



## HISTORIC RESOURCES PRESERVATION BOARD (HRPB) REPORT

**Ordinance 2025-06 (PZHP Main Project Number 25-00900001):** Consideration of a request for a Mixed Use Urban Planned Development, Major Site Plan, Development of Significant Impact, Conditional Use Permits (residential and non-residential), Sustainable Bonus Incentive Program, Transfer of Development Rights, and Affordable/Workforce Housing Program approval commonly referred to as “WMODA.”

**Note:** The data and analysis for the associated historic preservation applications and rezoning of eleven (11) parcels are under separate cover. The associated right-of-way abandonments do not require HRPB review prior to City Commission hearings, and will be presented under separate cover to the Commission.

**Meeting Date:** July 16, 2025

**Applicants:** Sunshine Lake Worth Development LLC, Lake Worth Beach CRA, and Cultural Council of Palm Beach County, Inc.

**Property Owners:** Lake Worth Beach CRA, Cultural Council of Palm Beach County, Inc.

**Addresses:** 501-509 Lake Avenue, 13-23 South M Street, 16-32 South L Street, 11 South L Street, and 30 South K Street

**PCNs:** 38-43-44-21-15-023-0170, 38-43-44-21-15-023-0191, 38-43-44-21-15-023-0220, 38-43-44-21-15-023-0230, 38-43-44-21-15-023-0250, 38-43-44-21-15-023-0090, 38-43-44-21-15-023-0060, 38-43-44-21-15-023-0050, 38-43-44-21-15-023-0030, 38-43-44-21-15-023-0020, 38-43-44-21-15-023-0010, 38-43-44-21-15-021-0220, and 38-43-44-21-15-021-0010

**General Location:** Between the east side of South K Street and west side of South M Street, and between the south side of Lake Avenue and the north side of 1<sup>st</sup> Avenue South

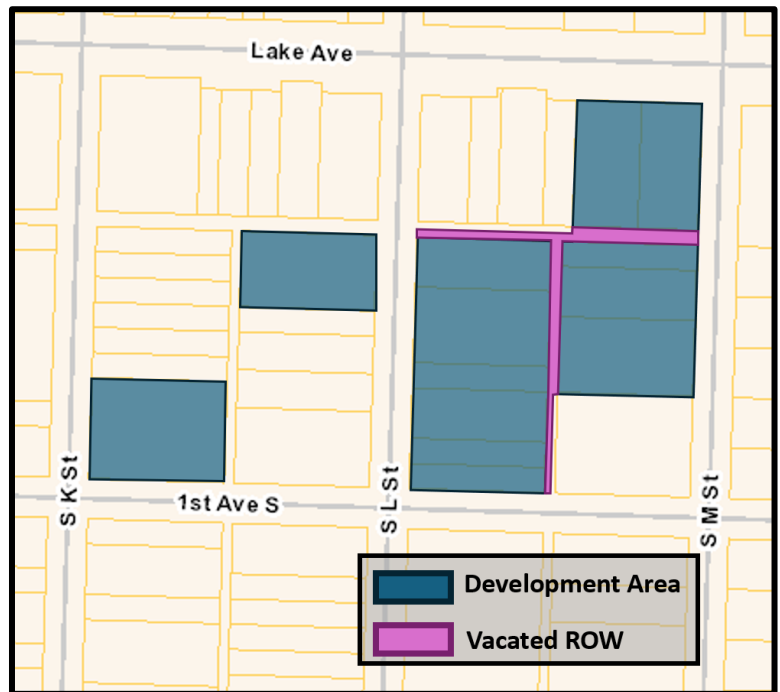
**Size:** ± 2.254 acres (2.14 acres of existing parcels and 0.114 acres of vacated alley) / ± 7.603 sf. existing structures

**Existing Land Use:** Vacant land, vacant residential, vacant office, parking lot

**Future Land Use Designation:** Downtown Mixed Use (DMU)

**Zoning Districts:** Downtown (DT) and Mixed Use – East (MU-E)

Location Map:



## RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) including the City's Major Thoroughfare Design Guidelines and Historic Preservation Design Guidelines and for consistency with the Comprehensive Plan and Strategic Plan. The proposed Mixed Use Urban Planned Development, Development of Significant Impact, Major Site Plan, Conditional Use, Sustainable Bonus Incentive Program, Affordable/Workforce Housing Program, and Transfer of Development Rights requests are consistent with the Comprehensive Plan, Strategic Plan, and LDRs, as conditioned, and, therefore, a **recommendation of approval with conditions** is provided to the HRPB for Ordinance 2025-06. The conditions are located on pages 15-17 of this report.

## PROJECT DESCRIPTION

The Applicants, Sunshine Lake Worth Development LLC, Lake Worth Beach CRA, and Cultural Council of Palm Beach County are requesting approval of Ordinance 2025-06, which is inclusive of the following application types:

- **Mixed use urban planned development** to construct a  $\pm$  32,283 square foot museum building for the Wiener Museum of Decorative Arts (WMODA) and  $\pm$  136,831 square foot residential building (110 units) with 124 underground parking spaces along with ancillary storage, café/retail space, community art space, and an art walk/arts alley; and to vest a property owned by the Cultural Council for Palm Beach County (Cultural Council) and a property owned by the Lake Worth Beach Community Redevelopment Agency (CRA) for future development including affordable/workforce units.
- **Development of Significant Impact** to construct a mixed-use development over 100,00 square feet with more than 100 dwelling units.
- **Major Site Plan** to construct a mixed use development over 7,500 square feet
- **Conditional Use Permit** to establish a high-intensity (use area over 7,500 square feet) museum with ancillary fine arts storage, café, and retail space.
- **Conditional Use Permit** to establish a multi-family residential use over 7,500 square feet
- **Sustainable Bonus Incentive Program (SBIP)** for bonus density, intensity (FAR), and height
- **Transfer of Development Rights (TDR)** for bonus density and intensity (FAR)
- **Affordable/Workforce Housing Program (AWFH)** for bonus density

## COMMUNITY OUTREACH

Per LDR Section 23.2-20, Public Neighborhood Meeting, *a public neighborhood meeting shall be required for all Planned Developments, Developments of Significant Impact, and Lake Worth Beach Community Redevelopment Agency sponsored new construction projects along the City's major thoroughfares as well as those utilizing the City's Sustainable Bonus Incentive Program, Transfer of Development Rights Program and/or Economic Investment Incentives.*

On April 28, 2025, the applicant held a meeting with neighborhood residents at the Lake Worth Casino Ballroom. Notices were mailed to all property owners within 400 ft of the project, as well as to the Downtown Jewel Neighborhood Association, on April 19, 2025, and signs were placed on the properties. There were 137 attendees at the meeting. The applicant also created a project webpage: [www.wmodaloveslwb.com](http://www.wmodaloveslwb.com)

The project has complied with all of the public notice requirements, including a 400-foot courtesy notice, sign posting and legal notice. At the time of the completion and dissemination of this staff report, staff have received no letters in support of or opposition to the project from the public.

## BACKGROUND

The project area includes thirteen (13) parcels: 501 Lake Avenue, 509 Lake Avenue, 13 South M Street, 17 South M Street, 23 South M Street, 16 South L Street, 20 South L Street, 24 South L Street, 26 South L Street, 30 South L Street, 32 South L Street, 11 South L Street, and 30 South K Street. Below is a summary of the properties based on Palm Beach Property Appraiser's records and City records:

**501 Lake Avenue:** The subject site is a 7,500 square foot parcel with an existing  $\pm$  2,391 square foot building. The one-story Masonry Vernacular building was constructed in 1939 as a dental office. The property has also previously served as offices for the Greater Lake Worth Chamber of Commerce, and was most recently used as offices for the City of Lake Worth Beach Parking Division. The CRA acquired the property in 2024, and as of July 2025 the building is vacant. 501 Lake Avenue is a contributing resource in the Old Town National Register Historic District.

**509 Lake Avenue:** The subject site is a 8,125 square foot vacant parcel. The site previously had a c. 1939 commercial structure, which had served at various times as a retail shop, cade, and restaurant. The structure was declared unsafe in 2020 and demolished in 2023. The CRA acquired the property in 2020.

**13 South M Street:** The subject site is a 3,375 square foot parcel; the parcel has no structures but has been improved with paving and striping for use as a parking lot. The site previously had two c. 1920 residential structures, which were demolished in 1984 and 2006. The CRA acquired the property in 2005.

**17 South M Street:** The subject site is a 6,750 square foot parcel with an existing  $\pm$ 2,100 square foot principal structure and an accessory structure. The two-story structures were built in 1941 in the Frame Vernacular architectural style with Colonial Revival detailing, and were originally used as a residential home and garage apartment. The structures have since been converted to office use, most recently housing the City's Leisure Services Department. The CRA acquired the property in 2018. Both buildings at 17 South M Street are contributing resources in the Old Town Local Historic District.

**23 South M Street:** The subject site is a 10,125 square foot vacant parcel. The site previously had a c. 1950 multi-family residential building and c. 1951 garage apartment structure. Both structures were demolished in 2020. The CRA acquired the property in 2018.

**16 South L Street:** The subject site is a 6,750 square foot parcel; the parcel has no structures but has been improved with paving and striping for use as a parking lot. The site previously had a c. 1925 duplex structure, which was demolished in 2006. The CRA acquired the property in 2017.

**20 South L Street:** The subject site is a 10,125 square foot parcel; the parcel has no structures but has been improved with paving and striping for use as a parking lot. The site previously had a c. 1926 single-family structure, which was demolished in 2006. The CRA acquired the property in 2005.

**24 South L Street:** The subject site is a 3,375 square foot vacant parcel. The site previously had a c. 1949 single-family structure and 1980 garage structure. The garage was demolished in 2020; the principal structure was demolished in 2025 following a fire that rendered the building unsafe and in danger of collapsing. The CRA acquired the property in 2018.

**26 South L Street:** The subject site is a 6,750 square foot parcel with an existing  $\pm$  3,112 square foot residential structure. The two-story structure was built in 1940 in Frame Vernacular architectural style with Colonial Revival detailing, and was used as a four-unit multi-family residence. Two rear additions were constructed in 1968 and 1971-1975. The CRA acquired the property in 2018. The structure is a contributing resource in the Old Town Local Historic District.

**30 South L Street:** The subject site is a 3, 375 square foot vacant parcel. The site previously had a c. 1935 residential building and c. 1959 garage structure, both of which were declared unsafe in 2022 and demolished in 2023. The CRA acquired the property in 2018.

**32 South L Street:** The subject site is a 3,375 square foot vacant parcel. The site previously had a c. 1939 multi-family building, which was declared unsafe in 2022 and demolished in 2023. The CRA acquired the property in 2018.

**11 South L Street:** The subject site is a 10,125 square foot parcel; the parcel has no structures but has been improved with walking paths and landscaping to serve as an outdoor gathering space. The site previously had three residential structures, which were demolished in 2004. The Cultural Council acquired the property in 2015.

**30 South K Street:** The subject site is a 13,500 square foot vacant parcel. The site previously had a c. 1925 multi-family building, which was declared unsafe and demolished in 2018. The CRA acquired the property in 2021.

**Code Compliance:** There are no active code cases on the subject sites.

## ANALYSIS

### Consistency with the Comprehensive Plan and Strategic Plan

The subject properties currently have a Future Land Use (FLU) designation of Downtown Mixed Use (DMU). Per **Comprehensive Plan Future Land Use Element Policy 1.1.1.7**, the Downtown Mixed Use land use designation is intended *“to provide for the establishment and expansion of a broad range of office, retail and commercial uses, and some residential 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. The maximum density of permitted residential development is 40 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. The implementing zoning districts are DT, MU-E, MF-20 and MF-30.”* The proposal would allow for the redevelopment of multiple properties with the construction of a new museum building and 110-unit residential building, future affordable housing development at 30 South K Street and 11 South L Street, the relocation of three historic structures, and construction of an arts walk/arts alley.

The proposal is supported by several Goals, Policies, and Objectives in the Comprehensive Plan, including:

- FLU Element - Objective 1.2.1: To promote the location of high-quality retail, office and mixed use projects in the Downtown Mixed Use (DMU) and Mixed Use East (MU-E) designations as the prime retail and commercial areas of the City.
- FLU Element - Objective 1.2.1.4: Development and redevelopment opportunities in the Downtown area will be enhanced through modification or reduction of parking space requirements, in recognition of public parking opportunities in the downtown area.
- FLU Element - Goal 1.3: To preserve and enhance the City’s community character as a quality residential and business center within the Palm Beach County urban area.
- FLU Element - Objective 1.3.3: To adopt and utilize innovative land development regulations that implement the goal of preserving and enhancing the character of Lake Worth as an attractive residential community and business center.
- FLU Element - Objective 1.4.2: To provide for the protection, preservation or sensitive reuse of historic resources.
- Housing & Neighborhoods Element – Goal 3.1: To achieve a supply of housing that offers a variety of residential unit types and prices for current and anticipated homeowners and renters in all household income levels by the creation and/or preservation of a full range of quality housing units.
- Economic Development Element - Policy 11.1.2.2: The City shall attract industries and employers in cluster industries such as light manufacturing, green manufacturing, cultural arts, artisanal arts, research and development, tourism and associated ancillary businesses, and other emerging industry clusters.

The City’s Strategic Plan focuses on fostering safer neighborhoods, encouraging community pride, building a vibrant and diverse economy, planning for the future, and enhancing the natural, historic, and cultural environment of the City. Pillar II and Pilar IV of the Strategic Plan state that the City shall strengthen Lake Worth Beach as a community of neighborhoods and navigate towards a sustainable community. Pillars II.A, II.B, IV.A, and IV.E of the Strategic Plan state that the City shall diversify housing options, continue crime reduction and prevention in achieving a safe, livable and friendly community, achieve economic and financial sustainability through a versatile and stable tax base, and ensure facility placement, construction and development that anticipates and embraces the future. The proposed multi-family

and museum buildings and associated site improvements will contribute towards the City's Pillars II.A, II.B, IV.A, and IV.E of the Strategic Plan.

Based on the analysis above, the proposed WMODA Planned Development (Ordinance 2025-06) request is consistent with the goals, objectives, and policies of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan.

#### Consistency with Other City Plans

The proposed mixed use urban planned development is also supported by a number of other City plans, including but not limited to the Mobility Plan, CRA Redevelopment Plan, and Arts Cultural Master Plan.

The Mobility Plan encourages alternatives to traditional parking requirements, including multimodal and alternative forms of transportation. The CRA Redevelopment Plan includes goals to eliminate blight conditions in the Redevelopment Area; encourage the acquisition, demolition, and reuse of properties that no longer function at their highest potential economic use; and maintain the City's historic character while promoting economic vitality.

The Arts Cultural Master Plan calls for the City to encourage exposure to diverse populations, arts, and cultures within Lake Worth Beach and to direct growth to the downtown core of the City to enhance the downtown character and reinforce the area as a safe, appealing, and entertaining arts and culture destination. The Plan recommends development between 1<sup>st</sup> Avenue South and 1<sup>st</sup> Avenue North, adding height and density to allow for mixed use, live-work developments that support artists' needs. Assemblages of land are encouraged to create these mixed use developments.

#### Consistency with the Land Development Regulations (LDRs):

The proposed application was reviewed for consistency with all applicable requirements in the City's Land Development Regulations (LDR), including the Downtown zoning district and planned development requirements.

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

**Analysis:** The proposed Mixed Use Urban Planned Development was reviewed for compliance with Section 23.3-25. No waivers to the land development regulations are being requested. Incentives are proposed through planned development provisions, the City's Sustainable Bonus Incentive Program, Transfer of Development Rights, and Affordable/Workforce Housing Program for increased density, intensity, and height. The project is also using the mixed-use parking incentive, which reduces the required parking spaces by twenty-five percent (25%). Upon approval of the planned development, all parcels except for 30 South K Street and 11 South L Street will be conveyed to Sunshine Lake Worth Development LLC, and will be unified through a Unity of Title. The applicants have provided the required supporting information and development plans that comprise the master development plan. The proposal meets the minimum site area requirement of 0.5 acres. Outdoor storage is not proposed.

**Downtown (DT):** Per LDR Section 23.3-14, the DT 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 zoning district is intended to provide the establishment and expansion of a broad range of office and commercial uses, including higher density residential use. Certain commercial uses are not permitted in the district because they will be detrimental to the shopping or office functions of the area. 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.*

**Analysis:** The proposed museum and multi-family uses are anticipated and encouraged in the DT zoning district. The uses have been reviewed for consistency with the required conditional use review criteria; and that analysis is provided on page 11 of this report.

The proposed museum and residential development generally complies with applicable zoning requirements. However, there is a conflict between the Downtown zoning district and Major Thoroughfare Design Guidelines regarding the front setback on Lake Avenue. LDR Section 23.3-14(d)(5) states: *All buildings fronting on Lake or Lucerne Avenues shall be situated between five (5) feet from the property line to afford a consistent building line along the avenues.* The intent of this five-foot build-to line is to create a consistent building line for pedestrians in the downtown area; however, the parcels at 501-509 Lake Avenue have lost ten feet of their property to the Lake Avenue right-of-way, and constructing the new museum in a consistent line with adjacent commercial structures requires the building to be placed directly at the front property line (zero-foot setback). The Major Thoroughfare Design Guidelines state: *Setbacks of buildings on the same street shall be consistent and similar in distance. This eliminates the possibility of views of buildings being obstructed due to staggered building placement.* This aligns with the intent of the Downtown build-to line requirement, and supports the decision to place the museum at the front property line along Lake Avenue.

LDR Section 23.3-14(d)(6) also requires that at least 75% of a building's ground floor consist of transparent elements including windows, doors, and/or other openings, with an architectural break every 25 feet. The current museum design provides transparent elements across approximately 65% of the ground floor; a condition of approval has been added to revise the design to meet this requirement.

The table and topic area analysis below evaluate the proposed site features and the project's compliance with the Code, and factoring in the Sustainable Bonus incentives, Planned Development incentives, Affordable/Workforce Housing Program, Transfer of Development Rights, and the Comprehensive Plan maximums for Phase I of the planned development:

| Overall Site                          |                                       |                                                                                                                                                          |                                                                                                                                         |
|---------------------------------------|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Development Standard                  | Base Zoning District<br>Downtown (DT) | Mixed-Use Urban<br>Planned Development<br>(MUUPD) with SBIP,<br>AWFH, and TDR                                                                            | Provided                                                                                                                                |
| Lot Size (min)<br>In square feet (sf) | 6,500 sf                              | 0.5 acres                                                                                                                                                | ± 2.254 acres                                                                                                                           |
| Density (max)                         | 40 du/acre<br>(90 units)              | 69 du/acre<br>(155 units) + potential<br>for 28 additional<br>affordable/workforce<br>units per LDR Section<br>23.2-39(b)(1)(g) =<br>183 potential units | Phase I: 110 units<br>Phase II/III: at least 6<br>affordable units at 30 S<br>K St, <i>no specific<br/>development yet<br/>proposed</i> |

| Phase I: Museum and 110-Unit Residential Development |                                       |                                                                            |                                                            |
|------------------------------------------------------|---------------------------------------|----------------------------------------------------------------------------|------------------------------------------------------------|
| Development Standard                                 | Base Zoning District<br>Downtown (DT) | Mixed-Use Urban Planned<br>Development (MUUPD) with SBIP,<br>AWFH, and TDR | Provided                                                   |
| Lot Size (min)                                       | 0.15 acres (6,500 sf)                 | 0.5 acres                                                                  | ± 2.254 acres total;<br>± 1.712 acres WMODA<br>development |
| Lot Width (min)                                      | 25' along Lake Ave<br>50' in general  | 25' along Lake Ave<br>50' in general                                       | 125' along Lake Ave<br>140 along 1 <sup>st</sup> Ave S     |

|                                     |                                       |                                                                                                                                 |                                                                                                              |                                                                                                                                                                                                                     |
|-------------------------------------|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Setbacks - Museum                   | Front (min build-to line on Lake Ave) | 5' build-to line<br><i>Additional 8-12' setback required for 3<sup>rd</sup> story and above</i>                                 | 5' build-to line on Lake Ave,<br><i>Additional 8-12' setback required for 3<sup>rd</sup> story and above</i> | 0-4' (1 <sup>st</sup> & 2 <sup>nd</sup> stories, <i>see analysis above</i> )*<br>8' (3 <sup>rd</sup> & 4 <sup>th</sup> stories)                                                                                     |
|                                     | Rear (min)                            | n/a                                                                                                                             | n/a                                                                                                          | n/a                                                                                                                                                                                                                 |
|                                     | Street Side (min)                     | 10'<br><i>Additional 8-12' setback required for 3<sup>rd</sup> story and above</i>                                              | 10'<br><i>Additional 8-12' setback required for 3<sup>rd</sup> story and above</i>                           | 10-14' (1 <sup>st</sup> & 2 <sup>nd</sup> stories)<br>18' (3 <sup>rd</sup> & 4 <sup>th</sup> stories)                                                                                                               |
|                                     | Interior Side (min)                   | 0'                                                                                                                              | 0'                                                                                                           | 0'                                                                                                                                                                                                                  |
| Setbacks - Residential              | Front (min)                           | 10'<br><i>Additional 8-12' setback required for 3<sup>rd</sup> story and above</i>                                              | 10'<br><i>Additional 8-12' setback required for 3<sup>rd</sup> story and above</i>                           | 12' (1 <sup>st</sup> & 2 <sup>nd</sup> stories)<br>20' (3 <sup>rd</sup> story)<br>45.5' (4 <sup>th</sup> story)<br>47.75' (5 <sup>th</sup> story)                                                                   |
|                                     | Rear (min)                            | n/a                                                                                                                             | n/a                                                                                                          | n/a                                                                                                                                                                                                                 |
|                                     | Street Side (min)                     | 10'<br><i>Additional 8-12' setback required for 3<sup>rd</sup> story and above</i>                                              | 10'<br><i>Additional 8-12' setback required for 3<sup>rd</sup> story and above</i>                           | 12' (1 <sup>st</sup> & 2 <sup>nd</sup> stories)<br>20' (3 <sup>rd</sup> - 5 <sup>th</sup> stories)                                                                                                                  |
|                                     | Interior Side (min)                   | n/a                                                                                                                             | n/a                                                                                                          | n/a                                                                                                                                                                                                                 |
| Impermeable Surface Coverage (max)  |                                       | 80%                                                                                                                             | 80%                                                                                                          | 79.4%                                                                                                                                                                                                               |
| Structure Coverage (max)            |                                       | 60%                                                                                                                             | 60%                                                                                                          | 55.6%                                                                                                                                                                                                               |
| Density (max)                       |                                       | 40 du/acre<br>(68 units)                                                                                                        | 69 du/acre<br>(118 units)                                                                                    | 110 units<br>(102 market rate,<br>8 affordable/workforce)                                                                                                                                                           |
| Building Height (max)               |                                       | 30' (max. 2 stories)                                                                                                            | 56.25' (5 stories)                                                                                           | 56.17'<br>(5 stories, residential)<br>55.17'<br>(4 stories, museum)                                                                                                                                                 |
| Maximum Wall Height at Side Setback |                                       | 30'                                                                                                                             | 56.25'                                                                                                       | 56.17' (residential)<br>55.17' (museum)                                                                                                                                                                             |
| Floor Area Ratio (FAR) (max)        |                                       | 1.10                                                                                                                            | 2.45                                                                                                         | 2.27 (169,114 sf)                                                                                                                                                                                                   |
| Parking                             |                                       | Parking Calculated per residential unit and non-residential square footage.<br><i>See page 8 for detailed parking analysis.</i> | 213 required spaces w/ mixed-use reduction                                                                   | 222 Spaces:<br>-89 standard off-street<br>-29 compact off-street<br>-10 ADA off-street<br>-21 standard on-street<br>-1 bus on-street (4 equivalent spaces)<br>-156 bike (39 equivalent spaces but only counting 24) |

|                                                              |             |                                               |        |                                                                 |
|--------------------------------------------------------------|-------------|-----------------------------------------------|--------|-----------------------------------------------------------------|
|                                                              |             |                                               |        | -45 in-lieu spaces in the City parking garage on South K Street |
| Is site in floodplain (Flood Zone/BFE) or in Wellfield Zone? |             | Not located in a flood zone; Wellfield Zone 4 |        |                                                                 |
| Living Area (minimum)                                        | One-bedroom | 600 sf                                        | 600 sf | 618-1,267 sf                                                    |
|                                                              | Two-bedroom | 750 sf                                        | 750 sf | 890-1,716 sf                                                    |

| Phase II/III: CRA Affordable Housing (30 S K St) |                                    |                                                                                                                                                                              |                                                                 |
|--------------------------------------------------|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| Development Standard                             | Base Zoning District Downtown (DT) | Mixed-Use Urban Planned Development (MUUPD) with SBIP, AWFH, and TDR                                                                                                         | Provided                                                        |
| Lot Size (min)<br>In square feet (sf)            | 6,500 sf                           | 0.5 acres                                                                                                                                                                    | ± 2.254 acres total<br>± 0.31 acres CRA development (13,500 sf) |
| Lot Width (min)                                  | 50'                                | 50'                                                                                                                                                                          | 100'                                                            |
| Density (max)                                    | 40 du/acre<br>(12 units)           | 69 du/acre<br>(21 units) + additional 8 affordable/workforce transferred from Phase I site; potential additional affordable/workforce units per LDR Section 23.2-39(b)(1)(g) | <i>Not assessed; no specific development yet proposed</i>       |
| Building Height (max)                            | 30' (max. 2 stories)               | 56.25'                                                                                                                                                                       | <i>Not assessed; no specific development yet proposed</i>       |
| Floor Area Ratio (FAR)<br>(max)                  | 1.10                               | 2.45                                                                                                                                                                         | <i>Not assessed; no specific development yet proposed</i>       |

| Phase II/III: Cultural Council Affordable Housing (11 S L St) |                                    |                                                                      |                                                                              |
|---------------------------------------------------------------|------------------------------------|----------------------------------------------------------------------|------------------------------------------------------------------------------|
| Development Standard                                          | Base Zoning District Downtown (DT) | Mixed-Use Urban Planned Development (MUUPD) with SBIP, AWFH, and TDR | Provided                                                                     |
| Lot Size (min)<br>In square feet (sf)                         | 6,500 sf                           | 0.5 acres                                                            | ± 2.254 acres total<br>± 0.23 acres Cultural Council development (10,125 sf) |
| Lot Width (min)                                               | 50'                                | 50'                                                                  | 75'                                                                          |
| Density (max)                                                 | 40 du/acre<br>(9 units)            | 69 du/acre<br>(16 units); potential additional affordable/workforce  | <i>Not assessed; no specific development yet proposed</i>                    |

|                                 |                      | units per LDR Section<br>23.2-39(b)(1)(g) |                                                           |
|---------------------------------|----------------------|-------------------------------------------|-----------------------------------------------------------|
| Building Height (max)           | 30' (max. 2 stories) | 56.25'                                    | <i>Not assessed; no specific development yet proposed</i> |
| Floor Area Ratio (FAR)<br>(max) | 1.10                 | 2.45                                      | <i>Not assessed; no specific development yet proposed</i> |

**Section 23.4-10. - Off-street parking:** This section provides general provisions for off-street parking. The standards “apply to all parking spaces required for new buildings, new uses, additions, enlargements, or changes.”

**Analysis:** A total of 283 parking spaces are required for the museum and residential building. The applicant has opted to utilize the twenty five percent (25%) parking reduction credit for mixed use projects, which reduces the total required parking to 213 spaces.

As proposed, the project will have a total of 222 parking spaces, provided as follows:

- 89 standard off-street spaces (underground garage)
- 29 compact off-street spaces (underground garage)
- 10 ADA off-street spaces (underground garage and behind museum)
- 156 bicycle spaces (equivalent 39 off-street spaces, only counting 24 equivalent spaces due to limitations on alternative parking spaces)
- 21 on-street standard spaces
- 1 on-street bus space (equivalent 4 standard spaces)
- 45 in-lieu spaces in the proposed City parking garage on South K Street (see City Commission-approved development agreement)

Seven (7) EV charging stations will be available in the underground parking area. The applicants have also provided a parking management plan (see attachments to this report), which details how the applicants will allocate spaces to residents, employees, and guests; encourage alternative modes of transportation; and manage and enforce parking on the site.

**Section 23.4-9, Off-Street Loading Regulations:** Every hospital, institution, hotel, commercial and industrial building or similar use, having a floor area in excess of ten thousand (10,000) square feet requiring the receipt or distribution by vehicle of materials and merchandise, shall have at least one (1) permanently maintained off-street loading space for each ten thousand (10,000) square feet of gross floor area or fraction thereof.

**Analysis:** Per the plans provided, gallery, storage, and café areas of the proposed museum total approximately 19,841 square feet of space, which requires two (2) loading spaces. Two loading spaces are proposed for the development; one is located at the rear of the museum building, and the other is located at the east side of the residential building.

**Section 12-7, Dumpster Requirements:** The location of all dumpsters shall be approved by the public services director or his designee and/or the building official or his designee. All dumpsters shall meet the requirements set forth in this section and all other ordinances, rules, regulations and policies adopted by the city.

**Analysis:** The proposed locations for dumpsters, refuse bins, and recycling have been reviewed by Public Works. The dumpsters and bins will be fully screened and/or located inside the buildings. Per conditions of approval provided by Public Works, the applicant shall coordinate with Public Works regarding a service and collection plan, including centralized pickup location(s) and exact numbers of containers required.

**Section 23.4-3, Exterior Lighting:** *All outdoor lighting shall be installed in conformance with the provisions of this chapter, applicable electrical and energy codes, and applicable sections of the building code.*

**Analysis:** A photometric plan was provided depicting compliance with the exterior lighting requirements in Section 23.4-3 and does not allow light trespass upon neighboring residential properties or districts in excess of 12.57 lumens. The photometric plan also demonstrates compliance with the illumination requirements in LDR Section 23.3-25(e); with the exception of public lighting such as City-standard street lights, the proposed outdoor lighting does not exceed one foot candle outside the development's property lines. A condition of approval has been provided requiring proposed fixtures to have a warm tone setting of 3000 K or less.

**Signage:** Signage is required to comply with the size and design requirements in LDR Section 23.5-1. Proposed signs are reviewed for consistency with the sign code requirements and planned development at building permit.

**Analysis:** Signage is required to comply with the size and design requirements in the Land Development Regulations. Prior to the issuance of building permit for commercial signage, a Minor Site Plan amendment to establish a Uniform Master Sign Program in accordance with the City's Land Development Regulations is required.

**Section 23.6-1. - Landscape regulations:** *The objective of this section is to provide minimum standards for the installation and maintenance of landscaping within the City. Per Section 23.6-1(c)(2), "on the site of a building or open-lot use providing an off-street parking, storage or other vehicular use area, where such an area will not be screened visually by an intervening building or structure from an abutting right-of-way or dedicated alley, shall require landscaping."*

**Analysis:** The development proposal provides perimeter landscaping and shade trees. Tree species include a mix of Bridal Veil, Spanish Stopper, and Live Oak trees with multiple native and non-native shrubs, grasses and groundcovers for the perimeter and interior plantings. The proposed landscaping is mostly consistent with the City's landscape regulations and the Major Thoroughfare Design Guidelines; however, conditions of approval have been added to replace proposed palms with street trees along South L Street and to increase the native tree count to meet the minimum 75% native tree requirement.

As required by the tree removal provisions in the landscape regulations, the applicant submitted a tree survey and disposition list. LDR 23.6-1(m)(7) establishes criteria for replacement of trees and palms; if there is not sufficient space on site to successfully plant enough replacement trees, an in-lieu fee shall be paid into the Tree Canopy Restoration Fund as a substitute to replacement.

Staff has added conditions of approval to remove sites from the disposition list that are not applicable to this development proposal, provide condition ratings in percentages, provide detailed calculations for mitigation and in-lieu fees, and revise inconsistencies about tree(s) to be retained. Staff has also provided a condition requiring any necessary in-lieu mitigation payment into the City's Tree Canopy Restoration fund prior to the issuance of a building permit for new construction.

### **Section 23.2-31 - Site Design Qualitative Standards (Attachment A)**

Site Design Qualitative Standards are intended to "promote safety and minimize negative impacts of development on its neighbors by establishing qualitative requirements for the arrangements of buildings, structures, parking areas, landscaping and other site improvements. The qualitative standards are designed to ensure that site improvements are arranged in ways which cannot be otherwise accomplished with quantitative standards." These qualitative standards are applicable to site plan applications as well as all conditional uses. The Major Thoroughfare Design Guidelines are an adopted component of these Site Design Qualitative Standards as per Section 23.2-31(j), which are applicable to

properties adjacent to the City's major thoroughfares inclusive of the subject site. Compliance determination with the applicable standards in Section 23.2-31 are provided in Attachment A, and applicant responses to the applicable standards are provided in their Justification Statement (see attachments to this report). **The following analysis of the site, building, vehicular use area, and appearance support the compliance findings for the applicable standards listed in Attachment A and in the Major Thoroughfare Design Guidelines.**

**Site Design Qualitative Standards Analysis & Major Thoroughfare Design Guidelines:**

The proposed improvements to the site are consistent with the Major Thoroughfare Design Guidelines and the City's LDRs. The subject site is located along both Major Throughfares A and C as designated in the City's Major Thoroughfare Design Guidelines. The site is configured with a four (4)-story building and a five (5)-story building with pedestrian entrances fronting Lake Avenue, South L Street, and South M Street, as well as a pedestrian entrance to the residential building from the proposed art walk/arts alley. The art walk/arts alley will enhance the existing alley to create a walkable, inviting pedestrian experience integrating public art. Refuse will be stored internally for the residential building, and will be stored both internally and in a screened refuse area for the museum building.

Parking is proposed on a small surface parking area behind the museum and in an underground garage beneath the residential building. Vehicular ingress and egress is proposed from South M Street. The pedestrian and vehicular site circulation safely connects to the existing public rights-of-way. Landscaping is proposed to screen the perimeter of the site and provide internal vegetation; these improvements are further discussed in the landscape section of this report.

The proposed buildings are contemporary in design with visual references to and inspiration from Mid-Century Modern and Streamline Moderne architecture. Although the structures share design inspiration, they are not designed to be lookalike buildings; each building has its own unique design. The primary exterior finishes include smooth stucco in multiple colors, metal panels, and reinforced concrete panels, with a variety of painted and coated metal finishes for the buildings' windows, window shades, balconies, and canopies. Both buildings have flat roofs with screened mechanical equipment, and facades are recessed above the second story to align with zoning requirements and visually mitigate the buildings' height. The museum's windows emphasize horizontality, while the residential building's windows are more vertically oriented. While both buildings include visual breaks in the primary facades, the residential structure in particular emphasizes visual breaks through changes in color, balconies, recesses, and arches to visually reference the typical 25-foot and 50-foot increments of development (lot sizes) in Lake Worth Beach. Staff expressed concerns to the applicants regarding the long expanse of blank façade along the west elevation of the museum building; the applicants have proposed a mural on this elevation to bring visual interest and help mitigate the lack of architectural features.

Per LDR Section 23.2-31(c)(16), all new buildings that are 7,500 square feet in size or larger must meet additional performance standards, such as overall reduction in greenhouse emissions, reduction in carbon footprint, support of multi-modal transportation options, etc. Verification of these performance standards must be provided by an independent third party; staff has included conditions of approval requiring submittal of the third party verification for the performance standards prior to the issuance of the buildings' certificates of occupancy.

The existing uses in the surrounding area are as follows:

| Direction | Future Land Use                | Zoning District                                      | Existing Use                                           |
|-----------|--------------------------------|------------------------------------------------------|--------------------------------------------------------|
| North     | DMU – Downtown Mixed Use       | DT – Downtown and MU-E - Mixed Use - East            | Residential, Restaurant, Retail, Office, Cultural Arts |
| South     | HDR – High-Density Residential | MF-30 - Medium Density Multi-Family Residential (30) | Residential, Place of Worship                          |
| East      | DMU – Downtown                 | DT – Downtown and MU-                                | Residential, Restaurant, Retail,                       |

|      |                          |                                               |                                                     |
|------|--------------------------|-----------------------------------------------|-----------------------------------------------------|
|      | Mixed Use                | E - Mixed Use - East                          | Office                                              |
| West | DMU – Downtown Mixed Use | DT – Downtown and MU-<br>E - Mixed Use - East | Residential, Restaurant, Retail,<br>Office, Parking |

The proposed uses are anticipated, desired, and compatible uses in the Downtown zoning district. Additional use analysis is located in the Conditional Use Permit section, located on page 11 of this report.

#### **Community Appearance Criteria:**

The proposed development and associated site improvements represent a substantial improvement in the general appearance of the existing properties and is consistent with the Comprehensive Plan, Major Thoroughfare Design Guidelines, and the City's Land Development Regulations (LDRs). The project is in conformity with the principals of good design and quality and is in harmony with the city and the surrounding area as conditioned.

#### **Section 23.2-35 - Development of Significant Impact (DSI)**

A development of significant impact (DSI) is a commercial, office, or industrial development of 100,000 or more gross square feet of enclosed building area, including renovations of existing structures when a change to a more intensive use is anticipated, or a residential development of 100 or more dwelling units, including renovations of existing structures when a change to a more intensive use is anticipated. The proposed project qualifies as a DSI because it exceeds 100,00 square feet and includes a residential development of over 10 dwelling units.

Per LDR Section 23.2-35, a proposed DSI and any amendments to an approved DSI shall be reviewed and approved in accordance with the procedures and requirements for a Conditional Use Permit, except that the City Commission shall be the decisionmaker instead of the Historic Resources Preservation Board. The Conditional Use Permit criteria is outlined in the conditional use analysis section below.

#### **Section 23.2-29 - Conditional Use Permit (CUP) (Attachment B)**

Conditional uses are those uses that are generally compatible with the other uses permitted in a district, but that require individual review of their location, design, structure, configuration, density and intensity of use, and may require the imposition of conditions to ensure the appropriateness and compatibility of the use at a particular location and to prevent or minimize potential adverse impacts to the surrounding area. The museum and multi-family residential uses were reviewed for consistency with the required conditional use findings (Attachment B).

The proposed conditional uses are anticipated uses in the DT zoning district. The buildings will be served by existing municipal services, including water, sewer, refuse, fire and police. The proposed associated site improvements would improve the condition of existing parcels while providing new housing options, a new art museum, and public amenities such as the art walk and community art space. Electric service in the development area will be undergrounded, which will improve the infrastructure and service to the surrounding area. The applicant has also provided a PBC Traffic Performance Standards approval letter from Palm Beach County. In summary, the museum and multi-family uses are not anticipated to negatively impact the surrounding areas with traffic, noise, and air pollution more than uses that are permitted by right in the DT zoning district.

#### **Section 23.2-33(c) - Sustainable Bonus Incentive Program (SBIP)**

The City of Lake Worth Beach Sustainable Bonus Incentive Program (SBIP) is intended to implement Objective 1.2.3 of the City's Comprehensive Plan, which states the City shall establish incentives to help support the creation of a compact, sustainable, community-oriented development by implementing a Sustainable Bonus Incentive Program. The Program offers the opportunity to attain an option for increased density, intensity (FAR), and/or height in exchange for the incorporation of sustainable design features, community-based improvements and overall design excellence as part of a development proposal.

Per Policy 1.2.3.4 of the City's Comprehensive Plan, a mixed use urban planned development may obtain a 25% bonus on density, intensity (FAR), and height over the base line as outlined in Table 1 of the Comprehensive Plan. The Applicants are asking for a bonus height up to 56.25', a density of 50 units per acre (22 bonus units overall; 17 bonus units in Phase I), and a floor area ratio (FAR) of 2.27. The FAR requested is less than the maximum allowances that can be permitted for intensity through a sustainable bonus incentive in a planned development in the DT zoning district. The total square footage of bonus area above the second floor is  $\pm 86,274$  square feet in total ( $\pm 32,553$  square feet through Tier 1 SBIP for the buildings' third stories and  $\pm 53,721$  square feet through Tier 2 SBIP for the buildings' fourth and fifth stories). Therefore, the value of required improvements for the SBIP bonus areas are \$244,147.50 ( $32,553 \text{ sf} \times \$7.50 \text{ per sf}$ ), plus an additional \$805,815 ( $53,721 \text{ sf} \times \$15 \text{ per square foot}$ ). The total combined value of both SBIP Tiers is \$1,049,962.50. In the approved development agreement, the City Commission waived the requirement that 50% of the sustainable bonus incentive fee be paid to the City.

The project proposes multiple qualifying features, such as the art walk/arts alley, community art space, public art, and bicycle mobility systems. The project also proposes relocating three structures designated in the Lake Worth Beach Register of Historic Places for rehabilitation and reuse, which entitles the project to 50 percent of the incentive (equivalent value of \$524,981.25). The applicants have calculated the total value of their qualifying sustainability features at \$6,731,016.

#### **Section 23.3-25(g) - Transfer of Development Rights (TDR):**

Section 23.3-25(g) establishes the city's Transfer of Development Rights (TDR) program. Projects located east of Dixie Highway which utilize the TDR program may obtain an increase in overall density of ten units per acre. The rights are valued at a cost of \$15 per square foot, and are paid to the city in exchange for development rights on city-owned properties with a Public (P) future land use designation.

The proposed project has gained an additional 10 units per acre (22 bonus units overall; 17 bonus units in Phase I) through the transfer of development rights bonus. The TDR fee has been waived by the City Commission in the previously approved Development Agreement with the applicants.

Below are the criteria projects must meet to qualify for the program:

1. Projects incorporating transfer development rights must be a mixed use urban planned development, planned development, mixed use planned development or residential planned development.

**Analysis:** Yes, the proposed project is a Mixed Use Urban Planned Development.

2. Projects must have incorporated all of the density, height and intensity bonuses available under the sustainable bonus program prior to being eligible for the transfer development rights program.

**Analysis:** The proposed project has incorporated all of the density, height, and intensity bonuses available under the sustainable bonus program prior to incorporating the density bonus from the TDR program.

#### **Section 23.2-29 - Affordable/Workforce Housing Program:**

The applicant has elected to utilize the fifteen percent (15%) density incentive through the City's Affordable/Workforce Housing Program (AWFH). The AWFH Program requires that all units acquired through the affordable/workforce density incentive be income restricted in accordance with the provisions in this ordinance, as well as 15% of the total number of units gained through utilization of any other City incentives or bonus programs.

**Analysis:** The applicants are proposing to construct 110 dwelling units at 13-23 South M Street and 16-32 South L Street ("WMODA residential building"), of which eight (8) will be income restricted. Six affordable units that are required through the utilization of the City's Sustainable Bonus Incentive Program and Transfer of Development Rights program are being transferred to the CRA-owned site at 30 South K Street, along with an additional eight (8) affordable units that

are available through the Affordable/Workforce Housing Program for the WMODA residential building. This results in a total of fourteen (14) affordable units being transferred to the CRA site at 30 South K Street. The CRA site is transferring back six (6) market-rate units to the WMODA residential building.

The eight affordable/workforce units at the WMODA residential building, also referred to by the applicants as “artist lofts,” will be income restricted at 80-120% of Area Median Income (AMI) for a period of fifteen (15) years. This is a reduction from the City’s standard requirement for affordable/workforce units to be income-restricted for a minimum of twenty five (25) years; this reduction was part of the applicants’ previously approved Development Agreement with the City Commission. The applicants have provided calculations for the in-lieu fee amount that resulted from this reduction in the affordability restriction period, which amounts to \$435,240 and is provided in the attachments to this report.

Site plans will be brought to the HRPB at a future date for residential development at the CRA site (30 South K Street) and the Cultural Council Site (11 South L Street). Both are eligible for residential development with affordable/workforce units:

- 30 South K Street: 21 units (10 market rate, 11 affordable/workforce), plus an additional 8 affordable/workforce units transferred from the Phase 1 development area
- 11 South L Street: 16 units (11 market rate, 5 affordable/workforce)

The planned development is also eligible for an additional 28 affordable/workforce units. Per LDR Section 23.2-39(b)(1)(g), *any platted lot of record within the CRA area boundaries, regardless of lot width or lot area, is entitled to one (1) additional affordable/workforce unit governed by a restrictive covenant meeting this section, even where the platted lot(s) of record are combined into a single parcel.* This planned development has a total of 28 platted lots of record, which entitles the proposed residential development(s) to an additional 28 income-restricted units. As there is not yet a specific development proposal for either 30 South K Street or 11 South L Street, it has not been determined how or if these additional 28 units will be distributed across the parcels.

### **Right of Way Abandonment**

The proposal includes a right-of-way abandonment for the alleys running north-south and east-west bisecting the project site. 125 feet of the east-west alley between Lake Avenue and 1<sup>st</sup> Avenue South is proposed to be abandoned, along with the south half of the remaining 155 feet of that alley (approximately 3,037.5 square feet in total). 150 feet of the north-south alley between South L Street and South M Street is also proposed to be abandoned, along with the west half of the remaining 100 feet of that alley (approximately 2,000 square feet in total).

The City Commission will consider this request concurrently with the mixed use urban planned development. At first reading, the City Commission will consider permission to advertise the proposed ROW abandonment and then will consider the ROW abandonment request. If approved, the portions of the alleyways within the project site would be granted to the applicants. The utilities staff have added conditions of approval to require utility easements in the abandoned rights-of-way.

### **CONCLUSION AND CONDITIONS**

The DT zoning district is intended “to provide the establishment and expansion of a broad range of office and commercial uses, including higher density residential use.” The museum and multi-family residential uses are anticipated and encouraged uses in the Downtown zoning district. Based on the data and analysis in this report and the supporting materials by the applicant, the proposed mixed use urban planned development is appropriate and consistent with the City’s Comprehensive Plan, Strategic Plan, Major Thoroughfare Design Guidelines, and Land Development Regulations. The applicants have provided documentation that the proposed project will provide a substantial positive economic impact on the City’s downtown, and the planned development will vest multiple sites for the creation of new affordable/workforce housing. **Therefore, a recommendation of approval is provided to the HRPB with the following conditions:**

**Planning & Zoning**

1. A restrictive covenant shall be recorded for the affordable/workforce units prior to the issuance of a Certificate of Occupancy for the residential building.
2. Separate HRPB approval shall be required for the proposed mural on the museum building. The mural shall be approved, permitted, and installed prior to the issuance of a Certificate of Occupancy for the museum building.
3. All utility easements required by Electric Utilities and/or Water and Sewer Utilities shall be recorded before or concurrently with the ROW abandonments.
4. Prior to the issuance of a certificate of occupancy, documentation shall be submitted by an independent third party to the Department of Community Sustainability that the project fulfills the City's project performance standards listed in LDR Section 23.2-31.
5. Prior to building permit application, submit a site plan amendment to address the following:
  - a. Establish a Uniform Master Sign Program in accordance with LDR Section 23.5-1
  - b. Correct the front setback notation along Lake Avenue; setbacks on site plan (A-02) are currently measured from beyond the indicated property line.
  - c. Depict proposed utility easements on the site plan (A-02)
  - d. Correct the residential unit mix type and associated parking calculations on sheet A-04 to match the unit mix shown on the residential floorplans
  - e. Revise the museum's ground floor to comply with transparency requirement in LDR Section 23.3-14(d)(6).
  - f. Site-related comments provided by other departments, as applicable.
6. At building permit, provide a percolation test done by either a Professional Engineer or Geotechnical firm for proposed semi-pervious pavers. The percolation test must include an evaluation of the site soils and shall calculate the hydraulic conductivity. The hydraulic conductivity values should be calculated based on the South Florida Water Management District's Usual Open Hole Constant Head percolation test procedure as shown on the "Equations in SFWMD Permit Information Manual, Volume IV". The percolation test should be submitted under the same cover of the Semi-Pervious Surface specification submittal.
7. All light fixtures shall be fully shielded to mitigate light pollution and shall meet Dark Sky requirements. If LED lights are used, then the light temperature shall be less than 3000K.
8. ROW permit approval shall be required for sidewalk café use along Lake Ave.
9. FDOT approval shall be required for work affecting the Lake Ave ROW, including awning/canopy overhang, landscape, and/or sidewalk café permit.

**Historic Preservation**

1. All conditions of approval from COAs #25-00100068, 25-00100149, 25-00100150, and 25-00100151 shall be adopted as part of the WMODA Mixed Use Urban Planned Development.

**Landscape**

1. Proposed tree removals will require a stand-alone tree removal permit.
2. Root barriers shall be used for all plantings that are within 5 feet of a utility easement or any other underground utility. Include a root barrier detail and indicate the root barrier locations on the landscape plan.
3. Prior to the issuance of a building permit for new construction, the applicant shall pay any required in-lieu mitigation fees into the City's Tree Canopy Restoration fund.
4. Prior to building permit application, submit a site plan amendment to address the following:
  - a. Revise disposition list to separate WMDOA development area from CRA receiving site and Cultural Council site, and remove 704 1<sup>st</sup> Avenue South from the disposition list, as that address is not part of this development approval

- b. Revise disposition list to provide condition ratings in percentages. Per LDR 23.6-1(m)(7), mitigation requirements differ for trees/palms with a condition rating of 50% or more versus trees/palms with a condition rating below 50%.
- c. Provide calculations for mitigation in-lieu fee, including the per-inch fees used to make the calculations.
- d. Provide plan to resolve the deficiency of replacement palms.
- e. Correct inconsistencies between landscape plan and disposition list as to whether the live oak (#123) will be removed or retained.
- f. At least 75% of all required trees must be native per LDR 23.6-1(j)(5). Please revise plans to increase native tree count.
- g. Provide trees in the northwest corner of the property near the residential L Street entrance. Palms shall not be used to replace required street trees.

### Water & Sewer Utilities

1. Contact Rakib Chowdhury ([rchowdhury@lakeworthbeachfl.gov](mailto:rchowdhury@lakeworthbeachfl.gov)) to coordinate regarding removal/replacement of water/sewer connections and meters:
  - a. The property 500 1st Ave South (Marked as Lot 28 Block 23 in the civil drawing) has active water and sewer connections from the mains located at the alley (Proposed to remove). In addition, the property has an active master water meter near the alley-side.
  - b. All the three water meters proposed for the removal are currently active.
2. During the building permit application:
  - a. Please call out in the plan about the schedules of the proposed sewer main construction before removal of the existing main.
  - b. Please show the invert elevations for all the proposed manholes.
  - c. Please call out the pipe materials for the water service lines.
  - d. Please provide permitting information from the South Florida Water Management District, PBC Health Department, FDEP, and FDOT.
  - e. Please provide a fire-flow calculation report based on a recent hydrant test.
  - f. Please show the conflict elevations for all utility crossings/conflicts.
  - g. Please call out the existing and proposed water-sewer utilities in the landscape plan. Please provide minimum clearances between the trees and utilities (both proposed and existing). Alternatively, please provide Public Service Details-23 (Typical Tree with Root Barrier) in the landscape details.
  - h. Please provide the cross-section for the South-East and North-West portion of the property showing how the stormwater will be stopped from flowing to the neighborhood properties.

### Public Works

1. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable standards including but not limited to the Florida Department of Transportation (FDOT), Manual on Uniform Traffic Control Devices (MUTCD), and City of Lake Worth Public Works Construction Standards and Policy and Procedure Manual.
2. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied under the jurisdiction of the Department of Public Works.
3. Prior to the issuance of a building permit, contact the Lake Worth Drainage (LWDD) District's Engineering Department and obtain any required permit(s), if necessary, and furnish to the City. Prior to the issuance of a building permit, contact the South Florida Water Management District's (SFWMD) Engineering Department and obtain any required permit(s), if necessary.
4. Prior to the issuance of a certificate of occupancy, ensure the entire surrounding off-site infrastructure inclusive of the roadway, sidewalk, curbing, stormwater system piping and structures, valve boxes, manholes, landscaping, striping, signage, and other improvements are in the same condition as prior to construction. A pre-construction video of the entire perimeter shall be performed and submitted to the City.

5. Contact Public Works Solid Waste and Recycling Division and meet with a representative to agree upon garbage / recycling storage location and screening, centralized container pickup location, and number of containers required so that they may be accurately depicted on the plans. Ex:
  - a. A-31 on Residential Plans: Trash location is shown, but there needs to be a discussion on how collection will take place. Based on dimensions and necessary radius for collection, truck access to the current plan location illustrated is not physically feasible.
  - b. A-11 on Museum Plans and Elevations: Dumpster location is shown, but there needs to be a discussion on how collection will take place. Based on dimensions and necessary radius for collection, truck access to the current plan location illustrated is not physically feasible.
  - c. Will there be any compactor(s) utilized? If not and individual containers are proposed to remain in the current location, will property management be placing them in the right-of-way for service and then returning them back on to the property on collection days?
  - d. The division manager for Solid Waste and Recycling, David Monestime, can be contacted by email at [dmonestime@lakeworthbeachfl.gov](mailto:dmonestime@lakeworthbeachfl.gov) or by phone at 561-533-7396.
6. Prior to the issuance of a Building Permit, any dumpster enclosure design (if applicable) shall meet the specifications of the Public Works Dept for size, type and material.
7. Prior to issuance of a building permit, a location shall be designated on the site plan for the storage of refuse carts and/or dumpsters on non-collection days. Plans shall also indicate how the refuse carts/dumpsters will be screened from public view on non-collection days.
8. Prior to the issuance of a Certificate of Occupancy, broom sweep all areas of the affected right of way and remove all silt and debris collected as a result of construction activity.
9. Prior to performing work in the City Right-of-Way (ROW), apply for and receive issuance of a "Right of Way/Utility Permit" application.
10. Prior to the issuance of a Certificate of Occupancy, restore the right of way to a like or better condition. Any damages to pavement, curbing, striping, sidewalks or other areas shall be restored in kind.
11. Prior to the issuance of a Building Permit, the applicant shall submit an approved FDOT Permit for the work on Lake Ave.
12. For the Art Walk (A-02 on Site plan & A-11 on Museum Plans and Elevations), alleyway improvements consisting of new base, asphalt, and header curbs shall be constructed in compliance with the Public Works Construction Standards and Policy and Procedures Manual. Stamped concrete or stamped asphalt is requested, as annual / semi-annual brick paver maintenance is not desirable from a budgetary standpoint.

#### **Electric Utilities**

1. Prior to building permit application, submit a site plan amendment to address the following:
  - a. Developer to specify the path of the electric underground facilities to feed the transformers. Conduit for residential building to be enclosed due to the possibility of impact by traversing vehicles.
2. Electric Utility will request the utility 10ft easement in the alley between Lake Ave and 1st Ave S and L St from the alley heading south to 1st Ave S and from L St heading east to the alley between L and M St. Before the issuance of a Certificate of Occupancy, the utility easement must be recorded.
3. Before or at the time of application for a Building Permit, Developer must provide the load calculation, voltage requirements and riser diagram.
4. Developer to show the location of the meter center on the site plan.
5. Developer will be responsible for installing their own lightning for the parking areas.
6. Developer will be responsible for installation of the conduits within the identified 10ft utility easement.
7. Developer will be responsible for the cost of Lake Worth Beach's materials and labor for this project.
8. Before the issuance of a Certificate of Occupancy (CO) a final electrical inspection must be done.
9. If any meter is over 320 amps for single phase, or over 200 amps for 3-phase, a CT cabinet and CT meter will need to be installed. All meters and CT cabinets will require a minimum of 36" (36in) clearance in front for installation of the meter.

**BOARD POTENTIAL MOTION:**

I MOVE TO RECOMMEND APPROVAL WITH CONDITIONS of Ordinance 2025-06, commonly referred to as the “WMODA Planned Development” based on upon the competent and substantial evidence provided in the staff report and in the testimony at the public hearing.

I MOVE TO NOTE RECOMMEND APPROVAL of Ordinance 2025-06, commonly referred to as the “WMODA Planned Development.” The project does not meet the review criteria [Board member state applicable review criteria] for the following reasons [Board member please state reasons].

**Consequent Action:** *The Historic Preservation Review Board recommendation will be forwarded to the City Commission as part of the supporting documents and materials upon first reading of Ordinance 2025-06.*

**ATTACHMENTS**

- A. Qualitative Development Standards
- B. Conditional Use Findings
- C. Ordinance 2025-06
- D. Application Package (survey, site plan package, architectural plans & supporting documents)

## ATTACHMENT A – Qualitative Development Standards

| Section 23.2-31(c) –Qualitative Development Standards                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Analysis                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| <p><b>1. Harmonious and efficient organization.</b> All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of plot, the character of adjoining property and the type and size of buildings. The site shall be developed so as to not impede the normal and orderly development or improvement of surrounding property for uses permitted in these LDRs.</p>                                                                                                                                                                                                                                                                                                                                                                                                                             | In compliance                |
| <p><b>2. Preservation of natural conditions.</b> The natural (refer to landscape code, Article 6 of these LDRs) landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal and by such other site planning approaches as are appropriate. Terrain and vegetation shall not be disturbed in a manner likely to significantly increase either wind or water erosion within or adjacent to a development site. Natural detention areas and other means of natural vegetative filtration of stormwater runoff shall be used to minimize ground and surface water pollution, particularly adjacent to major waterbodies. Fertilizer/pesticide conditions may be attached to development adjacent to waterbodies. Marinas shall be permitted only in water with a mean low tide depth of four feet or more.</p> | Not applicable               |
| <p><b>3. Screening and buffering.</b> Fences, walls or vegetative screening shall be provided where needed and practical to protect residents and users from undesirable views, lighting, noise, odors or other adverse off-site effects, and to protect residents and users of off-site development from on-site adverse effects. This section may be interpreted to require screening and buffering in addition to that specifically required by other sections of these LDRs, but not less.</p>                                                                                                                                                                                                                                                                                                                                                          | In compliance                |
| <p><b>4. Enhancement of residential privacy.</b> The site plan shall provide reasonable visual and acoustical privacy for all dwelling units located therein and adjacent thereto. Fences, walks, barriers and vegetation shall be arranged for the protection and enhancement of property and to enhance the privacy of the occupants.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | In compliance                |
| <p><b>5. Emergency access.</b> Structures and other site features shall be so arranged as to permit emergency vehicle access by some practical means to all sides of all buildings.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | In compliance as conditioned |
| <p><b>6. Access to public ways.</b> All buildings, dwelling units and other facilities shall have safe and convenient access to a public street, walkway or other area dedicated to common use; curb cuts close to railroad crossings shall be avoided.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | In compliance                |
| <p><b>7. Pedestrian circulation.</b> There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | In compliance                |
| <p><b>8. Design of ingress and egress drives.</b> The location, size and numbers of ingress and egress drives to the site will be arranged to minimize the negative impacts on public and private ways and on adjacent private property. Merging and turnout lanes traffic dividers shall be provided where they would significantly improve safety for vehicles and pedestrians.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | In compliance                |
| <p><b>9. Coordination of on-site circulation with off-site circulation.</b> The arrangement of public or common ways for vehicular and pedestrian circulation shall be coordinated with the pattern of</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | In compliance                |

existing or planned streets and pedestrian or bicycle pathways in the area. Minor streets shall not be connected to major streets in such a way as to facilitate improper utilization.

- 10. Design of on-site public right-of-way (ROW).** On-site public street and rights-of-way shall be designed to for maximum efficiency. They shall occupy no more land than is required to provide access, nor shall they unnecessarily fragment development into small blocks. Large developments containing extensive public rights-of-way shall have said rights-of-way arranged in a hierarchy with local streets providing direct access to parcels and other streets providing no or limited access to parcels. **Not applicable**
- 11. Off-street parking, loading and vehicular circulation areas.** Off-street parking, loading and vehicular circulation areas shall be located, designed and screened to minimize the impact of noise, glare and odor on adjacent property. **In compliance**
- 12. Refuse and service areas.** Refuse and service areas shall be located, designed and screened to minimize the impact of noise, glare and odor on adjacent property. **In compliance**
- 13. Protection of property values.** The elements of the site plan shall be arranged so as to have minimum negative impact on the property values of adjoining property. **In compliance**
- 14. Transitional development.** Where the property being developed is located on the edge of the zoning district, the site plan shall be designed to provide for a harmonious transition between districts. Building exteriors shall complement other buildings in the vicinity in size, scale, mass, bulk, rhythm of openings and character. Consideration shall be given to a harmonious transition in height and design style so that the change in zoning districts is not accentuated. Additional consideration shall be given to complementary setbacks between the existing and proposed development. **In compliance**
- 15. Consideration of future development.** In finding whether or not the above standards are met, the review authority shall consider likely future development as well as existing development. **In compliance**

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

4. *The concept of harmony shall not infer that buildings must look alike or be of the same style. Harmony can be achieved through the proper consideration of scale, mass, bulk, proportion, height, orientation, site planning, landscaping, materials, rhythm of solids to voids and architectural components including but not limited to porches, roof types, fenestration, orientation and stylistic expression.* **In compliance**
5. *Look-alike buildings shall not be allowed unless, in the opinion of the board, there is sufficient separation to preserve the aesthetic character of the present or evolving neighborhood. This is not to be construed to prohibit the duplication of floor plans and exterior treatment in a planned development where, in the opinion of the board, the aesthetics or the development depend upon, or are enhanced by the look-alike buildings and their relationship to each other.* **In compliance**
6. *Buildings, which are of symbolic design for reasons of advertising, unless otherwise compatible with the criteria herein, will not be approved by the board. Symbols attached to the buildings will not be allowed unless they are secondary in appearance to the building and landscape and are an aesthetic asset to the building, project and neighborhood.* **Not applicable**
7. *Exterior lighting may be used to illuminate a building and its grounds for safety purposes, but in an aesthetic manner. Lighting is not to be used as a form of advertising in a manner that is not compatible to the neighborhood or in a manner that draws considerably more attention to the building or grounds at night than in the day. Lighting following the form of the building or part of the building will not be allowed if, in the opinion of the board, the overall effect will be detrimental to the environment. All fixtures used in exterior lighting are to be selected for functional as well as aesthetic value.* **In compliance**
8. *Building surfaces, walls and roofs shall be compatible and in harmony with the neighborhood.* **In compliance**
9. *"Take-out" or "pick-up" windows of retail or wholesale establishments shall not be located on a building façade that faces a public right-of-way, unless they are designed in such a manner as to constitute an aesthetic asset to the building and neighborhood.* **Not applicable**
10. *All exterior forms, attached to buildings, shall be in conformity to and secondary to the building. They shall be an asset to the aesthetics of the site and to the neighborhood.* **Not applicable**
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.* **In compliance**
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.* **In compliance**
13. *No advertising will be allowed on any exposed amenity or facility such as benches and trash containers.* **Not applicable**
14. *Light spillage restriction. The applicant shall make adequate provision to ensure that light spillage onto adjacent residential properties is minimized.* **In compliance**

15. All buildings shall address both the public right-of-way and improve the overall pedestrian experience through the inclusion of the following components: **In compliance**
- a. Clearly articulated entrances,
  - b. Expanses of fenestration at the ground level,
  - c. Provision of shade through porches, awnings, galleries, arcades and/or loggias as well as other appropriate forms to the chosen architectural style(s),
  - d. Integrated signage,
  - e. Pedestrian scaled lighting,
  - f. Buildings that define at least fifty (50) percent of the street frontage, and
  - g. Openings that approximate a golden ratio of 1.618.
16. All new buildings of seven thousand five hundred (7,500) gross square feet or larger shall incorporate design principles, practices and performance standards to achieve the following through a project proforma description and analysis prepared by the developer and verified by an independent third party: **In compliance as conditioned**
- a. Overall ten (10) percent reduction in greenhouse emissions over the life of the building as compared to industry standards,
  - b. Overall ten (10) percent reduction in carbon footprint during construction and operation of the building as compared to industry standards,
  - c. Overall twenty (20) percent reduction in refuse stream during construction and operation of the building as compared to industry standards,
  - d. Overall utilization of at least twenty (20) percent recycled materials and/or materials that are recyclable,
  - e. Overall twenty (20) percent reduction in water usage during operation of the building as compared to industry standards,
  - f. Efficient use of natural resources through use reduction, reuse, reclamation, and recycling,
  - g. Incorporation of design features and uses that support multi-modal transportation options,
  - h. Incorporation of appropriate safety features to ensure the security and comfort of both occupants and visitors,
  - i. Incorporation of amenities that are conducive to enhancing community pride and social interaction, and
17. In addition to the items enumerated above, all new planned developments shall strive to incorporate design elements, performance standards and/or specifications to enhance the public's awareness and appreciation of the community's commitment to the preservation and enhancement of the following sustainability qualities, values and principles: **In compliance**
- a. Cultural resources,
  - b. Historical resources,
  - c. Ecological/natural resources,
  - d. Diversity and inclusion,
  - e. Social justice,
  - f. Economic investment,
  - g. Neighborhood vitality,
  - h. Sense of place,
  - i. Education, and
  - j. Recreation.

| <b><u>Section 23.2-31(h) – Criteria for parking lots and vehicular use areas</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b><u>Analysis</u></b> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 1. <i>Parking lots and other vehicular use areas are to be designed as an aesthetic asset to a neighborhood and to the building, group of buildings, or facility they serve. A parking lot is to be considered an outside space; a transitional space that is located between access areas (such as roads) and the building, group of buildings or other outside spaces which it serves. The parking lot, because it is viewed from above as well as at eye level, should be designed accordingly.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>In compliance</b>   |
| 2. <i>Parking lots, vehicular use areas, and vehicles parked therein are to be effectively screened from the public view and from adjacent property in a manner that is attractive and compatible with safety, the neighborhood and the facility served.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>In compliance</b>   |
| 3. <i>The responsibility for beautification and design of a parking lot is the same as that which a homeowner has to his residential lot. The atmosphere within a parking lot or vehicular use area is to be as pleasant and park-like as possible, rather than a harsh stand of paving. Trees are of primary importance to the landscape and are not to be minimized in either height or quantity. Trees impart a sense of three-dimensional space in a relatively flat area. Trees cast shadows that help to reduce the monotony of an expanse of paving and create a refuge from the tropical sun. Signs designating entrances, exits and regulations are to be of a tasteful design and shall be subject to review by the board. Consideration may be given to use of pavement which is varied in texture or color to designate lanes for automobile traffic, pedestrian walks and parking spaces. Brightly colored pavement is to be used with restraint. In order to create a pleasant atmosphere, it is recommended that consideration be given to sculpture, fountains, gardens, pools and benches. Design emphasis is to be given to the entrance and exit areas of the lot. Trash, refuse and unaesthetic storage and mechanical equipment shall be screened from the parking lot.</i> | <b>In compliance</b>   |
| 4. <i>Lighting is to be designed for visual effects as well as safety and resistance to vandalism. Care should be taken not to create a nuisance to the neighborhood from brightness or glare. Low lights in modest scale can be used along with feature lighting emphasizing plants, trees, barriers, entrances and exits. The fixtures are to be selected for functional value and aesthetic quality. Fixtures should be regarded as "furniture of the parking lot" which are visible both day and night.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>In compliance</b>   |
| <b><u>Section 23.2-31(m) – Community Appearance Criteria</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b><u>Analysis</u></b> |

- |                                                                                                                                                                                                                                                                         |                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 1. <i>The plan for the proposed structure or project is in conformity with good taste, good design, and in general contributes to the image of the city as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality.</i>                 | <b>In compliance</b>                |
| 2. <i>The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.</i>                           | <b>In compliance</b>                |
| 3. <i>The proposed structure or project is in harmony with the proposed developments in the general area, with code requirements pertaining to site plan, signage and landscaping, and the comprehensive plan for the city, and with the criteria set forth herein.</i> | <b>In compliance as conditioned</b> |
| 4. <i>The proposed structure or project is in compliance with this section and 23.2-29, Conditional Use Permits (CUP), as applicable.</i>                                                                                                                               | <b>In compliance</b>                |

### ATTACHMENT B - Findings for Granting Conditional Uses

Prior to approving any conditional use permit, the decision-making authority shall find based on competent and substantial evidence that the following criteria related to conditional uses are met:

| Section 23.2-29(d) General findings relating to harmony with LDRs and protection of public interest.                                                                                                                                                                                                                                                                                               | Analysis      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 1. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with the uses which, under these LDRs and the future land use element, are most likely to occur in the immediate area where located.</i>                                                                                                                                                           | In compliance |
| 2. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.</i>                                                                                                                                                                                                                                        | In compliance |
| 3. <i>The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the site for some use permitted by right or some other conditional use permitted on the site.</i>                                                                                                                                                 | In compliance |
| 4. <i>The conditional use exactly as proposed will not result in more intensive development in advance of when such development is approved by the future land use element of the comprehensive plan.</i>                                                                                                                                                                                          | In compliance |
| Section 23.2-29(e) Specific findings for all conditional uses.                                                                                                                                                                                                                                                                                                                                     | Analysis      |
| 1. <i>The proposed conditional use will not generate traffic volumes or movements which will result in a significant adverse impact or reduce the level of service provided on any street to a level lower than would result from a development permitted by right.</i>                                                                                                                            | In compliance |
| 2. <i>The proposed conditional use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets</i>                                                                                                                                   | In compliance |
| 3. <i>The proposed conditional use will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.</i>                                                                                                                                                        | In compliance |
| 4. <i>The proposed conditional use will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.</i>                                                                         | In compliance |
| 5. <i>The proposed conditional use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.</i> | In compliance |
| 6. <i>The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a</i>                                                                                                                                                                                                 | In compliance |

*demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.*

7. *The proposed conditional use will not generate significant noise, or will appropriately mitigate anticipated noise to a level compatible with that which would result from a development permitted by right. Any proposed use must meet all the requirements and stipulations set forth in section 15.24, Noise control.* **In compliance**
8. *The proposed conditional use will not generate light or glare which encroaches onto any residential property in excess of that allowed in section 23.4-10, Exterior lighting.* **In compliance**