

The Wellington North

STAFF REPORT

Petition Numbers: Comprehensive Plan Amendment
2022-0002-CPA
Ordinance No. 2023-01

Rezoning
2022-0001-REZ
Ordinance No. 2023-02

Master Plan Amendment
2022-0004-MPA
Resolution No. R2023-01

Owners: Stadium North LLC
Stadium South LLC
Polo Field One LLC
Far Niente Stables I LLC
Far Niente Stables II LLC

Applicant: Wellington Lifestyle Partners
13421 South Shore Boulevard
Suite 203 Box 1
Wellington, FL 33414

Agent: Don Hearing
Coteleur and Hearing
1934 Commerce Lane
Suite 1
Jupiter, FL 33458

Site Address: 13410, 13412, 13414, 13420,
13450, 13480, 13488, and 13500
South Shore Boulevard

PCNs: 73-41-44-16-22-001-0010, 0020,
0030 and 0040
73-41-44-16-21-001-0000

Future Land Use Map (FLUM) Designation (Exhibit A):
Equestrian Commercial Recreation

Zoning Designation (Exhibit G): Equestrian Overlay
Zoning District/Planned Unit Development (EOZD/PUD)

Acreage: 96.11 acres

Project Manager:
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KFerraiolo@wellingtonfl.gov
(561) 753-5268

Location/Map: Equestrian Village and White Birch of the Wellington PUD ("Subject Properties") are located at the northeast corner of the South Shore Boulevard and Pierson Road intersection.



Boards, Committees, Council:

Meeting	Notice Date	Meeting Date	Vote
EPC (CPA and REZ)	5/26/2023	6/7/2023	Denial (7-0)
PZAB (CPA, REZ, MPA)	7/4/2023	7/19/2023 7/20/2023 8/16/2023	Denial/ Table (5-2)
	9/8/2023	9/28/2023	Reaffirm Denial/ Table
Village Council (CPA, REZ 1 st)	9/25/2023	10/10/2023	Continued
	10/30/2023	11/14/2023 11/15/2023 11/16/2023	Approved (4-1)
Village Council (CPA, REZ 2 nd , MPA)	1/8/2024	1/23/2024 1/24/2024 1/25/2024	Pending

Requests:

The applicant is requesting three (3) Comprehensive Plan amendments for the subject properties. The Comprehensive Plan amendments are associated with the concurrent requests of a rezoning to modify the Equestrian Overlay Zoning District boundary and amendments to the Wellington Planned Unit Development (PUD) Master Plan. The overall project proposal is for a residential development with 49 single family and 47 multi-family units, with recreation amenities. The specific amendments to the Comprehensive Plan FLUM, Zoning map, and the Master Plan are presented below.

Ordinance No. 2023-01 - Comprehensive Plan Amendments (Petition 2022-0002-CPA):

- To amend the Future Land Use Map (FLUM) to remove Equestrian Village and White Birch Farms properties, totaling 96.11 acres, from the Equestrian Preserve Area (Exhibit B - Proposed FLUM); and
- To amend the Bridle Path Map (Exhibit C), Pedestrian Pathway Network Map (Exhibit D), the Multi-Modal Pathways Map (Exhibit E), and the Bicycle Lanes Map (Exhibit F) within the Comprehensive Plan by deleting the Equestrian Village property identification as a “venue” and amending the Equestrian Preserve Area boundary consistent with the EPA boundary change; and
- To amend the FLUM designation of a 33.50-acre portion of Equestrian Village and the entire 36.74-acre White Birch Farms properties, totaling 70.24 acres, from Equestrian Commercial Recreation (ECR) to Residential C (1.01 du/ac – 3.0 du/ac).
- To amend the FLUM designation of a 25.87-acre portion of Equestrian Village from Equestrian Commercial Recreation (ECR) to Residential D (2.01 du/ac – 5.0 du/ac).

Ordinance No. 2023-02 - Rezoning (Petition 2022-0001-REZ) – *Action must be consistent with Comprehensive Plan:*

- To amend Wellington's Official Zoning Map to amend the zoning designation of Equestrian Village and White Birch Farms, totaling 96.11 acres, from Equestrian Overlay Zoning District/Planned Unit Development (EOZD/PUD) to PUD and modify the boundary of the EOZD consistent with the Equestrian Preserve Area (Exhibit H– Proposed Official Zoning Map); and
- To remove Equestrian Village and White Birch Farms from Subarea D of the EOZD consistent with the EOZD boundary change.

Resolution No. 2023-01 – Master Plan Amendment (Petition 2022-0004-MPA):

- To amend the Wellington PUD Master Plan (Exhibit J – Proposed Wellington PUD Master Plan):
 - To combine Pods 30C-2 and 30C-4 into Pod 30C-2 (96.11 acres); and
 - To assign 96 dwelling units (49 single family and 47 multi-family) to Pod 30C-2; and
 - To approve The Wellington North Project Standards Manual (Exhibit K); and
 - Removing one (1) access point along South Shore Boulevard and one (1) access point along Pierson Road; and
 - To revise Conditions of Approval.

At the June 7, 2023 Equestrian Preserve Committee (EPC) meeting, the committee was tasked only with providing a recommendation to the modification of the EPA boundary by removing the Equestrian Village and White Birch Farms properties (Ordinance No. 2023-01) and the rezoning of the properties from EOZD/PUD to PUD (Ordinance No. 2023-02). The committee unanimously recommended denial (7-0) of both Ordinances.

At the August 16, 2023 Planning, Zoning and Adjustment Board (PZAB) meeting, the board recommended that Council deny without prejudice or table the Wellington North CPA (Ordinance No. 2023-01), REZ (Ordinance No. 2023-02) and MPA (Resolution No. R2023—01) until such time as the Compatibility Determination for Pod F is submitted and has been heard by EPC and PZAB through the Public Hearing process so that the application can be heard at Council collectively with the Wellington North CPA application. The motion passed 5-2; Dr. Satesh Raju and Maureen Martinez dissented.

Since the PZAB Meeting, the applicant has amended the request by:

- Comprehensive Plan Map Amendment:
 - Eliminating the request to modify the Future Land Use Map (FLUM) designation for Coach House.
 - Modifying the FLUM designation for White Birch and Equestrian Village from Residential E to Residential D (2.01 – 5.0 du/ac).
- Master Plan Amendment:
 - Removing the Coach House from the Master Plan Amendment request, which includes the Pod 30C 50-unit entitlement.
 - Reducing the number of units for the new Pod 30C-2 from 250 units (22 single family and 228 multifamily) to 96 units (49 single family and 47 multifamily); an increase of 90 units.
 - Add a note to Pod 30C-2 which limits the building height to 35 feet; and
 - Removing one (1) access point along South Shore Boulevard and one (1) access point along Pierson Road; and
 - Modifying and adding conditions of approval.

At the November 16, 2023 Village Council Meeting, the Council voted (4-1) to approve Ordinance No. 2023-01 (CPA) and Ordinance No. 2023-02 (REZ) on first reading and to transmit the proposed CPA request to the state for review. Staff has forwarded the proposed request to the Florida Department of Commerce (formerly known as the Department of Economic Opportunity) and the various review agencies, and have received no comments on the proposed amendments.

Since the First Reading of Council, the applicant has amended their requests by:

- Comprehensive Plan Map Amendment:
 - Modifying the FLUM designation for the entire 36.74-acre White Birch Farms and the eastern 33.50-acre portion of Equestrian Village from Residential D to Residential C (1.01 – 3.0 du/ac) with a maximum of 49 single-family dwelling units.
 - The remaining 25.87-acre western portion of Equestrian Village request remains Residential D with a maximum of 47 multi-family dwelling units.
- Master Plan Amendment:
 - Updated various conditions of the MPA including Conditions 7 – 12.
 - Modified the Wellington PUD Master Plan to reflect the locations of the single-family and multi-family development to match the FLUM.

SITE HISTORY:

The Wellington PUD was approved by Palm Beach County in 1973, prior to Wellington's incorporation. The subject properties are made up of two (2) separate properties – Equestrian Village (59.55 acres +/-) and



White Birch Farms (36.74 acres +/-). The history for each property is provided below:

Equestrian Village and White Birch Farms:

The 96.11-acres comprising Equestrian Village and White Birch Farms were originally the center of polo in Wellington. The properties were developed by Mr. Ylvisaker in the 1970's as a component of the Palm Beach Polo Golf and Country Club subdivision. The properties contained the original polo stadium with four (4) polo fields. Fields 1 and 2 were west (aka Equestrian Village) of Polo Island and Fields 3 and 4 were east (aka White Birch Farms) of Polo Island. The polo fields were used for matches and several recreational community events. Equestrian Village was assigned four (4) dwelling units on the Wellington PUD Master Plan. After Wellington's incorporation, polo activity was limited and in 2007 the original polo stadium was demolished. In 2012, Equestrian Village, which is also known as Global Dressage, was approved to operate as a Commercial Equestrian Arena (CEA). In 2012, the approval was rescinded by Council as the applicant failed to comply with certain conditions of approval contained in Resolution No. R2012-07 that required the property to be platted by April 1, 2012. A settlement agreement was reached in 2013 and the applicant went through the CEA approval process again, but with minor changes to the plan. One of the conditions of approval for the CEA was to construct off-site road improvements prior to full beneficial use and operation of the CEA. Until the off-site road improvements were constructed and all conditions of approval were satisfied, the applicant was required annually to apply for and receive an Equestrian Permit to operate as a CEA. The Equestrian Permits were approved but with limited/reduced capacity. The conditions were satisfied in 2022 when Council accepted payment in lieu of the improvements. The Equestrian Village is now a fully operational CEA with 192 permanent horse stalls, multiple arenas, stadium, and other pavilions. The site hosts dressage, jumper derbies, grand prix events, and more.

Pod 30C-4, also known as White Birch Farms, was separated from Pod 30C-2 in 2013 to reflect the subdivided and separate ownership of the property. Pod 30C-4 was originally assigned two (2) units, which have not been built. An access point was also added along Pierson Road and Pod 30C-4 was labeled "Equestrian Facility". White Birch Farms currently consists of two (2) polo fields.

The Master Plan approvals in 2013 included a condition that site plans for White Birch Farms and Equestrian Village were required to be approved by Wellington Council. Wellington Council approved the White Birch Farms Site Plan in 2013 and the Equestrian Village Site Plan in 2014.

ANALYSIS – COMPREHENSIVE PLAN AMENDMENTS:

The applicant is requesting Comprehensive Plan Amendments:

- To amend the Future Land Use Map (FLUM) to remove Equestrian Village and White Birch, totaling 96.11 acres, from the Equestrian Preserve Area (EPA) and modify all the maps within the Comprehensive Plan that show the property as an equestrian venue and show the EPA boundary;
- To amend the FLUM designation of a 33.50-acre portion of Equestrian Village and the entire 36.74-acre White Birch Farms properties, totaling 70.24 acres, from Equestrian Commercial Recreation (ECR) to Residential C (1.01 du/ac – 3.0 du/ac).
- To amend the FLUM designation of a 25.87-acre portion of Equestrian Village from Equestrian Commercial Recreation (ECR) to Residential D (2.01 du/ac – 5.0 du/ac).

The properties are proposed to be redeveloped into a residential pod of the Wellington PUD with 49 single family units and 47 multi-family units. A Comprehensive Plan Amendment, Rezoning, and Master Plan Amendment are required to develop the property as proposed. The FLUM amendments for the two (2) properties rely on the approval of the Comprehensive Plan Amendment modifying the EPA boundary and Residential D land use designation is the "lowest" residential land use that allows multi-family units. Pursuant



to Wellington's Charter, an affirmative vote of four Council members (aka supermajority) is required for contraction of the EPA boundary. Without approval of the EPA boundary change and the land use change, all other applications must be denied.

The following addresses how the proposed Comprehensive Plan Amendments are consistent with or comply with certain goals, objectives, and policies of Wellington's Comprehensive Plan:

EPA Boundary Modification Analysis:

Land Use & Community Design Element

Policy LU&CD 1.1.1 Compatible with Existing Conditions *New development shall be compatible with existing natural and built conditions. Future growth patterns shall take into consideration topography, soil, vegetation, water quality and quantity, and other natural resources of the land. Future growth patterns shall also respect and protect the character and quality of the surrounding built environment.*

The overall EPA/EOZD boundary comprises approximately 9,360 acres. The area requested to be removed from the EPA boundary is 96.11 acres, which equates to a little more than one percent (1%) of the overall EPA. While this is the first request for a contraction of the EPA/EOZD boundary, the proposed change is in a suitable location for a boundary adjustment as it located north of Pierson Road, east of South Shore Boulevard, and at the edge of the EPA boundary. The area is surrounded on three sides by property that is not in the EPA. The property is currently part of the Wellington PUD and is a part Palm Beach Polo residential development as much as it is currently a part of the EPA/EOZD. There is a residential "peninsula", Polo Island, that partially separates Equestrian Village and White Birch Farms. The proposed new boundary is at a logical location of roadways/canals. If the proposed properties are removed, there will only be 22.32 acres of property (Black Watch Farms) north of Pierson Road and east of South Shore Boulevard that remains within Subarea D of the EOZD and EPA.

Note: *The consideration of the EPA boundary change is legislative and therefore does not set a precedent if it is approved. Any future requests will be considered based upon the respective merits and context. The boundary change is being proposed to accommodate a multi-family development type that is not permitted within the EPA/EOZD, but compatible with the development types and patterns within Wellington PUD.*

Policy LU&CD 2.6.1 Equestrian Preserve Area (EPA) *The Equestrian Preserve Area is established on the Land Use Map as a specific boundary delineating the equestrian community to protect and preserve the equestrian lifestyle.*

Per Article 3 of Wellington's LDR, the definition of a "Preserve" or "Preserve Area" means the portion of a native vegetation which is required to be set aside from development or other alteration activities, protected from the removal of any plant species, managed to maintain viability for wildlife habitat, and maintained free of non-native species. A preserve, by definition, protects natural habitats and other natural resources. The Wellington Charter states the intent of the Equestrian Preserve Area is to "protect the distinctive characteristics of Wellington's equestrian community and the lifestyle it offers". While the priority is to "preserve and protect the equestrian lifestyle" of the EPA, the term preservation has a different connotation within the EPA than is the meaning normally associated with the word "preservation." Within the EPA, preservation is not focused on setting aside large open, green, or natural areas for public purposes. Instead, the Equestrian Preserve Area seeks to protect and promote an "equestrian community and lifestyle."

The 96.11 acres that is proposed to be removed from the EPA includes the Global Dressage showgrounds and White Birch Farms. As previously stated, these properties comprise the majority of equestrian property north of Pierson Road and east of South Shore Boulevard, surrounded on three sides by residential and commercial development that is not within the EPA. Given its location and context of the adjacent properties, the EPA boundary change is not expected to have a detrimental impact on the equestrian community and

lifestyle as the showgrounds are proposed to be relocated and the EPA will continue to include more than approximately 9,000 acres, 1,900 parcels, and 12,000 stalls.

The Global Dressage showgrounds is one of three (3) major equestrian competition venues in Wellington that support the equestrian community. As part of the application for The Wellington South, new equestrian showgrounds are proposed for Pod F of Wellington CountryPlace PUD, directly south of the existing Wellington International (fka Palm Beach International Equestrian Center) showgrounds. The new showgrounds at Pod F would increase the property dedicated to showgrounds by more than 50 acres and provide an opportunity to develop a new, state-of-the art facility to preserve and sustain the equestrian sports industry for future seasons. It would also maintain three (3) major equestrian venues within Wellington – Wellington International, National Polo Center, and a new major equestrian venue.

Future Land Use Map Amendment Analysis:

Land Use & Community Design Element

Policy LU&CD 1.1.1 Compatible with Existing Conditions *New development shall be compatible with existing natural and built conditions. Future growth patterns shall take into consideration topography, soil, vegetation, water quality and quantity, and other natural resources of the land. Future growth patterns shall also respect and protect the character and quality of the surrounding built environment.*

The proposed Land Use Amendment to Residential C (70.24 acres) and Residential D (25.87 acres) for the overall project is compatible with the surrounding area. To the north and east of the project is the Palm Beach Polo community that has a variety of housing options in the form of single-family and multi-family lots and units. The portions of Palm Beach Polo adjacent to the project site are Residential C (1.01 - 3.0 du/ac), Residential D (2.01 – 5.0 du/ac) and Residential F (5.01 – 12.0 du/ac). The Comprehensive Plan Amendment will limit the project to 49 single family units on the Residential C portion of the site and 47 multi-family units on the Residential D portion. Any future changes would require both a Master Plan Amendment and a Comprehensive Plan Amendment. As a part of the site plan approval, landscape buffers will be required where density differences occur throughout the project. In addition, a condition to the Master Plan Amendment which will limit the building height to 35-feet.

Policy LU&CD 1.2.3 Medium Density Residential Land Use *Apply the Medium Density Residential land use designation (Residential Land Use D, E, or F) to land that is or will be developed for a wide range of housing types, including but not limited to attached, single-family and multi-family housing. The Medium Density Residential land use designations are designed for densities ranging from gross 5 to 12 units per acre and are eligible for additional density through a reinvestment bonus program up to a maximum of two times the maximum units per acre for the respective land use designation.*

The applicant is requesting a Residential C and D Land Use designation with a mix of housing types (49 single family and 47 multi-family). The 49 single-family dwelling units will be located on the Residential C portion of the project and the 47 multi-family will be located on the Residential D portion. The overall project will have a density of 1.0 du/ac. The applicant is not requesting additional density through a reinvestment bonus program.

Policy LU&CD 3.1.3 Market Analysis (Commercial, Mixed-Use, Multi-Family) *Requests for Land Use Map amendments or rezoning to a commercial, mixed-use, or multifamily designations shall be supported by a professionally prepared market analysis that demonstrates the need for the requested development at the proposed location, the types of marketable commercial activities or multi-family residential dwelling units there, and the projected market area of the proposed development.*



The applicant has submitted a Market Study prepared by Zabik & Associates and is provided in Exhibit U. The study was completed when the project development program included the construction of a residential community with a lagoon and 10-hole golf course. Zabik & Associates has also analyzed the new development program proposed and has determined that the economic impact of the previous development program still applies. The study determines that Wellington and central Palm Beach County market areas are strong and demand is currently in place for additional residential development. There is also extremely limited supply of new comparable product in and around Wellington.

The Market Study had determined that every dollar by the project will result in \$2 to \$3 dollars of community investment. The total economic impact to the economy for this development would be \$1.1 billion including direct, indirect, and individual benefits. The results of the analysis determined that during the construction phase of the project, it is estimated to create 1,000 direct jobs, 400 indirect jobs, and 425 induced jobs, for a total of 1,825 jobs. After construction, the project is estimated to create 200 direct jobs, 60 indirect jobs, and 80 induced jobs, for a total of 340 long term jobs. In addition, the project is estimated to generate \$9.23 million of ad valorem taxes with \$1.15 million designated to Wellington. The individual properties currently generate only \$293,094 in ad valorem taxes which only \$37,429 designated to Wellington as the majority of the properties have an agricultural classification which have a lower taxable value.

Wellington contracted with Raftelis, at the expense of the applicant, to perform an independent review of the market study that was submitted and has concurred with the analysis provided.

Conservation, Sustainability, and Resiliency Element

Policy CSR 1.1.2 Transportation Air Quality Impacts *Reduce transportation air quality impacts by increasing non-automobile travel by improving connectivity and safety sidewalks, bicycle lanes, and multi-use pathways.*

As part of a companion application, the applicant is proposing to move the Global Dressage showgrounds from its current location in Pod 30C-2 of the Wellington PUD to Pod F of the Wellington CountryPlace PUD. If all requests are approved, this will allow for the consolidation of equestrian venues in one location. In addition, it will provide additional housing options within close proximity of the Wellington International and proposed showgrounds. A multi-modal pathway will be constructed on the north side of the C-23 canal allowing for multiple modes of transportation to and from the showgrounds, which would reduce potential traffic to and from the project.

The majority of equestrian properties within the EPA are located south and west of the existing Equestrian Village showgrounds. Removing the 96.11 acres from the EPA and the potential relocation of the showgrounds within Pod F of the Wellington CountryPlace PUD will reduce the number of horse traffic, both trailers and horses, at the South Shore Boulevard and Pierson Road intersection as the majority of the horse traffic will not be crossing major thoroughfares and will be using other roadways and public/private trails to access the relocated showgrounds.

Education Element

Objective ED 3.2 School Facility Coordination *Continue to coordinate the development approvals and planning for school facilities.*

The applicant is required to notify the School Board of Palm Beach County of the proposed development and request a School Capacity Availability Determination (SCAD) letter. The School District reviews the potential impact the proposed development has on the public school facilities, evaluates the available capacity and utilization percentage based on evaluation of the most current School District's Five-Year Enrollment Projections on the additional students potentially generated from the proposed residential development. New Horizons Elementary School, Polo Park Middle School, and Wellington High School will service the development. The October 19, 2023 SCAD letter determined that there would be a negative



impact on the public schools at the high school level. The table below identifies the number of students projected to be generated per school, the available capacity at the school, and the overall utilization percentage:

	New Horizons Elementary School	Polo Park Middle School	Wellington High School
New Students Generated	14	7	10
Available Capacity	13	175	-495
Utilization Percentage	98%	88%	118%

To address the school capacity deficiency generated by this proposed development at the District high school level, the School District has recommended the development contribute \$134,260.00 to the District prior to the issuance of the first building permit. The Local Government may incorporate this condition in the development approvals, however it is not required. Staff has included this condition in the Master Plan Amendment, Resolution No. R2023-01, conditions of approval. The school capacity contribution is intended to supplement the required school impact fees.

Mobility Element

Policy MB 1.1.2 Development Impact on Roadway LOS *Development orders shall only be issued if the proposed development will not cause roadway levels of service to fall below the adopted LOS targets or ROW modifications are proposed to mitigate impacts and maintain the target LOS.*

A Traffic Impact Statement has been submitted and is provided as Exhibit N. Palm Beach County Traffic Division and Wellington's Traffic Engineer have both reviewed and determined the proposed level of traffic generated for this project demonstrates compliance with this policy and meets Traffic Performance Standards (TPS). However, Wellington's Traffic Engineer has determined that intersection modifications at Pierson Road and South Shore Boulevard, inclusive of the expansion of turning lanes, are required to be funded by the developer at the time of plat. The modifications are included in the conditions of approval of the Master Plan Amendment.

Parks and Recreation Element

Policy PR 1.1.1 Recreational Land (Recommended Standards) *Provide a superior amount of recreational land to serve the population; at least 10 acres of recreational land per 1,000 residents is Wellington's target. Recreational land may comprise land for active or passive recreational use.*

To maintain a superior amount of recreational land to serve the population, Wellington's target is to provide at least 10 acres of recreational land per 1,000 residents. There are currently 2,011 acres of land with a Recreational Future Land Use Map designation that are either Open Space Recreation, Equestrian Commercial Recreation, Park, or Conservation. Wellington has a population of 61,768 and based on the population, is targeted to have 617.68 acres of recreational land. With the reduction of 96.11 acres, Wellington exceeds the targeted amount of recreational land by 1,297.03 acres. However, if the companion application for The Wellington South is approved, the applicant is requesting to change the land use of 114.65 acres from Residential B to Equestrian Commercial Recreation. If all applications are approved, there will be an overall increase of 18.36 acres of recreational land in Wellington.

Although The Wellington North does not have a Recreational land use designation, the project provides a variety of recreational amenities that exceeds what any other private neighborhood provides for its residents/members including a driving range, paddle courts, pools, and other outdoor nodes, some of which will be available for public memberships.

ANALYSIS – REZONING AND MASTER PLAN AMENDMENT:

The applicant is requesting to modify Wellington's Official Zoning Map to amend the zoning designation of Equestrian Village and White Birch Farms, totaling 96.11 acres, from EOZD/PUD to PUD and a Master Plan Amendment to the Wellington PUD to combine Pods 30C-2 and 30C-4 into Pod 30C-2 (96.11 acres); and assign 96 dwelling units, which is an additional 90 units to Pod 30C-2 (49 single family and 47 multi-family). Currently, the two (2) pods have entitlements for a total of 6 units.

The proposed Rezoning and Master Plan Amendment comply with the following:

A. *The request is consistent with the purposes, goals, objective and policies of the Comprehensive Plan:*

The Rezoning and Master Plan Amendment are consistent with the Comprehensive Plan as explained above in the Comprehensive Plan staff analysis. In addition, the Rezoning request is compatible with the following:

Policy LU&CD 2.6.2 Equestrian Overlay Zoning District (EOZD) *The Equestrian Overlay Zoning District (EOZD) regulates the development pattern and standards for the Equestrian Preserve Area and defines the density and intensity, requires the preservation of green space, establishes an equestrian circulation system including safe crossings of roadways by equestrians, and allows for certain land uses not permitted in other areas of Wellington.*

If Ordinance No. 2023-01, removing the 96.11-acre properties from the EPA, is approved, then the zoning designation would need to be amended from EOZD/PUD to PUD as only properties within the EPA can be within the EOZD. Additionally, the proposed multi-family use is not a permitted use within the EOZD and is permitted within a PUD.

B. *The request is in compliance with all articles of the Land Development Regulations (LDR):*

The property currently has equestrian uses, however, if the request for removal from the EPA and EOZD is approved, then the equestrian uses will not be permitted on the property and the uses/structures will be non-conforming. Three (3) voluntary conditions of approval have been presented by the applicant and have been added to the Master Plan Amendment Conditions of Approval which deals with the relocation of equestrian facilities and continued use of the site until the relocation is complete:

- Condition 7: Requires the property owner to enter into a Declaration of Restrictions and Covenants which prohibits issuance of residential building permits for the 59.37 acres comprised of Equestrian Village until show facilities are relocated, completed, and available for use. This condition also requires Wellington to allow for the continued operation of the Commercial Equestrian Arena (CEA) as a legally non-conforming use and not subject to Section 1.3.3.A(4) of Wellington's LDR and not subject to an annual Special Use Permit. The CEA approval will be rescinded once show facilities are relocated.
- Condition 8: The Declaration of Restrictions and Covenants shall state that if relocation of show facilities is not completed by December 31, 2028, only 26 units shall be constructed on the Equestrian Village property and the remaining 48 units will be abandoned.

- Condition 9: The Declaration of Restrictions and Covenants shall state Pod 30-2 shall be limited to a maximum of 96 dwelling units. White Birch Farms shall be restricted to 22 dwelling units, golf facility and golf ancillary uses.

A Conceptual Site Plan and Circulation Plan have been submitted as provided in Exhibit L and M, respectfully. The applicant is proposing 47 multi-family units which consist of tennis villas, duplexes, and 11 smaller dwelling units within the main clubhouse, 49 single family lots, a 24,000 SF clubhouse with four (4) pools, tennis courts, pickleball courts, paddle courts, and a 14,000 SF gym. The project is also proposing to have golf amenities including a driving range, short game facility, putting green, and golf clubhouse. The amenities will be accessible to both The Wellington North and South residents, and will have a select number of memberships for non-residents. If the proposed requests are approved, the applicant will be required to submit a Site Plan that will be reviewed by all departments for compliance with the LDR, including site development standards, parking, landscaping/buffering, driveways, access, etc. The applicant will also be required to replat the properties prior to issuance of any permits.

The applicant has submitted a Project Standards Manual (PSM) as part of the Master Plan Amendment. A PSM is a governing document, in addition to the master plan and site plan, for a planned development that provide all regulations for the proposed development as required by Section 6.5.2.C and 6.5.4.E of the LDR. The PSM is adopted by resolution and provides design standards, landscape requirements, circulation, etc. for a development. The PSM submitted has been reviewed by staff and meets the requirements of Article 6.

The project originally included multi-family buildings that were proposed to be built taller than 35 feet. The development program has since changed as they are proposing less units, duplexes/villas, and more single-family lots. A condition has been added to Resolution R2023-01 to limit the building height to 35 feet for Pod 30C-2.

C. *That the proposed request is compatible and consistent with existing uses and zoning surrounding the subject land and is the appropriate zoning district for the land.*

The property is already within the Wellington PUD and as proposed is consistent with the surrounding properties to the north, east, and west, as they are residential properties and not within the EOZD. If approved, the subject properties would also have the same zoning district as the properties to the north, east, and west.

The proposal includes the request for an additional 90 units for a total of 96 units. There is currently a total of 6 units assigned to the properties: Equestrian Village (4 units), and White Birch Farms (2 units). While 90 additional units may seem relatively high and would be the largest number of “new” units applied to a property by Wellington that was not part of a previously approved development order, the number of units per acre (1.0 units per acre) is consistent with the gross units per acre of the adjacent Palm Beach Polo Golf and Country Club development and is consistent with the gross residential development units per acre within the Wellington PUD. The Wellington PUD was originally approved in 1973 for 14,651 units. Over the years, various amendments were approved which reduced the number of units to 14,382. If the additional unit are approved, the total number of units for the overall PUD would still be less than what was originally approved in 1973.

D. *That there are changed conditions that require rezoning.*

As part of The Wellington South application, the applicant is proposing new showgrounds in Pod F of Wellington CountryPlace PUD. The new showgrounds will increase the size of the existing Global

Dressage from 59.47 to 114.65 acres, which is almost double in size. According to the proposed Wellington CountryPlace Master Plan, the proposed show grounds would have up to 1,500 stalls at buildout, nine (9) competition rings, derby fields, lunging rings, stadium seating for 7,000 spectators, hospitality venue for 4,000 spectators, up to 26,000 SF of retail space to support the venue, 18,000 SF of office space, and up to 45,000 SF of storage. If the applications in support of the venue location are approved, this will support a consolidation and expansion of equestrian venues and the property north of Pierson Road may then be developed as residential. The applicant contends the residential development is needed to provide a “pipeline” of new customers with a new housing option to support the showgrounds. In addition, the desire to relocate the showgrounds is a reasonable request as both showgrounds (Wellington International and Equestrian Village) are outgrowing their sites. The result would be a development that is non-equestrian, adds both residential and non-residential uses to the PUD, and creates a gateway to the EPA.

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

The 96.11-acre project has been altered with past construction and is not raw land. The 59.37 Equestrian Village property is currently developed as an equestrian venue, and the 36.74 White Birch Farms property is currently two (2) polo fields. No signs of listed wildlife species were observed on the property. No adverse impacts to the natural environment are expected to occur as a result of the proposed modifications. The owners shall obtain all necessary permits or permit modifications from all agencies with jurisdiction for future improvements.

F. The request minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

The Wellington North conceptual site plan shows a variety of open space and recreational uses including a clubhouse, outdoor courts, 6-acre lake, and a 16-acre driving range. The single-family units are placed adjacent to the existing single-family and multi-family uses in Polo Island within Palm Beach Polo Golf and Country Club. The driving range separates the Bridle Path subdivision of Palm Beach Polo from the eastern 22 single family lots. The multi-family buildings are proposed along the western portion of the project adjacent to South Shore Boulevard and south of the Hurlingham subdivision. Appropriate landscape buffering will be required along the rights-of-way and along the east portion of the property.

The use of residential and recreational uses provides for the same visual impact as any other single family and multi-family development within Wellington PUD, within Palm Beach Polo Golf and Country Club, and along other major thoroughfares. In addition, there will be less potential foul odors and noise as the subject site will no longer house stables, horses, or large events once the project is developed as proposed.

G. The request is consistent with applicable neighborhood plans.

Not applicable as there is no neighborhood plan for this area.

H. The request will result in a logical, timely, and orderly development pattern.

The applicant is requesting an additional 90 units for a total of 96 units on 96.11-acres. The property is adjacent to other similar type residential uses and is a logical redevelopment option for this property. The development is proposed to offer unique recreational provisions and residential unit



types similar to the development pattern of the adjacent properties, specifically Palm Beach Polo Golf and Country Club.

The property is located on the northeast corner of Pierson Road and South Shore Boulevard. No additional access points along South Shore Boulevard are being requested. There is currently one (1) point along South Shore Boulevard to the Equestrian Village properties which is proposed to be removed. The main access to The Wellington North project will be at the existing South Shore Boulevard and Greenview Shores Boulevard intersection through Coach House where an entrance and traffic light already exists. A cross access agreement between Coach House and The Wellington North will be required. The existing curb cut for the entrance to Equestrian Village along South Shore Boulevard will be removed.

There are currently two (2) access points along Pierson Road. Only the eastern access point along Pierson Road is proposed to remain and will be used for emergency access only. The western access point along Pierson Road will be removed.

I. *The proposed request complies with Article 2, concurrency.*

The Utilities and Engineering Departments have reviewed the applications and determined that adequate facilities to meet concurrency exists for potable water, sanitary sewer, and drainage. The project is proposed within the Urban Service Area, with water and sewer connection available in the surrounding area. A condition has been added that requires the applicant to be responsible for the funding and construction of all improvements/upgrades to existing lift stations, water distribution systems, sanitary systems, and force main systems that are necessary as a result of the impacts of the proposed project development plan on the existing systems.

Per Section 8.5.2 of Wellington's LDR, the developer shall dedicate land, pay a fee in lieu of, or do a combination of both, at the option of Wellington, for public parks and civic facilities land. Civic facilities may include certain public governmental facilities such as community centers, cultural centers and government offices. Ten (10) acres of park land and one (1) acre of civic facilities land shall be provided for each one thousand (1,000) population, or fraction thereof, generated by the development. The amount of payment in lieu of dedication for the additional 90 dwelling units shall be based on Wellington's cost to acquire land for community or neighborhood parks at the time the subdivision plan or site plan is submitted or on a Wellington approved certified MSA appraisal of the average value of the land in the development at the time of the submittal. The applicant has committed to donate the 59-acre property, formerly known as North Course, located on the north side of Forest Hill Boulevard behind the library to satisfy this requirement and is provided in Condition 12 of Resolution R2023-01. In addition, they will be donating \$2,000,000 towards the construction and improvement of the site. This is in addition to any impact fees that will be collected for each unit upon issuance of building permits.

The Palm Beach County Traffic Division has reviewed the Traffic Impact Statement (Exhibit N) and has determined that the proposed development meets the Traffic Performance Standards of Palm Beach County (Exhibit P – PBC Traffic Performance Standards Letter). The Wellington Traffic Engineer has reviewed all applications and the recently submitted Traffic Impact Statement and provided a certification letters and conditions of approval that have been included in the Master Plan resolution (Exhibit Q – Wellington Traffic Engineer Letters).

As previously noted, the School District of Palm Beach County has provided a School Capacity Determination Letter (SCAD) (Exhibit R - SCAD Letter) and a condition has been added that the

property owner shall contribute \$134,260.00 to the School District to address the school capacity deficiency at the high school level prior to the issuance of the first building permit.

J. *The proposed request complies with Wellington building standards.*

Prior to zoning approval on any building permits, the proposed elevations of the multifamily building will need to be approved by the ARB. This will ensure that the new construction will meet or exceed the desired design and aesthetic characteristics required in Wellington. Each building and single-family lot will then be required to get all necessary permits to ensure that the buildings meet the LDR and building code.

RECOMMENDATION:

This staff analysis concludes that the proposed request to adjust the Equestrian Preserve Area boundary complies with the requirements for a comprehensive plan amendment. As presented, the requested change to modify the EPA boundary is consistent with several planning principles, primarily based upon the context of the property location, including an appropriate location for a district change relative to its adjacency to a roadway, the increment of the boundary adjustment (1% of EPA) relative to the overall EPA, and the location of the property which surrounded on three (3) sides by non-equestrian properties. The Planning staff recommendation is based on the overall context of The Wellington North proposal and with respect to all of The Wellington proposals, one of which proposes a new showground on a larger property to replace Equestrian Village.

The EPA boundary change decision is a legislative action and is therefore fairly debatable. This means the PZAB's decision need only be rationally related to a legitimate public purpose, such as health, safety, and welfare of the public, or in this case the equestrian community. The EPA was established to protect and preserve the equestrian lifestyle, the distinctive characteristics of the individual communities, along with supporting the equestrian competition industry. Therefore, the requested change to the EPA boundary and the removal of the subject properties north of Pierson Road is a question of its impact to the equestrian lifestyle and the community characteristics.

The recommendation for the EOZD boundary must be consistent with the EPA boundary recommendation as the EOZD implements the EPA.

If the EPA/EOZD changes are approved, the associated Future Land Use Map amendments also comply with the requirements for a comprehensive plan amendment. The FLUM amendments support residential development and at a density that is consistent with its surrounding context.

Based upon the analysis, the following is recommended for approval with conditions, as presented:

- Ordinance No. 2023-01 Comprehensive Plan Amendment (Petition 2022-0002-CPA) to amend the Future Land Use Map (FLUM) to remove Equestrian Village and White Birch Farms, totaling 96.11 acres, from the Equestrian Preserve Area; and to amend the Pedestrian Pathway Network Map, the Multi-Modal Pathways Map, Bridle Path Map, and the Bicycle Lanes Map within the Comprehensive Plan removing notations identifying the property as "venue" and amending the Equestrian Preserve Area boundary.
- Ordinance No. 2023-03 Comprehensive Plan Amendment (Petition 2022-0002-CPA) to amend the FLUM designation of a 33.50-acre portion of Equestrian Village and the entire 36.74-acre White Birch Farms properties, totaling 70.24 acres, from Equestrian Commercial Recreation (ECR) to Residential C (1.01 du/ac – 3.0 du/ac).

Village Council – Second Reading

Planning and Zoning Division

January 23, 2024



- Ordinance No. 2023-03 Comprehensive Plan Amendment (Petition 2022-0002-CPA) to amend the FLUM designation of a 25.87-acre portion of Equestrian Village from Equestrian Commercial Recreation (ECR) to Residential D (2.01 du/ac – 5.0 du/ac).
- Ordinance No. 2023-02 Rezoning (Petition 2022-0001-REZ) to amend Wellington's Official Zoning Map to amend the zoning designation of Equestrian Village and White Birch Farms, totaling 96.11 acres, from EOZD/PUD to PUD.
- Resolution No. 2023-01 Master Plan Amendment (Petition 2022-0004-MPA) to amend the Wellington PUD Master Plan to combine Pods 30C-2 and 30C-4 into Pod 30C-2 with 96.11 acres; to assign 96 dwelling units, an additional 90 units, to Pod 30C-2 (49 single family and 47 multi-family); and to approve The Wellington North Project Standards Manual; with the following Conditions of Approval:

At the June 7, 2023 Equestrian Preserve Committee (EPC) meeting, the committee was tasked only with providing a recommendation to the modification of the EPA boundary by removing the Equestrian Village and White Birch Farms properties (Ordinance No. 2023-01) and the rezoning of the properties from EOZD/PUD to PUD (Ordinance No. 2023-02). The committee unanimously recommended denial (7-0) of both Ordinances.

At the August 16, 2023 Planning, Zoning and Adjustment Board (PZAB) meeting, the board recommended that Council deny without prejudice or table the Wellington North CPA (Ordinance No. 2023-01), REZ (Ordinance No. 2023-02) and MPA (Resolution No. R2023—01) until such time as the Compatibility Determination for Pod F is submitted and has been heard by EPC and PZAB through the Public Hearing process so that the application can be heard at Council collectively with the Wellington North CPA application. The motion passed 5-2; Dr. Satish Raju and Maureen Martinez dissented.

A public hearing was held on September 28, 2023, for the 49 property owners that did not receive a certified mailer for the July/August PZAB meeting. No property owners were present at this meeting and the Board reaffirmed their previous motion of denial/tabling the applications.

Since the PZAB Meeting, the applicant has amended the request by:

- Removing the Coach House from the Master Plan Amendment request.
- Reducing the number of units for Pod 30C-2 from 250 units (22 single family and 228 multifamily) to 96 units (49 single family and 47 multifamily).
- Adding a note to Pod 30C-2 which limits the building height to 35 feet;
- Removing one (1) access point along South Shore Boulevard and one (1) access point along Pierson Road; and
- Modifying and adding conditions of approval.

At the November 16, 2023 Village Council Meeting, the Council voted (4-1) to approve Ordinance No. 2023-01 (CPA) and Ordinance No. 2023-02 (REZ) on first reading and to transmit the proposed CPA request to the state for review. Staff has forwarded the proposed request to the Florida Department of Commerce (formerly known as the Department of Economic Opportunity) and the various review agencies, and have received no comments on the proposed amendments.

Since the First Reading of Council, the applicant has amended their requests by:

- Comprehensive Plan Map Amendment:
 - Modifying the FLUM designation for the entire 36.74-acre White Birch Farms and the



eastern 33.50-acre portion of Equestrian Village from Residential D to Residential C (1.01 – 3.0 du/ac) with a maximum of 49 single-family dwelling units.

- The remaining 25.87-acre western portion of Equestrian Village request remains Residential D with a maximum of 47 multi-family dwelling units.
- Master Plan Amendment:
 - Updated various conditions of the MPA including Conditions 7 – 12.
 - Modified the Wellington PUD Master Plan to reflect the locations of the single-family and multi-family development to match the FLUM.

General Conditions:

All previous conditions related to the Master Plan approvals of Equestrian Village (Resolution No. R2013-48) and White Birch Farms (Resolution No. R2013-09) are hereby repealed and replaced with the conditions listed in Resolution No. R2023-01.

1. The following uses are approved and designated on the Master Plan, date stamped January 9, 2024: (PLANNING AND ZONING)
 - a. 70.24-acre eastern portion of Pod 30C-2 – 49 single-family dwelling units and golf amenities
 - b. 25.87-acre western portion of Pod 30C-2 – 47 multi-family dwelling units with a maximum height of 35 feet and recreational amenities
2. The project shall comply with the Project Standards Manual as adopted in Exhibit C as part of Resolution No. R2023-01. (PLANNING AND ZONING)
3. The Site Plan shall be approved prior to the issuance of Land Development Permits. (PLANNING AND ZONING)
4. Recreational amenities shall be completed and open to the residents for use prior to the issuance of a building permit for the 20th dwelling unit. (PLANNING AND ZONING)
5. All roads, sidewalks, utilities, and infrastructure within the property boundary shall be private and the maintenance responsibility of the owner or managing association and shall not be the maintenance responsibility of Wellington. (PLANNING AND ZONING/ENGINEERING)
6. The Site Plan shall illustrate the existing bridle trails, proposed Multi-modal pathways, and shall illustrate how the connections to the overall system will be maintained or enhanced. No connections shall be discontinued. (PLANNING AND ZONING)
7. As a voluntary condition of approval, the Property Owner agrees to enter into a Declaration of Restrictions and Covenants ("Covenant"), as hereinafter stated in this condition, acceptable to the Village Attorney, whereby no residential and non-residential building permits for vertical construction for new development within Equestrian Village and no residential building permits for vertical construction for White Birch Farms (Equestrian Village and White Birch Farms shall hereinafter be collectively referred to as "Subject Property") until such time as: (1) the Covenant has been recorded in the Public Records of Palm Beach County, Florida; (2) the new equestrian facilities, intended for use by dressage and other equestrian events and as set forth below in items a through g "New Showground Facility", are constructed in accordance with the facilities and specifications referenced below; and (3) the New Showground Facility is available for use and is in compliance with the applicable United States Equestrian Federation ("USEF") and Federation



Equestre Internationale (“FEI”) facility standards and guidelines, as provided in Exhibit D. The New Showground Facility shall, at a minimum, consist of approximately the following quantities and dimensions:

- a. Derby field (grass, 350’ by 400’) and schooling area (200’ by 350’)
- b. Main arena (defined as arena with dimensions of 350’ by 250’ and includes a minimum of 1,000 seats for spectators) and schooling area (200’ by 220’)
- c. Additional arena(s) suitable for three (3) dressage competition arenas (20 meters by 60 meters) and three (3) schooling areas (20 meters by 60 meters)
- d. Permanent stabling (minimum 200 stalls)
- e. Lunging area (140’ by 200’)
- f. Five (5) ringside shade structures (10’ by 30’, each) for viewing
- g. Covered arena (150’ by 250’)

The facilities in items a through g above shall also include the associated elements of vehicle parking, dressage haul-in area, landscaping, stormwater management areas, concession areas, restroom facilities, manure bins, and wash areas.

In an effort to expedite the construction of the New Showground Facility, the Village shall process all relevant applications for the Property Owner to fulfill this condition in the normal course but without delay, and the Village will exercise good faith consistent with the Village’s land use regulations and other laws in doing so.

This condition shall not preclude the issuance of land development, engineering, and/or utility permits for the Subject Property.

The aforementioned Covenant shall run with the land and the Village and Property Owner shall have the right to enforce the Covenant through legal, equitable, or administrative proceedings. Any modification to the Covenant or any condition as a part of Resolution No. R2023-01 shall require an affirmative vote of not less than four (4) members of the Village Council and the consent of the Property Owner. The Property Owner shall execute, notarize, and record the Covenant in the Public Records in and for Palm Beach County, Florida, upon the expiration of all applicable appeals, whether administrative, and/or judicial, directly relating to the development of Pod F or the Wellington North approval, and all applicable appeals are fully and finally concluded, and such approvals have not otherwise been reversed. This includes but is not limited to obtaining all required permits from all relevant agencies, whether state, local, and/or federal, and any delay directly caused by or resulting from any lawsuit, administrative challenge actions, or any other third-party actions.

Until such time as the New Showground Facility is constructed in accordance with the above referenced requirements and available for use in accordance with this condition, the Village shall permit, and the Property Owner shall agree to, the continued operation of dressage at Equestrian Village, based on the Commercial Equestrian Arena and associated conditions in Resolution No. R2013-48, as a legally non-conforming use, and any use that is currently conforming in accordance with this approval shall not be subject to Section 1.3.3.A.4 of the Land Development Regulations through the construction of the New Showground Facility, or the Construction Date (the earlier to occur), of December 31, 2028 (“Construction Date”). The Property Owner shall not be required to obtain a seasonal equestrian permit for the operation of Equestrian Village. The Property Owner shall, during this time period, continue to operate Equestrian Village within the exercise of its business judgment and shall use commercially reasonable efforts to host a similar number of



dressage events during the customary event dates as are going to be held in the 2024 Dressage season. Upon the completion of the New Showgrounds Facility and satisfaction of this condition, R2013-48 for Equestrian Village shall be rescinded, all residential and non-residential permits for construction within the Subject Property may be released for issuance, and this condition shall have no further force or effect. (VOLUNTARY)

8. As an additional voluntary restriction to be included in the Covenant, the New Showground Facility shall be completed by the Construction Date. In the event Condition 7 is not satisfied by the Construction Date, the Property Owner shall consent to all Village-initiated applications (“Applications”) as follows:
 - To amend the Future Land Use Map to place the Subject Property in the Equestrian Preserve Area (EPA) and designate Equestrian Village as “Equestrian Commercial Recreation” and maintain “Residential C” for White Birch Farms as illustrated in Exhibit E;
 - To amend the Zoning Map for the Subject Property to include in Subarea D of the Equestrian Overlay Zoning District (EOZD);
 - To assign the Subject Property (Pod 30C-2) on the Wellington PUD Master Plan six (6) single family residential units, the equestrian facilities on Equestrian Village, and golf practice area and ancillary golf facilities on White Birch Farms as illustrated in Exhibit F. All access points on Pierson Road shall be reinstated on the Master Plan as approved by Resolution No. R2013-09.
 - To reinstate the Compatibility Determination of the Commercial Equestrian Arena for Equestrian Village with associated conditions in Resolution No. R2013-48.

In the event a lawsuit, administrative challenge action, or any other third-party action, is filed that would either have the effect of challenging or delaying the development of Pod F as the New Showground Facility, thereby delaying the construction of the New Showground Facility, or challenge in whole or in part the Wellington North approval, the Construction Date shall be tolled until such appeal or other action is finally resolved beyond all further applicable appeals, and all administrative action, judicial action, and appeals directly relating to the development of Pod F or the Wellington North approval are fully and finally concluded. This includes but is not limited to obtaining all required permits from state, local, and/or federal agencies, and any other delays directly caused by or resulting from any lawsuit, administrative challenge, or any other third-party action. In addition to the foregoing, the Construction Date shall also be tolled pursuant to Section 252.363, Florida Statutes, limited, however, to Executive Orders that directly impact Palm Beach County or directly lead to substantial shortages of supplies and/or services necessary for the construction of the New Showground Facility. Upon successfully constructing the New Showground Facility in accordance with Condition 7, this condition shall be deemed fully satisfied. (VOLUNTARY)

9. The Property Owner shall further agree to incorporate the following language into the Covenant: notwithstanding the maximum number of dwelling units allowed in Pod 30C-2 overall, the eastern portion (f/k/a White Birch Farms) of Pod 30C-2 shall be permitted a maximum of 22 single-family residential lots, and there will be no other development on White Birch Farms other than a golf practice area and golf ancillary uses. The golf practice area will include a golf clubhouse (the location of which is generally shown on the south side of the Conceptual Site Plan), terrace, terrace dining, storage, driving range, performance shed, short-game practice area, putting green, and parking lot (collectively “Outdoor Golf Practice Area”), and is subject to site plan approval in accordance with the Land Development Regulations. No other development for White Birch Farms shall be permitted other than what is expressly provided in this condition. (VOLUNTARY)

10. The western access point on Pierson Road to Equestrian Village shall be removed and the remaining eastern access point on Pierson Road to White Birch Farms, as reflected on the Master Plan, shall be unpaved and limited to emergency ingress and egress only. (PLANNING AND ZONING)
11. Prior to receiving a certificate of occupancy, completion, or their equivalent for any vertical construction on White Birch Farms, the Property Owner shall install a landscape buffer in accordance with the approved Project Standards Manual. Prior to the issuance of a building permit for construction of the Outdoor Golf Practice Area, adequate screening including construction fencing, bunting, and temporary landscaping in accordance with Exhibit C – Project Standards Manual shall be provided along the east and south sides of White Birch Farms in order to provide adequate screening of the proposed construction. The existing southernmost hedge located immediately north of the southern property line of the White Birch property will be incorporated into the screening buffer provided such hedge does not impact the preparation of the land, installation of any proposed utility infrastructure, or construction of temporary ingress and egress, or any other condition which is required to be completed in accordance with this development order. This condition shall not be applicable to pre-construction activities associated with land development, engineering, or utility permits. (PLANNING AND ZONING)
12. Simultaneous **with** the issuance of the first building permit for residential development within the properties currently known as Equestrian Village and White Birch or December 31, 2028, whichever occurs first, the Property Owner shall convey to the Village of Wellington, by Special Warranty Deed, marketable title free and clear of mortgages and liens, the approximate 55 plus-acre parcel, which is identified by the legal description as shown on Exhibit G and referred to as the “North Course”, and at that time will pay to the Village of Wellington the sum of two million dollars (\$2,000,000) for improvements of the parcel for development as a public park. However, prior to such conveyance, or such other time that the Property Owner and the Village shall agree, the Property Owner shall be permitted to remove source fill from the North Course by converting up to 30% of the existing land area into surface water management areas, with depths and bank grading consistent with the Village of Wellington Engineering standards manual. The location or locations of the surface water management, which provides positive drainage, shall be approved by the Village Engineer. The removal of the fill shall be at the sole expense of the Property Owner and the Property Owner shall procure all permits that may be required for such removal provided however the cost of such Village permits shall be waived by the Village. The Village of Wellington will cooperate and work with the Property Owner to determine the location(s) in which the fill may be removed, and the allowable depths to which the fill may be dredged. The Property Owner and the Village of Wellington acknowledge and agree that the specific technical issues involved in the removal along with other logistical issues have not been determined at this time and will require further evaluation based upon the ultimate design criteria for the parcel as determined by the Village of Wellington. Both the Property Owner and the Village of Wellington agree to work collaboratively in order to allow for the Property Owner to obtain the fill. Prior to the installation or construction of the items (a) through (g) of Condition 7, the Property Owner shall provide a cost estimate and bond for the completion of said items and upon completion and acceptance, such costs shall be applied against the Park Fee. (VOLUNTARY)

The following shall apply relating to the North Course:

- Within 30 days of the Approval, the Property Owner shall provide the Village with the phase one environmental report previously prepared for the North Course.

Land Development Conditions:

13. All proposed private roadways, lakes, conservation areas, etc. shall be placed in tracts. All tracts shall be identified on the plat and dedicated accordingly. (ENGINEERING)
14. A plat/replat shall be required to be submitted prior to the issuance of the Land Development Permits and shall be recorded prior to the issuance of the first building permit (including demolition of the equestrian venue). All residential portions of the project shall be subject to a Declaration of Restrictions and Covenant acceptable to the Wellington Attorney, which shall provide for the formation of a managing association, assessment of members for the cost of maintaining the common areas, including all preservation areas, amenities, waterbodies, etc. (ENGINEERING)
15. The applicant shall convey sufficient road drainage easement(s) through the project's internal drainage system, as required, to provide legal positive outfall for runoff. Said easements shall be no less than 20-feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20-foot drainage easements from the point of origin to the point of legal positive outfall. (ENGINEERING)
16. Authorization from Palm Beach Polo Golf and Country Club POA to increase the size of the existing lakes within Palm Beach Polo or change of the positive outfall locations shall be required. (ENGINEERING)
17. The applicant is responsible for the funding and construction of all improvements/upgrades to existing lift stations, water distribution systems, sanitary systems, and force main systems that are necessary as a result of the impacts of the proposed project development plan on the existing systems. (UTILITIES)
18. The applicant must apply for and obtain a Utility Major permit prior to the development of the proposed improvements. (UTILITIES)
19. A cross access agreement with the Coach House property will be required prior to the issuance of the first building permit. (TRAFFIC)

Landscape Conditions:

20. A Landscape Buffer shall be required along all property lines that are adjacent to a different Future Land Use Map designation and along all major thoroughfares as required in Wellington's Land Development Regulations. (PLANNING AND ZONING)

Traffic Conditions:

21. Conveyance of a 40-foot corner clip at the southwest property corner (depicted on Conceptual Site Plan), for future intersection improvements at Pierson Road and South Shore Boulevard, shall be required and shall be conveyed at the time of plat. (ENGINEERING)
22. The applicant shall dedicate an additional 15-foot wide right-of-way for the turn lane along South Shore Boulevard at the northbound approach to Greenview Shores Boulevard and shall be required to construct a 280-foot turning lane, with a 50-foot taper (depicted on Conceptual Site Plan) prior to the issuance of the first residential building permit for the western portion of the project (fka Equestrian Village). This condition shall not apply to the eastern portion of the project



and the developer may obtain residential building permits for this portion of the project. (ENGINEERING)

23. A 15-foot multimodal pathway easement or tract dedication will be required along the south property line along Pierson Road. (ENGINEERING)
24. No building permits are to be issued after December 31, 2027, unless a time extension has been approved by Planning and Zoning and Wellington's Traffic Engineer. Any additional extensions requests, other than those eligible from a Legislative Emergency Order shall be approved by Council. (TRAFFIC)
25. The following intersection improvements at Pierson Road and South Shore Boulevard are required to be funded at the time of plat based upon the Wellington Engineer's cost estimate for the Wellington North project: (TRAFFIC)
 - a. Westbound right-turn lane with 275 feet of storage; and
 - b. 130-foot extension of the proposed eastbound left-turn lane storage from 370 feet (previously funded) to 500 feet; and
 - c. 125-foot extension of proposed eastbound right-turn lane storage from 100 feet (previously funded) to 225 feet.

Wellington will contribute the funds previously provided (approximately \$1,145,931.88) for a portion of the intersection improvements. The funds will be provided upon acceptance of the referenced improvements by the Village Engineer.

26. The property owner is required to pay a proportionate share payment of 1.3% of the total cost to construct a roundabout at Lake Worth Road at 120th Avenue South prior to the first residential building permit for the project. The Wellington Engineer shall provide an opinion of cost, agreed upon by the developer's engineer of record for the roundabout. If a traffic signal or alternative road design is approved at this location for a lower cost, the Wellington Engineer may refund a portion of the prop share payment. (TRAFFIC)
27. The County traffic concurrency approval is subject to the Project Aggregation Rules as set forth in the Traffic Performance Standards Ordinance. (TRAFFIC)
28. The property owner shall extend the storage lane of the southbound left-turn lane on South Shore Boulevard into the project driveway from 175 feet to 280 feet prior to the first residential building permit (TRAFFIC)
29. The property owner shall remove the northbound right0turn lane on South Shore Boulevard at the eliminated driveway prior to the first residential building permit for the western 65-acre portion of the project (fka Equestrian Village). The southbound left-turn lane at the eliminated driveway shall be restriped as a U-turn lane and additional pavement added as necessary for the U-turn maneuver at the same time as the northbound right-turn lane removal. (TRAFFIC)

Concurrency (Level of Service) Conditions:

30. A Developer Agreement will be required by the Utility Department to reserve water and sewer capacity for the project. Payment of capacity fees per Wellington Resolution No. R2018-35 shall



be required to reserve capacity. The Developer Agreement must be executed and approved by Wellington's Council prior to the execution of the Palm Beach County Health Water and Sewer Department permits by Wellington's Utility Director. The Developer Agreement conditions should be coordinated during the Site Plan Approval process. The Applicant is advised that no guarantee of available capacity is expressed or implied by the issuance of a Capacity Availability Letter, until such time that the developer has reserved capacity through payment of Water, Sewer and Fire Capacity Fees. (UTILITIES)

31. Water, Sewer, and Fire Line Capacity fees are based on the "Wellington Water and Wastewater Rates and Charges Fiscal Year 2022. These fees are due prior to the approval of the Developer Agreement by Wellington's Council. (UTILITIES)
32. The Applicant shall contribute \$134,260.00 to the School District of Palm Beach County (SDPBC) prior to the issuance of the first residential building permit. (SDPBC)
33. The parks and Recreation and the Civic Land dedication requirements shall be determined at the time of Site Plan approval. Any payment in lieu of dedication shall be required within 30 days of Site Plan approval and prior to recordation of Plat. (PLANNING AND ZONING)

Lists of Exhibits:

- Exhibit A – Current Future Land Use Map
- Exhibit B – Proposed Future Land Use Map
- Exhibit C – Proposed Bridle Path Map
- Exhibit D – Proposed Pedestrian Pathway Network Map
- Exhibit E – Proposed Multi-Modal Pathway Map
- Exhibit F – Proposed Bicycle Lanes Map
- Exhibit G – Current Official Zoning Map
- Exhibit H – Proposed Official Zoning Map
- Exhibit I – Current Wellington PUD Master Plan
- Exhibit J – Proposed Wellington PUD Master Plan
- Exhibit K – The Wellington North Project Standards Manual
- Exhibit L – Conceptual Site Plan
- Exhibit M – Conceptual Circulation Plan
- Exhibit N – Traffic Impact Statement (Report only, Appendix available upon request)
- Exhibit O – Traffic Equivalency Statement
- Exhibit P – PBC Traffic Performance Standard Letter
- Exhibit Q – Wellington Traffic Engineer Letters
- Exhibit R – SCAD Letter
- Exhibit S – Drainage Statement
- Exhibit T – Water and Waste Water Demand Analysis
- Exhibit U – Market Study
- Exhibit V – Justification Statement
- Exhibit W – Public Comments
- Exhibit X – Interested Party Submissions
- Exhibit Y – Rebuttal to Interested Party Submissions
- Exhibit Z – Florida Department of Commerce Response Letter