

I. PETITION DESCRIPTION

Petition: 1. Comprehensive Plan Amendment 19–008 (2019–005 CPA 3)
2. Master Plan Amendment 19 – 009 (2019 – 006 MPA 7)

Project Name: Wellington Green

Owner/Petitioner/
Applicant: Gary Koolik
Brefrank, Inc.

Agent: Jennifer Vail, AICP
Wantman Group, Inc.

Project Manager: Damian Newell, Senior Planner

Request: 1. **Comprehensive Plan Amendment 19–008 (2019–005 CPA 3):** To change the Future Land Use Map designation for an 8.59 acre portion of Wellington Green Tract W-5 (adjacent to POD C of the PUD) from Conservation to Regional Commercial/Large Scale Multiple Use (RC/LSMU); and

2. **Master Plan Amendment 19 – 009 (2019 – 006 MPA 7):** To remove the wetland preserve Master Plan designation from Tract W-3 (3.89 acre) to allow 10,363 square feet of retail and a 1.63 acre water management tract within Wellington Green MUPD “C,” and to amend a portion of the wetland preserve, known as Tract W-5 (8.59 acre), to allow 185 multi-family residential units within Pod C of the Wellington Green PUD, reduce the overall wetland acreage from 23 to 13 acres, and amend certain conditions of approval.

II. SITE DATA

Existing Use: Multiple Use (Commercial and Residential)

Parcel Size: Overall 466.3 acres (3.89 acres of Tract W-3 and 8.59 acres of Tract W-5)

Land Use: Regional Commercial/Large Scale Multiple Use

Zoning District: Multiple Use Planned Development (MUPD) / Planned Unit Development (PUD)

Location: The Wellington Green project is located at the southwest corner of Forest Hill Boulevard and State Road 7/U.S. 441. Exhibit “A” is a location map of the overall Wellington Green project, indicating the locations of Tract W-3 in MUPD “C” and Tract W-5 in the PUD. The legal description for the wetland (8.59 acres of Tract W-5) is provided in Ordinance No. 2019-08 and the overall project is provided in Resolution No. R2019-46 as attachments.

III. LAND USE AND ZONING

EXISTING LAND USE, FUTURE LAND USE & ZONING (Overall Master Plan)

Dir.	Existing Use	Future Land Use	Zoning District
North	Wellingtons Edge PUD / Wellington Regional Medical Center (WRMC)	Residential “E” / Medical Commercial	Planned Unit Development (PUD) / Medical Commercial Planned Development (MCPD)
South	Castellina PUD / Village Green Center	Residential “C” / Community Commercial	PUD / Community Commercial
East	Olympia PUD	Residential “C”	PUD
West	FPL Transmission Lines / Palm Beach Polo and Country Club	Commercial Recreation / Residential “C”	PUD

EXISTING LAND USE, FUTURE LAND USE & ZONING (Tract W-3)

Dir.	Existing Use	Future Land Use	Zoning District
North	Residential (Wellington Edge)	Residential “E”	Agricultural Residential/Planned Unit Development (AR/PUD)
South	Commercial/Retail (MUPD “C”)	Regional Commercial/Large Scale Multiple Use (RC/LSMU)	Multiple Use Planned Development (MUPD)
East	Commercial/Retail (MUPD “C”)	RC/LSMU	MUPD
West	Commercial/Retail (MUPD “B”)	RC/LSMU	MUPD

EXISTING LAND USE, FUTURE LAND USE & ZONING (Tract W-5)

Dir.	Existing Use	Future Land Use	Zoning District
North	Residential (PUD Pod “C” / Axis Apartments)	RC/LSMU	Wellington Green Planned Unit Development (PUD)
South	Congregate Living Facility (PUD Pod “A”)	RC/LSMU	Wellington Green Planned Unit Development (PUD)
East	Commercial/Retail (MUPD “G” – Mall at Wellington Green)	RC/LSMU	MUPD
West	Residential (PUD Pod “B” - The Estates)	Residential “F”	Wellington Green Planned Unit Development (PUD)

IV. SITE HISTORY

On August 26, 1996, the Wellington Green Development of Regional Impact (DRI) was approved by Palm Beach County Board of County Commissioners (BCC). This approval involved three separate resolutions: (1) Resolution Number R96-1193 to approve a Future Land Use Map designation of Large Scale Multiple Use (LSMU); (2) Resolution Number R96-1194 to approve seven (7) Multiple Use Planned Developments (MUPD) and one Planned Unit Development (PUD) Zoning designation for the internal portions of DRI property; and (3) Resolution Number R96-1195 to approve the overall DRI with conditions. Since 1996, various portions of these resolutions have been amended.

A Public Facilities Agreement (PFA) for the construction of the mall was adopted by Palm Beach County on August 26, 1996 and amended on April 15, 1997. The PFA provided for construction of certain roadway links, intersection improvements and outlined construction phasing based upon traffic performance standards. On September 24, 1997, the County's Development Review Committee (DRC) certified the Wellington Green Preliminary Development Plan and on May 27, 1998 the same body certified the final site plan for the entire 466.3 acre parcel. On December 2, 1999, the last Development Order Amendment adopted by the County contained conditions of approval for development of the subject property and divided the previous DRI conditions into Regional Conditions (RC) and Local Conditions (LC) of approval as adopted by PBC Resolution Number R99-2268. Wellington became the local government with jurisdiction over the Wellington Green DRI, when it was annexed into the Village, on January 1, 2000.

The approved Wellington Green project consists of seven (7) MUPD's and one (1) PUD. The six (6) perimeter MUPD's (A-F) and the central mall (G) were approved for a variety of commercial, retail, hotel, office and personal service uses. The overall Master Plan also contains four (4) wetland preserve areas, noted as Tracts W-5 (a 17.6 acre tract located in the PUD, and the subject of the proposed Future Land Use map amendment); W-1A (a 3.8 acre parcel located between MUPD "D" and MUPD "E" along the west side of State Road 7 and also adjacent to a 1.8 acre drainage lake); W-2 (a 0.77 acre parcel located on the south side of Forest Hill Blvd and contained within MUPD "D;" W-3 (a 3.89 acre parcel that is the subject of the Wellington Green Master Plan Amendment as a part of this application). There was another small (0.9 acre) low quality wetland preserve area (Tract W-4) that was eliminated as a part of the development of MUPD "F" in 2008. It should be noted that only one (1) of these preserve areas was designated as Conservation on the Future Land Use Map of the Wellington Comprehensive Plan (Tract W-5).

The PUD portion consists of 224.85 acres, with three residential pods (A, B & C) and a variety of features including water management areas, wetland preserves and a small endangered fern preserve.

Pod "A" consists of approximately 46.1 acres and is approved for the 630 units, known as NuVista/Devonshire Congregate Living Facilities. Pod "B" consists of 26.0 acres and is the existing 400 unit Estates at Wellington Green apartment complex. Pod "C" consists of 17.6 acres with the 273 unit Axis (F.K.A. Camden Court) apartment complex (Resolution No. R2011-41). The subject 17.6 acre Conservation area (Tract W-5) is not within a POD but is adjacent to all three (3).

Since the initial approval of the DRI, a number of changes to the overall master plan and to specific conditions of approval have been approved by both Palm Beach County and Wellington. In September 2005, Wellington Council approved Resolution No. R2005-125 to modify and delete

conditions for Pod “A” and Resolution No. R2005–126 to consolidate all conditions of approval for the DRI into a single document. In January 2008, Council approved Resolution No. R2008–03 to add a new point of ingress/egress for MUPD “D” to Forest Hill Boulevard. On August 12, 2008 Council approved Resolution No. R2008–70 to remove a small wetland preserve and provide additional access points for MUPD “F,” amend the location of the lake on POD “A” (NuVista/Devonshire CLF) and modify the Local Conditions of the DRI related to the Wellington Green Master Sign Plan. On June 9, 2015 Council approved Resolution No. R2015–31 to allow an additional Conditional Use for an indoor movie theater in MUPD “G” (Mall at Wellington Green). Most recently (March 28, 2017). Resolution No. R2017-10 was approved to allow an additional Conditional Use for a 125-room hotel in MUPD “B,” remove satisfied Regional Conditions (RC) and consolidate all Local Conditions (LC) for the Wellington Green project to be regulated as a local development order (Master Plan).

The Wellington Green DRI sunset on December 31, 2016. As a result, Wellington is now able to review and approve all local development orders for the Wellington Green project, including this Master Plan Amendment, without the requirement for review by the Treasure Coast Regional Planning Council (TCRPC) or the Florida Department of Economic Opportunity (DEO) as regulated by Florida Statutes Ch. 380.

V. STAFF ANALYSIS

Below are staff findings for the Comprehensive Plan Amendment and Master Plan Amendment petitions, which require Council approval of the petitioner request.

1. Comprehensive Plan Amendment (CPA)

The petitioner is requesting a Comprehensive Plan Amendment (CPA) to change the Future Land Use Map designation for an 8.59 acre portion of Wellington Green Tract W-5 (17.62 acres) from Conservation to Regional Commercial/Large Scale Multiple Use (RC/LSMU). The approved Wellington Green Master Plan designates Tract W-5 as wetland preserve. The current designation of Tract W-5 indicates the allowed uses include wildlife management, passive recreation, and environmental restoration/preservation. The Wellington Green Plat indicates Tracts W-3 and W-5 is for conservation and common area, and is the maintenance obligation of the Wellington Green Master Property Owners Association, Inc. Exhibit “B” is the association approval of the proposed change of Tracts W-3 and W-5.

The request is to convert 8.59 acres of Tract W-5 as illustrated below, for the development of 185 multi-family residential units for Pod “C” in the PUD of the Wellington Green project. This will allow the expansion of the approved 273 unit multi-family residential development known as Axis Luxury Apartments (Pod C). The Wellington Green Master Plan was approved with an underlying designation of Residential High (RH) for 50 acres of the project’s PUD Pods. Per LDR Section 6.2.8, the RH district is consistent with the Residential “H” Future Land Use Map designation which allows a maximum residential density of 22 du/ac. This amendment will allow a proposed density of 17.46 du/ac for Pod “C” which will not exceed the approved master plan allowed density of RH (22 du/ac) and is comparable to the surrounding density of Pod “A” CLF at 15.74 du/ac and Pod “B” multi-family at 15.40 du/ac. The petitioner has provided a Market Study indicating a demand for an additional 2,472 multi-family rental units in this area, which will require approximately 247 units per year over the next 10 years as outlined in the Summary on Page 3 (Exhibit C) of the report.



As illustrated above a total of 9.03 acres of Tract W-5 is proposed to remain as Conservation/wetland and will be enhanced to ensure the quality and viability of the existing wetlands. Tract W-5 is a privately owned wetland area that has poor to fair ecological conditions. As part of the original permitting of the overall Wellington Green project, including Tracts W-3 and W-5, South Florida Water Management District (SFWMD) staff indicated the on-site wetland may not be viable and concerns of on-site mitigation because of the depressed water table and impacts due to wellfield withdrawals. The petitioner has submitted to SFWMD and U.S. Army Corps of Engineers (USACE) an application/environmental report (Exhibit D) to amend the permits for W-5. The permit amendment for Tract W-5 includes the removal of 8.59 acres. The remaining 9.03 acres of wetland is proposed to include removing exotic vegetation, enhancing the preserve with native vegetation/tree replanting, and enhancing the hydrologic regime to increase the overall quality. Additionally, to mitigate the loss of wetland area, the petitioner will be purchasing off-site mitigation bank credits and the mitigation bank will be determined prior to issuance of the SFWMD/USACE permit(s) for the proposed amendment. Although W-3 is not part of the Comprehensive Plan Amendment, it will be part of the permit modification. Staff is recommending that if the proposed Comprehensive Plan and Master Plan amendments are approved, a master plan condition of approval that requires the SFWMD/USACE permit(s) be approved prior to the site plan for Tracts W-3 and W-5.

The following are objective/policies of Wellington's Comprehensive Plan.

- **Land Use Element Objective 1.1** *Maintain the density and intensity of the land uses in the community as reflected on Wellington's Future Land Use Map. Wellington shall develop criteria that shall be included in the Land Development Regulations for evaluating changes to the Future Land Use Map. At a minimum Wellington shall consider the need for the revised land use based on changed circumstances or demonstration of need, environmental suitability, infrastructure capacity, compatibility with surrounding land uses and consistency with the other Goals, Objectives and Policies of this plan. Such changes may only be effected by the affirmative vote of not less than four of the members of the Wellington Council.*

Wellington has developed the criteria contemplated by this Objective, including but not limited to, compatibility analysis, water and sewer demand analysis and traffic analysis. Market studies are also required to document changed circumstances and need, in addition to the evaluation criteria required by the State in Chapter 163 of Statutes. The applicant has submitted all required analysis and provided documentation that sufficient capacities exist in all areas to justify the proposed amendment, including market demand. Since this application would result in an increase in density/intensity, final approval by Village Council will require four (4) positive votes.

- ***Land Use Element Objective 1.2*** *Direct future growth into areas served by urban services that have adequate capacity, as defined by Wellington's adopted level of service standards, which shall be incorporated into Wellington's Land Development Regulations and ensure that this growth is of a quality equal to or better than the existing community, discourages urban sprawl, protects environmental and archeological resources, ensures the availability of suitable land for required utility services and the density and intensity are consistent with the other Goals, Objectives and Policies contained in this plan.*

The proposed amendment will allow additional multi-family residential for further development of Pod "C" of the PUD. The residential project will have a density of 17.46 du/ac which will maintain the approved Wellington Green Master Plan PUD density of 22 du/ac. This is consistent with the Residential "H" future land use map designation. This development will ensure growth is in an already developed urban service with adequate capacity and will discourage sprawl. Staff believes that a finding could be made that the application(s) are consistent with this Objective.

Land Use Element Objective 1.4 *Wellington shall develop Land Development Regulations that require future residential development shall be based on demonstrated needs for the intended housing type, be consistent and compatible with surrounding development patterns and be aesthetically compatible with existing and future development. This objective has been implemented.*

Wellington has completed a housing analysis that demonstrates a current and future demand for additional housing of the type proposed by this application. The applicant's submitted market analysis that projects Wellington's population will continue to grow as demonstrated in the submitted residential demand report which indicates an additional 2,472 multi-family rental units will be needed over the next 10 years is not inconsistent with our own analysis.

- ***Land Use Element Objective 1.5*** *Requires that Wellington adopt Land Development Regulations that encourage the use of innovative planning and development strategies such as Cluster Development, Planned Unit Developments, Traditional Neighborhood Developments, Economic Activity Centers, and Large Scale Mixed Use Developments which provide flexibility in design, a variety of housing types, an integration of uses, a balancing of land uses within the community and an efficient use of resources and facilities. Land Development Regulations have been adopted for planned unit developments and for mixed use developments.*

The overall Wellington Green development is consistent with this Objective and the proposed amendment(s) would not depart or detract from compliance with this Objective

- **Transportation Element Policy 1.1.2** *Wellington shall review all proposed developments and issue development orders only when it finds that a proposed development will not cause roadway levels of service to fall below the above Policy 1.1.1 standards or cause further degradation of service if conditions at the time of the review indicate that standards are already below the above standards.*

A traffic analysis has been submitted and has been determined to demonstrate compliance with this Policy. Traffic generated by this amendment will not increase the approved level of traffic generation already approved for the Mall.

- **Housing Element Policy 1.9.1** *Wellington shall continue to promote new housing development and redevelopment that utilizes compact building design principles, promotes pedestrian activity and support multi-modal transportation options by ensuring land use and zoning categories permit such development.*

Staff believes that the application(s) are consistent with this policy.

- **Housing Element Policy 1.9.3** *Wellington shall continue to encourage mixed-use development and concentrations of higher residential densities along major transportation corridors and nodes by adoption of mixed use land development regulations.*

Staff believes that the application(s) are consistent with this policy.

- **Conservation Element Policy 1.2.2** *Wellington shall continue to ensure, through its development review process, that property owners are notified of all nationally and locally adopted wetland regulations and the concept of “no net loss of wetlands” and with preservation of the natural functions of wetlands.*

Staff has ensured the development review process was properly followed. Mailings were sent out to adjacent property owners. The required legal ads were published in the Palm Beach Post. Permit modifications have been submitted to the jurisdictional agencies for review. If this amendment and the SFWMD/USACE permit amendments are approved, the petitioner indicated mitigation credits will be paid to the Loxahatchee Mitigation Bank.

The Comprehensive Plan Amendment (CPA) petition will be processed in accordance with Section 163.3184 of the Florida Statutes regarding processing of amended comprehensive plans and comprehensive plan text amendments.

2. Master Plan Amendment (MPA)

The petitioner is seeking a supportive Master Plan Amendment (MPA) to remove the wetland preserve designation from Tract W-3 (3.89 acre) to allow 10,363 square feet of retail and a 1.63 acre water management tract within Wellington Green MUPD “C,” amend a portion of Tract W-5 (17.62 acre) to allow 185 multi-family residential units within Pod “C” of the Wellington Green PUD, and reduce the overall wetland acreage from 23 to 13 acres. This request will require the amendment of certain conditions of approval of the Wellington Green Master Plan approved by Resolution No. R2017-10. This request was reviewed for consistency with Wellington’s

Comprehensive Plan, Land Development Regulations (LDR) and the current approved Wellington Green Development Order.

The Wellington Green project was approved with a condition requiring the developer to preserve and maintain a minimum 23 acres of wetland preserve areas. The wetland preserve areas are currently in the four (4) locations as illustrated below.



Specifically, the request is to remove the wetland designation from the 3.89 acre Tract W-3 and a 8.59 acre portion of Tract W-5. Tract W-3 is located along Forest Hill Boulevard within MUPD “C” of the Wellington Green project, with a FLUM designation of Regional Commercial/Large Scale Multiple Use (RC/LSMU) and a Zoning designation of Multiple Use Planned Development (MUPD). Approval of the request will not require a change in the current land use or zoning of Tract W-3. The change will allow the development of 10,363 square feet restaurant with required parking and 1.63 acre water management tract, which will include wetland plantings. The SFWMD and U.S. Army Corps of Engineers (USACE) application/environmental report to amend the permits for Tract W-3 is attached as Exhibit “E.” The proposed removal of wetland vegetation in Tract W-3 will allow for visibility of the existing in-line building within MUPD “C,” that still has about 40,000 square feet of tenant space vacant since around 2009. Exhibit “F” is the proposed commercial conceptual site plan.

Tract W-5 is located internal to the Wellington Green project within the PUD section. This wetland is surrounded by multi-family residential/CLF (PUD Pods A, B, and C) and the mall in MUPD “G.” As indicated previously the requested modification to Tract W-5 will require a land use change approved by Council. The petitioner is proposing to expand the approved 273 unit multi-family development (Axis) in Pod “C” of the PUD. The proposed 185 unit will have access through the existing Axis development. A pedestrian connection is proposed to the approved crosswalk along

the Ring Road to the Palm Tran bus stop and mall in MUPD “G.” Staff is recommending that if this request is granted, a condition of approval that requires this approved crosswalk be enhanced with flashing LED crosswalk signs and in-pavement flashing marker lights. This will help ensure the safety of pedestrians crossing at the approved midblock crosswalk along the mall heavy traffic Ring Road. The proposed residential development will be within the southern portion of Tract W-5 as illustrated on the conceptual site plan (Exhibit G).

Staff is recommending non-substantive amendments to the Wellington Green Master Plan that are in addition to the petitioner requested changes, if this application is approved. These are previously approved amendments currently not illustrated on the master plan and are summarized below.

- Revise PUD Pod “A” to reflect updated lake configurations and water management tract and lake surface areas approved under Site Plan Amendment Petition Number 18-66 (2018-25 ASA 58) and revise tabular site data for the same.
- Indicate Enhanced Pedestrian Crosswalk approved under Site Plan Amendment Petition Number 18-66 (2018-25 ASA 58).
- Revise MUPD “A” square footage to indicate approved square footage total (Petition No. 16-168 (2016-67 ASA 55)).
- Revise MUPD “B” square footage to indicate approved square footage total as well as approved Conditional Use for 107 room hotel (Petition Number 18-95 (2018-38 ASA 58)).
- Revise MUPD “B” to reflect removal of 2.0ac civic parcel and revise tabular site data for the same per Resolution 2017-10/ Petition 2017-09.
- Revise MUPD “B,” Tract “B” area to include area of civic parcel and revise tabular site data for the same per Resolution 2017-10/ Petition 2017-09.
- Remove the Village of Wellington 10 ac Active Park from Wellington Green Land Use Acreage chart in Tabular Site Data.

Exhibit “H” is the proposed Wellington Green Master Plan with all the amendments illustrated. The Wellington Green Master Sign Plan was also updated to illustrate ARB approvals.

The proposed Master Plan Amendment request was reviewed for compliance with the following:

- A. Consistency with Comprehensive Plan:** If the requested land use change is approved this Master Plan Amendment will be consistent with the Comprehensive Plan
- B. Conformity with Zoning Standards:** This amendment was reviewed by staff for compliance with all relevant and appropriate portions of the LDR. The submitted conceptual site plans for the commercial and residential development were also reviewed for conformity with the zoning standards and are in compliance. A formal site plan submittal will be require for review of consistency with building height, setbacks, parking, landscaping, etc. The proposed building will be reviewed for compatibility with the architectural character and scale of the existing surrounding buildings and will be required to provide increased minimum height standards for the landscape as needed to minimize visual impact.
- C. Compatibility with Surrounding Land Uses:** The proposed commercial and residential in-fill developments are surrounded by similar commercial buildings, hotels and multi-family

buildings. The surrounding uses are buffered with existing landscaping and additional buffer will be provided with the proposed development. As this is an in-fill development it's anticipated to have minimal impact on the surrounding land uses outside of the overall Wellington Green project.

D. Environmental Resources: This wetland is privately owned and the owner is allowed to request the proposed change. Per the petitioner and provided environmental report the existing wetlands have deteriorated due to the bifurcation and urbanization of the surrounding area. The petitioner is proposing to regrade, refurbish, enhance and buffer the remaining portion of the wetland which will increase the quality and help minimize the impact of loss in wetland area. The petitioner is required to obtain all necessary permit(s) from all agencies with wetland jurisdiction prior to site plan approval of the proposed commercial and residential developments.

E. Adequacy of Public Services – The developed Wellington Green project is within the Urban Service Area with water and sewer available for connection in the surrounding area. The on-site water and sewer systems are adequate to serve the proposed uses per Wellington's Utility Department. Palm Beach County Fire Department will be able to serve the site since a station is located less than a mile away on Stribling Way.

The submitted traffic statement demonstrated the existing development and proposed commercial and residential developments total 4,244 PM peak trips. This is in compliance with the approved Wellington Green Development Order vested 4,296 PM peak hour trips and Wellington Traffic Performance Standards as indicated in Wellington's Traffic Consultant letter attached as Exhibit "I."

The petitioner's justification statement for the Comprehensive Plan Amendment 19-008 (2019-005 CPA 3 is attached as Exhibit "J" and Master Plan Amendment 19 – 009 (2019 – 006 MPA 7) as Exhibit "K." Staff notes the complete submitted Wellington Green applications are available for review at the Planning and Zoning Division office.

VI. PUBLIC NOTIFICATION / COMMENTS

As required by the Land Development Regulations and Florida Statutes, public notifications were placed in the Palm Beach Post, mailings were sent to surrounding property owners within 500 feet and the property was posted. All notices advised the public that a hearing on the proposed ordinance/resolution would take place on as noted below:

Planning, Zoning and Adjustment Board Meeting

Mailings/Newspaper/Posted Signs: July 30, 2019

Meeting Date: August 14, 2019

Staff received comments regarding the proposed petitions from the general public as provided in Exhibit "L" as of July 31, 2019 when the staff report was published.

VII. DEVELOPMENT REVIEW

The Wellington Green Comprehensive Plan Amendment 19-008 (2019-005 CPA 3) and Master Plan Amendment 19 – 009 (2019 – 006 MPA 7) petitions were certified for the public hearing process by the project's Development Review Manager as of July 11, 2019.

VIII. PLANNING, ZONING AND ADJUSTMENT BOARD

The petitions are scheduled for the Planning, Zoning and Adjustment Board (PZAB) meeting on August 14, 2019 at 7:00 p.m.

IX. COUNCIL

The first reading of Comprehensive Plan Amendment petition is tentatively scheduled for the Village Council meeting on September 10, 2019 at 7:00 p.m.

X. SUMMARY

The petitioner is requesting approval of:

- 1.) **Comprehensive Plan Amendment 19-008 (2019-005 CPA 3):** To change the Future Land Use Map designation for a portion of Wellington Green Tract W-5 from Conservation to Regional Commercial/Large Scale Multiple Use (RC/LSMU); and
- 2.) **Master Plan Amendment 19 – 009 (2019 – 006 MPA 7):** To remove the wetland preserve Master Plan designation from Tract W-3 (3.89 acre) to allow 10,363 square feet of retail and a 1.63 acre water management tract within Wellington Green MUPD “C,” amend an 8.59 acre portion of the wetland preserve, known as Tract W-5 (17.62 acre), to allow 185 multi-family residential units within Pod C of the Wellington Green PUD, reduce the overall wetland acreage from 23 to 13 acres, and amend certain conditions of approval;

for the 466.3 acre parcel known as Wellington Green, located at the southwest corner of Forest Hill Boulevard and State Road 7/U.S. 441, as described in Ordinance No. 2019-08 and Resolution No. R2019-46.

The decision to approve or not approve these applications is a difficult one, because there are legitimate reasons and justification on both sides of the argument. The applicant has presented sufficient justification to warrant approval. The wetland preserves in question are not functioning as viable wetlands due to numerous factors, including the fact that they are small and have been completely surrounded by urbanized development. The controlled elevation of the surrounding water management system is lower than the ground elevation of the preserves. The commonly accepted solution for circumstances like this is off-site mitigation, which has been recommended by the staff of the South Florida Water Management District. In fact, it is our understanding that such was their recommendation when the mall project was originally permitted. The property owner is proposing to maintain a portion of both sites as wetland areas, albeit the site on Forest Hill Boulevard will be transformed in nature and character.

We also believe that creating additional housing within the Wellington Green project will be beneficial in bringing additional market to the mall area that will support the businesses and other uses that already exist. On the other hand, there is significant opposition to the applications, arguing that in spite of the size and quality of the preserve areas in question, the original developer of the project agreed to set them aside and maintain them; to continue to provide habitat for the creatures that live in them, to provide aesthetically pleasing breaks in development, and to keep Wellington's green character intact. Both sides of the argument are compelling.

If Council grants approval of the applicant's requests, staff has provided recommended conditions as part of Resolution No. R2019-46. *{Note regarding formatting: underline = added; strikethrough = deleted}*

List of Exhibits

Exhibit "A"	Location Map
Exhibit "B"	Wellington Green Master Property Owners Association Approval
Exhibit "C"	Market Study Summary Page 3
Exhibit "D"	Tract W-5 Environmental Report / Permit Amendment
Exhibit "E"	Tract W-3 Environmental Report / Permit Amendment
Exhibit "F"	Commercial Conceptual Site Plan
Exhibit "G"	Residential Conceptual Site Plan
Exhibit "H"	Proposed Wellington Green Master Plan
Exhibit "I"	Wellington Traffic Consultant's Letters
Exhibit "J"	Petitioner Comprehensive Plan Amendment Justification Statement
Exhibit "K"	Petitioner Master Plan Amendment Justification Statement
Exhibit "L"	Public Comments