



## Lotis Wellington

## STAFF REPORT

### Petition Number(s)/Types:

2019-0002-CPA / Comprehensive Plan Amendment (CPA)  
2019-0001-REZ / Rezoning (REZ)  
2019-0001-MP / Master Plan (MP)  
2019-0002-CU / Conditional Use (CU)

Ordinance(s): 2020-13 (CPA)  
2020-14 (REZ)

Resolution(s): 2020-48 (MP/CU)

Applicant/Owner: Lotis Wellington, LLC.  
2300 Glades Rd., Suite 202E  
Boca Raton, FL 33431

Agent: Brian Terry/Insite Studio, Inc.  
8144 Okeechobee Blvd, Suite A  
West Palm Beach, FL 33411

Site Address: 1361/1351/1381/1371 State Road 7

### PCN(s):

Parcel 1: 73-42-43-27-05-018-0100 (17.72 acres)  
Parcel 2: 73-42-43-27-05-018-0110 (10.36 acres)  
Parcel 3: 73-42-43-27-05-018-0130 (8.91 acres)  
Parcel 4: 73-42-43-27-05-018-0140 (27.24 acres)

### Future Land Use Designation:

Parcels 1, 3 & 4: Current/Proposed – Mixed Use (MU)  
Parcel 2: Current – PBC Low Residential (LR-2)/Proposed – Mixed Use (MU)

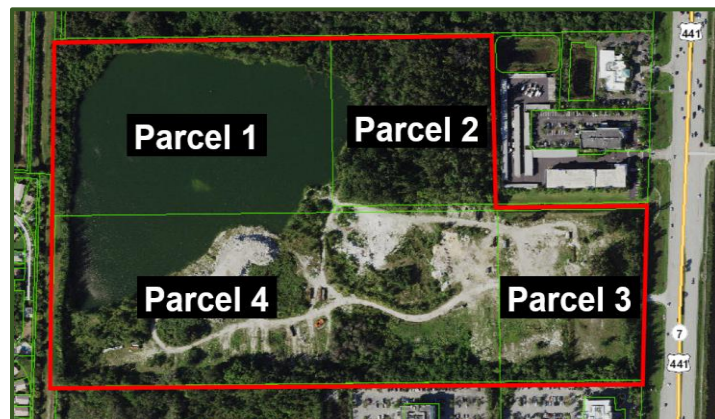
### Zoning Designation:

Parcels 1, 3 & 4: Current/Proposed – Mixed Use  
Parcel 2: Current – PBC Public Ownership (PO) /  
Proposed – Multiple Use Planned Development (MUPD)

Acreage: 64 Acres (+/-)

Request: Amend the land use from Low Residential (LR-2) to Mixed Use and zoning from PBC Public Ownership (PO) to Multiple Use Planned Development (MUPD) for Parcel 2, and approve a mixed-use project for Parcels 1, 2, 3 and 4 with restaurants, retail, financial institution, professional/medical office, multi-family residential dwelling units, Congregate Living Facility (CLF) with independent living units and assisted living beds, daycare facility, and open space inclusive of a lake, cypress preserve, dog park, and greenway with a multi-use pathway open to the public.

### Location Map:



Adjacent Property	FLUM	Zoning
North	PBC Low Residential (LR-2)	PBC Agricultural Residential (AR)
South	Medical Commercial (MC)	Multiple Use Planned Unit Development (MUPD)
East	PBC Commercial (C)	PBC (MUPD) / Commercial High Office (CHO)
West	Res. C (1 - 3 du/ac) / Res. F (8 - 12 du/ac)	Planned Unit Development (PUD)

### Boards, Committees, and Council:

	Notice Date	Meeting Date	Vote
Other	----	----	----
EPC	----	----	----
PZAB	9/30/2020	10/14/2020	Approve 7-0 (All Petitions)
Council (1 <sup>st</sup> )	10/26/2020	11/10/2020	Pending
Council (2 <sup>nd</sup> )	11/23/2020	12/8/2020	Pending

### Public Notice and Comments:

Sent	Returned	For	Opposed	No Reply
97	7	TBD	4	TBD

### Project Manager:

Damian Newell, Senior Planner  
[dnewell@wellingtonfl.gov](mailto:dnewell@wellingtonfl.gov)  
(561) 753-2577

### Site History and Current Request:

Parcels 1, 3, and 4 were approved as an excavation operation by Palm Beach County (PBC) in February 1983 (Resolution No. 83-206). Wellington adopted the annexation of the three (3) parcels on June 8, 2004 by Ordinance No. 2004-29. A Mixed Use (MU) Future Land Use Map (FLUM) designation was adopted October 26, 2004 by Ordinance No. 2004-28. On April 25, 2006, the Multiple Use Planned Development (MUPD) Zoning Map designation was approved (Ordinance No. 2006-08). Wellington approved a Master Plan and Conditional Uses on April 25, 2006 by Resolution No. R2006-26 for Village Professional Park (A.K.A. Village Lake Center/Fina) Mixed Use project. Parcel 2 was annexed into Wellington by Ordinance No. 2016-01 on February 23, 2016. The previous owner of the parcels (Parcel 1, 3, and 4) submitted requests for development order amendments in 2007, 2009, and 2016, which were all administratively withdrawn for inactivity. The original development order approval (Resolution No. R2006-26) for the mixed-use project expired due to no construction commencement. Since the approval in 1983, Parcels 1, 3 and 4 have continued as a mining and lake dredging operation, until recently when the properties were sold. The new owners have indicated all excavation has stopped and they are in the process of removing all equipment from the site. Remediation to ensure soil quality, proper compaction and preparation for construction is required in order to close out any excavation related permits issues by Florida Department of Environmental Protection (FDEP). Documentation that the mining permit was closed out shall be required prior to the issuance of the Land Development Permit from Wellington to ensure there is no conflict of uses on the property.

Ordinance 2006-08 approved the MUPD Zoning designation for Parcels 1, 3, and 4. At that time, it was common practice to include certain general conditions of approval to a land use and zoning ordinance that referenced the related development plan for a given project. In this case, the conditions of approval that were provided for Ordinance 2006-08, were all related to the Master Plan approval (Resolution 2006-26). It has not been Wellington's practice to condition approvals that designate land use and zoning with conditions that are related to a master plan for more than 10 years. It is important to note that while the conditions of approval of Ordinance 2006-08 no longer apply because Resolution 2006-26 has expired, and is no longer a valid development order, that the MUPD zoning designation remains in place for the 54 acres that was the original project. The conditions of approval that will govern the project are provided on the master plan resolution, which is the appropriate document for development related conditions. Any changes to the master plan, that increase density and intensity, in the future will still require a public hearing and Council approval.

The applicant/owner is requesting approval of the following applications/petitions for development of the four (4) parcels as a 64-acre mixed-use project referred to as Lotis Wellington:

- Petition 2019-0002-CPA, a Comprehensive Plan Amendment (CPA) to amend the Future Land Use Map (FLUM) designation for Parcel 2 from PBC Low Residential (LR-2) to Mixed Use (MU).
- Petition 2019-0001-REZ, a Rezoning (REZ) to amend the Zoning Map designation for Parcel 2 from PBC Public Ownership (PO) to Multiple Use Planned Development (MUPD).
- Petition 2019-0001-MP, a Master Plan (MP) to allow a mixed-use project consisting of 49,056 square feet of combined restaurant and retail, 2,500 square feet of financial



institution with drive-thru, 40,000 square feet of medical office, 16,700 square feet of professional/general office, 191 multi-family residential dwelling units, a congregate living facility (CLF) with 150 independent living units and 110 assisted living beds, a daycare facility for up to 210 children, and 28.4 acres of open space inclusive of a lake, cypress preserve, dog park, and greenway with a multi-use pathway open to the public.

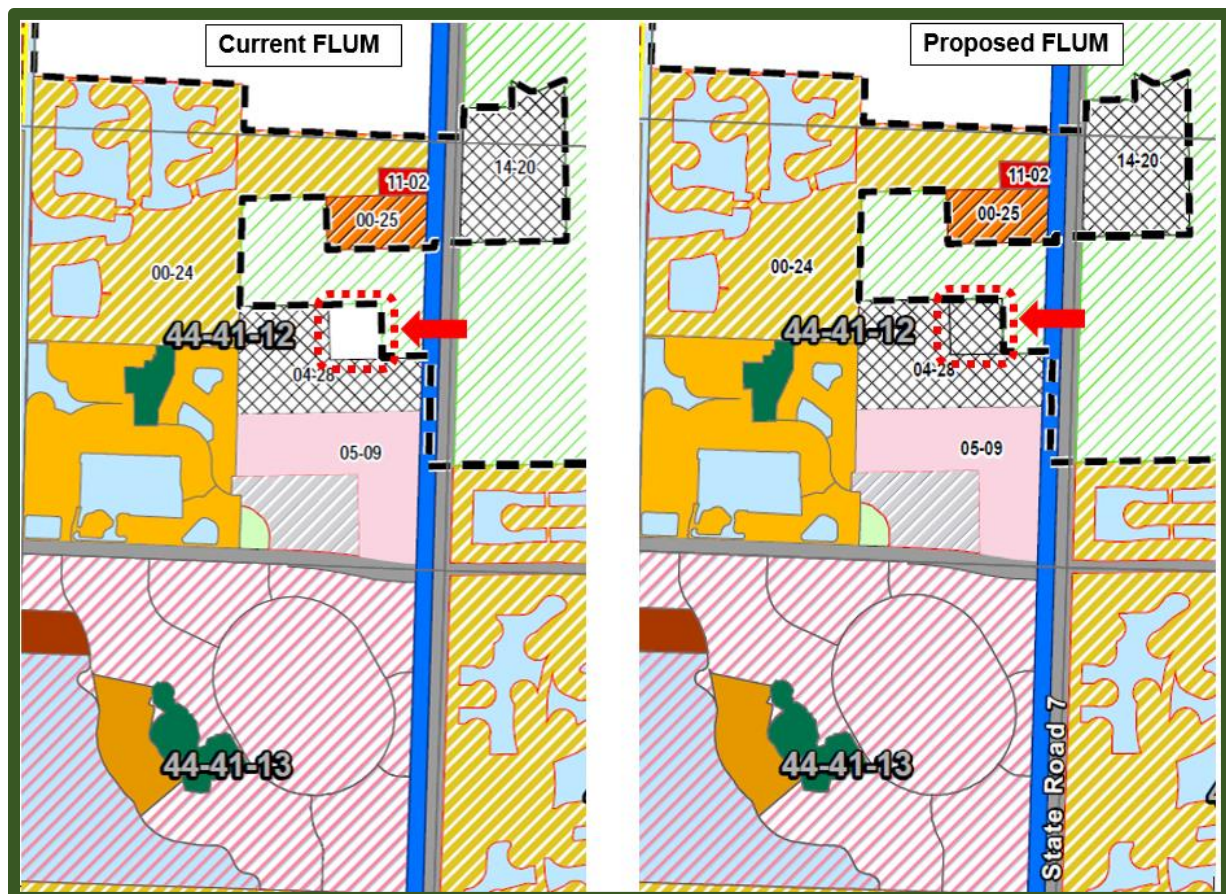
- Petition 2019-0002-CU, Conditional Use (CU) to allow a financial institution with drive-thru, CLF Type 3, and general daycare facility.

The applicant also submitted a Site Plan (2019-0002-SP) for the project that is consistent with the Master Plan. The site plan will be certified, by the Development Review Manager (DM), when all comments are satisfied and after Council's approval of the above applications.

### **Analysis:**

#### **1. Comprehensive Plan Amendment (Future Land Use Map)**

The applicant is requesting a Comprehensive Plan Amendment (CPA) to amend the Future Land Use Map (FLUM) designation of the 10.36 acre (+/-) parcel (Parcel 2) that was annexed in 2016 (Ordinance No. 2016-01) for the overall development of a 64-acre mixed-use project. Wellington's FLUM will be amended to indicate the parcel as Mixed Use (MU), which is consistent with the other parcels (Parcels 1, 3 & 4) within the proposed project. Below is an illustration of the current and proposed FLUM designation for Parcel 2.



This CPA request was reviewed as a unification of the four (4) parcels for an overall 64-acre mixed-use project and is in compliance with the following specific objectives/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.*

This Objective has been developed to include the criteria for, 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 project, including market demand. Since this application would result in an increase in density/intensity, final approval by Village Council will require a super majority (minimum of 4) vote.

***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 Lotis Wellington project is within the State Road 7 corridor. This area has similar development patterns with existing large scale commercial and residential developments. The proposed project will include commercial, multi-family residential, and a CLF. This development will ensure growth is in an already developed urban service area with adequate capacity, will discourage sprawl, and is consistent with the Comprehensive Plan.

***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;*

***Land Use Element Policy 1.3.25. Mixed Use:*** *The Mixed Use (MU) designation is designed for new development or redevelopment of existing sites which and is characterized by a variety of integrated land use types. The intent of the district is to provide for a mixture of uses within a single project in order to develop or redevelop sites which are sensitive to the surrounding uses, obtain the desired character of the community, and ensure the availability of capacity of*

*public facilities to serve proposed developments. This designation is also intended to foster infill development, to deter urban sprawl and to lessen the need for additional vehicular trips through the internalization of trips within a neighborhood or project, The minimum criteria established below are to be used for development of sites designated MU;*

***Land Use Element Policy 1.3.25.(15)d:*** *Each application for the Mixed Use designation shall include a conceptual master plan to specify maximum development threshold, specifying types of uses, density, intensity and impacts of development proposed for a particular site;*

***Land Use Element Policy 1.3.25.(15)e.7:*** *identification of other specific development limitations such as building height, building location, building design, natural resources protection, etc.*

The site will be developed as a mixed-use project consistent with the above objective and policies, and is in compliance with Wellington's Comprehensive Plan. The proposed Lotis Wellington Master Plan (Exhibit "A") illustrates the maximum development, land use types, density/intensity, building height, pod location, etc. The layout of the uses and internal connectivity will ensure the internalization of trips within this project. Cross access to the properties/projects along the north and south property lines will encourage and provide internal capture of trips, resulting in fewer trips on State Road 7. There is a proposed traffic signal at the main entrance on State Road 7, which in combination with the internal connections, will serve the existing Wellington Regional Medical Center (WRMC) campus to the south and future development of the property to the north. The proposed development impact on natural resources within this project will require permit modifications to be submitted to the jurisdictional agencies for review. Additional details of the on-site wetlands are provided throughout the staff report.

***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.*

The applicant submitted a full market analysis for the 191 multi-family residential dwelling units, which are proposed in Pod "C", as illustrated on the Lotis Wellington Master Plan (Exhibit "A"). A summary of the market study is provided as Exhibit "I" that demonstrates the current and future demands for multi-family residential rental apartments in the surrounding market area. Axis Apartments within the Wellington Green project recently provided a market study for demand of multi-family residential rental within Wellington's submarket area. Below is comparison of the studies projected demands.

Market Study	Annual Demand	Future Demand
Axis Apartments	247 units	2,472 units over the next 10 years
Lotis Wellington	1,547 units	4,641 units over the next 3 years

The reports indicate an annual demand of 247 units will be needed in Wellington, and 1,547 units in Wellington plus the surrounding PBC area. Wellington's population will continue to grow as demonstrated in the submitted market study and the US Census, which would indicate a demand for additional housing type proposed by the applicant will be needed in the future. The proposed



Lotis Wellington project will be developed consistent with surrounding developments and should be aesthetically compatible.

***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.*

The applicant's request is consistent with this policy. The project will provide multi-family residential units, and CLF assisted and independent living units. The residential units will have internal activity areas and open space/activity areas throughout the project. Pedestrian connections are provided to surrounding commercial uses and a greenway system proposed around the 18-acre lake on-site as illustrated on the Lotis Wellington Circulation Plan (Exhibit "C") and Conceptual Site Plan (Exhibit "E").

***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.*

The Lotis Wellington project is a mixed-use development proposed along the State Road 7 corridor and is consistent with this policy.

***Housing Element Policy 1.9.5:*** *Wellington shall continue to encourage developers to comply with green certification standards found within Florida Green Building Coalition, US Green Building Council Leadership in Energy and Environmental Design (LEED) or other acceptable environmental, and commercial building standards by offering incentives to qualifying development.*

The applicants as indicated the project will be developed with the intent to comply with green standards as feasible.

***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.*

***Conservation Element Policy 1.3.5:*** *Land development proposals shall be reviewed with respect to potential adverse impacts to natural reservations or native upland vegetation and shall be denied or appropriately revised as necessary to preclude such adverse impacts prior to development permit issuance. These protection measures shall continue to be administered through the Development Review Committee and vegetation removal permit processes. These measures shall continue to include but not be limited to requiring the establishment of preserve areas for a portion of native upland vegetation, preserving and incorporating specimen trees and general tree protection into site design, requiring vegetation inventories, providing habitat and corridors for wildlife, and buffering incompatible types of development.*

***Conservation Element Policy 1.4.1:*** *Within one year of the effective date of this Plan, Wellington shall adopt a "preservation enforcement" ordinance which will include punitive measures where necessary to address the monitoring and preservation of the functions and*

values of wetlands/conservation areas as designated "Conservation" on the Future Land Use Map.

**Conservation Element Objective 1.5:** *Wellington shall continue to protect state and federally listed species which have been identified as endangered, threatened, of special concern, or rare, by the U.S. Fish and Wildlife Service, Florida Game and Freshwater Fish Commission, Florida Committee on Rare and Endangered Plants and Animals, or the Florida Department of Agriculture.*

**Conservation Element Policy 1.5.1:** *Wellington will continue to require identification of protected plant and wildlife communities at the earliest stage of development review. Where any of these species are present, Wellington will continue to require the protection of these species through the development review process. Protection measures will continue to include habitat protection through preservation area requirements, wetlands protection, native upland habitat protection, mitigation techniques, and site design review to ensure that development does not adversely impact plant and wildlife communities which have been identified as endangered, threatened, of special concern, or rare.*

The conceptual site plan (Parcels 1-4) was reviewed for consistency with the above objective and policies of Wellington's Comprehensive Plan Conservation Element. The project will continue to be reviewed for consistency with Conservation Element throughout the development review process, including properly following the permit/modifications review and approval as required by jurisdictional agencies. The overall site has a total of five (5) wetland areas and two (2) surface water areas (Surface Water 1 is the 18-acre lake and Surface Water 2 is a small drainage ditch). The wetlands and surface waters have been and/or will be mitigated, preserved or have no federal jurisdiction requirements. Below is the current status of the five (5) wetlands:

Wetlands	Status	Environmental Resource Permit (ERP)
WL-1	Mitigated in 2015 to Loxahatchee Mitigation Bank	ERP No. 187084-002
WL-2	Mitigated in 2015 to Loxahatchee Mitigation Bank	ERP No. 187084-001
WL-3	Mitigated in 2015 to Loxahatchee Mitigation Bank	ERP No. 187084-002
Wetland 1 (0.37 acre)	No Federal Jurisdiction	TBD
Wetland 2 (4.59 acres)	In Review with SFWMD	TBD

The locations and approximate configuration of the five (5) wetlands within the Lotis Wellington project are illustrated on the below aerial map for reference.



The applicant submitted an Environmental Assessment Report (Exhibit “F”) and Wetland Status Summary (Exhibit “G”) prepared by Ecotone Services, Inc. (ESI), of the on-site natural features, wetlands, surface waters, upland habitat, protected tree, and potential for threatened/endangered species (flora and fauna). The ESI reports indicates Wetlands WL-1, WL-2 and WL-3 were previously mitigated with the purchase of 2.0 forested wetland credits at Loxahatchee Mitigation Bank. Wetlands 1 and 2 were not mitigated and will require permits from South Florida Water Management District (SFWMD) for any proposed development impacts. A recent amendment to Navigable Waters Protection Rule (April 21, 2020) indicates the wetlands and surface waters within this project will no longer fall under federal jurisdiction, only state, county and local requirements. The applicant has illustrated on the proposed Lotis Wellington Master Plan (Exhibit “A”) and Conceptual Site Plan (Exhibit “E”) that Wetland 1 will be incorporated into the site as a Cypress preserve. The Cypress preserve area (0.4 acre) will be preserved and enhanced with removal of non-native species, regraded and refurbished as needed, and provide pathways that connect to the proposed greenway system and WRMC project to the south. The report also indicated there are a few listed animal species that may include the wood stork, snail kite, and EIS species. It’s noted in the report that based on the site conditions and surrounding suburban area that a suitable habitat does not exist for the wood stork or snail kite foraging, nesting, and roosting. With the proposed development, all non-native trees will be removed, and all native trees and palms will be preserved on-site and/or removed with mitigation replacements included with the site landscape plans. A Phase I Environmental Site Assessment (ESA) was performed by ECS Florida, LLC, for assessment of the lake mining operation and it was indicated no evidence of “recognized environmental conditions”. This ESA was not included as an exhibit to this staff report due to the document size, however is available for review at the Planning and Zoning Division office.



***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 and Traffic Performance Standards (TPS). Both PBC Traffic Division and Wellington's Traffic Consultant have reviewed and approved the proposed level of traffic generation for this project with conditions.

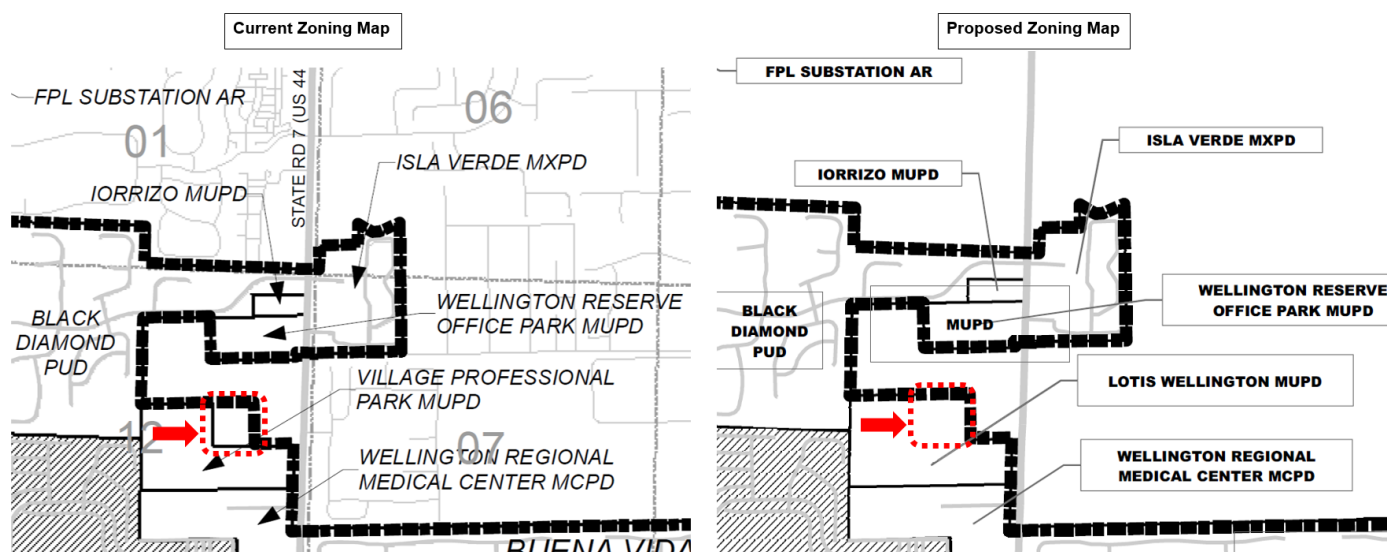
In conclusion, the proposed development request for the 64-acre mixed-use project is consistent with Wellington's Comprehensive Plan and the Mixed Use FLUM designation. The Wellington FLUM will be amended for Parcel 2 to change the land use, including the adoption date, ordinance number and Mixed Use Type 1 designation. The Comprehensive Plan Amendment (CPA) petition will be processed in accordance with Section 163.3184 of the Florida Statutes.

## **2. Rezoning**

The Rezoning (REZ) request is to amend Wellington's Zoning Map designation for the 10.36-acre (+/-) parcel (Parcel 2) from PBC Public Ownership (PO) to Wellington Multiple Use Planned Development (MUPD). Parcel 2 has remained undeveloped with minimal encroachment of the mining operation along the western property line. The parcel is currently encumbered with dense invasive species, including but not limited to Australian Pines, Melaleuca, Brazilian Pepper, and Java Plum, all of which will be required to be removed from the site. The applicant has submitted permit modifications to SFWMD for the proposed development impact on Parcel 2, and it's anticipated that off-site mitigation credits will be required.

The proposed MUPD Zoning Map designation is consistent with the MU FLUM designation proposed for Parcel 2. If approved, Parcel 2 will be the same designation as the other three (3) parcels within the mixed-use project. This application is being processed under the LDR that was in place at the time of submittal (4/23/2019). As you know, the new LDR was adopted in January 2020. The previous MUPD designation allowed for a variety of non-residential uses. At the time of application, MXPd was also a mixed-use zoning designation in the LDR, which allowed for a mixture of all use types, residential and non-residential. With the LDR update, the intent was to combine MXPd and MUPD zoning designations into one district (MUPD) in an effort to simplify the regulations. The MUPD designation now allows a mix of uses that includes residential and non-residential, and was established for the development of sites designated with a Mixed Use land use. For this reason, in an effort to eliminate any unintended nonconformity and not require future zoning amendments the applicant's rezoning request was processed as an MUPD consistent with the LDR update intent to allow residential uses.

The applicant is proposing to develop Parcel 2 with a 191 multi-family residential dwelling units in Pod "C" as illustrated on the Lotis Wellington Conceptual Site Plan (Exhibit "E"). Wellington's Zoning Map will be amended to indicate the parcel as MUPD, which is consistent with the other parcels (Parcels 1, 3 & 4) within the proposed project. Below is an illustration of the current and proposed Zoning Map designation for Parcel 2.



This proposed rezoning request is consistent with both Wellington's Land Development Regulations (LDR), MUPD Zoning Map designation and the proposed Comprehensive Plan Mixed Use FLUM designation.

### 3. Master Plan (MP) and Conditional Use (CU)

As indicated above, the applicant is also requesting a supporting Master Plan (MP) to allow a mixed-use project consisting of restaurant and retail (49,056 square feet), a financial institution with drive-thru (2,500 square feet), medical office (40,000 square feet), professional/general office (16,700 square feet), multi-family residential (191 units), a CLF with independent living (150 units) and assisted living (110 beds), a daycare facility (210 children), and open space inclusive of a lake, cypress preserve, dog park, and greenway with a multi-use pathway open to the public. The Conditional Use (CU) request is to allow the financial institution with drive-thru, CLF Type 3, and general daycare facility, which require approval by Council.

The Master Plan and Conditional Use applications were reviewed for consistency with both Wellington's Comprehensive Plan and Land Development Regulations (LDR). The previous LDR was utilized for the review of the applications, as they were submitted prior to adoption of the current LDR (Adopted 1/13/2020).

#### Master Plan

Exhibit "A" is the proposed Lotis Wellington Master Plan, which includes Parcels 1 – 4 and a strip of land owned by Lake Worth Drainage District (LWDD) that bisects the project. The strip of land is 2.63 acres which will be purchase by the applicant and abandoned. Wellington is currently working with all parties to resolve this prior to platting the property. The plan illustrates a 64-acre mixed-use project with five (5) use types as required by Comprehensive Plan Land Use Element Policy 1.3.25.(2), Table 1.3.25.1. The land uses consist of commercial (Pod "A"), office (Pod "B"), residential (Pod "C"), institutional (Pods "D" and "F"), and open space (Pods "E" and "G") as indicated on the plan. Project's more than 30 acres in size are required to include both commercial and office use. The applicant is requesting this project (Parcels 1-4) be a Mixed Use Type I, which allows all the range of uses permitted, and the entire project area be used for calculating the

maximum residential density. Per Policy 1.3.25.(9), Table 1.3.25.3 the maximum allowed density for multi-family residential is 768 units (12 du/ac), and for CLF is 1,024 residents (16 residents/ac) using the entire project area of 64 acres. This project complies with the maximum building coverage of 35% and maximum floor area ratio of 0.50.

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

**Consistency with Comprehensive Plan:** If the requested land use change is approved for the 10-acre parcel, this Master Plan request for the overall project will be consistent with the Comprehensive Plan as explained above in the Comprehensive Plan Amendment analysis.

**Conformity with Zoning Standards:** This request was reviewed for compliance with all relevant and appropriate portions of the LDR. The submitted Conceptual Site Plan (Exhibit “E”) for the overall project was reviewed for conformity with the zoning standards. The formal site plan is currently being reviewed for consistency with building height, setbacks, parking, landscaping, etc. The CLF independent living units is requesting reduce parking as explained below in the CU analysis. The maximum allow building height is 35 feet, and the submitted site plan indicate a building height ranging from 26 feet to 56 feet. Wellington’s Comprehensive Plan and LDR both indicate multi-family residential and CLF uses in the State Road 7 corridor may be allow a maximum building height of 72 feet if approved by Council. As illustrated on the Lotis Wellington Master Plan (Exhibit “A”), the applicant is requesting a maximum building height of 60 feet for the multi-family residential buildings in Pod “C,” and CLF buildings in Pod “F.” All other uses/buildings/pods within this project will meet the maximum building of 35 feet.

Main access to the project will be along State Road 7, which will include a new mast arm traffic signal, funded and constructed by the developer. To ensure interconnectivity for the developments along State Road 7, this project is required to provide cross access connections to the properties on the north and south, as illustrated on the Lotis Wellington Master Plan (Exhibit “A”) and Circulation Plan (Exhibit “C”). The cross access points are required to be dedicated on the plat and the connections be completed prior to issuance of certificate of occupancy and/or when the adjacent vacant/undeveloped properties are developed. The developer will be meeting with the adjacent Wellington’s Edge POA regarding the residential development connecting to the proposed public greenway system. If a safe and secure cross access connection is provided along the west property line to the Wellington’s Edge development, the residents would have access to the public greenway system and commercial uses within the Lotis Wellington project, without getting on the roadways. This connection will help minimize daily traffic impacts in the area.

The proposed multi-family residential and CLF uses will require this project to provide public recreation land dedication of 4.63 acres (5 ac per 1,000 population) and civic land dedication of 0.93 acre (1 ac per 1,000 population), and private recreation area of 2.34 acres (110 sf per capita) is required (2.78 acres provided). The applicant is providing 3.46 acres of the total 5.56 acres require for the public recreation and civic land dedication. The on-site land dedication will include 2.86 acres for the public greenway system containing a multi-use asphalt pathway with shade trees, seating areas, fitness stations, lighting and shade structures around the 18-acre lake and a gathering/green space with a dog park area, which will function as a welcome area to the greenway. A 0.60 acre Cypress preserve area with pathway will be provided for Wetland 1. The remaining 2.1 acres required for the land dedication will be provided as a payment in lieu of on-site dedication. The payment in lieu will be the fair market value per acre, which is required at the time of permitting.



The greenway system and Cypress preserve area will be available to the public by way of a restrictive covenant and access easements in favor of Wellington. The developer will construct and provide all improvements for the greenway system and Cypress preserve area, and will be maintained by the Lotis Wellington Master Property Owners' Association (POA).

The applicant is requesting the cost for construction of the public greenway system be credited to the payment in lieu for land dedication, and parks and recreation impact fees. Any available credit will be determined and deducted at time of building permit for residential uses. Credit will not be provided for any required maintenance.

**Compatibility with Surrounding Land Uses:** As explained previously, this mixed-use project will be developed with similar commercial and residential uses and will be compatible with surrounding land uses. The surrounding uses will be buffered with landscaping as illustrated on the Lotis Wellington Regulating Plan (Exhibit "B"). Additional landscape buffer requirements are required to be provided the projects frontage along State Road 7. Also, developments along the State Road 7 corridor are required to contribute \$75 per linear foot of frontage for landscaping and sidewalk/boardwalk improvements. The proposed buildings 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 tree/palms as required per LDR Sec. 6.8.3.E.8.b.ii.(a) and Table 7.3-3, which will help to minimize visual impact.

**Environmental Resources:** As explained in the Comprehensive Plan Amendment analysis, the applicant submitted an Environmental Assessment Report (Exhibit "F"), Wetland Status Summary (Exhibit "G") and Phase I Environmental Site Assessment (ESA) in compliance with the purpose and intent of the Environmental Standards as set forth in the LDR and Comprehensive Plan. The applicant will regrade, refurbish, enhance Wetland 1 as needed, which will increase the quality and help minimize the impact of loss in wetland area. The owner shall obtain all necessary permits and/or permit modifications from all agencies with jurisdiction for on-site wetlands prior to plat approval. No adverse impacts to the natural environment are expected to occur as a result of the proposed project.

**Adequacy of Public Services:** The project is proposed within an existing Urban Service Area, with water and sewer connections available in the surrounding area. On/off-site improvements/upgrades will be necessary to existing lift stations, water distribution systems, sanitary systems, and force main systems to support the project. Lift Station 101 will require upgrades, and Master Station LS 92 may require upgrades to meet current Wellington standards.

The School District of Palm Beach County has indicate this project will be required to contribute \$74,546 to address the school capacity deficiency at the elementary and high school level, based on the multi-family units. A covered school bus shelter (minimum 10' X 15') is required for the multi-family residential use at the entrance to the pod. The applicant/developer is required to execute a restrictive covenant for the CLF independent living age-restricted units to indicate the residents shall be 55 years of age or older. This will exempt any school capacity fees that would otherwise be required of the independent living units.

Both PBC Traffic Division and Wellington's Traffic Consultant (Exhibit "H") have provided conditions of approval, which include left and right turn lanes for southbound traffic and a left turn lane for

northbound traffic on State Road 7 at the project entrance. The project's main access driveway shall also have two (2) ingress lanes and four (4) egress lanes (dual left and dual right turn).

A valet trash and recycling service is proposed for the residential development, which will collect the trash/recyclables from each unit's bin and transfer to the on-site compactor three (3) to four (4) times a week. It's recommended the trash/recyclable bins at the entrance for each unit be decorative design as to not require screening. It's typical for these valet services to utilize a decorative bin design that may also be used as a seat/bench. Similar decorative bin/bench was provided at The Quay at Isla Verde and The Estates at Wellington Green residential apartments.

### **Conditional Uses**

LDR Section 5.3.7. defines Conditional Use as those uses that are generally compatible with the Future Land Use Map and Zoning Map designations, but may require additional conditions to ensure mitigation of impacts to adjacent properties. The proposed financial institution (bank) with drive-thru, CLF Type 3, and daycare uses were reviewed for compliance with the standards that are applicable to Conditional Use, which are detailed as follows:

**Consistent with Comprehensive Plan:** The proposed uses are consistent with Wellington's Comprehensive Plan including, but not limited to, preserving and protecting the characteristics of the communities in Wellington, and Land Use, Transportation and Infrastructure Elements. As indicated previously, the proposed Lotis Wellington mixed-use project is consistent with Land Use Element Objective 1.2, Transportation Element Policy 1.1.8, and Infrastructure Element Policy 1.7.1. The on-site circulation flow and parking were reviewed and were determined to meet the requirements, with exception of the CLF independent living units, which is requesting reduce parking as indicated below.

The applicant provided a market study (Exhibit "I") for the CLF, which indicates a demand of 305 independent living residences, and combine total of 172 assisted living/memory care residences. This study warrants the applicant's request for 150 independent living and 110 assisted living beds.

**Complies with supplementary use standards:** The plans were reviewed for compliance with all relevant and appropriate portions of the LDR. The proposed uses are in compliance with the standards, including but not limited to minimum setbacks, maximum building heights, minimum parking, minimum lot size, drive-thru orientation, maximum distance to a fire-rescue station and hospital, minimum separation, and landscape standards. However, the proposed CLF independent living units do not meet the LDR minimum parking ratio of 2.25 parking spaces per unit which requires 338 parking spaces. Per the applicant's Master Plan/Conditional Use Justification Statement (Exhibit "M"), the independent living units will be a rented with each unit containing a fully functional kitchen, laundry and a minimum of one (1) bathroom. The Conceptual Site Plan (Exhibit "E") indicates 104-one (1) bedroom units and 46-two (2) bedroom units are proposed for the 150 independent living units. The applicant has indicated the units will be restricted to residents 55 years of age or older.

The applicant is requesting a reduced parking ratio for the independent living units. The LDR allows for parking reduction if a parking demand analysis provided and approved with a development order. Exhibit "J" is the applicant's parking demand analysis for the proposed CLF independent living units, which indicates a proposed parking ratio of 1.35 spaces per unit which includes guests

and employee. This parking ratio is acceptable as the units will be age restricted, and will have 104-one (1) bedroom and 46-two (2) bedrooms.

**Compatibility:** The bank with drive-thru, CLF, and daycare uses are compatible with the surrounding commercial and residential uses. These proposed uses should provide support to the existing uses in the area. The bank is located along the project's frontage with the drive-thru alignment away from State Road 7. The daycare use is centrally located within the project adjacent to the lake and proposed greenway system. One (1) of CLF building is located on the western boundary of the project adjacent to the Wellington's Edge residential development. The two (2) to three (3)-story CLF building is approximately 400 feet from a single-family residential building. The CLF will be buffered by proposed landscaping and should not adversely impact the existing single-family residential development.

**Design minimizes adverse impact:** The proposed project site design will minimize adverse effects, including visual impact and intensity with the lake and landscaping buffering the adjacent residential development.

**Adequate public facilities:** The project is proposed within Wellington's Urban Service Boundary which has sanitary sewer and adequate potable water capacity to services the proposed uses, and will maximize the use of existing and future infrastructure. The Village's Engineering Services Department has reviewed the request for compliance with requirements for public facilities. Wellington's Traffic Consultant has determined this project meets the Traffic Performance Standards and adopted Level of Service. PBC Fire Department will be able to serve the site with a station located on Stribling Way.

**Design minimizes environmental impact:** There are no adverse impacts to the natural environment expected to occur as a result of the proposed uses.

**Development patterns:** The site is one (1) of the few undeveloped parcels along State Road 7 in this area. The overall project will be developed in three (3) phases per the propose Phasing Plan (Exhibit "D"). The bank is proposed in Phase One, daycare in Phase Two, and CLF in Phase Three. After approval of the zoning development orders and plat, site engineering, utilities and building permits will be required for the proposed uses.

**Other relevant standards of Code:** The proposed conditions of approval will minimize potential impacts of the Lotis Wellington project to the surrounding residential uses.

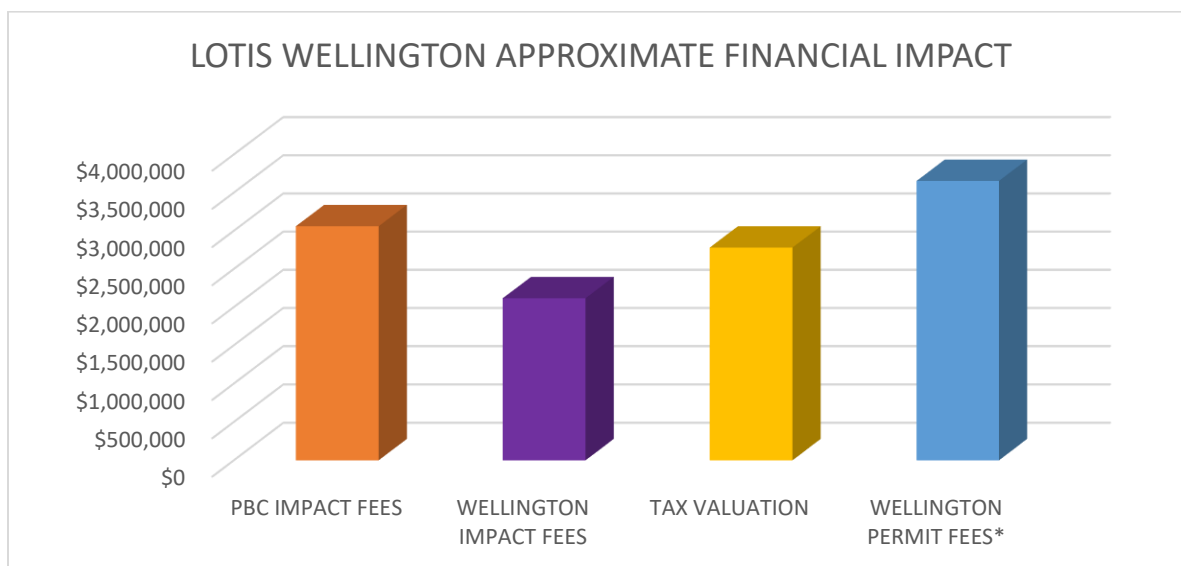
**Consistency with neighborhood plans:** There is no existing neighborhood plan for this area. The Lotis Wellington mixed-use project design will be a modern architectural style, with artistic focal points and vibrant outdoor spaces. The modern architectural style will be unique to the surrounding developments, however should be appropriate for the State Road 7 corridor.

The Master Plan and Conditional Uses request for the Lotis Wellington mixed-use project is consistent with Wellington's Comprehensive Plan and Wellington's LDR. Conditions of approval are recommended that will regulate the propose development and help minimize any potential impacts.

The applicant provided a financial analysis on the estimated impact fees, tax valuation, and permit



fees for the proposed Lotis Wellington project. Below is the approximate financial impact of this project, if approved as requested.



\*Estimated construction values for commercial uses include shell build-out and excludes interior tenant improvements.

The actual value for the financial impact this project will have on Wellington will not be known until the permits are approved and/or the project is completed.

The applicant's justification statements for the Comprehensive Plan Amendment is provided as Exhibit "K," Rezoning is provided as Exhibit "L," and Master Plan and Conditional Uses are provided as Exhibit "M," with detail on how the request meets the requirements, details on the development and general operation of the uses. The complete Comprehensive Plan Amendment (Petition No. 2019-0002-CPA), Rezoning (Petition No. 2019-0001-REZ), Master Plan (Petition No. 2019-0001-MP), and Conditional Use (Petition No. 2019-0002-CU) applications are available for review at the Planning and Zoning Division office.

### **Summary:**

Based on the findings, consistency with Wellington's Comprehensive Plan and Land Development Regulations, the Planning and Zoning Division recommends approval of the following:

- **Ordinance No. 2020-13**, a Comprehensive Plan Amendment (CPA) [Petition 2019-0002-CPA] to amend the Future Land Use Map (FLUM) designation for Parcel 2 from PBC Low Residential (LR-2) to Mixed Use (MU).
- **Ordinance No. 2020-14**, a Rezoning (REZ) [Petition 2019-0001-REZ] to amend the Zoning Map designation for Parcel 2 from PBC Public Ownership (PO) to Multiple Use Planned Development (MUPD).
- **Resolution No. R2020-48**, a Master Plan Amendment (MP) [Petition 2019-0001-MP] to allow a mixed-use project consisting of 49,056 square feet of combined restaurant and retail, 2,500 square feet of financial institution with drive-thru, 40,000 square feet of medical office,

16,700 square feet of professional/general office, 191 multi-family residential dwelling units, a congregate living facility (CLF) with 150 independent living units and 110 assisted living beds, a daycare facility for up to 210 children, and 28.4 acres of open space inclusive of a lake, cypress preserve, dog park, and greenway with a multi-use pathway open to the public; and Conditional Use (CU) [Petition 2019-0002-CU] to allow a financial institution with drive-thru, CLF Type 3, and general daycare facility, with conditions of approval as provided in Resolution No. R2020-48.

**List of Exhibits:**

Exhibit "A"	Master Plan
Exhibit "B"	Regulating Plan
Exhibit "C"	Circulation Plan
Exhibit "D"	Phasing Plan
Exhibit "E"	Conceptual Site Plan
Exhibit "F"	Site Environmental Assessment Report
Exhibit "G"	Wetland Status Summary
Exhibit "H"	Traffic Letters
Exhibit "I"	Market Study Summary
Exhibit "J"	Parking Demand Analysis
Exhibit "K"	Comprehensive Plan Amendment Justification Statement
Exhibit "L"	Rezoning Justification Statement
Exhibit "M"	Master Plan and Conditional Uses Justification Statement