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A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING THE MASTER PLAN AMENDMENT FOR PETITION 2013-040 MPA2, ALSO KNOWN AS EQUESTRIAN VILLAGE, LOCATED ON THE NORTHEAST CORNER OF SOUTH SHORE BOUELVARD AND PIERSON ROAD, TO MODIFY THE WELLINGTON PLANNED UNIT DEVELOPMENT FOR THE 59.3 ACRE PORTION OF TRACT 30C, TO BE KNOWN AS 30C-2, LABELING THE PROPOSED TRACT 30C-2 "COMMERCIAL RECREATION", AND ESTABLISHING ONE (1) ACCESS POINT ALONG THE NORTH SIDE OF PIERSON ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Wellington's Council, as the governing body of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Wellington Land Development Regulations are authorized and empowered to the consider petitions related to zoning and development orders; and

WHEREAS, the notice of hearing requirements as provided in Article V of the Land Development Regulations, as adopted by Wellington, have been satisfied; and

WHEREAS, the Master Plan Amendment was reviewed and certified by the Development Review Committee as of June 26, 2013; and

WHEREAS, the Master Plan Amendment was reviewed and approved by the Equestrian Preserve Committee on September 11, 2013; and

WHEREAS, the Master Plan Amendment was reviewed and approved by the Planning, Zoning and Adjustment Board on October 2, 2013; and

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

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

1. The Master Plan Amendment is consistent with the Comprehensive Plan;
2. The subject request is consistent with the stated purposes and intent of the Land Development Regulations;
3. The requested Master Plan Amendment is consistent with the surrounding land uses and zoning districts;

4. The requested Master Plan Amendment requires an amendment to the Planned Unit Development Master Plan;
5. No adverse impacts to the natural environment are expected to occur as a result of the approval of the request;
6. The requested Master Plan Amendment would result in a logical and orderly development pattern;
7. The requested Master Plan Amendment is consistent with the applicable Equestrian Overlay Zoning District (EOZD); and
8. The requested Master Plan Amendment complies with Article 11, Adequate Public Facilities.

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

SECTION 1. The Wellington PUD Master Plan Amendment, also known as Equestrian Village Master Plan Amendment, is hereby APPROVED for the location as described in Exhibit "A", and for the amendment described in Exhibit "B", providing for the following:

- 1) An access point to the subject site along the north side of Pierson Road and east of South Shore Boulevard.
- 2) Labeling the subject site as "Commercial Recreation" on the Wellington PUD Master Plan.

SECTION 2. The foregoing recitals are hereby affirmed and ratified. The Wellington PUD Master Plan Amendment, also known as Equestrian Village Master Plan Amendment is hereby APPROVED as described in Exhibit "B", subject to the following conditions:

- 1) The approval is based on the Master Plan date stamped June 20, 2013.
- 2) All previous conditions to the Wellington PUD not specifically amended by this request are still in effect.
- 3) Applicant shall provide a five (5) foot wide Canal Maintenance Easement along the south property line.
- 4) Applicant shall construct a 15 foot Bridle Trail along the north side of the Pierson Road right of way from the east property line to the new Pierson Road access point as part of the overall Village-wide Bridle Trail System. As part of this work, applicant shall reshape the C-23 canal bank and clean the canal as required to construct the bridle path in accordance with the Land Development Permit No. 13-2051.

- 90 5) The exact location of the proposed access point on Pierson Road shall be
91 approved by the Development Review Committee (DRC). The culvert shall be
92 sized as directed by the Village Engineer to meet the conveyance and head
93 loss criteria, established by Wellington, for the C-23 Canal. The new access
94 drive/canal crossing shall be constructed by December 31, 2014 and in
95 accordance with the Land Development Permit.
- 96 6) A new Plat/Replat for the 59.3 acre site shall be recorded within six (6) months
97 following Council approval of this Master Plan Amendment, or within ninety
98 (90) days following approval of the related site plan for this Master Plan,
99 whichever occurs later. The new plat shall include a 5 ft. Limited Access
100 Easement along the south property line with break(s) in the Limited Access
101 Easement to allow for access as approved by Wellington.
- 102
- 103 7) Applicant shall provide a horse crossing at the proposed vehicular access
104 point. The horse crossing shall be located east of the proposed vehicular
105 access point. Amber flashing lights, signage, striping and street lighting shall
106 be provided for the crossing across Pierson Road. The horse crossing shall
107 be complete by December 31, 2014.
- 108
- 109 8) Applicant shall realign intersection internal to the property at the proposed
110 access point along Pierson Road. The intersection geometry and traffic
111 control devices shall be approved by the Development Review Committee.
112 This work shall be completed by December 31, 2014.
- 113 9) Applicant shall comply with the BMP Standards approved specifically for this
114 site and in accordance with the South Florida Water Management District
115 Permit.
- 116 10) Conditions 4, 7, and 8 shall be superseded by those conditions that are part of
117 an approved Compatibility Determination for a Commercial Equestrian Arena
118 that are directly related to the improvements mentioned in conditions 4, 7, and
119 8 of this resolution.

120
121 **SECTION 3.** Should a legal challenge to the approval of the Master Plan
122 Amendment result in a temporary injunction or otherwise prohibit the developer from
123 completing any specific condition under the Master Plan Amendment within the time
124 provided herein, it is the intent of the Village to toll the time requirement for completion
125 of such condition or conditions until the resolution of the litigation. During such tolling
126 period, no permits will be issued and no temporary or permanent COs will issue.
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128 **SECTION 4.** This Resolution shall become effective immediately upon adoption.
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PASSED AND ADOPTED this _____ day of _____ 2013.

RENDERED the _____ day of _____ 2013.

ATTEST:

WELLINGTON, FLORIDA

BY: _____ BY: _____
Awilda Rodriguez, Village Clerk Bob Margolis, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

BY: _____
Laurie Cohen, Attorney for Wellington