

RESOLUTION NO. R2026-08

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A CONDITIONAL USE (PETITION 2026-0002-CU) FOR CERTAIN PROPERTY KNOWN AS WELLINGTON VILLAGE MIXED USE PLANNED DEVELOPMENT (MUPD) (FKA K PARK), TOTALING APPROXIMATELY 71.27 ACRES, MORE OR LESS, LOCATED ON THE SOUTHWEST CORNER OF STRIBLING WAY AND US441/SR7, AS MORE SPECIFICALLY DESCRIBED HEREIN, TO ALLOW A MAXIMUM BUILDING HEIGHT OF 86 FEET FOR BUILDING H (HOTEL), 42 FEET FOR BUILDINGS D1 AND D2 (MIXED USE), AND 47 FEET FOR BUILDING G4 (RESTAURANT) WITHIN POD B; PROVIDING A CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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, is authorized and empowered to consider petitions related to zoning and development orders; and

WHEREAS, the notice of hearing requirements as provided in Article 5 of the Wellington Land Development Regulations have been satisfied; and

WHEREAS, the Wellington Village MUPD Master Plan and Project Standards Manual was adopted on February 10, 2026. The development program for Wellington Village MUPD includes a 180-room hotel, commercial, and residential uses within Pod B of the MUPD; and

WHEREAS, Section 5.3.11 of the Land Development Regulations requires a Conditional Use approval for all buildings exceeding 35 feet in height; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on February 18, 2026, recommended _____ of the Conditional Use application with a ____ - ____ vote; and

WHEREAS, the Architectural Review Board, after notice and public hearing on February 25, 2026, recommended _____ of the Conditional Use application with a ____ - ____ vote; and

WHEREAS, the Wellington Council has taken the recommendations of the Local Planning Agency, the Findings of Facts provided in the staff report, and the evidence and testimony presented by the Petitioner and other interested parties, and comments from the public into consideration when considering the proposed Conditional Use; and

WHEREAS, Wellington's Council has made the following Findings of Fact:

1. Surrounding Use Considerations: The proposed buildings with building height exceeding 35 feet are centrally located on the 71.27-acre subject site and are compatible with the surrounding uses on-site and adjacent properties.
2. Comprehensive Plan: The use requested is consistent with Wellington's Comprehensive Plan.
3. Land Development Regulations: The subject request is consistent with the stated purposes and intent of the Land Development Regulations.
4. Development Pattern: The request will result in a logical development pattern as it is located within a Mixed-Use development with other commercial and residential uses.

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

SECTION 1. The Conditional Use to allow a maximum building height of 86 feet for Building H, 42 feet for buildings D1 and D2, and 47 feet for Building G within Pod B of Wellington Village MUPD (FKA K Park), as presented on the site plan for Pod B, revision date January 8, 2026, and provided in Exhibit A, is hereby APPROVED subject to the following conditions of approval:

1. Buildings H, D1, D2, and G4 shall match the elevations and materials as shown in Exhibit B of Resolution No. R2026-08.
2. All required palms installed as required by the conditional use for the height and identified in Exhibit C must remain as long as the building remains. Any landscaping that dies, becomes diseased, or disfigured must be replaced at the same height as approved.
3. A minimum of two percent of the total on-site parking spaces shall be provided with electric vehicle charging stations , and shall be included on the site plan for Pod B.
4. All other buildings/structures, site amenities/elements, tenant/building wall signage, etc., not specifically included with this request/approval shall be require a separate ARB approval.
5. All rooftop mechanical equipment shall be screened from view as shown in Exhibit A. Prior to issuance of a Certificate of Occupancy, an inspection by the Planning and Zoning Division is required to ensure all mechanical equipment is completely screened from view. Additional screening may be required if it is determined that the equipment is not fully screened.
6. All above-ground infrastructure, utility equipment, mechanical equipment, transformer box, valves, exhaust vents, etc., shall be completely screened from view while maintaining three (3) feet of clearance.

- 98
- 99
- 100 7. The address identification/numbering height shall comply with the Palm Beach
- 101 County Fire Code minimum requirements and shall not exceed the LDR
- 102 maximums.
- 103
- 104 8. Prior to issuance of a Certificate of Occupancy/Completion, an inspection by
- 105 Planning and Zoning Division is required to ensure compliance with all approvals.

106 **SECTION 4:** Should any section paragraph, sentence, clause, or phrase of

107 this Resolution be declared by a court of competent jurisdiction to be invalid, such

108 decision shall not affect the validity of this Resolution as a whole or any portion or part

109 thereof, other than the part to be declared invalid.

110

111 **SECTION 5:** Should any section, paragraph, sentence, clause, or phrase of

112 this Resolution conflict with any section, paragraph, clause or phrase of any prior

113 Wellington Ordinance, Resolution, or Municipal Code provision; then in that event the

114 provisions of this Resolution shall prevail to the extent of such conflict.

115 **SECTION 6.** This Resolution shall become effective immediately upon

116 adoption.

117

118

119 **PASSED AND ADOPTED** this _____ day of _____ 2026.

120

121

122 **ATTEST:**

122 **WELLINGTON, FLORIDA**

123

124 BY: _____

125 Chevelle D. Hall, MMC, Village Clerk

126

124 BY: _____

125 Michael J. Napoleone, Mayor

126

127

128 **APPROVED AS TO FORM AND**

129 **LEGAL SUFFICIENCY:**

130

131

132 BY: _____

133 Laurie Cohen, Village Attorney

Exhibit A – Legal Description of Pod B

ALL THAT PIECE AND PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER (1/4) OF SECTION 24, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING PORTIONS OF TRACTS 1 THROUGH 3 AND 6 THROUGH 8, IN BLOCK 26, OF PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THAT PART OF SAID PALM BEACH FARMS CO. PLAT NO. 3. ROADWAY NORTH OF TRACTS 1 THROUGH 3, SAID BLOCK 26, AS MORE FULLY DESCRIBED IN OFFICIAL RECORD BOOK 13325 PAGE 1198, LESS THE SOUTH 86 FEET OF SAID ROADWAY AND TRACTS 4 & 5. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ONE-QUARTER (1/4) CORNER OF SAID SECTION 24; THENCE SOUTH 01°24'43" WEST, AS A BASIS OF BEARINGS, ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 24, SAID LINE ALSO BEING THE WEST LINE OF BLOCK 26, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE EAST LINE OF TRACT B, OAKMONT ESTATES P.U.D. ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN PLAT BOOK 106, PAGE 2, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 19.57 FEET TO A POINT ON THE NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 13325, PAGE 1198, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE SOUTH 88°10'28" EAST, ALONG THE NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 13325, PAGE 1198, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 1,041.05 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE FOR THE FOLLOWING FOUR (4) COURSES:

(1) SOUTH 88°10'28" EAST, A DISTANCE OF 674.96 FEET TO A POINT;
(2) THENCE SOUTH 86°54'18" EAST, A DISTANCE OF 315.00 FEET TO A POINT;
(3) THENCE SOUTH 88°10'40" EAST, A DISTANCE OF 330.42 FEET TO A POINT;
(4) THENCE SOUTH 43°08'16" EAST, A DISTANCE OF 57.12 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 441 (STATE ROAD No. 7), AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 93210-2519, SHEET 9 OF 27, REVISION DATE 02-01-96;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 01°53'57" WEST, A DISTANCE OF 949.58 FEET TO THE NORTHEAST CORNER OF TRACT A, LIFE COVENANT CHURCH WELLINGTON CAMPUS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN PLAT BOOK 115, PAGE 44, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SAID TRACT A, NORTH 88°05'50" WEST, A DISTANCE OF 1,142.41 FEET TO THE NORTHWEST CORNER OF SAID TRACT A;

182 THENCE DEPARTING THE NORTH LINE OF SAID TRACT A, NORTH 01°24'49" EAST,
183 A DISTANCE OF 265.78 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE
184 ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 511.00
185 FEET, THROUGH A CENTRAL ANGLE OF 42°48'55", FOR AN ARC LENGTH OF
186 381.85 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 00°51'34" EAST,
187 A DISTANCE OF 373.03 FEET TO A POINT OF REVERSE CURVATURE;
188
189 THENCE ALONG A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 289.00
190 FEET, THROUGH A CENTRAL ANGLE OF 04°41'19", FOR AN ARC LENGTH OF 23.65
191 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 19°55'21" EAST, A
192 DISTANCE OF 23.64 FEET TO A POINT OF COMPOUND CURVATURE;
193
194 THENCE ALONG A COMPOUND CURVE TO THE LEFT, HAVING A RADIUS OF 50.00
195 FEET, THROUGH A CENTRAL ANGLE OF 84°54'46", FOR AN ARC LENGTH OF 74.10
196 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 24°52'41" WEST, A
197 DISTANCE OF 67.50 FEET TO A POINT OF REVERSE CURVATURE;
198
199 THENCE ALONG A REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 181.00
200 FEET, THROUGH A CENTRAL ANGLE OF 54°33'27", FOR AN ARC LENGTH OF
201 172.35 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 40°03'21" WEST,
202 A DISTANCE OF 165.91 FEET TO A POINT OF NON-TANGENCY;
203
204 THENCE NORTH 88°34'08" WEST, A DISTANCE OF 34.35 FEET TO A POINT;
205
206 THENCE NORTH 01°49'32" EAST, A DISTANCE OF 69.79 FEET TO A POINT;
207
208 THENCE NORTH 88°10'28" WEST, A DISTANCE OF 40.74 FEET TO A POINT;
209
210 THENCE NORTH 01°49'32" EAST, A DISTANCE OF 80.81 FEET TO THE POINT OF
211 BEGINNING. SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY,
212 FLORIDA, CONTAINING 1,188,368 SQUARE FEET OR 27.281 ACRES, MORE OR
213 LESS.