

**Wellington
Equestrian Preserve Committee Meeting
April 5, 2017
Village Hall
12300 Forest Hill Boulevard**

MINUTES

I. Call to Order

Chair Cleveland called the meeting to order at 6:15 pm. Jane Cleveland, Robert Bushey, Dr. Rachel Eidelman, Carol Cohen, Dr. Sergio Guerreiro, and John Wash were present. Dr. Kristy Lund arrived late.

Staff present: Laurie Cohen, Robert Basehart, Cory Lyn Cramer, and Ryan Harding.

II. Pledge of Allegiance

III. Remarks by Committee Chair

Ms. Cleveland welcomed new committee member John Wash who was replacing former member Doug Hundt. Mr. Hundt resigned due to work conflicts. Ms. Cleveland also summarized items the Equestrian Preserve Committee (EPC) had been working on since their first meeting in June 2016.

IV. Additions/Deletions/Reordering of Agenda

There were no changes to the agenda.

Approval of the December 7, 2016 EPC Minutes

Dr. Guerreiro made a motion to approve the December 7, 2016 EPC minutes. Ms. Cohen seconded the motion and it passed unanimously (6-0). Dr. Lund had not yet arrived.

V. New Business – Equestrian Competition Floating District

Village Attorney Laurie Cohen went over public hearing procedures. She explained there were two legislative applications and two quasi-judicial applications on the agenda.

The committee made ex-parte communication declarations.

Ms. Cramer stated that nothing on tonight's agenda was related to the Charter. She then submitted the applications for the record. Ms. Cramer explained the proposed Comprehensive Plan Text Amendment (CPTA) was to amend the Land Use Element to create Floating Zoning Districts, and to amend the Equestrian Preservation Element to define the Equestrian Competition Floating District (ECFD). She then explained the concept of a floating zoning district.

Ms. Cramer then went over the proposed Zoning Text Amendment (ZTA). She explained it would amend Section 6.2.19 of Wellington's Land Development Regulations (LDR) by providing a definition and purpose of the ECFD. It would also create Section 6.12 of the LDR to establish regulations, standards, and eligibility requirements for the ECFD. Ms. Cramer then explained the eligibility criteria for rezoning to ECFD and went over the supplemental standards.

Dr. Lund arrived and made her ex-parte communication disclosure.

Ms. Cramer continued, explaining the two Comprehensive Plan Map Amendments. The proposed amendments would convert 9.47 acres of International Polo Club (IPC) from Commercial Recreation (CR) to Residential “B”. They would amend 6.96 acres of IPC and 16.15 acres of Isla Carroll Farms from Residential “B” to Commercial Recreation (would require a super-majority vote by Council). The amendments would remove 72.01 acres of IPC and Isla Carroll Farms from the Equestrian Preserve Area (EPA). They would also amend the EPA boundary on the Equestrian Trails Maps.

Ms. Cramer then explained the final application before the committee was the Rezoning of IPC and Isla Carroll. It would rezone 55.86 acres at IPC from Commercial Recreation/Equestrian Overlay Zoning District (CR/EOZD) and 16.15 acres at Isla Carroll from Agricultural Residential/EOZD to 72.01 acres designated CR/ECFD.

Ms. Cramer stated staff recommends approval of the applications with certain Conditions of Approval and went over those conditions with the committee. She then opened the meeting to questions from the committee.

Dr. Guerreiro asked Ms. Cramer to go over the criteria to become part of the ECFD again and Mr. Bushey asked if White Birch could become part of the ECFD. Ms. Cramer stated it could, but if it were to be removed from the EPA, it would require a super-majority vote of Council. Ms. Cleveland asked if Council would have the legal latitude to deny removal from the EPA and what it would be based on. Mr. Basehart replied, “Absolutely. It would be a Comprehensive Plan Amendment, it would be legislative, and they could deny based just on the virtue that they don’t want to.”

Ms. Cleveland asked if Wellington does market studies on hotel demand. Ms. Cramer replied that depending on the type of application, it is something that would be required of the applicant at submittal.

Mr. Bushey asked if there was any way to limit this zoning to the four competition areas. Ms. Cramer replied the concern would be spot zoning if you were limiting to specific locations.

Dan Rosenbaum of the Rosenbaum Law Firm, on behalf of the applicant, Equestrian Sport Productions (ESP), stated the representatives for ESP were in agreement with staff’s recommendation of approval and with the Conditions of Approval recommended by staff.

Mr. Rosenbaum stated Wellington’s EPC operates on a dual mandate to protect and preserve the equestrian industry and preserve the EPA. He stated the Palm Beach County Sports Commission conducted a study on the economic impact of the Winter Equestrian Festival in 2011, 2014 and 2016. These studies showed an increased demand for hotels and a large economic impact for Palm Beach County. The lack of lodging available in Wellington forces participants and spectators to look elsewhere for options. Only 8,000 bed-nights were captured in Wellington during the last event, out of 130, 000. The need exists now to provide lodging on-site for these venues.

Mr. Rosenbaum stated one of the arguments that might be made by interested parties and others could be that hotels and condo-hotels are not allowed in the EPA. He added, however, the other part of the Charter Amendments, which received more votes, was that property could be removed from the EPA with a super-majority vote.

Mike Sexton of Sexton Engineering Associates, on behalf of the applicant, explained that the ECFD would only be considered for Subarea D of the EOZD. He also went over the building coverage and floor area ratio for the proposal. Mr. Sexton reviewed the components of each of the four applications.

Tatiana Yaques of Rosenbaum Law Firm spoke on behalf of the applicant. She stated the proposals put in place an envelope of regulations and protections that are necessary to create the ECFD. They put in place the types of policies, goals, and objectives that protect and promote the equestrian industry and equestrian lifestyle. Ms. Yaques also reviewed the four applications, and reiterated what the committee would be voting on. She stated this would put into place procedures that any other property would need to go through to apply for ECFD zoning. Any project that wanted to rezone to ECFD would need to go before the committees and Council.

Mr. Bushey asked about increasing the eligibility requirement to a minimum of fifty acres and there was discussion regarding spot zoning.

Dr. Guerreiro asked how this would affect the showgrounds. Ms. Yaques replied the showgrounds was not part of these applications.

Ms. Cleveland stated she understood the applicant would be coming back with a Master Plan. She asked Mr. Bellissimo, of ESP, about his plans for the stadium and how they would tie into the hotel planned for the ECFD. Mr. Bellissimo stated they withdrew the plans for the stadium and will be resubmitting in the future. Mr. Bellissimo stated he is very committed to Wellington and is the largest investor in it.

The committee took a 10-minute recess.

The two interested parties declined to cross-examine.

Mathew Chait, an attorney with Shutts and Bowen, spoke on behalf of Deerridge Farms. He asked that his comments be made part of the record. He stated the applicant wants to dismantle the EPA, build hotels, and is asking for the blessing of the committee that is appointed to preserve the EPA. He added that the approval of these applications is the “beginning of the end” of the EPA. He stated more development is coming if approved. The applicant has eight other pending applications that the committee has not heard about yet.

Dr. Guerreiro asked how many acres are in the preserve. In response to Mr. Chait’s statement that the EPA would be paved over, Dr. Guerreiro stated the committee is only looking at 72 acres out of over 2,000. Mr. Chait responded the concern is that it would open the EPA to more development in the future. Dr. Guerreiro replied the committee is only supposed to consider the applications in front of them.

Dr. Lund asked Mr. Chait if he felt the equestrian shows and venues were an important part of Wellington. He replied, “Yes.” Dr. Lund asked if Deerridge Farms felt the EPA would still be here 20 or 30 years from now without supporting the venues. Mr. Chait replied it could survive the same way it does now, with hotels outside the EPA.

Jana Loda, an attorney with Holland and Knight, spoke on behalf of Victoria McCullough of Mida Farm. She asked that her comments be made part of the record. She stated the applications would make sweeping changes to the Equestrian Preserve Element of the Comprehensive Plan. She added the applications would affect the entirety of Subarea D. Ms. Loda stated she is concerned with the way the applications are proposing to develop land in the EPA.

Ms. Loda added that the Charter Amendment vote to require a super-majority to remove land from the EPA was an indication that Wellington residents do not want to see land removed from the EPA. She stated she believes it would be appropriate to defer so that the committee has adequate time to review the applications and will be able to see the Master Plan.

The meeting was opened to public comment.

Victor Connor from the Wellington Chamber of Commerce stated the Chamber believes what is being proposed will benefit the equestrian community, the equestrian industry, and all residents of Wellington. He added that 8,000 out of 130,000 bed-nights means 94% of the economy is leaving Wellington.

Michael Whitlow of 2070 Appaloosa Trail stated the committee has a moral, ethical, and possibly legal obligation to protect and preserve the EPA. Once the EPA is gone, it will not come back and people are already moving to places like Ocala. Hotels can be built in Wellington outside the EPA.

Houston Meigs of 16433 Deer Path Lane stated the committee was making a decision with incomplete information. Mr. Meigs stated staff listed many areas of concern such as parking, transportation, and access, all of which were unaddressed in the proposal.

Cynthia Gardner of 13268 Polo Club Road stated that she wanted to stress that the voters in the referendum were clear that they did not want hotels in the EPA. She added that the committee has not had adequate time to make a decision, given that they only received their packet five days ago.

Bill Flack of 9580 Phipps Lane stated he is the President of the Olympia Property Owners Association and the applicant spoke to the residents there. The residents signed a petition in approval of the proposals. He added that there are not enough lodging options in the area and residents are concerned about businesses like Air B&B moving into the neighborhood.

Mayli Garcia-Valez of 2506 Windsor Way Court said she wanted to attest that as Wellington resident for 32 years she remembers when Palm Beach Polo had a 180-room condo-hotel resort. People from all over the world ask about being able to rent in Wellington.

Mr. Bushey added that from 1980 to 1993 it was a destination; one of the top destinations in the world.

Public hearing was closed.

Mr. Rosenbaum made closing remarks including horse show attendance is down in many locations across the country. Each location needs to do what is necessary to remain viable.

Ms. Loda's closing remark was that the committee needs to take a breath and pause to seriously consider what is before them for the benefit of the equestrian lifestyle, not just the equestrian industry.

Ms. Cohen stated the committee has worked well with staff and she did not want to discuss the application with anyone else because she wanted to form an unbiased opinion. She added she has the utmost respect for staff, and they would not recommend something if they did not believe it to be in the best interest of Wellington.

Dr. Guerreiro stated staff did an amazing job because they expressed their concerns in the staff report, but provided recommendations that would achieve the intent of the application while protecting the health, safety, and welfare of the community.

Mr. Bushey stated Wellington needs to be a destination like it used to be. It is a destination now, but it could be better. He added he thinks this would be a great thing, although he still thinks the minimum size could be changed to 50 acres.

Dr. Lund stated we need to keep up with times and find new innovations that attract people. She said she would like to hear from the community, and would love to see a Master Plan.

Dr. Eidelman stated she loves the idea of an equestrian destination and would hate to see it end up like Palm Beach Polo, as the horses are no longer there.

Mr. Wash stated he thinks “preserve” is a misnomer and is misleading. He said there is no money in polo and people use their own money to operate. One thing he has known for years while working for the US Polo Association was that the business model needed to change. He added that he’d like to see a little more information.

Ms. Cleveland thanked everyone and stated she learned a lot during the meeting. She stated she is hearing a lot of support for the industry and that the committee needs to let it grow. She asked if the committee could recess and come back after a Master Plan is submitted. Ms. Cohen replied the committee can postpone the recommendation, but the applicant has a right to continue through the hearing.

Ms. Cohen made a motion to recommend approval of Ordinance No. 2017-02. Mr. Bushey seconded the motion and it passed unanimously (7-0).

Ms. Cohen made a motion to recommend approval of Ordinance No. 2017-03. Mr. Bushey seconded the motion and it passed unanimously (7-0).

Ms. Cohen made a motion to recommend approval of Ordinance No. 2017-04. Mr. Bushey seconded the motion and it passed unanimously (7-0).

Ms. Cohen made a motion to recommend approval of Ordinance No. 2017-05. Mr. Bushey seconded the motion and it passed unanimously (7-0).

Dr. Guerreiro recommended that Ordinance No. 2017-06 continue through the hearing process with the condition that a Master Plan should be seen by the Equestrian Preserve Committee and the Planning, Zoning, and Adjustment Board prior to going to Council. Ms. Cohen seconded the motion and it carried (6-1).

Ms. Cohen made a motion to recommend approval of Ordinance No. 2017-06. Mr. Bushey seconded the motion and it passed 6-1. Ms. Cleveland dissented stating she wanted to see a Master Plan for the project before she approved rezoning.

VIII. Staff Comments

There were no staff comments.

IX. Board Comments

There were no board comments.

X. Public Comments

There were no public comments.

The meeting adjourned at 10:24 p.m.

Jane Cleveland, Chair

Ryan Harding, Recording Secretary