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

WHEREAS, the subject property is designated as MUPD on the Wellington Zoning Map; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on January 18, 2023, recommended approval of the Master Plan Amendment and Conditional Use with a 7 to 0 vote; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF WELLINGTON,
FLORIDA, THAT:**

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- 47
48 1. The Iorizzo Property shall be constructed in substantial compliance with the uses,
49 access, acreage, site design, site amenities, and landscape buffers on the
50 approved Master Plan (Exhibit B) prepared by Kimley-Horn and Associates,
51 included as Exhibit "B" date-stamped December 20, 2010 and shall be consistent
52 with the use limitations presented below. The final Master Plan consistent with
53 Council approval and conditions of approval shall be submitted for final processing,
54 as applicable.

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

55 *The allowed square footage shall be limited per the FAR bonus in Section 2.
56

- 57 2. The subject property shall be limited to a 0.40 FAR, except as approved by the
58 Conditional Use for self-storage. Any changes to the approved Master Plan and/or
59 uses shall require the Planning, Zoning and Adjustment Board and Council review
60 and approval.
- 61 3. Site plan review and approval ~~by the Development Review Committee (DRC)~~ is
62 required prior to building permits. The site plan shall comply with all applicable
63 requirements of the MUPD zoning district and all related development orders.
- 64 ~~4. The site is subject to all provisions of the "Big-Box" ordinance and shall comply~~
65 ~~with all provisions of the ordinance including, but not limited to, outdoor seating~~
66 ~~and gathering areas.~~
- 67 ~~5.~~ 4. The quality restaurant shall not have a drive-through window.
- 68 ~~6. A plan for the preservation and/or relocation of the sable palms must be provided~~
69 ~~showing quantities and locations prior to approval of a Vegetation Removal Permit.~~
70 **(COMPLETED)**
- 71 ~~7. Petitioner shall provide four native tree species to the 25-foot upland buffer plant~~
72 ~~list. Tree quantities shall be equivalent to one tree per 30 linear feet of upland~~
73 ~~perimeter buffer, and shall be arranged in natural clusters or groupings.~~
74 **(COMPLETED)**
- 75 ~~8. Prior to final DRC certification of the site plan, the petitioner must submit an~~
76 ~~approved preserve management plan in accordance with Section 7.4.7.E of the~~
77 ~~Land Development Regulations. (COMPLETED)~~
- 78 ~~9. Approval of the final site plan is contingent upon approval of the preserve~~
79 ~~management plan. (COMPLETED)~~
- 80 ~~10. Prior to final DRC certification of the site plan, an Alternate Landscape Plan (ALP)~~
81 ~~shall be submitted by the applicant. ALP shall enhance the perimeter buffer of the~~
82 ~~project along the northern and western perimeters of the property to provide~~
83 ~~additional, multi-tiered buffering for the adjacent residential community and use the~~
84 ~~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)~~

11. 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.~~

~~12. 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.~~

~~13. 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)~~

~~14. 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)~~

~~15. 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.~~

~~16. 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)~~

~~17. 8.~~ Prior to site plan approval, provide secure bicycle parking on the site.

~~18. 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 delivery and loading areas built to accommodate semi-trucks, tractor trailers, moving vans, etc., shall be screened from view. (PLANNING)

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

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

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

1. One (1) self-storage building with 850 storage bays/units is approved in the location as illustrated on the master plan (Exhibit B). (PLANNING)
2. The self-storage intensity shall be limited to a total Floor Area Ratio (FAR) bonus of 0.09, as permitted in Wellington's Land Development (LDR) Section 6.2.2.E.9.p.vii. The community benefits required for the FAR bonus include the following:

<u>Approved Community Benefit</u>	<u>FAR Bonus</u>
<u>Install public electric vehicle charging station(s) (Level 2 or more) on-site for a minimum of four (4) vehicle charging ports.</u>	<u>0.04</u>
<u>Tier 1: Provide two (2) amenities on or off-site or pay \$15,000 in lieu. The amenities will be approved as a part of the site plan or the payment shall be required prior to final site plan approval.</u>	<u>0.02</u>
<u>Exceed landscape standards of the requirements of Article 7 and planned development sections of the LDR by a minimum of 30%. The applicant may contribute to the Wellington Tree Fund in-lieu of providing additional landscape enhancements on-site. The amount of contribution shall be per a landscape architect certified cost estimate for the equivalent of 30% of additional landscape enhancements.</u>	<u>0.03</u>
<u>Total</u>	<u>0.09</u>

(PLANNING)

3. Prior to issuance of the Land Development Permit and Building Permit, the self-storage developer/owner shall post a surety bond, letter of credit, or cash in escrow, in favor of Wellington, for the proposed improvements that will be provided for the community benefits FAR bonus. The amount of the security shall be 110% of a

159 certified cost estimate provided from a Florida Licensed Engineer. The certified cost
160 estimate shall include all improvements approved during the site plan process
161 related to the community benefits and FAR bonus. Additional surety may be
162 required by Engineering for other site improvements pursuant to the LDR.
163 (PLANNING)
164

165 **SECTION 3:** This Resolution shall become effective upon the approval of the
166 companion Zoning Text Amendment (Ordinance No. 2023-06) and Comprehensive
167 Plan Future Land Use Map Amendment (Ordinance No. 2023-07).
168

169 **PASSED AND ADOPTED** this ____ day of _____, 2023.
170

171
172 **WELLINGTON**
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175 BY: _____
176 Anne Gerwig, Mayor
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179 **ATTEST:**
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182 BY: _____
183 Chevelle D. Addie, MMC, Village Clerk
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185
186 **APPROVED AS TO FORM AND**
187 **LEGAL SUFFICIENCY**
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190 BY: _____
191 Laurie S. Cohen, Village Attorney