CITY OF PALM BEACH GARDENS
DEVELOPMENT APPLICATION

Planning and Zoning Department
CITY OF PALM BEACH GARDENS
10500 North Military Trail
Palm Beach Gardens, FL 33410
(561) 799-4243 Fax (561) 799-4281

Request:
[ ] Planned Community Development (PCD) [ ] Annexation
[ ] Planned Unit Development (PUD) [ ] Rezoning
[ ] Amendment to PCD, PUD or Site Plan [ ] Site Plan Review
[ ] Conditional Use [ ] Concurrency Certificate
[ ] Amendment to the Comprehensive Plan [ ] Time Extension
[ ] Administrative Approval [ ] Miscellaneous
[ ] Administrative Appeal [ ] Other

Date Submitted: ____________________________

Project Name: Avenir- Town Center Crystal Lagoon

Owner: Avenir Development LLC

Applicant (if not Owner): Same

Applicant’s Address: 777 S Flagler Dr, Suite 500 E, West Palm Beach, Telephone No. 305-510-7958

Agent: Cotleur & Hearing

Contact Person: Donaldson E. Hearing E-Mail: dhearing@cotleur-hearing.com

Agent’s Mailing Address: 1934 Commerce Lane Suite 1, Jupiter, FL, 33458

Agent’s Telephone Number: 561-747-6336

FOR OFFICE USE ONLY

Petition Number: _______________ Date & Time Received: _______________

Fees Received

Application $ ___________________ Engineering $ ___________________

Receipt Number: ___________________
Architect:  Zyscovich Architects, Randall Stoff Architects

Engineer:  Ballbe & Associates, INC., Kimley-Horn

Planner:  Cotleur & Hearing

Landscape Architect:  Cotleur & Hearing

Site Information:  Note: Petitioner shall submit electronic digital files of approved projects. See attachment for details.

General Location:  One mile east of Seminole Pratt-Whitney Rd. on north side of Northlake Blvd.

Address:  12200 Northlake Blvd.

Section:  15  Township:  42  Range:  41

Property Control Number(s):  52414215000001040

Acreage:  83.61  Current Zoning:  MXD PCD  Requested Zoning:  MXD PCD

Flood Zone:  X  Base Flood Elevation (BFE) – to be indicated on site plan:  N/A

Current Comprehensive Plan Land Use Designation:  MXD

Existing Land Use:  Vacant  Requested Land Use:  Mixed Use Community

Proposed Use(s) i.e. hotel, single family residence, etc.:  

See attached narrative

Proposed Square Footage by Use:  

Proposed Number and Type of Dwelling Unit(s) i.e. single family, multifamily, etc. (if applicable):  

See attached narrative
Justification

Information concerning all requests (attach additional sheets if needed.)
{Section 78-46, Application Procedures, Land Development Regulations.}

1. Explain the nature of the request: Avenir Development LLC is requesting site plan approval for
the construction of a large community amenity and public park within Parcel B of the Avenir Planned
Community Development (PCD). Parcel B is designated as the Town Center District and Phase 1A of the
Town Center is currently in the site plan review process. Included with the Crystal lagoon and Public Park will
be several restaurants, a community club house, bathroom facilities, a future hotel tract, and a primary street.
Please refer to the project narrative for further information.

2. What will be the impact of the proposed change on the surrounding area?
This site plan proposes no change to the approved development program. The request will not create any
additional impacts to the surrounding area. See attached project narrative.

3. Describe how the rezoning request complies with the City's Vision Plan and the following elements
of the City's Comprehensive Plan - Future Land Use, Transportation, Housing, Infrastructure,
Coastal Management, Conservations, Recreation and Open space, Intergovernmental Coordination
and Capital Improvement.
Not Applicable. There is no rezoning with this request.
4. How does the proposed project comply with City requirements for preservation of natural resources and native vegetation (Section 78-301, Land Development Regulations)?

The Avenir Conservation area, consisting of about 2,407-acres, was created through the adoption of Resolution 4, 2016. This site plan application does not change the approved conservation area.

5. How will the proposed project comply with City requirements for Art in Public Places (Chapter 78-261, Land Development Regulations)?

As part of the Town Center project there will be Public Art elements located throughout the development.

Specifically there will be art locations along the Premier streets. These art elements will be added when their locations are submitted for site plan review.

6. Has project received concurrency certification?

Yes it has. Resolution 4, 2016 confirmed the concurrency certification for the Avenir project.

Date Received:

**Legal Description of the Subject Property**

(Attach additional sheets if needed)

Or see attached deed for legal description.

**Location**

The subject property is located approximately 1 mile(s) from the intersection of Pratt-Whitney & Northlake Blvd., on the □ north, □ east, □ south, □ west side of Seminole Northlake Blvd. (street/road).
Statement of Ownership and Designation of Authorized Agent

Before me, the undersigned authority, personally appeared Daniel E. Lopez, who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.

2. That he/she is requesting Site plan Approval in the City of Palm Beach Gardens, Florida.

3. That he/she has appointed Cotleur & Hearing to act as authorized agent on his/her behalf to accomplish the above project.

Name of Owner: E. Daniel Lopez
Signature of Owner
777 S Flagler Dr, Suite 500 E
Street Address

E. Daniel Lopez, Vice President
By: Name/Title

305-510-7958
Telephone Number
dlopez@waterstonebuilders.com
E-mail Address

Sworn and subscribed before me this 23rd day of April, 2019.

Notary Public

My Commission expires:
Applicant’s Certification

I/We affirm and certify that I/we understand and will comply with the land development regulations of the City of Palm Beach Gardens, Florida. I/We further certify that the statements or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments, and application filing fees become a part of the official records of the City of Palm Beach Gardens, Florida, and are not returnable.

Applicant is: ________________________________

Signature of Applicant

☑ Owner

E. Daniel Lopez

Print Name of Applicant

☐ Optionee

777 S Flagler Dr, Suite 500 E

Street Address

☐ Lessee

West Palm Beach, FL, 33401

City, State, Zip Code

☐ Agent

305-510-7958

Telephone Number

☐ Contract Purchaser

Fax Number
dlopes@waterstonebuilders.com

E-Mail Address
Financial Responsibility Form

The owner understands that all City-incurred professional fees and expenses associated with the processing of this application request are ultimately the responsibility of the owner. A security deposit shall be deposited in an interest-bearing account with any accrued interest to be retained by the City of Palm Beach Gardens.

The owner and/or designee shall be invoiced on a monthly basis for professional fees such as, but not limited to, consultant engineering services, legal services, advertising costs, and/or any other costs attributable to the processing of the permit for which the City incurred during the previous month. The owner and/or designee shall reimburse the City within thirty (30) days from date of invoice. If payment is not received, the City may utilize the security deposit for re-imbursement purposes. All activities related to the pending permit(s) will cease until any outstanding invoices are paid.

The owner/designee further understands that transfer of this responsibility shall require a completed form, signed and notarized by the responsible party, and delivered to the City Planning and Zoning Department if the name and/or address of the responsible party changes at anytime during the application review process.

Owner signature                               Date

E. Daniel Lopez, VP of Avenir Development, LLC            5241421500001040
Owner printed name                                      Property Control Number

DESIGNEE/BILL TO:


Designee Acceptance Signature

NOTARY ACKNOWLEDGEMENT

STATE OF Florida

COUNTY OF Miami-Dade

I hereby certify that the foregoing instrument was acknowledged before me this 23 day of April, 2019, by E. Daniel Lopez. He or she is personally known to me or has produced as identification.

Notary/public signature

Printed name

State of Florida at-large      My Commission expires: ____________
# AVENIR DEVELOPMENT, LLC

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**AVENIR DEVELOPMENT, LLC**  
550 BILTMORE WAY  
SUITE 1110  
CORAL GABLES, FL 33134  

PAY SIX THOUSAND THREE HUNDRED AND 00/100 DOLLARS  

TO THE ORDER OF CITY OF PALM BEACH  
GARDENS FINANCE DEPT  
10500 N. MILITARY TRAIL  
P. BEACH GARDEN FL 33410  

**Signature**
Avenir - Crystal Lagoon (Town Center)
Site Plan Approval

September 12, 2019

Parcel ID: 52414128010010030

On behalf of the property owner, Avenir Development LLC, please accept this as our formal request for site plan approval for the Crystal Lagoon Site Plan within the Avenir Town Center. A pre-application meeting was held for the design of the Crystal Lagoon within the Avenir Town Center on Friday, January 4th, 2019. This application is intended to follow the Town Center Phase 1A closely to provide a community amenity as soon as possible. The Crystal Lagoon is the crown jewel and center piece of the development. The large space of crystal-clear water and natural tropical landscape will create the draw necessary for the Town Center to succeed. Due to the current population within five (5) miles of the project site, many retailers and businesses will not risk building within the Town Center. However, the added attraction of the Crystal Lagoon elevates the development’s potential for bringing in future residents and customers from outside that standard five (5) mile radius, and potential tenants and retailers have expressed that opinion. To enhance the public benefit associated with the creation of a tropical paradise the applicant is proposing a large public park integrated into the design of a perimeter boardwalk. This public park is being included with the Town Center Phase 1A boundary to show the Applicant’s commitment to providing public space within the first phase of development, but it is important to consider how it interacts with the Lagoon. The interest in the lagoon will drive the success of the entire Town Center. Since an amenity such as the Crystal Lagoon has never been constructed within the City of Palm Beach Gardens, it is being kept separate from Phase 1A of the Town Center. Ultimately it is the goal of the Applicant to develop Phase 1A and the Crystal Lagoon at the same time, but tying the two together would slow down the development of both.

Project History:
The Avenir Planned Community Development (PCD) was approved by City Council on May 5, 2016 with the adoption of Ordinance 3, 2016, Ordinance 4, 2016, and Resolution 4, 2016. The PCD approval for the 4,763-acre project includes 2,407 acres of conservation area, 3,000 single family homes, 250 multi-family homes, 1,940,000 square feet of professional office, 200,000 square feet of medical office, 400,000 square feet of commercial space, 300 hotel rooms, 20 acres of agriculture, a 55-acre park, a 60-acre civic parcel, a 15-acre City annex site, and a 15-acre public school site.

Consistent with Condition of Approval #3 of Resolution 4, 2016, an administrative amendment was approved on December 19, 2016, which modified the development program to decrease the Single-Family units to from 3,000 to 2,690 units (-310 units); add 960 Age-Restricted standard single family units; and decrease the Professional Office use from 1,940,000 square feet to 1,800,000 square feet (-140,000 square feet).

On August 2, 2018, City Council adopted Resolution 44, 2018, which modified the internal PCD roadway network, internal parcel boundaries, development standards and conditions of approval. Phase 1A of the
Avenir Town Center is currently in the development review process for the first 100,000 SF of commercial use. Per condition 33 of Resolution 44, the applicant is required to have building permits for 50% (100,000 SF) of the commercial land use square footage required for Phase 1 to begin construction on Phase 2 of development. As stated, the applicant has completed a pre-application meeting for the Crystal Lagoon site plan within the Avenir Town Center.

Avenir Property Neighbors:
The properties surrounding the Avenir PCD are as listed in Table 2.

## EXISTING SURROUNDING ZONING AND LAND USE

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<th>NORTH</th>
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Table 2: Avenir PCD neighboring properties.

**Site Information:**
The center piece of the Town Center District (Parcel B) is the Crystal Lagoon. This community amenity will enhance the experience associated with visiting the Town Center and emphasize the Avenir development’s positive impact for the City. Included with the development of the Crystal Lagoon will be the Primary/Secondary Town Center Access road that connects to Avenir Drive, the Beach Club, a future hotel tract, future Retail/Restaurant development tract, Public Park and Boardwalk, and the mechanical equipment yard for the maintenance of the Lagoon (attached to the Beach Club). The large public park will fully utilize the enhancement provided by the Crystal Lagoon. Tropical paradise views, extensive landscaping providing shade, and large amounts of open space that can be used for events and day to day activities are just a few of the benefits provided to the Town Center. Also included within the public park will be a large imagination based interactive playground. The total area of the Avenir Town Center is 84.39 acres. This site plan, which contains the 6.7-acre Crystal Lagoon, will be approximately 19.15 acres. The Town Center project is located within the Avenir Planned Community Development (PCD) and it fronts Northlake Blvd. The crystal lagoon will be centrally located within the Town Center District. Lying directly to the North of the Crystal Lagoon will be multifamily buildings (See Table 1 for other surrounding development). The multifamily development phase will follow directly behind the Crystal Lagoon.
Crystal Lagoons:

Crystal Lagoons have developed an advanced, pioneering, and sustainable technology that allows crystalline lagoons of unlimited size to be built and maintained at low costs. The patented technology uses up to 100 times less chemicals than conventional swimming pools and uses just 2% of the energy needed by conventional filtration systems. (Chemical specifications have been provided separately). It is important to note that all of the chemicals used within the Lagoon meet potable water standards. The technology also allows low water consumption, up to 30 times less than a golf course and 50% less than a water park of the same size. Besides the sustainable and environmentally friendly technology, there are many benefits to the construction of the Crystal Lagoon. One such benefit will be the real estate value added to the surrounding properties. Another benefit from creating such a unique and large scale gathering area is the economic benefit it brings due to the large number of visitors to the facility and surrounding shops. It is unquestionable that the presence of this community amenity will benefit both the Avenir Development and the City. The large Crystal Lagoon combined with the unique architecture of the Town Center, designed by Zyscovich Architects, will create a sense of place completely unique to Avenir and the City of Palm Beach Gardens. The architecture of the Beach Club and the bathroom facilities has been designed by Randall Stofft Architects and is consistent with the Avenir Community and Town Center.

Operation/Maintenance:

The Crystal Lagoon is designed to operate with a minimal amount of staff. The streamline maintenance of the lagoon is a result of the innovative design and engineering utilized in its creation. The lagoon does not utilize intakes as conventional pools do for the filtration system. The water in the lagoon is filtered through the use of a large underwater remote-control vacuum which resembles a Zamboni. This vacuum is operated by a single employee. Water is sucked through the remote unit and run through a filtration system located next to the lagoon. The material that is filtered out of the lagoon collects in a settling tank and is then removed by a disposal company and taken offsite. The settling tank can be drained via the service yard access next to the Beach Club. A truck similar to a sewage truck can pump the material out and dispose of it offsite. It is important to note that this material is not toxic and does not require additional permitting. Other than the cleaning of the lagoon itself the other maintenance activities associated with the Town Center amenity are the removal of any litter around the beaches, upkeep of landscaping, and the monitoring of the general lagoon operations. An operations manual has been provided by Crystal Lagoons to give Staff a better understanding of the processes.

Life Safety:

A primary concern for the operation of such a large body of water is the safety of all those who enter it. For those reasons, direct access to the water will be restricted for now to the residents of Avenir and the customers of the future hotel. However, Public amenities such as the boardwalk, restaurants, extensive landscaping and the large public park that overlook the water will be accessible by all. Due to the close
proximity to the water and the potential for accidents no matter where you go, there will be life safety stations positioned around the lagoon with throwable life vests. To ensure a quick response to any emergency situation there is access to every section of the lagoon. For the beach area there will be an emergency all-terrain vehicle dedicated to the City of Palm Beach Gardens but maintained by Avenir and kept at the Beach Club. Within the maintenance yard of the Beach Club is a quick access path for the all-terrain vehicle to be deployed to the Lagoon in case of an emergency. There will be no lifeguards at the Townhouse residential beach areas, but a life guard will be stationed at the beach club beach as well as the hotel beach once a hotel is constructed. Lifeguards will be on duty during peak hours and according to insurance requirements. Swimming will be prohibited after sunset. Spaced around the lagoon will be safety stations that have portable floatation devices that could be thrown. The Avenir Crystal lagoon Life Safety Plan details the lagoon rules as well as the lagoon policies and emergency response plans. All swimming areas will be marked using buoys to ensure swimmers do not travel too far. ADA access to the Lagoon will also be provided in the form of a chair lift located at the beach club. The exact locations of the lift will be determined after the final grading to ensure compatibility with ADA standards. Though the Crystal Lagoon is not bound by the same safety standards as swimming pools are (Chapter 454), some of the basic safety principals that regulate the design of swimming pools are incorporated into the design of the lagoon. Such items include the requirement of a 48” continuous boarder around the lagoon.

Site Plan:

Each Crystal Lagoon is custom designed based on the needs and desires of the developer. Due to the technology utilized in its construction and operation, the lagoons have limitless shapes and sizes. As both surface area and perimeter increase, the price increases. The lagoon that has been designed for the Avenir Town Center is a class C medium size lagoon. This means that the lagoon has substantial surface area and perimeter shoreline. A class C medium lagoon is an expensive and unique Crystal Lagoon that has been designed to optimize the space that it is constructed in while not limiting its design. The edges of the lagoon will be a mixture of beach entries and vertical edges. The areas of the lagoon that have vertical edges will have boardwalks adjacent to the water edge while the beach entries will have large expanses of sand for a true beach experience. The meandering perimeter boardwalk proposed will completely circle the lagoon except for the areas directly adjacent to the proposed hotel location and beach club. This boardwalk will be constructed using a highly durable and long-lasting synthetic deck material. Located along the boardwalk will be several life safety stations as well as several bathroom locations, benches, and other amenities.

Included within the site plan for the Lagoon is a community Beach Club. This Beach Club will offer a variety of amenities to Avenir Residents including a quality restaurant. In addition, the Beach Club will also house the Lagoon filtration system and be the headquarters for the Lagoon maintenance. A fully screened loading zone that will service the restaurant and maintenance facility is proposed on the north side of the maintenance portion of the building. Gates and access paths are proposed around the maintenance building to provide quick access for both emergency situations and routine maintenance.

Landscaping:
The Crystal lagoon will be comprised of a native coastal theme and tropical landscape pallet. Many different native palms, trees, shrubs, and ground covers will be integrated with the expansive and decorative hardscapes to create a natural scene completely unique to the project and the City of Palm Beach Gardens. Within the Crystal Lagoon site plan there will be several natural landscape areas that will all complement one another. The Beach Club and lagoon beach areas will be modeled after a natural Florida beach dune. Included in these areas will be Coconut palms,
Seagrapes, natural Florida grasses, Colusia, Sabal palms and a variety of other species that will coexist as they do along many Florida beaches. As the beach aesthetic shifts into the tropical design of the public park, the landscaping progresses to include many large canopy trees that provide shade and emphasize the native theming. Large Date Palms, Gumbo Limbo, Royal Palms, specimen Oak trees and many more native species thoughtfully planted will enhance the park area for all that experience it. The open areas will be covered in St. Augustine Sod and certain areas will utilize specialty Sods to add contrast and distinguish between selected areas. The Avenir Development has been designed with sustainable principals as a framework for the design. One such principal is water conservation. In order to conserve as much water as possible sod areas have been reduced and specialty sods have been selected for their water consumption rates. Grasses such as Bermuda and Zoysia have relatively low water consumption compared to other species of similar grasses. Due to about 90% of water consumption occurring through transpiration the effective water consumption of a particular species can be measured by the evapotranspiration rate of any particular species. These rates are subject to the environmental factors but provide an insight into the overall sustainability of a species in a certain area.

Parking:
There are 201 parking spaces located within the Crystal Lagoon site plan, including 83 golf cart parking spaces. Due to the revised boundary of the Phase 1A site plan, the Crystal Lagoon site plan will be including the lagoon, Beach Club and bathroom stalls, future hotel parcel, future Retail/Restaurant tracts, and the connector road that passes through the Town Center. However, the connector road is also included within the Phase 1A boundary. The Applicant agrees with Staff’s opinion that the connector road must be constructed with either the lagoon or the Town Center. Thus, by including the connector road within both site plans it won’t matter which is constructed first. A surplus of parking is provided within the Crystal Lagoon site plan and the Town Center.

Future Development:
A large future development hotel tract is included with this site plan. Also included within this site plan are future Retail/Restaurant development tracts. These tracts are included within the boundary of the Crystal Lagoon site plan but will not be developed until a separate development application is submitted for those lots. Until such a time as a separate development application is submitted for those locations, the lots will be pad ready and complete with sod to stabilize the surface.

Waivers:

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<td>1 Building Setback, Build-to-zone Requirement</td>
<td>65% of building façade to be within 10 feet of the build-to-line</td>
<td>100% of Beach club building to be outside the 10’ build-to-zone</td>
<td>Waiver to allow 100% of the private Beach club building to be outside the 10’ build-to-zone</td>
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Waiver Criteria Compliance:
Consistent with the requirements of Section 78-158 of the City’s LDRs, the waiver request shall comply with a majority of the criteria listed within the code. The City’s waiver criteria are listed below in bold and the responses follow in italics.

(1) The request is consistent with the city's comprehensive plan.

With the aforementioned waiver, the Applicant is requesting to deviate from standards set by the Avenir Development Standards to create the private beach club within the Town Center for the Avenir community. The proposal to create this pedestrian-oriented Town Center is consistent with the requirements of Policies 1.1.1.15. and 1.3.6.3. of the Future Land Use Element of the City’s Comprehensive Plan. These policies require a pedestrian-oriented environment, and for the City to encourage walking within the City. As stated above, the proposed Avenir Town Center provides for many pedestrian facilities. As such, the request is consistent with the City’s Comprehensive Plan. The request for a greater building setback will increase safety and provide for a better design and articulated architecture.

(2) The request is consistent with the purpose and intent of this section.

The purpose and intent of this Section 78-158 is to promote creative and innovative design through the planned development process. With the waiver requests, the applicant is able to provide a contemporary commercial district for the Avenir community. Please note that the applicant is providing additional landscaping and pedestrian amenities. As such, the waiver requests are consistent with the purpose and intent of Section 78-158.

(3) The request is in support of and furthers the city's goals, objectives, and policies to establish development possessing architectural significance, pedestrian amenities and linkages, employment opportunities, reductions in vehicle trips, and a sense of place.

With the requested waiver for the variation to the Development Standards, the applicant will be creating an environment that is as easy to access for pedestrians as well as motorists. The proposed site plan provides many pedestrian paths and opportunity for connectivity. The proposed Crystal Lagoon features a unique and contemporary beach club which possesses architectural interest and significance. The requested waivers will allow the creation of a high-quality aesthetic environment within the Avenir Town Center District consistent with City standards and Avenir Standards.

(4) The request demonstrates that granting of the waiver will result in a development that exceeds one or more of the minimum requirements for PUDs.

As indicated above, the Avenir Town Center Site Plan application PUD exceeds several of the minimum standards including the provision of open space and landscaping points. In addition, the proposed landscaping within the project exceeds the City’s landscaping standards.

(5) The request for one or more waivers results from innovative design in which other minimum standards are exceeded.

The proposed Avenir Town Center employs various innovative techniques in its design, such as building layouts, creation of large plazas, contemporary architectural style and enhanced pedestrian facilities. The request for the referenced waivers from the Development Standards is consistent with these efforts.
(6) The request demonstrates that granting of the waiver will result in preservation of valuable natural resources, including environmentally-sensitive lands, drainage and recharge areas, and coastal areas.

The proposed waivers and site plan will not impact the existing upland preserve areas or the drainage for the site. As such, this criterion has been met.

(7) The request clearly demonstrates public benefits to be derived, including but not limited to such benefits as no-cost dedication of rights-of-way, extensions of pedestrian linkages outside of the project boundaries, preservation of important natural resources, and use of desirable architectural, building, and site design techniques.

As required by the City’s Comprehensive Plan, Zoning Code and the Avenir Development Standards, the Avenir Town Center features a pedestrian-oriented environment which provide linkages to the adjacent arterial roadways of Northlake Blvd and Coconut Blvd. Contemporary architecture is being proposed. Increasing the Beach Club setback from the internal roadway network will increase the safety for the residents utilizing their community amenity.

(8) Sufficient screening and buffering, if required, are provided to screen adjacent uses from adverse impacts caused by a waiver.

The requested waivers will only affect the internal layout of the Avenir Town Center. The Town Center will be screened by the approved landscape buffers along Northlake Blvd and Coconut Blvd.

(9) The request is not based solely or predominantly on economic reasons.

The requested waivers allow for the functionality of a modern Beach Club attached to a unique community amenity. The intent of the setback Development Standard is not applicable to the type of structure being created due to the Beach Club operating as an amenity center. Engaging the street is vital within a block pattern development such as Phase 1A, but the Beach Club is located away from the commercial uses and requires more room. The Applicant is not saving any money by increasing the building setback from the build-to-line.

(10) The request will be compatible with existing and potential land uses adjacent to the development site.

As stated the intent of the setback standard within Parcel B is not applicable to the Beach Club due to it acting as an amenity center. Engaging the street will bring residents closer to traffic and will not allow for proper buffering and landscaping. The requested waiver will not impact the surrounding development.

(11) The request demonstrates the development will be in harmony with the general purpose and intent of this section, and that such waiver or waivers will not be injurious to the area involved or otherwise detrimental to the public health, safety, and welfare.

As previously stated, the requested waivers allow for the functionality of an enhanced community amenity with appropriate safety features. The proposed waivers will not be injurious to the area or detrimental to the public health, safety and welfare. The applicant believes the pedestrian orientation of the site plan will encourage more walking by the community’s residents, aiding to their health and safety.
Phasing Plan:
A phasing plan for the lagoon has been submitted. As the Applicant has expressed, the intent for the Crystal Lagoon is for it to be constructed after Phase 1A of the Town Center. To avoid concerns and allow for the Crystal Lagoon to proceed independent of the Town Center Phase 1A, the Applicant has included the access road in both the Crystal Lagoon site plan and the Town Center Site Plan. It is the intent of the applicant to construct the entirety of the Crystal Lagoon at once. The Beach Club, public board walk, public park, access road, parking areas, and dog park will be completed within the first phase of the Crystal Lagoon. Due to the current development schedule, the town homes will not be complete until after the Crystal Lagoon. For this reason, the north private beach and boardwalk will be constructed during the construction of the townhomes. The close proximity of the townhomes would interrupt the lagoon operation during construction, thus the lagoon will be protected from construction activities by a construction fence with opaque screening. The northern beach will open at the time of CO for the townhomes. Other than the northern private beach and boardwalk, the only section of the Crystal Lagoon site plan that will not be completed or permitted at the same time as the lagoon itself will be the future Retail/Restaurant and Hotel tracts. These future development tracts on the south side of the lagoon will remain as sod until an application can be made to approve building layout and architecture.

Conclusion:
The Applicant, Avenir Development LLC, is requesting site plan approval for the Crystal Lagoon phase of the Avenir Town Center. This phase is meant to follow Phase 1A closely as it is the intent of the Applicant to continue construction until the entire center has been completed. The Crystal Lagoon Site Plan consists of the large 6.7 acre Crystal Lagoon, community clubhouse, future Retail/Restaurant tracts, and a future hotel tract. The Crystal Lagoon will greatly enhance the pedestrian experience of the Town Center as well as its feasibility in the eyes of desired retailers.