



**AGENDA**  
**CITY OF LAKE WORTH BEACH**  
**PLANNING & ZONING BOARD REGULAR MEETING**  
**CITY HALL COMMISSION CHAMBER**  
**WEDNESDAY, JUNE 02, 2021 -- 6:00 PM**

**ROLL CALL and RECORDING OF ABSENCES:**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA**

**APPROVAL OF MINUTES:**

- A. [May 5, 2021 Regular Meeting Minutes](#)

**CASES:**

**SWEARING IN OF STAFF AND APPLICANTS**

**PROOF OF PUBLICATION**

- 1) [Proof of Publication-32 South B Street](#)  
[Proof of Publication-1224 Wingfield St](#)

**WITHDRAWALS / POSTPONEMENTS**

- 1) 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.

**This item is proposed to be continued to July 7, 2021.**

**CONSENT**

**PUBLIC HEARINGS:**

**BOARD DISCLOSURE**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

- A. [A City initiated rezoning of the property located at 32 South B Street from Single Family Residential \(SFR\) to Public Recreation and Open Space \(PROS\). PCN # 38-43-44-21-15-003-0010.](#)
- B. [A City initiated small scale Future Land Use Map \(FLUM\) amendment of the property located at 32 South B Street from Mixed Use – East \(MU-E\) to Public Recreation and Open Space \(PROS\). PCN # 38-43-44-21-15-003-0010.](#)

**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 REGULAR MEETING  
CITY HALL COMMISSION CHAMBER  
WEDNESDAY, MAY 05, 2021 -- 6:01 PM**

**ROLL CALL and RECORDING OF ABSENCES:** Present were: Anthony Marotta, Vice-Chair (remote); Mark Humm; Laura Starr, Juan Contin, Robert Lepa (joining at 6:06 pm). Absent: Daniel Tanner, Greg Rice, Chairman. Also present were: Alexis Rosenberg, Senior Community Planner; Andrew Meyer, Senior Community Planner; Erin Sita, Assistant Director for Community Sustainability; Susan Garrett, Board Attorney; William Waters, Director for Community Sustainability; Sherie Coale, Board Secretary.

**PLEDGE OF ALLEGIANCE:** Led by Juan Contin.

**ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA**

**APPROVAL OF MINUTES:**

A. April 7, 2021 Regular Meeting Minutes

**Motion:** M. Humm moved to approve the minutes as presented; J. Contin 2<sup>nd</sup>.

**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) L38406-Deco Green  
L38409-Lake Worth Apts.  
L38408-1831 N. Palmway  
L38407-Boutwell Rd Apts.

**WITHDRAWALS / POSTPONEMENTS:** None

**CONSENT:**None

**PUBLIC HEARINGS:**

**BOARD DISCLOSURE:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

- A. PZB # 21-01500003 - A Request by Wes Blackman, AICP of CWB Associates on behalf of David and Jennifer Hamel for consideration of a Variance to the minimum required side setback for a residential shed at 1831 North Palmway within the Single-Family Residential (SFR) zoning district.

**Staff:** A. Rosenberg provides case findings and analysis. A variance for a reduction in the required side setback. The variance requested is five (5) feet. The applicant applied for a building permit to replace an existing shed and was disapproved due to failure to meet the ten (10) foot setback. The new shed is proposed to be 240 square feet (twice the size of the existing shed) and would encroach on the pool deck if required to meet the setback. Approval of the variance request would allow the shed to remain off the pool deck. As the current, deteriorated shed (accessory structure) exists as a non-conforming structure, a new shed should not continue or perpetuate the non-conforming setback, rather it should meet current code. Regarding the variance criteria, there are no special circumstances or peculiarities regarding the lot. The 100-foot lot is comprised of 2 fifty-foot lots which could be split in the future (in which case the shed placement would then meet the five (5) foot setback). Staff does not consider the double lot to be a special circumstance. Staff does not recommend approval.

**Agent for the Applicant:** Wes Blackman, CWB Associates – The original garage was demolished. The northern side of the home has always been the main point of entry as evidenced by the porte-cochere. Regarding the variance criteria: disagrees with staff assessment that a double lot is not a special lot as the immediate area is lacking in double-lots. It may be correct to say that within the City, but not in the immediate vicinity. In the general area those with smaller lots have five (5) foot side setbacks. Several years ago, circa 2018, the standard lot width increased to 50-foot in width. States the lot cannot be split due to location of the house on the lot.

**Board:** J. Contin- That staff states 3 of the 4 criteria are not being met is significant. L. Starr- what building code does a shed have to meet? **Staff response:** It will go through building review at time of permit. The Florida Building code is applicable in this case with wind load calculations. Do the neighbors have anything to say? **Staff response:** The letters of support will be read. Is there running water? **Applicant Response:** No power, no water, there will be windows to mimic the house as will the roofline.

**Property Owner:** D. Hamel points out the immediate neighbors who have supported the shed placement. It is not visible, obscured by a six (6) foot privacy fence, mature coconut palms and the porte-cochere. The roofline of the porte-cochere will block the view. It is an 8 x 25 foot shed plus the roof; it is an engineered, site built shed, not a fabricated store bought shed. He is a residential contractor since 1991 and third generation carpenter.

**Board:** A. Marotta does not see the placement of a new shed on a double wide lot as being more injurious to the neighbors as opposed to being a single lot. J. Contin – It's not a habitable structure, it is just an expansion of the size. R. Lepa- As the proposed shed has doubled in size, where will the water runoff go? **Applicant response:** gutters could be installed.

**Public Comment:** Board Secretary read into the record the five comments from property owners within 400 feet of the subject parcel including:

John & Jennifer Rachell - 1828 N Ocean Breeze – no issues with the approval.

Gretchen & Brian Gong – 123 Wellesley Drive – support the proposal.

Loren B. Coleman – 136 Wellesley Drive – support the proposal.

Eleanore Schenck – 1831 N. Palmway – support the proposal.

Sharon Callaro – 1820 N. Palmway – no issue with the approval

The following comments from owners outside the 400-foot radius were read into the record:

Brian Luongo – 1327 N. Palmway – supports the proposal

Joe Towslee – 213 Vanderbilt Dr. – no issues with the approval

Erin Allen – 208 S. Lakeside – supports the proposal.

**Motion:** B. Lepa moves to approve PZB 21-0150003 with staff recommended conditions, the variance application criteria based on the data and analysis in the staff report. L. Starr 2<sup>nd</sup>.

**Vote:** Roll call vote - ayes all, unanimous.

- B. PZB # 21-00900001 - A request by Patricia Ramudo, PE of IBI Group on behalf of Ricardo Hernandez of OAG Investment 5 LLC for consideration of a Mixed Use Urban Planned Development, Development of Significant Impact, Major Site Plan, Conditional Use, Sustainable Bonus Incentive Program, and Transfer of Development Incentive Program to allow for the construction of a 126-unit mixed use development commonly known as “Deco Green” at 1715 North Dixie Highway within the Mixed-Use Dixie Highway (MU-DH) zoning district. The subject property’s PCN is 38-43-44-16-06-014-0010.

**Staff:** A. Meyer present case findings and analysis. The proposal includes a 127-unit multi-family development. The site will be comprised of three buildings with heights up to seven floors with ground level parking with rooftop terraces, commercial activity on the lower level, a plaza, a dog park. The Sustainable Bonus and Transfer of Development rights allow for added density and height. As a Planned Development the relaxation of certain code regulations, such as impermeable surface coverage, are allowed in order to promote innovative design and development solutions. Parking surfaces located outside the building footprint will be semi-pervious pavers and exfiltration (as per SFWMD) will provide above the minimum water quality treatment required. As it is found to be in compliance with the City Comprehensive Plan, Strategic Plan, Major Thoroughfare Design Guidelines and Land Development Regulations, approval by the Board is recommended.

**Agents for the Applicant:** Patricia Ramudo, PE of IBI Group and Ricardo Hernandez-CEO of OAG Investment 5 LLC.

Andres Montero-Landscape Architect - there is a big outdoor space with open lawn/space. The public, communal space is bordered by extensive landscaping with a dog park, playground and seating areas, bike racks and outdoor lighting, mural. The public and private amenities are designed to encourage residents and the public to enjoy the outdoors. The landscape material was carefully selected to help soften the view of the structures from the street and surrounding properties. Provides for revitalization of the area with commercial/office/retail space, open space, playground, art throughout the property, residential units, and dog park.

Annabella Garcia- architect for Deco Green- Pedestrian friendly access was a primary consideration, was inspired by the Art Deco Bauhaus movement and that the City of Lake Worth Beach is where tranquility meets creativity. The plaza is a very important part of the design. The ground floor retail is exposed to the plaza rather than Dixie highway. The two smaller buildings will incorporate 1 & 2 bedroom townhome lofts. Two murals will also be on those structures facing Dixie Hwy. Building number 2 will have the residential amenities (loungeroom, small business center, exercise room) as well as three (3) bedroom corner units. The ground floor is the parking. The mailroom and elevator will be secure areas within the lobby.

Reinaldo Padron - The tenant mix may include yoga studio, art galleria, pet store, deli, bakery, ice cream shop, juice bar and a coffee shop. It is designed to honor the artists who have defined Lake Worth Beach. The investment is valued at 31 million. Discussion of public benefits.

Patricia Ramudo - Utilizing the Sustainable Bonus Incentive Program the total on and off site incentive provided is \$864K.

**Board:** A. Marotta inquires if this project and the SBIP is now subject to the moratorium?  
**Response:** No, this project was under review at the time of the zoning in progress was instituted.  
R. Lepa has questions about the semi-pervious pavers. **Response:** It is a sustainable feature and is not added to the SBIP credit. It is pervious concrete and will be used on the parking surfaces to the north, south and west perimeter parking. Beneath the building footprint of Building 2, it must be concrete. It is more expensive but aids in the drainage. There is some tandem parking for residents with multiple cars. M. Humm asks if there are other similar projects this company has completed. **Applicant response,** Ricardo Hernandez, yes in Orlando and in Miami. The building in Orlando is similar without the Plaza. M. Humm queries if they are planning to sell after approval or would they own and operate? Where would the extra parking be for non-residents? **Response:** Some is dedicated to the retail operations, people are encouraged to walk, use bikes, scooters in addition to the on-street parking. What is the anticipated rent?  
**Response:** It will be market rate. 1 bedroom@ \$1,500 2- bedrooms \$1,800 and 3 bedrooms \$2,000 and adjusted for inflation when opening. Will there be property management by a third party? **Response:** Avanti, one of the partners will be taking that role, it is in-house. Live on-site?  
**Response:** The property manager and leasing agent will be on site usually from 9-5. The property manager and leasing agent should be local. J. Contin asks about the impact fees and the distribution between the county and city. Relationship of parking to unit mix? At night the retail will be vacant during the day the parking can be for the public. A bus station stop is provided as the intent is to have young families with young children. What TDR rights were utilized? **Staff Response:** They are being bought from the City at \$10.00 per foot. It allowed them to go 7 floors and added 10 % density. L. Starr- Is the CRA the property owner?  
**Response:** Went through an RFP, signed a contract for purchase and development agreement. Once the project is approved they will have 2 years to deliver the building. The cost of the property was 2.49 million. Are they paying the City anything? SBIP are paid by developer to the project. **Staff:** Total cost of the TDR is \$246,720 required to be paid to the city into an infrastructure trust fund. It can be requested to be waived but it seems the city is not open to waiving at this time. The City does not charge impact fees, only the county. The City requires water/sewer capacity fees. L. Starr- how many commercial tenants? Up to 16, are there assigned spaces? Yes, the tandem parking spots will be assigned to the 3-bedroom units. Prefer families to be in the 3-bedroom units as opposed to students as there are family amenities on site. The on-street parking cannot be restricted, it is open to the public. L. Starr asks about signage.  
**Response:** The majority of the signage will be on the retail spaces, and it can be restricted by the yet to be submitted sign program. M. Humm-will there be wayfinding signage? Yes, no signage on Bldgs 1 and 3. L Starr- will there be any sandwich board signs? **Staff:** They are prohibited by code. A. Marotta- there are eight (8) parking spaces over what is required by code, and there could be more density by right. Would Board be approving the murals? **Staff:** LULA would find the artist(s) and supervise the installation but they could come back before the Board is so desired.

L. Starr- asks for explanation of what items the commission is concerned about and would be disallowed after the SBIP zoning in progress proceeds. W. Waters explains half of the funds would be deposited into a trust fund, similar to the TDR fund. On site and passive amenities such as dog parks, tot lots unless built off-site would not count toward the Sustainable Bonus

credit. J. Contin – Will there be security measures in and around the plaza? beyond PBSO, in place such as cameras? **Response:** A consultant has not yet been brought on board. With the orientation of the retail spaces toward the plaza there will be many eyes on the scene. **Staff:** The sheriff's office will assist with CPTED. M. Humm asks if shade trees around the plaza would not be better than palms? Andres Montero states they will look at that suggestion. The seating areas are surrounded by canopy trees. Annabella Garcia states the area with the palms is where events will be held. L. Starr- where is the refuse area located? **Response:** On the west side of Buildings 3 & 1, for Building #2 on the SW side at the parking level. Are there palms on the rooftop terraces? The 7th floor is not all units, it is terraces, floors 4 and higher afford a view of the intracoastal and ocean; Buildings 1&3 also have rooftop terraces.

**Public Comment:** Nelson Moscoso is concerned with the height of 6 floors.

**Motion:** B. Lepa moves to recommend approval of PZB 21-00900001 to the City Commission with staff recommended Conditions of Approval, with an added condition the west parking spots having permeable concrete. The project meets the criteria based upon the data and analysis found in the staff report M. Humm 2<sup>nd</sup>.

J. Contin would like the motion amended to read "127 not 126" units.

**Motion amended** by B. Lepa and 2<sup>nd</sup> by M. Humm to include the correction of the number of units to 127, not 126.

**Vote:** Roll call votes 4/1 L. Starr dissenting. Motion carries.

C. PZB # 21-01400002 - A request by WGI, an engineering and land development firm, on behalf of MA Investment Boca, LLC for consideration of a Residential Urban Planned Development, Development of Significant Impact, Major Site Plan, Conditional Use Permit, Transfer of Development Rights, and Sustainable Bonus Incentive Program to allow the construction of 200-unit multi-family development at 3300 Boutwell Road, within the Mixed Use – West (MU-W) zoning district

**Staff:** A. Rosenberg presents case findings and analysis. The project will consist of two (2) five-story buildings including a clubhouse and mailroom with 200 multifamily units.

**Agent for the Applicant:** Yoan Machado displays a powerpoint presentation with additional detail. Mentions the previous approval, still vested, was one building but now the mass has been separated in two buildings. It was also lacking in aesthetics, greenspace and amenities with 2 access points on Boutwell Road. That approval did not avail itself to the sustainable bonus incentive program (SBIP) There will be a bus shelter provided on-site as well as a ride share drop-off area. Request for a side setback reduction for the northern boundary from 20 feet to 11 feet.

**Board:** M. Humm asks what the financial benefit will be to the City? **Response:** Yoan Machado- 600K in real estate taxes. They will be market rate with approximately \$1250.00 for 1 bedroom and \$1750.00 for 2 bedrooms, there are no 3-bedroom units. J. Contin commends the waste disposal portion of the site plan stating if trash pickup can happen here, it can happen anywhere; inquires about the traffic study, Yoan Machado states as the previous approval (200 units) and trips are vested, along with the unit mix (121 units) will create a less than 1% impact on Boutwell Road. Juan Ortega of JFO Group Inc. states the project is within the TCEA-traffic concurrency exception area with peak area trips of 54 in the afternoon. The study was based upon 200 units. Is there a retention pond in the back? Yes, with an observation deck.

Parking: 320 spaces are required according to code; the study shows 262 parking are necessary. 293 are being provided only 26 will be exchange of spaces. The site will be deficient by 27 spaces according to code.

**Staff:** In keeping with the Urban Planned Development, which enables the relaxation of some codes, the applicant has provided a traffic study allowing for 264 parking spaces (up to 25% of the parking can be alternative parking solutions).

**Board:** Regarding the Sustainable Bonus- What is the total dollar value? **Response:** Page 15 of the staff report shows the amounts provided for Sustainable Bonus Incentive Program and Transfer of Development Rights.

Additional questions regarding acceptability of the traffic study. As there is no on street parking, any deficiency will be impact the marketability of the units. **Staff:** Boutwell Road improvements and 10<sup>th</sup> Avenue North improvements should be initiated in the fall of 2021.

**Motion:** J. Contin moves to approve PZB 21-0140002 with staff recommended conditions. The project meets the criteria based upon the data and analysis found in the staff report. 2<sup>nd</sup> Bob Lepa.

**Vote:** 3/2 M. Humm and L. Starr dissenting. Motion carries.

- D. PZB # 21-01400039: A request by Mark Hunley of Charette International Architecture on behalf of 1212 Tenth Ave North LLC for consideration of a Residential Urban Planned Development, Major Site Plan, Conditional Use Permit, and Right of Way Abandonment to allow the construction of a two-building residential project consisting of 24 multi-family units on 10th Avenue North, between North E Street and North F Street, within the Mixed Use – East (MU-E) zoning district, PCN #s 38-43-44-21-15-318-0010, 38-43-44-21-15-318-0140, 38-43-44-21-15-318-0150, 38-43-44-21-15-318-0160.

**Staff:** A. Meyer presents case findings and analysis. Proposal is for 24 multi-family units in two (2) buildings and includes a request for an alley abandonment bisecting the three (3) parcels.

**Applicant presentation by Mark Hunley**-the alley was primarily used for the access to electric utilities which will now be funded by the applicant for re-location underground. Continued access was requested and accommodated via curb cuts on the northern boundary. Comprised of one and two bedroom units and efficiency units. The Major Thoroughfare Design Guidelines adherence is evident with the large amount of glazing facing 10<sup>th</sup> Avenue North.

**Board:** J. Contin has concerns with the stairways to the second level, the stairs look tacked on and could be more robust. Possibly with bike racks behind it for storage. **Staff response:** It may have been as a result of CPTED comments, for more visibility. **Applicant:** It does make it clear to police and fire where to go in the event of an emergency. M. Humm questions the access to the efficiency unit. What are the rent rates for the unit? **Applicant:** Eric Schwimmer \$1050 for the efficiency, \$1250 for the 1 bedroom and \$1450 for the 2 bedroom units. Not in competition with the larger projects as there are no amenities. Looks to the transitional neighborhoods to provide improvements. R. Lepa asks about the parking. **Staff:** There is concern on the part of the engineer for the City, a waiver is requested for the two northerly on-street parking spots. Sight visibility upon exiting the parking area could be impeded and there is suggestion those two spaces should be eliminated. L. Starr- inquires about the CRA parcel that is ten feet in width and the alley abandonment. **Staff response:** The small parcel was gifted to the CRA from the City during the 10<sup>th</sup> Avenue re-do. Regarding the alley abandonment, that will go to the property owner. Are there any other projects the applicant has built? **Response from Mr. Schwimmer:** Yes, several mixed-use projects and multifamily units; he did not go through an RFP for this



project, is using Northstar Construction as he is not yet confident with the windstorm portion of contracting at this time. He is a licensed general contractor in New York and is currently studying for his Florida licensure. Enjoys smaller projects and affordable/workforce housing, not Section 8, just a nicer home for a modern day worker and one they can afford. Transitional community being defined as an area moving from lower end to a mid-market community. Lake Worth Beach is changing and being bettered. Believes the total tax generated would be \$80-\$90K. He will manage the properties himself with his own team. **Staff:** The Sustainable Bonus will be paid to the Trust Account in the amount of \$21,600 to allow for the three (3) extra units. The two (2) spots on-street will be striped to disallow the parking at those locations.

**Public Comment:** Nelson Moscoso-Compliments the looks of the structure but is irate with the traffic in the area, states currently only one car can pass at a time. Why take away the parking when there isn't enough parking as it already is? and there is too much parking on the street, each side with visibility issues. His house is behind the parking lot. Going to have noise, and lights. Heard something about impact windows, wants restitution of some type.

**Eric Schwimmer:** Recollects that they spoke on the phone regarding the windows recalling he told Mr. Moscoso to select his own window vendor, provide the proposal and a check would be issued to cover the costs. He doesn't know about the experience in the evening when people are not at work, and lastly the project could have gone to three (3) story's. Mr. Moscoso is upset with the parking situation, stating neighbors have 5 cars parked in the street at all times.

James Ludwig -1109 North E Street was also opposed to the project as the area doesn't need any additional traffic or foot traffic.

**Board:** J. Contin- It's right to re-develop as there appears to be blight in the area especially coming off of I-95 in the major thoroughfare area; understands the parking and traffic issues. L. Starr agrees with those sentiments but that additional units should be eliminated to ease the lack of parking. It makes it difficult, if not impossible for trash pickup. Developers need to follow the code regarding parking. A. Marotta asks for explanation in the difference between a permitted by right and Conditional Use parking. **Staff:** The waiver was to make the site lines available, the project does meet parking code. Board may opt to retain the two (2) on street parking spaces and disregard the request for waiver if they so choose.

**Motion:** J. Contin moves to approve PZB 21-01400039 with staff recommended conditions. The project meets the applicable criteria based on the data and analysis in the staff report. Add a requirement that there shall be an architectural adjustment of the staircase creating a more solid and fluid appearance; remove staff recommendation of relaxing Section 23.4-10 (removal of 2 on-street parking spaces); R. Lepa 2<sup>nd</sup>.

**Vote:** Roll call vote 4/1, L. Starr dissenting. Motion carries.

**PLANNING ISSUES:** The Sustainable Bonus Incentive Program has been given a status of zoning in progress while several items are being considered. Items/amenities not accessible to the general public will no longer be eligible for inclusion in the program unless provided offsite. Two such items are tot lots and dog parks. The Gulfstream is still on track. Community Sustainability may possibly be opening to the public on a limited basis, by appointment only. Staff efficiency has improved with more online functions, volume is up and the majority of clients are pleased with the process especially with document sharing. Online bill pay is continuing to be developed.

**PUBLIC COMMENTS** (3 minute limit) None

**DEPARTMENT REPORTS:** None

**BOARD MEMBER COMMENTS:** Juan Contin thanks the Director for the installation of Bluebeam. W. Waters mentions the development in the City is busier now than the last 10.5 years which bodes well for the City. Robert Lepa bids farewell from the Board after residing in the City since 1985.

**ADJOURNMENT:** 10:04 pm

**Legal Notice No. 38605**

**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 8:00 pm** or soon thereafter to consider PZB Project # 21-01400002.

**PZB Project # 20-01300001 and PZB Project # 20-00300001** A request by the City of Lake Worth Beach for consideration of Future Land Use Map (FLUM) amendment and Zoning Map amendment on the property 32 South B Street. The request is to change the future land use designation of 32 South B Street from Mixed Use - East (MU-E) to PROS, and to rezone the subject property from Single Family Residential (SFR) to Public Recreation and Open Space (PROS). The PCN number is 38-43-44-21-15-003-0010.



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](mailto: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](mailto: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](mailto: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

**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](mailto: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](mailto: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](mailto: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

**PLEASE TAKE NOTICE** that the 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. The meeting will be held on **June 2, 2021 at 6:00 pm** or soon thereafter to consider the following application:

**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](mailto: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



DEPARTMENT FOR COMMUNITY SUSTAINABILITY  
Planning Zoning Historic Preservation Division  
1900 2<sup>ND</sup> Avenue North  
Lake Worth Beach, FL 33461  
561-586-1687

DATE: May 26, 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 20-01300001**: A City initiated rezoning of the property located at 32 South B Street from Single Family Residential (SFR) to Public Recreation and Open Space (PROS). PCN # 38-43-44-21-15-003-0010.

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**PROJECT DESCRIPTION:**

The proposed City initiated rezoning would rezone the subject site, 32 South B Street, from Single Family Residential (SFR) to Public Recreation and Open Space (PROS). The rezoning is being reviewed concurrently with a Future Land Use Map (FLUM) amendment to change the future land use designation of 32 South B Street from Mixed Use – East (MU-E) to Public Recreation and Open Space (PROS). The site is currently being utilized as a neighborhood playground which is a permitted use in the PROS zoning district. The approval of the proposed rezoning reflects the existing use of a neighborhood playground and picnic facility as permitted in the PROS zoning district. The subject site is surrounded by a mixture of single-family residences, multi-family residences, and a place of worship. The Royal Poinciana Neighborhood Association had previously expressed the need for the playground facilities in the area and worked with the City to establish the playground.

**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 rezoning meets the criteria of the Comprehensive Plan and LDRs. Therefore, staff recommends that the Board recommend approval of the Rezone request with conditions of approval to the City Commission.

**PROPERTY DESCRIPTION:**

<b>Applicant</b>	City of Lake Worth Beach Public Works Department
<b>Owner</b>	City of Lake Worth Beach
<b>General Location</b>	Northeast corner of 1 <sup>st</sup> Avenue South and South B Street
<b>Existing PCN Numbers</b>	38-43-44-21-15-003-0010
<b>Existing Land Use</b>	Neighborhood playground
<b>Existing Zoning</b>	Single Family Residential (SFR)
<b>Existing Future Land Use Designation</b>	Mixed Use – East (MU-E)

**LOCATION MAP:**

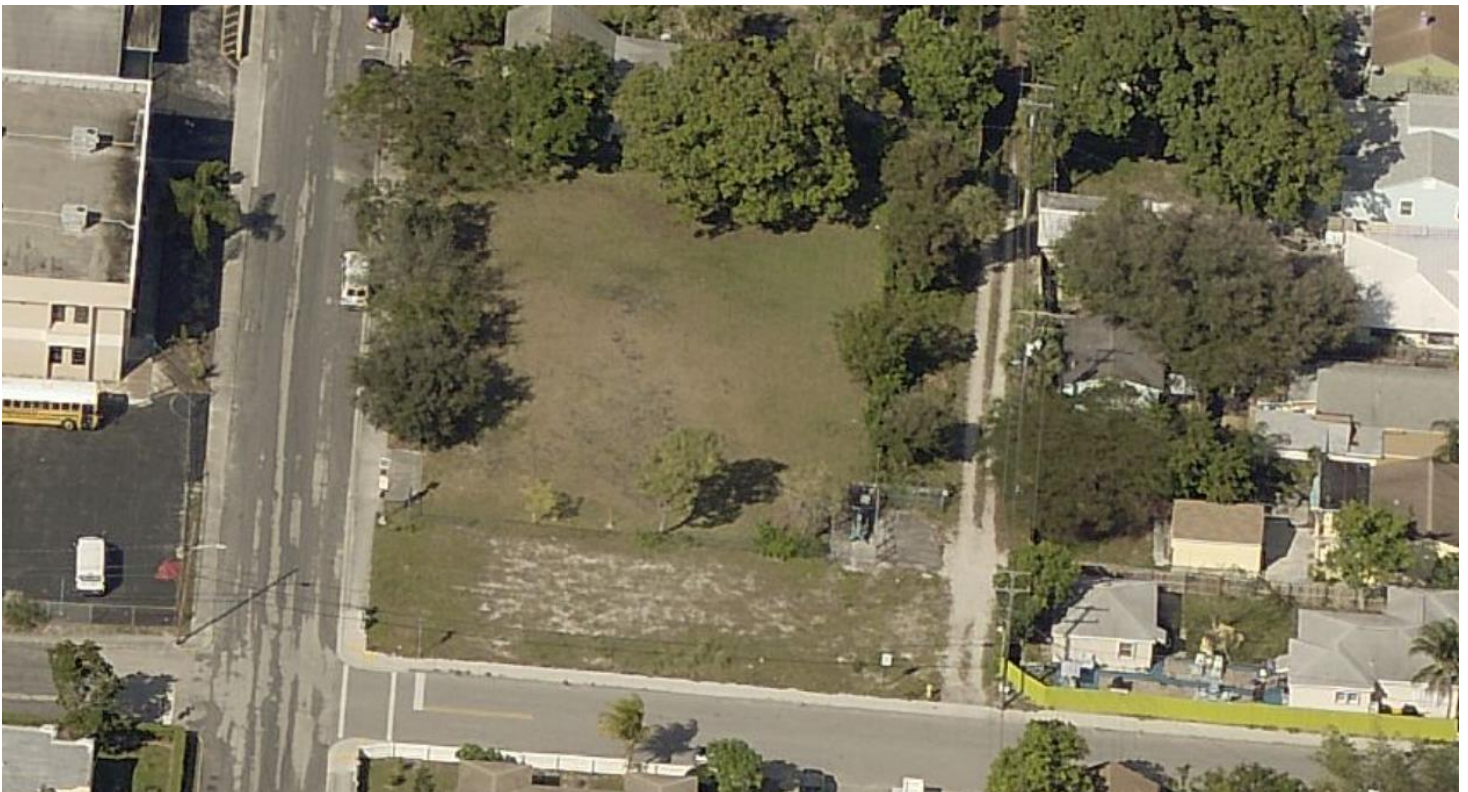


**BACKGROUND:**

The subject site is a 27,000 (200' x 135') square foot lot that is made up of four 50-foot wide platted lots. The property is located at 32 South B Street which is located in the northeast corner of 1<sup>st</sup> Avenue South and South B Street. Based on City records, it appears that at one time, all four lots had their own parcel numbers and separate addresses. Below is a timeline summary of the property, categorized by lot, based on Palm Beach Property Appraiser's records and City records:

- Lot 1, Block 3
  - Used to be referred to as 32 South B Street.
  - 1950 – a 1,825 square foot duplex and 946 square foot detached garage was constructed on the site.
  - 2001 – the 946 square foot detached garage was demolished.
  - September 2, 2014 – the 1,825 square foot duplex was demolished.
  - May 10, 2021 – a search of the City's database shows that there are no active business licenses linked to this property
  - May 10, 2021 – a search of the City's database shows that there are no active code cases linked to this property
- Lot 2, Block 3
  - Used to be referred to as 26 South B Street and 28 South B Street.
  - 1954 – a 1,055 square foot duplex was constructed on the site.
  - January 14, 1992 – the 1,055 square foot duplex was demolished.
  - May 10, 2021 – a search of the City's database shows that there are no active business licenses linked to this property
  - May 10, 2021 – a search of the City's database shows that there are no active code cases linked to this property
- Lot 3, Block 3
  - Used to be referred to as 22 South B Street.
  - 1929 – a 1,443 square foot cottage and 202 square foot detached garage was constructed on the property.
  - 1949 – a 600 square foot dwelling was constructed on the property.
  - January 14, 1992 – the 1,443 square foot cottage was demolished. It is unclear as to whether the detached garage was demolished at this time too.
  - June 17, 1998 – a letter from the City was issued to the property owner ordering the demolition of the remaining residence due to numerous building code violations that deemed the building unsafe.
  - August 1998 – The subject structure, which was the only remaining structure on the lot, was demolished.
  - May 10, 2021 – a search of the City's database shows that there are no active business licenses linked to this property
  - May 10, 2021 – a search of the City's database shows that there are no active code cases linked to this property
- Lot 4, Block 3
  - Used to be referred to as 18 South B Street.
  - 1920 – a 1,004 square foot residence and 602 square foot garage apartment was constructed on the property.
  - June 17, 1998 – a letter from the City was issued to the property owner ordering the demolition of the remaining residence due to numerous building code violations that deemed the building unsafe.
  - September 6, 1988 – the two-story garage apartment was demolished. The 1,004 square foot residence remained on the property.
  - 1988 – 2021 – the 1,004 square foot residence was demolished.
  - May 10, 2021 – a search of the City's database shows that there are no active business licenses linked to this property

- May 10, 2021 – a search of the City’s database shows that there are no active code cases linked to this property
- All Lots (Lots 1-4, Block 3)
  - September 18, 2020 – a building permit (permit # 20-2712) was issued for a green vinyl coated chain-link fence around the perimeter of the site for the playground. Staff approved the permit with the condition that within six months of the permit approval, a rezoning application shall be made to the City to rezone the property from SFR to PROS.
  - March 30, 2021 – a building permit (permit 21-624) was issued for a 12’ x 12’ shade structure to go over a picnic/seating area at the site. Staff approved the permit with the condition that a rezoning and FLUM amendment, and Minor Site Plan continue to be pursued by the Public Works Department. A unity of title was required prior to processing these requests.
  - December 15, 2020 – A Unity of Title was recorded combining Lots 1 thru 4, Block 3.
  - April 8, 2021 – the City obtained an updated property survey reflecting the Unity of Title.





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

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

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

The subject site currently has a Future Land Use (FLU) designation of MU-E. Per Policy 1.1.1.5, the MU-E future land use area is intended to provide a mixture of residential, office, service and commercial retail uses within specific areas east of I-95, near or adjacent to the central commercial core and major thoroughfares of the City. The subject proposal is to rezone 32 South B Street to PROS. As the PROS zoning district is not an implementing zoning district of the MU-E future land use designation, this application is being reviewed concurrently with a future land use map amendment requesting to change the future land use of 32 South B Street from MU-E to PROS. Per Policy 1.1.1.11, the PROS future land use area designates locations for parks and other outdoor open space areas intended for active or passive use. The implementing zoning district of the PROS land use designation is PROS. The propose concurrent amendments to the FLUM and the Zoning are required for consistency with the Comprehensive Plan with the existing use of a neighborhood.

The proposal, if approved, would be consistent with Pillar I.E and Pillar II.E of the Strategic Plan which states that the City shall provide superior public amenities and services to retain existing and entice new residences and businesses and deliver sustainable indoor-outdoor leisure opportunities (parks and open space). The Royal Poinciana Neighborhood Association expressed the need for the playground and has been working with the City to establish the existing playground.

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

**Consistency with the City's Land Development Regulations**

The Department of Community Sustainability is tasked in the Code to review rezone applications for consistency with the findings for granting rezone applications in LDR Section 23.2-26 (analyzed in the next section) and to provide a recommendation for whether the application should be approved, approved with conditions, or denied.

At the hearing on the application, the Planning and Zoning Board or Historic Resources Preservation Board shall consider the rezoning/FLUM amendment application and request, the staff report including recommendations of staff, and shall receive testimony and information from the petitioner, the owner, city staff, and public comment. At the conclusion of the hearing, the Board shall make a recommendation on the rezoning/FLUM amendment request to the City Commission.

**Staff Analysis:** Playgrounds are not permitted in the SFR zoning district. If successfully rezoned to PROS, 32 South B Street will be consistent the City's LDRs and Comprehensive Plan.

The data and analysis below review the application against the regular findings for approval for all rezone requests:

**Section 23.2-36(4), Rezoning of Land Amendments**

An amendment to the official zoning map processed with the FLUM amendment shall be reviewed based on the following factors:

**a. Consistency.** Whether the proposed FLUM amendment would be consistent with the purpose and intent of the applicable comprehensive plan policies, redevelopment plans, and land development regulations. Approvals of a request to rezone to a planned zoning district may include limitations or requirements imposed on the master plan in order to maintain such consistency.

**Staff Response:** If the rezoning and FLUM amendment are approved, the new PROS zoning district would be consistent with the purpose and intent of the PROS future land use designation. Additionally, the existing use of a playground would be consistent with the PROS zoning district and the PROS future land use designation.

The proposed Rezone is consistent with the following Policy and Objectives in the Comprehensive Plan:

**Policy 1.1.2.13:** Locational Criteria for the Public Recreation and Open Space Designations – the PROS land use designations are intended for sites where such uses already exist.

The subject site, 32 South B Street, has an existing playground on the property that was approved with the condition that an application be submitted to the City to rezone the property to PROS within 6 months of the permit approval date.

**Policy 3.3.1.7:** Strengthen the sense of place in each neighborhood with adequate and well-designed, public facilities such as libraries, schools, recreation centers, fire stations and streetscapes.

The proposed Rezone to PROS reflects the existing public playground, which increased opportunities for play in the Royal Poinciana Neighborhood.

**Goal 7.1:** The City of Lake Worth Beach’s open space and recreation system shall provide sustainable indoor-outdoor leisure opportunities, to meet the physical, social, recreational and cultural needs of current and future demands of all population segments with access to a variety of passive and active recreation programs through the use of both public and private resources.

Prior to the construction of the existing playground at 32 South B Street, the Royal Poinciana Neighborhood did not have a public playground in the immediate area. There are properties zoned PROS that operate as sport fields on the corner of 1<sup>st</sup> Avenue South and South B Street. The addition of a playground to the neighborhood adds more variety to the outdoor recreation options in the area and for the City at large.

**b. Land Use Pattern.** Whether the proposed FLUM amendment would be contrary to the established land use pattern, or would create an isolated land use classification unrelated to adjacent and nearby classifications, or would constitute a grant of special privilege to an individual property owner as contrasted with the protection of the public welfare. This factor is not intended to exclude FLUM amendments that would result in more desirable and sustainable growth for the community.

**Staff Response:** The proposed rezoning will not be contrary or incompatible to the established land pattern, nor will it create an isolated zoning district unrelated to the adjacent and nearby classifications or constitute a grant of special privilege to the petitioner as contrasted with the protection of the public welfare. Please refer to the table below outlining the existing zoning and future land use designations of adjacent properties.

Direction	Future Land Use	Zoning District	Current Use
North (adjacent)	MU -E	SFR	Vacant
South (across from 1 <sup>st</sup> Ave S)	SFR	SFR	Multi-family Residences
East (across alleyway)	MU -E	SFR	Multi-family Residences Single-family Residences
West (across	MU -E	SFR	Place of Worship

South B St)			
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While the subject site does not abut PROS zoned property, the surrounding uses are compatible in nature with uses allowed in the PROS zoning district. The PROS district depicts the location of publicly owned recreational and open space amenities within the City. The nearby properties consist of single-family and multi-family residences and a place of worship which are compatible with a neighborhood playground. **Meets Criterion.**

**c. Sustainability.** Whether the proposed FLUM amendment would support the integration of a mix of land uses consistent with smart growth or sustainability initiatives, with an emphasis on 1) complementary land uses; 2) access to alternative modes of transportation; and 3) interconnectivity within the project and between adjacent properties.

**Staff Response:** The proposed rezoning to PROS promotes neighborhood sustainability and is consistent with the City's goal to provide sustainable outdoor leisure opportunities such as parks and open space. A neighborhood playground has recently been constructed on the subject site, which is compatible with the surrounding residential properties and place of worship. **Meets Criterion.**

**d. Availability of Public Services/Infrastructure.** Requests for rezoning to planned zoning districts shall be subject to review pursuant to Section 23.5-2.

**Staff Response:** This criterion is applicable to requests to rezone to a planned zoning district only; therefore, this criterion does not apply. **Criterion not applicable.**

**e. Compatibility.** The application shall consider the following compatibility factors:

1) Whether the proposed FLUM amendment would be compatible with the current and future use of adjacent and nearby properties, or would negatively affect the property values of adjacent and nearby properties.

**Staff Response:** The proposed rezoning is compatible with the existing and future land uses of adjacent and nearby properties and will not negatively affect the property values of the neighborhood. If approved, the existing use of a playground, which has been a long-time request of the Royal Poinciana Neighborhood Association, would be depicted on the City's zoning map as a public recreation facility. The playground currently has security fencing around the perimeter of the property and is not anticipated to cause negative affects on the nearby properties. If at any time the playground is replaced with another use, said use would need to go through staff and/or Board review. Uses allowed in the PROS zoning district are typically associated with indoor or outdoor recreation and open space. **Meets Criterion.**

**f. Direct Community Sustainability and Economic Development Benefits.** For FLUM amendments involving rezoning to a planned zoning district, the review shall consider the economic benefits of the proposed amendment, specifically, whether the proposal would:

- 1) Further implementation of the city's economic development (CED) program;
- 2) Contribute to the enhancement and diversification of the city's tax base;
- 3) Respond to the current market demand or community needs or provide services or retail choices not locally available;
- 4) Create new employment opportunities for the residents, with pay at or above the county average hourly wage;
- 5) Represent innovative methods/technologies, especially those promoting sustainability;
- 6) Support more efficient and sustainable use of land resources in furtherance of overall community health, safety and general welfare;
- 7) Be complementary to existing uses, thus fostering synergy effects; and
- 8) Alleviate blight/economic obsolescence of the subject area.

**Staff Response:** This petition does not involve rezoning to a planned zoning district. Thus, this criterion does not apply to this petition. **Criterion not applicable.**

**g. Economic Development Impact Determination for Conventional Zoning Districts.** For FLUM amendments involving rezoning to a conventional zoning district, the review shall consider whether the proposal would further the City's economic development program, and also determine whether the proposal would:

- 1) Represent a potential decrease in the possible intensity of development, given the uses permitted in the proposed land use category; and
- 2) Represent a potential decrease in the number of uses with high probable economic development benefits.

**Staff Response:** The proposed rezoning to the PROS zoning district will result in the addition of a public amenity for the neighborhood. While the PROS zoning district does not offer an increase in density from the SFR zoning district, the playground use is consistent with the City's goal to provide sustainable outdoor leisure opportunities such as parks and open space which benefit quality life within the City. **Meets Criterion.**

**h. Commercial and industrial land supply.** The review shall consider whether the proposed FLUM amendment would reduce the amount of land available for commercial/industrial development. If such determination is made, the approval can be recommended under the following conditions:

- 1) The size, shape, and/or location of the property makes it unsuitable for commercial/industrial development; or
- 2) The proposed FLUM amendment provides substantiated evidence of satisfying at least four (4) of the direct economic development benefits listed in subparagraph "f" above; and
- 3) The proposed FLUM amendment would result in comparable or higher employment numbers, building size and valuation than the potential of existing land use designation.

**Staff Response:** If approved, the proposed rezoning will not result in a reduction of land available for commercial and industrial development. Commercial and industrial uses are not permitted under the existing zoning. Therefore, the change from SFR to PROS zoning would not reduce or change the commercial and industrial development potential at the subject site. **Meets Criterion.**

**i. Alternative sites.** Whether there are sites available elsewhere in the City in zoning districts which already allow the desired use.

**Staff Response:** The purpose of the rezoning application is to reflect the existing use on the subject site, a neighborhood playground. As stated, the playground has been a long-time request of the Royal Poinciana Neighborhood Association. The only other PROS zoned property in Royal Poinciana is located on the northwest corner of 6<sup>th</sup> Avenue South and South A Street. The properties are currently used as recreational fields for baseball, soccer, etc. As the existing PROS zoned properties in the area are fully utilized, there are no available pieces of land in the immediate area that could house the desired use of a playground.

**j. Master plan and site plan compliance with land development regulations.** When master plan and site plan review are required pursuant to section 2.D.1.e. above, both shall comply with the requirements of the respective zoning district regulations of article III and the site development standards of section 23.2-32.

**Staff Response:** Staff has conditioned the Rezone application so that if approved, a Minor Site Plan shall be applied for to review the site conditions in conformance with the LDRs. **Meets Criterion as Conditioned.**

**CONCLUSION:**

The proposed rezoning 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 recommends that the Board recommend approval of rezoning to the City Commission with the conditions below:

**Board Actions:**

I MOVE TO RECOMMEND APPROVAL OF PZB PROJECT NUMBER 20-01300001 with staff recommended conditions to rezone the property at 32 South B Street from Single Family Residential (SFR) to Public Recreation and Open Space (PROS). The application meets the rezone criteria based on the data and analysis in the staff report.

I MOVE TO RECOMMEND DISAPPROVAL OF PZB PROJECT NUMBER 20-01300001 to rezone the property at 32 South B Street from Single Family Residential (SFR) to Public Recreation and Open Space (PROS). The proposal does not meet the rezone 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 Rezone request.

**ATTACHMENTS:**

- A. Location Map
- B. Zoning Map
- C. Application Package



DATE: May 26, 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 20-00300001**: A City initiated small scale Future Land Use Map (FLUM) amendment of the property located at 32 South B Street from Mixed Use – East (MU-E) to Public Recreation and Open Space (PROS). PCN # 38-43-44-21-15-003-0010.

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**PROJECT DESCRIPTION:**

The proposed City initiated FLUM amendment would amend the FLU designation of 32 South B Street from Mixed Use – East (MU-E) to Public Recreation and Open Space (PROS). The proposed FLUM amendment is being reviewed concurrent with a rezoning of 32 South B Street from Single Family Residential (SFR) to PROS. The site is currently being utilized as a neighborhood playground. The approval of the FLUM amendment would reflect the existing use as a neighborhood playground and picnic area as permitted in the PROS zoning district. The amendment is supported by and is consistent with the Comprehensive Plan and City Strategic Plan as described in the Comprehensive Plan and Strategic Plan analysis section of this report.

The current FLU and proposed FLU maps are included as Exhibit A in the attached proposed Ordinance. The data and analysis section in the staff report was prepared in accordance with the requirement of F.S. 163.3177 and provides relevant and appropriate data based the City’s community goals and vision and consistency with level of service requirements. The proposed FLUM amendment is eligible for processing as a small-scale future land use map amendment per F.S. 163.3187. If adopted, the proposed amendment would be sent to the Florida Department of Economic Opportunity (DEO) upon adoption and become effective 31 days after adoption if not challenged within 30 days.

**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 FLUM amendment meets the criteria of the Comprehensive Plan and LDRs. Therefore, staff recommends that the Planning and Zoning Board recommend that the City Commission adopt the proposed small scale FLUM amendment.

**PROPERTY DESCRIPTION:**

<b>Applicant</b>	City of Lake Worth Beach Public Works Department
<b>Owner</b>	City of Lake Worth Beach
<b>General Location</b>	Northeast corner of 1 <sup>st</sup> Avenue South and South B Street
<b>Existing PCN Numbers</b>	38-43-44-21-15-003-0010
<b>Existing Land Use</b>	Neighborhood playground
<b>Existing Zoning</b>	Single Family Residential (SFR)
<b>Existing Future Land Use Designation</b>	Mixed Use – East (MU-E)

**LOCATION MAP:**



**BACKGROUND:**

The subject site is a 27,000 (200' x 135') square foot lot that is made up of four 50-foot wide platted lots. The property is located at 32 South B Street which is located in the northeast corner of 1<sup>st</sup> Avenue South and South B Street. Based on City records, it appears that at one time, all four lots had their own parcel numbers and separate addresses.

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

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

**Data and Analysis**

The proposed PROS Future Land Use for the subject property is compatible with the Future Land Use designations of surrounding properties. The following outlines the Future Land Use designations for the adjacent areas:

- Future Land Use Map amendment for approximately 0.62 acres from Mixed Use - East (MU-E) to Public Recreation and Open Space (PROS) located at 32 South B Street, on the northeast corner of 1<sup>st</sup> Avenue South and South B Street.

<b>Current Zoning</b>	<b>Adjacent Direction</b>	<b>Future Land Use</b>
Single Family Residential	North	Mixed Use - East
Single Family Residential	South	Single Family Residential
Single Family Residential	East	Mixed Use East
Single Family Residential	West	Mixed Use East

**JUSTIFICATION:**

The PROS FLU designation designates locations for parks and other outdoor open space areas intended for active or passive use. The amendment provides open space amenities to the Royal Poinciana Neighborhood which aids in delivering sustainable outdoor opportunities to City residents. The implementing zoning district of the PROS land use designation is PROS. Currently, the land use is not consistent with the Comprehensive Plan. However, if the FLU is successfully amended to PROS and if the property is successfully rezoned to PROS, the land use will be consistent with the Comprehensive Plan.



## **COMPREHENSIVE PLAN AND STRATEGIC PLAN ANALYSIS:**

### **Consistency with the Comprehensive Plan**

The proposed FLUM amendment is consistent and in support of the following associated Objectives and Policies of the City of Lake Worth Beach’s Comprehensive Plan. The underlined text emphasizes key concepts, strategies and objectives within these objectives and policies that are furthered by the subject amendments.

#### 1. FUTURE LAND USE ELEMENT

Policy 1.1.2.13: The Public and Public Recreation and Open Space land use designations are mapped on sites where such uses already exist. The mapping of these uses on these sites indicates that no alternative use of these sites should be established without a properly considered and enacted Future Land Use Map amendment.

#### 2. HOUSING AND NEIGHBORHOODS ELEMENT

Policy 3.3.1.7: The City shall strengthen the sense of place in each neighborhood with adequate and well-designed, public facilities such as libraries, schools, recreation centers, fire stations, and streetscapes.

#### 3. CONSERVATION ELEMENT

Policy 6.1.3.2: The City will adopt incentives to encourage the provision of open space areas within future developed areas. Consistent provisions are in the Recreation and Open Space and the Future Land Use elements.

#### 4. RECREATION AND OPEN SPACE ELEMENT

Policy 7.1.1.2: The City shall identify properties available for acquisition and/or vacant or underutilized properties, and consider acquiring these properties in order to expand its inventory of usable recreation and open space.

Policy 7.1.1.5: The City shall consider acquiring and preserving open space lands for purposes of recreation, habitat protection and enhancement.

### **Consistency with the Strategic Plan**

The proposed amendment furthers the City’s Strategic Plan that is committed to building a vibrant and diverse economy, planning thoughtfully for the future, and support the Strategic Pillars of Positioning Lake Worth Beach to be a competitive viable location of choice, Strengthening Lake Worth Beach as a “Community of Neighborhoods”, and Navigating towards a sustainable community.

Specifically, the proposed amendments are consistency with the following Strategic Plan Pillars:

#### **Pillar I: Positioning Lake Worth Beach To Be A Competitive Viable Location Of Choice**

E: Provide superior public amenities and services to retain existing and entice new residents and businesses.

#### **Pillar II: Strengthening Lake Worth Beach as a ‘Community of Neighborhoods’**

E: Deliver sustainable indoor-outdoor leisure opportunities (Parks and Open Spaces).

### Level of Service Analysis

Pursuant to Chapter 163 of the Florida Statutes, any FLU amendment must be evaluated to determine if the proposed future land use will have a significant impact on the long-range level of service (LOS) for public facilities (i.e. drainage, potable water, wastewater, solid waste, parks, schools, and traffic) that service the property and the surrounding area. The LOS for public facilities is analyzed based on the maximum development potential for the existing and proposed FLU, and whether or not each public facility has capacity to accommodate any additional demands. According to the City's Comprehensive Plan, the maximum development potential change is for the existing Mixed Use – East FLU at 30 du/acre to the proposed PROS FLU at 0 du/acre resulting in a decrease of 30 du/acre.

Analysis of the decreased density (30 du/acre to 0 du/acre = 0 du/acre) on the long-range Level of Service (LOS) impacts concluded community facilities and services are available in the area to sustain the future demands and long-range LOS can be met with current and planned system capacities. The decrease in density from 30 du/acre to 0 du/acre results in a decrease of facilities and services needed. The following table provides a LOS summary.

### FLUM AMENDMENT LOS SUMMARY TABLE

Type of Facility:	Existing FLU Designations: (at 30 du/acre for Mixed Use - East)	Proposed FLU Designations: (at 0 du/acre for PROS)
<b>Drainage</b>	3-year, 1-hour storm duration, as recorded in the FDOT Drainage Manual IDF curves, current edition and fully contained onsite.	3-year, 1-hour storm duration  Both FLU designations meet the 3 yr. – 1 hr. drainage LOS requirements. Site improvements will be required to provide drainage collection and conveyance systems to positive outfall.
<b>Potable Water</b>	105 GPCD (gallons per capita per day.  105 gpcd x 30 du/acre x 2.53 pph =7,970	105 gpcd x 0 du/acre x 2.53 pph = 0 Decrease of 7,970 gpcd  The City facilities have available capacity to accommodate the decreased demand.
<b>Sanitary Sewer</b>	Collection and treatment of 100 gallons per capita per day at secondary treatment level, or 250 gallons per ERU per day.  100 gpcd x 30 du/acre x 2.53 pph =7,590	100 gpcd x 0 du/acre x 2.53 pph = 0 Decrease of 7,590 gpcd  The City facilities have available capacity to accommodate the decreased demand.
<b>Solid Waste</b>	Collection and disposal of 6.5 pounds of solid waste per capita per day.  6.5 lbs/pcd x 30 du/acre x 2.53 pph x 365 days/year / 2,000 = 90 Tons/year	Solid waste pickup will be limited to trash cans located on the property and is substantially less than the potential impacts of residential development.  The Solid Waste Authority has available capacity to accommodate the reduced demand.

<p><b>Parks</b></p>	<p>2.5 acres of community parks for every 1,000 persons and 2.0 acres of neighborhood parks for every 1,000 persons.</p> <p>0.62 acres x 30 du/acre = 18 du/acre x 2.53 pph/du= 45 persons</p>	<p>The proposed amendment results in additional Public Rec and Open Space</p>
<p><b>Schools</b></p>	<p>18 dwelling units</p>	<p>0 dwelling units Decrease of 18 du School District to determine impact of decreased units; School Capacity Availability Determination (SCAD).</p>
<p><b>Traffic</b></p>	<p>0.62 acres x 30 du/acre = 18 du 18 du x 7 daily trips* = 4,356 Daily Trips</p> <p>* ITE 9th Edition Trip Generation Rates</p>	<p>0.62 acres x 2 daily trips/acre for city park = 1 daily trip</p> <p>Capacity is available to accommodate the reduction in demand.</p>

**CONCLUSION:**

The proposed FLUM amendment request is consistent with the purpose, intent, and requirements of the Comprehensive Plan and LDRs. Therefore, staff **recommends approval of the draft site-specific amendments**, as:

- The amendment is consistent with the City’s goals of acquiring and expanding its inventory of usable recreation and open space;
- The amendment is consistent with the Strategic Plan’s goals of providing superior public amenities and services to retain existing an entice new residents and businesses.
- The amendment is supported by and are consistent with the Comprehensive Plan and City Strategic Plan as described in the Comprehensive Plan and Strategic Plan Analysis section of this report; and
- The amendment is supported by data and analysis prepared in accordance with the requirement of F.S. 163.3177 that provides relevant and appropriate data based the City’s community goals and vision and consistency with level of service requirements.

**Board Actions:**

I MOVE TO RECOMMEND PZB PROJECT NUMBER 20-00300001: Proposed amendment to the Future Land Use Map of the Lake Worth Beach Comprehensive Plan from the Future Land Use (FLU) designation of Mixed Use - East to the Public Recreation and Open Space FLU designation.

I MOVE TO NOT RECOMMEND PZB PROJECT NUMBER 20-00300001: Proposed amendment to the Future Land Use Map of the Lake Worth Beach Comprehensive Plan from the Future Land Use (FLU) designation of Mixed Use - East to the Public Recreation and Open Space FLU designation. The proposal does not meet the City’s Comprehensive Plan and Strategic Plan 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 FLUM amendment request.

**ATTACHMENTS:**

- A. FLU Map of 32 South B Street