

Town of Lake Park, Florida Special Call Joint Meeting Lake Park Planning & Zoning Board And The Village of North Palm Beach Planning Commission Meeting Minutes May 2, 2024, 6:30 P.M. Town Hall Commission Chamber 535 Park Avenue, Lake Park, Florida 33403

CALL TO ORDER

The meeting was called to order at 6:37 P.M.

PLEDGE OF ALLEGIANCE

Chair Ahrens lead the Pledge of Allegiance.

ROLL CALL - (Town of Lake Park)

Richard Ahrens, Chair	Present
Jon Buechele, Vice-Chair	Present
Gustavo A. Rodriguez	Present
Patricia J. Ledue	Present
Evelyn C. Harris	Present

ROLL CALL – (Village of North Palm Beach)

Donald Solodar, Chair	Present
Cory Cross, Vice-Chair	Present
Thomas Hogarth	Present
Jonathan Haigh	Present
Scott Hicks	Present
Tim Hullihan	Present
Mark Michaels	Present

Also in attendance were Town Planner Anders Viane, Town Planner Karen Golonka, Town Attorney Brett Lashley, and Assistant to the Community Development Director Kimberly Rowley.

In attendance, representing the Village of North Palm Beach was Village Attorney Len Ruben.

APPROVAL OF AGENDA

Motion: Vice-Chair Buechele moved to approve the agenda; Board Member Rodriguez seconded the motion.

Motion passed unanimously.

APPROVAL OF MINUTES

• February 5, 2024 Planning & Zoning Board Meeting Minutes.

Motion: Vice-Chair Buechele moved to approve the February 5, 2024 Planning & Zoning Board Meeting minutes; Board Member Leduc seconded the motion.

Motion passed unanimously.

Chair Ahrens explained the need for a joint meeting with the Village of North Palm Beach due to the property being within the jurisdiction of both municipalities.

Town Planner Karen Golonka explained that this review and discussion was only on the Northlake Promenade project within the Town of Lake Park. The North Palm Beach Northlake Promenade section was not to be discussed this evening. The Village of North Palm Beach Planned Unit Development (PUD) would be discussed during the next meeting, scheduled for May 8, 2024 in the Village of North Palm Beach.

Public Comment

Chair Ahrens explained the Public Comment procedure.

ORDER OF BUSINESS

The normal order of business for Hearings on agenda items are as follows:

- Staff presentation
- Applicant presentation (when applicable)
- Board Member questions of staff and applicant
- Public Comments limited to 3 minutes per speaker
- Rebuttal or closing arguments for quasi-judicial items
- Motion on floor
- Vote of Board

NEW BUSINESS:

PZ-24-02: Variance Request (Quasi-Judicial – the Lake Park Planning & Zoning Board is the Governing Body): Variance Application for Parcels 36—43—42-21-32-010-0000 AND 36-43-42-21-32-009-0000 within the C-3 Twin Cities Mixed-Use District

2

from building frontage requirements due to utility easement conflicts (this variance request is associated with the Site Plan Association item listed herein below).

Attorney Ruben swore in all witnesses. Exparte Disclosure: Chair Ahrens disclosed that he saw this site plan one-year ago. Board Member Leduc disclosed conversations with staff regarding the project.

Town Planner Golonka explained the project (see Exhibit "A"). Mr. Donaldson Hearing from Cotleur & Hearing gave a presentation (see Exhibit "B). Board Member Harris asked for clarification due to the presentation this evening of 7-stories and 279 units, which was different from the documents they received and the setback requirements related to the variance request. Mr. Hearing stated that the increase in density had no relevance to the variance request.

Planning Commission Member Tim Hullihan stated that criteria number two was referenced in the presentation, which states that a road could be built if a parking lot was built. If the road was built and the setup was not affected, then why included criteria number two.

Mr. Hearing explained that it would create two roads, side-by-side, which would be disruptive and negatively affect traffic flow. He clarified that they was a Publix road that would be utilized.

Board Member Harris asked what would happen if the variance were not approved. Mr. Hearing explained that it would not be financial feasible and would take multiple years to move the easements for the project. Chair Ahrens explained that with his background he knows that it would be impossible to have FPL approve the easement.

Motion: Vice-Chair Buechele moved to approve PZ-24-02; Board Member Harris; seconded the motion.

Motion passed unanimously.

PZ-24-03: Site Plan Application (a joint recommendation by the Lake Park Planning & Zoning Board and the North Palm Beach Planning Commission is required): On behalf of Northlake Promenade Shoppes LLC ("Property Owner" and "Applicant"), McKenna West of Cotleur & Hearing ("Agent") is requesting Site Plan Approval for a seven-story, 279 unit Multi-Family Apartment Complex.

Town Planner Anders Viane explained the project (see Exhibit "C"). Planning Commission Chair Donald Solodar asked if there would be indoor or outdoor parking. Town Planner Viane stated that there was all outdoor parking, with some spaces covered, but not indoors. Planning Commission Chair Solodar asked why the plan changed from six to seven stories. Town Planner Viane stated that the applicant might address the reasons during their presentation. Board Member Harris asked for clarification on the number of parking spaces to accommodate the units. Town Planner Viane stated that this was a mix-use urban district, which accommodates for walking, biking and other motor mobility options. There was a traffic study completed, which also supported the proposed parking for this site.

Planning Commission Hullihan asked why that code was used. Town Planner Viane explained that it was the adopted standard for the C-3 Twin Cities Mixed District, so it was not specific to the project. It would apply to all projects of that use type within that district. Chair Ahrens believed that what was referred to as "shared parking" was called time sequence because some of the commercial spaces are not in occupancy when those businesses are not operating.

Planning Commission Member Mark Michaels asked if the Future Land Use Map was the same in the Village of North Palm Beach. He expressed concern with the additional traffic impact to US1 and Northlake Blvd. Town Planner Viane explained that the question property does not share geographical boundaries with the Town so he was unable to respond to the question. He deferred the traffic concerns to the traffic engineers.

Planning Commission Member Tom Hogarth asked if this was the Floor Area Ratio (FAR) for the entire parcel and what the FAR result. Town Planner Viane explained that the FAR was for non-residential uses within the Town of Lake Park. Planning Commission Member Hogarth asked how the applicant resulted in the shared parking. He asked if the Town had a formula for calculating spaces. Town Planner Viane explained the applicant was not relying on shared parking. They had performed a parking study. He explained the Town's C-3 Code as it related to parking.

Planning Commission Member Michaels asked if the Publix would be shut down during the same time that the Publix was closed on Alt A1A. Mr. Hearing explained that this Publix has undergone a similar renovation that was currently taking place on Alt A1A, so it would remain open while they improved the façade.

Mr. Hearing presented to the Board and Planning Commission (see Exhibit "D"). Vice-Chair Buechele asked if any of the units be available under affordable housing. Mr. Hearing explained there was no work-force housing component. Board Member Harris asked how the parking situation would be addressed for this area. Mr. Hearing stated that they were strategic of where to place the residential version public parking. Chair Ahrens complimented the developer on the changes to the site plan since two-years ago. Board Member Leduc asked for clarification on the traffic study. Ms. Anna Lai with Simmons and White explained the overall project and the reduction since the original site plan. She explained that because of the reduction the traffic flow would be significantly less. Mr. Hearing explained that the study was conducted years before the project was changed. Board Member Harris asked where the access points on Palmetto Drive were. Mr. Hearing explained that there were two access points on Palmetto Drive and one was being created to the west for residents and parking area. It would not be a cut through.

Planning Commission Member asked if the traffic was vested. Mr. Hearing stated that this would only include the parking located in Lake Park and not North Palm Beach. He stated that it was conducted in 2018. Planning Commission Member asked if a traffic signal

would be installed on Northlake Blvd. Mr. Hearing stated that a four-way traffic signal would be installed at the intersection. Planning Commissioner Member Michaels expressed concern with traffic that was done prior to the Nautilus and other projects in the area. Mr. Hearing stated that those projects were taking into account when creating the access points, turn lane and traffic signal placement. Planning Commission Member Michaels asked if the road could be widened. Mr. Hearing stated that the road could not be made into a cutthrough. Planning Commission Member Jonathan Haigh asked how commercial delivers would be made to those businesses west of Publix. Mr. Hearing explained that the rear area would be utilized for employee parking and delivery. Planning Commission Member Haigh asked to have the drop-off stop near the proposed park be removed from the site plan. Mr. Hearing stated that it could be removed. Planning Commission Member Haigh asked commented about the diversity of shrubs. Mr. Hearing agreed that the shrubs could be diversified and those changes have been noted. Planning Commission Member Thomas Hogarth asked for clarification regarding the median cuts on Northlake Blvd. Ms. Lai of Simmons and White stated that there would be a total of three entrances from Northlake Blvd., with the center entrance as the main signaled entrance. The median cut on the east side of the property, closest to US1 will be closed. Planning Commission Member Hogarth asked if there was one landscape maintenance company to support the new development. Mr. Hearing explained that Avalon Bay would own and operate all the retail on lot set 9 and 10. He further explained that those were part of a common area association of the overall site. Planning Commission Member Hogarth asked if this was a Planned Unit Development (PUD) agreement. Mr. Hearing stated that there was a POA declaration. Planning Commission Member Hogarth has noticed poor maintenance on the North Palm Beach side. Planning Commission Member Hullihan liked the project. He provided his opinions regarding the architecture design. Mr. Hearing responded to the lighting question posed to ensure that they have met all of the lighting requirements. Planning Commission Member Hogarth asked the Village of North Palm was affected by the seven-stories and does it automatically extend to everything within a mile. He asked how the Live Local Act would be impacted. Mr. Hearing stated that the Live Local Act changed during the last legislative session. Village Attorney Len Ruben explained that this would not affect the Village of North Palm Beach because it was being approved under the Town of Lake Park. He explained that while the Village has input, it was not the Village regulations that apply. He further explained that once the project comes to the Village, the Village regulations would apply.

Public Comment:

Mr. Lawrence Bieler provided their comments via Exhibit "E".

Mr. Thomas Cruz, Crescent Circle' asked if a water pressure study was conducted to establish the effect of water pressure to the surrounding neighbors. Mr. Cruz stated that during the presentation his question was answered. He made a traffic flow suggested, which was to have a straight arrow on the far right lane of traffic.

Brady Drew, Sable Palm Drive, made suggestions to make the area more walkable and urban. He suggested more greenspace and building a parking garage instead of street parking.

Motion: Vice-Chair Buechele moved to approve PZ-24-03 with staff conditions; Board Member Leduc; seconded the motion.

Motion passed unanimously.

Motion: Planning Commission Member Hullihan moved to deny the application at this time and ask the applicant to come back with revisions; Planning Commission Member Michaels seconded the motion.

Roll Call Vote Conducted:Jonathan HaighNayMark MichaelsAyeTim HullihanAyeTom HogarthNayCory CrossNayDonald SolodarNay

Motion failed 2/4.

Motion: Planning Commission Member Hogarth moved to approve the application as submitted and with the conditions as presented; Seconded by Cory Cross.

Motion passed 4/2.

TLP PLANNING & ZONING BOARD MEMBER COMMENTS - NONE

NPB PLANNING COMMISSION MEMBERS COMMENTS - NONE

FUTURE MEETING DATE: June 3, 2024 @ 6:30 P.M.

ADJOURNMENT:

Motion to adjourn by Board Member Leduc and seconded by Board Member Rodriguez. The meeting adjourned at 9:04 P.M.

Richard Ahrens, Chair Town of Lake Park Planning & Zoning Board

Town Clerk, Vivian Mendez, MMC

Town Seal

/3_of Approved on this

Planning & Zoning Board Meeting Minutes May 2, 2024



TOWN LAKE OF PARK PLANNING AND ZONING BOARD JOINT MEETING WITH THE VILLAGE OF NORTH PALM BEACH Meeting Date: May 2, 2024 Agenda #: <u>PZ-24-02</u>

DESCRIPTION:

VARIANCE REQUEST (QUASI JUDICIAL). VARIANCE APPLICATION, FOR PARCELS36 - 43 - 42 - 21 - 32 - 010 – 0000 AND 36 - 43 - 42 - 21 - 32 - 009 – 0000 WITHIN THE C-3 TWIN CITIES MIXED-USE DISTRICT, FROM BUILDING FRONTAGE REQUIREMENTS DUE TO UTILITY EASEMENT CONFLICTS.

Project: Northlake Promenade Apartments

Applicant:	Northlake Promenade Shoppes LLC (McKenna West, Cotleur
	Hearing- Agent)
Owner:	Northlake Promenade Shoppes LLC
Owner Address:	3200 N. Military Trail Boca Raton, FL

Property Information

Net Acreage:	9.07 acres
Legal Description:	Parcels 9 and 10, Northlake Promenade Shoppes PUD Replat #1.
Property Control #:	36 - 43 - 42 - 21 - 32 - 010 - 0000, 36 - 43 - 42 - 21 - 32 - 009 - 0000
Future Land Use:	Twin Cities Mixed Use
Existing Zoning:	C-3 Twin Cities Mall Mixed Use District
Adjacent Zoning North: C-3 South: C-3 East: C-3 West: R-2	Adjacent Existing Land UseNorth:Twin Cities Mixed UseSouth:Twin Cities Mixed UseEast:Twin Cities Mixed UseWest:Residential Medium Density

Location



I. VARIANCE REQUEST

The applicant is seeking site plan approval for a project that includes a seven story, 279 unit multi-family building, known as Northlake Promenade Apartments, which is on the Board's agenda. *Please refer to site plan report for details on this project.*

To effectuate the plan the applicant is requesting a variance from Code Section 78-73 (e) (1) of the C-3 Twin Cities Mixed Use District that requires new buildings to be "designed to address the street and facilitate easy pedestrian access appropriate for an urban, mixed-use setting." <u>Specifically</u>, section 78-73 (e) (1) b. requires "A minimum of 60 percent of a building frontage shall abut any other street setback" (other than the frontage street).

As the building is considered a courtyard building, per section 78-73 "Table 4: Courtyard Building Type A", there is a required minimum 10 ft. setback. Therefore a minimum of 60% of the building would be required to be within 10 feet of the street.

The variance is requested to allow the entire building to be set back 137.2 feet from the Northlake Entry Street, due to FPL easements which contain existing underground FPL lines that preclude the building from being able to front the street.

I.VARIANCE REVIEW

Section 55-63 (2) of the Town Code vests the Planning and Zoning Board with <u>final</u> <u>authority</u> regarding variances. Section 78-185 of the Town Code establishes criteria which must be met to entitle an applicant to a variance. **The Board must find that** <u>each</u> of the 7 criteria have been met to entitle an applicant to the requested variance relief. The report that follows addresses each of the specific criteria.

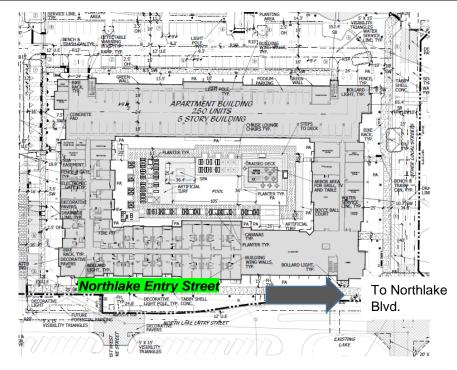
In evaluating these criteria, Courts have placed emphasis on criteria # 4, which states "A literal interpretation of the land development regulations would deprive the Owner of rights commonly enjoyed by other properties in the same zoning district" by holding the Owner/applicants for variance relief and the governing board evaluating the application, to the rigorous standard of whether the denial of the variance would render the Property virtually unusable. (Bernard v. Town of Palm Beach, 569 So. 2d 853 (Fla. 4th DCA 1990).

III. BACKGROUND AND SUMMARY OF REQUEST

The applicant initially designed the building to front both the Northlake Entry Street and the local street. (See original site plan, next page) It wasn't until <u>after</u> the building design had been well developed that additional research revealed the existence of the FPL easements, which had not shown up on the initial survey. The easements are for major underground FPL lines that serve neighborhoods to the north, and the cost to relocate the lines was determined not to be feasible by the applicant.

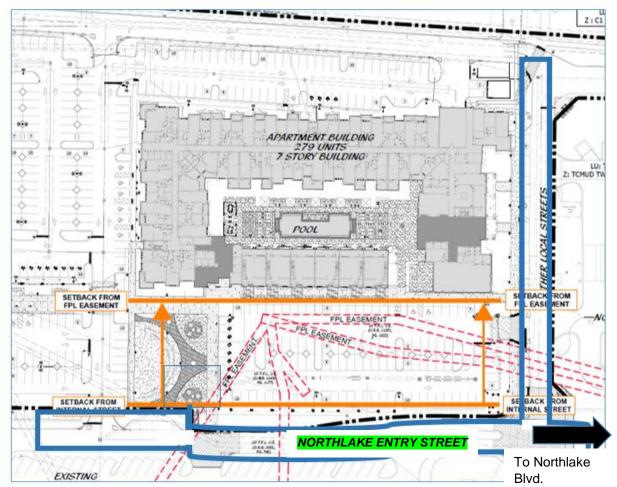
As no permanent structures can be placed on the easement, the applicant redesigned part of the site, to place the structure outside the easement and place parking within the easement.

In essence the building was shifted 137 feet west from the street r-o-w. so that it was no longer in the easements. *Please refer to applicant's justification for greater detail.*



Original Site Plan (Partial)- showing building location fronting Northlake Entry Street

Current Site Plan with Requested Setback Variance.



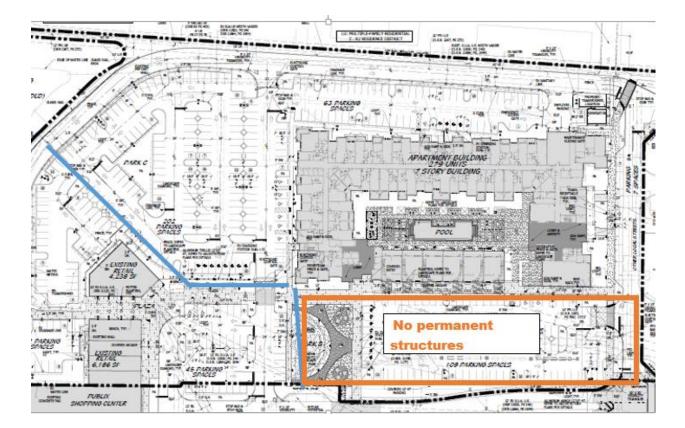
IV. ANALYSIS OF CRITERIA AND FINDINGS FOR VARIANCE

Below are listed the seven (7) variance criteria from Code Section 78-185 which <u>all</u> must be met before a variance can be granted.

<u>CRITERIA 1:</u> That the conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

APPLICANT RESPONSE: Any proposed building on this particular parcel would be unable to meet the requirement set forth by the C-3 code, for 60% of a building's frontage to abut the minimum setback line on the east. This is due to the existence of the major FPL easements in which infrastructure is already in place.

STAFF RESPONSE: The location of the FPL easements present a unique situation. There are no other parcels in the C-3 Twin Cities Mixed Use District that have easements to this extent. Almost one acre of the site is precluded from having any building on it.
Criteria 1 met



<u>CRITERIA 2:</u> That the special conditions and circumstances do not result from the actions of the applicant

APPLICANT RESPONSE: The FPL easement <u>and infrastructure</u> have been in place for decades, prior to the owner's acquisition of the property and prior to the adoption of the C-3 Code.

STAFF RESPONSE: While the request to some extent is triggered by the owner's preference to have one major building, short of a major redesign of the site and building, which could involve separate buildings and/or the inclusion of a parking garage or creating additional streets, it is impossible to meet the code section. The project becomes cost prohibitive according to the owner. The location of the easements do present a condition not caused by the applicant.
Staff is satisfied that Criteria 2 is met

<u>CRITERIA 3:</u> That granting the variance requested will not confer on the applicant any special privilege that is denied by the Land Development Regulations to other lands, buildings, or structures in the same zoning district.

APPLICANT RESPONSE: Granting the requested variance due to the presence of the unalterable easements does not confer a special privilege, as it simply enables compliance with zoning regulations and intent of the code, under circumstances beyond the applicant's control. Allowing the variance maintains parity with the treatment of other properties facing similar constraints within the same zoning district. Any other property facing comparable constraints would have the opportunity to seek similar relief through the variance process.

STAFF RESPONSE: Agreed. Any other property facing comparable constraints would have the opportunity to seek similar relief through the variance process. **Criteria 3 met**

<u>CRITERIA 4:</u> That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

APPLICANT RESPONSE: Strict adherence to the provision from which we are seeking relief would impose undue hardship on the applicant, given that the presence of the easements prevents the proposed building from meeting the specified requirement.

Furthermore, granting the variance allows the applicant to exercise rights granted to other properties in the same district, to develop quality form and function by facilitating the proximity and connectivity between uses, enhancing the overall livability of the area.

STAFF RESPONSE: This is the only property with easements adjacent to an existing street. No other properties are limited to the extent that this parcel is. Literal interpretation of the code <u>would</u> cause a hardship unique to this parcel. **Criteria 4 met**

<u>CRITERIA 5:</u> That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

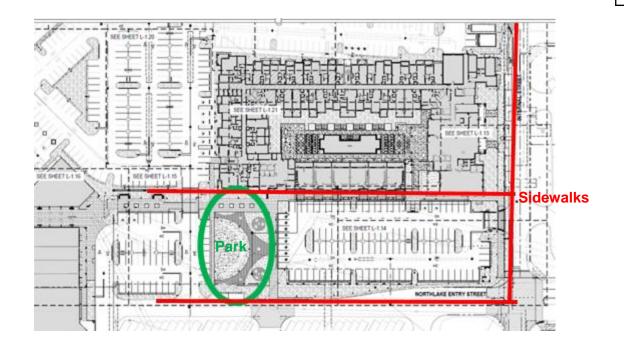
APPLICANT RESPONSE: The variance sought is the minimum necessary to enable the optimal use of the land to meet the intent and literal interpretation of all other C-3 Zoning district regulations

STAFF RESPONSE: The requested variance is the minimum necessary to pull the building out of the easements. **Criteria 5 met**

<u>CRITERIA 6:</u> That the grant of the variance will be in harmony with the general intent and purpose of the land development regulations of the Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

APPLICANT RESPONSE: Granting the requested variance will align with the overarching intent and objectives of the land development regulations outlined in the Code. The variance will not result in any harm to the surrounding area nor pose any detriment to public welfare.

STAFF RESPONSE: The intent of the section requiring direct building frontage is to encourage visual and pedestrian connections between buildings and streets for an urban mixed use design. While the building cannot front the street, the applicant has created a small public park area to provide a public connection between the building and the street, and to tie into the adjacent commercial uses. The sidewalk directly adjacent to the building is also open to the public and connects to the commercial area, as shown below. **Criteria 6 met.**



CRITERIA 7:

That the variance would not be contrary to the comprehensive plan of the Town.

APPLICANT RESPONSE: Granting the variance would ensure consistency with the long-term vision for development and facilitate development within the C-3 district, ensuring compatibility between the proposed project and the broader planning framework for the Twin Cities area.

STAFF RESPONSE: The variance would not be contrary to the purpose goals expressed in the Future Land Use Element of the Comprehensive Plan relating to redevelopment of the Twin Cities Mall site. Specifically, Objective 11 states:

"Redevelopment of Twin Cities Mall Site: The Twin Cities Mixed Use Future Land Use Classification is established to facilitate the redevelopment of the land formerly developed and known as the Twin Cities Mall, which encompasses land which is located within the boundaries of the Village of North Palm Beach and the Town. This land use category is established to enable a vibrant mixed-use place that will combine residences, businesses, and civic spaces; enhance the public realm through public plazas, green or open space areas or pocket parks; provide an urban form of integrated land use combinations with balanced densities and intensities; achieve the safe interconnectivity of vehicular, pedestrian and other non-motorized movement, and promote sustainability."

Criteria 7 met

<u>STAFF FINDING:</u> STAFF FINDS THAT ALL SEVEN CRITERIA NECESSARY TO GRANT THE VARIANCE HAVE BEEN MET.

RECOMMENDED MOTION:

BASED ON THE TESTIMONY PROVIDED, THE BOARD FINDS THAT ALL SEVEN CRITERIA FOR GRANTING A VARIANCE HAVE BEEN MET AND SO APPROVES THE REQUESTED VARIANCE FOR THE NORTHLAKE PROMENADE APARTMENTS.

Attachments:

Application for Variance

Applicant Justification



TOWN OF LAKE PARK COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING VARIANCE

APPLICANT INFORMATION

<u>Owner</u>

Name:	Northlake Promenade Shoppes, LLC			P	hone:	561-989-2240				
Address:	3200 N. Military Trail,	4th Floor	City:	Boca R	aton	S	tate:	FL	Zip:	33431
Email Address:	styriver@woolbright.ne	t				(1	REQU	IRED)		
Agent (if appl	icable)									
Name:	McKenna West					P	hone:	561-	747-633	6
Address:	1934 Commerce Lane	e, Suite 1	City:	Jupiter		S	tate:	FL	Zip:	33458
Email Address:	mwest@cotleur-hearing	ng.com				(1	REQU	IRED)		
PROPERTY I	NFORMATION									
1. Property I	Location/Address:				Not	addres	sed			
2. Property (Control Number(s):	36 -	43	42	-	21 -	32	-	010 -	0000
Property (Control Number(s):	36 -	43	42		21 -	32		009 -	0000
3. Zoning D	istrict:			C3 Ty	win (Cities N	lixed	Use		
PROJECT INFORMATION 78-73 (e) Performance Standards Variance(s) requested: b.A minimum of 60 percent of a building frontage shall abut any other street setback										
Brief description of work proposed (use additional sheets if necessary): Applicant proposes to build a 279-unit residential project. The subject site is 9.07 acres. The										
	lopment will integrate v				Ū					
space, to creat	e a vibrant mixed-use p	roject that	aligns w	vith the re	egula	tions se	t forth	for the	e C-3 Zo	ning

VARIANCE CRITERIA

In order to authorize any variance from the requirements of the Land Development Regulations, the Planning and Zoning Board must conduct a quasijudicial hearing, and must make findings of fact that all of the following criteria have been satisfied:

(Respond to each item below)

1. <u>Special Conditions</u>: That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Please see Justification Statement.

- <u>Actions of Applicant</u>: That the special conditions and circumstances do not result from the actions of the applicant.
 Please see Justification Statement.
- Special Privilege: That granting the variance requested will not confer on the applicant any special privilege that is denied by the Land Development Regulations to other lands, buildings or structures in the same zoning district.
 Please see Justification Statement.
- 4. <u>Literal Interpretation</u>: That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter, and would work unnecessary and undue hardship on the applicant.

Please see Justification Statement.

- 5. <u>Minimum Variance</u>: That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. **Please see Justification Statement.**
- 6. <u>Public Interest/Harmony with Code</u>: That the grant of the variance will be in harmony with the general intent and purpose of the land development regulations of the Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare. **Please see Justification Statement.**
- Harmony with Comprehensive Plan: That the variance would not be contrary to the comprehensive plan of the Town.
 Please see Justification Statement.

LIST OF REQUIRED DOCUMENTS

- Map showing property subject to this application
- Six copies of Site Plan(s), if necessary
- Building plans of structures to be erected, if necessary
- Certified survey of property (no more than 1 year old)
- Notarized Town of Lake Park Agent Authorization form, if applicable

FEES

Application Fee: \$1,000 nonresidential; \$750.00 residential Minimum Escrow Deposit: \$1,500.00*

*Unused portion of escrow is refundable – additional costs will be recovered in advance

AKE PA

SIGNATURE

The undersigned states that the above is true and correct as s/he is informed and believes:

At-	STATE OF FLORIDA STATE OF FLORIDA Expires June 23, 2024
Signature of Owner or Agent	PALM BEACH COUNTY Bonded Thru Troy Fain Insurance 800-385-7019
Soraya Tyriver	(Seal) nau 2 Doorw
Print Name	
SWORN TO OR AFFIRMED before me this the day of April	1, 2024. By: Soraya Tyriter
□ who has produced as identification □ whom I know personally	
PLEASE DO NOT DETACH FROM APPLICATION	ON.
SIGNATURE REQUIRED BELOW.	

Please be advised that Section 51-6 of the *Town of Lake Park Code of Ordinances* provides for the Town to be reimbursed, in addition to any application or administrative fees, for any supplementary fees and costs the Town incurs in processing development review requests.

These costs may include, but are not limited to, advertising and public notice costs, legal fees, consultant fees, additional Staff time, cost of reports and studies, NPDES stormwater review and inspection costs, and any additional costs associated with the building permit and the development review process.

For further information and questions, please contact the Community Development Department at 561-881-3318.

I, Soraya Tyrirer	_, have read and understand the
regulations above regarding cost recovery.	
Property Owner Signature North all promeracy Shoppes LLC	4-9-2024 Date



C26000535

1934 COMMERCE LANE • SUITE 1 JUPITER, FLORIDA • 33458 \$561.747.6336 🖶 561.747.1377

Northlake Promenade Apartments Variance Application Justification Statement

April 9, 2024

INTRODUCTION

Northlake Promenade Shoppes, LLC, owner, and applicant is seeking a variance for the project known as "Northlake Promenade Apartments." The project proposes a 279-unit residential project along with public open space and upgraded landscape and hardscape, integrated with existing retail. As discussed more fully in the application for site plan approval, the project was designed based on the Town's vision for the property and according to the regulations set forth by the Town's C-3 zoning district.

REQUEST

The Applicant, in partnership with AvalonBay Communities, is seeking approval for a variance on the subject property to enable the development of a transformative rental project. The request is warranted due to the unique constraints posed by existing infrastructure, specifically the presence of Florida Power & Light easements, which restrict compliance with the specified setback requirement. The specific provision from which the applicant is requesting relief is: Sec. 78-73 (e) Performance Standards. b. A minimum of 60 percent of a building frontage shall abut any other street setback. The building's setback from the eastern property line is 137.2 feet, just beyond the area that cannot be built upon due to the easements.

An underground utility survey confirmed the presence of infrastructure in place within the easements. A review with representatives from FPL has determined that relocating the lines in order to abandon the easements is not economically feasible. Notably, this infrastructure serves as a critical power feeder, supplying electricity from the Lake Park substation to various neighborhoods to the north and east, including Lost Tree, Singer Island, neighborhoods across the Earman Canal, and extending all the way to PGA Boulevard.

Despite the challenge presented by the easements, the proposed project is designed to enrich the local community by introducing high-quality residential units, enhancing existing retail spaces, and fostering pedestrian-friendly amenities. The inclusion of on-street parking, open green spaces, and a variety of unit sizes aims to create a dynamic and inclusive urban environment that aligns with the broader goals of the Comprehensive Plan and demonstrates sustainable development practice within the Twin Cities area.

In addition to addressing the immediate needs of the site, the requested variance will facilitate the realization of this mixed-use environment, that enhances the overall livability and economic vitality of the district. As such, we believe that granting the variance is not only warranted but essential in achieving our shared vision for a thriving and connected urban landscape.

VARIANCE CRITERIA

Special Conditions:

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

RESPONSE: Any proposed building on this particular parcel would be unable to meet the requirement set forth by the C-3 code, for 60% of a building's frontage to abut the minimum setback line on the east. This is due to the existence of the FPL easements in which infrastructure is already in place..

Actions of Applicant:

That the special conditions and circumstances do not result from the actions of the applicant. **RESPONSE:** The FPL easement and infrastructure have been in place for decades, prior to the owner's acquisition of the property and prior to the adoption of the C-3 Code.

Special Privilege:

That granting the variance requested will not confer on the applicant any special privilege that is denied by the Land Development Regulations to other lands, buildings, or structures in the same zoning district.

RESPONSE: Granting the requested variance due to the presence of the unalterable easements does not confer a special privilege, as it simply enables compliance with zoning regulations and intent of the code, under circumstances beyond the applicant's control. Allowing the variance maintains parity with the treatment of other properties facing similar constraints within the same zoning district. Any other property facing comparable constraints would have the opportunity to seek similar relief through the variance process.

Literal Interpretation:

That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

RESPONSE: Strict adherence to the provision from which we are seeking relief would impose undue hardship on the applicant, given that the presence of the easements prevents the proposed building from meeting the specified requirement. Furthermore, granting the variance allows the applicant to exercise rights granted to other properties in the same district, to develop quality form and function by facilitating the proximity and connectivity between uses, enhancing the overall livability of the area.

Minimum Variance:

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

RESPONSE: The variance sought is the minimum necessary to enable the optimal use of the land to meet the intent and literal interpretation of all other C-3 Zoning district regulations.

Public Interest/Harmony with Code:

That the grant of the variance will be in harmony with the general intent and purpose of the land development regulations of the Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

RESPONSE: Granting the requested variance will align with the overarching intent and objectives of the land development regulations outlined in the Code. The variance will not result in any harm to the surrounding area nor pose any detriment to public welfare.

Harmony with Comprehensive Plan:

That the variance would not be contrary to the comprehensive plan of the Town. **RESPONSE:** Granting the variance would ensure consistency with the long-term vision for development and facilitate development within the C-3 district, ensuring compatibility between the proposed project and the broader planning framework for the Twin Cities area.

CONCLUSION

We respectfully urge the Planning and Zoning Board to grant the variance request as it plays a vital role in facilitating the development of the subject site in alignment with the vision for the C-3 zoning district. The approval of the requested variance is essential for realizing the objectives outlined in the district regulations and comprehensive plan, given the unique challenges posed by the site's existing conditions. Working closely with design professionals, the applicant has diligently planned the site to ensure seamless integration with the street layout while avoiding any potential conflicts with the FPL easements.



TOWN LAKE OF PARK PLANNING AND ZONING BOARD JOINT MEETING WITH THE VILLAGE OF NORTH PALM BEACH Meeting Date: May 2, 2024 Agenda #: <u>PZ-24-02</u>

DESCRIPTION:

VARIANCE REQUEST (QUASI JUDICIAL). VARIANCE APPLICATION, FOR PARCELS36 - 43 - 42 - 21 - 32 - 010 – 0000 AND 36 - 43 - 42 - 21 - 32 - 009 – 0000 WITHIN THE C-3 TWIN CITIES MIXED-USE DISTRICT, FROM BUILDING FRONTAGE REQUIREMENTS DUE TO UTILITY EASEMENT CONFLICTS.

Project: Northlake Promenade Apartments

Applicant:	Northlake Promenade Shoppes LLC (McKenna West, Cotleur
	Hearing- Agent)
Owner:	Northlake Promenade Shoppes LLC
Owner Address:	3200 N. Military Trail Boca Raton, FL

Property Information

Net Acreage:	9.07 acres			
Legal Description:	Parcels 9 and 10, Northlake Promenade Shoppes PUD Replat #1.			
Property Control #:	36 - 43 - 42 - 21 - 32 - 010 - 0000, 36 - 43 - 42 - 21 - 32 - 009 - 0000			
Future Land Use:	Twin Cities Mixed Use			
Existing Zoning:	C-3 Twin Cities Mall Mixed Use District			
Adjacent Zoning North: C-3 South: C-3 East: C-3 West: R-2	Adjacent Existing Land UseNorth:Twin Cities Mixed UseSouth:Twin Cities Mixed UseEast:Twin Cities Mixed UseWest:Residential Medium Density			

Location



I. VARIANCE REQUEST

The applicant is seeking site plan approval for a project that includes a seven story, 279 unit multi-family building, known as Northlake Promenade Apartments, which is on the Board's agenda. *Please refer to site plan report for details on this project.*

To effectuate the plan the applicant is requesting a variance from Code Section 78-73 (e) (1) of the C-3 Twin Cities Mixed Use District that requires new buildings to be "designed to address the street and facilitate easy pedestrian access appropriate for an urban, mixed-use setting." <u>Specifically</u>, section 78-73 (e) (1) b. requires "A minimum of 60 percent of a building frontage shall abut any other street setback" (other than the frontage street).

As the building is considered a courtyard building, per section 78-73 "Table 4: Courtyard Building Type A", there is a required minimum 10 ft. setback. Therefore a minimum of 60% of the building would be required to be within 10 feet of the street.

The variance is requested to allow the entire building to be set back 137.2 feet from the Northlake Entry Street, due to FPL easements which contain existing underground FPL lines that preclude the building from being able to front the street.

I.VARIANCE REVIEW

Section 55-63 (2) of the Town Code vests the Planning and Zoning Board with <u>final</u> <u>authority</u> regarding variances. Section 78-185 of the Town Code establishes criteria which must be met to entitle an applicant to a variance. **The Board must find that** <u>each</u> of the 7 criteria have been met to entitle an applicant to the requested variance relief. The report that follows addresses each of the specific criteria.

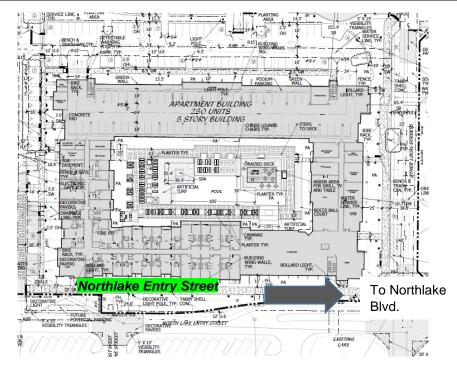
In evaluating these criteria, Courts have placed emphasis on criteria # 4, which states "A literal interpretation of the land development regulations would deprive the Owner of rights commonly enjoyed by other properties in the same zoning district" by holding the Owner/applicants for variance relief and the governing board evaluating the application, to the rigorous standard of whether the denial of the variance would render the Property virtually unusable. (Bernard v. Town of Palm Beach, 569 So. 2d 853 (Fla. 4th DCA 1990).

III. BACKGROUND AND SUMMARY OF REQUEST

The applicant initially designed the building to front both the Northlake Entry Street and the local street. (See original site plan, next page) It wasn't until <u>after</u> the building design had been well developed that additional research revealed the existence of the FPL easements, which had not shown up on the initial survey. The easements are for major underground FPL lines that serve neighborhoods to the north, and the cost to relocate the lines was determined not to be feasible by the applicant.

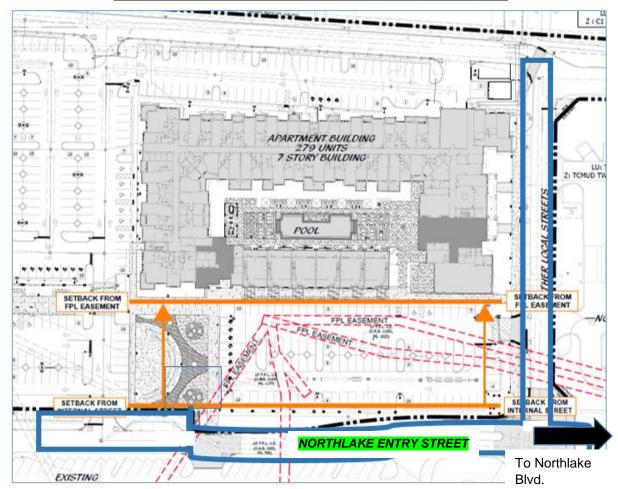
As no permanent structures can be placed on the easement, the applicant redesigned part of the site, to place the structure outside the easement and place parking within the easement.

In essence the building was shifted 137 feet west from the street r-o-w. so that it was no longer in the easements. *Please refer to applicant's justification for greater detail.*



Original Site Plan (Partial)- showing building location fronting Northlake Entry Street

Current Site Plan with Requested Setback Variance.



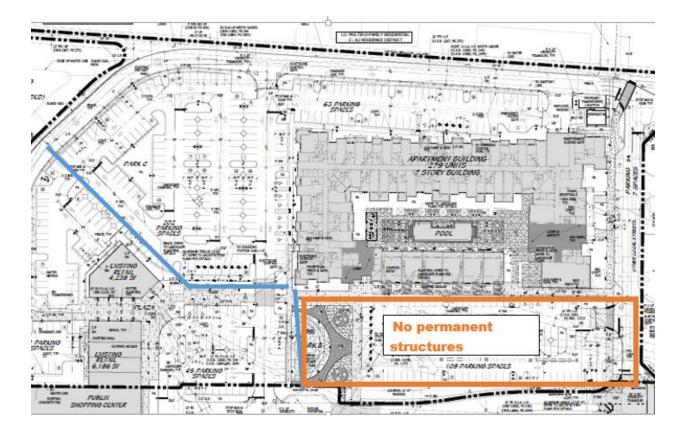
IV. ANALYSIS OF CRITERIA AND FINDINGS FOR VARIANCE

Below are listed the seven (7) variance criteria from Code Section 78-185 which <u>all</u> must be met before a variance can be granted.

<u>CRITERIA 1:</u> That the conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

APPLICANT RESPONSE: Any proposed building on this particular parcel would be unable to meet the requirement set forth by the C-3 code, for 60% of a building's frontage to abut the minimum setback line on the east. This is due to the existence of the major FPL easements in which infrastructure is already in place.

STAFF RESPONSE: The location of the FPL easements present a unique situation. There are no other parcels in the C-3 Twin Cities Mixed Use District that have easements to this extent. Almost one acre of the site is precluded from having any building on it.
Criteria 1 met



<u>CRITERIA 2:</u> That the special conditions and circumstances do not result from the actions of the applicant

APPLICANT RESPONSE: The FPL easement <u>and infrastructure</u> have been in place for decades, prior to the owner's acquisition of the property and prior to the adoption of the C-3 Code.

STAFF RESPONSE: While the request to some extent is triggered by the owner's preference to have one major building, short of a major redesign of the site and building, which could involve separate buildings and/or the inclusion of a parking garage or creating additional streets, it is impossible to meet the code section. The project becomes cost prohibitive according to the owner. The location of the easements do present a condition not caused by the applicant.
Staff is satisfied that Criteria 2 is met

<u>CRITERIA 3:</u> That granting the variance requested will not confer on the applicant any special privilege that is denied by the Land Development Regulations to other lands, buildings, or structures in the same zoning district.

APPLICANT RESPONSE: Granting the requested variance due to the presence of the unalterable easements does not confer a special privilege, as it simply enables compliance with zoning regulations and intent of the code, under circumstances beyond the applicant's control. Allowing the variance maintains parity with the treatment of other properties facing similar constraints within the same zoning district. Any other property facing comparable constraints would have the opportunity to seek similar relief through the variance process.

STAFF RESPONSE: Agreed. Any other property facing comparable constraints would have the opportunity to seek similar relief through the variance process. **Criteria 3 met**

<u>CRITERIA 4:</u> That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

APPLICANT RESPONSE: Strict adherence to the provision from which we are seeking relief would impose undue hardship on the applicant, given that the presence of the easements prevents the proposed building from meeting the specified requirement.

Furthermore, granting the variance allows the applicant to exercise rights granted to other properties in the same district, to develop quality form and function by facilitating the proximity and connectivity between uses, enhancing the overall livability of the area.

STAFF RESPONSE: This is the only property with easements adjacent to an existing street. No other properties are limited to the extent that this parcel is. Literal interpretation of the code <u>would</u> cause a hardship unique to this parcel. **Criteria 4 met**

<u>CRITERIA 5:</u> That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

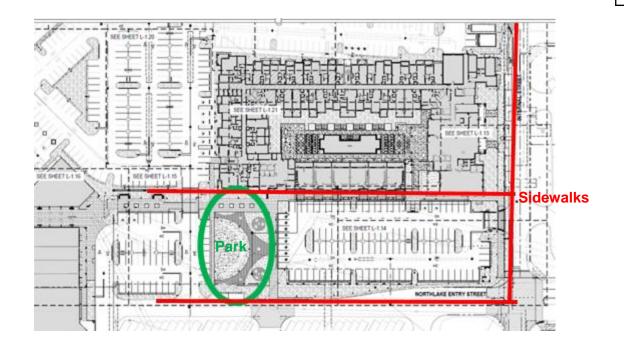
APPLICANT RESPONSE: The variance sought is the minimum necessary to enable the optimal use of the land to meet the intent and literal interpretation of all other C-3 Zoning district regulations

STAFF RESPONSE: The requested variance is the minimum necessary to pull the building out of the easements. **Criteria 5 met**

<u>CRITERIA 6:</u> That the grant of the variance will be in harmony with the general intent and purpose of the land development regulations of the Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

APPLICANT RESPONSE: Granting the requested variance will align with the overarching intent and objectives of the land development regulations outlined in the Code. The variance will not result in any harm to the surrounding area nor pose any detriment to public welfare.

STAFF RESPONSE: The intent of the section requiring direct building frontage is to encourage visual and pedestrian connections between buildings and streets for an urban mixed use design. While the building cannot front the street, the applicant has created a small public park area to provide a public connection between the building and the street, and to tie into the adjacent commercial uses. The sidewalk directly adjacent to the building is also open to the public and connects to the commercial area, as shown below. **Criteria 6 met.**



CRITERIA 7:

That the variance would not be contrary to the comprehensive plan of the Town.

APPLICANT RESPONSE: Granting the variance would ensure consistency with the long-term vision for development and facilitate development within the C-3 district, ensuring compatibility between the proposed project and the broader planning framework for the Twin Cities area.

STAFF RESPONSE: The variance would not be contrary to the purpose goals expressed in the Future Land Use Element of the Comprehensive Plan relating to redevelopment of the Twin Cities Mall site. Specifically, Objective 11 states:

"Redevelopment of Twin Cities Mall Site: The Twin Cities Mixed Use Future Land Use Classification is established to facilitate the redevelopment of the land formerly developed and known as the Twin Cities Mall, which encompasses land which is located within the boundaries of the Village of North Palm Beach and the Town. This land use category is established to enable a vibrant mixed-use place that will combine residences, businesses, and civic spaces; enhance the public realm through public plazas, green or open space areas or pocket parks; provide an urban form of integrated land use combinations with balanced densities and intensities; achieve the safe interconnectivity of vehicular, pedestrian and other non-motorized movement, and promote sustainability."

Criteria 7 met

<u>STAFF FINDING:</u> STAFF FINDS THAT ALL SEVEN CRITERIA NECESSARY TO GRANT THE VARIANCE HAVE BEEN MET.

RECOMMENDED MOTION:

BASED ON THE TESTIMONY PROVIDED, THE BOARD FINDS THAT ALL SEVEN CRITERIA FOR GRANTING A VARIANCE HAVE BEEN MET AND SO APPROVES THE REQUESTED VARIANCE FOR THE NORTHLAKE PROMENADE APARTMENTS.

Attachments:

Application for Variance

Applicant Justification



TOWN OF LAKE PARK COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING VARIANCE

APPLICANT INFORMATION

<u>Owner</u>

Name:	Northlake Promenade Shoppes, LLC				Phone:	ne: 561-989-2240			
Address:	3200 N. Military Trail,	4th Floor	City:	Boca Rator	n	State:	FL	Zip:	33431
Email Address:	styriver@woolbright.ne	et				(REQUI	RED)		
Agent (if app	licable)								
Name:	McKenna West					Phone:	561-74	47-633	6
Address:	1934 Commerce Land	e, Suite 1	City:	Jupiter		State:	FL	Zip:	33458
Email Address:	mwest@cotleur-heari	ng.com				(REQUI	RED)		
PROPERTY	NFORMATION								
1. Property	Location/Address:			No	ot addro	essed			
2. Property	Control Number(s):	36 -	43 -	42 -	21	- 32	- 0)10 -	0000
Property	Control Number(s):	36 -	43 -	42 -	21	- 32		09 -	0000
3. Zoning D	istrict:			C3 Twin	1 Cities	Mixed	Use		
PROJECT INFORMATION 78-73 (e) Performance Standards Variance(s) requested: b.A minimum of 60 percent of a building frontage shall abut any other street setback									
Brief description of work proposed (use additional sheets if necessary): Applicant proposes to build a 279-unit residential project. The subject site is 9.07 acres. The									
proposed deve	lopment will integrate	with existing	retail us	ses on site, 1	together	· with pu	blic ope	en	
space, to creat	e a vibrant mixed-use p	project that a	ligns wit	th the regu	lations s	et forth	for the (C-3 Zo	ning

VARIANCE CRITERIA

In order to authorize any variance from the requirements of the Land Development Regulations, the Planning and Zoning Board must conduct a quasijudicial hearing, and must make findings of fact that all of the following criteria have been satisfied:

(Respond to each item below)

1. <u>Special Conditions</u>: That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Please see Justification Statement.

- <u>Actions of Applicant</u>: That the special conditions and circumstances do not result from the actions of the applicant.
 Please see Justification Statement.
- Special Privilege: That granting the variance requested will not confer on the applicant any special privilege that is denied by the Land Development Regulations to other lands, buildings or structures in the same zoning district.
 Please see Justification Statement.
- 4. <u>Literal Interpretation</u>: That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter, and would work unnecessary and undue hardship on the applicant.

Please see Justification Statement.

- 5. <u>Minimum Variance</u>: That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. **Please see Justification Statement.**
- 6. <u>Public Interest/Harmony with Code</u>: That the grant of the variance will be in harmony with the general intent and purpose of the land development regulations of the Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare. **Please see Justification Statement.**
- Harmony with Comprehensive Plan: That the variance would not be contrary to the comprehensive plan of the Town.
 Please see Justification Statement.

LIST OF REQUIRED DOCUMENTS

- Map showing property subject to this application
- Six copies of Site Plan(s), if necessary
- Building plans of structures to be erected, if necessary
- Certified survey of property (no more than 1 year old)
- Notarized Town of Lake Park Agent Authorization form, if applicable

FEES

Application Fee: \$1,000 nonresidential; \$750.00 residential Minimum Escrow Deposit: \$1,500.00*

*Unused portion of escrow is refundable – additional costs will be recovered in advance

AKE PA

SIGNATURE

The undersigned states that the above is true and correct as s/he is informed and believes:

At-	STATE OF FLORIDA STATE OF FLORIDA Expires June 23, 2024
Signature of Owner or Agent	PALM BEACH COUNTY Bonded Thru Troy Fain Insurance 800-385-7019
Soraya Tyriver	(Seal) Mary Doorw
Print Name	
SWORN TO OR AFFIRMED before me this the day of April	1, 2024. By: Soraya Tyriter
□ who has produced as identification □ whom I know personally	AA
PLEASE DO NOT DETACH FROM APPLICATI	ON.
SIGNATURE REQUIRED BELOW.	

Please be advised that Section 51-6 of the *Town of Lake Park Code of Ordinances* provides for the Town to be reimbursed, in addition to any application or administrative fees, for any supplementary fees and costs the Town incurs in processing development review requests.

These costs may include, but are not limited to, advertising and public notice costs, legal fees, consultant fees, additional Staff time, cost of reports and studies, NPDES stormwater review and inspection costs, and any additional costs associated with the building permit and the development review process.

For further information and questions, please contact the Community Development Department at 561-881-3318.

I, Soraya Tyrirer	_, have read and understand the
regulations above regarding cost recovery.	
Property Owner Signature North all promeracy Shoppes LLC	4-9-2024 Date



C26000535

1934 COMMERCE LANE • SUITE 1 JUPITER, FLORIDA • 33458 \$561.747.6336 🖶 561.747.1377

Northlake Promenade Apartments Variance Application Justification Statement

April 9, 2024

INTRODUCTION

Northlake Promenade Shoppes, LLC, owner, and applicant is seeking a variance for the project known as "Northlake Promenade Apartments." The project proposes a 279-unit residential project along with public open space and upgraded landscape and hardscape, integrated with existing retail. As discussed more fully in the application for site plan approval, the project was designed based on the Town's vision for the property and according to the regulations set forth by the Town's C-3 zoning district.

REQUEST

The Applicant, in partnership with AvalonBay Communities, is seeking approval for a variance on the subject property to enable the development of a transformative rental project. The request is warranted due to the unique constraints posed by existing infrastructure, specifically the presence of Florida Power & Light easements, which restrict compliance with the specified setback requirement. The specific provision from which the applicant is requesting relief is: Sec. 78-73 (e) Performance Standards. b. A minimum of 60 percent of a building frontage shall abut any other street setback. The building's setback from the eastern property line is 137.2 feet, just beyond the area that cannot be built upon due to the easements.

An underground utility survey confirmed the presence of infrastructure in place within the easements. A review with representatives from FPL has determined that relocating the lines in order to abandon the easements is not economically feasible. Notably, this infrastructure serves as a critical power feeder, supplying electricity from the Lake Park substation to various neighborhoods to the north and east, including Lost Tree, Singer Island, neighborhoods across the Earman Canal, and extending all the way to PGA Boulevard.

Despite the challenge presented by the easements, the proposed project is designed to enrich the local community by introducing high-quality residential units, enhancing existing retail spaces, and fostering pedestrian-friendly amenities. The inclusion of on-street parking, open green spaces, and a variety of unit sizes aims to create a dynamic and inclusive urban environment that aligns with the broader goals of the Comprehensive Plan and demonstrates sustainable development practice within the Twin Cities area.

In addition to addressing the immediate needs of the site, the requested variance will facilitate the realization of this mixed-use environment, that enhances the overall livability and economic vitality of the district. As such, we believe that granting the variance is not only warranted but essential in achieving our shared vision for a thriving and connected urban landscape.

VARIANCE CRITERIA

Special Conditions:

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

RESPONSE: Any proposed building on this particular parcel would be unable to meet the requirement set forth by the C-3 code, for 60% of a building's frontage to abut the minimum setback line on the east. This is due to the existence of the FPL easements in which infrastructure is already in place..

Actions of Applicant:

That the special conditions and circumstances do not result from the actions of the applicant. **RESPONSE:** The FPL easement and infrastructure have been in place for decades, prior to the owner's acquisition of the property and prior to the adoption of the C-3 Code.

Special Privilege:

That granting the variance requested will not confer on the applicant any special privilege that is denied by the Land Development Regulations to other lands, buildings, or structures in the same zoning district.

RESPONSE: Granting the requested variance due to the presence of the unalterable easements does not confer a special privilege, as it simply enables compliance with zoning regulations and intent of the code, under circumstances beyond the applicant's control. Allowing the variance maintains parity with the treatment of other properties facing similar constraints within the same zoning district. Any other property facing comparable constraints would have the opportunity to seek similar relief through the variance process.

Literal Interpretation:

That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

RESPONSE: Strict adherence to the provision from which we are seeking relief would impose undue hardship on the applicant, given that the presence of the easements prevents the proposed building from meeting the specified requirement. Furthermore, granting the variance allows the applicant to exercise rights granted to other properties in the same district, to develop quality form and function by facilitating the proximity and connectivity between uses, enhancing the overall livability of the area.

Minimum Variance:

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

RESPONSE: The variance sought is the minimum necessary to enable the optimal use of the land to meet the intent and literal interpretation of all other C-3 Zoning district regulations.

Public Interest/Harmony with Code:

That the grant of the variance will be in harmony with the general intent and purpose of the land development regulations of the Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

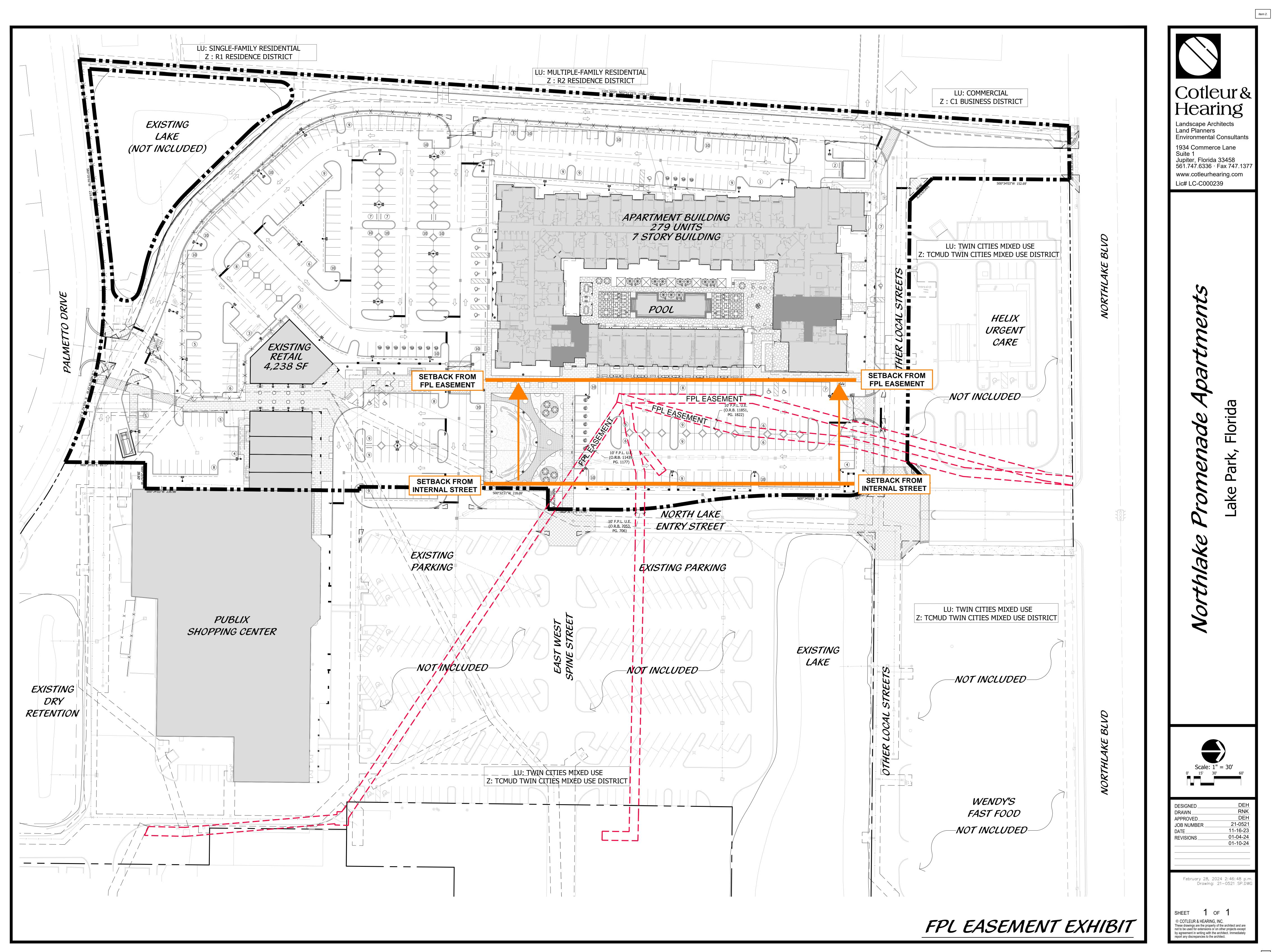
RESPONSE: Granting the requested variance will align with the overarching intent and objectives of the land development regulations outlined in the Code. The variance will not result in any harm to the surrounding area nor pose any detriment to public welfare.

Harmony with Comprehensive Plan:

That the variance would not be contrary to the comprehensive plan of the Town. **RESPONSE:** Granting the variance would ensure consistency with the long-term vision for development and facilitate development within the C-3 district, ensuring compatibility between the proposed project and the broader planning framework for the Twin Cities area.

CONCLUSION

We respectfully urge the Planning and Zoning Board to grant the variance request as it plays a vital role in facilitating the development of the subject site in alignment with the vision for the C-3 zoning district. The approval of the requested variance is essential for realizing the objectives outlined in the district regulations and comprehensive plan, given the unique challenges posed by the site's existing conditions. Working closely with design professionals, the applicant has diligently planned the site to ensure seamless integration with the street layout while avoiding any potential conflicts with the FPL easements.



Cotleur& Hearing Northlake Promenade Apartments **Application for Variance** Special Call Joint Meeting Lake Park PZB

Lake Park PZB Village of North Palm Beach PZAB May 2, 2024 Lake Park, Florida



Applicant: Northlake Promenade Shoppes LLC Developer: AvalonBay Communities Land Planner: Cotleur & Hearing

> Northlake Promenade Apartments Lake Park, FL

LOCATION



Twin Cities Mixed Use District



REQUEST

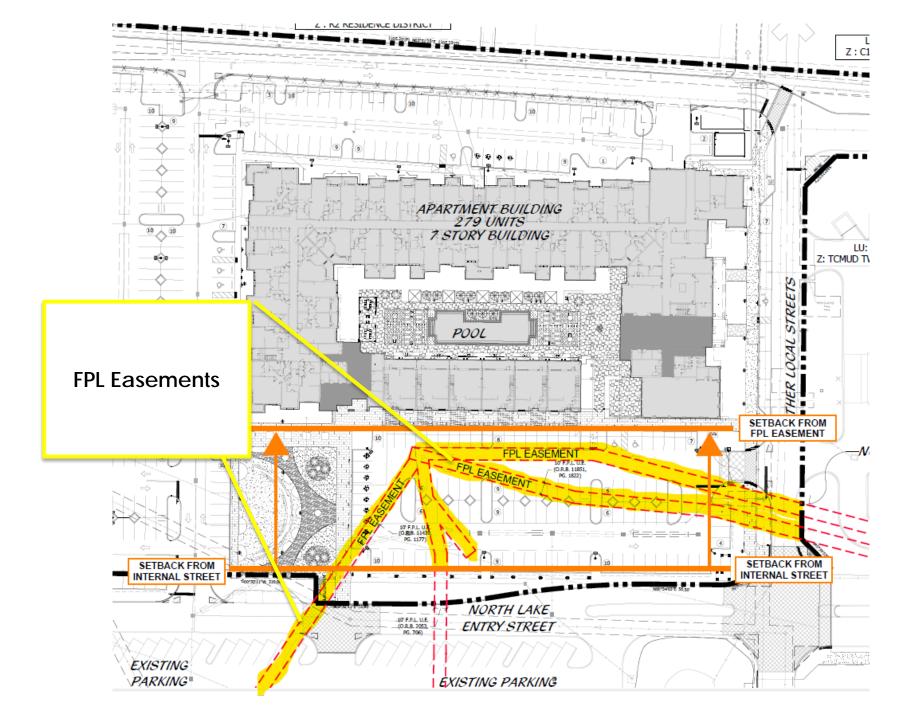


Code Requirement:

- Section 78-73 Table 4: "Courtyard Building Type A"
- Minimum 10 ft. Setback
- Minimum of 60% of the building would be required to be within 10 feet of the street.

Variance:

 Sec. 78-73 (e) Performance Standards. b.
 A minimum of 60 percent of a building frontage shall abut any other street setback.





- The site has an existing site plan approval for 65,380 square feet of additional retail space, which was approved in 2018 and is valid until 2028 (Res. No. 84-11-18.)
- The site plan has been designed according to the recently adopted Twin Cities Mixed Use Zoning District regulations.

Northlake Promenade Apartments Lake Park, FL

Approved Site Plan





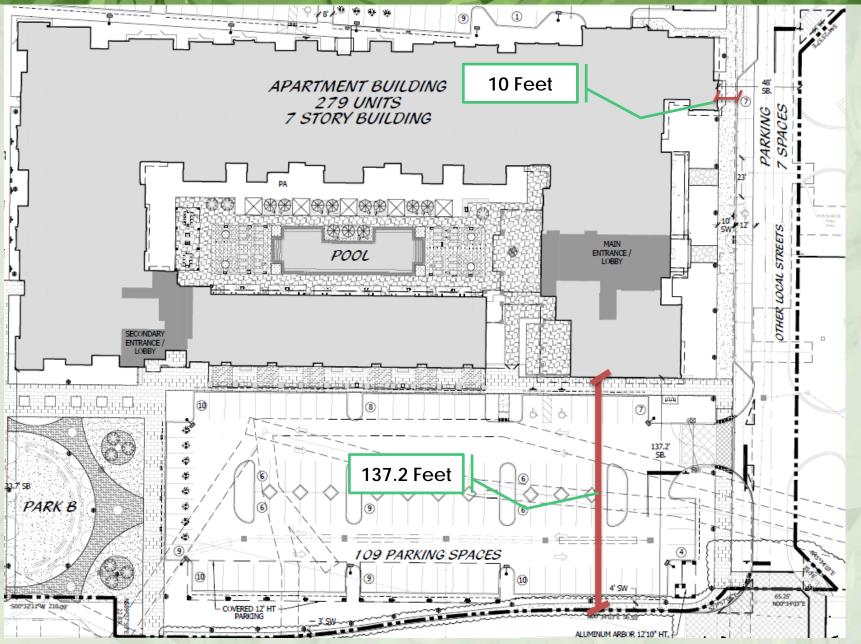
Proposed Site Plan | Aerial





Proposed Site Plan





Edge Treatment









VARIANCE CRITERIA



Standards for Variance Approval:

- Special conditions peculiar to the land
- Conditions are not a result of Actions by Applicant
- ✓ Will not confer special privilege
- ✓ Literal Interpretation: Undue hardship
- Minimum Variance to make reasonable use possible
- ✓ In Best Public Interest/Harmony with Code
- ✓ Harmony with Comprehensive Plan



✓ Special conditions peculiar to the land

Any proposed building on this particular parcel would be unable to meet the requirement set forth by the C-3 code, for 60% of a building's frontage to abut the minimum setback line on the east. This is due to the existence of the FPL easements in which infrastructure is already in place.





 Conditions are not a result of Actions by Applicant

The FPL easement and infrastructure have been in place for decades, prior to the owner's acquisition of the property and prior to the adoption of the C-3 Code.



CRITERIA



Standards for Variance Approval:

✓ Will not confer special privilege

Granting the requested variance due to the presence of the unalterable easements does not confer a special privilege, as it simply enables compliance with zoning regulations and intent of the code, under circumstances beyond the applicant's control. Allowing the variance maintains parity with the treatment of other properties facing similar constraints within the same zoning district. Any other property facing comparable constraints would have the opportunity to seek similar relief through the variance process.





✓ Literal Interpretation: Undue hardship

Strict adherence to the provision from which we are seeking relief would impose undue hardship on the applicant, given that the presence of the easements prevents the proposed building from meeting the specified requirement. Furthermore, granting the variance allows the applicant to exercise rights granted to other properties in the same district, to develop quality form and function by facilitating the proximity and connectivity between uses, enhancing the overall livability of the area.





 Minimum Variance to make reasonable use possible

The variance sought is the minimum necessary to enable the optimal use of the land to meet the intent and literal interpretation of all other C-3 Zoning district regulations.





✓ In Best Public Interest/Harmony with Code

Granting the requested variance will align with the overarching intent and objectives of the land development regulations outlined in the Code. The variance will not result in any harm to the surrounding area nor pose any detriment to public welfare.





✓ Harmony with Comprehensive Plan

Granting the variance would ensure consistency with the long-term vision for development and facilitate development within the C-3 district, ensuring compatibility between the proposed project and the broader planning framework for the Twin Cities area.





The proposed development is:

- ✓ Consistent with the Comprehensive Plan
- Consistent with the C3 Code Regulations
- Compatible with the Surrounding area
- Consistent with all Level of Service (LOS) standards
- Recommended for approval as noted in staff's report

Northlake Promenade Apartments Lake Park, FL



On behalf of the applicant and AvalonBay Communities, we request your **APPROVAL.** Thank you for your time and consideration

Northlake Promenade Apartments Lake Park, FL



TOWN LAKE OF PARK PLANNING & ZONING BOARD <u>STAFF REPORT</u> MEETING DATE: May 2, 2024 PZ-24-03

APPLICATION:

Northlake Promenade Apartments

SUMMARY OF APPLICANT'S REQUEST: On behalf of Northlake Promenade Shoppes LLC ("Property Owner" and "Applicant"), McKenna West of Cotleur & Hearing ("Agent") is requesting site plan approval for a seven-story, 279 unit multifamily apartment complex. The request also includes façade improvements and upgrades to the commercial center including Publix. The proposed development is consistent with the Town of Lake Park's adopted regulations for the C-3 Twin Cities Mixed Use District.

The Subject Property is located south of Northlake Boulevard in the Town of Lake. It is comprised of the following parcels, which total 9.05 acres:

- Parcel 1 PCN: 36-43-42-21-32-010-0000
- Parcel 2 PCN: 36-43-42-21-32-009-0000

BACKGROUND:

Owner & Applicant(s): Agent and Consultant: Location:

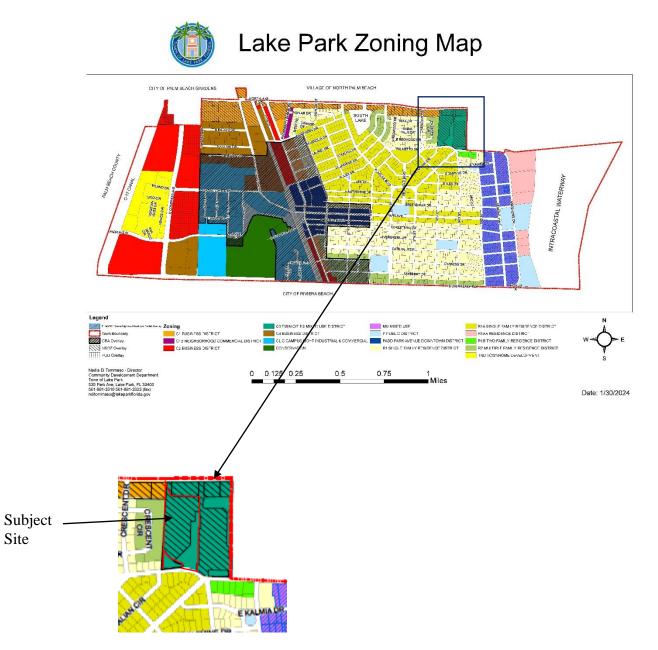
Net Acreage (total): Legal Description: Existing Zoning: Future Land Use: Northlake Promenade Shoppes LLC Cotleur and Hearing Parcel 1 – PCN: 36-43-42-21-32-010-0000 Parcel 2 – PCN: 36-43-42-21-32-009-0000 9.05 acres See survey enclosed in packet. C-3 Twin Cities Mixed Use District Twin Cities Mixed Use

<u>Figure 1</u>: Aerial View of Site (image not to scale; for visual purposes only)



2

LAKE PARK ZONING MAP



Adjacent Zoning:

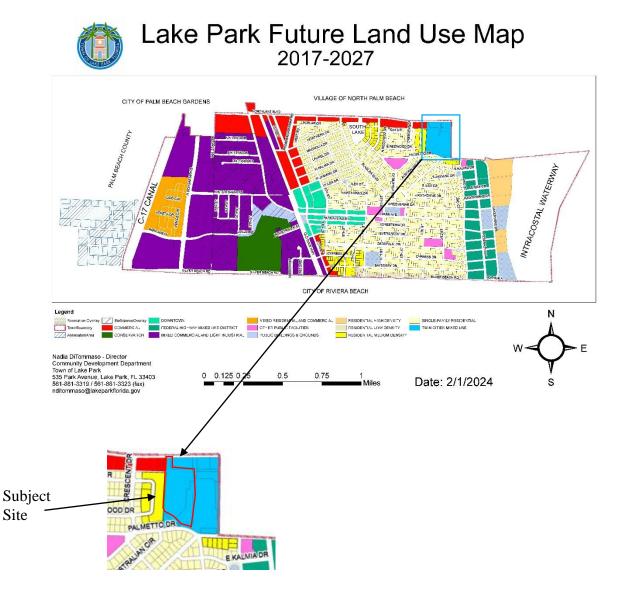
North: C-3 Twin Cities Mixed Use District (North Palm Beach jurisdiction across Northlake Boulevard)

South: R-1A Residence District

East: C-3 Twin Cities Mixed Use District

West: R-2 Residence District, R-1 Residence District

LAKE PARK FUTURE LAND USE MAP



Adjacent Existing Land Use

North: Twin Cities Mixed Use (North Palm Beach jurisdiction across Northlake Boulevard)

South: Single Family Residential East: Twin Cities Mixed Use West: Residential Medium Density, Commercial, and Single Family Residential

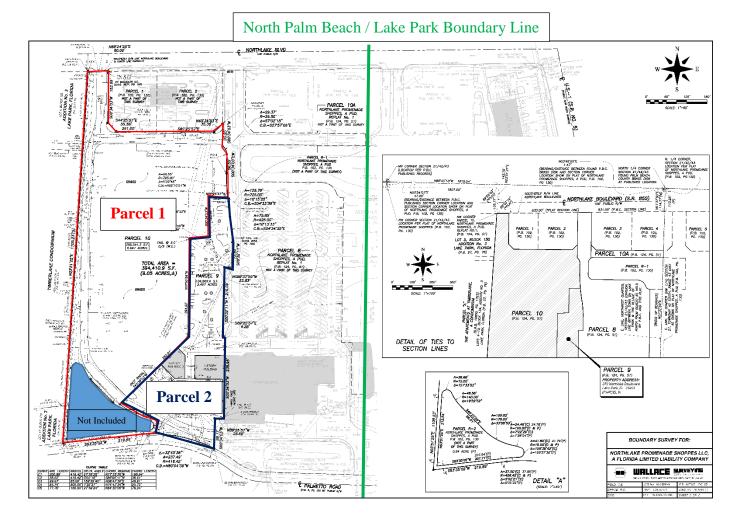


Figure 1 - Existing Conditions

PART I: SITE PLAN APPLICATION

The Northlake Promenade site plan application has been reviewed by the Town's consulting Engineers, Landscape Architect, Palm Beach County Fire Rescue, Seacoast Utility Authority, Palm Beach County Sheriff's Office (PBSO) for Crime Prevention Through Environmental Design (CPTED), Lake Park Public Works Staff, Lake Park Community Development Department Staff and the Village of North Palm Beach Community Development Department Staff. Based on these reviews, the project substantially complies with our Land Development Regulations and Comprehensive Plan.

**This project has been noticed by certified mail to property owners within 300 feet by 4/18/24 and advertised in the Palm Beach Post 4/18/24 **

SITE PLAN PROJECT DETAILS

<u>Comprehensive Plan</u>: The proposal is consistent with the goals, objectives and policies of the Town's Comprehensive Plan, including:

- → 3.4.2 Objectives and Policies, Policy 1.5: The Town shall encourage development and redevelopment activities which will substantially increase the tax base while minimizing negative impacts on natural and historic resources, existing neighborhoods and development and adopted Levels of Service (LOS) standards.
- → Future Land Use (FLU) Classification System 3.4.3: Lands located in the southwest quadrant of Northlake Boulevard and Federal Highway as shown on the Future Land Use Map shall be designated with the future land use of "Twin Cities Mixed Use." These lands, and adjoining lands to the east in the Village of North Palm Beach, are within the property formerly known as the Twin City Mall. The purpose of the Twin City Mixed Use Classification is to redevelop this site into a vibrant mixed-use place that combines residences, businesses, and civic spaces. The maximum density shall not exceed an average of 48 dwelling units per gross acre, as calculated for the entire Twin Cities Mixed Use area within the Town of Lake Park. The FAR for non-residential uses shall not exceed an average FAR of 2.0, as calculated for the entire Twin Cities Mixed Use area within the Town of Lake Park. The policies which are intended to implement the site's redevelopment are located under Objective 11 of the Future Land Use Element.
- → Future Land Use Element, Policy 5.2: The Town shall foster the redevelopment of declining neighborhoods, underutilized parcels, and areas that demonstrate substandard and/or slum and blight conditions.
- → Future Land Use Element, Policy 11.2: The new land development regulations for the proposed Twin Cities Mixed Use District shall provide for the development of new compact residential and non-residential buildings to complement the existing commercial buildings, all of which are supported by publicly accessible civic spaces, walkable and bikeable streets and served by varied forms of public and private transportation.
- → Future Land Use Element, Policy 11.3: The new land development regulations for the proposed Twin Cities Mixed Use District shall provide for public plazas, urban or green open spaces or pocket parks that are accessible to the public and which form an integrated component of redevelopment with the Twin Cities Mixed Use District.

→ Future Land Use Element, Policy 11.4: The new land development regulations for the proposed Twin Cities Mixed Use District shall provide for compatibility of adjacent land uses by establishing land development regulations to control the height and intensity of structures so that new development is internally consistent with the height and intensity of structures and the intensity and density of uses within the adjacent zoning districts of the town, the Twin Cities Mixed Use District and the land development regulations adopted by the Village of North Palm Beach.

Zoning: The proposed project is generally consistent with the requirements of the C-3 Twin Cities Mixed Use District, including the use of multifamily residential, building height, minimum required open space, and building site area. The project also substantially complies with the supplemental regulations of the general code, which will be further discussed as applicable in the sections below.

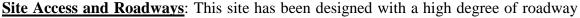
The applicant is seeking one variance from the building frontage requirements due to utility conflicts. Please see the "FPL Easement Color Exhibit" for the location of the utility easement presenting the conflict. The variance request is detailed further in the variance staff report. To summarize briefly the findings of the report here: **staff finds the variance request consistent with the requirements for variance issuance and recommends approval of the request.**

Architecture: The proposal meets the standards set forth under 78-330 and NBOZ Sec. 3-1. for building articulation, façade paint colors, material variation, and decorative features. Additionally, within the C-3 Twin Cities Mixed Use District, applicants are required to create architectural harmony and consistency between their project and existing projects. To satisfy this requirement, the applicant has also created conceptual designs for Publix façade improvements, which will create aesthetic unity between the Northlake Promenade Apartments and the shopping center in the immediate vicinity. Please refer to architectural plan sheets A201 and A202 for details on improvements to the surrounding shopping center.

The following condition of approval related to architecture is proposed: The applicant shall update the site plan to reflect the proposed patio spaces fronting the Northlake Entry street to delimit the extent of the patio area, provide minimum required sidewalk clearances, and update all plan sets accordingly.

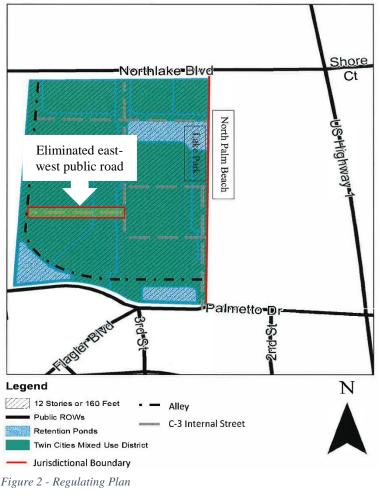
Building Site: The total impervious area for the project is 317,806 SF and the pervious area is 76,605 SF, or 19% of the total site (minimum required is 10%). The development proposal consists of a seven-story, 279 unit multifamily apartment complex. The apartment is proposing 20 studio units, 133 one-bed units, 102 two-bed units, and 18 three-bedroom

units. Please note additionally, that 10,424 SF of existing commercial space is proposed to remain, subject to façade renovation to match architectural aesthetics.



and pedestrian integration into the immediate vicinity. The project proposes 2 driveway entrances to public rights of way: one access point is proposed off of Northlake Boulevard and a second is proposed off of Palmetto Drive.

As part of the requirements of the C-3 Twin Cities Mixed Use District, the applicant is required to improve and, in some cases, construct new internal roadways. While the applicant has proposed improvements along all existing internal private drives, their design did not include a publiclyaccessible east-west drive as highlighted in Figure 2. Therefore, the applicant must provide mitigation and has done so per the requirements of Section 78-73 (h) 1. Please see the applicant's "Street Mitigation Exhibit" for the breakdown of proposing where they are pedestrian roadway and



improvements in lieu of providing the east-west Internal Street depicted in the Regulating Plan. Staff concurs that the proposed alternative design is within the allowances of 78-73 (h) and meets the intent of the mitigation provision.

The applicant has also worked diligently to create an integrated sidewalk grid, connecting their project to the existing shopping plaza, businesses fronting on Northlake Boulevard, connecting to the east along the Northlake Entry Street, as well as connecting to the sidewalk along Palmetto Drive, resulting in a design that meets the intent of Comprehensive Plan Future Land Use Policy 11.2. Please see the "Park Space Exhibit" for a color overview of the proposed open space and sidewalk network.

A sidewalk easement will be provided at the time of the building permit and the applicant shall provide easement recordation prior to Certificate of Occupancy. This shall be a condition of approval in accordance with 78-73 (h) (6).

<u>**Traffic Concurrency**</u>: The applicant has provided Palm Beach County Traffic Performance Standards (TPS) approval in connection with their project. Palm Beach County Traffic recommended several conditions of approval, which staff supports, and are briefly overviewed as follows:

- 1. No Building Permits for the site may be issued after December 31, 2024.
- 2. The Property Owner shall fund the cost of signal installation on Northlake Boulevard at the project's western main entrance.
- **3.** The Property Owner shall closer the easterly median opening on Northlake Boulevard and extend the eastbound dual left turn lanes at US-1.
- 4. The Property Owner shall extend the existing eastbound drop through lane / right turn lane: on Northlake Boulevard at US-1.

Staff and the developer are in agreement with these conditions, which will be included, in their entirety, on the development order.

The Applicant's traffic statement was also reviewed by the Town's consulting Traffic Reviewer, O'Rourke Engineering, who was in agreement with the Traffic Equivalency Statements provided by the applicant as well as the conditions of the PBC TPS letter. O'Rourke Engineering provided signoff 4/12/24.

Landscaping: The proposed landscaping plans have been deemed code compliant by the Town's consulting Landscape Architect (JMorton) as of 4/12/24. J Morton recommended a condition of approval associated with the lack of diversity in the shrub plant palette. The applicant is proposing for 85% of all shrubs consist of just four plant species and large areas being planted with a single plant type. Therefore, the following condition is proposed for discussion, though has not been added to the condition list:

"The landscape plan shall be updated to increase the diversity of the plant shrub palette, particularly in those areas where large single specie plantings are being proposed."

Staff is in agreement with this condition of approval.

Paving, Grading and Drainage: The Town's consulting Engineers, Engenuity Group, reviewed and approved the civil plans for this proposal on 4/12/24.

The Town Stormwater Division also approved the proposed stormwater system and noted it incorporated an "acceptable" amount of green infrastructure; they provided their final approval 4/10/24.

<u>Parking and Loading</u>: This project meets the required parking based on the applicable parking code for multifamily, which requires 1.45 spaces per dwelling unit. At 279 units,

the project is required to provide 405 spaces. Additionally, must continue to provide parking for the existing retail shops at 4 per 1000 SF, for a total of 45 spaces, which they are doing. In total between the residential and retail uses, the applicant is required to provide 447 parking spaces and have provided 448. They are also providing 20 EV charging stations, which they have not included in their total calculation, bringing the true total to 468.

Prior to the Town Commission, a copy of the Reciprocal Easement Agreement establishing joint use and access between Publix's parcel and the subject site shall be provided to memorialize the division of parking spaces between uses and shared parking use allowances.

The O'Rourke Engineering approval from 4/12/24 also noted: "The shared parking analysis has demonstrated that there will be sufficient parking in both the retail and residential areas based on ULI demand curves."

<u>Water/Sewer</u>: Seacoast Utility Authority reviewed these plans for compliance with their best practices and was not able to issue approval prior to P and Z. Instead, the following comments are being added as conditions of approval:

1. The site plan needs to show the proposed SUA easements and the DDC at WM at the N corner.

2. The concrete slab and fence for the proposed transformers at the NW corner is too close to the proposed DDC and meter assemblies. A minimum of 10 FT clear between the outside edge of the meter assembly bypass and the fence is needed. Please see SUA details of the meter and DDC assemblies

3. Sheet E-091 needs to show the primary feed location to the transformers and should show the proposed water and sewer lines clearly, and the FPL easement exhibit does not show any proposed easements to the transformers

4. The Landscape plans have numerous comments:

a. All DDC and meter assemblies do not show any screening. If the City will require screening, please add/show and meet SUA setbacks. All Hedge materials needs to be 4 FT Minimum clear with root barriers. b. Root Barrier designation needs to be called out.

c. All landscaping needs to conform to SUA minimum setbacks. The following are some of the comments

d. Sheet 3.12 – the scale is wrong; The FIC tree and (3) C+A shrubs are no good as shown, they do not meet SUA minimum setbacks. What is the C+A is not shown on the plant list. The BSI and CER trees and C=A shrubs are too close to the WM and do notsetback.UA min. setbacks. Move the CER off the proposed sewer services (typical all locations) e. Sheet 3.13 Move BSI f. Sheet 3.14 Move BSI and C+A; ede and H=C need to be moved . What is the H+C?
g. Sheet 3.16 What is S=R. Move off WM and DDC
h. Sheet 3.17 HP needs to meet SUA setbacks. Root Barrier should be at edge of large SUA easement that goes between the breezeway

Staff is in agreement with these conditions.

<u>Fire</u>: PBC Fire Rescue reviewed the site plan and found it to be in compliance with PBC Fire Rescue best practices on 4/10/24. An additional round of fire review will be conducted during the building permit phase, which is standard procedure.

Signage: The signage proposals provided by the applicant under the Master Sign Plan generally conform to the requirements of the applicable signage codes for the NBOZ and Town, respectively. Final signage review and approval shall occur during the permitting phase, per Condition 10 below.

<u>PBSO</u>: The Crime Prevention Through Environmental Design (CPTED) review was performed by D/S Adam Pozsonyi at the Palm Beach County Sheriff's Office and the proposal was found to be complaint with best-practice principles for CPTED on 4/16/24. A high-definition security camera surveillance condition of approval is being recommended, which is a standard condition of approval.

PART II: STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Site Plan for Northlake Promenade Apartments with the following conditions:

1. The Applicant shall develop the Site consistent with the following Plans and the title sheet shall be updated to reflect the following list of plans and their sign and seal dates:

Name	Sheet	Revision Date	Received on
GENERAL			
Boundary Survey	1 of 2	02.05.2021	4.9.24
Boundary Survey	2 of 2	02.05.2021	4.9.24
Site Plan Set			
Site Plan	1 of 4	4.5.24	4.9.24
Site Plan	2 of 4	4.5.24	4.9.24
Site Plan	3 of 4	4.5.24	4.9.24
Site Details	4 of 4	4.5.24	4.9.24
Architecture			
Architectural Site Plan	A0-01	2.2.24	4.9.24
Overall Floor Plan – Level 1	A1-01	2.2.24	4.9.24
Overall Floor Plan – Level 2	A1-02	2.2.24	4.9.24
Overall Floor Plan – Levels 3-4	A1-03	2.2.24	4.9.24

Overall Floor Plan – Levels 5-6	A1-05	2.2.24	4.9.24
Overall Floor Plan – Level 7	A1-07	2.2.24	4.9.24
Overall Roof Plan	A1-50	2.2.24	4.9.24
Building Elevations	A2-01	2.2.24	4.9.24
Building Elevations	A2-02	2.2.24	4.9.24
Retail Building Elevations	A201	10.23.23	4.9.24
Building Elevations	A202	10.23.23	4.9.24
Building Perspective – NE Entry	A2-04	2.2.24	4.9.24
Building Perspective – Main Entry	A2-05	2.2.24	4.9.24
Building Perspective – Retail Approach	A2-06	2.2.24	4.9.24
Building Perspective – Retail Tower Approach	A2-07	2.2.24	4.9.24
Building Perspective – Townhouse	A2-08	2.2.24	4.9.24
Building Perspective – Courtyard View	A2-09	2.2.24	4.9.24
Retail – Perspective View	A2-10	2.2.24	4.9.24
Retail – Perspective View	A2-11	2.2.24	4.9.24
Retail – Perspective View	A2-12	2.2.24	4.9.24
Perspective – Townhouse Street Approach	A2-13	2.2.24	4.9.24
Civil			
Conceptual Paving & Grading Plan	PD1	11.14.23	4.9.24
Conceptual Paving & Grading Plan	PD2	11.14.23	4.9.24
Conceptual Water & Sewer Plan	WS1	11.14.23	4.9.24
Conceptual Water & Sewer Plan	WS2	11.14.23	4.9.24
Fire Truck Route Plan	FT-1	11.14.23	4.9.24
Garbage Collection Truck Route Plan	REF-1	11.14.23	4.9.24
Landscape and Irrigation			
Cover Sheet	L-0.00	11.15.23	4.9.24
Overall Hardscape Plan	L-1.10	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.11	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.12	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.13	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.14	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.15	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.16	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.17	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.18	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.19	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.20	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.21	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.22	11.15.23	4.9.24
Enlarged Hardscape Plan	L-1.23	11.15.23	4.9.24
General Hardscape Details	L-2.50	11.15.23	4.9.24

Tree Mitigation Plan	L-3.00	11.15.23	4.9.24
Tree Mitigation Plan	L-3.01	11.15.23	4.9.24
Tree Mitigation Plan	L-3.02	11.15.23	4.9.24
Overall Planting Plan	L-3.10	11.15.23	4.9.24
Enlarged Planting Plan	L-3.11	11.15.23	4.9.24
Enlarged Planting Plan	L-3.12	11.15.23	4.9.24
Enlarged Planting Plan	L-3.13	11.15.23	4.9.24
Enlarged Planting Plan	L-3.14	11.15.23	4.9.24
Enlarged Planting Plan	L-3.15	11.15.23	4.9.24
Enlarged Planting Plan	L-3.16	11.15.23	4.9.24
Enlarged Planting Plan	L-3.17	11.15.23	4.9.24
Enlarged Planting Plan	L-3.18	11.15.23	4.9.24
Enlarged Planting Plan	L-3.19	11.15.23	4.9.24
Enlarged Planting Plan	L-3.20	11.15.23	4.9.24
Enlarged Planting Plan	L-3.21	11.15.23	4.9.24
Enlarged Planting Plan	L-3.22	11.15.23	4.9.24
Enlarged Planting Plan	L-3.23	11.15.23	4.9.24
Plant List and Landscape Legend	L-3.24	11.15.23	4.9.24
General Planting Notes and Details	L-3.30	11.15.23	4.9.24
Seacoast Utility Authority Standard Planting Details	L-3.31	11.15.23	4.9.24
Overall Conceptual Irrigation Plan	L-5.10	11.15.23	4.9.24
Photometrics			
Electrical Site Plan	E091	11.17.23	4.9.24
Electrical Site Plan Photometric	E092	11.17.23	4.9.24
Street Mitigation Exhibit			
Street Mitigation Exhibit	1/1	N/A	4.9.24

- 2. Construction associated with the Project is permitted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except holidays, unless an exception is approved in writing by the Community Development Director (the Director).
- 3. Any proposed disruption to neighboring street access, surrounding parking areas, or the normal flow of traffic within the rights of way of Northlake Boulevard, Palmetto Drive, or any other right-of-way during the construction of the Site shall be subject to the review and approval of the Director of the Community Development Department (the Director) and any of the agencies responsible for maintaining these roadways. Should any disruption to the normal flow of traffic occur during construction of the Project without prior authorization, upon written notice from the Director, all construction shall cease until the Director has provided the Owner with a written notice to proceed.

- 4. All landscaping shown on the approved Site Plan and the Landscaping Plan shall be continuously maintained from the date of its installation and the issuance of the Certificate of Occupancy by the Town. The Owner shall replace any and all dead or dying landscaping materials so as to maintain the quantity and quality of the landscaping shown on the approved Site Plan and Landscaping Plan.
- 5. The Owner shall ensure that all contractors use best management practices to reduce airborne dust and particulates during the construction of the Site.
- 6. All onsite dumpsters and dumpster screening shall be kept closed at all times. Owner is not responsible for waste haulers leaving doors open temporarily on pickup day. All required dumpsters shall be acquired from the approved franchise supplier for the Town.
- 7. Prior to issuance of the Certificate of Occupancy, the Applicant shall provide certification from the Landscape Architect of record that the plant installations for the Project are in accordance with the approved Site Plan (and any minor modifications that are approved through permitting) and the Landscaping Plan or are deemed to be equivalent by the Town's consulting landscape architect.
- 8. Prior to the issuance of any construction permits, the Applicant shall submit copies of all permits that are required by other agencies and have been obtained from those agencies, including but not limited to the Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management District and the State of Florida Department of Environmental Protection.
- 9. Any revisions to any approved plans associated with the Project, shall be submitted to the Department of Community Development (Department), and shall be subject to its review and approval. The Department shall determine whether or not the changes are material enough to require further review by the Town Commission.
- 10. During the building permit phase, signage permitting (window, wall, freestanding, or other) for the Project shall be submitted through the Town's permitting process with a master sign plan that ensures signage consistency in design and color scheme of the signs to be located on the Site. A sign package illustrating all signs and their colors shall be submitted to the Department through the regular signage permitting process and shall be subject to its review and approval prior to their placement on the Site. Signage will be subject to final review at permitting and approval pursuant to the Codes in place when permits are applied for and reviewed.
- 11. Within 18 months of the effective date of this Resolution, the Owner shall initiate bona fide development and shall continue with the development of the Site through completion. Failure to do so shall render the Development Order null and void. Once initiated, the development of the Site shall be completed within 18 months.

- 12. Prior to the issuance of a Certificate of Occupancy or Completion, the Owner shall install High-definition surveillance cameras, which capture clear facial features throughout the parking areas of the Project and along the exterior façades of the buildings on the Site. The location of the camera(s) shall be subject to the review and approval of the Department and PBSO.
- 13. **Cost Recovery**. All professional consulting fees and costs, including legal fees incurred by the Town in reviewing the Application and in the preparation of this Resolution billed to the Owner shall be paid to the Town within 10 days of receipt of an invoice from the Town. The failure of the Applicant to reimburse the Town within the 10 days from the town's mailing of its invoice will result in the suspension of any further review of plans or building activities, and may result in the revocation of the approved Development Order. A certificate of occupancy will not be issued if invoices are outstanding.
- 14. The applicant shall update the site plan to reflect the proposed patio spaces fronting the Northlake Entry street to delimit the extent of the patio area, provide minimum required sidewalk clearances, and update all plan sets accordingly.
- 15. A sidewalk easement shall be provided at the time of building permitting. The applicant shall provide easement recordation by deed or plat, in a form acceptable to the Town Attorney, prior to receiving a certificate of occupancy.
- 16. If building permits are issued after December 31, 2024, updated Palm Beach County traffic concurrency approval shall be required.
- 17. The Property Owner / Developer shall fund the cost of signal installation, if warranted as determined by the County Engineer, on Northlake Boulevard at the Project's western main entrance. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.
 - **a.** Building permits shall not be issued until the developer provides acceptable surety to the Palm Beach County Traffic Division in an amount as determined by the Director of the Traffic Division.
 - **b.** In order to request release of the surety for the traffic signal at the above intersection, the Property Owner / Developer shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies. In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner.

- 18. The Property Owner shall close the easterly median opening on Northlake Boulevard and subsequently extend the eastbound dual left turn lanes at US-1 intersection to the maximum extent feasible, as approved by the County Engineer or Florida Department of Transportation, as appropriate. This modification shall be completed before the issuance of any Certificates of Occupancy.
- 19. The Property Owner shall extend the existing eastbound "drop through lane/ right turn lane" on Northlake Boulevard at US-1, westerly to the east edge of the Project's westernmost driveway connection. This modification shall be completed before the issuance of any Certificates of Occupancy.
- 20. The site plan shall show the proposed Seacoast Utility Authority (SUA) easements and the DDC at WM at the northwest corner.
- 21. The concrete slab and fence for the proposed transformers at the northwest corner is too close to the proposed DDC and meter assemblies. A minimum of 10 FT clear between the outside edge of the meter assembly bypass and the fence shall be provided per SUA details of the meter and DDC assemblies.
- 22. Sheet E-091 shall show the primary feed location to the transformers and show the proposed water and sewer lines clearly, and the Florida Power and Light (FPL) easement exhibit shall show any proposed easements to the transformers.
- 23. All DDC and meter assemblies shall identify screening. Screening shall be per Town requirements; Applicant shall add/show and meet SUA setbacks. All Hedge materials shall be 4 FT Minimum clear with root barriers. Root Barrier designation shall be identified on the plans. All landscaping shall conform to SUA minimum setbacks. On Sheet 3.12 the scale is wrong and shall be corrected. The FIC tree and (3) C+A shrubs are no good as shown, they shall meet SUA minimum setbacks. Identify C+A, as it is not shown on the plant list. The BSI and CER trees and C=A shrubs are too close to the WM and shall meet UA minimum setbacks. Move the CER off the proposed sewer services (typical all locations). On Sheet 3.13 Move BSI. On Sheet 3.14, Move BSI and C+A. ede and H=C need to be moved. Identify meaning of H+C. On Sheet 3.16, identify meaning of S=R. Move off WM and DDC. On Sheet 3.17, HP needs to meet SUA setbacks. Root Barrier shall be at edge of large SUA easement that goes between the breezeway. All Landscaping shall conform to SUA standards
- 24. Applicant shall comply with all SUA standards.

Cotleur& Hearing Northlake Promenade Apartments **Application for Site Plan Approval** Special Call Joint Meeting Lake Park PZB Village of North Palm Beach PZAB May 2, 2024 Lake Park, Florida

PROJECT TEAM



- Applicant: Northlake Promenade Shoppes LLC
- Developer: AvalonBay Communities
- Land Planner: Cotleur & Hearing
- Traffic Engineer: Simmons & White
- Civil Engineer: Sun-Tech Engineering, Inc.
- Architect: Baker Barrios
- Landscape Architect: Naturalficial, Inc.
 - Electrical Engineer: Jordan & Skala Engineers

LOCATION



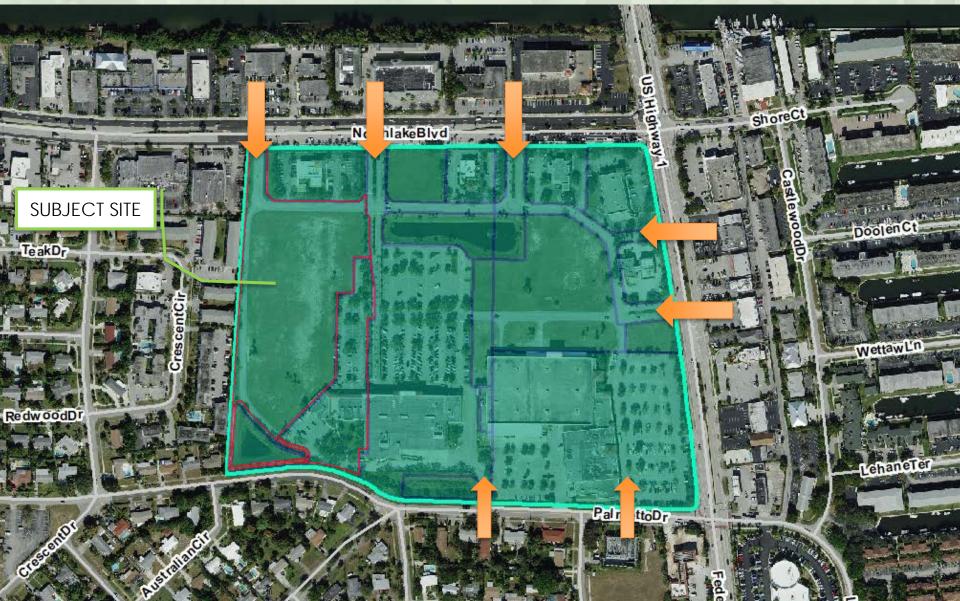
Twin Cities Mixed Use District



LOCATION



Twin Cities Mixed Use District POINTS OF ACCESS



History



- The site maintains an existing site plan approval for 65,380 square feet of additional retail space, which was approved in 2018 and remains vested through 2028 (Res. No. 84-11-18.)
- The proposed site plan has been designed according to the recently adopted Twin Cities Mixed Use Zoning District regulations.
 - Northlake Promenade Shoppes LLC Acquired site in 2016
 - Vested site plan was approved in 2018
 - "Zoning in Progress" April 2020
 - Apartments application was originally submitted in July 2021
 - Comprehensive Plan Amendment and Land Development Regulations adopted in July 2022.
 - □ Submitted amended site plan application in **November 2023**

Approved Site Plan





Total Retail Gross Floor Area: 75,804

Remains vested through 2028

Existing Retail 1: 4,138 SF Existing Retail 2: 6,186 SF Approved Retail: 65,480 SF

ApproseedSSitePPam





Total Retail Gross Floor Area: 75,804

Remains vested through 2028

REQUEST



Site Plan Approval

• To allow the construction of a 7-story, 279-unit residential apartment building.



SITE DATA



Site Area	9.05 acres (Gross)	
Future Land Use	Twin Cities Mixed Use	
Zoning District	Twin Cities Mixed Use District (C3)	
Dwelling Units	279 (30.8 dwelling units/acre)	
Parking Required	394 spaces	
Parking Provided	448 spaces	
Height Permitted (COURTYARD TYPE A)	88 Feet	
Height Proposed	84 Feet 11 Inches	
Unit Mix	Studios: 20 1-Bedrooms: 133 2-Bedrooms: 102 3-Bedrooms: 24	

Proposed Site





Proposed Site Plan | Aerial





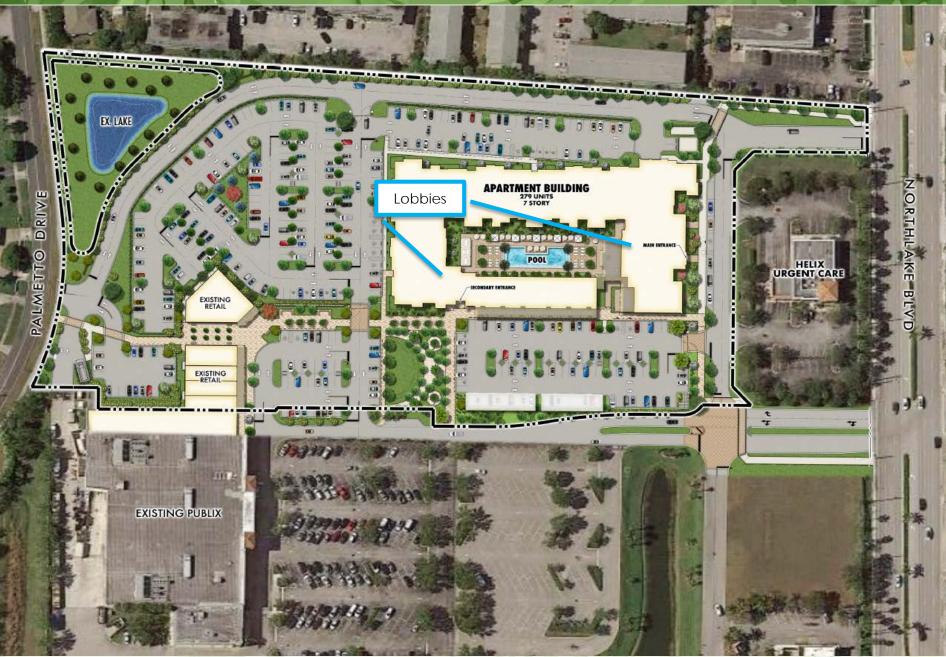
Points of Access to Site





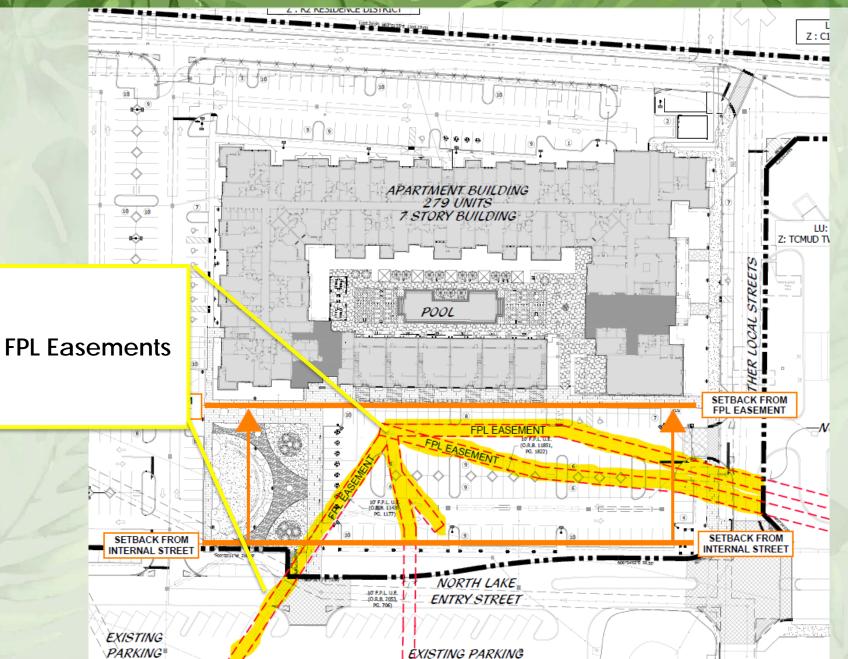
Pedestrian Network of Site





Site Characteristics









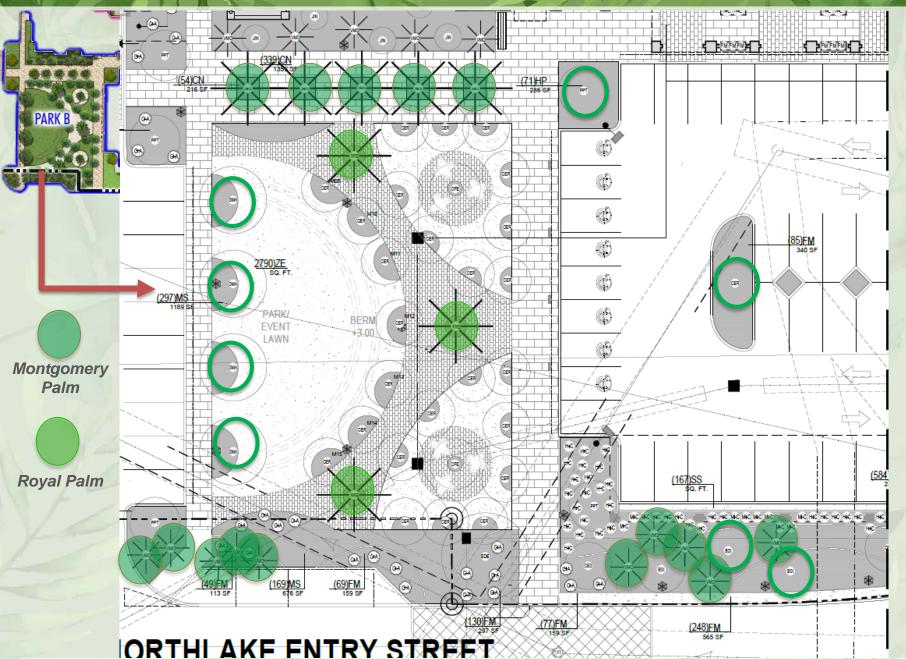
Pervious Area of Parks: 10% of Total Site



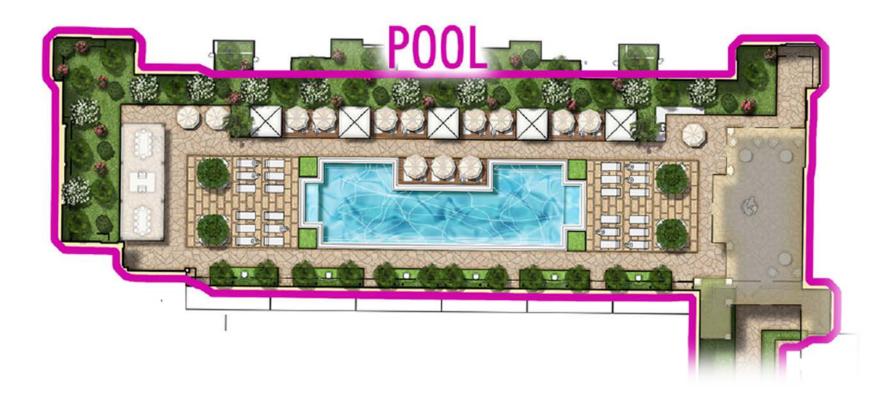




Cotleur& Hearing



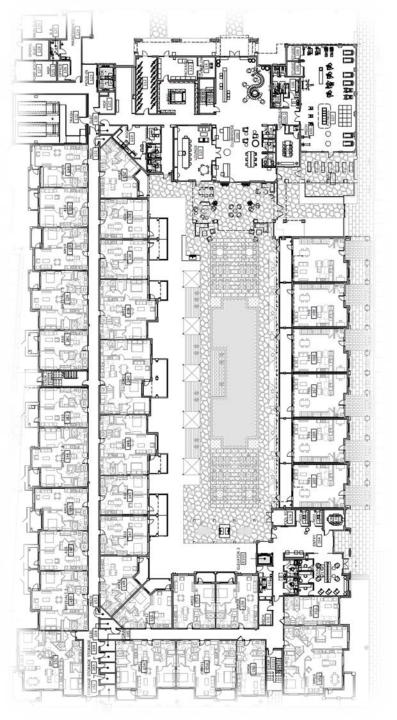












ARCHITECTURE





Main Entry – North Facade



Northwest view



Southwest view – Retail + Residential



East Facade



Existing Retail – Façade Improvements

Architectural Consistency





(g)Architectural consistency. All new buildings shall utilize an architectural vernacular that is consistent and harmonious with existing adjacent structures as well as those in the immediate vicinity per 78-330(3) or section 3-1(c), as applicable.



Architectural Consistency



(g)Architectural consistency. All new buildings shall utilize an architectural vernacular that is consistent and harmonious with existing adjacent structures as well as those in the immediate vicinity per 78-330(3) or section 3-1(c), as applicable.

Cotleur& Hearing



325' - 6





The proposed development is:

- ✓ Consistent with the Comprehensive Plan
- Consistent with the C3 Code Regulations
- Compatible with the Surrounding area
- Consistent with all Level of Service (LOS) standards
- Recommended for approval as noted in staff's report

Northlake Promenade Apartments Lake Park, FL



Applicant is generally in agreement with the proposed conditions of approval.

- Applicant and staff have achieved consensus on amending two proposed conditions:
 - Deliverables associated with parking and loading to be provided prior to building permit
 - Clarification on patio conditions prior to Town Commission



On behalf of the applicant and AvalonBay Communities, we request your recommendation of approval.

Thank you for your time and consideration

Northlake Promenade Apartments Lake Park, FL



MEETING DATE: May 2, 2024

Cards must be submitted before the item is discussed!! ***Three (3) minute limitation on all comments

Name: <u>LAWRENCE BIELER</u> Address: <u>10158 NW 664A DRIVE</u>, <u>PARKLAND</u>, FL 33076 If you are interested in receiving Town information through Email, please provide your E-mail address: <u>LB@BIELERLAW.Com</u>

I would like to make comments on the following <u>Agenda Item:</u> <u>BIPECIAL CALL JOINT MEETING - LAKE PARK</u> <u>PLANNING & ZONING BOARD AND THE VILLAGE OF</u> <u>NORTH PALM BEACTI PLANNING COMMISSION ITEMS</u> 2+3 I would like to make comments on the following <u>Non-Agenda Item(s)</u>:

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Chair will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.

Please see attached documents to become part of meeting record and shared with members of the Town of Lake Part Planning the Town of Lake Part Planning & Zoning Board and the Uillage of North Palm Beach Planning Commission. May 2, 2024

Dear Town of Lake Park Planning & Zoning Board and Town of North Palm Beach Planning Commission:

At tonight's meeting you are considering the Site Plan for the Northlake Promenade Apartments ("Development"). I am the President of Arglo Corporation, which owns the property located at 440 Northlake Blvd. in Lake Park. Our property is immediately adjacent to, and shares a portion of the western property boundary of the proposed Northlake Promenade Apartments ("Development"). Our property is presently leased to Harbor Freight tools.

There is a service alleyway behind our property which runs east-west and dead-ends at our eastern property line. For reasons identified in the correspondence between myself and the applicant/developer's representative, McKenna West, and the Town Planner, Anders Viane, we have objected to the extension of the service alleyway into the Development as set forth on the Site Plan, Justification Statement, and other documents Included in the submission for approval of the project.

Specifically, page 5 of the Justification Statement dated April 9, 2024, specifically states: "Connection to Alley North of Teak Drive: The plan includes a connection to the existing alleyway to the west of the site, providing additional access points and improving traffic flow within the area. This project is identified specifically in the towns mobility plan as 55A." The extension of the alleyway into the Development is also shown on the Site Plan, page 3 of 4, at top of page.

The responses and included representations from Ms. West and Mr. Viane satisfy our objection. Ms. West has expressly represented to us on behalf of the developer that despite the information stated in the project submission documents that: "<u>To be clear, there is NO proposed change in the nature or location of the alley. We do not have plans for the alley... The alley is not proposed to be modified under this application, nor any other application by my client in the future."</u>

As you consider this matter we feel it is important that you are not only aware of our communication with the applicant/developer and the Town Planner for both Lake Park and North Palm Beach, but more importantly their representations to us become part of the public record concerning the Northlake Promenade Apartments and any future plans which may impact the use of the alleyway.

Thank you for your consideration

Lawrence Bieler, President Arglo Corporation

Lawrence Bieler Telephone: (305) 720-5854 Facsimile: (305) 667-1133 E-mail: LB@bielerlaw.com



Front Desk Brevard <fd.avlbv@gmail.com>

Fwd: Northlake Promenade Apartments

2 messages

Bielerlaw <LB@blelerlaw.com> To: fd.avlbv@gmail.com Wed, May 1, 2024 at 9:01 PM

Begin forwarded message:

From: Anders Viane <aviane@lakeparkflorida.gov> Date: May 1, 2024 at 11:57:49 AM EDT To: Lawrence Bieler <LB@bielerlaw.com> Cc: McKenna West <mwest@cotleur-hearing.com>, Nadla DiTommaso <NDiTommaso@lakeparkflorida. gov>, Karen Golonka <kgolonka@lakeparkflorida.gov> Subject: RE: Northlake Promenade Apartments

Good morning Mr. Bieler,

I do not believe there is anything to correct. The plans indicate a possible future connection may be made to public ROW that runs behind 440 Northlake, per the Town's mobility plan. There are no designs nor immediate plans for making this connection. Should the Town undertake this process, we would consult with impacted owners in the early stages to gather your input. Please let this serve to assuage your concerns regarding the site plan, as the site plan's approval will not result in the creation of a connection to the alley, which would have to be undertaken in a subsequent process by the Town should it be pursued.

Sincerely,

Anders R Viane

Planner

COMMUNITY DEVELOPMENT DEPARTMENT

TOWN OF LAKE PARK

535 Park Avenue

Lake Park, FL 33403

561-881-3320

561-881-3323 (Fax).

aviane@lakeparkflorida.gov

https://mail.google.com/mail/u/0/?ik=7e11cd9a24&view=pt&search=all&permthid=thread-f:1797900666051398785&dsqt=1&simpl=msg-f:1797900666... 1/9

*PLEASE NOTE: The State of Florida has a very broad Public Records Law. Written communication regarding fown of Lake Park business is considered to be Public Record, and is available to the public upon request. Therefore, all e-mail communications are subject to public disclosure. If you do not wish for your n mail address to be released in response to a Public Records Request, please do not send electronic mail to this entry, but instead contact this Office by telephone or in writing. Section 668.6076, F.S.

From: Lawrence Bieler <1 B@bielerlaw.com> Sent: Tuesday, April 30, 2024 10:10 AM To: Anders Viane <aviane@lakeparkflorida.gov> Cc: McKenna West <mwest@cotleur-hearing.com> Subject: Fwd: Northlake Promenade Apartments

Mr. Viane,

Please see below the response received this morning from the developer/applicant.

What are the steps necessary to have the submitted site plan and related documents corrected?

Do the corrections need to be completed prior to the upcoming hearings on May 2, 2024 and June 5, 2024?

Please advise. Thank you.

Arglo Corporation

Larry Bieler, President

Lawrence Bieler

 Telephone:
 (305)
 720-5854

 Facsimile:
 (305)
 967
 1033

 E-mail:
 0.5%
 9%
 9%

Begin forwarded message:

From: McKenna West <mwest@colleur-hearing.com> Date: April 30, 2024 at 8:50:44 AM EDT To: Lawrence Bieler <lb@bielerlaw.com> Subject: RE: Northlake Promenade Apartments Good morning Larry,

The mobility plan section you mention below is exactly what I was referring to - simply for reference. To be clear - there is NO proposed change in nature or location of the alley. We do not have plans for the alley. The alley is entirely under your control. We are building a sidewalk that will stop inside our property line. That is the full extent of the proposed "connection." The alley is not proposed to be modified under this application, nor any other application by my client in the future.

I hope this clears things up, please let me know if you have any other questions.

Thank you!

McKenna West

and the set off

561,237,6336,872711000.0

561 406 1025 | diroct



Landscape Archaects • Land Planners • Transportation 1931 Commerce Laber Suite 1 Jupiler FL 33458 (www.cotleurhearing.com

C Changing the Way we live to preserve Where we live.

From: Lawrence Bieler < Ib@bielerlaw.com> Sent: Tuesday, April 30, 2024 8:00 AM To: McKenna West <mwest@cotleur-hearing.com> Subject: Re: Northlake Promenade Apartments

McKenna,

Thank you for returning my call yesterday and sending me copies of the Mobility Study and the traffic report.

3/9

Gmail - Fwd: Northlake Promenade Apartments

I have reviewed them, but I cannot find any reference in either of them to the issue we discussed yesterday, that being the extension of the alley beyond the end of our property and into the neighboring plat and the development site. The closest reference I see is in the mobility plan and it seems to designate the alley as a low speed street. It already is a low speed street due to its size, nature and purpose.

If you can point out to me The specific sections of each you were referring to during our call that would be helpful. I will try to contact Mr. Viane regarding the possibility of our obtaining a zoning determination letter as you suggested, but I'm not sure that it is going to provide any any information helpful for the immediate issue of the proposed change in nature and location of the alley and any timing for the same to occur.

Were you going to be sending me a letter from the developer regarding the plans for the alley? Are there any other documents or submissions of any type which Address the service Alley issue?

I should be around this morning if you would like to call. Thank you.

Lawrence Bieler

 Telephone:
 (305)
 720-5854

 Facsimile:
 (305)
 667-4133

 E-mail:
 I.Br@bielerlaw.com

On Apr 29, 2024, at 10:17 AM, McKenna West <mwest@cotleur-hearing.com> wrote:

Good morning Larry,

Thank you for reaching out to discuss our project and effects on the surrounding area. I've attached the mobility plan that I was referencing on our call, along with our traffic study which includes the traffic performance standards determination from the County. Please let me know if you have any questions and I will be happy to answer.

Thanks,

McKenna West

Land Pleasant

561 747 55 16 x127 J office

561 Hits In Ist direct

<image001.png>

Landscape Architects • Land Planners • Transportation 1934 Commerce Lane, Suite 11 Jupiter, FL 35458 www.cotleurhearing.com

<image002.png>

<image003.png>

Citranus a line Way we live to preserve Where we live,

Lawrence Bieler <LB@bielerlaw.com> To: fd.avlbv@gmail.com

Wed, May 1, 2024 at 9:25 PM

5/9

Lawrence Bieler

Telephone: (305) 720-5854 Facsimile: (305) 667-1133 L Brobbielerlaw com E-mail:

Begin forwarded message:

From: Anders Viane <aviane@lakeparkflorida gov> Date: May 1, 2024 at 11:57:44 AM EDT To: Lawrence Bieler < http://www.com> Cc: McKenna West <inwest@cotleur-hearing.com>, Nadia DiTommaso <NDiTommaso@lakeparkflorida. gov>, Karen Golonka <kgolonka@lakeparkflorida.gov> Subject: RE: Northlake Promenade Apartments

Good morning Mr. Bieler,

I do not believe there is anything to correct. The plans indicate a possible future connection may be made to public ROW that runs behind 440 Northlake, per the Town's mobility plan. There are no designs nor immediate plans for making this connection. Should the Town undertake this process, we would consult with impacted owners in the early stages to gather your input. Please let this serve to assuage your concerns regarding the site plan, as the site plan's approval will not result in the creation of a connection to the alley, which would have to be undertaken in a subsequent process by the Town should it be pursued.

Sincerely,

Anders R Viane

Planner

COMMUNITY DEVELOPMENT DEPARTMENT

TOWN OF LAKE PARK

535 Park Avenue

Lake Park, FL 33403

\$61-881-3320

561-881-3323 (Fax)

aviane@lakeparkflorida.gov

***PLEASE NOTE:** The State of Florida has a very broad Public Records Law. Written communication regarding Town of Lake Park business is considered to be Public Record, and is available to the public upon request. Therefore, all e-mail communications are subject to public disclosure. If you do not wish for your e-mail address to be released in response to a Public Records Request, please do not send electronic mail to this entry, but instead contact this Office by telephone or in writing. Section 668.6076, F.S.

From: Lawrence Bieler <LB@bielerlaw.com> Sent: Tuesday, April 30, 2024 10:10 AM To: Anders Viane <aviane@lakeparkflorida.gov> Cc: McKenna West <mwest@cotleur-hearing.com> Subject: Fwd: Northlake Promenade Apartments

Mr. Viane,

Please see below the response received this morning from the developer/applicant.

What are the steps necessary to have the submitted site plan and related documents corrected?

Do the corrections need to be completed prior to the upcoming hearings on May 2, 2024 and June 5, 2024?

Please advise. Thank you.

Arglo Corporation

Larry Bieler, President

Lawrence Bieler

Telephone: (305) 720-5854 Facsimile: (305) 667-1133 LB@bielerlaw.com E-mail:

Begin forwarded message:

From: McKenna West <mwest@cotleur-hearing.com> Date: April 30, 2024 at 8:50:44 AM EDT To: Lawrence Bieler < lb@bielerlaw.com> Subject: RE: Northlake Promenade Apartments

Good morning Larry,

The mobility plan section you mention below is exactly what I was referring to - simply for reference. To be clear – there is NO proposed change in nature or location of the alley. We do not have plans for the alley. The alley is entirely under your control. We are building a sidewalk that will stop inside our property line. That is the full extent of the proposed "connection." The alley is not proposed to be modified under this application, nor any other application by my client in the future.

I hope this clears things up, please let me know if you have any other questions.

Thank you!

McKenna West 1.11.11.11.101180

A. T. I. & T. B.L. B. A. D. F. A. Official

561 406 1025 | Unera



Foods are Architects • Land Planners • Transportation 1934 Commerce Lane. Suite 1 | Jupiter, FL 33458 | www.cotleurhearing.com

() Changing the Way we live to preserve Where we live.

7/9

From: Lawrence Bieler <lb@bielerlaw.com> Sent: Tuesday, April 30, 2024 8:00 AM To: McKenna West <mwest@cotleur-hearing.com> Subject: Re: Northlake Promenade Apartments

McKenna,

Thank you for returning my call yesterday and sending me copies of the Mobility Study and the traffic report.

I have reviewed them, but I cannot find any reference in either of them to the issue we discussed yesterday, that being the extension of the alley beyond the end of our property and into the neighboring plat and the development site. The closest reference I see is in the mobility plan and it seems to designate the alley as a low speed street. It already is a low speed street due to its size, nature and purpose.

If you can point out to me The specific sections of each you were referring to during our call that would be helpful. I will try to contact Mr. Viane regarding the possibility of our obtaining a zoning determination letter as you suggested, but I'm not sure that it is going to provide any any information helpful for the immediate issue of the proposed change in nature and location of the alley and any timing for the same to occur.

Were you going to be sending me a letter from the developer regarding the plans for the alley? Are there any other documents or submissions of any type which Address the service Alley issue?

I should be around this morning if you would like to call. Thank you.

Lawrence Bieler

 Telephone:
 (305) 720-5854

 Facsimile:
 (305) 667-1133

 E-mail:
 LB@bielerlaw.com

On Apr 29, 2024, at 10:17 AM, McKenna West <mwest@cotleurhearing.com> wrote:

Good morning Larry,

~ 5/1/24, 9:26 PM

Gmail - Fwd: Northlake Promenade Apartments

Thank you for reaching out to discuss our project and effects on the surrounding area. I've attached the mobility plan that I was referencing on our call, along with our traffic study which includes the traffic performance standards determination from the County. Please let me know if you have any questions and I will be happy to answer.

Thanks,

McKenna West

Land Planner

561 747 6336 x 127 Loffice

561 d06 1025 | direct

<image001.png>

Landscape Architects • Land Planners • Transportation 1934 Commerce Lane, Suite 1 | Jupiter, FL 33458 | www.cotleurhearing.com

<image002.png>

<image003.png>

Changing the Way we live to preserve Where we live.



MEETING DATE:

Cards must be submitted before the item is discussed!! ***Three (3) minute limitation on all comments

Name: / homas ~uz rescupit Address:

If you are interested in receiving Town information through Email, please provide your E-mail address: <u>10 mjcruz & Xaheor con</u>

I would like to make comments on the following <u>Agenda Item</u>: Was there a study of how this will affect the cynart water pressure (Jsue and S of the synautic neighbor hord I would like to make comments on the following <u>Non-Agenda Item(s</u>):

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



MEETING DATE: 5/2/24

Cards must be submitted before the item is discussed!! ***Three (3) minute limitation on all comments

Name: Brady Drew Address: 538 Sabal Palm Dr

If you are interested in receiving Town information through Email, please provide your E-mail address: _____

I would like to make comments on the following <u>Agenda Item:</u> #3 North lake Promenciele Site Plan Application

I would like to make comments on the following Non-Agenda Item(s):

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



MEETING DATE:

Cards must be submitted before the item is discussed!! ***Three (3) minute limitation on all comments

+ Widener Name: Blen Address: 450 North atex bluet.

If you are interested in receiving Town information through Email, please provide your E-mail address:

I would like to make comments on the following <u>Agenda Item</u>: Varth a ke Promence Shappes <u>Service Hiel</u> <u>Service</u> I would like to make comments on the following <u>Non-Agenda Item(s)</u>:

I would like to make comments on the following <u>Non-Agenda Item(s)</u>:

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.