



AGENDA
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, MARCH 05, 2025 -- 6:00 PM

ROLL CALL and RECORDING OF ABSENCES:

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

- A. [February 5 ,2025 Regular Meeting Minutes](#)

CASES:

SWEARING IN OF STAFF AND APPLICANTS

PROOF OF PUBLICATION

- 1) [24-00500013 - 3694 23rd Ave South](#)
[24-01500004 - 1701 Terrace Dr West](#)
[23-00500016 - 1718 S. Douglas St](#)

WITHDRAWALS / POSTPONEMENTS

CONSENT

PUBLIC HEARINGS:

BOARD DISCLOSURE

UNFINISHED BUSINESS:

NEW BUSINESS:

- A. **PZB Project Number 25-00000004:** [A request for Affordable/Workforce Housing Program incentives to authorize a third dwelling unit with a unit size reduction at 614 North E Street. The subject site is zoned Single-Family and Two-Family Residential \(SF-TF-14\) and has a future land use designation of Medium Density Residential \(MDR\).](#)
- B. **PZB Project Number 24-01500004:** [Consideration of three variance requests for 1701 Terrace Drive West to encroach the rear setback, to exceed the maximum impermeable surface, and to exceed structural coverage. The subject site is zoned Single Family Residential \(SFR\) and has a future land use designation of Single Family Residential \(SFR\).](#)
- C. **PZB Project Number 24-00500013:** [A Conditional Use Permit request for a medium intensity \(less than 7,500 square feet\) Minor Vehicular Service and Repair \(vehicle wrapping\) and Assembly excluding retail display and sales uses as provided for in LDR Section 23.3-6 located at 3694 23rd](#)

Avenue South, Suite 1. The subject site is zoned Industrial Park of Commerce (I-POC) and has a future land use designation of Industrial (I).

- D. PZB Project Number 23-00500016 and 23-01400028: A Major Site Plan Amendment request for the construction of three (3) additional educational buildings totaling ±21,300 square feet and site improvements including a swimming pool, basketball court, outdoor amphitheater, soccer field, playground, walking trails, landscaping, and parking lot at 1718 South Douglas Street. A Conditional Use Permit (CUP) request for the establishment of a high intensity (greater than 7,500 square feet) institutional use. The property is zoned Public (P) and has a Public (P) Future Land Use (FLU) designation.**

PLANNING ISSUES:

PUBLIC COMMENTS (3 minute limit)

DEPARTMENT REPORTS:

BOARD MEMBER COMMENTS:

ADJOURNMENT:

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

NOTE: ALL CITY BOARDS ARE AUTHORIZED TO CONVERT ANY PUBLICLY NOTICED MEETING INTO A WORKSHOP SESSION WHEN A QUORUM IS NOT REACHED. THE DECISION TO CONVERT THE MEETING INTO A WORKSHOP SESSION SHALL BE DETERMINED BY THE CHAIR OR THE CHAIR'S DESIGNEE, WHO IS PRESENT AT THE MEETING. NO OFFICIAL ACTION SHALL BE TAKEN AT THE WORKSHOP SESSION, AND THE MEMBERS PRESENT SHOULD LIMIT THEIR DISCUSSION TO THE ITEMS ON THE AGENDA FOR THE PUBLICLY NOTICED MEETING. (*Sec. 2-12 Lake Worth Code of Ordinances*)

Note: One or more members of any Board, Authority or Commission may attend and speak at any meeting of another City Board, Authority or Commission.



MINUTES
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, FEBRUARY 05, 2025 -- 6:04 PM

ROLL CALL and RECORDING OF ABSENCES: Present were: Juan Contin, Chair; Daniel Walesky, Vice-Chair; Mark Humm; Henry Pawski; Dave Mathews (6:32 pm). Also present were: Karina Maldonado, Senior Community Planner; Annie Greening, Principal Planner; Scott Rodriguez, Asst. Director for Planning and Preservation; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA None

APPROVAL OF MINUTES:

- A. December 2024 Regular Meeting Minutes – M. Humm **motioned** to approve minutes as presented;
H. Pawski 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 the meeting packet

- 1) Auto Zone 24-01400024
For the Children 23-00500016
Eire 24-00500014
Eire 24-00500010

WITHDRAWALS / POSTPONEMENTS None

CONSENT None

PUBLIC HEARINGS:

BOARD DISCLOSURE: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- A. PZB Project Number 24-01400024:** A Major Site Plan and Waiver request for the construction of an automotive parts retail store, known as AutoZone, designated as a single destination retail use located at 501 South Dixie Highway, 507 South Dixie Highway, 913 5th Avenue South, South H Street, South H Street, 508 South H Street, and 510 South H Street.

Staff: S. Rodriguez provided an overview and analysis of proposal. The landscape plans meet all the requirements. A Unity of Title for the seven parcels will be required. Other submitted applications are a Major Site Plan, a street wall Waiver and an Administrative Use Permit. A separate Right of Way (ROW) abandonment of alley has also been submitted. The landscape plan meets all requirements. The request is consistent with the Comprehensive Plan, Strategic Plan and Land Development Regulations.

Board: Multiple Board members express concerns with the Right of Way (ROW) abandonment of the alley as it landlocks several properties.

Board Attorney: The Board may set a condition that the abandonment be for the entire length of the alleyway.

Board: Landlocking those properties to the south by removing access through the rear alley isn't the right thing to do, Board members would like for access to remain for the lots to the south.

Max Kaplan agent for Auto Zone- Deliveries occur once per week. A coordinated resolution to the access issue is possible, the applicant would be willing to accommodate the access to those lots.

Public Comment: Gary Williams – business owner at 514 South H Street states it is imperative that access is provided to the rear of those two southern properties.

Board Attorney: Although it is not a condition of this approval, a modification to the Site Plan could address the situation. Should the approval of the abandonment occur, it would be conditioned that in addition to the utility easement, an access/egress easement should also be recorded.

Motion: M. Humm moves to approve PZB 24-01400024 and the waiver based upon competent and substantial evidence in the staff report and the testimony at the public hearing. A condition of the minor site plan modification approval which is a condition, shall include the alleyway access to the parcels. This project approval is contingent upon the abandonment approval with an egress/ingress easement to those properties; D. Walesky 2nd.

Vote: Ayes all, unanimous.

B. PZB Project Number 24-00500010: A Blanket Conditional Use Permit request for multiple conditional uses as provided for in LDR Section 23.3-6 for Eire LW G5 LLC located at 518-530 North G Street.

Staff: K. Maldonado explains the request for a blanket conditional use for certain uses to be permitted. The two (2) parcels will be conditioned to have a Unity of Title.

Board: Concerns regarding the open liens and active code cases. Why can't some of these items be resolved prior to coming to Board?

Staff: The Conditions require all or certain items to be resolved prior to receiving a business license.

Board Attorney: The blanket conditional use allows tenants to get a business license; having a business license allows a resolution to some of the violations.

Board: The Artisanal Industrial (AI) zoning district can be confusing to some, changing the character of a zoning district can be difficult. Is auto repair allowed? **Response:** Yes, minor auto repair, subject to supplemental standards. Parking could also be or become a problem. Especially if the more intensive uses, such as landscape contractors with vehicles, are allowed. How would that be managed?

Response: Some businesses types/uses do have supplemental standards that require additional parking. It is mitigated at time of business license application, each tenant would be providing a parking plan. Some Board members believe the businesses will be self-regulating, meaning tenants will know whether the site is a good fit or not (if there is sufficient parking).

Staff: A landscape plan circa 2023 was developed and submitted a few years ago, with the result being a reduction in non-conformity.

Dylan Brandenburg, agent for the applicant: The property owner wants to expand the possibilities of what types of businesses can be at this site. Within the Artisanal Industrial (AI) zoning district there are 29 uses permitted by right. Conversely there are 184 administrative and conditional use types. It has been two (2) years of working to resolve approximately 10 code violations. This approval is needed to close out some of the violations.

There will not be a huge influx of new tenants, most of the units are already leased. The applicant is agreeable to removing some of the intense uses from the requested use list. Currently there are three auto repair businesses on the site without business licenses.

Board: Although a use could be removed from this requested use list, a business owner would still be able to come before the Board on an individual basis for a Conditional Use approval provided the use is allowed in the zoning district.

Public Comment: Nathan Adair- 532 North F Street- Concerns are loud music emanating from the area, vehicular racing on the street and parking in the street; trash, car parts in the alley.

Motion: D. Walesky moves to approve PZB 24-00500010 with staff recommended Conditions of Approval based upon competent substantial evidence provided in the staff report and in the testimony at the public hearing. Uses removed from the requested use list are: Indoor Motion Picture; Major & Minor Vehicular repair; Laundry Establishment; Lawn and Garden and Tree Maintenance Services while allowing the three existing minor tenants to proceed. H. Pawski 2nd.

Vote: Ayes all, unanimous.

C. PZB Project Number 24-00500014: A Blanket Conditional Use Permit request for multiple conditional uses as provided for in LDR Section 23.3-6 for Eire LW G5 LLC, located at 604 North G Street.

Staff: The project is similar to the previous project and the requested uses are the same. Applicant is requesting to add low Intensity Tattoo Shop.

Board: In the interest of expediency and efficiency Board members agreed to remove the same uses from the requested list without the need to hear the staff analysis again. There are no existing automotive uses at this location.

Motion: D. Walesky moved to approve with conditions PZB 24-00500014 based upon the competent substantial evidence in the staff report and in the testimony at the public hearing. Uses to be removed are: Laundry establishments; Lawn & Garden & Tree Maintenance; Movie theatre; Minor Auto Repair. Add Low Intensity Tattoo Shop. D. Mathews 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES: Staff mentioned a joint workshop with the Historic Preservation Board for Variance training to be provided by the Board Attorney. Tentatively scheduled for February 19. Board would also hear project 23-00500016. Other meetings on the horizon include the regular March 5 Planning & Zoning Board meeting; and a special meeting on March 19 for the Open Space & Recreation Comp Plan Element to be presented by Chen Moore and Associates.

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: J. Contin- the Artisanal Industrial (AI) is a controversial area due to people wanting to buy the properties and those wanting to get out of the area.

ADJOURNMENT: 7:35 pm

Order ID: 7771273

* Agency Commission not included

GROSS PRICE * : \$221.84

PACKAGE NAME: SSC_Notice of Public Meeting

Product(s): Sun Sentinel, Affidavit, Floridapublicnotices.com, Classified.ss.com_Legal

AdSize(s): 1 Column

Run Date(s): Friday, February 21, 2025

Zone: Full Run

Color Spec. B/W



Preview

Order ID: 7771273

LEGAL NOTICE

PLEASE TAKE NOTICE that the City of Lake Worth Beach's Planning and Zoning Board (PZB) will conduct a meeting at 7 North Dixie Highway, Lake Worth Beach on Wednesday, March 5, 2025, at 6:00 pm or as soon thereafter to consider the following application.

PZB Project Number 24-00500013: A Conditional Use Permit request for a medium intensity (less than 7,500 square feet) Minor Vehicular Service and Repair (vehicle wrapping) and Assembly excluding retail display and sales uses as provided for in LDR Section 23.3-6 located at 3694 23rd Avenue South. The subject site is zoned Industrial Park of Commerce (I-POC) and has a future land use designation of Industrial (I). PCN # 38-43-44-20-19-000-0100.

The public can view the meeting via YouTube at <https://www.youtube.com/c/CityofLakeWorthBeach>. The agenda and back-up materials are available at <https://lakeworthbeachfl.gov/government/advisory-board-agendas-and-minutes/>

Public comment will be accommodated in person at the meeting, or virtually prior to the meeting through the web portal: <https://lakeworthbeachfl.gov/virtual-meetings/>. If you are unable to access the web portal, please email pzoning@lakeworthbeachfl.gov for a comment to be read into the record by a staff member. Written responses or comments can be sent to the Department for Community Sustainability Planning and Zoning Division, 1900 2nd Avenue North, Lake Worth Beach, FL 33461 and must arrive before the hearing date to be included in the formal record.

Affected parties, as defined in Section 23.1-12 of the Lake Worth Beach Code of Ordinances, who are interested in participation must notify the City of their status

GROSS PRICE * : \$221.84

PACKAGE NAME: SSC_Notice of Public Meeting

at least five (5) days before the hearing. Failure to follow the process will be considered a waiver of the right to participate as affected party in the hearing, but does not preclude the party from making public comment. Affected parties shall submit the evidence they wish the Planning and Zoning Board (PZB) to consider a minimum of one (1) full business day prior to the date of the meeting. Affected parties, whether individually or collectively and irrespective of the number of affected parties, shall have the right to request one (1) continuance provided that the request is to: address neighborhood concerns or new evidence, hire legal counsel or a professional services consultant, or is unable to be represented at the hearing. For additional information, please contact City staff at 561-586-1687 or pzoning@lakeworthbeachfl.gov.

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In accordance with the provisions of the American with Disabilities Act (ADA) this document may be requested in an alternative format. Persons in need of special accommodation to participate in this proceeding are entitled to the provision of certain assistance. Please call 561-586-1687 or email pzoning@lakeworthbeachfl.gov no later than five (5) days before the hearing if this assistance is required.

Order ID: 7771276

* Agency Commission not included

GROSS PRICE * : \$214.79

PACKAGE NAME: SSC_Notice of Public Meeting

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AdSize(s): 1 Column

Run Date(s): Friday, February 21, 2025

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Color Spec. B/W

Preview

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PZB Project Number 24-01500004: Three Variance requests for 1701 Terrace Drive West to encroach the rear setback, to exceed the maximum impermeable surface, and to exceed structural coverage. The subject site is zoned Single Family Residential (SFR) and has a future land use designation of Single Family Residential (SFR). PCN # 38-43-44-16-15-006-0010.

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Order ID: 7771276

GROSS PRICE * : \$214.7

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2/21/2025 7771276

Order ID: 7771272

* Agency Commission not included

GROSS PRICE * : \$231.24

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AdSize(s): 1 Column

Run Date(s): Friday, February 21, 2025

Zone: Full Run

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Order ID: 7771272

Preview

GROSS PRICE * : \$

PACKAGE NAME: SSC_Notice of Public Meeting

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PZB Project Number 23-00500016 and 23-01400028: A Major Site Plan Amendment request for the construction of three (3) additional educational buildings totaling ±21,300 square feet and site improvements including a swimming pool, basketball court, outdoor amphitheater, soccer field, playground, walking trails, landscaping, and parking lot at 1718 South Douglas Street, as well as a Conditional Use Permit (CUP) request for the establishment of a high intensity (greater than 7,500 square feet) institutional use. The property is zoned Public (P) and has a Public (P) Future Land Use (FLU) designation. PCN # 38-43-44-34-00-000-3020.

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2/21/2025 7771272



PLANNING AND ZONING BOARD REPORT

PZB Project Number 25-00000004: A request for Affordable/Workforce Housing Program incentives to authorize a third dwelling unit with a unit size reduction at 614 North E Street. The subject site is zoned Single-Family and Two-Family Residential (SF-TF-14) and has a future land use designation of Medium Density Residential (MDR).

Meeting Date: March 5, 2025

Property Owner/Applicant: Timothy Stergiou-Allen – Hlios K Amos, LLC

Address: 614 North E Street

PCNs: 38-43-44-21-15-188-0070

Size: 0.155 acre lot / ± 1,596 square feet of existing structure

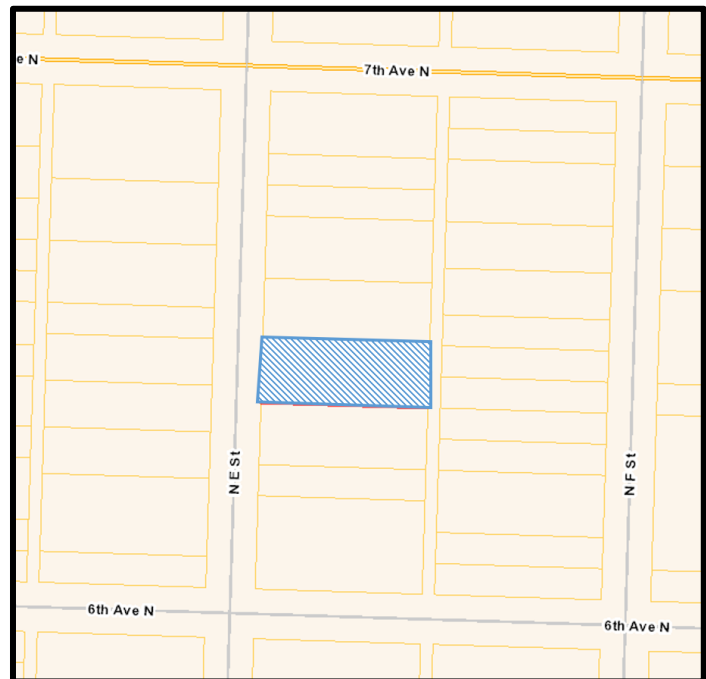
General Location: East side of North E Street between 6th Avenue North and 7th Avenue North

Existing Land Use: Duplex

Current Future Land Use Designation: Medium Density Residential (MDR)

Zoning District: Single-Family and Two-Family Residential (SF-TF-14)

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs). The proposed Affordable/Workforce Housing Program request is consistent with the LDRs, as conditioned, and, therefore, a **recommendation of approval with conditions** is provided to the Planning and Zoning Board. The conditions are located on pages 3-4 of this report.

PROJECT DESCRIPTION

The applicant, Timothy Stergiou-Allen, is requesting approval of the following for the property at 614 North E Street:

- **Affordable/Workforce Housing Program** for additional density, reduction in the gross area of dwelling units, and reduction of the required parking.

COMMUNITY OUTREACH

Staff has not received any letters of support or opposition for this application.

BACKGROUND

Below is a summary of the property based on Palm Beach Property Appraiser’s records and City records:

Construction: A ±1,400 square foot duplex was constructed on the property in 1951. A carport and utility/storage area were constructed in 1960; the carport was demolished in 2002. A Florida room was added onto the rear of the structure in 1965. Per the applicant, part of the rear duplex unit was converted to an additional dwelling unit prior to their purchase of the property in 2024.

Use: The property’s use is residential. There are currently a total of three (3) residential dwelling units on the site; the applicant has indicated that the third dwelling unit was created prior to their purchase of the property in August 2024. The property previously had business licenses to rent two (2) dwelling units.

Code Compliance: There is one active code case on the subject property, which was initiated on August 20, 2024. Most of the violations are now in compliance; open violations include obtaining a City business license, passing the use and occupancy inspection, and obtaining building permits for alterations to the existing structure. Staff has included a condition of approval to require that all outstanding code enforcement violations are resolved within one year of this approval.

ANALYSIS

Affordable/Workforce Housing Program

Per LDR Section 23.2-29(b), projects using Tier One of the City’s Affordable/Workforce Housing Program may obtain an additional affordable/workforce dwelling unit and up to a 15 percent reduction in gross area requirements based on unit type. The applicant is requesting one (1) bonus affordable/workforce dwelling unit. The applicant is also requesting a reduction of the studio unit size from 400 square feet to 346 square feet, which is within the program’s allowable area reduction. The bonus unit will be income restricted according to the affordability criteria established in 23.2-29(f). The applicant has opted to use the City’s standard restrictive covenant for the affordable unit; staff has included a condition of approval to require the restrictive covenant to be completed and recorded prior to the final building permit inspection for the unit.

Development Standard	Base Zoning (SF-TF-14)	Affordable/Workforce Housing Program
Density (max)	14 du/ac x 0.155 ac = 2 units	(14 du/ac x 0.155 ac) + 1 bonus unit = 3 units
Living Area (min)	Studio = 400 sf	Studio + 15% reduction in size = 340 sf

Pursuant to LDR Section 23.2-39(c), the PZB shall make decisions on the awarding of incentives through the Affordable/Workforce Housing Program. The awarding of the incentive(s) shall be based on the criteria listed below; staff has listed each criterion and provided responses.

- a. Is the award calculated correctly, consistent with the density and unit size reduction(s) that are allowed under the affordable/workforce housing program, including that the affordable/workforce housing unit type mix be reflective of the overall unit type mix for the entire project;
Analysis: The density and unit size reduction calculations provided by the applicant are calculated correctly per the requirements in LDR Section 23.2-39. The unit type mix requirement was intended for larger residential projects. Although the proposed affordable unit for the subject property (studio) does not reflect the unit type of the two existing market-rate units (one-bedroom units), the proposal meets the broader intent to encourage the inclusion of affordable and workforce housing units within residential projects.
- b. Do the proposed income restrictions meet the intent of the affordable/workforce housing program;
Analysis: The proposed income restrictions for the bonus unit do meet the intent of the Affordable/Workforce Housing Program. The annual gross income for a household in the bonus unit will not exceed 45 percent of Area Median Income, and the overall housing expense will not exceed 30 percent of the income limit for the unit. Compliance with the income restrictions will be enforced through the restrictive covenant and annual project report.
- c. Do the proposed annual rents and/or mortgage costs meet the intent of the affordable/workforce housing program;
Analysis: The proposed annual rent of \$14,040 (\$1,170 per month) meets the intent of the Affordable/Workforce Housing Program. Compliance with the rent requirements will be enforced through the restrictive covenant and annual project report.
- d. Do the proposed restrictive covenants to maintain affordability meet the intent of the affordable/workforce housing program?
Analysis: The proposed restrictive covenant meets the intent of the Affordable/Workforce Housing Program.

Site & Landscape Requirements, Refuse, Signage, and Parking: Compliance with City regulations for site design, landscape, refuse, and parking will be addressed in a Minor Site Plan following PZB approval of the bonus unit.

CONCLUSION AND CONDITIONS

Based on the data and analysis in this report and the supporting materials provided by the applicant, the proposed Affordable/Workforce Housing Program incentives for one (1) bonus dwelling unit and a reduction in unit size requirements are consistent with the City's LDR requirements. Therefore, a recommendation of approval is provided to the PZB with the following conditions:

Conditions of Approval:

1. Authorization for the third dwelling unit at 614 North E Street is contingent upon site plan approval and after-the-fact building permit approval. Should the property not receive site plan and building permit approval within one (1) year of this AWFH approval, this approval (25-0000004) shall be null and void.
2. An approved Minor Site Plan shall be required prior to the issuance of after-the-fact permits for the third dwelling unit.
3. The third unit shall be restricted for affordable/workforce housing in accordance with the City's Affordable/Workforce Housing Program (or an alternative program as restrictive or more). The required restrictive covenant shall be completed and recorded prior to the building permit final inspection for the third unit.

4. Any code cases associated with the subject properties shall be resolved and any fines shall be paid within one (1) year of this approval.
5. An address application for the third unit shall be required to be submitted prior to application for a business license.

BOARD POTENTIAL MOTION:

I move to **approve with conditions** PZB Project Number 25-00000004 for Affordable/Workforce Housing Program incentives to authorize a third dwelling unit with a unit size reduction at 614 North E Street, based on upon the competent and substantial evidence provided in the staff report and in the testimony at the public hearing.

I move to **disapprove** PZB Project Number 25-00000004 for Affordable/Workforce Housing Program incentives to authorize a third dwelling unit with a unit size reduction at 614 North E Street. The project does not meet the Affordable/Workforce Housing Program criteria for the following reasons [Board member please state reasons.].

Consequent Action: *The Planning & Zoning Board's decision will be final decision for the Affordable/Workforce Housing Program request. The Applicant may appeal the Board's decision to the City Commission.*

ATTACHMENTS

- A. Application Package (survey, floor plan, affordable/workforce worksheet, & supporting documents)

PLANNING AND ZONING BOARD REPORT

PZB Project Number 24-01500004: Consideration of three variance requests for 1701 Terrace Drive West to encroach the rear setback, to exceed the maximum impermeable surface, and to exceed structural coverage. The subject site is zoned Single Family Residential (SFR) and has a future land use designation of Single Family Residential (SFR).

Meeting Date: March 5, 2025

Owners/Applicants: Ibrahim and Debra Chalhoub

Address: 1701 Terrace Drive West

PCN: 38-43-44-16-15-006-0010

Size: 0.1853 acre

General Location: Northwest corner of 17th Avenue North/Keller Road and Terrace Drive West

Existing Land Use: Single Family residence

Current Future Land Use Designation: Single Family Residential (SFR)

Zoning District: Single Family Residential (SFR)

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and for consistency with the Comprehensive Plan. The proposed variance requests are not consistent with the variance criteria in LDR Section 23.2-26(b). Therefore, staff is recommending denial of the proposed variances.

PROJECT DESCRIPTION

The applicants, Ibrahim and Debra Chalhoub, are requesting three variances for a proposed rear addition at 1701 Terrace Drive West. The subject site is a single-family zoned property located at the northwest corner of 17th Avenue North/Keller Road and Terrace Drive West. The subject site is surrounded by properties zoned for single-family use to the north, south, and east, while the west side borders the Lake Worth Drainage District Canal No. E-4.

COMMUNITY OUTREACH

As of publication, staff has not received comments in support or opposition of the proposal.

BACKGROUND

The subject site is a ± 0.1853 acre residential lot. Below is a general timeline summary of the residential property based on City records:

- 1961 – New single-family home constructed
- 2017 – Received a building permit to construct a seawall, dock, and boatlift
- 2018 – received variance approval and building permit to construct a 50' x 10' awning encroaching the rear setback
- 2024 – applicant applied for a variance for an addition to encroach the rear setback

ANALYSIS

Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Single Family Residential (SFR). Per Policy 1.1.1.2, the SFR future land use area is *"intended primarily to permit development of single-family structures at a maximum of 7 dwelling units per acre. Single-family structures are designed for occupancy by one family or household. Single-family homes do not include accessory apartments or other facilities that permit occupancy by more than one family or household."*

Analysis: The existing principal structure is a single-family house that is consistent with the intent of the Single-Family Residential designation. The variances being sought will not change the use of the property.

Consistency with the City's Land Development Regulations

Per Section 23.2-26, variances are authorized for height, area, size of structures, size of yards, parking requirements, and other area requirements and open spaces. The Department of Community Sustainability is tasked in the Code to review variance applications for consistency with the City's LDRs, for compliance with the findings for granting variances (analyzed in the next section) and to provide a recommendation for whether the application should be approved or denied. The applicant's justification statement is included in **Attachment A**.

Analysis: The proposed addition conflicts with development requirements in the City's Zoning Code, specifically rear setback requirements, maximum impermeable coverage, and structural coverage.

Based on LDR Section 23.3-7(c)(3)(C)(1), principal structures shall have a minimum rear setback of 15 feet or 10% of lot depth, whichever is less. The subject site has a lot depth of 100 feet and therefore requires a minimum 10-foot rear setback for principal structures. In 2018, the site received variance approval to allow a 50' x 10' awning to be constructed

to the rear property line with no rear setback. The applicant is now proposing to remove the awning and requesting three variances to build an addition in the same space without a rear setback.

Further, per LDR Section 23.3-7(c)(5)(C) and LDR Section 23.3-7(c)(6)(C), lots greater than 7,500 square feet shall not exceed 50% impermeable surface coverage and 30% structural coverage. Based on staff review of City records and the survey provided by the applicants, the south side of the property includes approximately 220 square feet of unpermitted pavers, which appear to have been installed after 2022. Due to the approved awning in 2018 and unpermitted pavers on the south side of the property, the site currently exceeds both maximum impermeable surface coverage and structural coverage; neither of these non-conformities were addressed in the 2018 variance.

The applicant is requesting three variances to allow an addition without the required 10-foot rear setback, to exceed the maximum impermeable surface coverage, and to exceed the structural coverage allowance.

LDR Citation	Required/allowed	Proposed
Setbacks (23.3-7(c)(3)(C))	Minimum rear setback. Fifteen (15) feet or ten (10) percent of lot depth, whichever is less. The site has a lot depth of 100 feet, which requires a minimum 10-foot rear setback for principal structures.	Zero rear setback
Impermeable surface coverage (23.3-7(c)(5)(D))	Fifty (50) percent for lots seven thousand five hundred (7,500) square feet and greater.	±63% - With addition & unpermitted bricks on south side (±55.3% without addition; ±53% without addition & unpermitted pavers)
Structural coverage (23.3-7(c)(6)(C))	Thirty (30) percent for lots seven thousand five hundred (7,500) square feet and greater.	±36.7% - With addition or existing awning (±29.1% without awning or addition)

Section 23.2-26(b) Variances, Required findings for approval:

The Land Development Regulations require all variance requests to be analyzed for consistency with Section 23.2-26(b). Staff has reviewed the 3 variances requests against this section; as the three variance requests are all related to the proposed construction of the addition, all three variance requests are analyzed together.

1. Special circumstances or conditions exist which are peculiar to the land or building for which the variance is sought and do not apply generally to nearby lands and buildings, and that this is not the result of the action of the applicant.

Analysis: The property at 1701 Terrace Drive West is a platted lot located on the east side of the Lake Worth Drainage District's (LWDD) E-4 Canal. While properties adjacent to a body of water are somewhat uncommon within the City, they are typical of several areas of the City, including properties neighboring 1701 Terrace Drive West. As discussed above, the property received an approved variance in 2018 to construct an awning extending to the rear property line with no rear setback. The existing awning has a metal frame with a fabric covering. The applicant asserts that wildlife causes damage to the awning by puncturing holes, allowing water to enter the covered patio area, which in turn damages furniture and disrupts the use of the space. However, wildlife and potential for associated wildlife damage is a general condition for properties throughout the City, and is not

peculiar to the subject land/building. Therefore, a hardship related to the circumstances of the property has not been established. **Does not meet criterion.**

2. The strict application of the provision of these LDRs would deprive the applicant of any reasonable use of the land or building for which the variance is sought.

Analysis: The applicant states that the existing wildlife in the area interferes with the safety and functionality of the current rear awning. As a result, they are requesting to remove the awning and enclose the same space to create an enclosed area for living and recreation. According to City records, the rear property line is located between 37 and 50 feet from the body of water. In 2017, the property was granted a permit to install a seawall, dock, and boat lift, suggesting that the rear area of the property is actively used by the occupants. The property does not require an addition for reasonable use as a single-family residence, as the occupants will continue to be able to utilize the existing single-family residence, rear area of the property, and exercise their riparian rights without the construction of the requested addition. Strict adherence to the Land Development Regulations (LDRs) would not deprive the property owners of reasonable use of land as the property owner has the option to either remove the rear awning or maintain its existing use.

Does not meet criterion.

3. The variance proposed is the minimum variance which makes possible the reasonable use of the land or building

Analysis: As discussed above, the proposed variance is not necessary for the reasonable use of the land. The applicant may continue to use the existing structures and make use of the land on the north and south sides of the property, as well as the large outdoor area at the front (east) of the property. Additionally, the variance request does not represent the minimum necessary adjustment, as the applicant is requesting three variances and has not considered reducing the setbacks, impermeable surface coverage, or structural coverage nonconformities. **Does not meet criterion.**

4. The granting of the variance will be in accordance with the spirit and purpose of this chapter, and will not be unduly injurious to contiguous property or the surrounding neighborhood nor otherwise detrimental to the public welfare.

Analysis: The granting of the variance requests would likely not be unduly injurious or detrimental to the surrounding neighborhood or public welfare. The property is located on a corner lot with only one directly adjacent neighbor. The rear of the property is situated between 37 and 50 feet from the E-4 canal system, and the rear setback encroachment does not appear to directly impact the waterway. Additionally, the Lake Worth Drainage District site plan reviewer has reviewed the variance request and raised no objections to the petition.

Meets criterion.

CONCLUSION

Variance requests are required to be reviewed for consistency with the criteria set forth in LDR Section 23.2-26(b). The applicants have not established by competent and substantial evidence that the proposed variances are consistent with all of the required review criteria, including that a hardship be established related to the circumstances of the property and that the strict application of the LDRs would deprive the property owners of reasonable use of the land. Therefore, staff is recommending that the Planning and Zoning Board not approve the proposed variances.

BOARD POTENTIAL MOTION:

I MOVE TO **DISAPPROVE** PZB Project Number 24-01500004 for three variance requests at 1701 Terrace Drive West to encroach the rear setback, to exceed the maximum impermeable surface, and to exceed structural coverage. The project does not meet the variance criteria based on the data and analysis in the staff report.

I MOVE TO **APPROVE** PZB Project Number 24-01500004 for three variance requests at 1701 Terrace Drive West to encroach the rear setback, to exceed the maximum impermeable surface, and to exceed structural coverage. The application meets the variance criteria for the following reasons [Board member please state reasons].

Consequent Action: *The Planning & Zoning Board's decision will be the final decision for the variance. The applicants may appeal the Board's decision directly to Circuit Court.*

ATTACHMENTS

- A. Application Package (survey/site plan and supporting documents)
- B. Photos

PLANNING AND ZONING BOARD REPORT

PZB Project Number 24-00500013: A Conditional Use Permit request for a medium intensity (less than 7,500 square feet) Minor Vehicular Service and Repair (vehicle wrapping) and Assembly excluding retail display and sales uses as provided for in LDR Section 23.3-6 located at 3694 23rd Avenue South, Suite 1. The subject site is zoned Industrial Park of Commerce (I-POC) and has a future land use designation of Industrial (I).

Meeting Date: March 5, 2025

Property Owner: Daniel W. Hiatt

Applicant: Chris Campbell – Saddle Creek Graphics DBA Fastsigns

Address: 3694 23rd Avenue South, Suite 1

PCN: 38-43-44-20-19-000-0100

Size: 0.9867 ac Lot /±15,200 square feet existing structures (use area is ±1,200 square feet)

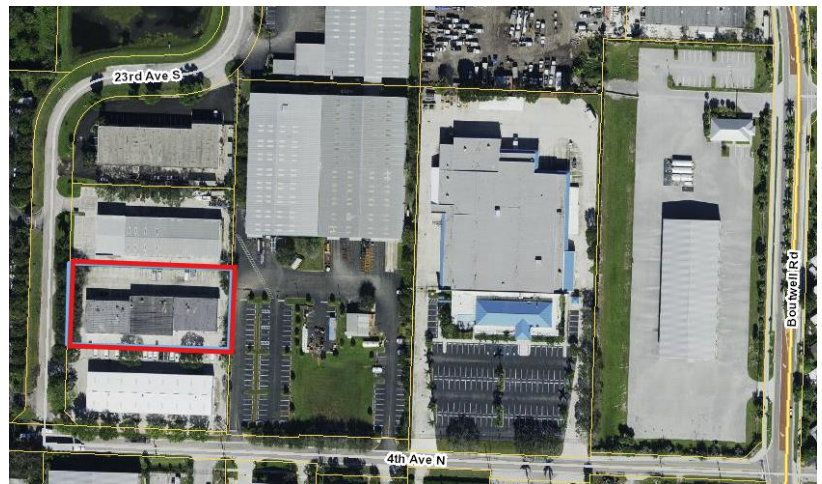
General Location: Northeast corner of 23rd Avenue South and 4th Avenue North

Existing Land Use: Industrial

Current Future Land Use Designation: Industrial (I)

Zoning District: Industrial Park of Commerce (I-POC)

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and for consistency with the Comprehensive Plan and Strategic Plan. Staff recommends that the Planning and Zoning Board approve the proposed Conditional Use Permit (CUP); conditions of approval have been provided on pages 5 and 6 of this report.

PROJECT DESCRIPTION

The applicant, Chris Campbell on behalf of Saddle Creek Graphics DBA Fastsigns, is requesting a Conditional Use Permit (CUP) to establish a Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use ($\pm 1,200$ square feet) in the Industrial Park of Commerce (IPOC) zoning district located at 3694 23rd Avenue South, Suite 1.

According to the applicant's justification statement, the services provided will include wrapping and applying graphics to customer vehicles, assembling signs for customers, and indoor storage of materials. The City identifies the installation of vehicle wrapping as a Minor Vehicular Service and Repair use, similar to window tinting. All vehicle-related activities will take place inside the suite. The proposed use does not include traditional Minor Vehicular Service and Repair uses such as brake repairs, tire repair and installation, muffler replacement, and oil changes. Therefore, the only vehicular use reviewed by staff is vehicle wrapping services. The I-POC zoning district allows medium intensity Assembly uses to be reviewed administratively by staff through an Administrative Use Permit (AUP); the use will be reviewed through the Conditional Use Permit request. Further, the use area will also include Indoor Storage use which is permitted by right in the I-POC zoning district. The hours of operation will be from 8:00 AM to 5:00 PM, Monday through Friday. The subject site is located at the northeast corner of 23rd Avenue South and 4th Avenue North.

COMMUNITY OUTREACH

Staff has not received any letters of support or opposition for this application.

BACKGROUND

Below is a summary of the property based on Palm Beach Property Appraiser's records and City records:

Construction: The $\pm 15,200$ square foot structure was constructed in 1987. The proposed business is located in Suite 1 of the building, which is $\pm 1,200$ square feet.

Use: The property's use is industrial. There is a total of eleven (11) suites; Suites 3-11 have active business licenses. There are two (2) suites without an active business license, including Suite 1 which is currently occupied by the applicant.

Code Compliance: There are no active code cases associated with this property.

ANALYSIS

Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Industrial (I). The I FLU is intended to provide for the establishment and enlargement of office, manufacturing and light to moderate industrial uses that would be incompatible in other areas of the city due to increased traffic generation. The implementing zoning district is I-POC. The proposed request is seeking to open a Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use in the existing building with a use area of $\pm 1,200$ square feet.

The City's Strategic Plan focuses on fostering safer neighborhoods, encouraging community pride, building a vibrant and diverse economy, planning for the future, and enhancing the natural, historic, and cultural environment of the City. Pillar IV.A and Pillar IV.D of the Strategic Plan state that the City shall achieve economic and financial sustainability through a versatile and stable tax base, and influence the supply and expansion of jobs. Because the proposed Conditional Use

will allow the establishment of a new Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use that will contribute towards the City's tax base and sustain or increase jobs, the proposal is consistent with Pillar IV.A and Pillar IV.D.

Based on the analysis above, the proposed Conditional Use Permit request is consistent with the goals, objectives, and policies of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan.

Consistency with the City's Land Development Regulations

The **Industrial Park of Commerce zoning district** *is intended to provide for the establishment and enlargement of office, manufacturing and light industrial uses without restriction on traffic generating characteristics. The industrial park of commerce district is also intended to permit the establishment of certain other uses which are compatible with industrial operations. Development in the industrial land use category should be guided to minimize negative impacts on nearby residential areas. The industrial park of commerce district implements the industrial land use category of the Lake Worth Comprehensive Plan.*

Analysis: The applicant is requesting a Conditional Use Permit for a Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use. Based on the data and analysis provided by the applicant, the proposed conditional use is not anticipated to impact the surrounding area greater than multiple uses permitted by right. The building is already served by municipal services, including water, sewer, refuse, fire and police. The site is located on a local roadway. Therefore, no additional public expenditures are required to service the proposed use.

Per the City Use Table (Section 23.3-6), a medium intensity Minor Vehicular Service and Repair use requires a Conditional Use Permit. The proposed use is also subject to additional supplemental regulations per LDR Section 23.4-13(c)4, *Vehicular services and repair facilities – Major or minor, or repair and maintenance services – Major*. The use is consistent with the intent of the I-POC zoning district and supplemental regulations for vehicular services as conditioned. The analysis for the conditional use permit in the section below is consistent with the review criteria located in Attachment A. The Minor Vehicular Service and Repair use is also consistent with the additional supplemental regulations located in Attachment B.

The Department of Community Sustainability is tasked in the LDRs to review conditional use applications for consistency with the City's LDRs (Section 23.2-29(i)), for compliance with the following findings for granting conditional uses and to provide a recommendation on the proposed project.

Section 23.2-29(a), Conditional Use Permits: *Conditional uses are defined as generally compatible with the other uses permitted in a district, but that require individual review of their location, design, structure, configuration, density and intensity of use, and may require the imposition of pertinent conditions to ensure the appropriateness and compatibility of the use at a particular location and to prevent or minimize potential adverse impacts to the surrounding area.*

Section 23.2-29(b), Approval Authority: *The planning and zoning board, in accordance with the procedures, standards and limitations of this section, shall approve, approve with conditions, or deny an application for a development permit for a conditional use permit after review and recommendation by the development review official.*

Analysis: A recommendation by the development review official is provided on page 2 of this report, under Recommendation.

Section 23.2-29(c), General Procedures: *The department for community sustainability shall review the application in accordance with these LDRs and prepare a report that summarizes the application and the effect of the proposed conditional use, including whether the application complies with each of the findings for granting conditional uses stated*

below and provide a recommendation for whether the application should be approved, approved with conditions, or denied.

Staff Analysis: The structure on the property completed construction in the late 1980s. The building and site currently do not conform to the current LDRs related to the landscaping and impermeable surface; therefore, the nonconformities section of the land development regulations, LDR Section 23.5-3, is applicable. The existing nonconformities are not proposed to be increased or negatively impacted by the subject Conditional Use request. **The proposed conditional use is consistent with the City's LDRs as conditioned based on the following data and analysis:**

Per LDRs Section 23.4-10.f)2.A., Exceptions (Off-street Parking). *Parking is not required for changes in use or occupancy or remodeling of existing buildings which do not increase floor area or number of overall existing dwelling units, located outside of the single-family residential SF-R zoning district.*

Staff Analysis: Generally, when a request for conditional use is made without increasing the existing building floor area, additional parking is not required per LDR Section 23.4-10.f)2.A., Exceptions (Off-street Parking). However, the supplemental regulations for Minor Vehicular Service and Repair uses require that sufficient parking be provided to serve the needs of customers (LDR Section 23.4-13.c.1.A.4.).

Vehicle service and repair facilities require three (3) parking spaces for each service bay, plus one parking space for each three hundred (300) square feet of non-service enclosed area. Applicable parking requirements in Section 23.4-10 apply to all other use areas. All vehicles shall be parked in designated storage areas, except for vehicles dropped off by customers or placed for temporary customer pick-up in parking spaces designated on an approved site plan not visible from the public right-of-way. These vehicles may be temporarily parked in these designated parking spaces, not to exceed a maximum of one twenty-four-hour period.

Therefore, the proposed Minor Vehicular Service and Repair use requires a minimum of 4 parking spaces available for staff and customers. The applicant states the parking lot is shared by all tenants and that the lease for the suite does not dedicate a specific number of parking spaces to each unit. City records indicate the site has a total of 27 parking spaces. Staff have added a condition of approval that will require the applicant to provide documentation at the time of business license that a minimum of three (3) parking spaces for each service bay plus one parking space for each three hundred (300) square feet of non-service enclosed area will be provided.

Signage: Signage is required to comply with the size and design requirements in the Land Development Regulations. Any proposed signage will be reviewed at building permit for consistency with these requirements.

Section 23.6-1. - Landscape regulations and Section 23.4-13.c.1.A.4.b.iv – Landscape requirements: *The objective of this section is to provide minimum standards for the installation and maintenance of landscaping within the city. Per Section 23.6-1(c)(2), "on the site of a building or open-lot use providing an off-street parking, storage or other vehicular use area, where such an area will not be screened visually by an intervening building or structure from an abutting right-of-way or dedicated alley, shall require landscaping" consistent with this section including a landscape strip ten (10) feet in depth. The site must also be provided with a five-foot wide perimeter planting area with shade trees planted every twenty-five (25) linear feet on center. A hedge must also be maintained within the required planting area.*

Analysis: The existing nonconforming property is lacking required landscaping and is not meeting the intent of LDR Section 23.6-1, *Landscape regulations*. The site has existing constraints, including impermeable surfaces designed to accommodate site and vehicular circulation, leaving little room for sufficient landscaping. In 2022, the site received an Administrative Use Permit (PZ # 23-02100022) that included a condition of approval to reduce nonconformities in so far as feasible by installing new hedges on the north property line and along the west side of the structure. The site has since received an approved landscape permit (24-610) to install approximately 260 linear feet of Clusia Hedges. A site

visit conducted by staff indicates the landscaping was installed, however the landscape permit remains open. Staff have included a condition of approval to provide documentation of compliance with the supplemental landscape regulations as part of the business license application and to finalize the opened landscape permit prior to business license issuance.

Findings for Granting Conditional Uses

Prior to approving any conditional use permit, the decision-making authority shall find based on competent and substantial evidence that the following criteria related to conditional uses are met:

Section 23.2-29.d) General findings relating to harmony with LDRs and protection of public interest.

Staff Analysis: The proposed conditional use, as conditioned, is in general harmony with the surrounding area as the proposed conditions would limit business hours of operation and would require activities to remain indoors. The Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use is an anticipated use in the Industrial Park of Commerce (IPOC) zoning district. The proposed use will not result in less public benefit, nor will it result in more intensive development than anticipated the zoning district in the comprehensive plan.

Section 23.2-29.e) Specific findings for all conditional uses.

Staff Analysis: The proposed conditional use is not anticipated to impact the surrounding area greater than uses permitted by right. According to the applicant, the services provided will include wrapping and applying graphics to customer vehicles, as well as assembling signs for customers. All vehicle-related activities will take place inside the suite. The hours of operation will be from 8:00 AM to 5:00 PM, Monday through Friday. The building is already served by municipal services, including water, sewer, refuse, fire and police. The site is located on a local roadway. Therefore, no additional public expenditures are required to service the proposed use.

Section 23.2-29.g) Additional requirements.

Staff Analysis: As of the date of this report transmittal, there is no active code compliance case for the subject property.

CONCLUSION AND CONDITIONS

The Industrial – Park of Commerce (I-POC) zoning district is intended to provide for the establishment and enlargement of office, manufacturing, and light industrial uses without restriction on traffic generating characteristics. The industrial park of commerce district is also intended to permit the establishment of certain other uses which are compatible with industrial operations. Development in the industrial land use category should be guided to minimize negative impacts on nearby residential areas. The industrial park of commerce district implements the industrial land use category of the Lake Worth Comprehensive Plan. Based on the data and analysis in this report, the use requested is not anticipated to negatively impact adjacent properties. Further, the proposed conditional use will be compatible with the neighboring uses. Therefore, a recommendation of approval is provided to the PZB with the following conditions:

Planning & Zoning, and Landscaping:

1. The use approval is for 3694 23rd Avenue South, Suite 1 only and includes vehicle wrapping and sign assembly only. Any expansion in vehicular services provided, an expansion of use area, or relocation shall require a new use approval.
2. No on-street or outdoor parking of vehicles being serviced is permitted.
3. The vehicular use shall comply with the following supplemental regulations per LDR Section 23.4-13(c)4. The property owner/tenant shall provide documentation of compliance with the supplemental regulations as part of the business license application:
 - a. Hours. No automobile service work shall be performed before 7:00 a.m. or after 8:00 p.m.

- b. Location of equipment, facilities and services. All pits and hydraulic hoist shall be located entirely within a building.
 - c. Landscape requirements. The site must be provided with a five-foot wide perimeter planting area with shade trees planted every twenty-five (25) linear feet on center. A hedge must also be maintained within the required planting area.
 - d. Minimum parking requirements. Three (3) parking spaces for each service bay (if applicable) plus one parking space for each three hundred (300) square feet of non-service enclosed area. Applicable parking requirements in section 23.4-10 apply to all other use areas. All vehicles shall be parked in designated storage areas, except for vehicles dropped off by customers or placed for temporary customer pick-up in parking spaces designated on an approved site plan not visible from the public right-of-way. These vehicles may be temporarily parked in these designated parking spaces, not to exceed a maximum of one twenty-four-hour period.
4. The property owner/tenant shall provide documentation at the time of business license that a minimum of three (3) parking spaces for each service bay plus one parking space for each three hundred (300) square feet of non-service enclosed area will be provided.
 5. Outdoor storage is not part of this approval.
 6. Prior to the issuance of a new City of Lake Worth Beach Business License, all landscape permits shall be finalized and closed out.
 7. Coordinate with Public Works on the location and screening of the refuse area. The location of the screened refuse area shall comply with LDR requirements and be approved by the Public Works Department.
 8. The use, handling, production and storage of regulated substances in wellfield zones as defined in the PBC Unified Land Development Code shall be prohibited as provided for in the requirements of the PBC Wellfield Ordinance (ULDC, Article 14, Chapter B).
 9. Prior to the issuance of a business license, the business shall contact the City Engineer's office to confirm if additional pollution prevention or other utility requirements are required. A copy of the PBCERM Affidavit shall be provided.
 10. All uses shall meet all the requirements and stipulations set forth in City Code Section 15-24, Noise control.
 11. Per City Code Section 14-32 and LDR Section 23.2-23, the occupant must obtain and maintain the required Business License.
 12. The City shall revoke the business license and the approval of the conditional use permit if the property is declared a chronic nuisance as result of or related to the operations of the requested uses.
 13. Signage shall be reviewed through the building permit process for consistency with the requirements of the Land Development Regulations.

Electric Utility

1. If any changes will be required to the electric service at this location, the electric utility will require voltage and load calculations at the time of application for a building permit.

Water

1. Provide the City Engineer's office a survey identifying the location and the size of the existing backflow preventer.

BOARD POTENTIAL MOTION:

I move to **approve** PZB Project Number 24-00500013 with staff recommended conditions for a **Conditional Use Permit** request to establish a Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use based on upon the competent and substantial evidence provided in the staff report and in the testimony at the public hearing.

I move to **disapprove** PZB Project Number 24-00500013 for a **Conditional Use Permit** request to establish a Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use. The project does not meet the conditional use criteria for the following reasons [Board member please state reasons.].

Consequent Action: *The Planning & Zoning Board's decision will be final decision for the Conditional Use Permit. The Applicant may appeal the Board's decision to the City Commission.*

ATTACHMENTS

- A. Findings for Conditional Uses
- B. Supplemental Regulations
- C. Application Package (Survey & Justification Statement)

ATTACHMENT A - Findings for Granting Conditional Uses

Section 23.2-29(d) General findings relating to harmony with LDRs and protection of public interest.	Analysis
1. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with the uses which, under these LDRs and the future land use element, are most likely to occur in the immediate area where located.</i>	In compliance as conditioned
2. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.</i>	In compliance
3. <i>The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the site for some use permitted by right or some other conditional use permitted on the site.</i>	In compliance
4. <i>The conditional use exactly as proposed will not result in more intensive development in advance of when such development is approved by the future land use element of the comprehensive plan.</i>	In compliance
Section 23.2-29(e) Specific findings for all conditional uses.	Analysis
1. <i>The proposed conditional use will not generate traffic volumes or movements which will result in a significant adverse impact or reduce the level of service provided on any street to a level lower than would result from a development permitted by right.</i>	In compliance
2. <i>The proposed conditional use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets</i>	In compliance
3. <i>The proposed conditional use will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.</i>	In compliance
4. <i>The proposed conditional use will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.</i>	In compliance
5. <i>The proposed conditional use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.</i>	In compliance
6. <i>The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.</i>	In compliance

- 7. *The proposed conditional use will not generate significant noise, or will appropriately mitigate anticipated noise to a level compatible with that which would result from a development permitted by right. Any proposed use must meet all the requirements and stipulations set forth in section 15.24, Noise control.* **In compliance**
- 8. *The proposed conditional use will not generate light or glare which encroaches onto any residential property in excess of that allowed in section 23.4-10, Exterior lighting.* **In compliance**

ATTACHMENT B – Supplemental Regulations

Sec. 23.4-13.(c)4. - Administrative uses and conditional uses/Standards/ Vehicle service and repair facilities—Major or minor, or repair and maintenance services—Major	Analysis
1. <i>Minimum lot frontage. Seventy-five (75) feet.</i>	In compliance
2. <i>Minimum site.</i>	In compliance
Minor - Site: Ten thousand (10,000) square feet; minimum area per business/tenant on a multiple tenant/business site: One thousand (1,000) square feet.	
3. <i>Location of equipment, facilities and services. All pits and hydraulic hoist shall be located entirely within a building. Lubrication, washing, repairs and service shall be conducted within the building.</i>	In compliance
4. <i>Landscape requirements. The site must be provided with a five-foot wide perimeter planting area with shade trees planted every twenty-five (25) linear feet on center. A hedge must also be maintained within the required planting area.</i>	In compliance as conditioned
5. <i>Buffering/screening. A masonry wall shall be erected to a height of not less than six (6) feet where the proposed site is within twenty-five (25) feet of a residential district, in addition to the landscaping requirements outlined above. Said wall shall be finished with a graffiti-resistant paint.</i>	Not applicable
6. <i>Minimum parking requirements. Three (3) parking spaces for each service bay (if applicable) plus one parking space for each three hundred (300) square feet of non-service enclosed area. Applicable parking requirements in section 23.4-10 apply to all other use areas. All vehicles shall be parked in designated storage areas, except for vehicles dropped off by customers or placed for temporary customer pick-up in parking spaces designated on an approved site plan not visible from the public right-of-way. These vehicles may be temporarily parked in these designated parking spaces, not to exceed a maximum of one twenty-four-hour period.</i>	In compliance as conditioned
7. <i>Hours. No automobile service work shall be performed before 7:00 a.m. or after 8:00 p.m.</i>	In compliance as conditioned
8. <i>Outdoor storage may be permitted as accessory to vehicle service and repair-major and repair and maintenance services-major in I-POC only, provided the outdoor storage area is fully screened from any public rights-of-way and adjacent properties as consistent with section 23.4-19, outdoor storage, and all equipment, parts and vehicles are stored on an impermeable paved surface.</i>	In compliance as conditioned

PLANNING AND ZONING BOARD REPORT

PZB Project Number 23-00500016 and 23-01400028: A Major Site Plan Amendment request for the construction of three (3) additional educational buildings totaling ±21,300 square feet and site improvements including a swimming pool, basketball court, outdoor amphitheater, soccer field, playground, walking trails, landscaping, and parking lot at 1718 South Douglas Street. A Conditional Use Permit (CUP) request for the establishment of a high intensity (greater than 7,500 square feet) institutional use. The property is zoned Public (P) and has a Public (P) Future Land Use (FLU) designation.

Meeting Date: March 5, 2025

Property Owner: City of Lake Worth (Lessor),
For the Children Inc. (Lessee)

Project Manager: Rodney Crockett, AIA, LEED,
AP

Address: 1718 South Douglas Street

PCN: 38-43-44-34-00-000-3020

Size: ±4.63 ac Lot / ±3,286 sf. Existing Structures

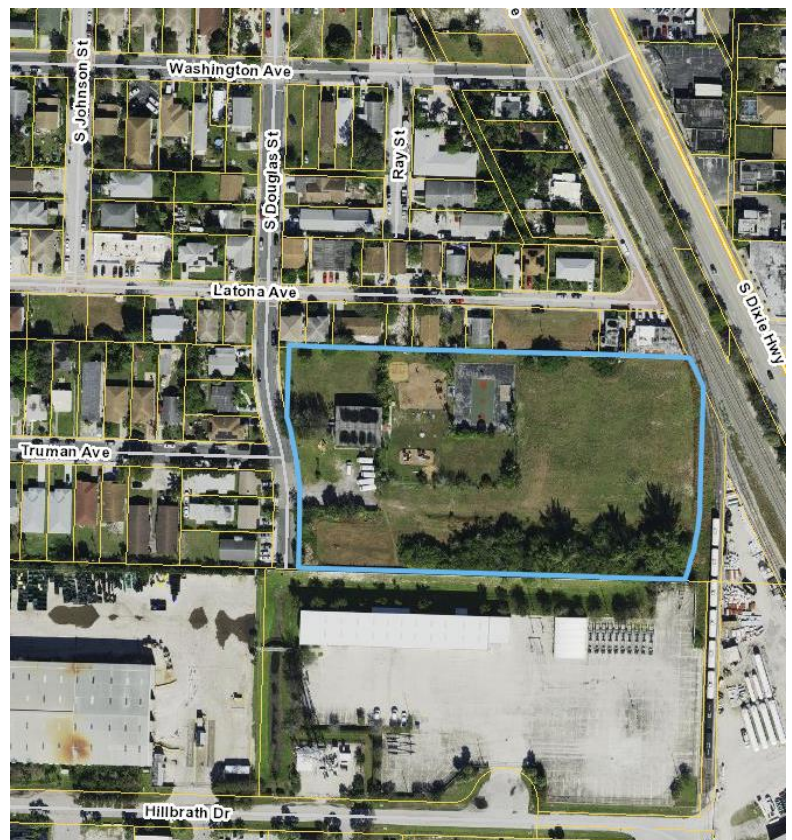
General Location: East side of Truman Avenue
and South Douglas Street

Existing Land Use: Institutional

Current Future Land Use Designation: Public (P)

Zoning District: Public (P)

Location Map:



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs), and for consistency with the Comprehensive Plan and Strategic Plan. The proposed Major Site Plan Amendment and Conditional Use Permit (CUP) is consistent with the Comprehensive Plan, Strategic Plan, and LDRs, as conditioned. Therefore, a **recommendation of approval with conditions** is provided to the Planning and Zoning Board. The conditions are located on pages 7-9 of this report.

PROJECT DESCRIPTION

The applicant, Rodney Crockett, on behalf of For the Children, is requesting approval of the following at 1718 South Douglas Street:

- **Major Site Plan Amendment** to construct three (3) additional building totaling $\pm 21,300$ square feet and site improvements including a swimming pool, basketball court, outdoor amphitheater, soccer field, playground, walking trails, landscaping, and parking lot.
- **Conditional Use Permit (CUP)** to allow for a high-intensity Institutional use (greater than 7,500 square feet).

The Applicant is proposing an expansion of an existing use for an organization known as For The Children (FTC), a nonprofit organization that provides underserved families with affordable education for their children, recreational services, and family support services to the community. This includes day care, after school childcare, holiday and summer childcare, and community services such as City of Lake Worth Beach Got Talent event, Trunk and Treats, Thanksgiving Family Night, Christmas Holiday Toy Distribution, and monthly parent and children interactive activities.

For The Children will be constructing three structures that are approximately 21,300 square feet with the intention of accommodating classrooms, administration offices, multipurpose rooms, kitchens, and storage area. The proposal also includes significant site improvements including a new swimming pool, a basketball court, a soccer field, outdoor amphitheater, multiple playgrounds, walking trails, landscaping, and a new parking lot. The project will be conducted in 6 phases. The first phase will include the construction of a $\pm 1,800$ square foot structure with classrooms, restrooms, and a kitchen, which will be designated as a community shelter to withstand category 5 hurricane winds.

The proposal includes a $\pm 7,625$ square foot outdoor temporary weekend fair. The weekend fair area includes multiple temporary uses such as the sale of produce grown in a community garden, free visual and non-visual art instruction to the community, local artist share/sell events, and free fitness instruction events. Staff will propose a condition that the temporary weekend fair will require a board level review in a separate phase.

The site will be developed to provide proper vehicular circulation for visitors and staff. Appropriate drainage will be provided at the site with storm water detention areas as required. Additionally, the building and parking areas will be provided with exterior lighting in conformance with City's requirements. The new campus will include fencing with strategically placed vehicular and pedestrian gates to provide security and proper site circulation.

COMMUNITY OUTREACH

Staff has not received any letters of support or opposition for this application.

BACKGROUND

Below is a summary of the property based on Palm Beach Property Appraiser's records and City records:

Construction: The existing building was originally constructed in 1950 and is approximately 3,286 square feet.

Use: The property's use is institutional. For The Children has had an active business license as a medium intensity charitable organization since 2000. Services include childcare for children ages 3-12 and counseling for families and youth.

Code Compliance: City records indicate no code cases or liens for the subject property.

ANALYSIS

Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Public (P). The City initiated an amendment to the City's Comprehensive Plan Future Land Use Map (FLUM) through a small-scale map amendment from the Future Land Use (FLU) designation of Public Recreation and Open Space (PROS) to the Public (P) FLU designation to better reflect the existing use of the site, and allow for expansion of the use over time. The FLUM change in Ordinance 2023-03 was approved by City Commission at second reading on April 4, 2023.

The City's Strategic Plan focuses on fostering safer neighborhoods, encouraging community pride, building a vibrant and diverse economy, planning for the future, and enhancing the natural, historic, and cultural environment of the City. **Pillar I.E** seeks to provide superior public amenities and services to retain existing and enticing new residents and businesses. **Pillar II.F** seeks collaboration with schools to foster rich, diverse and culturally enriching educational opportunities for all. **Pillars IV.A, IV.D, IV.E, IV.F** of the Strategic Plan state that the City shall achieve economic and financial sustainability through a versatile and stable tax base, influence the supply and expansion of jobs, ensuring facilities that anticipate and embrace the future, and to support and improve emergency preparedness to build resiliency and ensure recovery from natural/manmade disasters. The proposed requests will facilitate the continuation and expansion of an existing use that will sustain or increase jobs; it is consistent with Pillar IV.A, Pillar IV.D, Pillar IV.E, and Pillar IV.F

Based on the analysis above, the proposed Major Site Plan Amendment and Conditional Use Permit requests are consistent with the goals, objectives, and policies of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan.

Consistency with the Land Development Regulations

The City initiated an amendment to the City's official zoning map from the Public Recreation and Open Space (PROS) zoning district to Public (P). The Public zoning district is specifically used for public school, institutional, community and public uses; and, provides land development regulations for publicly owned lands. The zoning map change in Ordinance 2023-04 was approved by the City Commission at second reading on April 4, 2023.

The Public (P) zoning district *is intended to designate locations for public schools and municipal facilities including City Hall, City Hall Annex, Lake Worth Public Library, Pine Crest Cemetery and the reclaimed landfill site at the southern city limits. It also provides for publicly owned utility facilities. Because of the diverse variety of uses permitted in the "public district" and the mapping of the district throughout the city, all uses are permitted as conditional uses. The P public district implements the P public land use category of the Lake Worth Comprehensive Plan.*

Analysis: The applicant is requesting a Major Site Plan Amendment and Conditional Use Permit request for the construction of three (3) additional educational buildings totaling ±21,300 square feet and site improvements including a swimming pool, basketball court, soccer field, outdoor amphitheater, playground, walking trails, landscaping, and parking lot. The applicant is proposing the new construction and site improvements to be completed in the following six (6) phases:

- Phase 1: An 1,815 square foot building to accommodate classrooms, restrooms, and a kitchen. This building will also be used as a Category 5 shelter.
- Phase 2: An 11,346 square foot building containing classrooms, restrooms, offices, indoor/outdoor stage area, multipurpose room, library, kitchen, makers space, and indoor storage. This phase will also include the construction of a new parking lot, and a child drop-off area.
- Phase 3: An 8,217 square foot building to accommodate new classrooms, restrooms, a kitchen, multipurpose room, offices, and a mechanical/electrical room. This phase will also include site work such as new gardens, outdoor recreational area, outdoor weekend fair area, bike/walk loop, playgrounds, and walkways.

- Phase 4: The construction of a soccer field and basketball courts.
- Phase 5: The construction of a retention pond.
- Phase 6: The construction of a 1,000 square foot bathroom/storage and a pool.

The analysis for both the Major Site Plan Amendment and Conditional Use Permit (CUP) is provided in the section below and is consistent with the review criteria located in Attachments A & B.

The table below shows the proposed site features and its compliance with the LDRs, as applicable:

Public (P) - LDR Section 23.3-26		
Development Standard	Base Zoning District	Proposed
Lot Size (min) In square feet (sf)	6,500 sf	201,838 sf / ± 4.63 acres
Lot Width (min)	50 ft.	* ± 331'
Setbacks	Front (west)	*± 35'
	Rear (east)	*± 140'
	Side (north)	12'8 ½"
	Side (south)	146'-4"
Impermeable Surface Coverage (maximum)	65%	51%
Max. Building Height	65 ft. – Principal Structures 25 ft. – Accessory Structures	**BD #1 = 15'-7½", BD #2 = 20'-1½", BD #3 = 18'-2"
Floor Area Ratio (FAR) (max)	2.0	***0.127 (25,662 sf Total= 21,378 New Buildings + 1,000 New Pool Bathroom + 3,284 sf Existing Building)

**Missing from site data table, staff has added a condition of approval to include at the time of Site Plan review*

***Missing existing structure and Phase 6 proposed bathroom/storage structure height, staff has added a condition of approval to include at the time of Site Plan review*

****Missing Floor Area Ratio (FAR) calculation staff has added a condition of approval to include at the time of Site Plan review*

Per LDR Section 23.3-26(c), all new public buildings shall use green/sustainable building design and obtain LEED certification. The applicant’s justification statement indicates 2 of the 3 new structures will be designed to LEED certification standards. Staff have included a condition of approval that all new structures shall obtain LEED Certification, prior to the issuance of the Certificate of Occupancy.

Section 12-7, Dumpster Requirements: *The location of all dumpsters shall be approved by the public services director or his designee and/or the building official or his designee. All dumpsters shall meet the requirements set forth in this section and all other ordinances, rules, regulations and policies adopted by the city.*

Analysis: The proposed dumpster location was reviewed by Public Works. It was determined that the dumpster was consistent with the City’s requirements for location and screening, however staff has added a condition of approval to review the size, type, and material of the dumpster enclosure. The dumpster is located at the south side of the property and is fully screened with landscaping.

Section 23.4-3, Exterior Lighting: *All outdoor lighting shall be installed in conformance with the provisions of this chapter, applicable electrical and energy codes, and applicable sections of the building code.*

Analysis: A photometric plan was provided and demonstrates compliance with the exterior lighting requirements except for a portion adjacent to the proposed pool on the north side. Section 23.4-3 does not allow light to trespass upon neighboring residential properties or districts in excess of 12.57 lumens. A condition of approval has been provided requiring the photometric plan to fully comply with LDR Section 23.4-3.

Section 23.4-10. - Off-street parking: This section provides general provisions for off-street parking. The standards “*apply to all parking spaces required for new buildings, new uses, additions, enlargements, or changes.*”

Analysis: The proposed site plan indicates 100 standard parking spaces, 5 ADA parking spaces, and 4 bike racks to account for 4 alternative parking spaces will be provided. The parking calculations indicate only 17,381 square feet of structure area was accounted for and indicate the provided parking does not meet the minimum off-street parking requirements. Staff have included a condition of approval to address parking deficiencies through a separate site plan review process.

LDR Section 23.4-9, Off-Street Loading Regulations: *Every hospital, institution, hotel, commercial and industrial building or similar use, having a floor area in excess of ten thousand (10,000) square feet requiring the receipt or distribution by vehicle of materials and merchandise, shall have at least one (1) permanently maintained off-street loading space for each ten thousand (10,000) square feet of gross floor area or fraction thereof. Where site conditions allow, loading areas shall be screened and buffered from public view.*

Analysis: The applicant is proposing two (2) off-street loading spaces for the proposed institutional use area located within the educational facility. The proposal includes kitchens, classrooms, and recreational areas that would anticipate deliveries. The proposed loading spaces meet the access and size requirements, as well as screening and buffering requirements.

Signage: The proposal does not indicate any new signage. New signage is required to comply with the size and design requirements of LDR Section 23.5-1, *Signs*. Further, the architectural plans indicate proposed murals on buildings 1 and 2. Per LDR Section 23.5-1(e)(13), all proposed murals shall be reviewed and approved by the planning and zoning board; staff have not received a written application request for the proposed murals. A condition of approval has been added to require a mural application request to be reviewed by the Planning and Zoning Board prior to installation of any new murals and to require a building permit for any new signage.

Section 23.6-1. - Landscape regulations: *The objective of this section is to provide minimum standards for the installation and maintenance of landscaping within the city. Per Section 23.6-1(c)(2), “on the site of a building or open-lot use providing an off-street parking, storage or other vehicular use area, where such an area will not be screened visually by an intervening building or structure from an abutting right-of-way or dedicated alley, shall require landscaping”.*

Analysis: The site consists of 50 various existing native trees and palms such as Sabal Palm, Live Oak, Sea Grape, Gumbo Limbo, Thatch Palm, and Maple. The existing tree survey and disposition plan indicates all native trees will remain in the same location or will be relocated throughout the ±4.63-acre parcel. The proposal also includes the removal of all unidentified invasive plant species that are not native to South Florida; this includes a large area located on the south side of the parcel. Standard procedure for trees to be removed or relocated required a plan that specifies the trees to be removed, relocated, or replaced. Staff have added a condition of approval to identify invasive plant species to the disposition plan and to specify how the removed plants will be mitigated.

The development proposal provides multiple tiers of perimeter and interior landscaping, and shade trees. The proposed landscaping is generally consistent with the City’s landscape regulations. In addition to the existing native tree species the proposal includes an addition of various native trees such as Silver and Green Buttonwood, Florida Maple, Dahoon Holly, Royal Poinciana, Rainbow Eucalyptus, various fruit trees, Slash Pine, and Bald Cypress. Overall, the site will consist of all native plant species including 162 trees and 59 palms. Native shrubs and grasses such as Firebush, Cocoplum, Fakahatchee Grass, Crinum Lillies, Coonties, and various butterfly plants will be provided. In addition to sod, the proposal also includes native ground covers such as Perennial Peanut and Dune Sunflowers. The proposed landscape complies with the City’s requirement that a minimum 75% of all required plants be Florida native.

Section 23.4-4. – Fence regulations: Per LDR Section 23.4-4(h): All fences, walls, and hedges shall have a maximum height of six (6) feet and shall be set back to the minimum building setback line on the front of the lot. Chain link fences are not permitted in front of the front building setback line or on the portion of the property abutting public rights-of-way except alleys. Replacement of existing chain link fences shall comply with current standards. Further, the maximum fence height for tennis courts, playing fields, playgrounds, or substantially similar uses shall be ten (10) feet. The development review official may approve additional height for these uses if necessary to ensure the safety of participants and spectators. Chain link fencing shall be permitted next to rights-of-way for fencing described in this subsection only.

Analysis: The proposed site plan indicates new 6-foot tall fencing at approximately 10 feet from the west side (front) property line, entering the parking lot. Public uses require the subject fencing to be set back to the minimum building setback line (20 feet) at the front. The proposal also indicates a new soccer field that would include 8-foot-tall perimeter fencing which meets height requirements for the subject use area. The site plan also does not indicate what type of fencing material will be used. Staff have added a condition of approval that fencing deficiencies are addressed through a site plan amendment review.

Section 23.2-31 - Site Design Qualitative Standards (Attachment A)

Site Design Qualitative Standards are intended to “promote safety and minimize negative impacts of development on its neighbors by establishing qualitative requirements for the arrangements of buildings, structures, parking areas, landscaping and other site improvements. The qualitative standards are designed to ensure that site improvements are arranged in ways which cannot be otherwise accomplished with quantitative standards.” These qualitative standards are applicable to site plan applications as well as all conditional uses. Compliance determination with the applicable standards in Section 23.2-31 are provided in Attachment A. **The following analysis of the site, building, institutional use area and appearance support the compliance findings for the applicable standards listed in Attachment A.**

Site Design Qualitative Standards Analysis: The proposed improvements to the site, including landscaping and buildings, are consistent with the Site Design Qualitative Standards. The character of the proposed development is consistent with the surrounding areas.

The new buildings are situated towards the center and north of the ±4.63-acre parcel. The off-street parking areas are adequately screened with fencing and landscaping. Parking lot access is placed on the south side of the project, minimizing vehicular interaction with the residential properties to the north. The dumpster will also be located on the south side of the property within an enclosure and will provide collection and storage of solid waste and recyclables. Site lighting will comply with the City’s lighting design and illumination standards, so that it will not spill over to surrounding properties. Landscaping of the perimeter buffers will be designed in such a manner as to compliment the architectural style of the buildings and screen the vehicular use areas.

The proposed improvements to the site are supportive to the institutional use which is anticipated in the Public (P) zoning district. The existing uses in the surrounding area are as follows:

Direction	Future Land Use	Zoning District	Existing Use
North	High Density Residential (HDR)	Single-Family and Two-Family Residential (SF-TF14)	Single Family, Duplex, Multi-family, and Vacant Parcels
South	Industrial (I)	Industrial (I)	Industrial Warehouse
East	Artisanal Mixed Use (AMU)	Artisanal Industrial	FEC Railway, Florida Public Utilities Storage, and a Vacant Parcel
West (Across Douglas Street)	High Density Residential (HDR)	Single-Family and Two-Family Residential (SF-TF14)	Single Family, Duplex, and Multi-family

Community Appearance Criteria:

The proposed site improvements represent a minor change to the previously approved site plan. The proposed fencing is in harmony with the surrounding residential and industrial area.

The proposed building and associated site improvements represent a substantial improvement in the general appearance of the property by providing new landscape screening around the perimeter of the property, new buildings, and improved site circulation. The proposed architecture of the building is appropriate and in harmony with the surrounding residential and non-residential area (residential and industrial). Overall, the proposed development improves the visual appearance of the property.

Conditional Use Findings (Attachment B)

Conditional uses are those uses that are generally compatible with the other uses permitted in a district, but that require individual review of their location, design, structure, configuration, density and intensity of use, and may require the imposition of conditions pertinent thereto in order to ensure the appropriateness and compatibility of the use at a particular location and to prevent or minimize potential adverse impacts to the surrounding area. The project proposal includes a conditional use request for institutional uses.

The conditional use is not anticipated to impact the surrounding area greater than uses permitted by right or greater than the uses that have existed on the site for several years.

CONCLUSION AND CONDITIONS

The "public district" designates locations for public schools and municipal facilities including City Hall, City Hall Annex, Lake Worth Public Library, Pine Crest Cemetery and the reclaimed landfill site at the southern city limits. It also provides publicly owned utility facilities. Because of the diverse variety of uses permitted in the "public district" and the mapping of the district throughout the city, all uses are permitted as conditional uses. The P public district implements the P public land use category of the Lake Worth Comprehensive Plan. Based on the data and analysis in this report, the Major Site Plan Amendment and Conditional Use Permit are not anticipated to negatively impact adjacent properties. Therefore, a recommendation of approval is provided to the PZB with the following conditions:

Planning, Zoning, and Landscape Services

1. Prior to the issuance of a Certificate of Occupancy (C.O.) for Phase 1, a site plan shall be approved to address the following:
 - a. Site data table deficiencies
 - b. Off-street parking deficiencies
 - c. Revise placement of western fence to comply with fence regulations within LDR Section 23.4-4
 - d. Identify invasive plant species on the disposition plan and to specify how the removed plants will be mitigated
 - e. A revised photometric plan shall be submitted. All lighting shall comply with lighting code regulations in LDR Section 23.4-3. In particular, the foot candles shall be depicted beyond the property lines to demonstrate compliance with the maximum illumination standards
 - f. Any departmental site related conditions.
2. Prior to building permit application for Phase 3, the applicants shall apply for and receive Board-level use approval for the weekend fair use.
3. LEED Certification for all new structures shall be provided to the City prior to the issuance of the Certificate of Occupancy of all phases. At the time of permit, a letter of intent to obtain LEED Certification shall be provided.
4. Prior to the issuance of a building permit for Phase 2, the Public Works Department shall approve the size, type, and material of the dumpster enclosure.

5. The use, handling, production, and storage of regulated substances in wellfield zones as defined in the PBC Unified Land Development Code shall be prohibited as provided for in the requirements of the PBC Wellfield Ordinance (ULDC, Article 14, Chapter B).
6. The proposed conditional use will not generate significant noise, or will appropriately mitigate anticipated noise to a level compatible with that which would result from a development permitted by right. Any proposed use must meet all the requirements and stipulations set forth in section 15.24, Noise control.
7. Per City Code Section 14-32 and LDR Section 23.2-23, the occupant must obtain and maintain the required Business License for the business.
8. The City shall revoke the business license and the approval of the conditional use permit if the property is declared a chronic nuisance as result of or related to the operations of the requested uses.
9. Murals are not part of this approval. Any new murals shall require a written application request and shall be reviewed and approved by the Planning and Zoning Board.
10. Signage shall be reviewed through the building permit process for consistency with the requirements of the Land Development Regulations.

Palm Beach County Fire Department

1. A site plan application shall be submitted concurrently with the building permit application for Phase 1 providing the required 20-foot-wide fire department access drive located within 50 feet of an entry door for all buildings exceeding 400 square feet (proposed restrooms and Cat 5 shelter).

Electric

1. Before or at the time of application for a Building Permit, Developer must provide the load calculation, voltage requirements and riser diagram. If a pad mount transformer will be requested, we will need to know the location of the pad-mount transformers for the building. The transformer locations must be accessible to our vehicles and must have 8-ft minimum clearance in front of them and 3-ft clearance to the side or rear, including landscaping. They also must not be under or inside any structure.
2. Before the issuance of a Certificate of Occupancy, the utility easement must be recorded.
3. Developer to show the location of the meter center on the site plan.
4. Developer will be responsible for installing their own lightning for the parking areas.
5. Developer will be responsible for the cost of Lake Worth Beach's materials and labor for this project.
6. Before the issuance of a Certificate of Occupancy (CO) a final electrical inspection must be done.
7. Electric Utility distribution system only has one (1) phase on this location. If the customer/developer needs three phase service to this location, all costs and labor associated to the changes to the distribution system will be the customer/developer financial responsibility.
8. If any meter is over 320 amps for single phase, or over 200 amps for 3-phase, a CT cabinet and CT meter will need to be installed. All meters and CT cabinets will require a minimum of 36" (36in) clearance in front for installation of the meter.

Water

1. At the time of a site plan amendment, identify the total distance between the fire-hydrant and the point of connection. Please note that the maximum allowable distance is 300 ft as par the city requirements.
2. During the building permit application, please identify all the utility crossings/conflicts and show the conflict elevations.
3. During the building permit application, please provide a drainage calculation report showing the onsite detention of 3-years 1-hour storm event. In addition, please provide a geo-tech report showing the K value.
4. During the building permit application, please provide the information regarding the Palm Beach County (PBC) Health Department, FDEP, PBC Fire Department, South Florida Water Management District Permitting.
5. During the building permit application, please provide the cross-section of the Eastern and Southern site of the property showing how the stormwater will be stopped from flowing to the neighboring properties.
6. During the building permit application, please provide the details/specifications for the exfiltration trench system, sanitary clean-outs, backflow preventer, and so on.

7. During the building permit application, please call out rim and invert elevations of all the catch basins, control structure, sanitary clean-outs.
8. During the building permit application, please call out the size of the proposed water meters, backflow preventer, and sanitary clean-outs.
9. During the building permit application, please show the existing and proposed water and sewer lines and utilities in the landscape plan to ascertain the clearances between the proposed landscape and the utility lines.
10. Prior to the building permit application, please pay the site plan review major fees in full for the water, sewer, and storm utilities.

Public Works

1. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable standards including but not limited to the Florida Department of Transportation (FDOT), Manual on Uniform Traffic Control Devices (MUTCD), and City of Lake Worth Public Works Construction Standards and Policy and Procedure Manual.
2. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied under the jurisdiction of the Department of Public Works.
3. Prior to the issuance of a building permit, contact the Lake Worth Drainage (LWDD) District's Engineering Department and obtain any required permit(s), if necessary, and furnish to the City. Prior to the issuance of a building permit, contact the South Florida Water Management District's (SFWMD) Engineering Department and obtain any required permit(s), if necessary.
4. Prior to the issuance of a certificate of occupancy, ensure the entire surrounding off-site infrastructure inclusive of the roadway, sidewalk, curbing, stormwater system piping and structures, valve boxes, manholes, landscaping, striping, signage, and other improvements are in the same condition as prior to construction. A pre-construction video of the entire perimeter shall be performed and submitted to the City.
5. Prior to the issuance of a Building Permit, the dumpster enclosure design shall meet the specifications of the Public Works Dept for size, type and material.
6. Prior to the issuance of a Certificate of Occupancy, broom sweep all areas of the affected right of way and remove of all silt and debris collected as a result of construction activity.
7. Prior to performing work in the City Right-of-Way (ROW), apply for and receive issuance of a "Right of Way/Utility Permit" application.
8. Prior to the issuance of a Certificate of Occupancy, restore the right of way to a like or better condition. Any damages to pavement, curbing, striping, sidewalks or other areas shall be restored in kind.

BOARD POTENTIAL MOTION:

I move to **approve with conditions** of PZB Project Numbers 23-00500016 and 23-01400028 for a Major Site Plan Amendment and Conditional Use Permit to construct ±21,300 square feet of institutional facilities with additional site improvements based upon the competent and substantial evidence provided in the staff report and in the testimony at the public hearing.

I move to **disapprove** PZB Project Numbers 23-00500016 and 23-01400028 for a Major Site Plan Amendment and Conditional Use Permit to construct ±21,300 square feet of institutional facilities with additional site improvements. The project does not meet the site plan and conditional use criteria for the following reasons [Board member please state reasons].

Consequent Action: *The Planning & Zoning Board's decision will be final decision for the Major Site Plan Amendment and Conditional Use Permit. The Applicant may appeal the Board's decision to the City Commission.*

ATTACHMENTS

- A. Qualitative Development Standards
- B. Conditional Use Findings
- C. Application Package (survey, site plan, & supporting documents)

ATTACHMENT A – Qualitative Development Standards

Section 23.2-31(c) – Qualitative Development Standards	Analysis
<p>1. Harmonious and efficient organization. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of plot, the character of adjoining property and the type and size of buildings. The site shall be developed so as to not impede the normal and orderly development or improvement of surrounding property for uses permitted in these LDRs.</p>	<p>In compliance</p>
<p>2. Preservation of natural conditions. The natural (refer to landscape code, article 6 of these LDRs) landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal and by such other site planning approaches as are appropriate. Terrain and vegetation shall not be disturbed in a manner likely to significantly increase either wind or water erosion within or adjacent to a development site. Natural detention areas and other means of natural vegetative filtration of stormwater runoff shall be used to minimize ground and surface water pollution, particularly adjacent to major waterbodies as specified in chapter 12, health and sanitation, article V, fertilizer friendly use regulations. Fertilizer/pesticide conditions may be attached to development adjacent to waterbodies. Marinas shall be permitted only in water with a mean low tide depth of four (4) feet or more.</p>	<p>Not Applicable</p>
<p>3. Screening and buffering. Fences, walls or vegetative screening shall be provided where needed and practical to protect residents and users from undesirable views, lighting, noise, odors or other adverse off-site effects, and to protect residents and users of off-site development from on-site adverse effects. This section may be interpreted to require screening and buffering in addition to that specifically required by other sections of these LDRs, but not less.</p>	<p>In compliance</p>
<p>4. Enhancement of residential privacy. The site plan shall provide reasonable, visual and acoustical privacy for all dwelling units located therein and adjacent thereto. Fences, walls, barriers and vegetation shall be arranged for the protection and enhancement of property and to enhance the privacy of the occupants.</p>	<p>In compliance</p>
<p>5. Emergency access. Structures and other site features shall be so arranged as to permit emergency vehicle access by some practical means to all sides of all buildings.</p>	<p>In compliance as conditioned</p>
<p>6. Access to public ways. All buildings, dwelling units and other facilities shall have safe and convenient access to a public street, walkway or other area dedicated to common use; curb cuts close to railroad crossings shall be avoided.</p>	<p>In compliance</p>
<p>7. Pedestrian circulation. There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.</p>	<p>In compliance</p>
<p>8. Design of ingress and egress drives. The location, size and numbers of ingress and egress drives to the site will be arranged to minimize the negative impacts on public and private ways and on adjacent private property. Merging and turnout lanes traffic dividers shall be provided where they would significantly improve safety for vehicles and pedestrians.</p>	<p>In compliance</p>

- 9. Coordination of on-site circulation with off-site circulation.** *The arrangement of public or common ways for vehicular and pedestrian circulation shall be coordinated with the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Minor streets shall not be connected to major streets in such a way as to facilitate improper utilization.* **In compliance**
- 10. Design of on-site public right-of-way (ROW).** *On-site public street and rights-of-way shall be designed for maximum efficiency. They shall occupy no more land than is required to provide access, nor shall they unnecessarily fragment development into small blocks. Large developments containing extensive public rights-of-way shall have said rights-of-way arranged in a hierarchy with local streets providing direct access to parcels and other streets providing no or limited direct access to parcels.* **Not applicable**
- 11. Off-street parking, loading and vehicular circulation areas.** *Off-street parking, loading and vehicular circulation areas shall be located, designed and screened to minimize the impact of noise, glare and odor on adjacent property.* **In compliance as conditioned**
- 12. Refuse and service areas.** *Refuse and service areas shall be located, designed and screened to minimize the impact of noise, glare and odor on adjacent property.* **In compliance as conditioned**
- 13. Protection of property values.** *The elements of the site plan shall be arranged so as to have minimum negative impact on the property values of adjoining property.* **In compliance**
- 14. Transitional development.** *Where the property being developed is located on the edge of the zoning district, the site plan shall be designed to provide for a harmonious and complementary transition between districts. Building exteriors shall complement other buildings in the vicinity in size, scale, mass, bulk, height, rhythm of openings and character. Special consideration shall be given to a harmonious transition in height and design style so that the change in zoning districts is not accentuated. Additional consideration shall be given to complementary setbacks between the existing and proposed development.* **In compliance**
- 15. Consideration of future development.** *In finding whether or not the above standards are met, the review authority shall consider likely future development as well as existing development.* **In compliance**

Section 23.2-31(l) – Community Appearance Criteria	Analysis
1. <i>The plan for the proposed structure or project is in conformity with good taste, good design, and in general contributes to the image of the city as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality.</i>	In compliance
2. <i>The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.</i>	In compliance
3. <i>The proposed structure or project is in harmony with the proposed developments in the general area, with code requirements pertaining to site plan, signage and landscaping, and the comprehensive plan for the city, and with the criteria set forth herein.</i>	In compliance
4. <i>The proposed structure or project complies with this section and 23.2-29, Conditional Use Permits (CUP), as applicable.</i>	In compliance

ATTACHMENT B - Findings for Granting Conditional Uses

Prior to approving any conditional use permit, the decision-making authority shall find based on competent and substantial evidence that the following criteria related to conditional uses are met:

Section 23.2-29(d) General findings relating to harmony with LDRs and protection of public interest.	Analysis
1. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with the uses which, under these LDRs and the future land use element, are most likely to occur in the immediate area where located.</i>	In compliance
2. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.</i>	In compliance
3. <i>The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the site for some use permitted by right or some other conditional use permitted on the site.</i>	In compliance
4. <i>The conditional use exactly as proposed will not result in more intensive development in advance of when such development is approved by the future land use element of the comprehensive plan.</i>	In compliance
Section 23.2-29(e) Specific findings for all conditional uses.	Analysis
1. <i>The proposed conditional use will not generate traffic volumes or movements which will result in a significant adverse impact or reduce the level of service provided on any street to a level lower than would result from a development permitted by right.</i>	In compliance
2. <i>The proposed conditional use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets</i>	In compliance
3. <i>The proposed conditional use will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.</i>	In compliance
4. <i>The proposed conditional use will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.</i>	In compliance
5. <i>The proposed conditional use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.</i>	In compliance
6. <i>The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a</i>	In compliance

demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.

7. *The proposed conditional use will not generate significant noise, or will appropriately mitigate anticipated noise to a level compatible with that which would result from a development permitted by right. Any proposed use must meet all the requirements and stipulations set forth in section 15.24, Noise control.* **In compliance as conditioned**

8. *The proposed conditional use will not generate light or glare which encroaches onto any residential property in excess of that allowed in section 23.4-10, Exterior lighting.* **In compliance as conditioned**