

Exhibit K – Justification Statement

March 21, 2022 (Updated April 5, 2022, April 12, 2022)

Mr. Tim Stillings, AICP
Planning, Zoning and Building Director
Village of Wellington
12300 Forest Hill Boulevard
Wellington, FL 33414

**Re: Justification Statement/Narrative
Architectural Review Board (Publix @ Courtyard Shops) w/ Technical
Deviation for Signage**

Dear Tim:

It is our pleasure to submit on behalf of our client, Publix Super Markets, Inc., an Architectural Review Board (“ARB”) with Technical Deviation for Signage application for the Publix located within The Courtyard Shops at Wellington (“Property”). A location map which identifies the Property is included as **Exhibit “A.”** Our client submitted a Site Plan Amendment application to the Village earlier this year which proposes to raze the existing 50,132 square foot Publix structure as well as 1,950 square feet of adjacent retail to the east and 4,450 square feet of retail to the west and replace those buildings with a new 58,834 square foot Publix with an attached 2,100 square foot liquor store.

Background

The Property is known as The Courtyard Shops at Wellington. The Property consists of a Shopping Center with six (6) outparcel buildings. The development was completed in 1991 and has continuously operated as a shopping center since the time of its construction. The Property has a land use designation of Commercial (C) with a zoning classification of Planned Urban Development (PUD).

The Property is located at the intersection of Wellington Trace and Greenview Shores Boulevard; both roads are multi-lane divided roadways. The subject intersection contains another shopping center (The Wellington Marketplace) just north of the Property. The existing land use designation is compatible with the current zoning classification. A list of land uses and zoning categories that surround our Property is provided below:

North:	Land Use – Commercial Zoning - PUD Existing Use – The Wellington Marketplace Shopping Center
South:	Land Use – Residential Zoning - PUD Existing Use – Town Place Townhomes
East:	Land Use – Commercial Zoning - PUD

Existing Use – Wellington Corporate Center Offices

West: Land Use – Residential
Zoning - PUD
Existing Use – Hawthorne Multi-Family

Compatibility with Comprehensive Plan

Our proposal complies with the Land Use and Community Design principles set forth in the Comprehensive Plan by redeveloping and reinvesting in an older commercial center through new development and upgrades to the Property. Our proposal provides improvements which protect, preserve and enhance existing attributes that make Wellington a premier community. Our proposal redevelops and reinvest within an older existing retail center which enhances the quality and character of an existing commercial districts. Our proposal specifically complies with Land Use and Community Design Goals 2.1.2 and 2.3.1 which provide:

Policy LU&CD 2.1.2 (High Quality Community Design)

Maintain a high standard for aesthetic quality of the community design and appearance and regulate the architectural standards of the Land Development Regulations.

Policy LU&CD 2.3.1 (Commercial Centers - Reinvestment)

Facilitate future reinvestment in Wellington's existing commercial centers that contribute to the continued economic viability of the centers, promote economically sustainable and locally supportable business and industry.

Our project does provide a high-quality redesign of the aging shopping center which improves the overall aesthetic quality for the community and enhances the economic stability of the shopping center for generations to come.

Compatibility with Land Development Regulations

Article II

Our application complies with all of the Village's concurrency management standards. A letter which addresses the concurrency management standards for the project was provided as part of the Site Plan Amendment application by the project engineer.

Article VI

Our application complies with all of the Village's zoning and property development regulations. The site improvements associated with the new grocery store building comply with Village's Zoning District Standards for Permitted Uses, Property Development Regulations and Supplementary Regulations. The details for the development are provided on the site plans. Please see Site Plans prepared by GRAEF. The architectural details for the project are provided



on the Architectural Plans included with this ARB application created by Alleguez Architecture, Inc.

Article VII

Our application complies with all of the Village's site development standards. The site improvement details associated with the parking, circulation, paving, drainage and landscaping are provided on the Site Plans, Civil Plans and Landscape Plans prepared by GRAEF. A Technical Deviation has been requested for Signage, the details of which are provided later in this letter.

Article VIII

Our application does not require a subdivision or replat. Details for the physical improvements to the site are provided on the Civil Plans prepared by GRAEF.

Article IX

Since the shopping center was built over 30 years ago, the traffic associated with the shopping center is vested, and our application provides improvements to the parking and loading areas within the affected area of the shopping center. The proposed renovations comply with the parking standards that were in effect at the time of the current approved site plan (August 12, 1998) for the shopping center. A Traffic Statement and a Parking Analysis by JMD Engineering were both provide to the Village as part of the Site Plan Amendment application.

Compatibility with Existing Uses and Zoning

The shopping center is located within an existing commercial corridor at a major intersection. The shopping center contains a Publix Super Market and our proposal replaces that existing Publix Super Market with a new, modern Publix Super Market. The proposal is compatible and consistent with existing uses and zoning of properties within the surrounding area and is appropriate for the site and surrounding areas.

Compatibility with Wellington Neighborhood Aesthetics

Our application will raze the existing outdated and blasé Publix Super Market building with a new modern building that provides enhanced architectural design and complies with Wellington's design standards. The Architectural Plans provided by Alleguez Architecture, LLC provide a building which uses enhanced form, function and materials that transform the outdated shopping center into an attractive and vibrant shopping center.

Technical Deviation for Signage

Signage Plan Summary: The existing wall mounted signs at the main entrance to the shopping center along Wellington Trace and Greenview Shores Boulevard, as shown on Sheet ELE of the



Ground Sign Plans, will be removed and replaced with new Multi-Panel Monument Signs. Our application proposes one (1) new Multi-Panel Monument Sign at the Wellington Trace entrance and one (1) new Multi-Panel Monument Sign at the Greenview Shores Boulevard entrance. The existing “Courtyard Shops” wall signs at each entrance will be removed and the entrance walls will be patched and painted. New signage is proposed for the Publix and Publix Liquor Store, these details are provided on the Wall Signage Plans provided with this application.

A Technical Deviation is requested for the following Village of Wellington Sign Regulations:

1. Describe in detail the Technical Deviation:

Section 7.9.7(A)(1)(c), *Major Principal Wall Sign Height*

- Sign Deviation: The Publix sign exceeds the 66” maximum for a Major Principal Wall Sign.
- Request: The Publix store sign is 78” high, which is compatible with the size of the wall to which the Publix sign is attached as the main anchor for the shopping center. The Publix sign matches the color and style of the other Publix signs proposed throughout the shopping center.

Section 7.9.7(A)(1)(c), *Minor Principal Wall Sign Height*

- Sign Deviation: The Publix Liquor sign exceeds the 30” maximum for a Minor Principal Wall Sign.
- Request: The Publix Liquor store sign is 48” high, which is compatible with the sign wall area where the liquor store is located. The liquor store sign matches the color and style of the main Publix sign but is still subordinate to the main Publix sign.

Section 7.9.7(A)(3), *Auxiliary Wall Sign*

- Sign Deviation: The master tenant list sign exceeds the 12 square feet maximum for Auxiliary Wall Sign.
- Request: The master tenant sign is located on the wall outside of the Publix main entrance/exit. The tenant sign provides a small 6” high plaque for eighteen (18) of the shopping center’s tenants. The tenant sign is needed to help inform visitors of the other tenants are located within the Courtyard Shops.

Section 7.9.7(B)(3)(c), *Multi-Panel Monument Sign, Graphics Area Maximum Height*

- Sign Deviation: The Multi-Panel Monument Sign area exceeds the four-foot maximum height.
- Request: The Multi-Panel Monument Sign area is 4’8” tall, which is only 8” above the code maximum height for sign area. The additional sign height is needed to create a proper scale to match the architectural features of the sign which mimic the existing style that exist through-out the shopping center.

Section 7.9.7(B)(3)(c), *Multi-Panel Monument Sign, Secondary Graphic Area Maximum Height*

- Sign Deviation: The secondary graphic area exceeds the 12-inch maximum.
- Request: The secondary graphics area for the Publix sign is 17-inches high, the extra height is needed to provide room for the “food and pharmacy” portion of the



sign, both of which are very important words to include on the sign to inform pedestrians that this Publix has both food and a pharmacy.

2. No deviation may be granted which has the effect of permitting any sign which is specifically prohibited by these regulations.

Reply: The technical deviations which have been requested are all minimal area or size increases over existing, permitted signs allowed within the existing zoning district. Nothing being requested is prohibited.

3. The deviation must enhance the aesthetic result of the overall sign program or mitigate a unique feature of a user, or location that warrants a technical deviation from the code in the opinion of the ARB.

Reply: The deviations are part of a comprehensive renovation for the aging shopping center. The proposal will raze the existing Publix and replace it with a new, modern Publix. The signage proposed compliments the new proposed Publix building and in in-line and in-scale with the signage that is typically found for Publix Super Markets.

4. Approval of deviation must not negatively impact another tenant or building shown on the Master Sign Plan.

Reply: The location, style and size of all the proposed signage compliments the existing tenants within the shopping center by bringing new, easier to read signage for the monument sign and new tenant location signage within the shopping center.

5. The technical deviation must not cause any negative off-site impacts.

Reply: The technical deviations are all very minor increases to signage that is allowed under the code no negative off-site impacts will occur as a result of the technical deviation requests.

If you have any questions or need additional information please do not hesitate to contact me any time at jlong@gunster.com or 561-650-0719.

Sincerely,

Josh Long

Joshua I. Long, AICP

cc: Client
James M. Crowley, Esq.



Exhibit "A"

