



## Legislation Text

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File #: 19-3437, Version: 1

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### ITEM: RESOLUTION NO. R2019-69 (EQUESTRIAN VILLAGE SEASONAL PERMIT 2019/2020)

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING A SEASONAL PERMIT FOR THE GLOBAL DRESSAGE COMPLEX, A/K/A EQUESTRIAN VILLAGE, AT 13466 SOUTH SHORE BOULEVARD FOR AN EQUESTRIAN SHOW USE FROM DECEMBER 11, 2019 TO APRIL 30, 2020; AND PROVIDING AN EFFECTIVE DATE.**

**REQUEST:** Approval of Resolution No. R2019-69 for a Seasonal Permit for Global Dressage Complex, A/K/A Equestrian Village, at 13466 South Shore Boulevard from December 11, 2019 to April 30, 2020.

**EXPLANATION:** Michael Sexton, on behalf of the owner(s), is seeking approval of Seasonal Permit to use Equestrian Village for the 2019/2020 Equestrian Season for 62 equestrian spectator events. On October 24, 2013, Council approved Resolution No. R2013-49 to designate Equestrian Village as a Commercial Equestrian Arena (CEA). As part of the approval, the applicant is required to construct numerous on-site and off-site improvements. Equestrian Village has exercised their right for legislative extensions to complete the on and off-site improvements that had date certain completion dates. In order for the site to have full beneficial use of the CEA, and meet the needs of 3,000 spectators, the owner must complete all improvements. As a result of the extension, the applicant has been required to obtain a Seasonal Permit to hold events at this location until all improvements are constructed. Council has issued similar requests for the events since the 2013 season. The applicant's request for the 2019/2020 season is identical to the request approved by Council for the 2018/2019 season. There are no changes, reconfigurations, or increases in intensity or frequency from last season. The event days were reduced from 64 days to 62 days. Per Condition 29 of the 2018/2019 Seasonal Permit, if the required road improvements for the compatibility determination were not completed prior to the 2019/2020 season, the applicant is required to obtain a Seasonal Permit approved by Council in order to use the site for events. To date, required road improvements have not been completed.

At the November 13, 2018 Village Council Hearing when the 2018/2019 Seasonal Permit was approved, there was discussion regarding the required road improvements with the CEA approval. The applicant had exercised their right for an extension under Section 252.363, Florida Statutes. Property owners are eligible for extensions when the Governor declares a state of emergency which extends the expiration date until six (6) months after the emergency expires. The applicant has requested extensions for Hurricane Irma and the Opioid epidemic, which has expired, and Hurricane Dorian, which is currently in effect. At last year's meeting, the applicant's representative stated that the applicant has not built the roadway improvements yet due to ongoing litigation that could result in the requirement to demolish the covered arena. Further investment in road improvements would not be warranted if the property could not be operated as approved under the CEA. The applicant wanted to resolve any outstanding legal issues prior to starting construction. It is important to note that if the Governor had not declared a state of emergency, the applicant would have been obligated to meet the conditions of approval within the original required timeframe regardless of the litigation. Per Condition 30 of the 2018/2019 Seasonal Permit, the applicant provided a status report to Council on April 9, 2019 that included all information regarding the pending litigation. On October 17, 2019, the Fourth District Court of Appeal issued an opinion affirming without opinion the Final Judgment entered in favor of the Bellissimo-controlled entities and others. The application was submitted and received by staff on October 16, 2019.

Staff has provided the recommended conditions of approval based upon the conditions that have previously been applied to Seasonal Permits.

**BUDGET AMENDMENT REQUIRED:** NO

**PUBLIC HEARING:** YES

**QUASI-JUDICIAL:** YES

**FIRST READING:** YES

**SECOND READING:**

**LEGAL SUFFICIENCY:** YES

**FISCAL IMPACT:** NO

**WELLINGTON FUNDAMENTAL:** Responsive Government

**RECOMMENDATION:** Approval of Resolution No. R2019-69 for a Seasonal Permit for Global Dressage Complex, AKA Equestrian Village, at 13466 South Shore Boulevard from December 11, 2019 to April 30, 2020.