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WHEREAS, Council, as the governing body of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Land Development Regulations (LDR) is authorized and empowered to consider petitions related to zoning development orders; and

WHEREAS, the current Wellington Future Land Use Map designation for the 64-acre project known as Lotis Wellington is Mixed Use (MU); and

WHEREAS, the Lotis Wellington Master Plan and Conditional Uses were approved (Resolution No. R2020-48) by Council on December 8, 2020; and

WHEREAS, the Council has taken the recommendations from Wellington staff and the comments from the public into consideration for the proposed Development Order Amendment.

AMENDMENTS HIGHLIGHTED FOR REFERENCE.

SECTION 1. The Lotis Wellington Master Plan is hereby approved for the property legally described in Exhibit A, subject to the following conditions of approval:

1. The subject site shall be governed by the conditions of approval within this resolution and based on the Master Plan as provided in Exhibit B. All previous conditions of approval for a portion of the subject project, as referenced in Ordinance No. 2006-08 and Resolution No. R2006-26, are not valid due to expiration of the previous Master Plan and Conditional Use approvals. Resolution No. R2006-26 is no longer valid, in its entirety. This does not affect the Zoning designation of MUPD, as approved by Ordinance No. 2006-08. (PLANNING)
2. Development of the site shall be limited to the uses, access, acreage, site design, site amenities, and landscape buffers approved on the Master Plan, Regulating Plan, Circulation Plan, and Phasing Plan (Exhibit B). The final plans consistent with any Council approved changes and conditions of approval imposed by Council shall be submitted for final processing, if applicable. (PLANNING)
3. No building permits for the site shall be issued after ~~December 31, 2023~~ **October 16, 2025 (Per Executive Order)**, unless extended by Palm Beach County Traffic Division through an equivalency letter or an updated Traffic Study approval consistent with this master plan approval. (TRAFFIC)
4. The project shall be developed consistent with the approved master plan based on the use limitations below:

USE	INTENSITY/DENSITY LIMITATIONS
Quality Restaurant (Indoor & Outdoor)	23,676 SF (Min.) / 41,856 SF (Max.)*
Retail	7,200 SF (Min.) / 23,900 SF (Max.)*
Medical Office	20,000 SF (Min.) / 40,000 SF (Max.)*
Professional Office	16,700 SF 12,700 SF (Min.) / 36,700 SF (Max.)*
Multi-family Residential	191 DUs
CLF - Independent Living Facility (ILF)	150 DUs
CLF - Assisted Living Facility (ALF)	110 Beds
Daycare Facility	15,000 18,000 SF / 210 children
Bank (with drive-thru)	2,500 SF

~~*Quality restaurant and retail may be mixed with a combined minimum of 47,576 SF and maximum of 49,056 SF. Any restaurant/retail use mix shall not generate more equivalent peak hour directional trips than indicated in the approved traffic study dated July 2, 2020.~~

***Any combination of retail, restaurant, medical and professional office uses shall not generate more peak hour directional trips than the trips included in the approved traffic study dated March 23, 2020 (Exhibit C) as indicated below. The allowed SF shall not be less than the minimum or more than the maximum SF as indicated for each use.**

AM Peak Hour		PM Peak Hour	
In	Out	In	Out
206	133	272	275

(PLANNING/TRAFFIC)

5. The commercial and institutional (Pods A and B Pod D only) and residential development (Pod C) shall be developed concurrently, with a minimum of 40,000 SF of the commercial development and institutional uses within Pods A and B A, B and D issued building permits prior to issuance of building permits for the first residential building. Certificate of Occupancy (CO) and/or Temporary Certificate of Occupancy (TCO), for buildings within Pods A, B, and C, and D shall be issued based on the below limitations:
 - b. 40,000 44,000 SF (excluding including restaurant outdoor seating areas) of commercial or institutional development shall receive a CO/TCO prior to 96 residential units receiving a CO/TCO.
 - c. An additional 39,600 10,500 SF (excluding including restaurant outdoor seating areas) of commercial development shall receive a CO/TCO prior to the remaining 59 residential units receiving a CO/TCO, up to the overall maximum of 191 units.
 - d. 10,500 SF (including restaurant outdoor seating areas) of the commercial and/or institutional development shall receive a CO/TCO prior to the remaining 36 residential units receiving a CO/TCO, up to the maximum of 191 units.

(PLANNING)

6. The private recreation areas/amenities, clubhouse, mailroom, and school bus shelter in Pods C and F shall be completed prior to issuance of the first Certificate of Occupancy (CO) for residential/CLF building within each respective Pod. The trash compactor shall be completed when the adjacent buildings CO are issued.
(PLANNING)
7. The developer/owner is required to provide public land dedication for parks and recreation facilities as well as civic facilities pursuant to the Land Development Regulations. The land dedication required for parks and recreation is 4.63 acres. The civic land dedication required is 0.92 acre. Required land dedication may be addressed or satisfied per the following:
 - a. A 25% credit of the gross site area will be given towards the Public Recreation and Civic land dedication requirement for the Greenway and Cypress Preserve areas.
 - b. The Greenway (2.86 acres) and Cypress Preserve Area (0.60 acre) shall be available to the public by way of a restrictive covenant and access easements in favor of the Village of Wellington. Said documents shall be in place prior to the issuance of the first vertical building permit.
 - c. The public Greenway system shall contain a multi-use asphalt pathway with shade trees, seating areas, fitness stations, lighting and shade structures

around the 18-acre lake and a gathering/green space ~~with a dog park area~~ as illustrated on the approved plans.

- d. The Greenway system and Cypress Preserve Area shall be maintained by the Lotis Wellington Property Owners' Association (POA). The maintenance requirements shall be provided with the Declaration of Restrictions and Covenants as required below in Condition 11.h.
 - e. The remaining land area requirement may be met by an in-lieu payment based on appraised land value and Section 8.5.2.E of the Land Development Code, and the total payment value will be deducted from the required Parks and Recreation Facilities Impact Fees determined at time of building permit for residential uses (including CLF ILF/ALF). (PLANNING)
8. All certified construction costs associated with the Greenway and Cypress Preserve areas improvement and public amenities will also be deducted from the required Parks and Recreation Facilities Impact Fees. If at such time as the Parks and Recreation Facilities Impact Fees are due and the recreation amenities (as required by the approved master/site plan) have not been constructed, the developer shall post security in favor of the Village in the form of a surety bond, letter of credit, or cash in escrow. The posted security shall then be partially released or distributed back to the developer, as applicable, at a pro-rata rate of completion of the public amenities as evidenced by providing an engineer's affidavit of substantial completion. The Village shall not release or distribute back to the developer any funds that exceed the posted security amount in the event the certified cost exceed the required impact fees. (PLANNING)
 9. The developer/owner shall post security in one of the forms noted in Condition #8 per a certified construction costs for the public Greenway and Cypress Preserve Area improvements as illustrated on the project's approved master plan and site plan prior to issuance of the first building permit for any multi-family building and/or CLF building. (PLANNING)
 10. A 10-foot wide asphalt multi-use pathway (8' wide for the north-south section along Pod C) around the lake in Pod G, shade trees (average 40 ft. on center), seating and trash bins (average 250 ft. on center), shade structures, and fitness stations (min. 8) shall be provided for the Greenway. The pathway may have varying widths (8 to 10 ft.) in some locations as determined appropriate by staff during the site plan review and approval. (PLANNING)
 11. The Cypress Preserve Area (Wetland 1) shall be improved with removal of all non-native and invasive species, preservation of native species, walking paths, seating and trash bins. The Cypress Preserve shall be designated as conservation by way of a restrictive covenant easements in favor of the Village of Wellington. The Lotis Wellington developer/owner shall provide a maintenance and preservation management plan to Wellington for the protection and maintenance of the preserve area. Said documents shall be submitted as part of the plat documents or incorporated in the plat and prior to issuance of the Land Development Permit. (PLANNING)

- 178
179 12. The developer/owner shall submit below items with the Land Development/Plat
180 application in order to achieve Technical Compliance.
181
182 a. Soil/geotechnical report for the overall project. The report shall identify the
183 locations of various types of soils, fill (construction rubble, etc.), and depths.
184
185 b. Surface water management (SWM) plan and wetland mitigation plan.
186
187 c. South Florida Water Management District (SFWMD) and any other federal or
188 state permit(s) approving the proposed changes to wetlands and/or surface
189 water boundaries within the overall project. Documents on approvals and/or
190 required improvement and mitigation as may be required by any state/federal
191 departments (USACE/SFWMD) shall be provided.
192
193 d. Plan for wetland protection during construction. Buffer zones shall be provided
194 around wetland(s) protection during and after construction.
195
196 e. Documentation that all the Florida Department of Environmental Protection
197 (DEP) mining operation permit(s) is closed out and/or required with site
198 reclamation requirements satisfied or provide a new environmental resource
199 license issued by SFWMD that supersedes the DEP permit.
200
201 f. Remediation for the reclaimed mining operation/lake and water quality report.
202 If remediation is not required, provide an analysis prepared, signed, and sealed
203 by a Professional Environmental Engineer currently registered in the State of
204 Florida, demonstrating that remediation is not required.
205
206 g. Documentation that on site cleanup and storage tank(s) removal has been
207 completed in compliance with Environmental Protection Agency (EPA)
208 regulations.
209
210 h. Declaration of Restrictions and Covenants acceptable, which shall provide for
211 the creation of a single master property owners' association (POA) and the
212 assessment of members of the master association for the costs of maintaining
213 the common areas, roads/streets, landscape buffers, Greenway, Cypress
214 Preserve Area, lake, etc.
215 (ENGINEERING/PLANNING)
216
217 13. All mining operation within the overall project shall conclude within 30 days of the
218 effective date of this resolution. (PLANNING)
219
220 14. Any proposed wetland mitigation within the overall project shall occur within
221 Wellington's boundaries if feasible. (PLANNING)
222
223 15. The lake in Pod G shall be:
224

- 225 a. A minimum 50 foot setback from the proposed lake top of bank to the property
226 lines. The top of bank shall be considered the point where the lake slope does
227 not exceed eight (8) foot horizontal to one (1) foot vertical.
228
- 229 b. 4:1 (horizontal:vertical) maximum slope to a minimum of 2-ft below the control
230 elevation of the proposed lake. From 2-ft below the control elevation of the
231 proposed lake to a minimum depth of 6-ft below the control elevation of the
232 proposed lake, the maximum slope shall be no steeper than a 2:1
233 (horizontal:vertical), or as permitted by SFWMD, whichever is the more
234 stringent requirement.
235
- 236 c. Improved with littoral zone/planting, fountains (min. 2), etc., as illustrated on the
237 approved master, site and land development plans. The ongoing operation,
238 maintenance, insurance, etc., of the lake/greenway shall be the responsibility
239 of the Master POA for the project.
240 (ENGINEERING/PLANNING)
241
- 242 16. This property/project is required to be platted. The plat shall be approved, and
243 recorded, prior to the issuance of any building permits. (ENGINEERING)
244
- 245 17. A Land Development Permit, issued by the Village of Wellington Engineering
246 Department, is required prior to any earthwork or construction taking place. The
247 Land Development Permit must be closed out before any Temporary Certificates
248 of Occupancy (TCO) or Certificates of Occupancy (CO) are issued for any
249 buildings or structures. If the project is phased, a separate Land Development
250 Permit will be required for each phase of the project. Each phased Land
251 Development Permit must be closed out before any Temporary Certificates of
252 Occupancy (TCO) or Certificates of Occupancy (CO) are issued for any buildings
253 or structures within that phase. (ENGINEERING)
254
- 255 18. Cross access and access connection is required and approved per the following:
256
- 257 a. Cross access, vehicular and pedestrian, shall be provided to promote inter-
258 connectivity between adjacent properties to the north with a minimum of two
259 (2) connections and to the south with a minimum of three (3) connections.
260
- 261 b. Pedestrian access to the Greenway shall be provided to the property along the
262 north with a minimum of two (2) connections, to the property along the south
263 with a minimum of one (1) connection, ~~and to the property along the west with~~
264 ~~a minimum of one (1) connection, subject to permitting and approval by the~~
265 ~~Lake Worth Drainage District (LWDD) and all other applicable government and~~
266 ~~regulatory authorities having jurisdiction over such pedestrian connections.~~
267 Pedestrian access to the Cypress Preserve Area walking path shall be provided
268 to the property along the south with a minimum of one (1) connection.
269
- 270 c. Minor relocations and/or additions of cross access points on the master plan
271 may be administratively approved to ensure intent of this condition is met during
272 the development of this project and ensure connections to surrounding

properties/projects. All other cross access changes or reductions shall require Council approval.

~~d. The developer/owner shall contact the residential development to west (Wellington's Edge) regarding pedestrian pathway and access connection to the Greenway system. The developer shall provide Wellington with documentation regarding contact with the residential development to west. If consent is granted to complete this connection, the developer shall do so during the development of this project. If Wellington's Edge does not consent or desire to have a connection, or if permits cannot be obtained from LWDD and all other applicable government and regulatory authorities having jurisdiction over such pedestrian connection and canal crossing, then the developer shall not be required to complete the connection.~~

~~e. d.~~ All required pedestrian and vehicular access easements shall be shown on the plat and be dedicated as required. Amendment to the access easements may be done by separate instrument.

~~f. e.~~ Parking spaces with an angle between 70 and 90 degrees shall not be allowed along the centrally located north/south spine drive aisle to minimize impacts on traffic circulation/flow.

~~g. f.~~ Construction of the north/south drive aisle, as shown on the approved plans, shall be completed prior to operation of the traffic signal at the primary entry to the project on State Road 7.

~~h. g.~~ The cross-access connection to the project along the south (Wellington Regional Medical Center-WRMC) shall be constructed in conjunction with completion of the north/south spine drive aisle, and prior to issuance of the first CO for future development within Pod B. The north/south drive aisle cross access point connection to the south will require construction of a new road on the WRMC property, the Lotis Wellington developer/owner shall provide information on the road construction planning progress with submittal of the Land Development Permit/Plat applications and shall use good faith and reasonable efforts to coordinate with WRMC on construction of the road to ensure completion within one (1) year of the north/south drive aisle completion.

~~i. h.~~ The cross access connection to the projects/properties along the north shall be constructed to the storage facility location prior to operation of the traffic signal, and prior to issuance of CO for future development of the current vacant property to the north (Four Four One Partners Inc.).

~~j. i.~~ Access connection(s) to the Greenway shall be constructed to the property along the north and south prior to issuance of the final CO for the residential buildings in Phase 3 or as required by Wellington prior to the build-out date for the project, for future development of the current vacant properties/projects to the north (Four Four One Partners Inc.) and south (WRMC).

~~k.~~ j. Access connection to the Cypress Preserve Area walking path shall be constructed prior to issuance of CO for any office building within Pod B of the project, for future development of the current vacant property/project to the south (WRMC).

~~l.~~ k. Any required improvements, including road, sidewalk/pathways, bridges, piping, etc., shall be permitted and completed when the cross access and access connections are required as indicated above.
(PLANNING/TRAFFIC/ ENGINEERING)

19. An enhanced crosswalk system shall be provided for anticipated heavy traffic flow roadway/intersections at the three (3) locations illustrated on the approved plans to ensure a safer environment for pedestrians of this project. At minimum, the enhanced crosswalk system should include paver/stamped concrete crosswalk, detectable warning, and LED solar powered flashing crosswalk signs and in-pavement indicator lights that are activated via braille push buttons and/or automatic activation methods. At minimum, the other crosswalk locations throughout the site shall be paver/stamped concrete and include detectable warning. (PLANNING)

20. The Property Owner shall fund the cost of and construct a signal, if warranted, as determined by the County Engineer, on State Road 7 at Project's main entrance. Signalization shall be mast arm structure installation or as approved by the County Engineer/FDOT. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.

a. No building permits shall be issued until the Property Owner provides acceptable surety to the County Traffic Division in an amount as determined by the Director of the Traffic Division.

b. In order to request release of the surety for the traffic signal for the above intersection, the Property Owner shall provide written notice to the County Traffic Division stating that the final certificate of occupancy has been issued for the development and requesting that the a signal warrant study be conducted at the intersection. The County Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the signal or release the monies. In the event that the property is sold, the surety may be returned once the County Traffic Division receives written documentation of the sale and replacement surety has been provided to the County Traffic Division by the new Property Owner. The surety will also be released if the Property Owner constructs the signal and the signal has been accepted by the County after final inspection. (TRAFFIC)

21. The Property Owner shall construct i) a right-turn lane north approach ii) left-turn lane north approach and iii) left-turn lane south approach on SR-7 at the project entrance. The south approach left-turn lane shall be a minimum of 500 feet plus 50-foot taper. The existing U-turn lane, south of the project entrance may need to be closed or modified. All the above shall be as approved by FDOT.

- 370 a. Permits required from FDOT for these construction shall be obtained prior to
371 issuance of any building permit.
372
- 373 b. Construction shall be completed prior to the issuance of the first certificate of
374 occupancy. (TRAFFIC)
375
- 376 22. The Property Owner shall construct two (2) ingress lanes and four (4) egress
377 lanes (dual left and dual right-turn lanes) on the eastbound approach of the project
378 access driveway on SR 7 to maximum extent feasible to accommodate the
379 forecasted traffic demands. Construction shall be completed prior to the issuance
380 of the first certificate of occupancy. (TRAFFIC)
381
- 382 23. Developer is responsible for the funding and construction of all on-site and off-site
383 improvements/upgrades necessary to existing lift stations, water distribution
384 systems, sanitary systems, and force main systems to support the project
385 densities. (UTILITIES)
386
- 387 24. Developer shall enter into Developer Agreement with the Village of Wellington to
388 reserve water, sewer and fire system capacity. The Village cannot guarantee
389 capacity until the Developer Agreement has been fully executed and approved by
390 Council and all capacity fees paid in full. (UTILITIES)
391
- 392 25. Water, Sewer and Fire Line Capacity fees, based on current rates, shall be paid
393 at the time the Developer Agreement is executed and before any applications for
394 construction of water and sewer facilities are made to the Palm Beach County
395 Health Department. (UTILITIES)
396
- 397 26. Lift stations serving the project will be required to be upgraded to meet current
398 Village of Wellington standards. Specifically, Lift Station 101 will be impacted and
399 will require upgrades. Upgrades to the Master Lift Station 92 may be required as
400 well. (UTILITIES)
401
- 402 27. Site soil conditions may prohibit any proposed trenches to be dewatered
403 effectively due to the previous use of the site. As such, water and sewer utilities
404 may not be able to installed "in the dry" in accordance with Village of Wellington
405 Utilities Department and AWWA standards. All installation methods that are not in
406 accordance with Wellington Utilities Department and AWWA standards shall be
407 subject to approval by the Wellington Utilities Department. (UTILITIES)
408
- 409 28. All water ~~and wastewater~~ mains will be public up to the point of service. All
410 wastewater mains, subject to approval by the Wellington Utilities Department, will
411 be public up to the point of service. Utility easements facilities must be located in
412 the rights-of-way or in a dedicated exclusive water main or wastewater easement.
413 Easement widths shall comply with the Village of Wellington Water and
414 Wastewater Systems Construction and Standards Manual (current edition). All
415 utility easements shall provide for un-hindered access to all facilities and mains in
416 accordance with the standards manual. (UTILITIES)
417

29. The developer/applicant must apply for and obtain a Major Utility Permit prior to the development of the proposed improvements. (UTILITIES)
30. A looped water main system will be required. Connections with adjacent parcels to the north and south will be required. Dead-end water mains will not be allowed including temporary dead-ends between phases of construction, unless approved by the Village Utilities Director. (UTILITIES)
31. A covered school bus shelter (minimum 10' X 15') shall be provided for the multi-family residential pod, with bicycle racks (8 station), benches/seating (8 person), trash receptacles (at bench locations) and continuous paved access shall be provided. Prior to the issuance of the first Certificate of Occupancy for any residential building, the covered school bus shelter shall be constructed with consistent colors, materials and roof treatment as the overall project. (PBC SCHOOL DISTRICT/PLANNING)
32. In order to address the school capacity deficiency generated by the proposed development at the District elementary and high school levels, the property owner shall contribute \$74,546.00 to the School District of Palm Beach County prior to issuance of first residential building permit. This school capacity contribution is intended to supplement the required school impact fee. (PBC SCHOOL DISTRICT)
33. Prior to the recordation of the plat, The Property Owner shall provide an executed Declaration and Restrictive Covenant which prohibits children nineteen (19) years of age or younger from residing in the subject property age-restricted units, except for a period of time not to exceed a total of sixty (60) days per calendar year per person. The Property Owner shall include this occupancy restriction in all leases used for the rental of any age-restricted residential unit. This declaration shall be recorded in the public records of Palm Beach County in a form and manner acceptable to the School Board and a copy of the recorded document shall be sent to the School Board's Planning and Intergovernmental Relations Department. (PBC SCHOOL DISTRICT)
34. The property owner shall post a notice of annual boundary school assignments in the leasing offices and models for the residential development (Pod C) per the School District of Palm Beach County school assignments notice requirements. (PBC SCHOOL DISTRICT)
35. The perimeter landscape buffers are approved to be installed per the Phasing Plan. The landscape buffer along the east property line shall be installed prior to the issuance of the first Certificate of Occupancy for any building within the project. Landscape buffer canopy trees shall be 25 ft. on center and hedge height shall be a minimum of three (3) feet in height at installation. (PLANNING)
36. The east perimeter landscape buffer shall include multi-tiered landscaping with a berm and continuous hedge, installed and maintained at three (3) feet, shrubs/groundcover on both sides of the hedge at intermittent intervals, along with

the required landscaping per the State Road 7 Corridor landscape requirements found in Sec.7.3.6.T. - Special Landscape Regulations of the LDR. (PLANNING)

37. Developer/owner shall provide a certified cost estimate (by FL. Registered Landscape Architect or Engineer) for the project's perimeter landscape buffer materials, installation, irrigation and labor. A surety/bond in the form acceptable to the Village in the amount of 110% of the estimate shall be posted for the project's perimeter landscape buffer and interior landscaping in addition to the other bonds required for site improvements per the LDP to the Engineering Department. A landscape permit shall also be required prior to installation. (PLANNING)
38. Developer is required to pay \$75 per linear foot of frontage along State Road 7 for landscape and plantings to be consistent with Village of Wellington conceptual. (ENGINEERING)
39. Developer is required to pay \$75 per linear foot of frontage along State Road 7 for boardwalk or construct an 8-ft wide sidewalk. (ENGINEERING)
40. The landscaping in street corridor, pathways, non-residential pods, recreation areas, etc., within a this Planned Development District shall exceed the minimum landscape requirements for size, height and canopy spread by 20%, and 75% native species and drought tolerant species. (PLANNING)
41. Additional perimeter trees/palms with additional height required per LDR Sec. 6.5.8.C.3.b. for structures over the 35 ft., and shall be required and shall remain in place as long as the structures remains. The additional trees/palms shall be shown on the site landscape plans to indicate how this requirement will be met. (PLANNING)
42. Prior to site plan approval, the landscape plans must show adequate compatible landscape buffering between adjacent commercial and residential land uses. The landscape plans shall be approved as a part of the site plan. (PLANNING)
43. The common areas, landscaping, site amenities, etc., within each Pod shall be completed prior to the issuance of the Certificate of Occupancy for the adjacent building. (PLANNING)
44. The State Road 7 median and swale along the project's frontage shall be landscaped and maintained by the Lotis Wellington Master POA. An agreement between Wellington and/or FDOT and the master POA may be required for maintenance of the median/swale areas. (PLANNING)
45. Shade/canopy street trees (min. 16 ft. OA height), pedestrian street lights, and bicycle lanes shall be provided along both sides of roads/streets that are 25-feet wide or greater. The pedestrian street light poles, and regulatory traffic/street signs and poles shall be a decorative design, and the design shall be submitted for ARB approval prior to permitting. The improvements may be required on only one (1) side of the road/street as determined in the development review process.

(PLANNING)

46. This project shall be designed with central square/focal point that incorporates:

- a. Pedestrian circulation around the buildings with connections to other buildings/uses.
- b. Arcades, overhead weather protection, etc., that connects all ground level activities and provides direct access to any outparcels, sidewalks or other pedestrian amenities including mass transit facilities, bicycle parking areas, etc.
- c. Pedestrian-oriented uses and services on the ground floor with vertical integration of residential and/or non-residential uses on the above-ground floors.
- d. Walkways/sidewalks a minimum of 10-feet wide shall be provided.
- e. Minimum 100 square feet of shaded area with benches every 100 linear feet in length for the pedestrian walkways.
- f. Main Boulevard with a landscaped median divider. (PLANNING)

47. Prior to site plan approval, provide that five percent (5%) of the parking spaces in Pods A, B, and D are designated for preferred parking for alternative fuel vehicles, car pool vehicles, rideshare service, etc. (PLANNING)

48. The developer shall ensure this project is developed to be consistent with green certification standards found within Florida Green Building Coalition, US Green Building Council Leadership in Energy and Environmental Design (LEED) or other acceptable environmental, and building standards as determined by Wellington's Development Review Manager for the project during the building permit development approval/inspection process. Documentation indicating which green building standards were met shall be provided after the issuance of CO for the buildings. (PLANNING)

49. All residential buildings without an attached garage shall have reserved parking space for each unit. (PLANNING)

50. An agreement shall be recorded to provide cross-access and shared-parking with adjacent lot owners of the commercial pods/outparcels within this project as required when the property is submitted for subdivision plat approval. The agreement shall be provided with the Land Development/Plat applications. (PLANNING)

51. Restaurants and/or other uses with a drive-thru window/lane shall require a Conditional Use specifically approved by Wellington Council. (PLANNING)

52. Any businesses operating between the hours of 12:00 AM and 6:00 AM shall be located at least 200 feet from any dwelling unit, measured from the closest building points of each affected structure. (PLANNING)

- 564
- 565 53. Garbage and recycling pickup, and deliveries shall not occur between the hours
- 566 of 9:00 PM and 7:00 AM. There shall be no idling of delivery or similar vehicles
- 567 between the hours of 10:00 PM and 7:00 AM. Overnight storage or parking of
- 568 delivery vehicles or trucks shall not be permitted on site, except in designated
- 569 loading and delivery areas. All delivery and loading areas built to accommodate
- 570 semi-trucks, tractor trailers, moving vans, etc., shall be screened from view.
- 571 (PLANNING)
- 572
- 573 54. Garbage/recyclable collection for Pods C and F shall be provided by staff/valet
- 574 service from each unit to central compactor, no curbside pick-up or outside
- 575 storage of bins shall be permitted. Trash/recyclable bins (for units with garage)
- 576 shall be stored in the garage, and be designated a pick-up area at each unit
- 577 driveway that's not within the roadway. ~~Decorative bins shall be provided for~~
- 578 ~~trash/recyclable storage within a close location to the entrance of each unit, and~~
- 579 ~~shall be designed as to not require screening. The decorative bins shall be~~
- 580 ~~indicated on the plans prior to site plan approval. The bins may be a type of design~~
- 581 ~~that is a seat/bench.~~ (PLANNING)
- 582
- 583 55. All roof-mounted air conditioning, mechanical equipment, vents, etc., shall be
- 584 completely screened from view on all sides in a manner consistent with the color,
- 585 character and architectural style of the principal structure. (PLANNING)
- 586
- 587 56. All above ground and wall mounted utility/transformer box, mechanical
- 588 equipment, valves, etc., shall be located on-site with required screening on a
- 589 minimum of three (3) sides that provide required screening, while maintaining
- 590 required three (3) feet clearance and height to meet or exceed equipment being
- 591 screened. The screen opening shall be away from public view and/or additional
- 592 shrubs will be required at inspection. The screening shall occur in a manner
- 593 consistent with the color, character and architectural style of the principal structure
- 594 and may incorporate landscaping as one element of screening. (PLANNING)
- 595
- 596 57. The 25' LWDD road easement/ROW shall be abandoned prior to and/or with the
- 597 plat approval. (PLANNING)
- 598
- 599 58. The developer shall take measures to ensure that during site development
- 600 dust/debris particles from the development do not become a nuisance to the
- 601 neighboring properties. (PLANNING)
- 602
- 603 59. All gates shall be approved for emergency vehicle access with universal remote
- 604 approved by all emergency agencies, including but not limited to Palm Beach
- 605 County Fire and the Palm Beach County Sheriff. Additionally, all gate codes and
- 606 access shall be granted to Wellington for Code Compliance and other emergency
- 607 purposes.(PLANNING/ENGINEERING)
- 608
- 609 60. A mast arm traffic signal shall be installed by the Lotis Wellington developer at
- 610 the project's main access/entrance on State Road 7 and be operational prior to
- 611 issuance of the first CO/TCOP for the project. (COUNCIL)
- 612

613 61. The developer/owner shall install a six (6) foot high black vinyl coated chain link
614 fence per one of the following options:

615
616 a. Along the entire west property line if the vacant property along the north submits
617 for development approval prior to the final CO of Phase 3, and that project is
618 required to install a fence along their west property line.

619 b. Along the entire west and north property lines if the vacant property along the
620 north has not received development approval prior to the final CO of this project.
621 (COUNCIL)

622
623 **SECTION 2:** The Lotis Wellington Conditional Uses are hereby approved for the
624 property legally described in Exhibit A, subject to the following conditions of approval:
625

626 1. ~~One (1) financial institution with two (2) drive-thru lanes/points of service is allowed~~
627 ~~within Pod A. The drive-thru lane point of service shall not be along the projects~~
628 ~~frontage.~~

629
630 2. 1. One (1) daycare facility for up to 210 children is allowed within Pod D. A minimum
631 of two (2) staff members shall be located in the parking area to facilitate pickup and
632 drop-off during the AM and PM peak hours. A central sign-in/sign out location shall
633 be provided to ensure security. The daycare facility owner and/or operator shall
634 obtain all appropriate federal, state, and local permits/licenses prior to operating the
635 daycare facility.

636
637 3. 2. One (1) Congregate Living Facilities (CLF) Type 3 is allowed within Pod F. The
638 CLF units and beds shall not be converted to multi-family units. The CLF
639 Independent Living Facility (ILF) parking rate is reduced from 2.25 to 1.35 spaces
640 per unit as shown in the approved Parking Analysis by JFO Group, Inc. Exhibit D)
641 dated September 1, 2020. The ILF shall be limited to 104, one (1) bedroom units
642 and 46, two (2) bedroom units, and be age restricted to persons 55 years of age or
643 older. A declaration of restrictions in compliance with the LDR and this approval
644 shall be recorded prior to plat recordation for the CLF pod or within six (6) months
645 of the site plan approval, whichever occurs first. The owner and/or operator shall
646 obtain all appropriate federal, state, and local permits/licenses prior to operating the
647 CLF. (PLANNING)

648
649 **SECTION 3:** This Resolution shall become effective upon approval.

650
651 **PASSED AND ADOPTED** this ____ day of _____, 2022.

652
653
654 **WELLINGTON**

655
656
657 BY: _____
658 Anne Gerwig, Mayor
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ATTEST:

BY: _____
Chevelle Addie, Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney