

Exhibit E – Justification Statement

K Park

Comprehensive Plan – Future Land Use Map Amendment Community Facilities & Commercial to Mixed Use

Justification Statement

This is a Village-initiated amendment of the Future Land Use Map of Wellington's Comprehensive Plan. The amendment proposes changing the land use designation for the 71.28-acre property to Mixed Use (MU). Currently, 5.3 acres of the property are designated Commercial (C), and 65.98 acres are designated Community Facilities (CF). The proposed land use change is to support the development of the property as a mixed-use project with multifamily residential, retail, hotel, restaurant, and a school.

On September 9, 2003, the Acme Improvement District (Acme) acquired 66.27 acres for \$8,457,000 (\$127,622/acre +/-). The additional acres for the 71.28-acre property were formerly road right-of-way south of Stribling Way and a strip of land providing access to State Road 7 on the south side of the property.

In February 2006, Wellington entered into a contract with Sunrise Development, Inc. to sell 5.3 acres of the site along State Road 7 for \$5,000,000 to develop an assisted living facility for seniors. As a part of that project, Wellington approved a Comprehensive Plan amendment for the intended site in October 2006, changing the designations from Community Facilities to Community Commercial. However, the buyer elected not to proceed with the project and withdrew their offer to purchase on November 17, 2006.

In December 2010, Wellington began leasing the property to J. Alderman Farms, Inc. on an annual basis. Currently, Alderman leases the property for approximately \$55,000 per year.

In January 2025, Wellington executed a Purchase and Sale Agreement with Related Ross and Education in Motion to purchase the property upon receiving entitlements for a mixed-use development.

Surrounding Uses:

	Existing Use	Future Land Use	Zoning
North	Residential – Castellina	Residential C/Commercial	Residential PUD
South	Residential Unincorporated - Farmington	Residential Low Density (PBC)	Residential PUD (PBC)
East	Olympia Park	Community Facilities	Community Facilities
West	Residential – Oakmont Estates	Residential C	Residential PUD

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Future Land Use Map Amendment Standards

- A. Changed Projections – Changed projections (e.g. regarding public service needs) in the Comprehensive Plan, including but not limited to amendments that would ensure the provision of public facilities;

Response: The Village Council has determined this property is no longer required for future community facilities. A Purchase and Sale Agreement was executed on January 14, 2025.

- B. Changes Assumptions - Changed assumptions (e.g., regarding demographic trends or land availability) in the Comprehensive Plan, including but not limited to the fact that growth in the area, in terms of the development of vacant land, new development, and the availability of public services has altered the character such that the proposed amendment is now reasonable and consistent with the land use characteristics;

Response: The property fronts State Road 7. The State Road 7 corridor is developed with a mix of uses including residential, medical, office, retail, restaurant, and community facilities. The property has been used as a farm, through a lease with Wellington, for several years. The development of the SR 7 corridor has been incremental and the development of this property is responding to the growth in the area and is reasonable and consistent with the land use characteristics in the area.

- C. Data Errors and or Updates – Data errors, including errors in mapping and natural features in the Comprehensive Plan;

Response: N/A

- D. New Issues – New issues that have arisen since the adoption of the Comprehensive Plan; and

Response: The current land uses for the property were assigned based upon the use of the property at the time and an approval for the development of a portion as commercial. The Village Council has entertained offers and development proposals for the property for many years, but none were approved. On January 14, 2025, the Village Council approved the sale and future development of the property requiring the proposed land use change.

- E. Additional Detail or Comprehensiveness – Recognition of a need for additional detail or comprehensiveness in the Comprehensive Plan.

Response: N/A

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Land Development Regulation Requirements

1. Article 5 of the Land Development Regulations also provides that a FLUM amendment must be based on a demonstrated need to amend the Future Land Use Map. The demonstrated need must be supported by relevant and appropriate data and analysis, and support documents or summaries of such documents on which the need for the proposed FLUM amendment is based must be included.
 - a. If the applicant is proposing an increase in residential density, the applicant should state why other density enhancement programs, such as the Voluntary Density Bonus Program and the Transfer of Development Rights Program, are not feasible for use on the subject property. The applicant **MUST** demonstrate why the current FLUM designation is no longer appropriate for this site.
 - b. If the request is for a commercial FLUM designation, the applicant **MUST** demonstrate why additional commercial acreage is needed in this area, why this site is most appropriate to meet this need, and why the current FLUM designation for this site is no longer appropriate.

Response: As previously stated, the Village Council has approved a PSA for the development of a mixed-use project on this property. The Mixed-Use land use designation is more appropriate as it will support the future proposed mixed-use development.

2. Identify the square feet of non-residential development that could be accommodated on the subject property with the proposed amendment.
 - a. At maximum floor area ratio: This is determined by multiplying the size of the property in hundredths of an acre by the number of square feet in an acre (43,560) and by the maximum floor area ratio permitted by the Comprehensive Plan and the Land Development Regulations.
 - b. At typical floor area ratio: This is determined by multiplying the size of the property in hundredths of an acre by the number of square feet in an acre (43,560) and by the typical floor area ratio permitted by the Comprehensive Plan and the Land Development regulations.

Response: The traffic analysis is utilizing a development program that consists of 600 dwelling units, a 1,200-student school, and approximately 250,000 square feet of retail, 82,478 square feet of restaurant, and a 150-room hotel. The FAR for the non-residential will be less than or equal to 0.50.

3. Identify, map, and justify the trade or market area for the subject property: The following rules may be used to identify a trade/market area. If a different approach is used, you must provide a justification for the approach taken.

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- a. If a commercial small-scale FLUM amendment is being requested, and if the property is more than or equal to one acre and less than or equal to three acres, using the Census Tract Map in the Appendix, draw a boundary around the property which has a radius of one and one-half miles. If the property is more than three acres and less than or equal to ten acres, draw a boundary around the property that has a radius of three miles.
- b. If an industrial small-scale FLUM amendment is being requested, and if the property is more than or equal to one acre and less than or equal to two acres, using the Census Tract Map in the Appendix, draw a boundary around the property which has a radius of one and one-half miles. If the property is more than two acres, draw a boundary around the property that has a radius of three miles.

Response: A market study was conducted on behalf of Wellington by WTL+a Real Estate & Economic Advisors in 2021 and updated in 2022. The study included the Mall property and the SR7 corridor including K Park.

4. For the trade or market area identified above, inventory and map the built commercial, commercial office, or industrial uses, as appropriate: This inventory should include the name of the establishment, the type of establishment by category, the square foot of built space, and the square feet of any vacancies. The map should identify where the different establishments are located in relation to the subject property.

Response: The referenced market study contains information regarding the uses, etc.

5. A market study is required for commercial applications and many applicants find one helpful in establishing the need for additional commercial in the area. The Market Study area shall be determined at the mandatory pre-application meeting with Planning and Zoning staff and must include the following:
 - a. An estimate of demand using an assessment that considers per capita dollars spent in Wellington, dollars spent per square foot of commercial space, and square foot per capita;
 - b. An estimate of supply of commercial square footage which considers the request added to the current supply, and future supply;
 - c. A comparison of estimated supply to estimated demand;
 - d. All sources of data used in the study.

Response: The referenced market study contains information required.

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Land Use Data:

1. Identify any previously approved petition and resolution numbers for the subject property, if applicable. Also, please attach a copy of the previous resolution(s).

Response: Ordinance No. 2006-17 changed the land use for 5.3 acres at the northeast corner of the property from Institutional/Public Facilities/Utilities to Community Commercial.

2. Indicate whether the property is currently subject to a concurrency exemption or concurrency reservation. If subject to concurrency, please attach a copy of the appropriate certificate.

Response: N/A

3. Indicate whether the property has been platted, subject to a master plan, or subdivided and indicate the record book and page number, if applicable.

Response: The property is being platted.

4. Indicate whether the subject property is currently subject to a developers' agreement or a utility reservation.

Response: N/A

5. Indicate in which flood zone the property is located.

Response: X with a reclaimed irrigation pond that is AE

6. Indicate whether the subject property is located in a wellfield protection zone.

Response: N/A

7. Identify whether the property is located in a redevelopment area, neighborhood planning area, or special overlay.

Response: N/A

8. Explain how the proposed change in the FLUM designation of the property is compatible with the surrounding uses.

Response: The mixed uses of residential, commercial, and community facilities are compatible with the surrounding residential, commercial, and community facilities.

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9. Describe how the proposed change in the FLUM designation of the property would be compatible with the surrounding future land uses as shown on the FLUM.

Response:

10. To support the proposed amendment, reference specific Objectives and/or Policies the proposed amendment is consistent with or furthers. For each Objective/Policy referenced, the application must explain in detail how the individual Objective/Policy will be furthered by the proposed amendment.

Response: The mixed uses of residential, commercial, and community facilities are compatible with the surrounding residential, commercial, and community facilities.

Transportation: A separate traffic study is provided.

Public Transit:

1. Identify the public transit provider.

Response: Palm Tran

2. Identify the location (street address) of the nearest bus shelter or stop, in tenths of a mile from the subject property, and the route number of the nearest bus that would service the property.

Response: Route 62 serves the subject site. Stop 5971 at the southwest corner of Stribling Way and State Road 7 is the nearest stop.

3. Identify whether the subject property has connections to the Tri-County Commuter Rail.

Response: N/A

4. All proposed amendments must be reviewed for consistency with the adopted Wellington Comprehensive Plan.

Response: Acknowledged.

Housing/Population:

1. If a methodology other than that described below is used to determine population, identify the methodology and the data source(s) used to determine the affected population. Data is required to be taken from professionally accepted existing sources.

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Methodologies must be clearly described or referenced and must meet professionally accepted standards for such methodologies.

- a. Current FLUM Designation: The population is calculated by multiplying the size of the property, in tenths of an acre, by the maximum permitted density under the current Future Land Use Map (FLUM) designation by 3, the average household size in Wellington.
- b. Proposed FLUM Designation: The population is calculated by multiplying the size of the property, in tenths of an acre, by the maximum permitted density under the current FLUM designation by 3, the average household size in Wellington.

Response: The maximum projected population is 1,800 residents.

- 2. Number of dwelling units. Identify the number of dwelling units that could be constructed on the subject property based upon its:
 - a. Current FLUM designation: The number of dwelling units that could be constructed equals the maximum permitted density under the property's current FLUM designation multiplied by the size of the property.
 - b. Proposed FLUM designation: The number of dwelling units that could be constructed equals the maximum permitted density under the property's proposed FLUM designation multiplied by the size of the property.

Response: The maximum proposed number of dwelling units is 600.

- 3. Census Tract data: Identify the Census Tract where the subject property is located.

Response: 77.52

- 4. The effect of the proposed amendment on population: This is the difference between the Proposed FLUM Designation and the Current FLUM Designation.

Response: +1,800

- 5. Change in number of dwelling units: Subtract the number of dwelling units at the Current FLUM designation from the number of dwelling units at the Proposed FLUM designation.

Response: +600

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6. All proposed amendments must be reviewed for consistency with the adopted Wellington Comprehensive Plan. To support a residential related proposed amendment, reference specific Objectives and/or Policies the proposed amendment is consistent with or furthers. (It is recommended that the applicant review the Element for such items.) For each Objective/Policy referenced, the application must explain in detail how the individual Objective/Policy will be furthered by the proposed amendment.

Response: To be provided.

Infrastructure – Drainage:

1. Identify the entity responsible for providing drainage for the subject property. Drainage providers include drainage districts, improvement districts, water control districts, and water management districts.

Response: Acme Improvement District or Lake Worth Drainage District (LWDD). Developer can choose since the project has a connection to both systems. However, the roadway drainage on Stribling Way will need to go to ACME Improvement District. Connection to LWDD will need to be coordinated with them separately.

2. Indicate in which drainage basin the subject property is located. The six main drainage basins are: 1) C-18 basin; 2) C-17 basin; 3) C-51 basin; 4) C-16 basin; 5) C-15 basin; and 6) Hillsboro Canal basin.

Response: C-51 Basin. Within the ACME Drainage District, the project is located within Basin A.

3. Identify the drainage facility that would service the subject property. Facilities include swales, ditches, canals and storm sewers.

Response: The drainage system on Stribling Way will be the drainage facility that will service the site, but it should be investigated to confirm the capacity. If Lake Worth Drainage District (LWDD) is chosen for the Site, then it will need to be investigated further in coordination with LWDD.

4. Identify the level of service standard established for the subject property.

Response: The Project will be required to meet the requirements of the Land Development code and Ordinance 2010-14.

5. Identify what measures will be taken to assure that the volume, rate, timing and pollutant load of runoff based on the proposed FLUM designation of the property is similar to that which occurred based on the property's current FLUM designation. Structural techniques emphasize detention and retention of stormwater to reduce

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runoff rates and provide settling and filtration of pollutants. Non-structural techniques emphasize preservation or simulation of natural drainage features to promote infiltration, filtering and slowing of runoff.

Response: The Project will be required to meet the requirements of the Land Development code and Ordinance 2010-14 pertaining to stormwater and illicit discharge.

6. All proposed amendments must be reviewed for consistency with the adopted Wellington Comprehensive Plan.

Response: Noted.

Infrastructure – Potable Water:

1. Identify the entity that would provide potable water service to the subject property.

Response: Village of Wellington Utilities.

2. Identify how far, in feet, the subject property is located from a potable water line. Indicate the street where the nearest line is located.

Response: An 8-inch potable water line stub out exists on the north side of the property line. There is an existing 12-inch water main directly adjacent to the property on the north side of Stribling Way and the west side of SR 7.

3. Identify the potable water level of service standard established by the potable water provider.

Response: Potable water level of service must be consistent with all applicable regulations at no less the 120 gallons per capita per day.

4. The effect on potable water levels of service and system needs.
 - a. Response: Current FLUM Designation: The demand for potable water based on the property's current Future Land Use Map designation is calculated by multiplying the adopted level of service standard by the population using the housing population methodology.
 - b. Proposed FLUM Designation: The demand for potable water based on the property's proposed Future Land Use Map designation is calculated by multiplying the adopted level of service standard by the population using the housing population methodology.

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- c. Change in water usage: This is the difference between the Proposed FLUM Designation and the Current FLUM Designation.

Response: Population increase of an estimated ~1,800 people will increase wastewater demands by an estimated 215,000 gallons per day.

5. Consistency with the Potable Water Sub-Element. Applicant must demonstrate consistency with the Potable Water Sub-Element.

Response: The proposed land use map amendment is consistent with the Potable water sub-element of the comprehensive plan. Applicant will pay capacity fees and fees for off-site impacts required to offset potable water supply/treatment.

Infrastructure – Sanitary Sewer:

1. Identify the entity that would provide sanitary sewer service to the subject property.

Response: Village of Wellington Utilities

2. Identify how far, in feet, the subject property is located from a sanitary sewer line. Indicate the street where the nearest line is located.

Response: There is an existing lift sewer lift station on the north side of the site that serves the adjacent neighborhood. There is an existing 4-inch force directly adjacent to the property on the south side of Stribling Way between the lift station and SR-7, and a 4-inch force main located on the west side of SR7 adjacent to the property. There is an existing 6-inch force main directly adjacent to the property on the south side of Stribling Way between the lift station the western property boundary.

3. Identify the sanitary sewer level of service standard established by the potable water provider.

Response: Sanitary sewer level of service must be consistent with all applicable regulations and no less the 93 gallons per capita per day.

4. The effect on sanitary sewer levels of service and system needs.

- a. Current FLUM Designation: The demand for sanitary sewer based on the property's current Future Land Use Map designation is calculated by multiplying the adopted level of service standard by the population using the housing population methodology.
- b. Proposed FLUM Designation: The demand for sanitary sewer based on the property's proposed Future Land Use Map designation is calculated by multiplying

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the adopted level of service standard by the population using the housing population methodology.

- c. Change in water usage: This is the difference between the Proposed FLUM Designation and the Current FLUM Designation.

Response: Population increase of an estimated ~1800 people will increase wastewater demands by an estimated 170,000 gallons per day.

5. Applicant must demonstrate consistency with the Sanitary Sewer Sub-Element.

Response: The proposed land use map amendment is consistent with the sanitary sewer sub-element of the comprehensive plan. Applicant will pay capacity fees and fees for off-site impacts required to offset sanitary sewer supply/treatment.

Infrastructure – Aquifer Recharge:

1. Identify whether the property is located within a prime aquifer recharge area: If the property is located east of the conservation areas, state that the property is located within both the surficial aquifer system and the Floridian aquifer system. Identify in what zone of the surficial aquifer the property is located. This information is available from the United States Geologic Survey.

Response: Both the Surficial and Floridan aquifer underlie the site. The site is underlain by Zone 2 of the surficial aquifer, and possibly a thin layer of Zone 3, based on Scientific Investigations Report 2009-5113 – Hydrogeologic and Hydraulic Characterization of the Surficial Aquifer System, and Origin of High Salinity Groundwater, Palm Beach County, Florida.

2. Identify, generally, the percentage of the property that will be covered with an impervious surface: Use the following to estimate the percentage of impervious surfaces: i) low residential (1 to 4.99 dwelling units per acre) = 30 percent; ii) medium and high density residential (5 dwelling units per acre and above) = 65 percent; and iii) commercial, industrial and institutional = 85 percent.

Response: Mixed use at 65%-85% impervious.

3. Applicant must demonstrate consistency with the adopted Wellington Comprehensive Plan Aquifer Recharge Sub-Element of the Conservation Element.

Response:

The proposed land use map amendment is consistent with the Aquifer Recharge Sub-element of the comprehensive plan. The proposed site will use FDEP best management

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practices for management of surface water to ensure runoff does not detrimentally impact the surficial aquifer.

Conservation:

1. If listed species are present, provide a brief discussion of measures that will be taken to avoid or minimize adverse impacts to these species or their habitat.

Response: No listed species. Site currently farmed.

2. If there are no known or reported occurrences, provide a brief discussion if the listed species could be expected to be present based on the site-specific habitat characteristics.

Response: N/A

3. All proposed amendments must be reviewed for consistency with the adopted Wellington Comprehensive Plan. To support the proposed amendment, reference specific Objectives and/or Policies the proposed amendment is consistent with or furthers. For each Objective/Policy referenced, the application must explain in detail how the individual Objective/Policy will be furthered by the proposed amendment.

Response: To be provided.

Recreation and Open Space (only if proposed amendment is for a residential density change):

1. Identify the following facilities that would service the property:

- a. Regional parks
- b. District parks
- c. Community parks
- d. Open space

Response: The property will be served by Village Park and Olympia Park.

2. Adopted recreation levels of service standard of \$885 of total recreational investment per capita.

Response: The approximate recreational investment for the residential development would be \$1.6 million. The development will be required to provide private recreation facilities as well as contribute parks and recreation impact fees of approximately \$2 million.

3. The effect of the proposed FLUM amendment on regional, district, and neighborhood parks.

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Response: The effect on the parks will be marginal.

4. To support the proposed amendment, reference specific Objectives and/or Policies the proposed amendment is consistent with or furthers. For each Objective/Policy referenced, the application must explain in detail how the individual Objective/Policy will be furthered by the proposed amendment.

Response: To be provided.

Fire Rescue:

1. Identify the fire-rescue facility that would service the subject property: Identify the station number, the street address of the facility, and the distance in tenths of a mile of the facility from the subject property.

Response: PBC Fire Rescue Station 30 at 9610 Stribling Way; located approximately 0.60 miles from the property.

2. Identify the response times from the fire-rescue station to the subject property: The response time, in minutes, may be determined by multiplying the number of miles from the station to the property by two.

Response: The response time is minutes from the station.

3. The effect of the proposed FLUM amendment on the average emergency response time: If the response time is less than five minutes, there is a rebuttable presumption that there would be no negative effects on fire-rescue response time. If the response time is greater than five minutes, please identify what actions could be taken to mitigate the Fire-Rescue Department's response time.

Response: No negative effects in response time.

Historic Preservation:

1. Identify any historic or architecturally significant resources within 500 feet of the subject property. Historic or architecturally significant resources include buildings, structures and other objects.

Response: No historic or architecturally significant resources within 500 feet.

2. Identify any archaeological resources located within 500 feet of the subject property. Archaeological resources include aboriginal mounds, forts, earthworks, village locations, campsites, middens, burial mounds, missions, or other artifacts at least seventy-five years old.

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Response: No archaeological resources located within 500 feet.

Public Education:

1. Identify the name and street address of the public schools that would educate potential school-age children, and indicate how far the school is from the subject property, for:
 - a. Elementary Schools – Panther Run Elementary School; 6.5 miles
 - b. Middle Schools – Polo Park Middle School; 3.4 miles
 - c. Senior High Schools – Wellington High School; 4.6 miles

Response:

2. All proposed amendments must be reviewed for consistency with the adopted Wellington Comprehensive Plan. To support the proposed amendment, reference specific Objectives and/or Policies the proposed amendment is consistent with or furthers. For each Objective/Policy referenced, the application must explain in detail how the individual Objective/Policy will be furthered by the proposed amendment.

Response: To be provided