

**I. PETITION DESCRIPTION**

Petition: Master Plan Amendment: 2013-61 MPA 2

Project Name: Bink's Pointe (F.K.A. Residences at Bink's Forest Golf Club)

Owner/Petitioner/  
Applicant: SBBG, LLLP and Binks Exchange Co., LLC

Agent: Land Design South, Inc.  
400 Columbia Drive, Suite 110  
West Palm Beach, FL. 33409

Request: The petitioner is requesting a Master Plan Amendment to The Landings at Wellington PUD Master Plan as follow; to increase the acreage of POD "L" by including the internal 0.26 acre Parcel "V," designate Pod "L" as Optional Residential (OR) and amend conditions of approval.

**II. SITE DATA**

Existing Use: Preserve (Parcel "V") and Vacant Residential (POD "L")

Parcel Size: 0.26 acre (Parcel "V") and 15.27 acres (POD "L")

Existing  
Land Use: Commercial Recreation (Parcel "V") and Residential "E" (POD "L")

Existing  
Zoning District: Planned Unit Development (PUD)

Parcel  
Control No's.: 73-41-44-06-03-022-0000 (Parcel "V") and  
73-41-44-06-03-010-0020 (POD "L")

Location: The subject property is located approximately 1/2 mile south of Southern Boulevard on the west side of Binks Forest Drive. Exhibit "A" is a location map of the site. Exhibit "B" is the legal description of Parcel "V" and POD "L" of The Landings at Wellington PUD.



### III. LAND USE AND ZONING

#### EXISTING LAND USE, FUTURE LAND USE & ZONING

Dir.	Existing Land Use	Future Land Use	Zoning District
North	FP&L Transmission Lines / Bink's Golf Course	Commercial Recreation	Planned Unit Development (PUD)
South	The Preserve at Binks Forest (Single Family Residential Development)	Residential "C"	Planned Unit Development (PUD)
East	Binks Golf Course Clubhouse	Commercial Recreation	Planned Unit Development (PUD)
West	FP&L Substation	Commercial Recreation	Planned Unit Development (PUD)

### IV. SITE HISTORY

The Landings at Wellington PUD was approved by Palm Beach County prior to the Village's incorporation. The Comprehensive Plan Residential "E" Future Land Use Map (FLUM) designation for POD "L" of The Landings at Wellington PUD was adopted November 23, 2004 by Ordinance No. 2004 – 30. A Developer's Agreement between Binks, LLC, Peninsular Holdings, Inc. and the Village of Wellington to allow up to 90 dwelling units on POD "L" was originally adopted November 23, 2004 by Resolution No. R2004 – 153 and amended on December 12, 2006 by Resolution No. R2006 – 136.

The most recent Development Order Amendment and Master Plan Amendment to The Landings at Wellington PUD Master Plan designated 15.27 acres as a residential parcel (Pod "L") with 90-multi-family units as part of a settlement agreement adopted on July 8, 2008 by Resolution No. R2008 – 73.

The agent Land Design South, Inc., on behalf of the property owner/petitioner initially submitted a Comprehensive Plan Amendment 2013-61 CPA 2 and Master Plan Amendment 2013-61 MPA 2 petition requesting to change Parcel's "V" and "J" future land use map (FLUM) designation from Commercial Recreation to Residential "E" and include Parcel "V" and "J" in the overall Pod "L" (Binks Pointe) of The Landings at Wellington PUD. It was determined the southern triangular shaped Parcel "J" has a restrictive covenant limiting the use of the golf course. A referendum vote would have been required to change the golf course use to residential. The petitioner amended their previous request to only change the internal Parcel "V" FLUM designation and include it in Pod "L" (Binks Pointe) of The Landings at Wellington PUD.

Parcel "V" is a 0.26 acre platted preserve area located within the overall 15.27 acre Pod "L" (Binks Pointe) parcel. The FLUM designation of Parcel "V" did not changed when Pod "L" FLUM was designated Residential "E" because of the different ownership of the parcels at the time. Pod "L" is currently still vacant.



## **V. DEVELOPMENT REVIEW COMMITTEE (DRC)**

The Master Plan Amendment 2013-61 MPA 2 was certified for the public hearing process at the July 9, 2014 DRC meeting.

## **VI. STAFF ANALYSIS**

The petitioner is requesting a Master Plan Amendment to amend The Landings at Wellington PUD Master Plan to increase the acreage of POD "L" by including the former Parcel "V" 0.26 acre preserve area, designate Pod "L" as Optional Residential (OR) and amend conditions of approval. The petitioner also requested a Comprehensive Plan Amendment (CPA) to change the site specific future land use map designation from Commercial Recreation to Residential "E" for Parcel "V" of The Landings at Wellington PUD. The CPA was recommended for denial by the PZAB at the June 10, 2014 meeting. The petitioner requested a postponement of the companion master plan item at the June 10, 2014 PZAB meeting in order to be considered under the Optional Residential (OR) designation for the proposed Pod "L."

Exhibit "C" is the current Wellington Future Land Use Map (FLUM) with 0.26 acre Parcel "V" internally indicated by the green color within the 15.27 acre Pod "L" parcel indicated with the orange color. Parcel "V" is dedicated as a wetland preservation area on the Bink's Forest of The Landings at Wellington PUD plat recorded in Plat Book 70 Page 162. The FLUM designation of Parcel "V" was not changed when Pod "L" FLUM was designated Residential "E" and was not included in Pod "L" on the master plan because the petitioner did not own Parcel "V." This petitioner has provided a recent warranty deed recorded in Official Record Book 25998 Page 1238 of the Clerk of Palm Beach County indicating SBBG, LLP is now the owner of Parcel "V" as of May 2, 2013. The petitioner requested a Comprehensive Plan Amendment and Master Plan Amendment to reconfigure Parcel "V" and include it in Pod "L" to accommodate a proposed two-story 90 unit townhouse layout for the proposed Bink's Pointe project. A portion of Parcel "V" will remain as a preserve area and incorporated in the proposed site plan.

The Landings at Wellington PUD Master Plan POD "L" (Bink's Pointe) will be amended by increasing the acreage of Pod "L" (15.27 acres) by including the 0.26 acre Parcel "V." As indicated in the previous CPA Staff Report for the June 10, 2014 meeting additional units will not be requested. The Bink's Pointe (F.K.A. Residences at Bink's Forest Golf Club) project is 15.27 acres and previously approved for 90 multi-family townhouse dwelling units. The Landings at Wellington PUD current approved master plan (Exhibit "D") and proposed master plan (Exhibit "E") has been included for comparative purposes. A recommended condition of approval for the proposed Landings Master Plan Amendment will be to dedicate a minimum 0.30 acre modified preserve area on the pending Bink's Pointe (Pod "L") Site Plan and Bink's Forest of The Landings at Wellington PUD plat.

The Pod "L" site plan was original approved with 25' front, 15' side, 25' corner and 25' rear setbacks from the perimeter property lines with no internal setbacks between the two and three story buildings or the internal road. Also the perimeter 10,' 15' and 25' landscape buffers were included within the setbacks. With the current developer of Pod "L" proposing individual lots for each unit in the two story buildings the individual lot configuration will



require a minimum lot size of 1,600 square feet along with setbacks measured from each unit to the individual lot lines and each building setback to be measured from the inside edge of perimeter landscape buffer areas.

The proposed individual lot configuration for each unit is required to comply with the townhouse minimum setback requirement of 25' front, 7.5' side, 25' corner and 25' rear for two story buildings (25' max. building height). The proposed site configuration does not comply with the townhouse minimum setback requirement due to the proposed change from three story buildings to all two story buildings and avoiding direct orientation to the 240' F.P&L. easement along the north property line. The petitioner is requesting the Optional Residential (OR) designation for Pod "L" in order to deviate from standard setbacks. LDR Sec. 6.8.2.F.1.d. {staff notes an LDR typo error to correct reference of section from (d.) to d.} Optional Residential (OR) designation is intended for residential pod that encourage innovative development by providing recreation, privacy, property maintenance, parking, site amenities and enhanced circulation. The petitioner's justification for the OR designation is attached as Exhibit "F." The requested Optional Residential (OR) and other setback reduction regulations allowed by the LDR are indicated below;

	Front	Side Interior	Side Street	Rear
Optional Residential (OR) Setbacks *	25'	15'	20'	20'
Flexible Regulation (20% reduction)	N/A	12' **	N/A	16' **
Administrative deviation (10% reduction)	22.5' ***	N/A	18' ***	N/A
Open Space (25% reduction)	N/A	11.25' ****	N/A	15' ****
Proposed Setback with all reduction	22.5'	12'	18'	16'

\*Optional Residential (OR) setbacks allowed per LDR Table 6.8-6.

\*\*A reduction of 20% is allowed for the side interior and rear setbacks per LDR Sec. 6.8.1.H.6.a. (former reference to Flexible Regulation criteria).

\*\*\*An administrative reduction of 10% is allowed for the front and side street setbacks not indicated as flexible per LDR Sec. LDR Table 6.8-6 Notes.

\*\*\*\*A 25% reduction is allowed for the side interior and rear setbacks when each lot line abuts an open space equal to or greater than 100' in width per LDR Table 6.8-6 Notes.

This townhouse development complies with LDR Sec. 6.4.4.110. (Townhouse) which requires a minimum lot size of 1,600 square feet and lot width of 16' for each individual lot. All two story residential buildings (25' max. building height) still require the minimum 25' (front, street side/corner, rear) and 15' (side) separation from other residential buildings. The proposed building coverage of 19% (40% max. allowed) and density of 5.79 du/acre (8 du/acre max. allowed) complies with the RS zoning district which is consistent with Residential "E" (LDR Sec. 6.2.6.) per LDR Table 6.5-1. The proposed detailed Bink's Pointe



(Pod “L”) Site Plan is still under review by the Development Review Committee and requires Council approval of the OR designation prior to further review. Exhibit “G” is the latest conceptual site plan provided for consideration of the OR designation.

The Palm Beach County (PBC) Traffic Division has reviewed and approved with conditions the traffic impact analysis as submitted and attached as Exhibit “H.” The traffic impact analysis was also reviewed and accepted by Wellington’s Traffic Consultant for compliance with Traffic Performance Standards. The Wellington Traffic Consultant letter with two conditions of approval is attached as Exhibit “I.” Staff notes the petitioner’s complete Master Plan Amendment (Petition Number 2013-61 MPA 2) application is available for review at the Planning and Zoning Division office.

## **VII. PUBLIC NOTIFICATION / COMMENTS**

As required by the Land Development Regulations and Florida Statutes, public notifications were placed in the Palm Beach Post, mailings were sent to surrounding property owners within 500 feet and the property frontage was posted. All notices advised the public a hearing on the proposed ordinance/resolution would take place as noted below:

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

#### **MPA:**

Mailings: on July 17, 2014

Newspaper: on or before July 22, 2014

Posted Signs: on or before July 22, 2014

Meeting Date: August 6, 2014

As of July 23, 2014 when this staff report was prepared, staff had not received any comments from the public for or against this amendment.

## **VIII. PLANNING, ZONING AND ADJUSTMENT BOARD**

The Master Plan Amendment petition is scheduled to be heard at the August 6, 2014 Planning, Zoning and Adjustment Board (PZAB) meeting.

## **IX. COUNCIL**

The Master Plan Amendment will be scheduled to be heard by Council after the first reading of the Binks Comprehensive Plan Amendment which is tentatively scheduled for the August 26, 2014 Council hearing.

## **X. STAFF RECOMMENDATION**

Based on the findings and consistency with Wellington’s Comprehensive Plan and Land Development Regulations, staff recommends approval of Resolution No. 2014 – 27, a Master Plan Amendment (Petition Number 2013-61 MPA 2) to amend The Landings at Wellington PUD Master Plan to increase the acreage of POD “L” by including the 0.26 acre Parcel “V”, designate Pod “L” as Optional Residential (OR) and amend conditions of approval for the 15.27 acre parcel known as Bink’s Pointe (Pod “L”), located approximately 1/2 mile south of Southern Boulevard on the west side of Binks Forest Drive, as legally described in Exhibit “B,” subject to the conditions of approval listed in Resolution No. 2014 – 27.



### **List of Exhibits**

Exhibit “A”	Location Map
Exhibit “B”	Legal Description of Pod “L” (15.27acre) and Parcel “V” (0.26 acre)
Exhibit “C”	Wellington Future Land Use Map (FLUM) (Current)
Exhibit “D”	The Landings at Wellington PUD Master Plan (Current)
Exhibit “E”	The Landings at Wellington PUD Master Plan (Proposed)
Exhibit “F”	Justification Statement
Exhibit “G”	Conceptual Site Plan
Exhibit “H”	Palm Beach County Traffic Division Letter (Dated October 31, 2013)
Exhibit “I”	Wellington Traffic Consultant’s Letters (Dated March 19, 2014 and April 24, 2014)



**Exhibit "A"**  
Location Map





**Exhibit "B"**  
Legal Description

**PARCEL 1:**

A PARCEL OF LAND BEING A PART OF PARCEL "J", BINK'S FOREST OF THE LANDINGS AT WELLINGTON P.U.D. PLAT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGE 162, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGIN** AT A BOUNDARY CORNER OF SAID PARCEL "J"; SAID BOUNDARY CORNER ALSO BEING THE NORTHEAST CORNER OF THAT CERTAIN PARCEL SHOWN ON SAID PLAT AS "NOT A PART OF THIS PLAT"; THENCE, SOUTH 01° 19' 52" WEST, ALONG THE BOUNDARY COMMON WITH SAID PARCEL "J" AND SAID PARCEL SHOWN ON SAID PLAT AS "NOT A PART OF THIS PLAT", A DISTANCE OF 520.01 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL SHOWN ON SAID PLAT AS "NOT A PART OF THIS PLAT"; THENCE, SOUTH 86° 09' 16" EAST, DEPARTING SAID BOUNDARY LINE, A DISTANCE OF 657.54 FEET; THENCE, NORTH 83° 32' 27" EAST, A DISTANCE OF 517.25 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF SAID PARCEL "J", SAID POINT BEING A POINT ON A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1410.00 FEET AND WHOSE RADIUS POINT BEARS NORTH 75° 08' 11" EAST; THENCE, NORTHERLY ALONG SAID EASTERLY BOUNDARY LINE AND ALONG THE WESTERLY RIGHT-OF-WAY LINE OF BINK'S FOREST DRIVE, AS SHOWN ON SAID PLAT, THROUGH A CENTRAL ANGLE OF 22° 46' 13", A DISTANCE OF 560.36 FEET TO THE END OF SAID CURVE; THENCE, NORTH 88° 58' 25" WEST, DEPARTING SAID EASTERLY BOUNDARY LINE AND SAID WESTERLY RIGHT-OF-WAY LINE, AND ALONG A LINE 50.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH BOUNDARY LINE OF SAID PARCEL "J", A DISTANCE OF 1122.73 FEET; THENCE, SOUTH 01° 19' 52" WEST, A DISTANCE OF 70.00 FEET TO THE **POINT OF BEGINNING**.

EXCEPTING THEREFROM: ALL OF PARCEL "V" OF BINK'S FOREST OF THE LANDINGS AT WELLINGTON P.U.D. PLAT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGE 162 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING: 15.27 ACRES, MORE OR LESS.

TOGETHER WITH:

**PARCEL V:**

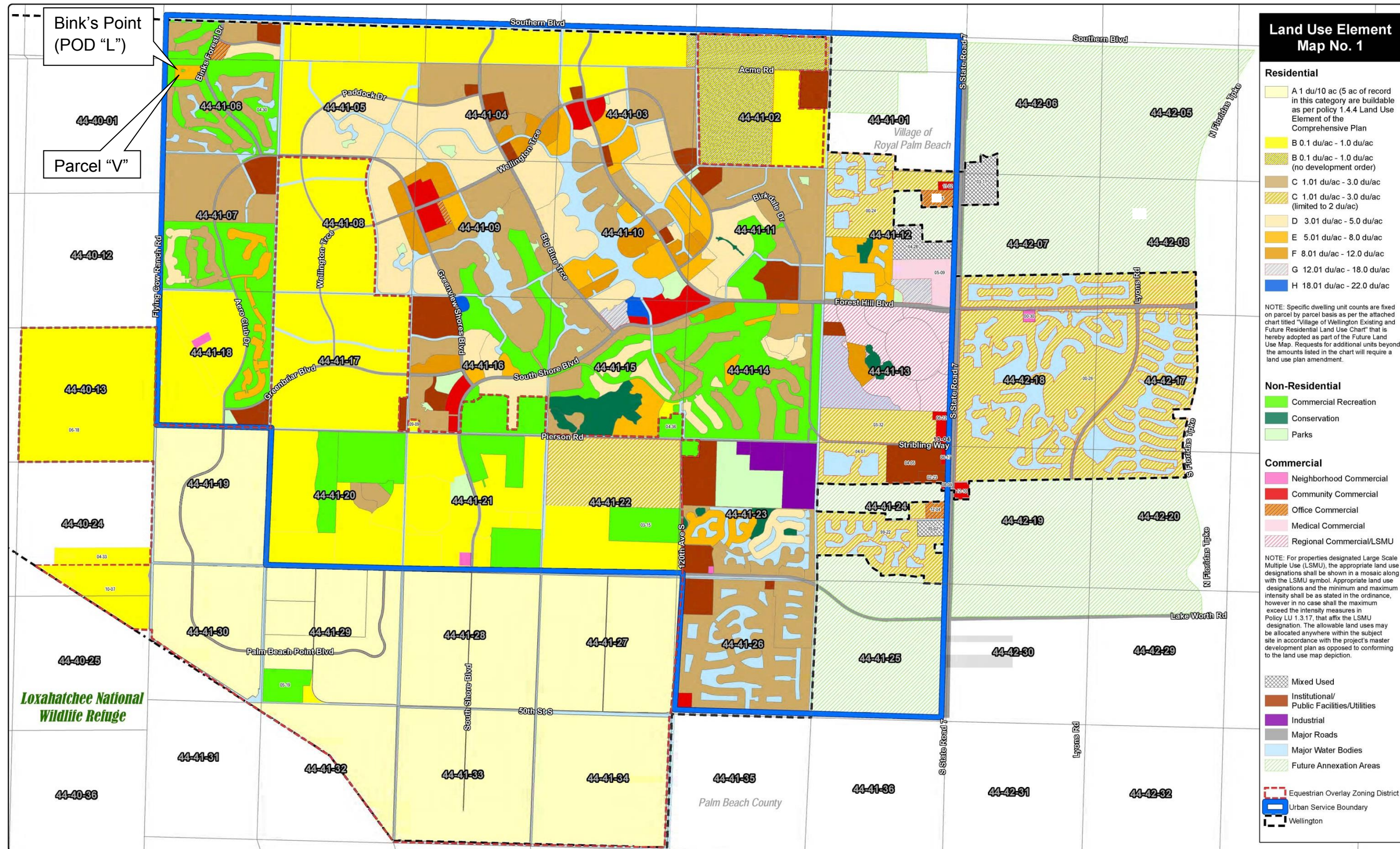
ALL OF PARCEL "V" OF BINK'S FOREST OF THE LANDINGS AT WELLINGTON P.U.D. PLAT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGE 162 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING: 0.26 ACRE, MORE OR LESS.

OVERALL CONTAINING: A TOTAL OF: 15.53 ACRES, MORE OR LESS.  
SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.



Exhibit "C"  
Wellington Future Land  
Use Map (FLUM)



Wellington GIS • 12300 Forest Hill Blvd • Wellington, FL 33414 • 561.791.4000 • [gis@wellingtonfl.gov](mailto:gis@wellingtonfl.gov) • [www.wellingtonfl.gov](http://www.wellingtonfl.gov)

SHEET NO.	DATE		5/8/2013
	DRAWN		Christian Nakotey
	SCALE		Not To Scale
	REQUESTED		Planning & Zoning
	FILENAME		FutureLandUse



**Wellington 2020  
Future Land Use**  
August 31, 2010 - Ordinance 2010-09

DATE	ORD.	NAME	DATE	ORD.	NAME	DATE	ORD.	NAME	DATE	ORD.	NAME	DATE	ORD.	NAME
01/19/99	99-1	COMPREHENSIVE PLAN	11/18/03	03-15	ISLA CARROLL	10/26/04	04-28	VILLAGE PROFESSIONAL CENTER	10/24/06	06-17	K PARK COMMERCIAL SITE	09/19/09	09-09	MYSTIC EQUESTRIAN
12/14/99	99-22	VERSAILLES	08/24/04	04-36	BLACKWATCH STABLES	10/26/04	04-33	MICKELSON PROPERTY	12/12/06	06-18	RUSTIC RANCHES LPA	08/31/10	10-07	MCCARTHY PROPERTY
11/14/00	00-24	BLACK DIAMOND	10/29/04	03-17	COMMONS AT WELLINGTON	11/23/04	04-30	BINKS FOREST DRIVING RANGE	05/22/07	05-22	VILLAGE GREEN CENTER	04/12/11	11-02	IORIZZO (CPTA)
11/14/00	00-25	CHING	10/29/04	03-32	LANIER	06/28/05	05-08	IORIZZO	10/09/07	05-19	LITTLEWOOD EQUESTRIAN CENTER	04/10/12	12-04	PALOMINO EXECUTIVE PARK (CPTA)
11/14/00	00-26	MINTO	10/29/04	04-05	K PARK	03/07/06	05-09	PALOMINO EXECUTIVE PARK	03/04/08	08-03	WELLINGTON DESIGN CENTER	10/08/12	12-10	WELLINGTON CHARTER (CPTA)
12/12/00	00-30	KOBOSKOS	10/29/04	04-07	OAKMONT ESTATES	05/23/06	05-02	WELLINGTON PARK	04/22/08	08-07	MYSTIC EQUESTRIAN	04/09/13	13-04	VILLAGE GREEN CENTER- PDQ (CPTA)
09/10/02	02-23	LIFE CHURCH	10/29/04	04-08	PALOMINO EXECUTIVE PARK	05/23/06	05-09	WELLINGTON REGIONAL MEDICAL CENTER	05/27/08	08-09	WHITE HORSE FINANCIAL			









Exhibit "E"  
The Landings at Wellington PUD Master Plan (Proposed)

SITE DATA

EXISTING ZONING	RE/PUD
LAND USE DESIGNATION	LR 1
TOTAL LOT AREA	1693 AC.
GROSS DENSITY	1.05 DU/AC.
TOTAL UNITS	1785
1 AC. LOTS	250
1/2 AC. LOTS	445
1/4 AC. LOTS	472
DETACHED DESIGN CLUSTER	98
PATIO HOME (ZLL)	185
TOWNHOUSE/ZLL	200
SINGLE FAMILY	45
MULTI-FAMILY (OR)	90

SITE AREA BREAKDOWN TABULAR

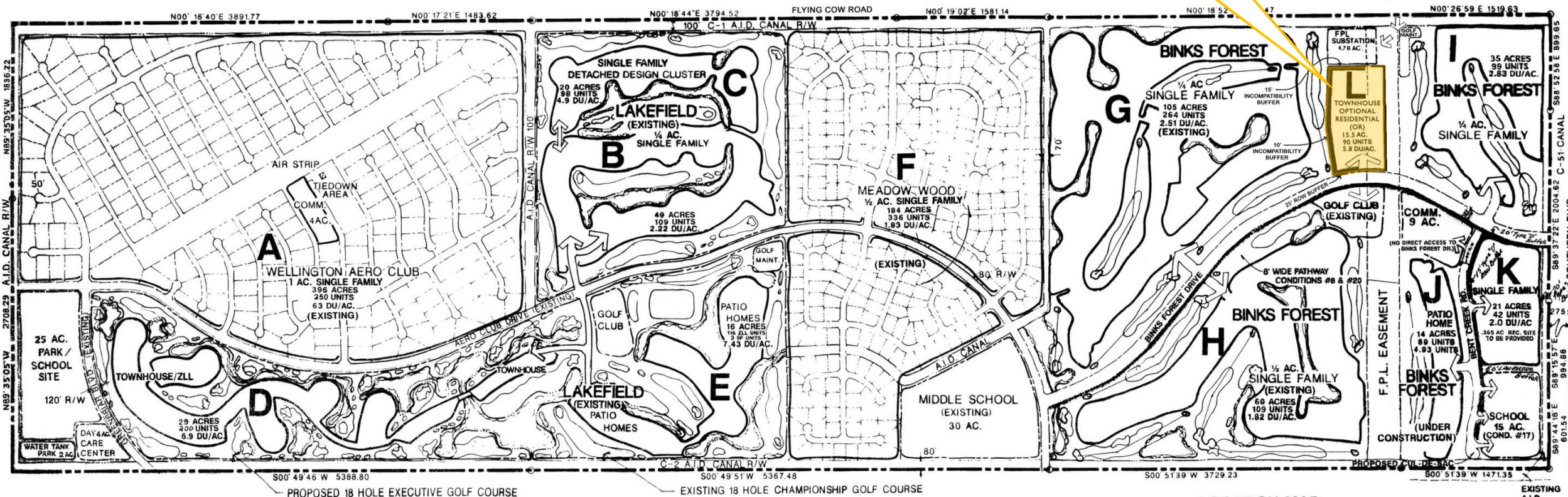
	AC	%
RESIDENTIAL	944	55
COMMERCIAL	13	.8
SCHOOLS (INSTITUTIONAL)	60	4
GOLF COURSES (RECREATION)	314	18
(EXCLUDES LAKE AREA IN GOLF COURSE)		
PARK / CIVIC USES	19	1
(INCLUDES 2 AC. WATER TANK SITE)		
LANDING STRIP, SERVICE & TIE DOWN AREA	35	2
DAY CARE	4	1
LAKE / CANALS	207	12
MAJOR ROAD R/W	54	3
FPL SITE / EASEMENT	43	3
TOTAL	1,693	100

NOTE:

1. THE ENTIRE BOUNDARY OF THE LANDINGS AT WELLINGTON PUD IS SURROUNDED BY CANALS GREATER THAN 50' IN WIDTH AND THEREFORE NO BOUNDARY BUFFERS HAVE BEEN PROVIDED WITH THE EXCEPTION OF POD K.

Bink's Point  
(POD "L" 15.53 acres)

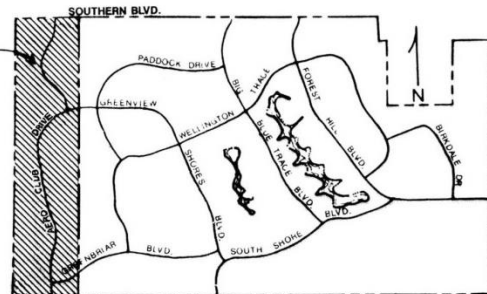
Pod L - Driving range converted to 90 Multi-family, attached dwelling units



PLANNED DEVELOPMENT TABULAR DATA											
POD TYPE AND NAME	ACRE	LATEST BDC/COUNCIL UNIT APPROVAL	CURRENT DRG APPROVAL				NEW SUBMITTAL				CHANGE
			TYPE	UNIT #	DENSITY	CLASS	TYPE	UNIT #	DENSITY	CLASS	
A	366	250	SF	250	.63	DH	SF	250	.63	DH	0
B	49	109	SF	109	2.22	DH	SF	109	2.22	DH	0
C	20	98	DDC	98	4.9	DH	DDC	98	4.9	DH	0
D	29	TH 58 ZLL 142	THZLL	TH 58 ZLL 142	6.90	AH	THZLL	TH 58 ZLL 142	6.90	AH	0
E	16	TH 58 ZLL 142	SFZLL	TH 58 ZLL 142	7.43	DH	SFZLL	TH 58 ZLL 142	7.43	DH	0
F	184	336	SF	336	1.83	DH	SF	336	1.83	DH	0
G	105	264	SF	264	2.51	DH	SF	264	2.51	DH	0
H	60	109	SF	109	1.82	DH	SF	109	1.82	DH	0
I	35	99	SF	99	2.83	DH	SF	99	2.83	DH	0
J	14	69	ZLL	69	4.93	DH	ZLL	69	4.93	DH	0
K	21	42	SF	42	2.0	DH	SF	42	2.0	DH	0
L	15	90					MF	90	5.80	AH	0
TOTAL	944	1,785			1.655				1.785		0

LOCATION MAP

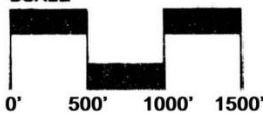
THE LANDINGS AT WELLINGTON P.U.D.



WELLINGTON P.U.D.



SCALE



# REVISED MASTER PLAN THE LANDINGS AT WELLINGTON P.U.D. COREPOINT CORP.

PARCEL K ONLY



PROJ. # 1106.3 DWG. # 95-28

PARCEL L ONLY



PROJ. # 128.80 DWG. # 2014-3-34\_SF\_128.8\_Concept\_1

Petition Number: 1997-10 MP1 & 1997-10 DOA2

12-28-07 - Revisions in accordance with R-2004-153

Convert 15 acres of Bink's Forest Golf Course (abandoned Driving Range)

to a residential pod (Pod L) with 90 multi-family, condo ownership, attached dwelling units.

Update site data and tabular data to include new Pod L.

Identify the proposed entry into Pod L.

Identify the existing entry into the Golf Club.

Relocate Golf Maintenance from east of the FPL Substation to north of the FPL Substation.

Identify the correct location of the existing entry into the FPL Substation from Flying Cow Road.

Petition Number: 2013-61 CPA2 & MPA 2

03-06-14 - Revisions

Change 0.26 AC. land use from CR to Res E (no additional units).

Update site area density to include additional .26 AC.

06-05-14 - Revisions

Added OR overlay



## Exhibit “F” Justification Statement

### JUSTIFICATION STATEMENT

#### **Binks Pointe Master Plan Amendment**

*February 2014*

*Revised: June 2014*

*Revised July 2014*

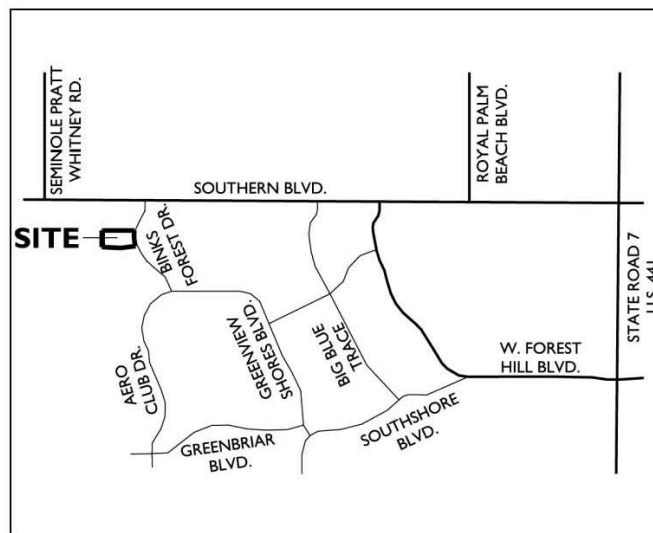
#### **Request**

On behalf of the Petitioner, Land Design South of Florida, Inc. is requesting a Master Plan Amendment to The Landings at Wellington PUD., in order to achieve the following:

- Modify Pod L to increase the acreage by 0.26 acres.
- Modify Pod L to update the density (based upon the revised acreage).
- Modify the Condition of Approval in R-2008-73 (subsequently modified based on previous Senate and House Bills with the latest approval supported under Resolution R-2012-10) to change the build out date of the condition, supported by the Traffic Study submitted with the current request. Build out date extended to 2018.
- Addition of an Optional Residential overlay designation over Pod L.

#### **Site Characteristics**

The subject property is located within Binks Forest of the Landings at Wellington PUD, on the west side of Binks Forest Drive, approximately a half mile south of Southern Boulevard. The site is rectangular in shape with a total area of 15.53 acres (15.27 acres based on the prior approval, and 0.26 acres based on the proposed additional acreage). There is one access point into the proposed development, which will be from Binks Forest Drive.





The prior approval included a land area of 15.27 acres. Since the time of the prior approval, it is being proposed that the 0.26 acre preserve parcel be added to Pod L. Also, within the subject property boundary is the golf course maintenance facility that has been relocated north of the FPL Substation. The FPL substation is just west of the subject property. The old maintenance facility on the subject property is proposed to be demolished and removed.

The subject property is located in the Urban/Suburban Tier and is located within the Urban Service Area Boundary. The Acme Improvement Drainage District provides services to the site.

The majority of the subject property has a FLUM designation of Residential E (5.01 d.u./acre - 8.0 d.u./acre) and a zoning classification of AR/PUD (Agricultural Residential/Planned Unit Development). The 0.26 acres being added to the Pod has a FLUM designation of CR (please note that a Small Scale Comprehensive Plan Amendment has been submitted concurrently with this request to change the FLUM designation to Residential E). The following chart outlines the land use, zoning, and existing uses of the surrounding areas.

	Land Use Designation	Zoning District	Existing Use
<b>North</b>	CRE	AR/PUD	FPL Easement
<b>South</b>	CRE	AR/PUD	Golf Course
<b>West</b>	CRE	AR/PUD	FPL Substation
<b>East</b>	CRE	AR/PUD	Golf Course & Clubhouse

### **Property History**

The Landings at Wellington PUD was originally approved by Palm Beach County. It became part of Wellington when it was incorporated. The subject property within the Landings at Wellington PUD was originally a driving range which then became abandoned. The 15.27 acres of the original approval for the property was approved for a FLU designation of Res E on November 23, 2004 (Ord. 2004-30). Also on November 23, 2004, a Developers Agreement (R-2004-153) between Binks, LLC, Peninsula Property Holdings, Inc. and Wellington was adopted, which allowed 90 dwelling units on the subject property. In 2008, a Master Plan Amendment and Development Order Amendment were approved under Resolution R-2008-73 which identified the 15.27 acre Pod L and the 90 units associated with the pod within the Landings at Wellington PUD. Since then, 2 resolutions have been approved by the Council, the latest as Resolution R-2012-10, which extended the build out date condition in the R-2008-73 resolution from December 31, 2010 to December 31, 2014. On November 12, 2008, under Petition 1997-10 SP2, the DRC approved the 15.27 acre property with 90 dwelling units.

The subject property received approval for 90 dwelling units. As part of this submittal, the acreage for Pod L (Binks Pointe) is proposed to increase; however, the number of dwelling units remains the same at 90.

### **Conformance**

**A. That the proposed request is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan.**



The proposed amendment is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan. The surrounding land uses are compatible with the subject property. The property has a FLUM designation of Residential E (please note that the 0.26 acres proposed as being added to Pod L has been submitted concurrently as a Small Scale Future Land Use Amendment, to land use from CR to Residential E). The previously approved 90 dwelling units will remain the same as part of this request; however, the density has changed as result of the added acreage. The previously approved density was 5.89 du/ac, the proposed density is 5.79 du/ac. This is in compliance with the density standards set forth by the FLUM designation and is consistent with the Comprehensive Plan.

**B. That the proposed request is in compliance with Article 11 of the LDRS (Adequate Public Facility Standards).**

Adequate public facilities are available to the site. The previously approved density of 90 dwelling units remains unchanged.

1. A Concurrency Application has been submitted to the Palm Beach County School District for the additional acreage being added.
2. Water and sewer capacity is available to the site.
3. A Drainage Statement showing that legal positive outfall for the development will be met has been provided.
4. The 90 dwelling units meet traffic concurrency requirements, as indicated by the Traffic Study. Please note that this request includes the proposed modification of the prior condition of approval for the project, to extend the build out date to 2018.

**C. That the proposed request is in compliance with Article 9 of the LDRS (Environmental Standards).**

The property is currently undeveloped and the development will comply with the environmental standards found in Article 9 of the LDR's. The development does not fall within a wellfield protection zone, thus eliminating the potential for groundwater environmental hazards. Please refer to the detailed Environmental Assessment that is provided under separate cover for additional environmental information.

**D. That the proposed request is in compliance with Article 6 of the LDRS (Zoning District, Use, Property Development and Supplementary Regulations).**

Pursuant to Section 6.8.2.F - Land Uses, this townhome development shall be subject to the property development regulations specified in Table 6.8-6 for the PUD development regulations pertaining to the Optional Residential Pod designation as well as those supplementary regulations outlined in Section 6.4.4.110 pertaining to Townhomes.



Pod	Minimum Lot Dimensions			Max. # of Units	Max. FAR	Max. Bldg. Coverage	Min. Bldg. Setbacks (ft.)			
	Size	Width	Depth				Front (1)	Side (2) (3)	Street (1)	Rear (2) (3)
Optional Res.	-	-	-	-	-	-	25' (22.5')	15' (12') (11.25')	20' (18')	20' (16') (15')

- (1) The front and street minimum building setbacks may be reduced by 10% pursuant to Administrative Deviations as outlined in Section 6.8.1 and Notes to Table 6.8-6.
- (2) Pursuant to Section 6.8.2.G, the property development regulations for side and rear setbacks are flexible, thus they may be reduced by 20%.
- (3) The side and rear setbacks may be reduced by 25% when adjacent to open space (lake, canal, golf course preserve area, etc) 100 feet in width or greater as outlined in Notes to Table 6.8-6.

1. Min Townhouse Lot Dimensions:

- Lot size – Min 1600sf required / Min 2650sf proposed
- Lot width – Min 16' required / Min 25' proposed
- Lot frontage – Min 16' required / Min 25' proposed
- Lot depth – Min 100' required / Min 106' proposed

2. Density: 5.79 du/acre

3. Building Coverage: Although the LDR does not specify the maximum building coverage for Optional Residential pods, the proposed development will not exceed the multifamily residential maximum of 35%. The building coverage for the proposed development will be 19%.

4. Building Height: The building heights are measured to the mean roof line. The LDR maximum is 35 ft. The building heights for the proposed development will not exceed this maximum. Additionally, the number of stories will be reduced from the previously proposed three (3) stories to two (2).

5. Setbacks: Outlined in the following table based on Pod requirements for the Optional Residential (OR) overlay request for Pod L. Minimum building setbacks and separations for buildings shall be measured from perimeter property lines, perimeter landscape areas, residential access streets, the proximity of one unit to another and road and canal rights-of-way.

	Front	Side Interior	Street	Rear
<b>Required OR Setback</b>	25'	15'*	20'	20'
<b>Flexible Regulation - 20%</b>	--	12'	--	16'
<b>Administrative Deviation - 10%</b>	22.5'	--	18'	--
<b>Open Space Reduction - 25% **</b>	--	11.25'	--	15'
<b>Proposed Setback</b>	22.5'	12' setback 15' separation	18'	16'

\*Denotes interior separation of townhome buildings per Section 6.4.4.

\*\*All buildings that are adjacent to open space measuring 100' or greater are allowed a 25% setback reduction, as stated in note #4 to table 6.5-1 of the Wellington Land Development Regulations.



6. The community will receive curbside trash and recyclable materials collection service on a weekly basis and is therefore exempt for the recyclable material storage area of Section 6.6.1.E.
7. A non-vehicular circulation system will be incorporated into the proposed development to encourage pedestrian and bicycle usage to, from, and throughout the site. A sidewalk connection will be provided to the path along Binks Forest Drive which is part of the overall internal pedestrian circulation system for the entire Landings at Wellington PUD.



Sample trellis seating area amongst townhomes



Sample pedestrian pathways amongst townhomes

**E. Provide the overall design concept and show that the design of the proposed request minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.**

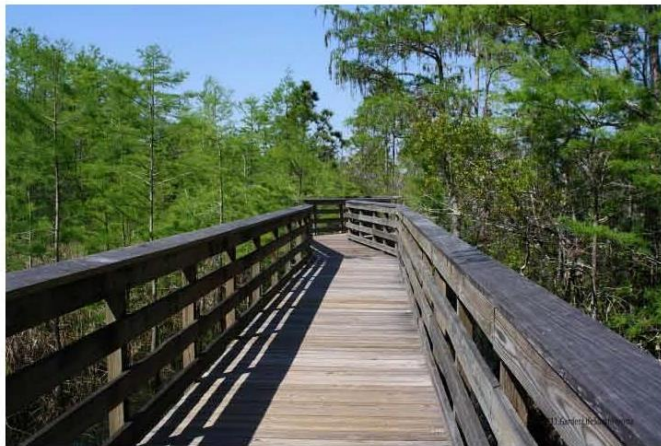
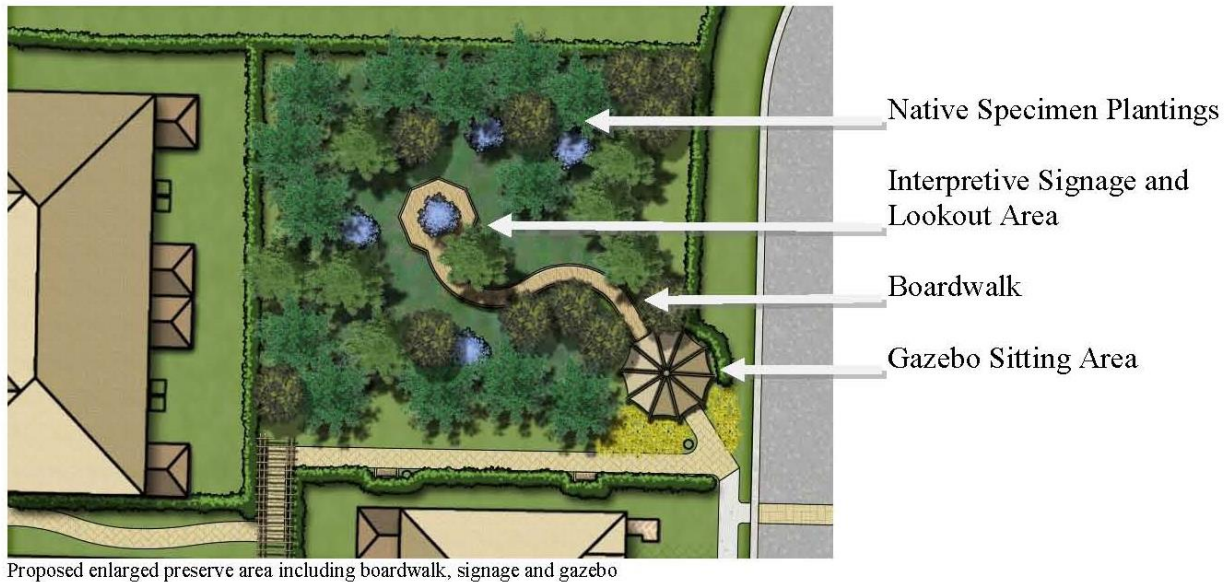
The overall design concept proposes to reduce the impacts on the existing residential pods surrounding Pod L from the previously approved 2008 design. The design changes include modifying the unit ownership from condo to fee simple consistent with the surrounding fee simple ownership of the single family homes; increasing the clubhouse area and amenities; reducing the building heights from three stories to two; reducing the views of the FP&L transmission lines for the proposed units; increasing the perimeter setbacks and landscaping; and increasing the preserved vegetation and onsite preserve area.

1. More than adequate parking for the proposed development will be provided. The Village code requires a minimum of 2 spaces per unit as well as an additional guest space for every four units. Based on 90 units, 180 spaces are required with an additional 23 spaces for guests. In addition, one space is required for every 250sf of clubhouse area. The proposed clubhouse is 4753sf, thus requires 19 spaces. In total 222 parking spaces are required for the project. The proposed project design allocates four spaces at each unit with two in the garage and two in the driveway, thereby 360 spaces are provided for the residential units and their guests. An additional 19 spaces are proposed at the clubhouse. In total, the 379 proposed spaces exceed the minimum code requirement of 222 spaces.
2. Outdoor Lighting – Shall conform to the standards set forth in Section 7.8.2.



- a. Lighting fixtures shall be a maximum of thirty (30) feet in height along the street and shall be a maximum of fifteen (15) feet in height within non-vehicular pedestrian areas.
  - b. Spillover light onto residential property shall not exceed three tenths (0.3) of one foot-candle when measured six (6) feet above grade at the residential property line.
  - c. All outdoor lights shall, to the greatest extent possible, confine emitted light to the property on which the light is located, and shall not be directed upwards, to avoid urban glow.
3. Minimum Landscape and Buffer Requirements:
- a. Minimum interior planting requirement – Interior landscaping will be designed in accordance with Section 7.3.6.C.4 because the subject site has a future land use of Residential E.
  - b. Minimum buffer requirements in accordance with Section 7.3.10
    - i. To the north lies the FP&L easement and no buffer is required; however, the design of the plan has reoriented the proposed buildings such that no building faces or backs up to the FP&L easement and landscape screening is proposed along the northern edge of the development area to 'buffer' the proposed townhomes from the FP&L easement area and overhead transmission lines.
    - ii. A 10 ft. landscape buffer will be added along the south property line adjacent to the golf course. When multi-family is adjacent to commercial recreation, a 20 ft. buffer is required; however, since a similar buffer currently exists on the golf course property in accordance with note #4 to Table 7.3-8, the proposed buffer may be reduced by 50%. This existing golf course 'buffer' adheres to the presented landscape screening presented and approved by the Council during the golf course renovation and approval of the 90 units on the subject property.
    - iii. A 15 ft. incompatibility landscape buffer will be added to the property on the west.
    - iv. A 25 ft. right-of-way buffer with a 5 ft. overlap into the existing utility easement will be added to the east property line along Binks Forest Drive pursuant to Table 7.3-7.
  - c. All landscaping will be properly irrigated.
  - d. All trees will be located a minimum of 15 ft. from light poles.
  - e. Street trees will be located along the roadways of the proposed development.
4. Care will be taken to preserve or relocate as many existing trees as possible. Tree mitigation will be in accordance with Section 7.5.5. The 0.26 acre preserve parcel proposed for inclusion into the site design will be enhanced and enlarged to provide a minimum 0.3 acre preserve area primarily in the vicinity of the existing preserve, but with a modified boundary that incorporates the existing native and specimen landscaping as identified on the tree survey. This preserve area is proposed as a focal feature for the project and is proposed to be utilized in the new development plan to include a gazebo sitting area, a boardwalk and lookout 'deck' and interpretive signage within the preserve area.





Sample preserve area boardwalk



Sample preserve area interpretive signage

5. Entry Feature Signage – One entry feature sign is proposed and will be in accordance with Section 7.14.10.

- a. Maximum height: 8 ft.
- b. Maximum surface area: 32 sq. ft.
- c. Maximum lines of copy: 2 lines
- d. Maximum lettering height: 36 inches

6. One gated access point is being proposed leading from Binks Forest Drive. Both vehicular and non-vehicular circulation will be provided internal to the site.

**F. That the proposed request is in compliance with the LDRS (Supplementary Regulations).**

The proposed development complies with Article 6.4.4.110, Supplementary Regulations for Townhome uses.



**G. That the proposed request is consistent with applicable neighborhood plans.**

The subject property does not fall within the jurisdiction of any neighborhood plans.

**H. That the proposed request will result in a logical, timely and orderly development pattern.**

The proposed development satisfies consistency requirements and is zoned accordingly with the land use designation. The site is suitable for residential development and consistent in use to the many other residential pods with the Landings at Wellington PUD. This proposal is in accordance with the Developers Agreement (R-2004-153).

**I. That the proposed request complies with Wellington building standards and all other relevant and applicable provisions of the LDRS.**

- 1.) Architectural style, color, and materials will be consistent with Wellington's architectural regulations.
- 2.) The proposal will comply with all other relevant and applicable provisions of the ULDC.
- 3.) Fire standards will be in compliance with Article 8.28 *Fire Rescue Services*.
- 4.) County health standards will be in compliance with Article 16 *Health Department Regulations*.

**Optional Residential (OR) Overlay Designation for Pod L**

**The requested Optional Residential overlay complies with the requirements set in place by Article 6.8.1.F.1.b. The following details how the proposed site design complies with the intent of the Optional Residential overlay;**

The proposed subject site is designed in a manner intended to promote residential privacy and recreation while maintaining existing native plantings and preserve areas onsite incorporated into the design plan.

An entry gate with a call box is proposed for the lone entrance into the property for motor vehicles, cyclists and pedestrians and is intended to provide security for the future residents of the community.

While driveways and parking for guests and for the clubhouse is provided for motor vehicles, the community is designed with pedestrians and cyclists in mind. Sidewalks will be illuminated by lampposts and crosswalks will be provided along each drive aisle as means to increase access and active transportation. A pathway will connect the clubhouse with the preserve and recreational area. Outdoor community amenities such as a swimming pool, bike racks, benches and gazebos will also be provided for residents to utilize. As such, the onsite clubhouse is proposed to be 4,750 square feet, an increase from the 1,245 square foot clubhouse that was initially approved.





Proposed Clubhouse and recreational amenities



Sample gazebo and interconnected pathways to recreation areas

With regards to residential privacy, landscape buffers and existing vegetation will be utilized to preserve open space areas around the proposed development and between individual units. Native and specimen vegetation will be conserved on site in the perimeter buffers and in and around the preserve area. Overall, the preserve area will be increased from its current 0.26 acres to approximately 0.32 acres in size.

Open space in back yards with a minimum depth of 16' from the covered rear balcony of each unit will be provided to preserve residential privacy. Similarly, the setbacks surrounding the subject site will be increased from the previously approved setbacks on the certified site plan dated 2008. The buffering along the perimeter golf course and the landscaping screening will be expanded. Residential buildings will be orientated in a fashion away from FPL transmission lines along the north of the subject site.

Additionally, motor vehicle parking will exceed what is required by the Village Code. On-street parking will be provided at the proposed clubhouse. Inclusive of the two car garages and two car driveways, the project will exceed the total amount of required automobile parking by about 150 spaces.

Ultimately, it is the goal of the applicant to create a townhouse product with fee-simple lots that fit under the single-family residential development mold similar to that of the single-family residences which comprise the majority of the PUD. In creating this revised design concept, the applicant is applying the Optional Residential overlay setbacks to accommodate the additional benefits and features within the modified design plan from that plan which was previously approved. These additional benefits and features include reduced building heights, reorientation of buildings away from FP&L transmission lines, increased perimeter building setbacks and landscaping, an increased clubhouse building and recreational amenities, increased onsite tree preservation, and an increased preserve area.

***Based upon the above, attached and referenced information, we are respectfully requesting a Master Plan Amendment approval to amend the Landings at Wellington PUD Master Plan.***







## Exhibit "H" Palm Beach County Traffic Division Letter



**Department of Engineering  
and Public Works**

P.O. Box 21229  
West Palm Beach, FL 33416-1229

(561) 684-4000  
FAX: (561) 684-4050  
[www.pbcgov.com](http://www.pbcgov.com)

**Palm Beach County  
Board of County  
Commissioners**

Steven L. Abrams, Mayor  
Priscilla A. Taylor, Vice Mayor  
  
Hal R. Valeche  
Paulette Burdick  
Shelley Vana  
Mary Lou Berger  
Jess R. Santamaria

**County Administrator**

Robert Weisman

"An Equal Opportunity  
Affirmative Action Employer"

October 31, 2013

Mr. Timothy Stillings  
Director of Planning and Development  
Village of Wellington  
12300 Forrest Hill Boulevard  
Wellington, FL 33414

**RE: Binks Pointe  
PBC Project#: 131002  
Traffic Performance Standards Review**

Dear Tim:

The Palm Beach County Traffic Division has reviewed the traffic study for the proposed residential project entitled; **Binks Pointe**, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code. The project is summarized as follows:

<b>Location:</b>	West side of Binks Forest Drive, south of Southern Blvd.
<b>PCN:</b>	73-41-44-06-03-010-0000, 73-41-44-06-03-022-0000, 73-41-44-06-03-023-0000, 73-41-43-31-01-006-0000.
<b>Existing Use:</b>	Vacant
<b>Proposed Uses:</b>	90 MF Residential Units (Townhomes)
<b>New Daily Trips:</b>	630
<b>New PH Trips:</b>	47 AM, 55 PM
<b>Build-Out Date:</b>	End of Year 2018

Based on our review, the Traffic Division has determined the proposed residential project meets the Traffic Performance Standards of Palm Beach County. It is suggested for the Village to look into potential sight distance issues at the project main access driveway, and require provision of NBL and SBR right turn lanes along Binks Forest Drive onto the site (as illustrated on the site plan) as a safety measure, if deemed needed. Note that this suggestion is not because of high driveway volume, but due to the specific location of the site main access driveway on a horizontal curve section along the roadway. No building permits are to be issued by the Village after the build-out date listed above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance. If you have any questions regarding this determination, please contact me at 684-4030 or e-mail me at [matefi@pbcgov.org](mailto:matefi@pbcgov.org).

Sincerely,

Masoud Atefi, MSCE  
TPS Administrator, Municipalities, Traffic Engineering Division

MA:sf

cc: Juan F. Ortega Ph.D., PE., - Land Design South  
Steve Bohovsky, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review  
F:\Traffic\MA\Admin\Approvals\2013\131002.doc



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## Exhibit "I" Wellington Traffic Consultant's Letter

**PTC**

Transportation Consultants



2005 Vista Parkway, Suite 111  
West Palm Beach, FL 33411-6700  
(561) 296-9698 Fax (561) 684-6336  
Certificate of Authorization Number: 7989

March 19, 2014

Mr. Damian Newell  
Wellington  
Planning, Zoning & Building Department  
12300 W. Forest Hill Boulevard  
Wellington, FL 33414

**Re: Binks Pointe - #PTC13-001M**  
**Comprehensive Plan Amendment 2013-61 CPA 2 (HTE 13-120)**

Dear Mr. Newell:

Pinder Troutman Consulting, Inc. (PTC) has completed our review of the Comprehensive Plan Amendment Application date stamped March 6, 2014 for the April 9, 2014 DRC meeting for the above referenced project. Specifically, we have reviewed the Traffic Statement by Land Design South dated September 5, 2013. The Future Land Use designation change from Comm Rec to RES-E for Parcel V (0.26 acre of the 1.051 acres referenced in the traffic statement) does not generate additional traffic. Therefore, we have no comments.

Sincerely,

Rebecca J. Mulcahy, P.E.  
Vice President

cc: David Flinchum, AICP, ASLA  
Bill Riebe, P.E.  
Tim Stillings, AICP





Transportation Consultants



2005 Vista Parkway, Suite 111  
West Palm Beach, FL 33411-6700  
(561) 296-9698 Fax (561) 684-6336  
Certificate of Authorization Number: 7989

April 24, 2014

Mr. Damian Newell  
Wellington  
Planning, Zoning & Building Department  
12300 W. Forest Hill Boulevard  
Wellington, FL 33414

**Re: Binks Pointe - #PTC13-001M**  
**Site Plan and Master Plan Amendment 2013-61 SP 2, MPA 2 (HTE 13-120)**

Dear Mr. Newell:

Pinder Troutman Consulting, Inc. (PTC) has completed our review of the resubmitted response from Land Design South dated April 21, 2014. The project is summarized below:

<b>Proposed Uses:</b>	90 DUs Multi-family Townhomes
<b>Net New Trips:</b>	630 Daily 47 AM Peak (8 IN/39 OUT) 55 PM Peak (37 IN/18 OUT)
<b>Buildout Date:</b>	December 31, 2018

The resubmitted traffic impact analysis responded to all of our comments. Based on our review, we have determined that the proposed project meets the Traffic Performance Standards of Wellington with the following conditions of approval:

1. In order to comply with the Mandatory Traffic Performance Standards in place at the time of this approval, no building permits for the site shall be issued after December 31, 2018. A time extension for this condition may be approved based on a Traffic Study which complies with the Mandatory Traffic Performance Standards in place at the time of the request.
2. No building permits for more than sixty (60) multi-family dwelling units shall be issued until the Property Owner makes a proportionate share payment in the amount of \$182,152, which represents the Property Owner's proportionate share of the improvements to the intersection at State Road 80 and Binks Forest Drive. This payment shall be made to Palm Beach County and is required for compliance with the Countywide Traffic Performance Standards. This proportionate share amount may be applied toward construction of this improvement or one or more improvements that will benefit mobility in the area impacted by the project, as determined by the County Engineer. This proportionate share payment is Impact Fee creditable.

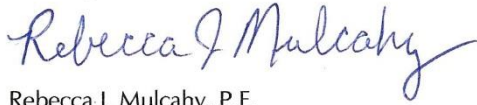
**Pinder Troutman Consulting, Inc.**

Letter Newell 13-001M SP MP 4-24-14



Please contact my office if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca J. Mulcahy". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Rebecca J. Mulcahy, P.E.  
Vice President

cc: David Flinchum, AICP, ASLA  
Bill Riebe, P.E.  
Tim Stillings, AICP  
Masoud Atefi, MSCE