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**RESOLUTION NO. R2014-26**

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A MASTER PLAN AMENDMENT (PETITION NUMBER 2013-64 MPA 2) FOR CERTAIN PROPERTY KNOWN AS ISLA VERDE OF WELLINGTON, TOTALING 53.57 ACRES, MORE OR LESS, LOCATED ON THE EAST SIDE OF STATE ROAD 7 AND APPROXIMATELY 1/2 MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO ALLOW 350 MULTI-FAMILY UNITS AND AMEND CONDITIONS OF APPROVAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Council, as the governing body of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Land Development Regulations, as adopted by Wellington, is authorized and empowered to consider petitions related to zoning and land development orders; and

**WHEREAS**, the notice and hearing requirements as provided in Article V of the Land Development Regulations, as adopted by Wellington, have been satisfied; and

**WHEREAS**, the subject site was annexed into Wellington on January 27, 2004 by Ordinance No. 2003-01; and

**WHEREAS**, the subject site Mixed Use Future Land Use Map designation was adopted October 26, 2004 by Ordinance No. 20013-17 and Multiple Use Planned Development (MUPD) zoning designation was adopted on June 13, 2006 by Ordinance No. 2006-12; and

**WHEREAS**, the subject site Master Plan was originally adopted June 13, 2006 by Resolution No. 2006-40 and then amended by Resolution No. 2007-86 (adopted October 9, 2007) and Resolution No. 2011-35 (adopted May 24, 2011); and

**WHEREAS**, on May 7, 2014, the Planning, Zoning & Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing, has considered this Master Plan Amendment request for the property which is the subject of this Resolution and has submitted its recommendation to the Council; and

**WHEREAS**, Council adopted Ordinance No. 2014-20 on September 23, 2014 to designate this property FLUM designation as Mixed Use, Type 1; and

**WHEREAS**, Council recently adopted Ordinance No. 2014-21 on November 25, 2014 to designate this property zoning designation as Mixed Use Planned Development District (MXPD); and

**WHEREAS**, The Council has made the following findings of fact:

1. The proposed Master Plan Amendment is consistent with the requirements of the Wellington Comprehensive Plan Mixed Use FLUM designation.
2. The subject request is consistent with the stated purposes and intent of the Code.

3. The requested Master Plan Amendment is consistent with the surrounding land uses and zoning districts.

4. No adverse impacts to the natural environment are expected to occur as a result of an approval of the Master Plan Amendment request; and

**WHEREAS**, the Council has considered the evidence and testimony presented by the Petitioner and other interested parties and the recommendations of the various Wellington and Palm Beach County review agencies and staff.

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

**SECTION 1.** The Master Plan Amendment petition for the property described in Exhibit 1 is hereby approved subject to the amended and restated conditions contained herein, which are in addition to the general requirements otherwise provided by ordinance:

1. The project shall be developed consistent with the use limitations presented below:

LAND USE TYPE*	INTENSITY/DENSITY LIMITATIONS
Conservation	Minimum 3.56 Acres (6.64 %) Preserve Area
Open Space	Minimum 6.62 Acres (12.37 %) Lakes and Tract L3
Commercial	Maximum 210,000 Sq. Ft. Retail/Commercial** 22.91 Acres (42.77 %)
Residential	Maximum 350 multi-family rental units 20.48 Acres (38.22 %)

\* This project shall contain a minimum of four (4) land use types.

\*\*The commercial portion may also contain restaurant, personal service, professional office and medical office uses.

2. The Isla Verde project shall be constructed in substantial compliance with the master plan, included as Exhibit 2. Any amendment to the master plan shall be subject to the requirement of Policy 1.3.25 of the Land Use Element of the Comprehensive Plan, which requires substantive changes be considered an amendment to the comprehensive plan, subject to review by the Village and the state land planning agency in accordance with Section 163.3184 of the Florida Statutes. A final master plan consistent with any Council approved changes and conditions of approval imposed by Council shall be submitted to the Development Review Committee (DRC) for final processing.

3. Any business operating more than 18 hours per day shall be located at least 200 feet from a dwelling unit, measured from the closest building points of each affected structure.

4. Garbage and recycling pickup for the commercial portion shall not occur between the hours of 9:00 PM and 7:00 AM.

5. Deliveries for the commercial portion shall not occur between the hours of 10:00 PM and 7:00 AM.

- 1 6. There shall be no idling of delivery or similar vehicles on the commercial portion between  
2 the hours of 10:00 PM and 7:00 AM.
- 3 7. Overnight storage or parking of delivery vehicles or trucks shall not be permitted on site,  
4 except in designated loading and delivery areas and subject to the requirements affecting  
5 idling vehicles.
- 6 8. All delivery and loading areas built to accommodate semi-trucks, tractor trailers, moving  
7 vans, etc., shall be screened from view by a combined 30 foot internal  
8 (residential/commercial) landscape buffer consisting of a minimum four foot high berm  
9 and eight foot high concrete panel wall (overall height minimum 12 feet) with landscaping  
10 on both sides in accordance with an Alternative Landscape Plan. The concrete panel wall  
11 shall be constructed in a manner consistent with the color, character and architectural  
12 style of the principal structure.
- 13 9. All roof-mounted air conditioning and mechanical equipment shall be screened from view  
14 on all sides in a manner consistent with the color, character and architectural style of the  
15 principal structure.
- 16 10. All ground-mounted air conditioning and mechanical equipment shall be screened from  
17 view. The screening shall occur in a manner consistent with the color, character and  
18 architectural style of the principal structure and may incorporate landscaping as one  
19 element of screening.
- 20 11. All areas or receptacles for the storage and disposal of trash, garbage, recyclable  
21 material, or vegetation, such as dumpsters and trash compactors shall be screened from  
22 view and confined to the areas designated on the certified site plan. All  
23 dumpster/compactor areas shall be enclosed with walls and automatically closing gates.  
24 The property management shall ensure the gates remain closed unless during pick-  
25 ups/deliveries or being serviced.
- 26 12. Each dwelling unit shall incorporate garbage and recycling storage container that is in  
27 front of the unit and screened from view. The storage container and screening (if  
28 required) shall be approved by the Wellington Architectural Review Board (ARB). The  
29 collection of garbage / recyclable from each unit storage container shall be completed by  
30 the residential property management.
- 31 13. The project shall comply with all applicable architectural and signage requirements of the  
32 LDRs, including all applicable "big box" standards.
- 33 14. Building height of all structures shall not exceed 35 feet. The portion of buildings within  
34 40 feet of the Isla Verde project east and south property lines shall not exceed two-story  
35 and a maximum building height of 25 feet as measured to the midpoint of the roof. The  
36 two story facade of each multifamily structure shall face the south and east property lines.
- 37 15. The minimum setback for the multi-family residential buildings from each of the overall Isla  
38 Verde project's property lines shall be 30 feet. The one-story leasing center/mailroom  
39 building shall be setback a minimum of 20 feet from the overall Isla Verde project's south  
40 property line and a minimum of 30 feet from each of the other overall Isla Verde project's  
41 property lines. All other one-story buildings (maintenance building, clubhouse, etc.) within  
42 the residential portion shall be setback a minimum of 30 feet from each of the overall Isla  
43 Verde project's property lines.
- 44 16. Building #5 shall be setback a minimum of 90' from the eastern property line. (Applicant  
45 imposed condition per agreement with adjacent property owners)

46

- 1 17. Buildings #27 and #30, which face the central preserve, shall be no more than eight unit  
2 buildings that are to be setback a minimum of 20' from the westerly side of the preserve  
3 boundary. (Applicant imposed condition per agreement with adjacent property owners)
- 4 18. The windows on the upper floors of buildings #1, #3, #4, #5, #22, #23 and #26 that face  
5 the eastern and southern property lines shall include decorative or functional Bahama  
6 shutters as approved by Wellington's ARB. (Applicant imposed condition per agreement  
7 with adjacent property owners)
- 8 19. All roads, utilities, sidewalks and similar improvements shall be private and shall not be  
9 the maintenance responsibility of the Village.
- 10 20. Prior to issuance of any building permits, the project shall be platted/re-platted as  
11 required by the Village.
- 12 21. The entry road to the residential portion of the project and the north-south vehicle access  
13 roadway located immediately in front of the principal commercial structures shall reflect a  
14 full four way stop.
- 15 22. The preserve areas indicated on the Isla Verde Master Plan shall be maintained,  
16 protected and preserved in perpetuity or as otherwise permitted by the Village Council.
- 17 23. The property owner shall maintain the 40 foot Lake Worth Drainage District easement  
18 and the 25 foot E-1 Canal Right-of-Way easement that is located along the west side of  
19 the property, east of State Road 7 / U.S. 441.
- 20 24. The State Road 7 median and swale along the project's frontage shall be landscaped and  
21 maintained by the Isla Verde property owner(s).
- 22 25. Vehicular access to Dillman Road is prohibited.
- 23 26. In order to comply with the Mandatory Traffic Performance Standards in place at the time  
24 of this approval, no building permits for the site shall be issued after December 31, 2018.  
25 A time extension for this condition may be approved based on a Traffic Study which  
26 complies with the Mandatory Traffic Performance Standards in place at the time of the  
27 request.
- 28 27. The developer shall make a proportionate share payment of \$406,269, which represents  
29 the Property Owner's residential proportionate share of the improvements to the  
30 interchange at State Road 80 and State Road 7. The payment must be made before the  
31 first building permit is issued for the Multi-family apartments. This payment shall be made  
32 to Palm Beach County and is required for compliance with the Countywide Traffic  
33 Performance Standards.
- 34 28. The residential portion and related infrastructure are hereby designated as Phase 2.
- 35 29. At least fifty (50) percent of the proposed laurel/live oak trees in the internal  
36 residential/commercial buffer shall be a minimum of eighteen (18) feet high and located  
37 alternatively on both sides of the concrete panel wall.
- 38 30. The grass areas within undeveloped portion of the project shall be maintained at a  
39 maximum twelve (12) inches in height.
- 40 31. The perimeter of the residential portion and internal connections to the commercial  
41 vehicular areas shall be secured by a temporary six (6) foot high chain link fence with top  
42 rail. The temporary six (6) foot high chain link fence shall be removed prior to issuance of  
43 any Certificate of Occupancy for any building within the residential portion of the project.

- 1 32. A recorded cross access agreement between this site (commercial portion) and the parcel  
2 to the north shall be provided at the time of re-plat.
- 3 33. A minimum eight foot high wall with a berm and landscaping per Condition 10 above shall  
4 be required on the northwest residential property line prior to the certificate of completion  
5 for the parking and detention area.
- 6 34. All residential buildings without an attached garage shall have reserved parking space for  
7 each unit.
- 8 35. A covered school bus shelter (minimum 12' X 26') with a minimum of four (4) benches,  
9 bicycle racks for a minimum of 14 bicycles, trash-can and continuous pedestrian sidewalk  
10 route to the residential buildings shall be provided on the residential portion of the project  
11 in a location and manner acceptable to the Palm Beach County School Board and  
12 Wellington. The bus shelter shall be constructed with consistent colors, materials and roof  
13 treatment as the commercial and residential buildings and maintained by the owner(s) of  
14 the residential portion.
- 15 36. The eight (8) foot high opaque concrete wall along the north and east perimeter buffers  
16 and six (6) foot high opaque concrete wall along the south perimeter buffers shall be  
17 completed prior to the issuance of any Certificate of Occupancy for any residential  
18 building within residential portion of the project. The LDR required minimum landscaping  
19 shall be installed on both sides of the wall within the north, south and east perimeter  
20 buffers.
- 21 37. The main entrance to the residential portion, mail room, and school bus shelter shall be  
22 completed prior to the issuance of any Certificate of Occupancy for any residential  
23 building. The clubhouse and trash compactor shall be completed when the adjacent  
24 buildings (Building 29 for clubhouse and Buildings 11-13 for trash compactor) Certificate  
25 of Occupancy are issuance and/or prior to the issuance of Certificate of Occupancy for  
26 Buildings 14 – 28. A temporary 10 yard trash dumpster shall be in the residential portion  
27 of the project for residential occupancies trash prior to the issuance of any Certificate of  
28 Occupancy for any residential building.
- 29 38. The common areas, landscaping, site amenities, etc., shall be completed prior to the  
30 issuance of the Certificate of Occupancy for the adjacent building.
- 31 39. The landscape buffer along the east and south property lines shall meet the following  
32 standards at installation:
- 33 a) All landscaping and irrigation shall be installed and maintained on the subject  
34 property.
- 35 b) All landscaping shall be spaced evenly from the center of the required landscape  
36 buffer, unless expressly stated otherwise in the following conditions.
- 37 c) No drainage shall occur onto adjacent properties as a result of the required  
38 landscaping or berms.
- 39 d) Landscape material and installation shall meet the Village LDR specifications.  
40 (Applicant imposed condition per agreement with adjacent property owners)
- 41 40. The landscape buffer along the east property line shall include the following:
- 42 a) A minimum 2-3 foot berm topped with an 8 foot high finished opaque concrete wall,  
43 with top of wall an even height, painted a muted earth tone color (as approved by  
44 Wellington's ARB) on the exterior side. The wall shall be setback a minimum of 10 feet

1 from the property line and include 24-foot high shade trees (at a minimum) planted 40  
2 feet on center altering on each side of the wall (the intent being that when combined,  
3 on a plan view, both sides of the wall identify the trees staggered 20-feet on center).

4 b) Three (3) rows of tiered landscape material planted on the exterior side of the required  
5 wall.

6 c) One (1) row of understory, planted on the interior side of the required wall.

7 (Applicant imposed condition per agreement with adjacent property owners)

8 41. The open areas between buildings #26 and #27 along the east property line shall be  
9 supplemented to include 24' shade trees (at a minimum) or groups of palms at  
10 installation, to provide additional screening of the multifamily buildings located directly to  
11 the north. (Applicant imposed condition per agreement with adjacent property owners)

12 42. The landscape buffer along the south property line shall include the following:

13 a) A minimum 2-3 foot berm and topped with a 6 foot high finished opaque concrete wall,  
14 with top of wall an even height, painted a muted earth tone color (as approved by  
15 Wellington's ARB) on the exterior side shall be installed to the western edge of the  
16 leasing building at the main entry. The wall shall be setback a minimum of 10 feet  
17 from the property line and include 24 foot high shade trees (at a minimum) planted 40  
18 feet on center altering on each side of the wall (the intent being that when combined,  
19 on a plan view, both sides of the wall identify the trees staggered 20 feet on center).

20 b) Three (3) rows of tiered landscape material, planted on the exterior side of the  
21 required wall.

22 c) One (1) row of understory, planted on the interior side of the required wall.

23 (Applicant imposed condition per agreement with adjacent property owners)

24 43. Prior to the issuance of the first certificate of occupancy, existing native vegetation in the  
25 central preserve area adjacent to the east property line shall be supplemented within 25  
26 feet of the entire boundary of the preserve area to create an opaque barrier a minimum of  
27 24 feet in height from adjacent properties. (Applicant imposed condition per agreement  
28 with adjacent property owners)

29 44. The central preserve wetland and the southeastern preserve along the eastern property  
30 line shall include an 8 foot high finished opaque concrete wall painted a muted earth tone  
31 color (as approved by Wellington's ARB) on the exterior side with screening vegetation  
32 provided on the exterior side to the greatest extent possible. (Applicant imposed condition  
33 per agreement with adjacent property owners)

34 45. Pole and building mounted lighting shall be shielded and directed down and away from  
35 the south and east property lines. (Applicant imposed condition per agreement with  
36 adjacent property owners)

37  
38 **SECTION 2:** Should any section, paragraph, sentence, clause, or phrase of this  
39 Resolution conflict with any section, paragraph, clause or phrase of any prior Wellington  
40 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this  
41 Resolution shall prevail to the extent of such conflict. .

42  
43 **SECTION 3:** Should any section paragraph, sentence, clause, or phrase of this  
44 Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall  
45 not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the  
46 part to be declared invalid.

1        **SECTION 4:** This Resolution shall become effective immediately upon adoption..  
2  
3

4        **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.  
5

6        **ATTEST:**

**WELLINGTON, FLORIDA**

7  
8        BY: \_\_\_\_\_  
9                Awilda Rodriguez, Clerk

BY: \_\_\_\_\_  
Bob Margolis, Mayor

10  
11        **APPROVED AS TO FORM AND**  
12        **LEGAL SUFFICIENCY**  
13

14  
15        BY: \_\_\_\_\_  
16                Laurie Cohen, Village Attorney  
17

**EXHIBIT 1**  
Legal Description

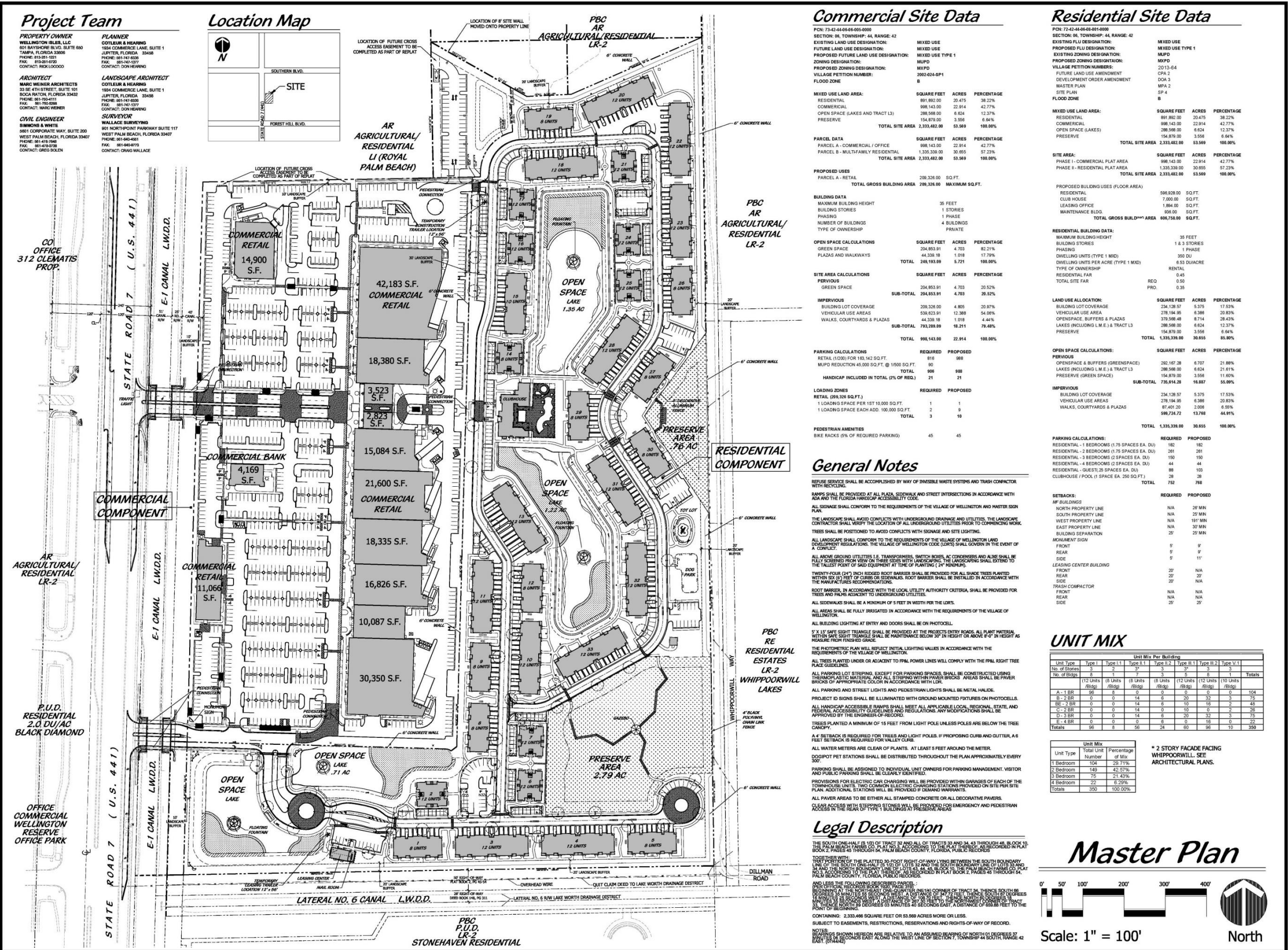
ALL OF ISLA VERDE OF WELLINGTON RESIDENTIAL REPLAT, ACCORDING TO THE  
PLAT THEREOF RECORDED IN PLAT BOOK 115, PAGE 69 OF THE PUBLIC RECORDS  
OF PALM BEACH COUNTY, FLORIDA.

AND

ALL OF ISLA VERDE OF WELLINGTON COMMERCIAL REPLAT, ACCORDING TO THE  
PLAT THEREOF RECORDED IN PLAT BOOK 115, PAGE 62 OF THE PUBLIC RECORDS  
OF PALM BEACH COUNTY, FLORIDA.



EXHIBIT 2 – Isla Verde Master Plan



**Cotleur  
Hearing**

Landscape Architecture  
Planning  
Environmental Consulting  
Graphic Design

1934 Commerce Lane  
Suite 1  
Jupiter, Florida 33458  
561-747-6336 Fax-747-1377

**Isla Verde Residential**  
Wellington Isles, LLC  
Village of Wellington, Florida

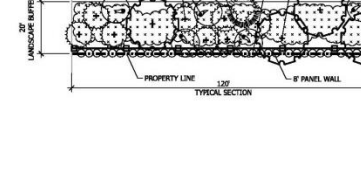
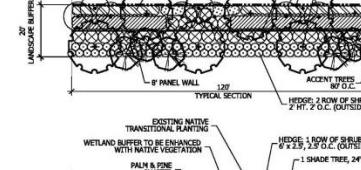
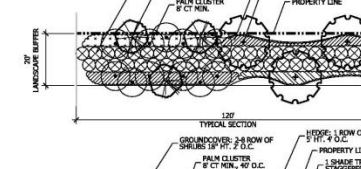
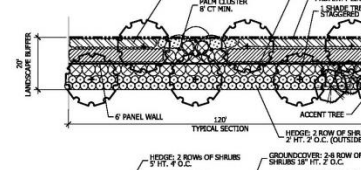
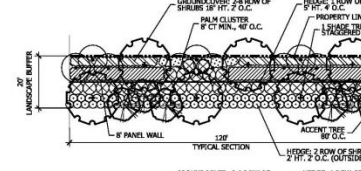
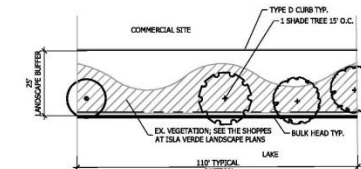
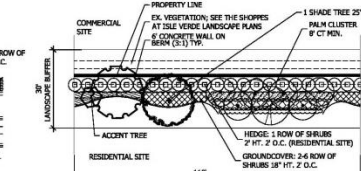
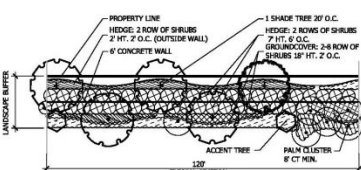
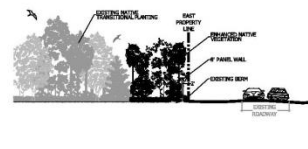
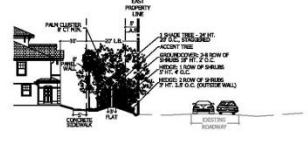
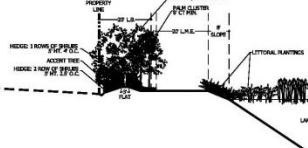
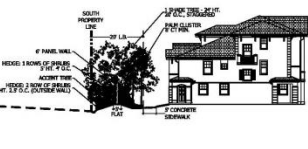
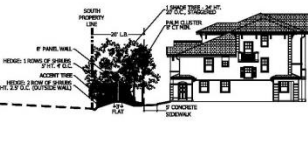
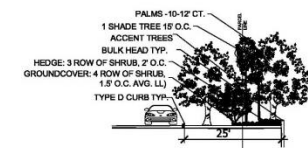
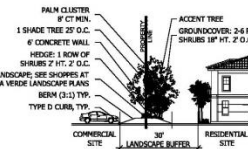
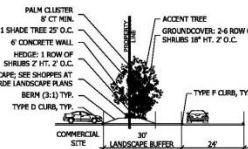
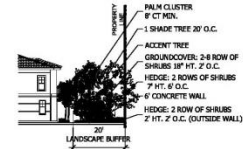
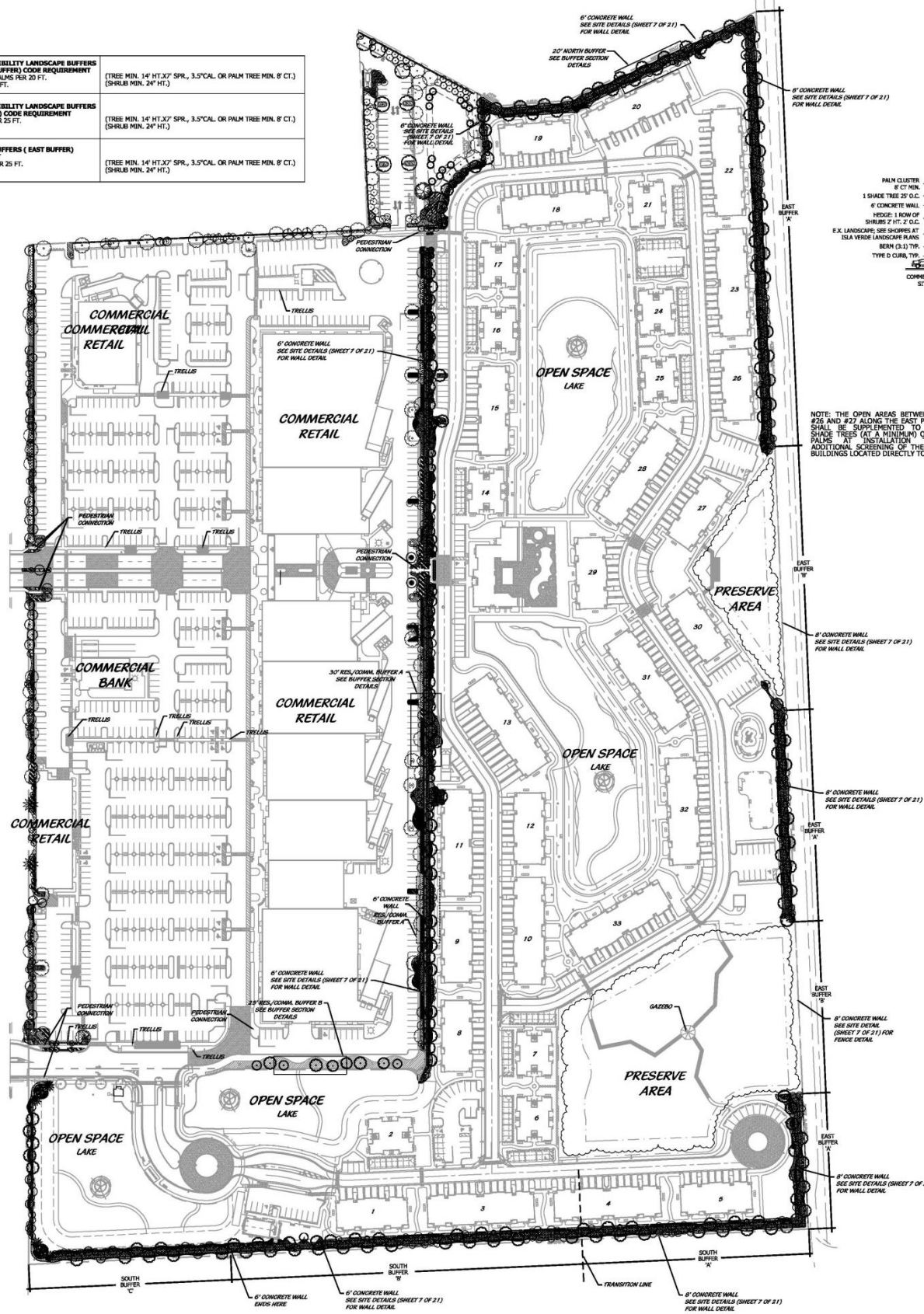
DESIGNED	DTS
DRAWN	RW
APPROVED	DEH
JOB NUMBER	04-1216.03
DATE	10-17-13
REVISIONS	12-16-13
	02-13-14
	03-20-14
	07-28-14

July 26, 2014 11:00:50 a.m.  
Drawing: 04-1216.03 MP-DWG

SHEET 1 OF 3

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<b>PERIMETER INCOMPATIBILITY LANDSCAPE BUFFERS (NORTH AND SOUTH BUFFERS) CODE REQUIREMENT</b> 1 TREE OR 3 PALMS PER 20 FT. 1 SHRUB PER 2 FT.	(TREE MIN. 1'4" HT. X 7" DBH, 3.5" CAL. OR PALM TREE MIN. 8" CT.) (SHRUB MIN. 24" HT.)
<b>PERIMETER COMPATIBILITY LANDSCAPE BUFFERS (RES/COMM BUFFERS) CODE REQUIREMENT</b> 1 TREE OR 3 PALMS PER 25 FT. 1 SHRUB PER 2 FT.	(TREE MIN. 1'4" HT. X 7" DBH, 3.5" CAL. OR PALM TREE MIN. 8" CT.) (SHRUB MIN. 24" HT.)
<b>ROW LANDSCAPE BUFFERS (EAST BUFFER) CODE REQUIREMENT</b> 1 TREE OR 3 PALMS PER 25 FT. 1 SHRUB PER 2 FT.	(TREE MIN. 1'4" HT. X 7" DBH, 3.5" CAL. OR PALM TREE MIN. 8" CT.) (SHRUB MIN. 24" HT.)



**NORTH BUFFER**  
Scale: 1" = 30'

**RES/COMM BUFFER A**  
Scale: 1" = 30'

**RES/COMM BUFFER B**  
Scale: 1" = 30'

**SOUTH BUFFER A**  
Scale: 1" = 30'

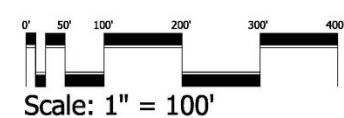
**SOUTH BUFFER B**  
Scale: 1" = 30'

**SOUTH BUFFER C**  
Scale: 1" = 30'

**EAST BUFFER A**  
Scale: 1" = 30'

**EAST BUFFER B**  
Scale: 1" = 30'

## Landscape Buffer Plan



**Cotleur  
Hearing**

Landscape Architecture  
Planning  
Environmental Consulting  
Graphic Design

1934 Commerce Lane  
Suite 1  
Jupiter, Florida 33458  
561-747-6336 Fax-747-1377

**Isla Verde Residential**  
*Wellington Isles, LLC  
Village of Wellington, Florida*

DESIGNED	DEH
DRAWN	RW
APPROVED	DEH
JOB NUMBER	04-1216.03
DATE	10-17-13
REVISIONS	02-19-14
	03-20-14
	07-29-14

August 07, 2014 9:09:59 a.m.  
Drawn by: 041216.03 LANDSCAPE BUFFER.DWG

SHEET **2 OF 3**  
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RESOLUTION No. 2011-35

Use Limitations

1. The project will be developed consistent with the use limitations presented below:

PROPOSED USE	NUMBER OF ACRES	USE	SIZE LIMITATIONS
Conservation	3.55	Preserve Area	Not less than 3.23 acres*
Open Space	6.62	Open Space	Not less than 6.60 acres*
Commercial	22.92	Retail / Commercial	Not more than 210,000 square feet
Residential	20.48	Townhouse Multi-Family Dwelling Units	Not more than 280 townhouse 360 multi-family dwellings

\*Acres adjusted for consistency with previous approvals, Isla Verde at Wellington as recorded in Plat Book 100 Pages 132 through 138 and to reflect the 1.06-acre transfer.

2. The commercial portion of the MUPD may contain restaurant, personal service, professional office and medical office uses, in addition to retail and commercial uses.
3. The Isla Verde shall be constructed in substantial compliance with the master plan, included as Exhibit "B". Any amendment to the master plan shall be subject to the requirement of Policy 12.53 of the Land Use Element of the Comprehensive Plan.

General Requirements

4. The Future Land Use Map shall be amended within 60 days after adoption of the compliance agreement to clearly identify Isla Verde parcel as subject to the specific requirements of Ordinance 2003-17.
5. Any business operating more than 18 hours per day shall be located at least 200 feet from a dwelling unit, measured from the closest building points of each affected structure.
6. Garbage and recycling pickup for the commercial portion of the MUPD shall not occur between the hours of 9:00 PM and 7:00 AM.
7. Deliveries for the commercial portion of the MUPD shall not occur between the hours of 10:00 PM and 7:00 AM.
8. There shall be no idling of delivery or similar vehicles on the commercial portion of the MUPD between the hours of 10:00 PM and 7:00 AM.
9. Overnight storage or parking of delivery vehicles or trucks shall not be permitted on site, except in designated loading and delivery areas and subject to the requirements affecting idling vehicles.

development order must have as a condition the completion of the assured construction and timely posting of performance security. (Palm Beach County Traffic Division)

32. No building permits shall be issued after December 31, 2007, unless a time extension has been approved by the County Engineer's Office based upon an approved traffic study, which complies with the mandatory Traffic Performance Standards in place at the time of the request. (Palm Beach County Traffic Division)
33. The Property Owner shall fund the cost of signal installation if warranted as determined by the County Engineer and FDOT at the project entrance and State Road 7. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition. Building Permits for more than 18,000 square feet of retail shall not be issued until the Property Owner provides acceptable surety in the form of a cash bond or escrow agreement to the Palm Beach County Traffic Division in an amount as determined by the Director of the Palm Beach County Traffic Division. (Palm Beach County Traffic Division)
34. In order to be relieved from this requirement and to have the surety posted for the traffic signal at the project entrance and State Road 7 returned, the Property Owner shall provide written notice to the Palm Beach County Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the project entrance and State Road 7, OR the Property Owner shall provide written documentation to the Traffic Division that the property has been sold and that a replacement surety has been provided to the Palm Beach County Traffic Division by the new Property Owner. The Palm Beach County Traffic Division shall have 24 months from receipt of this notice to either draw upon the surety to construct the traffic signal or release the surety. (Palm Beach County Traffic Division)

35. Construct south approach right turn lanes on State Road 7 at both entrances to the development. Additional Right-of-Way may also be required for the construction of these turn lanes. (Palm Beach County Traffic Division)

36. Construct south approach and north approach left turn lanes at the project's north entrance on State Road 7. This is not an existing median opening, and although the south approach turn lane will not directly benefit this project, it will be required in order to provide a full median opening at this location. (Palm Beach County Traffic Division)

Additional Conditions

37. Amend Conditions 10, 28, 29, 30, and 33 as contained in this staff report and in the draft resolution dated July 5, 2007 (as adopted in Resolution No. R2007-86).
38. The residential portion and related infrastructure are hereby designated as Phase 2 of the MUPD.

10. All delivery and loading areas built to accommodate semi-trucks, tractor trailers, moving vans, etc., shall be screened from view by a combined 30-foot internal (residential/commercial) landscape buffer consisting of a minimum four-foot high berm and eight-foot high concrete panel wall (overall height minimum 12 feet) with landscaping on both sides in accordance with an Alternative Landscape Plan. The concrete panel wall shall be constructed in a manner consistent with the color, character, and architectural style of the principal structure.
11. All roof-mounted air conditioning and mechanical equipment shall be screened from view on all sides in a manner consistent with the color, character, and architectural style of the principal structure.
12. All ground-mounted air conditioning and mechanical equipment shall be screened from view. The screening shall occur in a manner consistent with the color, character, and architectural style of the principal structure and may incorporate landscaping as one element of screening.
13. The condominium documents for the project shall be approved by the Village Attorney prior to DRC certification of the final site plan for the residential or commercial portion of the site, whichever occurs first.
14. All areas or receptacles for the storage and disposal of trash, garbage, recyclable material, or vegetation, such as dumpsters and trash compactors shall be screened from view and confined to the areas designated on the certified site plan.
15. Each dwelling unit shall incorporate a garbage can and recycling container storage area to comply with screening requirements.
16. The project shall comply with all applicable architectural and signage requirements of the LDRs, including all applicable "big box" standards.
17. Building height of all structures shall not exceed 35 feet. The residential structures shall not exceed ~~two~~ three stories in height.
18. All roads, utilities, sidewalks and similar improvements shall be private, and shall not be the maintenance responsibility of the Village.
19. Prior to issuance of any building permits, the project shall be platted.
20. The master plan shall be amended to reflect a revised alignment of the entry road to the residential portion of the project and the north-south vehicle access roadway located immediately in front of the principal commercial structures. The revision shall reflect a full four way stop.

39. At least fifty (50) percent of the proposed laurel live oak trees in the internal residential commercial buffer shall be a minimum of eighteen (18) feet high and located alternatively on both sides of the concrete panel wall.

40. The residential portion of the property shall be seeded or sprigged to provide uniform grass coverage within sixty (60) days of the first commercial certificate of occupancy.

41. Grass shall be maintained at a maximum twelve (12) inches in height.

42. The perimeter of the residential portion and internal connections to the commercial vehicular areas shall be secured by a temporary six (6)-foot high chain link fence with top rail.

New Conditions - Master Plan Amendment (Petition Number 2002-024 MPA1):

43. This site shall be re-platted prior to the permit for the parking and detention area.
44. A recorded cross access agreement between this site (commercial portion) and the parcel to the north shall be provided at the time of re-plat.
45. A minimum eight-foot high wall with a berm and landscaping per Condition 10 above shall be provided on the northwest residential property line prior to the certificate of completion for the parking and detention area.
46. Prior to the first building permit for the residential units, an updated letter of compliance from the Palm Beach County Traffic Division is required.
47. All the previous conditions of approval not amended by this request shall remain in effect.

Vegetation and Landscaping

21. Prior to site plan approval for the residential or commercial portion of the site, whichever occurs first, the applicant shall submit a vegetation removal permit for removal and relocation onsite of at least 75% of the sabal palm trees currently located on the property. The relocated sabal palms shall be included within the revised landscape plans for the site.
22. Prior to initial DRC site plan approval, the applicant shall provide for staff approval the method to be utilized to protect the vegetation and integrity of all preserve areas during construction on either portion of the site.
23. The preserve areas indicated on the Isla Verde Master Plan shall be maintained, protected and preserved in perpetuity or as otherwise permitted by the Village Council.
24. The property owner shall maintain the 40-foot Lake Worth Drainage District easement and the 25-foot E-1 Canal Right-of-Way easement that is located along the west side of the property, east of State Road 7 / U.S. 441.

Traffic

25. The proposed mixed use development will comply with the traffic limitations as outlined in Exhibit "D".
26. Vehicular access to Dillman Road is prohibited.
27. As required by Palm Beach County, the applicant shall fund installation of the traffic signal at the project's main entrance, including all necessary median and roadway improvements to accommodate installation of the signal.
28. The traffic signal shall be installed and shall be operational within six (6) months after the issuance of any certificates of occupancy for any residential or commercial structure or by June 30, 2008 whichever comes first."
29. Building permits for more than 95,500 square feet retail (the combined equivalent of 346 net PM peak hour trips) shall not be issued until the contract is let for an exclusive north approach right turn lane at the at grade component of the intersection of Southern Boulevard and State Road 7. (Palm Beach County Traffic Division)
30. Building permits for more than 189,500 square feet of retail (the combined equivalent of 565 net PM peak hour trips) shall not be issued until the contract is let for a second north approach turn lane at the intersection of Forest Hill Boulevard and Lyons Road. (Palm Beach County Traffic Division)
31. A development agreement with Palm Beach County shall be entered into by the developer prior to or concurrent with the issuance of the first site specific development order in order to assure the road improvements in conditions #29 and #30, or the site specific

Conditions of Approval



Cotleur  
Hearing

Landscape Architecture  
Planning  
Environmental Consulting  
Graphic Design

1934 Commerce Lane  
Suite 1  
Jupiter, Florida 33458  
561-747-6336 Fax-747-1377

Isla Verde Residential  
Wellington Isles, LLC  
Village of Wellington, Florida

DESIGNED \_\_\_\_\_ DTS  
DRAWN \_\_\_\_\_ RW  
APPROVED \_\_\_\_\_ DEH  
JOB NUMBER 04-1216-03  
DATE 12-16-13  
REVISIONS 02-13-14  
03-20-14

March 14, 2014 9:22:30 a.m.  
Drawing: 041216.03 NP.DWG

SHEET 3 OF 3

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