



**MINUTES
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, SEPTEMBER 07, 2022 -- 6:06 PM**

ROLL CALL and RECORDING OF ABSENCES: Present were: Mark Humm, Juan Contin, Zade Shamsi-Basha, Daniel Walesky, Evelin Urcuyo, Alexander Cull. Edmond LeBlanc -absent. Also present were: Scott Rodriguez, Principal Planner; Erin Sita, Asst. Director for Community Sustainability; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

A. Election of the PZB Chair and Vice Chair

M. Humm nominates Juan Contin as Chair. J. Contin briefly discusses his background as Architect, Cornell graduate and teaching at FAU. **Vote:** Ayes all, unanimous for Juan Contin as Chairperson.

M. Humm nominates Z. Shami-Basha as Vice-Chair, Z. Shami-Basha declines despite having been on the Board for a period of time, defers to either Mark Humm or Edmond LeBlanc. M. Humm has no interest as Chair or Vice-Chair. Z. Shamsi-Basha nominates Daniel Walesky as Vice-Chair. **Vote:** Ayes all, unanimous for Daniel Walesky as Vice-Chair.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

A. August 3, 2022 Meeting Minutes

Motion: M. Humm moves to approve the August 3, 2022 minutes as presented; A. Cull 2nd.

Vote: Ayes all, unanimous.

CASES:

SWEARING IN OF STAFF AND APPLICANTS – Board Secretary administered oath to those wishing to give testimony.

PROOF OF PUBLICATION – provided in meeting packet

1749 3rd Ave S- Public Works Facility PZB 22-01500003 - Blockson Variance

PZB 22-00500009 - CA Precision PZB 22-00500010 - Peter's Appliances

PZB 22-01400020 - Self Storage 1800 4th Ave North- Crypto

WITHDRAWALS / POSTPONEMENTS - None

CONSENT - None

PUBLIC HEARINGS:

BOARD DISCLOSURE - None

UNFINISHED BUSINESS: See Election above

NEW BUSINESS:

A. PZB 22-1400020: A major site plan, conditional use permit and sustainable bonus requests 2202 Lake Worth Rd to construct a 4 story, 99,800 sf self-storage facility. The sustainable bonus request is for an additional 2- stories in height to allow the 4-story building. The property is zoned Mixed-Use West (MU-W).

This item is continued to the PZB meeting on October 19, 2022.

Motion: D. Walesky moves to continue to the October regular meeting; A. Cull 2nd.

Vote: Ayes all, unanimous.

B.PZB 22-01400010: Consideration of a request for a Major Site Plan and Conditional Use Permit to construct a new +/-16,803 square foot Public Works fleet maintenance facility, offices and emergency operations center (EOC) to replace the existing fleet maintenance facility at 1749 3rd Ave S. The subject site is zoned Public (P) and has a future land use designation of Public (P).

Staff: E. Sita presents case findings and analysis. The current structures being utilized were constructed in 1963. The uses by Public Works and City Utilities will continue, there will be no change to the use of the property. Phase 1 is the approval of a new 16,803 square foot fleet maintenance facility, public works offices and emergency operation cent (EOC). Phase II includes funding, demolition and removal of impermeable surfaces. The proposed area of development, on the southerly extent of the property, is currently vacant with the exception of an impermeable area of concrete. Fleet maintenance would continue in the current location until the new structure is completed at which time the existing structures could be demolished. Jamie Brown, Public Works Director explains that with each passing hurricane threat there is relief as the structures are still standing. There are Band Aids on top of Band Aids. Temporary portables were added in 2006 and then purchased in 2014. He is looking forward to an office that doesn't have a trailer hitch. All City vehicles are cared for at this location, larger vehicles under warranty will be sent out for repair. Some damage was incurred during the hurricanes of 2004 and 2005.

Public Comment: None

Motion: D. Walesky moves to approve PZB 22-01400010 with staff recommended Conditions of Approval based upon competent substantial evidence in the staff report and testimony at the public hearing; A. Cull and Z. Shamsi-Basha 2nd.

Vote: Ayes all, unanimous.

C.PZB 22-01500003 - Consideration of a Variance to the maximum required fence height for a perimeter concrete wall at 1802 Pierce Dr. The subject site is zoned Single Family Residential (SFR) and has a future land use designation of Single Family Residential (SFR).

Staff: Only a portion of the fence and berm will reach eight (8) feet based upon the slope and meeting the adjacent neighbor's yard.

Board: Landscape screen with fence setback 30 inches.

Applicant: Carla Blockson explains they have had homeless people on the back porch, that was the driving factor in the request. It is a dead-end street and the ficus hedge is no longer wanted. She is in agreement with the Conditions of Approval. Believes if the City ever develops the park, both properties would be consistent/uniform in presentation.

Public Comment: None

Motion: D. Walesky moves to approve PZB 22-01500003 with staff recommended conditions for a variance to the maximum allowed wall/fence height to allow the placement of a six (6) foot wall supported by a two (2) foot earthen berm; M. Humm 2nd.

Vote: Ayes all, unanimous.

D.PZB 22-00500010: A Conditional Use Permit (CUP) Peter's Appliances & More at 1321 North Dixie Highway for the establishment of an ±7,000 square foot appliance retail facility designated as Single

Destination Commercial use by LDR Section 23.3-6 (Medium Intensity Commercial Uses—Use area less than 7,500 square feet and/or medium intensity impact uses). The subject site is zoned Mixed Use-Dixie Highway (MU-DH) and has a future land use designation of Mixed Use-East (MU-E).

Staff: S. Rodriguez – the site perimeter landscaping is just outside the property line. It was a 1986 agreement between the City and owner to provide maintenance to the landscaping.

Applicant: Plinio Ventura- stores the trucks in Fort Lauderdale, hires within the community. Does not repair appliances. Does have contract for services for certain brands such as Speed Queen. Will service their own customers with that brand. New or new open box with manufacturer warranty. Contract with Lowes and Best Buy display models. As a showroom the product will come from the warehouse. Retail is a service field. Three years in the other store and they understand customer service. They are open 7 days a week with deliveries only Monday-Friday.

Staff: The landscape application must be submitted prior to the application for the Business License. The landscape application must be submitted within six (6) months and installation to be complete by nine (9) months. The applicant and property owner can decide who will pay for the improvements but ultimately it is the property owner who is responsible and making sure the timeline is met.

Motion: A. Cull moves to approve PZB 22-00500010 with staff recommended Conditions of Approval based upon competent substantial evidence in the staff report and in the testimony at the public hearing; D. Walesky 2nd.

Public Comment: None

Vote: Ayes all, unanimous.

E.PZB 22-00500011- A Conditional Use Permit (CUP) request by Hodl Associates LLC at 1800 4th Avenue North Unit C for the establishment of a ±9,600 square foot, High Intensity Industrial Use, Factory or Manufacturing facility. The subject site is zoned Industrial Park of Commerce (I-POC) and has a future land use designation of Industrial (I).

Staff: S. Rodriguez presents case findings and analysis. The proposal is for manufacturing and factory service for online mining accessories and power supplies.

Applicant: Kasim Shaukat- repair of money boards for blockchain. They go bad. Waste is minimal. Remanufacture and sent back out.

Board: Has concerns with any waste by-products. Glue is the only by-product.

Staff: He would be required to submit an affidavit to PBC Environmental Resources. Regarding landscape-the Conditions would allow two (2) months to install. The permit is already submitted.

Public Comment: None

Motion: E. Urcuyo moves to approve PZB 22-00500011 with staff recommended Conditions of Approval based upon the competent substantial evidence in the staff report and in the testimony at the public hearing; A. Cull 2nd.

Vote: Ayes all, unanimous.

F. PZB 22-00500009 - A Conditional Use Permit (CUP) request by CA Precision at 1106 5th Avenue South for the establishment of a manufacturing facility for prototypes designated as Fabrication Services/Manufacturing/Processing/Assembly excluding retail display and sales use. The subject site is zoned Artisanal Industrial (AI) and has a future land use designation of Artisanal Mixed Use (AMU).

Staff: S. Rodriguez presents case findings and analysis. The proposal is for the manufacturing and processing of prototypes parts using computer numerical control equipment for a single client. A local medical equipment manufacturer. There is an existing landscape plan from 2000 indicating required drainage area installation. It was never installed and it is now conditioned to be completed as per City Engineering stating it needs more mitigation. The property owner has 12 months to mitigate.

Applicant: Will utilize Brass, stainless steel and plastic

Public Comment: None

Motion: D. Walesky moves to approve PZB 22-00500009 with staff recommended Conditions of Approval based upon the competent and substantial evidence provided in the staff report and the testimony given at the public hearing; M. Humm 2nd.

Vote: Ayes all, unanimous

PLANNING ISSUES: E. Sita- Apprises Board of the different types of applications that will be seen. There are three (3) types of uses: Permitted by right, Administrative Uses and Conditional Uses. Look to Major Thoroughfare Design Guidelines to bring these uses into better agreement with the policy and guidelines. Board acts either as a recommending body or in the quasi-judicial capacity.

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS:

A. The October PZB meeting has been rescheduled to October 19, 2022 due to the Yom Kippur holiday.

BOARD MEMBER COMMENTS: D. Walesky is not comfortable with the interpretation in terms of the height of the project that was recently recommended. Would like this to be a topic of discussion with regard to cleaning up the language.

This should be directed to staff who then prepares the discussion. Board Attorney discusses advocating for public projects, Board members in a quasi-judicial setting and disclosure; whether Board members can remain neutral. Social media posting can be used during litigation. A site visit versus a site tour with the owner is different. This is where disclosures become very important.

ADJOURNMENT: 7:29 PM