



HISTORIC RESOURCES PRESERVATION BOARD REPORT

HRPB Project Numbers 23-0140014 and 23-00100179: Consideration of a Major Site Plan and Certificate of Appropriateness (COA) to construct a 6-unit apartment building at 802 North Federal Highway. The subject site is located in the Mixed Use – Federal Highway (MU-FH) zoning district and has a future land use designation of Mixed Use – East (MU-E). The subject property is a non-contributing resource in the Northeast Lucerne Historic District.

Meeting Date: October 11, 2023

Property Owner: Robert Miller, NE Lucerne Holdings, LLC

Applicant: Denise Cravy, LCA Architecture, Inc.

Address: 802 North Federal Highway

PCN: 38-43-44-21-15-234-0010

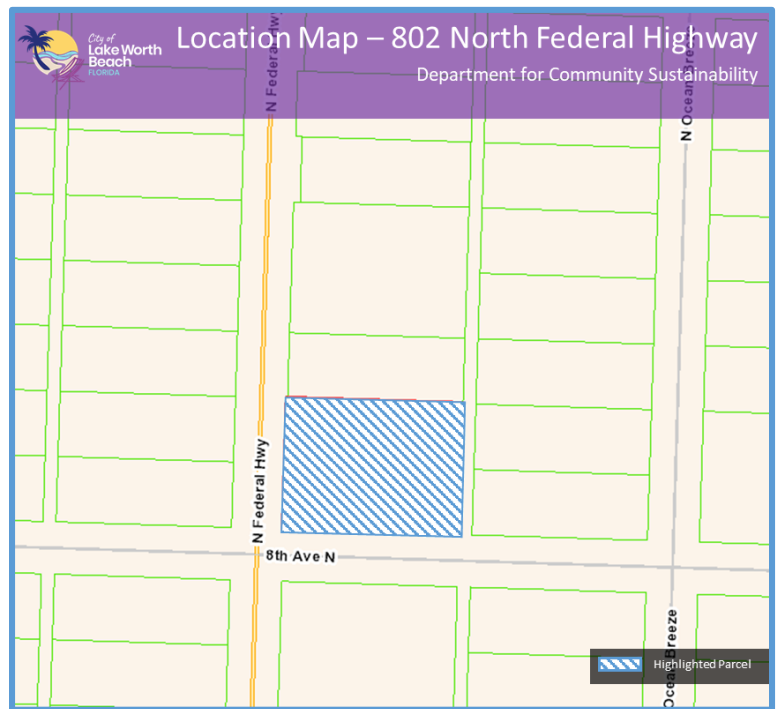
Size: ±0.31 acres / 13,500 sf

General Location: Northeast corner of North Federal Highway and 8th Avenue North

Existing Land Use: Vacant

Future Land Use Designation: Mixed Use – East (MU-E)

Zoning District: Mixed Use – Federal Highway (MU-FH)



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), the Historic Preservation Design Guidelines, and for consistency with the Comprehensive Plan and Strategic Plan. The proposed Major Site Plan and Certificate of Appropriateness (COA) requests are consistent with the Comprehensive Plan, Strategic Plan, LDRs, and Historic Preservation Design Guidelines, as conditioned. **Therefore, staff recommends approval with conditions.** The conditions are located on pages 9-11 of this report.

PROJECT DESCRIPTION

The applicant, Denise Cravy, is requesting approval for the construction of a new residential development at 802 North Federal Highway. This approval includes:

- A **Major Site Plan** for the development of a 6-unit apartment building and additional site improvements
- A **Certificate of Appropriateness** for new construction in the Northeast Lucerne Historic District

The Applicant is proposing a 2-story, 6-unit residential development on a 0.31-acre lot with the purpose of improving the area. The building is designed with 3 residential units on each floor. Site improvements will include a surface parking lot accessed from the alley, landscaping, and an in-ground pool.

The proposed development will be compatible with the surrounding uses, which include commercial and institutional uses, as well as single and multi-family residential uses. The building is designed in a Streamline Moderne architectural style, with large casement windows, a smooth stucco exterior finish, aluminum railings, a flat roof and parapet, and porthole openings.

PUBLIC COMMENT

Staff has not received any letters of support or opposition for this application.

BACKGROUND

A 2-story wood-frame building, used as a garage and apartment, was constructed on the property c. 1940, with additions in 1954. The building was demolished in 1970. The site was later used as a parking lot for the church at 720 North Federal Highway until 2004. The property at 802 North Federal Highway is currently vacant, and has no active code cases or outstanding violations.

ANALYSIS

Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Mixed Use – East (MU-E). Per policy 1.1.1.5, The Mixed Use – East category is *intended to provide 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 maximum density of permitted residential development is 30 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. While mixed-use projects are allowed on a single site, it is not a requirement that each site within the category incorporate multiple uses. Zoning regulations implementing the Mixed Use – East category shall permit the establishment and expansion of residential (including single family, two-family and multi-family), office, service and commercial retail uses either as uses permitted by right or through conditional use permit provisions. All buildings are required to provide transitional buffering and design features to mitigate impact of the MU-E sites adjacent to residential zoning districts.*

Analysis: The proposed multi-family residential use is appropriate and intended in the MU-E FLU designation. The project would allow for the infill of a vacant property along one of the City's Major Thoroughfares and in one of the City's Historic Districts with an architecturally appropriate and attractive design. 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 Pilar IV of the Strategic Plan state that the City shall strengthen Lake Worth Beach as a community of neighborhoods and navigate 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 financial sustainability and stable tax base; and ensure facility placement, construction and development that anticipates and embraces the future. The proposed building 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 polices of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan.

Consistency with the Land Development Regulations

Mixed Use – Federal Highway (MU-FH): Per LDR Section 23.3-16(a), the "MU-FH - mixed use-Federal Highway" district is intended to provide for limited retail, office, hotel/motel and low-density multiple-family residential development. Provision is made for the establishment of the following nonresidential uses: low intensity office uses, low intensity personal service uses, residential apartments as secondary uses in structures with office uses as primary uses, hotels and motels. Provision is also made for the establishment of low-density multiple-family residential uses and single-family and two-family residential uses in accordance with the provisions of the "low-density multiple-family residential district, 20 du/net acre." The "mixed use - Federal Highway" district implements in part the "mixed use" land use category of the Lake Worth Comprehensive Plan.

Development that is all-residential in the MU-FH zoning district utilizes the Multi-Family Residential (MF-20) zoning requirements; however, all-residential projects may use the height, setbacks, FAR, and building lot coverage of the mixed-use district instead of the multi-family district. The proposed development exceeds the maximum impermeable lot coverage by 23 sf, and has been conditioned to reduce the impermeable surface coverage in a concurrent minor site plan with building permit.

The table and topic area analysis below evaluate the proposed site features and the project's compliance with the Code:

Development Standard		Multi-Family Residential (MF-20)	Provided
Lot Size (min)		5,000 sf	13,500 sf
Lot Width (min)		50'	100'
Density (max)		20 du/ac x 0.31 ac = 6 du	6 du
Setbacks	Front	10' minimum, up to 22' maximum*	11'
	Rear	13.5'	74'
	Street Side	10'	10'
	Interior Side	10'	10'
Impermeable Surface Coverage (max)		55% (7,425 sf)	55.17% (7,448 sf)
Structure Coverage (max)		45%*	29%
Front Yard		75% permeable & landscaped	75.6%
Building Height (max)		30' (2 stories)	25'
Maximum Wall Height at Side Setback		23' @ 10' setback	23' @ 10' setback
Floor Area Ratio (FAR) (max)		0.60*	0.50
Living Area (min)		750 sf for 2-bedroom unit	1,118 sf – 2-bedroom 1,205 sf – 2-bedroom
Parking		1.75 spaces/2-bed unit x 6 units = 11 spaces; may count up to 5 on-street spaces	11 spaces: 7 off-street, 4 on-street

*zoning regulation from the MU-FH district, as allowed per LDR Section 23.3-16(b)

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 refuse will be collected in City approved trash cans/bins and stored away in two designated refuse locations on the north and south sides of the property. The refuse areas will be screened by enclosures and landscaping. Staff has included a condition of approval that a detailed drawing identifying the height and material of the refuse area enclosures shall be submitted in a Minor Site Plan amendment or modification. Additionally, the Minor Site Plan amendment or modification shall revise the storage locations to be out of the required 5-foot landscape buffer by shifting each enclosure 6 inches closer to the parking area.

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: Staff has included a condition of approval that a revised photometric plan (consistent with the final site plan) shall be submitted in a Minor Site Plan amendment or modification to demonstrate 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 3000K 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 6-unit residential use is nine spaces. The parking spaces were calculated at the following rates:

- 2-bedroom multi-family units: 1.75 spaces/unit x 6 units = 11 spaces

Per LDR Section 23.4-4(k), on-street parking spaces abutting a property may be used to satisfy, in part, the minimum number of required off-street parking spaces for developments in mixed-use and multi-family zoning districts. No more than 50% of the required off-street parking spaces may be met with on-street parking. The proposed development provides seven (7) off-street parking spaces (including one ADA space) accessed from the alley, as well as four (4) on-street parking spaces on 8th Avenue North to meet the total parking requirement.

Section 23.5-1- Signage: Signage is required to comply with the size and design requirements in the Land Development Regulations. The current proposal does not include signage; any future signage will be reviewed at building permit for consistency with the Land Development Regulations.

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”* consistent with this section including a landscape strip ten (10) feet in depth.

Analysis: The development proposal provides perimeter landscaping and shade trees. Tree species include Silver Buttonwood, White Geiger, and East Palatka Holly trees with variety of native and non-native shrubs and groundcovers for perimeter and interior plantings. The proposed landscaping is generally consistent with the City’s landscape regulations, but requires minor revisions for full compliance. Staff has included conditions of approval to bring the

landscaping into full compliance, including additional perimeter trees on the north and south sides of the property, and changing the East Palatka Holly trees to a south Florida native tree such as Dahoon Holly.

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. Due to the lack of trees on the site, a tree survey and disposition plan is not required.

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. Compliance determination with the applicable standards in Section 23.2-31 is 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 vibrant, diverse, safe, inviting, and sustainable features. The Applicant is proposing a 2-story, 6-unit residential development on a 0.31-acre lot with the purpose of improving the area. The building is designed with three residential units on each floor. The proposed development will be compatible with the surrounding uses, which include a mix of commercial and institutional uses, as well as single and multi-family residential uses. Interior and perimeter landscaping are provided with a variety of trees and hedges. The landscaping of the perimeter buffers is designed to complement the architectural style of the building. 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	Mixed Use – East (MU-E)	Mixed Use – Federal Highway (MU-FH)	Two-family residential
South	Mixed Use – East (MU-E)	Mixed Use – Federal Highway (MU-FH)	Place of worship (across 8 th Avenue North)
East	Single-Family Residential (SFR)	Single-Family Residential (SFR)	Single-family residential
West	Mixed Use – East (MU-E)	Mixed Use – Federal Highway (MU-FH)	Two-family and single-family residential (across Federal Highway)

The proposed uses and site improvements, as conditioned, will not negatively affect the existing surrounding properties and uses. The proposed changes are harmonious and compatible with the existing mixed-use area.

Community Appearance Criteria:

The proposed residential development project includes new construction, new landscaping, and associated site improvements that represent an enhancement in the general appearance of the property over the existing vacant

lot. The proposed Streamline Moderne architectural style of the building is appropriate and in harmony with the surrounding residential and non-residential area. Consistent with the chosen architectural style, the structure features large casement windows, a smooth stucco exterior finish, aluminum railings, a flat roof and parapet, and porthole openings. 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.

Consistency with the Historic Preservation Ordinance

The proposed multi-family residential structure is designed in the Streamline Moderne architectural style. The Streamline Modern architectural style (also called Art Moderne), began in the United States around 1930. The style shares many design elements with the Art Deco style, but has simpler ornamentation and tend to emphasize horizontality. Common character-defining features include flat roofs; smooth stucco walls; curved or rounded walls and corners; decorative horizontal banding; and fixed, casement, and porthole windows. The Streamline Moderne architectural style is covered as a primary style in the Lake Worth Beach Historic Preservation Design Guidelines, and that chapter is included in this report as **Attachment D**.

All new construction within a designated historic district shall be visually compatible. New buildings should take their design cues from the surrounding existing structures, using traditional or contemporary design standards and elements that relate to existing structures that surround them and within the historic district as a whole. Building design styles, whether contemporary or traditional, should be visually compatible with the existing structures in the district. The visual compatibility criteria for new construction within the city's historic districts is located in Section 23.5-4(k)(3)(A) in the LDRs. Staff has reviewed the criteria and provided an analysis in the section below. The applicant has also submitted a Justification Statement, provided in this report as **Attachment E**.

Section 23.5-4(k)3.A – Additional Guidelines for New Construction: *In approving or denying applications for certificates of appropriateness for new construction, the City shall also, at a minimum, consider the following additional guidelines which help to define visual compatibility in the applicable property's historic district:*

- (1) The height of proposed buildings shall be visually compatible and in harmony with the height of existing buildings located within the historic district.*

Analysis: While the height of the proposed building is taller than the height of some of its immediate neighbors to the north, it is in harmony with a number of other 2-story multi-family residential buildings along North Federal Highway, such as 605, 619, 702, 901-911, 1001, and 1111 North Federal Highway.

- (2) The relationship of the width of the building to the height of the front elevation shall be visually compatible and in harmony with the width and height of the front elevation of existing buildings located within the district.*

Analysis: The width of the front elevation is in scale with the surrounding properties. The relationship of the width and height of the front elevation is in harmony with surrounding properties. The proposed new construction maintains the appropriate horizontality for the Streamline Moderne style, and is visually compatible with the horizontal emphasis of many of the surrounding buildings.

- (3) For landmarks and contributing buildings and structures, the openings of any building within a historic district should be visually compatible and in harmony with the openings in buildings of a similar architectural style located within the historic district. The relationship of the width of the windows and doors to the height of the windows and doors in a building shall be visually compatible with buildings within the district.*

Analysis: The proposal is new construction and therefore will not be a landmarked or contributing building. The proposed casement windows and glazed doors are compatible with the Streamline Moderne style of the structure and are visually compatible with the surrounding district. The windows and doors are symmetrically placed along all elevations.

- (4) *The relationship of solids to voids in the front facade of a building or structure shall be visually compatible and in harmony with the front facades of historic buildings or structures located within the historic district. A long, unbroken facade in a setting of existing narrow structures can be divided into smaller bays which will complement the visual setting and the streetscape.*

Analysis: The front (west) elevation has a regular rhythm of solids to voids, and avoids expanses of black façade, and the relationship of solids to voids is generally in harmony with neighboring buildings.

- (5) *The relationship of a building to open space between it and adjoining buildings shall be visually compatible and in harmony with the relationship between buildings elsewhere within the district.*

Analysis: The proposed building adheres to setback requirements within the current zoning code and is spaced appropriately in relation to neighboring buildings.

- (6) *The relationship of entrance and porch projections to sidewalks of a building shall be visually compatible and in harmony with the prevalent architectural styles of entrances and porch projections on buildings and structures within the district.*

Analysis: The proposed design places the units' entrances on the front elevation, with a simple flat roof projection over the front doors. The entrances are given visual emphasis through raised stucco door surrounds. The proposed design at 802 North Federal Highway appropriately orients the building's entrances towards Federal Highway.

- (7) *The relationship of the materials, texture and color of the façade of a building shall be visually compatible and in harmony with the predominant materials used in the buildings and structures of a similar style located within the historic district.*

Analysis: The proposed building will have a smooth stucco exterior finish. This is a common and compatible façade material for Streamline Moderne architecture, and is visually compatible with multiple common architectural styles in the Northeast Lucerne Historic District.

- (8) *The roof shape of a building or structure shall be visually compatible and in harmony with the roof shape of buildings or structures of a similar architectural style located within the historic district.*

Analysis: The proposed structure has a flat roof with a parapet, which is an appropriate roof shape for Streamline Moderne architecture and is visually compatible with other structures in the Northeast Lucerne Historic District.

- (9) *Appurtenances of a building, such as walls, wrought iron, fences, evergreen, landscape masses and building facades, shall, if necessary, form cohesive walls of enclosures along a street to ensure visual compatibility of the building to the buildings and places to which it is visually related.*

Analysis: The site features are largely appropriate for the structure and its context in the neighborhood.

(10) The size and mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible and in harmony with the buildings and places to which it is visually related.

Analysis: The structure's size and mass are architecturally compatible in relation to its architectural features.

(11) A building shall be visually compatible and in harmony with the buildings and places to which it is visually related in its directional character: vertical, horizontal or non-directional.

Analysis: The applicant has provided a streetscape showing the building in relation to those to either side of it. The building's height and massing are more substantial than some of the immediately neighboring properties, but the building is similar in height to existing two-story multi-family residential structures in the neighborhood. Furthermore, the horizontal emphasis of the building's design is in harmony with the horizontality of many of the neighboring properties.

(12) The architectural style of a building shall be visually compatible with other buildings to which it is related in the historic district, but does not necessarily have to be in the same style of buildings in the district. New construction or additions to a building are encouraged to be appropriate to the style of the period in which it is created and not attempt to create a false sense of history.

Analysis: The building is inspired by the Streamline Moderne architectural style. However, it does not seek to replicate an existing historic structure since it utilizes a custom design with modern construction materials and impact products.

(13) In considering applications for certificates of appropriateness to install mechanical systems which affect the exterior of a building or structure visible from a public right-of-way, the following criteria shall be considered:

(a) Retain and repair, where possible, historic mechanical systems in their original location, where possible.

Analysis: This requirement is not applicable to the new construction project.

(b) New mechanical systems shall be placed on secondary facades only and shall not be placed on, nor be visible from, primary facades.

Analysis: As shown in the submitted site plan, all mechanical equipment is placed outside the required side setbacks and will not be visible from the primary façade.

(c) New mechanical systems shall not damage, destroy or compromise the physical integrity of the structure and shall be installed so as to cause the least damage, invasion or visual obstruction to the structure's building materials, or to its significant historic, cultural or architectural features.

Analysis: This requirement is not applicable to the new construction project.

(14) The site should take into account the compatibility of parking facilities, utility and service areas, walkways and appurtenances. These should be designated with the overall environment in mind and should be in keeping visually with related buildings and structures.

Analysis: The off-street parking spaces are located at the rear of the property with access from the alley, which is a common configuration for parking throughout the Northeast Lucerne Historic District. The proposed site design is compatible with the surrounding neighborhood.

Consistency with the Historic Preservation Design Guidelines

Per the Lake Worth Beach Historic Guidelines, “*New construction can be designed utilizing the architectural language of one of the 10 defined primary styles, or an alternative yet compatible style. It is very important that new construction not hybridize the styles, borrowing pieces from one and another. This approach creates confusion and dilutes the intrinsic value of the historic structures and styles. The best approach is to choose one style of architecture, and to design a structure that utilizes the common characteristics, proportions, and materials of that style.*” The Streamline Moderne architectural style is covered as a primary style in the Lake Worth Beach Historic Preservation Design Guidelines, and that chapter is included in this report as **Attachment D**.

Analysis: New construction in the City’s historic districts is not limited to any particular architectural style, but staff always recommends that projects are designed solely within one architectural style. The proposed multi-family structure at 802 North Federal Highway incorporates many of the character-defining features commonly associated with the Streamline Moderne architectural style. The building uses a flat roof with a parapet, and the exterior walls are finished with smooth stucco and horizontal stucco banding.

The façade features a symmetrical design with covered entrances. The units’ front doors are given visual emphasis through simple raised stucco door surrounds. The façade also has two projecting elements featuring porthole openings; although the structure does not incorporate any curved walls or rounded corners, the round porthole openings help to break up the straight lines of the building. The façade’s projecting elements, along with the recessed rear patios and balconies and small recessed areas on the north and south elevations, add variety and visual interest to the structure’s massing. The fenestration incorporates both single and paired casement windows as well as full-light glazed doors.

Staff contends that the structure’s design successfully emulates the Streamline Moderne architectural style, and fulfills the new construction requirements in the Historic Preservation Design Guidelines.

CONCLUSION AND CONDITIONS

The proposed Major Site Plan and COA application, as conditioned, is consistent with the City’s Land Development Regulations and the Historic Preservation Design Guidelines for new construction. Therefore, staff recommends approval with conditions, provided below:

Historic Preservation

1. The windows and doors (excluding the bathroom windows and front door) shall utilize glazing that is clear, non-reflective, and without tint. Low-E (low emissivity) is allowed but the glass shall have a minimum 60% visible light transmittance (VLT) measured from the center of glazing. Glass tints or any other glass treatments shall not be combined with the Low-E coating to further diminish the VLT of the glass. Front doors and bathroom windows may utilize a white interlayer for privacy.
2. All divided light patterns shall be created utilizing exterior raised applied muntins. Exterior flat muntins or “grids between the glass” shall not be used.
3. The windows shall be recessed a minimum of two inches (2”) in the wall, and shall not be installed flush with the exterior wall.

Planning and Zoning

1. If LED lighting is utilized, such fixtures shall have warm tone of 3000 K or less. All lighting fixtures shall be shielded in compliance Dark Sky guidelines.
2. Prior to issuance of building permit, a site plan amendment or modification shall be required to address the following:
 - a. Detail drawing(s) shall be provided identifying the height and material of refuse area enclosures.
 - b. Detail of all proposed fences shall be provided.
 - c. Refuse areas shall be relocated out of the required 5-foot landscape buffer by shifting each enclosure 6 inches closer to the parking area.

- d. Photometric plan shall be revised to meet requirements of LDR Section 23.4-3: "Lighting shall be shielded and located so as not to allow light trespass upon neighboring residential properties or districts in excess of 12.57 lumens when measured on that property."
- e. Maximum impermeable surface shall be reduced to meet the requirements of LDR Section 23.3-10(c)(5).

Landscape

1. Revise the landscape plan to include the required perimeter trees on the north and south side of the property adjacent to the building. The required spacing for perimeter trees adjacent to abutting properties is twenty (20) feet. The required spacing for perimeter trees adjacent public rights-of-way can be found in LDR Section 23.6-1(c)(2)(b)(1)(a-d).
2. Revise the landscape plan to change the East Palatka Holly trees to a south Florida native tree such as Dahoon Holly.

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 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, 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 fund the costs of litigation, the city, at its discretion, may rescind this approval and revoke all permits issued.
4. Prior to the issuance of a building permit, contact the Lake Worth Drainage (LWDD) District's Engineering Department and obtain any required permit(s), if necessary, and furnish to the City. Prior to the issuance of a building permit, contact the South Florida Water Management District's (SFWMD) Engineering Department and obtain any required permit(s), if necessary
5. Prior to issuance of a certificate of occupancy, construct a new 5-foot wide sidewalk along North Federal Highway in compliance with FDOT specifications.
6. Prior to issuance of a certificate of occupancy, install new Type F curb along North Federal Highway in compliance with FDOT specifications.
7. Prior to the issuance of a certificate of occupancy, alleyway improvements consisting of new subgrade, base, asphalt, and header curb shall be constructed in compliance with Public Works approved specifications.
8. Prior to the issuance of a certificate of occupancy, 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.
9. Prior to the issuance of a building permit, submit an Erosion Control plan (SWPPP) and indicate the BMP's and NPDES compliance practices.
10. Prior to performing work in the right of way, apply for and receive issuance of a "Right of Way/Utility Permit" application.
11. Prior to the issuance of a Certificate of Occupancy, 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 – Electric

1. Before or at the time of application for a Building Permit, Developer must provide the load calculation, voltage requirements and riser diagram. If a pad mount transformer will be requested, we will need to know the location of the pad-mount transformers for the building. The transformer locations must be accessible to our

vehicles, and must have 8-ft minimum clearance in front of them and 3-ft clearance to the side or rear, including landscaping. They also must not be under or inside any structure.

2. Before the issuance of a Building permit, if pad-mount transformer will be requested, we will need a 10-ft wide utility easement for the underground electric, transformers and other equipment that will need to be installed to provide power to this project.
3. Before the issuance of a Certificate of Occupancy, the utility easement must be recorded.
4. Developer to show the location of the meter center on the site plan.
5. Developer will be responsible for installing their own lightning for the parking areas.
6. Developer will be responsible for the cost of Lake Worth Beach's materials and labor for this project.
7. Before the issuance of a Certificate of Occupancy (CO) a final electrical inspection must be done.

Utilities – Water & Sewer

1. Landscape plans still need to show utility lines and it appears that proposed trees are in close proximity to with the roof drain lines on the north and south sides of the site. Please confirm minimum spacing between landscape and services per Public Services Detail 23, Typical Tree with Root Barrier.
2. Prior to building permit issuance, capacity fees for water and sewer must be paid in full in accordance with the current City Ordinance.

BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Numbers 23-01400014 and 23-00100179 with staff-recommended conditions for a Major Site Plan and Certificate of Appropriateness (COA) to construct a 6-unit apartment building at **802 North Federal Highway**, based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DISAPPROVE** HRPB Project Numbers 23-01400014 and 23-00100179 with staff-recommended conditions for a Major Site Plan and Certificate of Appropriateness (COA) to construct a 6-unit apartment building at **802 North Federal Highway**, because the Applicant has not established by competent substantial evidence that the application complies with the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

Consequent Action: *The Historic Resources Preservation Board's decision will be final decision for the Major Site Plan and COA. The Applicant may appeal the Board's decision to the City Commission.*

ATTACHMENTS

- A. Qualitative Development Standards
- B. Architectural Plan Set
- C. Survey and Photos
- D. Historic Preservation Design Guidelines – Streamline Moderne
- E. Applicant's Justification Statement

ATTACHMENT A – Qualitative Development Standards

Section 23.2-31(c) –Qualitative Development Standards	Analysis
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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. **In compliance**

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. 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. **In compliance**

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. **In compliance as conditioned**

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. **In compliance as conditioned**

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. **In compliance**

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. **In compliance**

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

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. **In compliance**

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 **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 as conditioned
- 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 as conditioned
- 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

<u>Section 23.2-31(d) - Qualitative Buildings, generally</u>	Analysis
<p>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.</p>	<p>In compliance</p>
<p>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.</p>	<p>In compliance</p>
<p>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.</p>	<p>In compliance</p>

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 as conditioned**
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 as conditioned**

Section 23.2-31(h) – Criteria for parking lots and vehicular use areas	Analysis
<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>	In compliance
<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>	In compliance as conditioned
<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>	In compliance
<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>	In compliance as conditioned

Section 23.2-31(l) – Community Appearance Criteria	Analysis
<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>	In compliance
<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>	In compliance
<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>	In compliance as conditioned
<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>	In compliance