

I. PETITION DESCRIPTION

Petitions: Comprehensive Plan Amendment: 2013-61 CPA 2

Project Name: Bink's Pointe (F.K.A. Residences at Bink's Forest Golf Club)

Owner/Petitioner/
Applicant: SBBG, LLLP

Agent: Land Design South, Inc.
400 Columbia Drive, Suite 110
West Palm Beach, FL. 33409

Request: The petitioner is requesting a Comprehensive Plan Amendment to change site specific future land use map designation from Commercial Recreation to Residential "E" for certain property known as Parcel "V" of The Landings at Wellington PUD.

II. SITE DATA

Existing Use: Preserve (Parcel "V") and Vacant Residential (POD "L")

Parcel Size: 0.26 acre (Parcel "V") and 15.27 acres (POD "L")

Existing
Land Use: Commercial Recreation (Parcel "V") and Residential "E" (POD "L")

Existing
Zoning District: Planned Unit Development (PUD)

Parcel
Control No's.: 73-41-44-06-03-022-0000 (Parcel "V") and
73-41-44-06-03-010-0020 (POD "L")

Location: The subject property is located approximately 1/2 mile south of Southern Boulevard on the west side of Binks Forest Drive. Exhibit "A" is a location map of the site. Exhibit "B" is the legal description of Parcel "V" and POD "L" of The Landings at Wellington PUD.

III. LAND USE AND ZONING

EXISTING LAND USE, FUTURE LAND USE & ZONING

Dir.	Existing Land Use	Future Land Use	Zoning District
North	FP&L Transmission Lines / Bink's Golf Course	Commercial Recreation	Planned Unit Development (PUD)
South	The Preserve at Binks Forest (Single Family Residential Development)	Residential "C"	Planned Unit Development (PUD)
East	Binks Golf Course Clubhouse	Commercial Recreation	Planned Unit Development (PUD)
West	FP&L Substation	Commercial Recreation	Planned Unit Development (PUD)

IV. SITE HISTORY

The Landings at Wellington PUD was approved by Palm Beach County prior to the Village's incorporation. The Comprehensive Plan Residential "E" Future Land Use Map (FLUM) designation for POD "L" of The Landings at Wellington PUD was adopted November 23, 2004 by Ordinance No. 2004 – 30. A Developer's Agreement between Binks, LLC, Peninsular Holdings, Inc. and the Village of Wellington to allow up to 90 dwelling units on POD "L" was originally adopted November 23, 2004 by Resolution No. R2004 – 153 and amended on December 12, 2006 by Resolution No. R2006 – 136.

The most recent Development Order Amendment and Master Plan Amendment to amend The Landings at Wellington PUD Master Plan to designate 15.27 acres as a residential pod (Pod "L") with 90-multi-family units as part of a settlement agreement was adopted July 8, 2008 by Resolution No. R2008 – 73.

The agent Land Design South, Inc., on behalf of the property owner/petitioner initially submitted a Comprehensive Plan Amendment 2013-61CPA 2 and Master Plan Amendment 2013-61 MPA 2 petition requesting to change Parcel's "V" and "J" future land use map (FLUM) designation from Commercial Recreation to Residential "E" and include Parcel "V" and "J" in the overall Pod "L" (Binks Pointe) of The Landings at Wellington PUD. It was determined the southern triangular shaped Parcel "J" has a restrictive covenant limiting the use of the golf course. A referendum vote would have been required to change the golf course use to residential. The petitioner amended their request to only change the Parcel "V" FLUM designation and include it in Pod "L" (Binks Pointe) of The Landings at Wellington PUD.

Parcel "V" is a 0.26 acre platted preserve area located within the overall 15.27 acre Pod "L" (Binks Pointe) parcel. The FLUM designation of Parcel "V" did not changed when Pod "L" FLUM was designated Residential "E" because of the different ownership of the parcels at the time. Pod "L" is currently still vacant.

V. DEVELOPMENT REVIEW COMMITTEE (DRC)

The Comprehensive Plan Amendment 2013-61 CPA 2 was certified for the public hearing process at the April 8, 2014 DRC meeting.

VI. APPLICABLE STATE STATUTORY PROVISIONS

The Comprehensive Plan Amendment (CPA) petition will be processed in accordance with Section 163.3184 of the Florida Statutes regarding processing of amended comprehensive plans and comprehensive plan text amendments.

VII. STAFF ANALYSIS

The petitioner is requesting a Comprehensive Plan Amendment to change site specific future land use map designation from Commercial Recreation to Residential "E" for certain property known as Parcel "V" of The Landings at Wellington PUD. This small scale Comprehensive Plan Amendment (CPA) will change Parcel "V" (0.26 acre) of The Landings at Wellington PUD site specific future land use map designation from Commercial Recreation to Residential "E." The requested Residential "E" FLUM designation allows a maximum density of 8.0 dwelling units per acre and is consistent with the surrounding Pod "L" FLUM designation of Residential "E." The petitioner is not requesting any additional units with the 0.26 acre Parcel "V" or any additional units for the approved Pod "L" (Binks Pointe) of The Landings at Wellington PUD which is approved for a maximum of 90 multi-family townhouse dwelling units. The proposed change will increase the overall acreage of the Bink's Pointe project by an additional 0.26 acre. A recommended condition of approval is to have no residential units assigned to Parcel "V."

Exhibit "C" is the current Wellington Future Land Use Map (FLUM) with 0.26 acre Parcel "V" internally indicated with the green color within the 15.27 acre Pod "L" parcel as shown with the orange color. Parcel "V" is dedicated as a wetland preservation area on the Bink's Forest of The Landings at Wellington PUD plat recorded in Plat Book 70 Page 162. The FLUM designation of Parcel "V" was not changed when Pod "L" FLUM was designated Residential "E" because petitioner did not own Parcel "V." This petitioner has provided a recent warranty deed recorded in Official Record Book 25998 Page 1238 of the Clerk of Palm Beach County indicating SBBG, LLP now the owner of Parcel "V" as of May 2, 2013. The petitioner requested a Comprehensive Plan Amendment and Master Plan Amendment to reconfigure Parcel "V" and include it in Pod "L" to accommodate a proposed two-story 90 unit townhouse layout for the proposed Bink's Pointe project. A portion of Parcel "V" will remain as a preserve area and incorporated in the proposed site plan. A recommended condition of approval for the proposed Landings Master Plan Amendment will be to dedicate a minimum 0.30 acre modified preserve area on the pending Bink's Pointe (Pod "L") Site Plan and Bink's Forest of The Landings at Wellington PUD plat.

This CPA request is in compliance with the following specific requirements of the Wellington Comprehensive Plan Land Use Element;

Objective 1.1 Maintain the density and intensity of the land uses in the community as reflected on Wellington's Future Land Use Map. Wellington shall develop

criteria that shall be included in the Land Development Regulations for evaluating changes to the Future Land Use Map. At a minimum Wellington shall consider the need for the revised land use based on changed circumstances or demonstration of need, environmental suitability, infrastructure capacity, compatibility with surrounding land uses and consistency with the other Goals, Objectives and Policies of this plan. Such changes may only be effected by the affirmative vote of not less than four of the members of the Wellington Council.

Objective 1.2 Direct future growth into areas served by urban services that have adequate capacity, as defined by Wellington's adopted level of service standards, which shall be incorporated into Wellington's Land Development Regulations and ensure that this growth is of a quality equal to or better than the existing community, discourages urban sprawl, protects environmental and archeological resources, ensures the availability of suitable land for required utility services and the density and intensity are consistent with the other Goals, Objectives and Policies contained in this plan.

Objective 1.4 Wellington shall develop Land Development Regulations that require future residential development shall be based on demonstrated needs for the intended housing type, be consistent and compatible with surrounding development patterns and be aesthetically compatible with existing and future development. This objective has been implemented. Wellington has adopted land development regulations requiring architectural review standards for new development.

The petitioner will also be requesting a future master plan amendment to amend The Landings at Wellington PUD Master Plan to increase the acreage of POD "L" (Bink's Pointe) by including the former Parcel "V" 0.26 acre preserve area, designate Pod "L" as Optional Residential (OR) and amend conditions of approval to extend the build out date. As indicated above the petitioner is proposing to increase the acreage of the Bink's Point project by an additional 0.26 acre but not request any additional units. The Bink's Pointe (F.K.A. Residences at Bink's Forest Golf Club) project is 15.27 acres and previously approved for 90 multi-family townhouse dwelling units. The Landings at Wellington PUD current approved master plan (Exhibit "D") and proposed master plan (Exhibit "E") has been included for comparative purposes.

The Palm Beach County (PBC) Traffic Division has reviewed and approved with conditions the traffic impact analysis as submitted and attached as Exhibit "F" is the letter. The traffic impact analysis was also reviewed and accepted by Wellington's Traffic Consultant for compliance with Traffic Performance Standards. Exhibit "G" is the Traffic Consultant letter with a condition of approval.

Staff has concluded this proposed request is consistent with Wellington's Comprehensive Plan and the Residential "E" FLUM designation. The Wellington FLUM will be amended to include an adopted date, ordinance number and Residential "E" designation for Parcel "V" (0.26 acre) of The Landings at Wellington PUD. Staff is also recommending conditions of approval to allow no additional residential units for Parcel "V" or Pod "L" of The Landings at Wellington PUD.

VIII. PUBLIC NOTIFICATION / COMMENTS

As required by the Land Development Regulations and Florida Statutes, public notifications were placed in the Palm Beach Post, mailings were sent to surrounding property owners within 500 feet and the property frontage was posted. All notices advised the public a hearing on the proposed ordinance/resolution would take place as noted below:

Planning, Zoning and Adjustment Board Meeting

CPA:

Mailings: on or before April 22, 2014

Newspaper: on or before April 22, 2014

Posted Signs: on or before April 22, 2014

Meeting Date: May 7, 2014

Council Meeting

CPA:

Mailings: on or before August 11, 2014

Newspaper: on or before August 11, 2014

Posted Signs: on or before August 11, 2014

Meeting Date: August 26, 2014

As of May 7, 2014 Planning, Zoning and Adjustment Board (PZAB) meeting, staff has received several inquiries from the public in reference to increase in residential units, any proposed changes to the current golf course and changes the approved landscape buffer along south property line.

IX. PLANNING, ZONING AND ADJUSTMENT BOARD

At the May 7, 2014 Planning, Zoning and Adjustment Board (PZAB) meeting, the applicant requested a postponement of The Landings at Wellington PUD Master Plan Amendment petition to consider either flexible regulations or possibly requesting the Village Council to add the Optional Residential (OR) pod designation to Pod "L" in order to deviate from standard setbacks.

The PZAB did recommend denial (4 - 2) of Ordinance No. 2014 – 22, a Comprehensive Plan Amendment (Petition Number 2013-61 CPA 2) to change site specific future land use map designation from Commercial Recreation to Residential "E" for the 0.26 acre property known as Parcel "V" of The Landings at Wellington PUD. The Board requested the applicant

provided a master plan that will minimize potential impacts to the adjacent residential properties.

X. COUNCIL

The first reading of Comprehensive Plan Amendment is scheduled to be heard at the August 26, 2014 Council meeting.

XI. STAFF RECOMMENDATION

Based on the findings and consistency with Wellington's Comprehensive Plan regulations, staff recommends approval of Ordinance No. 2014 – 22, a Comprehensive Plan Amendment (Petition Number 2013-61 CPA 2) to change site specific future land use map designation from Commercial Recreation to Residential "E" for the 0.26 acre property known as Parcel "V" of The Landings at Wellington PUD, located approximately 1/2 mile south of Southern Boulevard on the west side of Binks Forest Drive, as legally described in Exhibit "B," subject to the conditions of approval listed in Ordinance No. 2014 – 22.

List of Exhibits

Exhibit "A"	Location Map
Exhibit "B"	Legal Description of Isla Verde
Exhibit "C"	Wellington Future Land Use Map (FLUM)
Exhibit "D"	The Landings at Wellington PUD Master Plan (Current)
Exhibit "E"	The Landings at Wellington PUD Master Plan (Proposed)
Exhibit "F"	Palm Beach County Traffic Division Letter (Dated October 31, 2013)
Exhibit "G"	Wellington Traffic Consultant's Letters (Dated March 19, 2014 and April 24, 2014)

Exhibit "A"
Location Map



Exhibit "B"
Legal Description

PARCEL 1:

A PARCEL OF LAND BEING A PART OF PARCEL "J", BINK'S FOREST OF THE LANDINGS AT WELLINGTON P.U.D. PLAT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGE 162, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A BOUNDARY CORNER OF SAID PARCEL "J"; SAID BOUNDARY CORNER ALSO BEING THE NORTHEAST CORNER OF THAT CERTAIN PARCEL SHOWN ON SAID PLAT AS "NOT A PART OF THIS PLAT"; THENCE, SOUTH 01° 19' 52" WEST, ALONG THE BOUNDARY COMMON WITH SAID PARCEL "J" AND SAID PARCEL SHOWN ON SAID PLAT AS "NOT A PART OF THIS PLAT", A DISTANCE OF 520.01 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL SHOWN ON SAID PLAT AS "NOT A PART OF THIS PLAT"; THENCE, SOUTH 86° 09' 16" EAST, DEPARTING SAID BOUNDARY LINE, A DISTANCE OF 657.54 FEET; THENCE, NORTH 83° 32' 27" EAST, A DISTANCE OF 517.25 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF SAID PARCEL "J", SAID POINT BEING A POINT ON A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1410.00 FEET AND WHOSE RADIUS POINT BEARS NORTH 75° 08' 11" EAST; THENCE, NORTHERLY ALONG SAID EASTERLY BOUNDARY LINE AND ALONG THE WESTERLY RIGHT-OF-WAY LINE OF BINK'S FOREST DRIVE, AS SHOWN ON SAID PLAT, THROUGH A CENTRAL ANGLE OF 22° 46' 13", A DISTANCE OF 560.36 FEET TO THE END OF SAID CURVE; THENCE, NORTH 88° 58' 25" WEST, DEPARTING SAID EASTERLY BOUNDARY LINE AND SAID WESTERLY RIGHT-OF-WAY LINE, AND ALONG A LINE 50.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH BOUNDARY LINE OF SAID PARCEL "J", A DISTANCE OF 1122.73 FEET; THENCE, SOUTH 01° 19' 52" WEST, A DISTANCE OF 70.00 FEET TO THE **POINT OF BEGINNING**.

EXCEPTING THEREFROM: ALL OF PARCEL "V" OF BINK'S FOREST OF THE LANDINGS AT WELLINGTON P.U.D. PLAT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGE 162 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING: 15.27 ACRES, MORE OR LESS.

TOGETHER WITH:

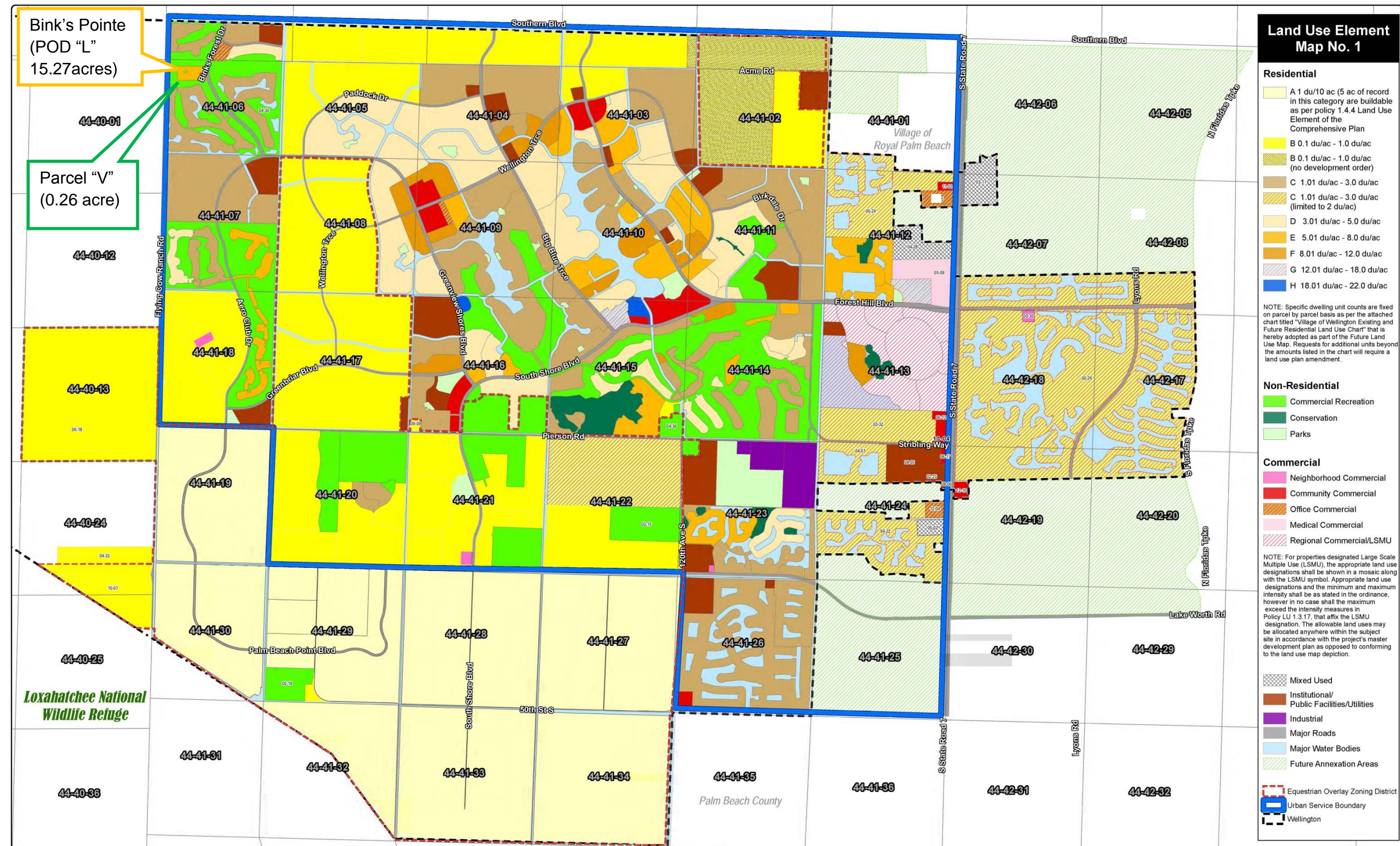
PARCEL V:

ALL OF PARCEL "V" OF BINK'S FOREST OF THE LANDINGS AT WELLINGTON P.U.D. PLAT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGE 162 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING: 0.26 ACRE, MORE OR LESS.

OVERALL CONTAINING: A TOTAL OF: 15.53 ACRES, MORE OR LESS.
SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

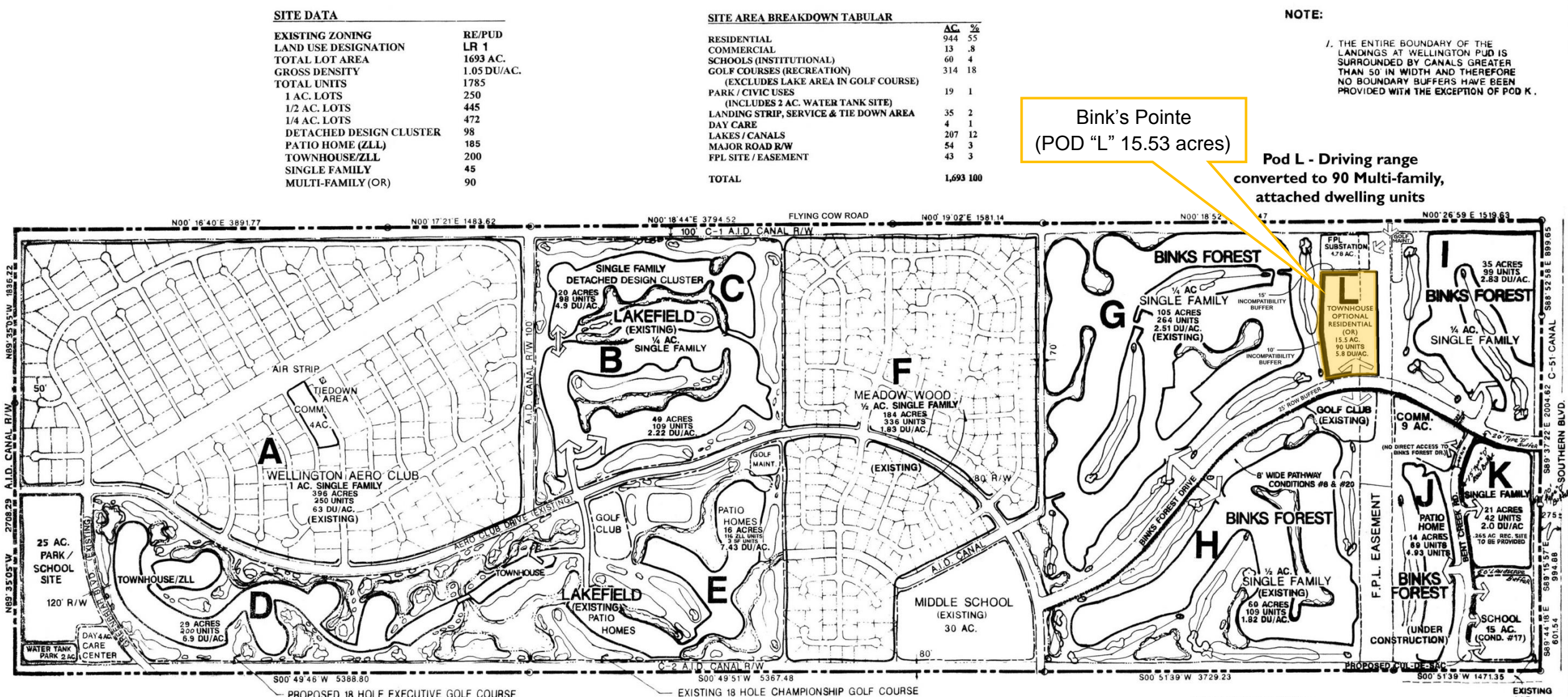
Exhibit "C"
Wellington Future Land
Use Map (FLUM)



Wellington GIS • 12300 Forest Hill Blvd • Wellington, FL 33414 • 561.791.4000 • gis@wellingtonfl.gov • www.wellingtonfl.gov																																																																																																													
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Exhibit "E"
The Landings at Wellington PUD Master Plan (Proposed)



REVISED MASTER PLAN THE LANDINGS AT WELLINGTON P.U.D. COREPOINT CORP.

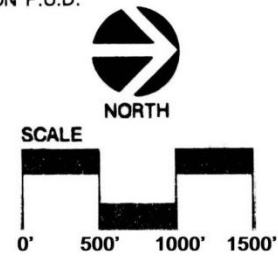
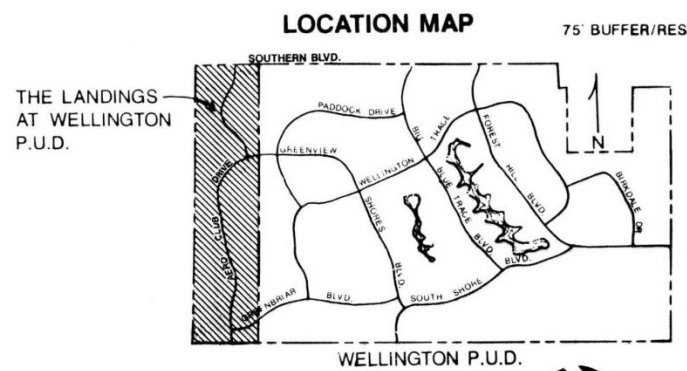
PARCEL K ONLY
Kiley & Associates
Landscape Architectural Planners
1581 Fortum Place
Suite 101A
West Palm Beach, Florida 33401
(407) 686-5522 • Fax: (407) 689-3532
PROJ. # 1106.3 DWG. # 95-28

PARCEL L ONLY
LAND DESIGN SOUTH
Planning
Landscape Architecture
Environmental Services
Transportation
2100 Corporate Way, Suite 100, West Palm Beach, Florida 33411
(561) 444-1111 • Fax: (561) 444-1112
www.landdesignsouth.com
PROJ. # 128.80 DWG. # 2014-03-24-SP_128.8_Concept_1

Petition Number: 1997-10 MP1 & 1997-10 DOA2
12-28-07 - Revisions in accordance with R-2004-153
Convert 15 acres of Bink's Forest Golf Course (abandoned Driving Range) to a residential pod (Pod L) with 90 multi-family, condo ownership, attached dwelling units.
Update site data and tabular data to include new Pod L.
Identify the proposed entry into Pod L.
Identify the existing entry into the Golf Club.
Relocate Golf Maintenance from east of the FPL Substation to north of the FPL Substation.
Identify the correct location of the existing entry into the FPL Substation from Flying Cow Road.
Petition Number: 2013-61 CPA2 & MPA 2
03-06-14 - Revisions
Change 0.26 AC. land use from CR to Res E (no additional units).
Update site area density to include additional .26 AC.
06-05-14 - Revisions
Added OR overlay

PLANNED DEVELOPMENT TABULAR DATA

POD TYPE AND NAME	ACRE	LATEST BDC/COUNCIL UNIT APPROVAL	CURRENT DRG APPROVAL				NEW SUBMITTAL				CHANGE
			TYPE	UNIT #	DENSITY	CLASS	TYPE	UNIT #	DENSITY	CLASS	
A	366	250	SF	250	.63	DH	SF	250	.63	DH	0
B	49	109	SF	109	2.22	DH	SF	109	2.22	DH	0
C	20	98	DDC	98	4.9	DH	DDC	98	4.9	DH	0
D	29	TH 58 ZLL 142	THZLL	TH 58 ZLL 142	6.90	AH	THZLL	TH 58 ZLL 142	6.90	AH	0
E	16	TH 58 ZLL 142	SF/ZLL	TH 58 ZLL 142	7.43	DH	SF/ZLL	TH 58 ZLL 142	7.43	DH	0
F	184	336	SF	336	1.83	DH	SF	336	1.83	DH	0
G	105	264	SF	264	2.51	DH	SF	264	2.51	DH	0
H	60	109	SF	109	1.82	DH	SF	109	1.82	DH	0
I	35	99	SF	99	2.83	DH	SF	99	2.83	DH	0
J	14	69	ZLL	69	4.93	DH	ZLL	69	4.93	DH	0
K	21	42	SF	42	2.0	DH	SF	42	2.0	DH	0
L	15	90				DRIVING RANGE	MF	90	5.80	AH	0
TOTAL	944	1,785			1,695				1,785		0



REVISED MASTER PLAN
THE LANDINGS AT WELLINGTON P.U.D.
COREPOINT CORP.

GEE & JENSON
ENGINEERS - ARCHITECTS - PLANNERS, INC.
WEST PALM BEACH, FLORIDA

JOB NO. 88-030
SHEET

Exhibit "F" Palm Beach County Traffic Division Letter



**Department of Engineering
and Public Works**

P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

**Palm Beach County
Board of County
Commissioners**

Steven L. Abrams, Mayor
Priscilla A. Taylor, Vice Mayor

Hal R. Valeche
Paulette Burdick
Shelley Vana
Mary Lou Berger
Jess R. Santamaria

County Administrator

Robert Weisman

"An Equal Opportunity
Affirmative Action Employer"



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October 31, 2013

Mr. Timothy Stillings
Director of Planning and Development
Village of Wellington
12300 Forrest Hill Boulevard
Wellington, FL 33414

**RE: Binks Pointe
PBC Project#: 131002
Traffic Performance Standards Review**

Dear Tim:

The Palm Beach County Traffic Division has reviewed the traffic study for the proposed residential project entitled; **Binks Pointe**, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code. The project is summarized as follows:

Location:	West side of Binks Forest Drive, south of Southern Blvd.
PCN:	73-41-44-06-03-010-0000, 73-41-44-06-03-022-0000, 73-41-44-06-03-023-0000, 73-41-43-31-01-006-0000.
Existing Use:	Vacant
Proposed Uses:	90 MF Residential Units (Townhomes)
New Daily Trips:	630
New PH Trips:	47 AM, 55 PM
Build-Out Date:	End of Year 2018

Based on our review, the Traffic Division has determined the proposed residential project meets the Traffic Performance Standards of Palm Beach County. It is suggested for the Village to look into potential sight distance issues at the project main access driveway, and require provision of NBL and SBR right turn lanes along Binks Forest Drive onto the site (as illustrated on the site plan) as a safety measure, if deemed needed. Note that this suggestion is not because of high driveway volume, but due to the specific location of the site main access driveway on a horizontal curve section along the roadway. No building permits are to be issued by the Village after the build-out date listed above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance. If you have any questions regarding this determination, please contact me at 684-4030 or e-mail me at matefi@pbcgov.org.

Sincerely,

Masoud Atefi, MSCE
TPS Administrator, Municipalities, Traffic Engineering Division

MA:sf

cc: Juan F. Ortega Ph.D., PE., - Land Design South
Steve Bohovsky, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review
F:\Traffic\MA\Admin\Approvals\2013\131002.doc

Exhibit "F" Wellington Traffic Consultant's Letter

PTC

Transportation Consultants



2005 Vista Parkway, Suite 111
West Palm Beach, FL 33411-6700
(561) 296-9698 Fax (561) 684-6336
Certificate of Authorization Number: 7989

March 19, 2014

Mr. Damian Newell
Wellington
Planning, Zoning & Building Department
12300 W. Forest Hill Boulevard
Wellington, FL 33414

Re: **Binks Pointe - #PTC13-001M**
Comprehensive Plan Amendment 2013-61 CPA 2 (HTE 13-120)

Dear Mr. Newell:

Pinder Troutman Consulting, Inc. (PTC) has completed our review of the Comprehensive Plan Amendment Application date stamped March 6, 2014 for the April 9, 2014 DRC meeting for the above referenced project. Specifically, we have reviewed the Traffic Statement by Land Design South dated September 5, 2013. The Future Land Use designation change from Comm Rec to RES-E for Parcel V (0.26 acre of the 1.051 acres referenced in the traffic statement) does not generate additional traffic. Therefore, we have no comments.

Sincerely,


Rebecca J. Mulcahy, P.E.
Vice President

cc: David Flinchum, AICP, ASLA
Bill Riebe, P.E.
Tim Stillings, AICP



Transportation Consultants



2005 Vista Parkway, Suite 111
West Palm Beach, FL 33411-6700
(561) 296-9698 Fax (561) 684-6336
Certificate of Authorization Number: 7989

April 24, 2014

Mr. Damian Newell
Wellington
Planning, Zoning & Building Department
12300 W. Forest Hill Boulevard
Wellington, FL 33414

Re: Binks Pointe - #PTC13-001M
Site Plan and Master Plan Amendment 2013-61 SP 2, MPA 2 (HTE 13-120)

Dear Mr. Newell:

Pinder Troutman Consulting, Inc. (PTC) has completed our review of the resubmitted response from Land Design South dated April 21, 2014. The project is summarized below:

Proposed Uses:	90 DUs Multi-family Townhomes
Net New Trips:	630 Daily 47 AM Peak (8 IN/39 OUT) 55 PM Peak (37 IN/18 OUT)
Buildout Date:	December 31, 2018

The resubmitted traffic impact analysis responded to all of our comments. Based on our review, we have determined that the proposed project meets the Traffic Performance Standards of Wellington with the following conditions of approval:

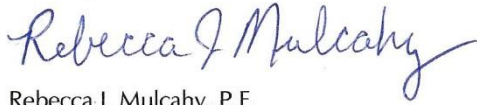
1. In order to comply with the Mandatory Traffic Performance Standards in place at the time of this approval, no building permits for the site shall be issued after December 31, 2018. A time extension for this condition may be approved based on a Traffic Study which complies with the Mandatory Traffic Performance Standards in place at the time of the request.
2. No building permits for more than sixty (60) multi-family dwelling units shall be issued until the Property Owner makes a proportionate share payment in the amount of \$182,152, which represents the Property Owner's proportionate share of the improvements to the intersection at State Road 80 and Binks Forest Drive. This payment shall be made to Palm Beach County and is required for compliance with the Countywide Traffic Performance Standards. This proportionate share amount may be applied toward construction of this improvement or one or more improvements that will benefit mobility in the area impacted by the project, as determined by the County Engineer. This proportionate share payment is Impact Fee creditable.

Pinder Troutman Consulting, Inc.

Letter Newell 13-001M SP MP 4-24-14

Please contact my office if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca J. Mulcahy". The signature is fluid and cursive, with the first name "Rebecca" and last name "Mulcahy" clearly legible.

Rebecca J. Mulcahy, P.E.
Vice President

cc: David Flinchum, AICP, ASLA
Bill Riebe, P.E.
Tim Stillings, AICP
Masoud Atefi, MSCE