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**MEETING MINUTES  
WELLINGTO004E  
PLANNING, ZONING AND ADJUSTMENT BOARD  
April 14, 2021  
7:00 PM  
Wellington Village Hall  
12300 Forest Hill Boulevard  
Wellington, FL 33414**

Pursuant to the public notice, a meeting of Wellington Planning, Zoning and Adjustment Board held on April 14, 2021 at 7:00 p.m. at Village Hall, 12300 Forest Hill Boulevard, Wellington, Florida 33414.

**I. CALL TO ORDER/ROLL CALL**

Elizabeth Mariaca called the meeting to order at 7:00 p.m.

**Members present;** Elizabeth Mariaca; Jeffrey Robbert; Ron Herman and Adam Rabin.

**Absent:** Maureen Martinez; Sal Van Casteren and John Bowers.

**Staff present:** Laurie Cohen, Village Attorney; Cory Lyn Cramer, Planning and Zoning Manager; Tim Stillings, Planning Director; Kelly Ferraiolo, Senior Planner, and Jennifer Fritz, Recording Secretary.

**II. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was done.

**III. REMARKS BY THE CHAIR**

Ms. Mariaca confirmed that the Board has a quorum.

**IV. APPROVAL OF MINUTES**

**PZ-0232 FEBRUARY 10, 2021 PLANNING, ZONING AND ADJUSTMENT BOARD MINUTES**

A motion was made by Jeffery Robbert, seconded by Adam Rabin, to approve the February 10, 2021 Planning, Zoning and Adjustment Board minutes. The motion passed unanimously (4-0) with Maureen Martinez, Sal Van Casteren and John Bowers absent.

## **V. ADDITIONS/DELETIONS/REORDERING OF AGENDA**

None.

## **VI. SWEARING IN OF SPEAKERS**

Laurie Cohen administered the oath.

## **VII. DECLARATION OF EX-PARTE COMMUNICATION**

Jeffrey Robbert spoke with a Wellington resident that works in that area. Elizabeth Mariaca and Ron Herman declared they had spoken with staff. Adam Rabin had no ex-parte to declare.

## **VIII. NEW BUSINESS**

### **PZ-0233 RESOLUTION R2021-11 (CHICKEN SALAD CHICK DRIVE-THRU CONDITIONAL USE)**

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A CONDITIONAL USE (PETITION NUMBER 2020-0003-CU) TO ALLOW A DRIVE-THRU LANE AT AN EXISTING RESTAURANT FOR CERTAIN PROPERTY, KNOWN AS CHICKEN SALAD CHICK (FKA BOSTON MARKET), WHICH IS PARCEL C4, AN OUTPARCEL OF THE PINES OF WELLINGTON TRACT C REPLAT (AKA WELLINGTON COMMONS MALL), TOTALING 0.72 ACRES, MORE OR LESS, LOCATED AT 12792 FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; IN A PLANNED DEVELOPMENT ZONING DISTRICT AND SUBJECT TO THE CONDITIONS OF APPROVAL SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

Kelly Ferraiolo, Senior Planner, presented the request for a Conditional Use for Chicken Salad Chick to allow a drive-thru lane at an existing restaurant outparcel known as Parcel C4 within the Wellington Commons Mall. Mrs. Ferraiolo gave a brief history and location description. Mrs. Ferraiolo reviewed the proposed site plan, proposed improvements, elevations, and signage of the site. Mrs. Ferraiolo reviewed an abbreviated list of the conditions for the site. Mrs. Ferraiolo introduced the agent, Steve Pawlyk, with Sexton Engineering for any questions.

Ron Herman inquired on the traffic and trip generation. Steve Pawlyk stated the trip are based on the use of the peak hour trips which were minor being that it is an existing restaurant use. The drive-thru was the basis for the additional trips.

Ms. Mariaca inquired if the glass on the building is reflective. Ms. Ferraiolo stated that Wellington does not allow reflective glass and that the applicant will go to the Architectural Review Board for approval of the elevations and signage.

**A motion was made by Jeffrey Robbert, seconded by Ron Herman, to open public comment. The motion passed unanimously (4-0) with Maureen Martinez, Sal Van Casteren and John Bowers absent.**

There were no public comments.

**A motion was made by Jeffrey Robbert, seconded by Adam Rabin, to close public comment. The motion passed unanimously (4-0) with Maureen Martinez, Sal Van Casteren and John Bowers absent.**

**A motion was made by Jeffrey Robbert, seconded by Adam Rabin, to recommend approval of Resolution R2021-11. The motion passed unanimously (4-0) with Maureen Martinez, Sal Van Casteren and John Bowers absent.**

**PZ-0234 ORDINANCE NO. 2021-03: REPEALING THE TRANSPORTATION ELEMENT AND REPLACING WITH THE MOBILITY ELEMENT.**

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON COMPREHENSIVE PLAN, MORE SPECIFICALLY, TO REPEAL THE TRANSPORTATION ELEMENT AND REPLACE WITH THE MOBILITY ELEMENT, IN ITS ENTIRETY, AS CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

Tim Stillings, Planning Director, presented the request to repeal the Transportation Element of Wellington's Comprehensive Plan and replace with the Mobility Element. Mr. Stillings introduced Andrea Troutman, Wellington's traffic consultant, to answer any questions. Mr. Stillings reviewed the concepts of the element.

Mr. Herman inquired on the greater use of public transit. Mr. Stillings stated that Wellington continues to work with Palm Beach County on transit services. At this time, Wellington does not see any expansion of public transit services.

Ms. Mariaca asked if Wellington is promoting the pathways. Ms. Mariaca suggested a brochure on the bike paths.

Adam Rabin suggested Wellington could receive feedback from the residents, specifically on bike paths.

Mr. Rabin inquired on the pathway layout for bicycles and golf carts. Mr. Stillings stated the golf and bicycle pathways are the same. Staff will need to work on educating the public on who yields on the pathway. Mr. Rabin inquired on road markings for bicyclist. Mr. Stillings stated that in many locations in Wellington, there is not enough room to dedicate as a bicycle lane.

Ms. Mariaca commented that not all pathway expansions will be to eight (8) feet wide. Mr. Stillings stated that is correct, only pathways located on major thoroughfares and connecting roadways will be widen. The neighborhood sidewalks will maintain their current width.

**A motion was made by Adam Rabin, seconded by Jeffrey Robbert, to open public comment. The motion passed unanimously (4-0) with Maureen Martinez, Sal Van Casteren and John Bowers absent.**

There were no public comments.

**A motion was made by Jeffrey Robbert, seconded by Adam Rabin, to close public comment. The motion passed unanimously (4-0) with Maureen Martinez, Sal Van Casteren and John Bowers absent.**

**A motion was made by Jeffrey Robbert, seconded by Ron Herman, to recommend approval of Ordinance 2021-03. The motion passed unanimously (4-0) with Maureen Martinez, Sal Van Casteren and John Bowers absent.**

## **IX. OLD BUSINESS**

**PZ-0235 ORDINANCE NO. 2021-01: REPEALING THE EQUESTRIAN PRESERVATION ELEMENT AND REPLACING WITH THE EQUESTRIAN ELEMENT.**

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON COMPREHENSIVE PLAN, MORE SPECIFICALLY, TO REPEAL THE EQUESTRIAN PRESERVATION ELEMENT AND REPLACE WITH THE EQUESTRIAN ELEMENT, INCLUDING ANY ELEMENT MAPS, IN ITS ENTIRETY, AS CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

Mr. Stillings presented the request to repeal the Equestrian Preserve Element and replace it with the Equestrian Element. This element will have three (3) goals. Mr. Stillings reviewed the updated existing concepts that will remain, as well as the new concepts of the Element. Mr. Stillings stated the Equestrian Preserve Committee recommended approval with some modifications and staff has incorporated them into the plan.

Ms. Mariaca inquired on the expansion of Lake Worth Road. Mr. Stillings stated all roads are limited to two lanes except for Lake Worth Road.

Ms. Mariaca inquired on the water quality impacts and updating Wellington's system to comply. Mr. Stillings stated there has been discussions at the Federal level at lowering the level of maximum allowable levels of phosphorous. In the future, staff would have to work with the property owners to address this. There is still debate on who will enforce these requirements and what Wellington's role will be.

Mr. Herman asked about the Equestrian Preserve Committee debate on the language regarding defining nuisance. Mr. Stillings stated nuisances are more of a regulatory standard.

Mr. Rabin asked for further explanation on the water impact and the phosphorous levels. Mr. Stillings stated there is a standard now that the Wellington is required to

meet. If the existing maximum phosphorous levels were lowered at the Federal level, Wellington would have to address how to meet the new standards.

**A motion was made by Adam Rabin, seconded by Ron Herman, to open public comment. The motion passed unanimously (4-0) with Maureen Martinez, Sal Van Casteren and John Bowers absent.**

Carol Coleman - 14224 Stroller Way: expressed concern on expanding Lake Worth Road, which would bring in uses that are more commercial.

Haakon Gangnes - 13783 53<sup>rd</sup> Street: requested the email he sent to the PZAB chair be entered into the record. He expressed concern that the Equestrian Preserve Committee's April meeting was cancelled which did not allow the Committee to review the Equestrian Element again. He stated he also has a problem with the nuisance definition. Mr. Stillings explained to the Board how Committee meetings are scheduled. The April Equestrian Preserve Committee's meeting had nothing on the agenda except minutes from the prior meeting, therefore a meeting was not needed. Minutes can be reviewed at any meeting, and a committee would not have a meeting just to review minutes.

Michael Whitlow- 2070 Appaloosa Trail: stated the word Preserve is important to the community and could cause damage in taking the word out of the element title.

Cynthia Gardner- 3380 Fairlane Farms Road: provided her knowledge of the history of the Equestrian Preserve, pointing out the equestrian industry is all Wellington has. There are concerns of large groups of equestrians going to Ocala and warned on expanding Lake Worth Road.

**A motion was made by Jeffrey Robbert, seconded by Adam Rabin, to close public comment. The motion passed unanimously (4-0) with Maureen Martinez, Sal Van Casteren and John Bowers absent.**

Mr. Stillings re-stated the process for scheduling meetings for the Boards and Committees. The Equestrian element was discussed with the Equestrian Preserve Committee at meetings from October to March and was unanimously approved. Ms. Mariaca inquired on the importance of removing the word Preserve. Mr. Stillings stated the change is in the element title only. The Equestrian Preserve Area remains in the Comprehensive Plan.

Mr. Rabin asked if there was any legal detriment to removing Preserve from the element's title. Mr. Stillings stated the Committee approved the Equestrian Element as presented tonight. The word Preserve still remains in the Charter and is throughout the Equestrian Element and in other applicable elements of the Comprehensive Plan. Mr. Rabin asked if the Comprehensive Plan is adopted, does it make it any easier to expand South Shore to four lanes. Mr. Stillings stated it does allow the option for the Council to approve an expansion to four lanes if it is warranted and desired.

Mr. Robbert expressed concern on establishing cut-thru traffic if the roadways were expanded. Ms. Mariaca asked if there are changes that make it easier to expand the

roads. Mr. Stillings stated there is nothing in the element to cause the roads to change tomorrow. Council is the deciding body on if the roads should be expanded.

Ms. Cramer pointed out the changes are not giving applicants the ability to submit private applications to request road expansions. The changes only gives Council, at their discretion, the ability to expand the roads if needed.

The Board discussed keeping the "Preserve" in the title and modifying Policy 2.2.1 and 2.2.2.

**A motion was made by Jeffrey Robbert, seconded by Adam Rabin, to recommend approval of Ordinance 2021-01, amending the title back to the Equestrian Preserve Element; to modify Policy 2.2.1 by put a period after two travel lanes and delete the rest of the paragraph; and to modify Policy 2.2.2 by keeping "Develop Lake Worth Road as a gateway to the EPA" and modifying the rest of the sentence to read: the design of the road section from 120<sup>th</sup> Avenue South to South Shore Boulevard will celebrate the equestrian competition lifestyle and signify to motorist that they are entering the EPA. The motion passed unanimously (4-0) with Maureen Martinez, Sal Van Casteren and John Bowers absent.**

**X. COMMENTS FROM PUBLIC**

None.

**XI. COMMENTS FROM STAFF**

Ms. Cramer advised the Board of the items scheduled for the May meeting. Ms. Cramer explained that staff is working on amendments to the Land Development Regulations to conform to the Comprehensive Plan once adopted, which will be presented to the Board.

**XII. COMMENTS FROM THE BOARD**

None.

**XIII. ADJOURN**

**The meeting adjourned at 9:07 p.m.**

**APPROVED:** \_\_\_\_\_  
Date

\_\_\_\_\_  
**Elizabeth Mariaca-Chair**

\_\_\_\_\_  
**Jennifer Fritz-Recording Secretary**