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A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, FOR A DEVELOPMENT ORDER AMENDMENT (PETITION 2025-0002-DOA) FOR CERTAIN PROPERTY, KNOWN AS LOTIS WELLINGTON 2, A MIXED-USE PROJECT, TOTALING 52.44 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY HALF A MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; MODIFYING THE MASTER PLAN CONDITIONS OF APPROVAL FOR THE CERTIFICATE OF OCCUPANCY THRESHOLDS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wellington’s 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 (LDR), is authorized and empowered to 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 current Wellington Future Land Use Map designation for the 52.44-acre project known as Lotis Wellington 2 is Mixed Use (MU); and

WHEREAS, the current Wellington Zoning Map designation for the 52.44-acre project known as Lotis Wellington 2 is Multiple Use Planned Development (MUPD); and

WHEREAS, the Lotis Wellington 2 Master Plan and Conditional Uses were approved (Resolution No. R2023-62) by Wellington's Council on December 8, 2023; and

WHEREAS, the Lotis Wellington 2 owner/developer/applicant is requesting to amend the Lotis Wellington 2 Master Plan and Conditional Uses conditions of approval Wellington's LDR Table 5.1.2-1 Development Application Approvals indicate the decision-making body that approved a development order shall consider amendment to conditions of approval. LDR Section 5.2.3.D.6. provides for expedited review, which allows amendment to go directly to the decision-making body (Wellington Council) and not require going to the recommending board (Planning, Zoning and Adjustment Board), if not modifying the project boundaries, increasing density/intensity, or increasing the project traffic generation; and

41 **WHEREAS**, the Council has taken the recommendations from Wellington staff, and
42 the evidence and testimony presented by the Petitioner and comments from the public
43 into consideration for the proposed Development Order Amendment; and
44

45 **WHEREAS**, Wellington's Council has made the following findings of fact:
46

- 47 1. The Master Plan and Conditional Use request is consistent with the
48 Comprehensive Plan;
49
- 50 2. The subject request is consistent with the stated purposes and intent of the
51 Land Development Regulations;
52
- 53 3. The subject request is consistent with the surrounding land uses and zoning
54 districts;
55
- 56 4. Approval of subject request would result in a logical and orderly development
57 pattern; and
58
- 59 5. The subject request is consistent with the applicable Multiple Use Planned
60 Development (MUPD) regulations.
61

62 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF WELLINGTON,**
63 **FLORIDA, THAT:**
64

65 **SECTION 1.** The Lotis Wellington 2 (Lotis 2) Master Plan is hereby approved for the
66 property legally described in Exhibit A, subject to the following amended and restated
67 conditions of approval (Formatting: ~~Strikethrough~~ text is to be deleted and underline
68 text is to be added):
69

- 70 1. The subject site shall be governed by the conditions of approval within this
71 resolution. (PLANNING)
72
- 73 2. Development of the site shall be limited to the uses, access, acreage, site design,
74 site amenities, public and private recreation areas and amenities, and landscape
75 buffers approved on the Master Plan, Regulating Plan, Circulation Plan, and
76 Phasing Plan (Exhibit B). The final plans consistent with any Wellington Council
77 (Council) approved changes and conditions of approval imposed by Council at the
78 public hearing shall be submitted for final processing, if applicable. (PLANNING)
79
- 80 3. Exhibit C is the Lotis 2 Project Standards Manual (PSM) approved by Council, with
81 the project development standards including details, specification, architectural
82 details/elements, landscape features/elements, setbacks, separation, building/lot

coverage, Floor Area Ratio (FAR), building height, parking, etc., shall be the governing document along with any other plans/documents approved for this project. The developer is requesting standards, including setback, separation, public land dedication credit, etc., that may be below the Land Development Regulations (LDR) requirements. Any project development standards not specifically outlined and/or requested/approved within the PSM shall be per the LDR as determined by Wellington for the specific standard and/or use/structure. Architectural Review Board (ARB) approvals for this project shall be supplemented within the PSM by the Village of Wellington (Wellington). Amendments to the PSM shall require Council approval, as a master plan amendment. (PLANNING)

4. No building permits for the site shall be issued after December 31, 2026, unless extended by Palm Beach County Traffic Division through an equivalency letter or an updated Traffic Study approval consistent with this master plan approval. (TRAFFIC)
5. The project shall be developed consistent with the approved master plan and based on the use limitations below:

| USE* | INTENSITY/DENSITY LIMITATIONS* |
|--------------------------------------|---|
| Indoor and Outdoor Entertainment | <ul style="list-style-type: none"> - Outdoor 36-hole Miniature Golf - 8,000 SF Indoor Space with Restaurant, Event Space and Retail (Pro-shop) - Outdoor Bar/Dining Area |
| General Office | 1,030 SF |
| Daycare Facility | 18,000 SF / 210 children |
| Multi-family (Townhouse) Residential | 72 DUs |
| Single-family Residential | 100 DUs |

* The above uses/limitations are approved based on the traffic study dated August 14, 2023 and shall not generate more trips than indicated below.

| | | | |
|------------------------|------------|---------------------|------------|
| Net Daily Trips | | 2,034 | |
| AM Peak Hour | | PM Peak Hour | |
| In | Out | In | Out |
| 69 | 110 | 129 | 96 |

(PLANNING)

6. The Lotis 2 project land use allocation shall be as approved on the master plan/PSM. Council specifically approves a maximum of 58% (28.53-acre) land allocation for the single land use of residential within Pod C-1. (PLANNING)

- 109
- 110 7. The commercial pods (Pod A/Indoor and Outdoor Entertainment Miniature Golf
- 111 and Pod B/Daycare Facility) and the residential pods (Pod C-1/Single-family and
- 112 Townhouse Residential and Pod C-2/Clubhouse with ancillary office) shall be
- 113 developed concurrently, with a minimum of one (1) of the commercial pods (Pod
- 114 A or B) uses issued building permits prior to issuance of building permits for the
- 115 first residential building within Pod C-1. Certificate of Occupancy (CO) and/or
- 116 Temporary Certificate of Occupancy (TCO), for buildings within Pods A, B, and C-1
- 117 shall be issued based on the below limitations:
- 118
- 119 b. One (1) of the two (2) commercial pods shall receive a CO/TCO prior to 86
- 120 residential units receiving a CO/TCO, excluding up to six (6) units designated
- 121 as model homes on the approved Lotis 2 Site Plan.
- 122
- 123 c. Prior to the final residential units receiving a CO/TCO, the commercial pod that
- 124 was not issued permits as required above shall be issued building permits for
- 125 development of the remaining commercial pod. (PLANNING)
- 126
- 127 8. The 1,030 square feet general office is a required use type for this mixed-use
- 128 project. The general office space provided in Pod C-2 clubhouse building shall be
- 129 open for lease by the public in perpetuity and is not limited to the residents of the
- 130 residential pods. (PLANNING)
- 131
- 132 9. Pod D (4.24-acre) is a dedicated conservation area with 3.75-acre Cypress Preserve
- 133 Area and 0.49-acre public recreation area and shall be designated as conservation
- 134 by way of a restrictive covenant easements in favor of the Village of Wellington on
- 135 the Lotis 2 plat. The 3.75-acre Cypress Preserve Area shall be improved with
- 136 removal of all non-native and invasive species, and preservation of native species.
- 137 The Lotis 2 developer/owner shall provide a maintenance and preservation
- 138 management plan to Wellington for the protection and maintenance of the
- 139 preserve area. Said documents shall be submitted as part of the plat documents or
- 140 incorporated in the plat prior to issuance of the Land Development Permit. The
- 141 0.49-acre public recreation area shall be improved with a minimum of walking
- 142 path(s), seating (including trellis swing) and trash bins, and viewing areas with
- 143 educational signage. The 4.24-acre Pod D shall be maintained in perpetuity by Lotis
- 144 2 with the formation of a master property owners' association (POA). (PLANNING)
- 145
- 146 10. The private recreation areas/amenities, ~~clubhouse, mailroom,~~ and school bus
- 147 shelter in Pods C-1 and C-2 shall be completed prior to issuance of the 20th
- 148 Certificate of Occupancy (CO) for residential building within Pod C-1. A temporary
- 149 mail kiosk shall be installed prior to the issuance of the first CO for a residential
- 150 building in Pod C-1, excluding any sales model unit. The construction of the

clubhouse and mailroom amenity shall be completed prior to issuance of the 86th CO for residential building within Pod C-1. The developer shall provide all buyers (of residential units/lots within Pod C-1) notice the clubhouse and swimming pool amenities will not be constructed/completed or available for use prior to issuance of the 86th CO. The private recreation areas within Pods C-1 and C-2 shall total a minimum of 1.31-acre and include amenities in addition to benches and trash receptacles for the residents of residential development. (PLANNING)

11. The developer/owner is required to provide public land dedication for parks and recreation facilities as well as civic facilities for the 172 DU of residential development within the project. The public land dedication required for parks and recreation is 2.6 acres. The civic land dedication required is 0.52 acres. Required land dedication (3.12-acre total) shall be satisfied per the following:

- a. A 23% (approximately 1.877 AC) credit is approved for the developer provided public and private recreation areas with improvements and amenities as shown on the project's approved master plan, PSM and site plan (including landscape plan). The credit will be given towards the total 3.12-acre required for the Public Recreation and Civic land dedication requirement.
- b. The privately-owned public recreation areas and amenities as shown on the plans/PSM shall be available to the public in perpetuity by way of a restrictive covenant and access easements in favor of the Village of Wellington. Said documents shall be in place prior to the issuance of the first vertical building permit.
- c. The privately-owned public recreation areas at a minimum shall include multi-use asphalt pathway (min. 10-foot wide/sidewalk min. 5-foot wide) as shown on the approved plans, shade trees (average 40 ft. on center), seating and trash bins (at each recreation area and average 250 ft. on center along the pathway/sidewalk), trellis swing shade structures (min. 5), fitness stations (min. 3), lighting, shade structures, and dedicated parking, as illustrated on the plans/PSM, in locations and quantity as determined appropriate by Wellington's Development Review Manager (DM) for the project during the site plan review and approval. The public recreation areas shall be connected internally within Lotis 2 with a 10-foot wide asphalt multi-use pathway and/or five (5)-foot sidewalk, and connected to the Greenway multi-use asphalt pathway within the Lotis Wellington 1 project to the south at a minimum of four (4) cross-access points.

d. The public recreation areas and amenities shall be maintained by the Lotis 2 Property Owners' Association (POA). The maintenance requirements shall be provided with the Declaration of Restrictions and Covenants.

e. The remaining 1.243-acre (3.12 AC land required - 1.877 AC credit) land area requirement shall be met by an in-lieu payment based on a value that is \$50,000.00 per acre or the certified appraised fair market value per acre, whichever is greater, as approved administratively by Wellington when the in-lieu payment is required. The in-lieu payment shall be paid to Wellington, when impact fees are required for the residential uses at time of issuance of building permits. The in-lieu payment shall be in addition to the required Parks and Recreation Facilities Impact Fees as determined at time of building permit issuance. (PLANNING)

12. Construction cost associated with the public recreation areas improvements and amenities as illustrated on the approved site plan may be deducted from the required Wellington Parks and Recreation Facilities Impact Fees due at time of building permit issuance. The developer shall provide a certified construction cost (Reviewed/Approved by the DM) for the improvements and amenities, excluding land clearing, grubbing and rough grading; the removal of non-native, invasive species; and the preservation of native species within the Pod D 3.75-acre Cypress Preserve Area. If at such time as the Wellington Parks and Recreation Facilities Impact Fees are due and the public recreation areas improvements and amenities have not been constructed/completed, the developer shall post security in favor of Wellington in the form of a letter of credit or cash in escrow. The developer/owner shall post security prior to issuance of the first building permit for any residential building within the Lotis 2 project. The posted security shall then be partially released or distributed back to the developer, as applicable, at a pro-rata rate of completion of the public recreation areas improvements and amenities as evidenced by providing an engineer's affidavit of substantial completion. Wellington shall not release or distribute back to the developer any funds that exceed the posted security amount in the event the certified cost exceeds the required Wellington Parks and Recreation Facilities Impact Fees. (PLANNING)

13. This property/project is required to be platted. The plat shall be approved, and recorded, prior to the issuance of any building permits. (ENGINEERING)

14. The developer/owner shall submit the items below with the Land Development/Plat application to achieve Technical Compliance:

a. Soil/geotechnical report for the overall project. The report shall identify the locations of various types of soils, fill (construction rubble, etc.), and depths.

- 233
- 234 b. Surface water management (SWM) plan and wetland mitigation plan.
- 235
- 236 c. South Florida Water Management District (SFWMD) and any other federal or
- 237 state permit(s) approving the proposed changes to wetlands and/or surface
- 238 water boundaries within the overall project. Documents on approvals and/or
- 239 required improvement and mitigation as may be required by any state/federal
- 240 departments (USACE/SFWMD) shall be provided.
- 241
- 242 d. A plan for wetland protection during and after construction, shall be provided
- 243 per LDR Section 7.7.2-Wetlands.
- 244
- 245 e. Documentation that any required on-site cleanup has been completed in
- 246 compliance with Environmental Protection Agency (EPA) regulations.
- 247
- 248 f. Declaration of Restrictions and Covenants acceptable, which shall provide for
- 249 the creation of a single master property owners' association (POA) and the
- 250 assessment of members of the master association for the costs of maintaining
- 251 the common areas, roads/streets, landscape buffers, conservation area, public
- 252 and private recreation areas, lake, etc. (ENGINEERING/PLANNING)
- 253
- 254 15. Any proposed wetland mitigation within the overall project shall occur within
- 255 Wellington's boundaries if feasible. (PLANNING)
- 256
- 257 16. The lake in Pod E shall be:
- 258
- 259 a. A minimum 50-foot setback from the proposed lake top of bank to the property
- 260 lines. The top of bank shall be considered the point where the lake slope does
- 261 not exceed eight (8) foot horizontal to one (1) foot vertical.
- 262
- 263 b. A maximum slope of 4:1 (horizontal: vertical) to a minimum of two (2)-foot
- 264 below the control elevation of the proposed lake. From two (2)-foot below the
- 265 control elevation of the proposed lake to a minimum depth of six (6) feet below
- 266 the control elevation of the proposed lake, the maximum slope shall be no
- 267 steeper than a 2:1 (horizontal: vertical), or as permitted by SFWMD, whichever
- 268 is the more stringent requirement.
- 269
- 270 c. Improved with littoral zone/planting, fountains (min. 1), etc., as illustrated on the
- 271 approved master, site and land development plans. The ongoing operation,
- 272 maintenance, insurance, etc., of the lake/greenway shall be the responsibility of
- 273 the Master POA for the project.
- 274

d. Connected by a drainage easement to the lake on the Lotis Wellington 1 project for water to flow through to outfall. (ENGINEERING/PLANNING)

17. 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)

18. 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)

19. Cross-access and access connections are required and approved per the following:

a. Vehicular cross-access, with pedestrian, connections shall be provided to promote inter-connectivity between adjacent properties to the Wellington Reserve Office Park along the north with a minimum of two (2) connections and to the Lotis Wellington 1 along the south with a minimum of two (2) connections (not including required Greenway cross-access).

b. Pedestrian cross-access connections shall be provided to the Lotis Wellington 1 property along the south with a minimum of four (4) Greenway multi-use asphalt pathway and two (2) pedestrian connection points.

c. Minor relocations and/or additions of cross-access points on the master plan may be administratively approved to ensure intent of this condition is met during the development of this project and ensure connections to surrounding properties/projects. All other cross-access changes or reductions shall require Council approval, as a master plan amendment.

d. All cross-access connections/points shall be within easements and shall be shown on the plat, and be dedicated as required. Amendment to the access easements may be done by separate instrument.

e. The cross-access connections to the projects along the south shall be constructed in conjunction with the main north/south spine drive aisle for the centrally located cross-access, and the improvements in the area of the other cross-access on Lotis 2. All other connections shall be constructed in conjunction with the improvements in the area/pod prior to issuance of CO/TCO.

f. Any required improvements, including road, sidewalk/pathways, bridges, piping, etc., shall be permitted and completed when the cross access and access connections are required as indicated above.

(PLANNING/TRAFFIC/ENGINEERING)

20. Enhanced crosswalk system shall be provided for anticipated heavy traffic flow roadway/intersections (at a minimum 1 location) to ensure a safer environment for pedestrians of this project. At minimum, the enhanced crosswalk system should include paver/stamped concrete crosswalk, detectable warning, and LED solar powered flashing crosswalk signs and in-pavement indicator lights that are activated via braille push buttons and/or automatic activation methods. At minimum, the other crosswalk locations throughout the site shall be paver/stamped concrete and include detectable warning. (PLANNING)

21. The County traffic concurrency approval is subject to the Project Aggregation Rules as set forth in the Traffic Performance Standards Ordinance. If the Lotis Wellington 1 and Lotis 2 projects are ever aggregated on any plans, then the traffic impacts on the Wellington roadways and intersections must be readdressed for the aggregated project. (TRAFFIC)

22. Prior to the issuance of the first building permit, the owner/developer (Lotis 2) shall begin construction on the following improvements, and construction shall be completed prior to the issuance of the first CO/TCO.

a. Right-turn lane north approach on State Road 7 (SR 7) at the proposed access to County minimum standards, or as approved by the Florida Department of Transportation (FDOT) or Palm Beach County (PBC) Engineer, as appropriate.

b. Extend the existing left/U-turn lane south approach storage lane on SR 7 immediately north of the proposed access to maximum extent, or as approved by the FDOT or PBC Engineer, as appropriate.

c. Extend the existing left/U-turn lane north approach storage lane on SR 7 immediately south of the proposed access to maximum extent, or as approved by the FDOT or PBC Engineer, as appropriate.

d. Permits required from FDOT for the above construction shall be obtained prior to issuance of any LDP and building permit. (TRAFFIC/PLANNING)

23. A Developers Agreement will be required by the Utility Department to reserve water and sewer capacity for the project. Payment of capacity fees per Village Resolution R2018-35 shall be required to reserve capacity. The Developers Agreement must be executed and approved by Village Council prior to the execution of the Palm Beach County Health Department Water and Sewer permits by the Village Utility Director. (UTILITIES)

24. Applicant is advised lift stations serving the project will be required to be upgraded to meet current standards. Additionally, other off-site utility infrastructure supporting the project may require improvements to support the additional density. Owner/developer is responsible for the funding and construction of all on-site and off-site improvements/upgrades as necessary. (UTILITIES)

25. A looped system will be required. Where feasible and reasonable, connections to the existing stub-outs at the adjacent parcels to the north, east, and south will be required. Looping from the west across the LWDD S-5 canal will not be required. Dead end water mains are not permitted. (UTILITIES)

26. All water mains will be public up to the point of service. All wastewater mains, subject to approval by the Wellington Utilities Department, will be public up to the point of service. Utility facilities must be located in the rights-of-way or in a dedicated exclusive water main or wastewater easement. Easement widths shall comply with the Village of Wellington Water and Wastewater Systems Construction and Standards Manual (current edition). All utility easements shall provide for un-hindered access to all facilities and mains in accordance with the standards manual. (UTILITIES)

27. The developer/applicant must apply for and obtain a Major Utility Permit prior to the development of the proposed improvements. (UTILITIES)

28. A covered school bus shelter (minimum 15' X 25' for the number of residential units) shall be provided for the residential pod, with bicycle racks for a minimum capacity of eight (8), benches/seating for a minimum capacity of eight (8), trash receptacles at each bench/seat location and continuous paved access shall be provided. Prior to the issuance of the first Certificate of Occupancy for any residential building, the covered school bus shelter shall be constructed with consistent colors, materials and roof treatment as the overall project. (PLANNING)

- 401
- 402 29. To address the school capacity deficiency generated by the proposed
- 403 development at the District elementary, middle, and high school levels, the
- 404 property owner shall contribute a total of \$632,402.00 to the School District of
- 405 Palm Beach County prior to issuance of first residential building permit. (PBC
- 406 SCHOOL DISTRICT)
- 407
- 408 30. Benches/seating, trash receptacles/bins and bicycle rack shall be provided at the
- 409 building entry and throughout the site, with the final number and locations as
- 410 required with the site plan review. Trash bins should be provided at seating
- 411 location(s) on the plans. Shade structures and/or landscaping (trees/palms,
- 412 shrubs, etc.) shall be provided for the seating areas throughout the site.
- 413 (PLANNING)
- 414
- 415 31. Foundation planting areas (including trees/palms) shall be provided along the
- 416 street/corner side of all buildings (non-residential and residential). (PLANNING)
- 417
- 418 32. Hedges (min. 24"/max. 36") shall be provided along the parking areas for the
- 419 multi-family units, and setback (max. 24") from the front lot line. (PLANNING)
- 420
- 421 33. Shade/canopy street trees (min. 16 ft. OA height and 5 ft. CT), and pedestrian
- 422 street lights shall be provided along both sides of roads/streets within the Lotis 2
- 423 project. Bicycle lanes shall be provided along both sides of the spine road before
- 424 any gated entries. The pedestrian street light poles, and regulatory traffic/street
- 425 signs and poles shall be a decorative design, and the design shall be submitted
- 426 for ARB approval prior to permitting. (PLANNING)
- 427
- 428 34. The street trees required along all roads/streets within the project shall be
- 429 hardwood shade/canopy tree species. An alternative street tree design is
- 430 approved along the project's main access boulevard (road/street) to include
- 431 large/focal palm species at a maximum of 25% the trees required along that street,
- 432 and accent/flowering trees/palms are approved at corners/intersections to create
- 433 a focal point within the residential pod. Street trees in the residential pod are
- 434 allowed within the residential lots along the street (setback a maximum of 11 feet
- 435 from the lots front or side corner property lines) as approved in the project's PSM
- 436 and/or site landscape plans, but the number of trees required shall not be
- 437 reduced. The street trees provided in the residential lots are not to meet the lot
- 438 requirements, and shall be dedicated on the plat to the residential pod
- 439 homeowner's association/property owner's association in perpetuity. (PLANNING)
- 440
- 441 35. The developer shall pay into the Wellington Tree Fund for any required street trees
- 442 not provided in the multi-family section of the residential pod as shown on the

plans/PSM. The payment shall be \$600 per tree if a maximum of 25% of the required street trees within the multi-family section will not be provided, or the cost the developer would pay to provide the street trees on-site if more than 25% of the trees will not be provided in the multi-family section. The payment amount, if more than 25%, shall be per a landscape architect certified cost estimate for the shade/canopy tree species as approved by the DM. Payment in-lieu of providing the trees shall be made to Wellington prior to issuance of the first building permit for a residential building in the residential pod. (PLANNING)

36. The perimeter landscape buffers shall be shown as an easement or separate tract on the plans and plat, and are approved to be installed per the approved project phasing. The landscape buffer along the east property line shall be installed prior to the issuance of the first Certificate of Occupancy for any building within the project. Landscape buffer shade canopy trees shall be 25 feet on center and hedge height shall be a minimum of three (3) feet in height at installation. (PLANNING)
37. The east perimeter landscape buffer shall include multi-tiered landscaping with a berm and continuous hedge, installed and maintained at three (3) feet, shrubs/groundcover on both sides of the hedge at intermittent intervals along with the required landscaping per requirements of the LDR for this project zoning. (PLANNING)
38. Developer/owner shall provide a certified cost estimate (by FL. Registered Landscape Architect or Engineer) for the project's perimeter landscape buffer and interior landscaping materials, installation, irrigation, labor, etc. Surety/bond(s) in the form acceptable to Wellington in the amount of 110% of the estimate shall be posted for the project's perimeter landscape buffer and interior landscaping, in addition to the other bonds required for site improvements per the LDP, with the Engineering Department. Landscape permit(s) shall also be required prior to installation. (PLANNING)
39. Developer is required to pay (prior to issuance of any LDP) \$75 per linear foot of frontage along State Road 7 for landscape and plantings. (ENGINEERING/PLANNING)
40. Developer is required to pay (prior to issuance of any LDP) \$75 per linear foot of frontage along State Road 7 for boardwalk or construct an eight (8)-foot wide sidewalk prior to the issuance of the first CO/TCO. (ENGINEERING/PLANNING)
41. The landscaping in street corridor, pathways, non-residential pods, recreation areas, etc., within this Planned Development District shall exceed the minimum landscape requirements for size/height by 30%. (PLANNING)

- 485
- 486 42. Additional height for perimeter and internal trees/palms is required per Table 7.8-
- 487 1 Tree Size of the LDR, in addition to any other requirements for structures over
- 488 35 feet in height. The trees/palms with the additional height shall be required and
- 489 remain in place as long as the structures remains. The additional trees/palms
- 490 height as required shall be noted/shown on the project approved landscape plans
- 491 to indicate how this requirement will be met. (PLANNING)
- 492
- 493 43. Prior to site plan approval, the landscape plans must show adequate compatible
- 494 landscape buffering between adjacent commercial and residential land uses. The
- 495 landscape plans shall be approved as a part of the site plan. (PLANNING)
- 496
- 497 44. The common areas, landscaping, site amenities, etc., shall be completed in
- 498 conjunction with the adjacent building(s) within each Pod and prior to the
- 499 issuance of any Certificate of Occupancy/Certificate of Completion of adjacent
- 500 building(s)/improvement(s). (PLANNING)
- 501
- 502 45. The State Road 7 median and swale along the project's frontage shall be
- 503 landscaped and hardscaped as approved by Wellington and FDOT, and be
- 504 maintained by the Lotis 2 Master POA. An agreement between Wellington and/or
- 505 FDOT and the Master POA shall be required for maintenance of the median/swale
- 506 areas along the project's frontage. The maintenance agreement shall be executed
- 507 upon completion of the improvements as approved. (PLANNING)
- 508
- 509 46. This project shall be designed with central square/focal point, that shall be
- 510 approved on the site plan. The design of the central square/focal point shall
- 511 incorporate:
- 512
- 513 a. Pedestrian circulation around the buildings with connections to other
- 514 buildings/uses.
- 515
- 516 b. Arcades, overhead weather protection, etc., that connects all ground level
- 517 activities and provides direct access to any outparcels, sidewalks or other
- 518 pedestrian amenities including mass transit facilities, bicycle parking areas, etc.
- 519
- 520 c. Walkways/sidewalks a minimum of 10-feet wide shall be provided.
- 521
- 522 d. Minimum 100 square feet of shaded area with benches every 100 linear feet in
- 523 length for the pedestrian walkways.
- 524

e. Main boulevard (road/street) with a landscaped median divider with canopy and accent trees, shrubs, ground cover, etc., and includes street trees along both sides of roads/streets. (PLANNING)

47. Electric vehicle (EV) charging stations (Level 2 or Direct-current fast charging) shall be provided for a minimum of five (5%) percent of the required parking within the commercial pods, common areas of the residential pod, and pods/areas with parking spaces (assigned or shared parking). A minimum of one (1) EV charging station (Level 2 or Direct-current fast charging) shall be provided at the clubhouse and any recreation areas with parking spaces. Each EV charging station shall serve one (1) charging space/EV. The residential units within the residential pod shall be EV capable with electrical panel capacity and conduit for future Electric Vehicle Supply Equipment (EVSE) installation by the unit owner. (PLANNING)

48. Prior to site plan approval, designate five percent (5%) of the parking spaces in the commercial pods as preferred parking for car pool vehicles, rideshare service, etc. The amount may be reduced, as determined by Wellington's Development Review Manager for the project, if documentation is provided with the site plan review that the intended use(s) will not require all the parking spaces per the intent of the condition. (PLANNING)

49. The developer shall ensure this project is developed to be consistent with green certification standards found within the Florida Green Building Coalition, the US Green Building Council Leadership in Energy and Environmental Design (LEED) manual, or other acceptable environmental, and building standards as determined by Wellington's Development Review Manager for the project during the building permit development approval/inspection process. Documentation indicating which green building standards were met shall be provided six (6) months after the issuance of CO for the buildings. (PLANNING)

50. A minimum five (5) foot opaque wall is required along the common property line for open roof structures, and a minimum eight (8)-foot opaque wall is required for solid roof structures, for the multi-family/townhouse residential buildings. (PLANNING)

51. Any multi-family residential buildings without an attached garage shall have reserved parking space for each unit. (PLANNING)

52. An agreement shall be recorded to provide cross-access and shared parking with adjacent lot owners of the commercial pods/outparcels within this project as required when the property is submitted for subdivision plat approval. The

566 agreement shall be provided with the Land Development/Plat applications.
567 (PLANNING)

568
569 53. Any businesses operating between the hours of 12:00 AM and 6:00 AM shall be
570 located at least 200 feet from any dwelling unit, measured from the closest points
571 of each structure/use. (PLANNING)

572
573 54. Garbage/recycling pickup, and deliveries shall not occur between the hours of 9:00
574 PM and 6:00 AM. There shall be no idling of delivery or similar vehicles between
575 the hours of 10:00 PM and 6:00 AM. Overnight storage or parking of delivery
576 vehicles or trucks shall not be permitted on site, except in designated loading and
577 delivery areas. All delivery and loading areas built to accommodate semi-trucks,
578 tractor trailers, moving vans, etc., shall be screened from view. (PLANNING)

579
580 55. All roof-mounted air conditioning, mechanical equipment, vents, etc., shall be
581 completely screened from view on all sides in a manner consistent with the color,
582 character and architectural style of the principal structure. (PLANNING)

583
584 56. All above ground and wall mounted utility/transformer box, mechanical
585 equipment, valves, etc., shall be located on-site with required screening on a
586 minimum of three (3) sides that provide required screening, while maintaining
587 required three (3) feet clearance and height to meet or exceed equipment being
588 screened. The screen opening shall be away from public view (including adjacent
589 property) and/or additional shrubs will be required at inspection. The screening
590 shall occur in a manner consistent with the color, character and architectural style
591 of the principal structure and may incorporate landscaping as an element of
592 screening. (PLANNING)

593
594 57. The developer shall take measures to ensure that during site development
595 dust/debris particles from the development do not become a nuisance to the
596 neighboring properties. (PLANNING)

597
598 58. All gates shall be designed and approved for emergency vehicle access with
599 universal remote approved by all emergency agencies, including but not limited
600 to Palm Beach County Fire and the Palm Beach County Sheriff. Additionally, all
601 gate codes and access shall be granted to Wellington for Code Compliance and
602 other emergency purposes. (PLANNING/ENGINEERING)

603
604 61. The developer/owner shall install a six (6) foot high black vinyl coated chain link
605 fence along the entire west and north Lotis 2 property lines adjacent to the Black
606 Diamond development. (PLANNING)

SECTION 2. The Lotis Wellington 2 (Lotis 2) Conditional Uses are hereby approved for the property legally described in Exhibit A, subject to the following conditions of approval:

1. One (1) daycare facility for up to 210 children is allowed within Pod B. The hours of operation are 5:00 AM to 10:00 PM seven (7) days a week. A minimum of two (2) staff members shall be located in the parking area to facilitate pickup and drop-off during the AM and PM peak hours. A central sign-in/sign out location shall be provided to ensure security. (PLANNING)
2. One (1) entertainment use (indoor/outdoor) is allowed within Pod A, with 8,000 square feet of indoor space that includes restaurant, event space and retail (Pro-shop), outdoor bar/dining area, and an outdoor 36-hole miniature golf. The hours of operation are 10:00 AM to 12:00 AM Sunday to Thursday and 10:00 AM to 1:00 AM Friday to Saturday. An alternative miniature golf parking rate is approved at one (1) parking space per golf hole as shown in the project PSM. The outdoor miniature golf area shall be enclosed with a fence type/design that will confine golf balls to the designated area. One (1) scoreboard LED/jumbotron display screen is allowed within the outdoor miniature golf area, with the display screen not visible along State Road 7 and the area along State Road 7 is screened with additional landscaping above any LDR requirements.
3. The owner and/or operator shall obtain all appropriate federal, state, and local permits/licenses prior to operating the uses. (PLANNING)

SECTION 3. This Resolution shall become effective upon approval.

PASSED AND ADOPTED this _____ day of _____, 2025.

ATTEST:

WELLINGTON

By: _____
Chevelle D. Hall, Wellington Clerk

By: _____
Michael J. Napoleone, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____
Laurie S. Cohen, Attorney for Wellington