



**TOWN LAKE OF PARK
PLANNING & ZONING BOARD
STAFF REPORT
MEETING DATE: June 13, 2024
PZ-24-06**

APPLICATION: Residences at 10th and Park Avenue

SUMMARY OF APPLICANT’S REQUEST: On behalf of Tenth and Park Avenue LLC (“Property Owner” and “Applicant”), Brian Terry of Insite Studio, INC (“Agent”) is requesting site plan and special exception approval for a sixteen-story, 595 unit multifamily apartment complex. The proposed development is consistent with the Town of Lake Park’s adopted regulations for the Park Avenue Downtown District.

The Subject Property is located east of 10th Street and north of Park Avenue in the Town of Lake Park as denoted in the location map. It is comprised of the following parcels, which total 2.917 acres: PCN 36-43-42-20-06-002-0010, 36-43-42-20-06-002-0013, 36-43-42-20-06-002-0020, and 36-43-42-20-01-003-0240.

BACKGROUND:

Owner & Applicant(s):

Tenth and Park Avenue LLC

Agent and Consultant:

Brian Terry - Insite Studio

Location:

PCN: 36-43-42-20-06-002-0010, 36-43-42-20-06-002-0013, 36-43-42-20-06-002-0020, and 36-43-42-20-01-003-0240.

Net Acreage (total):

2.917

Legal Description:

See survey enclosed in packet.

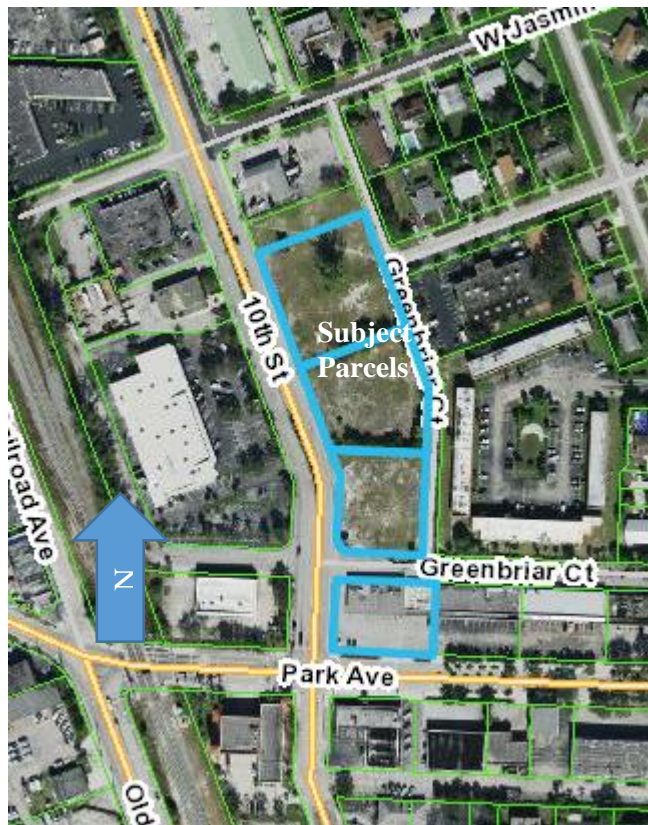
Existing Zoning:

Park Avenue Downtown District

Future Land Use:

Downtown

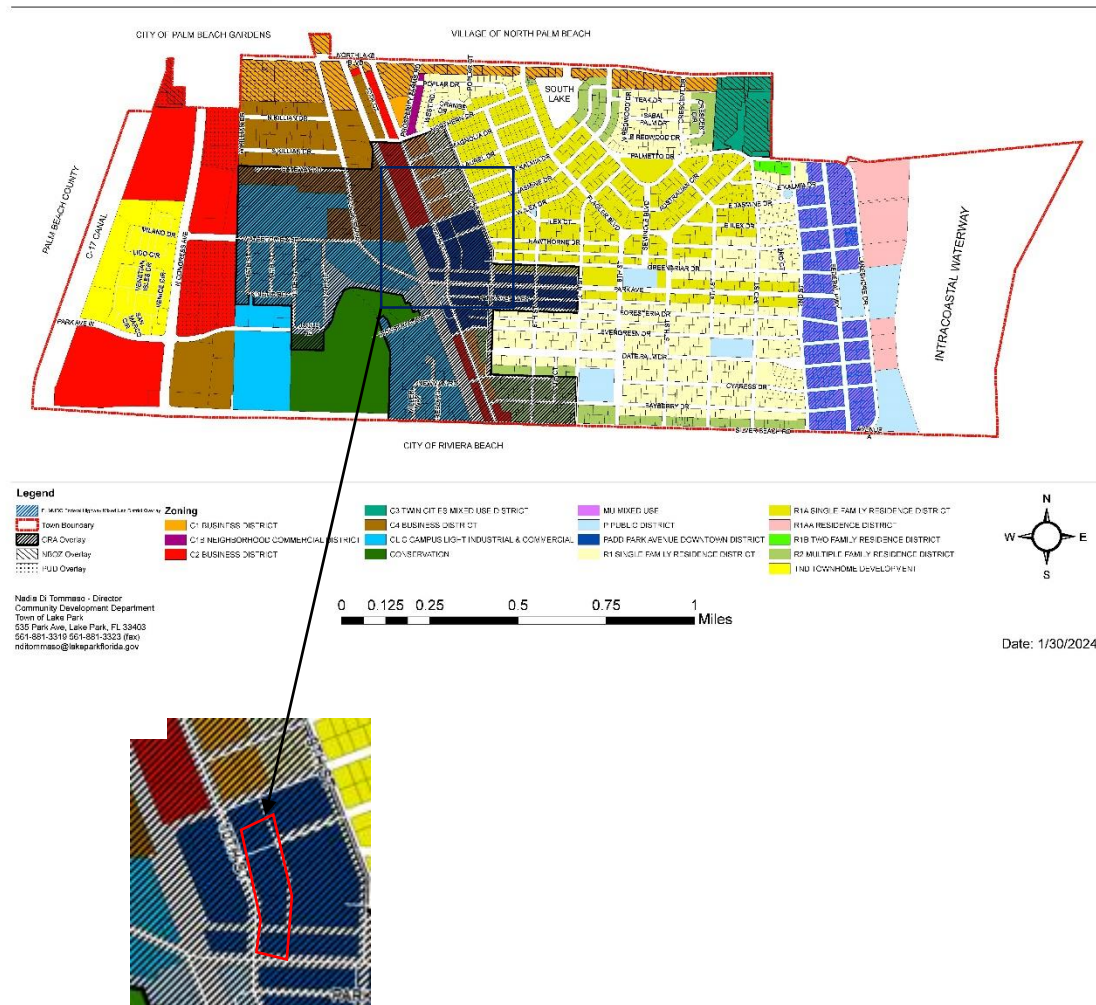
Figure 1: Aerial View of Site (image not to scale; for visual purposes only)



LAKE PARK ZONING MAP



Lake Park Zoning Map



Adjacent Zoning:

North: PADD

South: PADD

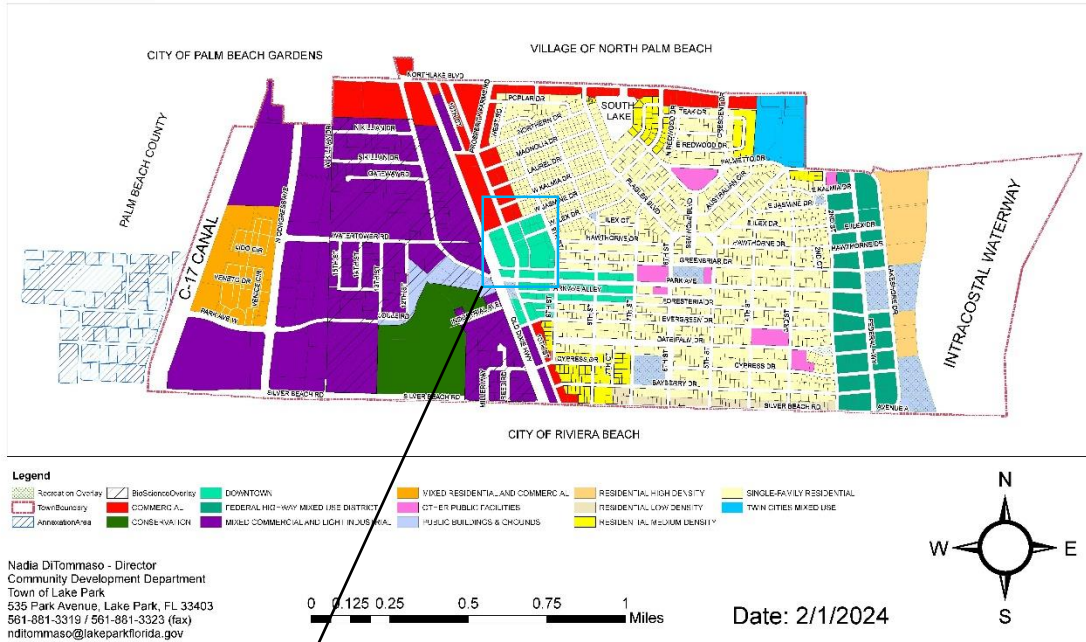
East: PADD

West: PADD

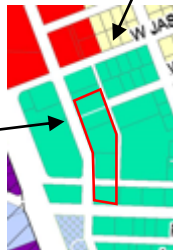
LAKE PARK FUTURE LAND USE MAP



Lake Park Future Land Use Map 2017-2027



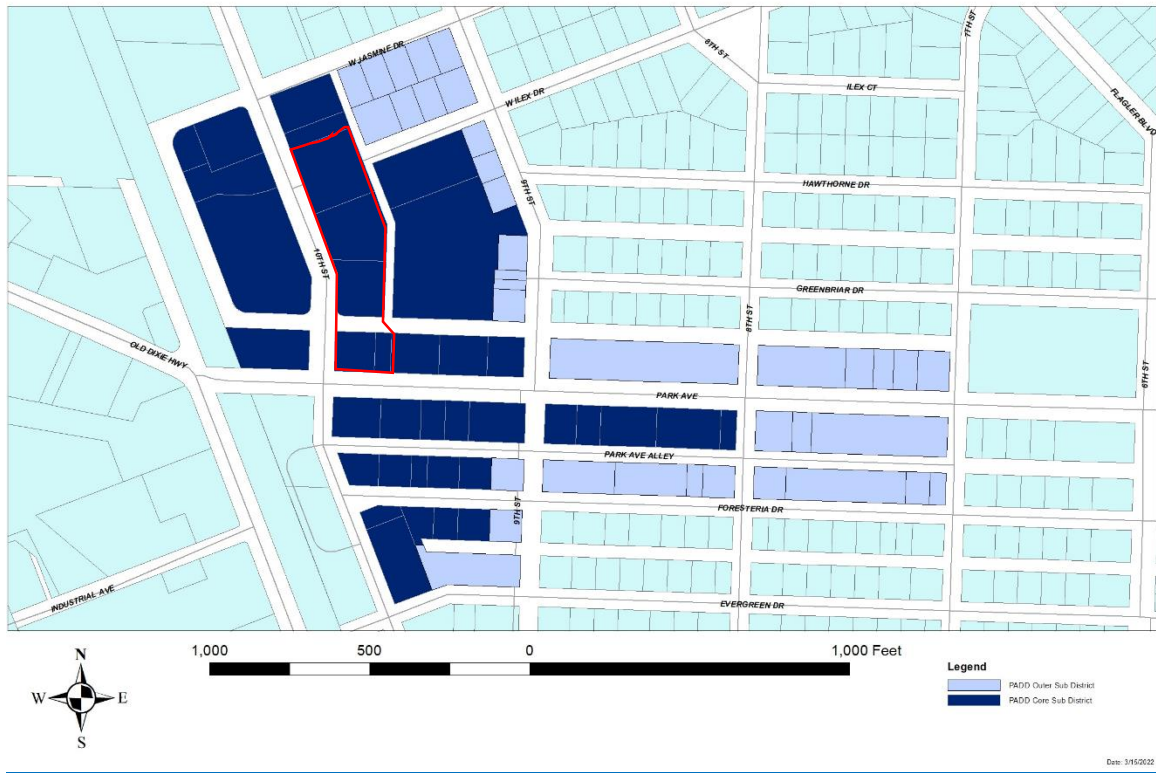
Subject Site



Adjacent Existing Land Use

North: Downtown
South: Downtown
East: Downtown
West: Downtown

Expanded PADD Sub-District Regulating Plan



PART I: SITE PLAN APPLICATION

The Residences at 10th and Park 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. 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 6/3/24 and advertised in the Palm Beach Post 6/3/24 ****

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 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 12.2.** *Within section 3.4.3 “Future Land Use Classification System” the Downtown Land Use provides for a density of 48 du/acre and a FAR of 3.0 across the entire contiguous area. The Commission may approve a project greater than 48 du/acres so long as the average density of development within the entire contiguous Downtown Land Use area does not exceed 48 du/acre, and is consistent with the policies contained herein and meets the land development regulations. (...)*
- ➔ **Future Land Use Element, Policy 12.3.** *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.*
- ➔ **Future Land Use Element, Policy 12.4.** *Development and redevelopment shall be 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 12.6.** *The Town shall continue to pursue a proposed train station location immediately adjacent to the Downtown future land use area, in support of its redevelopment and mobility goals.*

Zoning: The proposed project is consistent with the requirements of the Park Avenue Downtown District, including the use of multifamily residential (a special exception use, detailed further at the end of this section), 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 requesting a waiver as set forth under the waiver process of the PADD, Section 78-70 (b) (7). They are requesting waiver (b) (7) b. 3., the structured parking waiver, which allows up to four levels of structured parking to be exempted from the maximum height calculation. In exchange, the applicant must provide an additional ten percent of their required parking as public parking. The applicant has complied with this criteria and additionally provided shadow studies demonstrating there are no significant impacts to light, air flow, or aesthetics to any abutting single-family homes.

Per the waiver process, staff recommends approval of this waiver to the Town Commission, who has final authority to grant the waiver request as part of the site plan approval.

Finally, please note the application for multifamily residential is a special exception use. The special exception application was evaluated based on the criteria established under Section 78-184. These special exception criteria also establish the basis for which the Town Commission may grant a density bonus above 48 units per acre, a procedure established under Comprehensive Plan Future Land Use Element Policy 12.2. Staff found that the applicant meets the required special exception criteria and staff finds in favor of their request for 203.1 units per acre; please note evaluation of air impacts is being deferred until such time as the applicant submits their wind analysis report at building permitting. This is conditioned to be provided prior to building permit issuance, as noted under the Architecture section below.

Architecture: The proposal meets and exceeds the standards set forth under 78-330 for building articulation, façade paint colors, material variation, and decorative features, providing a first-class project in its aesthetic appeal. Additionally, the proposal complies with the supplemental architectural standards of the PADD, Section 78-70 (h) by providing a 15' interior side yard building setback, creating a midblock plaza connection to the east/west portion of the Greenbriar Ct. alley. The project also provides step backs on the 5th level of 20 feet, providing articulation, as well as a building break in portions of façade running 200 feet. Finally, the project provides parking garage screening and active amenity spaces along the north/south portion of the Greenbriar Ct. alley through the inclusion of pedestrian seating, art, and landscaping to create a scenic and appealing eastern façade facing the residential core of the Town. The following condition of approval is associated with the architecture:

- **Prior to building permit issuance, the applicant will provide a wind impact analysis and update plans to provide wind mitigation, as needed.**

Building Site: The total combined area of all subject parcels is 2.92 acres. The project proposes a total of 103,346 SF of built coverage, or 81% of the site. The project will consist of 595 dwelling units, 180 of which will be 1 bedroom, 359 of which will be 2 bedroom, and 20 of which will be 3 bedroom. There will also be 36 studio units and 11,765 SF of retail and 4,544 SF of restaurant space.

Of note, this project is proposing a pedestrian bridge across the east/west portion of the Greenbriar Court alleyway as illustrated below. This connection shall be formalized by an air rights easement agreement being prepared by the Town Attorney's office in advance of the Town Commission hearing. At this time, a condition of approval memorializes this requirement, as well as the need for the abandonment of private easements within the

subject site. Please note no public right of way abandonment is proposed in connection to the pedestrian bridge.



Site Access and Roadways:

Traffic Concurrency: The applicant has provided Palm Beach County Traffic Performance Standards (TPS) approval, which was received November 16, 2023. PBC TPS

recommended the following condition of approval, which will be added to the development order:

- **The Applicant shall construct a southbound left turn lane into the development driveway on 10th Street.**

The Applicant's traffic study was also reviewed by the Town's consulting Traffic Reviewer, O'Rourke Engineering, who was in agreement with the study as well as the conditions of the PBC TPS letter. O'Rourke Engineering provided signoff 2/5/24 with the following recommended condition of approval, which will be added to the development order:

- **The Applicant shall provide evidence that the County will modify the signal timing to accommodate the potential queues at the intersection of 10th Street and Park Avenue or monitor the queue at the intersection of 10th Street and Park Avenue prior to receiving the final certificates of occupancy and provide mitigation at that time.**

Landscaping: The proposed landscaping plans have been deemed code compliant by the Town's consulting Landscape Architect (JMorton) as of 5/15/24.

Paving, Grading and Drainage: The Town's consulting Engineers, Engenuity Group, reviewed and approved the civil plans for this proposal on 5/16/24.

The Town Stormwater Division provided their final approval 5/10/24, noting only a minor labeling error that has been corrected in the final P and Z packet.

Parking and Loading: This project meets the required parking based on the applicable parking code for multifamily, which requires 1 space per dwelling unit. At 595 units, the project is required to provide 595 spaces. Additionally, the project provides 24 retail spaces at 1 space per 500 SF and 45 restaurant spaces at 1 space per 100 SF. An additional 4 spaces are provided for outdoor restaurant seating at 1 space per 3 seats and 67 spaces are being provided as a public benefit in connection to the parking garage height waiver. The applicant also provides the two code required loading spaces. Additionally, in furtherance of comprehensive plan objectives related to mobility, the applicant is providing a Palm Tran bus stop on their site along 10th Street, in addition to their sidewalk network integration, and 132 bike parking spaces, which will allow the project's residents using personal micromobility transportation quick and easy access to Town's major commercial corridors via our comprehensive network of sidewalks. The following condition related to the bus stop is being added:

- **Prior to building permit issuance, the Applicant shall work with Palm Tran to ensure compliance with their preferred shelter specifications for the 10th Street stop.**

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 due to the outstanding matter of the location of a lift station. Instead, the following condition of approval is being added:

- **Prior to issuance of any land clearing, demolition or development permit or authorization, the developer shall deliver to Seacoast Utility Authority (“Authority”) a recordable regional lift station easement not less than 1,600 square feet in area in a form, location and configuration acceptable to the Authority together with an executed Developer Agreement covering initial water and sewer infrastructure for the PADD. This lift station easement shall be free of encumbrances and impairments, including but not limited to rights-of-way and claims of reversionary rights.**
- **Applicant shall comply with all SUA standards in its lift station design.**

Staff is in agreement with these conditions.

Fire: PBC Fire Rescue reviewed the site plan and found it to be in compliance with PBC Fire Rescue best practices on 5/9/24. An additional round of fire review will be conducted during the building permit phase, which is standard procedure.

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 compliant with best-practice principles for CPTED on 5/15/24. 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 and Special Exception approval for Residences at 10th and Park with the following unique draft conditions. All conditions will be finalized and receive legal review following P and Z.

1. Prior to building permit issuance, the applicant will provide a wind impact analysis and update plans to provide wind mitigation as needed.

2. Prior to Town Commission, the Town Attorney and the Applicant shall finalize the air rights easement agreement to allow for construction of a pedestrian bridge over the Greenbriar Court east/west alleyway.
3. Prior to building permit issuance, the Applicant shall secure all necessary easement abandonments impacting their property
4. The Applicant shall construct a southbound left turn lane into the development driveway on 10th Street.
5. The Applicant shall provide evidence that the County will modify the signal timing to accommodate the potential queues at the intersection of 10th Street and Park Avenue or monitor the queue at the intersection of 10th Street and Park Avenue prior to receiving the final certificates of occupancy and provide mitigation at that time.
6. Prior to building permit issuance, the Applicant shall work with Palm Tran to ensure compliance with their preferred shelter specifications for the 10th Street stop.
7. Prior to issuance of any land clearing, demolition or development permit or authorization, the developer shall deliver to Seacoast Utility Authority (“Authority”) a recordable regional lift station easement not less than 1,600 square feet in area in a form, location and configuration acceptable to the Authority together with an executed Developer Agreement covering initial water and sewer infrastructure for the PADD. This lift station easement shall be free of encumbrances and impairments, including but not limited to rights-of-way and claims of reversionary rights.
8. The Applicant shall comply with all SUA standards.