

## **I. PETITION DESCRIPTION**

Petition Numbers:                   **15 – 80 (2015 – 47 CPTA)**  
Mixed Use (MU) Comprehensive Plan Text  
Amendment

**15 – 80 (2015 – 46 ZTA)**  
Mixed Use Planned Development District (MXPD)  
Zoning Text Amendment

Project Name:                           **Village Lake Center**  
Project Manager:                       Damian Newell  
Applicant/Petitioner:                 Village Professional Park, LLC  
Agent:                                     Richard Carlson, Esq.

Request:

1. Comprehensive Plan Text Amendment (CPTA) amending Land Use Element Policy 1.3.25. Mixed Use (MU) of Wellington’s Comprehensive Plan to delete the maximum 60 acre land area limit and provide standards when both commercial and office land use is required for projects 30 acres or more.
2. Zoning Text Amendment (ZTA) amending Article 6, Zoning Districts, Chapter 8 Planned Development District Regulations, Section 6.8.7. Mixed Use Planned Development District (MXPD) of Wellington’s Land Development Regulations to delete the maximum 60 acre land area limit and provide standards when both commercial and office land use is required for projects 30 acres or more.

## **II. BACKGROUND**

The Village of Wellington Mixed Use (MU) Future Land Use Map designation and Mixed Use Planned Development District (MXPD) Zoning designation is intended to;

- Foster infill development,
- Encourage mixture of uses including office, commercial, institutional and residential within a single project,
- Deter urban sprawl, and
- Internalization of vehicular trips.

Currently both the MU and MXPDP allows a maximum of 60 acres for a project's land area. Wellington has two approved mixed use project's that are being developed. The Isla Verde mixed use project is a total of 53.57 acres and Wellington Parc mixed use project is a total of 15.83 acres.

The petitioner is requesting to remove the maximum 60 acre land area standard indicated in both the MU and MXPDP designations. The removal of this standard will allow a MU/MXPDP project with no maximum land area. The petitioner requested a postponement from the March 6, 2016 Planning, Zoning and Adjustment Board (PZAB) meeting to amend the MXPDP text amendment application to delete the requirement for both commercial and office land use. The MXPDP Zoning designation currently requires developments 30 acres or more to provide both commercial and office land use. Wellington's Comprehensive Plan and Land Development Regulations will still require a minimum land area of five (5) acre and maximum development standards for square footage and density.

Staff notes the petitioner is proposing an overall 64.38 acre Village Lake Center mixed use project including restaurants, day-care, retail, hotel, multi-family housing and assisted living facility. The other petitions required for the overall Village Lake Center mixed use project approval will be scheduled for the public hearing process after Development Review Committee (DRC) certification.

### **III. ANALYSIS**

The proposed text amendments are to Wellington's Comprehensive Plan Land Use Element Policy 1.3.25. Mixed Use (MU) and Land Development Regulations Article 6, Zoning Districts, Chapter 8 Planned Development District Regulations, Section 6.8.7. Mixed Use Planned Development District (MXPDP). The following sections will provide supporting information and explain proposed changes to MU and MXPDP.

*Maximum Land Area* – The maximum 60 acre land area currently limits the size of a mixed use project. The intent of the Mixed Use (MU) Future Land Use Map designation and Mixed Use Planned Development District (MXPDP) Zoning designation is to encourage development of vacant parcels or redevelopment of the older commercial centers and surrounding residential uses, including centers located at key intersections of Forest Hill Boulevard, Wellington Trace, or Greenview Shores Boulevard. The current limitation prohibits an owner from developing a mixed use project over 60 acres in size. Typically land use and zoning regulations will have a minimum land area requirement but it is not common to find a maximum land area limitation. Removal of the maximum land area does not negatively impact the Village because a potential development is still required to comply with the maximum density (number of dwellings/residents) and intensity (number of square feet) for the overall project. Additionally, the maximum development impacts, including traffic, water capacity, sewer capacity, etc., are required to ensure adequate capacity is available for approval of a proposed mixed use project. Staff recommends approval of the request to eliminate the maximum 60 acre land area limitation.

The petitioner's proposed 64.38 acre Village Lake Center mixed use project, the future K-park site (if proposed as mixed use) and redevelopment of other sites as mixed use will potentially benefit from the removal of the maximum 60 acre land area limitation.

Land Uses – The MXPDP Zoning designation indicates large mixed use projects should provide a mix of uses which includes providing both commercial and office uses when the project is 30 acres or more. The petitioner originally requested this standard be deleted as it is currently not required by MU Future Land Use Map designation. Staff notes the MXPDP Zoning designation was approved by Council after the MU Future Land Use Map designation. The Zoning designation is intended to have more specific standards and limitations than the Future Land Use Map designation. Elimination of the requirement to provide both commercial and office uses for project's more than 30 acres will not provide the mixture of uses and internalization of traffic as encourage by both the MU Future Land Use Map designation and MXPDP Zoning designation. The commercial, office, industrial and institutional uses provide for a variety of uses that should be included in larger mixed use projects. The MXPDP Zoning designation indicates both horizontal and vertical integration of uses is required with a greater mix of uses to be provided for larger projects to achieve internalization of traffic to minimize impact on the roads. The intent of both the MU and MXPDP will not be met by the reduction of this minimum requirement to provide these two essential support land uses. Isla Verde is the only large mixed use project in Wellington that does not have this requirement as it was approved prior to the adoption of the current code. Council adopted the current code to ensure all future mixed use projects will provide a greater variety of integrated use types for larger projects with both the commercial and office uses required as a minimum mix. A greater mix of uses is an integral component to the success of a mixed use project and removing the minimum requirement for any use type would compromise the ability for a project to be true mixed use. The commercial and office use mix requirement ensures essential support services are provided on-site for large mixed use projects.

In response to staff not supporting the deletion of the requirement for both commercial and office land uses the petitioner amended the request to provide additional standards when both commercial and office land uses are required for projects 30 acres or more. The proposed additional standards will require a minimum 10% land area allocation for the combined commercial and office land use instead of requiring 10% for each use. Also to ensure that a minimum mix of both uses are provided, a minimum building square footage of 25% for commercial and 25% for office is proposed. Staff recommends approval of the request to combined land area allocation of 10% and building square footage of 25% for each as this will encourage mixed use projects with a variety of uses.

With the requested elimination of the 60 acre maximum limitation as indicated above, staff recommends larger mixed use projects be required to provide additional land uses. Currently both the MU Future Land Use Map designation and MXPDP zoning designation indicates a minimum of four (4) land uses are required for projects up to 60 acres. Staff recommends an additional land use be required, totaling five (5) land uses, when a proposed project is more than 60 acres as indicated below in the proposed amended table for both the MU/MXPDP text amendments;

**MU Table 1.3.25.1 and MXPDP Table 6.8-23  
Minimum Number of Land Uses in a Mixed Use Development**

| NUMBER OF ACRES   | MINIMUM NUMBER OF LAND USES |
|-------------------|-----------------------------|
| 5 - 10            | 2                           |
| More than 10 – 30 | 3                           |
| More than 30 – 60 | 4                           |
| More than 60      | 5                           |

As indicated above staff does not recommend approval of the petitioner’s original request to delete the requirement to provide both commercial and office uses when the project is more than 30 acres. Staff does support the proposed minimum requirements when both commercial and office are to be incorporated. Staff recommended additional land uses be required when a projects is more than 60 acres.

Other amendments – The remainder of the proposed changes to the MU and MXPDP are staff initiated house cleaning amendments, summarized as follows:

1. Indicating a MU/MXPDP is allowed for a single project instead of single parcel.
2. Delete/added uses: The community residential home (CRH) use which is not applicable to Wellington is deleted. The daycare center use not captured under existing uses is added under the Institutional and Public Facilities Use.
3. Provide clarification that mixed use projects more than 30 acres require both Commercial and Office land use. The intent is for larger mixed use projects to provide a mix of uses internally which will provide essential support for the overall project and will internalize traffic patterns which is essential for large mixed use projects.
4. Other changes to tables, numbering of sections/tables and certain text to clarify sections but not change the substance of the regulations.

It is important to note the above minor staff initiated amendments are part of the ongoing code updates being done incrementally by Article and Chapter. The more significant changes to the MU/MXPDP requirements will be done with future staff initiated amendments. The pending text amendments will include proposed changes to the permitted use table, zoning district updates and simplification of the site development standards. The proposed changes will simplify and organize the code, as well as, adjust minor code provisions.

**IV. PLANNING, ZONING AND ADJUSTMENT BOARD**

The petitioner requested a postponement from the July 13, 2016 to the September 14, 2016 Planning, Zoning and Adjustment Board (PZAB) meeting to propose additional standards for both commercial and office land use requirements for projects more than 30 acres. The proposed additional standards require a combined land area allocation of 10% and building square footage of 25% for commercial and 25% for office.

At the September 14, 2016 PZAB meeting, the Board recommended approval (6 – 0) of Ordinance No. 2016 – 08, a Comprehensive Plan Text Amendment to amend Land Use Element Policy 1.3.25. Mixed Use (MU) and Ordinance No. 2016 – 09, a Zoning Text

Amendment to amend Article 6, Zoning Districts, Chapter 8 Planned Development District Regulations, Section 6.8.7. Mixed Use Planned Development District (MXPDP) as presented by staff.

## **V. COUNCIL**

The first reading of the Comprehensive Plan Text Amendment (Ordinance No. 2016 – 08) and Zoning Text Amendment (Ordinance No. 2016 – 09) is scheduled to be heard at the October 13, 2016 Council meeting.

## **IV. PUBLIC NOTIFICATION/COMMENTS**

As required by the Land Development Regulations and Florida Statutes, public notification was placed in the Palm Beach Post advising the public that a public hearing on the proposed ordinance would take place on date(s) set forth below.

### **Planning, Zoning and Adjustment Board Meeting**

Newspaper: June 28, 2016

Meeting Date: July 13, 2016

### **Council Meeting**

Newspaper: September 28, 2016

Meeting Date: October 13, 2016

Staff did not receive any inquiries regarding the newspaper advertisement for this petition as of October 4, 2016 when the staff report was published.

## **V. STAFF RECOMMENDATION**

1. Approval of Ordinance No. 2016 – 08, a Comprehensive Plan Text Amendment (Petition Number 15 – 80 / 2015 – 47 CPTA) to amend Policy 1.3.25. Mixed Use (MU) of the Land Use Element of Wellington’s Comprehensive Plan, and
2. Approval of Ordinance No. 2016 – 09, a Zoning Text Amendment (Petition Number 15 – 80 / 2015 – 46 ZTA) to amend Article 6, Zoning Districts, Chapter 8 Planned Development District Regulations, Section 6.8.7. Mixed Use Planned Development District (MXPDP) of Wellington’s Land Development Regulations as follows:
  - Elimination of the maximum 60 acre land area limitation.
  - Requiring both commercial and office land uses when the project is more than 30 acres with combined land area allocation of 10% and building square footage of 25% for commercial and 25% for office.
  - Additional land uses required when a project is more than 60 acres.
  - Other staff initiated minor amendments.