

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF WEST PALM BEACH, FLORIDA, BY REZONING EIGHTEEN (18) PARCELS LOCATED ON THE NORTH AND SOUTH SIDE OF ALPHA STREET, EAST OF MERCER AVENUE AND WEST OF WILKINS AVENUE, AND COMPRISED OF 3.84 ACRES, FROM MULTIFAMILY LOW DENSITY, TO MULTIFAMILY HIGH DENSITY, DECLARING THIS ZONING MAP AMENDMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; REVISING THE ZONING MAP OF THE CITY ACCORDINGLY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES..

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WHEREAS, Heather Danforth, on behalf of Alexander Millan, owner of Mercer Park homes LLC, submitted an application for a request to rezone eighteen (18) properties, consisting of approximately 3.84 acres along the north and south side of Alpha Street, and west of Wilkins Avenue, from Multifamily Low Density (MF14) to Multifamily High Density (MF32) Zoning Designation; and

WHEREAS, the rezoning is consistent with the Comprehensive Plan and the criteria and standards provided in Section 94-32 of the City's Zoning and Land Development Regulations; and

WHEREAS, the Planning Board recommended approval (4-2) of this request to the City Commission after a Public Hearing on November 21, 2023; and

WHEREAS, the public hearing was advertised in the Palm Beach Post, with proof of publication housed in the Development Service Department – Planning Division, along with evidence that individual notices of the public hearing were mailed to all property owners within 500 feet of the subject property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, that:

SECTION 1: The City Commission hereby finds and determines that the amendment to the Zoning Map of the City of West Palm Beach, Florida, described in this Ordinance, is consistent with the Comprehensive Plan of the City.

SECTION 2: The City Commission hereby finds and determines that the Zoning Map amendment is consistent with the standards provided in Section 94-32 of the Zoning and Land Development Regulations as follows:

- A. **Consistency with Comprehensive Plan** – The proposed rezoning to a Multifamily High Density (MF14) zoning district is consistent with the current Multifamily (MF) Future Land Use designation and in conformance with all applicable portions of the City's Comprehensive Plan.

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- B. **Changed Conditions** – The proposed rezoning is requested due to the applicant seeking to utilize the incentive density increase permitted under Resolution No. 306-22.
- C. **Consistency with Land Development Code** – All future development within the subject area will be required to meet the standards of the City's Development Code (ZLDRs).
- D. **Consistency with Use** – The proposed rezoning will remain consistent with the existing and proposed land uses within the area. The subject property has a Multifamily (MF) Future Land Use designation, and the existing and proposed zoning of the property will preserve the character of the area as the rezoning will be consistent with the surrounding residential uses.
- E. **Capacity of Public Facilities** – The proposed rezoning would increase the demand on various public facilities; however, the increase in demand is not expected to be significant and will not be detrimental to the various public facilities servicing the area of the subject properties. Any required improvements or enlargements to any public facilities as a result of the proposed rezoning will be done at the expense of the developer of the subject property.
- F. **Natural Resources** – Any redevelopment and/or improvements on the property, regardless of the rezoning, should not generate significant adverse impacts on the natural environment.
- G. **Property Values** – The proposed rezoning will increase the development potential and therefore, the value of the subject property will be increased. It is unlikely that the increase in property value would have a negative impact on the property values of the surrounding area.
- H. **Logical Development Pattern** – The proposed rezoning and the proposed redevelopment of the subject property will create a unified development that will provide and establish a clear orderly development pattern for the subject parcels and show the potential for additional development within the area.

SECTION 3: The Zoning Map of the City is hereby amended by changing ±3.84 acres of real property, consisting of eighteen (18) parcels on the north and south side of Alpha Street, and west of Wilkin Avenue, from a Multifamily Low Density (MF14) zoning designation to a Multifamily High density (MF32) zoning designation, as legally described below and shown in **EXHIBIT A** and shown and depicted in **EXHIBITS B** to **C**.


SECTION 4: This ordinance shall take effect in accordance with law.

[SIGNATURES ON FOLLOWING PAGE]

FIRST READING THIS 22ND DAY OF JANUARY, 2024.
SECOND READING AND PASSAGE THIS 5TH DAY OF FEBRUARY, 2024.



ATTEST:

X	
	CITY CLERK Signed by: Shaquita Lasheae Edwards

**CITY OF WEST PALM BEACH BY
ITS CITY COMMISSION:**

X	
	PRESIDING OFFICER Signed by: Keith A. James

**APPROVED AS TO FORM AND
LEGALITY:**


X	2/1/2024 
	CITY ATTORNEY Signed by: Kimberly L Rothenburg

EXHIBIT A
Legal Description of the Subject Property

DESCRIPTION

THREE PARCELS OF LAND SITUATED IN SECTION 28, TOWNSHIP 43 SOUTH, RANGE 43 EAST, CITY OF WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL ONE:

LOTS 3, 4, 5, 9 AND 10, BLOCK 1, AND THE 12 FEET WIDE ALLEY ADJOINING SAID LOTS 4, 5, 9 AND 10, AND THE EAST ONE HALF (E 1/2) OF SAID ALLEY ADJACENT TO SAID LOT 3, BLOCK 1, GROVE DALE PARK PLAN NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 31 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 98,837.92 SQUARE FEET, OR 2.2690 ACRES, MORE OR LESS.

PARCEL TWO:

LOTS 4 THROUGH 7 AND LOTS 10 THROUGH 14, INCLUSIVE, BLOCK 2, RE-PLAT OF MERCER PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 12, PAGE 33 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LOTS 8 AND 9 OF BLOCK 2, JEFFERSON TERMINALS AN ADDITION TO WEST PALM BEACH, FLA., ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 74 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 62,547.17 SQUARE FEET, OR 1.4359 ACRES, MORE OR LESS.

PARCEL THREE:

LOT 8, BLOCK 3, JEFFERSON TERMINALS AN ADDITION TO WEST PALM BEACH, FLA., ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 74 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 5,394.98 SQUARE FEET, OR 0.1238 ACRES, MORE OR LESS.

TOTAL AREA CONTAINING 166780.070 SQUARE FEET, OR 3.8287 ACRES, MORE OR LESS.

EXHIBIT B
Existing Zoning Map
Location Map



EXHIBIT C
Proposed Zoning Map
Location Map

