



AGENDA
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, FEBRUARY 07, 2024 -- 6:00 PM

ROLL CALL and RECORDING OF ABSENCES:

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

CASES:

SWEARING IN OF STAFF AND APPLICANTS

PROOF OF PUBLICATION

- 1) [128 South F Street](#)
[702 South Dixie Hwy](#)

WITHDRAWALS / POSTPONEMENTS

PUBLIC HEARINGS:

BOARD DISCLOSURE

UNFINISHED BUSINESS:

NEW BUSINESS:

- A. PZB Project Number 24-12400001:** An Appeal of the Development Review Official's Decision regarding the expansion of outdoor storage areas at 128 South F Street, pursuant to but not limited to Sections 23.2-8, 23.4-19, and 23.1-8 of the Land Development Regulations. The subject site is zoned Artisanal Industrial (AI) and has a future land use designation of Transit Oriented Development (TOD).
- B. PZB Project Number 23-01400013:** A major site plan and sustainable bonus incentive program request to construct an office building at 702 South Dixie Highway. The sustainable bonus incentive program request is for an additional story (3 stories total). The subject site is zoned Mixed Use - Dixie Highway (MU-DH) and has a future land use designation of Mixed Use – East (MU-E).

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.

Legal Notice No. 49200

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, February 7, 2024 at 6:00 pm** or as soon thereafter to consider the following application:

PZB 23-01400013: A major site plan and sustainable bonus incentive program request to construct an office building at 702 South Dixie Highway. The sustainable bonus incentive program request is for an additional story (3 stories total). The subject site is zoned Mixed Use - Dixie Highway (MU-DH) and has a future land use designation of Mixed Use - East (MU-E). PCN #38-43-44-21-15-221-0071.

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 23.1-13 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.**

Publish: The Lake Worth Herald
January 25, 2024

Legal Notice No. 49201

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, February 7, 2024 at 6:00 pm or soon thereafter to consider the following application.

PZB 24-12400001; An Appeal of the Development Review Official's Decision regarding the expansion of outdoor storage areas at 128 South F Street, pursuant to but not limited to Sections 23.2-8, 23.4-19, and 23.1-8 of the Land Development Regulations. The subject site is zoned Artisanal Industrial (AI) and has a future land use designation of Transit Oriented Development (TOD), PCN #38-43-44-21-15-057-0010.

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/>.

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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.

Publish: The Lake Worth Herald
January 25, 2024

PLANNING AND ZONING BOARD REPORT

PZB Project Number 24-12400001: An Appeal of the Development Review Official’s Decision regarding the expansion of outdoor storage areas at 128 South F Street, pursuant to but not limited to Sections 23.2-8, 23.4-19, and 23.1-8 of the Land Development Regulations. The subject site is zoned Artisanal Industrial (AI) and has a future land use designation of Transit Oriented Development (TOD).

Meeting Date: February 7, 2023

Property Owners: S & D Land, LLC

Address: 128 South F Street

PCNs: 38-43-44-21-15-057-0010

Size: 0.3099-acre lot / ±2800 square feet of existing structure

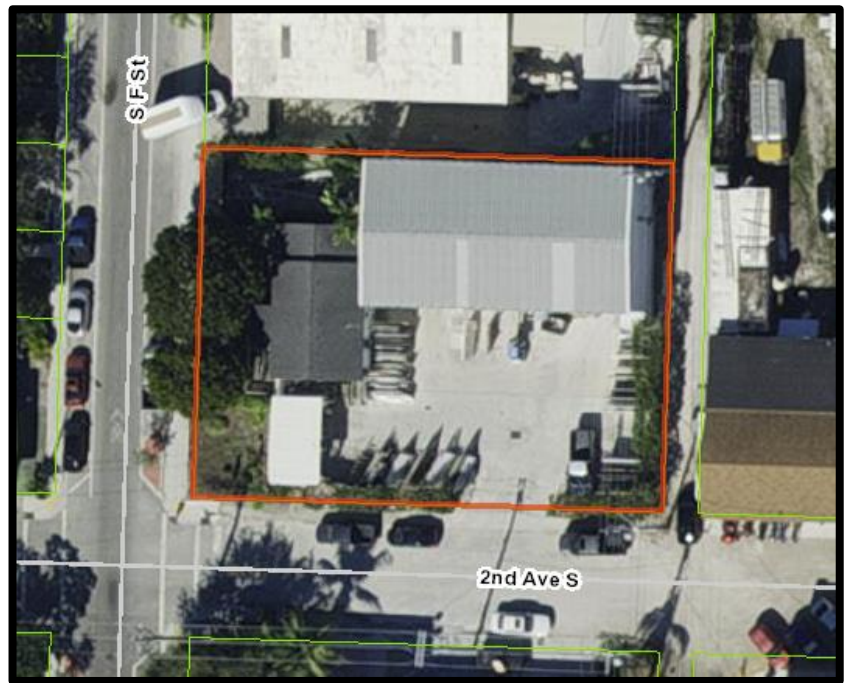
General Location: Northeast corner of S F Street and 2nd Avenue South

Existing Land Use: Fabrication Services/Manufacturing/Processing excluding retail display and sales

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

Zoning District: Artisanal Industrial (AI)

Location Map



RECOMMENDATION

The DRO denied the request to expand the outdoor storage areas at 128 S F Street. Staff recommends that the Board interpret LDR Section 23.2-8, 23.4-19, and 23.1-8 in manner consistent with the DRO's decision based on the zoning analysis in the following section.

PROJECT DESCRIPTION

The Applicant, Wes Blackman, on behalf of Patrona Marble & Granite is appealing a decision by the City's Development Review Official (DRO) denying the request to expand the outdoor storage areas at 128 S F Street.

PROPERTY HISTORY

- Based on City records, the property received approval from the Planning and Zoning Board at the March 17, 2004, meeting for:
 - A variance (PZB #02080001) related to use restrictions for stone cutting and finishing; and,
 - A site plan (PZB #03030011) for the construction of an industrial building. The site plan is included in **Attachment A**.
- Per Palm Beach County property appraiser's office, the 2,800 square foot warehouse structure was built in 2006.
- Based on City Records, Patrona Marble & Granite has maintained a City of Lake Worth Beach Business License since 2007. Per LDR Section 23.3-6, the business is classified as a Medium Intensity (less than 7,500 square feet) "Fabrication Services/Manufacturing/Processing excluding retail display and sales" use.
- According to the Property Appraiser's aerials, it appears the outdoor storage area began to expand beyond the approved 2004 site plan, within parking spaces, between 2012-2014.
- Code Enforcement case #23-0883 was established on May 23, 2023. The active violations include the expansion of outdoor storage and use & occupancy inspection.
- The applicant applied for a Zoning Verification Letter (PZ #23-01700057) on November 16, 2023 requesting a zoning interpretation on creating additional storage at the subject property.
- In response, a Zoning Determination by the DRO was issued on December 5, 2023, indicating the subject property cannot expand or request additional outdoor use areas per LDR Section 23.4-19. If additional storage is desired, it must be accommodated within a building, in accordance with LDR Section 23.1-8. The Zoning Determination Letter is included in **Attachment B**.
- On January 4, 2024, the Applicant submitted a notice of appeal to the DRO's written decision, included as **Attachment C**.

COMMUNITY OUTREACH

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

ANALYSIS

The subject property is located in the Artisanal Industrial (AI) zoning district. Per the 2004 site plan, included as an attachment, the property includes a "Material Lay-Down Yard". This is the only approved area for outdoor storage. No documentation has been found indicating approval for additional outdoor storage areas on the property.

Per [LDR Section 23.4-19](#), only properties located within the Industrial Park of Commerce (I-POC) area permitted to establish new outdoor storage areas accessory to an approved principal use. Therefore, the subject property, which is located within the Artisanal Industrial (AI) zoning district, cannot expand or request additional outdoor use areas. The approved "Material Lay-Down Yard" is a nonconforming use subject to the provisions of [LDR Section 23.5-3](#).

If additional storage is desired, it must be accommodated within a building. Per [LDR Section 23.1-12](#), a building is defined as *any structure, either temporary or permanent, having a roof, and used or built for the shelter or enclosure of persons, animals, vehicles, goods, merchandise, equipment, materials, or property of any kind. For purposes of this definition, equipment shall exclude mechanical and conveyance equipment. All buildings are structures, but not all structures shall be considered buildings.* In accordance with [LDR Section 23.1-8](#), a building shall have walls, adhering to the most restrictive interpretation of the building definition that aligns with the purposes and intent of the code. The proposal shall be subject to the site plan review process and shall comply with all applicable code requirements including the AI regulations listed in [LDR Section 23.3-23](#).

Pursuant to LDR Section 23.2-17, *Appeals*:

- a) *To planning and zoning board and historic resources preservation board. An applicant may appeal a final decision of the development review official to the planning and zoning board or the historic resources preservation board, as applicable, within thirty (30) days of the official's written decision.* The appeal shall be in writing on a form provided by city staff and accompanied by the applicable fee and filed with the development review official. The appeal shall be heard at a quasi-judicial hearing and be based on the record made in the proceeding below.

As indicated LDR Section 23.2-17(a), the Planning and Zoning Board has the authority to review appeals of a final decision of the DRO.

CONCLUSION AND CONDITIONS

Based on staff's analysis, Staff recommends that the Board interpret LDR Section 23.2-8, 23.4-19, and 23.1-8 in manner consistent with the DRO's decision.

BOARD POTENTIAL MOTION:

I MOVE TO **DENY** PZB Project Number 24-12400001: An Appeal of the Development Review Official decision, interpreting LDR Section 23.2-8, 23.4-19, and 23.1-8 in manner consistent with the DRO's decision.

I MOVE TO **APPROVE** PZB Project Number 24-12400001: An Appeal of the Development Review Official's decision to allow an additional storage area at 128 South F Street, within structures, subject to a site plan review process. [Board member please state reasons.]

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

ATTACHMENTS

- A. 2004 Site Plan
- B. Zoning Determination Letter
- C. Applicant's Notice of Appeal Submittal

PLANNING AND ZONING BOARD REPORT

PZB Project Number 23-01400013: A major site plan and sustainable bonus incentive program request to construct an office building at 702 South Dixie Highway. The sustainable bonus incentive program request is for an additional story (3 stories total). The subject site is zoned Mixed Use - Dixie Highway (MU-DH) and has a future land use designation of Mixed Use – East (MU-E).

Meeting Date: February 7, 2024

Property Owner: Byrnes Guillaume – SUNSHINE
 BNG SOUTH DIXIE HIGHWAY PROPERTY, LLC

Applicant: John Baldrige – Upright Construction
 and Estate Management, LLC

Address: 702 South Dixie Highway

PCN: 38-43-44-21-15-221-0071

Size: ±0.2060 acres/8,969.23 square feet

General Location: On the southeast corner of
 South Dixie Highway and 7th Avenue South

Existing Land Use: Vacant

Current Future Land Use Designation: Mixed Use
 – East (MU-E).

Zoning District: Mixed Use - Dixie Highway
 (MU-DH)

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs), and for consistency with the Comprehensive Plan and Strategic Plan. The proposed Major Site Plan and Sustainable Bonus Incentive Program (SBIP) requests are consistent with the Comprehensive Plan, Strategic Plan, and LDRs, as conditioned. Therefore, a **recommendation of approval with conditions** is provided to the Planning and Zoning Board. The conditions are located on pages 8 and 9 of this report.

PROJECT DESCRIPTION

The applicant, John Baldrige, on behalf of Upright Construction and Estate Management, LLC, is requesting approval of the development known as Guillaume Law Office located at 702 South Dixie Highway:

- A **Major Site Plan** for the development of an office building and additional site improvements.
- A **Sustainable Bonus** request for a bonus height of 1 story to allow a 3-story building as well as bonus floor area ratio (FAR).

The applicant is proposing a 3-story, office-use development on a .2060-acre lot with the purpose of improving the area. The building is designed with a ground-level parking lot, and offices on the second and third floors. The proposed development will be compatible with the surrounding mixed uses that include a mix of some commercial, as well as single and multi-family residential. The building is designed in a contemporary architectural style, with large vertically-proportioned windows, a smooth stucco and cementitious exterior finish, decorative aluminum detailing, flat roof, and eyebrow details.

COMMUNITY OUTREACH

Staff has not received any letters of support or opposition for this application. Per LDR Section 23.2-20, Public Neighborhood Meeting, a public neighborhood meeting shall be required for all Planned Developments, Developments of Significant Impact, and Lake Worth Beach Community Redevelopment Agency sponsored **new construction projects** along the City's major thoroughfares as well as those **utilizing the City's Sustainable Bonus Incentive Program**, Transfer of Development Rights Program and/or Economic Investment Incentives.

On December 11, 2023, the applicant held a virtual neighborhood meeting at 5:40 PM. Notices were mailed to all property owners within 400 feet of the project on November 16, 2023, and signs were placed on the property on November 17, 2023. There were eight attendees at the meeting. One of the attendees expressed support for the project but brought attention to the large pedestrian presence related to the nearby school. The applicant also has a project website: <https://bngproject.com/>

BACKGROUND

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

Construction: The subject site contained a structure that was demolished in 2022 through Building Permit #22-557.

Use: The property is currently vacant.

Code Compliance: The subject site does not have any open code compliance cases.

ANALYSIS

Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Mixed Use – East (MU-E). Per policy 1.1.1.5, The Mixed Use – East category is *intended to provide for 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 maximum density of permitted residential development is 30 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. While mixed-use projects are allowed on a single site, it is not a requirement that each site within the category incorporate multiple uses. Zoning regulations implementing the Mixed Use – East category shall permit the establishment and expansion of residential (including single family, two-family and multi-family), office, service and commercial retail uses either as uses permitted by right or through conditional use permit provisions. All buildings are required to provide transitional buffering and design features to mitigate impact of the MU-E sites adjacent to residential zoning districts.

Analysis: The proposed office use is intended in the MU-E FLU designation. The project would allow for the infill of a vacant property along of the City’s Major Thoroughfares with an architecturally appropriate and attractive design. The City’s Strategic Plan focuses on fostering safer neighborhoods, encouraging community pride, building a vibrant and diverse economy, planning for the future, and enhancing the natural, historic, and cultural environment of the City. Pillar II and Pilar IV of the Strategic Plan state that the City shall strengthen Lake Worth Beach as a community of neighborhoods and navigate towards a sustainable community. Pillars II.B, IV.A, and IV.E of the Strategic Plan state that the City shall continue crime reduction and prevention in achieving a safe, livable and friendly community; achieve financial sustainability and stable tax base; and ensure facility placement, construction and development that anticipates and embraces the future. The proposed building and associated site improvements will contribute towards the City’s Pillars II.B, IV.A, and IV.E of the Strategic Plan.

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

Consistency with the Land Development Regulations

Mixed Use – Dixie Highway (MU-DH): Per LDR Section 23.3-17(a), the "MU-DH mixed use Dixie Highway district" is designed for Dixie Highway, Lake Worth's commercial spine. The MU-DH district is intended to provide the establishment and expansion of a broad range of office and commercial uses, including higher density residential use. Certain commercial uses are not permitted in the district because they will be detrimental to the shopping or office functions of the area. The establishment of certain uses is subject to conditional use review to ensure they will not have a negative impact on nearby residential uses or on the commercial viability of their neighbors. The district implements in part the downtown mixed use land use category of the Lake Worth Comprehensive Plan.

The table and topic area analysis below evaluate the proposed site features and the project’s compliance with the Code, including factoring in the Sustainable Bonus incentives and the Comprehensive Plan maximums:

Development Standard		Base Zoning District Mixed Use – Dixie Hwy (MU-DH)	MU-DH w/ Sustainable Bonus Incentive Program (SBIP)	Provided
Lot Size (min) In square feet (sf)		6,500 sf	6,500 sf	±8,969 sf
Lot Width (min) East side of Dixie Hwy		50’	50’	±75’
Setbacks	Front (min build-to line)	10 ft. minimum not to exceed 22 ft.	Additional front setback of 8’ to 12’ <u>18 ft. min for third story</u>	First and Second story/ 10’-12’3” Third story/ 21’10”-18’

	Rear (min)	15 ft. or 10% of lot depth when next to residential zoning district (12.5')	Additional rear setback of 8' to 12' <u>20.5'</u>	38'2"
	Street Side (min)	10'	10'	10'
	Side Interior (min)	0'	0'	0'
Impermeable Surface Coverage (maximum)		65%	65%	±80%
Structure Coverage (max)		45%	45%	45%
Building Height (max)		30' (max. 2 stories)	Additional 5 ft. of height under Sustainable Bonus Incentive Program (not to exceed 3 stories) <u>35'-0" total height</u>	35'
Maximum Wall Height at Side Setback		30' wall height at setback	Additional 5 ft. of height under Sustainable Bonus Incentive Program (not to exceed 3 stories) 35'-0" wall height at setback	35'
Floor Area Ratio (FAR) (max)		0.90	1.4 (Additional 0.50 of FAR shall be granted for Sustainable Bonus Incentive Program).	.95
Parking		(See full parking analysis on page 5)		
Is property in flood plain or Wellfield Zone? Yes/No		Yes. Wellfield Zone 4.		

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

Analysis: The refuse will be collected in City approved trash cans/bins and stored in a designated refuse location on the northeast side of the property. The refuse area will be screened by landscaping.

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

Analysis: Staff has included a condition of approval that a revised photometric plan (consistent with the final site plan) shall be submitted in a Minor Site Plan to demonstrate compliance with the exterior lighting requirements in Section

23.4-3. A recommended condition of approval has been provided requiring the proposed lighting to comply with Dark Skies lighting recommendations. The proposed fixtures shall be required to have a warm tone setting of 3000K or less. The proposed fixtures may be substituted with similar fully shielded light fixtures at building permit to achieve a warm LED light tone of 3000K or less if the proposed fixture cannot be set to provide the required light tone.

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

Analysis: The required parking for the proposed office use is 18 spaces. The parking spaces were calculated at the following rate:

- 1 space/400 sf of office space (18 spaces for 6,944 sf)

A total of 18 parking spaces are provided. Parking is a mix of off-street (15 spaces, including 2 ADA spaces), and three (3) bicycle racks (12 bicycle spaces that count as 3 parking spaces).

Section 23.5-1- Signage: Signage is required to comply with the size and design requirements in the Land Development Regulations. The proposed signage will be reviewed at building permit for consistency with these requirements.

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

Analysis: The development proposal provides perimeter landscaping and shade trees. Tree species include a mix of Green Buttonwood, Silver Buttonwood, and Satin Leaf trees with multiple native shrubs, grasses, and groundcovers for the perimeter and interior plantings. The proposed refuse area is adequately screened. The proposed landscaping is consistent with the City’s landscape regulations and Major Thoroughfare Design Guidelines.

There are no existing trees on the development site; therefore, tree mitigation and replacement are not required.

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

Site Design Qualitative Standards are intended to “*promote safety and minimize negative impacts of development on its neighbors by establishing qualitative requirements for the arrangements of buildings, structures, parking areas, landscaping and other site improvements. The qualitative standards are designed to ensure that site improvements are arranged in ways which cannot be otherwise accomplished with quantitative standards.*” These qualitative standards are applicable to site plan applications as well as all conditional uses. The Major Thoroughfare Design Guidelines are an adopted component of these Site Design Qualitative Standards as per Section 23.2-31(j), which are applicable to properties adjacent to the City’s major thoroughfares inclusive of the subject site. Compliance determination with the applicable standards in Section 23.2-31 is provided in Attachment A. **The following analysis of the site, building, vehicular use area, and appearance support the compliance findings for the applicable standards listed in Attachment A and in the Major Thoroughfare Design Guidelines.**

Site Design Qualitative Standards Analysis (including vehicular use areas) and Major Thoroughfare Design Guidelines: The proposed improvements to the site, including landscaping and architecture, are generally consistent with the Major Thoroughfare Design Guidelines. The character of the proposed development is consistent with the vision for the Major Thoroughfare Design Guidelines, providing for vibrant, diverse, safe, inviting, and sustainable features. The perimeter public sidewalks provide walkability and connectivity to the on-site pedestrian walkways. The primary frontage of the building is placed along South Dixie Highway, with off-street parking accessed through the rear alley and 7th Avenue South, such that it minimizes vehicular interaction with the pedestrian circulation. The

building is proposed with a ground floor lobby and parking area, and two additional stories provide office space. Adequate interior and perimeter landscaping are provided with a variety of trees and hedges. The landscaping of the perimeter buffers is designed to complement the contemporary architectural style of the building. The proposed improvements to the site are harmonious as a whole, will improve the aesthetics of the site, and will be an asset to the neighborhood. A condition has been proposed to address the 25% glazing requirement from the Major Thoroughfare Design Guidelines.

The existing uses in the surrounding area are as follows:

Direction	Future Land Use	Zoning District	Existing Use
North	Mixed Use – East (MU-E)	Mixed Use – Dixie Highway (MU-DH)	7 th Ave S ROW/Convenience Store
South	Mixed Use – East (MU-E)	Mixed Use – Dixie Highway (MU-DH)	Lord’s Place, Inc.
East	Single-Family Residential (SFR)	Single-Family Residential (SFR)	Two-family residential
West	Mixed Use – East (MU-E)	Mixed Use – Dixie Highway (MU-DH)	US 1 ROW/ Vacant Lot & Motel

The proposed uses and site improvements will not negatively affect the existing surrounding properties and uses. The proposed changes are harmonious and compatible with the existing mixed-use area.

Community Appearance Criteria:

The proposed office project includes new construction, new landscaping, and associated site improvements that represent an enhancement in the general appearance of the property over the existing vacant lot. The proposed contemporary architectural style of the building is appropriate and in harmony with the surrounding residential and nonresidential area. The proposed design includes contemporary architectural features, such as flat roofs, large windows, use of multiple exterior wall finishes, decorative eyebrows, and an asymmetrical layout. The contemporary building will improve the aesthetic of the surrounding neighborhood. Overall, the proposed project represents a substantial improvement in the visual appearance over the existing property and is consistent with the Comprehensive Plan, Major Thoroughfare Design Guidelines, and the City’s Land Development Regulations (LDRs). The project is in conformity with the principals of good design and quality and is in harmony with the City and the surrounding area as conditioned.

Sec. 23.2-39(j). - Affordable/workforce housing program.

The City’s Affordable/Workforce Housing Program is intended to implement Objective 3.1.2 of the city comprehensive plan future land use element and provisions therein regarding affordable and workforce housing. The affordable/workforce housing program provides for a density bonus and a reduction in overall housing unit areas for developments that incorporate residential units with restrictive covenants that meet the requirements of the program.

Per LDR Section 23.2-39, Tier Two of the Affordable/Workforce Housing Program applies to all projects utilizing other city incentives and/or bonus programs. As the proposed project is requesting to use a city incentive (Sustainable Bonus Incentive Program) to allow additional height and FAR, the Tier Two requirement applies. However, as the proposed project does not include any residential use, the project must use the in-lieu fee (LDR Section 23.2-9(j)). The in-lieu fee is based on fifteen (15%) percent of the gross area of the bonus requested for the project (15% of 3,362 square feet = 504.3 square feet) and shall incorporate a one-time payment of fifty dollars (\$50) or 0.0625% of the area median income (\$98,300), whichever is greater, per gross square foot ($\$98,300 \times 0.000625 = \61.4375). Therefore, the total required

Affordable/Workforce Housing Program in lieu payment to the City is \$30,982.93 (\$61.4375 x 504.3). Conditions of approval are proposed to address the in-lieu payment for the Affordable/Workforce Housing Program.

Section 23.2-33(c) - Sustainable Bonus Incentive Program (SBIP)

The City of Lake Worth Beach Sustainable Bonus Incentive Program (SBIP) is intended to implement Objective 1.2.3 of the City's Comprehensive Plan which states *the City shall establish incentives to help support the creation of a compact, sustainable, community-oriented development by implementing a Sustainable Bonus Incentive Program*. The Program offers the opportunity for increased height and FAR in exchange for the incorporation of sustainable design features, community-based improvements, and overall design excellence as part of a development proposal.

Per Policy 1.2.3.4 of the City's Comprehensive Plan, *"incorporation of Sustainable features is required for developments over two stories, which allows for increases in density, height and intensity over base line maximums. Annually, the City Commission shall establish base line sustainable bonus values required to participate in the program."* The applicant is asking for a bonus height which is less than the maximum allowances that can be permitted for height through a sustainable bonus incentive in a MU-DH zoning district.

The total square footage of the bonus area above the second floor is ±3,362 square feet. Therefore, the value of required improvements for the SBIP bonus areas is \$25,215 (3,362 square feet x \$7.50 per square foot). Fifty percent (50%) of the incentive award value is \$12,607.50, which the applicant is required to pay to the City. For the remaining 50% of the incentive award value (\$12,607.50), the applicant may propose qualified on-site improvements or provide additional payment to the City. Conditions of approval are proposed to address the sustainable bonus fees.

CONCLUSION AND CONDITIONS

Based on the data and analysis in this report and the supporting materials by the applicant, the proposed site plan, building design, landscaping, and site circulation are appropriate and consistent with the City's Comprehensive Plan, Strategic Plan, Major Thoroughfare Design Guidelines, and Land Development Regulations. The proposed site circulation, parking, and refuse are anticipated to minimize and/or mitigate any impacts of the office proposal on the adjacent and proximate uses. Therefore, a recommendation of approval is provided to the PZB with the following conditions:

Planning & Zoning

1. Fifty percent of the sustainable bonus fee shall be paid to the City within one year of approval, or prior to the issuance of the building permit, whichever comes first.
2. The applicant shall provide qualifying sustainable bonus features equal to fifty percent of the sustainable bonus fee, or shall be required to pay the remaining incentive value in its entirety prior to the issuance of a certificate of occupancy.
3. The applicant shall provide the in-lieu affordable/workforce housing fee within one year of approval, or prior to the issuance of the building permit, whichever comes first.
4. The proposed project shall comply with Palm Beach County's Unified Land Development Best Management Practices for Wellfield Protection.
5. Prior to the issuance of building permit, a Minor Site Plan amendment shall be submitted to implement the following:
 - a. Revise the landscape plan to match the site plan.
 - b. The site table shall be revised to list the correct FAR and impermeable maximums in accordance with MU-DH regulations.
 - c. Revise the site plan to comply with maximum impermeable surface allowance.
 - d. The site data table shall be revised to update the building setbacks and the 25% glazing requirement on the site data table to be consistent with site plan measurements.

- e. A revised photometric plan shall be submitted. All lighting shall comply with lighting code regulations in LDR Section 23.4-3. Further, lighting fixtures shall comply with dark skies fixture recommendations, including a 3000K light tone or less for LED lighting, and shall be consistent with the architectural style of the project as determined by the Development Review Official.
- f. Incorporate any plan changes based on the conditions of approval from other departments.

Public Works

1. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable standards including but not limited to the Florida Department of Transportation (FDOT), Manual on Uniform Traffic Control Devices (MUTCD), and City of Lake Worth Public Works Construction Standards and Policy and Procedure Manual.
2. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied under jurisdiction of the Department of Public Works.
3. Prior to the issuance of a building permit, contact the Lake Worth Drainage (LWDD) District's Engineering Department and obtain any required permit(s), if necessary, and furnish to the City. Prior to the issuance of a building permit, contact the South Florida Water Management District's (SFWMD) Engineering Department and obtain any required permit(s), if necessary.
4. Prior to issuance of a certificate of occupancy, construct a new 5-foot wide sidewalk along 7th Avenue South in compliance with the Public Works Department's specifications and Policy and Procedure Manual.
5. Prior to issuance of a certificate of occupancy, install new Type F curb along 7th Avenue South in compliance with the Public Works Department's specifications. See attached plan markup for details.
6. Prior to issuance of a certificate of occupancy, reconstruct the roadway (or mill and overlay), along 7th Avenue South in compliance with the Public Works Department's specifications.
7. Prior to the issuance of a building permit, provide a signage and striping plan that illustrates the striping pattern necessary for vehicles entering and exiting the property.
8. Prior to the issuance of a Certificate of Occupancy, broom sweep all areas of the affected right of way and remove of all silt and debris collected as a result of construction activity.
9. Prior to performing work in the right of way, apply for and receive issuance of a "Right of Way/Utility Permit" application.
10. Prior to the issuance of a certificate of occupancy, ensure the entire surrounding off-site infrastructure inclusive of the roadway, sidewalk, curbing, stormwater system piping and structures, valve boxes, manholes, landscaping, striping, signage, and other improvements are in the same condition as prior to construction. A pre-construction video of the entire perimeter shall be performed and submitted to the City.

Utilities – Electric

1. Prior to the issuance of a building permit, the following actions shall be completed:
 - a. Please indicate on survey the electric utility for commercial building. The electric utility will be provided from the west side of parcel.
 - b. Provide load calculations and voltage requirements. This includes the electric riser diagram with wire size and number of sets of wires. If any meter is over 320 amps for Single Phase, or over 200 amps for 3-Phase, a CT cabinet and CT meter will be needed to be installed. All meters and CT cabinets will require a minimum of 36" (36 in) clearance in front for installation of meter.
 - c. Provide the meter bank location on the electrical plans.
 - d. Indicate on the riser diagram whether the electric service will be overhead or underground. The proposed location of the meter bank will need to be accessible for installation if overhead or underground.
2. Prior to the issuance of a Certificate of Occupancy for new building, a final electric inspection must be performed.

Utilities – Water & Sewer

1. Prior to building permit issuance,
 - a. A minor site plan will be required to address the following:
 - i. Drainage calculations reference Delray Beach retention requirements. The policy of the City of Lake Worth Beach is a property must retain the 3-year 1-hour storm event on site based on the runoff of the entire site area. This is equivalent to 2.6 inches of precipitation.
 - ii. The concluded exfiltration trench length required is more than the trench length provided.
 - iii. Trench top elevation on plans does not match elevation in calculations.

BOARD POTENTIAL MOTION:

I move to **approve with conditions** the major site plan and sustainable bonus incentive program request to construct an office building at 702 South Dixie Highway based on upon the competent and substantial evidence provided in the staff report and in the testimony at the public hearing.

I move to **disapprove** the major site plan and sustainable bonus incentive program request to construct an office building at 702 South Dixie Highway. The project does not meet the criteria for the following reasons [Board member please state reasons.].

Consequent Action: *The Planning & Zoning Board's decision will be the final decision for the major site plan and sustainable bonus incentive program request. The Applicant may appeal the Board's decision directly to the City Commission.*

ATTACHMENTS

- A. Qualitative Development Standards
- B. Architecturals
- C. Landscape Plan
- D. Supporting Documentation

ATTACHMENT A – Qualitative Development Standards

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

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

Section 23.2-31(d) - Qualitative Buildings, generally	Analysis
<p><i>1. Buildings or structures which are part of a present or future group or complex shall have a unity of character and design. The relationship of forms of the use, texture and color of material shall be such as to create one (1) harmonious whole. When the area involved forms an integral part of, is immediately adjacent to, or otherwise clearly affects the future of any established section of the city, the design, scale and location of the site shall enhance rather than detract from the character, value and attractiveness of the surroundings. Harmonious does not mean or require that the buildings be the same.</i></p>	Not Applicable
<p><i>2. Buildings or structures located along strips of land or on a single site, and not a part of a unified multi-building complex shall achieve as much visual harmony with the surroundings as is possible under the circumstances. If a building is built in an undeveloped area, three (3) primary requirements shall be met, including honest design construction, proper design concepts, and appropriateness to the city.</i></p>	Not Applicable

3. *All façades visible to public or adjacent property shall be designed to create a harmonious whole. Materials shall express their function clearly and not appear foreign to the rest of the building.* **In compliance**
4. *The concept of harmony shall not infer that buildings must look alike or be of the same style. Harmony can be achieved through the proper consideration of scale, mass, bulk, proportion, height, orientation, site planning, landscaping, materials, rhythm of solids to voids and architectural components including but not limited to porches, roof types, fenestration, orientation and stylistic expression.* **In compliance**
5. *Look-alike buildings shall not be allowed unless, in the opinion of the board, there is sufficient separation to preserve the aesthetic character of the present or evolving neighborhood. This is not to be construed to prohibit the duplication of floor plans and exterior treatment in a planned development where, in the opinion of the board, the aesthetics or the development depend upon, or are enhanced by the look-alike buildings and their relationship to each other.* **Not Applicable**
6. *Buildings, which are of symbolic design for reasons of advertising, unless otherwise compatible with the criteria herein, will not be approved by the board. Symbols attached to the buildings will not be allowed unless they are secondary in appearance to the building and landscape and are an aesthetic asset to the building, project and neighborhood.* **Not Applicable**
7. *Exterior lighting may be used to illuminate a building and its grounds for safety purposes, but in an aesthetic manner. Lighting is not to be used as a form of advertising in a manner that is not compatible to the neighborhood or in a manner that draws considerably more attention to the building or grounds at night than in the day. Lighting following the form of the building or part of the building will not be allowed if, in the opinion of the board, the overall effect will be detrimental to the environment. All fixtures used in exterior lighting are to be selected for functional as well as aesthetic value.* **In compliance as conditioned**
8. *Building surfaces, walls and roofs shall be compatible and in harmony with the neighborhood.* **In compliance**
9. *"Take-out" or "pick-up" windows of retail or wholesale establishments shall not be located on a building façade that faces a public right-of-way, unless they are designed in such a manner as to constitute an aesthetic asset to the building and neighborhood.* **Not Applicable**
10. *All exterior forms, attached to buildings, shall be in conformity to and secondary to the building. They shall be an asset to the aesthetics of the site and to the neighborhood.* **In compliance**
11. *All telephones, vending machines, or any facility dispensing merchandise, or a service on private property, shall be confined to a space built into the building or buildings or enclosed in a separate structure compatible with the main building, and where appropriate and feasible, should not be readily visible from off-premises.* **Not Applicable**
12. *Buildings of a style or style-type foreign to south Florida or its climate will not be allowed. It is also to be understood that buildings which do not conform to the existing or to the evolving atmosphere of the city, even though possessing historical significance to south Florida, may not be approved.* **Not Applicable**
13. *No advertising will be allowed on any exposed amenity or facility such as benches and trash containers.* **In compliance**

14. *Light spillage restriction. The applicant shall make adequate provision to ensure that light spillage onto adjacent residential properties is minimized.* **In compliance as conditioned**

Section 23.2-31(h) – Criteria for parking lots and vehicular use areas	Analysis
<p>1. <i>Parking lots and other vehicular use areas are to be designed as an aesthetic asset to a neighborhood and to the building, group of buildings, or facility they serve. A parking lot is to be considered an outside space; a transitional space that is located between access areas (such as roads) and the building, group of buildings or other outside spaces which it serves. The parking lot, because it is viewed from above as well as at eye level, should be designed accordingly.</i></p>	In compliance
<p>2. <i>Parking lots, vehicular use areas, and vehicles parked therein are to be effectively screened from the public view and from adjacent property in a manner that is attractive and compatible with safety, the neighborhood and the facility served.</i></p>	In compliance
<p>3. <i>The responsibility for beautification and design of a parking lot is the same as that which a homeowner has to his residential lot. The atmosphere within a parking lot or vehicular use area is to be as pleasant and park-like as possible, rather than a harsh stand of paving. Trees are of primary importance to the landscape and are not to be minimized in either height or quantity. Trees impart a sense of three-dimensional space in a relatively flat area. Trees cast shadows that help to reduce the monotony of an expanse of paving and create a refuge from the tropical sun. Signs designating entrances, exits and regulations are to be of a tasteful design and shall be subject to review by the board. Consideration may be given to use of pavement which is varied in texture or color to designate lanes for automobile traffic, pedestrian walks and parking spaces. Brightly colored pavement is to be used with restraint. In order to create a pleasant atmosphere, it is recommended that consideration be given to sculpture, fountains, gardens, pools and benches. Design emphasis is to be given to the entrance and exit areas of the lot. Trash, refuse and unaesthetic storage and mechanical equipment shall be screened from the parking lot.</i></p>	In compliance
<p>4. <i>Lighting is to be designed for visual effects as well as safety and resistance to vandalism. Care should be taken not to create a nuisance to the neighborhood from brightness or glare. Low lights in modest scale can be used along with feature lighting emphasizing plants, trees, barriers, entrances and exits. The fixtures are to be selected for functional value and aesthetic quality. Fixtures should be regarded as "furniture of the parking lot" which are visible both day and night.</i></p>	In compliance as conditioned

Section 23.2-31(l) – Community Appearance Criteria	Analysis
<p>1. <i>The plan for the proposed structure or project is in conformity with good taste, good design, and in general contributes to the image of the city as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality.</i></p>	In compliance
<p>2. <i>The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.</i></p>	In compliance

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.* **In compliance**
4. *The proposed structure or project is in compliance with this section and 23.2-29, Conditional Use Permits (CUP), as applicable.* **Not Applicable**