



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: June 10, 2020

TO: Members of the Planning and 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 17, 2020

SUBJECT: **PZB Project Number 20-00500008**: Request by Bryan Sherman, Sloan Consulting Inc on behalf of Arbor Square Realty Co., LLC for a Conditional Use Permit to allow a single destination retail use at 2507 North Dixie Highway, within the Mixed Use – Dixie Highway (MU-DH) zoning district. The subject property PCN is 38-43-44-16-25-001-0000.

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**PROJECT DESCRIPTION:**

The Applicant, Bryan Sherman of Sloan Consulting Inc on behalf of Arbor Square Realty Co., LLC is requesting approval of a Conditional Use Permit for a single destination retail use, more specifically, a Family Dollar. The site, 2507 North Dixie Highway, is located within an existing retail plaza, 2505 North Dixie Highway, at the southwest corner of North Dixie Highway and the West Palm Beach Canal, also known the C-51 Canal. The retail plaza currently has 20 leasable retail spaces, totaling 67,450 square feet and has 353 parking spaces. Per LDR Section 23.1-12, the definition of a single-destination retail use is “a retail establishment providing a wide array of retail items that are complimentary and similar in nature that are offered in a singular location.” The proposed business, Family Dollar, is a retail establishment that offers a wide assortment of items, including but not limited to cleaning supplies, kitchen essentials, discount groceries, seasonal items, and toys. Per the Applicant’s floorplan, Family Dollar is intending to utilize the entire retail space within 2507 North Dixie Highway, which is 10,450 square feet. The business is proposed to be open seven days a week from 8 am to 8 pm. The Applicant states the business is proposing the outdoor storage of merchandise for propane and ice sales, and is also intending to include alcohol and tobacco sales as part of the business scope.

**Staff Recommendation:**

Staff has reviewed the documentation and materials provided, applying the applicable guidelines and standards found in the City of Lake Worth Zoning Code. The proposed use meets the criteria of the Comprehensive Plan and LDRs. Therefore, staff is recommending approval with conditions outlined in the Conclusion.

**PROPERTY DESCRIPTION:**

<b>Applicant</b>	Bryan Sherman, Sloan Consulting Inc
<b>Owner</b>	Arbor Square Realty Co., LLC
<b>General Location</b>	2500 block of North Dixie Highway at the southwest corner of North Dixie Highway and the West Palm Beach Canal
<b>Existing PCN Numbers</b>	38-43-44-16-25-001-0000
<b>Existing Land Use</b>	Vacant (previously retail)
<b>Zoning</b>	Mixed Use – Dixie Highway
<b>Future Land Use Designation</b>	MU-E

**LOCATION MAP:**



**BACKGROUND:**

The space where Family Dollar is seeking to operate is located within a 6.6-acre plaza known as Arbor Square. Below is a timeline summary of the retail space, 2507 North Dixie Highway, based on Palm Beach Property Appraiser's records and City records:

- 1978 – The construction of a 20-retail space shopping center on a 6.6-acre site at 2505 North Dixie Highway was approved by the City.
- 1980 – the retail plaza was constructed on the 6.6-acre site at 2505 North Dixie Highway.
- March 4, 1980 – a Certificate of Final Completion and Occupancy was issued to the building at 2507 North Dixie Highway. The retail space was originally constructed as an 8,450 square foot Shoppers Drug store.
- August 27, 1985 - January 15, 2009 to September 30, 2009 – Sav Mart Inc (retail) held an active business license at 2507 North Dixie Highway.
- March 20, 2009 – A building permit was issued to revise the parking lot striping plan, which includes 372 parking spaces on Tract A, 11 spaces being ADA spaces.
- December 9, 2010 – A building permit was issued to for the interior build-out of a 10,450 square foot Dollar General store. The space appears to expand into the entire 2,000 square foot unit to the north, 2509 North Dixie Highway.
- February 25, 2011 to September 30, 2016 – Dollar General (retail) held an active business licenses at 2507 North Dixie Highway.
- May 28, 2020 - there are no active business licenses associated with 2507 North Dixie Highway.
- May 28, 2020 – there is one active code case and one open lien in relation to the entire plaza, 2505 North Dixie Highway. The details of these cases are described within Staff's analysis of the project's consistency with the City's LDRs.

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

Staff has not received any letters of support or opposition.

**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 MU-E FLU provides 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 proposed single destination retail use is a commercial use proposed to be located within a shopping plaza that fronts North Dixie Highway, and therefore is consistent with the intent of the MU-E FLU. Furthermore, Goal 1.3 aims to preserve and enhance the City's character as a quality residential community and business center within Palm Beach County's urban area. The proposed business is activating a currently vacant retail space which has remained vacant for the past four years. Because the establishment of the single destination retail use will result in preserving the character of the retail plaza, the proposal is consistent with Goal 1.3. Additionally, the Applicant has submitted a separate application to improve the façade of the entire Arbor Square shopping plaza. Staff will be working with the Applicant on the proposed renovations in attempt to bring the property up to compliance as much as feasible possible.

The City's Strategic Plan focuses on fostering safer neighborhoods, encouraging community pride, building a vibrant and diverse economy, planning for the future, and enhancing the natural, historic, and cultural environment of the City. Pillar IV.A and Pillar IV.D of the Strategic Plan state that the City shall achieve economic and financial sustainability through a versatile and stable tax base, and influence the supply and expansion of jobs. Because the proposed single destination retail use will contribute towards the City's tax base and sustain or increase job supply, as it is taking the place of a vacant retail space, the use is consistent with Pillar IV.A and Pillar IV.D. Pillar IV.B, Pillar IV.C, Pillar IV.E, and Pillar IV.F are not applicable to this application.

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

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

Per Section 23.2-29, conditional uses are defined as generally compatible with the other uses permitted in a district, but that require individual review of their location, design, structure, configuration, density and intensity of use, and may require the imposition of pertinent conditions to ensure the appropriateness and compatibility of the use at a particular location and to prevent or minimize potential adverse impacts to the surrounding area. The Department of Community Sustainability is tasked in the Code to review conditional use applications for consistency with the City's LDRs, for compliance with the findings for granting conditional uses (analyzed in the next section) and to provide a recommendation for whether the application should be approved, approved with conditions, or denied.

**Staff Analysis:** The 20-retail space shopping plaza at 2505 North Dixie Highway was constructed in 1980. The subject retail space, 2507 North Dixie Highway, is located in the northwest corner of the plaza and was originally built as an 8,450 square foot Shopper's Drug store. On December 9, 2010, a building permit was issued for the interior build-out of 10,450 square foot Dollar General store, which expanded into the entire 2,000 square foot unit to the north, 2509 North Dixie Highway. There is no active business license for this use. The building currently does not conform to the current land development regulations, which subjects the site to the nonconformities section of the land development regulations.

A search performed on May 28, 2020 indicated that there are no active code cases at the subject retail space, 2507 North Dixie Highway; however, there is one active code case and one open lien in relation to the entire plaza, 2505 North Dixie Highway. The open code case, case #20-00000471, has two components:

- Apply for and obtain City of Lake Worth Beach business licenses for all tenants
- Apply for and obtain a Use and Occupancy Certificate for all buildings

The open lien, case #20-00002265, has multiple components related to property neglect including:

- Damaged steel post
- Uneven/broken asphalt and dislodged concrete curbing
- Worn-off seal coating on asphalt
- Faded parking striping
- Exposed bare electrical wiring and receptacles
- Discolored/faded/mismatched paint on exterior walls

This application has been conditioned that if approved, all liens and code case violations shall be remedied prior to Family Dollar receiving a City business license. In addition to the existing open cases, the site is not consistent with the City's LDRs in the following areas:

- Landscaping

- Maximum front setback
- Maximum impermeable surface coverage
- Major Thoroughfare Design Guidelines

These items are detailed in the paragraphs below. Staff has prepared conditions of approval requiring the site to be brought into compliance with the City's Code in so far as feasible prior to the issuance of a business license for the use. The proposed use would not expand any existing non-conformities. Further, the site would be required to reduce non-conformities with the land development regulations and remedy code compliance issues per the staff recommended conditions of approval. In the recommended conditions, code consistency and compliance issues are required to be addressed prior to the issuance of the business license. The proposed application is consistent with the City's LDRs with conditions based on the following data and analysis:

**Mixed Use – Dixie Highway:** Per LDR Section 23.3-17(a), the MU-DH zoning district is intended to provide for the establishment and expansion of a broad range of office and commercial uses, including higher density residential uses. The establishment of certain uses is subject to conditional use review to ensure the use will not have a negative impact on nearby residential uses or on the commercial viability of the neighbors. The proposed single destination retail use is a commercial use that is anticipated in the MU-DH zoning district. Based on the information provided by the Applicant, staff believes that the proposal seeks to minimize negative impacts on surrounding properties and complies with the conditional use criteria outlined in LDR Section 23.2.29.

**Setbacks:** The placement of the existing building exceeds the maximum allowed front setback of 22 feet. Based on the survey provided, the principal building is about 155 feet from the front property line. As noted, the shopping center was constructed in 1980 prior to the current setback requirements and the building's setback non-conformity is not easily remedied. Therefore, no change is proposed or recommended to bring the structure into conformance with the current code requirements at this time. Should the building be altered beyond 50% of the assessed value, then the entire site must come into conformity with the land development regulations.

**Impermeable Surface Coverage:** The site currently conforms to the maximum allowed structure coverage, but does not conform to the maximum allowable impermeable surface coverage. Based on the survey and site plan provided, the lot appears to have a total impermeable surface coverage of 90%, which is 25% over the maximum coverage allowance. Based on surveys obtained from the City's property file, it appears that the existing impermeable lot coverage matches the original approved site plan. If approved, the project is conditioned to reduce the impermeable surface coverage as much as feasibly possible during the minor site plan process.

**Parking:** As mentioned, on March 20, 2009, a City building permit was issued to revise the parking lot striping plan, which included 372 parking spaces on Tract A, 11 spaces being ADA spaces. In speaking with the Applicant, the site currently has a total of 353 parking spaces. Therefore, it appears that the site has reduced its parking by 19 spaces since 2009.

Per LDR Section 23.4-10(f), a shopping center shall provide a minimum of one space per 250 square feet of gross leasable area. The site has 67,450 square feet of leasable retail space, which equates to a minimum requirement of 270 off-street parking spaces. Therefore, while the site has gone through a reduction of parking over the years, the shopping center currently exceeds its parking requirement by 83 spaces.

**Landscaping:** The shopping plaza's existing landscape does not comply with the City's Landscape Code requirements. To minimize the property's landscape nonconformities, Staff has included a recommended condition of approval that the property owner bring the landscaping up to conformance as much as feasibly possible prior to the issuance of a business license. The landscape improvements can be proposed with the Minor Site Plan

Amendment application. It is recommended that the property owner meet with the City Horticulturist prior to making the landscape improvements in order to make sure that all of the landscape requirements are met.

Required improvements include but are not limited to:

- Remove damaged concrete curbing adjacent to the existing trees taking care not to damage the existing root systems.
- Plant native shade trees in the parking lot islands matching the spacing pattern of the existing trees.
- Plant a small maturing native shade tree in the each of 2 smaller islands on the north side of the property and plant 1 medium native shade tree in the larger island adjacent to the handicap parking spots on the north side of the property.
- Remove existing shrubs along the arcade and replace them native shrubs and add native shrubs to areas that currently do not have shrubs.
- Mulch all trees and landscape beds.

**Signage:** The subject retail space does not appear to have any signage at this time. No signage plan was required for concurrent review with the conditional use request. However, the Applicant provided draft sign area and placement as part of the application package. The draft sign proposal illustrates a 82.75 square foot wall sign placed on the east facade of the retail space. Per LDR Section 23.5-1(f)(6), shopping centers are exempt from the total sign area requirements. Additionally, the maximum allowable sign area for wall signs within a shopping center shall be one square foot per each linear foot of business frontage. The subject space, 2507 North Dixie Highway has 85 feet of linear business frontage, and therefore, the proposal is compliant with the Code's allowable sign area. Staff will further analyze the proposed signage for the entire shopping center during the minor site plan review process. The Applicant will be required to permit all new signage in accordance with the regulations outlined in LDR Section 23.5-1, Signs.

**Outdoor Storage:** As noted, the business is proposing the outdoor storage of merchandise for propane and ice sales. Per LDR Section 23.4-19(c)(1), outdoor storage of merchandise for sale within the establishment located on the site shall be limited to the area located between the front façade and the public right-of-way and shall only be outside of the building during hours of operation. **Further, outdoor storage is subject to ADA compliance and cannot obstruct walkways.** Therefore, the propane and ice shall either be kept inside the building during non-operating hours, or be kept inside the building permanently. The Applicant shall note that State and City permits are required for the indoor storage of a propane tank.

**Sales of Alcohol and Tobacco:** The business wishes to include the sales of alcohol and tobacco as part of their business scope. Per Sec. 5-5 of the Code, no alcoholic beverage shall be sold at a location that is within 500 feet of a church, public or private school, park, library (protected land use) or other place of business of a person holding a beverage license. Based on the City's Alcohol and Tobacco Location Map, there are two businesses holding a beverage license that are within 500 feet of 2507 North Dixie Highway:

- Ken Rose Catering Inc – the business is located at 2513 North Dixie Highway and holds a 13CT Alcohol and Tobacco license. A 13CT license permits any caterer licensed by Hotels and Restaurants which derives at least 51% of its gross revenue from the service of food and non-alcoholic beverages to sell or serve alcoholic beverages for consumption on the premises of any catered event at which the licensee is also providing prepared food. Based on City records, Ken Rose Catering Inc has been licensed at this location since 2016.

- Almeyda Restaurant – the business is located at 2543 N Dixie Highway and holds a 1COP Alcohol and Tobacco license. The 1COP license permits establishments to sell beer for consumption on premises by the drink or in sealed containers for packaged sales. Based on City records, it appears that Don Juan Pizzeria has been licensed at this location from as early as 2006.

Therefore, this application has been conditioned so that if approved, prior to the on-site retail sales of alcohol for off-premises consumption, the business shall obtain a Proximity Waiver for packaged sales of alcohol.

**Major Thoroughfare Design Guidelines:** The site is not compliant with the following sections of the City’s Major Thoroughfare Design Guidelines. Therefore, staff has proposed a condition of approval that the applicant shall work with staff through the City’s administrative site plan review process to reduce non-conformities with the following requirements:

- Page 27 – parking lots are to be effectively screened from the public view and from adjacent properties in a manner that is attractive and compatible with safety, the neighborhood, and the facility served.
- Page 30 - create pathways and wayfinding signage to improve safety through accessibility, connectivity of spaces and functions, and orientation
- Page 31 – no more than 25% of the area between the building and a street or 50% of the remaining area shall be constructed with stone, concrete, asphalt, or mulch except necessary walks and vehicular use area.
- Page 36 – maximum pervious surface area.
- Page 36 – Building surfaces, walls, and roofs shall be compatible and in harmony with the neighborhood. Materials shall express their function clearly and not appear foreign to the rest of the building
- Page 40 – a hierarchy shall be applied to distinguish primary entrances from secondary entrances. Entrances shall be well defined and emphasized.
- Page 44 – buildings shall use a combination of materials; a primary material to envelope most of the building’s exterior walls and an accent material to provide contrast and a break from the primary material.
- Page 50 – plazas and multi-tenant properties shall establish a master sign plan that standardizes the size, color, material and placement of signage to ensure a unified aesthetic.
  - Letter-type signs with individual letters that are affixed to the building exterior are encouraged over “boxy” signs.

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

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

1. The conditional use exactly as proposed at the location where proposed will be in harmony with the uses which, under these LDRs and the future land use element, are most likely to occur in the immediate area where located.

**Staff Analysis:** The site contains a zoning designation of MU-DH. The applicant states that the proposed single destination retail use is a substantially similar use to the business that previously operated at this location. This use appears to be consistent with the types of commercial uses anticipated to occur within the MU-DH district. Therefore, the proposed single destination retail use is found to be compatible and harmonious with the existing and anticipated surrounding uses. **Meets Criterion.**

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

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

Direction	Future Land Use	Zoning District	Current Use
North (adjacent)	N/A	N/A	West Palm Beach Canal/ C-51 Canal
South (adjacent)	Mixed Use - East	Mixed Use – Dixie Highway	Retail (Word Thrift)
East (across N Dixie Hwy)	High Density Residential	Medium Intensity Residential	Townhomes (Courtyards of Lake Worth at College Park)
West (adjacent)	N/A	N/A	Florida East Coast (FEC) Railway

To the north of the subject site is the West Palm Beach Canal/C-51 Canal. The Canal serves as the northern boundary between Lake Worth Beach and West Palm Beach. To the west of the site is the Florida East Coast (FEC) Railway. The Railway separates the lot from the Artisanal Industrial zoning district to the west, which currently houses a variety of light to medium industrial uses. Adjacent to the south of the subject site is a retail plaza, and to the east of the site, across from North Dixie Highway, is a townhome community known as Courtyards of Lake Worth at College Park. Staff finds that the retail use of a Family Dollar within an existing retail plaza is in harmony with the existing uses in the immediate area. **Meets Criterion.**

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

**Staff Analysis:** The Conditional Use request will not negatively affect the public benefit or cause greater harm than that of a use permitted by right in the MU-DH zoning district. The use is similar in nature and function to permitted uses as conditioned. Per the City's property file, the retail space was constructed as a Shoppers Drug store, selling similar products as the proposed Family Dollar. Overall, while the property is not conforming to the current Code, if approved, improvements will be made during the site plan amendment process to decrease the nonconformities. **Meets Criterion.**

4. The conditional use exactly as proposed will not result in more intensive development in advance of when such development is approved by the future land use element of the comprehensive plan.

**Staff Analysis:** The Conditional Use request to allow a single destination retail use in the subject space will not result in a more intensive development in advance of the Future Land Use Element of the City's Comprehensive Plan. As mentioned, the MU-E land use designation 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 proposed Family Dollar is a single destination retail use, and per the City's Use Table in LDR Section 23.3-6, it is an anticipated use in the MU-DH zoning district. **Meets Criterion.**

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

1. The proposed conditional use will not generate traffic volumes or movements, which will result in a significant adverse impact or reduce the level of service provided on any street to a level lower than would result from a development permitted by right.



**Staff Analysis:** The previous use at this location was a Dollar General, which conducted retail sales. Based on the Florida Department of Transportation's (FDOT) 8<sup>th</sup> Edition of the Trip Generation Table, a 10,450 square foot free-standing discount store would generate 598 daily trips. The proposed use of a single destination retail establishment, Family Dollar, is not specifically identified in the traffic table. A free-standing discount store is the most similar use referenced in the Table. Therefore, the proposed use is not anticipated to generate higher traffic volumes than the prior use due to both uses being classified as the same use in the Table. Additionally, based on the like-for-like use of the subject space, a Traffic Letter from Palm Beach County Traffic Division is not required with this application. **Meets Criterion.**

2. The proposed conditional use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets.

**Staff Analysis:** This use is not anticipated to significantly affect the volumes of traffic expected on the City's roadway network. The Dixie Highway corridor is intended for the establishment of office, commercial, and high-density residential uses. The square footage of leasable retail space within the shopping plaza has not expanded from its original approved area, 67,450 square feet. Therefore, the traffic generated from the proposed business is consistent with adjacent commercial uses as well as the anticipated uses in this area. **Meets Criterion.**

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

**Staff Analysis:** The Applicant states that the Family Dollar is not projected to produce significant levels of air pollution emissions. Because the nature of the business does not involve hazardous chemicals and based on the similarity of use to retail establishments that have previously operated at this location, the proposed use is not anticipated to produce air pollution emissions greater than that of a use permitted by right. **Meets Criterion.**

4. The proposed conditional use will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.

**Staff Analysis:** Being an anticipated use in the MU-DH zoning district, the proposed single destination retail use at the subject site is not anticipated to cause a higher net public cost or earlier incursion of public cost than what would result from a development permitted by right. **Meets Criterion.**

5. The proposed conditional use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.

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

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

**Staff Analysis:** Being an anticipated use in the MU-DH zoning district, this use should not place a demand on municipal police or fire protection services beyond capacity. **Meets Criterion.**

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

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

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

The Applicant states that the Family Dollar will meet all noise requirements. Based on the nature of the use, the Family Dollar is anticipated to generate noise levels that are compliant with Section 15.24. **Meets Criterion.**

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

**Staff Analysis:** The Applicant has not proposed additional lighting on the site as part of this application and states that the Conditional Use will not generate light or glare onto any residential properties. There is existing lighting within the shopping plaza. Compliance with the City's exterior lighting regulations will be further reviewed during the site plan amendment process. **Meets Criterion.**

#### **CONCLUSION:**

The analysis has shown that the required findings can be made with respect to the Conditional Use Permit request. The use as proposed is in harmony with the Comprehensive Plan, underlying zoning district, and surrounding areas, subject to compliance with staff's proposed conditions of approval. Therefore, staff is recommending approval of the conditional use permit with conditions below:

#### **Community Services Landscaping:**

1. Prior to the issuance of a business license, the landscaping shall conform in so much as feasible with current code requirements. The landscape improvements shall be submitted with the anticipated Minor Site Plan Amendment application. Improvements include but are not limited to:
  - a. Remove damaged concrete curbing adjacent to the existing trees taking care not to damage the existing root systems.
  - b. Plant native shade trees in the parking lot islands matching the spacing pattern of the existing trees.
  - c. Plant a small maturing native shade tree in the each of 2 smaller islands on the north side of the property and plant 1 medium native shade tree in the larger island adjacent to the handicap parking spots on the north side of the property.
  - d. Remove existing shrubs along the arcade and replace them native shrubs and add native shrubs to areas that currently do not have shrubs.
  - e. Mulch all trees and landscape beds.

- f. It is recommended that the property owner meet with the City Horticulturist prior to making the landscape improvements in order to make sure that all of the landscape requirements are met.

**Planning/Urban Design:**

1. Prior to the approval of a Lake Worth Beach business license for the proposed Family Dollar, an application for an administrative Site Plan Review shall be filed and approved, and shall address the following:
  - a. All liens and code case violations shall be remedied.
  - b. Remove paved and impervious surface as much as feasible to maximize compliance with the requirement that a maximum of 65% of the lot may be covered by impermeable material.
  - c. Work with staff to maximize compliance with the design requirements of the Major Thoroughfare Design Guidelines as much as feasible, specifically screening all parking areas, providing wayfinding signage on the property, maximizing pervious surfaces, enhance building materials, and enhance signage so that it is uniform in appearance. Staff will work with the applicant to maximize compliance with design requirements.
2. If the proposed Family Dollar chooses to sell packaged alcoholic beverages, the business shall obtain a Proximity Waiver for packaged sales of alcohol prior to the on-site retail sale of alcohol for off-premise consumption.
3. Per LDR Section 23.4-19(c)(1), outdoor storage of merchandise for sale within the establishment located on the site shall be limited to the area located between the front façade and the public right-of-way and shall only be outside of the building during hours of operation. Therefore, the propane and ice for sale shall either be kept inside the building during non-operating hours, or be kept inside the building permanently. State and City permits are required for the indoor storage of a propane tank.

**Board Actions:**

I MOVE TO APPROVE PZB PROJECT NUMBER 20-00500008 with staff recommended conditions for a **Conditional Use Permit** to allow a single destination retail use at 2507 North Dixie Highway. The project meets the conditional use criteria based on the data and analysis in the staff report.

I MOVE TO DISAPPROVE PZB PROJECT NUMBER 20-00500008 for a **Conditional Use Permit** to allow a single destination retail use at 2507 North Dixie Highway. The project does not meet the conditional use criteria for the following reasons [Board member please state reasons.]

**Consequent Action:**

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

**ATTACHMENTS:**

- A. Zoning Map
- B. Application Package
- C. Site Photos