

Southern Boulevard Properties

STAFF REPORT

Petition Numbers: Comprehensive Plan Amendment
 2024-0002-CPA
 Ordinance No. 2024-09
 Ordinance No. 2024-11

Rezoning
 2024-0002-REZ
 Ordinance No. 2024-10
 Ordinance No. 2024-12

Owners: See Exhibit A – Property
 Information

Applicant: Village of Wellington
 12300 Forest Hill Boulevard
 Wellington, FL 33414

Site Address: See Exhibit A

PCNs: See Exhibit A

Current Future Land Use Designation (FLUM) (PBC):
 Commercial Low (CL), Institutional (INS), Commercial Low
 – Office (CL-O), Rural Residential – 5 (RR-5)

Proposed Future Land Use Designation (FLUM):
 Residential E (5.01 du/ac – 8.0 du/ac) – 125.77 ac
 Commercial – 123.94 ac

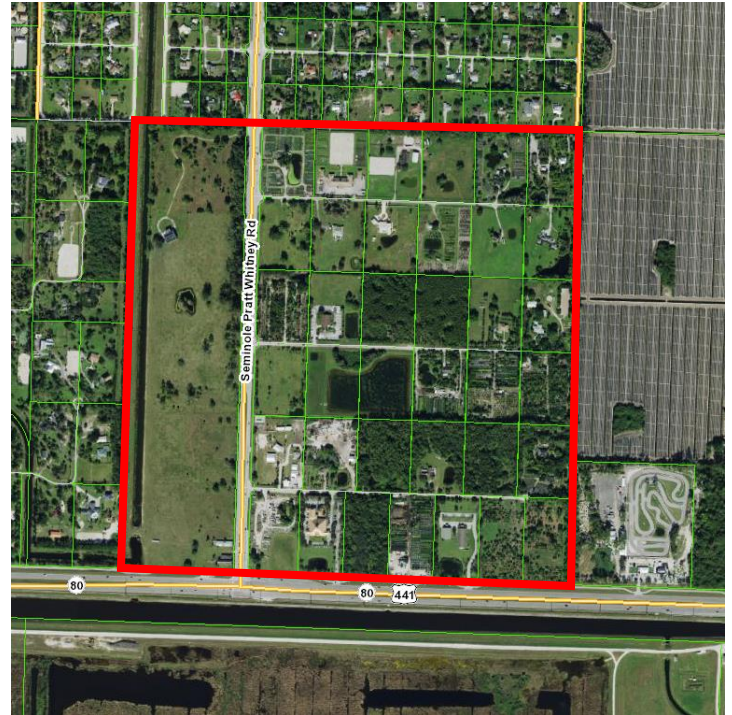
Current Zoning Designation (PBC): Community
 Commercial (CC), Agricultural Residential (AR), Institutional
 and Public Services (IPS)

Proposed Zoning Designation:
 Single Family Residential (RS) – 125.77 ac
 Community Commercial – 123.94 ac

Acreage: 257.97 acres

Project Manager:
 Kelly Ferraiolo, Senior Planner
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 (561) 753-5268

Location/Map: Northeast and Northwest corners of the
 intersection of Southern Boulevard (SR 80/US 441) and
 Seminole Pratt Whitney Road.



Boards, Council:

Meeting	Notice Date	Meeting Date	Vote
PZAB	7/2/2024	7/17/2024	4-0
Village Council	Pending		

Requests:

The 38 subject properties comprising over 257 acres are located on the Northeast and Northwest corners of the intersection of Southern Boulevard and Seminole Pratt Whitney Road. The properties were annexed by Wellington on February 13, 2024, (Ordinance No. 2023-17) subject to a positive referendum vote of the registered voters within the boundaries of the annexation area. The ordinance provides for an effective date of December 15, 2024. The referendum was held on March 19, 2024, and passed by a unanimous vote of the registered electors within the subject area.

Under the provisions of Chapter 171 of Florida Statutes, the comprehensive plan and zoning designations for an annexed property remain under the sending jurisdiction (Palm Beach County) until the annexing jurisdiction (Wellington) adds the annexed area onto their Future Land Use and Zoning maps. Wellington is initiating the Future Land Use and Zoning amendments for these properties as follows:

- Comprehensive Plan Amendment (2024-0002-CPA):
 - Ordinance No. 2024-09 – designating 125.77 acres as Residential E (5.01 – 8.0 du/ac)
 - Ordinance No. 2024-11 – designating 123.94 acres as Commercial (C)
- Zoning Map Amendments (2024-0002-REZ):
 - Ordinance No. 2024-10 – designating 125.77 acres as Single-Family residential (RS)
 - Ordinance No. 2024-12 – designating 123.94 acres as Community Commercial (CC)

SITE HISTORY:

As previously mentioned, more than 257 acres of land, located on the north side of Southern Boulevard and both sides of Seminole Pratt Whitney Road, were annexed into Wellington. This annexation was initiated following the 2023 Council Directions meeting, where Council expressed a desire to annex land located on the north side of Southern Boulevard, west of the Town of Loxahatchee Groves. The annexation included 38 individual parcels of land (249.7 acres), ranging in size from five (5) acres to 64 acres, most of which are part of an unrecorded subdivision known as Entrada Acres, and the right-of-way of Seminole Pratt Whitney (8.3 acres).

More than a third of the properties in Entrada Acres are currently being used for various commercial purposes. There are approximately 10 commercial nurseries, three (3) churches, four (4) Equestrian farms and two (2) lots owned by Palm Beach County that have a drainage lake. Approximately eight (8) properties appear to be strictly residential uses and 10 properties are vacant.

Over the past several years, more than 150 acres of the subject site were approved for commercial development and other nonresidential uses by Palm Beach County. Further, lands to the east and west of the subject property have been approved and developed for urban level development types of uses and intensities. The property to the east of Entrada Acres is a farm and go-cart track and paintball facility located in the Town of Loxahatchee Groves. Further east on Southern Boulevard is the Palm Beach State College's western campus and a Publix shopping center. Property to the west is a rural subdivision (Fox Trail) but land to the west of Fox Trail has been approved for a mixed-use development by Palm Beach County.

The subject proposal is designating 124+/- acre with a Wellington Future Land Use Map designation of Commercial (C). Currently, the property has multiple Palm Beach County land use map designations including Commercial, Commercial Low Office, Institutional and Public Services (IPS) and RR-5 (Rural Residential-maximum 1 unit per 5 acres). The property also has multiple Palm Beach County zoning designations including CC (Community Commercial), CLO (Commercial Low Office), IPS (Institutional and Public Services), and AR (Agricultural/Residential). The area also has Several Special Exception approvals and Special Permits approved; including two (2) churches, a storage yard for transmission supplies and equipment, a wholesale commercial nursery, and medical offices with a convalescent facility.

ANALYSIS – COMPREHENSIVE PLAN AMENDMENTS:

Wellington is requesting the following Comprehensive Plan Amendments:

- Ordinance No. 2024-09 – designating 125.77 acres as Residential E (5.01 – 8.0 du/ac)
- Ordinance No. 2024-11 – designating 123.94 acres as Commercial (C)

Currently, the subject properties have multiple Palm Beach County land use map designations including Commercial, Commercial Low Office, Institutional and Public Services (IPS), and RR-5 (Rural Residential -

maximum 1 unit per 5 acres). The proposed Future Land Use Map designations were chosen based on the existing use of the property and the vision of the future development of this area.

The following addresses how the proposed Comprehensive Plan Amendments are consistent with or comply with certain goals, objectives, and policies of Wellington's Comprehensive Plan:

Land Use & Community Design Element

Objective LU&CD 1.1 Land Uses *Establish compatible land use arrangements using land use categories appropriate for the neighborhoods, districts, commercial corridors, and equestrian areas.*

The proposed land use designations reflect the emerging pattern of uses in the area to fulfill the need for land uses that are not adequately represented within the existing boundaries of the community and to accomplish a balance of land uses consistent with the changing character of Southern Boulevard. The commercial component will bring needed commercial uses to Wellington and the surrounding area. The commercial land use can buffer the residential portion from the impacts of the major roadways.

Land Use & Community Design Element

Policy LU&CD 1.1.1 Compatible with Existing Conditions *New development shall be compatible with existing natural and built conditions. Future growth patterns shall take into consideration topography, soil, vegetation, water quality and quantity, and other natural resources of the land. Future growth patterns shall also respect and protect the character and quality of the surrounding built environment.*

Policy LU&CD 2.1.4 Use Transitions *Require appropriate transitioning, such as appropriate setbacks, buffers, and height limitations where commercial, industrial, or other high intensity land uses are in proximity to single-family residential land use.*

Southern Boulevard is a six-lane (plus turn lanes), median-divided highway on a 200 feet wide right-of-way. It is one of a few highways in Florida that span the entire State in an east/west direction. Seminole Pratt Whitney Road is a median-divided, four-lane road that intersects with Southern Boulevard and goes north to Northlake Boulevard. This road serves thousands of residences, including the City of Westlake. The commercial uses create the opportunity to serve the surrounding community and the pass-by traffic. The residential portion of this proposal will be buffered from the roadways and also provide residential housing for the people that work in the surrounding area.

Policy LU&CD 3.3.1 Advisory Land Use *Apply a Wellington land use designation immediately upon annexation of a parcel. Generally, the advisory land use for the property will be applied unless appropriate justification and documentation consistent with any land use amendment request demonstrates a different land use is appropriate. Following any annexation, amend the Land Use Map and appropriate portions of the Comprehensive Plan and Code of Ordinances to reflect the change in Wellington's boundaries.*

Ordinance No. 2023-17, which approved the annexation subject to a successful referendum, will be effective on December 15, 2024. The referendum was held on March 19, 2024, and passed by a unanimous vote of its electoral voters. Under the provisions of Chapter 171 of Florida Statutes, the comprehensive plan and zoning designations for an annexed property remain under the sending jurisdiction (Palm Beach County) until the annexing jurisdiction (Wellington) adds the annexed area onto their Future Land Use and Zoning maps. This can be done by waiting for each individual property owner to make their own application or by the annexing jurisdiction initiating the change. Wellington has elected to initiate the Future Land Use and Zoning amendments for these properties and apply the land use based on the existing use of the property and vision of the future development for this intersection. Council's vision for the annexed property was expressed clearly in the required Feasibility Analysis required by Chapter 171 of Florida Statutes.

Council

Planning and Zoning Division
September 3, 2024



Policy LU&CD 1.2.3 Medium Density Residential Land Use *Apply the Medium Density Residential land use designation (Residential Land Use D, E, or F) to land that is or will be developed for a wide range of housing types, including but not limited to attached single-family and multi-family housing. The Medium Density Residential land use designations are designed for densities ranging from gross 5 to 12 units per acre and are eligible for additional density through a reinvestment bonus program up to a maximum of two times the maximum units per acre for the respective land use designation.*

There currently are no multi-family housing opportunities available anywhere in Loxahatchee or in the unincorporated County areas near the subject site. The development of the commercial portions of the annexed area will generate additional demand for housing, which presently cannot be found within a reasonable distance. Further, there are Palm Tran bus stops in front of the annexation site that provide service into Wellington and West Palm Beach.

The proposed residential land use is located at a major urban intersection by both design & function (Southern Boulevard & Seminole Pratt Whitney Road). The area around this intersection is not conducive to a rural lifestyle. Although the subject site was originally platted in 1978 as a rural subdivision named Entrada Estates, consisting of 37 lots, which 25 are part of this application, the character of the area has transitioned in character. In 46 years, there have only been 11 homes built, and none have been built in the last 20 years. Most of the properties that have homes are also used as business properties. There are five (5) vacant properties and two (2) properties have a drainage lake owned by Palm Beach County. One property has been developed as a church. The remaining six (6) properties are strictly business uses (mostly nurseries). The property owners within this application were in favor of changing the land use for the property to medium-density residential. This was expressed during the annexation process and in the referendum, where 100% of the voters voted in favor.

Policy LU&CD 3.1.3 Market Analysis (Commercial, Mixed-Use, Multi-Family) *Requests for Land Use Map amendments or rezoning to a commercial, mixed-use, or multifamily designations shall be supported by a professionally prepared market analysis that demonstrates the need for the requested development at the proposed location, the types of marketable commercial activities or multi-family residential dwelling units there, and the projected market area of the proposed development.*

A Market Study was prepared by Zabik & Associates and is provided in Exhibit G. The study was completed to assess the viability, market demand, and economic impact of a rezoning and annexation of the subject properties into Wellington. The study determines that Wellington and central Palm Beach County market areas are strong and demand is currently in place for additional residential and commercial development as there is a shortfall of over 2 million square feet in commercial space and hundreds of residential units in the market area. There is also extremely limited supply of new comparable residential products in Wellington's municipal boundaries.

The Market Study determined that every dollar by the project will result in \$2 to \$3 dollars of community investment. The total economic impact to the economy for this development would be \$1 – \$1.5 billion including direct, indirect, and individual benefits. The results of the analysis determined that during the construction phase of the project, it is estimated to create 500 direct jobs, 300 indirect jobs, and 200 induced jobs, for a total of 1,000 jobs. In addition, the project is estimated to add \$145 million to Wellington's tax base resulting in an additional revenue of \$358,000 of Ad Valorem taxes designated to Wellington.

Education Element

Objective ED 3.2 School Facility Coordination *Continue to coordinate the development approvals and planning for school facilities.*

Normally, the applicant is required to notify the School Board of Palm Beach County of the proposed residential development and request a School Capacity Availability Determination (SCAD) letter. However,

in this instance, there is no residential project being proposed and it is presently not possible to accurately project what school impact for the overall site will be. In all likelihood the area which is being proposed for rezoning will develop with numerous separate independent projects. Some will be family oriented and some will not. Some may be age restricted projects that generate no school children. However, when each project is submitted, Wellington will require the applicant to submit a SCAD application to the School District.

Mobility Element

Policy MB 1.1.2 Development Impact on Roadway LOS *Development orders shall only be issued if the proposed development will not cause roadway levels of service to fall below the adopted LOS targets or ROW modifications are proposed to mitigate impacts and maintain the target LOS.*

A Transportation Analysis was prepared by Wellington's Traffic Engineer, Pinder Troutman Consulting, Inc, and provided as Exhibit F. The analysis shows that the proposed future land use designation changes result in a minimal LOS changes in the Year 2045 and therefore can be determined to be consistent with Wellington's Comprehensive Plan.

ANALYSIS – REZONING:

Wellington is requesting the following Rezoning Map Amendments:

- Ordinance No. 2024-10 – designating 125.77 acres as Single-Family residential (RS)
- Ordinance No.2024-12 – designating 123.94 acres as Community Commercial (CC)

Currently, the area has multiple County map designations including Commercial, Commercial Low Office, Institutional and Public Services (IPS) and RR-5 (Rural Residential - maximum 1 unit per 5 acres). The proposed Future Land Use Map designations were chosen based on the existing use of the property and the vision of the future development of this intersection.

The proposed Rezoning Amendment comply with the following:

A. The request is consistent with the purposes, goals, objective and policies of the Comprehensive Plan:

The Rezoning Map Amendments are consistent with the Comprehensive Plan as explained above in the Comprehensive Plan staff analysis.

B. The request is in compliance with all articles of the Land Development Regulations (LDR):

The proposed request is not in conflict with any provisions of the LDR. All properties within this application meet the minimum physical requirements (size, shape, etc.) of the LDR for CC and RS properties, both individually and collectively. There are no projects being proposed as a part of this application. The application is being processed by Wellington to add the land to the Zoning map, consistent with the vision for the property formulated when the properties were annexed. When each and every development proposal is eventually submitted to Wellington for review and approval they will all be required to comply with all requirements of the Comprehensive Plan and the LDR, including Concurrency.

C. That the proposed request is compatible and consistent with existing uses and zoning surrounding the subject land and is the appropriate zoning district for the land.

The land use and development pattern being established for the overall site by the companion Future Land Use Map amendments is consistent with the developing urban corridor of which the subject property is a part. The corridor has been evolving over greater than the last decade. The Town of Loxahatchee Groves has designated the Town's entire frontage on Southern Boulevard for commercial land use. For the last 10 years, there have been various non-residential projects built along Southern Boulevard including three (3) large shopping centers, several small independent commercial projects, and the Palm Beach State College western campus. However, the Town has not approved any residential development for the employees of the commercial development or for the faculty and students at the College. In fact, there are no multi-family housing projects anywhere in Loxahatchee or in the unincorporated County areas near the subject site.

The western 64.5-acre and 5-acre portion of the subject area already has a Commercial zoning designation approved by Palm Beach County. Consequently, the newly added commercial land forms a connection between what commercial land use has already been created.

Additionally, the proposed commercial and residential land uses are located at a major urban intersection (Southern Boulevard & Seminole Pratt Whitney Road). The area around this intersection is not conducive to a rural lifestyle. Although the subject site was originally platted in 1978 as a rural subdivision named Entrada Estates, consisting of 37 lots (25 lots in this rezoning application), the character of the area has transitioned throughout the years. In 46 years, there have only been 11 homes built, and none have been built in the last 20 years. Most of the properties that have homes are also used as business properties. There are five (5) vacant properties and two (2) properties have a drainage lake owned by Palm Beach County. One (1) property has been developed as a church. The remaining six (6) properties are strictly business uses (mostly nurseries).

D. *That there are changed conditions that require rezoning.*

The changed conditions that require this rezoning result from the fact that the property has been annexed into Wellington, necessitating that the property be added to its Future Land Use Map and Zoning Map. Additional changed circumstances include the transition in land use patterns that has occurred since the County Comprehensive Plan was originally adopted and the incorporation of the Town of Loxahatchee Groves that has resulted in their own Comprehensive Plan, which supports the commercial development along Southern Boulevard.

E. *That the proposed request would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

The proposed change in zoning will not result in any significant adverse impacts on the natural environment, because the majority of the property included in this application has already been altered by development and land use activity that exists on the properties. Further, it must be remembered that no specific development approvals are being granted with the approval of this application. Each and every proposed development(s) will be evaluated when applications are made for further rezoning, conditional use approvals, site plan approvals and subdivision plats. There are no wetlands, protected vegetation, protected animal species or historic structures or land uses on the property.

F. *That the proposed request would result in a logical and orderly development pattern.*

The subject request will not have any impact on the character or use of surrounding area because it is functionally an infill land use arrangement, connecting the western portion of the subject site (which

is already commercial under the County FLUM designation) to lands located to the east of the subject site (which have been approved for commercial and institutional uses by the Town of Loxahatchee Groves), to form a unified block of commercial land use. Further, there are no existing or proposed roadway connections between the overall annexation site and surrounding properties, except for Seminole Pratt Whitney Road, which is already an arterial roadway.

Due to the already established pattern of land use on both sides of Seminole Pratt Whitney Road in the area of Southern Boulevard, the proposed additions to the Wellington Zoning Map represent a logical land use solution for the subject property and do not create any negative land use impacts or compatibility issues. In addition, the commercial development that will take place at this intersection will provide many of the goods and services that the thousands of residents in the area currently need to pass through this intersection to obtain further to the south and east.

G. *That the proposed request is consistent with applicable neighborhood plans.*

Not applicable as there is no neighborhood plan for this area.

H. *The proposed request complies with Article 2, concurrency.*

The proposed rezoning application is not subject to concurrency approvals because it is a government-initiated application to add newly annexed properties to the Wellington Zoning Map and there are no proposed developments at this time. Concurrency approvals are based on specific development plans whose impacts on concurrency-related issues can be measured and evaluated. When projects are submitted for Wellington approval, concurrency approvals will be required. No development will be approved on any property unless and until all required concurrency requirements have been met.

The subject area is also served by Palm Beach County Utilities. Therefore, there are no additional impacts to Wellington's water and wastewater facilities.

FINDINGS OF FACT:

All required application documentation has been reviewed by the Development Review Manager and Wellington Departments to determine compliance with the Land Development Regulations and Comprehensive Plan, subject to conditions, as presented.

Findings of Fact have been provided in the Staff Report to recommend approval of the Comprehensive Plan Map Amendment and Rezoning requests. These findings are subject to other competent substantial evidence presented at the quasi-judicial public hearing.

Board/Committee Action

PZAB recommended approval, with a 4-0 vote, based upon the Findings of Fact and evidence presented.

Lists of Exhibits:

- Exhibit A – Property Information
- Exhibit B – Current Future Land Use Map
- Exhibit C – Proposed Future Land Use Map
- Exhibit D – Current Official Zoning Map
- Exhibit E – Proposed Official Zoning Map
- Exhibit F – Traffic Analysis
- Exhibit G – Market Study
- Exhibit H – Justification Statement