



**ORDER OF THE PLANNING AND ZONING BOARD  
OF THE CITY OF LAKE WORTH BEACH, FLORIDA**

PROJECT NAME: 7-Eleven, 1900 10<sup>th</sup> Avenue North, PZB 20-00500003

APPLICANT/OWNER: Anne-Christine Carrie of KEITH / 1900 10<sup>th</sup> Ave, LLC.

APPLICANT'S ADDRESS: 2312 South Andrews Avenue, Fort Lauderdale, FL 33316

DATE OF HEARING: July 15, 2020

APPROVAL REQUESTED: Major Site Plan, Conditional Use and Variance to construct Vehicle Fueling/Charging Station, Single-Destination Retail, and Restaurant uses at 1900 10th Avenue North.

PROPERTY LOCATION: 1900 10<sup>th</sup> Avenue North, PCNs: 38-43-44-21-02-005-0030

  X   THIS MATTER came to be heard before the Planning and Zoning Board of the City of Lake Worth Beach, Florida, on the date of hearing stated above. The Board, having considered the application, relief sought, and other materials submitted by the Applicant and the City's staff report and other information, and having reviewed the criteria for granting a variance as set forth in Section 23.2-26 of the City's code of ordinances, and having heard testimony from the Applicant, members of the Lake Worth Beach administrative staff, affected parties, and the public, hereby FINDS AND ORDERS as follows:

1. Applications for a Major Site Plan and Conditional Use Permit were made by the Applicant in a manner consistent with the requirements of the Lake Worth Beach Land Development Regulations.

2. The Applicant  
  X   HAS  
   HAS NOT

established by substantial competent evidence a basis for the approval requested.

3. Accordingly, the Applicant's applications for a Major Site Plan and Conditional Use Permit are hereby  
  X   GRANTED, subject to the conditions referenced herein.  
   DENIED

4. Application for a Variance was made by the Applicant in a manner consistent with the requirements of the Lake Worth Beach Land Development Regulations.

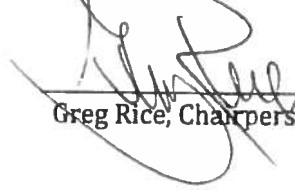
5. The Applicant  
  X   HAS

\_\_\_ HAS NOT

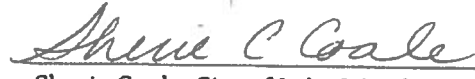
met the criteria for a variance as set forth in Section 23.2-26(b)(1-4), of the City's code of ordinances.

- 6. The conditions for the Major Site Plan, Conditional Use Permit, and Variance, as presented by administrative staff, are supported by substantial competent evidence, and are set forth in the CONDITIONS OF APPROVAL, attached, and incorporated herein.
- 7. Accordingly, the Board hereby approves the Major Site Plan, Conditional Use Permit, and Variance, with the CONDITIONS OF APPROVAL.
- 8. This Order shall take effect on the date signed by the chairperson.
- 9. All further development on the property shall be made in accordance with the terms and conditions of this Order.

Signed this <sup>5th</sup>~~8th~~ day of August 2020 by the CHAIRPERSON on behalf of the BOARD.

  
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 Greg Rice, Chairperson

BOARD SECRETARY

  
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 Sherie Coale, City of Lake Worth Beach

**CONDITIONS OF APPROVAL**  
**PZB CASE No. 20-00500003**

**Electric Utilities:**

1. Prior to the issuance of a Certificate of Occupancy, the following shall be completed:
  - a. Provide the load calculations and voltage requirements
2. Electric Utilities shall approve all easements and/or alternate transformer configurations prior to the issuance of a building permit.
3. Should no alternate transformer and/ or easements be approved by the Electric Utilities, then the following shall be provided and approved prior to the issuance of a building permit:
  - a. Show the service entrance location on the site plan
  - b. Provide a ten ft. clearance in front of the transformer and four ft. on the remaining sides
  - c. Relocate the proposed tree from the transformer location
  - d. Provide a ten foot easement from the transformer location to the power pole across the street on Barnett Drive. Please keep the utility easement free of landscaping or any other structures.

**Planning:**

1. The landscape screen adjacent to the air/vac mechanical equipment along 10<sup>th</sup> Avenue North shall be maintained at a height of at least  $\frac{3}{4}$  of the height of said equipment so that it is screened from the right-of-way.
2. All proposed signage will be reviewed against the location and size on sheets A200 and A202, as well as in conformance with the Code. Should the type of signage submitted as part of the building permit be significantly different in size, scale, scope, or style from what was indicated in the Site Plan package, the signage will be required to be approved administratively through a Minor Site Plan amendment process prior to the approval of the building permit.
3. There shall be no outdoor display of any kind of merchandise.
4. Prior to the issuance of a building permit, the following shall be completed:
  - a. Continue the fenestration toward the ground across the entire building on both sides of the entrance doors.
  - b. Paint the retail/restaurant building a color other than beige as described in the Major Thoroughfare Design Guidelines; alternative colors and/or materials shall be presented to the PZB for consideration and approval; and architectural plans shall be updated and approved by staff prior to the issuance of a building permit to reflect an alternate color or materials.
  - c. The applicant shall submit a TPS letter from the Palm Beach County Traffic Division prior to the issuance of a building permit.
  - d. The applicant shall provide additional school area signage by working in conjunction with City Staff, the Palm Beach County School Board, and/or Palm Beach County. Any new signage shall be installed prior to the issuance of a Certificate of Occupancy.

**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. Prior to performing work in the right of way, the applicant shall apply for and receive issuance of a "Right of Way/Utility Permit" application.

3. Prior to the issuance of a certificate of occupancy, the following shall be completed:
  - a. 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.
  - b. all conditions of approval shall be satisfied under jurisdiction of the Department of Public Services.
  - c. the applicant shall fine grade and sod all disturbed areas with Bahia sod.
  - d. 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.
  - e. 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
4. Prior to the issuance of a building permit, the following shall be completed:
  - a. The applicant shall contact the Lake Worth Drainage (LWDD) District’s Engineering Department and obtain any required permit(s), if necessary, and furnish to the City.
  - b. The applicant shall contact the South Florida Water Management District’s (SFWMD) Engineering Department and obtain any required permit(s), if necessary.
  - c. The Applicant shall contact and meet with a representative from the Public Services Refuse 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. Refuse Division contact number is 561-533-7344.
  - d. The applicant shall submit an Erosion Control plan and indicate the BMP’s and NPDES compliance practices.

**Utilities Water & Sewer:**

1. System data shows the site uses an existing 1-inch meter, however the drawing reference utilizing the existing 2-inch service. No taps or fitting are allowed upstream of the City water meter on the City’s water service. The potable water service also requires an RPZ.
2. Prior to the issuance of a building permit, the following shall be completed:
  - a. Ensure the plan conforms/integrates with the Palm Beach County (PBC) Roadway widening/improvement project, and provide an acknowledgement from PBC.
  - b. The vehicular access from Barnett Drive shall permit only right-in/right-out access to and from the site for customer and employee traffic, excluding fuel delivery which can use the driveway for ingress. The improvements limiting such movement shall be approved by the Lake Worth Beach City Engineer, including striping and signage.
  - c. Provide a collection structure in the dumpster pad that is connected to an oil/grease inceptor. This will manage the runoff in this area and will be connected to the stormwater collection system. This shall not be connected to the sanitary sewer system. Minimum size of the oil/grease inceptor is 750 gallons.