COUNCIL,

FOR

1 **RESOLUTION NO. R2013-49** 2 3 RESOLUTION OF WELLINGTON, FLORIDA'S 4 APPROVING Α COMPATIBILITY DETERMINATION 5 COMMERCIAL EQUESTRIAN ARENA FOR PETITION 2013-040 CD, ALSO KNOWN AS EQUESTRIAN VILLAGE, LOCATED ON THE 6 7 NORTHEAST CORNER OF SOUTH SHORE BOULEVARD AND 8 PIERSON ROAD, TO ALLOW A COMMERCIAL EQUESTRIAN ARENA IN THE URBAN SERVICE AREA WITH RECOMMENDED CONDITIONS 9 MITIGATE POTENTIAL INCOMPATIBILTY **ISSUES AND** 10 PROVIDING STANDARDS; PROVIDING FOR SEVERABILITY; 11 PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING AN 12 EFFECTIVE DATE: AND FOR OTHER PURPOSES. 13 14 15 WHEREAS, Wellington's Council, as the governing body of Wellington, Florida, 16 pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Wellington Land Development Regulations are authorized and empowered to the 17 consider petitions related to zoning and development orders; and 18 19 WHEREAS, the notice of hearing requirements as provided in Article V of the Land 20 Development Regulations, as adopted by Wellington, have been satisfied; and 21 22 WHEREAS, the Commercial Equestrian Arena Compatibility Determination 23 application as reviewed and certified by the Development Review Committee as of 24 25 August 20, 2013; and 26 WHEREAS, the Commercial Equestrian Arena Compatibility Determination was 27 reviewed and approved by the Equestrian Preserve Committee on September 11, 2013; 28 and 29 30 WHEREAS, the Commercial Equestrian Arena Compatibility Determination was 31 reviewed and approved by the Planning, Zoning and Adjustment Board on October 2, 32 2013; and 33 34 WHEREAS, Wellington's Council has considered the evidence and testimony 35 presented by the Petitioner and other interested parties and the recommendations of 36 the various Wellington review agencies and staff; and 37 38 WHEREAS, Wellington's Council has made the following findings of fact: 39 40 The Commercial Equestrian Arena property possesses a Commercial Recreation 41 Future Land Use map designation and an Equestrian Overlay Zoning District 42 designation, Wellington's Land Development Regulations (LDRs) Section 6.4.4.41 43 states a Commercial Equestrian Arena is permitted subject to a compatibility analysis 44

since the property is within Wellington's Urban Service Area.

- 1. The Equestrian Village Commercial Equestrian Arena is consistent with the Comprehensive Plan:
- 2. The subject request is consistent with the stated purposes and intent of the Land Development Regulations;
- 3. The Equestrian Village Commercial Equestrian Arena is consistent with the surrounding land uses and zoning districts;
- 4. No adverse impacts to the natural environment are expected to occur as a result of the approval of the request;
- 5. The Equestrian Village Commercial Equestrian Arena would result in a logical and orderly development pattern;
- 6. The Equestrian Village Commercial Equestrian Arena is consistent with the applicable Equestrian Overlay Zoning District (EOZD); and
- 7. The requested Equestrian Village Commercial Equestrian Arena complies with Article 11, Adequate Public Facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE WELLINGTON, FLORIDA'S COUNCIL, THAT:

SECTION 1. The foregoing recitals are hereby affirmed and ratified. The Equestrian Village Commercial Equestrian Arena is hereby APPROVED as described in Exhibit "A", and for the Compatibility Determination described in Exhibit "B", subject to the following conditions:

Operation:

- 1. Commercial Equestrian Arena hours of operation, including preparation and clean-up of all rings, arenas, vendor areas and seating areas, shall be limited from 7:00 a.m. to 10:00 p.m. Music associated with all events will start no earlier than 8:00 a.m. and entertainment related to the event will start no earlier than 9:00 a.m.
- 2. One (1) night time event per weekend (Friday, Saturday, or Sunday) may have extended operational hours to 11:00 p.m., preferably on Friday or Saturday.
- 3. All events shall comply with Wellington's Code of Ordinances, Chapter 36-33 Noise Standards. Loudspeakers shall not be used after 10:00 p.m. (11:00 p.m. during the one (1) night time event per weekend, limited to a Friday, Saturday, or Sunday night only) and sounds emanating from the

93 94 95 96	4. Entertainment is only permitted during equestrian events and shall conclude at the end of the event at 10:00 p.m. (11 p.m. during the one (1) night time event per weekend, limited to a Friday, Saturday, or Sunday night only).
97 98 99 100 101	5. All live entertainment must be incidental to the equestrian shows/events and shall be limited to the Event Tent and in the Main Arena. Any source of amplification shall be directed away from adjacent residential properties which are located on the north and east property lines. This restriction shall not apply to dressage dance music for practice.
102 103 104 105	6. The owner/operator shall coordinate show/event start and let out times with the Winter Equestrian Festival to ensure that show/event start and let out times are not concurrent. Show/event let out times shall be a minimum of one (1) hour apart.
106 107 108 109	7. Use of any mechanical equipment to prepare or clean up the site or equestrian rings shall be permitted from 7:00 a.m. to 10:00 p.m. (11:00 p.m. during the one (1) night time event per weekend, limited to Friday, Saturday, or Sunday only).
110 111 112 113 114 115	8. The use of amplified sound systems and equipment including (radio, IPod, or similar devices with auxiliary speakers, record players, similar music devices) or televisions are prohibited in permanent barns or temporary stabling tents except to advise riders and exhibitors of upcoming competitive events. Electronic listening devices may be used with earphones.
116 117 118	9. Use of portable generators is prohibited unless "Quiet Pack" generators are utilized and all generators shall be located a minimum of 150 feet from adjacent residential property, measured from the property line.
119 120	10. All on-site storage trailers shall be screened from public rights-of-way and adjacent properties.
121 122	11. All vendors shall obtain a Business Tax Receipt if required by Wellington prior to selling or offering services.
123 124	12. Vendors selling food shall obtain a Palm Beach County Health Department inspection and approval prior to commencing sales.
125 126 127	13. For monitoring purposes, properly identified Wellington staff including, but not limited to, Building Inspectors, Code Compliance Officers and Planning and Zoning staff shall be allowed unrestricted access to the site.
128 129 130 131	14. Sound testing shall be conducted for the first event at the eastern and northern property lines and a report provided to the Village with the results. If the results of the testing exceed the Wellington noise limits, the owner shall modify the sound system and retest to ensure compliance. For one (1) year

subject property must comply with the provisions of the Code of Ordinances, Chapter 36, Article III.

Wellington noise limits, mitigation may be imposed by the Planning and 134 Development Services Director and will be required to be completed within 135 136 two (2) weeks of notification. 137 Lighting: 15. All parking lot lighting shall be limited to a maximum of 15 feet in height. 138 16. Adequate lighting shall be provided on site and at the project access points 139 based on the photometric plan submitted with the Site Plan Application and 140 approved by Council. All new lighting required as a part of this approval 141 shall be installed no later than December 31, 2014. 142 **Traffic:** 143 17. Parking of vehicles along any portion of adjacent road rights-of-way is 144 PROHIBITED. Event parking is limited to on-site designated parking areas 145 and on-site trailer parking areas designated in accordance with the 146 conceptual site plan and circulation plan attached as Exhibits "B" and "C" 147 respectfully. 148 18. Adequate ingress and egress directly to and from South Shore Boulevard 149 and Pierson Road shall be maintained at all times to minimize impacts to 150 normal traffic flow. Palm Beach Sheriff's Office deputies shall be utilized for 151 traffic control for larger events (typically greater than 500 spectators) in 152 accordance with the approved Circulation Plan. The Village Engineer may 153 require additional officers to mitigate traffic issues that arise due to the 154 equestrian shows/events. 155 19. Applicant shall construct the following off-site improvements prior to 156 December 31, 2014: 157 New, horse crossing from south side of Pierson Road to north 158 a. side of C-23 Canal. 159 Bridle Trail along south property line from the new access point to b. 160 the east property line. 161 Designated north bound right turn lane on South Shore 162 C. Boulevard with a minimum of 280 feet of storage and 50 foot 163 taper at the South Shore access to the property. 164 Provide a separate east approach left turn lane with 280 feet of d. 165 storage at Pierson Road and South Shore Boulevard intersection. 166 Provide a separate west approach left turn lane with 370 feet of e. 167 storage at Pierson Road and South Shore Boulevard intersection. 168 f. 169 20. To comply with the mandatory Traffic Performance Standards, in place at 170 the time of this approval, no building permits for the site shall be issued after 171 December 31, 2016, excluding permits for approved temporary structures. 172 A time extension for this condition may be approved by the County and 173 Village Engineer based on an approved Traffic Study which complies with 174

from the approval date of this resolution, testing shall be reported on a

monthly basis for all events. Should any of the testing results exceed the

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175 176	the mandatory Traffic Performance Standards in place at the time of the request.
177 178 179 180	21. Prior to December 31, 2015, a queuing analysis of the southbound left turn lane at the South Shore Boulevard driveway, the northbound left turn lanes at the intersection of Greenview Shores Boulevard and South Shore Boulevard and the ingress/egress of Pierson Road entrance shall be
181 182 183 184 185	submitted to the Village. The analysis will be based on existing peak season counts and queuing data at the time with traffic from unbuilt intensities included. If deficiencies are exposed by the queuing analysis additional offsite and on-site infrastructure improvements to the roadways and access points may be required. The monitoring shall continue until December 31,
186 187	2017. Annual reports shall be provided to the Village prior to December 31 st for this period.
188 189 190	22. The South Shore entrance shall be designated as the primary entrance to the facility, but access to the site from the Pierson road entrance will not be limited or restricted.
191 192 193 194	23. A perimeter road will be required along the northern property line for connectivity throughout the site and indicated on the approved site plan. The specific roadway material is to be approved by the Village Engineer.
195	BMP:
196 197 198	24. Applicant shall comply with the BMP Standards approved specifically for this site and in accordance with the South Florida Water Management District Permit.
199 200 201 202	25. Manure shall be removed from the premises on a daily basis during all horse show events and disposed in a manner approved by the Palm Beach County Health Department. Manure shall be collected and transported by a registered livestock waste hauler in accordance with the BMPs.
203 204	Building:
205 206 207	26. The applicant shall obtain permits for all structures and tents in accordance with Wellington's Land Development Regulations, the Florida Building Code and including the Fire Code.
208 209 210 211	27. All tents shall be inspected by the Palm Beach County Fire Rescue Department for compliance with applicable Federal, State, or Municipal fire protection standards. Tents shall be inspected and approved prior to occupancy.
212	Engineering:
213 214 215 216	28. Permanent sanitation facilities shall be constructed by December 31, 2015, and shall be sized to accommodate approved permanent structures. Portable/temporary sanitation facilities shall be permitted in accordance with health and safety standards until the construction of permanent sanitation

facilities is completed. Further, portable/temporary sanitation facilities shall 217 be permitted for temporary event use in accordance with health and safety 218 standards and shall be removed within 24 hours after the event. The location 219 of the permanent and temporary sanitation facilities shall be provided on the 220 221 approved site plan. 29. Applicant shall comply with all provisions of Article 7.2 and 6.10 of the 222 Wellington Land Development Regulations for the grassed parking. 223 30. All basic infrastructure for the permanent structures and those temporary 224 structures that will be serviced by the basic infrastructure (roads, drives, 225 parking, lighting, bathrooms, seating, horse wash, manure bins, etc.) shall 226 be permanent and shall comply with Wellington's Codes and Standards, 227 except to the extent otherwise provided herein. 228 Planning: 229 31. Applicant must submit an application and receive approval for a Master Sign 230 Plan for the site prior to the installation of any signage that is not currently 231 approved for the site. 232 32. The Commercial Equestrian Arena Site Plan shall be approved by the 233 Council and the general layout, uses and intensity of the uses shall be in 234 substantial compliance with the conceptual site plan that is attached as 235 Exhibit "B". 236 33. A Circulation Plan shall be submitted and approved with the Commercial 237 Equestrian Arena Site Plan that includes on-site and off-site circulation. 238 34. The temporary tent stalls shall be limited to use by participants of this 239 commercial equestrian arena only during the months of January through 240 A one (1) month extension of this use may be granted 241 administratively by the Planning Department when a written request is 242 submitted by the Applicant. The tents may be erected up to one (1) month 243 prior to use and must be taken down within two (2) weeks of the expiration 244 of the period approved for use. 245 35. Annual reports of the spectator attendance counts and stall usage for all 246 events shall be provided to Wellington by July 1 of each year or as otherwise 247 requested by Wellington. Wellington reserves the right to require additional 248 improvements if reports indicate attendance and stall usage significantly 249 greater than that analyzed. 250 36. The stalls for this facility may not be used for overflow stabling. Overflow 251 stabling shall mean stabling of horses that compete exclusively at venues 252 other than on the property. Nothing herein shall be construed to prohibit the 253 stabling of horses that compete both at the property and other venues within 254 the Village. This condition does not apply to the Riding Academy 255 participants 256 257 37. Applicant shall install a solid, opaque fence a minimum height of five feet 258 along the entire southeast corner of the property. The fencing shall begin at 259

 the east property corner north of Pierson Road, extend west and north along the adjacent residential properties directly inside the existing Areca Palms buffer and continue approximately 40 feet north of the barns located on the property. The applicant agrees to work with the Village on an ongoing basis to mitigate any impacts from headlights on residents of Polo Island.

SECTION 3. Should a legal challenge to the approval of the Compatibility Determination result in a temporary injunction or otherwise prohibit the developer from completing any specific condition under this Compatibility Determination within the time provided or executing any portion of the approved site or circulation plans herein, the Village shall toll the time requirement for completion of such condition or conditions until the resolution of the litigation. During such tolling period, no permits will be issued and no temporary or permanent COs will issue.

SECTION 4. This Resolution shall become effective immediately upon adoption. The Conditions of Approval for the Compatibility Determination adopted by this Resolution shall become effective on May 1, 2014, immediately after the expiration date of the 2013/2014 Equestrian Special Permit approved by Resolution No. 2013-42 for Equestrian Sport Production, LLC.

PASSED AND ADOPTED this 24 day of October 2013.				
RENDERED the 21st day of November 2013.				
BY: Awilda Rodriguez, Village Clerk	Bob Margolis, Mayor			
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:				

Laurie Cohen, Attorney for Wellington

EXHIBIT "A"

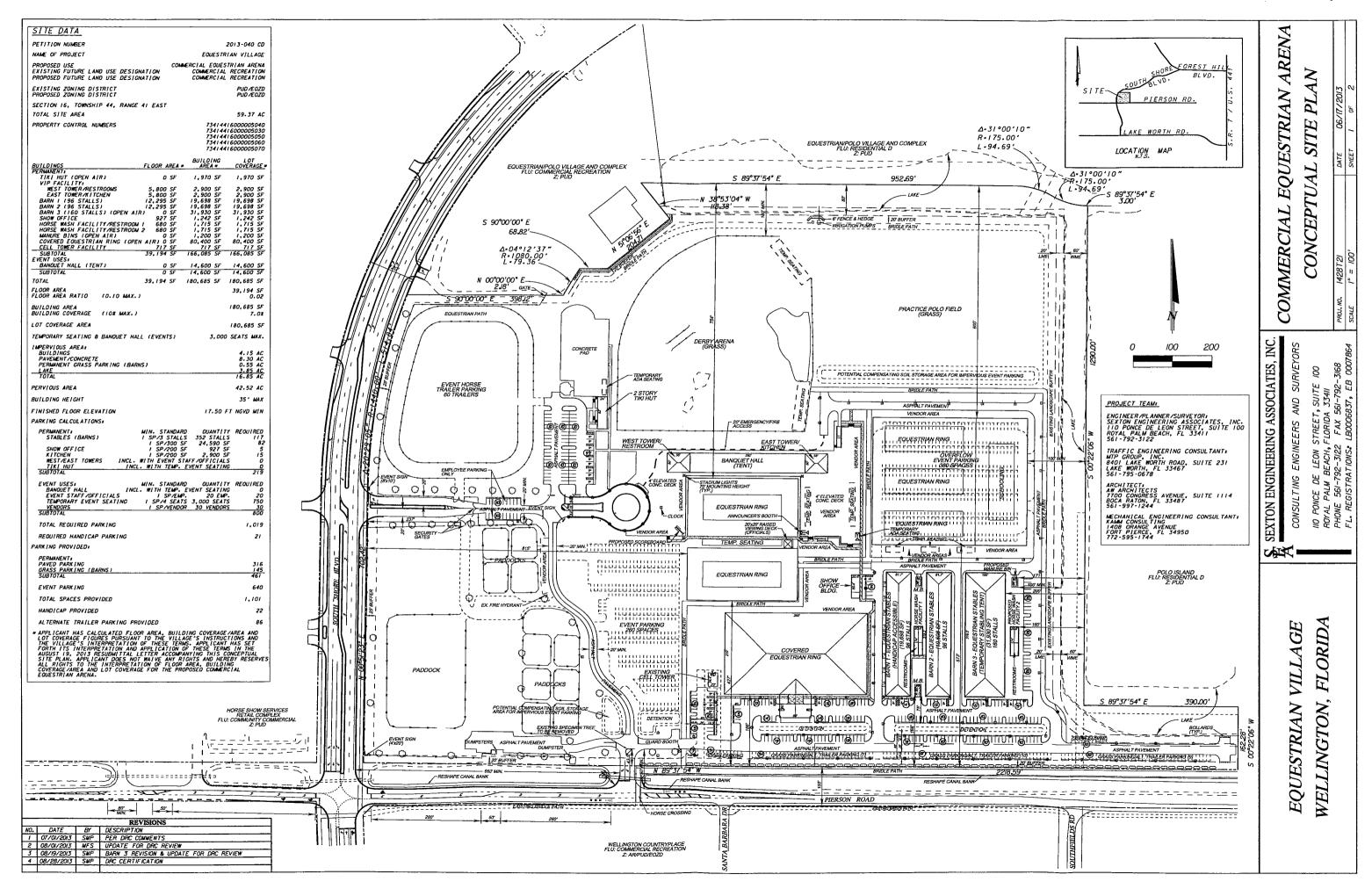
Legal Description

A PARCEL OF LAND LYING IN PART OF SECTION 16, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE SOUTH 89°37'54" EAST ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 2090.00 FEET; THENCE NORTH 00°51'23" EAST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE FOR SOUTH SHORE BLVD. AS SHOWN IN GREENVIEW SHORES NO. 2, RECORDED IN PLAT BOOK 31, PAGES 120 THROUGH 136, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE NORTH LINE OF ACME IMPROVEMENT DISTRICT CANAL C-23; THENCE NORTH 00°51'23" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 702.42 FEET TO A POINT OF CURVE, CONCAVE TO THE EAST HAVING A RADIUS OF 1440.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 20°29'05", A DISTANCE OF 514.84 FEET TO A POINT, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF PARCEL "A", EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D. AS RECORDED IN PLAT BOOK 35, PAGE 187, PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE SOUTH 90°00'00" EAST, ALONG THE SOUTH LINE OF SAID PARCEL "A", A DISTANCE OF 398.12 FEET; THENCE NORTH 00°00'00" EAST, ALONG SAID PARCEL "A", A DISTANCE OF 2.18 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 1080.00 FEET, A RADIAL BEARING TO SAID POINT BEARS NORTH 60°50'26" WEST; THENCE NORTHEASTELY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°12'37"; A DISTANCE OF 79.36 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL "A"; THENCE SOUTH 90°00'00" EAST, ALONG SAID SOUTH LINE OF PARCEL "A", A DISTANCE OF 68.82 FEET; THENCE NORTH 51°06'56" EAST, ALONG SAID PARCEL "A", A DISTANCE OF 204.71 FEET; THENCE NORTH 38°53'04" WEST, ALONG SAID PARCEL "A", A DISTANCE OF 118.38 FEET TO THE SOUTHWEST CORNER OF PARCEL "B" OF SAID EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D.; THENCE SOUTH 89°37'54" EAST, ALONG THE SOUTH LINE OF PARCEL "B" AND "C", OF SAID EQUESTRIAN/POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., A DISTANCE OF 952.69 FEET TO A POINT OF CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 175.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND THE SOUTH LINE OF SAID PARCEL "C", THROUGH A CENTRAL ANGLE OF 31°00'10", A DISTANCE OF 94.69 FEET TO A POINT OF REVERSE CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 175.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND THE SOUTH LINE OF SAID PARCEL "C", THROUGH A CENTRAL ANGLE OF 31°00'10", A DISTANCE OF 94.69 FEET; THENCE SOUTH 89°37'54" EAST, ALONG SAID SOUTH LINE OF PARCEL "C", A DISTANCE OF 3.00 FEET TO A POINT AT THE NORTHWEST CORNER OF POLO ISLAND A CONDOMINIUM, AS RECORDED IN OFFICAL RECORD BOOK 3391, PAGE 606, PUBLIC RECORDS OF PALM BEACH, COUNTY; THENCE SOUTH 00°22'06" WEST ALONG SAID POLO ISLAND A CONDOMINIUM AND THE WEST LINE OF POLO ISLAND OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., AS RECORDED IN PLAT BOOK 50, PAGE 155, PUBLIC RECORDS OF PALM BEACH COUNTY,

FLORIDA, A DISTANCE OF 1290.00 FEET TO THE SOUTHEAST CORNER OF SAID POLO ISLAND OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D.; THENCE SOUTH 89°37'54" EAST, ALONG THE SOUTH LINE OF SAID POLO ISLAND OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D., A DISTANCE OF 390.00 FEET TO THE SOUTHEAST CORNER OF SAID POLO ISLAND OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D.; THENCE SOUTH 00°22'06" WEST, A DISTANCE OF 162.28 FEET TO A POINT ON THE NORTH LINE OF SAID ACME IMPROVEMENT DISTRICT CANAL C-23, SAID POINT ALSO BEING 50.00 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 16, THENCE NORTH 89°37'54" WEST ALONG A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 2218.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 59.37 ACRES MORE OR LESS



SURVEYORS

FLORIDA

WELLINGTON,

EQUESTRIAN VILLAGE

SEXTON ENGINEERING ASSOCIATES, INC.

COMMERCIAL EQUESTRIAN ARENA CONCEPTUAL SITE PLAN

DETAILS

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NOTES: MATCH EXIST GRADE I. ALL HOSE BIBS ARE TO BE EQUIPPED WITH AN AUTOMATIC SHUT OFF NOZZLE TO LIMIT WATER FLOW TO THE SANITARY SEWER SYSTEM. 2. DURING MAINTENANCE WHEN THE FILTER IS REMOVED TO BE CLEANED, THE FILTER CONTAINER SHALL BE REPLACED WITH A CONTAINER WITH NO DISCHARGE OPENING TO PREVENT DISCHARGE TO THE SANITARY SEWER SYSTEM. 3. ALL FACILITIES SHALL COMPLY WITH THE VILLAGE OF WELLINGTON BEST MANAGEMENT PRACTICES. 6 PVC TO LIFT STATION HORSE WASH RACK DETAILS

H-20 RATED GRATE

ADS FLEXSTORM PC FILTER BAG

24" DRAIN BASIN DETAIL

SCALE: f'-3'

17.50 MIN. - f PVC

17.50 MIN.

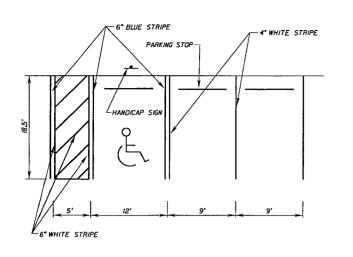
6" THICK CONCRETE PAD W/ WWF

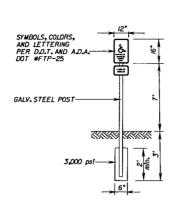
MANURE BIN TO BE GRADED
TO CONFORM TO THE
VILLAGE OF WELLINGTON'S
BMP ORDINANCE NO. 2012-12.

MANURE BIN DETAIL

_ 1-1/2° CURB STOP W/ METER BOX

I-1/2 SCH-80 PVC WATER SERVICE





17.50 MIN.

RESTROOM BUILDING

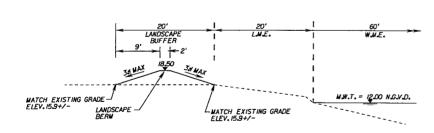
6 CONCRETE SLAB

HORSE WASH RACK SCALE: f-10'

17.50 MIN.

STANDARD PARKING DETAIL

HANDICAP SIGN DETAIL



LANDSCAPE BUFFER SECTION ALONG EAST PROPERTY LINE

