



**AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, JUNE 18, 2024
7:00 PM**

Call to Order

Invocation; Moment of Silence; and Pledge of Allegiance

Roll Call:

Mayor Jim Kuretski
Vice-Mayor Malise Sundstrom
Councilor Ron Delaney
Councilor Andy Fore
Councilor Cameron May
Town Manager Frank Kitzerow
Town Attorney Thomas J. Baird

If you would like to speak on any item, please submit a Comment Card.

ORDER OF BUSINESS FOR QUASI-JUDICIAL HEARINGS:

- Swearing in (For anyone planning to address Council)
- Disclosure of ex parte communications (Council only)
- Presentation by applicant
- Staff and Planning and Zoning Commission recommendations
- Public to be heard – Three (3) minute limit
- Motion on the floor

PRESENTATION

1. Jupiter Fire Rescue department (JFRD) update - Introduction of Deputy Chief Stephen Shaw. #

CITIZEN COMMENTS

All Non-agenda items are limited to three (3) minutes. Anyone wishing to speak is asked to state his/her name and address for the record prior to addressing the Town Council. Council will not discuss these items this evening. **Any issues will be referred to Staff for investigation; a report will be forwarded to Council; and citizens will be contacted.**

MINUTES

2. June 4, 2024 Town Council Meeting Minutes.

CONSENT AGENDA

All items listed in this portion of the agenda are considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests; in which event, the item will be removed and considered at the beginning of the regular agenda.

PUBLIC HEARING

3. **Ordinance 2-24, Second Reading, KB Carlin Rezoning - Quasi-Judicial**
- Zoning Map amendment.

PUBLIC BUSINESS

4. **Resolution 63-24**, Approving the Plat titled Water Pointe.
5. **Resolution 64-24**, Approving the Replat titled Sipowski.
6. **Resolution 65-24**, Approving the Replat titled Bear's Club Cottage Tract P2 – Replat No. 2, A P.U.D.
7. **Resolution 67-24**, Approving the Replat titled Body Court of Yacht Club Estates.
8. **Resolution 76-24**, Approving the Town of Jupiter 2024-2025 Community Development Block Grant (CDBG) Action Plan in the amount of \$273,367.
9. Approving consideration to ratify the two (2) year reappointment of Mr. Nikitas Scopelitis as the fifth member of the Police Pension Board.

REGULAR AGENDA

PUBLIC HEARING

10. **Ordinance 17-24, First Reading**, Cinquez Park – Comprehensive Plan Future Land Use Map Amendment. (Second reading 7/16/24)
11. **954 Old Dixie Highway - Quasi-judicial** - Site Plan Amendment to delete a condition of approval associated with offsite parking.

REPORTS

TOWN ATTORNEY

TOWN MANAGER

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

ADJOURNMENT

Town Council Future Meetings

July 2, 2024

July 16, 2024

NOTICE

Town Council and CRA Meetings are now webcasted real-time and viewable on your computer or mobile device.

www.jupiter.fl.us/Live

Back up material for the Town Council Meetings are available online one (1) week before the Regular Meetings

= no materials attached *revisions may occur* www.jupiter.fl.us

Section 2-64; Decorum, disturbing meeting

While the Town Council is in session, the members thereof and the public present in the Council chambers shall not, by conversation or otherwise, delay or interrupt the proceeding or the peace of the Council. It shall be unlawful for any person to disturb or disrupt a meeting of the Town Council or to refuse to obey the orders of the presiding officer in the conduct of the meeting and such person shall be subject to being summarily ejected from the meeting.

Note: Persons are advised that if they wish to appeal any decision made at this meeting, they will need a record of the proceedings and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per Section 286.0105 of the Florida Statute. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office at TownClerk@jupiter.fl.us or 561-741-2752 at least 48 hours in advance to request accommodations.*



**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, JUNE 4, 2024**

Mayor Kuretski called the meeting to order at 7:00 P.M.

Mayor Kuretski recognized Officer Kevin Schwebs who began his career with the Police Department in 2003 and was one of the original members of the Honor Guard. He noted Officer Schwebs would be retiring after tonight's Honor Guard duty and wished him well.

Roll Call: Mayor Jim Kuretski; Vice-Mayor Malise Sundstrom; Councilor Ron Delaney; Town Manager Frank Kitzerow; Acting Town Attorney Brett Lashley and Town Clerk Laura Cahill. Councilor Andy Fore and Councilor Cameron May were absent.

PROCLAMATION

1. Code Enforcement Appreciation week - June 3 - 7, 2024 – Mr. Chris Ailes, Code Compliance Supervisor.

The Mayor presented the proclamation to Mr. Chris Ailes, Code Compliance Supervisor and the Code Compliance Department.

Mr. Ailes thanked Council and stated the Code Compliance department was pleased to serve the community and expressed gratitude for his team.

PRESENTATION

2. Recognizing Code Officer Paul Ruddock and Police Officer First Class Luis Rocha who received the Life Saving Award for their efforts on a call for service.

Chief David England recognized Code Enforcement Officer Paul Ruddock and Police Officer First Class Luis Rocha, for their life saving action they took in November of 2023. He explained the Jupiter Police Department (JPD) received a 911 call regarding an individual laying on the railroad tracks. Both Officer Ruddock and Rocha grabbed the individual off the railroad tracks within seconds prior to a train passing. Chief England explained they were awarded a lifesaving award for saving the individuals life.

PRESENTATION

2. Recognizing Code Officer Paul Ruddock and Police Officer First Class Luis Rocha who received the Life Saving Award for their efforts on a call for service.

Officer Ruddock thank the Council and the Town. He stated he was very proud of his job and thanked his Supervisor, Mr. Ailes who encouraged assisting the Police Department and saving a life when needed.

Officer Rocha thanked everyone and stated it was a part of his duties.

Mayor Kuretski said Council was grateful for their actions.

3. Town Centennial Celebration Planning Update.

Mr. Shawn Reed, Community Relations Manager and PIO, gave a presentation on the upcoming Town centennial next year. He stated the plan was to do a year-long celebration that included planning committees comprised of Town Staff and Town residents. He presented the centennial logo and gave a brief timeline.

Mayor Kuretski expressed his gratitude towards Staff for being proactive and getting different groups involved.

Councilor Delaney stated he was thankful for all Staff's work.

Vice-Mayor Sundstrom agreed and asked if Chick-Fil-A could be one of the food vendors for Jupiter Jubilee next year.

4. E-Bike Safety Campaign Initiative.

Chief David England gave an update on the Police Departments E-Bike Campaign which included the definition of E-Bike and E-Moto; traveling speed of both; governing Florida State Statute; moving and non-moving violations of traffic laws; and upgrading motor and batteries to increase speeds.

Chief England felt parents were buying E-Bike's not understanding the capabilities regarding modifications and youth were likely not operating them in a safe manner. He reviewed the Public Education Campaign, which included the Town website page; social media; meeting with public and private school; homeowner association meetings; public events; selected enforcement campaigns; networking with other law enforcement agencies and elected officials. He shared a Police Department flyer to educate the public and noted the Police Department was collecting data. He stated there had been 32 traffic stops with thirty being educational opportunities and two warranted traffic tickets.

Mayor Kuretski mentioned having E-Moto when he was younger and they were road able and needed to be a certain age.

PRESENTATION

5. E-Bike Safety Campaign Initiative.

Chief England clarified the E-Moto's were essentially motorcycles and needed to be registered unlike E-Bikes which were not allowed on the roads.

Mayor Kuretski said there used to be areas where dirt bike riders could go, however Jupiter was now fairly built out and no longer had those areas.

Chief England agreed there were no more areas in Jupiter unless they were riding on private property.

Councilor Delaney stated he was glad the Jupiter Police Department (JPD) was being proactive.

Vice-Mayor Sundstrom thanked Chief and JPD for being so visible within the Community and was appreciative Chief was at the last Connect with Council.

Mayor Kuretski asked if there were any rules or laws that stated all wheels needed to be on the ground.

Chief England said there was a Florida Statute that states a vehicle on the roadway doing a wheelie was against the law and was one of the most expensive citations.

Mayor Kuretski thanked JPD for being proactive.

Mr. Adam Paulson, resident of Lucerne Street, spoke about an incident regarding several E-Bikes riders doing wheelies and e-stunting close to Heights Boulevard. Mr. Paulson spoke about an altercation with the E-Bike riders where he filed a police report. He went on to explain after the incident he posted on social media where several other concerned mothers reached out with the same issues. He also spoke about an ongoing issue with his neighbor.

CITIZEN COMMENTS

Ms. Linda McDermott, resident of Chadwick Drive, discussed a recent situation regarding an abused dog and thanked Town for their actions. She also thanked JPD for the E-Bike campaign.

Ms. Carol Watson, resident of Chasewood Drive, proposed an increase in salary for Council.

Mr. Eric Weitze, resident of Ocean Grande Boulevard, mentioned his concerns regarding signage and speeding on A1A. He also spoke about the proposed location for a Jupiter Fire Rescue fire station.

MINUTES

5. May 21, 2024 Town Council Minutes.

Councilor Delaney moved to approve May 21, 2024 Town Council Meeting Minutes, as amended; seconded by Vice-Mayor Sundstrom; motion passed.

Kuretski
Yes

Sundstrom
Yes

Delaney
Yes

CONSENT AGENDA

All items listed in this portion of the agenda are considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests; in which event, the item will be removed and considered at the beginning of the regular agenda.

Vice-Mayor Sundstrom moved to approve the Consent Agenda; seconded by Councilor Delaney; motion passed.

Kuretski
Yes

Sundstrom
Yes

Delaney
Yes

PUBLIC BUSINESS

6. Approving Town Council First Budget Workshop Meeting, Thursday, June 20, 2024 at 6:00 PM.

REPORTS

TOWN ATTORNEY

TOWN MANAGER

- Officer Kevin Schwebs – Mr. Kitzerow congratulated Officer Kevin Schwebs on his remarkable career and his retirement.
- Jupiter Police department E-bike Campaign – Mr. Kitzerow stated Jupiter Police were setting the pace on the E-bike campaign and received a lot of great feedback from the Community.
- Memorial Day Ceremony – Mr. Kitzerow thanked everyone involved in the ceremony.
- Local Traffic – Mr. Kitzerow stated at the request of Vice-Mayor Sundstrom, local traffic information was now located on the Town's website.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS
MAYOR KURETSKI

- Code Officer Paul Ruddock, Police Officer First Class Luis Rocha, and Officer Kevin Schwebs – Mayor Kuretski thanked them all and was thankful for allowing the Town to publicly honor them. He stated it was not just another day on the job and was glad they were publicly recognized.

VICE-MAYOR SUNDSTROM

- Code Officer Paul Ruddock, Police Officer First Class Luis Rocha, and Officer Kevin Schwebs – Vice-Mayor Sundstrom thanked them and thanked all officers including Fire Rescue for all the work they do and being able to recognize them was a wonderful part of the job.
- Memorial Day Ceremony - Vice-Mayor Sundstrom stated she was grateful for the ceremony and appreciated the Congressman inviting others to come and give the names of those who were being remembered that day.

COUNCILOR DELANY

- Code Officer Paul Ruddock, Police Officer First Class Luis Rocha Officers – Councilor Delaney stated it was amazing how quickly officers would spring into action and all his gratitude towards public servants.

ADJOURNMENT - 8:00 P.M.

Laura Cahill, Town Clerk

TOWN OF JUPITER
KB Carlin Rezoning



DATE	June 18, 2024
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	John Sickler, Director of Planning and Zoning
SUBJECT	<u>Ordinance 2-24, KB Carlin Rezoning</u> - Zoning Map amendment from Commercial, General (C-2) to U.S. Highway One/Intracoastal Waterway Corridor District – Waterway Commercial and Entertainment Subdistrict (US1/ICW-WCE) for 1.6+/- acres of property located on the west side of US-1 approximately one-quarter mile north of the intersection of US 1 and Indiantown Road.

EXECUTIVE SUMMARY

Consideration of a Zoning Map Amendment to change the zoning of approximately 1.6± acres from Commercial, General (C-2) to U.S. Highway One/Intracoastal Waterway Corridor District – Waterway Commercial and Entertainment Subdistrict (US1/ICS-WCE).

ANALYSIS

At their May 18, 2024 meeting, the Town Council voted unanimously to approve (by a 5 to 0 vote) the subject Zoning Map amendment. At the meeting, the owner elected to withdraw their application for the Future Land Use Map amendment on the property as it was not supported by the Town Council. After the Town Council meeting, the applicant requested to also withdraw the Planned Unit Development, Special Exception, and Site plan applications on the subject property. The staff report has been updated to remove any references to the Future Land Use application that was withdrawn.

The subject property contains two parcels of land that are 0.69± acres and 0.91± acres, totaling 1.6± acres. The property has never been developed and contains an old-growth mangrove forest with exotic vegetation. Wetland protection is mandated under federal, state, and local regulations and leaves a small portion of the site buildable. The existing Future Land Use Designation of Commercial adequately achieves the intended goals and objectives outlined within the Comprehensive Plan and the proposed zoning district will implement the policies for the Waterway, Commercial and Entertainment sector. The proposed zoning district on the property is consistent with the surrounding properties and is the most appropriate zoning designation for the subject property.

The Town Attorney has reviewed the attached Ordinance and finds it to be in acceptable form.

PLANNING AND ZONING RECOMMENDATION:

At their March 12, 2024 meeting, the Planning and Zoning Commission voted unanimously to approve (by a 6 to 0 vote) the proposed Zoning Map amendment.

STRATEGIC PRIORITY

- Manage Growth

ATTACHMENTS

1. Ordinance #2-24
2. Staff Report and Attachments

FUNDING SOURCE

N/A

For more information or copies of the attachments, please contact Thatcher Hart at Thatcherh@jupiter.fl.us or 561-741-2464.

ORDINANCE NO. 2-24

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING THE TOWN'S OFFICIAL ZONING MAP TO REZONE APPROXIMATELY 1.62 ACRES OF PROPERTY LOCATED BETWEEN THE INTRACOASTAL WATERWAY AND US HIGHWAY 1 ACROSS FROM BURT REYNOLDS PARK FROM "COMMERCIAL, GENERAL (C-2)" TO THE "U.S. HIGHWAY ONE / INTRACOASTAL WATERWAY CORRIDOR DISTRICT – WATERWAY COMMERCIAL AND ENTERTAINMENT SUBDISTRICT (US1/ICW-WCE)"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. (PZ# 22-5377)

WHEREAS, KB Carlin, LLC & KB Carlin II, LLC is the owner of approximately 1.6± acres, as legally described and shown in **Exhibit "A"** (the subject property).

WHEREAS, the subject property is located between the Intracoastal Waterway and US Highway 1 across from Burt Reynolds Park, as shown in **Exhibit "B"**; and,

WHEREAS, the Jupiter Planning and Zoning Commission has recommended that the Town Council amend the zoning of the subject property from the "Commercial, General (C-2)" zoning district to the "U.S. Highway One / Intracoastal Waterway Corridor District – Waterway Commercial & Entertainment Subdistrict (US1/ICW-WCE)" zoning district; and,

WHEREAS, the Town Council has conducted a public hearing wherein it considered the recommendations of the Planning & Zoning Commission regarding the recommended zoning to the Subject Property; and,

1 **WHEREAS**, the Town Council has determined that the rezoning of the Subject Property
2 would be consistent with the future land use designation assigned to the subject property.

3 **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF**
4 **JUPITER, FLORIDA:**

5 **Section 1.** The whereas clauses are incorporated herein and constitute the legislative
6 findings of the Town Council.

7 **Section 2.** The Town Council hereby rezones the approximately 1.62 acre Subject
8 Property from “Commercial, General (C-2)” to the “U.S. Highway One / Intracoastal Waterway
9 Corridor District – Waterway Commercial & Entertainment Subdistrict (US1/ICW-WCE)” zoning
10 district. The Subject Property is shown in **Figure “1.”**

11 **Section 3.** In accordance with Section 27-373 of the Zoning Code, the Town Council
12 hereby directs that the Town's Official Zoning Map be amended to reflect the Subject Property as
13 being within the “U.S. Highway One / Intracoastal Waterway Corridor District – Waterway
14 Commercial & Entertainment Subdistrict (US1/ICW-WCE)” zoning district.

15 **Section 4.** Severability. If any section, paragraph, sentence, clause, phrase or word
16 of this Ordinance is for any reason held by a court to be unconstitutional, inoperative or void, such
17 holding shall not affect the remainder of this Ordinance.

18 **Section 5.** Repeal of Laws in Conflict. All ordinances or part of ordinances in conflict
19 herewith are hereby repealed to the extent of such conflict.

20 **Section 6.** Effective Date. The provisions of this ordinance shall become effective
21 upon its execution.

22 **Attachments: Exhibit "A" - Legal Description of the Subject Property**
23 **Exhibit "B" - Location Map**
24 **Figure “1” – New Zoning Map**

LEGAL DESCRIPTION

PARCEL ONE:

A PORTION OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING WEST OF U.S. HIGHWAY NO. 1 AND EAST OF THE INTRACOASTAL WATERWAY, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE QUARTER SECTION CORNER OF THE NORTH LINE OF SAID SECTION 6, BEAR SOUTH 89°33'30" EAST, ALONG THE NORTH LINE OF SAID SECTION 6, A DISTANCE OF 236.51 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE SOUTH 7°26'30" EAST, A DISTANCE OF 233.77 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2924.93 FEET; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°35'57", A DISTANCE OF 930.00 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 26°02'30" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1, A DISTANCE OF 47.68 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND, PROCEED THENCE SOUTH 52°53'06" WEST, A DISTANCE OF 236.38 FEET, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF OLD JUPITER BEACH ROAD, TO A POINT ON THE GOVERNMENT MEANDER LINE OF GOVERNMENT LOT 9; THENCE NORTH 87°59'38" EAST, ALONG SAID GOVERNMENT MEANDER LINE A DISTANCE OF 73.22 FEET; THENCE SOUTH 19° 53' 22" WEST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 18°36'14" WEST, A DISTANCE OF 23.00 FEET; THENCE SOUTH 3°14'04" WEST, A DISTANCE OF 11.27 FEET; THENCE SOUTH 26° 35' 24" WEST, A DISTANCE OF 20.83 FEET; THENCE SOUTH 26°29'28" EAST, A DISTANCE OF 21.04 FEET; THENCE SOUTH 18°20'20" EAST, A DISTANCE OF 13.34 FEET; THENCE SOUTH 14°10'00" EAST, A DISTANCE OF 12.19 FEET; THENCE SOUTH 61°06'33" EAST, A DISTANCE OF 18.29 FEET; THENCE SOUTH 48°21'58" EAST, A DISTANCE OF 10.24 FEET, TO A POINT ON THE NORTH LINE OF GOVERNMENT LOT 3; THENCE SOUTH 75°30'22" EAST, ALONG SAID NORTH LINE OF GOVERNMENT LOT 3, A DISTANCE OF 34.61 FEET; THENCE NORTH 83°38'55" EAST, A DISTANCE OF 24.42 FEET; THENCE NORTH 60°00'32" EAST, A DISTANCE OF 20.25 FEET; THENCE NORTH 40°03'11" EAST, A DISTANCE OF 18.95 FEET; THENCE NORTH 64°32'05" EAST, A DISTANCE OF 20.50 FEET; THENCE NORTH 63°17'36" EAST, A DISTANCE OF 25.98 FEET; THENCE NORTH 54°20'25" EAST, A DISTANCE OF 16.18 FEET; THENCE NORTH 57° 03' 14" EAST, A DISTANCE OF 16.93 FEET; THENCE NORTH 26°24'37" EAST, A DISTANCE OF 11.44 FEET; THENCE NORTH 53°10'09" EAST, A DISTANCE OF 32.90 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE NORTH 26°02'30" WEST, ALONG THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1, A DISTANCE OF 202.28 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND.

LESS ANY PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH MAY LIE WITHIN THE BOUNDARIES OF GOVERNMENT LOT 3 IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

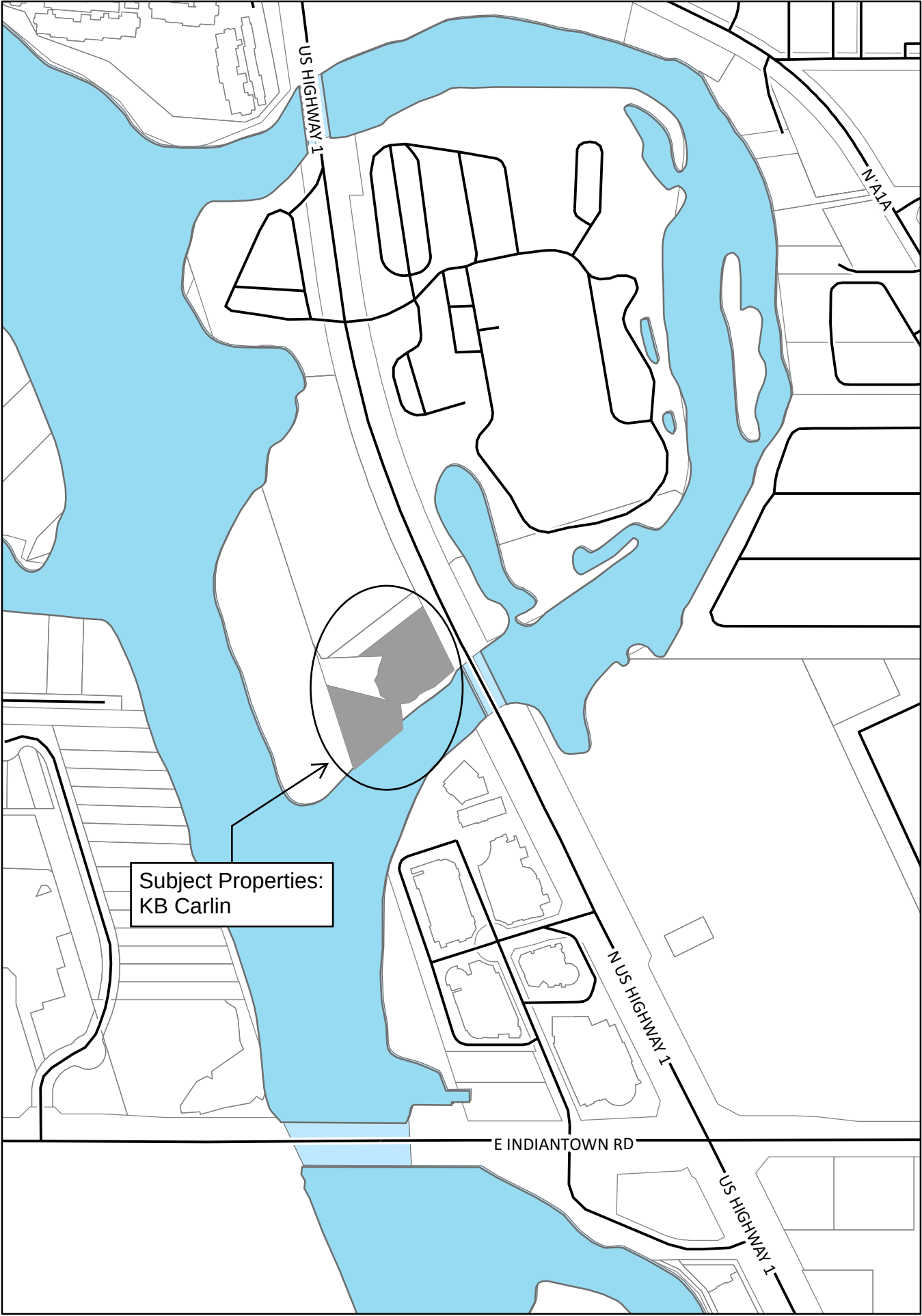
AND

PARCEL TWO:

A PARCEL OF LAND LYING IN GOVERNMENT LOT 3, (ACCORDING TO THE GOVERNMENT RESURVEY OF 1992), SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PART OF SAID GOVERNMENT LOT 3 LYING WEST OF THE EAST MEANDER LINE OF SAID GOVERNMENT LOT 3, AND EAST OF THE EAST RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY, AS RECORDED IN PLAT BOOK 17, PAGE 3A, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Location Map
KB Carlin Future Land Use Map and Zoning Map Amendments



Proposed Zoning Map

Figure 1



**TOWN OF JUPITER STAFF REPORT FOR A
ZONING MAP AMENDMENT FOR KB CARLIN
TOWN MANAGER'S OFFICE**



DATE: June 6, 2024
TO: Honorable Mayor and Members of Town Council
THRU: Frank J. Kitzerow, Town Manager
FROM: John Sickler, Director of Planning and Zoning **JS**
SUBJECT: **KB Carlin Rezoning** - Zoning Map amendment from Commercial, General (C-2) to U.S. Highway One/Intracoastal Waterway Corridor District – Waterway Commercial and Entertainment Subdistrict (US1/ICW-WCE) for 1.6+/- acres of property located on the west side of US-1 approximately one-quarter mile north of the intersection of US 1 and Indiantown Road.

Ordinance #2-24 (Zoning)	LPA/P&Z Commission:	3/12/24
PZ 22-5377	Town Council:	05/21/24 (1 st reading)
T. Hart	Town Council:	06/18/24 (2 nd reading)

Project Information

<i>Applicant:</i>	KB Carlin LLC
<i>Agent:</i>	George Missimer, Cotleur & Hearing, Inc.
<i>Property Owner:</i>	KB Carlin LLC (Kevin Burinescu)
<i>Location:</i>	Located on the west side of US-1 Approximately 0.25 miles north of the intersection of E Indiantown Road and US Highway 1 (see Attachment A - Location Map)
<i>Acreage:</i>	1.6 +/-
<i>PCN Numbers:</i>	30434106000000020, 30434106000030090 and 30434106000090050
<i>Existing FLUM designation:</i>	Commercial within the U.S. Highway One/Intracoastal Waterway Corridor District / Waterway, Commercial and Entertainment sector
<i>Existing use of property:</i>	Vacant
<i>Existing Zoning:</i>	(C-2) Commercial, General
<i>Proposed Zoning:</i>	U.S. Highway One/Intracoastal Waterway Corridor District – Waterway Commercial and Entertainment Subdistrict (US1/ICW-WCE)

Staff update

At the May 21, 2024 meeting, the owner elected to withdraw their application for the Future Land Use Map amendment on the property as it was not supported by the Town Council. After the Town Council meeting, the applicant requested to also withdraw the Planned Unit Development, Special Exception, and Site plan applications on the subject property. The staff

report has been updated to remove any references to the Future Land Use application that was withdrawn due to its lack of support from the Town Council.

Town Council Action.

At their May 21, 2024 meeting, the Town Council, voted to approve (by a 5 to 0 vote) the subject Zoning Map amendment.

Planning and Zoning Commission Action.

At their March 12, 2024 meeting, the Planning and Zoning Commission voted to approve (by a 6 to 0 vote) the rezoning amendment.

Staff Compliance Review

Based upon the facts and findings contained herein, the Department of Planning and Zoning finds the proposed changes to the Zoning Map for 1.62+/- acres (located as shown on Location Map, Attachment A) (outlined within the Justification Statement, Attachment E) from the existing zoning designation of Commercial, General (C-2) to the Waterway, Commercial, and Entertainment Subdistrict of the US-1 / Intracoastal Waterway Corridor Zoning District **consistent** with the goals, objectives, and policies of the Comprehensive Plan. The Future Land Use Amendment request remains within Applicant's Justification Statement (Attachment E); however, that portion of the request has been withdrawn.

Table 1. Surrounding land uses and designations – KB Carlin

<i>Location Map – Attachment A</i>		
<i>Location</i>	<i>Existing Land Uses</i>	<i>Future Land Use Designations/ Zoning Districts</i>
North	Vacant (Piatt Place)	Commercial / U.S. Highway One/Intracoastal Waterway Corridor District – Waterway Commercial and Entertainment Subdistrict (US1/ICW-WCE)
South	Commercial (Harbourside Place) and oxbow waterway	Commercial / U.S. Highway One/Intracoastal Waterway Corridor District – Waterway Commercial and Entertainment Subdistrict (US1/ICW-WCE)
East	Burt Reynold's Park	Recreation / PI Public Institutional
West	Residential, Single Family Home / Intracoastal Waterway	Low and Medium Density Residential/ Residential, Limited Multi-Family (R-3)

For a comprehensive view of the above designations that surround the subject properties refer to the existing Future Land Use Map (Attachment B) and existing Zoning Map (Attachment C). The proposed Zoning designation is shown on the proposed Zoning Map (Attachment D). For clarity, the general locations of the properties included in this application are circled in the attachments.

Background

The property contains two parcels of land that are 0.69 +/- acres and 0.91 +/- acres, totaling +/- 1.6 acres. Located on the west side of the Intracoastal, the subject property has never been developed and contains an old-growth mangrove forest with exotic vegetation (See Attachment

G). Wetland protection is mandated under federal, state, and local regulations and leaves a small portion of the site buildable.

Analysis.

A. Zoning Map Amendments

Criteria for Zoning Map amendments. Pursuant to Chapter 163, Florida Statutes, the zoning district for the subject property must be compatible with the designated future land use.

Four criteria in [Section 27-178](#) are identified for changes to future land use and zoning. A discussion of these four criteria in relation to the applicant's requested zoning district is included below:

- 1) *The proposed map amendment shall be consistent with the goals, objectives, and policies of the Town of Jupiter Comprehensive Plan.*

Staff Comment: The proposed zoning district meets the intent of the objectives and policies of the Comprehensive Plan, furthers the creation of the Riverwalk, and is consistent with the existing Commercial future land use designation on the property.

- 2) *The proposed map amendment shall be consistent with the established land uses of surrounding properties or land use patterns.*

Staff Comment: The proposed zoning map amendment is consistent with the established land uses of surrounding properties. The parcel is located directly adjacent to other properties with the Waterway, Commercial, and Entertainment Subdistrict of the US-1 / Intracoastal Waterway Corridor Zoning District designation to the north and south, as well as Public/Institutional designation on Burt Reynolds Park, which is a complementary district.

- 3) *The proposed map amendment shall not create an isolated land use designation or zoning district unrelated to adjacent and nearby designations or districts.*

Staff Comment: The proposed zoning map amendment will not create an isolated zoning designation that is unrelated to the adjacent designations. As noted previously, the properties to the north and south have the same designation, and the property to the east has a Public/Institutional zoning district which is complementary. Furthermore, the properties to the north and south have a commercial future land use designation. The existing Future Land Use Designation of Commercial adequately achieves the intended goals and objectives of emphasizing a mixture of entertainment and commercial uses, linked in a north-south manner by a waterfront walkway, providing public access and integrated pathway through the properties along the Intracoastal Waterway as outlined within the Comprehensive Plan and is consistent with the proposed zoning designation.

- 4) *The application is necessary because of changed or changing conditions, including, but not limited to changing demographic trends, annexation, or public service needs.*

Staff Comment: The Zoning map amendment is being requested in order to allow for the development of the property. The proposed zoning is necessary to assign zoning designations that are consistent with the existing future land use designations, and to continue to implement the policies outlined in the Comprehensive Plan for the US 1/ICW

Corridor and the Waterway, Commercial and Entertainment Sector assigned to the subject property.

Conclusions.

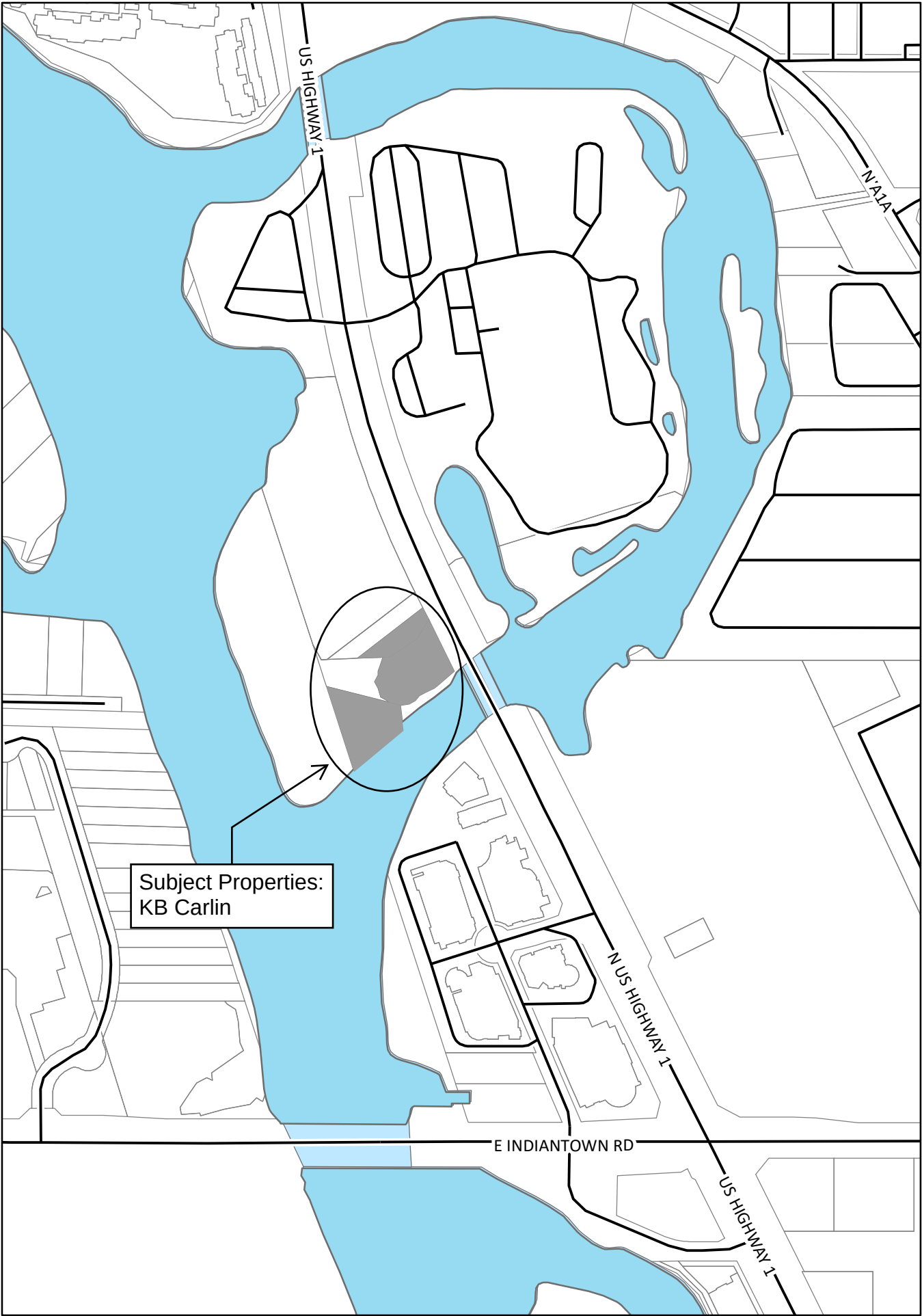
The requested Zoning Map amendment on the two parcels totaling 1.6 acres, based on existing and future uses is consistent with the Comprehensive Plan and surrounding subdistrict, for the following reasons:

1. The proposed zoning designation is consistent with the surrounding properties and is consistent with the existing Commercial Future Land Use designation;
2. The request will have no significant impacts on public facilities and services;

Attachments:

Attachment A – Location Map
Attachment B – Existing FLUM
Attachment C – Existing Zoning Map
Attachment D – Proposed Zoning Map
Attachment E – Justification Statement
Attachment F – Environmental Assessment
Attachment G – Wetland Survey

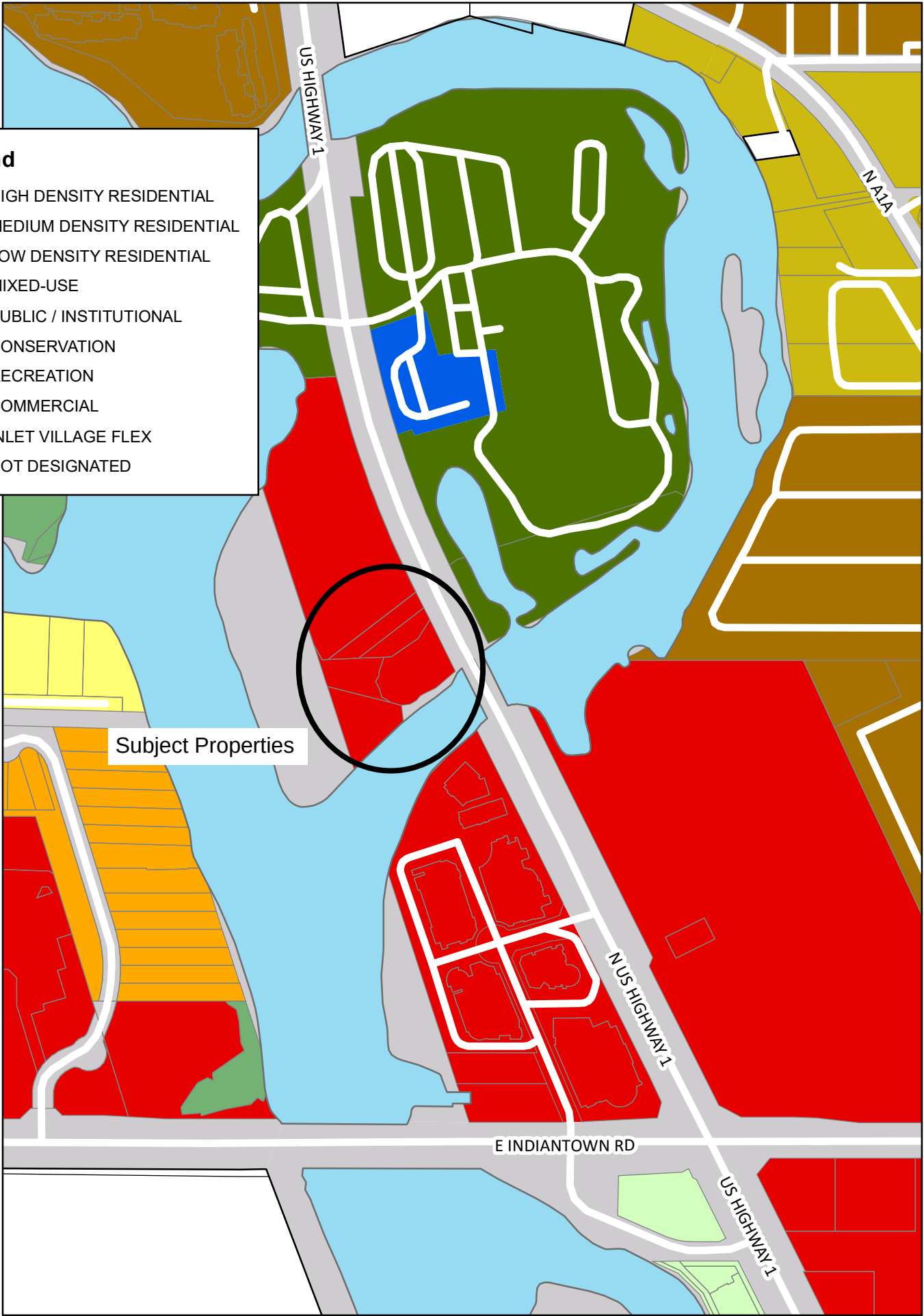
Contact Thatcher Hart at 561-741-2464 or email at Thatcherh@Jupiter.fl.us for a copy of attachments)



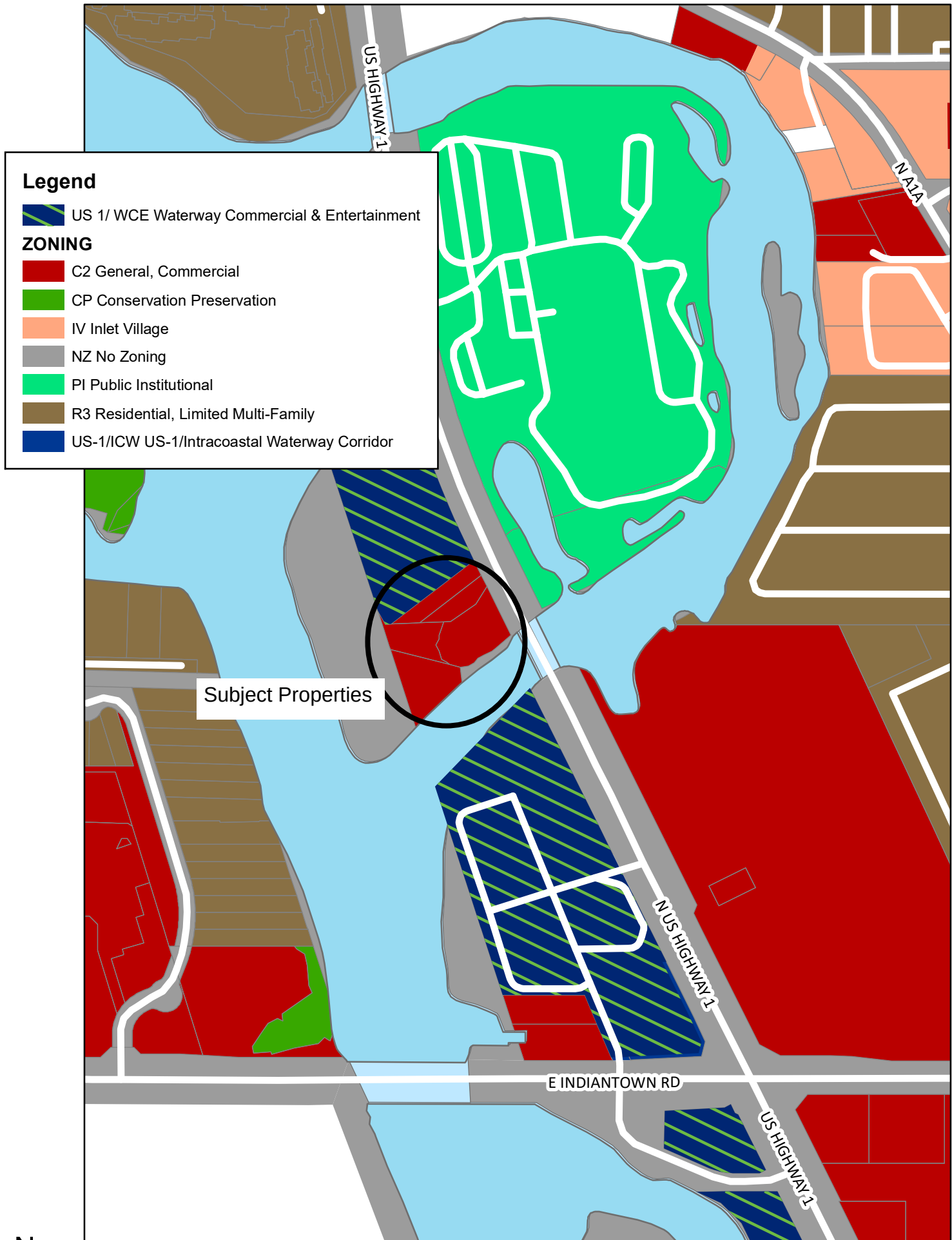
Current FLUM Map

Legend

- HIGH DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- MIXED-USE
- PUBLIC / INSTITUTIONAL
- CONSERVATION
- RECREATION
- COMMERCIAL
- INLET VILLAGE FLEX
- NOT DESIGNATED

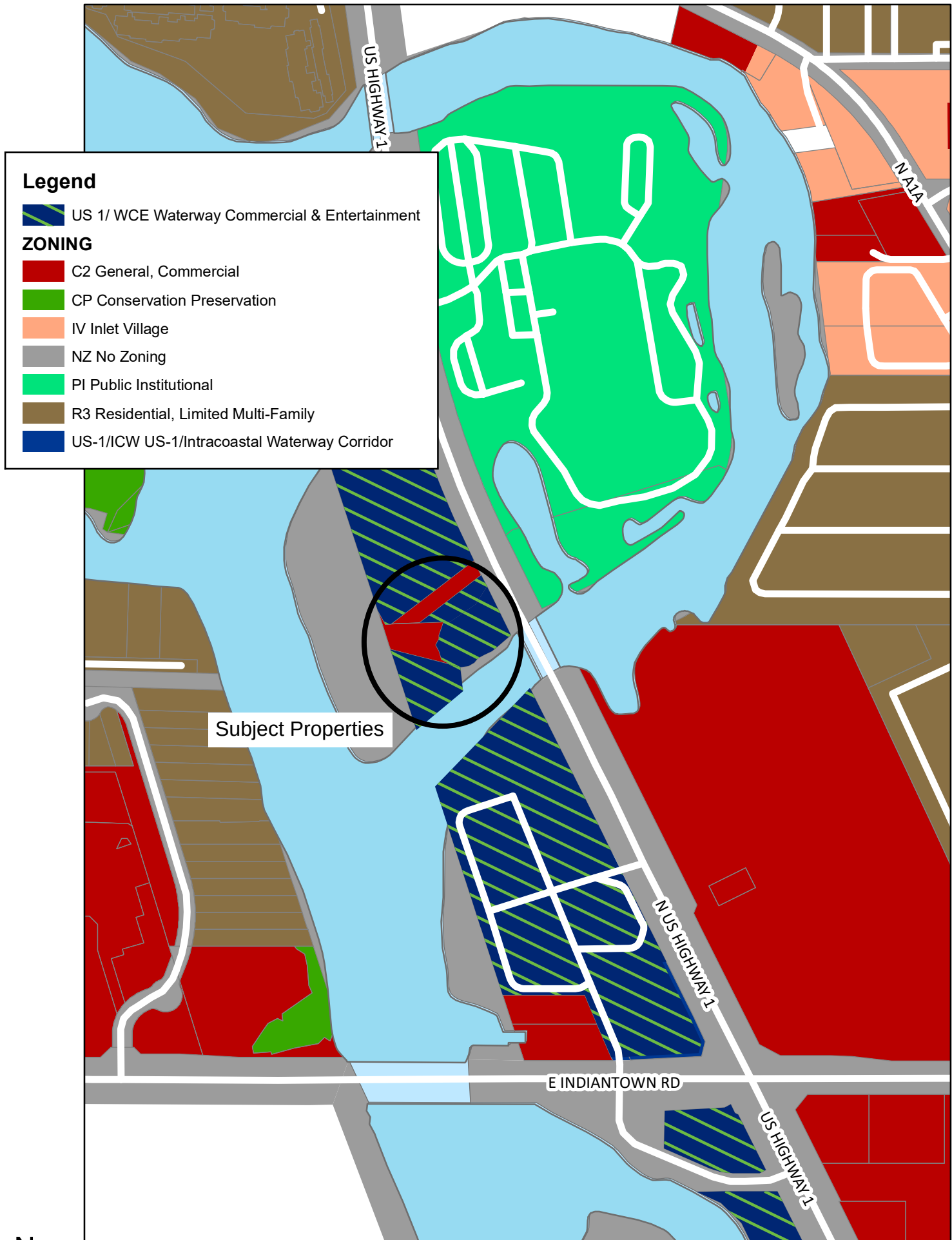


Current Zoning Map



Proposed Zoning Map

Attachment D



KB Carlin

Rezoning & Future Land Use Amendment
Statement of Use
October 9, 2023

INTRODUCTION

On the behalf of the applicant, KB Carlin LLC, please accept this as our formal request for rezoning and amendment of the Future Land Use (FLU) designation for a property located within the boundary of the Town of Jupiter. The subject property is approximately 1.6 acres and is located along the intracoastal waterway and US Highway 1. The applicant is proposing to construct a mixed-use building on the property and develop the site under the guidance of the Mixed-Use FLU designation and the Intracoastal Waterway District regulations and the Waterway Commercial & Entertainment Sub-district. The property has a Future Land Use designation of Commercial and a zoning designation of C-2, Commercial, General. Per the requirements of the Comprehensive Plan and Land Development codes for the Town of Jupiter, rezoning and Comprehensive Plan Map Amendment petitions are being submitted for the property to ensure consistency. The property is proposed to reflect a FLU designation of Mixed-Use, and to be rezoned to the US Highway 1 / Intracoastal Waterway Corridor, Commercial Corridor & Entertainment district. The property is directly adjacent to a planned portion of the Jupiter Riverwalk, which is proposed to be constructed as part of the project.

The proposed development project includes 1,500 SF of commercial retail space on the ground floor and 6 residential units across floors 2 through 4. The proposed development includes several significant public benefit improvements. The improvements proposed as part of the application are intended to elevate the property and provide the next connection for the Jupiter River Walk. A conceptual site plan is being submitted as part of this petition. A formal site plan review application with requests for special exception of Residential and Marina uses will be forthcoming.

Applicant/ Owner

KB Carlin LLC
Marc Weissman
415 Grace Church Street
RYE, New York 10580

Agent

Cotleur & Hearing
George Missimer / Donaldson Hearing
1934 Commerce Lane, Suite 1
Jupiter, FL 33458
dhearing@cotleur-hearing.com
gmissimer@cotleur-hearing.com
mwest@cotleur-hearing.com

PROJECT LOCATION

The subject property is located along US Highway 1 in the Town of Jupiter. The property is approximately .25 miles north of the intersection of E Indiantown Road and US Highway 1. The total site area is approximately 1.62 acres. The property has a Commercial Future Land Use and a Commercial, General (C-2) Zoning designation. The property lies directly east of the Intracoastal waterway.

SURROUNDING LAND USE AND ZONING

Adjacent Property	Future Land Use	Zoning District	Land Use
North	COMMERCIAL	US1/ICW - WCE WATERWAY COMMERCIAL & ENTERTAINMENT	VACANT, PUBLIC OWNERSHIP
South	INTRACOASTAL WATERWAY	INTRACOASTAL WATERWAY	N/A
East	RECREATION	PI PUBLIC/ INSTITUTIONAL	BURT REYNOLDS PARK
West	INTRACOASTAL WATERWAY	INTRACOASTAL WATERWAY	N/A

REQUEST

The subject property is approximately 1.62 acres and is currently zoned C-2 Commercial General. Due to the property being located directly along the Intracoastal Waterway and the planned Jupiter Riverwalk, the property must be rezoned to the US-1/Intracoastal Waterway Corridor, Commercial and Entertainment zoning district. The Applicant and property owner is proposing to construct a multi-use building on the uniquely shaped lot. Proposed within the 4-story structure are 6 residential units and 1,500 SF of ground floor commercial space.

The property has many challenges to development, especially challenges for commercial development. These challenges include the size of the parcel, the existence of wetland areas, access, and the proximity to an existing bridge along US-1. The construction of the bridge created a significant difference in the natural grade of the site and the adjoining roadway. Despite all of these challenges, the Property owner developed a program that would utilize the property in the most effective means, and which provides the most amount of public improvement as a result of the development.

Consistency with the Comprehensive Plan

The request by KB Carlin LLC for rezoning and amending the Future Land Use (FLU) designation for their property is consistent with the Comprehensive Plan for several reasons, aligning with the stated intent and location criteria of the plan:

Unified Development: The Comprehensive Plan's intent is to encourage the development of parcels as a unit rather than on a lot-by-lot basis. KB Carlin LLC's request involves the construction of a mixed-use building, which integrates both residential and non-residential uses across multiple floors. This aligns with the intent of developing a parcel as a unified unit, fostering a true mixing and vertical integration of uses. The proposed FLU and zoning district are consistent with the surrounding area, regarding the existing character and the vision for the future of the area.

Design Flexibility: The Comprehensive Plan aims to provide design freedom and flexibility for the development of parcels to ensure a true mixing and integration of uses. KB Carlin LLC's proposed mixed-use building adheres to this principle by incorporating commercial retail space on the ground floor and residential units on upper floors. This design approach supports the flexibility and integration of different uses. The Mixed Use FLU and US1/ICW designations allow for an innovative development concept that takes the unique challenges of this site into account.

Infill Development: The plan promotes infill development for underutilized areas using a mixed-use development approach. KB Carlin LLC's request to rezone and amend the FLU designation for their property reflects this principle, as it aims to revitalize a property along the intracoastal waterway and US Highway 1, contributing to the overall improvement of the area.

Public Access: The plan encourages providing public access to unique features incorporated into the design of a project. KB Carlin LLC's proposal includes the construction of a portion of the Jupiter Riverwalk, which aligns with the Comprehensive Plan's goal of continuing this connection, and providing public access to unique features like park facilities and water features.

Location Criteria: The location criteria specified in the Comprehensive Plan emphasize the need for land under unified control and planned as a whole. KB Carlin LLC's request involves the development of their property as a single unit, in harmony with the surrounding properties.

In summary, KB Carlin LLC's request aligns with the Comprehensive Plan's intent to promote mixed-use development, design flexibility, integration of uses, and infill development. It also adheres to the location criteria outlined in the plan by promoting consistency of community character in this area of the Town.

Access and Traffic

The subject parcels of land are extremely unique in their size, shape, and location. Despite the property directly abutting US-1, the only access available is via the Old Jupiter Beach Road right-of-way. No access from US-1 is possible due to the bridge location that crosses the Jupiter Ox Bow. As mentioned, the Old Jupiter Beach ROW tract located adjacent to the subject parcel is currently undeveloped and overgrown with invasive exotic plant species. The Applicant is proposing to design and construct the Town road on the Old Jupiter Beach ROW with this development. The intent is to create a decorative paver roadway with historical placards and native landscaping.

A traffic analysis has been created for the proposed development and it found that there is not a significant increase in daily trips based on the proposed development program, and no turn lane is required.

Greenspace

There are several public benefits as part of the proposed development and there are several minimum code requirements that are being exceeded. The development plan includes 72.44% green space over the parcel. The greenspace around the building is planted primarily with native species and the existing landscape area is proposed to be completely cleared of invasive species and restored to a true native Florida habitat.

Conclusion

On behalf of the applicant, KB Carlin LLC, please accept this as our formal request for Rezoning and Comprehensive Plan Map Amendment for a property located within the boundary of the Town of Jupiter. The subject property is approximately 1.6 acres and is located along the intracoastal waterway and US Highway 1. The applicant would like to construct a mixed-use building on the property and develop the site under the guidance of the Intracoastal Waterway District regulations and the Waterway Commercial & Entertainment Sub-district. The vision for the development project includes 1,500 SF of commercial retail space on the ground floor and 6 residential units across floors 2 through 4. The site proposal will include several significant public benefit improvements that go above and beyond what could be required for the development of the parcel. The improvements proposed as part of the application will be intended to elevate the property and provide the next connection for the Jupiter River Walk.

EW CONSULTANTS, INC.
NATURAL RESOURCE MANAGEMENT, WETLAND, AND ENVIRONMENTAL PERMITTING SERVICES



KB CARLIN PARCEL JUPITER, FLORIDA

ENVIRONMENTAL ASSESSMENT REPORT

Prepared for:

**Cobert Haber & Haber LLP
200 Garden City Plaza, Suite 103
Garden City, NY 11530**

Prepared by:

EW CONSULTANTS, INC.

August 2023

INTRODUCTION

EW Consultants, Inc. (EW) conducted an environmental assessment of the KB Carlin Jupiter parcel in May 2022, and revisited in July 2023, in Palm Beach County, Florida. The subject site covered by this environmental assessment consists of undeveloped land approximately 1.6 acres in size. The site is within Section 6, Township 41 south, and Range 43 east, in the Town of Jupiter. The property is bordered on the north by undeveloped land, mangrove swamp and the remains of a demolished building; on the east by U.S. Highway 1 (US1); on the west by mangrove swamp; on the south/southeast by waters connecting to Intracoastal Waterway. Location maps and a 2023 aerial photograph are provided in the Appendix as Figures 1 through 3.

PROPERTY DESCRIPTION AND METHODS

The property currently comprises mangrove swamp and non-native habitat. The non-native habitats are dominated by exotic species of vegetation. The mangrove swamp portion of the parcel does contain the fundamental components to be considered a native habitat community.

Chronological review of historical aerial imagery shows that the property has been undeveloped as far back as imagery exists, at least since the construction of US1, with the only visible impacts being historic mosquito ditching through the mangroves. The property has an abundance of invasive exotic Australian pine trees as far back as imagery exists, with the mangroves interleaved in adjacent to the water and wedged along the shoreline. Land clearing on the property adjacent to the north occurred sometime between 1979 and 1984. Land clearing on the Burt Reynolds Park locations east and west of US1 were underway in 1957 and beyond. A substructure for a building was installed on the adjacent north property after 1984 and the remaining development plans did not come to fruition. The land has remained in that state until the present, with the remnant building still in place.

Prior to the site visit, the U.S. Geological Survey 7.5-minute Quadrangle Topographic Map ‘Jupiter Quadrangle’ and a soil survey report for the property, obtained from the USDA (U.S. Department of Agriculture, Natural Resources Conservation Service – Web Soil Survey) were reviewed to determine topographic features and site soil mapping units. Copies of the Palm Beach County aerial photographs of the parcel were obtained and reviewed to determine potential locations of environmental features.

Pedestrian transects of the parcel were conducted to map approximate locations and boundaries of significant environmental resources, vegetative communities, exotic vegetation, and potential jurisdictional wetland areas. The survey was also conducted to note any occurrence of listed plant or animal species and vegetative communities which would require protection or identification by Palm Beach County, the local municipality, or any State or Federal agency.

Vegetation protection in the Town of Jupiter is mandated under Section 26, Article III, of the Ordinance. The Ordinance requires preservation of a minimum of 25 percent of each native upland

plant community and environmentally sensitive lands on site. In addition, the Ordinance requires that environmentally sensitive lands (mangrove swamp) shall be preserved at a rate of a minimum of 25 percent, including canopy, understory and ground cover, where applicable, as natural preserve areas.

Wetland protection is mandated under federal, state, and local regulations. The U.S. Army Corps of Engineers (CE) regulates activities in Waters of the United States pursuant to the Clean Water Act (PL92-500 Section 404) as further defined in the CE regulatory program (33 CFR 320-330). The State of Florida Department of Environmental Protection (DEP) has established wetland identification and permitting processes at Chapter 62-330, 62-340, and 62-312 of the Florida Administrative Code (FAC). Current federal and state wetland definitions are derived from the original definition found in 33 CFR 328.3, identifying wetlands as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of vegetation typically adapted to life in saturated soil conditions”. Delineation of federally regulated jurisdictional wetlands is determined by the Corps of Engineers Wetlands Delineation Manual (USAE Waterways Experiment Station Environmental Laboratory 1987) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (USAE Research and Development Center 2010). Delineation of wetlands regulated by DEP and South Florida Water Management District (SFWMD) is done according to Chapter 62-340 FAC, Delineation of the Landward Extent of Wetlands and Surface Waters. The Florida Wetlands Delineation Manual (Gilbert et al. 1995) serves as a guide to Chapter 62-340. Both manuals, which emphasize the identification of hydric soils, hydrophytic vegetation, and wetland hydrologic conditions in making wetland determinations, were used in this investigation.

SOILS

The soils on the site are mapped as Arents-Urban land complex. A description of the soil type in its natural condition is listed below. This description is based upon the general characteristics for the soil types as illustrated in the Soils Survey of Palm Beach County Area, Florida and are not necessarily indicative of the exact characteristics of the parcel. A soils map with the site boundary is included in the Appendix as an attachment.

Arents-Urban land complex, organic substratum (5) – The entire parcel is mapped as this soil type. This complex comprises nearly level, somewhat poorly drained, sandy soils, and urban land overlying organic soils. The areas were formerly organic marshes and swamps that were filled for urban use. This complex is about 50 to 75 percent Arents, and 25 to 50 percent Urban land. Arents consists of lawns, vacant lots, undeveloped areas, and other open land. Urban land consists of areas covered by streets, side-walks, driveways, houses, and other structures. Included with this complex in mapping are areas of soils that do not have an organic substratum and small areas of soils along the Intracoastal Waterway that have a layer of soft marl between the sandy surface layer and the organic substratum. In a few small areas the organic material begins at a depth of 50 inches. Permeability is rapid. The available water capacity is low or very low in the sand layers and very

high in the organic layers. This location comprises most of the subtypes included in this classification to varying degrees across the site.

NATURAL COMMUNITIES AND LAND COVERS

The Guide to the Natural Communities of Florida (Florida Natural Areas Inventory 1990) provides classification of natural communities of Florida and was used in this investigation. Approximate location of vegetative community cover type boundaries and other features of the site were mapped in accordance with Florida Land Use Cover and Forms Classification Systems Handbook (Florida Department of Transportation 1999) (FLUCFCS).

Field reconnaissance and aerial photograph interpretation were employed in the mapping effort of the vegetative communities on the subject site. The vegetative community descriptions include discussions of potential wildlife habitat in those communities. A land cover map of the observed community types with acreage is included as Figure 4 in the Appendix.

540 Bays and Estuaries – 0.07 +/- acres – A portion of the southern boundary of the property extends into the Jupiter River which is a component of the Intracoastal Waterway. Although most of this area consists of open water, other vegetation includes the overhanging canopy from the adjacent mangrove swamp habitat and submerged lands along the shoreline with the potential occurrence of protected sea grasses.

612 Mangrove Swamps – 0.73 +/- acres – This native coastal hardwood community is composed of white mangrove, red mangrove and black mangrove seedlings, saplings and mature trees. The mangrove swamp habitat extends along the western and southern boundaries of the upland portion of the site in the east and extends to and beyond the western, northern, and southern property boundaries. Some Australian pine and Brazilian pepper is present in areas where the mangrove swamp adjoins the upland habitats.

619 Exotic Wetland Hardwoods – 0.18 +/- acres – This tidal wetland area consists of an exotic Australian pine canopy with a sparse subcanopy of seagrass, seaside mahoe, red mangrove, black mangrove, and white mangrove along the outer perimeter. The groundcover contains scattered red mangrove, white mangrove, and black mangrove seedlings, black mangrove pneumatophores, and sea purslane.

740 – Disturbed Lands 0.64 +/- acres – This disturbed area has been previously cleared and has regrowth of primarily exotic invasive species such as Brazilian pepper and Australian pine. Invasive Australian pine was introduced to south Florida from Australia, it is common on disturbed sites, forming dense thickets, and is frequently planted as wind breaks and soil stabilizers. The trees are a near monoculture on this site and extend from the uplands to scattered occurrences in the wetland.

LISTED SPECIES AND WILDLIFE

Listed species of wildlife are found in *Florida's Endangered Species, Threatened Species and Species of Special Concern, Official Lists* (Florida Fish and Wildlife Conservation Commission December 2022) and regulated plants are listed in *Preservation of Native Flora of Florida*, Chapter 5B-40 (Florida Department of Agriculture and Consumer Services, Division of Plant Industry, April 2004). A preliminary series of pedestrian transects were conducted across the property to determine the presence of any listed species.

The three mangrove species found within the wetland areas of the property are protected by the 1996 Mangrove Trimming and Preservation Act (Sections 403.9321 - 403.9333, Florida Statutes) as well as by local authority. The intent of this legislation is to protect and preserve mangrove resources from unregulated removal, defoliation and destruction. The science supporting the regulations finds that mangroves play an important ecological role as habitat for various species of marine and estuarine wildlife as well as shoreline stabilization and water quality protection. Statute 403.9326 enumerates the exemptions and guidelines to this policy including the criteria for the trimming of mangrove trees.

A seagrass survey was not conducted during this assessment, however the submerged lands along the shoreline with the potential occurrence of protected sea grasses indicate the need for a seagrass survey to be conducted prior to the commencement of any in-water site work.

The location is within the U.S. Fish and Wildlife Service consultation area for the federally endangered Florida Bonneted Bat. Properties within the consultation area with specific tree species characteristics or structures (utility poles/overpass) greater than 15' in height, in addition to certain other structures, are required to be surveyed for potential roosting by the Florida Bonneted Bat. The property also potentially falls within the definition of foraging habitat due to its being situated "...in urban and residential areas (where) drinking water, prey base, and suitable foraging can be found at golf courses, parking lots, and parks in addition to relatively small patches of natural habitat.". A survey should be completed and reviewed by U.S. Fish and Wildlife Service prior to any clearing or construction activities on the property.

No other listed species of plants or wildlife were observed on the property. The disturbed nature of the upland portion of the property which consists of a dominance of exotic vegetation has left most of this habitat degraded and inappropriate for most listed species. Non-listed wildlife observed includes fiddler crab, mangrove crab, mourning dove, Cuban anole and raccoon scat.

WETLANDS

The property is located in an incorporated area of Palm Beach County (Town of Jupiter) and according to the Town's municipal code, the applicable state and federal agencies regulate impacts to wetlands. Wetland areas were observed on the subject property. If impacts are proposed, these areas will require permitting and mitigation under current state and federal rules. The western 0.98

acre of the property would likely be classified as jurisdictional wetland habitat as shown on the FLUCFCS map, Figure 4 (codes 540, 612, and 619). The exact boundaries of the jurisdictional wetland habitat is subject to review and approval by the State and Federal agencies, the South Florida Water Management District (SFWMD) and the U.S. Army Corps of Engineers (COE). In addition to the regulation of mangrove trimming discussed above, SFWMD and COE also regulate any proposed impacts to jurisdictional wetlands. Any proposed impacts in wetlands (filling, dredging, docks, retaining walls, etc.) will require permits and also compensatory mitigation for the impacts. The amount of credit required is determined by the size and habitat quality within the specific impact area.

SUMMARY

The Code of Ordinance defines environmentally sensitive lands, native upland vegetative communities, and trees that require preservation, protection, or mitigation. No native upland communities were observed on this parcel, and therefore no preservation of upland habitat would be required. The Ordinance also requires preservation or relocation of native trees where feasible. A native tree survey should be conducted to determine the quantity and locations of existing native trees such as live oak, strangler fig, and sabal palms on the property. This would assist in site planning to incorporate as much of the native vegetation as possible. Sabal palms occur throughout the parcel whereas the few live oaks occur along the north and west boundaries. Native upland trees that cannot be preserved or relocated may require mitigation in accordance with the Tree Credit Replacement Table found in Section 26-121 of the Ordinance. Additionally, in accordance with the Ordinance, all Category I, Florida Exotic Pest Plant Council (FEPPC) listed exotic plant species occurring on the property must be eradicated as a condition of development. Exotic species targeted by the Town of Jupiter can be found in Section 26-125.

This parcel contains approximately 0.98 acres of wetland habitat. Impacts to wetlands will require permits and compensatory mitigation as described above. Permits must also be obtained for any trimming or other alterations to mangroves.

The property falls within the U.S. Fish and Wildlife Service (FWS) Consultation Area for the Florida Bonneted Bat. The bridge structure and some of the trees fit the definitions of potential roosting habitat, therefore a Potential Roosting Habitat survey should be completed and a determination made according to the guidelines whether further inquiry or action would be required by FWS.

Due to the presence of submerged lands along the shoreline of the subject property, it is recommended that a seagrass survey be conducted prior to the commencement of any in-water site work. The submerged bottom area should be surveyed for the presence, quantity, and location of any species of seagrass or other submerged resources.

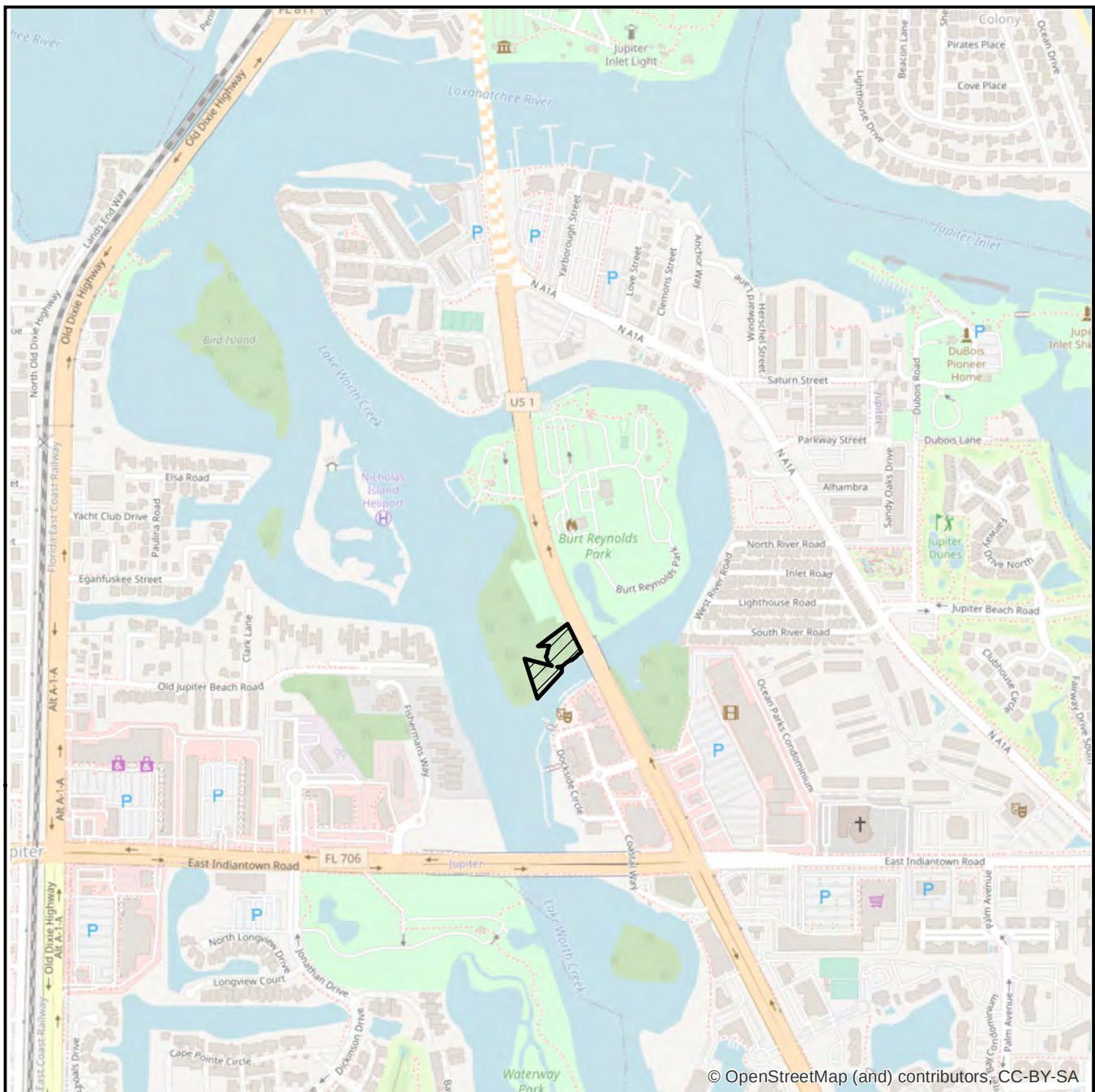
APPENDIX

Maps and Figures:

Figure 1: Location Map
Figure 2: Quad Map
Figure 3: Aerial Map
Figure 4: FLUCCS Map
Figure 5. Wetland Map

Attachment:

USDA Soils Report



0 1,000 Feet

LEGEND

 - SITE (1.62+/- AC)

KB CARLIN LOCATION MAP

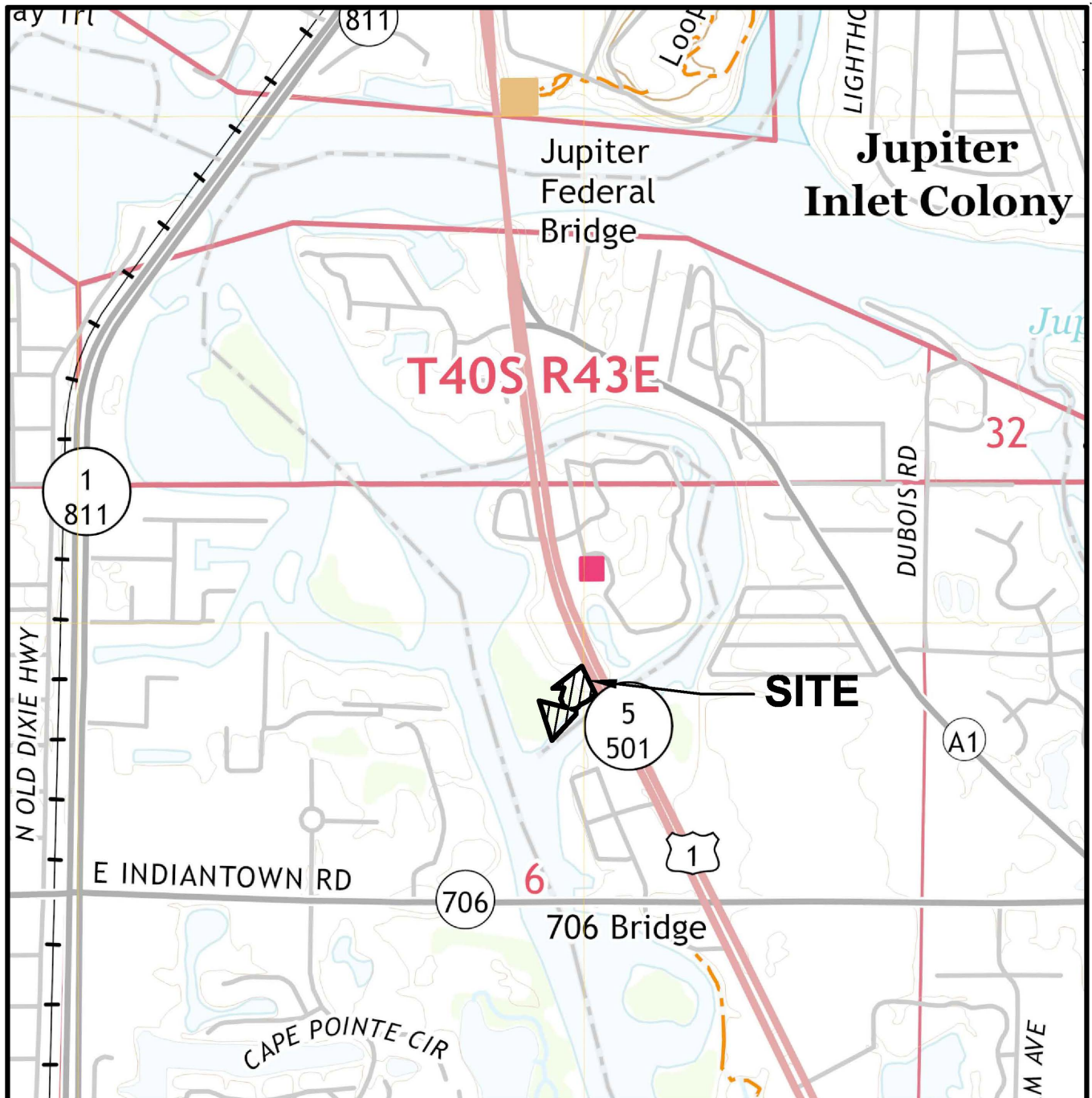
EW CONSULTANTS, INC.

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WEST PALM BEACH, FL 33407
561-291-7950 PHONE 561-530-4908 FAX
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FIGURE

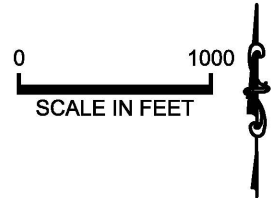
1



USGS QUAD MAP "JUPITER", SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, LATITUDE 26°56'15 LONGITUDE -80°05'01"

LEGEND

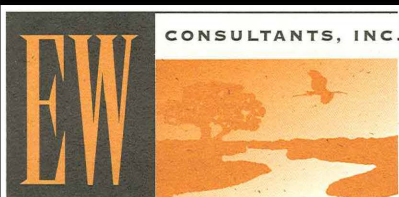
 - SITE (1.62± AC)



KB CARLIN

QUAD

KB Carlin Parcel.dwg QUAD



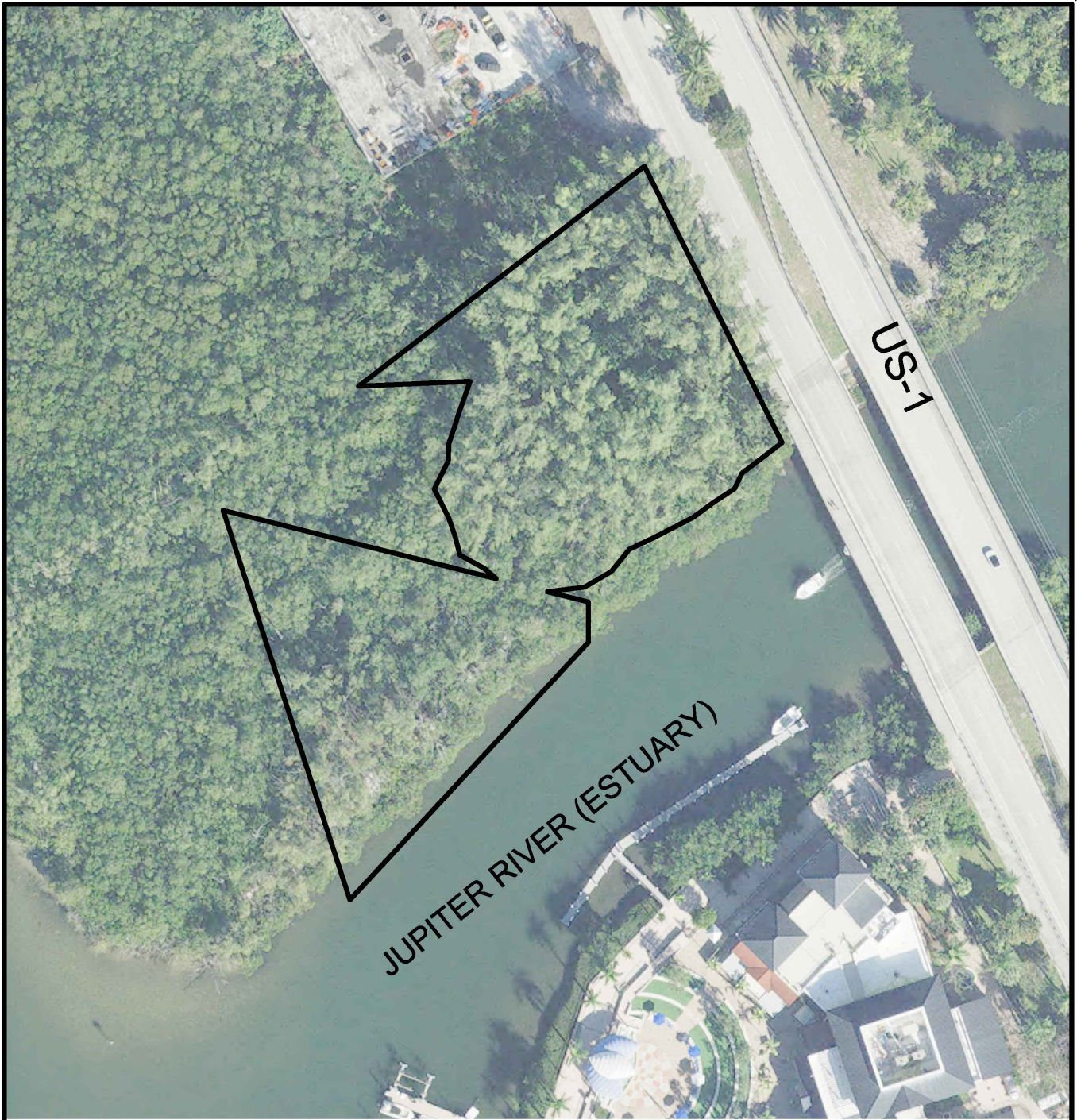
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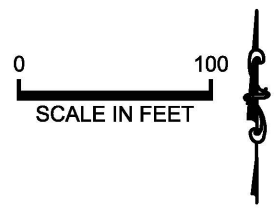
AUG 2023

FIGURE

2

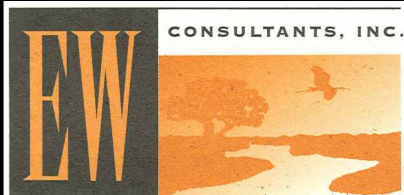


PALM BEACH COUNTY AERIAL DATED 2023



KB CARLIN AERIAL

KB Carlin Parcel.dwg AERIAL



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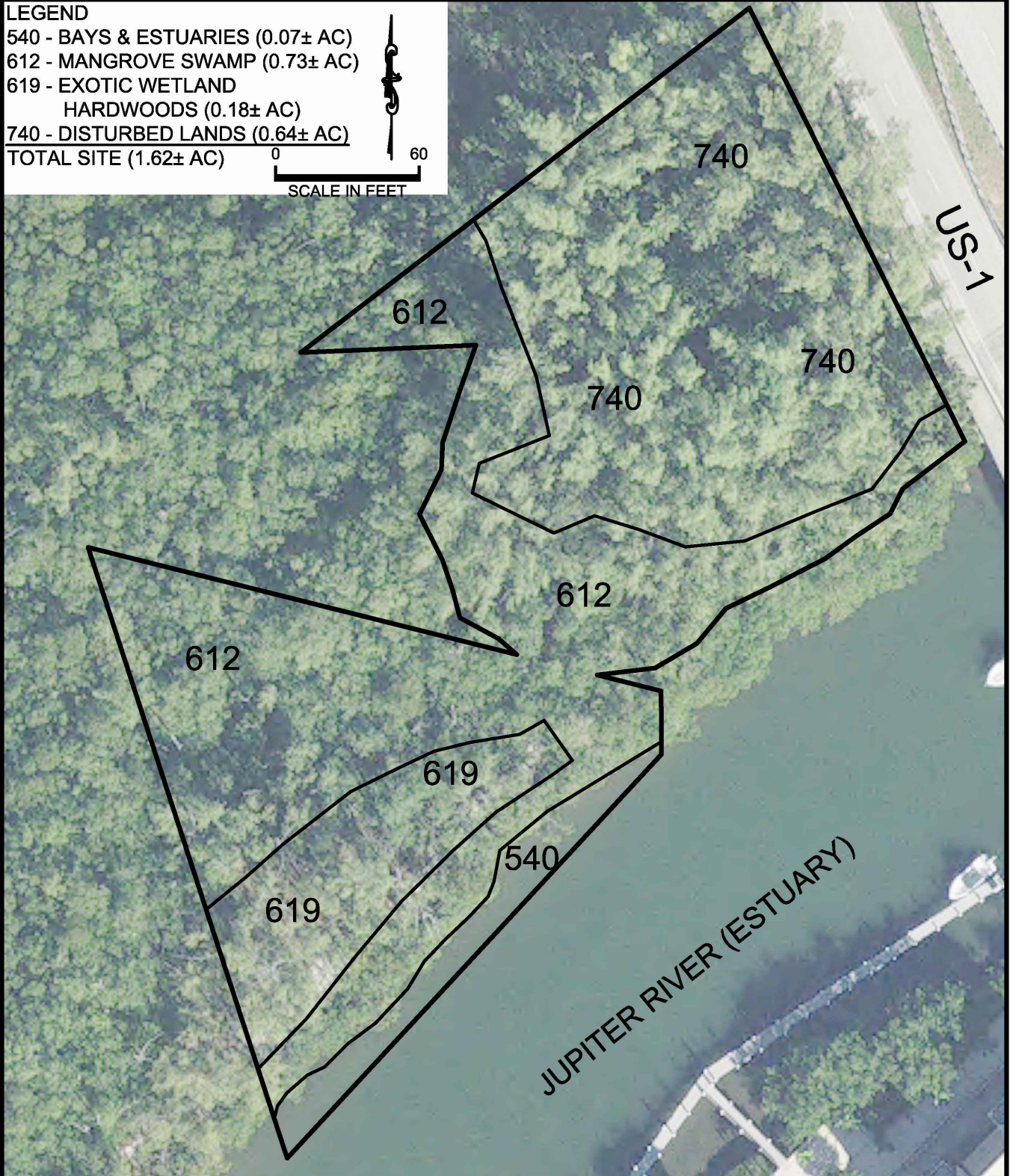
AUG 2023

FIGURE

3

LEGEND

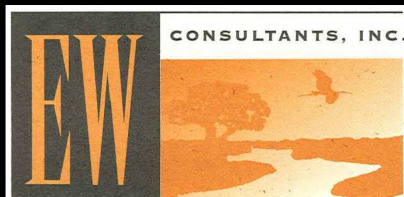
540 - BAYS & ESTUARIES (0.07± AC)
 612 - MANGROVE SWAMP (0.73± AC)
 619 - EXOTIC WETLAND
 HARDWOODS (0.18± AC)
 740 - DISTURBED LANDS (0.64± AC)
 TOTAL SITE (1.62± AC)



PALM BEACH COUNTY
 AERIAL DATED 2023

KB CARLIN
FLUCFCS

KB Carlin Parcel.dwg FLUCFCS



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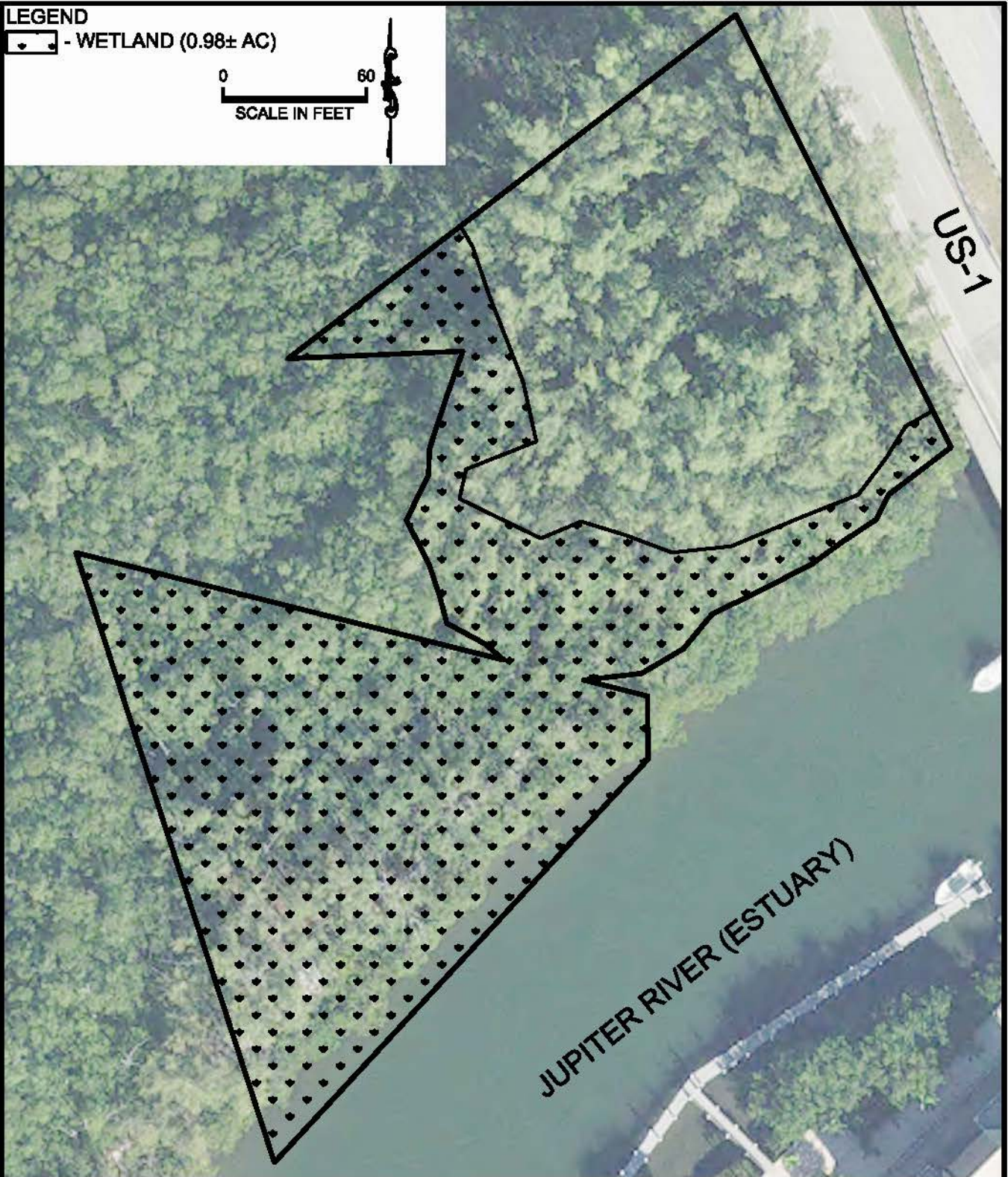
FIGURE

4

LEGEND

 - WETLAND (0.98± AC)

0 60
SCALE IN FEET



PALM BEACH COUNTY AERIAL
DATED 2023

KB CARLIN
WETLAND MAP

KB Carlin Parcel.dwg WETLAND



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FIGURE

5

Soil Map—Palm Beach County Area, Florida
(KB Carlin)



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Palm Beach County Area, Florida

Survey Area Data: Version 19, Sep 1, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 14, 2022—Jan 24, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
5	Arents-Urban land complex, organic substratum	1.6	99.9%
99	Water	0.0	0.1%
Totals for Area of Interest		1.6	100.0%

TOWN OF JUPITER
Plat Titled Water Pointe



DATE	June 18, 2024
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	Thomas Hernandez, Director of Engineering and Public Works
SUBJECT	Resolution 63-24 Approval of the Plat Titled Water Pointe

EXECUTIVE SUMMARY

Town staff is providing Resolution 63-24 for the approval of the plat titled Water Pointe for Town Council's consideration.

The 4.189 acres of land subject to this plat is located on the west side of US Highway 1 and about 4,700 feet south of Indiantown Road. Currently the Property Appraiser's Office recognizes the property as a single tract of land (i.e., one Parcel Control Number). The property has not been previously platted.

This land subdivision plat is associated with the Water Pointe Site Plan, which received approval by Town Council on January 17, 2017 (Resolution 7-17) as amended by Town Council approval on September 17, 2019 (Resolution 83-19). This plat establishes two tracts: one large tract for development of the Water Pointe residential development and one Tract that is dedicated to the Town of Jupiter for the Town's Riverwalk. This plat also establishes cross access easements, public pedestrian easements, temporary construction easement, drainage easement, dry retention easement, public pocket park easement, fire access easement, utility easement, water line easement, and also documents other easements encumbering the platted land as established by separate instrument recordings.

ANALYSIS

The subject plat has been reviewed by the Utilities Department, Planning and Zoning Department, Building Department, Engineering Division, and the Town's consulting surveyor to ensure conformance with any applicable lot/site/setback requirements, applicable State Statutes, and Town platting requirements.

In the event the Town Council approves Resolution 63-24 for the plat titled Water Pointe, the plat will be executed and publicly recorded.

STRATEGIC PRIORITY

- Manage Growth

ATTACHMENTS

1. Resolution 63-24
2. Water Pointe Plat

FUNDING SOURCE

Approved In Budget	\$ N/A	Sources: N/A
Additional Funding Requested	\$	Sources:

* For more information or to request attachments, please contact Kali Beams at kalib@jupiter.fl.us or 561-741-2467

RESOLUTION 63-24

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF JUPITER, FLORIDA, FOR THE APPROVAL OF THE
PLAT TITLED WATER POINTE**

WHEREAS, the Town of Jupiter is a municipality of the State of Florida within such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town of Jupiter has exclusive jurisdiction for approval of plats and replats within the Town's municipal boundaries as has been conferred upon it by the Florida Constitution and Chapter 177.071, Florida Statutes; and

WHEREAS, the Town of Jupiter has reviewed the plat titled Water Pointe for conformance with applicable State Statutes and Town platting requirements, and has found the replat acceptable.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Jupiter, Florida:

Section 1. The Council hereby approves the replat and authorizes the Mayor, Town Engineer, and Town Clerk of the Town of Jupiter to execute and to record the replat at the Office of the Clerk of Circuit Court, Palm Beach County.

Section 2. This Resolution shall take effect upon its execution.

DEDICATIONS AND RESERVATIONS

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

KNOW ALL MEN BY THESE PRESENTS THAT EMERALD CAY HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN HEREON AS WATER POINTE, BEING A PORTION OF GOVERNMENT LOT 1, SECTION 7, TOWNSHIP 41 SOUTH, RANGE 43 EAST AND A PORTION OF GOVERNMENT LOT 3, SECTION 8, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOT 1, SECTION 7, TOWNSHIP 41 SOUTH, RANGE 43 EAST, AND A PORTION OF GOVERNMENT LOT 3, SECTION 8, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SAID GOVERNMENT LOT 1 OF SECTION 7 WITH THE SOUTH LINE OF THE NORTH 330 FEET OF SAID GOVERNMENT LOT 3 OF SECTION 8; THENCE ALONG SAID SOUTH LINE OF THE NORTH 330 FEET OF GOVERNMENT LOT 3 AND ALONG THE SOUTH LINE OF THE PLAT OF MANGROVE BAY, A P.U.D., RECORDED IN PLAT BOOK 89, PAGES 46 THROUGH 50, AND ALSO ALONG THE SOUTH LINE OF THE PLAT OF EXECUTIVE PARK, RECORDED IN PLAT BOOK 42, PAGES 100 THROUGH 101, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SOUTH 89°58'11" EAST, A DISTANCE OF 712.98 FEET TO A POINT ON THE EXISTING WEST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 (STATE ROAD NO. 9), AS RECORDED IN ROAD PLAT BOOK 2, PAGE 105 THROUGH 118, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 23°20'06" EAST, A DISTANCE OF 334.53 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTH 307.1 FEET OF THE NORTH 637.1 FEET OF SAID GOVERNMENT LOT 3 OF SECTION 8; THENCE ALONG SAID SOUTH LINE OF THE SOUTH 307.1 FEET OF THE NORTH 637.1 FEET OF SAID GOVERNMENT LOT 3 OF SECTION 8, NORTH 89°58'11" WEST, A DISTANCE OF 414.28 FEET TO A POINT ON THE GOVERNMENT MEANDER LINE OF 1855, ADJUSTED IN 1924; THENCE ALONG SAID GOVERNMENT MEANDER LINE, NORTH 58°18'43" WEST, A DISTANCE OF 508.10 FEET TO A POINT ON THE WEST LINE OF SAID GOVERNMENT LOT 3 OF SECTION 8; THENCE CONTINUE ALONG SAID GOVERNMENT MEANDER LINE, NORTH 29°31'51" WEST, A DISTANCE OF 47.51 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE AFOREMENTIONED SOUTH LINE OF THE NORTH 330 FEET OF GOVERNMENT LOT 3 OF SECTION 8; THENCE ALONG SAID WESTERLY EXTENSION, SOUTH 89°58'11" EAST, A DISTANCE OF 24.14 TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 182,455 SQUARE FEET OR 4.189 ACRES, MORE OR LESS.

HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DOES HEREBY DEDICATE AS FOLLOWS:

1.) TRACT A, AS SHOWN HEREON, IS HEREBY RESERVED FOR RESIDENTIAL DEVELOPMENT PURPOSES.

2.) TRACT B, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE TOWN OF JUPITER FOR PUBLIC ACCESS, LANDSCAPING, LIGHTING, TOWN UTILITY FACILITIES, RECREATION AND DRAINAGE PURPOSES, AND ALL IMPROVEMENTS WITHIN THIS TRACT SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE WATER POINTE CONDOMINIUM ASSOCIATION OF JUPITER, FLORIDA, INC., ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE TOWN OF JUPITER. SHOULD THE TOWN DEEM IT NECESSARY TO PERFORM MAINTENANCE OF ANY PORTION OF TRACT B OR IMPROVEMENTS THEREIN, THE TOWN SHALL HAVE THE RIGHT TO BE REIMBURSED FOR THE COSTS FOR SAID MAINTENANCE WORK. SHOULD THE TOWN INSTALL UTILITY FACILITIES WITHIN THE TRACT AFTER RECORDATION OF THIS PLAT, THE TOWN SHALL BE RESPONSIBLE FOR THE PERPETUAL MAINTENANCE OF SUCH FACILITIES. IF OTHER THAN THOSE FACILITIES INSTALLED BY THE TOWN WHEN PERFORMING MAINTENANCE OF EXISTING FACILITIES, WHICH ARE SAID ASSOCIATION'S PERPETUAL MAINTENANCE OBLIGATION UNDER THIS PLAT OR A SEPARATE MAINTENANCE AGREEMENT WITH THE TOWN.

THE TOWN OF JUPITER SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY OF THE IMPROVEMENTS WITHIN TRACT B, AS SHOWN HEREON, INCLUDING THE RIGHT TO UTILIZE FOR PUBLIC PURPOSES ANY AND ALL DRAINAGE FACILITIES.

3.) THE PUBLIC CROSS ACCESS EASEMENT (WATER POINTE PLACE), AS SHOWN HEREON, IS HEREBY DEDICATED TO THE TOWN OF JUPITER FOR VEHICULAR AND PEDESTRIAN PUBLIC ACCESS PURPOSES BETWEEN TRACT 2, AS SHOWN ON MANGROVE BAY, P.U.D., RECORDED IN PLAT BOOK 89, PAGES 46 THROUGH 50, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND U.S. HIGHWAY NO. 1 PUBLIC ROAD RIGHT OF WAY AND SHALL BE THE MAINTENANCE OBLIGATION OF WATER POINTE CONDOMINIUM ASSOCIATION OF JUPITER, FLORIDA, INC., ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE TOWN OF JUPITER.

4.) THE 24 FOOT WIDE CROSS ACCESS EASEMENT, AS SHOWN HEREON, IS HEREBY RESERVED BY WATER POINTE CONDOMINIUM ASSOCIATION OF JUPITER, FLORIDA, INC., ITS SUCCESSORS AND ASSIGNS FOR FUTURE PUBLIC VEHICULAR CROSS ACCESS PURPOSES WITH THE ADJACENT PROPERTY TO THE SOUTH, AND ALL IMPROVEMENTS WITHIN THE EASEMENT SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE TOWN OF JUPITER.

TEMPORARY CONSTRUCTION EASEMENT RIGHTS ARE ALSO GRANTED UNDER THIS EASEMENT TO THE OWNER OF THE PROPERTY ADJUTING THE SOUTH PROPERTY LINE OF WATER POINTE, TO PERFORM ANY REQUIRED MODIFICATIONS NECESSARY TO ESTABLISH THE PHYSICAL CROSS ACCESS DRIVE CONNECTION BETWEEN WATER POINTE PLACE CROSS ACCESS EASEMENT AND THE PAVED DRIVES WITHIN THE PROPERTY TO THE SOUTH OF WATER POINTE.

THE LOCATION OF THE CROSS ACCESS EASEMENT MAY BE ADJUSTED AS NEEDED BASED ON THE FINAL DESIGN OF ANY FUTURE ACCESS CONNECTION WITH THE PROPERTY SOUTH OF WATER POINTE PLACE, AND SAID CROSS ACCESS CONNECTION DESIGN IS SUBJECT TO THE REVIEW OF SAID ASSOCIATION.

5.) THE PUBLIC PEDESTRIAN ACCESS EASEMENT 1, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE TOWN OF JUPITER FOR PUBLIC PEDESTRIAN ACCESS PURPOSES BETWEEN U.S. HIGHWAY NO. 1 AND TRACT B, AS SHOWN HEREON, AND ALL IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, WALKWAYS, GATEWAY FEATURE, LANDSCAPING, IRRIGATION, AND DRAINAGE FACILITIES WITHIN THE EASEMENT SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE WATER POINTE CONDOMINIUM ASSOCIATION OF JUPITER, FLORIDA, INC., ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE TOWN OF JUPITER.

6.) THE PUBLIC PEDESTRIAN ACCESS EASEMENT 2, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE TOWN OF JUPITER FOR PUBLIC PEDESTRIAN ACCESS PURPOSES BETWEEN THE SCENIC CORRIDOR EASEMENT AND WATER POINTE PLACE, AS SHOWN HEREON, AND ALL IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, WALKWAYS, PEDESTRIAN GATE, LANDSCAPING, IRRIGATION, AND DRAINAGE FACILITIES WITHIN THE EASEMENT SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE WATER POINTE CONDOMINIUM ASSOCIATION OF JUPITER, FLORIDA, INC., ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE TOWN OF JUPITER.

7.) THE DRAINAGE EASEMENTS AND DRY DETENTION DRAINAGE EASEMENT, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE WATER POINTE CONDOMINIUM ASSOCIATION OF JUPITER, FLORIDA, INC., ITS SUCCESSORS AND ASSIGNS FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF DRAINAGE FACILITIES, AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION ITS SUCCESSOR AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUPITER.

THE DRAINAGE EASEMENTS AND DRY DETENTION DRAINAGE EASEMENT ARE SUBJECT TO AN AMENDMENT TO THE JOINT DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 20557, PAGE 1865, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. THE TOWN OF JUPITER SHALL HAVE THE RIGHT TO DISCHARGE STORM WATER FROM TRACT B, AS SHOWN HEREON INTO THE DRAINAGE EASEMENTS AND THE DRY DETENTION EASEMENT. THE TOWN OF JUPITER SHALL HAVE NO MAINTENANCE OBLIGATION FOR THE FACILITIES WITHIN THE DRAINAGE EASEMENTS OR DRY DETENTION EASEMENT AS SHOWN HEREON.

8.) THE TOWN OF JUPITER SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM WITHIN THE LIMITS OF THIS PLAT, INCLUDING THE RIGHT TO UTILIZE FOR PUBLIC PURPOSES ANY AND ALL DRAINAGE, LAKE MAINTENANCE, LAKE MAINTENANCE ACCESS EASEMENTS, ROADS PRIVATE OR PUBLIC AND PARKING AND ACCESS TRACTS ASSOCIATED WITH SAID DRAINAGE SYSTEM. SHOULD THE TOWN DEEM IT NECESSARY TO MAINTAIN ANY PORTION OF THE DRAINAGE WITHIN THE LIMITS OF THIS PLAT, FOR PUBLIC PURPOSES, THE TOWN MAY REQUIRE THE PROPERTY OWNERS, ITS SUCCESSORS OR ASSIGNS, TO PAY ALL OR PART OF THE MAINTENANCE COST.

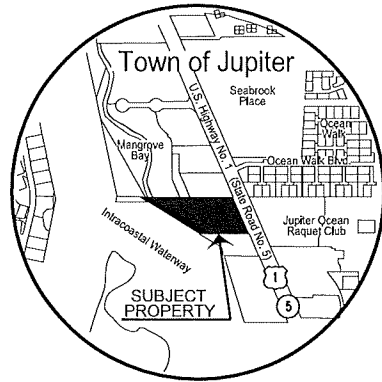
9.) THE 15 FOOT FIRE ACCESS EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE TOWN OF JUPITER, FOR EMERGENCY VEHICLES AND SERVICE. THE LANDS ENCUMBERED BY SAID EASEMENT SHALL BE THE PERPETUAL MAINTENANCE RESPONSIBILITY OF THE WATER POINTE CONDOMINIUM ASSOCIATION OF JUPITER, FLORIDA, INC., A FLORIDA CORPORATION NOT-FOR-PROFIT, ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE TOWN OF JUPITER.

10.) THE PUBLIC POCKET PARK ACCESS EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE WATER POINTE CONDOMINIUM ASSOCIATION OF JUPITER, FLORIDA, INC., ITS SUCCESSORS AND ASSIGNS FOR PUBLIC RECREATION PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION ITS SUCCESSOR AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUPITER.

WATER POINTE

BEING A PORTION OF GOVERNMENT LOT 1,
SECTION 7, TOWNSHIP 41 SOUTH, RANGE 43 EAST AND
A PORTION GOVERNMENT LOT 3,
SECTION 8, TOWNSHIP 41 SOUTH, RANGE 43 EAST
TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA

APRIL 2024



LOCATION MAP

ACKNOWLEDGEMENT

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF ☐ PHYSICAL PRESENCE OR ☒ ONLINE NOTARIZATION, THIS _____ DAY OF 2024, BY LOUIS J. CAPANO, JR., AS PRESIDENT FOR WATER POINTE CONDOMINIUM ASSOCIATION OF JUPITER, FLORIDA, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, ON BEHALF OF THE CORPORATION, WHO IS ☐ PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ (TYPE OF IDENTIFICATION) AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC
PRINT NAME: _____
COMMISSION NUMBER: _____

TITLE CERTIFICATION

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

I, DONALD M. ALLISON, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN EMERALD CAY HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT THERE ARE NO MORTGAGES OF RECORD; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATE: _____ BY: _____
DONALD M. ALLISON
FLORIDA BAR No. 263958

TOWN OF JUPITER ACCEPTANCE:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO THE ORDINANCES OF THE TOWN OF JUPITER, AND IN ACCORDANCE WITH SECTION 177.071, FLORIDA STATUTES, THIS _____ DAY OF _____, 2024, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR AND MAPPER UNDER CONTRACT WITH THE TOWN OF JUPITER, IN ACCORDANCE WITH SECTION 177.081 (1), FLORIDA STATUTES.

BY: _____
DOUG P. KOENNICKE, P.E.
TOWN ENGINEER

WATER POINTE, IS HEREBY APPROVED FOR RECORD THIS _____ DAY OF _____, 2024.

BY: _____ ATTEST: _____
JIM KURETSKI, MAYOR LAURA CAHILL, CMC
TOWN CLERK

ABBREVIATIONS:

CB = CURVE'S CHORD BEARING
CL = CURVE'S CHORD LENGTH
CONC. = CONCRETE
D = CURVE'S DELTA ANGLE
FND. = FOUND
FPL = FLORIDA POWER & LIGHT CO.
L = CURVE'S ARC LENGTH
MON. = MONUMENT
O.R.B. = OFFICIAL RECORD BOOK
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P.O.B. = POINT OF BEGINNING
PCP = PERMANENT CONTROL POINT
PG. = PAGE
PGS. = PAGES
PRM = PERMANENT REFERENCE MONUMENT
R = CURVE'S RADIUS
R/W = RIGHT OF WAY
W/ = WITH

LEGEND:

Ⓐ = DENOTES SET PERMANENT CONTROL POINT (PCP) SET MAG NAIL & DISK "PCP LB4431"
Ⓞ = DENOTES SET PERMANENT REFERENCE MONUMENT (PRM) SET 5/8" IRON ROD & ALUMINUM CAP "PRM LB 4431"
Ⓢ = DENOTES CHANGE IN DIRECTION

SURVEYOR & MAPPER'S NOTES:

1.) BEARINGS SHOWN HEREON ARE GRID AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT (NAD83/90), FLORIDA STATE PLANE TRANSVERSE MERCATOR PROJECTION AND ARE RELATIVE TO THE SOUTH LINE OF THE PLAT OF EXECUTIVE PARK, PLAT BOOK 42, PAGE 100. SAID LINE BEARS: SOUTH 89°58'11" EAST.

2.) NO STRUCTURE OR BUILDING OR ANY KIND OF LANDSCAPING SHALL BE PLACED ON OR WITHIN ANY EASEMENT WITHOUT PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND THE TOWN ENGINEER.

3.) NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

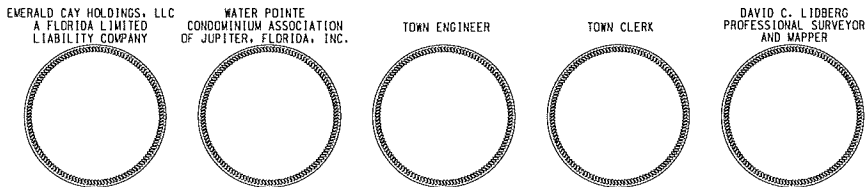
4.) IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.

5.) THIS INSTRUMENT WAS PREPARED BY ERIC CASASUS P.S.M., IN AND FOR THE OFFICES OF LIDBERG LAND SURVEYING, INC., 675 WEST INDIANTOWN ROAD, SUITE 200, JUPITER, FLORIDA 33458. TELEPHONE (561) 746-8454.

SURVEYOR & MAPPER'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.'s") HAVE BEEN PLACED AS REQUIRED BY LAW, AND THAT PERMANENT CONTROL POINTS ("P.C.P.'s"), AND MONUMENTS ACCORDING TO SEC. 177.091(9), F.S., WILL BE SET; AND FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE TOWN OF JUPITER, FLORIDA.

DATE: _____ BY: _____
DAVID C. LIDBERG, P.S.M.
LICENSE NO. 3613
STATE OF FLORIDA



LIDBERG LAND
SURVEYING, INC.
675 West Indiantown Road, Suite 200,
Jupiter, Florida 33458 TEL. 561-746-8454

CAD. K:\JUST \ 084143 \ 15-087-306 \ 15-087-306.DGN	
REF.	
FLO. K.F.	FB. PG. JOB 15-087-306
OFF. CASASUS	PRINT DATE 04/10/2024
CKD. D.C.L.	SHEET 1 OF 3 DWG. 015-087P

ABBREVIATIONS:

CB = CURVE'S CHORD BEARING
CL = CURVE'S CHORD LENGTH
CONC. = CONCRETE
D = CURVE'S DELTA ANGLE
FND. = FOUND
FPL = FLORIDA POWER & LIGHT CO.
L = CURVE'S ARC LENGTH
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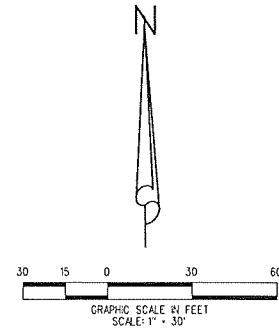
LEGEND:

⊙ = DENOTES SET PERMANENT CONTROL POINT
(PCP) SET MAG NAIL & DISK
"PCP LB4431"
⊙ = DENOTES SET PERMANENT REFERENCE MONUMENT
(PRM) SET 5/8" IRON ROD & ALUMINUM CAP
"PRM LB 4431"
⊕ = DENOTES CHANGE IN DIRECTION

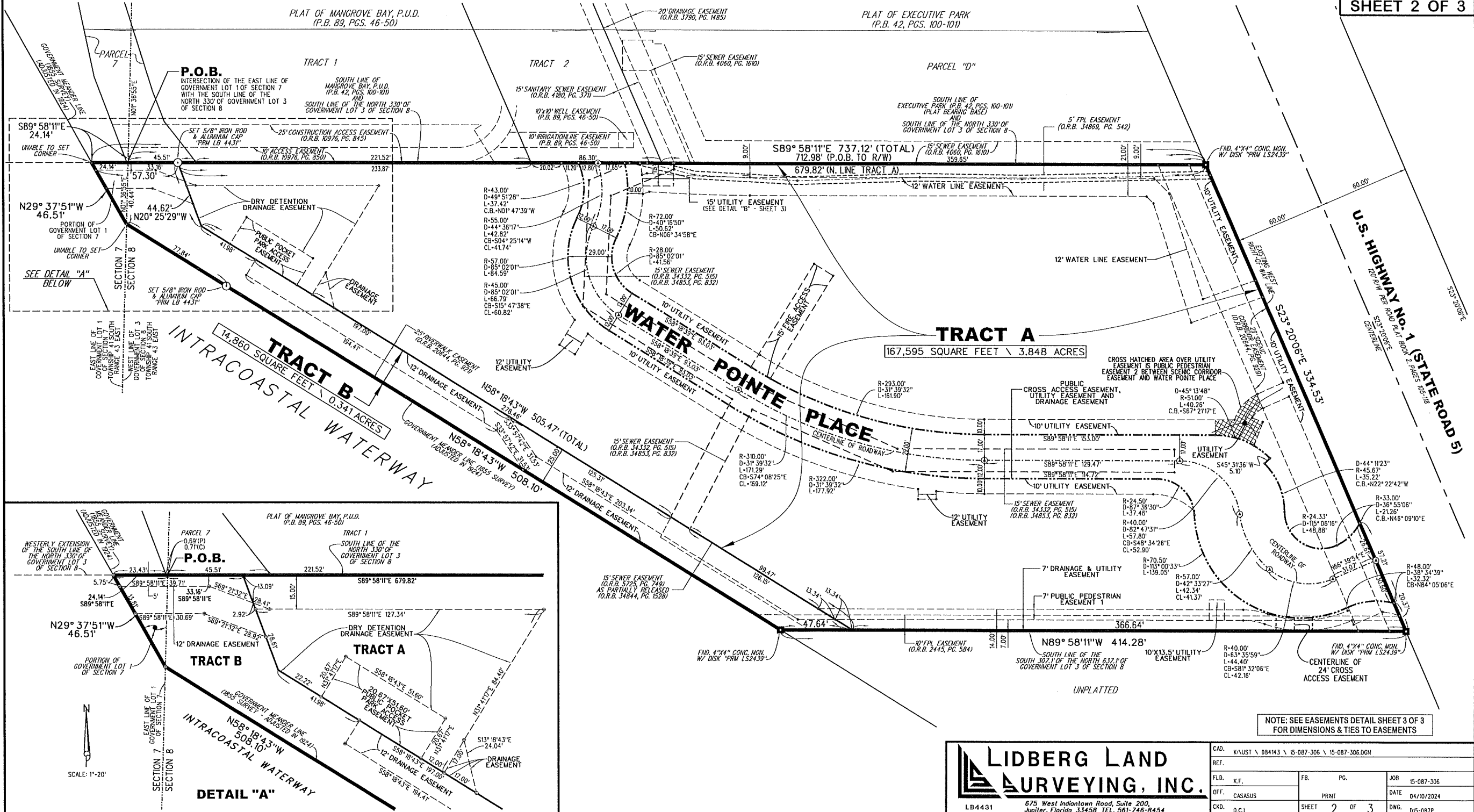
WATER POINTE

BEING A PORTION OF GOVERNMENT LOT 1,
SECTION 7, TOWNSHIP 41 SOUTH, RANGE 43 EAST AND
A PORTION GOVERNMENT LOT 3,
SECTION 8, TOWNSHIP 41 SOUTH, RANGE 43 EAST
TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA

APRIL 2024



SHEET 2 OF 3



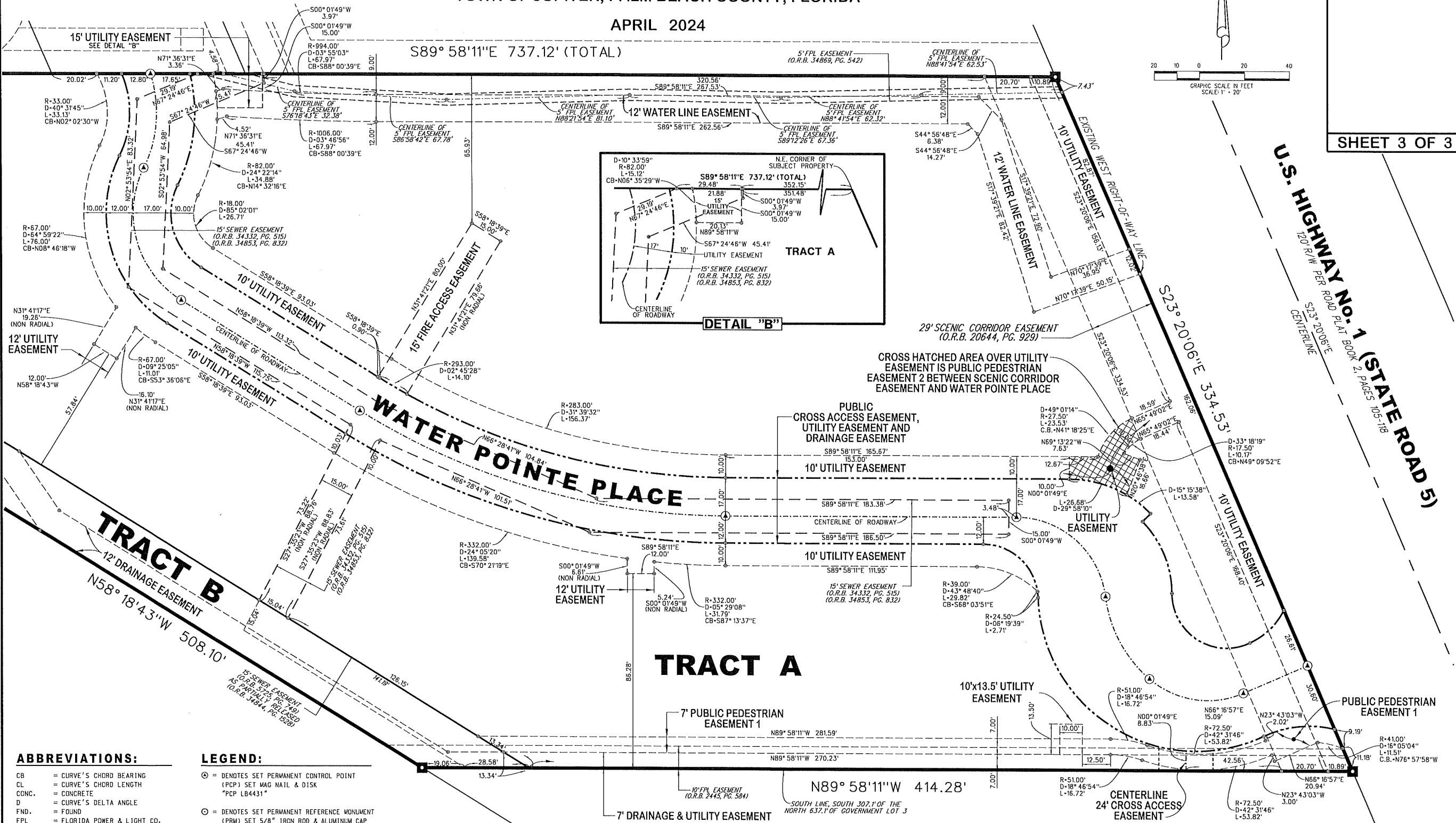
LIDBERG LAND SURVEYING, INC.
LB4431 675 West Indiantown Road, Suite 200, Jupiter, Florida 33458 TEL: 561-746-8454

CAD.	K:\JUST \ 084143 \ 15-087-306 \ 15-087-306.DGN
REF.	
FLO.	K.F.
FB.	PG.
OFF.	CASASUS
PRNT	
DATE	04/10/2024
CKD.	D.C.L.
SHEET	2 OF 3
DWG.	D15-087P

WATER POINTE

BEING A PORTION OF GOVERNMENT LOT 1, SECTION 7, TOWNSHIP 41 SOUTH, RANGE 43 EAST AND
A PORTION GOVERNMENT LOT 3, SECTION 8, TOWNSHIP 41 SOUTH, RANGE 43 EAST
TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA

APRIL 2024



SHEET 3 OF 3

U.S. HIGHWAY No. 1 (STATE ROAD 5)
120' R/W PER ROAD PLAT BOOK 2, PAGES 105-118
CENTERLINE
S23° 20'06"E
334.53'

ABBREVIATIONS:

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(PRM) SET 5/8" IRON ROD & ALUMINUM CAP
"PRM LB 4431"
⊙ = DENOTES CHANGE IN DIRECTION

EASEMENTS DETAIL SHEET

LIDBERG LAND SURVEYING, INC.
LB4431 675 West Indiantown Road, Suite 200,
Jupiter, Florida 33458 TEL: 561-746-8454

CAD.	K.VUST \ 084143 \ 15-087-306 \ 15-087-306.DGN
REF.	
FLO.	K.F.
OFF.	CASASUS
CKD.	D.C.L.
FB.	PG.
PRINT	
SHEET	3 OF 3
DATE	04/10/2024
DWG.	D15-087P
JOB	15-087-306

TOWN OF JUPITER
Replat Titled Sipowski Plat



DATE	June 18, 2024
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	Thomas Hernandez, Director of Engineering and Public Works
SUBJECT	Resolution 64-24 Approval of the Replat Titled Sipowski Plat

EXECUTIVE SUMMARY

Town staff is providing Resolution 64-24 for the approval of the replat titled Sipowski Plat for Town Council's consideration.

The 0.909 acres of land subject to this replat is located along the north side of Old Jupiter Beach Road and approximately 600 feet east of Alternate A1A. Currently, the Property Appraiser's Office recognizes three lots (i.e., three parcel control numbers) for the land subject to this replat. The original plat of the property (Hazel Wood PB 68, Pg. 114) established three lots which included the property encompassing the southerly two of the three lots platted by this replat. The remainder of the property included in this replat, lies north of the two southerly lots and extends north to the south limits of the Loxahatchee River. This property was not previously platted. Accordingly, this replat establishes the existing three lots under a land subdivision plat, as required by the Town's Platting Ordinance. The subject replat establishes a drainage easement and an ingress-egress easement, for the mutual benefit of the owners of all three lots. The plat also documents an existing sewer easement and an existing utility easement on the property.

ANALYSIS

The subject replat has been reviewed by the Utilities Department, Planning and Zoning Department, Building Department, Engineering Division, and the Town's consulting surveyor to ensure conformance with any applicable lot/site/setback requirements, applicable State Statutes, and Town platting requirements.

In the event the Town Council approves Resolution 64-24 for the replat titled Sipowski Plat, the replat will be executed and publicly recorded.

STRATEGIC PRIORITY

- Manage Growth

ATTACHMENTS

1. Resolution 64-24
2. Sipowski Plat

FUNDING SOURCE

Approved in Budget	\$ NA	Sources: NA
Additional Funding Requested	\$	Sources:

* For more information or to request attachments, please contact Kali Beams at kalib@jupiter.fl.us or 561-741-2467

RESOLUTION 64-24

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF JUPITER, FLORIDA, FOR THE APPROVAL OF THE
REPLAT TITLED SIPOWSKI PLAT**

WHEREAS, the Town of Jupiter is a municipality of the State of Florida within such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town of Jupiter has exclusive jurisdiction for approval of plats and replats within the Town's municipal boundaries as has been conferred upon it by the Florida Constitution and Chapter 177.071, Florida Statutes; and

WHEREAS, the Town of Jupiter has reviewed the replat titled Sipowski Plat for conformance with applicable State Statutes and Town platting requirements, and has found the replat acceptable.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Jupiter, Florida:

Section 1. The Council hereby approves the replat and authorizes the Mayor, Town Engineer, and Town Clerk of the Town of Jupiter to execute and to record the replat at the Office of the Clerk of Circuit Court, Palm Beach County.

Section 2. This Resolution shall take effect upon its execution.

SIPOWSKI PLAT

BEING A REPLAT OF THE EAST HALF OF LOT 1 AND ALL OF LOT 3, PLAT OF HAZEL WOOD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 68, PAGE 114, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA.
SHEET 1 OF 2
APRIL 2024

DEDICATIONS AND RESERVATIONS:

KNOW ALL MEN BY THESE PRESENTS THAT MATTHEW H. SIPOWSKI AND KERRY L. SIPOWSKI, HUSBAND AND WIFE, OWNERS OF THE LAND SHOWN HEREON AS SIPOWSKI PLAT, BEING A REPLAT OF THE EAST HALF OF LOT 1 AND ALL OF LOT 3, PLAT OF HAZEL WOOD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 68, PAGE 114, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING THE EAST HALF OF LOT 1 AND ALL OF LOT 3, PLAT OF HAZEL WOOD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 68, PAGE 114, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6; THENCE ALONG THE WEST LINE OF SAID SECTION 6, SOUTH 01°08'00" WEST, A DISTANCE OF 1560.30 FEET; THENCE SOUTH 89°58'30" EAST, A DISTANCE OF 570.11 TO A POINT ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE AFORESAID EAST HALF OF LOT 1; THENCE ALONG SAID SOUTHERLY EXTENSION, NORTH 01°08'00" EAST, A DISTANCE OF 25.00 FEET TO THE SOUTHWEST CORNER OF THE SAID EAST HALF OF LOT 1 AND TO THE POINT OF BEGINNING; THENCE ALONG THE WEST LINE OF THE SAID EAST HALF OF LOT 1, NORTH 01°08'00" EAST, A DISTANCE OF 155.00 FEET TO THE SOUTHWEST CORNER OF AFORESAID LOT 3; THENCE ALONG THE WEST LINE OF SAID LOT 3, CONTINUE NORTH 01°08'00" EAST, A DISTANCE OF 121.77 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE ALONG THE NORTH LINE OF SAID LOT 3, SOUTH 88°35'10" EAST, A DISTANCE OF 3.39 FEET TO A POINT ON THE WEST LINE OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 30765, PAGE 1469, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID WEST LINE, NORTH 01°13'32" EAST, A DISTANCE OF 129.88 FEET TO THE MEAN HIGH WATER LINE OF THE FLORIDA EAST COAST RAILROAD CANAL; THENCE ALONG SAID MEAN HIGH WATER LINE FOR THE FOLLOWING THREE COURSES, SOUTH 83°15'24" EAST, A DISTANCE OF 6.36 FEET; THENCE SOUTH 79°19'17" EAST, A DISTANCE OF 9.04 FEET; THENCE SOUTH 84°44'01" EAST, A DISTANCE OF 81.38 FEET TO A POINT ON A LINE 670.00 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO, THE AFORESAID WEST LINE OF SECTION 6; THENCE PARALLEL TO SAID WEST LINE OF SECTION 6, SOUTH 01°08'00" WEST, A DISTANCE OF 121.37 FEET TO THE NORTHEAST CORNER OF AFORESAID LOT 3; THENCE ALONG THE EAST LINE OF SAID LOT 3, CONTINUE SOUTH 01°08'00" WEST, A DISTANCE OF 119.35 FEET TO THE NORTHEAST CORNER OF AFORESAID LOT 1; THENCE ALONG SAID EAST LINE OF LOT 1, CONTINUE SOUTH 01°08'00" WEST, A DISTANCE OF 155.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE SOUTH LINE OF SAID LOT 1, NORTH 89°58'30" WEST, A DISTANCE OF 100.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.909 ACRES OR 39,592 SQUARE FEET MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AS FOLLOWS:

1.) THE INGRESS & EGRESS EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE FUTURE OWNERS OF LOT A, LOT B AND LOT C FOR SHARED INGRESS AND EGRESS PURPOSES AND SHALL BE THE PERPETUAL AND EQUAL MAINTENANCE OBLIGATION OF SAID OWNERS, THEIR SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUPITER, FLORIDA, AND IS NOT DEDICATED TO THE PUBLIC.

2.) THE DRAINAGE EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE FUTURE OWNERS OF LOT A, LOT B AND LOT C FOR SHARED DRAINAGE PURPOSES AND SHALL BE THE PERPETUAL AND EQUAL MAINTENANCE OBLIGATION OF SAID OWNERS, THEIR SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUPITER, FLORIDA, AND IS NOT DEDICATED TO THE PUBLIC.

3.) THE TOWN OF JUPITER SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM WITHIN LIMITS OF THIS PLAT, INCLUDING THE RIGHT TO UTILIZE FOR PUBLIC PURPOSES ANY AND ALL DRAINAGE, LAKE MAINTENANCE, LAKE MAINTENANCE ACCESS EASEMENTS, ROADS PRIVATE OR PUBLIC AND PARKING AND ACCESS TRACTS ASSOCIATED WITH SUCH DRAINAGE SYSTEM. SHOULD THE TOWN DEEM IT NECESSARY TO MAINTAIN ANY PORTION OF THE DRAINAGE WITHIN THE LIMITS OF THIS PLAT, FOR PUBLIC PURPOSES, THE TOWN MAY REQUIRE THE PROPERTY OWNERS, ASSIGNS OR SUCCESSORS TO PAY ALL OR PART OF THE MAINTENANCE COST.

IN WITNESS WHEREOF, WE, MATTHEW H. SIPOWSKI AND KERRY L. SIPOWSKI, HUSBAND AND WIFE, DO HEREUNTO SET OUR HANDS THIS DAY OF _____, 2024.

WITNESS: _____
PRINT NAME: _____
WITNESS: _____ BY: MATTHEW H. SIPOWSKI
PRINT NAME: _____

WITNESS: _____
PRINT NAME: _____
WITNESS: _____ BY: KERRY L. SIPOWSKI
PRINT NAME: _____

ACKNOWLEDGEMENT:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF _____ PHYSICAL PRESENCE OR _____ ONLINE NOTARIZATION, THIS _____ DAY OF _____, 2024, BY _____ AS _____ FOR MATTHEW H. SIPOWSKI AND KERRY L. SIPOWSKI, HUSBAND AND WIFE, WHO ARE _____ PERSONALLY KNOWN TO ME OR HAVE PRODUCED _____ AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____ SIGNATURE _____
(SEAL) (PRINTED NAME) - NOTARY PUBLIC

MORTGAGEE'S JOINDER AND CONSENT

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE, UPON THE PROPERTY DESCRIBED HEREON AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY THE OWNER THEREOF AND AGREES THAT ITS MORTGAGE WHICH IS RECORDED IN OFFICIAL RECORD BOOK 31505 AT PAGE 630 AS AFFECTED BY THAT MORTGAGE SUBORDINATION AGREEMENT IN OFFICIAL RECORD BOOK 32723 AT PAGE 1057, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL ALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

IN WITNESS WHEREOF, U.S. BANK NATIONAL ASSOCIATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS _____ AND ITS CORPORATE SEAL TO BE AFFIXED HEREON BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS _____ DAY OF _____, 2024.

U.S. BANK NATIONAL ASSOCIATION
WITNESS: _____
PRINT NAME: _____ BY: _____
WITNESS: _____ PRINT NAME: _____
PRINT NAME: _____ PRINT TITLE: _____

ACKNOWLEDGEMENT:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF _____ PHYSICAL PRESENCE OR _____ ONLINE NOTARIZATION, THIS _____ DAY OF _____, 2024, BY _____ AS _____ FOR U.S. BANK NATIONAL ASSOCIATION, ON BEHALF OF THE BANK, WHO IS _____ PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____ SIGNATURE _____
(SEAL) (PRINTED NAME) - NOTARY PUBLIC

MORTGAGEE'S JOINDER AND CONSENT

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF MORTGAGES, UPON THE PROPERTY DESCRIBED HEREON AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY THE OWNER THEREOF AND AGREES THAT ITS MORTGAGE WHICH IS RECORDED IN OFFICIAL RECORD BOOK 32678 AT PAGE 1983 AS AFFECTED BY THAT MORTGAGE SUBORDINATION AGREEMENT IN OFFICIAL RECORD BOOK 32723 AT PAGE 1057; AND ITS MORTGAGE WHICH IS RECORDED IN OFFICIAL RECORD BOOK 33182 AT PAGE 1903, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL ALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

IN WITNESS WHEREOF, VALLEY NATIONAL BANK, A NATIONAL BANK HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS _____ AND ITS CORPORATE SEAL TO BE AFFIXED HEREON BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS _____ DAY OF _____, 2024.

VALLEY NATIONAL BANK, A NATIONAL BANK
WITNESS: _____
PRINT NAME: _____ BY: _____
WITNESS: _____ PRINT NAME: _____
PRINT NAME: _____ PRINT TITLE: _____

ACKNOWLEDGEMENT:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF _____ PHYSICAL PRESENCE OR _____ ONLINE NOTARIZATION, THIS _____ DAY OF _____, 2024, BY _____ AS _____ FOR VALLEY NATIONAL BANK, A NATIONAL BANK, ON BEHALF OF THE BANK, WHO IS _____ PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____ SIGNATURE _____
(SEAL) (PRINTED NAME) - NOTARY PUBLIC

MORTGAGEE'S JOINDER AND CONSENT

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE, UPON THE PROPERTY DESCRIBED HEREON AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY THE OWNER THEREOF AND AGREES THAT ITS MORTGAGE WHICH IS RECORDED IN OFFICIAL RECORD BOOK 31505 AT PAGE 630 AND AS ASSIGNED IN OFFICIAL RECORD BOOK 34765, PAGE 429, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL ALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

IN WITNESS WHEREOF, FIRST REPUBLIC BANK HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS _____ AND ITS CORPORATE SEAL TO BE AFFIXED HEREON BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS _____ DAY OF _____, 2024.

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
WITNESS: _____
PRINT NAME: _____ BY: _____
WITNESS: _____ PRINT NAME: _____
PRINT NAME: _____ PRINT TITLE: _____

ACKNOWLEDGEMENT:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF _____ PHYSICAL PRESENCE OR _____ ONLINE NOTARIZATION, THIS _____ DAY OF _____, 2024, BY _____ AS _____ FOR FIRST REPUBLIC BANK, ON BEHALF OF THE BANK, WHO IS _____ PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____ SIGNATURE _____
(SEAL) (PRINTED NAME) - NOTARY PUBLIC

TITLE CERTIFICATION

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

I, DAVID C. TASSELL, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN MATTHEW H. SIPOWSKI AND KERRY L. SIPOWSKI; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATE: _____ BY: DAVID C. TASSELL
FLORIDA BAR NO. 406015

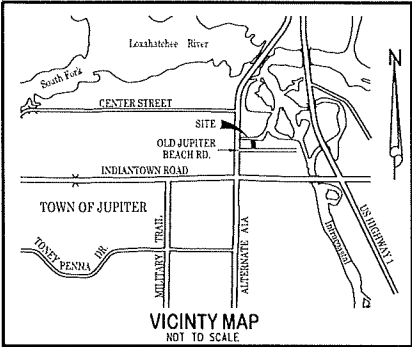
SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.'S") AND MONUMENTS ACCORDING TO SEC. 177.091(9), F.S., HAVE BEEN PLACED AS REQUIRED BY LAW; AND FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF PALM BEACH COUNTY, FLORIDA, THE TOWN OF JUPITER, FLORIDA.

DATE: _____ BY: RICHARD JEROME WILKIE, P.S.M.
STATE OF FLORIDA



LIDBERG LAND SURVEYING, INC.
675 West Indiantown Road, Suite 200,
Jupiter, Florida 33458 TEL: 561-746-8454



SURVEYOR'S NOTES:

1.) BEARINGS SHOWN HEREON ARE RELATIVE TO THE WEST LINE OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST. SAID WEST LINE HAVING A BEARING OF SOUTH 01°08'00" WEST AS SHOWN ON THE PLAT OF HAZEL WOOD, RECORDED IN PLAT BOOK 68, PAGE 114, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

2.) NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED IN THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

3.) NO STRUCTURE OR BUILDING OR ANY KIND OF LANDSCAPING SHALL BE PLACED ON OR WITHIN ANY EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND THE DIRECTOR OF ENGINEERING AND PUBLIC WORKS.

4.) IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE THE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITY BEING DETERMINED BY USE RIGHTS GRANTED.

5.) THIS IS A REPLAT OF A PORTION OF HAZEL WOOD (PLAT BOOK 68, PAGE 114). ALL PREVIOUSLY PLATTED EASEMENTS, IF ANY, LOCATED WITHIN THIS LAND WILL REMAIN IN AFFECT AND NOT BE ABANDONED BY THE RECORDING OF THIS PLAT.

6.) THE LANDS DESCRIBED HEREON ARE THE SAME AS THOSE FEE SIMPLE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 30765, PAGE 1469 AND OFFICIAL RECORD BOOK 33182, PAGE 1901, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

7.) THIS INSTRUMENT WAS PREPARED BY RICHARD JEROME WILKIE, IN AND FOR THE OFFICES OF LIDBERG LAND SURVEYING, INC., 675 WEST INDIANTOWN ROAD, SUITE 200, JUPITER, FLORIDA 33458. TELEPHONE (561) 746-8454.

TOWN OF JUPITER APPROVAL:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO THE ORDINANCES OF THE TOWN OF JUPITER, AND IN ACCORDANCE WITH SECTION 177.071, FLORIDA STATUTES, THIS DAY OF _____, 2024, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR AND MAPPER UNDER CONTRACT WITH THE TOWN OF JUPITER, IN ACCORDANCE WITH SECTION 177.081 (1), FLORIDA STATUTES.

BY: DOUG P. KOENNICKE, P.E.
TOWN ENGINEER

SIPOWSKI PLAT IS HEREBY APPROVED FOR RECORD THIS _____ DAY OF _____, 2024.

BY: JIM KURETSKI, MAYOR ATTEST: LAURA CAHILL, TOWN CLERK

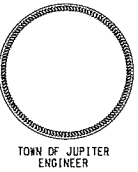
ABBREVIATIONS

C = CENTERLINE N = NORTH
FPL = FLORIDA POWER & LIGHT S = SOUTH
FND. = FOUND E = EAST
I.R. = IRON ROD W = WEST
I.R.E.C.D. = LOKAHATCHEE RIVER ENVIRONMENTAL DISTRICT
WAG = WAG NAIL
N.A.V.D. = NORTH AMERICAN VERTICAL DATUM
NO. = NUMBER
O.R.B. = OFFICIAL RECORD BOOK
P.B. = PLAT BOOK
P.C.P. = PERMANENT CONTROL POINT
PG. = PAGE
PGS. = PAGES
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.R.M. = PERMANENT REFERENCE MONUMENT
P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
U.E. = UTILITY EASEMENT

AREA TABULATION

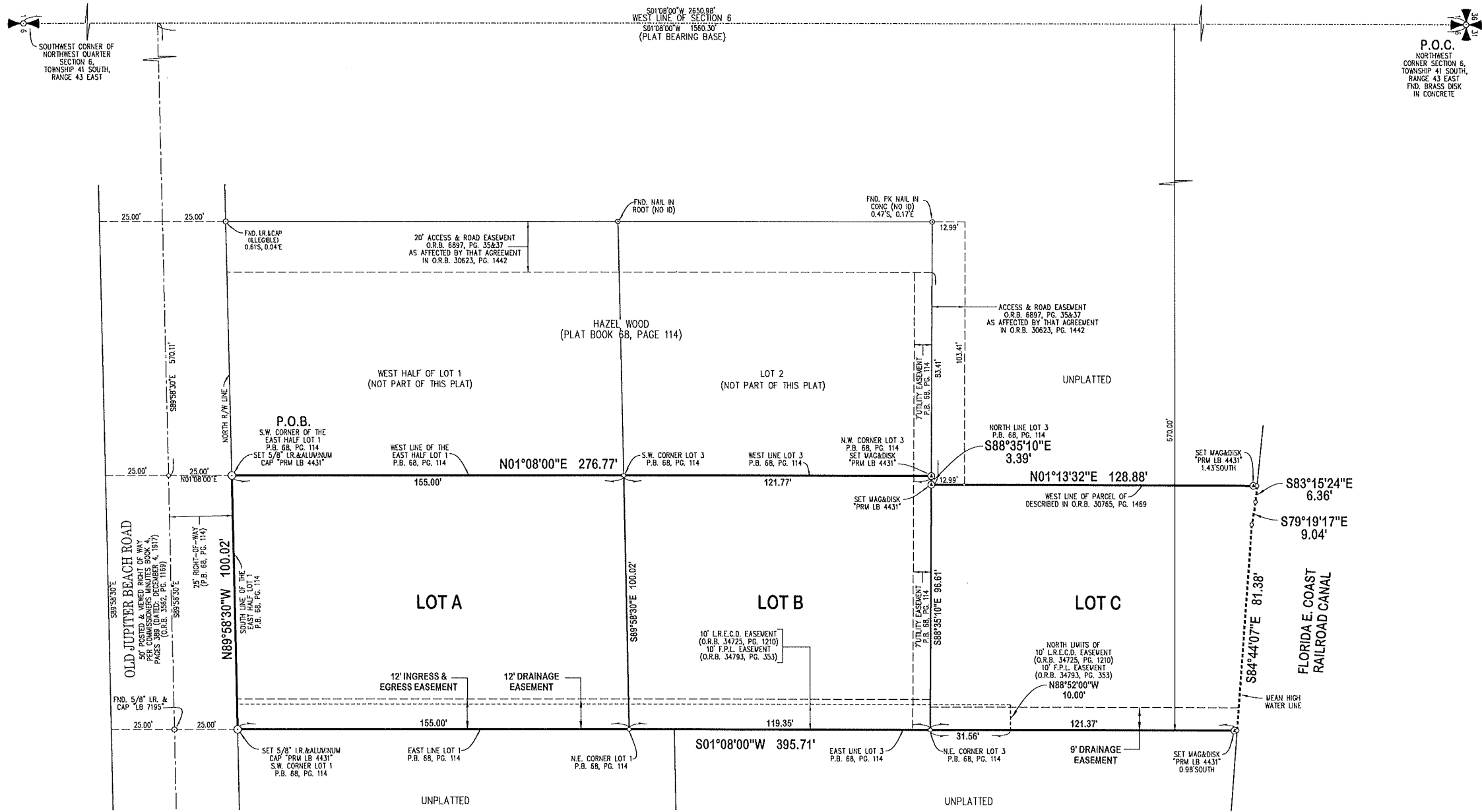
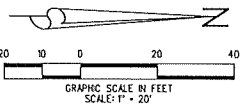
	SQUARE FOOTAGE	ACRES
LOT A	15,500	0.356
LOT B	12,056	0.277
LOT C	12,036	0.276
TOTAL	39,592	0.909

CAD.	K:\JST \ 064143 \ 68-114 \ 22-122-306 \ 22-122-306.DGN		
REF.			
FLD.		FB.	PG.
OFF.	R.J.W.		
CXD.	D.C.L.	SHEET 1 OF 2	DWG. D22-122P



SIPOWSKI PLAT

BEING A REPLAT OF THE EAST HALF OF LOT 1 AND ALL OF LOT 3, PLAT OF HAZEL WOOD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 68, PAGE 114, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA. SHEET 2 OF 2 APRIL 2024





LIDBERG LAND

SURVEYING, INC.

LB4431

675 West Indian Town Road, Suite 200
Jupiter, Florida 33458 TEL. 561-746-8454

CAD.	K:\JUST \ 064143 \ 68-114 \ 22-122-306 \ 22-122-306.DGN		
REF.			
FLD.	FB.	PG.	JOB 22-122-306
OFF. R.J.W.			DATE 03/03/2023
CKD. D.C.L.	SHEET 2	OF 2	DWG. D22-122P

TOWN OF JUPITER
Plat Titled Bear's Club Cottage Tract P2 – Replat No. 2, A P.U.D.



DATE	June 18, 2024
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	Thomas Hernandez, Director of Engineering and Public Works
SUBJECT	Resolution 65-24 Approval of the Replat Titled Bear's Club Cottage Tract P2 – Replat No. 2, A P.U.D.

EXECUTIVE SUMMARY

Town staff is providing Resolution 65-24 for the approval of the replat titled Bear's Club Cottage Tract P2 – Replat No. 2, A P.U.D. for Town Council's consideration.

The 1.435 acres of land subject to this replat is located north of Donald Ross Road and east of Alternate A1A, within the Bear's Club development. Currently the property is divided into two lots. This replat re-establishes two lots in a revised geometry.

This land subdivision replat is associated with the Bear's Club PUD amendment for Clubhouse and Cottage Site (Phase 1B), providing for the development of a Fitness Center building and three duplex residential buildings. The PUD Amendment was approved by Town Council on June 2, 2023 (Ordinance 2-22 and Resolutions 5-22 and 7-22). As previously mentioned, this replat establishes two lots: one for development of the three duplex residential units and one for the development of the Clubhouse Fitness Center. This plat also establishes a utility easement, a pedestrian access easement, a vehicular access easement, and documents other easements encumbering the platted land as established by prior plat/replat and by separate instrument recordings.

ANALYSIS

The subject replat has been reviewed by the Utilities Department, Planning and Zoning Department, Building Department, Engineering Division, and the Town's consulting surveyor to ensure conformance with any applicable lot/site/setback requirements, applicable State Statutes, and Town platting requirements.

In the event the Town Council approves Resolution 65-24 for the plat titled Bear's Club Cottage Tract P2 – Replat No. 1, A P.U.D., the plat will be executed and publicly recorded.

STRATEGIC PRIORITY

- Manage Growth

ATTACHMENTS

1. Resolution 65-24
2. Bears Club Cottage Tract P2 - Replat No 2, A P.U.D.

FUNDING SOURCE

Approved in Budget	\$ N/A	Sources: N/A
Additional Funding Requested	\$	Sources:

* For more information or to request attachments, please contact Kali Beams at kalib@jupiter.fl.us or 561-741-2467

RESOLUTION 65-24**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF JUPITER, FLORIDA, FOR THE APPROVAL OF THE
PLAT TITLED BEAR'S CLUB COTTAGE TRACT P2 – REPLAT
NO. 2, A P.U.D.**

WHEREAS, the Town of Jupiter is a municipality of the State of Florida within such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town of Jupiter has exclusive jurisdiction for approval of plats and replats within the Town's municipal boundaries as has been conferred upon it by the Florida Constitution and Chapter 177.071, Florida Statutes; and

WHEREAS, the Town of Jupiter has reviewed the replat titled Bear's Club Cottage Tract P2 – Replat No. 2, A P.U.D. for conformance with applicable State Statutes and Town platting requirements, and has found the replat acceptable.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Jupiter, Florida:

Section 1. The Council hereby approves the replat and authorizes the Mayor, Town Engineer, and Town Clerk of the Town of Jupiter to execute and to record the replat at the Office of the Clerk of Circuit Court, Palm Beach County.

Section 2. This Resolution shall take effect upon its execution.

BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 2, A P.U.D.

BEING A REPLAT OF LOTS 1 AND 2, AS SHOWN ON THE PLAT OF BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 1, A P.U.D.,
RECORDED IN PLAT BOOK 115, PAGES 182 THROUGH 184, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA
LYING IN SECTION 19, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA

MARCH 2024

DEDICATIONS AND RESERVATIONS

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

KNOW ALL MEN BY THESE PRESENTS THAT BCFP DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND THE BEAR'S CLUB FOUNDING PARTNERS, LLC, A FLORIDA LIMITED LIABILITY COMPANY OWNERS OF THE LAND SHOWN HEREON AS BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 2, A P.U.D., BEING A REPLAT OF LOTS 1 AND 2, AS SHOWN ON THE PLAT OF BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 1, A P.U.D., RECORDED IN PLAT BOOK 115, PAGES 182 THROUGH 184, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING IN SECTION 19, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS:

ALL OF LOTS 1 AND 2, AS SHOWN ON THE PLAT OF BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 1, A P.U.D., RECORDED IN PLAT BOOK 115, PAGES 182 THROUGH 184, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING IN SECTION 19, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA,

CONTAINING A TOTAL OF 55,356 SQUARE FEET OR 1.271 ACRES, MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AS FOLLOWS:

1.) THE CROSS ACCESS EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE BEAR'S CLUB PROPERTY OWNERS' ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS FOR VEHICULAR CROSS ACCESS PURPOSES BETWEEN LOT 1A AND LOT 1B, AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF BEAR'S CLUB PROPERTY OWNERS' ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE TOWN OF JUPITER.

2.) THE LANDSCAPE BUFFER EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE BEAR'S CLUB PROPERTY OWNERS' ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, ITS SUCCESSORS AND ASSIGNS, AS BUFFERS FOR OPEN SPACE PURPOSES. SAID ASSOCIATION HAS THE RIGHT AND PERPETUAL OBLIGATION TO OPERATE AND MAINTAIN THE IMPROVEMENTS LIKE WALLS, SOD, IRRIGATION, PAVERS AND LANDSCAPING WITHIN SAID EASEMENTS WITHOUT RECOURSE TO THE TOWN OF JUPITER AND WITHOUT RECOURSE TO NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT.

3.) THE PEDESTRIAN ACCESS EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE BEAR'S CLUB PROPERTY OWNERS' ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PEDESTRIAN ACCESS PURPOSES AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID BEAR'S CLUB PROPERTY OWNERS' ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE TOWN OF JUPITER.

4.) THE UTILITY EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED IN PERPETUITY FOR THE CONSTRUCTION AND MAINTENANCE OF UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS AND OTHER TELECOMMUNICATIONS SERVICES. THE INSTALLATION OF CABLE TELEVISION AND OTHER TELECOMMUNICATION SERVICES SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES.

5.) THE VEHICULAR ACCESS EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE BEAR'S CLUB PROPERTY OWNERS' ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR VEHICULAR ACCESS PURPOSES AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID BEAR'S CLUB PROPERTY OWNERS' ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE TOWN OF JUPITER.

6.) THE TOWN OF JUPITER SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM WITHIN THE LIMITS OF THIS PLAT, INCLUDING THE RIGHT TO UTILIZE FOR PUBLIC PURPOSES ANY AND ALL DRAINAGE, LAKE MAINTENANCE, LAKE MAINTENANCE ACCESS EASEMENTS, ROADS PRIVATE OR PUBLIC AND PARKING AND ACCESS TRACTS ASSOCIATED WITH SAID DRAINAGE SYSTEM, SHOULD THE TOWN DEEM IT NECESSARY TO MAINTAIN ANY PORTION OF THE DRAINAGE WITHIN THE LIMITS OF THIS PLAT, FOR PUBLIC PURPOSES, THE TOWN MAY REQUIRE THE PROPERTY OWNERS, ITS SUCCESSORS OR ASSIGNS, TO PAY ALL OR PART OF THE MAINTENANCE COST.

IN WITNESS WHEREOF, BCFP DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS _____, THIS _____ DAY OF _____, 2024.

BCFP DEVELOPMENT, LLC
A FLORIDA LIMITED LIABILITY COMPANY

WITNESS: _____

PRINT NAME: _____

WITNESS: _____

PRINT NAME: _____

BY: _____
PRINT NAME: _____
POSITION: _____

ACKNOWLEDGEMENT

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF ☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS _____ DAY OF _____, 2024, BY _____ AS _____ FOR BCFP DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY, WHO IS ☐ PERSONALLY KNOWN TO ME OR HAS PRODUCED (TYPE OF IDENTIFICATION) AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____



NOTARY PUBLIC

PRINT NAME: _____

COMMISSION NUMBER: _____

IN WITNESS WHEREOF, THE BEAR'S CLUB FOUNDING PARTNERS, LLC, A FLORIDA LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS _____, THIS _____ DAY OF _____, 2024.

THE BEAR'S CLUB FOUNDING PARTNERS, LLC
A FLORIDA LIMITED LIABILITY COMPANY

WITNESS: _____

PRINT NAME: _____

WITNESS: _____

PRINT NAME: _____

BY: _____
PRINT NAME: _____
POSITION: _____

ACKNOWLEDGEMENT

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF ☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS _____ DAY OF _____, 2024, BY _____ AS _____ FOR THE BEAR'S CLUB FOUNDING PARTNERS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY, WHO IS ☐ PERSONALLY KNOWN TO ME OR HAS PRODUCED (TYPE OF IDENTIFICATION) AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____



NOTARY PUBLIC

PRINT NAME: _____

COMMISSION NUMBER: _____

TITLE CERTIFICATION

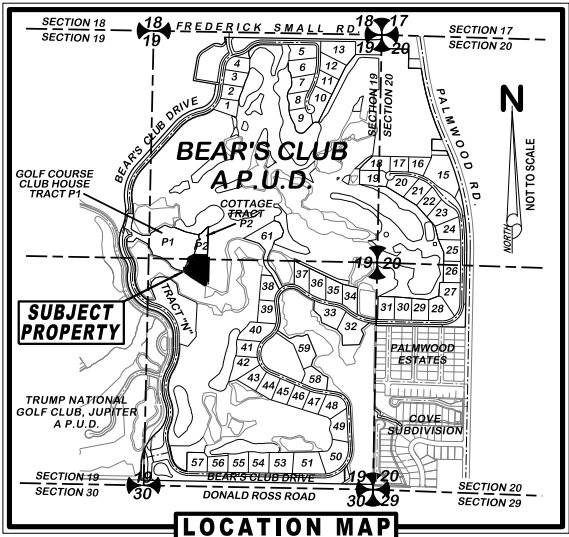
STATE OF FLORIDA)
COUNTY OF PALM BEACH)

I, ADAM GEORGE GUTIN, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN BCFP DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND THE BEAR'S CLUB FOUNDING PARTNERS, LLC, A FLORIDA LIMITED LIABILITY COMPANY; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

NASON, YEAGER, GERSON, HARRIS & FUMERO, P.A.

DATE: _____ BY: _____

ADAM GEORGE GUTIN
FLORIDA BAR No.: 85025



THE BEAR'S CLUB PROPERTY OWNERS' ASSOCIATION, INC. ACCEPTANCE OF RESERVATIONS

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE BEAR'S CLUB PROPERTY OWNERS' ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, HEREBY ACCEPTS THE DEDICATIONS OR RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS _____ DAY OF _____, 2024.

THE BEAR'S CLUB PROPERTY OWNERS' ASSOCIATION, INC.
A FLORIDA NOT-FOR-PROFIT CORPORATION

WITNESS: _____

PRINT NAME: _____

WITNESS: _____

PRINT NAME: _____

BY: _____
ROBERT L. WESSELMAN
PRESIDENT

ACKNOWLEDGEMENT

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF ☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS _____ DAY OF _____, 2024, BY ROBERT L. WESSELMAN AS PRESIDENT FOR THE BEAR'S CLUB PROPERTY OWNERS' ASSOCIATION, A FLORIDA NOT-FOR-PROFIT CORPORATION, ON BEHALF OF THE CORPORATION, WHO IS ☐ PERSONALLY KNOWN TO ME OR HAS PRODUCED (TYPE OF IDENTIFICATION) AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____



NOTARY PUBLIC

PRINT NAME: _____

COMMISSION NUMBER: _____

LEGEND:

- ☐ = FOUND PERMANENT REFERENCE MONUMENT (P.R.M.)
FOUND 4"x4" CONCRETE MONUMENT
STAMPED "PRM LB 4431"
UNLESS OTHERWISE NOTED.
- ☒ = SET PERMANENT REFERENCE MONUMENT (P.R.M.)
SET 4"x4" CONCRETE MONUMENT
STAMPED "PRM LB 4431"
- ☒ = FOUND PERMANENT REFERENCE MONUMENT (P.R.M.)
FOUND MAG NAIL & DISK
STAMPED "PRM LB 4431",
UNLESS OTHERWISE NOTED.
- ☒ = SET PERMANENT REFERENCE MONUMENT (P.R.M.)
SET MAG NAIL & DISK
STAMPED "PRM LB 4431"
- o = DENOTES LOT CORNER

ABBREVIATIONS:

- R = CURVE'S RADIUS
- D = CURVE'S DELTA ANGLE
- L = CURVE'S ARC LENGTH
- C.B. = CURVE'S CHORD BEARING
- FPL = FLORIDA POWER & LIGHT COMPANY
- LB = BUSINESS LICENSE
- O.R.B. = OFFICIAL RECORD BOOK
- P.B. = PLAT BOOK
- P.C. = POINT OF CURVATURE
- P.C.C. = POINT OF COMPOUND CURVATURE
- P.T. = POINT OF TANGENCY
- P.U.D. = PLANNED UNIT DEVELOPMENT
- PC = PAGE
- PCS = PAGES
- PRM = PERMANENT REFERENCE MONUMENT

NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT - UNIT 44 ACCEPTANCE

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT HEREBY ACKNOWLEDGES THAT THERE ARE NO DEDICATIONS TO, NOR ANY MAINTENANCE OBLIGATIONS BEING INCURRED, ACCEPTED OR ASSUMED BY NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT ON THIS PLAT.

IN WITNESS WHEREOF, NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT HAS CAUSED THESE PRESENTS TO BE SIGNED BY MATTHEW J. BOYKIN, ITS PRESIDENT, BOARD OF SUPERVISORS, AND ATTESTED BY SUSAN P. SCHEFF, ITS ASSISTANT SECRETARY, BOARD OF SUPERVISORS AND ITS SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF SUPERVISORS THIS _____ DAY OF _____, 2024.

NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT
UNIT OF DEVELOPMENT 44

ATTESTED BY: _____ BY: _____
SUSAN P. SCHEFF
ASSISTANT SECRETARY
BOARD OF SUPERVISORS
MATTHEW J. BOYKIN
PRESIDENT
BOARD OF SUPERVISORS

TOWN OF JUPITER ACCEPTANCE:

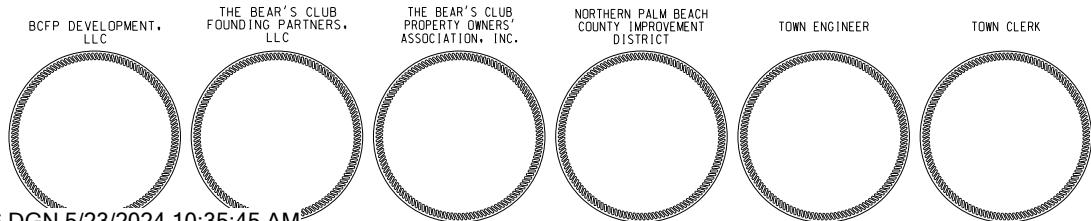
STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO THE ORDINANCES OF THE TOWN OF JUPITER, AND IN ACCORDANCE WITH SECTION 177.071, FLORIDA STATUTES. THIS _____ DAY OF _____, 2024, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR AND MAPPER UNDER CONTRACT WITH THE TOWN OF JUPITER, IN ACCORDANCE WITH SECTION 177.081 (1), FLORIDA STATUTES.

BY: _____
DOUG P. KOENNICK, P.E.
TOWN ENGINEER

BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 2, A P.U.D., IS HEREBY APPROVED FOR RECORD THIS _____ DAY OF _____, 2024.

BY: _____ ATTEST: _____
JIM KURESTSKI, MAYOR
LAURA CAHILL, TOWN CLERK



CAD. K:\UST \ 194143 \ BEARCLUB \ 01-200B-306 \ 01-200B-306.DGN			
REF.			
F.L.D.	-	F.B.	P.C.
OFF.	CASASUS	-	-
CKD.	D.C.L.	SHEET	1 OF 4
		DWG.	D01-200PP

BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 2, A P.U.D.

BEING A REPLAT OF LOTS 1 AND 2, AS SHOWN ON THE PLAT OF BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 1, A P.U.D.,
RECORDED IN PLAT BOOK 115, PAGES 182 THROUGH 184, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA
LYING IN SECTION 19, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA

MARCH 2024

SHEET 2 OF 4

THIS INSTRUMENT WAS PREPARED
BY KENNETH J. BUCHANAN P.S.M.,
IN AND FOR THE OFFICES OF
LIDBERG LAND SURVEYING, INC.,
675 WEST INDIANTOWN ROAD,
SUITE 200, JUPITER, FLORIDA
33458. TELEPHONE (561) 746-8454.

MORTGAGEE'S JOINDER AND CONSENT

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS A HOLDER OF A MORTGAGE, UPON THE PROPERTY DESCRIBED HEREON AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY BCFP DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND THE BEAR'S CLUB FOUNDING PARTNERS, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND AGREES THAT ITS MORTGAGE AND RELATED LOAN DOCUMENTS WHICH ARE RECORDED IN OFFICIAL RECORDS BOOK 30115, PAGE 205; OFFICIAL RECORDS BOOK 32157, PAGE 265; OFFICIAL RECORDS BOOK 32535, PAGE 1630; OFFICIAL RECORDS BOOK 33728, PAGE 1579; OFFICIAL RECORDS BOOK 32535, PAGE 1650; OFFICIAL RECORDS BOOK 32535, PAGE 1630; OFFICIAL RECORDS BOOK 33728, PAGE 1568; OFFICIAL RECORDS BOOK 33728, PAGE 1579; OFFICIAL RECORDS BOOK 26930, PAGE 1878; AND OFFICIAL RECORDS BOOK 27930, PAGE 1663, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

IN WITNESS WHEREOF, SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS _____ AND ITS CORPORATE SEAL TO BE AFFIXED HEREON BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS _____ DAY OF _____, 2024.

THE NORTHERN TRUST COMPANY,
AN ILLINOIS BANKING CORPORATION

WITNESS: _____

PRINT NAME: _____

BY: _____

WITNESS: _____

PRINT NAME: _____

PRINT NAME: _____

TITLE: _____

ACKNOWLEDGEMENT

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF ☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS _____ DAY OF _____, 2024, BY _____ AS _____ FOR THE NORTHERN TRUST COMPANY, AN ILLINOIS BANKING CORPORATION ON BEHALF OF THE CORPORATION, WHO IS ☐ PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ (TYPE OF IDENTIFICATION) AS IDENTIFICATION.

MY COMMISSION EXPIRES:



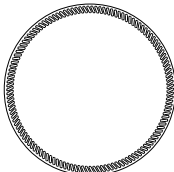
NOTARY SEAL

NOTARY PUBLIC

PRINT NAME: _____

COMMISSION NUMBER: _____

THE NORTHERN TRUST
COMPANY, AN ILLINOIS
BANKING CORPORATION



SURVEYOR & MAPPER'S NOTES:

1.) BEARINGS SHOWN HEREON ARE STATE PLANE GRID BEARINGS AND ARE CONSISTENT WITH THE UNDERLYING PLAT OF BEAR'S CLUB COTTAGE TRACT P2 REPLAT No. 1, A P.U.D., RECORDED IN PLAT BOOK 115, PAGES 182 THROUGH 184, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. THE WEST LINE OF GOLF COURSE TRACT J1, AS SHOWN HEREON BEARS SOUTH 01°45'33" WEST AND ALL OTHER BEARINGS SHOWN HEREON ARE RELATIVE THERETO.

2.) NO STRUCTURE OR BUILDING OR ANY KIND OF LANDSCAPING SHALL BE PLACED ON OR WITHIN ANY EASEMENT WITHOUT PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND THE TOWN ENGINEER.

3.) NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

4.) IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.

5.) UPON RECORDATION OF THIS REPLAT, THE PLATTED 5 FOOT LANDSCAPE BUFFER EASEMENT WITHIN LOT 1, AS SHOWN ON THE PLAT OF BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 1, A P.U.D., RECORDED IN PLAT BOOK 115, PAGES 182 THROUGH 184, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WILL BE AUTOMATICALLY AND SIMULTANEOUSLY VACATED AND ANNULLED PER FLORIDA STATUTES, CHAPTER 177, PART 1, SECTION 177.101(2).

SURVEYOR & MAPPER'S CERTIFICATE:

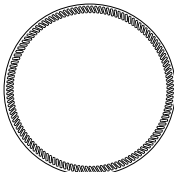
THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.'s") HAVE BEEN PLACED AS REQUIRED BY LAW, AND, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE TOWN OF JUPITER, FLORIDA.

DATE: _____

BY: _____

KENNETH J. BUCHANAN, P.S.M.
LICENSE NO.: 7202
STATE OF FLORIDA

KENNETH J. BUCHANAN, P.S.M.
PROFESSIONAL SURVEYOR
AND MAPPER



LEGEND:

- ☐ = FOUND PERMANENT REFERENCE MONUMENT (P.R.M.)
FOUND 4"x4" CONCRETE MONUMENT
STAMPED "PRM LB 4431"
UNLESS OTHERWISE NOTED.
- ☒ = SET PERMANENT REFERENCE MONUMENT (P.R.M.)
SET 4"x4" CONCRETE MONUMENT
STAMPED "PRM LB 4431"
- ☐ = FOUND PERMANENT REFERENCE MONUMENT (P.R.M.)
FOUND MAG NAIL & DISK
STAMPED "PRM LB 4431"
UNLESS OTHERWISE NOTED.
- ☒ = SET PERMANENT REFERENCE MONUMENT (P.R.M.)
SET MAG NAIL & DISK
STAMPED "PRM LB 4431"
- ☐ = DENOTES LOT CORNER

ABBREVIATIONS:

- R = CURVE'S RADIUS
- D = CURVE'S DELTA ANGLE
- L = CURVE'S ARC LENGTH
- C.B. = CURVE'S CHORD BEARING
- FPL = FLORIDA POWER & LIGHT COMPANY
- LB = BUSINESS LICENSE
- O.R.B. = OFFICIAL RECORD BOOK
- P.B. = PLAT BOOK
- P.C. = POINT OF CURVATURE
- P.C.C. = POINT OF COMPOUND CURVATURE
- P.T. = POINT OF TANGENCY
- P.U.D. = PLANNED UNIT DEVELOPMENT
- PG. = PAGE
- POS. = PAGES
- PRM = PERMANENT REFERENCE MONUMENT



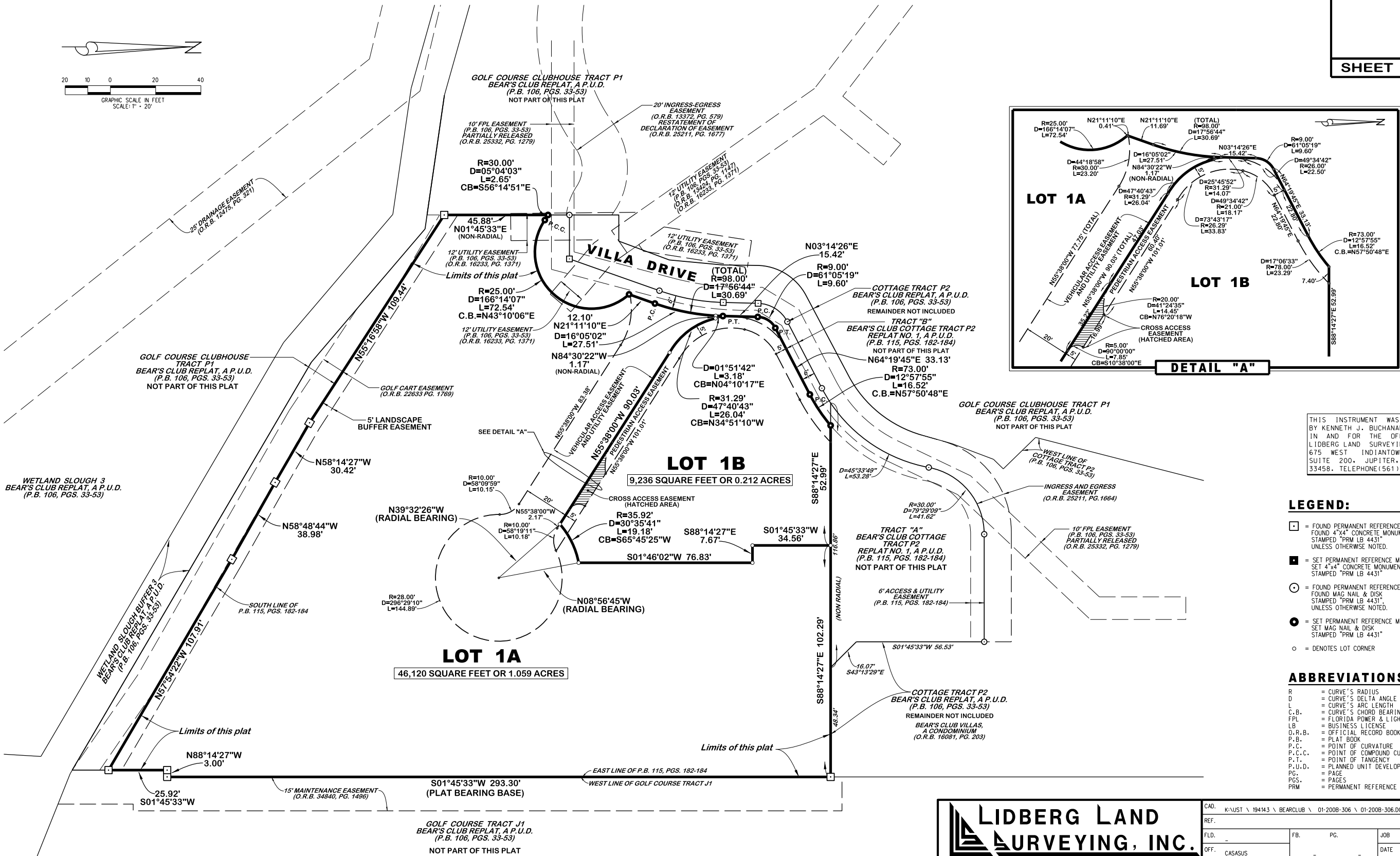
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F.L.D.	-	FB.	PG.
OFF.	CASASUS	-	-
CKD.	D.C.L.	SHEET	2 OF 4
		DWG.	D01-200PP
		DATE	MARCH 2024
		JOB	01-200B-306

BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 2, A P.U.D.

BEING A REPLAT OF LOTS 1 AND 2, AS SHOWN ON THE PLAT OF BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 1, A P.U.D.,
RECORDED IN PLAT BOOK 115, PAGES 182 THROUGH 184, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA
LYING IN SECTION 19, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA

MARCH 2024

SHEET 3 OF 4



THIS INSTRUMENT WAS PREPARED BY KENNETH J. BUCHANAN P.S.M., IN AND FOR THE OFFICES OF LIDBERG LAND SURVEYING, INC., 675 WEST INDIANTOWN ROAD, SUITE 200, JUPITER, FLORIDA 33458. TELEPHONE (561) 746-8454.

LEGEND:

- = FOUND PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND 4"x4" CONCRETE MONUMENT STAMPED "PRM LB 4431" UNLESS OTHERWISE NOTED.
- = SET PERMANENT REFERENCE MONUMENT (P.R.M.) SET 4"x4" CONCRETE MONUMENT STAMPED "PRM LB 4431"
- = FOUND PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND MAG NAIL & DISK STAMPED "PRM LB 4431" UNLESS OTHERWISE NOTED.
- = SET PERMANENT REFERENCE MONUMENT (P.R.M.) SET MAG NAIL & DISK STAMPED "PRM LB 4431"
- = DENOTES LOT CORNER

ABBREVIATIONS:

- R = CURVE'S RADIUS
- D = CURVE'S DELTA ANGLE
- L = CURVE'S ARC LENGTH
- C.B. = CURVE'S CHORD BEARING
- FPL = FLORIDA POWER & LIGHT COMPANY
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- O.R.B. = OFFICIAL RECORD BOOK
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- P.C. = POINT OF CURVATURE
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- PG. = PAGE
- PGS. = PAGES
- PRM = PERMANENT REFERENCE MONUMENT

LIDBERG LAND SURVEYING, INC.

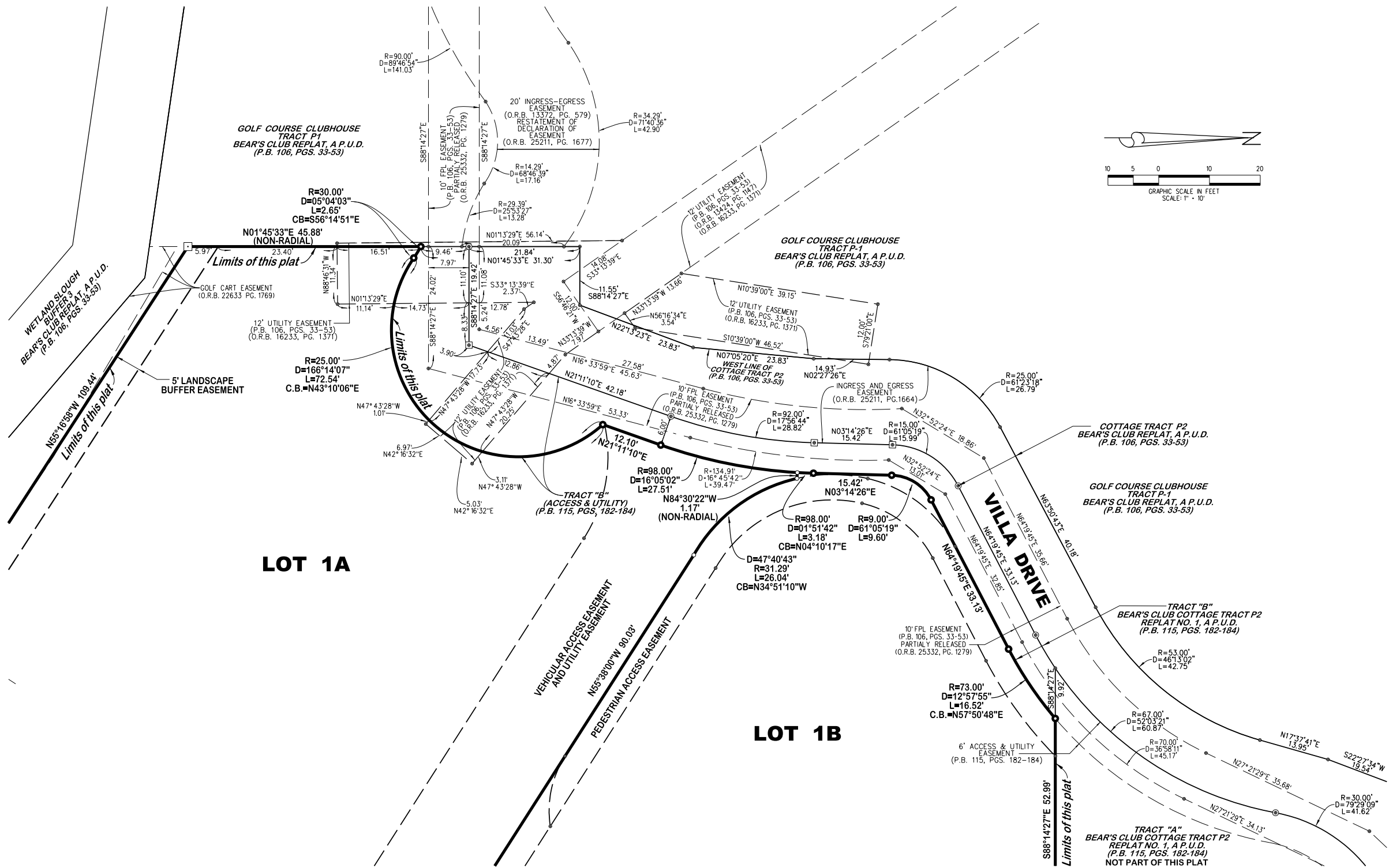
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REF.			
F.L.D.	FB.		PG.
OFF.	DATE		JOB
CASASUS	MARCH 2024		01-200B-306
C.K.D.	SHEET	3 OF 4	DWG.
D.C.L.	D01-200PP		

BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 2, A P.U.D.

BEING A REPLAT OF LOTS 1 AND 2, AS SHOWN ON THE PLAT OF BEAR'S CLUB COTTAGE TRACT P2 - REPLAT NO. 1, A P.U.D.,
RECORDED IN PLAT BOOK 115, PAGES 182 THROUGH 184, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA
LYING IN SECTION 19, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA

MARCH 2024

SHEET 4 OF 4



THIS INSTRUMENT WAS PREPARED BY KENNETH J. BUCHANAN P.S.M., IN AND FOR THE OFFICES OF LIDBERG LAND SURVEYING, INC., 675 WEST INDIANTOWN ROAD, SUITE 200, JUPITER, FLORIDA 33458. TELEPHONE (561) 746-8454.

LEGEND:

- [Symbol] = FOUND PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND 4"x4" CONCRETE MONUMENT STAMPED "PRM LB 4431" UNLESS OTHERWISE NOTED.
- [Symbol] = SET PERMANENT REFERENCE MONUMENT (P.R.M.) SET 4"x4" CONCRETE MONUMENT STAMPED "PRM LB 4431"
- [Symbol] = FOUND PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND MAG NAIL & DISK STAMPED "PRM LB 4431" UNLESS OTHERWISE NOTED.
- [Symbol] = SET PERMANENT REFERENCE MONUMENT (P.R.M.) SET MAG NAIL & DISK STAMPED "PRM LB 4431"
- [Symbol] = DENOTES LOT CORNER

ABBREVIATIONS:

- R = CURVE'S RADIUS
- D = CURVE'S DELTA ANGLE
- L = CURVE'S ARC LENGTH
- C.B. = CURVE'S CHORD BEARING
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- PG. = PAGE
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DETAIL SHEET



CAD. K:\UST \ 194143 \ BEARCLUB \ 01-200B-306 \ 01-200B-306.DGN			
REF.			
F.L.D.	FB.	PG.	JOB 01-200B-306
OFF. CASASUS			DATE MARCH 2024
C.K.D. D.C.L.	SHEET 4	OF 4	DWG. D01-200PP

TOWN OF JUPITER
Replat Titled Body Court of Yacht Club Estates



DATE	June 18, 2024
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	Thomas Hernandez, Director of Engineering and Public Works
SUBJECT	Resolution 67-24 Approval of the Replat Titled Body Court of Yacht Club Estates

EXECUTIVE SUMMARY

Town staff is providing Resolution 67-24 for the approval of the replat titled Body Court of Yacht Club Estates for Town Council's consideration.

The 0.4568 acres of land subject to this replat is located in the east side of the Yacht Club Estates subdivision (Plat Book 22, Page 56), which is located east of Alternate A1A and about 2,100 feet north of Indiantown Road. Currently the Property Appraiser's Office recognizes the property as a single lot (i.e., one parcel control number) for the land subject to this replat. The original Yacht Club Estates plat, established three lots (81, 82, and 83), constituting the land being replatted to two lots under this replat. This replat establishes a drainage easement for the mutual benefit of the owners of each lot, utility easements, and a safe sight corner easement.

ANALYSIS

The subject replat has been reviewed by the Utilities Department, Planning and Zoning Department, Building Department, Engineering Division, and the Town's consulting surveyor to ensure conformance with any applicable lot/site/setback requirements, applicable State Statutes, and Town platting requirements.

In the event the Town Council approves Resolution 67-24 for the replat titled Body Court of Yacht Club Estates, the replat will be executed and publicly recorded.

STRATEGIC PRIORITY

- Manage Growth

ATTACHMENTS

1. Resolution 67-24
2. Body Court of Yacht Club Estates

FUNDING SOURCE

Approved in Budget	\$ N/A	Sources: N/A
Additional Funding Requested	\$	Sources:

* For more information or to request attachments, please contact Kali Beams at kalib@jupiter.fl.us or 561-741-2467

RESOLUTION 67-24

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF JUPITER, FLORIDA, FOR THE APPROVAL OF THE
REPLAT TITLED BODY COURT OF YACHT CLUB
ESTATES**

WHEREAS, the Town of Jupiter is a municipality of the State of Florida within such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town of Jupiter has exclusive jurisdiction for approval of plats and replats within the Town's municipal boundaries as has been conferred upon it by the Florida Constitution and Chapter 177.071, Florida Statutes; and

WHEREAS, the Town of Jupiter has reviewed the replat titled Body Court of Yacht Club Estates Plat for conformance with applicable State Statutes and Town platting requirements, and has found the replat acceptable.

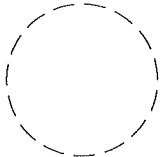
NOW, THEREFORE, be it resolved by the Town Council of the Town of Jupiter, Florida:

Section 1. The Council hereby approves the replat and authorizes the Mayor, Town Engineer, and Town Clerk of the Town of Jupiter to execute and to record the replat at the Office of the Clerk of Circuit Court, Palm Beach County.

Section 2. This Resolution shall take effect upon its execution.

STATE OF FLORIDA
COUNTY OF PALM BEACH
THIS PLAT WAS FILED FOR
RECORD AT _____ M. THIS
____ DAY OF _____
20____ AND DULY RECORDED
IN PLAT BOOK No. _____
ON PAGE _____
JOSEPH ABRUZZO
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER
PALM BEACH COUNTY
BY: _____
DEPUTY CLERK

SHEET 1 OF 2



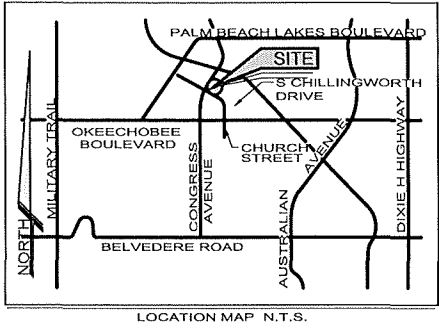
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

BODY COURT OF YACHT CLUB ESTATES

BEING A REPLAT OF LOTS 81, 82, AND 83, PLAT OF YACHT CLUB ESTATES, JUPITER FLORIDA,
IN THE NORTH ONE HALF (1/2) OF GOVERNMENT LOT 2, SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST,
ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 22, PAGE 56, OF THE PUBLIC RECORDS OF
PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST,
TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA.

SHEET 1 OF 2

JUNE 2024



RESERVATIONS AND DEDICATIONS

DEDICATION AND RESERVATIONS:
KNOW ALL MEN BY THESE PRESENTS THAT THE CHARLES LEAL AND MARY KELLY LEAL, AS CO-TRUSTEES OF THE CHARLES & KELLY LEAL REVOCABLE TRUST, OWNER OF THE LAND SHOWN HEREON AS BODY COURT OF YACHT CLUB ESTATES, A REPLAT OF LOTS 81, 82, AND 83, PLAT OF YACHT CLUB ESTATES, JUPITER FLORIDA, IN THE NORTH ONE HALF (1/2) OF GOVERNMENT LOT2, SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 22, PAGE 56, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER, OF THE NORTHWEST QUARTER, OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, THENCE S 01°07'57" W, ALONG THE WEST LINE OF THE NORTHWEST QUARTER SAID SECTION 6, ALSO BEING THE WEST LINE OF RANGE 41 EAST, 686.51 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE OF AND THE WESTERLY PROLONGATION OF THE CENTERLINE OF BODY COURT, YACHT CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 22, PAGE 56, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S 89°59'03" E, ALONG SAID WESTERLY PROLONGATION, 835.01 FEET TO THE CENTERLINE OF SAID BODY COURT; THENCE CONTINUE S 89°59'03" E, ALONG SAID CENTERLINE, 139.00 FEET TO THE SOUTHERLY PROLONGATION OF THE EAST LINE OF LOT 84, SAID YACHT CLUB ESTATES; THENCE N 01°07'57" E, ALONG SAID SOUTHERLY PROLONGATION, 20.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 84; THENCE CONTINUE N 01°07'57" E, ALONG THE EAST LINE OF SAID LOT 84, 110.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N 01°07'57" E, ALONG SAID EAST LINE, 50.00 FEET TO THE SOUTH LINE OF THE "CANAL" RESERVATION, SAID YACHT CLUB ESTATES, AS LAID OUT AND CURRENTLY IN USE; THENCE S 89°49'58" E, ALONG SAID SOUTH LINE, 144.35 FEET TO THE WESTERLY LINE OF THE LOXAHATCHEE RIVER, AS CURRENTLY IN USE, ALSO BEING THE MEAN HIGH WATER LINE AND WET FACE OF AN EXISTING CONCRETE SEAWALL, AND CONTINUE ON SAID WESTERLY LINE FOR THE NEXT 8 COURSES AND DISTANCES: THENCE S 70°36'56" E, 3.42 FEET; THENCE S 35°33'37" E, 19.87 FEET; THENCE S 16°35'44" E, 9.89 FEET; THENCE S 14°59'35" W, 43.41 FEET; THENCE S 51°14'20" W, 3.78 FEET; THENCE S 81°23'40" W, 5.72 FEET; THENCE S 19°04'34" W, 57.31 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID BODY COURT AND THE EASTERLY PROLONGATION THEREOF; THENCE N 89°59'03" W, ALONG SAID NORTH RIGHT-OF-WAY LINE OF SAID BODY COURT AND THE EASTERLY PROLONGATION THEREOF, 90.19 FEET TO THE EAST RIGHT-OF-WAY OF SAID BODY COURT; THENCE N 01°07'57" E, ALONG SAID EASTERLY RIGHT-OF-WAY, 110.00 FEET, TO THE NORTH RIGHT-OF-WAY OF SAID BODY COURT; THENCE N 89°59'03" W, ALONG SAID NORTH RIGHT-OF-WAY, 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 19,899 SQUARE FEET (0.4568 ACRES), 19,739 SQUARE FEET UPLAND, MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON, AND DOES HEREBY DEDICATE AS FOLLOWS:

1. THE UTILITY EASEMENTS RUNNING ADJACENT AND PARALLEL TO PUBLIC STREETS, AS SHOWN HEREON, ARE NON EXCLUSIVE EASEMENTS AND ARE HEREBY DEDICATED IN PERPETUITY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF UTILITIES, BOTH PUBLIC AND PRIVATE, INCLUDING, BUT NOT LIMITED TO, POTABLE WATER PIPELINES, RAW WATER PIPELINES, WASTEWATER PIPELINES, RECLAIMED WATER PIPELINES, ELECTRIC POWER LINES, TELECOMMUNICATIONS LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES. THE INSTALLATION OF CABLE TELEVISION SYSTEMS SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGE THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES.
2. THE DRAINAGE EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED IN PERPETUITY FOR DRAINAGE PURPOSES. THE MAINTENANCE OF ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE CHARLES LEAL AND MARY KELLY LEAL, AS CO-TRUSTEES, THEIR SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY, FLORIDA.
3. THE SAFE SIGHT EASEMENT (S.S.E.), AS SHOWN HEREON, IS HEREBY DEDICATED TO THE TOWN OF JUPITER FOR THE CONTROL AND JURISDICTION OF CONSTRUCTION RIGHTS WITHIN SAID EASEMENT. NO CONSTRUCTION, BUILDINGS, SIGNS, MONUMENTS, OR ANY KIND OF LANDSCAPING SHALL BE PLACED IN SAID EASEMENT WITHOUT PRIOR WRITTEN APPROVAL FROM THE TOWN ENGINEER OR DESIGNEE.
4. THE TOWN OF JUPITER SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM SHOWN BY THIS PLAT, INCLUDING THE RIGHT TO UTILIZE, FOR PUBLIC PURPOSES, ANY, AND ALL DRAINAGE, LAKE MAINTENANCE, LAKE MAINTENANCE ACCESS EASEMENTS, ROADS, PRIVATE OR PUBLIC, AND PARKING AND ACCESS TRACTS ASSOCIATED WITH SUCH DRAINAGE SYSTEM. SHOULD THE TOWN DEEM IT NECESSARY TO MAINTAIN ANY PORTION OF THE DRAINAGE SHOWN BY THIS PLAT, FOR PUBLIC PURPOSES, THE TOWN MAY REQUIRE THE PROPERTY OWNERS, ASSIGNS OR SUCCESSORS TO PAY ALL OR PART OF THE MAINTENANCE COST.

IN WITNESS WHEREOF, THE ABOVE NAMED CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PRESIDENT AND ITS CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS _____ DAY OF _____, 20____.

BY: _____
CHARLES LEAL, CO-TRUSTEE

WITNESS: _____

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF PHYSICAL PRESENCE OR ONLINE NOTARIZATION, THIS _____ DAY OF _____, 20____, BY CHARLES LEAL, CO-TRUSTEE, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ (TYPE OF IDENTIFICATION) AS IDENTIFICATION.

MY COMMISSION EXPIRES: _____

PRINT NAME: _____

SEAL

TOWN OF JUPITER APPROVAL:

STATE OF FLORIDA
COUNTY OF PALM BEACH

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO THE ORDINANCES OF THE TOWN OF JUPITER, AND IN ACCORDANCE WITH SECTION 177.07(2), FLORIDA STATUTES, THIS _____ DAY OF _____, 2023, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR AND MAPPER UNDER CONTRACT WITH THE TOWN OF JUPITER, IN ACCORDANCE WITH SECTION 177.081 (1), FLORIDA STATUTES.

BY: _____
DOUG P. KOENNICKE, P.E.
TOWN ENGINEER

207 BODY COURT IS HEREBY APPROVED FOR RECORD
THIS _____ DAY OF _____, 2023.

BY: _____ ATTEST: _____
JIM KURETSKI LAURA CAHILL
MAYOR TOWN CLERK

COUNTY APPROVAL

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO PALM BEACH COUNTY ORDINANCE 95-33, AND IN ACCORDANCE WITH SECTION 177.07(2), F.S., THIS _____ DAY OF _____, 20____, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR AND MAPPER EMPLOYED BY PALM BEACH COUNTY, IN ACCORDANCE WITH SECTION 177.081(1), F.S.

BY: _____ DATED: _____
DAVID L. RICKS, P.E.
COUNTY ENGINEER

SURVEYOR NOTES:

1. BEARINGS SHOWN HEREON ARE GRID BEARINGS. THE BASIS OF BEARING LINE USED IS THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43 EAST AND HAVING A MEASURED BEARING OF SOUTH 88°53'06" EAST. COORDINATES SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM (NAD 83/90 ADJUSTMENT, EAST ZONE) AND WERE ESTABLISHED USING LEICA GNSS SMART ANTENNA AND OBSERVING PERMANENT REFERENCE MONUMENTS FOR 300 EPOCHS.
2. NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
3. THIS PLAT IS A REPLAT OF LOTS 81, 82, AND 83, AS SHOWN ON THE PLAT OF YACHT CLUB ESTATE, JUPITER FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 22, PAGE 56, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. ALL PREVIOUS PLATTED LOT LINES WITHIN THIS PLAT WILL BE VACATED AND ABANDONED BY THE RECORDING OF THIS PLAT.
4. IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.
5. NO BUILDINGS OR STRUCTURE OR ANY KIND OF LANDSCAPING, EXCEPT DRIVEWAYS, SIDEWALKS, AND SIMILAR SURFACE CONSTRUCTION SHALL BE PLACED ON OR WITHIN ANY EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND TOWN ENGINEER.

TITLE CERTIFICATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

I, CHARLES D. THOMAS, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN THE CHARLES LEAL AND MARY KELLY LEAL, AS CO-TRUSTEES OF THE CHARLES & KELLY LEAL REVOCABLE TRUST; THAT THE CURRENT TAXES HAVE BEEN PAID; AND THAT ALL PALM BEACH COUNTY SPECIAL ASSESSMENT ITEMS, AND ALL OTHER ITEMS HELD AGAINST SAID LANDS HAVE BEEN SATISFIED; THAT THERE ARE NO MORTGAGES OF RECORDS AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATED: _____

BY: _____
CHARLES D. THOMAS, ESQ.
ATTORNEY AT LAW LICENSED IN FLORIDA
FLORIDA BAR NUMBER _____

SURVEYOR AND MAPPER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.s"), HAVE BEEN PLACED AS REQUIRED BY LAW, AND PERMANENT CONTROL POINTS ("P.C.P.s"), AND MONUMENTS ACCORDING TO SEC. 177.091(9), F.S., WILL BE SET UNDER THE GUARANTEES POSTED WITH THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS FOR THE REQUIRED IMPROVEMENTS; AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE TOWN OF JUPITER, FLORIDA.

THIS _____ DAY OF _____, 20____

MICHAEL J. MILLER, R.L.S.
LICENSE No. 4034
STATE OF FLORIDA

PREPARING SURVEYOR & MAPPER'S STATEMENT

THIS INSTRUMENT WAS PREPARED BY MICHAEL J. MILLER, P.S.M. 4034
IN THE OFFICE OF MILLER LAND SURVEYING, 1121 LAKE AVE., LAKE WORTH, FL 33460

SCALE: 1" = 20'	MILLER LAND SURVEYING 1121 LAKE AVENUE LAKE WORTH, FLORIDA 33460 PHONE: (561) 586-2669 • FAX: (561) 582-0151 www.millersurveying.com e-mail: orders@millersurveying.com	REF: U1507 A8997 22218 64674
DRAWN BY: S. R. L.		PREV. JOB NO'S.
FIELD WK: J.W. / B.M.		JOB NO. Y230989
DATE: 10/23/2023		L - 2408 - A

BODY COURT OF YACHT CLUB ESTATES
BEING A REPLAT OF LOTS 81, 82, AND 83, PLAT OF YACHT CLUB ESTATES, JUPITER FLORIDA,
IN THE NORTH ONE HALF (1/2) OF GOVERNMENT LOT 2, SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, ACCORDING TO
THE PLAT THEREOF, RECORDED IN PLAT BOOK 22, PAGE 56, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY,
FLORIDA, LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA.

JUNE 2024

SHEET 2 OF 2



Scale 1" = 20'

OFFSET DIRECTION AND DISTANCE
FOR WITNESS PERMANENT REFERENCE
MONUMENTS (WPRM)

WPRM "A"	S.54°26'23"W.	0.50'
WPRM "B"	S.73°24'15"W.	0.50'
WPRM "C"	N.75°00'25"W.	0.50'
WPRM "D"	N.83°45'40"W.	0.50'
WPRM "E"	N.08°36'20"W.	0.50'
WPRM "F"	N.71°27'24"W.	0.50'
WPRM "G"	N.70°55'28"W.	0.50'

PREPARING SURVEYOR & MAPPER'S STATEMENT

THIS INSTRUMENT WAS PREPARED BY MICHAEL J. MILLER, P.S.M. 4034
IN THE OFFICE OF MILLER LAND SURVEYING, 1121 LAKE AVE., LAKE WORTH, FL 33460

SCALE:	1" = 20'
DRAWN BY:	S.R.L.
FIELD WK:	J.W./J.M.
DATE:	10/23/2023

MILLER LAND SURVEYING
1121 LAKE AVENUE
LAKE WORTH, FLORIDA 33460
PHONE: (561) 586-2669 - FAX: (561) 582-0151
www.millersurveying.com
e-mail: orders@millersurveying.com

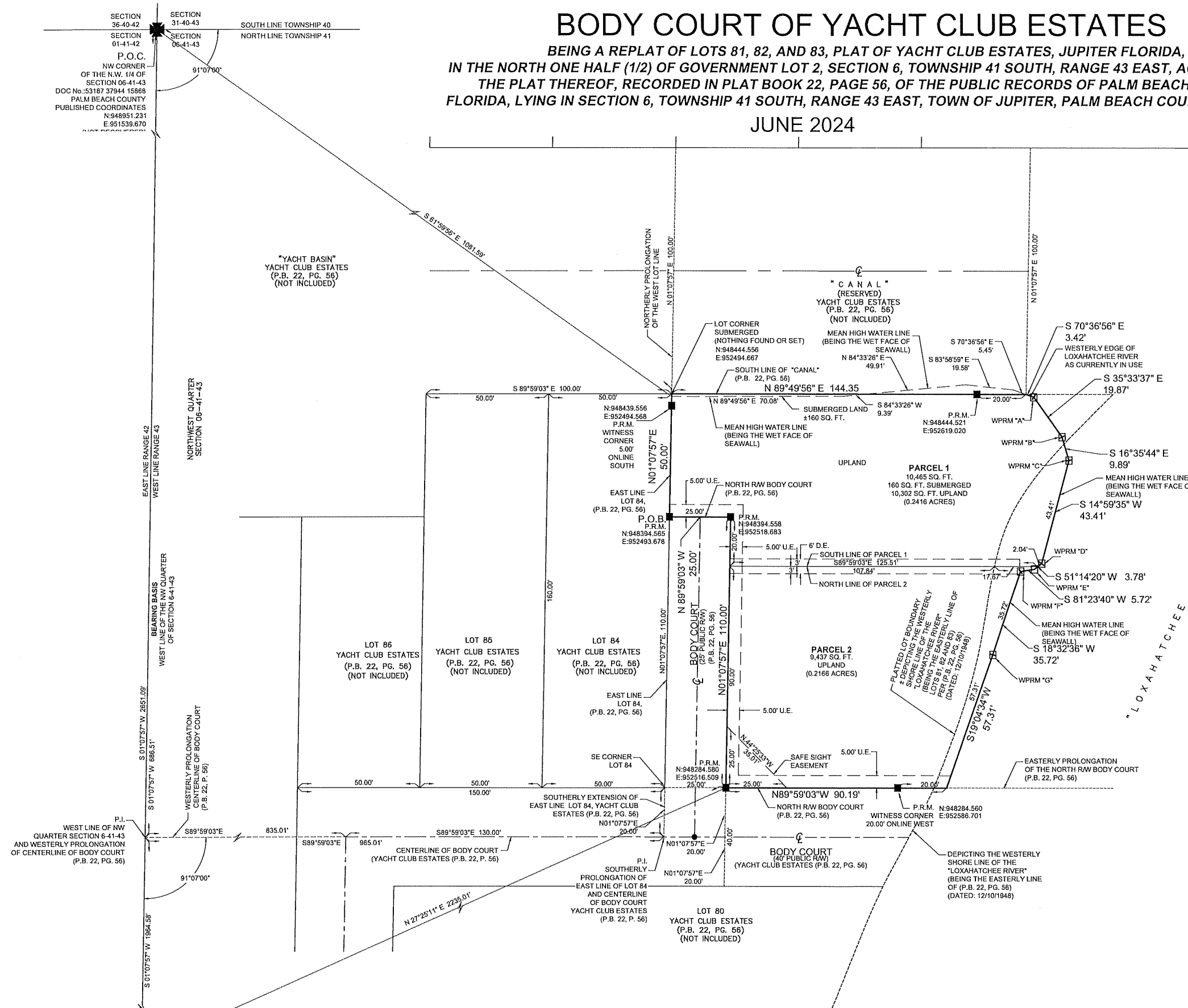
REF:	U157/ A8897 223/18 G454
PREV. JOB NO.	
JOB NO.	Y230989
L - 2408-A	

LEGEND:

- = SET P.C.P., "P.K." NAIL & DISC STAMPED
- = SET PERMANENT REFERENCE MONUMENT (P.R.M.) 18" LONG IRON ROD STAMPED "M.L.S." L.B. #6838"
- △ = CENTRAL ANGLE
- ⊕ = CENTERLINE
- = SET P.R.M. NAIL AND DISC STAMPED "M.L.S. LB#6838"
- C.M. = CONCRETE MONUMENT
- (D) = DEED
- D.B. = DEED BOOK
- D.E. = DRAINAGE EASEMENT
- EASE. = EASEMENT
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION

NAD 83 = NORTH AMERICAN DATUM
O.R.B. = OFFICIAL RECORD BOOK
P.B. = PLAT BOOK
P.C. = POINT OF CURVATURE
P.G. = PAGE
P.I. = POINT OF INTERSECTION
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT

P.R.M. = PERMANENT REFERENCE MONUMENT
R = RADIUS
RW = RIGHT OF WAY
U.E. = UTILITY EASEMENT
WPRM = WITNESS PERMANENT REFERENCE MONUMENT



EAST QUARTER CORNER
SECTION 01-41-42
DOC No.: 53188 43207 15887 37995
PALM BEACH COUNTY
PUBLISHED COORDINATES
N: 948951.231
E: 951539.670
(NOT RECOVERED)

TOWN OF JUPITER
Approval of the 2024-2025 Community Development Block Grant (CDBG) Action Plan



DATE	June 18, 2024
TO	Honorable Mayor and Members of Town Council
THRU	David England, Chief of Police, Frank Kitzerow, Town Manager
FROM	Satu Oksanen, Neighborhood Services Manager
SUBJECT	Res. 76-24, Approval of the Town of Jupiter 2024-2025 Community Development Block Grant (CDBG) Action Plan

EXECUTIVE SUMMARY

Neighborhood Services is requesting Town Council's approval of the 2024-25 Action Plan, which is the Town's application to the Department of Housing and Urban Development (HUD) to access Community Development Block Grant (CDBG) funding. If approved by HUD, the Town can expect \$273,367 in CDBG funding for Program Year 2024-2025 (October 1, 2024-September 30, 2025) to assist the Town's low- and moderate-income residents.

The Community Development Block Grant (CDBG) program is a flexible program that provides communities with resources to address a wide range of unique community development needs to assist low- and moderate-income residents. Since 1974, the CDBG program has been one of the longest continuously run programs at the Department of Housing and Urban Development (HUD). The CDBG program provides annual grants on a formula basis to state and local governments. The Town of Jupiter has participated in the CDBG Program since 2012 and typically receives +/- \$270,000 annually.

In FY 2025, staff proposes to continue to address drainage issues on North Pennock Lane, located in the Eastview Manor neighborhood (\$218,694). This multi-year Engineering/Utilities CIP project that started in 2023 is funded partly with CDBG. The existing sidewalk along the east side of North Pennock Lane is located in or near the lowest point of the east shoulder of the road right of way. After rainfall events, the sidewalk routinely floods with stormwater, rendering the sidewalk unusable. Pennock Lane serves as a main corridor for pedestrian activity between Indiantown Road and Center Street, has school bus stops along the road, and serves as one of the main pedestrian routes to/from the large residential communities lying east and west of North Pennock. As such, improving the functionality of the sidewalk in this low- and moderate-income area for year-around use is highly beneficial. This will be the last year this project is funded with CDBG.

In addition, the Town will apply the industry standard 20% of the CDBG funds for administrative costs needed to oversee new and underway projects, and provide general management and federal compliance of the CDBG funds by a consultant (\$54,673).

Thus, proposed CDBG Projects for Program Year 2024-2025 are:

North Pennock Lane Sidewalk & Drainage Improvements	\$218,694
Administration (20% of the overall grant)	\$54,673
Total	\$273,367

For the preparation of the Annual Action Plan, the Town hosted two meetings on January 23, 2024. The meetings were held in the morning and at night to accommodate all schedules. The meetings were advertised in Palm Beach Post as well as the Town's website and social media. At the meetings, attendees were given an opportunity to identify housing and community development priorities for the Town, comment on past performance, and provide input on fair housing in Jupiter.

In addition, Neighborhood Services met with other Town departments and area non-profits to discuss the CDBG process and solicit projects. Neighborhood Services hosts an interdepartmental meeting, during which time CDBG is also discussed. The meetings typically consist of attendees from the Town of Jupiter Neighborhood Services, Building Department, Code Compliance, Engineering/Parks & Public Works, Planning and Zoning, Police and Parks & Recreation.

The draft plan was available for public comment for 30 days in Neighborhood Services' office as well as on the Town's website. The public comment period was announced with an advertisement in the Palm Beach Post May 6, 2024.

ANALYSIS

Staff is requesting Town Council approval of the 2024-25 Annual Action Plan, which is the Town's application to the Department of Housing and Urban Development (HUD) to access \$273,367 in Community Development Block Grant (CDBG) funding in fiscal year 2025.

STRATEGIC PRIORITY

- Unique, Small Town Feel

ATTACHMENTS

1. Resolution 76-24
2. North Pennock Lane Swale and Sidewalk Improvements
3. Draft AAP Town of Jupiter 2024-2025

FUNDING SOURCE

Neighborhoods CDBG CIP (31090019-534000-G2300) \$273,367

For more information or copies of the attachments, please contact Satu Oksanen, Neighborhood Services Manager at SatuO@jupiter.fl.us or 561-741-2524.

Attachment 1

RESOLUTION NO. 76-24

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
JUPITER, FLORIDA, AUTHORIZING STAFF TO APPLY FOR
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM THE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BY
SUBMITTING THE TOWN'S 2024-2025 ANNUAL ACTION PLAN**

WHEREAS, the Town of Jupiter (Town) is eligible to apply for Community Development Block Grant (CDBG) funding from the Federal Government; and

WHEREAS, The Town of Jupiter has completed the Action Plan for 2024-2025 as the Town's application for this funding, and

WHEREAS, Staff has established addressing overall aesthetic, health and safety upgrades throughout the Town's low- and moderate income neighborhoods as a priority for the Town's residents by conducting public meetings to solicit input, and

WHEREAS, the Town Council has determined that addressing this aforementioned community development need is a priority for the Town and a significant benefit to the community; and

WHEREAS, the CDBG grant funds would be used for addressing North Pennock Lane Sidewalk and Drainage improvements in Eastview Manor neighborhood as well as administrative costs needed to undertake the projects; and

WHEREAS, the said activities are in compliance with the Town of Jupiter's Consolidated Plan 2022-2026 submitted to HUD as well as the Town's Comprehensive Plan

NOW THEREFORE, be it resolved by the Town Council of the Town of Jupiter, Florida:

Section 1. The Town authorizes the Town Manager to sign any related grant application submittals on behalf of the Town.

Section 2. This Resolution shall take effect immediately upon its execution.

TOWN OF JUPITER
COMMUNITY INVESTMENT PROGRAM
2025 - 2029

Strategic Priority : Mobility - Unique, Small Town Feel	Department : Engineering/Utilities Project No. : E2301 Year(s) : 2023-2024 Projected In-Service Date : 2025
Project Name : North Pennock Lane Sidewalk & Drainage Improvements	

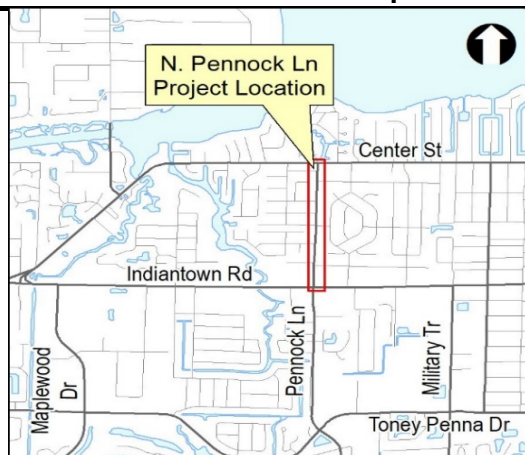
Project Description :

Reconstruction of the sidewalk along east side of North Pennock Lane from Southview Drive to Northview Drive to raise the sidewalk from current elevation or location at or near the roadside swale elevation to a more functional elevation that allows the sidewalk to stay in service rather than to be submerged after rain events. The project requires reconstruction of existing driveway turnouts as well as drainage system improvements to accomodate the elevation increase of the sidewalk.

Link to Strategic Plan : The Town creates and maintains bike and walking paths pedestrian friendly community with effective system of sidewalks and bicycle paths.

Need, Justification, Benefits :

The existing sidewalk along east side of North Pennock Lane is located in or near the lowest point of the east shoulder of the road right of way and as such after rainfall events the sidewalk routinely floods with stormwater rendering the sidewalk unusable, requiring pedestrians to walk into the front yards or out near or into the edge of the road. Pennock Lane serves as a main corridor for pedestrian activity between Indiantown Road and Center Street, has school bus stops along the road, and also serves as one of the main pedestrian accessways to/from the large residential communities lying east & west of North Pennock. As such, improving the functionality of the sidewalk for year around use is highly beneficial.

Location & Area Map**Project Photo****Comments :**

CDBG and Stormwater funds are proposed for this project. The design will be done in conjunction with the Utility. The FY 2025 costs have been updated based on the project estimate.



COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

FY 2024-2025 ANNUAL ACTION PLAN

10/01/2024- 09/30/2025

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Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The Town of Jupiter is an entitlement grantee of federal funds through the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG) funds. The town began receiving CDBG funds in 2012. To date the Town has received \$3,968,909 in CDBG funds.

The Town of Jupiter anticipates receiving \$273,367 for Program Year (PY) 2024-2025 beginning October 1, 2024. To receive this funding allocation from HUD, the Town must prepare and adopt a Consolidated Plan and each year an Action Plan. The Consolidated Plan is a five-year strategic document that outlines an entitlement community's housing and community development priorities and objectives for carrying out HUD Programs. The most recent Plan was adopted by the Town in 2022 and includes the Program Years from 2022-2026. The One-Year Action Plan includes the budget and action steps to meet the objectives of the Consolidated Plan.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items, or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis, or the strategic plan.

The Action Plan defines the one-year activities in relationship to the five-year goals and objectives of the Consolidated Plan covering PY 2022-2026. The Plan provides a brief description of the programs for the Town of Jupiter in PY 2024-2025, as well as other funding announcements.

All HUD funded activities must fit within the Outcome Performance Measurement Framework to provide standardized measurements nationwide. The framework consists of several objectives (i.e., Decent Housing, Suitable Living Environment and Economic Opportunity) and several outcomes (i.e., Availability/Accessibility, Affordability, and Sustainability). Funds for the PY 2024-2025 are allocated among these objectives and outcomes.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

This is an evaluation of the Town's past performance that helped lead the Town to choose its goals and/or projects for FY 2024-2025. A more detailed evaluation of past performance is documented in the City's FY 2022-2023 Consolidated Annual Performance & Evaluation Report (CAPER), the most recent CAPER completed. The Town recognizes the evaluation of past performance is critical to ensure the City is implementing activities effectively and those activities align with the City's overall strategies and goals.

In FY 2022-2023, the most recent completed year, the Town completed the following projects:

- Drainage improvement project in the Pine Gardens North neighborhood, the Town's original Charter neighborhood of 1,080 low-moderate income persons.
- Street safety improvement project along South Loxahatchee Drive, in Pine Gardens South, one of the Town's original Charter neighborhoods of 1,000 low-moderate income persons.
- Fund Jupiter Medical Center and My Clinic to provide post-acute health services for patients released from the hospital after impacted by COVID 19.

CDBG-CV

- Fund non-profit organization (The Pearl Mae foundation) who provided fresh food delivery to 1,200 quarantined individuals and individuals that need to maintain social distancing due to medical vulnerability. The organization continues to provide services to the Town's seniors.

The Town continues to work on open CDBG projects and the expenditure of CDBG-CV funds.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The Citizen Participation Plan (CPP) in accordance with the Housing and Community Development Act of 1974, as amended and 24 CFR Part 91, Subpart B: Citizen Participation and Consultation, sets forth the citizen participation plan requirements. This section of the Act provides for and encourages citizen participation with particular emphasis on persons of low- to moderate-income, in addition to slum and blighted areas.

The CPP sets forth the Town's policies and procedures for citizen participation in developing the Consolidated Plan, incremental action plans, any substantial amendments to such plans, and development of CAPER.

A draft of Jupiter's 2024-2025 Annual Action Plan was made available for public review, input, and comments before being adopted by the Town Council and subsequently submitted to HUD. Citizens are encouraged to participate through public hearings held before the development of

the draft, during review of the draft and adoption of the Action Plan. The plan was available for review May 5, 2024, through June 4, 2024.

Citizen Participation Timeline

Date	Activity
January 21, 2024	Pre-Development Public Notice
January 23, 2024	Pre- Development Public Hearing
May 6, 2024	Pre-Adoption Public Notice
May 6, 2024 to June 5, 2024	30-day comment period
June 18, 2024	Pre-Adoption Public Hearing and Council Meeting
August 1, 2024	Transmit to HUD

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

No comments were received.

6. Summary of comments or views not accepted and the reasons for not accepting them

No comments were received.

7. Summary

N/A

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	JUPITER	Neighborhood Services

Table 1 – Responsible Agencies

Narrative (optional)

The Town of Jupiter Neighborhood Services Department serves as the lead agency for developing the Town’s 2024-2025 Annual Action Plan and will serve as the lead agency responsible for implementing it.

Neighborhood Services, Town Engineering, Parks & Recreation and Finance Departments work together to coordinate the efforts of the CDBG program. The Town contracts with a private firm to administer and monitor the CDBG funds for compliance with Federal regulations.

Consolidated Plan Public Contact Information

Satu Oksanen, Manager
Neighborhood Services
Town of Jupiter Police Department
196 Military Trail
Jupiter, FL 33458
(561) 741-2524
satuo@jupiter.fl.us

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The Town has previously adopted a citizen participation plan that identified when public hearings and other consultations are to take place. During the planning of the Action Plan, the Town coordinated with other housing and support service agencies to ensure available resources are utilized and leveraged.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health, and service agencies (91.215(l))

The Town hosts the Jupiter Jubilee, an annual community event coordinated by the Town of Jupiter for area residents. The Jupiter Jubilee provides a civic engagement, educational and cultural activities. At this event, the Town invites all the local nonprofits and private and governmental health and mental health servicing agencies together for an outreach event called the Civic Fair that garners over 4,000 participants. The Town has a partnership with My Clinic, a public health coordinator, that focuses on physical, dental, mental, and behavioral health; women's health, healthy living, and food and nutrition needs for non-insured and underinsured residents of Jupiter.

The Town has also partnered with Jupiter Medical Center, a nonprofit hospital, that provides services to elderly, disabled, low and moderate income, and un- and underinsured residents.

The Town is in collaboration with the Pearl Mae Foundation, a service provider of senior services for holiday gift gives away, food and supply needs.

The Town is also still in collaboration with the Healthier Together Collaborative, which is now part of the American Heart Association.

The Town has also established several cross-departmental teams to overcome gaps in institutional structures and enhance coordination. The Neighborhood Services meets as the Neighborhood Topics Interdepartmental Team. It consists of members from the Neighborhood Services; Code Compliance; Building; Administration, Planning & Zoning; Jupiter Police; Engineering and Recreation departments. The Team collaborates on issues that affect neighborhoods (especially the L/M income older neighborhoods).

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Town of Jupiter does not provide direct services to homeless persons but does coordinate with Palm Beach County to provide continuity of care to facilitate the needs of care homeless persons and persons at risk of homelessness.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS.

Not applicable because the Town does not receive ESG funding.

2. Describe Agencies, groups, organizations, and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities.

Table 2 – Agencies, groups, organizations who participated.

1	Agency/Group/Organization	EL Sol
	Agency/Group/Organization Type	Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The agency was consulted through interagency committees that work on common goals for the residents of Jupiter. Improved coordination for Special Needs population and Public Services to their clients.
2	Agency/Group/Organization	My Clinic
	Agency/Group/Organization Type	Services-Health Health Agency
	What section of the Plan was addressed by Consultation?	Health Care
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The agency was consulted through various sub-recipient meetings. The outcome is to include the feedback from a public health organization.
3	Agency/Group/Organization	Pearl Mae Foundation
	Agency/Group/Organization Type	Services-Elderly Persons Services-Persons with Disabilities Services-Health

What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	A stakeholder interview was held with the Executive Director to discuss the feedback received from their clientele as it relates to needs of elderly services.

Identify any Agency Types not consulted and provide rationale for not consulting.

Other local/regional/state/federal planning efforts considered when preparing the Plan.

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Palm Beach County	Jupiter works in conjunction with Palm Beach County on various projects to coordinate services.
FY 2023-2024 Action Plan	Palm Beach County Housing Authority	The Town of Jupiter does not have a Housing Authority. Parties requiring assistance in public housing will connect with Palm Beach County Housing Authority.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

Jupiter is located within Palm Beach County and coordinates implementation efforts of the plan with County departments that are intricately involved with various components of plan delivery.

DRAFT

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal setting.

The Town adhered to its approved Citizen Participation Plan (CPP), which was approved by Town Council. The CPP includes one public hearing held at Town Hall and the availability of a 30-day comment period to review the draft Action Plan. All meetings are advertised in the Palm Beach Post and Jupiter Town Times to expand the reach of possible participants.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Newspaper Ad	Non-targeted/broad community	Jan 21, 2024, Pre-Development Public Notice	None	None	www.palmbeachpost.com
2	Meeting	Non-targeted/broad community	January 23, 2024, Pre-Development Public Meeting	None	None	www.jupiter.fl.us
3	Newspaper Ad/ Online	Non-targeted/broad community	May 6, 2024, Pre-Adoption Public Notice	None	None	www.palmbeachpost.com
4	Other	Non-targeted/broad community	May 6 to June 5, 2024, Pre-Adoption Public Notice 30 Day Comment Period	None	None	www.palmbeachpost.com
5	Public Hearing	Non-targeted/broad community	June 18, 2024, Public Hearing Town Council Meeting	None	None	www.jupiter.fl.us

Table 4 – Citizen Participation Outreach

Annual Action Plan

12

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The Town of Jupiter anticipates receiving \$273,367 for PY 2024-2025 CDBG program. The Town proposes to use CDBG funds for Public

Improvement project and Program Administration.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	Public-Federal	Public Improvement and Planning and Administration	\$273,367	0	\$407,230	\$685,847	\$835,851	The Town has identified one project plus planning and administration for funding in the 3 rd Program Year of the Consolidated Plan. In addition, the Town is working to complete CDBG-CV projects and projects from the previous year.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state, and local funds), including a description of how matching requirements will be satisfied.

The Town of Jupiter does not receive any matching funds to leverage the CDBG allocation received.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan.

The Town of Jupiter does not have any publicly owned land that may be used to address the needs identified in the plan.

Discussion

DRAFT

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Public Services Infrastructure	2024	2025	Non-Housing Community Development	Town of Jupiter	Infrastructure Improvements	CDBG: \$218,694	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit
4	Administration	2024	2025	Other	Town of Jupiter	Other	CDBG: \$54,673	

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Public Services Infrastructure
	Goal Description	Infrastructure improvements that will benefit the Eastview Manor neighborhood and meet the National Objective of LMI Area Benefit. The project will provide drainage repairs in the Eastview Manor area.
4	Goal Name	Administration
	Goal Description	General management and compliance of the CDBG program. Townwide impact.

DRAFT

Projects

AP-35 Projects – 91.220(d)

Introduction

The following are the descriptions for each of the proposed program activities for the PY 2024-2025 Action Plan year:

Projects

#	Project Name
1	North Pennock Lane Sidewalk & Drainage Improvements
2	Planning and Administration

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs.

The Town focuses on providing assistance to low-income neighborhoods. The CDBG regulations ordinarily require that area benefit projects (e.g., parks, sidewalks, infrastructure, and community centers) must serve geographic areas consisting of at least 51% low- and moderate-income residents. However, when CDBG grantees have fewer than one-quarter of their Census block groups with 51% or more low- and moderate-income persons, HUD designates the localities as “exception grantees.” The Town is an exception grantee with a 44.74% requirement of low to moderate-income.

AP-38 Project Summary

Project Summary Information

1	Project Name	North Pennock Lane Sidewalk Drainage Improvement
	Target Area	Census Tract 00202 BG 3
	Goals Supported	Infrastructure Improvement
	Needs Addressed	Public Facility Improvement
	Funding	CDBG \$218,367
	Description	The project includes the reconstruction of the sidewalk along the east side of North Pennock Lane including the reconstruction of existing driveway turnouts and drainage systems improvements to accommodate the elevation increase of the sidewalk. This project is a multi-year funded project.
	Target Date	09/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	3,100 LMI families
	Location Description	N Pennock Lane between Indiantown Road and Center Street
	Planned Activities	Public Facility Improvement
2	Project Name	Planning and Administration
	Target Area	N/A
	Goals Supported	N/A
	Needs Addressed	N/A
	Funding	CDBG \$54,673
	Description	Administrative duties relative to the overall grant program and fair housing activities. This activity is assumed to benefit low- and moderate-income persons and is eligible under 24 CFR section 570.206
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	N/A

	Location Description	N/A
	Planned Activities	Planning and Administrative Services

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed.

The Town of Jupiter has 48 census tract block groups, 12 of these block groups are of low- to moderate-income according to the 2011-2015 ACS data HUD is using for the CDBG PY 2024. The Town is an exception grantee.

Census Tract	Block Group	Low-Mod %
000202	2	61.11%
000202	3	68.81%
000204	1	58.95%
000205	1	86.60%
000206	3	45.45%
000210	1	48.15%
000210	3	46.57%
000213	1	89.89%
000213	2	59.19%
000406	2	44.74%
000406	3	48.97%
000407	2	46.11%

Geographic Distribution

Target Area	Percentage of Funds
202.3	80%

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically.

Funds are allocated annually to prioritize housing, community, and economic development needs and activities as identified through the Town's 2022-2026 consolidated planning process and consultation with the Town's 2025-2029 Capital Improvement Plan (CIP), and other planning documents prepared by the Town.

Discussion

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The Town will encourage rehabilitation of single-family homes to provide safe and affordable housing for all family types, particularly elderly low-income households. The Town allocated funds in PY 2022-2023 for housing rehabilitation but not in 2024-2025.

One Year Goals for the Number of Households to be Supported
Homeless
Non-Homeless
Special-Needs
Total

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through
Rental Assistance
The Production of New Units
Rehab of Existing Units
Acquisition of Existing Units
Total

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

AP-60 Public Housing – 91.220(h)

Introduction

The Town of Jupiter does not have a Housing Authority. Parties requiring assistance in public housing or those desiring to transition to homeownership will rely upon Palm Beach County's public housing authority.

Actions planned during the next year to address the needs to public housing.

The Palm Beach County Housing Authority (PBCHA) has outlined several strategic initiatives to address the immediate needs of public housing residents and housing choice voucher holders. These include maximizing program utilization to fully utilize vouchers and occupancy of existing units, reviewing the portfolio annually to increase density and develop new affordable housing units, and utilizing grants for supportive services to help families become economically self-sufficient. PBCHA aims to support low-income residents by assisting them in applying for rent, utility, and relocation assistance programs. The organization also plans to seek additional funding for program operations, maintenance, and capital improvements while actively pursuing vouchers to serve specific vulnerable populations such as survivors of domestic violence, homeless individuals, non-elderly people with disabilities, homeless veterans, families lacking adequate housing, and youth who have left foster care.

Actions to encourage public housing residents to become more involved in management and participate in homeownership.

PBCHA is committed to enhancing resident involvement by seeking a Resident Board Member from its public housing or HCV programs. It supports the creation of a Resident Advisory Board or Residents Councils to provide recommendations on annual and Capital 5-YR action plans. PBCHA will adopt rent policies and assess programs promoting employment through partnerships with local and regional entities. The organization will provide tools for job skills development, with plans to increase participation in programs like FSS, Jobs Plus, and ROSS for public housing, as well as FSS for housing choice voucher program participants.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance.

PBCHA is currently designated as troubled in its HCV program, but remains strongly committed to improving operations, increasing compliance, and enhancing accountability. The Authority will utilize available resources, management tools, and industry best practices to recruit, retain,

and train HCV program staff. The focus is on stabilizing the HCV program and ensuring compliance with regulations. Any actions to address deficiencies will involve careful analysis, innovative thinking, potential restructuring, flexibility, and revised strategies to adapt to evolving business circumstances.

Discussion

N/A

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The Town of Jupiter is committed to serving its homeless populations even though it does not currently have any homeless shelters within its Town limits.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including.

The Town will continue its partnership with Palm Beach County's Homeless Outreach Team (HOT), which spearheads the County's homeless outreach program.

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs.

The Town will continue its partnership with Palm Beach County's Homeless Outreach Team (HOT), which spearheads the County's homeless outreach program. The HOT team will continue to travel to various locations within Palm Beach County where homeless people are known to congregate to conduct initial on-site assessments and to determine what programs and services are most needed. Town is assisting in their annual homeless count.

Addressing the emergency shelter and transitional housing needs of homeless persons.

The Town of Jupiter has an Interlocal agreement with the County to transport potential clients to the Lewis Center, which is the main point of access for homeless services in Palm Beach County.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

The Town of Jupiter is within the boundaries of the West Palm/Palm Beach County CoC. Palm Beach County will continue to utilize HUD's Continuum of Care funding to support the operation of permanent supportive housing programs.

Helping low-income individuals and families avoid becoming homeless, especially extremely

low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The Lewis Center will continue to coordinate with various hospitals and other facilities to enter into Memorandums of Agreement that establish the policies and procedures for hospitals and mental health institutions to make referrals to the Lewis Center.

Discussion

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment.

The Town Workforce Housing program provides the following

- Density bonuses up to 100 percent of base density of residential land use designation;
- Other incentives include traffic performance standard exemptions for workforce housing units and expedited permitting.
- Workforce housing plan – Inclusionary requirement of 6% for developments of 10 dwelling units or more and a requirement of 20% of increased density associated with a land use amendment or rezoning;
- Construction standards for workforce housing;
- Payment of fee or donation of land in lieu of constructing workforce dwelling units.

Discussion:

The Town has passed legislation to require any new developer to commit to a 6% workforce housing requirement.

AP-85 Other Actions – 91.220(k)

Introduction:

The Town of Jupiter is committed in assisting its residents in all possible ways and prides itself in going the extra mile in providing the residents responsive and exceptional municipal services including homeowner and HOA grant programs.

Actions planned to address obstacles to meeting underserved needs.

The primary obstacles to meeting underserved needs are the lack of nonprofit human resources in the Town of Jupiter coupled with growing gaps between housing costs. The CDBG formula allocation is not enough to meet the needs of the underserved population within the Town. In May of 2023 in the spirit of fostering more networking and cooperation between local organizations, the Town hosted a networking breakfast for the area nonprofits to encourage coordination of services. The event was well attended by local providers.

Actions planned to foster and maintain affordable housing.

The Town of Jupiter has created a workforce housing task force to review all of the Town's affordable housing policies. This will assist with the strategy to continue to focus its funds to support activities across the housing needs spectrum seeking to increase and improve affordable housing stock, including modifications to housing for persons with disabilities through housing rehabilitation programs, preservation of historic housing, and rehabilitation of single and multi-family housing to affirmatively further fair housing. The group meets as needed basis.

Actions planned to reduce lead-based paint hazards.

Lead Based Poisoning Prevention Act of 1971, Section 570.608 of the CDBG regulations, rehabilitation work on housing built before 1978 that is financially assisted with program funds is subject to requirements that will control lead-based paint hazards. As necessary, the Town will require a risk assessment to identify lead-based paint hazards, perform interim control measures to eliminate any hazards that are identified or, in lieu of a risk assessment, perform standard treatments throughout a unit. The type and amount of Federal assistance and rehabilitation hard costs for the unit will determine the level of lead hazard reduction to be completed. In addition, notices shall be sent to all purchasers or tenants of housing with potential lead-based hazards informing them of the potential existence of the hazards, the potential harmful effects, and the

Town staff/designee's lead-based paint policy.

Actions planned to reduce the number of poverty-level families.

As the lead agency in the implementation of the Consolidated Plan, the Town's Neighborhood Services will coordinate efforts among its many partner organizations to ensure that the goals outlined in the consolidated plan are met. These partners include neighborhood residents, health care and social services agencies, faith-based organizations, and the town's other departmental staff. The Town does not focus on a single program or strategy to alleviate poverty across the jurisdiction, as the root causes of poverty vary from immigration status, age, health, employment, and access to affordable housing. The overall goal is to assist residents where needed.

Actions planned to develop institutional structure.

The Town has in place strong relationships with external organizations as well as internal departments to deliver the projects, programs and services outlined in the Consolidated Plan and the Action Plan.

The Town of Jupiter has competitively procured professional services for planning, administration, and implementation of its Community Development Block Grant (CDBG) program. The consultant will have the primary responsibility of overseeing the implementation of the strategies defined in the 2024-2025 Action Plan. The consultant will also be responsible for maintaining and improving the institutional structure necessary to carry out the Town's Consolidated Plan.

Actions planned to enhance coordination between public and private housing and social service agencies.

The Town of Jupiter actively participates in several collaborations to improve the coordination between public and private housing providers as well as governmental health, mental health, and service agencies. The Town of Jupiter has a needs assessment application that has been sent to the neighborhood taskforce members and social service agencies including faith-based organizations in the past. The application allowed those who wanted to apply for CDBG funds for the operating costs of providing a public service program, direct services to clients, an economic development initiative, or eligible housing activities. There have been one on one stakeholder interviews and public hearings for participants to learn what CDBG is and the eligible activities to

submit grant applications for program assistance.

Discussion:

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

For PY 2024-2025, the Town expects to receive CDBG funding in the amount of \$273,367 to carry out two activities. The Town is a relatively new entitlement jurisdiction and does not anticipate that any program income will be generated from the activities to be implemented.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	0
5. The amount of income from float-funded activities	0
Total Program Income	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

Appendix

Appendix - A- Form SF424, SF424B

Appendix - B – Non-State Certifications

Appendix – C - Resolution

TOWN OF JUPITER
Confirmation of the 5th member of the Police Pension Board



DATE	June 18, 2024
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	Scott Reynolds, Finance Director
SUBJECT	Confirmation of the 5th member of the Police Pension Board.

EXECUTIVE SUMMARY

At the May 13, 2024 Police Pension Board (PPB) meeting, the Board made a motion to re-appoint Mr. Nikitas Scopelitis as the 5th member of the Board for a two year term ending in May 2026.

ANALYSIS

The Board respectfully requests the Town Council confirm the appointment of Mr. Scopelitis as the 5th member of the Board.

STRATEGIC PRIORITY

- Fiscal Responsibility

ATTACHMENTS

1. Reappointment of Nikitas Scopelitis as the 5th Trustee

FUNDING SOURCE

N/A

For more information or copies of the attachments, please contact Scott Reynolds at ScottR@jupiter.fl.us or 561-741-2327.

Attachment 1



JUPITER POLICE OFFICERS' RETIREMENT PLAN

Mark Ahern, Trustee
Jason Alexandre, Chair
Frank LaPlaca, Trustee
Michael Salvemini, Secretary
Nick Scopelitis, Trustee

To: Laura Cahill, Town Clerk
Date: June 11, 2024
From: Margaret M. Adcock, Administrator
Subject: Reappointment of Nikitas Scopelitis as the 5th Trustee

At the meeting on May 13, 2024 of the Board of Trustees of the Police Pension Board, the Board of Trustees unanimously reappointed Nikitas Scopelitis as the 5th Trustee of the Board for another two year term. The Board respectfully requests the Town Council confirm the reappointment of Mr. Scopelitis as the 5th Trustee of the Board.

TOWN OF JUPITER
Future Land Use Map Amendment For Cinquez Park



DATE	June 18, 2024
TO	Honorable Mayor and Members of Town Council
THRU	John Sickler, Director of Planning and Zoning
FROM	Frank Kitzerow, Town Manager
SUBJECT	<u>Ordinance 17-24, Cinquez Park Future Land Use Map (FLUM) Amendment</u> – Application to change the Future Land Use Designation from Recreation to Public / Institutional for 3.0 acres at the southwest corner of the property at 2183 W Indiantown Road.

EXECUTIVE SUMMARY

Consideration of a Future Land Use Map Amendment to change the Future Land Use of a 3.0 acre portion of a 13.1 acre Town Owned property from Recreation to Public / Institutional.

ANALYSIS

In 2008, the Town acquired 13.1 acres of property that is currently the site of Cinquez Park. Ten acres were purchased using Open Space bond funds and three acres were purchased using the General Fund which allowed for the option in the future to develop more active uses on the three acres. In 2014, the subject property was approved for a passive park (restored native open space), dog park, playground, and future food retail use (coffee/donut shop without drive thru). In 2016, as part of the Town's Evaluation and Appraisal Report, the Future Land Use Map was amended from Commercial and High Density Residential to Recreation.

A portion of the property at the southwest corner is proposed to be used for the west Jupiter Fire Station. The current zoning on the entire property is Public Institutional (PI), which allows for "*Emergency and public safety service facilities, including ambulatory, police and fire stations*" as a special exception use. In order to provide consistency between the zoning and the future land use, the existing future land use designation of Recreation is proposed to be changed to Public / Institutional to accommodate the proposed fire station on part of the three acre portion of the property.

Pursuant to Policy 1.3.17 of the Future Land Use Element of the Comprehensive Plan, fire stations are to be located within one mile of high value areas such as commercial centers, industrial parks or high density residential areas; within two miles of residential area served; and facilities should have direct access via an arterial roadway. The location of the subject property meets the above criteria.

It is important to note, pursuant to Policy 1.3.18(a) of the Future Land Use Elements of the Comprehensive Plan, "*An affirmative vote of four members of the Town Council is required to change the Future Land Use designation of properties having a future land use designation of Recreation.*"

The Town Attorney has reviewed the attached Ordinance and finds it to be in acceptable form.

PLANNING AND ZONING RECOMMENDATION:

This item is scheduled for the June 11, 2024 Planning and Zoning Commission meeting. Staff will provide a memo to the Town Council on June 12, 2024, related to the Planning and Zoning Commission's recommendation for Town Council consideration

STRATEGIC PRIORITY

- Fiscal Responsibility
- Safety

ATTACHMENTS

1. Ordinance No. 17-24
2. Staff Report and Attachments
3. PowerPoint Presentation
4. Planning Zoning Commission Recommendation Memo

FUNDING SOURCE

No funding is necessary for this amendment.

For more information or copies of the attachments, please contact Garret Watson at garret@jupiter.fl.us or 561-741-2549.

ORDINANCE NO. 17-24

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING ORDINANCE NO. 57-89, THE COMPREHENSIVE PLAN OF THE TOWN OF JUPITER; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE DESIGNATION AND THE FUTURE LAND USE MAP OF FOR A PROPERTY OF APPROXIMATELY 3.0 ACRES LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF INDIANTOWN ROAD AND CARVER AVENUE, FROM RECREATION TO PUBLIC / INSTITUTIONAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Jupiter, Florida (Town) adopted a Comprehensive Plan pursuant to the "Local Government Comprehensive Planning and Land Development Regulation Act" now known as the Community Planning Act (the "Act"); and,

WHEREAS, the then Florida Department of Community Affairs, now known as the Florida Department of Commerce, previously determined that the Town's Comprehensive Plan was "in compliance" with the provisions of the Act; and,

WHEREAS, The Town of Jupiter ("the Owner") owns approximately 13.1 +/- acres of property located at 2183 west Indiantown Road (the Subject Property) of which it proposes to amend the future land use designation of 3.0 acres; and,

WHEREAS, the Subject Property is located on the northeast corner of the intersection of Indiantown Road and Carver Avenue as show in Exhibit "B"; and,

1 **WHEREAS**, the Town's Planning & Zoning Department (the Department) has
2 recommended to the Local Planning Agency that it recommend an amendment to the
3 Comprehensive Plan to change the Future Land Use designation and the Future Land Use Map
4 of the Subject Property from its current designation of "Recreation" to "Public / Institutional"; and

5 **WHEREAS**, the Town's Local Planning Agency (the "LPA") has conducted a public
6 hearing as required by Fla. Stat. § 163.3174(4)(a), to consider the recommendation to amend
7 the future land use designation of the Subject Property from a future land use of Recreation to
8 the future land use of Public / Institutional (the Amendment) ; and

9 **WHEREAS**, the Town Council has conducted a public hearing to consider the
10 recommendations of the Department and the LPA regarding the transmittal of the Amendment in
11 accordance with Fla. Stat. § 163.3184(11);

12 **WHEREAS**, after conducting public hearings and considering public comments the Town
13 Council voted to transmit the Amendment in accordance with Fla. Stat. § 163.3184(3)(b)1, to the
14 Florida Department of Commerce and appropriate reviewing agencies for their respective
15 reviews.

16 **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF**
17 **JUPITER, FLORIDA:**

18 **Section 1.** The whereas clauses are incorporated herein and constitute the legislative
19 findings of the Town Council.

20 **Section 2.** Ordinance No. 57-89 of the Town of Jupiter, entitled "Comprehensive Plan
21 of the Town of Jupiter", is hereby amended to change the future land use designation of
22 approximately 3.0 acres of the Subject Property from "Recreation" to "Public / Institutional", as
23 shown in **Figure "1"**.

Section 3. The Town Clerk is hereby directed to transmit the required copies of the Amendment to the Florida Department of Commerce and all other parties as required by Fla. Stat. §163.3184(3)(c)2.

Section 4. Severability. If any section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held by a court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

Section 5. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective Date. The provisions of this ordinance shall become effective pursuant to Fla. Stat. § 163.3184(3)(c)4.

Attachments: Exhibit "A" - Legal Description of the Subject Property
Exhibit "B" - Location Map
Figure "1" - New Future Land Use Map

#5573324 v1 26503-00001

LEGAL DESCRIPTION:

A PORTION OF LOTS 24 THROUGH 31 AND 108 THROUGH 113, OF THE PLAT OF CINQUEZ PARK 2ND ADDITION, AS RECORDED IN PLAT BOOK 21, AT PAGE 20, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING AND SITUATE IN SECTION 3, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 706 (ALSO KNOWN AS INDIANTOWN ROAD), BEING A PUBLIC RIGHT-OF-WAY OF VARYING WIDTH AND SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 93190-2505, AND THE EASTERLY RIGHT-OF-WAY LINE OF CARVER AVENUE, BEING A 50 FOOT WIDE PUBLIC RIGHT-OF-WAY AND RECORDED ON SAID PLAT OF CINQUEZ PARK 2ND ADDITION; THENCE NORTH 00°46'09" EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID CARVER AVENUE, FOR A DISTANCE OF 348.56 FEET; THENCE SOUTH 89°13'51" EAST, FOR A DISTANCE OF 350.00 FEET; THENCE SOUTH 00°46'09" WEST, FOR A DISTANCE OF 369.58 FEET TO A POINT ON THE SOUTHERLY LINE OF LOTS 109 THROUGH 112 OF SAID PLAT OF CINQUEZ PARK 2ND ADDITION; THENCE SOUTH 88°52'39" WEST, ALONG SAID SOUTHERLY LINE AND SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 706, FOR A DISTANCE OF 190.21 FEET; THENCE SOUTH 88°04'39" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 50.58 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIAL BEARING OF SOUTH 04°50'23" WEST, A RADIUS OF 2,924.93 FEET, AND A CENTRAL ANGLE OF 01°43'01"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE, FOR AN ARC LENGTH OF 87.65 FEET; THENCE NORTH 40°40'27" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 33.03 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAIN 130,661.0 SQUARE FEET OR 3.000 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

- 1. DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
- 2. THE BEARINGS SHOWN HEREON ARE BASED ON THE EASTERLY RIGHT-OF-WAY LINE OF CARVER AVENUE, AS RECORDED IN PLAT BOOK 21, AT PAGE 20, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, HAVING A BEARING OF N00°46'09"E.

LEGEND:

- ORB. = OFFICIAL RECORD BOOK
- PG. = PAGE
- PB = PLAT BOOK
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION

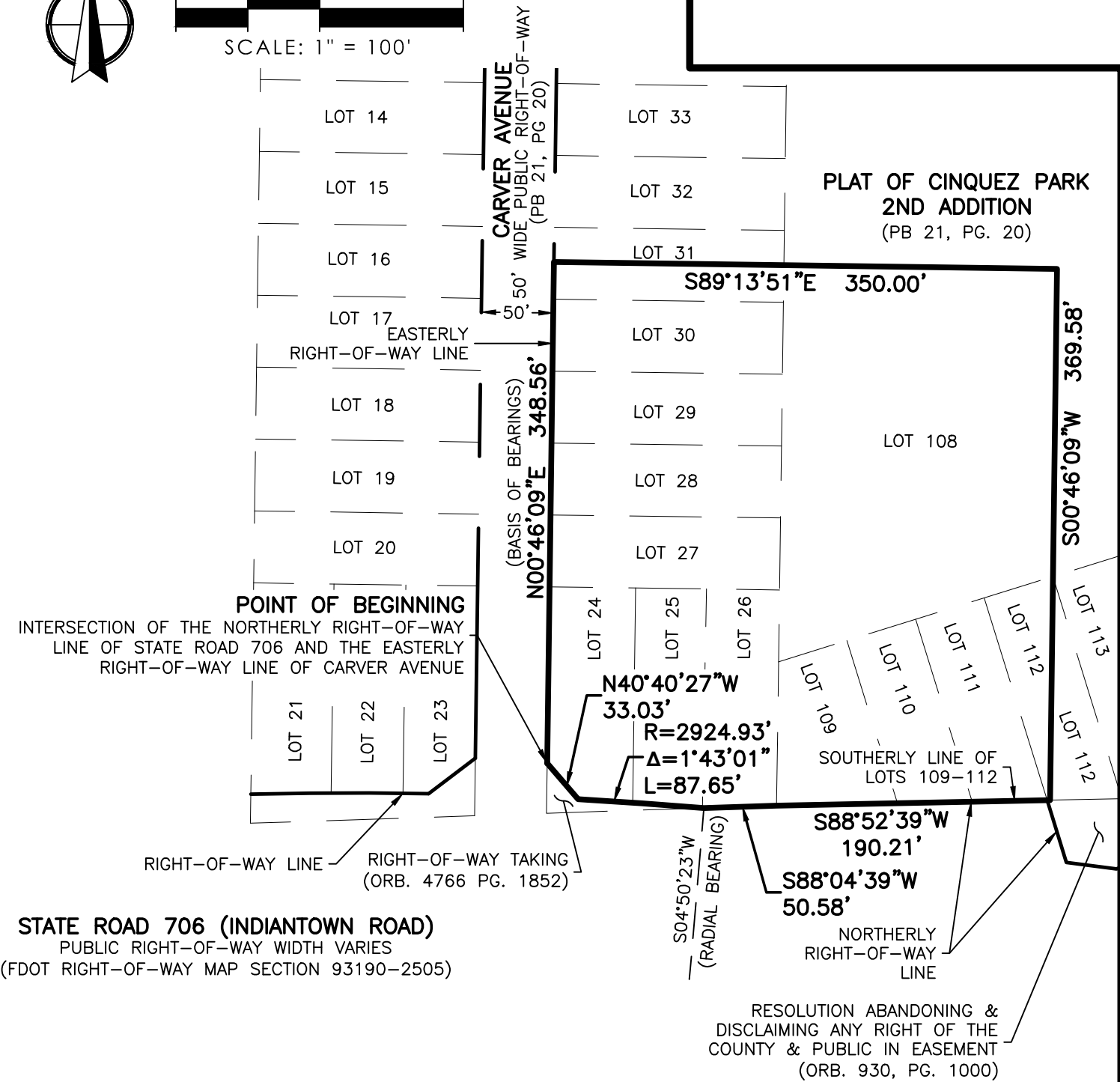
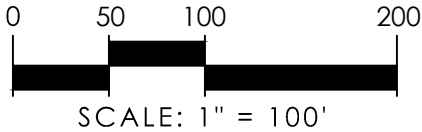
BY: _____ DATE: _____
ERIC R. MATTHEWS
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. 6717

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

PROJECT: CINQUEZ PARK		TASK: LEGAL DESCRIPTION	
PREPARED BY:  2035 VISTA PARKWAY WEST PALM BEACH, FL 33411		CAD 220048-SV-3 AC S&D.DWG	
PHONE NO. 561.687.2220 CERT NO. 33574 LB NO. 7055		DRAWN/DESIGNED AS	SHEET: 1 of 2
		CHECKED/QC ERM	
		JOB NO. 2200.48	
		DATE 06/10/24	

Alex Landry P:\2200\2200.48 Cinquez Park Survey\SURVEY\Drawings\Survey\220048-SV-3 AC S&D.dwg ----- Plotted: 6/10/2024 4:48:32 PM Saved: 6/10/2024 4:45:37 PM

Alex Landry P:\2200\2200.48 Cinquez Park Survey\Drawings\Survey\220048-SV-3 AC S&D.dwg ----- Plotted: 6/10/2024 4:48:33 PM Saved: 6/10/2024 4:45:37 PM



STATE ROAD 706 (INDIANTOWN ROAD)
PUBLIC RIGHT-OF-WAY WIDTH VARIES
(FDOT RIGHT-OF-WAY MAP SECTION 93190-2505)

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

PROJECT: CINQUEZ PARK		TASK: SKETCH		
PREPARED BY:  2035 VISTA PARKWAY WEST PALM BEACH, FL 33411	PHONE NO. 561.687.2220 CERT NO. 33574 LB NO. 7055	CAD 220048-SV-3 AC S&D.DWG		
		DRAWN/DESIGNED	AS	SHEET: 2 of 2
		CHECKED/QC	ERM	
		JOB NO.	2200.48	
		DATE	06/10/24	

Location Map
Town of Jupiter
Future Land Use Map Amendment

Exhibit B

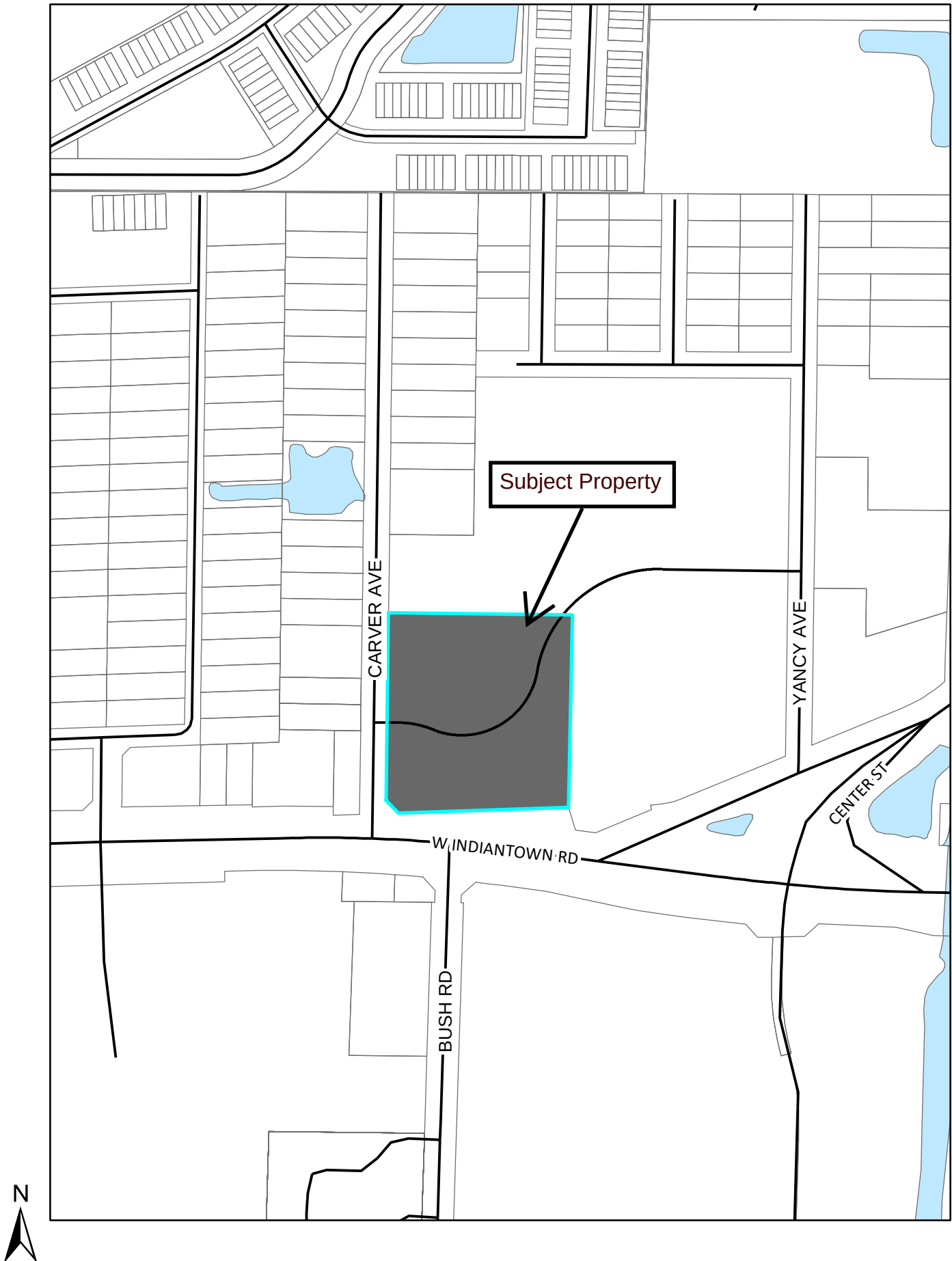
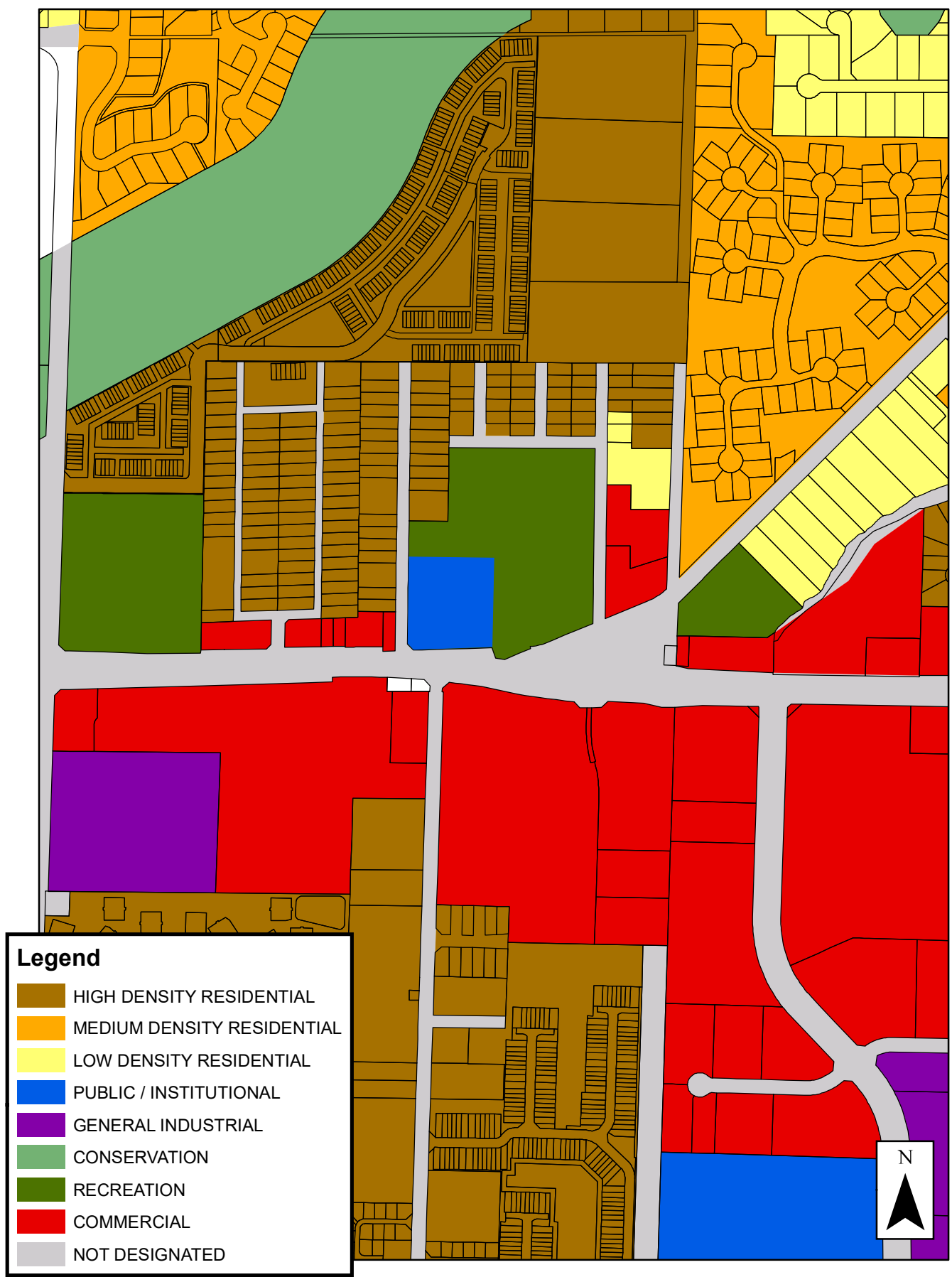


Figure 1 - New Future Land Use Map



**TOWN OF JUPITER STAFF REPORT FOR FUTURE LAND USE MAP
AMENDMENT FOR CINQUEZ PARK
TOWN MANAGER'S OFFICE**



DATE: June 4, 2024
TO: Honorable Mayor and Members of Town Council
THRU: Frank J. Kitzerow, Town Manager
FROM: John Sickler, Director of Planning and Zoning **JS**
SUBJECT: **Cinquez Park Future Land Use Map (FLUM) Amendment** – Application to change the Future Land Use Designation from Recreation to Public / Institutional for 3.0 acres at the southwest corner of the property at 2183 W Indiantown Road.

Ordinance #17-24	LPA/P&Z Commission:	06/11/24
PZ 24-6052	Town Council:	6/18/24 (1 st reading)
G. Watson	Town Council:	07/16/24 (2 nd reading)

Project Information

<i>Applicant:</i>	Town of Jupiter
<i>Property Owner:</i>	Town of Jupiter
<i>Location:</i>	Located on the northeast corner of Indiantown Road and Carver Avenue (see Attachment A - Location Map)
<i>Acreage:</i>	3.0 acres
<i>PCN Number:</i>	30424103060000240
<i>Existing FLUM designation:</i>	Recreation
<i>Proposed FLUM designation:</i>	Public / Institutional for 3.0 acres at the southwest corner of the property
<i>Existing use of property:</i>	Restored native open space (north), dog park (southeast) with future development area approved for a playground and food retail use (southwest)
<i>Existing Zoning:</i>	Public Institutional (PI)

Staff Compliance Review

Based upon the facts and findings contained herein, the Department of Planning and Zoning finds the proposed changes to the FLUM for 3.0 acres (located as shown on Location Map, Attachment A) from the existing future land use designation of Recreation to Public / Institutional **consistent** with the goals, objectives, and policies of the Comprehensive Plan.

Table 1. Surrounding land uses and designations for the 3.0 acre southwest corner

<i>Location Map – Attachment A</i>		
<i>Location</i>	<i>Existing Land Uses</i>	<i>Future Land Use Designations/ Zoning Districts</i>
North	Recreation (Cinquez Park)	Recreation / Public Institutional (PI)

South	Commercial (Walmart) and Vacant land (Billboard in unincorporated Palm Beach County)	Commercial / Indiantown Road Overlay Zone (IOZ), Center Street/Maplewood Drive District with an underlying C-2, Commercial, General zoning district (Billboard site per PBC extra-jurisdictional agreement)
East	Recreation (Cinquez Park)	Recreation / Public Institutional (PI)
West	Commercial (Jupiter Eye Care) and Residential (Cinquez Park Neighborhood)	Commercial / Indiantown Road Overlay Zone (IOZ), Central Boulevard District with an underlying C-2, Commercial, General zoning district, and Residential/Residential, Compact Single-Family (R-1A)

For a comprehensive view of the above designations that surround the subject properties refer to the existing Future Land Use Map (Attachment B) and Zoning Map (Attachment C). The proposed Future Land Use designation is shown on the proposed Future Land Use Map (Attachment D). For clarity, the property is outlined in blue on Attachments B and D related to the proposed Future Land Use amendment.

Background

Date	Description
2002	A 134,623 square foot Target store was proposed on the site; however, the project was never approved.
2007	A 12,900 sf commercial retail building and a 3,820 sf bank building with a remote drive-thru teller to be known as Oak Point Plaza was proposed on 2.9 acres of the overall site (including the corner of Indiantown Road and Carver Avenue).
2008	The Town of Jupiter acquired 13.1 acres located north of Indiantown Road and Center Street and south of Tuscaloosa Street, between Yancy Avenue and Carver Avenue. Ten acres were purchased using Open Space bond funds and three acres were purchased using the General Fund.
10/2014	Site plan and special exception approval for a passive park, playground, dog park, and future food retail use (coffee/donut shop without drive thru)
2016	Future Land Use Map amended as part of the Evaluation and Appraisal Review from Commercial and High Density Residential to Recreation

The property is 13.1± acres in total. A 3.0 acre portion of the property at the southwest corner is proposed to be used for the west Jupiter Fire Station. The current zoning on the property is Public Institutional (PI), which allows for “*Emergency and public safety service facilities, including ambulatory, police and fire stations*” as a special exception use. In order to provide consistency between the zoning and the future land use, the existing future land use designation of Recreation is proposed to be changed to Public / Institutional to accommodate the proposed fire station.

Concurrent Special Exception and Site Plan applications are under review for the proposed fire station.

Analysis.

A. Future Land Use Map Amendment Request

The FLUM amendment application request is to change from Recreation to Public / Institutional on the 3.0 acre subject property.

Criteria for FLUM amendments. Section 27-178 provides four (4) criteria for the review of future land use amendments. The proposed amendments are evaluated within the context of each of the four criteria below.

- 1) *The proposed map amendment shall be consistent with the goals, objectives and policies of the Town of Jupiter Comprehensive Plan.*

Staff Comment: The proposed future land use map amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan (see Attachment E for the Policy language). Pursuant to Policy 1.3.17 of the Future Land Use Element of the Comprehensive Plan, fire stations are to be located within one mile of high value areas such as commercial centers, industrial parks or high density residential areas; within two miles of residential area served; and facilities should have direct access via an arterial roadway. The location of the subject property meets the above criteria.

- 2) *The proposed map amendment shall be consistent with the established land uses of surrounding properties or land use patterns.*

Staff Comment: The proposed land use for the subject property is consistent with the surrounding properties. The Public / Institutional Future Land Use designation is intended to be placed throughout the community as it encompasses uses that serve commercial, industrial, and residential uses. Those uses include schools; government buildings, facilities and operations; fire and emergency rescue operations centers; police stations; cemeteries; civic centers; religious institutions; and accessory residential apartments for employees.

- 3) *The proposed map amendment shall not create an isolated land use designation or zoning district unrelated to adjacent and nearby designations or districts.*

Staff Comment: The proposed map amendment for the subject property will not create an isolated land use that is unrelated to the adjacent designations as the Public / Institutional Future Land Use designation is intended to meet the needs of other land uses by providing essential Town services. The current zoning on the property is Public Institutional (PI), which allows for "Emergency and public safety service facilities, including ambulatory, police and fire stations" as a special exception use.

- 4) *The application is necessary because of changed or changing conditions, including, but not limited to changing demographic trends, annexation, or public service needs.*

Staff Comment: The subject application is necessary in order to provide consistency between the existing zoning and the future land use to accommodate the proposed fire station to ensure that the public safety and service needs for fire service are met after the termination of Palm Beach County Fire Rescue's service contract.

It is important to note, pursuant to Policy 1.3.18(a) of the Future Land Use Elements of the Comprehensive Plan, "An affirmative vote of four members of the Town Council is required to

change the Future Land Use designation of properties having a future land use designation of Recreation.”

Population impacts. The proposed land use change will not have an impact on the population as neither the existing or proposed Future Land Use Designation include a residential component with density.

Traffic impacts. The traffic impacts for the proposed changes were evaluated by comparing the current Future Land Use designation with the proposed designation for the subject property. With regard to the proposed Future Land Use designation, staff utilized the projected intensity standards of the proposed fire station to calculate the Average Daily Traffic (ADT), AM Peak, and PM Peak Hour trips.

- The existing Future Land Use designation of Recreation for three acres generates 123 ADT;
- The proposed fire station is estimated to produce 67 ADT, 6 AM, and 6 PM peak hour trips. This is a reduction of 56 ADT; and,
- The traffic analysis was reviewed by the Town’s Traffic Engineer with no comments.

Environmental impacts. There are no environmental impacts to the subject three acre property. Approximately three-quarters of the overall 13.1 acre property was developed in 2014 with a passive park, a dog park and natural area. Upland and wetland preserve areas exist in the northeast quadrant of the 13.1 acre property and include Pine Flatwoods, and restored Cypress wetlands. The subject three acres at the intersection of Carver Road and Indiantown Road includes an existing gazebo, relocated Sabal Palms and some newly planted Slash Pines. An existing large specimen ficus tree is located on the three acre property, which is proposed to be preserved as part of the concurrent site plan application. Through the site planning process, careful attention is being taken to site the facility to minimize impacts to the existing site and trees. Further details will be provided with the Special Exception and Site Plan applications.

Infrastructure. The proposed amendment is consistent with the Infrastructure Element of the Comprehensive Plan. Consistency with Policy 1.4.4 is further outlined in Attachment F.

If the FLUM amendment is adopted, the data and analysis supporting the FLUM amendment will be included in the transmittal package sent to the Florida Department of Commerce after the adoption of the amendments in accordance with F.S. 163.3187.

Conclusions.

The proposed FLUM amendments, based on existing and future uses are consistent with the Comprehensive Plan and surrounding properties, for the following reasons:

1. The proposed Public / Institutional Future Land Use Designation is appropriate for the property to be consistent with the existing zoning of PI and the proposed development of a fire station to enhance public safety;
2. Public recreational facilities and sites are permitted in the Public / Institutional Future Land Use Designation.
3. The proposed Future Land Use Designation will not impact the site environmentally or recreationally;
4. The proposed change will have no negative impacts on public facilities and services;
5. The proposed land use changes for the subject properties will result in a decrease in potential Average Daily Trips.

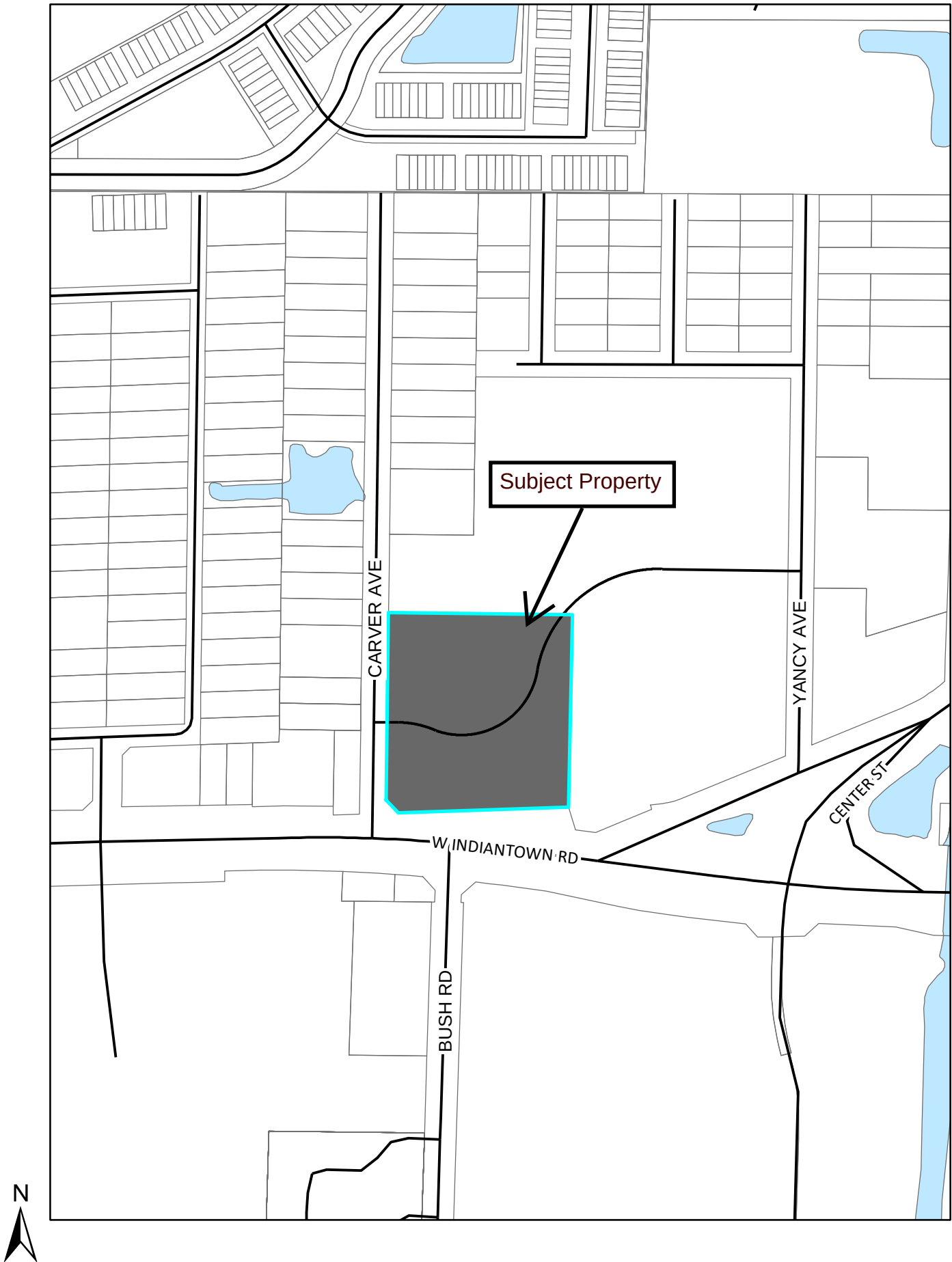
Attachments:

- Attachment A – Location Map
- Attachment B – Existing FLUM
- Attachment C – Existing Zoning Map
- Attachment D – Proposed FLUM
- Attachment E – Future Land Use Policy
- Attachment F – Infrastructure Impact Analysis

Contact Garret Watson at 561-741-2549 or email at garretw@Jupiter.fl.us for a copy of attachments.

Location Map
Town of Jupiter
Future Land Use Map Amendment

Attachment A

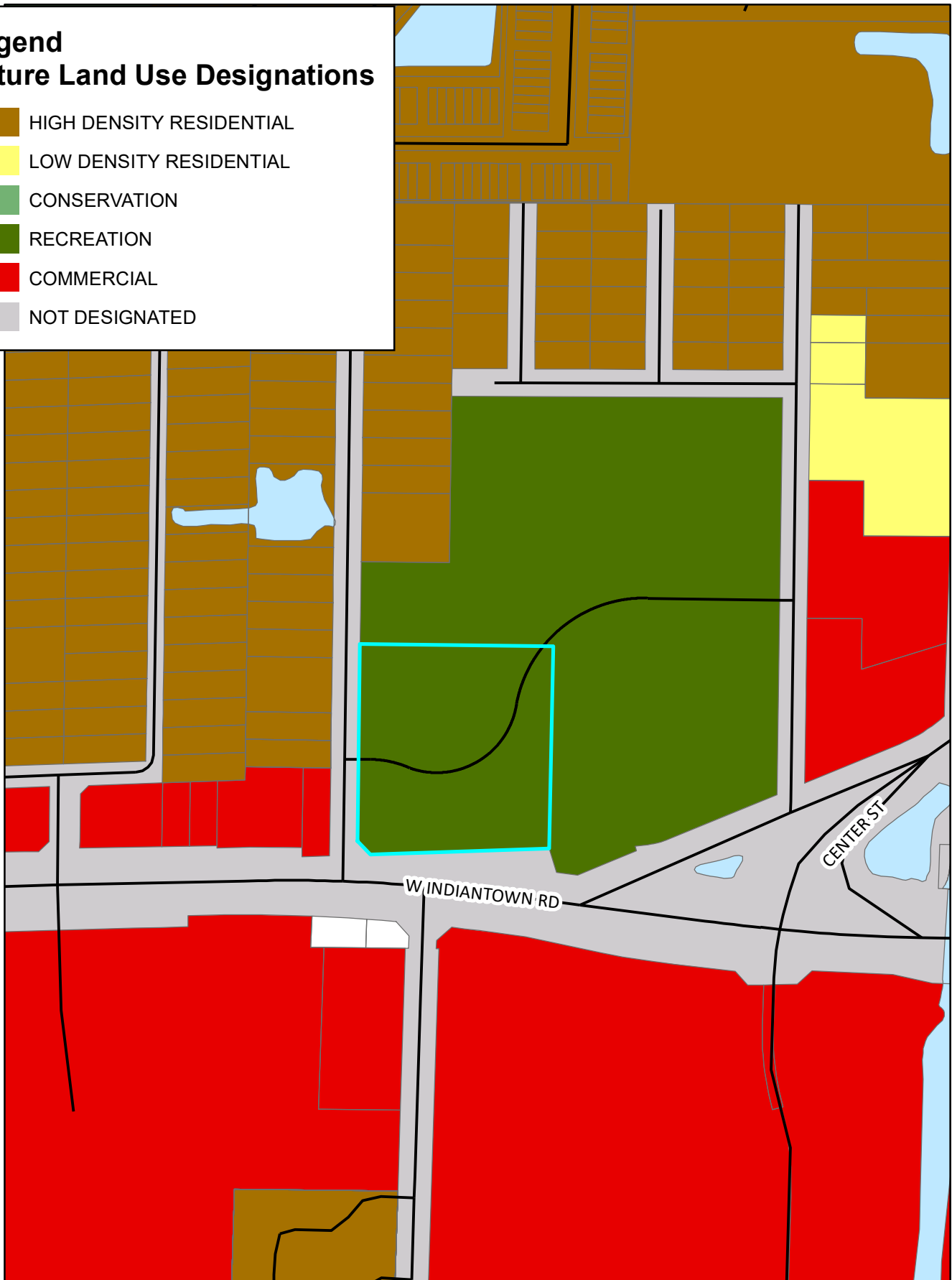


Current Future Land Use Map
Town of Jupiter
Future Land Use Map Amendment

Attachment B

Legend
Future Land Use Designations

-  HIGH DENSITY RESIDENTIAL
-  LOW DENSITY RESIDENTIAL
-  CONSERVATION
-  RECREATION
-  COMMERCIAL
-  NOT DESIGNATED



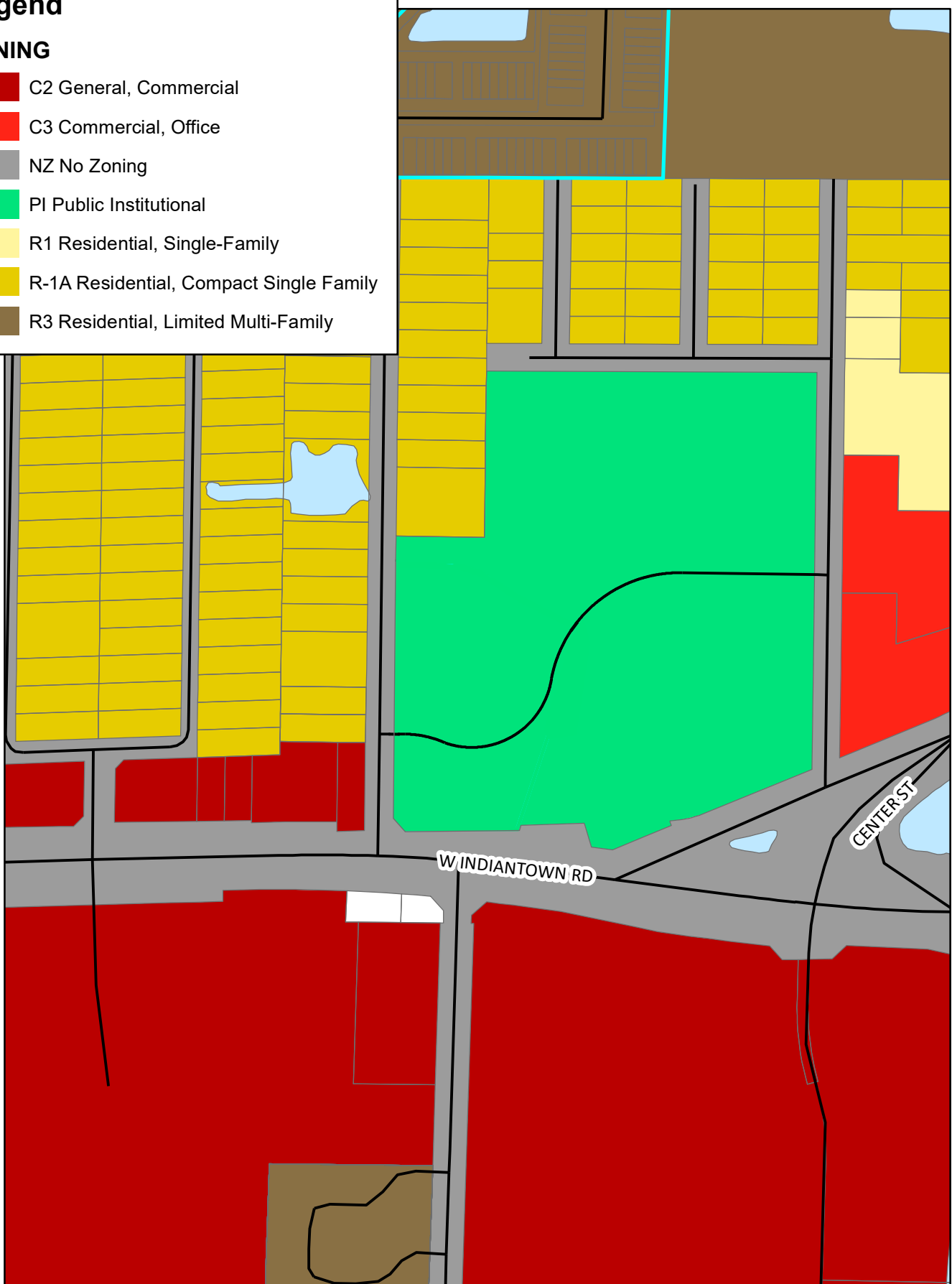
Current Zoning Map
Town of Jupiter
Future Land Use Map Amendment

Attachment C

Legend

ZONING

- C2 General, Commercial
- C3 Commercial, Office
- NZ No Zoning
- PI Public Institutional
- R1 Residential, Single-Family
- R-1A Residential, Compact Single Family
- R3 Residential, Limited Multi-Family

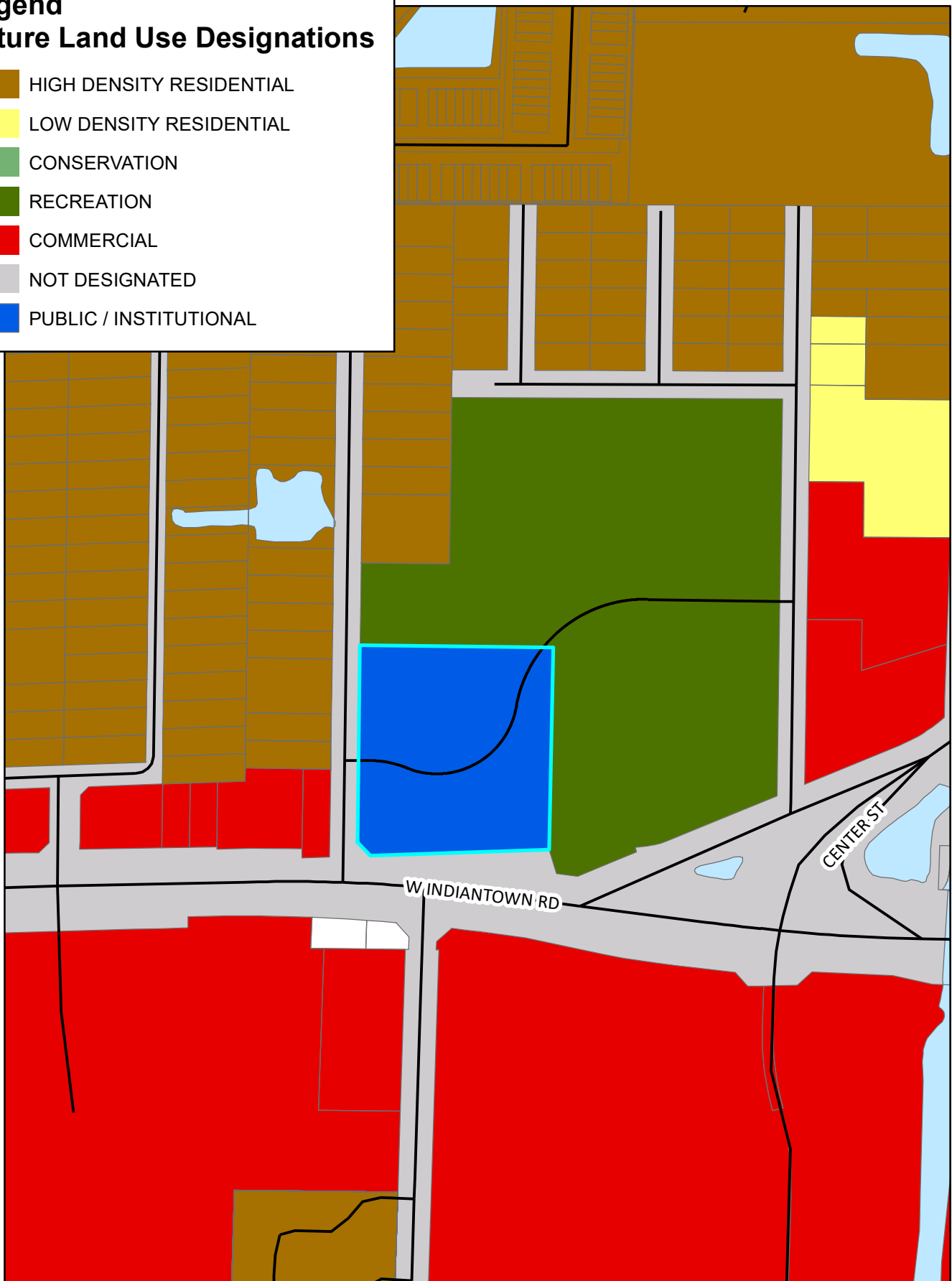


Proposed Future Land Use Map
Town of Jupiter
Future Land Use Map Amendment

Attachment D

Legend
Future Land Use Designations

-  HIGH DENSITY RESIDENTIAL
-  LOW DENSITY RESIDENTIAL
-  CONSERVATION
-  RECREATION
-  COMMERCIAL
-  NOT DESIGNATED
-  PUBLIC / INSTITUTIONAL



Comprehensive Plan Policy

FUTURE LAND USE ELEMENT

Policy 1.3.17 Public/Institutional - This future land use designation covers a broad range of public and institutional uses including: schools; government buildings, facilities and operations; fire and emergency rescue operations centers; police stations; cemeteries; civic centers; religious institutions; and accessory residential apartments for employees. Public recreational facilities and sites, are uses which are permitted in this land use designation. The following location standards are provided for guidance in locating future public/institutional facilities.

Schools

a) Location Criteria

- 1) Elementary school sites should not be located on arterial streets;
- 2) All schools should be spatially separated and be well buffered from major commercial, industrial, public utility and railroad facilities;
- 3) School sites should be developed in conjunction with community recreational facilities whenever practical;

b) Rule of thumb sizes

- 1) elementary school - 15 to 20 acres
- 2) middle school - 30 to 35 acres
- 3) senior high school - 40 to 50 acres

Public Administration

a) Location Criteria

- 1) Located central to the population, readily accessible from all parts of the community;
- 2) Should have direct access on an arterial roadway.
- 3) Encourage the location of these facilities in the civic core area of the IOZ District.

Police and Fire

a) Location Criteria

- 1) Police headquarters should be centrally located to the area served;
- 2) Fire stations should be situated within one mile of high value areas such as commercial centers, industrial parks or high density residential areas;
- 3) Within two miles of residential area served;
- 4) Facilities should have direct access via an arterial roadway.

Public Works

a) Location Criteria

- 1) Places for public vehicle storage, materials storage and equipment repair is preferable in industrial areas;
- 2) Access should be via an arterial roadway.

Infrastructure Impact Analysis (Infrastructure Element Policy 1.4.4):

1. *Water.* The subject property is currently served by the Town's water utility. The Town's water plant has a permitted capacity of 30.0 million gallons per day (mgd). As of May 31, 2024, the Town has water demand reservations of 18.4 mgd. With an excess capacity of approximately 11.6 mgd, there is sufficient water services capacity available to service the subject property.
2. *Sanitary Sewer.* The subject property is currently serviced by the Loxahatchee River District (LRD). The LRD has a sanitary sewer capacity of approximately 11 mgd. LRD has current sanitary demand of approximately 7.4 mgd. With an excess capacity of approximately 3.6 mgd, LRD has sufficient sanitary sewer capacity available to service the subject property.
3. *Stormwater.* Any development improvements on the subject property will be required to satisfy the Town's on-site retention requirements and other related standards of the South Florida Water Management District as stated in Policy 1.3.11 of the Town's Infrastructure Element, and Policy 1.2.1 of the Town's Capital Improvements Element.
4. *Solid waste.* Collection is provided by Waste Management, Inc. which currently has a franchise agreement with the Town for waste disposal services. As provided in the Solid Waste Authority 2017 Landfill Depletion Model, the Solid Waste Authority of Palm Beach County estimates its Northern County Landfills have a total remaining capacity of 25,303,180 cubic yards, which is estimated to meet countywide needs through 2049. Therefore, there is sufficient solid waste capacity available to service the subject property.
5. *Police.* Police service will be provided by the Jupiter Police Department. Assigning the subject property with the Public / Institutional land use designation should not have any significant impact to police services.
6. *Fire Rescue.* Currently, Palm Beach County (PBC) Fire-Rescue Station 19 on Central Boulevard is responsible for fire-rescue service to the subject property. The proposed Future Land Use Map amendment will support the development of the Town of Jupiter's Fire Station on the property which will service the area in October of 2026 and beyond.
7. *General Government.* No significant increase in demand for general government services is anticipated for the FLUM amendment.
8. *Intergovernmental Coordination.* Staff has notified the County's Interlocal Plan Amendment Review Committee (IPARC) of the proposed FLUM amendment. As of the date of this report, staff has not received any comments from any adjacent local governments.
9. *Recreation.* The land use amendment from will not have any significant impacts on the Town's recreational facilities. The existing recreation uses at Cinquez Park, including the dog park will remain in operation.
10. *School Concurrency.* The proposed land use designation will not have any additional impact of school facilities.



**June 18, 2024
Town Council
Meeting**

TOWN OF JUPITER

Cinquez Park Future Land Use Map Amendment



Subject Property

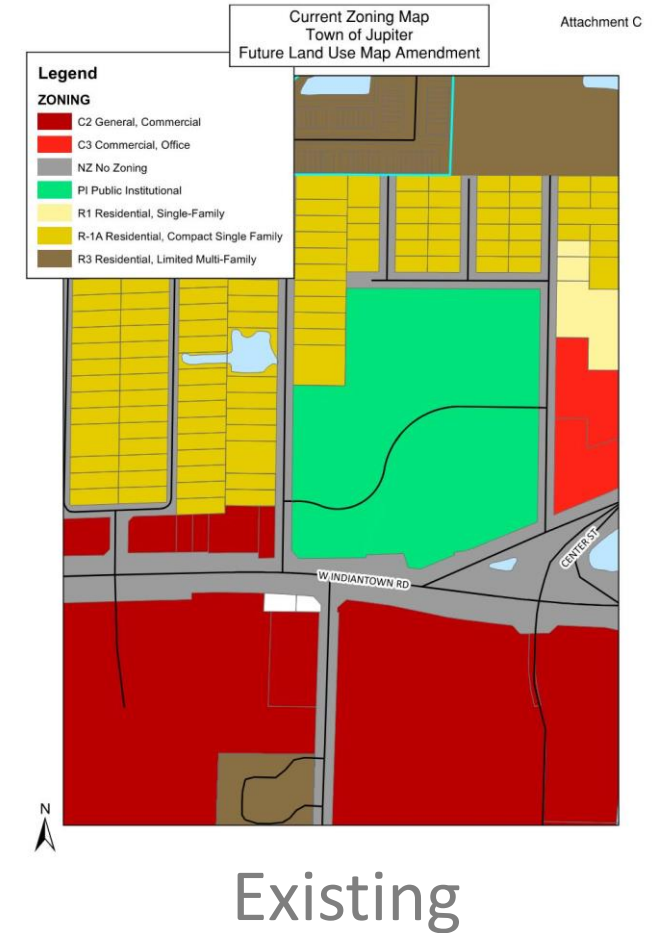
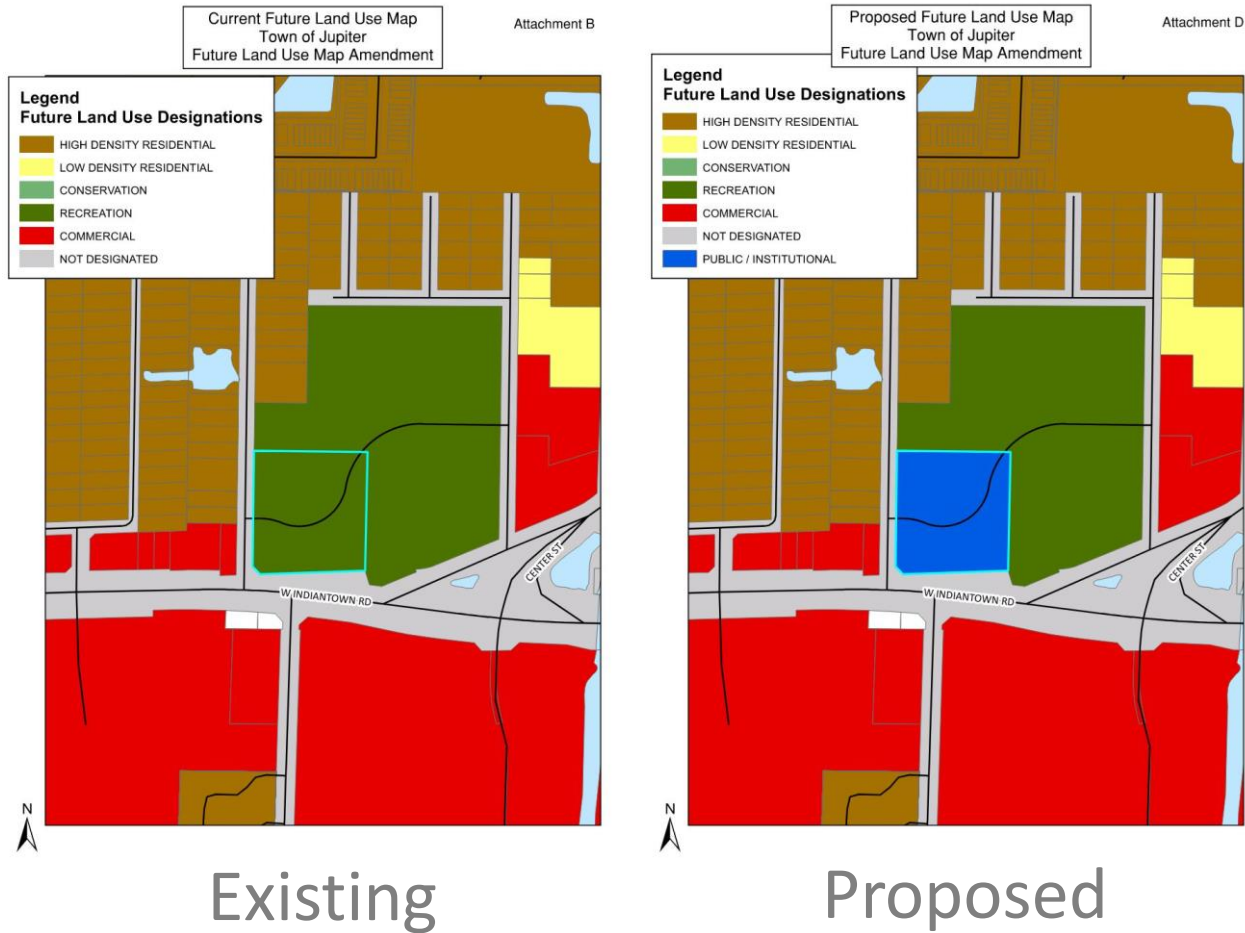


Background

- **2008** - The Town of Jupiter acquired 13.1 acres in the Cinquez Park subdivision.
 - 10 acres purchased with Open Space bond funds, which restricts development;
 - 3 acres purchased with General Funds to allow the option of developing other active uses.
- **2014** - Site plan and special exception approval for a passive park and dog park, and a future playground and food retail use on the 3 acre area in the southwest corner of the property.
 - Options for future development of the 3 acres of property ranged from workforce housing, a playground and food retail, and now a fire station on the southwest corner of the property.
- **2016** - Future Land Use Map amended, as part of the Evaluation and Appraisal Review, from Commercial and High Density Residential to Recreation.
- **May 21, 2024** – Cinquez Park was selected as the location for the Jupiter Fire Rescue Department Western Station in the southwest corner of the property by the Town Council.
 - Contract was approved to develop a site plan, which will be coming to PZ Commission on July 9th and the Town Council on July 16th

Future Land Use Map

Zoning Map



The proposed Public/Institutional future land use will be consistent with the existing Public Institutional zoning on Cinquez Park.

Future Land Use Element

Policy 1.3.17

Policy 1.3.17 Public/Institutional - This future land use designation covers a broad range of public and institutional uses including: schools; government buildings, facilities and operations; fire and emergency rescue operations centers; police stations; cemeteries; civic centers; religious institutions; and accessory residential apartments for employees. Public recreational facilities and sites, are uses which are permitted in this land use designation. The following location standards are provided for guidance in locating future public/institutional facilities.

Key Findings and Conclusions

- The Public / Institutional Future Land Use Designation is appropriate for the property to be consistent with the existing zoning of Public Institutional (PI) and the proposed development of a fire station to enhance public safety;
 - The current zoning of PI allows for “*Emergency and public safety service facilities, including ambulatory, police and fire stations*” as a special exception use
- Public recreational facilities and sites are permitted in the Public / Institutional Future Land Use Designation.
- The proposed Future Land Use Designation will not impact the site environmentally or recreationally;
- The proposed change will have no negative impacts on public facilities and services;
- The proposed land use change for the subject properties will result in a decrease in potential Average Daily Trips.

Next Steps

- Future Land Use Map Amendment (FLUM) to go to 6/18 and 7/16 Town Council meetings for consideration
- Detailed Special Exception and Site Plan Fire Station applications to go to 7/9 Planning and Zoning Commission and 7/16 Town Council to align with FLUM amendment



PLANNING & ZONING DEPARTMENT

MEMORANDUM

TO: Honorable Mayor and Members of Town Council

THRU: Frank J. Kitzerow, Town Manager

FROM: John Sickler, Director of Planning and Zoning **JS**

DATE: June 12, 2024

RE: **AGENDA ITEM #10, Ordinance 17-24, First Reading**, Cinquez Park – Comprehensive Plan Future Land Use Map Amendment. (Second Reading 7/16/24)

In order to maintain a project timeline that allows for construction and completion of the Fire Station in time to provide for services, staff followed the process for an expedited public hearing schedule. As a result, the Town Council agenda was sent out to the Town Council prior to the Planning and Zoning Commission meeting. Below is their recommendation for the Town Council's consideration.

Planning and Zoning Commission Recommendation

At their June 11, 2024 meeting, the Planning and Zoning Commission voted (4-3) to recommend approval of the subject FLUM amendment application with Commissioners Thompson, Vinson, and Keenan dissenting.

The video recording of the meeting is available at <https://jupiterfl.new.swagit.com/videos/307629>

TOWN OF JUPITER
Site Plan Amendment For 954 Old Dixie Highway



DATE	June 18, 2024
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	John Sickler, Director of Planning and Zoning
SUBJECT	954 Old Dixie Highway – Site Plan Amendment to delete Condition 5 of Resolution 20-21, requiring the construction of off-site parking on the east side of Old Dixie Highway, associated with a previously approved two-story office building on a 0.17± acre property located at 954 N. Old Dixie Highway.

EXECUTIVE SUMMARY

Consideration of a site plan amendment application to delete Condition 5 from Resolution 20-21, requiring the construction of off-site parking on the east side of Old Dixie Highway, associated with a previously approved two-story office building.

ANALYSIS

The applicant has requested a site plan amendment to remove a condition of approval requiring the construction of off-site parking prior to issuance of a certificate of occupancy. A lease with FEC was required to be obtained for the parking area prior to the issuance of a building permit for their proposed office building. Staff is currently not able to approve the building permit, as the condition is not satisfied. Based on the applicant's justification statement, the subject property should not be subject to the condition since the parking conflicts that existed before and at the time of the site plan approval have changed and no longer persist. It should be noted that the plan is in compliance with the Town Code specific minimum parking requirements with the applicant's requested deletion of Condition #5; however, the potential of creating a public safety issue is still as valid as when was raised during the approval of the current development order, since the use may result in off-site parking occurring in a disorderly manner along North Old Dixie Highway, if the off-site parking area is not constructed (See Staff report for background).

This is a policy decision of the Town Council whether to modify or delete the previously approved condition of approval associated with the development approval. Therefore, staff did not prepare a resolution for consideration. The Town Council has four options to consider: 1) accept the applicant's request to delete Condition 5; 2) accept the Planning and Zoning Commission's recommended modification; 3) propose a new modification to the condition; or 4) deny the applicant's request. Planning and Zoning staff will not sign off issuance of the building permit until Condition 5 has been satisfied. If the Town Council provides direction to move forward with a modification or deletion of the condition, Staff will prepare a resolution for the Town Attorney's review to be placed on the agenda for the July 16, 2024 Town Council meeting.

Planning and Zoning Commission Recommendation

At their May 14, 2024 meeting, the Planning and Zoning Commission recommended approval (by a 4 to 3 vote), of the above mentioned application with a modification to Condition 5 of Resolution 20-21 to not require the applicant to build parking spaces now but with the obligation to construct 22 spaces if a parking study requires it or it's relieved if another owner takes on the responsibility.

STRATEGIC PRIORITY

- Manage Growth

ATTACHMENTS

1. Staff report and attachments

FUNDING SOURCE

There is no funding necessary for this request.

For more information or copies of the attachments, please contact Peter Meyer at preterm@jupiter.fl.us or 561-741-2691.

TOWN OF JUPITER STAFF REPORT FOR 954 OLD DIXIE HIGHWAY TOWN MANAGER'S OFFICE



DATE: June 18, 2024
TO: Honorable Mayor and Members of Town Council
THRU: Frank J. Kitzerow, Town Manager
FROM: John Sickler, Director of Planning and Zoning **JS**
SUBJECT: **954 Old Dixie Highway** - Site plan amendment application to delete Condition 5 of Resolution 20-21, requiring the construction of an off-site parking lot, associated with a previously approved two-story office building on the east side of Old Dixie Highway, on a 0.17± acre property, located at 954 N. Old Dixie Highway.

Resolution #54-24
 PZ 24-5923
 P. Meyer

P&Z Commission: 05/14/24
 Town Council: 06/18/24 (quasi-judicial)

Project Information

Project Name:	954 Old Dixie Highway (A.K.A. Onshore Construction)
Owner/Applicant:	954 North Old Dixie Highway LLC (Daniel F. Reedy)
Agent:	iPlan & Design
Location:	954 N. Old Dixie Highway
Acreage:	0.17 +/- acres
Future Land use designation:	Commercial
Zoning:	Center Street/North Alternate A1A Redevelopment Overlay Area (ROA) with an underlying Neighborhood Commercial (C-1) zoning district
Existing use:	Vacant
Approved use:	Two-story 1,835 square foot (sf) office building
Request: (see Attachment A)	Delete Condition #5 of Resolution #20-21 requiring the construction of an off-site parking lot.

Staff update

It is a policy decision of the Town Council whether to modify or delete the previously approved condition of approval associated with the development approval. Therefore, staff did not prepare a resolution for consideration. The Town Council has four options to consider: 1) accept the applicant's request to delete Condition 5 of Resolution 20-21; 2) accept the Planning and Zoning Commission's recommended modification; 3) propose a new modification to the condition; or 4) deny the applicant's request. Planning and Zoning staff will not sign off on issuance of the building permit until Condition 5 has been satisfied. If the Town Council provides direction to move forward with a modification or deletion of the condition, Staff will prepare a resolution for

the Town Attorney's review to be placed on the agenda for the July 16, 2024 Town Council meeting.

Applicant issues

The applicant has issues with details of the modification to Condition 5 recommended by the Planning and Zoning Commission.

Planning and Zoning Commission Recommendation

At their May 14, 2024 meeting, the Planning and Zoning Commission recommended approval (by a 4-3 vote) to modify Condition 5 of Resolution 20-21 to not require the applicant to build parking spaces now but with the obligation to construct 22 spaces if a parking study requires it or it's relieved if another owner takes on the responsibility.

Staff Compliance Review Summary

The requested site plan amendment is in compliance with the Town Code specific minimum parking requirements with the applicant's requested deletion of Condition #5; however, the potential of creating a public safety issue is still valid as was raised during the approval of the current development order, since the use may result in off-site parking occurring in a disorderly manner along North Old Dixie Highway, if the off-site parking area is not constructed.

Project Data

Pertinent site plan data and information in reference to the application is listed below:

Table 1: Adjacent Properties

Direction	Existing Land Uses	Future Land Use Zoning Districts
North	Vacant	Low Density Residential / Single-Family Residential (R-1)
South	Office	Commercial / Neighborhood Commercial (C-1) within the Center Street/North Alternate A1A redevelopment overlay
East	Florida East Coast Railroad	Not Designated / Not Zoned (NZ)
West	Residential	Low Density Residential / Single-Family Residential (R-1)

Background and History

The subject property (954 N. Old Dixie Highway) is a vacant parcel located on the west side of North Old Dixie Highway approximately 65 feet south of Florida Avenue. Staff has provided the table below with history since the approval of the office building via Resolution #20-21 (See Attachment B). For prior parking history, see staff report for the off-site parking lot (Attachment C) and proposed office building (Attachment D).

Table 2: History since approval of Resolution 20-21

Date	
June 2021	Town Council approval of Resolution #67-21 to allow the construction an off-site parking area with 22 parallel parking spaces located on the east side of Old Dixie Highway between Center Street and Florida Avenue (See Attachment E for off-site parking site plan). This application was submitted by the owner of 105 Center Street. The parking lot was intended to be a collaborative effort between the businesses located at 105 Center Street, Onshore Construction (938 North Old Dixie and 946 North Old Dixie) and Thomas Melhorn Construction (935 Town Hall Avenue, f/k/a Christian Thomas Construction). The construction of the improved and well defined off-site parking area was intended to mitigate the parking issues and improve the appearance, which had been a long standing concern of residents in the vicinity. (See Attachment C for staff report)
June 2021	Town Council approval of Resolution #20-21 to allow the construction of a two-story 1,835 sf foot office building located at 954 N. Old Dixie Highway via Resolution #20-21. At the time, the applicant (Onshore Construction) owned the two adjacent properties to the south at 938 and 946 N. Old Dixie Highway that supported the operations of their business Onshore Construction. Between 2007 to 2022, Onshore Construction has shown signs of inadequate parking by parking within the FEC ROW (See Attachment D for staff report). Resolution #20-21 included Condition #5 which: • Tied the construction of the office building to the construction of the off-site parking lot that was proposed by the owner of 105 Center Street. The off-site parking lot was as a collaborate effort of multiple property owners in the area to resolve the issue with inadequate parking (See Attachment D for staff report). • Ensured that the applicant follow through with commitments being represented in the separate off-site parking application (Resolution #67-21) related to the implementation of the concurrent solution for the property owners in this area to work together to address their long standing issues with inadequate on-site parking. • Included three milestones to ensure construction the off-site parking, prior to requesting building permits and issuance of a Certificate of Occupancy (CO) for the new office building: ○ First milestone required that documentation (i.e. lease) be provided to ensure that additional parking will be provided off-site which was required upon submittal of final plans. – Not completed and past due. ○ Second milestone required an engineering permit to be submitted and issued prior to the issuance of any building permits for the proposed office building – Completed. ○ Third milestone required that the off-site parking lot be constructed prior to the issuance of a Certificate of Occupancy for the office building – Not completed.
April 2022	Onshore Construction submitted a building permit for a two-story office building on the subject property. However, this permit could not be approved since the applicant did not submit a lease from FEC upon submittal of final plans.
May 2022	An engineering permit was issued for the off-site parking lot which was submitted by the owner of 105 Center Street.
May 2022	Onshore Construction sold 946 N Old Dixie to “946 Old Dixie LLC”, which is now occupied by Perko Development Partners, a real estate developer, according to their company website.
August 2022	Onshore Construction sold 938 N Old Dixie was sold to “B&P West LLC” which is occupied by Environmental Quality, a company that provides environmental services, according to their company website.
November 2023	Both development approvals for Resolutions #20-21 and 67-21 (listed above) received state authorized development extension approvals related to executive orders for both Hurricanes Nicole and Ian. The development approvals were extended from June 15, 2023 to July 17, 2028 through separate approvals for each Resolution.

The request to delete Condition #5 of Resolution #20-21 would allow the applicant to move forward with getting permits and constructing the office building at 954 N Old Dixie without ensuring construction of the off-site parking lot along Old Dixie. The off-site parking lot proposed by 105 Center Street is still valid. However, Resolution #67-21 does not include any conditions of approval to compel that the construction of this parking lot be completed within a specific timeframe.

As part of this application, staff suggested that the applicant meet with the adjacent neighborhoods. In April 2024, the applicant indicated they have not reached out to the neighborhood.

Analysis

This section analyzes the land development regulations and notes the application's inability or ability to satisfy all applicable development provisions of the Town Code and Comprehensive Land Use Plan (CLUP). The analysis is as follows:

Comprehensive Land Use Plan (CLUP) Consistency. The proposed development is generally in conformance with the Comprehensive Plan. The subject property is designated with the Commercial future land use.

Parking. While the approved development meets the minimum parking requirement onsite pursuant to Section 27-2828, entitled “Standards for required off-street parking and loading spaces”, there continues to be concern that the approved unbuilt office use may further exasperate the issue of inadequate parking in the area of N. Old Dixie Highway between Center Street and Florida Avenue, based on the following:

- The approved site plan for the two-story 1,835 sf office provides the minimum code required seven parking spaces onsite (six standard and one ADA space) (See Attachment F for approved site plan). The approved floor plan (See Attachment G for floor plan) includes three different areas: six individual offices, an open office area (>300 sf. ft.), and a reception work station adjacent to the lobby area. At a minimum, if the open office space was counted as a single workstation that would bring the total number of employees onsite to eight not including any potential guests to the site. Staff notes that if none of the employees or guest are disabled, then only six of the seven parking spaces onsite could be utilized. Therefore, due to the approved floor plan and history of inadequate parking that was associated with the applicant's two office buildings prior to 2021, Condition #5 was included in Resolution #20-21 to require the offsite parking lot on Old Dixie be constructed prior the CO of the proposed office building. Staff notes that the applicant did not raise issues with Condition #5.
- Other office buildings to the south previously owned by the same property owner also provided the minimum parking spaces onsite to meet code, yet the nature of the businesses at these locations and the associated single use parking lots demanded more parking than provided on-site resulting in inadequate parking, as defined in Section 27-2827(c).
- Thomas Melhorn Construction is the owner of 935 Town Hall Avenue located on the southwest corner of Town Hall Avenue and Seminole Avenue in the same block as 954 N. Old Dixie. This business also operates an office, which provides the minimum required parking onsite, yet consistently demands more parking that overflows on a gravel area on the east side of Old Dixie Highway on FEC property. It is not known if this Owner has a lease with FEC.
- Prior to 1978, the block in which the subject property is located was originally zoned R-1 and later half of the block was rezoned to C-1. Businesses were developed in the area

previously zoned and subdivided for single family use and some of the existing residences were converted to commercial use. These factors resulted in smaller commercial sites. These small individual commercial sites experience peak demands that are not accommodated with the single use parking lots, which offer no flexibility for sharing and these small dead end lots make it difficult for larger vehicles to maneuver. This results in external impacts on surrounding properties, which residential neighbors have complained about for many years.

- The applicant's statement of use states that the parking conflicts that existed have changed, since the site plan approval of the office building, and no longer exist. The applicant notes that the parking issues are not attributed to Onshore Construction, since this business has relocated to Intracoastal Pointe behind the old Boston Market on Indiantown Road.
- Staff performed a site inspection on Wednesday March 6, 2024 at noon and observed a total of 27 vehicles parked along Old Dixie Highway north of Center Street. Five of those vehicles were parked on the west side of Old Dixie adjacent to the AT&T building (112 Seminole Ave) and 22 vehicles along the east side of North Old Dixie adjacent the FEC railway. Staff observed vehicles parked in between signs that were posted at the terminus of Seminole Ave that state "Warning, parking by permit only between signs for 935 Town Hall" (Christian Thomas Construction).
- Staff performed a site inspection on Wednesday, May 1, 2024 at 9 a.m. and observed a total of 17 vehicles parked along Old Dixie Highway north of Center Street. Four of those vehicles were parked on the west side of Old Dixie adjacent to the AT&T building and 13 vehicles along the east side of North Old Dixie adjacent to the FEC railway.
- In the statement of use, the applicant states "Any potential use that will ultimately occupy the office building at 954 N Old Dixie Highway will have to comply with the Town's parking code".
- If the off-site parking lot is not constructed and parking along the right-of-way continues to occur from this use or other uses, the Town could proceed with code compliance action against those businesses that have inadequate parking pursuant to Section 27-2827(c); however, this has not proved to be a very effective approach.
- As indicated in the 2021 staff report for the proposed office building, not providing the off-site parking along North Old Dixie above the minimum code requirement to address the anticipated parking demands has the potential to create a public safety issue. Inadequate on-site parking may result in parking occurring in a disorderly manner, if additional off-site parking area is not constructed. There is a potential that the office floor plan would allow for a minimum of eight employees, not including any guests or additional employees in the "Open Office Area". It is likely ten parking spaces may be needed to accommodate this use. Since seven spaces are provided on-site, the need for three additional spaces could be met by building them along the east side of Old Dixie Highway, i.e. a partial construction of the off-site spaces approved by Resolution #67-21.
- If the Town Council determines that the approved office building as designed continues to have the potential to create a public safety issue, then Condition #5 could be modified to require the owner of 954 N. Old Dixie build a minimum of three additional parking spaces along the east side of Old Dixie Highway versus being held up if the other parties are not moving forward to construct all of the spaces approved in Resolution #67-21.

Site Plan Criteria.

Section 27-175, contains minimum criteria for review of all site plan applications processed. Upon review of the 12 criteria in Section 27-175, staff finds that the Applicant has satisfied 11 of the 12 criteria.

5) The proposed development does not create or excessively increase traffic congestion or otherwise affect public safety.

Staff recommends a modification to Condition #5 to address the public safety concern noted in the analysis above.

Attachments:

Attachment A – Statement of use
Attachment B – Resolution 20-21
Attachment C – Staff report for off-site parking lot
Attachment D – Staff report for office building
Attachment E – Approved off-site parking lot site plan
Attachment F – Approved office building site plan
Attachment G - Approved office building floor plan

* Please contact Peter Meyer at peterm@jupiter.fl.us or 561-741-2691 in order to obtain a copy of the proposed plans or any attachments.

File Path: V:\PlanningZoning\Staff\WP51\PROJECTS\Onshore Construction\PZ 24-5923 delete parking cond\April PZC\Staff Report_PZC.docx June 6, 2024

954 N. Old Dixie Hwy., Office

DEVELOPMENT ORDER AMENDMENT

Wednesday, January 31, 2024

Updated Sunday, February 11, 2024

REQUEST FOR DEVELOPMENT ORDER AMENDMENT: REMOVAL OF OFF-SITE PARKING CONDITION #5

On behalf of 954 NORTH OLD DIXIE HIGHWAY LLC, we are pleased to submit for your review and approval a Development Order Amendment request associated with the approved site plan for a 2-story, +/- 1,835 SF Professional Office Building (not constructed/built to-date) as approved by Town Council on June 15, 2021. The request to remove this single condition of approval is timely and appropriate as conditions and parking conflicts that existed before and at the time of the site plan approval have changed and are no longer persist. The Applicant has submitted for a building permit to construct a fully-compliant Professional Office building that meets the parking requirements of the Town and must remove this irrelevant condition of approval in order to proceed with construction of the new building.

There are no impacts to the existing approved site plan approved by way of Resolution 20-21 associated with this request as this condition is applicable to the off-site parking within the adjacent right-of-way. Further, this same condition remains active with the approved site plan for 105 Center Street (located south of the subject site) and remains in effect through that approval (Resolution 67-21).

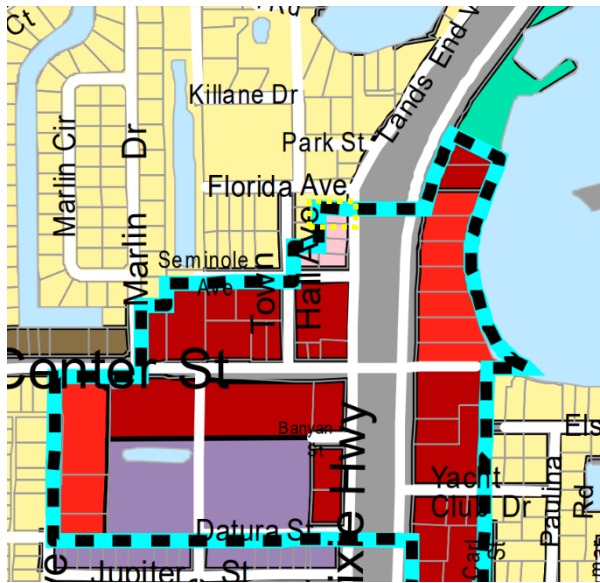
Amended Resolution 20-21 highlighted and struck through):

~~5) Upon the submission of the final plans for the proposed office building, the Owner shall provide documentation to the Planning & Zoning Department (e.g. copy of a lease for parking along the east side of Old Dixie) that additional parking will be provided off-site. Prior to issuance of a building permit, the Owner shall ensure that any engineering permits are submitted and approved for the construction of the off-site parking lot and prior to the issuance of a Certificate of Occupancy for the building, the off-site parking shall be constructed.~~

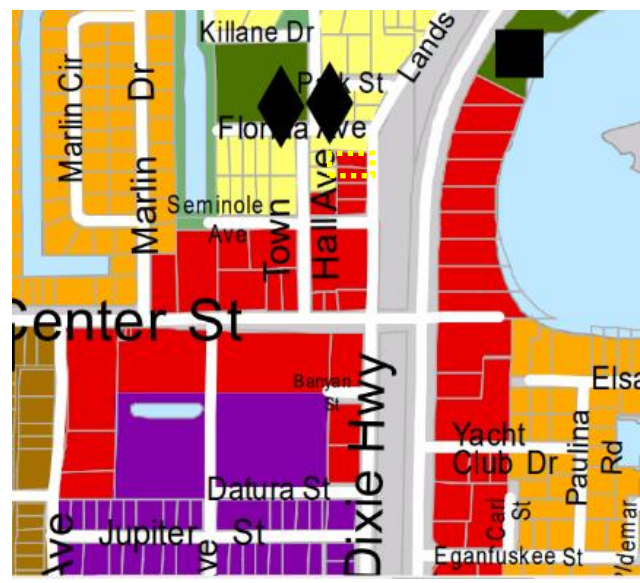
~~6) Renumbering of remaining conditions of approval 5) – 10).~~

EXISTING CONDITIONS

The subject site is a +/- 0.17 acre vacant property located at 954 N Old Dixie Hwy. (PCN: 30-43-40-31-06-002-0065). in Jupiter, FL 33469. The site possesses a Commercial, General (C2) zoning district designation and a compatible Commercial (C) future land use designation.



Town of Jupiter Zoning Map – (C-1) & (ROA)



Town of Jupiter Future Land Use Map – (C)

APPROVALS HISTORY:

Site Plan approval by Town Council of Resolution 20-21 on June 15, 2021, of a +/-1,835 SF Professional Office Building and site improvements.

State of Florida Time Extension approval on November 13, 2023 (PZ#23-5669)

HISTORICAL CONTEXT OF THE CONDITION OF APPROVAL:

The subject site is NOT associated with the historical issues associated with on-street parking along N. Old Dixie Highway and has not been the subject of prior parking related variances, site plan approvals, or easement agreements with the Florida East Coast Railroad. The owner of the subject property (954 N. Old Dixie Hwy.) at one time owned this site and the two adjacent properties to the south (938 & 946 N. Old Dixie Hwy. - improved sites with Contractor Office and Administrative Office uses operating on each respectively).

On-street parking in this section of N. Old Dixie Highway has been obtained by way of easement agreements made directly with Florida East Coast Railroad as they historically owned and fully control the right-of-way fronting all the commercial properties facing the railroad tracks including this portion of N. Old Dixie Highway. Staff have correctly identified that the on-street parking provided by FEC (within their right-of-way) was unapproved by the Town of Jupiter for many years along the east side of North Old Dixie between Florida Avenue and Seminole Avenue. Originally the demand for additional parking was due to the location of multiple residential construction businesses located in this area including the two office buildings at 946 N Old Dixie Hwy and one located at 935 Town Hall Ave. Parking demand increased with the redevelopment of the 105 Center Street Retail building at the south end of this portion of N. Old Dixie Hwy. Neighboring residents had complained to the Town over the years about the unorganized and

amount of unregulated on-street parking supporting the commercial uses along Old N. Dixie Hwy. All attempts to improve the parking with signage and to control for overnight parking remained problematic for the neighboring residents.

In 2017, three variance applications were submitted and approved to try and resolve the parking issues. This application included three applicants (Onshore Construction, Christian Thomas Construction, and Vinnie Pezzino) which each had interest in formalizing an offsite parking area to provide additional parking to meet the parking demands associated with their businesses. The variances were needed to address the Zoning Departments' site plan design limitations associated with FEC lease. A conceptual site plan was prepared as a reference to show the proposed parking area, but was not approved as part of the variance approval. The proposed gravel parking area included parking spaces that were accessed from a drive parallel to N. Old Dixie. The proposed off-site parking was broken down into three lease areas for which two of the three applicants (Onshore and Christian Thomas) already had leases with FEC. This configuration was preferred by the neighborhood. The design was extremely expensive and not a reasonable solution these Applicants were able to implement and that the site plan requirements of the Town being applied to FEC controlled lands was problematic due to the temporary and revocable nature of lease agreements with the FEC. A site plan necessary to activate the variance approvals was never submitted to the Town and the variances expired on June 13, 2019.

On June 12, 2019, the Owner of 105 Center Street property held an update/informational meeting with the neighbors at the Old Jupiter Town Hall to updated them on the changes being considered to modify the parking area to a parallel parking configuration that would commence in the south from Center Street, north to Florida Avenue. The majority of residents were agreeable with the change to on-street parallel parking spaces while a minority of residents preferred the prior design. Zoning Staff found that the proposed parallel parking plan was fully compliant with the on-street parking regulations and that NO variances were required to implement this modified parking plan based on the following conditions:

- The subject property was unique in that it is located on property owned by FEC utilized for the railroad and that there are certain requirements of the land owner to ensure vegetation within 250' of the centerline of crossing does not obstruct the view of motor vehicles or train crews using a crossing at grade or interfere with the operation of trains. See the landscape section for more analysis.
- Section 27-2832(b)(2) does not state that an offsite parking agreement is a perpetual agreement. Therefore, as long as the spaces are not required to meet the minimum parking standards, the temporary arrangement does not directly conflict with the code.
- The applicant proposed a TruGrid parking system that is a stabilized structure which includes the use of gravel. Since the time of the 2017 variance, the TruGrid system was determined by the Town Engineer to be an allowable parking surface since it's a stable surface that captures.
- Based on research performed by the Town's surveyor consultant in 2017, the Town verified that much of the Old Dixie roadway is enveloped within the FEC right-of-way. In particular, between Center Street and Seminole Avenue essentially 100% overlap and further north of the overlap of rights-of-way decreases.

On June 15, 2021, Town Council approved the on-street parking site plan proposed by the Owner of 105 Center Street by way of Resolution 67-21. All parties that would participate in the use of the parking spaces would do so by way of a private shared parking agreement amongst all interested parties. The subject property (954 N. Old Dixie Hwy.) was also approved by Council that evening by way of Resolution 20-21.

Due to the need for additional parking for the existing Administrative and Construction Office uses to the south owned and operated by this property owner, a condition of approval (specifically Condition #5) was added that required this owner to contribute to the on-street parking approval and development in order to develop the subject property (954 N. Old Dixie Hwy.).

From the approval of the on-street parking in 2020 until recently, the parking conditions along N. Old Dixie Hwy.; the parking demand by the commercial business owners; and, the ownership of properties has changed significantly. The construction office located at 935 Town Hall Ave. (Christian Thomas Construction) has purchased an adjacent office building and has maintained all required parking on site, no longer utilizing the FEC right-of-way for parking. The Applicant has since sold both 938 and 946 N. Old Dixie Hwy. Office buildings and these two uses are no longer parking in the FEC right-of-way. The only use that now generates parking demand and utilizes the FEC right-of-way is the Retail use located at 105 Center Street. The site plan approval for that site (Reso. 67-21) contains the same off-site parking condition of approval that this Applicant is seeking to remove as part of the 954 site plan amendment application.

The Applicant's request to remove this condition is both timely and appropriate as the parking conditions and neighborhood issued that existed within the north end of the right-of-way at the time leading up to and in 2020 no longer exist, and any parking that occurs within the FEC right-of-way is now associated with the 105 Center Street use. The approved site plan for 954 N. Old Dixie Hwy. fully complies with the Town's land development codes and parking regulations. Any potential use that will ultimately occupy the Office building at 954 N. Old Dixie Hwy. will have to comply with the Town's parking code.

ACCESS / TRAFFIC / PARKING:

No impact - As part of this approval request the condition of approval to be removed is associated with additional offsite parking and has no impact on the intensity of the original site plan approval.

CIVIL ENGINEERING CONSIDERATIONS:

No Impact – There is no physical changes to the existing site with the removal of this specific condition of approval.

AERIAL MAP:

The subject property is located on the west side of N. Old Dixie Hwy, one lot south of the intersection of Florida Avenue and N. Old Dixie Hwy.



Figure 1: Subject site

LANDSCAPE CONSIDERATIONS:

No impact – No approved landscaping will be impacted on the subject property and no impacts will result where the offsite parking is proposed to be implemented along the east side of N. Old Dixie Hwy. The parking approval shall be fully implemented by way of the approved site plan for 105 Center Street (by way of Reso. 67-21).

ARCHITECTURAL CONSIDERATIONS:

No impact – The approved architectural plans associated with the approved Professional Office uses will not be impacted by the removal of the offsite parking obligation.

ZONING CONSIDERATIONS:

No impact - No modifications are proposed to the existing zoning district designation or land use. The requested condition to be removed has been replicated and remains active with the site plan approval for 1105 Center Street by way of Resolution 67-21.

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12 **RESOLUTION NO. 20-21**
13

14 **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF**
15 **JUPITER, FLORIDA, APPROVING A SITE PLAN AUTHORIZING**
16 **THE CONSTRUCTION OF A TWO-STORY OFFICE BUILDING**
17 **ON A 0.17± ACRE PARCEL LOCATED AT 954 N OLD DIXIE**
18 **HIGHWAY; AND PROVIDING FOR AN EFFECTIVE DATE.**
19

20
21 **WHEREAS**, Onshore Construction and Development Inc., LLC is the owner ("the
22 Owner") of approximately 0.17± acres of property, the legal description of which is
23 attached hereto and incorporated herein as Exhibit A (the subject property); and,

24 **WHEREAS**, the subject property's address is 954 North Old Dixie Highway; and,

25 **WHEREAS**, iPlan & Design, the authorized agent for the Owner, has submitted
26 an application for a site plan which would authorize the construction of a two-story 1,835
27 square foot office building on the subject property (the Application); and,

28 **WHEREAS**, the Planning and Zoning Commission has reviewed the Application,
29 conducted a public hearing to consider it; and has presented its recommendations to the
30 Town Council; and,

31 **WHEREAS**, the Town Council has conducted a quasi-judicial hearing to consider
32 the Application; and,

33 **WHEREAS**, at its hearing the Town Council considered the evidence presented
34 to it by the Planning and Zoning Department staff, the Owner and Applicant, and
35 members of the public, regarding the Application's consistency with the Town's

36 Comprehensive Plan and whether the Application meets the Land Development
37 Regulations of the Town Code; and,

38 **WHEREAS**, the Town Council has determined that the conditions which are
39 incorporated into Section 3 herein are necessary for the Application to be consistent with
40 the Town's Comprehensive Plan and to meet the Town's Land Development
41 Regulations.

42 **NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE**
43 **TOWN OF JUPITER:**

44 **Section 1.** The whereas clauses are incorporated herein as the findings of fact
45 and conclusions of law of the Town Council.

46 **Section 2.** The Town Council hereby approves a site plan for the subject
47 property authorizing the construction of a two-story office building.

48 **Section 3.** The Owner and Applicant, and their successors or assigns shall
49 comply with and maintain the following conditions:

50 1) The Owner shall install and maintain all improvements in compliance with the
51 following:

52 a) Site Plan, prepared by YRA Design Inc., dated 02/12/21, received and
53 dated by the Department of Planning and Zoning on 03/24/21.

54 b) Landscape Plan, prepared by Steve Garrett, dated 06/13/20, received
55 and dated by the Department of Planning and Zoning on 02/08/21.

56 c) Elevations and Floor Plans, prepared by YRA Design Inc., dated
57 02/12/21, received and dated by the Department of Planning and Zoning
58 on 03/24/21.

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- 83 6) Upon the submission of the final plans, and prior to the issuance of any
84 development permits, the Owner shall revise the site plan to provide and identify
85 the location of a trash receptacle on the subject property, and update the tabular
86 data on the site plan accordingly.
- 87 7) Upon the submission of the final plans, and prior to the issuance of any
88 development permits, the Owner shall revise the floor plans to meet section
89 206.7 of the Building Accessibility Code which requires the Owner to provide an
90 elevator if deemed necessary by the Building Department.
- 91 8) The Owner shall be permitted one, freestanding monument sign with a maximum
92 height of five feet.
- 93 9) Only non-illuminated wall signs facing residential are permitted.
- 94 10) The attic shall only be used for storage and mechanical equipment and not for
95 habitable space.
- 96 11) The placement of any type of vending machines or units which dispense food,
97 beverages, candy, merchandise, products, goods, handbills, or advertising
98 magazines on the exterior portions of the subject property within public view, is
99 prohibited.
- 100 12) Upon the submission of the final plans, and prior to the issuance of any
101 development permits, the Owner shall revise the landscape and site plan to
102 provide opaque screening on the west and north property lines to meet Section
103 23-68(a).

104 **Section 4.** Should any section or provision of this Resolution, or any portion
105 thereof, and paragraph, sentence, or word, ever be declared by a court of competent

106 jurisdiction to be invalid, such decision shall not affect the validity of the remaining
107 portion of this Resolution.

108 **Section 5.** This Resolution shall become effective upon its execution.

109 Attachments: Exhibit "A" – Legal Description

110 Revised: July 28, 2021

111 **File Path.**

112 V:\PlanningZoning\Staff\WP51\PROJECTS\Onshore Construction\PZ 20-4260 construct office bldg\Final
113 documents\Resolution 20-21_v5.docx

LEGAL DESCRIPTION FOR 954 N OLD DIXIE HWY

Lot 2, Block 3, PENNOCK PLACE, according to the Plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, in Plat Book 2, Page 67, said lands situate, lying and being in Palm Beach County, Florida.

The foregoing Resolution was offered this 15^h day of June, 2021 by Councilor Ilan Kaufer moved its adoption. The motion was seconded Vice-Mayor Cameron May and upon being put to a roll call vote, the vote was as follows:

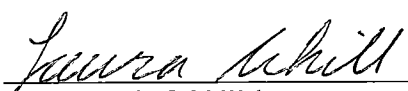
	AYE	NAY
MAYOR TODD R. WODRASKA	X	
VICE-MAYOR CAMERON MAY	X	
COUNCILOR RON DELANEY	X	
COUNCILOR ILAN KAUFER	X	
COUNCILOR JIM KURETSKI		X

The Mayor thereupon executed Resolution 20-21 on this 10th day of August, 2021.

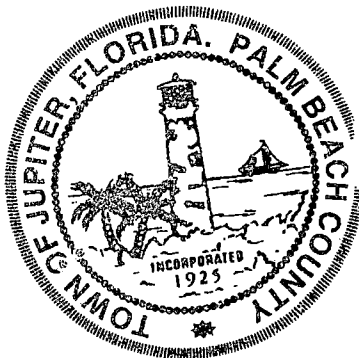
TOWN OF JUPITER, FLORIDA

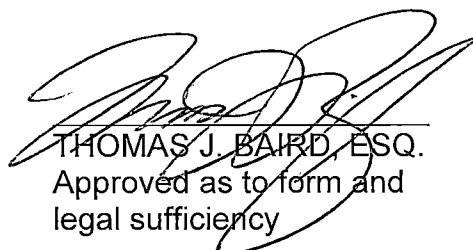
ATTEST:

BY: 
TODD R. WODRASKA
MAYOR


LAURA E. CAHILL
TOWN CLERK

(TOWN SEAL)




THOMAS J. BAIRD, ESQ.
Approved as to form and
legal sufficiency

**TOWN OF JUPITER STAFF REPORT FOR
NORTH OLD DIXIE OFF-SITE PARKING**
TOWN MANAGER'S OFFICE



DATE: June 16, 2021

TO: Honorable Mayor and Members of Town Council

THRU: Matt Benoit, Town Manager

FROM: John Sickler, Director of Planning and Zoning

SUBJECT: **North Old Dixie parking** – Site plan application to construct an off-site parking area with 22 parallel parking spaces located along the east side of Old Dixie Highway between Center Street and Florida Avenue.

Resolution #67-21
PZ 20-4420
P. Meyer

P&Z Commission: May 11, 2021
Town Council: June 15, 2021 (quasi-judicial)

Project name:	North Old Dixie off-site parallel parking
Property Owner:	Florida East Coast (FEC) Railroad
Applicant:	Vincent Pezzino (owner of 105 Center Street)
Agent:	iPlan & Design
Location:	Located on the east side of North Old Dixie Highway between Center Street and Florida Avenue
Acreage of lease area:	0.22 +/- acres
Existing uses of the property:	Railroad right-of-way
Proposed uses:	Off-site parking area for overflow parking
Present land use designation:	Not designated
Present zoning:	Center Street/North Alternate A1A Redevelopment Overlay Area (ROA) with an underlying Not zoned (NZ) zoning district
Request:	Construct an off-site parking area with 22 parallel parking spaces on FEC property along the east side of North Old Dixie Highway for overflow parking associated with the businesses located at 105 Center Street, 938 North Old Dixie and 946 N Old Dixie (See Attachment A – Statement of Use).

Town Council Action

At their June 15, 2021 meeting, the Town Council voted 4-1 to approve Resolution # 67-21.

Applicant issues

The applicant has no issues with Resolution #67-21.

Planning and Zoning Commission Recommendation

At their May 11, 2021 meeting, the Planning and Zoning Commission voted (7-0) to recommend approval of the above mention project as recommended by staff, with changes to:

- Condition #6(b) to reduce the proposed sidewalk width from 5' to 4',
- Delete Condition #6(g) related to labeling a property as residential,
- Delete Condition #6(h) related to the parallel parking extending north of the adjacent commercial property, and
- Delete Condition #8 related to adding palms/trees within the perimeter buffer and landscape islands.

Staff comment: Staff continues to recommend Condition #6(b) (an ADA requirement) and #6(g) (an informational item) without revisions, since both conditions have been agreed to by the applicant.

Condition #6(h) was deleted as recommended by the Planning and Zoning Commission since Old Dixie Highway is “not zoned” compared to residential zoning across the road. If the residential boundary line is extended into the “not zoned” property less than half of the last parking space projects beyond the interpreted residential boundary line. If Town Council wants the parking spaces to end within the commercial zoning district then condition #6(h) would need to be added into Resolution #67-21.

Condition #8 was deleted by the Commission because of the temporary nature of the off-site parking within the FEC. In 2017, a variance had been granted to eliminate the requirement for five perimeter trees to be planted within 250' of the railroad crossing; however, the variance has expired. If Town Council believes that the palms/trees should be required, then condition #8 requiring palms/trees would need to be added to the resolution.

Chair Patel discussed relocating the proposed crosswalk on N. Old Dixie at the intersection of Center Street to be a midblock crossing near the ADA space since he had concerns about the proposed crossing possibly not meeting slope requirement for ADA standards. The Town Engineer reviewed the request and maintains that the crosswalk at the intersection is the safest option (See the site plan section for analysis).

Staff Recommendation

The Department of Planning and Zoning recommends approval subject to the conditions in **Resolution 67-21**.

**North Old Dixie off-site parallel parking
Staff Report (PZ 20-4420)
Page 3**

Project data.

Please find listed below pertinent site plan data and information in reference to the application. The information is as follows:

Table 1: Adjacent Properties

Direction	Existing Land Uses	Future Land Use/Zoning Districts
North	Florida East Coast Railroad	Not Designated / Not Zoned (NZ)
South	Florida East Coast Railroad	Not Designated / Not Zoned (NZ) within the Center Street/North Alternate A1A Redevelopment Overlay Area (ROA)
East	Florida East Coast Railroad and Alternate A1A	Not Designated / Not Zoned (NZ) within the Center Street/North Alternate A1A Redevelopment Overlay Area (ROA)
West	Commercial (Ferro Via, Bellsouth, Environmental Quality, Blue Water Industries, and Onshore Construction)	Commercial / Neighborhood Commercial (C-1) and Commercial / General Commercial (C-2) within the Center Street/North Alternate A1A Redevelopment Overlay Area (ROA)

Table 2: Parking

<i>Parking space requirements</i>	<i>Minimum requirements</i>	<i>Applicant's proposal</i>
Extra parking spaces	0	22
Handicap parking spaces	0	1
Total	0	22

Table 3: Stormwater Management

Drainage Statement	Applicant's proposal
Satisfies Town of Jupiter Requirements	Yes

Background/history

The subject property is a part of the Florida East Coast Railroad right-of-way. The portion of the property to be leased for the off-site parking area is located on the east side of North Old Dixie between Florida Avenue and Center Street. See below for history of parking issues and applications:

- Unapproved on-street parking has occurred along the east side of North Old Dixie between Florida Avenue and Seminole Avenue for many years primarily from the construction business offices for Onshore Construction located at 946 and 938 N Old Dixie and Christian Thomas Construction at 935 Town Hall Ave.
- Based on staff observations and historical Google Maps, vehicles have been parking on the east side of Old Dixie Highway within the areas leased from FEC by Onshore Construction and Christian Thomas Construction. During the most recent inspection on

North Old Dixie off-site parallel parking**Staff Report (PZ 20-4420)****Page 4**

5/3/21 at 2:15 pm, 23 vehicles were observed in the areas where the parking is proposed.

- Both companies executed leases with FEC to allow parking on the east side of N. Old Dixie without site plan approval by the Town. Onshore Construction executed a lease in 2007 (See Attachment B) and Christian Thomas executed a lease in 2013 which are still active for the areas north of Seminole Ave.
- Over the years the Town has received complaints from surrounding residents related to the unapproved over flow parking, disorganized parking and parked vehicles extending out into the roadway.
- Onshore Construction has tried to address the complaints by installing signage to help organize the parking and keep vehicles from extending into the road, but there are still complaints.
- There have been numerous meetings to discuss the off-site parking issues and the need for Town approval for the parking area with the applicants and residents. Some of the neighborhood issues raised during the meetings were regarding: overnight and long term parking, drainage issues along N. Old Dixie, disorganized parking, manner in which vehicles pull in and out of parking area, and timing of the parking area improvement.
- Vinnie Pezzino, the applicant and property owner of 105 Center Street (located on the northwest corner of Center Street and N. Old Dixie) proposed a solution to the ongoing parking issues by coordinating with Onshore Construction and Christian Thomas for shared off-site parking.
- In 2017, three variance applications were submitted to try and resolve the parking issues. This application included three applicants (Onshore Construction, Christian Thomas Construction, and Vinnie Pezzino) which each had interest in formalizing an off-site parking area to provide additional parking to meet the parking demands associated with their businesses. The variances were needed to address FEC limitations that were in the FEC lease. A conceptual site plan was prepared as a reference to show the proposed parking area, but was not approved as part of the variance approval (See Attachment C – site plan). The proposed gravel parking area included parking spaces that were accessed from a drive parallel to N. Old Dixie. The proposed off-site parking was broken down into three lease areas for which two of the three applicants (Onshore and Christian Thomas) already had leases with FEC. This configuration was preferred by the neighborhood.
- The configuration of the proposed parking lot was similar to the double roads beach parking along A1A starting approximately 750 feet north of Marcinski Road.
- On June 13, 2017, the Zoning Board of Adjustments approved the three variances for the proposed parking area along the east side of Old Dixie on FEC property (See Attachment D for variance staff report). A site plan application was required to be submitted in order to approve the parking area and to tie the offsite parking variances to the three site plan applications. The variances approved:
 - Not requiring five perimeter trees to be planted within 250' of the railroad crossing. [Old code - Section 23-61(a); New code - Section 27-69];
 - Allow a temporary offsite parking agreement instead of a perpetual offsite parking agreement [Old code - Section 27-1261(b)(2)(e); New code - Section - 27-2832(b)(2)];
 - Allow a gravel parking lot instead of asphalt or concrete [Old code - Section 27-1262(a)(4)(c); New code – Section 27-2833(a)(4)(c)];
- After the variances were approved, the three applicants (Onshore Construction, Christian Thomas Construction and Vinnie Pezzino) stated they didn't realize the cost to

construct the proposed parking area and indicated the cost was more than they could justify to invest for a temporary parking area that could be removed upon request by FEC with a 30 day notice, based on the terms of their leases. Since the applicants never submitted the site plan application, the variances expired on June 13, 2019.

- On June 12, 2019, Vinnie Pezzino (Owner of 105 Center Street) held a follow-up meeting with the neighbors at the Old Jupiter Town Hall to updated them on the changes under consideration to change the parking area from one similar in design to the double roads beach parking design to a parking area with parallel parking spaces accessed directly from N. Old Dixie. Most residents were agreeable with the change to on-street parallel parking spaces and some residents still preferred the prior design.
- Staff found that the current proposed parking proposal does not require variances to address the three items that previously received variance approval in 2017 since:
 - The subject property is unique in that it is located on property owned by FEC utilized for the railroad and there are certain requirements of the land owner to ensure vegetation within 250' of the centerline of crossing does not obstruct the view of motor vehicles or train crews using a crossing at grade or interfere with the operation of trains. See the landscape section for more analysis. A condition of approval has been recommended to require that trees and/or palms that cannot be provided within the perimeter buffer and landscape islands due to the 250' clear zone requirement be relocated to the portion of the perimeter buffer to the north.
 - Section 27-2832(b)(2) does not state that an offsite parking agreement is a perpetual agreement. Therefore, as long as the spaces are not required to meet the minimum parking standards, the temporary arrangement does not directly conflict with the code. A condition was recommended requiring an executed offsite parking agreement to be submitted before permits are issued.
 - The applicant is proposing a TruGrid parking system that is a stabilized structure which includes the use of gravel. Since the time of the 2017 variance, the TruGrid system has been determined by the Town Engineer to be an allowable parking surface since it's a stable surface that captures drainage. In addition, the Town Council has approved TruGrid on two other developments.
- Based on research performed by the Town's surveyor consultant in 2017, the Town verified that much of the Old Dixie roadway is enveloped within the FEC right-of-way. In particular, between Center Street and Seminole Avenue essentially 100% overlap and further north of the overlap of rights-of-way decreases.

Analysis.

This section analyzes the land development regulations and notes the application's inability or ability to satisfy all applicable development provisions of the Town Code and Comprehensive Land Use Plan (CLUP). The analysis is as follows:

Comprehensive Plan consistency. The proposal is consistent with the Future Land Use element of the Comprehensive Plan. The subject property is not designated on the Land Use map.

Parking. The proposed parking is **not** in conformance with the requirements of Section 27-2832, entitled "Off-site parking" (See Attachment E for copy of code section). Specifically since the applicant has not provided executed leases with FEC and an off-site parking agreement.

- The applicant proposes to construct an off-site parking area with parallel parking spaces on the east side of North Old Dixie between Center Street and Florida Avenue to be primarily associated with the existing retail building located at 105 Center Street. The applicant provided a letter from FEC, as property owner, that indicates their support of the proposed off-site parking area.
- In the statement of use, the applicant indicates they will submit an executed lease with FEC after site plan approval. **Staff recommends a condition of approval that the Owner provide an executed lease with FEC prior to issuance of any development permits.**
- Staff notes that the past FEC leases can be terminated by FEC at any time and require that the parking area improvements be removed within 30 days. Therefore, the additional parking provided in the off-site parking area cannot be used towards increasing intensities of use, since a user cannot rely on the parking provided on the FEC property to meet minimum parking requirements in perpetuity.
- The building at 105 Center Street is approximately 5,900 square feet and was built in 1950. Based on current code, it would be required a total of 24 parking spaces for retail use, which has been considered to be vested. Since the property at 105 Center Street only has eight parking spaces, it is considered to have non-conforming parking. The existing retail building at this location is permitted to continue operating as a retail use but would not be permitted to expand the existing nonconformity by intensifying the uses pursuant to Section 27-3392, entitled "Nonconforming uses of land". The proposed off-site parking area would help mitigate the existing parking shortage.
- However, the applicant cannot use the additional parking spaces to add intensity to the site since, based on prior leases with FEC it is expected to be temporary and FEC could require that the parking area be removed within 30 days.
- The applicant is proposing to sub-lease a portion of the parking spaces to Onshore Construction, the Owner of the existing office buildings located at 938 N Old Dixie and 946 N Old Dixie that routinely parks across the street which is indicative of having inadequate parking. These parking spaces will be limited for use during the daytime.
- The applicant has not indicated if the parking spaces will be assigned to Onshore Construction. Staff looked at what would be required by code for the 5,900 sf existing retail building by utilizing shared parking calculations to illustrate how the demands for the two uses relate (See Section 27-2831 for the shared parking table within Attachment E). Note that there is not a specific request by the applicant for shared parking. According to the shared parking table, office and retail peak at different times of the day. The peak hour for retail is between 1 and 2pm which is 100% requiring 24 parking spaces. Since there are 8 parking spaces onsite at 105 Center Street, an additional 16 spaces would be needed to meet the established parking minimum requirement at the peak period for retail leaving five additional off-site parking spaces available to onshore Construction.
- The construction of an improved and well defined off-site parking area is intended to mitigate the parking issues and improve the appearance.
- The applicant is requesting approval from Town Council to allow the proposed off-site parking spaces, since they are located more than 300' from the use (Section 27-2832(b)(1)). The off-site parking is proposed to be constructed from 25 feet to 502 feet from the northern property line of 105 Center Street.

- The applicant proposes a maintenance plan that will outline the maintenance responsibilities by the Owner of 105 Center to keep the off-site parallel parking spaces and sidewalk clean and free of debris, maintain signage and landscaping. However, a maintenance plan has not submitted. Therefore, **staff recommends a condition of approval that the Owner submit a parking area maintenance plan for the proposed improvements.**
- The applicant is required to execute an off-site parking agreement pursuant to Section 27-2832(b)(2). Therefore, **staff recommends a condition of approval that the Owner submit an off-site parking agreement.**
- Currently Onshore Construction (the Owners of 938 N Old Dixie and 946 N Old Dixie) and Christian Thomas Construction (Owner of 935 Town Hall Avenue) have leases with FEC for off-site parking. Letters have been provided from these owners that they intend on terminating their lease with FEC once the proposed off-site parking is approved by the Town. Based on the applicant's coordination with FEC, these leases will need to be terminated once the owner of 105 Center Street executes a lease with FEC.
- Onshore Construction will then sublease the parking spaces from the owner of 105 Center Street. The owner of 935 Town Hall Ave has not indicated they will be subleasing parking spaces.
- The applicant mentions they will tow unauthorized cars. According to the applicant, the FEC lease will allow for towing of vehicles within the lease boundaries. The applicant will need to follow the provisions of their lease and laws applicable to towing.
- The applicant proposes to provide signage that outlines the days and times that parking will be permitted and prohibiting overnight parking. However, a detail of the sign was not provided. Pursuant to Section 27-2832(b)(4) requires that signage be provided that complies with the Town's sign regulations and that indicates the location of the off-site parking. Therefore, **staff recommends a condition of approval requiring a detail of the proposed signage be submitted that meets the Town's sign regulations.**

Site Plan. The proposed development is *not* in conformance with the requirements of Chapter 27 of the Town Code.

- The applicant proposes 11 parking spaces in a row on the north side of the proposed off-site parallel parking area. Pursuant to Section 27-70(3)(c)(1) the maximum number of parking spaces in a row is 10 spaces. Therefore, staff recommends a condition of approval **to revise the site plan to not exceed 10 parking spaces in a row.**
- The applicant proposes a 4' wide sidewalk along the east side of the proposed off-site parallel parking area. Pursuant to the Florida Accessibility Code Section 403.5.3 passing spaces are required when an accessible route is less than 60" in width. The passing spaces shall be in intervals of 200' maximum. Therefore, staff recommends a condition of approval **to revise the site plan to provide the passing spaces or widen the sidewalk to a minimum of 5' in width.**
- The applicant proposes to provide street lighting by adding lights along the west side of Old Dixie. The applicant shows locations of power poles with lights. However, not every power pole has a light fixture. Therefore, staff recommends a condition of approval that **the locations of the street lights to be labeled on the site plan.**
- The applicant is proposing to utilize TrueGrid (a pervious surface) for the off-site parallel parking spaces. Some typical details need to be shown on the site plan associated with the TrueGrid system such as parking space line markers and drainage flow ways. The flow ways are approximately a foot in width will connect the parking spaces at the landscape islands to allow drainage to flow along the edge of the TrueGrid parking area.

Therefore, staff recommends a condition of approval **to show the TrueGrid parking space line markers and flow ways on the road side of the landscape islands.**

- The northern portion of the off-site parking area improvements extend approximately 17 feet north into the residential zoning. The property located at 104 Florida Ave is located in the R1 single family residential zoning district. Pursuant to Section 27-2832(a)(1) off-site parking is permitted only in nonresidential zoning. The Planning and Zoning Commission made a motion to delete staff's recommended condition of approval to reduce the length of the off-site parking area so that the parking area improvements does not extend into residential zoning. In addition, staff recommends a condition of approval to label 104 Florida Ave as R-1 single family residential zoning.
- The Planning and Zoning Commission discussed relocating the proposed crosswalk on N Old Dixie at the intersection of Center Street to be a midblock crossing since concerns were raised about the proposed crossing possibly not being able to meet the ADA standards for sloping because of the existing road grade. According to the Town Engineer, a midblock crossing located a short distance north of Center Street is not recommended due to the proximity to the signalized intersection and the unconventional and unexpected position such a crossing would present to motorists. The Town Engineer also notes that there are some allowances granted for ADA routes within roadway rights-of-way following existing roadway grades and curb line grades, as are established in Public Rights of Way Accessibility Guidelines and Florida Department of Transportation standard plan publications, which may support development of the new north leg intersection crosswalk in a manner that minimizes the amount of roadway reconstruction required. In as much as the new crosswalk will be within the Center Street right-of-way; therefore, the permit for the proposed crosswalk will be subject to review and approval through Palm Beach County permitting processes, at which time the final determination of all permit requirements will be identified.

Landscaping. The proposed development is **not** in conformance with Chapter 23, entitled, "Landscaping".

- The applicant does not propose any trees/palms within the landscape islands and perimeter landscaping.
- According to the applicant, no sizable material is permitted within the lease area. Pursuant to #27 of the existing 2007 lease that Onshore Construction has with FEC, no plants, shrubbery, trees or other vegetation having a height of more than two feet can be placed within 250' from any at grade street crossing (Attachment B – FEC lease). The applicant has not provided any other documentation from FEC that states otherwise. If FEC does not allow any trees/palms east of the proposed parking area then the applicant would be required to get a variance approval prior to the issuance of any development permits.
- For a development with parking on-site, the code requires 1 tree every 25' in a landscape buffer. For parking provided on-street within a right-of-way, the mixed use district established the requirement for on-street parking with a requirement of 1 tree every 50'. Staff finds the standard for the mixed use district is most similar to the proposed on-street parking design.
- Pursuant to Section 23-68(a)(1) "When compatible land uses or zones abut the side and/or rear setback, the required landscape material in the side or rear setback of the perimeter buffer may be relocated to the interior landscape area or other perimeter buffers of the subject property". Therefore, the applicant will need to calculate the

North Old Dixie off-site parallel parking**Staff Report (PZ 20-4420)****Page 9**

number of trees required within the 250' clear zone and provide them within the remainder of the buffer outside of the clear zone.

- The Planning and Zoning Commission made a motion to delete staff's recommended a condition of approval to provide trees and/or palms within the landscape islands and perimeter buffer with a requirement of 1 tree for every 50' and relocate the required trees and/or palms that would have been located within 250' from the at grade street crossing to the portion of the buffer north of the 250' clear zone. The Planning and Zoning Commission's recommendation to delete Condition #8 was in part due to the temporary nature of the off-site parking facility within the FEC lease area.

Site plan criteria.

Section 27-175, contains minimum criteria for review of all development application processed. Upon review of the 12 criteria in Section 27-175, staff finds that the Applicant has satisfied 11 of the 12 criteria.

3) The proposed development is consistent with all applicable land development regulations and other portions of this Code.

Conditions of approval have been added to ensure compliance with the code.

Attachments.

Attachment A – Statement of Use
 Attachment B – Existing FEC Lease with Onshore Construction
 Attachment C – Site plan of previously proposed parking lot
 Attachment D - Variance staff report
 Attachment E – Off-site parking code section

(Contact Peter Meyer at 561-741-2691 or email at peterm@jupiter.fl.us for a copy of this attachment)

File Path.

V:\PlanningZoning\Staff\WP51\PROJECTS\Ferri Via 105 W. Center Street\PZ 20-4420 parallel onstreet parking\Final documents\N Old Dixie Staff Report_v2.docx
 April 29, 2024

**TOWN OF JUPITER STAFF REPORT FOR
ONSHORE CONSTRUCTION**
TOWN MANAGER'S OFFICE



DATE: June 16, 2021
 TO: Honorable Mayor and Members of Town Council
 THRU: Matt Benoit, Town Manager
 FROM: John Sickler, Director of Planning and Zoning
 SUBJECT: **Onshore Construction** – Site plan application to construct a two-story 1,835 square foot office building on a vacant 0.17+/- acre parcel located at 954 N. Old Dixie.

Resolution #20-21 PZ 20-4260 P. Meyer	P&Z Commission: Town Council:	May 11, 2021 June 15, 2021 (quasi-judicial)
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Project name:	Onshore Construction
Property Owner/Applicant:	Onshore Construction and Development Inc., LLC (Daniel Reedy)
Agent:	iPlan & Design
Location:	Located at 954 N. Old Dixie
Acreage:	0.17 +/- acres
Existing uses of the property:	Vacant
Proposed uses:	Office building
Present land use designation:	Commercial
Present zoning:	Center Street/North Alternate A1A Redevelopment Overlay Area (ROA) with an underlying Neighborhood Commercial (C-1) zoning district
Request:	Construct a two-story 1,835 sf office building (see Attachment A – Statement of Use).

Town Council Action

At their June 15, 2021 meeting, the Town Council voted 4-1 to approve Resolution # 20-21 with the addition of condition #12 requiring opaque screening on the west and north property line and Condition #13 requiring a parking study to be performed upon written notification from the Town.

Applicant issues

The applicant has no issues with the recommended conditions of approval in Resolution #20-21.

**Onshore Construction
Staff Report (PZ 20-4260)
Page 2**

Planning and Zoning Commission Recommendation

At their May 11, 2021 meeting, the Planning and Zoning Commission voted (6-1) to recommend approval of the above mentioned project as recommended by staff.

A question was asked by Chair Patel and staff said they would provide follow up after the meeting. The question was: What happens if the office building is constructed, the N. Old Dixie parking area is constructed and then FEC rescinds their lease at a later date and removes the additional Old Dixie parking?

Staff comment: If inadequate parking continued to be an issue, the Town could require a parking demand study that specifies parking solutions per Section 27-2827(c). The Town could then require that a parking solution be implemented to address inadequate parking on N. Old Dixie.

Staff Recommendation

The Department of Planning and Zoning recommends approval subject to the conditions in **Resolution #20-21.**

Project data.

Please find listed below pertinent site plan data and information in reference to the application. The information is as follows:

Table 1: Adjacent Properties

Direction	Existing Land Uses	Future Land Use/Zoning Districts
North	Vacant	Low Density Residential / Single-Family Residential (R-1)
South	Office (Onshore Construction)	Commercial / Neighborhood Commercial (C-1) within the Center Street/North Alternate A1A redevelopment overlay
East	Florida East Coast Railroad	Not Designated / Not Zoned (NZ)
West	Residential	Low Density Residential / Single-Family Residential (R-1)

Table 2: Site plan information

	Zoning district requirements	Owner's proposal
Square footage	n/a	1,835 square feet
Minimum lot area	20,000 square feet	7,262 square feet (0.17 acres) (nonconforming lot)
Minimum width	100 feet	60 feet (nonconforming lot)
Minimum Depth	150 feet	121 feet (nonconforming lot)

Maximum building height	35 feet	27.2 feet
Maximum number of stories	2 stories	2 stories
Minimum green space	40 percent	45.78 percent

Table 3: Setbacks

	<i>Non-conforming setbacks per Section 27-3393</i>	<i>Owner's proposal</i>
Front	40.9 feet	67.5 feet
Side (north)	0 feet	10.5 feet
Side (South)	0 feet	1.5 feet
Rear	24.4 feet	24.4 feet

Table 4: Parking

<i>Parking space requirements</i>	<i>Minimum requirements</i>	<i>Applicant's proposal</i>
Professional office	7 (1 per 250 sf)	7
Handicap parking spaces	1	1
Total	7	7

Table 5: Landscaping

<i>Landscaping</i>	<i>Minimum requirements</i>	<i>Applicant's proposal</i>
Number of perimeter trees	12	12
Percentage of native plant material	50%	54% (trees) 93% (shrubs)
Foundation planting	230 square feet	478 square feet

Table 6: Architectural

<i>Architectural</i> <i>Building colors/type of construction</i>	<i>Owner's proposal</i>
Main Wall	Stucco finish (Chantilly Lace – Benjamin Moore OC-65)
Window Trim	Onyx – Benjamin Moore 2133-10)
Shutters	Stormy Monday (Benjamin Moore 2112-50)
Roof	Metal

Table 7: Signage

<i>Signage Characteristics</i>	<i>Requirements</i>	<i>Applicant's proposal</i>
Freestanding project sign	One	Not proposed
Wall sign	One	Not proposed

Table 8: Traffic

<i>Traffic Performance Standards</i>	<i>Applicant's proposal</i>
Meets Palm Beach County/Town of Jupiter Traffic Performance Standards	Yes

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Table 9: Stormwater Management

Drainage Statement	Applicant's proposal
Satisfies Town of Jupiter Requirements	Yes

Table 10: Pedestrian amenities

<i>Pedestrian amenities for new buildings</i>		
	<i>Pedestrian amenity requirements</i>	<i>Applicant's proposal</i>
Benches	1	1
Trash receptacles	1	Not provided – see condition
Bicycle racks provided	1	1

Background/history

The subject property is a vacant parcel that is a non-conforming lot, due to it not meeting the minimum lot and area dimension regulations of the C-1 zoning district. The property is located on the west side of North Old Dixie approximately 65 feet south of Florida Avenue. See below for history:

- Onshore Construction, the property owner of the subject property (954 N Old Dixie) also owns the two contiguous commercial office buildings to the south (946 and 938 N Old Dixie) that abut the subject property.
- There have been parking conflicts over the years due to multiple factors: N. Old Dixie used for shared access to both commercial and residential, close proximity of existing commercial to residential, commercial uses reserving parking spaces in front of buildings for guests, and large vehicles having difficulty parking in the tight onsite parking lots.
- In 2005, the existing Onshore office building located at 938 N. Old Dixie was approved for a 627 square foot expansion to the existing 1,123 square foot building and a reduction in parking. The reduced parking met code for an office building. In addition, two of the front building parking spaces along Old Dixie are reserved for guests and a portion of the required parking in the rear of the property is used for storage.
- In July 2017, Onshore Construction purchased the subject property.
- A concurrent site plan application has been submitted by the property owner of 105 Center Street to construct 22 on-street parking spaces on FEC property located on the east side of Old Dixie between Center Street and Florida Avenue. The statement of use indicates that a portion of the on-street parking will be sub-leased to Onshore Construction. Refer to the staff report of the concurrent application for additional background.
- The off-site parking proposed on Old Dixie, if approved and constructed, is intended to alleviate the parking issues being experienced in the area at this time.

Analysis.

This section analyzes the land development regulations and notes the application's inability or ability to satisfy all applicable development provisions of the Town Code and Comprehensive Land Use Plan (CLUP). The analysis is as follows:

Comprehensive Plan consistency. The proposed office building is in conformance with the Future Land Use element of the Comprehensive Plan.

C-1 zoning district. Pursuant to the Neighborhood Commercial (C-1) zoning district, the proposed professional office use is a use-by-right. This application could have been considered eligible to be reviewed administratively. However, staff is bringing it through the public hearing process to get public input and Town Council review due to the neighborhood issues with the existing off-site parking associated with the owner's adjacent Onshore Construction business and the occupancy of the use based on the proposed floor plan. In addition, staff had initial building height concerns related to the number of stories which have been recently resolved.

Parking. While the proposed development meets the minimum parking requirement onsite, there is concern that the proposed new office use may further exasperate the issue of inadequate parking that exists on the two adjacent commercial properties to the south, also owned by the applicant and used to run their Onshore Construction business.

- The users of the existing Onshore Construction offices at 946 and 938 N. Old Dixie Highway routinely park across the street, which is indicative of having inadequate parking.
- Staff asked the applicant whether the subject office building is proposed as an expansion of the existing Onshore Construction offices to the south. The applicant's statement of use for the subject office building states it will be used as a "family office for the Reedy family" (See Attachment A – Statement of use).
- The site plan application is for a professional office building and there are no limitations on the whether the office can be used by Onshore Construction, the Reedy family or another office business. However, the title of the plans state "A proposed office building for Onshore Construction".
- The floor plans include 6 individual offices, an open office area (>300 sq. ft.), and reception and lobby areas.
- While the proposed site plan meets the minimum requirement for parking with seven parking spaces based on one space per 250 square feet, there are at least eight work spaces and no additional parking for visitors, which is likely to create more parking demand than can be accommodated in the seven on-site parking spaces. As a result, the proposed use may create more demand for off-site parking similar to what is occurring along the east side of Old Dixie created by the owner's adjacent business.
- Not providing the necessary parking spaces, above the minimum code requirement, to provide adequate parking onsite has the potential to create a public safety issue since it may result in parking occurring off-site in a disorderly manner if the off-site parking area is not constructed. This is not consistent with criteria #5, Section 27-175 entitled "Criteria for site plan review". Criteria #5 states "The proposed development does not create or excessively increase traffic congestion or otherwise affect public safety".
- Staff notes that a concurrent application has been submitted by the owner of 105 Center Street to add on-street parking spaces on the east side of Old Dixie Highway within the FEC ROW.

- The applicant has stated they intend on sub-leasing parking from the owner of 105 Center Street to provide additional parking for the Onshore Construction business. In order to ensure that adequate parking is provided for the proposed use and the existing inadequate parking that is partially generated from the property owner's business, staff recommends a condition of approval to require additional parking off-site. Specifically, **upon submittal of final plans for the proposed office building, the Owner shall provide documentation (e.g. copy of a lease for parking along the east side of Old Dixie) that additional parking will be provided off-site. Prior to issuance of a building permit, the owner shall ensure that all required engineering permits are submitted and approved for the construction of the off-site parking to ensure that prior to the issuance of a Certificate of Occupancy for the building, the off-site parking is constructed.**
- If the concurrent application to construct the off-site parking lot by the owner of 105 Center Street does not get approved and constructed, the property owner (Onshore Construction) could submit a site plan application to construct a smaller parking lot on the portion of land east of their properties, since they already have a lease from FEC (since 2007). Another permanent option under their control would be to construct a parking lot instead of an office building on the subject property at 954 N. Old Dixie.

Site Plan. The proposed development is in conformance with the requirements of Chapter 27 of the Town Code.

- The subject property is considered a nonconforming lot of record. Pursuant to Section 27-3393, entitled "Certain nonconforming and substandard lots" the building setbacks may be reduced proportionally. See the setback table for the required reduced setbacks and the proposed setbacks.
- The applicant does not propose a trash receptacle. Pursuant to Section 27-2883 (Table 1) one trash receptacle is required per 12,500 sf of gross floor area of commercial office as a pedestrian amenity. Staff notes that this trash receptacle is a separate requirement from the trash can that is used for general trash disposal to be picked up curbside by Waste Management. Therefore, **staff recommends a condition of approval to provide a trash receptacle and update the tabular data.**
- The applicant does not propose a dumpster. However, the applicant has provided a letter from Waste Management approving curbside pickup.
- The applicant proposes an ADA accessible walkway in the drive aisle that leads to the proposed sidewalk along Old Dixie from the front door. According to the Town Engineer, it would be safer if the proposed walkway would be located outside of the drive aisle and within the north landscape buffer. However, walkways are only permitted to traverse a landscape buffer but not permitted to run the length of the landscape buffer essentially reducing the width of the buffer. If the applicant was to proceed with the sidewalk in the landscape buffer an application would need to be submitted to reduce the width of the 10' landscape buffer, which is required when commercial abuts residentially zoned properties. The application could be either a variance, small scale planned unit development, or a zoning text amendment. The applicant has not redesigned the ADA walkway and has stated in a letter certified by the architect (See Attachment B) this is the only option due to the non-conforming lot site constraints.

Signage. The applicant does not currently propose any wall or freestanding signage. However, due to the abutting residential to the west and north sides of the property and the residential

nature of the area, staff is recommending conditions of approval to limit the size of future signage. Therefore, staff recommends a condition that the owner:

- **Be permitted one freestanding monument sign with a maximum height of five feet.**
- **Install non-illuminated wall signs facing residential.**

Landscaping. The proposed development is in conformance with Chapter 23, entitled, "Landscaping".

Architecture. The proposed development is in conformance with Chapter 27, Article XI, Division 5, entitled "Architectural and community appearance standards".

- The proposed office building is two-stories with an attic for storage and mechanical equipment. Pursuant to Section 27-533 a maximum of two stories is permitted in the C-1 zoning district. The proposed architectural style is coastal contemporary.
- When the building elevations were initially submitted, the applicant proposed a three story building that was 30' 6" in height, which did not meet the requirements of the district. After several revisions to the building and additional drawings, the proposed building was determined to meet code for number of stories.
- Staff recommends a condition of approval **to limit the use of the attic for storage and mechanical equipment and not to be used for habitable space.**
- The proposed building height is 27 feet 2 inches to the midpoint of the roof. Pursuant to Section 27-2013(1)(c) the building height, scale and massing must relate to the height of abutting buildings. The applicant provided a context plan that shows the existing three-story commercial office building to the south that is approximately 28 feet 4 inches to the midpoint of the roof. In addition, the context plan shows a one story residential home to the west that is approximately 13 feet to the midpoint of the roof. The proposed building is generally consistent with the scale of the adjacent commercial building to the south, but is not consistent with the scale and massing of the existing adjacent one-story residential home. However, the adjacent residential property is located in the R-1 zoning district, which allows a maximum building height of 35 feet and two stories which is the same limitation as the commercial C-1 zoning district.
- The existing building to the south located at 946 N Old Dixie is a three-story building and was constructed in 1981. In 1978 the property was zoned R-1 single family residential which limited the building height to 35 feet. The C-1 zoning district limited the building height to 30 feet and 2 stories. The first floor was constructed to commercial standards and the second floor was built for living quarters. On December 21, 1971, a variance was approved to allow a service business building with one apartment above it. However, the variance had expired and the new owner at the time requested to rezone the property to C-1 zoning which was approved by the Town Council on May 15, 1984.
- The applicant proposes an attic space to be used for storage and for mechanical equipment. It is shown to have a ceiling height of 6 feet 4 inches. Pursuant to the definition of "gross floor area" in Section 27-1, structural headroom of six feet, six inches or more is considered gross square footage. Therefore, since the ceiling height is less than 6 feet 6 inches the attic space is not considered to be gross square footage and not required to be parked.
- The applicant proposes an interior lift to the second floor as opposed to an elevator. Pursuant to the Florida Accessibility Code Section 206.7, the use of a lift in new construction is permitted if it is associated with the following: performance areas and speakers' platforms, wheelchair spaces, incidental spaces, judicial spaces, and existing site constraints. The applicant proposes to work with the Building Department prior to the

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issuance of permits to determine if a lift is acceptable or if an elevator will be required. Therefore, **staff recommends a condition of approval requiring that the floor plans be revised to meet the Building accessibility code Section 206.7 to provide an elevator, if deemed necessary by the Building Department.**

Site plan criteria.

Section 27-175, contains minimum criteria for review of all development application processed. Upon review of the 12 criteria in Section 27-175, staff finds that the Applicant has satisfied 9 of the 12 criteria.

- 3) The proposed development is consistent with all applicable land development regulations and other portions of this Code.
- 5) The proposed development does not create or excessively increase traffic congestion or otherwise affect public safety.
- 12) The proposed development provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

Conditions of approval related to pedestrian amenities and public safety have been included to ensure compliance with the code.

Attachments.

Attachment A – Statement of Use
Attachment B – Certification of design letter
Attachment C – Site plan of previously proposed parking lot
Attachment D – Variance staff report

(Contact Peter Meyer at 561-741-2691 or email at peterm@jupiter.fl.us for a copy of this attachment)

File Path.

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April 29, 2024

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1.0 BUILDING SHALL COMPLY WITH PALM BEACH FIRE RESCUE LOCAL AMBULANCES.

Office #1

Office #2

Office #3

Restroom

Lift

Reception

Covered Entry

Lobby

Stair

90 MINUTE FIRE RATED DOOR

60 MINUTE FIRE RATED DOOR

13'-3" Common Path of Travel

44' Travel Distance

1.0 HOUR RATED MTL STUD/GYP BD. WALL

PHI

UP

GROUND FLOOR - LIFE SAFETY PLAN

SCALE: 1/4" = 1'-0"

1st Floor Plan (Scale: N.T.S.)

Rooms and Areas:

- Office #4
- Office #5
- Office #6
- Restroom
- Lift
- Open Office Area
- Stair (DN)

Key Features and Labels:

- 12' Common Path of Travel
- 60 MINUTE FIRE RATED DOOR
- 90 MINUTE FIRE RATED DOOR
- 2.0 HOUR RATED MASONRY WALL
- 1.0 HOUR RATED MTL STUD/GYP BD. WALL
- 46'-6" Travel Distance
- PH (Phone)
- DN (Down)
- UP (Up)

SECOND FLOOR - LIFE SAFETY PLAN

