



**MINUTES
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD REGULAR MEETING
VIA TELECONFERENCE
WEDNESDAY, OCTOBER 07, 2020 -- 6:03 PM**

OATH OF OFFICE: The Oath of Office was taken by newly appointed Board Members Robert Lepa and Juan Contin prior to roll call.

ROLL CALL and RECORDING OF ABSENCES: Present were: Greg Rice, Chairman; Anthony Marotta, Vice-Chair; Mark Humm; Laura Starr; Robert Lepa and Juan Contin. Absent: Daniel Tanner. Also present were: Alexis Rosenberg, Senior Community Planner; Andrew Meyer, Senior Community Planner; Erin Sita, Assistant Director for Community Sustainability; Pamala Ryan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA :

Motion: A. Marotta moves to approve the agenda with New Business Item C Artificial Turf to be discussed 1st then the balance of the Ordinance; M. Humm 2nd.

Vote: Ayes all, unanimous.

APPROVAL OF MINUTES:

A. September 2, 2020 Regular Meeting Minutes

Motion: A Marotta moves to approve the minutes as presented; L. Starr 2nd.

Vote: Ayes G. Rice, A. Marotta, M. Humm, L. Starr, motion carries.

CASES:

SWEARING IN OF STAFF AND APPLICANTS: The Board Secretary administered the Oath of Testimony to those wishing to speak on the agenda-ed items.

PROOF OF PUBLICATION: Provided in the meeting packet.

- 1) Village Flats
Rezoning
LDR Amendments

WITHDRAWALS / POSTPONEMENTS: None

CONSENT: None

PUBLIC HEARINGS:

BOARD DISCLOSURE: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

A. PZB Project Number 20-01000001: Consideration of a mixed-use urban planned development, major site plan with sustainable bonus, and conditional use permit to construct a two-phase multi-family development with live-work units, generally known as “Village Flats”.

Staff: A. Meyer presents case findings and analysis. The proposal is for a 41- unit development to include 10 live/work units. Phase 1 will be the more easterly of the two phases. Buildings 1 and 2 in this phase will house 24 units with five (5) live/work one-bedroom units and a six (6) unit one-bedroom multi-family structure respectively. Phase 2 plans continue to be finalized but would include five (5) live work units in one structure and six (6) multi-family units.

Applicant: Tim Carey explains the CRA awarded the RFP 01-1819 which were for vacant lots. Providing for an affordable market rate product Phase 1 will feature 1-bedroom units with 686 square feet; and live/work units of 715-723 square feet. Phase 2 will feature 3/2 bed/bath live/work units providing 1550 square feet. The live/work units will also have private, gated front patios serving a dual purpose of waiting area for clients or entertainment area for the tenant. Units may also feature a balcony.

Board: G. Rice asks about Building 1 fronting on Lucerne and the two-way traffic on the rendering. Will there be wayfinding signage? **Applicant:** Signage will be provided; the rendering will be changed to reflect the one-way flow of traffic. There will be an elevator in the four (4) story building but not the three (3) story building. R. Lepa asks about the infrastructure costs to the developer. **Applicant:** Based on what’s in place, upgrades may be required. **Staff** explains the SPRT process with review by other departments and resulting conditions. **Board:** L. Starr asks if there are other renderings? **Applicant:** yes, but they were not happy with the color scheme. The building color palettes will all be different, not uniform. J. Contin mentions the development across the street, and that it’s hard to approve without the renderings, without having the full picture. Would like to see the proposed mural; it’s not clear where the pocket park will be located. **Applicant:** It is in the southeast corner. **Staff:** This is a recommendation going to City Commission, correct renderings will be provided before that time. **Board:** What is the approximate, anticipated rent? **Applicant:** 1 bedroom \$1,100-\$1,200.00 and \$1,300-\$1400.0 for the 3-bedroom. The property management will be outsourced. L. Starr inquires about the mural. **Applicant:** It will be on Building 2 or 3. G. Rice asks if there will be any alley abandonments? **Staff:** No. **Board:** J. Contin asks about the height of the structures, and if the Sustainable Bonus was achieved through lot assemblage. Are the smaller structures in Phase 2? **Staff:** Yes. **Board:** J. Contin questions the possibility of Phase 2 not happening. Staff states there will be no vesting of Phase 2 if permit is not pulled. Density will be topped out.

Board attorney: Can Phase 1 survive on it’s own? **Staff:** It can never be separated- the entitlements are density related.

Applicant: Would like to break ground by January 21 if possible.

Motion: A. Marotta moves to recommend approval of PZB 20-01000001 with staff recommended conditions to City Commission. The project meets the applicable criteria based on the data and analysis in the staff report.; L. Starr 2nd.

Chairperson believes the renderings should be provided to the Board. **Applicant:** Signage and the mural will be coming before the Board. **Staff:** The information is on the digital submittal provided to the Board. A. Marotta states he can live with the rendering depicting the cars going the wrong way as he can see the site plan and the pocket park is shown. G. Rice asks where the signage will be for the live/work units? L. Starr asks if that requires a permit? **Applicant:** there will be consistency throughout with a monument sign as well as signposts and individual business signage.

Vote: Ayes all, unanimous.

B. PZB Project Number 20-01300002: Request for a City initiated rezoning to rezone 118 North A Street, 116 North A Street, 127 North B Street, 121 North B Street, 119 North B Street, 113 North B Street, 1500 Lucerne Avenue, and 128 North C Street from either Single Family – Two Family Residential (SF-TF-14) or Multi-family Residential 20 (MF-20) to Mixed Use – East (MU-E) pursuant to Section 23.2-36 of the Land Development Regulations (LDRs).

Staff: E. Sita reviews the background of the proposed rezoning of the properties to Mixed-Use East which will provide for compliance with the already existing Future Land use of Mixed-Use East. Doing so lends consistency and provides property owners with more opportunities for future development. In the event that non-conformities, whether structural or use, are created as a result of the rezoning, the non-conformities code section shall apply.

Board: R. Lepa inquires as to how businesses would be allowed at Lake Worth Towers.

Staff response: The businesses would be non-conforming, not the structure. G. Rice asks for verification that the change would not precipitate any property insurance issues for tenants. W. Waters stated it would allow rebuild in the event of an Act of God. It would allow for a larger variety of tenants in the Towers.

Public Comment: None.

Motion: L. Starr moves to recommend adoption of PZB 20-01300002 to the City Commission as it meets the criteria set forth in the Comprehensive Plan, LDR's and in review criteria for rezoning; R. Lepa 2nd.

Vote: Roll call, ayes all, unanimous.

C. PZHP 20-03100007: Consideration of an ordinance to Chapter 23 "Land Development Regulations" regarding changes to commercial vehicle parking, open air operations, temporary banner signage for new construction, landscaping requirements and artificial turf (Ordinance 20-15).

Staff: E. Sita presented proposed changes to the City Land Development Regulations. The proposed changes include six (6) city-initiated changes and one (1) city commissioner initiated change. As the artificial turf portion of the changes may be of the most interest, it will be discussed first.

A table showing the pro's (consistent appearance year round, resistant to pest damage, may be lower maintenance than traditional sod in that there are no fertilizer or pest control treatments, new less toxic products available, some are made from recycled material and is semi-pervious when correctly installed) and con's (damaged torn and worn down with heavy foot traffic, significantly hotter than ambient air temperature, regular raking required to mitigate dirt, odor and waste, some products leach into soil which can be harmful to humans, pets and environment, not recyclable, not fully pervious). **Staff:** If it were to be allowed: **Where** should it be allowed? **How**

should it be maintained? and - are the quality standards? Where: driveway parking strips in the front yard of non-conforming properties previously constructed with off-street parking; rooftops terraces and single family and duplex properties rear yard non-visible only. It is more akin to a paved or improved surface. It would not count toward landscaping requirements. How should it be allowed? By permit with 2 inspections, an affidavit of maintenance, barrier and no crumb rubber. What Standards? Minimum quality and minimum appearance standards, must have a 10 year warranty and drainage standards must be met.

Within the overall Ordinance, the artificial turf section is referred to in Exhibit G.

Board: M. Humm- would a permit be required? **Response:** yes

R. Lepa- knows of several backyards with artificial turf, not in favor of it in the front yard. It hurts the environment, can understand the utilization in some areas such as “grout” in a patio. Substitute grasses that are tolerant to shade and traffic can be better solutions.

G. Rice- there are many grades and qualities, it’s more of a maintenance issue equal to or greater than the environmental issue. There should be training to install the turf as anyone can pick it up and install it. Its hard to regulate maintenance, when it’s life is over it ends up in the landfill. Training is required by the State for other services that may potentially impact the environment and should be for this.

J. Contin -It’s about quality, understands and believes it to be helpful in the suggested areas such as rooftops, ribbon driveways and small parks. The required two (2) inspections should be enforced.

A. Marotta – Fertilizers can create pollution with real turf but the entire process with artificial turf in artificial. Both come with impacts. It may be acceptable in some areas with limited application.

Public Comment: Seven (7) letters of concern were read into the record.

Board: Strips for front yard parking of non-conforming lots; rooftop terraces and recreation area amenity areas, this is on the correct path.

Staff: Code suggestion/recommendations/ideas were borrowed from Delray Beach, Boca Raton and West Palm Beach which all have regulations and ordinances regarding artificial turf.

Board: J. Contin - Applications in playgrounds and dog parks for recreational areas are understandable. R. Lepa points out it would be required to hose down the dog parks. Would not recommend on the front yard. L. Starr- Palm Beach allows it but it cannot count toward landscape requirements or be in front yard. **Staff:** There will be two (2) other Board reviews, HRPB and Tree Board, prior to City Commission readings.

Discussion regarding whether to stay the issue pending further research or vote; does it produce odors and is the temperature transfer to adjacent properties unacceptable; does it leach into neighbors soil. It is highly litigated (pending class action suits) in the field of sports.

Motion: J. Contin moves to recommend approval of Exhibit G (Article 6-Sec. 23.6-1). Motion fails for lack of a second.

Board: A. Marotta asks for clarification if the item is being separated from the balance of the proposal.

Board Attorney: Can always motion to not recommend or move to postpone to November 2nd in order to further research toxicity and chemicals.

Board: R. Lepa states there is no point in postponing unless there will be new research provided at the next meeting.

Motion: A. Marotta moves to recommend approval of PZHP 20-03100007 excluding Exhibit G Article 6, Section 23.6-1 Landscape regulation (artificial turf), to the City Commission; L. Starr 2nd.

Discussion regarding letters and whether they are from Lake Worth Beach residents or persons outside the City limits. Board attorney advises that factor should weigh into the decisioning process with more weight given to resident opinion.

Vote: Ayes all, unanimous

Motion: A. Marotta moves to re-visit the artificial turn item at the next meeting; J. Contin 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES: None

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: None

ADJOURNMENT: 8:38 PM