

Exhibit S - Justification Statement

THE MARKETPLACE AT THE WELLINGTON

Future Land Use Map Amendment

Master Plan Amendment

Conditional Use

Justification Statement

September 13, 2024

Introduction

The subject property, generally located at the west corner of Greenview Shores Boulevard and South Shore Boulevard within the Village of Wellington ("Village" or "Wellington"), comprises approximately 17.85 acres, consisting of 2 parcels within the Wellington PUD (the "Property"). Broadview Realty I LLC ("Applicant") owned by Wellington Lifestyle Partners, LLC, proposes a new unique commercial center on the Property, which represents an ideal location to create a welcoming gateway to the Equestrian Overlay Zoning District (EOZD) and a core gathering place for the Village of Wellington at large. Building upon this insight, Wellington Lifestyle Partners, LLC (WLP) is embarking on creating a charming main street as the defining element of this commercial center that will enjoy lush landscaping, strong architecture, and a walkable streetscape unique to the Village of Wellington.

The 17-acre property will support a diverse range of mixed-use structures, totaling over 250,000 square feet. Uses include a central park and a water feature, as well as an array of amenities, such as six new restaurants, 24 retail and specialty shops, an 80-room luxury suite hotel, and a luxury condominium building featuring one- and two-bedroom units. WLP has drawn inspiration from the main streets in many famed towns across Florida and the United States from Worth Avenue in Palm Beach and Park Avenue in Winter Park, Florida to Greenwich Avenue in Greenwich, Connecticut. WLP plans to combine the best historic thinking from these enduring main streets along with the latest design trends found in Pacific Palisades and The Grove in California. WLP aspires to establish a charming, walkable gathering place where all of Wellington can meet.

The Property is mostly vacant except for a 2-story commercial building containing 20,921 square feet. This existing building was approved through DRC Petition 2011-49 as part of a site plan that was intended to be incorporated into a multi-building professional center. This approval included 161,378 square feet of professional office, retail, and restaurant uses. None of the other approved site plan elements were constructed on the Property aside from the 2-story commercial building.

Applicant seeks to amend the land use of the Property from Commercial to Mixed-Use. The land use change will support the future site plan vision to provide for a mix of uses, including residential and hotel uses. The current Commercial land use designation does not allow for the addition of the residential use to the Property. The requested Mixed-Use land use designation was not a standard land use many years ago, and there is a trend towards diversifying uses to provide interconnectivity, walkable areas, and to foster economic sustainability. The Mixed-Use potential on this Property will provide an amenity for the surrounding equestrian facilities and benefit the residents of the Village. The Master Plan Amendment and the Conditional Use applications complement and support the Future Land Use Amendment by providing an update to the Wellington PUD Master Plan and requesting conditional approval for a hotel use on the Property, respectfully.

Wellington was the trailblazer in creating an integrated equestrian community, and it has become a model for other communities. While Wellington currently has a deeply rooted foothold in the global equestrian industry, the market is competitive, and it is continuing to grow. The proposed mix of restaurant, office, and retail uses will provide a convenient and attractive amenity for patrons visiting the site. Multi-family residential dwellings and hotel guests will be able to take advantage of the walkable nature of the Property. The proposal for the Property supports the momentum that Wellington has gained to propel it into the future.

To support the Village's goals for its residents and its economic growth, the Applicant is proposing a series of development requests (collectively, the "Application" or the "Project"):

- 1) Future Land Use Map Amendment: application to change the future land use of the Property from Commercial to Mixed-Use.
- 2) Master Plan Amendment: application to change the Property designation from Commercial to Mixed-Use, to modify the number of units to 89 dwelling units, and to show the existing access point on South Shore Boulevard.
- 3) Conditional Use: application to approve a hotel use for the Property.

This Justification Statement addresses each of the three concurrent applications below. These requests are brought just behind the Applicant's development requests for the project known as "The Wellington North," which proposes a high-end residential community to support the expanding equestrian industry.

Project Contacts:

Wellington Lifestyle Partners, LLC

Douglas McMahon
Paige Bellissimo
13421 S shore Blvd, Suite 203
Wellington, FL 33414
Phone: (561) 629-2802
E-mail: dcmcmahon@tavistock.com
E-mail: paigeb@buildz.com

NEXUS Luxury Collection

Douglas McMahon
9350 Conroy Windermere Road
Windermere, FL 34786
Phone: (407) 406-4466
E-mail: dcmcmahon@tavistock.com

Dunay, Miskel, Backman, LLP

Bonnie Miskel, Esq.
David F. Milledge, Esq.
14 SE 4th Street, Suite 36
Boca Raton, FL 33432
Phone: (561) 405-3300

Cotleur & Hearing

Donaldson Hearing, PLA, ASLA, LEED
Nicole Plunkett, ASLA, PLA, AICP
1934 Commerce Lane, Suite 1
Jupiter, FL 33458
Phone: (561) 747-6336
E-mail: dhearing@cotleur-hearing.com
E-mail: nplunkett@cotleur-hearing.com

Simmons & White

Bryan Kelley, P.E.
2581 Metrocentre Boulevard, Suite 3
West Palm Beach, FL 33407
Phone: (561) 478-7848
E-mail: bryan@simmonsandwhite.com

Sexton Engineering

Mike Sexton, P.E.
110 Ponce de Leon Street, Suite 100
Royal Palm Beach, FL 33411
Phone: (561) 792-3122
E-mail: msexton@sextonengineering.com

E-mail: bmiskel@dmblaw.com

E-mail: dmilledge@dmblaw.com

Location

The Property is located at the west corner of Greenview Shores Boulevard and South Shore Boulevard. Sheffield Street is a secondary access road which runs along the south side of the Property. The Property is surrounded by a diverse mix of uses, including a commercial retail and office center, a recreational park, an elementary school, multi-family residential, and single family residential.

Property Ownership

The Property consists of 2 different parcels with a single owner as provided below.

Owner	PCN	Date Acquired
Broadview Realty I, LLC	73-41-44-16-20-001-0000	09/20/2011
	73-41-44-16-06-003-0000	09/20/2011

All properties were conveyed by deed.

Land Use and Zoning

The Property's future land use designation is Commercial and is withing a Planned Unit Development (PUD) zoning district.

The properties immediately adjacent to the Property are:

SURROUNDING PROPERTIES			
DIRECTION	PROJECT	FUTURE LAND USE	ZONING
NORTH	Wellington Place	Residential E	PUD
SOUTH	Mallet Hill	Residential B	PUD
EAST*	The Wellington North	Equestrian Commercial Rec.	PUD/EOZD
WEST	New Horizons Elementary Tiger Shark Cove Park	Community Facilities/ Park	PUD

*A pending application is seeking a future land use change from ECR to Residential D, the removal of the property from the EPA, and a rezoning to remove the property from the EOZD.

Traffic/Multi-Modal Connectivity

The Property has an existing multi-modal sidewalk along Greenview Shores Boulevard and South Shore Boulevard. A sidewalk also runs along the south on Sheffield Street. The future site plan petition will include designated parking areas for golf carts. The Master Plan Amendment proposes to add an arrow on the map to show the additional access point from South Shore Boulevard. It should be noted that this access point was previously approved on the site plan of record and a curb cut exists on the site today.

Enclosed is a traffic analysis prepared by Simmons & White.

Mass Transit

There are no Palm Tran routes or stops within the vicinity of the project site. Stop 3742 is the nearest bus stop located along Ring Road of the Wellington Green Mall. From here, a passenger can use Route 52 to go north along State Road 7 to the Village of North Palm Beach or Route 46 to go east along Forest Hill Boulevard. A passenger could also take Route 43 to the West Palm Beach Tri-Rail station or Route 62 to go east on Lake Worth Road to Downtown Lake Worth Beach.

Housing/Population

The Property is located within Census Tract 0077.59. Since the Property has an existing commercial land use, it does not have a population. The application by Applicant is seeking 89 dwelling units which would garner a population of 232.

Based on the 2020 census, the surrounding area within a 5-mile radius of the Property is 92,568. Market trend is for this area to continue to grow, as identified in the market study provided by Zabik and Associates, Inc. The Palm Beach County economic engine has historically been fueled by population growth and an increase in available discretionary income of its residents. This area of the County is no exception as most of the residents are over age 40 with high levels of discretionary income. This increase in purchasing power of the neighborhoods surrounding this site has been recognized by some of the nation's leading retailers including Apple, Whole Foods, and Trader Joe's. In February 2021, Palm Beach County luxury single-family home sales spiked 62%. Single-family homes are going under contract 60% faster as of June 2022 than in 2020. The volume of new listings of single-family homes decreased by 52.5% from 2020 to 2021 indicating home buyers are putting roots down in Palm Beach County. Please see the enclosed market study for additional information.

Environmental Inventory

The Property is mostly cleared with minimal existing vegetation. There are no known threatened or endangered species at the site. There is no petroleum or other hazardous material storage at the site. Please see the enclosed maps for additional information regarding the soil composition and the nearest location of a wellfield.

An environmental assessment report provided by EW Consultants, Inc is enclosed.

Drainage

The stormwater management system for the proposed mix-use project will provide the water quality treatment, water quantity storage, and pre-treatment required by the SFWMD and the ACME Improvement District within the limits of the proposed project. The proposed project will provide water quality and quantity volumes by using approximately 1.90 acres of wet detention within the proposed open space areas and approximately 1,000 linear feet of exfiltration trench within stormwater pipes before outfalling into the wet detention ponds.

The existing outfall of the stormwater system permitted on ERP No. 50-00548-S-149 will remain, said

outfall is located along the southeast corner of the property with an ultimate outfall to the existing C-23 ACME Improvement District Canal System.

Please see the enclosed Drainage Statement for specific information related to the proposal's impact on nearby drainage. Said Drainage Statement addresses the requirements found within Section VIII of the Future Land Use Map Amendment Application.

Water/Wastewater/Aquifer Recharge Analysis

The net Average Daily Demand of the proposed Marketplace at The Wellington less than the existing Professional Center at Wellington produce an Estimated Proposed Additional Demand of 0.100 million gallons per day (MGD) of water and 0.077 million gallons per day (MGD) of wastewater.

Please see the enclosed Water and Sewer Demand analysis enclosed herein with this statement which addresses the requirements of Section IX, X & XI of the Future Land Use Map amendment application.

Conservation

There are no known threaten or endangered species impacted or reasonably to be impacted by this application. An environmental assessment report provided by EW Consultants, Inc is enclosed.

Recreation and Open Space

Tiger Shark Cove Park is located along the west property boundary of the Property. This park consists of batting cages, softball fields, pavilions, a basketball court, and an ocean-themed playground. Wellington Community Park is located approximately half a mile south of the Property on South Shore Boulevard. This park consists of baseball diamonds, basketball courts, open fields, and a recreation center. The Village recently entered into an agreement to enhance this property. The nearest county regional park is located at Okeeheelee Park on Forest Hill Boulevard, east of the Florida Turnpike. In addition, Calypso Bay water park, which is owned and operated by Palm Beach County is located northwest of Southern Boulevard and State Road 7 in Royal Palm Beach, Florida. It is not anticipated for the proposed land use change to have any significant impact on the recreational resources of the Village or Palm Beach County.

Fire Rescue

Palm Beach County Fire Rescue Station 27 is located approximately 1 mile south of the Property on South Shore Boulevard. The anticipated response time would be under a minute from departure of the station house. It is not anticipated that response time to the Property would be impacted from this proposal. With the addition of dwelling units, the number of responses to this property would increase.

Historic Preservation

No historic or architecturally significant resources are known to exist within 500 feet of the subject property. No known archaeological resources are located within 500 feet of the Property. Please see the enclosed letter from Palm Beach County.

Public Education

The following schools are in the immediate vicinity of the subject property:

- Elementary School – New Horizons Elementary School, 13900 Greenbriar Blvd. – 0.5 miles
- Middle School – Polo Park Middle School, 11901 Lake Worth Road – 3.3 miles
- High School – Wellington High School, 2101 Greenview Shores Boulevard – 0.7 miles

School capacity determination letter applications are included in this petition and will be submitted to the Palm Beach County School District. Applicant will provide response to Village staff upon receipt.

Intergovernmental Coordination

The Village of Wellington and the Acme Improvement District are located approximately 2 miles from the Property. In addition to the foregoing, the United States, the State of Florida, Palm Beach County, and the South Florida Water Management District may have various jurisdictional rules, regulations or laws applicable to the Property.

Future Land Use Map Amendments

The first step to implement the future vision of the Property is amending the Village's Future Land Use Map. Currently, the Property's existing future land use designation is Commercial. The Applicant proposes to amend the land use to Mixed-Use, which more accurately supports a true mix of uses within the site.

Below are the specific requirements for the requested Future Land Use Map Amendments with the responses following.

General Information

1. Indicate the location of the property in relationship to the nearest north-south and east- west roadways, e.g., south side of Wellington Trace approximately one-half (1/2) mile west of Forest Hill Boulevard.

RESPONSE: The Property is located at the west corner of South Shore Boulevard and Greenview Shores Boulevard.

2. Indicate whether the property has frontage on any roadway or on any waterway and, if so, the number of linear feet of frontage, as well as the depth of the property, e.g., Approximately 1,340 feet of frontage along West Forest Hill Boulevard and 5,280 feet of depth.

RESPONSE: The Property has approximately 500 feet of frontage along Greenview Shores Boulevard and 2,500 feet of frontage on South Shore Boulevard.

3. Identify the location (written description and mapped) and size of any other property contiguous to the subject property which is in the same ownership, whether in whole or in part.

RESPONSE: There are no other properties contiguous to the Property owned by the same property owner.

4. Indicate the month, day and year the property was acquired and from whom the property was

acquired.

RESPONSE: The Property consists of 2 different parcels with a single owner as provided below.

Owner	PCN	Date Acquired
Broadview Realty I, LLC	73-41-44-16-20-001-0000	09/20/2011
	73-41-44-16-06-003-0000	09/20/2011

5. Describe the manner of acquisition (purchase, exchange, gift, inheritance, etc.), the cost of acquisition and provide evidence of same (e.g., purchase and sale agreement) and ownership (deed).

RESPONSE: Please see the table below for the cost and manner of acquisition of the 2 properties:

Owner	PCN	Manner of Acquisition/Cost
Broadview Realty I, LLC	73-41-44-16-20-001-0000	Purchase
	73-41-44-16-06-003-0000	\$6,000,000.00

6. Identify whether the subject property was a part of a larger property acquired from a previous owner. If so, identify the extent of any property contiguous to the subject property that was in the same ownership as the subject property.

RESPONSE: The Property was not part of a larger property.

7. Indicate whether the property was previously subject to a homestead exemption, whether the property was subject to any agricultural exemptions, abatements.

RESPONSE: Upon information and belief, the Property has not been subject to a homestead exemption in the past. There are no exemptions or abatements.

8. Identify whether the property was previously subject to a Future Land Use Map (FLUM) amendment. If so, please provide the date which the FLUM amendment application was filed; the size of the parcel; the requested change in land use designation; the recommendations of the Planning and Zoning Division, the Council; and the ultimate disposition of the FLUM amendment application (whether adopted as requested, adopted as modified, rejected, or withdrawn).

RESPONSE: The Property has not been subject to a previous FLUM Amendment.

9. Has Wellington ever denied a development order for the property? If so, indicate the development order requested, the date the development order was denied, and provide a copy of the resolution denying same, if available.

RESPONSE: Wellington has not previously denied a development order for the Property.

10. Has the property received development approvals from an entity other than Wellington? If the property received development approval from another local, state, or federal agency, please identify agency, type of development order granted, and indicate if the approval is still valid.

RESPONSE: With the exception of the Wellington PUD, approved by Palm Beach County, the Property has not received development approvals from an entity other than Wellington.

Consistency with the Comprehensive Plan

The Project is consistent with and furthers several provisions of the Comprehensive Plan.

Policy LU&CD 1.1.1 – Compatible with Existing Conditions – The proposal is compatible with the surrounding area. To the north is a dense multi-family project, to the west are civic uses, to the south is additional commercial, and to the east will be a higher density residential project. Since the existing land use designation is Commercial, the proposed Mixed-Use land use designation would provide a better transition to the surrounding uses.

Policy LU&CD 2.3.2 – Mixed Uses – This comprehensive plan policy is to encourage projects to incorporate a mix of uses, consistent with other Wellington goals, to offer a variety of services, activities, and housing choices in the commercial centers. The proposal will have retail, offices, restaurants, lodging, and residential options which is consistent with this policy.

Policy H&N 2.1.3 – Mixed-Use Development – Similar to the above reference policy, this policy encourages mixed-use developments along major transportation corridors and nodes. The intersection of South Shore Boulevard and Greenview Shores Boulevard is an important crossroads that is centrally located within the Village. The only mixed-use or higher intensity commercial development is all along the eastern municipal boundary of State Road 7. There are limited commercial nodes and no mixed-use developments which are internally located within the Village.

Policy LU&CD 2.1.4 – Use Transitions – This policy requires appropriate transitioning between different land uses. Since the existing land use is Commercial, the proposed land use of Mixed-Use would provide ever greater transitioning to the surrounding properties.

Objective LU&CD 2.1 – Community Design & Appearance – The Village’s objective is to create vibrant and attractive streetscapes by the incorporation of appropriate detailing and the use of street trees, signage, street furniture and sidewalks. The proposed mixed-use development will indeed create a vibrant atmosphere with its variety of uses and its intimate use of land area with its pedestrian promenades and other walkable spaces throughout the development. These amenities are intended to provide community connectivity that can be used by residents, in addition to the on-site multi-family dwellings and hotel guests.

Policy LU&CD 4.3.1 – Smart Growth Principles – The proposed project is within an eligible area for investment based on the comprehensive plan, and this infill development echoes smart growth with its walkability and its vertically integrated housing options. Such smart growth delivers cost effective services by preventing urban sprawl and supporting the future vision of the Village by creating a meaningful gathering place for those residents and visitors to eat, shop, play, and live.

Compliance with Florida Law

The proposed amendment satisfies the requirements of Sections 163.3177 and 164.3180, which are the relevant provisions of Florida’s Community Planning Act.

Section 163.3177

Section 163.3177, Florida Statutes, provides that any amendment must discourage the proliferation of urban sprawl. The amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

RESPONSE: Consistent with subsection (I) above, the Project centralizes economic growth at the Village's center, adjacent to a mix of complementary uses. Furthermore, this Property is designated as an investment area in the Village's comprehensive plan. There will be no impacts to the natural resources or ecosystems caused by this Project.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

RESPONSE: This Property is already served by public utilities.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

RESPONSE: With a mix of uses around the Property and the proposed mixed-use project, the Project encourages walkability and connectivity in the area. Multi-modal paths are already provided along Greenview Shores Boulevard and South Shore Boulevard.

(IV) Promotes conservation of water and energy.

RESPONSE: The intent of a mixed-use development is to have internal capture for those visiting or residing at the Project. This internal capture reduces traffic trips thereby reducing the consumption of energy.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

RESPONSE: This property is a vacant commercial development. This Project will not have an impact on agricultural areas.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

RESPONSE: While the Project will provide public open space, the intent is to provide a compact development with a variety of uses which consolidates these more intense activities to a unified site thereby reducing reliance on additional land mass for the same uses.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

RESPONSE: While additional housing is demanded by today's current market, the center of the Village is severely lacking in quality commercial uses. Commercial nodes of any significant degree are few and far between within the Village, especially when looking towards the central and western portions of the Village.

(VII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes urban sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

RESPONSE: The pending requests are preventing urban sprawl and creating an innovative development. The Project seeks a variety of uses which are not otherwise provided in this area of the Village. The Village lacks a true town center, and this development will provide a gathering place for residents and visitors to eat, work, play, and stay.

Section 163.3180. Concurrency

The Project will satisfy concurrency standards as set forth in the Village's Comprehensive Plan, as set forth below.

Potable Water – The level of service for potable water is to maintain no less than 105 gallons per capita per day.

Sanitary Sewer – The level of service for sanitary sewer is to maintain no less than 85 gallons per capita per day.

Stormwater Management – The level of service standard for the Subject Property is the Acme Basin B Design criteria and Village of Wellington and SFWMD permit criteria wherein the project must provide the greater of 1" of water quality treatment over the drainage area, or 2.5" of water quality treatment times the percentage of imperviousness.

Transportation – The level of service is based on applicable policies and standards as documented within the enclosed traffic study.

Parks and Recreations – Policy PR 1.1.1 of the comprehensive plan inspires to have 10 acres of land for every 1,000 residents. The Village, as of 2020 has 1,281 acres of parks and recreation facilities which is over double what is needed for the village's population.

Solid Waste – According to a letter from the executive director of Solid Waste Authority of Palm Beach County, dated January 12, 2022, the landfill is forecasted to have capacity through year 2054.

Public Schools – While school concurrency is no longer a requirement per Policy CI 1.2.5, school capacity determination applications have been submitted to the Palm Beach County School district. Analysis by the school district is forthcoming and will be provided upon receipt.

Compliance with the Code

Section 5.3.3.-Comprehensive plan map/text amendments.

- A. A Comprehensive Plan Map and/or text amendments shall comply with F.S. ch. 163 and shall adhere to the submittal and review requirements of the state agency.

The proposed Future Land Use Map Amendments comply with Chapter 163 of the Florida Statutes, as detailed above, and meets the applicable submittal and review requirements.

- B. To modify the future land use map or other map in the Comprehensive Plan, the applicant shall comply with the type C submittal requirements and process as provided for in the development review manual.

Please see below.

- C. The provisions in Wellington Charter, and/or Comprehensive Plan, shall determine if a majority or super-majority vote of council is required based on the type of request and shall be approved/denied by ordinance.

A majority is required for this type of request.

LDR SECTION 5.3.3(B) REQUIREMENTS:

1. Article 5 of the Land Development Regulations provides that a FLUM amendment must be based on one or more of the following factors, and a demonstrated need. Please identify which factor is being used to justify the request for a FLUM amendment and describe how the amendment is consistent with the factor or factors.
 - a. Changed projections (e.g., regarding public service needs) in the Comprehensive Plan, including but not limited to amendments that would ensure provision of public facilities;
 - b. Changed assumptions (e.g., regarding demographic trends or land availability) in the Comprehensive Plan, including but not limited to the fact that growth in the area, in terms of the development of vacant land, new development, and the availability of public services has altered the character such that the proposed amendment is now reasonable and consistent with the land use characteristics;
 - c. Data errors, including errors in mapping, vegetative types and natural features in the Comprehensive Plan;
 - d. New issues that have arisen since adoption of the Comprehensive Plan;
 - e. Recognition of a need for additional detail or comprehensiveness in the Comprehensive Plan; or
 - f. Data updates.

RESPONSE: The proposed future land use change is due to *changed assumptions* as the demand for previously approved professional center has significantly decreased. Demand for office space has drastically decreased as a result of the global pandemic, whereas the need for additional housing within the Village and Palm Beach County continues to be a pressing issue at all levels of local government. As with the proposed housing, this Project will provide

much need commercial uses at a centrally located property, as well as, providing additional hotel rooms, for which the Village is lacking. Please see the enclosed market study for additional information.

2. Article 5 of the Land Development Regulations also provides that a FLUM amendment must be based on a demonstrated need to amend the Future Land Use Map. The demonstrated need must be supported by relevant and appropriate data and analysis, and support documents or summaries of such documents on which the need for the proposed FLUM amendment is based must be included.

- a. If the applicant is proposing an increase in residential density, the applicant should state why other density enhancement programs, such as the *Voluntary Density Bonus Program* and the *Transfer of Development Rights Program*, are not feasible for use on the subject property. The applicant **MUST** demonstrate why the current FLUM designation is no longer appropriate for this site.

RESPONSE: The *Transfer of Development Rights Program* cannot accomplish the goals of the proposed project as the existing land use is Commercial. Commercial does not permit residential uses. It is necessary to amend the land use from Commercial to Mixed-Use to allow for the interplay between the residential and non-residential uses.

- b. If the request is for a commercial FLUM designation, the applicant **MUST** demonstrate why additional commercial acreage is needed in this area, why *this site* is most appropriate to meet this need, and why the current FLUM designation for this site is no longer appropriate.

RESPONSE: Not applicable. The Property currently has a Commercial land use designation.

3. Identify the square feet of non-residential development that could be accommodated on the subject property with the proposed amendment.

- a. At maximum floor area ratio: This is determined by multiplying the size of the property in hundredths of an acre by the number of square feet in an acre (43,560) and by the maximum floor area ratio permitted by the Comprehensive Plan and the Land Development Regulations.

RESPONSE: Based on the Mixed-Use land designation with the reinvestment bonus FAR, the maximum square footage would be 622,228 SF ($777,785 \times 0.8 = 622,228$ SF), though that is not a feasible possibility for this Property.

- b. At typical floor area ratio: This is determined by multiplying the size of the property in hundredths of an acre by the number of square feet in an acre (43,560) and by the typical floor area ratio permitted by the Comprehensive Plan and the Land Development Regulations.

RESPONSE: Based on the Mixed-Use land designation without the reinvestment bonus FAR, the maximum square footage would be 388,892 SF ($777,785 \times 0.5 = 388,892$ SF)

4. Identify, map, and justify the trade or market area for the subject property: The following rules may be used to identify a trade/market area. If a different approach is used, you must provide a justification for the approach taken.
 - a. If a commercial small scale FLUM amendment is being requested, and if the property is more than or equal to one acre and less than or equal to three acres, using the Census Tract Map in the Appendix, draw a boundary around the property which has a radius of one and one-half miles. If the property is more than three acres and less than or equal to ten acres, draw a boundary around the property that has a radius of three miles.
 - b. If an industrial small scale FLUM amendment is being requested, and if the property is more than or equal to one acre and less than or equal to two acres, using the Census Tract Map in the Appendix, draw a boundary around the property which has a radius of one and one-half miles. If the property is more than two acres, draw a boundary around the property that has a radius of three miles.

RESPONSE: Please see the enclosed Market Study for additional information.

5. For the trade or market area identified above, inventory and map the built commercial, commercial office, or industrial uses, as appropriate: This inventory should include the name of the establishment, the type of establishment by category, the square foot of built space, and the square feet of any vacancies. The map should identify where the different establishments are located in relation to the subject property.

RESPONSE: Please see the enclosed Market Study for additional information.

6. A market study is required for commercial applications and many applicants find one helpful in establishing the need for additional commercial in the area. *The Market Study area shall be determined at the mandatory pre-application meeting with Planning and Zoning staff and must include the following:*
 - a. An estimate of demand using an assessment that considers per capita dollars spent in Wellington, dollars spent per square foot of commercial space, and square foot per capita;
 - b. An estimate of supply of commercial square footage which considers the request added to the current supply, and future supply;
 - c. A comparison of estimated supply to estimated demand;
 - d. All sources of data used in the study.

RESPONSE: Please refer to the enclosed Market Study by Zabik and Associates, Inc., which

meets the determined area.

LAND USE DATA:

1. Identify any previously approved petition and resolution numbers for the subject property, if applicable. Also, please attach a copy of the previous resolution(s).

RESPONSE:

Below is a list of all previous approved petitions and resolution numbers:

- **DRC Petition No. 2011-49**

2. Indicate whether the property is currently subject to a concurrency exemption or concurrency reservation. If subject to concurrency, please attach a copy of the appropriate certificate.

RESPONSE: The Property is currently vested 15,136 SF of retail, 4,809 SF of restaurant, and 141,433 SF of professional office space.

3. Indicate whether the property has been platted, subject to a master plan, or subdivided and indicate the record book and page number, if applicable.

RESPONSE: The Property is a part of the Wellington PUD Master Plan.

4. Indicate whether the subject property is currently subject to a developers' agreement or a utility reservation.

RESPONSE: The Property is not subject to a developers' agreement or a utility reservation.

5. Indicate in which flood zone the property is located.

RESPONSE: The Property is located within the AE and X flood zones.

6. Indicate whether the subject property is located in a wellfield protection zone.

RESPONSE: The Property is not located in a wellfield protection zone.

7. Identify whether the property is located in a redevelopment area, neighborhood planning area, or special overlay.

RESPONSE: The Property is not located in a special overlay, redevelopment area, or neighborhood planning area.

8. Explain how the proposed change in the FLUM designation of the property is compatible with the surrounding uses.

RESPONSE: The Property is currently surrounded by many different land uses, including a

school, a public park, commercial, multi-family residential, and single family residential. The proposed change in the FLUM from Commercial to Mixed-Use is compatible with all land uses described above. The Mixed-Use nature of the Property complements and enhances the existing surrounding community by providing new community spaces and commercial areas which are all accessible by the public.

9. Describe how the proposed change in the FLUM designation of the property would be compatible with the surrounding future land uses as shown on the FLUM.

RESPONSE: The Property is directly adjacent to properties with six different future land uses, including Commercial, Equestrian Commercial Recreation, Park, Community Facilities, Low Density Residential, and Medium Density Residential. The proposed change in the FLUM from Commercial to Mixed-Use is compatible with the surrounding future land uses and provides for an appropriate transition between all uses.

10. To support the proposed amendment, reference specific Objectives and/or Policies the proposed amendment is *consistent with* or *further*s. For each Objective/Policy referenced, the application must explain in detail how the *individual* Objective/Policy will be furthered by the proposed amendment.

RESPONSE: *Policy LU&CD 1.1.1 – Compatible with Existing Conditions* – The proposal is compatible with the surrounding area. To the north is a dense multi-family project, to the west are civic uses, to the south is additional commercial, and to the east will be a higher density residential project. Since the existing land use designation is Commercial, the proposed Mixed-Use land use designation would provide a more appropriate transition to the surrounding uses.

Policy LU&CD 2.3.2 – Mixed Uses – This comprehensive plan policy encourages projects to incorporate a mix of uses, consistent with other Wellington goals, to offer a variety of services, activities, and housing choices in the commercial centers. The proposal will have retail, offices, restaurants, lodging, and residential options which is consistent with this policy.

Policy H&N 2.1.3 – Mixed-Use Development – Similar to the above reference policy, this policy encourages mixed-use developments along major transportation corridors and nodes. The intersection of South Shore Boulevard and Greenview Shores Boulevard is an important crossroads that is centrally located within the Village. The only existing mixed-use or higher intensity commercial development is along the eastern municipal boundary of State Road 7. There are limited commercial nodes and no other mixed-use developments which are internally located within the Village.

TRANSPORTATION

1. Determine the trip generation for the current future land use designation.
 - a. At .25 FAR; and

- b. At .35 FAR.

RESPONSE: The existing future land use trip generation is 8,751 daily trips based on a Commercial future land use and a 0.40 FAR.

2. Determine the trip generation for the proposed future land use designation.

- a. At .25 FAR; and
b. At .35 FAR.

RESPONSE: The proposed future land use trip generation is 11,433 daily trips based on the 5 DU/acre and 0.50 FAR allowed for Mixed Use. However, the applicant is proposing to restrict the maximum future land use trip generation to 9,245 daily trips by restricting the proposed commercial to 311,106 S.F. matching the existing future land use maximum square footage.

3. Determine the net trip increase at .25 FAR and .35 FAR (a) - (b).

RESPONSE: The net trip generation is 2,682 daily trips based on the maximum potential and 494 daily trips based on the restricted potential.

4. Determine the project trip distribution on all roadways based on the following table.

Net Trip Increase	Distance
51 - 1,000	directly accessed link
1,001 - 4,000	1 mile
4,001 - 8,000	2 miles
8,001 - 12,000	3 miles
12,001 - 20,000	4 miles
20,000 - up	5 miles

RESPONSE: Due to the trip generation of 494 daily trips for the restricted potential, only the directly accessed link is required to be analyzed.

5. Determine LOS with existing traffic and project traffic.

- a. Add the project traffic to existing traffic volumes for all roadways determined in (d.), based on the trip generation for the proposed future land use in (b). *
b. Compare to LOS D for existing lanes.

RESPONSE: A traffic impact analysis is enclosed within this petition. The LUPA analysis shows the project meets all applicable Level of Service requirements.

6. Determine LOS with projected five year traffic and project traffic.
 - a. Determine five year projected traffic volumes using the published historic growth rates and major project traffic.
 - b. Add the project traffic to all roadways determined in (d) based on the trip generation for the proposed future land use in (b). *
 - c. Compare to LOS D for existing and assured lanes.

RESPONSE: A traffic impact analysis is enclosed within this petition. The LUPA analysis shows the project meets all applicable Level of Service requirements.

7. Determine the current year LOS with the increase in traffic due to the proposed land use amendment.
 - a. Add the project traffic to all roadways determined in (d) based on the trip generation for the increase in traffic due to the proposed future land use in (c).
 - b. Compare to LOS D for the lanes in the current year roadway system.

RESPONSE: A traffic impact analysis is enclosed within this petition. The LUPA analysis shows the project meets all applicable Level of Service requirements.

8. All proposed amendments must be reviewed for consistency with the adopted Wellington Comprehensive Plan. To support the proposed amendment, reference specific Objectives and/or Policies the proposed amendment is consistent with or furthers. (It is recommended that the applicant review the Element for such items.) For each Objective/Policy referenced, the application must explain in detail how the individual Objective/Policy will be furthered by the proposed amendment.

RESPONSE: Policy MB 1.2.1 – Arterial/Collector Connectivity – This project would not impact the existing right-of-way of arterials or collectors adjacent to the project.

Policy MB 1.1.2 – Development Impact on Roadway LOS – This project will not cause roadway levels of service to fall below the adopted LOS targets or will provide necessary ROW modifications to mitigate such impacts.

Policy MB 1.13 – Pedestrian Walkways – Multi-modal pathways are provided along Greenview Shores Boulevard and South Shore Boulevard. Additional pedestrian walkways will be provided internal of the Project.

Policy MB 2.1.2 – On-site Circulation & Parking – The Project will provide the required parking spaces per the LDR. Circulation will loop around the project with access driveways off South Shore Boulevard and Greenview Shores Boulevard.

Policy 2.3.2 – ROW Standard Widths – The adjacent rights-of-way are consistent with the standard ROW widths (i.e. 120 feet).

MASS TRANSIT

1. Identify the mass transit provider.

RESPONSE: Palm Beach County through its transit operator, PalmTran.

2. Identify the location (street address) of the nearest bus shelter or stop, in tenths of a mile from the subject property, and the route number of the nearest bus that would service the property.

RESPONSE: There are no Palm Tran routes or stops within the vicinity of the project site. The nearest bus stop would be Stop 3742 located along the ring road of the Wellington Green Mall.

3. Identify whether the subject property has connections to the Tri-County Commuter Rail.

RESPONSE: From Stop 3742, a passenger can use Route 52 to go north along State Road 7 to the Village of North Palm Beach or Route 46 to go east along Forest Hill Boulevard. A passenger could also take Route 43 to the West Palm Beach Tri-Rail station or Route 62 to go east on Lake Worth Road to Downtown Lake Worth Beach.

4. All proposed amendments must be reviewed for consistency with the adopted Wellington Comprehensive Plan.

RESPONSE: This project is consistent with Policies MB 1.3.1 through 1.3.5. This project will have an effective and safe mobility network internal to the site.

HOUSING/POPULATION

1. If a methodology other than that described below is used to determine population, identify the methodology and the data source(s) used to determine the affected population. Data is required to be taken from professionally accepted existing sources. Methodologies must be clearly described or referenced and must meet professionally accepted standards for such methodologies.
 - a. Current FLUM Designation: The population is calculated by multiplying the size of the property, in tenths of an acre, by the maximum permitted density under the current Future Land Use Map (FLUM) designation by the average number of persons per dwelling unit based upon the most recent population estimates generated by the U.S. Census.

RESPONSE: The current FLUM designation is non-residential and therefore no population is associated with it.

- b. Proposed FLUM Designation: The population is calculated by multiplying the size of the property, in tenths of an acre, by the average number of persons per dwelling unit based upon the most recent population estimates generated by the U.S. Census.

RESPONSE: By using the population figure provided, the proposed FLUM designation would generate a maximum population of 1,183 persons. It is important to note that Applicant is only proposing 89 dwelling units (or 275 additional persons).

- 2. Number of dwelling units. Identify the number of dwelling units that could be constructed on the subject property based upon its:

- a. Current FLUM designation: The number of dwelling units that could be constructed equals the maximum permitted density under the property's current FLUM designation multiplied by the size of the property.

RESPONSE: No units are permissible under the Commercial land use designation.

- b. Proposed FLUM designation: The number of dwelling units that could be constructed equals the maximum permitted density under the property's proposed FLUM designation multiplied by the size of the property.

RESPONSE: 89 dwelling units based on the proposed the Mixed-Use land use designation. Applicant is seeking 89 dwelling units.

- 3. Census Tract data: Identify the Census Tract where the subject property is located.

RESPONSE: Census Tract 0077.59.

- 4. The effect of the proposed amendment on population: This is the difference between the Proposed FLUM Designation and the Current FLUM Designation

RESPONSE: 1,183 persons; however, the true effect would only be 275 persons based on 89 units.

- 5. Change in number of dwelling units: Subtract the number of dwelling units at the Current FLUM designation from the number of dwelling units at the Proposed FLUM designation.

RESPONSE: The current land use does not allow for any residential units. The proposed land use allows for a maximum of 89 units, and we are proposing 89 units total.

- 6. All proposed amendments must be reviewed for consistency with the adopted Wellington Comprehensive Plan. To support a *residential related* proposed amendment, reference specific Objectives and/or policies the proposed amendment is *consistent with* or *further*s. (It is recommended that the applicant review the Element for such items.) For each Objective/Policy referenced, the application must explain in detail how the *individual*

Objective/Policy will be furthered by the proposed amendment.

RESPONSE: *Policy LU&CD 1.1.1 – Compatible with Existing Conditions* – The proposal is compatible with the surrounding area. To the north is a dense multi-family project, to the west are civic uses, to the south is additional commercial, and to the east will be a higher density residential project. Since the existing land use designation is Commercial, the proposed Mixed-Use land use designation would provide a better transition to the surrounding uses.

Policy LU&CD 2.3.2 – Mixed Uses – This comprehensive plan policy is to encourage projects to incorporate a mix of uses, consistent with other Wellington goals, to offer a variety of services, activities, and housing choices in the commercial centers. The proposal will have retail, offices, restaurants, lodging, and residential options which is consistent with this policy.

Policy H&N 2.1.3 – Mixed-Use Development – Similar to the above reference policy, this policy encourages mixed-use developments along major transportation corridors and nodes. The intersection of South Shore Boulevard and Greenview Shores Boulevard is an important crossroads that is centrally located within the Village. The only mixed-use or higher intensity commercial development is all along the eastern municipal boundary of State Road 7. There are limited commercial nodes and no mixed-use developments which are internally located within the Village.

INFRASTRUCTURE: DRAINAGE

1. Identify the entity responsible for providing drainage for the subject property. Drainage providers include drainage districts, improvement districts, water control districts, and water management districts.

RESPONSE: Acme Drainage District and South Florida Water Management District.

2. Indicate in which drainage basin the subject property is located. The six main drainage basins are: 1) C-18 basin; 2) C-17 basin; 3) C-51 basin; 4) C-16 basin; 5) C-15 basin; and 6) Hillsboro Canal basin.

RESPONSE: This property is located within Basin A of the Village's surface water management system and the SFWMD C-51 West drainage basin.

3. Identify the drainage facility that would service the subject property. Facilities include swales, ditches, canals and storm sewers.

RESPONSE: The C-23 and C-6 canals service the Property.

4. Identify the level of service standard established for the subject property.

RESPONSE: Please see the Sexton Drainage analysis for more information.

5. Identify what measures will be taken to assure that the volume, rate, timing and pollutant load of runoff based on the proposed FLUM designation of the property is similar to that which occurred based on the property's current FLUM designation. Structural techniques emphasize detention and retention of stormwater to reduce runoff rates and provide settling and filtration of pollutants. Non-structural techniques emphasize preservation or simulation of natural drainage features to promote infiltration, filtering and slowing of runoff.

RESPONSE: The stormwater management system for the proposed project will provide the water quality treatment and water quantity storage required by the SFWMD and the ACME Improvement District within the limits of the proposed project. The proposed project will provide water quality and quantity volumes by using approximately 1.46 acres of wet detention within the proposed open space areas and 1/4 acres of underground storm chambers located inside paved parking areas. The existing outfall will remain, which is located log the southeast corner of the property with an ultimate outfall to the exiting C-23 ACME Improvement District Canal System.

6. All proposed amendments must be reviewed for consistency with the adopted Wellington Comprehensive Plan.

RESPONSE: The Project is consistent with Policy PF 2.1.2 in that this new development does not have a net change in the storage volume or elevation for the 100-year return frequency, 5-day duration.

INFRASTRUCTURE: POTABLE WATER

1. Identify the entity that would provide potable water service to the subject property.

RESPONSE: Wellington Utility Department.

2. Identify how far, in feet, the subject property is located from a potable water line. Indicate the street where the nearest line is located.

RESPONSE: This project would obtain potable water from a water main along South Shore Blvd.

3. Identify the potable water level of service standard established by the potable water provider.

RESPONSE: The LOS for potable water is to maintain no less than 105 gallons per capita per day.

4. The effect on potable water levels of service and system needs.

a. Current FLUM Designation: The demand for potable water based on the property's

current Future Land Use Map designation is calculated by multiplying the adopted level of service standard by the population identified in section VII.

RESPONSE: There is not an existing population on the Property, therefore the current demand for potable water is 0 gallons per day.

- b. Proposed FLUM Designation: The demand for potable water based on the property's proposed Future Land Use Map designation is calculated by multiplying the adopted level of service standard by the population identified in Section VII.

RESPONSE: 124,215 gallons per day, but as noted, only 89 units are proposed so the demand for potable water would be 24,310 gallons per day.

- c. Change in water usage: This is the difference between the Proposed FLUM Designation and the Current FLUM Designation.

RESPONSE: The difference between the Proposed FLUM Designation and the Current FLUM Designation is 24,360 gallons per day.

5. Consistency with the Potable Water Sub-Element. Applicant must demonstrate consistency with the Potable Water Sub-Element.

RESPONSE: The Project is consistent with Policy PF 1.1.3 and Policy PF 1.1.4 wherein this project does not exceed the projected growth demands and is consistent with the Water Supply Facilities 10-year work plan. Please see the enclosed Water & Wastewater Demand Analysis prepared by Sexton Engineering.

INFRASTRUCTURE: SANITARY SEWER

1. Identify the entity that would provide sanitary sewer service to the subject property.

RESPONSE: Wellington Utility Department would provide sewer.

2. Identify how far, in feet, the subject property is located from a sanitary sewer line. Indicate the street where the nearest line is located.

RESPONSE: A sewer main is located along Sheffield Street and is already providing service to the Property.

3. Identify the sanitary sewer level of service standard established by the potable water provider.

RESPONSE: The LOS for sanitary sewer is to maintain no less than 85 gallons per capita per day.

4. The effect on sanitary sewer levels of service and system needs.

- a. Current FLUM Designation: The demand for sanitary sewer based on the property's current Future Land Use Map designation is calculated by multiplying the adopted level of service standard by the population identified in section VII.

RESPONSE: There is not an existing population on the Property, therefore the current effect on sanitary sewer levels of service is 0 gallons per day.

- b. Proposed FLUM Designation: The demand for sanitary sewer based on the property's proposed Future Land Use Map designation is calculated by multiplying the adopted level of service standard by the population identified in section VII.

RESPONSE: 100,555 gallons but as noted above and throughout this statement, the Applicant is seeking 89 units which would increase demand to 18,700 gallons per day.

- c. Change in water usage: This is the difference between the Proposed FLUM Designation and the Current FLUM Designation.

RESPONSE: The difference between the Proposed FLUM Designation and the Current FLUM Designation is 19,720 gallons per day.

5. Applicant must demonstrate consistency with the Sanitary Sewer Sub-Element.

RESPONSE: The Project is consistent with Policy PF 1.1.5 and is within the Utility Service Area. Please see the enclosed Water & Wastewater Demand Analysis prepared by Sexton Engineering.

INFRASTRUCTURE: AQUIFER RECHARGE

1. Identify whether the property is located within a prime aquifer recharge area: If the property is located east of the conservation areas, state that the property is located within both the surficial aquifer system and the Floridian aquifer system. Identify in what zone of the surficial aquifer the property is located. This information is available from the United States Geologic Survey.

RESPONSE: Florida aquifer and Surficial aquifer.

2. Identify, generally, the percentage of the property that will be covered with an impervious surface: Use the following to estimate the percentage of impervious surfaces: i) low residential (1 to 4.99 dwelling units per acre) = 30 percent; ii) medium and high density residential (5 dwelling units per acre and above) = 65 percent; and iii) commercial, industrial and institutional = 85 percent.

RESPONSE: Based on the information above, approximately 15 acres would be impervious.

3. Applicant must demonstrate consistency with the adopted Wellington Comprehensive Plan

Aquifer Recharge Sub-Element of the Conservation Element.

RESPONSE: The Project is consistent with Policy CSR 1.3.1 wherein the water resources of this project will be protected from known activities which would adversely impact the quality and quantity of public water sources.

CONSERVATION

1. If listed species are present, provide a brief discussion of measures that will be taken to avoid or minimize adverse impacts to these species or their habitat.

RESPONSE: There are no known threatened or endangered species on the property.

2. If there are no known or reported occurrences, could listed species reasonably be expected to be present based on the site-specific habitat characteristics? If yes, please provide a brief discussion.

RESPONSE: With the exception of 0.6 acres of dry detention which exists on site, the remainder of the property is cleared. It is not reasonably expected that any threatened or endangered species use this property for habitat. Please see the enclosed environmental study for additional details.

3. All proposed amendments must be reviewed for consistency with the adopted Wellington Comprehensive Plan. To support the proposed amendment, reference specific Objectives and/or Policies the proposed amendment is *consistent with* or *further*s. For each Objective/Policy referenced, the application must explain in detail how the *individual* Objective/Policy will be furthered by the proposed amendment.

RESPONSE: GOAL PF2 – Surface Water Management. The proposal is intended to provide surface water management systems to prevent flooding to adjacent rights-of-way or neighboring properties. Further, the project will be designed to have adequate capacity. Please see the enclosed Drainage Statement prepared by Sexton Engineering.

Policy CSR 1.1.1 – Air Quality. This project is committed to prohibit the open burning of trash and debris.

Policy CSR 1.1.2 – Transportation Air Quality Impacts. As discussed throughout this justification statement and as provided in the enclosed traffic study, this project intends for significant internal capture of the immediate area which limits trips outside the area.

RECREATION AND OPEN SPACE

1. Identify the following facilities that would service the property:
 - a. Regional parks – **Okeeheelee Park**

- b. District parks – **Calypso Bay Water Park**
 - c. Community parks – **Tiger Shark Cove Park, Wellington Community Park**
 - d. Open space – **This project will have open space opportunities in the form of a demonstration area/green space, as well as the garden promenade.**
2. Adopted recreation levels of service standard of \$885 of total recreational investment per capita.

RESPONSE: Acknowledged.

3. The effect of the proposed FLUM amendment on regional, district and neighborhood parks.

RESPONSE: It is not anticipated for the proposed land use change to have any significant impact to the recreational resources of the Village or Palm Beach County.

4. To support the proposed amendment, reference specific Objectives and/or Policies the proposed amendment is *consistent with* or *further*s. For each Objective/Policy referenced, the application must explain in detail how the *individual* Objective/Policy will be furthered by the proposed amendment.

RESPONSE: Policy PR 1.1.1 – Recreational Land – this policy inspires to have 10 acres of land for every 1,000 residents. This project provides open space in the form of the demonstration area/green space and the garden promenade. Furthermore, the Village as of 2020 has 1281 acres of parks and recreation facilities which is over double what is needed for the population.

FIRE RESCUE

1. Identify the fire-rescue facility that would service the subject property: Identify the station number, the street address of the facility, and the distance in tenths of a mile of the facility from the subject property.

RESPONSE: Palm Beach County Fire Rescue Station 27, 3411 S. Shore Blvd., Wellington, FL. This station is approximately 0.6 miles south of the Property.

2. Identify the response times from the fire-rescue station to the subject property: The response time, in minutes, may be determined by multiplying the number of miles from the station to the property by two.

RESPONSE: Response time would be anticipated to take approximately one minute.

3. The effect of the proposed FLUM amendment on the average emergency response time: If the response time is less than five minutes, there is a rebuttable presumption that there would be no negative effects on fire-rescue response time. If the response time is greater

than five minutes, please identify what actions could be taken to mitigate the Fire-Rescue Department's response time.

RESPONSE: It is not anticipated that response time to the Subject Property would be impacted from this proposal.

HISTORIC PRESERVATION

1. Identify any historic or architecturally significant resources within 500 feet of the subject property. Historic or architecturally significant resources include buildings, structures and other objects.

RESPONSE: No historic or architecturally significant resources are known to exist within 500 feet of the subject property. Please see the enclosed letter from Palm Beach County.

2. Identify any archaeological resources located within 500 feet of the subject property. Archaeological resources include aboriginal mounds, forts, earthworks, village locations, camp sites, middens, burial mounds, missions, or other artifacts at least seventy-five years old.

RESPONSE: No known archaeological resources are located within 500 feet of the subject property. Please see the enclosed letter from Palm Beach County.

PUBLIC EDUCATION

1. Identify the name and street address of the public schools that would educate potential school age children, and indicate how far the school is from the subject property, for:
 - a. Elementary Schools – **New Horizons Elementary School, 13900 Greenbriar Blvd. – 0.0 miles**
 - b. Middle Schools – **Polo Park Middle School, 11901 Lake Worth Road – 2.0 miles**
 - c. Senior High Schools – **Wellington High School, 2101 Greenview Shores Boulevard – 0.3 miles**
2. All proposed amendments must be reviewed for consistency with the adopted Wellington Comprehensive Plan. To support the proposed amendment, reference specific Objectives and/or Policies the proposed amendment is *consistent with* or *further*s. For each Objective/Policy referenced, the application must explain in detail how the *individual* Objective/Policy will be furthered by the proposed amendment.

RESPONSE: Consistent with Policy CP 1.4.1, the Applicant will coordinate with PBC School District relating to the potential impact of this proposal, if necessary.

INTERGOVERNMENTAL COORDINATION

1. Identify all local governments (including special districts) located within one-mile of the subject property.

RESPONSE: Acme Improvement District, Village of Wellington, United States, State of Florida, South Florida Water Management District.

2. Indicate whether or not a municipality has initiated annexation of the property. If annexation was attempted by a city, indicate when and the name of the city. In addition, identify whether the subject property is located within the future annexation area of any local government.

RESPONSE: The Property is not subject to annexation and is not in the future annexation area of any other local government.

3. Applicant must demonstrate the impact of the proposed amendment on the Intergovernmental Coordination Element.

RESPONSE: This proposal will have no impact on this element of the comprehensive plan as this project will not impact any existing interlocal agreements nor will it adversely impact levels of services inside or outside the municipal boundaries of Wellington.

EQUESTRIAN ELEMENT

1. Applicant must demonstrate the impact of the proposed amendment on the Equestrian Element.

RESPONSE: While the Property is outside of the Equestrian Preserve Area, the Property is near major equestrian venues. With this proximity, this project will provide necessary services to support and complement the equestrian industry in the form of retail, restaurants, hotel rooms, and additional quality housing options which is consistent with EQ 3 goal of supporting Wellington's equestrian competition industry.

Master Plan Amendment

Applicant is seeking to amend the Wellington PUD Masterplan to change the pod type for the Project to Mixed-Use. An additional access point is now shown on South Shore Boulevard into the Project. It should be noted that this access point and curb cut already exists on site today. It is also shown on the approved site plan of record. The tabular data of the masterplan has been updated to provide for the name, "Marketplace at The Wellington", the Mixed-Use designation, 89 dwelling units, and 5.0 density, which are all consistent with the proposed conceptual site plan.

General Information per the Master Plan Amendment Application

1. That the proposed request is consistent with the purposes, goals, objectives, and policies of the Comprehensive Plan.

RESPONSE: The proposal is consistent with the purposes, goals, objectives, and policies of the comprehensive plan as discussed throughout this justification statement.

2. That the proposed request is in compliance with all articles of the Land Development Regulations (LDR).

RESPONSE: The proposal is consistent with all articles of the LDR as discussed in detail below.

3. That the proposed request minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

RESPONSE: The Property has minimal existing vegetation and is almost entirely cleared. The proposal will not have negatively impacted the existing conditions. The addition of trees and other landscape material within the Property is substantially positive since trees absorb carbon dioxide, a heat-trapping greenhouse gas. The additional vegetation will also have the ability of absorbing potential odors and other pollutant gases. Please see the enclosed environmental study for additional details relating to wildlife, native vegetation, wetlands or any natural functioning environment on site.

4. Provide the overall design concept and show that the design of the proposed request minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

RESPONSE: Enclosed herein with this statement is a conceptual site plan which shows the overall design of the property. Necessary landscape buffers would be provided to buffer the neighborhood from the surrounding rights-of-way and other neighborhoods. Furthermore, the property is located on a hard corner of South Shore Boulevard and Greenview Shores Boulevard making it a suitable location for this type of project. With additional commercial uses to the south, civic uses to the west, and medium and higher density residential to the north and east, this Property is logical based on these development patterns.

5. That the proposed request is consistent with applicable neighborhood plans.

RESPONSE: This property is not subject to any neighborhood plans.

6. That the proposed request will result in a logical, timely and orderly development pattern.

RESPONSE: As discussed above, this is a logical location for this project as there are civic uses, commercial uses, and medium to higher density residential uses to the north and to the east. Moreover, this infill project is identified as a reinvestment area and will prevent urban sprawl.

7. That the proposed request complies with Wellington building standards.

RESPONSE: This project will comply with applicable building standards at the time of building permit issuance.

Compliance with Code

Sec. 5.3.5.-Master plan

Master plans and/or amendments to existing master plans shall comply with the type C submittal requirements and process of the development review manual and shall be done by resolution. Additionally, the following shall apply:

- A. No permits for development shall be issued prior to the approval of the master plan/amendment and the corresponding site plan/amendment or subdivision plan(s).
- B. A conceptual site plan or subdivision plan is required as part of the application for a master plan/amendment.

Response: A conceptual site plan has been provided with this Application.

- C. If the project is intended to be constructed in phases, the applicant must submit a phasing plan as part of the required documents. This is necessary to ensure appropriate development patterns and to apply time limitations as set forth in Section 5.2.4 related to site plans/subdivision plans.
- D. Master plans are required for all planned developments and may be required for multiple parcels that are intended to function as a single project but are not a designated planned development.
- E. Master plan amendments shall be reviewed by village council as a type C application unless the modifications to the master plan qualify as a minor amendment pursuant to the development review manual (no increase in density and/or intensity), then an administrative approval, approval with conditions, or denial may be granted in accordance with a type A2 application.

Article 6, Chapter 5 – Planned Developments

The proposed master plan amendment is compliant with this chapter of the LDR. The purpose of a Planned Development District (“PDD”) (i.e. the Wellington PUD), is to allow flexibility in the application of zoning regulations for the development of land within a PDD that achieves distinctive, attractive communities, takes advantage of compact building design, and preserves open space and critical natural environments by allowing flexibility from zoning regulations.

The proposed development is consistent with the intent of a PDD as the Wellington PUD is existing, and the proposed amendment provides for an efficient use of the land, utilities, and infrastructure. There are significant benefits for having a mixed-use node centrally located within the Village – there is an internal capture of traffic trips, creates a sense of community, and provides for much needed commercial activity near residential areas instead outside of the municipality. Furthermore, the design of the proposed Project will maintain adequate stormwater runoff and will be of a distinctive design providing for upscaled housing and commercial options within the Village.

Compliance with Article 7 – Site Development Standards

Off-Street Parking – The proposed parking for the residential uses and amenities will be in

compliance with Table 7.5-1

Landscaping and Buffering – The proposed development adheres to the purposes outlined in Article 7, Chapter 8 relating to the Village’s landscape code requirements by providing for the required landscape buffers, foundation plantings, and other specific landscape requirements as provided within the code. Please refer to the Project Standards Manual for landscape specifics.

Driveways and Access – The proposed development adheres to requirements as established within Section 7.4.1 and 7.4.2 to promote the safe and efficient traffic movement while affording reasonable access to abutting land.

Compliance with Article 8 – Subdivision, Platting and Physical Improvements

The proposal adheres to the policies outlined in Article 8 of the LDR, which outlines subdivision, platting and physical improvements within the planned development.

Conditional Use

Applicant is proposing a hotel with 80 rooms on the Property. A hotel is considered a conditional use pursuant to Section 6.2.1. Conditional uses are those uses that are generally compatible with the future land use map and zoning district, but may require additional conditions to ensure mitigation of impacts to adjacent properties. A hotel is a commercial established use, maintained or advertised as a place where sleeping accommodations are supplied for short term rent to guests, in which rooms are furnished for the accommodation of such guests and may have accessory uses such as dinning rooms, meeting rooms, and recreation facilities.

Justification Statement Criteria per the Conditional Use Application

1. That the proposed request is consistent with all elements of the Comprehensive Plan.

RESPONSE: The proposal is consistent with the purposes, goals, objectives, and policies of the comprehensive plan as discussed throughout this justification statement.

2. That the proposed request is in compliance with Article 6 of the LDR (Supplementary Regulations).

RESPONSE: The proposed request is in compliance with Article 6 of the LDR Supplementary Regulations, specifically number 11 Hotel which states the following:

- a. A hotel may have an accessory lounge not to exceed to 25 percent of the gross floor area of the hotel, exclusive of parking.

Response: If an accessory lounge is proposed in the future, it will not exceed 25 percent of gross floor area of the hotel.

- b. Must be located on a minimum of two acres.

Response: The Property exceeds two acres.

3. That the proposed request will ensure general compatibility with adjacent properties and other property in the district (use and character).

RESPONSE: The proposed hotel use is compatible with the mixed-use nature of the Project and the general area.

4. That the design of the proposed request will minimize adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

RESPONSE: Enclosed herein with this statement is a conceptual site plan which shows the overall design of the Project, including the location of the hotel. Required landscape buffers will be provided to buffer surrounding properties.

5. That satisfactory provisions have been made for public facilities.

RESPONSE: The hotel use is providing public gathering spaces and facilitates open spaces to serve the community. Additionally, our engineers have confirmed adequate public facilities will exist to support the hotel and the greater project.

6. That the design of the proposed request will minimize environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and natural functioning of the environment.

RESPONSE: The hotel is part of a much bigger picture for the Property which will provide for a mixed-use atmosphere. The hotel encourages those who stay to walk to the restaurant and retail that will be provided on site. There are amenities and open spaces for guests to enjoy as well. Reducing vehicle use reduces the environmental impacts which could potentially occur if the approved site plan was built today.

7. That the proposed request will result in logical, timely and orderly development patterns.

RESPONSE: The Property is a logical location for a mixed-use project, and a hotel is a logical use for a portion of the Property. With a central location within the Village, providing a meaningful mixed-use node at the Property provides significant benefits to the surrounding community. Moreover, this infill project prevents urban sprawl.

8. That the proposed request complies with all Code standards for use, layout, function and general development characteristics.

RESPONSE: The hotel use will comply with all Code standards for use, layout, function and general development characteristics.

9. That the proposed request is not out of scale with the needs of the neighborhood or Wellington.

RESPONSE: The hotel use is not out of scale with the needs of the neighborhood or Wellington. There are no existing hotel rooms in the immediate area of the Subject Parcel. Especially with its close proximity to Wellington International Equestrian Center, the hotel will meet a need for the area.

Conclusion

The proposed future land use map amendment, master plan amendment, and conditional use request are intended to effectuate the vision of making Wellington the Equestrian Capital of the World. The mixed-use nature of the Property will provide consistency in the relationships between all adjacent properties. Additionally, the future vision of the Property will support the need for housing, and the commercial and amenity aspects of the proposal will be a public benefit that can be enjoyed by all. Creating the appropriate land use for this property solidifies the future of a prosperous equestrian industry in the Village.