

## Lotis Wellington II

## URBAN SERVICES REPORT

**Petition Number/Type:**

2021-0002-ANX / Annexation (ANX)

**Ordinance No.:** 2022-26

**PBC File No.:** 2021-73-002

**Owners:** 411 Partners Inc./  
Four Four One Partners, Inc  
1201 Hays St.  
Tallahassee, FL 32301  
  
Lake Worth Drainage District  
13081 Military Trail  
Delray Beach, FL 33484

**Applicant:** Lotis Wellington, LLC/  
JKM Acquisitions, LLC  
2300 Glades Rd., Suite 202E  
Boca Raton, FL 33431

**Agent:** Brian Terry/Insite Studio, Inc.  
8144 Okeechobee Blvd, Suite A  
West Palm Beach, FL 33411  
brianterry@insitestudio.com  
(561) 249-0940

**PCN:**

Parcel 1: 00-42-43-27-05-018-0040 (15.68 acres +/-)  
Parcel 2: 00-42-43-27-05-018-0071 (5.02 acres +/-)  
Parcel 3: 00-42-43-27-05-018-0072 (30.90 acres +/-)  
LWDD ROW: 00-42-43-27-05-018-0092 (0.64 acre +/-)

**Future Land Use Designation:**

Current – PBC Low Residential (LR-2)  
Proposed – Mixed Use (MU)

**Zoning Designation:**

Current – PBC Public Ownership (PO)/Agricultural  
Residential (AR)  
Proposed – Multiple Use Planned Development (MUPD)

**Acresage:** 52.24 Acres (+/-)

**Description:**

This report is to fulfill the requirements of Section 171.042(2) of the Florida Statutes, entitled Prerequisites to

Annexation, demonstrating availability of urban services for properties annexing within Wellington's municipal boundary.

**Location/Map:**

The subject properties are located approximately half a mile north of the Forest Hill Blvd & State Road 7/US 441 intersection, on the west side of State Road 7/US 441.



Adjacent Property	FLUM	Zoning
North	Res. C (1 - 3 du/ac) / Commercial (C)	Planned Unit Development (PUD)/ MUPD
South	Mixed Use (MU)	MUPD/ PBC Commercial High Office (CHO)
East	PBC Low Residential	PBC Residential (AR)
West	Res. C (1 - 3 du/ac)	PUD

**Project Manager:**

Damian Newell, Senior Planner  
[dnewell@wellingtonfl.gov](mailto:dnewell@wellingtonfl.gov)  
(561) 753-2577

### **Site History and Current Request:**

The current property owners are 441 Partners Inc, for Parcels 1 and 2, Four Four One Partners Inc. for Parcel 3, and Lake Worth Drainage District (LWDD) for a variable width S-5 Canal Right-of-Way (ROW) (LWDD ROW as indicated above). The subject properties/parcels (Parcels 1-3 and LWDD ROW) are currently in unincorporated Palm Beach County (PBC). Parcel 1 as indicated above was approved (PBC Resolution No. 1984-1849) by PBC with a special exception use to allow a commercial kennel, which was then revoked (PBC Resolution No. 1987-1179) in 1987. Parcel 1 was previously owned by PBC and was rezoned from Agricultural (AG) to Public Ownership (PO) by the PBC Commissioners in 2019 (PBC Resolution No. 19-73-727). Currently the properties have no development approvals and are vacant.

The owners and applicant (Lotis Wellington, LLC) are requesting approval of a voluntary Annexation Petition No. 2021-0002-ANX (Ordinance No. 2022-26) to amend Wellington's municipal boundary to include the subject properties, along with a Comprehensive Plan (Map) Amendment (CPA) Petition No. 2021-0002-CPA (Ordinance No. 2022-27), to amend the FLUM designation for the subject properties from PBC Low Residential (LR-2) to Mixed Use; and a Rezoning (REZ) Petition No. 2021-0002-REZ (Ordinance No. 2022-28), to amend the Zoning Map designation of Parcel 1 from PBC Public Ownership (PO) and Parcels 2-3/LWDD ROW from PBC Agricultural Residential (AR) to Multiple Use Planned Development (MUPD).

The applicant is currently working on plans for approval and future development of a 52-acre mixed-use project known as Lotis Wellington II (Lotis II) to develop residential (Approximately 112 DU single-family and 111 DU Multi-family), restaurant (Approximately 10,000 SF), indoor/outdoor entertainment (Approximately 8,000 SF/36 miniature golf holes) and lake/greenway/cypress preserve area (Approximately 13.44 acres), which will have access from State Road 7/US 441 the project overall frontage .

### **Analysis:**

#### **Consistency with State Annexation Law**

As indicated above, the request is for the voluntary annexation of the subject vacant parcels currently in unincorporated Palm Beach County. The subject properties are Tract 4 (Parcel 1), north portion of Tract 7 (Parcel 2) and Tract 8 (Parcel 3) within Block 18 of the Palm Beach Farms Co. Plat No. 3 as recorded in Plat Book 2, Pages 45 – 54 of the public records of Palm Beach County, Florida. The request is to annex Parcels 1-3 will also include the adjacent undeveloped S-5 Canal ROW along the west side to ensure an enclave is not created as the result of the subject parcels annexation into the Village of Wellington municipal boundary. The proposed annexation areas are identified as a future annexation area on the Village of Wellington Comprehensive Plan Future Land Use Map and is consistent with Chapter 171 of the Florida Statutes (F.S.). This annexation request is consistent with 171.042 (Prerequisites to Annexation) and 171.044 (Voluntary Annexation) F.S., and more specifically the below sections:

#### **171.042(1)(a) – Maps:**

- Wellington's Future Land Use Map (FLUM) illustrating the current land use and municipal boundaries is provided as Exhibit A.



- Proposed FLUM illustrating the unincorporated areas annexed within the municipal boundaries with the proposed land use is provided as Exhibit B.
- Current Municipal Services Map illustrating the present water and wastewater infrastructure adjacent to the proposed annexation area is provided as Exhibit C.

171.042(1)(b) – Statement certifying that the area to be annexed meets the criteria in s. 171.043:

The proposed annexation is consistent with Section 171.043, F.S. as the subject real property is;

- Within the future annexation area of the Village of Wellington,
- Contiguous land to the municipal limits of Wellington,
- Not irregular in shape,
- Not within the boundary of another incorporated municipality, and
- Within an area developed for urban purposes.

171.042(1)(c) – Statement extending major municipal service performed within the municipality into the annexation area:

- All urban services indicated below are available for the annexation area with ability to provide service at the time of development.

Urban Service	Provider
Sanitary Sewer	Wellington
Potable Water	Wellington
Solid Waste	Wellington (via contract with private provider)
Parks & Recreation	Wellington
Stormwater Management	Lake Worth Drainage District
Electric	Florida Power and Light
Police	Palm Beach Sheriff's Office
Fire	PBC Fire Rescue

- Wellington's Utilities Director has confirmed (Exhibit D) that capacity exists to provide water and sewer to the proposed annexation area.
- Palm Beach County School District School Capacity Availability Determination (SCAD) is provided as Exhibit E.
- Emergency services are provided by Palm Beach County Sheriff's Office (via contract with Wellington) and Palm Beach County Fire Rescue (Station 30 located at 9610 Stribling Way, approximately 2.2 miles southeast of the subject properties).

171.042(2) – File report with the board of county commissioners:

This section states that Wellington shall file this report with the Palm Beach County Board of Commissioners 15 days prior to commencing the annexation procedures under s. 171.0413. This report will be provided to Palm Beach County Board of Commissioners in compliance with this section on or before August 22, 2022, which is 15 days prior to first public hearing for the adoption by the Village Council on September 6, 2022.

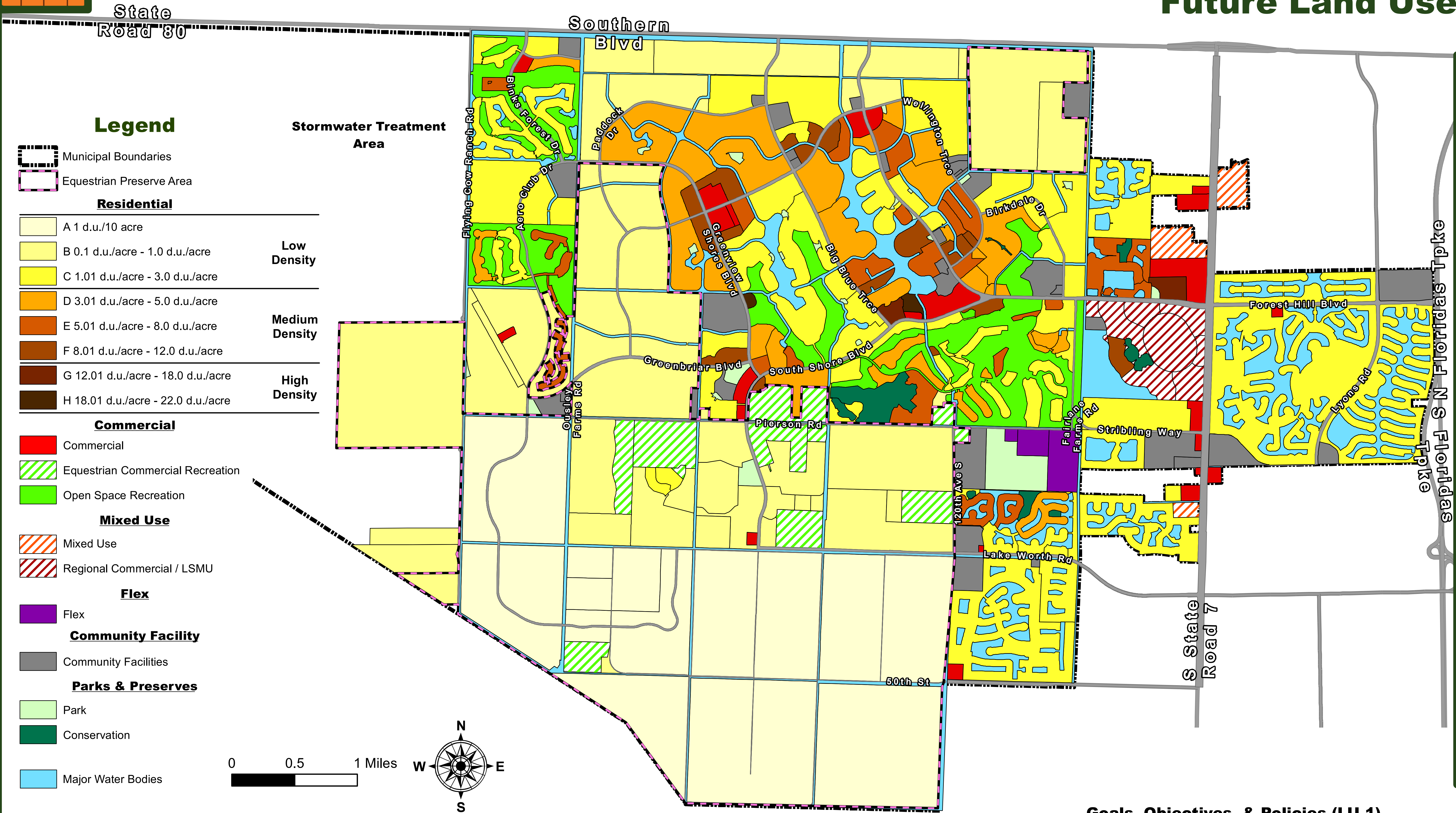
171.044(6) – File hearing notification with the board of county commissioners:

On August 12, 2022, Wellington provide a copy of the public hearing notice, via certified mail, to PBC Board of County Commissioners and County Planning Director, 10 days prior to publishing or posting the ordinance notice on August 22, 2022 for first reading of the proposed annexation.

**List of Exhibits:**

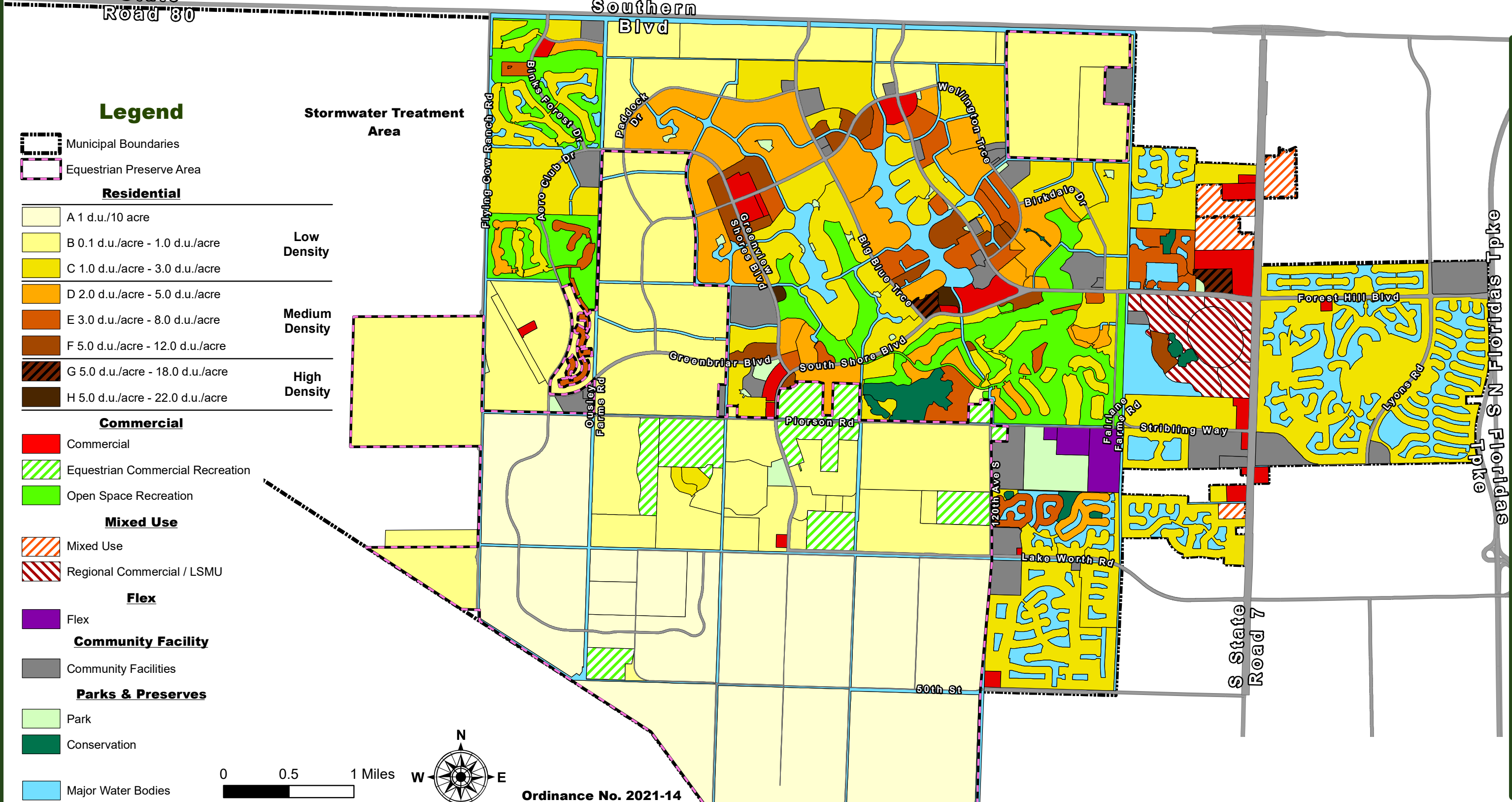
Exhibit A	Wellington's Current Future Land Use Map (FLUM)
Exhibit B	Future Land Use Map (with proposed amendment)
Exhibit C	Current Municipal Services Map
Exhibit D	Wellington's Engineer and Utilities Director Letters
Exhibit E	School Capacity Availability Determination





Goals, Objectives, & Policies (LU-1)





**Legend**

- Municipal Boundaries
- Equestrian Preserve Area

**Residential**

- |                                  |                |
|----------------------------------|----------------|
| A 1 d.u./10 acre                 | Low Density    |
| B 0.1 d.u./acre - 1.0 d.u./acre  |                |
| C 1.0 d.u./acre - 3.0 d.u./acre  |                |
| D 2.0 d.u./acre - 5.0 d.u./acre  | Medium Density |
| E 3.0 d.u./acre - 8.0 d.u./acre  |                |
| F 5.0 d.u./acre - 12.0 d.u./acre |                |
| G 5.0 d.u./acre - 18.0 d.u./acre | High Density   |
| H 5.0 d.u./acre - 22.0 d.u./acre |                |

**Commercial**

- Commercial
- Equestrian Commercial Recreation
- Open Space Recreation

**Mixed Use**

- Mixed Use
- Regional Commercial / LSMU

**Flex**

- Flex

**Community Facility**

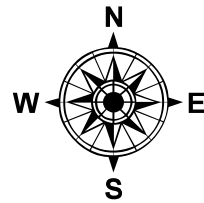
- Community Facilities

**Parks & Preserves**

- Park
- Conservation

- Major Water Bodies

0 0.5 1 Miles



Ordinance No. 2021-14  
Adoption Date: 8/10/2021

**Goals, Objectives, & Policies (LU-1)**

Wellington Planning & Zoning • 12300 Forest Hill Blvd • Wellington, FL 33414  
• 561.791.4000 • www.wellingtonfl.gov





**Subject  
Property**

U.S. Route 441/State Road 7

Wellington Planning GIS • 12300 Forest Hill Blvd • Wellington, FL 33414 • 561.791.4000 • www.wellingtonfl.gov

00000 1	SHEET NO.	1
	DATE	8/22/2022
	DRAWN	D.J. Helkowski
	SCALE	1 inch = 400 feet
	REQUESTED	Damian Newell
	FILENAME	LotisII_Water_Sewer



**Lotis II**  
**Village of Wellington**  
**Palm Beach County, FL**

—	Sewer Pressurized Mains	Lotis II (Subject Property)
—	Water Mains	Wellington Boundary





**Council**

Anne Gerwig, Mayor  
John T. McGovern, Vice Mayor  
Michael Drahos, Councilman  
Michael J. Napoleone, Councilman  
Tanya Siskind, Councilwoman

**Manager**

Jim Barnard

July 15, 2022

Jeffrey Schnars, P.E.  
Schnars Engineering Corporation  
947 Clint More Road,  
Boca Raton, FL 33487

**Re: Lotis Phase 2  
Request for Potable Water and Sanitary Sewer Confirmation of Capacity**

Dear Ms. Schnars,

This letter is in response to your recent request for capacity availability dated May 17, 2022, at a property located on the west side on State Road 7, approximately 0.63 miles north of the intersection of State Road 7 and Forest Hill Blvd. The letter reflects a change from a vacant lot to a developed mixed use site consisting of restaurant, indoor/outdoor entertainment, and single-family and multi-family residential use. The referenced project lies within the water and sewer service area of the Village of Wellington Utility Department ("Wellington Utility Department").

The projected water demands as calculated by Jeffrey Schnars, P.E. ("Engineer of Record") are as noted below.

**Average Day Water: 0.152 MGD**

**Peak Day Water:  $0.152 * 1.4$  (Average to Peak Day Factor Water) = 0.213 MGD.**

The Wellington Utility Department currently has a total permitted maximum day operating capacity for its water treatment plant of 12.3 MGD. The total available capacity is currently 2.85 MGD. The vacant site is currently not served by the Wellington Utility Department.

As stated by the Engineer for Record, the projected sanitary sewer demands are as follows:

**Average Day Sanitary Sewer: 0.097 MGD**

**Peak Day Sanitary Sewer:  $0.097 * 1.4$  (Average to Peak Day Factor Sanitary) = 0.136 MGD**

The Wellington Utility Department currently has a total permitted maximum day operating capacity for its wastewater treatment plant of 6.5 MGD. The total available capacity is currently 1.84 MGD. The vacant site is currently not served by the Wellington Utility Department.

This confirms that the Wellington Utility Department has adequate water and wastewater capacity to serve the project as of the date of this letter. Please note that capacity for these services are not reserved, encumbered, or guaranteed by this letter until capacity is obtained through the execution of a developer agreement with the Village of Wellington and the payment of all applicable water, sewer, and fire line capacity fees. No guarantee of capacity availability is



expressed or implied, until such time that capacity has been obtained as described above. Capacity fees must be paid prior to the Director's execution of the Palm Beach County Health Department Construction Permit Forms. All capacity is subject to the Village of Wellington's Municipal Rate Resolutions and capacity is limited to the amount of capacity purchased and for which payment has been made. Improvements to the infrastructure may also be required by the developer to ensure that adequate hydraulic capacity exists to serve its development.

This letter shall be considered expired 90 days after the date of this letter.

Sincerely,



Anjali K. Panse, P.E.  
Interim Director of Utilities  
Village of Wellington

cc: Toral Hertzberg, P.E.





THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FL

KRISTIN K. GARRISON  
DIRECTOR

JOSEPH M. SANCHES, MBA  
CHIEF OPERATING OFFICER

PLANNING AND INTERGOVERNMENTAL RELATIONS  
3661 INTERSTATE PARK RD. N., STE 200  
RIVIERA BEACH, FL. 33404

PHONE: 561-434-8020 / FAX: 561-357-1193  
[WWW.PALMBEACHSCHOOLS.ORG/PLANNING](http://WWW.PALMBEACHSCHOOLS.ORG/PLANNING)

## SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	06/20/2022		
	SCAD No.	22062002F/FLU; 22062001Z/Re-Zoning; 22062001D/D. O.		
	FLU /Rezoning/D.O. No.	2021-0002-LPA/2021-0002-REZ/2022-0001-MP – Village of Wellington		
	Property Control Nos.	00-42-43-27-05-018-0071; 0072; 0040		
	Development Name	Lotis Wellington		
	Owner / Agent Name	441 Partners Inc. / Brian Terry		
	SAC No.	156S		
	Proposed FLU/Re-Zoning Proposed D. O.	Maximum 627 Residential Units 238 Units (102 Single-Family & 136 Multi-Family Units)		
Impact Review		Elbridge Gale Elementary School	Emerald Cove Middle School	Palm Beach Central High School
	New Students Generated	31	16	22
	Capacity Available	-61	-35	-390
	Utilization Percentage	106%	102%	114%
School District Staff's Recommendation	<p>Based on the findings and evaluation of the proposed development, there will be a negative impact on the public-school system. Therefore, if the proposed development is approved by the Village Council, School District staff recommends the following condition to mitigate such impacts.</p> <p>In order to address the school capacity deficiency generated by this proposed development at the District <b>elementary</b>, <b>middle</b> and <b>high school level</b>, the property owner shall contribute a total of <b>\$632,402.00</b> to the School District of Palm Beach County prior to the issuance of first building permit.</p> <p>This school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied).</p> <p>Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on April 16, 2019.</p>			
Validation Period	<p>1) This determination is valid from <b>07/18/2022</b> to <b>07/17/2023</b> or the expiration date of the site-specific development order approved during the validation period.</p> <p>2) A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to <b>07/17/2023</b> or this determination will expire automatically on <b>07/17/2023</b>.</p>			
Notice	<p>School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.</p>			

*Joyce Cai*

School District Representative Signature

Joyce C. Cai, Senior Planner

Print Name & Title

July 18, 2022

Date

[joyce.cai@palmbeachschools.org](mailto:joyce.cai@palmbeachschools.org)

Email Address

CC: Damian Newell, Senior Planner, Village of Wellington  
Joyell Shaw, PIR Manager, School District of Palm Beach County