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**RESOLUTION NO. R2020-48**

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, FOR A MASTER PLAN [PETITION NUMBER 2019-0001-MP] AND CONDITIONAL USE [PETITION NUMBER 2019-0002-CU] FOR CERTAIN PROPERTY, KNOWN AS LOTIS WELLINGTON, TOTALING 64.02 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; APPROVING A MASTER PLAN TO ALLOW A MIXED USE PROJECT CONSISTING OF 49,056 SQUARE FEET OF RESTAURANT AND RETAIL, 2,500 SQUARE FEET OF FINANCIAL INSTITUTION WITH DRIVE-THRU, 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; APPROVING A CONDITIONAL USE FOR A FINANCIAL INSTITUTION WITH DRIVE-THRU, CLF TYPE 3, AND GENERAL DAYCARE FACILITY; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Council, as the governing body of the Village of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Land Development Regulation 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 Land Development Regulation, as adopted by Wellington, have been satisfied; and

**WHEREAS**, the current Wellington Future Land Use Map designation for the 64-acre project known as Lotis Wellington is Mixed Use (MU); and

**WHEREAS**, the current Wellington Zoning Map designation for the 64-acre project known as Lotis Wellington is Multiple Use Planned Development (MUPD); and

**WHEREAS**, the Lotis Wellington Master Plan and Conditional Uses were reviewed and certified by the Development Review Manager; and

**WHEREAS**, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on October 14, 2020, recommended \_\_\_\_\_ of the Lotis Wellington Master Plan and Conditional Uses with a \_\_\_ to \_\_\_ vote; and

47           **WHEREAS**, the Council has taken the recommendations from the Local Planning  
48 Agency, Wellington staff and the comments from the public into consideration for the  
49 proposed Master Plan Amendment and Conditional Uses.

50  
51           **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF WELLINGTON,**  
52 **FLORIDA, THAT:**

53  
54           **SECTION 1.** The Lotis Wellington Master Plan is hereby approved for the property  
55 legally described in Exhibit “A”, subject to the following conditions of approval:

- 56  
57           1. The subject site shall be governed by the conditions of approval within this  
58 resolution and based on the Master Plan as provided in Exhibit “B”. All previous  
59 conditions of approval for a portion of the subject project, as referenced in  
60 Ordinance No. 2006-08 and Resolution No. R2006-26, are not valid due to  
61 expiration of the previous Master Plan and Conditional Use approvals. Resolution  
62 No. R2006-26 is no longer valid, in its entirety. This does not affect the Zoning  
63 designation of MUPD, as approved by Ordinance No. 2006-08. (PLANNING)  
64  
65           2. Development of the site shall be limited to the uses, access, acreage, site design,  
66 site amenities, and landscape buffers approved on the Master Plan, Regulating  
67 Plan, Circulation Plan, and Phasing Plan (Exhibit “B”). The final plans consistent  
68 with any Council approved changes and conditions of approval imposed by Council  
69 shall be submitted for final processing, if applicable. (PLANNING)  
70  
71           3. No building permits for the site shall be issued after December 31, 2023, unless  
72 extended by Palm Beach County Traffic Division through an equivalency letter or  
73 an updated Traffic Study approval consistent with this master plan approval.  
74 (TRAFFIC)  
75  
76           4. The project shall be developed consistent with the approved master plan based on  
77 the use limitations below:

USE	INTENSITY/DENSITY LIMITATIONS
Quality Restaurant (Indoor & Outdoor)	23,676 SF (Min.) / 41,856 SF (Max.)*
Retail	7,200 SF (Min.) / 23,900 SF (Max.)*
Medical Office	40,000 SF
Professional Office	16,700 SF
Multi-family Residential	191 DUs
CLF - Independent Living Facility (ILF)	150 DUs
CLF - Assisted Living Facility (ALF)	110 Beds
Daycare Facility	15,000 SF / 210 children
Bank (with drive-thru)	2,500 SF

78 \*Quality restaurant and retail may be mixed with a combined minimum of 47,576  
79 SF and maximum of 49,056 SF. Any restaurant/retail use mix shall not generate  
80 more equivalent peak hour directional trips than indicated in the approved traffic  
81 study dated July 2, 2020. (PLANNING/TRAFFIC)  
82

83 5. The commercial (Pods A and B) and residential development (Pod C) shall be  
84 developed concurrently, with a minimum of 40,000 SF of the commercial  
85 development within Pods A and B issued building permits prior to issuance of  
86 building permits for the first residential building. Certificate of Occupancy (CO) for  
87 buildings within Pods A, B, and C shall be issued based on the below limitations:  
88

89 a. 52,000 SF (excluding restaurant outdoor seating) of commercial development  
90 shall receive a CO prior to 96 residential units receiving a CO.  
91

92 b. An additional 20,000 SF (excluding restaurant outdoor seating) of commercial  
93 development shall receive a CO prior to each additional 20 residential units  
94 receiving a Co, up to the overall maximum of 191 units. (PLANNING)  
95

96 6. The private recreation areas/amenities, clubhouse, mailroom, and school bus  
97 shelter in Pods C and F shall be completed prior to issuance of the first Certificate  
98 of Occupancy (CO) for residential/CLF building within each respective Pod. The  
99 trash compactor shall be completed when the adjacent buildings CO are issued.  
100 (PLANNING)  
101

102 7. The developer/owner is required to provide public land dedication for parks and  
103 recreation facilities as well as civic facilities pursuant to the Land Development  
104 Regulations. The land dedication required for parks and recreation is 4.63 acres.  
105 The civic land dedication required is 0.92 acre. Required land dedication may be  
106 addressed or satisfied per the following:

107 a. A 25% credit of the gross site area will be given towards the Public Recreation  
108 and Civic land dedication requirement for the Greenway and Cypress Preserve  
109 areas.  
110

111 b. The Greenway (2.86 acres) and Cypress Preserve Area (0.60 acre) shall be  
112 available to the public by way of a restrictive covenant and access easements  
113 in favor of the Village of Wellington. Said documents shall be in place prior to  
114 the issuance of the first vertical building permit.  
115

116 c. The public Greenway system shall contain a multi-use asphalt pathway with  
117 shade trees, seating areas, fitness stations, lighting and shade structures  
118 around the 18-acre lake and a gathering/green space with a dog park area as  
119 illustrated on the approved plans.  
120

121 d. The Greenway system and Cypress Preserve Area shall be maintained by the  
122 Lotis Wellington Property Owners' Association (POA). The maintenance

123 requirements shall be provided with the Declaration of Restrictions and  
124 Covenants as required below in Condition 11.h.

125  
126 e. The remaining land area requirement may be met by an in-lieu payment based  
127 on appraised land value and Section 8.5.2.E of the Land Development Code,  
128 and the total payment value will be deducted from the required Parks and  
129 Recreation Facilities Impact Fees determined at time of building permit for  
130 residential uses (including CLF ILF/ALF). (PLANNING)

131  
132 8. All certified construction costs associated with the Greenway and Cypress  
133 Preserve areas improvement and public amenities will also be deducted from the  
134 required Parks and Recreation Facilities Impact Fees. If at such time as the Parks  
135 and Recreation Facilities Impact Fees are due and the recreation amenities (as  
136 required by the approved master/site plan) have not been constructed, the  
137 developer shall place the required funds in escrow. The escrow funds shall then  
138 be distributed back to the developer at a pro-rata rate of completion of the public  
139 amenities. The Village shall not distribute back to the developer any funds that  
140 exceed the escrow amount in the event the certified cost exceed the required  
141 impact fees. (PLANNING)

142  
143 9. The developer/owner shall provide an escrow per a certified construction costs for  
144 the public Greenway and Cypress Preserve Area improvements as illustrated on  
145 the project's approved master plan and site plan prior to issuance of the first  
146 building permit for any multi-family building and/or CLF building. (PLANNING)

147  
148 10. A 10-foot wide asphalt multi-use pathway (8' wide for the north-south section  
149 along Pod C) around the lake in Pod G, shade trees (average 40 ft. on center),  
150 seating and trash bins (average 250 ft. on center), shade structures, and fitness  
151 stations (min. 8) shall be provided for the Greenway. The pathway may have  
152 varying widths (8 to 10 ft.) in some locations as determined appropriate by staff  
153 during the site plan review and approval. (PLANNING)

154  
155 11. The Cypress Preserve Area (Wetland 1) shall be improved with removal of all non-  
156 native and invasive species, preservation of native species, walking paths, seating  
157 and trash bins. The Cypress Preserve shall be designated as conservation by way  
158 of a restrictive covenant easements in favor of the Village of Wellington. Said  
159 documents shall be submitted as part of the plat documents or incorporated in the  
160 plat and prior to issuance of the Land Development Permit. (PLANNING)

161  
162 12. The developer/owner shall submit below items with the Land Development/Plat  
163 application in order to achieve Technical Compliance.

164  
165 a. Soil/geotechnical report for the overall project. The report shall identify the  
166 locations of various types of soils, fill (construction rubble, etc.), and depths.

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168 b. Surface water management (SWM) plan and wetland mitigation plan.

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- c. South Florida Water Management District (SFWMD) and any other federal or state permit(s) approving the proposed changes to wetlands and/or surface water boundaries within the overall project. Documents on approvals and/or required improvement and mitigation as may be required by any state/federal departments (USACE/SFWMD) shall be provided.
  - d. Plan for wetland protection during construction. Buffer zones shall be provided around wetland(s) protection during and after construction.
  - e. Documentation that all mining operation permit(s) are closed out and/or required site reclamation requirements.
  - f. Remediation for the reclaimed mining operation/lake and water quality report. If remediation is not required, provide an analysis prepared, signed, and sealed by a Professional Environmental Engineer currently registered in the State of Florida, demonstrating that remediation is not required.
  - g. Documentation that on site cleanup and storage tank(s) removal has been completed in compliance with Environmental Protection Agency (EPA) regulations.
  - h. Declaration of Restrictions and Covenants acceptable, which shall provide for the creation of a single master property owners' association (POA) and the assessment of members of the master association for the costs of maintaining the common areas, roads/streets, landscape buffers, Greenway, Cypress Preserve Area, lake, etc.  
(ENGINEERING/PLANNING)
13. All mining operation within the overall project shall conclude within 30 days of the effective date of this resolution. (PLANNING)
14. Any proposed wetland mitigation within the overall project shall occur within Wellington's boundaries if feasible. (PLANNING)
15. The lake in Pod G shall be:
- a. A minimum 50-ft. setback from the proposed lake top of bank to the property lines.
  - b. 4:1 maximum to 2-feet below the control elevation and then 2:1 maximum thereafter/below the control elevation for the Lake Bank Slopes.
  - c. Improved with littoral zone/planting, fountains (min. 2), etc., as illustrated on the approved master, site and land development plans. The ongoing operation,

214 maintenance, insurance, etc., of the lake/greenway shall be the responsibility  
215 of the Master POA for the project.  
216 (ENGINEERING/PLANNING)  
217

218 16. This property/project is required to be platted. The plat shall be approved, and  
219 recorded, prior to the issuance of any building permits. (ENGINEERING)  
220

221 17. A Land Development Permit, issued by the Village of Wellington Engineering  
222 Department, is required prior to any earthwork or construction taking place. The  
223 Land Development Permit must be closed out prior to any Temporary Certificates  
224 of Occupancy (T.C.O.) or Certificates of Occupancy (C.O.) are issued for any  
225 buildings or structures. (ENGINEERING)  
226

227 18. Cross access and access connection is required and approved per the following:  
228

229 a. Cross access, vehicular and pedestrian, shall be provided to promote inter-  
230 connectivity between adjacent properties to the north with a minimum of two  
231 (2) connections and to the south with a minimum of three (3) connections.  
232

233 b. Pedestrian access to the Greenway shall be provided to the property along the  
234 north with a minimum of two (2) connections, to the property along the south  
235 with a minimum of one (1) connection, and to the property along the west with  
236 a minimum of one (1) connection. Pedestrian access to the Cypress Preserve  
237 Area walking path shall be provided to the property along the south with a  
238 minimum of one (1) connection.  
239

240 c. Minor relocations and/or additions of cross access points on the master plan  
241 may be administratively approved to ensure intent of this condition is met during  
242 the development of this project and ensure connections to surrounding  
243 properties/projects. All other cross access changes or reductions shall require  
244 Council approval.  
245

246 d. The developer/owner shall contact the residential development to west  
247 (Wellington's Edge) regarding pedestrian pathway and access connection to  
248 the Greenway system. If consent is granted to complete this connection, the  
249 developer shall do so during the development of this project. If Wellington's  
250 Edge does not consent or desire to have a connection, then the developer shall  
251 not be required to complete the connection.  
252

253 e. All access easements shall be shown on the plat. Access agreements between  
254 this project and the adjacent properties/projects shall be provided with the Land  
255 Development Permit/Plat applications.  
256

257 f. Parking spaces with an angle between 70 and 90 degrees shall not be allowed  
258 along the centrally located north/south spine drive aisle to minimize impacts on  
259 traffic circulation/flow.

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- g. Construction of the north/south drive aisle, as shown on the approved plans, shall be completed prior to operation of the traffic signal at the primary entry to the project on State Road 7.
  - h. The cross access connection to the project along the south (Wellington Regional Medical Center-WRMC) shall be constructed with completion of the north/south spine drive aisle, and with development of Pod B. The north/south drive aisle cross access point connection to the south will require construction of a new road on the WRMC property, the Lotis Wellington developer/owner shall provide information on the road construction planning progress with the Land Development Permit/Plat applications and coordinate with WRMC on construction of the road to ensure completion prior to issuance of the last CO within Pods A or B of this project, and/or within one (1) year of the north/south drive aisle completion, whichever occurs first.
  - i. The cross access connection to the projects/properties along the north shall be constructed to the storage facility location prior to operation of the traffic signal, and prior to issuance of CO for future development of the current vacant property to the north (Four Four One Partners Inc.).
  - j. Access connection(s) to the Greenway shall be constructed to the property along the north and south prior to issuance of CO for future development of the current vacant properties/projects to the north (Four Four One Partners Inc.) and south (WRMC).
  - k. Access connection to the Cypress Preserve Area walking path shall be constructed prior to issuance of CO for future development of the current vacant property/project to the south (WRMC).
  - l. 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)
19. An enhanced crosswalk system shall be provided for anticipated heavy traffic flow roadway/intersections at the three (3) locations illustrated on the approved plans 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)
20. The Property Owner shall fund the cost of and construct a signal, if warranted, as

306 determined by the County Engineer, on State Road 7 at Project's main entrance.  
307 Signalization shall be mast arm structure installation or as approved by the County  
308 Engineer/FDOT. The cost of signalization shall also include all design costs and  
309 any required utility relocation and right of way or easement acquisition.  
310

311 a. No building permits shall be issued until the Property Owner provides  
312 acceptable surety to the County Traffic Division in an amount as determined by  
313 the Director of the Traffic Division.  
314

315 b. In order to request release of the surety for the traffic signal for the above  
316 intersection, the Property Owner shall provide written notice to the County  
317 Traffic Division stating that the final certificate of occupancy has been issued  
318 for the development and requesting that the a signal warrant study be  
319 conducted at the intersection. The County Traffic Division shall have 24  
320 months from receipt of this notice to either draw upon the monies to construct  
321 the signal or release the monies. In the event that the property is sold, the  
322 surety may be returned once the County Traffic Division receives written  
323 documentation of the sale and replacement surety has been provided to the  
324 County Traffic Division by the new Property Owner. The surety will also be  
325 released if the Property Owner constructs the signal and the signal has been  
326 accepted by the County after final inspection. (TRAFFIC)  
327

328 21. The Property Owner shall construct the following on SR 7 at the project entrance:  
329

330 a. A right-turn lane north approach;  
331

332 b. Left-turn lane north approach;  
333

334 c. Left-turn lane south approach. The south approach left-turn lane shall be a  
335 minimum of 500 feet in length plus 50-foot taper. The existing U-turn lane,  
336 south of the project entrance, shall be closed as approved by FDOT.  
337

338 d. Permits required from FDOT for this construction shall be obtained prior to  
339 issuance of any building permit.  
340

341 e. Construction shall be completed prior to the issuance of the first certificate of  
342 occupancy. (TRAFFIC)  
343

344 22. The Property Owner shall construct two (2) ingress lanes and four (4) egress  
345 lanes (dual left and dual right-turn lanes) on the eastbound approach of the project  
346 access driveway on SR 7 to maximum extent feasible to accommodate the  
347 forecasted traffic demands. Construction shall be completed prior to the issuance  
348 of the first certificate of occupancy. (TRAFFIC)  
349

350 23. Developer is responsible for the funding and construction of all on-site and off-site  
351 improvements/upgrades necessary to existing lift stations, water distribution

352 systems, sanitary systems, and force main systems to support the project  
353 densities. (UTILITIES)

354  
355 24. Developer shall enter into Developer Agreement with the Village of Wellington to  
356 reserve water, sewer and fire system capacity. The Village cannot guarantee  
357 capacity until the Developer Agreement has been fully executed and approved by  
358 Council and all capacity fees paid in full. (UTILITIES)

359  
360 25. Water, Sewer and Fire Line Capacity fees, based on current rates, shall be paid  
361 at the time the Developer Agreement is executed and before any applications for  
362 construction of water and sewer facilities are made to the Palm Beach County  
363 Health Department. (UTILITIES)

364  
365 26. Lift stations serving the project will be required to be upgraded to meet current  
366 Village of Wellington standards. Specifically, Lift Station 101 will be impacted and  
367 will require upgrades. Upgrades to the Master Lift Station 92 may be required as  
368 well. (UTILITIES)

369  
370 27. Site soil conditions may prohibit any proposed trenches to be dewatered  
371 effectively due to the previous use of the site. As such, water and sewer utilities  
372 may not be able to installed "in the dry" in accordance with Village of Wellington  
373 Utilities Department and AWWA standards. All installation methods that are not in  
374 accordance with Wellington Utilities Department and AWWA standards shall be  
375 subject to approval by the Wellington Utilities Department. (UTILITIES)

376  
377 28. All water and wastewater mains will be public up to the point of service. Utility  
378 easements must be located in the rights-of-way or in a dedicated exclusive water  
379 main or wastewater easement. Easement widths shall comply with the Village of  
380 Wellington Water and Wastewater Systems Construction and Standards Manual  
381 (current edition). All utility easements shall provide for un-hindered access to all  
382 facilities and mains in accordance with the standards manual. (UTILITIES)

383  
384 29. The developer/applicant must apply for and obtain a Major Utility Permit prior to  
385 the development of the proposed improvements. (UTILITIES)

386  
387 30. A looped water main system will be required. Connections with adjacent parcels  
388 to the north and south will be required. Dead-end water mains will not be allowed  
389 including temporary dead-ends between phases of construction. (UTILITIES)

390  
391 31. A covered school bus shelter (minimum 10' X 15') shall be provided for the multi-  
392 family residential pod, with bicycle racks (8 station), benches/seating (8 person),  
393 trash receptacles (at bench locations) and continuous paved access shall be  
394 provided. Prior to the issuance of the first Certificate of Occupancy for any  
395 residential building, the covered school bus shelter shall be constructed with  
396 consistent colors, materials and roof treatment as the overall project. (PBC  
397 SCHOOL DISTRICT/PLANNING)

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32. In order to address the school capacity deficiency generated by the proposed development at the District elementary and high school levels, the property owner shall contribute \$74,546.00 to the School District of Palm Beach County prior to issuance of first residential building permit. This school capacity contribution is intended to supplement the required school impact fee. (PBC SCHOOL DISTRICT)
33. The property owner is required to submit an executed Restrictive Covenant to the School District of Palm Beach County within six (6) months after the development order approval for the subject property age-restricted units. (PBC SCHOOL DISTRICT)
34. The property owner shall post a notice of annual boundary school assignments in the leasing offices and models for the residential development (Pod C) per the School District of Palm Beach County school assignments notice requirements. (PBC SCHOOL DISTRICT)
35. The perimeter landscape buffers are approved to be installed per the Phasing Plan. 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 canopy trees shall be 25 ft. on center and hedge height shall be a minimum of three (3) feet in height at installation. (PLANNING)
36. 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 the State Road 7 Corridor landscape requirements found in Sec.7.3.6.T. - Special Landscape Regulations of the LDR. (PLANNING)
37. Developer/owner shall provide a certified cost estimate (by FL. Registered Landscape Architect or Engineer) for the project's perimeter landscape buffer materials, installation, irrigation and labor. A surety/bond in the form acceptable to the Village 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 to the Engineering Department. A landscape permit shall also be required prior to installation. (PLANNING)
38. Developer is required to pay \$75 per linear foot of frontage along State Road 7 for landscape and plantings to be consistent with Village of Wellington conceptual. (ENGINEERING)
39. Developer is required to pay \$75 per linear foot of frontage along State Road 7 for boardwalk or construct an 8-ft wide sidewalk. (ENGINEERING)

- 444 40. The landscaping in street corridor, pathways, non-residential pods, recreation  
445 areas, etc., within a this Planned Development District shall exceed the minimum  
446 landscape requirements for size, height and canopy spread by 20%, and 75%  
447 native species and drought tolerant species. (PLANNING)  
448
- 449 41. Additional perimeter trees/palms with additional height required per LDR Sec.  
450 6.5.8.C.3.b. for structures over the 35 ft., and shall be required and shall remain  
451 in place as long as the structures remains. The additional trees/palms shall be  
452 shown on the site landscape plans to indicate how this requirement will be met.  
453 (PLANNING)  
454
- 455 42. A five (5)-foot wide Compatibility Landscape Buffer and Easement shall be  
456 provided along the internal property line for each Pod. (PLANNING)  
457
- 458 43. The common areas, landscaping, site amenities, etc., within each Pod shall be  
459 completed prior to the issuance of the Certificate of Occupancy for the adjacent  
460 building. (PLANNING)  
461
- 462 44. The State Road 7 median and swale along the project's frontage shall be  
463 landscaped and maintained by the Lotis Wellington Master POA. An agreement  
464 between Wellington and/or FDOT and the master POA may be required for  
465 maintenance of the median/swale areas. (PLANNING)  
466
- 467 45. Shade/canopy street trees (min. 16 ft. OA height), pedestrian street lights, and  
468 bicycle lanes shall be provided along both sides of roads/streets that are 25-feet  
469 wide or greater. The pedestrian street light poles, and regulatory traffic/street  
470 signs and poles shall be a decorative design, and the design shall be submitted  
471 for ARB approval prior to permitting. The improvements may be required on only  
472 one (1) side of the road/street as determined in the development review process.  
473 (PLANNING)  
474
- 475 46. This project shall be designed with central square/focal point that incorporates:  
476
- 477 a. Pedestrian circulation around the buildings with connections to other  
478 buildings/uses.
  - 479
  - 480 b. Arcades, overhead weather protection, etc., that connects all ground level  
481 activities and provides direct access to any outparcels, sidewalks or other  
482 pedestrian amenities including mass transit facilities, bicycle parking areas, etc.  
483
  - 484 c. Pedestrian-oriented uses and services on the ground floor with vertical  
485 integration of residential and/or non-residential uses on the above-ground  
486 floors.
  - 487
  - 488 d. Walkways/sidewalks a minimum of 10-feet wide shall be provided.  
489

- 490 e. Minimum 100 square feet of shaded area with benches every 100 linear feet in  
491 length for the pedestrian walkways.
- 492 f. Main Boulevard with a landscaped median divider. (PLANNING)
- 493
- 494 47. Prior to site plan approval, provide that five percent (5%) of the parking spaces in  
495 Pods A, B, and D are designated for preferred parking for alternative fuel vehicles,  
496 car pool vehicles, rideshare service, etc. (PLANNING)
- 497
- 498 48. The developer shall ensure this project is developed to comply with green  
499 certification standards found within Florida Green Building Coalition, US Green  
500 Building Council Leadership in Energy and Environmental Design (LEED) or other  
501 acceptable environmental, and building standards as determined during the  
502 development approval/inspection process. Certification of green building  
503 standards shall be provided after the issuance of CO for the buildings.  
504 (PLANNING)
- 505
- 506 49. All residential buildings without an attached garage shall have reserved parking  
507 space for each unit. (PLANNING)
- 508
- 509 50. An agreement shall be recorded to provide cross-access and shared-parking with  
510 adjacent lot owners of the commercial pods/outparcels within this project. The  
511 agreement shall be provided with the Land Development/Plat applications.  
512 (PLANNING)
- 513
- 514 51. Restaurants and/or other uses with a drive-thru window/lane shall require a  
515 Conditional Use specifically approved by Wellington Council. (PLANNING)
- 516
- 517 52. Any businesses operating between the hours of 10:00 PM and 7:00 AM shall be  
518 located at least 200 feet from any dwelling unit, measured from the closest  
519 building points of each affected structure. (PLANNING)
- 520
- 521 53. Garbage and recycling pickup, and deliveries shall not occur between the hours  
522 of 9:00 PM and 7:00 AM. There shall be no idling of delivery or similar vehicles  
523 between the hours of 10:00 PM and 7:00 AM. Overnight storage or parking of  
524 delivery vehicles or trucks shall not be permitted on site, except in designated  
525 loading and delivery areas. All delivery and loading areas built to accommodate  
526 semi-trucks, tractor trailers, moving vans, etc., shall be screened from view.  
527 (PLANNING)
- 528
- 529 54. Garbage/recyclable collection for Pods C and F shall be provided by staff/valet  
530 service from each unit to central compactor, no curbside pick-up shall be  
531 permitted. Decorative bins shall be provided for trash/recyclable storage within a  
532 close location to the entrance of each unit, and shall be designed as to not require  
533 screening. The decorative bins shall be indicated on the plans prior to site plan  
534 approval. The bins may be a type of design that is a seat/bench. (PLANNING)
- 535

- 536 55. All roof-mounted air conditioning, mechanical equipment, vents, etc., shall be  
537 completely screened from view on all sides in a manner consistent with the color,  
538 character and architectural style of the principal structure. (PLANNING)  
539
- 540 56. All above ground and wall mounted utility/transformer box, mechanical  
541 equipment, valves, etc., shall be located on-site with required screening on a  
542 minimum of three (3) sides that provide required screening, while maintaining  
543 required three (3) feet clearance and height to meet or exceed equipment being  
544 screened. The screen opening shall be away from public view and/or additional  
545 shrubs will be required at inspection. The screening shall occur in a manner  
546 consistent with the color, character and architectural style of the principal structure  
547 and may incorporate landscaping as one element of screening. (PLANNING)  
548
- 549 57. The 25' LWDD road easement/ROW shall be abandoned prior to and/or with the  
550 plat approval. (PLANNING)  
551
- 552 58. The developer shall take measures to ensure that during site development  
553 dust/debris particles from the development do not become a nuisance to the  
554 neighboring properties. (PLANNING)  
555
- 556 59. All gates shall be approved for emergency vehicle access with universal remote  
557 approved by all emergency agencies, including but not limited to Palm Beach  
558 County Fire and the Palm Beach County Sheriff. Additionally, all gate codes and  
559 access shall be grated to Wellington for Code Compliance and other emergency  
560 purposes.(PLANNING/ENGINEERING)  
561

562 **SECTION 2:** The Lotis Wellington Conditional Uses are hereby approved for the  
563 property legally described in Exhibit "A," subject to the following conditions of approval:  
564

- 565 1. One (1) financial institution with two (2) drive-thru lanes/points of service is allowed  
566 within Pod A. The drive-thru lane point of service shall not be along the projects  
567 frontage.  
568
- 569 2. One (1) daycare facility for up to 210 children is allowed within Pod D. A minimum  
570 of two (2) staff members shall be located in the parking area to facilitate pickup and  
571 drop-off during the AM and PM peak hours. A central sign-in/sign out location shall  
572 be provided to ensure security. The daycare facility owner and/or operator shall  
573 obtain all appropriate federal, state, and local permits/licenses prior to operating the  
574 daycare facility.  
575
- 576 3. One (1) Congregated Living Facilities (CLF) Type 3 is allowed within Pod F. The  
577 CLF units and beds shall not be converted to multi-family units. The CLF  
578 Independent Living Facility (ILF) parking rate is reduced from 2.25 to 1.35 spaces  
579 per unit as shown in the approved Parking Analysis by JFO Group, Inc. Exhibit "C")  
580 dated September 1, 2020. The ILF shall be limited to 104 one (1) bedroom units  
581 and 46 two (2) bedroom units, and be age restricted to persons 55 years of age or

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older. A declaration of restrictions in compliance with the LDR and this approval shall be recorded within 30 days of the site plan approval for the CLF. The owner and/or operator shall obtain all appropriate federal, state and local permits/licenses prior to operating the CLF. (PLANNING)

**SECTION 3:** This Resolution shall become effective upon the approval of the companion Comprehensive Plan Future Land Use Map Amendment (Ordinance No. 2020-13) and Rezoning (Ordinance No. 2020-14).

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2020.

**WELLINGTON**

BY: \_\_\_\_\_  
Anne Gerwig, Mayor

**ATTEST:**

BY: \_\_\_\_\_  
Chevelle Addie, Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

BY: \_\_\_\_\_  
Laurie Cohen, Village Attorney