

I. PETITION DESCRIPTION

Project Name: Palm Beach Equine Comprehensive Plan Amendment

Petition No: 2013-071CPA1/HTE13-164

Owner: Palm Beach Equine Realty, LLC
13125 Southfields Road
Wellington, Florida 33414
Attn: Dr. Scott Swerdlin, Managing Member

Palm Beach Equine Sports Complex, LLC
13125 Southfields Road
Wellington, Florida 33414
Attn: Dr. Scott Swerdlin, Managing Member

Agent: Josh Nichols, LEED AP
Jon E. Schmidt & Associates, Inc.
2247 Palm Beach Lakes Blvd, Suite 101
West Palm Beach, Florida 33409

Requests: A Comprehensive Plan Amendment to the Future Land Use Map to change the Future Land Use Map designation from Residential B to Commercial Recreation for an 11.94 acre site within the Equestrian Preserve Area.

II. SITE DATA

Existing Use: Equine Veterinary Clinic and Barns

Parcel Size: 11.94 acres

Zoning Designation: AR/PUD/EOZD

Current Future Land Use Map Designation: Residential B (0.1 du/acre-1.0 du/acre)

Proposed Future Land Use Map Designation: Commercial Recreation

Parcel Control No.: 73-41-44-21-03-002-0000 (5.37 ac of portion of Parcel B)
73-41-44-21-03-003-0010 (5.19 ac of portion of Parcel C)
73-41-44-21-03-003-0020 (1.38 ac of portion of Parcel C)

Location: Southwest Corner of Pierson Road and Southfields Road



III. LAND USE AND ZONING

	Existing Uses	Future Land Use	Zoning
Subject Site	Veterinary Clinic and Barns	Residential B	AR/PUD/EOZD (CountryPlace PUD)
North	Polo Fields	Commercial Recreation	AR/PUD/EOZD (Wellington PUD)
South	Residential	Residential B	AR/PUD/EOZD (Countryplace PUD)
East	Residential	Residential B (No development order)	AR/EOZD
West	Feed Store and Covered Arena	Commercial Recreation	AR/PUD/EOZD (CountryPlace PUD)

IV. BACKGROUND

Wellington CountryPlace PUD was approved by Palm Beach County prior to the incorporation of the Village of Wellington in 1996. The subject site, known as Palm Beach Equine Sports Complex (see Exhibit A – Legal Description), is within Pod C of the CountryPlace PUD Master Plan (Exhibit B) located in the northeast corner of the

PUD. The Master Plan designates the subject site as Equestrian Facilities and Veterinary Clinic. The site was developed and has operated as an Equine Veterinary Clinic since 1982. When the current owner purchased the property in 2001, their intention was to continue the equine clinic operations and expand the clinic. This petition request is to amend the Future Land Use Map designation to allow the equine veterinary clinic to expand.

V. DEVELOPMENT REVIEW COMMITTEE (DRC)

The Comprehensive Plan Amendment to the Future Land Use Map application was certified for public hearings at the January 8, 2014 DRC meeting.

VI. APPLICABLE STATE STATUTORY PROVISIONS

The Comprehensive Plan Amendment to the Future Land Use Map application will be processed in accordance with Section 163.3184 of the Florida Statutes regarding processing of amended Comprehensive Plan Map Amendments and Comprehensive Plan Text Amendments.

VII. STAFF ANALYSIS

The agent, Josh Nichols (Jon E. Schmidt and Associates, Inc.), on behalf of the owner, is seeking a Comprehensive Plan Amendment to the Future Land Use Map to change the Future Land Use Map designation from Residential B to Commercial Recreation for the 11.94 acre site (Parcel B and C) within the Equestrian Preserve Area known as Palm Beach Equine Sports Complex. When Wellington incorporated and adopted the Comprehensive Plan, the portion of the property that contains the Vet Clinic and barns was designated with a Residential B Future Land Use. The contiguous Parcel D that contains the feed store, oval track, covered arena and lake was given a Commercial Recreation Future Land Use Map (FLUM) designation. When the owner proposed to expand the Vet Clinic buildings, it was determined a Vet Clinic was not a permitted use within the Residential B FLUM category. The previous adoption of the Residential B FLUM category inadvertently made the existing Vet Clinic operation a non-conforming use. Pursuant to the Wellington Land Development Regulations, a non-conforming use may not be expanded until the non-conformity is corrected. Below is a map that illustrates the subject site.

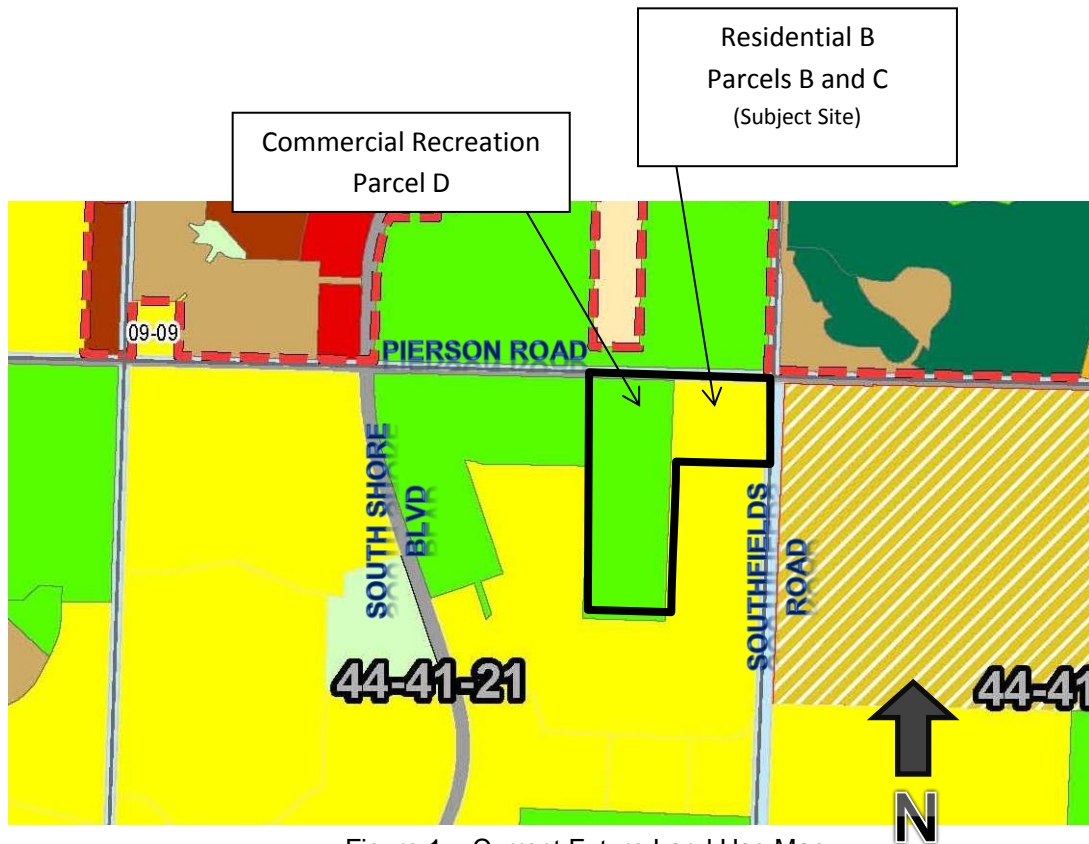


Figure 1 – Current Future Land Use Map

The property owners have been working to change the Future Land Use Map designation, as illustrated in figure 1 above, to allow expansion of the vet clinic. The owners recorded a Unity of Title for Parcels D and B to construct a covered arena north of the lake. Additionally, the owners recorded a subsequent Unity of Control over Parcels B, C, and D to meet land development regulations regarding lot coverage and floor area. The three parcels collectively function as an equestrian facility and are all owned by companies with a common managing member. At this time, the applicant is requesting to modify the Future Land Use Map designation from Residential B to Commercial Recreation. This will allow the existing Vet Clinic use to expand to accommodate additional surgery recovery stalls.

Staff recommends approval of the CPA request based on consistency with the following specific requirements of the Wellington Comprehensive Plan:

Future Land Use Element - Policy 1.3.15 Commercial Recreation: Properties designated Commercial Recreation support commercial uses which are recreational in nature and are compatible with residential and rural development patterns. Uses such as equestrian arenas, stadiums and show rings, golf courses, clubhouses, tennis houses, pools and other private recreational facilities are consistent with the designation. There are also a variety of quasi-commercial uses as veterinary clinics, feed stores, tack shops and commercial stables scattered throughout the Equestrian Preserve Area of Wellington that are ancillary to the equestrian community and will be permitted in the Commercial Recreation Land Use Plan Sub-category.

Equestrian Preserve Element – Goal 1.0: The goal of this element is to ensure the preservation and protection of the neighborhoods which comprise this area, the equestrian industry and the rural lifestyles which exist in the Equestrian Preserve.

Equestrian Preserve Element – Objective 1.1.3: Provide for the limited commercial uses which support the equestrian industry;

Equestrian Preserve Element – Objective 1.1.4: Provide for the preservation of the rural lifestyles and land uses which exist in the overlay area while ensuring compatibility of the land uses; and

Equestrian Preserve Element – Objective 1.1.5: Establish site development regulations that recognize the characteristics of equestrian and similar uses and structures.

VIII. Public Facilities Analysis

Public Facility/Service	Level of Service (LOS)	Estimated Impact on Levels of Service Based Upon Use Change			Status of Facility/Service	LOS Standard Achieved (Y or N)
		Current Residential B	Proposed Commercial Recreation	Difference		
Sanitary Sewer	93 gallons per day (GPD)/capita	4,700 GDP	7,000 GPD	+2,300 GPD	The maximum capacity of the waste water plant is 6.5 million gallons per day (MGD).	YES
Solid Waste	7.1 pounds per day (PPD)/capita	257.71 PPD	257.71 PPD*	0 PPD	The North County Landfills have approximately 30,355,863 cubic yards of landfill capacity remaining. Based on population projections, the Solid Waste Authority forecasts that capacity will be available through the year 2046.	YES
Potable Water	120 GPD/capita	5,500 GPD	8,500 GPD	+3,000 GPD	The maximum capacity of the water plant is 12.8 MGD. The plant is currently running at an average daily flow of 7.1 MGD.	YES

Public Facility/Service	Level of Service (LOS)	Estimated Impact on Levels of Service Based Upon Use Change			Status of Facility/Service	LOS Standard Achieved (Y or N)
		Current Residential B	Proposed Commercial Recreation	Difference		
Parks	10 acres/1,000 ppl	0.36 acres	0.36 acres*	0 acres	Wellington's 2010 population of 56,508 requires 5,650 acres of active/passive, recreational/ open space to meet LOS standards. Currently Wellington has 7,678 acres.	YES
Traffic	LOS E	110 Trips per day (8 peak hour trip – a.m.) (14 peak hour trips – p.m.)	286 tpd (7 peak hour trips – a.m.) (19 peak hour trips – p.m.)	+176 tpd <i>Based on the review of the Traffic Statement by Pinder Troutman Consulting, Inc. the amendment is consistent with the Transportation Element of the Comprehensive Plan.</i>	See Exhibit C – Traffic Statement	YES
Public Schools	SF – 0.29 K-12 Students/DU	3.46 Students	3.46 Students*	0 Students	FY 13/14 average projected enrollment for all public school located in the Concurrency Service Area 16 (Wellington) is 89.4% of the schools maximum capacity.	YES

* The Commercial Recreation FLUM designation retains an underlying Residential B FLUM designation so the Residential B standard would still apply for solid waste, parks and public schools.

IX. PUBLIC NOTIFICATION/COMMENTS

As required by the Land Development Regulations and Florida Statutes, legal ads for public notifications were placed in the Palm Beach Post, mailings were sent to surrounding property owners within 500 feet and the actual property was posted with yellow signs. All notices advised that a public hearing on the proposed Ordinance 2014-09 would take place on the dates noted below.

Planning, Zoning and Adjustment Board

Mailing:	March 18, 2014
Newspaper:	March 18, 2014
Posted Signs:	March 18, 2014
Meeting Date:	April 2, 2014

Village Council

Mailing:	April 28, 2014
Newspaper:	April 28, 2014
Posted Signs:	April 28, 2014
Meeting Date:	May 13, 2014

As of May 1, 2014, staff has not received objections or comments regarding the proposed Future Land Use Map designation amendment.

X. CODE COMPLIANCE HISTORY

There are no open code cases related to this property as of March 31, 2014.

XI. EQUESTRIAN PRESERVE COMMITTEE

The request was heard at the March 12, 2014 Equestrian Preserve Committee and was recommended for approval to the PZAB with a unanimous vote (5-0).

XII. PLANNING, ZONING AND ADJUSTMENT BOARD

The request was heard at the April 2, 2014 Planning, Zoning and Adjustment Board and recommended for approval to the Village Council with a unanimous vote (6-0).

XIII. VILLAGE COUNCIL

The request was heard at the May 13, 2014 Village Council meeting and was approved for transmittal to the State Community Planning Agency with a 3-2 vote. The second reading will be tentatively scheduled July 8, 2014 Council meeting.

XIV. STAFF RECOMMENDATION

Staff recommends approval of Ordinance No. 2014-09, a Comprehensive Plan Amendment to the Future Land Use Map (2013-071 CPA) to change the FLUM designation on the 11.94 acre site known as Palm Beach Equine Sports Complex located on the southwest corner of Pierson Road and Southfields Road from Residential B to Commercial Recreation.

Staff Report – Exhibit A: Legal Description

PARCEL "B" OF SOUTHFIELDS - PHASE 1 OF PALM BEACH POLO AND COUNTRY CLUB - WELLINGTON COUNTRYPLACE - P.U.D. IN SECTION 21, TOWNSHIP 44 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 39, PAGE 19, PALM BEACH COUNTY, FLORIDA, PUBLIC COUNTY RECORDS,

TOGETHER WITH:

PARCEL "C" OF SOUTHFIELDS - PHASE 1 OF PALM BEACH POLO AND COUNTRY CLUB - WELLINGTON COUNTRYPLACE - P.U.D. IN SECTION 21, TOWNSHIP 44 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 39, PAGE 19, PALM BEACH COUNTY, FLORIDA, PUBLIC COUNTY RECORDS

+/- 11.94 Acres

