



**MINUTES
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, APRIL 06, 2022 -- 6:02 PM**

ROLL CALL and RECORDING OF ABSENCES: Present were: Greg Rice, Chairman; Anthony Marotta-Vice-Chair presiding; Mark Humm; Juan Contin (arrival 6:04pm); Edmond LeBlanc; Zade Shamsi-Basha. Absent: Laura Starr. Also present were: Scott Rodriguez, Principal Planner; Erin Sita, Assistant Director for Community Sustainability; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE: Led by M. Humm

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

A. January 19, 2022 Meeting Minutes

Motion: A. Marotta moved to accept the January 2022 Regular Meeting Minutes as presented; M. Humm 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- Included in the meeting packet.

- 1) PZB 22-01400001 - Warehouse
- PZB 21-01400033 - Boat & RV Storage
- PZB 21-00500009 - Impact Banquet
- Ordinance 2022-06

WITHDRAWALS / POSTPONEMENTS None

CONSENT None

PUBLIC HEARINGS:

BOARD DISCLOSURE: Will occur Prior to each case

UNFINISHED BUSINESS: None

NEW BUSINESS:

Chairman Rice passes the gavel to the Vice- Chair Anthony Marotta

- A. PZB Project Number 21-01400033:** A Major Site Plan amendment to provide additional paving, landscaping and drainage to support a boat and recreational vehicle storage facility on the property located at 1778 7th Avenue North within the Industrial Park of Commerce (IPOC) zoning district.

Board Attorney: Provides reminder regarding disclosures for Quasi- Judicial hearings. If Board members have or believe to have demonstrated bias or prejudice for or against any parties in the proceedings and /or monetary interest in the outcome of the project including ex-parte communications or pre-judgements or personal investigations, they should make it known at this time.

Board members stated they had no disclosures to make.

Staff: S. Rodriguez presents case findings and analysis. The site has been utilized for the outdoor storage of marble and granite since 2005. A business license was issued to operate as a warehouse and general storage of marble and granite and renewed in 2019 with the Use and occupancy changed to Commercial Industrial RV and Boat Storage (outdoor). This proposal would maintain the accessory office and warehouse use and expand the outdoor storage of RV's and boats.

Agent for the Applicant: Bradley Miller, Urban Design Studios, provides a brief overview of requests. The site has a current business license for RV & Boat storage This request will provide a uniform parking surface for the 93 parking spaces. The site currently has a Quonset hut storage shed at the NE corner and an existing Office space near the center of the property, both uses will continue. A sliding gate/fence was installed several years ago along the front and required at the time to be pushed back 20 feet onto the property. There is a Condition added to this approval to push the gate back an additional 25 feet to accommodate the vehicles. The agent for the applicant is asking to remove this condition due to the high expense of relocation (approx.. 20K) and based upon low daily turning movements (35) per day in the area. The site is proposed to be landscaped around the perimeter.

Board: The analysis provided by the applicant and reviewed by the City engineer indicated the gate should be located further onto the property to allow the vehicle to completely move off the roadway while entering the property.

Affected Party: Patricia Rodriguez, property owner of 1777 7th Avenue North state the heavy traffic in the area makes it difficult to maneuver in the area. There has been damage to both her property and public property from trucks in the area. As her property is on the corner, it is used to cut through when traffic is backed up or stopped near the corner. More people will come to the area that do not belong to the area. Believes the requirement for a 45-foot queuing distance from street to entrance will help the situation.

Public Comment: None

Staff: Improved drainage and lighting will now be provided. Previously an open shellrock surface. It is a vested non-conforming use, new structures cannot be added.

Board discussion: Question as to whether the parcel will be used as an RV park. **Staff Response:** This is not an RV park but vehicular storage only. No new buildings can be added to the site. **Question to the affected party-** Is it possible this will improve the property? Board finds the project will improve the area, they find the gate condition will solve the congestion in the area. Once the gate opens, there is a delay allowing for multiple vehicles to access the site with one opening.

Affected party: What about safety and u-turning in the street?

Board: That is more of a situation for City traffic. Condition 1A will address moving a vehicle completely off the road. What type of business does the affected party operate? **Affected Party:** Does not have a business there, owner of the property, only an office.

Applicant Rebuttal: The traffic count of 35 daily trips is low. The parcel could also be utilized for a more intense use than this proposed improvement to the site. Unsure of what the affected party business is at the location but with the level of activity at her location it should be compatible.

Motion: E. LeBlanc moves to approve **PZB 21-01400033** with staff recommended Conditions of Approval, based upon competent substantial evidence in the staff report and testimony at the public hearing; M. Humm 2nd.

Vote: Ayes all, unanimous.

B. PZB Project Number 21-01400001: A Major Site Plan and a Blanket Conditional Use request for multiple conditional uses as provided for in LDR Section 23.3-6 for the development of a ± 75,989 square foot industrial development at 1939 7th Avenue North within the Industrial Park of Commerce (I-POC) zoning district.

Board members stated they had no disclosures to make.

Staff: S. Rodriguez provides case findings and analysis. The proposal is consistent with the Comprehensive Plan, Strategic Plan and Land Development Regulations. Condition #5 by Public Works, related to sidewalks, should be deleted. The Blanket Conditional uses are indicated within the Conditions of Approval and include no outdoor storage, no retail (wholesale and online only) This is a multi-tenant building, any tenant exceeding 25K sq. ft. will require an AUP; any tenant exceeding 50K sq. ft. will require a new Conditional use for that use.

Agent for the Applicant: Proposal is for a 76K square foot building with two drives onto 7th Ave N. The impervious coverage is at 65%. Is in agreement with the Conditions of Approval.

Staff: This is an improvement over the previously approved warehouse.

Public Comment: None

Board: This is a plus for the area as there are many aging warehouses in the area. Concerns about medical labs and industries that may create environmental issues; wholesale distilleries vs microbreweries. **Staff response:** the microbrewery tends more toward commercial in nature and could be allowed with additional review. Question about the ceiling height and type of construction. Maximum height is 30 feet on the exterior and 24 feet on the interior with tilt wall construction. Board member requests staff to follow form over function for interpreting provisions such as the distinction in distilleries versus microbreweries.

Motion: M. Humm moves to approve PZB 21-01400001 with staff recommended Conditions of Approval based upon competent substantial evidence in the staff report and the testimony provided. G. Rice 2nd.

Vote: Ayes all, unanimous.

C. PZB Project Number 21-00500009: Consideration of a Conditional Use Permit for a 5,827 square foot ballroom/banquet/meeting room and bar with or without live entertainment (bar/ lounge grill) located at 2141 10th Avenue North. The property is zoned Mixed Use - West (MU-W).

Board members stated they had no disclosures to make.

Staff: The applicant has requested the approval allow for the operation of a restaurant with a bar with or without live entertainment. A proximity waiver for alcohol may be required unless the applicant applies for a restaurant business license with service providing 51% food.

Applicant: The area is located in the southernmost portion of the property. A small restaurant with banquet hall.

Board: The use is compatible with the balance of the area businesses.

Staff: The use typically requires many parking spaces; due to the heavy parking requirements, the banquet hall use requires conditional use approval.

The Board requests clarification on the proposed uses.

Staff: The original request was for a banquet hall with bar; the applicant then decided to proceed with a restaurant with bar instead. The request would allow all three: banquet hall, bar and restaurant.

Public Comments: None

Motion: J. Contin moves to approve PZB 21-00500009 with staff recommended Conditions of Approval for a ballroom/banquet/meeting room and bar with or without live entertainment (bar/lounge grill) or restaurant with bar with or without live entertainment based upon competent substantial evidence in the staff report and testimony. E. LeBlanc 2nd.

Vote: Ayes all, unanimous.

D. PZHP 22-03100001 (Ordinance 2022-06): Consideration of an ordinance amending Chapter 23 "Land Development Regulations," Article 2 "Administration," Division 2 "Procedures," adding a new Section 23.3-20 "Applicant's Public Neighborhood Meeting and Outreach," providing for an applicant held public neighborhood meeting and virtual outreach.

Staff: E. Sita explains the outreach to neighborhoods when faced with the possibility of approval of a larger project will aide in a smoother process for the applicant. Developers will appreciate the certainty when going before the Board or City Commission. It will lessen the volume of public comments by addressing and clarifying issues prior to hearings. Staff already suggests this to developers, now it will be a requirement. Minutes of the meeting (provided by the developer/applicant) will ensure that the outreach occurred.

Motion: G. Rice moves to recommend approval of Ordinance 2022-06 to the City Commission; M. Humm 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES: The Gulfstream is currently scheduled to be heard before the Preservation Board on April 27, 2022.

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS: A new preservation planner began working with the City on April 4; a current intern will be offered a permanent position as Associate Planner.

BOARD MEMBER COMMENTS: The workshop scheduled for April 11, is it for staff-initiated items? Yes, City Commission had established items they wanted to review which will be workshopped then come back to the Boards for review.

ADJOURNMENT: 7:45 PM