

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

RESOLUTION NO. R2014-27

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A MASTER PLAN AMENDMENT (PETITION NUMBER 2013-61 MPA 2) FOR CERTAIN PROPERTY KNOWN AS POD "L" (BINK'S POINTE F.K.A. RESIDENCES AT BINK'S FOREST GOLF CLUB) OF THE LANDINGS AT WELLINGTON PUD, TOTALING 15.27 ACRES, MORE OR LESS, LOCATED APPROXIMATELY 1/2 MILE SOUTH OF SOUTHERN BOULEVARD ON THE WEST SIDE OF BINKS FOREST DRIVE, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO INCREASE THE ACREAGE OF POD "L" BY INCLUDING PARCEL "V" 0.26 ACRE, DESIGNATE POD "L" AS OPTIONAL RESIDENTIAL (OR) AND AMEND CONDITIONS OF APPROVAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Council, as the governing body of 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 V of the Land Development Regulation, as adopted by Wellington, have been satisfied; and

WHEREAS, the subject property is within The Landings at Wellington PUD, and

WHEREAS, the subject property Master Plan was amended by Resolution No. 2008-73 (adopted July 8, 2008) and the build out date was extended to December 31, 2014 by Resolution No. 2012-10 (adopted February 14, 2012); and

WHEREAS, on August 6, 2014, the Planning, Zoning & Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing, has considered this Master Plan Amendment request for the property which is the subject of this Resolution and has submitted its recommendation to the Council; and

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

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

1. The subject property is within The Landings at Wellington PUD and possesses a future land use map designation of Residential "E." The modifications requested are consistent with both the future land use map and Master Plan designations for the subject parcel and the request is consistent with the Comprehensive Plan.

2. The proposed modifications have been found to be compatible with surrounding uses.
3. There are no environmental issues or concerns.
4. There are adequate public facilities available to serve the subject property.
5. There are public services and facilities in place to support the anticipated impacts on traffic, water and sewer services.

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

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

1. ~~In order to comply with the Traffic Performance Standards, the property owner shall be restricted to the following phasing schedule. No building permits for the site may be issued after December 31, 2010. A time extension for this condition may be approved by the Village Engineer based upon an approved Traffic Study which complies with Traffic Performance Standards in place at the time of the request.~~ In order to comply with the Mandatory Traffic Performance Standards in place at the time of this approval, no building permits for the site shall be issued after December 31, 2018. A time extension for this condition may be approved based on a Traffic Study which complies with the Mandatory Traffic Performance Standards in place at the time of the request.
2. ~~The property owner shall provide the village with an new mylar of the master plan that reflects the amendments approved herein, including a showing of the 90 multi-family units on the property, the movement of the maintenance facility to the adjoining property, and the location of the proposed entrance to the property. The Landings at Wellington PUD Master Plan shall be in compliance with the master plan, included as Exhibit 2. A final master plan consistent with any Council approved changes and conditions of approval imposed by Council shall be submitted to the Development Review Committee (DRC) for final processing.~~ (PLANNING)
3. The 0.26 acre Parcel "V" of The Landings at Wellington PUD shall be incorporated within the 15.27 acre Pod "L" (Bink's Pointe F.K.A. Residences at Bink's Forest Golf Club). The amended Pod "L" (Bink's Pointe) shall total 15.53 acres, be limited to a maximum of 90 townhouse dwelling units, designated as Optional Residential (OR) and be re-plated. (PLANNING)

1 4. A minimum 0.30 acre preserve area shall be preserved within Pod "L" (Bink's
2 Pointe) and indicated on the site plan. The preserve area shall be maintained,
3 protected and preserved in perpetuity on the plat. (PLANNING)
4

5 5. A minimum eight (8) foot wide asphalt multi-use pathway shall be constructed by
6 the developer of "L" (Bink's Pointe) from the existing path along the west side of
7 Binks Forest Drive to the west side of Flying Cow Road. The multi-use pathway
8 shall be dedicated to the Village of Wellington on the plat. The location of the
9 pathway shall be approved by the Village Engineer. The pathway construction
10 shall be completed prior to issuance of the first Certificate of Occupancy.
11

12 6. No building permits for more than sixty (60) multi-family dwelling units shall be
13 issued until the Property Owner makes a proportionate share payment in the
14 amount of \$182,152, which represents the Property Owner's proportionate share
15 of the improvements to the intersection at State Road 80 and Binks Forest Drive.
16 This payment shall be made to Palm Beach County and is required for
17 compliance with the Countywide Traffic Performance Standards. This
18 proportionate share amount may be applied toward construction of this
19 improvement or one or more improvements that will benefit mobility in the area
20 impacted by the project, as determined by the County Engineer. This
21 proportionate share payment is Impact Fee creditable.
22

23 ~~3-7.~~ All previous Previous conditions of approval not amended by these petitions this
24 Resolution are still in effect. (PLANNING)
25

26 **SECTION 2:** Should any section, paragraph, sentence, clause, or phrase of any
27 prior Wellington ordinance, resolution, or municipal code provision, then in that event
28 the provisions of this Resolution shall prevail to the extent of such conflict.
29

30 **SECTION 3:** Should any section paragraph, sentence, clause, or phrase of this
31 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision
32 shall not affect the validity of this Resolution as a whole or any portion or part thereof,
33 other than the part to be declared invalid.
34

35 **SECTION 4:** This Resolution shall become effective 31 days after adoption of
36 Ordinance 2014 – 22, if there has not been a compliance challenge with the Division of
37 Administrative Hearings.
38

39
40 (Remainder of page intentionally left blank)
41

1 **PASSED AND ADOPTED** this _____ day of _____ 2014.
2
3

4 **ATTEST:**

VILLAGE OF WELLINGTON, FLORIDA

5
6
7 BY: _____ BY: _____
8 Awilda Rodriguez, Clerk Bob Margolis , Mayor
9

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

14
15 BY: _____
16 Laurie Cohen, Village Attorney
17
18

EXHIBIT 1
Legal Description

PARCEL 1:

A PARCEL OF LAND BEING A PART OF PARCEL "J", BINK'S FOREST OF THE LANDINGS AT WELLINGTON P.U.D. PLAT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGE 162, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A BOUNDARY CORNER OF SAID PARCEL "J"; SAID BOUNDARY CORNER ALSO BEING THE NORTHEAST CORNER OF THAT CERTAIN PARCEL SHOWN ON SAID PLAT AS "NOT A PART OF THIS PLAT"; THENCE, SOUTH 01° 19' 52" WEST, ALONG THE BOUNDARY COMMON WITH SAID PARCEL "J" AND SAID PARCEL SHOWN ON SAID PLAT AS "NOT A PART OF THIS PLAT", A DISTANCE OF 520.01 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL SHOWN ON SAID PLAT AS "NOT A PART OF THIS PLAT"; THENCE, SOUTH 86° 09' 16" EAST, DEPARTING SAID BOUNDARY LINE, A DISTANCE OF 657.54 FEET; THENCE, NORTH 83° 32' 27" EAST, A DISTANCE OF 517.25 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF SAID PARCEL "J", SAID POINT BEING A POINT ON A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1410.00 FEET AND WHOSE RADIUS POINT BEARS NORTH 75° 08' 11" EAST; THENCE, NORTHERLY ALONG SAID EASTERLY BOUNDARY LINE AND ALONG THE WESTERLY RIGHT-OF-WAY LINE OF BINK'S FOREST DRIVE, AS SHOWN ON SAID PLAT, THROUGH A CENTRAL ANGLE OF 22° 46' 13", A DISTANCE OF 560.36 FEET TO THE END OF SAID CURVE; THENCE, NORTH 88° 58' 25" WEST, DEPARTING SAID EASTERLY BOUNDARY LINE AND SAID WESTERLY RIGHT-OF-WAY LINE, AND ALONG A LINE 50.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH BOUNDARY LINE OF SAID PARCEL "J", A DISTANCE OF 1122.73 FEET; THENCE, SOUTH 01° 19' 52" WEST, A DISTANCE OF 70.00 FEET TO THE **POINT OF BEGINNING**.

EXCEPTING THEREFROM: ALL OF PARCEL "V" OF BINK'S FOREST OF THE LANDINGS AT WELLINGTON P.U.D. PLAT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGE 162 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING: 15.27 ACRES, MORE OR LESS.

TOGETHER WITH:

PARCEL V:

ALL OF PARCEL "V" OF BINK'S FOREST OF THE LANDINGS AT WELLINGTON P.U.D. PLAT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGE 162 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING: 0.26 ACRE, MORE OR LESS.

1
2 OVERALL CONTAINING: A TOTAL OF: 15.53 ACRES, MORE OR LESS.
3
4 SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-
5 WAY OF RECORD.
6

Exhibit 2

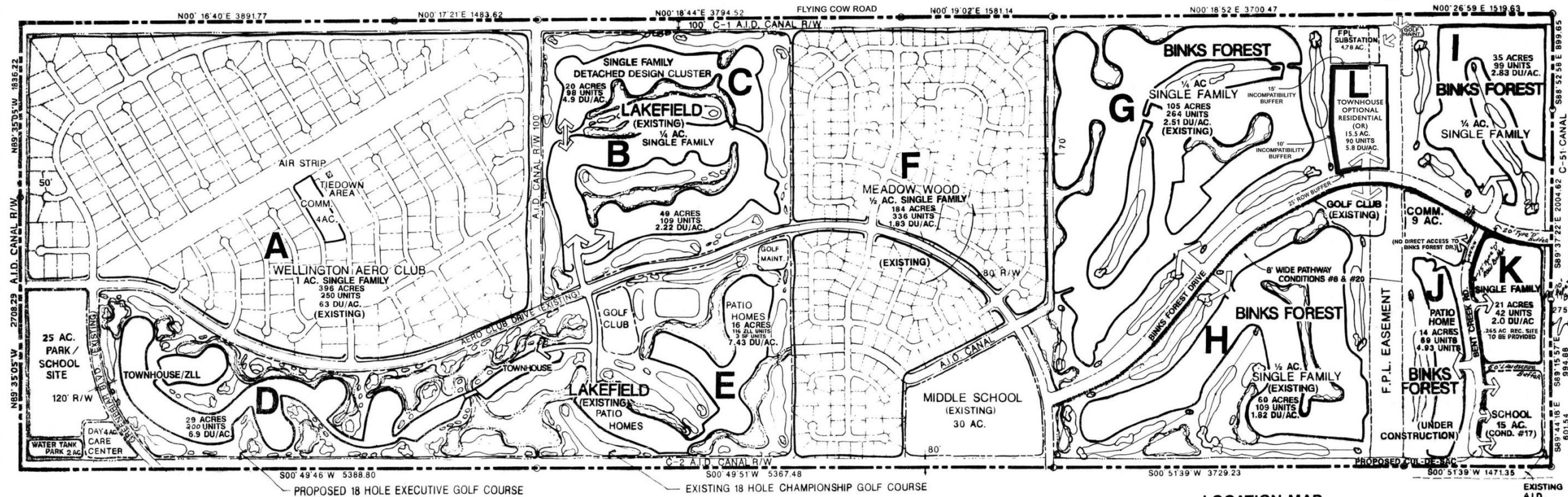
The Landings at Wellington PUD Master Plan

EXISTING ZONING	RE/PUD
LAND USE DESIGNATION	LR 1
TOTAL LOT AREA	1693 AC.
GROSS DENSITY	1.05 DU/AC.
TOTAL UNITS	1785
1 AC. LOTS	250
1/2 AC. LOTS	445
1/4 AC. LOTS	472
DETACHED DESIGN CLUSTER	98
PATIO HOME (ZLL)	185
TOWNHOUSE/ZLL	200
SINGLE FAMILY	45
MULTI-FAMILY (OR)	90

SITE AREA BREAKDOWN TABULAR		
	AC.	%
RESIDENTIAL	944	55
COMMERCIAL	13	.8
SCHOOLS (INSTITUTIONAL)	60	4
GOLF COURSES (RECREATION)	314	18
(EXCLUDES LAKE AREA IN GOLF COURSE)		
PARK / CIVIC USES	19	1
(INCLUDES 2 AC. WATER TANK SITE)		
LANDING STRIP, SERVICE & TIE DOWN AREA	35	2
DAY CARE	4	1
LAKES / CANALS	207	12
MAJOR ROAD R/W	54	3
FPL SITE / EASEMENT	43	3
TOTAL	1,693	100

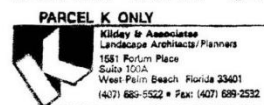
1. THE ENTIRE BOUNDARY OF THE LANDINGS AT WELLINGTON PUD IS SURROUNDED BY CANALS GREATER THAN 50' IN WIDTH AND THEREFORE NO BOUNDARY BUFFERS HAVE BEEN PROVIDED WITH THE EXCEPTION OF POD K.

**Pod L - Driving range
converted to 90 Multi-family,
attached dwelling units**



PLANNED DEVELOPMENT TABULAR DATA												CHANG NO.
POD TYPE AND NAME	ACRE	LATEST BOGGOORUN UNIT APPROVAL	CURRENT DRC APPROVAL				NEW SUBMIT					
			TYPE	UNIT #	DENSITY	CLASS	TYPE	UNIT #	DENSITY	CLASS		
			OR GROSS FLOOR AREA				OR GROSS FLOOR AREA					
A	396	250	SF	250	63	DH	SF	250	63	DH	0	
B	49	109	SF	109	2.22	DH	SF	109	2.22	DH	0	
C	20	98	DDC	98	4.9	DH	DDC	98	4.9	DH	0	
D	29	TH 58 ZLL 142	TH2ZLL	TH 58 ZLL 142	6.90	AH	TH2ZLL	TH 58 ZLL 142	6.90	AH	0	
E	16	116 ZLL 3SF	SF/ZLL	116 ZLL 3 SF	7.43	DH	SF/ZLL	116 ZLL 3 SF	7.43	DH	0	
F	184	336	SF	336	1.83	DH	SF	336	1.83	DH	0	
G	105	264	SF	264	2.51	DH	SF	264	2.51	DH	0	
H	60	159	SF	159	1.82	DH	SF	159	1.82	DH	0	
I	1	35	99	SF	2.83	DH	SF	35	2.83	DH	0	
J	14	69	ZLL	69	4.93	DH	ZLL	69	4.93	DH	0	
K	21	42	SF	42	2.0	DH	SF	42	2.0	DH	0	
L	15	90	DRIVING RANGE				MF	90	5.80	AH	0	
TOTAL	944	1,728		1,695				1,785			0	

REVISED MASTER PLAN
THE LANDINGS AT WELLINGTON P.U.D.
COREPOINT CORP.



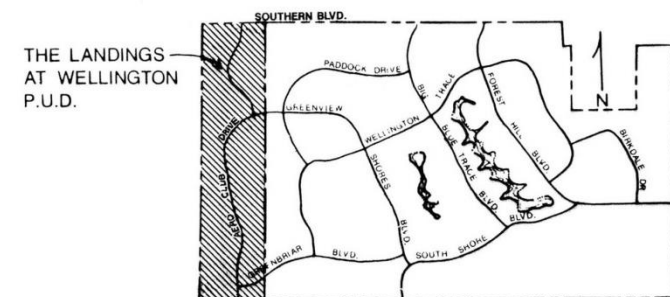
PROJ. # 1106.3 DWG. # 95-28



PROJ. # 128.80 DWG. # 2014-2-24_5P_128.8_Concept_1

Petition Number: 1997-10 MPI & 1997-10 DOA2 12-20-07 - Revisions in accordance with B-004-153 Convert 15 acres of Birks Forest Golf Course (abandoned Driving Range) to a residential pod (Pod L) with 90 multi-family, condo ownership, attached Update site data and tabular data to include new Pod L. Identify the proposed entry into Pod L. Identify the existing entry into the Golf Club. Relocate Golf Maintenance from east of the FPL Substation to north of the FPL Substation. Identify the correct location of the existing entry into the FPL Substation from Flying Cow Road.	
Petition Number: 2013-61 CPA2 & MPA 2 03-06-14 - Revisions Change 0.26 AC. land use from CR to Res E (no additional units). Update site area density to include additional .26 AC.	06-05-14 - Revisions Added OR overlay

LOCATION MAP



A horizontal scale bar with four segments. The first segment is labeled '0'', the second '500'', the third '1000'', and the fourth '1500''.

**REVISED MASTER PLAN
THE LANDINGS AT WELLINGTON P.U.D.
COREPOINT CORP**

GEE & JENSON
ENGINEERS · ARCHITECTS · PLANNERS, INC.
WEST PALM BEACH FLORIDA

JOB NO.
88-030
SHEET