

May 21, 2021

Village of Wellington
Planning & Zoning
12300 Forest Hill Blvd
Wellington, FL 33414

Re: LWDD ROW

**Justification Statement
Annexation Application**

Property Location

The property is located approximately half a mile north of the Forest Hill Blvd & State Road intersection, on the west side of SR 7. Property consists of 0.351 acres (15,290 sf).

Property History

Parcels 1, 2 and 3 were annexed in 2004 (Ord. 2004-29) and allocated a MUPD zoning designation (Ord. 2006-08) and a Mixed Use FLU designation (Ord. 2004-28). It was believed that the portion of LWDD ROW subject to this request was included in the annexation original annexation requests. However, recent findings revealed that the portion of land depicted above was not included in the legal description attached to the original approval.

Notably, in 2016 parcel 4 was annexed into the Village of Wellington by Ordinance no. 2016-01. Then, on December 8 2020, the Village Council approved a Comprehensive Map amendment to designate a Mixed Use (MU) FLU and a rezoning to the Multiple Use Planned Development (MUPD) Zoning District. Currently, the FLU for the subject 0.351 acre area remains Palm Beach County (PBC) Commercial High (CH) within the PBC Multiple Use Planned Development Zoning District.



Figure 1: Area Subject to Annexation Request



Figure 2: Adjacent Parcels

The 0.351-acre property was intended and thought to have been included within the 2004 annexation, otherwise the applicant would have included the annexation, rezoning and FLUA requests of the subject area in the previous 2019/2020 Lotis Wellington applications.

Application Request

The petitioner has submitted this application to request annexation of a 0.351 Acre LWDD ROW from Palm Beach County into the Village of Wellington. As mentioned above, the subject area was believed to have been annexed in 2004 with the adjacent parcels to the south.

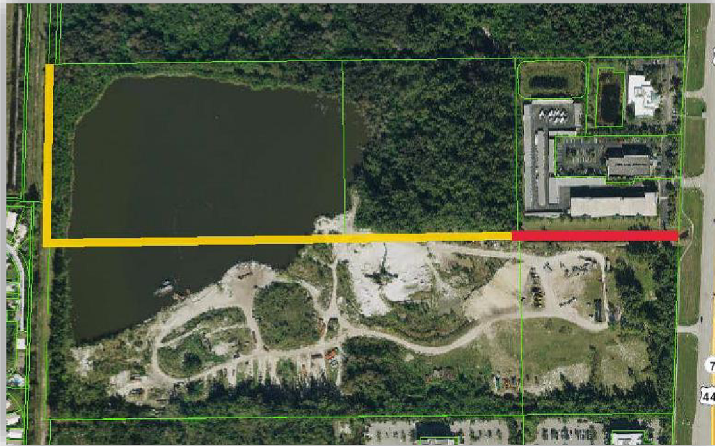


Figure 3: LWDD ROW, Yellow: Vacated, Red: To be Vacated.

Therefore, as discussed with the Village of Wellington, an annexation application request is required so that the property may be Vacated for utilization within the Lotus development. As shown in Figure 3, the LWDD ROW west of this property, as shown in Yellow, was Vacated by the Village Council on April 13, 2021. It is only the remaining portion in Red that must still be Vacated.

In addition to the annexation application, a Future Land Use Amendment and Rezoning applications have been submitted to allocate a Village of Wellington Mixed Use (MU)

FLU designation and a Multiple Use Planned Development (MUPD) Zoning District. The proposed MU FLU designation and MUPD Zoning District will maintain consistency with the adjacent properties and surrounding development. Notably, all documentation submitted to support the three subject applications applies to the 0.351-acre LWDD ROW. These requests are simply a corrective action by the applicant to address the exclusion of the property in the old annexation requests.

Surrounding Uses

Below are descriptions of the zoning and land uses of the adjacent properties.

North: Multiple parcels identified by PCN: 00-41-44-12-16-001-0010, 00-41-44-12-16-001-0020 & 00-41-44-12-15-000-0010 and are within Unincorporated Palm Beach County. The properties have a PBC Commercial (C) FLU designation and are located within PBC Multiple Use Planned Unit Development (MUPD) and Commercial High Office (CHO) Zoning Districts. These properties currently support a storage facility and medical offices.

South: One parcel identified by PCN(s): 73-42-43-27-05-018-0130 located in the Village of Wellington. The properties consist of 8.92 acres. This property has a Mixed Use (MU) FLU designation and are within the Multiple Use Planned Development (MUPD) Zoning District.

East: State Road 7 right-of-way (ROW)

West: Identified by PCN: 73-42-43-27-05-018-0110 located in the Village of Wellington and the parcel is approximately 9.92 acres. The parcel has a MU FLU designation and is located within the MUPD Zoning District.

Annexation Standards

Pursuant to Article 5, Chapter 3, Section 5.3.2. the applicant shall indicate that the annexation request is consistent with Wellington's Comprehensive Plan and complies with Wellington's Land Development Regulations & required criteria per the Development Review Manual.

1. That the area in question meets statutory requirements pertaining to contiguity, compactness and irregular shape.

The subject site is adjacent to the Lotis Wellington development to the south and west, which is within the Village of Wellington. As mentioned above, the 0.351 acre site was believed to have been annexed in 2004. However, it was disclosed recently that the legal description for the subject site was not included in Ordinance No. 2004-29. Approval of the annexation of the subject site will not create any enclaves, pockets or irregular areas and therefore relatively compact and regular in shape.

2. That the petitioned area must have a "unity of interests with Wellington" and be "logical extension" of Wellington's boundaries.

The Village of Wellington's Comprehensive Plan established a unity of interests between the subject property and Wellington, stating that the vicinity of the subject property is an area of logical Village expansion. Specifically, the Village's Future Land Use map designates the subject property as a "future annexation area."

3. That the area shall have a growth potential sufficient to warrant the extension of services.

The subject area is located along the State Road 7/US 441 corridor, approximately half a mile north of Forest Hill Blvd, an area experiencing substantial growth of commercial and residential uses. A self-storage facility and medical/professional offices are located directly north of the subject property and the property south and west of the subject area has been recently approved for a mixed-use development consisting of residential, commercial and institutional uses.

4. That the deficit of income against expense to Wellington shall not be unreasonable.

The inclusion of the property within the municipal boundary will produce commercial taxable value which it cannot currently assess. There should be no deficit incurred by the Village.

5. That the advantages both to Wellington and to the petitioned area must outweigh the disadvantages.

Approval of the annexation would result in the subject property's incorporation into the Lotis Wellington development project. The project includes medical and professional offices, independent and assisted living facilities, multi-family units, retail space and restaurants, providing services, employment opportunities and housing to Wellington and neighboring communities. The 0.351 acre site is currently a vacant LWDD right-of-way with an existing commercial development located north

of the site and an approved mixed use development located to the south. Annexation approval will allow the ability of the site to be inclusive of the approved mixed-use development, described above, creating efficient use of the land.

- 6. That Wellington must be willing and able to provide Wellington services as well as ensure that services provided by Palm Beach County are furnished to the newly annexed area within a reasonable time.**

The subject property is located along the State Road 7/US 441 corridor, approximately half a mile north of Forest Hill Blvd, within Wellington's Urban Services Area. The property is within the designated annexation area of the Village, where voluntary annexation is encouraged. Services have been provided by the Village to properties located north, south and west of the subject site. Therefore, it is justifiable to expect that the Village is both willing and able to expand services to serve the subject site.

- 7. That the proposed request is consistent with Wellington's Comprehensive Plan.**

The proposed annexation request is consistent with the Village of Wellington's Comprehensive Plan, as the subject site is designated as "Future Annexation Area" on the Future Land Use map, as shown on Page LU-35, Exhibit A. *Land Use and Energy Conservation Map Series*.

Thank you for your consideration of this application. If you have any questions, please don't hesitate to contact me at 561-249-0940.

Sincerely,



Brian Terry, PLA
Principal
Insite Studio, Inc