

MINUTES
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD
WEDNESDAY, MARCH 04, 2020 - 6:10 PM

ROLL CALL and RECORDING OF ABSENCES:

Present: Greg Rice, Chairman; Anthony Marotta, Vice-Chair; Mark Humm; Michael Glaser; Daniel Tanner; Brock Grill; Laura Starr.

Also present: Alexis Rosenberg, Senior Community Planner; Andrew Meyer, Senior Community Planner; Pamala Ryan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA: None

APPROVAL OF MINUTES:

A. February 5, 2020 Planning & Zoning Board Regular Meeting Minutes

Motion: A. Marotta moved to approve the agenda as presented; M. Glaser 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

1) Proof of Publication

Provided in the meeting packet.

WITHDRAWALS / POSTPONEMENTS

1) Postponement of PZB 20-00500001, a conditional use permit request for a funeral home use at 1612 South Dixie Highway, at the request of staff until a date certain. The item has been advertised.

Motion: M. Humm moves to postpone PZB 20-00500001 to a date certain of April 1, 2020; M. Glaser 2nd.

Vote: Ayes all, unanimous.

CONSENT

PUBLIC HEARINGS:

BOARD DISCLOSURE:

UNFINISHED BUSINESS: None

NEW BUSINESS:

A. PZB Project Number 20-00500002: Request by Christopher Fleming of Strategic Realty Services, LLC on behalf of Dr. Andrew Cooper of Cooper RE, LLC for consideration of a Conditional Use Permit for a medium-intensity medical office use at 1718 North Federal Highway. The project is located within the Mixed Use – Federal Highway (MU-FH) zoning district. The subject property's PCN is 38-43-44-15-16-008-0031.

Staff: A. Rosenberg provides case findings and analysis. The property has operated primarily as a professional office since its inception, most recently as a law firm. In 2001 a cross-access parking agreement with 1708 N. Federal Hwy was created allowing pedestrian rights-of-way, vehicular ingress and egress, parking, the installation, operation and maintenance of sprinkler systems over the subject property to serve 1708 N Federal Hwy along with ingress and egress to the refuse containers currently in the alley. The subject office currently occupies the second floor of 1708 N Federal Hwy and, if granted this request, will relocate in its entirety to 1718 N Federal Hwy.. The site is currently non-conforming and deficient in meeting impervious requirements and rear setbacks. The applicant has agreed to work with staff to rectify the impervious deficiency through landscaping. The proposed office will require 9 of the 21 parking spaces on-site. The cross-access agreement would allow an additional 7 spaces to be occupied by the clients of 1708 N. Federal Hwy leaving an excess for 1718 N. Federal to occupy.

Board: L. Starr had questions about the number of vehicles currently seen on the site and who is utilizing the parking spaces. Drives past the site several times per day, cars are backed up onto Federal Hwy and circling the block.

Agent for the Applicant: Chris Fleming states perhaps it is the doctor office next door. Parking capacity will increase at that location with the re-location of Cooper Orthodontics to this site. Suggests the flow of traffic may be the issue.

L. Starr has a question regarding enhancing the landscape. Staff responds additional landscaping will be installed along the west frontage.

D. Tanner and M. Humm have questions regarding "in" "out" signs. Agent states those are by property owner.

B. Grill asks if there are plans to modify the exterior? Agent responds no only interior renovations.

Staff states in keeping with the Major Thoroughfare Design Guidelines there is insufficient glazing on the building and so is included as a condition.

Public Comment: None

D. Tanner states the Major Thoroughfare Design Guidelines does not give specific direction as to how many windows should be added. A. Rosenberg states the intent is for the applicant to work with staff.

The applicant will be not be moving in immediately, interior drawings will be finalized after closing on the property, the site is not currently configured to be a dentist office.

M. Humm asks if "in" "out" signs can be made a condition, perhaps trees would be better for visibility rather than shrubs.

Staff strives to bring buildings into compliance with the Major Thoroughfare Design Guidelines when applicants come to staff with changes to the building or site.

D. Tanner says it is just a suggestion to work with staff, there are no teeth.

Board Attorney suggests as a condition 'if the parties fail to reach an agreement, they shall return to Board for resolution.'

Motion: A. Marotta moves to approve PZB 20-00500002 with staff recommended Conditions of Approval and additional conditions #8 under Planning heading 'if the parties fail to reach an agreement on the windows as per the Major Thoroughfare Design Guidelines, they shall return to Board for resolution'; #9 The parking entrance and exit (directional signs) shall be installed prior to Certificate of Occupancy; D. Tanner 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES:

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS: Mark Stivers will be leaving the City as he has accepted a job in Pennsylvania.

BOARD MEMBER COMMENTS:

Board Chairman: The turnout for the Gulfstream was excellent. A husband and wife team is proposing to renovate, add square footage and franchise with the Marriott, Autograph Collection. This is the reason for the Lake Worth ballot item regarding height. It is good to see the crane working at the site of the Mid on Dixie Hwy..

B. Grill: Hopes that when property owners propose renovations, they would repaint and make improvements but does not want to tell someone what to do with their property, it is difficult to do without seeing drawings/plans.

D. Tanner: Believes owners can reject the suggestions made with regard to the Design Guidelines, if they choose. B. Grill views the previous project as a positive improvement since Federal Highway is mixed and small improvements add up.

Board Attorney: Although we can't require a paint color, it can certainly be said or suggested. Applicants can take it or leave the suggestion but it has been said.

Board members ask when the Gulfstream project will come before the Board. Planning and Zoning Board will not review the Gulfstream but the Historic Resource Preservation Board will hear the project.

D. Tanner: Expressed concerns about so many vacant buildings and how to deter property owners from allowing their properties to remain vacant. A discussion followed with about what will happen after this crisis. D. Tanner suggests imposing a "luxury" type tax for not filling a space. It is a supply and demand situation. If the intent is pure they will eventually rent. If there is a business in the building, then it isn't vacant. Property owners should be the ones who respond. A. Marotta suggested bringing recommendations/solutions/examples of how to remedy, to the next Board meeting for discussion which could then be forwarded to the City Commission. Believes the Board can compel the Commission to discuss.

Board Attorney: we have a vacant registry. Board members think the registry is not strong enough.

M. Glaser departs at 7:09pm

ADJOURNMENT: 7:27 PM