

# Lotis Wellington 1

# STAFF REPORT

**Petition Number/Type:**

2023-0002-MPA/Master Plan Amendment (MPA)

**Resolution Number:** R2023-63

**Owner/Applicant:** Lotis Wellington, LLC  
 (A.K.A. JKM Acquisitions, LLC)  
 2300 Glades Rd., Suite 202E  
 Boca Raton, FL 33431

**Agent:** Brian Terry/Insite Studio, Inc.  
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**PCN(S):**  
 73414412220010000; 7341441222003-0010, -0020,  
 -0030, -0040, -0050, -0060, -0070, -0080, -0090, -  
 0100; 73414412220040000; 73414412220070000;  
 73414412220070000; 73414412220120000;  
 73414412220150000; 73414412220160000;  
 73414412220180010; 73414412220180020;  
 73414412220230000

**Future Land Use Designation:**

Mixed Use (MU)

**Zoning Designation:**

Multiple Use Planned Development (MUPD)

**Acreage:** 64 Acres (+/-)

**Request:**

- Master plan amendment to:
- o Remove the Congregate Living Facility Type 3 and daycare facility Conditional Uses;
  - o Approve an increase of multi-family residential dwelling units from 191 to 378 units and medical office 40,000 to 50,000 square feet;
  - o Dedicate a conservation area;
  - o Add a public dog park;
  - o Modify the lake and public greenway tracts; and
  - o Amend conditions of approval.

**Location/Map:**

The Lotis Wellington 1 (Lotis 1) project subject properties/parcels are located approximately one (1) half mile north of the Forest Hill Blvd and State Road 7/US 441 intersection, on the west side of State Road 7/US 441.



Adjacent Property	FLUM	Zoning
North	Mixed Use (MU)	MUPD
South	Commercial	Medical Center Planned Development
East	PBC Commercial /Low Residential	PBC Commercial High Office /Residential (AR)
West	Res. C (1 - 3 du/ac) / Res. F (8 - 12 du/ac)	Planned Unit Development (PUD)

**Boards, Committees, and Council:**

	Notice Date	Meeting Date	Vote
PZAB	10/24/2023	11/8/2023	7 - 0
Council	11/20/2023	12/5/2023	Pending

**Public Notice and Comments:**

Sent	Returned	Delivered	For	Opposed
177	8	150 To Date	TBD	1

**Project Manager:**

Damian Newell, Senior Planner  
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### **Site History and Current Request:**

The Lotis Wellington 1 (Lotis 1) 64-acre mixed-use project Comprehensive Plan Amendment (Petitions 2019-0002-CPA and 2021-001-CPA) was approved by Ordinance No. 2020-13 and 2021-15, Rezoning (Petition 2019-0001-REZ) was approved by Ordinance No. 2021-16, Master Plan (Petition 2019-0001-MP) and Conditional Uses (Petition 2019-0002-CU) were approved by Resolution No. R2020-45, and a Development Order Amendment was approved by Resolution No. R2022-12. The project is currently approved to allow a mixed-use project consisting of 49,056 square feet of combined restaurant and retail, 40,000 square feet of medical office, 16,700 square feet of professional/general office, 191 multi-family residential dwelling units, a congregate living facility (CLF) with 150 independent living units and 110 assisted living beds, a daycare facility for up to 210 children, and 28.4 acres of open space inclusive of a lake, cypress preserve, dog park, and greenway with a multi-use pathway open to the public.

The owner/applicant (Lotis Wellington, LLC) is requesting approval to modify the Lotis 1 Master Plan (MP), which includes some of amendments as summarized below.

- Remove the Conditional Use for Congregate Living Facility (Type 3) with 150 independent living units and 110 assisted living beds;
- Remove the Conditional Use for daycare facility for up to 210 children;
- Increase the multi-family residential dwelling units from 191 to 378 units;
- Increase the medical office from 40,000 to 50,000 square feet;
- Dedicate a 0.84-acre cypress preserve and recreation area as Conservation;
- Add a dog park within the public recreation area;
- Modify the lake and public greenway tracts; and
- Amend conditions of approval.

Modification to the conditions of approval are further detailed in the Staff Report Analysis and the applicant's Justification Statement.

The Lotis 1 project is proposed south of the applicant's other proposed 52-acre mixed-use project known as Lotis Wellington 2 (Lotis 2) (Resolution No. R2023-62 pending approval). Lotis 1 is currently in the site development/construction phase for the development of the project, so the applicant/developer is requesting the above modifications for development of the project.

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The applicant also submitted a site plan amendment (2023-0005-ASA) for the Lotis 1 project that is consistent with the proposed MP. The site plan will be certified, by the Development Review Manager (DM), after Council's approval of the above applications and when all comments are satisfied.

### **Analysis:**

As indicated above, the applicant is requesting a master plan amendment to remove the Conditional Use approvals for a Congregate Living Facility (CLF) and a daycare. The request to remove the daycare use from Lotis 1 results in relocating the daycare to the proposed Lotis 2 project along the State Road 7, which is included with the Lotis 2 Master Plan application. Below is the applicant's explanation for the requested removal of the CLF use.

*"The originally approved age-restricted uses (150-unit independent living facility and 110 bed assisted living facility) were proposed when market conditions, construction costs and the financing environment were different and more favorable to senior living concepts. In the immediate vicinity along the State Road 7 corridor, there are 4 senior living communities (Wellington Bay – Independent & Assisted Living), Luxe Senior Living (Assisted Living), The Landings at Lake Worth (Assist Living) and Palomino Gardens (Independent Living) that are currently not operating at full occupancy. As such, we feel that our two proposed buildings would be marketed to a very limited occupant pool, while being cost prohibitive to construct and operate compared to traditional multifamily housing. As well, the construction lending market has been very unfavorable to new senior living projects, and there has been no interest from lenders in financing this portion of the project as proposed. Lastly, the Village of Wellington expects that the population will grow from 61,768 residents in 2021 to 64,915 in 2025 (<https://www.wellingtonfl.gov/927/Wellington-Demographics>). With an anticipated growth of over 3,100 new residents of all ages, more housing in the Village with no restrictions will be needed and these additional market-rate units will provide housing for 500+ residents, in addition to other previously approved housing contained within Lotis Wellington 1."*

Phase 1 of the Wellington Bay CLF (at the Wellington Green project) is currently complete, with plans to commence construction of Phase 2 in 2024.

The Lotis 1 project was originally approved under the jurisdiction of the previous Wellington Comprehensive Plan and Land Development Regulations, and will be reviewed per those regulations while this project is still in the development phase. Per Policy 1.3.25.(9), Table 1.3.25.3 the maximum allowed density for multi-family residential is 768 units (12 du/ac), using the entire project area of 64 acres.

The requested amendment was reviewed for compliance with the following:

**Consistency with Comprehensive Plan (CP):** This mixed-use project will be developed with commercial and residential uses and will be compatible with surrounding land uses. This request to

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increase the multi-family residential units from 191 to 378 units is still below the maximum density of 768 units allowed for the Lotis 1 project, as approved by Council.

***Housing Element Policy 1.9.1 (CP when project was approved):*** *Wellington shall continue to promote new housing development and redevelopment that utilizes compact building design principles, promotes pedestrian activity and support multi-modal transportation options by ensuring land use and zoning categories permit such development.*

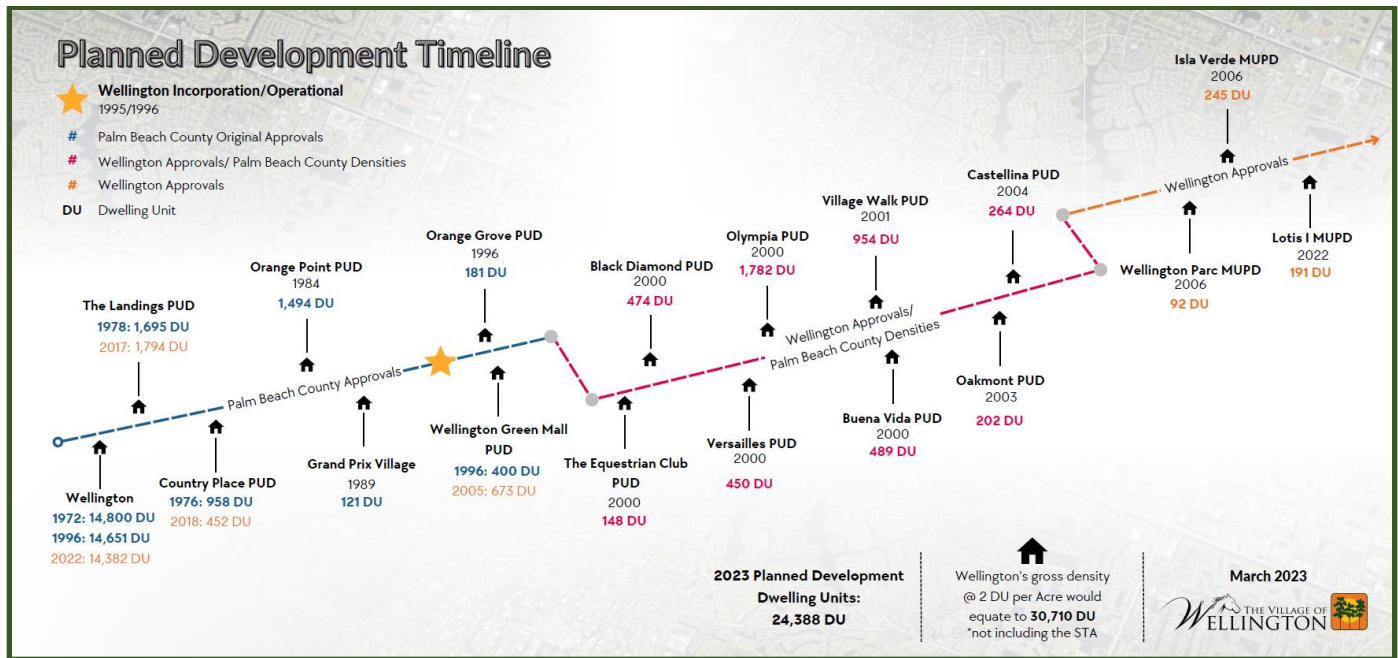
***Housing Element Policy 1.9.3 (CP when project was approved):*** *Wellington shall continue to encourage mixed-use development and concentrations of higher residential densities along major transportation corridors and nodes by adoption of mixed use land development regulations.*

The Lotis 1 is a mixed-use project with a high residential density proposed along the State Road 7 corridor and is consistent with the above policies. The residential units will have internal activity areas and open space/activity areas throughout the project. Pedestrian connections are provided to surrounding commercial uses and a greenway system as illustrated on the Lotis 1 MP (Exhibit B), Circulation Plan (Exhibit B), and Conceptual Site Plan (Exhibit A). Approval of this request will ensure growth is in an already developed urban service area with adequate capacity, will discourage sprawl, is consistent with the goals/policies of the Comprehensive Plan, and will be consistent with the Comprehensive Plan Mixed Use designation.

A residential market analysis/study was submitted in support of the proposed 378 multi-family units within Pod B and C, as illustrated on the Lotis 1 MP (Exhibit B). A projected growth of housing within the Wellington area and summary from the market studies that demonstrates the current and future demands for the requested residential units is provided as Exhibit C. Per the market study, the Wellington Market Area is bordered on the north by Okeechobee Boulevard/Southern Boulevard, the south by Indian Mound Road/Lake Worth Road, the east by Military Trail and the west by Flying Cow Road/South 160th Trail. Below is the applicant's explanation of the need for the additional requested units.

*"the demand for new market rate apartment units in Wellington exceeds the near-term supply by 4,753 units and that even with the planned apartment projects being constructed, demand will still far outpace supply. As such, the additional units being proposed in Lotis Wellington 1 will help to alleviate the demand for housing in the Village."*

All available housing data indicates a demand for additional residential units is needed in Wellington, and the applicant's proposed housing types are needed now and will be needed in the future. The demand for residential units has continued to increase since the incorporation of Wellington, as illustrated on Wellington's Planned Development Timeline (below) of approved residential units.



**Conformity with Zoning Standards:** This request was reviewed for compliance with all relevant and appropriate portions of the LDR. The submitted Lotis 1 Conceptual Site Plan (Exhibit A) for the overall project was reviewed for compliance with the zoning standards. The formal site plan is currently being reviewed for consistency with building height, setbacks, parking, landscaping, etc., and will not be approved until this request is approved and all comments have been addressed.

Wellington's LDR indicates multi-family residential buildings along the State Road 7 corridor may be allowed a maximum building height of 72 feet if approved by Council, but the applicant is not requesting to exceed the 35-foot height limitation for any building within Pod C for the additional 187 units. Council approval is not required for the proposed 30 feet building height for multi-family residential buildings in Pod C.

The Lotis 1 project was required to provide a total of 5.56 acres of public recreation and civic land dedication for the prior multi-family residential and CLF approval. The applicant was provided a 25% credit towards the land dedication requirement for the privately-owned public recreation areas and amenities provided within the Lotis 1 project. As an incentive for the developer to construct all improvements for the greenway system and amenities around the lake, as illustrated on the plans, an approximate 4.162-acre for the required in-lieu payment was allowed to be deducted from the required Wellington Parks and Recreation Facilities Impact Fees as determined at time of building permit issuance for residential uses. The 4.162-acre land dedication is vested per prior Resolution No. R2020-48 approval and will not be amended with the proposed request. With the proposed additional 187 units the applicant is not proposing any additional privately-owned public recreation areas and amenities within the Lotis 1 project, so the additional required land dedication will not be

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deducted from the require impact fee as previously allowed. The applicant/developer will be required to pay Wellington an in-lieu payment for approximately 1.224-acre of land dedication that is not vested, when impact fees are required at time of issuance of building permits for the residential units within Pod C.

**Compatibility with Surrounding Land Uses:** The Lotis 1 mixed-use project will be developed consistent with surrounding developments and should be aesthetically compatible with other projects within the State Road 7 corridor, including the Lotis 2 project to the north. The surrounding uses will be buffered with landscaping as illustrated on the Lotis 1 MP Regulating Plan (Exhibit B).

The main modification to the Lotis 1 MP includes the residential units proposed in Pod C. The residential units are proposed in the southwest section of the Lotis 1 project adjacent to the Wellington's Edge residential community, which is buffered by landscaping and a canal. Additional landscape buffer requirements are required to be provided for projects with frontage along State Road 7. The proposed buildings within Pod C will be reviewed for compatibility with the architectural character and scale of the existing surrounding buildings and will be required to provide increased minimum height standards for trees/palms that will help to mitigate any visual impacts.

**Environmental Resources:** As provided with the Comprehensive Plan Amendment analysis when the land use designation was adopted by Ordinance No. 2020-13 and 2021-15, the applicant submitted an Environmental Assessment Report, Wetland Status Summary, and Phase I Environmental Site Assessment (ESA) in compliance with the purpose and intent of the Environmental Standards as set forth in the LDR and Comprehensive Plan. No adverse impacts to the natural environment are expected to occur as a result of the applicant's current request.

**Adequacy of Public Services:** The project is proposed within an existing Urban Service Area, with water and sewer connections available in the surrounding area. On/off-site improvements/upgrades will be necessary to existing lift stations, water distribution systems, sanitary systems, and force main systems to support the project. Lift Station 101 will require upgrades, and Master Station LS 92 may require upgrades to meet current Wellington standards.

The School District of Palm Beach County has indicated this project will be required to contribute \$253,620 to address the additional school capacity deficiency at the high school levels, based on the proposed 187 residential units in Pod C.

Wellington's Traffic Consultant's review (Exhibit D) of the request and analysis the proposed development modifications is anticipated to generate equivalent, or less, peak hour trips compared to the prior approved trips (Resolution No. 2022-12).

The applicant's justification statement for the MPA is provided as Exhibit E. The MPA (Petition 2023-0002-MPA) application is available for review at the Planning and Zoning Division office.

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**Summary:**

Based on the findings, consistency with Wellington’s Comprehensive Plan and Land Development Regulations, the Planning and Zoning Division recommends approval of the Master Plan Amendment (Petition 2023-0002-MPA) to remove the Congregate Living Facility (Type 3) and daycare facility Conditional Uses, increase the multi-family residential dwelling units, increase the medical office square footage, dedicate a 0.84-acre cypress preserve and recreation area as Conservation, add a dog park within the public recreation area, modify the lake and public greenway tracts, and amend certain conditions of approval.

**List of Exhibits:**

- Exhibit A                    Conceptual Site Plan
- Exhibit B                    Master Plan, including Regulating and Circulation Plans (See Resolution No. R2023-63 Exhibit B)
- Exhibit C                    Market Study Summary and Projected Housing Growth
- Exhibit D                    Wellington’s Traffic Consultant Letters
- Exhibit E                    Justification Statement