

# TOWN OF PALM BEACH

Information for Town Council Meeting on:

May 15, 2024

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building <sup>WRB</sup>

Re: ZON-23-046 239 Worth Avenue #6

Date: May 02, 2024

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## **STAFF RECOMMENDATION**

Pursuant to the Declaration of Use Agreement (DOUA) between the Town of Palm Beach and the Churchill Cigar Company dated August 22, 2023 and recorded on August 23, 2023 in the Palm Beach County Clerk of the Court, pursuant to CFN 20230290856 OR BK 34513 PG 1302. The applicant was instructed to return to Town Council on May 15, 2024 to review operations. Staff recommends that the Town Council consider the findings of staff and the applicant following one nearly one year of operations.

## **GENERAL INFORMATION**

An application was approved on 6-14-2023 for a Special Exception With Site Plan Review to allow a 12-seat lounge/bar with the service of beer, wine, and liquor at the existing Churchill Cigar Co. retail space in the C-WA Worth Avenue zoning district, pursuant to ZON-23-046.

The Declaration of Use Agreement (DoUA) for said application was approved on 8-9-2023 with an addition to Article 4, Number 3, which states, "and any other issues that may arise." Within the DoUA, a Condition #3 (pg 4 of 10 of attached) that requires the operator to return to Town Council in May 2024 to review the operations of the business.

Attachment: 2023 Declaration of Use

cc: James Murphy, Assistant Planning Director