



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
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PLANNING, ZONING, & BUILDING DEPARTMENT  
PZ&B Staff Memorandum: Town Council

FROM: Wayne Bergman, MCP, LEED-AP *WCB*  
Director PZ&B

SUBJECT: ZON-24-0047\_2875 S OCEAN BLVD

MEETING: OCTOBER 09, 2024 TOWN COUNCIL

**ZON-24-0047 2875 S OCEAN BLVD SUITES 101 & 103 ACQUA CAFÉ—SPECIAL EXCEPTION WITH SITE PLAN REVIEW.** The applicant, Acqua Express Café, has filed an application requesting Town Council review and approval for modifications to an existing Special Exception approval for a restaurant to add take-away restaurant service with no additional seating to an existing restaurant storage area in the C-TS zoning district.

Applicant: Acqua Express Café  
Representative: Maura Ziska

**HISTORY:**

An application was reviewed and approved on August 15, 2018, by Town Council for review and approval for a Special Exception with Site Plan Review for a 92-seat restaurant use in CTS zoning district with outdoor seating on the dining patio and a variance to reduce the required on-site parking due to the change of use from retail to restaurant, pursuant to Z-18-00120. The approved variance allows zero (0) additional off-street parking spaces in lieu of the required 28 additional parking spaces. The special exception approval allows outdoor seating. The hours of operation are lunch from 11:00 AM to 4:00 PM daily and dinner from 5:00 PM to 9:00 PM Sunday to Thursday and 5:00 PM to 10:00 PM Friday and Saturday. An application was reviewed on December 09, 2020 by Town Council for review and approval for an expansion of the existing restaurant for back-of-house storage and a take away component, pursuant to Z 20-00303. The request for take-out only operation was ultimately withdrawn by the applicant but the expansion space was approved to allow the use of the space for restaurant storage and back of house use, approximately 800 SF.

A waiver request for the current zoning-in-progress was requested and approved at the August 12, 2024 Town Council Development Review meeting. This approval allowed the applicant to submit an application for review and consideration of a restaurant expansion.

**THE PROJECT:**

The applicant has submitted plans, entitled "Tenant Lunch Take out Addition Acqua Café" as prepared by **Giacomelli Architecture Inc**, date uploaded and submitted to the Town, 08/26/2024.

The following is the scope of work for the project:

- Convert a portion of the existing restaurant back-of-house and storage area to a take-away counter for to go and pick orders of the existing restaurant use.

The following Special Exception with Site Plan Review and Variances are required to complete the project:

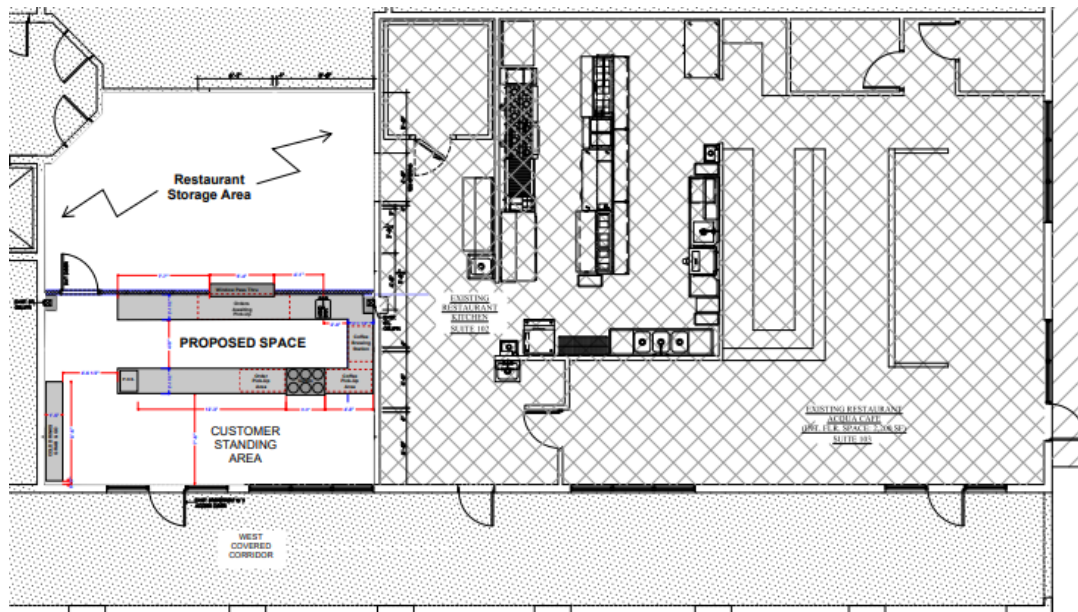
- **SPECIAL EXCEPTION #1**, Sec. 134-1109(a)(22) Restaurants. Modification to existing restaurant approved under SE Z-18-00120.

Site Data			
Zoning District	C-TS	Future Land Use	COMMERCIAL
Total size (SF)	+/- 2,990 SF	Take Away Area (SF)	+/- 425 SF
Existing Use	RESTAURANT	# Seats	92 seats 50 indoor and 42 outdoor <i>No change</i>

### **STAFF ANALYSIS**

The exiting restaurant is zoned C-TS, Commercial Town-serving district, located in the south end of the Town of Palm Beach, with direct western access in the form of Lake Worth Boulevard at the western side of the site. The existing restaurant has been in operation since 2020 with an indoor-outdoor seating of 92 seats. The restaurant is one of the bays located on the ground floor of the 30,000SF office building. The Mediterranean-style building is sited on a 2.2-acre parcel with a large parking lot; the subject property is north of the Lake Worth Beach Casino.

The application is to convert a 425 SF portion of the existing 800 SF existing back of house storage area to a take-away counter and will not have any seats. The hours for the take-out counter will be 7 am to 6 pm, Monday through Friday.



There are no exterior changes to the building and parking remains the same with an abundance of spaces in the building's parking lot. The request is to modify the existing Special Exception for approval to allow an existing restaurant (Acqua Café) to create a "take-out" counter into the existing adjacent space. There are no proposed exterior changes.

### **CONCLUSION:**

Approval of the project will require one (1) separate motion to be made by the Town Council:

- (1) Special Exception request for modifications to an existing restaurant in the C-TS zoning district.