

## **LETTER OF INTENT 125 WORTH AVENUE REVITALIZATION**

### **PROJECT NARRATIVE**

The Development Review Application for 125 Worth Avenue requests Site Plan approval for the revitalization, renovation, and expansion of the 48-year-old nonconforming commercial building located at 125 Worth Avenue in the Worth Avenue Zoning District (C-WA). The building will be completely renovated architecturally in order to meet the standards for renovation as set forth in the Worth Avenue Design Guidelines. The application addresses how the project meets the Worth Avenue Design Guidelines in Exhibit B. The applicant is requesting to demolish a portion of the existing fourth story and add additional office space subject to a finding that the project meets the Worth Avenue Design Guidelines. Existing structural columns and roof structure will remain. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances as follows:

- **SPECIAL EXCEPTION #1:** Per Section 134-1165 (b) (2) A third story and other special allowances may be granted if the structure is built in accordance with the Worth Avenue Design Guidelines in conformance with section 134-233;
- **SPECIAL EXCEPTION #2:** Per Section 134-1159 (a) (9) Permitted uses cited under permitted uses in section 134-1157 which contain greater than 4,000 square feet GLA gross leasable area;
- **SPECIAL EXCEPTION #3:** Per Section 134-1163 (5) Front Yard, Within the C-WA district, arcades or colonnades may be constructed subject to approval as a special exception over the sidewalks in the required front yard setback, provided they meet the requirements of Section 134-1164 (e), which states, within the C-WA district, arcades or colonnades may be constructed, subject to approval as a Special Exception, over sidewalks or ways, provided that they shall not project nearer than three feet to the face of the street curbline or more than ten feet, but not less than seven feet, from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade or colonnade, and provided that no support shall be nearer than three feet to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance. The design of such arcades or colonnades shall be based upon the Worth Avenue Design Guidelines and shall be subject to review and approval by the Architectural Commission;
- **VARIANCE #1:** Per Section 134-2176, a variance to allow for a reduction in parking spaces from the 264 required parking spaces to the 141 provided parking spaces;
- **VARIANCE #2:** Penthouse/Fourth Floor Addition. The proposed building height (52'-1") and overall building height (55'-10") exceeds the 40' maximum height permitted by the Worth Avenue Design Guidelines;
- **VARIANCE #3:** Per Section 134-419, a Variance to allow for an expansion of an existing nonconforming building by increasing the existing floor area of the fourth story to 11,238 square feet from 6,785 square feet existing;
- **VARIANCE #4:** Per Section 134-1163(9) c, a Variance for Lot Coverage of 32.6% on the fourth floor in lieu of the 30% maximum allowable by the Zoning Code and Worth Avenue Design Guidelines;
- **VARIANCE #5:** Per Section 134-1163(5), a Variance from a Front-Yard Setback Requirement of 5' to the proposed 0';
- **VARIANCE #6:** Per Section 134-2211, a Variance from a Minimum Number of Off-Street Loading Spaces of 3 spaces to the proposed 1 space;
- **VARIANCE #7:** Per Section 134-1163(9) c, a Variance for Lot Coverage of 64.3% on the second floor and 61.9% on the third floor in lieu of the 60% maximum allowable on the second floor, and 30% maximum allowable on the third floor by the Zoning Code and Worth Avenue Design

Guidelines;

- VARIANCE #8: Per Section 134-1163(10), a Variance for Maximum Building Length of 201.83' in lieu of the 150' maximum allowable by the Zoning Code;
- VARIANCE #9: Per Section 134-1163(11), a Variance for Landscape Open Space (LOS) of 9.56% in lieu of the 25% minimum allowable by the Zoning Code; and
- VARIANCE #10: Per Section 134-1163(12), a Variance for Floor Area of 20,963 square feet on the ground floor, 22,146 square feet on the second floor, and 21,324 square feet on the third floor in lieu of the 15,000 square feet per floor maximum allowable by the Zoning Code.

## **APPLICABLE CODE SECTIONS**

The following Town Municipal Code Sections apply to the 125 Worth Avenue Revitalization Application:

- Architectural Review: Section 18-205 & Section 18-206;
- Special Exception: Section 134-226 through 229 & Section 134-233;
- Site Plan Review: Section 134-329;
- Variance(s): Section 134-201;
- Section 134-419: Buildings and Structures: Restoration, Demolition, Enlargement, Extension, Expansion, Reconstruction, Alteration, or Repair;
- Section 134-1163: C-WA Worth Avenue District: Lot, Yard, and Area Requirements--Generally;
- Section 134-1164: C-WA Worth Avenue District: Lot, Yard, and Area Requirements--Exemptions;
- Section 134-2176: Off-Street Parking Schedule;
- Section 134-2211: Off-Street Loading; and
- Worth Avenue Design Guidelines (May 1991, Revised February 1998): Section VIII: Special Allowances for the East-End Development Area.

## **REQUEST FOR SITE PLAN REVIEW.**

### **Zoning Code Section 134-329. Review by Town Council.**

Within 30 days of receipt of the application for site plan review, the town council shall review and consider the application. Before any site plan shall be approved, approved with changes, or denied, the town council shall make a finding that the approval of the site plan will or will not adversely affect the public interest and certify that the specific zoning requirements governing the individual use have or have not been met and that, further, satisfactory provision and an arrangement has or has not been made concerning the following matters, where applicable:

- (1) Sufficiency of statements on ownership and control of the subject property and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the town.

***Applicant Response:*** The subject property, 125 Worth Avenue (Parcel Control Number: 50-43-43-23-05-016-0380), is privately owned by 125 Worth Partners LLC, which has complete ownership and control of the property and is responsible for its maintenance. This property does not contain any common facilities or common land that could become a future liability for the Town of Palm Beach.

- (2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the town council the authority to reduce residential densities below that permitted by the use regulations in article VI of this chapter.

***Applicant Response:*** The purpose of the project is to revitalize an existing four-story retail/office building. The revitalization will include the addition of office space to the existing fourth floor of the building while preserving the existing retail uses of the ground floor. In addition to these changes, the property will be completely upgraded with new building systems (HVAC, elevator, mechanical) and the facades of the existing building will be enhanced to improve its appearance, specifically those neighboring properties, and become a gift to the high street of Palm Beach—Worth Avenue. These changes will inimitably benefit the surrounding properties.

- (3) Ingress and egress to the property and the proposed structure thereof, with particular reference to automotive and pedestrian safety; separation of automotive traffic; traffic flow and control; provision of services and servicing of utilities and refuse collection; and access in case of fire, catastrophe or emergency.

***Applicant Response:*** Pedestrian and vehicular traffic flow and egress, emergency service access, and servicing of utility and refuse collection will all be enhanced as part of the revitalization while also reducing the existing vehicular and pedestrian conflicts that exist currently at the site. The existing underground parking facility and the existing surface parking spaces along the eastern property line will continue to be utilized for vehicular access to and from Worth Avenue.

- (4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

***Applicant Response:*** Off-street parking in this building is located both at the surface level and in a two-level underground parking garage. This will not change as a result of this property's renovation except for the deletion of some unneeded surface parking, which is unsightly and inconsistent with the Worth Avenue Design Guidelines as discussed below. The Applicant is also providing a shared parking study to demonstrate that adequate parking will be provided.

- (5) Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.

***Applicant Response:*** The proposed 125 Worth Avenue Revitalization Site Plan includes a new approach to the site's landscape architecture including increased use of native plant species, ground level lush landscaping, and the landscaping of the rooftop of the building to enhance the views from the surrounding, taller multi-family buildings that look down at 125 Worth Avenue.

- (6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall town capacities.

***Applicant Response:*** The proposed drainage plan will utilize the existing drainage systems that exist today at 125 Worth Avenue. The increase of pervious areas and landscaping will aid in preventing stormwater from releasing onto any of the adjacent properties. Please see Exhibit F, Drainage Statement, of the Letter of Intent.



- (7) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

***Applicant Response:*** The existing building is already served by all necessary utilities and the hook-in locations, availability and capacity will not change as a result of this project. The footprint of the building will not change.

- (8) Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the property, and relationship to communitywide open spaces and recreation facilities.

***Applicant Response:*** This is a privately-owned commercial building and does not contain any recreational facilities.

- (9) Such other standards as may be imposed by this chapter for the particular use or activity involved.

***Applicant Response:*** The Town's Zoning Code does not impose any special standards on mixed-use projects. Worth Avenue Design Guideline standards are discussed in Exhibit B.

- (10) Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low-profile scale of commercial architecture.

***Applicant Response:*** This building already contains four stories. The creation of additional office amenity space on the fourth floor will not increase existing height and the fourth-floor appearance will be greatly improved. The fourth floor will not be conspicuous from the ground due to the height of the building and the step-back of the fourth story in relation to the lower floors.

- (11) Visible size and bulk. The proposed development should be so arranged that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways, the point of reference being the centerline of the abutting roadways, with the intent being to maintain visual impact of multistory buildings at the same relative level of intensity as a single-story building at the minimum required setback.

***Applicant Response:*** As noted, the proposed expansion of the fourth story will not increase existing overall building height, and the expansion will be more aesthetically pleasing than the existing fourth floor structure. The proposed office space on the fourth floor will not be visible from the centerline of the abutting roadways because the proposed structure has a greater setback than the existing third floor.

## **REQUEST FOR SPECIAL EXCEPTION FOR A THIRD STORY AND OTHER SPECIAL ALLOWANCES BUILT IN ACCORDANCE WITH THE WORTH AVENUE DESIGN GUIDELINES.**

### **Zoning Code Section 134-229. Requirements for Granting.**

SPECIAL EXCEPTION #1: Per Section 134-1165 (b) (2) A third story and other special allowances may be granted if the structure is built in accordance with the Worth Avenue Design Guidelines in conformance with section 134-233.

The requirements for granting a special exception use under this chapter are as follows:

- (1) The use is a permitted special exception use as set forth in article VI of this chapter.

*Applicant Response:* Article VI, Section 134-1163 (8) regulates height and overall height within the Worth Avenue Zoning District (C-WA). Subsection (d) of the aforementioned Section of the Zoning Code states the following: “Refer to Worth Avenue Design Guidelines for special exception requirements providing for special allowances to coverage, height, building length and gross floor area limitations.” 125 Worth Avenue is located within the East End-Development Area of the Worth Avenue Development Areas as outlined in Section V of the Worth Avenue Design Guidelines. Section VIII, Special Allowances for the East-End Development Area, of the Worth Avenue Design Guidelines provides for Special Allowances if the Property Owner is eligible provided the following standards are met:

- **Substantial Exterior Renovation or Restoration:** Improvements costing more than 15% or more of the appraised value of the structure (Please see attached Appraisal and Revitalization Cost Estimate); and
- **Appropriate Exterior Renovation or Restoration:** Improvements which are consistent with the Design Guidelines described in Section VI and VII, and recommended for approval by the Architectural Commission (ARCOM).

**The Special Allowances allow for a third story in the East-End Development Area.**

- (2) The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.

*Applicant Response:* The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town’s Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential or non-residential uses above the ground floor.

- (3) The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

***Applicant Response:*** The third story is an existing condition today and will not have any adverse impact on surrounding properties or the neighborhood in which it will occur.

- (4) The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

***Applicant Response:*** The third story is an existing condition today and is both consistent with the C-WA Zoning District regulations and is currently compatible with the surrounding properties of the site.

- (5) The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

***Applicant Response:*** The existing building at 125 Worth Avenue is legally nonconforming and as a result certain variances will be required in the revitalization of the subject property.

- (6) The use will comply with all elements of the comprehensive plan.

***Applicant Response:*** The proposed uses (retail and office) will be consistent with the existing uses on the subject property which are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.

- (7) The use will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

***Applicant Response:*** The third story is an existing condition on the site and is not and will not result in substantial economic, noise, glare or odor impacts on adjoining properties and properties generally in the district.

- (8) Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

***Applicant Response:*** Pedestrian and vehicular traffic flow, ingress, and egress, emergency service access, and servicing of utility and refuse collection will all be enhanced as part of the revitalization while also reducing the existing vehicular and pedestrian conflicts that exist currently at the site. The existing underground parking facility and the existing surface parking spaces along the eastern property line will continue to be utilized for vehicular access to and from Worth Avenue.

- (9) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.

***Applicant Response:*** All signage and lighting proposed for the 125 Worth Avenue Revitalization meets all standards of the Town Zoning Code and specifically the C-WA Zoning District.

- (10) Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

***Applicant Response:*** The existing building is already served by all necessary utilities and the hook-in locations, availability and capacity will not change as a result of this project. The footprint of the building will not change.

- (11) Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.

***Applicant Response:*** The 125 Worth Avenue Revitalization Site Plan includes adequate refuse and service areas.

- (12) In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.

***Applicant Response:*** The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and are harmonious with the surrounding properties as well as town-serving in their existing conditions today. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.

- (13) If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.

***Applicant Response:*** This standard is not applicable to 125 Worth Avenue as there are no historic/specimen trees located on the subject property.

- (14) The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

***Applicant Response:*** The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor. The proposed uses will be compatible with the neighborhood as they are in their existing condition and will not create a greater burden than other uses in the C-WA Zoning District.

## **REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR USES WHICH CONTAIN GREATER THAN 4,000 SQUARE FEET GROSS LEASABLE AREA (GLA).**

### **Zoning Code Section 134-229. Requirements for Granting.**

SPECIAL EXCEPTION #2: Per Section 134-1159 (a) (9) Permitted uses cited under permitted uses in Section 134-1157 which contain greater than 4,000 square feet GLA gross leasable area.

The requirements for granting a special exception use under this chapter are as follows:

- (1) The use is a permitted special exception use as set forth in article VI of this chapter.

***Applicant Response:*** Section 134-1159 (a) (9) allows “Permitted uses cited under permitted uses in Section 134-1157 which contain greater than 4,000 square feet GLA gross leasable area” via a Special Exception Use. The proposed uses for the 125 Worth Avenue site are the same uses and tenant-types existing on the site today.

- (2) The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.

***Applicant Response:*** The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town’s Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.

- (3) The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

***Applicant Response:*** The proposed uses and tenants are existing uses and tenant- types on the site and have not caused substantial injury to the value of other property in the neighborhood where it is located. The proposed 125 Worth Avenue Revitalization Plan will undoubtedly have a positive impact to all property values in the neighborhood where it is located.

- (4) The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

***Applicant Response:*** The 125 Worth Avenue Revitalization plans for both retail and office uses (mixed-use) on the site. The mixed-use nature of the program qualifies it for shared parking to occur on the site which is both consistent with the C-WA Zoning District regulations and will be compatible with the surrounding properties of the site.

- (5) The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

***Applicant Response:*** The existing building at 125 Worth Avenue is legally nonconforming and as a result certain variances will be required in the revitalization of the subject property.

- (6) The use will comply with all elements of the comprehensive plan.

***Applicant Response:*** The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.

- (7) The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

***Applicant Response:*** The proposed uses are existing on the site today and do not and will not result in substantial economic, noise, glare or odor impacts on adjoining properties and properties generally in the district.

- (8) Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

***Applicant Response:*** Pedestrian and vehicular traffic flow, ingress, and egress, emergency service access, and servicing of utility and refuse collection will all be enhanced as part of the revitalization while also reducing the existing vehicular and pedestrian conflicts that exist currently at the site.

- (9) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.

***Applicant Response:*** All signage and lighting proposed for the 125 Worth Avenue Revitalization meets all standards of the Town Zoning Code and specifically the C-WA Zoning District.

- (10) Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

***Applicant Response:*** The existing building is already served by all necessary utilities and the hook-in locations, availability and capacity will not change as a result of this project. The footprint of the building will not change.

- (11) Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.

***Applicant Response:*** The 125 Worth Avenue Revitalization Site Plan includes adequate refuse and service areas.

- (12) In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.

***Applicant Response:*** The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties as well as town-serving. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.

- (13) If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.

***Applicant Response:*** This standard is not applicable to 125 Worth Avenue as there are no historic/specimen trees located on the subject property.

- (14) The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

***Applicant Response:*** The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor. The proposed uses



**will be compatible with the neighborhood as they are in their existing condition and will not create a greater burden than other uses in the C-WA Zoning District.**

## **REQUEST FOR AN ARCADE OVER THE SIDEWALK IN THE REQUIRED FRONT YARD SETBACK.**

### **Zoning Code Section 134-1163 (5) Front Yard. Lot, yard and area requirements--Generally.**

**SPECIAL EXCEPTION #3:** Per Section 134-1163 (5) Front Yard, Within the C-WA district, arcades or colonnades may be constructed subject to approval as a special exception over the sidewalks in the required front yard setback, provided they meet the requirements of Section 134-1164 (e), which states, within the C-WA district, arcades or colonnades may be constructed, subject to approval as a Special Exception, over sidewalks or ways, provided that they shall not project nearer than three feet to the face of the street curbline or more than ten feet, but not less than seven feet, from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade or colonnade, and provided that no support shall be nearer than three feet to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance. The design of such arcades or colonnades shall be based upon the Worth Avenue Design Guidelines and shall be subject to review and approval by the Architectural Commission.

The requirements for granting a special exception use under this chapter are as follows:

- (1) The proposed arcade does not project nearer than three feet to the face of the street curbline or more than ten feet, but not less than seven feet, from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade, and provided that no support shall be nearer than three feet to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance.

***Applicant Response:*** The proposed arcade does not project nearer than three feet to the face of the street curbline. The proposed arcade projects exactly ten feet from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade. The proposed arcade does not have any support located nearer than three feet to the face of the curb. The proposed arcade maintains a vertical clearance of 12'—6".

- (2) The design of the arcade shall be based upon the Worth Avenue Design Guidelines and shall be subject to review and approval by the Architectural Commission.

***Applicant Response:*** In designing the proposed arcade at 125 Worth Avenue, our design team referenced the following sections of the Worth Avenue Design Guidelines:

- Section VI. Worth Avenue Design Guidelines, C. Street Frontages, E. Arcades, Colonnades or Recessed Walkways; and
- Section VII Guidelines for Individual Development Areas, East-End Development Area, Arcades Design Guidelines.

## **REQUEST FOR VARIANCE TO ALLOW FOR A REDUCTION IN REQUIRED PARKING SPACES.**

### **Zoning Code Section 134-201. Findings Prior to Authorization.**

VARIANCE #1: Per Section 134-2176, a variance to allow for a reduction in parking spaces from the 264 required parking spaces to the 141 provided parking spaces.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

***Applicant Response:*** The Town of Palm Beach Zoning Code's Off-Street Parking Standards are antiquated and do not reflect actual conditions of the site. The 125 Worth Avenue building is more than 96% leased and during a recent site visit at 2:00pm on a Wednesday in December 2022, a total of 31 cars were parked on site. The attached ULI Shared Parking Study more accurately reflects present-day industry off-street parking standards rather than those of 40 years ago.

- (2) The special conditions and circumstances do not result from the actions of the applicant.

***Applicant Response:*** The building has been nonconforming for many years prior to the Applicant's acquisition of the property.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

***Applicant Response:*** Any other property owner in the C-WA zoning district with similar circumstances could request the same relief.

- (4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

***Applicant Response:*** A literal interpretation of the ordinance would prevent the applicant from utilizing the existing and proposed uses within the building, and it within is the Applicant's vested legal rights to do so. Several surrounding residential buildings do not meet today's Zoning Code Off-Street Parking and Loading Standards. The project is thus compatible and consistent with existing development.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

***Applicant Response:*** The proposed parking is essentially the existing, legal, nonconforming supply of required off-street parking spaces.

- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:
- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
  - b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
    1. Be granted only for the continuation of the same hotel or residential use; and
    2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

***Applicant Response:*** These standards are not applicable to this Development Review Application.

- (7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

***Applicant Response:*** The approval of the reduced parking on site will allow the applicant to utilize the legally nonconforming square footage of the existing building, which is within is the Applicant's vested legal rights. This in turn will be a great benefit to the Town, especially the east end of Worth Avenue, because the existing building is architecturally undistinguished and incompatible with the pedestrian character of the street which is called for in the C-WA Zoning District, the Worth Avenue Design Guidelines, and the Comprehensive Plan. The Worth Avenue Design Guidelines strongly encourage the redevelopment of the buildings in the East End Development Area to encourage more aesthetically pleasing architectural elements. The view from the ground will not change dramatically, and the view from taller residential buildings will be greatly enhanced due to the addition of architectural elements and an activated public realm.

## **REQUEST FOR VARIANCE TO ALLOW FOR PROPOSED BUILDING HEIGHT AND OVERALL BUILDING HEIGHT.**

### **Zoning Code Section 134-201. Findings Prior to Authorization.**

VARIANCE #2: Penthouse/Fourth Floor Addition. The proposed building height (52'-1") and overall building height (55'-10") exceeds the 40' maximum height permitted by the Worth Avenue Design Guidelines.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

***Applicant Response:*** When this building was constructed in 1973, the existing building height was included. This request is not to increase the existing building height.

- (2) The special conditions and circumstances do not result from the actions of the applicant.

***Applicant Response:*** The building has been nonconforming for many years prior to the Applicant's acquisition of the property.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

***Applicant Response:*** Any other property owner in the C-WA Zoning District with similar circumstances could request the same relief.

- (4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

***Applicant Response:*** A literal interpretation of the ordinance would prevent the applicant from utilizing the grandfathered fourth story of this building, and it within is the Applicant's vested legal rights to do so. Several surrounding residential buildings consist of four stories, and the structure proposed on the fourth story is stepped back to avoid any more visual impact.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

***Applicant Response:*** The proposed development will not increase the height of the existing structure on the fourth floor. The setback of the fourth floor will reduce visible impact.

- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:
- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
  - b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
    1. Be granted only for the continuation of the same hotel or residential use; and
    2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

***Applicant Response:*** These standards are not applicable to this Development Review Application.

- (7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

***Applicant Response:*** The revitalization plans do not propose an increase in building height so the existing height condition will be the condition of the revitalized structure.



## **REQUEST FOR VARIANCE TO ALLOW FOR EXPANSION OF AN EXISTING NONCONFORMING BUILDING.**

### **Zoning Code Section 134-201. Findings Prior to Authorization.**

VARIANCE #3: Per Section 134-419, a Variance to allow for an expansion of an existing non-conforming building by increasing the existing floor area of the fourth story to 11,238 square feet from 6,785 square feet existing.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

***Applicant Response:*** When this building was constructed in 1973, a fourth story was included. This request is to expand the floor area of that existing structure by replacing it with office amenity space. The fourth floor will be set back to minimize visibility and impact on surrounding properties.

- (2) The special conditions and circumstances do not result from the actions of the applicant.

***Applicant Response:*** The Applicant purchased the building in its present configuration with a limited amount of floor area on the fourth story. There is precedent for expanding legally nonconforming buildings as long as the existing roof and structural columns remain.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

***Applicant Response:*** Any other property owner in the C-WA zoning district with similar circumstances could request the same relief.

- (4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

***Applicant Response:*** A literal interpretation of the ordinance would prevent the applicant from utilizing the grandfathered fourth story of this building, and it within is the Applicant's vested legal rights to do so. Several surrounding residential buildings consist of four stories, and the structure proposed on the fourth story is stepped back to avoid any visual impact. The visible aesthetic of the roof from taller adjacent buildings will be greatly enhanced because the unsightly existing roof will be replaced with beautiful architecture, gardens, and a trellis. The project is thus compatible and consistent with existing development.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

***Applicant Response:*** The proposed development will not increase the height of the existing structure on the fourth floor. The setback of the fourth floor will reduce visible impact.

- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:
- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
  - b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
    1. Be granted only for the continuation of the same hotel or residential use; and
    2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

***Applicant Response:*** These standards are not applicable to this Development Review Application.

- (7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

***Applicant Response:*** The approval of the additional square footage on the existing fourth story will allow the applicant to utilize the legally non-conforming fourth story of the existing building, which is within is the Applicant's vested legal rights. This in turn will be a great benefit to the Town, especially the east end of Worth Avenue, because the existing building is architecturally undistinguished and incompatible with the pedestrian character of the street which is called for in the C-WA Zoning District, the Worth Avenue Design Guidelines, and the Comprehensive Plan. The Worth Avenue Design Guidelines strongly encourage the redevelopment of the buildings in the East-End Development Area to encourage more aesthetically pleasing architectural elements. The view from the ground will not change dramatically, and the view from taller residential buildings will be greatly enhanced due to the addition of architectural elements and green space.

## **REQUEST FOR VARIANCE TO ALLOW FOR INCREASED LOT COVERAGE THAN ALLOWABLE BY THE ZONING CODE.**

### **Zoning Code Section 134-201. Findings Prior to Authorization.**

VARIANCE #4: Per Section 134-1163(9)c, a Variance for Lot Coverage of 32.6% on the fourth floor in lieu of the 30% maximum allowable by the Zoning Code and Worth Avenue Design Guidelines.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

***Applicant Response:* As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing lot coverage is legally nonconforming on the third floor.**

- (2) The special conditions and circumstances do not result from the actions of the applicant.

***Applicant Response:* The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

***Applicant Response:* Any Applicant with the same circumstances could request similar relief.**

- (4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

***Applicant Response:* The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally nonconforming floor area on the fourth story.**

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

***Applicant Response:*** The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing condition.

- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
- b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
  1. Be granted only for the continuation of the same hotel or residential use; and
  2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

***Applicant Response:*** These standards are not applicable to this Development Review Application.

- (7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

***Applicant Response:*** The public will not be harmed by the variance because the visible bulk of the building from the street is not being changed, and the aesthetic of the roof will be greatly enhanced for those taller buildings from which the proposed office amenity space is visible.

## **REQUEST FOR VARIANCE TO ALLOW FOR REDUCED FRONT YARD SETBACK THAN ALLOWABLE BY THE ZONING CODE.**

### **Zoning Code Section 134-201. Findings Prior to Authorization.**

VARIANCE #5: Per Section 134-1163(5), a Variance from a Front Yard Setback Requirement of 5' to 0'.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

***Applicant Response:*** As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing front-yard setback is nonconforming and the front yard setback is being reduced to accommodate the goals stated in the Worth Avenue Design Guidelines.

- (2) The special conditions and circumstances do not result from the actions of the applicant.

***Applicant Response:*** The building has been nonconforming for many years prior to the Applicant's acquisition of the property. The existing front-yard setback is nonconforming and the front yard setback is being reduced to accommodate the goals stated in the Worth Avenue Design Guidelines.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

***Applicant Response:*** Any Applicant with the same circumstances could request similar relief.

- (4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

***Applicant Response:*** The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non-conforming front-yard setback and would not accommodate the goals of the Worth Avenue Design Guidelines.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

***Applicant Response:*** The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing and proposed condition.

- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
- b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
  1. Be granted only for the continuation of the same hotel or residential use; and
  2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

***Applicant Response:*** These standards are not applicable to this Development Review Application.

- (7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

***Applicant Response:*** The public will not be harmed by the variance because the visible bulk of the building from the street is not being changed. The street frontage will be enhanced with the addition of the arcade.

## **REQUEST FOR VARIANCE TO ALLOW FOR REDUCED OFF-STREET LOADING SPACES.**

### **Zoning Code Section 134-201. Findings Prior to Authorization.**

VARIANCE #6: Per Section 134-2211, a Variance from a Minimum Number of Off-Street Loading Spaces of 3 spaces to the proposed 1 space.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

***Applicant Response:*** As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing supply of off-street loading spaces is deficient, and the existing condition is not being decreased from its existing condition.

- (2) The special conditions and circumstances do not result from the actions of the applicant.

***Applicant Response:*** The building has been nonconforming for many years prior to the Applicant's acquisition of the property.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

***Applicant Response:*** Any Applicant with the same circumstances could request similar relief.

- (4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

***Applicant Response:*** The architectural renovation and site plan of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally nonconforming building.



- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

***Applicant Response:*** The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing and proposed condition.

- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
- b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
  1. Be granted only for the continuation of the same hotel or residential use; and
  2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

***Applicant Response:*** These standards are not applicable to this Development Review Application.

- (7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

***Applicant Response:*** The public will not be harmed by the variance because the existing supply of off-street loading spaces is being increased by the proposed supply of off-street loading spaces.

## **REQUEST FOR VARIANCE TO ALLOW FOR GREATER LOT COVERAGE THAN ALLOWABLE BY THE ZONING CODE.**

### **Zoning Code Section 134-201. Findings Prior to Authorization.**

VARIANCE #7: Per Section 134-1163(9)c, a Variance for Lot Coverage of 64.3% on the second floor and 61.9% on the third floor in lieu of the 60% maximum allowable on the second floor, and 30% maximum allowable on the third floor by the Zoning Code and Worth Avenue Design Guidelines.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

***Applicant Response:*** As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing lot coverage is legally nonconforming on the second and third floor.

- (2) The special conditions and circumstances do not result from the actions of the applicant.

***Applicant Response:*** The building has been nonconforming for many years prior to the Applicant's acquisition of the property.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

***Applicant Response:*** Any Applicant with the same circumstances could request similar relief.

- (4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

***Applicant Response:*** The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non-conforming floor area on the second and third stories.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

***Applicant Response:*** The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing condition.

- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
- b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
  1. Be granted only for the continuation of the same hotel or residential use; and
  2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

***Applicant Response:*** These standards are not applicable to this Development Review Application.

- (7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

***Applicant Response:*** The public will not be harmed by the variance because the second and third stories exist on the site today and the visible bulk of the building from the street is not being changed, and the aesthetic of the roof will be greatly enhanced for those taller buildings from which the proposed office amenity space is visible. The existing lot coverage is legally nonconforming.

## **REQUEST FOR VARIANCE TO ALLOW FOR EXISTING MAXIMUM BUILDING LENGTH THAN ALLOWABLE BY THE ZONING CODE.**

### **Zoning Code Section 134-201. Findings Prior to Authorization.**

VARIANCE #8: Per Section 134-1163(10), a Variance for Maximum Building Length of 201.83' in lieu of the 150' maximum allowable by the Zoning Code.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

***Applicant Response:*** As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing building length is legally nonconforming and this building length is not being increased from its existing condition.

- (2) The special conditions and circumstances do not result from the actions of the applicant.

***Applicant Response:*** The building has been nonconforming for many years prior to the Applicant's acquisition of the property.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

***Applicant Response:*** Any Applicant with the same circumstances could request similar relief.

- (4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

***Applicant Response:*** The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non-conforming floor area.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

***Applicant Response:*** The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing and proposed condition.

- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
- b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
  1. Be granted only for the continuation of the same hotel or residential use; and
  2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

***Applicant Response:*** These standards are not applicable to this Development Review Application.

- (7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

***Applicant Response:*** The public will not be harmed by the variance because the existing condition of building length is the proposed condition.

## **REQUEST FOR VARIANCE TO ALLOW FOR REDUCED LANDSCAPED OPEN SPACE THAN ALLOWABLE BY THE ZONING CODE.**

### **Zoning Code Section 134-201. Findings Prior to Authorization.**

VARIANCE #9: Per Section 134-1163(11), a Variance for Landscape Open Space (LOS) of 9.56% in lieu of the 25% minimum allowable by the Zoning Code.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

***Applicant Response:*** As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing landscaped open space is legally nonconforming and will be enhanced to accommodate the renovation of the building.

- (2) The special conditions and circumstances do not result from the actions of the applicant.

***Applicant Response:*** The variance is necessary because the existing building does not conform to the existing Zoning Code. The building has been nonconforming for many years prior to the applicant's acquisition of the property.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

***Applicant Response:*** Any applicant with the same circumstances could request similar relief.

- (4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

***Applicant Response:*** The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

***Applicant Response:*** The variance is the minimum necessary to accomplish the renovation of the building.

- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:
- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
  - b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
    1. Be granted only for the continuation of the same hotel or residential use; and
    2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

***Applicant Response:*** These standards are not applicable to this Development Review Application.

- (7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

***Applicant Response:*** The public will not be harmed by the variance because the visible bulk of the building is not being changed. The existing landscaped open space is legally nonconforming.

## **REQUEST FOR VARIANCE TO ALLOW FOR REDUCED LANDSCAPED OPEN SPACE THAN ALLOWABLE BY THE ZONING CODE.**

### **Zoning Code Section 134-201. Findings Prior to Authorization.**

VARIANCE #10: Per Section 134-1163(12), a Variance for Floor Area of 20,963 square feet on the ground floor, 22,146 square feet on the second floor, and 21,324 square feet on the third floor in lieu of the 15,000 square feet per floor maximum allowable by the Zoning Code.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

***Applicant Response:* As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing floor area is legally nonconforming on ground, second, and third floor in their existing condition.**

- (2) The special conditions and circumstances do not result from the actions of the applicant.

***Applicant Response:* The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

***Applicant Response:* Any Applicant with the same circumstances could request similar relief.**

- (4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

***Applicant Response:* The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non-conforming floor area of the building.**



- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

***Applicant Response:*** The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing and proposed condition.

- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
- b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
  1. Be granted only for the continuation of the same hotel or residential use; and
  2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

***Applicant Response:*** These standards are not applicable to this Development Review Application.

- (7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

***Applicant Response:*** The public will not be harmed by the variance because the ground, second, and third floors are legally nonconforming in their existing condition.

## SITE HISTORY

The following provides a detailed history of all zoning-related requests applicable to this property processed on or after January 1, 1970, in chronological order, including but not limited to variances, special exceptions, site plan reviews, and existing agreements.

DATE	NATURE OF REQUEST/ACTIVITY	PROJECT IDENTIFIER OR NUMBER	COMMENT / NOTES
31-Jan-69	Application filed for building permit		Permit not issued by Town due to pending 'zoning in progress'. At issue was parking requirement of proposed new district (C-WA), which was more stringent than prior district (C-A).
6-Oct-69	Building permit issued to Mathews Corporation to construct a six story& basement parking and office structure; to meet old code parking requirement	Permit No. 74569	Permit indicates 107,800 SF, 65'8" height building
10-Apr-70	Building permit extension issued by Town		To June 1, 1970
19-Apr-72	ARCOM approved New building plans for office building	Application No. 35-72	49,500 SF of floor area and 166 parking spaces
1-Jun-72	Building permit issued to George Culverhouse for 3 level office building with 2 levels of parking and mechanical penthouse	Permit No. 51072	165 required parking spaces. C-A zoning district. Parking rate 1 /300 square feet of space.
6-Jul-72	Building permit re-issued to Stan E. Hall & Associates	Permit No. 51072	
14-Mar-73	Building permit re-issued to Lawrence J. Kucera	Permit No. 51072	
29-Mar-74	Certificate of Occupancy issued for building, main building only		
14-Jan-75	Request for variance	Variance #37-74	Denied by Town Council
9-Dec-75	Request for variance for permission to add another dentist to existing dentist's practice, on second floor.	Variance # 43-75	Approved by Town Council based on provision of additional parking

DATE	NATURE OF REQUEST/ ACTIVITY	PROJECT IDENTIFIER OR NUMBER	COMMENT / NOTES
1976	Town letters reference possible structural problems in the building		
9-Sep-80	Special exception request to move office (National City Bank) from first to third floor; temporary variance to stay in same office while other office is being prepared	Special Exception #19-80; Temporary variance # 30-80	Approved by Town Council
14-Oct-80	Special exception request to add 200 SF	Special Exception # 23-80	
13-Apr-82	Special exception request for expansion of office space	Special Exception #4-82	Approved by Town Council
11-May-82	Special exception for expansion of office space	Special Exception # May-82	Approved by Town Council
1984	Variance request for additional office space	Variance# 14--84	Approved by Town Council
November 13, 1984	Special exception request for  E.F. Hutton to occupy an additional 1339 SF on the second floor	Special Exception # 26-84	Approved by Town Council
1989	Variance request for additional office space	Variance #10-1989	Approved by Town Council
1989	Town of Palm Beach Comprehensive Plan		Adopted by Town Council
9-Jun-92	Special exception request for bank expansion	Special Exception # 13-92	Approved by Town Council
3-Mar-93	Special exception request to expand bank by an additional 1,750 SF	Special Exception # 8-93	Approved by Town Council
5-May-94	Request change in occupancy by moving 600 SF from 2nd to 3rd floor	Special Exception # 8-93	Approved administratively
1994	Special exception request for office in excess of 2,000 SF	Special Exception # 6-94	Approved by Town Council

DATE	NATURE OF REQUEST/ACTIVITY	PROJECT IDENTIFIER OR NUMBER	COMMENT / NOTES
14-Feb-95	Variance request to transfer 739 SF for bank from 2nd to 1st floor. Total remains 9,981 SF	Variance #62-94	Approved by Town Council
8-Aug-95	Special exception request with  variance to operate financial institution above 1st floor which exceeds 2,000 SF. Variance to eliminate 5 required parking spaces	Special Exception # 18-95	Approved by Town Council
14-May-96	Special exception request to add 1,214 SF onto existing 8,477 SF	Special Exception # 8-96	Approved by Town Council
1998	Variance with special exception request for additional office space	Variance# 4-98	Approved by Town Council
13-Oct-98	Special exception request to add 679 SF	Special Exception #25-98	Approved by Town Council
9-Feb-99	Special exception with variance request to expand Palm Beach National Bank on second floor and eliminate the requirement for 2 additional parking spaces. Total SF 12,396 SF	Special Exception # 4-90 with Variance	Approved by Town Council
May-99	Special Exception with variance request to allow expansion of bank on 2nd floor and eliminate requirement for 2 additional parking spaces.	Special Exception  #5-99 with Variances	Approved by Town Council
2002	Variance request for additional office space	Variance# 11-2002	Approved by Town Council
11-Nov-02	Special exception request to allow new bank to occupy the same 12,395 SF as previous bank	Special Exception #23-2002	Approved by Town Council

DATE	NATURE OF REQUEST/ACTIVITY	PROJECT IDENTIFIER OR NUMBER	COMMENT / NOTES
2004	Special exception request for more than 2,000 SF of office space	Special Exception # 14-2004	Approved by Town Council
7-Apr-08	Site plan review and variance request	Site Plan Review # 1-2008 with Variances	Denied by Town Council
10-Jun-09	Variance request to expand existing law firm on 3rd floor which is over 2000 SF	Variance # 12-2009	Approved by Town Council
22-Jun-10	Special Exception request to allow a new bank (BB&T) to occupy the same 12,396 SF currently occupied by Colonial Bank	Special Exception #8-2010	Approved by Town Council
11-Jul-12	Special Exception request to allow a proposed use (boat sales) not specifically enumerated in the code, for Ferretti Group	Special Exception #11- 2012	Approved by Town Council
15-Aug-12	Clarification of conditions relating to The Ferretti Group approval	Special Exception # 11-2012	Approved by Town Council
5-Mar-19	Request for Site Plan Review, Special Exceptions, and Variances for improvements to the building and expansion of the fourth floor	Z-19-00232	Application Withdrawn by Owner

## **SEATING PLAN**

A seating plan is not applicable to this application as no restaurant uses are being proposed.

## **OPERATIONAL PLAN**

The existing operations on site (no valet) will serve the proposed operations on site (same uses).

## **WORTH AVENUE DESIGN GUIDELINES JUSTIFICATION STATEMENT**

The Worth Avenue Design Guidelines Justification Statement is attached to this document as Exhibit B.

## **PARKING PLAN**

The Parking Plan and ULI Shared Parking Study are attached to this document as Exhibit C.

## **TRAFFIC CONCURRENCY REPORT & TRAFFIC STUDY**

The 125 Worth Avenue Traffic Concurrency Report and Traffic Study prepared by Kimley-Horn & Associates are attached to this document as Exhibit D.

## **APPRAISAL**

The 125 Worth Avenue Appraisal Report (dated December 21, 2022) prepared by Aucamp, Dellenback, and Whitney is attached to this document as Exhibit E.

## **DRAINAGE STATEMENT**

The 125 Worth Avenue Drainage Statement prepared by Keshavarz & Associates is attached to this document as Exhibit F.

## **125 WORTH AVENUE REVITALIZATION COST ESTIMATE**

The 125 Worth Avenue Revitalization Cost Estimate prepared by Gilbane is attached to this document as Exhibit G.

## **125 WORTH AVENUE ADDITIONAL CONCURRENCY: WATER, WASTEWATER, STORMWATER, SOLID WASTE**

The 125 Worth Avenue Additional Concurrency (Water, Wastewater, Stormwater, Solid Waste) prepared by Keshavarz & Associates is attached to this document as Exhibit H.

**EXHIBIT A: 125 WORTH AVENUE LEGAL DESCRIPTION**

Lots 38 through 48, inclusive, Block 16, of the Revised Map of Royal Park Addition to Palm Beach, Florida, according to the plat thereof, recorded in Plat Book 4, Page 1, of the Public Records of Palm Beach County, Florida.

## **EXHIBIT B: 125 WORTH AVENUE**

### **WORTH AVENUE DESIGN GUIDELINES JUSTIFICATION STATEMENT**

In the late 1990s, the Town of Palm Beach adopted Design Guidelines for Worth Avenue to retain and enhance the Avenue's unique character. They are intended for use by the general public and reviewing bodies (LPC, ARCOM, and Town Council) in evaluating new construction as well as alterations, renovations, or other changes to existing structures along Worth Avenue. The guidelines are intended to encourage the maintenance and restoration of the architectural heritage of Worth Avenue and to encourage the creative use of modern variants of the Mediterranean-Revival, Neo-Classical, and other compatible architectural styles. They are further intended to promote the use of "Mizner-style" Mediterranean-type pedestrian characteristics such as arcades, shopping vias, courtyards and patios, fountains and sculptures, extensive landscaping, multi-level development, and especially the provision of upper-story residences.

All in all, investment undertaken on the Avenue should:

- Be compatible with its neighbors and the Avenue's historic fabric;
- Enhance the Avenue's quality and character; and
- Encourage the continued attraction of a mixture of shops, residences, and other uses meeting the Town's desires.

The ocean block of Worth Avenue contains more recently constructed buildings dominated by the two-story Esplanade shopping mall on the Southern side of the block and a four-story professional office building (125 Worth Avenue) on the Northern side of the block. Beyond a poorly designed façade and awning treatment on the Esplanade intended to give the appearance of individual structures, and an arcaded terrace on the office building, there has been little attempt to integrate this block into the more historically significant Western Worth Avenue block. Both buildings are large and massive, have only single entrances on Worth Avenue, and present little pedestrian appeal. (quote from the guidelines themselves). The proposed, substantial renovation and addition will be the first of its kind since the building's original construction.

From a regulatory standpoint, the guidelines serve two separate purposes including Town Council/LPC/ARCOM's use in evaluating new construction as well as alterations, renovations, or other changes to existing structures along Worth Avenue and the ability for the Town to approve special allowances for substantial or appropriate exterior renovations or restorations. This document serves as a response to how the 125 Worth Avenue Revitalization Proposal meets the Worth Avenue Design Guidelines by examining both the existing and proposed conditions of the subject property.

The 125 Worth Avenue Revitalization Proposal in general involves an exterior and interior renovation alongside the addition of retail and office spaces on the ground, second, third, and fourth floors. The proposal involves a mix of uses including commercial and office coupled with integrated landscaping that are reminiscent of historic Palm Beach. The guiding principles of the proposal embrace the following:

- Integrate the East-End Development Area into the older developed blocks to the west;
- Achieve the Urban Design Objectives of the East-End Development Area; and
- Establish the Avenue's distinctive landscape character in the East-End Development Area.



## Worth Avenue Urban Design Goals

Protect and enhance the Avenue's market appeal for the benefit of the residents of the Town.

*125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal contributes to the Avenue's role as an architectural statement expressing the Town's image. The existing building does not contribute to Worth Avenue's historic character and atmosphere and does not provide inducement for the quality uses preferred in the Town and for which the Avenue has been so attractive in the past. The existing condition is one that is suburban in nature and disconnected from the Avenue's charm and visual appeal. The Revitalization proposal corrects this condition by bringing order to architecture and urbanism that is reminiscent of historic Palm Beach.*

Protect the unique character of the older areas of Worth Avenue and promote continuity and enhancement in newer areas.

*125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal (rehabilitation) located on the east-end development area represents an opportunity to promote continuity and enhancement in the subject block with a connection to the western portion of the Avenue. The Revitalization proposal proves successful in the aforementioned opportunity by respecting existing development scale and architecture while carefully reinforcing, strengthening and enhancing its existing condition.*

Strengthen pedestrian character and create new vias and other pedestrian linkages.

*125 Worth Avenue Revitalization Proposal Response: The existing site condition of 125 Worth Avenue maintains an auto-centric environment and does not recognize the pedestrian as a priority within the site and its interface with the public realm of the Avenue. The 125 Worth Avenue Revitalization Proposal removes most of the surface level parking (auto-centric environment) and replaces it with active storefronts that prioritize the pedestrian experience, thus extending the pedestrian, village like character of the western portion of the Avenue.*

Maintain and continue to create a diverse mix of activities.

*125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal represents a diverse mix of residential, office, and retail uses that complement the Avenue's present specialty shopping reputation. As a result, by introducing a pedestrian scaled environment to the subject property, Worth Avenue can absorb growth and prosper in an appropriate manner.*

Maintain high expectations for the quality of architecture along Worth Avenue.

*125 Worth Avenue Revitalization Proposal Response: Unlike the existing condition, the 125 Worth Avenue Revitalization Proposal includes a new building that is influenced by the area climate, character of the landscape, and a concern for human size and scale. Moreover, the proposal stresses architectural traditions such as protection from the sun and glare, strong shade and shadow patterns, simplicity of materials and colors, and interesting visual elements.*

Strengthen the Avenue's distinctive landscape character.

*125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal continues to reinforce the Avenue's pedestrian-oriented character by the use of windows, open and enclosed stairways, planting areas, potted plants, decorative paving and tiles, ornamental lighting, and providing an abundance of shade, color, varied textures, and form.*

Continue and expand the tradition of the Avenue's arcaded walkways.

*125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal provides a modern adaptation of covered walkways which unify diverse building fronts, provide shade protection from the sun, and further serve as a consistent architectural element of pedestrian scale.*

Strengthen the provision of consistent and compatible street spaces.

*125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal's site plan gives priority to establishing complementary and supportive relationships with neighboring properties by respecting the edge conditions of the adjacent properties and introducing landscaped and pedestrian elements to the site.*

## **Adherence to the Worth Avenue Design Guidelines**

### **Relationship to Existing Development**

Guideline: All development proposals should show evidence of coordination with the site plan, arrangement of building forms, landscape design, and façade patterns of neighboring properties.

*Existing Conditions: The existing site plan 125 Worth Avenue represents a disconnected, suburban arrangement of building forms, landscape design, and façade patterns that are auto centric in nature.*

*Proposed Conditions: In contrast, the 125 Worth Avenue Revitalization Proposal respects the arrangement of building, open space, and landscape elements on the adjacent sites. The resultant site plan is more respectful of the site's urban condition along Worth Avenue.*

### **Architectural Character**

Guideline: All development proposals should demonstrate evidence they have considered the predominant scale and proportion of buildings in the area. Elevation sketches, photographic montages, and other graphic studies are encouraged.

*Existing Conditions: The existing building and site plan combine to form an inappropriate architectural expression due to its foreign proportion, rhythm, and form. The existing condition neither protects nor enhances the Avenue's market appeal for the benefit of the residents of the Town.*

*Proposed Conditions: The 125 Worth Avenue Revitalization Proposal involves a major rehabilitation to the Worth Avenue façade of the building which will result in intimate proportions of building elements at the ground level that will be appreciated by pedestrians. The relationship between the height and width of the building and its architectural elements contributes to the appropriate proportion of buildings. In reforming the horizontal emphasis of the existing building to a more vertical expression, the proportion of the proposed building will be much more germane to the*

*vernacular of historic Palm Beach. Additionally, the proposed rhythm of the rehabilitated building with its ordered recurrent alternation of strong and weak architectural elements yields visual interest to the building true to the Mediterranean-Revival architectural style. At last, the proposed building and site plan coordinates the form and height of adjacent structures to demonstrate visual linkages moving from west to east across the site.*

### **Street Character, Size and Bulk**

Guideline: New development should preserve the existing character by reducing the apparent building width and bulk. Pedestrian interest should be strengthened by providing frequent shop, building, and via entrances along street frontages.

*Existing Conditions: The existing building at 125 Worth Avenue maintains an awkward proportion, scale, and mass. Infrequent opening and entrances along the street frontages detract from pedestrian interest. Additionally, the existing building reads as one large building across the lot.*

*Proposed Conditions: The proposed building at 125 Worth Avenue repositions the existing building with respect to apparent building and storefront width, a varied roofscape, multi-story structures, and recesses and projections along all facades. By dividing the Worth Avenue elevation into smaller parts, the proposed building's apparent building and storefront widths are reduced in an effort to create pedestrian interest as well as break up the scale and mass of the building. The existing roof line which is one of a suburban vernacular has been transformed (in the proposed structure) to create an interesting silhouette against the sky reflective of the west-end of the Avenue. The verticality of the buildings is reduced via balconies and changes in the wall plane thus providing strong shadow and visual interest. The recessed features of the proposed structure create a sense of depth in the building wall and emphasize important architectural elements of the building such as entrances and bays.*

### **Street Frontage**

Guideline: Active building frontages, creating inviting indoor/outdoor spaces, are an essential ingredient to maintain and strengthen the Avenue's pedestrian character. Buildings should provide an opening at the ground level to allow pedestrian views of display windows. Frequent building entrances are encouraged. Side and rear building entrances should always be accompanied by a front entrance facing the Avenue.

*Existing Conditions: The existing building frontage at 125 Worth Avenue maintains a confused street-edge along Worth Avenue. The spaces at the ground floor along Worth Avenue include long spatial gaps while the second and third story fenestration do not reflect successful non-residential Palm Beach building types.*

*Proposed Conditions: The proposed building at 125 Worth Avenue greatly increases the activation along the Worth Avenue frontage by minimizing blank walls, increasing the height and area of storefronts, and organizing and increasing entrances to the building in an orderly fashion, so that one knows where the front door is to the building.*

## **Building Setback Area**

**Guideline:** The space between the building and the curb should be like an open or covered patio. It should provide pedestrians with a buffer from traffic on the Avenue, shaded protection from the sun, and a rich variety of experiences and choices.

*Existing Conditions:* The existing space between the building and curb is bifurcated by grade changes and separated sidewalk areas.

*Proposed Conditions:* The proposed building at 125 Worth Avenue reads much more like an open and covered patio. The continuous linear and rhythmic paving includes occasional street contrasts and accents including plantings and landscape. The proposed patterns of the building setback area are geometric rather than organic which is more appropriate for the Avenue.

## **Arcades, Colonnades or Recessed Walkways**

**Guideline:** Arcades or covered walkways are an important part of Worth Avenue's architectural heritage. They provide relief from the sun, buffers from the street, and are a consistent architectural element scaled to human size. New buildings on the Avenue are encouraged to provide arcades or other forms of shaded base.

*Existing Conditions:* The existing walkway condition at 125 Worth Avenue does not integrate the entirety of the sidewalk in front of the building.

*Proposed Conditions:* The proposed building at 125 Worth Avenue includes recessed walkways as an integral part of the building's architectural character that is not separated from the sidewalk but rather a seamless portion of the overall sidewalk. The successful integration of these two elements creates useful outdoor space and provides protection from the sun in a functional manner. The framing of the sidewalk space does not include a superficial or decorative device but rather one of form and function of the structure itself.

## **Building Materials**

**Guideline:** Restraint should be used in the number of different building materials selected. Simplicity is desired. Building materials similar to those in predominant use on the Avenue are encouraged. Avoid the use of new materials that are incompatible with other development. Highly reflective, shiny, or mirror-like materials should not be used.

*Existing Conditions:* Aside from the windows and doors of the existing building at 125 Worth Avenue, the building materials are generally acceptable. However, the architectural disorder of the facades and building in general reduce the success of the building materials.

*Proposed Conditions:* The proposed structure for 125 Worth Avenue includes walls that are painted stucco trimmed by natural Florida Keystone. The large, glazed areas of the building are divided into smaller parts by using mullions to express individual windows. The doors are finished in a dark metal reflective of successful shopfront frontages found along the Avenue. Finally, the building includes decorative metal railings. All of the proposed building materials are consistent with the recommendations of the Worth Avenue Design Guidelines.

## Architectural Details

Guideline: Worth Avenue has a long history of quality in architectural design and building construction. This quality is reflected in buildings of varying architectural styles with varying architectural details which add interest to the area.

*Existing Conditions: The existing building at 125 Worth Avenue lacks a clear architectural identity and appears to have been designed in an anticipated Mediterranean-Revival style that was not appropriately executed, thus resulting in a more Post-Modern like style.*

*Proposed Conditions: The proposed building at 125 Worth Avenue becomes an exercise of how to make the systems and order of the existing building better. The introduction of Mediterranean-Revival materials, shade and shadow, and entrance canopies combine to transform the style to Neoclassical design. This style maintains consistency with the Urban Design Objective of the East-End Development Area.*

## Color and Texture

Guideline: Building colors should emphasize light and muted colors. General color selection should show evidence of coordination with the predominant use of color on the Avenue, especially in the area of the project. As a general rule, keep color schemes simple.

*Existing Conditions: Aside from the windows and doors, the remaining elements of the existing building meet the recommended color selection of the Worth Avenue Design Guidelines.*

*Proposed Conditions: The proposed white/off-white color scheme for the walls of the building reflects the recommended "soft Mediterranean color" of the Worth Avenue Design Guidelines. The proposed dark roof color will contrast nicely with the sky and define the structure against the sky. The metal-framed windows and doors will be a very dark color. At last, the landscaped accents of the office facades and trellises provides visual harmony of the building façade and the building block.*

## Building Equipment and Services

Guideline: Locate service and loading areas to minimize visibility from the Avenue, vias, courtyards, or other public spaces. Mechanical and electrical equipment, communications and service equipment, and other appurtenances should be concealed from view of the Avenue, other streets, vias, courtyards, and neighboring properties by walls, fences, parapets, dense evergreen foliage or by other suitable means.

*Existing Conditions: The existing mechanical equipment is located on the rooftop of the building and does not afford a pleasant view from neighboring residential buildings that look down upon the existing rooftop.*

*Proposed Conditions: The proposed building's mechanical equipment will be completely concealed from view of the Avenue and neighboring properties. In addition, the proposed rooftop will be a beautified element with lush landscaping when viewed from neighboring residential buildings.*

## **Parking Facilities**

Guideline: Minimize the visual impact of parking structures and parking lots by locating them at the rear or interior portions of the building site. When parking structures must be located at the street edge, use of the ground level street frontage for shops, offices, or other commercial space. Parking access from alleys and side streets is desired.

*Existing Conditions: The existing site plan includes surface parking areas on three sides of the structure which maintains a significant percentage of the Worth Avenue street frontage. An underground parking facility exists on the site as well.*

*Proposed Conditions: The proposed site plan removes most surface parking on the site and replaces these areas with active storefronts.*

## **Renovations and Additions**

Guideline: Building facades play a basic role in the visual makeup of the Avenue. Storefronts, awnings, signs, window displays, texture and color are all integral elements of the design. Collective improvement of these elements creates visual order.

### **Facadectomy**

*Existing Conditions: The existing façade of the building is tired and in need of visual order.*

*Proposed Conditions: The proposed building facades will be substantially renovated coupled with minor additions thus creating visual order while maintain an appropriate scale, proportion, and rhythm.*

## **Style Change**

Guideline: Some Worth Avenue buildings lack a clear identity, are void of distinguishing architectural features, or have been constructed in an architectural style that is not particularly compatible with the predominant architectural styles in the general development area.

*Existing Conditions: The existing building at 125 Worth Avenue lacks a clear architectural identity and appears to have been designed in an anticipated Mediterranean-Revival style that was not appropriately executed, thus resulting in a more Post-Modern like style.*

*Proposed Conditions: The proposed building at 125 Worth Avenue becomes an exercise of how to make the systems and order of the existing building better. The introduction of Mediterranean-Revival materials, shade and shadow, and entrance canopies combine to transform the style to Neoclassical design. This style maintains consistency with the Urban Design Objective of the East-End Development Area.*

## **Urban Design Objectives for the East-End Development Area**

For the reasons stated herein, the 125 Worth Avenue Revitalization Proposal meets the following Urban Design Objectives for the East-End Development Area:

- To preserve, maintain, and enhance existing Mediterranean-Revival/Neo-Classical character of the area;
- To encourage the protection and enhancement of non-designated but potential Mediterranean-Revival/Neo-Classical historical structures;
- To encourage new development and remodeling to use Mediterranean-Revival, Neo-Classical architectural styles or other updated variants;
- To insure compatibility of new development with existing uses and these Guidelines through review and recommendation of the Landmarks Preservation Commission and review and approval of the Architectural Commission;
- To encourage the remodeling/rehabilitation of incompatible buildings and storefronts in the area, including the provision of multiple storefront entrances, and unification of display windows, awnings, colors, materials, and signage;
- To encourage the use of arcades or colonnades along Worth Avenue frontages; and
- To encourage the interconnection of additional vias, courtyards, patios, and other passageways both on and off-site.

**EXHIBIT C: 125 WORTH AVENUE  
PARKING PLAN AND ULI SHARED PARKING ANALYSIS**



**ULI Shared-Parking  
Analysis For**

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**125 Worth Avenue  
Mixed-Use Development  
Palm Beach, FL 33480**

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December 8, 2022

Updated December 26, 2022

**Updated February 14, 2023**

**Prepared by:**

Frisbie Group, LLC

## Introduction

As a part of the Zoning and ARCOM application for the proposed mixed-use development at 125 Worth Avenue in Palm Beach, Florida the following ULI Shared Parking Analysis per the Town of Palm Beach Zoning Ordinance. The subject property, 125 Worth Avenue, is located within the Town of Palm Beach C-WA Zoning District. Please refer to Exhibit A to this document, entitled “125 Worth Avenue Parking Plan”, throughout this parking analysis.

## Project Overview and Parking Demand

The proposed 125 Worth Avenue mixed-use development (“development”) includes the following uses:

- Office (33,824 square feet); and
- Community Retail (17,035 square feet).

Spatially, the aforementioned use intensities are distributed within the proposed development area as shown on Exhibit A to this document.

In order to determine the minimum number of required parking spaces, one must refer to Section 134-2176, Off-Street Parking and Loading of the Town of Palm Beach Zoning Code. This schedule calls for the following required parking spaces for each use within the development as follows:

Use Category	Use	Spaces Required	Units of Measure
Office	Office	1	250 square feet of GLA
Retail	Retail	1	200 square feet of GLA

In applying this schedule, the minimum number of parking spaces associated with the development totals 220 spaces as follows:

Use Category	125 Worth Avenue Use	Spaces Required	Units of Measure	Units Proposed in Development	Total Number of minimum parking spaces required
Office	Office	1	250 Square Feet	33,824 Square Feet	135
Retail	Retail	1	200 Square Feet	17,035 Square Feet	85
<b>Total Number of Required Parking Spaces per Town of Palm Beach Code</b>					<b>220</b>

The development team completed an Urban Land Institute Shared Parking Model (included in this analysis) which revealed that shared parking reduction could be achieved, so the development shall apply the aforementioned parking reduction (per the aforementioned zoning code section). The application of the reduction of parking requirements yields the following parking requirements for the development:

Use Category	125 Worth Avenue Use	Spaces Required	Units of Measure	Units Proposed in Development	Total Number of minimum parking spaces required	Total Number of maximum parking spaces required
Office	Office	1	250 Square Feet	33,824 Square Feet	135	N/A
Retail	Retail	1	200 Square Feet	17,035 Square Feet	85	N/A
<b>Total Number of Spaces for Development (without shared parking reduction)</b>					<b>220</b>	<b>N/A</b>
<b>Total Number of Spaces for Development (with ULI Shared Parking reduction)</b>					<b>76</b>	<b>187</b>
<b>For Weekday and Weekend Peak</b>						

**\*\*\*ULI Shared Parking Study does not include the 85<sup>th</sup> percentile adjustment.**

## Conclusion

The parking analysis here shows that the Parking Plan (Exhibit A) for the 125 Worth Avenue mixed-use development (“development”) attached to this analysis does not meet the applicable off-street parking requirements of the Town of Palm Beach. The Applicant has performed the ULI Shared Parking Analysis to evaluate actual parking needs.

The results of the ULI Shared Parking Analysis shows the average peak parking event occurs during many months of the year. The average peak parking event, or maximum demand for parking, requires a total of 164 parking spaces. The ULI Shared Parking Model recommends that the peak parking event be adjusted for the 85<sup>th</sup> percentile in accordance with the ULI shared parking guidelines. Once the 85<sup>th</sup> percentile adjustment is applied ( $164 \text{ spaces} \times .85 = 139 \text{ spaces}$  in the worst-case scenario), the 125 Worth Avenue Parking Plan (Exhibit A) includes 141 parking spaces which will satisfy the average peak conditions at all times during the year per the ULI Shared Parking Study.

## **EXHIBIT A**

125 Worth Avenue Parking Plan

NOTE: ELEVATIONS  
REFERENCED TO NAVD  
83

LEGEND:  
+5.50'  
EXISTING SPOT  
ELEVATION  
+5.50'  
PROPOSED SPOT  
ELEVATION

NEW ADDITION  
= 1,327 SQ.FT.  
EXISTING  
= 19,993 SQ.FT.

TOTAL PARKING SPACE: 10  
A TOTAL OF 10 PARKING  
SPACES ARE PROPOSED ON  
THE PROPOSED GROUND  
FLOOR, WHICH IS 24  
SPACES LESS THAN THE  
EXISTING GROUND  
PARKING

D.R.C. FINAL SUBMITTAL SET 02/10/2023  
D.R.C. SECOND SUBMITTAL SET 12/27/2022  
D.R.C. FIRST SUBMITTAL SET 12/08/2022  
D.R.C. PRE-APP MEETING SET 11/21/2022

ARCOM  
CASE #:  
ARC-23-022

ZONING  
CASE #:  
ZON-23-032

125 WORTH AVE.  
PALM BEACH, FLORIDA

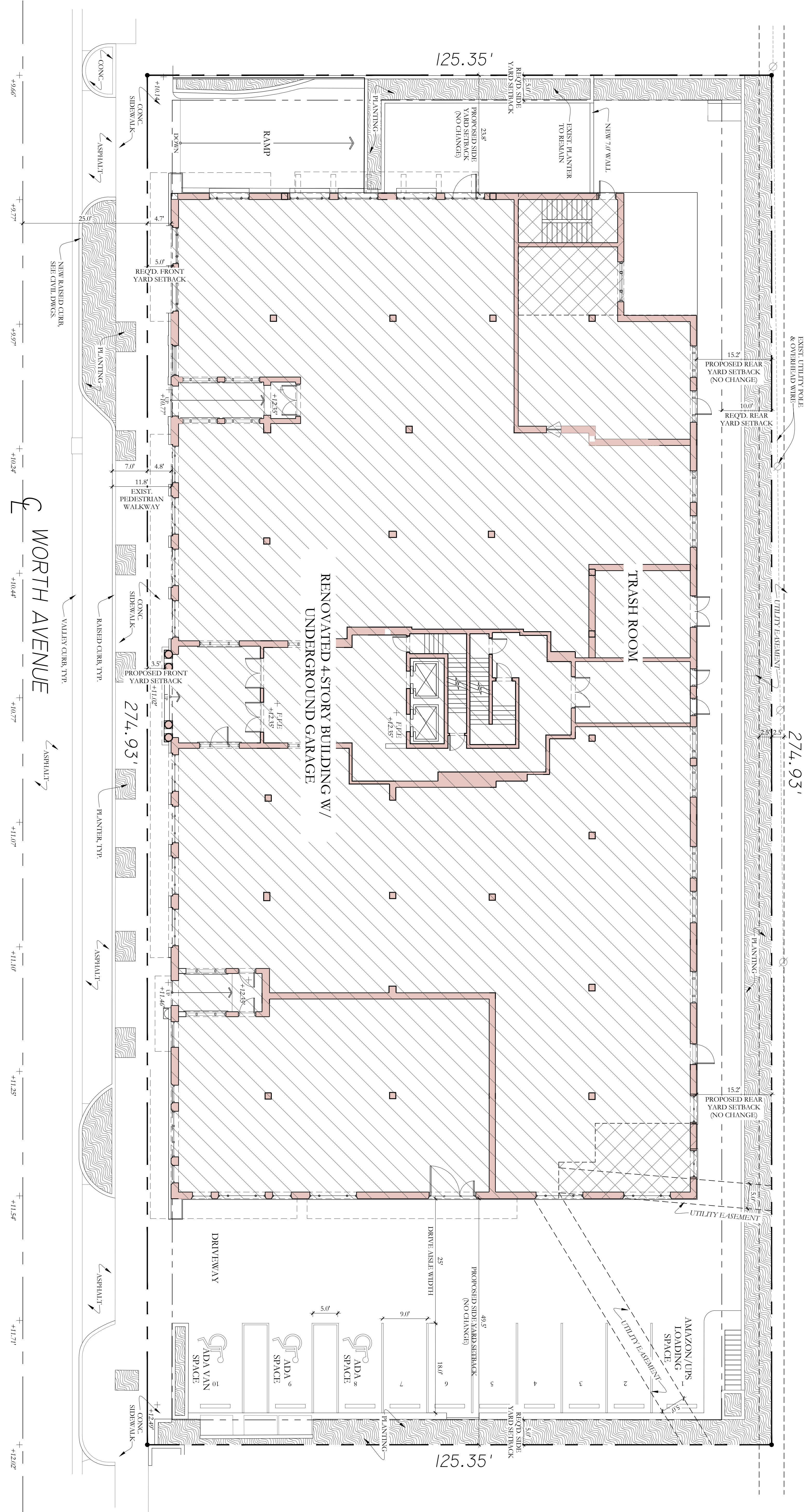
SHEET TITLE  
PROPOSED SITE PLAN

DATE: FEB. 10, 2023  
SHEET NO:  
SCALE: 1" = 10'-0"  
BY: CG  
CG



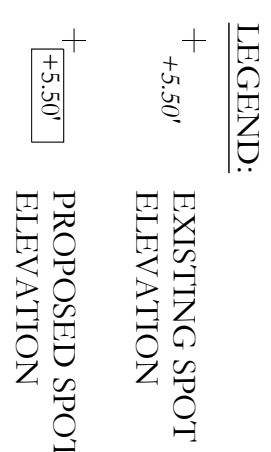
FAIRFAX & SAMMONS  
NEW YORK - PALM BEACH  
FAIRFAX, SAMMONS & PARTNER, L.L.C.  
214 BRADLAW AVENUE, SUITE 300  
PALM BEACH, FLORIDA 33480  
FAIRFAX@SAMMONS.COM  
LICENSE NO. A158009448

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1  
PROPOSED SITE PLAN  
1"=10'-0"





**TOTAL PARKING SPACE FOR PROPOSED SUB-BASE PLAN - 71, Which is 2 more than the Existing Sub-base Plan.**

D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

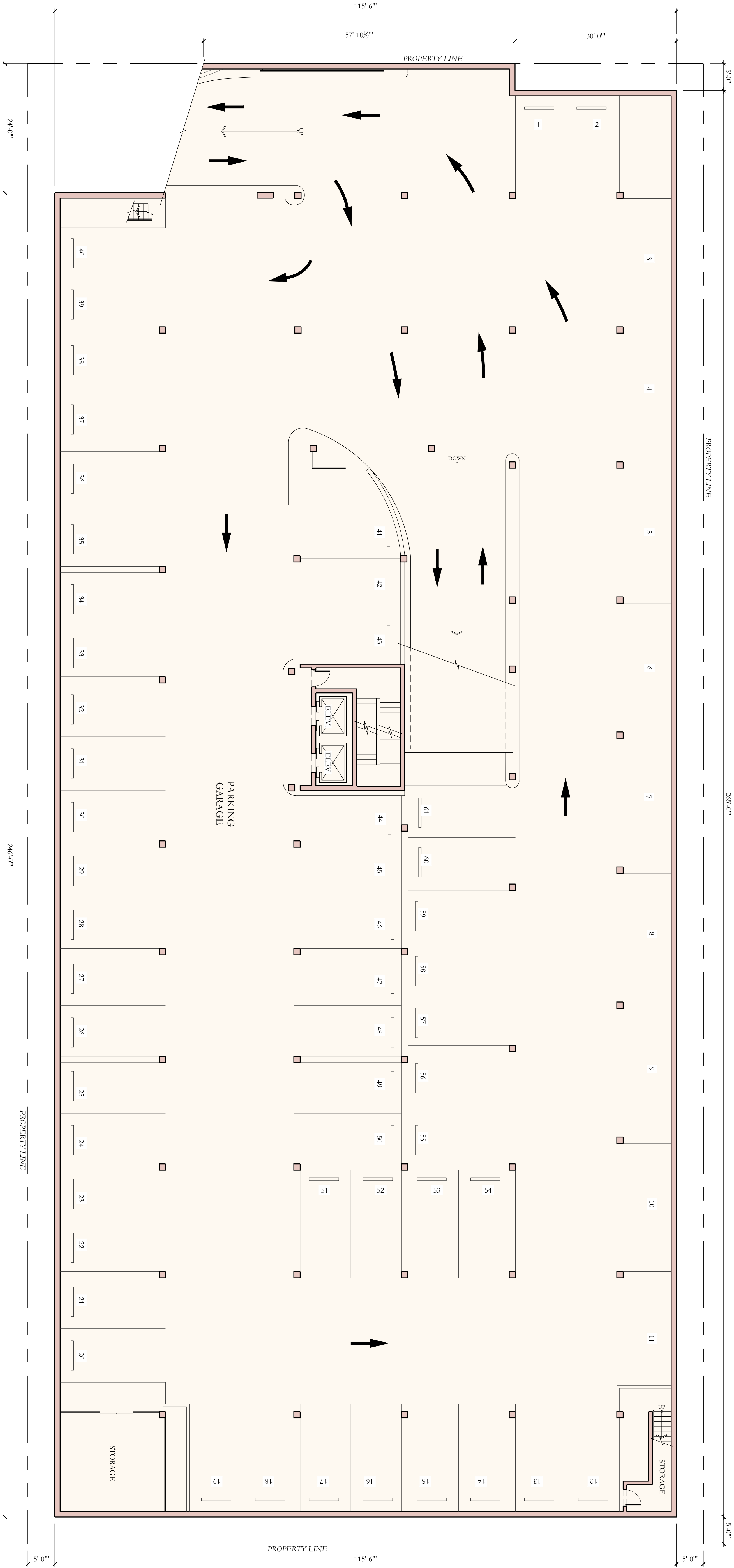
ARCOM  
CASE #:  
ARC-23-022

ZONING  
CASE #:  
ZON-23-032

125 WORTH AVE.  
PALM BEACH, FLORIDA

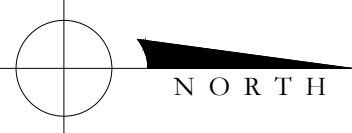
<b>SHEET TITLE</b> PROPOSED SUB-BASEMENT FLOOR PLAN	
<b>DATE</b> DEC. 27, 2022	<b>SHEET NO.</b> A-100
<b>SCALE</b> $1" = 10'-0"$	
<b>BY</b> HMM	

48



1 PROPOSED BASEMENT FLOOR PLAN (NO CHANGE)

1"=10'-0"



NOTE: ELEVATIONS  
REFERENCED TO NAVD  
SURVEY ELEVATIONS

LEGEND:  
+5.50' EXISTING SPOT  
ELEVATION  
+5.50' PROPOSED SPOT  
ELEVATION

TOTAL PARKING SPACE:  
61, Which is same as the  
Existing Basement Plan.


D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM  
CASE #:  
ARC-23-022

ZONING  
CASE #:  
ZON-23-032

125 WORTH AVE.  
PALM BEACH, FLORIDA

SHEET TITLE PROPOSED BASEMENT FLOOR PLAN	
DATE DEC. 27, 2022	SHEET NO.
SCALE 1" = 10'-0"	A-101
BY HMI	



**FAIRFAX & SAMMONS**  
NEW YORK - PALM BEACH  
FAIRFAX, SAMMONS & PARTNER, LLC  
314 BRADLEY AVENUE, SUITE 200  
PALM BEACH, FLORIDA 33480  
FAIRFAXANDSAMMONS.COM  
LICENSE NO. A158000445

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## **EXHIBIT B**

### ULI Shared Parking Methodology and Model



125 North Avenue Shared Parking Analysis

Total Monthly Required/Shared Spaces												
Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec. Late Dec.
Weekday Peak	164.352398	165	168	168	169	170	162	164	168	169	173	187
Surplus/Deficit	(23)	(24)	(27)	(27)	(28)	(29)	(21)	(23)	(27)	(28)	(32)	(46)
Weekend Peak	49	50	54	53	55	55	53	56	54	55	59	76
Surplus/Deficit	92	91	87	88	86	86	88	85	87	86	82	65
Peak Month	Peak December											
Max	187.387125											
Average	56											

Average Monthly Excess Parking

Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec. Late Dec.	Average
Weekday	55.66472672	55.37	53.31217528	53.60624421	52.72403743	52.4299685	56.42291516	54.95257051	46.20489368	52.7	50.12804688	41	60
Weekend	112.5791855	112.3	110.2013147	110.4985485	109.606847	109.3096131	110.4228619	108.9366926	110.2013147	110	106.905347	98	105
													81

Total Parking Spaces Provided

141

% Occupancy at Peak

Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec. Late Dec.	Average
Weekday	61%	61%	62%	62%	63%	63%	60%	61%	67%	63%	64%	71%	57%
Weekend	20%	20%	22%	22%	22%	22%	22%	23%	22%	22%	24%	31%	25%

% Over Necessary "Perceived Occupancy" Cushion

Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec. Late Dec.	Average
% Cushion (High 95%)	Weekday 34%	Weekday 34%	Weekday 33%	Weekday 33%	Weekday 32%	Weekday 32%	Weekday 35%	Weekday 34%	Weekday 28%	Weekday 32%	Weekday 31%	Weekday 24%	Weekday 32%
	Weekend 75%	Weekend 75%	Weekend 73%	Weekend 73%	Weekend 73%	Weekend 73%	Weekend 73%	Weekend 72%	Weekend 73%	Weekend 73%	Weekend 71%	Weekend 64%	Weekend 72%
% Cushion (Mid 90%)	Weekday 29%	Weekday 29%	Weekday 28%	Weekday 28%	Weekday 27%	Weekday 27%	Weekday 30%	Weekday 29%	Weekday 23%	Weekday 27%	Weekday 26%	Weekday 19%	Weekday 27%
	Weekend 70%	Weekend 70%	Weekend 68%	Weekend 68%	Weekend 68%	Weekend 68%	Weekend 68%	Weekend 67%	Weekend 68%	Weekend 68%	Weekend 66%	Weekend 59%	Weekend 67%
% Cushion (Low 85%)	Weekday 24%	Weekday 24%	Weekday 23%	Weekday 23%	Weekday 22%	Weekday 22%	Weekday 25%	Weekday 24%	Weekday 18%	Weekday 22%	Weekday 21%	Weekday 14%	Weekday 28%
	Weekend 65%	Weekend 65%	Weekend 63%	Weekend 63%	Weekend 63%	Weekend 63%	Weekend 63%	Weekend 62%	Weekend 63%	Weekend 63%	Weekend 61%	Weekend 54%	Weekend 62%

[illegible]

[illegible]

Use	Ratio	Unit	Monthly Factor	Weekday												Ratio	Weekend																							
				AM						PM							AM						PM																	
Hour	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	6	7	8	9	10	11	12	6	7	8	9	10	11	12							
Office	33,824																																							
Visitor	0.30	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00			
Time of Day Factor		0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00			
Employee	3.50	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00		
Time of Day Factor		0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00	0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00			
Community Retail	17,035																																							
Customer	2.90	0.32	1.58	4.74	11.07	20.55	26.87	30.04	31.62	30.04	28.46	28.46	30.04	30.04	25.29	15.81	9.49	3.16	0.00	3.20	0.35	1.74	3.49	10.47	17.44	22.68	27.91	31.40	34.89	33.14	31.40	27.91	26.17	22.68	17.44	12.21	5.23	0.00		
Time of Day Factor		0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.80	0.50	0.30	0.10	0.00	0.00	0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00	
Employee	0.70	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00		
Time of Day Factor		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00	0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00			
Residential - Rental																																								
Visitor	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
Time of Day Factor		0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	0.80	0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Renter	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
Time of Day Factor		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00			
Total Needed		4.82	38.63	99.38	124.94	157.19	158.89	147.64	152.27	168.11	160.95	146.06	99.31	69.20	50.94	42.17	26.51	14.48	4.59	0.00	1.44	5.95	15.56	28.93	38.28	45.89	50.38	52.58	53.50	50.93	46.62	43.04	37.82	34.89	30.85	24.53	17.12	6.87	0.00	
Weekday Peak	168.11	136.18	102.37	41.62	16.06	16.19	17.89	6.64	11.27	27.11	19.95	5.06	41.69	71.80	90.06	98.83	114.49	126.52	136.41	141.00		139.56	135.05	125.44	112.07	102.72	95.11	90.62	88.42	87.50	90.07	94.38	97.96	103.18	106.11	110.15	116.47	123.88	134.13	141.00
Average Weekday Excess	53.50																																							
Average Weekend Excess	110.20																																							

[illegible]

Use	Ratio	Unit	Monthly Factor	Hour	Weekday												Ratio						
					AM						PM												
					6	7	8	9	10	11	12	1	2	3	4	5		6	7	8	9	10	11
Office		33,824			6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
Visitor	0.3		100% /ksfGFA		0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100% /ksfGFA		3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00
Community Retail		17,035																					
Customer	2.9		66% /ksfGFA		0.33	1.63	4.89	11.41	21.19	27.71	30.97	32.60	30.97	29.34	29.34	30.97	30.97	30.97	26.08	16.30	9.78	3.26	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00
Employee	0.7		80% /ksfGFA		0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00
Residential - Rental		-																					
Visitor	0.15		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	0.80	0.80	0.50
Renter	1.5		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.83	38.68	99.52	125.28	157.83	159.73	148.58	153.26	169.05	161.83	146.95	100.24	70.14	51.88	42.96	27.01	14.78	4.69	0.00
Weekday Peak		169,045	5405	Excess	136.17	102.32	41.48	15.72	16.83	18.73	7.58	12.26	28.05	20.83	5.95	40.76	70.86	89.12	98.04	113.99	126.22	136.31	141.00
Weekend Peak		55																					
Average Weekday Excess		52.72	403743																				
Average Weekend Excess		109.60	6847																				

Use	Ratio	Unit	Monthly Factor	Weekday												Ratio	Weekend																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
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July																								
Use	Ratio	Unit	Monthly Factor	Hour	Weekday												Ratio							
					AM						PM													
Office		33,824			6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	
Visitor	0.3		95% /ksfGFA		0.00	0.10	1.93	5.78	9.64	4.34	1.45	4.34	9.64	4.34	1.45	0.96	0.48	0.00	0.00	0.00	0.00	0.00	0.00	0.03
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.50		95% /ksfGFA		3.37	33.74	84.35	95.60	112.46	112.46	101.22	101.22	112.46	112.46	101.22	56.23	28.12	11.25	7.87	3.37	1.12	0.00	0.00	0.35
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.11	0.00	0.00	0.00
Community Retail		17,035																						
Customer	2.90		64% /ksfGFA		0.32	1.58	4.74	11.07	20.55	26.87	30.04	31.62	30.04	28.46	28.46	30.04	30.04	25.29	15.81	9.49	3.16	0.00	0.00	3.20
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.80	0.50	0.30	0.10	0.00	0.00	0.01
Employee	0.70		80% /ksfGFA		0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.00	0.80
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.90	0.75	0.40	0.15	0.00	0.00	0.10
Residential - Rental		-																						
Visitor	0.15		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	0.80	0.50	0.00	0.00
Renter	1.50		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.64	36.85	94.83	119.60	150.76	152.74	142.24	146.21	161.68	154.80	140.66	96.30	67.70	50.35	41.75	26.34	14.43	4.59	0.00	
Weekday Peak					161.68																			
Weekend Peak					53.12																			
Average Weekday Excess					56.42																			
Average Weekend Excess					110.42																			
						</																		



August																											
Weekday																											
Use	Ratio	Unit	Monthly Factor	Hour																							
				6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12					
Office		33,824		AM												PM											
Visitor	0.3		95% /ksfGFA	0.00	0.10	1.93	5.78	9.64	4.34	1.45	4.34	9.64	4.34	1.45	0.96	0.48	0.00	0.00	0.00	0.00	0.00	0.00					
Time of Day Factor				0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00					
Employee	3.5		95% /ksfGFA	3.37	33.74	84.35	95.60	112.46	112.46	101.22	101.22	112.46	112.46	101.22	56.23	28.12	11.25	7.87	3.37	1.12	0.00	0.00					
Time of Day Factor		17,035		0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00					
Community Retail																											
Customer	2.9		69% /ksfGFA	0.34	1.70	5.11	11.93	22.16	28.97	32.38	34.09	32.38	30.68	30.68	32.38	32.38	27.27	17.04	10.23	3.41	0.00	0.00					
Time of Day Factor				0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00					
Employee	0.7		80% /ksfGFA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.00					
Time of Day Factor		-		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.90	0.75	0.40	0.15	0.00	0.00					
Residential - Rental																											
Visitor	0.15		100% /unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00					
Time of Day Factor				0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	0.80	0.50	0.50					
Renter	1.5		100% /unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00					
Time of Day Factor				1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00					
Total Needed				4.67	36.97	95.21	120.46	152.37	154.84	144.59	149.18	164.03	157.02	142.88	98.64	70.04	52.69	43.73	27.57	15.17	4.84	0.00					
Weekday Peak	164.0269233		Excess	136.33	104.03	45.79	20.54	11.37	13.84	3.59	8.18	23.03	16.02	1.88	42.36	70.96	88.31	97.27	113.43	125.83	136.16	141.00					
Weekend Peak	56																										
Average Weekday Excess	54.95257051																										
Average Weekend Excess	108.9366926																										

Weekend																						
Ratio	Hour												Ratio									
	6	7	8	9	10	11	12	1	2	3	4	5		6	7	8	9	10	11	12		
				AM												PM						
0.03	0.00	0.19	0.58	0.77	0.87	0.96	0.87	0.77	0.58	0.39	0.19	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00			
0.00	0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00			
0.35	0.00	2.25	6.75	9.00	10.12	11.25	10.12	9.00	6.75	4.50	2.25	1.12	0.56	0.00	0.00	0.00	0.00	0.00	0.00			
0.00	0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00			
3.20	0.38	1.88	3.76	11.28	18.81	24.45	30.09	33.85	37.61	37.61	35.73	33.85	30.09	28.21	24.45	18.81	13.16	5.64	0.00			
0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00	0.00			
1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00	0.00			
0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00	0.00			
0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
0.00	0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	0.80	0.50	0.50	0.50		
1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
1.00	0.90	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00	1.00		
Total Needed				1.47	5.96	15.45	29.23	39.06	47.02	51.98	54.52	55.84	53.40	49.08	45.43	39.97	36.93	32.63	25.89	18.07	7.28	0.00
Weekday Peak	139.53	135.04	125.55	111.77	###	93.98	89.02	86.48	85.16	87.60	91.92	95.57	###	104.07	108.37	115.11	122.93	133.72	141.00			
Weekend Peak																						
Average Weekday Excess																						
Average Weekend Excess																						

September																												
Use	Ratio	Unit	Monthly Factor	Hour	Weekday												Weekend											
					6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12					
Office		33,824			AM						PM																	
Visitor	0.3		100% /ksfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00								
Time of Day Factor				0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00								
Employee	3.5		100% /ksfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18								
Time of Day Factor				0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01								
Community Retail		17,035																										
Customer	2.9		64% /ksfGFA	0.32	1.58	4.74	11.07	20.55	26.87	30.04	31.62	30.04	28.46	28.46	30.04	30.04	25.29	15.81	9.49	3.16								
Time of Day Factor				0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.80	0.50	0.30	0.10								
Employee	0.7		80% /ksfGFA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43								
Time of Day Factor				0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15								
Residential - Rental		-																										
Visitor	0.15		100% /unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00								
Time of Day Factor				0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	0.80								
Renter	1.5		100% /unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00								
Time of Day Factor				1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00								
Total Needed				4.82	38.63	99.38	124.94	157.19	158.89	147.64	152.27	168.11	160.95	146.06	99.31	69.20	50.94	42.17	26.51	14.48								
Weekday Peak	168,106	912	Excess	1.14	102.37	41.62	16.06	16.19	17.89	6.64	11.27	27.11	19.95	5.06	41.69	71.80	90.06	98.83	114.49	126.52								
Weekend Peak	54																											
Average Weekday Excess	46,204	893																										
Average Weekend Excess	110,201	3147																										

[illegible]

November																							
Use	Ratio	Unit	Monthly Factor	Hour	Weekday																		
					AM					PM													
Office		33,824			6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
Visitor	0.3		100% /ksfGFA		0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100% /ksfGFA		0.35	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00
Community Retail		17,035																					
Customer	2.9		72% /ksfGFA		0.36	1.78	5.34	12.45	23.12	30.23	33.79	35.57	33.79	32.01	32.01	33.79	33.79	28.46	17.78	10.67	3.56	0.00	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00
Employee	0.7		90% /ksfGFA		1.07	1.61	4.29	8.05	9.12	10.20	10.73	10.73	10.73	10.73	10.73	10.20	10.20	10.20	9.66	8.05	4.29	1.61	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00
Residential - Rental		-																					
Visitor	0.15		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.70	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.98	39.00	100.45	127.21	160.77	163.38	152.59	157.41	173.05	165.69	150.81	104.19	74.09	55.82	46.40	29.39	16.15	5.17	0.00
Weekday Peak	173,053826		Excess		136.02	102.00	40.55	13.79	19.77	22.38	11.59	16.41	32.05	24.69	9.81	36.81	66.91	85.18	94.60	111.61	124.85	135.83	141.00
Weekend Peak	59																						
Average Weekday Excess	50.12804688																						
Average Weekend Excess	106.905347																						

Weekend																			
Ratio	AM					PM													
	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3.20	0.39	1.96	3.92	11.77	19.62	25.51	31.40	35.32	39.25	39.25	37.29	35.32	31.40	29.44	25.51	19.62	13.74	5.89	0.00
0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00	0.00
0.80	1.23	1.84	4.91	9.20	10.43	11.65	12.27	12.27	12.27	12.27	11.65	10.43	9.81	9.20	7.97	5.52	1.84	0.00	0.00
0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00	0.00
0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	0.80	0.50	0.00
1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00

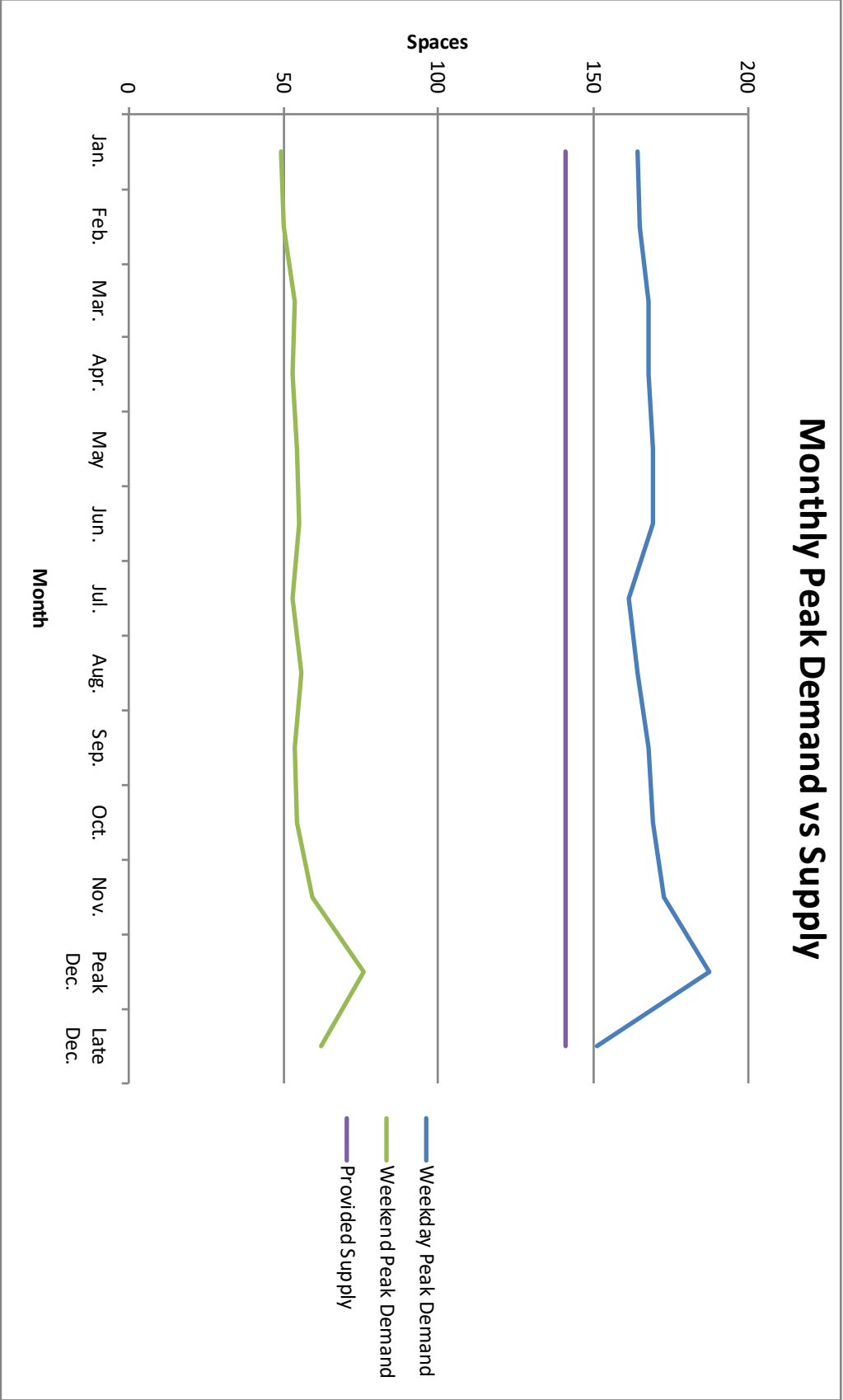
Peak December															
Use	Ratio	Unit	Monthly Factor	Weekday											
				AM						PM					
Hour	6	7	8	9	10	11	12	1	2	3	4	5	6		
7	8	9	10	11	12	1	2	3	4	5	6	7	8		
8	9	10	11	12	1	2	3	4	5	6	7	8	9		
9	10	11	12	1	2	3	4	5	6	7	8	9	10		
10	11	12	1	2	3	4	5	6	7	8	9	10	11		
11	12	1	2	3	4	5	6	7	8	9	10	11	12		
Office	33,824														
Visitor	0.3	100% /ksfGFA													
Time of Day Factor	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51		
Employee	3.5	100% /ksfGFA													
Time of Day Factor	0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05		
Community Retail	17,035														
Customer	2.9	100% /ksfGFA													
Time of Day Factor	0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95		
Employee	0.7	100% /ksfGFA													
Time of Day Factor	1.19	1.79	4.77	8.94	10.14	11.33	11.92	11.92	11.92	11.92	11.92	11.33	10.73		
Residential - Rental	-														
Visitor	0.15	100% /unit													
Time of Day Factor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Renter	1.5	100% /unit													
Time of Day Factor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Time of Day Factor	1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90		
Time of Day Factor	0.97	0.98	0.99	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		
Total Needed	5.24 39.88 103.00 132.95 170.78 176.27 166.92 172.44 187.39 179.34 164.45 118.47 88.36 70.10 58.54 37.20 20.77 6.73 0.00														
Weekday Peak	187.387125														
Weekend Peak	76														
Average Weekday Excess	41.06253989														
Average Weekend Excess	97.66470232														

Weekend													
Ratio	Weekend												Ratio
	AM						PM						
Hour	6	7	8	9	10	11	12	1	2	3	4	5	6
6	7	8	9	10	11	12	1	2	3	4	5	6	7
7	8	9	10	11	12	1	2	3	4	5	6	7	8
8	9	10	11	12	1	2	3	4	5	6	7	8	9
9	10	11	12	1	2	3	4	5	6	7	8	9	10
10	11	12	1	2	3	4	5	6	7	8	9	10	11
11	12	1	2	3	4	5	6	7	8	9	10	11	12
0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05
0.00	0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05
0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59
0.00	0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05
3.20	0.55	2.73	5.45	16.35	27.26	35.43	43.61	49.06	54.51	54.51	51.79	49.06	43.61
0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75
0.80	1.36	2.04	5.45	10.22	11.58	12.95	13.63	13.63	13.63	13.63	12.95	11.58	10.22
0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80
0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00
1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.70	0.75	0.85	0.90
0.97	0.98	0.99	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
1.91	7.34	18.61	36.86	50.41	61.23	68.81	72.97	75.85	73.28	67.99	63.29	55.84	51.79
139.09	133.66	122.39	104.14	90.59	79.77	72.19	68.03	65.15	67.72	73.01	77.71	85.16	89.21
95.35	104.89	115.79	130.78	141.00	141.00	141.00	141.00	141.00	141.00	141.00	141.00	141.00	141.00

Late December																										
Weekday																										
Use	Ratio	Unit	Monthly Factor	Hour	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12			
Office	33.824	Visitor	0.3	80% /ksfGA	0.00	0.08	1.62	4.87	8.12	3.65	1.22	3.65	8.12	3.65	1.22	0.81	0.41	0.00	0.00	0.00	0.00	0.00	0.00			
					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
					2.84	28.41	71.03	80.50	94.71	94.71	85.24	85.24	94.71	94.71	85.24	47.33	23.68	9.47	6.63	2.84	0.95	0.00	0.00	0.00	0.00	
					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00	0.00	0.00	
					Community/Retail	17.035	Customer	2.9	80% /ksfGA	0.40	1.98	5.93	13.83	25.69	33.59	37.55	39.52	37.55	35.57	35.57	37.55	37.55	31.62	19.76	11.86	3.95
Employee	3.5	Time of Day Factor	80% /ksfGA	0.01	0.05	0.15	0.35	0.65	0.85	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		
				1.07	1.61	4.29	8.05	9.12	10.20	10.73	10.73	10.73	10.73	10.73	10.20	10.20	10.20	9.66	8.05	4.29	1.61	0.10	0.00	0.00		
				0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00	0.00	0.00		
				Residential - Rental	-	Visitor	0.15	100% /unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
				Time of Day Factor	0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	0.80	0.50	
Renter	1.5	Time of Day Factor	100% /unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
				1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00	1.00	1.00		
				Total Needed	4.31	32.08	82.87	107.25	137.64	142.15	134.73	139.14	151.10	144.66	132.76	95.91	71.82	57.21	47.91	30.65	17.10	5.56	0.00	0.00	0.00	
				Weekend Peak	62	Excess	136.69	108.92	58.13	33.75	3.36	1.15	6.27	1.86	10.10	3.66	8.24	45.09	69.18	83.79	93.09	110.35	123.90	135.44	141.00	
				Average Weekday Excess	60.21845494	Average Weekend Excess	105.413665																			

Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec.	Late Dec.	
Weekday Peak	164.35	164.82	168.11	167.64	169.05	169.51	161.68	164.03	168.11	169.05	173.05	187.387	151.102	167.529376
Surplus/Deficit	(23)	(24)	(27)	(27)	(28)	(29)	(21)	(23)	(27)	(28)	(32)	(46)	(10)	(27)
Weekend Peak	49	50	54	53	55	55	53	56	54	55	59	76	62	56
Surplus/Deficit	92	91	87	88	86	86	88	85	87	86	82	65	79	85
Peak Month	Peak Dec													
Max	187.39													
Average	164													

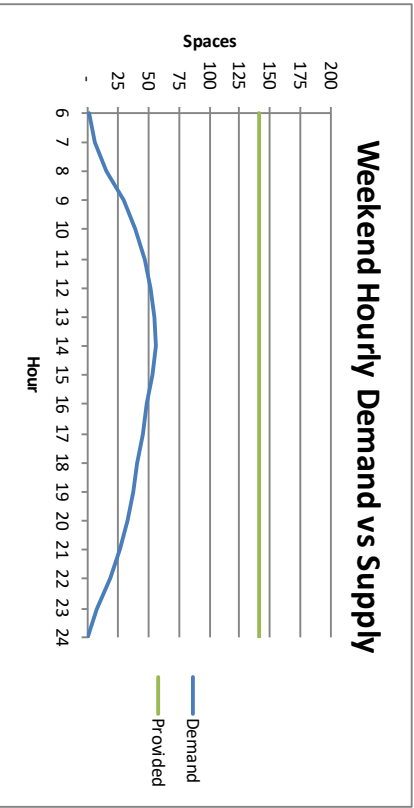
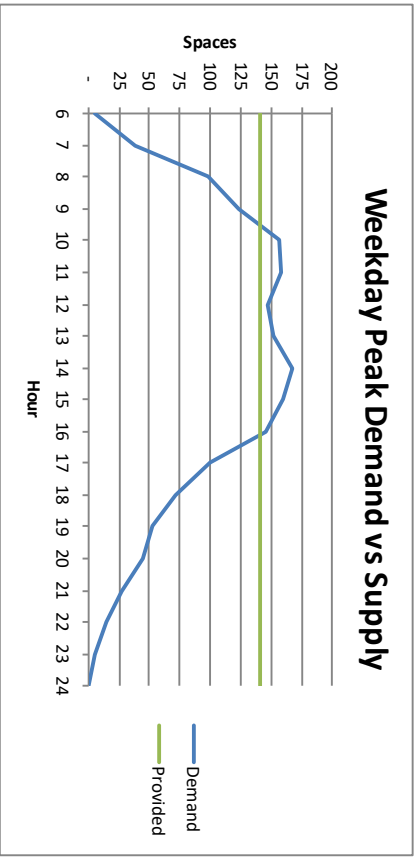
Provided 141 141 141 141 141 141 141 141 141 141 141 141 141 141



Hour	Weekday																							
	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Hour	6	7	8	9
Demand	5	38	98	123	156	158	148	152	168	160	146	100	71	53	44	28	15	5	-	88	2	6	16	30
Provided	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	Provided	141	141	141	141

Weekend

10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
48	52	55	141	141	141	141	141	40	37	33	26	18	7	-
141	141	141	141	141	141	141	141	141	141	141	141	141	141	141





**EXHIBIT D: 125 WORTH AVENUE  
TRAFFIC CONCURRENCY REPORT & TRAFFIC STUDY**

Tuesday, December 27, 2022 at 10:07:46 Eastern Standard Time

**Subject:** FW: 125 worth Avenue TPS Fees  
**Date:** Thursday, December 22, 2022 at 3:27:25 PM Eastern Standard Time  
**From:** Heggen, Chris  
**To:** Josh Martin  
**Attachments:** image001.jpg

Josh-

Hi! See below from Palm Beach County. I knew when you sent the updated square footages earlier this week that it would affect the amount of the review fee owed to the County, but we went ahead and submitted to get in the door. Would you be able to get an additional check for \$299.20, payable to the Palm Beach county Board of County Commissioners, delivered to my attention and I'll hand-deliver it? Alternately, it can be mailed to the address provided in the e-mail below.

-Chris

**Christopher W. Heggen, P.E. (FL)**

**Kimley-Horn** | 1920 Wekiva Way, Suite 200, West Palm Beach, FL 33411  
Direct: 561 840 0248 | Mobile: 561 707 6438  
Celebrating 15 years as one of FORTUNE's 100 Best Companies to Work For

**From:** Alberto Lopez Tagle <ALopezTagle@pbcgov.org>  
**Sent:** Thursday, December 22, 2022 3:11 PM  
**To:** Heggen, Chris <Chris.Heggen@kimley-horn.com>  
**Cc:** Hanane Akif <HAKif@pbcgov.org>  
**Subject:** 125 worth Avenue TPS Fees

Hi Chris,

We just received a Check for \$330.00 to cover the TPS review fees for 125 Worth Avenue. Unfortunately, based on your trips (286) that check is not sufficient. The fees are \$2.20 per Net Daily Trip ([https://discover.pbcgov.org/engineering/traffic/PDF/Traffic%20Documents/Final\\_Fee\\_Table\\_for\\_Publication.pdf](https://discover.pbcgov.org/engineering/traffic/PDF/Traffic%20Documents/Final_Fee_Table_for_Publication.pdf))

Fees = 286 trips x \$2.20 = \$629.20

Please provide a check of **\$299.20** payable to "Palm Beach County Board of County Commissioners" to cover the total of the TPS review fees. Please note projects are reviewed on a first come first serve basis and almost in all cases responded to within 30 working days.

You can either mail the check or drop it at our office (3rd floor lobby, drop off shelf for Traffic Division).

Address:

Traffic Division  
2300 North Jog Road, 3rd Floor  
West Palm Beach, FL 33411

Thank you,



Alberto Lopez Tagle

*Technical Assistant III*

Palm Beach County  
Department of Engineering and Public Works  
Division of Traffic  
2300 Vista Parkway  
West Palm Beach, FL 33411  
561.684.4051 Office

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Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



December 21, 2022

Mr. Josh Martin  
Frisbie Goup, LLC  
221 Royal Poinciana Way, Suite #1  
Palm Beach, FL 33480

Re: **125 Worth Avenue – Traffic Impact Analysis**  
**Palm Beach, Florida**  
**Kimley-Horn #140769004**

Dear Josh:

Kimley-Horn and Associates, Inc. was retained to provide a traffic impact evaluation for proposed modifications to the above-referenced site. The site is located at 125 Worth Avenue in the Town of Palm Beach, Florida, as shown in the attached Figure 1. The proposed plan of development includes modifications to the existing building and proposed changes in some building uses on site. The Property Control Number (PCN) for the site is 50-43-43-23-05-016-0380. For the purposes of the traffic impact evaluation, a buildout date of 2027 has been evaluated.

Currently, the building area for the site consists of 41,926 SF of office use and 10,501 square feet of commercial retail use. The proposed modifications will result in a change to the commercial retail square footage. Table 1 provides a summary of the existing and proposed building areas.

**Table 1: Existing and Proposed Site Development**

	Existing	Proposed	Net Change
Office	41,926 square feet	51,927 square feet	+10,001 square feet
Commercial Retail	10,501 square feet	21,294 square feet	+10,793 square feet

Traffic analyses have been performed to quantify the impacts of the proposed changes. Guidance on credit against project traffic is published by Palm Beach County and outlined in *Chapter A* under *Section 3* of the *Article 12 - Traffic Performance Standards* as defined in the Palm Beach County Unified Land Development Code (ULDC). Because the existing land uses have been operational for more than five years, credit was taken in this analysis for significance calculations. The radius of development influence and significant impact calculations have been conducted using the differential between proposed and existing net new external trips. The site plan is attached for reference.





LEGEND

 PROJECT SITE

FIGURE 1

SITE LOCATION  
125 WORTH AVENUE

Kimley»Horn

140769004

## TRIP GENERATION ANALYSIS

The daily and peak hour trip generation potential for the proposed redevelopment plan was calculated based on trip generation rates published by Palm Beach County. The Palm Beach County trip generation rates are primarily based on *Trip Generation, 11<sup>th</sup> Edition*, published by the Institute of Transportation Engineers (ITE).

As shown in Table 2, the proposed redevelopment results in a net increase of 286 net new external daily trips, an increase of 20 net new external AM peak hour trips (+16 in, +4 out), and 36 net new external PM peak hour trips (+15 in, +21 out), which was used for significance determination under Test 1 and Test 2 analyses. The table summarizing the Palm Beach County Traffic Division's trip generation rates and equations have been attached for reference. Internal capture calculations are also attached for reference.

**Table 2: Trip Generation Comparative Analysis**

Land Use	Intensity			Daily Trips	AM Peak Hour			PM Peak Hour		
					Total	In	Out	Total	In	Out
Existing Scenario >5 Years										
General Office (10k - 250k SF GFA)	41.926 KSF			454	64	56	8	60	10	50
	10.501 KSF			572	25	15	10	69	35	34
	Subtotal			1,026	89	71	18	129	45	84
Internal Capture	Daily	AM	PM							
General Office (10k - 250k SF GFA)	20.7%	6.3%	6.7%	94	4	2	2	4	1	3
Stip Retail Plaza (<40 KSF)	16.4%	16.0%	5.8%	94	4	2	2	4	3	1
Subtotal	18.3%	9.0%	6.2%	188	8	4	4	8	4	4
Pass-By Capture										
General Office (10k - 250k SF GFA)	10.0%			36	6	5	1	6	1	5
Stip Retail Plaza (<40 KSF)	63.0%			301	13	8	5	41	20	21
	Subtotal			337	19	13	6	47	21	26
Driveway Volumes				838	81	67	14	121	41	80
Net New External Trips				501	62	54	8	74	20	54
Proposed Scenario										
General Office (10k - 250k SF GFA)	51.927 KSF			563	79	70	9	75	13	62
	21.294 KSF			1,159	50	30	20	140	70	70
	Subtotal			1,722	129	100	29	215	83	132
Internal Capture	Daily	AM	PM							
General Office (10k - 250k SF GFA)	20.8%	7.6%	9.3%	117	6	3	3	7	1	6
Stip Retail Plaza (<40 KSF)	10.1%	12.0%	5.0%	117	6	3	3	7	6	1
Subtotal	13.6%	9.3%	6.5%	234	12	6	6	14	7	7
Pass-By Capture										
General Office (10k - 250k SF GFA)	10.0%			45	7	7	0	7	1	6
Stip Retail Plaza (<40 KSF)	63.0%			656	28	17	11	84	40	44
	Subtotal			701	35	24	11	91	41	50
Driveway Volumes				1,488	117	94	23	201	76	125
Net New External Trips				787	82	70	12	110	35	75
Proposed Net External Trips - Existing Net External Trip				286	20	16	4	36	15	21
Radius of Development Influence:				0.5 miles						
Land Use	Daily			AM Peak Hour			PM Peak Hour			Pass By
General Office (10k - 250k SF GFA)	10.84 trips/1,000 SF			1.52 trips/1,000 SF (88% in, 12% out)			1.44 trips/1,000 SF (17% in, 83% out)			10.0%
Stip Retail Plaza (<40 KSF)	54.45 trips/1,000 SF			2.36 trips/1,000 SF (60% in, 40% out)			6.59 trips/1,000 SF (50% in, 50% out)			63.0%
Stip Retail Plaza (<40 KSF)	#N/A			#N/A			#N/A			63.0%
High-Turnover Sit-Down Rest.	107.2 trips/1,000 SF			9.57 trips/1,000 SF (55% in, 45% out)			9.05 trips/1,000 SF (61% in, 39% out)			43.0%
SOURCE: Palm Beach County Traffic Division: Palm Beach County Trip Generation Rates (based on ITE Trip Generation Manual, 11th Edition)										



## ROADWAY VOLUME DISTRIBUTION

As defined in Article 12 of the Palm Beach County ULDC, the radius of development influence is the links within a half mile from the site. It was assumed that 100% of the trips will enter the site from the east (arriving from S Ocean Boulevard) and 100% of the trips will exit to the west (departing towards South County Road) because Worth Avenue is a one-way street. The net new trips that are subject to the traffic evaluation were then assigned to the existing roadway network based on the trip distribution. Figure 2 illustrates the trip distribution for the site.

## ROADWAY LINK ANALYSIS - TEST 1 & 2 ANALYSES

Based upon criteria published in *Article 12 of the Unified Land Development Code (ULDC)*, significantly impacted thoroughfare roadways are to be evaluated in comparison to LOS D thresholds. For the purposes of the Test 1 analysis, the roadway links within the radius of development influence are significantly impacted if project generated trips are greater than one percent (1%) of the adopted LOS D threshold. Additionally, three local roadways in the immediate vicinity of the site that are local non-Thoroughfare roadway under the jurisdiction of the Town of Palm Beach, were are not subject to TPS review but are included in the significant impact tables for Town of Palm Beach review. As indicated in Table 3 and Table 4, none of the roadway segments are projected to be significantly impacted by project traffic.

Because the project traffic impact on these segments results in a significant impact under Test 1 criteria, none of the segments will be significantly impacted under the Test 2, Five Year Buildout, standards. Therefore, no Test 2 analysis has been undertaken.

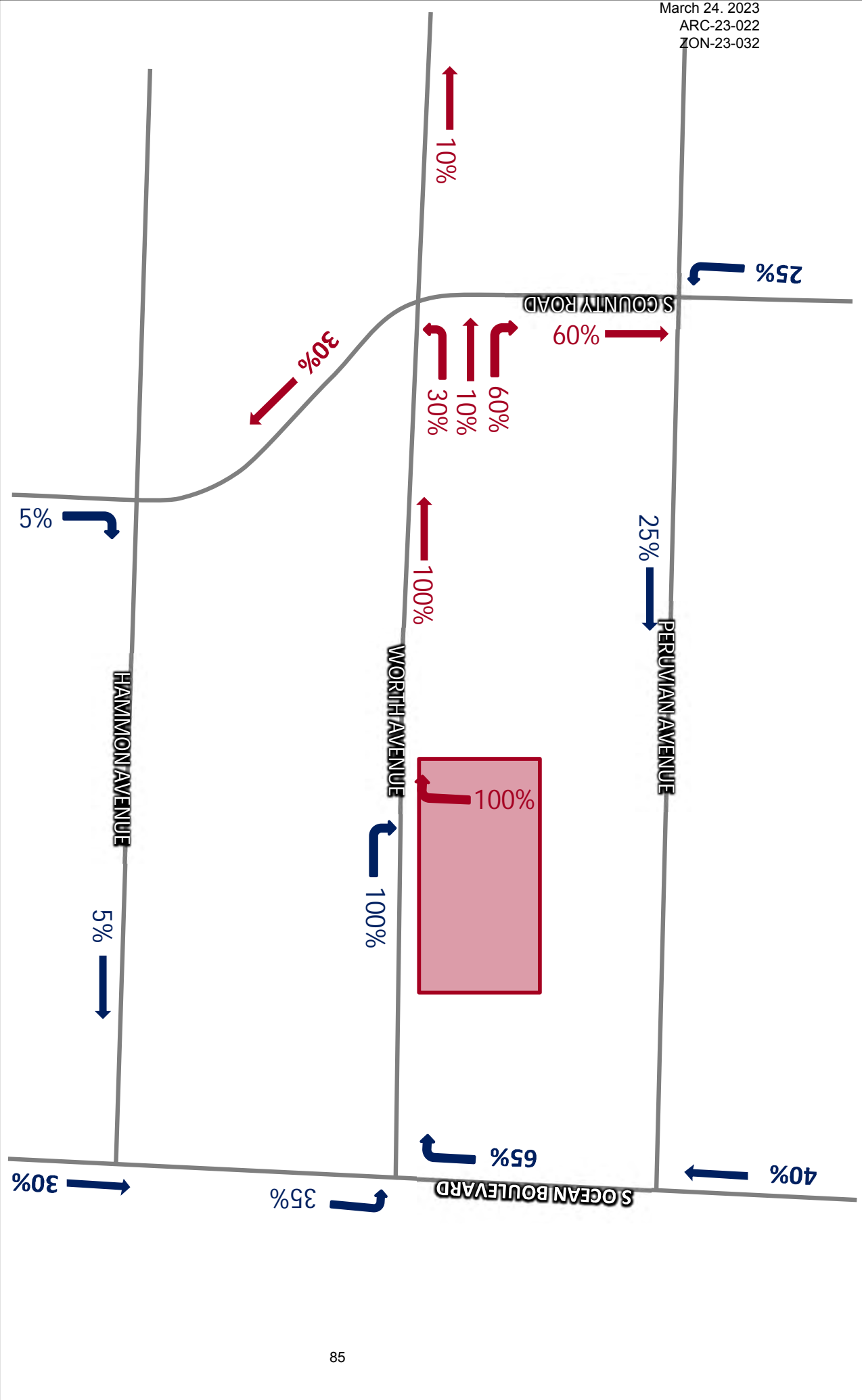
**Table 3: Test 1 AM Peak Hour Significance Analysis**

	ROADWAYS		COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	NET NEW PROJECT TRIPS									
					NORTHBOUND					SOUTHBOUND				
	FROM	TO			PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?	PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?
NORTH/SOUTH ROADS	S Ocean Boulevard													
	Royal Palm Way	Peruvian Avenue	2L	1,140	0%	out	0	0.00%	No	45%	in	7	0.61%	No
	Peruvian Avenue	Worth Avenue	2L	1,140	0%	out	0	0.00%	No	65%	in	10	0.88%	No
	Worth Avenue	Hammon Avenue	2L	1,140	35%	in	6	0.53%	No	0%	out	0	0.00%	No
	Hammon Avenue	South County Road	2L	1,140	25%	in	4	0.35%	No	0%	out	0	0.00%	No
	S County Road													
	Royal Palm Way	Peruvian Avenue	2L	880	60%	out	2	0.23%	No	25%	in	4	0.45%	No
	Peruvian Avenue	Worth Avenue	2L	880	60%	out	2	0.23%	No	0%	in	0	0.00%	No
	Worth Avenue	Hammon Avenue	2L	880	0%	in	0	0.00%	No	30%	out	1	0.11%	No
	Hammon Avenue	S Ocean Blvd	2L	880	5%	in	1	0.11%	No	30%	out	1	0.11%	No
	ROADWAYS		COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	NET NEW PROJECT TRIPS									
					EASTBOUND					WESTBOUND				
	FROM	TO			PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?	PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?
EAST/WEST ROADS	Peruvian Avenue													
	S County Road	S Ocean Blvd	1LO	972	25%	in	4	0.41%	No	--	--	--	--	--
	Worth Avenue													
	S Ocean Boulevard	Project Driveway	2LO	2,350	--	--	--	--	--	100%	in	16	0.68%	No
	Project Driveway	S County Road	2LO	2,350	--	--	--	--	--	100%	out	4	0.17%	No
	Hammon Avenue													
	S County Road	S Ocean Blvd	2L	810	5%	in	1	0.12%	No	0%	out	0	0.00%	No

**Table 4: Test 1 PM Peak Hour Significance Analysis**

	ROADWAYS		COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	NET NEW PROJECT TRIPS									
					NORTHBOUND					SOUTHBOUND				
	FROM	TO			PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?	PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?
NORTH/SOUTH ROADS	S Ocean Boulevard													
	Royal Palm Way	Peruvian Avenue	2L	1,140	0%	out	0	0.00%	No	45%	in	7	0.61%	No
	Peruvian Avenue	Worth Avenue	2L	1,140	0%	out	0	0.00%	No	65%	in	10	0.88%	No
	Worth Avenue	Hammon Avenue	2L	1,140	35%	in	5	0.44%	No	0%	out	0	0.00%	No
	Hammon Avenue	South County Road	2L	1,140	25%	in	4	0.35%	No	0%	out	0	0.00%	No
	S County Road													
	Royal Palm Way	Peruvian Avenue	2L	880	60%	out	13	1.48%	Yes	25%	in	4	0.45%	No
	Peruvian Avenue	Worth Avenue	2L	880	60%	out	13	1.48%	Yes	0%	in	0	0.00%	No
	Worth Avenue	Hammon Avenue	2L	880	0%	in	0	0.00%	No	30%	out	6	0.68%	No
	Hammon Avenue	S Ocean Blvd	2L	880	5%	in	1	0.11%	No	30%	out	6	0.68%	No
EAST/WEST ROADS	ROADWAYS		COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	NET NEW PROJECT TRIPS									
					EASTBOUND					WESTBOUND				
	FROM	TO			PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?	PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?
	Peruvian Avenue													
	S County Road	S Ocean Blvd	1LO	972	25%	in	4	0.41%	No	--	--	--	--	--
	Worth Avenue													
	S Ocean Boulevard	Project Driveway	2LO	2,350	--	--	--	--	--	100%	in	15	0.64%	No
	Project Driveway	S County Road	2LO	2,350	--	--	--	--	--	100%	out	21	0.89%	No
	Hammon Avenue													
	S County Road	S Ocean Blvd	2L	810	5%	in	1	0.12%	No	0%	out	0	0.00%	No





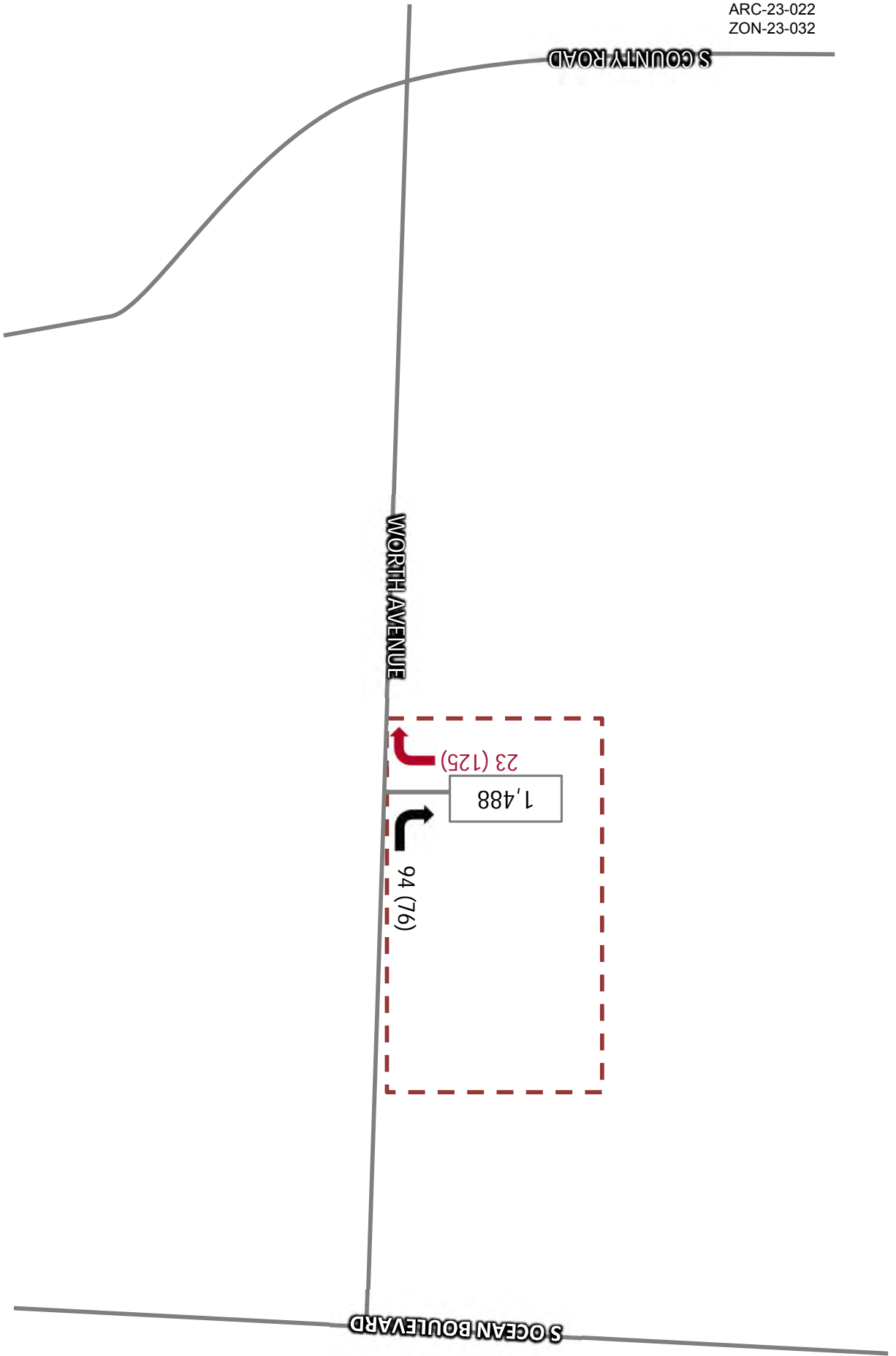
LEGEND

PROJECT SITE

XX% PERCENT BY VOLUME

FIGURE 2

TRIP DISTRIBUTION  
125 WORTH AVENUE



 PROJECT SITE  
XX (XX) INBOUND AM (PM)  
XX (XX) OUTBOUND AM (PM)

LEGEND  
 XX WEEKDAY DAILY TRAFFIC



## DRIVEWAY ACCESS

Access to the project site is provided at the site driveway along Worth Avenue, which connects to subterranean parking. Figure 3 illustrates project driveway volumes on an inbound and outbound basis during both the AM peak hour and PM peak hour.

Worth Avenue is a lower speed, local roadway under jurisdiction of the Town of Palm Beach. As such, the access connection, turn lane criteria and driveway design criteria of the Town of Palm Beach will apply. Based on the nature of the uses, and the built condition already existing on site, no changes are proposed to the existing site driveway design and existing site access configuration from the current condition.

## CONCLUSION

This analysis was prepared to address the requirements of the Palm Beach County Traffic Performance Standards and Town of Palm Beach standards when considering the traffic impacts of modifications to the site located at 125 Worth Avenue. The analysis was done taking into consideration the net change in vehicular trips that will be generated by the proposed modifications to the existing building.

The foregoing analysis demonstrates that the surrounding roadway network has sufficient capacity and is expected to operate acceptably with the proposed site modifications.

Please contact me via email at [chris.heggen@kimley-horn.com](mailto:chris.heggen@kimley-horn.com) or via phone at 561-840-0248 if you have any questions regarding the information provided herein.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Christopher W. Heggen, P.E.  
Transportation Engineer

Florida Registration  
Number 58636

Registry No. 35106

Attachments

K:\WPB\_TPTO\1407\140769004 - 125 Worth Ave\TIA\2022-12-21 125 Worth TIA.docx

PAPA Banner

**Location Address** 125 WORTH AVE  
**Municipality** PALM BEACH  
**Parcel Control Number** 50-43-43-23-05-016-0380  
**Subdivision** ROYAL PARK ADD TO P B IN  
**Official Records Book** 29440 **Page**149  
**Sale Date** OCT-2017  
**Legal Description** ROYAL PARK ADD LTS 38 TO 48 INC BLK 16

**Owners**  
125 WORTH PARTNERS LLC

**Mailing address**  
439 WORTH AVE  
PALM BEACH FL 33480 4519

Sales Date	Price	OR Book/Page	Sale Type	Owner
OCT-2017	\$30,700,000	29440 / 00149	WARRANTY DEED	125 WORTH PARTNERS LLC
OCT-2004	\$13,650,000	17699 / 01403	WARRANTY DEED	WHALOU PROPERTIES III LLC
SEP-1993	\$7,800,000	07897 / 00487	WARRANTY DEED	
JUL-1984	\$14,100,000	04299 / 00808	WARRANTY DEED	
SEP-1982	\$9,000,000	03801 / 01072	WARRANTY DEED	
1 2				

No Exemption Information Available.

**Number of Units** 0 **\*Total Square Feet** 49401 **Acres** 0.7891  
**Use Code** 1700 - OFFICE BLDG-NON MEDICAL 1 TO 3 STORIES **Zoning** C-WA - COMMERCIAL WORTH AVE ( 50-PALM BEACH )

Tax Year	2022	2021	2020
<b>Improvement Value</b>	\$18,107,174	\$15,588,259	\$15,776,273
<b>Land Value</b>	\$13,184,181	\$10,059,665	\$9,490,250
<b>Total Market Value</b>	\$31,291,355	\$25,647,924	\$25,266,523

All values are as of January 1st each year

Tax Year	2022	2021	2020
<b>Assessed Value</b>	\$28,212,716	\$25,647,924	\$25,266,523
<b>Exemption Amount</b>	\$0	\$0	\$0
<b>Taxable Value</b>	\$28,212,716	\$25,647,924	\$25,266,523

Tax Year	2022	2021	2020
<b>Ad Valorem</b>	\$457,229	\$416,140	\$416,744
<b>Non Ad Valorem</b>	\$94,634	\$88,898	\$86,493
<b>Total tax</b>	\$551,863	\$505,038	\$503,237

## Palm Beach County Trip Generation Rates

(Must be used with traffic studies submitted to the County on or after 9/1/2022. However, immediate use is highly recommended)

Gr	Landuse	ITE Code	Unit	Daily Rate/Equation	Pass-By %	AM Peak Hour		PM Peak Hour	
						In/Out	Rate/Equation	In/Out	Rate/Equation
Industrial	General Light Industrial	110	1000 S.F.	4.87	10%	88/12	0.74	14/86	0.65
	Manufacturing	140	1000 S.F.	4.75	10%	76/24	0.68	31/69	0.74
	Warehouse	150	1000 S.F.	1.71	10%	77/23	0.17	28/72	0.18
	Mini-Warehouse/SS	151	1000 S.F.	1.45	10%	59/41	0.09	47/53	0.15
	HCF Center Warehouse - Non Sort	155	1000 S.F.	1.81	10%	81/19	0.15	39/61	0.16
Residential	Single Family Detached	210	Dwelling Unit	10	0%	26/74	0.7	63/37	0.94
	Multifamily Low-Rise Housing upto 3 story (Apartment/Condo/TH)	220	Dwelling Unit	6.74	0%	24/76	0.4	63/37	0.51
	Multifamily Mid-Rise Housing 4-10 story (Apartment/Condo/TH)	221	Dwelling Unit	4.54	0%	23/77	0.37	61/39	0.39
	55+ SF Detached	251	Dwelling Unit	4.31	0%	33/67	0.24	61/39	0.30
	55+ SF Attached	252	Dwelling Unit	3.24	0%	34/66	0.2	56/44	0.25
	Congregate Care Facility	253	Dwelling Unit	2.21	0%	58/42	0.08	49/51	0.18
	Assisted Living Facility	254	Beds	2.6	0%	60/40	0.18	39/61	0.24
	Hotel	310	Rooms	7.99	10%	56/44	0.46	51/49	0.59
Ldg	Golf Course	430	Holes	30.38	5%	79/21	1.76	53/47	2.91
	Health/Fitness Club	492	1000 S.F.	32.93	5%	51/49	1.31	57/43	3.45
Institutional	Elementary School	520	Students	2.27	0%	54/46	0.74	46/54	0.16
	Middle/Junior School	522	Students	2.1	0%	54/46	0.67	48/52	0.15
	High School	525	Students	1.94	0%	68/32	0.52	48/52	0.14
	Private School (K-8)	530	Students	3.17 <sup>a</sup>	0%	56/44	1.01	46/54	0.26
	Private School (K-12)	532	Students	2.48	0%	63/37	0.79	43/57	0.17
	Church/Synagogue <sup>b</sup>	560	1000 S.F.	7.6	5%	62/38	0.32	44/56	0.49
	Day Care	565	Students	4.09	50%	53/47	0.78	47/53	0.79
	Library	590	1000 S.F.	72.05	10%	71/29	1	48/52	8.16
Med	Hospital	610	1000 S.F.	10.77	10%	67/33	0.82	35/65	0.86
	Nursing Home	620	Beds	3.06	10%	72/28	0.14	33/67	0.14
Office	General Office (10k-250k SF GFA) <sup>n</sup>	710	1000 S.F.	10.84	10%	88/12	1.52	17/83	1.44
	General Office (>250k SF GFA) <sup>n</sup>	710	1000 S.F.	$\text{Ln}(T) = 0.87 \text{Ln}(X) + 3.05$	10%	88/12	$\text{Ln}(T) = 0.86 \text{Ln}(X) + 1.16$	17/83	1.44
	Small Office Building (<=10k SF GFA)	712	1000 S.F.	14.39	10%	82/18	1.67	34/66	2.16
	Medical Office (Stand-Alone)	720	1000 S.F.	$T=42.97(X)-108.01$	10%	79/21	3.10	30/70	3.93
	Medical Office (Near Hospital)	720	1000 S.F.	31.86	10%	81/19	2.68	25/75	2.84
	Government Office	730	1000 S.F.	22.59	10%	75/25	3.34	25/75	1.71

## Palm Beach County Trip Generation Rates

(Must be used with traffic studies submitted to the County on or after 9/1/2022. However, immediate use is highly recommended)

Gr	Landuse	ITE Code	Unit	Daily Rate/Equation	Pass-By %	AM Peak Hour		PM Peak Hour	
						In/Out	Rate/Equation	In/Out	Rate/Equation
Retail	Nursery (Garden Center)	817	Acre	108.1	0%	50/50	2.82	50/50	8.06
	Nursery (Wholesale)	818	Acre	19.50	0%	50/50	0.23	50/50	0.36
	Landscape Services	PBC	Acre <sup>e</sup>	121.70	0%	40/60	34.4	58/42	15.1
	Shop Center (>150ksf)	820	1000 S.F.	37.01	24%	62/38	0.84	48/52	3.4
	Shop Plaza (40-150ksf) w/Sup Market	821	1000 S.F.	94.49	39%	62/38	3.53	48/52	9.03
	Shop Plaza (40-150ksf) w/out Sup Market	821	1000 S.F.	67.52	39%	62/38	1.73	49/51	5.19
	Strip Retail Plaza (<40ksf)	822	1000 S.F.	54.45	63%	60/40	2.36	50/50	6.59
	Automobile Sales (New)	840	1000 S.F.	27.84	15%	73/27	1.86	40/60	2.42
	Automobile Parts Sales	843	1000 S.F.	54.57	28%	55/45	2.51	48/52	4.9
	Tire Store	848	1000 S.F.	27.69	28%	64/36	2.61	43/57	3.75
Services	Supermarket	850	1000 S.F.	93.84	36%	59/41	2.86	50/50	8.95
	Pharmacy + DT	881	1000 S.F.	108.40	50%	52/48	3.74	50/50	10.25
	Drive-In Bank	912	1000 S.F.	100.35	47%	58/42	9.95	50/50	21.01
	Fine Dining Restaurant	931	1000 S.F.	83.84	44%	50/50	0.73	67/33	7.8
	High Turnover Sit-Down Rest.	932	1000 S.F.	107.2	43%	55/45	9.57	61/39	9.05
	Fast Food Restaurant w/o DT	933	1000 S.F.	450.49	45%	58/42	43.18	50/50	33.21
	Fast Food Restaurant + DT	934	1000 S.F.	467.48	49%	51/49	44.61	52/48	33.03
	Coffee/Donut Shop w/o DT	936	1000 S.F.	441.88 <sup>d</sup>	45%	51/49	93.08	50/50	32.29
	Coffee/Donut Shop + DT	937	1000 S.F.	533.57	49%	51/49	85.88	50/50	38.99
	Coffee/Donut Shop + DT w/No Seat	938	DT Lanes	179	49%	50/50	39.81	50/50	15.08
Footnotes	Gas Station w/Convenience Store <sup>e</sup>	FDOT	FP, 1000 S.F.	14.3*PM Trips	61%	50/50	Note f	50/50	12.3*FP+15.5*(X)
	Carwash (Automated) <sup>g</sup>	PBC	Lane	166.00	0%	50/50	11.97	50/50	13.65

a) Based on Daily to AM peak ratio for LUC 532 (Private School (K-12))

b) Weekend peak hour rate = 10.36 per 1,000 s.f. with a 48/52 directional split

c) Landscape Services acreage consists of overnight vehicle and equipment storage as well as areas (covered or uncovered) for chemicals, fertilizers, landscape materials (excluding plants) and other items needed for day-to-day operations. Not included are drive aisles, customer/employee parking, structures shared by nursery and landscape services, facilities that solely serve the onsite landscape activities or any nursery growing areas.

d) Based on Daily to PM ratio for ITE Code 937 (Coffee Donut Shop + DT)

e) FP=Fueling Position. Use both FP and Convenience Store size in estimating trips using the provided equation. Note that no internalization between the gas pumps and convenience store, as per ULDC Article 12, should be applied to estimate the net trips.

f) Use PM rates

g) Daily rate taken from PBC trip gen. study. Peak hour rates derived by applying peak to daily ratios for gas station to daily carwash rate from older ITE TGM. New PBC rate study underway.

h) Based on PBC analysis of ITE TGM data plots

### Modification History

**3/2/2020:** Added Landscape Services, modification history, edited formatting

**7/25/2022:** Updated with ITE TGM Manual 11th ed information

## EXISTING DEVELOPMENT

# Internal Capture Reduction Calculations

Methodology for A.M. Peak Hour and P.M. Peak Hour  
based on the *Trip Generation Handbook*, 3rd Edition, published by the Institute of Transportation Engineers

Methodology for Daily  
based on the average of the Unconstrained Rates for the A.M. Peak Hour and P.M. Peak Hour

## SUMMARY

### GROSS TRIP GENERATION

INPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	227	227	56	8	10	50
	Retail	286	286	15	10	35	34
	Restaurant						
	Cinema/Entertainment						
	Residential						
	Hotel						
		513	513	71	18	45	84

### INTERNAL TRIPS

OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	40	54	2	2	1	3
	Retail	54	40	2	2	3	1
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	0	0	0	0	0	0
	Hotel	0	0	0	0	0	0
		94	94	4	4	4	4
% Reduction		18.3%		9.0%		6.2%	

### EXTERNAL TRIPS

OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	187	173	54	6	9	47
	Retail	232	246	13	8	32	33
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	0	0	0	0	0	0
	Hotel	0	0	0	0	0	0
		419	419	67	14	41	80

## PROPOSED DEVELOPMENT

# Internal Capture Reduction Calculations

Methodology for A.M. Peak Hour and P.M. Peak Hour  
based on the *Trip Generation Handbook*, 3rd Edition, published by the Institute of Transportation Engineers

Methodology for Daily  
based on the average of the Unconstrained Rates for the A.M. Peak Hour and P.M. Peak Hour

## SUMMARY

GROSS TRIP GENERATION							
INPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	282	282	70	9	13	62
	Retail	580	580	30	20	70	70
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment						
	Residential						
	Hotel						
		861	861	100	29	83	132

INTERNAL TRIPS							
OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	49	68	3	3	1	6
	Retail	68	49	3	3	6	1
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	0	0	0	0	0	0
	Hotel	0	0	0	0	0	0
		117	117	6	6	7	7
% Reduction		13.6%		9.3%		6.5%	

EXTERNAL TRIPS							
OUTPUT	Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
	Office	233	214	67	6	12	56
	Retail	512	531	27	17	64	69
	Restaurant	0	0	0	0	0	0
	Cinema/Entertainment	0	0	0	0	0	0
	Residential	0	0	0	0	0	0
	Hotel	0	0	0	0	0	0
		744	744	94	23	76	125



**EXHIBIT E: 125 WORTH AVENUE APPRAISAL REPORT**

APPRAISAL REPORT  
(APPRAISER FILE: 22-2242)



**OFFICE/BANK/RETAIL PROPERTY**

**125 WORTH AVE**  
125 WORTH AVE  
PALM BEACH, FLORIDA

FOR

FRISBIE GROUP, LLC  
PALM BEACH, FL

AS OF

DECEMBER 21, 2022

**AUCAMP, DELLENBACK & WHITNEY**  
APPRAISERS & CONSULTANTS

# AUCAMP, DELLENBACK & WHITNEY

APPRAISERS & CONSULTANTS

December 23, 2022

Mr. Jake Leone  
Frisbie Group, LLC  
221 Royal Poinciana Way, Suite 1  
Palm Beach, FL 33480

RE: Appraisal of Real Property  
Office Property  
125 Worth Ave  
Palm Beach, Florida 33480  
(Appraiser File: 22-2242)

Dear Mr. Leone:

As you requested, we made the necessary investigation and analysis to form an opinion of value for the above referenced real property. This report is an appraisal of the property.

To assist Frisbie Group, LLC in assistance related to business decisions regarding this property, this report provides an estimate of depreciated replacement cost for the subject real property building improvements. No other party may use or rely on this report for any purpose.

This assignment and report have been prepared in accordance with requirements of the relevant aspects of Uniform Standards of Professional Appraisal Practice (USPAP) developed by the Appraisal Standards Board of the Appraisal Foundation, with the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice.

The subject is located along the north side of Worth Ave within the municipality in the Town of Palm Beach, Palm Beach County, Florida. The Worth Ave corridor is a well-established "high-street" luxury retail destination. The site consists of 34,375 square feet (SF), or 0.79 acres.

In 1974, the subject was improved with a three-story office/bank/retail building containing 53,612 SF gross over a two-story underground parking garage containing 63,720 SF. The total size is 117,332 SF. The first floor of the building consists of retail/bank uses and the upper floors consist of office uses. The property also has a small amount of enclosed space on the 4<sup>th</sup> floor (rooftop) where the chiller is currently located. This space consists of 3,037 SF and is not rentable in "as is" condition, but is included in our size herein.

The subject has been renovated in recent years and the quality of materials is rated as good, the improvements have been maintained in good condition. The subject is currently 95% occupied by multiple tenants. Notable tenants include BB&T Bank, Truist, and Ferretti Group.

We estimate the property has a remaining economic life of 35 years, and the system indicates the property is 31% depreciated.

Mr. Jake Leone  
December 23, 2022

After careful and thorough investigation and analysis, we estimate the depreciated replacement cost for the subject improvements, subject to assumptions and contingent and limiting conditions as well as any extraordinary assumptions and hypothetical conditions, as explained in this report, as of December 21, 2022, is as follows:

**SIXTEEN MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS  
(\$16,150,000)**

Aucamp Dellenback & Whitney has not performed services concerning this property during the past three years. Thank you for this opportunity to assist in meeting your appraisal needs.

Respectfully submitted,

**AUCAMP, DELLENBACK & WHITNEY**



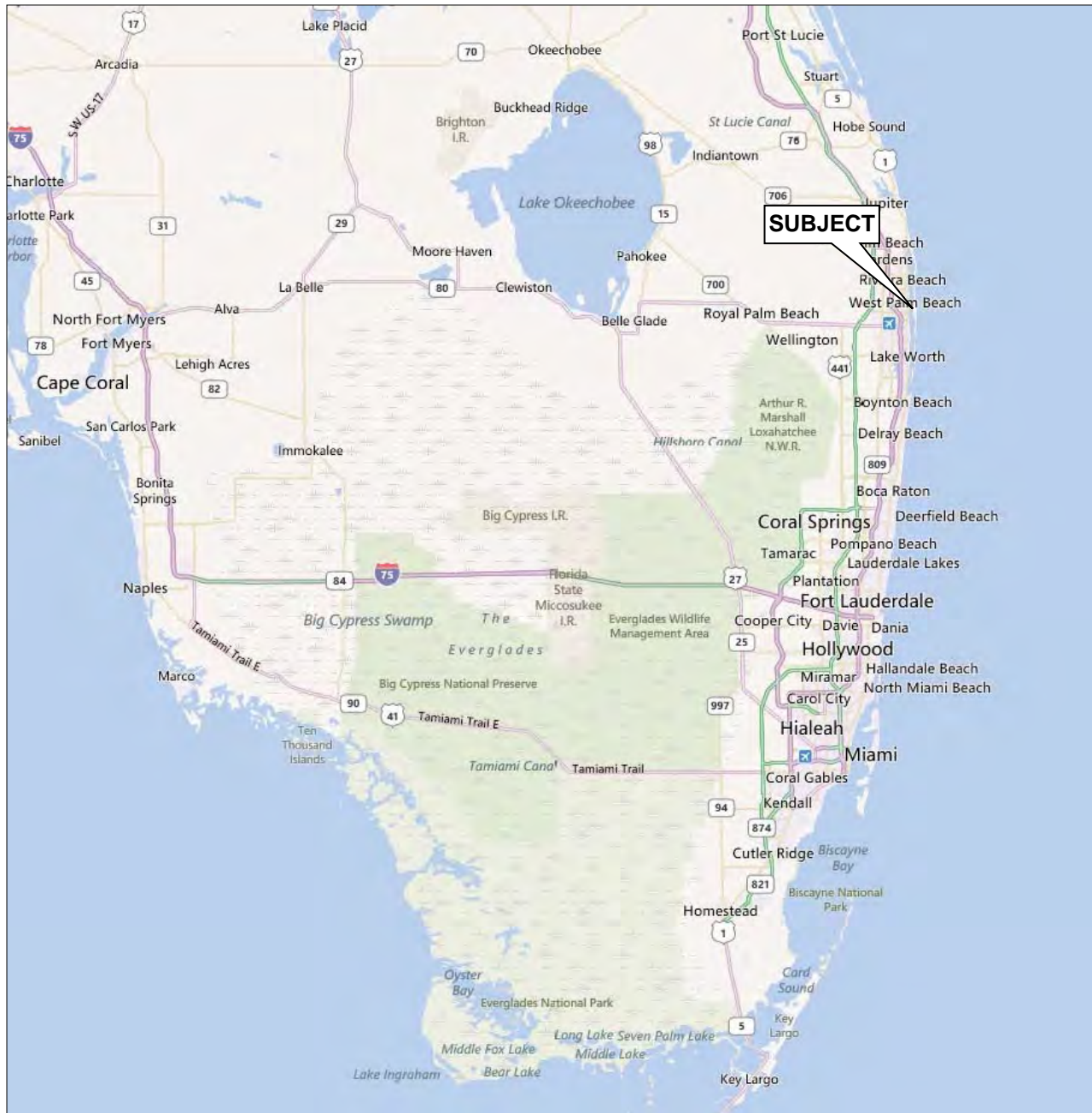
Andrew Sperling  
State-certified General Real Estate Appraiser RZ4177  
andrew@adw-appraisers.com



Jonathan Whitney, MAI  
State-certified General Real Estate Appraiser RZ2943  
jon@adw-appraisers.com

LOCATION MAP

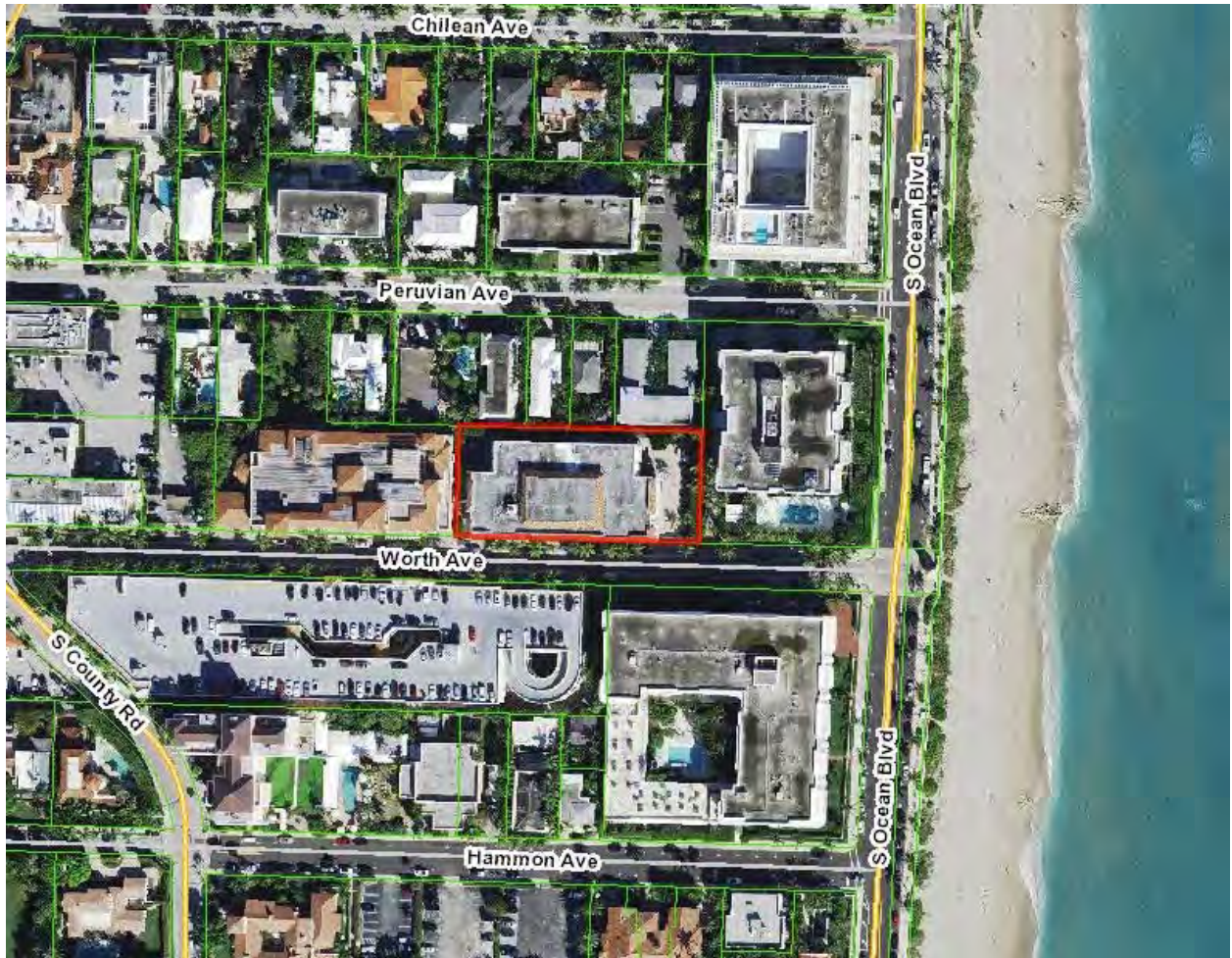
LOCATION MAP





LOCATION MAP

AERIAL PARCEL MAP



SCOPE OF WORK

**SUBJECT PHOTOGRAPHS**



Facing subject from Worth Ave (south and east elevations shown)



West and south elevations shown



SCOPE OF WORK



East and north elevations shown



Covered area in rear of property (drive-thru area for first floor bank)



SCOPE OF WORK

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Facing east along Worth Ave with subject on the left



Facing west along Worth Ave with subject on the right

SCOPE OF WORK

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1<sup>st</sup> floor in subterranean parking garage



Entrance to 2<sup>nd</sup> floor in subterranean parking garage



SCOPE OF WORK



2<sup>nd</sup> floor in subterranean parking garage



Elevator landing in subterranean parking garage

SCOPE OF WORK



Main entrance to subject building



1<sup>st</sup> floor elevator landing

SCOPE OF WORK



1<sup>st</sup> floor bank space (Truist)



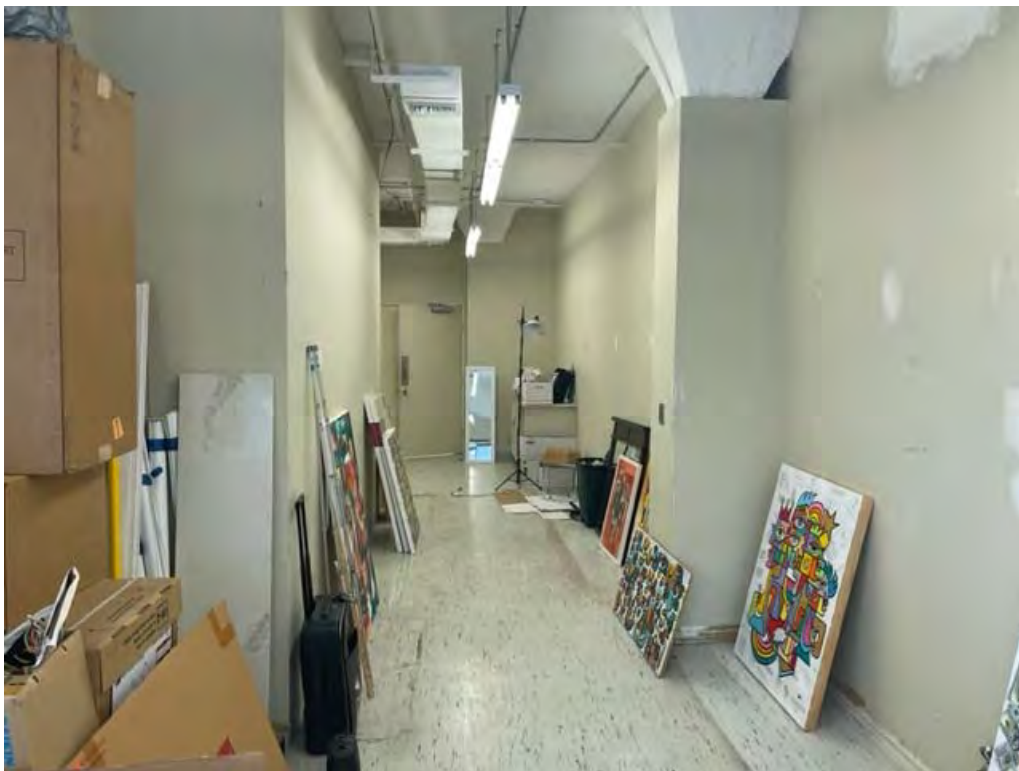
1<sup>st</sup> floor retail bay



SCOPE OF WORK



Typical upper floor interior hallway



3<sup>rd</sup> floor tenant-occupied suite

SCOPE OF WORK



3<sup>rd</sup> floor vacant suite



3<sup>th</sup> floor office suite – Reception area shown

SCOPE OF WORK



3<sup>th</sup> floor office suite – Typical private office



4<sup>th</sup> floor (rooftop) – Chiller shown



SCOPE OF WORK



4<sup>th</sup> floor (rooftop) – Interior shown



Views from rooftop facing west

SCOPE OF WORK

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Views from rooftop facing east



Typical common area restroom

SCOPE OF WORK

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Typical common area restroom

### Site and Building Improvements

The subject is a three-story office/bank/retail building containing 53,612 SF gross (note: the leasable size is 52,804 SF). The property also has an two-story underground parking garage containing 63,720 SF. The total size is 117,332 SF. The property consists of a total of 165 spaces, of which approximately 131 spaces are located in the underground parking garage and the balance are located on the first floor. The property also has a small amount of enclosed space on the 4<sup>th</sup> floor (rooftop) where the chiller is currently located. This space consists of 3,037 SF and is not rentable in “as is” condition, but is included in our size estimate herein. The improvements were constructed in 1974 and have been renovated over the years. The first floor of the building consists of retail and bank uses and the upper floors consist of office uses. The subject's quality of materials is rated as good, the improvements have been maintained in good condition.

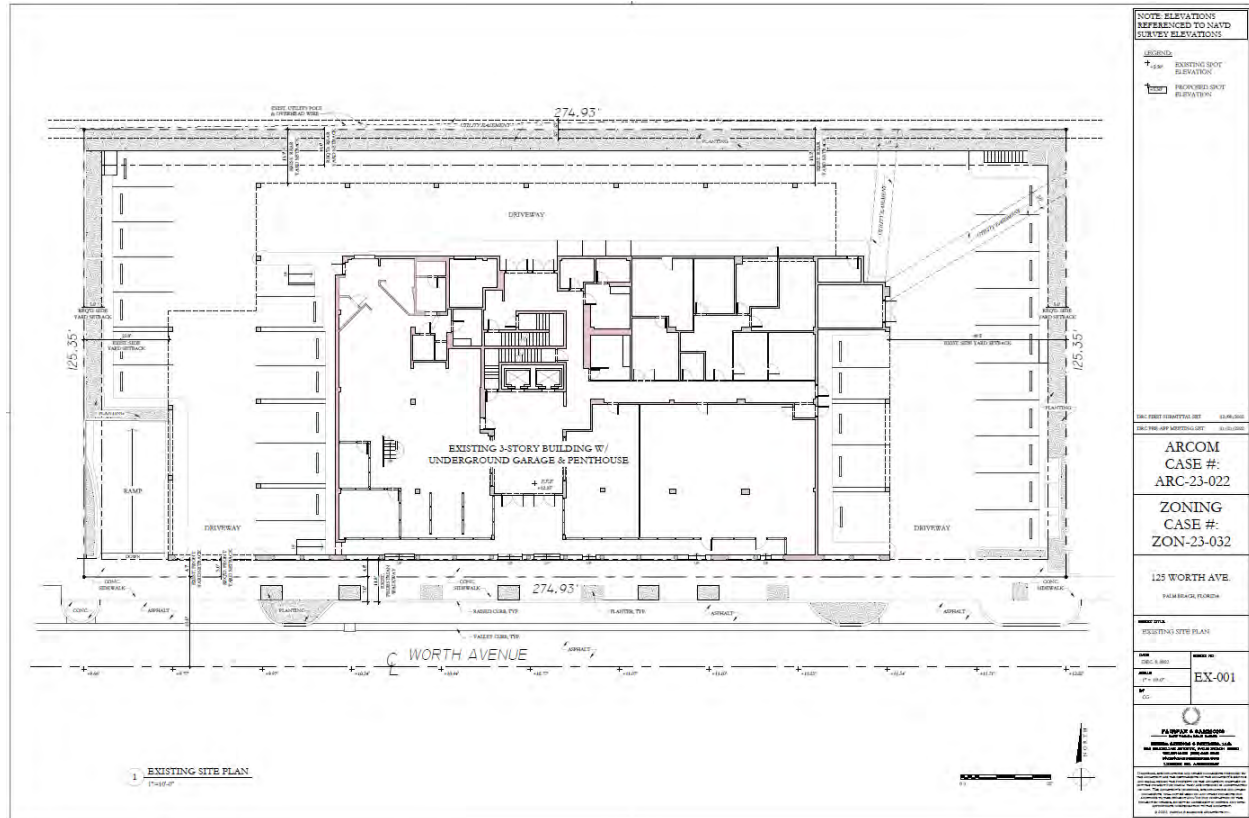
The structure of the office/bank/retail building includes concrete and glass walls, concrete and steel columns, reinforced concrete upper floor slabs, and a reinforced concrete slab roof with asphalt singles. The building has decorative moldings and bandings and the 2<sup>nd</sup> and 3<sup>rd</sup> floors have exterior balconies surrounding most of the building. The windows and doors are mostly fixed glass in aluminum frames. Story heights typically range in size between 12' and 15'. The two-story subterranean parking garage includes concrete walls and concrete columns. The story height in the parking garage is about 8'. Further details concerning the building improvements can be found in the replacement cost reports shown on the following pages.

Our replacement cost analysis includes the structural components of the buildings as well as the interior improvements of the office/bank/retail building.



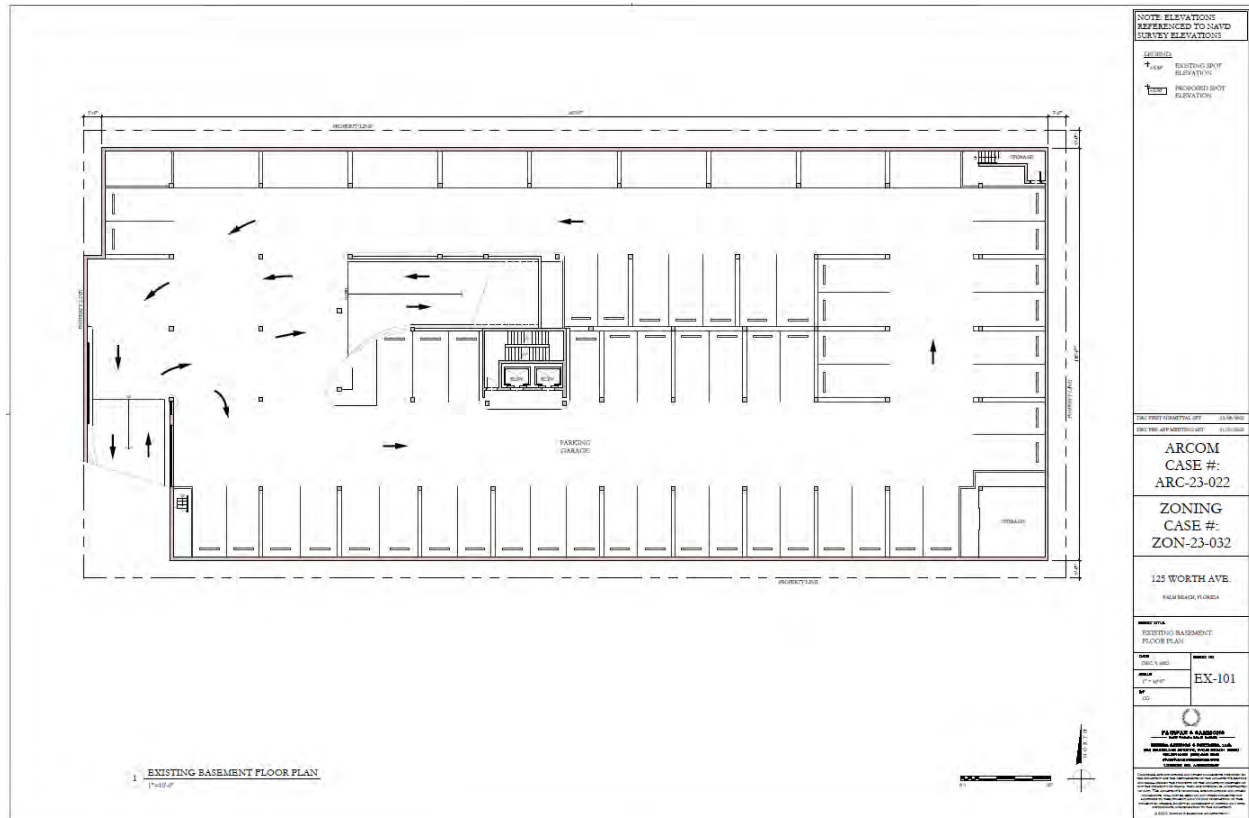
SCOPE OF WORK

EXISTING SITE PLAN



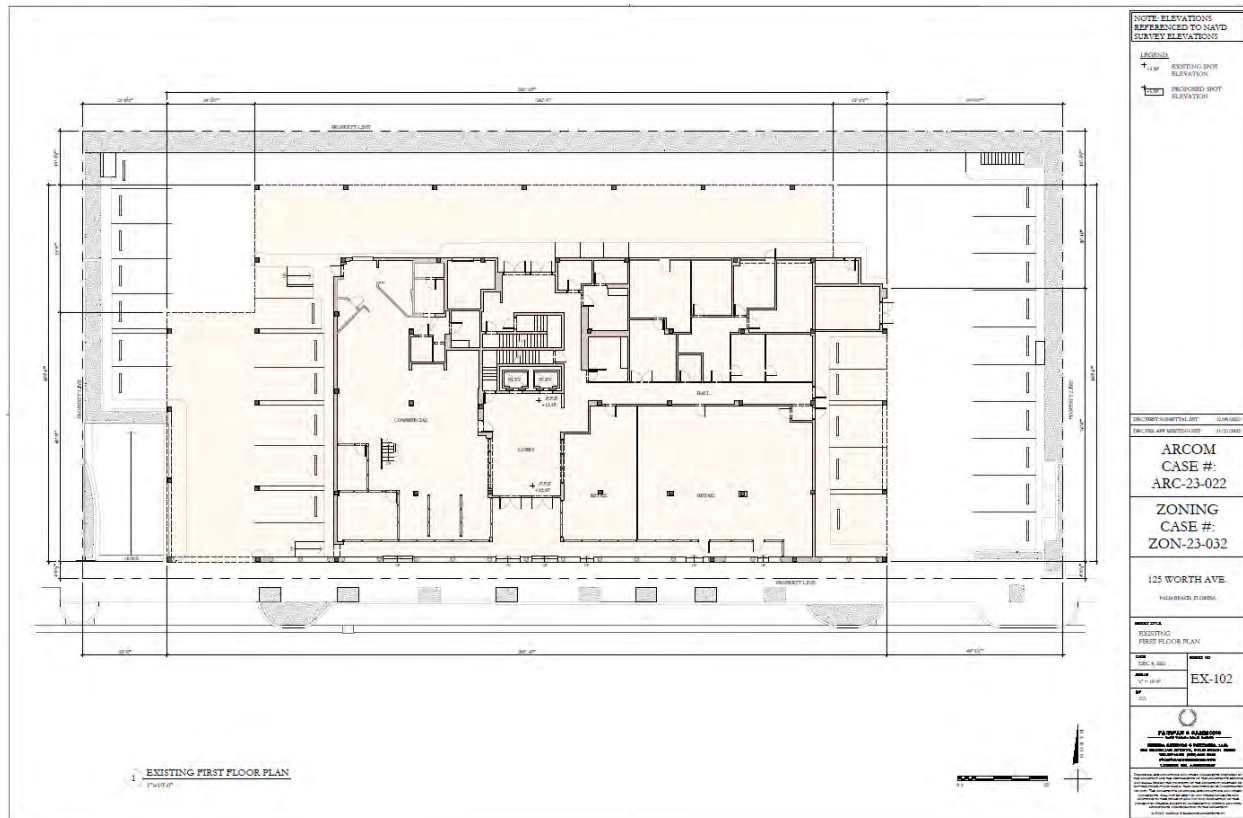
SCOPE OF WORK

FLOOR PLAN (SUBTERRANEAN PARKING GARAGE)

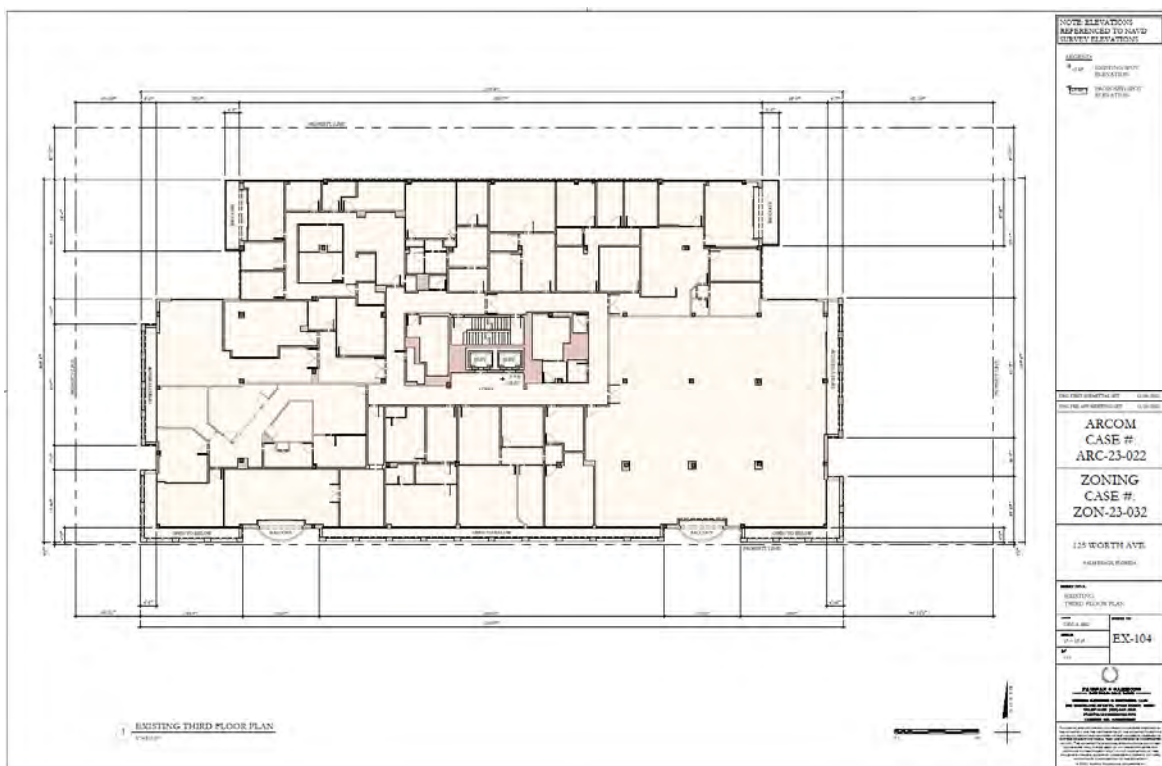


SCOPE OF WORK

FLOOR PLAN (1<sup>st</sup> FLOOR)



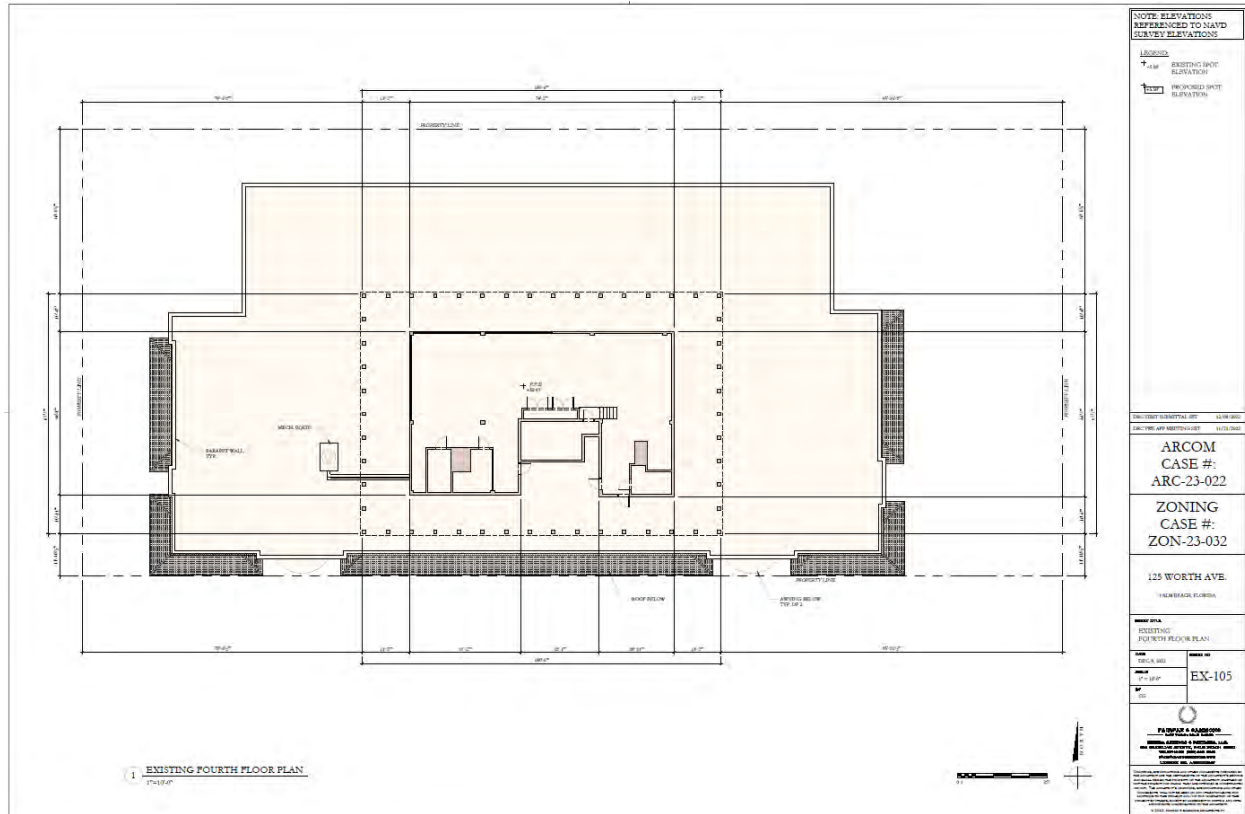
**NOTES:**  
 1. REFER TO SHEET 101 FOR EXISTING FIRST FLOOR PLAN.  
 2. REFER TO SHEET 102 FOR EXISTING THIRD FLOOR PLAN.  
 3. REFER TO SHEET 103 FOR EXISTING FOURTH FLOOR PLAN.  
 4. REFER TO SHEET 104 FOR EXISTING FIFTH FLOOR PLAN.  
 5. REFER TO SHEET 105 FOR EXISTING SIXTH FLOOR PLAN.  
 6. REFER TO SHEET 106 FOR EXISTING SEVENTH FLOOR PLAN.  
 7. REFER TO SHEET 107 FOR EXISTING EIGHTH FLOOR PLAN.  
 8. REFER TO SHEET 108 FOR EXISTING NINTH FLOOR PLAN.  
 9. REFER TO SHEET 109 FOR EXISTING TENTH FLOOR PLAN.  
 10. REFER TO SHEET 110 FOR EXISTING ELEVENTH FLOOR PLAN.  
 11. REFER TO SHEET 111 FOR EXISTING TWELFTH FLOOR PLAN.  
 12. REFER TO SHEET 112 FOR EXISTING THIRTEENTH FLOOR PLAN.  
 13. REFER TO SHEET 113 FOR EXISTING FOURTEENTH FLOOR PLAN.  
 14. REFER TO SHEET 114 FOR EXISTING FIFTEENTH FLOOR PLAN.  
 15. REFER TO SHEET 115 FOR EXISTING SIXTEENTH FLOOR PLAN.  
 16. REFER TO SHEET 116 FOR EXISTING SEVENTEENTH FLOOR PLAN.  
 17. REFER TO SHEET 117 FOR EXISTING EIGHTEENTH FLOOR PLAN.  
 18. REFER TO SHEET 118 FOR EXISTING NINETEENTH FLOOR PLAN.  
 19. REFER TO SHEET 119 FOR EXISTING TWENTIETH FLOOR PLAN.  
 20. REFER TO SHEET 120 FOR EXISTING TWENTY-FIRST FLOOR PLAN.  
 21. REFER TO SHEET 121 FOR EXISTING TWENTY-SECOND FLOOR PLAN.  
 22. REFER TO SHEET 122 FOR EXISTING TWENTY-THIRD FLOOR PLAN.  
 23. REFER TO SHEET 123 FOR EXISTING TWENTY-FOURTH FLOOR PLAN.  
 24. REFER TO SHEET 124 FOR EXISTING TWENTY-FIFTH FLOOR PLAN.  
 25. REFER TO SHEET 125 FOR EXISTING TWENTY-SIXTH FLOOR PLAN.  
 26. REFER TO SHEET 126 FOR EXISTING TWENTY-SEVENTH FLOOR PLAN.  
 27. REFER TO SHEET 127 FOR EXISTING TWENTY-EIGHTH FLOOR PLAN.  
 28. REFER TO SHEET 128 FOR EXISTING TWENTY-NINTH FLOOR PLAN.  
 29. REFER TO SHEET 129 FOR EXISTING THIRTIETH FLOOR PLAN.  
 30. REFER TO SHEET 130 FOR EXISTING THIRTY-FIRST FLOOR PLAN.  
 31. REFER TO SHEET 131 FOR EXISTING THIRTY-SECOND FLOOR PLAN.  
 32. REFER TO SHEET 132 FOR EXISTING THIRTY-THIRD FLOOR PLAN.  
 33. REFER TO SHEET 133 FOR EXISTING THIRTY-FOURTH FLOOR PLAN.  
 34. REFER TO SHEET 134 FOR EXISTING THIRTY-FIFTH FLOOR PLAN.  
 35. REFER TO SHEET 135 FOR EXISTING THIRTY-SIXTH FLOOR PLAN.  
 36. REFER TO SHEET 136 FOR EXISTING THIRTY-SEVENTH FLOOR PLAN.  
 37. REFER TO SHEET 137 FOR EXISTING THIRTY-EIGHTH FLOOR PLAN.  
 38. REFER TO SHEET 138 FOR EXISTING THIRTY-NINTH FLOOR PLAN.  
 39. REFER TO SHEET 139 FOR EXISTING FORTIETH FLOOR PLAN.  
 40. REFER TO SHEET 140 FOR EXISTING FORTY-FIRST FLOOR PLAN.  
 41. REFER TO SHEET 141 FOR EXISTING FORTY-SECOND FLOOR PLAN.  
 42. REFER TO SHEET 142 FOR EXISTING FORTY-THIRD FLOOR PLAN.  
 43. REFER TO SHEET 143 FOR EXISTING FORTY-FOURTH FLOOR PLAN.  
 44. REFER TO SHEET 144 FOR EXISTING FORTY-FIFTH FLOOR PLAN.  
 45. REFER TO SHEET 145 FOR EXISTING FORTY-SIXTH FLOOR PLAN.  
 46. REFER TO SHEET 146 FOR EXISTING FORTY-SEVENTH FLOOR PLAN.  
 47. REFER TO SHEET 147 FOR EXISTING FORTY-EIGHTH FLOOR PLAN.  
 48. REFER TO SHEET 148 FOR EXISTING FORTY-NINTH FLOOR PLAN.  
 49. REFER TO SHEET 149 FOR EXISTING FIFTIETH FLOOR PLAN.  
 50. REFER TO SHEET 150 FOR EXISTING FIFTY-FIRST FLOOR PLAN.  
 51. REFER TO SHEET 151 FOR EXISTING FIFTY-SECOND FLOOR PLAN.  
 52. REFER TO SHEET 152 FOR EXISTING FIFTY-THIRD FLOOR PLAN.  
 53. REFER TO SHEET 153 FOR EXISTING FIFTY-FOURTH FLOOR PLAN.  
 54. REFER TO SHEET 154 FOR EXISTING FIFTY-FIFTH FLOOR PLAN.  
 55. REFER TO SHEET 155 FOR EXISTING FIFTY-SIXTH FLOOR PLAN.  
 56. REFER TO SHEET 156 FOR EXISTING FIFTY-SEVENTH FLOOR PLAN.  
 57. REFER TO SHEET 157 FOR EXISTING FIFTY-EIGHTH FLOOR PLAN.  
 58. REFER TO SHEET 158 FOR EXISTING FIFTY-NINTH FLOOR PLAN.  
 59. REFER TO SHEET 159 FOR EXISTING SIXTIETH FLOOR PLAN.  
 60. REFER TO SHEET 160 FOR EXISTING SIXTY-FIRST FLOOR PLAN.  
 61. REFER TO SHEET 161 FOR EXISTING SIXTY-SECOND FLOOR PLAN.  
 62. REFER TO SHEET 162 FOR EXISTING SIXTY-THIRD FLOOR PLAN.  
 63. REFER TO SHEET 163 FOR EXISTING SIXTY-FOURTH FLOOR PLAN.  
 64. REFER TO SHEET 164 FOR EXISTING SIXTY-FIFTH FLOOR PLAN.  
 65. REFER TO SHEET 165 FOR EXISTING SIXTY-SIXTH FLOOR PLAN.  
 66. REFER TO SHEET 166 FOR EXISTING SIXTY-SEVENTH FLOOR PLAN.  
 67. REFER TO SHEET 167 FOR EXISTING SIXTY-EIGHTH FLOOR PLAN.  
 68. REFER TO SHEET 168 FOR EXISTING SIXTY-NINTH FLOOR PLAN.  
 69. REFER TO SHEET 169 FOR EXISTING SEVENTIETH FLOOR PLAN.  
 70. REFER TO SHEET 170 FOR EXISTING SEVENTY-FIRST FLOOR PLAN.  
 71. REFER TO SHEET 171 FOR EXISTING SEVENTY-SECOND FLOOR PLAN.  
 72. REFER TO SHEET 172 FOR EXISTING SEVENTY-THIRD FLOOR PLAN.  
 73. REFER TO SHEET 173 FOR EXISTING SEVENTY-FOURTH FLOOR PLAN.  
 74. REFER TO SHEET 174 FOR EXISTING SEVENTY-FIFTH FLOOR PLAN.  
 75. REFER TO SHEET 175 FOR EXISTING SEVENTY-SIXTH FLOOR PLAN.  
 76. REFER TO SHEET 176 FOR EXISTING SEVENTY-SEVENTH FLOOR PLAN.  
 77. REFER TO SHEET 177 FOR EXISTING SEVENTY-EIGHTH FLOOR PLAN.  
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 79. REFER TO SHEET 179 FOR EXISTING EIGHTIETH FLOOR PLAN.  
 80. REFER TO SHEET 180 FOR EXISTING EIGHTY-FIRST FLOOR PLAN.  
 81. REFER TO SHEET 181 FOR EXISTING EIGHTY-SECOND FLOOR PLAN.  
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 83. REFER TO SHEET 183 FOR EXISTING EIGHTY-FOURTH FLOOR PLAN.  
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 91. REFER TO SHEET 191 FOR EXISTING NINETY-SECOND FLOOR PLAN.  
 92. REFER TO SHEET 192 FOR EXISTING NINETY-THIRD FLOOR PLAN.  
 93. REFER TO SHEET 193 FOR EXISTING NINETY-FOURTH FLOOR PLAN.  
 94. REFER TO SHEET 194 FOR EXISTING NINETY-FIFTH FLOOR PLAN.  
 95. REFER TO SHEET 195 FOR EXISTING NINETY-SIXTH FLOOR PLAN.  
 96. REFER TO SHEET 196 FOR EXISTING NINETY-SEVENTH FLOOR PLAN.  
 97. REFER TO SHEET 197 FOR EXISTING NINETY-EIGHTH FLOOR PLAN.  
 98. REFER TO SHEET 198 FOR EXISTING NINETY-NINTH FLOOR PLAN.  
 99. REFER TO SHEET 199 FOR EXISTING HUNDRETH FLOOR PLAN.  
 100. REFER TO SHEET 200 FOR EXISTING HUNDRED-FIRST FLOOR PLAN.  
 101. REFER TO SHEET 201 FOR EXISTING HUNDRED-SECOND FLOOR PLAN.  
 102. REFER TO SHEET 202 FOR EXISTING HUNDRED-THIRD FLOOR PLAN.  
 103. REFER TO SHEET 203 FOR EXISTING HUNDRED-FOURTH FLOOR PLAN.  
 104. REFER TO SHEET 204 FOR EXISTING HUNDRED-FIFTH FLOOR PLAN.  
 105. REFER TO SHEET 205 FOR EXISTING HUNDRED-SIXTH FLOOR PLAN.  
 106. REFER TO SHEET 206 FOR EXISTING HUNDRED-SEVENTH FLOOR PLAN.  
 107. REFER TO SHEET 207 FOR EXISTING HUNDRED-EIGHTH FLOOR PLAN.  
 108. REFER TO SHEET 208 FOR EXISTING HUNDRED-NINTH FLOOR PLAN.  
 109. REFER TO SHEET 209 FOR EXISTING HUNDRETH FLOOR PLAN.  
 110. REFER TO SHEET 210 FOR EXISTING HUNDRED-ONE FLOOR PLAN.  
 111. REFER TO SHEET 211 FOR EXISTING HUNDRED-TWO FLOOR PLAN.  
 112. REFER TO SHEET 212 FOR EXISTING HUNDRED-THREE FLOOR PLAN.  
 113. REFER TO SHEET 213 FOR EXISTING HUNDRED-FOUR FLOOR PLAN.  
 114. REFER TO SHEET 214 FOR EXISTING HUNDRED-FIVE FLOOR PLAN.  
 115. REFER TO SHEET 215 FOR EXISTING HUNDRED-SIX FLOOR PLAN.  
 116. REFER TO SHEET 216 FOR EXISTING HUNDRED-SEVEN FLOOR PLAN.  
 117. REFER TO SHEET 217 FOR EXISTING HUNDRED-EIGHT FLOOR PLAN.  
 118. REFER TO SHEET 218 FOR EXISTING HUNDRED-NINE FLOOR PLAN.  
 119. REFER TO SHEET 219 FOR EXISTING HUNDRED-TEN FLOOR PLAN.  
 120. REFER TO SHEET 220 FOR EXISTING HUNDRED-ELEVEN FLOOR PLAN.  
 121. REFER TO SHEET 221 FOR EXISTING HUNDRED-TWELVE FLOOR PLAN.  
 122. REFER TO SHEET 222 FOR EXISTING HUNDRED-THIRTEEN FLOOR PLAN.  
 123. REFER TO SHEET 223 FOR EXISTING HUNDRED-FOURTEEN FLOOR PLAN.  
 124. REFER TO SHEET 224 FOR EXISTING HUNDRED-FIFTEEN FLOOR PLAN.  
 125. REFER TO SHEET 225 FOR EXISTING HUNDRED-SIXTEEN FLOOR PLAN.  
 126. REFER TO SHEET 226 FOR EXISTING HUNDRED-SEVENTEEN FLOOR PLAN.  
 127. REFER TO SHEET 227 FOR EXISTING HUNDRED-EIGHTEEN FLOOR PLAN.  
 128. REFER TO SHEET 228 FOR EXISTING HUNDRED-NINETEEN FLOOR PLAN.  
 129. REFER TO SHEET 229 FOR EXISTING HUNDRED-TWENTY FLOOR PLAN.  
 130. REFER TO SHEET 230 FOR EXISTING HUNDRED-TWENTY-ONE FLOOR PLAN.  
 131. REFER TO SHEET 231 FOR EXISTING HUNDRED-TWENTY-TWO FLOOR PLAN.  
 132. REFER TO SHEET 232 FOR EXISTING HUNDRED-TWENTY-THREE FLOOR PLAN.  
 133. REFER TO SHEET 233 FOR EXISTING HUNDRED-TWENTY-FOUR FLOOR PLAN.  
 134. REFER TO SHEET 234 FOR EXISTING HUNDRED-TWENTY-FIVE FLOOR PLAN.  
 135. REFER TO SHEET 235 FOR EXISTING HUNDRED-T





SCOPE OF WORK

FLOOR PLAN (4<sup>th</sup> FLOOR)




## COST APPROACH

The client requested an estimate of insurable replacement cost, based on Commercial Express valuation service, produced by CoreLogic, a national construction cost estimation service. This product requests various inputs from the appraiser as well as provides system-generated assumptions consistent with the specified property type. No modifications were made to the system-generated assumptions with exception to the construction materials used, as appropriate. These modifications, labeled as user inputs in the following chart, are consistent with the materials known to be utilized to construct the subject property, through appraiser observation at inspection and-or reliable sources.

We do not guarantee that any estimate or opinion will result in the subject property being fully insured for any potential loss that may be sustained. This estimate may not be a reliable indication of replacement cost value for any date other than the effective date of this appraisal. No depreciation has been considered in the estimate herein.

The following pages show the detailed Commercial Express system-generated report (worksheets) of insurable replacement cost for the subject improvements and summarize our value conclusions. We conclude the replacement cost of the subject improvements is \$23,410,000 (rounded), and the depreciated cost is **\$16,150,000 (rounded)**.

COST APPROACH



## Valuation Detailed Report

Property Express

12/23/2022

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**VALUATION**

Valuation Number:	22-2242 125 Worth Ave	Effective Date:	12/21/2022
Value Basis:	Reconstruction	Expiration Date:	12/21/2023
		Cost as of:	06/2022

**BUSINESS**

Frisbie Group, LLC  
125 WORTH AVE FL 33480  
PALM BEACH, FL 33480 USA

**LOCATION 1 - Frisbie Group, LLC**

Frisbie Group, LLC  
125 WORTH AVE FL 33480  
PALM BEACH, FL 33480 USA

**Location Adjustments**

Climatic Region:	3 - Warm
High Wind Region:	2 - Moderate Damage
Seismic Zone:	1 - No Damage

**BUILDING 125 - 125 Worth Ave**

**Section 1**

**SUPERSTRUCTURE**

Occupancy:	2% Bank or Savings and Loan	Story Height:	15 ft.
	8% Office, Low-Rise		15 ft.
	33% Office, Low-Rise		12 ft.
	3% Office, Low-Rise, Shell		13 ft.
	54% Basement, Underground Parking		8 ft.
Construction Type:	100% Reinforced Concrete Frame (ISO 6)	Number of Stories:	3
Gross Floor Area:	117,332 sq.ft.	Gross Perimeter:	775 ft.
Construction Quality:	2.5 - Average/Superior		
Year Built:	1974		

**Adjustments**

Depreciation:	31%	Condition:	Good
	Effective Age: 35 years		


CoreLogic does not include additional regional, national, and international data in its reports. It is the responsibility of the user to provide any additional data that may be required for a complete valuation. These costs include general and administrative fees, but not the cost of the building structure itself.

The commercial valuation values CoreLogic provides in this report are estimates only and should be used as a guide to the actual value of the property. Coverage that should be underwritten by the insured.

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COST APPROACH



**Valuation Detailed Report**  
Property Express

12/23/2022

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Policy Number: 22-2242 125 Worth Ave

Hillside Construction: Degree of Slope: Level

Site Position: Unknown

Site Accessibility: Good

Soil Condition: Good

**Fees**

Architect Fees: 7% is included

Overhead and Profit: 20% is included

SUMMARY OF COSTS	User Provided	System Provided	Reconstruction	Exclusion
<b>SUPERSTRUCTURE</b>				
Site Preparation			\$875,953	
Foundations			\$244,215	
Exterior			\$6,425,281	
Exterior Wall	30% Curtain Wall, Glass			
	70% Stucco on Masonry			
Roof			\$1,225,050	
Material	90% Built-Up, Smooth			
	10% Tile, Concrete			
Pitch	100% Low (2:12 to 6:12 pitch)			
Interior			\$5,104,838	
Floor Finish	70% Carpet			
	10% Marble			
	20% Tile, Ceramic			
Ceiling Finish	30% Drywall			
	70% Suspended Acoustical			
Structure	80% Concrete Block			
	20% Glass Wall			
Finish	100% Drywall			
	100% Paint			
Mechanicals			\$7,613,140	
Cooling	100% Chilled Water, with Air Handling Units			
Fire Protection	100% Sprinkler System			
Plumbing	90 Total Fixtures			

CoreLogic costs include fees and include normal profit and overhead as of date of report. Costs represent general estimates which are not as completed a detailed quantity survey. These costs include generalities and assumptions that are common to the type of structures represented in the estimate.


The computerized cost estimates (CoreLogic estimates) are estimates only and should not be considered the final value of commercial property or insurance coverage. The report is submitted for the insured.

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	Reconstruction	Sq.Ft.	\$/Sq.Ft.	Depreciated
LOCATION TOTAL, Location 1	\$23,405,282	117,332	\$199	\$16,149,645
	Reconstruction	Sq.Ft.	\$/Sq.Ft.	Depreciated
VALUATION GRAND TOTAL	\$23,405,282	117,332	\$199	\$16,149,645

COST APPROACH



## Valuation Detailed Report

Property Express  
EQUIPMENT REPORT

Policy Number: 22-2242 125 Worth Ave 12/23/2022

VALUATION			
Valuation Number:	22-2242 125 Worth Ave	Effective Date:	12/21/2022
Value Basis:	Reconstruction	Expiration Date:	12/21/2023
		Cost as of:	06/2022

BUSINESS		
Frisbie Group, LLC		
125 WORTH AVE FL 33480		
PALM BEACH, FL 33480 USA		

LOCATION 1 - Frisbie Group, LLC		
Frisbie Group, LLC		
125 WORTH AVE FL 33480		
PALM BEACH, FL 33480 USA		

Equipment: Building items and site improvements		
	Replacement	Depreciated
<b>Building 125, Section 1</b>		
Building Items		
Balconies		
(1) Balconies, Reinforced concrete frame	\$591,877	\$408,395
<b>LOCATION 1 - Frisbie Group, LLC TOTAL</b>	<b>\$591,877</b>	<b>\$408,395</b>
<b>TOTAL</b>	<b>\$591,877</b>	<b>\$408,395</b>

CoreLogic uses public data and market data to estimate values. These estimates are not guaranteed and are not intended to be used for legal or financial purposes. These estimates are not intended to be used for legal or financial purposes. These estimates are not intended to be used for legal or financial purposes.


The commercial valuation data CoreLogic publishes in this report is based on public data and should not be considered the authoritative commercial valuation data. CoreLogic is not a licensed appraiser or broker.

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COST APPROACH



## Valuation Detailed Report

Property Express  
SUMMARY REPORT

Policy Number: 22-2242 125 Worth Ave 12/23/2022

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**VALUATION**

Valuation Number:	22-2242 125 Worth Ave	Effective Date:	12/21/2022
Value Basis:	Reconstruction	Expiration Date:	12/21/2023
		Cost as of:	06/2022

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**BUSINESS**

Frisbie Group, LLC  
125 WORTH AVE FL 33480  
PALM BEACH, FL 33480 USA

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**LOCATION 1 - Frisbie Group, LLC**

Frisbie Group, LLC  
125 WORTH AVE FL 33480  
PALM BEACH, FL 33480 USA

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BUILDING 125: SUPERSTRUCTURE	Reconstruction	Sq.Ft.	\$/Sq.Ft.	Depreciated
Section 1    2%    Bank or Savings and Loan	\$22,813,405	117,332	\$194	\$15,741,249
8%    Office, Low-Rise				
33%    Office, Low-Rise				
3%    Office, Low-Rise, Shell				
54%    Basement, Underground Parking				
<b>Section Totals</b>	<b>Reconstruction</b>	<b>Sq.Ft.</b>	<b>\$/Sq.Ft.</b>	<b>Depreciated</b>
Section 1    2%    Bank or Savings and Loan	\$22,813,405	117,332	\$194	\$15,741,249
8%    Office, Low-Rise				
33%    Office, Low-Rise				
3%    Office, Low-Rise, Shell				
54%    Basement, Underground Parking				
<b>Total Additions:</b>	<b>\$591,877</b>			<b>\$408,395</b>
<b>BUILDING TOTAL, Building 125</b>	<b>\$23,405,282</b>	<b>117,332</b>	<b>\$199</b>	<b>\$16,149,645</b>

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**BUILDING INSURANCE SUMMARY**


Total Insured Amount	\$0		
Percent of Insurance to Value	0%		
100% Co-insurance Requirement	\$23,405,282		\$16,149,645
-100% Variance	(\$23,405,282)		

CoreLogic's data includes local and national market trends and is based on the date of report. CoreLogic's data is not a representation of a specific company's data. These figures are estimates and should not be used for insurance purposes. The data is provided for informational purposes only and should not be used for insurance purposes. The data is provided for informational purposes only and should not be used for insurance purposes.

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COST APPROACH



## Valuation Detailed Report

Property Express  
SUMMARY REPORT

Policy Number: 22-2242 125 Worth Ave

12/23/2022

	Reconstruction	Sq.Ft.	\$/Sq.Ft.	Depreciated
<b>LOCATION TOTAL, Location 1</b>	<b>\$23,405,282</b>	<b>117,332</b>	<b>\$199</b>	<b>\$16,149,645</b>
<b>VALUATION GRAND TOTAL</b>	<b>\$23,405,282</b>	<b>117,332</b>	<b>\$199</b>	<b>\$16,149,645</b>

End of Report

CoreLogic costs include labor and materials, normal profit and overhead, as of date of report. Costs represent goods and services which are sold to be considered a detailed property survey. These costs include general profit and assumptions that are common to the type of structure represented in the portfolio.

The commercial property values CoreLogic publishes in this report are estimates only and should not be considered the actual value of commercial property insurance coverage that should be underwritten for the insured.

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### **PART 3: ADDENDUM**

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#### **CERTIFICATION**

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest with respect to the parties involved.
- I have no bias with respect to any property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results, a specific valuation, or the approval of a loan.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the State of Florida.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- Andrew Sperling made a personal, visual inspection of the readily accessible areas of the property that is the subject of this appraisal. Jonathan Whitney did not inspect the subject property, but is very familiar with this area and property type.
- No one provided significant real property appraisal or appraisal consulting assistance to the person signing this certification.
- As of the date of this report, we have completed the continuing education program of the State of Florida.

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CERTIFICATION

- As of the date of this report, Jonathan Whitney has completed the continuing education program of the Appraisal Institute.
- We, Andrew Sperling and Jonathan Whitney, of Aucamp Dellenback & Whitney, certify that we are qualified and have experience in the field of commercial property inspections, commercial risk assessment, and commercial property replacement cost valuation.
- The undersigned has not provided services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period preceding acceptance of this assignment.



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Andrew Sperling  
State-certified General Real Estate Appraiser RZ4177

December 23, 2022



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Jonathan Whitney, MAI  
State-certified General Real Estate Appraiser RZ2943

December 23, 2022

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CONTINGENT AND LIMITING CONDITIONS

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**CONTINGENT AND LIMITING CONDITIONS**

This appraisal is subject to the following contingent and limiting conditions:

1. The legal description and maps are assumed to be correct.
2. No responsibility is assumed for matters which are legal in character, nor is any opinion rendered as to title, which is assumed to be good and marketable. Any existing liens or encumbrances have been disregarded, and the property is appraised as free and clear. This appraisal is made, assuming that all public improvements of any kind affecting the property appraised are fully paid for, unless otherwise specifically set forth in the property description.
3. No survey has been made of the property on behalf of the appraisers and no responsibility is assumed in connection with such matters. The sketches contained in this report are for illustrative purposes only and are included to assist the reader to better visualize the property. The information furnished by others is believed to be reliable and no responsibility is assumed for its accuracy.
4. In this report, the distribution of the total valuation between land and improvements applies only under the existing program of utilization. The separate valuations for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.
5. Possession of this report, or a copy thereof, does not carry with it the right of publication, nor may it be used for any purpose by any but the recipient without written consent of the appraiser.
6. The contract for appraisal, consultation, or analytical service is fulfilled and total fee is payable upon completion of the report. The appraisers will not be required to give testimony in court or hearing because of having made the appraisal in full or in part, nor engage in post-appraisal consultation with the client or third parties, except under separate and special arrangement and at additional fee.
7. The appraisers may not divulge material contents of the report, analytical findings or conclusions or give a copy of the report to anyone other than the client or his designee as specified in writing, except as may be required by the Appraisal Institute as it may request in confidence for ethics enforcement or by a court of law of body with the power of subpoena.
8. Liability of Aucamp, Dellenback & Whitney is restricted to the client. Aucamp, Dellenback & Whitney has no accountability or liability to any third party.
9. It is assumed there are no hidden or unapparent conditions of the property, subsoil or structures which make it more or less valuable. The appraiser assumes no responsibility for such conditions or engineering which might be required to cover these facts. No topographical survey was provided.
10. No environmental impact study, special market study or analysis, highest and best use analysis or feasibility study has been requested or made unless otherwise specified in an agreement for services or in the report. The appraiser reserves the unlimited right to alter, amend, revise or rescind any of the statements, findings, opinions, values, estimates or

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CONTINGENT AND LIMITING CONDITIONS

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conclusions upon any subsequent such study or analysis or previous study or analysis subsequently becoming known to him.

11. The market value estimated and the cost used are as of the date of the estimate of value. All dollar amounts are based on the purchasing power and price of the dollar as of the date of the value estimate.

12. This appraisal expresses our opinion and employment to make this appraisal was in no way contingent upon reporting a predetermined value or conclusion. The fee for this appraisal or study is for the service rendered and not for time spent on the physical report.

13. The value estimated in this appraisal report is gross without consideration given to any encumbrance, restriction, or question of title unless specifically defined. The estimate of value in the appraisal report is not based in whole or in part upon race, color or national origin of the present owners or occupants of properties in the vicinity of the property appraised.

14. Responsible ownership and competent property management are assumed.

15. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws, unless noncompliance is stated, defined and considered in the appraisal report.

16. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in the appraisal report.

17. It is assumed that all required licenses, certificates of occupancy and consents or other legislative or administrative authority from any local, state or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

18. It is assumed that the utilization of the land and improvements is within the boundaries of the property lines, that the property described in that there is no encroachment or trespass unless noted in the report.

19. Authentic copies of this report are signed in ink.

20. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyls, petroleum leakage, or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions may affect the value of the property, the value estimated is predicated on the assumption that there is no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them.

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CONTINGENT AND LIMITING CONDITIONS

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21. The Americans with Disabilities Act (ADA) became effective January 26, 1992. The appraisers have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon value of the property. Since the appraisers have no direct evidence relating to this issue, possible noncompliance with the requirements of ADA in estimating the value of the property has not been considered.

22. The report may contain estimates of prospective value for the subject property. Forecasts and prospective values are based upon current market conditions and trends. Aucamp, Dellenback & Whitney cannot be held responsible for unforeseeable events that alter market conditions prior to the prospective dates.

23. Acceptance and/or use of this appraisal report constitutes acceptance of the preceding conditions.

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HYPOTHETICAL CONDITIONS AND EXTRAORDINARY ASSUMPTIONS

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**HYPOTHETICAL CONDITIONS AND EXTRAORDINARY ASSUMPTIONS**

Hypothetical Conditions

This appraisal is subject to the following hypothetical conditions:

None

Extraordinary Assumptions

The following extraordinary assumption is important for supporting the value conclusion(s) in this report, and value conclusion(s) may be significantly affected without this extraordinary assumption. This appraisal is subject to the following extraordinary assumptions:

None

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## DEFINITIONS

### Market Value

*The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:*

- *buyer and seller are typically motivated;*
- *both parties are well informed or well advised, and acting in what they consider their own best interests;*
- *a reasonable time is allowed for exposure in the open market;*
- *payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
- *the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

(Source: Interagency Appraisal and Evaluation Guidelines, Federal Register, Volume 75, No. 237, December 10, 2010)

### Bulk Value

*The value of multiple units, subdivided plots, or properties in a portfolio as though sold together in a single transaction.* (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 27)

### Market Rent

*The most probable rent that a property should bring in a competitive and open market reflecting the conditions and restrictions of a specified lease agreement, including the rental adjustment and revaluation, permitted uses, use restrictions, expense obligations, term, concessions, renewal and purchase options, and tenant improvements (TI).* (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 140)

### Prospective Opinion of Value

*A value opinion effective as of a specified future date. The term does not define a type of value. Instead, it identifies a value opinion as being effective at some specific future date. An opinion of value as of a prospective date is frequently sought in connection with projects that are proposed, under construction, or under conversion to a new use, or those that have not yet achieved sellout or a stabilized level of long-term occupancy.* (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 180)

### Retrospective Value Opinion

*A value opinion effective as of a specified historical date. The term retrospective does not define a type of value. Instead, it identifies a value opinion as being effective at some specific prior date. Value as of a historical date is frequently sought in connection with property tax appeals, damage models, lease renegotiation, deficiency judgments, estate tax, and condemnation.* (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 201)

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DEFINITIONS

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Value in Use

*The value of a property assuming a specific use, which may or may not be the property's highest and best use on the effective date of the appraisal. Value in use may or may not be equal to market value but is different conceptually. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 245)*

Market Value of the Going Concern

*The market value of an established and operating business including the real property, personal property, financial assets, and the intangible assets of the business. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 245)*

Liquidation Value

*The most probable price that a specified interest in real property should bring under the following conditions:*

- 1. Consummation of a sale within a short time period.*
- 2. The property is subjected to market conditions prevailing as of the date of valuation.*
- 3. Both the buyer and seller are acting prudently and knowledgeably.*
- 4. The seller is under extreme compulsion to sell.*
- 5. The buyer is typically motivated.*
- 6. Both parties are acting in what they consider to be their best interests.*
- 7. A normal marketing effort is not possible due to the brief exposure time.*
- 8. Payment will be made in cash in U.S. dollars (or the local currency) or in terms of financial arrangements comparable thereto.*
- 9. The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

*(Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 132)*

Insurable Value

*A type of value for insurance purposes. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 119)*

Replacement Cost

*The estimated cost to construct, at current prices as of a specific date, a substitute for a building or other improvements, using modern materials and current standards, design and layout. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 197)*

Limited-Market Property

*A property (or property right) that has relatively few potential buyers. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 131)*

Special Purpose Property

*A property with a unique physical design, special construction materials, or a layout that particularly adapts its utility to the use for which it was built; also called a special-design property. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 217)*



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DEFINITIONS

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Fee Simple Estate

*Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.*

(Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 90)

Leased Fee Interest

*The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires.*

(Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 128)

Leasehold Interest

*The right held by the lessee to use and occupy real estate for a stated term and under the conditions specified in the lease.*

(Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 128)

Real Property

*The interests, benefits, and rights inherent in the ownership of real estate.* (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 188)

Personal Property

*Identifiable tangible objects that are considered by the general public as being “personal” – for example, furnishings, artwork, antiques, gems and jewelry, collectibles, machinery and equipment; all tangible property that is not classified as real estate..*

(Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, pages 170)

Intended Use

*The use or uses of an appraiser’s reported appraisal or appraisal review assignment opinions and conclusions, as identified by the appraiser based on communication with the client at the time of the assignment.*

(Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 119)

Intended User

*The client and any other party as identified, by name or type, as users of the appraisal or appraisal review report by the appraiser on the basis of communication with the client at the time of the assignment.*

(Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, pages 119)

Hypothetical Condition

*A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis.*

(Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 113)

Extraordinary Assumption

*An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property such as market conditions or trends; or about the integrity of data used in an analysis. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 73)*

Prudent and Competent Management

*An owner, operator, or management company that maintains and uses real estate in a manner consistent with the manner in which typical buyers of similar properties would consider appropriate as measured by actual practices in the competitive market. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 180)*

Arm's Length Transaction

*A transaction between unrelated parties who are each acting in his or her own best interest. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 13)*

Surplus Land

*Land that is not currently needed to support the existing use but cannot be separated from the property and sold off for another use. Surplus land does not have an independent highest and best use and may or may not contribute to the improved parcel. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 227)*

Excess Land

*Land that is not needed to serve or support the existing use. The highest and best use of the excess land may or may not be the same as the highest and best use of the improved parcel. Excess land has the potential to be sold separately and is valued separately. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 80)*

Entrepreneurial Incentive

*The amount an entrepreneur expects to receive for his or her contribution to a project. Entrepreneurial incentive may be distinguished from entrepreneurial profit (often called developer's profit) in that it is the expectation of future profit as opposed to the profit actually earned on a development or improvements. The amount of entrepreneurial incentive required for a project represents the economic reward sufficient to motivate an entrepreneur to accept the risk of the project and to invest the time and money necessary in seeing the project through to completion. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 76)*

## AREA DESCRIPTION AND ANALYSIS

### FLORIDA

Florida is a major U.S. state as seen in population and employment figures. As of 2022, Florida's estimated population was 22,114,754 according to the ESRI. Among the 50 states, Florida is ranked as the third most populous state. Florida is forecasted to have an annual growth rate of 0.61% over the next five years.

The majority of job growth in the next ten years likely will come in the service industry led by new jobs in business services, health care, and government employment. Manufacturing will continue to be a relatively reduced part of the state's economy.

Florida's geography, climate, and location are important reasons for its population and economic growth. Florida's coastline with 1,197 miles along the Atlantic Ocean and Gulf of Mexico is the longest of any state, except Alaska. Temperature variations are mild, and the southern part of the state has a subtropical climate. Florida is strategically located for access to the Caribbean Islands as well as to South and Central America.

### SOUTH FLORIDA

South Florida is the tri-county region consisting of Miami-Dade, Broward, and Palm Beach and occasionally consists of other surrounding counties. The metropolitan area stretches from south of Miami to north of West Palm Beach, a distance of about 100 miles, and extends 15 to 20 miles west from the Atlantic Ocean. The three counties are the state's three most populous region with an estimated population of 6,200,000, as of 2022, and comprised almost one-third of the state's population.

The South Florida region experienced explosive growth starting in the 1950s when air-conditioned homes made round year living more comfortable. Moving forward, the tri-county region is forecasted to grow at a much slower pace than the past 70 years. Per ESRI, the average growth rate is projected to be under 1.0% during the next five years. Population growth has largely been migration from northern U.S. states and Canada as well as South American countries and Caribbean Islands.

Economic growth in South Florida is centered on services and retail trade for tourists, seasonal residents, permanent residents and retirees. Real estate construction has been a strong economic contributor over the past 50 years. South Florida is also known as a major export / import center for trade with South America and as an attractive location for some high-tech industries and financial service firms.

Within this region, a primary trend has been northward movement of population from Miami-Dade County into Broward County, and from Broward County into Palm Beach County. This trend accelerated with the dislocation of residents due to Hurricane Andrew in 1992. The movement continues today as residents seek less traffic congestion in comparison to Miami-Dade County.

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AREA DESCRIPTION AND ANALYSIS

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## PALM BEACH COUNTY

Palm Beach County is located along Florida's southeast coast on the Atlantic Ocean to the east and Lake Okeechobee to the west. The county is located about 15 miles north of Fort Lauderdale, 40 miles north of Miami, 175 miles south of Orlando, and 270 miles south of Jacksonville.

Palm Beach County, with approximately 1,974 square miles of land area, is one of the largest counties in the United States and is the third largest of Florida's 67 counties. Elevation changes range from 0-20 feet with the average elevation at 15 feet above sea level. The terrain is generally sandy and flat with some gently sloping coastal ridges.

The county's subtropical climate has an average temperature of 75 degrees Fahrenheit. Winters are mild because of the proximity to the warm Gulf Stream currents of the Atlantic Ocean. Prevailing winds are from the east. Average annual rainfall is 62 inches.

Palm Beach County contains 39 incorporated municipalities mostly located east of Florida's Turnpike. County government, mainly located within West Palm Beach, handles the unincorporated areas. Population growth has put constant pressure on government planning and services.

### Land Use Pattern

Palm Beach County has a well-established area of urban development as well as a major nature reserve area and productive agricultural area. The urban corridor stretches along the eastern portion of the county while nature reserve and agricultural areas are located in the middle and western portions of the county.

Several small coastal communities in Palm Beach County were initially developed in the early 1900s. These small cities and towns were separated from each other with agricultural land or vacant land. By about the 1980s, the land was developed and the coastal area become one continuous developed urban / suburban corridor. This corridor now represents continuous development from the municipalities of Boca Raton to Tequesta. Most undeveloped land is located to the west of this eastern urban / suburban corridor. Several eastern coastal downtown areas developed between the 1920s and the 1960s, including Boca Raton, Delray Beach, Boynton Beach, Lake Worth, and West Palm Beach, are now experiencing redevelopment and gentrification.

The nature reserve area consists of a north-south corridor to the west of the urban corridor. This area consists of the large Loxahatchee National Wildlife Refuge in the south and central portion and several other natural areas in the north portion: Dupuis Reserve State Park, J.W. Corbett Wildlife Management Area, West Palm Beach Catchment Area, and Jonathan Dickinson State Park.

The agricultural reserve area in southeast Palm Beach County produces vegetables and ornamental plants while the agricultural area in western Palm Beach County is active in sugarcane production. Belle Glade, Pahokee, and South Bay are the three communities within the western agricultural area.

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AREA DESCRIPTION AND ANALYSIS

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### Population

Per ESRI, the county has an estimated population of 1,521,397 in 2022 representing about 7% of the state's population. Population growth from 2022 to 2027 is projected at 0.34%, which is less than the state's projected growth rate at 0.61%. The county's comparatively lower future growth rate reflects the county's advanced stage of development and diminishing supply of land available for development.

### Economy

Palm Beach County has an employment base comprised mostly of several sectors: Trade, Transportation and Utilities; Professional and Business Services; Education and Health Services; and Leisure and Hospitality. These sectors are geared toward the seasonal and retiree segments that have been large part of the county's population.

Per the Palm Beach County Business Development Board, Palm Beach County's labor force consists of over 700,000 people. The county's unemployment rate is similar to that of the State of Florida and the United States, as shown on a chart in the following pages.

### Housing

The Palm Beach County Business Development Board indicates Palm Beach County has a total of 700,000 housing units with a homeowner vacancy rate quite low at less than 3.0%. Per ESRI, the median home price in Palm Beach County is much higher than the state median home price.

### Services

The county has good medical care facilities consisting of 34 hospitals and 1,992 physician offices. A recent trend in local health care is construction of satellite facilities with outpatient services.

The School District of Palm Beach County is the 10th largest public school district in the United States. The District reports an annual enrollment of 193,000 students and 22,340 employees. Numerous private schools are also available. Overcrowding is present in some areas. Prominent academic colleges in the county consist of Florida Atlantic University in Boca Raton, Palm Beach State College with four branch campuses, Palm Beach Atlantic University in West Palm Beach, and Lynn University in Boca Raton. The county has many vocational, technical, and charter schools.

Public water and sewer utilities are provided throughout the county by either incorporated municipalities, special districts, or by the county. Telephone service is provided by BellSouth and other telecommunication vendors. Standard electric service is generally available from Florida Power and Light. Natural gas is provided by main or delivered as liquefied petroleum gas by Peoples Gas System.

Transportation in Palm Beach County consists of Palm Beach International Airport (PBI), Palm Beach Park Airport, Palm Beach County Glades Airport, North County Airport, Boca Raton Airport, Palm Tran, Port of Palm Beach and Tri-Rail. PBI is conveniently located to serve the air trade area of Palm Beach County and the four surrounding counties. The 600,000 square foot airport accommodates 28 aircraft gates with expansion potential for 24 gates. The airport reports a passenger count of 6.5 million in the recent years, which is an increase year-over-year. The Boca Raton Airport, the Palm Beach Park Airport and the North County Airport are general aviation airports serving private and corporate airplanes.

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AREA DESCRIPTION AND ANALYSIS

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Palm Tran is a public bus service in Palm Beach County. Palm Tran has been in service since 1971, runs seven days a week serving more than 3,200 bus stops with 150 buses in Palm Beach County. It has a ridership of over 10 million passengers a year.

Tri-Rail is also a means of public transportation in Palm Beach County. Formed in 1987, this light-rail system extends roughly 72 miles and runs parallel to Interstate 95 from West Palm Beach to Miami serving 18 stations. Ridership exceeded 4.2 million passengers in 2016.

Brightline is a recently constructed privately-held high-speed rail service serving Miami, Fort Lauderdale and West Palm Beach. Future expansion involves service to Orlando and other Florida cities.

Port of Palm Beach is one of the busiest container ports in Florida with over 2,500,000 tons of cargo shipped annually. The port also services over 500,000 cruise passengers.

#### Trends

Palm Beach County has well established urban and agricultural areas. Economic soundness is supported with a higher than average income, expanding employment centers, a wide range of commercial and public services and facilities, and many recreational opportunities. The county is poised for further growth.

Future trends show modest population growth and a favorable outlook for Palm Beach County's economy. Population trends indicate further migration to the county will continue, and jobs will continue to increase and fuel economic growth in the county.

Problems typically associated with growth will continue to challenge Palm Beach County. The major challenges are schools, transportation and utilities to meet the needs of a growing population.

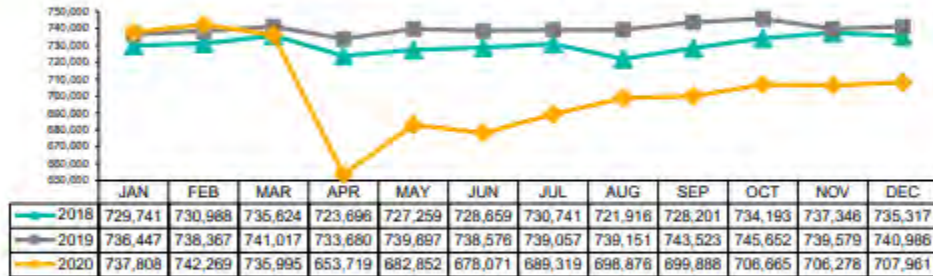


AREA DESCRIPTION AND ANALYSIS

## Palm Beach County Market Indicators

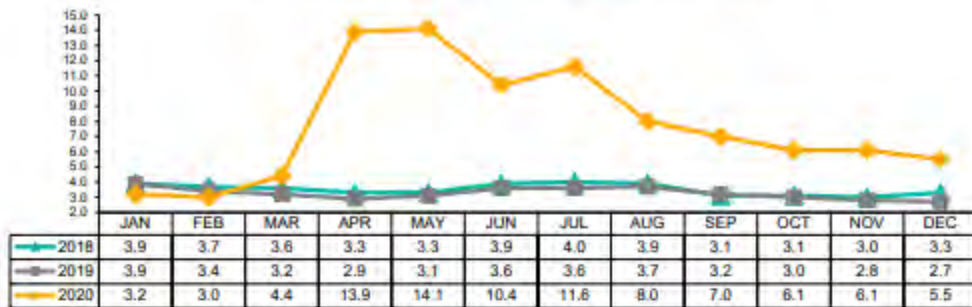


### Palm Beach County Labor Force



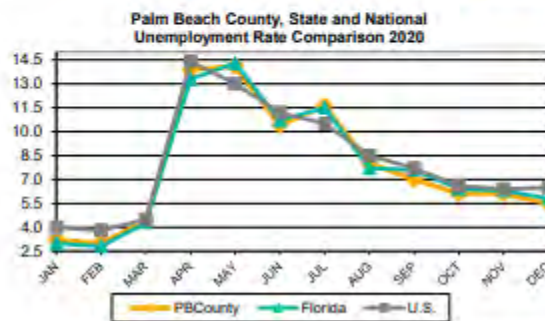
Source: Local Area Unemployment Statistics, Florida Department of Economic Opportunity

### Palm Beach County Unemployment Rates



Source: Local Area Unemployment Statistics, Florida Department of Economic Opportunity

### 2020 County, State & U.S. Unemployment Rate Comparison



2020	PBC	Florida	U.S.
JAN	3.2	3.0	4.0
FEB	3.0	2.8	3.8
MAR	4.4	4.3	4.5
APR	13.9	13.3	14.4
MAY	14.1	14.3	13.0
JUN	10.4	10.7	11.2
JUL	11.6	11.5	10.5
AUG	8.0	7.7	8.5
SEP	7.0	7.6	7.7
OCT	6.1	6.4	6.6
NOV	6.1	6.3	6.4
DEC	5.5	5.8	6.5

Source: Local Area Unemployment Statistics, Florida Department of Economic Opportunity

ENGAGEMENT LETTER

ENGAGEMENT LETTER

**AUCAMP, DELLENBACK & WHITNEY**  
APPRAISERS & CONSULTANTS

December 19, 2022

Mr. Jake Leone  
Frisbie Group  
221 Royal Poinciana Way, Suite 1  
Palm Beach, FL 33480

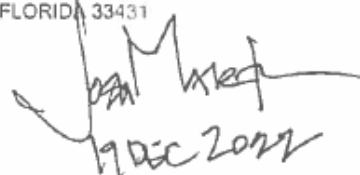
RE: Appraisal of Real Property  
Office Building  
125 Worth Ave  
Palm Beach, FL 33480

Dear Mr. Leone,

As requested, we are pleased to submit this engagement letter for Aucamp, Dellenback & Whitney to provide appraisal services. The following outlines the scope of work for this assignment:

Client & User:	Frisbie Group, LLC
Use:	Assistance related to business decisions
Purpose:	Estimate Depreciated Replacement Cost in "as is" condition
Real Property:	125 Worth Ave, Palm Beach, FL 33480
Interest:	Not relevant
Valuation Date:	Current Date
Valuation Approaches:	Cost Approach
Site Visit:	Yes (Interior and Exterior)
Report Format:	Appraisal Report
Fee:	\$3,600 (due at completion) ✓
Delivery:	About 1 week from engagement
Other:	The subject is a multiple-tenant office building with a subterranean parking garage structure. Our estimate of depreciated replacement cost will include all building improvements (structure), but exclude the land and any site improvements. The Marshall & Swift BVS system will be used to generate the replacement cost.

1900 NW CORPORATE BOULEVARD, SUITE 215E, BOCA RATON, FLORIDA 33431  
561-998-9326, FAX 561-241-4759

  
19 Dec 2022



ENGAGEMENT LETTER

**AUCAMP, DELLENBACK & WHITNEY**  
APPRAISERS & CONSULTANTS

This appraisal assignment and report will be prepared in accordance with requirements of the Uniform Standards of Professional Appraisal Practice (USPAP) developed by the Appraisal Standards Board of the Appraisal Foundation, with the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice, and with the requirements of the State of Florida for state-certified general real estate appraisers.

Any and all costs, including court costs and our attorney costs, associated with non-payment of the full appraisal fee will be paid by the client as listed herein.

We look forward to working with you on this assignment. Please contact me if you have any questions.

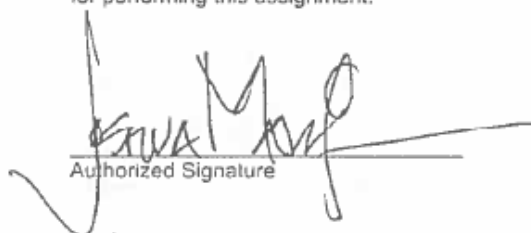
Respectfully submitted,



Jonathan Whitney, MAI  
State-certified General Real Estate Appraiser RZ2943  
jon@adw-appraisers.com  
561-609-2884

**ACKNOWLEDGEMENT AND AGREEMENT**

My signature indicates acknowledgement and agreement with the above terms and conditions for performing this assignment.



Authorized Signature

19 DECEMBER 2022

Date

Joshua Martin, FREMIE Group

Name

1900 NW CORPORATE BOULEVARD, SUITE 215E, BOCA RATON, FLORIDA 33431  
561-998-9326, FAX 561-241-4759



## APPRAISER QUALIFICATIONS AND LICENSE

### QUALIFICATIONS OF JONATHAN D. WHITNEY, MAI

State-certified General Real Estate Appraiser, RZ 2943



#### JONATHAN D. WHITNEY, MAI

Aucamp, Dellenback & Whitney  
1900 NW Corporate Blvd, Suite 215E  
Boca Raton, FL 33431

jon@adw-appraisers.com  
561-609-2884



#### Professional Experience

Aucamp, Dellenback & Whitney, Boca Raton, FL, 2003 - Present  
Real Estate Appraisers & Consultants

- Principal, 2016 - Present
- Commercial Real Estate Appraiser, 2003 - Present

Jonathan Whitney has 20 years of experience in valuing commercial real estate in the greater South Florida market. He heads the team of eight commercial real estate appraisers for independent Aucamp, Dellenback & Whitney (ADW), and values all major real property types: industrial, office, retail, and multifamily. Valuation assignments also include vacant development sites, residential subdivisions / condominiums, mixed-use buildings, and special-purpose properties. His partner, David Aucamp, SRA, heads the residential side of their firm with a separate team of seven residential appraisers.

Clients are mostly bank lenders, but also include investors, institutions, property owners, developers, brokers, attorneys, CPAs, municipalities, and associations. Real estate appraisal and consulting assignments involve estimating market value and-or market rent, and providing expert witness testimony. Valuation assignments range between relatively straight forward assignments to multiple-phased projects with complex cash flow considerations.

#### Education

Master in Arts in Business, University of Florida, 2000  
Bachelor of Science in Economics, University of Florida, 1999  
Boca Raton Community High School, 1995

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APPRAISER QUALIFICATIONS AND LICENSE

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Activities and Affiliations

Florida State-certified General Real Estate Appraiser, RZ 2943, 2006 - Present

Florida State-registered Associate Appraiser, RI 11475, 2003 - 2006

Appraisal Institute

- Designated Member (MAI), 2013 - Present
- Board of Directors, South Florida Chapter, 2018 - 2020
- Associate Member, 2004 - 2013

Planning and Zoning Board, City of Boca Raton

- Secretary, 2021 - Present
- Member, 2019 - Present

Zoning Board of Adjustment, City of Boca Raton

- Vice Chair, 2017 - 2018
- Member, 2013 - 2018

Urban Land Institute (ULI)

- Associate Member, 2019 - Present

Commercial Real Estate Development Association (NAIOP)

- Member, 2019 - Present

Boca Raton Federation of Homeowners

- Executive Board Member, 2018 - 2019

Boca Raton Chamber of Commerce

- Member (ADW), 1990s - Present
- Leadership Boca, Class of 2016

National Association of Divorce Professionals (NADP)

- Member, 2017 - 2019

Boca Raton Downtown Rotary Club

- Member, 2016 - Present
- Fund Board Member, 2020 - Present
- Mayors Ball Honorary Co-Chair, 2022
- Mayors Ball Co-Chair, 2021
- Mayors Ball Committee Member, 2016 - 2020

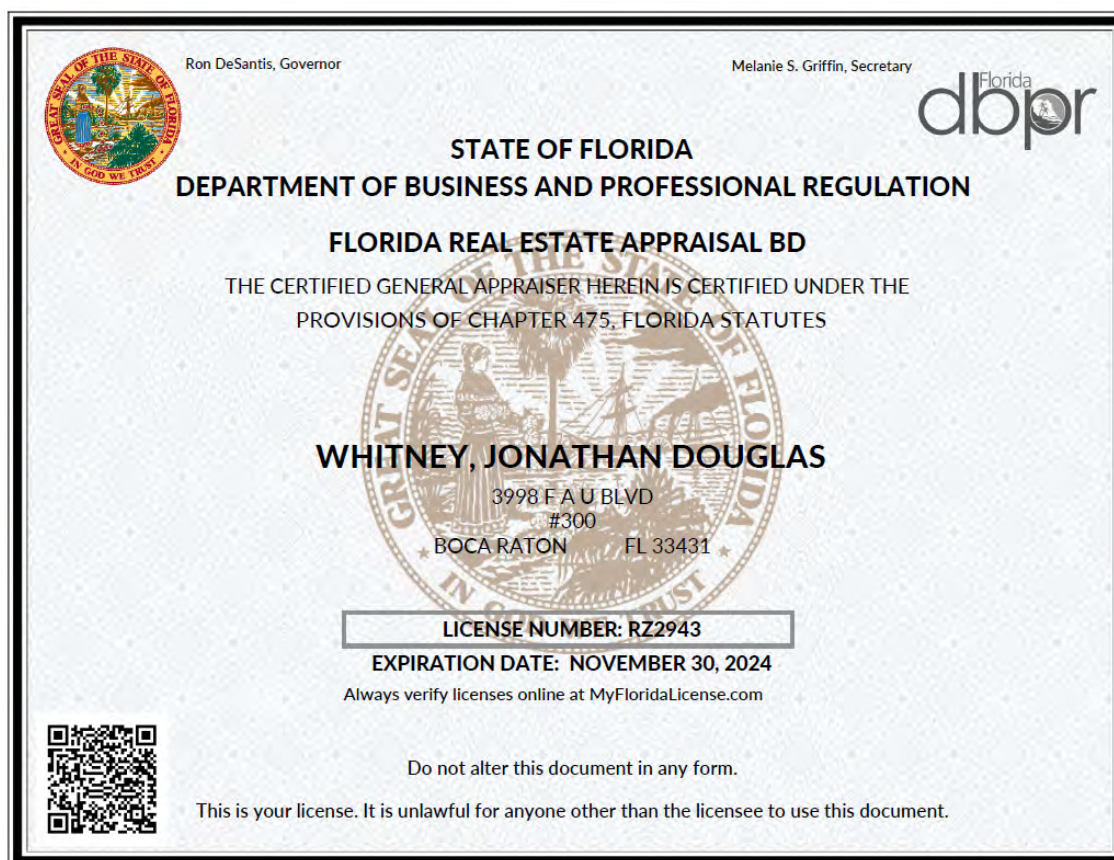
Spanish River Church and Christian School

- Member, Spanish River Church, 2011 - Present
- School Board Member, Spanish River Christian School, 2022 - Present
- Elder, Spanish River Church, 2017 - 2021

APPRAISER QUALIFICATIONS AND LICENSE

Recent Appraisal Institute Courses (sampling of recent courses)

USPAP (Uniform Standards of Professional Appraisal Practice) Update, 2022 - 2023  
Florida State Law for Real Estate Appraisers, 2022  
Supervisory Appraiser / Trainee Appraiser Course, 2022  
Appraisal of Fast Food Restaurants, 2022  
Business Practice & Ethics, 2018  
Appraising Automobile Dealership, 2018  
Technology Tips for Real Estate Appraisers, 2018  
Advanced Applications, 2009  
Advanced Income Capitalization, 2009  
Advanced Sales Comparison and Cost Approaches, 2008  
Report Writing and Valuation Analysis, 2008  
Office Building Valuation: A Contemporary Perspective, 2007



APPRAISER QUALIFICATIONS AND LICENSE



## APPRAISER QUALIFICATIONS OF ANDREW SPERLING

State-certified General Real Estate Appraiser, RZ 4177



### Andrew Sperling

Aucamp, Dellenback & Whitney  
1900 NW Corporate Blvd, Suite 215E  
Boca Raton, FL 33431

[andrew@adw-appraisers.com](mailto:andrew@adw-appraisers.com)  
561-609-2885

### Professional Experience

Florida State-certified General Real Estate Appraiser, RZ 4177

### Activities and Affiliations

Florida State University – Real Estate Society Mentorship Program

### Work Experience

September 2017 - Present

Staff Appraiser, Aucamp Dellenback & Whitney  
Boca Raton, FL  
Commercial Appraiser

### Education

Florida State University - FL

Bachelor of Science, Business Administration, Finance, 2017

Bachelor of Science, Real Estate, 2017

### Appraisal Courses:

USPAP (Uniform Standards of Professional Appraisal Practice) Update, 2022 - 2023

Florida State Law for Real Estate Appraisers, 2022

Market Disturbances-Appraisals in Atypical Markets and Cycles, 2022

Intermediate Income Approach Case Studies for Commercial Appraisers, 2022

General Appraiser Income Approach, 2020

Commercial Land and Site Valuation, 2020

Basic Appraisal Principles, 2017


Basic Appraisal Procedures, 2017

Residential Report Writing, 2017

Financial Statistics and Valuation Modeling, 2017



APPRAISER QUALIFICATIONS AND LICENSE



Ron DeSantis, Governor

Melanie S. Griffin, Secretary



**STATE OF FLORIDA**  
**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**FLORIDA REAL ESTATE APPRAISAL BD**

THE CERTIFIED GENERAL APPRAISER HEREIN IS CERTIFIED UNDER THE  
PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

**SPERLING, ANDREW WILLIAM**

1900 NW CORPORATE BLVD  
BOCA RATON FL 33431

**LICENSE NUMBER: RZ4177**

**EXPIRATION DATE: NOVEMBER 30, 2024**

Always verify licenses online at [MyFloridaLicense.com](https://MyFloridaLicense.com)



Do not alter this document in any form.

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**EXHIBIT F: 125 WORTH AVENUE DRAINAGE STATEMENT**





**KESHAVARZ & ASSOCIATES**  
Civil Engineers – Land Surveyors

Drainage Report for:  
**125 Worth Avenue, Palm Beach**

**Location:**

The 0.79 acre project site is located within The Town of Palm Beach, Section 26, Township 43 South, Range 43 East. The site is located on the north side of Worth Avenue (125 Worth Avenue) approximately 225' west of South Ocean Boulevard.

**FEMA Flood Data:**

The project site is located within flood zone "X" in accordance with of the Flood Insurance Rate Map, latest revision October 1, 2017, Community-Panel Number 12099C 0583, Flood Zone "X" is defined as an area of minimal flood hazard.

**Existing Conditions:**

The site is currently developed with existing parking areas (underground, covered and at grade) and an existing building containing office / retail space. There are existing water and drainage system connections to the infrastructure along Worth Avenue and a sewer connection to the Town's gravity sewer system within the utility easement along the rear property line. There are two driveway connections to Worth Avenue for access to the site. The limits of the 2-level underground parking garage on all sides is approximately 5' from the property line.

The current site was developed in 1974 and construction plans for the site infrastructure have been obtained from Town records and have been reviewed relative to the original drainage system design. The original construction plans do not have any onsite retention/detention facilities with 3 direct connections to the Worth Avenue drainage system, which has been confirmed to the best of our ability during field explorations of the site.

**Proposed Improvements:**

The proposed project includes the renovation of portions of the office/retail space. The project also includes expanding the above ground building footprint above the subsurface parking garage. The proposed project will not increase surface water runoff from the site. The existing site has several limitations that do not allow for the construction of added retention/detention facilities in that the existing subsurface structure is within 5' of the property line where existing landscaping and utilities must be maintained for this site and the surrounding sites. The proposed drainage system for the expansion of the site will be designed to utilize the originally designed and installed drainage system.

Randy Wertepny, P.E.  
Keshavarz & Associates  
PE # 72504

**EXHIBIT G: 125 WORTH AVENUE REVITALIZATION  
COST ESTIMATE**



December 27, 2022

Mr. Wayne Bergman,  
MCP, LEED-AP  
Director, Planning,  
Zoning & Building  
Department

Town of Palm Beach  
360 South County Road  
Palm Beach, FL 33480

**GILBANE**  
**CORE VALUES:**

INTEGRITY

TOUGHMINDEDNESS

TEAMWORK

DEDICATION TO  
EXCELLENCE

LOYALTY

DISCIPLINE

CARING

ENTREPRENEURSHIP

RE: 125 Worth Avenue Revitalization Plans - Revitalization Improvements Cost Estimate

**Dear Mr. Bergman,**

We hope that this letter finds you safe and well. We have been retained by Frisbie Group as part of their team working on the proposed revitalization plans for Worth Avenue. We have reviewed the proposed plans in great detail in order to provide preliminary cost estimates for the revitalization of 125 Worth Avenue.

Frisbie Group plans to use the Special Allowances outlined in the Worth Avenue Design Guidelines. For the purpose of determining eligibility for these Special Allowances, the proposed revitalization must qualify as a "Substantial Exterior Renovation or Restoration" which is defined as improvements costing 15% or more of the appraised value of the structure.

Frisbie Group has retained a separate firm to appraise the building and that appraisal is contained in the 125 Worth Avenue Revitalization Plan Application at the Town of Palm Beach.

Following our detailed review of the aforementioned plans, we estimate the planned improvements to be valued at a minimum of \$32,100,000.

If you have any questions of our team, please feel free to contact Russell Anderson Randerson2@GilbaneCo.com or 954.818.2569. In advance, thank you for your time in this matter.

Sincerely,

Thomas Thrasher  
Senior Vice President

**EXHIBIT H: 125 WORTH AVENUE ADDITIONAL CONCURRENCY:  
WATER, WASTEWATER, STORMWATER, SOLID WASTE**

Tuesday, December 27, 2022 at 09:47:37 Eastern Standard Time

**Subject:** RE: 125 Worth Avenue - Concurrency Determination  
**Date:** Tuesday, December 27, 2022 at 8:43:39 AM Eastern Standard Time  
**From:** Randy Wertepny  
**To:** Patricia Strayer  
**CC:** Josh Martin, Deborah L. Fulgenzi, Craig Hauschild, Mark Williams  
**Attachments:** 2019-12-11 - Keshavarz Assoc. - 125 Worth Ave.pdf, Concurrency Request Letter.pdf, Wastewater - Solid Waste Demand.pdf, Drainage Statement.pdf, Conceptual Eng Plans.pdf

Good morning Patricia,

The owner of the 125 Worth Avenue is in the ARCOM process for onsite renovations and building expansion. The owner previously obtained concurrency with the Town in 2019, please see attached letter, but ultimately did not receive approval from the Town for a mixed use (residential and commercial). The owner is now requesting concurrency for an increase in office / retail use for the site with no changes in the current use. Please see the attached concurrency request letter, wastewater and solid waste demand, conceptual engineering plans and drainage statement for the project.

Please let us know if you have any questions or need additional information.

Sincerely,

**Randy Wertepny**

**From:** Patricia Strayer <PStrayer@TownofPalmBeach.com>  
**Sent:** Wednesday, December 11, 2019 4:25 PM  
**To:** Joan Sopczak <joan@keshavarz.com>  
**Cc:** Randy Wertepny <randy@keshavarz.com>; Mark Williams <mark@keshavarz.com>; Paul Castro <PCastro@TownofPalmBeach.com>  
**Subject:** RE: 125 Worth Avenue - Concurrency Determination

Please find attached the concurrency letter for 125 Worth Avenue.

*Patricia*

Patricia Strayer, PE  
Town Engineer

Town of Palm Beach  
Public Works Department  
951 Okeechobee Road  
West Palm Beach, FL 33401  
(O) 561.227.7056  
(C) 561.339.7309

Please be advised that under Florida law, e-mails and e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact the Town of Palm Beach by phone at (561) 838-5400, or in writing: 360 S. County RD, Palm Beach, FL 33480.

Tuesday, December 27, 2022 at 09:56:25 Eastern Standard Time

**Subject:** RE: 125 Worth Avenue  
**Date:** Tuesday, December 27, 2022 at 8:48:08 AM Eastern Standard Time  
**From:** Rick Rossano  
**To:** Randy Wertepny  
**CC:** Josh Martin, Deborah L. Fulgenzi, Mark Williams, Debra Grayson, Vincent Noel  
**Attachments:** image001.png, Water Demand.pdf, City of WPB Concurrency letter.pdf, 125 Worth Site Plan.pdf

Hi Randy – yes, it's been nice, thanks. Hope you are enjoying the break as well.

Deb, could you please prepare an LOA and invoice for the subject request?

Thanks,

Rick Rossano  
Senior Project Coordinator  
City of WPB Engineering Services  
Ofc: (561) 494-1098  
Cell: (561) 246-9525  
Fax: (561) 494-1116

PLEASE NOTE: We are pleased to announce that Linda Quiñones-Cintrón has joined our team as Project Coordinator. Please include her in future correspondence, her contact info is [LQuinones@WPB.org](mailto:LQuinones@WPB.org), 561-494-1085.

Reminder: When emailing regarding Developer projects, please include project name and permit number (E-XXXXXXX, or Z-XXXXXXX). For Building Dept. permits, include 8 digit permit number.

Also, please always provide Developer submittals and resubmittals in both hard copy and digital formats (pdf, flash drive, disc or link). Use the drop box inside the first floor front door of City Hall marked Engineering Drop Box, and email before doing so to coordinate receipt of documents.

Online links for Engineering Forms, Publications and Standard Details:  
<https://www.wpb.org/government/engineering/engineering-forms-permits-and-applications>

24 HR. CENTRAL OPS DISPATCH (Emergency response for Public Utilities, Public Works, Parks, etc.) 561-822-2210

**From:** Randy Wertepny <randy@keshavarz.com>  
**Sent:** Tuesday, December 27, 2022 8:32 AM  
**To:** Rick Rossano <rrossano@wpb.org>  
**Cc:** Josh Martin <josh.martin@frisbiegroup.com>; Deborah L. Fulgenzi <deborah@keshavarz.com>; Mark Williams <mark@keshavarz.com>  
**Subject:** 125 Worth Avenue

Good morning Rick,



I hope you are enjoying the holidays. The owner of the property is in the planning stages for a proposed renovation to construct a building addition of the property located at 125 Worth Avenue, Palm Beach. Please see the attached Water Demand Calculations for the proposed project along with a copy of the current site plan as well as the previous concurrency letter received from the City for this project.

Note the following proposed uses related to this project.

Existing: 52,427 of Retail / Office  
Proposed: 73,221 SF of Retail / Office

Please provide a concurrency letter indicating that the City has adequate capacity to provide water service as described in the calculations and confirm the City's review fee for this request.

Should you require any additional information concerning this matter, please feel free to contact this office.

Sincerely,

**Randy Wertepny, P.E.**

Vice President of Engineering



711 North Dixie Highway, Suite 201  
West Palm Beach, Florida 33401  
Tel: (561) 689-8600  
Mob: (561) 329-8762  
[Randy@keshavarz.com](mailto:Randy@keshavarz.com)  
[Keshavarz.com](http://Keshavarz.com)

*This email may contain confidential and privileged information for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.*

**GO GREEN - Please do consider the environment before printing this email. It takes an average of 5 liters of water to produce an 8.5" x11" sheet of paper.**



# TOWN OF PALM BEACH

Public Works Department

December 11, 2019

Ms. Randy Wertepny, P.E.  
Keshavarz & Associates, Inc.  
711 N Dixie Highway, Suite 201  
West Palm Beach, FL 33401

**RE: Water, Sewer, Solid Waste, and Drainage Concurrency: 125 Worth Avenue, Palm Beach, Florida**

Dear Ms. Wertepny:

Subsequent to receiving the attached documentation, the Town has confirmed that there is sufficient equipment and resources to provide the required additional services at this location. Therefore, please allow this letter to serve as Acknowledgement of Concurrency from the Town of Palm Beach for sanitary sewer and solid waste on the above reference project.

In addition, we acknowledge receipt of the letter from the City of West Palm Beach indicating water supply capacity for this project.

If any additional information is needed, please do not hesitate to contact me.

Sincerely,

Patricia K. Strayer, P.E.  
Town Engineer

PKS:lm  
Attachment

cc: H. Paul Brazil, P.E., Public Works Director  
Paul Castro, Zoning Administrator  
Public Works File



Town of Palm Beach Public Works Department  
Ms. Patricia Strayer P.E., Town Engineer  
360 South County Road  
Palm Beach, FL 33401

December 10<sup>th</sup>, 2019

K&A Project No. 19-1300

Attention: Ms. Patricia Strayer, P.E., Town Engineer

Reference: 125 Worth Avenue, Palm Beach. Proposed renovation to construct a building addition and use changes  
Concurrency Determination for Water and Sewer

Dear Ms. Strayer:

Please find the following information attached for review for Concurrency Determination for Water and Sewer:

1. Solid Waste Comparative Analysis of Impacts
2. Wastewater Comparative Analysis of Impacts
3. Drainage statement

Concurrency Determination for Water Service was submitted to the City of West Palm Beach. We will provide a copy of their response via email once received.

The owner of this property is in the planning stages for a proposed renovation to construct a building addition on the eastern side of the property located at 125 Worth Avenue, Palm Beach.

Please provide a concurrency letter indicating that the Town has adequate capacity to provide the services described above.

Should you require any additional information concerning this matter, please feel free to contact this office.

Sincerely,  
KESHAVARZ & ASSOCIATES, INC.

Randy Wertepny, P.E.  
Vice President of Engineering

Enclosures

p:\19-1300 125 worth ave\concurrency\topb 125 worth avenue concurrency request.docx  
711 N Dixie Highway, Suite 201 • West Palm Beach, FL 33401 • 561-689-8600 • [www.keshavarz.com](http://www.keshavarz.com)



December 3, 2019  
Project # 19-1300

**125 WORTH AVENUE, PALM BEACH, FL**  
**Comparative Analysis of Impacts**

**SOLID WASTE**

<b>Service Provider</b>	Town of Palm Beach (hauler), Palm Beach County Solid Waste Authority (disposal site)
<b>Nearest Solid Waste Facility</b>	Palm Beach County Solid Waste Authority located on N. Jog Road, south of State Road 710, approximately 11 miles northwest of the project site.
<b>Level of Service</b>	Per Comprehensive Plan
<b>Current Demand</b>	Office: $49,401 \text{ sf} * 0.69 \text{ lbs} / 100 \text{ sf} / \text{day} = 340.9 \text{ lbs/day}$ <u>TOTAL CURRENT DEMAND = 341 LBS/DAY</u>
<b>Proposed Demand</b>	Office: $49,401 \text{ sf} * 0.69 \text{ lbs} / 100 \text{ sf} / \text{day} = 344 \text{ lbs/day}$ Residential: $4 \text{ units} * 1.81 \text{ cap/unit} * 2.55 \text{ lbs/person/day} = 18.5 \text{ lbs/day}$ <u>TOTAL PROPOSED DEMAND = 363 LBS/DAY</u>
<b>Change</b>	<u>INCREASE = 22 LBS/DAY (0.24 TONS/YEAR)</u>
<b>Proposed Pickup Plan</b>	<u>All solid waste pickup will be on Worth Avenue. Recycling is to be collected by the Town using SWA-supplied 95-gallon containers, collected street side. The waste and/or recycling produced by the office space and residential apartments will be collected and they will be brought to the street for pickup.</u>

References: 1. Town of Palm Beach Comprehensive Plan  
2. Palm Beach County Solid Waste Authority, Commercial Waste Generation Schedule





December 3, 2019  
Project # 19-1300

**125 WORTH AVENUE, PALM BEACH, FL**  
**Comparative Analysis of Impacts**

<b>WASTEWATER</b>	
<b>Sewer Providers</b>	Town of Palm Beach (gravity sewer / force main system) City of West Palm Beach Wastewater Treatment Plant (treatment)
<b>Nearest Sewer Facility</b>	There is an existing 8" gravity sewer main adjacent to the south side of the site within Worth Avenue right of way and there is an existing sewer main along the north side of the site within an existing utility easement.
<b>Proposed Facilities</b>	It is anticipated that development of this site will utilize the existing gravity sewer service connection to the existing gravity main within the easement along the north side of the project site. The capacity of the existing sewer service will be evaluated and compared to the proposed project's wastewater generation to confirm that the existing sewer service has adequate capacity.
<b>Level of Service</b>	Per Comprehensive Plan
<b>Current Demand</b>	Office/Retail: $49,401 \text{ sf} \times 0.15 \text{ gpd / sf} = 7,410 \text{ gpd}$ <u>TOTAL CURRENT DEMAND = 7,410 GPD</u>
<b>Proposed Demand</b>	Office/Retail: $49,877 \text{ sf} @ 0.15 \text{ gpd / sf} = 7,482 \text{ gpd}$ Residential Apartments: $4 \text{ units} \times 350 \text{ gpd} = 1,400 \text{ gpd}$ <u>TOTAL PROPOSED DEMAND = 8,882 GPD</u>
<b>Change</b>	<u>INCREASE = 1,471 GPD</u>

- References:
1. Town of Palm Beach Comprehensive Plan
  2. Architectural Graphic Standards
  3. Florida Administrative Code 64E-6 Standards for Sewage Treatment & Disposal Systems.

P:\19-1300 125 Worth Ave\KA ENG\Concurrency Records and Files\Calcs\Pre Post Comparative Analysis Solid Waste Water Wastewater.doc

711 North Dixie Highway, Suite 201, West Palm Beach, FL 33401      phone:(561) 689-8600



**KESHAVARZ & ASSOCIATES**  
Civil Engineers – Land Surveyors

Drainage Report for:  
**125 Worth Avenue, Palm Beach**

**Location:**

The 0.79 acre project site is located within The Town of Palm Beach, Section 26, Township 43 South, Range 43 East. The site is located on the north side of Worth Avenue (125 Worth Avenue) approximately 225' west of South Ocean Boulevard.

**FEMA Flood Data:**

The project site is located within flood zone "X" in accordance with of the Flood Insurance Rate Map, latest revision October 1, 2017, Community-Panel Number 12099C 0583, Flood Zone "X" is defined as an area of minimal flood hazard.

**Existing Conditions:**

The site is currently developed with existing parking areas (underground, covered and at grade) and an existing building containing office / retail space. There are existing water and drainage system connections to the infrastructure along Worth Avenue and a sewer connection to the Town's gravity sewer system within the utility easement along the rear property line. There are two driveway connections to Worth Avenue for access to the site. The limits of the 2-level underground parking garage on all sides is approximately 5' from the property line.

The current site was developed in 1974 and construction plans for the site infrastructure have been obtained from Town records and have been reviewed relative to the original drainage system design. The original construction plans do not have any onsite retention/detention facilities with 3 direct connections to the Worth Avenue drainage system, which has been confirmed to the best of our ability during field explorations of the site.

**Proposed Improvements:**

The proposed project includes the renovation of portions of the office/retail space into 4 residential units. The project also includes expanding the above ground building footprint east, replacing the surface parking, above the subsurface parking garage. The proposed project will not increase surface water runoff from the site. The existing site has several limitations that do not allow for the construction of added retention/detention facilities in that the existing subsurface structure is within 5' of the property line where existing landscaping and utilities must be maintained for this site and the surrounding sites. The proposed drainage system for the expansion of the site will be designed to utilize the originally designed and installed drainage system.



Randy Wertepny, P.E.  
Keshavarz & Associates  
PE # 72504





## WEST PALM BEACH

Engineering Services

December 11, 2019

Mr. Randy Wertepny  
**Keshavarz & Associates**  
711 N. Dixie Highway, Suite 201  
West Palm Beach, FL 33401  
Tel: [561-689-8600](tel:561-689-8600)  
Email: [randy@keshavarz.com](mailto:randy@keshavarz.com)

**RE: E19120011-125 Worth Ave., Palm Beach-ENG LOA - ENG LOA**  
**PCN: 50-43-43-23-05-016-0380**

Dear Mr. Wertepny:

Thank you for the request and interest in being served by the City of West Palm Beach, Public Utilities Department. In response to your request for verification of service availability for the subject property; please be advised of the following:

**Water Service:** The City has sufficient water plant capacity to serve this property.

**Wastewater Service:** The City has sufficient wastewater plant capacity to serve this property.

**Stormwater:** The design must meet the South Florida Water Management District (SFWMD) criteria and may also be required to obtain an Environmental Resource Permit from SFWMD.

**Solid Waste Collection:** The City will be able to supply solid waste collection to serve this property.

This letter of service availability does not give approval of the development or service connections. The City of West Palm Beach Engineering Services Department still requires the review and approval of the plans for the actual service connections to be made, at the owner's expense.

Any required upgrades to City infrastructure will be determined at the time of design. The developer will assume all Right-of-Way utility improvements and upgrades associated with this project. The applicable capacity charges, installation charges, deposits, and other normal fees charged by the Public Utilities Department or Public Works Department shall be assessed at the time of request for permits/review.

We encourage you to contact us to discuss options for connecting the proposed project to our existing system. Please feel free to contact me at (561)494-1085 or [Mgonzalez@wpb.org](mailto:Mgonzalez@wpb.org)

Sincerely,

Manuel J. Gonzalez  
Senior Project Coordinator  
Engineering Division

City's TTY Phone: 800-955-8771



YOUR PARTNER FOR  
SOLID WASTE SOLUTIONS

January 8, 2019

Town of Palm Beach  
360 S. County Rd.  
Palm Beach, FL 33480

Subject: Availability of Solid Waste Disposal Capacity

Greetings:

The Solid Waste Authority of Palm Beach County (Authority) hereby provides certification that the Authority has disposal capacity available to accommodate the solid waste generation for the municipalities and unincorporated county for the coming year of 2019. This letter also constitutes notification of sufficient capacity for concurrency management and comprehensive planning purposes. Capacity is available for both the coming year, and the five and ten year planning periods that may be specified in local comprehensive plans.

As of September 30, 2018, the Authority's Landfill located at the Palm Beach Renewable Energy Park has an estimated 24,681,879 cubic yards of landfill capacity remaining. Based upon the existing Palm Beach County population, the most recently available population growth rates published by the University of Florida Bureau of Economic and Business and Research (BEBR), medium projection, and projected rates of solid waste generation, waste reduction and recycling, the Authority forecasts that capacity will be available at the existing landfill through approximately the year 2049.

The Authority continues to pursue options to increase the life of its existing facilities and to provide for all of the County's current and future disposal and recycling needs. As part of its responsibility, the Authority is providing this annual statement of disposal capacity, using the most current BEBR projections available. Please provide copies of this letter to your plan review and concurrency management staff. If you have any questions or I can be of further assistance, please do not hesitate to contact me.

Very truly yours,

Mary Beth Morrison  
Director of Environmental Programs



## WEST PALM BEACH

Engineering Services

December 11, 2019

Mr. Randy Wertepny  
**Keshavarz & Associates**  
711 N. Dixie Highway, Suite 201  
West Palm Beach, FL 33401  
Tel: [561-689-8600](tel:561-689-8600)  
Email: [randy@keshavarz.com](mailto:randy@keshavarz.com)

**RE: E19120011-125 Worth Ave., Palm Beach-ENG LOA - ENG LOA**  
**PCN: 50-43-43-23-05-016-0380**

Dear Mr. Wertepny:

Thank you for the request and interest in being served by the City of West Palm Beach, Public Utilities Department. In response to your request for verification of service availability for the subject property; please be advised of the following:

**Water Service:** The City has sufficient water plant capacity to serve this property.

**Wastewater Service:** The City has sufficient wastewater plant capacity to serve this property.

**Stormwater:** The design must meet the South Florida Water Management District (SFWMD) criteria and may also be required to obtain an Environmental Resource Permit from SFWMD.

**Solid Waste Collection:** The City will be able to supply solid waste collection to serve this property.

This letter of service availability does not give approval of the development or service connections. The City of West Palm Beach Engineering Services Department still requires the review and approval of the plans for the actual service connections to be made, at the owner's expense.

Any required upgrades to City infrastructure will be determined at the time of design. The developer will assume all Right-of-Way utility improvements and upgrades associated with this project. The applicable capacity charges, installation charges, deposits, and other normal fees charged by the Public Utilities Department or Public Works Department shall be assessed at the time of request for permits/review.

We encourage you to contact us to discuss options for connecting the proposed project to our existing system. Please feel free to contact me at (561)494-1085 or [Mgonzalez@wpb.org](mailto:Mgonzalez@wpb.org)

Sincerely,

Manuel J. Gonzalez  
Senior Project Coordinator  
Engineering Division

City's TTY Phone: 800-955-8771



Town of Palm Beach Public Works Department  
Ms. Patricia Strayer P.E., Town Engineer  
360 South County Road  
Palm Beach, FL 33401

December 27<sup>th</sup>, 2022

K&A Project No. 19-1300

Attention: Ms. Patricia Strayer, P.E., Town Engineer

Reference: 125 Worth Avenue, Palm Beach. Proposed renovation to construct a building  
addition  
Concurrency Determination for Water and Sewer

Dear Ms. Strayer:

Please find the following information attached for review for Concurrency Determination for  
Water and Sewer:

1. Solid Waste Comparative Analysis of Impacts
2. Wastewater Comparative Analysis of Impacts
3. Drainage statement

Concurrency Determination for Water Service was submitted to the City of West Palm Beach.  
We will provide a copy of their response via email once received.

The owner of this property is in the planning stages for a proposed renovation to construct a  
building addition on the property located at 125 Worth Avenue, Palm Beach.

Please provide a concurrency letter indicating that the Town has adequate capacity to provide the  
services described above.

Should you require any additional information concerning this matter, please feel free to contact  
this office.

Sincerely,  
KESHAVARZ & ASSOCIATES, INC.

Randy Wertepny, P.E.  
Vice President of Engineering

Enclosures

p:\19-1300 125 worth ave\concurrency\topb 125 worth avenue concurrency request.docx  
711 N Dixie Highway, Suite 201 • West Palm Beach, FL 33401 • 561-689-8600 • [www.keshavarz.com](http://www.keshavarz.com)





**KESHAVARZ & ASSOCIATES**  
Civil Engineers – Land Surveyors

Drainage Report for:  
**125 Worth Avenue, Palm Beach**

**Location:**

The 0.79 acre project site is located within The Town of Palm Beach, Section 26, Township 43 South, Range 43 East. The site is located on the north side of Worth Avenue (125 Worth Avenue) approximately 225' west of South Ocean Boulevard.

**FEMA Flood Data:**

The project site is located within flood zone "X" in accordance with of the Flood Insurance Rate Map, latest revision October 1, 2017, Community-Panel Number 12099C 0583, Flood Zone "X" is defined as an area of minimal flood hazard.

**Existing Conditions:**

The site is currently developed with existing parking areas (underground, covered and at grade) and an existing building containing office / retail space. There are existing water and drainage system connections to the infrastructure along Worth Avenue and a sewer connection to the Town's gravity sewer system within the utility easement along the rear property line. There are two driveway connections to Worth Avenue for access to the site. The limits of the 2-level underground parking garage on all sides is approximately 5' from the property line.

The current site was developed in 1974 and construction plans for the site infrastructure have been obtained from Town records and have been reviewed relative to the original drainage system design. The original construction plans do not have any onsite retention/detention facilities with 3 direct connections to the Worth Avenue drainage system, which has been confirmed to the best of our ability during field explorations of the site.

**Proposed Improvements:**

The proposed project includes the renovation of portions of the office/retail space. The project also includes expanding the above ground building footprint above the subsurface parking garage. The proposed project will not increase surface water runoff from the site. The existing site has several limitations that do not allow for the construction of added retention/detention facilities in that the existing subsurface structure is within 5' of the property line where existing landscaping and utilities must be maintained for this site and the surrounding sites. The proposed drainage system for the expansion of the site will be designed to utilize the originally designed and installed drainage system.

Randy Wertepny, P.E.  
Keshavarz & Associates  
PE # 72504



December 27, 2022  
Project # 19-1300

**125 WORTH AVENUE, PALM BEACH, FL**  
**Comparative Analysis of Impacts**

**WASTEWATER**

<b>Sewer Providers</b>	Town of Palm Beach (gravity sewer / force main system) City of West Palm Beach Wastewater Treatment Plant (treatment)
<b>Nearest Sewer Facility</b>	There is an existing 8" gravity sewer main adjacent to the south side of the site within Worth Avenue right of way and there is an existing sewer main along the north side of the site within an existing utility easement.
<b>Proposed Facilities</b>	It is anticipated that development of this site will utilize the existing gravity sewer service connection to the existing gravity main within the easement along the north side of the project site. The capacity of the existing sewer service will be evaluated and compared to the proposed project's wastewater generation to confirm that the existing sewer service has adequate capacity.
<b>Level of Service</b>	Per Comprehensive Plan
<b>Current Demand</b>	Office/Retail: 52,427 sf * 0.15 gpd / sf = 7,864 gpd <u>TOTAL CURRENT DEMAND = 7,864 GPD</u>
<b>Proposed Demand</b>	Office/Retail: 73,221 sf @ 0.15 gpd / sf = 10,983 gpd <u>TOTAL PROPOSED DEMAND = 10,983 GPD</u>
<b>Change</b>	<u>INCREASE = 3,119 GPD</u>

- References:
1. Town of Palm Beach Comprehensive Plan
  2. Architectural Graphic Standards
  3. Florida Administrative Code 64E-6 Standards for Sewage Treatment & Disposal Systems.

P:\19-1300 125 Worth Ave\KA ENG\Concurency Records and Files\Calcs\Pre Post Comparative Analysis Solid Waste Water Wastewater.doc

711 North Dixie Highway, Suite 201, West Palm Beach, FL 33401      phone:(561) 689-8600





November 17, 2022  
 Project # 19-1300

**125 WORTH AVENUE, PALM BEACH, FL**  
**Comparative Analysis of Impacts**

**SOLID WASTE**

<b>Service Provider</b>	Town of Palm Beach (hauler), Palm Beach County Solid Waste Authority (disposal site)
<b>Nearest Solid Waste Facility</b>	Palm Beach County Solid Waste Authority located on N. Jog Road, south of State Road 710, approximately 11 miles northwest of the project site.
<b>Level of Service</b>	Per Comprehensive Plan
<b>Current Demand</b>	Office/Retail: 52,427 sf * 0.69 lbs / 100 sf / day = 361.8 lbs/day <u>TOTAL CURRENT DEMAND = 362 LBS/DAY</u>
<b>Proposed Demand</b>	Office/Retail: 73,221 sf * 0.69 lbs / 100 sf / day = 505.2 lbs/day <u>TOTAL PROPOSED DEMAND = 505 LBS/DAY</u>
<b>Change</b>	<u>INCREASE = 143 LBS/DAY (26.2 TONS/YEAR)</u>
<b>Proposed Pickup Plan</b>	All solid waste pickup will be on Worth Avenue. <u>Recycling is to be collected by the Town using SWA-supplied 95-gallon containers, collected street side. The waste and/or recycling produced by the office space and retail will be collected and they will be brought to the street for pickup.</u>

References: 1. Town of Palm Beach Comprehensive Plan  
 2. Palm Beach County Solid Waste Authority, Commercial Waste Generation Schedule

P:\19-1300 125 Worth Ave\KA ENG\Concurency Records and Files\Calcs\Pre Post Comparative Analysis Solid Waste Water Wastewater.doc

711 North Dixie Highway, Suite 201, West Palm Beach, FL 33401 phone:(561) 689-8600

***KESHAVARZ & ASSOCIATES, INC.***

711 North Dixie Highway, Suite 200  
West Palm Beach, Florida 33401  
phone: (561) 689-8600  
fax: (561) 689-7476



**125 Worth Avenue**

**EXISTING WATER DEMAND CALCULATIONS**

	Quant.	Units	Rate/Ea (gpd)	Subtotal (gpd)	Subtotal (gpm)
<b>COMMERCIAL</b>					
Retail / Office	52,427	SF	0.15	7,864	5.46
<b>Subtotal (commercial)</b>				<b>7,864</b>	<b>5.46</b>

**SUMMARY** **7,864** **5.46**

**PROPOSED WATER DEMAND CALCULATIONS**

	Quant.	Units	Rate/Ea (gpd)	Subtotal (gpd)	Subtotal (gpm)
<b>COMMERCIAL</b>					
Retail / Office	73,221	SF	0.15	10,983	7.63
<b>Subtotal (commercial)</b>				<b>10,983</b>	<b>7.63</b>

**SUMMARY** **10,983** **7.63**

AVG DAY (GPM)      7.63 GPM  
PEAK FACTOR      2.50  
**MAX DAY (GPM)      19.07 GPM**



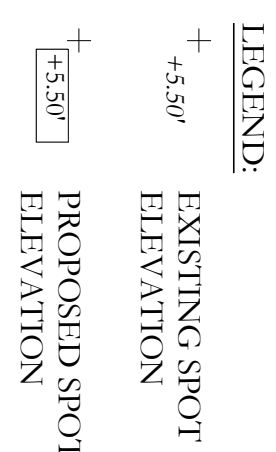












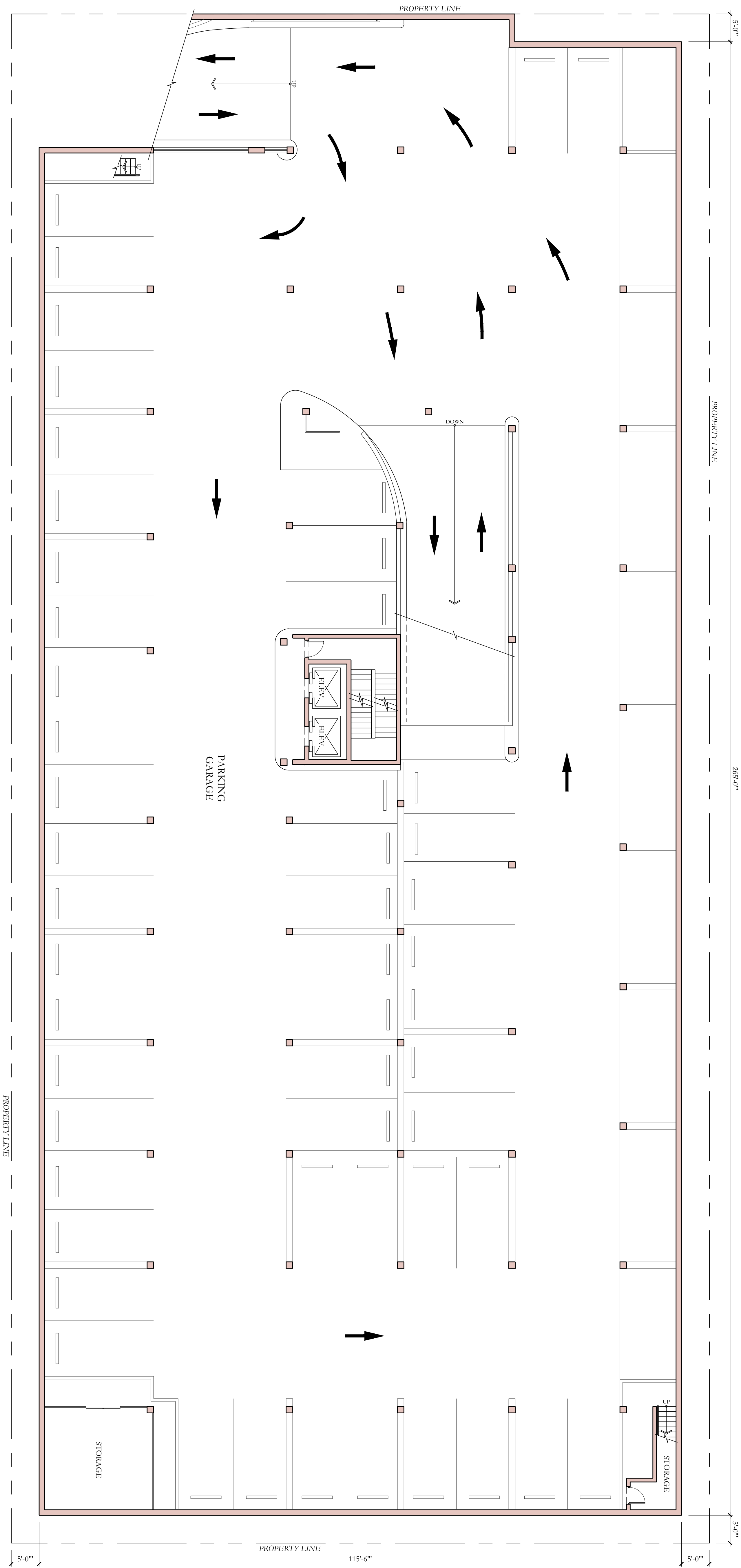
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NEW YORK - PALM BEACH

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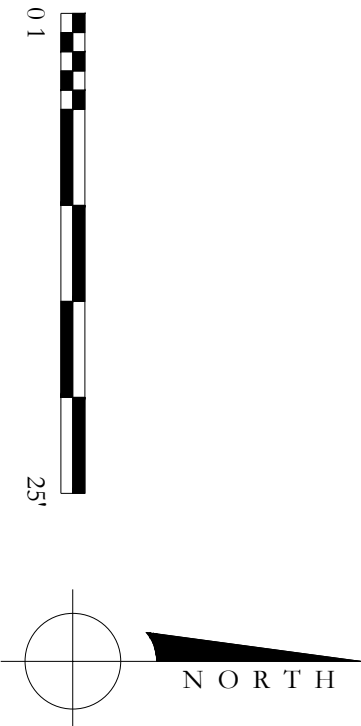
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214 BRAZILIAN AVENUE, PALM BEACH 33480  
TELEPHONE (561) 506-5891  
FAIRFAXANDSAMMONS.COM  
LICENSE NO. AA38009648

175





1 EXISTING BASEMENT FLOOR PLAN  
1"=10'-0"



NOTE: ELEVATIONS  
REFERENCED TO NAVD  
SURVEY ELEVATIONS

LEGEND:  
+5.50' EXISTING SPOT  
ELEVATION  
+5.50' PROPOSED SPOT  
ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM  
CASE #:  
ARC-22-XXX

ZONING  
CASE #:  
ZON-22-XXX

125 WORTH AVE.  
PALM BEACH, FLORIDA

SHEET TITLE  
EXISTING BASEMENT  
FLOOR PLAN

DATE NOV. 21, 2022	SHEET NO
SCALE 1" = 10'-0"	EX-101
BY CG	

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NOTE: ELEVATIONS  
REFERENCED TO NAVD  
SURVEY ELEVATIONS

LEGEND:  
+5.50' EXISTING SPOT ELEVATION  
+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM  
CASE #:  
ARC-22-XXX

ZONING  
CASE #:  
ZON-22-XXX

125 WORTH AVE.  
PALM BEACH, FLORIDA

SHEET TITLE  
EXISTING  
FIRST FLOOR PLAN

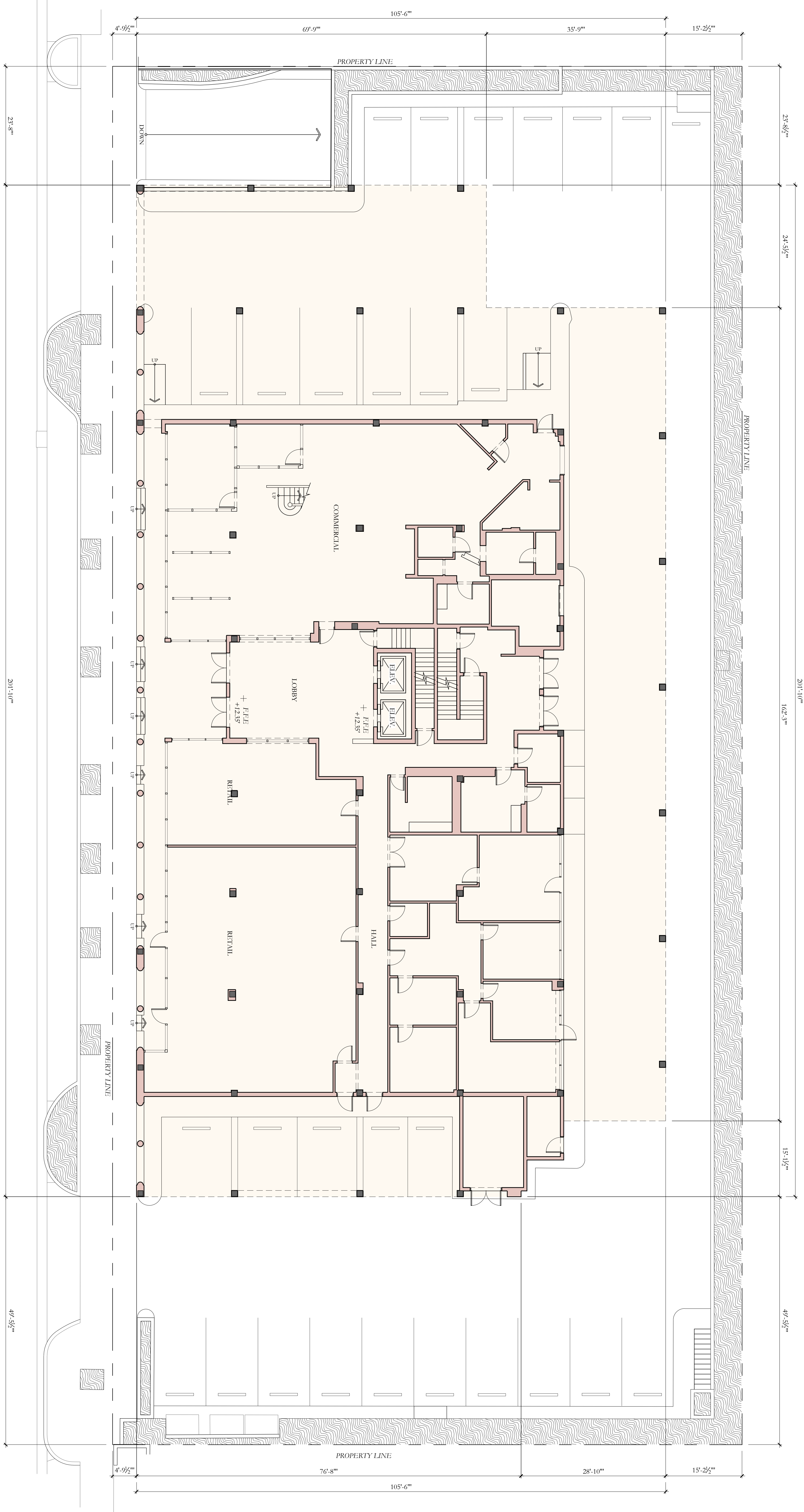
DATE NOV. 21, 2022	SHEET NO
SCALE 1" = 10'-0"	EX-102
BY CG	



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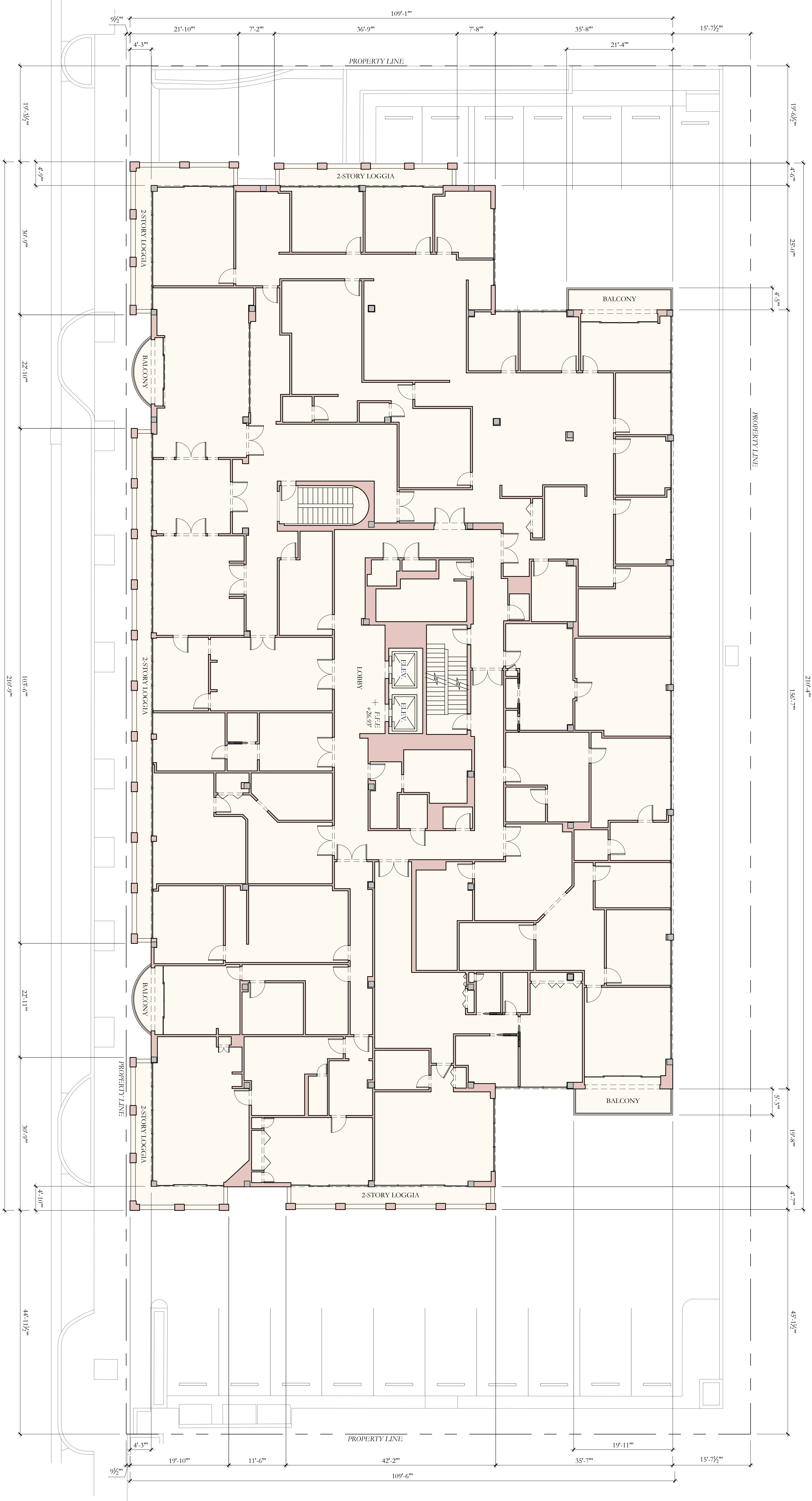
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1  
1"=10'-0"

EXISTING FIRST FLOOR PLAN



1  
EXISTING SECOND FLOOR PLAN  
1"=10'-0"

NOTE: ELEVATIONS  
REFERENCED TO NAVD  
SURVEY ELEVATIONS

LEGEND:  
+5.50'  
EXISTING SPOT  
ELEVATION  
+5.50'  
PROPOSED SPOT  
ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM  
CASE #:  
ARC-22-XXX

ZONING  
CASE #:  
ZON-22-XXX

125 WORTH AVE.  
PALM BEACH, FLORIDA

SHEET TITLE  
EXISTING  
SECOND FLOOR PLAN

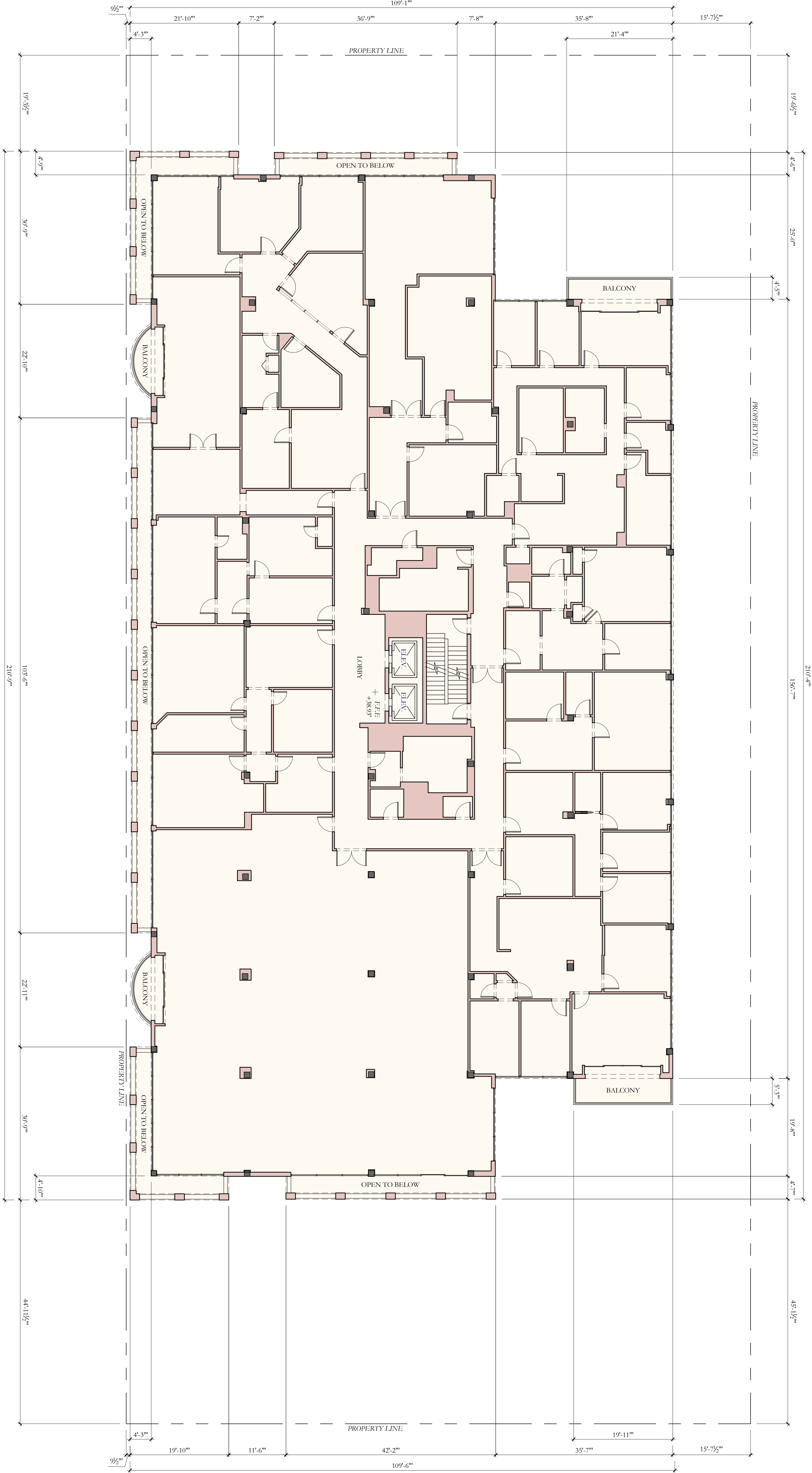
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NOV. 21, 2022  
SHEET NO.  
EX-103  
SCALE  
1" = 10'-0"  
BY  
CG



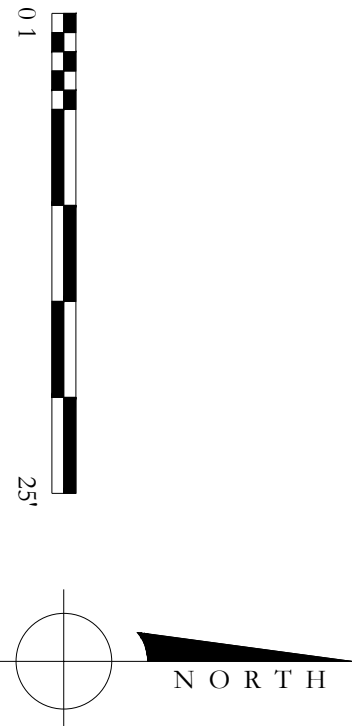
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1 EXISTING THIRD FLOOR PLAN  
1"=10'-0"



NOTE: ELEVATIONS  
REFERENCED TO NAVD  
SURVEY ELEVATIONS

LEGEND:  
+5.50' EXISTING SPOT  
ELEVATION  
+5.50' PROPOSED SPOT  
ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM  
CASE #:  
ARC-22-XXX

ZONING  
CASE #:  
ZON-22-XXX

125 WORTH AVE.  
PALM BEACH, FLORIDA

SHEET TITLE  
EXISTING  
THIRD FLOOR PLAN

DATE  
NOV. 21, 2022  
SHEET NO.  
EX-104  
SCALE  
1" = 10'-0"  
BY  
CG



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NOTE: ELEVATIONS  
REFERENCED TO NAVD  
SURVEY ELEVATIONS

LEGEND:  
+ EXISTING SPOT  
ELEVATION  
+5.50' PROPOSED SPOT  
ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM  
CASE #:  
ARC-22-XXX

ZONING  
CASE #:  
ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE  
EXISTING  
FOURTH FLOOR PLAN

DATE  
NOV. 21, 2022

SHEET NO

SCALE  
1" = 10'-0"

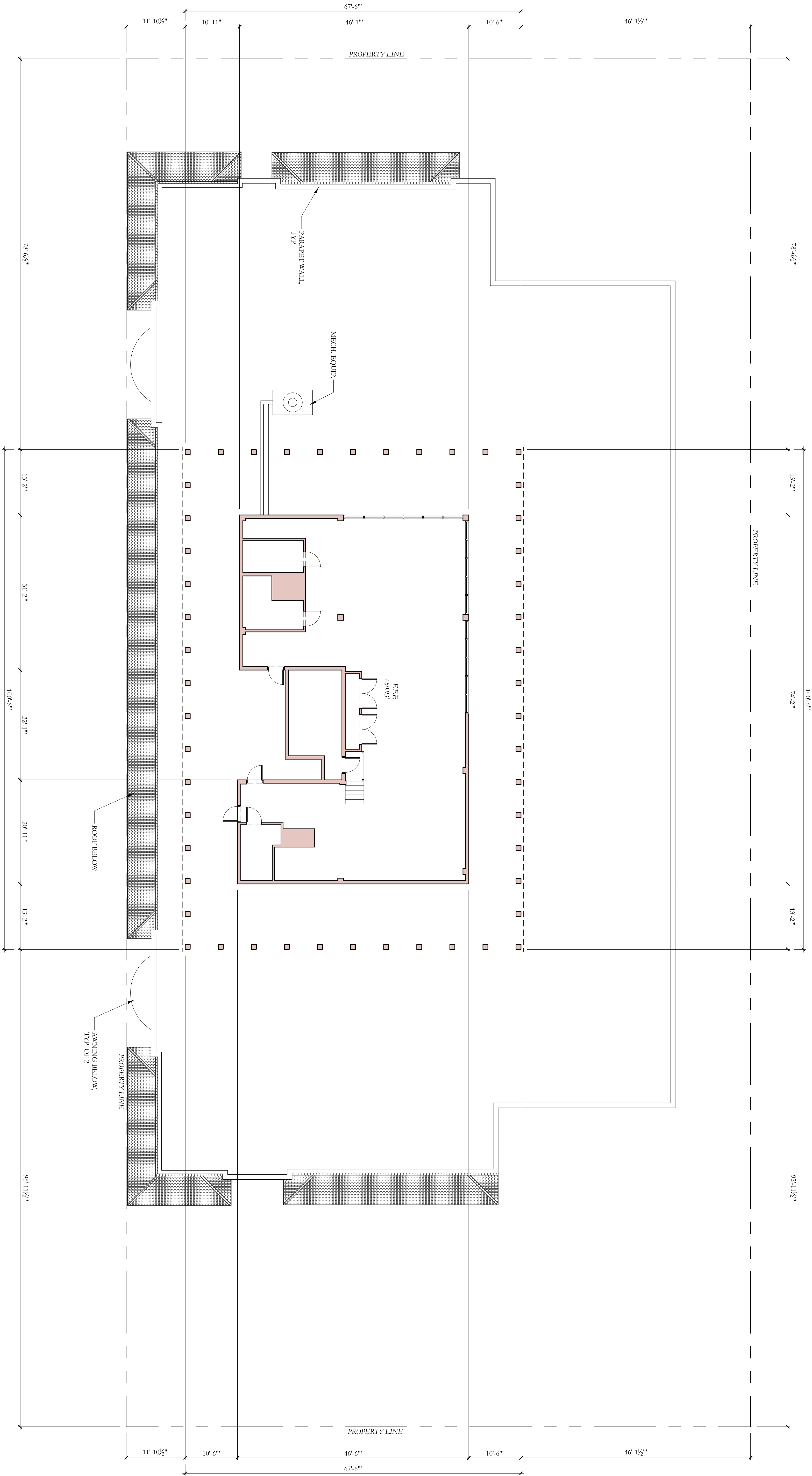
EX-105

BY  
CG

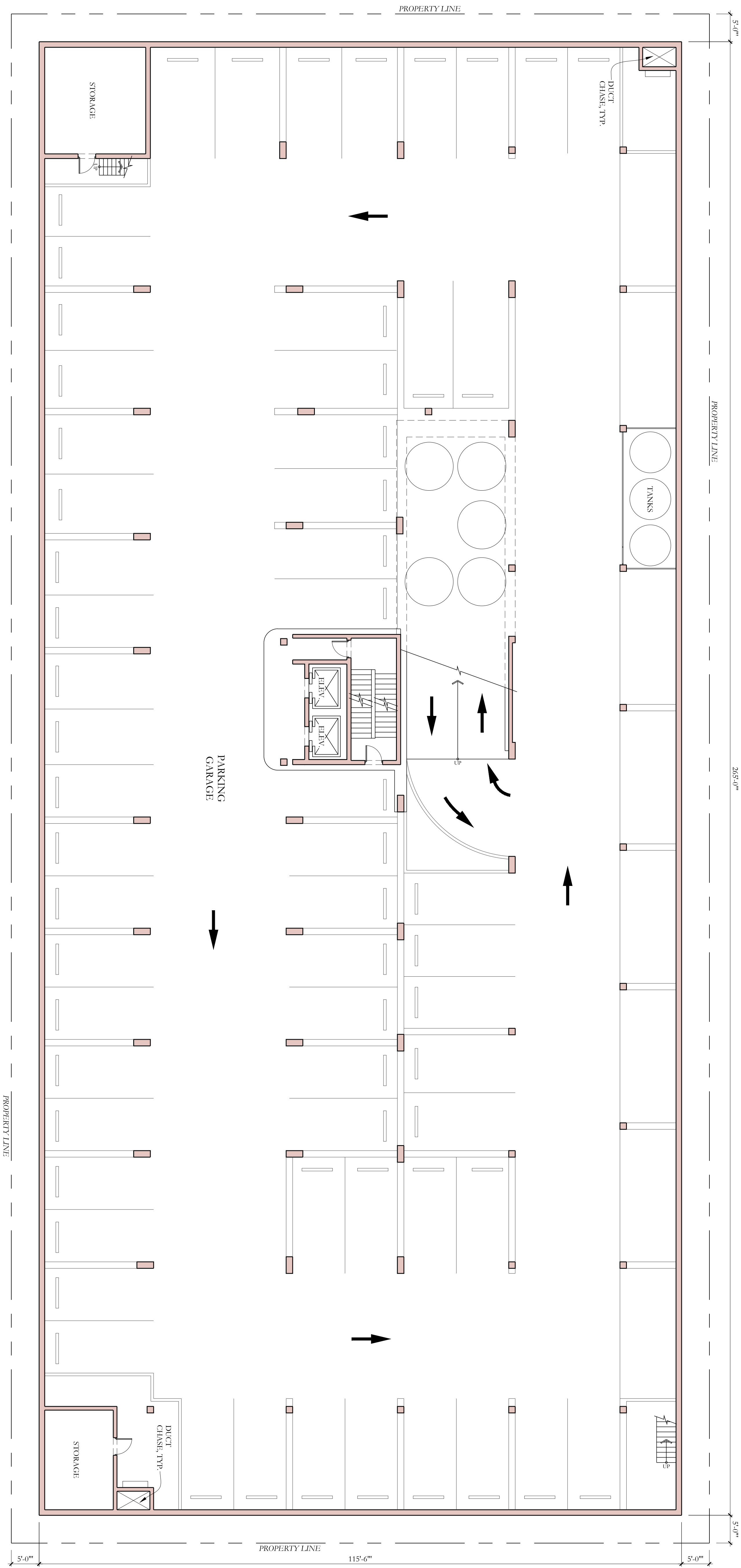


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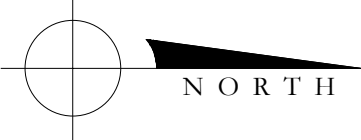


1  
EXISTING FOURTH FLOOR PLAN  
1"=10'-0"



1 PROPOSED SUB-BASEMENT FLOOR PLAN (NO CHANGE)

1"=10'-0"



NOTE: ELEVATIONS  
REFERENCED TO NAVD  
SURVEY ELEVATIONS

- LEGEND:
- +5.50' EXISTING SPOT ELEVATION
  - +5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM  
CASE #:  
ARC-22-XXX

ZONING  
CASE #:  
ZON-22-XXX

125 WORTH AVE.  
PALM BEACH, FLORIDA

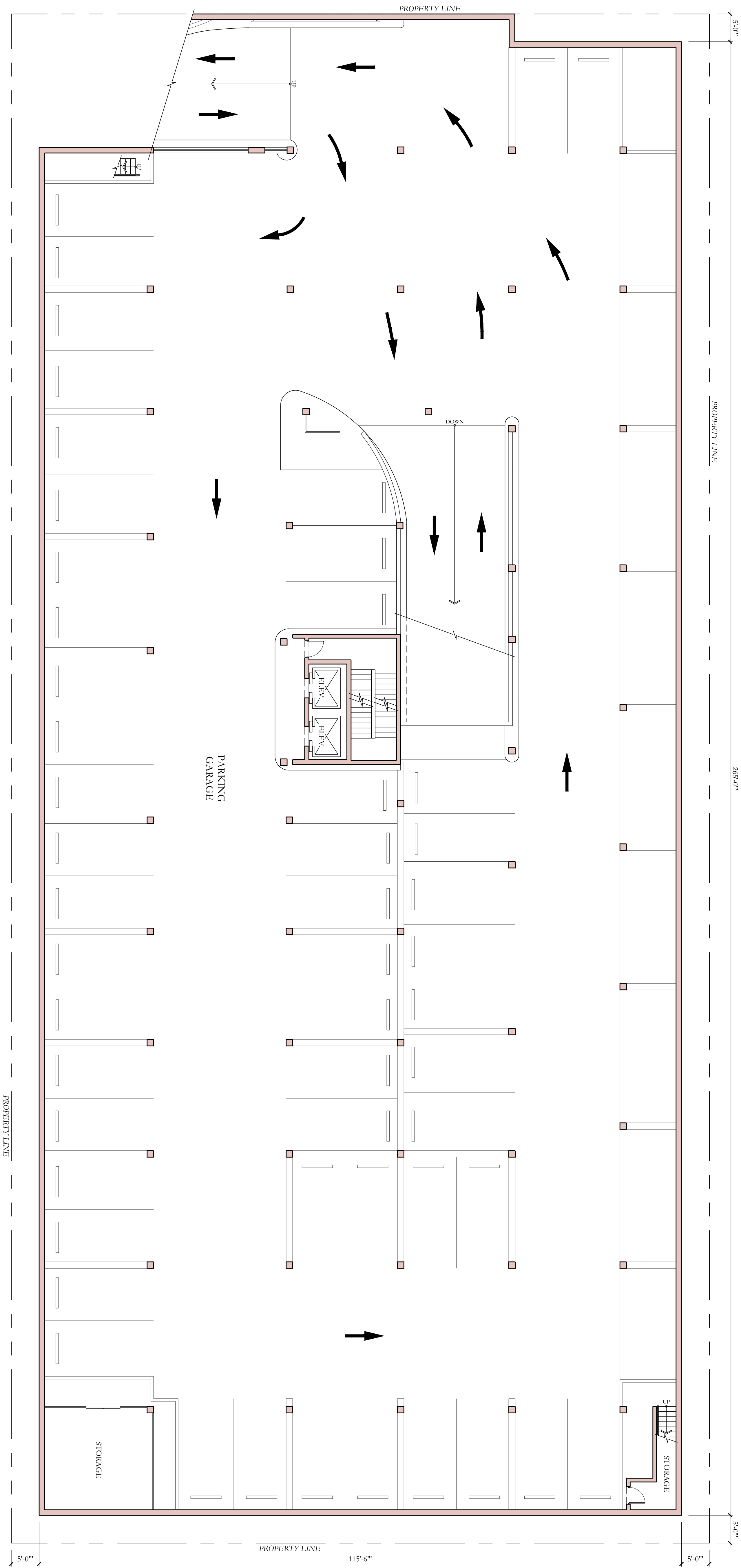
SHEET TITLE  
PROPOSED SUB-BASEMENT  
FLOOR PLAN

DATE	SHEET NO
NOV. 21, 2022	
SCALE	A-100
1" = 10'-0"	
BY	CG



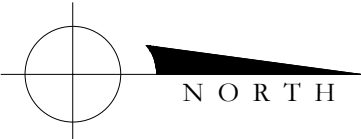
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1 PROPOSED BASEMENT FLOOR PLAN (NO CHANGE)

1"=10'-0"



NOTE: ELEVATIONS  
REFERENCED TO NAVD  
SURVEY ELEVATIONS

LEGEND:  
+5.50' EXISTING SPOT  
ELEVATION  
+5.50' PROPOSED SPOT  
ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM  
CASE #:  
ARC-22-XXX

ZONING  
CASE #:  
ZON-22-XXX

125 WORTH AVE.  
PALM BEACH, FLORIDA

SHEET TITLE  
PROPOSED BASEMENT  
FLOOR PLAN

DATE NOV. 21, 2022  
SCALE 1" = 10'-0"  
BY CG  
SHEET NO. A-101



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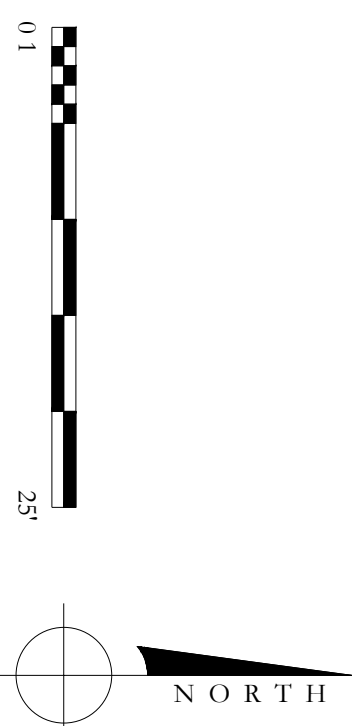
+	EXISTING SPOT ELEVATION
+5.50'	
+	PROPOSED SPOT ELEVATION
+5.50'	

+  
+5.50'  
EXISTING SPOT  
ELEVATION

PROPOSED SPOT  
ELEVATION



### PROPOSED FIRST FLOOR PLAN



125 WORTH AVE.

PALM BEACH, FLORIDA

HEET TITLE

PROPOSED

NOV 21 2025

NOV 21 2005

A-102

CCG



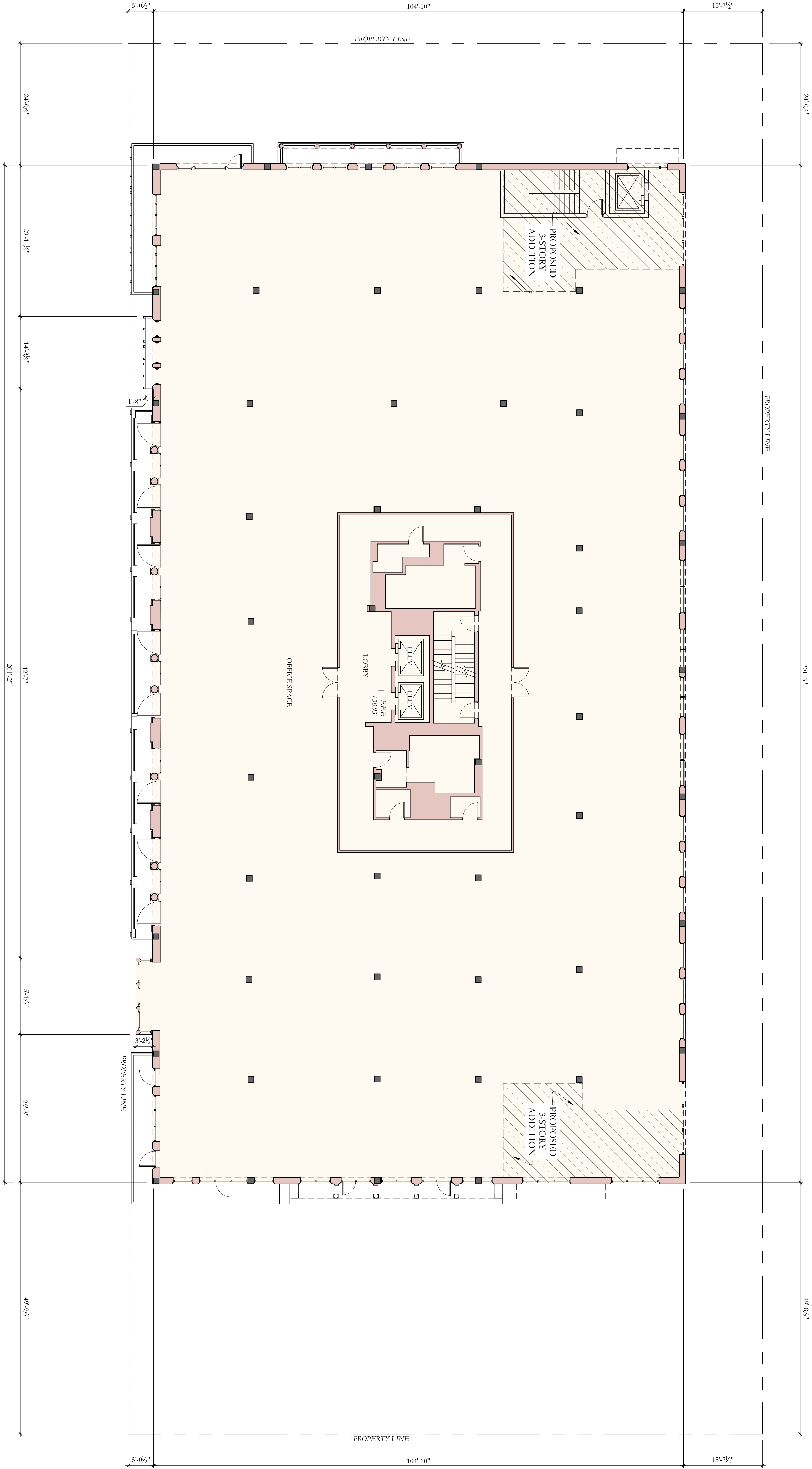
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1 PROPOSED THIRD FLOOR PLAN  
1"=10'-0"

NOTE: ELEVATIONS  
REFERENCED TO NAVD  
SURVEY ELEVATIONS

- LEGEND:
- EXISTING SPOT  
ELEVATION  
+5.50'
  - PROPOSED SPOT  
ELEVATION  
+5.50'

DRC PRE-APP MEETING SET 11/21/2022

ARCOM  
CASE #:  
ARC-22-XXX

ZONING  
CASE #:  
ZON-22-XXX

125 WORTH AVE.  
PALM BEACH, FLORIDA

SHEET TITLE  
PROPOSED  
THIRD FLOOR PLAN

DATE	SHEET NO
NOV. 21, 2022	
SCALE	A-104
1" = 10'-0"	
BY	
CG	



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NOTE: ELEVATIONS  
REFERENCED TO NAVD  
SURVEY ELEVATIONS

LEGEND:  
+  
+5.50'  
EXISTING SPOT  
ELEVATION  
+5.50'  
PROPOSED SPOT  
ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM  
CASE #:  
ARC-22-XXX

ZONING  
CASE #:  
ZON-22-XXX

125 WORTH AVE.  
PALM BEACH, FLORIDA

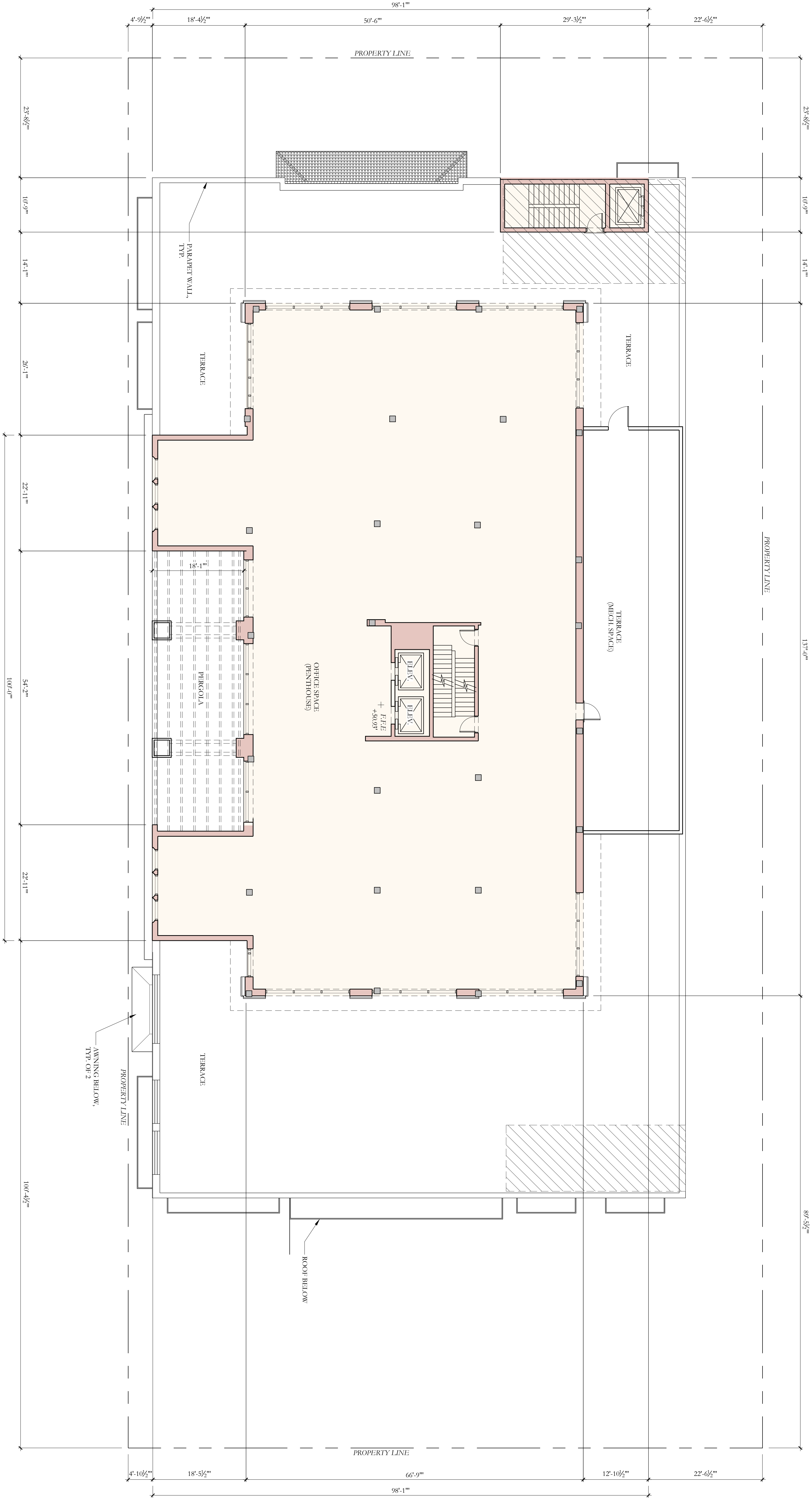
SHEET TITLE  
PROPOSED  
FOURTH FLOOR PLAN

DATE NOV. 21, 2022	SHEET NO.
SCALE 1" = 10'-0"	A-105
BY CG	



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1  
1" = 10'-0"

PROPOSED FOURTH FLOOR PLAN

