

## PLANNING AND ZONING BOARD REPORT

**PZB Project Number 22-00900002 (Ordinance 2022-15):** Consideration of a Mixed Use Urban Planned Development, Major Site Plan, Conditional Use Permit (CUP), and Sustainable Bonus Incentive Program (SBIP) requests for the project commonly referred to as “Lake Worth Station” located at 930 N G Street to construct a 5-story, 81 dwelling unit mixed use development with 39 multi-family units proposed to qualify as workforce housing and office space. The sustainable bonus request is for additional density and height. The property is zoned Transit Oriented Development – East (TOD-E).

**Meeting Date:** August 03, 2022

**Property Owner:** Ricardo Hernandez - Bridge Holding, LLC

**Applicant:** Ricardo Hernandez - Bridge Holding, LLC

**Project Manager:** Patricia Ramudo – IBI Group

**Address:** 930 N G Street

**PCNs:**

38-43-44-21-15-274-0080; 38-43-44-21-15-274-0070;  
 38-43-44-21-15-274-0040; 38-43-44-21-15-274-0030;  
 38-43-44-21-15-274-0020

**Size:** 1.084 Acre Lot

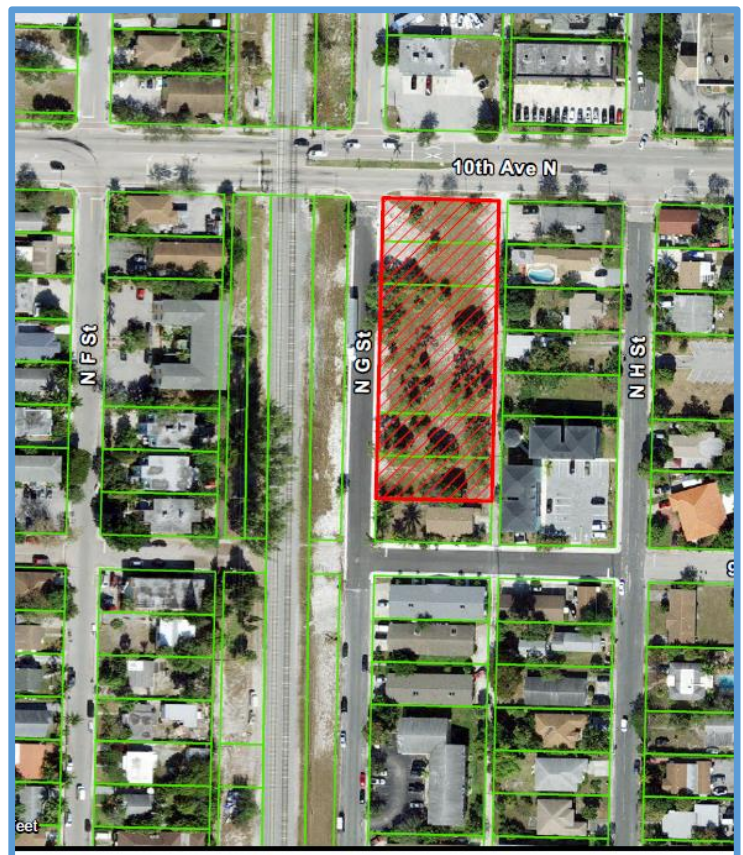
**General Location:** Northwest corner of 10<sup>th</sup> Avenue and North G Street

**Existing Land Use:** Vacant

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

**Zoning District:** Transit Oriented Development - East (TOD-E)

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 Mixed Use Urban Planned Development, Major Site Plan, and Conditional Use is consistent with the Comprehensive Plan, Strategic Plan, and LDRs, as conditioned, and, therefore, a **recommendation of approval with conditions** is provided to the Planning and Zoning Board. The conditions are located on page 9 of this report.

## PROJECT DESCRIPTION

The applicant, Ricardo Hernandez - Bridge Holding, LLC, is requesting approval of the following Lake Worth Station located at 930 North G Street:

- A **Mixed Use Urban Planned Development** request to construct an approximately 5-story, 81-unit multi-family residential structure, two office spaces, and additional site improvements.
- **Major Site Plan** for the development of mixed-use development in excess of 7,500 square feet.
- A **Conditional Use Permit** request to develop a multi-family residential use structure greater than 7,500 square feet.
- A **Sustainable Bonus** request for additional density and height.

The Applicant is proposing a mixed-use development on a 1.084-acre vacant lot with the purpose of improving the area while contributing to the commercial, residential, and recreational uses surrounding the area. The proposed mixed-use project includes the construction of a five-story building, surface parking and site amenities, to serve 81 multi-family residential units and 2 offices (accessory leasing office and co-work office space open to the public). Of the 81 residential units, 63 will be 1-bedroom units and 18 will be 2-bedroom units. Thirty-nine (39) of the 1-bedroom units will be designated as workforce housing. The concept behind this project is intended to provide a mixed-use development with an open plaza to serve the residents and businesses, as well as the community. The proposed mixed-use project of residential and office will ensure compatibility with 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.

## 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:

**Construction:** Currently, there are no existing structures on the site.

**Use:** The property's existing use is vacant.

**Code Compliance:** There are no active code case 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 land use category 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 maximum density of permitted residential development is 60 dwelling units per acre.\* 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.*

\* Excludes sustainable bonus incentives per FLUE Policy 1.2.3.4

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 Pillar IV of the Strategic Plan state that the City shall achieve strengthening Lake Worth Beach as a community of neighborhoods and navigating towards a sustainable community. Pillars II.A, II.B, IV.A, and IV.E of the Strategic Plan state that the City shall diversify housing options, 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 ensuring facility placement, construction and development that anticipates and embraces the future. The proposed multifamily building, office component and associated site improvements will contribute towards the City's Pillars II.A, 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 policies of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan.

#### **Consistency with the Land Development Regulations**

**Mixed Use Urban Planned Development** - Per Section 23.3-25, planned developments are intended to encourage innovative land planning and development techniques through incentives to create more desirable and attractive development within the City. The Department of Community Sustainability is tasked to review planned development applications in accordance with the City's LDRs, to assess compliance with the findings for granting planned developments (analyzed in the following sections) and to provide a recommendation for whether the application should be approved, approved with conditions, or denied.

**Analysis:** The proposed Mixed Use Urban Planned Development was reviewed for compliance with Section 23.3-25. The subject planned development is requesting to waive or relax base zoning district requirements in two (2) areas of the LDRs. The applicant has requested to reduce the west side setback from 10 feet to 9 feet to allow for a more substantial landscape buffer on the east side (alley side) of the property while maintaining parking lot travel lane widths and turn radii. The applicant is also requesting to reduce the living area for one-bedroom units from required minimum 600 square feet to 584 square feet, or a reduction of 16 ft (2.67%). The applicant has stated that they are requesting that reduction in support of the proposed workforce housing. Policy 3.1.2.2 of the Housing & Neighborhood Element in the Comprehensive Plan allows for a 15% reduction in living area requirements for affordable and workforce housing. The project also features approximately 1,700 sf of common area on the 5<sup>th</sup> floor for residents. The applicant will pursue the required unity of control for the petition, and has provided the required supporting information and development plans that comprise the master development plan. The proposal meets the minimum site area requirement of 0.5 acres. Outdoor storage is not proposed. The project planned development meets all land development requirements.

**Transit Oriented Development – East (TOD-E):** Per LDR Section 23.3-19(a), the TOD-E transit-oriented development east district is designed for the areas around the FEC railroad tracks and desired future locations for intra-city, light rail transit, specifically Lake Avenue, Lucerne Avenue, 1st Avenue South, 10th Avenue North and 9th Avenue South. The TOD-E district is intended to promote compact, mixed-use development, including multiple-family residential, office and retail, near proposed or existing transportation infrastructure. The TOD-E district is also intended to encourage arts, entertainment and cultural activities in the city. 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 Comprehensive Plan.

The table and topic area analysis below evaluate the proposed site features and the project's compliance with the Code, including requests to waive or relax base zoning district requirements as permitted in planned developments and factoring in the Sustainable Bonus incentives, Planned Development incentives, and the Comprehensive Plan maximums:

Development Standard		Base Zoning District Transit Oriented Development - East (TOD-E)	Mixed-Use Urban Planned Development in TOD-E w/ Sustainable Bonus Incentive Program(SBIP)	Provided
Lot Size (min) In square feet (sf)		13,000 sf	0.5 acres min	1.084 acres
Lot Width (min)		100'	100'	135'
Setbacks	Front (min)	10'	18'-22' <sup>1</sup>	18'
	Rear (min) <sup>2</sup>	34'	42'-46' <sup>1</sup>	83'
	Street Side (min) – west (North G Street)	10'	10'	<b>9'<sup>3</sup></b>
	Alley Side (min) – east	0'	0'	69'
Impermeable Surface Coverage (maximum)		65%	65%	62%
Structure Coverage (max)		50%	60%	29%
Density (max)		40 du/acre (43 units)	75 du/acre <sup>4</sup> (81.3 units)	74.72 du/acre (81 Units)
Building Height (max)		30' (max. 2 stories)	68.75' <sup>4</sup> (30' Plus 25' = 55' x 1.25)	54'10" 5-stories total
Maximum Wall Height at Side Setback		30'	45'	45'
Floor Area Ratio (FAR) (max)		1.1	3.313 <sup>4</sup>	1.43
Living Area (minimum)	Studio	400 sf	400 sf	NA
	One- bedroom units	600 sf	600 sf	<b>584<sup>5</sup> sf 2.67% reduction (16 sf)</b>
	Two- bedroom units	750 sf	750 sf	891 sf
	Three- bedroom units	900 sf	900 sf	NA
Parking		129 spaces	NA	98 <sup>6</sup>

Is property in flood plain or Wellfield Zone? Yes/No	Flood Zone X not in floodplain / Wellfield Zone 4	NA	NA
1. <i>Additional height and stories setback for sustainable incentive: buildings in excess of thirty (30) feet in height in addition to sustainable incentive shall provide an additional front and rear setback of between eight (8) and twelve (12) feet to the minimum required front and rear setbacks.</i>			
2. <i>15 ft. or 10% of lot depth when next to residential zoning district.</i>			
3. <i>Applicant has requested to reduce the side setback on the west side setback from 10 feet to 9 feet</i>			
4. <i>Per Policy 1.2.3.4 of the Comprehensive Plan’s Sustainable Bonus, allowing for a 25% bonus in density, intensity and height over Table 1 for urban planned developments less than 2 acres.</i>			
5. <i>Applicant has requested to reduce the living area for one-bedroom units from 600 square feet to 584 square feet, or 16 sf (2.67%). A 15% reduction living area is permitted for workforce housing per Policy 3.1.2.2 of the Housing &amp; Neighborhood Element in the Comprehensive Plan.</i>			
6. <i>A 25% parking reduction for mixed use projects was requested per LDR Section 23.4-10(h)1. Total parking includes off-street parking (including electric vehicle (EV) charging spaces and a bike rack) and on-street parking (including two delivery and rideshare spaces) for multi-family residential and two office spaces.</i>			

**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 size and screening requirements. The dumpster enclosure is proposed to be a concrete masonry unit (CMU) enclosure located at the southeast corner of the site.

**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. 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 for the multi-family and office mixed use proposal is 129 spaces. The parking spaces were calculated at the following:

- 1.5 spaces/unit for the multi-family one-bedroom unit proposal (95 spaces for 62 units)
- 1.75 spaces/unit for the multi-family two-bedroom unit proposal (32 spaces for 18 units)
- 1 space/400 square feet for the office/co-work space (2 spaces at 891 square feet)
- 1 space/400 square feet for the leasing office space (1 space at 891 square feet)
- Proposed four (4) bike racks to count as one parking space per LDR Section 23.4-10(I), *Parking alternates*
- A 25% parking reduction was requested per LDR Section 23.4-10(h)1 (129 spaces x .25 = 32; 129-32 = 97)

The proposed off-street parking is including tandem, compact, and electric vehicle charging spaces. The tandem spaces will be located at the south side of the proposed building. The tandem spaces will be conditioned to be assigned to multi-family two-bedroom units. The applicant has agreed to this condition assigning the tandem parking spaces to seven (7)

multi-family two-bedroom units. The five (5) compact spaces will be located at the northeast corner of the site. The compact spaces will include four (4) electric vehicle charging stations at the northeast corner of the site.

The proposed on-street parking also includes two delivery and rideshare spaces located on the northeast side of North G Street. All of the proposed on-street parking (12 spaces total) will be located along the east side of North G Street. Public Works will require additional offsite improvements to adequately provide proper drainage and traffic circulation directly related to the improvement of North G Street from 10<sup>th</sup> Avenue North to 9<sup>th</sup> Avenue North.

Additionally, Public Works is also requiring the improvement of the 10-foot alley located east of the subject site to be improved. A condition will be proposed to improve the 10-foot alley to the east to mill, grade, and compact the existing pavement from 10<sup>th</sup> Avenue North to 9<sup>th</sup> Avenue North. To accommodate the proposed on-street parking for this project, as it is depicted in the site plan, it will be necessary to shift the center line of North G Street to maintain travel lanes of adequate and equal width. To accomplish this, Public Works is proposing a condition that the road will need to be milled and resurfaced to move the crown of the road and change the centerline. The Public Works Department has also requested the applicant provide a sidewalk along the west side of North G Street.

**Signage:** Signage is required to comply with the size and design requirements in the Land Development Regulations. The proposed signage will be reviewed at building permit for consistency with these 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 development proposal provides perimeter and interior landscaping and shade trees. The proposed landscaping is consistent with the City's landscape regulations and the Major Thoroughfare Design Guidelines. Tree species include a mix of Gumbo Limbo, Simpson Stopper, Live Oak and Pigeon Plum trees for the perimeter plantings and with multiple native and non-native shrubs, grasses and groundcovers for the interior plantings. The proposed landscape complies with the City's requirement that a minimum 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. After the review of the Tree Survey, Disposition Plan and Landscape Plan staff determined that there is a replacement and mitigation shortfall of 72 Diameter inches with an average tree size of 11 inches. Since the property cannot accommodate all of the required tree replacements on site, an in-lieu of fee may be paid into the Tree Canopy Restoration Fund as a substitute to replacement. Therefore, staff has proposed a condition requiring the payment of \$14,000 into the City's Tree Canopy Restoration fund prior to the issuance of a building permit.

#### **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. The Major Thoroughfare Design Guidelines are an adopted component of these Site Design Qualitative Standards as per Section 23.2-31(j), which are applicable to properties adjacent to the City's major thoroughfares inclusive of the subject site. 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 generally consistent with the Major Thoroughfare Design Guidelines. The character of the proposed development is consistent with the Vision for the Major Thoroughfare Design Guidelines, providing for a vibrant, diverse, safe, inviting and sustainable features. With an open plaza, located at the 10th Avenue North frontage, the project invites community interaction. The perimeter public sidewalks provide walkability and connectivity to the on-site pedestrian walkways. The building is placed along the North G Street corridor, with surface parking east of the building, such that it minimizes any adverse effects to its neighbors. Driveway access is placed on the north and west side streets, minimizing vehicular interaction with the pedestrian circulation. On-site parking is designed along the south and east of the property, screening it from public view, by means of low walls and landscaping. Screening of the on-site parking is provided by placing it at the rear of the property and will be screened by the buildings and landscape improvements. Public Works has proposed conditions of approval requiring Public Works is also requiring the improvement of the 10-foot alley located east of the subject site to be improved and the installation of a sidewalk along west side of North G Street. The solid waste dumpster will be located in an enclosure located at the southeast of the property and will provide collection and storage of solid waste and recyclables. Site lighting will comply with the City's lighting design and illumination standards, such 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. The project will also feature an open plaza with a sculpture located in the NW corner of the project along 10<sup>th</sup> Avenue North.

The proposed improvements to the site are harmonious as a whole, will improve the aesthetics of the site, and will be an asset to the neighborhood.

The existing uses in the surrounding area are as follows:

Direction	Future Land Use	Zoning District	Existing Use
North	Transit Oriented Development (TOD)	Transit Oriented Development – East (TOD-E)	The 10th Avenue North / Mixed-Use Commercial
South	Transit Oriented Development (TOD)	Transit Oriented Development – East (TOD-E)	Single-family home
East	Transit Oriented Development (TOD)	Mixed Use – Dixie Highway (MU-DH)	A platted 10' alley (unimproved)/residential lots, comprised of single family, apartment buildings and a vacant lot.
West	Transit Oriented Development (TOD)	Transit Oriented Development – East (TOD-E)	The North G Street 40' municipal ROW/vacant parcel, which abuts the Florida East Coast Railroad right-of-way.

The proposed uses and site improvements will not negatively affect the existing surrounding properties and uses. The proposed changes are harmonious and compatible with the existing industrial area.

**Community Appearance Criteria:**

The proposed mixed-use proposal including new construction, new landscaping, and associated site improvements represent an enhancement in the general appearance of the property over the existing vacant lot. The proposed architecture of the building is appropriate and in harmony with the surrounding residential and nonresidential area. Overall, the proposed development proposal represents a substantial improvement in the visual appearance of the

property. The project will also feature an open plaza with a sculpture located in the NW corner of the project along 10<sup>th</sup> Avenue North. Overall, the proposed project represents a substantial improvement in the visual appearance over the existing property and is consistent with the Comprehensive Plan, Major Thoroughfare Design Guidelines and the City's Land Development Regulations (LDRs). The project is in conformity with the principals of good design and quality and is in harmony with the city and the surrounding area as conditioned.

### **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. The site is currently vacant and is proposing multifamily buildings and office space 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 and/or FAR 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 mixed-use urban planned development located west of Dixie Highway may obtain a 50% bonus on density, intensity (FAR), and height over the base line as outlined in Table 1 of the Comprehensive Plan. The Applicant is asking for a bonus height and bonus density which are less than the maximum allowances that can be permitted for height and intensity through a sustainable bonus incentive in a planned development in the TOD-E zoning district.

The total square footage of bonus area above the second floor is +/-39,944 square feet. On the 5<sup>th</sup> floor, approximately 12,236 square feet includes the 15 density bonus units. Therefore, the value of required improvements for the SBIP bonus areas is \$207,810 (27,708 sf X \$7.50 per sf) plus an additional \$183,540 (12,236 sf X \$15 per sf) for the additional units on the 5<sup>th</sup> floor. The total incentive value is \$391,350. Fifty percent (50%) of the incentive award value is \$195,675, which the applicant is required to pay to the City. For the remaining 50% of the incentive award value (\$195,675), the applicant is proposing the following qualified on-site improvements including Florida Green Building Certification (\$97,837.50), 39 deed restricted affordable/workforce housing units, which is equal to 45% of all units (45% of \$195,675 = \$88,053.75), and a Public Art (sculpture with a minimum \$25,000 value). The total value of the qualifying improvements is \$210,891.25, which exceeds the require incentive value of \$195,675.

The total remaining payment by the applicant to the City for the additional height and density is anticipated to be \$195,675.

## **CONCLUSION AND CONDITIONS**

The TOD-E district is intended to promote compact, mixed-use development, including multiple-family residential, office and retail, near proposed or existing transportation infrastructure. Based on the data and analysis in this report and the supporting materials by the applicant, the proposed site plan, building design, landscaping, and site circulation



are appropriate and consistent with the City's Comprehensive Plan, Strategic Plan, Major Thoroughfare Design Guidelines, and Land Development Regulations with the two (2) requested minor reductions to the side back (9 ft provided) and the 1-bedroom living area (584 sf provided). The proposed site circulation, parking, refuse, delivery, and amenity locations anticipated to minimize and/or mitigate any impacts of the mixed-use proposal on the adjacent and proximate uses. The project also features an Therefore, a recommendation of approval is provided to the PZB with the following conditions:

### **Planning & Zoning**

1. Fifty percent (50%) of the sustainable bonus fee (\$195,675) and any portion of the remaining sustainable bonus fee (up to an additional 50%) after qualifying improvements are deducted shall be paid to the City within one year of approval, or prior to the issuance of the building permit, whichever comes first.
2. Fifty percent of the sustainable bonus fee (\$195,675) shall be paid to the City within one year of approval, or prior to the issuance of the building permit, whichever comes first.
3. Public art (sculpture) proposed shall be reviewed by the CRA's LULA program prior to installation.
4. Prior to building permit application,
  - a. A Unity of Title will be required for all applicable parcels.
  - b. An address application shall be required to be submitted prior to application for building permit.
5. Prior to the issuance of a building permit, the applicant shall pay \$14,000 into the City's Tree Canopy Restoration fund.
6. Prior to issuance of a building permit, the applicant shall submit the final School District Availability Determination from the PBC School District and shall pay all applicable fees to PBC prior to the issuance of a building permit.
7. The proposed mixed-use project shall comply with Palm Beach County's Unified Land Development Best Management Practices for Wellfield Protection.
8. All lighting shall comply with lighting code regulations in LDR Section 23.4-3. Further, lighting fixtures shall comply with dark skies fixture recommendations, including a 3000K light tone or less for LED lighting, and shall be consistent with the architectural style of the project as determined by the Development Review Official.
9. The 14 proposed compact/tandem spaces located at the south end of the building shall be assigned to the multifamily two-bedroom units.
10. A public access/sidewalk easement shall be required on the west property line.
11. A video security system shall be required for the property.
12. Prior to the issuance of building permit for commercial signage, a Minor Site Plan amendment to establish a Uniform Master Sign Program for individual tenants/businesses in accordance with the City's Land Development Regulations is required. Directional signage shall be exempt from the minor site plan requirement provided that is appropriately scaled and architecturally consistent.
13. A minor site plan amendment shall be required if site modifications are required to implement the conditions of approval.
14. A more vibrant exterior color scheme more in keeping with the colorful diversity and charm of the City is suggested.

### **Public Works**

#### **Standard Conditions of Approval:**

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 Works 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 Works.

3. In the event of a legal challenge to this approval, the applicant/owner shall be responsible for all costs to defend the action of the city in approving any and all permits related to this application. Should the applicant fail to enter into an agreement to fund the costs of litigation, the city, at its discretion, may rescind this approval and revoke all permits issued.

#### **Additional Conditions of Approval**

1. Prior to issuance of a building permit:
  - 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 meet with a representative from Public Works 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 Works. Solid Waste and Recycling 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.
2. Prior to the issuance of a certificate of occupancy:
  - a. To accommodate the proposed on-street parking for this project, as it is depicted in the site plan, it will be necessary to shift the center line of North G Street to maintain travel lanes of adequate and equal width. To accomplish this the road will need to be milled and resurfaced to move the crown of the road and change the centerline.
  - b. New striping will be required from the intersection of North G Street and 9th Avenue North to the intersection of North G Street and 10th Avenue North, including stop bars and reflective pavement markers at the intersections.
  - c. The west ROW of North G Street shall be improved with the addition of 5-foot-wide sidewalk, if determined to be required by the Public Works Director at building permit, and conforming to City specification from the intersection of North G Street to the intersection of 9th Avenue North. The sidewalk will meet ADA requirements and terminate at both intersections with ADA compliant ramps and tactile surfaces.
  - d. A stop sign shall be installed at the intersection of North G Street and 9th Avenue North facing southbound traffic.
  - e. "No Parking Any Time" signs shall be installed along the west ROW of North G Street but will not be installed any further south than the point along North G Street where the property line of the project ends.
  - f. A cross-section showing the existing 40' ROW of North G Street in its current condition and a cross section showing the ROW after the change of the centerline of North G Street will need to be provided prior to City Commission.
  - g. Alleyway improvements consisting of 4-inch asphalt millings, graded and compacted, shall be constructed from 10<sup>th</sup> Avenue North to 9<sup>th</sup> Avenue North.
  - h. 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. A pre-construction video of the entire perimeter shall be performed and submitted to the City.
  - i. The applicant shall fine grade and sod all disturbed areas with bahia sod.
  - j. The applicant shall broom sweep all areas of the affected right of way and remove all silt and debris collected as a result of construction activity.
  - k. 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.
3. 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.

4. The sidewalk on the east side of North G Street that is bisected by the project property line shall be maintained solely by the property in perpetuity and the City will not be held legally responsible for injuries associated with it.

#### **Utilities – Water & Sewer**

1. Prior to building permit issuance, capacity fees are due.
2. Provide a public access easement along the sidewalk that is outside the N G Street right of way.

#### **Electric Utilities**

1. Prior to application and the issuance of a building permit, Electric Utilities is requesting the following:
2. Items in regards to the facility's Electrical Site Plan drawings (Electrical Details - E21\_222028 BH) are needed to more accurately determine the location of the Electrical Equipment, the Electrical Connections, and Wiring, including Underground (UG)
3. An appropriate Power Distribution Planning to ensure that there is adequate capacity (transformer capacity and feeder capacity) to meet the load demands of the facility shall be specified
4. The facility's potential annual electric energy (power consumption) shall be determined
5. If Electric Vehicle (EV) Chargers are considered: Please provide the number of EV chargers to be installed as well as type of chargers. For example, does the applicant intend to install Level II charger or Level III DC Fast chargers? Quantities of each type? And will these be connected from the facility's main meter or connected directly to the City's electric utility distribution system?
6. The Electric Utility Dept. is requesting a review meeting with the developer & electrical engineers to review and clarify any additional electrical related items.

#### **Prior to the issuance of a building permit:**

7. Show the location of the Padmount Transformers, Automatic Transfer Switch (ATS), and the meter banks. The Padmount Transformer locations will need to be in an accessible location to our trucks and will need 8-ft (8 feet) of minimum clearance in the front and 3-ft (3 feet) of minimum clearance on the sides and rear. This clearance includes landscaping. None trees, plants, shrubs or vegetations are allowed within the clearance
8. Provide the electric riser diagrams for all buildings, the proposed electrical loads and the voltages required, including proposed Electrical Cable Schedules
9. Provide the Amp Sizes and Voltages for any other services needed than the commercial units, such as lighting, irrigation, etc. If any meter is over 320 amps for Single Phase, and over 200 amps for 3-Phase, a CT Cabinet and CT Meter Can will need to be installed. All meters and CT Cabinets will need a minimum of 36" (36 in) of clearance in front of them
10. Provide a 10-ft (10 feet) wide utility easement for the underground electric lines, Padmount Transformers & Switchgear that will serve this project. The Main Electric Line Routing from the Poles to the Padmount Transformers will be determined by the Lake Worth Beach design engineer
11. Transformer & Electrical Equipment Box Pad Elevations shall be FEMA 100 yr. Flood-Plain Elevation + 1-ft (1 feet)
12. Provide details for Temporary Power during construction, Voltage & Amps and approximate Location of service point
13. Complete payment to Lake Worth Beach for electrical infrastructure costs for labor & materials to serve this project
14. The customer will be responsible for installing any Secondary Conduit at a minimum of 24" (24 in) deep from the Secondary Winding of the Transformer of the property to the building
15. The customer will be responsible for Any and All labor and material costs for providing electric service to this project.
16. The CLWB will procure one (1) Padmount Transformer and Box Pad to serve the facility, the owner/developer is responsible for the reimbursement costs to the City. The City will procure one (1) Spare Padmount Transformer at the City's expense.

#### **Prior to the issuance of a Certificate of Occupancy:**

17. Provide copy of recorded Utility Easement.
18. Note that No permanent power can NOT be provided until a Final Electrical Inspection is done.

#### BOARD POTENTIAL MOTION:

I move to **approve with conditions** the request for the Mixed Use Urban Planned Development, Major Site Plan, Conditional Use Permit (CUP), and Sustainable Bonus Incentive Program (SBIP) requests for Lake Worth Station at 930 N G Street based on upon the competent and substantial evidence provided in the staff report and in the testimony at the public hearing.

I move to **disapprove** the request for the Mixed Use Urban Planned Development, Major Site Plan, Conditional Use Permit (CUP), and Sustainable Bonus Incentive Program (SBIP) requests for Lake Worth Station at 930 N G Street. 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 recommendation will be forwarded to the City Commission as part of the public hearing supporting documents and materials upon first reading of Ordinance 2022-15.*

#### ATTACHMENTS

- A. Qualitative Development Standards
- B. Conditional Use Findings
- C. Application Package (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>	In compliance
<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.* **In compliance**
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.* **Not Applicable**
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.* **Not Applicable**
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.* **Not Applicable**
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 is in compliance 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**