



March 20, 2026

Revised: April 20, 2026

Revised: May 12, 2026

Revised: June 23, 2026

Revised: July 7, 2026

Howard Brown, City Manager

City of Westlake

4001 Seminole Pratt Whitney Road

Westlake, Florida 33470

Re: Parcel L Multi-family Residential — Waiver Request Package

Petition No. MP-2026-01 — The Avery at Westlake

CH Project No. 130518.113.05

Dear Mr. Brown:

On behalf of the Applicant, Eastwind Development, and the property owner, Minto PBLH, LLC, please find enclosed the Applicant's Waiver Request package in connection with Petition MP-2026-01 (Parcel L Multi-family Residential — The Avery at Westlake). The Applicant respectfully requests approval of three (3) waivers from the City of Westlake Land Development Regulations, each as detailed in the individual waiver narratives that follow.

The City of Westlake's Land Development Regulations authorize the Acting City Manager to approve waivers from the Land Development Regulations pursuant to Sec. 101-197(c) (Chapter 101, Article III, Division 1) where: (a) the proposed waiver is consistent with the Comprehensive Plan; (b) the Applicant provides alternative standards to the specific land development sections subject to the waiver that meet the intent of the waived regulations; and (c) the proposed waiver will not negatively impact the health, safety, and welfare of the residents of the City. The Code further provides that waivers may not be permitted to deviate from the allowable density, intensity, permitted uses, setbacks, or building height within a zoning district. None of the three waivers requested herein deviates from any of those non-waivable categories.

A summary Waiver Table is included on page 7 of 8 of this package and on the revised Site Plan; detailed findings supporting each individual waiver are provided in Sections 1 through 3 below. Each waiver is justified independently against each of the three Sec. 101-197(c) criteria.

Thank you for your consideration of these requests.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Howard Brown".

Section 1. Waiver Request No. 1 — Parking (Proposed Site Plan)

Waiver Summary

Code Section Waived	Table 111-192 (Sec. 111-192) — Off-Street Parking Requirements; Multi-Family Dwelling.
Code-Required (Spaces)	708 (= 25 Clubhouse @ 1 per 360 SF + 682.5 Multi-Family @ 1 per BR + 5% Guest, rounded)
Provided (Spaces)	664 (= 592 standard + 72 detached garage stalls)
Deviation	-44 spaces (approximately 6.21% of Code-required total)
Waiver Authority	Sec. 101-197(c) (Chapter 101, Article III, Division 1)

Background

The Applicant proposes a 360-unit multi-family residential community with 122 one-bedroom, 186 two-bedroom, and 52 three-bedroom apartments (650 total bedrooms). Under a literal application of Table 111-192, which requires one space per bedroom plus a five percent (5%) guest factor for multi-family dwellings, the project would be required to provide 682.5 multi-family parking spaces plus 25 clubhouse spaces (Clubhouse area 8,969 SF at 1 per 360 SF, rounded up), for a total of 708 Code-required spaces. The proposed Site Plan provides 664 spaces (592 standard plus 72 detached garage stalls), resulting in a deficiency of forty-four (-44) spaces.

Findings under Sec. 101-197(c)

(a) Consistency with the Comprehensive Plan.

The requested parking reduction is consistent with the City's Comprehensive Plan objectives promoting efficient land use, internal walkability, multi-modal mobility, and the avoidance of unnecessary impervious surface. The Comprehensive Plan supports a vibrant, walkable Town Center district with a mix of housing typologies and densities, including multi-family residential. Excess parking constructed at Code-formula levels would create unnecessary pavement, increase stormwater runoff, and consume land area that is more appropriately devoted to buildings, internal pedestrian connectivity, open space, buffering, and recreation amenities. The Comprehensive Plan does not require, and is not advanced by, the construction of more parking than will be utilized.

The requested waiver is modest in nature and does not alter the permitted use, density, intensity, setbacks, or building height of the project; rather, it addresses a limited overstatement in required parking generated by the strict application of a generalized Code formula to a specific multi-family residential development with a unique market profile. The waiver therefore advances the Comprehensive Plan's planning objectives while remaining wholly compatible with the Town Center development pattern.

(b) Alternative standards meet the intent of the waived regulation.

The intent of the off-street parking regulations in Table 111-192 is to ensure that adequate parking is provided to serve the demand generated by a development without creating adverse impacts on surrounding properties or public rights-of-way. The Applicant submits that the proposed 664-space supply fully satisfies this intent on the basis of the following alternative-standards demonstration:

(i) Empirical multi-family parking demand. The Urban Land Institute (ULI), through its Shared Parking methodology, identifies typical suburban multi-family parking demand in the range of approximately 1.50 to 1.75 spaces per dwelling unit, with garden-apartment product generally falling within the upper portion of that range. The Institute of Transportation Engineers (ITE), through its Parking Generation Manual, reports observed parking demand for low-rise and garden-apartment communities ranging from approximately 1.44 to 1.71 spaces per unit. The proposed parking supply of 664 spaces (1.84 spaces per unit) is at or above these national benchmarks, evidencing a more-than-adequate supply against actual demand.

(ii) Bedroom-based formula overstates demand. Multi-family parking demand is not directly proportional to bedroom count. Third bedrooms in particular are frequently used as home offices, nurseries, guest rooms, or for young children, none of which generate additional vehicle ownership. The City's strict bedroom-based formula therefore overstates actual parking need for this development, particularly given the proposed unit mix.

(iii) Wellington seasonal-equestrian demand profile. The development is intentionally designed to serve a meaningful share of the Wellington seasonal-equestrian workforce and resident population. Wellington's Winter Equestrian Festival and Adequan Global Dressage Festival together draw, on a thirteen-week cycle, more than 7,000 horses, 6,000 riders from approximately 42 nations, and 31,000+ cumulative participants. A substantial share of this population are foreign nationals on temporary work visas (P-1, O-1, H-2B) who arrive without personal vehicles and rely on rental cars, ride-share, or barn-provided shared transportation, with operations centralized at the WEF/AGDF showgrounds. Owners and amateur riders frequently fly in for individual show weeks. Observed peak-season parking demand for this demographic is on the order of 1.0–1.2 vehicles per occupied unit, materially below the 1.5–1.75 vehicles-per-unit demand typical of conventional multi-family developments. Combined with the bedroom-based formula's overstatement, this demographic profile fully justifies the modest reduction requested.

(iv) Note 1 to the Code's parking-by-use table — Garages count toward residential parking. Note 1 of the parking-by-use table within Sec. 111-192 expressly provides that "Garages may be used to meet per unit residential parking requirements." The 72 detached garage stalls included in the proposed 664-space supply are therefore properly counted toward the Code-required parking, consistent with the City's own regulatory framework.

(v) Note 2 — Guest parking flexibility. Note 2 expressly provides that the guest parking requirement may be met via daytime on-street guest parking, mail-kiosk parking, clubhouse parking, or other parking elsewhere on the site. The proposed parking distribution leverages exactly these alternative arrangements to meet practical guest demand.

(vi) Stabilized occupancy buffer. Stabilized occupancy at high-quality, market-rate multi-family communities in suburban Palm Beach County is approximately 95%, with industry data placing the West Palm Beach metro at 95.5% as of mid-2025. There is therefore a structural 5% buffer in actual demand at any given time, which directly translates into a parallel buffer in parking demand below the per-unit count.

(vii) Code-encouraged multi-modal mobility. The Code itself promotes alternatives to vehicular parking through the bicycle parking requirement of Sec. 111-227, the multi-modal pathway connections required throughout Westlake, and the Town Center walkable-environment objectives. The proposed development advances each of these alternatives through 98 constructed bicycle parking spaces (with 82 additional reserve), an internal sidewalk network, and a tightly integrated relationship with the future Town Center East mixed-use district.

(viii) Contingency Parking Plan. As an additional alternative-standard safeguard, the Applicant has prepared a Contingency Parking Plan that allows the future construction of additional surface parking within identified portions of the recreation/amenity areas, raising the total provided supply to 703 parking spaces and reducing

the residual deficiency to five (-5) spaces. The Contingency Parking Plan provides practical reserve capacity to be implemented administratively if observed demand ever exceeds the constructed supply.

(c) No adverse impact on health, safety, and welfare.

The requested reduction will not create adverse parking conditions, unsafe circulation, spillover parking, or congestion on adjacent streets. The project will continue to provide a substantial parking supply that remains more than adequate to accommodate residents, guests, clubhouse activity, deliveries, and service providers. The proposed 664-space supply yields 1.84 spaces per unit, which is at or above the upper-bound national benchmark for suburban garden-apartment parking demand.

The project design promotes internal walkability, efficient parking distribution, and multi-modal mobility, all of which support safe and functional site operations. The Contingency Parking Plan provides a reasonable reserve option in the unlikely event that future parking demand exceeds projections. The waiver therefore poses no adverse impact on the health, safety, and welfare of City residents.

Limitation Compliance.

The requested waiver does not deviate from the allowable density, intensity, permitted uses, setbacks, or building height applicable to the property. The request is limited solely to a modest reduction in required off-street parking spaces and does not affect any other zoning or development standard.

Section 2. Waiver Request No. 2 — Parking (Contingency Parking Plan)

Waiver Summary

Code Section Waived	Table 111-192 (Sec. 111-192) — Off-Street Parking Requirements; Multi-Family Dwelling (applicable to the Contingency Parking Plan scenario only).
Code-Required (Spaces)	708
Provided (Spaces) — Contingency	703 (= 631 standard + 72 detached garage stalls)
Deviation — Contingency	-5 spaces (approximately 0.71% of Code-required total)
Waiver Authority	Sec. 101-197(c)

Background

Under the Contingency Parking Plan, additional surface parking is constructed within identified portions of the recreation/amenity areas (the existing Pickleball Area is removed, and the South Courtyard and North Courtyard recreation tracts are partially reduced) to raise the total provided parking supply to 703 spaces against the same 708-space Code-required total. The residual deficiency of five (-5) spaces is the relief sought through this contingent waiver.

This waiver is requested in the alternative — i.e., it becomes operative only if and to the extent the Contingency Parking Plan is implemented. It is included with this submittal so that, in the event observed parking demand ever exceeds the constructed 664-space supply, the Applicant may proceed administratively with the Contingency Parking Plan without requiring a new waiver process for the bulk of the original deficiency.

Findings under Sec. 101-197(c)

(a) Consistency with the Comprehensive Plan.

The requested contingent reduction is consistent with the Comprehensive Plan for the same reasons set forth in Section 1 above. The Contingency Parking Plan also serves a Comprehensive-Plan objective of providing flexibility

in development standards where actual operating conditions warrant adjustment, while preserving overall recreation and open-space compliance: under the contingency configuration the development continues to provide 2.16 ac of recreation area against the 1.944-ac Comprehensive Plan Neighborhood Park requirement, exceeding the requirement by 0.216 ac.

(b) Alternative standards meet the intent of the waived regulation.

The alternative-standards demonstration set forth in Section 1(b) above applies equally to the contingency scenario, with the additional consideration that the residual deficiency is reduced from forty-four (-44) spaces to five (-5) spaces — only 0.71% of the Code-required total. Under any reasonable view of empirical demand, a 0.71% deficiency cannot be considered substantively meaningful, and the proposed 703-space supply (1.95 spaces per unit) substantially exceeds the upper-bound national benchmark for suburban garden-apartment parking demand.

The Contingency Parking Plan was specifically structured to preserve continued compliance with all Comprehensive Plan and Land Development Regulation recreation, open-space, and pervious-area minimums. The recalculated recreation acreage under the contingency configuration is detailed in the response to Comment 10 and on the revised Contingency Parking Plan.

(c) No adverse impact on health, safety, and welfare.

The contingency configuration would only be implemented in the unlikely event that observed parking demand exceeds the constructed 664-space supply. By definition, implementation of the contingency under those circumstances is the response to, not the cause of, any potential parking impact, and the contingency therefore could not impair public health, safety, or welfare. To the contrary, the Contingency Parking Plan exists precisely to protect public welfare in the unlikely scenario that primary supply proves insufficient.

Limitation Compliance.

The requested contingent waiver does not deviate from the allowable density, intensity, permitted uses, setbacks, or building height applicable to the property.

Section 3. Waiver Request No. 3 — Bicycle Parking

Waiver Summary

Code Section Waived	Sec. 111-227 — Bicycle Parking Standards (Multi-Family Residential at 1 space per 2 dwelling units)
Code-Required (Spaces)	180 (= 360 dwelling units ÷ 2)
Provided (Spaces — Constructed)	98 (= 70 distributed surface racks + 28 secured/enclosed in maintenance building)
Reserve (Spaces — Identified on Plan)	82
Deviation	-82 spaces (approximately 45.6% reduction from Code-required total)
Waiver Authority	Sec. 101-197(c)

Background

Sec. 111-227 of the Land Development Regulations requires multi-family residential developments to provide bicycle parking at a ratio of one (1) space per two (2) dwelling units. For the proposed 360-unit development, this yields a Code-required bicycle parking count of one hundred eighty (180) spaces. Constructing 180 bicycle parking

spaces at initial certificate of occupancy in a suburban garden-style multi-family development in auto-oriented South Florida — where empirical bicycle demand is materially lower — would create unnecessary site clutter and impose infrastructure costs on facilities that empirical data indicate would be largely underutilized.

Accordingly, the Applicant proposes a measured, demand-based bicycle-parking strategy: 98 constructed bicycle parking spaces (70 distributed surface racks plus 28 secured/enclosed e-bike-capable spaces in the maintenance building) at certificate of occupancy, supplemented by 82 reserve bicycle parking locations clearly identified on the Site Plan that may be constructed in the future if and when observed demand warrants.

Findings under Sec. 101-197(c)

(a) Consistency with the Comprehensive Plan.

The requested waiver is consistent with the Comprehensive Plan's multi-modal mobility objectives. The proposed bicycle parking program advances the Comprehensive Plan by providing high-quality, secure, weather-protected bicycle storage — including 28 enclosed e-bike-capable spaces — that meaningfully encourages bicycle utilization, while right-sizing the constructed quantity to actual observed demand. The Comprehensive Plan's bicycle/multimodal objectives are achieved through quality, security, and accessibility of bicycle storage, not through raw rack count alone.

(b) Alternative standards meet the intent of the waived regulation.

The intent of Sec. 111-227 is to ensure that adequate bicycle parking is provided to serve the bicycle-using portion of a development's resident population, and to encourage multimodal access. The proposed alternative standard satisfies that intent on the following bases:

- (i) Empirical demand. ULI Shared Parking methodology and ITE Parking Generation guidance demonstrate that bicycle-parking demand at suburban garden-style multi-family developments — particularly in auto-oriented South Florida — typically falls between 0.20 and 0.30 spaces per dwelling unit. Provision of 98 constructed spaces equates to approximately 0.27 spaces per unit, which sits at the upper end of the empirically observed demand range.
- (ii) Quality over quantity. The proposed bicycle program exceeds typical baseline standards by providing 28 secured/enclosed spaces in the maintenance building specifically designed to accommodate weather-protected long-term storage and e-bike charging. Resident-survey research consistently identifies secured indoor storage as a far stronger driver of actual bicycle utilization than raw outdoor rack count.
- (iii) Compliance with anchoring and identification requirements. All proposed bicycle parking facilities will be anchored so as to deter easy removal and will be clearly identified as available for bicycle parking, consistent with the design standards of Sec. 111-226.
- (iv) Reserve protection — flexibility for the City. The Site Plan reserves 82 bicycle parking spaces in identified locations. The Applicant agrees that, if observed utilization meaningfully exceeds expected demand, the City may require installation of additional spaces from the reserve. This preserves the City's long-term ability to require full Code compliance without imposing the construction at initial certificate of occupancy of facilities that empirical data indicate will be underutilized.

(c) No adverse impact on health, safety, and welfare.

The waiver poses no adverse impact on health, safety, or welfare. The proposed 98-space supply is more than adequate to meet observed bicycle demand for this product type, and the 82-space reserve fully protects the City's interest in additional capacity if required. Securely anchored, weather-protected, and well-identified storage advances rider safety and bicycle-theft protection, and the e-bike-capable enclosed storage further advances safety by providing a controlled charging environment.

Limitation Compliance.

The requested waiver does not deviate from the allowable density, intensity, permitted uses, setbacks, or building height applicable to the property.

Section 4. Waiver Request Summary Table

#	Waiver Sought	Code Section	Required	Proposed	Deviation
1	Parking — Proposed Site Plan	Table 111-192 (Sec. 111-192)	708	664	-44
2	Parking — Contingency Parking Plan	Table 111-192 (Sec. 111-192)	708	703	-5
3	Bicycle Parking	Sec. 111-227	180	98 + 82 reserve	-82

All three (3) waivers are submitted to the Acting City Manager pursuant to Sec. 101-197(c) (Chapter 101, Article III, Division 1) of the City of Westlake Land Development Regulations. None of the waivers seeks to deviate from the allowable density, intensity, permitted uses, setbacks, or building height of the property. The Applicant respectfully requests approval of each waiver based on the findings set forth in Sections 1 through 3 above.

Exhibit A — National Multi-Family Parking Standards (Reference)

Nationally recognized planning and engineering resources consistently demonstrate that multi-family residential parking demand in suburban environments is materially lower than the requirements established by the City of Westlake's Land Development Regulations. The City's requirement of one parking space per bedroom plus an additional five percent guest parking results in an effective parking ratio that exceeds both observed demand and accepted industry standards.

Urban Land Institute (ULI), through its Shared Parking methodology, identifies typical suburban multi-family parking demand in the range of approximately 1.50 to 1.75 spaces per dwelling unit, with garden-apartment product types generally falling within the upper portion of that range. These values are based on national datasets and reflect stabilized suburban conditions comparable to the proposed development.

Institute of Transportation Engineers (ITE), through its Parking Generation Manual, reports observed parking demand for low-rise and garden-apartment communities ranging from approximately 1.44 to 1.71 spaces per unit. These values reflect observed parking demand and are widely used in support of multi-family parking-waiver requests across Florida.

National Multifamily Housing Council (NMHC) and related industry data further support stabilized suburban apartment parking demand within a range of approximately 1.60 to 1.80 spaces per unit, depending on unit mix and local market conditions. The proposed parking supply for The Avery at Westlake of 664 spaces (1.84 spaces per unit) is therefore at or above accepted national standards and observed real-world utilization.

Wellington seasonal-equestrian context. Wellington's Winter Equestrian Festival (WEF) and Adequan Global Dressage Festival (AGDF) collectively draw, on a thirteen-week cycle, more than 7,000 horses, 6,000 riders from approximately 42 nations, and 31,000+ cumulative seasonal participants. A meaningful share of this population are foreign nationals on temporary work visas (P-1, O-1, H-2B) who arrive without personal vehicles and rely on rental cars, ride-share, or barn-provided shared transportation, with operations centralized at the WEF/AGDF showgrounds. Owners and amateur riders frequently fly in for individual show weeks. Observed peak-season parking demand for this demographic is on the order of 1.0–1.2 vehicles per occupied unit, materially below the conventional multi-family demand band.

Stabilized occupancy buffer. CoStar/CRE Daily reports West Palm Beach metro multi-family stabilized occupancy at approximately 95.5% as of mid-2025, with the broader industry convention treating 85%+ as "stabilized." There is therefore a structural 5% turnover-based buffer in practical demand, which translates directly into a parallel buffer in parking demand.