

Exhibit B

Dear Mayor Michaud & Commissioners

I'm here to request that you initiate adding amendments to Lake Park's Code of Ordinances Section 78-70 for the PADD to address three elements, **which are incompatible with the Town's Comprehensive Plan. Those being:**

(1) Building Height Maximum of 12 stories /160 feet stated in Table 78-70-2, and

(2) The extra four stories allowed for a parking garage per the "Structured Parking Waiver" (78-70 (b) (7) b. 3)

And

(3) The absence of any specific criteria for granting Density waivers in the PADD, also in Table 78-70-2.

These three elements are clearly inconsistent with our Comprehensive Plan Town Goal, which, on page 67 in the Plan says it is to (quote) :

"Ensure that the historic small-town character of Lake Park is maintained, while fostering development and redevelopment that is compatible with and improves existing neighborhoods and commercial areas. ..."

A high rise in our downtown does the exact opposite of maintaining our "small-town character". It is not "compatible with" our "existing neighborhoods", the majority being single-story single-family homes.

Nor would high-rises in the PADD (quote) **"preserve the current character of the town"**, required in Comprehensive Plan, Policy 1.7 on pg 69.

Nor would they present **"unified architectural and design standards"**, as required in Comp. Plan Objective 7 on pg 73.

Nor would high-rise in the PADD be **"compatible with the existing housing stock"** as required by Comp. Plan 5.5.1 "Town Goal Statement" on pg 142.

Also, as has been said many times, this maximum total height allowance of 16 stories/ 200 feet is directly contradicted by Section 78-70's "a) **Purpose and intent... for a small scale traditional downtown**".

#3 DENSITY. As stated previously, granting the requested density waivers to one or 2 developers for an extraordinary # of units diminishes the redevelopment options and property rights of other properties in the PADD. And it would clearly not help **"maintain our small town character"** nor be **"Compatible with existing neighborhoods"**.

Also, why does our Comprehensive Plan specifically say in Policy 7.3 (on pg 146) that it will give density bonuses in *multifamily residential areas for low and/ or moderate income housing*, but makes no such stipulation for granting density waivers in the PADD?

I suggest an amendment to clearly state the criteria for granting a density waiver in the PADD, which would be in keeping with Fla statute **163.3177** for Comprehensive Plans, which includes to (quote) "Provide guidelines for the implementation of mixed-use development including the types of uses allowed, **the percentage distribution among the mix of uses**, or other standards, **and the density and intensity of each use.**" "(6) h."

Also, at one of the past meetings or workshops, someone said that if the town doesn't allow these density waivers in the 16-story buildings we "will never get a train station". How do they know that? From what I've read, stations in

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Lake Park, PBG & Jupiter are all in the future plans of Tri-Rail. A train station in Lake Park would serve the residents of ours and the surrounding 3 towns.. There's no stations yet because Funding is the problem, as if reflected in several recent newspaper articles.

[Lake Park, Florida - Code...](#) / [Subpart B - LAND...](#) / [Chapter 78 - ZON...](#) / [ARTICLE III - DIST...](#) / [Sec. 78-70. - Park...](#)

Table 78-70-2 - CORE Sub-District Regulations

Building Height (Maximum)	12 stories (160 feet). See 78-70(b)(7)b.3. for an additional height waiver for structured parking.
Story Height	Maximum 12 feet per story. 20 feet maximum for ground floor, and top floor or middle floor.
Density	Maximum density shall be 48 dwelling units per acre. The Town Commission may approve a project in excess of 48 units provided that the average density for the entire contiguous Downtown Future Land Use area does not exceed 48 du/acre and the Town Commission finds it in keeping with the purpose and intent established for the PADD.

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3. *Structured parking waiver.* For structures in the Core Sub-District, up to four levels (maximum of 40 feet) of structured parking may be excluded from the maximum height of a structure, even if active liner uses are proposed, upon the town commission's determination that all of the following conditions exists:
 - (a) The applicant is proposing structured parking to meet the code required parking. In addition to meeting the required parking, an applicant seeking a structured parking waiver shall provision public parking equivalent to a minimum of ten percent of the required parking. This public parking shall be located on the ground floor of the structured parking area, be free of charge, and marked and reserved for public use in perpetuity.
 - (b) Pursuant to a review of shadow studies, the additional height would not significantly impact the light, air flow, and aesthetics of any abutting single-family dwellings or multifamily dwellings or those that are located across a street or alleyway in a manner that creates substantial negative or detrimental impacts, as determined by staff, or as determined by the town commission. This waiver shall not be combined with an off-street parking waiver under subsection 1. above.

Lake Park, FL

78-70

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➡ Municode Codification

[Lake Park, Flori...](#) / [Subpart B - L...](#) / [Chapter 78 - ...](#) / [ARTICLE III. - ...](#) / [Sec. 78-70. - ...](#)

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Sec. 78-70. - Park Avenue Downtown
District (PADD).



(a) *Purpose and intent.* It is the purpose and intent of the Park Avenue Downtown District to provide for the following:

- (1) Urban development which is reflective of early master plans for a small scale traditional downtown commercial area;
- (2) Buildings and structures that relate to the pedestrian environment at a human scale which, in conjunction with public investments, help to create a sense of place;

Since the Comprehensive Plan is a huge 324 page document to wade through I've made screenshots with the associated pages of the Comprehensive Plan below.

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1.3 COMPONENTS OF THE LAKE PARK COMPREHENSIVE PLAN

The Lake Park Comprehensive Plan and Support Documentation report is structured to meet all of the statutory and rule requirements as defined in Sections 1.1 and 1.2 above. **However, for the purposes of formal adoption, the following components shall comprise the Town of Lake Park Comprehensive Plan**

1.3.1 Goal, Objectives and Policies

The following sections of this report shall comprise the goals, objectives and policies component of the Comprehensive Plan:

- FUTURE LAND USE – Section 3.4

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3.4.1 Town Goal Statement

Ensure that the historic small-town character of Lake Park is maintained, while fostering development and redevelopment that is compatible with and improves existing neighborhoods and commercial areas. The Town shall maintain and seek opportunities to improve its ability to provide: (1) a full range of municipal services; (2) diversity of housing alternatives consistent with existing residential neighborhoods; (3) commercial, industrial and mixed-use development opportunities that will further the achievement of economic development goals; and (4) a variety of recreational activities and community facilities oriented to serving the needs and desires of the Town. Various land use activities, consistent with these Town character parameters, will be located to maximize the potential for economic benefit and the enjoyment of natural and man-made resources by residents and property owners, while minimizing potential threats to health, safety and welfare posed by hazards, nuisances, incompatibles land uses and environmental degradation.

Table 78-70-2 - CORE Sub-District Regulations

Building Height (Maximum)

12 stories (160 feet). See 78-70(b)(7)b.3. for an additional height waiver for structured parking.

(The 4/4/2022 Planning & Zoning Board agenda shows the max height in the PADD Core as being 10 stories/ 120 feet. I can't find the document in Zoning Board minutes or in Commission minutes of when it increased to 12 stories/160 feet. Regardless, the replacement of the old section 78-70 with the new 78-70 and the above max heights took place at the 2nd Commission vote, Aug 2022.

Also per Comprehensive Plan:

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3.4.2 Objectives and Policies

Objective 1:

Future growth and development shall be managed through the Future Land Use Plan Map and Comprehensive Plan, as implemented by land development regulations which: (1) coordinate future land uses with appropriate topography, soil conditions and the availability of facilities and services; (2) encourage the prevention, elimination or reduction of uses inconsistent with the Town goal statement and future land use plan; and (3) encourage redevelopment, renewal or renovation that maintains or improves existing neighborhoods and commercial areas; (4) facilitate the achievement of economic development, historic preservation, resource preservation, and other key goals; and (5) discourage the

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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 standards.

Policy 1.7:

Land development regulations shall contain planned development provisions which allow design flexibility within projects under unity of title as a means of the maximum use of land, while preserving the current character of the Town.

Policy 1.8:

New development shall be permitted only when central water and wastewater systems are available or will be provided concurrent with the impacts of development.

Any word on a Lift Station for the PADD?

Objective 5:

As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a manner that is considerate to existing neighborhoods and uses, the built and natural environments, and neighboring jurisdictions.

High-rise looming over and blocking afternoon sunlight from single-family homes to the east of it is not "considerate".

Policy 5.1:

The Town shall protect, preserve, maintain and improve its core residential neighborhoods and historic resources, and protect these areas from physical degradation and the intrusion of incompatible uses.

Objective 7:

The Town recognizes the benefits of unified architectural and design standards. The Town shall continue to develop, maintain, revise and enforce these standards as appropriate.

Objective 12

Redevelopment of the Historical Downtown Area: A Downtown Future Land Use Classification is established to facilitate the redevelopment of the historical Park Avenue downtown and the immediate surrounding area. This land use category encourages a dense, vibrant, walkable mixed-use downtown that combines residences, businesses, and civic spaces, and that is well-integrated into the surrounding neighborhoods. This land use classification is also intended to facilitate development that complements a future tri-rail station.

Policy 12.1

The Downtown Land Use classification is implemented by the Park Avenue Downtown District (PADD) zoning district. The Downtown Land Use shall provide for the development or redevelopment of compact residential and non-residential or mixed use buildings to complement the existing buildings.

The land development regulations developed to implement the Downtown Land Use shall provide for compatibility of adjacent land uses by establishing criteria to address buffering and to control the height and intensity of structures to mitigate the impacts of development on adjacent zoning districts, particularly single-family districts

3.4.3 Future Land Use Classification System

High Density Residential – Single family detached residences, duplexes, townhouses, clustered single-family detached residences, and multiple family residences, with a maximum density not to exceed 40 dwelling units (du) per gross acre, including permitted

Condominium Residential – Single-family detached residences, duplexes, townhouses, clustered single-family detached residences, and multiple family residences with a maximum density not to exceed 40 units per gross acre. Public schools are a permitted use within this land use designation.

Downtown – Mixed Use development with a maximum F.A.R. which shall not exceed 3.0 per gross acre, as calculated for the entire contiguous Downtown Land Use area. The maximum density shall not exceed an average of 48 dwelling units per gross acre, as calculated for the entire contiguous Downtown Land Use area.

Horizontal mixed use may be developed and bonus units may be granted in excess of 48 units on one site, so long as the average density for the entire contiguous Downtown Land Use area does not exceed 48 units per acre.

5.0 HOUSING

5.5.1 Town Goal Statement

Ensure the provision of safe, decent and sanitary housing and living conditions in designated residential neighborhoods consistent with: (1) density levels indicated on the Future Land Use Plan Map; (2) specific housing needs as reflected in the most recent Shimberg Center for Affordable Housing's Affordable Housing Needs Assessment; and (3) the current residential character of the Town and individual Planning Areas. Further, ensure that the character of new housing is compatible with the existing housing stock, particularly historic housing, while accommodating current housing needs.

How is the character of any high-rise "compatible with the existing housing stock" of the mostly single-family homes in the neighborhoods to the east of the proposed high-rises? It's a gross mismatch of scale.

Objective 3:

Adequate and affordable housing, consistent with the current character of the Town shall be provided for the existing population and anticipated population growth, including housing to accommodate the defined specialized needs of low and moderate income, elderly or handicapped or displaced residents.

Has any developer proposed building new affordable or “work-place” housing in Lake Park? From what I’ve read it’s all at market pricing.

Require developers to coordinate with the Town during the design and completion of residential developments to assure that the Town and Planning Area characteristics are maintained, and any defined special housing needs are accommodated.

Policy 3.8:

In consideration of the fact that the Town’s 2005 homeownership rate of 43.5% is significant less than the homeownership rate for the State of Florida’s 2005 homeownership rate of 70.3%, the Town shall prioritize the creation of homeownership units, and shall coordinate with the appropriate agencies, including the State of Florida and Palm Beach County, to attempt to secure grant funds (i.e. CDBG, HOME, SHIP) to assist income-qualified renter households in becoming homeowners.

Sure, Nautilus 220 promotes homeownership, if you’re a millionaire. From what I understand the high-rise projects proposed so far for the PADD are rental units, at market pricing. Ditto the Northlake apartments.

Moderate income housing.



Policy 7.3:

A land development regulation will be established for density bonuses in multifamily residential areas for low and/or moderate income housing.

Policy 7.4:

In scheduling the review of proposed development or redevelopment, the Planning and Zoning Board shall give priority to applications that provide for affordable homeownership units.

The Residences at Tenth & Park "luxury" rental apartments, (per their website) have requested a density bonus, to go from 48 to over 200 units per acre. But nothing for low and/or moderate income housing.

www.lakeparkflorida.gov/home/showpublisheddocument/16230/638774752049470000

Also, I have requested from the Town Clerk but not received a reply to this question:

When did the max height allowance in the PADD Core go from 10 stories/ 120 feet, per the agenda packet in the 4/4/2022 Planning & Zoning Board meeting, to the current 12 stories/160 feet? I've dug thru