



**MINUTES
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, JUNE 07, 2023 -- 6:00 PM**

ROLL CALL and RECORDING OF ABSENCES: Present were: Juan Contin, Chairman; Mark Humm, Edmond LeBlanc, Alexander Cull, Evelin Urcuyo. Absent: Daniel Walesky; Zade Shamsi-Basha. Also present were: Abraham Fogel, Senior Community Planner; Scott Rodriguez, Principal Planner; Erin Sita (virtual) Assistant Director for Community Sustainability; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

A. May 24, 2023 Regular Meeting Minutes

Motion: E. Urcuyo moves to approve the minutes as presented, A. Cull 2nd.

Vote: Ayes all, unanimous

CASES:

SWEARING IN OF STAFF AND APPLICANTS Board Secretary administered oath to those wishing to provide testimony.

PROOF OF PUBLICATION Provided in the meeting packet.

- 1) 1803 Madrid Avenue
1821 and 1841 7th Ave N
1776 Lake Worth Rd
1007 13th Ave N

WITHDRAWALS / POSTPONEMENTS None

CONSENT None

PUBLIC HEARINGS:

BOARD DISCLOSURE None

UNFINISHED BUSINESS: None

NEW BUSINESS:

A. PZB Project Number 23-00500007: A conditional use permit request for The Guatemalan-Maya Center for a ±9,952 square foot Social Service Center with accessory Medical Office (outpatient clinic/medical office use) located at 1776 Lake Worth Road.

Staff: S. Rodriguez presents case findings and analysis. This proposal would allow the applicant to increase the square footage up to 9,952 without returning to the Board. The Rezoning is underway at the City Commission level and has received 1st reading approval. Should the Rezoning not be approved by City Commission, this Conditional Use approval would be null and void. Social services, food distribution, pop-up medical clinic are the primary services being offered. The plan, as proposed, is consistent with the City LDR's and Comprehensive Plan.

Board: It seems the Conditional Use is pushing to get ahead of the Rezoning. The rezoning would allow the social services use in TOD-E. With current zoning nothing can go at the location except an office, as a non-conformity neither the structure or the use can be expanded. The social services center is allowed in TOD-E zoning district.

Public Comment: None

Motion: A. Cull moves to approve PZB 23-00500007 with staff recommended Conditions of Approval based upon competent, substantial evidence in the staff report and testimony at the public hearing; E. Urcuyo 2nd.

Vote: Ayes all, unanimous.

B. PZB Project Numbers 23-00500005: A Conditional Use request for the business "Interior Exterior Building Supply" at 1803 Madrid Ave for the establishment of a ±38,000 square feet distribution facility designated as a Wholesale and Distribution Facilities use by LDR Section 23.3-6. The subject site is zoned Industrial Park of Commerce (I-POC) and has a future land use designation of Industrial (I).

Staff: S. Rodriguez presents case findings and analysis. A 2014 ingress/egress access agreement, allowed access to Madrid Avenue which serves only four (4) properties in the area. Conditions include no outdoor storage and any existing outdoor storage and accessory structures shall be removed.

Agent for the Applicant- Wes Blackman CWB Associates – representing the owner of the property. Has concerns about the expediency of the tenant approval. Time is of the essence with the lease at 40K per month. Condition #5 indicates that a minor site plan must be completed prior to the issuance of the Business License. Requests a one year time frame to complete and not be tied to a business license.

Staff offers a three (3) month time period to apply for the minor site plan.

Board: States applicant could be a good neighbor and go ahead and improve the property. Question if there is anything burdensome anticipated with the site plan review.

Staff: There is a code violation on the property. A Business License cannot be issued until the code case is remediated.

Motion: E. Urcuyo moves to approve PZB 23-00500005 with staff recommended Conditions of Approval including the modification of Condition #5 to read "The minor site plan modification shall be required to address the following within three (3) months of the Development Order issuance " ; based upon competent substantial evidence in the staff report and in the testimony at the public hearing; A. Cull 2nd.

Vote: Ayes all, unanimous.

C. PZB Project Numbers 23-00500008 & 23-00500009: A Blanket Conditional Use request for multiple conditional uses as provided for in LDR Section 23.3-6 for an existing industrial development at 1821 and 1841 7th Avenue North. The properties are zoned Industrial - Park of Commerce (I-POC) and have an Industrial (I) Future Land Use (FLU) designation.

Staff: A. Fogel presents case analysis and findings. The property owner discussed challenges with tenancy issues at the Business License level. Staff recommended a blanket conditional use. The uses

requested do not include vehicular uses. Landscaping, refuse area inclusion and removal of chain link fencing are items that need to be addressed.

Board: Question about restoration to the original plans on file. Staff states there is not any space to increase the landscape but rather to replace where it has deteriorated over time.

Staff: The uses allowed in IPOC zoning district typically require either an Administrative Use Permit review or Conditional Use review for the uses found in an industrial area. Many times the applicant is no longer interested when faced with that scenario.

Motion: A. Cull moves to approve PZB 23-00500008 & 23-00500009 with staff recommended Conditions of Approval based upon competent substantial evidence in the staff report and in the testimony at the public hearing; E. LeBlanc 2nd.

Vote: Ayes all, unanimous.

D. PZB Project Number 23-01500002: Consideration of a variance by Gualberto and Silvia Gonzalez to allow a lot width of 46.61', whereas, a minimum lot width of 50' is required at 1007 13th Avenue North. The property is zoned Mixed Use – Dixie Highway (MU-DH) and has a Mixed Use – East (MU-E) future land use designation.

Staff: A. Fogel presents case findings and analysis. Criteria #2 -If redeveloped as Multi-Family it would be consistent with the future land use, zoning and strategic plans. Criteria #3 -The requested variance is minimal. The proposal does appear to meet Criteria #1 (special circumstance) as the pattern of platting width is repeated on the majority of the northernmost lots along the southside of 13th Avenue North. Criteria #4-the reduced lot width will not negatively affect surrounding properties, the neighborhood or public welfare.

Board: Question about whether it is a tear down. **Response:** It is a tear down.

Staff: It is currently a Single-Family Residence and staff is reviewing for 3 units.

Motion: A. Cull moves to approve PZB 23-01500002 with staff recommended Conditions of Approval as it meets the variance criteria based on the data and analysis in the staff report; E. LeBlanc 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES: None

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS: Staff is proposing a meeting on June 28, 2023.

BOARD MEMBER COMMENTS: J. Contin and A. Cull will not be available for the June 28, 2023 meeting.

ADJOURNMENT: 6:45 PM