



**AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, FEBRUARY 18, 2025
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

PROCLAMATION

1. 2-1-1 Helpline Awareness Month - Ms. Patrice Schroeder - 2-1-1 Palm Beach/Treasure Coast. #
2. Recognizing the Jupiter Police Foundation. #
3. Recognizing Government Communicator's Day. #

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

4. February 4, 2025 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 BUSINESS

5. **Resolution 28-25**, Approving an application of Consumer Price Indexing to the rate for irrigation-quality water sold to the Loxahatchee River District (W2530).
6. **Resolution 31-25**, Authorizing the Jupiter Fire Rescue Department to allocate and use the Florida Plan Funds recovered as a result of the Opioid Litigation.
7. **Resolution 32-25**, Approving a contract to Ahrens Enterprises, Inc. dba Ahrens Companies for Public Works Storage Building Phase II (EPW 2025-09) in an amount not to exceed \$761,840.
8. Approving the purchase of traffic crash and crime scene mapping software from FARO Technologies Incorporated in an amount not to exceed \$87,900.

REGULAR AGENDA

PUBLIC HEARING

9. **Ordinance 1-25, (First Reading), Neighborhood (NB) Subdistrict Signage** - Zoning Text Amendment to modify Section 27-1229, the sign regulations for neighborhood subdistrict. (Second Reading 3/18/25)
10. **Beyel Voluntary Annexation, Future Land Use Map Amendment and Rezoning** - applications for a 0.2+/- acre property located at 18019 Highway A1A.
 - A. Ordinance 2-25, (First Reading)**, Volunteer Annexation. (Second Reading 3/4/25)
 - B. Ordinance 3- 25, (First Reading)**, Future Land Use Map (FLUM) amendment from Palm Beach County (PBC) Commercial High with underlying Medium Residential, 5 dwelling units per acre (CH/5) to Town of Jupiter (TOJ) Inlet Village Flex. (Second Reading 3/4/25)
 - C. Ordinance 4-25, (First Reading)**, Zoning Map amendment from PBC

Commercial Neighborhood (CN) to the TOJ Inlet Village District, Flex South Subdistrict (IVFS). (Second Reading 3/4/25)

- 11. Resolution 5-25, Wendy's -Quasi-Judicial-** Site plan amendment to remove and replace an existing nonconforming fast food restaurant.

REPORTS

TOWN ATTORNEY

TOWN MANAGER

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

ADJOURNMENT

Town Council Future Meetings

March 4, 2025, 7pm - Town Council Chambers

March 18, 2025, 7pm - Town Council Chambers

NOTICE

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

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

= no materials attached *revisions may occur*

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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, FEBRUARY 4, 2025**

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

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 and Town Clerk Laura Cahill.

PRESENTATION

1. Jupiter Fire Rescue Department Update.

Fire Chief Darrel Donatto gave a status update on Jupiter Fire Rescue which included progress in community outreach; personnel; equipment; fire stations; and operational items.

Mr. Scott Reynolds, Director of Finance, presented the budget update including the Center for Public Safety Management (CPSM) report and the fiscal year 2024 expenses and funding. He also explained the fire station construction funding and the projected budget for the next three years.

Fire Chief Donatto continued to discuss key takeaways.

Mayor Kuretski asked what was the expected budget for Fiscal Year 2027.

Mr. Reynolds stated it was \$25 million and had not gone up.

Mayor Kuretski asked if there were set rules for spending accrued impact fees.

Mr. Reynolds said there were restrictions on impact fee funds and noted there were a number of studies that would need to be completed in the following year for impact fee analysis, ambulatory fees, and any fee for plan review. He explained those studies would go before Council, and would also include non-ad valorem assessments.

Mayor Kuretski stated Staff did a phenomenal job implementing the Fire Rescue department and to have it completed by 2026.

Councilor Fore said great job leading and executing by Staff. He asked for a rough estimate of how many Staff members the department may need.

PRESENTATION

1. Jupiter Fire Rescue Department Update.

Fire Chief Donatto stated approximately 100.

Councilor Fore noted the Town had already received over 100 applications.

Fire Chief Donatto said as of last week, there were 158 people listed as interested in working for the Jupiter Fire Rescue. He noted the interest had been high and without advertising.

Councilor Fore stated the Town was in a great place to pick the best when we have more applications than we need.

Councilor Delaney agreed with both Council members and believed the Town would be ready to go before October 1, 2026. He thanked the Staff for all the good work.

Vice-Mayor Sundstrom noted Council had been going to the neighborhood meetings and how far the Town had come. She discussed that at the charter neighborhood meeting at the Community Center, Fire Chief Donatto received a standing applause. She enjoyed seeing the Fire Chief answer questions and hear how Jupiter Police were working with Jupiter Fire Rescue. She thanked the Staff for the clearest presentation regarding finances.

Councilor May thanked Staff for the update. He discussed hazmat response and noted he was trying to differentiate where the Town would receive the hazmat response service from to what the Technical Rescue Team (TRT) would do. He believed the squad truck could be used by TRT for high-end rescue and dive calls.

Fire Chief Donatto stated the plan was to build the truck to incorporate a number of TRT activities. He noted Staff was in discussions with Palm Beach Gardens to partner with them. He mentioned the Town was also looking having a TRT team plus working with Palm Beach Gardens to augment each other's TRT services.

Councilor May supported having the Town's own TRT and asked if there was a timeline for hiring firefighters from the training academy.

Fire Chief Donatto said he was working with the Town Manager to refine the plan as the budget development process was underway. He noted his personal thought that it would be a four-month program and explained it would include training and familiarizing Staff with the Community.

Councilor May offered Staff his assistance.

Ms. Linda McDermott, resident of Chadwick Drive, thanked Staff for the presentation and noted the timeline was excellent. She stated she had concerns about fiscal transparency and asked what would the fiscal year 2026 millage rate be.

PRESENTATION

1. Jupiter Fire Rescue Department Update.

Mayor Kuretski asked if the fire assessment fee would impact the lower ad valorem tax.

Mr. Reynolds stated it would.

Mayor Kuretski clarified that the Town had not made that policy decision, and it would be addressed at public meetings. He asked when were the meetings scheduled.

Mr. Reynolds said that was correct and the public meetings were scheduled for summer 2025. He explained the Town would need to notice the intent to Palm Beach County Property Appraisers by December 30 and noted it was a long study with a number of required public meetings where Council could determine what the fee would be like.

Mayor Kuretski noted he had not made a final decision if the Town should charge a fire assessment fee.

Councilor Fore asked if everyone's net tax bill would go down.

Mr. Reynolds stated the millage would be less.

Vice-Mayor Sundstrom asked if he believed residents were getting confused because they were thinking about the whole tax levy. She explained that when residents see the Jupiter Fire Tax Rate on their bills, they believed it was the Town, but it was the Jupiter Municipal Services Tax Unit (MSTU) and that goes directly to Palm Beach County (PBC). She explained that line would be eliminated on resident's tax bills.

Mr. Reynolds explained that would be discussed during the budget process. He stated the Town would need to notify PBC and pass an Ordinance that we no longer want to participate in the MSTU.

CITIZEN COMMENTS

Ms. Erin Aktas, resident of Royal Palm Circle, discussed the Supervisor of Elections (SOE) and election integrity.

Ms. Linda McDermott, resident of Chadwick Drive, spoke regarding her concern for parking at the upcoming Jupiter Jubilee and increase in the millage rate.

Mayor Kuretski explained the Jupiter High School parking lot would be setup for parking.

CITIZEN COMMENTS

Mr. Frank Kitzerow, Town Manager, said parking information would be displayed on the Town's website for the public.

Mayor Kuretski also noted that ad-valorem tax would not go up. He stated he also supported no fire assessment fee however, would be open to reviewing the benefits.

Ms. Lisa Vreeland, resident of Robinson Street, mentioned the recent candidate forum and suggested residents vote in the upcoming election.

Mr. Rob Roath, resident of Regatta Drive, expressed his support for Jupiter Fire Rescue Department.

MINUTES

2. January 21, 2025 Town Council Meeting Minutes.

Councilor Fore moved to approve January 21, 2025 Town Council Meeting Minutes, as amended; seconded by Councilor Delaney; motion passed.

Kuretski	Sundstrom	Delaney	Fore	May
Yes	Yes	Yes	Yes	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 and Councilor May pulled item 4.

Councilor Delaney moved to approve the Consent Agenda, as amended; seconded by Councilor Fore; motion passed.

Kuretski	Sundstrom	Delaney	Fore	May
Yes	Yes	Yes	Yes	Yes

CONSENT AGENDA

PUBLIC BUSINESS

- 3. Resolution 20-25,** Accepting FEMA and State of Florida matching funds and authorizing the Town Manager to accept and execute documents relating to Hurricane Milton.
- 4.** Approving a piggyback contract with Rep Services, Inc. (RSI) (Agreement No. 2023/2024-284) for playground materials and construction at Indian Creek Park, Jupiter Community Park, and Maplewood Park. **MOVED TO REGULAR AGENDA**
- 5.** Adopting the 2025-2027 Strategic Plan.

END OF CONSENT AGENDA

ITEM REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

4. Approving a piggyback contract with Rep Services, Inc. (RSI) (Agreement No. 2023/2024-284) for playground materials and construction at Indian Creek Park, Jupiter Community Park, and Maplewood Park.

Vice-Mayor Sundstrom asked to view the presentation due to the Community interest regarding park renovations.

Councilor May agreed.

Mr. Mike Hoffmann, Senior Director of Community Services, gave an overview of the item which was the approval of a piggy-back contract through Rep Services Incorporated (RSI) for Clay County and it included the materials and construction services for Indian Creek Park, Jupiter Community Park, and Maplewood Park. He explained funds from the previous year rolled over into the current year and allowed the Town to enhance and renovate the playgrounds. Mr. Hoffmann said the estimated completion of the playgrounds would be in fall 2025.

Mr. Hoffmann explained there was a dedicated webpage that outlined the roadmap to the 11 playgrounds that would be redone over 5 years.

Councilor May asked if Maplewood Parks construction could be delayed until after school was out due to it being highly utilized after school.

Mayor Kuretski said he agreed due to the park being right next to an elementary school and made sense for it to be scheduled outside the school year.

Mr. Kitzerow said the Town would look into it and hopefully be able to accomplish that.

Mr. Hoffmann presented the Jupiter Playground Renovations Roadmap webpage and went over the timeline and the interactive map feature which showed a preview of the projected playground renderings and features.

Mayor Kuretski asked Mr. Hoffmann to speak about Indian Creek being chosen as the flagship playground location.

Mr. Hoffmann explained it was a frequently used playground in a central location.

Mayor Kuretski added that extra amenities were chosen for that playground due to knowing more people traveled to that park.

Mayor Kuretski asked about the Imagination Station and if that could be incorporated.

Mr. Hoffmann said he would look into it.

ITEM REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

4. Approving a piggyback contract with Rep Services, Inc. (RSI) (Agreement No. 2023/2024-284) for playground materials and construction at Indian Creek Park, Jupiter Community Park, and Maplewood Park.

Councilor May agreed that it would be nice to have an ode to the original imagination station.

Mr. Hoffman continued reviewing Playground Renovation Roadmap.

Councilor Fore asked if an emergency call boxes could be added.

Vice-Mayor Sundstrom said the Jupiter Fire Rescue Department was actively looking researching that.

Mr. Kitzerow said they would look into it.

Vice-Mayor Sundstrom said the previous renderings were not as detailed and heard from residents the needed to prioritize both equipment and shade. She explained the budget was then increased to address those concerns and would be major improvements to the current Town parks. Vice-Mayor Sundstrom thanked Staff for the improvements.

Councilor Delaney agreed and thanked Staff.

Mayor Kuretski thanks Vice-Mayor Sundstrom and Councilor Delaney for pulling the item and going forward to automatically do a presentation.

Vice-Mayor Sundstrom moved to approve a piggyback contract with Rep Services, Inc. (RSI) (Agreement No. 2023/2024-284) for playground materials and construction at Indian Creek Park, Jupiter Community Park, and Maplewood Park; seconded by Councilor May; motion passed.

Kuretski
Yes

Sundstrom
Yes

Delaney
Yes

Fore
Yes

May
Yes

REPORTS

TOWN ATTORNEY – NONE

TOWN MANAGER

- Playground Team – Mr. Kitzerow thanked Mr. Mike Hoffmann, Ms. Kristen George, and their team for all the hard work regarding the playgrounds.
- Jupiter Fire Department - Mr. Kitzerow thanked the leadership team for their efforts regarding the Fire department.

REPORTS

TOWN MANAGER

- AEDs at the Jupiter Lighthouse - Mr. Kitzerow stated Staff met with management at the lighthouse and were just waiting for approval from them to proceed with installing the AED.
- Toney Penna Traffic Signal - Mr. Kitzerow mentioned there was a letter on the dais that was sent to the County Administrator regarding the traffic signal at Toney Penna and Central Boulevard.
- Jupiter Jubilee - Mr. Kitzerow stated the Jupiter Jubilee was on Saturday, February 8, 11am-4pm at the Municipal complex. He thanked Ms. George, her Team, and Captain Scott Kimbark for their efforts regarding the event.
- Mr. King Wekenmann 50 years of service – Mr. Kitzerow recognized Mr. Wekenmann for his 50 years of service to the Town.
- Sawfish Bay Park Marine Restoration Phase Two - Mr. Kitzerow stated Planning and Zoning Staff completed the second phase of the Sawfish Bay Park Marine Restoration focusing on extending the natural rock and planting mangroves. He added the project was in support of the Strategic Initiative to “Protect Local Seagrass and the Loxahatchee River”.
- Legacy of Light: 100 Years of Jupiter Art Exhibition - Mr. Kitzerow encouraged everyone to visit the Art Committee’s new exhibit which was on display through March 9th at the Jupiter Community Center.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

VICE-MAYOR SUNDSTROM

- Jupiter Jubilee – Vice-Mayor Sundstrom thanked Ms. George and her Team for all their hard work regarding all the events Recreation puts on, including the Jubilee.

COUNCILOR DELANEY

- Jupiter Cove Condominium – Councilor Delaney stated the Florida Department of Transportation (FDOT) had made an agreement to place a natural landscape buffer against the road. He stated he wanted make sure there was follow up on the project to make sure it happened.

COUNCILOR FORE

- Jupiter Jubilee – Councilor Fore also thanked Ms. George and her Team for all their hard work.
- Riverside Drive sign – Councilor Fore thanked Staff for removing the “no right turn” sign on Riverside Drive. He mentioned his safety concerns regarding cars stopping on the train tracks.

Mr. Kitzerow added police officers were at the location working traffic and educate drivers.

REPORTS

TOWN MANAGER

- Ms. Kristin George 25 Years of Service - Mr. Kitzerow recognized Ms. George's 25 years of service with the Town.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR FORE

- Transparency – Councilor Fore spoke about the Town's complete transparency.

MAYOR KURETSKI

- Dispatch – Mayor Kuretski asked the Town Manager to speak regarding the Town's intentions regarding dispatch and the municipal dispatch.

Mr. Kitzerow stated the Town was working on an agreement with Palm Beach County Fire dispatch to work through them. The Town would then look at response times and evaluate future options. He also mentioned integrating with Police.

ADJOURNMENT – 9:01 P.M.

Laura Cahill, Town Clerk

TOWN OF JUPITER
Application of Consumer Price Indexing to the rate for irrigation-quality water sold to the Loxahatchee River District



DATE	February 18, 2025
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	Amanda Barnes, Utilities Director
SUBJECT	Resolution No. 28-25: Application of Consumer Price Indexing to the rate for irrigation-quality water sold to the Loxahatchee River District (W2530)

EXECUTIVE SUMMARY

Consideration for approval of an annual index rate adjustment of 2.9% to the Town's current rate for supplying irrigation-quality water to the Loxahatchee River District (LRD). This adjustment is in accordance with the Interlocal Agreement between the Town and the LRD for enhanced intergovernmental coordination with respect to regional water supply for the public's benefit.

Since 2006, the Town has sold irrigation-quality water to the Loxahatchee River District to augment and blend with their waste water reuse supply. Before the Town placed the nanofiltration (NF) membrane treatment plant into service in 2010, irrigation-quality water consisted of untreated surficial aquifer raw water. Since 2010, the Town's irrigation-quality water supply has primarily consisted of NF concentrate, the concentrated by-product water produced by treating surficial aquifer raw water through the NF membrane process. On average, the daily supply of NF concentrate sold to the LRD during 2024 was nearly 1.9 million gallons per day.

Adoption of the original Interlocal Agreement between the Town and the LRD was accomplished by Town Resolution No. 51-06 in 2006 and then subsequently modified by amendment in 2012 by Resolution No. 30-12. Both the original Interlocal Agreement and the First Amendment contain a provision for annual adjustment of the irrigation-quality water rate based on the annual percentage change in the Consumer Price for All Urban Consumers Index (CPI-U), to keep rates current with the cost of service and reduce occurrences of large one-time rate increases. The annual percentage change in the CPI-U for the Year 2024 as reported by the U.S. Bureau of Labor Statistics is published as 2.9%. This adjustment when applied to the Town's current irrigation-quality water rate results in an increase of \$0.0099 per 1,000 gallons. The approximate rate impact to the LRD for Year 2025 would be as follows, assuming no change in average daily supply.

2024 Current Rate: \$0.3401/1,000 gallons
2025 Proposed Rate: \$0.3500/1,000 gallons
2024 Average Daily Supply: 1,888 kgpd

2024 Estimated Annual Revenue: \$0.3401/1,000 gal x 1,888 kgpd x 365 days = \$234,370
2025 Estimated Annual Revenue: \$0.3500/1,000 gal x 1,888 kgpd x 365 days = \$241,192

The net increase in annual revenue as a result of the proposed rate indexing for NF Concentrate is estimated to be \$6,822. The proposed rate adjustment, which is consistent with the Interlocal Agreement, has been conveyed to LRD staff, and they support the rate adjustment as being in compliance with the current agreement.

The Town's current agreement with the LRD for supplying irrigation-quality water will expire in June 2026. The deep injection well, which is currently under construction, will be the Town's primary source of disposal of NF concentrate once put into service. Pilot testing to re-purpose NF concentrate as a blended source of water for the reverse osmosis plant continues to be explored. Town Utility staff and the LRD staff have discussed the possibility of revising the Interlocal Agreement to allow for NF concentrate to be delivered from the Town to the LRD during such times as each entity may have a need.

ANALYSIS

Consistent with the rate maintenance provisions included in the Interlocal Agreement and the First Amendment to the Interlocal Agreement accepted by the LRD and adopted by the Town Council through Resolution Nos. 51-06 and 30-12, application of the CPI-U index to the current irrigation-quality water rates provides a new rate of \$0.3500/1,000 gallons. The provision for an annual rate adjustment is intended to keep rates current with the cost of service and reduce the occurrences of large, one-time rate increases.

STRATEGIC PRIORITY

- Fiscal Responsibility

ATTACHMENTS

1. Resolution No. 28-25
2. US BLS News Release Consumer Price Index for All Urban Consumers, 2024 Annual Percentage Increase

FUNDING SOURCE

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

*Funding is not necessary for this request.

For more information or copies of the attachments, please contact Haley Johnson at HaleyJ@jupiter.fl.us and/or 561-741-2469.

RESOLUTION NO. 28-25

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, APPROVING AN ADJUSTMENT OF IRRIGATION-QUALITY WATER RATES IN ACCORDANCE WITH THE U.S. BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS.

WHEREAS, the Town Council of the Town of Jupiter has created and manages a municipal utility system; and

WHEREAS, Town of Jupiter entered into an Interlocal Agreement with the Loxahatchee River District for enhanced intergovernmental coordination with respect to regional water supply for the public's benefit through adoption of Town of Jupiter Resolution Nos. 51-06 and 30-12, the Interlocal Agreement and First Amendment to the Interlocal Agreement; and

WHEREAS, the referenced Resolutions provide for an annual adjustment to the irrigation-quality water rate based on the annual percentage change in the Consumer Price Index (CPI); and

WHEREAS, the United States Bureau of Labor Statistics has promulgated the Consumer Price Index-All Urban Consumer (CPI-U) to off-set inflationary impacts and to assist in keeping water and sewer rates current with costs of service.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA:

Section 1. United States Bureau of Labor Statistics has published the 2024 annual percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) as 2.9%. When applied to the Town's current monthly irrigation-quality water rate of \$0.3401 per 1,000 gallons, this indexing results in an increase of \$0.0099 per 1,000

gallons and an adjusted new rate of \$0.3500 per 1,000 gallons. The Town Council hereby ratifies and adopts the 2.9% price index increase for irrigation-quality water to their rates in accordance with the U.S. Bureau of Labor Statistics Consumer Price Index.

Section 2. The Consumer Price Index increase shall be levied as part of the next available billing cycle subsequent to the adoption of this Resolution.

Section 3. This Resolution shall take effect immediately upon its execution.

2/18/2025

Databases, Tables & Calculators by Subject

Change Output Options:

From: 2024

To: 2024

GO

include graphsinclude annual averages

[More Formatting Options](#)

 [Special Notices](#) 4/25/2024

Data extracted on: January 22, 2025 (10:05:19 AM)

Consumer Price Index for All Urban Consumers (CPI-U)

Series Id:

CUUR0000SA0

Not Seasonally Adjusted

Series Title:

All items in U.S. city average, all urban consumers, not seasonally adjusted

Area:

U.S. city average

Item:

All items

Base Period:

1982-84=100

Download:  [.xlsx](#)

Year	Dec
2024	315.605

12-Month Percent Change

Series Id:

CUUR0000SA0

Not Seasonally Adjusted

Series Title:

All items in U.S. city average, all urban consumers, not seasonally adjusted

Area:

U.S. city average

Item:

All items

Base Period:

1982-84=100

Download:  [.xlsx](#)

Year	Dec
2024	2.9

TOWN OF JUPITER
Authorizing the JFRD to allocate and use the FL Plan Funds



DATE	February 18, 2025
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	Darrel Donatto, Fire Chief
SUBJECT	Resolution 31-25 authorizing the Jupiter Fire Rescue Department to allocate and use the Florida Plan Funds recovered as a result of the Opioid Litigation.

EXECUTIVE SUMMARY

Staff requests the Town Council to authorize Jupiter Fire Rescue Department to allocate and use the Florida Plan Funds to abate and resolve the opioid epidemic. As of fiscal year 2025, the Town of Jupiter has received a total amount of \$85,423.55. Jupiter Fire Rescue Department has two projects for fiscal year 2025. The Opioid Prevention Educational Program is an instructional program that provides education on bystander treatment for an opioid overdose patient. The skills include utilization of Narcan intranasal medication administration, CPR, rescue breathing, choking, and AED operations. The funds will be used to purchase manikins, AV equipment, software, Narcan trainers, various accessories, and certification cards from the American Heart Association and American Red Cross. The Fire Rescue Department staff vehicle AED/first aid kits will provide the marked staff vehicles with AED, first aid supplies, and Narcan. These kits will provide staff with essential first aid equipment to be able to provide support to unresponsive patients in cardiac arrest or respiratory depression.

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

ANALYSIS

Florida Attorney General and lawyers representing various local governments involved in the Opioid Litigation have proposed a unified plan for allocating and using prospective funds received regarding the settlement of the Opioid Litigation. A Memorandum of Understanding (the "Florida Plan") has been prepared, setting forth a non-binding framework for a unified plan for the proposed allocation and use of the funds received from the settlement of the Opioid Litigation. The Town of Jupiter approved participation in the Florida Plan and received the allocated funds. If the spending outlined in this resolution is authorized by the Town Council, the Jupiter Fire Rescue Department will use the funds to abate and resolve the opioid epidemic.

STRATEGIC PRIORITY

- Safety
- Organizational Excellence
- Fiscal Responsibility

ATTACHMENTS

1. Resolution 31-25

FUNDING SOURCE

Approved in Budget \$

Sources:

Additional Funding Requested \$

Sources:

*Funding is not necessary for this request.

For more information or copies of the attachments, please contact Shirley Saunier at ShirleyS@jupiter.fl.us or 561-741-2456.

RESOLUTION NO. 31-25

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AUTHORIZING THE JUPITER FIRE RESCUE DEPARTMENT TO ALLOCATE AND USE THE FLORIDA PLAN FUNDS RECOVERED AS A RESULT OF THE OPIOID LITIGATION.

WHEREAS, the Town of Jupiter (Town) has suffered harm from the opioid epidemic; and

WHEREAS, the Town recognizes that the entire State of Florida has suffered harm as a result of the opioid epidemic; and

WHEREAS, as a result of a settlement agreed to by the Florida Attorney General and lawyers representing various local governments involved in the Opioid Litigation have recovered monies which can be allocated to certain programs pursuant to a proposed unified plan for their allocation and use; and

WHEREAS, a Memorandum of Understanding (the “Florida Plan”) has been prepared, setting forth a non-binding framework for a unified plan for the proposed allocation and use of the funds received from the settlement of the Opioid Litigation; and

WHEREAS, the Town Council has previously approved the Town’s participation in the Florida Plan and is therefore eligible to receive funds; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA:

Section 1. The Jupiter Fire Rescue Department (JFRD) has identified as set forth in sections 2 and 3, below, two projects that meet the criteria for the use of funds the Town will receive from the Florida Plan.

Section 2. The JFRD has recommend that the funds received be allocated to an Opioid Prevention Educational Program which will instruct JFRD paramedics on the assessment and treatment of opioid overdoses. The JFRD recommends that the funds

received be used to cover the projected cost to purchase manikins, AV equipment, software, Narcan trainers, various accessories, and certification cards with the American Heart Association or American Red Cross.

Section 3. The JFRD also recommends that the funds be used to cover the projected cost to purchase vehicle AED/first aid kits, including AEDs, first aid supplies, and Narcan, to be allocated to marked JFRD vehicles.

Section 4. The Town Council hereby authorizes the use of Florida Plan funds received as recommended by JFRD.

Section 5. This resolution shall become effective immediately upon execution.

#6013441 v1 26503-00001

TOWN OF JUPITER
Approval of Contract EPW 2025-09 for the Public Works Storage Building Phase II



DATE	February 18, 2025
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	Roger Held, Senior Director of Community Development
SUBJECT	Approval of Resolution 32-25 for the award of Contract EPW 2025-09, Public Works Storage Building Phase II to Ahrens Enterprises, Inc. dba Ahrens Companies in an amount not to exceed \$761,840.00.

EXECUTIVE SUMMARY

Town staff is providing Resolution 32-25 for consideration by Town Council for approval of the award of Contract EPW 2025-09, Public Works Storage Building Phase II, to Ahrens Enterprises, Inc. dba Ahrens Companies (Ahrens Companies) in an amount not to exceed \$761,840.00.

The project scope consists of but is not limited to construction of a 3,000 square foot storage pre-engineered metal building, site grading, clearing and grubbing, reinforced concrete foundation construction, electrical work, and an ADA base rock path.

The Engineering Division issued a Request for Qualifications (RFQ) package containing plans, specifications, and an Invitation to Propose. The RFQ package outlined the minimum submission criteria for interested firms. The firms were required to provide their qualifications, experience, a project implementation schedule based on Town's critical completion deadline, and a bid to be provided on the Town's Proposal Forms.

The Contract proposed for this project is the Engineering Division's C1 Contract standard form. The Town Attorney has reviewed the attached contract and finds it to be in acceptable form.

ANALYSIS

Four Statements of Qualifications and Proposal packages were received and opened for the subject project on January 14, 2025 (please see attached Bid Tabulation). The apparent low bidder, SoCal Shaker Plates and Construction Site Services, had a bid of \$729,100.00. While reviewing the submittal package, staff found SoCal Shaker Plates and Construction Site Services' project schedule did not meet the Town's critical project deadline of the building being available for use by June 1, 2025. For that reason, Town staff determined that the Ahrens Companies is the lowest, most responsive, and responsible bidder that was the closest to meeting the Town's critical project deadline with a total bid amount of \$761,840.00. Town staff contacted references provided by Ahrens Companies and received positive feedback on the quality of their work and the timely completion of their projects. Also, it should be noted that the Ahrens Companies installed the previous Public Works Storage Building that is located east of the proposed project site.

The pre-engineered metal building is being constructed to meet Risk Category IV criteria, which

will allow for the storage of critical assets and materials during hurricane events. This structure is part of the Town's ongoing hurricane preparedness to ensure adequate response capability.

Town staff has reviewed the bids and conducted the solicitation process in accordance with the Town's purchasing policy.

In the event Town Council approves Resolution 32-25 for approval of the award of Contract EPW 2025-09, Public Works Storage Building Phase II to Ahrens Enterprises, Inc. dba Ahrens Companies for an amount not to exceed \$761,840.00, the Mayor will be authorized to execute the Contract on its behalf.

STRATEGIC PRIORITY

- Organizational Excellence

ATTACHMENTS

1. Resolution 32-25
2. Bid Tabulation
3. Draft Contract

FUNDING SOURCE

Approved in Budget	\$761,840.00	Sources: 31031041 - 562000 - E2200, Public Works Maintenance Facilities Renovations
Additional Funding Requested	\$	Sources:

*Funding is not necessary for this request.

For more information or to request attachments, please contact Heather Keys at heatherk@jupiter.fl.us and/or 561-741-2737.

RESOLUTION NO. 32-25

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA FOR THE AWARD OF CONTRACT EPW 2025-09, PUBLIC WORKS STORAGE BUILDING PHASE II TO AHRENS ENTERPRISES, INC. DBA AHRENS COMPANIES IN AN AMOUNT NOT TO EXCEED \$761,840.00 AND TO AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT ON ITS BEHALF.

WHEREAS, the Town of Jupiter (Town) is a municipality with those powers and responsibilities enumerated in Chapter 166 Florida Statutes and the Florida Constitution; and

WHEREAS, the Town is empowered to enter into contractual arrangements with public agencies, private corporations, or other persons; and

WHEREAS, the Town's Engineering and Public Works Department solicited bids for EPW 2025-09, Public Works Storage Building Phase II; and

WHEREAS, the scope of work consists of but is not limited to construction of a 3,000 square foot storage pre-engineered metal building, site grading, clearing and grubbing, reinforced concrete foundation construction, and an ADA base rock path; and

WHEREAS, based on the review of statements of qualifications and bid packages by Town staff, Town Council has determined that Ahrens Enterprises, Inc. dba Ahrens Companies is qualified to provide the services sought by the Town; and

WHEREAS, the Town Council has determined that it should award Contract EPW 2025-09 in an amount not to exceed \$761,840.00 to Ahrens Enterprises, Inc. dba Ahrens Companies; and

WHEREAS, the Town has sufficient funds in its Community Investment Program budget which are available for the funding of the Project.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA:

Section 1. The foregoing recitals are incorporated herein.

Section 2. The Mayor is hereby authorized to execute the Contract with Ahrens Enterprises, Inc. dba Ahrens Companies in an amount not to exceed \$761,840.00.

Section 3. This Resolution shall take effect immediately upon its execution.

BID TABULATION
EPW 2025-09 PW STORAGE BUILDING PHASE II
EPW 2025-09
TOWN OF JUPITER

CONTRACTOR NAME & ADDRESS	TOTAL BASE BID SUM	REVIEWED CALCULATED BID
Ahrens Company 1461 Kinetic Road, Lake Park, FL 33403	\$ 761,840.00	\$ 761,840.00
Cooper Construction Management 354 Hiatt Dr. Suite 140, Palm Beach Gardens, FL 33418	\$ 1,240,408.00	\$ 1,240,408.00
Persons Services Corp 1835 S. Perimeter Rd, Suite 175, Fort Lauderdale, FL 33309	\$ 2,090,070.00	\$ 1,110,070.00
SoCal Shaker Plates & Construction Site Services LLC 27475 Ynez Rd #389, Temecula, CA 92591	\$ 729,100.00	\$ 729,100.00

EPW 2025-09
CONTRACT
BETWEEN THE
TOWN OF JUPITER
AND
AHRENS ENTERPRISES, INC.

THIS CONTRACT, made this 18th day of February 2025, by and between the Town of Jupiter, a public corporation of the State of Florida, hereinafter designated as "the TOWN", and Ahrens Enterprises, Inc. dba Ahrens Companies, 1461 Kinetic Rd, Lake Park, FL 33403, a Florida Corporation, FEID Number 65-0297589 hereinafter designated as "the CONTRACTOR".

WITNESSETH THAT

WHEREAS, the TOWN is a municipality and given those powers and responsibilities enumerated by Chapter 166 Florida Statutes and the Florida Constitution; and

WHEREAS, the TOWN is empowered to enter into contractual arrangements with public agencies, private corporations or other persons, pursuant to Florida Statutes; and

WHEREAS, the TOWN desires the services of a qualified and experienced contractor to provide construction services; and

WHEREAS, the TOWN solicited and received Proposals on January 14, 2025 for the Construction of the PUBLIC WORKS STORAGE BUILDING PHASE II, Palm Beach County, Florida; and

WHEREAS, the CONTRACTOR has responded to the TOWN'S solicitation and the CONTRACTOR is qualified and willing to provide said services; and

WHEREAS, the TOWN has found the CONTRACTOR'S response to be acceptable and wishes to enter into a CONTRACT; and

WHEREAS, the TOWN has budgeted funds in its current fiscal year budget which are available for the funding of this CONTRACT;

NOW, THEREFORE, the TOWN and the CONTRACTOR in consideration of the benefits flowing from each to the other do hereby agree as follows:

1. STATEMENT OF WORK

The CONTRACTOR shall furnish all materials, tools, labor, equipment, and other necessary items for the performance of the work, and shall perform the required work in accordance with the CONTRACT Documents for CONTRACT No. EPW 2025-09 entitled PUBLIC WORKS STORAGE BUILDING PHASE II, Palm Beach County ("Project").

- 1.1. CONTRACTOR shall provide the TOWN with a copy of its license to do business as a General Contractor in the State of Florida, and also shall provide the Town with a copy of its Palm Beach County Local Business Tax Receipt prior to commencing any work under the CONTRACT. In lieu of a Palm Beach County issued Local Business Tax Receipt and in accordance with Florida Statutes 205.065, a current Department of Professional Regulation certificate shall be provided with a copy of the Local Business Tax Receipt of the CONTRACTOR'S permanent business location's county/city.
- 1.2. Examine the CONTRACT Documents and the site of the proposed work carefully before submitting a proposal for the work contemplated. Investigate the conditions to be encountered, as to the character, quality, and quantities of work to be performed and materials to be furnished and as to the requirements of all CONTRACT Documents.

2. CONTRACT TERM, PERIOD OF PERFORMANCE AND LIQUIDATED DAMAGES

- 2.1. Unless extended or terminated, the period of performance of this CONTRACT shall commence upon the effective date of the Notice to Proceed and continue for a period of **One Hundred Twenty-One (121)** calendar days. The CONTRACTOR shall not proceed with work under this CONTRACT until a written Notice to Proceed is received from the TOWN.
- 2.2. The parties agree that the TIME IS OF THE ESSENCE, in the performance of each and every obligation under this CONTRACT. The CONTRACT period of performance may only be changed by a supplemental agreement or written time extension.
- 2.3. Failure to complete the Project within the time fixed in this CONTRACT will result in substantial injury to the TOWN. As damages arising from such failure cannot be calculated with any degree of certainty, it is hereby agreed that if the project is not completed with the time fixed or within such further time, if any, as may be authorized in accordance with the CONTRACT documents, the CONTRACTOR shall pay to the TOWN as Liquidated Damages for such delay, and not as a penalty, **Three Hundred Seventy-Five Dollars and No Cents (\$375.00)**, for each and every calendar day elapsing between the date fixed for completion and the date such completion shall have actually occurred.
- 2.4. This provision of Liquidated Damages for delay shall in no manner affect the TOWN's right to terminate the CONTRACT. The TOWN's exercise of the right to terminate shall not release the CONTRACTOR from his obligation to pay Liquidated Damages. It is further agreed that the TOWN may deduct from the balance of the CONTRACT sum held by the TOWN the Liquidated Damages stipulated herein or such portions as said balance will cover.

3. CONSIDERATION

- 3.1. The consideration for the full and complete performance under this CONTRACT, subject

only to such additions and deductions as are agreed to by the parties in writing, shall be an amount not to exceed Seven hundred Sixty-One Thousand, Eight Hundred Forty Dollars and No Cents (\$761,840.00).

- 3.2. The aggregate CONTRACT price, as stated above, includes the specific indemnification consideration required under Section 725.06, Florida Statutes. By including such specific consideration in addition to other good and valuable considerations, paid by the TOWN, the receipt of which is acknowledged by the CONTRACTOR, the parties agree that they have complied with the requirements of Section 725.06, Florida Statutes, if applicable, for the indemnification agreement in Paragraph 5 of this CONTRACT.
- 3.3. Pursuant to Section 287.055(5)(a), Florida Statutes, the signature on this CONTRACT by an authorized agent of the CONTRACTOR, serves as the execution of a truth-in-negotiation certificate, stating that wage rates and other factual unit costs supporting the consideration are accurate, complete, and current at the time of contracting. The CONTRACTOR agrees that the TOWN may adjust the consideration of this CONTRACT to exclude any significant sums by which the consideration was increased due to inaccurate, incomplete, or non-current wage rates and other actual unit costs. The TOWN may make any such adjustment within the term of this CONTRACT.

4. CONTRACT DOCUMENTS

The CONTRACT Documents listed below are incorporated herein by reference and shall become a part of this CONTRACT as though physically attached as a part hereof, and all documents in this CONTRACT shall be interpreted together to yield the most consistent results to achieve the purpose of the Project:

- 4.1. This Document and all amendments and addendums thereto.
- 4.2. CONTRACT plans for EPW 2025-09, PUBLIC WORKS STORAGE BUILDING PHASE II, consisting of conceptual plans prepared by Hazen and Sawyer, Inc. from the Design and Construction Criteria Packages provided for this project. The Design-Builder shall use the conceptual plans, additional information supplied in the RFQ Package, information gathered in future design meetings, and technical expertise to compose final construction plans/specifications for this project.
- 4.3. Supplemental Agreements and Unilateral Payments, Addendum, Supplemental Conditions, Technical Special Provisions, Technical Specifications, General Conditions, Town Modified Standard Specifications, FDOT Standard Specifications for Road and Bridge Construction, Town Standard Details, and FDOT Standard Plans for Road and Bridge Construction.
- 4.4. Invitation to Proposal, Instructions to Proposers, Proposal Forms, and Post Award Forms
- 4.5. Performance and Payment Bonds for CONTRACT work

5. INDEMNIFICATION

- 5.1. For \$100.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged as part of the first payment for services, the CONTRACTOR shall indemnify, defend, and save harmless the TOWN, its elected

officials, agents, guests, invitees and employees, from all suits, actions, claims, demands, damages, losses, expenses, including attorney's fees, costs and judgments of every kind and description to which the TOWN, its agents, guests, invitees, or employees may be subjected by reason of personal injury, bodily injury including death, or property damage, resulting from or growing out of any intentional, negligent, reckless, or careless act of commission, omission, or consequential damage directly or indirectly connected with the CONTRACTOR, its subcontractors, its agents, or employees, and committed in connection with this CONTRACT, CONTRACTOR'S performance hereof, or any work performed hereunder.

- 5.2. The CONTRACTOR shall indemnify, defend, and save harmless the TOWN, its agents, or employees from and against all claims, demands, actions, suits, damages losses, expenses, costs, including attorney's fees, and judgments of every kind and description arising from, based upon, or growing out of the violation of any Federal, State, county or city law, by-law, ordinance of regulation by the CONTRACTOR, its agents, trainees, invitees, servants or employees. The CONTRACTOR further acknowledges that it is solely responsible for ensuring the safety of the premises to protect its employees, subcontractors, invitees, licensees and all other persons during the course of the work, and agrees to hold and save the TOWN harmless against all claims involving alleged negligence by the TOWN in failing to adequately ensure the safety of the site or otherwise ensure compliance with the CONTRACT.
- 5.3. The CONTRACTOR agrees to indemnify, defend, save and hold harmless the TOWN, its officers, agents, and employees, from all claims, damages, losses, liabilities and expenses arising out of any alleged infringement of copyrights, patent rights and/or the unauthorized or unlicensed use of any material, property, or other work in connection with the performance of the CONTRACT.
- 5.4. CONTRACTOR shall pay all losses, claims, liens, settlements, or judgments of any nature whatsoever in connection with the foregoing indemnification, including but not limited to, reasonable attorney's fees (including appellate attorneys' fees and costs).
- 5.5. TOWN reserves the right to select its own counsel to conduct any defense in any such proceedings and all costs and fees associated therewith shall be the responsibility of the CONTRACTOR under the indemnification agreement set forth herein. Nothing contained herein is intended nor shall it be construed to waive TOWN's rights and immunities under the common law or Florida Statute 768.28, as amended from time to time.
- 5.6. Guaranty of Payment for Claims: The CONTRACTOR guarantees the payment of all just claims for materials, supplies, tools, or labor and other just claims against him or any subcontractor, in connection with the CONTRACT. The TOWN'S final acceptance and payment does not release the CONTRACTOR'S bond until all claims are paid or released.

6. GRATUITIES

The CONTRACTOR hereby warrants that he has not, during the bidding process or, during the term of this CONTRACT, offered to pay any officer, employee or agent of the TOWN, anything of value including, but not limited to gifts, loans, rewards, promises of future employment, favors or services, based on the understanding that the actions, decision or judgments of such officer, employee, or agent would be influenced thereby. In the event of a breach of this provision, the

TOWN may terminate this CONTRACT without liability and, at its sole discretion, deduct or otherwise recover the full amount of such fee, commission, percentage, gift, or other consideration.

7. LAW VENUE

The laws of the State of Florida shall govern all aspects of this CONTRACT. In the event it is necessary for either party to initiate legal action regarding this CONTRACT, venue shall be in the Fifteenth Judicial Circuit for claims under state law and in the Southern District of Florida for any claims which are justifiable in federal court.

8. CONTRACT AMENDMENTS

This contract may be amended only with the prior written approval of the parties.

9. NO ASSIGNMENT

The CONTRACTOR shall not assign, delegate, or otherwise transfer its rights and obligations as set forth in this CONTRACT without the prior written consent of the TOWN.

10. ATTORNEY FEES

If either party utilizes legal action, including appeals, to enforce this CONTRACT, the prevailing party shall be entitled to recover its reasonable attorney's fees and costs.

11. INDEPENDENT CONTRACTOR

The CONTRACTOR is an independent contractor and is not an employee or agent of the TOWN. Nothing in this CONTRACT shall be interpreted to establish any relationship other than that of an independent contractor, between the TOWN AND THE CONTRACTOR, its employees, agents, subcontractors, or assigns, during or after the performance of this CONTRACT. The CONTRACTOR is free to provide similar services to others.

12. FUNDING

In the event that sufficient budgeted funds are not available for a new fiscal period, the TOWN shall notify the CONTRACTOR of such occurrence and the CONTRACT shall terminate on the last day of the current fiscal period without penalty or expense to the TOWN.

13. RIGHT TO AUDIT

The TOWN reserves the right to audit the CONTRACTOR's records as such records relate to the services and the CONTRACT between the TOWN and the CONTRACTOR. All records shall be kept in a way so as to permit inspection pursuant to Chapter 119, Florida Statutes. The records of the CONTRACTOR shall be retained for three (3) years from the date of final payment.

14. RISK OF LOSS

The risk of loss or destruction to the project, or any portion and/or element thereof, regardless of the cause of the casualty, shall be borne solely by the Contractor until all goods and materials to be used in the work are incorporated into the Project at the Project site for its intended purpose and use and final inspection, acceptance and payment for the Project has been made by the Town. Title

to the goods shall pass to the Town upon delivery and final acceptance of the entire Project by the Town, notwithstanding the fact that periodic payments may have been made during the course of the contract.

15. FORCE MAJEURE

Notwithstanding any provisions of this Contract to the contrary, the parties shall not be held liable if failure or delay in the performance of this Contract arises from fires, floods, strikes, embargoes, acts of the public enemy, unusually severe weather, outbreak of war, restraint of Government, riots, civil commotion, Force Majeure, Act of God, or for any other cause of the same character which is unavoidable through the exercise of due care and beyond the control of the parties.

16. COMPLIANCE WITH LAWS

The CONTRACTOR, its employees, subcontractors or assigns, shall comply with all applicable federal, state, and local laws and regulations relating to the performance of this CONTRACT. The TOWN undertakes no duty to ensure such compliance, but will attempt to advise the CONTRACTOR, upon request as to such laws of which it has present knowledge.

17. APPLICABLE LAWS, ORDINANCES, RULES, CODES AND REGULATIONS

Familiarity with Laws: Notice is hereby given that the CONTRACTOR must be familiar with all Federal, State and Local Laws, ordinances, rules, codes and regulations that may affect the work. Ignorance on the part of the CONTRACTOR will in no way relieve him from the responsibility of compliance therewith.

Non-Segregated Facilities: The CONTRACTOR and each subcontractor shall comply with the Certification of Non-Segregation Facilities.

Nondiscrimination and Equal Opportunity Employment: During the performance of the CONTRACT, the CONTRACTOR agrees as follows:

The CONTRACTOR shall not discriminate against any employee or applicant for employment because of race, religion, color, sex or national origin. The CONTRACTOR shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading; demotion or transfer; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

In the event of the CONTRACTOR'S noncompliance with the nondiscrimination clauses of the CONTRACT, or with any of such rules, regulations, or orders, the CONTRACT may be canceled, terminated, or suspended in whole or in part, without liability to the TOWN.

18. PUBLIC ACCESS

The CONTRACTOR shall comply with public records laws Chapter 119, Florida Statutes, specifically to: Keep and maintain public records that ordinarily and necessarily would be required by the TOWN in order to perform the service; Provide the public with access to public records on the same terms and conditions that the TOWN would provide the records and at a cost that does not exceed the cost provided in Chapter 119, F.S. or as otherwise provided by law; Ensure that public records that are exempt or confidential and exempt from public records disclosure

requirements are not disclosed exempt as authorized by law; Meet all requirements for retaining public records and transfer, at no cost, to the TOWN all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt of confidential and exempt from public disclosure requirements. All records stored electronically must be provided to the TOWN in a format that is compatible with the information technology systems of the TOWN. If the CONTRACTOR does not comply with a public records request, the public agency shall enforce the contract provisions in accordance with the contract.

19. INTEGRATION

This CONTRACT states the entire understanding between the parties and supersedes any written or oral representations, statements, negotiations, or agreements to the contrary. The CONTRACTOR recognizes that any representations, statements or negotiations made by the TOWN staff do not suffice to legally bind the TOWN in a contractual relationship unless they have been reduced to writing, approved and signed by an authorized TOWN representative. This CONTRACT, once properly executed, shall bind the parties, their assigns, and successors in interest.

20. NON-EXCLUSIVITY

The Award of this CONTRACT shall not impose any obligation on the TOWN to utilize the CONTRACTOR, for all work of this type, which may develop during the CONTRACT period. The TOWN specifically reserves the right to concurrently contract with other companies for similar work if it deems such action to be in the TOWN's best interest.

21. NO WAIVER

Changes made by the Town's Engineer will not be considered to waive any of the provisions of the Contract, nor may the Contractor make any claim for loss of anticipated profits because of the changes, or by reason of any variation between the approximate quantities and the quantities of work actually performed. All work shall be performed as directed by the Town's Director of Engineering and Public Works and in accordance with the Contract Documents.

22. NOTICE

All notices and invoices to the TOWN shall be sent to the following address:

Attention:	Town of Jupiter Roger Held Senior Director of Community Development 210 Military Trail Jupiter, FL 33458-5786
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All notices and invoices to the CONTRACTOR shall be sent to the following address:

23. SEVERABILITY

Should any part, term or provision of this Agreement be by the courts decided to be invalid, illegal or in conflict with any law of the State, the validity of the remaining portion or provision shall not be affected thereby.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day, month and year first above written.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day, month and year first above written.

ATTEST

THE TOWN OF JUPITER

By: _____
Laura E. Cahill, Town Clerk

By: _____
Jim Kuretski, Mayor

(TOWN SEAL)

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Thomas J. Baird, Town Attorney

(CONTRACTOR)

By: _____
Signature

Attested By: _____
Signature

Printed Name

Printed Name

Title

Title

CONTRACTOR E-VERIFY AFFIDAVIT

I hereby certify that Ahrens Enterprises, Inc. dba Ahrens Companies [insert contractor company name] does not employ, contract with, or subcontract with an unauthorized alien, and is otherwise in full compliance with Section 448.095, Florida Statutes.

All employees hired on or after January 1, 2021 have had their work authorization status verified through the E-Verify system.

A true and correct copy of Ahrens Enterprises, Inc. dba Ahrens Companies [insert contractor company name] proof of registration in the E-Verify system is attached to this Affidavit.

Richard C. Ahrens

Signature

President/CEO

Print Name/Title

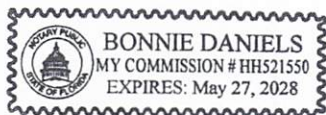
01/14/2025

Date

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of / physical presence or / online notarization, this 14th day of Jan. 2025 (date) by Richard C. Ahrens President/CEO (name of officer or agent, title of officer or agent) of Ahrens Enterprises, Inc. dba Ahrens Companies (name of contractor company acknowledging), a Florida (state or place of incorporation) corporation, on behalf of the corporation. He/she is personally known to me ~~or has produced~~ (type of identification) as identification.



Notary Seal

Bonnie S. Daniels

Notary Public

ENTITIES OF FOREIGN COUNTRIES OF CONCERN

Section 287.138, Florida Statutes, prohibits the TOWN from entering in to an Agreement which would give access to an individual's personal identifying information with an entity with; a Controlling Interest (as that term is defined in sub-section 287.138(1)(a)), or full ownership, held by a Foreign Country of Concern (as that term is defined in sub-section 287.138(1)(c), or with a principal place of business in a Foreign Country of Concern, unless the entity provides the TOWN with an affidavit signed by an officer or representative of the entity under penalty of perjury attesting that the entity does not meet any of the criteria in paragraphs (2)(a)-(c) of the statute.

The CONTRACTOR, by its execution of this CONTRACT, certifies, under penalty of perjury, compliance with section 287.138, Florida Statutes, that CONTRACTOR is not owned by the government of a Foreign Country of Concern, is not organized under the laws of, nor has its principal place of business in a Foreign Country of Concern, and the government of a Foreign Country of Concern does not have a Controlling Interest in the Entity.

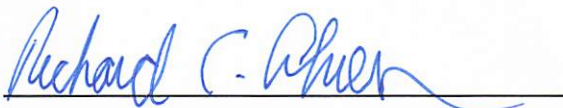
The TOWN reserves the right to terminate this CONTRACT if the CONTRACTOR is found to have provided a false certification or otherwise violates Section 287.138, Florida Statutes. The TOWN, in the event of such termination, shall not incur any liability to the CONTRACTOR for any work or materials furnished.

SCRUTINIZED COMPANIES LIST

Section 287.135(2), Florida Statutes, prohibits the TOWN from entering in to an Agreement with a CONTRACTOR that is on the Scrutinized Companies that Boycott Israel List (created pursuant to section 215.4725, Florida Statutes) or is engaged in a boycott of Israel, that is on the Scrutinized Companies with Activities in Sudan List (created pursuant to section 215.473, Florida Statutes), Scrutinized Companies with Activities in Iran Terrorism Sectors List (created pursuant to section 215.473, Florida Statutes) or that is engaged in business operations in Cuba or Syria.

The CONTRACTOR, by its execution of this CONTRACT, certifies, under penalty of perjury and pursuant to section 287.135(5), that it is not on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in Iran Terrorism Sectors List, that it does not have business operations in Cuba or Syria, and it is not participating in a boycott of Israel, for goods or services of any amount.

The TOWN reserves the right to terminate this CONTRACT if the CONTRACTOR is found to have submitted a false certification or has been placed on a list created pursuant to sections 215.4725 or 215.473. The TOWN, in the event of such termination, shall not incur any liability to the CONTRACTOR for any work or materials furnished.



Signature

Richard C. Ahrens - President/CEO

Print Name/Title

January 14th, 2025

Date

STATE OF FLORIDA

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me by means of / physical presence ~~or / online~~
~~notarization~~, this 14th day of January 2025 (date) by Richard C. Ahrens - President/CEO (name
of officer or agent, title of officer or agent) of Ahrens Enterprises, Inc. dba Ahrens Companies (name of contractor
company acknowledging), a Florida (state or place of incorporation) corporation,
on behalf of the corporation. He/she is personally known to me ~~or has produced~~
(type of identification) ~~as identification~~.



Notary Seal

Bonnie S. Daniels

Notary Public

TOWN OF JUPITER
Approval and purchase of traffic crash and crime scene mapping software



DATE	February 18, 2025
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	Michael Barbera, Chief of Police
SUBJECT	Approval for the purchase of traffic crash and crime scene mapping software

EXECUTIVE SUMMARY

Staff is requesting Town Council approval of a purchase for crime scene and traffic crash reconstruction equipment and software from FARO Technologies Incorporated in an amount not to exceed \$87,900.00.

ANALYSIS

The existing crime scene and crash reconstruction equipment (Trimble software and Laser Tech hardware) were purchased in 2016 and the software and hardware are no longer supported or updated by the developer. The warranties on the products have also expired. This type of surveying equipment is time consuming and captures only one data point at a time requiring many hours to map a large scene. This technology also requires the use of computer-aided design software (CAD) to input the data and render a drawing, which takes excessive amounts of time to complete.

FARO Technologies utilizes 3-dimensional (3D) laser-scanning technology and software to quickly and accurately capture a crash or crime scene in its entirety. This technology will augment the police department's ability to preserve crime scenes and to collect critical evidence while digitally preserving the scenes in their entirety. The use of this technology will also significantly cut the time needed for crash and crime scene investigations preventing evidence loss, requiring fewer officers at scenes, and help mitigate the traffic issues of closed roadways.

Additional abilities/benefits include:

- "Ruggedized" laptop for use in inclement weather conditions
- 3D laser scanner can be used in low-light and complete darkness
- Compatible with current Police Department Skydio Drones for aerial scaled mapping of scenes
- On-scene information that can be uploaded immediately via cloud and shared among various team members in the investigative process
- Latest software applications recognized by the courts
- Can be used for courtroom presentations
- Extensive 5-day on-site training on all equipment and software provided
- Neighboring agency inter-operability

All quotes were obtained according to the Town's purchasing policies, through the Demand Star portal. The request for quotes was listed for (30) days. Faro, Inc. was ultimately chosen for their extensive (5) day training program, ruggedized hardware, and inter-agency operability.

STRATEGIC PRIORITY

- Safety
- Mobility

ATTACHMENTS

1. Attachment 1 Quotes from FARO Technologies, Leica Geosystems and Duncan-Parnell

FUNDING SOURCE

Approved in Budget	\$87,900.00	Sources: Police Department FY25 Operating Budget
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For more information or copies of the attachments, please contact Chief Michael Barbera at 0829@jupiter.fl.us.

PD-25MB1

Crime scene / Crash scene 3D laser scanner hardware and software

FARO Technologies, Inc.

FARO Sales

125 Technology Park, , Lake Mary, FL 32746, United States of America

4073339911

faroorders@faro.com

\$87,899.42

Submitted Quote

After Receipt of Order (ARO)

FARO quote 04870094

Quantity	UOM
1	each
1	each

PD-25MB1

Crime scene / Crash scene 3D laser scanner hardware and software

Leica Geosystems

Darrell Whitfield

5051 Peachtree Corners Circle, Ste #250, Norcross, GA 30092, United States of America

2507072589

glen.davidson@leica-geosystems.com

\$111,623.42

Submitted Quote

30 After Receipt of Order (ARO)

Quantity	UOM
1	each
1	each

PD-25MB1

Crime scene / Crash scene 3D laser scanner hardware and software

Duncan-Parnell

Daniel Detwiler

900 South McDowell Street, , Charlotte, NC 28204, United States of America

6893120330

daniel.detwiler@duncan-parnell.com

\$65,220.79

Submitted Quote

After Receipt of Order (ARO)

4 Week Delivery Timeline

Quantity	UOM
1	each

TOWN OF JUPITER
Neighborhood (NB) Subdistrict Signage Zoning Text Amendment



DATE	February 18, 2025
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	John Sickler, Director of Planning and Zoning
SUBJECT	<u>Neighborhood (NB) Subdistrict Signage</u> – Zoning Text Amendment to modify Section 27-1229, the sign regulations for the Mixed Use/Neighborhood (NB) Subdistrict.

EXECUTIVE SUMMARY

Consideration of a zoning text amendment to modify the sign copy area regulations for the Mixed-Use (MXD)/Neighborhood (NB) Subdistrict, to increase the sign area for each entry feature sign from a maximum of four square feet to 20 square feet.

ANALYSIS

The New Haven Neighborhood is planning to update their entryways and propose a new entry wall with signage at 20 square feet; however, the code limited them to four square feet. Other residential communities in Abacoa near the Town Center and residential communities outside of Abacoa are allowed larger signage. In order to address the neighborhood concern, the Town has initiated the subject zoning text amendment to increase the allowable sign square footage in the Neighborhood (NB) Subdistrict of Abacoa.

PLANNING AND ZONING COMMISSION RECOMMENDATION

At the January 14, 2025 meeting, the Planning and Zoning Commission recommended approval of the proposed zoning text amendment by a 7-0 vote.

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

STRATEGIC PRIORITY

- Strong Local Economy

ATTACHMENTS

1. Ordinance 1-25
2. Staff Report and Attachments

FUNDING SOURCE

*Funding is not necessary for this request.

For more information or copies of the attachments, please contact Scott Thatcher, Principal Planner, at scottt@jupiter.fl.us or 561-741-2444.

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10 **ORDINANCE NO. 1-25**

11
12 **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN**
13 **OF JUPITER, FLORIDA, AMENDING THE TOWN CODE**
14 **THE SIGN AREA REGULATIONS FOR THE**
15 **“NEIGHBORHOOD SUBDISTRICT (NB)” SUBDISTRICT,**
16 **PROVIDING FOR CODIFICATION; PROVIDING FOR**
17 **SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS**
18 **IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE**
19 **DATE.**
20

21 **WHEREAS,** the Town of Jupiter, Florida (“Town”) has adopted a comprehensive
22 plan which has been determined by the state’s Land Planning Agency to be in compliance
23 with Chapter 163, Part II, Florida Statutes; and

24 **WHEREAS,** pursuant to Section 163.3202(2), Florida Statutes, municipalities are
25 required to adopt specific and detailed provisions regulating and controlling development
26 to implement their adopted comprehensive plans; and,

27 **WHEREAS,** the Town has previously adopted Land Development Regulations
28 pertaining to signage, which has been codified in Chapter 27 of the Town Code; and

29 **WHEREAS,** the Department of Planning & Zoning (the Department) has
30 recommended amendments pertaining to the sign area regulations for the “Neighborhood
31 Subdistrict (NB)” subdistrict which is contained in the Abacoa MXD district and Chapter
32 27 of the Town Code; and

33 **WHEREAS,** the Department and the Town’s Planning and Zoning Commission
34 have reviewed the proposed amendments pertaining to signage regulations for properties

in the “Neighborhood Subdistrict (NB)” subdistrict and have made their respective recommendations to the Town Council; and

WHEREAS, the Town Council, after conducting duly noticed public hearings, has determined that the amendments to the sign regulations for the “Neighborhood Subdistrict (NB)” subdistrict are necessary and appropriate and would further the public health, safety, and general welfare by providing signage pertaining to the location of neighborhoods.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA THAT:

Section 1. The whereas clauses are incorporated herein as true and correct and as the findings of the Town Council.

Section 2. Chapter 27, Article VI, Section 27-1229 entitled, “Neighborhood Subdistrict (NB)” is hereby amended, as follows:

~~A. Each~~ neighborhood subdistrict may erect and maintain ~~is allowed~~ a permanent subdistrict identification/entry sign or and/or entry feature erected adjacent to the entry roadway to the neighborhood. A maximum of two signs shall be permitted at each entrance to the neighborhood, provided it is entrance in accordance with the following standards:

- a. The total ~~allowable~~ sign area for each sign ~~element~~ attached to an ~~each~~ entry feature or sign structure shall not exceed ~~four~~ 20 square feet.
- b. The sign area ~~or elements~~ of an entry feature shall not exceed six feet in height to the top ~~of the sign or entry feature~~.
- c. All sign/entry feature designs ~~shall must~~ be submitted to the town’s Department of Planning and Zoning for approval.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Repeal of laws in conflict. All ordinances, resolutions or other regulations, or parts of thereof which are in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Codification. The sections of the ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

Section 7. Effective Date. This ordinance shall take effect immediately upon its execution.

February 5, 2025

V:\PlanningZoning\Staff\WP51\Amendtowncode\SIGNCODE\Amendment 2024 _ MXD NB Signs

#5990582 v1 26503-00001

**TOWN OF JUPITER
ZONING TEXT AMENDMENT STAFF REPORT
TOWN MANAGER'S OFFICE**



DATE: February 6, 2025
 TO: Honorable Mayor and Members of Town Council
 THRU: Frank J. Kitzerow, Town Manager
 FROM: John Sickler, Director of Planning and Zoning
 SUBJECT: **Neighborhood Subdistrict Signage** – Zoning text amendment to modify Section 27-1229, the sign regulations for the Neighborhood (NB) Subdistrict.

Ordinance #1-25	P&Z Commission:	January 14, 2025
PZ 24-6278	Town Council:	February 18, 2025 (1 st Reading)
S. Thatcher		March 18, 2025 (adoption)

Applicant: Town of Jupiter
 Request: Amend Article VI, Division 16, Section 27-1229 entitled, "Neighborhood (NB) Subdistrict" to increase the total allowable sign square footage from four square feet to 20 square feet.

Planning and Zoning Commission Recommendation

At the January 14, 2025 meeting, the Planning and Zoning Commission recommended approval of the proposed zoning text amendment by a 7-0 vote.

Staff Compliance Review Summary

The Department of Planning and Zoning finds that the proposed text amendment as shown in ***Exhibit 1*** is consistent with the goals, objectives, and policies of the Comprehensive Plan.

Background

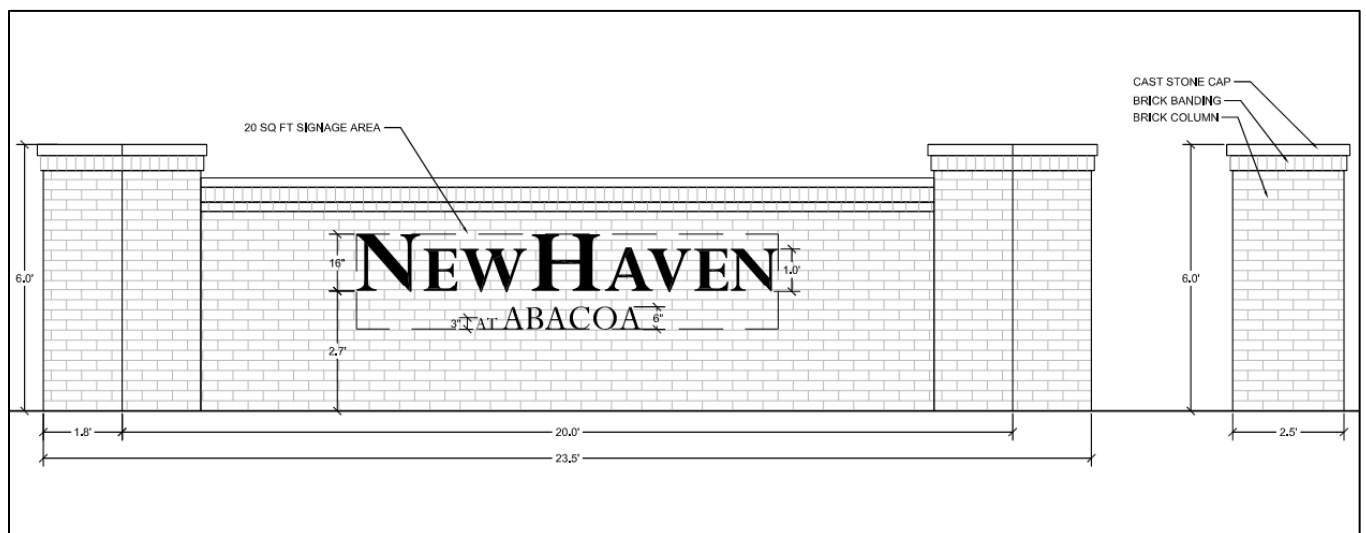
The New Haven Neighborhood is planning to update their entryways, perimeter landscaping and signage. Currently, they have four-square foot signs on approximately two foot wide by six-foot-tall columns at their entrances off of University Boulevard and Frederick Small Road, consistent with the maximum four-square feet of sign area permitted by code. The neighborhood association would like to redevelop the entryways to remove the columns and add entry walls. The new entry walls are proposed to be 23.5 feet wide with a maximum height of six feet with a sign area of 20 square foot (see graphics below). Abacoa Property Owners'

Neighborhood Subdistrict Sign Regulations Amendment - ZTA
Staff Report (PZ 25-6278)
Page 2

Assembly, Inc. approved the design of the sign (Attachment A) and was made aware and reviewed the language of the proposed code amendment. Staff, at the request of the Town Manager's Office, is processing a zoning text amendment to address the neighborhood's request to allow larger signs.



New Haven – proposed entry wall at University Boulevard and Quarry Knoll Way.



New Haven - proposed sign design.

The Mixed-Use Development District (MXD) Ordinance for the Town, which is the zoning district assigned to Abacoa, has a special sign code that is applicable only to the MXD zoning district. Within each subdistrict of the MXD, different sign regulations exist depending on the subdistrict. In total there are ten different sign subdistrict regulations. For example, Abacoa Town Center (the Town Center Subdistrict) has different sign regulations than Abacoa Plaza (the Community Commercial Subdistrict) which has different regulations from the residential neighborhoods, such as New Haven (the neighborhood Subdistrict).

The MXD has a special sign code to align with the attributes and characteristics of Traditional Neighborhood Development (TND) and mixed-use concepts. The sign code was written with

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Page 3

pedestrian-oriented communities in mind. The intent of the Abacoa (MXD) sign code was to create signage that would be different from other traditional suburban development, such as large Planned Unit Developments (PUD). This sign code amendment is more typical of suburban residential neighborhood signage.

Pursuant to [Section 27-1229, entitled "Neighborhood Subdistrict \(NB\)"](#), each neighborhood is allowed two permanent subdistrict/entry signs erected adjacent to the entry roadway at each neighborhood entrance. The total allowable sign area for each sign element attached to each entry feature or sign structure may not exceed four square feet.

Utilizing these rules, the various neighborhoods have built up to one or two entry features at each of their neighborhood entrances that utilize four square feet of sign area for their entry sign (Mallory Creek and New Haven examples below). The signs typically consist of a column with a maximum four-square foot plaque placed on one side of the column.



Mallory Creek (left) entry sign at Frederick Small Road and Mallory Boulevard.
New Haven (right) entry sign at Frederick Small Road and Newhaven Boulevard.

For comparison, the higher density uses of the Residential Urban Subdistrict (RU) subdistrict (such as Osceola Woods and Sophia) are allowed up to 35 square feet ([Section 27-1230, entitled, "Residential Urban Subdistrict \(RU\)"](#)). The 35 square feet is calculated by drawing a box around the entire name and advertising message for the development. Below is a photo of the Sophia development and their sign that was permitted at 24.31 square feet.



The Sophia – at University Boulevard and Central Boulevard.

In residential districts outside of Abacoa, a maximum of 100 square feet is permitted (P-9 Residential signs as outlined in [Section, 27-3359, entitled “Permanent signs”](#)). Below is a photo of the sign for the Ocean Walk development and their sign at 40 square feet.



Ocean Walk – at U.S. Highway One and Ocean Walk Boulevard.

Comprehensive Plan Policy

Below is the section of the Future Land Use Element of the Comprehensive Plan that requires the Town to maintain sign regulations:

Policy 1.3.6 The Town shall maintain land development regulations that implement the Comprehensive Plan, and which at a minimum address: subdivision of land; ***signage***; wellfield and aquifer protection; drainage and stormwater management; periodic flooding; open space needs; off-street parking; and, environmentally sensitive areas/habitats. In addition, these regulations shall

ensure that development orders and permits not be issued which result in a reduction of the levels of service for the affected public facility below the adopted level of service standards as set forth in the Comprehensive Plan.

Analysis

The proposed text amendment would increase the allowable square footage from four square feet to 20 square feet as follows (see also Exhibit 1):

Pursuant to Section 27-1229 entitled, "Neighborhood Subdistrict (NB)".

~~A Each~~-neighborhood subdistrict may erect and maintain ~~is allowed a~~ permanent subdistrict identification/entry sign/ ~~and/or entry features erected~~ adjacent to the entry roadway to the neighborhood. A maximum of two signs shall be permitted at each entrance to the neighborhood, provided it is ~~entrance~~ in accordance with the following standards:

- a. The total ~~allowable~~ sign area for each sign element attached to an ~~each~~ entry feature or sign structure shall not exceed ~~four~~ 20 square feet.
- b. The sign area ~~or elements~~ of an entry feature shall not exceed six feet in height to the top ~~of the sign or entry feature~~.
- c. All sign/entry feature designs shall ~~must~~ be submitted to the town's Department of Planning and Zoning for approval.

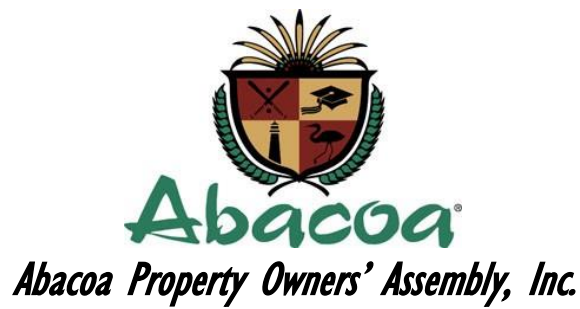
Attachments:

Exhibit 1 – Proposed Text Amendment

Attachment A – APOA letter, dated November 19, 2024

(Contact Scott Thatcher at 561-741-2444 or email at scottt@jupiter.fl.us for a copy of this attachment)

File Path. V:\PlanningZoning\Staff\WP51\Amendtowncode\SIGNCODE\Amendment 2024 _ MXD NB Signs



November 19, 2024

NewHaven Homeowners Association
c/o Coastal Property Management
1061 E Indiantown Road, Suite 310
Jupiter, FL 33458

RE: NewHaven: Entrance Signs

The Abacoa Property Owners' Assembly, Inc. Community Architect Committee reviewed the plans received on November 14, 2024. Plans were approved as submitted.

This approval is contingent on Town of Jupiter permitting, and HOA/ARC approval.
Any changes to the plans must be submitted to the Community Architect Committee (CAC) for review.

Thank you for your continued cooperation regarding these matters.

Sincerely,

Jacqueline Coniglio

Jacqueline Coniglio
Director of Property Management
For and on behalf of the Abacoa POA CAC

TOWN OF JUPITER
Beyel Annexation, Future Land Use, and Zoning Map Amendments



DATE	February 18, 2025
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	John Sickler, Director of Planning and Zoning
SUBJECT	<u>Beyel Annexation, Future Land Use Map and Rezoning:</u> Applications for a 0.2+/- acre property located at 18019 Highway A1A, to request a: A. Ordinance 2-25 - Voluntary Annexation; B. Ordinance 3-25 - Future Land Use Map (FLUM) amendment from Palm Beach County (PBC) Commercial High with underlying Medium Residential, 5 dwelling units per acre (CH/5) to Town of Jupiter (TOJ) Inlet Village Flex; and C. Ordinance 4-25 - Zoning Map amendment from PBC Commercial Neighborhood (CN) to the TOJ Inlet Village District, Flex South Subdistrict (IVFS).

EXECUTIVE SUMMARY

Consideration of applications to annex the subject property into the Town of Jupiter and assign Town Future Land Use Map (FLUM) and zoning designations to approximately 0.2 +/- acres, located at 18019 Highway A1A. A Certificate to Dig (CTD) application has been submitted and is required prior to the issuance of any development approvals. The CTD application will be processed if the subject annexation request is approved.

The Town Attorney has reviewed the attached ordinances and finds them to be in acceptable form.

ANALYSIS

The subject request is for Inlet Village Flex land use and Inlet Village District, Flex South Subdistrict (IVFS) zoning, which are consistent with the surrounding land use and zoning designations. A voluntary trip cap, which equates to 463 average daily trips (ADT), is included in Ordinance 3-25. The trip cap is to ensure future development does not exceed the number of average daily trips that could be developed under the maximum intensity for commercial development compared to what is allowed as the maximum per the existing County land use designation (see pages 8 and 9 of staff report for full traffic analysis). If a trip cap is included with the FLUM ordinance, the proposed applications are consistent with the goals, objectives and policies of the Town's Comprehensive Plan.

Planning and Zoning Commission Recommendation

At their January 14th meeting, the Planning and Zoning Commission, acting as the Local Planning Agency, recommended **approval** (by a 7-0 vote) of the Future Land Use Map (FLUM) amendment for the subject property, and included a traffic trip cap on the FLUM. At the same meeting, the Planning and Zoning Commission also recommended **approval** (by a 7-0 vote for

both applications) of the voluntary annexation and the Zoning Map amendment for the subject property.

The applicants' presentation has been included as Attachment 5.

STRATEGIC PRIORITY

- Manage Growth

ATTACHMENTS

1. Ordinance 2-25
2. Ordinance 3-25
3. Ordinance 4-25
4. Staff report and attachments
5. Applicant Presentation

FUNDING SOURCE

*Funding is not necessary for this request.

For more information or copies of the attachments, please contact Martin Schneider at martins@jupiter.fl.us or 561-741-2290.

ORDINANCE NO. 2-25

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, PROVIDING FOR THE VOLUNTARY ANNEXATION OF A 0.2 +/- ACRE PARCEL OF UNINCORPORATED LAND WHICH IS CONTIGUOUS TO THE BOUNDARIES OF THE TOWN OF JUPITER; PROVIDING FOR A REVISION OF THE TOWN'S BOUNDARIES TO INCLUDE THE PARCEL ANNEXED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Venus & Mars, LLC is the owner (the "Owner") of 0.2+/- acres of land (the "subject property") the legal description of which is attached hereto and incorporated herein as **Exhibit "A"**; and,

WHEREAS, the address of the subject property is 18019 Highway A1A; and

WHEREAS, the subject property is contiguous to the boundaries of the Town of Jupiter ("Town"); and,

WHEREAS, the subject property is located on an unimproved ingress/egress easement known as Coopers Road, approximately 100 feet west of Highway A1A as shown on **Exhibit "B"**, which is attached hereto and incorporated herein; and,

WHEREAS, the Owners have petitioned the Town to voluntarily annex the subject property into the Town; and,

1 **WHEREAS**, the Town's Planning and Zoning Commission has considered
2 the Owners' petition for voluntary annexation and has recommended its approval to
3 the Town Council.

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

6 **Section 1.** The whereas clauses are incorporated herein as true and correct
7 and the legislative findings of the Town Council.

8 **Section 2.** The Town Council finds that the subject property is contiguous to
9 the Town's boundaries, is reasonably compact, urban in character and is in the path
10 of the Town's continuing urbanization and development.

11 **Section 3.** The Town Council finds that the voluntary annexation would
12 reduce the size of an existing enclave within the boundaries of the Town.

13 **Section 4.** The petition for the voluntary annexation of the subject property
14 bears the signature of the legal owner of the subject property.

15 **Section 5.** This ordinance is adopted for the purpose of the extension of the
16 territorial limits of the Town consistent with the provisions of Section 171.044, Florida
17 Statutes. The Town Council hereby authorizes the annexation of the subject property
18 into the Town.

19 **Section 7.** Article II of the Charter of the Town, which contains the legal
20 description of the Town's incorporated municipal boundaries is hereby revised to
21 include the subject property. A certified copy of this ordinance shall be filed as a
22 revision of the Town Charter with the State of Florida Department of Commerce
23 within 30 days from the date of effective date of the ordinance as required by Section
24 171.044 (3) and 171.091, Florida Statutes, and the Town Clerk is hereby directed to
25 file a certified copy of this Ordinance with the Clerk of the Circuit Court of Palm

1 Beach County, the Palm Beach County Board of County Commissioners, and the
2 Florida Department of State.

3 **Section 8.** Upon the effective date of this annexation into the Town, the
4 subject property shall be subject to all laws, ordinances, and regulations in force in
5 the Town and shall be entitled to the same privileges and benefits as any other
6 property in the Town.

7
8 **Section 10.** Effective date. This ordinance shall take effect immediately upon
9 its execution.

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11 Attachments:

12 **Exhibit "A" - Legal Description**
13 **Exhibit "B" - Location Map**

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#5849992 v1 26503-00001

Exhibit "A"

LEGAL DESCRIPTION:

PARCEL I:

Parcel of land in Government Lot 7, Section 31, Township 40 South, Range 43 East, described as follows:

*Beginning on the Southerly right of way line of U.S. Federal Highway No. 1 at Station P.C. 1180 X 23.1 which is a 3" iron pipe extending 6" above the ground as shown on an amended plat of **JUPITER INLET ESTATES INC.** filed in Plat Book 16, Page 25 Public Records of Palm Beach County, Florida; thence Southeasterly along said right of way line 88 feet, more or less, to its intersection with the Westerly right of way line of the Old Jupiter & Lake Worth Railroad; thence Southeasterly along said right of way line, 310 feet to the **POINT OF BEGINNING**; thence Westerly, making an angle with the preceding course, measured from Northwest to West of 68° 08' a distance of 98 feet, more or less, to the waters of the Jupiter River or Florida East Coast Canal; thence Northerly along the waters of said Jupiter River 76 feet, more or less to a point in a line parallel to and 70 feet northerly (measured at right angles) from the line of parcel herein described; thence Easterly along said parallel line 106 feet, more or less, to a point in said Westerly right of way line at the Old Jupiter & Lake Worth Railroad; thence continue Easterly along same course to a point in the Easterly right of way line of the 40 foot right of way of Jupiter & Lake Worth Railroad; thence Southeasterly along said Easterly right of way line, 75.43 feet to a point in the easterly extension at the south line of the parcel herein described; thence Westerly along said Easterly extension to the **POINT OF BEGINNING**.*

PARCEL II:

The South 70 feet of a tract of land in Government Lots 6 & 7, Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, described as follows:

*Beginning on the Southerly right of way line of U.S. Highway No. 1 at Station P.C. 1180 X 23.1 which is a 3-inch iron pipe extending 6 inches above the ground as shown on an amended plat of Jupiter Inlet Estates, Inc. filed in Plat Book 16, Page 25, Public Records of Palm Beach County, Florida; thence Southwesterly at right angles with said right of way of U.S. Highway No. 1 about 125 feet to the shore of Lake Worth Canal for Point A at the shore; thence back to the **POINT OF BEGINNING** to start anew, thence Southeasterly along said Southerly right of way line of U.S. Highway No. 1, 88 feet to a 3-inch iron pipe at its intersection with the Westerly right of way line of Old Jupiter and Lake Worth Railway, thence Southeasterly along said right of way line 310 feet to an iron pipe (an iron fence was built along this line of which posts are still there); thence West about 80 feet to the shore of Lake Worth Canal, thence meandering said shore Northwesterly and Westerly to the before-mentioned Point "A."*

PARCEL III:

A parcel of land in Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

*Begin at the intersection of the Westerly right of way line of State Road A-1-A with the South line of said Section 31, which for purpose of this description is assumed to bear due East; thence North 31° 22' 20" West along said Westerly right of way line, a distance of 19.31 feet; thence South 79° 50' 00" West a distance of 145.37 feet; thence North 21°52'40" West a distance of 138.28 feet to the **POINT OF BEGINNING**; thence continue North 21°52'40" West a distance of 6.29 feet to the North line of the South 125.00 feet of said Section 31; thence due West, along said North line, a distance of 136.00 feet, more or less, to the waters of Jupiter River; thence Southeasterly, along said waters, to a line which bears South 87°56'33" West from the **POINT OF BEGINNING**; thence continue North 87°56'33" East a distance of 132.00 feet more or less, to the **POINT OF BEGINNING**.*

PARCEL IV:

*From a point at Station 1180 X 23.1 on the Southerly right of way line of U.S. Highway No. 1 (now State Road A-1-A), as shown on amended plat of **JUPITER INLET ESTATES, INC.**, recorded in Plat Book 16, Page 25, Public Records of Palm Beach County, Florida said point being the point of curvature of curve, concave to the Southeast having a radius of 922.40 feet, whose center South 26°18'43" West; thence Southeasterly along the arc of said curve through a central angle of 05°35'15", a distance of 89.95 feet to the intersection of said right of way line with the Westerly right of way line of the Old Jupiter and Lake Worth Railway; thence South 21°58'50" East, along said right of way line a distance of 228.98 feet to the **POINT OF BEGINNING** of the herein described parcel of land; thence run North 83°04'14" East; a distance of 41.42 feet to the intersection of the Easterly right of way line of the Old Jupiter and Lake Worth Railway, as shown on the above said Plat; thence South 21°58'50" East, along said Easterly right of way line, a distance of 8.30 feet; thence leaving said right of way line, bear South 89°53'10" West, a distance of 67.51 feet; thence North 83°04'14" East, a distance of 23.46 feet to the **POINT OF BEGINNING**.*

Less from all the aforescribed lands the following:

*From a point at Station 1180 X 23.1 on the Southerly right of way line of U.S. Highway No.1, as shown on Amended Plat of **JUPITER INLET ESTATES, INC.** recorded in Plat Book 16, Page 25, Public Records of Palm Beach County, Florida. Said point being the point of curvature of a curve, concave to the Southeast, having a radius of 922.40 feet; run Southeasterly, along the arc of said curve, through a central angle of 05°35'15", a distance of 89.95 feet to the intersection of said right of way line with the Westerly right of way of the Old Jupiter and Lake Worth Railway; thence South 21°58'50" East, along said right of way line, a distance of 228.98 feet; thence South 83°04'15" West a distance of 23.46 feet, thence South 89°53'10" West, a distance of 83.99 feet to the Shores of the Lake Worth Canal; thence meandering said shore, Southeasterly 14.00 feet, more*

or less, to a point on a line bearing South 83°04'14" West, from the **POINT OF BEGINNING**; thence North 83°04'18" East, a distance of 73.54 feet to the **POINT OF BEGINNING**.

Together with Ingress and Egress easements as created by the Agreed Judgment recorded in Official Records Book 4588, Page 967, subject to all the terms and conditions contained herein.

And together with a non-exclusive ingress and egress easement as created by Final Judgement recorded in Official Records Book 20741, Page 1287, subject to all the terms and conditions contained herein.

TOGETHER WITH THAT CERTAIN PARCEL OF LAND DESCRIBED BELOW AS OBTAINED IN QUIET TITLE SUIT, CASE NO. 2018CA009398:

A parcel of land lying in Government Lot 7, Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From a point at Station 1180 + 23.1, on the Southerly right-of-way line of U.S. Highway No. 1; (now State Road A-1-A), as shown on the amended plat of JUPITER INLET ESTATES, INC., as recorded in Plat Book 16, Page 25, in and for the records of Palm Beach County; Florida; said point being the point of curvature of a curve concave to the Southeast, having a radius of 922.40 feet; run Southerly, along the arc of said curve through a central angle of 05°35'15" a distance of 89.95 feet to the intersection of said right-of-way line with the Westerly right-of-way line of the Old Jupiter and Lake Worth Railway; thence South 21°57'30" East, along said right-of-way line, a distance of 228.98 feet to a point on the North line of Parcel 4, as recorded in Official Records Book 27843, Page 1847, Public Records of Palm Beach County, Florida; thence North 83°04'15" East, along said North line a distance of 20.71 feet to a point on the West line of Official Records Book 8822, Page 614, Public Records of Palm Beach County, Florida and the **POINT OF BEGINNING** of the hereinafter described parcel; thence continue North 83°04'15" East a distance of 20.66 feet to a point on the East line of said Official Records Book 8822, Page 614; thence South 21°57'30" East, along the East lines of Parcels 1 and 4, of said Official Records Book 27843, Page 1847 a distance of 75.75 feet to a point on the North line of the South 125 feet of said Section 31; thence North 90°00'00" West, along said North line, a distance of 21.56 feet to a point on said West line; thence North 21°57'30" West, along said West line, a distance of 73.06 feet to the **POINT OF BEGINNING**.

A parcel of land acquired in quit claim deed from Jupiter River Inn, recorded in Official Records Book 31817, Page 1613, described as follows:

A parcel of land in Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

COMMENCE at the intersection of the Westerly right-of-way line of a 66 foot wide right-of-way of State Road A-1-A with the South line of said Section 31, said South line bearing North 89°58'26" West (Basis of Bearings); thence North 31°20'27" West, along

said Westerly right-of-way line, 19.31 feet; thence South 79°51'34" West, 144.68 feet to the intersection with the West line of the East 30 feet of Juno Street, as shown on the **PLAT OF JUPITER**, as recorded in Plat Book 1, Page 56, Palm Beach County Public Records; thence North 21°53'12" West, along said West line, 138.28 feet, to the intersection with the North line of Parcel 2 as described in Official Records Book 18844, Page 1606, Public Records of Palm Beach County, Florida; thence South 87°56'01" West, 45.54 feet to the intersection with the South line of Parcel 1 as described in Official Records Book 29597, Page 544, Public Records of Palm Beach County; thence North 89°58'48" East, 46.16 feet; thence North 21°53'12" West, 1.75 feet to the **POINT OF BEGINNING**.

Beyel Property

Jupiter, Florida



ORDINANCE NO. 3-25

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING ORDINANCE 57-89 WHICH ADOPTED THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP TO ASSIGN A FUTURE LAND USE DESIGNATION OF INLET VILLAGE FLEX TO APPROXIMATELY 0.2+/- ACRES OF PROPERTY LOCATED AT 18019 HIGHWAY A1A; 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), has adopted a Comprehensive Plan in accordance with the "Local Government Comprehensive Planning and Land Development Regulation Act" (the "Act"); and,

WHEREAS, the Florida Department of Commerce's predecessor agency, the Department of Community Affairs, determined that the Town's Comprehensive Plan was "in compliance" with the provisions of the Act; and,

WHEREAS, Venus & Mars, LLC is the owner (the "Owner") of 0.2+/- acres of land (the "subject property") the legal description of which is attached hereto and incorporated herein as **Exhibit "A"**; and,

WHEREAS, the subject property's address is 18019 Highway A1A; and,

WHEREAS, the subject property is located on an unimproved ingress/egress easement known as Coopers Road approximately 100 feet west of Highway A1A as shown on **Exhibit "B"**, which is attached hereto and incorporated herein; and,

1 **WHEREAS**, the owner has petitioned the Town to annex the subject property
2 into the Town; and

3 **WHEREAS**, the future land use designation assigned to the subject property
4 by Palm Beach County is Commercial High with underlying Medium Residential, 5
5 units per acre (CH/5); and,

6 **WHEREAS**, the owner has requested that concurrent with the annexation of
7 the subject property, the Town assign the future land use designation of “Inlet Village
8 Flex” to the subject property; and,

9 **WHEREAS**, the Town’s Local Planning Agency (the “LPA”) has conducted a
10 public hearing as required by Section 163.3174(4)(a), Fla. Stat. to consider the
11 proposed amendment to the Future Land Use Map; and,

12 **WHEREAS**, the LPA has recommended to the Town Council that it assign a
13 future land use of Inlet Village Flex to the subject property; and,

14 **WHEREAS**, notice was published and a public hearing was conducted
15 pursuant to Section 163.3187, Fla. Stat.

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

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

20 **Section 2.** The Town Council has determined that a future land use
21 designation of “Inlet Village Flex” should be assigned to the
22 subject property with a maximum generation of 463 external
23 daily traffic trips. Ordinance No. 57-89, entitled the
24 “Comprehensive Plan of the Town of Jupiter,” is hereby
25 amended to assign the future land use designation of Inlet

Village Flex to the subject property as shown in the attached
Figure “1”, which is incorporated herein.

Section 3.

The effective date of this ordinance amending the Town’s
Comprehensive Plan shall be 31 days after the adoption of this
Ordinance by the Town Council, unless it is challenged by an
affected party. If challenged, the ordinance amending the
comprehensive plan shall not become effective until either the
state land planning agency or the Administrative Commission
issues a Final Order determining that the plan amendment is
in compliance with the Act pursuant to Section 163.3187(3)(c),
Fla. Stat.

Attachments: Exhibit "A" - Legal description of the subject property
Exhibit "B" - Location Map
Figure “1” - New Future Land Use Map

#5850323 v1 26503-00001

Exhibit "A"

LEGAL DESCRIPTION:

PARCEL I:

Parcel of land in Government Lot 7, Section 31, Township 40 South, Range 43 East, described as follows:

*Beginning on the Southerly right of way line of U.S. Federal Highway No. 1 at Station P.C. 1180 X 23.1 which is a 3" iron pipe extending 6" above the ground as shown on an amended plat of **JUPITER INLET ESTATES INC.** filed in Plat Book 16, Page 25 Public Records of Palm Beach County, Florida; thence Southeasterly along said right of way line 88 feet, more or less, to its intersection with the Westerly right of way line of the Old Jupiter & Lake Worth Railroad; thence Southeasterly along said right of way line, 310 feet to the **POINT OF BEGINNING**; thence Westerly, making an angle with the preceding course, measured from Northwest to West of 68° 08' a distance of 98 feet, more or less, to the waters of the Jupiter River or Florida East Coast Canal; thence Northerly along the waters of said Jupiter River 76 feet, more or less to a point in a line parallel to and 70 feet northerly (measured at right angles) from the line of parcel herein described; thence Easterly along said parallel line 106 feet, more or less, to a point in said Westerly right of way line at the Old Jupiter & Lake Worth Railroad; thence continue Easterly along same course to a point in the Easterly right of way line of the 40 foot right of way of Jupiter & Lake Worth Railroad; thence Southeasterly along said Easterly right of way line, 75.43 feet to a point in the easterly extension at the south line of the parcel herein described; thence Westerly along said Easterly extension to the **POINT OF BEGINNING**.*

PARCEL II:

The South 70 feet of a tract of land in Government Lots 6 & 7, Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, described as follows:

*Beginning on the Southerly right of way line of U.S. Highway No. 1 at Station P.C. 1180 X 23.1 which is a 3-inch iron pipe extending 6 inches above the ground as shown on an amended plat of Jupiter Inlet Estates, Inc. filed in Plat Book 16, Page 25, Public Records of Palm Beach County, Florida; thence Southwesterly at right angles with said right of way of U.S. Highway No. 1 about 125 feet to the shore of Lake Worth Canal for Point A at the shore; thence back to the **POINT OF BEGINNING** to start anew, thence Southeasterly along said Southerly right of way line of U.S. Highway No. 1, 88 feet to a 3-inch iron pipe at its intersection with the Westerly right of way line of Old Jupiter and Lake Worth Railway, thence Southeasterly along said right of way line 310 feet to an iron pipe (an iron fence was built along this line of which posts are still there); thence West about 80 feet to the shore of Lake Worth Canal, thence meandering said shore Northwesterly and Westerly to the before-mentioned Point "A."*

PARCEL III:

A parcel of land in Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

*Begin at the intersection of the Westerly right of way line of State Road A-1-A with the South line of said Section 31, which for purpose of this description is assumed to bear due East; thence North 31° 22' 20" West along said Westerly right of way line, a distance of 19.31 feet; thence South 79° 50' 00" West a distance of 145.37 feet; thence North 21°52'40" West a distance of 138.28 feet to the **POINT OF BEGINNING**; thence continue North 21°52'40" West a distance of 6.29 feet to the North line of the South 125.00 feet of said Section 31; thence due West, along said North line, a distance of 136.00 feet, more or less, to the waters of Jupiter River; thence Southeasterly, along said waters, to a line which bears South 87°56'33" West from the **POINT OF BEGINNING**; thence continue North 87°56'33" East a distance of 132.00 feet more or less, to the **POINT OF BEGINNING**.*

PARCEL IV:

*From a point at Station 1180 X 23.1 on the Southerly right of way line of U.S. Highway No. 1 (now State Road A-1-A), as shown on amended plat of **JUPITER INLET ESTATES, INC.**, recorded in Plat Book 16, Page 25, Public Records of Palm Beach County, Florida said point being the point of curvature of curve, concave to the Southeast having a radius of 922.40 feet, whose center South 26°18'43" West; thence Southeasterly along the arc of said curve through a central angle of 05°35'15", a distance of 89.95 feet to the intersection of said right of way line with the Westerly right of way line of the Old Jupiter and Lake Worth Railway; thence South 21°58'50" East, along said right of way line a distance of 228.98 feet to the **POINT OF BEGINNING** of the herein described parcel of land; thence run North 83°04'14" East; a distance of 41.42 feet to the intersection of the Easterly right of way line of the Old Jupiter and Lake Worth Railway, as shown on the above said Plat; thence South 21°58'50" East, along said Easterly right of way line, a distance of 8.30 feet; thence leaving said right of way line, bear South 89°53'10" West, a distance of 67.51 feet; thence North 83°04'14" East, a distance of 23.46 feet to the **POINT OF BEGINNING**.*

Less from all the aforescribed lands the following:

*From a point at Station 1180 X 23.1 on the Southerly right of way line of U.S. Highway No.1, as shown on Amended Plat of **JUPITER INLET ESTATES, INC.** recorded in Plat Book 16, Page 25, Public Records of Palm Beach County, Florida. Said point being the point of curvature of a curve, concave to the Southeast, having a radius of 922.40 feet; run Southeasterly, along the arc of said curve, through a central angle of 05°35'15", a distance of 89.95 feet to the intersection of said right of way line with the Westerly right of way of the Old Jupiter and Lake Worth Railway; thence South 21°58'50" East, along said right of way line, a distance of 228.98 feet; thence South 83°04'15" West a distance of 23.46 feet, thence South 89°53'10" West, a distance of 83.99 feet to the Shores of the Lake Worth Canal; thence meandering said shore, Southeasterly 14.00 feet, more*

or less, to a point on a line bearing South 83°04'14" West, from the **POINT OF BEGINNING**; thence North 83°04'18" East, a distance of 73.54 feet to the **POINT OF BEGINNING**.

Together with Ingress and Egress easements as created by the Agreed Judgment recorded in Official Records Book 4588, Page 967, subject to all the terms and conditions contained herein.

And together with a non-exclusive ingress and egress easement as created by Final Judgement recorded in Official Records Book 20741, Page 1287, subject to all the terms and conditions contained herein.

TOGETHER WITH THAT CERTAIN PARCEL OF LAND DESCRIBED BELOW AS OBTAINED IN QUIET TITLE SUIT, CASE NO. 2018CA009398:

A parcel of land lying in Government Lot 7, Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From a point at Station 1180 + 23.1, on the Southerly right-of-way line of U.S. Highway No. 1; (now State Road A-1-A), as shown on the amended plat of JUPITER INLET ESTATES, INC., as recorded in Plat Book 16, Page 25, in and for the records of Palm Beach County; Florida; said point being the point of curvature of a curve concave to the Southeast, having a radius of 922.40 feet; run Southerly, along the arc of said curve through a central angle of 05°35'15" a distance of 89.95 feet to the intersection of said right-of-way line with the Westerly right-of-way line of the Old Jupiter and Lake Worth Railway; thence South 21°57'30" East, along said right-of-way line, a distance of 228.98 feet to a point on the North line of Parcel 4, as recorded in Official Records Book 27843, Page 1847, Public Records of Palm Beach County, Florida; thence North 83°04'15" East, along said North line a distance of 20.71 feet to a point on the West line of Official Records Book 8822, Page 614, Public Records of Palm Beach County, Florida and the **POINT OF BEGINNING** of the hereinafter described parcel; thence continue North 83°04'15" East a distance of 20.66 feet to a point on the East line of said Official Records Book 8822, Page 614; thence South 21°57'30" East, along the East lines of Parcels 1 and 4, of said Official Records Book 27843, Page 1847 a distance of 75.75 feet to a point on the North line of the South 125 feet of said Section 31; thence North 90°00'00" West, along said North line, a distance of 21.56 feet to a point on said West line; thence North 21°57'30" West, along said West line, a distance of 73.06 feet to the **POINT OF BEGINNING**.

A parcel of land acquired in quit claim deed from Jupiter River Inn, recorded in Official Records Book 31817, Page 1613, described as follows:

A parcel of land in Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

COMMENCE at the intersection of the Westerly right-of-way line of a 66 foot wide right-of-way of State Road A-1-A with the South line of said Section 31, said South line bearing North 89°58'26" West (Basis of Bearings); thence North 31°20'27" West, along

said Westerly right-of-way line, 19.31 feet; thence South 79°51'34" West, 144.68 feet to the intersection with the West line of the East 30 feet of Juno Street, as shown on the **PLAT OF JUPITER**, as recorded in Plat Book 1, Page 56, Palm Beach County Public Records; thence North 21°53'12" West, along said West line, 138.28 feet, to the intersection with the North line of Parcel 2 as described in Official Records Book 18844, Page 1606, Public Records of Palm Beach County, Florida; thence South 87°56'01" West, 45.54 feet to the intersection with the South line of Parcel 1 as described in Official Records Book 29597, Page 544, Public Records of Palm Beach County; thence North 89°58'48" East, 46.16 feet; thence North 21°53'12" West, 1.75 feet to the **POINT OF BEGINNING**.

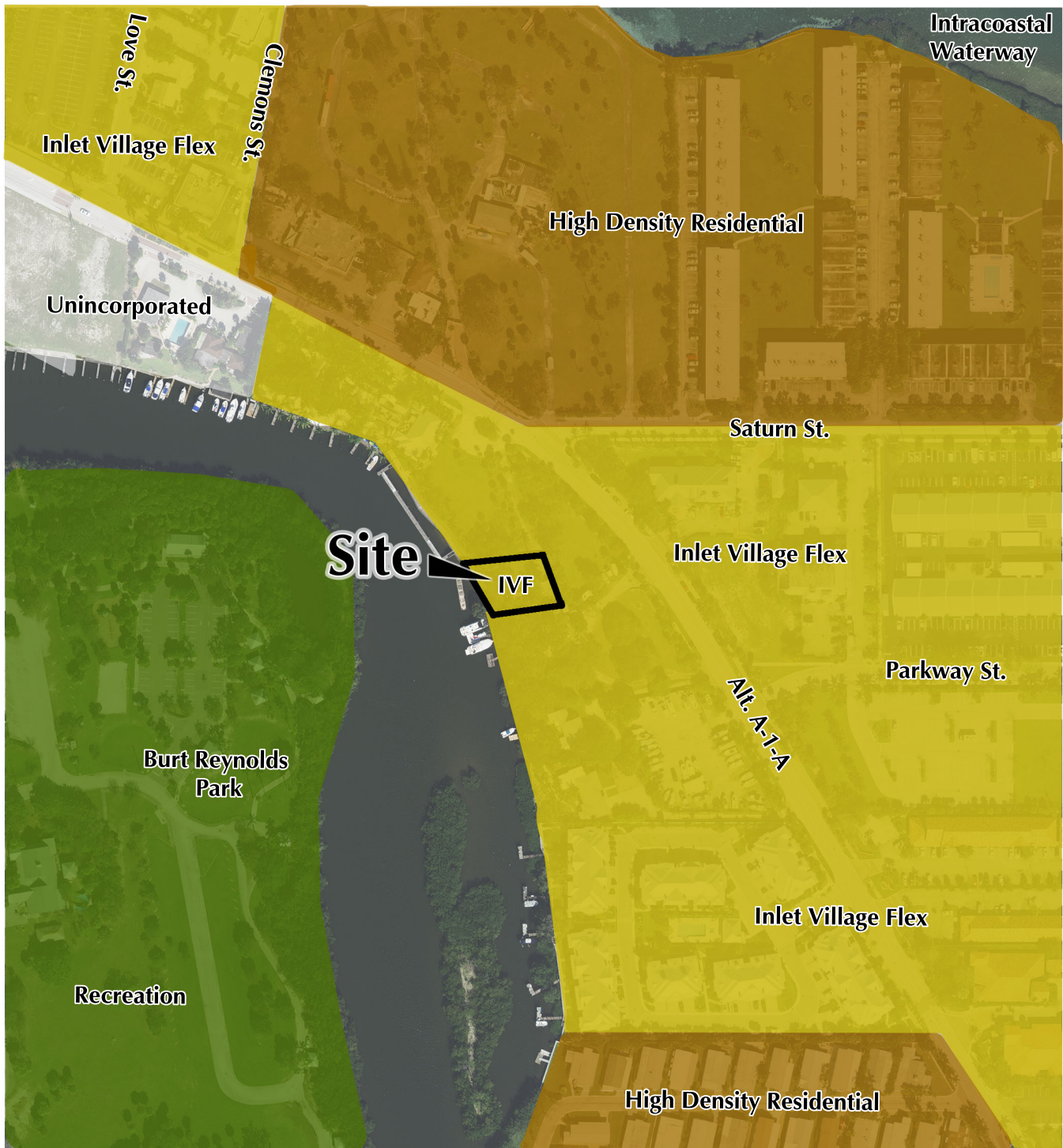
Beyel Property

Jupiter, Florida



Beyel Property

Jupiter, Florida



ORDINANCE NO. 4-25

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING THE TOWN'S OFFICIAL ZONING MAP WHICH IS INCORPORATED BY REFERENCE IN SECTION 27-473 OF THE TOWN CODE TO ASSIGN THE INLET VILLAGE DISTRICT, FLEX SOUTH SUBDISTRICT ZONING DISTRICT TO A 0.2+/- ACRE PARCEL OF LAND LOCATED AT 18019 HIGHWAY A1A; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Venus & Mars, LLC is the owner (the "Owner") of a parcel of land consisting of 0.2+/- acres of real property (the "Subject Property") the legal description of which is attached hereto and incorporated herein as **Exhibit "A"**; and,

WHEREAS, the Subject Property is coterminous with the Town's boundary; and,

WHEREAS, the Subject Property's address is 18019 Highway A1A; and,

WHEREAS, the Subject Property is located on an unimproved ingress/egress easement known as Coopers Road, approximately 100 feet west of Highway A1A as shown on the attached **Exhibit "B"**, which is incorporated herein; and,

WHEREAS, the Subject Property was annexed into the Town of Jupiter (Town) from Palm Beach County;

1 **WHEREAS**, pursuant to 163.3202, F.S., following annexation, the Town
2 Council assigned the future land use of Inlet Village Flex to the Subject Property; and

3 **WHEREAS**, the Town's Planning and Zoning Department and Planning and
4 Zoning Commission have recommended that the Subject Property be assigned the
5 zoning district of Inlet Village District, Flex South Subdistrict IVFS) to the Subject
6 Property; and

7 **WHEREAS**, the Town Council hereby assigns the zoning district of Inlet
8 Village District, Flex South Subdistrict (IVFS) to the Subject Property to implement
9 the future land use designation which it has assigned to the Subject Property; and,

10 **WHEREAS**, the Town Council hereby finds that the assignment of the IVFS
11 to the Subject Property is consistent with the Inlet Village Flex future land use
12 designation.

13 **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**
14 **TOWN OF JUPITER, FLORIDA:**

15 **Section 1.** The whereas clauses are incorporated herein.

16 **Section 2.** The Town Council hereby assigns the IVFS Zoning District to
17 the Subject Property as legally described in the attached **Exhibit "A"** which is
18 incorporated herein. The assignment of the IVFS Zoning District to the Subject
19 Property is as shown in **Figure "1"**, a copy of which is attached hereto and
20 incorporated herein.

21 **Section 3.** Codification. The Town's Official Zoning Map, is hereby
22 amended to reflect the assignment of zoning of the Inlet Village District, Flex South
23 Subdistrict Zoning District to the Subject Property.

24 **Section 4.** Severability. If any section, paragraph, sentence, clause,
25 phrase or word of this Ordinance is for any reason held by a court to be

1 unconstitutional, inoperative, or void, such holding shall not affect the remainder of
2 this Ordinance.

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

5 **Section 6.** Effective date. This Ordinance shall take effect immediately
6 upon its execution.

7

8

9 **Attachments:** **Exhibit "A" - Legal Description**
10 **Exhibit "B" – Location Map**
11 **Figure "1" – New Zoning Map**

12

13

14

15 #5904134 v1 26503-00001

Exhibit "A"

LEGAL DESCRIPTION:

PARCEL I:

Parcel of land in Government Lot 7, Section 31, Township 40 South, Range 43 East, described as follows:

*Beginning on the Southerly right of way line of U.S. Federal Highway No. 1 at Station P.C. 1180 X 23.1 which is a 3" iron pipe extending 6" above the ground as shown on an amended plat of **JUPITER INLET ESTATES INC.** filed in Plat Book 16, Page 25 Public Records of Palm Beach County, Florida; thence Southeasterly along said right of way line 88 feet, more or less, to its intersection with the Westerly right of way line of the Old Jupiter & Lake Worth Railroad; thence Southeasterly along said right of way line, 310 feet to the **POINT OF BEGINNING**; thence Westerly, making an angle with the preceding course, measured from Northwest to West of 68° 08' a distance of 98 feet, more or less, to the waters of the Jupiter River or Florida East Coast Canal; thence Northerly along the waters of said Jupiter River 76 feet, more or less to a point in a line parallel to and 70 feet northerly (measured at right angles) from the line of parcel herein described; thence Easterly along said parallel line 106 feet, more or less, to a point in said Westerly right of way line at the Old Jupiter & Lake Worth Railroad; thence continue Easterly along same course to a point in the Easterly right of way line of the 40 foot right of way of Jupiter & Lake Worth Railroad; thence Southeasterly along said Easterly right of way line, 75.43 feet to a point in the easterly extension at the south line of the parcel herein described; thence Westerly along said Easterly extension to the **POINT OF BEGINNING**.*

PARCEL II:

The South 70 feet of a tract of land in Government Lots 6 & 7, Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, described as follows:

*Beginning on the Southerly right of way line of U.S. Highway No. 1 at Station P.C. 1180 X 23.1 which is a 3-inch iron pipe extending 6 inches above the ground as shown on an amended plat of Jupiter Inlet Estates, Inc. filed in Plat Book 16, Page 25, Public Records of Palm Beach County, Florida; thence Southwesterly at right angles with said right of way of U.S. Highway No. 1 about 125 feet to the shore of Lake Worth Canal for Point A at the shore; thence back to the **POINT OF BEGINNING** to start anew, thence Southeasterly along said Southerly right of way line of U.S. Highway No. 1, 88 feet to a 3-inch iron pipe at its intersection with the Westerly right of way line of Old Jupiter and Lake Worth Railway, thence Southeasterly along said right of way line 310 feet to an iron pipe (an iron fence was built along this line of which posts are still there); thence West about 80 feet to the shore of Lake Worth Canal, thence meandering said shore Northwesterly and Westerly to the before-mentioned Point "A."*

PARCEL III:

A parcel of land in Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

*Begin at the intersection of the Westerly right of way line of State Road A-1-A with the South line of said Section 31, which for purpose of this description is assumed to bear due East; thence North 31° 22' 20" West along said Westerly right of way line, a distance of 19.31 feet; thence South 79° 50' 00" West a distance of 145.37 feet; thence North 21°52'40" West a distance of 138.28 feet to the **POINT OF BEGINNING**; thence continue North 21°52'40" West a distance of 6.29 feet to the North line of the South 125.00 feet of said Section 31; thence due West, along said North line, a distance of 136.00 feet, more or less, to the waters of Jupiter River; thence Southeasterly, along said waters, to a line which bears South 87°56'33" West from the **POINT OF BEGINNING**; thence continue North 87°56'33" East a distance of 132.00 feet more or less, to the **POINT OF BEGINNING**.*

PARCEL IV:

*From a point at Station 1180 X 23.1 on the Southerly right of way line of U.S. Highway No. 1 (now State Road A-1-A), as shown on amended plat of **JUPITER INLET ESTATES, INC.**, recorded in Plat Book 16, Page 25, Public Records of Palm Beach County, Florida said point being the point of curvature of curve, concave to the Southeast having a radius of 922.40 feet, whose center South 26°18'43" West; thence Southeasterly along the arc of said curve through a central angle of 05°35'15", a distance of 89.95 feet to the intersection of said right of way line with the Westerly right of way line of the Old Jupiter and Lake Worth Railway; thence South 21°58'50" East, along said right of way line a distance of 228.98 feet to the **POINT OF BEGINNING** of the herein described parcel of land; thence run North 83°04'14" East; a distance of 41.42 feet to the intersection of the Easterly right of way line of the Old Jupiter and Lake Worth Railway, as shown on the above said Plat; thence South 21°58'50" East, along said Easterly right of way line, a distance of 8.30 feet; thence leaving said right of way line, bear South 89°53'10" West, a distance of 67.51 feet; thence North 83°04'14" East, a distance of 23.46 feet to the **POINT OF BEGINNING**.*

Less from all the aforescribed lands the following:

*From a point at Station 1180 X 23.1 on the Southerly right of way line of U.S. Highway No.1, as shown on Amended Plat of **JUPITER INLET ESTATES, INC.** recorded in Plat Book 16, Page 25, Public Records of Palm Beach County, Florida. Said point being the point of curvature of a curve, concave to the Southeast, having a radius of 922.40 feet; run Southeasterly, along the arc of said curve, through a central angle of 05°35'15", a distance of 89.95 feet to the intersection of said right of way line with the Westerly right of way of the Old Jupiter and Lake Worth Railway; thence South 21°58'50" East, along said right of way line, a distance of 228.98 feet; thence South 83°04'15" West a distance of 23.46 feet, thence South 89°53'10" West, a distance of 83.99 feet to the Shores of the Lake Worth Canal; thence meandering said shore, Southeasterly 14.00 feet, more*

or less, to a point on a line bearing South 83°04'14" West, from the **POINT OF BEGINNING**; thence North 83°04'18" East, a distance of 73.54 feet to the **POINT OF BEGINNING**.

Together with Ingress and Egress easements as created by the Agreed Judgment recorded in Official Records Book 4588, Page 967, subject to all the terms and conditions contained herein.

And together with a non-exclusive ingress and egress easement as created by Final Judgement recorded in Official Records Book 20741, Page 1287, subject to all the terms and conditions contained herein.

TOGETHER WITH THAT CERTAIN PARCEL OF LAND DESCRIBED BELOW AS OBTAINED IN QUIET TITLE SUIT, CASE NO. 2018CA009398:

A parcel of land lying in Government Lot 7, Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From a point at Station 1180 + 23.1, on the Southerly right-of-way line of U.S. Highway No. 1; (now State Road A-1-A), as shown on the amended plat of JUPITER INLET ESTATES, INC., as recorded in Plat Book 16, Page 25, in and for the records of Palm Beach County; Florida; said point being the point of curvature of a curve concave to the Southeast, having a radius of 922.40 feet; run Southerly, along the arc of said curve through a central angle of 05°35'15" a distance of 89.95 feet to the intersection of said right-of-way line with the Westerly right-of-way line of the Old Jupiter and Lake Worth Railway; thence South 21°57'30" East, along said right-of-way line, a distance of 228.98 feet to a point on the North line of Parcel 4, as recorded in Official Records Book 27843, Page 1847, Public Records of Palm Beach County, Florida; thence North 83°04'15" East, along said North line a distance of 20.71 feet to a point on the West line of Official Records Book 8822, Page 614, Public Records of Palm Beach County, Florida and the **POINT OF BEGINNING** of the hereinafter described parcel; thence continue North 83°04'15" East a distance of 20.66 feet to a point on the East line of said Official Records Book 8822, Page 614; thence South 21°57'30" East, along the East lines of Parcels 1 and 4, of said Official Records Book 27843, Page 1847 a distance of 75.75 feet to a point on the North line of the South 125 feet of said Section 31; thence North 90°00'00" West, along said North line, a distance of 21.56 feet to a point on said West line; thence North 21°57'30" West, along said West line, a distance of 73.06 feet to the **POINT OF BEGINNING**.

A parcel of land acquired in quit claim deed from Jupiter River Inn, recorded in Official Records Book 31817, Page 1613, described as follows:

A parcel of land in Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

COMMENCE at the intersection of the Westerly right-of-way line of a 66 foot wide right-of-way of State Road A-1-A with the South line of said Section 31, said South line bearing North 89°58'26" West (Basis of Bearings); thence North 31°20'27" West, along

said Westerly right-of-way line, 19.31 feet; thence South 79°51'34" West, 144.68 feet to the intersection with the West line of the East 30 feet of Juno Street, as shown on the **PLAT OF JUPITER**, as recorded in Plat Book 1, Page 56, Palm Beach County Public Records; thence North 21°53'12" West, along said West line, 138.28 feet, to the intersection with the North line of Parcel 2 as described in Official Records Book 18844, Page 1606, Public Records of Palm Beach County, Florida; thence South 87°56'01" West, 45.54 feet to the intersection with the South line of Parcel 1 as described in Official Records Book 29597, Page 544, Public Records of Palm Beach County; thence North 89°58'48" East, 46.16 feet; thence North 21°53'12" West, 1.75 feet to the **POINT OF BEGINNING**.

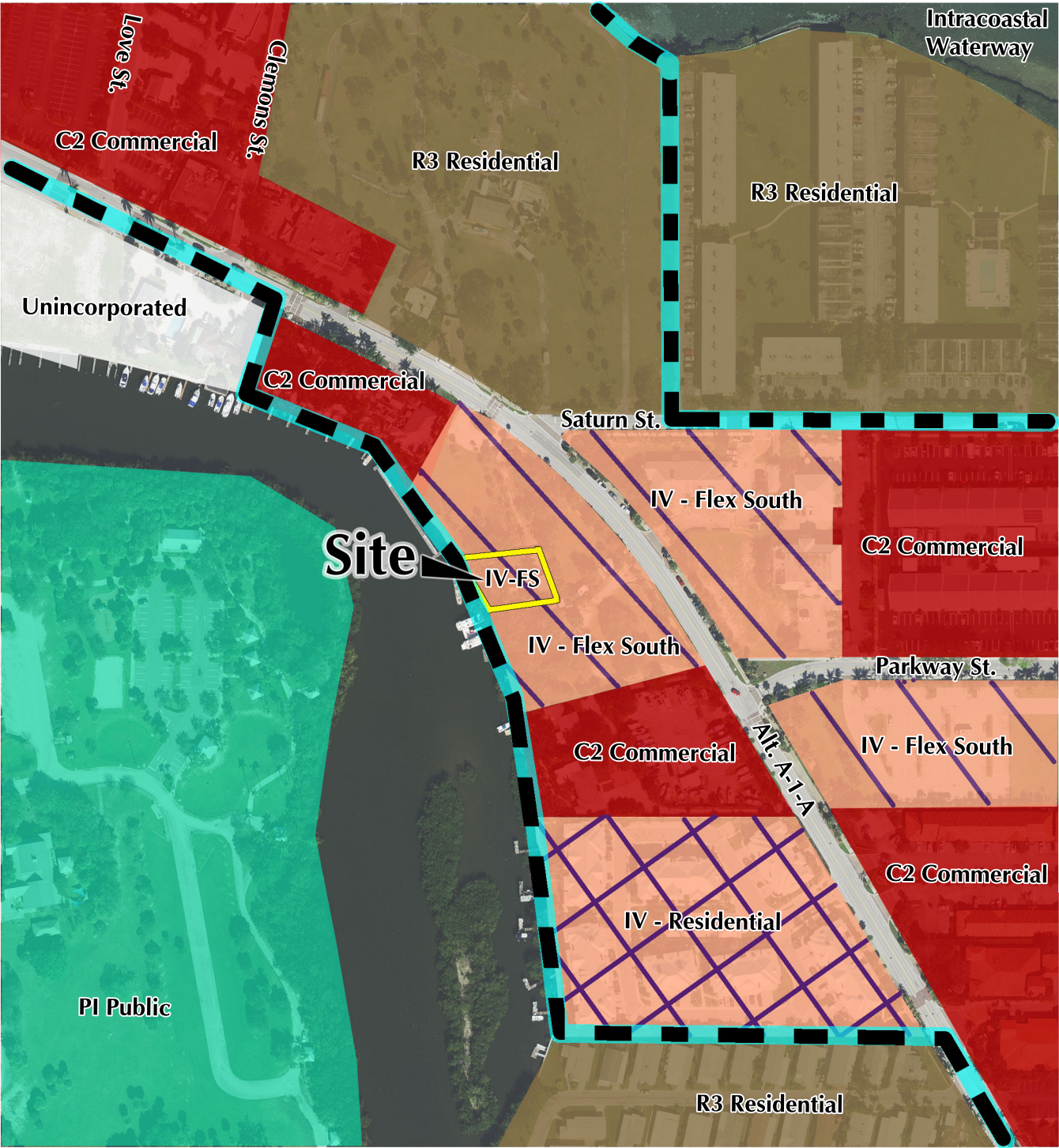
Beyel Property

Jupiter, Florida



Beyel Property

Jupiter, Florida



**Town of Jupiter Staff Report for Beyel Annexation,
Future Land Use Map, and Zoning Map Amendments
TOWN MANAGER'S OFFICE**



DATE: February 18, 2024

TO: Honorable Mayor and Members of Town Council

THRU: Frank J. Kitzerow, Town Manager

FROM: John Sickler, Director of Planning and Zoning

SUBJECT: **Beyel Annexation, Future Land Use and Rezoning** – Applications for a 0.2+/- acre property located at 18019 Highway A1A, to request a:

- A. Voluntary Annexation;
- B. Future Land Use Map (FLUM) amendment from Palm Beach County (PBC) Commercial High with underlying Medium Residential, 5 dwelling units per acre (CH/5) to Town of Jupiter (TOJ) Inlet Village Flex; and
- C. Zoning Map amendment from PBC Commercial Neighborhood (CN) to the TOJ Inlet Village District, Flex South Subdistrict (IVFS).

Ordinances #2-25, 3-25 and
4-25
PZ 24-6133, 6134, 6138
M. Schneider

P&Z Commission: 1/14/25
Town Council: 2/18/25 1st Reading
Town Council: 3/04/25 2nd Reading

Project Information

<i>Owner:</i>	Venus & Mars, LLC (Danny Beyel, Jr. 50%; Tammy Beyel 50%)
<i>Applicant:</i>	Troy Holloway/Alec Dickinson, 2GHO, Inc.
<i>Location:</i>	18019 Highway A1A (approximately 100 feet west of Highway A1A), accessed through an unimproved ingress/egress easement) across from the western terminus of Saturn Street (see Attachment A - Location Map)
<i>Acreage:</i>	0.2±
<i>PCN Number:</i>	00434031070000030
<i>Existing FLUM designation:</i>	Palm Beach County (PBC) Commercial High with underlying Medium Residential, 5 dwelling units per acre (CH/5)
<i>Proposed FLUM designation:</i>	Town of Jupiter (TOJ) Inlet Village Flex
<i>Existing use of property:</i>	Vacant with two existing, nonconforming accessory buildings (garage/storage building and chickee hut)
<i>Existing Zoning:</i>	PBC Commercial Neighborhood (CN)
<i>Proposed Zoning:</i>	TOJ Inlet Village District, Flex South Subdistrict (IVFS)

Request: Voluntary annexation with concurrent Future Land Use Map (FLUM) and Zoning map amendments.

Planning and Zoning Commission/Local Planning Agency Action

At their January 14th meeting:

- The Planning and Zoning Commission voted unanimously (7-0) to recommend approval of the Voluntary Annexation;
- The Local Planning Agency voted unanimously (7-0) to recommend approval of the Future Land Use Map amendment, which included the recommended trip cap;
- The Planning and Zoning Commission voted unanimously (7-0) to recommend approval of the Rezoning.

Staff Compliance Review

Based upon the facts and findings contained herein, the Department of Planning and Zoning finds the proposed Annexation, and changes to the FLUM and Zoning Map for 0.2+/- acres (located as shown on Location Map, Attachment A) are **consistent** with the goals, objectives, and policies of the Town of Jupiter's Comprehensive Plan, if a trip cap is included with the FLUM ordinance to ensure Transportation Element Policy 3.2.10 is met.

Background

Table 1. Surrounding land uses and designations – 18019 Highway A1A

<i>Location Map – Attachment A</i>		
<i>Location</i>	<i>Existing Land Uses</i>	<i>Future Land Use Designations/ Zoning Districts</i>
North	Public marina and park (Inlet Village Marina)	Inlet Village Flex (IVF) / Inlet Village Flex South (IVFS)
South	Residential (single-family home)	Inlet Village Flex (IVF) / Inlet Village Flex South (IVFS)
East	Vacant	Inlet Village Flex (IVF) / Inlet Village Flex South (IVFS)
West	Jupiter Oxbow; Burt Reynolds Park	Water; Recreation / Public/Institutional (PI)

For a comprehensive view of the above designations that surround the subject properties refer to the Existing Future Land Use Map (Attachment B), Existing Zoning Map (Attachment C), The Proposed Future Land Use and Zoning designations are shown on the proposed Future Land Use Map (Attachment D) and proposed Zoning Map (Attachment E), respectively.

Photo 1.



Existing Conditions: The applicant has submitted a voluntary annexation application concurrent with the FLUM and zoning map amendment applications for the subject property. Currently, 0.2+/- acres of the subject property is vacant with two accessory structures, a garage/storage building and a chickee hut. The existing structures are nonconforming, since an accessory structure by definition must be incidental and subordinate to the main structure, and, based on aerial imagery, the primary residential structure was removed between 2018 and 2020. The property is accessed from A1A via an ingress-egress easement through the Town's Inlet Village Marina property access drive running south to the subject property. The annexation of this property is consistent with Town's Annexation Study which states the area is within the future annexation area of the Town.

Cultural Resources: The property is listed as a "Known Site" on the Map of Archeological Sites and Zones. The Celestial Railroad right-of-way is known to run through the property and the "Scheurich Midden" is located east and south of the subject parcel (on the adjacent parcel also owned by the Beyel's and on the Addario and Kempe properties to the south), and may or may not extend into the subject property. The Scheurich Midden is one of the oldest known archaeological sites in Jupiter that dates to the Late Archaic Period from 2000 to 1200 B.C. An application for a Certificate to Dig has been submitted concurrent with the subject application. The Certificate to Dig application cannot be processed until after the property is annexed into the Town, but Certificate to Dig approval is required prior to any development applications or subsurface disturbances.

Community Redevelopment Agency (CRA) district: Since the property is unincorporated, it is not included within the boundaries of the Town's CRA district. The CRA district surrounds the property in every direction. The only nearby properties not in the CRA district are the unincorporated properties approximately 420 feet northwest of the property. Adding the subject property into the CRA would involve a modification to the CRA boundaries, per 163.361 Florida Statutes, including a finding of necessity, public notification requirements, and reporting the proposed modification to all taxing authorities, including the County. If amended into the CRA, any tax increment gained from the 0.23 acre subject property over time would go to the CRA until the expiration of the CRA in 2034, unless extended. At this time, the subject property is not proposed to be incorporated into the CRA, if it is annexed into the Town.

Reason for the Request: The Applicant has requested the annexation, land use change and rezoning (see Justification Statement - Attachment F) concurrent with a request for a Certificate to Dig. The applicant also intends to submit an application for a Small-Scale Planned Unit Development (PUD) and Site Plan for a residential development in the future. (Attachment F, page 1). While no PUD or site plan details have been provided with the application, in past pre-application meetings the owner had proposed a large single-family residential dwelling unit with a smaller dwelling unit attached. Based on the Inlet Village Flex land use and Inlet Village Flex South zoning district, single-family residential is not a permitted use and mixed use or multi-family use (e.g., a duplex, townhouse, garden apartment) would be required.

Analysis.

1. Voluntary Annexation Request

Traffic impacts: There are no traffic impacts associated with annexing property into the Town. The Future Land Use Map (FLUM) amendment traffic analysis will address any impacts associated with the land use changes on the subject property (see page 8, below).

Environmental impacts: The Town's Natural Resources Supervisor has no concerns regarding the proposed annexation and stated that when a PUD/Site Plan application for the subject property is submitted, the property will be required to meet the Town's land development regulations. Given that the 0.2± acre lot is undeveloped (except for existing accessory structures and the remains of a floating dock) and contains native trees, the property will be subject to the Supplemental Tree Protection requirements outlined in [Section 26-121](#) of the Town's Code of Ordinances. The existing accessory structures and the remains of the floating dock will need to be addressed at the time of site plan submittal and prior to issuance of any development permits, or sooner if they present a code violation. According to the Agent, the Owner intends to remove the floating dock in order to construct a new dock as part of their site plan application. The Applicant has stated that the necessary approvals for the new dock have been secured from Florida Department of Environmental Protection (FDEP); however, no Town approvals for the dock can be issued until a site plan is approved, and no dock can be constructed until a primary use is constructed on the property.

Prior to the application for annexation being submitted to the Town on August 8, 2024, the Palm Beach County (PBC) Department of Environmental Resources Management (ERM) received a complaint on July 8, 2024, that a significantly large oak tree, approximately 3 to 4 foot diameter at breast height (dbh), had been removed from the subject property (see tree circled in red in Photo 2 below). ERM conducted an inspection on August 12th confirming a large native live oak tree had been removed without receiving approval from ERM. The County issued a Notice of Violation to the property owner for the tree removal on December 13, 2024 (Attachment G). ERM staff notified Town staff on December 19th that the owner had contributed \$2,880 to the

Palm Beach County Natural Areas fund in order to satisfy the Notice of Violation (Attachment H – Letter of Compliance).

Photo 2.



In the Justification Statement, the applicant acknowledged the violation and stated that the tree was removed “due to its poor health and potential safety hazard” (see Attachment F, p.2). Whether the tree was unhealthy or presented a hazard cannot be known, because the tree was removed without approval. Therefore, neither the PBC ERM nor Town Natural Resources staff was able to evaluate the health of the tree, or whether it presented a hazard, prior to its removal. When a PUD/Site Plan application is submitted, consideration of how the applicant can make more appropriate restitution for the loss of the mature live oak tree on the property, and to ensure that the native tree canopy that has existed on the property is reestablished.

Infrastructure Impact Analysis: All public facilities are available to the property without adversely impacting the Town's established levels of service (LOS) standards as required by the Comprehensive Plan; specifically, Policy 1.4.4 of the Infrastructure Element. The results of this analysis are contained in Infrastructure Impact Analysis section of the Annexation Criteria (Attachment I). It is important to note, the owner will be required to meet any and all connection requirements and associated costs for water and sewer service. In addition, this property is subject to payment of Stormwater Availability Fees, for connection to the Inlet Village regional stormwater system, and requires a water service agreement and payment of associated fees

during the development site plan application process. The property is required to be annexed into the Town in order to receive water service.

The following section lists the applicable State, County and Town regulations and analyzes the consistency of the applicant's annexation request with these regulations.

State Statutes Consistency: Section 171.044(1), Florida Statutes (F.S.), states that:

"The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed into the municipality."

In addition, Section 171.044, F.S. prohibits the annexation of a parcel which would create an enclave. No enclave would be created due to the annexation of the subject property due to the fact that the subject property is contiguous to the municipal Town boundary, is a reasonably compact area that is already developed for urban purposes, and is located within the annexation area outlined by the Future Annexation Study. In fact, the proposed annexation would eliminate an existing enclave.

Comprehensive Plan Consistency: The proposed annexation is in conformance with the Future Land Use Element of the Town's Comprehensive Plan. The Town's Future Annexation Study criteria and priorities contained in Objective 1.6 of the Future Land Use Element are discussed in Attachment J.

Intergovernmental Coordination: The Town notified the Palm Beach County Planning Division of the application for annexation. On November 26, 2024, the Town received a response from the County stating that staff had not identified any inconsistencies with Chapter 171 Florida Statutes (Attachment K). The County Archeologist did note that the property has a high probability of containing archeological and historic resources. The Town was aware of the potential archeological significance of the subject property and the applicant has applied for a Certificate to Dig in conjunction with this application. The Certificate to Dig is contingent on the property being annexed into the Town, and cannot be processed until after the property is annexed into the Town. 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.

2. Future Land Use Map Amendments

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 amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as shown in Attachment J, if a trip cap is included with the FLUM ordinance to ensure Transportation Element Policy 3.2.10 is met. Transportation Policy 3.2.10 requires that LOS capacity limitations through buildout shall be considered when reviewing land use applications. Since the applicant has voluntarily limited the FAR on the property to not exceed the maximum rate allowed on the property under the County's existing land use designation, no additional traffic impacts would result from the proposed land use amendment. The Town Council may determine a lower trip cap is

appropriate based on the analysis in the Traffic Impacts and Inlet Village Traffic Management sections below.

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

Staff Comment: The proposed Future Land Use designation for the subject property is consistent with the existing adjacent uses on the surrounding properties to the north, south, and east, all of which are already designated Inlet Village Flex. The property to the west, Burt Reynolds Park, is across the Jupiter Oxbow and has a Future Land Use designation of Recreation, which is also compatible with Inlet Village Flex. As a result, the proposed future land use amendment to Inlet Village Flex on the subject property is in harmony with the surrounding properties.

- 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 Future Land Use designation for the subject property will be consistent with the surrounding properties, which are also Inlet Village Flex (IVF). Currently, the subject property is currently an unincorporated enclave. Therefore, the annexation and Future Land Use amendment to IVF will eliminate an existing enclave with an isolated land use and zoning district and provide consistent land use and zoning. The subject property is surrounded by IVF land use to the north, east, and south, with the Oxbow Waterway to the west. Staff considered whether the less intensive Inlet Village Residential (IVR) land use designation would be appropriate, since the applicant has stated their intent for residential use on the property. However, if this property were changed to IVR it would create an isolated district, but not necessarily incompatible since the surrounding district allows for residential. Adding to the complication of assigning the IVR instead of Inlet Village Flex is that the Owner intends on combining their two parcels into one property. This would result in IVR assigned to part and IVF assigned to the other part. The Applicant's voluntary trip cap that prevents the intensity of the property from exceeding the intensity under its current County land use designation is a step to place some limitation on the intensity.

- 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 proposed land use change is necessary because the applicant is seeking to voluntarily annex into the Town. Chapter 163 of the Florida Statutes requires annexed land to be assigned a municipal Future Land Use Designation and Zoning district. The annexation is necessary in order for the property to receive Town water service and other services in order to develop, and will eliminate an isolated unincorporated county pocket.

Population impacts. The proposed land use change will have minimal residential density impacts to the Town. The subject property is only 0.23 acres in size and will not support many residential units under either the Town or County land use designations. The County designation allows up to five units per acre, while the Town Inlet Village Flex land use has a base density of six units per acre, which can be adjusted higher or lower depending on the amount of commercial use and the amount of bonus density, if any, granted by the Town Council through the Planned Unit Development (PUD) process. Regardless, the subject property cannot realistically support more than a few residential units.

Traffic impacts. In the Justification Statement (Attachment J, p. 8), the Applicant has agreed to voluntarily cap the maximum allowable FAR on the subject property based on the current FAR allowed under the County FLUM designation, which will result in no net gain in the potential number of trips from the Future Land Use Map amendment. When the PUD and Site Plan applications are submitted, a site-specific traffic analysis based on the actual proposed use of the site will be required.

The traffic impacts for the proposed future land use designation change were evaluated by comparing the current PBC Future Land Use designation with the proposed Town Future Land Use designation for the subject property. The existing Palm Beach County (PBC) Commercial High with underlying Medium Residential, 5 units per acre (CH/5) land use designation allows a maximum commercial floor area ratio (FAR) of 0.85 and maximum of residential density of five units per acre. This would allow up to 8,503 square feet of commercial use, and one residential unit.¹ The proposed Inlet Village Flex land use designation provides for a sliding scale for Residential and Commercial Intensity (see Future Land Use Element policy 1.3.12, Attachment J). Based on the Traffic Impact Statement provided by the applicant (see Attachment L), in consultation with the Town's Traffic Engineer, four units per acre and 1.25 commercial FAR were utilized as a reasonable mix of uses to estimate the proposed maximum density and intensity of the subject property. The proposed maximum commercial floor area ratio (FAR) of 1.25 would allow a maximum of 12,504 commercial square footage, and the maximum density would result in one dwelling unit. Staff notes that this level of intensity is quite unrealistic, due to the small size of the property. Further, single family residential is not a use permitted in the proposed zoning district.

Utilizing the Trip Generation tables contained in the applicant's traffic analysis (Attachment L, p. 3), the proposed FLUM amendment on the subject property results in an increase of **80** Average Daily Traffic (ADT) trips, **4** AM peak hour trips and **10** PM peak hour trips. **The Traffic Statement and the Justification Statement both state that the owner is proposing to voluntarily cap the maximum FAR, so that there will be no additional traffic impacts resulting from the proposed designated future land use amendment compared to what is allowed as a maximum by the PBC designations. Therefore, Ordinance 3-25, which establishes the Future Land Use designation will be drafted to include a trip cap of 463 ADT.** The Town Council may determine a lower trip cap is appropriate based on the analysis herein.

As detailed above, this trip cap is unlikely to occur to be reached on the subject property due to the small size of the property. The trip cap of 463 ADT is based on the Applicant's voluntary cap of 0.85 FAR. It was derived using 8,503 sf of commercial (0.85 FAR x 0.23 acre). Of note, the applicant has stated that the owner's intention is to combine the 0.23 acre subject property with the 0.29 acre adjacent property, also owned by the same property owner, to develop residential units on the resultant 0.51 acre combined lot. The existing 0.23 acre lot is too small to allow more than one residential dwelling unit. Since the proposed land use and zoning districts require multi-family, the applicant is aware that the properties need to be combined to create a developable residential use. For this reason, the Trip Generation tables compare the net change of trips for the entire 0.51 acres (Attachment L, p. 3) instead of analyzing the 0.23 acre parcel independently.

¹ It is important to note that site constraints and land development regulations can limit the ability to reach the maximum allowable intensities. In this case, the small size of the property along with regulations (e.g., setbacks, lot coverage, height restrictions, parking requirements, etc.) would make it unlikely to reach the maximum commercial square footages utilized in the traffic impact statement. However, the land development regulations do provide for height bonuses and off-site parking, as well as setback, lot coverage and parking waivers that could possibly make such intensities more feasible.

According to the applicant's FLU Traffic Statement, by providing the voluntary trip cap to the proposed change in land use, there will be no net change in the number of potential trips generated from the property, and therefore no increase in the potential impact on the adjacent roadway network. The proposed change in land use alone will not have a negative impact on existing, short range or long range traffic volumes.

Inlet Village Traffic Management: In 2016, the Town's traffic engineer developed a traffic buildout management sketch tool for the Inlet Village, which is intended to ensure A1A can be maintained as a functional two-lane road and meet the Town's adopted Level of Service. The sketch tool was developed to help forecast how future development may impact traffic capacity in the area and provide guidance to the Town Council in reviewing land use amendments and development applications in the Inlet Village. Based on the daily traffic projection provided by the Traffic Impact Statement provided, the average daily trips for the subject 0.23 acre property equates to 2,043 trips per acre, as compared to the 154 daily trips per acre estimated as the necessary limit to maintain the Level of Service traffic volumes estimated by the sketch tool for all future parcels to be developed at buildout. This is a planning tool that can be utilized to assist in make decisions that can impact future land uses. This planning tool is not regulatory and is informational only.

The sketch tool uses 154 net external Average Daily Trips (ADT) per acre to estimate the amount of unassigned trips available for future development while retaining enough capacity to maintain A1A's level of service.

- For the 0.23 subject parcel, this would equate to 35 ADT. For informational purposes, the overall 0.51 acres owned by the Beyel's would equate to 78 ADT.
- Utilizing ITE's rate of 6.84 ADT per dwelling for Multi-family low-rise housing, this ADT would equate to five units on the 0.23 acre subject parcel, or 11 units on the 0.51 acre overall combined property.
- So far as mixed use scenarios:
 - If three residential units (21 ADT) were placed on the 0.51 acre overall combined property, 1047 square feet of commercial retail (57 ADT) could be supported (utilizing ITE's ADT for Strip Retail Plaza of 54.45/KSF).
 - If two residential units (14 ADT) were placed on the 0.51 acre overall combined property, 1175 square feet of commercial retail (64 ADT) could be supported (utilizing ITE's ADT for Strip Retail Plaza of 54.45/KSF).

This information is intended to provide guidance, and it needs to be recognized that the 0.29 acre parcel is already assigned the Inlet Village Flex land use without a trip cap. The analysis is intended to illustrate potential development scenarios of the two parcels, if combined, that are within the limits estimated by the sketch tool. Further analysis will be conducted once a specific site plan application is submitted. In addition, the tool has not been updated to reflect development or changes in traffic patterns or volume in the Inlet Village since it was developed in 2016, which could alter estimates.

Environmental impacts. Given that the 0.23± acre lot is undeveloped and contains native trees, the property will be subject to the Supplemental Tree Protection requirements outlined in [Section 26-121](#) of the Town's Code of Ordinances. Since the property is located on the waterfront along the Jupiter Oxbow, it will also be required to provide a marine stewardship plan at the time of development. According to the Conservation Element (Policy 1.1.3) of the Comprehensive Plan, a marine stewardship plan is required to be incorporated into a development order when development is proposed along the waterfront to provide for environmental restoration or enhancement to propagate a living shoreline and provide for long term maintenance.

3. 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: See "Future Land Use Map Amendment" section above for discussion on consistency with the Comprehensive Plan. The proposed zoning district of Inlet Village Flex South is consistent with the Future Land Use designation of Inlet Village Flex.

- 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 surrounding properties, which share the same Future Land Use designation and Zoning district, and will continue the established land use pattern in the area. Staff considered whether the less intensive Residential subdistrict of the Inlet Village zoning district would be appropriate, since the applicant has stated their intent for residential use on the property. However, if this property were changed to Inlet Village Residential subdistrict it would create an isolated district, but not necessarily incompatible since the surrounding district allows for residential. Adding to the complication of assigning the IVR instead of Inlet Village Flex is that the Owner intends on combining their two parcels into one property. This would result in the Residential subdistrict assigned to part and Inlet Village Flex South subdistrict assigned to the other part.

- 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 isolated zoning designations that are unrelated to the adjacent designations. The annexation, Future Land Use amendment, and Rezoning will eliminate an existing enclave with an isolated land use and zoning district and provide consistent land use and zoning related to the adjacent and nearby designations and districts.

- 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 necessary to assign zoning designations that are consistent with the corresponding proposed and existing future land use designations.

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.

Findings.

1. The subject property is an unincorporated enclave and is contiguous and surrounded by the Town of Jupiter's Municipal boundaries.
2. Annexation of the subject property will not result in the creation of an enclave. It will eliminate an existing enclave.
3. The property is within the Town's annexation area considered to be desirable for annexation, as noted in the Town's Future Annexation Study.
4. The subject property is currently undeveloped with two existing nonconforming structures, which will be addressed at time of consideration of any future development proposal.
5. Once annexed, the subject property must be assigned with appropriate Town future land use and zoning district designation.
6. The applicant has voluntarily agreed to cap the maximum allowable FAR to not exceed the existing rate under the County land use designation, resulting in no additional impacts from the proposed land use amendment.

Conclusions.

Staff has reviewed the requested Voluntary Annexation, FLUM, and Zoning Map amendments on the subject property totaling 0.23 acres, based on existing and future potential uses, and found them to be consistent with the Comprehensive Plan and Land Development Regulations for the following reasons:

1. The annexation of this property is consistent with Town's Annexation Study and complies with Florida Statute 171.044(1) by not creating an enclave.
2. The proposed annexation, future land use and zoning map amendment applications are consistent with the Comprehensive Plan's goals, objectives and policies, provided a trip cap is included with the FLUM ordinance to ensure Transportation Element Policy 3.2.10 is met.
3. The location of the property is consistent with State and Town requirements for annexation.
4. With the applicant's voluntary trip cap on the maximum allowable FAR to not exceed the existing rate under the County land use designation, there will be no increase in the maximum development intensity resulting from the proposed land use amendment.

Attachments:

Attachment A – Location Map
Attachment B – Existing FLU Map
Attachment C – Existing Zoning Map
Attachment D – Proposed FLU Map
Attachment E – Proposed Zoning Map
Attachment F – Justification Statement
Attachment G – PBC Notice of Violation
Attachment H – PBC Letter of Compliance
Attachment I – Annexation Criteria
Attachment J – Comprehensive Plan Objectives and Policies
Attachment K – PBC response letter on Beyel annexation
Attachment L – FLU Traffic Statement

Contact Martin Schneider at 561-741-2290 or email at martins@jupiter.fl.us for attachments.

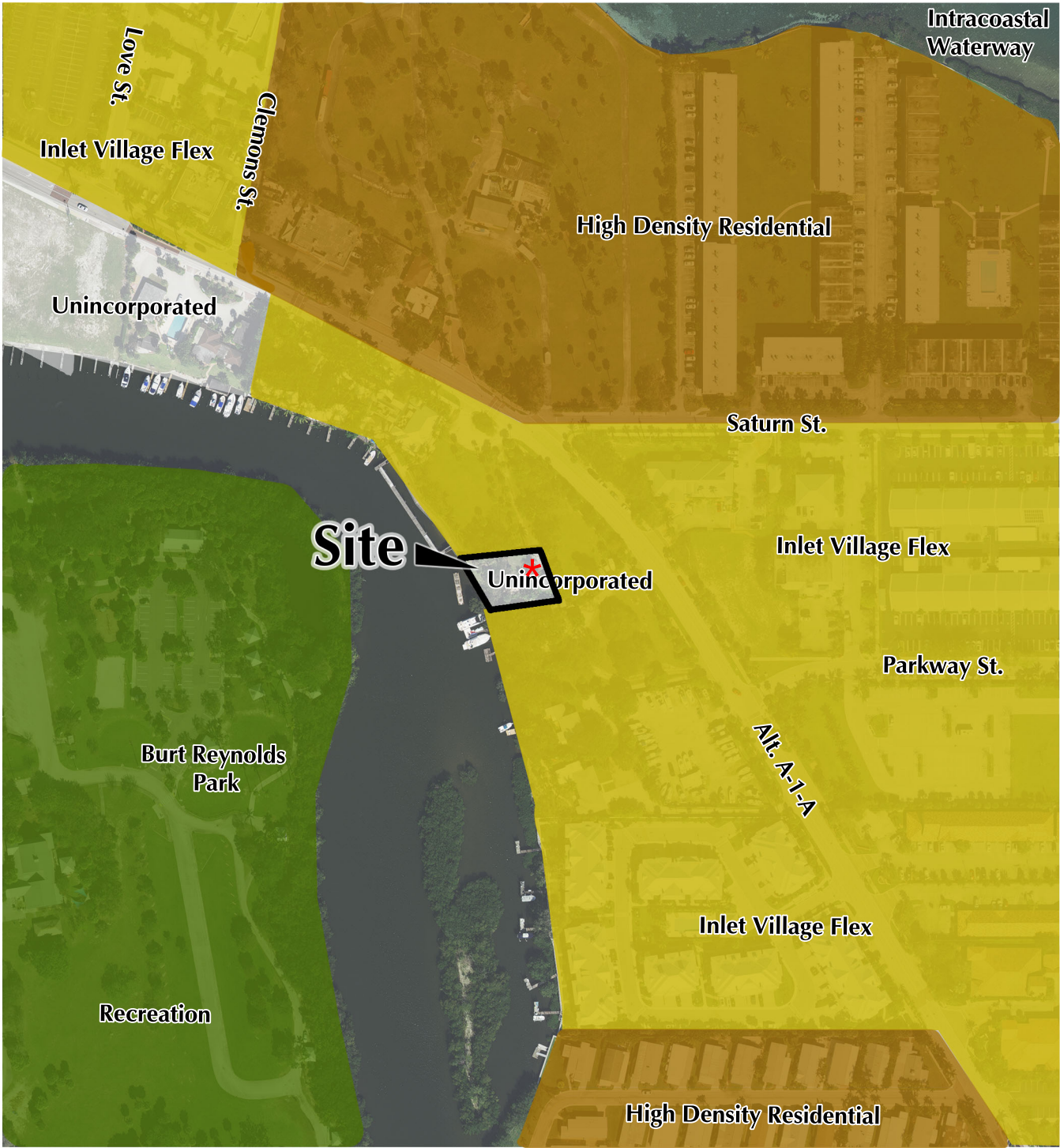
Beyel Property

Jupiter, Florida



Beyel Property

Jupiter, Florida



Existing Land Use

Unincorporated*

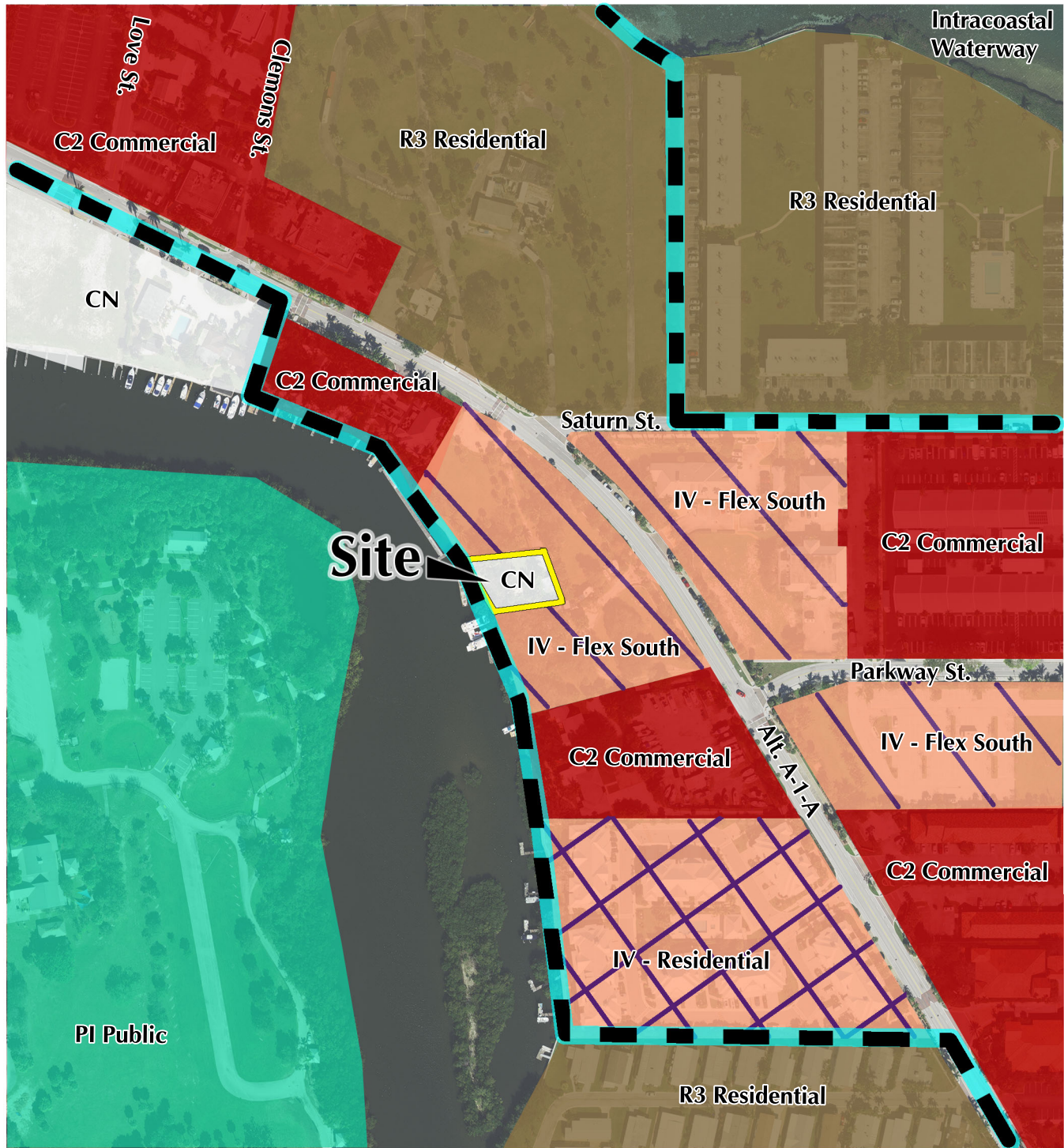
*Palm Beach County Commercial High with underlying Medium Residential, 5 units per acre (CH/5)



8.12.24

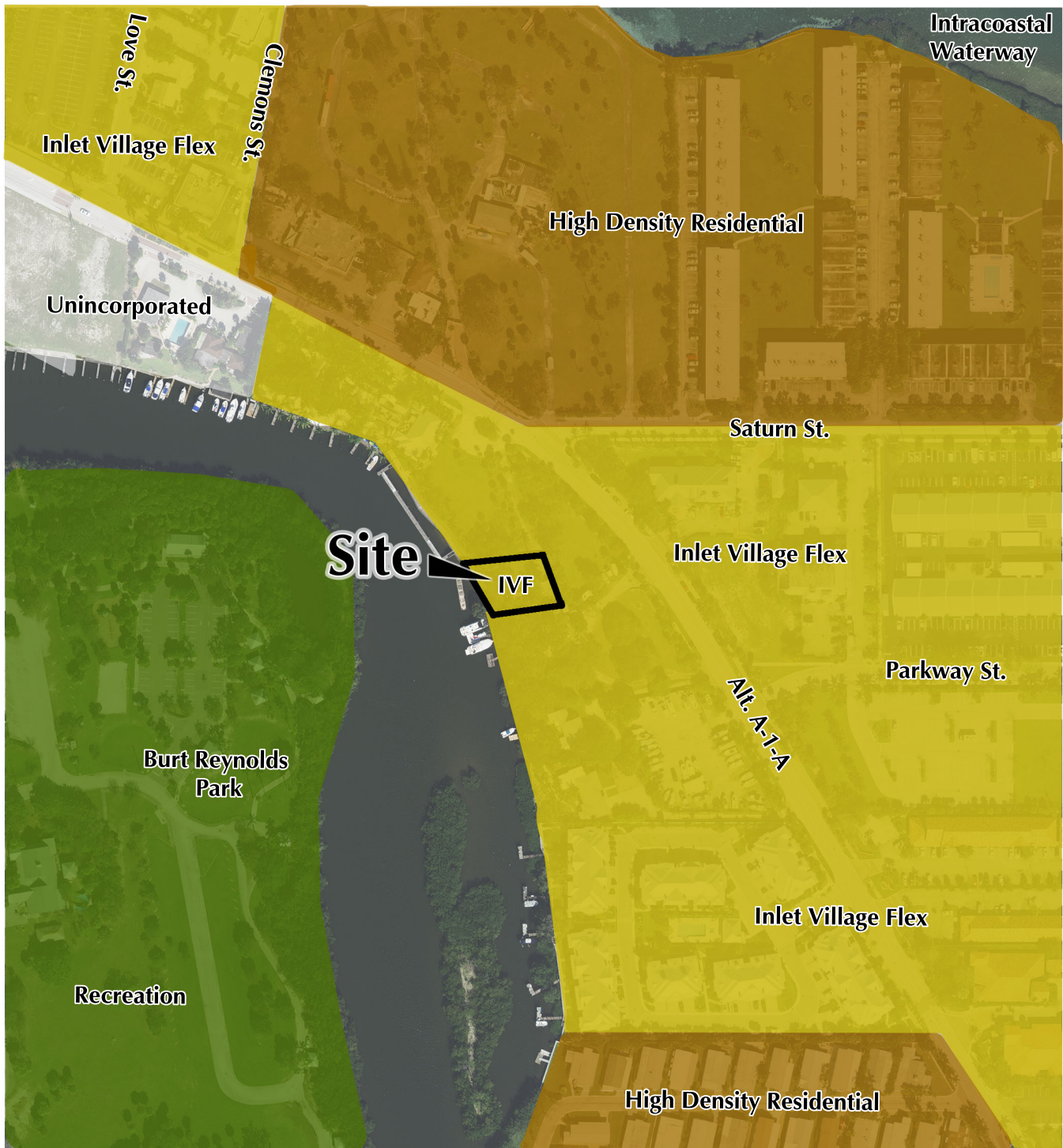
Beyel Property

Jupiter, Florida



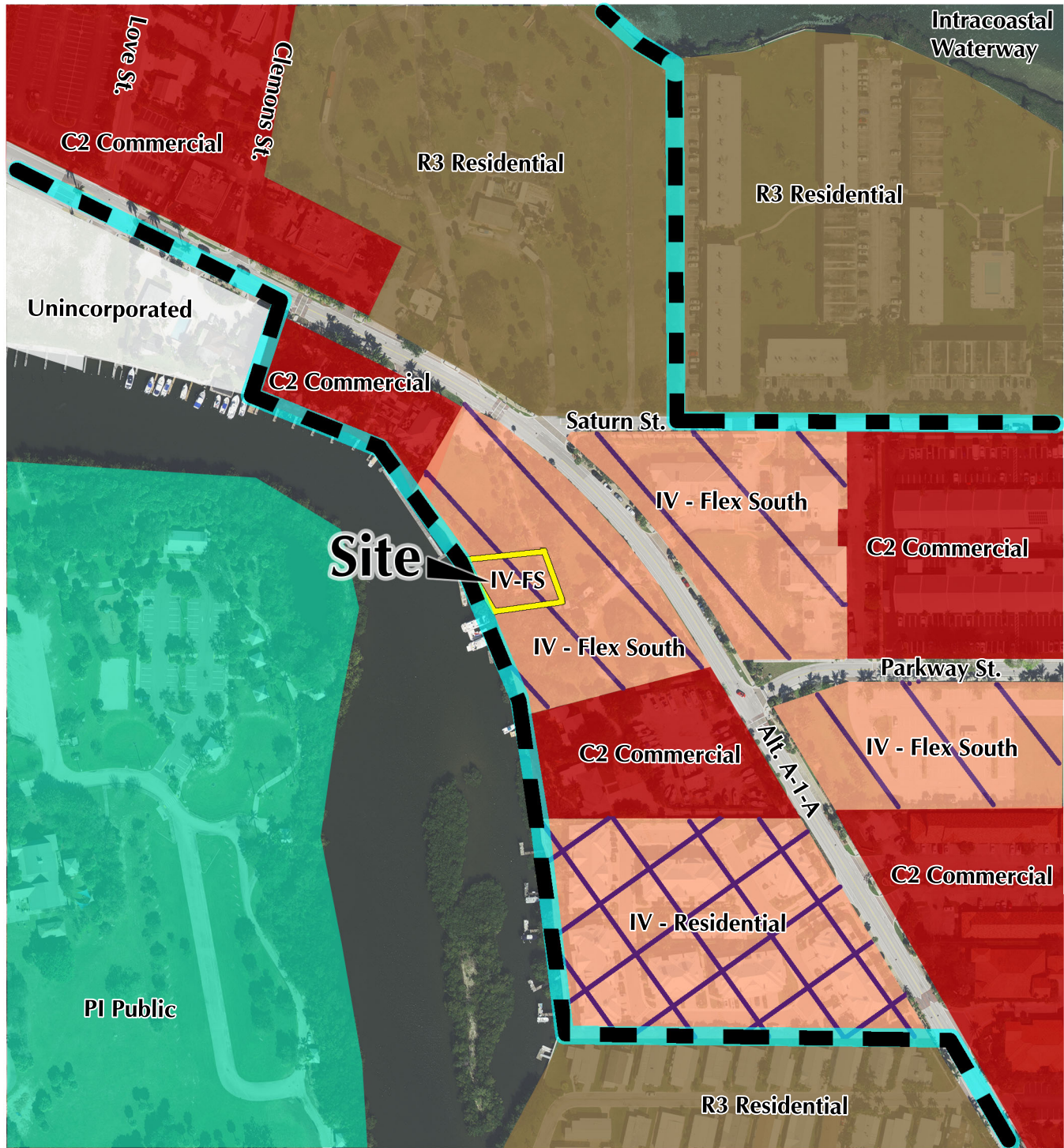
Beyel Property

Jupiter, Florida



Beyel Property

Jupiter, Florida



George G. Gentile, PLA ■ Emily M. O'Mahoney, PLA ■ M. Troy Holloway, PLA ■ Dan Siemsen, PLA ■ Dylan Roden, PLA

Venus and Mars, LLC
Voluntary Annexation - Future Land Use Map Amendment - Zoning Map
Amendment
August 12, 2024
Revised – December 20, 2024

Request:

On behalf of the Owner Venus & Mars, LLC 2GHO, Inc., acting as agent, respectfully request approval of the following requests:

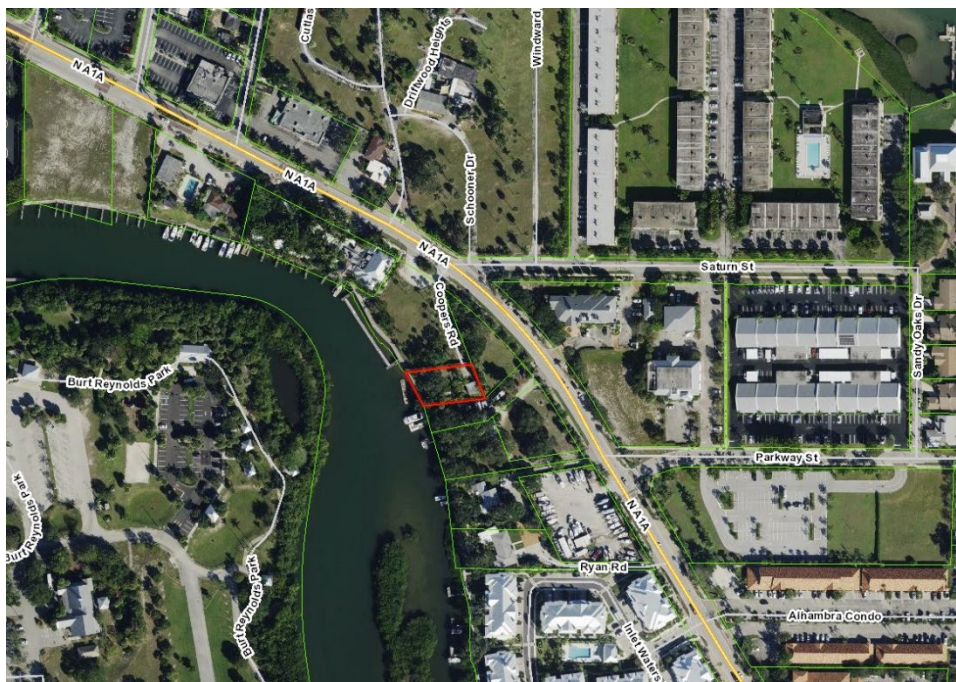
1. Voluntary Annexation of 0.22 acres of land from Palm Beach County to the Town of Jupiter
2. Small Scale Future Land Use Map Amendment from CH/5 to Inlet Village Flex;
3. Zoning Map Amendment from CN (PBC) to Inlet Village Flex South

Please note, two (2) additional applications are being filed for this project which include:

- Certificate to Dig;
- Small Scale PUD and Site Plan for a multi-family dwelling;

Project Location:

The subject petition site is located on Coopers Road, just south of the Town of Jupiter's public docks / park. While this annexation request is specifically for the 0.22-acre parcel (*outlined in red*), it should be noted that the property Owner currently owns the property (within the Town's jurisdictional control) immediately east of the subject parcel of this annexation request. It is the intent of the Owner to combine these two properties for the purposes of yielding a residential development. More detail on the development parameters for the small-scale PUD will be provided in the future site plan application.



Notice of Violation – Palm Beach County Environmental Resources Management:

On December 13, 2024, Palm Beach County's Department of Environmental Resources Management (ERM) issued a Notice of Violation to the Property Owner (VE-2024-001). The subject violation notice was for the removal of native and non-native vegetation without an ERM issued vegetation removal approval.

In July, 2024 the Owner elected to remove an oak tree from the property, due to its poor health and potential safety hazard it presented to not only their property, but the surrounding areas. While the Owner does believe they were correct in removing the tree from the property, they quickly rectified the violation by paying the stipulated fee in lieu to ERM. Currently, they are awaiting a formal acknowledgement from PBC ERM stating that the violation has been resolved. Once received, a copy of that letter will be provided by TOJ staff.

Surrounding Property Information:

The proposed annexation, and subsequent land use and rezoning will be consistent and compatible with the surrounding areas as demonstrated in the chart below.

	EXISTING FLU	EXISTING ZONING	PCN	EXISTING USE
Subject Site	CH-5/MR-5	CN	00-43-40-31-07-000-0030	Vacant
North	Inlet Village Flex	Inlet Village Flex South	30-43-40-31-43-001-0000	Vacant/Public Docks
South	Inlet Village Flex	Inlet Village Flex South	30-43-40-31-03-004-0041	SFD
East	TOJ – Inlet Village Flex	TOJ – Inlet Village Flex South	30-43-40-31-03-004-0021	SFD
West	NA	NA	NA	Jupiter Oxbow

Voluntary Annexation

Annexation, in its simplest terms, is the addition of unincorporated areas into a municipality. In a state such as Florida, rapid urban growth can force cities to find ways to expand and/or maintain their network of goods and services to the unincorporated areas that surround them. Annexation provides plenty of inherent good for both parties involved as the municipality gains new land and additional people/structures for its tax base. Further, the citizens in the newly annexed location will gain the established services that a municipality brings.

Additionally, it is necessary to assess the consistency between zoning and land uses from an unincorporated area to fully understand the implications that can affect compatibility, and overall cohesion of an area. In this case, the subject annexation site is located within the Inlet Village, one of Jupiter's highly regarded areas. While there are other unincorporated areas in proximity to the subject site, a couple of the properties have existing functioning uses (office building on one,

and motel on the other) the subject property has remained vacant for a number of years, and seeks to bring a modest infill development project into a popular area in the Town.

In order to develop a logical, orderly development, the request to annex the remaining 0.22 acres into the Town's limits is requested.

Criteria for Voluntary Annexation – Chapter 171, Florida Statutes:

With this request, the applicant will demonstrate compliance with Title XII, Chapter 171, Section 171.044, Voluntary Annexation as set forth in the Florida Statutes.

- (1) The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.

Response: *The subject property is contiguous to Town of Jupiter jurisdictional limits. As mentioned, the Owner also owns the parcel directly east of the subject petition site.*

- (2) Upon determination by the governing body of the municipality that the petition bears the signatures of all owners of property in the area proposed to be annexed, the governing body may, at any regular meeting, adopt a nonemergency ordinance to annex said property and redefine the boundary lines of the municipality to include said property. Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town or, if no newspaper is published in said city or town, then in a newspaper published in the same county; and if no newspaper is published in said county, then at least three printed copies of said notice shall be posted for 4 consecutive weeks at some conspicuous place in said city or town. The notice shall give the ordinance number and a brief, general description of the area proposed to be annexed. The description shall include a map clearly showing the area and a statement that the complete legal description by metes and bounds and the ordinance can be obtained from the office of the city clerk.

Response: *The applicant acknowledges the above. With this submittal, the applicant has provided a survey of the subject property for the annexation request, complete with the legal description for the Town's use.*

- (3) An ordinance adopted under this section shall be filed with the clerk of the circuit court and the chief administrative officer of the county in which the municipality is located and with the Department of State within 7 days after the adoption of such ordinance. The ordinance must include a map which clearly shows the annexed area and a complete legal description of that area by metes and bounds.

Response: *The applicant acknowledges the above. Once an ordinance is adopted that officially annexes the subject property into the Town, the applicant will work with the Town of Jupiter to ensure that the necessary filings happen within the above-mentioned timeframe.*

- (4) The method of annexation provided by this section shall be supplemental to any other procedure provided by general or special law, except that this section shall not apply to municipalities in counties with charters which provide for an exclusive method of municipal annexation.

Response: *The applicant acknowledges the above.*

- (5) Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.

Response: *Approval of the subject annexation request will not create an enclave. The subject property is adjacent to the Town of Jupiter limits on its north, south, and east property lines with the exception of public rights of way and the Intracoastal Waterway. The Owner wishes to develop a residential structure (an allowable use in the zoning district) within the Town of Jupiter*

- (6) Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located. The notice provision provided in this subsection may be the basis for a cause of action invalidating the annexation.

Response: *The applicant acknowledges the above.*

Future Land Use Map Amendment and Zoning Map Amendment

As this project represents infill development, considerations have been explored, and implemented, such as the requests for a voluntary annexation, land use amendment, and rezoning in an effort to yield a development that is not only sensitive to the established built environment, but promotes sound planning and design principles that are consistent with the Town's adopted Comprehensive Plan, and Zoning Regulations.

As is the case with all Voluntary Annexation requests, it is necessary to evaluate the existing land use and zoning designations on a case-by-case basis to determine the best corresponding land use and zoning within the requested annexation area. In the case of this petition, it is proposed to have the following land use designations:

Existing Land Use	CH/5 with underlying MR-5
Existing Zoning	CN
Proposed Land Use	Inlet Village Flex
Proposed Zoning	Inlet Village – Flex South

In accordance with Section 27-178 of the Town's code, it will be demonstrated that the Owner's proposal is consistent with the criteria for future land use and zoning map amendments, as indicated on the following pages. Note, this proposal is part of an overall initiative to secure the necessary entitlements in order to develop a multifamily dwelling. Once a formal site plan application is filed, more details related to comprehensive plan consistency will be provided.

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

FUTURE LAND USE ELEMENT

Policy 1.3.12 Inlet Village Flex - This future land use designation is specific to the Inlet Village Sector and is intended to foster infill and allow for flexibility of uses on a site to encourage the development of residential and to allow commercial uses.

Response: *As this is a true infill development with a residential component, the Owner's proposal is directly consistent with the above policy. The proposed development, will yield a multifamily residential dwelling, that will enhance the surrounding area. Further, the subject property is within the Inlet Village sector, and does not lie within 80' of the Riverwalk Corridor component.*

Policy 1.9.12. Inlet Village Sector – The Inlet Village Sector, which this property would become apart if annexed into the Town of Jupiter, is intended to;

- Foster infill;
- Allow for a flexibility of uses on a site;
- Encourage/promote TND style development that lessen additional vehicular trips, deter urban sprawl, build upon the historic center of the community, enhance/promote the existing scale, and character of the area, and develop with a mix of residential/non-residential uses.

Response: *Given the location of the subject site, designating the land use to Inlet Village flex (apart of the Inlet Village Sector) will provide the potential for a well-designed infill project to be designed. Once approved, the Owner will submit a site plan application indicating compliance with the applicable land development regulations.*

Policy 1.13.3 At a minimum, infill, redevelopment plans and activities, and upgrading of existing properties shall:

- a) Be consistent with other policies of the Comprehensive Plan.
- b) Be coordinated with the availability of public facilities and services at the levels of service adopted in the Comprehensive Plan.
- c) Address the impact of redevelopment activities on natural systems and any historic and archaeological resources.
- d) Provide for visual continuity of the target study area through the application of sound principles of architectural design and landscaping.
- e) Be consistent with future character as outlined in neighborhood plans and master plan studies for specific areas; or the surrounding established character of a neighborhood or area, including but not limited setbacks, lot coverage, building scale, and/or massing.

- f) Ensure development addresses or reduces existing non-conformities or demonstrates that the proposal will not create adverse impacts by allowing alternative solutions.
- g) Be consistent with Section 723.0612, Florida Statutes, related to mobile home parks and include relocation strategies for those residents displaced by the implementation of the plan, which ensure that the displaced residents are provided adequate notice, equitable compensation and assistance in locating comparable alternative housing in proximity to employment and necessary public services and/or provide a minimum percentage of replacement housing on site.

Response: The proposal is to annex into the Town limits with the appropriate Town of Jupiter future land use and zoning designations. The Owner will ensure complete compliance with the subject standards as the project moves through the site plan review process. It should be noted that concurrent with this request, the Applicant has also filed a Certificate to Dig which is required based on the historical context of the area.

Objective 1.5 The Town, through its Community Redevelopment Agency (CRA), shall provide for the redevelopment of lands within the CRA boundaries, consistent with Future Land Use Objective 1.9 (U.S. Highway One/Intracoastal Waterway [US1/ICW] Corridor) and it's implementing policies.

Response: As the subject property is located within the Inlet Village ROA, per the Town's zoning map, it is required to be consistent with the General Planning Principles outlined in the Town's Comprehensive Plan. More detail on these items will be provided in the site plan/PUD application stage.

Objective 1.16 The Town shall guide urban form and development to appropriately encourage development (infill and redevelopment) in areas with existing infrastructure and populations.

Response: The Owner's proposal for Annexation, FLUM amendment, and Rezoning are directly consistent with the above objective, as the future development will be consistent with the surrounding areas, and add to the overall Village character established by the Inlet Village guiding principles.

CAPITAL IMPROVEMENTS ELEMENT

Policy 1.2.1 The Town shall utilize the following adopted level-of-service standards in reviewing the impacts of new and redevelopment upon the provision of public facilities and services:

Sanitary Sewer - 85 gallons per capita per day

Response: This site is an infill parcel already accounted for within the public facilities developed to service this area.

Solid Waste - 7.13 pounds per capita per day

Response: This site is an infill parcel already accounted for within the public facilities developed to service this area.

Drainage - Projects shall be designed and operated so that off-site discharges meet State water quality standards set forth in the Town's most recent Stormwater Master Plan Update (adopted by reference)

Response: This site is an infill parcel already accounted for within the public facilities developed to service this area. However, the drainage for the proposed site plan will be designed to comply accordingly.

Potable Water –

Residential Accounts - 153 gallons per day

Commercial Accounts - 100 gallons per day per 1,000 square feet

Response: This site is an infill parcel already accounted for within the public facilities developed to service this area.

Transportation Facilities - The Town, in cooperation with Palm Beach County and the Florida Department of Transportation, shall maintain an adopted level of service standard of D on all County and State maintained roads. The Town shall maintain the following adopted level-of-service standards for all Town-maintained roadways:

a) Peak-hour two-way – LOS D

b) Daily - LOS C

c) Intersection – LOS D

Response: With this application, a Land Use Traffic analysis prepared by JHI, Inc. has been provided which shows compliance with the adopted levels of service. Please refer to the traffic study for more detail information on transportation facilities.

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

Response: The subject property is located within the Inlet Village, where the established land use pattern promotes a mix of residential and non-residential uses. The properties to the north, south, and east are all located within the Inlet Village

Redevelopment Overlay Area, and all contain a land use of Inlet Village Flex. The Owner's proposal to change the land use from its current HR-12 with underlying MR-5 to Inlet Village Flex and rezoning from CN to Inlet Village –Flex South provides for more consistency with the established as shown in the chart of Page 2 of this document. The land use map amendment will also aid in creating consistency with the existing developments, as the current PBC land use and zoning does not require much (if any) of the same requirements of the Inlet Village.

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

Response: The proposed land use and zoning map amendments will not create an isolated land use or zoning designation. To the contrary, the proposed requests will be consistent with the surrounding properties and land use patterns already established in this area of the Town.

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

Response: Primarily, this application is needed due to the Owner's voluntary annexation request into the Town of Jupiter, and the need to have a consistent land use and zoning for the subject property. The Inlet Village Sector is seen as an area meant to spur redevelopment initiatives that are consistent with Town's small-town charm, and the Owner has plans to propose a sensible infill residential development.

TRAFFIC

JHI, Inc. prepared a traffic study related to the requested change in land use from CH/5 to Inlet Village Flex. As future multifamily development will occur on two parcels, the methodology utilized in this report consisted of a comparative analysis to determine the potential trips between the maximum FAR of 0.85 which is allowed by the CH/5 land use in Palm Beach County, and compared it to the maximum FAR of 1.25 + 4 units/ac which is allowed by the Inlet Village Flex land use designation in the Town.

Based on this analysis, the following was determined:

Existing Land Use (PBC Parcel at 0.85, TOJ Parcel 1.25)	Average Daily Trips (ADT) 266
Proposed Land Use (FAR of 1.25 for both parcels)	Average Daily Trips (ADT) 309

Note, the property Owner has agreed to a voluntarily cap the maximum allowable FAR for the combined lots to the current existing rates set by the Town of Jupiter and the County. With both existing land use and restricted proposed land use kept at the existing FAR rates, there are no additional traffic impacts from the proposed land use amendment. For additional details, please refer to the Traffic Analysis prepared by JHI, Inc.

CONCLUSION

In closing, the Owner proposes a voluntary annexation, into the Town's jurisdictional limits for a property located on North A1A. This request is consistent with the Florida Statutes related to voluntary annexations, in addition to the Town's Comprehensive Plan. If approved, it will create more of a consistent land use pattern versus the existing condition, which could be seen as isolated. On behalf of the applicant, 2GHO, Inc., respectfully request approval of this application. Should you have any questions on this application, please do not hesitate to contact M. Troy Holloway, or Alec Dickerson at 561-575-9557.



December 13, 2024

CERTIFIED RETURN RECEIPT
VE-2024-001
**Department of Environmental
Resources Management**

 2300 North Jog Road, 4th Floor
 West Palm Beach, FL 33411-2743

(561) 233-2400

FAX: (561) 233-2414

www.pbc.gov/erm


**Palm Beach County
Board of County
Commissioners**

Maria G. Marino, Mayor

Sara Baxter, Vice Mayor

Gregg K. Weiss

Joel Flores

Marci Woodward

Maria Sachs

Bobby Powell, Jr.

County Administrator

Verdenia C. Baker

 Venus & Mars LLC
 Mr. Daniel P. Beyel, Jr.
 2442 Snug Harbor Dr.
 Palm Beach Gardens, FL 33410-2062

Dear Mr. Beyel, Jr.:

SUBJECT: NOTICE OF VIOLATION FOR VENUS AND MARS, LLC
AT 18019 HIGHWAY A1A, JUPITER
PCN: 00-43-40-31-07-000-0030

This letter constitutes a Formal Notice of Violation that the Department of Environmental Resources Management (ERM) has determined that the subject parcel may be in violation of the following provisions of the Palm Beach County Unified Land Development Code (ULDC), Article 14.C:

Removal of native and non-native vegetation without an ERM issued Vegetation Removal Approval. This action is a violation of Article 14.C.12(A) Violations which states that " A violation shall be: The alteration or removal of up to 1,500 square feet of native vegetation without an approval from ERM, unless expressly exempt under this Chapter. Alteration or removal of each additional 1,500 square feet of native vegetation or portion thereof in violation of this chapter shall constitute a separate and additional violation."

A complaint was received by ERM on July 8, 2024 and a site inspection was conducted on August 12, 2024 confirming that a large native live oak tree had been removed from the parcel. Upon aerial review of the property, it was revealed that native vegetation had been removed from the subject parcel without the benefit of a Protection of Native Vegetation Approval (PNV). ULDC 14C.7.B provides that commercial projects and projects requiring Development Officer Review (DRO) shall apply to ERM for approval to remove native vegetation. A file review found that no application was submitted to ERM and the removal of native vegetation from the parcel was not authorized by ERM. The current zoning use is CN – Neighborhood Commercial and this classification is not a land use that is afforded an exempt status from issuance of the PNV, per ULDC 14.C.8.

An administrative resolution of this matter may be sought through an informal conference with this office that provides the replacement value of 9 trees per 1,500 square feet. A request for an informal conference must be received within **10 days of receipt** of this Notice.

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 printed on sustainable
and recycled paper



Mr. Beyel, Jr.
Page 2
December 13, 2024

In order to correct this violation, the property owner will be required to restore nine trees per violation. The restoration may be accomplished through on-site planting of native trees or equivalent native vegetation approved by ERM, a contribution to the Palm Beach County Natural Areas Fund that is equivalent to nine trees per violation, or a dedication of equivalent upland quality land cleared. If the option of a monetary contribution is selected, the property owner shall provide a contribution to the Palm Beach County Natural Areas Fund in the amount of \$2,880.00. A check or money order shall be made payable to Board of County Commissioners Palm Beach County within 30 days of receipt of this Notice.

If these matters are not resolved administratively, you may be ordered to appear before the Palm Beach County Groundwater and Natural Resources Protection Board (GNRPB) to address restitution for the violation. The GNRPB may seek to establish liability, impose civil penalties and costs, require corrective action, and/or other remedies as described in Articles 10 and 14, of the Unified Land Development Code. The GNRPB may impose fines not to exceed \$1,000 per day for a first violation and fines not to exceed \$5,000 per day for a repeat violation. If the GNRPB deems that the violation was irreparable or irreversible, it may impose a fine not to exceed \$15,000 per violation. In addition, the County may seek all other remedies available by law.

Parcels which change ownership after receipt of this Notice of Violation are subject to disclosure laws notifying new owners of outstanding code enforcement issues. Results of code enforcement violations will be assumed by the owner of parcels on which violations occur.

If you have any questions, or wish to discuss the enclosed documents, please contact Timothy Haynes, Principal Planner, at (561) 681-3846.

Sincerely,

A handwritten signature in blue ink that reads "Bonnie Finneran".

Bonnie Finneran, Environmental Director
Resources Protection

BF:TH:KS

Cc: Scott A. Stone, Assistant County Attorney



**Department of Environmental
Resources Management**

2300 North Jog Road, 4th Floor
West Palm Beach, FL 33411-2743
(561) 233-2400
FAX: (561) 233-2414
www.pbc.gov/erm



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Board of County
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Maria Sachs
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County Administrator

Verdenia C. Baker

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Official Electronic Letterhead

December 23, 2024

Daniel P. Beyel, Jr.
Venus & Mars, LLC
2442 Snug Harbor Drive
Palm Beach Gardens, FL 33410-2062

Dear Mr. Beyel, Jr.:

**SUBJECT: LETTER OF COMPLIANCE WITH NOTICE OF
VIOLATION NO. VE-2024-001 FOR VENUS AND
MARS, LLC AT 18019 HIGHWAY A1A, JUPITER
PCN: 00-43-40-31-07-000-0030**

This letter constitutes a formal notice of compliance with Notice of Violation VE-2024-001 issued by the Palm Beach County Department of Environmental Resources Management (ERM) on December 14, 2024. On December 18, 2024, ERM staff received check No. 383 in the amount of \$2,880.00 and that serves to satisfy the violation of the Unified Land Development Code (ULDC) Article 14.C.12(A). Therefore, ERM has closed the enforcement case for the above said property and a copy of the payment receipt is enclosed for your records.

Should you have any questions regarding this matter, please contact Tim Haynes, Principal Planner at (561) 681-3846.

Sincerely,

A handwritten signature in cursive script that reads "Bonnie Finneran".

Bonnie Finneran, Environmental Director
Resources Protection

BF:TH:RG
Enclosure

Town's Annexation Criteria

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 October 1st, 2024, the Town has water demand reservations of 18.3 mgd. With an excess capacity of approximately 11.7 mgd, there is sufficient water services capacity available to service the subject property.
2. *Sanitary Sewer.* New: The subject property is currently within the service area of the Loxahatchee River District (LRD). The LRD's wastewater treatment facility (WWTF) is rated at 11 MGD based on a three-month average daily flow. The maximum three-month average daily flow to the WWTF for the past 12-month period was 7.4 MGD. With an excess capacity of approximately 3.6 MGD, LRD's regional WWTF has sufficient capacity for the subject property. It is important to note, this parcel will require installation and/or modification of infrastructure in accordance with the Loxahatchee River District Rules. Copies of District Rule 31-10 are available for review on LRD's website at www.loxahatcheeriver.org. Consistent with District policy, the property owner will be responsible for all costs associated with connecting to the existing wastewater system of the District.
3. *Stormwater.* Any development improvements to 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 1.3.10 of the Town's Infrastructure Element, and Policy 1.2.1 of the Town's Capital Improvements Element. This property is subject to payment of Stormwater Availability Fees, for connection to the Inlet Village regional stormwater system and requires a water service agreement and payment of associated fees during the development site plan approval process.
4. *Solid waste.* Collection is provided by Waste Management, Inc. which currently has a franchise agreement with the Town for waste disposal services. According to the Solid Waste Authority's [2024 Landfill Depletion Model: Forecast of Waste Generation and Landfill Depletion: 2024 – 2079](#): Through September 30, 2023, a total of 25,502,800 cubic yard of landfill capacity have been depleted. Utilizing the total estimated landfill volume and the volume depleted to date, the model estimates a total of 25,464,905 cubic yards of capacity remain, which is expected to provide disposal capacity until 2053.
5. *Police.* Police service will be provided by the Jupiter Police Department. Assigning the subject property with the Inlet Village Flex land use designation should not significantly change the impact to police services.
6. *Fire Rescue.* Palm Beach County Fire-Rescue is currently responsible for fire-rescue service to the subject property. The property will be served by Fire Station No. 18, which is located on US Highway 1.
7. *General Government.* No significant increase in demand for general government services is anticipated.
8. *Intergovernmental Coordination.* The Town has notified the Palm Beach County Planning Division of the application for annexation. The County's annexation review team provided a letter, which states they have not identified any inconsistencies with Chapter 171, Florida Statutes that warrant an objection to the proposed annexation.

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 proposed FLUM amendment on the subject property to assign the Inlet Village Flex land use designation will not have a significant increase in demand for recreation facilities in the Town.
10. *School Capacity Impacts.* The proposed Inlet Village Flex land use designation is not likely to have any significant additional impact on school facilities. The Palm Beach County (PBC) School District has been provided a copy of the Statement of Use for the Annexation, FLUM and Zoning Map amendment applications. The PBC School District reviews all new applications for residential projects to ensure that adequate school facilities are available for additional residents. Pursuant to the District's Interlocal agreement with the Town, the District can recommend funds to support schools for projects with a land use and zoning change to allow residential. A School Capacity Availability Determination (SCAD) was received from the School District on January 6, 2025, which stated that based on the findings and evaluation of the proposal, there will be no negative impact on the School District and therefore, they have no comment on the application. Any further requests from the School District will be addressed when a site plan application for the subject property is submitted in the future.

Comprehensive Plan Consistency:

Future Land Use Element Objective 1.6 states that annexations will be based on the criteria and priorities set forth in the "Future Annexation Study," as amended, which includes the following:

- | | |
|--|---|
| <i>A. Existing Town Policy:</i> | The subject property is located in an unincorporated enclave as identified in the Future Annexation Study. According to the study, unincorporated properties within enclaves should be annexed into the Town. |
| <i>B. Legal Considerations:</i> | The subject property is consistent with the requirements of Chapter 171, F.S. The property is part of an existing enclave that is totally surrounded by the Town. Therefore, the property is contiguous, reasonably compact, and will result in the elimination of an existing enclave. |
| <i>C. Fiscal Considerations:</i> | Once the property is annexed into the Town, taxes paid will contribute to provide roads, police, fire services, etc, as applicable. |
| <i>D. Impact</i> | The subject property is serviced by a major collector road and is within the Town's water service and the LRD sewer system. Any water or sewer connection fees required will be the responsibility of the owner. |
| <i>E. Community Values:</i> | If annexed, the Town will have the opportunity to improve the quality of development on the subject property. |
| <i>F. Land Use Considerations:</i> | The Future Annexation Study states that the land use designation of any recently annexed property should be evaluated in light of the capacity of both existing and programmed infrastructure. |
| <i>G. Management/Planning:</i> | |
| 1. <i>Annexation of enclaves:</i> The subject property is part of an existing enclave. | |
| 2. <i>Areas which are currently or are projected to be moderate to high growth potential areas:</i> The subject property is located in an infill area, specifically the Inlet Village Redevelopment Overlay Area (ROA) suitable for moderate growth potential. | |

3. *Areas with essential infrastructure:* As noted above, water and sanitary service is available to the subject property.
4. *Urban services can be provided cost efficiently:* All urban services are available at the Town's adopted level of service standards as noted above.
5. *Areas which square off the Town's limits:* The annexation of the subject property will help square off the Town's boundary by eliminating an existing unincorporated enclave.

Comprehensive Plan Objectives and Policies Consistency Analysis

FUTURE LAND USE ELEMENT

Objective 1.6 The Town's annexation program shall be based on the criteria and priorities identified in the "Future Annexation Study," as amended.

Staff Comment: The annexation of the subject property will eliminate an existing enclave and is consistent with the Town's Future Annexation Study. Therefore, the annexation will meet the criteria and priorities identified in the Future Annexation Study.

Policy 1.3.12 Inlet Village Flex - This future land use designation is specific to the Inlet Village Sector and is intended to foster infill and allow for flexibility of uses on a site to encourage the development of residential and to allow commercial uses. The following density and intensity standards apply to this land use category for the purpose of allowing a mix of uses:

- a) Commercial is permitted, but not required.
- b) The maximum density shall be 6 du/ac.
- c) The commercial intensity cannot exceed a maximum FAR of 1.65. The following matrix contains what density/intensity combinations are allowable in this land use category, if mixed:

Allowable Residential du/ac	Commercial FAR Range
0	0 to 1.65
2	0 to 1.50
4	0 to 1.25
6	0 to 1.00
8	0 to 0.75
10	0 to 0.50
12	0 to 0.25

The maximum height of a building is 2 stories and may be a maximum of 3 ½ stories, with bonuses as established in the LDRs. The ½ story bonus may be granted for roofline architectural variations and/or enhancements.

- d) The Town Council may grant density bonuses of up to 6 additional du/ac for the following:
 - 1) Public courtyards/plaza
 - 2) Docks, public access
 - 3) Public access to archaeological or historical amenities
 - 4) Water dependent uses (i.e. over-water pavilions including seating, water taxi stations and kayak, canoe and scuba gear rentals)
 - 5) Public access to shared parking, or public parking above the minimum requirement
 - 6) Moderate sized dwelling units
 - 7) Additional Riverwalk easement, or dedication
 - 8) Public restrooms
 - 9) Public access to navigable waters (the Oxbow)
 - 10) Public uses (i.e. parking garages and plazas)

The details for granting density bonuses shall be established in the LDRs. All of the above items shall be considered, however not all must be included. In addition, other similar items may be added to the LDRs, which the Town Council finds to be consistent with the intent of the Inlet Village as described in FLUE Policies 1.9.10 and 1.9.11.

- e) **Location Criteria**
 - 1) In the Inlet Village Sector
 - 2) Not within 80 feet of the Riverwalk Corridor Component

Staff Comment: The proposed Future Land Use designation of Inlet Village Flex for the subject property is consistent with the existing adjacent uses on the surrounding properties to the north, south, and east, all of which are already designated Inlet Village Flex. The property to the west, Burt Reynolds Park, is across the Jupiter Oxbow and has a Future Land Use designation of Recreation, which is also compatible with Inlet Village Flex. As a result, the proposed future land use amendment to Inlet Village Flex on the subject property is in harmony with the surrounding properties. The proposed FLUM amendment is consistent with Policy 1.3.12.

TRANSPORTATION ELEMENT

Policy 3.2.10 LOS capacity limitations through buildout shall be considered when land use applications are reviewed to ensure capacity remains to meet the goals, objectives and policies of the Comprehensive Plan.

Staff Comment: The proposed future land use amendment is consistent with Transportation Element Policy 3.2.10, if a trip cap is included with the FLUM ordinance to ensure is met. Since the applicant has voluntarily limited the FAR on the property to not exceed the maximum rate allowed on the property under the County's existing land use designation, no additional traffic impacts would result from the proposed land use amendment.

INFRASTRUCTURE ELEMENT

Policy 1.4.4 The following level of service standards are hereby adopted and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development:

Facility	LOS Standard
Sanitary Sewer	85 gallons per capita per day
Solid Waste	7.13 pounds per capita per day
Drainage Facilities	Projects shall be designed and operated so that off-site discharges meet State water quality standards, as set forth in Chapter 62-25, Florida Administrative Code (adopted by reference)
Potable Water (Residential)	153 Gallons per Capita per Day
Potable Water (Com./Ind.)	100 Gallons/Day/1,000 Square Feet

In order to ensure that these level of service standards are maintained, methodologies for determining available capacity and demand shall incorporate appropriate peak demand coefficients for each facility and for the type of development.

In order to ensure that these level of service standards are maintained, methodologies for determining available capacity and demand shall incorporate appropriate peak demand coefficients for each facility and for the type of development.

Staff Comment: The proposal is consistent with Policy 1.4.4 of the Infrastructure Element. It is located in an area where water supply and wastewater treatment are available, and in an area where adequate police and fire protection services are available. The owner will be required to meet any and all connection requirements and associated costs for water and sewer service.



**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb



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Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

November 26, 2024

John Sickler
Planning & Zoning Director
Town of Jupiter
210 Military Trail
Jupiter, FL 33458

RE: Proposed Annexation Beyel Property Highway A1A, 2025-30-001

Dear Mr. Sickler:

Thank you for providing the County advanced notice and the opportunity to review the annexation summarized below:

Name	Description
Beyel Property Highway A1A	Acres: 0.22
2025-30-001	Location: East of US Highway 1, Highway A1A #18019
	1st Reading: 1/21/2025 2nd Reading: 2/18/2025

The proposed annexation was processed through the County's Annexation Review Process. County staff and service delivery agencies reviewed the proposed annexation. After review, County staff has not identified any inconsistencies with Chapter 171, Florida Statutes. The County Archeologist noted that the property has a high probability of containing archaeological and historic resources.

The County remains committed in our efforts to work cooperatively with municipalities toward annexation. If you have questions related to cultural resources, contact Christian Davenport at 561-233-5331. For any other comments or questions, please contact me at 561-233-5467 or Khurshid Mohyuddin, Principal Planner, at 561-233-5351.

Sincerely,

Thuy Shutt, AIA, FRA-RA
Planning Director

cc: The Honorable Maria G. Marino, District 1 Commissioner Jeffrey W. Gagnon, AICP, Deputy Planning Director, PBC
Patrick W. Rutter, Deputy County Administrator Khurshid Mohyuddin, AICP, Principal Planner, PBC
Whitney Carroll, Esq., AICP, Executive Director, PZ&B Bryan Davis, CNU-A, Principal Planner, PBC
Cindy Hoskin, JD, Deputy Director, PZ&B Christian Davenport, County Archaeologist, PBC
Darren Leiser, Esq., Assistant County Attorney Frank Kitzerow, Town Manager, Town of Jupiter

t:\planning\intergovernmental\annexations\2025 fiscal year\letters\jup - beyel property highway a1a.docx

Traffic Impact Statement

For

Beyel Property

PCN#

00-43-40-31-07-0000-030

30-43-40-31-03-0040-021

Town of Jupiter, Florida

7-21-2024

09-30-2024

11-05-2024

11-19-2024

12-26-2024

Prepared By:

Jeff H. Iravani, Inc.
Consulting Engineers
1934 Commerce Lane, Suite 5
Jupiter, Florida 33458
JHI@jhiinc.com
www.JHIinc.com
Tel: (561) 575-6030
Fax: (561) 575-6088

John B. Iravani, P.E.
Florida Registration # 87431

I. Introduction

The site is located along the west side of N A1A just south of the Saturn Street intersection. The properties are vacant with some miscellaneous structures with no existing driveway along N A1A.

It is proposed to annex parcel # 00-43-40-31-07-000-0030 from Palm Beach County, PBC Land use CH/5(Commercial High with underlying Medium Residential 5 units/acre(MR-5)) to Town of Jupiter, Land use Inlet Village Flex. The county property area is 0.23 acres.

Parcel # 30-43-40-31-03-004-0021 is already incorporated within the Town of Jupiter and Land Use is Inlet Village Flex. The existing Town of Jupiter property is 0.294 acres.

The total of both lots combined is 0.524 acres per the survey.

The existing land use for CH/5(PBC) has a maximum FAR of 0.85 square footage per acre.

The proposed land use is Inlet Village Flex.

FAR chart for Inlet Village Flex is shown below.

Per Town of Jupiter, since the proposed use will be two dwelling units, on a .51 acre combined project area, the commercial FAR range for the Town properties will be set at 1.25

Allowable Residential du/ac	Commercial FAR Range
0	0 to 1.65
2	0 to 1.50
4	0 to 1.25
6	0 to 1.00
8	0 to 0.75
10	0 to 0.50
12	0 to 0.25

**TOJ Comprehensive Plan FLUE*

Existing Site FAR Breakdown

- County parcel: $0.85 \text{ FAR} = 0.85 \times 10,003 \text{ SF} = 8,503 \text{ Max Commercial Square Footage for PBC Land Use criteria.}$
- Current Town of Jupiter Parcel: $1.25 \times 12,816 \text{ SF} = 16,020 \text{ Max Commercial}$
- Combined lots: 24,523 Max Commercial Square Footage for existing Land Use.
- 4DU/AC

Proposed Site FAR Breakdown with no FAR Cap.

- Annexed County parcel: $1.25 \text{ FAR} = 1.25 \times 10,003 \text{ SF} = 12,504 \text{ Max Commercial}$
- Current Town of Jupiter Parcel: $1.25 \times 12,816 \text{ SF} = 16,020 \text{ Max Commercial}$
- Combined lots: 28,524 Max Commercial Square Footage for proposed Land Use & annexation.
- 4DU/AC

See Exhibit-A for aerial of site.

Section 31, Township 40S, Range 43E, Town of Jupiter, Florida

II. Trip Generation

A. Existing Land Use

a. County parcel at 0.85 FAR, TOJ Parcel at 1.25 FAR.

USE		Bldg SF/EA	ADT VTEPD	AM PHT VTEPH					PM PHT VTEPH				
	(%)				IN	(%)	OUT	(%)		IN	(%)	OUT	(%)
Multifamily Low-Rise ITE 220		4DU/AC	13	1	0	24%	1	76%	1	1	63%	0	37%
Internal	0%			0	0		0			0		0	
Pass-by	0%		0	0	0		0		0	0		0	
Strip Retail Plaza ITE 822		24,523	1335	58	35	60%	23	40%	162	81	50%	81	50%
Internal	0			0	0		0			0		0	
Pass-by	63%		841	36	22		15		102	51		51	
Total Attracted		24,523	1,349	59	35		24		163	81		81	
Total Generated		24,523	508	22	13		9		61	31		30	

Multifamily Low-Rise Housing ITE 220 ADT= 6.84/DU, AM PHT=0.4/DU, PM PHT= 0.51/DU

Strip Retail Plaza (<40ksf) ITE 822: ADT= 54.45/KSF, AM PHT=2.36/KSF, PM PHT= 6.59/KSF

B. Proposed Land Use

a. Max Trip Generation using FAR of 1.25 for entire site.

USE		Bldg SF/EA	ADT VTEPD	AM PHT VTEPH					PM PHT VTEPH				
	(%)				IN	(%)	OUT	(%)		IN	(%)	OUT	(%)
Multifamily Low-Rise ITE 220		4DU/AC	13	1	0	24%	1	76%	1	1	63%	0	37%
Internal	0%			0	0		0			0		0	
Pass-by	0%		0	0	0		0		0	0		0	
Strip Retail Plaza ITE 822		28,524	1553	67	40	60%	27	40%	188	94	50%	94	50%
Internal	0			0	0		0			0		0	
Pass-by	63%		978	42	25		17		118	59		59	
Total Attracted		28,524	1,567	68	41		28		189	95		94	
Total Generated		28,524	588	26	15		11		71	35		35	
Net Generated		4,001	80	4	2		2		10	4		5	

Multifamily Low-Rise Housing ITE 220 ADT= 6.84/DU, AM PHT=0.4/DU, PM PHT= 0.51/DU

Strip Retail Plaza (<40ksf) ITE 822: ADT= 54.45/KSF, AM PHT=2.36/KSF, PM PHT= 6.59/KSF

III. Trip Generation Analysis

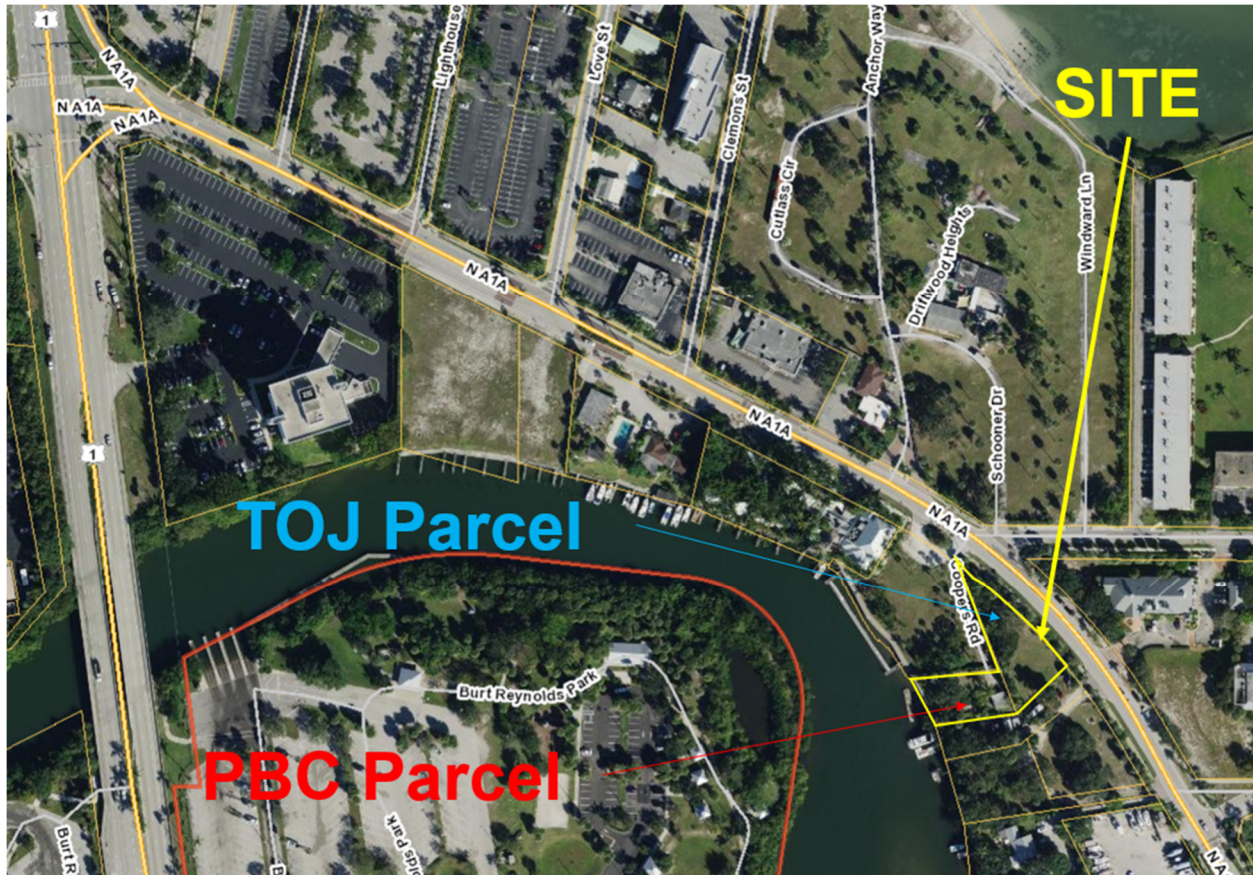
The proposed project would increase the AM PHT by 4 and PM PHT by 10 if the FAR was not capped to match existing

It is proposed to voluntarily cap the maximum allowable FAR for the combined lots to the current existing rates set by the Town of Jupiter and County. With both the existing Land Use and restricted proposed Land use kept at existing FAR rates there are no additional traffic impacts proposed designated land use amendment.

Per Palm Beach County Comprehensive Plan Land Use Policy 3.5-d, County will not approve a change to the Future Land Use Atlas if:

1. Results in an increase in density or intensity of development generating additional traffic that significantly impacted any roadway segment projected to fail to operate at adopted level of service, "D", based upon MPO's Long Range Transportation Plan.
 - a. Due to the project generating 0 net trips, this passes this test as up to 50 trips results in no significant impact per PBC Comprehensive Plan Land Use Table 3.5-1.
2. Results in a project that fails Test 2 regulations adopted to implement TE Policy 1.1-b.
 - a. Due to the project generating no additional trips over the current land use, the project does not fail this test.

Exhibit-A: Aerial



Beyel Property



**Voluntary Annexation
Future Land Use Amendment – Zoning Map Amendment
Town of Jupiter**

Request

- A) **Voluntary Annexation** for a 0.22 ac property from Unincorporated Palm Beach County (PBC) to Town of Jupiter (TOJ);
- B) **Small-Scale Future Land Use Map Amendment** from (PBC) Commercial High with underlying Medium Residential, 5 dwelling units/acre; (CH/5) to (TOJ) Inlet Village Flex; (IVF)
- C) **Zoning Map Amendment** from (PBC) Neighborhood Commercial; CN to Inlet Village – Flex South, IVFS (TOJ)

Property Location - Annexation



Beyel Property

Key Development Milestones

Voluntary Annexation/
Future Land Use
Amendment/
Rezoning
(Current Request)



Certificate to Dig
(Approved by HRB)



Small Scale PUD/Site Plan
for residential use
(Will follow Certificate to Dig)

Beyel Property

- ❖ Owns two contiguous parcels totaling ± 0.51 ac;
- ❖ Purchased subject annexation parcel in 2018, and TOJ Property in 2022;
- ❖ Subject Annexation parcel is currently vacant
 - (contains two nonconforming accessory structures);
- ❖ If annexation is approved, combined parcels will yield multifamily residential use



Recent Notice of Violation – PBC

- ❖ VE 2024-001 was issued by Palm Beach County Environmental Resources Management Division (ERM) on December 13, 2024 for the removal of native vegetation (oak tree) without a vegetation removal permit;
- ❖ Once the Owner's received the subject notice of violation, they **quickly** rectified the violation by choosing to pay a fee in lieu (\$2,880.00)
- ❖ Violation was closed on December 23, 2024



**Department of Environmental
Resources Management**

2300 North Jog Road, 4th Floor
West Palm Beach, FL 33411-2743

(561) 233-2400
FAX: (561) 233-2414
www.pbc.gov/erm

**Palm Beach County
Board of County
Commissioners**

Maria G. Marino, Mayor

Sara Baxter, Vice Mayor

Gregg K. Weiss

Joel Flores

Marci Woodward

Maria Sachs

Bobby Powell, Jr.

County Administrator

Verdenia C. Baker

December 23, 2024

Daniel P. Beyel, Jr.
Venus & Mars, LLC
2442 Snug Harbor Drive
Palm Beach Gardens, FL 33410-2062

Dear Mr. Beyel, Jr.:

**SUBJECT: LETTER OF COMPLIANCE WITH NOTICE OF
VIOLATION NO. VE-2024-001 FOR VENUS AND
MARS, LLC AT 18019 HIGHWAY A1A, JUPITER
PCN: 00-43-40-31-07-000-0030**

This letter constitutes a formal notice of compliance with Notice of Violation VE-2024-001 issued by the Palm Beach County Department of Environmental Resources Management (ERM) on December 14, 2024. On December 18, 2024, ERM staff received check No. 383 in the amount of \$2,880.00 and that serves to satisfy the violation of the Unified Land Development Code (ULDC) Article 14.C.12(A). Therefore, ERM has closed the enforcement case for the above said property and a copy of the payment receipt is enclosed for your records.

Should you have any questions regarding this matter, please contact Tim Haynes, Principal Planner at (561) 681-3846.

Sincerely,

A handwritten signature in cursive script that reads "Bonnie Finneran".

Bonnie Finneran, Environmental Director
Resources Protection

BF:TH:RG
Enclosure

Subject Tree



Criteria for Voluntary Annexation

Criterion	Complies
Contiguous to subject municipality	✓
Does not create an enclave <i>(eliminates a PBC enclave)</i>	✓
(Future Development) will result in a logical development pattern	✓
Does not impact adopted levels of service	✓
Yields potential for sensible infill redevelopment	✓

Annexation also consistent with Town's Annexation Study

Small Scale Future Land Use Map Amendment and Zoning Map Amendment

With Annexation request, it is a necessary to change the subject property's current land use and zoning designations to TOJ districts

Future Land Use

Existing Land Use (PBC)	CH/5 with underlying MR/5 (Commercial High / Medium Residential; 5 units/ac)
Proposed Land Use (TOJ)	Inlet Village Flex (IVF)

Zoning

Existing Zoning (PBC)	CN (Neighborhood Commercial)
Proposed Zoning (TOJ)	IVFS (Inlet Village; Flex South)

Existing Land Use vs. Proposed Land Use

Beyel Property

Jupiter, Florida



Existing Land Use

PBC: CH-5/MR-5 Commercial High/
Med. Residential, 5 Units per Acre



8.12.24

Beyel Property

Jupiter, Florida



Proposed Land Use

Inlet Village Flex



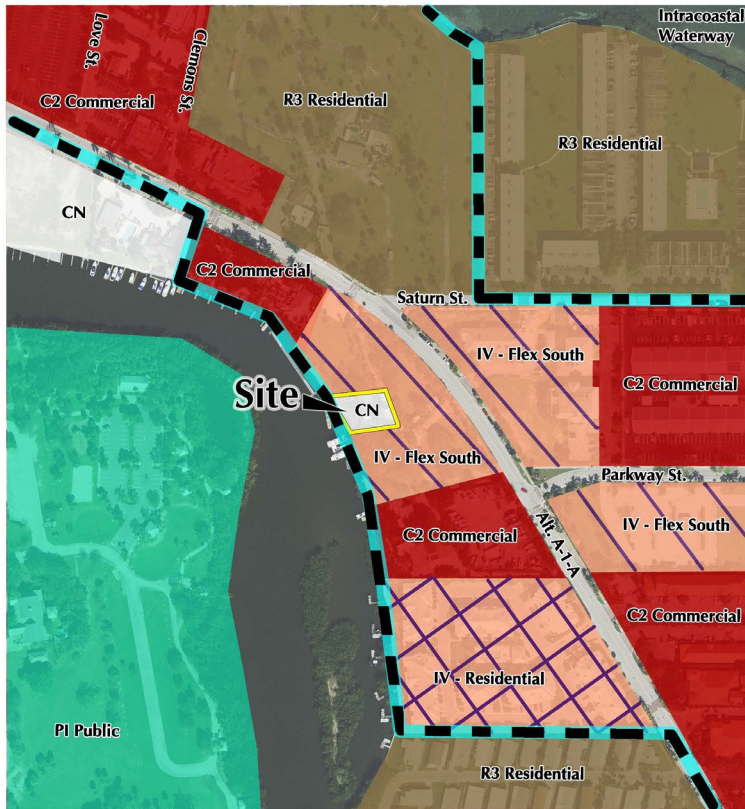
8.12.24

Beyel Property

Existing Zoning vs. Proposed Zoning

Beyel Property

Jupiter, Florida



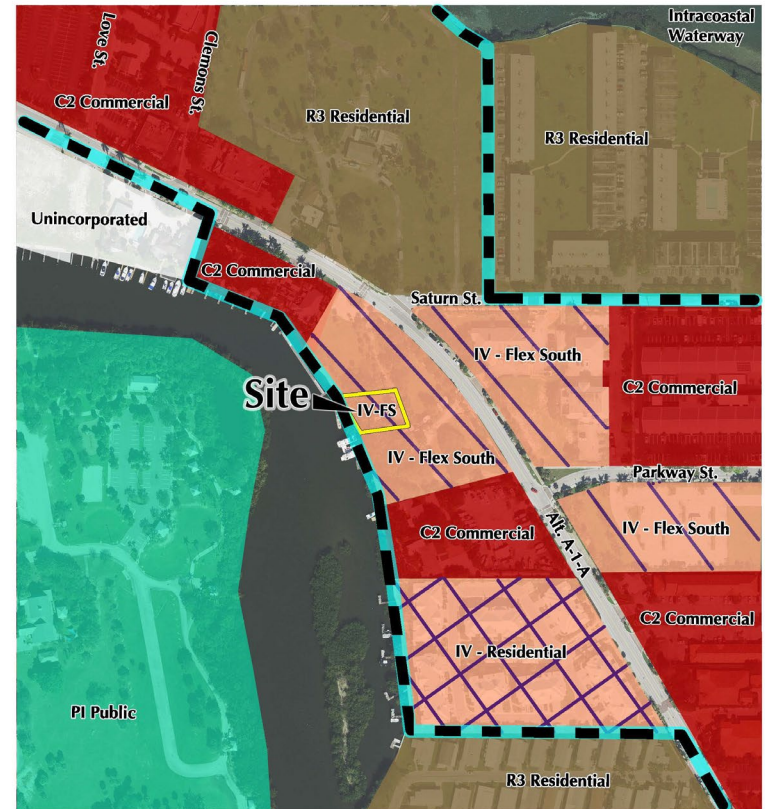
Existing Zoning
PBC: CN - Commercial Neighborhood



8.12.24

Beyel Property

Jupiter, Florida



Proposed Zoning
IV-FS (Inlet Village Flex South)



8.12.24

Beyel Property

Criteria for Small-Scale Future Land Use Map Amendment and Zoning Map Amendment

Criterion	Complies
Consistent with Goals, Objectives, and Policies of the Town's Comprehensive Plan – Inlet Village Sector	✓
Consistent with surrounding established land use patterns	✓
Does not create an isolated land use designation <i>(provides for more consistency with surrounding land uses)</i>	✓
Will not increase trips (traffic)*	✓
Amendment is needed due to Changed Conditions/circumstances (annexation)	✓

*Owners have agreed to voluntarily cap max. allowable FAR not to exceed the established rates set by Palm Beach County. As such, NO negative traffic impacts are created with proposed land use amendment

Conclusion

- ❖ Annexation/Land Use/Rezoning are consistent with all necessary elements of the Comprehensive Plan and Town studies; does not negatively affect adopted levels of service;
- ❖ Future development will be consistent with applicable sections of the Town's code;
- ❖ Traffic Analysis approved by Town's Traffic Engineer;
- ❖ Staff Report indicates compliance with the Comprehensive Plan;
- ❖ Received unanimous recommendation for approval from the Town's PZ Commission (LPA)

Thank You!

Beyel Property

Jupiter, Florida



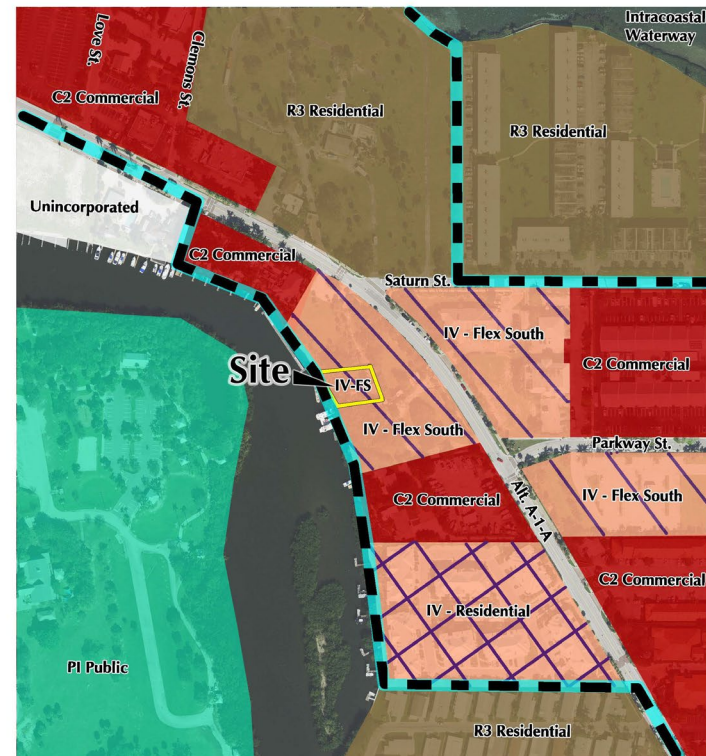
Proposed Land Use
Inlet Village Flex



8.12.24

Beyel Property

Jupiter, Florida



Proposed Zoning
IV-FS (Inlet Village Flex South)



8.12.24

Beyel Property

TOWN OF JUPITER
Wendy's- Site Plan Amendment



DATE	February 18, 2025
TO	Honorable Mayor and Members of Town Council
THRU	Frank Kitzerow, Town Manager
FROM	John Sickler, Director of Planning and Zoning
SUBJECT	<u>Wendy's</u> – Site plan amendment to remove and replace an existing nonconforming fast food restaurant

EXECUTIVE SUMMARY

Consideration of a site plan amendment on a 0.65+/- acre property located at 626 W Indiantown Road to remove and replace an existing nonconforming fast food restaurant. The request includes a reduction in non-conformities, reconfiguration of the drive-thru and parking area, addition of outdoor seating, a request for an off-site dumpster easement and roadway connection to the Town's Municipal Complex, .

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

ANALYSIS

The Town previously approved a site plan amendment for Wendy's on October 3, 2017, which authorized removal and replacement along with a reconfiguration of the parking and drive-thru area. The proposed site plan is an improvement from the previously approved plan, including: a formal entry to the municipal complex; a reduction in the number of vehicular conflicts on site; an increase in the landscaping and reduction of nonconformities; and more drive-thru stacking to reduce the vehicular backup onto Indiantown Road.

The proposed development is consistent with the Comprehensive Plan and Town Code as it relates to the redevelopment of a nonconforming fast food restaurant. The application includes a reduction in square footage, no increase in the number of stories, and a decrease in nonconformities (with an increase in greenspace and landscaping). The applicant is providing the Town with a public access easement for the new entry driveway to the Municipal Complex, as well as a signage easement for Town signage on the southwest corner of their property. In order to enhance the visual aesthetics of the subject property and provide a new entry to the municipal complex from Indiantown Road, a dumpster easement on the Town's property is requested for Town Council consideration within an existing easement area granted to Wendy's.

The applicant requested at the Planning and Zoning Commission meeting for the Town to waive the installation of the decorative street lights when the utilities are undergrounded. The Planning and Zoning Commission elected to maintain that condition as it has been a longstanding precedent to require the decorative lighting when utilities are placed underground.

PLANNING AND ZONING RECOMMENDATION:

At their January 14, 2025 meeting, the Planning and Zoning Commission voted unanimously (by a 7 to 0 vote), with no modifications to the conditions in Resolution #5-25.

The applicants' presentation has been included as Attachment 4.

STRATEGIC PRIORITY

- Manage Growth

ATTACHMENTS

1. Resolution #5-25
2. Staff Report and Attachments
3. Plans
4. Applicant Presentation

FUNDING SOURCE

Approved in Budget \$ 0*
Additional Funding Requested \$ 0*

Sources:

Sources:

*Funding is not necessary for this request.

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

1
2
3
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11

RESOLUTION NO. 5-25

12 **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN**
13 **OF JUPITER, FLORIDA, AUTHORIZING THE DEMOLITION**
14 **OF AN EXISTING NONCONFORMING FAST FOOD**
15 **RESTAURANT AND THE REPLACEMENT OF THE SAME**
16 **WITH ARECONFIGURATION OF THE DRIVE-THRU AND**
17 **PARKING AREA, THE ADDITION OF OUTDOOR**
18 **SEATING, AND A VEHICULAR CONNECTION TO THE**
19 **TOWN'S MUNICIPAL COMPLEX; AND PROVIDING FOR**
20 **AN EFFECTIVE DATE.**
21

22
23
24 **WHEREAS**, Robert E. Mason and Barbara Mason own (the "Owner") approximately 0.65
25 +/- acres of real property, the legal description of which is attached hereto and incorporated herein
26 as **Exhibit "A"** (the subject property); and,

27 **WHEREAS**, the subject property is located at 626 West Indiantown Road; and,

28 **WHEREAS**, the Owner has submitted an application to demolish an existing
29 nonconforming fast food restaurant, and replace it a new restaurant, reconfigure the drive-thru
30 and parking areas, add outdoor seating, and provide a vehicular connection to the Town's
31 Municipal Complex (the Application); and,

32 **WHEREAS**, the Owner has sought to locate the restaurant's dumpster off-site on Town
33 owned property; and

34 **WHEREAS**, the Town's Planning and Zoning Commission has considered the Application
35 which includes a request that the Town grant it an easement for the location of an off-site
36 dumpster on Town-owned property and recommended the approval of same to the Town Council;

1 and,

2 **WHEREAS**, the Town Council conducted a public hearing wherein it considered the
3 evidence and testimony presented by the Town's Planning and Zoning Department, the Owner,
4 and any interested parties and members of the public, regarding whether the Application is
5 consistent with the Town's Comprehensive Plan and meets its Land Development Regulations
6 (LDRs), including Section 27-175, the criteria for site plan review; and,

7 **WHEREAS**, the Town Council has determined that certain conditions, as set forth herein,
8 are necessary to render the Application consistent with the Town's Comprehensive Plan and to
9 meet the LDRs.

10 **NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF**
11 **JUPITER, FLORIDA, THAT:**

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

14 **Section 2.** The Town Council finds that the Application is consistent with the Town's
15 Comprehensive Plan and meets the LDRs, including Section 27-175, the criteria for site plans
16 and therefore approves the Application.

17 **Section 3.** The mayor is hereby authorized to execute the proposed easement for the
18 location of the on the Town's property.

19 **Section 4.** The approval of the Application is subject to the following conditions:

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

21 a) Site Plan, prepared by CKE Group, Inc., referenced as "C-1", revised 12/18/24, and
22 received by the Planning and Zoning Department 12/20/24.

23 b) Landscape Plan, Landscape Specification Plan, and Tree Disposition Plan, prepared
24 by CKE Group, Inc., referenced as "L-1.0, L-2.0, and L-3.0", respectively, revised
25 12/18/24, and received by the Planning and Zoning Department 12/20/24.

1 c) Architectural Elevations and Roof Plan, prepared by CKE Group, Inc., referenced as
2 "A1.3 and A2.1", respectively, dated 10/23/24, and received by the Planning and
3 Zoning Department 11/14/24.

4 d) Statement of Use, prepared by Corporate Property Services, dated 11/13/24 received
5 by the Planning and Zoning Department 11/14/24.

6 e) Concurrency Traffic Statement, prepared by PTC Transportation Consultants,
7 revised 11/01/24, received by the Planning and Zoning Department 11/14/24.

8 2) The uses conducted on the subject property shall be consistent with the Statement of Use,
9 dated 11/13/24. Any revisions to the site plan, Statement of Use, or other details submitted
10 as part of the Application, including but not limited to the location of the proposed
11 improvements or additional, revised, or deleted colors, materials, or structures, or changes
12 to how the use operates, shall be submitted to the Department of Planning and Zoning
13 (the Department) and shall be subject to its review and approval.

14 3) **Fast Food Use.** If the subject property is issued a Notice of Violation and found in violation
15 for odors related to garbage in the dumpster area the applicant or property owner shall
16 submit a dumpster odor mitigation plan within 30 days for the review and approval by the
17 Town. The dumpster odor mitigation plan shall include, but is not limited to, a sealed
18 dumpster, permitting and installation timeframes, and garbage pickup schedules. The
19 sealed dumpster shall be installed within the timeframes indicated on the dumpster odor
20 mitigation plan.

21 4) **Landscaping.** Prior to the issuance of any development permits, the Owner shall revise
22 the plans to replace every other Crape Myrtle tree with a Dahoon Holly along the
23 Indiantown Road landscape buffer.

24 5) Prior to the issuance of any development permits, the Owner shall pay to the Town a
25 landscape median fee of \$7,593.19.

26 6) **Easements**

- 1 a) Prior to the issuance of any development permits, the Owner shall submit a draft Public
2 Access Easement encompassing the limits of the north-south driveway on the west
3 side of the subject property as noted on the site plan. The easement shall be subject
4 to the review and approval of the Town Attorney and Town Engineer. Following the
5 approval of the Public Access Easement, the Owner shall execute it and then record
6 it. A copy of the recorded easement shall be submitted to the Department.
- 7 b) Prior to the issuance of any development permits, the Owner shall submit a draft
8 Dumpster Easement. The easement shall be subject to the review and approval of
9 the Town Attorney and Town Engineer. Following the approval of the Dumpster
10 Easement, the Owner shall execute it and then record it. A copy of the recorded
11 easement shall be submitted to the Department.
- 12 c) Prior to the issuance of any development permits, the Owner shall secure and provide
13 to the Department a copy of the construction easement it has received from the owner
14 of the adjacent bank property. The easement is to permit the Owner to construct and
15 modify the 100 foot easement area as shown on the approved site plan.
- 16 d) Prior to the issuance of any development permits, the Owner shall submit to the
17 Department a draft easement for signage on the southwestern corner of the subject
18 property, extending 25 feet north from the southern property line and running from the
19 western property line eastward towards the western limits of the subject property's
20 north-south driveway. The easement shall be subject to the review and approval of the
21 Town Attorney and Town Engineer. The easement shall be executed and recorded
22 prior to the issuance of a Certificate of Occupancy. The Owner shall submit a copy of
23 the approved easement to the Department.

24 7) ***Underground Utilities.***

1 a) Prior to the issuance of any development permits, the Owner shall pay the fees for
2 undergrounding of all utilities along Indiantown Road and secure the necessary
3 permits to remove the overhead electric lines and place them underground.

4 b) Prior to the issuance of a Certificate of Occupancy, the Owner shall secure all
5 necessary permits from the FDOT for the removal of the existing cobra street lights
6 and the installation of new decorative street lights along the subject property's frontage
7 on Indiantown Road.

8 c) Prior to the issuance of a Certificate of Occupancy, the Owner shall complete the
9 installation of underground utility lines and shall install the decorative street lights.

10 d) In lieu of placing the overhead utilities underground as required by conditions 9(a)(b)(c)
11 above, the Owner may contribute monies to the Town equal in value to the estimated
12 cost of performing the work. Any such contributions shall be based on either quotes
13 from existing overhead utility companies, or may be based on a cost per linear foot of
14 frontage as developed for other recent projects. The contribution shall be submitted to
15 the Town prior to the issuance of any development permits.

16 8) ***Signage.***

17 a) The freestanding sign to be located on the subject property shall not exceed 7 feet in
18 height and the copy area shall not exceed 90 square feet. The sign shall be
19 architecturally compatible with the site.

20 b) The electronic menu board sign to be located on the subject property shall be subject
21 to the following restrictions:

22 1) The text and images shall not be changed more than twice within a 24-hour
23 period;

24 2) The image displayed shall not have the appearance of moving, fading and/or
25 flashing;

3) All electronic changeable copy signs shall be equipped with an adjustable lighting level to ensure that electronic signs are dimmed automatically between sunset and sunrise to avoid glare and to protect the character of the surrounding area. During the hours of darkness, the lighting levels from an electronic changeable copy sign shall not exceed 0.3 foot-candles over ambient lighting conditions when measured at a distance of 39 feet from a 15 square foot sign and 32 feet for a ten square foot sign. For signs with an area in square feet other than those specifically noted above, the distance in feet away from the sign shall be equal to the square root of 100 times the sign area in square

feet, i.e. $[\text{Measurement Distance} = \sqrt{\text{Area of Sign Sq. Ft.} \times 100}]$.

9) **Water.** The Water Service Agreement and recording fee shall be paid within 60 days of the effective date of this resolution or prior to the issuance of development permits, whichever occurs first.

10) **Miscellaneous.** The placement of any type of vending machines or units which dispense food, beverages, candy, merchandise, products, goods, handbills, or advertising magazines on the exterior portions of the subject property within public view, is prohibited.

11) The conditions of approval herein shall apply to the Owner and its successors and assigns.

Section 4. This resolution shall take effect immediately upon its execution.

Attachment: Exhibit "A" - Legal Description

#5991061 v1 26503-00001

LEGAL DESCRIPTION

PARCEL I:

A PARCEL OF LAND IN SECTION 1, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE CENTER OF SAID SECTION 1, PROCEED SOUTHERLY ALONG THE NORTH-SOUTH ONE QUARTER SECTION LINE A DISTANCE OF 50.06 FEET; THENCE WESTERLY PARALLEL TO THE EAST-WEST ONE QUARTER SECTION LINE S88°52'20"W A DISTANCE OF 581.50 FEET TO THE POINT OF BEGINNING; THENCE S01°07'40"E, A DISTANCE 160.00 FEET; THENCE S88°52'20"W, A DISTANCE OF 207.75 FEET; THENCE N01°35'04"E, A DISTANCE OF 160.18 FEET TO A LINE 50.00 FEET SOUTH OF AND PARALLEL TO SAID EAST-WEST ONE QUARTER SECTION LINE, ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF S.R. 706; THENCE N88°52'20"E, ALONG SAID PARALLEL LINE AND SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 200.17 FEET TO THE OF BEGINNING.

LESS AND EXCEPTING THEREFROM THE FOLLOWING:

A PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10.00 FOOT STRIP OF LAND BOUNDED THE NORTH BY THE EXISTING SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 706, AND BOUNDED ON THE SOUTH BY A LINE 10.00 FEET SOUTH OF AND PARALLEL TO SAID SOUTHERLY EXISTING RIGHT OF WAY OF STATE ROAD 706, HAVING A LENGTH OF 200.17 FEET, LYING IN THAT PART OF THE PARCEL, OF LAND RECORDED IN OFFICIAL RECORDS BOOK 5451, PAGE 1699, OF THE PUBLIC RECORD OF PALM BEACH COUNTY, FLORIDA.

AND ALSO LESS:

THAT PORTION OF THE ABOVE DESCRIBED LAND IN FINAL JUDGEMENT RECORDED IN OFFICIAL RECORDS BOOK 20537, PAGE 716, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

PARCEL II:

NON-EXCLUSIVE EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL I, CREATED, LIMITED AND DEFINED BY THAT CERTAIN EASEMENT AGREEMENT IN FAVOR OF WENDY'S OF SOUTH FLORIDA, INC., FILED FEBRUARY 4, 1982 RECORDED IN OFFICIAL RECORDS BOOK 3669, PAGE 1175, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

Town of Jupiter Staff Report for Wendy's Town Manager's Office



DATE: February 18, 2025

TO: Honorable Mayor and Members of Town Council

THRU: Frank J. Kitzerow, Town Manager

FROM: John Sickler, Director of Planning and Zoning

SUBJECT: Wendy's – Site plan amendment to remove and replace an existing nonconforming fast food restaurant, reduce nonconformities on the property, reconfigure the drive-thru and parking area, add outdoor seating, request an off-site dumpster easement and provide a connection to the Town's Municipal Complex, on a 0.65+/- acre property located at 626 W Indiantown Road.

Resolution #5-25
PZ 24-6161
G. Watson

PZ Commission: 01/14/25
Town Council: 02/18/25 (quasi-judicial)

Project Information

Project Name:	Wendy's
Owner/Applicant:	Robert E. Mason and Barbara Mason
Agent:	Corporate Property Services
Location:	626 W. Indiantown Road
Acreage:	0.65 ± acres
Future Land use designation:	Commercial
Zoning:	IOZ, Parkway district with underlying C-2, General Commercial
Square Footage:	
Existing:	3,023 with 0 SF outdoor seating
Proposed:	2,228 with 487 SF of outdoor seating (Total 2,715 SF)
Request:	Site plan amendment to: • remove and replace an existing nonconforming fast food restaurant; • reduce nonconformities on the property; • reconfigure the drive-thru and parking area; • add 487 SF of outdoor seating; • request an off-site dumpster easement on the Town's Municipal Complex, and, • provide a roadway connection from Indiantown Road to the center of the Town's Municipal Complex.

Planning and Zoning Commission Recommendation

At their January 14, 2025 meeting, the Planning and Zoning Commission voted unanimously (by a 7 to 0 vote), with no modifications to the conditions in Resolution #5-25.

Staff Compliance Review Summary

Staff reviewed the applicant's request (see Attachment A – Statement of Use) and determined the application will be in compliance with the Town Code, subject to the Town Council's approval of the off-site dumpster easement on Town of Jupiter owned property, and subject to the conditions recommended in **Resolution 5-25**.

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	Commercial (Big Dollar Plaza)	Commercial / Indiantown Road Overlay Zoning (IOZ) Parkways district with underlying C-2 (Commercial, General) Zoning
South	Town of Jupiter Community Center and Municipal Complex	Public/Institutional / Indiantown Road Overlay Zoning (IOZ) Civic district with underlying PI (Public/Institutional) Zoning
East	Commercial (Bank United)	Commercial / Indiantown Road Overlay Zoning (IOZ) Civic district with underlying C-2 (Commercial, General) Zoning
West	Commercial (vacant)	Commercial / Indiantown Road Overlay Zoning (IOZ) Parkways district with underlying C-2 (Commercial, General) Zoning

Table 2: Site Plan

	(IOZ) Parkway with underlying C-2 zoning district requirements	Applicant's proposal
Square footage of structure	n/a	2,228 sf (26% decrease) (with 487 sf of outdoor seating for a total of 2,715 sf or a 10.2% decrease) ¹
Minimum lot area	15,000 square feet	28,446 sf
Minimum lot width	75.0 feet	189.45 feet
Minimum lot depth	150.0 feet	150 feet
Maximum building height	50.0 feet	21 feet to main roof 25.4 feet to top of tower
Maximum lot coverage	35.0 percent	10.2 percent (4% decrease)

Table 3: Setbacks

	(IOZ) Parkway with underlying C-2 zoning district requirements	Applicant's proposal
Front (North)	25.0 feet	85.7 feet (North)
Rear (South)	30.0 feet	30 feet (South)
Side (West)	10.0 feet	81.2 feet (West)
Side (East)	10.0 feet	33.4 feet (East)

¹ The 10.2 percent decrease is the delta between the existing interior square footage vs the proposed interior and outdoor seating square footage.

Table 4: Landscaping

	Minimum requirements	Owner's proposal ²
Perimeter trees (quantity)	27 Trees (1/25 LF)	27 Trees
Foundation Perimeter Planting (Linear Feet)	818.48 LF	818.48 LF
Foundation Planting (square feet)	3,215.6 SF	3,556.9 SF
Native trees	30 Trees (50%)	51 (85%)

Table 5: Parking

	Square Feet (SF)	Minimum requirements	Owner's proposal
Fast Food (1/100 square feet)	2,228 SF	22 spaces	22 spaces
Outdoor Seating (1/100 square feet)	264 SF ³ (487 SF)	3 spaces	3 spaces
Total Spaces		25 spaces	25 spaces

Table 6: ADA Accessible Parking

Minimum requirement	Provided
1 ADA spaces	2 ADA spaces

Table 7: Traffic (see Attachment B)

	Owner's proposal
Satisfies PBC/Town of Jupiter TPS	Yes
Average daily trips (net)	74 ADT decrease (from 721 to 647 trips)
AM Peak Hour trips (net)	7 decrease (from 69 to 62 trips)
PM Peak Hour trips (net)	5 decrease (from 51 to 46 trips)

Table 8: Stormwater Management

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

Table 9: Signage

	Maximum requirements	Owner's proposal
Freestanding Signage	One	One
Sign area	100 SF	86.5 SF
Sign height	12 feet	7 feet
Sign setback	5 feet	10 feet
Façade Signage	Two	Two
Primary (North Elevation)	60 SF	21.8 SF
Secondary (East Elevation)	30 SF	9.7 SF

Table 10: Pedestrian Amenities

	Maximum requirements	Owner's proposal
Bicycle racks	1 (5 bikes)	1 (5 bikes)
Bench	1	1
Trash Receptacle	1	1

² Most of the nonconforming landscaping is being brought into conformance with the Town Code. See **Landscaping** section in the analysis below for more details.

³ Per Section 27-2760(10)(d), when outdoor seating exceeds 10% of the restaurant GFA, but is less than 25%, only the percentage over 10% is parked. See site plan calculation for more details.

Background and History

The subject property is currently developed with an existing fast food restaurant that was constructed in 1982. On March 6, 1990, the Town Council adopted the Indiantown Road Overlay Zoning District (IOZ) which prohibited fast food restaurants in the Parkways district with underlying C-2 (General, Commercial) zoning. The existing Wendy's restaurant existed prior to the creation of the IOZ, and thus exists as a legal non-conforming use. In 2011, the Comprehensive Plan and Town Code were amended to support the renovation and redevelopment of nonconforming uses in the IOZ, provided there was no increase beyond 10 percent of the existing gross floor area, no increase in the number of stories, no expansion onto adjacent properties, and that existing nonconformities on the property were reduced or eliminated.

The Town previously approved a site plan amendment for Wendy's on October 3, 2017 which authorized removal and replacement along with a reconfiguration of the parking and drive-thru area (See Attachment C – 2017 Staff Report). The proposed site plan presents a multitude of opportunities to make significant enhancements to the property. Those enhancements include:

- A formal entry to the municipal complex providing for Town Hall and the Veteran's Memorial to be the terminal vista of the entry drive;
- A reduction in the number of vehicular conflicts between parking spaces and drive-thru stacking;
- An increase in the landscaping on site; and,
- Significantly more drive-thru stacking further away from Indiantown Road to reduce the vehicular queuing that exists onto Indiantown Road today.

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 in conformance with Policy 1.8.5 of the Future Land Use Element of the Comprehensive plan relative to nonconforming uses:

- **Policy 1.8.5 Future Land Use Element** - As part of the implementation of Objective 1.8, the intent of which is to promote the economic redevelopment of an attractive Indiantown Road, by allowing those legal non-conforming uses which existed prior to March 6, 1990 to expand, upgrade and/or redevelop, provided there is no increase in the intensity of the use greater than 10 percent of the applicable intensity standard (gross floor area, automotive fueling position, car wash stall, vehicle sales inventory or square footage), an increase in the existing number of stories of a building and/or parking garage, or expansion onto other properties. Provided also that the expansion, upgrade, or redevelopment, shall eliminate, or reduce to the maximum extent possible, any existing nuisances or non-conforming land development regulations (other than use) which apply to the property.

Staff comment: The applicant proposes to remove and replace the existing fast food restaurant, decreasing its building square footage from 3,023 square feet to 2,228 square feet (decrease of 795.5 square feet) while adding 487 square feet of outdoor seating. In total, when including the interior square footage and outdoor seating, the proposed project equates to a 10.2 percent reduction in intensity.

The applicant is proposing to increase the allowable amount of off-site parking, from five spaces to ten spaces, on an existing parking easement located on the Bank's property. As noted in the previous site plan application, the parking easement was created prior to the

adoption of the Indiantown Road Overlay Zoning District, which subsequently made Wendy's a legal nonconforming use (see pages 5-7 of Attachment C). As a result, the Town has not considered this application an expansion of a nonconforming use because the applicant maintains the right to use this area for the proposed parking spaces. As noted in the Background and History Section above, the proposed plan provides for significant improvements to the site and for the public by providing enhanced access to the municipal complex from Indiantown Road.

Lastly, in accordance with Policy 1.8.5, the subject site has numerous landscape non-conformities which are being significantly reduced or eliminated as part of the subject application (see Landscape Nonconformities in the *Landscaping* section below).

Fast Food use. The fast food restaurant was approved prior to the creation of the Indiantown Road Overlay Zoning District, and now exists as a legal non-conforming use. On November 15, 2011, the Town Code was amended to add Section 27-1531, entitled "Nonconformities", to allow for legally established non-conforming uses to expand and redevelop. Specifically, the applicant is proposing to redevelop the property in accordance with Section 27-1531(c) which allows the modernization of a nonconforming use provided there is no increase of intensity over 10 percent, no additional stories, no expansion on to other properties, and nonconformities and nuisances are reduced or eliminated. While the dumpster is being proposed within an easement area on the Town's property, staff has not considered this an expansion off site as dumpsters do not contribute to greater intensity of the subject property and the proposed location allows for a more functional and aesthetically pleasing entry into Town Hall (see Dumpster Easement section of the **Easements** section below for more info).

- Dumpster – In accordance with Section 27-1531(c), the redevelopment of the nonconforming use requires the reduction or elimination of nuisances and non-conformities. A common nuisance associated with fast food restaurants are the smells emanating from the dumpster. Staff is recommending a condition of approval that **if the subject property is issued a Notice of Violation and found in violation for odors related to garbage in the dumpster area, the applicant or property owner shall submit a dumpster odor mitigation plan within 30 days for the review and approval by the Town. The dumpster odor mitigation plan shall include, but is not limited to, a sealed dumpster, permitting and installation timeframes, and garbage pickup schedules.** This condition is a carry-over from the 2018 site plan approval and similar to a requirement for Culver's.

Site Plan. The proposed site plan is in conformance with the requirements of Chapter 27, entitled "Zoning". As noted previously, the proposed project includes significant enhancements compared to the previously approved plan and staff identified numerous benefits to both the subject property and Town's municipal complex. The proposed plan provides for a formal entry to the municipal complex providing for Town Hall and the Veteran's Memorial to be the terminal vista of the entry drive west of the proposed Wendy's building. The new formalized entry drive from Indiantown Road is proposed to replace the old direct connection between Wendy's and BankUnited that became circuitous as a result of the development of the Police building and enclosed parking compound. The proposed entry drive is intended to lead visitors directly to the new center of the updated municipal complex.

In addition to the enhanced connectivity to the municipal complex, the new proposed plan for Wendy's site also provides for a significant reduction in the number of conflicts between parking spaces and the drive-thru stacking to allow for a better flow of traffic. The existing site has many parking spaces that currently become unusable when the drive thru is backed up. The proposed plan creates a dedicated drive-thru lane separated from the parking back out drive aisles, allowing for both to be used independently of each other. Lastly, the proposed plan provides for more drive-thru stacking with room for more vehicles to stack internally without blocking Indiantown Road. This

change significantly reduces the risk of vehicles backing up onto Indiantown Road which occurs today during peak times.

It is important to note that the 2025 adopted strategic plan includes an action item to “secure a right-of-way transfer agreement with Palm Beach County School District to enable realignment of Daniels Way”. While Daniels Way was transferred to the Town by Quit Claim Deed in 2000, there are stipulations that result in a significant amount of useable land being encumbered to accommodate the realignment. Staff has prepared a map that shows the existing driveway connections, proposed Wendy's driveway connection, and the potential future realignment of Daniel's Way (see Attachment D).

During the previous site plan discussions for Wendy's in 2018, there were safety concerns with the students utilizing Daniels Way to access what was then the designated student parking lot. The Town studied how Daniels Way could potentially be realigned to the east through the Town's property (2 acres), acquired in 2017, north of the Community Center to align with the median opening at Philadelphia Drive to facilitate the construction of a signalized intersection to improve safety. Since that time, a few conditions have changed, as follows:

- The students no longer utilize the Daniels Way parking lot, which has significantly reduced the intense period of peak traffic turning movements occurring on Indiantown Road at Daniels Way.
- The lot is now used primarily for staff parking and off-peak events. Since staff hours are spread out more than student arrival and dismissal times, the traffic impacts have been greatly reduced during peak periods.
- During the development of the Police building, connections were made between the municipal complex and Daniel's Way south of the Community Center, which allows for better distribution of traffic through cross access connections to Military Trail. These connections were further refined with the construction of the new Town Hall building providing for a more convenient connection.

The development of a full driveway connection to the Municipal Complex on the Wendy's property is another changing condition related to the current strategic initiative action item. The above information has been included for further consideration by the Town Council.

Landscaping. The proposed development **will be** in conformance with Chapter 23, entitled “Landscaping”, with the recommended conditions as noted below. The plan meets the requirements of Indiantown Road Overlay Zoning District. Section 27-1528(Table 6), entitled “Informal Slash Pine/Native Theme”, requires that the property have a street tree theme of Slash Pines. The plan clusters pines in proximity to the front buffer, just outside of overhead utility lines, to provide consistency with the require landscape theme.

- Indiantown Road Buffer Trees. The applicant is proposing Crape Myrtles in the front buffer along Indiantown Road. In order to provide some variety in street trees, staff has recommended a condition of approval to **swap every other Crape Myrtle tree with a Dahoon Holly along the Indiantown Road landscape buffer so that they alternate.**
- Landscape median contribution. Pursuant to Section 23-76, entitled “Landscape median contributions” monies totaling \$40.04 per linear foot are required for the frontage along Indiantown Road. Based on the 189.64 feet of frontage, a condition has been added to **require a total of \$7,593.19 will be required to be paid prior to the issuance of any development permits.**
- Landscape Nonconformities – There are many existing landscaping nonconformities on site including; insufficient landscape buffers, terminal landscape islands, greenspace, and foundation plantings. Pursuant to Section 27-1531(c)(4), a non-conforming use that is proposed to be renovated or modernized is required to reduce the nonconformities on the property. The following landscape non-conformities are being addressed in the subject application.

Table 11: Landscape Buffers

Direction	Required	Existing Landscape buffer	Proposed Landscape buffer
North (Indiantown Road)	10 feet	4.75 feet to 2.83 feet	10 feet
South (Community Center)	5 feet	1.7 feet to 3.5 feet	5 feet
East (Bank)	5 feet	No buffer, drive aisle	No buffer due to shared drive aisle ⁴
West (Vacant)	5 feet	12.5 feet to 13.5 feet	23 feet to 51 feet

- Landscape buffers – The above chart summarizes the changes for the landscape buffers on the property. The existing property has nonconforming landscape buffers along the north, east, and southern property lines. As noted above, all buffers will be compliant with code upon redevelopment.
- Greenspace – The existing property has 18.3 percent greenspace overall which is below the 30 percent required in the code. The proposed site plan adds greenspace throughout the property bringing the property up to 28.4 percent greenspace.
- Foundation Plantings – The existing property has approximately 243 square feet of foundation planting which does not meet the minimum square footage requirements for the building size. The applicant is proposing to increase the foundation to 818.5 square feet, which meets the minimum requirements of the code.

Easements. Development of the subject property requires a number of easements to provide for public access, off-site dumpsters, and construction of improvements within easement areas.

- Public Cross Access Easement. The applicant is proposing a new entry drive that will function as an entry driveway to their property as well as to the Town Hall Municipal Complex. In order to ensure that access is provided to the public in perpetuity, staff has added a condition to **provide a public access easement over the entire entry driveway.**
- Dumpster Easement. The applicant had originally proposed the dumpster on the west side of the new entry drive on the west side of the property. Staff expressed concerns with the terminal vista being the dumpsters and offered a solution to utilize an existing easement area on the Town's property that allows Wendy's to use the area for, "parking, driveways, open space, and landscaping". The easement specifies that it shall not be used for fast food purposes; however, dumpsters are a necessary element of any commercial use and not unique to fast food uses and the dumpsters do not contribute to an increase in intensity. Furthermore, the public cross access easement and town signage easement for the Town's use on the subject property encumbers more land area on the subject property than the proposed dumpster easement. This further necessitates the proposed dumpster easement by limiting the land area available onsite where it will be aesthetically pleasing and functional. As a result, it is reasonable to provide additional flexibility in the location of the dumpster to support the beautification and functionality of the new entry driveway. Should the Town Council support the relocation of the dumpster to facilitate a more aesthetic entry to the municipal complex, staff has added a condition that **the applicant provide a dumpster easement for the Town's review and execution.** It should be noted that the Resolution for the subject application will include a whereas clause that allows for the Mayor to execute the easement once reviewed and approved by the Town Attorney and Town Engineer.
- Temporary Construction Easement from Bank. The easement on the bank's property allows for parking for Wendy's, but it does not provide clarity on how improvements to that area are handled. Staff has recommended that the applicant **secure temporary**

⁴ While a landscape buffer is not being provided at the technical property line, a code compliant buffer is being provided along the eastern edge of the shared entry driveway between Wendy's, the bank, and Municipal Complex within an easement that allows for landscaping.

construction easements over the area to allow for the construction prior to the issuance of any permits.

- **Town Signage Easement.** With the construction of the new Town Hall building and finalizing of the municipal complex layout, staff has been working on a wayfinding signage plan to direct customers to Town services. As Wendy's will be providing a new primary entrance for the municipal complex from Indiantown Road, there may be a need for signage on the Wendy's property to direct customers to the various location on the property. Staff has added a condition for Wendy's to **provide a signage easement encompassing the southwest portion of the property to accommodate future planned signage.**

Underground Utilities. The proposed development will be in conformance with Section 27-1526(6) related to the undergrounding of utilities with the conditions to perform the work or pay a fee in lieu. Staff has provided a condition of approval that the applicant **shall underground the utilities along Indiantown Road as required by Town Code. As an alternative, the applicant may also pay a fee in lieu to the Town** which is typical on single properties where there is less of an economy of scale and thus higher pricing for the work.

Parking. The proposed development is in conformance with Section 27-2828 entitled, "Standards for required off-street parking and loading spaces". The proposed site plan provides the minimum number of required parking spaces to support the use and reduces numerous conflicts with the drive-through lane and parking spaces and simplifies access to the property. The redesign has significantly enhanced circulation on the property. As noted in the previous application, Wendy's has the right to utilize the easement on the bank's property for parking which was found to not constitute an expansion off site (See page 5-7 of Attachment C).

Signage. The proposed development is in conformance with Section 27-1529 entitled "Special Sign Regulations". The applicant has also proposed façade signage that complies with code and a monument sign that complies with the seven foot maximum that is typically recommended as a condition of approval along Indiantown Road. In order to ensure the sign does not get changed to a tall sign in the future, staff has added a condition stating that **the freestanding sign shall not exceed 7 feet in height and the copy area shall not exceed 90 square feet. The signage and copy area shall be architecturally compatible with the site.**

Electronic Menu Board. In addition to the façade and monument signs, the applicant is proposing an electronic menu board sign for their drive-thru. In recent years, electronic menu board signage has been increasing in popularity among fast food restaurants for its ease of changing menu items and pricing (such as changing breakfast menus to lunch/dinner offerings) as well as it providing a cleaner look to the traditional cabinet style signs which can mildew and fade over time.

Over the years, staff has received many requests for menu boards to be electronic signage; however, these signs have not been allowed since they have been deemed by staff as being "changeable copy" and "flashing, moving, emitting, or animating", which is a prohibited sign type (Section 27-3304, entitled "Prohibited signs"). Furthermore, changeable copy signage in the Town Code is limited to eight square feet and limited to plastic channel lettering, plastic card type lettering or raised wood lettering. In addition, the code indicates that freestanding monuments sign may have changeable copy (Section 27-1529, entitled "Special sign regulations"); however, the code is silent if menu board signs can have changeable copy.

The applicant is proposing an electronic menu board that is approximately 21 square feet, which is half of what would be permitted for regular menu boards in the Town, but exceeds what would be allowed for changeable copy. The applicant is indicating that the sign is not flashing, moving, emitting, or animating and just changes to indicate the menu based on the time of

day. It is important to note that current menu boards are also rotated daily to present changed menu items based on time; however, staff has not considered these to be prohibited sign types or to exceed the changeable copy area.

On June 18, 2019, the Town Council approved Ordinance 3-19 that provided provisions for Performing Arts theaters (i.e. Maltz) to be able to utilize electronic changeable copy with some restrictions to ensure it is compatible and furthers the health, safety, and welfare of the public. In general, those restrictions limit the amount of times per day content can change, that it needs to be a static image, that the lighting levels need to be lowered at night, and that it is not within 150 feet of residential.

After further review of the code, staff finds that the electronic menu signs may be designed in a way to be static in nature and function similar to a traditional menu board without the maintenance issues. Should the Town Council agree with this interpretation of the code to allow electronic menu board signs for fast food restaurants, staff has recommended conditions of approval that **the menu sign:**

- **Shall not be changed more than twice within a 24-hour period;**
- **The image displayed shall not have the appearance of moving, fading and/or flashing;**
- **All electronic changeable copy signs shall be equipped with an adjustable lighting level to ensure that electronic signs are dimmed automatically between sunset and sunrise to avoid glare and to protect the character of the surrounding area.**
- **The changeable copy portion of a sign shall not be located within 150 feet of a residential unit.**

Staff also notes that if this is found to be acceptable at Wendy's, these electronic menu board sign could be allowed for other fast food restaurants, such as McDonald's, Burger King and Taco Bell, at up to the code allowed square footage of 40 square feet at locations.

Architecture. The proposed development is in conformance with the Architectural and Community Appearance Standards, specifically Section 27-2013, which requires strong pedestrian connections to sidewalks, site furniture, and design, relief features and decorative treatments complementing the retail frontage of the restaurant. The proposed building has incorporated elements of a Coastal Architectural style with natural stone base, simulated lap siding, and a metal roof. The building has covered outdoor seating that includes metal roofing for consistency. The primary entry faces Indiantown Road as required by Town Code.

Traffic. The proposed application will be in conformance with Palm Beach County (PBC) and the Town's traffic performance standards (see Attachment B). The proposed project decreases the net traffic by 74 Average Daily trips, 7 AM peak hour, and 5 PM peak hour trips.

Water. The proposed application requires a **Water Service Agreement and recording fee will be due within 60 days of site plan approval or prior to the issuance of development permits, whichever occurs first.**

Site Plan Criteria.

(3) The proposed development is consistent with all applicable land development regulations and all other portions of this Code.

Staff Comment: Staff has provided conditions of approval to address the unmet code requirements of landscape median contributions and undergrounding of utilities.

Attachments:

- Attachment A – Statement of Use
- Attachment B – Traffic Statement
- Attachment C – Staff Report from 2018 approval
- Attachment D – Map of Indiantown Road Connections

* Please contact Garret Watson garretw@jupiter.fl.us or 561-741-2549 in order to obtain a copy of the proposed plans or any attachments.



SITE PLAN AMENDMENT APPLICATION
WENDY'S STORE #1948
626 WEST INDIANTOWN ROAD
TOWN OF JUPITER, FLORIDA
November 13, 2024

The subject 0.653 acre (28,446 square feet) site and is located at 626 West Indiantown Road, in the Town of Jupiter, Florida. The property is zoned C-2 General Commercial, with a Commercial future land use designation. This site is incorporated within the location-specific Parkway District of the Indiantown Road Overlay Zoning District (IOZ). Wendy's is requesting to remove and replace an existing nonconforming fast-food use by demolishing the existing building and replacing it with a new 2,228 square foot smaller building, adding a 487 square foot covered outdoor dining area, improving circulation and site functionality, increasing greenspace, redesign the parking lot and drive thru for better circulation and stacking of vehicles, and providing pedestrian connections to Indiantown Road and the surrounding properties.

The total area of the proposed restaurant and outdoor dining area equate to 2,715 square feet. The new restaurant will incorporate a single drive thru lane, and provide a minimum of 11 queuing vehicles, from the pickup window, and one stacking space after the window. The code requires 25 parking spaces and 25 parking spaces are being provided. The overall on-site circulation, pedestrian connectivity, aesthetics and landscaping elements of this development will all be significantly improved from the existing conditions.

Currently, this site has a right-in/right-out vehicular access connection onto West Indiantown Road/SR No. 760. The new layout will include a modification to this vehicular access connection, but it will remain a right-in/right-out. There is an existing one-way in connection to the site, from the Town's main drive aisle off to the east. This point of access will be eliminated in order to provide safer on-site circulation. The existing full access connection to the Town's main drive aisle, off of Indiantown Road, at the southeast corner of the site, will remain but will be slightly altered. Finally, a new two-way cross access point, located at the southwest corner of the site, will allow traffic from the Wendy's parcel to access the municipal office and recreation complex, without having to use Indiantown Road or Military Trail. This new cross access connection will now allow vehicles three site exit options, and will provide for safer on-site circulation.

Lot circulation is clear, accessible and safe, with pedestrian pathways clearly marked. Wendy's is proposing to provide an ADA pedestrian connection to Indiantown Road, where none exists today. There is a new pedestrian path from the building that heads west and then south into the Town's property, in order to provide safe pedestrian connectivity between the two properties.

The proposed project will increase the overall landscape area from 5,208.19 square feet (18.31%) to 7,812.50 square feet (27.46%). The proposed front landscape buffer will meet or exceed the 20-foot requirement on the east and west sides of the row of parking and driveway. The buffer in front of the parking has been increased from 5 feet to 10.5 feet. The east property line now provides a 10-foot buffer adjacent to the main drive aisle. The west buffer has been increased, due to the removal of parking and includes a pedestrian path that leads to the parcels to the south. As part of the redevelopment project, 15 trees will be relocated and one tree will be removed. The majority of the existing tree on site will be preserved and enhanced with new trees, shrubs, and ground cover. The project will meet

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or exceed all code requirements for landscaping. The overall site landscaping will be a vast improvement from what exists today.

The proposed Wendy's building architecture is in compliance with the IOZ (Indiantown Road Overlay) Design Guidelines. The enhanced contemporary architectural building elevations will consist of decorative tower, Hardi Plank Siding, Hard trim Corner Boards, Smooth Stucco, Coral Stone, Galvalume Natural Weathering Grey Standing Seam Metal Roof, decorative brackets around roof, and bronze finished metal trim, brake metal, and decorative downspouts. The earth tone building colors include dark bronze, light tan, and peppercorn/grey. The storefront system will be bronze, similar to the finished metal trim and brake metal. All mechanical equipment will be screened by the roof parapet.

Hours of operation are proposed at 6:00 am to 1:30 am, Sunday through Saturday. There will be no increase in noise activity from the proposed project and no vibration associated with a Wendy's restaurant. There is no air pollution or odor, since the cooking is filtered by the hood system. The glare will be reduced as the new lot lights will comply with the City's Lighting Performance Standards. The daily traffic and the AM/PM peak hour traffic will all be reduced, due to building area reduction.

The proposed site plan application is in compliance with Section 27-175 based upon the Criteria outlined as follows:

1. The proposed development is consistent with the goals, objectives and policies of the town comprehensive plan

Response: The proposed fast-food restaurant is consistent with the goals, objectives and policies of the town comprehensive plan.

2. The proposed development is consistent with any applicable, countywide land development regulations.

Response: The proposed development is consistent with any applicable, countywide land development code regulations.

3. The proposed development is consistent with all applicable land development regulations and all other portions of this Code.

Response: The proposed development is consistent with all applicable land development regulations all other portions of this Code.

4. The proposed development is compatible and/or consistent with the established or proposed character of a neighborhood or area.

Response: The proposed development is compatible and/or consistent with the established character of a neighborhood area.

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

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

6. There are adequate levels of service for public facilities, including, but not limited to, transportation, water supply, drainage and sanitation, available concurrent with the impacts of the development proposed by the application.

Response: Yes, there are adequate levels of service for public facilities available concurrent with the impacts of the development proposed by this application.

7. The proposed development does not significantly reduce light and air to adjacent properties.

Response: The proposed development does not significantly reduce light and air to adjacent properties.

8. The proposed development does not adversely affect property values in adjacent areas.

Response: The proposed development will not adversely affect the property values in the adjacent areas.

9. The proposed development would not be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Response: The proposed development will not be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

10. The proposed development does not create noise or visual pollution.

Response: The proposed development does not create noise or visual pollution.

11. The proposed development does not negatively impact adjacent natural systems or public facilities, such as parks.

Response: The proposed development does not negatively impact adjacent natural systems or public facilities such as parks.

12. The proposed development provides pedestrian amenities, including but not limited to, benches, trash receptacles, and or bicycle parking.

Response: The proposed development does provide pedestrian amenities throughout the site.



In summary, this redevelopment project will consist of site improvements, landscaping upgrades, and enhanced architectural design, which will enhance the West Indiantown Roadway frontage. It will be in compliance with promoting the objectives of redevelopment and enhancement of property values, with a result that better serves the public interest.

January 31, 2024
Revised November 1, 2024

Mr. Eddie Rodriguez
WenCo Holdings
4030 NE 30th Avenue
Lighthouse Point, FL 33064

**Re: Indiantown Road Wendy's - #PTC24-007
Concurrency Traffic Statement**

Dear Mr. Rodriguez:

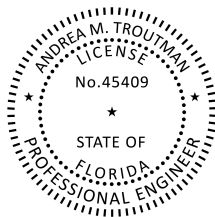
The purpose of this letter is to provide a traffic statement for the above referenced project to determine if the proposed development meets the requirements of Article 12, Traffic Performance Standards, of the Palm Beach County (PBC) Unified Land Development Code (ULDC). The site is located on the south side of Indiantown Road west of Military Trail in the Town of Jupiter as shown on **Attachment 1**. Existing on site is a 3,023.50 SF fast food restaurant. It is proposed to redevelop the site with a reduction in the fast food restaurant to 2,715 SF including outdoor seating. Access to the site is via a right in / right out driveway to Indiantown Road and two internal driveways to the center. The Parcel Control Number (PCN) is 30-42-41-01-00-000-7190. The buildout of this project is estimated to be 2027.

Attachments 2A through 2C provide the Daily and Peak Hour trip generation comparison for the existing and proposed use. The proposed development generates fewer Daily and Paek Hour trips than the existing use. There is no increase in project traffic; therefore, the proposed development is in compliance with the Palm Beach County Traffic Performance Standards.

Driveway volumes are provided on **Attachment 3**.

Please contact me by phone or at atroutman@pindertroutman.com if you need any additional information or have any questions.

Sincerely,



Andrea M. Troutman, P.E.
President

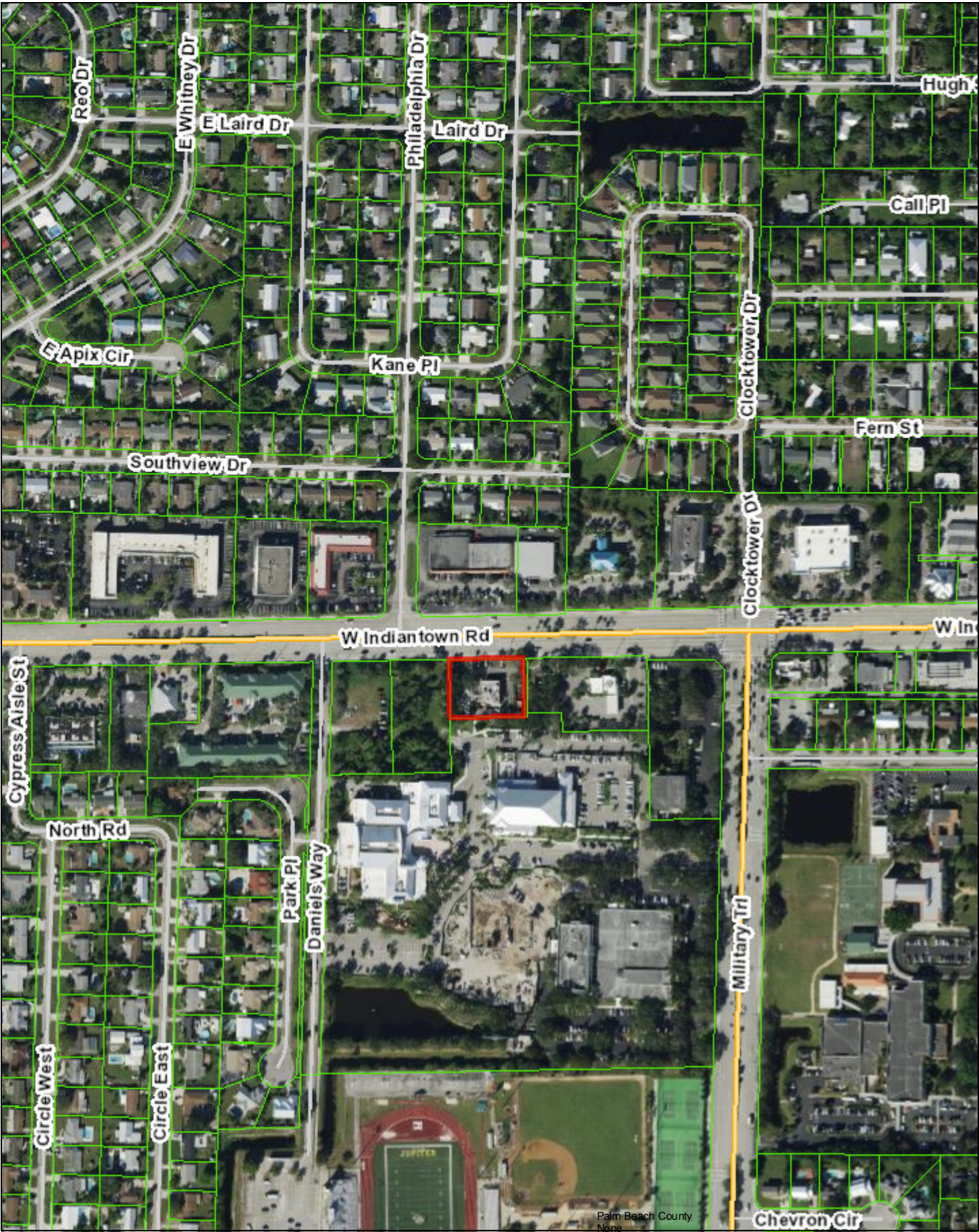
Attachments

Digitally signed by
Andrea M Troutman
Date: 2024.11.01
10:24:22 -04'00'

Andrea M. Troutman, State of Florida, Professional Engineer, License No. 45409

This item has been electronically signed and sealed by Andrea M. Troutman, P.E. on 11/1/24 using a Digital Signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Attachment 1 Project Location



January 24, 2024

Attachment 2A
Indiantown Road Wendy's
Trip Generation - Existing Use

DAILY

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	% In	Total Trips	Internal Trips		External Trips	Pass-by Trips (1)		Total Trips
						Trips	%				
Fast Food Rest. With DT	934	3,023.5 SF	467.48 / 1000 SF	50%	1,413	-	0%	1,413	692	49%	721
TOTAL					1,413	-	0.0%	1,413	692		721

AM PEAK HOUR

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	% In	Total Trips			Internal Trips		External Trips			Pass-by Trips (1)	New Trips		
					In	Out	Trips	Trips	%	In	Out	Trips		In	Out	Trips
Fast Food Rest. With DT	934	3,023.5 SF	44.61 / 1000 SF	51%	69	66	135	-	0%	69	66	135	66	35	34	69
TOTAL					69	66	135	-	0.0%	69	66	135	66	35	34	69

PM PEAK HOUR

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	% In	Total Trips			Internal Trips		External Trips			Pass-by Trips (1)	New Trips		
					In	Out	Trips	Trips	%	In	Out	Trips		In	Out	Trips
Fast Food Rest. With DT	934	3,023.5 SF	33.03 / 1000 SF	52%	52	48	100	-	0%	52	48	100	49	27	24	51
TOTAL					52	48	100	-	0.0%	52	48	100	49	27	24	51

(1) Source: Palm Beach County Traffic Division and ITE Trip Generation, 11th Edition.

Attachment 2B
Indiantown Road Wendy's
Trip Generation - Proposed Use

DAILY

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	% In	Total Trips	Internal Trips		External Trips	Pass-by Trips (1)		Total Trips
						Trips	%				
Fast Food Rest. With DT	934	2,715 SF	467.48 / 1000 SF	50%	1,269	-	0%	1,269	622	49%	647
TOTAL					1,269	-	0.0%	1,269	622		647

AM PEAK HOUR

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	% In	Total Trips			Internal Trips		External Trips			Pass-by Trips (1)	New Trips		
					In	Out	Trips	Trips	%	In	Out	Trips		In	Out	Trips
Fast Food Rest. With DT	934	2,715 SF	44.61 / 1000 SF	51%	62	59	121	-	0%	62	59	121	59	32	30	62
TOTAL					62	59	121	-	0.0%	62	59	121	59	32	30	62

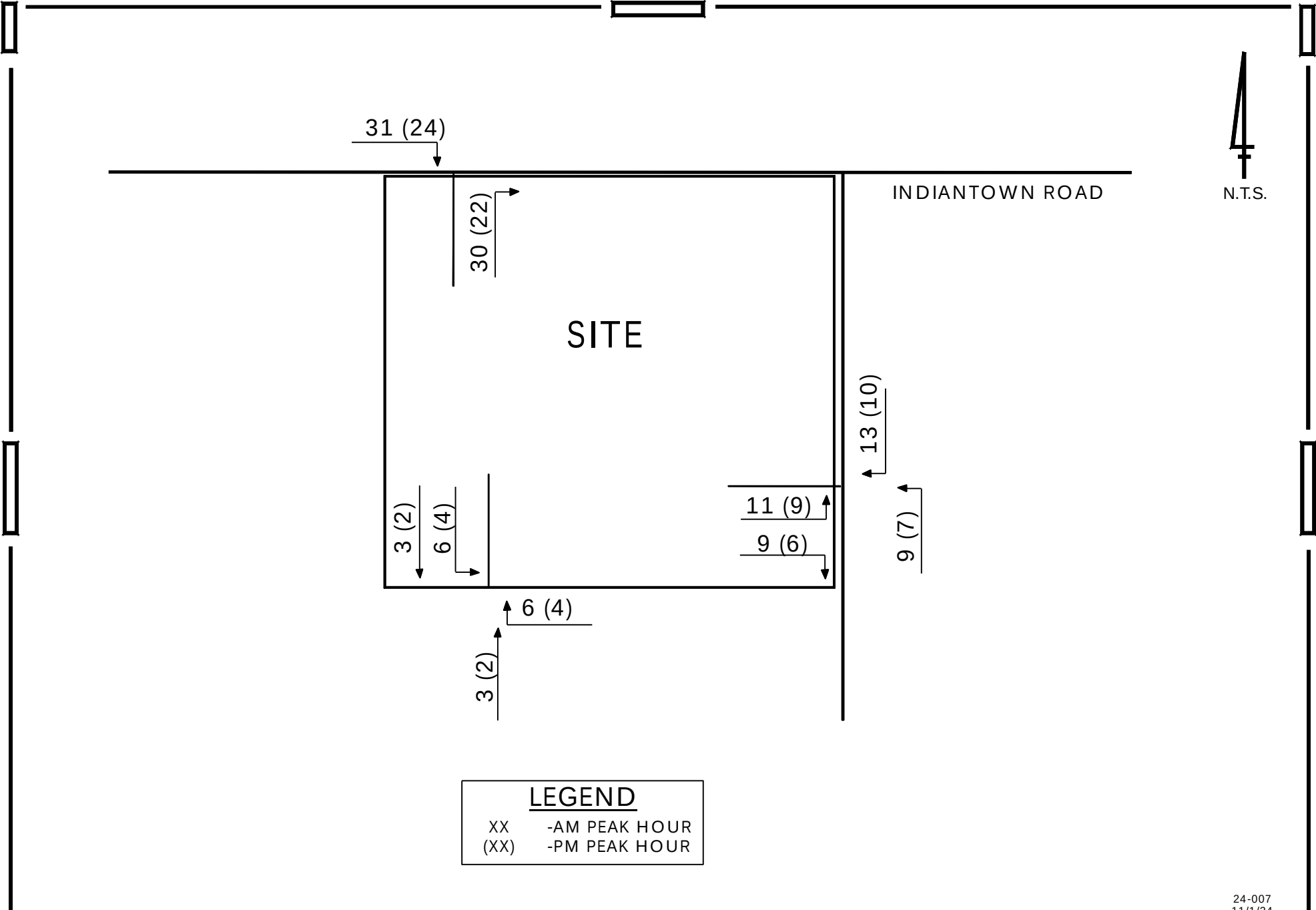
PM PEAK HOUR

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	% In	Total Trips			Internal Trips		External Trips			Pass-by Trips (1)	New Trips		
					In	Out	Trips	Trips	%	In	Out	Trips		In	Out	Trips
Fast Food Rest. With DT	934	2,715 SF	33.03 / 1000 SF	52%	47	43	90	-	0%	47	43	90	44	24	22	46
TOTAL					47	43	90	-	0.0%	47	43	90	44	24	22	46

(1) Source: Palm Beach County Traffic Division and ITE Trip Generation, 11th Edition.

Attachment 2C
Indiantown Road Wendy's
Trip Generation Comparison

	<u>Daily</u>	<u>AM Peak Hour</u>			<u>PM Peak Hour</u>		
		<u>In</u>	<u>Out</u>	<u>Total</u>	<u>In</u>	<u>Out</u>	<u>Total</u>
Existing Use	721	35	34	69	27	24	51
Proposed Use	<u>647</u>	<u>32</u>	<u>30</u>	<u>62</u>	<u>24</u>	<u>22</u>	<u>46</u>
Net New Trips:	(74)	(3)	(4)	(7)	(3)	(2)	(5)



LEGEND	
XX	-AM PEAK HOUR
(XX)	-PM PEAK HOUR

INDIANTOWN ROAD
WENDY'S

ATTACHMENT 3
PROJECT DRIVEWAY VOLUMES

PTC
20

24-007
11/1/24

TOWN OF JUPITER TOWN MANAGER'S OFFICE



DATE: September 1, 2017

TO: Honorable Mayor and Members of Town Council

THRU: Lori Bonino, Interim Town Manager

FROM: John Sickler, Director of Planning and Zoning JS

SUBJECT: **WENDY'S** – Site plan amendment to remove and replace a nonconforming fast food restaurant use on a 0.65 ± acre property, at 626 W. Indiantown Road.

Resolution # 4-17
PZ 15-1584
GW

Meeting dates: **PZ 02/14/17**
TC 09/19/17 (quasi-judicial)

<i>Project name:</i>	Wendy's Redevelopment
<i>Owner:</i>	Robert E. Mason
<i>Applicant:</i>	The Wendy's Company
<i>Agent:</i>	Corporate Property Services, Inc.
<i>Location:</i>	626 W. Indiantown Road
<i>Acreage:</i>	0.65 +/- acres
<i>Square footage:</i>	
<i>Existing</i>	3,024 sf.
<i>Proposed</i>	2,712 sf. (10.3% <u>decrease</u> in square footage, 10% increase allowed by code)
<i>Present land use designation:</i>	Commercial
<i>Present zoning:</i>	IOZ, Parkway district with underlying C-2, General Commercial
<i>Request:</i>	Remove and replace an existing nonconforming fast food use by: • Demolishing the existing building and replacing it with a new smaller building; • Adding 85 square feet of outdoor seating; • Improving circulation and site functionality; • Increasing greenspace; and, • Redesigning the parking lot and drive through for better circulation and stacking of vehicles.

Town Council Action (10-03-17)

At their October 3, 2017 meeting, the Town Council voted 3 to 2 to approved the above mentioned project.

Applicant Issue.

The applicant has issues with the following proposed conditions of approval in Resolution #4-17:

- Sealed dumpster, Condition #5;
- Required Entry Paver, Condition #6(a);
- Signage, Condition #9;
- Undergrounding utilities, Condition #11(a-e).

Staff Update. (09/01/17)

Since the Planning and Zoning Commission meeting, the applicant requested to replace the entire building instead of upgrading the existing building. Staff and the applicant have been working together over the past few months in order to improve and revise the site plan. The proposed new building is more efficient and smaller than the existing building. The changes to the plan are as follows:

	Site Plan reviewed by P&Z Commission	New Site Plan
Building	Renovate existing building	Remove and replace
Outdoor Seating	0 square feet	85 square feet
Greenspace	2,234 (26.2%)	2,407 (26.4%)

Staff and the applicant worked on a new drive-through design to further alleviate the traffic issues that exist. Today the queuing into the drive through occasionally backs up onto Indiantown Road which is a safety concern. The revised site plan will significantly reduce the potential for backups onto Indiantown Road by providing for more queuing on-site and by eliminating back-out conflicts from parked cars (see ***Traffic and Drive Through*** section of the ***Analysis*** below).

In addition to revising the drive-through area, the applicant also revised the site plan and elevations to address the Planning and Zoning Commission conditions as noted below and some of staff's conditions of approval. The body of the staff report has been updated to reflect the changes to the application. The application was not required to go back to the Planning and Zoning Commission because the building size was being reduced, the architecture is substantially similar to the previous proposal, it further reduces the nonconformities on site, and the new plan implemented changes recommended by the Commission.

Planning and Zoning Commission. (02/14/17)

At their February 14, 2017 meeting, the Planning and Zoning Commission voted unanimously (7 to 0 vote) to approve the above mentioned project with the following modifications:

- Add a covered entry over the side door on the east elevation (staff has added a condition of approval to ensure compliance).
- Remove excess parking spaces and replace with additional greenspace.
 - Remove parking spaces at the end of the drive-through to remove back-out conflicts.
 - Remove one space on the north end of the eastern row of parking adjacent to the drive-through to develop a crosswalk landing and additional greenspace.
 - Remove one space at the south end of the row of parking adjacent to the drive-through for the development of a sidewalk connection to the dumpster area.

- Widen the access drive leading to the Town's property to allow delivery trucks more area to turn.
- Add a sidewalk for the employees to have access to the dumpster area.

Staff Recommendation.

The Department of Planning and Zoning has reviewed the above referenced application and recommends **approval**, based on the conditions of approval outlined in **Resolution 4-17**.

Project data.

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

Direction	Existing Land Uses	Future Land Use/Zoning Districts
North	Commercial (Big Dollar Plaza)	Commercial / Indiantown Road Overlay Zoning (IOZ) Parkway district with underlying C-2 (Commercial, General) Zoning
South	Town of Jupiter Community Center and Municipal Complex	Public/Institutional / Indiantown Road Overlay Zoning (IOZ) Civic district with underlying PI (Public/Institutional) Zoning
East	Commercial (Bank United)	Commercial / Indiantown Road Overlay Zoning (IOZ) Civic district with underlying C-2 (Commercial, General) Zoning
West	Commercial (vacant)	Commercial / Indiantown Road Overlay Zoning (IOZ) Parkway district with underlying C-2 (Commercial, General) Zoning

Site plan information.		
	<i>(IOZ) Parkway with underlying C-2 zoning district requirements</i>	<i>Applicant's proposal</i>
Square footage of structure	n/a	2,712 sf. (10.3% <u>decrease</u> in square footage, max 10% increase allowed by code)
Minimum lot area	15,000 square feet	28,446 square feet
Minimum lot width	75.0 feet	189.45 feet
Minimum lot depth	150.0 feet	150 feet
Maximum building height	50.0 feet	26.7 feet
Maximum lot coverage	35.0 percent	9.5 percent
Minimum green space	30.0 percent	26.4 percent*

*Proposed to reducing non-conformity by increasing existing green space of 18.3% to 26.4% (2,407 s.f.)

Setbacks		
	<i>(IOZ) Parkway with underlying C-2 zoning district requirements</i>	<i>Applicant's proposal</i>
Front	25.0 feet	52.5 feet (North)
Rear	30.0 feet	30.3 feet (South)
Side	15.0 feet	85.7 feet (West)
Side	10.0 feet	53.0 feet (East)

Parking space requirements	Minimum requirements	Applicant's proposal
Fast Foot Restaurant (2,712 square feet)	27 (1 per 100 s.f.)	19 on-site 11 off-site (Bank's property to the east)**
Handicap parking spaces	2	2
Total	29	30

** There are currently four existing spaces located partially off-site. Eleven spaces are proposed within an existing easement (see **Parking** section in **Analysis** below).

Landscaping	Minimum requirements	Applicant's proposal
Number of perimeter trees	27	27
Percentage of native plant material	50%	90%
Percentage of plants from IOZ pallet	80%	80%
Foundation planting	960 square feet	960 square feet

Signage.	Max. requirements per IOZ Parkway District sign code	Applicant's proposal
Façade sign (North)	1	1
Sign copy square footage	40 square feet	38 square feet
Second Façade sign (West)	1	1
Sign copy square footage	45 square feet	37 square feet

Traffic. (see Attachment B)	
Satisfies PBC/Town of Jupiter TPS	Yes
Average daily trips - Roadway link of Indiantown Road from Center Street to Military Trail	Current ADT: 48,017 ADT at LOS D: 50,300
Average daily trips	43 ADT increase (from 765 to 808 trips)
Peak hour trips - Roadway link of Indiantown Road from Center Street to Military Trail	Current 2-way Peak Hour: 3,457 AM and 3,772 PM 2-way Peak Hour at LOS D: 4,880 Peak Hour
Peak hour trips	4 AM net peak hour trips increase & 3 PM net peak hour trips increase.

Stormwater management.	
Satisfies Town of Jupiter requirements	Yes

Pedestrian amenities for new buildings		
	Pedestrian amenity requirements	Applicant's proposal
Benches	1	0***
Trash receptacles	1	0***
Bicycle racks provided	1	1

***A condition of approval requiring pedestrian amenities has been added to address this item.

Background/history.

On March 6, 1990, the Town Council adopted the Indiantown Road Overlay Zoning District (IOZ) which prohibited fast food restaurants within the parkways district with underlying C-2 (General,

Commercial) zoning. The existing Wendy's restaurant existed prior to the creation of the IOZ, and thus exists as a legal non-conforming use.

The applicant is proposing to demolish the existing Wendy's restaurant and replace it with a new building in order to upgrade and improve the property (see Attachment A). The subject application was submitted in early 2015. The original site plan re-design did not include any changes to the layout of the property, and only included a request to move the exterior cooler to the inside of the building, create a new building entry, and enhance the architecture of the building. The initial plan maintained all the required parking on site. Staff recommended redesigning the parking and circulation in order to improve safety by reducing the amount of conflicts with the drive through and parking areas. Additionally, staff recommended improvements to the drive-through area to reduce the frequency of vehicles backing out onto Indiantown Road. In order to accomplish these improvements, the applicant proposed a redesigned site plan that included parking on an existing 100 foot easement located on the adjacent bank property. Ultimately, the project was delayed in order to allow time for staff and the applicant to evaluate the easements granted to the subject property to ensure that parking could be permitted on the Bank's property. Staff, the applicant, and the Town Attorney have concluded that the easement granted on the Bank's property allows for parking and driveway connections to be made for the benefit of Wendy's (see **Parking** section below).

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 development is in conformance with Policy 1.8.5 of the Future Land Use Element of the Comprehensive plan relative to nonconforming uses:

- **Policy 1.8.5 Future Land Use Element** - As part of the implementation of Objective 1.8, the intent of which is to promote the economic redevelopment of an attractive Indiantown Road, by allowing those legal non-conforming uses which existed prior to March 6, 1990 to expand, upgrade and/or redevelop, provided there is no increase in the intensity of the use greater than 10 percent of the applicable intensity standard (gross floor area, automotive fueling position, car wash stall, vehicle sales inventory or square footage), an increase in the existing number of stories of a building and/or parking garage, or expansion onto other properties. Provided also that the expansion, upgrade, or redevelopment, shall eliminate, or reduce to the maximum extent possible, any existing nuisances or non-conforming land development regulations (other than use) which apply to the property.

Staff comment: The applicant proposes to remove and replace the existing fast food restaurant, decreasing its square footage by 10.3 percent, and is not increasing the number of stories. The applicant has proposed to increase the amount of off-site parking on an existing parking easement located on the Bank's property in order to improve the vehicular circulation and safety on the property. The parking easement was created prior to the adoption of the Indiantown Road Overlay Zoning District, which subsequently made Wendy's a legal nonconforming use. The parking spaces proposed within the easement are not considered an expansion of a nonconforming use because the applicant has always had rights to use this area for the proposed parking spaces. In the existing layout, a portion of the four parking spaces just west of the common entry driveway are located within the 100

foot easement. Furthermore, the applicant's initial plan demonstrated the parking could all be maintained on-site; however, that plan did not address the safety enhancements staff had recommended during the pre-application process. In accordance with Policy 1.8.5, the subject site has numerous landscape non-conformities which are being reduced or eliminated as part of the subject application (see Landscape Nonconformities in the *Landscaping* section below).

Fast Food use. The fast food restaurant was approved prior to the creation of the Indiantown Road Overlay Zoning District, and now exists as a legal non-conforming use. On November 15, 2011, the Town Code was amended to add Section 27-873, entitled "Nonconformities", to allow for legally established non-conforming uses to expand and redevelop. Specifically, the applicant is proposing to redevelop the property in accordance with Section 27-873(c) which allows the modernization of a nonconforming use provided there is no increase of intensity over 10 percent, no additional stories, no expansion on to other properties, and nonconformities and nuisances are reduced or eliminated.

- Dumpster – In accordance with Section 27-873(c), the redevelopment of the nonconforming use requires the reduction or elimination of nuisances and non-conformities. A common nuisance associated with fast food restaurants are the smells emanating from the dumpster. Staff is recommending a condition of approval that **the applicant provide a sealed dumpster unit in order to reduce the odors emanating from the dumpster area.** Typically, a sealed dumpster is completely removed from the property and replaced with a new clean dumpster during each pick-up. Similar conditions of approval requiring sealed dumpster to reduce odors were required for Bermudiana and Culvers.

Site Plan. The site plan requires minor changes to pavement and must meet the entry drive paver requirement within the Parkways district of the Indiantown Overlay Zoning district as noted below.

- Stop bar shift – The stop bar located north of the building Indiantown Road is located adjacent to the parking spaces. As a result, it is located behind a perpendicular parking space. In order to reduce potential back out conflicts, **staff has added a condition of approval that the stop bar be shifted westward 20 feet in order to shift the stop bar out from behind the parking space and closer to the intersection.**
- Entry driveway paver treatment – The site plan does not include the required paver entry driveway treatment pursuant to Section 27-869 (Figure 6a). Staff has added a condition of approval that **the site plan be amended to include the require entry paver treatment on the driveway adjacent to Indiantown Road.**

Parking. The proposed development is in conformance with Section 27-1258 entitled, "Standards for required off-street parking and loading spaces". The applicant's initial site plan showed that all of the required parking spaces could be accommodated on the property. Staff identified opportunities to better address the functionality of parking, access, and the drive-through lane, if redesigned. The proposed site plan reduces the numerous conflicts with the drive-through lane and parking spaces and simplifies access to the property. For example, the drive-through has been separated from the parking spaces by a landscape strip and the one way entry driveway in the northeast corner of the property leading to the Wendy's site is being removed. The redesign has significantly improved the circulation on the property, but it further complicates the project by requiring the applicant to increase the number of offsite parking through existing easements.

The subject property (Wendy's), the Bank United property, and the Town's property share access to Indiantown Road through a common driveway. The common driveway was constructed within a 100 foot easement on the west end of the Bank's property. The 100 foot easement established rights for Wendy's and the Town to use the 100 foot easement for parking, sidewalks, signs, utilities, and appropriate landscaping.

- Easement History

- On January 26, 1982, the bank purchased their property from the Peoples Congregational Church. The Bank deeded the church property, which included Wendy's property and the Town's property at the time, a 100 foot easement on the west end of their property. The 100 foot easement is for the purposes of parking, sidewalks, signs, utilities, and appropriate landscaping (see Attachment C)
- Prior to the development of the Jupiter Community Center in 2002, a common driveway was shared between the bank and Wendy's that connected them to Indiantown Road.
- Before the Town began development of the Community Center, the common driveway (as it exists today) was constructed to provide access to the three properties. At the same time, Wendy's was given rights to construct a curb cut connecting them to the Town's property. The applicant is proposing to install this curb cut with the subject application.
- The applicant is proposing to modify the common driveway to consolidate the entrances on the west side of the driveway and add additional parking which is allowed within the existing 100 foot easement.

- Effects on the site plan and parking – The applicant is proposing to use the 100 foot easement on the Bank's property to provide some of the required parking for the fast food restaurant. The applicant is proposing to increase the number of parking spaces from 4 to 11 parking spaces within the 100 foot easement on the bank's property. It is important to note that the easement on the Bank's property existed prior to the creation of the Indiantown Road Overlay Zoning District which subsequently made Wendy's a legal nonconforming use.

Traffic and Drive-through. The proposed development is in conformance with Palm Beach County's and the Town's Traffic Performance Standards (TPS). The building was originally increasing by 170 square feet equates to an additional 43 ADT, 4 AM peak hour increase, and 3 PM peak hour increase. With the proposed reduction in overall size, the traffic generation will be slightly lower and will still meet the traffic performance standards. As stated previously, the proposed site plan has been significantly redesigned to enhance the functionality of the site. Most notably, staff recommended a redesigned site plan after comments from the Planning and Zoning Commission and further experience with other drive-through issues. The site plan was redesigned for the following reasons:

- Existing conditions - The existing site has numerous conflicts which results in less effective parking for the property. As cars queue in line for the drive-through, the parking spaces on the west side of the building become unusable until the queue clears. The drive-through queue also limits the parking spaces along the western end of the property depending upon the location of cars as they stack in the drive-through line. The end result is a significant number of parking spaces that become difficult to use during the peak times.
- New drive-through layout – The newly proposed site plan redesigns of the western side of the property to separate the drive through and the parking area. The previous plan was similar to the Culver's drive-through area. When the drive-through at Culver's backs up, there are a significant number of parking spaces that are blocked until the queue clears. This causes traffic to back up interior to the site. In the case of Wendy's, the issue arises

when patrons are trying to back out of parking spaces while other patrons are trying to get in the drive-through lane. In order to have area to back out, the drive-through patrons must stop short of the queue, exacerbating the length of the line and causing vehicles to stop on Indiantown Road. Wendy's traditionally clears the drive through queue faster than Culver's, but similar situations could continue during peak times. The new site plan separates the drive-through lane from the parking area, removing the need for the drive-through to stop in order for patrons to back up. Additionally, a large portion of the parking is proposed on the east side of the building where it will not interfere with the drive-through lane.

- Additional vehicle stacking for drive-through – The newly redesigned plan allows additional stacking for the drive-through which currently backs out onto Indiantown Road on occasion. The current drive-through lane allows approximately seven cars, measured from the menu board to the sidewalk adjacent to Indiantown Road, whereas the proposed site plan allows approximately nine (9) cars in the same area. The applicant provided a drive-through analysis which was conducted during peak times (see Attachment D). The analysis shows that at the peak five minute period between 12:25 PM and 12:30 PM, there were nine cars in the drive-through lane behind the menu board. The increase in stacking to nine (9) vehicles on the proposed plan and removing the parking conflicts will help reduce the dangerous situation created by cars waiting in the right lane of Indiantown Road to turn in the property.

Landscaping. The proposed development is **not** in conformance with the Town Code, Chapter 23, entitled, "Landscaping"; however, Section 27-873(c)(4) allows nonconforming uses within the Indiantown Road Overlay Zoning district to modernize provided they reduce nonconformities on site. The applicant is proposing to reduce many of the nonconformities related to landscaping on the property (see Landscape Nonconformities section below). In addition, the proposed development is **not** in conformance with Section 27-873(c)(4)(a) which requires the Informal Slash Pine/Native Theme along Indiantown Road.

- Special Landscaping Theme – Section 27-870(table6), entitled "Informal Slash Pine/Native Theme", requires that the property have a street tree theme of Slash Pines. The applicant is unable to meet the street tree theme of the district because of the existing overhead power lines. Florida Power and Light prohibits the installation of Slash Pines within 30 feet of overhead power lines, but Slash pines are a required street tree within the parkways district. Staff is recommending a condition that the power lines be placed underground similar to other projects along Indiantown Road based on the scope of the proposed renovations (see Underground utilities/Street lights and Easements section below). It is unlikely that the applicant will be able to perform the undergrounding with only 190 feet of frontage along Indiantown Road, but it is the intent to eventually have all utilities undergrounded along Indiantown Road. Staff recommends that when the utilities are placed underground, the slash pines are installed in order to meet the code. Staff has added a condition that requires **the applicant to submit an alternative landscape plan showing the installation of the required slash pines adjacent to Indiantown Road.** In order to ensure conformance in the future, staff has added a condition **that the applicant install the landscaping per the alternative landscape plan within 180 days of the completion of the undergrounding of the utilities after written notification by the Town.**
- Landscape plan redesign – The applicant is proposing to place slash pines in isolated small landscape beds around the drive through lane where they will not grow well due to the conditions. The applicant's intent is to meet the required tree theme for the property, but the end result will be a landscape maintenance issue. As a result, staff has recommended conditions of approval to **move the slash pines to more suitable areas and replace the remaining pines with Orange Geiger or Green Buttonwood trees which meet the**

special landscaping theme required within the parkways district. As stated above, the applicant will be providing an alternative landscape plan showing the installation of slash pines along Indiantown Road when the power lines are undergrounded. The existing Laurel oaks along Indiantown Road are nearing their life cycle and will need to be replaced in the next 10 years which will make room for additional slash pines.

- Landscape Nonconformities – There are many existing landscaping nonconformities on site including; insufficient landscape buffers, lack of terminal landscape islands, greenspace, and the lack of adequate foundation plantings. Pursuant to Section 27-873(c)(4), a non-conforming use that is proposed to be renovated or modernized is required to reduce the nonconformities on the property. The following landscape non-conformities are being addressed in the subject application.

Landscape buffers			
Direction	Code	Existing Landscape buffer	Proposed Landscape buffer
North (Indiantown Road)	10 feet	4.75 feet to 2.83 feet	6.8 feet
South (Community Center)	5 feet	1.7 feet to 3.5 feet	2.2 feet to 2.4 feet
East (Bank)	5 feet	No buffer, drive aisle	No buffer, drive aisle
West (Vacant)	5 feet	12.5 feet to 13.5 feet	18.1 feet

- Landscape buffers – The above chart summarizes the changes for the landscape buffers on the property. The existing property has nonconforming landscape buffers along the north, east, and southern property lines. The north buffer is being increased, thus reducing the nonconformity. The southern buffer is being increased along the majority of the property line and the total distance of nonconforming buffer is being reduced. The eastern buffer remains in the center of the drive aisle. The western buffer has been increased and contains existing Laurel Oaks to be preserved.
- Greenspace – The existing property has 18.3 percent greenspace overall which is below the 30 percent required in the code. The proposed site plan adds greenspace throughout the property bringing the property up to 26.4 percent greenspace. The increased greenspace equates to an additional 2,407 square feet of greenspace. At the Planning and Zoning Commission meeting, it was recommended that the additional parking spaces on site be converted to greenspace. The redesigned site plan removed additional parking in favor of greenspace as requested by the Commission.
- Foundation Plantings – The existing property has approximately 243 square feet of foundation planting which does not meet the minimum square footage requirements for the building size. The applicant is proposing to increase the foundation to 960 square feet, which meets the minimum requirements of the code.
- Landscape Median Contributions – Section 23-67 of the Town Code entitled “Landscape median contributions” requires developments to contribute monies toward landscape plantings and/or design of the medians along all major arterial roadways, including Indiantown Road. As the subject property was built prior to this regulation and is now proposed for redevelopment, staff has recommended a condition of approval requiring that **the Owner provide a total amount of \$7,593.19 is required based on the linear feet of street frontage of the project (189.64 feet) multiplied by \$40.04 per linear foot of frontage.**

Underground utilities/Street lights and Easements. The application is **not** in conformance with the Indiantown Road Overlay Zoning District (IOZ) district regulations, specifically Section 27-868(6) entitled “Underground utilities”, which requires all underground utility services along Indiantown Road to be located underground.

- Underground utilities, decorative lights, and fiber optic conduit – Staff is recommending a condition of approval to require the undergrounding of utilities, installation of decorative street lights, and installation of fiber optic conduit similar to other development and redevelopment projects along Indiantown Road (Braman BMW, Boyd Medical, Circle K, Chasewood Plaza, and Walmart). Staff recognizes that it is unlikely that Florida Power and Light (FPL) will allow the undergrounding of the utilities because the frontage is only 190 feet. As a result, staff has recommended conditions or approval **requiring the undergrounding of utilities, installation of the decorative street lights, and installation of fiber optic conduit, with an option to provide a payment in lieu.** The condition works in conjunction with the condition of approval requiring the alternative landscape plan including the required slash pines as the street tree along Indiantown Road. If FPL does allow the underground of utilities, the applicant will have 180 days after completion to install the slash pines.
- Utility easements – The property does not currently have a 10 foot utility easement adjacent to Indiantown Road which is a standard requirement along street frontages that contain utilities. Staff is recommending a condition of approval that **a 10 foot utility easement be provided along Indiantown Road to facilitate the undergrounding of utilities along Indiantown Road.**

Architecture. The proposed development is in conformance with the Architectural and Community Appearance Ordinance. The applicant was originally proposing to substantially renovate the existing building, but has since requested to tear down the existing building and construct a brand new building. The proposed architectural design of the new building is very similar in style to what was being proposed previously. Staff and the applicant have been working together to improve the architectural design of the new building. The proposed building is Florida wood vernacular with a coral stone base.

- Cover over eastern entry door (P&Z Commission recommendation) – At the Planning and Zoning Commission meeting, it was recommended that an additional cover or awning similar to those covering the drive-through area be added to the east entry door. While the architecture has changed slightly with the new building, there is still a need for an awning over the door on the east side. **Staff has included a condition of approval that the applicant revise the architecture to provide a cover over the door on the east side.**
- Material Board – The building was recently redesigned and the applicant has not yet submitted a material board for the revised building. As a result, **staff has recommended a condition of approval that the applicant provide a material board prior to the issuance of development permits** to ensure that the materials shown in the elevations match the end product used on the building.

Signage. The proposed application is in conformance with Section 27-871, entitled “Special Sign Regulations”. The existing monument sign is 12 feet tall and 70 square feet which meets the requirements of Section 27-871, but exceeds the standard sign height of seven feet which is recommended by staff on all applications for projects on Indiantown Road. During the review of site plans, the Town has consistently limited the height of monument signs on most small-scale developments (less than two acres) to seven (7.0') feet. The seven (7.0') foot height is consistent with sign heights approved for projects such as McDonalds (7.0'), Walmart (5'10”), AutoZone (7.0'), CVS (7.0'), Eco-Lube (7.0'), Goodwill (6.0') and Starbucks (7.0'), Boyd Medical (7.0') within the Indiantown Overlay Zoning district to name a few. Therefore, to ensure the Wendy's sign is consistent with other signs in the district; staff has recommended that **the**

monument sign be reduced in height to seven (7.0') feet and reconstructed prior to the issuance of a Certificate of Occupancy.

Pedestrian Amenities. The proposed application is **not** in conformance with Section 27-1675.19, entitled "Requirements for pedestrian amenities". According to the code, the project shall provide at a minimum one bicycle rack, one bench, and one trash receptacle. The applicant is proposing to install a bike rack near the entrance to the restaurant, but has not provided a bench or trash receptacle. Staff has added a condition of approval that **the applicant shall revise the site plan to add the required bench and trash receptacle.**

Site plan criteria. Town Code, Section 27-96, contains minimum criteria for review of all development application processed. Upon review of the 12 criteria in Section 27-96, staff finds that the Owner has satisfied 11 of the 12 criteria.

1) Is the application consistent with all applicable land development regulations and all other portions of the Jupiter Town Code.

Staff has recommended conditions of approval for the following code sections that will ensure that the proposed development is in compliance.

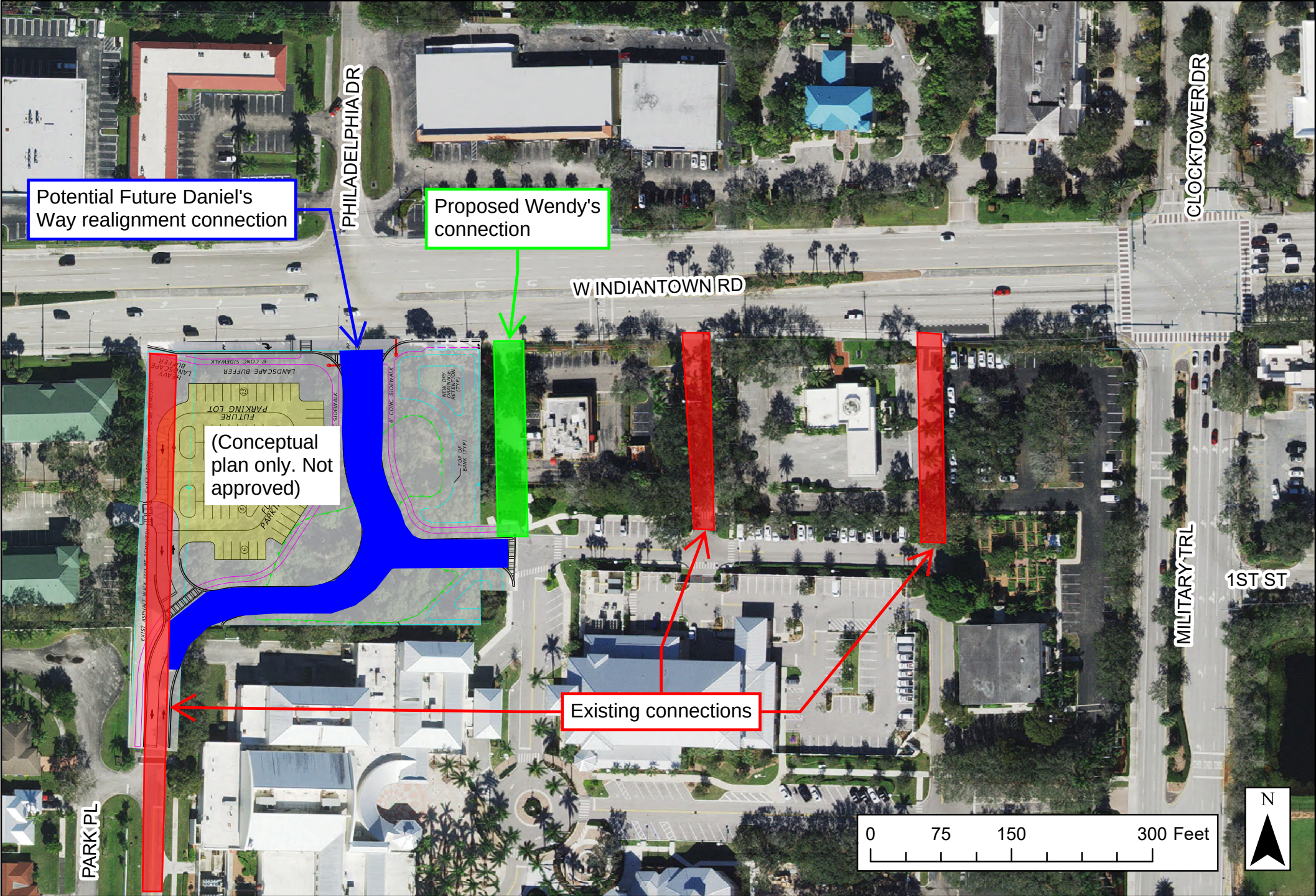
- Section 27-870 (Table 6), entitled "Informal Slash Pine/Native Theme"
- Section 27-1675.19, entitled "Requirements for pedestrian amenities"
- Section 27-869 (Figure 6a), regarding the paver entry driveway requirement.
- Section 25-283, entitled "Architectural and community appearance review standards for site plan or subdivision applications."

Attachments.

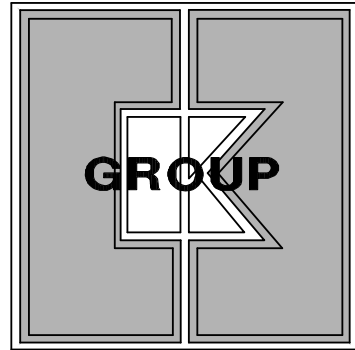
- Attachment A – Statement of Use
- Attachment B –Traffic Statement
- Attachment C – 100 foot parking and access easement
- Attachment D – Drive-through Analysis

V:\PlanningZoning\Staff\WP51\PROJECTS\WENDY'S\PZ_15-1584_ASPR\Final\PZ 15-023_Staff Report_Final.docx

Map of Indiantown Road Connections
to Municipal Complex



BASE MODEL:	GLOBAL NEXT GEN 40
ASSET TYPE:	FREESTANDING
CLASSIFICATION:	NEW
OWNER:	COMPANY/FRANCHISE
BASE VERSION:	2022
UPGRADE CLASSIFICATION:	NEW BUILD
PROJECT YEAR:	2023
FURNITURE PACKAGE:	GLOBAL
DRAWING RELEASE	SPRING 2023



CKE GROUP
INCORPORATED
17190 ROYAL PALM BLVD
SUITE 2
WESTON, FLORIDA 33330
PHONE: (305) 558-4124
(854) 882-7211

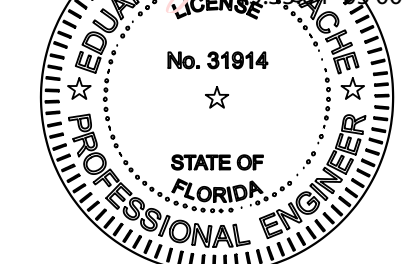
PROJECT TYPE: NEW
GLOBAL NEXT GEN 40

Wendy's
Store # 01948
626 West Indian Town Rd.
Jupiter, Florida 33458

REV.	DATE	DESCRIPTION
12-15-23		CITY COMMENTS
01-29-24		CITY COMMENTS
08-20-24		
10-11-24		CITY COMMENTS
10-23-24		CITY COMMENTS

ISSUE DATE:	12/14/2023
PROJECT NUMBER:	1871
DRAWN BY:	A.G.
CHECKED BY:	E.C.

Digitally signed by Eduardo L. Carcache on the date 2023.12.19
adjacent to the seal. Printed copies of the document are not considered signed and sealed and the signature must be verified on any electronic copies.



This item has been digitally signed by Eduardo L. Carcache on the date 2023.12.19 adjacent to the seal. Printed copies of the document are not considered signed and sealed and the signature must be verified on any electronic copies.

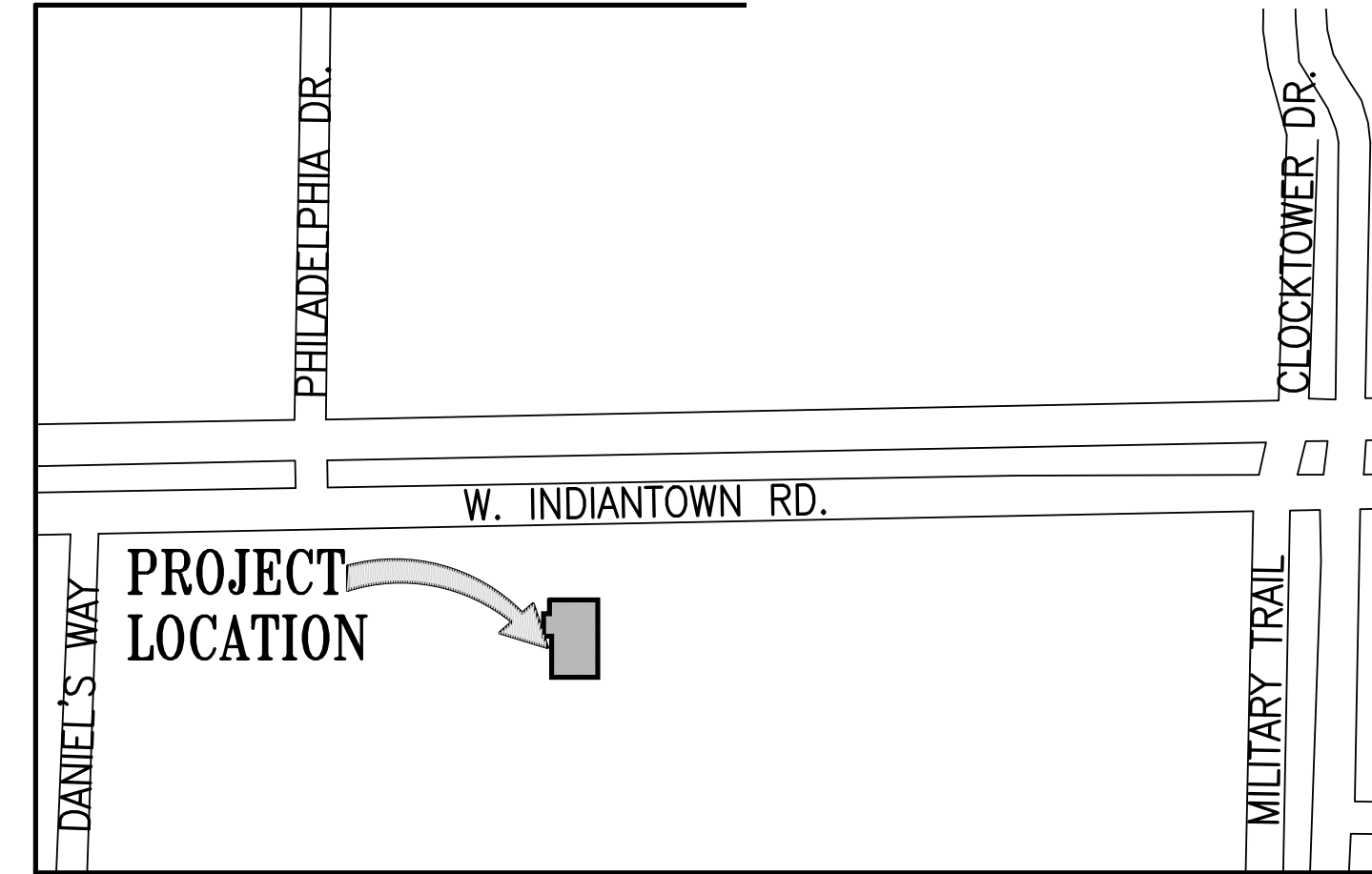
EDUARDO L. CARCACHE, PE 31914
RICARDO J. PEREZ, AR 14985
LUIS VARGAS, LEED AP
#701023753163800
CKE GROUP, INC. COA-4432

SHEET NAME

SITE PLAN

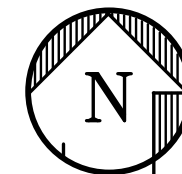
SHEET NUMBER

C-1.0



LOCATION MAP

NOT TO SCALE



LEGEND

	TRANSFORMER BOX ON PAD
	ACCESSIBLE PARKING SPACES
	PARKING SPACES
	NEW ASPHALT DRIVEWAY
	NEW CONC. SIDEWALK/ DRIVEWAY
	PROPERTY LINE
	LIMITS OF CONSTRUCTION

ZONING LEGEND

ZONING:	C-2	REQUIRED:	PROVIDED:
Height (to ridge of roof):	50' MAX.	20'-1"	28,446.0 S.F. (0.6533Ac.)
Net Land Area:			2,228.0 S.F. (0.0513Ac.)
Lot Coverage (everything under roof):			2,228.0 S.F. (0.0513Ac.)
BUILDING SETBACKS:	REQUIRED (C-2):	REQUIRED (POD):	PROVIDED:
Front (INDIANTOWN RD.)	50'	25'	83.1'
Side (W)	10'	10'	81.2'
Rear (S)	10'	N/A	30.0'
Side (E)	30'	10'	33.4'

ZONING: C-2 (GENERAL COMMERCIAL & PARKWAY OVERLAY DISTRICT) FUTURE LAND USE: COMMERCIAL

PARKING ANALYSIS (QUICK SERVE RESTAURANT)

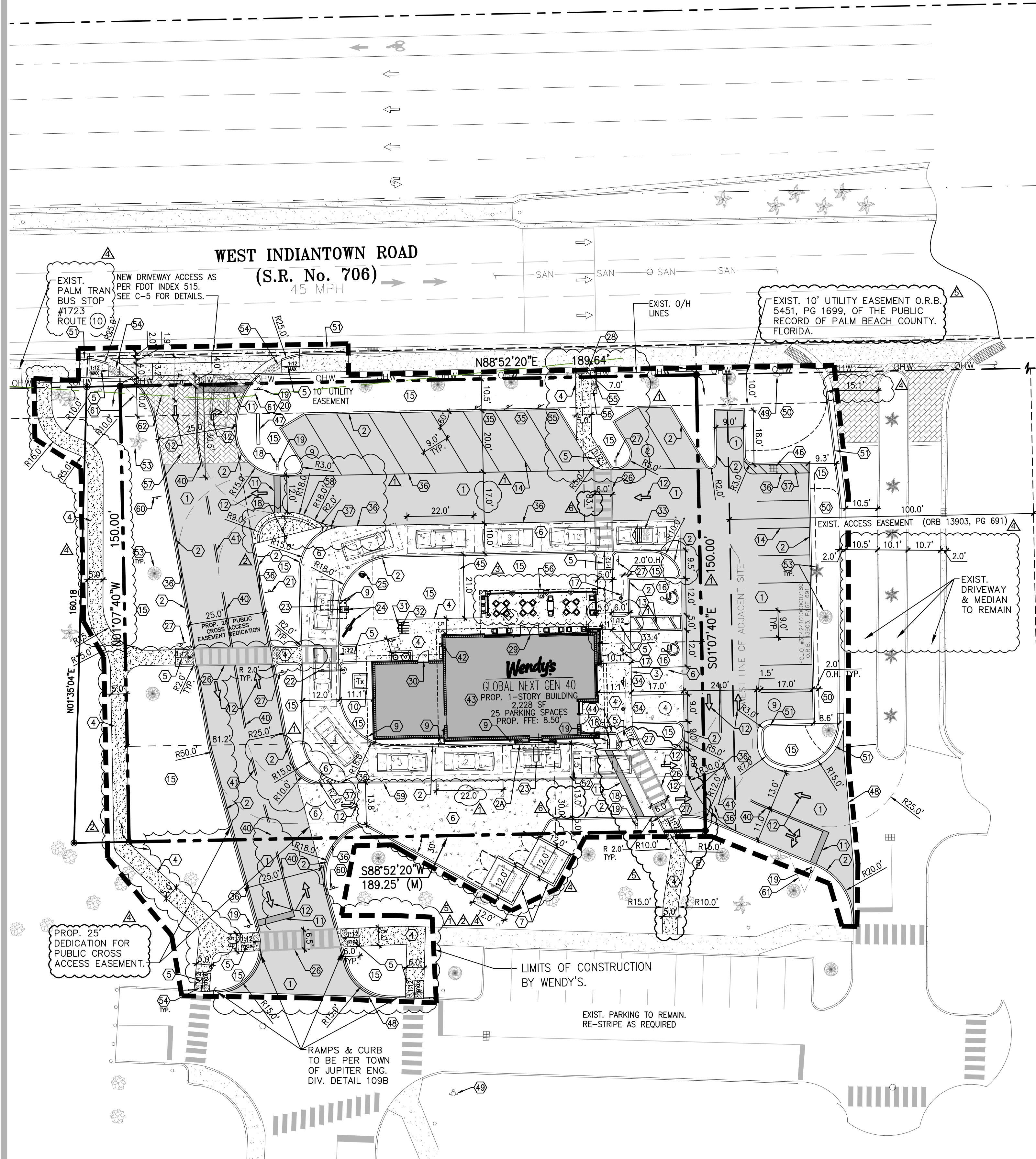
	EXISTING	PROPOSED
TOTAL LAND AREA:	28,446.00 SQ. FT. (0.653 ACRES)	28,446.00 SQ. FT. (0.653 ACRES)
BUILDING AREA:	2,665.50 SQ. FT. (9.37 %)	2,228.00 SQ. FT. (7.83 %)
COOLER/FREEZER (DETACHED):	358.00 SQ. FT. (01.26 %)	N/A
TOTAL PATIO SEATING AREA:	0 SQ. FT.	487.00 SQ. FT. (487/2,228=21.86%)
TOTAL BUILDING AREA:	3,023.50 SQ. FT. (10.63 %)	2,715.00 SQ. FT. (9.54 %)
TOTAL LANDSCAPED AREA:	5,208.19 SQ. FT. (18.31 %)	8,068.00 SQ. FT. (28.36 %)
TOTAL PAVED AREA & WALKS:	20,553.93 SQ. FT. (72.26 %)	17,663.00 SQ. FT. (62.10 %)
TOTAL IMPERVIOUS AREA:	23,237.81 SQ. FT. (81.69 %)	20,378.00 SQ. FT. (71.64 %)
TOTAL PERVIOUS AREA:	5,208.19 SQ. FT. (18.31 %)	8,068.00 SQ. FT. (28.36 %)

PARKING ANALYSIS (FAST FOOD RESTAURANT)

	EXISTING	PROPOSED
TOTAL PARKING SPACES REQUIRED: 1 SP/100 SF	30 SPACES (3,023.5/100=30)	25 SPACES 10% OF 2,228SF=223SF, 487-223=264 264SF OF OUTDOOR SEATING REQUIRED TO BE PARKED PER SECTION 27-2760(10)(d) (2,228+264=2,492/100=25)
HANDICAP SPACES REQUIRED:	2 SPACES	1 SPACE
(INCLUDING HANDICAP IN LEASE AREA)		
TOTAL PARKING SPACES PROVIDED:	32 SPACES	25 SPACES
HANDICAP SPACES PROVIDED:	2 SPACES	2 SPACES
STANDARD SPACES PROVIDED:	30 SPACES	23 SPACES

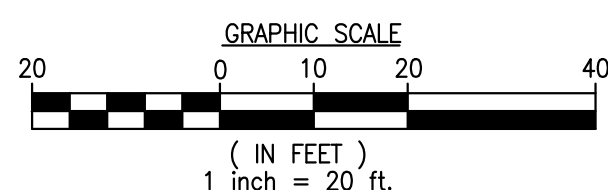
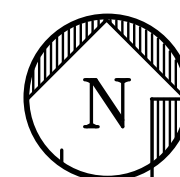
CONSTRUCTION NOTES:

- ASPHALT PAVEMENT AS PER DETAIL.
- 6" P.C.C. TYPE 'D' CURB AS PER DETAIL.
- 9" P.C.C. TYPE 'B' CURB (AGAINST THE BUILDING).
- P.C.C. CURB EDGE SIDEWALK AS PER DETAIL.
- P.C.C. CONCRETE SIDEWALK AS PER DETAIL.
- P.C.C. HANDICAP RAMP - MAX SLOPE 1:12.
- 6" THICK P.C.C. PAD W/ 6"x6" -6/8 W.W.M. OVER CRUSHED AGGREGATE OR GRAVEL BASE. CONSTRUCTION JOINTS AT 10 FEET ON CENTER. (COLOR BLACK PER WENDY'S SPECS.).
- TRASH ENCLOSURE AS PER DETAIL.
- PARKING LIGHT (SEE SHEET CE-1).
- STEEL BOLLARD AS PER DETAIL.
- TRANSFORMER PAD - COORDINATE WITH FPL.
- 24" STOP BAR WHITE (THERMOPLASTIC)
- TRAFFIC ARROWS PAINTED WHITE.
- 6" WHITE STRIPES AT 60" (PER FDOT INDEX No. 17346)
- 4" WHITE STRIPES (TYPICAL AT PARKING SPACES)
- LANDSCAPE AREA.
- HANDICAP PARKING AS PER DETAIL.
- HANDICAP SIGN 7'-0" A.F.P. W/BOLLARD IN BASE
- STANDARD F.D.O.T. "DO NOT ENTER" SIGN, R5-1 (30"x30")
- STANDARD F.D.O.T. HIGH INTENSITY "STOP" SIGN, R1-1 (30"x30")
- STANDARD F.D.O.T. "RIGHT TURN ONLY" SIGN R3-SR (36"x30")
- STANDARD F.D.O.T. "NO RIGHT TURN" SIGN R3-1 (24"x24")
- CLEARANCE BAR
- SENSOR LOOP AT MENU & D/T WINDOW
- MENU BOARD AND ORDER POINT
- PRE-SELL BOARD.
- PEDESTRIAN CROSSING PER FDOT INDEX No. 17346
- STANDARD MUTCD "PEDESTRIAN CROSSING" SIGN W11A-2 (30"x30")
- WALKWAY CONNECTION TO SR-706 SIDEWALK.
- PROVIDE BUILDING ADDRESS "XXXX" WITH NUMERALS 9 INCHES HIGH. REFER TO BUILDING ELEVATION
- PROVIDE BUILDING ADDRESS AND BUSINESS NAME ON SERVICE DOOR. REFER TO BUILDING ELEVATION ALL LETTERS TO BE CONSISTENT IN STYLE (4" HIGH)
- "BICYCLE PARKING" SIGN
- BICYCLE RACK BY HUNTCO-MODEL BR-5 OR APPROVED EQUAL
- PAVEMENT MARKER - PICK-UP WINDOW LANE
- DELIVERY ORDER PARKING SPACE W/SIGN 7'-0" A.F.P.
- MOBILE ORDER PARKING SPACE W/SIGN 7'-0" A.F.P.
- 6" WHITE STRIPE (THERMOPLASTIC)
- 6" WHITE STRIPE - 45' @ 5' O.C.
- NOT IN USE.
- 18" YELLOW STRIPE-45' @ 5' O.C.
- 6" DOUBLE YELLOW SOLID STRIPES (THERMOPLASTIC)
- 6" DOUBLE YELLOW 8-10 SKIP STRIPE (THERMOPLASTIC).
- ELECTRIC METER - COORDINATE WITH FPL.
- ALL ROOF MOUNTED EQUIPMENT AND ACCESSORIES SHALL BE SCREENED FROM VIEW BY PARAPET
- NEW RAILING (SEE ARCHITECTURALS FOR DETAILS).
- PROPOSED GREASE INTERCEPTOR LOCATION.
- EXISTING CATCH BASIN TO BE REPLACED WITH NEW MANHOLE, SEE C-2 FOR DETAILS.
- PROPOSED MONUMENT SIGN.
- SAWCUT EXISTING PAVEMENT. NEW PAVEMENT TO MATCH EXIST.
- EXISTING FIRE HYDRANT TO REMAIN.
- EXISTING LANDSCAPING TO REMAIN.
- NEW TYPE 'F' CURB & GUTTER TO MATCH EXISTING.
- PULL-AHEAD HOLDING STALL MARKING.
- EXISTING TREES - REFER TO LANDSCAPE PLANS.
- PROVIDE DETECTABLE WARNING SURFACE.
- BENCH
- TRASH RECEPTACLE
- PAVERS
- MOUNTABLE CONCRETE CURB TYPE 'RA' AS PER FDOT STANDARD PLANS INDEX 520-001.
- 8" WHITE STRIPE BETWEEN TWO 2" BLACK STRIPES (THERMOPLASTIC)
- STANDARD F.D.O.T. HIGH INTENSITY "SPEED LIMIT 20" SIGN, R2-1 (24"x30")
- 10'x10' PEDESTRIAN VISIBILITY TRIANGLE
- LIMIT OF CLEAR SIGHT



SITE PLAN

1"=20'-0"



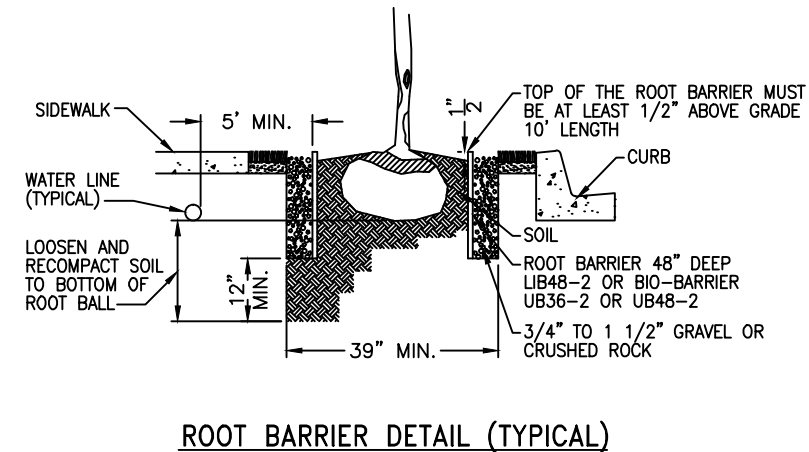
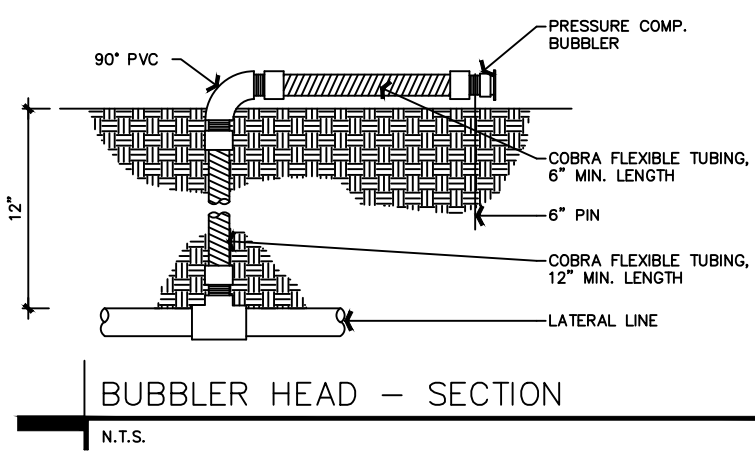
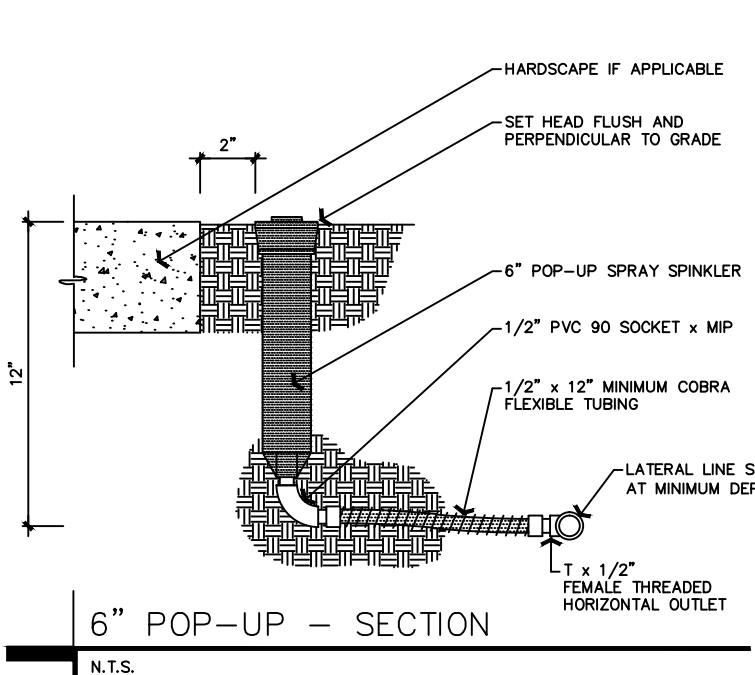
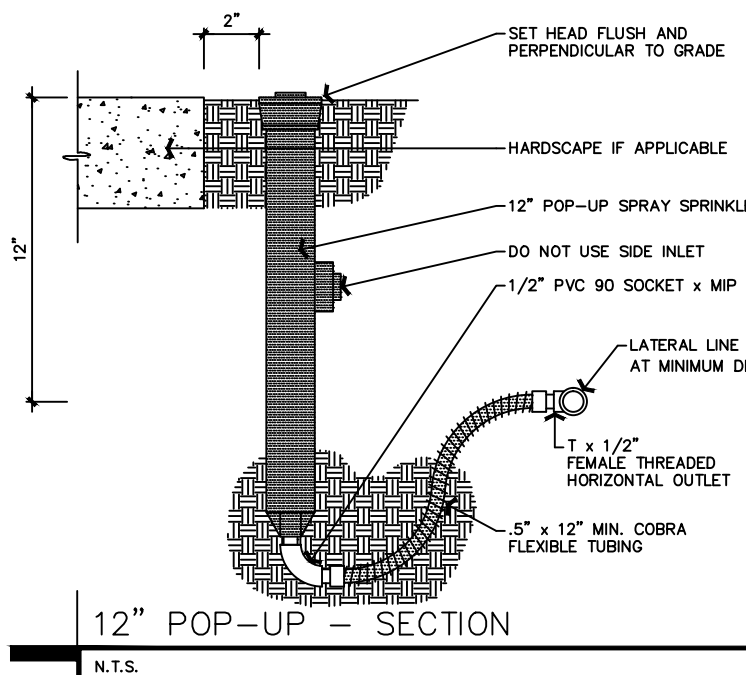
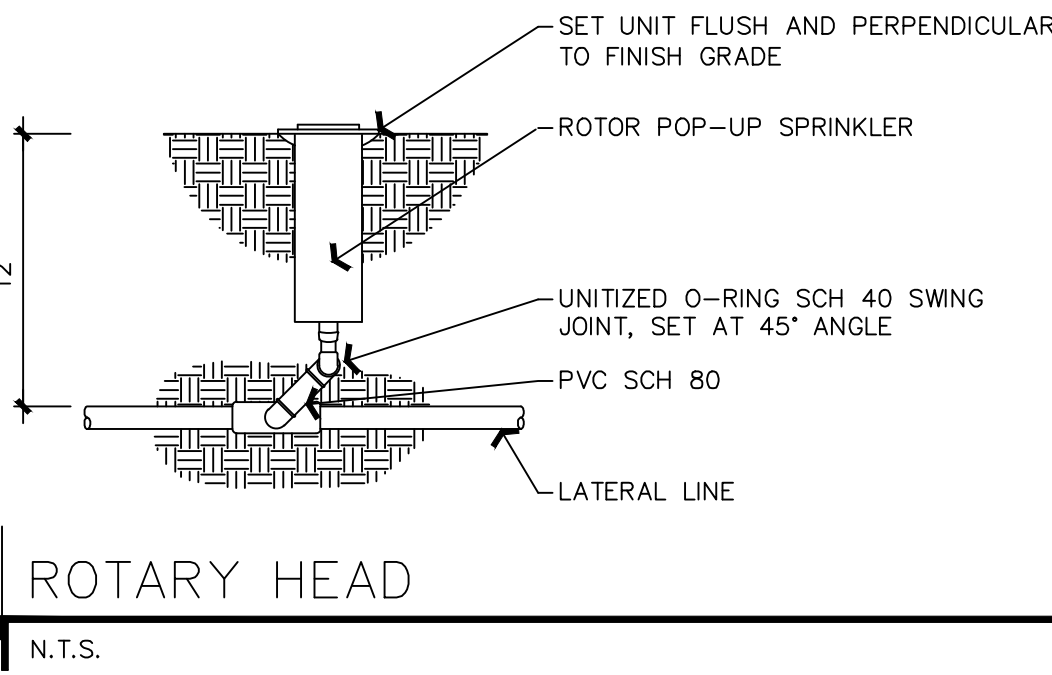
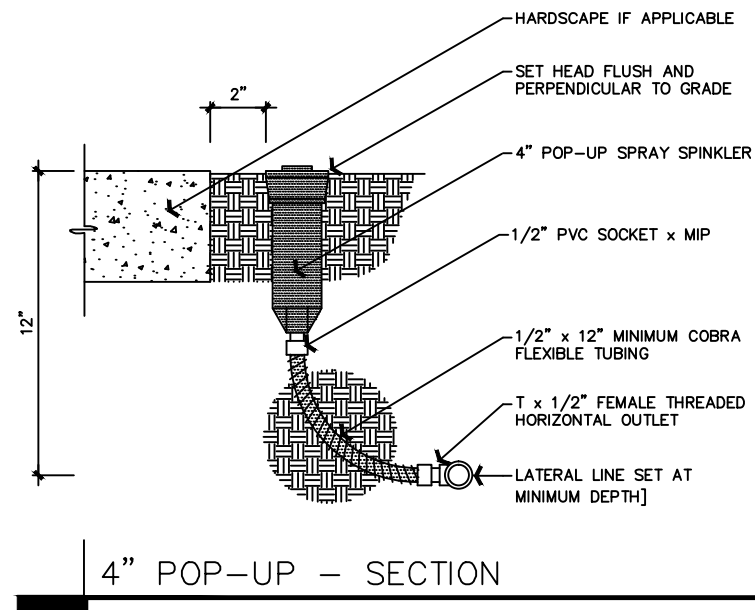
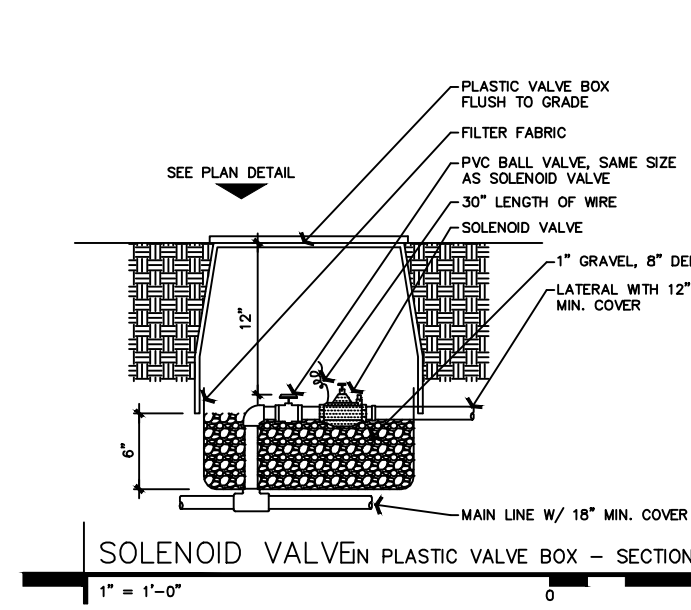
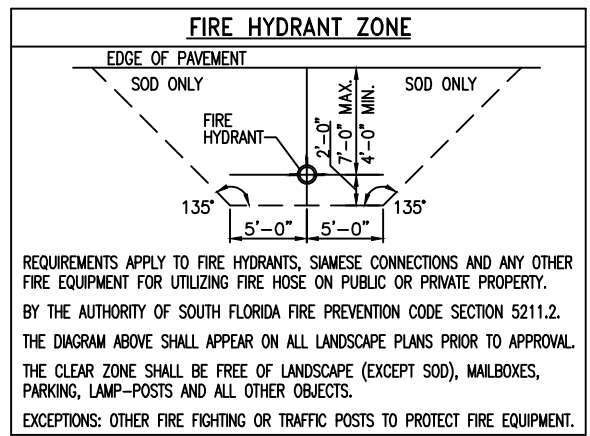
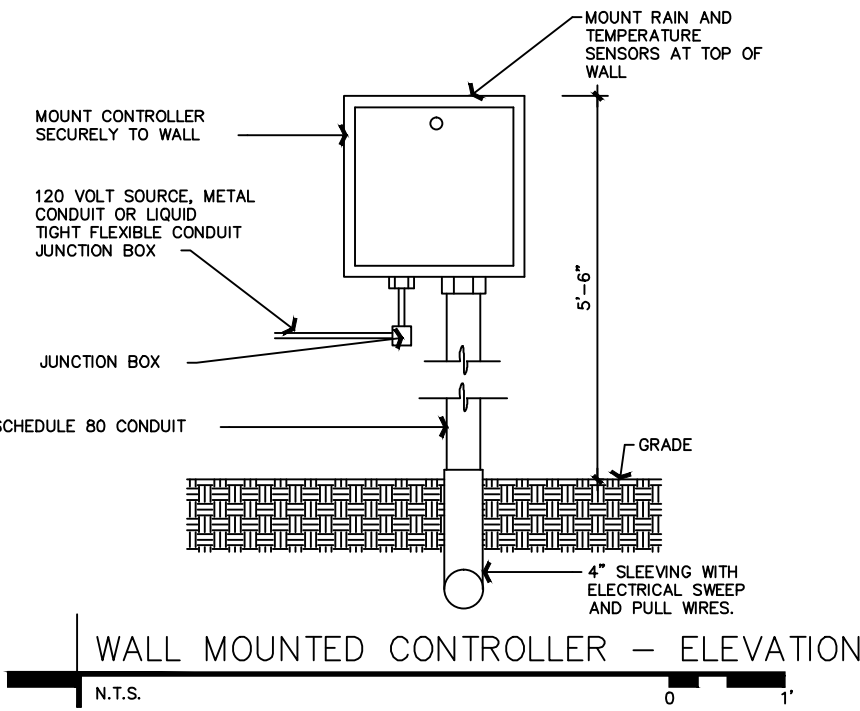
(IN FEET)
1 inch = 20 ft.

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12/20/24
PLANNING & ZONING

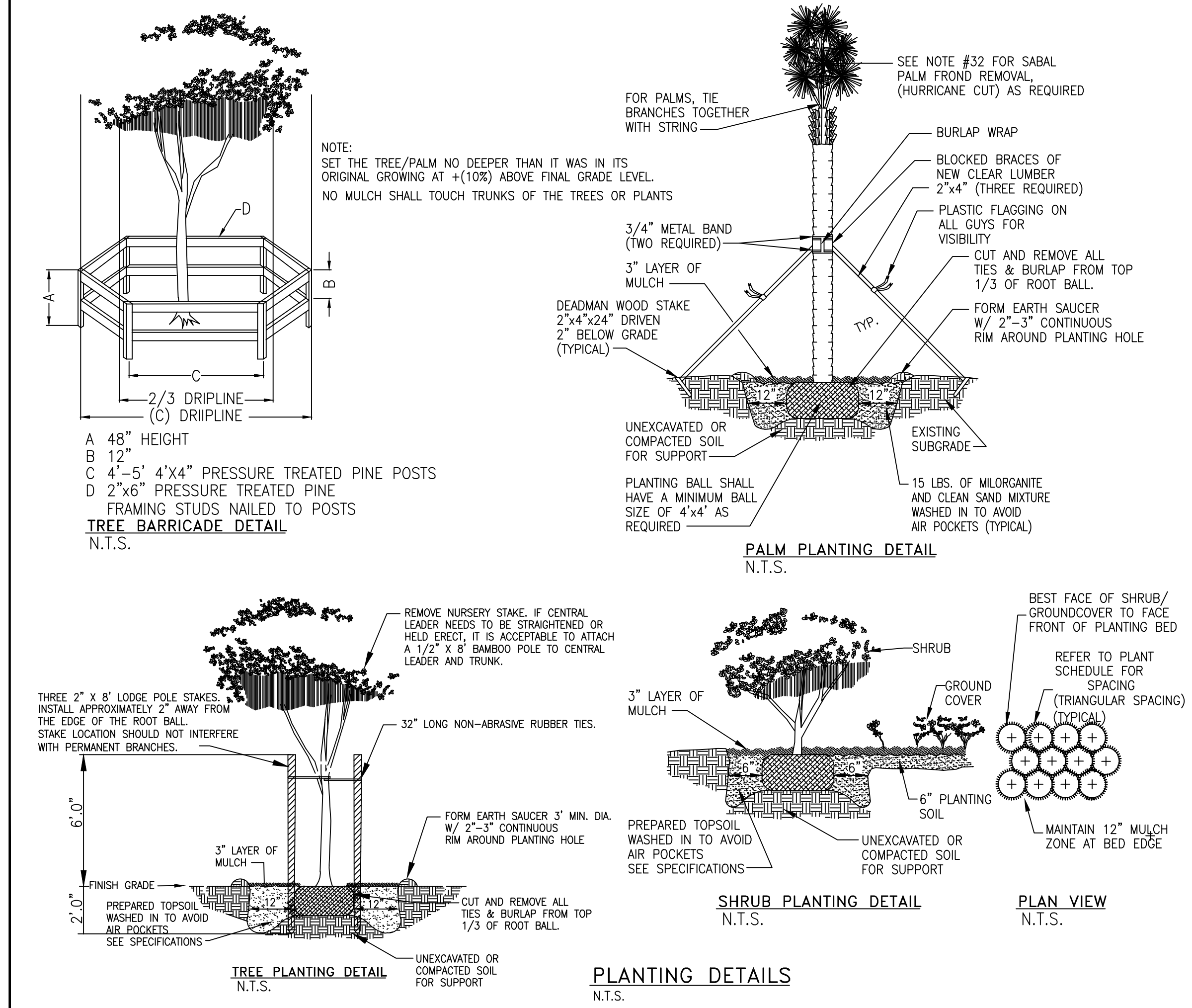
UNLESS SPECIFIED ON PLAN, GIVE ALTERNATE BID
 OWNER FOR RUST PROTECTANT, RUSTMASTER
 (F.L.A. WATER PROCESSING EQUAL
 TO GAL. CAPACITY)
 HP SELF PRIMING PUMP
 UNLESS OTHERWISE SHOWN
 ON PLAN, SECURE TO
 CONCRETE SLAB. (GOUDILS
 R EQUAL)
 TIME CONTROLLER
 (SEE BRIGATION LEGEND)
 ELECTRICAL DISCONNECT
 BY OTHERS

K-RAIN DISTRIBUTION
 VALVE OR MAIN LINE
 (TYPICAL) (F SHOWN)
 GATE VALVE
 HOSE BIBB
 CHECK VALVE
 BRONZE (TYP)
 2"
 2" WELL SUPPLY
 (SEE PLAN)
 CONCRETE DOLPHIN
 ENCLOSURE WITH
 ALUMINUM LOCKING
 LID

DETAIL 1
 N.T.S.



NOTE: BIO BARRIERS SHALL BE INSTALLED WHERE TREES ARE IN THE VICINITY OF UNDERGROUND LINES.
FIELD VERIFY AS REQUIRED.



1. CONTRACTOR SHOULD MAKE HIS OWN TAKE OFF TO ELIMINATE DISCREPANCIES, IN CASE THEY OCCUR, THE PLAN WILL TAKE PRECEDENCE OVER THE PLANT LIST.
2. EXACT LOCATION OF PLANT MATERIAL MAY VARY SLIGHTLY, COORDINATE FIELD LOCATIONS WITH OTHER TRADES PRIOR TO COMMENCEMENT OF WORK.
THE LANDSCAPE PLANS SHALL NOT BE UTILIZED FOR STAKING, LAYOUT OR LOCATIONS OF SITE STRUCTURE OR FEATURE INCLUDING BUT NOT LIMITED TO BUILDINGS, SIGNS, SIDEWALKS, EASEMENTS, UTILITIES, OR ROADWAYS.
3. ALL PLANT MATERIAL FURNISHED BY THE LANDSCAPE CONTRACTOR SHALL BE "FLORIDA #1" OR BETTER AND SHALL BE INSTALLED AS SPECIFIED IN "FLORIDA DEPT. OF AGRICULTURAL GRADES AND STANDARDS", CURRENT EDITION RESPECTIVELY.
4. ALL PLANTING TO BE DONE ACCORDING TO GOOD NURSERY PRACTICE.
5. ALL PLANTING MATERIAL SHALL BE GUARANTEED 365 DAYS (1 YEAR) FROM TIME OF FINAL INSPECTION & APPROVAL. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR RELOCATED TREES & PALMS INCLUDING REPLACEMENT OF SAME SPECIES & SIZE, FOR 365 DAYS.
6. ALL SOG TO BE ST AUGUSTINE FLORATAM SOD, UNLESS OTHERWISE NOTED.
7. ALL BED AREAS TO RECEIVE A 3" LAYER OF EUCALYPTUS MULCH / FLORIMULCH.
8. ALL TREES TO HAVE A 2 1/2" MINIMUM TRUNK CALIPER OR UNLESS OTHERWISE SHOWN ON LANDSCAPE LEGEND.

2. COMMERCIAL FERTILIZER: COMMERCIAL FERTILIZER SHALL BE AN ORGANIC FERTILIZER CONTAINING NITROGEN, PHOSPHORIC ACID, AND POTASH IN EQUAL PERCENTAGES OF AVAILABLE PLANT FOOD BY WEIGHT OR "MILORGANITE". NITROGEN SHALL BE NOT LESS THAN 100% FREE ORGANIC SOURCE. FERTILIZER SHALL BE DELIVERED TO THE SITE UNOPENED IN ORIGINAL CONTAINERS, EACH BEARING THE MANUFACTURER'S GUARANTEED ANALYSIS.
- INITIAL FERTILIZATION OF TREES, SHRUBS, GROUND COVER, SHALL BE WITH "MILORGANITE" OR AN APPROVED COMPLETE FERTILIZER. APPLY "MILORGANITE" IN A CIRCLE AROUND THE PLANT AND MORE FERTILIZER NOT TOUCH THE PLANT WITH THE FERTILIZER. WATER IN FERTILIZER AFTER MULCHING. APPLY "MILORGANITE" FERTILIZER AT THE FOLLOWING RATE:
 - 5 LBS. OR 14.5 CUPS / PALMS
 - 3 LBS. OR 8.75 CUPS / 12"-16" MATERIAL
 - 2 LBS. OR 5.80 CUPS / 8"-12" MATERIAL
 - 1.69 LBS. OR 2.00 CUPS / 6"-8" MATERIAL
 - 0.19 LBS. OR 0.22 CUP / 5" GAL. MATERIAL
 - 0.10 LBS. OR 1/4 CUP / 1" GAL. MATERIAL
- FERTILIZERS SHALL BE SLOW TIME RELEASE, UNIFORM IN COMPOSITION, DRY, AND FREE FLOWING AND SHALL MEET THE FOLLOWING REQUIREMENTS:
 - 15 (6) PERCENT NITROGEN, SIX (6) PERCENT PHOSPHORUS, AND SIX (6) PERCENT POTASSIUM. FERTILIZER SHALL BE APPLIED TO ALL SHRUBS 1/3 LB. PER 3 GAL. CONTAINER, 1/4 LB. PER 1 GAL. CONTAINER) AND GROUNDCOVER, THE SOD STARTER FERTILIZER MIXTURE SHALL BE A 5-10-10 AT A RATE OF 20 LBS. PER 1000 S.F. A 14-14-14 FERTILIZER IS REQUIRED ON ALL TREES AND SHRUBS OVER 5' IN HEIGHT (1/2 LB. PER 5' OF STEM D.E.A.D). ADJUST WITH TENITY (20) PERCENT NITROGEN, TEN (10) PERCENT PHOSPHORUS, FIVE (5) PERCENT POTASSIUM IN 21 GRAM SIZES & SHALL BE APPLIED AT THE FOLLOWING RATE: 1 PER 1 GAL. PLANTS, 2 PER 3 GAL. PLANTS AND 2 TABLETS PER 1" OF TREE TRUNK CALIPER. APPLY PALM SPECIAL FERTILIZER AS PER MANUFACTURERS RECOMMENDATION.
26. SUPER ABSORBENT POLYMER: "TERRA SORB" OR APPROVED EQUAL AS PACKAGED IN 3 OZ. HANDY PAC COMPOSED OF SYNTHETIC ACRYLAMIDE COPOLYMER, POTASSIUM, ACRYLATE. PARTICLE SIZE OF 100 TO 300 MICRONS AND ABSORPTION RATE OF 300 TIMES ITS WEIGHT IN WATER. APPLY DRY, U THE FOLLOWING AMOUNTS:
 - 1 PAC PER TREE - 36" BALL SIZE
 - 2 PACS PER TREE - OVER 36" BALL SIZE
 - 1 PAC PER 20 GAL. CONTAINER
 - 0.5 PACS PER 7-10 GAL. CONTAINER
 - 0.25 PACS PER 3 GAL. CONTAINER
 - 0.12 PACS PER 1 GAL. CONTAINER
27. LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR HAVING UTILITIES LOCATED. CARE SHALL BE TAKEN NOT TO DISTURB ANY UNDERGROUND CONSTRUCTION AND UTILITIES. ANY DAMAGE TO THESE FACILITIES DURING THE PLANTING OPERATIONS WILL BE REPAIRED AT THE EXPENSE OF THE LANDSCAPE CONTRACTOR IN A MANNER APPROVED BY THE OWNER.
28. PLANTING SOIL: PLANTING SOIL SHALL BE COMPOSED OF 50% SAND AND 50% COMPOSTED ORGANIC MATTER. ANY VARIATION IN THE COMPOSITION SHALL BE APPROVED BY THE OWNER PRIOR TO USE. PLANTING SOIL SHALL BE FREE OF STONES, PLANTS, ROOTS AND OTHER FOREIGN MATERIALS WHICH MIGHT BE A HINDRANCE TO PLANTING OPERATIONS OR BE DETRIMENTAL TO GOOD PLANT GROWTH. SOIL SHALL BE DELIVERED IN A LOOSE FRABLE CONDITION AND APPLIED IN ACCORDANCE WITH THE PLANTING SPECIFICATIONS.
29. WATER FOR PLANTING WILL BE AVAILABLE AT THE SITE AND WILL BE PROVIDED BY THE OWNER.
30. PRUNING: REMOVE DEAD AND BROKEN BRANCHES FROM ALL PLANTING MATERIAL. PRUNE TO RETAIN TYPICAL GROWTH HABIT OF INDIVIDUAL SPECIES, RETAINING AS MUCH HEIGHT AND SPREAD AS POSSIBLE. MAKE ALL PRUNING CUTS WITH A SHARP INSTRUMENT, FLUSH WITH THE TRUNK OR ADJACENT BRANCH, IN SUCH A MANNER AS TO ENSURE ELIMINATION OF STUBS. "HEADBACK" CUTS, RIGHT ANGLE TO LINE OF GROWTH WILL NOT BE PERMITTED AND TREES WILL NOT BE POLED, TOPPED, OR HATRACKED.
31. MAINTENANCE: MAINTENANCE SHALL BEGIN IMMEDIATELY AFTER EACH PLANT IS PLANTED AND SHALL CONTINUE UNTIL ALL PLANTING HAS PASSED FINAL INSPECTION AND ACCEPTANCE. MAINTENANCE SHALL INCLUDE WATERING, WEEDING, CULTIVATING, REMOVAL OF DEAD MATERIALS, RESETTING PLANTS TO PROPER GRADES OR UPRIGHT POSITIONS AND RESTORATION OF THE PLANTING SAUCER AND ANY OTHER NECESSARY OPERATIONS. PROPER PROTECTION TO LAWN AREAS SHALL BE PROVIDED AND ANY DAMAGE RESULTING FROM PLANTING OPERATIONS SHALL BE REPAIRED PROMPTLY.
- CONTRACTOR TO REMOVE ALL REMAINING BUDS ON NEWLY PLANTED PALM SALS WITH THE EXCEPTION OF THE CENTER BUD TO INSURE BETTER SURVIVABILITY AND LESS STRESS FROM STRESS PROBLEMS OF THE PALM. THIS GIVING HIGHER SURVIVOR RATE OF THE SAME. (NOTE: OTHER PALM SPECIES THE BRANCHES TOGETHER WITH BIODEGRADABLE TWINE TO A TIGHT BUNDLE AROUND BUD FOR PROTECTION AS REQUIRED).
33. ALL APPLICABLE FEDERAL, STATE, AND LOCAL PERMITS SHALL BE OBTAINED PRIOR TO ANY REMOVAL, RELOCATION, OR INSTALLATION OF PLANT MATERIALS INDICATED WITHIN THE PLANS OR PLANT DOCUMENT.
34. A SIGHT VISIBILITY TRIANGLE SHALL BE PROVIDED. THE SIGHT VISIBILITY TRIANGLE SHALL PROVIDE UNOBSTRUCTED CROSS-VISIBILITY FOR VEHICULAR, PEDESTRIAN, AND BICYCLE TRAFFIC AT LEVEL BETWEEN 30" & 8 FT MEASURED FROM GRADE LEVEL AT ALL ENTRANCES, EXITS, AND INTERSECTIONS.

N.T.S.

1. HEADS TO BE INSTALLED IN PLANTERS AND BED AREAS SHALL BE 12" POP UP OR MUST BE APPROVED BY LANDSCAPE ARCHITECT TO BE LOCATED ON RISERS PRIOR TO INSTALLATION & SHALL BE PAINTED FLAT BLACK; IF APPROVED.

- ALL MAINS AND SLEEVES SHALL BE PVC SCH 40 AND BURIED A MINIMUM OF 24" BELOW FINISH GRADE.
3. ALL LATERALS WILL BE PVC CLASS 200 AND BURIED A MINIMUM OF 12" BELOW FINISH GRADE.
4. PROVIDE SLEEVES UNDER PAVEMENT PRIOR TO INSTALLATION OF SAME. PIPE INSTALLATION IN VEHICLE TRAFFIC AREAS SHALL BE AS FOLLOWS: PLUMBING BUILDING CODE APPENDIX (F) PART V-A-1.1:
PIPE SIZE (INCHES) DEPTH OF COVER (INCHES)
1/2" - 2 1/2" 18" - 24"
3" - 5" 24" - 30"
6" AND LARGER 30" - 36"
5. CONTRACTOR TO SIZE PIPING (UNLESS OTHERWISE SHOWN) AND ADJUST SPRAY HEADS LOCATION TO CONFORM WITH WATER REQUIREMENTS OF ACTUAL LANDSCAPING FOR ADEQUATE WATER COVERAGE.
6. IRRIGATION CONTRACTOR SHALL PROVIDE 100% COVERAGE TO ALL LANDSCAPED AREAS AND MAINTAIN A 50% MIN. OVERLAP USING RUST FREE WATER.
7. IRRIGATION CONTRACTOR TO PROVIDE 35 PSI AT ALL HEADS.
8. HEADS TO BE INSTALLED IN PLANTERS SHOULD BE LOCATED ON RISERS.
9. IRRIGATION CONTRACTOR TO FURNISH CONTROLLER TIME CLOCK TO BE LOCATED IN MECHANICAL ROOM OR APPROVED LOCATION.
10. BUILDING CONTRACTOR TO SUPPLY ELECTRICAL HOOK UP.
11. ALL WORK MUST BE DONE AS PER LOCAL CODES.
12. SYSTEM IS TO BE DESIGNED (IF NOT SHOWN ON PLAN) AND INSTALLED BY A QUALIFIED, LICENSED, AND INSURED LANDSCAPE IRRIGATOR.
13. SPRINKLER SYSTEM SHALL BE GUARANTEED FOR ONE YEAR AGAINST MECHANICAL DEFECTS.
14. IRRIGATION CONTRACTOR TO USE #14 DIRECT BURIAL LOW VOLTAGE WIRE AND INSTALLED UNDER SET OF MAIN LINES, TO INSURE PROTECTION AND LOCATING OF SAME, SLEEVED UNDER PAVEMENT AND WALKS, SPECIFIED ONLY AT VALVE LOCATIONS. ALL SPLICES SHALL BE MADE WATER PROOF, CONTROL WIRES SHALL BE COLOR CODED. ONE EXTRA WIRE SHALL BE RAN WITH EACH ZONE VALVE. IF K-RANS NOT REQUIRED SEE PLAN FOR VALVE LOCATIONS.
15. ALL IRRIGATION LINE LOCATIONS SHOWN ON PLAN ARE APPROXIMATE. IRRIGATION CONTRACTOR TO ADJUST TRENCHING IN FIELD FOR EXISTING CONDITIONS, PLANTINGS AND STRUCTURES AS REQUIRED.
16. IRRIGATION CONTRACTOR WILL BE RESPONSIBLE FOR HAVING UTILITIES LOCATED. CARE SHALL BE TAKEN NOT TO DISTURB ANY UNDERGROUND CONSTRUCTION OR UTILITIES. ANY DAMAGE TO THESE FACILITIES DURING THE PLANTING OPERATIONS WILL BE REPAIRED AT THE EXPENSE OF THE IRRIGATION CONTRACTOR IN A MANNER APPROVED BY THE OWNER.
17. ALL LANDSCAPED AREAS SHALL BE PROVIDED WITH AN UNDERGROUND FULLY AUTOMATIC IRRIGATION SYSTEM USING POP-UP SPRINKLERS. SYSTEM SHALL PROVIDE 100% COVERAGE WITH A 50% OVERLAP (MINIMUM) USING RUST FREE WATER, EXCEPT PRESERVED AREAS REMAINING IN NATURAL STATE. A RAIN SENSOR DEVICE OR SWITCH SHALL BE INSTALLED THAT WILL OVERRIDE THE IRRIGATION SYSTEM WHEN ADEQUATE RAINFALL HAS OCCURRED. WATER SHALL NOT BE DIRECTED AND/OR PROVIDED ONTO IMPERVIOUS SURFACES AND/OR BE DESIGNED OR INSTALLED TO THROW WATER OVER IMPERVIOUS SURFACE SUCH AS SIDEWALKS, ETC.. HOURS OF OPERATION FOR ALL IRRIGATION SYSTEMS SHALL BE LIMITED TO 7:00 PM TO 7:00 AM ONLY OR AS MAY BE FURTHER RESTRICTED BY SOUTH FLORIDA WATER MANAGEMENT DISTRICT OR OTHER JURISDICTIONAL AGENCY.
- NOTE: WATER SOURCE AND METHODS COMPLETED
- | IRRI | |
|---|---|
| RAIN BIRD 1806 SERIES 6" AND 1812 SERIES 12" POP UP | |
| SYMBOL | MODEL NUMBER |
| ☐ | RAIN BIRD 1806 CENTER STRIP - 4" CST |
| ☐ | RAIN BIRD 1806 HALF - 15" H |
| ☐ | RAIN BIRD 1806 QUARTER - 15" Q |
| ☐ | RAIN BIRD 1806 END STRIP - 4" EST |
| ☐ | RAIN BIRD SERIES 5700 GEAR DRIVEN ROTARY |
| ☐ | RAIN BIRD 1806 SIDE STRIP - 4" SST |
| ☐ | RAIN BIRD 1806 FULL - 15' F |
| ☐ | RAIN BIRD 1806 - FLOOD BUBBLER 6" POP UP |
| ☐ | 2 HP STARTE SELF PRIMING PUMP, MODEL #RH
@ 35 PSI OR EQUIVALENT 220 VOLT (OR EQUIVALENT) |
| ☐ | RAIN BIRD PER SERIES LOW VOLTAGE CONTROL WIRE AS REQUIRED |
| — | 1 1/2" SCH. 40 PVC MAIN LINE AS SHOWN |
| — | RAIN BIRD ESP-SM6E RAIN SENSE CEXT |
| — | RAIN BIRD WRC-R2 RAIN SENSOR |
| ☐ | 2" WELL SUPPLY 80' MIN./WATER PERMIT BY OT |
| RUST CONTROL DEVICE-SEE DETAIL #1 | |

IRRIGATION SCHEDULE FOR RELOCATED AND/OR TRIMMED PLANTS/TRANSPLANTS THE IRRIGATION SCHEDULE WILL BE BASED ON THE PLANT SIZE AND GROWTH RATE. PLANTS THAT ARE TO BE IRRIGATED 2-3 TIMES PER WEEK WITH A GALLOON PER INCH TRUNK CIRCUMFERENCE. ALL WATER SHOULD BE APPLIED UNTIL TO THE TOP OF THE ROOT BALL AND IRRIGATION SCHEDULES WILL BE BASED ON PLANT SIZE AND DESIRED OBJECTIVE.			
SIZE OF NURSERY STOCK	IRRIGATION SCHEDULE FOR VIGOR	SURVIVAL	
LESS THAN 2 INCH CALIPER	DAILY: 2 WEEKS EVERY OTHER DAY: 2 MONTHS WEEKLY: UNTIL ESTABLISHED	TWICE EVERY OTHER DAY: 2 MONTHS WEEKLY: 2-3 MONTHS	
2-4 INCH CALIPER	DAILY: 1 MONTH EVERY OTHER DAY: 3 MONTHS WEEKLY: UNTIL ESTABLISHED	TWICE EVERY OTHER DAY: 3 MONTHS WEEKLY: 3-4 MONTHS	
GREATER THAN 4 INCH CALIPER	DAILY: 6 WEEKS EVERY OTHER DAY: 5 MONTHS WEEKLY: UNTIL ESTABLISHED	TWICE EVERY OTHER DAY: 5 MONTHS WEEKLY: 4-5 MONTHS	

* ESTABLISHED = PLANT GROWTH RATE IN ZONES 10-11
 1 MONTHS (HARDINESS ZONES 8-9) PER INCH TRUNK CIRCUMFERENCE

IRRIGATION LEGEND			
RAIN BIRD 1806 SERIES 6" AND 1812 SERIES 12" POP UP SPRAYS			
SYMBOL	MODEL NUMBER	AREA	GPM PRECIPITATION
	RAIN BIRD 1806 CENTER STRIP - 4' CST	4'x30'	1.20 68 IN/H
	RAIN BIRD 1806 HALF - 15' H	15' RAD	2.00 1.29 IN/H
	RAIN BIRD 1806 QUARTER - 15' Q	15' RAD	1.00 1.17 IN/H
	RAIN BIRD 1806 END STRIP - 4' EST	4'x15'	0.60 .34 IN/H
	RAIN BIRD 1806 SIDE STRIP - 4' SST	42' RAD	3.50 1.93 IN/H
	RAIN BIRD 1806 FLOOD	4'x30'	1.45 .75 IN/H
	RAIN BIRD 1806 -FLOOD BUBBLER 6" POP UP	15' RAD	4.00 1.95 IN/H
	2 HP STARTER SELF PRIMING PUMP, MODEL #04H, DELIVERING 55 GPM @ 35 PSI OR EQUIVALENT 220 VOLT (OR EQUAL) W/ PUMP START	10' RAD	3.20 1.65 IN/H
	RAIN BIRD PER SERIES LOW VOLTAGE CONTROL VALVES 1" & 1 1/2" W/ DIRECT BURIAL #14 WIRE AS REQUIRED		
	1 1/2" SCH. 40 PVC MAIN LINE AS SHOWN		
	RAIN BIRD ESP-S&Tc WATER SENSE CERTIFIED #ZONE TIME CONTROLLER-SEE PLAN RAIN SWITCH READER 220/224 VOLT		
	RAIN BIRD WR2-RFC RAIN SENSOR		
	2" WELL SUPPLY 80' MIN.(WATER PERMIT BY OTHERS)		
	RUST CONTROL DEVICE-SEE DETAIL #1		

N.T.S.

RECEIVED
12/20/24
PLANNING & ZONING

SITE NUMBER:		
BASE MODEL:		USB SQUE
ASSET TYPE:		FRAN
CLASSIFICATION:		NEW
OWNER:	JAE REST. GROUP, LLC	
BASE VERSION:		XXXXXXXXXX
UPGRADE CLASSIFICATION:		
		CORP. NEW BUILD
PROJECT YEAR:		2017
FURNITURE PACKAGE:		2016 R3
DRAWING RELEASE		2016 R3



PROJECT TYPE: USB SQUE
NEW

Wendy's®

Store #
626 West Indian Town Rd.
Jupiter, Florida 33458

REV.	DATE	DESCRIPTION
A	12-14-23	CITY COMMENTS
ISSUE DATE:		
		05/02/2017
PROJECT NUMBER:		RBL\14-08--2001 -
DRAWN BY:	RICK BARTLETT A.V.	
CHECKED BY:	RGB/MER E.C.	

EDUARDO L. CARCACHE, PE 31914
ANA A. GONZALEZ VALDES, AR 97769
LUIS VARGAS, LEED AP
#701023753163800
CKE GROUP, INC. COA-4432

SPECIFICATIONS

SHEET NUMBER

L-3

"ALL EXISTING, PROTECTED TREES WILL REMAIN AND BE PROTECTED DURING CONSTRUCTION" (BY GENERAL CONTRACTOR)

IRRIGATION SCHEDULE

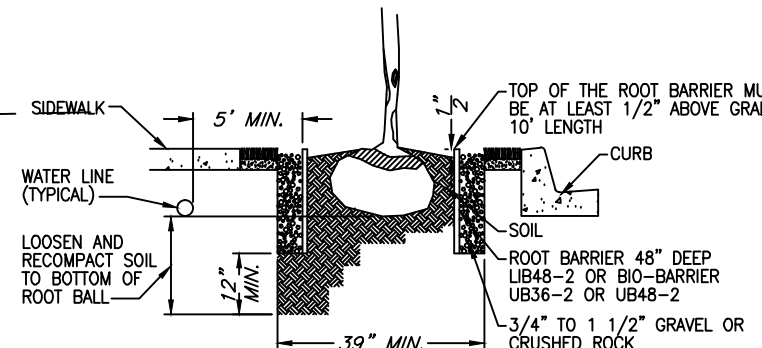
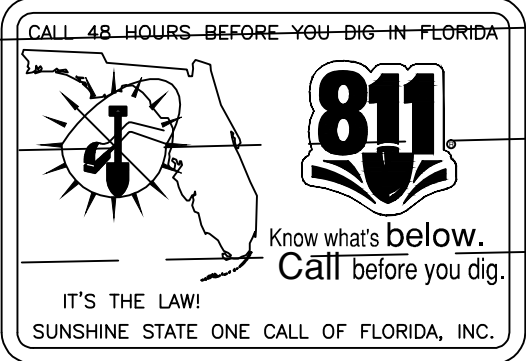
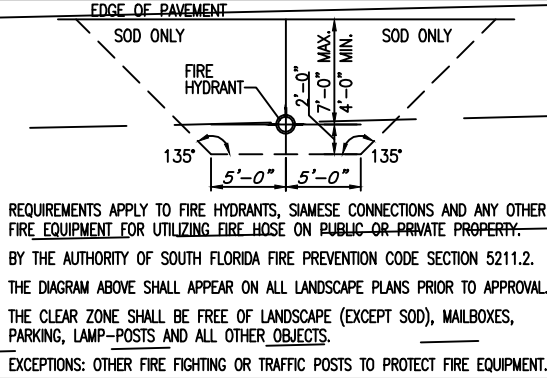
FOR RELOCATED AND/OR NEWLY PLANTED TREES/PALMS THE IRRIGATION SCHEDULE SHALL BE AS PER UF/IFAS PUBLICATION ENH-1061. DURING ESTABLISHMENT, TREES SHOULD BE IRRIGATED 2-3 TIMES PER WEEK WITH 2 GALLONS PER INCH TRUNK CALIPER. ALL THE WATER SHOULD BE APPLIED ONLY TO THE TOP OF THE ROOT BALL.

TABLE 2. IRRIGATION SCHEDULES DEPENDING ON SIZE OF NURSERY STOCK AND DESIRED OBJECTIVE.

SIZE OF NURSERY STOCK	IRRIGATION SCHEDULE FOR
LESS THAN 2 INCH CALIPER	DAILY: 2 WEEKS EVERY OTHER DAY: 2 MONTHS WEEKLY: UNTIL ESTABLISHED
2-4 INCH CALIPER	DAILY: 1 MONTH EVERY OTHER DAY: 3 MONTHS WEEKLY: UNTIL ESTABLISHED
GREATER THAN 4 INCH CALIPER	DAILY: 8 WEEKS EVERY OTHER DAY: 5 MONTHS WEEKLY: UNTIL ESTABLISHED

* ESTABLISHMENT TAKES APPROXIMATELY 3 MONTHS (HARDINESS ZONES 10-11)
4 MONTHS (HARDINESS ZONES 8-9) PER INCH TRUNK CALIPER.

FIRE HYDRANT ZONE



ROOT BARRIER DETAIL (TYPICAL)

N.T.S. INJECTION MOLDED, RECYCLED POLYPROPYLENE

NOTE: A ROOT BARRIER SYSTEM SHALL BE INSTALLED IN SITUATIONS WHERE A TREE OR PALM IS PLANTED WITHIN 10' OF A PAVED SURFACE OR INFRASTRUCTURE.

- 1) PANEL 0.085 THICK POLYPROPYLENE
- 2) ZIPPER JOIN SYSTEM
- 3) ROUNDED EDGES
- 4) 24" DEPTH
- 5) ANTI-LIFT PADS

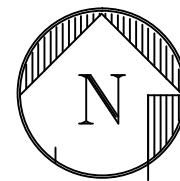
NOTE: BIO BARRIERS SHALL BE INSTALLED WHERE TREES ARE IN THE VICINITY OF UNDERGROUND LINES, FIELD VERIFY AS REQUIRED.

NOTE:

LANDSCAPING SHALL NOT BE PLANTED WITHIN 5' OF EXISTING WATERMAIN. LANDSCAPING PLANTED WITHIN 10' OF EXISTING WATERMAIN SHALL BE INSTALLED WITH ROOT BARRIER, MINIMUM OF 42" DEEP.

LOCATION MAP

NOT TO SCALE



R= TO BE RELOCATED

X= TO BE REMOVED

TREE AND PALM RELOCATIONS - SEE LANDSCAPE PLAN L-1 FOR ADDITIONAL INFO

NATIVE	CODE	AMOUNT	BOTANICAL NAME / COMMON NAME	SIZE	CAL. @ D.B.H.	CONDITION	REMARKS
YES	LIV	1	QUERCUS VIRGINIANNA / LIVE OAK	40'-44' HGT.	16" CAL. @ D.B.H.	GOOD/60%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
YES	LIV	1	QUERCUS VIRGINIANNA / LIVE OAK	24'-26' HGT.	12" CAL. @ D.B.H.	GOOD/51%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
YES	LIV	1	QUERCUS VIRGINIANNA / LIVE OAK	26'-28' HGT.	12" CAL. @ D.B.H.	GOOD/51%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
YES	LIV	1	QUERCUS VIRGINIANNA / LIVE OAK	26'-28' HGT.	12" CAL. @ D.B.H.	GOOD/51%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
YES	SAB	1	SABAL PALMETTO / CABBAGE PALM	16'-18' HGT.	12" CAL. @ D.B.H.	GOOD/60%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
YES	LIV	1	QUERCUS VIRGINIANNA / LIVE OAK	24'-26' HGT.	12" CAL. @ D.B.H.	GOOD/60%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
YES	LIV	1	QUERCUS VIRGINIANNA / LIVE OAK	26'-28' HGT.	14" CAL. @ D.B.H.	GOOD/51%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
YES	SAB	1	SABAL PALMETTO / CABBAGE PALM	16'-18' HGT.	12" CAL. @ D.B.H.	GOOD/51%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
---	SAB	1					
---	SAB	1					
---	SAB	1					
YES	SAB	1	SABAL PALMETTO / CABBAGE PALM	16'-18' HGT.	12" CAL. @ D.B.H.	GOOD/51%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
YES	ROY	1	ROYSTONIA ELATA / ROYAL PALM	36'-38' HGTS.	20" CAL. @ D.B.H.	GOOD/51%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
YES	ROY	1	ROYSTONIA ELATA / ROYAL PALM	36'-38' HGTS.	18" CAL. @ D.B.H.	GOOD/51%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
YES	ROY	1	ROYSTONIA ELATA / ROYAL PALM	36'-38' HGTS.	20" CAL. @ D.B.H.	GOOD/51%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
YES	LIV	1	QUERCUS VIRGINIANNA / LIVE OAK	40'-44' HGT.	14" CAL. @ D.B.H.	GOOD/60%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY
YES	LIV	1	QUERCUS VIRGINIANNA / LIVE OAK	24'-26' HGT.	12" CAL. @ D.B.H.	GOOD/51%	EXISTING TO BE RELOCATED AS SHOWN-FIELD VERIFY

EXISTING TREES/PALM LEGEND

NATIVE	CODE	AMOUNT	BOTANICAL NAME / COMMON NAME	SIZE	REMARKS
YES	LIV	14	QUERCUS VIRGINIANNA / LIVE OAK	16'-44' HGTS.	EXISTING TO REMAIN-RELOCATE (8) AS SHOWN
YES	LIV	6	QUERCUS LAURIFOLIA / LAUREL OAK	20'-28' HGTS.	EXISTING TO BE REMOVED
NO	LIG	2	LIQUSTRUM LUCIDUM / WAX PRIVET	10'-12' HGT.	EXISTING TO BE REMOVED-POOR CONDITION
YES	ROY	3	ROYSTONIA ELATA / ROYAL PALM	36'-38' HGTS.	EXISTING TO REMAIN-RELOCATE (3) AS SHOWN
YES	SAB	3	SABAL PALMETTO / CABBAGE PALM	16'-18' HGT.	EXISTING TO REMAIN-RELOCATE (3) REMOVE (3) X
NO	WAS	1	WASHINGTONIA ROBUSTA / WASHINGTONIA PALM	16'-18' C.T.MIN.	EXISTING TO REMAIN

TREE RELOCATION NOTE:

1. A "ISA CERTIFIED ARBORIST" SHALL DIRECT ROOT GRINDING, CANOPY & ROOT PRUNING OPERATIONS, IF REQUIRED; PER AMERICAN NATIONAL STANDARDS INSTITUTE, (ANSI), A300-2005, CURRENT EDITION RESPECTIVELY. REMOVE CROSSING, DEAD AND DAMAGED BRANCHES. ADDITIONAL CANOPY PRUNING REQUIRES APPROVAL. WATER THE ROOT ZONES TO FIELD CAPACITY FOR 5 CONTINUOUS DAYS BEFORE ROOT GRINDING OR PRUNING. ROOT PRUNING WITH EQUIPMENT TO SEVER ROOTS. ENSURE ROOTS ARE NOT TORN OR PULLED APART. BRACE ALL ROOT PRUNED TREES AND MAINTAIN THE SOIL MOISTURE AT FIELD CAPACITY. TREES THAT EXHIBIT FLUSH CUTS OR TORN ROOTS WILL BE CONSIDERED AS ABUSED AND WILL NOT BE ACCEPTED.

PROTECTION FROM CONSTRUCTION WORK

1. GENERAL CONTRACTOR TO PREPARE FINAL RELOCATION SITES FOR TREES THAT ARE PROPOSED TO BE RELOCATED. TREES ARE ONLY TO BE MOVED ONCE AND SHALL HAVE TREE BARRICADES IN PLACE THE ENTIRE DURATION ON CONSTRUCTION.
2. GENERAL CONTRACTOR SHALL GRADE AND FILL ALL TREE & PALM HOLES ONCE TREES & PALMS ARE REMOVED AND/OR RELOCATED.
3. LANDSCAPE AND LAWN IRRIGATION, TREE REMOVAL & RELOCATION PERMITS SHALL BE REQUIRED.
4. A PRELIMINARY MEETING SHALL BE HELD WITH THE TOWN OF JUPITER LANDSCAPE DEPARTMENT PRIOR TO ANY INSTALLATION.
5. ALL PROPOSED TREES TO BE RELOCATED SHALL BE ROOT PRUNED 12 MINIMUM WEEKS PRIOR TO CONSTRUCTION AND DONE ACCORDING TO GOOD NURSERY PRACTICE AS REQUIRED. TRENCH DEPTH SHALL BE 18"-36"; ROOT BALL SHALL BE A MINIMUM OF 60" WHEN ROOT PRUNED. FILL TRENCH WITH FIBROUS MATERIAL SUCH AS LEAVES, OR WOOD SHAVINGS. WATERING SHALL BE ONCE A WEEK. DURING ROOT PRUNING, TORN ROOTS SHALL BE TRIMMED TO SOLID WOOD. RELOCATED TREES SHALL BE LIGHTLY PRUNED BY HAND. A ISA CERTIFIED ARBORIST SHALL ROOT PRUNE ANY AND ALL EXISTING TREES WITHIN PAVING/CURBING AREAS TO BE INSTALLED. VERIFY ON SITE WITH TOWN OF JUPITER LANDSCAPE DEPARTMENT PRIOR TO ANY INSTALLATION; FIELD VERIFY WITH GENERAL CONTRACTOR AS REQUIRED.
6. LANDSCAPE CONTRACTOR SHALL WATER RELOCATED TREES W/ TEMPORARY IRRIGATION EVERYDAY FOR THE FIRST MONTH THEN 2-3 TIMES A WEEK UNTIL SYSTEM IS FULLY AUTOMATIC; OWNER TO SUPPLY WATER ON SITE.
7. TRANSPLANT TREES W/ 60" TREE SPADE, AND / OR TREE CRANE. TRANSPLANTING HOLE SHALL BE AT LEAST 1/3 BIGGER THAN THE AREA THAT WAS TRENCHED FOR TRANSPLANTING.
8. GENERAL CONTRACTOR SHALL REMOVE ALL ROAD ROCK, ASPHALT, DEBRIS, ETC. IN ALL LANDSCAPE AREAS TO A MIN. DEPTH OF 30" AND PROVIDE PLANTING SOIL AS REQUIRED.(SEE SOIL SPECIFICATIONS).
9. ALL TREES, PALMS AND OTHER PLANTS SHALL BE PLANTED WITH THE TOP OF THEIR ROOTBALLS NO DEEPER THAN THE FINAL GRADE SURROUNDING THE PLANTING AREA; (1'-4").
10. PLACE A MAINTAIN PROTECTIVE BARRIERS AROUND THE DRIP LINE OF ALL TREES TO BE RETAINED ON THE SITE TO PREVENT THEIR DESTRUCTION OR DAMAGE. THE PROTECTIVE BARRIERS SHALL BE AT LEAST (4) FEET IN HEIGHT AND CONSPICUOUSLY COLORED TO BE SEEN EASILY BY OPERATORS OF TRUCKS AND OTHER EQUIPMENT. PROTECTIVE BARRIERS SHALL BE CONSTRUCTED OF STURDY MATERIAL (NOT FLAGGING OR RIBBONS) AND SHALL BE INSTALLED PRIOR TO AND DURING CONSTRUCTION/AND OR LAND DEVELOPMENT.
11. DO NOT STORE OR USE MATERIALS OR EQUIPMENT WITHIN THE DRIP LINE OF ANY TREE TO BE RETAINED ON SITE UNLESS THE ACTIVITY IS BEING DONE TO PROTECT THE TREES.
12. NOT DISCHARGE OR CONTAMINATE THE SOIL WITHIN THE DRIP LINE OF ANY TREE TO BE RETAINED ON SITE WITH ANY CONSTRUCTION MATERIALS SUCH AS PAINT, OIL, SOLVENTS, PETROLEUM PRODUCTS, ASPHALT, CONCRETE, MORTAR, OR OTHER MATERIALS THAT MAY CAUSE ADVERSE IMPACTS.
13. CLEARING OF VEGETATION WITHIN THE DRIP LINE OF TREES DESIGNATED FOR PRESERVATION SHALL ONLY BE BY HAND OR LIGHT RUBBER WHEELED EQUIPMENT THAT WILL NOT DAMAGE THE TREE ROOTS; SAID EQUIPMENT SHALL BE A MAXIMUM OF FORTY-EIGHT (48) INCHES WIDE, TIRE TO TIRE, WITH A MAXIMUM WEIGHT OF THREE THOUSAND FIVE HUNDRED (3,500) POUNDS.
14. MAKE NO ATTACHMENTS, OTHER THAN THOSE OF A PROTECTIVE AND NON-DAMAGING NATURE, TO THE TREE TO BE RETAINED ON THE SITE.
15. DO NOT CHANGE THE NATURAL GRADE ABOVE THE ROOT SYSTEM WITHIN THE DRIP LINE OF ANY TREE TO BE RETAINED ON SITE UNLESS IT CAN BE DEMONSTRATED TO THE TOWN OF JUPITER THAT IT WILL NOT DAMAGE ANY TREE.
16. AVOID ANY ENCROACHMENTS, EXCAVATIONS OR SEVERE GRADE CHANGES WITHIN THE DRIP LINE OF PRESERVED TREES UNLESS IT CAN BE DEMONSTRATED TO THE CITY THAT IT WILL NOT IMPACT ANY TREE; NOT CAUSE SOIL COMPACTION WITHIN THE DRIP LINE OF ANY TREE TO BE RETAINED ON SITE; AND ANY TREES DESIGNATED TO BE PRESERVED WHICH ARE DAMAGED DURING CONSTRUCTION SHALL BE REPLACED.
17. MITIGATION REQUIRED, IF APPLICABLE FOR TREE REMOVAL OF EXISTING TREES SHALL BE DETERMINED BY THE TOWN OF JUPITER.

- A 48" HEIGHT
B 12"
C WOODEN STAKES (2"x4"x5' MIN.) ON 5' CENTERS
D THREE ROWS OF SPLIT RAIL FENCING 2"x4"

BARRIER TO FORM A CONTINUOUS CIRCLE AROUND THE TREE OR GROUP OF TREES.

CONTRACTOR TO INSTALL PROTECTIVE FENCE BARRIER AROUND ALL EXISTING TREES TO REMAIN- AT START OF THE PROJECT-FENCE TO REMAIN IN PLACE THROUGHOUT THE DURATION OF THE PROJECT.

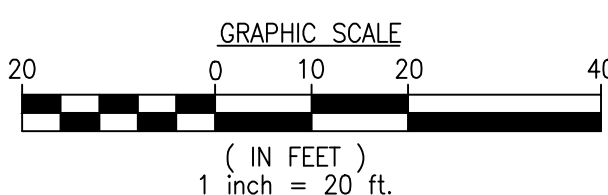
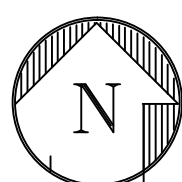
CONTRACTOR SHALL TAKE EXTRA CARE DURING EARTHWORK AND UTILITY OPERATIONS TO PROTECT ALL EXISTING TREES- AND SHALL BE RESPONSIBLE TO REPLACE ANY TREES DAMAGED DURING CONSTRUCTION.

TREE PROTECTION DETAIL

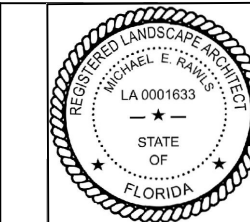
N.T.S.

TREE DISPOSITION/SURVEY PLAN

1"=20'-0"



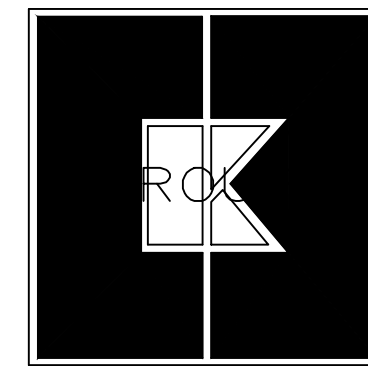
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RICHARD BARTLETT LANDSCAPE, INC.
14477 STIRRIUP LAKE
SUITE 14
JUPITER, FL 33458
TEL (561) 758-7707
LANDSCAPE ARCHITECTURE LC26000552
MICHAEL E. RAWLS RL40001633

EMAIL: r-bartlett@bartlettlandscape.com

SITE NUMBER:	01948
BASE MODEL:	GLOBAL NEXT GEN 40
ASSET TYPE:	FREESTANDING
CLASSIFICATION:	NEW
OWNER:	COMPANY/FRANCHISE
BASE VERSION:	2022
UPGRADE CLASSIFICATION:	NEW BUILD
PROJECT YEAR:	2023
FURNITURE PACKAGE:	GLOBAL
DRAWING RELEASE	SPRING 2023



INCORPORATED
engineering • architecture • planning
17190 ROYAL PALM BLVD
SUITE 2
WESTON, FLORIDA 33336
PHONE: (352) 558-4124
(352) 962-7211

PROJECT TYPE: NEW
GLOBAL NEXT GEN 40

Wendy's

Store # 01948
626 West Indian Town Rd.
Jupiter, Florida 33458

REV.	DATE	DESCRIPTION
12-15-23	CITY COMMENTS	
01-29-24	CITY COMMENTS	
08-20-24		
10-11-24	CITY COMMENTS	
10-23-24	CITY COMMENTS	

ISSUE DATE: 12/14/2023

PROJECT NUMBER: RBL#14-08-2001 1871

DRAWN BY: RICK BARTLETT A.G.

CHECKED BY: RGB/MER E.C.



This item has been digitally signed by Eduardo L. Carcacha on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

EDUARDO L. CARCACHA, PE 31914
RICARDO J. PEREZ, AR 14985
LUIS VARGAS, LEED AP
#710223751535800

CKE GROUP, INC. COA-4432

SHEET NAME

EXISTING TREE DISPOSITION

SHEET NUMBER

L-2

EXTERIOR FINISHES LEGEND

1

CORNER BOARDS
5 1/2" & 7 1/4" x 3/4" "HARDITRIM" (W/ HLD TECHNOLOGY)
CORNER BOARDS (SIZES PER DETAILS) AS MANUF. BY JAMES
HARDIE BUILDINGS PRODUCTS, INC. - CUT TO FIT PER DETAIL
PRIMER: **
PAINT: WHITE

2A

HORIZONTAL SIDING
HARDIE PLANK CEMENT FIBER SIDING AS MANUFACTURED BY
JAMES HARDIE, INC. (888) 542-7343 (WWW.JAMESHARDIE.COM)
TEXTURE: "NAVAJO BEIGE" 8 1/4"W (7" EXPOSURE)
PRIMER: **
PAINT: BEIGE

2B

HORIZONTAL SIDING
HARDIE PLANK CEMENT FIBER SIDING AS MANUFACTURED BY
JAMES HARDIE, INC. (888) 542-7343 (WWW.JAMESHARDIE.COM)
TEXTURE: "WHITE" PANEL AND TRIMWORK

3

STANDING SEAM GALVALUME (NATURALLY WEATHERED GRAY
METAL ROOF) MANUF. SOUTHEASTERN METALS
MANUFACTURING CO., INC. N.O.A. No.16-0510.23

4A

SMOOTH STUCCO FINISH W/ REVEALS AS SHOWN (WHITE)

4B

SMOOTH STUCCO FINISH W/ REVEALS AS SHOWN (GRAY)
BENJAMIN MOORE SEA LIFE" (2118-40)

4C

SMOOTH STUCCO FINISH W/ REVEALS AS SHOWN (LIGHT GREY)
BENJAMIN MOORE "MISTY MEMORIES" (2118-60)

5

METAL TRIM & BRAKE METAL BRONZE-FINISHED ALUMINUM
TO MATCH CHEMETAL SATIN BRONZE #912

6

CORAL STONE
VENEERSTONE - "CORAL STONE" COLOR: BAHAMA

7

STOREFRONT GLAZING SYSTEM W/ N.O.A.

8

BRAND SIGNAGE

PEX-1

EXTERIOR PAINT - "DARK BRONZE" (SEE PAINT SCHEDULE)

PEX-11

PAINT - LIGHT TAN

PEX-12

EXTERIOR PAINT - "SW7674 PEPPERCORN"

KW-1

KNOTWOOD PREFINISHED ALUMINUM SIDING MATERIAL
"LIGHT OAK"

SF-1

STOREFRONT - "DARK BRONZE"

EXTERIOR SIGNAGE SCHEDULE

CA-54

INTERNALLY ILLUMINATED CAMEO 54"

WE-42

INTERNALLY ILLUMINATED WAVE 42" (WHITE OR RED
FACED)

AP-44

CREW DOOR DECAL

AP-45

"RING ME" SIGN

SITE NUMBER:	01948
BUILDING TYPE:	GLOBAL NEXT GEN 40
ASSET TYPE:	FREESTANDING
CLASSIFICATION:	NEW
OWNER:	COMPANY/FRANCHISE
BASE VERSION:	2022
UPGRADE CLASSIFICATION:	NEW BUILD
PROJECT YEAR:	2023
DESIGN TYPE:	GLOBAL
DRAWING RELEASE:	SPRING 2023

GROUP

CKE GROUP

INCORPORATED

17190 ROYAL PALM BOULEVARD
SUITE 2
WESTON, FLORIDA 33326
PHONE: (305) 558-4124
(954) 982-7211
FAX: (305) 826-0619

PROJECT TYPE: NEW
GLOBAL NEXT GEN 40

Eduardo L. Carcache, State of Florida,
Professional Engineer, License No. 31914.

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RECEIVED
11/14/24
PLANNING & ZONING

Wendy's

STORE # 01948
626 West Indian Town Rd.
Jupiter, Florida 33458

REV.	DATE	DESCRIPTION
▲		
▲		
▲		

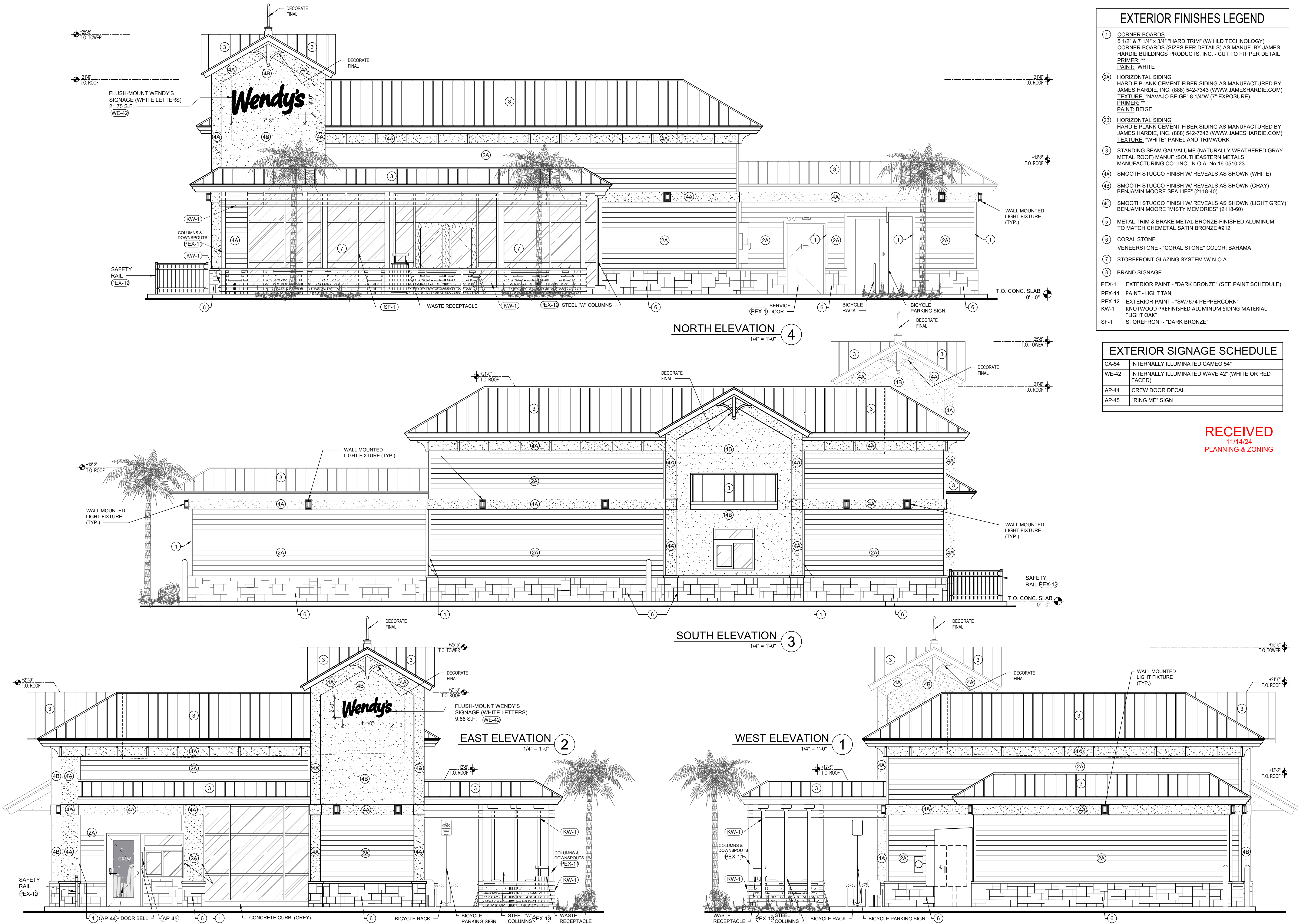
ISSUE DATE: 10/23/2024
PROJECT NUMBER: 1871
DRAWN BY: R. C.
CHECKED BY: E. C.

Eduardo L. Carcache

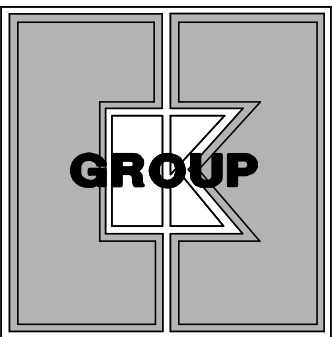
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No. 31914
STATE OF FLORIDA
PROFESSIONAL ENGINEER

SHEET NAME
EXTERIOR ELEVATIONS

SHEET NUMBER
A2.1



SITE NUMBER:	01948
BUILDING TYPE:	GLOBAL NEXT GEN 40
ASSET TYPE:	FREESTANDING
CLASSIFICATION:	NEW
OWNER:	COMPANY/FRANCHISE
BASE VERSION:	2022
UPGRADE CLASSIFICATION:	NEW BUILD
PROJECT YEAR:	2023
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CKE GROUP
INCORPORATED

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SUITE 2
WESTON, FLORIDA 33326
PHONE: (305) 558-4124
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PROJECT TYPE: NEW
GLOBAL NEXT GEN 40

Wendy's.
STORE # 01948
626 West Indian Town Rd.
Jupiter, Florida 33458

REV.	DATE	DESCRIPTION
▲		
▲		
▲		
▲		

ISSUE DATE: 10/23/2024
PROJECT NUMBER: 1871
DRAWN BY: R. C.
CHECKED BY: E. C.

SEAL

Eduardo L. Carcache, State of Florida,
Professional Engineer, License No. 31914.

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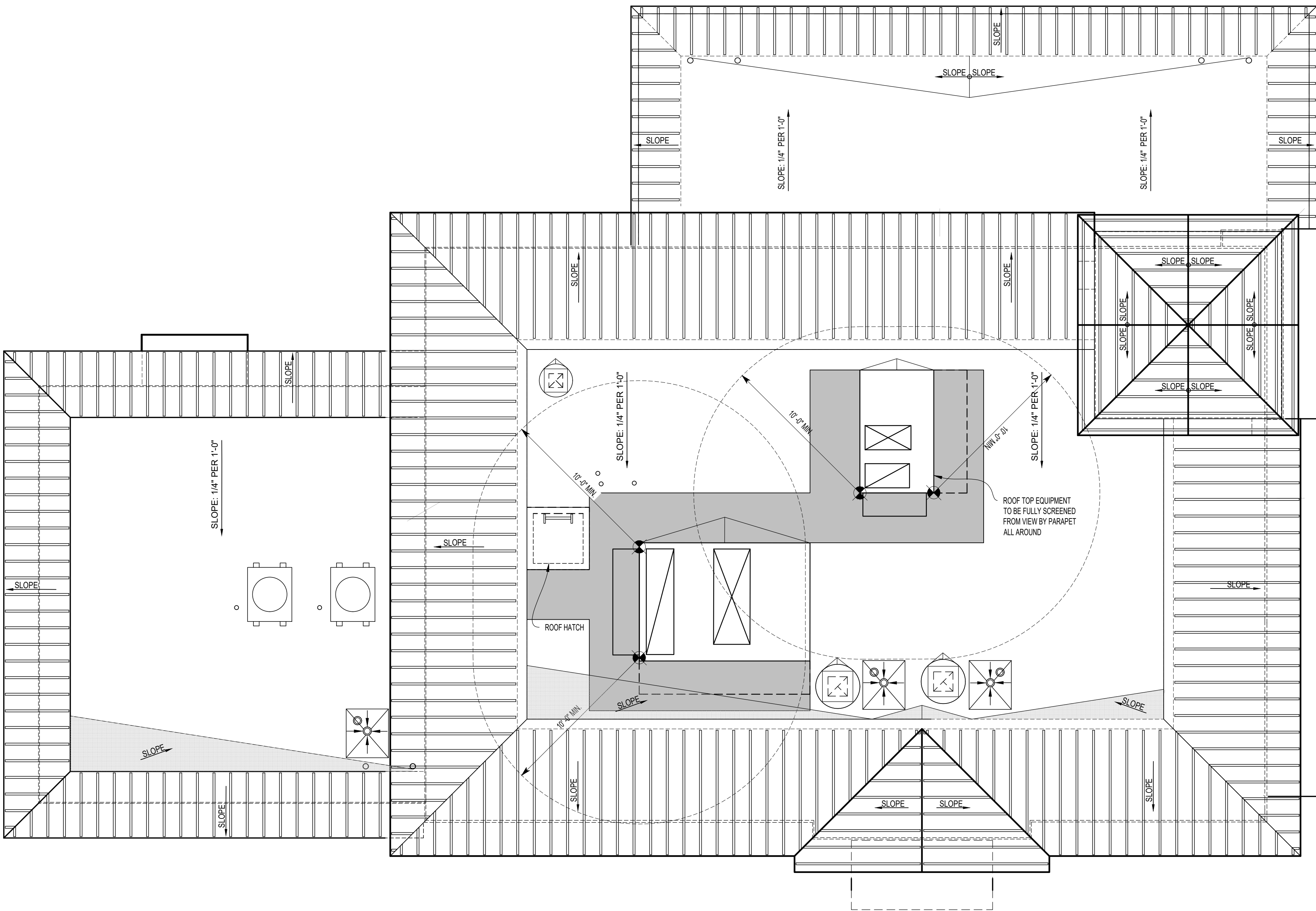
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ROOF PLAN

SHEET NUMBER

A1.3

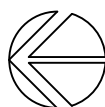
RECEIVED
11/14/24
PLANNING & ZONING



ROOF PLAN

1/4" = 1'-0"

1



W:\01_EL - NEW GROUND UP\1948 - JUPITER - (2022)0-ARCH\2024-NEW 30_GlobaNextGen-40_A1-3_Roof Plan\CORP.dwg, 11/5/2024 4:59:48 PM



CONCEPTUAL VIEW



CONCEPTUAL VIEW



CONCEPTUAL VIEW



CONCEPTUAL VIEW



CONCEPTUAL VIEW





CONCEPTUAL VIEW



CONCEPTUAL VIEW

Wendy's Restaurant
626 West Indiantown Road



Town Council Approval for Wendy's Site Plan Amendment
February 18, 2025

Presented by: Corporate Property Services, Inc.

Wendy's Request:

Resolution #5-25

PZ 24-6161

Request for Site Plan Amendment to remove and replace an existing nonconforming Wendy's restaurant with a drive thru.

Decrease Existing Site Nonconformities.

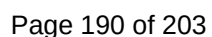
Enhance Vehicular & Pedestrian Access to and from site.

The proposed restaurant will be open and operational 6:00 AM to 1:30 AM Sunday thru Saturday.

Wendy's Improvements:

- 1. Demolish Existing Restaurant, Dumpster & Cooler Freezer/Area, and remove one-way in access of NEC of the site.**
- 2. Construct a 2,228 square foot Wendy's restaurant with a drive thru and 487 square feet of outdoor seating.**
- 3. Enhanced contemporary architectural design that complies w/IOZ Design Guidelines**
- 4. Enhanced Pedestrian connectivity and safe onsite circulation**
- 5. Increase in landscape area from 18.3% to 28.36%.**
- 6. Addition of an ADA connection to Indiantown Road where none exists today.**
- 7. Rework curb cut off Indiantown Road & curb cut at SEC in to comply with current standards.**
- 8. New proposed vehicular ingress/egress to Town's Municipal Complex with a 25' Public Access Easement.**
- 9. Reduction in daily traffic plus AM/PM peak hour traffic.**

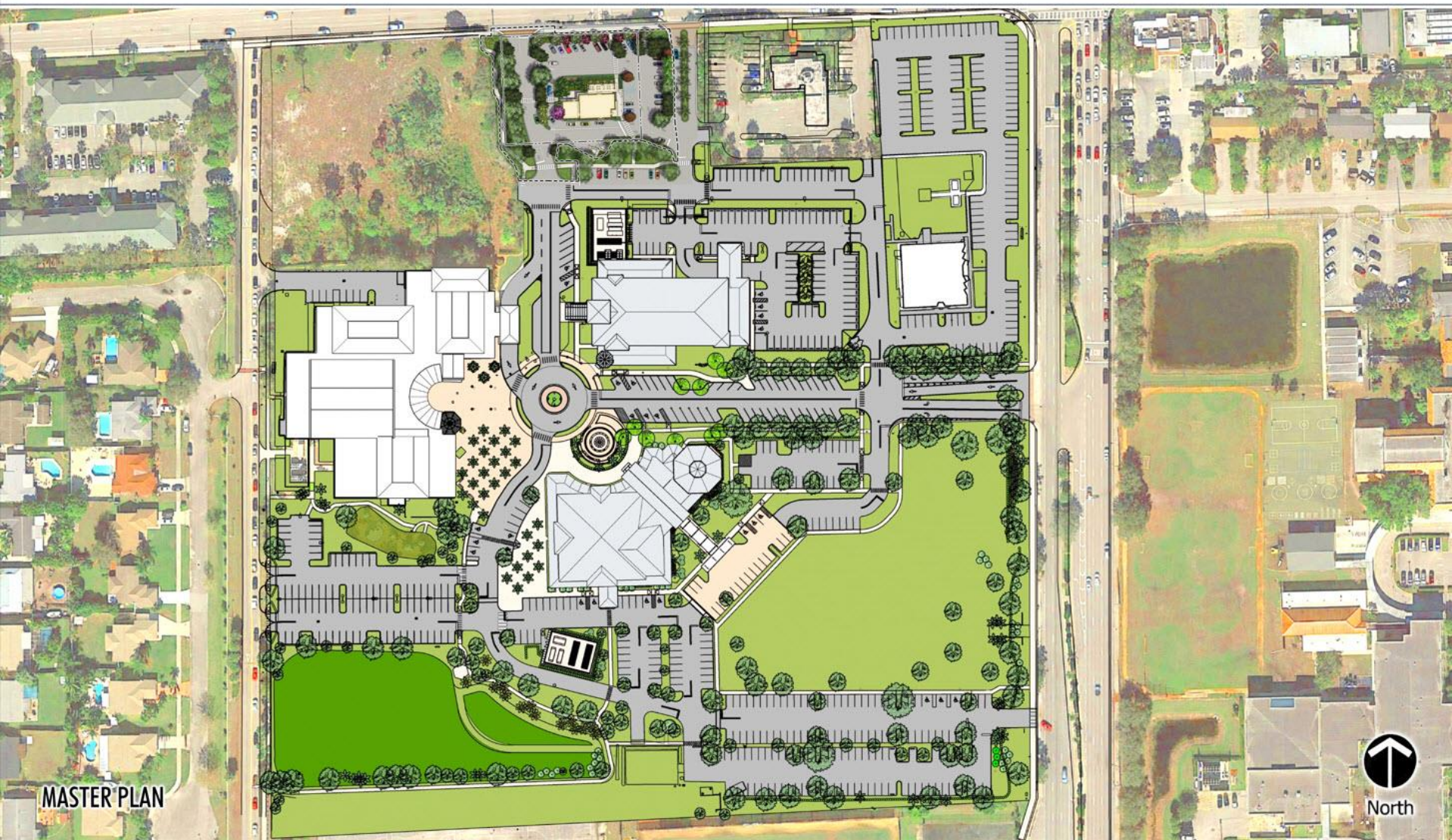
Philadelphia





SITE PLAN

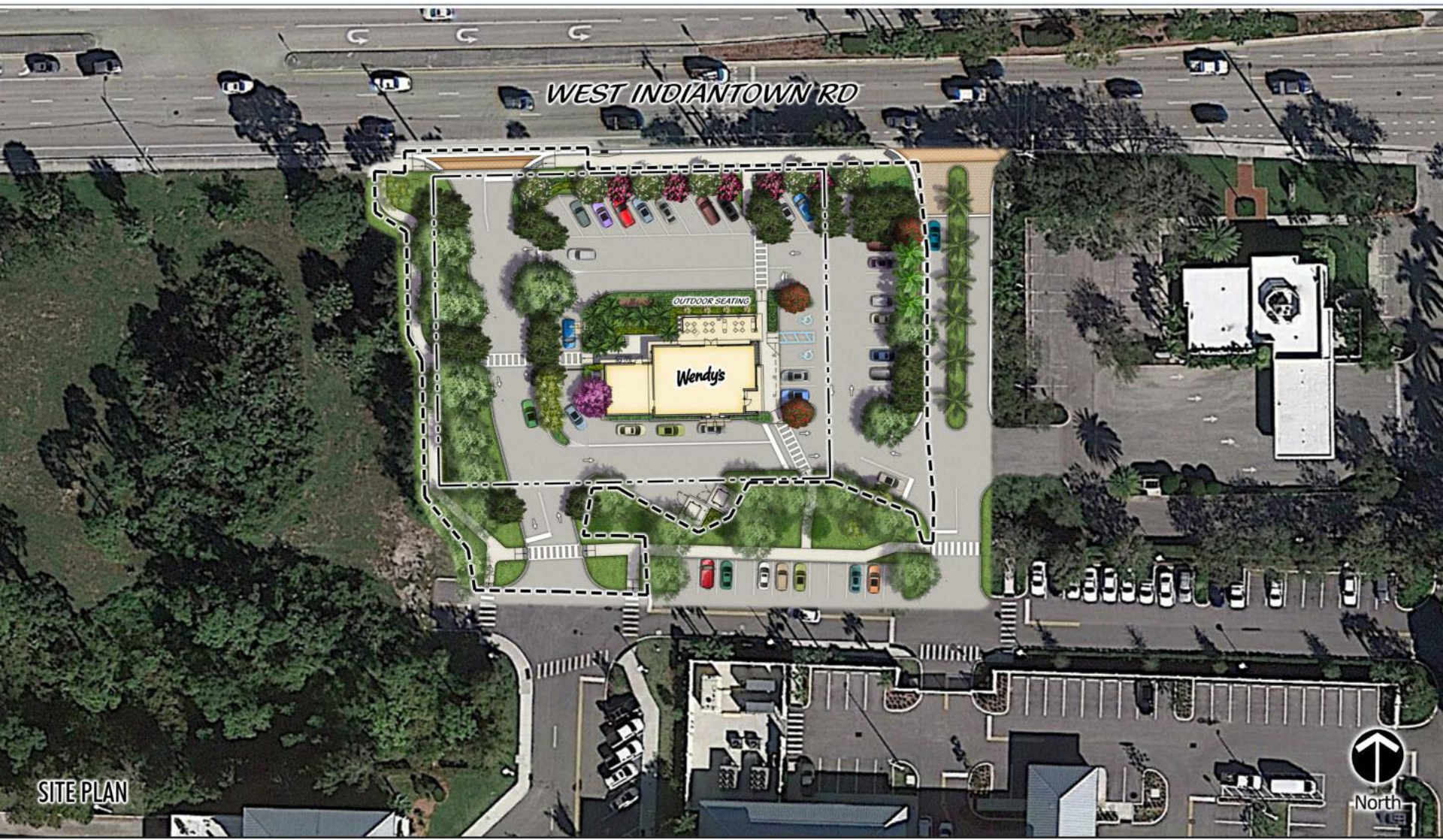
626 WEST INDIANTOWN RD
Jupiter, Florida



MASTER PLAN

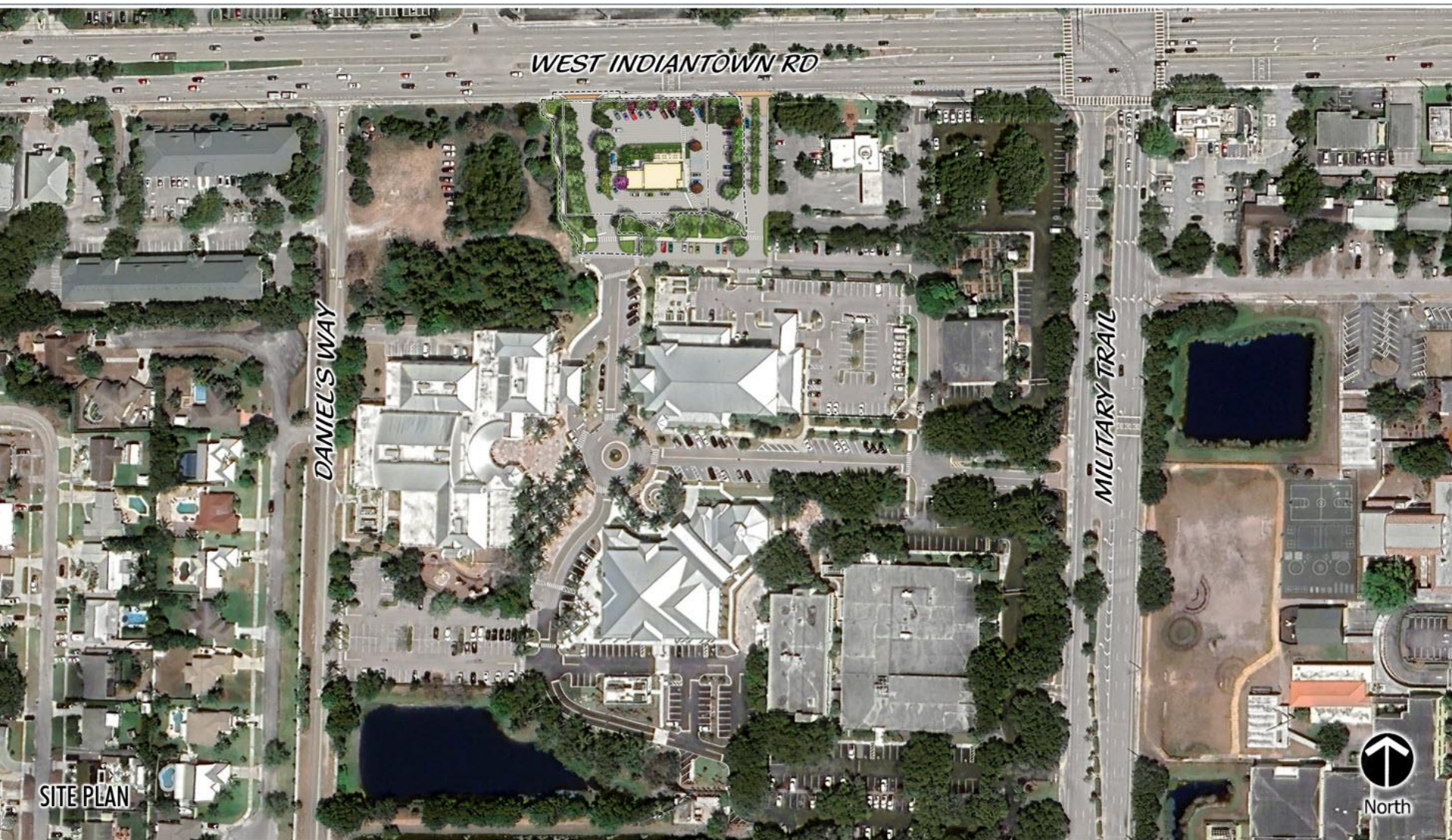


626 WEST INDIANTOWN RD
Jupiter, Florida

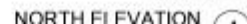


SITE PLAN

626 WEST INDIANTOWN RD
Jupiter, Florida



Architectural drawing of the North Elevation of a Wendy's restaurant. The drawing shows a two-story building with a gabled roof, large glass windows, and a stone base. Key features include a Wendy's sign, a covered patio area with columns, a service door, and a bicycle rack. Callouts identify various materials and components like 'FLUSH-MOUNT WENDY'S SIGNAGE', 'STEEL W/ COLUMNS', and 'BICYCLE RACK'. A north arrow is present in the top right corner.





View from Indiantown Road looking SE into the site



View from Indiantown Road looking SW into the site



View looking towards the outdoor seating area
(East & North Elevations)



View from SEC of the site looking NW into the site
(South & East elevations)



View of East elevation and outdoor seating area



View from NWC of the property showing drive thru lane



View showing pedestrian connection
from the Town's parking lot to the restaurant



Aerial view looking into the site.