

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:

- | | |
|--|--|
| <input type="checkbox"/> Planned Community Development (PCD) | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Amendment to PCD, PUD or Site Plan | <input checked="" type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Concurrency Certificate |
| <input type="checkbox"/> Amendment to the Comprehensive Plan | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Administrative Approval | <input type="checkbox"/> Miscellaneous |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Other <input type="text"/> |

Date Submitted:

Project Name: Avenir- Town Center Phase 1A

Owner: Avenir Development LLC

Applicant (if not Owner): Same

Applicant's Address: 777 S Flagler Dr, Suite 500 E, West Palm Beach, FL 33411 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: _____
<u>Fees Received</u>	
Application \$ _____	Engineering \$ _____
Receipt Number: _____	

Architect: Zyscovich Architects

Engineer: Ballbe & Associates, INC.

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: _____ 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: See attached Narrative

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: Please see the attached project narrative.

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:

[Empty box for 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 Seminole
Pratt-Whitney & Northlake Blvd., on the north, east, south, west side of Northlake Blvd.
(street/road).

Statement of Ownership and Designation of Authorized Agent

Before me, the undersigned authority, personally appeared Daniel E. Lopez
Vice President-Authorized Signatory 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 Donaldson E. Hearing to act as authorized agent on his/her behalf to accomplish the above project.

Name of Owner: Daniel E. Lopez

[Signature] Lopez E. Daniel, Vice President
Signature of Owner By: Name/Title

777 S Flagler Dr, Suite 500 E West Palm Beach, FL, 33401
Street Address City, State, Zip Code

P. O. Box City, State, Zip Code

305-510-7958

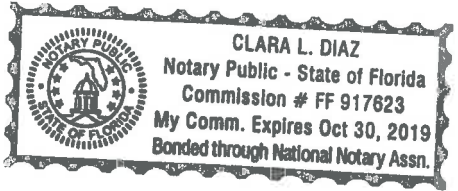
Telephone Number Fax Number

dlopez@waterstonebuilders.com
E-mail Address

Sworn and subscribed before me this 8th day of November, 2018.

[Signature]
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

Donaldson E. Hearing

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

dhearing@coteleur-hearing.com

E-Mail Address



Permit # _____

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.

[Signature]
Owner signature

11/8/18
Date

Daniel E. Lopez
Owner printed name

5241421500001040
Property Control Number

DESIGNEE/BILL TO:

Designee Acceptance Signature

NOTARY ACKNOWLEDGEMENT

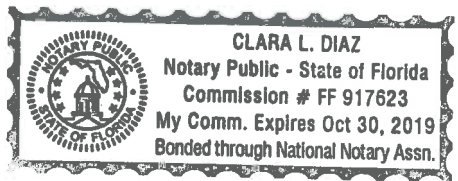
STATE OF Florida

COUNTY OF Miami-Dade

I hereby certify that the foregoing instrument was acknowledged before me this 8 day of November, 2018, by Daniel Lopez. He or she is personally known to me or has produced _____ as identification.

[Signature]
Notary public signature

Printed name



State of _____ at-large

My Commission expires: _____

Avenir- Town Center Phase 1A Site Plan Review Application

November 26, 2018

Request:

On behalf of the property owner Avenir development LLC, please accept this as our formal request for Site Plan Approval for Phase 1A of the Avenir Town Center District on 15.43 acres within the Town Center District of the Avenir Planned Community Development (PCD). The development of the Town Center District is being triggered by the development applications for single family homes within Parcel A. The Town Center will serve as an amenity to the community and to the City of Palm Beach Gardens. The Avenir PCD is approximately 4,763 acres and is located north of Northlake Boulevard, south of Beeline Highway, and west of I-95 and the Turnpike. The subject site is located within the southwestern portion of the Town Center District and is directly adjacent to Northlake Blvd.

The Town Center consists of a total of 83.61 acres (84.39 acres per survey) and will contain a variety of uses. Approximately 250 multi-family homes, 400,000 square feet (SF) of commercial, and 150 hotel rooms, as approved on the master plan, will be located within the Town Center. As shown on the attached site plan, Phase 1A (approximately 15.43 acres) will contain primarily Commercial Retail uses. Including, a grocery store with a liquor store, pharmacy with drive through, fitness center, general retail, fast food restaurant with drive through. Along with the listed uses, the applicant is seeking approximately 3,848 square feet (SF) of outdoor seating. This 3,848 SF is included in the projects parking calculations. In addition to the site plan approval request, we are seeking a major conditional use for a restaurant with a drive through.

Consistent with the approved PCD master plan and Design Guidelines, the proposed site plan includes portions of the required "Primary" streets. On-street parking is proposed along the Primary Streets. With enhanced sidewalks and landscaping on both sides of the streets the requirements listed in the Design Guidelines are being exceeded.

In addition, Secondary streets are included intersecting the Primary streets, creating a grid like pattern of development. Consistent with the design requirements, commercial buildings have been located along the Primary and Secondary street frontages. In the locations where buildings are not being provided, landscaped open spaces with pedestrian amenities have been provided. Buildings will be one to two stories, but will all have at least two story scaled features.

There are some features of the site plan that deviate from the approved design guidelines. However, the Town Center has been and will continue to be designed to balance the needs and safety of pedestrians and motorists visiting the site. Deviations from the approved design guidelines will have corresponding waivers.

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.

Location:
Parcel ID: 52414215000001040

The Avenir PCD is located within northeastern Palm Beach County and is within the municipal boundary of Palm Beach Gardens. Located on the North side of Northlake Boulevard, Avenir has been given the address 12200 Northlake Blvd. A list of parcel control numbers identifying the properties included within this site plan application can be found above. The Avenir PCD is approximately 4,763 acres, 4.5 miles long (North-South) and 2.5 miles wide (East-West). The Avenir Town Center consists of a total of 84.39 acres, as identified on the attached survey. The site plan application for Phase 1A consists of 15.43 acres located in the southwestern portion of the Town Center District. *Note: Within phase 1A is .92 acres not currently shown by Palm Beach County as being owned by Avenir Development LLC. This acreage can be found on the south-west corner of Phase 1A. The area in question has been legally conveyed to Avenir Development LLC.*

The Town Center Commercial District is surrounded by residential and office uses. Abutting the north and eastern boundary of the Town Center District is residential parcel A. To the west Coconut Boulevard separates the Town Center from Parcel D-Workplace District. To the south is Northlake Boulevard.

TOWN CENTER ABUTTING USES AND SETBACKS			
BOUNDARY	ABUTTING USE	BUFFER/SETBACK REQUIREMENT	BUFFER/SETBACK PROVIDED
NORTH	PARCEL A-RESIDENTIAL	15' SETBACK	N/A
SOUTH	NORTHLAKE BLVD.	50' PARKWAY BUFFER	50' PARKWAY BUFFER WITH PATH
EAST	PARCEL A-RESIDENTIAL	15' SETBACK	N/A
WEST	AVENIR CONNECTOR ROAD/PARCEL D-WORKPLACE	15' SETBACK	15' SETBACK

*The Town Center Phase 1A site plan does not abut the north or east district boundaries, thus no setback is required.

The 15.43 acre site is located immediately north of Northlake Blvd. and immediately south of the proposed Crystal Lagoon within the Town Center District, which is currently being scheduled for a pre-application meeting. Drainage for the site will be provided via the PCDs master drainage system.

Land Use and Zoning:

The subject site is roughly 17% of the overall Town Center District. The future land use designation is MXD (Mixed Use) and the zoning is Mixed Use with a Planned Community Development Overlay (MXD/PCD). As stated previously the site is located within the Parcel B-Town Center District, and is bounded to the north and east by residential parcel A. To the west an 80' Avenir Connector roadway separates the Town Center from Parcel D-Workplace District. To the south is Northlake Boulevard. For context, the zoning and land use designations of properties adjacent to the Avenir PCD are as follows.

EXISTING SURROUNDING ZONING AND LAND USE			
NORTH	Hungryland Slough	PBG-Conservation (Cons)	PBG-Conservation (Cons)
	Caloosa (Residential)	PBC-Agriculture Residential (AR)	PBC-Rural Residential 10 (RR10)
SOUTH	Vacant (portion approved as Shops at Indian Trails)	PBC-PO, MUPD, AR, RE	PBC-CL/RR-5, RR10, RR2.5
	Pierce Hammock Elementary School	PBC-Agriculture Residential (AR)	PBC-Rural Residential 10 (RR10)
	The Acreage (Residential)	PBC-Agriculture Residential (AR)	PBC-Rural Residential 10 (RR10) PBC-Rural Residential 20 (RR20)
EAST	North County General Aviation Airport	PBC-Public Ownership (PO)	PBC- Utilities and Transportation (U/T)
	Loxahatchee Slough	PBG-Conservation (Cons)	PBG-Conservation (Cons)
	PBG Municipal Golf Course	PBG-Golf (G)	PBG-Public & Institutional (P/I)
	Vacant (Ancient Tree PUD)	PBG-Planned Unit Development (RL-2)	PBG-Residential Low (RL)
WEST	Vacant (Mecca Farms)	PBC-Agriculture Residential (AR)	PBC-Rural Residential 10 (RR10)
	The Acreage (Residential)	PBC- Agriculture Residential (AR)	PBC-Rural Residential 10 (RR10) PBC-Rural Residential 2.5 (RR2.5)

Access:

Access to the site will be from Northlake Blvd. and the future Coconut Blvd. Along the six lane divide highway there will be two full access primary entrances to Primary Streets. Access to the Premier Street will be from Coconut Blvd. Numerous pedestrian connections will be provided from the extensive internal sidewalk network within the Town Center to the adjacent pedestrian pathways along the 50-foot wide Northlake Blvd. Parkway buffer and 20-foot wide Coconut Blvd. buffer.

Site Analysis:

Site Analysis: Avenir Town Center			
	Avenir PCD Design Guidelines and City's LDRs	Proposed Site Plan	Consistent
Development Area	5 Acre	15.43 Acres	Yes
Open Space	10%	14.06%*	Yes
Lot Coverage	70%	21%	Yes
Setbacks			
Front	50 Feet from Northlake Blvd Additional Dedication and Utility Easements	50 Feet	Yes
Side	15 Feet from Residential Parcel A	N/A	Yes
Side Street	15 Feet from Coconut Blvd	20 Feet from Coconut Blvd	Yes
Rear	15 Feet from Residential Parcel A	N/A	Yes
Building Height	4 Story/65 Feet	2 Story/40 Feet	Yes
Parking	1/200 For Retail, and Fitness Center (Plus 1/200 For 3,848 SF of Outdoor Seating Area) = 818 Spaces Required	607 Spaces	Waiver Requested. Remainder of Parking Required Within Phase 1A Can Be Provided for In Phase 1B
Parking Space Size	9'x23' On Street, 9'x18.5' Surface Parking With 26' Drive Aisle	9'x23' On Street, 9'x18.5' Surface Parking With 24' Drive Aisle	The difference of 2' is addressed by the requested waivers
Landscaping	Points Required	Points Provided	Yes

*Note *1 Open Space shown is green space / pervious area. Open Space per 78-681 (b) (4) including pedestrian walkways and plazas equals 26%. Additionally the open space does not include the 85' Parkway Buffer (50'+ 25' SUAE + 10' UE) or the proposed 40' Parkway along Coconut.*

Site Plan Features:

The applicant is requesting site plan approval for an enhanced pedestrian focused Town Center for the Avenir Community. The proposed site plan for the Avenir Town Center will contain 11 proposed commercial buildings. These buildings are located on a grid of pedestrian-oriented streets. The proposed uses include Grocery with Liquor Store, retail, fitness center, specialty restaurants, pharmacy with drive through, and fast food restaurant with drive-through.

Architecture:

The design firm selected by Avenir for the Town Center is Zyscovich Architects. Zyscovich Architects is an award-winning international firm with offices in Miami, Orlando, New York, and Bogota. The Avenir Town Center is envisioned as a transitional architecture styled project, which brings together the profile of traditional roof lines and proportions with the simplicity of more modern, clean structures. Visual interest is achieved by the contrast of large straight-forward, right-angular architecture and linear design elements. The mixtures of textured and smooth finishes along with a rich palette of materials define architectural elements such as towers, overhanging roofs, and covered pedestrian areas further.

Phase 1A contains 11 buildings of varying sizes. The building facades will use adequate amounts of traditional and modern-day materials such as composite wood-like elements, glass, varying storefront systems, smooth stucco and varying architectural features that will create scale and depth. The mix of these materials will provide for a unique development. All buildings are highly articulated and exceed the minimum standards of Avenir Design Guidelines. The design of the buildings creates visual interest and will encourage pedestrian activity.

There are a number of squares and pedestrian areas which lead to various focal points of the development. These areas are dynamic and include a variety of amenities, such as, benches, water features, and specialized landscape areas for gathering. This project will be architecturally unique and create a pedestrian oriented place for people to shop and enjoy.

Landscaping:**Northlake Boulevard Buffer**

The Avenir PCD master plan approved a 50' parkway buffer in front of the Avenir Town Center with an additional 35' of utility easements and 40' of additional right-of-way dedication. The site plan for Phase 1A proposes a 50' parkway buffer of universal design that will be an active recreational amenity and act as a passive park. The design concept includes a 12' multi-modal path that meanders through native clusters of landscaping. This path is designed to be at the compatible grades with the crosswalks and finished floor elevations of buildings fronting the parkway buffer to encourage people of all activity levels to use the paths for walking, biking and recreating.

The landscape design concept for the Parkway Buffer is to create pastoral feel with large live oaks contrasted with formal Royal Palms. Live Oak with sizes ranging from 14' to 25' tall are used in groupings along the corridor. Sabal and coconut palms provide visual diversity and provide continuity with the parkway buffer east of the Town Center. A formal row of large grey wood Royal Palms provide a sense of order and formality along Northlake Blvd. The combination of these species will create a graceful and elegant environment unique to Avenir. To further enhance the landscape aesthetic, trees and palms will be up lit with LED lighting for more dramatic night time effects.

Coconut Boulevard Buffer Concept

This landscape buffer will be complementary to the Northlake Blvd. parkway buffer but on a smaller scale. To remain consistent similar plant materials will be provided. However, to create a more defined corridor, street trees will be provided and equally spaced to create harmony. Coconut Blvd. will also contain a parkway buffer similar in design to what has been proposed for the eastern connector road.

Signage:

The applicant is preparing a master signage program for the Avenir Town Center. The Master Signage Program will be provided under separate cover and will govern all signage within the project.

Pedestrian-Orientation:

Consistent with the adopted Design Guidelines for the project, the proposed Avenir Town Center provides a grid of Premier, Primary, and Secondary Streets. An extensive network of enhanced sidewalks is provided on both sides of the streets. Pedestrian courtyards are planned throughout the district, including a large central courtyard feature that will be adjacent to the massive Crystal Lagoon, which will be the largest community amenity within the City of Palm Beach Gardens. Please note that signature architectural elements and shade structures are being provided as designed by Zyscovich Architects.

Premier Street

The Premier Streets, as indicated on the site plan and consistent with the Design Guidelines, connects Northlake Blvd. with Coconut Blvd. The streets connect the commercial, multi-family, and single-family neighborhoods of the Avenir Community. The Premier Street is not included within this Site Plan Application, but the location is being shown for reference. Due to development phasing, the Premier Street will be included within the next site plan application.

The Premier Street will feature two 11-foot wide travel lanes, in addition to 2-foot wide valley gutters and 9-foot wide parallel parking spaces. As required by the Design Guidelines, the Premier Streets will have a 15-foot wide pedestrian path along either side of the street with a minimum of 8-foot wide clear area. The pedestrian area also features pavers, shade-providing landscaping, benches, other forms of street furniture a maximum spacing of 300 feet, and decorative street lights. Pavers and decorative surface treatments are also provided at intersections of the Premier Street and with cross walks.

Primary Street

The Primary Street will connect the secondary streets to the Town Center network. The Primary Streets will feature two, 11-foot wide travel lanes as well as 9-foot wide and 23-foot long on-street parking spaces on both sides of the street. A minimum of 8-foot wide clear area is proposed to be provided between the buildings and on-street parking.

Due to the "Main street" nature of the Primary Street, street trees provided every 30-feet on center shall be a minimum of 16-feet in height and palms shall be a minimum of 18-feet in height. The applicant will be seeking a waiver from the Design Guideline standards with regards to surface parking lots being located along Primary Streets. The location of parking areas often conflicts with design criteria when creating pedestrian-oriented spaces. A 24' landscaped pedestrian area will separate the off-street parking lot and the Primary Street.

Secondary Street

The Secondary Streets within the proposed Town Center site plan run east to west. The Secondary Streets feature a 21-foot drive aisle and 8-foot sidewalks. When parking areas are provided to secondary Streets, landscaping is provided in accordance with the Design Guidelines. The applicant will be seeking a waiver from the Design Guidelines to not provide on-street parking. Due to site constraints and fluid design, on-street parking is not being provided along Secondary Streets.

Lighting:

Decorative streetlights are being proposed throughout the Town Center District along Premier, Primary and Secondary Streets. These decorative lights will remain consistent throughout the district and will be used along pedestrian courtyards and plazas. Within the parking areas, a 25-foot high more functional LED light fixtures are proposed, consistent with City Code standards. Accent lighting will be provided along building facades, pedestrian plazas and courtyards, and landscaped areas. Lighting is also proposed on a pedestrian scale for the 50-foot Parkway Buffer along Northlake Blvd. The lighting in the parkway consists of 12' decorative pedestrian fixtures that match the lights used on the connector roads.

Analysis of Conformance with Avenir Design Guidelines:

Below is an analysis of the proposed Avenir Town Center site plan and its compliance with the PCD's Design Guidelines. The analysis will determine what waivers will be needed to achieve the requested site plan.

Premier Street Frontage

	Design Guidelines Requirement	Proposed Site Plan	Waiver?
Block Length	Maximum 600 Feet	N/A	No
Block Perimeter	Maximum 1,800 Feet	N/A	No
% Of Buildings At Build-To Line	90% Of Building At Or Within 10 Feet	N/A	No
Maximum Lot Coverage	70%	N/A	No
On-Street Parking	Required	N/A	No
Parking Space Size	9' X 18.5' For 90 Degree Parking, 9' X 23' For Parallel	N/A	No
Parking Lot Along Street Frontage	Prohibited	N/A	No
Pedestrian Area	15 Feet on Each Side of Street	N/A	No

Sidewalk Clear Area	8 Feet	N/A	No
Pedestrian Covering, I.E. Awnings, Balconies, Arcades, Etc.	60%	N/A	No
Central Plaza Provided	Encouraged.	N/A	No
Pedestrian Crossings	Decorative Surface/Pavers for Crosswalks, Intersections, Public Spaces	N/A	No
Tenant Frontage Size	Tenants Less Than 25,000 Square Feet in Size May Not Occupy More Than 120 Feet of Premier Street Frontage. Tenants Greater Than 25,000 Square Feet Shall Not Occupy More Than 300 Feet of Premier Street Frontage.	N/A	No
Bicycle Lanes	No	N/A	No
Elevation Features, Windows, Doorways, And Openings	60% of The Length of the Elevation	N/A	No
Pedestrian Benches	Bench Every 300 Feet	N/A	No
Street Light Poles	Decorative Lights Required	N/A	No
Landscaping	Street Trees Located Every 30 Feet of Frontage. Minimum Heights 18 Feet – Trees 22 Feet – Palms	N/A	No

*No Premier Street is included with this Site Plan Application. The Premier Street will be provided within the next phase of the Town Center.

Primary Street frontage

The Primary Street has the following requirements.

	Design Guidelines Requirement	Proposed Site Plan	Waiver?
Block Length	Minimum 250-Feet, Maximum 600-Feet	Maximum Provided, Minimum of 147-195 Feet Provided	Yes
Block Perimeter	Maximum 1,800 Feet	Provided	No
% Of Buildings At Build-To Line	70% Of Building At Or Within 10 Feet	Provided	No
Maximum Lot Coverage	70%	Provided	No
On-Street Parking	Parallel Parking Required	Provided	No
Parking Lot Along Street Frontage	Prohibited	Parking Lot Located Along Primary Street Within 50 Feet	Yes
Sidewalk Clear Area	8 Foot Minimum	Provided	No
Pedestrian Covering, I.E. Awnings, Balconies, Arcades, Etc.	50%	Provided	No
Pedestrian Crossings	Decorative Surface/Pavers For Crosswalks, Intersections, Public Spaces	Provided	No
Bicycle Lanes	Required on Primary Street	Not Provided	Yes
Elevation Features, Windows, Doorways, And Openings	50% Of The Length Of The Elevation	Provided	No

Street Light Poles	Decorative Lights Required	Provided	No
Landscaping	Street Trees Located Every 30 Feet Of Frontage. Minimum Heights 16 Feet – Trees 18 Feet – Palms	Provided	No

Secondary Streets

	Design Guidelines Requirement	Proposed Site Plan	Waiver?
Block Length	Maximum 600 Feet	Maximum 766 Feet	No *2
Block Perimeter	Maximum 1,800 Feet	Maximum 1,897 Feet	No *2
% Of Buildings At Build-To Line	65% Of Building At Or Within 10 Feet	Provided	No
Maximum Lot Coverage	70%	Provided	No
On-Street Parking	Required Except For Residential	Not Provided	Yes
Sidewalk Clear Area	5 Foot Minimum	Provided	No
Bicycle Lanes	No	No	No
Pedestrian Benches	Shaded Sitting Area Every 150 Feet of Parking Lot Frontage	Provided	No
Street Light Poles	Decorative Lights Required	Provided	No
Landscaping	Street Trees Located Every 30 Feet of Frontage. Minimum Heights 14 Feet – Trees and Palms 5-Feet of Landscaping Between Secondary Road Pedestrian Area And Parking Lot	Provided	No

Note: *2 Enhanced pedestrian areas provided in cumulatively in excess of 8% per Design Guidelines

Waiver Summary Table:

	Design Guideline Section/LDR	Required	Proposed	Waiver?
1	LDR Sec. 78-345, Table 33 Parking Requirements	818 Spaces	607 Spaces	Waiver for Approximately 211 Spaces
2	Parallel Parking Along Secondary Streets	Yes, Except for Residential	No	Waiver to Design Guidelines Regulation for Parallel Spaces
3	LDR Sec. 78-344 (m) Table 32 Surface Parking-Drive Aisle Width	26'	24' <i>90 Degree Parking only, Angled Parking exceeds minimum</i>	Needed for 2' of Drive aisle width for 90- degree parking only
4	Town Center-Surface Lots Location	Not to Be Located adjacent to Primary Street	Parking proposed with 24' plaza separation	Waiver needed for parking lot located 24' from a primary street
5	Town Center-Block Perimeter	Not to Exceed 1,800 Feet	1,897 feet	Enhanced Pedestrian Plaza provided cumulatively equal to 8%
6	Town Center-Block Length	Minimum 250-Feet Not to Exceed Maximum 600-Feet *2	147-Feet, 191-Feet	Waiver for block length exceeding maximum
7	Primary Streets	Bike Lanes	No	Waiver for bike lanes not being provided

Due to the changing development standards and market driven commercial standards, several waivers will be required from the Avenir Design Guidelines and the City of Palm Beach Gardens Land Development Regulations. The utilization of innovative design and creation of a completely unique development has triggered the need to deviate from the approved Design Guidelines, which were created prior to the conceptual designs and building layouts from Zyscovich Architects and Cotleur & Hearing. A comprehensive list of waivers and justifications is included below.

As indicated above, there are seven waivers requested as part of this Site Plan Approval Application. The first waiver is for the required number of parking spaces for Phase 1A of the Avenir Town Center. According the City of Palm Beach Gardens parking matrix, 818 spaces are

required for Phase 1A. 607 spaces are being provided. For the purposes of phasing the additional parking is not being included within this site plan. It shall be noted that additional parking will be provided for Phase 1A in Phase 1B. For this Site Plan Application, a shared parking analysis is included to reduce the total number of parking spaces required. We request a waiver for 211 spaces for Phase 1A.

Waiver #2 is in reference to the Avenir Town Center Guidelines Secondary Streets section, which requires parallel parking to be provided along secondary streets. The use of innovative design and changing development standards based on individual end users has made the inclusion of on-street parking along Secondary streets not possible. Increased pedestrian amenities are planned along these streets to provide for a more walkable environment.

Waiver #3 is in reference to the Avenir Town Center Guidelines surface parking section. Which states that for all 90-degree parking lots drive aisles shall be provided at 26-feet. The site plan is providing drive aisles at 24-feet. Due to site constraints and requirements from individual end users providing 26-foot drive aisles for the 90-degree parking areas is not the most conducive for the incorporation of innovative design. It shall be noted that there is no requirement within the Design guidelines for angled parking areas, and the proposed site plan exceeds all City requirements for angled parking.

Waiver #4 is for the Town Center Design Guidelines surface parking section which prohibits off-street parking within 50-feet of a primary Street. One of the most difficult challenges in designing a pedestrian-oriented development is providing parking in convenient locations. Due to the design of the Town Center it is not possible to provide a buffer of more than 50-feet for the parking area located off of the Primary Street. Extensive landscaping and pedestrian space is provided as a buffer of 24-feet between the Primary street and the parking area. The applicant is seeking a waiver for 26-feet of buffer that is not being provided.

Waiver #5/#6, The primary building frontage on the secondary street within Phase 1A is approximately 766 feet. This exceeds the maximum of 600 feet identified within the Town Center Design Guidelines. Due to this excess in block length, the block perimeter is also greater than the maximum 1,800 feet (1897). Due to this deviation the applicant is seeking a waiver for the block length and block perimeter being too long. It shall be noted that the maximum building frontage within Phase 1A is 470-feet. The overall block length is actually separated by a drive aisle. For the purposes of this site plan application the overall block length could be considered to be greater than the maximum of 600-feet, thus a waiver is being requested. The applicant has however provided enhanced pedestrian areas that cumulatively exceed 8% thus mitigating both the block length and block perimeter requirements. Additionally, the Parking area block length does not meet the minimum length of 250-feet. For the purposes of creating a walkable environment that will make people want to walk from point A to point B the block lengths were reduced. An important note when discussing the intended purpose of a block length requirement is to improve the walkability of a development. Taking all of the architectural elements and pedestrian amenities into consideration, the intent of the block length requirement is not lost due to the requirements of the Design Guidelines not being met.

Waiver #7, A requirement within the Town Center Design Guidelines is to provide bike lanes along all Primary streets. Due to the sidewalks being provided in excess of the code minimum, the bike lanes will not be provided along the Primary streets. The site plan has been designed to encourage the use of alternative modes of transportation outside of the streets. Multi-modal paths in excess of the code minimums are being provided to encourage a pedestrian friendly environment. The Primary streets will be slow speed for vehicles and allowing the cyclists to

utilize the same paths as walking pedestrians will not cause safety concerns due to the additional width being provided.

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 waivers, the applicant is requesting to deviate from standards set by the Avenir Design Guidelines to create an urban, pedestrian-oriented commercial 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.

(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 Design Guideline standards, the applicant will be creating an environment that is as easy to access for pedestrian as well as motorists. The proposed site plan provides a 12-foot wide sidewalk within the Northlake Blvd and Coconut Blvd parkway. The proposed Avenir Town Center features unique and contemporary buildings which possess 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. Along the street frontages, pedestrian covering, and areas of interest are provided. These sidewalk amenities will be used as hundreds of Town Center District residents will be within a five-minute walk to the grocery, fitness center and coffee shop – an amenity that will attract active residents.

(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 Design Guideline 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 Design Guidelines, the Avenir Town Center features a pedestrian-oriented environment which provide linkages to the adjacent arterial roadways of Northlake Blvd and Coconut Blvd. A contemporary architecture is being proposed.

(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 commercial district within a modified grid pattern for streets within the project. The additional landscaping, open space, plaza areas and pedestrian facilities were not provided for economic reasons.

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

The requested Avenir Town Center site plan, street layout and sidewalk widths and locations are compatible to the Avenir PCD Master Plan, the Design Guidelines, the approved Avenir PCD construction plans and proposed plans for adjacent neighborhoods. As such, the request meets this criterion.

(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 a modern commercial district within a modified grid pattern of streets within the project. 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.

Major Conditional Use:

The request for a fast food restaurant with a drive-through facility is a major conditional use. Section 78-52 of the City's Land Development Regulations. For consideration of approval of a major conditional use the code provides 13 criteria points for the evaluation of the request.

Conditional Use Criteria:

(1) Comprehensive Plan. The proposed use is consistent with the comprehensive plan.

The proposed application is a request to provide the commercial Town Center component to the Avenir PCD's Town Center mixed use district. As stated above, the Avenir PCD has a Mixed-Use future land use designation. The proposed use is consistent with the Mixed-Use land use designation and have been included with several existing mixed-use projects within the City. The use is not prohibited within the Avenir Design Guidelines.

(2) Chapter requirements. The proposed use is consistent with all applicable requirements of this chapter.

The proposed application is a request to create the Town Center for the Avenir PCD, which is a mixed-use development which will bring new quality employment opportunities to the City. The building elevations and signage will be complimentary to the architectural style and theming of the project. This request is consistent with the applicable requirements of City's Land Development Regulations.

(3) Standards. The proposed use is consistent with the standards for such use as provided in Section 78-159.

The specific City standards for a restaurant with a drive through lane have been met.

(4) Public welfare. The proposed use provides for the public health, safety, and welfare by:

(a) Providing for a safe and effective means of pedestrian access.

Internal pedestrian access is currently provided through a series of sidewalks. Additional sidewalks will be provided from all new buildings to the public sidewalk network.

(b) Providing for a safe and effective means of vehicular ingress and egress.

The site currently has access from two major roadways, Northlake Blvd. and Coconut Blvd. Site design has incorporated required turning movements for public safety vehicles.

(c) Providing for an adequate roadway system adjacent to and in front of the site.

The site is bound by Coconut Blvd. on the west and Northlake Blvd. on the south. These major roadways provide an adequate roadway system adjacent the site. All access points to the project from these adjacent roadways meet all applicable standards.

(d) Providing for a safe and efficient onsite traffic circulation, parking, and overall control.

The proposed site plan provides for a grid network of streets to provide circulation through the site. The proposed location of the conditional use minimizes the impacts to the overall project.

(e) Providing adequate access for public safety purposes, including fire and police protection.

Access and circulation has been designed to allow for ease of circulation and access for emergency vehicles from Northlake Blvd. and Coconut Blvd. The proposed designs of the parking and vehicular areas allow for convenient and effective movement for the public safety and for fire and police protection in a logical manner.

(5) Screen and buffering. The proposed use utilizes such techniques as landscaping, screening, buffering, site or building design, or business operation procedures to mitigate impacts on surrounding properties, including such impacts as:

(a) Noise – *The proposed uses are part of the proposed Town Center and is specifically located directly adjacent to Northlake Blvd. Within the proposed site plan, these uses are the farthest from existing and future residential development. The proposed use will not create any adverse noise. The proposed use will comply with the City’s noise standards and regulations.*

(b) Glare – *The proposed lighting will be consistent with the existing lighting on the property and will be designed to minimize glare to the adjacent roadways and properties. The proposed lighting will meet all applicable City lighting standards.*

(c) Odor – *There will be no odor produced as a result of the proposed uses on this site. Trash and debris from the use will be regularly removed from the site by the waste disposal provider. The property manager has a comprehensive dumpster maintenance program to ensure no odor problems arise.*

(d) Ground, wall, or roof mounted mechanical equipment –*All ground wall or roof mounted mechanical equipment is proposed to be screened via a parapet wall or landscaping.*

(e) Perimeter, interior, and security lighting – *All security lighting will be in compliance with the City’s LDRs and Florida State Statues.*

(f) Signs – *The applicant is proposing a signage program for the project. Signage for these uses will be consistent with the Avenir Town Center signage program.*

(g) Waste disposal and recycling – *The site will have dumpsters for the proposed restaurant use that will be incorporated into the overall development waste disposal program.*

(h) Outdoor storage of merchandise and vehicles – *There will be no outdoor storage of merchandise or vehicles on this site.*

(i) Visual impact – *The applicant is proposing to improve the area to enhance the visual appearance of the site. The architectural design of the building is complimentary with the existing architecture and has incorporated many of the design elements of the existing buildings.*

(j) Hours of operation – *The use will comply with the LDR regulations for hours of operation.*

(6) Utilities. The proposed use minimizes or eliminates the impact of utility installation, including underground and overhead utilities, on adjacent properties.

The proposed building construction for Avenir Town Center, including the requested uses, will result in the placement of new underground utilities to serve the project. None of the proposed improvements will impact adjacent properties.

(7) Dimensional standards. The proposed use meets or exceeds all dimensional requirement required by the chapter.

The proposed uses meet and exceed all dimensional requirements, such as setbacks, stacking lengths, and parking stall sizes.

(8) Neighborhood Plans. The proposed use is consistent with the goals, objectives, policies, and standards of neighborhood plans.

There is no Neighborhood plan for this area.

(9) Compatibility. The overall compatibility of the proposed development with adjacent and area uses, and character or area development.

The existing commercial development is bordered by two major roadways and other nonresidential development. The proposed use is consistent with the existing character of the area.

(10) Patterns of development. The proposed use will result in logical, timely, and orderly development patterns.

The development of this site is consistent with the comprehensive plan, the surrounding zoning and the Land Development Regulations. The proposed Conditional Uses will provide for a logical, timely and orderly pattern of development.

(11) Purpose and intent. The proposed use will be in harmony with the general purpose and intent of this chapter and the goals, objectives, and policies of the City.

The proposed uses are consistent with the general purpose and intent of the code as well as the goals, objectives and policies of the City for commercial development.

(12) Adverse impact. The design of the proposed use and structures will minimize any adverse visual impacts or impacts caused by the intensity of the use.

The improvements to the site have been designed in consideration of the surrounding properties and to improve the visual aesthetics of the site while minimizing abutting property impacts.

(13) Environmental impact. The design of the proposed use minimizes any adverse impacts that may be created, including impact on environmental and natural resources including air, water, storm water management, wildlife, vegetation, and wetlands.

As part of an overall PCD, the Environmental impact for this site was addressed with the PCD approval in 2016. As such, there are no existing environmental areas on the site.



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