

Exhibit E

October 17, 2023

Lotis 1 Staff Report (Petition 2023-0002-MPA)

Village of Wellington
Planning & Zoning
12300 Forest Hill Blvd
Wellington, FL 33414

Re: Lotis Wellington

**Justification Statement
Master Plan Amendment**

Property Location

The subject property is located approximately half a mile north of the Forest Hill Blvd & State Road intersection, on the west side of SR 7.

Property History

On December 8, 2020, the Village Council approved the Lotis Master Plan and Conditional Uses, Congregated Living Facilities (Type 3), General Daycare Center and Financial Institution w/Drive-Thru, via Resolution No. 2020-48. In addition, the Council approved Rezoning of Parcel 1 to a Multiple Use Planned Development (MUPD) via Ordinance No. 2020-14 and designated a Future Land Use of Mix Use (MU) via Ordinance No, 2020-13 CPA.

On December 15th, 2021, Village staff certified the site plan (2019-0002-SP) for the subject site, which is comprised of restaurant, retail, professional office, medical office, indoor entertainment, daycare, residential and CLF uses.

On June 14th, 2022, the Village Council approved a Development Order Amendment to allow the modification of a few conditions within Resolution 2020-48 which approved the Master Plan for Lotis Wellington.



On August 15, 2022, a Subdivision Plan for the Lotis Wellington development was administratively approved.

On December 8, 2022, a Site Plan Amendment was approved by staff which removed the indoor entertainment building, increased the square footage of Building 2, Building 10 and Buildings 11-20, removed the dog park and modified various areas on the Landscape Plans.

Application Request

The Petitioner has submitted this application to request a Master Plan Amendment to modify Conditions of Approval associated with Resolution 2022-12 which approved the Lotis Wellington development and propose modifications to the previously approved plan. Please refer to the separate document of a strikethrough and underline version of the Resolution which outlines each condition modification in full detail. The amended conditions include the following:

Condition 2	Condition 11	Condition 37
Condition 4	Condition 15	Condition 43
Condition 5	Condition 18	Condition 47
Condition 6	Condition 31	Condition 54
Condition 7	Condition 32	Condition 60
Condition 8	Condition 33	Section 2
Condition 10	Condition 34	

The Master Plan amendment will include revisions to the following plans:

- Master Plan
- Circulation Plan
- Master Landscape Plan
- Sections
- Phasing Plan - Previously approved with the Master Plan and will be removed with a Phasing Chart provided on the Master Plan

The proposed amendments are a result of various modifications to the previously approved plans which are comprised of the following:

- 1) Redesignation of the Pod names and boundaries based on the final development and phasing plan.
- 2) Abandonment/Removal of the Institutional Daycare Use to be replaced by 16 Multifamily Units.

- 3) Abandonment/Removal of the Institutional Independent and Assisted Living Uses to be replaced by 187 Multifamily Units.
- 4) Establishment of Conservation land use on the Cypress Preserve area and Open Space for Public Recreation Use for surrounding Land.
- 5) Addition of a Public Recreation Dog Park.
- 6) Increase of the maximum allowed Medical Office use from 40,000 SF to 50,000 SF.
- 7) Increase of the maximum allowed Quality Restaurant (Indoor / Outdoor) from 41,856 SF to 42,043 SF.
- 8) Modification to the Lake and Greenway tracts along the north property boundary to accommodate the future expansion of the lake in conjunction with Lotis Wellington II.
- 9) Abandonment of the Restrictive Covenant for the Age Restriction tied to the previously approved Congregated Living Facility uses, specifically the ALF and ILF. The document subject to this request is included in this resubmittal.

CLF Abandonment

As mentioned above, abandonment of the congregated living facilities is included in this application. The originally approved age-restricted uses (150 unit independent living facility and 110 bed assisted living facility) were proposed when market conditions, construction costs and the financing environment were different and more favorable to senior living concepts. In the immediate vicinity along the State Road 7 corridor, there are 4 senior living communities (Wellington Bay – Independent & Assisted Living), Luxe Senior Living (Assisted Living), The Landings at Lake Worth (Assist Living) and Palomino Gardens (Independent Living) that are currently not operating at full occupancy. As such, we feel that our two proposed buildings would be marketed to a very limited occupant pool, while being cost prohibitive to construct and operate compared to traditional multifamily housing. As well, the construction lending market has been very unfavorable to new senior living projects, and there has been no interest from lenders in financing this portion of the project as proposed. Lastly, the Village of Wellington expects that the population will grow from 61,768 residents in 2021 to 64,915 in 2025 (<https://www.wellingtonfl.gov/927/Wellington-Demographics>). With an anticipated growth of over 3,100 new residents of all ages, more housing in the Village with no restrictions will be needed and these additional market-rate units will provide housing for 500+ residents, in addition to other previously approved housing contained within Lotis Wellington 1.

Concurrent to this request, the Petitioner has submitted a Site Plan amendment which includes revisions to the Site Plan, Regulating Plans and Landscape Plans.

Surrounding Uses

Below are descriptions of the zoning and land uses of the adjacent properties.

North: Identified by PCN: 73-42-43-27-05-018-0072 located in the Village of Wellington. The property consists of 29.8 acres and is currently vacant and undeveloped. The property has a Mixed Use FLU designation and is within the Multiple Use Planned Development (MUPD) Zoning District.

South: Three parcels identified by PCN(s): 73-42-43-27-05-018-0171, 73-42-43-27-05-018-0201 & 73-42-43-27-05-018-0202 located in the Village of Wellington. The properties consist of 26.5, 3.8 and 3.6 acres. They have a Medical Commercial (MC) FLU designation and are within the Multiple Use Planned Development (MUPD) Zoning District. Currently, the properties support four 4-story medical buildings and a parking lot for Wellington Regional Medical.

East: Multiple parcels identified by PCN: 00-41-44-12-16-001-0010, 00-41-44-12-16-001-0020 & 00-41-44-12-15-000-0010 and are within Unincorporated Palm Beach County. The properties have a PBC Commercial (C) FLU designation and are located within PBC Multiple Use Planned Unit Development (MUPD) and Commercial High Office (CHO) Zoning Districts. These properties currently support a storage facility and medical offices.

West: Multiple parcels located in the Village of Wellington within Wellington's Edge and Black Diamond PUD. Wellington's Edge community is across the S-5 LWDD canal along the south portion of the subject property's west boundary. It has a FLU designation of Residential Medium Density. Black Diamond PUD is also across the S-5 LWDD canal, along the north portion of the subject property's west boundary. It has a FLU designation of 2 units per acre. Both developments are located within the PUD Zoning District.

Development Plan

The proposed amendment provides an assortment of uses on the MUPD property, which includes residential, commercial, office, open space and conservation uses. The following are the proposed use being requested:

Pod A

- Restaurant (Indoor/Outdoor)
 - 23,676 sf (Min.)
 - 42,043 sf (Max.)
- Retail
 - 7,200 sf (Min.)

- 23,900 sf (Max.)
- Office
 - 12,700 sf (Min.)
 - 36,700 sf (Max.)
- Parking Garage
 - 331 spaces

Pod B

- Multi-Family Residential
 - 206 Dwelling Units

Pod C

- Multi-Family Residential
 - 171 Dwelling Units

Pod D

- Medical Office
 - 20,000 sf (Min.)
 - 50,000 sf (Max.)

Pod E

- Conservation (Cypress Preserve)
 - 0.6 AC (includes 0.37 AC of wetland)

Pod F-1, F-2 & F-3

- Lake – 25.19 AC
- Greenway – 2.57 AC

Master Plan Amendment Justification

The proposed amendments to the previously approved master plan and conditions within Resolution 2022-12 are a result of minor unanticipated circumstances that have occurred through the development process, since the last approval in December 2022. Pursuant to Article 5, Chapter 2, Section 5.2.3, the applicant shall indicate that the proposed development order amendment complies with the following criteria.

1) That the proposed request is consistent with the purposes, goals, objectives, and policies of the Comprehensive Plan.

The proposed amendment is a result of revisions to the approved master plan and site plan for the Lotis Wellington development. The proposed master plan includes an increase in residential uses, removal of the institutional uses and an increase in square footage of the Medical Office buildings. Notably, the daycare use will be relocated to Lotis II to the north

which is currently in site plan review. The plan will still allow for a range of uses that will facilitate orderly development of the land.

Prior to the Village’s Plan and ULDC amendments, the approved project was a Mixed Use Type I development, identified in the Village’s Comprehensive Plan, Land Use Element as a *project that may utilize the complete range of uses permitted by the Mixed Use future land use map designation, including the use of 100% of project area for determining maximum residential density*. As discussed with staff, the Lotis Wellington project will maintain compliance with the previous Mixed Use Type 1 development guidelines.

As noted in the Resolution, any combination of retail, restaurant, medical and professional office uses shall not generate more peak hour directional trips than the trips included in the approved traffic study, as indicated in the table below.

AM Peak Hour		PM Peak Hour	
In	Out	In	Out
206	133	272	275

The proposed plan complies with Policy 1.3.25.(3) from the Comprehensive Plan version at the time of the original approval which stated, *land allocation shall comply with the minimum and maximum requirements established in Table 1.3.25.2*. The proposed change in uses and Pod configuration, results in revisions to the Land Use Allocation Table depicted on the approved Master Plan and below.

Land Use Allocation per Mixed Use Type I				
Pod	Land Use	Acreage	% of Total Site Area	
			Minimum	Proposed
A	Commercial	10.00	10%	15.6% <u>20.1%</u>
B	Office Residential	3.96	10%	6.2% <u>17.5%</u>
C	Residential	9.72	10%	15.2% <u>15.5%</u>
D	Institutional Office	1.68	10%	2.6%
E	Open Space Conservation	0.6	0%	1% <u>0.9%</u>
F -1, F-2, F-3	Institutional Open Space	10.26-27.76	0%	16% <u>43.4%</u>
G	Open Space	27.8	0%	43.4%
	Total	64.02	0%	100%

*A combine minimum of 10% of the overall project is required to be both commercial and office.

2) That the proposed request is in compliance with all articles of the Land Development Regulations (LDR).

The proposed master plan amendment is still consistent with the purpose of the Multiple Use Planned Development Zoning District, *to promote the use of a PDD that has a unified design of mixed-uses within a single development. It provides flexibility to encourage distinctive design that results in the efficient use of land, parking, landscaping, open space, access, architectural compatibility, and adaptable space for future uses and sustainability.*

Per Section 6.5.6.H, a minimum of five land use types are required for mixed-use developments with more than 30 acres. The proposed plan includes a total of five uses: Residential, Commercial, Office, Conservation and Open Space.

Per Section 6.5.6.I, *MUPD architectural style and design shall be:*

1. *Designed with an overall unified architectural style approved as part of the overall master plan. Final architectural plan shall be subject to review by the architectural review board (ARB) as provided in this section of these LDR.*

The previously approved plan has received approval by the architectural review board for the majority of the buildings. Any architectural modifications to these buildings will require an additional ARB application request. Furthermore, the new proposed buildings that are part of this amendment request, will submit for architectural approval by ARB in order to ensure cohesivity within the development.

2. *Pedestrian-oriented, including arcades, overhead weather protection, etc., that connects all ground level activities and provides direct access to any outparcels, sidewalks or other pedestrian amenities including transit facilities, bicycle parking areas, etc.*

The plan has been developed to incorporate pedestrian elements and walkways throughout the entire development, which has created interconnectivity between the buildings and uses. A greenway amenity is also provided which now connects from Lotis Wellington to Lotis II to the north.

3. *Designed with a central square, plaza, piazza, or similar focal point, with clearly defined*

pedestrian connections to all activities within the center.

A focal point art structure fountain has been provided at the center of the development. Pedestrian connections have been made through all the non-residential uses and are also connected to the residential communities within the development.

4. *Designed to be a combination of one-, two-, and three-story structures, with pedestrian-oriented uses and services on the ground floor and a vertical integration of residential and non-residential uses on the above-ground floors.*

The buildings are comprised of one, two and three-story structures. Vertical integration of uses has also been incorporated within some of the buildings.

5. *Designed with external sidewalks and walkways a minimum of ten feet in width, and shall be designed to encourage such uses as outdoor restaurant seating, pedestrian street furniture, and similar amenities.*

The sidewalks provided are 10' in width.

Recreation

Public and private recreation areas are provided throughout the development. An outline of these areas is provided below.

- *Pod B:* 1.59 acres of Private Recreation including a Clubhouse with fitness center, business center, media room, multipurpose room, children’s activity area and unstaffed dining areas along with a pool and recreation deck with pool, seating areas, barbeque pavilions, and picnic and activity lawns. Playground with equipment and observation areas. Courtyard with grill stations, ground hammocks, life-size chess board, picnic tables and multiple seating areas.
- *Pod C:* 1 acre of Private Recreation featuring grill stations, ground hammocks, meandering courtyard paths with lush landscaping, ground hammocks and multiple seating areas.
- *Pod E:* .47 acres of Public Recreation featuring a meandering pathway around the Cypress Preserve with seating and observation areas and educational and informational boards.

- *Pod F-2*: 1.46 acres of linear park and plaza space that will serve as a gateway to the Greenway. The Village can dedicate this park or select a name for it. Also included is a lakefront dog park with canine play equipment.
- *Pod F-3*: 1.38 acres of Public Greenway lakefront walkway with fitness equipment and seating areas placed throughout.

3) That the proposed request minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.

The proposed site plan amendment will ensure the plan is still minimizes environmental impact. The subject property was largely impacted/modified by the previous mining operation and is now an approved mixed use development. The existing lake is a foraging habitat for various avian species, which has been preserved and enhanced with lake littoral plantings. An Environmental Assessment prepared by Ecotone Services, was provided by the applicant during the initial approval.

4) Provide the overall design concept and show that the design of the proposed request minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

The property is located within an established urban area that contains a variety of mixed uses and neighbors the growing large-scale medical uses in Wellington, along SR 7. The proposed amendments to the master plan and site plan are still consistent with the developments along SR 7, which contain commercial, residential and office uses.

Landscaping and Buffering

The development shall adhere to the purpose and intent of Wellington’s Landscape Standards outlined in Section 7.3.6. All required landscape buffers, foundation plantings and planting criteria have been accommodated and identified on the proposed Landscape Plan. Per Section 7.3.6.T. Special Landscape regulations for properties fronting SR 7, a berm landscape buffer is provided along with the permissible tree and shrub species. The proposed plan complies with the required R-O-W buffer of 25’, outlined in Table 7.3-7. In addition, a 10’ perimeter buffer has been provided around the west, south and east MUPD property. The proposed amendment includes removal of the landscape buffer along the north property boundary where the Greenway has been shifted to connect with Lotis II and the lake boundary extended.

Driveways and Access

The development shall adhere to the purpose and intent of Section 7.7.1. *to promote safe and efficient traffic movement while affording reasonable access to abutting land.* Each use shall be provided access from SR 7, which serves as the main entry to the property. Access to the commercial uses are provided by driveways to the north and south off the spine road. Pedestrian circulation has been provided within the development, along the main road and within the variety of uses. Pedestrian access has been provided to the senior center/civic area and public walkway around the lake. Cross access points have been provided along the south property boundary, to the medical office buildings and on the northeast boundary to the commercial site. Easements will be provided in these locations along the north and south property boundary for cross access dedications to the adjacent properties.

5) That the proposed request is consistent with applicable neighborhood plans.

The subject site is not within any neighborhood plans. The request has no effect on Wellington neighborhood aesthetics. The amendment pertains to the Conditions of Approval within Resolution 2022-12 which approved the Lotis Wellington Master Plan and is a result of an increase in residential uses, removal of the institutional uses and an increase in square footage of the Medical Office buildings.

6) That the proposed request will result in a logical, timely and orderly development pattern.

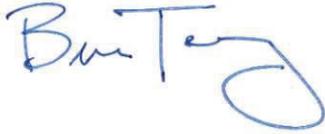
The proposed master plan amendment is a result of replacing some previously approved uses with more appropriate uses for the site and area. As a result, site reconfiguration and amendments to the approving resolution document were required. The project will still maintain a logical and orderly development pattern.

7) That the proposed request complies with Wellington building standards.

As mentioned, the proposed amendments to the Master Plan and Conditions of Approval within Resolution 2022-12 are related to the use changes within the Lotis Wellington development. The proposed plan still complies with Wellington's building standards and all other applicable provisions of the LDR, as demonstrated in the concurrent master plan and site plan amendment applications.

Thank you for your consideration of this application. If you have any questions, please don't hesitate to contact me at 561-249-0940.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Terry". The signature is stylized with a large, looping flourish at the end.

Brian Terry, PLA
Principal
Insite Studio, Inc.