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SECTION 1. The Iorizzo Master Plan Amendment is hereby approved for the property legally described in Exhibit A, subject to the following amended and restated

Conditions of Approval (Formatting: ~~Strike-through~~ text is to be deleted and underline text is to be added):

1. The Iorizzo Property shall be constructed in substantial compliance with the uses, access, acreage, site design, site amenities, and landscape buffers on the approved Master Plan (Exhibit B) prepared by Kimley-Horn and Associates, included as Exhibit "B" date-stamped December 20, 2010 and shall be consistent with the use limitations presented below. The final Master Plan consistent with Council approval and conditions of approval shall be submitted for final processing, as applicable.

USE	LIMITATIONS
Medical Office <u>Self-Storage</u>	Not to exceed 20,000 108,000 gross square feet. *
Quality Restaurant	Not to exceed 8,800 gross square feet.

*The allowed square footage shall be limited per the FAR bonus in Section 2.

2. The subject property shall be limited to a 0.40 FAR, except as approved by the Conditional Use for self-storage. Any changes to the approved Master Plan and/or uses shall require the Planning, Zoning and Adjustment Board and Council review and approval.
3. Site plan review and approval by the ~~Development Review Committee (DRC)~~ is required prior to building permits. The site plan shall comply with all applicable requirements of the MUPD zoning district and all related development orders.
- ~~4. The site is subject to all provisions of the "Big Box" ordinance and shall comply with all provisions of the ordinance including, but not limited to, outdoor seating and gathering areas.~~
- ~~5. 4. The quality restaurant shall not have a drive-through window.~~
- ~~6. A plan for the preservation and/or relocation of the sable palms must be provided showing quantities and locations prior to approval of a Vegetation Removal Permit. (COMPLETED)~~
- ~~7. Petitioner shall provide four native tree species to the 25-foot upland buffer plant list. Tree quantities shall be equivalent to one tree per 30 linear feet of upland perimeter buffer, and shall be arranged in natural clusters or groupings. (COMPLETED)~~
- ~~8. Prior to final DRC certification of the site plan, the petitioner must submit an approved preserve management plan in accordance with Section 7.4.7.E of the Land Development Regulations. (COMPLETED)~~
- ~~9. Approval of the final site plan is contingent upon approval of the preserve management plan. (COMPLETED)~~
- ~~10. Prior to final DRC certification of the site plan, an Alternate Landscape Plan (ALP) shall be submitted by the applicant. ALP shall enhance the perimeter buffer of the project along the northern and western perimeters of the property to provide~~

additional, multi-tiered buffering for the adjacent residential community and use the following guidelines:

- Existing trees other than invasive or exotic species may be incorporated into buffer.
- Only native tree, palm and plant species shall be added to the buffer unless otherwise approved by the Planning and Zoning Manager.
- Minimum height at time of installation for canopy trees shall be 14 feet, minimum height for flowering trees shall be 12 feet and minimum height for palms shall be 16 feet.
- Trees or clusters planted within the perimeter buffer shall average a minimum of 20 feet on center. **(COMPLETED)**

41. 5. Spillover lighting on to the adjacent residential property shall not exceed three-tenths (0.3) of one foot-candle when measured six (6) feet above grade at the residential property line and shall be in compliance with Section 7.8.2 of the LDR.

42. 6. The applicant shall construct a A six (6) foot fence is required along the northern perimeter of the property to ensure that a secured barrier exists between the subject site and the Black Diamond PUD. Openings and or security gates may be permitted in accordance with Condition 16 below to provide vehicular, bicycle and pedestrian connectivity.

43. Prior to the first building permit, construction shall begin to lengthen the northbound left turn lane at the Old Hammock Way / Isle Verde Drive / SR 7 intersection by an additional 260 feet. Construction shall be completed prior to the first certificate of occupancy. **(COMPLETED)**

44. Prior to the first building permit, construction shall begin for the southbound right turn lane at the shared SR 7 driveway with Wellington Reserve Office Park. Construction for turn lanes shall be completed prior to the first certificate of occupancy. **(COMPLETED)**

45. 7. No building permits for the site may be issued after December 31, 2015. shall be issued after December 31, 2025, unless a time extension has been approved by Palm Beach County Traffic and/or Wellington.

46. Prior to the first building permit for Phase II, provide the internal north-south roadway connection to Old Hammock Way with vehicular, bicycle and pedestrian connectivity or provide a letter from Wellington stating that the roadway connection is not required on this property. **(COMPLETED)**

47. 8. Prior to site plan approval, provide secure bicycle parking on the site.

48. 9. Prior to site plan approval, provide that five percent (5%) of the parking spaces are designated for preferred parking for alternative fuel and car pool vehicles.

10. Garbage and recycling pickup, and deliveries shall not occur between the hours of 9:00 PM and 7:00 AM. There shall be no idling of delivery or similar vehicles between the hours of 10:00 PM and 7:00 AM. Overnight storage or parking of delivery vehicles or trucks shall not be permitted on site. Permitted delivery vehicles and trucks shall utilize the designated loading and delivery areas. All

126 delivery and loading areas built to accommodate semi-trucks, tractor trailers,
127 moving vans, etc., shall be screened from view. (PLANNING)
128

129 11. All above ground and wall mounted utility/transformer box, mechanical equipment,
130 valves, etc., shall be located on-site with required screening and shall meet the
131 requirements of the LDR to ensure mitigation of any impact. The screening
132 opening shall be away from view and shall occur in a manner consistent with the
133 color, character and architectural style of the principal structure and may
134 incorporate landscaping as one element of screening. At the time of inspection, if
135 it is determined by Wellington that the screen regulations do not sufficiently
136 mitigate the impact, additional screening may be required. (PLANNING)
137

138 12. The State Road 7 median and swale along the project's frontage shall be
139 landscaped and maintained by the Iorizzo Property Master POA. An agreement
140 between Wellington and/or FDOT and the Master POA shall be required for
141 maintenance of the median/swale areas. (PLANNING)
142

143 **SECTION 2:** The proposed Conditional Use is hereby approved for the property, legally
144 described in Exhibit A, subject to the following Conditions of Approval:
145

- 146 1. One (1) self-storage with 200 storage bays is approved in the location as illustrated
147 on the master plan (Exhibit B). (PLANNING)
148
- 149 2. The self-storage intensity shall be limited to the FAR bonus as stated in Wellington's
150 Land Development (LDR) Section 6.2.2.E.9.p.vii. Prior to the self-storage site plan
151 approval, the self-storage developer shall state what community benefits will be
152 provided to determine the associated FAR bonus. Should no community benefits
153 be proposed/approved, the FAR bonus shall not apply and the FAR shall be limited
154 to the standard requirements. (PLANNING)
155
- 156 3. Prior to issuance of the Land Development Permit and Building Permit, the self-
157 storage developer/owner shall post a surety bond, letter of credit, or cash in escrow,
158 in favor of Wellington, for the proposed improvements that will be provided for the
159 community benefits FAR bonus. The amount of the security shall be 110% of a
160 certified cost estimate provided from a Florida Licensed Engineer. The certified cost
161 estimate shall include all improvements approved during the site plan process
162 related to the community benefits and FAR bonus. Additional surety may be
163 required by Engineering for other site improvements pursuant to the LDR.
164 (PLANNING)
165
- 166 4. If the self-storage developer utilizes the monetary contribution option to Wellington
167 in-lieu of providing the improvements (as allowed per LDR Sec. 6.2.2.E.9.p.vii), the
168 payment shall be provided prior to issuance of the Land Development Permit and
169 Building Permit. (PLANNING)
170

SECTION 3: This Resolution shall become effective upon the approval of the companion Zoning Text Amendment (Ordinance No. 2023-06) and Comprehensive Plan Future Land Use Map Amendment (Ordinance No. 2023-07).

PASSED AND ADOPTED this ____ day of _____, 2023.

WELLINGTON

BY: _____
Anne Gerwig, Mayor

ATTEST:

BY: _____
Chevelle D. Addie, MMC, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie S. Cohen, Village Attorney