

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

RESOLUTION NO. R2024-06

A RESOLUTION OF WELLINGTON, FLORIDA’S COUNCIL, APPROVING A MASTER PLAN AMENDMENT (PETITION NUMBER 2023-0001-MPA) AMENDING THE ORANGE POINT PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN FOR CERTAIN PROPERTY KNOWN AS POD O (FORMALLY KNOWN AS THE EQUESTRIAN CENTER PARCEL), TOTALING 10 ACRES, MORE OR LESS; LOCATED APPROXIMATELY TWO (2) MILES WEST OF STATE ROAD 7, AT THE NORTHEAST CORNER OF 50TH STREET SOUTH AND 120TH AVENUE SOUTH, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO REMOVE THE EQUESTRIAN CENTER DESIGNATION FROM THE ORANGE POINT PUD MASTER PLAN TO ALLOW DEVELOPMENT OF THE ISLEPOINTE PROJECT (POD O), A 10-ACRE RESIDENTIAL DEVELOPMENT WITH 27 SINGLE-FAMILY RESIDENTIAL LOTS, AND TO AMEND CONDITIONS OF APPROVAL AND ADOPT THE ISLEPOINTE PROJECT STANDARDS MANUAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Wellington Council, as the governing body of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Wellington Land Development Regulations (LDR) are authorized and empowered to the consider petitions related to zoning and development orders; and

WHEREAS, the notice and hearing requirements, as provided in Article 5 of the LDR, as adopted by Wellington, have been satisfied; and

WHEREAS, the Future Land Use Map (FLUM) designation for Pod O of the Orange Point Planned Unit Development (PUD) was recently changed from Commercial to Residential C; and

WHEREAS, the current Wellington Zoning Map designation for the subject property Pod O of the Orange Point PUD (also known as Islepointe) is Planned Unit Development (PUD); and

WHEREAS, the Orange Point PUD Master Plan Amendment (Petition 2023-0001-MPA) was reviewed and certified by the Development Review Manager; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on April 17, 2024, recommended approval of the Orange Point PUD Master Plan Amendment with a 5 to 0 vote; and

43 **WHEREAS**, the Council has taken the recommendations from the Local Planning
44 Agency, Wellington staff, and the evidence and testimony presented by the Petitioner and
45 comments from the public into consideration for the proposed Master Plan Amendment;
46 and

47
48 **WHEREAS**, Wellington’s Council has made the following findings of fact:

- 49
- 50 1. The Master Plan Amendment request is consistent with the purposes, goals,
51 objectives, and policies of the Comprehensive Plan;
 - 52
 - 53 2. The subject request is consistent with the stated purposes and intent of the
54 Land Development Regulations;
 - 55
 - 56 3. The requested Master Plan Amendment is consistent with the surrounding land
57 uses and zoning districts;
 - 58
 - 59 4. Approval of subject request would result in a logical and orderly development
60 pattern; and
 - 61
 - 62 5. The subject request is consistent with the applicable Planned Unit Development
63 (PUD) regulations.
 - 64

65 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF WELLINGTON,**
66 **FLORIDA, THAT:**

67
68 **SECTION 1.** The Orange Point Planned Unit Development (PUD) Master Plan is hereby
69 amended and approved to include the Pod O (Islepointe) property legally described in
70 Exhibit A, subject to the following conditions of approval:

- 71
- 72 1. All previous conditions of the Orange Point PUD, unless otherwise specified in this
73 resolution, are still in effect. (PLANNING)
 - 74
 - 75 2. Resolution R-99-85 Conditions of Approval, as provided below, are deleted with
76 approval of this resolution.
 - 77
 - 78 a. Section 2 Condition 12. Use of the ten (10) acre equestrian center pod shall
79 be for equestrian-related uses. This ten (10) acre pod will allow a maximum
80 of two (2) acres of equestrian related retail uses such as tack shops, feed and
81 grain sales, and other similar commercial equestrian establishments. The
82 remaining eight (8) acres are to be utilized for other public or private
83 equestrian uses such as commercial stables, show rings, riding rings, or
84 fields, paddocks, and other such equestrian uses.

- 85 b. Section 2 Condition 17. The ten (10) acre equestrian center pod shall provide
86 a minimum thirty-five (35) foot landscape buffer along the entire
87 perimeter, supplemented with a berm and hedge combination to reach a
88 combined height of six (6) feet, with native ten (10) to twelve (12) foot
89 canopy trees planted a maximum of twenty (20) feet on center.
90
- 91 c. Section 3 Condition 19. The landscape buffer surrounding the equestrian
92 center has increased from 35 feet to west.
93
- 94 d. Section 3 Condition 24. The 10-acre commercial pod at the southwest
95 corner of Section 26 has been re-designated from commercial to
96 equestrian center and shall be limited to a maximum of 2 acres of
97 equestrian-related establishments. The remaining 8 acres are to be utilized
98 for other public or private equestrian uses such as commercial stables, show
99 rings, riding rings, or fields, paddocks, and other such equestrian uses.
100
- 101 3. The subject site (Pod O/Islepointe) shall be governed by the conditions of approval
102 within this resolution and based on the Master Plan (MP) as provided in Exhibit B.
103 The commercial equestrian center approval for the Orange Point PUD Pod O is
104 hereby rescinded. (PLANNING)
105
- 106 4. Development of Pod O (Islepointe) shall be limited to the uses, access, acreage, site
107 design and number of lots, site amenities, and landscape buffers approved on the
108 Master Plan (Exhibit B), Regulating Plan, Circulation Plan and Landscape Plan (Exhibit
109 C), and Project Standards Manual (Exhibits D). The final plans consistent with any
110 Council approved changes and conditions of approval imposed by Council shall be
111 submitted for final processing, if applicable. Amendments to the approved plans
112 shall require a master plan amendment approved by Wellington's Council and as
113 required by the LDR. Minor modification to the landscape plan to adjust for location,
114 material changes due to industry shortage, etc., may be approved with an
115 administrative minor master plan amendment. (PLANNING)
116
- 117 5. Exhibit C is the approved Islepointe Project Standards Manual (PSM) with the project
118 development standards including details, specification, architectural
119 details/elements, landscape features/elements, setbacks, building/lot coverage,
120 building height, parking, etc., shall be the governing document along with any other
121 plans/documents approved for this project. Any project development standards not
122 specifically outlined and/or requested/approved within the PSM shall be per the LDR
123 as determined by Wellington for the specific standard and/or use/structure.
124 Architectural Review Board (ARB) and site plan approvals for this project shall be
125 supplemented within the PSM by the Village of Wellington (Wellington).
126 Amendments to the approved PSM shall require Council approval as a master plan

127 amendment. (PLANNING)

128

129 6. The Islepointe (Pod O) project shall be developed consistent with the approved
130 master plan and based on the use and density limitations below:

USE	DENSITY LIMITATIONS
Single-family Residential	27 DUs Total Density Bonus of 2.7 DU/AC

131 (PLANNING)

132

133 7. No building permits for the site shall be issued after December 31, 2026, unless
134 extended by Palm Beach County Traffic Division through an equivalency letter or an
135 updated Traffic Study approval consistent with this master plan approval. (TRAFFIC)

136

137 8. The County traffic concurrency approval is subject to the Project Aggregation Rules
138 as set forth in the Traffic Performance Standards Ordinance. (TRAFFIC)

139 9. Pod O is required to provide to provide 0.41 acres for public recreation, 0.08 acres
140 for civic, and 0.21 acres for private recreation for a total land area of 0.70 acres. The
141 Pod O developer/owner will not provide the land/facilities as required and will make
142 an in-lieu payment based on a value that is \$50,000.00 per acre or the certified
143 appraised fair market value per acre, whichever is greater, as approved
144 administratively by Wellington when the in-lieu payment is required. The in-lieu
145 payment shall be paid to Wellington, when impact fees are required for the
146 residential uses at time of issuance of building permits. The in-lieu payment shall be
147 in addition to the required Parks and Recreation Facilities Impact Fees as determined
148 at time of building permit issuance. (PLANNING)

149

150 10. The Pod O (Islepointe) developer shall provide sidewalk (minimum 5 ft. wide) within
151 the Islepointe project and connection to the proposed sidewalk/pathway along 120th
152 Avenue South. (PLANNING)

153

154 11. The owner/developer of Pod O shall construct an eight (8)-foot wide sidewalk/multi-
155 use pathway (along with any required site improvements), as approved by the
156 Wellington Engineer, along the Islepointe project (Pod O) 50th Street South and 120th
157 Avenue South frontages. (PLANNING/ENGINEERING)

158

159 12. All sidewalk/pathway and connections to be constructed by owner/developer of Pod
160 O (Islepointe project) shall be completed prior to issuance of the first Certificates of
161 Occupancy (CO) for any residential building within the Islepointe project.
162 (PLANNING)

163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202

13. The owner/developer of Pod O shall pay Wellington a proportionate-share payment of 13.2% of the total cost to construct an eight (8)-foot wide sidewalk/multi-use pathway and any required site improvements for the pathway, as approved by the Wellington Engineer, from the end of Pod O (Islepointe project) proposed pathway on 50th Street South frontage to the proposed pathway at the being of Pod I (Canter project) frontage. The proportionate-share is a based on the Pod O (Islepointe project) frontage and impact along 120th Avenue South between Lake Worth Road and 50th Street South to meet requirements to provide safe and accessible mobility system for all users/residents. The pathway shall be along the east side of the 120th Avenue South right-of-way. Wellington shall provide the owner/developer of Pod O a cost estimate of the pathway (including any required site improvement) after final design and approval of the pathway. The proportionate-share payment shall be paid to Wellington prior to issuance of the first engineering permit for the development of Pod O (Islepointe project). (PLANNING/ENGINEERING)
14. The Islepointe project (Pod O) is required to be platted. The plat shall be approved, and recorded, prior to the issuance of any building permits. (ENGINEERING)
15. No vertical encroachments shall be permitted in any utility or drainage easements. No landscaping shall be installed in water or sewer easements or in areas obstructing line of sight for pedestrians or vehicles. (ENGINEERING)
16. A Land Development Permit (LDP), issued by the Village of Wellington Engineering Department, is required prior to any earthwork or construction taking place, and shall meet all applicable requirements of the LDR, as well as State and Federal regulations and guidelines must be applied for, approved and issued prior to any construction activities. The permit plans shall include construction details for all infrastructure components including paving, grading, drainage, water, sewer, landscape, lighting and off-site improvements. The LDP must be closed out before any Temporary Certificates of Occupancy (TCO)/Certificates of Occupancy (CO) are issued for any buildings or structures. If the project is phased, a separate LDP will be required for each phase of the project. Each phased LDP must be closed out before any Temporary Certificates of Occupancy (TCO)/Certificates of Occupancy (CO) are issued for any buildings or structures within that phase. (ENGINEERING)
17. 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)

- 203 18. A Developers Agreement will be required by the Utility Department to reserve water
204 and sewer capacity for the project. Payment of capacity fees per Village Resolution
205 No. R2018-35 shall be required to reserve capacity. The Developers agreement must
206 be executed and approved by Village Council prior to the execution of the Palm
207 Beach County Health Water and Sewer Department permits by the Village Utility
208 Director. The Developers Agreement conditions should be coordinated during the
209 Site Plan Approval process. (UTILITIES)
210
- 211 19. Water, Sewer, and Fire Line Capacity fees are based on the "Wellington Water and
212 Wastewater Rates and Charges Fiscal Year 2022". Applicant is encouraged to review
213 capacity fees. These fees are due prior to the approval of the Developers agreement
214 by Village Council. (UTILITIES)
215
- 216 20. Developer is responsible for the funding and construction of all
217 improvements/upgrades that the Utility determines are necessary to existing lift
218 stations, water distribution systems, sanitary systems, and force main systems
219 because of impacts to existing systems by the proposed project development plan.
220 (UTILITIES)
221
- 222 21. The developer/applicant must apply for and obtain a Utility Major permit prior to
223 the development of the proposed improvements. (UTILITIES)
224
- 225 22. All water mains and sewer mains are required to be public. Water and sewer
226 infrastructure must be located in the right-of-way or in a dedicated exclusive water
227 main or sewer easement. Easement widths shall comply with the Village of
228 Wellington Water and Wastewater Systems Construction and Standards Manual (15-
229 foot minimum). All Utility Easements shall provide for un-hindered access to all
230 facilities and mains. (UTILITIES)
231
- 232 23. A covered school bus shelter (minimum 10' X 15') shall be provided for the
233 residential pod, with bicycle racks for a minimum capacity of four (4),
234 benches/seating for a minimum capacity of four (4), trash receptacles at each
235 bench/seat location and continuous paved access shall be provided. Prior to the
236 issuance of the first Certificate of Occupancy for any residential building, the
237 covered school bus shelter shall be constructed with consistent colors, materials,
238 and roof treatment as the overall project. (PLANNING)
239
- 240 24. To address the school capacity deficiency generated by the proposed development
241 at the District elementary, middle, and high school levels, the Pod O
242 owner/developer shall contribute a total of \$39,786.00 to the School District of Palm
243 Beach County prior to issuance of first residential building permit. (PBC SCHOOL
244 DISTRICT)
245

- 246 25. Benches/seating, trash receptacles/bins and bicycle rack shall be provided within
247 Pod O, with the final number and locations as required with the site plan approval.
248 Trash bins should be provided at seating location(s) on the plans. Shade structures
249 and/or landscaping (trees/palms, shrubs, etc.) shall be provided for the seating
250 areas throughout the site. (PLANNING)
251
- 252 26. Foundation planting areas (including trees/palms) shall be provided along the
253 street/corner side of all buildings/structures. (PLANNING)
254
- 255 27. No continuous hedge row in the front plane of the buildings shall exceed a
256 maximum height 36 inches. (PLANNING)
257
- 258 28. Shade/canopy street trees (min. 16 ft. overall height and 5 ft. clear trunk), and
259 pedestrian street lights shall be provided along both sides of roads/streets within
260 the Islepointe project. The pedestrian street light poles, and regulatory traffic/street
261 signs and poles shall be a decorative design, and the design shall be submitted for
262 ARB approval prior to permitting. (PLANNING)
263
- 264 29. The street trees required along all roads/streets within the Islepointe project shall
265 be hardwood shade/canopy tree species. An alternative street tree design is
266 approved to include other large tree species and accent/flowering trees as provided
267 in the project's PSM and/or site landscape plans, but the number of trees required
268 shall not be reduced. If any street trees are provided in the residential lots they are
269 not to meet the lot requirements, and shall be dedicated on the plat to the
270 residential pod homeowner's association/property owner's association in
271 perpetuity. (PLANNING)
272
- 273 30. The developer shall pay into the Wellington Tree Fund for any landscaping
274 (including street trees) not provided per the deviation from the landscape standards
275 and as shown on the plans/PSM. The payment shall be \$600 per tree or the material
276 cost for other landscaping if a maximum of 25% will not be provided, or the cost
277 the developer would pay to provide the landscaping on-site if more than 25% will
278 not be provided. The payment amount, if more than 25%, shall be per a landscape
279 architect certified cost estimate for the landscaping as approved by the DM.
280 Payment in-lieu of providing the landscaping shall be made to Wellington prior to
281 issuance of the first building permit for a residential building within the Islepointe
282 project. (PLANNING)
283
- 284 31. The perimeter landscape buffers shall be shown as an easement or separate tract on
285 the plans and plat. The landscape buffer along the south and west Pod O property
286 line shall be installed prior to the issuance of the first Certificate of Occupancy for
287 any building within the project. Landscape buffer shade canopy trees shall be 25

- 288 feet on center and hedge height shall be a minimum of three (3) feet in height at
289 installation. (PLANNING)
290
- 291 32. The south and w perimeter landscape buffer shall include multi-tiered landscaping
292 with a berm and continuous hedge, installed and maintained at three (3) feet,
293 shrubs/groundcover on both sides of the hedge at intermittent intervals along with
294 the required landscaping per requirements of the LDR. (PLANNING)
295
- 296 33. Developer/owner shall provide a certified cost estimate (by FL. Registered
297 Landscape Architect or Engineer) for the project's perimeter landscape buffer and
298 interior landscaping materials, installation, irrigation, labor, etc. Surety/bond(s) in
299 the form acceptable to Wellington in the amount of 110% of the estimate shall be
300 posted for the project's perimeter landscape buffer and interior landscaping, in
301 addition to the other bonds required for site improvements per the LDP, with the
302 Engineering Department. Landscape permit(s) shall also be required prior to
303 installation. (PLANNING)
304
- 305 34. The landscaping within this Planned Development District shall exceed the
306 minimum landscape requirements by 30%, or as approved in the PSM. (PLANNING)
307
- 308 35. The common areas, landscaping, site amenities, etc., shall be completed in
309 conjunction with the adjacent building(s) and prior to the issuance of any Certificate
310 of Occupancy/Certificate of Completion of adjacent building(s)/improvement(s).
311 (PLANNING)
312
- 313 36. The median and swale along the project's frontage shall be landscaped and
314 hardscaped as approved by Wellington, and be maintained by the Islepointe HOA/
315 POA. (PLANNING)
316
- 317 37. The residential units within the Islepointe project shall be Electric vehicle (EV)
318 capable with electrical panel capacity and conduit for future Electric Vehicle Supply
319 Equipment (EVSE) installation by the unit owner. (PLANNING)
320
- 321 38. The developer shall ensure this project is developed to be consistent with green
322 certification standards found within the Florida Green Building Coalition, the US
323 Green Building Council Leadership in Energy and Environmental Design (LEED)
324 manual, or other acceptable environmental, and building standards as determined
325 by Wellington's Development Review Manager for the project during the building
326 permit development approval/inspection process. Documentation indicating which
327 green building standards were met shall be provided six (6) months after the
328 issuance of CO for the buildings. (PLANNING)
329

- 330 39. All above ground and wall mounted utility/transformer box, mechanical
331 equipment, valves, etc., shall be located on-site with required screening on a
332 minimum of three (3) sides that provide required screening, while maintaining
333 required three (3) feet clearance and height to meet or exceed equipment being
334 screened. The screen opening shall be away from public view (including adjacent
335 property) and/or additional shrubs will be required at inspection. The screening
336 shall occur in a manner consistent with the color, character and architectural style
337 of the principal structure and may incorporate landscaping as an element of
338 screening. (PLANNING)
339
- 340 40. The developer shall take measures to ensure that during site development
341 dust/debris particles from the development do not become a nuisance to the
342 neighboring properties. (PLANNING)
343
- 344 41. All gates shall be designed and approved for emergency vehicle access with
345 universal remote approved by all emergency agencies, including but not limited to
346 Palm Beach County Fire and the Palm Beach County Sheriff. Additionally, all gate
347 codes and access shall be granted to Wellington for Code Compliance and other
348 emergency purposes. (PLANNING/ENGINEERING)
349
- 350 42. Signs shall be provided/installed by the developer to alert motorist of the bridle trail
351 location and to propose an enhanced crosswalk design (i.e. pavement markings,
352 flashing signalization, raised median, pedestrian refuge island, etc.) for the safety of
353 equestrian riders and pedestrians in the area of the Pod O project. Required
354 improvements shall be provide prior to issuance of any Certificates of Occupancy
355 for Islepointe/Pod O project. (PLANNING/ENGINEERING)
356

357 **SECTION 2.** This Resolution shall become effective upon approval.
358

359 (The remainder of this page left intentionally blank)

360 **PASSED AND ADOPTED** this ____ day of _____, 2024.

361

362 **WELLINGTON**

363

364

365 BY: _____

366 Michael Napoleone, Mayor

367

368

369 **ATTEST:**

370

371

372 BY: _____

373 Chevelle D. Hall, MMC, Village Clerk

374

375

376

377 **APPROVED AS TO FORM AND**

378 **LEGAL SUFFICIENCY**

379

380

381 BY: _____

382 Laurie Cohen, Village Attorney