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RESOLUTION NO. R2019-025

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A MASTER PLAN AMENDMENT [PETITION NUMBER 19-004 (2019-003 MPA 1)] AMENDING THE WELLINGTON PLANNED UNIT DEVELOPMENT (PUD) FOR CERTAIN PROPERTY KNOWN AS THE PLAYERS CLUB (F.K.A. EQUESTRIAN POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON), TOTALING 5.58 ACRES, MORE OR LESS, APPROXIMATELY LOCATED ON THE SOUTHWEST CORNER OF SOUTH SHORE BOULEVARD AND GREENVIEW SHORES BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO MODIFY THE MASTER PLAN DESIGNATION OF POD 30C FROM TENNIS POLO FACILITY TO MULTI-FAMILY; TO MODIFY THE ACREAGE OF POD 30C FROM 8.3 ACRES TO 5.58 ACRES; TO ALLOCATE 50 DWELLING UNITS TO POD 30C; TO ADD TWO (2) ACCESS POINTS ALONG SOUTH SHORE BOULEVARD; TO ALLOW FOR INCREASED BUILDING HEIGHT FOR THE PROPERTY; 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;

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

WHEREAS, the Master Plan Amendment was reviewed and certified by the Development Review Manager;

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on August 14, 2019, recommended approval of the Master Plan Amendment with a 6-1 vote;

WHEREAS, the Council has taken the recommendations from the Local Planning Agency, 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 consistent with the purposes, goals, objectives and policies of the Comprehensive Plan;

2. The subject request is consistent with the stated purposes and intent of the Land Development Regulations;
3. The requested Master Plan Amendment is consistent with the surrounding Land Uses and Zoning Districts;
4. No adverse impacts to the natural environment are expected to occur as a result of the approval of the request; and
5. The requested Master Plan Amendment will result in a logical and orderly development pattern;

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

SECTION 1: The Landings of Wellington PUD Master Plan Amendment (Exhibit B) is hereby APPROVED for the property described in Exhibit A, providing for the following:

1. To modify the Master Plan designation of Pod 30C from Tennis and Polo Facility to Multifamily.
2. To modify the acreage of Pod 30C from 8.3 acres to 5.58 acres.
3. To allocate 50 dwelling units to Pod 30C.
4. To add two (2) access points along South Shore Boulevard.

SECTION 2: The foregoing recitals are hereby affirmed and ratified subject to the following conditions:

1. All previous conditions of the Wellington PUD, unless otherwise specified in this resolution, are still in effect. (PLANNING AND ZONING)
2. Approval is based on the Master Plan dated stamped April 15, 2019. (PLANNING AND ZONING)
3. The project shall be required to be re-platted. The re-plat application shall be submitted within 60 business days of the Master Plan approval granted by Village Council and be recorded prior to the issuance of the first building permit. (ENGINEERING)
4. The developer shall be required to provide the land dedication for parks and recreation facilities as well as civic facilities pursuant to the Land Development Regulations. The land dedication required for parks and recreation is 0.75 acres (32,670 square feet). The civic dedication is 0.15 acres (6,534 square feet). In lieu

of dedication the developer may pay a fee equal to \$37,500.00 for parks and recreation and \$7,500.00 for civic dedications. A 10% credit may be available for passive recreational area if they are dedicated for public use. These fees shall be paid in full prior to the issuance of the first building permit. (PLANNING AND ZONING)

5. In order to address the school capacity deficiency generated by this proposed development at the District high school level, the property owner shall contribute \$128,610.00, or as determined by the District, to the School District of Palm Beach County prior to issuance of first building permit. (PBC SCHOOL BOARD)
6. A 25-foot wide Right-of-Way Landscape Buffer and Easement shall be required along the property line adjacent to South Shore Boulevard. (PLANNING AND ZONING)
7. A 20-foot wide Incompatibility Landscape Buffer and Easement shall be provided along the property line adjacent to Commercial Recreation Future Land Use Map designation. (PLANNING AND ZONING)
8. A 5-foot wide Compatibility Landscape Buffer and Easement shall be provided along the property line adjacent to Residential D Future Land Use Map designation. (PLANNING AND ZONING)
9. The developer shall be required to take measures to ensure that during site development dust/debris particles from the development do not become a nuisance to the neighboring properties. (PLANNING AND ZONING/ENGINEERING)
10. All gates shall be approved for emergency vehicle access with universal remote type to be approved by all emergency agencies, including but not limited to Palm Beach County Fire and the Palm Beach County Sheriff. (ENGINEERING)
11. In order to comply with the Mandatory Traffic Performance Standards in place at the time of this approval, no building permits for the development shall be issued after December 31, 2023. A time extension for this condition may be approved based on a Traffic Study which complies with the Mandatory Traffic Performance Standards in place at the time of the request. (TRAFFIC)
12. Prior to the first building permit for vertical construction, the Applicant shall obtain permits for any roadway and/or signal modification plans from the Village of Wellington and/or Palm Beach County Engineering Department for the modifications to the south approach of the Greenvue Shores Boulevard/South Shore Boulevard intersection. Any signal modifications required to accommodate these changes, as well as modifications to other approaches and medians will also be the responsibility of the property owner, including but not limited to design plans, any required utility locations, right-of-way or easement acquisition, etc. (TRAFFIC)

140 13. Prior to the issuance of a Certificate of Occupancy for the project, the Applicant
141 shall complete construction of the necessary improvements for the modifications
142 to the south approach of the Greenview Shore Boulevard / South Shore Boulevard
143 intersection. (TRAFFIC)
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145 **SECTION 3:** The Players Club Residences has met the criteria for increased building
146 height set forth in Section 6.5.8.C.3 of Wellington's Land Development Regulations
147 (LDR) for a maximum building height not to exceed 55 feet. The project has also
148 incorporated the following voluntary design criteria for an additional 15% in height for
149 the mechanical equipment and common use areas as set forth in Section 6.5.8.C.3.d
150 of the LDR:
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- 152 1. A parking structure that results in reduced paved parking areas and additional
153 open green space;
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- 155 2. Provide on-site amenities such as outdoor recreation, benches, civic spaces,
156 and/or focal points; and
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- 158 3. Landscape enhancements that exceed Article 7 of the LDR and the additional
159 criteria as listed in Sec.6.5.8.C.3.e.
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161 **SECTION 4:** This Resolution shall become effective upon the approval of the
162 companion Comprehensive Plan Future Land Use Map Amendment (Ordinance No.
163 2019-07) application.
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PASSED AND ADOPTED this ____ day of _____, 2019.

WELLINGTON

BY: _____
Anne Gerwig, Mayor

ATTEST:

BY: _____
Chevelle D. Nubin, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney

Exhibit A
Legal Descriptions

All that part of Parcel "A" of **EQUESTRIAN / POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON - P.U.D.**, according to the Plat thereof, as recorded in Plat Book 35, Page 187, of the Public Records of Palm Beach County, Florida; being more particularly described as follows:

COMMENCING at the most Northerly corner of said Parcel "A", said corner being on the Southerly right-of-way line of South Shore Boulevard as show on the Plat of **GREENVIEW SHORES NO. 2 OF WELLINGTON - P.U.D.**, according to the Plat thereof, as recorded in Plat Book 31, Page 120, of the Public Records of Palm Beach County, Florida:

Thence bear South 34 degrees 14 minutes 36 seconds East, along the Easterly line of said Parcel "A" distance of 110.55 feet; thence South, continuing along said Easterly line, a distance of 125.77 feet to the **POINT OF BEGINNING**; thence continue South, along said Easterly line, a distance of 158.53 feet: thence South 38 degrees 53 minutes 04 seconds East, continuing along said Easterly line, a distance of 98.38 feet; thence South 51 degrees 06 minutes 56 seconds West, along a line 20.00 feet Northwesterly from and parallel with the Southeasterly line of said Parcel "A", a distance of 155.00 feet; thence North 75 degrees 45 minutes 16 seconds West, a distance of 36.25 feet: thence South 51 degrees 06 minutes 56 seconds West, a distance of 62.25 feet; thence North 38 degrees 53 minutes 04 seconds West, a distance of 478.64 feet to the **POINT OF BEGINNING**.

AND

All that part of Parcel "A" of **EQUESTRIAN / POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON - P.U.D.**, according to the Plat thereof, as recorded in Plat Book 35, Page 187, of the Public Records of Palm Beach County, Florida; being more particularly described as follows:

BEGINNING at the most Northerly corner of said Parcel "A", said corner being on the Southerly right-of-way line of South Shore Boulevard as show on the Plat of **GREENVIEW SHORES NO. 2 OF WELLINGTON - P.U.D.**, according to the Plat thereof, as recorded in Plat Book 31, Page 120 Through 136, of the Public Records of Palm Beach County, Florida: Thence bear South 34 degrees 14 minutes 36 seconds East, along the Easterly line of said Parcel "A" distance of 110.55 feet; thence South, continuing along said Easterly line, a distance of 125.77 feet; Thence South 51 degrees 30 minutes 00 seconds West, a distance of 478.64 feet; A Thence West, a distance of 15.00 feet; Thence North 38 degrees 53 minutes 04 seconds West, a distance of 12.00 feet to the point of curvature of a curve to the left having a radius of 5.00 feet; thence Northwesterly, Westerly and Southwesterly, along the arc of said curve, through a central angle of 90 degrees 00 minutes 00 seconds, a distance of 7.85 feet to the **POINT OF TANGENCY**; thence South

51 degrees 06 minutes 56 seconds West, a distance of 15 feet; thence North 36 degrees 53 minutes 04 seconds West, a distance of 100.22 feet to an intersection with the Southerly right-of-way line of said South Shore Boulevard; being a curve concave to the Southeast having a radius of 1440.00 feet; thence Northeasterly, along the arc of said curve and along said Southerly right-of-way line, through a central angle of 24 degrees 11 minutes 04 seconds, a distance of 607.82 feet to the **POINT OF BEGINNING**.

AND

A parcel of land in the unplatted portion of Section 16, Township 44 South, Range 41 East, Palm Beach County, Florida, lying Southeasterly of and contiguous to Parcel "A" of **EQUESTRIAN POLO / VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P. U. D.**, according to the plat thereof, recorded Plat Book 35, Page 187, Palm Beach County, Florida, Public Records; said parcel being more particularly described as follows:

COMMENCING at the most Northerly corner of said Parcel "A"; said corner being on the Southerly right of way line of South Shore Blvd., shown on the plat of **GREENVIEW SHORES NO. 2 OF WELLINGTON P.U.D.**, according to the plat thereof, as recorded in Plat Book 31, Page 120, of the Public Records of Palm Beach County, Florida; thence South 34 degrees 14 minutes 36 seconds East, along the Easterly line of said Parcel "A", a distance of 110.55 feet; thence South, continuing along said Easterly Line, a distance of 284.30 feet; thence South 38 degrees 53 minutes of seconds East, continuing along said Easterly Line, a distance of 98.38 feet to the **POINT OF BEGINNING**; thence South 51 degrees 06 minutes 56 seconds West, along the line 20.00 feet North and parallel to the Southeasterly line of said Parcel "A", a distance of 155.00 feet; thence North 75 degrees 45 minutes 16 seconds West, a distance of 36.25 feet; thence South 51 degrees 06 minutes 56 seconds West, a distance of 62.25 feet; thence North 38 degrees 53 minutes 04 seconds West; a distance of 83.00 feet; thence due West a distance of 195.00 feet; thence North 38 degrees 53 minutes 04 seconds West, a distance of 12.00 feet to the point of curvature of a curve to the left having a radius of 5 feet; thence Northwesterly, Westerly and Southwesterly, along the arc of said curve, through a central angle of 90 degrees 00 minutes 00 seconds, a distance of 7.85 feet to the **POINT OF TANGENCY**; thence South 51 degrees 06 minutes 56 seconds West, a distance of 15 feet; thence North 38 degrees 53 minutes 04 seconds West, a distance of 100.22 feet to a point of non-radial intersection with the Southerly right -of-way line of said South Shore Boulevard; being a curve concave to the Southeast having a radius of 1440.00 feet; said point bears North 58 degrees 15 minutes 40 seconds West from the radius point of said curve; thence Southwesterly along the arc of said curve and along said right-of-way line, through a central angle of 10 degrees 13 minutes 51 seconds, a distance of 257.13 feet to a point on said curve; said point bears North 68 degrees 39 minutes 31 seconds West from the radius point of said curve; thence due East along the Southerly line of said Parcel "A", a distance of 398.12; thence due North a distance of 70.00 feet; thence due East along the Southerly line of said Parcel "A", a distance of 110.00 feet; thence North 51 degrees 06 minutes 56 seconds East along the Southeasterly line of said Parcel "A", a distance of

204.71 feet; thence North 38 degrees 53 minutes 04 seconds West along the Easterly line of said Parcel "A", a distance of 20.00 feet to the **POINT OF BEGINNING**.

AND

A parcel of land in the unplatted portion of Section 16, Township 44 South. Range 41 East, Palm Beach County, Florida, lying Southeasterly of and contiguous to Parcel "A" of **EQUESTRIAN POLO / VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P. U. D.**, according to the plat thereof, recorded Plat Book 35, Page 187, Palm Beach County, Florida, Public Records; said parcel being more particularly described as follows:

COMMENCING at the most Northerly corner of said Parcel "A"; said corner being on the Southerly right of way line of South Shore Blvd., shown on the plat of **GREENVIEW SHORES NO. 2 OF WELLINGTON P.U.D.**, according to the plat thereof, as recorded in Plat Book 31, Page 120, of the Public Records of Palm Beach County, Florida; thence South 34 degrees 14 minutes 36 seconds East, along the Easterly line of said Parcel "A", a distance of 110.55 feet; thence South, continuing along said Easterly line, a distance of 284.30 feet; thence South 38 degrees 53 minutes of seconds East, continuing along said Easterly line, a distance of 284.30 feet; thence South 38 degrees 53 minutes 04 seconds East, continuing along said Easterly line, a distance of 118.38 feet; thence South 51 degrees 06 minutes 56 seconds West, along the Southeasterly line of said Parcel "A", a distance of 204.71 feet; thence due West, a distance of 68.82 feet to the **POINT OF BEGINNING**; thence continue due West, a distance of 41.18 feet; thence due South, a distance of 67.82 feet to a point of non-radial intersection with a curve concave to the Southeast having a radius of 1080.00 feet; said point bears North 60 degrees 50 minutes 26 seconds West from the radius point of said curve; thence Northeasterly, along the arc of said curve, being also a curve 360.00 feet Southeasterly from and parallel with the said Southerly right-of-way line of South Shore Boulevard, through a central angle of 04 degrees 12 minutes 37 seconds, a distance of 79.36 feet to the **POINT OF BEGINNING**.

AND

ALL that part of Parcel "A" of **EQUESTRIAN/ POLO VILLAGE AND COMPLEX OF PALM BEACH POLO AND COUNTRY CLUB WELLINGTON P.U.D.**, according to the plat thereof, as recorded in Book 35, Page 187, Palm Beach County, Florida, public records, being more particularly described as follows:

COMMENCING at the most Northerly corner of said Parcel "A", said corner being on the Southerly right of way line of South Shore Blvd., as shown on the plat of **GREENVIEW SHORES NO. 2 OF WELLINGTON P.U.D.**, according to the plat thereof, as recorded in Plat Book 31, Pages 120 through 136, Palm Beach County, Florida, Public Records; thence South 34 degrees 14 minutes 36 seconds East, along the Easterly line of said Parcel "A", a distance of 110.55 feet; thence South, continuing along said Easterly line, a distance of 284.30 feet; thence South 38 degrees 53 minutes 04 seconds East, continuing along said Easterly line, a distance of 98.38 feet to the **POINT OF BEGINNING**; thence

346 continue South 38 degrees 53 minutes 04 seconds East, along said Easterly line, a
347 distance of 12.00 feet; thence South 51 degrees 06 minutes 56 seconds West, along a
348 line 8.00 feet Northwesterly from and parallel with the Southeasterly line of said Parcel
349 "A", a distance of 150.00 feet; thence North 38 degrees 53 minutes 04 seconds West, a
350 distance of 12.00 feet; thence North 51 degrees 06 minutes 56 seconds East along a line
351 20.00 feet Northwesterly from and parallel with the Southeasterly line of said Parcel "A"
352 a distance of 150.00 feet to **POINT OF BEGINNING.**
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Exhibit B – Wellington PUD Master Plan Amendment – The Player's Club Residence

