



**TOWN LAKE OF PARK
TOWN COMMISSION
STAFF REPORT
MEETING DATE: June 5, 2024**

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 Park. 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

JOINT SPECIAL CALL PLANNING AND ZONING BOARD MEETING:

This item was previously brought before the Town of Lake Park Planning and Zoning Board as well as the Village of North Palm Beach Zoning, Planning, and Adjustment Board on May 2, 2024. It was approved at that meeting with the Town’s recommended associated conditions of approval, several of which have since been addressed. Notes from the May 2 meeting and several unique conditions of approval are noted below in bold in the body of the staff report. The full list of proposed conditions of approval are provided in the Resolution.

BACKGROUND:

Owner & Applicant(s):

Northlake Promenade Shoppes LLC

Agent and Consultant:

Cotleur and Hearing

Location:

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

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

Net Acreage (total):

9.05 acres

Legal Description:

See survey enclosed in packet.

Existing Zoning:

C-3 Twin Cities Mixed Use District

Future Land Use:

Twin Cities Mixed Use

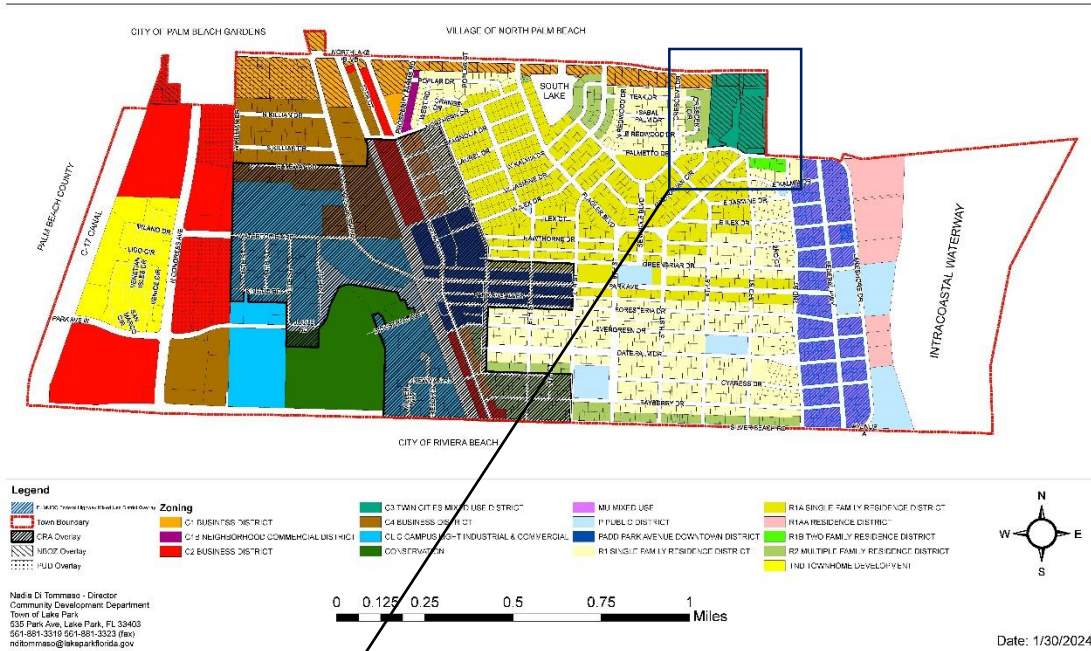
Figure 1: Aerial View of Site (image not to scale; for visual purposes only)



LAKE PARK ZONING MAP



Lake Park Zoning Map



Subject Site



Adjacent Zoning:

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

South: R-1A Residence District

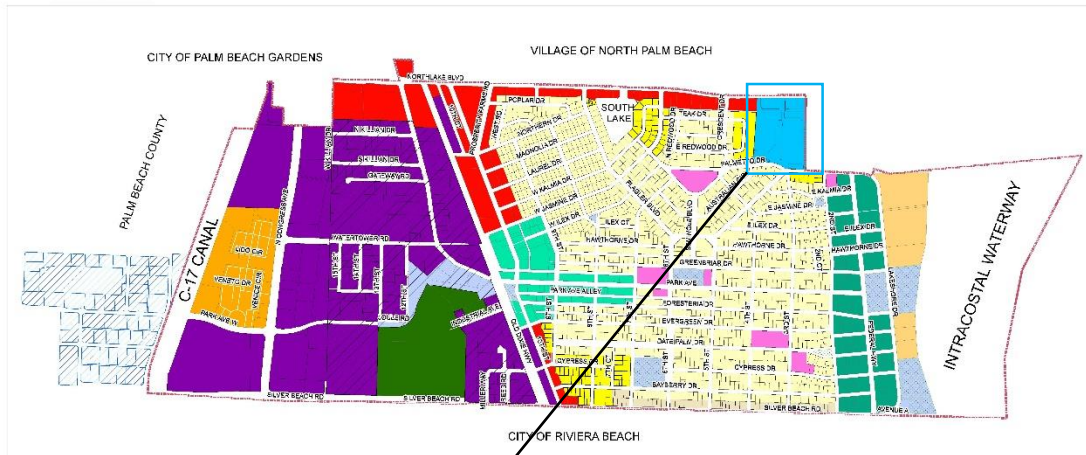
East: C-3 Twin Cities Mixed Use District

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

LAKE PARK FUTURE LAND USE MAP



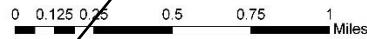
Lake Park Future Land Use Map 2017-2027



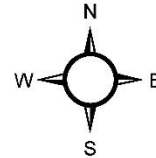
Legend



Nadia DiTommaso - Director
Community Development Department
Town of Lake Park
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nditommaso@lakeparkflorida.gov



Date: 2/1/2024



Subject
Site



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

North Palm Beach / Lake Park Boundary Line

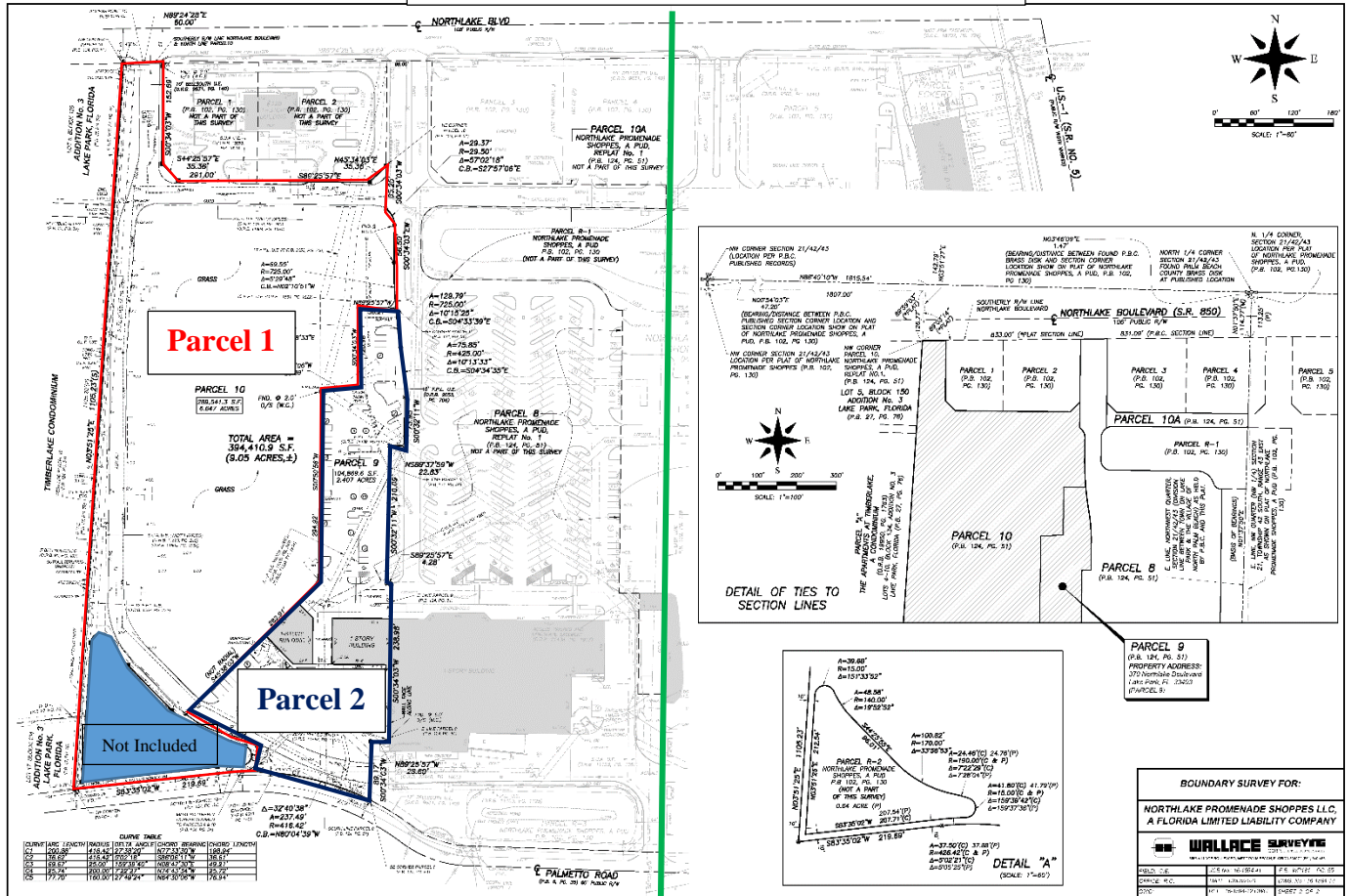


Figure 1 - Existing Conditions

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

Comprehensive Plan: 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 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 sought and received a variance from the building frontage requirements due to utility conflicts. The variance was granted by a quasi-judicial meeting of the Town’s Planning and Zoning Board on May 2, 2024. Please see the “FPL Easement Color Exhibit” for the location of the utility easement that presented the conflict as well as the Final Variance Order in the site plan packet for further details.

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. In accordance with C-3 code requirements, the following condition is proposed to ensure the Publix façade improvements are made:

Prior to the issuance of building permit, the Owner shall provide a surety or bond, based on a certified cost estimate, for 110 percent of the improvement value of the proposed Publix façade improvements, in a form acceptable to the Town Attorney guaranteeing the proposed improvements will be initiated and completed pursuant to the development order timeline.

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.

Site Access and Roadways: This site has been designed with a high degree of roadway 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 publicly-accessible 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 where they are proposing pedestrian and roadway 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.

Sidewalk easement recordation shall be completed prior to building permit issuance. This shall be a condition of approval in accordance with 78-73 (h) (6).

At the Joint Call meeting, Mr. Lawrence Bieler, the owner of 440 Northlake, provided a comment to be read into the record regarding a potential westbound connection

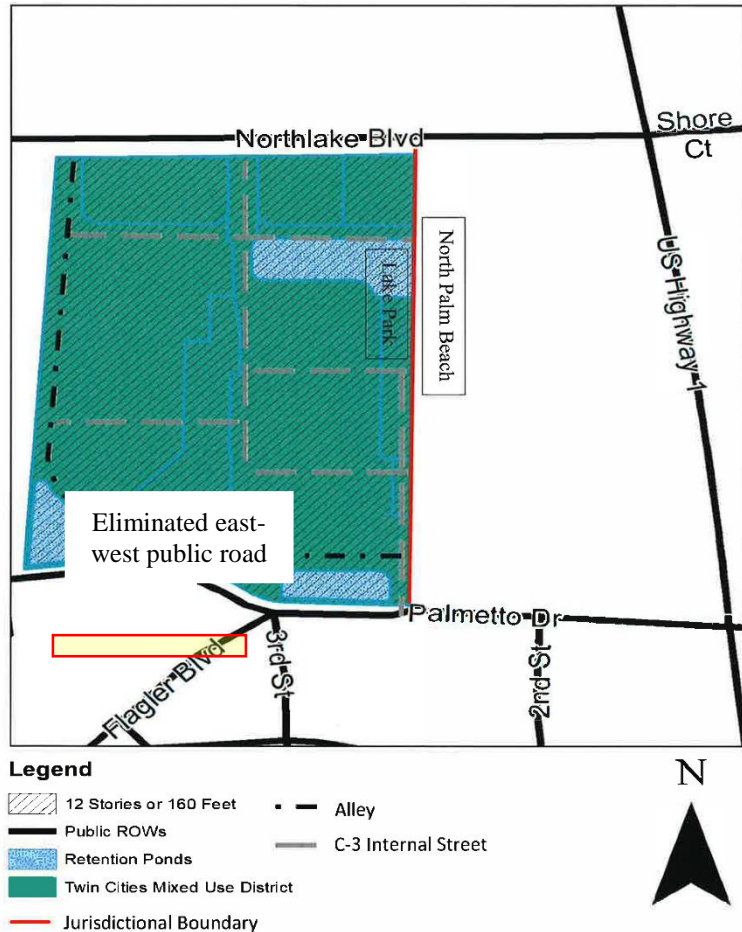


Figure 2 - Regulating Plan

from the subject site to an existing public right-of-way alleyway behind his property. This connection was first envisioned by the Town's mobility plan and remains conceptual in nature. While there are no designs or immediate plans to implement this portion of the mobility plan, Mr. Bieler stated his objection to the applicant indicating the possible future connection, noting it may impact truck traffic at his property. Staff believes further study of this issue is warranted and will work with this Mr. Bieler when and if the alleyway connection is made. Until such time, however, staff remains in favor of the Applicant noting a potential connection to this public right-of-way in furtherance of a permeable, interconnected roadway grid that can reduce traffic on major arterial roads and the Town's mobility planning objectives.

Traffic Concurrency: 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 February 24, 2028, or traffic concurrency must be updated.
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.

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.

Parking and Loading: 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, the Applicant 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 issuance of a building permit, the Owner shall submit a copy of a Reciprocal Easement Agreement which has been entered into with Publix that provides for the joint use and access between Publix's parcel and the Site, and which memorializes the identification of those parking spaces reserved for Publix and the Site. The Reciprocal Easement Agreement shall be subject to the review and approval of the Town Attorney.

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."

Water/Sewer: 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 comment is being added as a condition of approval:

The Owner shall comply with all SUA standards.

Staff is in agreement with this conditions.

Fire: 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.

PBSO: 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.

Village of North Palm Beach: The Village of North Palm Beach Community Development Department also reviewed and provided comments on the site plan

application. These were satisfied during the comment review phase and North Palm Beach Community Development provided their approval 4/12/24.

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	5.17.24
Boundary Survey	2 of 2	02.05.2021	5.17.24
Site Plan Set			
Cover Page	1 of 9	5.13.24	5.17.24
Site Plan	2 of 9	5.13.24	5.17.24
Site Plan	3 of 9	5.13.24	5.17.24
Site Plan	4 of 9	5.13.24	5.17.24
Site Details	5 of 9	5.13.24	5.17.24
Site Plan	6 of 9	5.14.24	5.17.24
Context Plan	7 of 9	1.10.24	5.17.24
Sidewalk Easement Exhibit	8 of 9	5.13.24	5.17.24
Park and Green Space Exhibit	9 of 9	5.13.24	5.17.24
Publix and Retail Building Elevations			
Building Elevations	A201	10.23.24	5.17.24
Building Elevations	A202	10.23.24	5.17.24
Building Elevations	A203	10.23.24	5.17.24
Renderings	A901	10.23.24	5.17.24
Renderings	A902	10.23.24	5.17.24
Renderings	A903	10.23.24	5.17.24
Architecture			
Architectural Site Plan	A0-01	2.2.24	5.17.24
Overall Floor Plan – Level 1	A1-01	2.2.24	5.17.24
Overall Floor Plan – Level 2	A1-02	2.2.24	5.17.24
Overall Floor Plan – Levels 3-4	A1-03	2.2.24	5.17.24
Overall Floor Plan – Levels 5-6	A1-05	2.2.24	5.17.24
Overall Floor Plan – Level 7	A1-07	2.2.24	5.17.24
Overall Roof Plan	A1-50	2.2.24	5.17.24
Building Elevations	A2-01	2.2.24	5.17.24

Building Elevations	A2-02	2.2.24	5.17.24
Retail Building Elevations	A201	10.23.23	5.17.24
Building Elevations	A202	10.23.23	5.17.24
Building Perspective – NE Entry	A2-04	2.2.24	5.17.24
Building Perspective – Main Entry	A2-05	2.2.24	5.17.24
Building Perspective – Retail Approach	A2-06	2.2.24	5.17.24
Building Perspective – Retail Tower Approach	A2-07	2.2.24	5.17.24
Building Perspective – Townhouse	A2-08	2.2.24	5.17.24
Building Perspective – Courtyard View	A2-09	2.2.24	5.17.24
Retail – Perspective View	A2-10	2.2.24	5.17.24
Retail – Perspective View	A2-11	2.2.24	5.17.24
Retail – Perspective View	A2-12	2.2.24	5.17.24
Perspective – Townhouse Street Approach	A2-13	2.2.24	5.17.24
Civil			
Cover Sheet	Cover Sheet	11.17.23	5.17.24
Conceptual Paving & Grading Plan	PD1	11.17.23	5.17.24
Conceptual Paving & Grading Plan	PD2	11.14.23	5.17.24
Conceptual Water & Sewer Plan	WS1	11.14.23	5.17.24
Conceptual Water & Sewer Plan	WS2	11.14.23	5.17.24
Fire Truck Route Plan	FT-1	11.14.23	5.17.24
Garbage Collection Truck Route Plan	REF-1	11.14.23	5.17.24
Landscape and Irrigation			
Cover Sheet	L-0.00	5.15.23	5.17.24
Overall Hardscape Site Plan / Key Plan	L-1.10	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.11	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.12	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.13	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.14	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.15	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.16	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.17	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.18	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.19	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.20	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.21	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.22	5.15.23	5.17.24
Enlarged Hardscape Plan	L-1.23	5.15.23	5.17.24
General Hardscape Details	L-2.50	5.15.23	5.17.24
Tree Mitigation Plan	L-3.00	5.15.23	5.17.24
Tree Mitigation Plan	L-3.01	5.15.23	5.17.24
Tree Mitigation Plan	L-3.02	5.15.23	5.17.24

Overall Planting Plan	L-3.10	5.15.23	5.17.24
Enlarged Planting Plan	L-3.11	5.15.23	5.17.24
Enlarged Planting Plan	L-3.12	5.15.23	5.17.24
Enlarged Planting Plan	L-3.13	5.15.23	5.17.24
Enlarged Planting Plan	L-3.14	5.15.23	5.17.24
Enlarged Planting Plan	L-3.15	5.15.23	5.17.24
Enlarged Planting Plan	L-3.16	5.15.23	5.17.24
Enlarged Planting Plan	L-3.17	5.15.23	5.17.24
Enlarged Planting Plan	L-3.18	5.15.23	5.17.24
Enlarged Planting Plan	L-3.19	5.15.23	5.17.24

2. Construction on the Site 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 Director of the Department of Community Development (the Director).
3. Any proposed disruption to neighboring street access, surrounding parking areas, or the normal flow of traffic within the Northlake Boulevard, Palmetto Drive, or other right-of-ways during the construction on the Site shall be subject to the review and approval of the Director and any of the agencies responsible for maintaining these roadways. Should there be any disruption to the normal flow of traffic on these streets during construction on the Site, 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 on the Site.
6. All onsite dumpsters shall be kept closed at all time and dumpster screening shall be maintained. All dumpsters shall be acquired from the approved franchise supplier for the Town.
7. Prior to issuance of the Certificate of Occupancy, the Agent shall provide certification from the Landscape Architect of record that the plant installations for the Site are in accordance with the approved Site Plan (and any minor modifications that are approved through permitting) and the Landscaping Plan or have been determined to be equivalent to those shown on the approved Site Plan by the Town's consulting landscape architect.

8. Prior to the issuance of any construction permits, the Agent shall submit copies of all permits that are required and have been obtained from any agencies having jurisdiction over the Site, 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 development of the Site, shall be submitted to the Department, and shall be subject to its review and approval.
10. At the time of building permitting, 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 the placement of any signs on the Site. Signage shall be subject to the Department's final review and approval.
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 until completed. Failure to initiate bona fide development or to complete the development of the site within the 18 months shall render the Development Order null and void.
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 Site 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 the Palm Beach Sheriff's Office.
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 Owner to reimburse the Town within the 10 days from the Department'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. Prior to the issuance of a building permit, the Owner shall submit a proposed sidewalk easement, which shall be subject to the review and approval of the Town Attorney. Upon the approval of the Town Attorney, the Owner shall either record the easement or incorporate the same into the plat, prior to receiving a certificate of occupancy.

15. Prior to the issuance of building permit, the Owner shall provide a surety or bond, based on a certified cost estimate, for 110 percent of the improvement value of the proposed Publix façade improvements, in a form acceptable to the Town Attorney guaranteeing the proposed improvements will be initiated and completed pursuant to the development order timeline.
16. If building permits are issued after February 24, 2028, the Owner shall obtain a new updated Palm Beach County traffic concurrency approval.
17. If, at any time the County Engineer determines that a traffic signal is warranted, the Owner shall provide the funds for the cost of the installation of a traffic signal on Northlake Boulevard at the Site's western main entrance, "the Northlake Entry Street." The funds provided shall be sufficient to cover the cost of design, the relocation of any utilities, acquisition of right-of-way, and the installation of a mast arm signalization structure. The Owner shall provide acceptable surety in an amount determined to be sufficient by the Palm Beach County Traffic Division.
18. Prior to the issuance of a Certificate of Occupancy, the Owner shall complete the closing the easterly median opening on Northlake Boulevard and extend the eastbound dual left turn lanes at the U.S. Highway 1, in accordance with the approvals received from the County Engineer or Florida Department of Transportation..
19. Prior to the issuance of a certificate of occupancy, the 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.
20. The Owner shall comply with all SUA standards.
21. Prior to the issuance of a building permit, the Owner shall submit a copy of a Reciprocal Easement Agreement which has been entered into with Publix that provides for the joint use and access between Publix's parcel and the Site, and which memorializes the identification of those parking spaces reserved for Publix and the Site. The Reciprocal Easement Agreement shall be subject to the review and approval of the Town Attorney.