



Planning Zoning Historic Preservation Division
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MINUTES
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, FEBRUARY 05, 2025 -- 6:04 PM

ROLL CALL and RECORDING OF ABSENCES: Present were: Juan Contin, Chair; Daniel Walesky, Vice-Chair; Mark Humm; Henry Pawski; Dave Mathews (6:32 pm). Also present were: Karina Maldonado, Senior Community Planner; Annie Greening, Principal Planner; Scott Rodriguez, Asst. Director for Planning and Preservation; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA None

APPROVAL OF MINUTES:

A. December 2024 Regular Meeting Minutes – M. Humm **motioned** to approve minutes as presented;
H. Pawski 2nd. **Vote:** Ayes all, unanimous.

CASES:

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

PROOF OF PUBLICATION - Provided in the meeting packet

- 1) Auto Zone 24-01400024
- For the Children 23-00500016
- Eire 24-00500014
- Eire 24-00500010

WITHDRAWALS / POSTPONEMENTS None

CONSENT None

PUBLIC HEARINGS:

BOARD DISCLOSURE: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- A. PZB Project Number 24-01400024:** A Major Site Plan and Waiver request for the construction of an automotive parts retail store, known as AutoZone, designated as a single destination retail use located at 501 South Dixie Highway, 507 South Dixie Highway, 913 5th Avenue South, South H Street, South H Street, 508 South H Street, and 510 South H Street.

Staff: S. Rodriguez provided an overview and analysis of proposal. The landscape plans meet all the requirements. A Unity of Title for the seven parcels will be required. Other submitted applications are a Major Site Plan, a street wall Waiver and an Administrative Use Permit. A separate Right of Way (ROW) abandonment of alley has also been submitted. The landscape plan meets all requirements. The request is consistent with the Comprehensive Plan, Strategic Plan and Land Development Regulations.

Board: Multiple Board members express concerns with the Right of Way (ROW) abandonment of the alley as it landlocks several properties.

Board Attorney: The Board may set a condition that the abandonment be for the entire length of the alleyway.

Board: Landlocking those properties to the south by removing access through the rear alley isn't the right thing to do, Board members would like for access to remain for the lots to the south.

Max Kaplan agent for Auto Zone- Deliveries occur once per week. A coordinated resolution to the access issue is possible, the applicant would be willing to accommodate the access to those lots.

Public Comment: Gary Williams – business owner at 514 South H Street states it is imperative that access is provided to the rear of those two southern properties.

Board Attorney: Although it is not a condition of this approval, a modification to the Site Plan could address the situation. Should the approval of the abandonment occur, it would be conditioned that in addition to the utility easement, an access/egress easement should also be recorded.

Motion: M. Humm moves to approve PZB 24-01400024 and the waiver based upon competent and substantial evidence in the staff report and the testimony at the public hearing. A condition of the minor site plan modification approval which is a condition, shall include the alleyway access to the parcels. This project approval is contingent upon the abandonment approval with an egress/ingress easement to those properties; D. Walesky 2nd.

Vote: Ayes all, unanimous.

B. PZB Project Number 24-00500010: A Blanket Conditional Use Permit request for multiple conditional uses as provided for in LDR Section 23.3-6 for Eire LW G5 LLC located at 518-530 North G Street.

Staff: K. Maldonado explains the request for a blanket conditional use for certain uses to be permitted. The two (2) parcels will be conditioned to have a Unity of Title.

Board: Concerns regarding the open liens and active code cases. Why can't some of these items be resolved prior to coming to Board?

Staff: The Conditions require all or certain items to be resolved prior to receiving a business license.

Board Attorney: The blanket conditional use allows tenants to get a business license; having a business license allows a resolution to some of the violations.

Board: The Artisanal Industrial (AI) zoning district can be confusing to some, changing the character of a zoning district can be difficult. Is auto repair allowed? **Response:** Yes, minor auto repair, subject to supplemental standards. Parking could also be or become a problem. Especially if the more intensive uses, such as landscape contractors with vehicles, are allowed. How would that be managed?

Response: Some businesses types/uses do have supplemental standards that require additional parking. It is mitigated at time of business license application, each tenant would be providing a parking plan. Some Board members believe the businesses will be self-regulating, meaning tenants will know whether the site is a good fit or not (if there is sufficient parking).

Staff: A landscape plan circa 2023 was developed and submitted a few years ago, with the result being a reduction in non-conformity.

Dylan Brandenburg, agent for the applicant: The property owner wants to expand the possibilities of what types of businesses can be at this site. Within the Artisanal Industrial (AI) zoning district there are 29 uses permitted by right. Conversely there are 184 administrative and conditional use types. It has been two (2) years of working to resolve approximately 10 code violations. This approval is needed to close out some of the violations.

There will not be a huge influx of new tenants, most of the units are already leased. The applicant is agreeable to removing some of the intense uses from the requested use list. Currently there are three auto repair businesses on the site without business licenses.

Board: Although a use could be removed from this requested use list, a business owner would still be able to come before the Board on an individual basis for a Conditional Use approval provided the use is allowed in the zoning district.

Public Comment: Nathan Adair- 532 North F Street- Concerns are loud music emanating from the area, vehicular racing on the street and parking in the street; trash, car parts in the alley.

Motion: D. Walesky moves to approve PZB 24-00500010 with staff recommended Conditions of Approval based upon competent substantial evidence provided in the staff report and in the testimony at the public hearing. Uses removed from the requested use list are: Indoor Motion Picture; Major & Minor Vehicular repair; Laundry Establishment; Lawn and Garden and Tree Maintenance Services while allowing the three existing minor tenants to proceed. H. Pawski 2nd.

Vote: Ayes all, unanimous.

C. PZB Project Number 24-00500014: A Blanket Conditional Use Permit request for multiple conditional uses as provided for in LDR Section 23.3-6 for Eire LW G5 LLC, located at 604 North G Street.

Staff: The project is similar to the previous project and the requested uses are the same. Applicant is requesting to add low Intensity Tattoo Shop.

Board: In the interest of expediency and efficiency Board members agreed to remove the same uses from the requested list without the need to hear the staff analysis again. There are no existing automotive uses at this location.

Motion: D. Walesky moved to approve with conditions PZB 24-00500014 based upon the competent substantial evidence in the staff report and in the testimony at the public hearing. Uses to be removed are: Laundry establishments; Lawn & Garden & Tree Maintenance; Movie theatre; Minor Auto Repair. Add Low Intensity Tattoo Shop. D. Mathews 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES: Staff mentioned a joint workshop with the Historic Preservation Board for Variance training to be provided by the Board Attorney. Tentatively scheduled for February 19. Board would also hear project 23-00500016. Other meetings on the horizon include the regular March 5 Planning & Zoning Board meeting; and a special meeting on March 19 for the Open Space & Recreation Comp Plan Element to be presented by Chen Moore and Associates.

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: J. Contin- the Artisanal Industrial (AI) is a controversial area due to people wanting to buy the properties and those wanting to get out of the area.

ADJOURNMENT: 7:35 pm