



**MINUTES
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, APRIL 01, 2026 -- 6:05 PM**

ROLL CALL and RECORDING OF ABSENCES: Present were: Mark Humm, Darryl Shatto, Greg Richter, Henry Pawski, Chair. Absent: Daniel Walesky; Daniela Amador. Also present were: Karina Maldonado, Senior Community Planner; Rosy Escobar-Penalba, Community Planner; Lauren Pruss, Principal Planner; Scott Rodriguez, Asst. Director for Planning & Preservation; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE:

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA: Staff requests the re-ordering of the New Business portion of the agenda to be heard as follows: Item B – PZB 25-00500001 to be heard first; Item C -PZB 25-00600002 to be heard second followed by Item A- PZB 26-00000003; and lastly Item D – PZB25-01400018.

Motion: M. Humm moves to reorder the agenda as requested by staff; D. Shatto 2nd. **Vote:** Ayes all, unanimous.

APPROVAL OF MINUTES:

- A. March 4, 2026 Regular Meeting Minutes

Motion: D. Shatto moves to accept the March minutes as presented; M. Humm 2nd. **Vote:** Ayes all, unanimous.

CASES:

SWEARING IN OF STAFF AND APPLICANTS Board Secretary administered oath to those wishing to give testimony. Affected party Daniel Marwood not able to swear in due to no video sharing via Zoom.

PROOF OF PUBLICATION Provided in meeting packet.

- 1) 901 South H Street
129 North Federal Hwy
Ordinance 2026-03 -Whispering Palms Rezoning
615 Industrial Street
Ordinance 2026-04 - 10-Year Water Supply Plan

WITHDRAWALS / POSTPONEMENTS None

CONSENT None

PUBLIC HEARINGS:

- A. Ordinance 2026-03 (PZB 26-01300001): City-initiated Zoning Map amendment requesting a rezoning from Single-Family/Two-Family (SF-TF-14) to Neighborhood Commercial (NC) for fourteen (14) parcels located north of Washington Avenue, west of S Johnson Street, and east of Wingfield Street.

Staff is requesting a continuance of PZB 26-01300001 (Ordinance 2026-03) to the May 6, 2026 Regular Planning & Zoning Board meeting to allow the concurrent review of the rezoning ordinance and text amendment. Additional clarifying language is required within the text amendment.

Motion: M. Humm moves to continue PZB 26-01300001 (Ordinance 2026-03) to the May 6, 2026 6:00pm, or soon thereafter, Regular Planning & Zoning Board meeting; G Richter 2nd.
Vote: Ayes all, unanimous.

- B. Ordinance 2026-04: Consideration of an ordinance to update the City's 10-Year Water Supply Facilities Work Plan pursuant to Section 163.3177 (6) (c) of Florida Statutes.

Lance Lilly of Chen Moore and Associates on behalf of The City of Lake Worth Beach: The 10-Year Water Supply Facilities Work Plan (Water Supply Plan) is required by the State of Florida to be updated by the City within 18 months of the South Florida Water Supply Plan update. Despite the title, the update happens every five (5) years. The most recent was 2020. Based on the recent September 2024 the City has 18 months to update.

Board: Only role is as the advisory board (LPA) to review the update, not the entire plan. What changes/updates are there?

Staff: Water service area does not change. Population changes/ water conservation efforts, whether some wells are active.

Rakib Chowdhury City Water Utility Engineer- Some wells have been abandoned; produced water; consumptive water; population changes; water utility equipment. Plus capital improvement section items.

Public Comment: None

Motion: M. Humm moves to recommend adoption of the proposed Comprehensive Plan text amendments included in Ordinance 2026-04 to the City Commission; D. Shatto 2nd. **Vote:** Ayes all, unanimous.

BOARD DISCLOSURE None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- B. PZB Project Number 25-00500001:** A Conditional Use Permit (CUP) request for At Your Service Garage Doors, LLC to operate High-Intensity Contractors Office with Outdoor Storage and Indoor Storage uses at 615 Industrial Street. The subject site is zoned Industrial Park of Commerce (I-POC) and has a future land use designation of Industrial (I).

Staff advises Board the applicant and an affected party are currently in discussion hoping to resolve some conditions, both are requesting a continuance to a future meeting date. Staff concurs with the request.

Motion: M. Humm moves to continue PZB 25-00500001 to May 6, 2026 6:00 pm Regular Planning & Zoning Board meeting date; G. Richter 2nd.

Public Comment: None

Vote: Ayes all, unanimous.

A. PZB Project Number 26-00000003: An after-the-fact mural installation request for the property located at 821 South Dixie Highway. The property is zoned Transit Oriented Development - East (TOD-E) and has a Transit Oriented Development (TOD) future land use designation.

Staff: R. Escobar- The western façade of the property facing South H Street is where the mural is installed. This installation is different from the normal painting process in that the images are transferred onto an aluminum surface and then attached to the building ensuring a more durable vibrancy over a longer lifetime.

Board: Was this installed prior to approval? **Response:** The design is sent to a company that transfers the images, the applicant wanted to get started.

Motion: G. Richter moves to approve PZB 26-00000003 with staff recommended Conditions of Approval as it meets the data and analysis in the staff report; M. Humm 2nd.

Public Comment: None

Vote: Ayes all, unanimous.

B. PZB Project Number 25-00600002: An alcoholic beverage distance waiver to allow on-site consumption at 129 North Federal Highway. The property is zoned Downtown (DT) and has a Downtown Mixed-Use (DMU) future land use (FLU) designation.

There are no Board disclosures to be made.

Staff: K. Maldonado presents case analysis. The application for an alcohol distance waiver is weighed against the distance waiver criteria in code. The applicant is seeking a 4-COP alcohol license from the State. The property owner (since 2017) has demonstrated the intent to continue the use without interruption. These were evidenced with MLS listings, tenant leases and zoning verification letters for the property. With this evidence, staff has determined the use has been continued. Since the previous alcohol license has not been renewed (lapsed) the owner does not qualify for applicable distance waiver provisions. There are four guidances to be met. In this instance there is currently another establishment with an alcohol license within 500 feet.

Affected Party: Rafael Jimenez (120 North M Street)– resides within 100 feet and believes the waivers will affect the health, safety and welfare of nearby residents. He does not believe the intent to continue the use is valid as the former tenant ceased operations at this location around 2022. He finds the Conditions of Approval to be disingenuous as they should mitigate effects to the neighborhood such as limiting hours of operation and more security. Suggests it should be evaluated as a new use as opposed to historical uses and does not believe the waiver analysis is complete for the following reasons: The alley between the subject parcel is only 50 feet to the residential properties; it is within 500 ft of a church and nursery and Jo Jo’s Pizza (127 N. Federal Hwy) currently holds a license.

Board: A question posed to the affected party about what is motivating those comments. **Response:** The parking lot activity, the previous tenant’s ability to sell beyond 2 am.; reported incidents of violence. There is not much off-street parking and it overflows to the alleyway. Question as to the allowed hours of operation. **Staff response:** The hours of operation, as conditioned, are what current code allows.

Public Comment: Robert and Elaine Fontaine- 120 North M St.- lived there when Willie’s was operating. Every night arguments, fights, stereo’s in cars, drug use. Called PBSO multiple times. Just not conducive with the neighborhood. Sandra Erwin-120 North M St.- had to deal with BluePrint and they partied Sunday night with people coming from other cities; it’s good it is closed down, please deny this waiver.

Additional written submitted comments from Carla Robinson, Gerald Gagne, Sam Barrett, Jason McCreight (attached hereto) have been read into the record by Board Secretary.

Applicant: Robert Miller (property owner) and Tenant Jimmy Dassler: These are activities found in every downtown area with noise ordinances, parking problems and should not hinder the waiver. It has been vacant because of what everyone has expressed. Mr. Dassler contends he will be doing something different and family friendly, like an arcade. If the venue is a destination, people come from other places. When residents talk about drugs, the sheriff states if they don't get a call there is nothing they can do. While this property stands vacant, the problems continue. What happens outside in the parking lot and alleyway is up to the City and PBSO. The type of business that's operated dictates the type of clients in the area. Asks if anyone has been to Silverball in Delray? **Board:** Yes, but there are no residential areas nearby or churches/ schools. Three other bars were mentioned by the affected party that are near residential properties. Someone concerned about the neighborhood would not point out only Willie's. Please don't stop us from trying. **Board:** Would an arcade be permissible? **Staff:** There was a zoning letter that was processed and an arcade is classified as Indoor Recreation use which requires a Conditional Use approval.

Robert Miller: Has worked in the City for the past ten years. The corner is a struggle but to say it was all caused by Willie's is wrong. People are currently living around the dumpster. This is the right business for this location.

Board: How did staff determine the use was continued when the business was closed? **Staff:** The attachments provided with the staff report show the MLS listing, zoning letter, intent to lease the space as a bar and the applicant signed a lease. Since the time when the previous tenant left, the applicant has established the intent was for a bar. **Board:** If the applicant were to apply for another use which required Board approval, they would come back before the Board.

Board: The DT zoning is intended to be the most active area in the City. The five-hundred foot distance separation applies to the entire City; strict adherence would make it difficult for any new bar or restaurant to operate without a waiver. **Staff:** Restaurants do not require a waiver as they are providing 51% or more food; also exempt from the waiver process are restaurants in DT zoning district east of FEC rail fronting Lake or Lucerne Avenue.

Motion: M. Humm moves to approve PZB 25-00600002 with staff recommended Conditions of Approval based upon the competent and substantial evidence provided in the staff report and in the testimony at the public hearing; motion fails for lack of second.

Discussion: G. Richter knows Mr. Miller is a good steward of the City. States he cannot approve in good conscience without knowing what is really going on and the neighbors have a right to know. With respect to hours, it should close at midnight.

Board Attorney: Suggests discussion or alternate motion that would get the Board to make a determination.

Board: Conditions of a midnight closing hour may be appropriate. The bottles could be dumped in the morning. The area is not going to get cleaned up by denying a new license, the location seems appropriate for a bar and the way it is being portrayed doesn't sound like it would be similar to Willie's. The way to get rid of the drug use and homelessness in the area is to have a business at the location. Could they come back with the waiver and a Conditional Use together?

Board Attorney: Suggests the applicant should speak to let the Board know what they intend to do.

Robert Miller: Bars are typically open past midnight and children go with their parents to bars. Why can't the City be a destination? There are always people who are not happy. In this instance, people live in the downtown zoning district and typically downtown are active areas. If someone doesn't want to deal with downtown activities, why would they choose to live there? It could be a precedent if denied, no other business will want to go there.

Board Attorney: In response to a question about disapproving or approving, competent substantial evidence must be the basis along with the guidance for waivers, they are guidelines. To provide a basis or reason for a denial, please utilize the guidelines.

Motion: M. Humm moves to approve PZB 25-00600002 with staff recommended Conditions of Approval based upon the competent substantial evidence in the staff report and testimony at the public hearing; D. Shatto 2nd. **Vote:** 3/1 G. Richter dissenting, motion passes.

- C. **PZB Project Number 25-01400018:** A Major Site Plan and Conditional Use Permit (CUP) request for the development of a two-story, 12-unit multifamily residential building located at 901 South H Street. The property is zoned Transit Oriented Development East (TOD-E) and has a Transit Oriented Development (TOD) future land use (FLU) designation.

Staff: K. Maldonado presents case analysis and findings. There are no active Code cases. The conditions require a minor site plan modification to address Site Data Table tabulations for parking calculations; wall height at setback; south side setback and correct the F.A.R. calculation.

Applicant/Architect-Abhi Kathan-This is affordable housing for Lake Worth Beach.

Board: Is this within the CRA area or a CRA project? Is it Workforce housing? **Response:** No

Applicant: They considered the Live Local program however the site did not qualify without an outdoor recreation area; there were difficulties with other options.

Board: With 12 units will there be a problem with parking? Explain the parking detail. **Applicant:** There is a combination of 20 required off street spaces and 20 are provided in addition to street parking and bike racks for a total of 27 spaces. The applicant is in agreement with the Conditions of Approval as they are standard.

Motion: G. Richter moves to approve PZB 25-01400018 with staff recommended Conditions of Approval based upon the competent substantial evidence provided in the staff report and testimony at the public hearing; M. Humm 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES: None

PUBLIC COMMENTS: (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: None

ADJOURNMENT: 7:58 PM