



Winding Trails Lot 6

STAFF REPORT

Petition Number: Master Plan Amendment
2022-0001-MPA
Resolution R2022-47

Vacation of Limited Access
Easement
2022-0012-VAC
Resolution R2022-62

Winding Trails Restrictive Covenant
Amendment

Owner/Applicant: Bonnie and Nophar Silver
10714 Greenbriar Villa Drive
Wellington, FL 33449

Agent: Don Hearing
Cotleur and Hearing
1934 Commerce Lane
Suite 1
Jupiter, FL 33458

Site Address: 2680 Aero Club Drive

PCN: 73-41-44-18-06-006-0010

Future Land Use Designation (FLUM): Residential B (0.1
du – 1.0 du/ac)

Zoning Designation: Equestrian Overlay Zoning
District/Planned Unit Development
(EOZD/PUD)

Acreage: 4.99

Request: To amend The Landings at Wellington PUD
(Exhibit A – Proposed Master Plan) by adding
an access point along Aero Club Drive to
access Lot 6 of Winding Trails (Pod D-1).

Project Manager:
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Location/Map:

Lot 6 of Winding Trails is located on Aero Club Drive
approximately 600 feet north of the Greenbriar Boulevard
and Aero Club Drive intersection.



Adjacent Property	FLUM	Zoning
North	Residential B	EOZD/PUD
South	Residential B	EOZD/PUD
East	Residential E	PUD
West	Residential B	PUD

Boards, Committees, Council:

Meeting	Notice Date	Meeting Date	Vote
EPC	NA	9/7/2022	4-1
PZAB	8/29/2022	9/13/2022	5-0
Village Council	9/26/2022	10/11/2022	Pending

Public Notice and Comments:

Sent	Returned	Delivered	For	Opposed
59	3	56	NA	NA

Site History and Current Request:

The subject property is located within Winding Trails of The Landings of Wellington PUD. The Landings at Wellington PUD was approved by Palm Beach County in 1979 prior to Wellington's incorporation in 1995. Winding Trails was originally an executive golf course. In 2017, the defunct golf course was converted into a nine (9) lot residential subdivision with equestrian uses. The property went through various approvals including:

- A Comprehensive Plan Map Amendment to amend the Future Land Use Map Designation for the property from Commercial Recreation to Residential B, to extend the boundaries of the Equestrian Preserve Area to include Winding Trails, and to add the public bridle trails to the Comprehensive Plan Maps;
- A Zoning Text Amendment to create Subarea F of the Equestrian Overlay Zoning District (EOZD) and to establish regulations;
- A Rezoning to amend the Zoning Designation for the property from Agricultural Residential/Planned Unit Development (AR/PUD) to AR/PUD/EOZD and to identify Winding Trails as Subarea F; and
- A Master Plan Amendment to amend The Landings at Wellington PUD to delineate Winding Trails from Pod D to Pod D-1, to allocate 29 acres to Pod D-1, to add nine (9) dwelling units, nine (9) barns with grooms quarters, and a maximum of 104 stalls to Pod D-1; to add three (3) access points along Aero Club Drive; and to add two (2) access points along Greenbriar Boulevard.

The Master Plan is required to show all access points along the major thoroughfares (Aero Club Drive and Greenbriar Boulevard). The Master Plan Amendment that was approved in 2017 limited the number of driveways along the major thoroughfares and had shared driveways for Lots 1 – 3, Lots 5 and 6, and Lots 8 and 9. The current owner of Lot 6 also owns Lot 5 and is proposing to unify the lots, construct one (1) barn with grooms quarters on Lot 5, and a separate single family residence situated on the northern portion of Lot 6. The owner is requesting a separate driveway entrance to Lot 6 so they do not have to construct an unnecessarily long driveway to the residence from the existing access point and so the residence has its own separate private entrance.

In addition to the proposed Master Plan Amendment, the applicant is also requesting the following:

- A Vacation Abandonment of the limited access easement that is in the location of the new access point if the Master Plan Amendment is approved.
- An amendment to the Winding Trails Restrictive Covenants to allow Lots 5 and 6 to aggregate the sum of the stalls into one (1) barn once the lots are unified. In 2021, a ZTA was approved which modified Table 6.8-3, Regulations for Barns and Stables, of the LDR which allowed for a maximum of 20 stalls if two (2) lots in Subarea F were unified. At that time, the Restrictive Covenants was amended, but only included language that allowed Lots 8 and 9 to take advantage of the increased stall count once the lots were unified. Any future requests to unify lots and aggregate the sum of the stalls would require an amendment to the Winding Trails Restrictive Covenants.
- A Unity of Title to unify lots 5 and 6 to develop the lots as one. The Unity of Title is approved administratively by staff.
- A Minor Site Plan Amendment to Lots 5 and 6 (Exhibit B – Proposed Site Plan) which include a 16 stall barn with grooms quarters, single family residence, storage building, paddock, rings, and the

additional access point as shown in Exhibit B – Proposed Minor Site Plan Amendment. The Minor Site Plan will be approved administratively by staff once the Master Plan Amendment is approved.

ANALYSIS – MASTER PLAN AMENDMENT:

The applicant is requesting a Master Plan Amendment to amend The Landings at Wellington PUD by adding one (1) access point along Aero Club Drive to access Lot 6 of Winding Trails. The proposed Master Plan Amendment complies with the following:

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

Policy MB 2.1.1 Access Management - Enforce standards and a review process to control roadway access points, on-site traffic flow, and on-site parking for access management, including the requirement of joint access drives for adjacent uses, the spacing and design of driveway curb cuts, the spacing and design of median openings, the provision of service roads.

Based on the Traffic Statement submitted in Exhibit D, the proposed access point will result in a net decrease of 23 daily trips, a net decrease of 2 AM peak hour trips, and a decrease of 2 PM peak hour trips as the number of single family units for the overall project and the number of stalls for the lot has been reduced. Wellington's Engineer and Traffic Engineer have determined that the additional access point will not affect the level of service of Aero Club Drive and the design of the driveway meets/exceeds the requirements of the code.

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

A Minor Site Plan Amendment for Lots 5 and 6 was submitted and reviewed by Planning, Engineering, and Utilities for consistency with the LDR. The proposed access point meets the requirements of the LDR. Section 7.4.1.A of the LDR limits the number of driveways to two (2) driveways for properties that are located on local or residential roads. Although Lot 6 is located a major thoroughfare and not a local or residential road, it will not exceed what is required for other residential lots that are potentially smaller in size than Lot 6.

The request is also is consistent with Section 7.4.2 of the LDR which requires driveways to have a minimum radius of 30 feet as the proposed access drive is proposed to be built with a 45 foot radius to match the other driveways within Winding Trails. The larger radius was required under Winding Trails original approvals so that large horse trailers (WB-50) could utilize the driveways without crossing the centerline of the roadways as shown in Exhibit C - Autoturn Analysis.

- C. The request minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

The request of an additional access point will not have any environmental effects as the driveway is to access a lot that is currently cleared and vacant. No wildlife or vegetation exists on the property.

- D. The request minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

The Minor Site Plan Amendment proposes a single-family residence on the northern portion of Lot 6 approximately 550 feet north of the existing shared access point. This configuration maximizes open space for the lot and separates the equestrian uses from the residence. Not allowing a separate access drive for Lot 6 would require the owner to construct an 11,000 square foot driveway which would greatly

reduce the impervious space allocated for residential and/or equestrian uses. In addition, the long driveway would be visible from the neighboring Lakefield South community. Allowing the second driveway will mitigate the visual impact of impervious space from the adjacent properties.

No adverse impacts to the natural environment are expected to occur as a result of the proposed modifications. The owners shall obtain all necessary permits or permit modifications from all agencies with jurisdiction for future improvements.

E. The request is consistent with applicable neighborhood plans.

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

F. The request will result in a logical, timely, and orderly development pattern.

The proposed request is for an additional access point along Aero Club Drive. No additional intensity or density is being requested.

G. The request complies with Wellington building standards.

Not applicable as there are no building proposed with this request as the request is for an additional access point only.

ANALYSIS – VACATION ABANDONMENT:

The applicant is also requesting the abandonment of a 28.45 foot long portion of the 5-foot Limited Access Easement, totaling approximately 142 square feet, in the location of where the proposed driveway will be located (Exhibit F – Sketch and Description of Vacation Abandonment). If the Master Plan Amendment (Resolution R2022-47) is approved by Wellington Council granting the additional driveway to Lot 6, then the vacation abandonment will need to be approved prior to the issuance of any engineering permits.

The Limited Access Easement was dedicated to the Village of Wellington for the purpose of control and jurisdiction over access points.

The Engineering Services Department, Utility Department, and Planning Department have determined the requested abandonment is consistent with the public interest and will not adversely affect utility or maintenance access to other properties.

ANALYSIS – AMENDMENT TO RESTRICTIVE COVENANT:

In 2017, the Wellington Council approved a master plan amendment for Winding Trails to allow nine (9) dwelling units, nine (9) barns with grooms quarters, and a maximum of 90 stalls (Resolution No. R2016-17). One of the conditions of approval was the developer's agreement to record Restrictive Covenants with specific provisions, including the limitation of "no more than four horse stalls per acre and no more than ten horse stalls on any lot within the development" and the limitation of "no more than four horse stalls rented to non-occupant third parties on any lot".

In 2021, a Zoning Text Amendment was approved by Wellington Council to modify Section 6.8.9.C of the LDR, to allow properties within Winding Trails held under unity of title with common ownership to aggregate the sum of each lot's maximum horse stall and stall rental limitation. At that time, the Wellington Council approved an amendment to The Winding Trails Restrictive Covenant (Exhibit H – Amended Restrictive Covenants) to address the intended combination of adjacent lots 8 and 9 only. Any other unified lots within Winding Trails would have to amend the Restrictive Covenants. The proposed Second Amended Restrictive

Covenants is shown in Exhibit H and is amended to allow Lot 5 and 6 to also aggregate the sum of each lot's maximum horse stall and stall rental limitation once the lots are unified.

A Unity of Title and Minor Site Plan Amendment for Lots 5 and 6 will be recorded/approved administratively by staff once all the requests (Master Plan Amendment, Vacation Abandonment, and Amendment to Restrictive Covenants) are approved by Council.

RECOMMENDATIONS:

The Equestrian Preserve Committee recommended approval of the Master Plan Amendment (R2022-47) with a 4-1 vote.

The Planning, Zoning and Adjustment Board unanimously recommended approval of the Master Plan Amendment with the following modifications:

- The driveway radii be reduced from 45 degrees to 30 degrees.
- If the driveway radii was reduced, then a condition of approval shall be added that limits the use of the driveway to residential traffic only.

Staff recommends the following:

- Approval of Resolution R2022-47 (Petition 2022-0001 MPA) to amend The Landings at Wellington PUD by adding an access point along Aero Club Drive to access Lot 6 of Winding Trails (Pod D-1) with the following conditions of approval:
 1. All previous conditions of The Landings at Wellington PUD, unless otherwise specified in this resolution, are still in effect.
 2. Approval is based on the Master Plan dated stamped May 4, 2022
 3. A vacation abandonment is required to be approved for the portion of the limited access easement where the driveway will be located prior to the issuance of any engineering permits.
- Approval of Resolution R2022-62 (Petition 2022-0012-VAC) to vacate a 28.45 foot long portion of a 5-foot wide Limited Access Easement, totaling approximately 142 square feet, within Lot 6 of Winding Trails (2680 Aero Club Drive) to accommodate the additional driveway approved by the Master Plan Amendment.
- Approval of the Second Amendment of the Winding Trails Restrictive Covenant amended to allow Lot 5 and 6 to also aggregate the sum of each lot's maximum horse stall and stall rental limitation once the lots are unified.

Lists of Exhibits:

Exhibit A – Proposed Master Plan Amendment

Exhibit B – Proposed Site Plan

Exhibit C – Auto-Turn Analysis

Exhibit D – Traffic Statement

Exhibit E – Justification Statement

Exhibit F – Sketch and Description of Vacation Abandonment

Exhibit G – Survey

Exhibit H – Amended Restrictive Covenant

Exhibit I – Second Amended Restrictive Covenant