

# **PLANNING & ZONING DIVISION**

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

Petition:	16 – 64 (2016 – 26 MPA 7)	
Project Name:	The Equestrian Club PUD Master Plan Amendment	
Applicant/Petitioner:	Grand Prix Farms, Inc. Wellington Equestrian Club Master Association, Inc.	
Agent: Farms)	Jon E. Schmidt & Associates, Inc. (for Grand Prix	
	Copple Sachs Copple (for WEC Master Association)	
Request:	To modify the Master Plan designation of Tract J-1 from community equestrian workout area to one (1) single family dwelling unit and equestrian uses.	

# II. <u>SITE DATA</u>

Existing Use:	Residential/Equestrian Planned Community (149.8 acres)		
Subject Site:	5.1 acres (Tract J-1)		
Existing Land Use:	Residential B		
Existing Zoning District:	Planned Unit Development/Equestrian Overlay Zoning District (PUD/EOZD)		
Location:	The subject property is located west of 120 <sup>th</sup> Avenue and Lake Worth Road on the north side of Lake Worth Road. Exhibit "A" is a Location Map and Exhibit "B" is the legal description.		

# III. LAND USE AND ZONING

Dir.	Existing Use	Future Land Use	Zoning
North	Residential/Equestrian	Residential "B" /	Agricultural Residential / Equestrian
	Lots	Commercial Recreation	Overlay Zoning District (AR/EOZD)
South	Residential/Equestrian	Residential "A"	Agricultural Residential / Equestrian
	Lots		Overlay Zoning District (AR/EOZD)

East	Polo Park Middle School	Institutional/Public Facilities/Utilities	Planned Unit Development (PUD)
West	Equestrian Lots/Fields	Residential "B" / Commercial Recreation	Agricultural Residential / Planned Unit Development / Equestrian Overlay Zoning District (AR/PUD/EOZD)

# IV. SITE HISTORY

The Equestrian Club is a 149 acre Planned Unit Development (PUD) which was established by Ordinance No. 2000-14 and Resolution No. R2000-45 on July 25, 2000. The Equestrian Club Master Plan was approved to allow 148 dwelling units, private polo field, private polo workout area, private equestrian trail and a 2.1 acre recreation area. A minor Master Plan Amendment (2000-07 MPA 2), which did not require Council approval, was certified by the Development Review Committee (DRC) on February 27, 2002 to change the "polo field" and "stick & ball field" to "equestrian area." Then on October 8, 2002, Council adopted the current Master Plan (2000-45 MPA 3), Resolution No. R2002-101, which eliminated the polo field, reconfigured the ranchette lots to include portions of the equestrian area and combined two (2) "polo workout areas" into a 5.1 acre community equestrian recreation Tract know as J-1. As a condition of this amendment, J-1 was required to be accessible to residents and guests of The Equestrian Club PUD.

A subsequent Master Plan Amendment application (2011-47 MPA5) was submitted in 2012 to convert the Tract J-1 to one (1) single family dwelling unit with equestrian uses, which would have increased the total number of single family dwelling units to 149 for the overall PUD. The proposed Master Plan Amendment was denied by Council mostly because the agent was able to supply documentation illustrating a vote and support from the applicable HOA board members but did not have documentation that the residents as a whole supported the modification. Attached are the minutes from the April 24, 2012 Council meeting (Exhibit "C").

The subject application was submitted on May 12, 2016 again requesting to modify the Master Plan designation for Tract J-1 from community equestrian workout area to one (1) single family dwelling unit with equestrian uses known as Lot 11A, but this time supporting documentation that the majority of the residents voted and supported this request was provided. The request was generated because it is not being used for the intended purpose and the lot owners within the subdivision have no interest in developing this tract as originally approved. The applicant indicates unanimous approval for this proposed change from the Board of Directors of the Farms HOA, the Wellington Equestrian Club Master Association, the Board of Directors of The Residences at Wellington Community Association and affirmative vote of more than 2/3 of the individual homeowners in the Estate/Residences section of the PUD. Both the Master HOA and Residences HOA have executed a release of the restrictive covenant that required Tract J-1 be restricted to a community equestrian recreation facility (Exhibit "D"). Staff notes Resolution No. R2002-101, Condition 6, indicates the restrictive covenants shall not be modified without prior approval of the Village Council. (Exhibit "E") The applicant's justification for releasing the restrictive covenant prior to Council approval was to ensure future owners will be provided a Declaration of Covenants with the changes while going through the process for Village Council approval.

# V. STAFF ANALYSIS

As indicated above, Village Council denied a previous request to change the use of Tract J-1 from a community equestrian facility to one (1) single family lot and equestrian uses after receiving a recommendation of approval from the Equestrian Preserve Committee (EPC) and Planning, Zoning and Adjustment Board (PZAB) at a special hearing on April 11, 2012. Since EPC and PZAB both recommended approval of this application unanimously, and since the proposed modification is identical to the previous request, this application is being process with Expedited Application Consideration (EAC). The EAC process allows development order amendments to proceed directly to the governing body that previously approved the original development order after the Development Review Committee. The restriction on Tract J-1 was Council imposed and since Council previously denied the request to modify this condition, it was determined the application would be suitable for the EAC process.

This request to amend The Equestrian Club PUD Master Plan (Exhibit "F") designation of Tract J-1 from community equestrian workout area to allow one (1) single family dwelling unit and equestrian uses, known as Lot 11A, was reviewed and is consistent with Wellington's Comprehensive Plan (Comp Plan) and Land Development Regulations (LDRs). The Equestrian Club PUD is currently approved for 148 dwelling units. This amendment will increase the total dwelling units to 149; however it will not increase the density of the PUD as limited by the Residential B Future Land Use Map designation, which allows a maximum of one (1) dwelling unit per acre for a total of 149 dwelling units. Additionally, this request will not adversely impact the existing large lot residential properties in the Equestrian Preserve Area to the north and west. This parcel is also located within close proximity to existing single family homes on smaller lots in the Estates section of the PUD. The enforcement of building/structural and zoning codes is essential to minimizing any potential adverse impacts on these existing smaller single family lots. Since the lot is in close proximity to smaller residential only lots the applicant has indicated structures on the Lot 11A (fka Tract J-1) will be required to obtain all necessary building and land development permits from the Village.

The Equestrian Club PUD current approvals potentially allow for construction of a small barn/stable on lots within the Estates section of the PUD. The intent was an owner in the Estates section could temporarily stable their horse and use Tract J-1 as a community workout area. The Equestrian Club PUD Declaration of Covenants apparently indicates barns are allowed in the Estate section only if Tract J-1 is developed as originally approved. Village of Wellington records indicate the 138 Estate lots were not developed with any barn/stable structures. Additionally, the layout of existing structures, setbacks and easements potentially would not allow the construction of a small barn. The proposed modification to the designation of Tract J-1 from a community equestrian workout area will also require clarification that barns are not allowed in the Estate section. The subdivision will remain as previously approved on the master plan with only the increase of one (1) additional Ranchette lot for an overall project total of 149 lots (138 Estate Lots and 11 Ranchette Lots). All applicable building heights, setbacks/separations, open space and parking requirements shall apply to the Lot 11A.

The petitioner submitted a traffic statement that was reviewed and accepted by Wellington's Traffic Consultant (Exhibit "G") for compliance with the Traffic Performance Standards of Wellington and Palm Beach County. The existing 148 units are vested and the Lot 11A will not have an impact on the surrounding roadways or turning movements at the project's entrance.

**Consistency with Comprehensive Plan:** The proposed change is consistent with the Comprehensive Plan including but not limited to the following:

Equestrian Preservation Element: Goal 1 - The goal of this element is to ensure the preservation and protection of the neighborhoods which comprise this area, the equestrian industry and the rural lifestyles which exist in the Equestrian Preserve.

Objective 1.1 of the Equestrian Preservation Element: The Village of Wellington has adopted the Equestrian Overlay Zoning District (EOZD) to implement the Equestrian Preserve Area established within the Future Land Use Map. The EOZD includes several sub-areas to address the unique characteristics of the neighborhoods in the Equestrian Preserve Area. Among the purposes and intent of the EOZD is to:

- (1) Provide for and encourage the creation of conservation easements to retain open space and paths for equestrian trails;
- (2) Provide for the preservation of greenspace through the use of cluster development, open space zoning or other innovative planning techniques designed to maximize the preservation of open space and the agricultural, rural and equestrian character of the Equestrian Preserve, while maintaining the overall density in the Equestrian Preserve;

The property is proposed to be developed as a single family residence and privately owned equestrian uses. The existing Ranchette lots each have area dedicated as "equestrian use only" on The Equestrian Club PUD Master Plan. The overall total area is approximately 18 acres. Per the Master Plan, this area may not contain any residences, barns or stables or other buildings. The only structures allowed within this area are fences, jumps, paddocks, equestrian exercise or training facilities or other permanent structures similar in nature or are otherwise ancillary to the equestrian use of this area. The applicant is proposing to designate one (1) acre of the 5.1 acre lot as an Equestrian Use area to not only be consistent with the other Ranchette lots, but also to ensure that open space on the individual lot is maintained with any future development. The existing bridle trail will also continue to be used in the same manner throughout the community, including Lot 11A, as it is today.

Per Table E of Section 6.10.12 of the LDRs, the 5.1 acre property is not required to have a single family residence in order to construct a barn. Lot 11A could potentially be developed without a residence and only contain a barn, along with other equestrian amenities. However, the requested modification would entitle the owner to build a residence should they desire to do so. Currently a single family residence is not permitted on Tract J-1. Only one (1) property within the Ranchette portion of The Equestrian Club PUD has a detached single family residence at this time. The

majority of the lots are used as private equestrian facilities with a residence on the top floor of the barn or no residence at all.

**Conformity with Zoning Standards:** The proposed change is consistent with the LDR zoning standards applicable to residential lots within the Planned Unit Development/ Equestrian Overlay Zoning District. The additional single family lot meets all minimum lot width and depth requirements and lot size as provided for in the minimum property development standards within The Equestrian Club PUD. A preliminary site plan was submitted for the lot to show the potential lot configuration and building envelopes for the principal and accessory structures. This was provided for informational purposes only (Exhibit "H").

**Compatibility with Surrounding Land Uses:** The proposed request is compatible with surrounding land uses and will not have a negative impact on the existing lots to the east as the PUD was designed to have smaller estate lots adjacent to larger Ranchette lots with equestrian uses. Tract J-1 is adjacent to other Ranchette residential lots with equestrian uses to the north and west. Lake Worth Road borders the property to the south.

**Environmental Resources:** There are no adverse impacts to the natural environment expected to occur. The subdivision is almost completely built and all environmental impacts were previously addressed with the land development of the overall project. Additionally, any proposed manure bins or wash stalls are required to meet the Best Management Practices (BMPs) in regards to stormwater management and protection.

Adequacy of Public Services: The additional dwelling unit will not have an impact on the surrounding roadways or turning movements at the project's entrance. The traffic statement was accepted for compliance with the Traffic Performance Standards of Wellington and Palm Beach County. The subject property is connected to public sewer system sufficient to handle the proposed additional dwelling unit and has sufficient water capacity reserved. Drainage for the proposed single family residence with equestrian uses will be provided onsite.

#### VI. DEVELOPMENT REVIEW COMMITTEE (DRC)

This Master Plan Amendment application was certified at the June 1, 2016 Development Review Committee meeting for public hearings with proposed conditions of approval.

#### VII. EQUESTRIAN PRESERVE COMMITTEE (EPC)

The Equestrian Preserve Committee previously recommended approval (6-0) of an amendment (2011-47 MPA 5) to modify Tract J-1 at the April 11, 2012 meeting.

#### VIII. PLANNING, ZONING AND ADJUSTMENT BOARD

The Planning, Zoning and Adjustment Board recommended approval (6-0) of an amendment (2011-47 MPA 5) to modify Tract J-1 at the April 11, 2012 meeting.

# IX. COUNCIL

The application was originally scheduled for the July 12, 2016 Council meeting, however the applicant requested a postponement. The item is scheduled for the September 13, 2016 Council meeting.

#### X. 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/Resolution would take place on date(s) set forth below.

#### Council Meeting

Newspaper/Mailing/Sign Posting: on or before August 29, 2016 Meeting Date: September 13, 2016

Staff has not received any inquiries regarding the mailing, newspaper advertisement or posted signs for this petition as of September 6, 2016 when the staff report was published.

#### XI. STAFF RECOMMENDATION

Based on the findings contained within this staff report and consistency with both the Wellington's Comprehensive Plan and Land Development Regulations, staff recommends approval of Resolution No. 2016 - 46, a Master Plan Amendment Petition 16 - 64(2016 - 26 MPA 7) to modify the Master Plan designation of Tract J-1 from community equestrian workout area to one (1) single family dwelling unit and equestrian uses, for The Equestrian Club PUD, as legally described in Exhibit "B." All previously approved conditions of approval are still in effect.

# List of Exhibits

- Exhibit "A" Location Map
- Exhibit "B" Legal Description
- Exhibit "C" Council Meeting Minutes April 24, 2012
- Exhibit "D" Release of Restrictive Covenant
- Exhibit "E" Resolution R2002-101
- Exhibit "F" The Equestrian Club PUD Master Plan (with amendment for Tract J-1)
- Exhibit "G" Wellington Traffic Consultant's Letter
- Exhibit "H" Preliminary Site Plan