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RESOLUTION NO. R2024-06

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A MASTER PLAN AMENDMENT (PETITION NUMBER 2023-0001-MPA) AMENDING THE ORANGE POINT PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN FOR CERTAIN PROPERTY KNOWN AS POD O (FORMALLY KNOWN AS THE EQUESTRIAN CENTER PARCEL), TOTALING 10 ACRES, MORE OR LESS; LOCATED APPROXIMATELY TWO (2) MILES WEST OF STATE ROAD 7, AT THE NORTHEAST CORNER OF 50TH STREET SOUTH AND 120TH AVENUE SOUTH, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO REMOVE THE EQUESTRIAN CENTER DESIGNATION FROM THE ORANGE POINT PUD MASTER PLAN TO ALLOW DEVELOPMENT OF THE ISLEPOINTE PROJECT (POD O), A 10-ACRE RESIDENTIAL DEVELOPMENT WITH 27 SINGLE-FAMILY RESIDENTIAL LOTS, AND TO AMEND CONDITIONS OF APPROVAL AND ADOPT THE ISLEPOINTE PROJECT STANDARDS MANUAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Wellington Council, as the governing body of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Wellington Land Development Regulations (LDR) are authorized and empowered to the 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 Future Land Use Map (FLUM) designation for Pod O of the Orange Point Planned Unit Development (PUD) was recently changed from Commercial to Residential C; and

WHEREAS, the current Wellington Zoning Map designation for the subject property Pod O of the Orange Point PUD (also known as Islepointe) is Planned Unit Development (PUD); and

WHEREAS, the Orange Point PUD Master Plan Amendment (Petition 2023-0001-MPA) was reviewed and certified by the Development Review Manager; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on April 17, 2024, recommended approval of the Orange Point PUD Master Plan Amendment with a ___ to ___ vote; and

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

47
48 **WHEREAS**, Wellington’s Council has made the following findings of fact:

- 49
- 50 1. The Master Plan Amendment request is consistent with the purposes, goals,
51 objectives, and policies of the Comprehensive Plan;
 - 52
 - 53 2. The subject request is consistent with the stated purposes and intent of the
54 Land Development Regulations;
 - 55
 - 56 3. The requested Master Plan Amendment is consistent with the surrounding land
57 uses and zoning districts;
 - 58
 - 59 4. Approval of subject request would result in a logical and orderly development
60 pattern; and
 - 61
 - 62 5. The subject request is consistent with the applicable Planned Unit Development
63 (PUD) regulations.
 - 64

65 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF WELLINGTON,**
66 **FLORIDA, THAT:**

67
68 **SECTION 1.** The Orange Point Planned Unit Development (PUD) Master Plan is hereby
69 amended and approved to include the Pod O (Islepointe) property legally described in
70 Exhibit A, subject to the following conditions of approval:

- 71
- 72 1. All previous conditions of the Orange Point PUD, unless otherwise specified in this
73 resolution, are still in effect. (PLANNING)
 - 74
 - 75 2. Resolution R-99-85 Conditions of Approval, as provided below, are deleted with
76 approval of this resolution.
 - 77
 - 78 a. Section 2 Condition 12. Use of the ten (10) acre equestrian center pod shall
79 be for equestrian-related uses. This ten (10) acre pod will allow a maximum
80 of two (2) acres of equestrian related retail uses such as tack shops, fee and
81 grain sales, and other similar commercial equestrian establishments. The
82 remaining eight (8) acres are to be utilized for other public or private
83 equestrian uses such as commercial stables, show rings, riding rings, or
84 fields, paddocks, and other such equestrian uses.

- 85 b. Section 2 Condition 17. The ten (10) acre equestrian center pod shall provide
86 a minimum thirty-five (35) foot landscape buffer along the entire
87 perimeter, supplemented with a berm and hedge combination to reach a
88 combined height of six (6) feet, with native ten (10) to twelve (12) foot
89 canopy trees planted a maximum of twenty (20) feet on center.
90
- 91 c. Section 3 Condition 19. The landscape buffer surrounding the equestrian
92 center has increased from 35 feet to west.
93
- 94 d. Section 3 Condition 24. The 10-acre commercial pod at the southwest
95 corner of Section 26 has been re-designated from commercial to
96 equestrian center and shall be limited to a maximum of 2 acres of
97 equestrian-related establishments. The remaining 8 acres are to be utilized
98 for other public or private equestrian uses such as commercial stables, show
99 rings, riding rings, or fields, paddocks, and other such equestrian uses.
100
- 101 3. The subject site (Pod O/Islepointe) shall be governed by the conditions of approval
102 within this resolution and based on the Master Plan (MP) as provided in Exhibit B.
103 The commercial equestrian center approval for the Orange Point PUD Pod O is
104 hereby rescinded. (PLANNING)
105
- 106 4. Development of Pod O (Islepointe) shall be limited to the uses, access, acreage, site
107 design and number of lots, site amenities, and landscape buffers approved on the
108 Master Plan (Exhibit B), Regulating Plan, Circulation Plan and Landscape Plan (Exhibit
109 C), and Project Standards Manual (Exhibits D). The final plans consistent with any
110 Council approved changes and conditions of approval imposed by Council shall be
111 submitted for final processing, if applicable. Amendments to the approved plans
112 shall require a master plan amendment approved by Wellington's Council and as
113 required by the LDR. Minor modification to the landscape plan to adjust for location,
114 material changes due to industry shortage, etc., may be approved with an
115 administrative minor master plan amendment. (PLANNING)
116
- 117 5. Exhibit C is the approved Islepointe Project Standards Manual (PSM) with the project
118 development standards including details, specification, architectural
119 details/elements, landscape features/elements, setbacks, building/lot coverage,
120 building height, parking, etc., shall be the governing document along with any other
121 plans/documents approved for this project. Any project development standards not
122 specifically outlined and/or requested/approved within the PSM shall be per the LDR
123 as determined by Wellington for the specific standard and/or use/structure.
124 Architectural Review Board (ARB) and site plan approvals for this project shall be
125 supplemented within the PSM by the Village of Wellington (Wellington).
126 Amendments to the approved PSM shall require Council approval as a master plan

127 amendment. (PLANNING)

128

129 6. The Islepointe (Pod O) project shall be developed consistent with the approved
130 master plan and based on the use and density limitations below:

USE	DENSITY LIMITATIONS
Single-family Residential	27 DUs Total Density Bonus of 2.7 DU/AC

131 (PLANNING)

132

133 7. No building permits for the site shall be issued after December 31, 2026, unless
134 extended by Palm Beach County Traffic Division through an equivalency letter or an
135 updated Traffic Study approval consistent with this master plan approval. (TRAFFIC)

136

137 8. The County traffic concurrency approval is subject to the Project Aggregation Rules
138 as set forth in the Traffic Performance Standards Ordinance. (TRAFFIC)

139 9. Pod O is required to provide to provide 0.41 acres for public recreation, 0.08 acres
140 for civic, and 0.21 acres for private recreation for a total land area of 0.70 acres. The
141 Pod O developer/owner will not provide the land/facilities as required and will make
142 an in-lieu payment based on a value that is \$50,000.00 per acre or the certified
143 appraised fair market value per acre, whichever is greater, as approved
144 administratively by Wellington when the in-lieu payment is required. The in-lieu
145 payment shall be paid to Wellington, when impact fees are required for the
146 residential uses at time of issuance of building permits. The in-lieu payment shall be
147 in addition to the required Parks and Recreation Facilities Impact Fees as determined
148 at time of building permit issuance. (PLANNING)

149

150 10. The Islepointe project (Pod O) is required to be platted. The plat shall be approved,
151 and recorded, prior to the issuance of any building permits. (ENGINEERING)

152

153 11. No vertical encroachments shall be permitted in any utility or drainage easements.
154 No landscaping shall be installed in water or sewer easements or in areas obstructing
155 line of sight for pedestrians or vehicles. (ENGINEERING)

156

157 12. A Land Development Permit (LDP), issued by the Village of Wellington Engineering
158 Department, is required prior to any earthwork or construction taking place, and
159 shall meet all applicable requirements of the LDR, as well as State and Federal
160 regulations and guidelines must be applied for, approved and issued prior to any
161 construction activities. The permit plans shall include construction details for all
162 infrastructure components including paving, grading, drainage, water, sewer,
163 landscape, lighting and off-site improvements. The LDP must be closed out before

164 any Temporary Certificates of Occupancy (TCO)/Certificates of Occupancy (CO) are
165 issued for any buildings or structures. If the project is phased, a separate LDP will be
166 required for each phase of the project. Each phased LDP must be closed out before
167 any Temporary Certificates of Occupancy (TCO)/Certificates of Occupancy (CO) are
168 issued for any buildings or structures within that phase. (ENGINEERING)

169
170 13. No guarantee of available capacity is expressed or implied by the issuance of a
171 Capacity Availability Letter, until such time that the developer has reserved capacity
172 through payment of Water, Sewer and Fire Capacity Fees. (UTILITIES)

173
174 14. A Developers Agreement will be required by the Utility Department to reserve water
175 and sewer capacity for the project. Payment of capacity fees per Village Resolution
176 No. R2018-35 shall be required to reserve capacity. The Developers agreement must
177 be executed and approved by Village Council prior to the execution of the Palm
178 Beach County Health Water and Sewer Department permits by the Village Utility
179 Director. The Developers Agreement conditions should be coordinated during the
180 Site Plan Approval process. (UTILITIES)

181
182 15. Water, Sewer, and Fire Line Capacity fees are based on the "Wellington Water and
183 Wastewater Rates and Charges Fiscal Year 2022". Applicant is encouraged to review
184 capacity fees. These fees are due prior to the approval of the Developers agreement
185 by Village Council. (UTILITIES)

186
187 16. Developer is responsible for the funding and construction of all
188 improvements/upgrades that the Utility determines are necessary to existing lift
189 stations, water distribution systems, sanitary systems, and force main systems
190 because of impacts to existing systems by the proposed project development plan.
191 (UTILITIES)

192
193 17. The developer/applicant must apply for and obtain a Utility Major permit prior to
194 the development of the proposed improvements. (UTILITIES)

195
196 18. All water mains and sewer mains are required to be public. Water and sewer
197 infrastructure must be located in the right-of-way or in a dedicated exclusive water
198 main or sewer easement. Easement widths shall comply with the Village of
199 Wellington Water and Wastewater Systems Construction and Standards Manual (15-
200 foot minimum). All Utility Easements shall provide for un-hindered access to all
201 facilities and mains. (UTILITIES)

202
203 19. A covered school bus shelter (minimum 10' X 15') shall be provided for the
204 residential pod, with bicycle racks for a minimum capacity of four (4),
205 benches/seating for a minimum capacity of four (4), trash receptacles at each
206 bench/seat location and continuous paved access shall be provided. Prior to the

207 issuance of the first Certificate of Occupancy for any residential building, the
208 covered school bus shelter shall be constructed with consistent colors, materials,
209 and roof treatment as the overall project. (PLANNING)

210
211 20. To address the school capacity deficiency generated by the proposed development
212 at the District elementary, middle, and high school levels, the Pod O
213 owner/developer shall contribute a total of \$39,786.00 to the School District of Palm
214 Beach County prior to issuance of first residential building permit. (PBC SCHOOL
215 DISTRICT)

216
217 21. Benches/seating, trash receptacles/bins and bicycle rack shall be provided within
218 Pod O, with the final number and locations as required with the site plan approval.
219 Trash bins should be provided at seating location(s) on the plans. Shade structures
220 and/or landscaping (trees/palms, shrubs, etc.) shall be provided for the seating
221 areas throughout the site. (PLANNING)

222
223 22. Foundation planting areas (including trees/palms) shall be provided along the
224 street/corner side of all buildings/structures. (PLANNING)

225
226 23. No continuous hedge row in the front plane of the buildings shall exceed a
227 maximum height 36 inches. (PLANNING)

228
229 24. Shade/canopy street trees (min. 16 ft. overall height and 5 ft. clear trunk), and
230 pedestrian street lights shall be provided along both sides of roads/streets within
231 the Islepointe project. The pedestrian street light poles, and regulatory traffic/street
232 signs and poles shall be a decorative design, and the design shall be submitted for
233 ARB approval prior to permitting. (PLANNING)

234
235 25. The street trees required along all roads/streets within the Islepointe project shall
236 be hardwood shade/canopy tree species. An alternative street tree design is
237 approved to include other large tree species and accent/flowering trees as provided
238 in the project's PSM and/or site landscape plans, but the number of trees required
239 shall not be reduced. If any street trees are provided in the residential lots they are
240 not to meet the lot requirements, and shall be dedicated on the plat to the
241 residential pod homeowner's association/property owner's association in
242 perpetuity. (PLANNING)

243
244 26. The developer shall pay into the Wellington Tree Fund for any landscaping
245 (including street trees) not provided per the deviation from the landscape standards
246 and as shown on the plans/PSM. The payment shall be \$600 per tree or the material
247 cost for other landscaping if a maximum of 25% will not be provided, or the cost
248 the developer would pay to provide the landscaping on-site if more than 25% will

249 not be provided. The payment amount, if more than 25%, shall be per a landscape
250 architect certified cost estimate for the landscaping as approved by the DM.
251 Payment in-lieu of providing the landscaping shall be made to Wellington prior to
252 issuance of the first building permit for a residential building within the Islepointe
253 project. (PLANNING)

254
255 27. The perimeter landscape buffers shall be shown as an easement or separate tract on
256 the plans and plat. The landscape buffer along the south and west Pod O property
257 line shall be installed prior to the issuance of the first Certificate of Occupancy for
258 any building within the project. Landscape buffer shade canopy trees shall be 25
259 feet on center and hedge height shall be a minimum of three (3) feet in height at
260 installation. (PLANNING)

261
262 28. The south and w perimeter landscape buffer shall include multi-tiered landscaping
263 with a berm and continuous hedge, installed and maintained at three (3) feet,
264 shrubs/groundcover on both sides of the hedge at intermittent intervals along with
265 the required landscaping per requirements of the LDR. (PLANNING)

266
267 29. Developer/owner shall provide a certified cost estimate (by FL. Registered
268 Landscape Architect or Engineer) for the project's perimeter landscape buffer and
269 interior landscaping materials, installation, irrigation, labor, etc. Surety/bond(s) in
270 the form acceptable to Wellington in the amount of 110% of the estimate shall be
271 posted for the project's perimeter landscape buffer and interior landscaping, in
272 addition to the other bonds required for site improvements per the LDP, with the
273 Engineering Department. Landscape permit(s) shall also be required prior to
274 installation. (PLANNING)

275
276 30. The landscaping within this Planned Development District shall exceed the
277 minimum landscape requirements by 30%, or as approved in the PSM. (PLANNING)

278
279 31. The common areas, landscaping, site amenities, etc., shall be completed in
280 conjunction with the adjacent building(s) and prior to the issuance of any Certificate
281 of Occupancy/Certificate of Completion of adjacent building(s)/improvement(s).
282 (PLANNING)

283
284 32. The median and swale along the project's frontage shall be landscaped and
285 hardscaped as approved by Wellington, and be maintained by the Islepointe HOA/
286 POA. (PLANNING)

287
288 33. The residential units within the Islepointe project shall be Electric vehicle (EV)
289 capable with electrical panel capacity and conduit for future Electric Vehicle Supply
290 Equipment (EVSE) installation by the unit owner. (PLANNING)

291

- 292 34. The developer shall ensure this project is developed to be consistent with green
293 certification standards found within the Florida Green Building Coalition, the US
294 Green Building Council Leadership in Energy and Environmental Design (LEED)
295 manual, or other acceptable environmental, and building standards as determined
296 by Wellington's Development Review Manager for the project during the building
297 permit development approval/inspection process. Documentation indicating which
298 green building standards were met shall be provided six (6) months after the
299 issuance of CO for the buildings. (PLANNING)
300
- 301 35. All above ground and wall mounted utility/transformer box, mechanical
302 equipment, valves, etc., shall be located on-site with required screening on a
303 minimum of three (3) sides that provide required screening, while maintaining
304 required three (3) feet clearance and height to meet or exceed equipment being
305 screened. The screen opening shall be away from public view (including adjacent
306 property) and/or additional shrubs will be required at inspection. The screening
307 shall occur in a manner consistent with the color, character and architectural style
308 of the principal structure and may incorporate landscaping as an element of
309 screening. (PLANNING)
310
- 311 36. The developer shall take measures to ensure that during site development
312 dust/debris particles from the development do not become a nuisance to the
313 neighboring properties. (PLANNING)
314
- 315 37. All gates shall be designed and approved for emergency vehicle access with
316 universal remote approved by all emergency agencies, including but not limited to
317 Palm Beach County Fire and the Palm Beach County Sheriff. Additionally, all gate
318 codes and access shall be granted to Wellington for Code Compliance and other
319 emergency purposes. (PLANNING/ENGINEERING)
320
- 321 38. Signs shall be provided/installed by the developer to alert motorist of the bridle trail
322 location and to propose an enhanced crosswalk design (i.e. pavement markings,
323 flashing signalization, raised median, pedestrian refuge island, etc.) for the safety of
324 equestrian riders and pedestrians in the area of the Pod O project. Required
325 improvements shall be provide prior to issuance of any Certificates of Occupancy
326 for Islepointe/Pod O project. (PLANNING/ENGINEERING)
327

328 **SECTION 2.** This Resolution shall become effective upon approval.
329

330 (The remainder of this page left intentionally blank)

331 **PASSED AND ADOPTED** this ____ day of _____, 2024.

332

333 **WELLINGTON**

334

335

336 BY: _____

337 Michael J. Napoleone, Mayor

338

339

340 **ATTEST:**

341

342

343 BY: _____

344 Chevelle D. Hall, MMC, Village Clerk

345

346

347

348 **APPROVED AS TO FORM AND**

349 **LEGAL SUFFICIENCY**

350

351

352 BY: _____

353 Laurie Cohen, Village Attorney