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RESOLUTION NO. R2017-46

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING A PORTION OF THE WELLINGTON PUD MASTER PLAN AMENDMENT [PETITION NUMBER 17-097 (2017-054 MPA 4)] FOR CERTAIN PROPERTY KNOWN AS PALM BEACH POLO AND COUNTRY CLUB, TOTALING 410.91 ACRES, MORE OR LESS, LOCATED ON THE NORTH AND SOUTH SIDE OF FOREST HILL BOULEVARD WITHIN PALM BEACH POLO AND COUNTRY CLUB AND ON THE EAST SIDE OF STRIBLING WAY, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO APPROVE THE REMOVAL OF THE REFERENCE TO THE "WELLINGTON CYLDESDALE FACILITY" FOR THE PROPERTY EAST OF STRIBLING WAY (F.K.A. THE POWERLINE PROPERTY); TO APPROVE THE ADDITION OF TWO (2) ACCESS POINTS ALONG STRIBLING WAY TO PROVIDE ACCESS TO THE PROPERTY (F.K.A. THE POWERLINE PROPERTY); TO APPROVE THE MODIFICATION OF THE MASTER PLAN DESIGNATION OF THE PROPERTY (F.K.A. THE POWERLINE PROPERTY) TO "OPEN SPACE - RECREATION/GOLF COURSE/FIELD SPORTS & EQUINE SPORTS"; TO DENY THE REQUEST TO CREATE PODS 80 AND 81; TO DENY THE REQUEST TO ADD ACCESS POINT ALONG BIRKDALE DRIVE, ROYAL FERN DRIVE, FOREST HILL BOULEVARD AND POLO CLUB DRIVE; TO DENY THE REQUEST TO MODIFY THE MASTER PLAN DESIGNATION, TO INCLUDE FIELD SPORTS AND EQUINE SPORTS, FOR THE ENTIRE PALM BEACH POLO CLUB GOLF COURSE; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Council, as the governing body of the Village of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Land Development Regulation is authorized and empowered to consider petitions related to zoning and development orders; and

WHEREAS, the notice and hearing requirements, as provided in Article 5 of the Land Development Regulation, as adopted by Wellington, have been satisfied; and

WHEREAS, the Master Plan Amendment was reviewed and certified for public hearing by the Development Review Committee (DRC) on August 23, 2017; and

WHEREAS, The Equestrian Preserve Committee recommended approval of the Master Plan Amendment at the October 4, 2017 meeting with a 5-1 vote to allow only the two (2) access points for the Powerline Property along Stribling Way and to change

the master plan designation of the Powerline Property to “Open Space – Recreation/Golf Course/Field Sports & Equine Sports”; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on October 11, 2017, recommended approval of the Master Plan Amendment with a 6-0 vote to allow only the two (2) access points for the Powerline Property along Stribling Way and to change the master plan designation of the Powerline Property to “Open Space – Recreation/Golf Course/Field Sports & Equine Sports”; and

WHEREAS, the Council has taken the recommendations from the Local Planning Agency, Equestrian Preserve Committee, Wellington staff and the comments from the public into consideration when considering the proposed Master Plan Amendment; and

WHEREAS, The Council has made the following findings of fact:

1. The Master Plan Amendment is not consistent with the Comprehensive Plan;
2. The subject request is not clearly consistent with the stated purposes and intent of the Land Development Regulations;
3. The requested Master Plan Amendment is potentially consistent with the surrounding Land Uses and Zoning Districts because of the broad array of activities that could occur under the requested changes;
4. Possible adverse impacts to the natural environment may occur as a result of the approval of the request;
5. The requested Master Plan Amendment could interrupt and negatively impact the current logical and orderly development pattern existing within the surrounding area; and
6. The requested Master Plan Amendment could violate the quality of life standards provided in Article 11, Adequate Public Facilities, of the Land Development Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF WELLINGTON, FLORIDA, THAT:

SECTION 1. The following requests to amend the Wellington PUD Master Plan are hereby DENIED:

1. To add one (1) access point along Birkdale Drive to access Pod 80.
2. To add one (1) access point along Royal Fern Drive to access Pod 80.
3. To add one (1) access point along Forest Hill Boulevard to access Pod 80;

95
96 4. To add two (2) access points along Polo Club Drive to access Pod 81.
97

98 5. To create Pod 80 and Pod 81;
99

100 6. To allocate 57.1 acres to Pod 80 and 25.5 acres to Pod 81;
101

102 7. To modify the Master Plan designation the entire Palm Beach Polo golf course and
103 from "Open Space – Recreation/Golf Course" to "Open Space - Recreation/Golf
104 Course/Fields Sports & Equine Sports".
105

106 **SECTION 2.** The Wellington PUD Master Plan Amendment is hereby
107 APPROVED for the properties described in Exhibit A, providing for the following:
108

109 1. To remove reference to the "Wellington Clydesdale Facility" to the property FKA the
110 Powerline property;
111

112 2. To add two (2) access points along Stribling Way to provide access to the property
113 FKA the Powerline property; and
114

115 3. To modify the Master Plan designation of the property FKA the Powerline Property
116 from "Open Space – Recreation/Golf Course" to "Open Space - Recreation/Golf
117 Course/Fields Sports & Equine Sports".
118

119 **SECTION 3:** The foregoing recitals are hereby affirmed and ratified subject to the
120 following conditions:
121

122 1. All previous conditions of the Wellington PUD not specifically amended by this
123 request are still in full effect. (PLANNING AND ZONING)
124

125 2. The exact locations of the access points approved herein shall be approved on a
126 site plan by the Village prior to issuance of Land Development permit. The new
127 access points shall be constructed prior to any further modifications to the
128 subject property and in accordance with the dates as set forth on the Site Plan,
129 Land Development permits, Engineering permits, etc. (PLANNING AND ZONING
130 AND ENGINEERING)
131

132 3. The two proposed access points to the Powerline Property may require minor
133 relocation and road improvements such as a right and/or left turn lane on
134 Stribling Way in order to meet the traffic performance standards prior to use.
135 (ENGINEERING)
136

137 4. The Master Plan Amendment shall only grant the applicant the ability to have
138 field sports and equine sports activities on the designated property. Any
139 proposed vendors, tents, bleachers, temporary bathrooms, etc. shall be required
140 to obtain a special use permit. (PLANNING AND ZONING)
141

- 142 5. Should the activities create negative traffic impacts, the Village Engineer and/or
143 Planning, Zoning and Building Director shall have the authority to require traffic
144 control mitigation be provided by the applicant. This may include requiring the
145 applicant to obtain traffic control from Palm Beach County Sheriff's Office and the
146 cost shall be paid by the applicant. (PLANNING AND ZONING)
147
- 148 6. All activities shall comply with all Code of Ordinances related to noise, nuisances,
149 trash, lighting, etc. Any nuisance or complaint from the adjacent property owner's
150 shall be investigated by the Wellington Code Compliance Department and shall
151 be handled in accordance with the code violation policies and procedures. Any
152 violation that receives a magistrate determination may result in the revocation of
153 the Master Plan designation by Council. (PLANNING AND ZONING)
154
- 155 7. Any permanent structures proposed to accommodate activities, shall not be
156 constructed until such time a site plan has been submitted and approved by the
157 Village. (PLANNING AND ZONING)

158
159 **SECTION 4:** This Resolution shall become effective immediately upon approval.
160

161 **PASSED AND ADOPTED** this ____ day of _____ 2017.
162

163
164 **ATTEST:**

WELLINGTON, FLORIDA

165
166
167 BY: _____ BY: _____
168 Chevelle D. Nubin, Clerk Anne Gerwig, Mayor
169

170
171 **APPROVED AS TO FORM AND**
172 **LEGAL SUFFICIENCY**
173

174 BY: _____
175 Laurie Cohen, Village Attorney

Exhibit A
Legal Descriptions

73-41-44-11-00-000-1010 – 55.99 Acres

11-44-41, UNPLATTED PT OF SEC LYG SE OF & ADJ TO PB31P116, NE OF & ADJ TO PB42P178, W OF & ADJ TO PB35P168 & PB71P112 K/A -OLDE- GOLF COURSE PARCEL 1 (LESS LAKE PARCELS 1 THRU 3, AID C-17, C-17B & FOREST HILL BLVD R/WS)

73-41-44-11-00-000-1020 – 1.11 Acres

11-44-41, UNPLATTED PT OF SEC LYG SE OF & ADJ TO PB31P116, NE OF & ADJ TO PB42P178, W OF & ADJ TO PB35P168 & PB71P112 K/A -OLDE- GOLF COURSE PARCEL 1 (LESS LAKE PARCELS 1 THRU 3, AID C-17, C-17B & FOREST HILL BLVD R/WS)

73-41-44-14-00-000-1010 – 30.79 Acres

14-44-41, E 405 FT LYG E OF & ADJ TO FAIRLANE FARMS RD (LESS NLY 73.69 FT OF W 133.14 K/A PAR 1 AS IN OR5840P831, N 1008 FT OF S 1058 FT AS IN OR6446P796 & 798, S 50 FT & E 95 FT ACME IMP DIST CNL R/WS)

73-41-44-14-00-000-1020 – 16.23 Acres

14-44-41, TH PT OF N 1/2 LYG E OF & ADJ TO SUNNYDALE DR K/A -OLDE- GOLF COURSE PAR 2 (LESSLAKE #4)

73-41-44-14-00-000-1060 – 4.51 Acres

14-44-41, TH PT OF N 1/2 LYG E OF & ADJ TO SUNNYDALE DR K/A -OLDE- GOLF COURSE PAR 2 (LESSLAKE #4)

73-41-44-14-00-000-1070 – 1.08 Acres

14-44-41, TH PT OF N 1/2 LYG E OF & ADJ TO SUNNYDALE DR K/A -OLDE- GOLF COURSE PAR 2 (LESSLAKE #4)

73-41-44-14-00-000-1030 – 28.89 Acres

14-44-41, TH PT OF N 1/2 LYG E OF & ADJ TO SUNNYDALE DR K/A -OLDE- GOLF COURSE PAR 2 (LESSLAKE #4)

73-41-44-14-00-000-1040 – 125.31 Acres

14-44-41, TH PT OF N 1/2 LYG E OF & ADJ TO SUNNYDALE DR K/A -OLDE- GOLF COURSE PAR 2 (LESSLAKE #4)

223 73-41-44-14-00-000-3030 – 121.95 Acres
224
225 14-44-41, TH PT OF N 1/2 LYG E OF & ADJ TO SUNNYDALE DR K/A -OLDE- GOLF
226 COURSE PAR 2 (LESSLAKE #4)
227
228 73-41-44-14-00-000-3070 – 0.39 Acres
229
230 14-44-41, TH PT OF N 1/2 LYG E OF & ADJ TO SUNNYDALE DR K/A -OLDE- GOLF
231 COURSE PAR 2 (LESSLAKE #4)
232
233 73-41-44-14-04-005-0000 – 9.42 Acres
234 14-44-41, TH PT OF N 1/2 LYG E OF & ADJ TO SUNNYDALE DR K/A -OLDE- GOLF
235 COURSE PAR 2 (LESSLAKE #4)
236
237 73-41-44-14-42-001-0000 – 15.24 Acres
238
239 14-44-41, TH PT OF N 1/2 LYG E OF & ADJ TO SUNNYDALE DR K/A -OLDE- GOLF
240 COURSE PAR 2 (LESSLAKE #4)
241
242 CONTAINING 410.91 ACRES MORE OR LESS.
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