

977 Cindy Drive (Wellington PUD)

STAFF REPORT

Petition Number/Type:

2022-0003-MPA/Master Plan Amendment

Resolution No.:

R2022-64 (Denial)
 R2022-65 (Approval)

Owner/Applicant:

Little Ranches Polo Trust
 (Neil Winer)
 977 Cindy Drive
 Wellington, FL 33414

PCN:

73-41-44-02-02-000-0000

Future Land Use Designation:

Residential B

Zoning Designation:

Planned Unit Development/Palm Beach Little Ranches
 Overlay Zoning District (PUD/LROZD)

Subarea:

Subarea A

Acreage:

0.23-Acre (+/-)

Request:

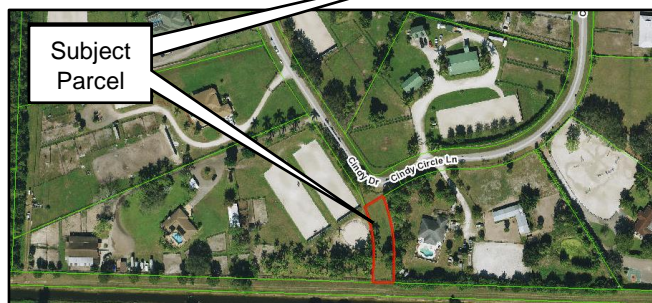
Amend the Wellington PUD Master Plan to add one (1) dwelling unit with site-specific development standards for the subject parcel designated as Open Space and Recreation on the Palm Beach Little Ranches East Plat.

Project Manager:

Damian Newell, Senior Planner
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Location/Map:

The subject parcel is located southeast of the Southern Blvd./SR 80 and Little Ranches Trail intersection. Approximately a half mile south of Acme Road and Cindy Drive intersection at 977 Cindy Drive.



Adjacent Property	FLUM	Zoning
North	Residential B (0.01 – 1.0 du/ac)	PUD/LROZD
South	Residential C (1.01 – 3.0 du/ac)	PUD
East	Residential B	PUD/LROZD
West	Residential B	PUD/LROZD

Boards, Committees, and Council:

	Notice Date	Meeting Date	Vote
EPC	9/29/2022	10/6/2022	4 – 0*
PZAB	10/4/2022	10/19/2022	6 – 0*
Council	10/25/2022	11/9/2022	Pending

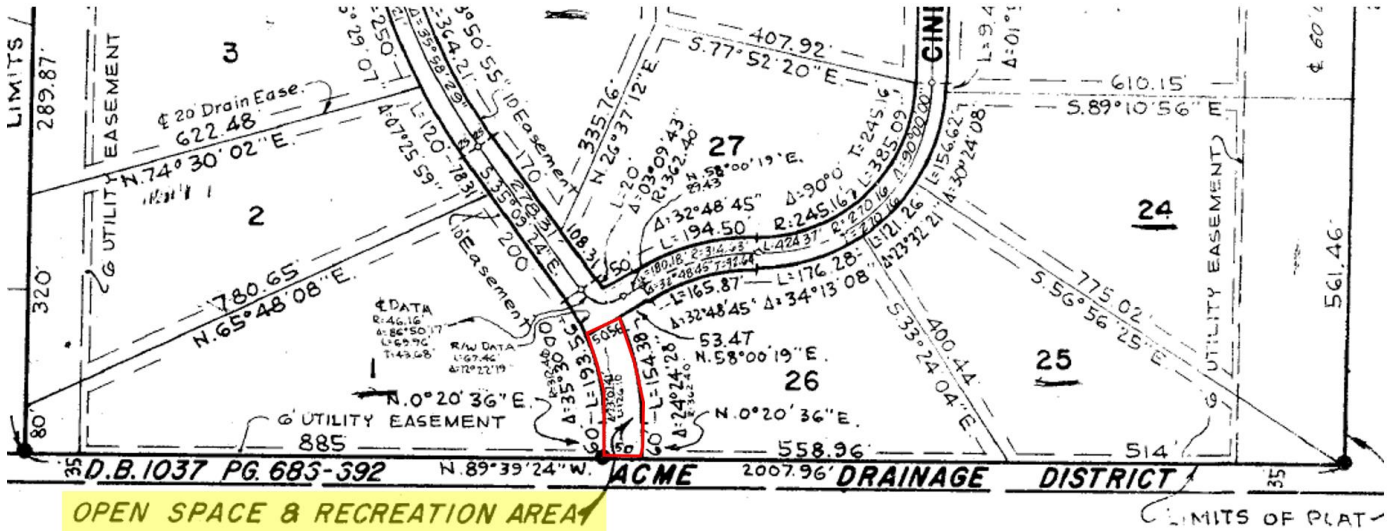
*Recommends denial of applicant's request.

Public Notice and Comments:

Sent	Returned	Delivered	For	Opposed
34	TBD	25	TBD	33

Site History and Current Request:

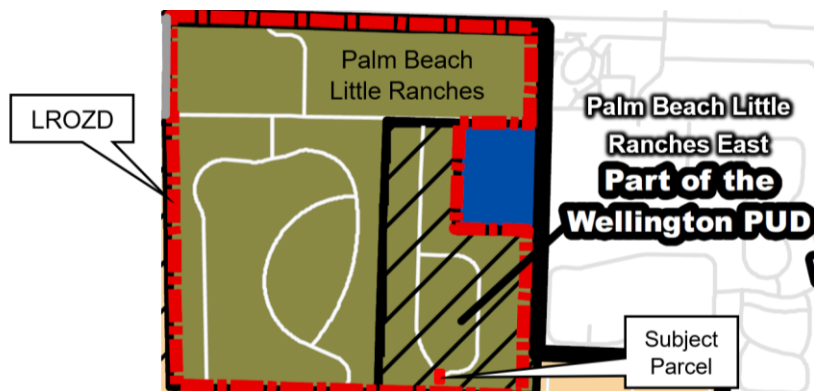
The Wellington PUD Master Plan was approved by Palm Beach County on February 17, 1972, and consisted of more than 7,300 acres with commercial and residential pods (approximately 14,600 residential units). Pod 1 of the Wellington PUD Master Plan is what is known as Palm Beach Little Ranches East, which was approved comprising 137.5 acres and 34 units. The plat for Palm Beach Little Ranches East of Wellington (Exhibit A) was recorded March 27, 1974 (Plat Book No. 30 Pages 158-159), and established 34 lots along with the subject parcel designated as Open Space and Recreation Area as illustrated below.



The intent of the Open Space and Recreation Area designation of the subject parcel was to satisfy the land dedication for a recreation area within Palm Beach Little Ranches East, which is required for development of subdivisions/projects. This subject parcel (Open Space and Recreation Area) was provided on the plat by the Palm Beach Little Ranches East developer, and was used as a connection to the bridge trail on the north side of the C-28 canal until the purchase by the applicant. The connection is evident by a pathway as shown below on the historical aerial.



In 2003, Wellington worked with the residents of what is now known as Palm Beach Little Ranches, to draft the Palm Beach Little Ranches Neighborhood Plan and adopted the Palm Beach Little Ranches Overlay Zoning District (LROZD/Ord. No. 2003-12), which combined platted and unplatted subdivisions (known as Palm Beach Little Ranches, 401 acres; Palm Beach Little Ranches East, 137 acres; Little Ranches Trail, 15 acres; Leanne Acres, 10 acres; and other unplatted lands). The intent was to recognize the unique character of this equestrian community by providing regulations to preserve and enhance the neighborhood. The Palm Beach Little Ranches Neighborhood Plan (not recorded/adopted) was drafted as a supporting document to the LROZD (Ord. No. 2003-12). As stated in the applicant's submittal, the neighborhood plan indicates no open space recreation area is within Palm Beach Little Ranches, which may be an analysis of the unplatted portions. The subject parcel is within the Wellington PUD Palm Beach Little Ranches East pod, which is platted and only the east portion of the overall the Palm Beach Little Ranches Overlay Zoning District as illustrated below.



The current owner (applicant) acquired the subject parcel on February 15, 2006 by a tax deed sale (Recorded in PBC O.R. Book 19936 Page 1391) through a tax certificate that was sold for \$3,900 by the Palm Beach County Tax Collector's Office. The Palm Beach County Tax Collector sold the tax deed on the subject property due to delinquent property taxes unpaid by the developer.

After the acquisition of the subject parcel, the applicant was informed that the parcel has no development approvals or entitlements and does not meet Wellington's Land Development Regulation (LDR) for residential properties within the LROZD (Subarea A) and could not be developed as a residential property. The applicant is requesting to add one (1) dwelling unit with site-specific development standards for the subject parcel to develop as a single-family residential lot.

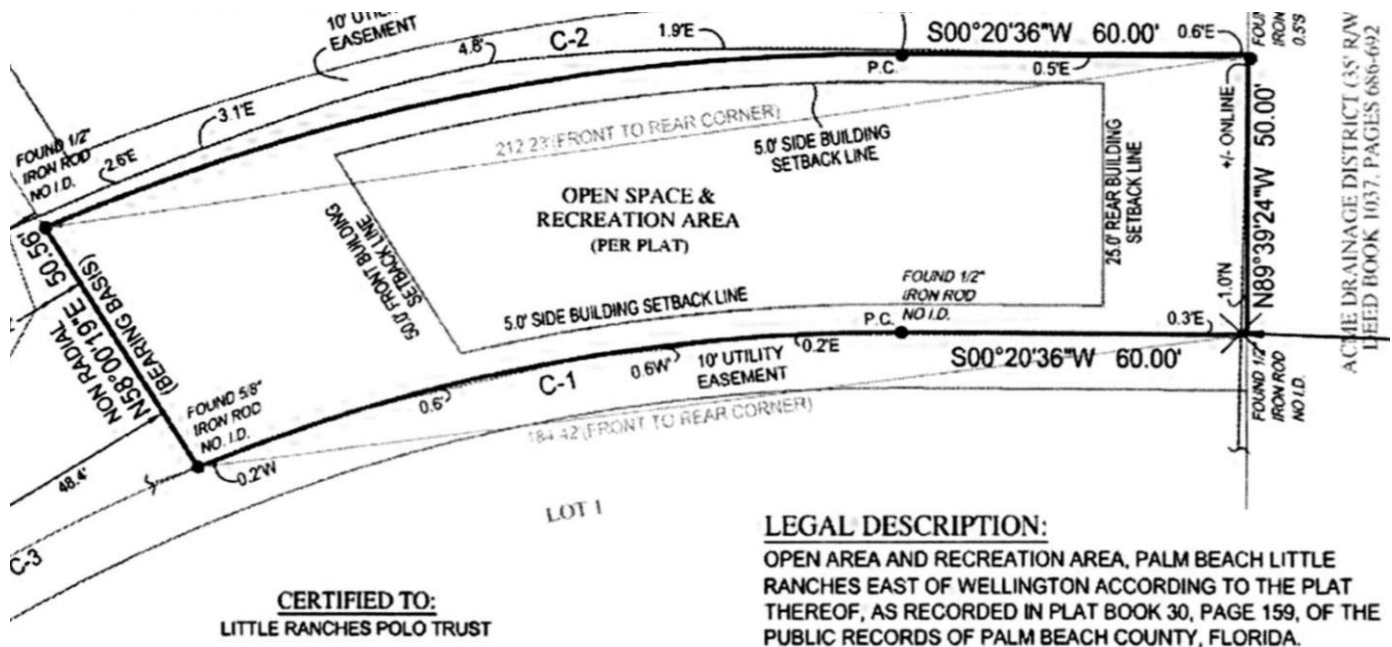
Analysis:

The Palm Beach Little Ranches was developed as a residential equestrian neighborhood totaling more than 600 acres, with average platted lot sizes ranging from two (2) to 10 acres. The LROZD established development regulations to preserve the equestrian character and lifestyle, and maintain the existing residential and equestrian development patterns for the overall Palm Beach Little Ranches neighborhood.

The applicant is requesting to allow site-specific development standards below the established minimum development regulations for a parcel/lot within the Palm Beach Little Ranches East, which was approved for large residential equestrian lots. Development standards are typically not applied

to a single residential lot, but are applied to all lots within a pod. Therefore, the site-specific development standards for a parcel/lot would be the first and is not recommended.

The request for the subject parcel within the Wellington PUD Palm Beach Little Ranches East pod is not consistent with the characteristics and lot size of the Palm Beach Little Ranches East neighborhood. The plat for Palm Beach Little Ranches East of Wellington was recorded with 34 lots averaging in size from three (3) to five (5) acres, and designated an Open Space and Recreation Area for the 0.23-acre subject parcel. If approved, the subject parcel will be within an area with large residential equestrian lots, which was not the intention of the land use designation for the Palm Beach Little Ranches neighborhood. The 0.23-acre subject parcel as designated on the recorded plat (Exhibit A) and applicant's provided survey (Below and Exhibit C), and was not intended to be developed as a residential lot with a single-family dwelling unit.



Below are the LROZD development requirements for Palm Beach Little Ranches and what the applicant is proposing (side setback amended 10/17/22) for development of the subject parcel.

Standards	LDR LROZD Requirement for Palm Beach Little Ranches	Requested for Subject Parcel
Lot Size	5 Acres*	0.23 Acre
Lot Width	300 ft.	50 ft.
Lot Depth	300 ft.	212 ft.
Building Coverage (Max.)	20%	25%
Setbacks		
	Principal/Accessory	Principal/Accessory
Front	50 ft./100 ft.	50 ft./100 ft.
Side (Interior)	25 ft.	15 ft.
Rear	25 ft.	25 ft.

* Existing residential lots below the minimum five (5) acres are allowed to be developed if established on a recorded plat.

This request to allow site-specific development standards for development of one (1) lot is not consistent with the intent of a master plan approval process, which provides requirements for development of an overall project and not one (1) lot. The criteria used to determine if the applicant's request complies with the requirements are listed below.

1. Is the request consistent with Wellington's Comprehensive Plan?

Does Not Comply: The request is not consistent with several goals/objectives/policies of Wellington's Comprehensive Plan as listed in Exhibit D, in addition to others.

2. Is the request consistent with the Palm Beach Little Ranches Overlay Zoning District (LROZD) and surrounding uses?

Does Not Comply: The proposed modifications will not be compatible with the LROZD or Palm Beach Little Ranches neighborhood, and is not consistent with the stated purposes and intent of the Neighborhood Plan. The overall Palm Beach Little Ranches neighborhood (Palm Beach Little Ranches 401 acres and Palm Beach Little Ranches East 137 acres and un-platted lands) was developed as a residential equestrian neighborhood with average lot size ranging from two (2) to 10 acres. The surrounding uses are large residential equestrian lots with barns, paddocks, riding rings/arena and other equestrian amenities that are not consistent with the development of a 0.23-acre parcel.

3. Is the request consistent with the requirement for open space and recreation area?

Does Not Comply: Palm Beach Little Ranches East Plat was approved in 1974 with an Open Space and Recreation Area, which is required for residential development/projects to provide public recreation/civic land dedication, and private recreation area. Removal of this open space recreation area for development of the 0.23-acre subject parcel as a residential lot with a single-family dwelling unit within Palm Beach Little Ranches does not conform to the applicable standards of Wellington's Land Development Regulations (LDR). Use of the subject parcel as an open space recreation area by the residents of Palm Beach Little Ranches may include access to Wellington's Bridle Trails. In 2014, Wellington did make an offer of \$10,000 to buy the subject parcel from the owner/applicant to use it for the intended purpose of providing an open space recreation area with access to Wellington's bridle trails, specifically the bridle trail directly south along the C-28 canal. The subject parcel would provide a public access point for residents of Palm Beach Little Ranches to access the existing equestrian bridle trail circulation system without needing to ride miles to get access.

Exhibit B is the current Wellington PUD Master Plan with the proposed modification to add one (1) unit to Pod 1 known as Palm Beach Little Ranches East if the applicant request is approved. Approval of the request does not require a change to the current land use or zoning of the subject parcel.

In conclusion, it's recommended the proposed request be denied as site-specific development requirements for development of an individual lot is not consistent with the LROZD. A list of recommended conditions of approval are provided in Resolution No. R2022-65, if the applicant's request is considered for approval. A recommended condition is for the owner/applicant to pay an in-lieu fee for proposal removal of the on-site land dedication that was provided in 1974 with the

Palm Beach Little Ranches East Plat Open Space and Recreation Area. It's a typical requirement for residential development/project to provide public recreation/civic land dedication, and private recreation area. The applicant is removing the previously provided land (Open Space and Recreation Area) to develop the parcel, so the payment in-lieu of land dedication should be required prior to recording of the Palm Beach Little Ranches East replat.

The applicant's justification statement for the Master Plan Amendment with the amended side setback (from 5 to 15 feet) received October 17, 2022 is provided as Exhibit C, with details on the request. The complete application (Petition No. 2022-0003-MPA) is available for review at the Planning and Zoning Division office.

Summary:

Based on the findings, the applicant's request is not consistent with the intent of Wellington's Comprehensive Plan and Land Development Regulations for the area, the Planning and Zoning Division recommends denial as listed above and in Resolution No. R2022-64. If Council intends to approve the applicant's request, Resolution No. R2022-65 is provided with recommended conditions of approval. Public comments received in opposition to this request is provided in Exhibit E.

List of Exhibits:

- | | |
|-----------|-----------------------------------------------------------------|
| Exhibit A | Palm Beach Little Ranches East of Wellington Plat |
| Exhibit B | Current Wellington PUD Master Plan (with proposed modification) |
| Exhibit C | Applicant Justification Statement |
| Exhibit D | Wellington's Comprehensive Plan (Goals/Objectives/Policies) |
| Exhibit E | Public Comments (October 26, 2022) |