



CITY OF LAKE WORTH BEACH

Community SustainabilitySM

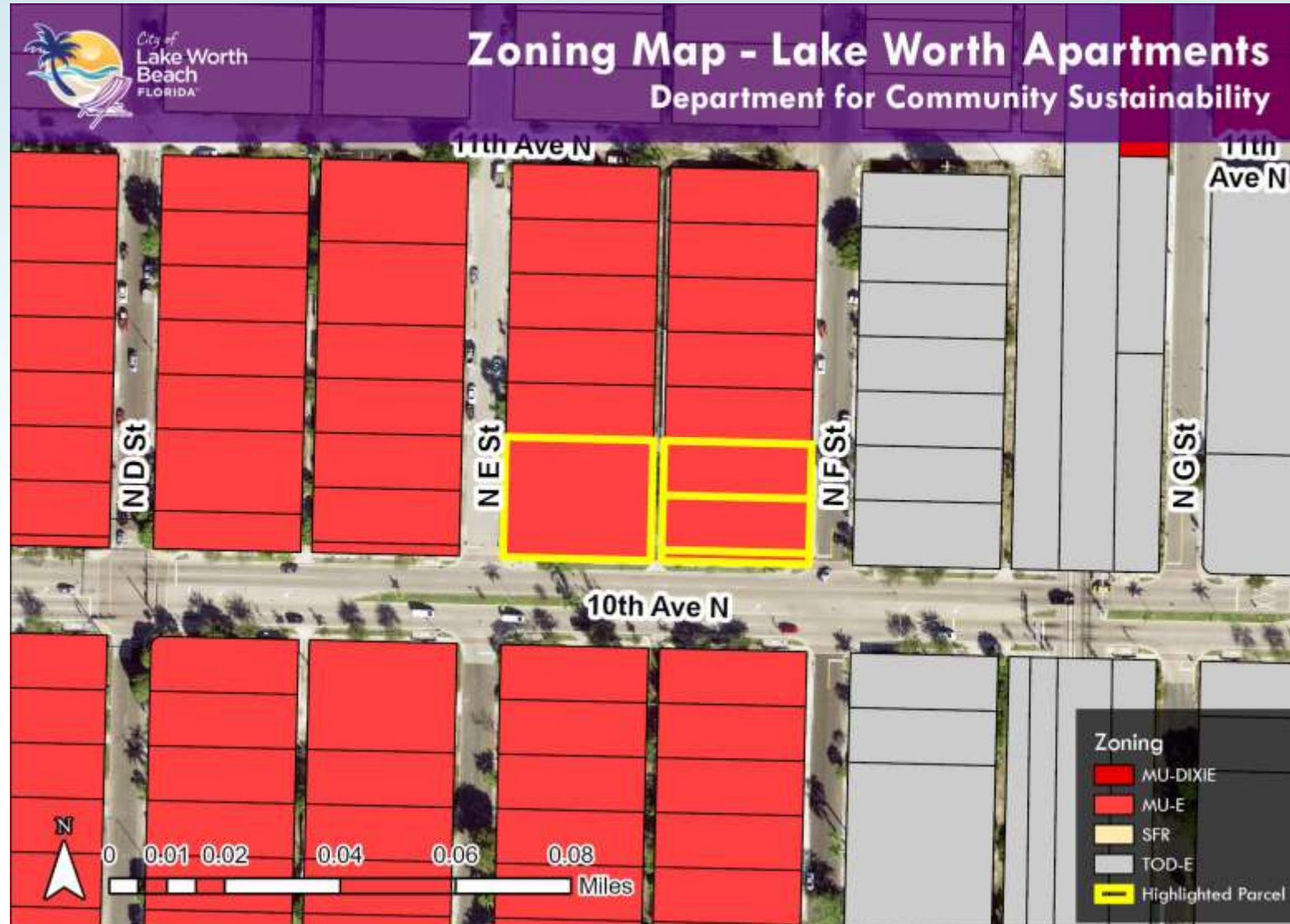
New Business, Item D

Ordinance 2021-07 / PZB Project Number 21-01400039 : A request by Mark Hunley of Charette International Architecture on behalf of 1212 Tenth Ave North LLC for consideration of a

- Residential Urban Planned Development,
- Major Site Plan,
- Conditional Use Permit,
- Sustainable Bonus Incentive Program,
- and Right of Way Abandonment

to allow the construction of a two-building residential project consisting of 24 multi-family units on 10th Avenue North, between North E Street and North F Street, within the Mixed Use – East (MU-E) zoning district, PCN #s 38-43-44-21-15-318-0010, 38-43-44-21-15-318-0140, 38-43-44-21-15-318-0150, 38-43-44-21-15-318-0160.

Site Location



Background/Proposal

Applicant	Mark Hunley of Charette International Architecture
Owner	1212 Tenth Avenue North LLC (Lots 0010, 0140, & 0150) Lake Worth Beach CRA (Lot 0160 / 1,307 sf)
Location	North side of 10th Ave N between N E and F Sts
Zoning District	Mixed Use – East (MU-E)

Background/Proposal

Request to the City Commission

- **Residential Urban Planned Development** to construct a two-building, 24-unit multifamily development.
- **Major Site Plan** for the development of a new multifamily development in excess of 7,500 square feet.
- **Conditional Use Permit** to establish residential uses greater than 7,500 square feet.
- **Sustainable Bonus Incentive Program** for additional density of 3 units.
- **Right-Of-Way Abandonment** for the city to abandon the alley bisecting the project location.

Background/Proposal

Recommendation of Planning & Zoning Board

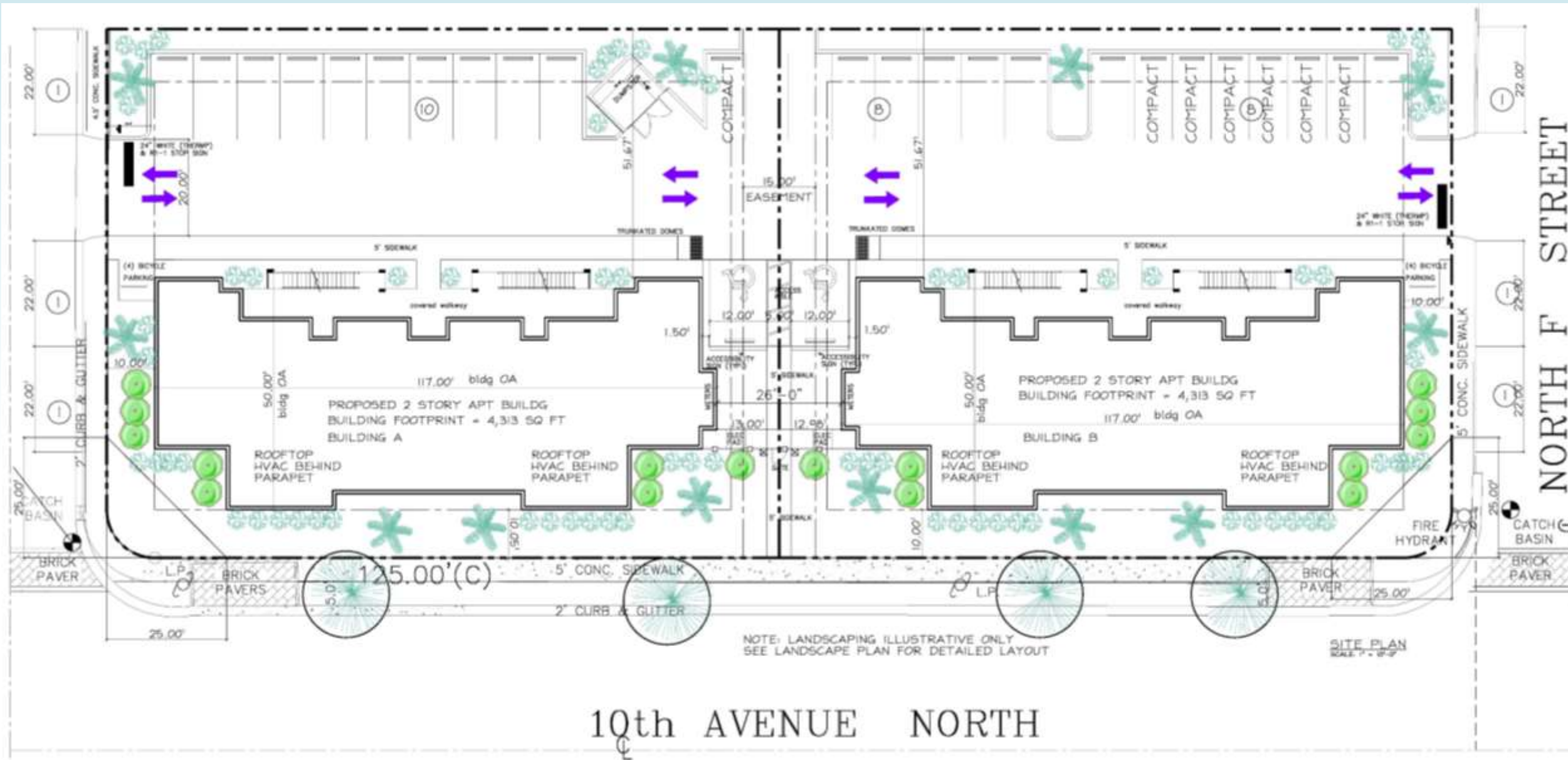
- At the May 5, 2021 Planning & Zoning Board Hearing, the Board voted 4-1 to recommend approval of the project with staff conditions to the City Commission, and an additional condition related to the design of the staircase.

Review Timeline

- 10/2/20 – Application Date
- 10/8/20 - Determination of completeness for formal review
- 11/24/20 – SPRT Comments Sent
- 3/26/21 – Applicant Resubmittal
- Legal Notice for 5/5/21 PZB Meeting
 - 4/22/21 Legal Ad
 - 4/21/21 Sign Posting
 - 4/23/21 Courtesy Notice Mailer
- Legal Notice for 6/15/21 City Commission
 - 6/3/21 Legal Ad & Sign Posting
 - 6/1/21 Courtesy Notice Mailer

Site Plan

- Two Mixed-Use Buildings totaling 24 dwelling units
- 36 Parking Spaces



Architectural Renderings



Existing Conditions



Existing Conditions



Surrounding Properties

Direction	Future Land Use	Zoning District	Current Use/ Name of Development
North (adjacent)	MU-E	MU-E	Multi-Family and Single-Family Residential
South (across 10 th Ave N)	MU-E	MU-E	Multi-Family and Single-Family Residential
East (across N F St)	TOD	TOD-E	Multi-Family and Single-Family Residential
West (across N E St)	MU-E	MU-E	Single-Family Residential

Analysis

- Consistency with the City's LDRs

- Minimum required setbacks
- Minimum living area
- Maximum density
- Walls/Fences
- Lighting and security

- Flexibility

- Reduction of 2 parking spaces
 - As recommended by City Engineering staff for safety purposes at the site ingress and egress.

Development Standard		Base Zoning District	Mixed-Use Urban Planned Development w/ Sustainable Bonus Incentive Program (SBIP)	Provided
Lot Size (min) In square feet (sf)		6,500 sf	Greater or equal to 21,780 sf (0.5 acres)	30,807 sf (0.71 acres)
Lot Width (min)		100'	100'	280'
Setbacks	Front (min) (10 th Ave N)	10' min. 22' max	10' min 22' max	10'
	Rear (min)	15' or 10%	15' or 10%	51.8'
	Side (min) (East and West)	10'	10'	10' (both)
Impermeable Surface Coverage (maximum)		65%	75%	74.9%
Structure Coverage (max)		55%	65%	32.5%
Living Area (min)		Efficiency: 400 sf 1-bed: 600 sf 2-bed: 750 sf	Efficiency: 400 sf 1-bed: 600 sf 2-bed: 750 sf	Efficiency: 607 sf (Qty. 8) 1-bed: 686 sf (Qty. 8) 2-bed: 777 sf (Qty. 8)
Parking		36	36	Off-Street: 21 Off-Street Compact: 7 On-Street: 6 (On-Street Safety Recommendation: 4) 8 Bike Spaces: 2 Total: 34* as conditioned
Density (max)		30 du/acre (21 units)	37.5 du/acre (26 units)	34 du/acre (24 units)
Building Height (max)		30'	56.25'	29.5'
Floor Area Ratio (FAR) (max)		.90	1.94	0.65

Analysis

- Consistent with the Comprehensive Plan
- Consistent with the Strategic Plan
- Consistent with the City's LDRs
- Consistent with the criteria for all urban planned development districts (LDR Section 23.3-25(e))
- Consistent with the Qualitative Development Standards (LDR Section 23.2-31(c))
- Consistent with the Community Appearance Criteria (LDR Section 23.2-31(l))
- Consistent with the general findings to harmony with the LDRs and protection of public interest (LDR Section 23.2-29(d))
- Consistent with the specific standards for all conditional uses (LDR Section 23.2-29(e))
- Consistent with the review/decision criteria for all SBIPs (LDR Section 23.2-33(c)(2))

Staff Recommendation

- Staff recommends that the Board recommend approval of the Residential Urban Planned Development, Major Site Plan, Conditional Use Permit, Sustainable Bonus Incentive Program, and Right-of-Way Abandonment as conditioned to the City Commission.
- Conditions of approval are located in Exhibit C of the Ordinance.



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Conditions of Approval

Electric Utilities:

- Prior to application for building permit, the applicant shall meet with Lake Worth Beach Electric Utilities to confirm that either one or two single-phase padmount transformers will be required between the two buildings, depending on the size and amount of private service cable being run from the multi-meter banks to the padmount transformers. Lake Worth Beach will need at least 20-feet of width between the two apartment buildings to install two single-phase padmount transformers and also allow for the appropriate spacing between the buildings and each transformer. Lake Worth Beach Electric also requests that no landscaping be installed within 8-feet of the front of the padmount transformers and 3-feet of the sides and rear of the padmount transformers. No landscaping is currently proposed between the two buildings.
- Prior to issuance of a Certificate of Occupancy,
 - Lake Worth Beach Electric will need a 10-ft wide utility easement for the underground primary line and the padmount transformers.
 - The developer and/or property owner shall be responsible for the cost of the new underground electric lines and padmount transformers for the proposed project. There will be another charge separate from the overhead relocation charge for the underground lines and transformers that will need to be installed for the project.
- The developer and/or property owner shall be responsible for installing the 2-2" schedule-40 conduits down a minimum of 36" deep from the designated overhead pole to the padmount transformers.
- Prior to the issuance of a Building Permit, Lake Worth Beach Electric has an existing overhead electric line and pole that looks to be in conflict with the parking lot. The property owner is responsible for the cost of removing this line and the other electric work that will be needed to prepare the overhead electric lines for the new underground service.

Conditions of Approval

Planning and Zoning:

- Prior to the issuance of a building permit all applicable plans shall reflect the following conditions of approval, and on-site improvements shall comply with the following conditions prior to the issuance of a certificate of occupancy:
 - All lighting shall be shielded so as to not trespass upon neighboring residential properties or districts in excess of 12.57 lumens when measured from the property line and shall comply with lighting code regulations in [LDR Section 23.4-3](#). If using LED lighting, a warm light tone not to exceed 2700 K is required. Lighting fixtures should comply with dark skies fixture recommendation and be consistent with the architectural style of the project.
 - The parking space immediately south of the ingress and egress onto both North E and F streets shall be removed for traffic visibility and safety purposes.
 - Continuous landscape screening material/s such as a hedge shall be planted along the north property line, utilizing Florida natives. The landscape screen shall be installed at a minimum planting height of no less than 24 inches, and shall form a continuous hedge within one year of planting
- Prior to the issuance of a certificate of occupancy, the property shall be platted. The plat shall depict all utility easements and showing the revised boundaries of the property, including the required right-of-way abandonment and unity of title.
- Prior to the issuance of a certificate of occupancy, the developer shall pay \$21,600 toward the City's sustainability incentive trust account.

Conditions of Approval

Public Works:

- Prior to the issuance of a building permit:
 - 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.
 - Provide evidence of any required permit(s) from the Lake Worth Drainage (LWDD) District's Engineering Department and South Florida Water Management District's (SFWMD) Engineering Department, as required. Provide evidence of discussions and outreach to the LWDD and SFWMD, including required permits.
 - Provide an Erosion Control plan and indicate the BMP's and NPDES compliance practices.
- Prior to the issuance of a certificate of occupancy:
 - All conditions of approval have been satisfied under jurisdiction of the Department of Public Works.
- A new driveway curb cut on North F Street and North E Street shall be constructed that complies with the Public Works Department's specifications and Policy and Procedure Manual.
- 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 shall be restored to the same condition prior to construction or better.
- All disturbed areas shall be fine graded and sod all disturbed areas with bahia sod.
- The property shall be broom sweep all areas of the affected right of way and remove of all silt and debris collected as a result of construction activity.
- A "Right of Way/Utility Permit" is required.
- All rights of way shall be restored to a like or better condition. Any damages to pavement, curbing, striping, sidewalks or other areas shall be restored in kind

Conditions of Approval

Utilities Water & Sewer:

- Prior to the issuance of building permit:
 - If the platted alleyway be will be abandoned a Utility Easement will need to be established. Utility easements are a minimum of 15 feet wide and should be centered over the existing to provide a minimum of 7 feet east of the Sanitary Sewer.
 - Detailed drainage calculations that meet the City's stormwater policy of containing the 3-year 1-hour storm event or 2.6 inches of precipitation over the entire site. If a connection to the City storm system is proposed, the calculations must meet attenuation time and pre/post discharges. Provide the elevation cross sections at each property line to confirm the site contains the 3-year 1-hour storm.
- Provide the geotechnical analysis for the percolation rate (K).
- Provide an Erosion Control plan with BMPs and NPDES compliance.
- Pay in full all reserved capacity fees for water and sewer must be in accordance with the current City Ordinance.

Conditions of Approval

Lake Worth Beach Community Redevelopment Agency:

- A portion of this project requires the transfer of parcel #38-43-44-21-15-318-0160 from the Lake Worth Community Redevelopment Agency (CRA) to '1212 Tenth Avenue North, LLC', a Florida limited liability company.
- The owner of the project, '1212 Tenth Avenue North LLC', shall have four hundred twenty five (425) days following the Closing Date as provided in the CRA's Purchase and Sale Agreement to obtain a certificate of occupancy for the development on the Property. Such failure to obtain the certificate of occupancy, subject, however, to extensions for delays attributable to Force Majeure which extensions must be approved by the CRA Board of Commissioners. Closing date between '1212 Tenth Avenue North LLC' and the Lake Worth Beach Community Redevelopment Agency (CRA) is expected to take place no later than the end of June 2021.

May 5th, 2021 Planning & Zoning Board Comment

- Prior to the issuance of a building permit, architecturally adjust the staircase element to provide additional architectural significance or design components to staircase as consistent with the Board discussion at the meeting.