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**MEETING MINUTES
WELLINGTON
PLANNING, ZONING AND ADJUSTMENT BOARD
March 8, 2017
7:00 PM
Wellington Village Hall
12300 Forest Hill Boulevard
Wellington, FL 33414**

Pursuant to the public notice, a meeting of Wellington Planning, Zoning and Adjustment Board was held on March 8, 2017 at 7:00 p.m. at the Village Hall, 12300 Forest Hill Boulevard, Wellington, Florida 33414.

I. CALL TO ORDER

Elizabeth Mariaca called the meeting to order at 7:00 p.m.

Members present: Elizabeth Mariaca; Carol Coleman; Alan Shullman; Tommy Bueno; Jeffrey Robbert and Stephen A. Levin.

Members Absent: Kenneth Kopp.

Staff present: Robert Basehart, Planning, Zoning and Building Director; Laurie Cohen, Village Attorney; David Flinchum, Planning and Zoning Manager; Cory Lyn Cramer, Development Review Coordinator; J. Higbee, Sr. Planner and Damian Newell, Sr. Planner.

II. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was done.

III. REMARKS BY THE CHAIRMAN

Ms. Mariaca welcomed the Board back.

IV. APPROVAL OF MINUTES – November 9, 2016

A motion was made by Tomas Bueno, seconded by Stephen A. Levin, and unanimously approved by the Board (6-0), to approve the November 9, 2016 minutes.

V. ADDITIONS/DELETIONS/REORDERING OF AGENDA

None.

VI. SWEARING IN OF SPEAKERS/DECLARATION OF EX-PARTE COMMUNICATION

Laurie Cohen administered the oath.

The Board had no ex-parte communication to declare.

VII. NEW BUSINESS

PZ-0121 RESOLUTION NO. R2017-10 (WELLINGTON GREEN MASTER PLAN AMENDMENT – MUPD B HOTEL)

Damian Newell, Sr. Planner presented the request to amend certain conditions of approval to allow an additional 125-room hotel with MUPD “B” of the Wellington Green Project. The location is at the southwest corner of Forest Hill Boulevard and State Road 7. Mr. Newell advised the Board of the history of the Wellington Green Development of Regional Impact (DRI). Mr. Newell stated the DRI sunset on December 31, 2016 and the Regional Conditions (RC) will be removed from the Wellington Green Order. Mr. Newell discussed the proposed on-site parking as well as the off-site parking at the adjacent Wellington/Palm Beach County Park-n-Ride facility located to the west. The Park-n-Ride use is currently less than 1%. The Park-n-Ride site is owned by Wellington and staff is currently in discussions with the applicant to purchase and allow Palm Tran continued use of designated parking spaces. Mr. Newell illustrated the conceptual site plan to the Board. Mr. Newell reviewed the current Local Conditions (LC) and the amendments given to the Board tonight, to accommodate the proposed hotel. Mr. Newell pointed out Wellington has only one hotel and an additional hotel will provide needed additional lodging. Staff recommends approval of the R2017-10 with conditions of approval as presented tonight.

Jeffrey Robberts inquired on the Palm Tran lot. Mr. Newell stated there would be an agreement between Palm Tran and the new owners. Robert Basehart stated it would be between the buyer of the lot, Palm Tran and the Palm Beach County Commission (PBCC) to continue to use the lot at all. Mr. Levin inquired on improvements. Mr. Newell stated there was a grant and a portion of the grant would need to be reimbursed by the owner. Mr. Levin inquired on revenue from Palm Tran. Mr. Newell stated the applicant would be required to pay Palm Tran and purchase the property from Wellington. The existing hotel is 122-room, 4-story and during season the hotel runs occupied. Mr. Levin inquired on other hotels in the surrounding area. Mr. Newell stated when the Hampton Inn is full; the hotel will send the guests to their other hotel on Lake Worth Road. The equestrians that come to Wellington they want to be as close as possible. Mr. Basehart pointed out the other hotels are not in Wellington’s jurisdiction.

Alan Shullman inquired on the length of stay and the type of rooms. Cory Lyn Cramer stated staff would not limit or restrict the length of stay. Mr. Basehart stated the applicant might be better to explain on the rooms. Mr. Robberts inquired on sidewalk connectivity. Ms. Cramer stated staff is discussing with the applicant and other property owners within the DRI.

Mr. Levin inquired on other surrounding structures. Ms. Cramer pointed out where some of the other retailers are located. The Board expressed concerns on safety and having additional sidewalks. There was a discussion about the current sidewalk locations and the potential of sidewalks connecting to the proposed hotel.

Jennifer Vail, WGI agent for the applicant, reviewed the location and the request for an additional 125-hotel room. Ms. Vail stated a portion of the Park-n-Ride would be for Palm Tran.

Ms. Coleman inquired on a restaurant. Ms. Vail stated there is no restaurant but the hotel will have a meeting room. The room layout is still a work in process. The discussion regarding the Park-n-Ride have been between the current owners, Wellington and Park-n-Ride. Mr. Basehart stated staff and the applicant have been working with Palm Tran. The current agreement allows Wellington to use the lot for special events. In the discussion currently, Palm Tran is agreeable to the idea. There is a draft interlocal agreement currently being reviewed by Palm Tran.

Mr. Levin expressed concern on safety. Ms. Vail pointed out where they are working to add sidewalks and improved pedestrian crossings. The applicant is currently working with the Mall owners.

A motion was made by Tomas Bueno, seconded by Stephen A. Levin, and unanimously approved by the Board (6-0) to open public comment.

Dennis O'Shea, attorney with Greenberg Traurig representing Wellington Hospitality, his clients oppose. Mr. O'Shea entered into the record a legal a copy of the complaint filed. Mr. O'Shea requested additional time. Mr. O'Shea reviewed the complaint filed with the Board. His client's hotel is in MUPD "A". Mr. O'Shea gave an overview of the history and the Declaration of Covenants. Mr. O'Shea requested the Board to defer their vote until the court's decision.

A motion was made by Carol Coleman, seconded by Stephen A. Levin, and unanimously approved by the Board (6-0) to close public comment.

Ms. Cohen stated the Boards decision should be based on being consistent with the Comprehensive Plan (CP) and the elements set forth in the staff report. Staff has considered the interlocal agreement and has made recommended conditions in the proposed Ordinance. There is nothing in the complaint that would require postponing the applicant's request.

Mr. Levin inquired on the Covenants. Ms. Cohen stated most Associations could amend their Declarations. Although the Declaration currently states there would be one hotel, the Association can seek to amend to provide for a second hotel. The applicant is going through that process.

Mr. Robberts inquired on not listening to Mr. O'Shea's comments. Ms. Cohen stated to weigh the points and if the Board has concerns to ask about those concerns. Ms. Cramer stated on the concerns, from the planning standpoint on a master plan amendment is for staff to look at the adverse impacts and staff found none. Ms. Cohen stated the economic impacts is not a factor in staff's consideration.

Ms. Coleman inquired on the Hampton Inn height. Ms. Cramer stated the Hampton Inn is 56 feet. Mr. Basehart pointed out if the Board has concerns for the height, the Board can place it in their recommendation.

Mr. Robberts inquired on the Hampton Inn height and were they limited. Mr. Basehart stated the CP allows going up to 72 feet in the State Road 7 Corridor if the Council approves. Mr. Basehart stated the Hampton Inn could have gone higher had they requested it.

Mr. Levin inquired on the property ownership of the Park-n-Ride. Mr. Basehart stated the Village owns the Park-n-Ride.

Mr. Shullman inquired on safety issues and requirement for conditional of approval. Ms. Cramer pointed out that this is usually done at site plan level. Ms. Cramer warned of the conditioning a master plan that effects property the applicant does not own.

Mr. Bueno recommended a 4-way stop sign. Ms. Cramer stated there will be further discussions on stop signs, or raised crosswalks. Mr. Levin inquired to the applicant on how much business is rejected from the Hampton Inn. Ms. Vail stated she could not answer the question. Ms. Cramer stated during the season the hotel is booked, a study has not been done on properties outside of Wellington jurisdiction.

Mr. Levin would like an additional condition on Olive Drive for traffic control for a pedestrian crosswalk. Ms. Cramer stated that condition is better at the site plan and not on the master plan. Ms. Mariaca stated there is no effective way to place the condition on the master plan. Ms. Cohen stated the Board could suggest the site plan go to Council or to recommend DRC take into consideration the PZAB recommendations.

A motion was made by Stephen A. Levin, seconded by Alan Shullman, and unanimously approved by the Board (6-0), to approve Resolution R2017-10 with the modified conditions presented tonight and when the site plan goes to DRC, for DRC to take into consideration the PZAB comments and concerns.

VIII. WORKSHOP

PZ-0120 LAND DEVELOPMENT REGULATIONS (LDRs) WORKSHOP

David Flinchum Planning, Zoning Manager presented to the Board the background on the LDRs and how the LDRs was created from the Palm Beach County Unified Development Code. Mr. Flinchum explained the goals in rewriting the LDRs and discussed the schedule. Mr. Flinchum stated after the LDRs, staff would have to make changes to the CP.

Mr. Levin inquired when brought back, would it still be the same as presented tonight. Mr. Flinchum stated he did not expect too many further changes from what is being presented tonight. Mr. Flinchum stated the LDRs should be under 400 pages. Mr. Basehart commented on where Wellington's code originally came from.

The Articles discussed were Article 1, Article 2, Article 4 and Article 5. Mr. Flinchum advised the Board staff has been working with the Equestrian Preserve Committee (EPC) on certain Articles. Mr. Flinchum requested comments from the Board.

Ms. Mariaca inquired the nonconforming lots. Mr. Flinchum responded if the same type of variance is being requested, then that part of the code should be amended. Ms. Cohen stated an interpretation comes to the Board.

Mr. Flinchum stated if the Board has any questions to contact him.

IX. COMMENTS FROM PUBLIC

None.

X. COMMENTS FROM STAFF

None.

XI. COMMENTS FROM THE BOARD

Ms. Mariaca inquired on the new movie theater. Mr. Bueno said it is good.

XII. ADJOURN

A motion was made by Carol Coleman, seconded by Steven A. Levin, and unanimously approved by the Board (6-0) to adjourn.

The meeting adjourned at 8:54 p.m.

APPROVED: _____
Date

Elizabeth Mariaca-Chairperson

Jennifer Fritz – Recording Secretary