

RESOLUTION NO R-84- 795

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE TOWN OF JUPITER TO REZONE PROPERTY AFTER ANNEXATION, PURSUANT TO §171.062, FLORIDA STATUTES, AND TOWN OF JUPITER RESOLUTION NO 36-83

WHEREAS, by its Resolution No. 36-83, the Town of Jupiter has requested permission from the Board of County Commissioners of Palm Beach County to Rezone the property described therein after Annexation of same into the Corporate Limits of the Town; and

WHEREAS, the property is currently zoned AR-Agricultural Residential District and is subject to County Land Use Controls, and

WHEREAS, the Town proposes to rezone the property to I-1 Industrial Park Zoning District, and

WHEREAS, the Comprehensive Land Use Plan identifies the subject site as having a Very Low to Low Residential Land Use Designation allowing for a density range of two (2) dwelling units per acre in a Standard Subdivision and three (3) dwelling units per acre in a P.U.D.

The site does not have a designation of either industrial or commercial potential

WHEREAS, the Planning, Zoning, and Building Department has reviewed the request and has determined that the proposed rezoning is inconsistent with the Comprehensive Land Use Plan designation for the subject area. Furthermore, the Traffic Performance Standards will be significantly impacted by the proposed development. However, the Developer has agreed to a set of conditions imposed by both the County and the Town of Jupiter in order to alleviate the impact projected upon the Traffic Performance Standards as follows

- 1 Completion of the four-laning of Central Boulevard for the Intersection of Toney Penna Drive south to the Indian Creek Development
- 2 Signalization of the Intersection of Toney Penna Drive and Central Boulevard.
- 3 A contribution of Five Thousand Dollars (\$5,000 00) for the signalization of Indian Creek Parkway and Military Trail.
- 4 Construction of an entry road to the project from Central Boulevard west to the project's entrance on the north side of the Loxahatchee River Environmental Control District's Property.

BOOK 343 321

5. ~~Payment by the Developer of a Ten Thousand Dollar (\$10,000.00) Recreational Impact Fee.~~

6. ~~Provision of a vegetated buffer along the I-95 corridor on the western boundary of the property.~~

7. ~~Adherence to the conditions represented to the developer of Indian Creek residential development with respect to special buffering requirements and limitations of usage on those parcels adjacent to the residential use~~

This list of conditions was approved by the Town Council of the Town of Jupiter in its regular Town Council Meeting of March 20, 1984. Through the above list of conditions, the projected Traffic Impact has been significantly decreased. There do not appear to be any problems with the provision of water and sewer service to the site and no environmental impacts are anticipated from the proposed development as indicated in the April 24, 1984 memorandum of the Planning Division, attached hereto and made a part hereof, and

~~WHEREAS, the Intergovernmental Coordination Element Section of the Palm Beach County Comprehensive Land Use Plan (Ordinance 80-8, as amended by Ordinances 81-27 and 82-26) provides that the Board of County Commissioners may find the proposed waiver request compatible with the Comprehensive Plan if the uses and/or densities proposed will have no significant impact upon County Systems, or such effect is mitigated by compliance with the Performance Standards; and~~

WHEREAS, Florida Statutes, §171.062, requires that when a City desires to rezone property which was previously subject to County Land Use Controls, that the City must request and receive permission for such change from the Board of County Commissioners of the respective County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT

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- 1 The foregoing recitals are hereby affirmed and ratified.
- 2 This Board finds that the rezoning proposed by the Town of Jupiter will have no significant impact upon County Systems.
- 3 The request of the Town of Jupiter in its Resolution No 86-83, attached hereto and made a part hereof, is hereby approved

R 84 795

The foregoing Resolution was sponsored by Commissioner Koehler who moved for its adoption. The motion was seconded by Commissioner Bailey, and, upon being put to a vote, the vote was as follows:

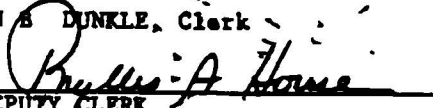
KENNETH G. SPILLIAS - AYE
DOROTHY H. WILKEN - AYE
PEGGY B. EVATT - ABSENT
DENNIS P. KOEHLER - AYE
BILL BAILEY - AYE

The Chairman thereupon declared the Resolution duly passed and adopted this 12th day of June, 1984.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS


COUNTY ATTORNEY

JOHN B. DUNKLE, Clerk
By 
DEPUTY CLERK

FILED THIS ... DAY OF
JUN 12 1984 .. 19
AND RECORDED IN RESOLUTION
MINUTE BOOK NO 343 AT
PAGE 321-339 RECORD VERIFIED
JOHN B. DUNKLE, CLERK
BY Linda M. Daniels dg

BOOK 343 323

R 84 795

Jean H. Beck
JAN 11 1983

A RESOLUTION OF THE TOWN OF JUPITER, FLORIDA, DIRECTED TO THE BOARD OF COUNTY COMMISSIONERS FOR PALM BEACH COUNTY PURSUANT TO THE INTER-GOVERNMENTAL COORDINATION ELEMENT OF THE PALM BEACH COUNTY COMPREHENSIVE PLAN, REQUESTING WAIVER OF THE PALM BEACH COUNTY PERFORMANCE STANDARDS AND DEVELOPMENT REGULATIONS ON THE PROPERTY OWNED BY JUPITER WEST INC. WHICH HAS BEEN ANNEXED INTO THE TOWN OF JUPITER.

WHEREAS, the Town of Jupiter has heretofore annexed the property owned and represented by Jupiter West Inc as hereinafter described into the Town of Jupiter; and,

WHEREAS, the Town of Jupiter has heretofore ammended the future Land Use Element of the Town's Comprehensive Plan to include the aforesaid property and,

~~WHEREAS, the Town of Jupiter has heretofore assigned a~~ zoning catagory to the said described land and,

WHEREAS, the Town of Jupiter desires to notify Palm Beach County that the aforesaid actions have now been completed and to request a waiver of the Palm Beach County performance standards and development regulations for said property, NOW THEREFORE,

BE IT RESOLVED BY THE TOWN COUNCIL
OF THE TOWN OF JUPITER, FLORIDA THAT

BOOK 343 324

Section 1. The factual matters related in the preamble hereof are hereby confirmed by the Town of Jupiter and a copy of each of the ordinances accomplishing same is attached hereto and made part hereof, duly certified by the Jupiter Town Clerk

Section 2 The Town of Jupiter hereby request that the Board of County Commissioners for Palm Beach County waive the Palm Beach County performance standards and development regulations imposed by Chapter 171 062 of the Florida Statute on the aforesaid property which is legally described in exhibit "A" attached hereto and made a part hereof in accordance with the procedures of the

0 8 1 7 0 5

Intergovernmental Coordination Element of the Palm Beach County

Comprehensive Plan.

Section 3. The Town Clerk is hereby directed to serve a certified copy of this resolution on the Chairman of the Board of County Commissioners for Palm Beach County

Section 4. This resolution will take effect immediately upon adoption

BOOK 343 325

R 24 795

The foregoing Resolution was offered by Council member

Edwin P. Pedersen, who moved its adoption. The motion was seconded by Council member Charles H. Johnston, and upon being put to a roll call vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>
Mayor, MARY D. HINTON	<u>✓</u>	—
Vice Mayor, EDWIN P. PEDERSEN	<u>✓</u>	—
Councilman, CHARLES ALTWEIN	<u>abs</u>	—
Councilman, CHARLES H. JOHNSTON	<u>✓</u>	—
Councilman, TERRY VERNER	<u>✓</u>	—

The Mayor thereupon declared the foregoing Resolution duly passed and adopted this 7th day of September, 1983.

(TOWN SEAL)

TOWN OF JUPITER, FLORIDA

BY Mary D. Hinton
MARY D. HINTON, MAYOR

ATTEST

Jean H. Beck
JEAN H. BECK, TOWN CLERK

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MINUTES
REGULAR COUNCIL MEETING

MARCH 20, 1984

Meeting was called to order by Mayor at 7:30 PM.

Prayer and Pledge of Allegiance

ROLL CALL: Present were Mayor Hinton, Vice Mayor Pedersen, Councilman Altwein, Councilman Johnston, Councilman Verner, Town Attorney, Town Engineer, Town Manager, Public Service Director and Town Clerk

Minutes of February 7, 1984 approved as circulated.

CORRESPONDENCE: Letter from League of Women Voters reference to soliciting funds in the Town.
Council had no comment.

PUBLIC BUSINESS- Michelle Hastings - 2594 Marcinski Road, thanked Town Staff for solving the traffic problem on Marcinski Road.

George Woodruff - 23 W. Beverly Road, thanked Council for action on Nichols Sanitation fees. Advised he is going to take Tequesta to court if they charge him while he is not in residence. Will be placed on Agenda when requested.

Irene Klewzeski - 755 Saturn St. - Thanked Staff for yellow line on Saturn Street.

Mayor acknowledged Scouts in audience from Troop 157. Mayor read letter from Federal Properties, Inc. They asked for postponement of item 2 & 3 in order that they may have more time for revisions

Councilman Altwein moved to continue Item # 2 until April 17th, seconded by Councilman Verner, passed unanimously

Councilman Altwein moved Item # 3 be postponed until April 17, 1984, seconded by Councilman Verner, passed unanimously.

Mayor read letter from Restigouche asking to be postponed until April 17, 1984 (#8 on Agenda). Councilman Altwein moved to postpone until April 17, 1984, seconded by Councilman Verner, passed unanimously.

Councilman Pedersen moved to add item #13 to the Agenda RE: Compensation for Town Clerk and Deputy Town Clerk.

PUBLIC HEARING

1) Ordinance 12-84.- Final reading - Pertaining to junked automobiles, wrecked and derelict property. (Subject of Workshop on March 19, 1984)

Mayor read Ordinance by title.

BOOK 343 327

The Attorney explained that pages 2 and 3 have been retyped (Time period changed from 120 to 90 days). Since there were some changes, Councilman Johnston moved to continue to 4/3/84, seconded by Councilman Pedersen Clerk polled Council as follows

PEDERSEN	ALTWEIN	JOHNSTON	VERNER	HINTON
Y N	Y N	Y N	Y N	Y N
■ □	□ ■	■ □	□ ■	■ □

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4) 75 - N - 84 - Dolphin Properties - Submitted by Dolphin Properties, P.O. Box 3609, Tequesta, Fla., for a Variance to the Parking Requirements for C-2. Located east of ALA abutting Marshal Street, south of Saturn Street.

Applicant was not present.

Councilman Verner moved to place at the end of Agenda in case the applicant is late. Motion died for lack of a second.

Mr. Davis gave background as to what the applicant is asking for. The property in question is located on Parkway Street just east of Parkway Plaza. It was permitted and approved as an office building and owned by Continental Shelf. Staff reviewed the building plans which was a use by right, parking was generated on the formula of one parking space per 200 sq. ft. which is ordinary office space. The owners of the building now under construction have been approached for use as a restaurant which changes the parking requirements to 1 for every 3 seats. They would not have enough parking for a 150 seat restaurant. The restaurant would not be open during the day and when the other businesses close at 5 o'clock there would be ample parking.

Planning and Zoning recommended denial because no hardship was proven

Councilman Pedersen moved that since the applicant was not present and Planning and Zoning and Staff recommended denial that Council deny the request, seconded by Councilman Altwein

Mrs Esther Driscoll spoke against the application.

Councilman Altwein asked Staff to investigate to see if the construction is being done according to approval given to them. Clerk polled Council.

VERNER	JOHNSTON	PEDERSEN	ALTWEIN	HINTON
YN	YN	YN	YN	YN
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5) Annexation - Jupiter West, Inc. - Submitted by Jupiter West, Inc, C/O Alan Ciklin, Atty. The Concourse, 2000 Palm Beach Lakes Blvd, West Palm Beach, Fla., 33409, requesting annexation of "outparcels" contiguous with Jupiter West, Inc.'s original annexation. Located just east of the Turnpike

Mr Ciklin stated these outparcels have since been acquired and added to the previous 95 acres annexed. The parcels will not be land locked in any way

Staff and Planning Zoning recommended approval. None of this property is part of I-95 R/W

Councilman Altwein moved to approve the Annexation, seconded by Councilman Verner, polled and passed as follows

BOOK 343 328

ALTWEIN	JOHNSTON	VERNER	PEDERSEN	HINTON
YN	YN	YN	YN	YN
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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ADJOURN PUBLIC HEARING - RECONVENE REGULAR COUNCIL MEETING

NEW BUSINESS:

6) Jupiter West, Inc Preliminary Site Plan Review - Submitted by Jupiter West, Inc. (address same as above) for Preliminary Site Plan Review. Consists of 97+ acres on western boundary of Town of Jupiter, bordered on west by Florida Turnpike.

Mr. Lennart Lindahl presented the plans. He explained that this falls under the Ordinance 4-78. The Town will supply the water to the area. LRECD will serve project with the sewer. Drainage will be South Indian River Water Control District. Water will be retained on site in conformance with SFWM regulations. Entrance to the park will be from the road which services LRECD premises. The developers have worked with the County and the Town on the project. The conclusion of this cooperation is that in order to mitigate traffic impact they have planned and programmed the balance of 4 laning on Central Blvd. from Toney Penna. Additionally he has agreed to construct fully signalized intersection where his project intersects Central Blvd and also agreed to give \$5,000 contribution for signalization at Indian Creek Parkway and Military Trail.

Mr. Eduardo Santella, ASWA Group, presented the Landscape Plan. Entrance from Central Blvd. will have a lake and plantings. Following along the road along I-95 have placed trees and plantings. There will be buffer between golf course in Indian Creek with wall and plantings. There will be guidelines set for each parcel as it is developed. All the requirements exceed the code of the Town.

The roads will be dedicated to the Town. The roads will be designed to handle the Industrial traffic. Based on type of traffic and specifications of roads they would probably not need any servicing for 15 years.

Mr. Lindahl explained that the only clearing will be the corridors for the utilities - roads, water, sewer, etc. This is the first Industrial Subdivision to come to Town in many years. These roads will be 50' or 60'. The developer will build roadway and infrastructure then open to the public.

Staff and Planning Zoning Commission recommended approval providing \$20,000 be escrowed (\$500 per lot) for recreational purposes. Planning Zoning asked that final site plan be submitted to them for approval. The developer feels that there is an ambiguity in Section 4.12 of the Subdivision Ordinance regarding recreational facilities. Since there will not be anyone living in this area, it would not apply except in residential areas.

The Town Attorney feels this is a matter of interpretation and Council should determine the matter.

Councilman Altwein made motion to approve this concept subject to Staff recommendation and modifying fee to \$250 instead of \$500 for recreation, that they have a more detailed landscape plan and final plans submitted to Planning Zoning, seconded by Councilman Verner.

Under discussion Councilman Verner asked them to consider vegetative buffer along I-95 and to keep as much vegetation as possible.

Mr. Altwein asked that they consider paving blocks when development starts.

Mayor asked that Indian Creek Development be contacted to coordinate the landscape plan. Councilman Pedersen supported Staff in \$20,000 for recreation.

Councilman Altwein added the stipulation that the recreation fees be paid when building permits are pulled, second accepted this addition to the motion.

Clerk polled the Council as follows:

JOHNSTON	VERNER	ALTWEIN	PEDERSEN	HINTON
YN	YN	YN	YN	YN
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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7) Maplewood, Parcel "C" Consideration to approve final Engineering Plans.

Mr. L. Lindahl explained that this was an adjunct of Phase I. Golf course is under construction. There are 22.7 acres and 208 units in this parcel. They have submitted to Staff and their recommendations have been addressed.

Councilman Pedersen moved approval of this project, seconded by Councilman Altwein. Polled and passed.

PEDERSEN	ALTWEIN	JOHNSTON	VERNER	HINTON
YN	YN	YN	YN	YN
■□	■□	■□	■□	■□

8) Maplewood, M-9 Plans - Consideration to approve final Engineering Plans

This item was postponed at request of applicant until April 17, 1984 Council concurred.

9) Summer Winds - Council consideration to approve Plat

Mr. David Goetz of Lindahl, Browning, Ferrari and Hallstrom presented the plat This is 54 residential units with fee simple sub lots They have addressed Staffs recommendations

Staff recommended approval of plat. Staff will meet with Developer reference to trees to be retained on premises. There will be 27' separation from north boundary line and the face of the building

Councilman Verner moved to approve the plat of Summer Winds, seconded by Councilman Altwein, polled and passed.

ALTWEIN	JOHNSTON	PEDERSEN	VERNER	HINTON
YN	YN	YN	YN	YN
■□	■□	■□	■□	■□

10) Resolution 14-84 - Approving Water Agreement between Town of Jupiter and Summer Winds Development Resolution was read by title by Mayor Hinton.

Councilman Altwein moved to approve the Agreement, seconded by Councilman Verner, polled and passed.

JOHNSTON	VERNER	ALTWEIN	PEDERSEN	HINTON
YN	YN	Y N	Y N	YN
■□	■□	■□	■□	■□

11) Easements for Water Wells - Easements are located in Subdivision of Tropic Vista located north of County Line Road.

Mr Herbert Biggs, P.O. Box 3025, Jupiter, Fla. 33458, is asking for release of easements as they are located on land he has purchased and is developing.

These easements were purchased by Jupiter Inlet Colony and the Town of Jupiter when it was thought they would need them for well sites to

develop water source for the community The property was conveyed to Group W who in turn conveyed to Mr. Biggs. In order to get a clear title, Mr. Biggs, must obtain the easements. 343 330

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The Director of Water Plant for Jupiter feels that the Town cannot use them. First, because the wells in that area have experienced salt water intrusion and secondly, South Florida Water Management would not give permits to withdraw water from that area.

Inlet Colony has accepted \$1,000 per lot with drilling rights on Lot #8.

Councilman Pedersen moved to accept \$1,000 per lot same as paid to Inlet Colony, seconded by Councilman Johnston, polled and passed

PEDERSEN	ALTWEIN	JOHNSTON	VERNER	HINTON
YN	YN	YN	YN	YN
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12) Budget Amendments - Mid Year adjustments to 1983-84 Budget.
 Council perused the amendments:

G-001, G-002, G-003, G-004, G-005, G-006, G-007,
 G-008, F-002

Mr. Roach explained this is taking the encumbrances that were on hand on September 30 and increased total budget by that amount. This is not an indication that any of the items are in the hole but to properly record items encumbered against the last fiscal year that were not paid within that budget year. This is a required amendment to the budget.

Councilman Verner moved to approve 001,002,003,004,005,007,F-002, 008 with exclusion of travel and per diem and mosquito control, seconded by Councilman Pedersen. Polled and passed

VERNER	JOHNSTON	ALTWEIN	PEDERSEN	HINTON
YN	YN	YN	YN	YN
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

13) Approval of Compensation for Town Clerk for Acting Town Manager.

Councilman Pedersen moved that Mrs. Beck receive \$1,000, seconded by Councilman Altwein. Polled and passed.

ALTWEIN	JOHNSTON	VERNER	PEDERSEN	HINTON
YN	YN	YN	YN	YN
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Verner moved to approve \$250 for Deputy Clerk, seconded by Mayor Hinton. Polled by Clerk as follows:

JOHNSTON	VERNER	PEDERSEN	ALTWEIN	HINTON
YN	YN	YN	YN	YN
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BOOK 343 331

R 84 795

REPORTS: TOWN ATTORNEY

Attorney Skrandel has put together an Ordinance to regulate rather than prohibit the situation faced by the Town with the Burg and DiVosta Development. It follows the provisions that were given to Burg and DiVosta by the Town Manager and directly related to protecting those people who were assembled and assuring there was health, shelter and sanitation facilities. Staff wanted to protect the people and calls for certain commitments on part of the applicant, application for permits and payments of fee.
 Town Manager recommended it be approved on first reading.
 Councilman Pedersen moved to approve Ordinance 19-84 on first reading, seconded by Councilman Verner. Polled and passed.

PEDERSEN	ALTWEIN	JOHNSTON	VERNER	HINTON
YN	YN	YN	YN	YN
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

TOWN ENGINEER

County Commission voted funds for Indiantown Road from U.S.#1 to Alt. A1A.
 ENCON is asking the Town to participate in overlay of Center Street. (\$20,000 estimated total cost). Consensus of Council was to ask ENCON to correct Eastview Manor
 Asked Council to have Attorney compose Resolution in favor of railroad crossing along with the Town, County and DOT
 Jupiter Inlet District - has asked Town to join in improvements (undefined) in the area of Dover Ditch. Tequesta had agreed to cooperate with the County to maintain it.

COUNCIL REMARKS

Mayor Hinton - County would like letter from Town to get the speed limit lowered in Jupiter Village (Central Blvd., Toney Penna) and Indian Creek - Need to take to Traffic Committee.

Resolution 15-84 opposing anything that would have an adverse effect on home rule.

Councilman Verner moved to approve Resolution 15-84, seconded by Councilman Altwein, polled and passed.

PEDERSEN	ALTWEIN	JOHNSTON	VERNER	HINTON
YN	YN	YN	YN	YN
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

BOOK 343 332

Councilman Pedersen - Met last week on Civic Center - estimates approximately \$25,000. Details will be forthcoming.

Johnston Park plan is going back to Beautification Committee. They are going to plant two (2) trees and then get estimates on a single pod

R 84

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Inter-Office Communication

PALM BEACH COUNTY

TO Robert Basehart
Executive Director
FROM Richard Morley
Principal Planner
RE Town of Jupiter, Request for Waiver of County Zoning,
Resolution #36-83, 95 acres, Jupiter Industrial Park of Commerce

DATE April 24, 1984
FILE

As you will recall on October 17, 1983, an annexation report concerning the above subject matter was submitted to you for Board action. When the request for waiver of County Zoning from the Town was presented to the Board of County Commissioners at their workshop meeting of November 17, 1983, the Board elected to deny the request based upon the following staff concerns:

- 1 Industrial land use for the site was not consistent with the County's Comprehensive Plan.
- 2 The site does not have direct access to a major thoroughfare.
- 3 The proposal is a Category A project which will have a significant impact on Central Boulevard, Indiantown Road and Military Trail.
4. Roadway improvements necessary to offset the project's traffic impacts were not addressed.

At that time the Board agreed to reconsider the request if the Town, County and the owners of the property jointly initiated a road improvement program to offset traffic impacts and other associated land use problems

Recently, Town officials and owners of the property met with County officials to discuss improvements to be made by the Jupiter Park of Commerce to mitigate traffic impacts from the project. Town officials informed the Planning Staff that on March 20, 1984, the owners of the property appeared before the Jupiter Town Council for site plan approval and at that time indicated their willingness to accept the recommendations of the County Traffic Division which are as follows:

1. Complete the four-laning of Central Boulevard for the intersection of Toney Penna Drive southward to the Indian Creek development.
- 2 Signalize the intersection of Toney Penna Drive and Central Boulevard
- 3 Agreed to a five thousand dollar (\$5,000 00) contribution for signalization at the intersection of Indian Creek Parkway and Military Trail
- 4 Agreed to cause to have constructed an entry road to the project from Central Boulevard westward to the project's entrance on the north side of the Loxahatchee River Environmental Control District's property
- 5 Payment of a ten thousand dollar (\$10,000 00) recreational impact fee

SIGNED

R 84

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BOOK 343 334

Robert Basehart
April 24, 1984
Page 2

- 6 Provide a vegetated buffer along the I-95 corridor on the westerly boundary of the property.
7. Adherence to the conditions represented to the developer of Indian Creek residential development with respect to special buffering requirements and limitations of useage on those parcels adjacent to the residential useage.

The Jupiter Town Council by a 4-1 vote approved the project as stated in the enclosed minutes dated March 20, 1984.

Recommendation

Through a joint effort between the Town of Jupiter, Palm Beach County and the owner of the property many of the impacts from the proposed industrial development have been significantly addressed to allow the project to move forward. Hence, the Planning Division recommends approval of the Waiver of County Zoning to the Town of Jupiter under Chapter 171.062 F.S.



RM cjs
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R-4 ✓ 795

BOOK 343 335

Inter-Office Communication

PALM BEACH COUNTY

*denied
by BCC*

TO Stan Redick
Planning Director
FROM Richard Morley
Principal Planner
RE Annexation/Rezoning and Waiver Request - Town of Jupiter
Resolution No 36-83

DATE October 17, 1983
FILE

The Planning Division has reviewed the above waiver request under Chapter 171 062 Florida Statutes and offer the following comments.

Background Information

The Town of Jupiter has recently annexed 95 acres of land located contiguous to the west boundaries of the Town, between the Florida Turnpike and Indian Creek Development, one-half mile south of Indiantown Road. (See enclosed location map). The Town has zoned the property I-1, Industrial Park Zoning District and changed the Comprehensive Plan to reflect "Light Industrial". The property was subject to "straight zoning" without a development plan for the site. It appears the Town of Jupiter has heavily endorsed and supported industrial use for this property.

Land Use Plan Designation and Zoning District

- a) The subject site is presently zoned AR by the County
- b) The Town has recently rezoned the property to I-1, Industrial Park Zoning District
- c) There is a significant difference between the County's AR Zone and the City's I-1, Industrial Park Zoning District.
- d) The County's Land Use Plan identifies the subject annexed site as having a Very Low to Low Land Use Designation allowing for 2 units per acre in a standard subdivision and 3 units per acre in a PUD. The Comprehensive Plan does not designate either commercial or industrial potential for the property. With regard to Performance Standards, there does not appear to be any problem providing water and sewer service to the site and no environmental impacts are anticipated from the proposed development. As the traffic analysis indicates there may be problems meeting the Traffic Performance Standard

Traffic Performance Standard Evaluation

- 1 The site does not have direct access to major thoroughfares and is restricted to the north by the C-18 Canal and on the west by the proposed I-95 alignment. Access to the County's thoroughfare system would be from Central Boulevard which is located approximately 1/2 mile to the east.

R 84 795

SIGNED _____

BOOK 43 336

*Denied by
BCC*

Stan Redick
October 17, 1983
Page 2

2. The external trip generation from the 95 acre industrial site is 5,700 ADT (60 trips/acre). The site will have significant impact on Central Boulevard, Indiantown Road and Military Trail.
3. Under the provisions of Ordinance 81-6, the Jupiter Industrial tract is a category "A" project which will have a significant impact on County systems. The project will impact Indiantown Road and Military Trail which currently exceed level of service "D".

Waiver Determination

It appears that the Town's I-1 Industrial Park Zoning is not consistent with the Very Low to Low Land Use Designation in the County's Comprehensive Plan nor is there any "Industrial Potential" identified in the Land Use Plan for the subject site. Further, the Traffic Performance Standard CANNOT be met as the proposal does not address traffic impact improvements necessary to offset this Category "A" project. The project will have a significant impact on Central Boulevard, Indiantown Road and Military Trail

Recommendation

Since the proposal is not consistent with the County's Land Use Designation of Very Low to Low Residential and there are no provisions to off set traffic impacts from this Category "A" project, without which the project will have a significant impact on County systems, it is recommended that the Town's requested waiver of County Zoning be denied under Chapter 171.062 Florida Statutes.

Richard F. McCoy

RM cjs
Encl

R 84 795
BOOK 243 337

Section 2. The Town of Jupiter hereby request that the

Client's file - 32087

Board of County Commissioners

Ken Spillias, Chairman
Dorothy Wilken, Vice Chairman
Peggy B. Evatt
Dennis P. Kochler
Bill Bailey

County Administrator
John C. Sansbury

Department of Engineering
and Public Works
H. F. Kahlert
County Engineer

March 21, 1984



Mr. Alan J. Ciklin
Boose, Ciklin & Martens
Eighth Floor, The Concourse
2000 Palm Beach Lakes Blvd.
West Palm Beach, Florida 33409

SUBJECT Jupiter Park of Commerce/Palm Beach County
Performance Standards

Dear Mr. Ciklin:

This is in response to your letter of February 21, 1984, requesting that I give you my position concerning the proposed improvements to be made by the Jupiter Park of Commerce to mitigate their traffic impacts from this project.

The road improvements which you propose in your letter would be beneficial to the road system in mitigating traffic impacts from this project. However, it is questionable that these improvements would meet the literal interpretation of Palm Beach County's traffic performance standards, given the existing volumes on Indiantown Road and the fact that there are no programs or funded improvements to Indiantown Road in this area.

I personally do not oppose the Board's waiver of the two-year waiting period concerning this property if an agreement is entered into committing the developer to the roadway improvements as outlined in your letter. I would still request that a two year timeframe be maintained for construction of Central Boulevard.

The Board of County Commissioners has a broad discretion in the interpretation and application of the performance standards, and obviously they will make the final determination in this matter.

If you have any further questions, please do not hesitate to contact this Office

Sincerely,

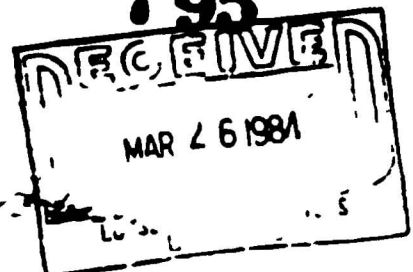
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OFFICE OF THE COUNTY ENGINEER


Charles R. Walker, Jr., P.E.
Director, Traffic Division

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