



DATE: July 30, 2020

TO: Members of the Planning and Zoning Board

FROM: Andrew Meyer, 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 20-01400003**: Request by Juan Contin of Contin Architecture on behalf of Jin Yu Jin for consideration of a Major Site Plan and Sustainable Bonus to construct a +/- 7,038 square foot mixed use building at 1303 & 1305 Lucerne Avenue, including 4 dwelling units and +/-1,900 square feet of retail space within the Downtown (DT) zoning district.

PROJECT DESCRIPTION:

The Applicant, Juan Contin of Contin Architecture on behalf of Jin Yu Jin, is requesting approval of the following:

- 1.) **Major Site Plan** for the development of a 7,038 square foot mixed-use building consisting of approximately 1,900 square feet of retail space and 4 dwelling units. (Staff Analysis on Page 5)
- 2.) **Sustainable Bonus** for an additional floor above the maximum building height and additional FAR of +/- 703 square feet. (Staff Analysis on Page 9)

The subject site, 1303 & 1305 Lucerne Avenue, is located along Lucerne Avenue between North E & D Streets. The 6,650 square foot parcel is a combination of two 3,325 square foot lots, one of which had a single-family residence. The single-family structure was demolished in July 2020 under an approved demolition permit. The proposed three-story mixed-use development consists of approximately 1,900 square feet of ground-floor retail/commercial space and four dwelling units on the 2nd & 3rd floors. The application includes a Sustainable Bonus request, which would allow for a maximum building height of 35 feet and a third floor.

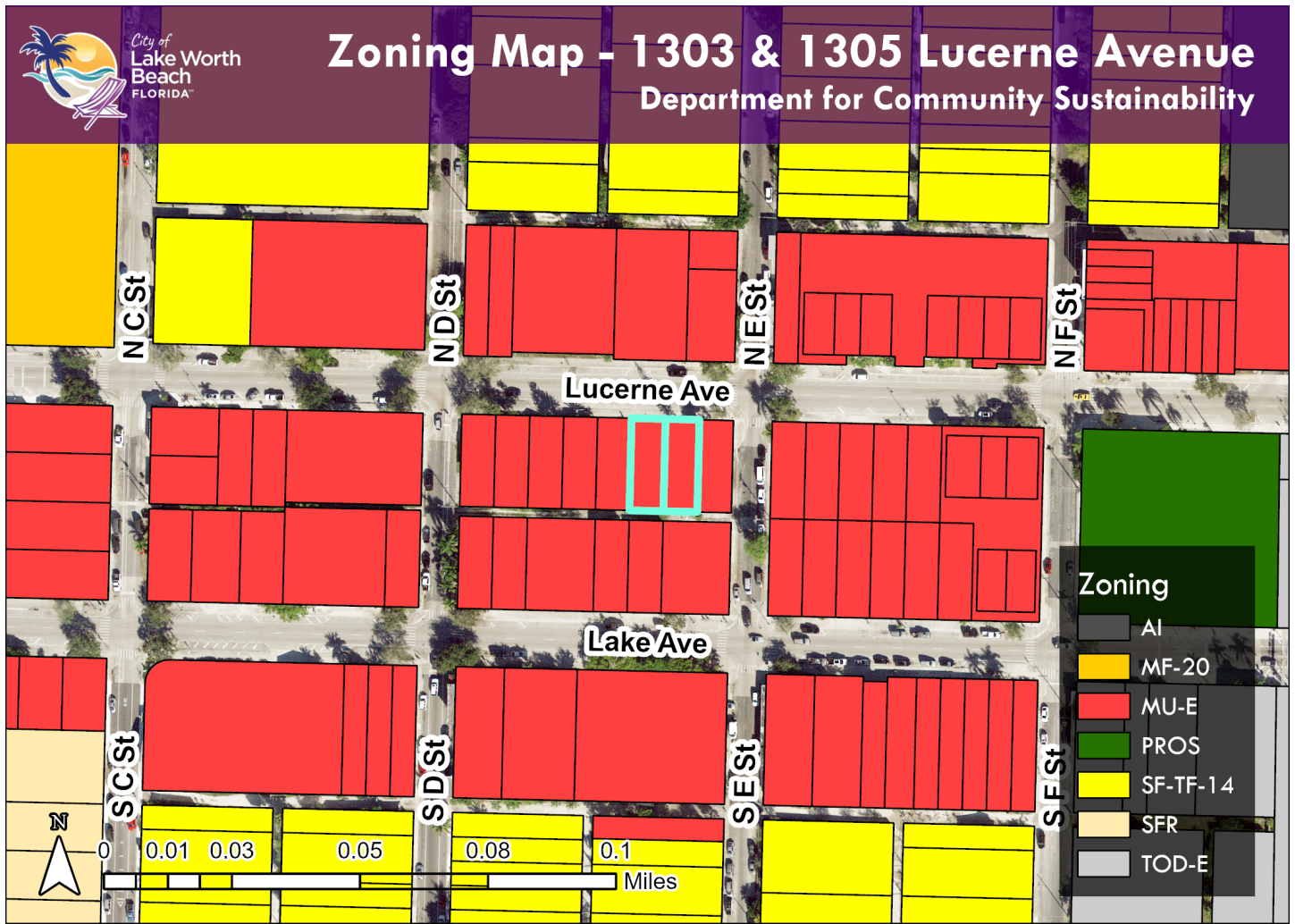
Staff Recommendation:

Staff has reviewed the documentation and materials provided, applying the applicable guidelines and standards found in the City of Lake Worth Land Development Regulations (LDRs) and Comprehensive Plan. The proposed development meets the criteria of the Comprehensive Plan and LDRs. Therefore, staff recommends that the Board approve the Major Site Plan and Sustainable Bonus as conditioned (See Conditions starting on Page 10).

PROPERTY DESCRIPTION:

Applicant	Juan Contin of Contin Architecture
Owner	Jin Yu Jin
General Location	Lucerne Avenue between North D & E Streets
PCN Numbers	38-43-44-21-15-504-0070 & 38-43-44-21-15-504-0060
Existing Land Use	Single-Family Residence
Zoning	Mixed-Use East (MU-E)
Future Land Use Designation	Mixed-Use East (MU-E)

ZONING MAP:



BACKGROUND:

The project site is located at 1303 and 1305 Lucerne Avenue. Below is a timeline summary of the properties' histories based on Palm Beach Property Appraiser's records and City records:

- 1303 Lucerne Avenue
 - April 26, 1994 to January 31, 2017 – Property owned by Darcy Rydlun
 - February 1, 2017 to Today – Property owned by Jin Yu Jin
 - June 16, 2020 - Demolition approved of single-family structure (Permit #20-1491)
 - The property has one active code case for trash and debris (Case #20-1359).
- 1305 Lucerne Avenue
 - April 27, 1994 to September 25, 2016 – Property owned by Darcy Rydlun
 - September 26, 2016 to Today – Property owned by Jin Yu Jin
 - Property has existed as a vacant lot
 - The property has no active cases.

ANALYSIS:**Consistency with the Comprehensive Plan and Strategic Plan**

The subject application is located within the Mixed-Use East (MU-E) Future Land Use (FLU) designation (Policy 1.1.1.5), which provides for a mixture of residential, office, service and commercial retail uses within specific areas east of I-95, near or adjacent to the central commercial core and major thoroughfares of the City. The proposed mixed-use structure with residential and retail uses is appropriate for this location.

This project provides for a mixed-use structure along the main Lake and Lucerne Avenue corridor that will increase the supply of housing and provide for local commercial and retail options within walking distance of the Tropical Ridge and Royal Poinciana residential neighborhoods. The construction of this multi-use project will increase the taxable value of the lot as well as having the potential to provide multiple jobs of diverse skill sets. The project's location is also located in an existing mixed-use area, and the proposed mixed-use project can help support the development and enhancement of this area. Therefore, the proposed mixed-use project is consistent with the following portions of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan:

- **Policy 1.1.1.5 of the City's Comprehensive Plan, Future Land Use Element:** Mixed-Use East
- **Pillar II.A of the City's Strategic Plan:** Diversify housing options
- **Pillar IV.A of the City's Strategic Plan:** Achieve economic and financial stability through a versatile and stable tax base.
- **Pillar IV.D of the City's Strategic Plan:** Influence the supply and expansion of jobs.
- **Pillar IV.E of the City's Strategic Plan:** Ensure development that anticipates and embraces the future.

Consistency with the City's Land Development Regulations (LDRs)

The subject application includes a request for a Sustainability Bonus Incentive (Section 23.2-33), which is analyzed on page 9 of the staff report. This bonus would provide an additional 703 square feet of floor area and 5 feet of height above the base LDRs outlined in Section 23.3-13 for the proposed project. Per Section 23.2-30, a site plan review and approval is required for this application because of the proposed construction of new structures. The Department of Community Sustainability is tasked in the code to review site plan and Sustainable Bonus applications in accordance with the City's Land Development Regulations, for compliance with qualitative design standards and community appearance criteria, and to provide a recommendation for whether the application should be approved, approved with conditions, or denied. Staff has analyzed the proposed applications for consistency with the City's LDRs below:

Mixed-Use East (MU-E): Per LDR Section 23.3-13(a), The Mixed-Use East zoning district is intended to encourage the establishment and expansion of a broad range of office, commercial, hotel/motel and medium-density multiple-family residential development as well as to facilitate redevelopment within these areas that achieves a mix of residential and professional office land uses. The proposed project provides a mixed-use structure with multiple-family residential and commercial retail space within the Lake and Lucerne subarea west of Dixie Highway and East of I-95, and is consistent with the intent of the MU-E zoning district.

The table below shows the proposed site features and its compliance with the development regulation of the Mixed-Use East section of the Code:

Development Standard		Codified Regulation	Provided
Lot Size (min) In square feet (sf)		6,500 sf	6,650 sf
Lot Width (min)		25'	70'
Setbacks	Front (min)	Min 10', Max 22'	10'
	Rear (min)	10'	10'
	Street Side (min)	10'	N/A
	Interior Side (min)	0'	10.5'
Impermeable Surface Coverage (maximum)		70%	69.5%
Structure Coverage (max)		60%	50.7%
Parking		9	9 (see below)
Building Height (max)		30' or 35' with Sustainable Bonus	35'
Floor Area Ratio (FAR) (max)		0.95 or 1.45 with Sustainable Bonus	1.06

Parking: The proposed development meets the minimum parking requirements in the City's LDRs. The required parking for the following uses are as follows:

- Retail: 4 (1 per 500 gross square feet, 1900 square feet of gross floor area)
- Residential: 7 (1.75 per 1 two-bedroom unit, 4 two-bedroom units proposed)
- 25% Mixed-Use Credit (per LDR Section 23.4-10(h)): -2.75 spaces
- **Total Spaces Required: 9 (8.25 rounded up)**

LDR Section 23.4-10 provides for parking alternatives in order to promote multimodal transportation within the City. Per subsection j, compact vehicle parking spaces may be allowed in lieu of a standard parking space, and per subsection l(1), the provision of 4 bicycle rack spaces shall count as (1) standard parking space. Per Subsection l(2), the total number of parking alternatives used to satisfy minimum parking requirements shall not exceed 25% of the total parking requirements.

The project has proposed providing at least 4 bicycle spaces and 1 compact space in lieu of 2 standard parking spaces. The 4 bicycle spaces will be part of a 9-space vertical bicycle rack system which will be mounted on the eastern exterior wall of the building. The provision of 4 bicycle spaces and 1 compact space equates to 22% of the minimum parking requirement of 9 parking spaces, which meets the regulations outlined in LDR Section 23.4-10(l)(2).

As such, the proposed project provides a total of 9 parking spaces, allocated as follows:

- 3 standard off-street vehicular spaces
- 3 on-street vehicular spaces
- 1 compact vehicular space

- 9 bicycle spaces (4 to be counted as 1 parking space, 5 beyond code requirements)
- 1 ADA vehicular space

The provided parking outlined above complies with the minimum parking requirement and meets all applicable provisions of the code.

Landscaping: The development proposal complies with the City's landscape regulations. The project proposes Live Oak and Clusia Rosea along Lucerne Avenue, and Cabbage Palms along the side property lines. The perimeter of the site and building will be lined with a Cocoplum hedge, providing landscape buffering from the right of way and adjacent properties. The parking at the rear of the site is buffered with a required 5-foot landscape buffer.

Floor Area: The proposed project has a floor area ratio of 1.06, which is in conformance with the allowed maximum floor area ratio of 1.45 under Sustainable Bonus.

Building Height: The proposed 3-story project has a maximum building height of 33.5 feet, which meets the maximum building height of 35 feet under Sustainable Bonus. The third floor of the building was calculated at 2,475 square feet, and since this is the greatest incentive being requested through Sustainable Bonus, the applicant is providing at least \$12,375 in sustainable improvements to the site to meet the requirements of Section 23.2-33. The applicant has provided more than the equivalent value in the form of a roof deck and other features as outlined on Page 9.

Impermeable Surface Coverage: The project as proposed has a total impermeable surface coverage of 69.5% and meets the allowed impermeable surface coverage of 70% outlined in the MU-E development regulations.

Structure Coverage: The project as proposed has a total building coverage of 50.7%, which is in conformance with the allowed maximum building coverage of 60%.

Traffic: The proposed project includes approximately 1,900 square feet of retail space. As currently no retail space exists at the site, this represents a net addition of 1,900 square feet of retail space. As such, a condition has been included to require the applicant to provide a TPS Letter from the Palm Beach County Traffic Division. The residential portion of the project is exempt from review as it is located in a traffic concurrency exemption area for residential uses.

Major Thoroughfare Design Guidelines: The project provides many design features in support of the Major Thoroughfare Design Guidelines, such as having the retail entrances oriented toward Lucerne Avenue to promote walkability, providing large fenestration exceeding the 25% requirement to promote visibility between the street and interior, providing awnings/overhangs to shelter pedestrians as they approach the entrance to the retail space, and staggering the architectural façade to create visual interest and break up the mass. As such, this project meets the Major Thoroughfare Design Guidelines.

Major Site Plan:

The review criteria below is 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.

Section 23.2-31(c): Qualitative Development Standards

1. *Harmonious and efficient organization.* 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.

Staff Analysis: The site is oriented toward Lucerne Avenue, and provides buildings which are similar in style and character to other buildings along the corridor. The parking is located toward the rear of the site and underneath the building, promoting pedestrian accessibility and walkability along Lucerne Avenue. **Meets Criterion.**

2. *Preservation of natural conditions.* 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 as specified in Part II, Chapter 12, Health and Sanitation, Article VIII, Fertilizer Friendly Use Regulations. 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 (4) feet or more.

Staff Analysis: This section is not applicable. The lots as they exist today are mostly vacant, with only cabbage palms. The project proposes increased landscaping with Live Oaks and Clusia Rosea, and maintains the number of cabbage palms on-site. **Meets Criterion.**

3. *Screening and buffering.* 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.

Staff Analysis: The project proposes a landscape buffer between the building and parking areas and adjacent properties. The landscape buffer includes several trees and a Cocoplum hedge around the edges of the building as well as the property. The applicant states that their plan meets this section. **Meets Criterion**

4. *Enhancement of residential privacy.* 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.

Staff Analysis: As stated above, the property provides a landscape buffer, as well as a 10-foot side setback, which is greater than the 0-foot setback minimum allowed in the Mixed-Use East zoning district. These features and design considerations buffer the property from adjacent residential properties. **Meets Criterion.**

5. *Emergency access.* 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.

Staff Analysis: The building is setback 10 feet from all property lines, which allows for emergency access on all sides of the building. The building also provides pedestrian ingress and egress from both the front and rear of the building, providing multiple points of entry for emergency access into the structure. **Meets Criterion.**

6. *Access to public ways.* 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.

Staff Analysis: As stated above, the building provides access to both the front and rear of the site, with pedestrian access to and from Lucerne Avenue and vehicular access to and from the alley. The site is not located adjacent to a railroad crossing. **Meets Criterion.**

7. *Pedestrian circulation.* There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.

Staff Analysis: The site provides pedestrian circulation to and from Lucerne Avenue, a major pedestrian corridor, and provides means of pedestrian access between the front and rear of the site through a pathway along the east side of the building. The pedestrian circulation is completely insulated from vehicular circulation. **Meets Criterion.**

8. *Design of ingress and egress drives.* 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.

Staff Analysis: Vehicular ingress and egress is from the alleyway at the rear of the site. The ingress and egress provided allows for direct access into parking spaces located at the rear of the site. These parking spaces are set back 10 feet from the 10-foot alley as required by code in order to minimize impacts on the alleyway. The applicant states that the entrance through the alley via North E Street will allow minimum traffic impact for both the residents and the public right-of-way. **Meets Criterion.**

9. *Coordination of on-site circulation with off-site circulation.* The arrangement of public or common ways for vehicular and pedestrian circulation shall be coordinated with the pattern of 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.

Staff Analysis: On-site and off-site circulation is coordinated to align with existing street and circulation patterns. Lucerne Avenue is a significant pedestrian corridor; therefore, all pedestrian circulation is oriented toward Lucerne Avenue. In order to avoid pedestrian circulation conflicting with vehicular circulation, the parking is located at the rear of the site off of the alley, which eliminates the need for a drive aisle to connect with Lucerne, maintaining the pedestrian-oriented experience along Lucerne Avenue. **Meets Criterion.**

10. *Design of on-site public right-of-way.* On-site public street and rights-of-way shall be designed 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 direct access to parcels.

Staff Analysis: This section is not applicable. No public right-of-way is being proposed as part of this project, the site will be accessed from existing rights-of-way. **Meets Criterion.**

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.

Staff Analysis: Vehicular circulation on the site is minimal and is limited only to the access for the parking spaces located at the rear of the site. The applicant states that the on-street parking will provide opportunities for those interfacing with the retail component to park their vehicle, while the parking in the rear of the site will be used for loading. **Meets Criterion.**

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.

Staff Analysis: The refuse and service areas will be located in enclosed service rooms adjacent to the parking areas facing the alley, and are screened from Lucerne Avenue by the entire building. The site will use typical roll-out garbage bins which will be stored in the refuse area. **Meets Criterion.**

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.

Staff Analysis: The plan will activate the street along Lucerne Avenue by orienting activity toward the corridor and away from adjacent properties and the alley. The improved structure will have the potential to increase property values of adjoining properties. **Meets Criterion.**

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.

Staff Analysis: The property is not located on the edge of a zoning district, therefore this section does not apply. **Meets Criterion.**

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.

Staff Analysis: The applicant states that no additional development beyond the scope of this application has been proposed at this time. As this application takes advantage of the Sustainable Bonus Incentive Program which provides incentives for additional floor area and height, staff finds that the proposed development meets the intent and vision of the underlying zoning district and future land use. **Meets Criterion.**

Section 23.2-31(I): Community Appearance Criteria

1. 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.

Staff Analysis: The structure provides a modern aesthetic with large floor-to-ceiling windows to provide the residents with broad vistas, as well as providing pedestrians the ability to view activity within the retail component of the ground floor, connecting the exterior with the interior. The design is of good taste and reflects trends in mixed-use development design. **Meets Criterion.**

2. 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.

Staff Analysis: The property currently exists as vacant lots. The proposed project improves the vegetation and landscaping of the site, and will activate the street where currently no activation exists. The project will also contribute to a mix of housing types in the area and enhance housing options on the western section of Lake and Lucerne. Staff finds these aspects will contribute to the nature of the local environment. **Meets Criterion.**

3. 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.

Staff Analysis: Staff finds that the project proposed matches the scale and intensity of the surrounding area, and is in conformance with the land development regulations and comprehensive plan as mentioned earlier in this report. **Meets Criterion.**

4. The proposed structure or project is in compliance with this section and 23.2-29, as applicable.

Staff Analysis: The proposed structure proposes 1,900 square feet of retail use, which is a use permitted by right in the Mixed-Use East zoning district under 2,500 square feet. As the proposed use is not a conditional use, this section does not apply. **Meets Criterion.**

Sustainable Bonus Incentive Program:

The City of Lake Worth Sustainable Bonus Incentive Program (SBIP) is intended to implement Objective 1.2.3 of the City's Comprehensive Plan which states that the City shall establish incentives to help support the creation of a compact, sustainable, community-oriented development by implementing a SBIP. The SBIP 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.

Based on the calculation of the additional height and FAR proposed as part of the SBIP, the Applicant is asking for a bonus height of one additional story for a total of three stories, which includes the additional 5 feet requested as part of the SBIP and an additional 0.11 in FAR. The total square footage of bonus area is 2,475 square feet, therefore; the total value of required improvements is \$12,375 (\$5 per square foot). Below is the Applicant's SBIP chart, which outlines the total value of improvements as part of the SBIP request which exceed the requirement.

Improvement Detail	Valuation Amount	Calculation Details
Higher quality or additional landscaping beyond the requirements of the code.	\$1,487.75	Value of landscape provided (\$13,747.75) minus minimum landscape to meet LDR Section 23.6-1 (\$12,260.00)
Public amenity such as a law enforcement substation, cultural gallery, public, community meeting space, library, or garden.	\$110,014.65	Rooftop Deck: \$98,680.00 Rooftop Furniture: \$6,654.65 Rooftop Planters: \$4,680.00
Other project components open to the public, or offering a direct community benefit meeting the intent of the comprehensive plan, which include elements of sustainable design such as: xii. Bicycle mobility systems. - Bike Racks	\$1,042.00	Value of entire bicycle rack (\$1,875.17) minus portion of bicycle rack needed to meet LDR Section 23.4-10 (\$833.60)
Total Value of Improvements/Design Excellence Required: \$12,375	Total Value of Improvements/Design Excellence Provided: \$112,544.40	

Section 23.2-33(c)(2): Review/decision

1. Is the award calculated correctly, consistent with the square footage and height requested and the value of the features and improvements included in the development proposal?

Staff Analysis: The development proposal is consistent with the additional square footage and height requested. The Applicant is requesting a bonus height of one story, which includes the additional 5 feet requested as part of the SBIP and an additional 0.11 in FAR. The total square footage of bonus area is 2,475 square feet. Therefore, the total value of required improvements is \$12,375 (\$5 per square foot). The Applicant will be providing community-based improvements and design excellence equivalent to \$112,544.40. **Meets Criterion.**

2. Do the proposed on-site features or improvements adequately provide sustainable project enhancements beyond those otherwise required by these LDRs for the development proposal that are attainable and reasonable in the context of the proposed project?

Staff Analysis: The proposed on-site features and improvements provide enhancements that exceed the base requirements of the LDRs. The project provides for a roof deck system, which provides a public space available to users of the site and is above the minimum requirements of the code, and provides additional bicycle parking beyond what is required to meet the regulations of the off-street parking section outlined in Section 23.4-10. **Meets Criterion.**

3. Do the proposed off-site improvements meet the priorities of the City for community sustainability?

Staff Analysis: The project is not including off-site improvements toward the SBIP credit. **Meets Criterion**

4. Do the proposed features, improvements or fees-in-lieu meet the intent of the SBIP?

Staff Analysis: As identified by the criteria above, the proposed features and improvements incorporated into the development proposal are beyond the base requirements of the LDRs, providing sustainable features and activating the space for public usability. Thus, the proposed development meets the intent of the SBIP. **Meets Criterion.**

Public Support/Opposition:

Staff has not received any emails, phone calls, or letters of opposition.

CONCLUSION:

The proposed request for a Major Site Plan and Sustainable Bonus to construct a mixed use building at 1303 & 1305 Lucerne Avenue is consistent with the purpose, intent and requirements of the Comprehensive Plan, underlying zoning district, and surrounding areas, subject to compliance with staff's proposed conditions of approval. Therefore, staff recommends that the Board **approve the request with the conditions** below:

Electric Utilities:

1. Prior to the issuance of a building permit, the applicant shall provide load calculations and voltage requirements for the site.
2. Prior to the issuance of a Certificate of Occupancy (CO), a final electrical inspection must be completed.
3. Single phase 120/240 Volt is the only service type available at the job site.

Planning:

1. Prior to the issuance of a building permit, the following shall be completed:
 - a. The two parcels must be unified under a unity of title in accordance with Section 23.2-14. The building permit shall be accompanied by evidence of recording a unity of title or unity of control declaration with the clerk of the circuit court of Palm Beach County. The evidence shall consist of a copy of the recorded unity of title or unity of control declaration, and such recording shall be a prerequisite to final approval of the application and issuance of a building permit.
 - b. The applicant shall provide a TPS Letter from the Palm Beach County Traffic Division for the non-residential portion of the project. Should any improvements outlined in the TPS Letter require the applicant to modify the site plan, the applicant shall amend the site plan according to Section 23.2-30.

Public Works:

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 Services Construction Standards and Policy and Procedure Manual.
2. 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
3. Prior to the issuance of a building permit, the following shall be completed:
 - a. The applicant shall submit an Erosion Control plan and indicate the BMP’s and NPDES compliance practices.
 - b. The applicant shall receive a Right of Way Permit from FDOT for all work in the FDOT right of way on Lucerne Avenue. A copy of the permit shall be on file with the City.
4. Prior to the issuance of a Certificate of Occupancy, the following shall be completed:
 - a. All conditions of approval shall be satisfied under jurisdiction of the Department of Public Services.
 - b. The alleyway shall be fully improved from the west property line to the east property line in accordance with the City’s standards for alleyway construction.
 - c. 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.
 - d. The applicant shall fine grade and sod all disturbed areas with bahia sod.
 - e. 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.
 - f. 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.

Utilities Water & Sewer:

1. Prior to building permit issuance, reserved capacity fees for water and sewer must be paid in full in accordance with the current City Ordinance.
2. Prior to the issuance of a Certificate of Occupancy, the following shall be completed:
 - a. The property is specified to have a full fire sprinkler system with a minimum size of 4-inch diameter. The existing water main in alleyway adjacent to the property is 4-inch diameter. If the property requires a fire protection system larger than 4-inch diameter, the property owner will need to extend the watermain to the property from a main that meets the design.
 - b. The stormwater management system shall be constructed to conform to the City stormwater policy. This will be required even if conflicts exist with the proposed utility extensions.

Board Actions:

I MOVE TO APPROVE PZB PROJECT NUMBER 20-01400003 with staff recommended **conditions** for a Major Site Plan with a Sustainable Bonus of one additional story to construct a mixed use building, including 4 dwelling units and +/1,900 square feet of retail space, at 1303 & 1305 Lucerne Avenue. The project meets the applicable criteria based on the data and analysis in the staff report.

I MOVE TO RECOMMEND DENIAL OF PZB PROJECT NUMBER 20-00900001 for a Major Site Plan with a Sustainable Bonus of one additional story to construct a mixed use building, including 4 dwelling units and +/1,900 square feet of retail space, at 1303 & 1305 Lucerne Avenue. The project does not meet the applicable criteria for the following reasons [Board member please state reasons.]

Consequent Action:

The Planning & Zoning Board’s decision will be final for the Major Site Plan and Sustainable Bonus. The Applicant may appeal the Board’s decision to the City Commission.

ATTACHMENTS:

- A. Site Plan Package
- B. Supplemental Supporting Documents
- C. Site Photos