development rights in the Agricultural Reserve and no distinction was made that LWDD property does not qualify for preservation area. LWDD has concluded that neither the Comp Plan nor the ULDC differentiate or distinguish between the rights of publicly controlled lands to those that are privately controlled and LWDD lands cannot be construed any differently than those under private ownership. LWDD also proposes that the use of these lands does not set precedent because the PBC Board of County Commissioners has issued previous development orders for several projects that have utilized publicly controlled lands as required Preservation Area's and in some cases as a density transfer to the Development Area siting South Florida Water Management District as an example. Further, LWDD property sold previously for use within Ag Reserve and road rights-of-way (linear property) have also qualified for density. The LWDD claims that it could sell property to adjacent owners making those lands eligible to qualify for preserve area.

LWDD canals provide long-term protection for farmlands within the Agricultural Reserve and it claims that a sale would not alter canals or compromise flood control and selling the development rights and placing conservation easements over these areas would ensure that LWDD maintains its fee simple ownership and the canals are preserved for drainage and flood control, not sold and incorporated into future developments. Advertisement for bids occurred on April 19, 26 & May 3. On May 5 th a Mandatory pre-bid meeting was held. Multiple participants including representatives from Aquarius Charitable Trust, GL Homes, Pulte Homes, Tetra Tech, and Garrett Bender were present. On May 12 th all inquiries were submitted by interested bidders. On May 19th LWDD responses and addenda were issued. On June 3rd the Bidding was opened.

One bid was received from G.L. Acquisitions Corporation which indicated an offer of \$70K per unit / \$21,910,000 for 313 units and the bidder was determined to be responsive and responsible

Approval was granted to award bid for purchase of LWDD development units within the Ag Reserve to G.L. Acquisitions Corporation for \$70,000 per unit or \$21,910,000 for 313 units. The next step is for County approval for use of development rights. The buyer is currently conducting due diligence to survey the property. The step is County approval for use of development rights.

Working to Make Conditions Better for Communities Adjacent to Industrial Land in the Agricultural Reserve

In correspondence to the Zoning Commission, the Alliance voiced concern for neighboring communities adjacent to the industrial node located at the corner of Atlantic Avenue and State Road 7/441. Zoning Application ABN/Z-2019-01611 (Young Property North) requested a Zoning Map Amendment. Since this is an industrial node with a future land use designation of Industrial, County Staff recommended approval however, recognizing that the 12.77 acre parcel is located adjacent to a Planned Unit Development, just as the “South Young Property” is (that Zoning Application Z-2019-01612 was presented back in January 2020) Staff placed similar conditions on this application. The special conditions placed on the parcel included minimum setbacks for specific conditions, maximum building height, and upgraded landscape buffering.

The Alliance argued that further conditions should be placed on the parcel to protect the adjacent residential development. Activities which cause environmental concerns such as composting, mulching, soil production, and manure processing should be prohibited. To further protect residential land values communication towers should be prohibited as well.

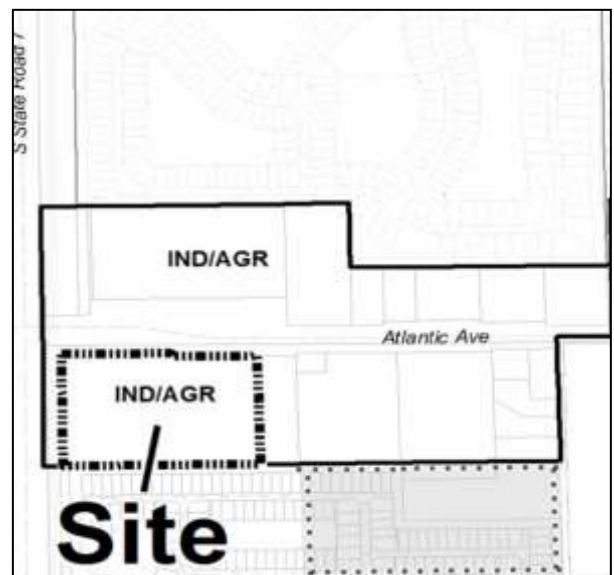
\ The condition of a minimum setback of 150 feet from a residential property line is not sufficient for a composting facility.

The Agricultural Reserve is fast becoming a more residential area of the County. The Alliance has its finger on the pulse of the community. People are thrilled to live here and many are expecting more amenities and services. Therefore, the Alliance must respond to these needs and protect our neighboring associations.

Young Property North:



Young Property South:





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2020 Primary Election

Deadline to register or change party:
Monday, July 20, 2020

Early Voting:

10 a.m. - 6 p.m., Monday, August 3, 2020 **THRU**
10 a.m. - 6 p.m., Sunday, August 16, 2020*

Vote By Mail:

Due by 7 p.m., Tuesday, August 18, 2020

Election Day:

7 a.m. - 7 p.m., Tuesday, August 18, 2020

During the Primary Election, electors will vote for representatives within their party affiliations. Because Florida is a closed primary state, voters may only vote within their party. The winning candidates of the Primary election, who see opposition from another party, will move on to the General election (November 3, 2020).

Dates and times are subject to change and will be updated no later than 30 days prior to the Early Voting period.

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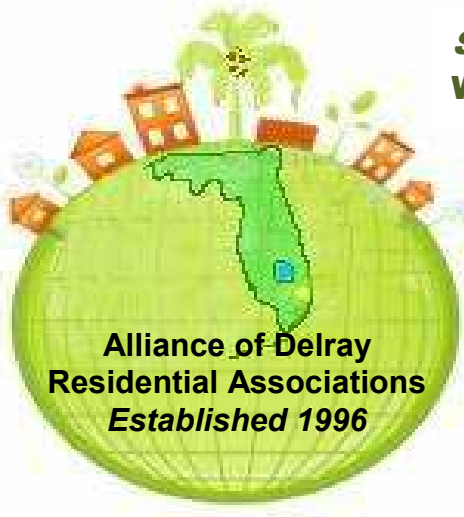
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Alliance of Delray Residential Associations, Inc.

Preserving the Community Lifestyle

10290 W Atlantic Ave. #480504

Delray Beach, Florida 33448



Special Agricultural Reserve Edition
Working Toward Sustainable Development

TO:

Alliance of Delray Residential Associations, Inc.

Meeting Reminder

ZOOMCAST Meetings

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In this Issue

***Alliance says NO to Increase in Density & Intensity in Agricultural Reserve & Commissioners Listen;
Works to Improve Conditions for Associations in Industrial Zoning; Gets STOP Sign Installed at
Perilous Intersection; Works to Extend West Delray Regional Park Lease 25 Years; Working on the
Beautification of Atlantic Avenue & the Gateway to the Agricultural Reserve***