

rezoning Master Plan Amendment (PETITION 2022-002-MPA / RESOLUTION NO. 2022-003)

to be approved subject to the following amended and restate

Section 6: Findings:

1. The lotsize Property shall be constructed in substantial compliance with the uses, access, acreage, site design, site amenities, and landscape buffers on the adjacent lots as shown on the map attached hereto as Exhibit "B," dated September 20, 2010 and shall be consistent with the use limitations presented below. The final Master Plan consistent with the findings and conditions of approval shall be submitted for final processing, as applicable.

USE	LIMITATIONS
Medical Office Self-Storage	Not to exceed 20,000 108,000 gross square feet. *
Quality Restaurant	Not to exceed 8,000 gross square feet.

*The allowed square footage shall be limited per the FAR shown on Section 7.

2. The subject property shall be limited to a 0.40 FAR, except as approved by the Commission for off-street parking. Any changes to the approved Master Plan must undergo and require the Planning, Zoning and Adjustment Board and Council review and approval.

3. Site plan review and approval by the Development Review Committee (DRC) is required prior to building zoning. The site plan shall comply with all applicable requirements of the MUPD zoning district and all related development orders.

4. The site is subject to all provisions of the "Big Box" ordinance and shall comply with all other parts of the ordinance including, but not limited to, outdoor seating and gathering areas.

5. The quality restaurant shall not have a drive-through window.

6. A plan for the preservation and/or relocation of the stable palms must be provided to the Planning Department and approved by the Planning Department Manager (PDM). (COMPLETED)

7. Peltitioner shall provide four native tree species to the 25-foot upland buffer plant strip along the easement and/or street frontage. The trees shall include:
• Minimum height at time of installation for canopy trees shall be 14 feet.
• Minimum height for flowering trees shall be 12 feet and minimum height for shrubs shall be 16 feet.
• Trees - or clusters - planted within the perimeter buffer shall average a minimum of 20 feet on center. (COMPLETED)

8. Approval of the first site plan shall be contingent upon approval of the presave management plan. (COMPLETED)

9. Prior to final DRC certification of the site plan, an Alternate Landscape Plan (ALP) shall be submitted by the applicant. ALP shall enhance the perimeter buffer of the property to the north and westside perimeters of the property to provide additional, multi-tiered buffering for the adjacent residential community and use the following guidelines:

- Existing trees that either invasive or exotic species may be incorporated into the landscaping;
- Only native tree, palm and plant species shall be added to the buffer unless otherwise approved by the Planning Department; and
- Minimum height at time of installation for canopy trees shall be 14 feet, minimum height for flowering trees shall be 12 feet and minimum height for shrubs shall be 16 feet.
- Trees - or clusters - planted within the perimeter buffer shall average a minimum of 20 feet on center. (COMPLETED)

10. 5. No lighting on the adjacent residential property shall not exceed three (3) foot. One (1) foot above the roofline and six (6) feet above ground at the residential property line and shall be in conformance with Section 7.6.2 of the LDR Ordinance.

11. 6. The applicant shall construct a six (6) foot fence is required along the northern side of the property to ensure adequate security barrier between the subject site and the Black Diamond PUD. Openings and/or security gates may be permitted in accordance with Condition 16 below to provide vehicle, bicycle and pedestrian egressivity.

12. Prior to the first building permit, construction shall begin to lengthen the northbound left turn lane at the Old Hammock Way + Ivide Drive / SRT intersection at an appropriate location. Construction shall be completed prior to the first certificate of occupancy. (COMPLETED)

13. Prior to the first building permit, construction shall begin for the southbound right turn lane shared with the northbound left turn lane at the Old Hammock Way + Ivide Drive / SRT intersection at an appropriate location. Construction for turn lanes shall be completed prior to the first certificate of occupancy. (COMPLETED)

15. 7. No building permits for the site may be issued after December 31, 2016, shall be issued after December 31, 2020, unless a time extension has been approved by Palm Beach County Traffic and/or the Planning Board.
16. Prior to the first building permit for Phase II, providing the internal north-south connectivity or providing a letter from the Planning Board stating that the roadway connection is not needed, the applicant shall submit a traffic study to the Planning Board.
17. 8. Prior to the site plan approval, provide secure bicycle parking on the site.
18. 9. Prior to the site plan approval, provide that five percent (5%) of the parking spaces are designated for preferred parking for alternative fuel and car pool vehicles.
19. 10. Garbage and recycling pickup, and deliveries shall not occur between the hours of 7:00 a.m. and 7:00 p.m. on any day. The timing of delivery or similar activities between the hours of 10:00 PM and 7:00 AM. Overnight storage or parking of vehicles and trucks shall be limited to the minimum number of vehicles and trucks that vehicles and trucks shall utilize the designated loading and delivery areas. All delivery and loading areas shall be located within the site. Trucks, tractor trailers, and other vehicles shall be stored within the yard (PLANNING).
20. 11. All above ground and well-mounted utility/transformer box, mechanical equipment, and other structures shall be screened by landscaping to meet the requirements of the LDR to ensure mitigation of any impact. The screening opening shall be away from front and shall occur in a manner consistent with the screening requirements of the LDR. The screening shall be maintained and replaced as appropriate landscaping as one element of screening. At the time of issuance of the final LDR, the Planning Board may require additional screening, if necessary, if the proposed impact, additional screening may be required. (PLANNING)
21. 12. The State Road 7 median and swale along the project's frontage shall be landscaped and maintained by the lotowner Property Master PMA. An agreement between Wellington and/or LDCI and the Master PMA shall be required for maintenance of the median/swale areas. (PLANNING)

Conditional Use / PETITION 2022-0001 / CV / RESOLUTION NO. R2023-03 to hereby approved subject to the following Conditions of Approval:

1. One (1) self-storage with 200 storage bays is approved in the location as illustrated on the master plan (Exhibit B). (PLANNING)
2. The self-storage intensity is limited to the FAR bonus as stated in Wellington's LDR. The self-storage intensity shall be limited to the FAR bonus. If the self-storage site is approved, the self-storage developer shall state what community benefits will be provided to the community. If the self-storage site is not approved, the self-storage site shall be proposed/approved. The FAR bonus shall not apply and the FAR shall be limited to the standard requirements. (PLANNING)
3. Prior to issuance of the Land Development Permit and Building Permit, the self-storage developer shall submit a traffic study to the Planning Board. The traffic study, in lieu of certification, for the proposed improvements that will be provided for the self-storage site shall be submitted to the Planning Board. The traffic study shall be certified cost estimate provided from a Florida Licensed Engineer. The certified cost estimate shall include all improvements approved during the site plan process. The traffic study shall be submitted to the Planning Board. The traffic study shall be required by Engineering for other site improvements pursuant to the LDR. (PLANNING)
4. If the self-storage developer utilizes the monetary contribution option to Wellington in-lieu of providing the improvements (as allowed per LDR Sec. 6.2.2.2 & 6.3.1), the payment shall be provided prior to issuance of the Land Development Permit and Building Permit. (PLANNING)

(Formatting: Strike-through text is deleted and underline text is added)



TEAM

TRAFFIC ENGINEER:
KIMLEY-HORN & ASSOCIATES, INC.
4431 EMBARCADERO DRIVE
WEST PALM BEACH, FL 33407
561-840-0874

SURVEYOR:
LANDMARK SURVEYING & MAPPING
1850 FOREST HILL BLVD., SUITE 100
WEST PALM BEACH, FL 33406
561-433-5405

TABULAR SITE DATA

PROPERTY DEVELOPMENT REGULATIONS

NOTES:
C - INDICATES THE BUILDING SETBACK IF THE LOT ABUTS A NON-RESIDENTIALLY ZONED OR DESIGNATED LOT.
R - INDICATES THE BUILDING SETBACK IF THE LOT ABUTS A RESIDENTIALLY ZONED OR DESIGNATED LOT.
INDICATES THAT THE PROPERTY DEVELOPMENT REGULATION IS FLEXIBLE AND MAY BE MODIFIED BY COMPLYING WITH SEC. 6.8.2.D.2. REGULATING PLAN OF THE VILLAGE OF WELLINGTON LAND DEVELOPMENT REGULATIONS.

²⁴ PER COMPREHENSIVE PLAN APPROVAL (ORDINANCE NO.) THE MAXIMUM FAR IS 25% AND A MAXIMUM OF 20,000 SQUARE FEET CONSISTING OF 20,000 SQUARE FEET OF MEDICAL OFFICES AND ONE QUALITY RESTAURANT NOT TO EXCEED 8,000 SQUARE FEET.

²⁵ FAR bonus is allowed pursuant to LDR Section 6.2.2.E.9.p.vii.

²⁶ BUILDING SETBACKS SHALL BE MEASURED FROM THE PERIMETER PROPERTY LINES.

ALL OF TRACT 1, BLOCK 18, PALM BEACH FARMS COMPANY, PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2 ON PAGE 47 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS, HOWEVER, THE RIGHT OF WAY FOR STATE ROAD NO. 7 AS RECORDED IN PLAT BOOK 1 ON PAGES 35 THROUGH 41 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS, ALSO, THE FOLLOWING SPECIFICALLY DESCRIBED PARCEL OF LAND:

COMMERCE AT THE NORTHEAST CORNER OF SAID TRACT 1; THENCE S. 01°57'36" W., ALONG THE EAST LINE OF SAID TRACT 1, A DISTANCE OF 310.20 FEET; THENCE N. 88°39'24" W., A DISTANCE OF 344.76 FEET TO THE POINT OF BEGINNING AND THE INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF STATE ROAD NO. 7 AS RECORDED IN ROAD PLAT BOOK 1 ON PAGES 35 THROUGH 41 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE CONTINUE N 88°39'24" W., A DISTANCE OF 889.19 FEET TO A POINT ON WEST LINE OF SAID TRACT 1, SAID POINT BEING 332.50 FEET SOUTH OF THE NORTHWEST CORNER OF SAID TRACT 1 AS MEASURED ALONG THE WEST OF SAID TRACT 1; THENCE N. 00°48'24" W., ALONG SAID WEST LINE, A DISTANCE OF 10.00 FEET TO SAID NORTHWEST CORNER, THENCE S 87°29'12" E., ALONG THE EAST LINE OF SAID TRACT 1, A DISTANCE OF 905.30 FEET TO THE INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF SAID STATE ROAD NO. 7 THENCE S. 01°58'15" W., ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 313.15 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THE FOLLOWING:

PARCEL NO. 121 SECTION 23210 2510

A PORTION OF TRACT 1, BLOCK 18 OF PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 12, TOWNSHIP 44 SOUTH, RANGE 41 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE FOUND BLM BEACH COUNTY BRASS DISC IN CONCRETE MARKING THE WEST 1/4 CORNER OF SAID SECTION 12; THENCE SOUTH 87°48'12" EAST, A DISTANCE OF 1,613.491 METERS (5,293.617 FEET) TO THE EAST 1/4 CORNER OF SAID SECTION 12; THENCE NORTH 88°21'42" WEST AT RIGHT ANGLES TO THE BASELINE OF SURVEY FOR STATE ROAD 7 (U.S. 441), A DISTANCE OF 0.360 METERS (1.18 FEET) TO SAID BASELINE OF SURVEY; THENCE NORTH 01°38'18" EAST ALONG SAID BASELINE OF SURVEY, A DISTANCE OF 106.05 METERS (347.93 FEET); THENCE NORTH 01°38'26" EAST CONTINUING ALONG SAID BASELINE OF SURVEY, A DISTANCE OF 509.852 METERS (1,672.74 FEET); THENCE NORTH 88°21'34" WEST ALONG A LINE AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 73.153 METERS (240.00 FEET) TO THE POINT OF BEGINNING; THENCE NORTH 88°21'36" EAST, A DISTANCE OF 97.501 METERS (319.88 FEET); THENCE SOUTH 88°12'02" EAST, A DISTANCE OF 156.299 METERS (512.91 FEET) TO THE WESTERLY EXISTING RIGHT-OF-WAY LINE FOR SAID STATE ROAD 7 (U.S. 441); THENCE SOUTH 01°38'26" WEST ALONG SAID WESTERLY EXISTING RIGHT-OF-WAY LINE, A DISTANCE OF 95.829 METERS (314.40 FEET); THENCE SOUTH 88°53'48" WEST, A DISTANCE OF 50.351 METERS (165.19 FEET) TO THE POINT OF BEGINNING.

THE SUBJECT PARCEL SHOWN HEREON ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF TRACT 1, BLOCK 18, PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45-54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE NORTH 87°54'21" WEST ALONG THE NORTH LINE OF SAID SECTION 12, A DISTANCE OF 235.27 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 7 (U.S. 441), ALSO BEING THE EAST LINE OF THE PLAT OF BLACK DIAMOND – PHASE 1 AS RECORDED IN PLAT BOOK 94, PAGES 83-91, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°38'05" WEST ALONG SAID RIGHT-OF-WAY LINE AND PLAT LINE, A DISTANCE OF 336.97 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°38'05" WEST ALONG SAID PLAT LINE, A DISTANCE OF 319.27 FEET, THENCE SOUTH 88°51'28" WEST ALONG THE SOUTH LINE OF SAID TRACT 1, BLOCK 18, PALM BEACH FARMS COMPANY PLAT NO. 3, A DISTANCE OF 708.10 FEET; THENCE NORTH 01°19'44" WEST ALONG THE WEST LINE OF SAID TRACT 1, BLOCK 18, PALM BEACH FARMS COMPANY PLAT NO. 3 AS IDENTIFIED ON SAID PLAT OF BLACK DIAMOND – PHASE 1, A DISTANCE OF 344.45 FEET; THENCE SOUTH 89°12'11" EAST ALONG THE SOUTH LINE OF SAID PLAT OF BLACK DIAMOND – PHASE 1, A DISTANCE OF 725.10 FEET TO THE AFORE MENTIONED POINT OF BEGINNING.

CONTAINING 5.45 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD

ALL REFERENCES TO A SPECIFIC SECTION CAN BE FOUND IN THE VILLAGE OF WELLINGTON, FLORIDA LAND DEVELOPMENT REGULATIONS.

- SPEED BUMPS ARE NOT ALLOWED ON THE PROPERTY.
- NO LANDSCAPING SHALL BE PERMITTED WITHIN ANY EASEMENT. NO LANDSCAPING PLACED IN UTILITY OR DRAINAGE EASEMENTS OR OVER UTILITIES OR DRAINAGE AREAS.
- ARCHITECTURAL STANDARDS MUST CONFORM TO VILLAGE LAND DEVELOPMENT REGULATIONS.
- ALL ABOVE GROUND EQUIPMENT, VALVES, TRANSFORMERS, ETC. SHALL BE SCREENED ON AT LEAST 3 SIDES BY TREES AND LANDSCAPING.
- ALL PLANT MATERIAL WITHIN SAFE SIGHT TRIANGLES/CORNERS SHALL BE MAINTAINED BELOW 30' HT. OR ABOVE 10'-6" HT. ABOVE FINISH GRADE TO PROTECT VEHICLE AND PEDESTRIAN VISIBILITY.
- REMOVE CULVERT IN FRONT OF PROPERTY AND EXTEND & CONNECT SWALES (SUBJECT TO FDOT APPROVAL).
- ACCESS EASEMENT FOR WETLANDS MAINTENANCE TO BE DEDICATED TO THE VILLAGE OF WELLINGTON PRIOR TO