

November 3, 2016

Mr. Damian Newell  
Village of Wellington  
Planning & Zoning Department  
12300 Forest Hill Blvd  
Wellington, FL 33414

**RE: COMMENT RESPONSE LETTER – Flying Cow Ranch Rezoning  
Petition No. 16 – 115 (2016 – 49 REZ 1)**

Dear Mr. Newell,

We respectfully submit the following responses to comments received regarding the above-mentioned application which was heard at the September 14, 2016 DRC meeting.

### Planning & Zoning

- 1. A single commercial use shall not exceed 20,000sf per LDR Sec. 6.10.11.D. (CERTIFICATION)**  
*Response: The original proposed commercial portion of the Flying Cow Ranch development has been removed, thus this comment is no longer applicable.*
- 2. Provide justification how the combined equestrian and aviation uses are consistent with the EPA and EOZD. (CERTIFICATION)**  
*Response: The justification statement has been revised to include the requested information.*
- 3. Provide the required market study that considers all proposed, current and future uses within a three (3) mile radius. (CERTIFICATION)**  
*Response: Although a Market Study was completed and noted as such in the DRC Meeting, since the original proposed commercial portion of the Flying Cow Ranch development has been removed, this comment is no longer applicable and the requested market study will not be formally submitted.*
- 4. Please amend your request to include this project into Subarea G. (CERTIFICATION)**  
*Response: The request has been amended to include the project in Subarea G.*

### Engineering

- 1. Forthcoming.**  
*Response: As discussed at the DRC Meeting, there were no additional Engineering comments for the Rezoning application request.*

### Traffic

- 1. The comprehensive plan maximum intensity for the commercial development is 54,232 SF, yet the traffic study addressed 72,000 SF. Please correct the traffic study to address the correct maximum intensity. CERTIFICATION ISSUE.**

*Response: As discussed at the DRC Meeting, the discrepancy in maximum intensity for the commercial development came from the traffic study being prepared from the conceptual site plan prior to the limits of the commercial pod area being defined which then limited the maximum intensity further. Since the original proposed commercial portion of the Flying Cow Ranch development has been removed, the revised traffic study and application/justification has removed references to commercial intensity altogether.*

## **2. Project Traffic Distribution**

- **The traffic study assigns 50% of the residential traffic and 70% of the non-residential traffic south on Flying Cow Ranch Road to Indian Mound Road. Explain how the connection of Indian Mound Road, Ousley Farms Road and 50th Street will be improved to accommodate these additional traffic volumes.**

*Response: Due to the removal of the originally proposed commercial component of the overall Flying Cow Ranch development, the traffic assignments have been revised to remove references to non-residential traffic thus the volumes of traffic are very much lower.*

- **The non-residential traffic distribution to South Shore Blvd north of Lake Worth Road is lower than the residential traffic distribution even though the non-residential traffic distribution on all surrounding links north and south are higher. Please correct the non-residential traffic distribution on this link. CERTIFICATION ISSUE.**

*Response: Due to the removal of the originally proposed commercial component of the overall Flying Cow Ranch development, this comment is no longer applicable.*

## **3. Intersection Analysis**

- **The intersection of Flying Cow Ranch Road and Southern Boulevard should be analyzed.**

*Response: A revised traffic analysis will be submitted noting the requested analysis along with the removal of the commercial component from the original request.*

- **Utilize the available 2016 count for the intersection of Southern Boulevard and Seminole Pratt-Whitney Road.**

*Response: A revised traffic analysis will be submitted noting the removal of the commercial component from the original request thereby this comment is no longer applicable.*

- **The intersection analysis of Southern Boulevard and Seminole Pratt-Whitney Road with optimized timing shows a v/c ratio greater than 1.0. Please correct. CERTIFICATION ISSUE.**

*Response: A revised traffic analysis will be submitted noting the removal of the commercial component from the original request thereby this comment is no longer applicable.*

- 4. On Table 9, the existing PM peak hour count on South Shore Boulevard north of 50th Street is incorrect. CERTIFICATION ISSUE.**

*Response: A revised traffic analysis will be submitted noting the requested analysis along with the removal of the commercial component from the original request.*

- 5. On Table 9, the project traffic distribution for Lake Worth Road is incorrect. CERTIFICATION ISSUE.**

*Response: A revised traffic analysis will be submitted noting the requested analysis along with the removal of the commercial component from the original request.*

- 6. Given that the historic growth data for the surrounding links of South Shore Boulevard, Lake Worth Road and Southern Boulevard is much higher than 1%, please provide justification for use of 1% growth on the**

**Wellington roadways. CERTIFICATION ISSUE.**

*Response: A revised traffic analysis will be submitted noting the requested analysis along with the removal of the commercial component from the original request.*

**7. Committed Development**

- **Committed development data from the approved and unbuilt portions of the Professional Center and Wellington Countryplace need to be included in background traffic for links and intersection where they have a significant impact.**

*Response: A revised traffic analysis will be submitted noting the requested analysis along with the removal of the commercial component from the original request.*

- **The County TPS database sheets included in the reports for Southern Boulevard links and intersections are missing several projects including Central Park of Commerce. Utilize updated database information. CERTIFICATION ISSUE.**

*Response: A revised traffic analysis will be submitted noting the requested analysis along with the removal of the commercial component from the original request.*

If you have any questions, or would like to discuss any of the responses or resubmittal documents contained herein, please do not hesitate to contact me directly.

Sincerely,

**WANTMAN GROUP, INC.**



Jennifer Vail, AICP  
Senior Project Manager

Enclosures



**JUSTIFICATION STATEMENT**  
**Flying Cow Ranch**  
**Rezoning**  
**Village of Wellington, Florida**  
*Initial Submittal: August 11, 2016*  
*Revised: November 3, 2016*

**REQUEST**

On behalf of the Petitioner, Wantman Group, Inc. is requesting a rezoning of Parcel 1 from Palm Beach County AR to AR/EOZD, and a rezoning of Parcel 3 from Palm Beach County PC to AR/EOZD. The entire 150 acre property is then proposed to be incorporated into the newly created EOZD Subarea "G".

**SITE CHARACTERISTICS**

The subject site is approximately 150 acres and is located northwest of the corner of Flying Cow Ranch Road and 160<sup>th</sup> Trail S, approximately 4 miles south of Southern Boulevard. The property is known as the following Property control Numbers (PCNs):

- 73-40-44-24-00-000-5010 (4153 160<sup>th</sup> Ave N) – Parcel 1
- 73-40-44-25-00-000-1040 (4153 160<sup>th</sup> Trail S) – Parcel 2
- 00-40-44-25-00-000-1030 (160<sup>th</sup> Ave N) – Parcel 3

The properties are currently zoned PC (Preservation/Conservation), EOZD (Equestrian Overlay Zoning District), and AR (Agricultural Residential), with a Future Land Use of CON (Conservation) and RES B (Residential Low Density). According to Palm Beach County Property Appraiser the properties are currently owned by Timothy and Mark McCarthy as Trustees for the McCarthy Land Trust.

**SURROUNDING USES**

The following is a description of the Zoning and Future Land Uses for the surrounding properties:

**North:** To the north are equestrian properties, which are located within the Village of Wellington, zoned as AR (Agricultural Residential) with a Future Land Use designation of Residential B.

**South:** To the south is property that is designated conservation, which is zoned PC (Preservation/Conservation) with a Future Land Use of CON (Conservation). This land is situated in Unincorporated Palm Beach County and includes the South Florida Water Management District (SFWMD) Canal L-40 and the Loxahatchee National Wildlife Refuge.

**East:** To the east are equestrian properties, which are located within the Village of Wellington, zoned as AR/EOZD (Agricultural Residential/Equestrian Overlay Zoning District) with a Future Land Use designation of Residential A.

**West:** To the west is property that is designated conservation, which is zoned PC (Preservation/Conservation) with a Future Land Use of CON (Conservation). This land is situated in Unincorporated Palm Beach County and includes the South Florida Water Management District (SFWMD) Canal L-40 and the Loxahatchee National Wildlife Refuge.

## **APPROVAL HISTORY**

On June 14, 2016, under Ordinance No. 2016-07, the 2.8 acre parcel, located on the west side of Flying Cow Ranch Road, approx. 4.5 miles south of Southern Boulevard, was approved by the Village Council for annexation into the Village of Wellington from Unincorporated Palm Beach County.

Ordinance No. 2010-07 was approved by the Village Council on April 13, 2010 designating +/- 147 acres (Parcels 1 and 2) with a Residential B Future Land Use Map (FLUM) designation limited to 30 residential units and incorporating the subject property into the Equestrian Preserve Area (EPA).

An Annexation Agreement for +/- 147 acres (Parcels 1 and 2) was made and entered into on January 11, 2005 by and between the McCarthy Land Trust and the Village of Wellington. Said agreement is recorded and found under ORB 19528, PGS 1958-1978.

Palm Beach County Resolution R-2003-0755 was approved by the Board of County Commissioners (BCC) on May 22, 2003 to delete conditions of approval contained in Resolution R-81-58 (Petition 80-192) that were no longer applicable.

Palm Beach County Resolution R-81-58 was approved by the Board of County Commissioners (BCC) on November 20, 1980 for a Special Exception (SE) to allow a private airplane landing strip on the subject property.

## **CONFORMANCE**

The Village of Wellington identifies certain criteria that the request must conform to when reviewing a Rezoning application. The following are the Applicant's responses to these standards:

**A. That the proposed request is consistent with the purposes, goals, objectives, and policies of the Comprehensive Plan.**

The proposed rezoning request is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan. The proposed rezoning request identifies all of the Flying Cow Ranch property within the EOZD consistent with the Equestrian Preserve Area (EPA) and the goals, objectives and policies of the Equestrian Element of the adopted Wellington Comprehensive Plan.

**B. That the proposed request is not in conflict with any portion of Wellington's LDR and is consistent with the purpose and intent of the LDR.**

The proposed rezoning request is not in conflict with any portion of Wellington's LDRs and is consistent with the purpose and intent of the LDRs. The proposed rezoning request provides for compatible zoning with the Wellington land uses. The concurrent ZTA identifying property development regulations for the new Subarea G for the Flying Cow Ranch properties, identifies development regulations consistent with the purpose of the EOZD and the surrounding communities.

**C. That the proposed request is compatible and consistent with existing uses and the zoning surrounding the subject land and is the appropriate zoning district for the land.**

The proposed rezoning request is compatible and consistent with the existing uses and zoning surrounding the subject properties. A large portion of the subject parcel is already identified with an AR/EOZD zoning designation that is compatible with the Residential B/EPA land use. The remaining portions of the property are currently identified with Palm Beach County zoning designations, thus the rezoning request is for a

compatible zoning designation of AR/EOZD consistent with the remainder of the subject property and the surrounding community.

**D. That there are changed conditions that require the rezoning.**

There are changed conditions that require the rezoning including the recently annexed 2.8 acre parcel into the Village that has a concurrent request for an amendment to identify the parcel with a Village land use designation of Residential B within the EPA. The rezoning request to identify the 2.8 acre parcel with a compatible Village zoning designation of AR/EOZD is required. The rezoning request for the northern Parcel 1 is required to modify the existing Palm Beach County zoning designation of AR to a Wellington zoning designation of AR/EOZD. As stated above, the entire 150 acre Flying Cow Ranch development is proposed to be designated with the newly created EOZD Subarea G that is specific to the Flying Cow Ranch properties with development regulations in the EOZD.

**E. That the proposed request would not result in significantly adverse impacts on the natural environment, including, but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.**

The proposed request does not result in significantly adverse impacts on the natural environment. See enclosed Environmental Report for additional information.

**F. That the proposed request would result in a logical and orderly development pattern.**

The proposed request results in a logical and orderly development pattern. The project is proposed to be developed in one phase including the residential lots and accessory private landing strip.

**G. That the proposed request is consistent with applicable neighborhood plans.**

The proposed request is consistent with the EPA and EOZD and the newly created Subarea G regulations for the Flying Cow Ranch properties.

**H. That the proposed request complies with Article 11, Adequate Public Facilities.**

The proposed request complies with Article 11, Adequate Public Facilities.

***Based on the above and attached information, the Petitioner respectfully requests the approval of the Rezoning Application.***