

PLANNING AND ZONING BOARD REPORT

PZB Project Number 23-01400002: A conditional use permit request to establish a daycare and elementary school greater than 7,500 square feet located at 1200 North G Street. The subject property is zoned Mixed Use – Dixie Highway (MU-DH) and has a Mixed Use – East (MU-E) future land use designation.

Meeting Date: March 6, 2024

Property Owner: PRO LIFE 1200 LLC

Applicant: Daniel Ruiz, The Zonum Group

Address: 1200 North G Street

PCN: 38-43-44-21-15-380-0010

Size: 1.0856 ac Lot / 10,424 sf. Existing Structures

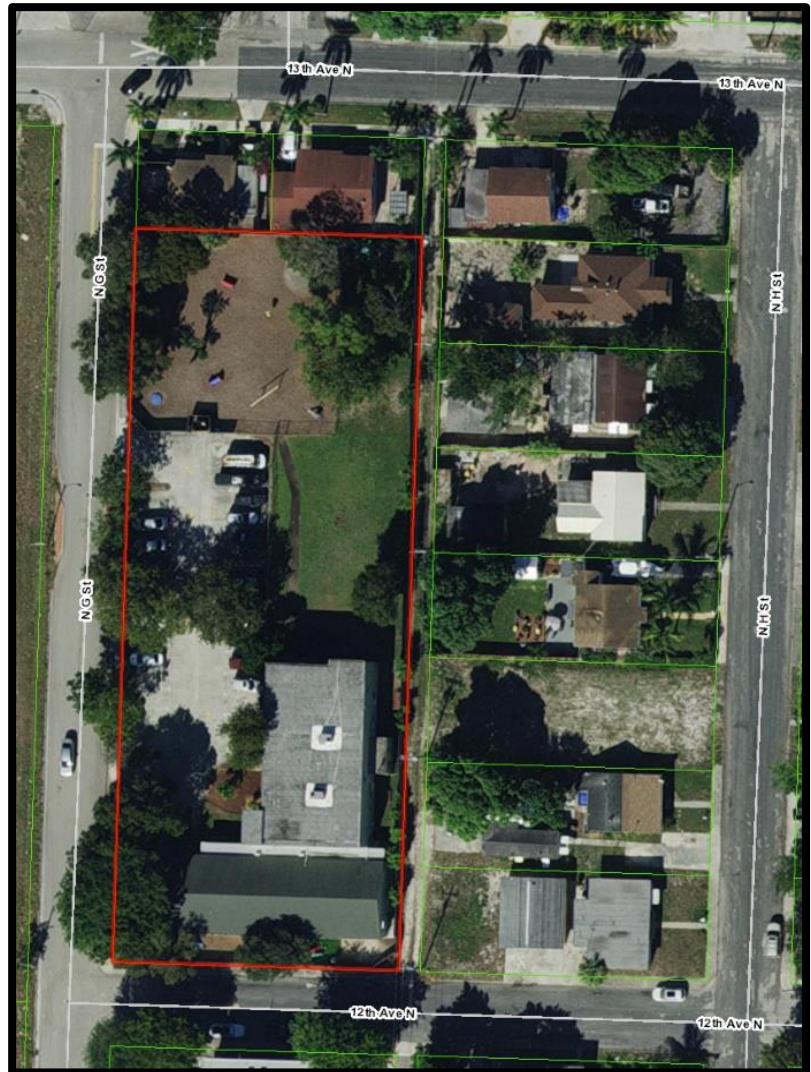
General Location: East of North G Street between 12th Avenue North and 13th Avenue North

Existing Land Use: Daycare

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

Zoning District: Mixed Use – Dixie Highway (MU-DH)

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), and for consistency with the Comprehensive Plan and Strategic Plan. The proposed use is consistent with the Comprehensive Plan, Strategic Plan, and LDRs as conditioned. Therefore, a **recommendation of approval with conditions** is provided to the Planning and Zoning Board. The conditions are located on page 6-7 of this report.

PROJECT DESCRIPTION

The applicant, Daniel Ruiz on behalf of Pro Life 1200, LLC, is requesting a Conditional Use Permit (CUP) to expand the existing daycare and establish an elementary school greater than 7,500 square feet located at 1200 North G Street in the Mixed Use – Dixie Highway (MU-DH) zoning district.

Building 1 is comprised of two floors totaling 6,824 (first floor = 3,480; second floor = 3,344) square feet and has an existing daycare and nonconforming indoor storage use. Building 2 is a single-story, 3,600 square foot structure with an existing daycare use. The use application is proposing to expand the daycare use in Building 1, remove the indoor storage, and add office and elementary school uses. Building 2 will remain the same with the daycare use.

According to the applicant's justification statement, the expansion of the daycare and establishment of the elementary school will provide additional services to the community. The subject property is located east of North G Street between 12th Avenue North and 13th Avenue North.

The applicant is only seeking the use approval at this time. A minor site plan amendment will be required to address several site improvements related to the approval including, but not limited to, accessory structures, awning, landscaping, and parking.

COMMUNITY OUTREACH

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

BACKGROUND

Below is a summary of the property based on the Palm Beach Property Appraiser's and City's records:

Construction: The property was constructed in 1958. There are two (2) existing buildings on the property totaling 10,424 square feet. Building 1 is 6,824 square feet (first and second floor). Building 2 is 3,600 square feet.

Use: A private school/day care operates at the property. The current use has had an active business license with the new owner since 2021.

- 1990 – Required parking variance approved by the Zoning Board of Appeals for the daycare/meeting hall.
- 1991 – Special Land Use for daycare and meeting hall was approved by the City Commission.

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

ANALYSIS

Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Mixed Use – East (MU-E). The MU-E FLU is intended to provide for a mixture of residential, office, service and commercial retail uses within specific areas east of I-95, near or adjacent to the central commercial core and major thoroughfares of the City. The maximum density of permitted residential development is 30 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. While mixed-use projects are allowed on a single site, it is not a requirement that each site within the

category incorporate multiple uses. Zoning regulations implementing the Mixed Use – East category shall permit the establishment and expansion of residential (including single family, two-family and multi-family), office, service and commercial retail uses either as uses permitted by right or through conditional use permit provisions. All buildings are required to provide transitional buffering and design features to mitigate impact of the MU-E sites adjacent to residential zoning districts. Although the surrounding adjacent properties do not have a residential zoning designation, there are existing legal nonconforming single-family homes to the north and east of the site. The proposed request is seeking to expand the existing high-intensity daycare and add an elementary school use to be allowed in the existing 10,424 square foot existing structures.

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. Pillars II.F., IV.E., and V.E. of the Strategic Plan state that the City shall achieve collaboration with schools to foster rich, diverse, and culturally enriching educational opportunities for all; ensure facility placement, construction, and development that anticipates and embraces the future; and support and foster an environment of inclusion and social consciousness. Because the proposed Conditional Use permit will allow for the expansion of a high-intensity daycare and establishment of an elementary school use that will contribute towards the collaboration with schools, embracing the future, and foster inclusion, the proposal is consistent with Pillars II.F., IV.E., and V.E.

Based on the analysis above, the proposed Conditional Use Permit, as conditioned, are consistent with the goals, objectives, and polices of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan.

Consistency with the Land Development Regulations

The **Mixed Use – Dixie Highway (MU-DH)** 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. The district implements in part the downtown mixed-use land use category of the Lake Worth Comprehensive Plan.

Analysis: The applicant is requesting a Conditional Use Permit for the expansion of the existing daycare and to add an elementary school use. Based on the data and analysis provided by the applicant, the proposed conditional use is not anticipated to impact the surrounding area greater than multiple uses permitted by right. The building will be served by municipal services, including water, sewer, refuse, fire and police. Therefore, no additional public expenditures are required to service the proposed use.

Per LDR Section 23.3-6, a high-intensity day care use requires a Conditional Use Permit and is also subject to additional supplemental regulations per LDR Section 23.4-13(c)6, *Day care centers*. The existing daycare has a capacity of 139 students, per the applicant. The expansion would add an additional 20 students for a total of 159. The request is also seeking an elementary school use that would add an additional 66 students. Although not part of this request, ±500 square feet of office space will be utilized contributing to the mixed-use intent of the zoning district. Office space is permitted by right in the MU-DH zoning district. Staff will propose a condition of approval requiring that any tenant utilizing the ±500 square feet obtain a separate business license and use approval if applicable. The daycare and elementary school uses are consistent with the intent of the MU-DH zoning district as conditioned. The analysis for the conditional use permit is provided in the section below and is consistent with the review criteria located in Attachment A. The proposed daycare use is also consistent with the additional supplemental regulations located in Attachment B.

The Department of Community Sustainability is tasked in the LDRs to review conditional use applications for consistency with the City's LDRs (Section 23.2-29), for compliance with the following findings for granting conditional uses and to provide a recommendation on the proposed project.

Section 23.2-29.a), Conditional Use Permits: *Conditional uses are defined as generally compatible with the other uses permitted in a district, but that require individual review of their location, design, structure, configuration, density and intensity of use, and may require the imposition of pertinent conditions to ensure the appropriateness and compatibility of the use at a particular location and to prevent or minimize potential adverse impacts to the surrounding area.*

Section 23.2-29.b), Approval Authority: *The planning and zoning board, in accordance with the procedures, standards and limitations of this section, shall approve, approve with conditions, or deny an application for a development permit for a conditional use permit after review and recommendation by the development review official.*

Analysis: A recommendation of approval by the development review official is provided on page 2 of this report.

Section 23.2-29.c), General Procedures: *The department for community sustainability shall review the application in accordance with these LDRs and prepare a report that summarizes the application and the effect of the proposed conditional use, including whether the application complies with each of the findings for granting conditional uses stated below and provide a recommendation for whether the application should be approved, approved with conditions, or denied.*

Staff Analysis: The building on the property was constructed in the 1950s. The existing site conditions do not conform to the current LDRs related to parking and landscaping; therefore, the nonconformities section of the land development regulations, LDR Section 23.5-3, is applicable. The existing nonconformities are not proposed to be increased or negatively impacted by the subject Conditional Use request, but conditions of approval are proposed to bring parking and landscaping into conformance insofar as feasible. **The proposed Conditional Use is consistent with the City's LDRs based on the following data and analysis:**

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: A condition of approval is proposed for the property owner to coordinate with Public Works on refuse service and location.

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

Analysis: The required parking was calculated as follows:

- Daycare (institutional – 7,080/200) = 36
- Elementary School (institutional – 2,835/200) = 15
- Office = (509/400) = 2

A total of 53 parking spaces are required. However, the applicant will be utilizing a 25% parking reduction and alternative parking to reduce the total required parking spaces to 40.

- 27 existing off-street parking spaces
- 28 bicycle racks (equal 7 off-street parking spaces)
- 5 on-street parking spaces along 12th Avenue North
- The proposed parking is deficient and does not meet the required parking.

Per LDR Section 23.4-10(h)(1), "When any land or building is used for two (2) or more uses, the total requirement for off-street parking shall be the sum of the requirements of the various uses computed separately, minus twenty-five (25)

percent of the total required”. The applicant will be allowing separate office space within Building 1 as a principal use. a low-intensity office use is permitted by right in the MU-DH zoning district. The office use will require its own parking requirements and separate business license. The applicant will be utilizing the 25% credit toward the minimum parking requirements. The applicant is also proposing to utilize alternate spaces to fulfill their minimum parking requirement as permitted by LDR Section 23.4-10(l), which states that “alternate parking spaces including compact spaces shall count towards no more than twenty-five (25) percent of the overall site parking requirement.” The maximum alternate spaces that can be applied to meet required parking for this development is 13 alternate spaces. The applicant is proposing 7 alternate parking spaces by utilizing LDR Section 23.4-10(l)1.a which allows four (4) bicycle rack spaces to count as one (1) parking space. The proposed on-street parking counts towards the required parking spaces. A site plan amendment will be required to address the proposed parking at the site.

In 1990, the Zoning Board of Appeals (ZBA) granted a required parking variance (#90-45). As the project seeks to expand the daycare use and add new uses to the subject site, the applicant has agreed that the previously approved variance is moot. A condition will be proposed to terminate the previously approved parking variance as conditions have changed.

Signage: Signage is required to comply with the size and design requirements in the Land Development Regulations. Any proposed signage will be reviewed at building permit for consistency with these requirements. Any changes to the existing monument/freestanding sign shall bring it into conformance with LDR Section 23.5-1.

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. The proposed landscaping is generally consistent with the City’s landscape regulations. Tree species include a mix of Green Buttonwood, Gumbo Limbo, Silver Buttonwood, and Pigeon Plum for the perimeter and interior plantings along with multiple native and non-native shrubs, grasses and groundcovers. The proposed landscape complies with the City’s requirement that 75% of all required plants be Florida native.

As required by the tree removal provisions in the landscape regulations, the applicant submitted a tree survey and disposition plan that was reviewed by staff. The diameter at breast height (DBH) for the existing trees with a condition rating of fifty (50) percent or greater on the property is used to calculate the replacement tree requirement. Although multiple invasive trees such as Lebeck, Carrotwood, and Earleaf Acacia are proposed to be removed, mitigation is not required due to on-site replacement in accordance with the City’s Landscape regulations.

A landscape plan was found in the City’s property records with the approved site plan from 1991. The existing nonconforming property is lacking required landscaping and is not meeting the intent of LDR Section 23.6-1, *Landscape regulations*. Staff is proposing conditions to ensure that the site is brought into conformity to the greatest extent feasible and reduce the nonconformity with the LDRs through a site plan amendment process. This will include revising the landscape plan to reflect the removal and replacement of all existing invasive trees, including the invasive trees that are along the eastern property line. The plant schedule shall also be revised to provide the correct native status and provide the native status as a percentage.

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.

Staff Analysis: The proposed Conditional Use Permit is in general harmony with the surrounding area and consistent with development of the corridor. The requested use is an anticipated use in the MU-DH zoning district. The proposed use will not result in less public benefit nor will it result in more intensive development than anticipated in the zoning district in the comprehensive plan. Therefore, staff has proposed conditions of approval addressing these concerns.

Section 23.2-29.e) Specific findings for all conditional uses.

Staff Analysis: The proposed Conditional Use Permit is not anticipated to impact the surrounding area greater than uses allowed on the property and within the zoning district. The buildings are already served by municipal services, including water, sewer, refuse, fire and police. No additional public expenditures are required to service the proposed use. The traffic flow and movements related to the proposed use are not anticipated to negatively impact the street greater than a use permitted by right. The proposed uses will not change the existing on-site traffic circulation. Staff has proposed landscaping conditions of approval to ensure adequate screening is provided for the vehicular use area and compliance with the LDRs.

Section 23.2-29.g) Additional requirements.

Staff Analysis: As of the date of this report transmittal, there are no active code compliance cases for the subject property.

Section 23.4-13 Administrative Uses and Conditional Uses

The following use(s) have been determined to carry the potential for substantial adverse impacts on neighboring properties and, therefore, are subject to development standards and regulations in addition to those required for the zoning district.

Staff Analysis: Per LDR Section 23.4-13.c.(6), Daycare center uses are subject to design and performance standards. As outlined in Attachment B, the proposed uses comply with the standards. Staff has included conditions of approval to satisfy minimum use and play areas as well as occupancy and building safety regulations.

CONCLUSION AND CONDITIONS

The Mixed Use – Dixie Highway (MU-DH) zoning district is intended to provide the establishment and expansion of a broad range of office and commercial uses, including higher density residential use. Based on the data and analysis in this report and the supporting materials by the applicant, the requested daycare and elementary school uses are not anticipated to negatively impact adjacent properties as conditioned. Further, the proposed Conditional Use Permit will be compatible with the neighboring uses in the Dixie Highway corridor. Therefore, a recommendation of approval is provided to the PZB with the following conditions:

Planning & Zoning, and Landscaping

1. The Daycare use shall comply with the following supplemental regulations per LDR Section 23.4-13(c)6., *Day Care Centers*:
 - a. Floor area. Up to a capacity of forty (40) children, there shall be a minimum usable floor area, exclusive of any space devoted to kitchen, office, storage and bathroom facilities, of fifteen hundred (1,500) square feet. For each child in excess of forty (40) present at the facility at any one (1) time, there shall be an additional thirty-five (35) square feet of such floor space per child.
 - b. Outdoor play area. There shall be provided a minimum of two thousand (2,000) square feet of outdoor play area, or one hundred (100) square feet of outdoor play area per child, whichever is greater. The entire play area shall be used exclusively for such purpose, and shall be located on the same lot as the principal use and not in the front yard or adjacent to any outdoor storage area.

- c. Fences, walls and hedges. Fence or wall of at least five (5) feet in height shall enclose the play area, and shall otherwise comply with the requirements of section 23.4-11.
 - d. Access and child pick-up area. Safe and clear access to the center and on-site parking spaces and driveway areas shall be provided in compliance with the provisions of sections 23.4-18 and 23.4-19, off-street parking and loading regulations.
 - e. Loading and unloading. All unloading and loading of children shall take place on-site.
 - f. Hours of outdoor play. Outdoor play shall be limited to the hours of 8:00 a.m. to 6:00 p.m.
2. Safety regulations. Every licensed facility shall conform to applicable codes and ordinances of the city, including building, electrical, and fire prevention codes, and shall be free from fire hazards and shall have adequate protection against fire and explosions.
3. Variance (#90-45) granted by the Zoning Board of Appeals is no longer valid upon approval of application PZB 23-01400002.
4. A minor site plan amendment will be required prior to the issuance of a business license to address the following:
 - a. Parking, accessory structures, and an awning
 - b. Proposed landscaping
 - c. Incorporate any plan changes based on the conditions of approval from other departments.
5. The applicant/owner shall coordinate with Public Works on the location and screening of the refuse area. The location of the screened refuse area shall comply LDR requirements and be approved by the Public Works Department.
6. All uses shall meet all the requirements and stipulations set forth in City Code Section 15-24, Noise control.
7. Per City Code Section 14-32 and LDR Section 23.2-23, the occupants must obtain and maintain the required City Business License.
8. A separate business license and use approval (if applicable) shall be required for any tenant utilizing the ±500 square foot use area located in Building 1. If the use ceases, the site shall be subject to full compliance of LDR Section 23.4-10, *Off-street parking*.
9. The City shall revoke the business license and the approval of the conditional use permit if the property is declared a chronic nuisance as result of or related to the operations of either the requested uses.
10. The proposed use may require a change of occupancy for the tenant space to comply with the Florida Building Code. Contact the Building Division and Fire Reviewer directly regarding the change of use. Please note, their review may require improvements to the building (e. g. ADA bathroom). If required, these improvements must be permitted and completed prior to the issuance of business license(s).
 - Peter Ringle (City of Lake Worth Beach - Building Official): Office Phone: 561-586-1786 | Email: pringle@lakeworthbeachfl.gov
 - Pamela Summers (PBC Fire Rescue): Office Phone: 561-616-7023 | Email: psummers@pbcgov.org
11. Signage shall be reviewed through the building permit process for consistency with the requirements of the Land Development Regulations.

Utilities – Electric

1. Before or at the time of application for a Building Permit, Developer must provide the load calculation, voltage requirements and riser diagram.
2. Developer to show the location of the meter center on the site plan.
3. Developer will be responsible for installing their own lightning for the parking areas.
4. Developer will be responsible for the cost of Lake Worth Beach's materials and labor for this project.

Public Works

1. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable standards including but not limited to the Florida Department of Transportation (FDOT), Manual

on Uniform Traffic Control Devices (MUTCD), and City of Lake Worth Public Works Construction Standards and Policy and Procedure Manual.

2. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied under jurisdiction of the Department of Public Works.
3. 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. Contact Public Works Solid Waste and Recycling Division and meet with a representative to agree on garbage bin storage location and screening, garbage bin pickup location, and number of bins required. Solid Waste and Recycling Division can be contacted by phone at 561-533-7344 or by email at solidwasteinfo@lakeworthbeachfl.gov. **The agreed upon refuse location and enclosure (if applicable) shall be depicted on the site plan.**

Building

1. Any proposed renovations will require a permit.

BOARD POTENTIAL MOTION:

I move to **approve with conditions** the request for PZB Project Number 23-01400002 Conditional Use Permit for a daycare and elementary school based on upon the competent and substantial evidence provided in the staff report and in the testimony at the public hearing.

I move to **disapprove** the request for PZB Project Number 23-01400002 Conditional Use Permit for a daycare and elementary school. The project does not meet the conditional use criteria for the following reasons [Board member please state reasons.].

Consequent Action: *The Planning & Zoning Board's decision will be final decision for the Conditional Use Permit. The Applicant may appeal the Board's decision to the City Commission.*

ATTACHMENTS

- A. Conditional Use Findings
- B. Administrative Uses and Conditional Uses
- C. Application Package (survey/site plan, floor plan, and supporting documents)

ATTACHMENT A - Findings for Granting Conditional Uses

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

ATTACHMENT B - Administrative Uses and Conditional Uses

Sec. 23.4-13.(c)6 - Administrative uses and conditional uses/Standards/Day Care Centers	Analysis
1. <i>Lot area. The minimum lot area shall be ten thousand (10,000) square feet.</i>	In compliance
2. <i>Floor area. Up to a capacity of forty (40) children, there shall be a minimum usable floor area, exclusive of any space devoted to kitchen, office, storage and bathroom facilities, of fifteen hundred (1,500) square feet. For each child in excess of forty (40) present at the facility at any one (1) time, there shall be an additional thirty-five (35) square feet of such floor space per child.</i>	In compliance as conditioned
3. <i>Outdoor play area. There shall be provided a minimum of two thousand (2,000) square feet of outdoor play area, or one hundred (100) square feet of outdoor play area per child, whichever is greater. The entire play area shall be used exclusively for such purpose, and shall be located on the same lot as the principal use and not in the front yard or adjacent to any outdoor storage area.</i>	In compliance as conditioned
4. <i>Zoning area standards. The building height, setback and total floor area shall be governed by the appropriate zoning district regulations.</i>	In compliance
5. <i>Fences, walls and hedges. Fence or wall of at least five (5) feet in height shall enclose the play area, and shall otherwise comply with the requirements of section 23.4-11.</i>	In compliance as conditioned
6. <i>Access and child pick-up area. Safe and clear access to the center and on-site parking spaces and driveway areas shall be provided in compliance with the provisions of sections 23.4-18 and 23.4-19, off-street parking and loading regulations.</i>	In compliance as conditioned
7. <i>Loading and unloading. All unloading and loading of children shall take place on-site.</i>	In compliance as conditioned
8. <i>Hours of outdoor play. Outdoor play shall be limited to the hours of 8:00 a.m. to 6:00 p.m.</i>	In compliance as conditioned