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RESOLUTION NO. R2023-62

A RESOLUTION OF WELLINGTON, FLORIDA’S COUNCIL, FOR A MASTER PLAN [PETITION NUMBER 2022-0001-MP] AND CONDITIONAL USE [PETITION NUMBER 2022-0002-CU] FOR CERTAIN PROPERTY, KNOWN AS LOTIS WELLINGTON 2, TOTALING 52.44 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY HALF A MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; APPROVING A MASTER PLAN TO ALLOW A MIXED-USE PROJECT CONSISTING OF INDOOR/OUTDOOR ENTERTAINMENT WITH 36-HOLE MINIATURE GOLF AND 8,000 SQUARE FEET OF RESTAURANT, EVENT SPACE AND RETAIL, 1,030 SQUARE FEET GENERAL OFFICE, A 18,000 SQUARE FEET DAYCARE FACILITY FOR UP TO 210 CHILDREN, 72 MULTI-FAMILY RESIDENTIAL DWELLING UNITS, 100 SINGLE-FAMILY RESIDENTIAL DWELLING UNITS, 4.24-ACRE DEDICATED CONSERVATION AREA WITH RECREATION AREA, AND 13.21-ACRE OPEN SPACE AND RECREATION AREAS INCLUSIVE OF A LAKE AND GREENWAY WITH A MULTI-USE PATHWAY OPEN TO THE PUBLIC FOR PUBLIC RECREATION LAND DEDICATION; APPROVING A CONDITIONAL USE FOR INDOOR/OUTDOOR ENTERTAINMENT MINIATURE GOLF, AND GENERAL DAYCARE FACILITY; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wellington’s Council, as the governing body of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Land Development Regulations (LDR) is authorized and empowered to consider petitions related to zoning and development orders; and

WHEREAS, the notice and hearing requirements, as provided in Article 5 of the LDR, as adopted by Wellington, have been satisfied; and

WHEREAS, the current Wellington Future Land Use Map designation for the 52.44-acre project known as Lotis Wellington 2 is Mixed Use (MU); and

WHEREAS, the current Wellington Zoning Map designation for the 52.44-acre project known as Lotis Wellington 2 is Multiple Use Planned Development (MUPD); and

WHEREAS, the Lotis Wellington 2 Master Plan and Conditional Uses were reviewed and certified by the Development Review Manager; and

41 **WHEREAS**, the Planning, Zoning and Adjustment Board, sitting as the Local
42 Planning Agency, after notice and public hearing on November 8, 2023, recommended
43 approval of the Lotis Wellington 2 Master Plan and Conditional Uses with a 6 to 0 vote; and
44

45 **WHEREAS**, the Council has taken the recommendations from the Local Planning
46 Agency, Wellington staff, and the evidence and testimony presented by the Petitioner and
47 comments from the public into consideration for the proposed Master Plan Amendment
48 and Conditional Uses; and
49

50 **WHEREAS**, Wellington’s Council has made the following findings of fact:
51

- 52 1. The Master Plan and Conditional Use request is consistent with the
53 Comprehensive Plan;
- 54 2. The subject request is consistent with the stated purposes and intent of the
55 Land Development Regulations;
- 56 3. The subject request is consistent with the surrounding land uses and zoning
57 districts;
- 58 4. Approval of subject request would result in a logical and orderly development
59 pattern; and
60 5. The subject request is consistent with the applicable Multiple Use Planned
61 Development (MUPD) regulations.
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67 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF WELLINGTON,**
68 **FLORIDA, THAT:**
69

70 **SECTION 1.** The Lotis Wellington 2 (Lotis 2) Master Plan is hereby approved for the
71 property legally described in Exhibit A, subject to the following conditions of approval:
72

- 73 1. The subject site shall be governed by the conditions of approval within this
74 resolution. (PLANNING)
75
- 76 2. Development of the site shall be limited to the uses, access, acreage, site design, site
77 amenities, public and private recreation areas and amenities, and landscape buffers
78 approved on the Master Plan, Regulating Plan, Circulation Plan, and Phasing Plan
79 (Exhibit B). The final plans consistent with any Wellington Council (Council) approved
80 changes and conditions of approval imposed by Council at the public hearing shall
81 be submitted for final processing, if applicable. (PLANNING)

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3. Exhibit C is the Lotis 2 Project Standards Manual (PSM) approved by Council, with the project development standards including details, specification, architectural details/elements, landscape features/elements, setbacks, separation, building/lot coverage, Floor Area Ratio (FAR), building height, parking, etc., shall be the governing document along with any other plans/documents approved for this project. The developer is requesting standards, including setback, separation, public land dedication credit, etc., that may be below the Land Development Regulations (LDR) requirements. Any project development standards not specifically outlined and/or requested/approved within the PSM shall be per the LDR as determined by Wellington for the specific standard and/or use/structure. Architectural Review Board (ARB) approvals for this project shall be supplemented within the PSM by the Village of Wellington (Wellington). Amendments to the PSM shall require Council approval, as a master plan amendment. (PLANNING)
4. No building permits for the site shall be issued after December 31, 2026, unless extended by Palm Beach County Traffic Division through an equivalency letter or an updated Traffic Study approval consistent with this master plan approval. (TRAFFIC)
5. The project shall be developed consistent with the approved master plan and based on the use limitations below:

USE*	INTENSITY/DENSITY LIMITATIONS*
Indoor and Outdoor Entertainment	<ul style="list-style-type: none"> - Outdoor 36-hole Miniature Golf - 8,000 SF Indoor Space with Restaurant, Event Space and Retail (Pro-shop) - Outdoor Bar/Dining Area
General Office	1,030 SF
Daycare Facility	18,000 SF / 210 children
Multi-family (Townhouse) Residential	72 DUs
Single-family Residential	100 DUs

103 * The above uses/limitations are approved based on the traffic study dated August
104 14, 2023 and shall not generate more trips than indicated below.
105

Net Daily Trips		2,034	
AM Peak Hour		PM Peak Hour	
In	Out	In	Out
69	110	129	96

106 (PLANNING)

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6. The Lotis 2 project land use allocation shall be as approved on the master plan/PSM. Council specifically approves a maximum of 58% (28.53-acre) land allocation for the single land use of residential within Pod C-1. (PLANNING)

7. The commercial pods (Pod A/Indoor and Outdoor Entertainment Miniature Golf and Pod B/Daycare Facility) and the residential pods (Pod C-1/Single-family and Townhouse Residential and Pod C-2/Clubhouse with ancillary office) shall be developed concurrently, with a minimum of one (1) of the commercial pods (Pod A or B) uses issued building permits prior to issuance of building permits for the first residential building within Pod C-1. Certificate of Occupancy (CO) and/or Temporary Certificate of Occupancy (TCO), for buildings within Pods A, B, and C-1 shall be issued based on the below limitations:
 - b. One (1) of the two (2) commercial pods shall receive a CO/TCO prior to 86 residential units receiving a CO/TCO, excluding up to six (6) units designated as model homes on the approved Lotis 2 Site Plan.
 - c. Prior to the final residential units receiving a CO/TCO, the commercial pod that was not issued permits as required above shall be issued building permits for development of the remaining commercial pod. (PLANNING)

8. The 1,030 square feet general office is a required use type for this mixed-use project. The general office space provided in Pod C-2 clubhouse building shall be open for lease by the public in perpetuity and is not limited to the residents of the residential pods. (PLANNING)

9. Pod D (4.24-acre) is a dedicated conservation area with 3.75-acre Cypress Preserve Area and 0.49-acre public recreation area and shall be designated as conservation by way of a restrictive covenant easements in favor of the Village of Wellington on the Lotis 2 plat. The 3.75-acre Cypress Preserve Area shall be improved with removal of all non-native and invasive species, and preservation of native species. The Lotis 2 developer/owner shall provide a maintenance and preservation management plan to Wellington for the protection and maintenance of the preserve area. Said documents shall be submitted as part of the plat documents or incorporated in the plat prior to issuance of the Land Development Permit. The 0.49-acre public recreation area shall be improved with a minimum of walking path(s), seating (including trellis swing) and trash bins, and viewing areas with educational signage. The 4.24-acre Pod D shall be maintained in perpetuity by Lotis 2 with the formation of a master property owners' association (POA). (PLANNING)

- 148 10. The private recreation areas/amenities, clubhouse, mailroom, and school bus shelter
149 in Pods C-1 and C-2 shall be completed prior to issuance of the 20th Certificate of
150 Occupancy (CO) for residential building within Pod C-1. The private recreation areas
151 within Pods C-1 and C-2 shall total a minimum of 1.31-acre and include amenities in
152 addition to benches and trash receptacles for the residents of residential
153 development. (PLANNING)
154
- 155 11. The developer/owner is required to provide public land dedication for parks and
156 recreation facilities as well as civic facilities for the 172 DU of residential development
157 within the project. The public land dedication required for parks and recreation is 2.6
158 acres. The civic land dedication required is 0.52 acres. Required land dedication
159 (3.12-acre total) shall be satisfied per the following:
160
- 161 a. A 23% (approximately 1.877 AC) credit is approved for the developer provided
162 public and private recreation areas with improvements and amenities as shown
163 on the project's approved master plan, PSM and site plan (including landscape
164 plan). The credit will be given towards the total 3.12-acre required for the Public
165 Recreation and Civic land dedication requirement.
166
- 167 b. The privately-owned public recreation areas and amenities as shown on the
168 plans/PSM shall be available to the public in perpetuity by way of a restrictive
169 covenant and access easements in favor of the Village of Wellington. Said
170 documents shall be in place prior to the issuance of the first vertical building
171 permit.
172
- 173 c. The privately-owned public recreation areas at a minimum shall include multi-use
174 asphalt pathway (min. 10-foot wide/sidewalk min. 5-foot wide) as shown on the
175 approved plans, shade trees (average 40 ft. on center), seating and trash bins (at
176 each recreation area and average 250 ft. on center along the pathway/sidewalk),
177 trellis swing shade structures (min. 5), fitness stations (min. 3), lighting, shade
178 structures, and dedicated parking, as illustrated on the plans/PSM, in locations
179 and quantity as determined appropriate by Wellington's Development Review
180 Manager (DM) for the project during the site plan review and approval. The public
181 recreation areas shall be connected internally within Lotis 2 with a 10-foot wide
182 asphalt multi-use pathway and/or five (5)-foot sidewalk, and connected to the
183 Greenway multi-use asphalt pathway within the Lotis Wellington 1 project to the
184 south at a minimum of four (4) cross-access points.
185
- 186 d. The public recreation areas and amenities shall be maintained by the Lotis 2
187 Property Owners' Association (POA). The maintenance requirements shall be
188 provided with the Declaration of Restrictions and Covenants.
189

190 e. The remaining 1.243-acre (3.12 AC land required - 1.877 AC credit) land area
191 requirement shall be met by an in-lieu payment based on a value that is
192 \$50,000.00 per acre or the certified appraised fair market value per acre,
193 whichever is greater, as approved administratively by Wellington when the in-lieu
194 payment is required. The in-lieu payment shall be paid to Wellington, when
195 impact fees are required for the residential uses at time of issuance of building
196 permits. The in-lieu payment shall be in addition to the required Parks and
197 Recreation Facilities Impact Fees as determined at time of building permit
198 issuance. (PLANNING)

199
200 12. Construction cost associated with the public recreation areas improvements and
201 amenities as illustrated on the approved site plan may be deducted from the
202 required Wellington Parks and Recreation Facilities Impact Fees due at time of
203 building permit issuance. The developer shall provide a certified construction cost
204 (Reviewed/Approved by the DM) for the improvements and amenities, excluding
205 land clearing, grubbing and rough grading; the removal of non-native, invasive
206 species; and the preservation of native species within the Pod D 3.75-acre Cypress
207 Preserve Area. If at such time as the Wellington Parks and Recreation Facilities Impact
208 Fees are due and the public recreation areas improvements and amenities have not
209 been constructed/completed, the developer shall post security in favor of
210 Wellington in the form of a letter of credit or cash in escrow. The developer/owner
211 shall post security prior to issuance of the first building permit for any residential
212 building within the Lotis 2 project. The posted security shall then be partially released
213 or distributed back to the developer, as applicable, at a pro-rata rate of completion
214 of the public recreation areas improvements and amenities as evidenced by
215 providing an engineer's affidavit of substantial completion. Wellington shall not
216 release or distribute back to the developer any funds that exceed the posted security
217 amount in the event the certified cost exceeds the required Wellington Parks and
218 Recreation Facilities Impact Fees. (PLANNING)

219
220 13. This property/project is required to be platted. The plat shall be approved, and
221 recorded, prior to the issuance of any building permits. (ENGINEERING)

222
223 14. The developer/owner shall submit the items below with the Land Development/Plat
224 application to achieve Technical Compliance:

225
226 a. Soil/geotechnical report for the overall project. The report shall identify the
227 locations of various types of soils, fill (construction rubble, etc.), and depths.

228
229 b. Surface water management (SWM) plan and wetland mitigation plan.
230

- 231 c. South Florida Water Management District (SFWMD) and any other federal or
232 state permit(s) approving the proposed changes to wetlands and/or surface
233 water boundaries within the overall project. Documents on approvals and/or
234 required improvement and mitigation as may be required by any state/federal
235 departments (USACE/SFWMD) shall be provided.
236
- 237 d. A plan for wetland protection during and after construction, shall be provided
238 per LDR Section 7.7.2-Wetlands.
239
- 240 e. Documentation that any required on-site cleanup has been completed in
241 compliance with Environmental Protection Agency (EPA) regulations.
242
- 243 f. Declaration of Restrictions and Covenants acceptable, which shall provide for the
244 creation of a single master property owners' association (POA) and the
245 assessment of members of the master association for the costs of maintaining the
246 common areas, roads/streets, landscape buffers, conservation area, public and
247 private recreation areas, lake, etc. (ENGINEERING/PLANNING)
248
- 249 15. Any proposed wetland mitigation within the overall project shall occur within
250 Wellington's boundaries if feasible. (PLANNING)
251
- 252 16. The lake in Pod E shall be:
253
- 254 a. A minimum 50-foot setback from the proposed lake top of bank to the property
255 lines. The top of bank shall be considered the point where the lake slope does not
256 exceed eight (8) foot horizontal to one (1) foot vertical.
257
- 258 b. A maximum slope of 4:1 (horizontal: vertical) to a minimum of two (2)-foot below
259 the control elevation of the proposed lake. From two (2)-foot below the control
260 elevation of the proposed lake to a minimum depth of six (6) feet below the
261 control elevation of the proposed lake, the maximum slope shall be no steeper
262 than a 2:1 (horizontal: vertical), or as permitted by SFWMD, whichever is the more
263 stringent requirement.
264
- 265 c. Improved with littoral zone/planting, fountains (min. 1), etc., as illustrated on the
266 approved master, site and land development plans. The ongoing operation,
267 maintenance, insurance, etc., of the lake/greenway shall be the responsibility of
268 the Master POA for the project.
269
- 270 d. Connected by a drainage easement to the lake on the Lotis Wellington 1 project
271 for water to flow through to outfall. (ENGINEERING/PLANNING)
272

- 273 17. No vertical encroachments shall be permitted in any utility or drainage easements.
274 No landscaping shall be installed in water or sewer easements or in areas obstructing
275 line of sight for pedestrians or vehicles. (ENGINEERING)
276
- 277 18. A Land Development Permit (LDP), issued by the Village of Wellington Engineering
278 Department, is required prior to any earthwork or construction taking place, and
279 shall meet all applicable requirements of the LDR, as well as State and Federal
280 regulations and guidelines must be applied for, approved and issued prior to any
281 construction activities. The permit plans shall include construction details for all
282 infrastructure components including paving, grading, drainage, water, sewer,
283 landscape, lighting and off-site improvements. The LDP must be closed out before
284 any Temporary Certificates of Occupancy (TCO)/Certificates of Occupancy (CO) are
285 issued for any buildings or structures. If the project is phased, a separate LDP will be
286 required for each phase of the project. Each phased LDP must be closed out before
287 any Temporary Certificates of Occupancy (TCO)/Certificates of Occupancy (CO) are
288 issued for any buildings or structures within that phase. (ENGINEERING)
289
- 290 19. Cross-access and access connections are required and approved per the following:
291
- 292 a. Vehicular cross-access, with pedestrian, connections shall be provided to
293 promote inter-connectivity between adjacent properties to the Wellington
294 Reserve Office Park along the north with a minimum of two (2) connections and
295 to the Lotis Wellington 1 along the south with a minimum of two (2) connections
296 (not including required Greenway cross-access).
297
- 298 b. Pedestrian cross-access connections shall be provided to the Lotis Wellington 1
299 property along the south with a minimum of four (4) Greenway multi-use asphalt
300 pathway and two (2) pedestrian connection points.
301
- 302 c. Minor relocations and/or additions of cross-access points on the master plan may
303 be administratively approved to ensure intent of this condition is met during the
304 development of this project and ensure connections to surrounding
305 properties/projects. All other cross-access changes or reductions shall require
306 Council approval, as a master plan amendment.
307
- 308 d. All cross-access connections/points shall be within easements and shall be shown
309 on the plat, and be dedicated as required. Amendment to the access easements
310 may be done by separate instrument.
311
- 312 e. The cross-access connections to the projects along the south shall be constructed
313 in conjunction with the main north/south spine drive aisle for the centrally
314 located cross-access, and the improvements in the area of the other cross-access

315 on Lotis 2. All other connections shall be constructed in conjunction with the
316 improvements in the area/pod prior to issuance of CO/TCO.

317
318 f. Any required improvements, including road, sidewalk/pathways, bridges, piping,
319 etc., shall be permitted and completed when the cross access and access
320 connections are required as indicated above.

321 (PLANNING/TRAFFIC/ENGINEERING)

322
323 20. Enhanced crosswalk system shall be provided for anticipated heavy traffic flow
324 roadway/intersections (at a minimum 1 location) to ensure a safer environment for
325 pedestrians of this project. At minimum, the enhanced crosswalk system should
326 include paver/stamped concrete crosswalk, detectable warning, and LED solar
327 powered flashing crosswalk signs and in-pavement indicator lights that are activated
328 via braille push buttons and/or automatic activation methods. At minimum, the
329 other crosswalk locations throughout the site shall be paver/stamped concrete and
330 include detectable warning. (PLANNING)

331
332 21. The County traffic concurrency approval is subject to the Project Aggregation Rules
333 as set forth in the Traffic Performance Standards Ordinance. If the Lotis Wellington 1
334 and Lotis 2 projects are ever aggregated on any plans, then the traffic impacts on the
335 Wellington roadways and intersections must be readdressed for the aggregated
336 project. (TRAFFIC)

337
338 22. Prior to the issuance of the first building permit, the owner/developer (Lotis 2) shall
339 begin construction on the following improvements, and construction shall be
340 completed prior to the issuance of the first CO/TCO.

341
342 a. Right-turn lane north approach on State Road 7 (SR 7) at the proposed access to
343 County minimum standards, or as approved by the Florida Department of
344 Transportation (FDOT) or Palm Beach County (PBC) Engineer, as appropriate.

345
346 b. Extend the existing left/U-turn lane south approach storage lane on SR 7
347 immediately north of the proposed access to maximum extent, or as approved
348 by the FDOT or PBC Engineer, as appropriate.

349
350 c. Extend the existing left/U-turn lane north approach storage lane on SR 7
351 immediately south of the proposed access to maximum extent, or as approved
352 by the FDOT or PBC Engineer, as appropriate.

353
354 d. Permits required from FDOT for the above construction shall be obtained prior
355 to issuance of any LDP and building permit. (TRAFFIC/PLANNING)

356

- 357 23. A Developers Agreement will be required by the Utility Department to reserve water
358 and sewer capacity for the project. Payment of capacity fees per Village Resolution
359 R2018-35 shall be required to reserve capacity. The Developers Agreement must be
360 executed and approved by Village Council prior to the execution of the Palm Beach
361 County Health Department Water and Sewer permits by the Village Utility Director.
362 (UTILITIES)
363
- 364 24. Applicant is advised lift stations serving the project will be required to be upgraded
365 to meet current standards. Additionally, other off-site utility infrastructure
366 supporting the project may require improvements to support the additional
367 density. Owner/developer is responsible for the funding and construction of all on-
368 site and off-site improvements/upgrades as necessary. (UTILITIES)
369
- 370 25. A looped system will be required. Where feasible and reasonable, connections to
371 the existing stub-outs at the adjacent parcels to the north, east, and south will be
372 required. Looping from the west across the LWDD S-5 canal will not be required.
373 Dead end water mains are not permitted. (UTILITIES)
374
- 375 26. All water mains will be public up to the point of service. All wastewater mains,
376 subject to approval by the Wellington Utilities Department, will be public up to the
377 point of service. Utility facilities must be located in the rights-of-way or in a
378 dedicated exclusive water main or wastewater easement. Easement widths shall
379 comply with the Village of Wellington Water and Wastewater Systems Construction
380 and Standards Manual (current edition). All utility easements shall provide for un-
381 hindered access to all facilities and mains in accordance with the standards manual.
382 (UTILITIES)
383
- 384 27. The developer/applicant must apply for and obtain a Major Utility Permit prior to
385 the development of the proposed improvements. (UTILITIES)
386
- 387 28. A covered school bus shelter (minimum 15' X 25' for the number of residential units)
388 shall be provided for the residential pod, with bicycle racks for a minimum capacity
389 of eight (8), benches/seating for a minimum capacity of eight (8), trash receptacles
390 at each bench/seat location and continuous paved access shall be provided. Prior
391 to the issuance of the first Certificate of Occupancy for any residential building, the
392 covered school bus shelter shall be constructed with consistent colors, materials and
393 roof treatment as the overall project. (PLANNING)
394
- 395 29. To address the school capacity deficiency generated by the proposed development
396 at the District elementary, middle, and high school levels, the property owner shall
397 contribute a total of \$632,402.00 to the School District of Palm Beach County prior
398 to issuance of first residential building permit. (PBC SCHOOL DISTRICT)

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- 30. Benches/seating, trash receptacles/bins and bicycle rack shall be provided at the building entry and throughout the site, with the final number and locations as required with the site plan review. Trash bins should be provided at seating location(s) on the plans. Shade structures and/or landscaping (trees/palms, shrubs, etc.) shall be provided for the seating areas throughout the site. (PLANNING)
- 31. Foundation planting areas (including trees/palms) shall be provided along the street/corner side of all buildings (non-residential and residential). (PLANNING)
- 32. Hedges (min. 24"/max. 36") shall be provided along the parking areas for the multi-family units, and setback (max. 24") from the front lot line. (PLANNING)
- 33. Shade/canopy street trees (min. 16 ft. OA height and 5 ft. CT), and pedestrian street lights shall be provided along both sides of roads/streets within the Lotis 2 project. Bicycle lanes shall be provided along both sides of the spine road before any gated entries. The pedestrian street light poles, and regulatory traffic/street signs and poles shall be a decorative design, and the design shall be submitted for ARB approval prior to permitting. (PLANNING)
- 34. The street trees required along all roads/streets within the project shall be hardwood shade/canopy tree species. An alternative street tree design is approved along the project's main access boulevard (road/street) to include large/focal palm species at a maximum of 25% the trees required along that street, and accent/flowering trees/palms are approved at corners/intersections to create a focal point within the residential pod. Street trees in the residential pod are allowed within the residential lots along the street (setback a maximum of 11 feet from the lots front or side corner property lines) as approved in the project's PSM and/or site landscape plans, but the number of trees required shall not be reduced. The street trees provided in the residential lots are not to meet the lot requirements, and shall be dedicated on the plat to the residential pod homeowner's association/property owner's association in perpetuity. (PLANNING)
- 35. The developer shall pay into the Wellington Tree Fund for any required street trees not provided in the multi-family section of the residential pod as shown on the plans/PSM. The payment shall be \$600 per tree if a maximum of 25% of the required street trees within the multi-family section will not be provided, or the cost the developer would pay to provide the street trees on-site if more than 25% of the trees will not be provided in the multi-family section. The payment amount, if more than 25%, shall be per a landscape architect certified cost estimate for the shade/canopy tree species as approved by the DM. Payment in-lieu of providing the trees shall be made to Wellington prior to issuance of the first building permit

- 441 for a residential building in the residential pod. (PLANNING)
442
443 36. The perimeter landscape buffers shall be shown as an easement or separate tract on
444 the plans and plat, and are approved to be installed per the approved project
445 phasing. The landscape buffer along the east property line shall be installed prior to
446 the issuance of the first Certificate of Occupancy for any building within the project.
447 Landscape buffer shade canopy trees shall be 25 feet on center and hedge height
448 shall be a minimum of three (3) feet in height at installation. (PLANNING)
449
450 37. The east perimeter landscape buffer shall include multi-tiered landscaping with a
451 berm and continuous hedge, installed and maintained at three (3) feet,
452 shrubs/groundcover on both sides of the hedge at intermittent intervals along with
453 the required landscaping per requirements of the LDR for this project zoning.
454 (PLANNING)
455
456 38. Developer/owner shall provide a certified cost estimate (by FL. Registered
457 Landscape Architect or Engineer) for the project's perimeter landscape buffer and
458 interior landscaping materials, installation, irrigation, labor, etc. Surety/bond(s) in
459 the form acceptable to Wellington in the amount of 110% of the estimate shall be
460 posted for the project's perimeter landscape buffer and interior landscaping, in
461 addition to the other bonds required for site improvements per the LDP, with the
462 Engineering Department. Landscape permit(s) shall also be required prior to
463 installation. (PLANNING)
464
465 39. Developer is required to pay (prior to issuance of any LDP) \$75 per linear foot of
466 frontage along State Road 7 for landscape and plantings.
467 (ENGINEERING/PLANNING)
468
469 40. Developer is required to pay (prior to issuance of any LDP) \$75 per linear foot of
470 frontage along State Road 7 for boardwalk or construct an eight (8)-foot wide
471 sidewalk prior to the issuance of the first CO/TCO. (ENGINEERING/PLANNING)
472
473 41. The landscaping in street corridor, pathways, non-residential pods, recreation areas,
474 etc., within this Planned Development District shall exceed the minimum landscape
475 requirements for size/height by 30%. (PLANNING)
476
477 42. Additional height for perimeter and internal trees/palms is required per Table 7.8-1
478 Tree Size of the LDR, in addition to any other requirements for structures over 35
479 feet in height. The trees/palms with the additional height shall be required and
480 remain in place as long as the structures remains. The additional trees/palms height
481 as required shall be noted/shown on the project approved landscape plans to
482 indicate how this requirement will be met. (PLANNING)

- 483
484 43. Prior to site plan approval, the landscape plans must show adequate compatible
485 landscape buffering between adjacent commercial and residential land uses. The
486 landscape plans shall be approved as a part of the site plan. (PLANNING)
487
- 488 44. The common areas, landscaping, site amenities, etc., shall be completed in
489 conjunction with the adjacent building(s) within each Pod and prior to the issuance
490 of any Certificate of Occupancy/Certificate of Completion of adjacent
491 building(s)/improvement(s). (PLANNING)
492
- 493 45. The State Road 7 median and swale along the project's frontage shall be landscaped
494 and hardscaped as approved by Wellington and FDOT, and be maintained by the
495 Lotis 2 Master POA. An agreement between Wellington and/or FDOT and the
496 Master POA shall be required for maintenance of the median/swale areas along the
497 project's frontage. The maintenance agreement shall be executed upon completion
498 of the improvements as approved. (PLANNING)
499
- 500 46. This project shall be designed with central square/focal point, that shall be approved
501 on the site plan. The design of the central square/focal point shall incorporate:
502
- 503 a. Pedestrian circulation around the buildings with connections to other
504 buildings/uses.
505
 - 506 b. Arcades, overhead weather protection, etc., that connects all ground level
507 activities and provides direct access to any outparcels, sidewalks or other
508 pedestrian amenities including mass transit facilities, bicycle parking areas, etc.
509
 - 510 c. Walkways/sidewalks a minimum of 10-feet wide shall be provided.
511
 - 512 d. Minimum 100 square feet of shaded area with benches every 100 linear feet in
513 length for the pedestrian walkways.
514
 - 515 e. Main boulevard (road/street) with a landscaped median divider with canopy and
516 accent trees, shrubs, ground cover, etc., and includes street trees along both sides
517 of roads/streets. (PLANNING)
518
- 519 47. Electric vehicle (EV) charging stations (Level 2 or Direct-current fast charging) shall
520 be provided for a minimum of five (5%) percent of the required parking within the
521 commercial pods, common areas of the residential pod, and pods/areas with
522 parking spaces (assigned or shared parking). A minimum of one (1) EV charging
523 station (Level 2 or Direct-current fast charging) shall be provided at the clubhouse
524 and any recreation areas with parking spaces. Each EV charging station shall serve

525 one (1) charging space/EV. The residential units within the residential pod shall be
526 EV capable with electrical panel capacity and conduit for future Electric Vehicle
527 Supply Equipment (EVSE) installation by the unit owner. (PLANNING)

528
529 48. Prior to site plan approval, designate five percent (5%) of the parking spaces in the
530 commercial pods as preferred parking for car pool vehicles, rideshare service, etc.
531 The amount may be reduced, as determined by Wellington's Development Review
532 Manager for the project, if documentation is provided with the site plan review that
533 the intended use(s) will not require all the parking spaces per the intent of the
534 condition. (PLANNING)

535
536 49. The developer shall ensure this project is developed to be consistent with green
537 certification standards found within the Florida Green Building Coalition, the US
538 Green Building Council Leadership in Energy and Environmental Design (LEED)
539 manual, or other acceptable environmental, and building standards as determined
540 by Wellington's Development Review Manager for the project during the building
541 permit development approval/inspection process. Documentation indicating which
542 green building standards were met shall be provided six (6) months after the
543 issuance of CO for the buildings. (PLANNING)

544
545 50. A minimum five (5) foot opaque wall is required along the common property line
546 for open roof structures, and a minimum eight (8)-foot opaque wall is required for
547 solid roof structures, for the multi-family/townhouse residential buildings.
548 (PLANNING)

549
550 51. Any multi-family residential buildings without an attached garage shall have
551 reserved parking space for each unit. (PLANNING)

552
553 52. An agreement shall be recorded to provide cross-access and shared parking with
554 adjacent lot owners of the commercial pods/outparcels within this project as
555 required when the property is submitted for subdivision plat approval. The
556 agreement shall be provided with the Land Development/Plat applications.
557 (PLANNING)

558
559 53. Any businesses operating between the hours of 12:00 AM and 6:00 AM shall be
560 located at least 200 feet from any dwelling unit, measured from the closest points
561 of each structure/use. (PLANNING)

562
563 54. Garbage/recycling pickup, and deliveries shall not occur between the hours of 9:00
564 PM and 6:00 AM. There shall be no idling of delivery or similar vehicles between the
565 hours of 10:00 PM and 6:00 AM. Overnight storage or parking of delivery vehicles
566 or trucks shall not be permitted on site, except in designated loading and delivery

567 areas. All delivery and loading areas built to accommodate semi-trucks, tractor
568 trailers, moving vans, etc., shall be screened from view. (PLANNING)

569
570 55. All roof-mounted air conditioning, mechanical equipment, vents, etc., shall be
571 completely screened from view on all sides in a manner consistent with the color,
572 character and architectural style of the principal structure. (PLANNING)

573
574 56. All above ground and wall mounted utility/transformer box, mechanical
575 equipment, valves, etc., shall be located on-site with required screening on a
576 minimum of three (3) sides that provide required screening, while maintaining
577 required three (3) feet clearance and height to meet or exceed equipment being
578 screened. The screen opening shall be away from public view (including adjacent
579 property) and/or additional shrubs will be required at inspection. The screening
580 shall occur in a manner consistent with the color, character and architectural style
581 of the principal structure and may incorporate landscaping as an element of
582 screening. (PLANNING)

583
584 57. The developer shall take measures to ensure that during site development
585 dust/debris particles from the development do not become a nuisance to the
586 neighboring properties. (PLANNING)

587
588 58. All gates shall be designed and approved for emergency vehicle access with
589 universal remote approved by all emergency agencies, including but not limited to
590 Palm Beach County Fire and the Palm Beach County Sheriff. Additionally, all gate
591 codes and access shall be granted to Wellington for Code Compliance and other
592 emergency purposes. (PLANNING/ENGINEERING)

593
594 61. The developer/owner shall install a six (6) foot high black vinyl coated chain link
595 fence along the entire west and north Lotis 2 property lines adjacent to the Black
596 Diamond development. (PLANNING)

597
598 **SECTION 2.** The Lotis Wellington 2 (Lotis 2) Conditional Uses are hereby approved for
599 the property legally described in Exhibit A, subject to the following conditions of
600 approval:

601
602 1. One (1) daycare facility for up to 210 children is allowed within Pod B. The hours of
603 operation are 5:00 AM to 10:00 PM seven (7) days a week. A minimum of two (2) staff
604 members shall be located in the parking area to facilitate pickup and drop-off during
605 the AM and PM peak hours. A central sign-in/sign out location shall be provided to
606 ensure security. (PLANNING)

607

608 2. One (1) entertainment use (indoor/outdoor) is allowed within Pod A, with 8,000
609 square feet of indoor space that includes restaurant, event space and retail (Pro-
610 shop), outdoor bar/dining area, and an outdoor 36-hole miniature golf. The hours of
611 operation are 10:00 AM to 12:00 AM Sunday to Thursday and 10:00 AM to 1:00 AM
612 Friday to Saturday. An alternative miniature golf parking rate is approved at one (1)
613 parking space per golf hole as shown in the project PSM. The outdoor miniature golf
614 area shall be enclosed with a fence type/design that will confine golf balls to the
615 designated area. One (1) scoreboard LED/jumbotron display screen is allowed within
616 the outdoor miniature golf area, with the display screen not visible along State Road
617 7 and the area along State Road 7 is screened with additional landscaping above any
618 LDR requirements.

619
620 3. The owner and/or operator shall obtain all appropriate federal, state, and local
621 permits/licenses prior to operating the uses. (PLANNING)
622

623 **SECTION 3.** This Resolution shall become effective upon approval.
624

625 **PASSED AND ADOPTED** this ____ day of _____, 2023.
626

627 **WELLINGTON**
628

629
630 BY: _____
631 Anne Gerwig, Mayor
632

633
634 **ATTEST:**
635

636
637 BY: _____
638 Chevelle Addie, Clerk
639

640
641 **APPROVED AS TO FORM AND**
642 **LEGAL SUFFICIENCY**
643

644
645 BY: _____
646 Laurie Cohen, Village Attorney