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A RESOLUTION OF WELLINGTON, FLORIDA’S COUNCIL, FOR A MASTER PLAN AMENDMENT (PETITION 2025-0001-MPA) FOR CERTAIN PROPERTY, KNOWN AS LOTIS WELLINGTON 2, A MIXED-USE PROJECT, TOTALING 52.44 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY HALF A MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; MODIFYING THE MASTER PLAN AND ABANDONING THE CONDITION USE APPROVAL FOR THE MINIATURE GOLF INDOOR/OUTDOOR ENTERTAINMENT USE, TO ALLOW A COMBINE RESTAURANT AND RETAIL USE AND A FREESTANDING RESTAURANT USE, TO INCREASE THE DAYCARE USE FROM 210 TO 230 STUDENTS, AND MODIFYING CONDITIONS OF APPROVAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wellington’s Council, as the governing body of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Land Development Regulations (LDR), is authorized and empowered to 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 current Wellington Future Land Use Map designation for the 52.44-acre project known as Lotis Wellington 2 (Lotis 2) is Mixed Use (MU); and

WHEREAS, the current Wellington Zoning Map designation for the 52.44-acre project known as Lotis 2 is Multiple Use Planned Development (MUPD); and

WHEREAS, the Lotis 2 Master Plan and Conditional Uses were approved (Resolution No. R2023-62) by Wellington’s Council on December 8, 2023; and

WHEREAS, the Lotis 2 Master Plan and Conditional Uses conditions of approval were modified by Wellington's Council on June 10, 2025 (Resolution No. R2025-38); and

WHEREAS, the Lotis 2 owner/developer/applicant is now requesting to amend the Lotis 2 Master Plan and abandon the Condition Use approval for the miniature golf indoor/outdoor entertainment use, to allow development of a combined restaurant and retail use and a freestanding restaurant use, and to increase the daycare use, and;

43 **WHEREAS**, the Council has taken the recommendations from Wellington staff, and
44 the evidence and testimony presented by the Petitioner, and comments from the public
45 into consideration for the proposed Development Order Amendment; and

46
47 **WHEREAS**, Wellington's Council has made the following findings of fact:

- 48
- 49 1. The Master Plan and Conditional Use requests are consistent with the
50 Comprehensive Plan;
 - 51
 - 52 2. The subject request is consistent with the stated purposes and intent of the
53 Land Development Regulations;
 - 54
 - 55 3. The subject request is consistent with the surrounding land uses and zoning
56 districts;
 - 57
 - 58 4. Approval of the subject request would result in a logical and orderly
59 development pattern; and
 - 60
 - 61 5. The subject request is consistent with the applicable Multiple Use Planned
62 Development (MUPD) regulations.
 - 63

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

66

67 **SECTION 1.** The Lotis Wellington 2 (Lotis 2) Master Plan is hereby approved for the
68 property legally described in Exhibit A, subject to the following amended and restated
69 conditions of approval (Formatting: ~~Strikethrough~~ text is to be deleted and underline
70 text is to be added):

- 71
- 72 1. The subject site shall be governed by the conditions of approval within this
73 resolution. (PLANNING)
 - 74
 - 75 2. Development of the site shall be limited to the uses, access, acreage, site design, site
76 amenities, public and private recreation areas and amenities, and landscape buffers
77 approved on the Master Plan, Regulating Plan, Circulation Plan, and Phasing Plan
78 (Exhibit B). The final plans consistent with any Wellington Council (Council) approved
79 changes and conditions of approval imposed by Council at the public hearing shall
80 be submitted for final processing, if applicable. (PLANNING)
 - 81
 - 82 3. Exhibit C is the Lotis 2 Project Standards Manual (PSM) approved by Council, with
83 the project development standards including details, specification, architectural
84 details/elements, landscape features/elements, setbacks, separation, building/lot
85 coverage, Floor Area Ratio (FAR), building height, parking, etc., shall be the

governing document along with any other plans/documents approved for this project. The developer is requesting standards, including setback, separation, public land dedication credit, etc., that may be below the Land Development Regulations (LDR) requirements. 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) approvals for this project shall be supplemented within the PSM by the Village of Wellington (Wellington). Amendments to the PSM shall require Council approval, as a master plan amendment. (PLANNING)

4. No building permits for the site shall be issued after December 31, ~~2026~~ 2029, unless extended by Palm Beach County Traffic Division through an equivalency letter or an updated Traffic Study approval consistent with this master plan approval. (TRAFFIC)
5. The project shall be developed consistent with the approved master plan and based on the use limitations below:

USE*	INTENSITY/DENSITY LIMITATIONS
Indoor and Outdoor Entertainment	Outdoor 36-hole Miniature Golf 8,000 SF Indoor Space with Restaurant, Event Space and Retail (Pro-shop) Outdoor Bar/Dining Area
<u>Pod A Commercial Uses including:</u> <u>Restaurant (Quality)</u> <u>Entertainment (Indoor/Outdoor)</u>	<u>8,500 SF (Freestanding)</u> <u>Shall provide options for Council approval prior to site plan approval for the subject portion of Pod A, not including the freestanding restaurant.</u>
General Office	1,030 SF
Daycare Facility	18,000 SF / 210 230 children
Multi-family (Townhouse) Residential	72 DUs
Single-family Residential	100 DUs

~~*The above uses/limitations are approved based on the traffic study dated August 14, 2023 and shall not generate more trips than indicated below.~~

Net Daily Trips		2,034	
AM Peak Hour		PM Peak Hour	
In	Out	In	Out
69	110	129	96

(PLANNING)

- 106 6. The Lotis 2 project land use allocation shall be as approved on the master plan/PSM.
107 Council specifically approves a maximum of 58% (28.53-acre) land allocation for the
108 single land use of residential within Pod C-1. (PLANNING)
109
- 110 7. The commercial pods (Pod A/~~Indoor and Outdoor Entertainment Miniature Golf~~ and
111 Pod B/Daycare Facility) and the residential pods (Pod C-1/Single-family and
112 Townhouse Residential and Pod C-2/Clubhouse with ancillary office) shall be
113 developed concurrently, with a minimum of one (1) of the commercial pods (Pod A
114 or B) uses issued building permits prior to issuance of building permits for the first
115 residential building within Pod C-1. Certificate of Occupancy (CO) and/or Temporary
116 Certificate of Occupancy (TCO), for buildings within Pods A, B, and C-1 shall be issued
117 based on the following limitations:
118
- 119 b. One (1) of the two (2) commercial pods shall receive a CO/TCO prior to 86
120 residential units receiving a CO/TCO, excluding up to six (6) units designated
121 as model homes on the approved Lotis 2 Site Plan.
122
- 123 c. Prior to the final residential units receiving a CO/TCO, the commercial pod that
124 was not issued permits as required above shall be issued building permits for
125 development of the remaining commercial pod. (PLANNING)
126
- 127 8. The 1,030 square feet general office is a required use type for this mixed-use project.
128 The general office space provided in Pod C-2 clubhouse building shall be open for
129 lease by the public in perpetuity and is not limited to the residents of the Lotis 2
130 residential pods. (PLANNING)
131
- 132 9. Pod D (4.24-acre) is a dedicated conservation area with a 3.75-acre Cypress Preserve
133 Area and a 0.49-acre public recreation area and shall be designated as conservation
134 by way of restrictive covenant easements in favor of the Village of Wellington on the
135 Lotis 2 plat. The 3.75-acre Cypress Preserve Area shall be improved with the removal
136 of all non-native and invasive species, and the preservation of native species. The
137 Lotis 2 developer/owner shall provide a maintenance and preservation management
138 plan to Wellington for the protection and maintenance of the preserve area. Said
139 documents shall be submitted as part of the plat documents or incorporated in the
140 plat prior to issuance of the Land Development Permit. The 0.49-acre public
141 recreation area shall be improved with a minimum of walking path(s), seating
142 (including trellis swing) and trash bins, and viewing areas with educational signage.
143 The 4.24-acre Pod D shall be maintained in perpetuity by Lotis 2 with the formation
144 of a master property owners' association (POA). (PLANNING)
145
- 146 10. The private recreation areas/amenities and school bus shelter in Pods C-1 and C-2
147 shall be completed prior to issuance of the 20th Certificate of Occupancy (CO) for the
148 residential building within Pod C-1. A temporary mail kiosk shall be installed prior to

the issuance of the first CO for a residential building in Pod C-1, excluding any sales model unit. The construction of the clubhouse and mailroom amenity shall be completed prior to issuance of the 86th CO for residential building within Pod C-1. The developer shall provide all buyers (of residential units/lots within Pod C-1) notice that the clubhouse and swimming pool amenities will not be constructed/completed or available for use prior to issuance of the 86th CO. The private recreation areas within Pods C-1 and C-2 shall total a minimum of 1.31 acres and include amenities in addition to benches and trash receptacles for the residents of residential development. (PLANNING)

11. The developer/owner is required to provide public land dedication for parks and recreation facilities as well as civic facilities for the 172 DU of residential development within the project. The public land dedication required for parks and recreation is 2.6 acres. The civic land dedication required is 0.52 acres. Required land dedication (3.12-acre total) shall be satisfied per the following:

- a. A 23% (approximately 1.877 AC) credit is approved for the developer, provided public and private recreation areas with improvements and amenities as shown on the project's approved master plan, PSM and site plan (including landscape plan). The credit will be given towards the total 3.12-acre requirement for the Public Recreation and Civic land dedication requirement.
- b. The privately-owned public recreation areas and amenities as shown on the plans/PSM shall be available to the public in perpetuity by way of a restrictive covenant and access easements in favor of the Village of Wellington. Said documents shall be in place prior to the issuance of the first vertical building permit.
- c. The privately-owned public recreation areas at a minimum shall include multi-use asphalt pathway (min. 10-foot wide/sidewalk min. 5-foot wide) as shown on the approved plans, shade trees (average 40 ft. on center), seating and trash bins (at each recreation area and average 250 ft. on center along the pathway/sidewalk), trellis swing shade structures (min. 5), fitness stations (min. 3), lighting, shade structures, and dedicated parking, as illustrated on the plans/PSM, in locations and quantity as determined appropriate by Wellington's Development Review Manager (DM) for the project during the site plan review and approval. The public recreation areas shall be connected internally within Lotis 2 with a 10-foot wide asphalt multi-use pathway and/or five (5)-foot sidewalk, and connected to the Greenway multi-use asphalt pathway within the Lotis Wellington 1 project to the south at a minimum of four (4) cross-access points.

d. The public recreation areas and amenities shall be maintained by the Lotis 2 Property Owners' Association (POA). The maintenance requirements shall be provided with the Declaration of Restrictions and Covenants.

e. The remaining 1.243-acre (3.12 AC land required - 1.877 AC credit) land area requirement shall be met by an in-lieu payment based on a value that is \$50,000.00 per acre or the certified appraised fair market value per acre, whichever is greater, as approved administratively by Wellington when the in-lieu payment is required. The in-lieu payment shall be paid to Wellington when impact fees are required for the residential uses, at the time of issuance of building permits. The in-lieu payment shall be in addition to the required Parks and Recreation Facilities Impact Fees as determined at the time of building permit issuance. (PLANNING)

12. Construction cost associated with the public recreation areas improvements and amenities, as illustrated on the approved site plan, may be deducted from the required Wellington Parks and Recreation Facilities Impact Fees due at the time of building permit issuance. The developer shall provide a certified construction cost (Reviewed/Approved by the DM) for the improvements and amenities, excluding land clearing, grubbing and rough grading; the removal of non-native, invasive species; and the preservation of native species within the Pod D 3.75-acre Cypress Preserve Area. If at such time as the Wellington Parks and Recreation Facilities Impact Fees are due and the public recreation areas improvements and amenities have not been constructed/completed, the developer shall post security in favor of Wellington in the form of a letter of credit or cash in escrow. The developer/owner shall post security prior to issuance of the first building permit for any residential building within the Lotis 2 project. The posted security shall then be partially released or distributed back to the developer, as applicable, at a pro-rata rate of completion of the public recreation areas improvements and amenities, as evidenced by providing an engineer's affidavit of substantial completion. Wellington shall not release or distribute back to the developer any funds that exceed the posted security amount in the event the certified cost exceeds the required Wellington Parks and Recreation Facilities Impact Fees. (PLANNING)

13. This property/project is required to be platted. The plat shall be approved, and recorded, prior to the issuance of any building permits. (ENGINEERING)

14. The developer/owner shall submit the items below with the Land Development/Plat application to achieve Technical Compliance:

a. Soil/geotechnical report for the overall project. The report shall identify the locations of various types of soils, fill (construction rubble, etc.), and depths.

- 233 b. Surface water management (SWM) plan and wetland mitigation plan.
234
- 235 c. South Florida Water Management District (SFWMD) and any other federal or
236 state permit(s) approving the proposed changes to wetlands and/or surface
237 water boundaries within the overall project. Documents on approvals and/or
238 required improvement and mitigation, as may be required by any state/federal
239 departments (USACE/SFWMD), shall be provided.
240
- 241 d. A plan for wetland protection, during and after construction, shall be provided
242 per LDR Section 7.7.2-Wetlands.
243
- 244 e. Documentation that any required on-site cleanup has been completed in
245 compliance with Environmental Protection Agency (EPA) regulations.
246
- 247 f. Declaration of Restrictions and Covenants acceptable, which shall provide for the
248 creation of a single master property owners' association (POA) and the
249 assessment of members of the master association for the costs of maintaining the
250 common areas, roads/streets, landscape buffers, conservation area, public and
251 private recreation areas, lake, etc. (ENGINEERING/PLANNING)
252
- 253 15. Any proposed wetland mitigation within the overall project shall occur within
254 Wellington's boundaries if feasible. (PLANNING)
255
- 256 16. The lake in Pod E shall be:
257
- 258 a. A minimum 50-foot setback from the proposed lake top of bank to the property
259 lines. The top of the bank shall be considered the point where the lake slope does
260 not exceed eight (8) feet horizontal to one (1) foot vertical.
261
- 262 b. A maximum slope of 4:1 (horizontal: vertical) to a minimum of two (2) feet below
263 the control elevation of the proposed lake. From two (2) feet below the control
264 elevation of the proposed lake to a minimum depth of six (6) feet below the
265 control elevation of the proposed lake, the maximum slope shall be no steeper
266 than a 2:1 (horizontal: vertical), or as permitted by SFWMD, whichever is the more
267 stringent requirement.
268
- 269 c. Improved with littoral zone/planting, fountains (min. 1), etc., as illustrated on the
270 approved master, site, and land development plans. The ongoing operation,
271 maintenance, insurance, etc., of the lake/greenway shall be the responsibility of
272 the Master POA for the project.
273
- 274 d. Connected by a drainage easement to the lake on the Lotis Wellington 1 project
275 for water to flow through to the outfall. (ENGINEERING/PLANNING)

- 276
- 277 17. No vertical encroachments shall be permitted in any utility or drainage easements.
- 278 No landscaping shall be installed in water or sewer easements or in areas obstructing
- 279 the line of sight for pedestrians or vehicles. (ENGINEERING)
- 280
- 281 18. A Land Development Permit (LDP), issued by the Village of Wellington Engineering
- 282 Department, is required prior to any earthwork or construction taking place, and
- 283 shall meet all applicable requirements of the LDR, as well as State and Federal
- 284 regulations and guidelines must be applied for, approved, and issued prior to any
- 285 construction activities. The permit plans shall include construction details for all
- 286 infrastructure components, including paving, grading, drainage, water, sewer,
- 287 landscape, lighting, and off-site improvements. The LDP must be closed out before
- 288 any Temporary Certificates of Occupancy (TCO)/Certificates of Occupancy (CO) are
- 289 issued for any buildings or structures. If the project is phased, a separate LDP will be
- 290 required for each phase of the project. Each phased LDP must be closed out before
- 291 any Temporary Certificates of Occupancy (TCO)/Certificates of Occupancy (CO) are
- 292 issued for any buildings or structures within that phase. (ENGINEERING)
- 293
- 294 19. Cross-access and access connections are required and approved per the following:
- 295
- 296 a. Vehicular cross-access, with pedestrian, connections shall be provided to
- 297 promote inter-connectivity between adjacent properties to the Wellington
- 298 Reserve Office Park along the north with a minimum of two (2) connections, to
- 299 the medical office/storage facility along the south with a minimum of one (1)
- 300 connection, and to the Lotis Wellington 1 along the south with a minimum of two
- 301 (2) connections (not including required Greenway cross-access), as illustrated on
- 302 the master plan and circulating plan (Exhibit B).
- 303
- 304 b. Pedestrian cross-access connections shall be provided to the Lotis Wellington 1
- 305 property along the south with a minimum of four (4) Greenway multi-use asphalt
- 306 pathway (standalone) and two (2) pedestrian connection points (with vehicular
- 307 access).
- 308
- 309 c. Minor relocations and/or additions of cross-access points on the master plan may
- 310 be administratively approved to ensure the intent of this condition is met during
- 311 the development of this project and ensure connections to surrounding
- 312 properties/projects. All other cross-access changes or reductions shall require
- 313 Council approval, as a master plan amendment.
- 314
- 315 d. All cross-access connections/points shall be within easements and shall be shown
- 316 on the plat, and be dedicated as required. Amendment to the access easements
- 317 may be done by separate instrument.
- 318

- e. The cross-access connections to the projects along the south shall be constructed in conjunction with the main north/south spine drive aisle for the centrally located cross-access, and the improvements in the area of the other cross-access on Lotis 2. All other connections shall be constructed in conjunction with the improvements in the area/pod prior to issuance of CO/TCO.
- f. Any required improvements, including road, sidewalk/pathways, bridges, piping, etc., shall be permitted and completed when the cross-access and access connections are required as indicated above.
- (PLANNING/TRAFFIC/ENGINEERING)

20. An enhanced crosswalk system shall be provided for anticipated heavy traffic flow roadway/intersections [at a minimum of one (1) location] to ensure a safer environment for pedestrians of this project. At minimum, the enhanced crosswalk system should include a paver/stamped concrete crosswalk, detectable warning, and LED solar-powered flashing crosswalk signs and in-pavement indicator lights that are activated via braille push buttons and/or automatic activation methods. At a minimum, the other crosswalk locations throughout the site shall be paver/stamped concrete and include detectable warning. (PLANNING)

21. The County traffic concurrency approval is subject to the Project Aggregation Rules as set forth in the Traffic Performance Standards Ordinance. If the Lotis Wellington 1 and Lotis 2 projects are ever aggregated on any plans, then the traffic impacts on the Wellington roadways and intersections must be readdressed for the aggregated project. (TRAFFIC)

22. Prior to the issuance of the first building permit, the owner/developer (Lotis 2) shall begin construction on the following improvements, and construction shall be completed prior to the issuance of the first CO/TCO.

- a. Right-turn lane north approach on State Road 7 (SR 7) at the proposed access to County minimum standards, or as approved by the Florida Department of Transportation (FDOT) or Palm Beach County (PBC) Engineer, as appropriate.
- b. Extend the existing left/U-turn lane south approach storage lane on SR 7 immediately north of the proposed access to 580 feet ~~maximum extent, or as approved by the FDOT or PBC Engineer, as appropriate.~~
- c. Extend the existing left/U-turn lane north approach storage lane on SR 7 immediately south of the proposed access to 580 feet ~~maximum extent, or as approved by the FDOT or PBC Engineer, as appropriate.~~

d. Permits required from FDOT for the above construction shall be obtained prior to issuance of any LDP and building permit. (TRAFFIC/PLANNING)

23. A Developer's Agreement will be required by the Utility Department to reserve water and sewer capacity for the project. Payment of capacity fees per Village Resolution R2018-35 shall be required to reserve capacity. The Developers Agreement must be executed and approved by the Wellington Council prior to the execution of the Palm Beach County Health Department Water and Sewer permits by the Village Utility Director. (UTILITIES)

24. Applicant is advised that lift stations serving the project will be required to be upgraded to meet current standards. Additionally, other off-site utility infrastructure supporting the project may require improvements to support the additional density. The owner/developer is responsible for the funding and construction of all on-site and off-site improvements/upgrades as necessary. (UTILITIES)

25. A looped system will be required. Where feasible and reasonable, connections to the existing stub-outs at the adjacent parcels to the north, east, and south will be required. Looping from the west across the LWDD S-5 canal will not be required. Dead-end water mains are not permitted. (UTILITIES)

26. All water mains will be public up to the point of service. All wastewater mains, subject to approval by the Wellington Utilities Department, will be public up to the point of service. Utility facilities must be located in the rights-of-way or in a dedicated exclusive water main or wastewater easement. Easement widths shall comply with the Village of Wellington Water and Wastewater Systems Construction and Standards Manual (current edition). All utility easements shall provide for unhindered access to all facilities and mains in accordance with the standards manual. (UTILITIES)

27. The developer/applicant must apply for and obtain a Major Utility Permit prior to the development of the proposed improvements. (UTILITIES)

28. A covered school bus shelter (minimum 15' X 25' for the number of residential units) shall be provided for the residential pod, with bicycle racks for a minimum capacity of eight (8), benches/seating for a minimum capacity of eight (8), trash receptacles at each bench/seating location and continuous paved access shall be provided. Prior to the issuance of the first Certificate of Occupancy for any residential building, the covered school bus shelter shall be constructed with consistent colors, materials, and roof treatment as the overall project. (PLANNING)

29. To address the school capacity deficiency generated by the proposed development at the District elementary, middle, and high school levels, the property owner shall contribute a total of ~~\$632,402.00~~ \$255,756.00 (or as amended by the PBC School District) to the School District of Palm Beach County prior to issuance of the first residential building permit. (PBC SCHOOL DISTRICT)
30. Benches/seating, trash receptacles/bins, and bicycle racks shall be provided at the building entry and throughout the site, with the final number and locations as required with the site plan review. Trash bins should be provided at seating location(s) on the plans. Shade structures and/or landscaping (trees/palms, shrubs, etc.) shall be provided for the seating areas throughout the site. (PLANNING)
31. Foundation planting areas (including trees/palms) shall be provided along the street/corner side of all buildings (non-residential and residential). (PLANNING)
32. Hedges (min. 24"/max. 36") shall be provided along the parking areas for the multi-family units, and setback (max. 24") from the front lot line. (PLANNING)
33. Shade/canopy street trees (min. 16 ft. OA height and 5 ft. CT), and pedestrian street lights shall be provided along both sides of roads/streets within the Lotis 2 project. Bicycle lanes shall be provided along both sides of the spine road before any gated entries. The pedestrian street light poles, and regulatory traffic/street signs and poles shall be a decorative design, and the design shall be submitted for ARB approval prior to permitting. (PLANNING)
34. The street trees required along all roads/streets within the project shall be hardwood shade/canopy tree species. An alternative street tree design is approved along the project's main access boulevard (road/street) to include large/focal palm species at a maximum of 25% the trees required along that street, and accent/flowering trees/palms are approved at corners/intersections to create a focal point within the residential pod. Street trees in the residential pod are allowed within the residential lots along the street (setback a maximum of 11 feet from the lot's front or side corner property lines) as approved in the project's PSM and/or site landscape plans, but the number of trees required shall not be reduced. The street trees provided in the residential lots are not to meet the lot requirements, and shall be dedicated on the plat to the residential pod homeowner's association/property owner's association in perpetuity. (PLANNING)
35. The developer shall pay into the Wellington Tree Fund for any required street trees not provided in the multi-family section of the residential pod as shown on the plans/PSM. The payment shall be \$600 per tree if a maximum of 25% of the required street trees within the multi-family section will not be provided, or the cost the developer would pay to provide the street trees on-site if more than 25% of the

trees will not be provided in the multi-family section. The payment amount, if more than 25%, shall be per a landscape architect's certified cost estimate for the shade/canopy tree species as approved by the DM. Payment in lieu of providing the trees shall be made to Wellington prior to issuance of the first building permit for a residential building in the residential pod. (PLANNING)

36. The perimeter landscape buffers shall be shown as an easement or separate tract on the plans and plat, and are approved to be installed per the approved project phasing. The landscape buffer along the east property line shall be installed prior to the issuance of the first Certificate of Occupancy for any building within the project. Landscape buffer shade canopy trees shall be 25 feet on center, and hedge height shall be a minimum of three (3) feet in height at installation. (PLANNING)
37. The east perimeter landscape buffer shall include multi-tiered landscaping with a berm (3:1 slope) and continuous hedge; the hedges shall be installed and maintained at a three (3) foot height, shrubs/groundcover on both sides of the hedge at intermittent intervals, along with the required landscaping per requirements of the LDR for this project zoning. (PLANNING)
38. Developer/owner shall provide a certified cost estimate (by FL. Registered Landscape Architect or Engineer) for the project's perimeter landscape buffer and interior landscaping materials, installation, irrigation, labor, warranty (1-year), etc. Surety/bond(s) in the form acceptable to Wellington in the amount of 110% of the estimate shall be posted for the project's perimeter landscape buffer and interior landscaping, in addition to the other bonds required for site improvements per the LDP, with the Engineering Department. Landscape permit(s) shall also be required prior to installation. The surety shall be provided prior to issuance of the LDP and/or as required by Wellington after the LDP is issued. (PLANNING)
39. Developer is required to pay (prior to issuance of any LDP) \$75 per linear foot of frontage along State Road 7 for landscape and plantings. (ENGINEERING/PLANNING)
40. Developer is required to pay (prior to issuance of any LDP) \$75 per linear foot of frontage along State Road 7 for boardwalk or construct an eight (8)-foot wide sidewalk ~~prior to the issuance of the first CO/TCO~~. (ENGINEERING/PLANNING)
41. The landscaping in street corridors, pathways, non-residential pods, recreation areas, etc., within this Planned Development District shall exceed the minimum landscape requirements for size/height by 30%. (PLANNING)
42. Additional height for perimeter and internal trees/palms is required per Table 7.8-1 Tree Size of the LDR, in addition to any other requirements for structures over 35

feet in height. The trees/palms with the additional height shall be required and remain in place as long as the structures remain. The additional trees/palms height as required shall be noted/shown on the project's approved landscape plans to indicate how this requirement will be met. (PLANNING)

43. Prior to site plan approval, the landscape plans must show adequate compatible landscape buffering between adjacent commercial and residential land uses. The landscape plans shall be approved as a part of the site plan. (PLANNING)

44. The common areas, landscaping, site amenities, etc., shall be completed in conjunction with the adjacent building(s) within each Pod and prior to the issuance of any Certificate of Occupancy/Certificate of Completion of adjacent building(s)/improvement(s). (PLANNING)

45. The State Road 7 median and swale along the project's frontage shall be landscaped and hardscaped as approved by Wellington and FDOT, and be maintained by the Lotis 2 Master POA. An agreement between Wellington and/or FDOT and the Master POA shall be required for maintenance of the median/swale areas along the project's frontage. The approved median and swale improvements shall be completed prior to the issuance of any CO. The maintenance agreement shall be executed upon completion of the improvements as approved. (PLANNING)

46. This project shall be designed with a central square/focal point that shall be approved on the site plan. The design of the central square/focal point shall incorporate:

a. Pedestrian circulation around the buildings with connections to other buildings/uses.

b. Arcades, overhead weather protection, etc., that connect all ground-level activities and provide direct access to any outparcels, sidewalks, or other pedestrian amenities, including mass transit facilities, bicycle parking areas, etc.

c. Walkways/sidewalks, a minimum of 10-feet wide, shall be provided.

d. Minimum 100 square feet of shaded area with benches every 100 linear feet in length for the pedestrian walkways.

e. Main boulevard (road/street) with a landscaped median divider with canopy and accent trees, shrubs, ground cover, etc., and includes street trees along both sides of roads/streets. (PLANNING)

47. Electric vehicle (EV) charging stations (Level 2 or Direct-current fast charging) shall

be provided for a minimum of five percent (5%) of the required parking within the commercial pods, common areas of the residential pod, and pods/areas with parking spaces (assigned or shared parking). A minimum of one (1) EV charging station (Level 2 or Direct-current fast charging) shall be provided at the clubhouse and any recreation areas with parking spaces. Each EV charging station shall serve one (1) charging space/EV. The residential units within the residential pod shall be EV capable with an electrical panel capacity and conduit for future Electric Vehicle Supply Equipment (EVSE) installation by the unit owner. (PLANNING)

48. Prior to site plan approval, designate five percent (5%) of the parking spaces in the commercial pods as preferred parking for carpool vehicles, rideshare service, etc. The amount may be reduced, as determined by Wellington's Development Review Manager for the project, if documentation is provided with the site plan review that the intended use(s) will not require all the parking spaces per the intent of the condition. (PLANNING)
49. 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 the CO for the buildings. (PLANNING)
50. A minimum five (5) foot opaque wall is required along the common property line for open roof structures, and a minimum eight (8)-foot opaque wall is required for solid roof structures, for the multi-family/townhouse residential buildings. (PLANNING)
51. Any multi-family residential buildings without an attached garage shall have a reserved parking space for each unit. (PLANNING)
52. An agreement shall be recorded to provide cross-access and shared parking with adjacent lot owners of the commercial pods/outparcels within this project as required when the property is submitted for subdivision plat approval. The agreement shall be provided with the Land Development/Plat applications. (PLANNING)
53. Any businesses operating between the hours of 12:00 AM and 6:00 AM shall be located at least 200 feet from any dwelling unit, measured from the closest points of each structure/use. (PLANNING)

- 575 54. Garbage/recycling pickup and deliveries shall not occur between the hours of 9:00
576 PM and 6:00 AM. There shall be no idling of delivery or similar vehicles between the
577 hours of 10:00 PM and 6:00 AM. Overnight storage or parking of delivery vehicles
578 or trucks shall not be permitted on site, except in designated loading and delivery
579 areas. All delivery and loading areas built to accommodate semi-trucks, tractor-
580 trailers, moving vans, etc., shall be screened from view. (PLANNING)
581
- 582 55. All roof-mounted air conditioning, mechanical equipment, vents, etc., shall be
583 completely screened from view on all sides in a manner consistent with the color,
584 character, and architectural style of the principal structure. (PLANNING)
585
- 586 56. All above-ground and wall-mounted utility/transformer boxes, mechanical
587 equipment, valves, etc., shall be located on-site with required screening on a
588 minimum of three (3) sides that provide required screening, while maintaining
589 required three (3) feet clearance and height to meet or exceed the equipment being
590 screened. The screen opening shall be away from public view (including adjacent
591 property) and/or additional shrubs will be required at inspection. The screening
592 shall occur in a manner consistent with the color, character, and architectural style
593 of the principal structure and may incorporate landscaping as an element of
594 screening. (PLANNING)
595
- 596 57. ~~The developer shall take measures to ensure that during site development,~~
597 ~~dust/debris particles from the development do not become a nuisance to the~~
598 ~~neighboring properties. During site development, the developer/contractor(s) shall~~
599 ~~comply with the noise standards related to construction as provided in Chapter 13~~
600 ~~of the Code of Ordinances, and shall take measures to control dust and other~~
601 ~~construction site activities. In addition, there shall be no fueling/refueling of~~
602 ~~equipment, use of spotlights, flashing lights, horns, or signaling devices, demolition~~
603 ~~equipment, excavation equipment, or power tools, created by construction~~
604 ~~activities outside of the permitted construction operation hours of 7:00 AM to 8:00~~
605 ~~PM, Monday through Friday. The developer/contractors shall not start construction~~
606 ~~activities before 8:00 AM on Saturdays (8:00 AM to 8:00 PM). No construction~~
607 ~~activities are permitted on Sundays, as provided in the Code of Ordinances and/or~~
608 ~~Land Development Regulations. The developer/contractors shall implement and~~
609 ~~maintain a dust control plan with measures/guidelines to mitigate dust/pollution,~~
610 ~~as it relates to construction site activities, throughout all phases of construction to~~
611 ~~minimize airborne particulates and mitigate off-site impacts. The following~~
612 ~~requirements shall apply:~~
- 613
- 614 a. Daily Watering: A water truck (operational) shall be provided, on the days that
615 have activities causing the dust/debris, to control dust on all exposed soils,
616 including but not limited to constructing roadways, stockpiles, non-stabilized
617 (exposed) soils, and canal easements. Watering shall be sufficient to prevent

visible dust accumulation due to wind and construction activities. If determined by Wellington that a water truck is needed during any activities, the activity causing the dust/debris shall cease until such time that the water truck (operational) is on-site to provide the required control.

- b. Weather Considerations: Additional dust control measures, including increased watering frequency or application of soil stabilizers, shall be implemented during dry or windy conditions to prevent airborne dust migration.
- c. Stockpile Management: Soil stockpiles shall be stabilized using water, vegetation, or approved dust suppression agents to prevent erosion and dust dispersion.
- d. Construction Entrance and Roadways: The primary construction access and internal roadways shall be maintained to minimize dust. If necessary, a stabilized entrance with aggregate or dust suppression treatment shall be installed.
- e. Monitoring and Compliance: The contractor shall monitor dust conditions daily and take corrective action as needed. Non-compliance may result in enforcement action, including stop-work orders, at the discretion of the Village.
- f. This condition shall remain in effect for the duration of construction activities and shall be enforced by the Village of Wellington Code Enforcement Department.
(PLANNING/ENGINEERING)

58. All gates shall be designed and approved for emergency vehicle access with a 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)

61. The developer/owner shall install a six (6) foot high black vinyl-coated chain link fence along the entire west and north Lotis 2 property lines adjacent to the Black Diamond development. (PLANNING)

SECTION 2. The Lotis Wellington 2 (Lotis 2) Conditional Uses are hereby approved for the property legally described in Exhibit A, subject to the following conditions of approval:

1. One (1) daycare facility for up to ~~240~~ 230 children is allowed within Pod B. The hours of operation are 5:00 AM to 10:00 PM seven (7) days a week. A minimum of two (2) staff members shall be located in the parking area to facilitate pickup and drop-off during the AM and PM peak hours. A central sign-in/sign-out location shall be provided to ensure security. (PLANNING)

- 661
- 662 2. The Conditional Use and associated conditions approved by Resolution No. R2023-
- 663 62 for the miniature golf entertainment (indoor/outdoor) use is hereby rescinded.
- 664 One (1) entertainment use (indoor/outdoor) is allowed within Pod A, with 8,000
- 665 square feet of indoor space that includes restaurant, event space and retail (Pro-
- 666 shop), outdoor bar/dining area, and an outdoor 36-hole miniature golf. The hours of
- 667 operation are 10:00 AM to 12:00 AM Sunday to Thursday and 10:00 AM to 1:00 AM
- 668 Friday to Saturday. An alternative miniature golf parking rate is approved at one (1)
- 669 parking space per golf hole as shown in the project PSM. The outdoor miniature golf
- 670 area shall be enclosed with a fence type/design that will confine golf balls to the
- 671 designated area. One (1) scoreboard LED/jumbotron display screen is allowed within
- 672 the outdoor miniature golf area, with the display screen not visible along State Road
- 673 7 and the area along State Road 7 is screened with additional landscaping above any
- 674 LDR requirements.
- 675
- 676 3. The owner and/or operator shall obtain all appropriate federal, state, and local
- 677 permits/licenses prior to operating the uses. (PLANNING)
- 678

679 **SECTION 3.** Should any section, paragraph, sentence, clause, or phrase of this resolution

680 conflicts with any section, paragraph, clause, or phrase of any prior Wellington ordinance,

681 resolution, or municipal Code provision, the provisions of this resolution shall prevail to the

682 extent of such conflict.

683

684 **SECTION 4.** Should any section, paragraph, sentence, clause, or phrase of this resolution

685 be declared by a court of competent jurisdiction to be invalid, such decision shall not affect

686 the validity of this resolution as a whole or any portion or part thereof, other than the part

687 so declared to be invalid.

688

689 **SECTION 5.** This Resolution shall become effective upon approval.

690

691 **PASSED AND ADOPTED** this _____ day of _____, 2025.

692

693 **ATTEST:**

694

WELLINGTON

695

696 By: _____

697 Chevelle D. Hall, Wellington Clerk

698

By: _____

Michael J. Napoleone, Mayor

699 **APPROVED AS TO FORM**

700 **AND LEGAL SUFFICIENCY**

701

702

703 By: _____

704 Laurie S. Cohen, Attorney for Wellington