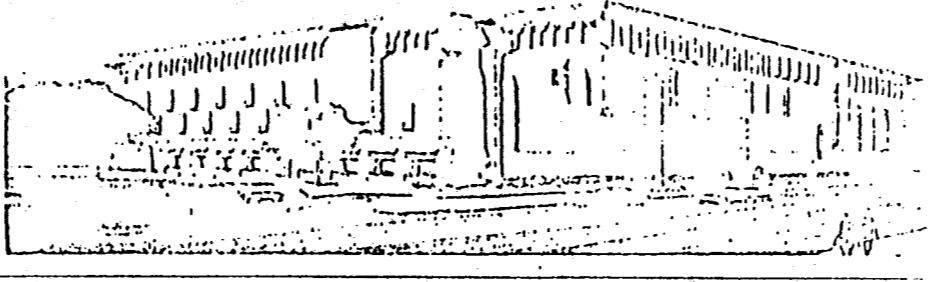


WELLINGTON PUD 86-32

ZONING HISTORY FOR PETITION NO. 86-32

PETITION NO./APPROVAL DATE	RESO NO./ADPTN DATE	REQUEST/BOARD ACTION
72-50	2/17/72	NO RESO AVAILABLE; Result Letter with final conditions is included; letter states that the conditional use, if not utilized for the purpose intended, shall become null and void on August 17, 1972.
80-204	10/23/80	R-80-1616 11/25/80 SPECIAL EXCEPTION to allow the excavation and removal of muck, sand, shell, rock, soil, or other extractive material.
86-141	12/1/86	R-87-522 3/31/87 SPECIAL EXCEPTION to amend and expand the Site Plan for excavation and removal of muck, sand, rock, shell, soil and other extractive materials, previously approved under Zoning Petition No. 80-204, and to allow a PUD, including an Adult Congregate Living Facility.
86-32	3/28/86	R-86-764 5/27/86 SPECIAL EXCEPTION to amend the Master Plan for Wellington PUD, previously approved on February 17, 1972, Petition No. 72-50.
86-32(A)	1/29/87	R-87-882 6/23/87 SPECIAL EXCEPTION to amend the Master Plan for a PUD previously approved under Zoning Petition No. 86-32, to allow a child day care center and to increase the building square footage for Church Site No. 2, Wellington, on all of Church Site No. 1 of Wellington PUD.
86-32(B)	10/29/87	PETITION WITHDRAWN WITHOUT PREJUDICE AT BCC ZONING AUTHORITY HEARING, 4-0.
86-32(C)	11/30/87	R-88-1807 10/25/88 SPECIAL EXCEPTION to amend the Master Plan for a PUD (Wellington) previously approved under Zoning Petition No. 86-32 on March 28, 1986, to transfer density from Tract 68A to Tract 71.
86-32(D)	4/28/88	R-89-443 3/14/89 SPECIAL EXCEPTION to amend and expand the Master Plan for Wellington PUD by incorporating Wellington's Edge PUD to: 1) increase the land area by 107.29 acres; 2) transfer 344 dwelling units from Tract 29 to the added acreage; and 3) designate Tract 29 as a civic site, which will have the effect of extinguishing the special exception for Wellington's Edge PUD, previously approved under Zoning Petition No. 86-141.
86-32(E)	8/25/88	R-89-706 4/25/89 SPECIAL EXCEPTION to amend the Master Plan for Wellington PUD to provide an additional access from Forest Hill Boulevard to
86-32(F)	9/23/88	R-89-1040 6/6/89 SPECIAL EXCEPTION to amend the Master Plan of Wellington PUD to permit a day care center (maximum 125 children, 15 staff).
86-32(G)	3/9/89	R-89-1259 6/27/89 SPECIAL EXCEPTION to amend the Master Plan for Wellington PUD (Petition No. 86-32F) to include a day care center (Maximum 125 children).
86-32(H)	6/29/89	R-89-2216 12/12/89 SPECIAL EXCEPTION to amend the Master Plan for Wellington PUD (Petition No. 86-32F) to 1) redesignate a portion of a commercial site as a civic site and 2) include an educational institution (public elementary school).
86-32(I)	4/92	Request for a SPECIAL EXCEPTION to permit a car wash, self service and automatic.
86-32(J)	1/3/94	R-94-1 1/3/94 DOA to increase number of children in existing Day Care Center.
86-32(K)		
86-32(L)	1/25/95	R-95-108 1/26/95 REQUESTED USE for 1,365 SF Veterinary Clinic within existing structure at Town Center Mall.
86-32(M)	3/30/95	R-95-426 3/30/95 DOA to expand Veterinary Clinic and Day Care Facility (maximum 40 children) in Wellington Commons Mall.
86-32(N)	1/5/96	R-96-12 1/5/96 DOA to allow fast food restaurant in Courtyard Shoppes at Wellington Commercial Center.
86-32(O)	8/13/96 by Wellington Village Council	Amend Master Plan to convert 12.67 acres of Commercial to 224 residential units in Tract 46A. Commercial will be Tract 46B.

PALM BEACH COUNTY
PLANNING, ZONING, AND BUILDING DEPARTMENT
P. O. BOX 1548
WEST PALM BEACH, FLORIDA 33402



February 23, 1972

Alpha Beta Inc, and Breakwater Housing Corp.
c/o Paul C. Wolfe
P.O. Box 2190
West Palm Beach, Fla.

RE: Petition No. 72-50

Gentlemen:

Please be informed that the Board of County Commissioners at the Public Hearing on February 17, 1972, approved your petition subject to the following conditions:

Reservation to be made of road Rights-of-Way existing or future as designated by the County Engineer.

Positive drainage to be adequately provided for.

All arterial and collector roads to be dedicated to the public and constructed by the developer to County standards.

The extension of Forest Hill Boulevard, from State Road No. 7 to your east property line, shall be constructed by the developer to County Standards no later than 1978.

All other statements made during the presentation of the petition and set forth in the official record of the meetings, shall be made a part of these conditions. A synopsis of these statements are attached.

This Conditional Use, if not utilized for the purpose intended, shall become null and void on August 17, 1972.

Sincerely,
William R. Boose
William R. Boose, Director
Planning, Zoning and Building

Petition 72-50

Developer proposes an overall average of 2 dwelling units per acre with public open space of over 25%. Development expected to take at least until year 2000.

Will enhance and preserve big blue areas and pine tree forests. Will develop a ring of water around the big blue for protection. Will increase water level 1 foot (back to its original condition) and animal life can be restored to its original condition.

Propose to record covenants and restrictions that will run with the land so further protection will be provided for the trees and an architectural review committee will exist so that layouts of what will take place will be screened and approved prior to construction.

Central and Southern portions are cultivated now, to some degree. They propose to establish a better ecology than exists presently.

Propose four school sites on 125 acres. School site plans have been O.K'd by Board of Education.

Will preserve natural vegetation.

The lake will be a curvilinear lake with no sea walls. Sloping green areas to lake. No boats with gasoline motors allowed -- only sail boats and boats with electric motors.

Low profile image aimed for in commercial areas.

A planned community of open spaces, bicycle paths, golf course and recreation areas, with restoration and preservation of big blue pristine forest areas.

All the primary arterial road systems will provide for 4-lane rights-of-way but will not be building 4-lane roads until traffic requirements call for it. The county agreed to provide sufficient rights-of-way for 4-lane road extension of Forest Hill Blvd. and the developer agreed to provide lanes of pavement for traffic as it is required -- not later than 1978, which is the time their traffic survey indicates they will be required. Arterial and collector systems will be dedicated to the public and constructed to Palm Beach County standards. Roads not built to county standards will be platted but maintenance will be provided by Acme Drainage District.

They will have a variety of covenants and restrictions as to building plans, tree cuttings, etc.

Will drill wells. Have test wells under way to explore quantity and quality of water.

Water and Sewer to be provided by the Acme Drainage District.

PETITION NO. 86-141

1. Prior to master plan certification, the master plan tabular data shall be amended to reflect the following:

- a. The required number of trees to be planted or preserved.
- b. The acreage and dimensions of individual preservation area.

2. All property included in the legal description of this petition shall be subject to a Declaration of Restrictions and Covenants acceptable to the County Attorney's Office which shall provide, among other things, for: Formation of a single "master" property owner's association, and automatic membership in the "master" association by any party holding title to any portion of the property included in the P.U.D.

3. Abandonment of prior excavation activities:

- a. Prior to master plan certification, reclamation plans for the excavation permitted under Petition No. 80-204 shall be certified by Site Plan Review Committee.
- b. Prior to master plan certification, the Special Exception for Excavation (Petition No. 80-204) shall be abandoned administratively by the Site Plan Review Committee. This request for abandonment can be placed upon the same agenda as application for certification of the Planned Unit Development master plan.

4. Prior to master plan certification:

- a. a study shall be conducted of the environmental viability of the areas indicated as "preserves". The study shall be conducted by a five (5) person team consisting of the Senior Site Planner/Zoning, the Palm Beach County Urban Forester, the Director of the Palm Beach County Wilderness Island Survey and two persons selected by the petitioner. The study team shall visit the site, assess the extent and character of existing vegetation in each "preserve" area, and make a recommendation as to whether or not each site is sufficiently viable to be maintained as a functional habitat. The study team shall consider the reasonable likelihood that a site can be restored to viability through a program of planting native trees, understory and ground cover. The recommendation of the study team shall be by majority vote.
- b. Those sites which are determined not to be viable may be eliminated from the Master Plan by Site Plan Review Committee. The area determined to be non-viable (up to 50 percent of the total set aside for preserves) shall be utilized as open space or recreation facilities in addition to the four (4) acres originally set aside on the master plan as recreation.
- c. Sites continued as preservation areas on the Master Plan shall be restored or maintained according to the suggested restoration program or otherwise by law.
- d. Preservation areas shall be platted concurrent with adjacent residential tracts.
- e. Petitioner shall adopt a restoration program suggested by the Zoning Director as part of its vegetation protection permit special conditions for preservation areas.

5. The developer shall retain the stormwater runoff in accordance in all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the Drainage System is not adequately maintained to the satisfaction of the County Engineer, the matter shall be submitted to the Code Enforcement Board for review and possible citation.

6. The property owner shall convey for the ultimate right-of-way of Forest Hill Boulevard, 120 total feet (60 feet from centerline) within 90 days of the approval of the Resolution approving this project.

7. The property owner shall construct concurrent with the 4 lane construction of Forest Hill Boulevard as outlined in the conditions below

- a. left turn lane, west approach,
- b. right turn lane, east approach and
- c. left turn lane, north approach at the intersection of Forest Hill Boulevard and project's entrance roads

all concurrent with onsite paving and drainage improvements.

8. The property owner shall provide to Palm Beach County a road drainage easement within the project's internal lake system which is adjacent to the property capable of accommodating all runoff from those segments of Forest Hill Boulevard along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Forest Hill Boulevard. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge requirements of the applicable County Control District and South Florida Water Management District. The design of the system shall assume the ultimate Thoroughfare Plan Section road drainage runoff.

PETITION NO. 86-141 CONT.

9. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$263,570.00 (3,025 trips X \$80.40 per trip and 760 trips X \$26.79 per trip).

Based on the Traffic Performance Standards (Category "A"), the developer shall contribute an additional \$131,785.00 toward Palm Beach County's existing Roadway Improvement Program. Any remaining funds after receiving credit from the 4 lane construction of Forest Hill Boulevard as outlined in condition No. 12 below from the \$395,353.00 are to be paid within 6 months of the completion of Forest Hill Boulevard.

If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, the additional amount of \$131,785.00 shall be credited toward the increased Fair Share Fee.

10. The petitioner shall convey to the Lake Worth Drainage District 80 feet east of the southwest 1/4 of Section 12-44/41. This will also cover a few feet on the west side of Tracts 24 and 25, Block 18 Palm Beach Farms Company Plat No. 3 for the required right-of-way for Canal No. 5-5.

11. The developer shall provide construction plans for Forest Hill Boulevard as a 4 lane median divided section (expandable to 6 lanes) from the proposed 4 lane terminus west of S.R. 7 west to the existing 4 lane terminus east of South Shore Boulevard. These construction plans shall be prepared under the County Engineer's direction with the plans to be complete and permits applied for by February 1, 1987.

12. The developer shall fund the construction of Forest Hill Boulevard as a 4 lane median divided section from the proposed 4 lane terminus west of S.R. 7 west to the existing 4 lane terminus east of South Shore Boulevard per the above Condition No. 11. This construction shall be concurrent with the proposed construction of the intersection of S.R. 7 and Forest Hill Boulevard which is anticipated to be constructed in the first quarter of 1987.

The developer's engineer shall provide a certified cost estimate for this construction and these funds shall be provided to Palm Beach County upon request when required to construct this project. These funds shall be credited against the fair share fee funds required in Condition No. 9.

13. In order to comply with the mandatory traffic performance standards the property owner shall be restricted to no building permits for more than 75 dwelling units until construction has begun for the 4 laning of Forest Hill Boulevard from S.R. 7 to the Wellington Planned Unit Development, including intersection improvements at Forest Hill Boulevard and S.R. 7.

14. The property owner shall install signalization if warranted as determined by the County Engineer at project's entrance road(s) and S.R.7. Should signalization not be warranted after 12 months of the final Certificate of Occupancy, this property owner shall be relieved from this condition.

15. The developer shall dedicate the 3.74 acre Civic Site to Palm Beach County for public use.

CERTIFIED FOR
INFORMATION ONLY
9-25-96

PDD 86-32
PETITION NO. 86-32
DATE SUBMITTED 8-21-96
EXHIBIT NO. 640 (Pg. 1 of 4)

Wellington PUD
BCC Conditions of Approval (1 of 4)

SIMMONS & WHITE, INC.
Engineers • Planners • Consultants
4623 Forest Hill Boulevard, Suite 112, West Palm Beach, Florida 33415
Telephone (407) 965-9144

WELLINGTON PUD
MASTER PLAN
ZONING CONDITIONS

8/7/96 KILDAY & ASSOCIATES

DESIGN	DRAWN	CHECKED	APPROVED	DATE	JOB NO.	DRAWING NO.	SHEET
				12-20-93	1072.5	95-25	3 OF 6

WELLINGTON PUD
86-32
DRAWING NUMBER
BCC CONDITIONS OF APPROVAL (Pg 2 of 4)

PLAN-HOLD CORPORATION • IRVINE, CALIFORNIA
REGISTERED NUMBER 07348
REGISTERED PROFESSIONAL ENGINEER
REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
REGISTERED PROFESSIONAL ARCHITECT

PETITION NO. 86-32

- Prior to the expiration date of the existing bond on the sales/model unit on Tract-29 (60) the petitioner must renovate the structure to comply with all codes applicable to extended use or raze and remove the structure.
- Prior to master plan certification, the master plan shall be revised to reflect the dwelling unit count and housing types for all parcels that have been site planned and/or platted.
- Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
- Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
- This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended. The drainage system shall be maintained in an acceptable condition per the County Engineers approval.
- The property owner shall construct appropriate turn lanes at the project's entrance(s) onto the major roadways per the County Engineers approval. All concurrent with the construction of the project's entrance road onto the major thoroughfare.
- The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended.
- The property owner shall provide construction plans for Forest Hill Boulevard as a 4 lane median divided section (expandable to 6 lanes with all drainage structures sized and placed for the ultimate 6 lanes from SR80 south to the existing 4 lane terminus) plus any appropriate tapers. These construction plans shall be per the County Engineer's approval based upon Palm Beach County's minimum Construction Plan Standards as they presently exist or as they may from time to time be amended. These construction plans shall be completed within six (6) months of Special Exception Approval. Plan costs shall be approved by the County Engineer.
- The property owner shall construct Forest Hill Boulevard as a 4 lane median divided section from SR80 south to the existing 4 lane terminus south of SR80 per the condition above. This construction shall be completed within 9 months of Special Exception Approval. This construction shall include any overlay of the existing roadway as required by the County Engineer. Credit for the impact fee shall be given for this road construction as outlined in Conditions No. 8 and No. 9.
- Surety required for the offsite road improvements as outlined in Condition Nos. 8 and 9 shall be posted with the Office of the County Engineer within six months of special exception approval.

PETITION NO. 86-32(A)

- Prior to site plan certification, the site plan shall be amended to reflect the following:
 - required number of trees.
 - one (1) of three (3) alternative perimeter landscape strips adjacent to existing residential lots.
 - the required terminal islands.
 - the required tree in each terminal island.
 - the day care center clearly labelled.
 - the drop-off and stacking areas indicated.
- No building permit shall be issued for the property until such a time that the site is connected to a public sewer system and/or water supply system.
- Since sewer and water service is available to the property, neither septic tank nor well shall be approved for use on the subject property.
- The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer this matter will be reviewed by the Code Enforcement Board for enforcement.
- The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$8,975.00 for Phase I (100 students) and an additional \$13,502.00 for Phase II (150 students), for a total of 250 student trips x \$26.79 per trip).
- The property owner shall construct a left turn lane, north approach and a right turn lane, south approach on Forest Hill Boulevard at the project's entrance road concurrent with the construction of the project's entrance road onto Forest Hill Boulevard.

PETITION NO. 86-32(C)

- The petitioner shall comply with all conditions of previous approvals unless expressly modified herein.
- Since sewer service is available to the property, septic tank shall not be approved for use on the property.
- Because water service is available to the property, a well shall not be approved for potable water use.
- Prior to Master Plan certification, the developer shall:
 - Revise the Master Plan for Wellington Planned Unit Development to indicate access locations for each pod and clearly identify whether they are existing or proposed.
 - Submit a separate master bike path plan indicating existing and proposed pedestrian/bike pathways, and existing roadways.

PETITION NO. 86-32(D)

- The petitioner shall comply with all conditions of previous approvals unless expressly modified herein.
- Prior to certification, the master plan tabular data shall be amended to reflect the following:
 - The required number of trees to be planted or preserved.
 - The acreage and dimensions of individual preservation areas.
 - Proposed access to the 3.74 acre civic site located to the east.
 - Labelling of the linear parcels which run north to south adjacent to the easternmost canal right-of-way.
 - Density of each tract expressed in dwelling units per acre.
 - Acreage of the OS-R natural reserve known as the "Big Blue" Reserve.
- Within ninety (90) days of the approval of the resolution approving this project, the petitioner shall convey to the Lake Worth Drainage District sufficient right-of-way for Canal No. S-5, or an alternate canal alignment as approved by Lake Worth Drainage District. Conveyance shall be by Quit Claim Deed or an Easement Deed in the form provided by the District.
- Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
- Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
- Failure to comply with the conditions herein may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Violations of the conditions herein shall constitute violation of the Palm Beach County Zoning Code.
- Condition No. 12 of Zoning Petition No. 86-141, Resolution No. R-87-522 which currently states:

"12. The developer shall fund the construction of Forest Hill Boulevard as a 4 lane median divided section from the proposed 4 lane terminus west of S.R. 7 west to the existing 4 lane terminus east of South Shore Boulevard per the above Condition No. 11. This construction shall be concurrent with the proposed construction of the intersection of S.R. 7 and Forest Hill Boulevard which is anticipated to be constructed in the first quarter of 1987.

The developer's engineer shall provide a certified cost estimate for this construction and these funds shall be provided to Palm Beach County upon request when required to construct this project. These funds shall be credited against the fair share fees required in Condition No. 9."

PETITION NO. 86-32(D) CONT.

is hereby amended to read as follows:

- "The developer shall fund the construction of Forest Hill Boulevard per the plans currently in the Engineering Department as a four lane median divided section from the proposed four lane terminus west of State Road 7 west to the existing four lane terminus east of South Shore Boulevard per the condition No. 11 of Resolution No. R-87-522. The funding shall be either or a combination of:
- cash
 - credits from previous developer roadway construction in the Wellington P.U.D.
 - A combination of a and b.

This construction shall be concurrent with the proposed construction of the intersection of State Road 7 and Forest Hill Boulevard, which is anticipated to be constructed in the third quarter of 1988. Palm Beach County Engineering Department shall calculate the cost of this section based on the bids received. Any change orders required to properly construct this section shall also be funded by the developer. These funds shall be provided to Palm Beach County upon request when required to construct this project. These funds shall be credited against the fair share fee funds required in Condition No. 9 of Resolution No. R-87-522. The developer shall also provide revised construction plans for this section to reflect four (4) foot paved shoulders and an overlay on the existing lanes."

PETITION NO. 86-32(E)

- The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
- Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
- Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
- The property owner shall construct a left turn lane south approach and a right turn lane north approach on Forest Hill Boulevard concurrent with onsite paving and drainage improvements. Construction shall be completed prior to the issuance of a Certificate of Occupancy.
- The subject site shall be platted in accordance with Palm Beach County Subdivision & Platting Regulations 33-4 as amended.
- Failure to comply with the conditions herein may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Violations of the conditions herein shall constitute violations of the Palm Beach County Zoning Code.

PETITION NO. 86-32(F)

- Prior to certification, the site plan shall be amended to indicate the following:
 - Required drop-off area with adequate stacking and bypass lane;
 - Six foot high wooden fence around the entire outdoor play area;
 - Required perimeter landscape strips which shall include: canopy trees thirty (30) feet on center around the entire perimeter of the site, hedge material twenty-four (24) inches high spaced twenty-four (24) inches on center;
 - Required perimeter dimension along Hyacinth Place;
 - Dimensions for all required back-up distances; and
 - Directional signage.
 - The relocation of the 5,000 square foot day care center to accommodate access from Wellington Trace; and,
 - Deletion of access off Sunflower Court.
- Security lighting shall be low intensity and directed away from adjacent properties and streets, shining only on the site and shall not exceed twenty (20) feet in height.

PETITION NO. 86-32(F) CONT.

- Use of the site shall be limited to a child day care center supporting a maximum of 125 children and 15 staff members.
- No outdoor loudspeaker system shall be permitted on-site.
- The trash receptacle shall be completely screened by a six (6) foot high solid wood fence and located away from the outdoor play area.
- The developer shall preserve existing vegetation on site and shall incorporate the vegetation into the project design. Clearing shall be limited to the developable area, retention areas, right-of-way, and building pods. Areas of existing vegetation to be preserved shall be shown upon the approved development plan prior to site Plan Review Committee certification. These preservation areas shall receive appropriate protection from damage and disturbance in accordance with Section 500.36. of the Zoning Code during the site development and construction phase.
- The petitioner shall submit an Alternative Landscape Betterment Plan at the time of Site Plan Review Committee submittal to allow some flexibility in the elimination of parking stalls and subsequent relocation of interior landscape islands which will allow for the preservation of native plant material.
- Prior to Site Plan Review Committee, the petitioner shall amend the site plan to indicate the location of all preserved vegetation.
- Prior to Site Plan Review Committee, the petitioner shall amend the site plan to indicate the location of the 4,375 square feet of indoor activity area. The petitioner shall also indicate in a tabular form the spatial requirements for all offices, supply rooms, mechanical rooms, lavatories, hallways, foyers, etc. If the total square footage of these accessory functions exceeds 625 square feet, a subsequent reduction in the student population shall be indicated to support these additional spatial needs.
- Prior to Site Plan Review Committee approval, the petitioner shall secure the necessary releases from the appropriate utilities to allow for the installation of landscaping in the 12 foot wide easement located around the perimeter of the site.
- No dumpster pick-up will be permitted between the hours of 8:00 p.m. and 8:00 a.m.
- Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
- Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
- The developer shall provide discharge control and treatment for the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement.
- The property owner shall construct a left turn lane, west approach on Wellington Trace at Hyacinth Place concurrent with onsite paving and drainage improvements. Construction shall be completed prior to the issuance of a Certificate of Occupancy.
- The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$11,225.00 (419 trips x \$26.79 per trip).
- Failure to comply with the conditions herein may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Violations of the conditions herein shall constitute violations of the Palm Beach County Zoning Code.

PETITION NO. PDD 86-32
DATE SUBMITTED 8-21-96
EXHIBIT NO. 640 (2 of 4)

CERTIFIED FOR INFORMATION ONLY
9-25-96

8/7/96 KILDAY & ASSOCIATES		SIMMONS & WHITE, INC. Engineers • Planners • Consultants 4623 Forest Hill Boulevard, Suite 112, West Palm Beach, Florida 33415 Telephone (407) 965-9144		WELLINGTON PUD MASTER PLAN ZONING CONDITIONS			
DESIGN	DRAWN	CHECKED	APPROVED	DATE	JOB NO.	DRAWING NO.	SHEET
				12-20-93	1072.5	95-25	4 OF 6

Wellington PUD - BCC Conditions of Approval (Pg 2 of 4)

WELLINGTON PUD - BCC CONDITIONS OF APPROVAL (Pg 3 of 4)

PETITION NO. 86-32(G)

- 1. Prior to certification, the site plan shall be amended to indicate:
a. Relocation of the handicap stall to an area adjacent to the structure.
b. Ultimate Right-of-Way dimension for Wellington Trace.
c. Adjacent canal right-of-way located to the east and south.
d. Perimeter landscape alternative number 3 along the west property line.
e. Required number of minimum trees in landscape tabular data.
f. Directional Signage.
g. Minimum twenty-five (25) foot wide access dimension.
h. The dumpster located along the eastern property line to the easternmost stall in the northerly parking string.
i. Minimum landscape requirements and conditions along the eastern property line.
j. Relocation of the handicapped stall to a more appropriate location, which will permit ease of entry into the facility.
2. Prior to site plan certification, the petitioner shall amend the site plan to indicate an extended median to define a separation between the by-pass zone and the covered drop-off area.
3. Prior to site plan certification, the petitioner shall amend the site plan to include a solid six (6) foot high fence around the perimeter of the site on the west, south, east sides.
4. Use of the site shall be limited to a day care center with a maximum 125 children between the ages of three (3) months and five (5) years.
5. Security lighting shall be shielded, low intensity and directed away from adjacent properties and streets.
6. No outdoor loudspeaker system shall be permitted on-site.
7. The trash receptacle shall be completely screened by a six (6) foot high solid wood fence and located away from the outdoor play area.
8. Prior to site plan review submittal, the petitioner shall amend the site plan to indicate the location of the 4,475 square feet of indoor activity area.
9. No dumpster pick-up shall be permitted between the hours of 8:00 p.m. and 8:00 a.m.
10. No landscaping shall be planted within the twelve (12) foot utility easement.
11. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
12. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
13. The Developer shall provide discharge control and treatment for the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application.

PETITION NO 86-32(G) CONT.

- 14. The Property owner shall construct a left turn lane, east approach on Wellington Trace at the project's entrance concurrent with onsite paving and drainage improvements.
15. The petitioner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended.
16. A six foot fence shall be installed around the entire perimeter of the outdoor play area.
17. Hours of operation shall be limited to 6:30 a.m. to 6:30 p.m., Monday through Friday, and no holiday or weekend operation shall be permitted.
18. No signage shall be permitted on the site.
19. No fences shall be permitted in the front yard setback area.
20. The roof shall be spanish tile.
21. Failure to comply with any conditions of approval may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property.

PETITION NO. 86-32(H)

- 1. The petitioner shall provide a minimum fifty (50) foot wide landscape buffer wherever the perimeter of the school site abuts residential lots.
2. Prior to certification, the site plan for the school site shall be amended to indicate all areas of tree preservation including individual trees.
3. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
4. Water service is available to the property. therefore, no well shall be permitted on the site to provide potable water.
5. The developer shall provide discharge control and treatment for the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application.
6. The property owner shall construct a left turn lane east approach and right turn lane, west approach on Greenbriar Boulevard at the project's entrance concurrent with onsite paving and drainage improvements.
7. The Developer shall install signalization if warranted as determined by the County Engineer at the project's entrance road and Greenbriar Boulevard.
8. Lighting shall be shielded, low intensity and directed away from adjacent properties and streets, shining only on the site.
9. Prior to site plan certification, the petitioner shall develop a pedestrian access/bicycle plan for access to the school site from surrounding neighborhoods subject to County Engineer's approval.
10. Prior to Site Plan Certification, the petitioner shall submit:
a. A site plan for the open-space recreation area; and,
b. Appropriate executed agreement with Acme Improvement District for joint use of the Acme owned recreation area.

PETITION NO. 86-32(H) CONT.

- 11. Failure to comply with any conditions of approval may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property.
Petition No. DOA86-32(J)
A. GENERAL
1. To ensure consistency with the proposed request, the day care center shall be limited to a maximum of one hundred twenty (120) children at any time.
E. ENGINEERING
1. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended.
Petition No. 86-32(K)
Conditions for Petition 86-32(K) are contained on the mylar for Wellington Commons Mall in Wellington PUD.
Petition No. EAC86-32(L)
A. HEALTH
1. Petitioner must contract for removal of hazardous materials and biohazardous materials from the site.
Petition No. EAC86-32(M)
A. APPLICABILITY
1. The following conditions shall apply to Petition 86-32(M) (expansion of day care and veterinary clinic) only.
B. HEALTH
1. Architectural plans for the expanded day care center must be submitted to the Environmental Health Section, Palm Beach County Public Health Unit, in accordance with Chapter 10D-24 prior to issuance of a building permit.
E. ENGINEERING
1. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended.
Petition No. DOA86-32(N)
NOTE: The following conditions apply to the fast food restaurant only (Petition 86-32N) with the exception of Condition B.7.
A. GENERAL
1. All previous approvals for the car wash (SELF SERVICE/AUTOMATIC) on Parcel B of the Courtyard Shoppes at Wellington P.U.D., as contained in Resolution R-93-336 (Petition 86-32I), are hereby revoked.
B. BUILDING AND SITE DESIGN
1. Total gross floor area shall be limited to a maximum of 4,000 square feet.
2. Total seating capacity shall be limited to ninety (90) seats.
3. The maximum height, measured from finished grade to roof line, for all structures shall not exceed twenty (25) feet.
4. Architectural character and treatment which is compatible and harmonious with area abutting development shall be provided on all sides of the proposed building.

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- 5. All air conditioning and mechanical equipment shall be roof mounted and screened from view on all sides in a manner consistent with the color and character of the principle structure.
6. The play area for the fast food restaurant shall be limited to indoor only.
DUMPESTER
1. All areas or receptacles for the storage and disposal of trash, garbage or vegetation, such as dumpsters and trash compactors, shall not be located within fifty (50) feet of Greenview Shores Boulevard.
D. LANDSCAPING - GENERAL
1. All trees required to be installed on the subject property by this petition shall meet the following minimum standards at installation:
a. Tree height: fourteen (14) feet.
b. Trunk diameter: 3.5 inches measured 4.5 feet above grade.
c. Canopy diameter: seven (7) feet.
E. ENGINEERING
1. The property owner shall pay Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended.
2. LANDSCAPE WITHIN MEDIAN
A. Prior to issuance of a building permit, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape the adjacent median(s) of Greenview Shores Boulevard.
B. All required median landscaping, including an irrigation system if required shall be installed at the property owners expense.
C. Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to issuance of a certificate of occupancy to reflect this obligation.
F. LANDSCAPING ALONG WEST PROPERTY LINE
1. Landscaping within the required buffer along Greenview Shores Boulevard shall be upgraded to include:
a. One (1) canopy tree planted every twenty (20) feet on center.
b. One (1) native palm or pine tree for each thirty (30) linear feet of frontage.
c. Twenty-four (24) inch high shrub or hedge material spaced twenty-four (24) inches on center at installation.
G. LANDSCAPING ALONG INTERIOR PROPERTY LINES
1. Landscaping and buffering along all interior property lines shall be upgraded to include:
a. A minimum five (5) foot wide landscape buffer strip.
b. One (1) canopy tree planted every twenty (20) feet on center.
c. One (1) native palm or pine tree for each thirty (30) linear feet, with a maximum spacing of sixty (60) feet on center.

- H. LIGHTING
1. All outdoor lighting used to illuminate the premises and identify location signs shall be of low intensity, shielded and directed down and away from adjacent properties and streets.
2. All lighting fixtures shall not exceed twenty-five (25) feet in height.
3. All outdoor lighting shall be extinguished no later than 11:00 p.m.
I. SIGNS
1. Point of purchase signs on site shall be limited as follows:
a. Maximum sign height, measured from finished grade - ten (10) feet;
b. Maximum sign face area per side - 32 square feet;
c. Maximum number of signs - one (1);
d. Style - monument style only.
J. COMPLIANCE
1. Failure to comply with any of the conditions of approval for the subject property at any time may result in:
a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; and/or
ADOPED AS ORD. 96-23 VILLAGE OF WELLINGTON CONDITIONS
Petition No. 86-32(O) APPROVED BY VILLAGE OF WELLINGTON COMMISSION 9/10/96
The following conditions apply to the multi-family residential Tract 46A and for the Commercial Tract 46B.
A. PARKS AND RECREATION
1. The developer of Tract 46A shall provide 1.34 acres of developed, on-site recreation for the residents of Tract 46A.
B. ENGINEERING
1. The access drive to the commercial project shall be located a minimum of 200 feet east of this project's west property line.
C. LANDSCAPING/WATER FEATURE
1. Prior to final site plan approval by the Development Review Committee, the petitioner shall develop and submit a conceptual landscape plan demonstrating proposed buffer methods to mitigate the project's impacts on adjacent single family residential parcels to the northwest and to provide for enhanced buffering from the deleterious impact of the 4.75 acre commercial parcel to the south.
a. Landscaping and buffering along the northwest property line shall be upgraded to include:
i. A fifteen (15) foot wide landscape buffer strip which includes a single row of canopy trees planted no more than twenty (20) feet on center.
ii. A thirty-six (36) inch high hedge at installation and maintained at six (6) feet shall be installed on a two (2) foot high berm.
NOTE: The proposed trees and hedge material indicated in conditions i. and ii. above may be installed in a meandering or staggered manner.
iii. For security purposes, a decorative cast aluminum fence will extend in a northwesterly direction across the proposed water feature to the Lakepoint Subdivision.
iv. A twenty-five (25) foot water feature located between the proposed landscape buffer and the existing lake maintenance easement (located within the Lakepoint Subdivision) shall be provided between the proposed residential development and lots 37 through 41 of the Lakepoint Subdivision.
b. Landscaping along the south property line abutting the 4.75 acre commercial parcel (fronting along South Shore Blvd.) shall be upgraded to include:

PETITION NO. PDD 86-32 DATE SUBMITTED 8-21-96 EXHIBIT NO. 640 (3 of 4)

8/7/96 KILDAY & ASSOCIATES SIMMONS & WHITE, INC. WELLINGTON RUD. MASTER PLAN ZONING CONDITIONS

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i). A fifteen (15) foot wide landscape buffer strip which includes a single row of canopy trees planted no more than twenty (20) feet on center on a minimum three (3) foot high berm. All trees within this buffer will be installed at fourteen (14) feet in height, with trunk diameters of 3.5 inches, measured 4.5 feet above grade. All trees shall also contain a canopy diameter of seven (7) feet. Diameter shall be determined by the average canopy radius at three points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length.

2. The property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median(s) of all abutting rights-of-way. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the property owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County.

All required median landscaping, including an irrigation system, if required, shall be installed at the property owners expense. All landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners' Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of xeriscape material during periods of drought in order to maintain healthy plant material.

In lieu of performing the above, the Village of Wellington shall require: (1) the property owner to pay to the Village of Wellington all costs associated with the material and installation of the median landscaping enumerated above prior to the issuance of the first certificate-of-occupancy; (2) the property owner to pay, on an annual basis, the pro rata share of the costs associated with the perpetual maintenance of the aforementioned improvements as determined by the Village of Wellington.

The pro rata share shall be calculated based on the linear frontage of POD 46A and POD 46B as compared to the total linear frontage of the median landscape improvement installed by the Village of Wellington along South Shore Blvd. The pro rata share between POD 46A and FOD 46B shall be based on total site acreage.

The Village of Wellington shall bear the responsibility for installation of the required median landscaping and the selection of materials for such installation. Upon payment of the required fee (prior to receipt of the first certificate of occupancy), the property owner shall not be subject to any further timing requirement.

D. USE LIMITATION POD 46B (4.75 ACRE COMMERCIAL TRACT)

1. All uses on POD 46B shall be considered a Requested Land Use pursuant to Section 6.8 of the Palm Beach County Land Development Regulations.

E. VOLUNTARY CONDITIONS AND COMMITMENTS

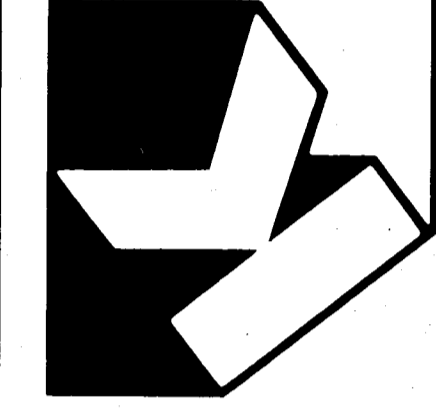
1. Prior to the issuance of the first Certificate of Occupancy, the developer of POD 46A shall make a voluntary contribution to the Village of Wellington, Parks and Recreation Department, in the amount of \$25,000.00 to offset the impacts of this residential project on the Village of Wellington recreation system.

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9-25-96

PETITION NO. PDD 86-32 0
DATE SUBMITTED 8-21-96
EXHIBIT NO. 640 (4 of 4)

Wellington PUD
BCC Conditions of Approval (Pg 4 of 4)

Kilday & Associates
Landscape Architects/Planners
1551 Forum Place
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West Palm Beach, Florida 33401
(407) 689-5522



WELLINGTON PUD. MASTER PLAN
CONDITIONS OF APPROVAL

Date	De	Dr	Chk
8/7/96	AS	AS	CW
REVISIONS			

Scale: NOT TO SCALE
Date: 8/7/96
Drawn By: AS
File No: 1072.5
Drawing No: 95-25
Sheet 6 of 6