



**CITY OF LAKE WORTH**  
1900 2<sup>nd</sup> Ave N · Lake Worth, Florida 33461 · Phone: 561-586-1687

**Agenda**  
**Regular Meeting**  
**City of Lake Worth**  
**Planning & Zoning Board**  
**City Hall Commission Room**  
**7 North Dixie Hwy; Lake Worth, FL**

**WEDNESDAY, APRIL 06, 2016 6:00 PM**

1. Roll Call and Recording of Absences:
- 2. Pledge of Allegiance**
3. Additions/Deletions/Reordering and Approval of the Agenda:
4. Approval of Minutes:
  - A. December 2015 Joint Workshop Minutes
  - B. February 2016 Regular Meeting Minutes
5. Cases:
  - A. Swearing in of Staff and Applicants:
  - B. Proof of Publication:
  - C. Withdrawals/Postponements:
  - D. Consent:
    1. PZB Project #13-00100002 Consideration of an amendment to the Conditions of Approval for the approved "Village II at Lake Osborne" project located at 2430 Lake Worth Road and 2269 2nd Avenue N. The site 4.71 acres in area and is currently under construction.
  - E. Public Hearings:
    1. Board Disclosure
    2. Cases:

Agenda Date: \_\_\_\_\_ “Regular Meeting” or “Work Session” or “Special Meeting”

F. Unfinished Business:

G. New Business:

1. PZB/HRPB Project# 16-02900002 for Consideration of a request by Stateside Partners LLC for a text amendment to Chapter 23, Land Development Regulations and Permitted Use Table, of the Lake Worth Code of Ordinances to allow drive through facilities as conditional use within the Downtown(DT) zoning district.
2. PZB Project #15-01400008 for a Major Site Plan Amendment to allow the construction of an approximately 136,680 square foot mixed use development consisting of +/- rental units. (PCN# 38-43-44-20-01-097-0020; 38-43-44-20-01-097-0010; 38-43-44-20-01-096-0020).
3. PZB Project #16-00500004 for a Conditional Use application from Acceleration Academies to operate an alternative option for students that have already dropped out of the traditional classroom in Palm Beach County. The proposed use will occur within the existing commercial/office building located at the 811 Lucerne Avenue, (PCN# 38-43-44-21-15-507-0030) within the Downtown (DT) district
4. PZB Project # 16-00500002 for a Conditional Use application to allow for a residential and commercial custom cabinetry and furniture manufacturing company within a +/- 9250 square foot building on a +/- 14,976 square foot site within the Artisanal Industrial (AI-POC) Zoning District. (PCN 38-43-44-21-15-123-0172).

6. Planning Issues:

7. Public Comments (3 minute limit):

8. Departmental Reports:

9. Board Member Comments:

10. Adjournment:

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

NOTE: ALL CITY BOARDS ARE AUTHORIZED TO CONVERT ANY PUBLICLY NOTICED MEETING INTO A WORKSHOP SESSION WHEN A QUORUM IS NOT REACHED. THE DECISION TO CONVERT THE MEETING INTO A WORKSHOP SESSION SHALL BE DETERMINED BY THE CHAIR OR THE CHAIR'S DESIGNEE, WHO IS PRESENT AT THE MEETING. NO OFFICIAL ACTION SHALL BE TAKEN AT THE WORKSHOP SESSION, AND THE MEMBERS PRESENT SHOULD LIMIT THEIR DISCUSSION TO THE ITEMS ON THE AGENDA FOR THE PUBLICLY NOTICED MEETING. (Sec. 2-12 Lake Worth Code of Ordinances)

Agenda Date: \_\_\_\_\_ “Regular Meeting” or “Work Session” or “Special Meeting”

Note: One or more members of any Board, Authority or Commission may attend and speak at any meeting of another City Board, Authority or Commission.

All project-related back-up materials, including full plan sets, are available for review by the public in the Planning, Zoning and Historic Preservation Division located at 1900 2nd Avenue North.



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**Minutes  
Workshop Meeting  
City of Lake Worth  
Planning & Zoning Board  
Historic Resources Preservation Board  
City Hall Commission Room  
7 North Dixie Hwy; Lake Worth, FL**

**WEDNESDAY, DECEMBER 16, 2015 6:00 PM**

1. Roll Call and Recording of Absences: Greg Rice, Planning & Zoning Board (P&ZB) Chair called the meeting to order at 6:05pm. Aimee Sunny, Preservation Planning Coordinator, called the roll.

Members of the HRPB present: Herman Robinson, Chair; Darrin Engle, Vice-Chair; Judith Just; Loretta Sharpe, and Erin Fitzhugh Sita.

Members of the P&ZB present: Mr. Rice; Mark Humm; Elise LaTorre; Anthony Marotta; Dustin Zacks; and Cindee Brown.

Also present were Brian Shutt, Assistant City Attorney; William Waters, Director for Community Sustainability; Maxime Ducoste, Planning & Preservation Manager; Aimee Sunny, Preservation Planning Coordinator; and Curt Thompson, Community Planner.

Absent: Jimmy Zoellner and Tom Norris, HRPB Members  
Dean Sherwin, P&ZB Member

- 2. Pledge of Allegiance**

3. Planning Issues

- A. Land Development Regulations: Proposed Amendments

- Mr. Ducoste presented that the first proposed amendment, is to clarify the allowed location of an accessory structure. The proposal will require accessory structures to be located behind the main structure, and would disallow the accessory structure between a public road and the main structure.
- Ms. Fitzhugh Sita requested a clarification as to whether or not a variance could be obtained for the accessory structure regulations, and expressed concern over historic properties that are located at the rear of the property, with no room for an accessory structure except for the front of the house.
- Mr. Waters answered that the owner could still request a variance in order to install the accessory structure in front of the main structure, and could request a historic waiver for the setbacks in a Historic District.
- Mr. Engle questioned the costs of a variance, Mr. Ducoste clarified that the cost for a residential variance is \$350.

- Mr. Ducoste clarified that the amendment, the accessory structure must maintain the same setbacks as the principal structure, and shall not be located between the primary structure and a public right of way. (06:20 PM)
- Updated the definition of foot candle and changed the unit of measure to lumens.
- Mr. Ducoste presented that the definition for pharmaceutical and medicine is proposed to be included.
- Mr. Marotta asked for clarification of the types of businesses that would need to take advantage of this new definition change, and Mr. Ducoste clarified that there is a type of business that might collect medical waste from companies. Mr. Waters added that this type of use might only be allowed in the IPOC, however it would have strict requirements from the FDA and other regulating bodies, and it would need to follow the provisions of the Permitted Use Table.
- Ms. Fitzhugh Sita questioned the potential location of the pharmaceutical and medicinal businesses, and whether or not this definition could be extended to allow medical marijuana dispensaries and similar type uses. She questions whether or not Lake Worth wants to allow this type of marijuana distribution center.
- Ms. Just commented that she would not want to see a research center allowed that would be able to use research animals in the City. Mr. Ducoste responded that he would not want to limit the laboratory use to preclude animal testing, as many laboratories do use this type of research. Mr. Waters further clarified that the Staff would collaborate with the City Attorneys to discuss further provisions that might preclude animal testing. The Board further requested the definition clarified to discuss animal and human testing facilities, blood testing facilities, and other types of resource testing.
- Mr. Engle and Mr. Waters discussed a potential blood testing or collection center on Federal Highway, and whether or not that would be allowed. (06:35 PM)
- Mr. Waters presented the proposed changes to the courtesy notice and mailing requirements; the proposed table is in excess of Florida Statute requirements; and clarifies the time period and the type of notice that is required based on the type of project.
- Ms. Fitzhugh Sita requested that Staff check on the Florida Statute requirement for Future Land Use Amendments, as she believes it to be 10 days instead of 5.
- Exhibit C – Mr. Ducoste presented that this is a housekeeping issue, to clarify the permitted use table allowances, up to 7,500sf rather than 10,000sf.
- Exhibit D – Mr. Ducoste presented that the lighting code is being updated to use lumens as the unit of measure rather than foot candles.
- Mr. Engle mentioned that the number of foot candles allowed should be adjusted to reflect the correct number of lumens.
- Exhibit F – Mr. Ducoste presented the proposed changes to the Sign Code; the change is to allow both temporary and permanent signs at 3 feet from the side property line.
- Exhibit G – Mr. Waters presented that these are proposed amendments to the landscape code; the residential code is good as it exists in the code, however the commercial code needs additional information added to address parking lots, setbacks, and impervious area, the types of trees required in these areas, how many trees are required per square foot, and additional clarifications regarding the Department responsible for the review process. Further changes are proposed to be presented in the future, to address issues relating to the penalties for trees, and discussion of invasive species.
- Mr. Rice questioned the code enforcement, fees, and fines process for sprinkler systems that are running while it is raining, and Mr. Waters responded with the process for addressing those code enforcement issues.
- Ms. Fitzhugh Sita pointed out a Scribner's error in the proposed landscape code.

- Mr. Engle questioned whether or not the code clarifies the use of 3 palm trees as shade trees, and Mr. Waters clarified that it does.
- Mr. Waters presented that the ACE group has taken on the task of presenting alterations to the home occupation provisions. The existing code has not been significantly updated for some time, aside from a minor amendment, to allow up to (3) home occupations per residence.
- The current proposal allows for a much greater spectrum of home occupations, and expands upon the types of uses allowed as home occupations. The ACE group would like to allow home occupation uses anywhere in the City, which is a substantial change from the current regulations. The proposal is a very progressive approach to home occupations, and that Staff does have many concerns with the proposal. Issues from Staff include how to enforce the expanded provisions, clarification for the levels of review would work. Many of the artisans in the community perhaps cannot afford a separate studio space, and would like to have a small scale business in their residence. Mr. Waters further clarified that currently these uses are allowed in the Mixed Use Districts, but not the Residential Districts. This proposal effectively allows commercial activities in the residential areas. (07:00 PM)
- Mr. Waters outlined the proposal from ACE, and included Staff concerns and comments. Mr. Waters mentioned that an updated business tax receipt study is needed, as the current study is outdated, and would not properly address the types and levels of home occupations that are being presented.
- Mr. Rice questioned whether or not the proposed changes to the home occupations code would affect the homestead exemption from the Property Appraiser.
- Mr. Waters presented that if the home occupation code changes being presented were adopted, it would be the most liberal Code in all of Palm Beach County.
- Mr. Rice clarified whether or not these provisions would apply to multi-family residences.
- Ms. Fitzhugh Sita commends the ACE group for their work on putting a proposal together, however she does feel that the extent of the proposed changes is significant, and is not meeting the intent of the Comprehensive Plan. She questioned the compatibility of these uses in the residential areas, and the fact that the proposal effectively converts the entire City to a Mixed-Use district. For the administrative uses, she feels that the hours of operation are too late, the signage is too large, and the outdoor storage would create mosquito issues, and would greatly impact the quality of life of neighbors. Further, she feels that these changes are significant enough that they would require a separate visioning process, and discussions with all of the neighborhoods. She would also question how enforceable these changes would be, with regards to parking, the number of employees, the number of visitors, etc.
- Mr. Waters expressed concerns over enforcement of the parking and traffic generation standards as they are defined in the proposal.
- Ms. LaTorre questioned whether or not the City has a survey or inventory relating to the parking that is required, and how many lots are in compliance with the parking regulations. Mr. Waters responded that an applicant for a home occupation would be required to submit documentation showing how the parking would be provided to meet the needs of the business. Ms. LaTorre further commented that she would worry about the enforcement of the parking issues, and who a homeowner would contact if a neighboring home occupation was creating a parking problem in the area.
- Mr. Waters discussed issues relating to the special events and the impact of those.
- Mr. Waters suggested that there is an interest in amending the sign code, and that there is some interest in having a standard sign City-wide for Sales, Rent, and Businesses.

- Mr. Marotta questioned the process for residents proposing alterations to the Code. Mr. Waters responded that in this case, a formal application has not been submitted for this code, however, he felt it was necessary to allow the Board a chance to comment on this proposal.
- Ms. Just questioned whether or not the Arts Overlay district is still in existence. Ms. Just expressed further concern over turning the entire City into a mixed-use district.
- Ms. LaTorre questioned whether or not certain food-type businesses would require a health inspection, and any licensing from the state, whether or not there would be any requirements for sales.
- Ms. Fitzhugh Sita questioned the hours of operation for the existing mixed use districts.
- Mr. Marotta questioned whether or not the electric rates would be commercial. Mr. Waters indicated that because the home occupation would not occupy more than 49% of the structure, the structures would still be considered residential, not commercial. Mr. Marotta further expressed concern over the fact that a Code Enforcement officer is not able to enter a property unless permitted by the owner, and they cannot cite a property unless they can observe the violation; therefore, it would be very difficult to even enforce the number of people and the type of use at the property.
- Mr. Rice noted that Lake Worth has a large number of rental properties, and that most landlords prevent businesses uses in their rental properties, and he questions whether or not this Code would allow a tenant to have a business even if the lease does not allow it, and further whether or not insurance would be required to cover the commercial-type use. From a liability standpoint, Mr. Rice expressed that he feels that proper insurance is required.

Public Comments (8:08 PM)

- April Krebs, 130 South Lakeside Drive – She will benefit from the changes proposed, and asks that the changes be made in order to update the home occupation Code. She does not currently have a business, but she is an artist, and would be interested in having an art based business.
- Doctor Quan Cao, 19910 Villa Lante Place, Boca Raton, FL - He teaches at the University, and travels to do consultations throughout the country, and he is glad that Lake Worth is encouraging the community to be an integral part of the City.
- John Szerdi, 217 South Palmway – Feels that this is an interesting proposition to discuss, he has a 10-unit apartment next to him, and it does not have any parking. His street is already challenged for parking, and he can't imagine if any or all of the apartments were to have a large commercial venture, it would be extremely difficult to find parking. He also does not believe it to be compatible with the Historic District, and the types of uses that were historically compatible in the districts. He feels that this is a large leap from the current regulations, and that although he does wish to encourage small start-up businesses and an incubator-type setting, he does not think that this proposal is appropriate for the City as a whole.
- Nina Kauder, 1809 N Palmway – She is a teaching chef, and goes around to places like Mounts Botanical to teach classes, and would greatly enjoy being able to teach in her own home. She specifically grows her own vegetables, composts, and is a model for sustainable business. Her current business in Boynton Beach is located in a Culinary business incubator building, in a commercial setting.
- Kim Wallant, 2393 Crawford Court, Lantana, FL – She loves Lake Worth, and frequents the arts and businesses in Lake Worth, she is an art and play therapist, and she would like to continue her business in a residence in Lake Worth. She would suggest that if occupational

- licenses are allowed in a specific area, and they are limited to a smaller series of uses, the new uses could be allowed, and taxed, and those tax fees would help to fund extra enforcement officers. She also feels there should be a difference between education and sales type functions.
- Erica Skolte, 1322 North K Street – She started a business when her job was threatened, she started doing the things she needed to, in order to brand and begin her business, she wanted to make t-shirts, jewelry, and painting.
  - Michael Fox, 1609 N D St – He would like to do art appraisal out of his house, and he wants to do things by the law. He stated that the ACE group has approximately 300 people, who are supporting this effort. He states that the Ordinance will cost the City very little, and that this can carry the City into a new economy, where almost 30% of all businesses are run from the home, and have had a very positive impact in the economy. He stated that cities such as Portland, Asheville, and Santa Fe.

Elise LaTorre left the dais at 8:29PM.

- Vee Corallo, 1500 Lucerne Ave #906 – Is for the ACE proposal.
- Elise Crohn, 11 2<sup>nd</sup> Ave S – ACE has been meeting for almost a year, and has researched this heavily, and has read the Code for over 100 cities. She found that often the cities most known for being vibrant cities, have very progressive home occupation codes. She stated that the American Planning Association has written a model ordinance for home occupations, and they use that language as a basis for this ordinance. She stated that she called many different Cities and spoke with them regarding the issues that were discussed tonight.
- Sander Schrantz, 210 S M St – He feels that the group is seeking to work with Staff and the community, and that he hopes people will give them consideration. Currently, he feels there are many issues with the types of allowed activities under the Code. Allowing these types of uses, would promote Lake Worth as an incubator for economic growth and promote small businesses.
- Beth Schrantz, 210 S M St – The Code language presented was part of a smart growth, sustainable model, micro-entrepreneurship, while maintaining the residential character of the neighborhoods. She understands the concerns, and does not wish to have parking issues near her residence either. She wants to see the community grow stronger, and work together to achieve a better home occupation code.
- Katie Curtis, 219 S L St – She is not an artist, but a realtor. She feels that this initiative is inventive and exciting, and she supports it.
- Marty Welfeld, 829 N Lakeside Dr – Statistically the vast majority of artists in the US have another job, as it is very difficult to make a living as an artist. He finds the proposal tonight very interesting, and although he finds it to be too invasive. He notes that in order for one group of people to gain the rights to these types of businesses, another group of people has to lose their rights. He is not interested in giving up his expectations of living in a residential neighborhood. He feels that it would be far superior to create an arts area, in order to concentrate their efforts.
- Teresa Miller, 829 N Lakeside Dr – She is concerned that no one in her neighborhood has heard about this. She had a home business, and states that there is a big difference between a small home office, and a home retail or commercial business.
- Peggy Fisher, 508 N A St – She lives in a single-family neighborhood, and she does not feel that this meeting was properly noticed as to the content of the meeting and the impact it would have on the residents of the City. This proposal affects the entire City, and the entire

- City should be made aware of this change. Parking is a huge issue in this City, and she worries that these new businesses will create a substantial parking problem
- Loretta Sharpe – She is delighted to see the young people in the meeting tonight, but she is completely opposed to the proposal as presented tonight. She feels that this group needs to first present this to all of the neighborhood organizations, and gain their feedback. She feels that the Board should not even look at this until the proper notices
  - Mark Humm – No comment at this time.
  - Dustin Zacks – This is the largest group at a meeting that he has seen is quite a long time. His concerns going forward; 1- the parking problem he does not see how we could get around it, especially with up to 10 visitors, 2- the one-size fits all approach to this proposal all over the city, 3- there are only a few properties that would qualify for the most intense use, are likely the houses that are farther away from the Downtown, and likely they live there for the peace and quiet. He feels that some of the businesses suggested could be appropriate and allowed, such as art appraisal. He would recommend making the proposal significantly more restrict.
  - Mr Marotta – He understands the need for updates to the home occupation ordinance, and he is worried about the significance and impact of the proposal for home occupations. He stated that the parking issues are substantial. He does not feel that a City-wide ordinance is really going to work.
  - Cindee Brown – Parking is a big issue, and the proposal is far too broad for her preferences. She is concerned that there are vacant buildings in downtown, and would prefer to see the traffic in those downtown buildings.
  - Judith Just – The dynamics of being employed have changed significantly in this country, and she understands and appreciates that, and she does think that should be looked at. However, she is concerned with the volume and extent of the proposal.
  - Darrin Engle – He commends the ACE group for being present tonight. He stated that he knows the group is reaching out to the various neighborhoods. He feels that Level 3 is a very intense use, and wonders if the other cities that employ a similar code are city wide. He would be worried about retail services in the neighborhoods, such as a beauty salon, or bakery. He worries about enforcement of abuse of the ordinance. He does feel that some degree of what ACE wants should be allowed here, just in an amended form.
  - Erin Fitzhugh Sita – She thinks that it is very impressive that ACE is presenting a Code change. She feels that the Level 3 use is in violation of the Comprehensive Plan, but that Level 2 could have promise. The Arts Overlay district could be worth considering. She has significant concerns over outdoor storage, the tropical climate, and the enforcement. Parking is also an issue, particularly in the historic districts, where adding large amounts of parking and signage would be incompatible with the historic nature of the structures.
  - Herman Robinson – we live in a great country where a group of people can have such an impact on their community. He feels we are innovative in Lake Worth, and he hopes that we can work to encourage that innovation. He is not in favor of signage in residential areas. He worries that enforcement will be very difficult in the residential areas. He thinks that a co-op would be an excellent idea.
  - Greg Rice – He is appreciative of the presentation and the proposal tonight. He is very active in the neighborhood associations, and he highly recommends going out to the various neighborhoods to present this information. He feels that we all love Lake Worth, and we all want to see this as a great, thriving, community.

Meeting adjourned at 9:25pm.

4. **Attest:**

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Herman Robinson, HRPB Chairman

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Greg Rice, PZB Chairman

5. **Submitted by:**

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Aimee Sunny, Preservation Planning Coordinator

6. **Minutes Approved:**

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Date



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Regular Meeting  
City of Lake Worth  
Planning & Zoning Board  
City Hall Commission Room  
7 North Dixie Hwy; Lake Worth, FL**

**WEDNESDAY, FEBRUARY 03, 2016 6:00 PM**

1. Roll Call and Recording of Absences:
  - Chairman Rice called the meeting to order at: 6:03 PM
  - Present were: Chairman Greg Rice, Vice-Chair Dean Sherwin, Anthony Marotta, Cindee Brown, Dustin Zacks, Mark Humm, Elise LaTorre.
  - Also present were staff members Curt Thompson, Community Planner; Maxime Ducoste, Planning & Preservation Manager; Carolyn Ansay Board Attorney; Sherie Coale, Board Secretary.
  - Absent: 0
2. **Pledge of Allegiance**
3. Additions/Deletions/Reordering and Approval of the Agenda:  
Motion to approve agenda: C. Brown 2<sup>nd</sup> by M. Humm  
Ayes: all 7/0.
4. Approval of Minutes:
  - A. October Meeting Minutes
    - Motion to approve:
  - B. November Meeting Minutes
    - Motion to approve:
  - C. January Meeting Minutes
    - Motion to approve: October, September and January minutes with spelling of “Cindee” Brown to be corrected M. Humm 2<sup>nd</sup> by C. Brown.  
Ayes: all 7/0.
5. Cases:
  - A. Swearing in of Staff and Applicants:  
Board Secretary swore in staff, applicants and others who wished to speak for the various projects before the Board
  - B. Proof of Publication:
    1. Lake Worth Herald  
Motion to accept: M. Humm 2<sup>nd</sup> by A. Marotta.

Ayes: all 7/0

C. Withdrawals/Postponements: None

D. Consent:

1. PZB Project Number 13-00100001: Consideration of an amendment to the Conditions of Approval for the approved "Village at Lake Worth" project generally located at northwest corner of Lake Worth Road and 2nd Avenue N. The site is 7.65 acres in area and is currently developed.

- Motion to approve: M. Humm 2<sup>nd</sup> by A. Marotta.

Ayes: all 7/0

E. Public Hearings:

1. Cases:

a. PZB Project Number 15-00500012 and Project Number PZB 15-01400006 which includes a request for a Major Site Plan and a Conditional Use Permit, to allow the construction of a +/- 40,000 square foot warehouse/distribution center with accessory office space. The address for the subject property is 2230 4th Avenue North, PCN#: 38-43-44-20-01-094-0010.

- Staff presentation: C. Thompson presents staff findings. C Thompson discusses location/ surrounding properties/ access and parking ratios. Indicates an objection letter was received. The landscaping buffer with trees and hedging will minimize adverse impact. Very little activity on the west side where the adjacent residents are located.
- Board discussion: D. Sherwin questions amount of impervious surface. M. Ducoste clarifies the applicant has proposed 64% as opposed to 65%, the impervious code requirement
- Applicant comments: Debra Northsea (Landscape Architect) Derrick Chenovar (project manager) indicates they are not requesting any variances only what code would allow. There are questions from the Board as to ingress and egress. Applicant states ingress primarily through 4<sup>th</sup> and egress onto 2<sup>nd</sup>. Owner will arrive to speak tonight, not yet in the audience. Site is for warehousing and distribution. Future is uncertain. Manufacturing is in the other location across the street.

Greg Weeks, owner, was sworn in by Board Secretary. Mr. Weeks bought a Broward business and will be relocating some employees to PBC.

- No public comment.
- C. Thompson summarizes the conditional use indicating the use is compatible and meets the standards of the LDR.
- Motion: D. Sherwin motions to approve PZB Project Number 15-00500012 2<sup>nd</sup> by D. Zacks

Ayes: all 7/0

Motion: A. Marotta motions to approve PZB Project Number 15-01400006

M. Humm 2<sup>nd</sup>

Ayes: all 7/0

b. PZB Project Number 16-01300001 and PZB Project Number 16-00300001 which includes a request to amend the Future Land Use Map (FLUM) from Public (P) to

Mixed-Use East (MU-E) designation and Rezone a parcel of property from Public (P) to Mixed-Use East (MU-E). The subject property is located at 110 North F Street, PCN#: 38-43-44-21-150-12-0260.

- Staff presentation: C. Thompson discusses surrounding properties, indicates the surrounding zoning is compatible MU-E. Due to existing success with leasing decided to move forward. Staff approves of this as a natural progression. Applicant will return with site plan at future date.
  - Board Comments: G. Rice asks about zoning of contiguous property to the east. C. Thompson indicates it is already MU-E.
  - M. Humm disclosed he saw a presentation by applicant at a neighborhood meeting.
  - G. Rice indicates he owns a property nearby.
  - Board Attorney indicates there is no conflict, this is only a rezoning.
  - M. Humm asks about uses in the strip plaza. M. Ducoste responds it is a multi-bay, office and retail, C. Thompson adds that there is also a convenience store.
  - A. Marotta asks about restrictions to artists only, to which:
  - Applicant comments: Michael Pecar Neighborhood Renaissance Inc. indicates affordability restrictions will apply and to whom they can be leased. Artists tend to move in and then leave due to no longer being affordable. They are striving for long term stability.
  - D. Sherwin asks about NSP funding and artists being encouraged to move here, work here and not being able to retail from this location.
  - Michael Pecar says no restriction such as that but not allowed to sublet.
  - Motion: C. Brown to approve PZB Project Number 16-01300001 and PZB Project Number 16-00300001 (both projects). 2<sup>nd</sup> M. Humm  
Ayes: all 7/0
  - Board Attorney advised one motion is fine since it will go to City Commission for final approval.
- c. PZB/HRPB Project Number 16-02900001 a City-initiated request to consider proposed changes to Chapter 23, Land Development Regulations and Permitted Use Table, of the Lake Worth Code of Ordinances.
- Staff presentation: M. Ducoste presents staff report highlighting portions of the LDR that will be brought up to current standards/terminology/technology. For example: achieving consistent standards of legal noticing the different categories as determined by site size divisions, lumens as opposed to foot candles. The permitted-use table is continually being reduced. Included is MU-Dixie Hwy multi-family residential uses, the intent is not to allow a single family homes. Discussion of various Home occupations followed and possible interpretation issues. Residents only of the premises as opposed to” the person who was licensed”. Artists indicated previous equipment rules were archaic. Audible activity should not be notice from 9am -9am and if it becomes uncharacteristic then they will be required to leave. D. Sherwin; questions the term “character”. The workshop items did not move forward due to insufficient information from participants. M. Ducoste indicates some issues that need to come into some level of compliance. E. LaTorre asks about

piano, tutoring lessons are acceptable. Would like to limit “quantity of clients” make it clearer. “limited clients” is vague as well.

- Board says if it is not mentioned, it is not allowed. Board Attorney indicates the opposite is actually true. Unless it is specifically called out, or violates specific requirements, then it is allowed. Triggers would be excessive parking/ traffic . It becomes a case by case analysis.
- A Marotta, accessory structures definition v. Building Article 2 lowered sq ft threshold.
- M Ducoste. Lighting #9 LEDS on commercial properties, no effect on residential. Permanent lighting only, not temporary lighting such as holiday lighting. G Rice would like to see a photo of objectionable or type to be avoided.
- Would a wood lathe be an example of equipment M. Ducoste clarifies. #12 code enforcement will be able to determine.
- Landscape: what is the standard. M. Ducoste ndicated the current landscape code is very weak. City staff is well versed, certified and licensed and is the source of the recommendations.
- D. Zacks speaks to fumes not escaping premises, should we speak to decibels to cover real property lines as well? #11. Board Attorney recommends allowing staff to further examine the effects of decibels as relating to Condo buildings where the impact could be different from that of single family residential.
- Home occupation can be removed from this proposal for further clarification.
- Board Attorney suggests adding proposed language to noise. Changing buildings to structures.
- Public comments: Mark Rickards BG architects hopes that the main body of the code can move forward. Unpermitted use to include drive thru for financial institutions will make it conditional use.
- Motion: A. Marotta with 2 amendments included. E. LaTorre 2<sup>nd</sup>
- Ayes: all 7/0

2. Board Disclosure: Move this item forward on the agenda in the future.

F. Unfinished Business: None

G. New Business: None

6. Planning Issues: None

7. Public Comments (3 minute limit): None

8. Departmental Reports:

M. Ducoste identifies the reasoning behind no longer providing duplicate paper copies of the meeting packet since electronic packets are provided. Board members are welcome to bring personal devices to view the packet. If for any reason Board is not able to do so, contact staff to provide a paper copy.

February 3, 2016 Regular Meeting

M. Ducoste mentions additional staff beginning next week thus reducing permit review turn-around time and increasing citizen/business owner satisfaction.

9. Board Member Comments:

Chairman Rice mentions upcoming March 1, 2016 City Commission meeting with PZ Board presentation. Invites all Board members to attend and support.

10. Adjournment: E. LaTorre motions to adjourn, M. Humm 2<sup>nd</sup>.

Meeting adjourned 7:49 PM

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

NOTE: ALL CITY BOARDS ARE AUTHORIZED TO CONVERT ANY PUBLICLY NOTICED MEETING INTO A WORKSHOP SESSION WHEN A QUORUM IS NOT REACHED. THE DECISION TO CONVERT THE MEETING INTO A WORKSHOP SESSION SHALL BE DETERMINED BY THE CHAIR OR THE CHAIR'S DESIGNEE, WHO IS PRESENT AT THE MEETING. NO OFFICIAL ACTION SHALL BE TAKEN AT THE WORKSHOP SESSION, AND THE MEMBERS PRESENT SHOULD LIMIT THEIR DISCUSSION TO THE ITEMS ON THE AGENDA FOR THE PUBLICLY NOTICED MEETING. (Sec. 2-12 Lake Worth Code of Ordinances)

Note: One or more members of any Board, Authority or Commission may attend and speak at any meeting of another City Board, Authority or Commission.

All project-related back-up materials, including full plan sets, are available for review by the public in the Planning, Zoning and Historic Preservation Division located at 1900 2nd Avenue North.

**Attest:**

\_\_\_\_\_  
**Greg Rice, Chairman**

**Submitted By:**

\_\_\_\_\_  
**Sherie Coale, Board Secretary**

**Minutes Approved:**

\_\_\_\_\_  
**Date**

THE  
LAKE WORTH HERALD

Published Once a Week  
Lake Worth, Palm Beach County, Florida

STATE OF FLORIDA  
COUNTY OF PALM BEACH:

BEFORE the undersigned authority personally appeared MARK J EASTON, who on oath says that he is PRESIDENT of *The Lake Worth Herald*, a weekly newspaper published at Lake Worth in Palm Beach County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

Notice of public meeting and hearing of the Lake Worth Florida Planning & Zoning Board to consider PZB Project No. 16-00500002 will be held at 6:00 p.m. on April 6, 2016, in the City Hall Commission Chambers, 7 North Dixie Highway, Lake Worth, FL.

was published in said newspaper in the issue of  
March 24, 2016

Affiant further says that the said *The Lake Worth Herald* is a newspaper published at Lake Worth, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, each week and has been entered as second class mail matter at the post office in Lake Worth, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
MARK J EASTON

SWORN TO AND SUBSCRIBED before me this 24th day of March, 2016, by Mark J Easton, who is known to me.

  
Notary Public, State of Florida at Large



DEBRA J SNODGRASS  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF045522  
Expires 9/18/2017

Legal Notice No. S0047

PLEASE TAKE NOTICE the Planning & Zoning Board City of Lake Worth, Florida, will hold a public hearing in the City Commission Room, in said City at or after 6:00 PM on April 6, 2016 to consider a request by Mr. Jonathan Barreto, Agent, for the following:

**PZB Project# 16-00500002**, Conditional Use Permit to allow for a residential & commercial custom cabinetry and furniture manufacturing company (Designs by Sonny) within a +/- 9250 square foot building on a +/- 14,976 square foot site within the Artisanal Industrial (AI-POC) Zoning District, pursuant to Section 23.2-29 of the Land Development Regulations (LDRs).

The subject property location is a +/- 9250 square foot site at 1107 3rd Avenue South. The Public Hearing will be conducted at the above stated time or as soon thereafter as possible.

Written responses can be sent to the Lake Worth Planning & Zoning Board at 1900 2nd Avenue N, Lake Worth, FL 33461 and must arrive before the hearing date to be included in the formal record. You also have the opportunity to attend the meeting to provide oral testimony.

For additional information on the above issues, please visit the City of Lake Worth Division of Planning, Zoning and Historic Preservation located at 1900 Second Ave. North, Lake Worth, Florida 33461 or contact City Staff at 561-586-1687.

If a person decides to appeal any decision made by the Board, Agency, or Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (FS 286.0105)

In accordance with the provisions of the American with Disabilities Act (ADA) this document may be requested in an alternative format. Persons in need of special accommodation to participate in this proceeding are entitled to the provision of certain assistance. Please call 561-586-1673 no later than five (5) days before the hearing if this assistance is required.

Publish: The Lake Worth Herald Press  
March 24, 2016

**THE  
LAKE WORTH HERALD**

Published Once a Week  
Lake Worth, Palm Beach County, Florida

STATE OF FLORIDA  
COUNTY OF PALM BEACH:

BEFORE the undersigned authority personally appeared MARK J EASTON, who on oath says that he is PRESIDENT of *The Lake Worth Herald*, a weekly newspaper published at Lake Worth in Palm Beach County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

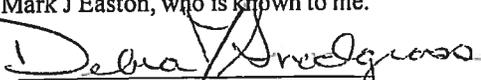
Notice of public meeting and hearing of the Lake Worth Florida Planning & Zoning Board to consider PZB Project No. 15-01400008 will be held at 6:00 p.m. on April 6, 2016, in the City Hall Commission Chambers, 7 North Dixie Highway, Lake Worth, FL.

was published in said newspaper in the issue of  
March 24, 2016

Affiant further says that the said *The Lake Worth Herald* is a newspaper published at Lake Worth, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, each week and has been entered as second class mail matter at the post office in Lake Worth, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
MARK J EASTON

SWORN TO AND SUBSCRIBED before me this 24th day of March, 2016, by Mark J Easton, who is known to me.

  
Notary Public, State of Florida at Large



DEBRA J SNODGRASS  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF045522  
Expires 9/18/2017

**Legal Notice No. 80048**

PLEASE TAKE NOTICE that the Planning & Zoning Board City of Lake Worth, Florida, will hold a public hearing in the City Commission Room, in said City at or after 6:00 PM on April 6, 2016 to consider a request by Larry Zabik, Applicant, for the following:

**PZB Project# 15-01400008**, Major Site Plan Amendment to allow the construction of an approximately 136,680 square foot mixed use development consisting of +/- 104 rental units pursuant to Section 23.2-30, 23.2-31 23.2-32 of the LDRs.

The subject property location is a +/- 6.84-acre-site, north of 2nd Avenue North and approximately .35 miles west of Boutwell Road.

The Public Hearing will be conducted at the above stated time or as soon thereafter as possible.

Written responses can be sent to the Lake Worth Planning & Zoning Board at 1900 2nd Avenue N, Lake Worth, FL 33461 and must arrive before the hearing date to be included in the formal record. You also have the opportunity to attend the meeting to provide oral testimony.

For additional information on the above issues, please visit the City of Lake Worth Division of Planning, Zoning and Historic Preservation located at 1900 Second Ave. North, Lake Worth, Florida 33461 or contact City Staff at 561-586-1687.

If a person decides to appeal any decision made by the Board, Agency, or Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (FS 288.0105)

In accordance with the provisions of the American with Disabilities Act (ADA) this document may be requested in an alternative format. Persons in need of special accommodation to participate in this proceeding are entitled to the provision of certain assistance. Please call 561-586-1673 no later than five (5) days before the hearing if this assistance is required.

Publish: The Lake Worth Herald  
March 24, 2016

*Village of Valor*

THE  
LAKE WORTH HERALD

Published Once a Week  
Lake Worth, Palm Beach County, Florida

STATE OF FLORIDA  
COUNTY OF PALM BEACH:

BEFORE the undersigned authority personally appeared MARK J EASTON, who on oath says that he is PRESIDENT of *The Lake Worth Herald*, a weekly newspaper published at Lake Worth in Palm Beach County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

Notice of public meeting and hearing of the Lake Worth Florida Planning & Zoning Board to consider PZB/HRPB 16-02900002 will be held at 6:00 p.m. on April 6, 2016, in the City Hall Commission Chambers, 7 North Dixie Highway, Lake Worth, FL.

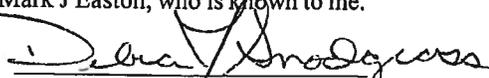
was published in said newspaper in the issue of

March 24, 2016

Affiant further says that the said *The Lake Worth Herald* is a newspaper published at Lake Worth, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, each week and has been entered as second class mail matter at the post office in Lake Worth, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
MARK J EASTON

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Notary Public, State of Florida at Large



DEBRA J SNODGRASS  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF045522  
Expires 9/18/2017

Legal Notice No. 30050

PLEASE TAKE NOTICE that the City of Lake Worth, Florida, Planning & Zoning Board will hold a public hearing in the City Commission Room, in said City at or after 6:00PM on April 6, 2016, to consider a request as follows:

- **PZB/HRPB 16-02900002:** Consideration of a request by Stateside Partners LLC for a text amendment to Chapter 23, Land Development Regulations and Permitted Use Table, of the Lake Worth Code of Ordinances to allow drive through facilities as conditional use within the Downtown(DT) zoning district. The Public Hearing will be conducted at the above stated time or as soon thereafter as possible.

Written responses can be sent to the Lake Worth Planning & Zoning Board at 1900 2nd Avenue N, Lake Worth, FL 33461 and must arrive before the hearing date to be included in the formal record. You also have the opportunity to attend the meeting to provide oral testimony.

PLEASE TAKE NOTICE that the City of Lake Worth, Florida, Historic Resources Preservation Board will hold a public hearing in the City Commission Room, in said City at or after 6:00PM on April 13, 2016, to consider the following:

- **PZB/HRPB 16-02900002:** Consideration of a request by Stateside Partners LLC for a text amendment to Chapter 23, Land Development Regulations and Permitted Use Table, of the Lake Worth Code of Ordinances to allow drive through facilities as conditional use within the Downtown(DT) zoning district. The Public Hearing will be conducted at the above stated time or as soon thereafter as possible.

Written responses can be sent to the Lake Worth Planning & Zoning Board at 1900 2nd Avenue N, Lake Worth, FL 33461 and must arrive before the hearing date to be included in the formal record. You also have the opportunity to attend the meeting to provide oral testimony.

For additional information on the above issues, please visit the City of Lake Worth Division of Planning, Zoning and Historic Preservation located at 1900 Second Ave. North, Lake Worth, Florida 33461 or contact City Staff at 561-586-1687.

If a person decides to appeal any decision made by the Board, Agency or Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (FS 286.0106)

In accordance with the provisions of the American with Disabilities Act (ADA) this document may be requested in an alternative format. Persons in need of special accommodation to participate in this proceeding are entitled to the provision of certain assistance. Please call 561-586-1688 no later than five (5) days before the hearing if this assistance is required.

Publish: *The Lake Worth Herald*  
March 24, 2016

*Text Amendment*

THE  
LAKE WORTH HERALD

Published Once a Week

Lake Worth, Palm Beach County, Florida

STATE OF FLORIDA  
COUNTY OF PALM BEACH:

BEFORE the undersigned authority personally appeared MARK J EASTON, who on oath says that he is PRESIDENT of *The Lake Worth Herald*, a weekly newspaper published at Lake Worth in Palm Beach County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

Notice of public meeting and hearing of the Lake Worth Florida Planning & Zoning Board to consider PZB Project No. 16-00500004 will be held at 6:00 p.m. on April 6, 2016, in the City Hall Commission Chambers, 7 North Dixie Highway, Lake Worth, FL.

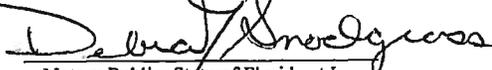
was published in said newspaper in the issue of

March 24, 2016

Affiant further says that the said *The Lake Worth Herald* is a newspaper published at Lake Worth, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, each week and has been entered as second class mail matter at the post office in Lake Worth, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
MARK J EASTON

SWORN TO AND SUBSCRIBED before me this 24th day of March, 2016, by Mark J Easton, who is known to me.

  
Notary Public, State of Florida at Large



DEBRA J SNODGRASS  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF045522  
Expires 9/18/2017

Legal Notice No. 30049

PLEASE TAKE NOTICE that the Planning & Zoning Board City of Lake Worth, Florida, will hold a public hearing in the City Commission Room, in said City at or after 6:00 P.M. on April 6, 2016, to consider the following:

**PZB: 16-00500004** Consideration of a request by Acceleration Academies LLC, Applicants and Irving Pearl & Son, Ltd. Owners, for a Conditional Land Use Permit, to establish an alternative school option for students that have already dropped out of the traditional classroom in Palm Beach County. This application is subject to the Land Development Regulations (LDRs), pursuant to Section 23.2-29 Conditional Use Permits.

The subject property is located in the Downtown, (DT) Zoning District. The property address 811 Lucerne Avenue. PCN#38-43-44-21-15-507-0030.

The Public Hearing will be conducted at the above stated time or as soon thereafter as possible.

Written responses can be sent to the Lake Worth Planning & Zoning Board at 1900 2nd Avenue N, Lake Worth, FL 33461 and must arrive before the hearing date to be included in the formal record. You also have the opportunity to attend the meeting to provide oral testimony.

For additional information on the above issues, please visit the City of Lake Worth Division of Planning, Zoning and Historic Preservation located at 1900 Second Ave. North, Lake Worth, Florida 33461 or contact City Staff at 601-588-1687.

If a person decides to appeal any decision made by the Board, Agency or Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (FS 286.0106)

In accordance with the provisions of the American with Disabilities Act (ADA) this document may be requested in an alternative format. Persons in need of special accommodation to participate in this proceeding are entitled to the provision of certain assistance. Please call 601-588-1687 no later than five (5) days before the hearing if this assistance is required.

Publish: The Lake Worth Herald  
March 24, 2016



**City of Lake Worth**  
**Department of Community Sustainability**  
**Planning, Zoning and Historic Preservation Division**  
1900 Second Avenue North · Lake Worth, Florida 33460 · Phone: 561-586-1687

AGENDA DATE: March 30, 2016

TO: Members of the Planning & Zoning Board

FROM: Maxime Ducoste, Assistant Director for Planning and Preservation

TITLE: **PZB Project Number 13-00100002**: Consideration of an amendment to the Conditions of Approval for the approved “Village II, at Lake Osborne” project generally located at 2430 Lake Worth Road and 2269 2<sup>nd</sup> Avenue N. The site is 4.71 acres in area and is currently under construction. The project is inclusive of the following parcel:

<u>P.C.N.</u>	<u>Address</u>
38-43-44-20-01-110-0010	2430 Lake Worth Road and 2269 2 <sup>nd</sup> Avenue North

---

**BACKGROUND:**

The Village II at Lake Osborne development is located at 2430 Lake Worth Road and 2<sup>nd</sup> Avenue North (see Location Map Attachment “A”). The applicant is requesting an amendment to a conditions of approval, which was part of the site plan approval granted by the Planning and Zoning Board on November 5, 2014 (see Attachment “B”). As a requirement of receiving a Certificate of Occupancy, the applicant must comply with all of the conditions of approval associated with the development (see Attachment “B”). Specifically, under Additional Conditions of Approval, Condition #2, reads as follows:

“2. Prior to the issuance of a certificate of occupancy, an easement of 10 feet by shall be dedicated to Palm Beach County Palm Tran for the installation of a bus stop along the front property line as shown on the site plan subject to Palm Beach County Palm Tran specifications.”

The Village II at Lake Osborne is presently under construction. Similarly, with their sister project, the Village at Lake Worth, the applicant discovered that Palm Tran no longer accept easement when infrastructure are placed on private properties.

In order to receive the final Certificate of Occupancy, the development approval requires amending, specifically by the removal of condition of approval #2.

**CONSEQUENT ACTION:**

The Planning and Zoning Board's decision will be final for the request of amendment to the conditions of approval of the Conditional Land Use and Major Site Plan development approval for the Village II at Lake Osborne. The Applicant may appeal the Board's decision on the amendment to the City Commission.

**REVIEWED BY AND RECOMMENDATION:**

This agenda item has been reviewed by the Director for Community Sustainability with a recommendation of approval. Based on the findings outlined in the analysis, staff recommends that the Planning and Zoning Board approval of the requested amendment.

**POTENTIAL MOTION:**

I MOVE TO RECOMMEND APPROVAL/DISAPPROVAL OF PZB PR# 13-00100001: Request for amendment to the Conditions of Approval for the approved "Village II at Lake Osborne" project.

Attachments:

A - Location Map

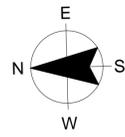
B - Approved Site Plan

C - Result Letter with Approved Conditions of Approval

Attachment "A"

LOCATION MAP





SITE DATA TABLE		
ZONING AND FLU	EXIST'G	PROPOSED
ZONING DISTRICT	MF-30	MF-30
FUTURE LAND USE	MU - W	MU - W
EXIST'G USE	VACANT	
PROPOSED USE		MULTIFAMILY
DEVELOPMENT STANDARD	REQUIRED	PROPOSED
LOT SIZE (ACREAGE AND SF)	1450x118=171,000 sq.ft.	5.13 AC 223,513 SQ FT
LOT WIDTH	50'	331.85'
BLDG'G HEIGHT	PRIMARY	30'(MAX 2 STORIES)
	SECONDARY	+35'(MAX 6 STORIES)
SETBACKS	FRONT	20' - 0"
	REAR	20' - 0"
	SIDE	10' - 0"
	SIDE	10' - 0"
LIVING AREA	1 BDR UNIT	600 SQ.FT.
	2 BDR UNIT	750 SQ.FT.
ACCESSORY STRUCTURE LIMITATION		
IMPERMEABLE SPACE COVERAGE(%)	55%	52%
BLDG COVERAGE(%)		18%
MAX. WALL HEIGHT @ SETBACK	6'-0" HI	8'-0" HI
F.A.R. LIMITATION	.55	.51
PARKING	212 SPACES	170 SPACES

PARKING REQUIRED:

1-BDRM	1.0 SPACES / UNIT	40 SPACES
2-BDRM	2.0 SPACES / UNIT	156 SPACES
GUEST SPACES		8 SPACES
GUEST SPACES OVER 60 D.U.'S		8 SPACES
TOTAL		212 SPACES

REQUIRED: 212 SPACES

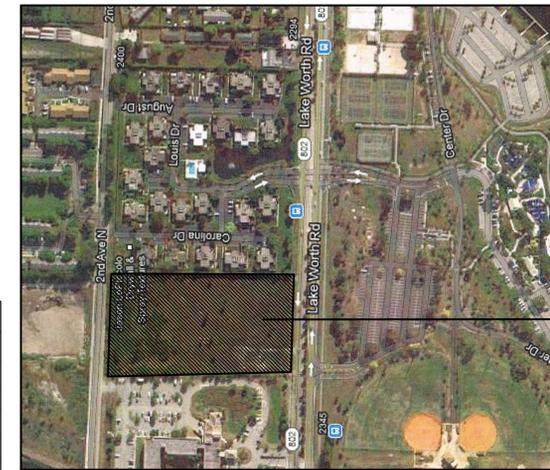
PROPOSED PARKING STANDARD:

1 BEDROOM UNITS:	40
2 BEDROOMS UNITS:	78
TOTAL	118

1-BDRM	1.0 SPACES / UNIT	40 SPACES
2-BDRM	1.5 SPACES / UNIT	117 SPACES
TOTAL		157 SPACES

TYPICAL PARKING: 100 SPACES  
COMPACT PARKING: 70 SPACES  
PROVIDED: 170 SPACES

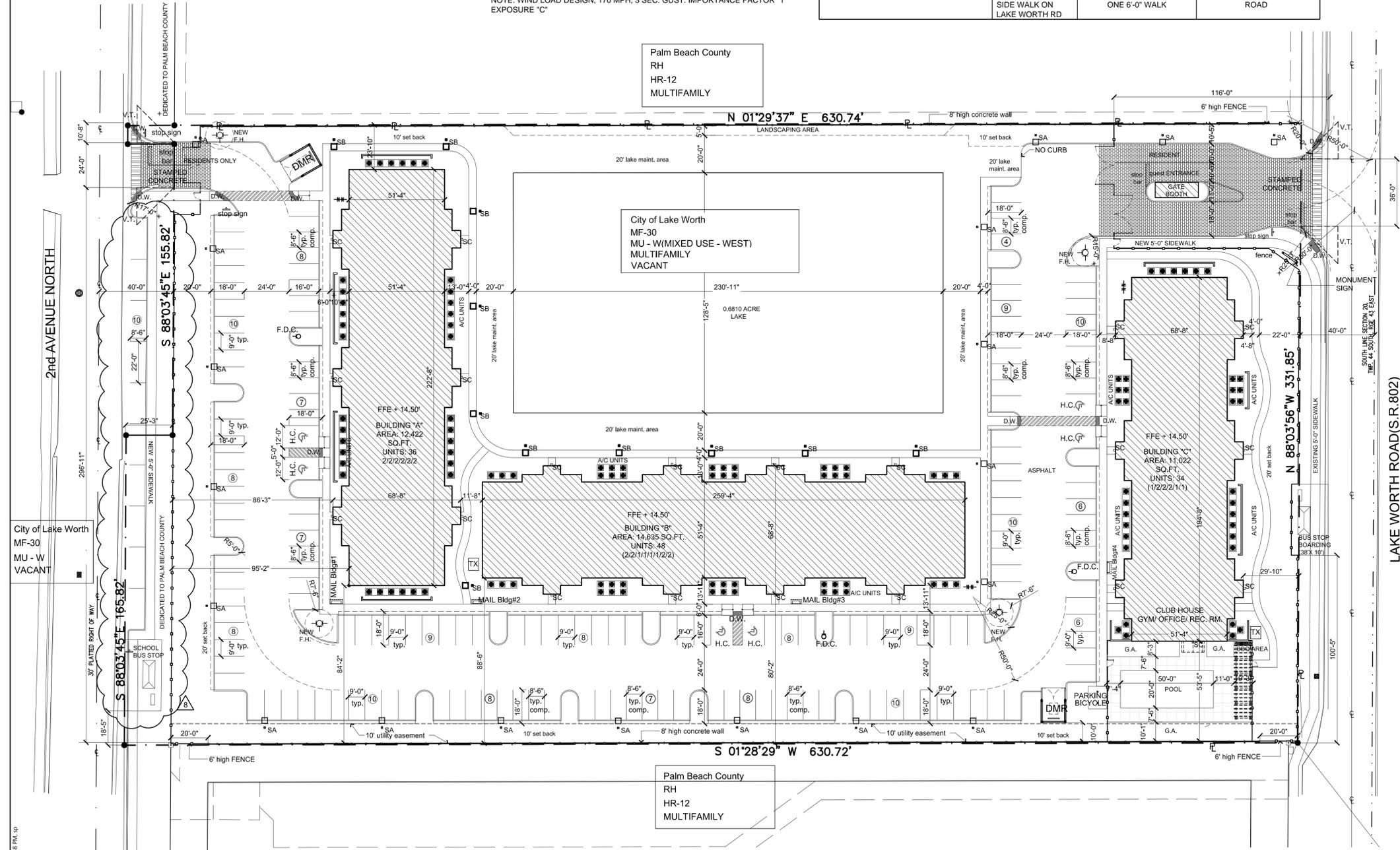
DEVELOPMENT STANDARD	REQUIRED	PROPOSED	REQUESTED (DEVIATION / A)
1. MINIMUM AREA REQUIRED	5.0 ACRES	GROSS 5.13 ACRES / NET 4.71 ACRES	NET AREA 0.39 ACRES
2. PARKING SPACE SIZE	9.5' x 19'-0"	9'-0" x 18'-0"	0.5' x 1'-0"
COMPACT SPACE		8'-6" x 18'-0"	
3. PARKING	212 SPACES	169 SPACES	42 SPACES
4. PRIVACY WALL	6'-0" HI	8'-0" HI	INCREASE 2'-0"
5. THOROUGHFARE DESIGN GUIDELINE	TO PROVIDE (4) 5'-0" WALKS TO PUBLIC SIDE WALK ON LAKE WORTH RD	SECURE DEVELOPMENT WITH ONE POINT OF ACCESS ONE 6'-0" WALK	OMIT 3 ADDITIONAL POINTS OF ACCESS TO LAKE WORTH ROAD



LOCATION MAP  
SCALE: N.T.S.

- LEGEND
- NEW FIRE HYDRANT
  - FIRE DEPT. CONNECT. DOUBLE DET. VALVE
  - A/C UNIT
  - MAIL BOX EACH BLDG.

NOTE: WIND LOAD DESIGN, 170 MPH, 3 SEC. GUST. IMPORTANCE FACTOR "1" EXPOSURE "C"



PROPERTY DESCRIPTION

PARCEL 1: THE EAST 1/2 (W1/2) OF THE EAST HALF (E1/2) OF LOT 110, MODEL LAND COMPANY'S SUBDIVISION, OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, AT PAGE 79 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPTING THE WEST 70 FEET OF THE NORTH 145 FEET OF THE WEST HALF (W1/2) OF THE EAST HALF (E1/2) OF SAID LOT 110 AND LESS THE ROAD RIGHT OF WAY.

PARCEL 2: THE EAST 15 FEET OF THE WEST 70 FEET OF THE NORTH 145 FEET OF THE WEST HALF (W1/2) OF THE EAST HALF (E1/2) OF LOT 110, MODEL LAND COMPANY'S SUBDIVISION, OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, AT PAGE 79 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 3: THE WEST 55 FEET OF THE NORTH 145 FEET OF THE WEST HALF (W1/2) OF THE EAST HALF (E1/2) OF LOT 110, MODEL LAND COMPANY'S SUBDIVISION, OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, AT PAGE 79 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 4: THE EAST QUARTER (E1/4) OF TRACT 110, MODEL LAND COMPANY'S SUBDIVISION, OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, AT PAGE 79 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 5: THE SOUTH 278 FEET OF THE WEST HALF (W1/2) OF TRACT 111, AND ALSO THE EAST 10 FEET OF THE WEST HALF (W1/2) OF TRACT 111, MODEL LAND COMPANY'S SUBDIVISION, OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, AT PAGE 79 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH: LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19834, PAGE 1500, PALM BEACH COUNTY RECORDS, LESS THE NORTH 25.00 FEET AND THE SOUTH 25.00 FEET THEREOF FOR ROAD RIGHT OF WAY.

TOGETHER WITH: LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 19336, PAGE 748, PALM BEACH COUNTY RECORDS.

PARCEL 6: A PARCEL OF LAND LYING IN THE WEST 1/2 OF LOT 111 OF MODEL LAND COMPANY'S SUBDIVISION, OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 79 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST BOUNDARY LINE OF SAID LOT 111, 367.9 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 111 FOR A POINT OF BEGINNING, THENCE RUNNING SOUTH ALONG THE WEST BOUNDARY LINE OF SAID LOT 111, A DISTANCE OF 10 FEET TO A POINT, THENCE RUNNING EAST ON A LINE PARALLEL TO THE NORTH AND SOUTH BOUNDARY LINES OF SAID LOT 111 A DISTANCE OF 155 FEET TO A POINT, THENCE RUNNING NORTH ON A LINE PARALLEL TO THE EAST AND WEST BOUNDARY LINES OF SAID LOT 111 A DISTANCE OF 10 FEET; THENCE RUNNING WEST ON A LINE PARALLEL TO THE NORTH AND SOUTH BOUNDARY LINES OF SAID LOT 111 A DISTANCE OF 155 FEET TO THE POINT OF BEGINNING.

ZONING: MF-30 + RPD (RESIDENTIAL / PLANNED DEVELOPMENT)  
SITE: GROSS: 5.13 ACRES 223,513 SQ. FT.  
NET: 4.71 ACRES 205,339 SQ. FT.

SITE STATISTICS:

COVERAGE		
BUILDINGS	38,079 SQ.FT.	18%
PARKING & DRIVES	57,134 SQ.FT.	28%
WALKS & PATIOS	11,929 SQ.FT.	6%
LANDSCAPE & LAKE	98,197 SQ.FT.	48%
TOTAL	205,339 SQ.FT.	100%

IMPERVIOUS AREA: 107,142 SQ.FT. 52%  
PERVIOUS+LAKE AREA: 98,197 SQ.FT. 48%  
(PERVIOUS AREA: 68,531 SQ.FT., + LAKE :29,666 SQ.FT.)

NUMBER OF RESIDENTIAL UNITS: 118 GROSS UNITS PER ACRE: 23.00  
NET UNITS PER ACRE: 25.03

- REVISIONS:
- DATA TABLE REV. 8-13-14
  - PARKING REV. 8-13-14
  - F.H. RELOC. 8-13-14
  - POOL RELOC. 8-13-14
  - BUS STOP RELOC. 8-13-14
  - PARKING LAYOUT REV. 10-01-14 SP
  - NOTE REVISION 10-01-14 SP
  - STREET PARKING 11-06-14 SP

**SOUTHEAST ARCHITECTS SERVICES, INC.**  
4310 WEST BROWARD BLVD. Ft. Lauderdale, FL 33317  
(954) 797-2821 • FAX (954) 797-2847  
LIC. # AC-001965



"THE VILLAGE II" at LAKE OSBORNE  
2340 LAKE WORTH ROAD  
LAKE WORTH, FL 33461

DRAWN: ALEX F  
DATE: 11-06-14  
PROJECT NUMBER: 8-13  
SHEET NUMBER:

**SP-1**  
1 OF 4



**Department for Community Sustainability**  
**Planning Zoning Historic Preservation Division**  
1900 2<sup>nd</sup> Ave North · Lake Worth, Florida 33461 · Phone: 561-586-1687

February 17, 2015

Mr. Lawrence Kramer, Agent  
Southeast Architect Services  
4310 Broward Boulevard  
Plantation, FL 33317

ORD 2015-01: Request for a Residential Planned Development;

The subject property consists of a +/- 4.71 acre parcel located at 2269 2nd Avenue North (PCN: 38-43-44-20-01-110-0010). The site is located in the Mixed Use – West (MU-W), Zoning District.

Dear Mr. Kramer:

At the Regular meeting of the City Commission (Commission) held Tuesday, January 6, 2015, the Commission considered your request for a Residential Planned Development (RPD) known as the Village at Lake Osborne for the subject property.

Upon review and due deliberation, the Commission voted 5-0 to adopt the proposed ordinances.

If you have any questions or need additional information please call me at (561) 586-1687.

Sincerely,

A handwritten signature in black ink, appearing to read "Maxime Ducoste".

Maxime Ducoste  
Planning & Preservation Manager

Enclosures (1): Result Letter PZB 13-01000002

/sd

**Department for Community Sustainability**  
**Planning Zoning Historic Preservation Division**  
1900 2<sup>nd</sup> Ave North · Lake Worth, Florida 33461 · Phone: 561-586-1687

February 17, 2015

Lawrence Kramer, Agent  
Southeast Architect Services.  
4310 Broward Boulevard.  
Plantation, FL 33317

RE: PZB 13-01000002, Village of Lake Osborne; Consideration of a two-part request by Lawrence Kramer, Agent, for the following:

- (1) A recommendation to the City Commission for a Residential Planned Development (RPD) (Village II, at Lake Osborne) to establish uses and development standards for the Village II at Lake Osborne RPD and to incorporate the master development plan pursuant to Section pursuant to Section 23.2-8 of the LDRs;
- (2) Consideration of a request for Major Site Plan Approval for a 118 unit apartment complex.

The project includes a request for consideration of a Sustainable Bonus Incentive Program. The subject property is a +/- 4.71 acre site located at 2430 Lake Worth Road in the MU-West Zoning District, with a Future Land Use Map designation of Mixed Use West (MU-W); PCN#:38-43-44-20-01-110-0010.

Dear Mr. Kramer:

At the Regular meeting of the Planning and Zoning Board (Board) held Wednesday, November 5, 2014, the Board considered your request for RPD, Site Plan, and Sustainable Bonus Incentive Program for the subject property.

Upon review and due deliberation, the Board voted 7-0 to support the request for RPD; voted 6-1 to approve the request for Site Plan; and voted 6-1 to approve the request for Sustainable Bonus Incentive Program. These requests were approved as submitted with the application based upon the findings that the subject property was less than 5-acres; and are subject to the Conditions of Approval included as Attachment 1.

No changes shall be made to the information on this approved application that could in any way constitute a change in the aesthetic character of the project without approval of staff or the Planning & Zoning Board.

In accordance with Section (Section 23.2-30(f) (Site Plan Approval) of the Lake Worth Zoning Code, Site Plan approval granted by the Board, which authorizes construction, shall be null and void one (1) year after it has been granted unless a building permit has been issued, and construction has commenced and is progressing within one (1) year from the Board approval date. Please note, to request an extension, the request must occur prior to the expiration date of the approval.

If you have any questions or need additional information please call me at (561) 586-1687.

Sincerely,

  
Maxime Ducoste  
Planning & Preservation Manager

Attachment: (1) Conditions of Approval  
/sd

**ATTACHMENT I**  
**Conditions of Approval**

**Standard Conditions of Approval:**

1. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable Codes including but not limited to the Florida Building Code.
2. Unless construction has commenced pursuant to a building permit, or a time extension is granted in accordance with Code, this application shall expire one (1) year from Planning & Zoning Board Approval.
3. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.
4. This approval is for a Residential Planned Development (RPD) pursuant to Section 23.3-25 for to allow or the construction a 118 unit multi-family rental complex within the Mixed Use – West (MU-W) zoning district at 2430 Lake Worth Road. This use must operate in compliance with all state and local laws that govern this use.
5. In the event of a legal challenge to this approval, the applicant 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.

**Additional Conditions of Approval:**

1. Prior to the issuance of a building permit, the applicant shall contact the Lake Worth Drainage (LWDD) District's Engineering Department and obtain any required permit(s), if necessary.
2. Prior to the issuance of a certificate of occupancy, an easement of 10 feet by 30 feet shall be dedicated to Palm Beach County Plan Tran for the installation of a bus stop along the front property line as shown on the site plan of subject to Palm Beach County Palm Tran specifications.
3. Prior to issuance of a certificate of occupancy, the applicant shall install a new six-foot wide sidewalk along Lake Worth Road and along 2<sup>nd</sup> Avenue North in compliance with the Public Services Department's specifications.
4. Prior to the issuance of a building permit, the applicant shall provide funding for underground utilities (if needed), on their section of 2<sup>nd</sup> Avenue North and along their section of Lake Worth Road.
5. All paving material must meet ADA accessibility guidelines.
6. The maximum height of all proposed lighting fixtures shall be as follows: 15 feet maximum in pedestrian areas; 25 feet in parking or vehicular use areas and 15 feet maximum when abutting a residential property.

7. Prior to the issuance of a building permit, an updated traffic performance standards letter from Palm Beach County shall be required.
8. Prior to issuance of a building permit, the ten foot easement shall be provided and shall be recorded in the public records on the west side of the property; starting at the southwest corner of the property on Lake Worth Road and ending at the Northwest Corner of 2<sup>nd</sup> Avenue North.
9. Prior to the issuance of a building permit, 24 inch storm drain piping under 2<sup>nd</sup> Avenue North right of way to be Reinforced Concrete Piping (RCP), not High Density Polyethelene (HDPE).
10. Prior to the issuance of a building permit, existing 24 inch drainage piping under the sidewalk on the north side of 2<sup>nd</sup> Avenue North to be cleaned up to next structure.
11. Prior to the issuance of a building permit, installation of new 5' wide sidewalks with Type F curb and gutter shall be installed along the south side of 2<sup>nd</sup> Avenue North (north side of project); and shall be shown on Landscape plans, included on Sheet C-P&D
12. Westbound vehicles on 2<sup>nd</sup> Ave N turning into property currently will have to cross a double yellow striped hatched area. Prior to the issuance of a building permit, provide clarification on how vehicles to make this turn and provide re-striping concept to allow for safe and legal turning into new site.
13. Prior to the issuance of a building permit, Sheet C-WS shall be amended to show the asphalt patch for the watermain tie-in (connection) to be the full width of 2<sup>nd</sup> Avenue North.
14. Prior to the issuance of a building permit and at the time of engineering submittal, submit the plans for the force main to be upsized on 2<sup>nd</sup> Avenue North. Also, sanitary manholes to be relocated outside of parking spaces.
15. Reserved Capacity fees are due at time of building permit issuance: Water = \$90,524, Sewer = \$70,225.
16. Prior to approval of the issuance of a building permit, the Applicant shall submit revised plans incorporating the additional parallel parking spaces along 2nd Ave North.



**City of Lake Worth**  
**Department for Community Sustainability**  
**Planning, Zoning and Historic Preservation Division**  
1900 Second Avenue North- Lake Worth, Florida 33460 - Phone: 561-586-1687

DATE: April 6, 2016

TO: Members of the Planning & Zoning Board

FROM: Maxime Ducoste, Assistant Director for Planning and Preservation  
Curt Thompson, Senior Community Planner

SUBJECT: **P&ZB PR NO. 16-02900002**: Consideration of a request by Stateside Partners LLC, for a **Text Amendment** to Section 23.3-14, Downtown (DT) and Section 23.3-6, the Permitted Use Table and Section 23.4-13 of the City's Land Development Regulations (LDRs), to allow Drive Through Facilities as a Conditional Use within the Downtown Zoning District specifically west of Dixie Highway.

Meeting Date: April 6, 2016

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**BACKGROUND AND JUSTIFICATION:**

Stateside Partners ("Petitioner") has submitted a request to amend Section 23.1-12, Definitions, Section 23.3-14, Downtown (DT), Section 23.3-6 – Permitted Use Table and Section 23.4-13 Medium and High Intensity Conditional Uses. The purpose of the amendment is to allow Drive through Facilities as a conditional use within the Downtown (DT) zoning district, specifically west of Dixie Highway.

The Municipal Code of the City of Lake Worth was adopted in 1979 by way of Ordinance No. 79-9 and has been subsequently amended over the past 37 years. Since its inception the Code has been amended to adapt to the changing needs of the City.

On August 6, 2013 the City of Lake Worth adopted Chapter 23 – Land Development Regulations of the Code of Ordinances. Since its adoption in 2013, the City has initiated code revisions to provide clarification, consistency as well as addressing issues that have arisen over time.

The Downtown (DT) zoning district is designed for the commercial core of Lake Worth, primarily along Lake and Lucerne Avenues from Golfview to the Florida East Coast Railroad right-of-way. The DT district is intended to provide the establishment and expansion of a broad range of office, retail and commercial uses, including higher density residential use.... The establishment of certain uses is subject to conditional use review to ensure they will not have a negative impact on nearby residential uses or on the commercial viability of their neighbors.

The Applicant, Stateside Partners LLC, owns several parcels of land to the south of 2<sup>nd</sup> Avenue North and to the west of South Dixie Highway. The Downtown core of the City of Lake Worth is a critical commercial area of the City that is in need of redevelopment projects. The Applicant is proposing to develop a vacant parcel that will provide infill development along Dixie Highway within the Downtown district.

Currently, the Land Development Regulations do not allow Drive through Facilities within the Downtown District. The purpose of the Zoning Text Amendment is to allow a Drive through Facility as a conditional use for properties zoned Downtown (DT) west of Dixie Highway, while excluding drive through for all Restaurant uses within the Downtown zoning district.

In addition, to ensure compatibility and mitigate any potential impacts on surrounding properties, staff is proposing additional language to be added to Section 23.4-13 – Medium and high intensity conditional uses, which would provide additional requirements for drive through facilities.

The proposed amendments are to add specific language to Section 23.3-14 to restrict drive through facilities use to properties within the Downtown District and west of Dixie Highway. The purpose for restricting the use to the west side of Dixie Highway is due to the particularities of these properties and to their performance. Properties on the west of Dixie Highway are not the same as those properties within the core of the Downtown district. Specifically, the core of the Downtown district is oriented to pedestrian traffic, while the Dixie Highway corridor is geared toward vehicular traffic. There are only a handful of parcels that would be affected by this Text Amendment. Allowing and limiting Drive through facilities on the west side of Dixie Highway will promote redevelopment of several parcels that have been vacant for a long time.

As such, the Petitioner is proposing to amend to the Downtown (DT) permitted uses in the City's LDRs as follows:

Section 23.3-14.c.2.A

2. Principal uses permitted as either administrative or conditional uses.
  - A. Commercial – medium to high intensity.
    - i. Commercial Drive Through (excluding all Restaurant uses), west of Dixie Highway.
  - B. Office - medium to high intensity.
  - C. Retail - medium to high intensity.
  - D. Personal services - medium to high intensity.
  - E. Cultural and artisanal arts - medium to high intensity.
  - F. Institutional - medium to high intensity.
  - G. Parking facilities including temporary.
  - H. Places of worship.

Section 23.3.6 – Permitted Use Table

The modifications to the Permitted Use Table include adding a new use category, Drive Through Facilities, excluding all Restaurant uses and adding it as a conditional use within the MU-East, MU-East 10<sup>th</sup> & 6<sup>th</sup>, DT, Mixed Use-Dixie Highway, and Mixed Use-West, Lake & 10<sup>th</sup> zoning districts. This would be consistent with the zoning categories in which Drive through Facilities are currently allowed as a conditional use.

In addition to the applicant's request, staff is proposing the following definition, and requirements to the Medium and High Intensity Conditional Uses section.

**Proposed Language:**

**Section 23.1-12 - Definitions**

Definition: Drive-Through Facility: A commercial facility which provides a service directly to a motor vehicle or where the customer drives a motor vehicle onto the premise and to a window or mechanical device through or by which the customer is serviced without exiting the vehicle.

**Section 23.4-13. Medium and High Intensity Conditional Uses**

**14. Drive-Through Facilities.**

- (1) Purpose. It is the purpose of this section to provide regulations and standards for the establishment of drive-through facilities as conditional uses through the appropriate decision making authority.
- (2) Regulations and standards. Drive-through facilities shall be designed to minimize conflicts between pedestrian and vehicular circulation. The facility, including the stacking lanes, must not be visible from public rights-of-way and shall be subject to the standards listed below.
  - a. Separation. Each drive-through lane shall be separated from circulation routes necessary for ingress or egress from the property or access to any parking space.
  - b. Drive-through facilities shall be 100 feet from any residential zoning district.
  - c. Marking. Each drive-through lane shall be striped, marked, or otherwise distinctly delineated in a manner acceptable to the city.
  - d. Queuing and stacking. The queuing or vehicle stacking capacity of a drive-through facility, including a gated entrance to a residential development, shall be at least 100 feet. The minimum distance shall be measured from the centerline of the window closest to the edge of right-of-way from which access is provided. The stacking capacity may be increased based upon individual circumstances as determined by the city.
  - e. Drive-through facilities shall not be allowed on any building facade that directly fronts on a public or private right-of-way. On eligible building facades (sides and/or rear) the following design standards are required where windows for drive-through facilities are proposed:
    1. All principal and accessory structures related to the drive-through facilities shall be 100 feet from any residential zoning district.
    2. The building facade shall have windows that occupy no less than 25% of the facade and that are located at the pedestrian level. A maximum of 10% of this 25% may be non-transparent windows.
    3. The building facade shall be modulated and divided into smaller identifiable pieces to articulate the plane of the facade.
    4. The building facade shall have at least one offset having a pitched roof.

- 
5. Additional landscaping for the screening of drive-through facilities is required in accordance with Article 6, Section 23.6-1 Landscape Regulations.
  6. Roofing. Roofs constructed as part of a drive-through facilities shall be consistent with the architectural style, materials, and colors of the principal structure.
  7. Noise. Any drive-up or drive-through speaker system shall emit no more than 65 (dB) decibels and at no time shall any speaker system be audible above daytime ambient noise levels beyond the real property lines of the site. The system shall be designed to compensate for ambient noise levels in the immediate area.

**CONSEQUENT ACTION:**

The decision of the Planning and Zoning Board will be a recommendation to the City Commission, which will make the final decision.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning & Zoning Board **APPROVE** the Text Amendment to amend Section 23.1-12, Definitions, Section 23.3-14, Downtown (DT), Section 23.3-6, the Permitted Use Table and Section 23.4-13, Medium and High Intensity Conditional Uses of the City's Land Development Regulations (LDRs), to allow Drive Through Facilities as a Conditional Use within the Downtown Zoning District specifically west of Dixie Highway.

**POTENTIAL MOTIONS:**

"I MOVE TO APPROVE/DENY P&ZB PR No. **P&ZB PR NO. 16-02900002**: Consideration of a request for a **Zoning Text Amendment** to amend Section 23.1-12, Definitions, Section 23.3-14 Downtown District, Section 23.3-6, the Permitted Use Table and Section 23.4-13, Medium and High Intensity Conditional Uses of the City's Land Development Regulations (LDRs), to allow Drive Through Facilities as a Conditional Use within the Downtown Zoning District specifically west of Dixie Highway.

LOCATION MAP



Attachments:

- A. Justification Statement
- B. Excerpt of Permitted Use Table



**127 N Dixie Highway  
Zoning Text Amendment  
Downtown Zoning District  
March 9, 2016**

On behalf of the Applicant, Stateside Partners LLC, we are requesting a Zoning Text Amendment to the City of Lake Worth Municipal Code, more specifically Section 23.3-14. – DT – Downtown and Section 23.3-6 – Use Table. The purpose of the amendment is to allow Drive Through Facilities as a conditional use within the Downtown zoning district, specifically west of Dixie Highway.

**Background**

The Municipal Code of the City of Lake worth was adopted in 1979 by way of Ordinance No. 79-9 and has been subsequently amended over the past 37 years. Since its inception the Code has been amended to adapt to the changing needs of the City.

*The Downtown zoning district is designed for the commercial core of Lake Worth, primarily along Lake and Lucerne Avenues from Golfview to the Florida East Coast Railroad right-of-way. The DT district is intended to provide the establishment and expansion of a broad range of office and commercial uses, including higher density residential use.... The establishment of certain uses is subject to conditional use review to ensure they will not have a negative impact on nearby residential uses or on the commercial viability of their neighbors.*

The Use Tables, found within Section 23.3-6 have been amended several times since the adoption of the Code in 1979. More specifically Ordinance No. 2014-02, § 7(Exh. F), 1-7-14 and Ordinance. No. 2014-22, § 11(Exh. J), 9-9-14. The City has initiated a Code revision for this Use Table that is currently up for adoption on the March 22, 2016 City Commission Hearing.

**Request**

The Applicant, Stateside Partners LLC, owns several parcels of land to the south of 2<sup>nd</sup> Avenue North and to the west of South Dixie Highway. The Downtown core of the City of Lake Worth has seen several redevelopment projects over the last decade. The Applicant is proposing to develop a vacant parcel that will provide infill development along Dixie Highway within the Downtown district.

Currently, the Code does not allow Drive Through Facilities within the Downtown District. The purpose of the Zoning Text Amendment is to allow a Drive Through Facility, excluding all Restaurant uses within the Downtown zoning district as a conditional use. The Applicant is proposing to modify the Zoning text to allow this use within the same zoning districts in which Drive Through Facilities are permitted as a conditional use and adding the Downtown zoning district as an allowable district. In addition, language will be added to Section 23.4-13 – *Medium and high intensity conditional uses.*, which would provide standards for a drive through.

The proposed Code revisions are to add specific language to Section 23.3-14.c.2.A to restrict the Drive Through Facility use to properties within the Downtown District and west of Dixie Highway. The purpose for restricting the use to the west side of Dixie Highway is due to the performance of the properties to the west of Dixie Highway are not the same as those properties within the core of the Downtown district. The core of the district is scaled to the pedestrian, while the Dixie Highway corridor is geared for vehicular traffic. There are only a handful of parcels that would be affected by this Zoning Text Amendment. Allowing the Drive Through Facility use on the west side of Dixie Highway will promote redevelopment of several parcels that have been vacant for a long time.

Section 23.3-14.c.2.A

*2. Principal uses permitted as either administrative or conditional uses.*

A. Commercial – medium to high intensity.

i. Commercial Drive Through (excluding all Restaurant uses), west of Dixie Highway

B. Office - medium to high intensity.

C. Retail - medium to high intensity.

D. Personal services - medium to high intensity.

E. Cultural and artisanal arts - medium to high intensity.

F. Institutional - medium to high intensity.

G. Parking facilities including temporary.

H. Places of worship.

Section 23.3.6 – Use Table

The modifications to the Use Table include adding a new use category, Drive Through Facilities, excluding all Restaurant uses and adding it as a conditional use within the MU-E Federal Highway, MU-E 10<sup>th</sup> & 6<sup>th</sup>, DT, MU-DH, and MU-W Lake & 10<sup>th</sup> zoning districts. This would be consistent with the zoning categories in which Drive Through Facilities are currently allowed as a conditional use.

The proposed changes to the Use Table can be seen on the following page.

(The remained of this page is left intentionally blank.)

Section 23.3.6 – Use Table

TYPE/USE	SF-R	SF-TF 14	MH-7	MF-20	MF-30	MF-40	MU-E LAKE & LUCERNE	MU-E 1ST & 2ND EDGES	MU-E FEDERAL HWY	MU-E 10TH & 6TH	DT	MU-FH	MU-DH	MU-W LAKE & 10TH	TOD-E	TOD-W	NC	BAC	AI	I-POC	PD	PROS	CON	FEC	HOTEL
<b>MEDIUM INTENSITY COMMERCIAL USES - LESS THAN 2,500 SQ. FT.</b>																									
BARS/CLUBS WITH OR WITHOUT LIVE ENTERTAINMENT											A		A	A	A				A						
BARS/CLUBS WITH LIVE ENTERTAINMENT											C		C	C					C						
BED AND BREAKFAST INNS	C	C		C	C	C	C	C	C	C	C	C	C						C						
CATERING/CATERER							A						A	A	A	A			A						
CONTRACTOR (OFFICE ONLY, NO OUTDOOR STORAGE YARD)							A	A	A	A	A	A	A	A	A	A			A	A					
CONTRACTOR (OFFICE WITH OUTDOOR STORAGE YARD)																				C					
DRIVE THROUGH FACILITIES									C	C			C	C											
DRIVE THROUGH FACILITIES, EXCLUDING ALL RESTAURANTS									C	C	C		C	C											
FINANCIAL INSTITUTION W/ DRIVE THROUGH									C	C	C		C	C	C	C									
FINANCIAL INSTITUTION W/OUT DRIVE THROUGH							A		A	A	A	A	A	A	A	A									
FINANCIAL MANAGEMENT SERVICES							A	A	A	A	A		A	A	A	A									
FUNERAL HOME/CREMATORY							C	C					C							C					
HOTELS							A		A		A		A	A	A	A									
INDOOR COMMERCIAL RECREATION (REFERENCE ORDINANCE CHAPTER 14)							A			A	A	A	A						A	A					
MOTELS							A		A		A	A	A												
MOTEL OR HOTEL EXTENDED STAY										C		C	C						C						
PRINTING SERVICES							A		A		A		A	A	A	A			A	A					
RESTAURANTS W/DRIVE THROUGH							C		C			C	C						C						
RESTAURANTS WITH BAR							C		C	C	C	C	C	C	C	C		A	C						
RESTAURANTS - TAKE OUT							A	A	A	A	A	A	A	A	A	A	A	P	A		P				
RESTAURANTS							A	A	A	A	A	A	A	A	A	A	A	P	A		P				
SINGLE DESTINATION COMMERCIAL							A			A		A	A	A	A	A			A						
SOCIAL SERVICE CENTERS							A	A	A	A		A	A	A	A	A			A						
STORAGE LOCKERS												A	A	A	A	A									
VETERINARY OFFICES, W/O KENNELS										A		A	A	P	P				A	A					
VETERINARY OFFICES, W/ KENNELS												C	C						C	C					
WAREHOUSE FACILITIES													A						A	A					
WHOLESALE AND DISTRIBUTION FACILITIES													A						A	A					

127 N. Dixie Highway  
Zoning Text Amendment  
CH – 160302  
March 9, 2016

Contact: Brett Leone  
PH: 561.747.6336  
E: bleone@coteleur-hearing.com

In addition to the proposed Zoning Text Amendments listed above, the Applicant is also working with Staff to provide language to add to Section 23.14-13. – *Medium and high intensity conditional uses*. Language will be added to this section to provide standards for Drive Through facilities. For example, the drive through must be located at the rear of the building when located within the Downtown zoning district, include a landscape buffer and have adequate stacking distance. This information will be supplemented to the Zoning Text Amendment application.

**Conclusion**

On behalf of the applicant and the project team we look forward to working with staff to address the proposed Zoning Text Amendment.

TYPE/USE	SF-R	SF-TF 14	MH-7	MF-20	MF-30	MF-40	MU-E LAKE & LUCERNE	MU-E 1ST & 2ND EDGES	MU-E FEDERAL HWY	MU-E 10TH & 6TH	DT	MU-FH	MU-DH	MU-W LAKE & 10TH	TOD-E	TOD-W	NC	BAC	AI	I-POC	PD	P	PROS	CON	FEC	HOTEL	
<b>MEDIUM INTENSITY COMMERCIAL USES - LESS THAN 2,500 SQ. FT.</b>																											
BARS/CLUBS WITH OR WITHOUT LIVE ENTERTAINMENT											A		A	A	A					A							
BARS/CLUBS WITH LIVE ENTERTAINMENT											C		C	C						C							
BED AND BREAKFAST INNS	C	C		C	C	C	C	C	C	C	C	C	C							C							
CATERING/CATERER							A						A	A	A	A				A							
CONTRACTOR (OFFICE ONLY, NO OUTDOOR STORAGE YARD)							A	A	A	A	A	A	A	A	A	A				A	A						
CONTRACTOR (OFFICE WITH OUTDOOR STORAGE YARD)																				C							
DRIVE THROUGH FACILITIES									C	C			C	C													
DRIVE THROUGH FACILITIES, EXCLUDING ALL RESTAURANTS									C	C	C		C	C													
FINANCIAL INSTITUTION W/ DRIVE THROUGH									C	C	C		C	C													
FINANCIAL INSTITUTION W/OUT DRIVE THROUGH							A		A	A	A	A	A	A	A	A											
FINANCIAL MANAGEMENT SERVICES							A	A	A	A	A	A	A	A	A	A											
FUNERAL HOME/CREMATORY							C	C					C								C						
HOTELS							A		A		A		A	A	A	A											
INDOOR COMMERCIAL RECREATION (REFERENCE ORDINANCE CHAPTER 14)							A			A		A	A	A						A	A						
MOTELS							A		A		A	A	A	A													
MOTEL OR HOTEL EXTENDED STAY											C		C	C							C						
PRINTING SERVICES							A		A		A		A	A	A	A				A	A						
RESTAURANTS W/DRIVE THROUGH							C		C				C	C						C							
RESTAURANTS WITH BAR							C		C	C	C		C	C	C	C			A	C							
RESTAURANTS - TAKE OUT							A	A	A	A	A		A	A	A	A	A	P	A		P						
RESTAURANTS							A	A	A	A	A		A	A	A	A	A	P	A		P						
SINGLE DESTINATION COMMERCIAL							A			A			A	A	A	A				A							
SOCIAL SERVICE CENTERS							A	A	A	A			A	A	A	A				A							
STORAGE LOCKERS													A	A	A	A											
VETERINARY OFFICES, W/O KENNELS										A			A	A	A	P				A	A						
VETERINARY OFFICES, W/ KENNELS													C	C						C	C						
WAREHOUSE FACILITIES													A	A						A	A						
WHOLESALE AND DISTRIBUTION FACILITIES													A	A						A	A						



**City Of Lake Worth**  
**Department for Community Sustainability**  
**Planning, Zoning and Historic Preservation Division**  
 1900 Second Avenue North- Lake Worth, Florida 33460 - Phone: 561-586-1687

DATE: March 31, 2016

TO: Members of the Planning & Zoning Board

FROM: Curt Thompson, Senior Community Planner  
 Maxime Ducoste, Assistant Director for Planning and Preservation

SUBJECT: **PZB Project Numbers 15-01400008**: Consideration of a request for a Major Site Plan amendment to allow for the construction of a +/- 101-multi-family one and two bedroom unit complex with amenities for veteran supportive housing and associated supportive administrative offices and commercial space on a +/- 7.26 acre parcel.

Land Use/Zoning:  
 The site is located at 2431, 2441 and 2559 2<sup>nd</sup> Avenue North, with a Mixed Use – West (MU-W) zoning designation and a Mixed Use West (MU-W) Future Land Use Map designation.

Meeting Date: April 6, 2016

**SYNOPSIS:**

<b>Applicant</b>	Larry Zabik, representing Village of Valor	
<b>General Location</b>	2431, 2441 and 2559 2 <sup>nd</sup> Avenue North	
<b>Zoning</b>	Mixed Use West (MU-W)	
<b>Existing Land Use</b>	Vacant Land	
<b>Future Land Use Designation</b>	Mixed Use – West	
<b>Applicable Municipal Code Sections</b>	23.2-29, 23.2-30, 23.2-31, 23.2-32 and 23.2-33	
	<b>Required</b>	<b>Proposed/Existing</b>
<b>Lot Area</b>	13,000 square feet	316,199 square feet
<b>Lot Width</b>	100 feet	643.94 feet

<b>Building Height</b>	Comprehensive Plan: Maximum 30' (not to exceed two stories) plus 15 feet (max 4 stories) with Sustainable Bonus Incentive Program	Zoning Code: Maximum 30' (not to exceed two stories) plus 15 feet (max 4 stories) with Sustainable Bonus Incentive Program	45 feet (30' plus 15' feet with Sustainable Bonus)
<b>Setbacks</b>	<b>Required</b>	<b>Provided</b>	
Front (Second Avenue)	28 feet	28 feet	
Side (East)	20	58 feet	
Side (West)	20	32 feet	
Rear (North)	15	51.10 feet	
Bonus Height and Stories	Not Applicable	Not Applicable	
<b>Living Area</b>	Not Applicable	Not Applicable	
<b>Accessory Structure Limitations</b>	Not Applicable	Not Applicable	
<b>Impermeable Surface Total</b>	65% maximum	45% (sq. ft.)	
<b>Maximum Building Coverage</b>	50%	11.5% (36, 417 sq. ft.)	
<b>Floor Area Ratio</b>	2.3	.426	
<b>Parking</b>	151 spaces	154 including 6 handicapped spaces	
<b>Board Required Action</b>	Approve, Approve With Conditions, Deny the Request, Continue the request for additional information; and third story through the Community Benefits pursuant to the provision of the Sustainable Bonus Incentive Program.		
<b>Staff Recommendation</b>	Staff recommends approval of the requested Major Site Plan Amendment, with conditions, to allow for the construction of approximately +/- 101 multi-family one and two bedroom rental units with amenities for veterans supportive housing. The subject site is located at 2431, 2441 and 2559 2 <sup>nd</sup> Avenue North. The site has a Mixed Use-West (MU-W) zoning designation with a Future Land Use designation of Mixed Use-West (MU-W).		
	<b>Name and Title</b>		<b>Initials</b>

<b>Project Planner</b>	Curt Thompson, Community Planner	CT
<b>Approved by</b>	Maxime Ducoste, Planning and Preservation Manager	MD

**Project Update:**

The applicant, Mr. Larry Zabik, Village of Valor, LLC, is proposing a Major Site Plan Amendment for the construction of a +/- 101 unit apartment complex located at 2431, 2441 and 2559 2<sup>nd</sup> Avenue N. The site is 7.26 acres in area and is currently vacant and bounded on the west by the E-4 canal, on the north and east by the Palm Club Apartments and to the south by a vacant parcel and the Rivercrest Condominium complex. The project was previously approved in November of 2014. With this amendment, the applicant is proposing the following changes:

Number of Units: 101

+/- 37 - One Bedroom units

+/- 64 - Two bedroom units

The Village of Valor went from three (3) major buildings to two buildings by combining two buildings. The total square footage was reduced from 134,949 square feet to 123,001 square feet.

The applicant reworked the parking area to combine the lots to make it more usable to the buildings. Parking spaces increased from 154 spaces to 172 spaces, with 155 required per the Land Development Regulations (LDRs).

Site amenities are the same with:

The swimming pool was relocated

The exercise trail area was reworked

The Village of Valor Monument and Flags were relocated

Added outdoor seating at the Non-Profit office area

The applicant's overall goal is to make adjustments to the site plan in order for the project to be more economical.

**Project/Property Description:**

The applicant, Larry Zabik, Village of Valor, LLC, is proposing to construct a 101 instead of 104 unit apartment complex located at 2431, 2441 and 2559 2<sup>nd</sup> Avenue N. The site is 7.26 acres in area and is currently vacant and bounded on the west by the E-4 canal, on the north and east by the Palm Club Apartments and to the south by a vacant parcel and the Rivercrest Condominium complex.

The amended Village of Valor is proposing a 101-unit multi-family, residential development with a professional office accessory use. This project is targeted to support veterans and their families. The services of this community are coordinated to provide an integrated approach to

stabilization, education and successful realization of goals which beings by using the Housing First Model. This model is based on the idea that a household's primary need is stable, secure housing. Once that has been achieved, other issues that affect the household can be better addressed. The second element incorporates into the daily lives of residents, supportive services and education in such areas of health, nutrition and fitness along with the opportunities for social interaction. The third component focuses on completing the transformation with vocational and financial training toward the goal of moving onto home ownership. The Village of Valor community will be designed to be a community that fosters hope and supports military veterans and their families with services in education to build a solid foundation from which to grow and succeed.

The site plan was originally reviewed by the Site Plan Review Team (SPRT) at their regular meeting on October 13, 2014 and again on January 11, 2016. The SPRT recommended a number of conditions of approval, which have been included as Attachment "A" for the Board's reference.

The following analysis includes a discussion about the specific site improvements the applicant is proposing followed by an analysis that addresses each of the three (3) part request outlined in the project description.

### **ANALYSIS:**

The applicant is proposing a 101-unit multi-family residential development. The unit mix will consist of 37 one (1) bedroom apartments, 64 two (2) bedroom apartments and 8,230 square feet of commercial space. There will be two (2) mixed use buildings, a guard house for security purposes, a 400 square foot maintenance building and a 1,000 square foot pavilion. The buildings on the proposed site plan will meet the setback requirements, building height, and density requirements with the (MF-30) sustainability bonus. The Mixed Use-West (MU-W) zoning district allows for medium-density multiple family residential uses with the sustainability bonus. The sustainability bonus also allows a building height of 45 feet with 4 stories. In addition, the Mixed Use-West zoning designation allows for multi-family and professional office uses. The community benefits this project will provide include:

Affordable Housing

Community recreational areas:

- Basketball court

- Children's playground

- Picnic area

- Walking paths

- A Dock

- Indoor fitness center

- Fenced Dog Park

- Outdoor pool and clubhouse-style amenities

Community Meeting Space  
On-site management

Each one (1) bedroom apartment will have +/- 751 square feet of living area; each two (2) bedroom apartment will have +/- 1,008 square feet of living area. The units will be allocated throughout two (2) buildings, with each being four (4) stories with a height of 45 feet. A 3,191 square foot clubhouse along with 2,199 square feet of community space will be attached to building A. Building B will have a 1,175 square foot kitchen, along with 4,539 square feet of community space.

The site will be fully landscaped using native vegetation, with an extensive planting palette that includes +/- 334 trees (this includes +/- 245 shade trees), 59 palm trees, and a large variety of shrubs/hedges and ground covers. The planting palette and plant material arrangement is fully depicted in the landscape plan which has been included. As proposed the landscape plan exceeds all the requirements of the Municipal Code.

### **Public Support/Opposition**

Staff has not received any letters of support or opposition

### **Consistency with the Comprehensive Plan:**

The applicant's proposal to develop an apartment complex with amenities at the subject site is consistent with the following Comprehensive Plan objectives and policies, which are outlined below:

- **Policy 1.3.4.4:** Redevelopment opportunities will be maximized through use of mixed land use designations that permit a flexible mix of multifamily residential and compatible office uses.

The project site has a Future Land Use Designation of Mixed Use-West. The Mixed Use-West zoning designation, which is the zoning of the project site, is intended to "encourage through incentives the use of innovative land planning and development techniques to create more desirable and attractive development in the City". The Mixed Use-West Land Use designation includes flexibilities that which make the type of infill development feasible. This flexibility is inherent to the development standards and the density allowed in the Mixed Use-West land use category encourages the type of compact development the applicant is proposing.

- **Policy 1.3.9.1:** The City shall further discourage urban sprawl by:

1. Continuously promoting compact developments within the mixed use, high density residential and TOD areas while providing adequate public services for each development in the most cost effective manner possible; and,

The applicant is proposing a compact development in the Mixed Use-West land use category. Existing public services, including potable water, sewer, fire and police services, are adequate to serve the project. The compact nature and proposed density of 14.33 dwelling units/acre is consistent with the Mixed Use-West future land use designation and this policy.

- **Objective 1.3.10:** The City shall establish incentives to help aid the creation of compact, sustainable, community oriented development;
- **Policy 1.3.10.1:** The City shall establish a Community Benefits program to provide for increased intensity and height allowances in return for specific project or public components that would create or increase quality of life measures for a larger segment of the population. The Community Benefits program will be more fully developed and implemented through the City's Land Development Regulations.

Objective 1.3.10 and Policy 1.3.10.1 create the impetus for the incentive program and the implementing policy. While the Community Benefits program is still being drafted as part of the proposed Land Development Regulations, the project must still meet the requirements of the City's Comprehensive Plan and, therefore, has been reviewed with the proposed Community Benefits provision in mind. As described in more detail below, the project meets the intent of the Comprehensive Plan objective and policy regarding Community Benefits.

It is evident through consistency with the identified objectives and policies that the project is consistent with the adopted Comprehensive Plan.

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

The project is in compliance with the general findings relating to harmony with the LDRs and protection of public interest, as follows:

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 Response:** The proposed use will be in harmony with the intent of the Mixed Use – West (MU-W) Zoning District to construct a +/- 104 multi-family one and two bedroom rental units with amenities for veteran supportive housing and accessory administrative offices and commercial space. Immediately to the east and south of the subject property are existing multi-family developments.

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

Direction	Future Land Use	Zoning District	Current Use/ Name of Development
North	Mixed Use – West (MU-W)	Mixed Use-West (MU-W)	Multi-Family Residences (Palm Club)
South	Mixed Use-West (MU-W)	Mixed Use – W (MU-W)	Condominium Complex and vacant property (Lake Osborne Residences)
East	Mixed Use-West (MU-W)	Multi-Family Apartments (Palm Club)	Multi-Family Residences (Palm Club)
West	Palm Beach County	Palm Beach County	Keller Canal (Lake Worth Drainage District E-4 Canal)

The majority of existing uses are residential in nature. In addition, the vacant property south of the site is the location for the proposed Village II, at Lake Osborne apartments. As such, the proposed residential units shall be in harmony with the existing mix of residential uses in the immediate area.

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 Response:** The proposed multifamily use (apartment complex) will be compatible with the Future Land Use designation (Mixed Use-West) and may stimulate development of the surrounding area. The proposed mixed use will not result in substantially less public benefit or greater harm than would result from a use permitted by right

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 Response:** The proposed multifamily use (apartment complex) will not result in a more intensive development than that approved by the Future Land Use Element of the Comprehensive Plan. Rather, the mixed use nature shall be compatible with the planning goals, objectives and policies of the Future Land Use Element as identified above under Consistency with the Comprehensive Plan.

#### **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 Response:** The proposed multifamily use (apartment complex) will not generate traffic volumes or movements, which will reduce the level of service provided on any street to a lower level than would result from a development permitted by right. The applicant has provided a Traffic Impact Analysis prepared by Rebecca J. Mulcahy of Pinder & Troutman consulting; Inc. Ms. Mulcahy's analysis shows that the proposed development meets the requirements of the Traffic Performance Standards of Palm Beach County.

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 Response:** The proposed conditional use will not result in a significantly greater amount of through traffic on local streets. Traffic accessing the site is anticipated to come from the secured entrance located on 2nd Avenue North.

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

**Staff Response:** The proposed multifamily use (apartment complex) and accessory offices does not include any operational features that would produce significant air pollution emissions.

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 Response:** the proposed multifamily use (apartment complex) and accessory offices use will require 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.

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 Response:** The proposed conditional use will be served by existing utilities such that neither extension nor enlargement is necessary as a result of the project.

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

**Staff Response:** The proposed conditional use is not anticipated to place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right. The applicant is proposing a 24 hour guard house at the entrance of the development.

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 Response:** The proposed multifamily use (apartment complex) is not anticipated to generate significant noise.

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 Response:** The proposed lighting plan for the project is anticipated to be in compliance with Section 23.4-3, which requires that lighting not impact residential properties by more than one (1) foot-candle. Please refer to Sheet E.1 and E.2 in the site plan, for additional details

## **Section 23.2-31: Site Design Qualitative Standards**

1. Harmonious and efficient organization.

**Staff Response:** All of the required elements of the site plan have been harmoniously and efficiently organized in relation to topography, and the size and type of parcel. The project has been designed in accord with all of the development regulations outlined in The Village of Valor Site Plan. The site will be developed as to not impede the normal and orderly development or improvement of surrounding property. The area surrounding the project site is in various stages of redevelopment. The proposed development of the project site will have no negative impacts on the surrounding properties and/or uses. The criterion has been met.

2. Preservation of natural conditions.

**Staff Response:** The project site is currently vacant. There are no natural features of significance to preserve in place. The vacant site contains vegetation that will be removed as part of the site work. Any existing vegetation which has been identified as healthy will be salvaged and incorporated into the project landscaping. The project landscape architect will identify all healthy vegetation to be transplanted prior to site work commencing. The criterion has been met.

3. Screening and buffering.

**Staff Response:** The applicant is proposing landscaping and buffering which exceeds the requirements of the Municipal Code. Along the westerly perimeter of the project site adjacent to the existing Lake Worth E-4 canal, the applicant is proposing a ten (10) foot wide landscape buffer and landscaping consisting of Cabbage Palm, Sabal Palm and Live Oak trees, to provide the project with sound attenuation and privacy. The parking areas located parallel to the 2<sup>nd</sup> Avenue N. rights of ways are screened by a landscape buffer, which will be ten (10) feet in width. Also, there will be an on-site retention pond along 2<sup>nd</sup> Avenue North located behind the landscaped buffer and in front of the parking area, just west of building C. Along the east side of the property, the site will be buffered by a 15 foot wide access and utility easement and a ten (10) foot wide landscaped area consisting of South Florida Slash Pine, and assorted ground cover. Also, there will be an additional ten foot landscaped buffer on the west side of the 15 foot utility easement as well. The north side of the site will consist of a combination of palm trees, sod and/or mulch, Live Oak trees and ground cover for screening and buffering.

All of the perimeter buffers serve to screen the project to a certain extent and create shading along the streetscape. Three concrete block dumpster enclosures with a stucco finish to match the color scheme of the buildings have been proposed that complies with City specifications. Landscaping has been provided around the dumpster enclosures as required by the zoning code. The criterion has been met.

4. Enhancement of residential privacy.

**Staff Response:** The project is a multi-family residential development with 104 units. The surrounding use to the west consists of the lake Worth Drainage District's E-4 canal. To the east and north lies the Palm Club Apartment complex and to the south is 2<sup>nd</sup> Avenue North. The area to the east and north will be screened and buffer by a landscape treatment that should enhance residential privacy for the proposed development and the Palm Club complex. The criterion has been met.

5. Emergency access.

**Staff Response:** Emergency access to the site is provided along the 2<sup>nd</sup> Avenue North street frontage. The parking area has been designed to accommodate the turning movements of emergency vehicles if necessary. The applicant will install on-site fire hydrants as required by the Palm Beach County Fire Department. Practical means of access is available to all sides of all building. The criterion has been met.

6. Access to public ways.

**Staff Response:** Access to public rights-of-way to the project is being provided via one proposed driveway located on 2nd Avenue N. The criterion has been met.

7. Pedestrian circulation.

**Staff Response:** A new six foot wide sidewalk will be constructed along 2<sup>nd</sup> Avenue N. as part of the project. There will be pedestrian connections to 2<sup>nd</sup> Avenue N. from inside the site to the newly constructed sidewalks onto the respective right of way. The criterion has been met.

8. Design of ingress and egress drives.

**Staff Response:** The site will utilize one new driveway entrance along 2nd Avenue N. and will not conflict with driveways serving existing development in the immediate area. The criterion has been met.

9. Coordination of on-site circulation with off-site circulation.

**Staff Response:** The on-site circulation has been designed in a manner consistent with all the requirements of the municipal code. Access to the site will be via one driveway on 2nd Avenue N through a guard gate for extra security. Pinder Troutman Consulting, Inc. submitted a draft traffic impact analysis dated August 11, 2014 completed by Rebecca J. Mulcahy, P.E., and Florida registration #42570. The analysis indicated that the proposed development meets the requirements of the Traffic Performance Standards of Palm Beach County. The criterion has been met.

10. Design of on-site public right-of-way.

**Staff Response:** There are no on-site public streets or rights-of-ways associated with the project site. The criterion is not applicable

11. Off-street parking, loading and vehicular circulation areas.

**Staff Response:** The project site is subject to the development standards outlined in the City of Lake Worth’s Land development Regulations for the project. As previously outlined, the proposed parking ratio for this project is as follows:

<b>• Parking Requirements</b>				
1 Bed Room Unit:	1.5 / unit	1.5 / unit	37 units	56
2 Bed Room Unit:	2.0 / unit	2.0 / unit	64 units	128
Commercial Space	8230 Sq. Ft./300 sq. ft.			27 spaces
Total Parking Required:				211 spaces
Total Parking Proposed:	After Mixed Use Reduction of 25%	158 Req.		172 Provided
<b>• Parking Dimensions:</b>	9'-0" X 19'-0" standard space (148)	9'-0" X 18'-0" standard space		
	12'-0" X 19'-0" Accessible space (6)	12'-0" X 18'-0" Accessible space		

The criterion has been satisfied.

12. Refuse and service areas.

**Staff Response:** The applicant is proposing four separate dumpster enclosures that comply with the City requirements at the four corners of the on-site parking area. The dumpster enclosures are proposed to be screened by a variety of planting materials. The full planting palette is depicted on the proposed landscape plan. The criterion has been met.

13. Protection of property values.

**Staff Response:** The site is currently vacant. The redeveloped site is expected to serve as a catalyst for the investment in the Lake Worth Park of Commerce and the Mixed Use West areas. The redeveloped site should have a positive effect on property values in the immediate area. The criterion has been met.

14. Transitional development.

**Staff Response:** Due to the residential nature of the surrounding area, this proposed residential development will be in harmony with the uses in the vicinity.

15. Consideration of future development.

**Staff Response:** The vicinity in which the project site is located is in various stages of development, with the City Boundary having an irregular shape in the immediate area. The applicant is undertaking the redevelopment of the site that will result in a viable multi-family development. The type of compact urban development proposed by the applicant is consistent with the Future Land Use Element of the Comprehensive Plan. The redeveloped site is expected to serve as a catalyst for investment in the Lake Worth Park of Commerce and the Mixed Use – West areas. The criterion has been met.

d) Buildings, generally.

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.

**Staff Response:** The residential buildings will be design to be compatible with the existing residential uses in the MU-W zoning district. Meets criterion.

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.

**Staff Response:** Meets criterion.

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.

**Staff Response:** The building facades shall be designed to meet this criterion.

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.

**Staff Response:** The proposal shall be designed to meet this criterion.

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.

**Staff Response:** Meets criterion.

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.

**Staff Response:** None of the proposed structures are designed for advertising purposes. Meets criterion.

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.

**Staff Response:** The project as proposed meets this criterion.

8. Building surfaces, walls and roofs shall be compatible and in harmony with the neighborhood.

**Staff Response:** All building surfaces, walls and roofs are proposed to be compatible and in harmony with the surrounding vicinity. Meets criterion.

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.

**Staff Response:** No such design(s) have been proposed for this development.

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.

**Staff Response:** Meets criterion.

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.

**Staff Response:** No such design(s) have been proposed for this development. Meets criterion.

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.

**Staff Response:** Meets criterion.

13. No advertising will be allowed on any exposed amenity or facility such as benches and trash containers.

**Staff Response:** No advertising has been proposed by this applicant. Meets criterion.

14. Light spillage restriction. The applicant shall make adequate provision to ensure that light spillage onto adjacent residential properties is minimized.

**Staff Response:** The proposal has been designed to meet this criterion.

### **Site Plan Review Team**

The project was reviewed by the Site Plan Review Team on October 13, 2014 and again in January 2016.

### **Conclusion:**

The analysis has shown that the required findings can be made with respect to the Major Site Plan amendment request. The use as proposed is in harmony with the underlying zoning district and surrounding areas, subject to compliance with staff proposed conditions of approval.

### **CONSEQUENT ACTION:**

The Planning & Zoning Board's decision on the, Major Site Plan amendment will be final. The staff recommends that the Planning and Zoning Board approve the Major Site Plan amendment to construct a +/- 101 multi-family one and two bedroom rental units with amenities for veterans supportive housing and accessory administrative and commercial space. The subject site is

located at 2241, 2431 and 2559 2<sup>nd</sup> Avenue North. The site is approximately 7.26 acres in size, with two (2) existing communication towers. The site currently has a Mixed Use – West (MU-W) zoning district, with a Future Land Use designation of Mixed Use – West (MU-W).

**STAFF RECOMMENDATION:**

Staff recommends the following on the various requests:

- Staff recommends that the Planning & Zoning Board **APPROVE** the **and Major Site Plan amendment** for a the proposed 101-unit apartment complex located on a 7.26 acre site at 2241, 2431 and 2559 2<sup>nd</sup> Avenue North in the Mixed Use – West (MU-W) Zoning District subject to the recommended conditions of approval.

**POTENTIAL MOTION:**

Should the Planning & Zoning Board concur with staff’s recommendation the following motions are recommended:

“PZB PROJECT NUMBER 14-01400015:

- I MOVE TO APPROVE/DENY PZB PROJECT NUMBER 14-01400015: A **Major Site Plan amendment** for a 101-unit multi-family one and two-bedroom unit apartment complex with amenities for veteran supportive housing and accessory administrative and commercial space. The subject site is located on a 7.26 acre site at 2241, 2431 and 2559 2<sup>nd</sup> Avenue North. The site currently has a Mixed Use – West Zoning District subject to the recommended conditions of approval.

LOCATION MAP



Attachments:

- A. Conditions of Approval
- B. Elevations & Site Plans

DEPARTMENT FOR COMMUNITY SUSTAINABILITY  
PLANNING, ZONING AND HISTORIC PRESERVATION DIVISION  
CONDITIONS OF APPROVAL AND DEVELOPMENT INFORMATION FOR  
PZB CASE No. 15-01400008

**Date of Preparation:** March 29, 2016  
**P&ZB Meeting Date:** April 6, 2016  
**Applicant:** Village of Valor  
**Location:** 2431, 2441 and 2559 2<sup>nd</sup> Avenue North

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**CONDITIONS OF APPROVAL  
PZB CASE No. 15-01400008**

**Standard Conditions of Approval:**

1. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable Codes including but not limited to the Florida Building Code.
2. Unless construction has commenced pursuant to a building permit, or a time extension is granted in accordance with Code, this application shall expire one (1) year from Planning & Zoning Board Approval.
3. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.
4. This approval is for a conditional land use pursuant to Sections 23.2-29 for a Conditional Use Permit approval to allow for the construction of a +/- 101-multi-family one and two bedroom unit complex with amenities for veteran supportive housing and associated supportive administrative offices and commercial space on a +/-7.26 acre parcel, within the Mixed Use-West (MU-W) zoning district at 2431, 2441 and 2559 2<sup>nd</sup> Avenue North.
5. This use must operate in compliance with all state and local laws that govern this use.
6. In the event of a legal challenge to this approval, the applicant 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.

**Additional Conditions of Approval:**

**Planning and Zoning**

1. Prior to the issuance of a building permit, the applicant shall provide detailed drainage plan showing type of drainage system (such as French Drainage system). Also please show underground piping detail.
2. The project shall comply with all of the Mixed Use West (MU-W) requirements as written in the City's Land Development Regulations (LDRs).

**Public Services:**

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. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied under jurisdiction of the Department of Public Services.
3. Prior to the issuance of a building permit, the applicant shall contact the Lake Worth Drainage (LWDD) District's Engineering Department and obtain any required permit(s), if necessary, and furnish to the City.
4. Prior to the issuance of a building permit, the applicant shall 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, the applicant shall remove all existing concrete curb cuts (driveways to nowhere) on 2nd Ave North along the north right of way line and install a new 5-foot wide sidewalk with new Type F curb and gutter in compliance with the Public Services Department's specifications and Policy and Procedure Manual.
6. Prior to issuance of a Certificate of Occupancy, (should the construction of off-site improvements not be feasible due to timing, future City planning, etc.) the applicant shall make a contribution to the City's Construction Fund for the associated costs of those improvements to the associated right of way.
7. Prior to the issuance of a Certificate of Occupancy, should the applicant tie into the existing stormwater system on 2nd Ave North, it shall be jet cleaned thoroughly the entire limit of the property.
8. Prior to the issuance of a building permit, provide a signage and striping plan that illustrates the striping pattern necessary for vehicles entering and exiting the property. The plan shall account for traffic on 2nd Ave North turning safely onto the property and the existing pavement markings shall be re-striped with thermoplastic material by the applicant as a condition of approval, where applicable.
9. Prior to the issuance of a building permit, the Applicant shall contact and meet with a representative from the Public Services Refuse and Recycling Division to confirm dumpster enclosure location, accessibility and demand on property and that it is compatible with the requirements of the Department of Public Services. Refuse Division contact number is 561-533-7344.
10. Prior to the issuance of a certificate of occupancy, 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.

11. Prior to the issuance of a building permit, the applicant shall submit an Erosion Control plan and indicate the BMP's and NPDES compliance practices.

12. Prior to the issuance of a Certificate of Occupancy, the applicant shall fine grade and sod all disturbed areas with bahia sod.

### **Utilities – Electric**

1. Provide ten (10) foot utility easement from the transformer location to the power pole on the west side of the entrance.

2. Provide ten (10) foot minimum clearance in front of the transformer and five (5) foot for the remaining sides.

### **UTILITIES-WATER & SEWER**

The building department Engineering Submittal shall include the following:

1. Complete water, sewer and drainage plans showing proposed pipe sizes, materials, crossing and structure sizes and elevations, as well as all pertinent site elevations.

2. Show limits of right of way restoration in engineering drawings.

3. The City prefers the water distribution system to be a looped system with a tie in to the existing watermain on 2nd Avenue North.

4. Fire-flow calculations based on a recent fire-flow test.

5. Drainage Calculations, and typical sections along each property line

6. Lift Station Calculations

7. Any storm water permits from LWDD and SFWMD.

8. All applicable City of Lake Worth details.

9. Prior to building permit issuance, reserved capacity fees for water and sewer must be paid in full in accordance with the current City Ordinance.

**Building Division**

Prior to the issuance of a building permit, the applicant shall comply with all Building Division regulations of the City of Lake Worth as it relates to this development.

**Landscaping**

Revised landscape plans were not submitted. Applicant must confirm that no changes were made to the previously approved landscape plan.

Approved by:

---

Maxime Ducoste  
Assistant Director for Planning and Preservation



East  
1/16" = 1'-0"



South  
1/16" = 1'-0"



North  
1/16" = 1'-0"



West  
1/16" = 1'-0"

Village of Valor - East  
2nd Avenue, North  
Lake Worth, Florida  
Building A Apartments

ECONOMIDES ARCHITECTS, LLC  
912 COULDRIDGE ROAD  
EAST LANSING, MI 48223  
PHONE (313) 551-9120  
FAX (313) 551-4120  
www.economidesarchitects.com

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No.	Description	Date

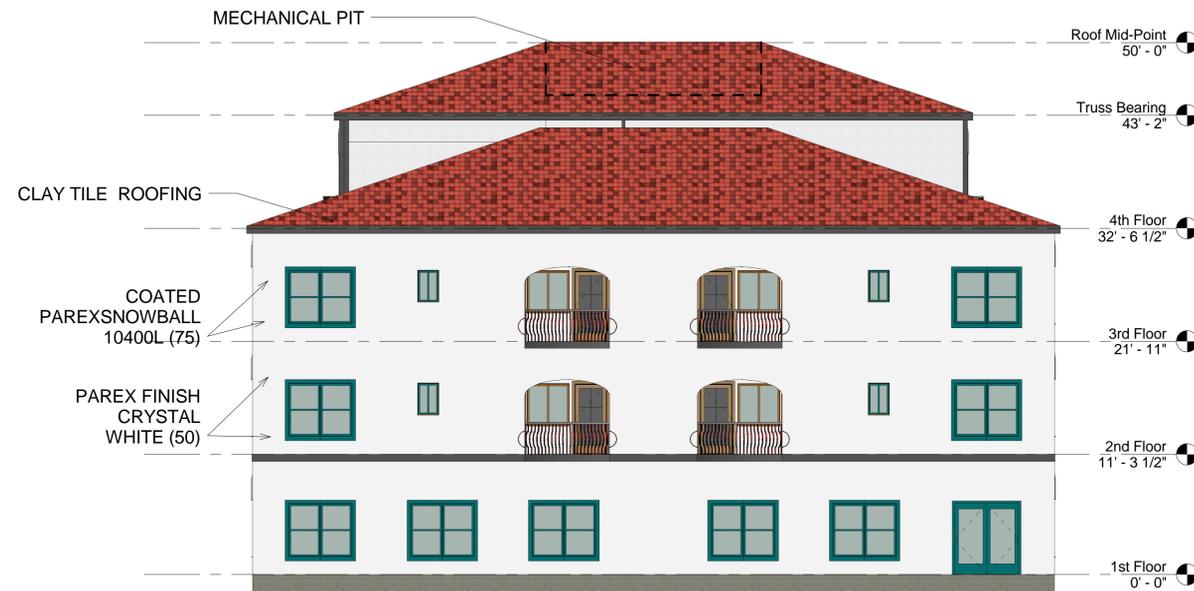


Project number 1525  
Date 10/30/2015  
**A200**





East Elevation  
1/8" = 1'-0"



North Elevation  
1/8" = 1'-0"

Village of Valor - East  
2nd Avenue, North  
Lake Worth, Florida  
Building B Apartments

ECONOMIDES ARCHITECTS, LLC  
912 COULDSIE ROAD  
EAST LANSING, MI 48823  
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No.	Description	Date



Project Number  
Date Issue Date  
**A200**

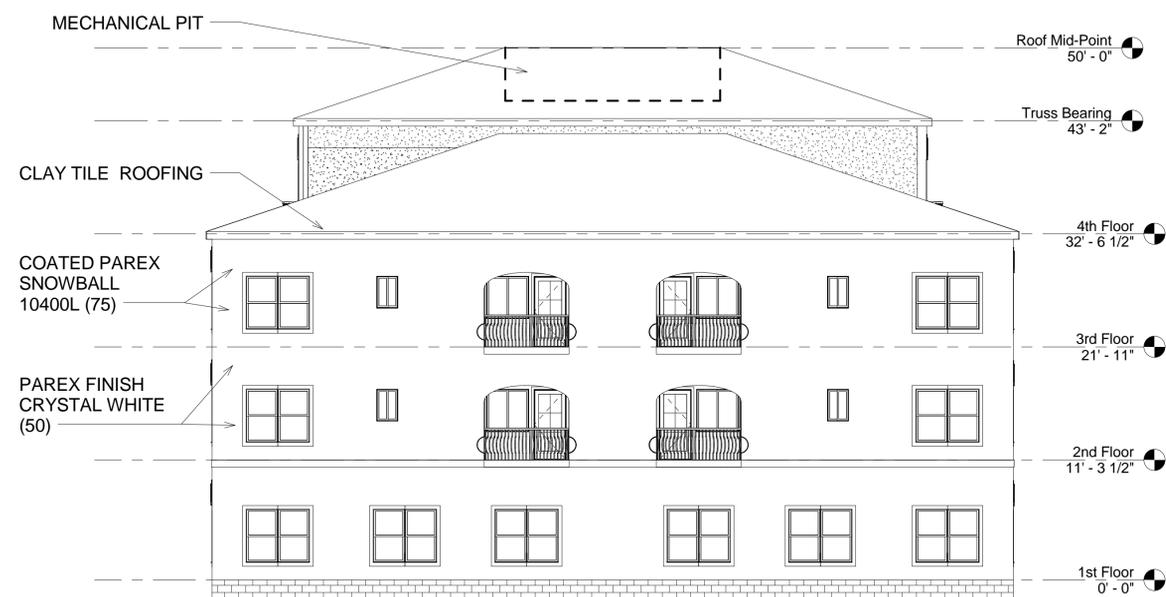








**West Elevation**  
1/8" = 1'-0"



**South Elevation**  
1/8" = 1'-0"

Village of Valor - East  
2nd Avenue, North  
Lake Worth, Florida  
Building B Apartments

**ECONOMIDES ARCHITECTS, LLC**  
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No.	Description	Date



Project **Project Number**  
Date **Issue Date**  
**A201**

# 18. SITE DATA

UNITS TOTAL / 1BR AND 2BR UNITS / FOUR STORY MIXED USE BUILDINGS	
A	EXISTING / PROPOSED ZONING DISTRICT MU-W (MIXED USE WEST) / MU-W
B	EXISTING / PROPOSED FUTURE LAND USE DESIGNATION MU-W / MU-W
C	REQ'D / PERMITTED AND PROPOSED LOT AREA 13,000SF / 316,199SF - 7.26 AC
D	REQ'D / PERMITTED AND PROPOSED LOT WIDTH 100FT / 644FT
E	REQ'D / PERMITTED AND PROPOSED BUILDING HEIGHT (PRIMARY STRUCTURE) 30FT PLUS 15FT WITH SUST. BONUS / 45'
F	REQ'D / PERMITTED AND PROPOSED BUILDING HEIGHT (ACCESSORY STRUCTURE) 25FT / 18FT
G	REQ'D / PERMITTED AND PROPOSED BUILDING SETBACKS FRONT (SOUTH) STREET 28FT MIN WITH SUST. BONUS / 28FT
	REQ'D / PERMITTED AND PROPOSED BUILDING SETBACKS REAR (NORTH) 15FT MIN / 74FT
	REQ'D / PERMITTED AND PROPOSED BUILDING SETBACKS SIDE (EAST) 20FT MIN / 80FT
	REQ'D / PERMITTED AND PROPOSED BUILDING SETBACKS SIDE (WEST) 20FT MIN / 33FT
H	REQ'D / PERMITTED AND PROPOSED RESIDENTIAL DENSITY (IF APPLICABLE) 30 UNITS PER AC / 104 UNITS / 7.26 AC = 14.3 / AC
I	REQ'D / PERMITTED AND PROPOSED LIVING AREA (PRIMARY STRUCTURE - IF APPLICABLE) 616SF 1BR / 834 & 845SF 2BR
J	REQ'D / PERMITTED AND PROPOSED LIVING AREA (ACCESSORY STRUCTURE - IF APPLICABLE) 40% OF PRINCIPLE STRUCTURE / 36,417: 1730 = 4.7%
K	REQ'D / PERMITTED AND PROPOSED IMPERMEABLE SURFACE 65% / 146,266 / 316,420 = .462 - 46%
L	REQ'D / PERMITTED AND PROPOSED LOT COVERAGE FOR BUILDINGS 50% / 36,417 / 316,420 = .115 - 11.5%
M	REQ'D / PERMITTED AND PROPOSED WALL HEIGHT AT SIDE SETBACK 45FT / 45FT
N	REQ'D / PERMITTED AND PROPOSED FLOOR AREA RATIO 2.3 WITH SB / 134,949 / 316,420 = .426

# PARKING TABULATIONS

37 1BR UNITS @ 1.5 SPACES PER UNIT AND 64 2BR UNITS @ 2 SPACES PER UNIT = 183.5 SPACES	
5,399SF KIT + 640SF OFFICE = 6,039SF OF COMMERCIAL SPCE / 300 = 23.10 SPACES	
TOTAL SPACES REQUIRED IS 207. AFTER MIXED USE REDUCTION OF 25% THE REQUIRED SPACES ARE 155 SPACES	
SPACES 9'X19' (REQUESTING 9' WIDE SPACE IN EXCHANGE FOR MORE GREEN SPACE AND AMENITIES ON SITE)	166
ACCESSIBLE SPACES 10'X19' W/ 5' AISLE - 4 SPACES HAVE 8' WIDE ACCESS AISLE FOR VAN ACCESS	6
TOTAL SPACES REQUIRED / PROVIDED	155/172

# BUILDING LEGEND

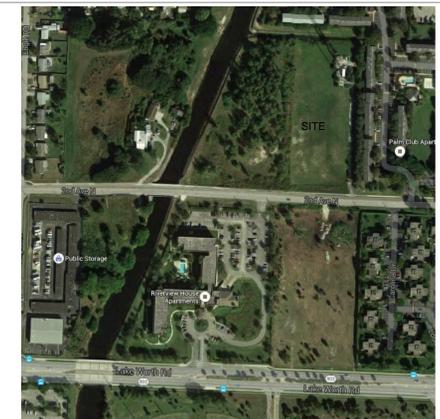
- A. MIXED USE BUILDING - 22,149SF FOOTPRINT - 84,711SF TOTAL BLDG. - 47 2BR UNITS, 25 1BR UNITS
- B. MIXED USE BUILDING - 10,574SF FOOTPRINT - 38,290SF TOTAL BLDG. - 17 2BR UNITS, 12 1BR UNITS
- C. GUARD HOUSE - 330SF FLOOR AREA - ROOF STRUCTURE WITH 13'-6" IN HEIGHT CLEARANCE MINIMUM
- D. PAVILLION - 1,000SF FLOOR AREA
- E. MAINTENANCE BUILDING - 400SF FLOOR AREA

# KEYNOTES

1. MONUMENT / PUBLIC ART
2. EXERCISE PATH
3. PLAYGROUND / BBO AREA
4. RETENTION LAKE
5. POOL
6. DOG WALK PARK
7. PAVING
8. PLAYCOURTS
9. DUMPSTER ENCLOSURE
10. PICNIC PAVILION
11. DOCK
12. COMMUNITY GARDEN
13. EXERCISE EQUIPMENT AREA
14. MONUMENT SIGN
15. ADA ACCESSIBLE ROUTE / SIDEWALK

\*ALL PUBLIC SPACES SHALL COMPLY WITH 2010 FL ACCESSIBILITY CODE.  
 \*ALL UNITS SHALL COMPLY FAIR HOUSING GUIDELINES AND HUD REQUIREMENTS FOR ADAPTABILITY.

# VICINITY MAP



# DESCRIPTION

TRACT 96:  
 THE WEST TWO (W2) ACRES OF TRACT 96, MODEL LAND CO. SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 5, PAGE 79

AND

TRACT 97:

THE EAST 117.68 FEET OF LOT 97, LESS THE SOUTH 25 FEET FOR ROAD RIGHT-OF-WAY, MODEL LAND CO. SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 5, PAGE 79

AND

A PORTION OF LOT 97, IN SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT A POINT WHERE THE NORTH LINE OF LAKE WORTH ROAD INTERSECTS WITH THE EAST LINE OF THE RIGHT-OF-WAY OF THE FIRST LATERAL CANAL WEST OF THE TOWN OF LAKE WORTH, RUNNING EAST A DISTANCE OF 397.03 FEET;

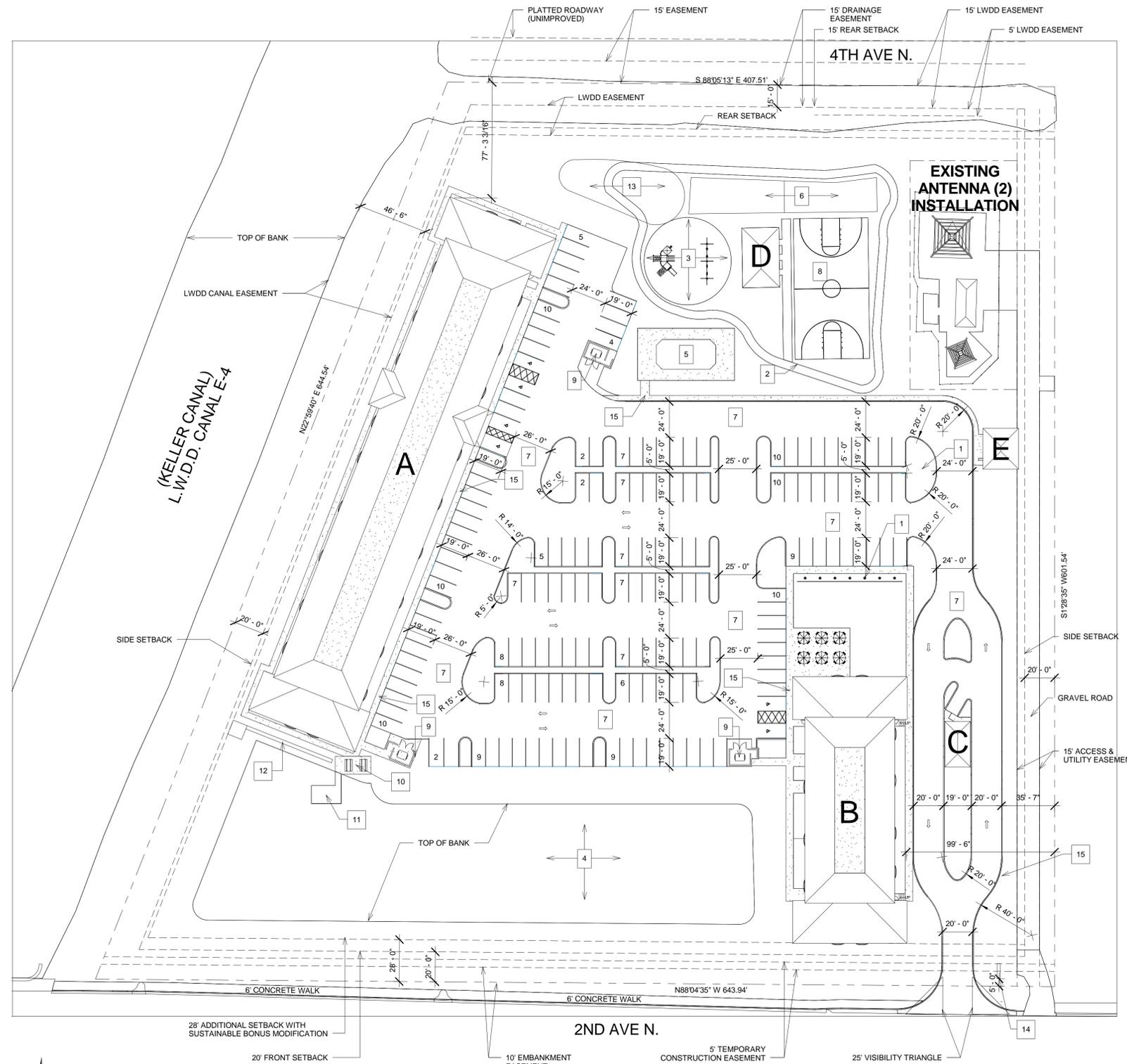
THENCE NORTH PARALLEL WITH THE EAST LINE OF LOT 97 OF THE SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, A DISTANCE OF 625 FEET TO THE NORTH LINE OF LOT 97;

THENCE WEST TO A POINT WHERE SAID NORTH LINE INTERSECTS THE EAST LINE OF THE RIGHT-OF-WAY OF SAID FIRST LATERAL CANAL;

THENCE SOUTHWESTERLY FOLLOWING THE RIGHT-OF-WAY OF SAID FIRST LATERAL CANAL TO THE POINT OF BEGINNING;

LESS AND EXCEPT THE SOUTH 25 FEET, SHOWN AS PARCEL NO. 3 IN THE ORDER OF TAKING BY PALM BEACH COUNTY, RECORDED IN OFFICIAL RECORD BOOK 12663, PAGE 1606, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND

LESS AND EXCEPT THE 15 FOOT EASEMENT DESCRIBED IN EASEMENT DEED RECORDED IN OFFICIAL RECORD BOOK 7855, PAGE 1317



**SITE PLAN**  
 1" = 40'-0"

VILLAGE OF VALOR - EAST  
 2ND AVE NORTH  
 LAKE WORTH, FL  
 BUILDINGS A & B

ECONOMIDES ARCHITECTS, LLC  
 912 COULDRIDGE ROAD  
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No.	Description	Date

Project number: \_\_\_\_\_  
 Date: \_\_\_\_\_ Issue Date: \_\_\_\_\_  
**C100**

**City of Lake Worth**  
**Department for Community Sustainability**  
**Planning, Zoning and Historic Preservation Division**  
 1900 Second Avenue North- Lake Worth, Florida 33460 - Phone: 561-586-1687

DATE: March 24, 2016

TO: Members of the Planning & Zoning Board

FROM: Curt Thompson, Senior Community Planner  
 Maxime Ducoste, Assistant Director for Planning and Preservation

SUBJECT: **PZB Project Number 16-00500004**: Consideration of a Conditional Land Use application from Acceleration Academies to operate an alternative option for students that have already dropped out of the traditional classroom in Palm Beach County. The proposed use will occur within the existing commercial/office building located at the 811 Lucerne Avenue, (PCN# 38-43-44-21-15-507-0030) within the Downtown (DT) district.

Meeting Date: April 6, 2016

**SYNOPSIS:**

<b>Applicant</b>	ACCELERATION ACADEMIES (KIM LUNDY, AGENT)	
<b>General location</b>	811 Lucerne Avenue	
<b>Zoning</b>	DT; Downtown	
<b>Existing land use</b>	Commercial/Office	
<b>Future land use designation</b>	Downtown Mixed Use (DMU)	
<b>Applicable Municipal Code Sections</b>	23.2-29, 23.3-6	
<b>Board action required</b>	Approve, Approve With Conditions, Deny the Request, Continue the request for additional information	
<b>Staff Recommendation</b>	Staff recommends approval of the Conditional Land Use subject to the attached conditions of approval	
	<b>Name and Title</b>	<b>Initials</b>
<b>Project planner</b>	Curt Thompson, Senior Community Planner	CT
<b>Approved by</b>	Maxime Ducoste, Planning and Preservation Manager	MD

**PROPOSAL:**

Acceleration Academies cater to students (age range is 16 to 21) who have left the traditional system. The applicant uses Chromebooks throughout the academy, televisions lining the walls, a break area for students and students are given a tablet after completing their first course to continue work at their home. Additionally, the applicant will provide home internet if a student does not currently have access to Wi-Fi.

The ideal location for the applicant includes a large, open space that would be used as a classroom of sort, and multiple bathrooms.

Acceleration Academies performs its work as an agent of each district it serves. This means:

- All students it educates are enrolled as District students.
- FTE proceeds attributable to each student are paid directly to the District.
- Graduation from the program directly increases the District's graduation rate.

Acceleration Academies is a fully accredited, comprehensive program of dropout recruitment, engagement and instruction provided by state licensed teachers. Further highlights include:

**1. Flexible scheduling**

Acceleration Academies are open 12 hours daily with licensed staff specifically trained in serving students who had abandoned education before graduation. Because dropouts often have job, transportation and/or child care issues, our students ("Graduation Candidates") are provided flexible scheduling options to make their return to academic rigor less onerous.

**2. Blended delivery**

Graduation Candidates who have failed or opted-out of traditional "sit and get" classroom instruction express high satisfaction with their blended and technologically-enhanced educational options; empowered, they attain mastery of content at a pace best suited to their needs—consistent with Christensen Institute research and Marzano Research Laboratory recommendations.

**3. Benefits for graduation candidates, families, the school district and community**

Each state now compels school district accountability plans to specifically address graduation rate data; by recruiting and educating the district's former dropouts, Acceleration Academies substantively impacts the district's ultimate graduation rate each year. More importantly, the benefits are even greater when it comes to community and social justice outcomes. Increased graduation rates have—to a statistically significant degree—resulted in:

- Higher lifetime incomes (more than \$500,000 over non-graduates);
- Lower rates of incarceration
- Lower rates of recidivism.
- Lower rates of unemployment.

**4. Highly engaging instructional practices**

The applicant's research confirms the pivotal role of student engagement in the process of mastering content—particularly when working with individuals who have already rejected education. Their teams focus on data-rich tactics, strategies and interventions for high-need learners, and tailor instruction to meet those needs most effectively.

**5. Wrap Around Supports and Case Management**

Factors causing an individual to drop out are multiple, complex and frequently intricate. The

applicant realizes that. Behavioral, social-emotional, career planning and health need interventions are consequently coordinated to provide meaningful services—services that address both the academic and the non-academic barriers to graduation. Each Acceleration Academy retains separate Career Coach and Life Coach staff to develop—with each Graduation Candidate— career plans and life plans.

#### **6. Proof of concept and continuous improvement**

Continuous improvement requires ongoing analysis of what is effective and not effective—particularly in the work of engaging students and building academic mastery. Acceleration Academies maintains an intense focus on individual progress and demonstrable growth. All of our systems and protocols are tested and regularly reevaluated to maximize their effectiveness.

#### **7. State of the art technology**

State of the art technologies—including learning and content management systems—are necessary for blended learning models. Acceleration Academies relies in part on a Christensen framework for categorizing blended learning. Further, substantial help-desk support and connectivity are consistently maintained to ensure student frustration or other technological barriers are minimized.

#### **8. Project and competency based learning**

To ensure that Graduation Candidates connect their learning to their actual career and college readiness aspirations, project-based learning and competency-based learning form the core of Acceleration Academies' approach to instruction. Acceleration Academies' design is based upon the following five principles:

- **Graduation Candidates advance upon demonstrated mastery.** Graduation Candidates achieve growth through mastery—not seat time or semester completion. Instruction is gauged to challenge the individual on the basis of his or her current levels of comprehension. Mastery is determined by his or her performance, which is being constantly assessed.
- **Explicit and measurable objectives, along with choice, empower Graduation Candidates.** Our courses are organized into measurable learning objectives shared with and agreed upon by each Graduation Candidate. Graduation Candidates acknowledge personal responsibility for their learning—a commitment proven to reinforce engagement and motivation. The relationship between the Graduation Candidates and Acceleration Academies' instructors is fundamentally different from their prior educational experiences: the unit of learning becomes modular, and learning expands beyond the classroom. As Graduation Candidates achieve content mastery in one area, their program design options increase.
- **Assessment is meaningful and a positive learning experience that informs next step and mid-course corrections.** Formative assessments are aligned with learning objectives. Graduation Candidates receive immediate feedback upon each assessment—this immediacy has been found to encourage a focus on specific components of difficult concepts and skills until mastery. Assessments deploy material with which the individual is familiar. Acceleration

Academies' instructors rely on assessment data to instantly guide instructional decisions.

- **Students receive rapid, real-time, differentiated support.** The applicant recognizes that rapid response capacity is crucial to our support of Graduation Candidates—particularly when they are stuck or begin to disengage. In addition, they assess and focus on each individual's learning styles and the context in which they are interpreting information. Acceleration Academies do this to ensure that interventions are most effective for individual.

- **Learning outcomes emphasize application and knowledge-creation.** Competencies and learning objectives in our model are designed to empower our Graduation Candidates to demonstrate mastery through direct application of skills and knowledge. The Acceleration Academies assessment rubrics are explicit in what Graduation Candidates must be able to know and do to progress to the next level of study.

In addition to academic content, lifelong learning skills—designed around Graduation Candidates' needs, life experiences, and the skills needed for them to be college and career ready—are emphasized.

#### **9. Transcript and learning style review; individual Graduation Candidate plans**

Each Graduation Candidate develops—without team—a customized learning path based on his or her specific academic needs. Where credit recovery is necessary, a learning pathway includes both remediation and rigorous focus on mastery. Acceleration Academies embeds remediation within each content area to ensure lapses and deficiencies are seamlessly—and discretely—addressed

#### **10. Personalized learning through customized pathways**

The core of Acceleration Academies' approach to this work is the highly individualized, wholly customized learning plan we develop with each student. A plan that focuses on each individual's needs and interests—and his or her career or college goal. Essentially, when a Graduation Candidate enters their program, they probe and principally listen to his or her disclosures about expectations and aspirations. On the basis of those disclosures, we begin to plan—with the Graduation Candidate—a pathway towards goal achievement.

#### **11. Career and college ready supports and Case Management**

Graduation Candidates engage in career and life planning sessions to develop a 10-year career plan that aligns and considers career interests, opportunities, inventories, and supply/demand, training and median salaries. Further, Graduation Candidates develop a digital portfolio of their work and credentials for later employment purposes. (Acceleration Academies has partnered with Naviance for its College and Career Solutions Platform to achieve this component.)

#### **12. Formative and summative assessments**

All required assessments—formative and otherwise (e.g., NWEA)—are deployed to measure Graduation Candidates growth and achievement under state standards. Acceleration Academies uses multiple measures to ascertain a Graduation Candidate's strengths and needs in each

academic category. These measures enable our team to develop immediate instructional modifications to target specific needs.

### 13. Recruitment

Acceleration Academies has over time developed a profoundly comprehensive program for recruiting individuals who have abandoned education before graduation. With the assistance of faith based, social service and juvenile justice systems, they reach dropouts the only way they can be reached: individually, one at a time. To do this, they deploy:

- Geo-mapping, beginning with all disengaged students' last known addresses and then using grassroots street teams to re-engage and re-enroll students. Further, Acceleration Academies relies on multiple media outlets (e.g., print, internet, radio) to "get the word out"—not just to future Graduation Candidates, but also to their parents, grandparents, friends, pastors and anyone who possibly may influence their lives.
- To gain the support of local groups and organizations that may be critical to their recruiting efforts, the applicant's teams also:
  - Attend local church events, activities, and ministerial alliance meetings
  - Partner with other local entities, such as the Department of Social Services, Department of Juvenile Justice, Housing Authority, unemployment service, Boys and Girls Clubs, social service agencies and many other local organizations.
  - Develop a robust social media campaign to recruit students.
  - Probably most importantly, rely on a ground team of individuals who literally track down and knock on the doors of identified drop-outs to explain this work to the individual—and to those the individual lives with who may have influence over his or her life.

The City's Land Development Regulations ("LDRs") authorize the Planning & Zoning Board to grant a Conditional Use Permit subject to making two sets of findings detailed in Section 23.2-29(c) and (d). These include general and specific findings intended to ensure harmony of the proposed use both with the land development regulations as a whole as well as the surrounding existing uses.

The following analyzes the Applicant's request for a Conditional Land Use to establish an alternative option for students that have already dropped out of the traditional classroom in Palm Beach County, with a discussion about Property conditions and existing uses; operational characteristics of the proposed use; consistency of the proposed use with the comprehensive plan; and a narrative with respect to each of the required findings for a conditional land use.

### **ANALYSIS:**

#### **Background:**

811 Lucerne Avenue is located within the Downtown (DT) zoning district. According to the Palm Beach County Property Appraiser's records, the approximately +/- 3,500 sq. ft. (35 ft. x 100.0 ft.) lot has a 2,765 square foot building on it. That building was constructed in 1971.

### **Operational Characteristics:**

The applicant has provided details concerning the operational characteristics of the business, as follows:

- Hours of operation: Monday through Friday 8:00 am to 6:00 pm and by appointment as requested.
- There will be no outdoor storage.

### **Public Support/Opposition:**

Staff has received no letters of support or letters of objection concerning the subject request.

### **Consistency with the Comprehensive Plan:**

It is the opinion of Staff that the applicant's proposed use is consistent with the following components of the Comprehensive Plan:

#### **1.1.3.6 Downtown Mixed Use**

The Downtown Mixed Use land use category is intended to provide for the establishment and expansion of a broad range of office, retail and commercial uses, including higher intensity commercial within the traditional downtown core of the City. Diversity of retail uses is encouraged; however, certain commercial uses are not permitted in the Downtown Mixed Use category because they would be detrimental to the shopping or office functions of the area. All ground floor uses within the Downtown Mixed Use area shall be habitable. The implementing zoning districts are DT, MU-E, MF-20 and MF-30.

#### **1.2.2.6 Locational Strategy for the Downtown Mixed Use Category:**

The Downtown Mixed Use land use category is intended for mapping of areas considered to be the traditional downtown core. The area is primarily bounded on the north by 2nd Avenue North, the east by Golfview Road, the south by 1st Avenue South, and the west by H Street. This concentrated downtown core demonstrates a reasonably good potential for intensive use by office and retail establishments and shall provide for the vertical or horizontal mixing of land uses within a single site in order to allow development and redevelopment in specific geographic areas of the City that take maximum advantage of existing utility systems and services; and promotes compact development, safe and pedestrian-friendly streets, and provides transportation choices.

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

1. The conditional use exactly as presented 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 Response:** The subject site is an ideal location in which to locate an educational services organization with a private 50 car parking lot across the street and nearby bus transportation. The site is located walking distance to downtown restaurants and cultural venues in the City of Lake Worth which promotes educational opportunities. The proposed use shall be harmonious and compatible with the office and retail businesses which surround it. It is two doors down from another educational facility specializing in dance. The proposed location therefore shall be in compliance with all applicable Land Development and meets the intent of the City's Comprehensive Plan and Future Land Use Element.

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 Response:** As outlined above, the proposed Conditional Use is compatible with the surrounding area, which already contains a mix of office, retail, residential and educational / cultural facilities. The proposed use is in harmony with the surrounding area. The location at this site will further enhance the area by continuing to promote educational opportunities and by bringing teachers and students to the area. The program in place at the location is deliberately limited to no more than 15-20 students and approximately 5 professional staff. The students are carefully monitored and a break or smoke break area is provided for an existing porch area at the rear of the Building.

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 Response:** The Conditional Use request to allow an educational use at this location will not negatively impact the public benefit of cause harm and is an ideal location in which to allow this use. The area surrounding the subject site already has a dance school and new housing encouraging the mixed –use future for the Downtown corridor. This use and subsequent development along Lucerne Avenue are compatible with the existing and future development in the surrounding area.

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 Response:** The Conditional Use request to allow an Educational Use at the location will not result in a more intensive development in advance of the Future Land Use Element of the City's Comprehensive Plan. The scope of the educational program at the site is strictly limited in size and the development will re-use the existing structure on the site and enhance the area and further the objectives of the City.

**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 Response:** The subject site is fully developed and the prior use involved a similar number of people when the building was used as office. The scope of the educational program is limited to 15-20 students and approximately 5 professionals. Many of the participants in the program will use public transportation. There is adequate parking for those who drive. This scope would not constitute a basis for the performance of a new traffic analysis.

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 Response:** The subject location is fully developed and prior use involved a similar number of people. Given the limited scope of the program, the location at the site will not create traffic on local streets at a significant level or create traffic on a local street greater than would result from a development permitted by right. A Collector and arterial street would not be affected.

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

**Staff Response:** The Conditional use as an educational facility of limited scope will not produce air pollution or emission.

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 Response:** The subject site is in close proximity to major thoroughfare systems near the corner of Dixie Hwy and Lucerne Ave. The location and parking lot is currently accessible from Lucerne Ave. The granting of this conditional use will not result in a requirement to extend or enlarge or alter the thoroughfare system, or result in the incursion of public cost as compared with a development permitted by right.

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 Response:** The applicant is proposing to utilize an existing building, existing infrastructure, and due to the limited scope of the education facility, no adverse impact to infrastructure or public utilities will occur as a result of granting this conditional use.

6. The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.

**Staff Response:** The granting of this conditional use shall not place a demand on municipal police or fire protection services beyond capacity. The location at this site is consistent with the development pattern of the area and will not have any adverse impact.

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 Response:** The granting of this conditional use application will not result in the creation of undesirable noise.

8. The proposed conditional use will not generate light or glare which encroaches onto any residential property in excess of that allowed in Section 23.4-10, Exterior lighting.

**Staff Response:** The proposed use does not involve any exterior, high intensity lighting, and will not create undesirable lighting impact on surrounding properties

**Conclusion:**

The analysis has shown that the required findings can be made with respect to the Conditional Land Use request. The Property has historically been utilized as a commercial/office property, and the use as proposed shall be in harmony with the underlying zoning district and surrounding operating businesses.

**CONSEQUENT ACTION:**

The Planning and Zoning Board's decision will be final for the Conditional Land Use request. The Applicant may appeal the Board's decision on the Conditional Land Use request to the City Commission.

**STAFF RECOMMENDATION:**

Based on the findings outlined in the analysis, staff recommends that the Planning and Zoning Board approve the Conditional Land Use request to allow the applicant to operate an alternative educational

option for students that have already dropped out of the traditional classroom in Palm Beach County. The proposed use will occur within the existing commercial/office building located at the 811 Lucerne Avenue, (PCN# 38-43-44-21-15-507-0030) within the Downtown (DT) district subject to the proposed Conditions of Approval.

**POTENTIAL MOTION:**

"I MOVE TO APPROVE/DENY/CONTINUE P&ZB Project No. 16-00500004: A request for a Conditional Land Use to establish an alternative educational option for students that have dropped out of the traditional classroom in Palm Beach County at 811 Lucerne Avenue in the Downtown (DT) zoning district subject to the staff recommended Conditions of Approval."

### LOCATION MAP



Attachments:

- A. Conditions of Approval
- B. Project Description
- C. Conditional Use Statement
- D. Floor Plans
- E. Photos

**DEPARTMENT FOR COMMUNITY SUSTAINABILITY  
PLANNING, ZONING AND HISTORIC PRESERVATION DIVISION  
CONDITIONS OF APPROVAL AND DEVELOPMENT INFORMATION FOR  
PZB CASE No. 16-00500004**

**Date of Preparation:** March 29, 2016  
**P&ZB Meeting Date:** April 6, 2016  
**Applicant:** Acceleration Academies  
**Location:** 811 Lucerne Avenue

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**CONDITIONS OF APPROVAL  
PZB CASE No. 16-00500004**

**Standard Conditions of Approval:**

1. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable Codes including but not limited to the Florida Building Code.
2. Unless construction has commenced pursuant to a building permit, or a time extension is granted in accordance with Code, this application shall expire one (1) year from Planning & Zoning Board Approval.
3. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.
4. This approval is for a conditional land use pursuant to Sections 23.2-29 for a Conditional Use Permit approval to establish an alternative school option for students that have already dropped out of the traditional classroom in Palm Beach County, within the Downtown (DT) zoning district at 811 Lucerne Avenue. This use must operate in compliance with all state and local laws that govern this use.
5. In the event of a legal challenge to this approval, the applicant 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.

**Additional Conditions of Approval:**

1. No outdoor storage shall be permitted on the property without the request and approval of a separate conditional land use application.
2. All signage shall comply with the requirements of Section 23.5-1 Signs, and shall require approval of a building permit application before installation.
3. All fully operated school activities shall occur within the site's property lines and within the existing structure.

Public Services:

4. Coordinate with the Public Services Department to provide an approved designated location for waste receptacle(s), if necessary. The Public Service Department can be reached at 561-533-7334 or 561-586-1720.

Approved by:

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Maxime Ducoste  
Assistant Director for Planning and Preservation



# ACCELERATION ACADEMIES

Expect Your Success

## PROJECT DESCRIPTION OF WORK

Acceleration Academies performs its work as an agent of each district it serves. This means:

- All students it educates are enrolled as *District* students.
- FTE proceeds attributable to each student are paid directly to the District.
- Graduation from our program directly increases the District's graduation rate.

Acceleration Academies is a fully accredited, comprehensive program of dropout recruitment, engagement and instruction provided by state licensed teachers. Further highlights include:

### 1. Flexible scheduling

Acceleration Academies are open 12 hours daily with licensed staff specifically trained in serving students who had abandoned education before graduation. Because dropouts often have job, transportation and/or child care issues, our students (“Graduation Candidates”) are provided flexible scheduling options to make their return to academic rigor less onerous.

### 2. Blended delivery

Graduation Candidates who have failed or opted-out of traditional “sit and get” classroom instruction express high satisfaction with our blended and technologically-enhanced educational options; empowered, they attain mastery of content at a pace best suited to their needs—consistent with Christensen Institute research and Marzano Research Laboratory recommendations.

### 3. Benefits for graduation candidates, families, the school district and community

Each state now compels school district accountability plans to specifically address graduation rate data; by recruiting and educating the district's former dropouts, Acceleration Academies substantively impacts the district's ultimate graduation rate each year. More importantly, the benefits are even greater when it comes to community and social justice outcomes. Increased graduation rates have—to a statistically significant degree—resulted in:

- Higher lifetime incomes (more than \$500,000 over non-graduates);

- Lower rates of incarceration
- Lower rates of recidivism.
- Lower rates of unemployment.

#### **4. Highly engaging instructional practices**

Our research confirms the pivotal role of student engagement in the process of mastering content—particularly when working with individuals who have already rejected education. Our teams focus on data-rich tactics, strategies and interventions for high-need learners, and tailor instruction to meet those needs most effectively.

#### **5. Wrap Around Supports and Case Management**

Factors causing an individual to drop out are multiple, complex and frequently intricate. We realize that. Behavioral, social-emotional, career planning and health need interventions are consequently coordinated to provide meaningful services—services that address both the academic and the non-academic barriers to graduation. Each Acceleration Academy retains separate Career Coach and Life Coach staff to develop—with each Graduation Candidate—career plans and life plans.

#### **6. Proof of concept and continuous improvement**

Continuous improvement requires ongoing analysis of what is effective and not effective—particularly in the work of engaging students and building academic mastery. Acceleration Academies maintains an intense focus on individual progress and demonstrable growth. All of our systems and protocols are tested and regularly reevaluated to maximize their effectiveness.

#### **7. State of the art technology**

State of the art technologies—including learning and content management systems—are necessary for blended learning models. Acceleration Academies relies in part on a Christensen framework for categorizing blended learning. Further, substantial help-desk support and connectivity are consistently maintained to ensure student frustration or other technological barriers are minimized.

#### **8. Project and competency based learning**

To ensure that Graduation Candidates connect their learning to their actual career and college readiness aspirations, project-based learning and competency-based learning form the core of Acceleration Academies' approach to instruction. *Acceleration Academies'* design is based upon the following five principles:

- ***Graduation Candidates advance upon demonstrated mastery.*** Graduation Candidates achieve growth through mastery—not seat time or semester completion. Instruction is gauged to challenge the individual on the basis of his or her current levels of comprehension. Mastery is determined by his or her performance, which is being constantly assessed.
- ***Explicit and measurable objectives, along with choice, empower Graduation Candidates.*** Our courses are organized into measurable learning objectives shared with and agreed upon by each Graduation Candidate. Graduation Candidates acknowledge personal responsibility for their learning—a commitment proven to reinforce engagement and motivation. The relationship between the Graduation Candidates and *Acceleration Academies'* instructors is fundamentally different from their prior educational experiences: the unit of learning becomes modular, and learning expands beyond the classroom. As Graduation Candidates achieve content mastery in one area, their program design options increase.
- ***Assessment is meaningful and a positive learning experience that informs next step and mid course corrections.*** Formative assessments are aligned with learning objectives. Graduation Candidates receive immediate feedback upon each assessment—this immediacy has been found to encourage a focus on specific components of difficult concepts and skills until mastery. Assessments deploy material with which the individual is familiar. *Acceleration Academies'* instructors rely on assessment data to instantly guide instructional decisions.
- ***Students receive rapid, real-time, differentiated support.*** We recognize that rapid response capacity is crucial to our support of Graduation Candidates—particularly when they are stuck or begin to disengage. In addition, we assess and focus on each individual's learning styles and the context in which they are interpreting information. We do this to ensure that interventions are most effective for individual.
- ***Learning outcomes emphasize application and knowledge-creation.*** Competencies and learning objectives in our model are designed to empower our Graduation Candidates to demonstrate mastery through direct application of skills and knowledge. Our assessment rubrics are explicit in what Graduation Candidates must be able to know and do to progress to the next level of study.

In addition to academic content, lifelong learning skills—designed around Graduation Candidates' needs, life experiences, and the skills needed for them to be college and career ready—are profoundly emphasized.

## **9. Transcript and learning style review; individual Graduation Candidate plans**

Each Graduation Candidate develops—with out team—a customized learning path based on his or her specific academic needs. Where credit recovery is necessary, a learning pathway includes both remediation and rigorous focus on mastery. *Acceleration Academies* embeds remediation within each content area to ensure lapses and deficiencies are seamlessly—and discretely—addressed

## **10. Personalized learning through customized pathways**

The core of Acceleration Academies' approach to this work is the highly individualized, wholly customized learning plan we develop with each student. A plan that focuses on each individual's needs and interests—and his or her career or college goal. Essentially, when a Graduation Candidate enters our program, we probe and principally listen to his or her disclosures about expectations and aspirations. On the basis of those disclosures, we begin to plan—with the Graduation Candidate—a pathway towards goal achievement.

## **11. Career and college ready supports and Case Management**

Graduation Candidates engage in career and life planning sessions to develop a 10-year career plan that aligns and considers career interests, opportunities, inventories, supply/demand, training and median salaries. Further, Graduation Candidates develop a digital portfolio of their work and credentials for later employment purposes. (Acceleration Academies has partnered with Naviance for its College and Career Solutions Platform to achieve this component.)

## **12. Formative and summative assessments**

All required assessments—formative and otherwise (e.g., NWEA)—are deployed to measure Graduation Candidates growth and achievement under state standards. *Acceleration Academies* uses multiple measures to ascertain a Graduation Candidate's strengths and needs in each academic category. These measures enable our team to develop immediate instructional modifications to target specific needs.

## **13. Recruitment**

Acceleration Academies has over time developed a profoundly comprehensive program for recruiting individuals who have abandoned education before graduation. With the assistance of faith based, social service and juvenile justice systems, we reach dropouts the only way they can be reached: individually, one at a time. To do this, we deploy:

- Geo-mapping, beginning with all disengaged students' last known addresses and then using grass roots street teams to re-engage and re-enroll students. Further, *Acceleration Academies* relies on multiple media outlets (e.g., print, internet, radio) to “get the word out”—not just to future Graduation Candidates, but also to their parents, grandparents, friends, pastors and anyone who possibly may influence their lives.

- To gain the support of local groups and organizations that may be critical to our recruiting efforts, our teams also:
  - Attend local church events, activities, and ministerial alliance meetings
  - Partner with other local entities, such as the Department of Social Services, Department of Juvenile Justice, Housing Authority, unemployment service, Boys and Girls Clubs, social service agencies and many other local organizations.
  - Develop a robust social media campaign to recruit students.
  - Probably most importantly, rely on a ground team of individuals who literally track down and knock on the doors of identified drop-outs to explain this work to the individual—and to those the individual lives with who may have influence over his or her life.

**Joseph Wise**  
**Chief Executive Officer**  
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**Mark Graves**  
**Chief Operating Officer**  
[mgraves@accelerationacademy.org](mailto:mgraves@accelerationacademy.org)  
312.919.8445

## **ACCELERATION ACADEMIES CONDITIONAL USE STANDARDS:**

A Conditional Use to allow an educational organization under contract with the School Board of Palm Beach County as an Educational Services use.

Section 23.2-29(d): General findings relating to harmony with 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.**

The subject site is an ideal location in which to locate an educational services organization with a private 50 car parking lot across the street and nearby bus transportation. The site is located walking distance to downtown restaurants and cultural venues in the City of Lake Worth which promotes educational opportunities. The proposed use is harmonious and compatible with the office and retail businesses which surround it. It is two doors down from another educational facility specializing in dance. The proposed location is in compliance with all applicable Land Development and meets the intent of the City's Comprehensive Plan and Future Land Use Element.

- 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.**

As outlined above, the proposed Conditional Use is compatible with the surrounding area, which already contains a mix of office, retail, residential and educational / cultural facilities. The proposed use is in harmony with the surrounding area. The location at this site will further enhance the area by continuing to promote educational opportunities and by bringing teachers and students to the area. The program in place at the location is deliberately limited to no more than 15-20 students and approximately 5 professional staff. The students are carefully monitored and a break or smoke break area is provided for an exiting porch area at the rear of the Building.

- 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 site for some use permitted by right or some other conditional use permitted on the site.**

The Conditional Use request to allow an educational use at this location will not negatively impact the public benefit of cause harm and is an ideal location in which to allow this use. The area surrounding the subject site already has a dance school and new housing encouraging the mixed-use future for the Downtown corridor. This use and subsequent development along Lucerne Avenue are compatible with the existing and future development in the surrounding area.

- 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.**

The Conditional Use request to allow an Educational Use at the location will not result in a more intensive development in advance of the Future Land Use Element of the City's Comprehensive Plan. The scope of the educational program at the site is strictly limited in size and the development will re-use the existing structure on the site and enhance the area and further the objectives of the City.

**Section 23.3-29(e): Specific findings 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.**

The subject site if fully developed and the prior use involved a similar number of people when the building was used as office. The scope of the educational program is limited to 15-20 students and approximately 5 professionals. Many of the participants in the program will use public transportation. There is adequate parking for those who drive. This scope would not constitute a basis for the performance of a new traffic analysis.

- 2) **The proposed conditional use will not result in a significantly greater amount of through traffic on local street than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets.**

The subject location is fully developed and prior use involved a similar number of people. Given the limited scope of the program, the location at the site will not create traffic on local streets at a significant level or create traffic on local street greater than would result from a development permitted by right. Collector and arterial street would not be affected.

- 3) **The proposed conditional use will not produce significant air emission or pollution, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.**

The Conditional use as an educational facility of limited scope will not produce air pollution or emission.

- 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.**

The subject site is in close proximity to major thoroughfare systems near the corner of Dixie Hwy and Lucerne Ave. The location and parking lot is currently accessible from Lucerne Ave. The granting of this conditional use will not result in a requirement to extend or enlarge or alter the thoroughfare system, or result in the incursion of public cost as compared with a development permitted by right.

- 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 any such system in a manner resulting in higher net public cost than would result from development permitted by right.**

The applicant is proposing to utilize an existing building, existing infrastructure, and due to the limited scope of the education facility, no adverse impact to infrastructure or public utilities will occur as a result of granting this conditional use.

- 6) The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.**

The granting of this conditional use shall not place a demand on municipal police or fire protection services beyond capacity. The location at this site is consistent with the development pattern of the area and will not have any adverse impact.

- 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.**

The granting of this conditional use application will not result in the creation of undesirable noise.

- 8) The proposed conditional use will not generate light or glare which encroaches onto any residential property in excess of that allowed in Section 23.4-10-Exterior Lighting.**

The proposed use does not involve any exterior, high intensity lighting, and will not create undesirable lighting impact on surrounding properties.

**Based on the above and attached information in this application, the petitioner respectfully requests the approval of this conditional use application. Thank you!**

# 811 Lucerne Photos



## Acceleration Academies LLC

An innovator in education, operating under contract with the School Board of Palm Beach County, creating opportunities, driving success and saving lives!

# The Future is Downtown Mixed Use

## A Dedicated Fifty Car Parking Lot Across the Street:

This private parking lot is for the exclusive use of the Tenants of Lucerne Commerce Row.



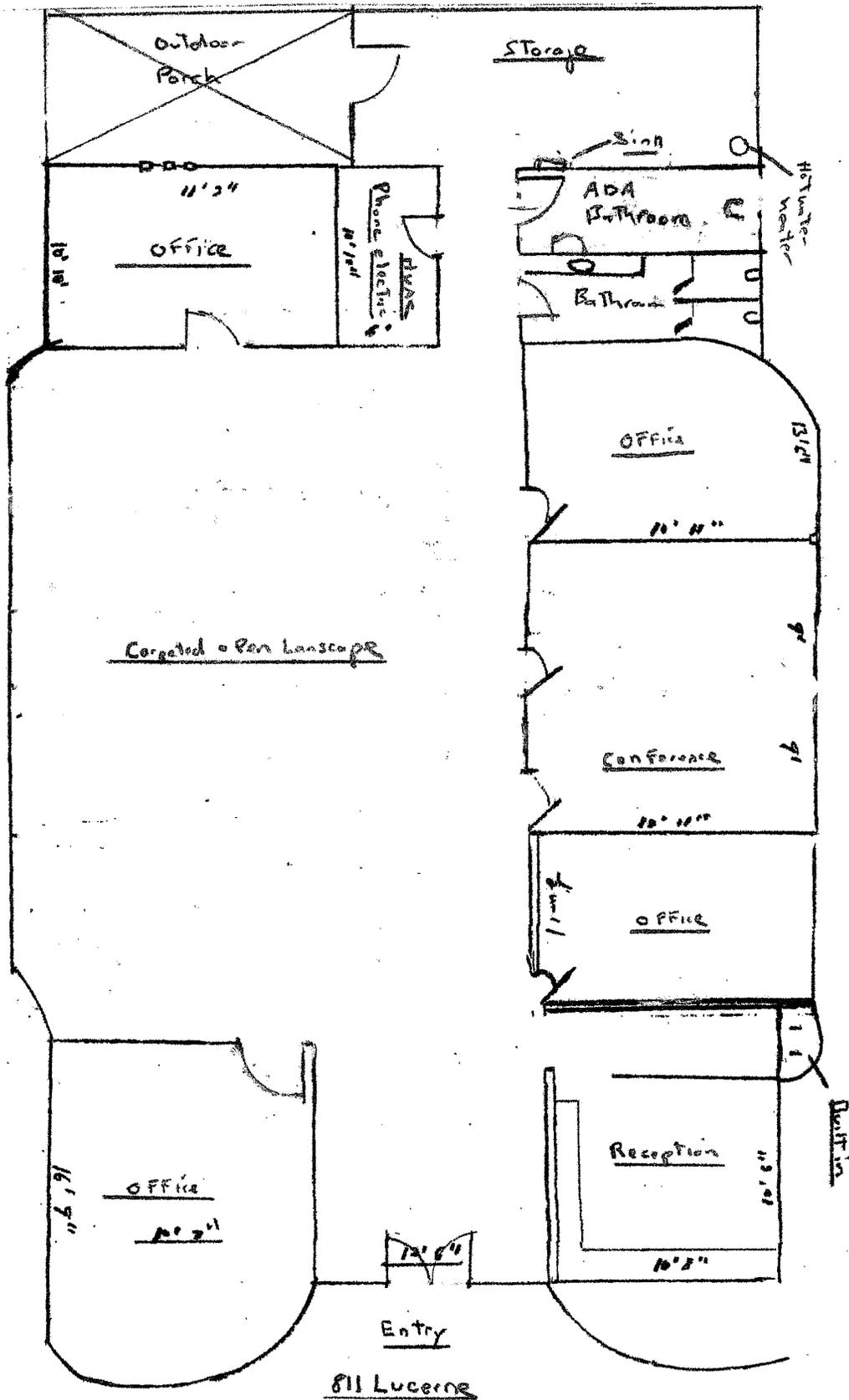
## An Educational Facility Already Permitted on the Same Block, Two Doors Down!

The Downtown Dance Studio for students learning dance operates at 805 Lucerne Avenue.



## *A New Home in Downtown Lake Worth!*

*"Before I discovered Acceleration Academy, I was completely lost. I was ready to give up everything; my high school career along with the bright future I had always dreamed of. The Acceleration Academy gave me a second chance."*



FLOOR PLAN

**City of Lake Worth**  
**Department for Community Sustainability**  
**Planning, Zoning and Historic Preservation Division**  
 1900 Second Avenue North- Lake Worth, Florida 33460 - Phone: 561-586-1687

DATE: March 31 2016

TO: Members of the Planning & Zoning Board

FROM: Curt Thompson, Senior Community Planner  
 Maxime Ducoste, Assistant Director for Planning and Preservation

SUBJECT: **PZB Project Number 16-00500002:** Consideration of a Conditional Land Use application to Sonny Sammy to operate a residential and commercial fine custom cabinetry and furniture business within the existing industrial building located at the property located at 1107 3<sup>rd</sup> Avenue South, (PCN# 38-43-44-21-15-123-0172) within the Artisanal Industrial (AI) district.

Meeting Date: April 6, 2016

**SYNOPSIS:**

<b>Applicant</b>	SONNY SAMMY (JONATHAN BARRETO, AGENT)	
<b>General location</b>	1107 3 <sup>rd</sup> Avenue South	
<b>Zoning</b>	AI; Artisanal Industrial	
<b>Existing land use</b>	Commercial/Industrial Warehouse	
<b>Future land use designation</b>	Transit Oriented Development (TOD)	
<b>Applicable Municipal Code Sections</b>	23.2-29, 23.3-6	
<b>Board action required</b>	Approve, Approve With Conditions, Deny the Request, Continue the request for additional information	
<b>Staff Recommendation</b>	Staff recommends approval of the Conditional Land Use subject to the attached conditions of approval	
	<b>Name and Title</b>	<b>Initials</b>
<b>Project planner</b>	Curt Thompson, Community Planner	CT
<b>Approved by</b>	Maxime Ducoste, Planning and Preservation Manager	MD

**PROPOSAL:**

Designs by Sonny has been producing residential and commercial fine custom cabinetry and furniture for 23 years throughout South Florida. They operate in a +/- 9,250 square foot industrial facility located at 1107 3<sup>rd</sup> Ave. S Lake Worth FL 33460. Designs by Sonny currently has 11 extremely knowledgeable fulltime employees

This Business design and manufacture;

Custom cabinetry  
Kitchens wall units  
Wall Units  
Home Offices  
Bathrooms  
Bedrooms  
Closets  
Trim Molds

They manufacture all of their cabinetry here in Lake Worth Florida using North American products. The applicant purchases the majority of their raw materials from vendors here in South Florida because they are very aware that this contributes to the local economy. The applicant takes raw cabinetry and assemble it, then stage it here in their shop for customers to approve — sort of a rehearsal of how it will look in your home or office.

The Property is located within the Artisanal Industrial (AI) zoning district. Approval of a conditional use permit is required from the Planning and Zoning Board prior to the issuance of a Lake Worth Business License.

The City's Land Development Regulations ("LDRs") authorize the Planning & Zoning Board to grant a Conditional Use Permit subject to making two sets of findings detailed in Section 23.2-29(c) and (d). These include general and specific findings intended to ensure harmony of the proposed use both with the land development regulations as a whole as well as the surrounding existing uses.

The following analyzes the Applicant's request for a Conditional Land Use to establish a custom cabinet manufacturing company with a discussion about Property conditions and existing uses; operational characteristics of the proposed use; consistency of the proposed use with the comprehensive plan; and a narrative with respect to each of the required findings for a conditional land use.

### **ANALYSIS:**

#### **Background:**

1107 3<sup>rd</sup> Avenue South is located within the Artisanal Industrial (AI) zoning district. According to the Palm Beach County Property Appraiser's records, the approximately +/- 9,250 sq. ft. (50 ft. x 185.0 ft.) warehouse was constructed in 1968; 8,377 square feet consist of warehouse and 873 square feet for office use.

#### **Operational Characteristics:**

The applicant has provided details concerning the operational characteristics of the business, as follows:

- Hours of operation: Monday through Saturday 7: 00 am to 3:30 pm and by appointment as requested.
- There will be no outdoor storage.

**Public Support/Opposition:**

Staff has received no letters of support or letters of objection concerning the subject request.

**Consistency with the Comprehensive Plan:**

It is the opinion of Staff that the applicant's proposed use is consistent with the following components of the Comprehensive Plan:

**1.1.3.8 Artisanal Mixed Use**

The Artisanal Mixed Use land use category is intended to provide for the establishment and enlargement of office, retail and industrial uses related to the arts, other low intensity industrial uses, and medium density residential opportunities. The implementing zoning district is AI.

Zoning regulations implementing the Artisanal Mixed Use land use category shall permit arts-related industrial uses of low to moderate external impacts. Development in the Artisanal Mixed Use land use category should be guided to minimize negative impacts on nearby residential areas.

**1.2.2.8 Locational Strategy for the Artisanal Mixed Use Category:**

Strategy #3: In areas where industrial uses are not desirable, but are too firmly established to permit a realistic expectation of change.

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

1. The conditional use exactly as presented 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 Response:** The proposed use is in harmony with the intent of the Artisanal Zoning District to foster office and industrial uses related to the arts as permitted. The building is an existing industrial warehouse building that was built in 1968. Continued operation as a commercial and industrial building will not have a greater adverse effect on the surrounding area than any other use permitted by right or conditional land use at this location.

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 Response:** Although the subject site abuts residential uses to the west, the property has been used for both commercial and industrial uses since the 1960s, and will continue to operation as such will not have a greater adverse effect on the surrounding area than any other use permitted by right or conditional land use at this location.

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 Response:** The proposed use of the Property will provide about the same amount of a public benefit as the other uses currently operating on the Property. The Property has been used for both commercial and industrial uses since the 190s, and continued operation as a commercial/industrial building will not have a greater adverse effect on the surrounding area than any other use permitted by right or conditional land use at this location.

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 Response:** The proposed use will not result in a more intensive development than has previously operated at the Property. The Property was originally constructed as an industrial warehouse, and will continue to function as such, with only Sonny's Designs operating on the Property as a sole user at any given time. Use of the Property as proposed is in compliance with the goals, objectives and policies of the Comprehensive Plan, as this area of the city is fully developed with the required improvements to accommodate the proposed use.

#### **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 Response:** The proposed use will not generate traffic volumes or movements which will reduce the level of service provided on any street to a lower level than would result from a development permitted by right. The proposed use is consistent in nature with previous low to medium traffic generating commercial and industrial uses at the Property and along 3<sup>rd</sup> Avenue South. No additional traffic is expected to be generated from the proposed use. The Property's circulation pattern will remain unchanged from the existing circulation patterns that have existed since the Property was developed with its current configuration.

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 Response:** The volume of traffic is expected to remain the same as traffic associated with the existing licensed uses. The Property is located at the end of 3<sup>rd</sup> Avenue South and the FEC railroad tracks. The applicant's property lies on the south side of 3<sup>rd</sup> Avenue South where through traffic is eliminated as a result of 3<sup>rd</sup> Avenue South not being a through street at this location.

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

**Staff Response:** No additional air pollution will be attributed to the proposed use. All work will be kept on site within the existing warehouse.

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 Response:** The project Property is fully developed and the proposed use in no way would result in a need for an extension or enlargement of the existing thoroughfare system.

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 Response:** The project Property is fully developed and connected to all of the City's utility systems. The proposed use will not result in the need for the extension nor enlargement nor any other alteration of such systems.

6. The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.

**Staff Response:** The project Property is fully developed. No increased demand on police or fire protection service is expected as a result of the proposed use. The Property has operated as a commercial/industrial building since the time it was constructed.

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 Response:** No new sources of noise will result by the establishment of a custom cabinet manufacturing business at the Property that is beyond previously licensed commercial/industrial uses at the Property.

8. The proposed conditional use will not generate light or glare which encroaches onto any residential property in excess of that allowed in Section 23.4-10, Exterior lighting.

**Staff Response:** Although the property is adjacent to residentially zoned properties to the west, the subject property shields the existing residential uses from the noise and any adverse impacts from the FEC railroad activities to the east.

**Conclusion:**

The analysis has shown that the required findings can be made with respect to the Conditional Land Use request. The Property has historically been utilized as a commercial/industrial property, and the use as proposed is in harmony with the underlying zoning district and surrounding operating businesses.

**CONSEQUENT ACTION:**

The Planning and Zoning Board's decision will be final for the Conditional Land Use request. The Applicant may appeal the Board's decision on the Conditional Land Use request to the City Commission.

**STAFF RECOMMENDATION:**

Based on the findings outlined in the analysis, staff recommends that the Planning and Zoning Board approve the Conditional Land Use request to allow Sonny's Design, a custom cabinet manufacturing company at 1107 3<sup>rd</sup> Avenue South subject to the proposed Conditions of Approval.

**POTENTIAL MOTION:**

"I MOVE TO APPROVE/DENY/CONTINUE P&ZB Project No. 16-00500002: A request for a Conditional Land Use to establish Sonny's Design, a custom cabinet manufacturing company at 1107 3<sup>rd</sup> Avenue South in the Artisanal Industrial (AI) zoning district subject to the staff recommended Conditions of Approval."

LOCATION MAP



Attachments:

- A. Conditions of Approval
- B. Conditional use Standards & Floor Plans
- C. Company Description
- D. Survey

DEPARTMENT FOR COMMUNITY SUSTAINABILITY  
PLANNING, ZONING AND HISTORIC PRESERVATION DIVISION  
CONDITIONS OF APPROVAL AND DEVELOPMENT INFORMATION FOR  
PZB CASE No. 16-00500002

Date of Preparation: March 29, 2016  
P&ZB Meeting Date: April 6, 2016  
Applicant: Designs by Sonny  
Location: 1107 3<sup>rd</sup> Avenue South

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**CONDITIONS OF APPROVAL**  
**PZB CASE No. 16-00500002**

**Standard Conditions of Approval:**

1. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable Codes including but not limited to the Florida Building Code.
2. Unless construction has commenced pursuant to a building permit, or a time extension is granted in accordance with Code, this application shall expire one (1) year from Planning & Zoning Board Approval.
3. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.
4. This approval is for a conditional land use pursuant to Sections 23.2-29 for a Conditional Use Permit approval to allow for a residential & commercial custom cabinetry and furniture manufacturing company (Designs by Sonny) within a +/- 9250 square foot building on a +/- 14,976 square foot site within the Artisanal Industrial (AI-POC) Zoning District, within the Artisanal Industrial (AI) zoning district at 1107 3<sup>rd</sup> Avenue South. This use must operate in compliance with all state and local laws that govern this use.
5. In the event of a legal challenge to this approval, the applicant 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.

**Additional Conditions of Approval:**

Planning and Zoning

1. No outdoor storage shall be permitted on the property without the request and approval of a separate conditional land use application.
2. All signage shall comply with the requirements of Section 23.5-1 Signs, and shall require approval of a building permit application before installation.

3. All fully operated cabinet manufacturing activities shall occur within the site's property lines and within the existing structure.
4. The subject site shall remain clear and clean of any trash or debris when the business has closed for the day.
5. Any activities associated with the operation of the business shall emit no more than 65 (db) decibels and at no time be audible above daytime ambient noise levels beyond the real property lines of the site. The system shall be designed to compensate for ambient noise levels in the immediate area.

Public Services:

6. Coordinate with the Public Services Department to provide an approved designated location for dumpster/waste receptacle(s), if necessary. The Public Service Department can be reached at 561-533-7334 or 561-586-1720.

Approved by:

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Maxime Ducoste  
Assistant Director for Planning and Preservation

*As demonstrated by the foregoing responses, the Project is in compliance with the City's Site Design Qualitative Standards. Further, Petitioner will demonstrate below that the Project is in compliance with the City 'conditional use criteria in Section 23.2-29 of the City's LDRs.*

**Conditional Use Approval**

In accordance with Sections 23.2-29(d) and (e) of the City's LDRs, Petitioner will demonstrate that the Conditional Use exactly as proposed at the location where proposed will: (1) be in harmony with the uses which, under the City's LDRs and Future Land Use Element, are most likely to occur in the immediate area where located; (2) be in harmony with existing uses in the immediate area where located; (3) 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; (4) not result in more intensive development in advance of when such development is approved by the Future Land Use Element of the Comprehensive Plan; (5) 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; (6) 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; (7) not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right; (8) 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; (9) 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; (10) not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right; (11) 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; and (12) not generate light or glare which encroaches onto any residential property in excess of that allowed in section 23.4-10, Exterior Lighting.

Conditional Use Approval to allow the operation of an 11,000 square foot custom cabinet manufacturing warehouse. ("Conditional Use")

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.

*Approval of the requested Conditional Use exactly as proposed on the Property is in harmony with the uses most likely to occur in the immediate area under the City's Future Land Use Element and LDRs. The following table identifies the future land use, zoning and current use of the properties adjacent to the Property.*

Adjacent Property Information			
Property Location	Land Use	Zoning	Current Use
North			Awning Manufacturing
South			Mechanic Shop
East			Rail Road Tracks
West			Residential

*The predominant land use designation and zoning of properties in the area immediately surrounding the Property are Manufacturing, Automotive Repair, Rail Road and Residential. As such, the following uses are permitted (and thus likely) to occur in the surrounding area: Commercial, Manufacturing, and Residential. The proposed woodworking shop use is compatible and complementary to the uses allowed to occur in the surrounding area. Approval of the requested Conditional Use will allow for the restoration of the existing warehouse. It is clear from future land use, zoning and existing development on the surrounding properties and the overall development pattern of the City that the proposed Conditional Use is in harmony with the future uses likely to occur in the immediate area as allowed under the City's Future Land Use Element and LDRs.*

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.

*Approval of the requested Conditional Use exactly as proposed on the Property is in harmony with the existing uses in the immediate area. As detailed above, the Property is adjacent to a mix of uses including Manufacturing uses to the north, Automotive Repair uses to the south, Rail Road uses to the east, and Residential uses to the west.*

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 site for some use permitted by right or some other conditional use permitted on the Property.

*The proposed warehouse use will not result in less public benefit or greater harm than would result from use of the Property for a use permitted by right. The proposed warehouse use is consistent and compatible with all uses permitted by right and will complement the existing and future development in the surrounding area. As such, the Project will not result in less public benefit or greater harm than a use permitted by right. Further, approval of the requested Conditional Use will allow operation of the warehouse. Approval of the Conditional Use will actually provide substantially greater public benefit than would result from the use of the Property for some use permitted by right.*

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.

*Approval of the requested Conditional Use to allow the proposed warehouse use will not result in more intensive development in advance of when such development is allowed by the Future Land Use Element. The proposed Conditional Use is consistent with the intent of the future land use designation.*

5. The 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.

*Approval of the requested Conditional Use will not generate traffic volumes or movements that 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.*

6. The 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.

*Approval of the requested 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.*

7. The Conditional Use will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.

*Approval of the requested Conditional Use will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.*

8. The 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.

*The Conditional Use is located in relation to the thoroughfare system such that no extension, enlargement or 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 is required. Approval of the requested Conditional Use will not require extension, enlargement or alteration of the thoroughfare system.*

9. The 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.

*The Conditional Use is located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems such that no extension, enlargement or 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 is required. Considering the foregoing, no extension, enlargement or other alteration of the water, wastewater, storm water or other utility systems resulting in a higher public cost than that of a development permitted by right is required for development of the Project.*

10. The Conditional Use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.

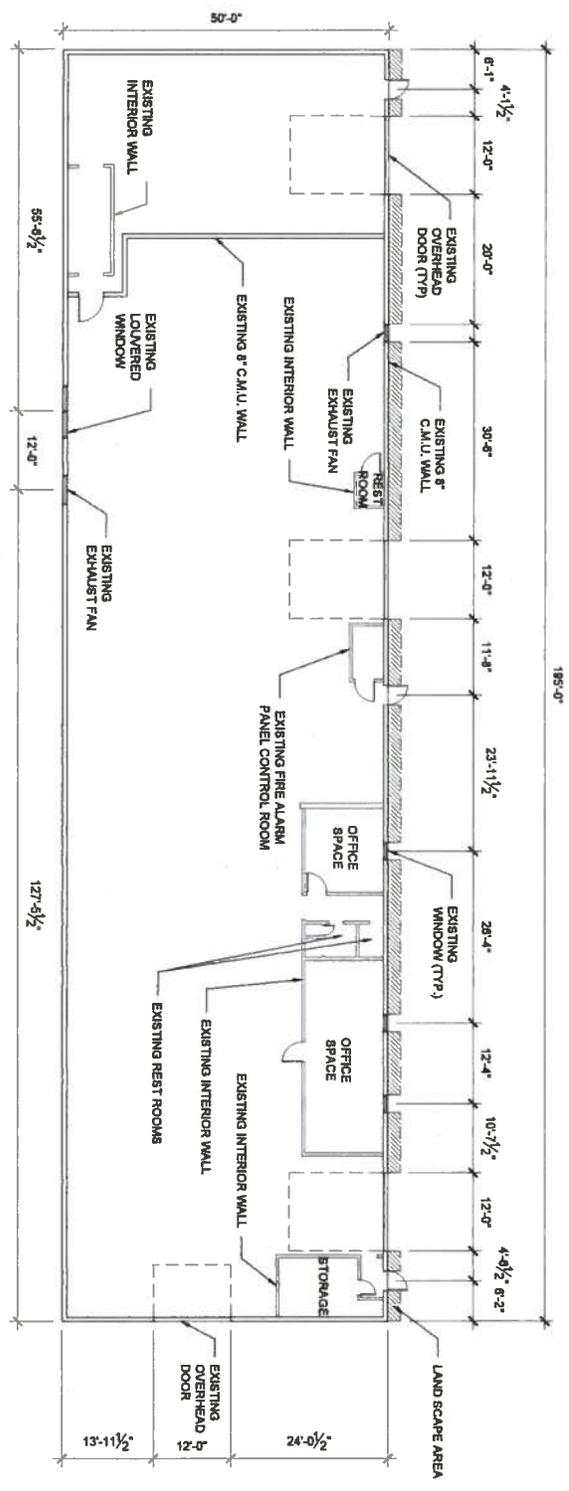
*Approval of the requested Conditional Use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that it may place a demand on municipal police or fire protection services that does not exceed that likely to result from a development permitted by right. The Project is designed to comply with all applicable fire codes. Considering the foregoing, approval of the Conditional Use is likely to reduce the demand on police and fire protection services.*

11. The 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.

*Approval of the requested Conditional Use will not generate significant noise and will appropriately mitigate any potential anticipated noise to a level compatible with that which would result from a development permitted by right. The Conditional Use will meet all applicable requirements and stipulations set forth in Section 15-24 of the City's LDRs regarding Noise Control.*

12. The Conditional Use will not generate light or glare which encroaches onto any residential property in excess of that allowed in section 23.4-10, Exterior Lighting.

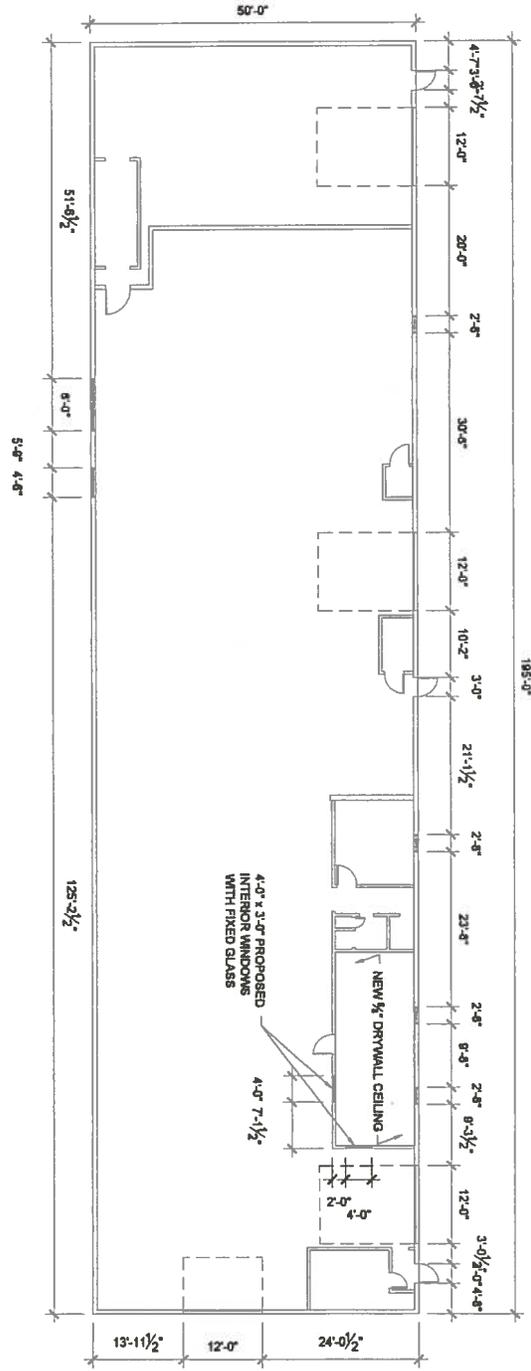
*Approval of the requested Conditional Use will not generate light or glare which encroaches onto any residential property in excess of that allowed in Section 23.4-10 of the City's LDRs.*



DATE 8/13/2015  
DRAWN BY J.L.  
PROJECT  
A-1

1107 3rd Ave. S  
LAKE WORTH, FL 33460



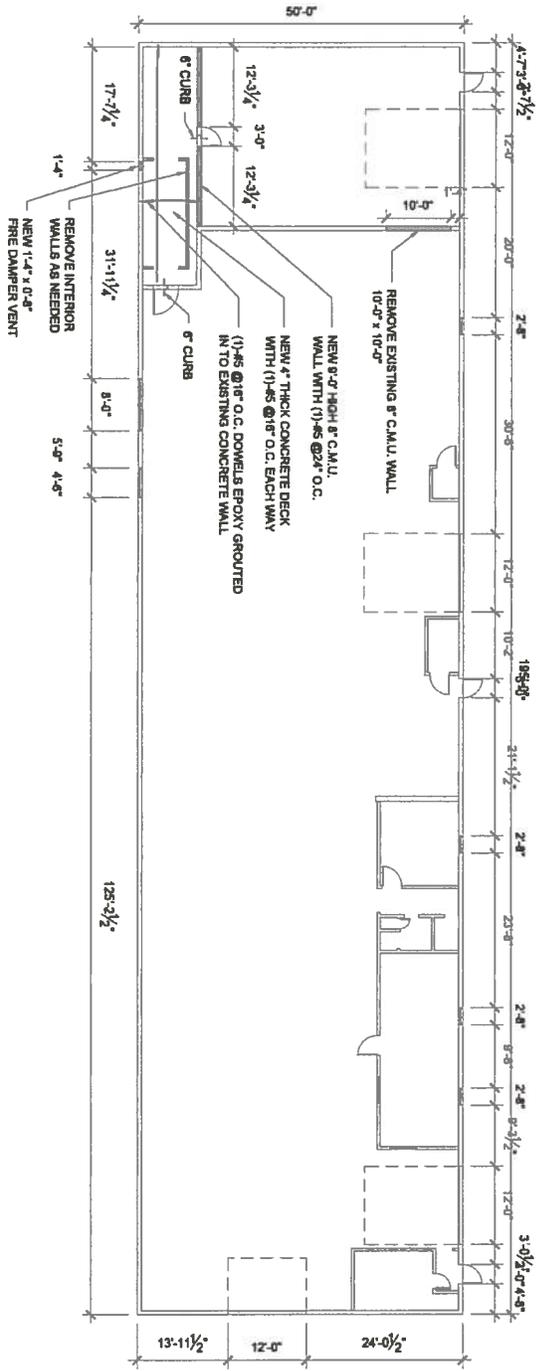


DATE: 01-13-2018  
DRAWN BY: J.L.  
SHEET: A-2

1107 3rd Ave. S  
LAKE WORTH, FL 33460

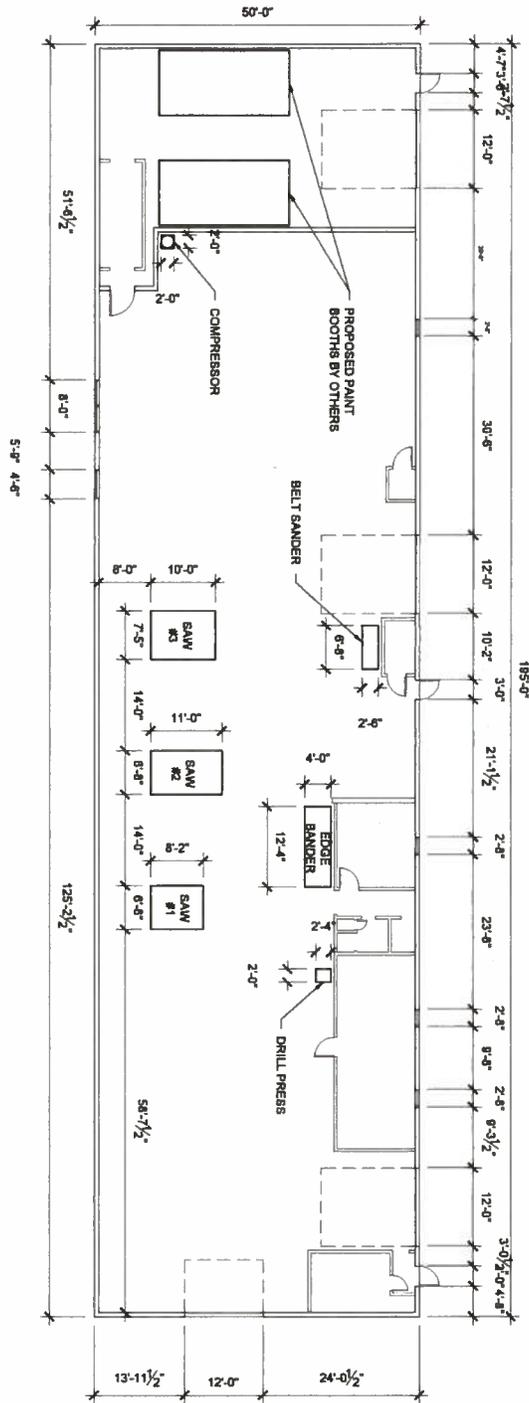


PROPOSED NEW FLOOR PLAN



1107 3rd Ave. S  
LAKE WORTH, FL 33460

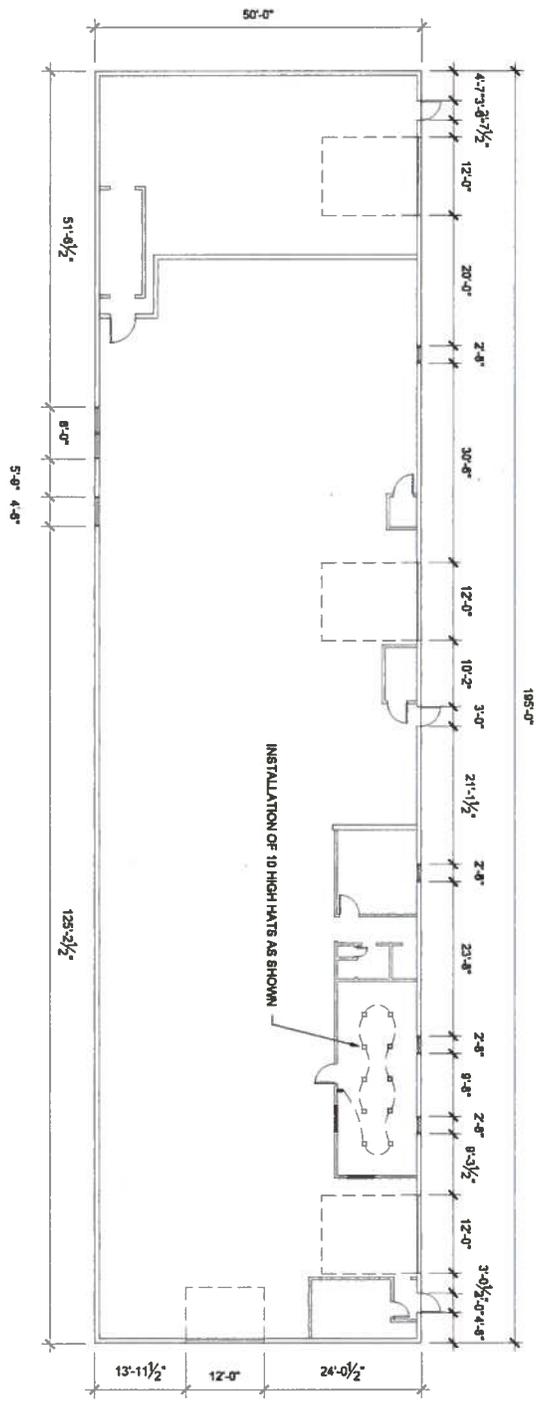




DATE: 01-15-2015  
DRAWN BY: JLB  
SHEET: EQ-1

1107 3rd Ave. S  
LAKE WORTH, FL 33460





1107 3rd Ave. S  
LAKE WORTH, FL 33460



Led by owner, Sonny Sammy, our staff is dedicated to providing impeccable service in order to fulfill our customers needs. Our staff members are knowledgeable in all areas of residential and commercial construction and if needed, we can recommend a reputable licensed contractor to handle your project. We can also team up with your contractor to provide any design assistance needed, such as permit approval, drawings and floor plan review on site.

Designs by Sonny has been producing residential and commercial fine custom cabinetry and furniture for 23 years throughout South Florida. We operate in an 11,000 sq/ft industrial facility located at 1107 3<sup>rd</sup> Ave. S Lake Worth FL 33460.

Designs by Sonny currently has 11 extremely knowledgeable fulltime employees

We design and manufacture;

Fine custom cabinetry

Kitchens wall units

Wall Units

Home Offices

Bathrooms

Bedrooms

Closets

Trim Molds

We manufacture all our cabinetry here in Lake Worth Florida using North American products. We purchase the majority of our raw materials from vendors here in South Florida because we are very aware that this contributes to the local economy. We take your raw cabinetry and assemble it, then stage it here in our shop for customers to approve — sort of a rehearsal of how it will look in your home or office.

We then install what we make and we install it well. We try to be proactive in the green arena and do not endorse using exotic endangered species. We offer a selection of reconstituted veneers that resemble exotic veneers, yet protect our planet. We do not use Asian plywood, adhesives, or topcoat products heavy in VOCs and formaldehydes. Our chemical refuse is collected by EPA approved waste collectors.

We offer complimentary in-home consultations between Monday through Friday 7 a.m. to 3:30 p.m. Evening and weekend appointments are also available. On-site designer available to assist in selection of countertops, stains and colors.

We custom match all color selections for each project, whether it's from our sample library or a sample you bring in.

Designs by Sonny has many years of experience dealing directly with homeowners. We help them plan wonderful spaces for their homes and exceed their dreams and expectations.

Our staff has experience reading CAD drawings and decoding blueprints and can produce CAD drawings and 3D images for clients, so that they can see their vision become a reality. We have also built several doctors' offices, professional offices, lobbies and retail cash and wrap counters.

