

ORDINANCE NO. 2022-09 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING MAP BY APPROVING THE CREATION OF A MIXED USE URBAN PLANNED DEVELOPMENT DISTRICT, LOCATED AT 1 LAKE AVENUE, 11 LAKE AVENUE, 12 S. LAKESIDE DRIVE, 14 S. LAKESIDE DR., 20 S. LAKESIDE DRIVE, 22 S. LAKESIDE DRIVE, AND 24 S. LAKESIDE DRIVE TO RENOVATE AN EXISTING 59,100 SQUARE FEET HOTEL BUILDING (90 HOTEL ROOMS), CONSTRUCT A REAR ADDITION OF 4,700 SQUARE FEET, AND CONSTRUCT A NEW MIXED-USE (HOTEL & MULTI-FAMILY) BUILDING WITH +/- 164,985 SQUARE FEET, INCLUDING A MAXIMUM OF 85 RESIDENTIAL UNITS, 50 NEW HOTEL ROOMS AND A PARKING GARAGE (283 SPACES) AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, LOCATED WITHIN THE DOWNTOWN (DT) ZONING DISTRICT WITH A FUTURE LAND USE DESIGNATION OF DOWNTOWN MIXED USE (DMU) SUBJECT TO SPECIFIC DEVELOPMENT STANDARDS SET FORTH IN EXHIBIT B AND CONDITIONS OF APPROVAL SET FORTH IN EXHIBIT C; APPROVING A DEVELOPMENT OF SIGNIFICANT IMPACT; APPROVING A CONDITIONAL USE PERMIT; APPROVING DENSITY, INTENSITY AND HEIGHT BONUS INCENTIVES THROUGH THE CITY'S SUSTAINABLE BONUS INCENTIVE PROGRAM; APPROVING A MAJOR SITE PLAN FOR THE DEVELOPMENT OF A MIXED USE URBAN PLANNED DEVELOPMENT IN EXCESS OF 7,500 SQUARE FEET; PROVIDED FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of Lake Worth Beach, Florida, pursuant to the authority granted in Chapters 163 and 166, Florida Statutes, and the Land Development Regulations, as adopted by the City of Lake Worth Beach, is authorized and empowered to consider petitions relating to zoning and land development orders; and

WHEREAS, Chapter 23, Article 3, Division 6. – Planned Development of City of Lake Worth Beach's Land Development Regulations allows for the creation of planned development districts to incentivize innovative development through the utilization of incentive programs and flexible dimensional and use requirements that are defined within and occur in conformity with an approved master development plan; and

WHEREAS, Checkmate Design, LLC and Restoration St. Louis, Inc. on behalf of Gulfstream Owner, LLC (the applicant) has petitioned the City of Lake Worth Beach (the City) for creation of a Mixed Use Urban Planned Development District to allow for the renovation of an existing 59,100 square feet hotel building (90 hotel rooms), construction of a rear addition of 4,700 square feet, and construction of a new mixed-use (hotel & multi-family) building with +/- 164,985 square feet, including a maximum of 85 residential units, 50 new hotel rooms and a parking garage with no less than 271 spaces on a site located at 1 Lake Avenue, 11 Lake Avenue, 12 S. Lakeside Drive, 14 S. Lakeside Drive, 20 S. Lakeside Drive, 22 S. Lakeside Drive, and 24 S. Lakeside Drive (PCNs

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38434421150330090, 38434421150330070, 38434421150330060, 38434421150330050, 38434421150330040, 38434421150330030, and 38434421150330010) as further described in Exhibit A (the Property) within the DT Zoning District and the DMU Future Land Use designation, which, if approved, shall constitute an amendment to the City's official zoning map; and

WHEREAS, the applicant requests use of the City's Sustainable Bonus Incentive Program to allow for additional height, intensity and density to be considered in conjunction with the applicant's request for approval for a major site plan for the construction of a mixed-use development currently known as "Gulfstream Hotel Planned Development" containing approximately 85 residential units and 213,000 square feet of commercial use to be constructed on this site;

WHEREAS, on April 27, 2022, the Lake Worth Beach Historic Resources Preservation Board (HRPB) considered the subject application for a Mixed Use Urban Planned Development District, Development of Significant Impact, Major Site Plan, Conditional Use Permit, and Sustainable Bonus Incentive Program and recommended that the City Commission approve the creation of this mixed use urban planned development subject to specific district development standards and certain enumerated conditions; and

WHEREAS, on _____, the City Commission voted to approve on first reading the subject application for a Mixed Use Urban Planned Development District, Development of Significant Impact, Major Site Plan, Conditional Use Permit, and Sustainable Bonus Incentive Program subject to specific district development standards and enumerated conditions herein; and

WHEREAS, the City Commission has considered all of the testimony and evidence and has determined that the Mixed Use Urban Planned Development District, Development of Significant Impact, Major Site Plan, Conditional Use Permit, and Sustainable Bonus Incentive Program including the development regulations and conditions, meets the requirements of the Land Development Regulations, Section 23.3-25.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1. Recitals. The foregoing recitals are true and correct and are hereby affirmed and ratified.

Section 2. The Mixed Use Urban Planned Development District located within the DT Zoning District with a future land use designation of DMU, as described more particularly in **Exhibit A**, is hereby approved. This approval includes the approval of the following elements to be known as the Master Development Plan: (a) Mixed-Use Urban Planned Development; (b) Development of Significant Impact; (c) Major Site Plan; (d) Sustainable Bonus Incentive Program; (e) Conditional Use Permit; (g) district development standards (**Exhibit B**); (h) conditions of approval (**Exhibit C**); (i) required plans including the site plan,

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landscape plan, and civil & drainage plans; (j) supplemental supporting documents, as well as all agreements, provisions and/or covenants which shall govern the use, maintenance, and continued protection of the residential urban planned development and any of its common areas or facilities. The applicant is bound to all elements and requirements of the Master Development Plan.

Section 3. The City’s zoning maps shall be updated to reflect the changes to the property described in **Exhibit A**.

Section 4. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Severability. If any provision of this ordinance or the application thereof is held invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. Effective Date. This ordinance shall become effective ten (10) days after its final passage.

The passage of this ordinance on first reading was moved by _____, seconded by _____ and upon being put to a vote, the vote was as follows:

- Mayor Betty Resch
- Commissioner Sarah Malega
- Commissioner Christopher McVoy
- Commissioner Kimberly Stokes
- Commissioner Reinaldo Diaz

The Mayor thereupon declared this ordinance duly passed on first reading on the ____ day of _____, 2022.

The passage of this ordinance on second reading was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

- Mayor Betty Resch
- Vice Mayor Herman Robinson
- Commissioner Sarah Malega
- Commissioner Christopher McVoy
- Commissioner Kimberly Stokes

The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2022.

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By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

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Exhibit A

**DEPARTMENT FOR COMMUNITY SUSTAINABILITY
PLANNING, ZONING AND HISTORIC PRESERVATION DIVISION
PROPERTY DESCRIPTION & LOCATION MAP**

Address: 1 & 11 Lake Avenue, and 12, 14, 20, 22 & 24 South Lakeside Drive (inclusive of vacated alleyways)

General Location: Subject site is generally located on south of Lake Avenue and north of 1st Avenue South, between South Lakeside Drive and South Golfview Road.

Size: +/- 1.82 ac Lot / +/- 59,100 sf. Existing Structures

PCNs: 38-43-44-21-15-033-0090, 38-43-44-21-15-033-0070, 38-43-44-21-15-033-0060, 38-43-44-21-15-033-0040, 38-43-44-21-15-033-0030 and 38-43-44-21-15-033-0010

Legal Description - The Land referred to herein below is situated In the County of Palm Beach, State of Florida, and is described as follows, inclusive of vacated alleyways:

PARCEL 1

LOTS 9, 10, 11 AND THE NORTHERLY 24.50 FEET OF LOT 12, BLOCK 33, THE PALM BEACH FARMS CO. PLAT NO. 2,

LUCERNE TOWNSITE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 29 THROUGH 40, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LAND LYING IN THE LUCERNE TOWNSITE, PALM BEACH COUNTY, FLORIDA.

AND

LOTS 7 AND 8, BLOCK 33, THE PALM BEACH FARMS CO. PLAT NO. 2, LUCERNE TOWNSITE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 29 THROUGH 40, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LAND LYING IN THE LUCERNE TOWNSITE, PALM BEACH COUNTY, FLORIDA.

AND LOTS 1 THROUGH 6, BLOCK 33, THE PALM BEACH FARMS CO. PLAT NO. 2, LUCERNE TOWNSITE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 29 THROUGH 40, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LANDS LYING IN THE LUCERNE TOWNSITE, PALM BEACH COUNTY, FLORIDA.

AND

PARCEL 2

THAT CERTAIN 10-FOOT-WIDE STRIP OF LAND LYING WEST OF AND ADJACENT TO THE FOLLOWING DESCRIBED

PARCEL: LOTS 9, 10, 11 AND THE NORTHERLY 24.50 FEET OF LOT 12, BLOCK 33, THE PALM BEACH FARMS CO. PLAT NO. 2, LUCERNE TOWNSITE, (NOW KNOWN AS LAKE WORTH), ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 29 THROUGH 40 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LAND LYING IN THE LUCERNE TOWNSITE, PALM BEACH COUNTY, FLORIDA.

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Exhibit B

**DEPARTMENT FOR COMMUNITY SUSTAINABILITY
PLANNING, ZONING AND HISTORIC PRESERVATION DIVISION
DEVELOPMENT STANDARDS**

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Exhibit C

**DEPARTMENT FOR COMMUNITY SUSTAINABILITY
PLANNING, ZONING AND HISTORIC PRESERVATION DIVISION
CONDITIONS OF APPROVAL**