

**Exhibit J**

October 12, 2023

Lotis 2 Staff Report (Petition 2022-0001-MP and 2022-0002-CU)

Village of Wellington  
Planning & Zoning  
12300 Forest Hill Blvd  
Wellington, FL 33414

**Re: Lotis II**

**Justification Statement  
Master Plan Request**

**Property Location**

The property is located approximately half a mile north of the Forest Hill Blvd & State Road intersection, on the west side of SR 7. It is within the Village of Wellington jurisdiction and identified by property control numbers 73-42-43-27-05-018-0072, 73-42-43-27-05-018-0071 and 73-42-43-27-05-018-0040 and consists of a total of 52.259 acres.

**Property History**

In 1973, the Palm Beach County Board of County Commissioners approved a rezoning petition for Parcel 3 from Agricultural (AG) to Public Ownership (PO) Zoning District via Resolution No. 19-73-727.

In 1984, Parcel 3 was subject to a special exception use approval to allow a Commercial Kennel via Resolution No. 1984-1849. A few years later, the



Figure 1: Area Subject to Requests



Figure 2: Parcel Designation

approval was then revoked via Resolution No. 1987-1179. To the best of our knowledge, no prior approvals exist for Parcel 1.

On September 21<sup>st</sup>, 2022, the Council approved a voluntary annexation of the property depicted above via Ordinance No. 2022-26. Then, on December 13<sup>th</sup>, 2022, the Council approved the rezoning from Palm Beach County Public Ownership (PO) and palm Beach County Agricultural Residential (AR) to Village of Wellington’s Multiple Use Planned Development (MUPD) Zoning District via Ordinance No. 2022-28 and a Future Land Use Amendment from Palm Beach County Low Residential, 2 units per acre (LR-2) to the Village of Wellington Mixed Use (MU) FLU designation via Ordinance No. 2022-27.

### Application Request

The petitioner has submitted applications to request Master Plan approval to allow for a mixed-use development composed of indoor/outdoor entertainment, daycare, single-family and multi-family residential uses. Specifically, the proposed plan includes the following uses:

- 8,000 sf Indoor/Outdoor Entertainment + 36 Miniature Golf Holes
- 18,000 sf Daycare (210 kids)
- Townhomes: 72 dwelling units
- Single-family: 100 dwelling units

In regards to the proposed daycare use, the previously approved daycare that is a part of the Lotis I Development will be abandoned. A master plan amendment and site plan amendment have been submitted which includes the removal of the daycare use.

### Surrounding Uses

Below are descriptions of the zoning and land uses of the adjacent properties.

**North:** Multiple parcels within the Village of Wellington. The properties have a Residential 1.01 du/ac - 3.0 du/ac and Office Commercial FLU designations and are located within the Planned Unit Development (PUD) and Multiple Use Planned Development Zoning Districts. These properties currently support a residential community and medical/professional offices.

**South:** Multiple parcels located in the Village of Wellington. These properties, known as “Lotis at Wellington”, have a Mixed Use (MU) FLU designation and are within the Multiple Use Planned Development (MUPD) Zoning District.

**East:** State Road 7 right-of-way (ROW).

**West:** Multiple parcels located in the Village of Wellington that have a Residential 1.01 du/ac-3.0 du/ac FLU designation and are located within the Planned Unit Development (PUD) Zoning District. The properties comprise the Black Diamond residential development.

### Proposed Uses

The proposed project is a Mixed Use development, identified in the Village’s Comprehensive Plan, Land Use Element as a *project that may utilize the complete range of uses permitted by the Mixed Use future land use map designation, including the use of 100% of project area for determining maximum residential density*. The proposed design provides an assortment of uses on the proposed MUPD property, which includes indoor/outdoor entertainment, daycare, single-family and multi-family units. The following are the proposed use specifications in order based on the proposed project phasing:

#### **Pod A**

- Commercial
  - Indoor/Outdoor Entertainment – 8,000 sf, including 36 miniature golf holes
    - Pro-shop (Retail)
    - Kitchen
    - Event space
    - Outdoor area: Bar and Dining Area

#### **Pod B**

- Commercial
  - Daycare – 18,000 sf, 210 kids

#### **Pod C (C-1 & C-2)**

- Residential
  - Townhomes - 72 units
  - Single-Family - 100 units
- Office
  - General Office - 1,030 sf

#### **Pod D**

- Conservation w/Public Recreation Dedication
  - Cypress Preserve – 4.24 acres

#### **Pod E (E-1, E-2, E-3, E-4, E-5 & E-6)**

- Open Space (13.21 acres)
  - Lake/Public Greenway
  - Public Recreation Area

## Master Plan & Site Plan Standards

Pursuant to Article 5, Chapter 3, Section 5.3.5. & Section 5.36., the applicant shall indicate that the proposed Master Plan and Site Plan are consistent with Wellington's Comprehensive Plan and comply with Wellington's Land Development Regulations & required criteria per the Development Review Manual.

## Consistency with the purposes, goals, objectives and policies of the Comprehensive Plan

The proposed development is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan.

### *Land Use Element*

The proposed development is consistent with Policy 1.3.25 which outlines the intent of the Mixed-Use district. The proposed plan will allow for a range of uses that will facilitate orderly development of the land. The proposed project will provide for infill development in an urban area and bring more balance between uses. The property is situated in a highly accessible area, along SR 7, comprised of large scale commercial and residential uses which allows for connectivity potential between the developments.

As stated above, the proposed project is a Mixed Use development, identified in the Village's Comprehensive Plan, Land Use Element as a *project that may utilize the complete range of uses permitted by the Mixed Use future land use map designation, including the use of 100% of project area for determining maximum residential density*. The proposed design provides an assortment of uses on the proposed MUPD property.

The proposed plan complies with Policy 1.3.25.(5), *the minimum land area for a mixed-use project shall be 5 acres*. The proposed development has a land area of 52.259 acres.

The proposed plan complies with Policy 1.3.25.(9), *The maximum residential density within a mixed-use development shall be consistent with Table 1.3.25.3*. The proposed plan shall not exceed the maximum gross density of 12 du/ac. The plan adheres to the density requirements for the following uses on a development 30-60 acres in size;

Maximum:

- Multi-Family (MF) – 12 units / ac, 12 x 52.259 ac = 627 units  
The subject site allows a maximum of 1,944 residents (3.10 persons per household x 627 units).

Proposed:

- Townhomes (TH) = 72 units

- Single-Family (SF) = 100 units

The proposed plan complies with Policy 1.3.25.(12), *The maximum floor area ratio shall be 0.50*. The proposed plan adheres to this requirement.

### ***Conservation Element***

The proposed amendment will be consistent with the objectives, goals and policies of the Conservation Element of the Comprehensive Plan. The project site has 38.03 acres of mostly exotic hardwood wetlands that has a heavy exotic plant understory and lacks appropriate hydrology, thus provides little habitat for wildlife and most is small transient mammals.

### ***Recreation & Open Space Element***

The proposed amendment shall be consistent with the objectives, goals and policies of the Recreation and Open Space Element of the Comprehensive Plan as specified in Objectives 1.1 and 1.2. The proposed project will include internal open space within the residential uses and will meet open space standards for the variation of proposed uses. Per Policy 1.2.7, open space areas shall be developed in a way to maximize preservation of existing native vegetation and natural features of the site.

### ***Public School Facilities Element***

The proposed amendment is consistent with the goals, objectives and policies of the Public School Facilities Element of the Comprehensive Plan. As specified in Objective 1.1, the proposed amendment shall ensure the adopted Level of Service standards are maintained and the facilities can support the potential student growth. The applicant will submit a School Capacity Availability Determination application to Palm Beach County School District.

### **Compliant with Article 6 of Wellington's Land Development Regulations**

The proposed development is consistent with the purpose of the Multiple Use Planned Development Zoning District, *(1) to promote the design of unified, multiple use developments for land which has a rural residential 10, commercial industrial, or commercial recreation designation on the Land Use Atlas; and (2) to provide for the efficient use of land by the integration of multiple uses within a single development*. The proposed plan shall unify four parcels and integrate a diversity of land uses within a single development. In addition to creating interconnectedness with neighboring large scale commercial and residential uses.

The proposed development is consistent with the intent of the Multiple Use Planned Development Zoning District, *to provide for the development of multiple nonresidential uses with enlightened and imaginative approaches to community planning, including but not limited to:*

- A. *Flexibility. Allowing flexibility of certain property development regulations.* The proposed plan provides an assortment of uses, while complying with the property regulations outlined in the Village of Wellington ULDC and Comprehensive Plan.
- B. *Property development regulations. Applying certain property development regulations to the entire MUPD rather than individual lots, such as but not limited to:*
1. *Access* – Access is provided from SR7, the main entry. Pedestrian circulation is provided throughout the site through sidewalks, crosswalks and public walkways. Cross access has been provided to the Medical Offices on the South boundary and the storage facility along the North-East boundary.
  2. *Parking* – See Off-Street Parking Section below.
  3. *Lot size and dimensions* – The proposed plan complies with the minimum lot size of 5 acres outlined in the Comprehensive Plan.
  4. *Lot frontage* – The proposed plan provides approximately 620' of frontage along SR 7.
  5. *Landscaping* – Landscaping requirements and additional enhancements have been provided, see Article 7 Section below.
- C. *Architectural compatibility. Designing for architectural compatibility between land uses for buildings and signage.* The proposed development shall create a cohesive design concept between uses and create connections between adjacent properties. The Modern architectural style will be unique and an aesthetically appealing development along SR 7.

### Overall Design Concept

The proposed design aims to provide a diversity of uses to an existing urban area and create cohesive and balanced development between the two Lotis developments. The proposed plan brings a unique indoor/outdoor entertainment opportunity to the Village of Wellington that will be the center of activity for the Lotis 2 development. The Daycare use will anchor the south side of the entrance road from State Road 7/441 which is being relocated from the Lotis 1 development plan. This Commercial use will provide for a community serving use with easy access for residents within this development and for all surrounding communities. The residential portion of the site is proposed as fee-simple single family and townhome style development. These uses are clustered around the large Cypress Preserve and adjacent to the Black Diamond residential community to assure compatibility between the existing neighbors and the Lotis 2 development.

The design also encourages strong vehicular, pedestrian and bicycle connectivity throughout the site and with the adjacent Lotis Wellington 1 to the south. The integration of the public greenway

and recreation spaces will create a seamless and fully integrated experience for the residents and customers utilizing the site. Some of the unique features of the plan include the following:

- Continuation and expansion of the 25' wide Public Greenway around the lake including fitness stations, trellis swings and seating. The extension of the Greenway will connect through to the Commercial portion of the site as well as provide access and adjacency to the 4.24 acre Cypress Preserve located within the development. Seating areas and informative signage regarding the unique character and ecology of the preserve area will be provided to make the experience interactive for all users.
- A pedestrian land bridge across the lake connecting the public greenway with Lotis 1 and the public park space adjacent to the new northern lake. The bridge will create an opportunity to view the littoral lake shelf and long north and south views of the expansive lake and fountains. The Land Bridge will consist of 3,020 square feet of dedication pavers that could be placed by the residents of Wellington. Each paver will tell its own story and will be remembered as the "Lotis Wellington Walk of Fame".
- The Pod E-2 & E-3 Public rec area are located along Lapis Lane and serves as a transition point from Lotis 1 into Lotis 2. This distinctive location is designed as a Public Plaza which will provide amenities such as artificial turf lawns, raised seat walls, decorative pavers, and a stunning specimen tree at the central point of the plaza. This area will provide the public and residential community with a place to socialize with friends and becomes a focal point within the development tying the Greenway to both the residential and commercial portions of the site. We envision this plaza could be dedicated in memory of an individual or group that has dedicated themselves to the betterment of the Village of Wellington.

### **Compliant with Article 7 of Wellington's Land Development Regulations**

The proposed development is consistent with the Site Development Standards.

#### ***Off-Street Parking***

The proposed parking for the commercial and residential uses shall be pursuant to Table 7.2-1, Minimum Off-Street Parking Standards.

#### ***Landscaping and Buffering***

The proposed development shall adhere to the purpose and intent of Wellington's Landscape Standards outlined in Section 7.3.6. All required landscape buffers, foundation plantings and planting criteria will be accommodated for. Per Section 7.3.6.T. Special Landscape regulations for

properties fronting SR 7, a berm land scape buffer shall be provided along with the permissible tree and shrub species. The proposed plan complies with the required R-O-W buffer of 25', outlined in Table 7.3-7. In addition, a 10' perimeter buffer has been provided around the entire MUPD property.

The Applicant requests the 10' perimeter buffer be installed in phases throughout the development. In order to ensure the buffer is installed in its entirety, the Applicant will bond all perimeter buffer improvements to ensure funds are available for the full completion of all buffers.

***Driveways and Access***

The proposed development shall adhere to the purpose and intent of Section 7.7.1. *to promote safe and efficient traffic movement while affording reasonable access to abutting land.* Each use shall be provided access from SR 7, which serves as the main entry to the property. Access to the commercial uses are provided by driveways to the north and south off the spine road. Pedestrian circulation has been provided within the development, along the main road and within the variety of uses. Pedestrian access has been provided to the senior center/civic area and public walkway around the lake. Cross access points have been provided along the south property boundary, to Lotis Wellington Phase I.

***Parks and Recreation***

The proposed development is consistent with the intent of Section 8.5.2 of the Village's Land Development Regulations by providing public and private recreational land. Further outlined below, the minimum private recreation area requirement is one hundred ten (110) square feet per capita, the project has provided 1.72 acres of private recreation in the residential areas on the proposed plan.

<b>Private Recreation Requirements</b>			
<i>Unit Type</i>	<i>Residents</i>	<i>Area Required (110 sf / capita)</i>	<i>Area Provided</i>
Town Homes	217 (3.02 x 72 units)	0.55 acres	
Single-Family	302 (3.02 x 100 units)	0.76 acre	
<b>TOTAL</b>	<b>519</b>	<b>1.31 acres</b>	<b>1.58 acres</b>

<b>Public Recreation Requirements</b>		
<i>Unit Type</i>	<i>Residents</i>	<i>Area Required (5 acres/1,000 persons)</i>
Town Homes	217 (3.02x 72 units)	1.09 acres



Single-Family	302 (3.02 x 100 units)	1.51 acres
<b>Total</b>	<b>519</b>	<b>2.60 acres</b>

<b>Public Recreation Provided</b>			
<i>Use Type</i>	<i>Area Provided</i>	<i>% Credit</i>	<i>Total AC Credit</i>
Pod D – Conservation w/Public Rec	4.24 acres	23%	0.9752 acre
Pod E-1, E-2, E-3, E-4 – Public Rec Areas	1.5 acres	23%	0.345 acres
Pod E-5 – Public Greenway	0.54 acres	23%	0.1242 acres
Pod E-6 – Public Rec Area	0.19 acres	23%	0.0437 acres
Private Recreation (C-1/C-2)	1.58 acres	23%	0.3634 acres
<b>Total</b>	<b>8.05 acres</b>		<b>1.85 acres</b>

#### *Land Dedication*

In accordance with the Village’s Land Development Regulations, Section 6.5.2, the proposed development is subject to land dedications, or payment in lieu of fees, for parks and recreation facilities, as well as civic facilities. Civic dedication is one (1) acre per 1,000 of the population and recreation dedication is five (5) acres per 1,000 of the population. As discussed above, the proposed development allows for a potential of 519 residents. Therefore, the project will require the following:

Civic	= 0.52 acres ((519 persons / 1,000) x 1 acre)
<u>Recreation</u>	<u>= 2.60 acres ((519 persons / 1,000) x 5 acres)</u>
Total	= 3.115 acres

#### *Parks & Recreation Impact Fee*

According to Section 33-151 of the Village’s Code of Ordinances, all new construction impacting parks and recreational facilities shall pay the parks and recreational facilities impact fee of \$1,330.54 per capita. The Lotis Phase II development has a proposed population of 519 persons, requiring a total of \$690,550 parks and recreation impact fees due to the Village of Wellington upon permit issuance for the residential units.

### **Compliant with Article 8 of Wellington’s Land Development Regulations**

The plan shall adhere to the policies outlined in Article 8 of the Village’s Land Development Regulations, which outlines subdivision, platting and physical improvement guidelines.

### **Compliant with Article 9 of Wellington’s Land Development Regulations**

The proposed development is consistent with the purpose and intent of the Environmental Standards to *protect and safeguard the health, safety, and welfare of the residents and visitors of the Village by providing criteria for regulating and prohibiting the use, handling, production and storage of certain deleterious substances which may impair present and future public potable water supply wells and wellfields*. The proposed uses shall not be handling, producing or storing any toxic or harmful substance that could damage or negatively impact the water supply.

### **Compliant with Article 11 of Wellington’s Land Development Regulations**

The proposed development is consistent with the purpose and intent of the Adequate Public Facilities Standards, *to ensure that adequate potable water, sanitary sewer, solid waste, stormwater management, park, road, public school facilities, mass transit public facilities and fire-rescue are available to accommodate development concurrent with the impact of development on such public facilities, consistent with the LOS standards for those public facilities adopted in the Village's Comprehensive Plan*. The proposed development will provide connection to the existing public services and utilities. The applicant has submitted Utility Capacity Determination and Concurrency letters along with this application to ensure adequacy. Currently, there is no existing valid Developer’s Agreement or Utility Reservation for the property. The applicant shall be providing such documents further into the development review process.

### **Trash Collection**

The residential component of the proposed development, the single-family and townhome units will have the standard curb-side trash pick-up. Trash and recycling collection will operate on designated days of the week, typical of other single-family and townhome communities.

### **The proposed request is consistent with the applicable neighborhood plans**

The subject site is not located within the boundaries of any neighborhood plans.

**The proposed request shall result in a logical and orderly development pattern**

The proposed request shall result in a logical and orderly development pattern. The property is located within an established urban area that contains a variety of mixed uses and neighbors the growing large-scale medical uses in Wellington, along SR 7. The design proposal is also consistent with developments along SR 7, which contain commercial and residential uses. The properties of which the will be interconnected, the proposed development provides more balance and a variety of uses to the area.

**The proposed request complies with all County health and fire standards**

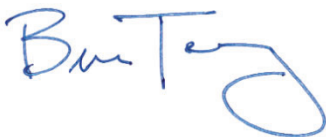
The proposed plan shall comply with all County health and fire standards.

**The proposed request complies with Village building standards and all other applicable provisions**

The proposed development shall comply with the Village of Wellington building standards and all other applicable provisions requirement through the development review process.

Thank you for your consideration of this application. If you have any questions, please don't hesitate to contact me at 561-249-0940.

Sincerely,

A handwritten signature in blue ink that reads "Brian Terry". The signature is stylized and cursive.

**Brian Terry, PLA**  
Principal  
Insite Studio, Inc.