



**AGENDA
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, JULY 07, 2021 -- 6:00 PM**

ROLL CALL and RECORDING OF ABSENCES:

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

CASES:

SWEARING IN OF STAFF AND APPLICANTS

PROOF OF PUBLICATION

- 1) [Proof of Publication - 1224 Wingfield Street- continued from 6/2/2021](#)

WITHDRAWALS / POSTPONEMENTS

CONSENT

PUBLIC HEARINGS:

BOARD DISCLOSURE

UNFINISHED BUSINESS:

NEW BUSINESS:

- A. [A request by Wes Blackman, AICP of CWB Associates on behalf of Wingfield Property, LLC for consideration of a Blanket Conditional Use Permit to allow minor vehicular service and repair at 1224 Wingfield Street within the Artisanal Industrial \(AI\) zoning district.](#)
- B. [A request by Giorgio Antoniazzi, AIA of Antoniazzi Architecture on behalf of Creative Financing, LLC for consideration of a Mixed-Use Urban Planned Development, Major Site Plan, Conditional Use, and Sustainable Bonus Program Incentives to construct an 18-unit, mixed use multifamily development within the Mixed Use – West \(MU-W\) zoning district.](#)

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.

PLEASE TAKE NOTICE that the City of Lake Worth Beach's Planning and Zoning Board will conduct a virtual meeting with a limited in-person capacity per the Centers for Disease Control and Prevention Coronavirus Disease 2019 (Covid-19) Guidance at 7 North Dixie Highway, Lake Worth Beach on **June 2, 2021 at 6:00 pm** or soon thereafter to consider PZB Project # 21-00500003.

PZB Project # 21-00500003 A request by Wes Blackman, AICP, of CWB Associates on behalf of Wingfield Property, LLC for consideration of a Blanket Conditional Use Permit to allow minor vehicular service and repair at 1224 Wingfield Street 10, within the Artisanal Industrial (AI) zoning district, PCN # 38-43-44-27-01-052-0021.

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

Public comment will be accommodated through the web portal: <https://lakeworthbeachfl.gov/virtual-meetings/>. If you are unable to access the web portal, please leave a message at 561-586-1687 or email pzoning@lakeworthbeachfl.gov. Written hard copy comments can be sent to the Department for Community Sustainability PZHP Division, 1900 2nd Avenue North, Lake Worth Beach, FL 33461 and must arrive before the hearing date to be included in the formal record. The public may view the meeting through the City's YouTube channel at <https://www.youtube.com/c/CityofLakeWorthBeach>.

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 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 City Commission 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.

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 (FS 286.0105). 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.

Publish: The Lake Worth Herald
May 20, 2021

Legal Notice No. 38602

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PZB Project # 20-00900002; A request by Giorgio Antoniazzi, AIA of Antoniazzi Architecture on behalf of Richard Cruz of Creative Financing, LLC for consideration of a Mixed Use Urban Planned Development, Major Site Plan, and Sustainable Bonus Program Incentives to construct an 18-unit, mixed use multifamily development within the Mixed Use - West (MU-W) zoning district, PCN # 38-43-44-20-01-033-0060.

Public comment will be accommodated through the web portal: <https://lakeworthbeachfl.gov/virtual-meetings/>. If you are unable to access the web portal, please leave a message at 561-586-1687 or email pzoning@lakeworthbeachfl.gov. Written hard copy comments can be sent to the Department for Community Sustainability PZHP Division, 1900 2nd Avenue North, Lake Worth Beach, FL 33461 and must arrive before the hearing date to be included in the formal record. The public may view the meeting through the City's YouTube channel at <https://www.youtube.com/c/CityofLakeWorthBeach>.

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Publish: The Lake Worth Herald
May 20, 2021



DATE: June 30, 2021
TO: Members of the Planning & Zoning Board
FROM: Alexis Rosenberg, Senior Community Planner
THRU: William Waters, AIA, NCARB, LEED, AP BD+C, ID SEED, Director for Community Sustainability
MEETING: June 2, 2021

SUBJECT: **PZB Project Number 20-00500003**: Request by Wes Blackman, AICP of CWB Associates on behalf of Wingfield Property, LLC for consideration of a Conditional Use Permit to allow minor vehicular service and repair at 1224 Wingfield Street within the Artisanal Industrial (AI) zoning district. The subject property's PCN # is 38-43-44-27-01-052-0021.

PROJECT DESCRIPTION:

The applicant, Wes Blackman, AICP of CWB Associates on behalf of Wingfield Property, LLC, is requesting a Conditional Use Permit to allow Minor Vehicular Service and Repair at 1224 Wingfield Street. The building has a total of 13 bays and has no on-site striped parking. The subject site is currently being used for various industrial and vehicular uses, most of which do not have an active business license. If approved as conditioned, the Conditional Use Permit would provide a path forward to allow the minor vehicular service and repair uses at the subject site in a manner that reduces the impacts on nearby residential properties. Per the application, the bays are grouped into five working spaces:

- Bay 1 – Community Dumpster (345 sf)
- Bay 2 – 4 – Sam's Auto (1,035 sf) – Expired business license
- Bay 5 – 6 – Joseph Tire (690 sf) – No record of a business license
- Bay 7 – 11 – Gomez Tires (1,725 sf) – Active business license
- Bay 12 – 13 Total Car Care (690 sf) – Expired business license

Staff Recommendation:

Staff has reviewed the documentation and materials provided, applying the applicable guidelines and standards found in the City of Lake Worth Beach zoning code. The proposed Conditional Use Permit meets the criteria of the Comprehensive Plan and LDRs as conditioned by staff. Therefore, staff recommends that the Board approve the Conditional Use Permit request with the conditions outlined on pages 9-10 which include conditions of approval that address the minimum tenant size of 1,000 square feet, the minimum required landscaping, parking, and outdoor storage conditions.

PROPERTY DESCRIPTION:

Applicant	Wes Blackman, AICP of CWB Associates
Owner	Wingfield Property, LLC
General Location	Southeast corner of 12 th Avenue South and Wingfield Street
Existing PCN Numbers	38-43-44-27-01-052-0021
Existing Land Use	Industrial/Vehicular
Existing Zoning	Artisanal Industrial (AI)
Existing Future Land Use Designation	Artisanal Mixed Use (AMU)

LOCATION MAP:



BACKGROUND:

The subject site is a +/- 20,917.5 square foot lot located on the southeast corner of 12th Avenue South and Wingfield Street. Below is a timeline summary of the property based on Palm Beach Property Appraiser's records and City records:

- 1956 – the +/-4,485 square foot building was constructed.
- Over time, the property housed numerous industrial uses such as manufacturing, fabrication, and vehicular repair.
- June 25, 2021 – a search of the City's database shows that there are four active business licenses at the subject site for J & L Kitchen Designers, Inc., Gomez Auto Repair Inc., Gomez Towing, and Wingfield Property LLC. There are no other active business licenses linked to this property at this time.
- June 25, 2021 – a search of the City's database shows that there is one active code violation in regards to trash and debris and a lack of use and occupancy inspections.

**ANALYSIS:****Public Support/Opposition**

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

Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Artisanal Mixed Use (AMU). Per Policy 1.1.1.9, the AMU future land use area is intended to provide for the establishment and enlargement of office, retail and industrial uses related to the arts, other low intensity industrial uses, and medium density residential uses. The proposed minor vehicular service and repair use is a low-medium intensity industrial use that is consistent with the intent of the AMU land use designation.

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 for the establishment of licensed businesses that will contribute towards the City's tax base and sustain or increase job supply, the proposal is consistent with Pillar IV.A and Pillar IV.D. Pillar IV.B, Pillar IV.C, Pillar IV.E, and Pillar IV.F are not applicable to this application.

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

Consistency with the City's Land Development Regulations

Per Section 23.2-29, 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. The Department of Community Sustainability is tasked in the Code to review conditional use applications for consistency with the City's LDRs, for compliance with the findings for granting conditional uses (analyzed in the next section) and to provide a recommendation for whether the application should be approved, approved with conditions, or denied.

Staff Analysis: The 13-bay industrial building at 1224 Wingfield Street was constructed in 1956. The building and site currently do not conform to the current land development regulations, which subjects the site to the nonconformities section of the land development regulations, LDR Section 23.5-3.

A search performed on June 25, 2021 shows that there is one active code case connected to 1224 Wingfield Street. The open code case, case #20-00001217, has two components:

- Apply for and obtain City of Lake Worth Beach business licenses for all tenants
- Apply for and obtain a Use and Occupancy Certificate for all buildings
- Trash and debris around the perimeter of the building

This application has been conditioned that if approved, the outstanding code violation shall be remedied prior to the issuance of a City business license at the subject site. In addition to the existing open case the site is not consistent with the City's LDRs in the following areas:

- Minimum required off-street parking
- Minimum required landscaping
- Outdoor storage

These items are detailed in the paragraphs below. If the Conditional Use Permit for minor vehicular service and repair is approved, a Minor Site Plan amendment application would be required in order to bring the site up to compliance with the LDRs as much as feasibly possible. Further, the site would be required to remedy all code compliance issues per the staff recommended conditions of approval. The proposed application is consistent with the City's LDRs with conditions based on the following data and analysis:

Artisanal Industrial: Per LDR Section 23.3-23(a), the AI district is intended to provide for the establishment and enlargement of office and industrial uses related to the arts without restriction on traffic generating characteristics. The AI district is also intended to permit establishment of certain other uses which are compatible with artisanal industrial operations. Development in the industrial land use category should be guided to minimize negative impacts on nearby residential areas. The proposed minor vehicular service and repair use is an anticipated use in the AI zoning district. Based on the information provided in the applicant's justification statement, staff believes that the proposal seeks to minimize negative impacts on surrounding properties and complies with the conditional use criteria outlined in LDR Section 23.2.29 and LDR Section 23.4-13.

Impermeable Surface Coverage: The site currently conforms to the maximum allowed structure coverage and total impermeable surface coverage (the total impermeable surface coverage is 61%). While the site does not exceed the maximum allowed impermeable surface coverage of 65%, based on the survey provided, about 7,343 square feet of pervious area at the rear of the site is sandy soil. Google images show that vehicles have been parked on top of the sandy soil for years.

Because the property is located within Wellfield Protection Zone 4, prior to the issuance of a business license for any new business at this location, said business shall apply for a Wellfield Operating Permit and send an affidavit of uses to the Palm Beach County Department of Environmental Resource Management.

Parking: As mentioned, the site does not appear to have any on-site striped parking. Therefore, staff has included a condition of approval that the parking in the front be appropriately striped. Further, the parking of vehicles related to vehicular repair uses have been a documented nuisance in the general area, especially for businesses with no designated parking. As the subject Conditional Use is for an existing use, and there is minimal on-site parking, staff has conditioned the use to provide four additional off-street parking spaces for vehicles waiting to be serviced to the rear of the building. Said parking spaces shall be identified on the site plan as part of the Minor Site Plan amendment application, made of a smooth non-dusting material, be striped, and shall comply with the maximum impermeable limitation of 65% for the entire site.

Landscaping: There is no landscaping on front façade of building and severe landscape deficiencies on the site in general. Therefore, through the Minor Site Plan amendment review process, the property is required to comply with the landscape requirements in so far as feasible. This includes but is not limited to installing landscaping along the front façade of the building. In similar buildings in the area, small landscape areas have been installed in between bays that have a wider distance between bay doors. On the subject site between bays 5 & 6 and 9 & 10 there is the space to locate narrow landscape strips that run perpendicular between the wall and the western property line. There is also the potential to add narrow planters between bays 2 & 3, 4 & 5, 10 & 11 and 12 & 13. A conditional of approval was added to require additional landscaping to be identified on the site plan and installed prior to the issuance of business licenses.

Outdoor Storage: Based on the City's outdoor storage code, LDR Section 23.4-19, the outdoor storage of all licensed vehicles that are being repaired must be screened from all public rights-of-way or stored completely within an enclosed structure. The outdoor storage of unlicensed vehicles and/or junked vehicles, boats, machinery, trucks, trailers, mobile homes and heavy equipment vehicles is prohibited, except in approved junk yards or the temporary storage of such vehicles on a lot or parcel approved and containing an active business license for vehicle towing. Because Gomez Towing currently holds an active business license at this property, the outdoor storage of unlicensed and/or junked vehicles is permitted on the lot only in association with Gomez Towing. Additionally, all outdoor storage shall be placed on a smooth impermeable surface. Outdoor storage may not be placed on pervious and/or landscaped area. A minor site plan amendment is required prior to the permitting and installation of any impermeable surfaces on the property related to outdoor storage. Not placing outdoor storage directly on sand soil is required by the LDRs, and is necessary as the subject site is located in a wellfield zone. Note that the maximum impermeable surface on the property is 65%.

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

The land development regulations require all conditional uses to be analyzed for consistency with Section 23.2-29(d). Staff has reviewed the application against this section and was found to complies with the general findings relating to harmony with the LDRs and protection of public interest, as follows:

1. 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.

Staff Analysis: The site contains a zoning designation of AI. The proposed Conditional Use is consistent with the types of vehicular uses anticipated to occur within the AI zoning district. Therefore, the proposed conditional uses are found to be compatible and harmonious with the existing and anticipated surrounding uses. **Meets Criterion.**

2. The Conditional Use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.

Staff Analysis: The existing uses in the surrounding area are as follows:

Direction	Future Land Use	Zoning District	Current Use
North (adjacent)	Artisanal Mixed Use (AMU)	AI	Vacant (site plan in for review for minor vehicular service and repair)
South (adjacent)	AMU	AI	Industrial
East (across Railroad Ave)	N/A	N/A	FEC Railway
West (across Wingfield St)	Single Family Residential (SFR)	SFR	Single family residences

The applicant states that the proposed use will be in harmony with the existing uses in the immediate area. The property is adjacent to an industrial building to the south, a vacant parcel to the north (there is currently a site plan and conditional use permit application in review for a minor vehicular service and repair use), the FEC railway to the east, and single-family residences to the west across Wingfield Street. The proposed use of minor vehicular service and repair will not increase the intensity of the site, as the building has historically been used for industrial and vehicular businesses. However, the parking of vehicles related to vehicular repair uses have been a documented nuisance in the general area, especially for businesses with no designated parking. As the subject Conditional Use is an existing business, staff has conditioned the use to provide four off-street striped and paved spaces on the property in the rear in addition to striping the parking located in front of the building. Based on the minimum dimensions for a standard parking space, four parking spaces will take up about 648 square feet which is an additional 0.03% lot coverage. As stated, the existing lot coverage is 61% and the maximum allowed lot coverage for the entire site is 65%. **Meets Criterion as Conditioned.**

3. The Conditional Use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the Property for some use permitted by right or some other conditional use permitted on the property.

Staff Analysis: The Conditional Use request will not negatively affect the public benefit or cause greater harm than that of a use permitted by right in the AI zoning district. The requested uses are similar in nature and function to permitted uses as conditioned. **Meets Criterion.**

4. 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.

Staff Analysis: The Conditional Use request to allow minor vehicular service and repair will not result in a more intensive development in advance of the Future Land Use Element of the City's Comprehensive Plan. As mentioned, the AI land use designation is intended to provide for the establishment and enlargement of office, retail and industrial uses related to the arts, other low intensity industrial uses, and medium density residential opportunities. The proposed minor vehicular

service and repair use is a low-medium intensity industrial use that is consistent with the intent of the AMU land use designation. **Meets Criterion.**

Section 23.2-29(e): Specific standards for all conditional uses

1. 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.

Staff Analysis: Historically, the 4,485 square foot building at 1224 Wingfield Street has been occupied by industrial and vehicular uses. Based on the Florida Department of Transportation's (FDOT) 8th Edition of the Trip Generation Table, a 4,485 square foot light industrial use generates about 31 daily trips, four of those trips being PM peak hour trips. The proposed Conditional Use for minor vehicular service and repair is also classified as a light industrial use. Therefore, the proposed use has the same number of anticipated daily trips and PM peak hour trips than the uses previously permitted at the subject site. Additionally, because the proposal does not request an addition to the building, a Traffic Letter from Palm Beach County Traffic Division is not required with this application. **Meets Criterion.**

2. 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.

Staff Analysis: The proposed use is not anticipated to significantly affect the volumes of traffic expected on the City's roadway network. The AI zoning district is intended for office and industrial uses related to the arts without restriction on traffic generating characteristics. The square footage of leasable industrial and vehicular space has not expanded from its original approved area, 4,485 square feet. Therefore, the traffic generated from the proposed businesses will be consistent with adjacent light industrial uses as well as the anticipated uses in this area. **Meets Criterion.**

3. The proposed Conditional Use will not produce significant air pollution emissions, to a level compatible with that which would result from a development permitted by right.

Staff Analysis: The applicant states that the proposed use is not projected to produce significant levels of air pollution emissions. The applicant states that the subject building has been used for minor vehicular service and repair since its construction date in 1956. Therefore, the proposed uses are not anticipated to produce air pollution emissions greater than that of a use permitted by right. **Meets Criterion.**

4. 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.

Staff Analysis: The requested use is an anticipated use in the AI zoning district. Therefore, the establishment of minor vehicular service and repair businesses at the subject site are not anticipated to cause a higher net public cost or earlier incursion of public cost than what would result from a development permitted by right. **Meets Criterion.**

5. 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.

Staff Analysis: The businesses will be utilizing the existing infrastructure at the subject site. No adverse impact to infrastructure or public utilities is anticipated to occur as a result of this request. **Meets Criterion.**

6. The proposed Conditional Use will not place a demand on municipal police or fire protection service beyond the capacity of those services.

Staff Analysis: As mentioned, the requested use of minor vehicular service and repair are anticipated uses in the AI zoning district. Therefore, the use is not anticipated to place a demand on municipal police or fire protection services beyond capacity. **Meets Criterion.**

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.

Staff Analysis: Unreasonable noise, which is defined in Section 15.24-1, is prohibited in the City when:

- Equal to or greater than 65 dba between 11:00 p.m. and 8:00 a.m., Sunday through Thursday
- Greater than 85 dba between 8:00 a.m. and 11:00 p.m., Sunday through Thursday
- Equal to or greater than 65 dba between 12:00 a.m. and 8:00 a.m., Friday through Saturday
- Equal to or greater than 85 dba between 8:00 a.m. and 12:00 a.m., Friday through Saturday

The applicant states that the requested uses will meet all noise requirements and will appropriately mitigate anticipated noise to a level compatible with the requirements in Section 15.24. **Meets Criterion as Conditioned.**

8. The proposed Conditional Use will not generate light or glare which encroaches onto any adjacent property in excess of that allowed in Section 23.4-3, Exterior lighting.

Staff Analysis: The applicant has not proposed additional lighting on the site as part of this application and states that the Conditional Use will not result in excess light or glare onto residential properties. **Meets Criterion.**

Section 23.4-13(c)(1)(A)(4): Conditional use standards for vehicle service and repair uses

1. *Minimum lot frontage.* Seventy-five (75) feet.

Staff Analysis: Based on the property survey provided, the property's lot frontage is 160 feet. **Meets Criterion.**

2. *Minimum site.*

Major - Site: Twenty thousand (20,000) square feet; minimum area per business/tenant on a multiple tenant/business site: Two thousand five hundred (2,500) square feet.

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.

Staff Analysis: The proposal is for the allowance of minor vehicular service and repair in all of the bays located at 1224 Wingfield Street. Based on the survey provided, the property has an area of +/- 20,917.5 square feet. Currently, two of the bays that will be used for minor vehicular service and repair do not meet the minimum 1,000 square foot bay requirement. However, the applicant has stated that the floor plan will be amended so that each bay used for minor vehicular service and repair will be at least 1,000 square feet. **Meets Criterion as Conditioned.**

3. *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.

Staff Analysis: The application does not indicate the use of pits and/or hydraulic hoists. A condition of approval has been crafted to require all pits and hydraulic hoists to be located inside the building. **Meets Criterion as Conditioned.**

4. *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.

Staff Analysis: The Conditional Use application does not include a landscape plan. However, a condition has been crafted to require the required landscape buffering during the Minor Site Plan amendment process. **Meets Criterion as Conditioned.**

5. *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.

Staff Analysis: The subject site is not within 25 feet of a residential zoning district. There are Single Family Residential (SFR) zoned properties to the west which are about 60 feet from the edge of 1224 Wingfield Street. **Criterion Not Applicable.**

6. *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.

Staff Analysis: The parking of vehicles related to vehicular repair uses have been a documented nuisance in the general area, especially for businesses with limited parking. As the subject Conditional Use is for existing businesses, staff has conditioned the use to provide four off-street parking spaces for vehicles waiting to be serviced or picked up by customers. However, consistency with the required parking for a new minor vehicular repair use is not required. Said new parking spaces shall be identified on the site plan as part of the Minor Site Plan amendment application, made of a smooth non-dusting material, and be striped. Based on the minimum dimensions for a standard parking space, four new parking spaces will take up about 648 square feet which is an additional 0.03% lot coverage. As stated, the existing lot coverage is 61% and the maximum allowed lot coverage for the entire site is 65%. **Meets Criterion as Conditioned.**

7. *Hours.* No automobile service work shall be performed before 7:00 a.m. or after 8:00 p.m.

Staff Analysis: This criteria has been added as a condition of approval on page 9. **Meets Criterion as Conditioned.**

8. 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.

Staff Analysis: The property 1224 Wingfield Street is located in the AI zoning district. Therefore, outdoor storage is not permitted in association with any of the minor vehicular service and repair businesses. **Meets Criterion as Conditioned.**

CONCLUSION:

The proposed request for a Conditional Use Permit for minor vehicular service and repair is consistent with the purpose, intent, and requirements of the Comprehensive Plan and LDRs subject to compliance with staff's proposed conditions of approval. Therefore, staff is recommending approval of the Conditional Use Permit with the conditions below:

Planning and Zoning:

1. The outdoor storage of unlicensed and/or junked vehicles is permitted on the lot only in association with Gomez Towing. As the business is a non-conforming use, outdoor storage associated with this use is governed by Section 23.5-3 – Non-conformities. The towing use and accessory outdoor storage is not vested as part of this approval, but are governed by Section 23.5-3.
2. All outdoor storage associated with the non-conforming towing business, Gomez Towing, shall be placed on a smooth impermeable surface. Outdoor storage may not be placed on pervious and/or landscaped area. Should the towing business cease to operate at the subject location, then the outdoor storage shall no longer be permitted in accordance with Section 23.5-3 – Non-conformities.
3. No automobile service work shall be performed before 7:00 a.m. or after 8:00 p.m.
4. Outdoor display of merchandise or outdoor storage of tools and equipment shall be prohibited.
5. A Minor Site Plan amendment shall be submitted prior to applying for a business license and shall address the following:
 - a. All landscaping shall comply with Section 23.6-1 in so far as feasible as determined by the Development Review Official (DRO) during the Minor Site Plan amendment review process. Landscaping shall include as a minimum, the establishment and installation of a planting area with hedges and potentially a palm or small shade tree between bays 5 & 6 and 9 & 10 running perpendicular between the building and the western property line. Commercial grade planters shall also be installed, if determined to be feasible by the Development Review Official, between bays 2 & 3, 4 & 5, 10 & 11 and 12 & 13.
 - b. Depict on the site plan and install new four off-street parking spaces in the rear of the building. Said parking spaces shall identified on the site plan, made of a smooth non-dusting material, be striped, and shall comply with the maximum impermeable limitation of 65%.
 - c. Depict on the site plan striping for the parking in front of the building consistent with ADA requirements.
 - d. Indicate all impervious/impermeable areas on the site plan, including parking and outdoor storage areas.
 - e. Identify all pits and hydraulic hoists that will be used in association with the minor vehicular service and repair businesses. Note that all pits and hydraulic hoist shall be located entirely within a building. Lubrication, washing, repairs and service shall be conducted within the building.
 - f. Indicate any outdoor tire storage areas and the storage system that will be use that is compliant with Health Department requirements.
 - g. Provide a floor plan that shows the area of each tenant space/bay. Note that the minimum area per business/tenant on a multiple tenant/business site for minor vehicular service and repair is 1,000 square feet.
6. Prior to the issuance of a building permit, the following actions shall be completed:
 - a. Apply for a Wellfield Operating Permit and send an affidavit of uses to the Palm Beach County Department of Environmental Resource Management.
 - b. All outstanding code violations shall be remedied.
 - c. The parking area in front of the building shall be in good condition free of cracking and pot holes.

- d. All required improvements identified in the minor site plan amendment approval and the subsection conditional use approval shall be installed, including but not limited to landscaping, paving and the striping of the parking area/s.
7. All businesses at 1224 Wingfield Street shall not produce unreasonable noise as defined in Section 15.24. Additionally, all businesses shall comply with all the requirements and stipulations set forth in Section 15.24, Noise control.

Board Actions:

I MOVE TO APPROVE PZB PROJECT NUMBER 21-00500003 with staff recommended conditions for a **Conditional Use Permit** to allow minor vehicular service and repair at 1224 Wingfield Street. The application meets the conditional use criteria based on the data and analysis in the staff report.

I MOVE TO DISAPPROVE PZB PROJECT NUMBER 21-00500003 for a **Conditional Use Permit** to allow minor vehicular service and repair at 1224 Wingfield Street. 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 for the Conditional Use Permit. The Applicant may appeal the Board's decision to the City Commission.

ATTACHMENTS:

- A. Zoning Map
- B. Application Package



DATE: June 30, 2021

TO: Members of the Planning and Zoning Board

FROM: Andrew Meyer, Senior Community Planner

THRU: William Waters, AIA, NCARB, LEED, AP BD+C, ID, SEED, Director for Community Sustainability

MEETING: June 2, 2021

SUBJECT: **PZB Project # 20-00900002:** A request by Giorgio Antoniazzi, AIA of Antoniazzi Architecture on behalf of Richard Cruz of Creative Financing, LLC for consideration of a Mixed-Use Urban Planned Development, Major Site Plan, Conditional Use, and Sustainable Bonus Program Incentives to construct an 18-unit, mixed use multifamily development within the Mixed Use – West (MU-W) zoning district, PCN # 38-43-44-20-01-033-0060.

PROJECT DESCRIPTION:

The applicant, Giorgio Antoniazzi, AIA of Antoniazzi Architecture on behalf of Richard Cruz of Creative Financing, LLC, is requesting approval of the following:

1. **Mixed-Use Urban Planned Development** to construct an 18-unit mixed-use multifamily development.
2. **Major Site Plan** for the development of a new mixed-use development in excess of 7,500 square feet.
3. **Conditional Use** for the establishment of residential uses in excess of 7,500 square feet.
4. **Sustainable Bonus Incentive Program** for additional density of 3 units.

The 0.52-acre subject site is currently vacant, and is located on the east side of Boutwell Road approximately 230 feet south of 10th Avenue North. The site currently contains a single-family residence as well as a vacant lot. The existing single-family residence is proposed to be demolished prior to the project's construction if approved. The proposed project consists of a 2-story building with 18 dwelling units and 417 square feet of office space.

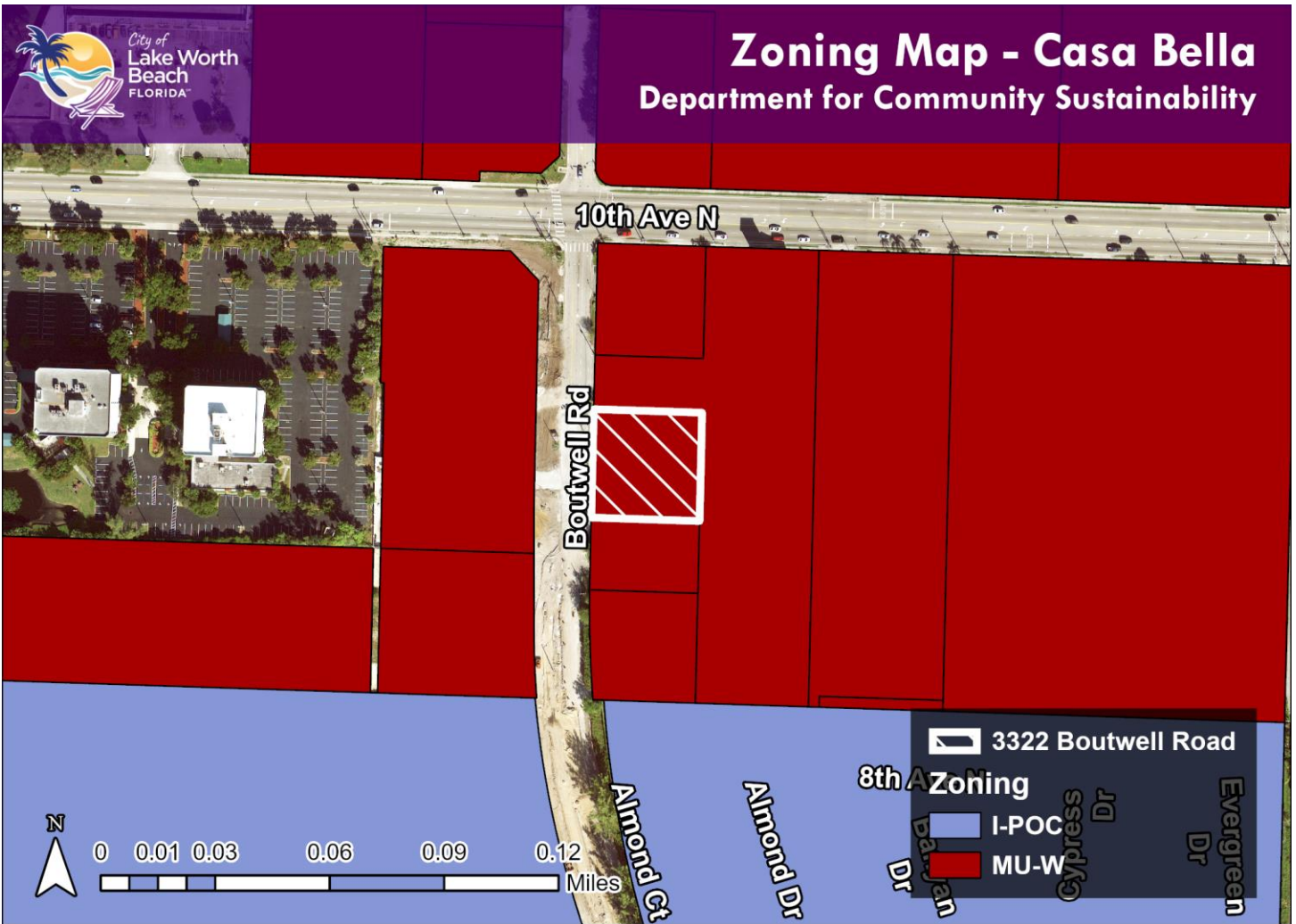
Staff Recommendation:

Staff has reviewed the documentation and materials provided by the applicant for consistency with applicable guidelines and standards found in the City of Lake Worth Beach Zoning Code and Comprehensive Plan. The proposed development meets the criteria of the Comprehensive Plan and LDRs. Therefore, staff recommends that the Board approve the Mixed-Use Urban Planned Development, Major Site Plan, Conditional Use, and Sustainable Bonus Incentive Program with conditions of approval to the City Commission, including that 50% of the requested sustainable bonus be paid into the City's Sustainable Bonus Trust.

PROPERTY DESCRIPTION:

Applicant	Giorgio Antoniazzi, AIA of Antoniazzi Architecture
Owner(s)	Richard Cruz of Creative Financing, LLC
General Location	East side of Boutwell Rd approx. 230 feet south of 10 th Ave N
Existing PCN Numbers	38-43-44-20-01-033-0060
Existing Land Use	Vacant
Zoning	Mixed Use – West (MU-W)
Future Land Use Designation	Mixed Use – West (MU-W)

ZONING MAP:



BACKGROUND:

The project site is located on the east side of Boutwell Road approximately 230 feet south of 10th Avenue North. Based on Palm Beach Property Appraiser's records and City records, the site currently contains a single-family residence as well as a vacant lot. Should the project be approved, the existing single-family residence would be demolished prior to the project's construction. Additionally, a search performed on May 20, 2021 indicated that there was one open code compliance violation at the project site for storage and accumulation of refuse containers and trash. The project has been conditioned so that the subject code violation shall be completed prior to the issuance of a business license.

ANALYSIS:**Consistency with the Comprehensive Plan and Strategic Plan**

The subject site has a Future Land Use (FLU) designation of Mixed Use – West (MU-W). Per Policy 1.1.1.6, the MU-W FLU is intended to provide for a mixture of residential, office, service, and commercial retail uses within specific areas west of I-95. The preferred mix of uses area-wide is 75% residential and 25% non-residential. The proposed residential development is a higher-density residential use with a small office component in a district where there is a significant amount of existing non-residential uses. The addition of these units would further the policy objective of increasing residential development within the zoning district. Therefore, the proposal is consistent with the intent of the MU-W FLU.

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 II.A, and Pillar II.B of the Strategic Plan state that the City shall diversify housing options and continue crime reduction and prevention in achieving a safe, livable and friendly community. Casa Bella proposes a mixed-use multi-family residential development that is consistent with Pillar II.A and Pillar II.B. Further, the proposal is consistent with Pillar IV.A of the Strategic Plan which states that the City shall achieve economic and financial sustainability through a versatile and stable tax base.

Based on the analysis above, the proposed development is consistent with the goals, objectives, and polices of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan.

Consistency with the City's Land Development Regulations

Per Section 23.3-25, planned developments are intended to encourage innovative land planning and development techniques through incentives to create more desirable and attractive development within the City. The Department of Community Sustainability is tasked to review planned development applications in accordance with the City's LDRs, to assess compliance with the findings for granting planned developments (analyzed in the following sections) and to provide a recommendation for whether the application should be approved, approved with conditions, or denied. The subject planned development is requesting to waive or relax base zoning district requirements in two (2) areas of the LDRs, including:

- LDR Section 23.3-18(c)(4)(B)(1) regarding the minimum front setback
- LDR Section 23.3-18(c)(5)(C)(3) regarding the maximum impermeable surface

Mixed Use – West (MU-W): Per LDR Section 23.3-18(a), the MU-W zoning district is intended to provide for the establishment and expansion of office and commercial uses, including moderate intensity and higher intensity commercial, hotel/motel, and medium-density multi-family residential development along the City's western thoroughfares. The proposed mixed-use urban planned development is consistent with the intent of the MU-W district.

The table below shows the proposed site features and its compliance with the Code, including requests to waiver or relax base zoning district requirements as permitted in planned developments and factoring in the Sustainable Bonus incentives, Planned Development incentives, and the Comprehensive Plan maximums:

Development Standard		Base Zoning District	Mixed-Use Urban Planned Development w/ Sustainable Bonus Incentive Program (SBIP)	Provided
Lot Size (min) In square feet (sf)		13,000 sf	Greater or equal to 21,780 sf (0.5 acres)	22,500 sf (0.52 acres)
Lot Width (min)		100'	100'	150'
Setbacks	Front (min) (Boutwell Rd)	20' min. 32' max	20' min. 32' max	16.5' *
	Rear (min)	15' or 10%	15' or 10%	15'
	Side (min)	10'	10'	11'
Impermeable Surface Coverage (maximum)		65%	65%	69.8% *
Structure Coverage (max)		50%	50%	33%
Living Area (min)		Efficiency: 400 sf 1-bed: 600 sf 2-bed: 750 sf	Efficiency: 400 sf 1-bed: 600 sf 2-bed: 750 sf	Efficiency: +/-557 sf (Qty. 4) 1-bed: +/-650 sf (Qty. 6) 2-bed: +/-815 sf (Qty. 8)
Parking		22	22	23
Density (max)		30 du/acre (15 units)	37.5 du/acre (19 units)	34.6 du/acre (18 units)
Building Height (max)		30'	81.25'	24'
Floor Area Ratio (FAR) (max)		1.3	3.75	0.60

*A relaxing or waiving of base zoning district requirements is requested.

Density & Floor Area Ratio (FAR): The base zoning district allows a maximum density of 30 units per acre. Based on Section 23.3-25(b)(2)(C) of the City's Land Development Regulations, planned developments may obtain a 25% bonus on density, intensity and height over the base outlined in Table 1 of the City's Comprehensive Plan. Table 1 of the City's Comprehensive Plan allows a density of 30 units an acre. Therefore, 30 units per acre plus 25% equals a maximum density of 37.5 units per acre. The proposed residential planned development proposes a density of 34.6 units per acre (18 units) which does not exceed the maximum density allowed on this property. The FAR permitted by right at this location is 1.3, and a Planned Development at this location allows for a FAR of 3.75. The project proposes one building with an FAR of .60, well below the maximum FAR for this location.

Height: The maximum building height permitted by right at this location is 30 feet not to exceed 2 stories. A Planned Development at this location allows for a building height of up to 81.25 feet (5 stories in height). The project proposes a building that is 24 feet and 2 stories in height, well below the allowed height for this location.

Landscaping: The development proposal has been reviewed for landscaping and exceeds the City's landscape regulations in LDR Section 23.6-1. The excess landscaping is being used as credit toward the project's Sustainable Bonus application. Gumbo Limbo, Pigeon Plum, Silver Buttonwood, and Simpsons Stopper are proposed for the site, as well as Bahama Coffee and Spanish Stopper, among others.

Lighting: No photometric plan has been submitted, however the applicant has stated that the project will utilize motion-sensing lighting for the site's exterior to fulfill part of the project's Sustainable Bonus application. Staff has conditioned the project to provide lighting fixtures which shall be compatible with the architectural style of the building and be shielded so as to not trespass upon neighboring residential properties or districts in excess of 12.57 lumens when measured from the property line. Further, all lighting shall comply with lighting code regulations in LDR Section 23.4-3. If using LED lighting, a warm light tone not to exceed 2700 K is required and all fixtures shall be dark skies compliant.

Signage: This application is proposing two small monument signs at the southeast and southwest corners of the site along Boutwell Road. The project has been conditioned to provide the location of the proposed monument signs on the site plan, and ensure that they are landscaped in conformance with the code prior to first reading before the City Commission. Further, a minimum of 50% of the face of one of the monument signs shall be dedicated to the proposed office and internal directional signage approximately 2 sf in size shall be provided and depicted on a signage plan prior to the issuance of a building permit.

Mixed-Use Urban Planned Development:

The intent of this section is to encourage, through incentives, the use of innovative land planning and development techniques to create more desirable and attractive development in the City. Incentives include but are not limited to:

1. Relaxing or waiving of height, setback, lot dimensions, and lot area requirements;
2. Allowing an increase in density or a decrease in minimum living area per dwelling unit; and
3. Permitting uses or a mixture of uses not normally permitted in the underlying zoning district.

The proposed planned development will require the relaxing of a section of the LDRs related to a staff recommended reduction in required parking by two (2) on-street parking spaces to improve safety. The analysis of this recommendation is outlined under the "Consistency with the City's LDR Requirements" analysis section above. The criteria below list the requirements of all mixed-use urban planned developments.

Section 23.3-25(e) – Mixed-Use Urban Planned Development District

1. *Location.* Urban planned developments may be located in any mixed-use district, such as Mixed Use — East, Mixed Use — West, Mixed Use — Dixie Highway, Mixed Use — Federal Highway, Transit Oriented Development — East, Transit Oriented Development — West and Downtown with the exception of the neighborhood commercial district. Industrial planned developments are not allowed as a mixed use urban planned development.

Staff Analysis: The proposed subject site is located within the Mixed-Use – West zoning district. **Meets Criterion.**

2. *Minimum area required.* The minimum area required for an urban planned development district shall be one-half (0.5) acres.

Staff Analysis: This residential urban planned development will be situated on a lot of 0.52 acres, which is over the required minimum area. **Meets Criterion.**

3. *Permitted uses.* Permitted uses within a mixed-use urban development are shown in article 3 of these LDRs. An urban planned development may be residential alone or may be any mixture of residential, retail, commercial, office, personal services, institutional, and cultural and artisanal arts or other uses specifically listed with the use tables of section 23.3-6 for the districts where the planned development is to be located.

Staff Analysis: The project will contain a mix of multi-family units and a 417 square foot office space. **Meets Criterion.**

4. *Required setbacks.* Required setbacks shall be as provided in these LDRs for the zoning district in which the planned development is to be located.

Staff Analysis: Planned Developments are intended to encourage innovative land planning and development techniques through incentives to create more desirable and attractive development within the City. The subject planned development is requesting to relax LDR Section 23.3-18(c)(4)(B)(1) regarding the minimum front setback of 20 feet. The project proposes a front setback of 16.5 feet. Staff finds the proposed front setback acceptable and meets the general intent of this code section. **Meets Criterion.**

5. *Parking and loading space requirements.* Parking and loading spaces shall be provided pursuant to article 4 of these LDRs.

Staff Analysis: The proposed project has not requested to waive or reduce any of the requirements associated with parking, and meets the minimum parking requirements. By being a mixed-use project, the project obtains a 25% reduction in required parking as per Section 23.4-10.

6. *Landscaping/buffering.* Landscaping and buffering shall be provided as required by section 23.6-1.

Staff Analysis: The development proposal has been reviewed for landscaping and exceeds the City's landscape regulations in LDR Section 23.6-1. The site provides perimeter landscaping and as well as landscaping internal to the site, and provides extra landscaping to meet a portion of the Sustainable Bonus Incentive Program. **Meets Criterion.**

7. *Illumination.* Any source of illumination located within a commercial or industrial planned development district shall not exceed one (1) foot candle at or beyond the boundaries of such development.

Staff Analysis: The project has proposed to use motion-activated exterior lighting to limit the amount of light present during the dark hours. The project has been conditioned to provide a photometric plan and ensure lighting does not exceed 12.57 lumens when measured from the property line. Furthermore, the project has also been conditioned to use fixtures which are architecturally appropriate and have a warm color temperature in alignment with Dark Sky guidelines. **Meets Criterion as Conditioned.**

8. *Outdoor storage.* All outdoor storage facilities are prohibited in any mixed use urban planned development district.

Staff Analysis: No outdoor storage facilities are proposed as part of this request. **Meets Criterion.**

9. *Sustainability.* All mixed use urban planned development districts shall include provisions for sustainability features such as those listed in section 23.2-33, City of Lake Worth Sustainable Bonus Incentive Program.

Staff Analysis: The project has applied for the Sustainable Bonus Incentive Program and is providing sustainable features to partially meet the standards of the Sustainable Bonus Incentive Program. The project has been conditioned to either provide additional sustainable features or use the payment in-lieu to meet the calculated bonus value. The breakdown of the sustainable bonus and features being provided can be found on Page 12. **Meets Criterion.**

Master Development Plan (Major Site Plan):

A master site plan is required in conjunction with a mixed-use urban planned development. The review criteria below is 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.

Section 23.2-31(c): Qualitative Development Standards

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.

Staff Analysis: While the project is not located along a major thoroughfare, the project still meets the general intent of the Major Thoroughfare Design Guidelines. The proposal locates the parking to one side of the site to minimize its impact

on Boutwell Road, allowing the residential building to have frontage along Boutwell Road. The project is designed harmoniously and efficiently with the project site and does not impede the development or improvement of surrounding properties. **Meets Criterion.**

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 Part II, Chapter 12, Health and Sanitation, Article VIII, 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.

Staff Analysis: The applicant is proposing to redevelop a previously developed site. As such, the disturbance of the natural conditions had already taken place. The proposal incorporates landscaping which greatly improves upon the natural conditions that had existed prior. **Meets Criterion.**

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.

Staff Analysis: Landscape screening and buffering are provided along the perimeter of the site to meet and exceed the landscape buffering requirements. **Meets Criterion**

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.

Staff Analysis: The proposed development provides landscape buffering to enhance the residential privacy of the occupants. The entrance to the units and commercial space is from a courtyard which is oriented away from Boutwell Road which provides enhanced privacy of the occupants from view of the right-of-way. **Meets Criterion.**

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.

Staff Analysis: Emergency access is provided to the site through means of Boutwell Road, and an interior private drive-aisle permits access towards the rear of the site. **Meets Criterion.**

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.

Staff Analysis: The site has vehicular access to Boutwell Road, which are public streets. Furthermore, an internal pedestrian circulation system bring pedestrians from Boutwell Road to all points of access to the building. **Meets Criterion.**

7. *Pedestrian circulation.* There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.

Staff Analysis: The residential building has frontage along Boutwell Road, which allows the pedestrian circulation network to have direct access to the right-of-way and be completely insulated from the on-site vehicular circulation system. **Meets Criterion.**

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.

Staff Analysis: Only one vehicular access point is provided to and from the on-site parking. No turnout or merging lanes are proposed are part of this application. **Meets Criterion.**

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.

Staff Analysis: The site plan shows that the site's vehicular and pedestrian circulation connects to the existing street pattern and pedestrian walkways. **Meets Criterion.**

10. *Design of on-site public right-of-way.* 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.

Staff Analysis: There are no on-site public rights-of-way. **Meets Criterion.**

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.

Staff Analysis: Landscape buffers are proposed around the perimeter of the property to provide screening for the parking areas and buildings on the site. **Meets Criterion.**

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.

Staff Analysis: The site plan proposes the refuse area within the parking area along Boutwell Road. The dumpster is screened by a wall and landscaped to minimize the impact of noise, glare, and odor on adjacent property insofar as feasible. Locating the dumpster elsewhere on the site would either cause unsafe conditions in the parking lot during trash pickup or greater impact on additional adjacent properties. **Meets Criterion.**

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.

Staff Analysis: The proposed project will revitalize the vacant site, constructing 18 multi-family units with office space. The building to be situated towards the north of the site as far away as possible from the residence located on the property to the south, and the enhanced landscape buffer will provide a lesser impact on property values of adjoining properties than the standard landscaping required by code. **Meets Criterion.**

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 transition between districts. Building exteriors shall complement other buildings in the vicinity in size, scale, mass, bulk, rhythm of openings and character. 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.

Staff Analysis: The subject site is located within the MU-W zoning district and is surrounded by properties zoned MU-W, therefore the project is not located on the edge of a zoning district. **Criterion Does Not Apply.**

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.

Staff Analysis: With future development in mind, the proposed development meets the intent of the MU-W zoning district and is consistent with intent of the MU-W future land use designation. **Meets Criterion.**

Section 23.2-31(l): Community Appearance Criteria

1. 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.

Staff Analysis: The application has been reviewed by the City's Site Plan Review Team (SPRT) and has been determined that the proposal complies with the Land Development Regulations and that the architecture is in conformity with good taste, good design, and contributes to the image of the City. **Meets Criterion.**

2. 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.

Staff Analysis: The application has been reviewed by the City's Site Plan Review Team (SPRT) and has been determined to not be of inferior quality that would cause harm to the nature of the local environment or materially depreciate in appearance and value. **Meets Criterion.**

3. 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.

Staff Analysis: The proposal is consistent with the City's Comprehensive Plan and Strategic Plan, and the City's Land Development Regulations. **Meets Criterion.**

4. The proposed structure or project is in compliance with this section and 23.2-29, as applicable.

Staff Analysis: The project proposes uses which are permitted by right, therefore 23.2-29 does not apply. **Meets Criterion.**

Conditional Use Permit:

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 to establish a residential master plan greater than 7,500 square feet.

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

The proposed project is consistent with the general findings relating to harmony with the LDRs and protection of public interest, as follows:

1. 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.

Staff Analysis: The site contains a zoning designation of MU-W. Based on the intent of the MU-W zoning district, uses most likely to occur in the district are office and commercial uses, including moderate intensity and higher intensity commercial, hotel/motel, and medium-density multi-family residential development along the City’s western thoroughfares. The proposed mixed-use urban planned development is consistent with the intent of the MU-W district. Therefore, the proposed mixed-use urban planned development is compatible and harmonious with the existing and anticipated surrounding uses. **Meets Criterion.**

2. The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.

Staff Analysis: The existing uses in the surrounding area are as follows:

Direction	Future Land Use	Zoning District	Current Use
North & East (adjacent)	MU-W	MU-W	Woodspring Suites Hotel
South (adjacent)	MU-W	MU-W	Single-Family Residence
West (across Boutwell Rd)	MU-W	MU-W	Hotel/Vacant (Multi-Family Residential approved)

Per the Palm Beach County Property Appraiser and City Business License Records, the site is surrounded by a mixture of hotel and residential uses. The proposed office and multi-family residential uses have been found to be consistent with the surrounding residential and hotel uses. **Meets Criterion.**

3. The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the Property for some use permitted by right or some other conditional use permitted on the Property.

Staff Analysis: The approval of this conditional use will bring more residents to the City and contribute to the City’s tax base. The proposed development is also at an intensity less than what would be permitted by right if developed with non-residential uses. Therefore, the development is not anticipated to result in less public benefit than a use permitted by right. **Meets Criterion.**

4. 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.

Staff Analysis: Based on the table on pages four, the project proposes a height and floor area ratio (FAR) that is less than the maximum development potential the code allows on this lot. In addition, the project proposes an intensity which is less than what the Comprehensive Plan anticipates. Therefore, the project is not anticipated to be a more intensive development than what is approved by the future land use element of the Comprehensive Plan. **Meets Criterion.**

Section 23.2-29(e): Specific standards for all conditional uses

1. 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.

Staff Analysis: The applicant has submitted a traffic impact statement which showed minimal impact to adjacent local roads at peak with only 13 trips in the AM peak hour and 11 trips in the PM peak hour, with a total trip generation of 132 trips per day. If the subject property were developed with two or more non-residential uses less than 2,500 square feet and a residential use less than 7,500 square feet, then it is likely that the cumulative volumes on the site would be greater than the proposed office with residential uses. Therefore, the proposal is not anticipated result in a lower level of service than if developed with uses permitted by right. The applicant's Traffic Study can be viewed in Attachment B. **Meets Criterion.**

2. 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.

Staff Analysis: The applicant has submitted a traffic impact statement, which showed minimal impact to traffic on Boutwell Road with only 13 additional trips at AM peak hour and 11 additional trips at PM peak hour. The mixed-use urban planned development is a conditional use because of its size (> 7,500 sf). Subdivision of the property and/or the development of the property with multiple non-residential uses less than 7,500 sf would not mitigate the reliance of future development on Boutwell Road. Therefore, the traffic generated from the proposed development is not anticipated to generate a significant amount of through traffic on local streets than would result from a development permitted by right. **Meets Criterion.**

3. The proposed conditional use will not produce significant air pollution emissions, to a level compatible with that which would result from a development permitted by right.

Staff Analysis: Staff does not anticipate the proposed 18-unit residential development to produce significant air pollution emissions that are greater than that of a development permitted by right. The proposed residential uses do not pose a pollution hazard to the nearby properties. **Meets Criterion.**

4. 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.

Staff Analysis: The project is not anticipated to cause a higher net public cost or earlier incursion of public cost than what would result from a development permitted by right. **Meets Criterion.**

5. 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.

Staff Analysis: The applicant will be utilizing existing City utility lines. Should any additional infrastructure be constructed to connect the development to the city's utilities, the applicant shall be responsible for the expense. No adverse impact to infrastructure or public utilities is anticipated to occur as a result of this request. **Meets Criterion.**

6. The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services.

Staff Analysis: The proposed development is not anticipated to place a demand on municipal police or fire protection service beyond the capacity of those services. The site is designed to allow for emergency vehicle and service access to all sides of the site. **Meets Criterion.**

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.

Staff Analysis: Unreasonable noise, which is defined in Section 15.24-1, is prohibited in the City when:

- Equal to or greater than 65 dba between 11:00 p.m. and 8:00 a.m., Sunday through Thursday
- Greater than 85 dba between 8:00 a.m. and 11:00 p.m., Sunday through Thursday
- Equal to or greater than 65 dba between 12:00 a.m. and 8:00 a.m., Friday through Saturday
- Equal to or greater than 85 dba between 8:00 a.m. and 12:00 a.m., Friday through Saturday

The requested use is for an 18-unit mixed-use project. The use is not anticipated to cause unreasonable noise during the hours listed above. Therefore, the mixed-use project is anticipated to generate noise levels that are compliant with Section 15.24. **Meets Criterion.**

8. The proposed conditional use will not generate light or glare which encroaches onto any adjacent property in excess of that allowed in Section 23.4-3, Exterior lighting.

Staff Analysis: Staff has conditioned the project to provide lighting fixtures which shall be compatible with the architectural style of the building and be shielded so as to not trespass upon neighboring residential properties or districts in excess of 12.57 lumens when measured from the property line. Further, all lighting shall comply with lighting code regulations in LDR Section 23.4-3. If using LED lighting, a warm light tone not to exceed 2700 K is required and all fixtures shall be dark skies compliant. **Meets Criterion as Conditioned.**

Sustainable Bonus Incentive Program

The proposal includes a Sustainable Bonus Incentive Program as part of the Planned Development to obtain additional density from the base zoning district, MU-W. Section 23.3-25(b)(2)(B) states that mixed-use urban planned developments may obtain a 25% bonus on density, intensity and height over the base outlined in Table 1 of the City’s Comprehensive Plan. The site proposes a density of 34.6 units/acre, which is a 15.3% increase on the base density under the maximum established under the subject section. Section 23.2-33(e) provides an applicant the option to pay a fee in lieu of on or off-site features and improvements to be held in a sustainability bonus incentive trust account to be expended on capital projects that enhance community sustainability. The increase in density result in an additional 3 units above the density permitted by right. With an average unit size of 720 square feet, a total of 2,160 square feet of residential units are being added above Table 1 in the Comprehensive Plan. Any increase in density above the allowances under Table 1 in the Comprehensive Plan are at a bonus cost of 10 dollars per square foot.

Incentive	On-Site or Off-Site	Bonus Value Provided
Site Furniture	On-site	\$3,500.00
Additional Landscaping	On-site	\$11,960.00
Lighting Mitigation	On-site	\$6,140.00
TOTAL INCENTIVES PROVIDED		\$21,600.00

The total Sustainable Bonus value is calculated as \$21,600, which the applicant has proposed to provide through a combination of on-site features and payment to the City’s Sustainability Bonus Incentive Trust account. Features being included to meet the Sustainable Bonus include 8 additional trees and 745 additional shrubs above the requirement of the code, as well as motion-sensing light fixtures to reduce energy consumption. Staff has concerns about the nature of

several proposed improvements, and, in addition to therefore staff is recommending payment of 50% of the sustainable bonus fee in lieu of improvements.

Public Support/Opposition

As of June 30, 2021, Staff has not received any letter or comments of support for or opposition against the project.

CONCLUSION:

The proposed request for a Mixed-Use Urban Planned Development, Major Site Plan, Conditional Use, and Sustainable Bonus Incentive Program is consistent with the purpose, intent and requirements of the Comprehensive Plan, underlying zoning district, and surrounding areas, subject to compliance with staff's proposed conditions of approval. Therefore, staff recommends that the Board recommend approval of the proposed request with the conditions below:

Electric Utilities:

1. Prior to the issuance of a building permit, the following actions shall be completed:
 - a. Provide the voltage requirements on the site plan.
 - b. Provide the electrical riser diagram and load calculations.
 - c. Provide 3-foot clearance of the padmount transformer from the nearby parking space, or provide a bollard.
2. Prior to the issuance of a Certificate of Occupancy, the following actions shall be completed:
 - a. Provide and record a 10-foot utility easement at the padmount transformer location.
 - b. Pay all fees associated with the new service (materials and construction fees).
 - c. Complete a final electrical inspection.

Planning:

1. Prior to the issuance of a building, submit the unity of title documentation from when the lots were combined. If unity of title documentation cannot be submitted, a new unity of title form shall be filled out with the City (see attached form). The lot does not show record of being platting. Instead, it appears the lots were joined by unity of title or by parcel combination for tax deed purposes.
2. No less than 30 days prior to the anticipated first reading date before the City Commission, the plans shall be amended and resubmitted to staff addressing the following:
 - a. Provide a photometric plan that shows the location, dimensions, and intensity of all outdoor illumination. Note that per LDR Section 23.4-3(c)(4), lighting shall be shielded and located to not allow light trespass upon neighboring residential properties or districts in excess of 12.57 lumens when measured from the property line. The photometric plan should reflect adequate security lighting for area with public access. Also refer to page 52 of the City's Major Thoroughfare Design Guidelines to view the City's design criteria for lighting. LED lighting should have a warm tone (2700K) with fixtures that are dark skies compliant.
 - b. The proposed monument signs shall be depicted the site plan and landscape plan. Landscaping shall be provided as consistent per Section 23.6-1.
 - c. Revise the Sustainable Bonus Incentive proposal to provide half of the required value as fee-in lieu.
3. Prior to the issuance of a building permit, a sign plan shall be submitted that depicts a minimum of 50% of the face of one of the monument signs shall be dedicated to the proposed office and small internal directional signage approximately 2 sf in size shall be provided
4. The office shall have a separate business license from the multi-family complex in order for the project to qualify as mixed-use.

5. Prior to the issuance of a business license, all code violations shall be remediated.

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. Thirty days prior to first reading at the City Commission, contact and meet with a representative from the Public Works Solid Waste and Recycling Division to confirm dumpster enclosure location, accessibility and demand on property and that it is compatible with the requirements of the Department of Public Works.
3. Prior to the issuance of a Certificate of Occupancy:
 - a. All conditions of approval shall be satisfied under jurisdiction of the Department of Public Works.
 - b. 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.
 - c. Fine grade and sod all disturbed areas with bahia sod.
 - d. Broom sweep all areas of the affected right of way and remove of all silt and debris collected as a result of construction activity.
 - e. The right of way shall be restored to a like or better condition. Any damages to pavement, curbing, striping, sidewalks or other areas shall be restored in kind.
4. 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.
5. Prior to the issuance of a building permit, the contact the South Florida Water Management District's (SFWMD) Engineering Department and obtain any required permit(s), if necessary.

Utilities Water & Sewer:

The building department Engineering Submittal shall include the following:

- a. At time of engineering submittal, provide a full drawing set of the proposed drainage calculations and any permits or permitting information from SFWMD and LWDD.
- b. The irrigation service and the lift station service shall use an RPZ device/s instead of a pressure vacuum breaker.
- c. Provide PBC county right of way permit for utility work and driveway cut.
- d. Provide the PBC department of Health permit for the sewer transmission system and water distribution system.
- e. Show water & sewer services, drainage structures, and stormmains on landscape plan. Confirm minimum spacing between landscape and services per Public Services Detail 23, Typical Tree with Root Barrier.
- f. Fireflow calculations based on a recent hydrant test. Contact Pedro Segovia with Palm Beach County at psegovia@pbcgov.com
- g. Water will require a dedicated 15-foot utility easement.
- h. Signed and sealed Drainage Calculations including statement regarding floodplain management provisions for water quality and quantity shall be provided to the City.
- i. Provide geotechnical information for the determination of the hydraulic conductivity of the soil, and groundwater elevation.
- j. An Erosion Control plan and with the BMPs and NPDES compliance practices shall be provided for the project site.
- k. Engineering plans shall include cross-sections along each property line and with grading showing the design storm (3 yr, 1 hour (2.6")) runoff being maintained on site.
- l. Provide existing and proposed site grades.
- m. Indicate vertical datum on all plan drawings with grades.

- n. All applicable City of Lake Worth details.
 - o. capacity fees for water and sewer must be paid in full in accordance with the current City Ordinance.
2. Prior to Certificate of Occupancy, a Bill of Sale for the public utilities and easements must be dedicated for recording.

Board Actions:

I MOVE TO RECOMMEND APPROVAL OF PZB PROJECT NUMBER 20-00900002 with staff recommended **conditions** for a Mixed-Use Urban Planned Development, Major Site Plan, Conditional Use, and Sustainable Bonus Incentive Program to construct an 18-unit residential development at the subject site. The project meets the applicable criteria based on the data and analysis in the staff report.

I MOVE TO RECOMMEND DENIAL OF PZB PROJECT NUMBER 20-00900002 with staff recommended **conditions** for a Mixed-Use Urban Planned Development, Major Site Plan, Conditional Use, and Sustainable Bonus Incentive Program to construct an 18-unit residential development at the subject site. The project does not meet the applicable criteria for the following reasons [Board member please state reasons.]

Consequent Action:

The Planning & Zoning Board will be making a recommendation to the City Commission on the Mixed-Use Urban Planned Development, Major Site Plan, Conditional Use, and Sustainable Bonus Incentive Program.

ATTACHMENTS:

- A. Architecture and Site Plans
- B. Landscape Plan
- C. Civil Plans
- D. Supplemental Supporting Documents