



AGENDA
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, JANUARY 18, 2023 -- 6:00 PM

ROLL CALL and RECORDING OF ABSENCES:

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

- A. [December 14, 2022 Regular Meeting Minutes](#)

CASES:

SWEARING IN OF STAFF AND APPLICANTS

PROOF OF PUBLICATION

- 1) [731 South M Street](#)

WITHDRAWALS / POSTPONEMENTS

CONSENT

PUBLIC HEARINGS:

BOARD DISCLOSURE

UNFINISHED BUSINESS:

NEW BUSINESS:

- A. **PZB Project Number 22-01500008:** Consideration of a variance by Yolanda Silva at 731 South M Street for the installation of a shed between the principal structure and the public street. The subject site is zoned Single Family Residential (SF-R) and has a future land use designation of Single Family Residential (SFR).

This item will be continued to the February 1, 2023, Planning and Zoning Board (PZB) meeting.

- B. [PZB Project Number 22-00000024: A request by 1017 Lake Ave, LLC., for The Bohemian at 101 South East Coast Street for the establishment of a mural on the western building façade to replace existing signage and for the approval of a previously installed mural painted on the northern garage façade. The subject site is zoned Transit Oriented Development East \(TOD-E\) and has a future land use designation of Transit-Oriented Development \(TOD\).](#)

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, DECEMBER 14, 2022 -- 6:00 PM**

ROLL CALL and RECORDING OF ABSENCES: Present were: Juan Contin, Chairman; Daniel Walesky, Vice-Chairman; Mark Humm; Edmond LeBlanc; Zade Shamsi-Basha; Alexander Cull; Evelin Urcuyo. Also present were: Abraham Fogel, Senior Community Planner; Scott Rodriguez, Principal Planner; Erin Sita, Assistant Director for Community Sustainability; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

- A. November 16, 2022 Planning & Zoning Board Minutes

Motion: D. Walesky moves to approve the November 16, 2022 minutes as presented; E. Urcuyo 2nd.

Vote: Ayes all, unanimous.

CASES:

SWEARING IN OF STAFF AND APPLICANTS Board Secretary administered oath to those wishing to give testimony.

PROOF OF PUBLICATION

- 1) Village Flats I
Village Flats II
The Perch
123 Wellesley Drive

WITHDRAWALS / POSTPONEMENTS None

CONSENT None

PUBLIC HEARINGS:

BOARD DISCLOSURE: D. Walesky worked with an applicant on a previous project but can be unbiased. Z. Shamsi-Basha's wife is on the CRA Board, he has spoken casually about projects but can be unbiased. E. LeBlanc states his office worked on the previous iteration of the project. J. Contin has attended the neighborhood meetings, is the architect for a current project across the street.

UNFINISHED BUSINESS: None

NEW BUSINESS:

A. PZB Project Number 22-01500006: Request by Brian Gong for consideration of a variance to the maximum allowable fence height and a variance to allow a pool (accessory structure) within the front yard at 123 Wellesley Drive. The subject site is zoned Single Family Residential (SFR) and has a future land use designation of Single Family Residential (SFR).

This item has an affected party participating in the Board hearing.

Staff: S. Rodriguez – Staff is making a recommendation of approval for variance allowing the pool in the front yard as the request meets all four variance criteria. The fence variance, however only meets one of the four criteria and staff recommends Board discussion regarding the height of the fence along the eastern portion of the site. The proposal is to exceed the code required height of four (4) feet to six (6) feet.

Agent for the Applicant: Wes Blackman-notice where fence height changes from four feet to six feet. Cites lack of privacy as a reason for increasing the fence height to six (6) feet. The first twenty feet of the front yard (front building line setback) shall not exceed the four (4) foot fence height.

Affected Party: Eleanor Schenk-1827 N Palmway – Affected Party presents packet to the Board and to the Agent for the Applicant. Affected party front door opens to the north into the applicant yard and will face a six (6) foot fence. Shows examples of four (4) foot fences with higher hedging behind. Believes this is an attractive solution as opposed to a six (6) foot fence. Has no objection to the pool only to the six (6) foot fence. Doesn't even know if she has an objection as she has only received a landscape plan. Needs to know the precise location of the pool and pool pump and mechanical equipment. Agrees with staff about four (4) foot fence with hedge. Has concerns with noise.

Public Comment: None

Staff: No cross examination of either party.

Applicant Cross of Affected Party: W. Blackman states the pool plans are in the Building Division with the permit, which is on hold pending the outcome of this process. Inquires of the affected party if there is a picture window facing into the applicant's yard. **Response:** Yes

Affected Party Cross of Applicant: Asks why there cannot be a four (4) foot fence with hedge behind?
Response: It is a privacy issue for the street traffic. Mr. Blackman has letters of support from neighbors.

Applicant: They are working with a pool company and the plans indicate the mechanical will go in the back by the A/C unit.

Board: Chair inquires about the existing six (6) foot fence between the affected party and applicant.

Affected party states that is her fence for her pool privacy.

Applicant: It's a personal preference for a six (6) foot fence being cleaner and sleeker in appearance especially since there's already a fence there. Applicant prefers a six (6) foot fence over a four (4) foot fence with a nine (9) foot clusia hedge. Understands the neighbor would like a hedge.

Board: E. LeBlanc asks if the applicant be amenable to setting a six (6) foot fence back a bit to allow the neighbor to plant a hedge or vegetation.

Affected party: Ms. Schenk has concerns with future maintenance of the hedge.

Board: A six (6) foot fence could extend eastward stopping short of the first 20 feet by right. Currently it appears that when sitting on the existing patio, the affected party six (6) foot fence is there forward of the applicant front building line but on the side of the affected party property line.

Applicant Closing: Requesting a small variance given the six (6) foot fence can currently extend further by right.

Affected Party Closing: It is a narrow area and will detract from the value of her property. Still does not have a copy of the plan for where the pool equipment will be, or setback.

Board: Z. Shamsi-Basha- it makes sense to allow the fence for the balance of the permitted by right portion and the remaining 20-foot niche would be wrong. Believes they've met all the variance criteria for the pool and fence. Fence meets criteria because they can build up to line by right. #1-does meet criteria #2 =it does deprive them of reasonable use #3- is the least restrictive request. D. Walesky- not reasonable to assume that there will always be cooperation to maintain the staff suggested fence. Condition should preclude the installation of pool equipment. E. LeBlanc-Not easy to determine if affected party will experience a hardship with the solution. J. Contin-no variance is required for six (6) foot fencing right up to the 20-foot line. #1 It is not a typical lot-not afforded a back yard or side yard. M. Humm would like to have the fence and could dress up the fence with shrubs. E. Urcuyo believes there should be privacy whether landscaping or fence.

Board Attorney states facts should be put on the record as to why they agree or disagree.

Motion: Z. Shamsi-Basha moves to approve PZB 22-01500006 for a variance to the maximum allowable fence height and a variance to allow a pool (accessory structure) within the front yard including the Board recommended condition that the pool pump and mechanical equipment shall meet setback requirements and be installed in rear of property. The application meets the variance criteria based on the data and analysis in the staff report; A. Cull 2nd.

Vote: Ayes all, unanimous

*Zade Shamsi-Basha recuses himself for the next three projects. Board Attorney advises as there is no conflict of interest, he cannot recuse himself. He feels he cannot be unbiased. and Juan Contin - Board Attorney recommends recusal for the Chair on all three projects. Conflicts arise when there is a special, private gain or loss (separate from financial) based on closer proximity, and impacted to a higher degree than the general community and are one of 100 or less persons who would be impacted to a greater degree, there would be a voting conflict of interest. **At 7:20 both Board members depart the dais.***

B. PZB Project Number 22-01400016: Consideration of a Major Site Plan, Conditional Use Permit (CUP), and Sustainable Bonus Incentive Program (SBIP) requests for the project commonly referred to as "The Perch" located at 7 North B Street. The project proposes to construct 3, 3-story, 18-unit multifamily development consisting of a 9-unit apartment-style building and a 9-unit townhouse-style building. The sustainable bonus request is for additional height. The property is zoned Mixed Use – East (MU-E) and has a future land use designation of Mixed Use – East (MU-E).

Staff: A. Fogel presents case details. Within the three buildings there will be one building with 9 apartment style units, one with 3 townhouse units and another with six townhouse units. The Sustainable Bonus Incentive is being utilized to achieve three (3) stories; provided will be a Public Art sculpture. The parking requirement is met through a combination of on-street parking, garage spaces and off-street spaces to total 35. There is a potential for a pocket park in the southeast corner of the property. The elevations show a Anglo-Dutch or Dutch Colonial style.

Applicant: Tim Carey-Inhabit Property Group-The RFP required that the building be architecturally significant which demanded the three-stories. Due to location it is a major thoroughfare entrance to the City. The RFP was awarded in November 2020, Village Flats was approved. The pandemic halted many things but they were given an opportunity to re-evaluate and meet with neighbors resulting in this product. How is the 20th century cottage architecture melded into modern townhome multifamily style? Opted for the missing middle housing (not mid-rises or single family). Had approximately eight neighborhood meetings and several walking tours. These structures can offer larger units to families, compared to some recently approved units, they are much larger. FDOT is trying to put in sidewalks in the area on the west side and on the southwest corner of the site to increase safety.

Board: Will the elevation of the site decrease? **Response:** a little but it is significantly higher. **Board:** that will keep the project nicely separated from the traffic. Would like to see the landscape plan and would like to review the sustainable bonus items to determine if there is a benefit to the public and City. **Staff:** The Sustainable Bonus Incentive Program requires that 50% of the total amount be paid to the City while

the applicant is proposing to provide Florida Green Building Certification for the other half of the incentive value. In this instance the total amount is \$60,517.60. LULA will review the sculpture prior to installation. The streetscape will be activated by the sculpture.

Motion: A. Cull moves to approve PZB 22-01400016 with staff recommended Conditions of Approval based upon competent substantial evidence in the staff report and in the testimony at the public hearing; E. LeBlanc 2nd.

Vote: Ayes all, unanimous.

C. PZB Project Number 22-01400030: Consideration of a Major Site Plan, Conditional Use Permit (CUP), and Sustainable Bonus Incentive Program (SBIP) requests for the project commonly referred to as “The Village Flats I” located at 1207/1209/1211/1213/ 1215 Lucerne Avenue and 1216/1220/1230 Lake Avenue for the establishment of 11 townhouse style units 3 studios for the total of 14 units. The sustainable bonus incentive program is for additional height and third story on the buildings fronting Lucerne Avenue. The subject site is zoned Mixed Use – East (MU-E) and has a future land use designation of Mixed Use – East (MU-E).

Staff: S. Rodriguez presents staff findings. The Sustainable Bonus request is for one additional story each on buildings 2 & 3, fronting Lucerne Avenue.. The total incentivized value is \$50,197.50 with half being due to the City and the other half to be provided through the Florida Green Building Certification. The buildings will contain a combination of townhouse and studio apartments. Buildings 1 and 4 are along Lake Avenue. Building 4 will have attached studios. Parking provided is 22 garage spaces, 10 off street and 13 on street spaces; 26 required with 45 provided.

Applicant: Tim Carey- Inhabit Group- This is scaled back from the previous approval. A live/work unit was difficult to achieve in a two-story structure hence the reason for the 3rd floor. Developer has met with neighborhood groups and the new design was met with positivity partly due to reduced height/mass from previous approval. The NSP2 funding required foot traffic, workforce housing, incentivize jobs.

Board: Parking seems to be in excess. **Response:** Based upon the 2-car garage design, four spaces are necessary (2 parking and 2 backup). Question about the impervious area? **Response:** With the grass-crete replacement in the courtyard, code will be met. Are the units for sale or rent? **Response:** For rent.

Motion: A. Cull moves to approve PZB 22-01400030 with staff recommended Conditions of Approval based upon competent substantial evidence provided in the staff report and testimony at the public hearing; E. LeBlanc 2nd.

Vote: Ayes all, unanimous.

D. PZB Project Number 22-01400040: Consideration of a Major Site Plan, Conditional Use Permit (CUP), and Sustainable Bonus Incentive Program (SBIP) requests for the project commonly referred to as “Village Flats II” located at 1401 Lucerne Avenue. The project proposes to construct a 2-story, 10-unit multifamily development consisting of a 5-unit townhouse-style building and a 5-unit apartment-style building. The property is zoned Mixed Use – East (MU-E) and has a future land use designation of Mixed Use – East (MU-E).

Staff: A. Fogel- The project also in of the Anglo-Caribbean style. Within the 10 dwelling units, the applicant will be providing one deed restricted, workforce housing unit. The SBIP amount due totals \$14,190.00 half of which may be provided in the form of on-site improvements. If not incorporated then the full amount would be due to the City. They are applying for Tier 1 Workforce Housing with a 15% density bonus.

Board: When will construction commence? **Response:** It is taking longer than usual, possibly 5 months.

Board: The impermeable surfaces requirement seems to be over the allowance. **Staff:** Yes, project is conditioned with grass-crete in the courtyards.

Motion: A. Cull moves to approve PZB 22-01400040 with staff recommended Conditions of Approval (including the condition # 3 amended that it shall be: ***restricted for workforce housing in accordance***

with the City's Affordable Workforce Housing Program, based upon competent substantial evidence in the staff report and in the testimony at the public hearing; E. Urcuyo 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES:

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: The different projects are nice but how can the Board give/ create the opportunity for citizens/ residents of the City to become homeowners instead of renters? Suggestion of recommending to Commission the earmarking Sustainable Bonus Incentive money and other monies coming into the different programs for down payment assistance.

Staff: Can make a recommendation to establish a program to encourage home ownership but the City cannot mandate or regulate tenure (ownership versus rental) as part of the applications. This is outside of the purview of the Board as the Board Attorney has advised.

Would it be possible for the Board to receive the City workforce housing ordinance?

Staff: Everyone has access to this information through the City website. Within the Land Development Regulations shows the Ordinance 2022-12 to be codified soon. This is where it can be found.

ADJOURNMENT: 8:25 pm

LEGAL NOTICE

PLEASE TAKE NOTICE that the City of Lake Worth Beach's Planning and Zoning Board (PZB) will conduct a meeting at 7 North Dixie Highway, Lake Worth Beach on Wednesday, January 18, 2023 at 6:00 pm or as soon thereafter to consider the following application.

PZB Project Number 22-01500008: Consideration of a variance by Yolanda Silva at 731 South M Street for the installation of a shed between the principal structure and the public street. The subject site is zoned Single Family Residential (SF-R) and has a future land use designation of Single Family Residential (SFR).

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

Public comment will be accommodated in person at the meeting, or virtually prior to the meeting through the web portal: <https://lakeworthbeachfl.gov/virtual-meetings/>. If you are unable to access the web portal, please email pzoning@lakeworthbeachfl.gov for a comment to be read into the record by a staff member.

Written responses or comments can be sent to the Department for Community Sustainability Planning and Zoning Division, 1900 2nd Avenue North, Lake Worth Beach, FL 33461 and must arrive before the hearing date to be included in the formal record. Affected parties, as defined in Section 23.1-12 of the Lake Worth Beach Code of Ordinances, who are interested in participation must notify the City of their status at least five (5) days before the hearing. Failure to follow the process will be considered a waiver of the right to

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

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.

1/7/2023 7356674



PLANNING AND ZONING BOARD REPORT

PZB Project Number 22-0000024: A request by 1017 Lake Ave, LLC., for The Bohemian at 101 South East Coast Street for the establishment of a mural on the western building façade to replace existing signage and for the approval of a previously installed mural painted on the northern garage façade. The subject site is zoned Transit Oriented Development East (TOD-E) and has a future land use designation of Transit-Oriented Development (TOD).

Meeting Date: January 18, 2023

Property Owner: 1017 Lake Ave, LLC

Applicant: 1017 Lake Ave, LLC

Address: 101 South East Coast Street

PCNs: 38-43-44-21-15-500-0010

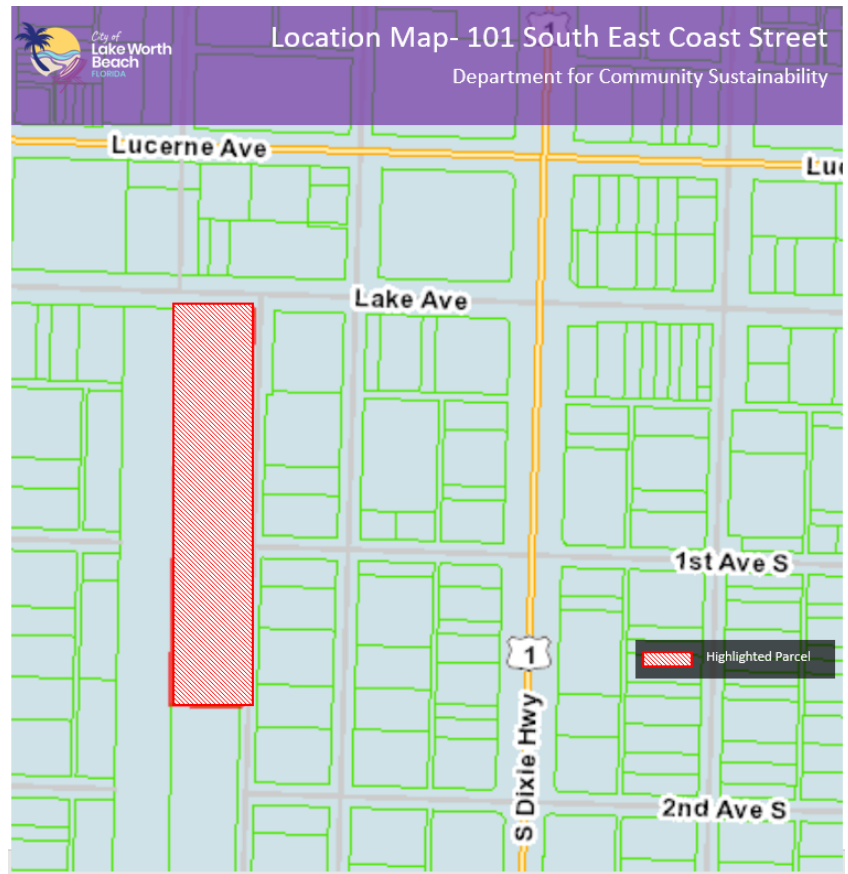
General Location: Southwest corner of South East Coast Street and Lake Avenue

Existing Land Use: Mixed-use, multi-family development

Current Future Land Use Designation: Transit-Oriented Development (TOD)

Zoning District: Transit Oriented Development East (TOD-E)

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and for consistency with the Comprehensive Plan. Staff recommends that the Board review the proposed murals for consistency with these standards. Photos of the murals are included as **Attachment A**. Additional information, including the artist credentials for Eduardo Mendieta and a justification statement, are included as **Attachment B**.

PROJECT DESCRIPTION

The applicant, 1017 Lake Ave, LLC, is requesting approval for a previously installed mural along the northern façade of the garage building facing the main residential building, and a new mural installation along the western façade of the main building fronting the railroad tracks to replace existing signage. The mural on the garage building depicts a tropical plant, and the new mural on the main building depicts green leaves and orange bird of paradise flowers encompassing the project nickname “Boho”. Both murals are designed by Eduardo Mendieta, a local artist. The subject property is located in the Transit Oriented Development East (TOD-E) zoning district and retains a Future Land Use (FLU) designation of Transit-Oriented Development (TOD). The existing land use of the subject building is a mixed-use, multi-family development.

PUBLIC COMMENT

Staff has not received letters of support or opposition from adjacent or nearby neighbors.

BACKGROUND

On July 30, 2020, Ordinance 2020-08 was passed for the creation of a Mixed Use Urban Planned Development District at the subject property. The ordinance approved a development of significant impact, conditional use permit, density and height bonus incentives through the City’s Sustainable Bonus Incentive Program and Transfer of Development Rights Program, and a major site plan for the construction of a mixed-use development consisting of 200 residential units, a 3,619 square foot commercial structure, and a five-story parking garage.

The approval included a master sign plan that is regulated in Exhibit B of Ordinance 2020-08, with the following planning condition: “10. A maximum of 20% of the final approved design of the painted wall sign design shall be allocated to commercial signage. The remaining 80% will be an artistic mural.”

The existing mural is approximately 28’-0” wide by 46’-10” high on the northern façade of the garage structure, and the proposed mural on the west façade of the main residential structure that will replace existing signage will be approximately 9’-4” wide by 40’-0” high at 101 South East Coast Street.

ANALYSIS

[Consistency with the Comprehensive Plan and Strategic Plan](#)

The City’s Comprehensive Plan, including in both the Future Land Use Element and the Economic Development Element, has multiple goals, objectives and policies encouraging the arts and economic development through arts and cultural activities. The City’s Strategic Plan Pillar III.D is to “inspire arts and culture through City through events and programs.” The proposed murals are generally consistent with both the Comprehensive Plan and Strategic Plan.

Consistency with the City's Land Development Regulations

Per LDR Section 23.1-12, a mural is defined as, "Any picture or graphic design painted on or otherwise applied to the exterior of a building or structure, or to a window."

LDR Section 23.5-1(e)13 provides standards and requirements for mural installation within the City. With regard to placement and location of murals, generally:

- *Murals shall be permitted in commercial and industrial districts.*
- *Murals shall not be permitted on the fronts of buildings or structures facing Lake Worth Road, Lake Avenue, Lucerne Avenue, Dixie Highway and Federal Highway, except as may be approved by the appropriate Board.*
- *Murals may co-exist with all types of on premises signs. If printed commercial messages are included in a mural, the entire mural shall be considered part of the overall allowable signage permitted by code.*

Analysis: The previously installed mural is located on the north façade of the garage structure, facing the main residential building, and the proposed new mural is located on the west façade that fronts the railroad tracks. The murals are not located along the City's major thoroughfare of Lucerne Avenue, as consistent with LDR Section 23.5-1(e)13. The LDRs also require that the design of the mural be consistent with the requirements of Section 23.2-31(l), which specifies community appearance review criteria. The criteria are listed below and include staff's responses

The new mural that replaces existing signage on the west façade that fronts the railroad contains a commercial message "Boho" that refers to the name of the development. For consistency with Ordinance 2020-08, staff has included a condition of approval that limits how much of the mural can be devoted to a commercial message. The applicant may need to reduce the text "Boho" unless the board determines that the text does not constitute commercial messaging.

Lake Worth Beach Code of Ordinances, Land Development Regulations 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.

Analysis: The mural generally appears to be of good taste and good design. The existing mural depicts a tropical plant and the proposed mural depicts green leaves and orange bird of paradise flowers encompassing the project nickname "Boho". The murals also meet the intent of the City's Comprehensive Plan and Strategic Plan to enhance the character of Lake Worth Beach and to inspire arts and culture throughout the City.

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.

Analysis: The proposed murals will be painted by Eduardo Mendieta, a local artist. The proposed murals appear to be of a high quality, and will not cause harm to the local environment.

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.

Analysis: The surrounding area of the subject property includes a mix of commercial and residential buildings, and generally appears to be in harmony with murals that exist elsewhere in the City.

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

Analysis: The subject property, 101 South East Coast Street, is not applying for a Conditional Use Permit. Therefore, this criterion is not applicable.

CONCLUSION AND CONDITIONS

The existing and proposed murals are appropriately located on the northern garage façade and west façade of the residential building fronting the railroad tracks; are in conformity with good taste and design; and are in harmony with the surrounding area as required by and consistent with the City's Land Development Regulations. Staff is requesting that the Board discuss and determine if the text "Boho" constitutes commercial messaging. Staff is recommending approval with conditions, as outlined below:

Planning and Zoning

1. The applicant shall apply for a City of Lake Worth Beach building permit for the installation of all murals included within PZB 22-00000024.
2. This approval does not include any physical alterations to building exteriors aside from paint application.
3. A mural removal agreement shall be entered between the applicant and the City of Lake Worth. This removal agreement shall be recorded with The Clerk and Comptroller of Palm Beach County, prior to completion of the proposed mural.
4. The mural on the on the west façade shall limit the "Boho" commercial message to the dimensions depicted in the plans. Any decrease in the area may be required by staff and any increase shall be subject to further review by the Planning and Zoning Board.

BOARD POTENTIAL MOTION:

I MOVE TO APPROVE PZB PROJECT NUMBER 22-00000024 for **mural** installations for the structures located at **101 South East Coast Street**. The application meets the mural criteria based on the data and analysis in the staff report.

I MOVE TO DISAPPROVE PZB PROJECT NUMBER 22-00000024 for **mural** installations for the structures located at **101 South East Coast Street**. The project does not meet the mural criteria for the following reasons [Board member please state reasons.]

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

ATTACHMENTS

- A. Proposed Murals
- B. Additional Information