

PLANNING AND ZONING BOARD REPORT

PZB Project Number 21-00500007: Consideration of a Conditional Use Permit request to allow a 3,200 square feet self-service laundromat at the property located at 810 South Dixie Highway.

Transmittal Date: November 24, 2021

Meeting Date: December 1, 2021

Property Owner: Ran Dagan of Shunra Holdings, LLC

Applicant: Ran Dagan of Lavadora Coin Laundry, LLC

Address: 810 South Dixie Highway

PCN: 38-43-44-27-01-016-0050

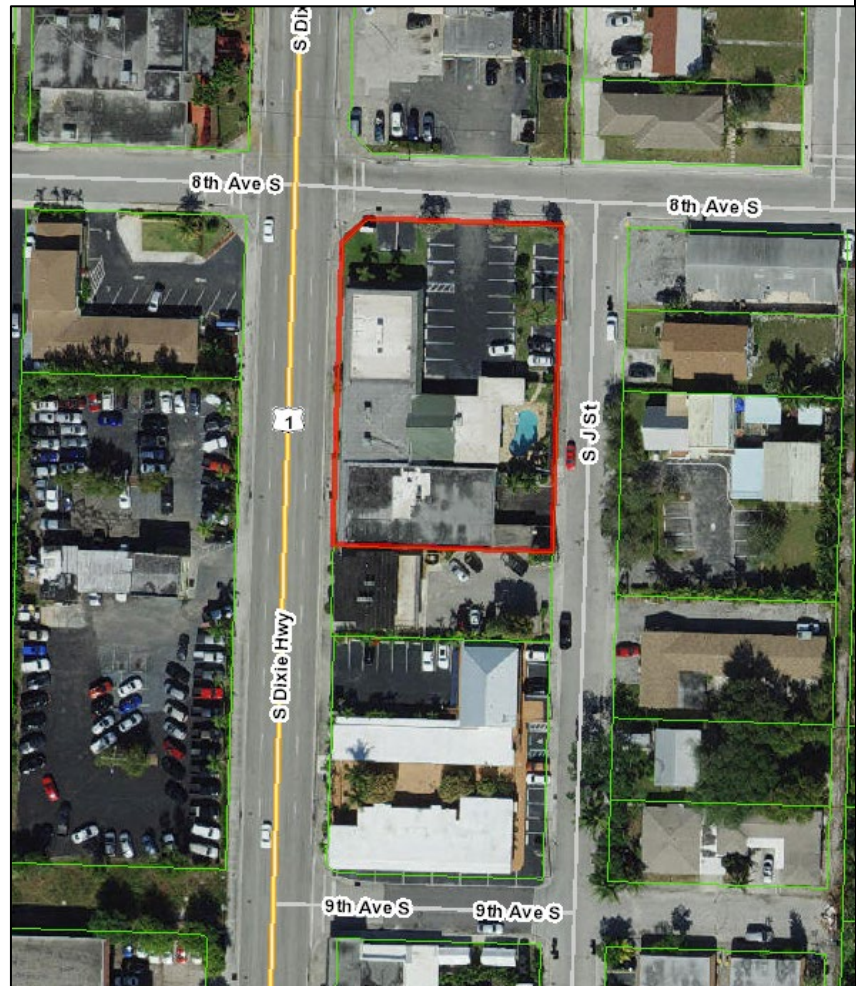
Size: 0.58-acre site / 10,848 sf. building

General Location: East side of 300 Block on South Dixie Highway

Existing Land Use: Commercial Space

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

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



RECOMMENDATION

In the review of the subject application, staff requested that the applicant submit a site plan application to reconfigure on-site circulation and provide additional screening of the property along the east property line. The applicant has requested for the application to move forward to the PZB prior to the site plan application submittal to be able to place an order for the laundry equipment. Staff has concerns about the proposed use on the property with the existing site circulation. The applicant has agreed to submit a subsequent application. Therefore, staff is requesting that the PZB discuss the timing of the CUP request prior to site plan application. Staff has also prepared conditions of approval for the Planning and Zoning Board, if approved, to condition the effective date of the conditional use permit to be the same date as the approval date of the required site plan application.

PROJECT DESCRIPTION

The applicant and property owner, Ran Dagan, is requesting a **Conditional Use Permit** to allow a 3,200 square feet self-service laundromat at the property located at 810 South Dixie Highway. The property is zoned Mixed Use-Dixie Highway (MU-DH) and has a Mixed Use-East (MU-E) Future Land Use Designation. The proposed use is comprised of commercial, services type uses that are all anticipated uses in the MU-DH zoning district. No modifications to the structure or parking are proposed as part of the subject request.

According to the project narrative provided as part of the request, the proposed self-service laundromat is to be occupied by Lavadora Coin Laundry, LLC. The subject location is desired as it is located to nearby residential districts that must currently travel longer distances for laundry services. The proposed laundromat will operate from the hours of 7AM to 10PM daily and will employ 3 full-time employees.

A self-service laundromat is listed as a medium-intensity personal service use. Medium-intensity personal service uses typically generate moderate volumes of customer traffic. The establishment of a self-service laundromat in the MU-DH zoning district, requires special considerations, via a Conditional Use Permit, to allow for the review and mitigation of potential negative impacts.

COMMUNITY OUTREACH

Staff has received an email and phone call from Guisepppe Millaj stating his opposition for this application and request to registration as an affected party.

BACKGROUND

Existing Development: The commercial building currently has a total of eight leasable commercial spaces, totaling 10,848 square feet and has 26 parking spaces on site. The existing building was constructed in 1950.

Land Use: The building has no active business licenses. The site has a history of being occupied by different commercial, retail, and services type uses.

Landscaping: The site is mainly paved for vehicular use areas. A landscape island is located on the northwest end of the site. A second landscape island extends between the main parking area and the additional back out parking spaces located off of South J Street.

Code Compliance: There are no open code compliance cases on the property.

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 MU-E FLU 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 central commercial core and major thoroughfares of the City. The preferred mix of uses area-

wide are 75% residential and 25% non-residential. The proposal would allow for the establishment of a service use within a commercial building along one of the City's Major Thoroughfares, South Dixie Highway. Therefore, the proposal can be deemed consistent with the intent and desired uses for the MU-E FLU.

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. The proposed self-service laundromat is a needed service and use for the community. The proposed use will activate a tenant space which is currently vacant, and it will help stimulate the economy without negatively impacting the community and will contribute towards the City's tax base and sustain or increase jobs as recommended under Pillar IV.A and Pillar IV.D.

Based on the analysis above, the proposed Conditional Use Permit to establish a self-service laundromat at the subject location 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

The Department of Community Sustainability is tasked in the LDRs to review conditional use applications for consistency with the City's LDRs (Section 23.2-29(i)), for compliance with the following findings for granting conditional uses and to provide a recommendation on the proposed project.

Section 23.2-29.a), Conditional Use Permits: *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.*

Section 23.2-29.b), Approval Authority: *The planning and zoning board, in accordance with the procedures, standards and limitations of this section, shall approve, approve with conditions, or deny an application for a development permit for a conditional use permit after review and recommendation by the development review official.*

Analysis: A recommendation by the development review official is provided on page 2 of this report, under Recommendation.

Section 23.2-29.c), General Procedures: *The department for community sustainability shall review the application in accordance with these LDRs and prepare a report that summarizes the application and the effect of the proposed conditional use, including whether the application complies with each of the findings for granting conditional uses stated below and provide a recommendation for whether the application should be approved, approved with conditions, or denied.*

Staff Analysis: The structure on the property was constructed in the 1950's. The existing site conditions do not conform to the current LDRs; therefore, the nonconformities section of the land development regulations, LDR Section 23.5-3 is applicable. The existing nonconformities are not proposed to be increased or negatively impacted by the subject Conditional Use request. **The proposed Conditional Use is consistent with the City's LDRs as conditioned based on the following data and analysis:**

Off-Street Parking

Per LDRs Section 23.4-10.f)2.A., Exceptions: *Parking is not required for changes in use or occupancy or remodeling of existing buildings which do not increase floor area or number of overall existing dwelling units, located outside of the single-family residential SF-R zoning district.*

Staff Analysis: The request is a change in use without increasing the existing building floor area; therefore, additional parking spaces are not required. The existing site has a 10,848 square feet commercial building, with eight different tenant spaces. A total of 26 parking spaces are located on site. The site has approximately 417 square feet of use area per parking space, which does not meet the minimum parking requirement of 1 space per 250 square feet of use area for commercial/single destination retail/standalone retail uses.

Major Thoroughfare Design Guidelines

No modifications to the building or site are proposed as part of this conditional use. However, Page 24 of the Major Thoroughfare Design Guidelines states *that commercial/retail spaces on the lower floor shall be appropriately designed to promote uses that serve the community living in a mixed-use development. Protect the pedestrian and enhance the pedestrian environment and scale.* Therefore, a condition of approval that landscaping in commercial grade planter boxes along the blank walls adjacent to Dixie Highway shall be provided to enhance the pedestrian environment along the major thoroughfare.

Findings for Granting Conditional Uses

Prior to approving any conditional use permit, the decision-making authority shall find based on competent and substantial evidence that the following criteria related to conditional uses are met:

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

Staff Analysis: The proposed conditional use is in harmony with the surrounding area. A self-service laundromat use is an anticipated use in the MU-DH zoning district. The proposed use will not result in less public benefit nor will it result in more intensive development than anticipated the zoning district in the comprehensive plan.

Section 23.2-29.e) Specific findings for all conditional uses.

Staff Analysis: The proposed conditional use is not anticipated to impact the surrounding area greater than uses permitted by right. The site is an existing non-conforming site that does not utilize the maximum development potential. The building is already served by municipal services, including water, sewer, refuse, fire and police. The site is located on an arterial roadway. Therefore, no additional public expenditures are required to service the proposed use.

Section 23.2-29.g) Additional requirements.

Staff Analysis: As of the date of this report transmittal, there are no active code compliance cases for the subject property. There are no previous approvals on the property.

CONCLUSION AND CONDITIONS

Per LDR Section 23.3-17, the MU-DH district was designed for Dixie Highway, Lake Worth Beach's commercial spine. The MU-DH 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 proposed self-service laundromat is to be occupied by Lavadora Coin Laundry, LLC. The subject location is desired as it is located to nearby residential districts that must currently travel longer distances for laundry services. The proposed will operate from the hours of 7AM to 10PM daily and will employ 3 full-time employees.

Based on the information provided in the application and analysis section of this report, the proposal complies with the conditional use criteria outlined in LDR Section 23.2.29.

The following conditions are recommended to improve the development streetscape appearance:

1. A concurrent Major Site Plan amendment shall be submitted to address the following:
 - The on-site circulation shall be modified to allow for pedestrian connectivity to the parking area.
 - A fence or wall and exterior landscape screen shall be provided along the East property line
 - A vehicular loading space shall be provided adjacent to the rear laundry entry for customer loading and unloading.
2. The effective date of the conditional use approval shall be the approval date of the required site plan application and its approval.
3. Planters shall be placed where large expanses of blank wall exist along the front façade facing Dixie Highway and below the clerestory windows (windows above eye level) that face the right of way, as feasible. The property owner shall work with staff to determine the most appropriate location and planting material based on the requirements in the Major Thoroughfare Design Guidelines. A permit to install landscaping shall be submitted and issued within 6 months of this approval date.
 - Such planters shall be maintained in good condition. If replacement is needed, the new planters and landscaping shall comply with the City's approved planters and landscaping guide.

BOARD POTENTIAL MOTION:

I move to **approve** PZB Project Number 21-00500007 with staff recommended conditions for a **Conditional Use Permit** request to establish a self-service laundromat in the Mixed-Use Dixie Highway (MU-DH) at 810 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** PZB Project Number 21-00500007 for a **Conditional Use Permit** request to establish a service laundromat use in the Mixed-Use Dixie Highway (MU-DH) at 810 South 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 decision for the Conditional Use Permit. The Applicant may appeal the Board's decision to the City Commission.*

ATTACHMENTS

- A. Findings for Granting Conditional Uses
- B. Application Package (survey, floor plan, request letter)

ATTACHMENT A - Findings for Granting Conditional Uses

Prior to approving any conditional use permit, the decision-making authority shall find based on competent and substantial evidence that the following criteria related to conditional uses are met:

Section 23.2-29.d) General findings relating to harmony with LDRs and protection of public interest.	Analysis
1. <i>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.</i>	In compliance as conditioned
2. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.</i>	In compliance as conditioned
3. <i>The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the site for some use permitted by right or some other conditional use permitted on the site.</i>	In compliance as conditioned
4. <i>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.</i>	In compliance as conditioned
Section 23.2-29.e) Specific findings for all conditional uses.	Analysis
1. <i>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.</i>	In compliance as conditioned
2. <i>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</i>	In compliance as conditioned
3. <i>The proposed conditional use will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.</i>	In compliance as conditioned
4. <i>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.</i>	In compliance as conditioned
5. <i>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.</i>	In compliance as conditioned
6. <i>The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.</i>	In compliance as conditioned

- 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.* **In compliance as conditioned**

- 8. *The proposed conditional use will not generate light or glare which encroaches onto any residential property in excess of that allowed in section 23.4-10, Exterior lighting.* **In compliance as conditioned**

Section 23.2-29.g) Additional requirements.	Analysis
1. <i>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.</i>	In compliance as conditioned
2. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.</i>	In compliance as conditioned