STAFF REPORT

 $\stackrel{\circ}{\cup}$  The Village of **INGTON** 

**PLANNING & ZONING DIVISION** 

#### I. <u>PETITION DESCRIPTION</u>

Petition Numbers:	<b>15 – 80 (2015 – 47 CPTA)</b> Mixed Use (MU) Comprehensive Plan Text Amendment
	<b>15 – 80 (2015 – 46 ZTA)</b> Mixed Use Planned Development District (MXPD) Zoning Text Amendment
Project Name:	Village Lake Center
Applicant/Petitioner:	Village Professional Park, LLC
Agent:	Richard Carlson, Esq.
Request:	<ol> <li>Comprehensive Plan Text Amendment (CPTA) amending Land Use Element Policy 1.3.25. Mixed Use (MU) of Wellington's Comprehensive Plan to delete the maximum 60 acre land area limit.</li> </ol>
	2. Zoning Text Amendment (ZTA) amending Article 6, Zoning Districts, Chapter 8 Planned Development

Zoning Districts, Chapter 8 Planned Development District Regulations, Section 6.8.7. Mixed Use Planned Development District (MXPD) of Wellington's Land Development Regulations to delete the maximum 60 acre land area limit and delete the requirement for both commercial and office land use for MXPD developments 30 acres or more.

#### II. BACKGROUND

The Village of Wellington Mixed Use (MU) Future Land Use Map designation and Mixed Use Planned Development District (MXPD) Zoning designation is intended to;

- Foster infill development,
- Encourage mixture of uses including office, commercial, institutional and residential within a single project,
- Deter urban sprawl, and
- Internalization of vehicular trips.

Currently both the MU and MXPD allows a maximum of 60 acres for a project's land area. Wellington has two approved mixed use project's that are being developed. The Isla Verde mixed use project is a total of 53.57 acres and Wellington Parc mixed use project is a total of 15.83 acres.

The petitioner is requesting to remove the maximum 60 acre land area standard indicated in both the MU and MXPD designations. The removal of this standard will allow a MU/MXPD project with no maximum land area. The petitioner requested a postponement from the March 6, 2016 Planning, Zoning and Adjustment Board (PZAB) meeting to amend the MXPD text amendment application to delete the requirement for both commercial and office land use. The MXPD Zoning designation currently requires developments 30 acres or more to provide both commercial and office land use. Wellington's Comprehensive Plan and Land Development Regulations will still require a minimum land area of five (5) acre and maximum development standards for square footage and density.

Staff notes the petitioner is proposing an overall 64.38 acre Village Lake Center mixed use project including restaurants, retail, hotel, multi-family housing and assisted living facility. The other petitions required for the overall Village Lake Center mixed use project approval will be scheduled for the public hearing process after Development Review Committee (DRC) certification.

# III. <u>ANALYSIS</u>

The proposed text amendments are to Wellington's Comprehensive Plan Land Use Element Policy 1.3.25. Mixed Use (MU) and Land Development Regulations Article 6, Zoning Districts, Chapter 8 Planned Development District Regulations, Section 6.8.7. Mixed Use Planned Development District (MXPD). The following sections will provide supporting information and explain proposed changes to MU and MXPD.

Maximum Land Area – The maximum 60 acre land area limits the size of a mixed use project. The intent of the Mixed Use (MU) Future Land Use Map designation and Mixed Use Planned Development District (MXPD) Zoning designation is to encourage development of vacant parcels or redevelopment of the older commercial centers and surrounding residential, including centers located at key intersections of Forest Hill Boulevard, Wellington Trace, or Greenview Shores Boulevard. The current limitation prohibits an owner from developing a mixed use project over 60 acres in size. Typically land use and zoning regulations will have a minimum land area requirement but it is not common to find a maximum land area limitation. Removal of the maximum land area does not negatively impact the Village because a potential development is still required to comply with the maximum density (number of dwellings/residents) and intensity (number of square feet) for the overall project. Also the maximum development impacts, including traffic concurrency, water capacity, sewer capacity, etc., are required to ensure adequate capacity is available for approval of a proposed mixed use project. Staff recommends approval of the request to eliminate the maximum 60 acre land area limitation.

The petitioner's proposed 64.38 acre Village Lake Center mixed use project, the future K-park site (if proposed as mixed use) and redevelopment of other sites as mixed use will potentially benefit from the removal of the maximum 60 acre land area limitation.

Land Uses – The MXPD Zoning designation indicates large mixed use projects should provide a mix of uses which includes providing both commercial and office uses when the project is 30 acres or more. The petitioner is requesting this standard be deleted as it is currently not required by MU Future Land Use Map designation. Staff notes the MXPD Zoning designation was approved by Council after the MU Future Land Use Map designation. The Zoning designation is intended to have more specific standards and limitations than the Future Land Use Map designation. Elimination of the requirement to provide both commercial and office uses for project's more than 30 acres will not provide the mixture of uses and internalization of traffic as encourage by both the MU Future Land Use Map designation and MXPD Zoning designation. The commercial, office, industrial and institutional uses provide for a variety of uses that should be included in larger mixed use projects. The MXPD Zoning designation indicates both horizontal and vertical integration of uses is required with a greater mix of uses to be provided for larger projects to achieve internalization of traffic to minimize impact on the roads. The intent of both the MU and MXPD will not be met by the reduction of this minimum requirement to provide these two essential support land uses. Isla Verde is the only large mixed use project in Wellington that does not have this requirement because it was approved prior to the current code adoption. The Council adopted the current code to ensure all future mixed use projects will provide a greater variety of integrated use types for larger projects with both the commercial and office uses required as a minimum mix. A greater mix of uses is an integral component to the success of a mixed use project and removing the minimum requirement for any use type would compromise the ability for a project to be true mixed use. With this proposed elimination future projects will not be required to provide this minimum needed mix of uses. The commercial and office use mix requirement ensures essential support services are provided on-site for large mixed use projects. Staff does not recommend approval of the request to eliminate the requirement for both commercial and office uses as this will not encourage mixed use project's that will provide variety of uses.

With the requested elimination of the 60 acre maximum limitation as indicated above, staff recommends larger mixed use projects be required to provide additional land uses. Currently both the MU Future Land Use Map designation and MXPD zoning designation indicates a minimum number of four (4) land uses are required for projects up to 60 acres. Staff recommends an additional land use be required when a proposed project is more than 60 acres as indicated below in the proposed amended table for both the MU/MXPD text amendments;

NUMBER OF ACRES	MINIMUM NUMBER OF LAND USES
5 - 10	2
More than 10 – 30	3
More than 30 <u>-60</u>	4
More than 60	<u>5</u>

### MU Table 1.3.25.1 and MXPD Table 6.8-23 Minimum Number of Land Uses in a Mixed Use Development

As indicated above staff does not recommend approval of the petitioner request to delete the requirement to provide both commercial and office uses when the project is

more than 30 acres. Further, it is recommended that additional land uses be provided when a projects is greater than 60 acres.

<u>Other amendments</u> – The remainder of the proposed changes to the MU and MXPD are staff initiated house cleaning amendments, such as;

- 1. Indicating a MU/MXPD is allowed for a single project instead of single parcel.
- 2. Delete/added uses: The community residential home (CRH) use which is not applicable to Wellington is deleted. The daycare center use not captured under existing uses is added under the Institutional and Public Facilities Use.
- 3. Provide clarification that mixed use project's more than 30 acres require both Commercial and Office land use. The intent is for larger mixed use project's to provide a greater mix of uses internally. Both Commercial and Office land uses are required to provide essential support for an overall project with residential and institutional uses. Also the internalization of trips is essential to a large mixed use project and may also provide support to surrounding uses.
- 4. Other changes to tables, numbering of sections/tables and certain text to clarify sections but not change the substance of the regulations.

It is important to note the above minor staff initiated amendments are part of the ongoing code updates being done incrementally by Article and Chapter. The more significant changes to the MU/MXPD requirements will be done with future staff initiated amendments. The pending text amendments will include proposed changes to the permitted use table, zoning district updates and simplification of the site development standards. The proposed changes will address simplification and organization of the code and will also adjust some code provisions.

# IV. PLANNING, ZONING AND ADJUSTMENT BOARD

The petitioner requested a postponement from the July 13, 2016 to the September 14, 2016 Planning, Zoning and Adjustment Board (PZAB) meeting to propose additional standards when both commercial and office land use are required for projects more than 30 acres.

# V. <u>COUNCIL</u>

The Village Council meeting is tentatively scheduled for October 13, 2016.

#### IV. PUBLIC NOTIFICATION/COMMENTS

As required by the Land Development Regulations and Florida Statutes, public notification was placed in the Palm Beach Post advising the public that a public hearing on the proposed ordinance would take place on date(s) set forth below.

#### Planning, Zoning and Adjustment Board Meeting

Newspaper: on or before June 28, 2016 Meeting Date: July 13, 2016

Staff did not receive any inquiries regarding the mailing, newspaper advertisement or posted signs for this petition as of August 31, 2016 when the staff report was published.

# V. STAFF RECOMMENDATION

- Approval of a Comprehensive Plan Text Amendment (Petition Number 15 80 / 2015 – 47 CPTA) to amend Land Use Element Policy 1.3.25. Mixed Use (MU) of Wellington's Comprehensive Plan as presented.
- Approval of a Zoning Text Amendment (Petition Number 15 80 / 2015 46 ZTA) to amend amending Article 6, Zoning Districts, Chapter 8 Planned Development District Regulations, Section 6.8.7. Mixed Use Planned Development District (MXPD) of Wellington's Land Development Regulations as presented.
  - Elimination of the maximum 60 acre land area limitation.
  - Require both commercial and office land uses when the project is more than 30 acres.
  - Additional land uses required when a project is more than 60 acres.
  - Other staff initiated minor amendments.