

GARDENS EAST
PCD Amendment & PUD Amendment
Justification Statement
November 19, 2025

I. Introduction

GS Palm Beach Owner LLC (“Applicant”) owns the property in the City of Palm Beach Gardens (“City”) currently known as Avana, an existing 448-unit multi-family residential community on the approximately 44.33-acre property (“Subject Property”). The Applicant seeks to redevelop the southern 9.41 acres of the Subject Property to add a tiered 4 & 6-story, 355-unit apartment complex (“Project”). The Project will provide pools, courtyards, a pickleball court, and open space and pedestrian amenities. It will also contribute to the City’s workforce housing availability and create a better integrated overall PCD community.

The Subject Property is the residential PUD of the overall 77-acre Gardens East Planned Community District (PCD). The PCD’s southern 32.36-acre commercial PUD is known as the Promenade Plaza (“Commercial Property”).

To accomplish the Project, this Application consists of three integrated components:

1. Small-Scale Future Land Use Map Amendment: application to change the Subject Property’s future land use designation from Residential Medium (RM) to Residential High (RH);
2. Gardens East PCD Amendment: application to establish an underlying RH zoning designation and amend the permitted dwelling units (“PCD Amendment Application”);
3. Gardens East Apartments PUD Amendment: application to amend the existing Gardens East Apartments Site Plan to remove 48 existing units and add a tiered 4 & 6-story, 355-unit apartment complex with landscape, hardscape, and amenities and establish Tiering Guidelines (“PUD Amendment Application”).

This Justification statement relates to the PCD Amendment Application and the PUD Amendment Application (collectively, the “Application”).

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Fees

Application Request	Fee
PCD Amendment	\$2,000.00
Comp. Plan "Small Scale" LU Map Amendment	\$2,500.00
PUD Amendment	\$2,000.00
GIS Review Open Space	\$300.00
Advertising Escrow	\$1,000.00
Legal Escrow	\$1,500.00
Engineering Escrow	\$1,000.00
Traffic Escrow	\$1,000.00
TOTAL	\$11,300.00

II. Project Overview

Location

The Subject Property encompasses approximately 44.33 acres. It is located at the intersection of Burns Road and Alternate A1A. To the north of the Subject Property (across Burns Road) is

Catalina Lakes, a residential neighborhood. To the east (across Gardens East Drive) are the Cedar Gardens and Sandalwood multi-family residential communities and professional office uses. To the south is the Promenade Plaza, and to the west (across Alternate A1A and the Florida East Coast (FEC) Railroad) are various industrial and residential medium uses.

Project History

On March 5, 1987, the City Council approved Ordinance 2, 1987, establishing the 77-acre Gardens East Planned Community District. The PCD created the residential Subject Property and the Commercial Property and required each to be developed as separate Planned Unit Developments.

On December 7, 1989, the City Council approved Ordinance 40, 1989, amending the PCD to allow 10 dwelling units per acre, or 448 dwelling units, on the Subject Property.

On January 4, 1990, the City Council approved Resolution 109, 1989, creating a PUD and providing site plan approval for the Gardens East Apartments on the Subject Property, the existing 448-unit multi-family residential community.

Land Use and Zoning

The Subject Property's current zoning designation is PCD overlay and its existing future land use designation is Residential Medium (RM). Notably, when the PCD was created, an underlying zoning designation was not established. However, Ordinance 40, 1989 provided for 10 units/acre, which is consistent with the base density set forth in the Code's Residential High (RH) zoning designation. The operative development order for the Subject Property is Resolution 109, 1989, which approved the current site plan that allows 448 dwelling units on the Subject Property.

SURROUNDING PROPERTIES			
DIRECTION	PROJECT	LAND USE	ZONING
NORTH	Catalina Lakes (Across Burns Rd)	Residential Medium	RM
SOUTH	Promenade Plaza	Commercial	PCD
EAST	Professional Office /Cedar Gardens /Sandalwood (Across Gardens East Dr)	Professional Office / Residential Medium	PO/RM
WEST	Various Industrial / Single Family Residential Neighborhood (Across A1A and FEC Rail)	Industrial / Residential Medium	M1A/RM

III. Project Description

The Subject Property currently contains 448 units on approximately 44.33 acres. The proposed Project affects the south 9.41 developed acres of the Subject Property by removing 48 of the existing units and adding a tiered 4 & 6 story, 355-unit multi-family residential building. This results in a net increase of 307 dwelling units for a total of 755 units on the Subject Property. The concurrently proposed Gardens East PCD Amendment increases the entitled density as related to the Subject Property that corresponds with the proposed PUD Amendment. Specifically, the

Gardens East PCD Amendment provides the RH zoning designation for the Subject Property, as well as tiering guidelines.

The Project has been designed as a cohesive extension of the existing Gardens East residential community, providing a high-quality, multi-family environment that complements the surrounding neighborhood and supports the City's goals for housing diversity, architectural quality, and multimodal connectivity. The new building will feature a full suite of resident amenities, including two resort-style pool courtyards, shaded lounge and gathering areas, outdoor kitchens, a Zen Garden with integrated seating and landscaping, a pickleball court, and a fully enclosed dog park. Enhanced pedestrian pathways, internal sidewalks, and a landscaped lakefront promenade create an interconnected open-space network that links the Project to both the existing Gardens East Apartments and the adjacent Promenade Plaza commercial center. This connection is provided through the existing pedestrian bridge, which remains in place and is visually and functionally complemented by the Project's new lakefront promenade, overlook areas, and upgraded landscape features. The development incorporates significant landscape enhancements, including preservation of mature canopy trees, introduction of drought-tolerant plant materials from the City's Preferred Species List, and creation of lush courtyard environments that provide shade, visual interest, and high-quality outdoor living space. The Project also integrates a wrapped structured parking garage, ensuring all required parking is contained on-site while maintaining active residential frontages along the building perimeter. Collectively, these site and building improvements create a walkable, vibrant, and integrated residential community that enhances the functionality and aesthetic character of the broader Gardens East PCD.

The proposed PCD Amendment Application and PUD Amendment Application are consistent with the City's Comprehensive Plan and comply with the City's Land Development Regulations ("Code"), as described below.

Architecture

The design of the proposed building has been shaped and inspired by its surroundings, including the existing Avana community and the established character of the Gardens East neighborhood. A comprehensive massing and view study was completed as part of the design process, incorporating both the Applicant's programmatic objectives and feedback received from City staff. The resulting architecture presents a tiered massing profile that transitions from four (4) stories along the east side of the Project (adjacent to the existing residential uses) to six (6) stories toward the center and west portions of the building (closer to Alternate A1A). This stepped configuration creates an intentional transition in height that blends the new building with the surrounding residential context and responds sensitively to neighbors along Gardens East Drive.

The four-story volume is oriented along the eastern frontage to provide a smoother visual transition for adjacent residences. The six-story volume is centrally located and oriented toward Alternate A1A and the lake, where greater height is appropriate and where the building can activate the corridor and take advantage of the open space views. Along Alternate A1A, the building is set back approximately 40 feet from the property boundary. To help balance this reduced setback, the project provides an increased setback of approximately 35.8 feet along Gardens East Drive.

The Project incorporates a series of courtyards along the west, south, and east façades. These open spaces create opportunities for ground-level landscaping, enhance pedestrian scale, and contribute to a more articulated building form. Each courtyard offers different amenities, which

provide a range of outdoor experiences for residents while also breaking up the horizontality of the structure. At the ground level, the architecture includes single and double height frames that engage the pedestrian realm. These elements are wrapped in precast veneer to introduce human scale, texture, and architectural depth.

The massing is further defined through pitched roof towers, shade structures, and varied parapets that create a dynamic roofline and a contemporary identity for the Project. Stucco scorelines add texture to the façades, while decorative railings and architectural brackets contribute to an elegant and timeless aesthetic. The proposed palette includes a silver metal roof, precast stone veneer accents, scored stucco in complementary neutral tones, louvered awnings, and decorative shutters, all selected to create a cohesive appearance that integrates with the surrounding Gardens East neighborhood.

At the interior, the ground floor includes a centrally located lobby, leasing area, and mailroom with direct access from multiple points of the building. These interior spaces connect directly to the amenity courtyards that face south toward the pools. On the sixth floor, a sky lounge and amenity terrace are positioned to overlook the lake, offering residents expansive views and a signature amenity that takes advantage of the site's unique natural features.

The building contains a total of 355 residential units consisting of studios, one-bedroom units, one-bedroom plus den units, two-bedroom units, and three-bedroom units. In accordance with the City's Workforce and Affordable Housing Program in Section 78-59 of the City's Land Development Code, ten percent of the units will be provided as workforce housing at rents targeted to households at 120 percent of the area median income.

Landscape and Hardscape

The proposed Project incorporates a comprehensive landscape and hardscape program that focuses on the preservation of existing vegetation, the use of high-quality plant materials, and the creation of functional outdoor spaces for residents. Mature canopy and flowering trees are preserved throughout the site, including Bottlebrush, Strangler Fig, Oleander, Live Oak, Mahogany, and Pink Tabebuia. Existing palms such as Areca Palms, Sabal Palms, and Pygmy Date Palms are also maintained to retain the character and established canopy of the property.

New landscape areas utilize species from the City of Palm Beach Gardens Preferred Plant List to ensure compatibility with local growing conditions and long-term sustainability. The planting design emphasizes lush courtyards, shaded walkways, and visually engaging garden spaces that connect the various site amenities. More than 80 percent of all proposed canopy and flowering trees and more than 75 percent of all proposed palms are drought tolerant. This supports efficient irrigation practices and aligns with the City's goals for sustainable landscape design.

Hardscape and amenity features are located throughout the site to activate open spaces and provide a variety of recreation opportunities. The primary pool courtyard functions as a family-oriented gathering space with a large resort-style pool, four cabanas, group seating areas, and integrated grilling and dining facilities within a landscaped setting. The secondary pool courtyard is designed to appeal to young professionals and includes a smaller pool, a large trellis structure, a trough bar, lounge seating, and a media center. A Zen Garden provides a quiet and contemplative space with rock gardens, sculptural elements, and bermed landscape areas. This garden also serves as a natural entry feature for residents located near this area of the site.

Additional amenities include a pickleball court with a shaded rest area, a fully enclosed dog park, and multiple pedestrian connections linking buildings, courtyards, and open spaces. Each ground-floor unit includes a private patio with a direct connection to the pedestrian circulation network. The Project also provides access to the existing bridge and enhanced lake area, which strengthens the connection between the development and its surrounding natural features.

Engineering

The Subject Property is currently served by an existing South Florida Water Management District Environmental Resource Permit (ERP) 50-00457-S for Gardens East Apartments Phases 1 and 2. The permitted stormwater management system functions as an interconnected lake network that provides attenuation and water quality treatment for the overall Gardens East development. The system ultimately discharges through an existing control structure located along the east central portion of the property. The adjacent commercial parcel to the south, Gardens East Plaza, is also permitted under this same ERP and is allowed to discharge to the southernmost lake within the Gardens East system.

The Application includes modifications to a portion of the southernmost lake in order to accommodate the redevelopment Project. A portion of the lake will be filled and reconfigured using retaining walls. The design maintains the same overall stormwater storage volume as exists today. By preserving the required storage volume, the Project maintains the originally permitted pre-development stormwater attenuation and water quality treatment capacity established under the existing ERP.

As part of the lake reconfiguration, the existing lake interconnect will be relocated. New drainage easements will be provided to preserve continuity of the system and to ensure that both the proposed development and the existing properties maintain legal positive drainage. These improvements are designed to avoid any adverse stormwater impacts to surrounding parcels and to maintain the operational integrity of the regional lake system.

Lighting and CPTED

The Project has been designed with safety and security as an integral part of the overall site planning approach. Principles of Crime Prevention Through Environmental Design (CPTED) have been incorporated throughout the development in order to promote natural surveillance, clear visibility, and safe pedestrian movement for residents and visitors. The placement of the new building, internal walkways, and the structured parking garage allows for increased visibility across the site, which supports natural observation of public and semi-public areas and helps deter unwanted activity.

All new amenity spaces, including the pool courtyards, the Zen Garden, the pickleball court, and internal building entries, will be controlled through an access system that limits entry to residents and authorized staff. The structured garage will also include a gated access point for all upper levels, while the first floor is designed for visitor and public access. These access controls help ensure that only authorized individuals can enter residential areas and common spaces, contributing to a secure environment.

The landscape design has been planned to maintain visibility and clear sightlines throughout the property. Plant materials are arranged to avoid creating concealed spaces, and pathways are aligned to promote direct and intuitive movement. The layout of the lakefront promenade and the

pedestrian connection to the commercial center to the south includes open views, strategic lighting, and seating areas that support both safety and a sense of community presence.

Lighting for the Project will comply with all applicable City standards. A comprehensive lighting plan will be provided for exterior vehicular areas, pedestrian paths, amenity spaces, and within the parking garage. Lighting fixtures will utilize energy-efficient LED technology and will be designed to provide appropriate illumination levels while avoiding glare or light spillover to surrounding properties. The overall lighting approach enhances visibility, supports pedestrian safety, and reinforces CPTED principles throughout the site.

Parking

The Project includes a six-story structured parking garage that is fully self-contained and surrounded on all sides by residential units. The garage provides a total of 580 parking spaces, which exceeds the minimum parking requirements established in Article V, Division 9 of the City of Palm Beach Gardens Land Development Code. The Code requires 1 parking space per bedroom for multifamily residential uses. With 550 bedrooms proposed, plus a requirement for guest parking equal to 5 percent of the total required spaces, the Project is required to provide a minimum of 578 parking spaces. The 580 structured spaces within the garage, combined with the additional parallel and ninety-degree surface parking spaces located near the building entry, exceed the minimum Code requirement and ensure adequate parking for residents, guests, and visitors.

The parking garage includes two dedicated access points. One entrance is located along the north elevation of the garage and connects to Alternate A1A to the west. The second entrance is located on the east elevation and connects to Gardens East Drive, creating an additional ingress and egress option for residents. This dual-access configuration improves circulation within the site and reduces queuing at the primary entrance on S. Entrada Way. The first level of the garage will accommodate public and visitor parking, while access to levels two through six will be controlled by a resident-only gated entry system. This arrangement allows residents to park on the level closest to their living floor, improving convenience and internal circulation.

The Project also provides 6 electric vehicle parking spaces within the garage. Accessible parking will be provided in accordance with ADA requirements. Thirty-six (36) bicycle parking spaces are included within the garage to support multimodal transportation choices. The garage and surrounding parking areas will include appropriate lighting to promote safety and ease of navigation for both residents and guests.

The proposed parking plan ensures that all required parking for the affected project parcel is accommodated on-site and does not impact parking within the remainder of the Gardens East neighborhood. The overall layout, access points, and circulation design collectively provide a safe, functional, and efficient parking system that meets or exceeds all applicable City requirements.

Loading and Trash Service

The Project includes a designated loading and service area located on the north side of the building. This space is positioned to allow service and delivery vehicles to enter the site from S. Entrada Way on Alternate A1A and access the loading area without interfering with the primary circulation routes for residents. The loading area will be secured and designed to accommodate typical delivery and service vehicles in a controlled setting.

Trash and recycling collection will occur from this same general service area. Collection vehicles will enter and exit from S. Entrada Way and will not need to circulate through the interior of the Gardens East neighborhood. The addition of this service area is not expected to alter or impact the existing loading and trash operations that currently serve the remainder of the Gardens East community.

Mobility

The Project has been designed to support and advance the goals of the City's Citywide Mobility Plan by enhancing walkability, improving multimodal connections, and creating a safe and intuitive circulation system throughout the site. The existing public sidewalk along Alternate A1A is being preserved and is complemented with two decorative paver seating pockets that are carefully designed around the mature oak trees along the frontage. Internal sidewalks provide continuous pedestrian connections to all building entries, amenity areas, and open spaces, and they connect directly to the existing sidewalk network on Gardens East Drive. The Project also upgrades the lakefront walkway system along the southern portion of the property through the introduction of a decorative promenade with landscaping, overlook areas, and improved pedestrian amenities. This promenade ties into the enhanced pedestrian bridge across the lake, which offers a direct and attractive walking route to the Promenade Plaza commercial center to the south and strengthens walkability for short local trips.

Bicycle mobility is supported by the inclusion of 36 covered bicycle parking spaces within the garage. These bicycle spaces provide secure and convenient storage for residents who use cycling as an alternative mode of transportation and reinforce the broader pedestrian and multimodal network within the community.

Vehicular movement and multimodal circulation are improved by providing two access points to the structured parking garage. One entrance is located on the north elevation with access to Alternate A1A, and the second entrance is located on the east elevation with direct access to Gardens East Drive. This dual access arrangement helps distribute site traffic, reduces queuing at the primary S. Entrada Way entry, and maintains safe pedestrian conditions throughout the project. Six (6) electric vehicle charging stations are also included within the garage to support residents who use alternative fuel vehicles and to accommodate the increasing demand for EV infrastructure.

The existing emergency-only access point on Gardens East Drive is being relocated farther south along the lake to create a dedicated and gated route for emergency response vehicles. This access is designed using decorative pavers capable of supporting emergency vehicle loading while remaining closed to the public. Although restricted for emergency use only, the promenade and associated overlook areas serve as an enhanced pedestrian environment and contribute to a more connected mobility system overall.

Circulation and Access

The Project's vehicular circulation ties directly into the existing roadway network that serves the Gardens East neighborhood. Gardens East currently has three primary public access points, including the Burns Road entrance on the north side of the neighborhood, the Entrada Way entrance on Alternate A1A, and the S. Entrada Way entrance on Alternate A1A. There is also an

existing gated emergency access connection to Gardens East Drive on the east side of the community that remains reserved for emergency vehicles only.

As part of this proposal, the access points on Burns Road and Entrada Way will remain unchanged. The S. Entrada Way entrance, which falls within the affected project parcel, is being modified to create a more defined and enhanced entry sequence. This includes decorative paving, upgraded landscaping, and a reconfigured frontage that provides six parallel parking spaces in front of the new building. After entering from S. Entrada Way, residents will reach a decision point. They can either proceed north toward the existing internal Gardens East roadway system or proceed south into the parking garage associated with the Project. The garage is designed to accommodate two-way movement, with two points of entry and two points of exit, which helps distribute circulation and reduce queuing at the main access point.

The existing gated emergency access to Gardens East Drive on the east side of the property is being modified as part of this proposal. This connection will function as an additional resident ingress and egress point for the parking garage, creating a secondary access route to improve circulation and reduce pressure on the S. Entrada Way entrance. This modification provides improved operational flexibility for the garage and the internal circulation network.

A separate, true emergency-only access point is being relocated farther south on the parcel, adjacent to the lake. This access provides a direct connection from Alternate A1A to Gardens East Drive exclusively for fire and emergency response vehicles. The emergency route is designed as a decorative paver promenade that also functions as an amenity feature overlooking the lake. The promenade includes overlooks and a pedestrian bridge that connects to the Promenade Plaza commercial center to the south, while still maintaining full emergency vehicle capability.

Pedestrian circulation is maintained and enhanced along Alternate A1A. The existing sidewalk remains in place, with two decorative seating pockets introduced along the frontage. These pockets are designed to protect the existing mature oak trees while improving pedestrian comfort. Internal walkways connect building entrances, amenity areas, courtyards, and the broader Gardens East sidewalk network, including the existing sidewalk on Gardens East Drive.

The proposed improvements maintain existing circulation patterns for the remainder of the Gardens East neighborhood and do not alter access to any homes or facilities outside of the project parcel.

Signage

There are two existing ground signs on either side of each of the three vehicle entrances to the Gardens East neighborhood. One pair is located at the Burns Road entrance on the north side of the community, the second pair is located at the Entrada Way entrance on Alternate A1A, and the third pair is located at the S. Entrada Way entrance on Alternate A1A. The Application proposes to upgrade the southernmost pair of signs, located directly within the affected project parcel, to reflect the new Project's identification and branding. All other existing ground signs will remain unchanged.

IV. Consistency with the Comprehensive Plan

Future Land Use Element Policy 1.1.1.5: Residential high (RH)

The intent of the RH land use designation in the City's Comprehensive Plan is to assist the private sector in providing affordable housing in the City. It provides for RH land uses to be located contiguous to major arterials and serve as a transition between Residential Low and Residential Medium uses and more intense commercial uses. It also intends for RH land uses to be located in areas accessible to shopping and employment opportunities and where existing utilities and infrastructure exist. The proposed Project satisfies the intent of the RH land use designation and is consistent with this policy of the Comprehensive Plan. It has access to Alternate A1A and will serve as a transition between the Residential Medium land uses to the north and east and the Commercial uses to the south. It is also located next to shopping and employment opportunities at the Promenade Plaza. The Subject Property is currently developed and contains existing infrastructure to support the redevelopment. The Project will also provide 36 units of workforce housing.

Future Land Use Element Policy 1.1.3.3.

The intent of the PCD is to permit large areas to be developed under one master plan that includes land use types at different levels of intensities. The Policy permits up to 12 units per acre for RH land uses developed as a PCD and provides for the Code's density bonuses applicable to the provision of workforce housing. The proposed Project is consistent with this policy because the Subject Property has already been developed as a PCD, and the proposed RH land use and zoning will support the Project's increased density. The Project serves the intent of the PCD by creating the appropriate densities and intensities within the PCD's master plan.

Future Land Use Element Policy 1.1.3.3.4.

The intent of the PUD is to ensure the desired character of the community is furthered or enhanced on development sites, particularly those with more intense development. The Comprehensive Plan allows 12 units per acre for properties developed as PUDs and for density bonuses in accordance with the workforce and affordable housing program. The Subject Property is an existing PUD, and the proposed Project will further enhance the character of the site by establishing tiering guidelines and creating a transition between lower residential uses and more intense commercial uses.

Future Land Use Element Policy 1.3.9.5.: Density bonuses of up to 6 du/ac may be granted for the provision of affordable and/or workforce housing units. This bonus is inclusive of the bonus density provided in Policy 1.1.3.4. for PUDs. A minimum of 10% of the gross units must be provided as workforce or affordable housing to be considered for a density bonus. The provided units shall remain restricted for a minimum of 20 years.

The Project provides 36 workforce housing units, or 10% of the Project's units, and will comply with the required restrictions. The mix of workforce housing unit types will be consistent with the overall building mix.

V. Compliance with the Land Development Regulations

The Application complies with the applicable provisions of the City's Land Development Regulations, as described below.

Sec. 78-47. - Rezoning process.

(a) Rezoning, standard. For the purpose of this chapter, standard rezoning shall mean rezoning of a property to any zoning classification other than planned community district, planned unit development district including mixed use development district, planned development area, or overlay districts. The development order application for a standard rezoning shall be subject to the development review process as provided in this chapter and as indicated in Table 1.

Review of the Subject Property's historical approvals indicates that an underlying zoning designation was not applied to the Subject Property—only the PCD Overlay has been approved by Ordinance 2, 1987. Section 78-155 of the Code requires that a PCD have an underlying zoning designation. While Ordinance 40, 1989 established a 10 unit/acre permitted density, it did not designate a corresponding zoning designation. Accordingly, the Application seeks to establish an underlying RH zoning designation, consistent with the existing density and the proposed Project.

Sec. 78-49. – Amendments to approved development orders.

(a) Amendments to approved development orders. Criteria for amendments to approved development orders, including site plans, master plans, architectural elevations, conditions of approval, developer's agreements, project phasing, etc., are established by this section. For the purpose of this section, two types of amendments are created.

(b) Major amendments. Development order applications for major amendments are reviewed in the same manner as the original application. Major amendments to approved development plans include the changes listed below.

(2) Increase in density. Any increase in the approved number of residential units.

The Application is a major amendment pursuant to Section 78-49(b)(2) of the City Code because the Project adds 307 residential units. Therefore, the Application is reviewed in the same manner as the original application, as provided in Section 78-46(e)-(f) and Section 78-155.

Sec. 78-46.-Application procedures.

(d) Development review committee. The development review committee (DRC) shall review all applications as provided herein.

(1) DRC review.

a. Conformity of the proposed development with the comprehensive plan, this chapter, and other applicable ordinances of the city;

The proposed Project is consistent with the Comprehensive Plan and complies with all applicable provisions of the City Code, as set forth herein.

- b. Characteristics of the site and surrounding area, including important natural and manmade features, the size and accessibility of the site, and surrounding land uses;

The Subject Property is 44.33 acres and consists of an existing multi-family residential community and lake areas. It is accessible from Alternate A1A and Burns Rd. The surrounding land uses are Residential Medium, Professional Office, Commercial, and Industrial. The existing land use is Residential Medium.

- c. Natural and environmental resources present on the site;

The Subject Property is developed. The proposed Project will impact existing pavement areas and buildings. No other natural or environmental resources are impacted by the redevelopment.

- d. The nature of the proposed development, including land use types and densities;

The Project's proposed multi-family residential use is permitted by the Subject Property's existing zoning and land use. The Applicant has concurrently requested an amendment to the Gardens East PCD and a Rezoning to establish the RH zoning designation, which will allow for the proposed density.

- e. Compatibility with adjacent land uses;

The land uses adjacent to the Project include Residential Medium, Professional Office, and Commercial, with industrial uses being located across Alternate A1A. These uses are compatible with, and support, the proposed Project.

- f. Conformity with traffic performance standards;

The Project is consistent with the City's mobility plan and traffic performance standards. Kimley Horn & Associates has provided a detailed site assessment study submitted with this Application.

- g. Impact on public safety services;

Public safety services are not adversely impacted by the proposed development.

- h. Impact on public schools, unless otherwise addressed as a requirement of the city's concurrency management system; and

A School Capacity Availability Determination application is being submitted to the School District to determine the Project's impact, if any, on public schools.

- i. Crime Prevention Through Environmental Design (CPTED) principles; and

CPTED principles have been incorporated throughout the Project to promote natural surveillance, clear visibility, and safe pedestrian movement for residents and visitors. The building's tiered configuration and outward-facing units provide passive observation of the courtyards, walkways, and the lakefront promenade. The wrapped parking garage removes exposed parking decks and reduces hidden or isolated areas by placing residential units along the perimeter.

The Project uses clear and limited access points, including controlled-entry doors and a gated resident-only parking system, to guide residents and visitors to appropriate locations and prevent unauthorized entry. Pedestrian paths and amenity areas are designed with long, unobstructed sightlines, and the landscaping is arranged to maintain visibility. LED lighting is provided throughout the walkways, garage, amenity spaces, and building entries to ensure consistent illumination and support safety during evening hours.

j. Other applicable factors and criteria prescribed by the city.

The proposed development complies with all other applicable factors and criteria prescribed by the City, as set forth herein.

Sec. 78-155.- PCD-Planned community development overlay district (PCD).

(a) Composition and intent. The PCD overlay district is composed of large tracts of land which are planned to function as a relatively self-contained and identifiable district, section, or neighborhood community of the city. It is the intent of the district regulations to encourage ingenuity and imagination in the planning and development or redevelopment of suitable tracts of land large enough to accommodate the various uses and activities associated with a planned community and to permit a large area to be developed under one master plan that includes a mix of land use types at different levels of intensity. The PCD overlay district also is intended to encourage the use of architectural and design features which are aesthetically pleasing and supportive of an enhanced quality of life. The PCD overlay district also is intended for development to occur in a manner that provides one or more specifically identifiable benefits to city residents.

The existing 77-acre Gardens East PCD is composed of the residential Subject Property and the adjacent commercial Promenade Plaza, which accommodate the various uses and activities associated with a planned community. The Project adds dwelling units to the existing multi-family residential use, supporting the existing residential use on site and complementing and supporting the adjacent commercial use. The Project enhances the sense of community with enhanced architectural design and improved pedestrian amenities that support the surrounding mix of uses and complement the existing Gardens East community. The Project creates an aesthetically-pleasing community, will contribute to availability of workforce housing, and will enhance the quality of life envisioned for the City's residents.

(b) Land use. A PCD may be considered for residential, commercial, professional office, or industrial use, dependent upon the underlying future land use designation.

The Subject Property's existing multi-family residential use will remain the same. A concurrent Future Land Use Map Amendment is being proposed to change the Subject Property's land use from Residential Medium to Residential High. This change brings the Subject Property's existing 10 units per acre into compliance with the Residential High permitted density.

(c) Zoning. Property shall be rezoned to a single underlying zoning district and a planned community district overlay district. The underlying zoning district designation shall be consistent with the comprehensive plan. The PCD shall be developed consistent with the uses, property development regulations, and other standards applicable to the underlying zoning district. However, the city council may, as part of an overall PCD development order, establish use, property development, and similar regulations for a specific PCD. In that event, the requirements of the development order shall prevail over the requirements of the underlying zoning district

designation. In the event the proposed development of a site within a PCD is not consistent with or comparable to the nature of the underlying zoning district, such as the commercial portion of a residential PCD, the procedure outlined below shall apply.

The Subject Property's existing PCD zoning designation will remain the same. Ordinance 40, 1989 did not designate a zoning district to the Subject Property, but permitted a density of 10 units per acre, for 484 units. The Application seeks to apply RH as the underlying zoning designation for the Subject Property, which provides a base density of 10 units per acre and is consistent with the proposed RH future land use.

(d) Phased development. Based upon an approved master development plan, the district may be developed in phases, pursuant to the site plan review procedures set out in this chapter and consistent with the approved master development plan.

The Project will be developed in a single phase.

(e) Permitted uses. Unless otherwise established by a PCD development order, the uses permitted in the PCD district shall be governed by the uses permitted in the underlying zoning district. The density permitted in a PCD shall not exceed the allowable density permitted in the comprehensive plan, based upon the standards listed below.

The multi-family residential use is a permitted use in the existing PCD and land use designation. The future land use, rezoning, and PCD Amendment support the proposed density.

(1) Residential. Some mixtures of residential types of dwelling units are permitted and encouraged, limited to the maximum density indicated in Table 15.

Table 15: Maximum Residential Density in PCDs

Density Category (1)	Maximum Base Density	Density Bonus	Maximum Dwelling Units Per Gross Acre with Bonus Density
Residential Low (RL)	4.0	1.0 du/ac	5.0 du/ac
Residential Medium (RM)	7.0	2.0 du/ac	9.0 du/ac
Residential High (RH)	10.0	2.0 du/ac	12.0 du/ac

The Subject Property's current density is 10 units per acre, which is vested from Ordinance 40, 1989 amending the original PCD. The proposed Project adds a net increase of 307 dwelling units, resulting in a total of 755 dwelling units on 44.33 acres. The resulting density is 17.03 units/acre.

The Applicant intends to use the applicable PCD and Workforce Housing density bonuses to achieve the proposed density.

(2) Conditional uses. Unless otherwise limited by a development order, all conditional uses within a PCD shall be allowed pursuant to the conditional use regulations of section 78-43. Site plan development of a conditional use within a PCD shall be subject to the requirements of section 78-48.

The Application does not request any conditional uses.

(f) Preservation of native ecological habitats in RH districts. In addition to the requirements of division 4 of article V, PCDs with an underlying future land use designation of RH may have densities permitted up to 15.0 units per gross acre if large contiguous areas of native ecological habitats are preserved. These preserve areas exceed any minimum preservation and open space areas provided in accordance with standard PCD requirements.

The Application is not seeking to rely on the density bonus available under this section.

(g) Density bonus. In high density residential land use areas, as designated in the comprehensive plan, the city council may approve a density bonus of up to 3.0 dwelling units per acre in PCDs. The density bonus may be allowed in development order applications which propose to construct affordable housing as defined in the city's comprehensive plan. The city council may allow an increase in the total gross density for PCDs to an absolute maximum 15.0 dwelling units per acre. However, in no case shall the net density exceed 15.0 dwelling units per acre. Net density shall be defined as the total number of dwelling units divided by the total number of acres in the site plan.

The Applicant is not seeking a density bonus in accordance with this provision, but intends to use the applicable PCD density bonus set forth in Section 78-155, Table 15 and the Workforce Housing bonuses set forth in Section 78-159.

(h) Commercial and industrial uses in residential districts. A PCD with an underlying residential future land use plan designation may include up to three percent of the gross land of a residential planned community district for commercial or office use, and up to two percent for industrial use. Uses permitted in such areas shall be established within the development order approved by the city council.

The Project does not propose commercial or industrial uses.

(i) Preservation of native ecological habitats for commercial uses. Up to five percent of the gross land area of a residential PCD may be developed for commercial or office use if at least ten percent of the total area of native ecological habitats is preserved. This preservation area shall be in addition to preserve areas required by division 4 of article V.

N/A

(j) Mixed use PCD.

N/A

(k) Commercial recreation PCD.

N/A

(l) PGA Boulevard corridor.

N/A

(m) Development area. Minimum development sizes for PCDs are established in Table 16.

The Subject Property is the residential portion of the existing 77-acre Gardens East PCD.

(n) Unified control.

(1) All land included within a PCD shall be owned or under the control of the applicant. The applicant shall document unified control of the entire area within the proposed PCD. The applicant shall agree that the PCD will be developed in accordance with the master development plan approved by the city

The Applicant owns the residential Subject Property of the existing PCD that is the subject of the Project and this Application.

(o) Open space requirements. At a minimum, PCDs shall provide for and maintain the open space indicated below.

(2) Residential components. A minimum of 35 percents of the total land area of each residential component in a PCD shall be maintained as open space.

The Project provides 4.98 acres of open space or approximately 52.76% of the total land area of the affected parcel, which exceeds the Code's requirement.

(p) Open space determination. Open space shall be provided consistent with the requirements of section 78-314.

The Project satisfies all open space requirements.

(q) Waivers. A development order application for a PCD may request one or more waivers from the standards applicable to the underlying zoning district, subject to the provisions of section 78-158.

The Application requests one setback waiver, described below.

Sec. 78-139. - RH—Residential high density district.

(a) Composition and intent. The RH residential high density district is composed mainly of areas of high density and mid-rise buildings primarily for multifamily uses located in close proximity to major commercial, service and/or employment centers consistent with the comprehensive plan. These districts may also contain public or semipublic uses to support high density residential development.

The proposed Project is adjacent to the existing Promenade Plaza, an approximately 32-acre commercial site consisting of commercial, retail, and office uses. The Subject Property currently consists of multi-family residential use and single and multi-family residential uses are located to the north and east of the Subject Property. The proposed RH zoning designation is consistent with these surrounding uses and will allow for the proposed mid-rise, residential building that will provide necessary workforce housing and support the adjacent commercial uses. The Subject Property will serve as an appropriate and logical transition between the surrounding residential medium and commercial properties.

(b) *Permitted uses.* Permitted uses are described in the chart in Table 21.

The multi-family residential use is existing on the Subject Property and permitted by the proposed RH zoning.

(c) *Property development regulations.* Property development regulations, including building site area and width, lot coverage, required setbacks, height limits, etc., are provided in Table 10.

The Project satisfies the applicable PCD and PUD requirements, described below. The PUD Amendment includes a request to provide Tiering Guidelines for the Subject Property to address the increased density and compatibility with the adjacent uses. The Project is consistent with the proposed, tiered setback guidelines, including a 40' front setback along Alternate A1A and a 40' setback along Gardens East Drive.

Sec. 78-154. - PUD—Planned unit development overlay district.

(a) *Purpose and intent.* The PUD planned unit development overlay district is established to permit and encourage more efficient and creative development or redevelopment of property; to encourage an economical and efficient arrangement of buildings; to provide maximum opportunity for application of innovative concepts of development in the creation of aesthetically-pleasing living, shopping and working environments on properties of adequate size, shape and location; to preserve the natural amenities and environmental assets of the land by encouraging the preservation and improvement of scenic and functional open areas; to provide architectural and design features which are aesthetically pleasing and supportive of an enhanced quality of life; provide one or more specifically-identifiable benefits to city residents; and to ensure that development occurs according to limitations of use, design, density, coverage, and planning as stipulated in an approved development plan. The PUD district is a flexible zoning district which is intended to provide an appropriate balance between the intensity of development and the ability to provide adequate capacity within the support service and facilities.

The Project provides 4.98 acres of open space or approximately 52.76% of the total land area of the affected parcel, which exceeds the Code's requirement for PUDs.

(b) *Land use.* A PUD may be considered residential, commercial, professional office, industrial, or mixed use, dependent upon the underlying future land use plan designation.

The existing PUD is residential and will remain residential.

(c) *Zoning.* Property shall be rezoned to both an underlying zoning district and a planned unit development overlay district. The underlying zoning district designation shall be consistent with the comprehensive plan. The PUD shall be developed consistent with the uses, property development regulations, and other standards applicable to the underlying zoning district.

However, the city council may, as part of an overall PUD development order, establish use, property development, and similar regulations for a specific PUD. In that event, the requirements of the development order shall prevail over the underlying zoning district designation.

(d) *PGA Boulevard*. All development along the PGA Boulevard corridor shall be rezoned to PUD or PCD, consistent with the PGA Boulevard corridor overlay zone of division 2 of article V.

N/A

(e) *Permitted uses*. Unless otherwise established by a PUD development order, the uses permitted in the PUD district shall be governed by the uses permitted in the underlying zoning district.

The existing uses are multi-family residential and the Project proposes multi-family residential.

(f) *Unified control*. All land included within a PCD or PUD shall be owned or under the control of the applicant. The applicant shall document unified control of the entire area within the proposed PUD. The applicant shall agree that the PUD will be developed in accordance with the master development plan approved by the city.

The Applicant owns the Subject Property within the PUD.

(g) *Density*. The density permitted in a PUD district shall not exceed the allowable density permitted in the comprehensive plan. Residential densities permitted in a PUD shall comply with the standards provided below.

(1) *Residential PUD*. Residential PUDs may comprise a mixture of residential dwelling unit types, limited to the maximum density set forth in Table 13, notwithstanding additional density bonuses as applicable in other sections of this code. The city council may approve the following bonus densities for areas developed as PUDs, as indicated in Table 13.

The Project proposes a density of 17.01 units/acre, which is supported by the underlying RH zoning designation's base 10 units per acre, the PCD bonus of 2 units per acre, and 6 workforce housing bonus units per acre.

(2) *Density bonus*. See section 78-59.

The Project proposes 36 workforce housing units, or 10% of the 355-unit building, and is consistent with the workforce housing criteria set forth in Section 78-59. The unit types will be proportionate with the same mix and type of units available throughout the Project and will support households earning 120% AMI. In addition to the RH workforce housing increased setback requirements, the Application proposes tiering guidelines to govern the PUD. The Project is consistent with the proposed setback requirements, including a 40-foot front setback for the 60' building height along Alternate A1A and a 40 foot setback for the 41' building height along Gardens East Drive. The Project satisfies the criteria required for the workforce housing density bonus.

(7) *Development area*. Minimum development sizes for PUDs are established in Table 14.

The Subject Property's existing PUD exceeds the 1-acre minimum development size in compliance with Table 14.

(8) Building site size. There are no minimum building site size requirements for each individual structure proposed within the PUD development plan. However, open space shall be provided around each building to provide adequately for light, air, and proper relationship of the building to the site consistent with the level of service standards and policies set out in the comprehensive plan.

The proposed building is 333,877 square feet and the Project provides open space through courtyards, lake area, sidewalks and plazas, and green space. These open spaces create opportunities for ground-level landscaping, enhance pedestrian scale, and contribute to a more articulated building form, which enhance and adequately provide for light, air, and integration with the site and the surrounding uses.

(9) Building lot coverage. The maximum building lot coverage shall conform to the approved final PUD development plan.

The proposed building lot coverage is 2.95 acres or 31.31% of the affected area and will conform the approved final PUD development plan.

(10) Building height limit. The maximum building height in a PUD shall be established in the development order approved by the city council. Final determination of maximum building height shall consider the following:

- a. the proposed uses of the structure;
- b. the bulk, mass, and context of adjacent structures or proposed structures;
- c. the compatibility with adjacent existing or proposed uses;
- d. the relationship to the adjoining uses and the surrounding development; and
- e. the provision of open space in the proposed PUD.

The Project proposes a tiered 4 & 6 story building. The 4-story elevations have a maximum building height of 41', consistent with the 45' maximum building height requirement set forth in Table 10 for the RH zoning designation. Section 78-59, Table 4A establishes a 135' maximum building height for RH projects located outside the TOD District that provide workforce housing units. The proposed 6-story elevations have a maximum building height of 60'—more than half of the permitted 135'. The Project's tiered structure creates a transition between the residential uses to the east and the more intense commercial and industrial uses to the south and west, creating compatibility among the Project and the existing surrounding uses. The Project also provides 52.76% open space on the affected portion of the Subject Property.

(11) Setbacks required. The city council may impose appropriate setbacks along the perimeters of PUDs as a means to buffer the adjacent land uses. However, a setback shall be at least 20 feet for PUDs proposing commercial and industrial uses adjacent to lower intensity land uses such as, but not limited to, conservation, residential, recreational, and institutional uses.

At the recommendation of City staff, the Applicant proposes Tiering Guidelines to govern the PUD and help to transition densities across the site and away from lower density residential areas. The proposed guidelines provide stricter requirements than those set forth in the workforce housing bonus criteria, encouraging height and massing along the arterial roadway and orienting lower heights adjacent to existing residential communities.

a. Open space requirements. All residential and nonresidential PUDs shall provide, at a minimum, the open space required below.

1. *Residential PUDs:* Forty percent of gross land area. The open space requirement for residential PUDs may be reduced to a minimum of 35 percent by the city council. The reduction may occur if at least 50 percent of the required open space consists of environmentally sensitive preserve areas or common open space; and

The Project proposes 52.76% open space and exceeds this requirement.

(13) Open space determination. Open space shall be provided consistent with the requirements of section 78-314.

The proposed 52.76% open space exceeds the Code's 35% minimum requirement.

(14) Waivers. A development order application for a PUD may request one or more waivers from the standards applicable to the underlying zoning district, subject to the provisions of section 78-158.

The Project proposes a 40' front setback along Alternate A1A, which is less than the Code's required 55 feet. However, in lieu of a waiver, and in discussion with City staff, the Applicant has enclosed proposed Tiering Guidelines applicable to this PUD. Accordingly, the Project is consistent with the proposed guidelines.

VI. Conclusion

The Application will enhance the existing multi-family residential site and enhance the City's community. The Project introduces upgraded architectural design, improved pedestrian amenities and open spaces, and provides dedicated workforce housing that supports the City's housing objectives. The overall site plan, mobility improvements, circulation design, and CPTED measures ensure that the redevelopment functions safely and efficiently within the existing PCD. The proposed RH land use, zoning, and PCD and PUD amendments are consistent with the City's Comprehensive Plan and Code. The Project represents an appropriate and well-planned reinvestment in an established residential community, delivers needed workforce housing, and is in the best interest of the City of Palm Beach Gardens.