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 Parcel B Townhomes

Owner: Avenir Development, LLC

Applicant (if not Owner):

Applicant’s Address: 777 S. Flagler Dr. #500E, WPB, FL ________________________________
Telephone No.: ____________________________

Agent: Urban Design Kilday Studios, Ken Tuma, Managing Principal

Contact Person: Marty R.A. Minor, AICP E-Mail: mminor@udkstudios.com

Agent’s Mailing Address: 610 Clematis St. #CU-02, West Palm Beach, FL 33401

Agent’s Telephone Number: 561-366-1100

FOR OFFICE USE ONLY

Petition Number: ____________________________ Date & Time Received: ____________________

Fees Received

Application $ ____________________________ Engineering $ ____________________________

Receipt Number: ____________________________
Architect: Pascual, Perez, Kiddjian & Associates
Engineer: Ballbe & Associates
Planner: Urban Design Kiday Studios
Landscape Architect: Urban Design Kiday Studios

**Site Information:**

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

**General Location:** At the northeast corner of Northlake Boulevard and Coconut Boulevard extension

**Address:** 12200 Northlake Boulevard

**Section:** 28  
**Township:** 41, 42  
**Range:** `41`

**Property Control Number(s):** 52-41-41-28-01-001-0037

**Acreage:** XX ac.  
**Current Zoning:** MXD PCD  
**Requested Zoning:** MXD PCD

**Flood Zone:** B  
**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:** Townhouse neighborhood

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

**Proposed Square Footage by Use:** N/A

**Proposed Number and Type of Dwelling Unit(s) i.e. single family, multifamily, etc. (if applicable):**  
250 Townhomes
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: The Applicant, Avenir Development LLC, is requesting site plan approval for 250 Townhomes within Parcel B, Town Center District, of the Avenir PCD. Please see Project Narrative for additional information.

2. What will be the impact of the proposed change on the surrounding area?
The proposed site plan is consistent with the uses approved with the Avenir PCD Master Plan. As such, no additional impact will be created with this site plan application.

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 as this is not a rezoning 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 2,407-acre Conservation Area for the Avenir PCD was created through the adoption of Resolution 4, 2016. This request does not affect 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)?

Art in Public Places requirements will be addressed during the applicable site plan application.

6. Has project received concurrency certification?

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

Date Received: May 5, 2016

**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 Northlake Boulevard (street/road).
Statement of Ownership and Designation of Authorized Agent

Before me, the undersigned authority, personally appeared ________ 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 _________________ in the City of Palm Beach Gardens, Florida.

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

Name of Owner: Avenir Development, LLC

Signature of Owner

550 Biltmore Way, Suite 1110

Street Address

P. O. Box

Telephone Number

E-mail Address

Sworn and subscribed before me this _______________ day of ________________, 2019.

________________________
Notary Public

My Commission expires:

________________________
Notary Public - State of Florida
Commission # FF 917623
My Comm. Expires Oct 30, 2019
Bonded through National Notary Assn.
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:  

- [ ] Owner
- [ ] Optionee
- [ ] Lessee
- [ ] Agent
- [ ] Contract Purchaser

Signature of Applicant

Ken Tuma, Urban Design Kilday Studios

Print Name of Applicant

610 Clematis Street, #CU-02

Street Address

West Palm Beach, FL 33401

City, State, Zip Code

(561) 366-1100

Telephone Number

(561) 366-1111

Fax Number

ktuma@udkstudios.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.

AVENIR DEVELOPMENT, LLC

Owner signature: ______________________________

Owner printed name: Eduardo Stern, Vice President

Property Control Number: ______________________________

DESIGNEE/BILL TO:

Designee Acceptance Signature: ______________________________

Eduardo Stern, Vice President of Avenir Development, LLC

NOTARY ACKNOWLEDGEMENT

STATE OF Florida

COUNTY OF Miami-Dade

I hereby certify that the foregoing instrument was acknowledged before me this ___ day of July, 2019 by Eduardo Stern, as Vice President of Avenir Development, LLC. 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: ________________
PROJECT NARRATIVE
AVENIR PCD
Parcel B Townhomes
Site Plan Approval
July 15, 2019

Request
Avenir Development, LLC, the owner and developer of a portion of the Avenir property, is requesting site plan approval for 250 townhomes on 28.06 acres with Avenir Parcel B, the Town Center district.

On May 5, 2016, the City Council adopted Resolution 4, 2016 which created the Avenir Planned Community Development (PCD) development order and master plan. The adopted master plan indicates that the community’s Town Center District (Parcel B) is approved for 400,000 square feet of commercial space, 150 Hotel Rooms and 250 multi-family dwelling units. Earlier this year, site plan applications for a commercial district and Crystal Lagoon within Parcel B were submitted to the City and is currently under review. The subject site plan application is 250 townhomes for the residential portion of the Town Center district.

The proposed townhomes will be located on the northern portion of Parcel B. This neighborhood will be north of and overlook the proposed Town Center Crystal Lagoon and south of the approved Parcel A neighborhoods Pods 2 and 3 and Master Drainage Lake #4. The majority of the units will be oriented around the Crystal Lagoon amenity directly to the south of the site. Townhomes units will overlook and have multiple pedestrian links to the lagoon site, where the townhome residents will be members. This new neighborhood will be connected through vehicular and pedestrian routes to the rest of the Town Center district and surrounding neighborhoods.

Seven (7) townhome building types are proposed within the neighborhood. Two types will be three stories in height with the other five models as two-story units. The proposed townhomes will feature a wide range of total area from 2,851 to 4,913 square feet.

Location
Avenir is generally located in northeastern Palm Beach County within the municipal limits of the City of Palm Beach Gardens and is approximately 4.5 miles in its longest dimension (north-south), and 2.5 miles in its widest dimension (east-west). The site has been given a situs address of 12200 Northlake Boulevard. The subject site has a Mixed Use (MXD) future land use designation and a Mixed Use zoning designation with a Planned Community District (PCD) overlay. The site is currently under development.

The proposed townhouse neighborhood is located on the northern portion of Parcel B. To the north and east of the subject site are residential neighborhoods within Avenir Parcel A. To the
south are the proposed Crystal Lagoon and Town Center site plan. To the west is Parcel D, which is a non-residential Workplace District.

The table below summarizes the existing Land Use designation, Zoning designation, and use of the surrounding properties.

<table>
<thead>
<tr>
<th>DIRECTION</th>
<th>EXISTING USE</th>
<th>ZONING</th>
<th>LAND USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Parcel A (Residential) Pods 2 &amp; 3</td>
<td>PCD (MXD)</td>
<td>Mixed Use (MXD)</td>
</tr>
<tr>
<td>South</td>
<td>Parcel B (Town Center)</td>
<td>PCD (MXD)</td>
<td>Mixed Use (MXD)</td>
</tr>
<tr>
<td>East</td>
<td>Parcel A (Residential) Pod 1</td>
<td>PCD (MXD)</td>
<td>Mixed Use (MXD)</td>
</tr>
<tr>
<td>West</td>
<td>Coconut Boulevard &amp; Parcel D (Workplace District)</td>
<td>PCD (MXD)</td>
<td>Mixed Use (MXD)</td>
</tr>
</tbody>
</table>

**History**

The Avenir PCD was approved on May 5, 2016 by City Council through 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 residential 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.

On November 1, 2018, the City Council adopted Resolution 67, 2018, which approved a 469-unit age-restricted, single-family residential subdivision on 195 acres within Parcel A.

On January 10, 2019, the City Council adopted Resolution 2, 2019, which approved the boundary plat for Avenir. As part of the boundary plat approval, 130 acres were donated to the City for Civic/Recreational uses and a future City Hall annex. In addition, the plat provides 50 acres for economic development purposes. In addition, 2.5 acres of land was provided to the Seacoast Utility Authority for a future facility.
On January 10, 2019, the City Council adopted Resolution 3, 2019, which adopted Site Plan #1, which consists of 416 single-family homes on approximately 230.49 acres. The City Council adopted Resolution 38, 2019 on June 6, 2019, which approved the Avenir Clubhouse and Recreation Area site plan. Plats for Avenir Pods 1, 2, 3 and 4 have been approved by City Council.

**Parcel B Townhomes**

As indicated above, the Applicant is requesting site plan approval for 250 townhomes within the Avenir Town Center district (Parcel B). The proposed density of this neighborhood is 8.9 dwelling units per acre. The Avenir Development Standards allows a net residential density up to 15 dwelling units per acre in Parcel B. This townhome community is located at the northern portion of the Town Center district and will overlook the proposed Crystal Lagoon at the center of Parcel B. Residents of the townhome community will have membership access to the adjacent recreational amenity and will be in walking distance to the commercial site plan.

The proposed neighborhood will be gated and have two access points. The main entrance will be at the eastern side of the site and will be from the Town Center Access Road, which has been designated as a secondary street within the Town Center district. This roadway connects Avenir Drive to all three site plans within the Town Center District and will provide links to Northlake and Coconut Boulevards. A mailbox kiosk has been provided near this main entrance.

The secondary entrance will be on the western boundary of the proposed site plan, where a planned right-in, right-out entrance is planned to connect to Coconut Boulevard. This entrance will also feature a gated entrance.

The required park area for the townhouse community will be the adjacent Crystal Lagoon, where all townhome residents will have memberships. All units are within ¼ mile of the Crystal Lagoon. In addition, a tot lot has been provided in a centrally-located green space within the townhome community. Also, three trellis/swings are proposed to overlook the lake to the north of the site. The site plan is providing 9.86 acres of open space (35.2% of the total site).

The streets within the site plan are classified as secondary streets and have a minimum 40-foot right-of-way. Outside the right-of-way will be 12-foot wide utility easements, which includes five-foot wide sidewalks, to create a 64-foot wide build-to line at the minimum street cross-section. Additional street cross-sections have been provided that incorporated on-street parking and traffic calming medians.

The proposed street cross-sections are consistent but not identical to the street cross-sections provided in the Avenir Development Standards. However, the Development Standards allows for the City Council to approve alternative cross-sections if they are designed to slow traffic and encourage bicycle and pedestrian use. The proposed streets incorporate sidewalks on both sides of the street and that connects with the other sidewalks throughout the site. Traffic calming provisions are provided within the streetscape along with on-street parking. Bicycles will share the traffic lanes with motorists on the slow speed streets.
The following is a site plan analysis for the subject site:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Avenir Design Standards</th>
<th>Proposed</th>
<th>Consistent?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Setback - Front-Loaded Garage</td>
<td>Portion of building within 20 feet of build-to-line</td>
<td>13 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Side Setback</td>
<td>0 feet</td>
<td>0 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>10 feet</td>
<td>10 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Building Height</td>
<td>3 story/45 feet</td>
<td>3 story/43’6” at roof midpoint</td>
<td>Yes</td>
</tr>
<tr>
<td>Block Structure</td>
<td>600 feet maximum</td>
<td>1,736 feet</td>
<td>No, Waiver requested</td>
</tr>
<tr>
<td>- Length</td>
<td>1,800 feet maximum</td>
<td>4,062 feet</td>
<td></td>
</tr>
<tr>
<td>- Perimeter</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Density</td>
<td>15 du/ac</td>
<td>8.9 du/ac</td>
<td>Yes</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>50 feet</td>
<td>70 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>100%</td>
<td>80%</td>
<td>Yes</td>
</tr>
<tr>
<td>Minimum Open Space</td>
<td>35%</td>
<td>35.2%</td>
<td>Yes</td>
</tr>
<tr>
<td>Parks Requirement</td>
<td>Park or green space within ¼ mile of each lot</td>
<td>Park or green space within ¼ mile of each lot</td>
<td>Yes on site and adjacent Crystal Lagoon.</td>
</tr>
<tr>
<td>Parking Requirement</td>
<td>1 space per bedroom + 5% for guest parking – 1,050 spaces</td>
<td>1,068 spaces</td>
<td>Yes</td>
</tr>
<tr>
<td>Landscape Points</td>
<td>20,791 points</td>
<td>21,079 points</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Seven (7) building types are proposed with this site plan. Five of the building types are two story units and two types are three-story in height.

Building Types I and II are two-story models which will directly front on and overlook the adjacent Crystal Lagoon to the south. Each of these building types will have its own individual pedestrian connection to the amenity. Building Types I and II consists of 56 units in four- and five-unit buildings, respectively. Individual units will each have 4 bedrooms and 3.5 or 4.5 bathrooms depending upon whether the unit in interior or end unit. The buildings will be 26’3” high at the midpoint of the roofs and will feature cement tile roofs, impact-resistant doors and windows, balconies with decorative aluminum railings, and smooth and scored stucco walls. Two car-garages are provided with two additional parking spaces within the driveway. Lot widths range from 28 feet, 4 inches to 28 feet, 8 inches. The units range in size from a minimum of 2,982 square feet of air conditioned space and to a maximum of 3,819 square feet in total area.

Building Types III and IV are three-story models with rooftop terraces which are located at the center of the subject site. Types III and IV will consist of 64 units within four- and five-unit buildings. By having the three-story buildings in the middle of the site allows for a transition in
the building heights to the adjacent parcels and allows for lagoon views from the rooftop terraces. The buildings will be 43’6” at the midpoint of the roofs and will feature cement tile roofs, impact-resistant doors and windows, balconies with decorative aluminum railings, and smooth and scored stucco walls. The buildings will feature rooftop terraces which will include options for spa, outside kitchens and seating areas. Lot widths range from 26 feet, 8 inches to 27 feet. The units range in size from a minimum of 3,616 square feet under air and a maximum of 4,913 total square feet.

Building Types V, VI and VII are two-story models which will be located on the northern portion of the site and of Parcel B and many will overlook Master Drainage Lake #4. Building Types V, VI and VII are four-, five- and six-unit buildings with a total of 130 units. Individual units will be 3- and 4-bedrooms in size and have 2 or 3 bathrooms depending upon whether the unit is interior or end unit. The buildings will be 26’3” at the midpoint of the roofs and will feature cement tile roofs, impact-resistant doors and windows, balconies with decorative aluminum railings, and smooth and scored stucco walls. Two car-garages are provided with two additional parking spaces within the driveway. Lot widths range from 27 feet, 4 inches to 39 feet, 6 inches. The units range in size from a minimum of 2,185 square feet of air conditioned space to a maximum of 3,388 square feet in total area.

**Waiver**

One waiver is being requested with this Site Plan Review application request. The waiver request is to allow for an alternate street layout than what is called for within the Avenir Development Standards. The Development Standards require streets within the Town Center district to be located around individual blocks. The standards call for the maximum block length of 600 linear feet and a maximum block perimeter of 1,800 feet. The Applicant is providing an alternative layout to maximum its lake/lagoon views while providing for a web of pedestrian linkages throughout the site and to the adjacent amenity.

**Waiver Summary Table**

<table>
<thead>
<tr>
<th>Avenir Development Standards</th>
<th>Requirement</th>
<th>Proposed</th>
<th>Waiver Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Block Structure</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Length</td>
<td>600 feet maximum</td>
<td>1,736 feet</td>
<td>1,136 feet</td>
</tr>
<tr>
<td>- Perimeter</td>
<td>1,800 feet maximum</td>
<td>4,062 feet</td>
<td>2,262 feet</td>
</tr>
</tbody>
</table>

The following is an analysis of each of the waiver requests and evidence of compliance with each of the code-required waiver criteria.

**Alternative Street/Block Structure**

The Town Center District (Parcel B) regulations require the streets to be laid out in a block format.
Because of its location between Master Drainage Lake #4 and the proposed Crystal Lagoon, it is impossible to provide the required street/block structure and still provide the desired home locations overlooking these water bodies. Having these homes overlook these water amenities will enhance and maintain the values of these dwellings.

The streets have been laid out in an east/west direction to take full advantage of the lake and lagoon overlooks. To provide the circulation sought by the block structure requirement, sidewalks in the north/south direction have been provided every 400 to 600 linear feet. These sidewalk connections will allow pedestrians to move easily throughout the neighborhood and to access the Crystal Lagoon amenity.

In addition, the proposed project provides a housing alternative in this area of the City. The townhomes also range in size in total area from 2,851 to 4,913 square feet, which will allow for a variety of home prices. In addition, a web of pedestrian linkages have been provided throughout the site including multiple north/south pathways which will allow the future residents to easily access the Crystal Lagoon amenity to the north. Also, please note that the proposed neighborhood exceeds the required landscaping points. The network of sidewalks through the community and the additional landscaping are justification for this waiver.

### 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.**

   *Policy 1.1.3.1. of the Future Land Use element of the City’s Comprehensive Plan requires the City to maintain land development regulations that, in part, provide varied housing opportunities and establish moderate densities to help discourage urban sprawl. The provision of townhomes at a variety of sizes and price points within walking distance to the Avenir commercial district and Crystal Lagoon amenity advances Policy 1.1.3.1 of the Comprehensive Plan. The proposed waiver will not adversely affect the adjacent properties which have been planned for through the Planned Community Development review process. As such, the proposed request is consistent with the City’s Comprehensive Plan.*

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 request, the applicant will be able to provide a creative design to offer lake overlooks while adding multiple pedestrian connections through the neighborhood in excess of code requirements. As such, the waiver request is 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.

The requested waiver will allow for the creation of the townhome neighborhood with innovative architecture, pedestrian amenities and linkages to adjacent properties, a reduction in vehicular trips and the establishment of a sense of place. Two- and three-story townhome units are proposed that are designed to maximize the views to the adjacent Crystal Lagoon and 12.9-acre Master Drainage Lake #4. Pedestrian connections have been provided throughout the community and to the adjacent Crystal Lagoon. Townhomes fronting on the lagoon will have their own pedestrian link to the amenity. The site’s interaction with this amenity creates a community unlike any other within the City. For these reasons, the proposed site plan provides the site amenities encouraged within the City’s goals, objectives and policies.

(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.

The requested waiver will allow for an alternative layout of the streets within the townhome community. This alternative layout will allow for the community to maximize its views of the adjacent lagoon/lake and enhance the interaction between the community and the amenity. The proposed site plan includes additional landscape points, open space and sidewalk connections in excess of the minimum requirements for planned developments.

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

The proposed alternative street layout will augment the look and functionality of the project. In addition, the site is providing more landscaping points than what is required by the City’s landscaping code.

(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.

With the PCD approval, 2,407 acres of Conservation Area (51% of the net PCD area) will be preserved and will link up with 100,000 acres of adjacent conservation area in the north county area. The subject site plan will also feature three trailheads to the Conservation Area for the resident’s access. The requested waiver does not affect the amount of land dedication to preservation on site.

(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.
The proposed waiver allows for creative and innovative land design, which is encouraged by the City through its policies and regulations. The site plan features desirable views of the adjacent amenities planned for the Avenir Town Center district. In addition, the site design of having townhomes within walking distance to the Avenir commercial district and Crystal Lagoon will reduce vehicular trips within the community.

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

The provision of an alternate street layout which is consistent with the adjacent residential site plans to the north and east of the subject site will not adversely impact any adjacent uses. Please note that the site plan has been landscaped in excess of code requirements.

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

As the applicant is requesting to provide an alternative street layout to maximize adjacent lake views for the benefit of the future residents. To accommodate this street layout, additional sidewalk connections have been made throughout the site and in excess of code requirements. As such, the proposed waiver request is not for economic reasons.

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

The requested waiver to allow for an alternative street layout that what is called for in the Avenir Development Standards will not adversely impact the view from adjacent properties or rights-of-way.

(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.

The waiver request will allow for an alternative street layout for the community and the provision of additional sidewalks, which will help encourage walking and a healthy lifestyle. Any impacts to the public health, safety and welfare with this waiver request are negligible.

Consistency with the Comprehensive Plan

The proposed request is consistent with the Goals, Objectives and Policies of the City's Comprehensive Plan. Below are several examples that the subject request is consistent with the Goals, Objectives and Policies, of the City’s Comprehensive Plan.

FUTURE LAND USE ELEMENT

Goal 1.1.
Goal 1.1. of the Future Land Use element states: “Continue to ensure a high quality living environment through a mixture of land uses that will maximize Palm Beach Gardens’ Natural and manmade resources while minimizing any threat to the health, safety, and welfare of the City’s citizens that is caused by incompatible land uses which consider the intensities and densities of land use activities, their relationship to surrounding properties and the proper transition of land uses.”

The approved Avenir Master Plan creates the environment to ensure a high-quality of living that City residents have enjoyed for more than 50 years. The majority of the site, 2,407 acres (51% of the property), will be environmentally enhanced and dedicated for conservation purposes to allow for the preservation of natural resources on site, both upland and wetland environments. The conservation area will be located on the northern portion of the site where it will be adjacent to and in close proximity to other environmentally-sensitive lands and conservation areas allowing for connectivity and restoration of habitats and water flow. The southern portion of the site will be a mixed use community featuring a variety of residential and non-residential uses within a pedestrian-friendly environment.

The requested site plan application implements the approved master plan through the provision of residential units within the Avenir Town Center district. The request does not amend the development program, the Conservation area or the boundaries of the PCD. As such, the request, like the original approval, is consistent with the Goal of the Future Land Use element of the Comprehensive Plan.

Policy 1.1.1.15.: Mixed Use Development (MXD):
Policy 1.1.1.15 states: “The Mixed Use Development category is designed for new development which is characterized by a variety of integrated land use types. The intent of the category is to provide for a mixture of uses on single parcels in order to develop sites which are sensitive to the surrounding uses, desired character of the community, and the capacity of public facilities to service proposed developments. This Future Land Use category is also intended to foster infill and redevelopment efforts, to deter urban sprawl and to encourage new affordable housing opportunities, as well as lessen the need for additional vehicular trips through the internalization of trips within a neighborhood or project. To create a functioning, multi-faceted type of development, mixed use development is dependent on the successful integration of distinct uses. Integration is defined as the combination of distinct uses on a single site where the impacts from differing uses are mitigated through site design techniques, and where impacts from differing uses are expected to benefit from the close proximity of complementary uses. All requests for development approval based on a mixed use concept must be able to demonstrate functional horizontal integration of the allowable uses, and where applicable, vertical integration as well.”

The approved Avenir mixed-use community is consistent with the referenced policy as it closely integrates various land use types within a pedestrian and bicycle-friendly environment. The location of these various requested land uses in a horizontally-integrated manner will help internalize vehicular trips and encourage affordable living arrangements through the provision of a variety of housing types and sizes and less dependence on the automobile as the sole transportation factor. The subject request does not change the approved mix of uses within the
4,793-acre site. The proposed site plan application will implement the approved master plan and provide residential units within Parcel B. The approved mixed-use community brings about the desired character of development envisioned by the City and by this policy.

TRANSPORTATION ELEMENT

**Objective 2.1.1:** To maintain specific level of service (LOS) standards on the roadways.
With the approved phasing of Assured Construction (publicly committed roadway improvements), committed roadway improvements by the developer and Proportionate Share payments for several roadway links and intersections, the project will mitigate its impacts that may result in a level-of-service (LOS) increase. The proposed site plan application does not affect the phasing of infrastructure improvements.

**Goal 2.2:** Continue to develop and maintain sustainable, safe and efficient intermodal transportation linkages through a balance of traffic circulation systems, public transportation, and pedestrian and bicycle networks.
The approved Master Plan illustrates the approximate location of seven (7) vehicular access points to the project from Northlake Boulevard. The number of access points to Northlake Boulevard is not proposed to change with this request.

HOUSING ELEMENT

**Objective 3.1.2:** Assist the private sector to provide housing of the various types, sizes, and costs to meet the housing needs of all existing and anticipated populations of the City. Toward this objective, the City shall maintain, land development regulations, consistent with Section 163.3202(1), F.S., facilitate public and private sector cooperation in the housing delivery system.
The approved Avenir development program will continue to feature single-family homes and townhomes in a variety of sizes and costs. With the approved Master Plan, employment and educational uses will be located within close proximity to the planned residential areas. As such, the need for an automobile or automobiles for a family will decrease, which will increase the affordability of the residential units within the project. As indicated above, the proposed townhome community is within walking distance to the Avenir Town Center commercial district and the Crystal Lagoon amenity.

**Compliance with Avenir development order**
With the approval of Resolution 4, 2016, which created the Avenir Planned Community Development, there were several conditions of approval which are to be addressed prior to each site plan approval. Below is a summary on how the Applicant and the submitted site plan are consistent with the requirements of these conditions.

- Condition #17 – Dedication of additional right-of-way for Northlake Boulevard. – The dedication of this right-of-way was provided for within the Avenir Plat, which was approved in January 2019.
• Condition #26 – Surety required for referenced traffic signal improvements. – The performance security for the required traffic signal improvements will be provided prior to the first permit for vertical construction.
• Condition #28 – Dedication of sufficient property for roadway connections to Northlake Boulevard. – The referenced area was dedicated on the approved Avenir Plat.
• Conditions #34 and 37 – Evaluating alternative mobility options. – A variety of mobility options have been provided within the proposed Avenir community. The Coconut Boulevard extension, which will connect Site Plan #3 to Avenir Drive and Northlake Boulevard, will feature 8-foot and 12-foot wide multi-use pathways. These pathways will accommodate pedestrians, joggers, bicyclists and golf carts. Within the proposed site plan, additional pathways and connections to adjacent public spaces have been provided on the revised site plan. These mobility options will help decrease automobile traffic within the Avenir community and surrounding roadways.
• Condition #35 – Updated traffic impact analysis with a cumulative total of approved trips prior to each site plan approval. – An updated traffic analysis is attached for your review.
• Conditions #38, 39, 40 and 93 – Provisions for the requirements within the plat. – The Avenir plat was recently approved by the City Council. The approved plat identifies the conservation area, dedications to the City and future rights-of-way.
• Condition #45 – Environmental survey of subject site prior to land alteration. – An environmental survey of the Parcel B will be provided prior to any land alteration of that area.
• Condition #47 – Removal of exotic species. – Prior to construction within the subject site, all exotics will be removed from the parcel in conformance with the PCD development order.
• Condition #51 – Impervious surfaces to be minimized. – Within the proposed site plan, the minimum open space requirements have been exceeded.
• Condition #53 – Submittal of Best Management Procedures to City prior to first infrastructure permit. – Agricultural uses within Avenir is being minimized as the project is being developed for the approved mixed-use community. The project’s environmental consultant created Best Management Procedures for the project. The Avenir Community Development District will manage and monitor the BMPs.
• Conditions #55 and 59 – Determination of adequate potable water allocation from Seacoast Utility Authority. – Previously submitted to the City files is the October 10, 2016 letter from Seacoast Utility Authority confirming sufficient potable water supplies for the project.
• Condition #56 – Treated wastewater effluent is preferred source of irrigation water. – SUA currently has no facilities in the area to provide reclaimed water. According to the provided letter from SUA, “If the project is ultimately connected to the Seacoast sanitary sewage system, the resulting reclaimed water can be applied off-site”. Irrigation water for the project will be provided from the on-site lake or from wells. No residential lots will have individual wells.
• Condition #61 – Soil treatment and stabilization required. – The Applicant acknowledges this requirement and will comply with all National Pollutant Discharge Elimination System requirements.
• Condition #62 – Incorporation of green building principles within proposed buildings. Impact and energy-efficient windows will be used in proposed buildings. Water-saving fixtures in the bathrooms and kitchens will also be used.

• Condition #64 and 65 – Police and Fire Rescue levels of service provision. City’s Police and Fire Rescue departments confirmation of service provision have been provided and are on file with the City.

• Condition #120 – Sign Program submitted to the City for review and approval prior to the first Certificate of Occupancy. Signs for each parcel will be provided to the City for its approval.

• Condition #121 – Gateway sign installation. The required City Gateway sign will be constructed consistent with the approved timeframe within the PCD development order.