



**PLANNING & ZONING DIVISION
STAFF REPORT**

I. DESCRIPTION

Petition: 18 – 115 (2018 – 42 DOA 12): Wellington CountryPlace Planned Unit Development (PUD) Development Order Amendment

Resolution: Resolution No. R2018 - 67

Applicant: Village of Wellington (Planning and Zoning Division)

Project Manager: Cory Lyn Cramer, AICP

Request: A Development Order Amendment to delete Condition No. 4 of Resolution R2008-111 to allow for the construction of Gene Mische Way and the bridle trail proposed within the roadway easement.

II. BACKGROUND

Wellington CountryPlace Planned Unit Development (PUD) is 958 acres located in the eastern half of Section 20 and all of Section 21, with the exception of Mida Farms. The PUD is within Subarea D of the Equestrian Overlay Zoning District.

On December 9, 2008, Resolution No. R2008-111 was adopted approving a Development Order Amendment (DOA) for Wellington CountryPlace PUD, Pod F Lot 1 and 2. The resolution adopted a condition of approval requiring a plat for the area be recorded prior to the construction of permanent improvements, including things such as the roadways and bridle trails.

At the time, the future lot configuration of the rest of Pod F was not planned. Since then, a master plan and site plan for Pod F have been approved. The plat was submitted and has not yet been approved or recorded. The tentative hearing for the plat will be sometime early next year. Wellington would like to see the connection between Pierson Road and 40th Street be established as this will address some of the traffic congestion from peak events held at the venues during season. The property owners would also like to move forward with this construction. In order to do so, the Village will need to delete Condition No. 4 of Resolution 2008-111.

The required road, bridle trail, landscape buffer and roadway drainage system are the only improvements that will be constructed prior to the plat recordation. Staff notes that permits will be issued for earthwork, clearing, grubbing, and removal of invasive vegetation, etc. in the areas required for staging during construction of the required

improvements. All other improvements for development of the individual lots will not be allowed until the plat is approved and recorded.

This request requires Council consideration since it was a Council approved condition. This Development Order Amendment is not required to be heard by the Equestrian Preserve Committee or the Planning, Zoning and Adjustment Board. The request does not alter the development pattern, intensity, conceptual plan, use, density, or any other element of the approval. This request simply allows Gene Mische Way to be constructed prior to the recordation of the plat. All other conditions of approval will remain intact and in full effect.

SUMMARY AND ANALYSIS

Article 8 of the Land Development Regulations (LDR) provides that parcel or lots shall be platted prior to improvements to be permitted through the building permit process, unless specifically exempt by the LDR. The lots in Pod F are not exempt from the platting requirement. Resolution No. R2008-111, Condition No. 4 stated "Construction of permanent improvements, including structures, fencing, roads, utilities, stormwater management system and similar improvements are prohibited until a plat for the property is approved and recorded." This condition of approval is not required as the LDR already provides regulations and requirements related to platting and improvement. Further, it is hindering the property owner to construct a vital part of the connection between Pierson Road and 40th Street (Gracida Street).

As previously mentioned, the developer is still required to provide the plat for approval and recording when the roadway improvements complete. Additionally, the developer is required to complete installation of the landscape buffer (Condition No. 8) and controlled vehicular access (Condition No. 9) as required by Resolution No. R2014-37 when road improvements are completed. The applicant is aware of this and has agreed to this and the DOA resolution reflects this requirement as well.

This request is intended to provide for the timely construction of the road improvements while still complying with Wellington's regulations and requirements related to platting and other improvement. Finally, this request is consistent with Wellington's Comprehensive Plan.

III. PUBLIC HEARINGS

Council Meeting

Newspaper: November 26, 2018

Meeting Date: December 11, 2018

IV. STAFF RECOMMENDATION

Approval of Resolution No. R2018-67 for a Development Order Amendment to delete Condition No. 4 of Resolution R2008-111 to allow for the construction of Gene Mische Way and the bridle trail proposed within the roadway easement.