

## PLANNING AND ZONING BOARD REPORT

**PZB Project Number 22-01400020:** A request for a major site plan, conditional use permit and sustainable bonus for the property located at 2202 Lake Worth Rd to construct a 4 story, ±99,800 sf indoor self-storage facility. The sustainable bonus request is for an additional 2-stories in height to allow the 4-story building. The property is zoned Mixed-Use West (MU-W).

**Meeting Date:** October 19, 2022

**Property Owner:** 2202 Lake Worth Road LLC  
(Juan and Sylvia Pardon)

**Applicant:** Rosemurgy Acquisitions, LLC

**Agent:** Richard Stephano of Rosemurgy Properties

**Address:** 2202 Lake Worth Road

**PCNs:** 38-43-44-20-01-117-0020

**Size:** 1.7927 acres

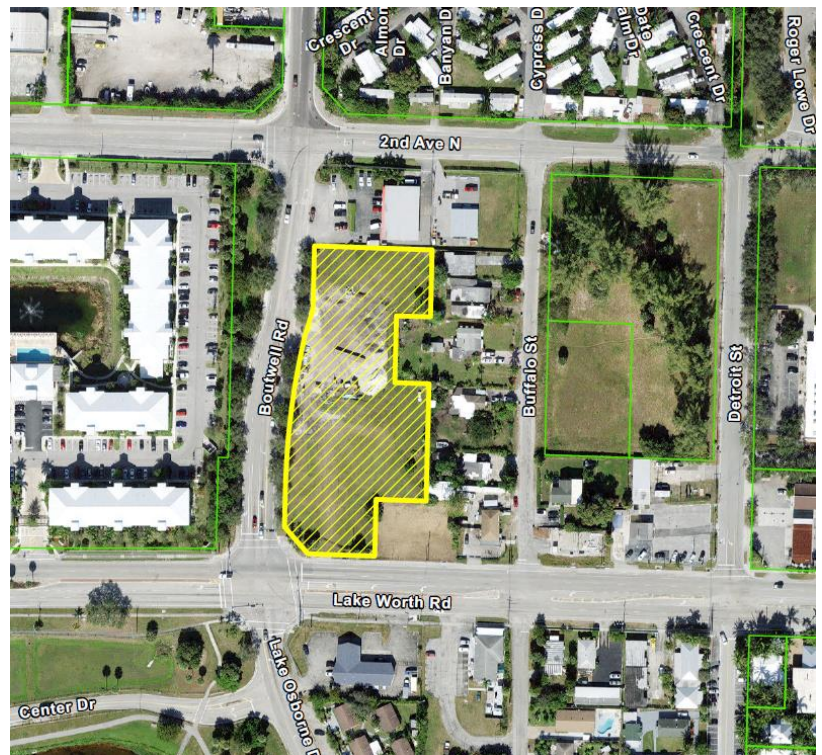
**General Location:** Northeast corner of Lake Worth Road and Boutwell Road

**Existing Land Use:** Vacant

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

**Zoning District:** Mixed Used – West (MU-W)

**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, Conditional Use, and Sustainable Bonus request is 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 page 6 of this report.

## PROJECT DESCRIPTION

The applicant, Rosemurgy Properties, LLC, is requesting approval of the following for Rosemurgy Self Storage at 2202 Lake Worth Road:

- A **major site plan** request to construct a ±99,800 square foot indoor self-storage facility.
- A **conditional use permit** request to develop a ±99,800 square foot indoor self-storage facility, which is classified as mini-storage, high-intensity greater than 7,500 sf with additional site improvements.
- A **Sustainable Bonus** request for an additional two (2) stories of bonus height.

The Applicant is proposing an indoor self-storage development on the subject 1.797-acre vacant lot with the stated purpose of improving the area while contributing to the commercial, residential, and recreational uses surrounding the area as well as the surrounding mixed uses that promote walkable and interconnected uses with a mix of densities and intensities and access to transit, bicycle, pedestrian, and other modes of transportation. The proposed project will also implement the Sustainable Bonus Incentive Program to attain an increase in height (15 feet) and an additional two stories which in exchange will contribute to the purpose of the comprehensive plan, to incorporate sustainable design features, community-based improvements, and overall design excellence as part of a development proposal.

## COMMUNITY OUTREACH

Staff has not received any letters of support or opposition for this application.

## BACKGROUND

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

**Use/Construction:** Currently, the property is vacant with no existing structures on the site.

**Code Compliance:** There are no active code cases on the subject site.

## ANALYSIS

### Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Transit-Oriented Development (TOD). Per Policy 1.1.1.8, the TOD FLU is intended to promote compact, mixed-use development near proposed or existing transportation infrastructure to encourage diversity in the way people live, work and commute. The preferred mix of uses area-wide is 75% residential and 25% non-residential. All buildings are required to provide transitional buffering and design features to mitigate impact of the TOD sites adjacent to residential zoning districts. The self-storage use is an anticipated use in the implementing zoning district (MU-W) of the TOD future land use designation. This use supports residential uses in the city, including smaller multi-family units where off-site storage may be desired. The site plan and building location is also designed to minimize impacts on the adjacent residential uses to the east.

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 work to strengthen Lake Worth Beach as a community of neighborhoods and navigate towards a sustainable community. Pillars II.A, 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 economic and financial sustainability through a versatile and stable tax base, and ensure facility placement, construction and development that anticipates and embraces the future. The self-storage 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 – West (MU-W):** Per LDR Section 23.3-18(a), the MU-W zoning district is intended to provide for the establishment and expansion of a broad range of office and commercial uses, including moderate intensity and higher intensity commercial, hotel/motel and medium-density multiple-family residential development along the city's western thoroughfares. The establishment of certain uses is subject to conditional use review to ensure they will not create excessive problems for through traffic, or have a negative impact on nearby residential areas or the commercial viability of their neighbors. The district implements in part the mixed-use land use category of the Lake Worth Beach Comprehensive Plan.

**Analysis:** The proposed indoor self-storage use is classified as an indoor mini-storage use, which is allowed as conditional uses in the MU-W zoning district, subject to the regulations and standards as set forth in Article 4, Section 23.3-18 Development Standards. The proposed use is consistent with the intent of the MU-W zoning district as conditioned. The analysis for both the major site plan and the conditional use permit requests is provided in this section below and as consistent with the review criteria located in Attachments A & B.

The table and topic area analysis below evaluate the proposed site features and the project's compliance with the Land Development Regulations, including the first tier of the Sustainable Bonus Incentive Program:

Development Standard		Base Zoning District Mixed Used – West (MU-W)	MU-W with Sustainable Bonus Incentive Program (Tier 1)	Provided
Lot Size (min) In square feet (sf)		13,000 sf	13,000 sf	78,089 sf (1.7927 acres)
Lot Width (min)		100'	100'	125' 6"
Setbacks	Front (min build-to line)	28' to 32' for buildings taller than 30'	28' to 32' for buildings taller than 30'	32'
	Rear (min)	18' to 22' for buildings taller than 30'	18' to 22' for buildings taller than 30'	212'
	Street Side (min)	20'	20'	25'-4"
	Side Interior (min)	20'	20'	20'-6"
Impermeable Surface Coverage (maximum)		65%	65%	53.5% (41,788 sf)
Open Space (minimum)		35%	35%	46.48% (36,301 sf)

Structure Coverage (max)	50%	50%	32% (24,950)
Building Height (max)	30' (max. 2 stories)	45' (max. 4-stories)	45' (4-stories) 45' at top of parapet
Maximum Wall Height at Side Setback	30'	65'	45'
Floor Area Ratio (FAR) (max)	1.3	2.3 (179,604 sf)	1.28
Wellfield Zone	Located in Zones 2 and 3		
Parking	Parking Calculated per unit, room, and non-residential square footage. See page 4 for detailed parking analysis.	15	24

**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 proposed dumpster location was reviewed by Public Works, who determined that the dumpster was consistent with the location, size, and screening requirements. The dumpster is located north of the structure and is fully screened with landscaping. The dumpster enclosure material shall be reviewed at the time of building permit for architectural consistency with the project.

**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:** A photometric plan was provided depicting compliance with the exterior lighting requirements in Section 23.4-3 and does not allow light to trespass upon neighboring residential properties or districts in excess of 12.57 lumens. 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 3000 K 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 was calculated using industry standards for self-storage facilities. The total number of required parking spaces is 15. The parking was calculated at one (1) space per 5,000 square feet of gross floor area (GFA) for the first 20,000 square feet then one (1) space per 10,000 square feet of GFA thereafter. The applicant is providing 24 total parking spaces including two (2) electrical vehicle parking spaces and bike racks totaling five (5) parking spaces. The additional parking spaces for the accessory office use was calculated using LDR Section 23.4-10, for office uses at one (1) space per 400 gross square feet.

**Signage:** Signage is required to comply with the size and design requirements of LDR Section 23.5-1, *Signs*. Ground or monument signage shall require a minor site plan amendment where the ground sign shall be depicted on the site and landscape plans. The signage shall be reviewed at minor site plan and building permit for consistency with the sign 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 eastern portion of the subject site is adjacent to single-family homes and retail. Generally, the proposed landscaping along the eastern property line, adjacent to the residential, would require large shade trees with corresponding vegetation to adequately screen the project from the adjacent uses. However, the location is within utility easements. Per LDR Section 23.6-1(k)(5)a, *Tree selection adjacent to or within utility easements*, tree selection is required to minimize conflicts with overhead or underground powerlines. The ultimate mature height and width of a tree to be planted should not exceed the available overhead growing space. Tree species shall be consistent with the recommendation in the most recent publication of Florida Power and Light Company's "Plant the Right Tree in the Right Place" which provides recommendations for tree selections. The applicant has proposed medium, maturing, native trees located along the eastern property line, adjacent to the residential uses, to meet the Right Tree, Right Place requirements. The size of the trees follows FPL guidelines and will provide adequate screening for trees located underneath powerlines.

The development proposal provides perimeter (south, west, and north property lines) and interior landscaping. The proposed landscaping is consistent with the City's landscape regulations and the Major Thoroughfare Design Guidelines. Tree species include a mix of Pigeon Plum, Simpsons Stopper, Live Oak and Bald Cypress trees for the perimeter and interior plantings along with multiple native and non-native shrubs, grasses and groundcovers. The proposed landscape complies with the City's requirement that 75% of all required plants be Florida native.

As required by the tree removal provisions in the landscape regulations, the applicant submitted a tree survey and disposition plan that was reviewed by staff. The diameter at breast height (DBH) for the existing trees with a condition rating of fifty (50) percent or greater on the property is used to calculate the replacement tree requirement. Although two live oaks are proposed removed from the City ROW to facilitate the entrance to the project and 3 Sabal Palms are also proposed to be removed, no mitigation is required due to onsite replacement.

### **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. Compliance determination with the applicable standards in Section 23.2-31 are 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 consistent with the Site Design Qualitative Standards and 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 proposed mural, landscaping, and sculpture at the southwest corner of Lake Worth Road and Boutwell Road enhances the pedestrian experience, streetscape, and building's architecture. The perimeter public sidewalks provide connectivity to the on-site pedestrian walkways. The building is placed at the southwest corner of Lake Worth Road and Boutwell Road corridors, with surface parking north of the building, such that it minimizes any adverse effects to the residential properties to the east. Driveway access is placed on the west side of the project, minimizing vehicular interaction with the pedestrian circulation. On-site parking is

designed along the north and west of the property and is screened from public view by landscaping and building placement. The dumpster will be located in an enclosure located north of the building and will provide collection and storage of solid waste and recyclables. Site lighting will comply with the City's lighting design and illumination standards, so that it will not spill over to surrounding properties. Landscaping of the perimeter buffers will be designed in such a manner as to compliment the architectural style of the buildings and screen the vehicular use areas.

The proposed improvements to the site are harmonious as a whole, are visually appealing, and will be an asset to the neighborhood with the proposed landscaping, building security cameras, lighting and public art.

The existing uses in the surrounding area are as follows:

Direction	Future Land Use	Zoning District	Existing Use
North	Unincorporated Palm Beach County Commercial High with an underlying right (8) units/ acre (CH/8)	Unincorporated Palm Beach County Commercial General (CG)	Office Use/2 <sup>nd</sup> Avenue ROW
South	Unincorporated Palm Beach County Commercial High with underlying 8 units per acre (CH/8)/ High Residential 18 units per acre	Unincorporated Palm Beach County Neighborhood Commercial (CN)/Specialized Commercial (CS)	Vacant Parcel/Lake Worth Road ROW/ Commercial & Civic Uses
East	Unincorporated Palm Beach County Commercial High with an underlying right (8) units/ acre (CH/8)	Unincorporated Palm Beach County Neighborhood Commercial (NC)	Single-Family Homes & Retail Use/Buffalo Street ROW
West	Mixed Use – West (MU-W)	Mixed Use – West (MU-W)	Boutwell Road ROW/Multi-Family Homes

The proposed use 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 and residential area.

**Community Appearance Criteria:**

The proposed building and associated site improvements represent a substantial improvement in the general appearance of the property by providing new landscape screening around the perimeter of the property, new architecturally appropriate building, and improved site circulation. The proposed architecture of the building is appropriate and in harmony with the surrounding residential and nonresidential area (industrial and commercial). Overall, the proposed development proposal represents a substantial improvement in the visual appearance of the property over the current vacant condition.

**Conditional Use Findings (Attachment B)**

Conditional uses are those uses that are 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 conditions pertinent thereto in order 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 project proposal includes a conditional use request to establish a residential master plan greater than 7,500 square feet.

The proposed conditional use is not anticipated to impact the surrounding area greater than uses permitted by right or greater than the previous funeral home and crematorium use on the property. The site is currently vacant and is proposing a self-storage facility that does not utilize the maximum development potential. The building will be served by municipal services, including water, sewer, refuse, fire and police. The site is located on an arterial roadway. The proposed associated site improvements would provide new screening and site circulation.

### **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 to attain an option for increased height 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, a project over two stories require sustainable features which allows for increases in height over baseline maximums. Additionally, for each project requesting an additional bonus above the maximum base threshold, twice the baseline sustainable bonus value shall apply to each square foot of the additional bonus. The total square footage of bonus area above the second floor is +/-49,900 square feet (3<sup>rd</sup> and 4<sup>th</sup> floors) in total for the building. Therefore, the value of the required improvements for the SBIP is \$374,250 (49,900 square feet x \$7.50). The multiplier is based on the board approved fee schedule. The applicant is required to pay 50% of the incentive value is (\$187,125). For the remaining 50% of the incentive award value (\$187,125), the applicant is proposing a large sculpture (min. \$35,000), a mural located on the east façade (\$20,000), enhanced landscaping (\$45,000), and Florida Green Building certification (\$93,563). The total value of the qualifying improvements is \$193,563, which exceeds the required value of \$187,125. **Therefore, total payment by the applicant to the City for the additional height and 2 - stories is \$187,125.**

## **CONCLUSION AND CONDITIONS**

The MU-W district is intended to provide for the establishment and expansion of a broad range of office and commercial uses, including moderate intensity and higher intensity commercial, hotel/motel and medium-density multiple-family residential development along the city's western thoroughfares. The establishment of certain uses is subject to conditional use review to ensure they will not create excessive problems for through traffic, or have a negative impact on nearby residential areas or the commercial viability of their neighbors. Based on the data and analysis in this report and the supporting materials by the applicant, the use is not anticipated to negatively impact adjacent residential property, or have a negative impact on the commercial viability of neighboring commercial businesses. Further, the proposed site improvements are consistent with the City's LDR requirements and will be an asset to the area with the proposed landscaping, building security cameras, lighting and public art. Therefore, a recommendation of approval is provided to the PZB with the following conditions:

### **Planning & Zoning**

1. Fifty percent of the sustainable bonus fee (\$187,125) 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 \$187,125, or shall be required to pay the remaining 50% of the incentive value in its entirety (\$187,125).
3. A video security system shall be required for the property.

4. Minor site plan amendment shall be required prior to the issuance of a building permit for a ground sign depicting the location of ground mounted signage on the landscape and site plans.
5. Exterior lighting shall be required to comply Dark Sky lighting guidelines, including using fully shielded fixtures and LED lighting that has a color temperature of no more than 3000 Kelvins. [www.darksky.org](http://www.darksky.org)
6. Dumpster enclosure material shall be reviewed for architectural consistency and for compliance with all applicable City requirements at building permit.

#### **Utilities (Water, Sewer & Stormwater)**

1. Prior to building permit issuance, the applicant shall provide the following:
  - a. Provide the SFWMD and/or LWDD permits if applicable.
  - b. Capacity fees for water and sewer must be paid in full. The capacity charge for water is \$3,569/ERU and sewer is \$2,483/ERU.

#### **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 Services 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 Services.
3. Prior to the issuance of a building permit, the applicant shall contact the Lake Worth Drainage District's (LWDD) Engineering Department and obtain any required permit(s), if necessary, and furnish to the City. Prior to the issuance of a building permit, the applicant shall contact the South Florida Water Management District's (SFWMD) Engineering Department and obtain any required permit(s), if necessary.
4. Prior to the issuance of a building permit, the Applicant shall contact and meet with a representative from the Public Services Solid Waste and Recycling Division to confirm dumpster enclosure location, accessibility and demand on property and that it is compatible with the requirements of the Department of Public Services. Solid Waste Division contact number is 561-533-7344.
5. Prior to the issuance of a certificate of occupancy, the Applicant shall 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.
6. Prior to the issuance of a building permit, the applicant shall submit an Erosion Control plan and indicate the BMP's and NPDES compliance practices.
7. Prior to the issuance of a Certificate of Occupancy, the applicant shall fine grade and sod all disturbed areas with bahia sod.
8. Prior to the issuance of a Certificate of Occupancy, the applicant shall 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 the issuance of a Certificate of Occupancy, the applicant shall restore the right of way to a like or better condition. Any damages to pavement, curbing, striping, sidewalks or other areas shall be restored in kind.

#### **Building Division**

1. Finished floor must be 12 inches above the crown of the road.

#### **BOARD POTENTIAL MOTION:**

I move to **approve with conditions** of PZB Project #22-01400020 for a Major Site Plan, Conditional Use, and Sustainable Bonus request to construct a 4 story, ±99,800 sf indoor self-storage facility 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 #22-01400020 for a Major Site Plan, Conditional Use, and Sustainable Bonus request to construct a 4 story, ±99,800 sf self-storage facility at the subject site. 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 and Major Site Plan. The Applicant may appeal the Board's decision to the City Commission.*

## ATTACHMENTS

- A. Qualitative Development Standards
- B. Conditional Use Findings
- C. Application Package (survey, site plan, architectural plans & supporting documents)

## ATTACHMENT A – Qualitative Development Standards

Section 23.2-31(c) – Qualitative Development Standards	Analysis
<p><b>1. Harmonious and efficient organization.</b> 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>	In Compliance
<p><b>2. Preservation of natural conditions.</b> 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>	Not Applicable
<p><b>3. Screening and buffering.</b> 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>	In compliance
<p><b>4. Enhancement of residential privacy.</b> 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>	In compliance
<p><b>5. Emergency access.</b> 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>	In compliance
<p><b>6. Access to public ways.</b> 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>	In compliance
<p><b>7. Pedestrian circulation.</b> There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.</p>	In compliance
<p><b>8. Design of ingress and egress drives.</b> 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>	In compliance
<p><b>9. Coordination of on-site circulation with off-site circulation.</b> The arrangement of public or common ways for vehicular and pedestrian circulation shall be coordinated with the pattern of</p>	In compliance

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.

**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**

<b>Section 23.2-31(d) - Qualitative Buildings, generally</b>	<b>Analysis</b>
<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>	<b>In compliance</b>
<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>	<b>In compliance</b>
<p><i>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.</i></p>	<b>In compliance</b>

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.* **Not applicable**
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.* **In compliance**
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.* **In compliance**
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**
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.* **In compliance**
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**

<b>Section 23.2-31(h) – Criteria for parking lots and vehicular use areas</b>	<b>Analysis</b>
<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>	<b>In compliance</b>
<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>	<b>In compliance</b>
<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>	<b>In compliance</b>
<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>	<b>In compliance</b>

<b>Section 23.2-31(l) – Community Appearance Criteria</b>	<b>Analysis</b>
<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>	<b>In compliance</b>
<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>	<b>In compliance</b>
<p>3. <i>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.</i></p>	<b>In compliance</b>
<p>4. <i>The proposed structure or project complies with this section and 23.2-29, Conditional Use Permits (CUP), as applicable.</i></p>	<b>In compliance</b>

### ATTACHMENT B - 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>	<b>In compliance</b>
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>	<b>In compliance</b>
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>	<b>In compliance</b>
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>	<b>In compliance</b>
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>	<b>In compliance</b>
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>	<b>In compliance</b>
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>	<b>In compliance</b>
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>	<b>In compliance</b>
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>	<b>In compliance</b>
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>	<b>In compliance</b>

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**
  
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**