



DEPARTMENT FOR COMMUNITY SUSTAINABILITY  
Planning Zoning Historic Preservation Division  
1900 2<sup>ND</sup> Avenue North  
Lake Worth Beach, FL 33461  
561-586-1687

DATE: July 29, 2020

TO: Members of the Planning and Zoning Board

FROM: Alexis Rosenberg, Senior Community Planner

THRU: William Waters, AIA, NCARB, LEED, AP BD+C, ID SEED, Director for Community Sustainability

MEETING: August 5, 2020

SUBJECT: **PZB Project Number 20-00500005**: Request by Carlos Marcet, AIA of Studio+ LLC on behalf of Julie Seaver (Compass) and Bill Shevlin (CAN) of Compass, Inc. and CAN Community Health for consideration of a Conditional Use Permit to allow a health clinic at 202 North H Street, within in the Public (P) zoning district. The subject property PCN is 38-43-44-21-15-054-0010.

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**PROJECT DESCRIPTION:**

The Applicant, Carlos Marcet, AIA of Studio+ LLC on behalf of Julie Seaver (Compass) and Bill Shevlin (CAN) of Compass, Inc. and CAN Community Health is requesting approval of a Conditional Use Permit for a health clinic within the existing Community Center. The site, 202 North H Street, is located on the northeast corner of North H Street and 2<sup>nd</sup> Avenue North. The site includes an +/- 11,949 square foot building and 19 parking spaces and is able to utilize the City-owned parking lot to the east, 201 North Dixie Highway (21 spaces).

Compass Inc. currently holds a business license at this location for a non-profit organization that provides community services to Palm Beach County residents. Based on the agreement between Compass, Inc. and the City of Lake Worth Beach, Compass' use of the property includes the operation of Compass' programs which provide community outreach services, health and social services, youth and family services, education, recreation, counseling, and family support programs for Lake Worth Beach and the surrounding areas. The property is also used for City-sponsored meetings and recreational activities, and used as a distribution point for City residents during times of declared emergencies within the City. The proposed +/-830 square foot health clinic will be an expansion of health services that Compass provides. Currently, Compass performs HIV testing at 202 North H Street within a 170 square foot testing room. Including the testing room, a total of +/- 1,000 square feet of the +/- 11,949 square foot community center will be dedicated to health clinic services.

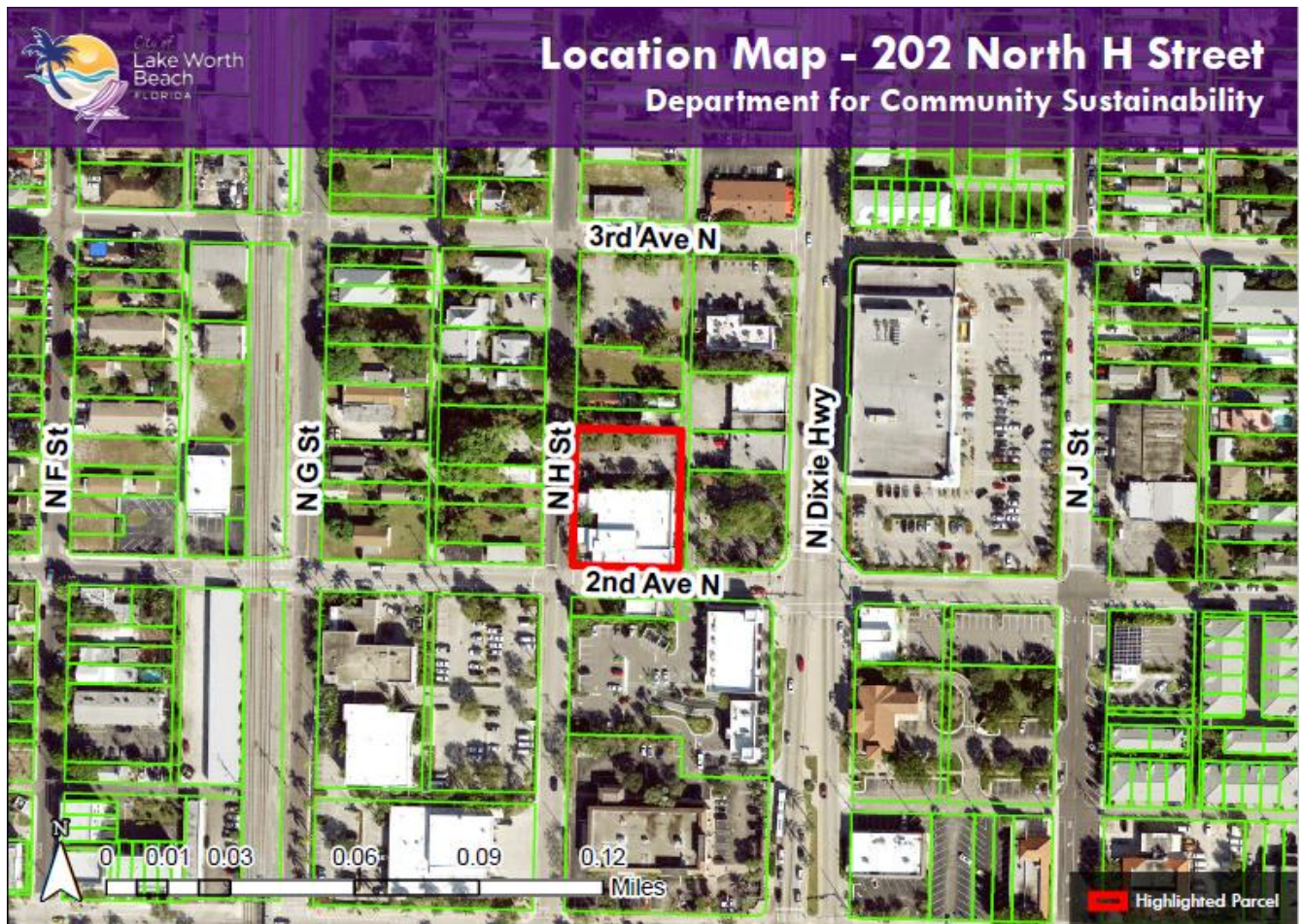
**Staff Recommendation:**

Staff has reviewed the documentation and materials provided, applying the applicable guidelines and standards found in the City of Lake Worth Zoning Code. The proposed use meets the criteria of the Comprehensive Plan and LDRs. Therefore, staff is recommending approval with conditions outlined in the Conclusion.

**PROPERTY DESCRIPTION:**

|                                    |  |
|------------------------------------|--|
| <b>Applicant</b>                   | Carlos Marcet, AIA of Studio+ LLC on behalf of Julie Seaver (Compass) and Bill Shevlin (CAN) of Compass, Inc. and CAN Community Health |
| <b>Owner</b>                       | Lake Worth Beach   |
| <b>General Location</b>            | Northwest corner of North Dixie Highway and 2 <sup>nd</sup> Avenue North   |
| <b>Existing PCN Numbers</b>        | 38-43-44-21-15-054-0010  |
| <b>Existing Land Use</b>           | Compass Community Center – office, assembly space, community services  |
| <b>Zoning</b>                      | Public (P)   |
| <b>Future Land Use Designation</b> | Transit Oriented Development (TOD)   |

**LOCATION MAP:**



**BACKGROUND:**

The subject site currently has an +/- 11,949 square foot building and 19 parking spaces. As stated, the site is used in conjunction with the property to the east, 201 North Dixie Highway, which is a City-owned parking lot that has 21 parking spaces. Below is a timeline summary of the subject lot, 202 North H Street, based on Palm Beach Property Appraiser's records and City records:

- 1927 – The +/-11,949 building was constructed at 202 North H Street.
- August 3, 1999 – September 30, 2008 – Mid County Senior Citizen Center held a business license at 202 North H Street for a senior center.
- August 3, 1999 – September 30, 2008 – New Church of Nazarene of L W held a business license at 202 North H Street for a church.
- April 17, 2007 – Compass Inc. enters into a lease agreement with the City of Lake Worth Beach for a period of 19 years and 11 months.
- November 5, 2008 – present – Compass Inc. currently holds a business license at 202 North H Street for a non-profit social service agency.
- April 20, 2010 – The lease agreement between Compass Inc. and the City of Lake Worth Beach was amended to alter the means of loaning money to Compass Inc.
- November 7, 2018 – the Planning and Zoning Board approved a mural on the south façade of the building.
- May 28, 2020 – There are no active code cases for the site; however, the property 202 North H Street has an overdue Use and Occupancy inspection from 2018. A condition of approval has been made so that the Use and Occupancy inspection is completed prior to the issuance of a business license for the health clinic.

**ANALYSIS:****Public Support/Opposition**

Staff has not received any letters of support or opposition.

**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 TOD FLU is established to promote compact, mixed-use development near proposed or existing transportation infrastructure to encourage diversity in the way people live, work and commute. All buildings are required to provide transitional buffering and design features to mitigate impact of the TOD sites adjacent to residential zoning districts. The proposed health clinic is a result of Compass' growing partnership with CAN Community Health and aims to serve the local community. The Community Center provides a mixture of services such as health and social services, youth and family services, education, recreation, counseling, family support programs, and serves as an assembly space for City-sponsored meetings and events. Therefore, the proposed health clinic is consistent with the intent of the TOD FLUM. Furthermore, Policy 1.2.2.3 aims to investigate additional uses and opportunities to promote a more sustainable and resilient community. The proposed health clinic expands the array of uses already being provided at the Compass Community Center and provides a needed service to the community. Thus, the proposal is consistent with Policy 1.2.2.3.

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 I.E. state that the City shall provide superior public amenities and services to retain existing and entice new residents and businesses. The proposed health clinic is a one of the many social services that Compass offers. Allowing the establishment of the health clinic will prove consistent with Pillar I.E. Pillar I.A, Pillar I.B, Pillar I.C, and

Pillar I.D are not applicable to this application. Furthermore, Pillar IV.D of the Strategic Plan state that the City shall influence the supply and expansion of jobs. Because the proposed health clinic will sustain or increase job supply, the use is consistent with Pillar IV.D. Pillar IV.A, Pillar IV.B, Pillar IV.C, Pillar IV.E, and Pillar IV.F are not applicable to this application.

Based on the analysis above, the proposed health clinic is consistent with the goals, objectives, and polices of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan.

**Consistency with the City's Land Development Regulations**

Per Section 23.2-29, conditional uses are defined as 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 pertinent conditions 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 Department of Community Sustainability is tasked in the Code to review conditional use applications for consistency with the City's LDRs, for compliance with the findings for granting conditional uses (analyzed in the next section) and to provide a recommendation for whether the application should be approved, approved with conditions, or denied.

**Staff Analysis:** The subject site is located on the northwest corner of North Dixie Highway and 2<sup>nd</sup> Avenue North. The existing +/- 11,949 square foot building was constructed in 1927 with 19 on-site parking spaces. As stated, the site is used in conjunction with the property to the east, 201 North Dixie Highway, which is a City-owned parking lot that has 21 parking spaces. Compass Inc. currently holds a business license at this location for a non-profit organization that provides community services to Palm Beach County residents. There are no active code cases for the site; however, the property 202 North H Street has an overdue Use and Occupancy inspection from 2018. A condition of approval has been made so that the Use and Occupancy inspection is completed prior to the issuance of a business license for the health clinic. Additionally, the building currently does not conform to the current land development regulations, which subjects the site to the nonconformities section, LDR Section 23.5-3, of the land development regulations.

Based on Staff analysis, the site is not consistent with the City's LDRs in the following areas:

- Landscaping
- Minimum front setback
- Minimum side street setback
- Maximum impermeable surface for all structures
- Maximum impermeable surface coverage
- Major Thoroughfare Design Guidelines

These items are detailed in the paragraphs below. Staff has prepared conditions of approval requiring the site to be brought into compliance with the City's Code in so far as feasible prior to the issuance of a business license for the use. The proposed use would not expand any existing non-conformities. Further, the site would be required to remedy any outstanding code compliance issues prior to the issuance of a business license as stated in the Staff recommended conditions of approval. Thus, the proposed application is consistent with the City's LDRs with conditions based on the following data and analysis:

**Public Zoning District:** Per LDR Section 23.3-26(a), the P zoning district designates locations for public schools and municipal facilities including City Hall, City Hall Annex, Lake Worth Beach Public Library, Pine Crest Cemetery and the reclaimed landfill site at the southern city limits. It also provides for publicly owned utility facilities. Because

of the diverse variety of uses permitted in the "public district" and the mapping of the district throughout the City, all uses are permitted as conditional uses. The proposed health clinic is a personal service-office use that is anticipated in the P zoning district. Based on the information provided by the Applicant, staff does not anticipate negative impacts on surrounding properties and complies with the conditional use criteria outlined in LDR Section 23.2.29.

**Setbacks:** The placement of the existing building exceeds the minimum required front setback of 20 feet and the minimum required side street setback of 20 feet. Based on the survey provided, the principal building sits on the front property line, and therefore, has a zero front setback. Additionally, the building is 8.2 feet from the west side property line which runs along North H Street, and is four feet from the east property line which is adjacent to an alley. As noted, the building was constructed in 1927 prior to the current setback requirements and the building's setback non-conformity is not easily remedied. Therefore, no change is proposed or recommended to bring the structure into conformance with the current code requirements at this time as the building is a legal non-conforming structure. Should the building be altered beyond 50% of the assessed value, then the entire site must come into conformity with the land development regulations.

**Impermeable Surface Coverage for all Structures:** The existing building on the site exceeds the maximum allowed structure coverage of 45%. While there appears to be no maximum structure coverage listed in the P zoning district regulations, LDR Section 23.3-26(d) requires sites that are not adjacent to residential districts to follow the development regulations in adjacent zoning district which is Mixed Use – Dixie Highway (MU-DH). Based on the MU-DH development regulations, the maximum allowable coverage for all structures is 45% (10,631 square feet). The existing building footprint takes up 46% of the lot (10,909 square feet). As noted, the building was constructed in 1927 prior to the current structure coverage requirements and the building's structure coverage non-conformity is not easily remedied. Therefore, no change is proposed or recommended to bring the structure into conformance with the current code requirements at this time. Should the building be altered beyond 50% of the assessed value, then the entire site must come into conformity with the land development regulations.

**Impermeable Surface Coverage:** The site does not conform to the maximum allowed impermeable surface coverage. Based on the survey provided, the lot appears to have a total impermeable surface coverage of 87%, which is 22% over the maximum coverage allowance. However, the site is consistent with the approved development plan which was adopted prior to the current impermeable surface coverage requirements. Further, the impermeable surface coverage non-conformity is not easily remedied without substantial redevelopment of the parking area. Therefore, at this time, no change is proposed or recommended to reduce the existing impermeable surface area.

**Parking:** Based on the floor plan provided by the applicant, there is about 5,079 square feet of office area, 4,489 square feet of assembly area, and 1,830 square feet of medical office (this includes the 830 square foot proposed health clinic). Per LDR Section 23.4-10(h)(1), sites with two or more uses shall be given a 25% parking reduction. Therefore, the minimum required off-street parking would be 60 spaces if newly constructed per LDR Section 23.4-10(f)(1)(B). The parking provided is 40 spaces, which includes the parking lot on 202 North H Street and 201 North Dixie Highway. As the City allows Compass to utilize the City-owned parking lot to the east, 201 North Dixie Highway, these spaces are included in the provided parking calculation.

Per the City's Parking Code, assembly space requires a minimum of one parking space per 75 square feet of gross square feet of space while medical offices are required to provide a minimum of one parking space per 250 gross square feet of space. The 1,830 square feet of medical office, which includes the existing 1,000 square foot testing room and the proposed 830 square foot health clinic, requires a minimum of eight parking spaces on the site. While

the site is currently nonconforming in regards to parking, the establishment of a +/-830 square foot medical office will reduce the required parking count by six spaces and thus minimize the existing nonconformity.

**Landscaping:** The shopping plaza's existing landscape does not comply with the City's Landscape Code requirements. To minimize the property's landscape nonconformities, Staff has included a recommended condition of approval that the property owner bring the landscaping up to conformance as much as feasibly possible prior to the issuance of a business license.

Required improvements include the following:

- Provide a landscape screen utilizing native shrubs on the north side of the north (rear) parking lot on 202 North H Street.
- Provide a landscape screen utilizing native shrubs along the east property line adjacent to North Dixie Highway on 201 North Dixie Highway.
- Mulch all trees and landscape beds.

**Signage:** The site appears to have one existing wall sign, approximately 30 square feet, on the west façade of the building which conforms to the City's Sign Code. There is also a mural on the south façade of the building that was approved by the Planning and Zoning Board on November 7, 2018 as part of the CRA's FOCUS mural project. No signage plan was required for concurrent review with the conditional use request. Moving forward, the Applicant will be required to permit all new signage in accordance with the regulations outlined in LDR Section 23.5-1, Signs.

**Major Thoroughfare Design Guidelines:** The site is not compliant with the following sections of the City's Major Thoroughfare Design Guidelines. Therefore, staff has proposed a condition of approval that the applicant shall work with Staff to reduce non-conformities with the following requirements:

- Page 27 – parking lots are to be effectively screened from the public view and from adjacent properties in a manner that is attractive and compatible with safety, the neighborhood, and the facility served.
- Page 31 – no more than 25% of the area between the building and a street or 50% of the remaining area shall be constructed with stone, concrete, asphalt, or mulch except necessary walks and vehicular use area.

**Section 23.2-29(d): General findings relating to harmony with LDRs and protection of public interest**

The land development regulations require all conditional uses to be analyzed for consistency with Section 23.2-29(d). Staff has reviewed the application against this section and has determined that the proposed application is in compliance with the following general findings relating to harmony with the LDRs and protection of public interest:

1. 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.

**Staff Analysis:** The site contains a zoning designation of P. The applicant states that the proposed +/-830 square foot health clinic will be an expansion of health services that Compass provides. The use is consistent with other types of public and community service-based uses anticipated to occur in the P district. Therefore, the proposed health clinic is found to be compatible and harmonious with the existing and anticipated surrounding uses. **Meets Criterion.**

2. The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.

**Staff Analysis:** The existing uses in the surrounding area are as follows:

| Direction                            | Future Land Use              | Zoning District                      | Current Use  |
|--------------------------------------|------------------------------|--------------------------------------|--|
| North (adjacent)                     | Transit Oriented Development | Mixed Use – Dixie Highway            | Single Family Residences and Commercial  |
| South (across 2 <sup>nd</sup> Ave N) | Downtown Mixed Use           | Downtown                             | Commercial and Retail  |
| East (across N Dixie Hwy)            | Mixed Use - East             | Planned Development/Mixed Use - East | Publix Grocery Store   |
| West (across N H St)                 | Transit Oriented Development | Mixed Use – Dixie Highway and Public | Single-family residences, multi-family residences, and Tropical Ridge Fitness Park |

To the north of the subject site are a mix of single-family residences and commercial buildings. To the south of the site are commercial and retail shops located within the City’s Downtown zoning district. To the east is a Publix grocery store which is part of a planned development district, and to the west are a mix of single-family residences and multi-family residences. Tropical Ridge Fitness Park is also located to the west of the site. Staff finds that the use of a health clinic within the existing Compass Community Center is in harmony with the existing uses in the immediate area. Further, health services are currently being provided on-site **Meets Criterion.**

3. The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the Property for some use permitted by right or some other conditional use permitted on the Property.

**Staff Analysis:** The Conditional Use request will not negatively affect the public benefit or cause greater harm than that of a use permitted by right in the P zoning district. The use is similar in nature and function to permitted uses as conditioned. The Applicant states that the health clinic will increase the public benefit by providing significant medial resources to the community. Overall, while the property is not conforming to the current Code, if approved, improvements will be made to decrease the nonconformities as much as feasibly possible. **Meets Criterion.**

4. 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.

**Staff Analysis:** The Conditional Use request to allow a health clinic in the subject space will not result in a more intensive development in advance of the Future Land Use Element of the City’s Comprehensive Plan. As mentioned, the TOD land use designation is established to promote compact, mixed-use development near proposed or existing transportation infrastructure to encourage diversity in the way people live, work and commute. Further, no expansion of the building is proposed. The proposed health clinic is a result of Compass’ growing partnership with CAN Community Health and aims to increase services to the local community. Additionally, the application does not propose to expand the size of the existing building. **Meets Criterion.**

**Section 23.2-29(e): Specific standards for all conditional uses**

1. 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.

**Staff Analysis:** As stated, the proposal of the health clinic will not result in an increase of building size. Based on the floor plan provided by the Applicant, the +/-830 square foot clinic will be located on the first floor in a portion of the community ballroom and gallery area. The health clinic will be an expansion of health services already provided at the Community Center. Therefore, for trip generation purposes, the health clinic is considered part of the Community Center. Based on the Florida Department of Transportation's (FDOT) 8<sup>th</sup> Edition of the Trip Generation Table, a 11,949 square foot Community Center is project to generate 273 daily trips. The proposed use is not anticipated to generate higher traffic volumes than the prior use due to both uses being classified as the same use in the Table. Additionally, the Applicant also states that approximately half of CAN Community Health's patients utilize public transportation. **Meets Criterion.**

2. 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.

**Staff Analysis:** This use is not anticipated to significantly affect the volumes of traffic expected on the City's roadway network. The square footage of Community Center has not expanded from its original approved area, +/- 10,909 square feet. Therefore, the traffic generated from the proposed business is consistent with adjacent commercial uses as well as the anticipated uses in this area. **Meets Criterion.**

3. The proposed conditional use will not produce significant air pollution emissions, to a level compatible with that which would result from a development permitted by right.

**Staff Analysis:** The Applicant states that the health clinic is not projected to produce significant levels of air pollution emissions. The Applicant states that all regulated medical waste will be handled by a contracted vendor specializing in the disposal of sharps, medical waste, and pharmaceutical waste. **Meets Criterion.**

4. 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.

**Staff Analysis:** Being an anticipated use in the P zoning district, the proposed health clinic at the subject site is not anticipated to cause a higher net public cost or earlier incursion of public cost than what would result from a development permitted by right. The Applicant states that the existing infrastructure is sufficient to accommodate the proposed use. **Meets Criterion.**

5. 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.



**Staff Analysis:** The Applicant will be tapping into existing plumbing systems for domestic water and sanitary sewer. An initial engineering analysis has determined that the existing building has sufficient capacity to serve one new patient toilet room and one new handwashing station associated with the two proposed exam rooms and one new office associated with the health clinic. No adverse impact to infrastructure or public utilities is anticipated to occur as a result of this request. **Meets Criterion.**

6. The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services.

**Staff Analysis:** Being an anticipated use in the P zoning district, this use should not place a demand on municipal police or fire protection services beyond capacity. **Meets Criterion.**

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.

**Staff Analysis:** The proposed health clinic is not anticipated to generate noise levels greater than that of a use permitted by right. The Applicant states that in order to maintain privacy concerns and ensure a comprehensive level of treatment is provided, patient volumes are kept very low and all waiting areas are located inside the facility. Per the City's Noise Ordinance, unreasonable noise, which is defined in Section 15.24-1, is prohibited in the City when:

- Equal to or greater than 65 dba between 11:00 p.m. and 8:00 a.m., Sunday through Thursday
- Greater than 85 dba between 8:00 a.m. and 11:00 p.m., Sunday through Thursday
- Equal to or greater than 65 dba between 12:00 a.m. and 8:00 a.m., Friday through Saturday
- Equal to or greater than 85 dba between 8:00 a.m. and 12:00 a.m., Friday through Saturday

Based on the nature of the use, the health clinic will generate noise levels that are compliant with Section 15.24. **Meets Criterion.**

8. The proposed conditional use will not generate light or glare which encroaches onto any adjacent property in excess of that allowed in Section 23.4-3, Exterior lighting.

**Staff Analysis:** The Applicant has not proposed additional lighting on the site as part of this application and states that the Conditional Use will not generate light or glare onto any residential properties. **Meets Criterion.**

**Section 23.4-13(c)(15): Medical related uses**

1. All such uses shall front a major thoroughfare.

**Staff Analysis:** As stated, the City has allowed Compass to utilize the City-owned parking lot to the east, 201 North Dixie Highway. Therefore, Staff interprets that Compass, Inc. is responsible for maintaining 202 North H Street and 201 North Dixie Highway. Because 202 North H Street fronts a City-owned parking lot that fronts Dixie Highway, Staff has made the interpretation that 202 North H Street has frontage along a major thoroughfare. **Meets Criterion.**

2. Hours of operation shall be weekdays anytime between 8:00 a.m. to 8:00 p.m., unless an operational waiver allowing expanded hours is granted by the appropriate board. A waiver may be granted if it can be established that operating hours beyond the specified times will not constitute a nuisance or negatively affect surrounding properties. Under no circumstances shall a waiver be granted if the property is located next to a residential zoning district.

**Staff Analysis:** The Applicant states that the health clinic will operate between the hours of 8:00 a.m. and 8:00 p.m. **Meets Criterion.**

3. Sufficient/adequate parking shall be documented to serve the needs of the doctors, staff, clients and patients of said use.

**Staff Analysis:** The Compass Community Center utilizes parking from 202 North H Street and 201 North Dixie Highway which has a combined 40 parking spaces. Per LDR Section 23.4-10(f)(1)(B), medical offices are required to provide a minimum of one parking space per 250 gross square feet of space. Therefore, the 1,830 square feet of space used for medical office, which includes the existing 1,000 square foot testing room and the proposed 830 square foot health clinic, requires a minimum of eight parking spaces on the site. While the site is currently nonconforming in regards to their parking, the establishment of a +/-830 square foot medical office will reduce the required parking count by six spaces which in turn, minimizes the existing parking nonconformity. **Meets Criterion.**

4. In the DT zoning district, said uses may be established only if fronting Dixie Highway. No waiver or variance shall be granted for this requirement.

**Staff Analysis:** The Applicant states that while the Compass Community Center is located at 202 North H Street, the mailing address is 201 North Dixie Highway. Additionally, because 202 North H Street fronts a City-owned parking lot that fronts North Dixie Highway, Staff has made the interpretation that 202 North H Street has frontage along North Dixie Highway. **Meets Criterion.**

5. Said uses may not be established on properties that have frontages on either Lake Avenue or Lucerne Avenue. No waiver or variance shall be granted for this requirement.

**Staff Analysis:** The site does not have frontage on Lake Avenue or Lucerne Avenue. **Meets Criterion.**

6. Once established, said use may not be expanded without conditional use approval regardless of increased size of use.

**Staff Analysis:** A conditional of approval has been added stating that any expansion of the health clinic shall require the approval of a separate Conditional Use Permit application. **Meets Criterion.**

7. All medical services to be provided at said location must be included on the business license application and updated annually should the array of services change or expand. Changes in services and/or expansion of types of services will be evaluated to determine whether the additional services would constitute an expansion of use requiring an updated conditional use approval.

**Staff Analysis:** The Applicant states that prior to the opening of the health clinic, Compass will secure a business license with the City. A condition has been added to ensure that all services being provided are listed on the

business license. Additionally, as noted, expansion in services or expansion of the health clinic space will require the approval of a separate Conditional Use Permit application. **Meets Criterion.**

### **CONCLUSION:**

The analysis has shown that the required findings can be made with respect to the Conditional Use Permit request. The use as proposed is in harmony with the Comprehensive Plan, underlying zoning district, and surrounding areas, subject to compliance with staff's proposed conditions of approval. Therefore, staff is recommending approval of the conditional use permit with conditions below:

### **Community Services Landscaping:**

1. Prior to the issuance of a business license, the landscaping shall conform in so much as feasible with current code requirements. The landscape improvements shall be submitted with the anticipated Minor Site Plan Amendment application. Improvements include but are not limited to:
  - a. Provide a landscape screen utilizing native shrubs on the north side of the north (rear) parking lot on 202 North H Street.
  - b. Provide a landscape screen utilizing native shrubs along the east property line adjacent to North Dixie Highway on 201 North Dixie Highway.
  - c. Mulch all trees and landscape beds.

### **Planning/Urban Design:**

1. Prior to the approval of a Lake Worth Beach business license for the proposed health clinic, the building shall complete a Use and Occupancy inspection.
2. Once established, any expansion of the +/- 830 square foot health clinic shall require the approval of a separate Conditional Use Permit application.
3. Once established, any expansion in types of services related to the health clinic shall require the approval of a separate Conditional Use Permit application.
4. All medical services provided at 202 North H Street must be included on the business license application and updated annually should the array of services change or expand.

### **Board Actions:**

I MOVE TO APPROVE PZB PROJECT NUMBER 20-00500005 with staff recommended conditions for a **Conditional Use Permit** to allow a health clinic use at 202 North H Street. The project meets the conditional use criteria based on the data and analysis in the staff report.

I MOVE TO DISAPPROVE PZB PROJECT NUMBER 20-00500005 for a **Conditional Use Permit** to allow a health clinic use at 202 North H 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 decision will be final for the Conditional Use Permit. The Applicant may appeal the Board's decision to the City Commission.

### **ATTACHMENTS:**

- A. Zoning Map
- B. Application Package
- C. Site Photos