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RESOLUTION NO. R2024-06

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A MASTER PLAN AMENDMENT (PETITION NUMBER 2023-0001-MPA) AMENDING THE ORANGE POINT PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN FOR CERTAIN PROPERTY KNOWN AS POD O (FORMALLY KNOWN AS THE EQUESTRIAN CENTER PARCEL), TOTALING 10 ACRES, MORE OR LESS; LOCATED APPROXIMATELY TWO (2) MILES WEST OF STATE ROAD 7, AT THE NORTHEAST CORNER OF 50TH STREET SOUTH AND 120TH AVENUE SOUTH, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO REMOVE THE EQUESTRIAN CENTER DESIGNATION FROM THE ORANGE POINT PUD MASTER PLAN TO ALLOW DEVELOPMENT OF THE ISLEPOINTE PROJECT (POD O), A 10-ACRE RESIDENTIAL DEVELOPMENT WITH 27 SINGLE-FAMILY RESIDENTIAL LOTS, AND TO AMEND CONDITIONS OF APPROVAL AND ADOPT THE ISLEPOINTE PROJECT STANDARDS MANUAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Wellington 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 (LDR) are authorized and empowered to the consider petitions related to zoning and development orders; and

WHEREAS, the notice and hearing requirements, as provided in Article 5 of the LDR, as adopted by Wellington, have been satisfied; and

WHEREAS, the Future Land Use Map (FLUM) designation for Pod O of the Orange Point Planned Unit Development (PUD) was recently changed from Commercial to Residential C; and

WHEREAS, the current Wellington Zoning Map designation for the subject property Pod O of the Orange Point PUD (also known as Islepointe) is Planned Unit Development (PUD); and

WHEREAS, the Orange Point PUD Master Plan Amendment (Petition 2023-0001-MPA) was reviewed and certified by the Development Review Manager; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on March 28, 2024, recommended approval of the Orange Point PUD Master Plan Amendment with a ___ to ___ vote; and

43 **WHEREAS**, the Council has taken the recommendations from the Local Planning
44 Agency, Wellington staff, and the evidence and testimony presented by the Petitioner and
45 comments from the public into consideration for the proposed Master Plan Amendment;
46 and

47
48 **WHEREAS**, Wellington’s Council has made the following findings of fact:

- 49
- 50 1. The Master Plan Amendment request is consistent with the purposes, goals,
51 objectives, and policies of the Comprehensive Plan;
 - 52
 - 53 2. The subject request is consistent with the stated purposes and intent of the
54 Land Development Regulations;
 - 55
 - 56 3. The requested Master Plan Amendment is consistent with the surrounding land
57 uses and zoning districts;
 - 58
 - 59 4. Approval of subject request would result in a logical and orderly development
60 pattern; and
 - 61
 - 62 5. The subject request is consistent with the applicable Planned Unit Development
63 (PUD) regulations.
 - 64

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

67
68 **SECTION 1.** The Orange Point Planned Unit Development (PUD) Master Plan is hereby
69 amended and approved to include the Pod O (Islepointe) property legally described in
70 Exhibit A, subject to the following conditions of approval:

- 71
- 72 1. All previous conditions of the Orange Point PUD, unless otherwise specified in this
73 resolution, are still in effect. (PLANNING)
 - 74
 - 75 2. Resolution R-99-85 Conditions of Approval, as provided below, are deleted with
76 approval of this resolution.
 - 77
 - 78 a. Section 2 Condition 12. Use of the ten (10) acre equestrian center pod shall
79 be for equestrian-related uses. This ten (10) acre pod will allow a maximum
80 of two (2) acres of equestrian related retail uses such as tack shops, fee and
81 grain sales, and other similar commercial equestrian establishments. The
82 remaining eight (8) acres are to be utilized for other public or private
83 equestrian uses such as commercial stables, show rings, riding rings, or
84 fields, paddocks, and other such equestrian uses.

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- b. Section 2 Condition 17. The ten (10) acre equestrian center pod shall provide a minimum thirty-five (35) foot landscape buffer along the entire perimeter, supplemented with a berm and hedge combination to reach a combined height of six (6) feet, with native ten (10) to twelve (12) foot canopy trees planted a maximum of twenty (20) feet on center.
- c. Section 3 Condition 19. The landscape buffer surrounding the equestrian center has increased from 35 feet to west.
- d. Section 3 Condition 24. The 10-acre commercial pod at the southwest corner of Section 26 has been re-designated from commercial to equestrian center and shall be limited to a maximum of 2 acres of equestrian-related establishments. The remaining 8 acres are to be utilized for other public or private equestrian uses such as commercial stables, show rings, riding rings, or fields, paddocks, and other such equestrian uses.

- 3. The subject site (Pod O/Islepointe) shall be governed by the conditions of approval within this resolution and based on the Master Plan (MP) as provided in Exhibit B. The commercial equestrian center approval for the Orange Point PUD Pod O is hereby rescinded. (PLANNING)
- 4. Development of Pod O (Islepointe) shall be limited to the uses, access, acreage, site design and number of lots, site amenities, and landscape buffers approved on the Master Plan (Exhibit B), Regulating Plan, Circulation Plan and Landscape Plan (Exhibit C), and Project Standards Manual (Exhibits D). The final plans consistent with any Council approved changes and conditions of approval imposed by Council shall be submitted for final processing, if applicable. Amendments to the approved plans shall require a master plan amendment approved by Wellington’s Council and as required by the LDR. Minor modification to the landscape plan to adjust for location, material changes due to industry shortage, etc., may be approved with an administrative minor master plan amendment. (PLANNING)
- 5. Exhibit C is the approved Islepointe Project Standards Manual (PSM) with the project development standards including details, specification, architectural details/elements, landscape features/elements, setbacks, building/lot coverage, building height, parking, etc., shall be the governing document along with any other plans/documents approved for this project. Any project development standards not specifically outlined and/or requested/approved within the PSM shall be per the LDR as determined by Wellington for the specific standard and/or use/structure. Architectural Review Board (ARB) and site plan approvals for this project shall be supplemented within the PSM by the Village of Wellington (Wellington).

127 Amendments to the approved PSM shall require Council approval as a master plan
128 amendment. (PLANNING)

129
130 6. The Islepointe (Pod O) project shall be developed consistent with the approved
131 master plan and based on the use and density limitations below:

USE	DENSITY LIMITATIONS
Single-family Residential	27 DUs Total Density Bonus of 2.7 DU/AC

132 (PLANNING)

133
134 7. No building permits for the site shall be issued after December 31, 2026, unless
135 extended by Palm Beach County Traffic Division through an equivalency letter or an
136 updated Traffic Study approval consistent with this master plan approval. (TRAFFIC)

137
138 8. The County traffic concurrency approval is subject to the Project Aggregation Rules
139 as set forth in the Traffic Performance Standards Ordinance. (TRAFFIC)

140 9. Pod O is required to provide to provide 0.41 acres for public recreation, 0.08 acres
141 for civic, and 0.21 acres for private recreation for a total land area of 0.70 acres. The
142 Pod O developer/owner will not provide the land/facilities as required and will make
143 an in-lieu payment based on a value that is \$50,000.00 per acre or the certified
144 appraised fair market value per acre, whichever is greater, as approved
145 administratively by Wellington when the in-lieu payment is required. The in-lieu
146 payment shall be paid to Wellington, when impact fees are required for the
147 residential uses at time of issuance of building permits. The in-lieu payment shall be
148 in addition to the required Parks and Recreation Facilities Impact Fees as determined
149 at time of building permit issuance. (PLANNING)

150
151 10. The Islepointe project (Pod O) is required to be platted. The plat shall be approved,
152 and recorded, prior to the issuance of any building permits. (ENGINEERING)

153
154 11. No vertical encroachments shall be permitted in any utility or drainage easements.
155 No landscaping shall be installed in water or sewer easements or in areas obstructing
156 line of sight for pedestrians or vehicles. (ENGINEERING)

157
158 12. A Land Development Permit (LDP), issued by the Village of Wellington Engineering
159 Department, is required prior to any earthwork or construction taking place, and
160 shall meet all applicable requirements of the LDR, as well as State and Federal
161 regulations and guidelines must be applied for, approved and issued prior to any
162 construction activities. The permit plans shall include construction details for all
163 infrastructure components including paving, grading, drainage, water, sewer,

164 landscape, lighting and off-site improvements. The LDP must be closed out before
165 any Temporary Certificates of Occupancy (TCO)/Certificates of Occupancy (CO) are
166 issued for any buildings or structures. If the project is phased, a separate LDP will be
167 required for each phase of the project. Each phased LDP must be closed out before
168 any Temporary Certificates of Occupancy (TCO)/Certificates of Occupancy (CO) are
169 issued for any buildings or structures within that phase. (ENGINEERING)
170

171 13. No guarantee of available capacity is expressed or implied by the issuance of a
172 Capacity Availability Letter, until such time that the developer has reserved capacity
173 through payment of Water, Sewer and Fire Capacity Fees. (UTILITIES)
174

175 14. A Developers Agreement will be required by the Utility Department to reserve water
176 and sewer capacity for the project. Payment of capacity fees per Village Resolution
177 No. R2018-35 shall be required to reserve capacity. The Developers agreement must
178 be executed and approved by Village Council prior to the execution of the Palm
179 Beach County Health Water and Sewer Department permits by the Village Utility
180 Director. The Developers Agreement conditions should be coordinated during the
181 Site Plan Approval process. (UTILITIES)
182

183 15. Water, Sewer, and Fire Line Capacity fees are based on the "Wellington Water and
184 Wastewater Rates and Charges Fiscal Year 2022". Applicant is encouraged to review
185 capacity fees. These fees are due prior to the approval of the Developers agreement
186 by Village Council. (UTILITIES)
187

188 16. Developer is responsible for the funding and construction of all
189 improvements/upgrades that the Utility determines are necessary to existing lift
190 stations, water distribution systems, sanitary systems, and force main systems
191 because of impacts to existing systems by the proposed project development plan.
192 (UTILITIES)
193

194 17. The developer/applicant must apply for and obtain a Utility Major permit prior to
195 the development of the proposed improvements. (UTILITIES)
196

197 18. All water mains and sewer mains are required to be public. Water and sewer
198 infrastructure must be located in the right-of-way or in a dedicated exclusive water
199 main or sewer easement. Easement widths shall comply with the Village of
200 Wellington Water and Wastewater Systems Construction and Standards Manual (15-
201 foot minimum). All Utility Easements shall provide for un-hindered access to all
202 facilities and mains. (UTILITIES)
203

204 19. A covered school bus shelter (minimum 10' X 15') shall be provided for the
205 residential pod, with bicycle racks for a minimum capacity of four (4),
206 benches/seating for a minimum capacity of four (4), trash receptacles at each

207 bench/seat location and continuous paved access shall be provided. Prior to the
208 issuance of the first Certificate of Occupancy for any residential building, the
209 covered school bus shelter shall be constructed with consistent colors, materials,
210 and roof treatment as the overall project. (PLANNING)

211
212 20. To address the school capacity deficiency generated by the proposed development
213 at the District elementary, middle, and high school levels, the Pod O
214 owner/developer shall contribute a total of \$39,786.00 to the School District of Palm
215 Beach County prior to issuance of first residential building permit. (PBC SCHOOL
216 DISTRICT)

217
218 21. Benches/seating, trash receptacles/bins and bicycle rack shall be provided within
219 Pod O, with the final number and locations as required with the site plan approval.
220 Trash bins should be provided at seating location(s) on the plans. Shade structures
221 and/or landscaping (trees/palms, shrubs, etc.) shall be provided for the seating
222 areas throughout the site. (PLANNING)

223
224 22. Foundation planting areas (including trees/palms) shall be provided along the
225 street/corner side of all buildings/structures. (PLANNING)

226
227 23. No continuous hedge row in the front plane of the buildings shall exceed a
228 maximum height 36 inches. (PLANNING)

229
230 24. Shade/canopy street trees (min. 16 ft. overall height and 5 ft. clear trunk), and
231 pedestrian street lights shall be provided along both sides of roads/streets within
232 the Islepointe project. The pedestrian street light poles, and regulatory traffic/street
233 signs and poles shall be a decorative design, and the design shall be submitted for
234 ARB approval prior to permitting. (PLANNING)

235
236 25. The street trees required along all roads/streets within the Islepointe project shall
237 be hardwood shade/canopy tree species. An alternative street tree design is
238 approved to include other large tree species and accent/flowering trees as provided
239 in the project's PSM and/or site landscape plans, but the number of trees required
240 shall not be reduced. If any street trees are provided in the residential lots they are
241 not to meet the lot requirements, and shall be dedicated on the plat to the
242 residential pod homeowner's association/property owner's association in
243 perpetuity. (PLANNING)

244
245 26. The developer shall pay into the Wellington Tree Fund for any landscaping
246 (including street trees) not provided per the deviation from the landscape standards
247 and as shown on the plans/PSM. The payment shall be \$600 per tree or the material
248 cost for other landscaping if a maximum of 25% will not be provided, or the cost

249 the developer would pay to provide the landscaping on-site if more than 25% will
250 not be provided. The payment amount, if more than 25%, shall be per a landscape
251 architect certified cost estimate for the landscaping as approved by the DM.
252 Payment in-lieu of providing the landscaping shall be made to Wellington prior to
253 issuance of the first building permit for a residential building within the Islepointe
254 project. (PLANNING)
255

256 27. The perimeter landscape buffers shall be shown as an easement or separate tract on
257 the plans and plat. The landscape buffer along the south and west Pod O property
258 line shall be installed prior to the issuance of the first Certificate of Occupancy for
259 any building within the project. Landscape buffer shade canopy trees shall be 25
260 feet on center and hedge height shall be a minimum of three (3) feet in height at
261 installation. (PLANNING)
262

263 28. The south and w perimeter landscape buffer shall include multi-tiered landscaping
264 with a berm and continuous hedge, installed and maintained at three (3) feet,
265 shrubs/groundcover on both sides of the hedge at intermittent intervals along with
266 the required landscaping per requirements of the LDR. (PLANNING)
267

268 29. Developer/owner shall provide a certified cost estimate (by FL. Registered
269 Landscape Architect or Engineer) for the project's perimeter landscape buffer and
270 interior landscaping materials, installation, irrigation, labor, etc. Surety/bond(s) in
271 the form acceptable to Wellington in the amount of 110% of the estimate shall be
272 posted for the project's perimeter landscape buffer and interior landscaping, in
273 addition to the other bonds required for site improvements per the LDP, with the
274 Engineering Department. Landscape permit(s) shall also be required prior to
275 installation. (PLANNING)
276

277 30. The landscaping within this Planned Development District shall exceed the
278 minimum landscape requirements by 30%, or as approved in the PSM. (PLANNING)
279

280 31. The common areas, landscaping, site amenities, etc., shall be completed in
281 conjunction with the adjacent building(s) and prior to the issuance of any Certificate
282 of Occupancy/Certificate of Completion of adjacent building(s)/improvement(s).
283 (PLANNING)
284

285 32. The median and swale along the project's frontage shall be landscaped and
286 hardscaped as approved by Wellington, and be maintained by the Islepointe HOA/
287 POA. (PLANNING)
288

289 33. The residential units within the Islepointe project shall be Electric vehicle (EV)
290 capable with electrical panel capacity and conduit for future Electric Vehicle Supply
291 Equipment (EVSE) installation by the unit owner. (PLANNING)

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- 34. The developer shall ensure this project is developed to be consistent with green certification standards found within the Florida Green Building Coalition, the US Green Building Council Leadership in Energy and Environmental Design (LEED) manual, or other acceptable environmental, and building standards as determined by Wellington’s Development Review Manager for the project during the building permit development approval/inspection process. Documentation indicating which green building standards were met shall be provided six (6) months after the issuance of CO for the buildings. (PLANNING)
- 35. All above ground and wall mounted utility/transformer box, mechanical equipment, valves, etc., shall be located on-site with required screening on a minimum of three (3) sides that provide required screening, while maintaining required three (3) feet clearance and height to meet or exceed equipment being screened. The screen opening shall be away from public view (including adjacent property) and/or additional shrubs will be required at inspection. The screening shall occur in a manner consistent with the color, character and architectural style of the principal structure and may incorporate landscaping as an element of screening. (PLANNING)
- 36. The developer shall take measures to ensure that during site development dust/debris particles from the development do not become a nuisance to the neighboring properties. (PLANNING)
- 37. All gates shall be designed and approved for emergency vehicle access with universal remote approved by all emergency agencies, including but not limited to Palm Beach County Fire and the Palm Beach County Sheriff. Additionally, all gate codes and access shall be granted to Wellington for Code Compliance and other emergency purposes. (PLANNING/ENGINEERING)
- 38. Signs shall be provided/installed by the developer to alert motorist of the bridle trail location and to propose an enhanced crosswalk design (i.e. pavement markings, flashing signalization, raised median, pedestrian refuge island, etc.) for the safety of equestrian riders and pedestrians in the area of the Pod O project. Required improvements shall be provide prior to issuance of any Certificates of Occupancy for Islepointe/Pod O project. (PLANNING/ENGINEERING)

SECTION 2. This Resolution shall become effective upon approval.

(The remainder of this page left intentionally blank)

332 **PASSED AND ADOPTED** this ____ day of _____, 2024.

333

334 **WELLINGTON**

335

336

337 BY: _____

338 Michael Napoleone, Mayor

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341 **ATTEST:**

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344 BY: _____

345 Chevelle D. Hall, MMC, Village Clerk

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349 **APPROVED AS TO FORM AND**

350 **LEGAL SUFFICIENCY**

351

352

353 BY: _____

354 Laurie Cohen, Village Attorney