



## HISTORIC RESOURCES PRESERVATION BOARD REPORT

**HRPB Project Number 25-00500003:** Conditional Use Permit request to establish a restaurant with a bar and a bar with live entertainment with  $\pm 5,044$  square feet of total use area at 921 Lake Avenue. The subject property is located in the Downtown (DT) Zoning District and has a future land use designation of Downtown Mixed Use (DMU). The property is a contributing resource in the Old Town Historic District.

**Meeting Date:** September 10 2025

**Property Owner:** Yasmin Real Estate, LLC

**Applicant:** Horace Henry – Off the Clock

**Address:** 921 Lake Avenue

**PCN:** 38-43-44-21-15-015-0110

**Size:**  $\pm 0.08$  acre lot /  $\pm 5,044$  square feet of use area

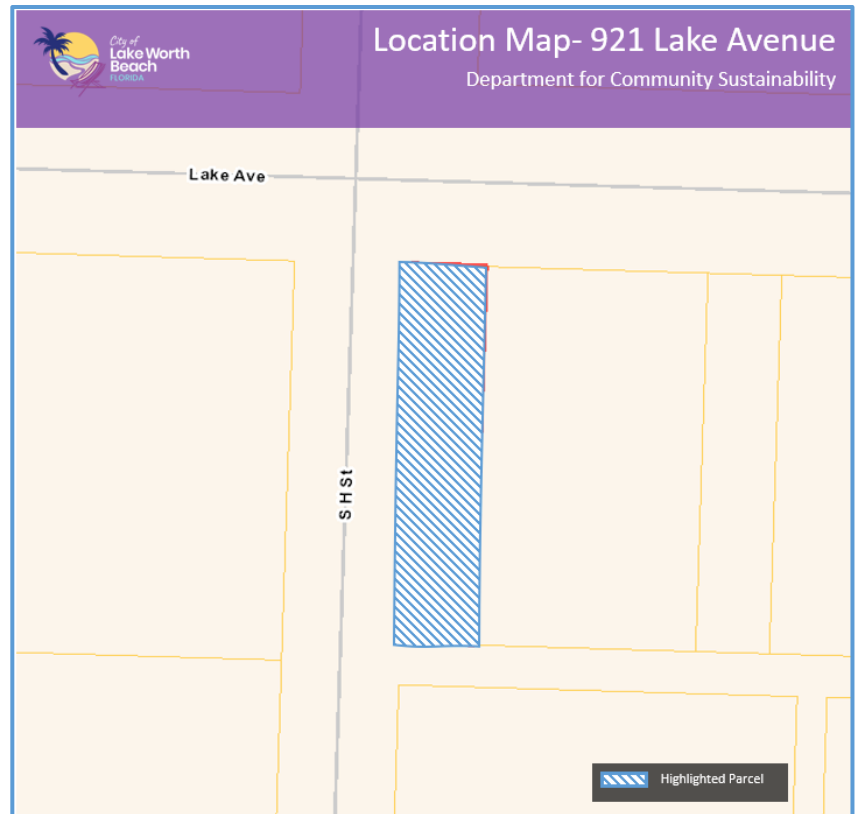
**General Location:** Southeast corner of Lake Avenue and South H Street

**Existing Land Use:** Vacant Commercial

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

**Zoning District:** Downtown (DT)

### 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. Staff recommends that the Historic Resources Preservation Board (HRPB) approve the proposed Conditional Use Permit (CUP) for two uses: a restaurant with a bar and a bar with live entertainment, as they meet the criteria provided in the LDRs. If the HRPB approves the request, conditions of approval have been provided on pages 4-5 of this report.

## PROJECT DESCRIPTION

The applicant, Horace Henry with Off the Clock, is requesting a **Conditional Use Permit (CUP) with two uses** to establish a restaurant with a bar and bar with live entertainment at 921 Lake Avenue. The subject site is located in the Downtown (DT) zoning district and is a contributing resource in the Old Town Historic District.

## COMMUNITY OUTREACH

At the time of publication, staff have not received any letters of support or opposition for this application.

## BACKGROUND

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

**Construction and Previous Approvals:** The existing building, constructed around 1930 in the Masonry Vernacular style, has undergone minor alterations over time. These include window replacements, reroofing, the addition of storefront awnings, and an interior expansion on the second floor. The property is designated as a contributing resource in the Old Town National and Local Register Historic District.

**Use:** The property is currently vacant. City business license records indicate that the second floor was used as a karate dojo in the 1970s and as a restaurant in the early to mid-1990s. The first floor operated as a thrift store in the early 1990s, and the building later housed a café and various restaurants from the late 1990s through 2025.

**Code Compliance:** The property has one active code case, initiated on July 24, 2025, to apply for a business license, to pass a use and occupancy inspection, and to replace a missing window panel. Staff have added a condition of approval requiring all code compliance violations and fines to be resolved prior to business license issuance.

## ANALYSIS

### Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Downtown Mixed Use (DMU). Per Policy 1.1.1.7, *the DMU FLU is established 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*. The proposed request is seeking to allow a restaurant with a bar and a bar with live entertainment in the existing building.

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.D, IV.A, and IV.D of the Strategic Plan state that the City shall preserve and protect historic resources, achieve economic and financial sustainability through a versatile and stable tax base, and influence the supply and expansion of jobs. Because the proposed Conditional Use permit will allow for the reuse of a vacant historic building, contribute towards the City's tax base, and sustain or increase jobs, the proposal is consistent with Pillar II.D, Pillar IV.A, and Pillar IV.D.

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

### Consistency with the City's Land Development Regulations

**Downtown (DT) zoning district** is designed for the commercial core of Lake Worth, primarily along Lake and Lucerne Avenues from Golfview to the Florida East Coast Railroad right-of-way. The DT district is intended to provide the establishment and expansion of a broad range of office 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 a restaurant with a bar and bar with live entertainment, including small-scale private events, community gatherings, and a gallery-style showcase of local talent within the ± 5,044 square-foot space. Based on staff analysis, the proposed uses are not anticipated to impact the surrounding area greater than uses permitted by right. The existing site is served by municipal services, including water, sewer, refuse, fire and police. The site is located at the intersection of a local roadway and an FDOT roadway. Therefore, no additional public expenditure is required to service the proposed use.

Per the City's Use Table (LDR Section 23.3-6), a high intensity restaurant with bar and medium intensity bar with live entertainment uses require Conditional Use Permit approval. The proposed uses, as conditioned, are consistent with the intent of the DT zoning district.

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(i)), for compliance with the following findings for granting conditional uses and to provide a recommendation on the proposed project.

The analysis for the Conditional Use Permit is provided in the section below and is consistent with the review criteria located in **Attachment A**.

**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 historic resources preservation 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 by the development review official is provided on page 5 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.*

**Analysis:** The existing structure was built in 1930s. The existing site conditions do not conform to the current LDRs in regard to impermeable surfaces, setbacks, and landscape; 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. **The proposed conditional uses are consistent with the City's LDRs as conditioned based on the following data and analysis.**

### 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:** The proposed uses, as conditioned, are in general harmony with the surrounding area and consistent with the development of the corridor. The requested uses are anticipated in the Downtown (DT) zoning district. The proposed uses will not result in less public benefit or more intensive development than anticipated in the zoning district in the comprehensive plan.

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

**Analysis:** The proposed conditional uses are not anticipated to impact the surrounding area greater than uses permitted by right. The site is already served by municipal services, including water, sewer, refuse, fire and police. The site is also located at the intersection of a local roadway and an FDOT roadway. Therefore, no additional public expenditure is required to service the proposed use. Staff has included a condition of approval regarding compliance with City Code Section 15-24, *Noise control*.

#### ***Section 23.2-29.g) Additional requirements.***

**Analysis:** There is currently one (1) open code compliance case for the subject property. Staff has added a condition of approval to ensure that code violations are resolved prior to the issuance of a business license on the property.

### **CONCLUSION AND CONDITIONS**

The Downtown 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 documents provided by the applicant, the proposed uses, as conditioned, are not anticipated to negatively impact adjacent properties. The proposed Conditional Use Permit will be compatible with other uses provided within the DT zoning district. **Therefore, a recommendation of approval is provided to the Historic Resources Preservation Board with the following conditions:**

#### **Planning, Zoning, and Landscaping:**

1. This approval only applies to the subject property (921 Lake Avenue) and will not constitute approval for any new location or unit.
2. Prior to the issuance of a City of Lake Worth Beach business license, any code violations shall be resolved.
3. Outdoor storage is not permitted.
4. No exterior alterations to the structure are included in the scope of this approval. Future exterior alterations shall require a Certificate of Appropriateness (COA) for historic approval.
5. The use, handling, production, and storage of regulated substances in wellfield zones as defined in the PBC Unified Land Development Code shall be prohibited as provided for in the requirements of the PBC Wellfield Ordinance (ULDC, Article 14, Chapter B).
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 occupant must obtain and maintain the required Lake Worth Beach Business License.
8. 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 the requested uses.

**BOARD POTENTIAL MOTION:**

I move to **approve** HRPB Project Number 25-00500003 with staff recommended conditions for a Conditional Use Permit at 921 Lake Avenue based on the competent and substantial evidence provided in the staff report and in the testimony at the public hearing.

I move to **disapprove** HRPB Project Number 25-00500003 with staff recommended conditions for a Conditional Use Permit at 921 Lake Avenue. The project does not meet the conditional use for the following reasons [Board member please state reasons].

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

**ATTACHMENTS**

- A. Findings for Conditional Uses
- B. Application Package (Survey, Justification Statement, 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**

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| 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>           | <b>In compliance</b> |
| 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>  | <b>In compliance</b> |
| 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> | <b>In compliance</b> |
| 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>  | <b>In compliance</b> |

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

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|---|----------------------|
| 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> | <b>In compliance</b> |
| 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>        | <b>In compliance</b> |

3. *The proposed conditional use will not produce significant air pollution emissions or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.* **In compliance**
4. *The proposed conditional use will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.* **In compliance**
5. *The proposed conditional use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.* **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**
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**