



TOWN OF JUPITER

July 24, 2014

Mr. Ray Eubanks
State Land Planning Agency
Florida Department of Economic Opportunity
Caldwell Building
107 East Madison – MSC 160
Tallahassee, Florida 32399

RE: Adopted Amendments to the Town of Jupiter's Comprehensive Plan - Round 2014-01

Dear Mr. Eubanks:

Attached please find:

- One (1) paper copy
- Two (2) copies on a CD-ROM in a Portable Document Format (PDF) of two (2) Future Land Use Map amendments

Pursuant to Section 163.3184(3)(a), Florida Statutes, the Town of Jupiter is transmitting copies of the adopted amendments to the Treasure Coast Regional Planning Council (TCRPC), the South Florida Water Management District (SFWMD), the Florida Department of Environmental Protection (FDEP), the Florida Department of Transportation (FDOT) and the Florida Department of State (FDOS). The Town's 2014-01 round of Comprehensive Plan amendments are subject to the expedited state review process, pursuant to Section 163.3184(3), Florida Statutes.

The Jupiter Town Council held a public hearing on the Comprehensive Plan amendments on July 15, 2014, at which time the proposed 2014-01 Comprehensive Plan Future Land Use Map Amendments were adopted without any changes.

A brief description of the amendments is as follows:

Comprehensive Plan Amendment A – Future Land Use Map (FLUM) amendment (Ordinance #43-13) - To change the land use designation from Commercial with the Bioscience Research Protection Overlay to Low Density Residential for 25.1+/- acres, in Parcel H of the Parcel 19 North – PUD Plat, approximately 2,300 feet north of Indiantown Road.

Comprehensive Plan Amendment B – Future Land Use Map (FLUM) amendment (Ordinance #45-13) - To change the land use designation from Low Density Residential to Commercial with the Bioscience Research Protection Overlay on 3.8+/- acres, in Parcel B of the Parcel 19 North – PUD Plat, located along the north side of Indiantown Road.

The local contact person for information on the amendments is as follows:

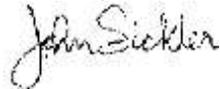
David M. Kemp, AICP
Principal Planner
Department of Planning and Zoning

Mr. Ray Eubanks
July 24, 2014
Page 2

Town of Jupiter
210 Military Trail
Jupiter, Florida 33458
(561) 741- 2452 (phone)
(561) 744-3116 (Fax)
davidk@jupiter.fl.us

If you have any further comments or questions, please feel free to contact David Kemp at your earliest convenience.

Sincerely,



John R. Sickler, AICP
Director of Planning and Zoning
Town of Jupiter

Cc: Stephanie A. Thoburn, Assistant Director of Planning and Zoning (via e-mail)
(w/o Attachments)
George Gentile, Gentile Glas Holloway O'Mahoney & Associates, Inc.
James W. Beasley, Jr., Intervener

Attachments:

Transmittal Letter to Michael J. Busha, TCRPC
Transmittal Letter to Gerry O'Reilly, FDOT
Transmittal Letter to Terry Manning, SFWMD
Transmittal Letter to Chris Stahl, FDEP
Transmittal Letter to Deena Woodward, FDOS
2014-01 Town Comprehensive Plan Amendments

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TOWN OF JUPITER

July 24, 2014

Mr. Michael J. Busha, AICP
Executive Director
Treasure Coast Regional Planning Council
421 S.W. Camden Avenue
Stuart, FL 34994

RE: Adopted Amendments to the Town of Jupiter's Comprehensive Plan - Round 2014-01

Dear Mr. Busha:

Attached please find:

- One (1) copy on a CD-ROM in a Portable Document Format (PDF) of two (2) Future Land Use Map amendments

Pursuant to Section 163.3184(3)(a), Florida Statutes, the Town of Jupiter is transmitting copies of the adopted amendments to the Florida Department of Environmental Protection (FDEP), the Florida Department of Transportation (FDOT), the South Florida Water Management District (SFWMD), and the Florida Department of State (FDOS). The Town's 2014-01 round of Comprehensive Plan amendments are subject to the expedited state review process, pursuant to Section 163.3184(3), Florida Statutes.

The Jupiter Town Council held a public hearing on the Comprehensive Plan amendments on July 15, 2014, at which time the proposed 2014-01 Comprehensive Plan Future Land Use Map Amendments were adopted without any changes.

A brief description of the amendments is as follows:

Comprehensive Plan Amendment A – Future Land Use Map (FLUM) amendment (Ordinance #43-13) - To change the land use designation from Commercial with the Bioscience Research Protection Overlay to Low Density Residential for 25.1+/- acres, in Parcel H of the Parcel 19 North – PUD Plat, approximately 2,300 feet north of Indiantown Road.

Comprehensive Plan Amendment B – Future Land Use Map (FLUM) amendment (Ordinance #45-13) - To change the land use designation from Low Density Residential to Commercial with the Bioscience Research Protection Overlay on 3.8+/- acres, in Parcel B of the Parcel 19 North – PUD Plat, located along the north side of Indiantown Road.

The local contact person for information on the amendments is as follows:

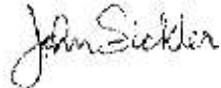
David M. Kemp, AICP
Principal Planner
Department of Planning and Zoning
Town of Jupiter
210 Military Trail
Jupiter, Florida 33458

Mr. Michael J. Busha
July 24, 2014
Page 2

(561) 741- 2452 (phone)
(561) 744-3116 (Fax)
davidk@jupiter.fl.us

If you have any further comments or questions, please feel free to contact David Kemp at your earliest convenience.

Sincerely,



John Sickler
Director of Planning and Zoning
Town of Jupiter

Cc: Stephanie A. Thoburn, Assistant Director of Planning and Zoning (via e-mail)
(w/o Attachments)
George Gentile, Gentile Glas Holloway O'Mahoney & Associates, Inc.
James W. Beasley, Jr., Intervener

Attachments:

Transmittal Letter to Ray Eubanks, DEO
2014-01 Town Comprehensive Plan Amendments (CD-ROM format)

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TOWN OF JUPITER

July 24, 2014

Mr. Gerry O'Reilly, Director of Production and Planning
Florida Department of Transportation, District Four
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

RE: Adopted Amendments to the Town of Jupiter's Comprehensive Plan - Round 2014-01

Dear Mr. O'Reilly:

Attached please find:

- One (1) copy on a CD-ROM in a Portable Document Format (PDF) of two (2) Future Land Use Map amendments

Pursuant to Section 163.3184(3)(a), Florida Statutes, the Town of Jupiter is transmitting copies of the adopted amendments to the Treasure Coast Regional Planning Council (TCRPC), the Florida Department of Environmental Protection (FDEP), the South Florida Water Management District (SFWMD), and the Florida Department of State (FDOS). The Town's 2014-01 round of Comprehensive Plan amendments are subject to the expedited state review process, pursuant to Section 163.3184(3), Florida Statutes.

The Jupiter Town Council held a public hearing on the Comprehensive Plan amendments on July 15, 2014, at which time the proposed 2014-01 Comprehensive Plan Future Land Use Map Amendments were adopted without any changes.

A brief description of the amendments is as follows:

Comprehensive Plan Amendment A – Future Land Use Map (FLUM) amendment (Ordinance #43-13) - To change the land use designation from Commercial with the Bioscience Research Protection Overlay to Low Density Residential for 25.1+/- acres, in Parcel H of the Parcel 19 North – PUD Plat, approximately 2,300 feet north of Indiantown Road.

Comprehensive Plan Amendment B – Future Land Use Map (FLUM) amendment (Ordinance #45-13) - To change the land use designation from Low Density Residential to Commercial with the Bioscience Research Protection Overlay on 3.8+/- acres, in Parcel B of the Parcel 19 North – PUD Plat, located along the north side of Indiantown Road.

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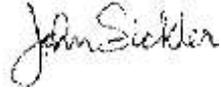
David M. Kemp, AICP
Principal Planner
Department of Planning and Zoning
Town of Jupiter
210 Military Trail
Jupiter, Florida 33458
(561) 741- 2452 (phone)

Mr. Gerry O'Reilly
July 24, 2014
Page 2

(561) 744-3116 (Fax)
davidk@jupiter.fl.us

If you have any further comments or questions, please feel free to contact David Kemp at your earliest convenience.

Sincerely,



John Sickler
Director of Planning and Zoning
Town of Jupiter

Cc: Stephanie A. Thoburn, Assistant Director of Planning and Zoning (via e-mail)
(w/o Attachments)
James W. Beasley, Jr., Intervener

Attachments:

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TOWN OF JUPITER

July 24, 2014

Terry Manning, AICP
Senior Planner
Intergovernmental Coordination Section
South Florida Water Management District
3301 Gun Club Road, MSG 2640
West Palm Beach, Florida 33406

RE: Adopted Amendments to the Town of Jupiter's Comprehensive Plan - Round 2014-01

Dear Ms. Manning:

Attached please find:

- One (1) copy on a CD-ROM in a Portable Document Format (PDF) of two (2) Future Land Use Map amendments

Pursuant to Section 163.3184(3)(a), Florida Statutes, the Town of Jupiter is transmitting copies of the adopted amendments to the Treasure Coast Regional Planning Council (TCRPC), the Florida Department of Transportation (FDOT), the Florida Department of Environmental Protection (FDEP), and the Florida Department of State (FDOS). The Town's 2014-01 round of Comprehensive Plan amendments are subject to the expedited state review process, pursuant to Section 163.3184(3), Florida Statutes.

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A brief description of the amendments is as follows:

Comprehensive Plan Amendment A – Future Land Use Map (FLUM) amendment (Ordinance #43-13) - To change the land use designation from Commercial with the Bioscience Research Protection Overlay to Low Density Residential for 25.1+/- acres, in Parcel H of the Parcel 19 North – PUD Plat, approximately 2,300 feet north of Indiantown Road.

Comprehensive Plan Amendment B – Future Land Use Map (FLUM) amendment (Ordinance #45-13) - To change the land use designation from Low Density Residential to Commercial with the Bioscience Research Protection Overlay on 3.8+/- acres, in Parcel B of the Parcel 19 North – PUD Plat, located along the north side of Indiantown Road.

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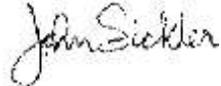
David M. Kemp, AICP
Principal Planner
Department of Planning and Zoning
Town of Jupiter
210 Military Trail

Ms. Terry Manning
July 24, 2014
Page 2

Jupiter, Florida 33458
(561) 741- 2452 (phone)
(561) 744-3116 (Fax)
davidk@jupiter.fl.us

If you have any further comments or questions, please feel free to contact David Kemp at your earliest convenience.

Sincerely,



John Sickler
Director of Planning and Zoning
Town of Jupiter

Cc: Stephanie A. Thoburn, Assistant Director of Planning and Zoning (via e-mail)
(w/o Attachments)
James W. Beasley, Jr., Intervener

Attachments:

Transmittal Letter to Ray Eubanks, DEO
2014-01 Town Comprehensive Plan Amendments (CD-ROM format)

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TOWN OF JUPITER

July 24, 2014

Florida Department of Environmental Protection
Office of Intergovernmental Programs
Att: Mr. Chris Stahl
3900 Commonwealth Boulevard, Mail Station 47
Tallahassee, Florida 32399-3000

RE: Adopted Amendments to the Town of Jupiter's Comprehensive Plan - Round 2014-01

Dear Mr. Stahl:

Attached please find:

- One (1) copy on a CD-ROM in a Portable Document Format (PDF) of two (2) Future Land Use Map amendments

Pursuant to Section 163.3184(3)(a), Florida Statutes, the Town of Jupiter is transmitting copies of the adopted amendments to the Treasure Coast Regional Planning Council (TCRPC), the Florida Department of Transportation (FDOT), South Florida Water Management District (SFWMD) and the Florida Department of State (FDOS). The Town's 2014-01 round of Comprehensive Plan amendments are subject to the expedited state review process, pursuant to Section 163.3184(3), Florida Statutes.

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Comprehensive Plan Amendment B – Future Land Use Map (FLUM) amendment (Ordinance #45-13) - To change the land use designation from Low Density Residential to Commercial with the Bioscience Research Protection Overlay on 3.8+/- acres, in Parcel B of the Parcel 19 North – PUD Plat, located along the north side of Indiantown Road.

The local contact person for information on the amendments is as follows:

David M. Kemp, AICP
Principal Planner
Department of Planning and Zoning
Town of Jupiter
210 Military Trail

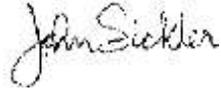
210 Military Trail • Jupiter, Florida 33458 • www.jupiter.fl.us
Phone (561) 741-2323 • Fax (561) 744-3116

Mr. Chris Stahl
July 24, 2014
Page 2

Jupiter, Florida 33458
(561) 741- 2452 (phone)
(561) 744-3116 (Fax)
davidk@jupiter.fl.us

If you have any further comments or questions, please feel free to contact David Kemp at your earliest convenience.

Sincerely,



John Sickler
Director of Planning and Zoning
Town of Jupiter

Cc: Stephanie A. Thoburn, Assistant Director of Planning and Zoning (via e-mail)
(w/o Attachments)
George Gentile, Gentile Glas Holloway O'Mahoney & Associates, Inc.
James W. Beasley, Jr., Intervener

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2014-01 Town Comprehensive Plan Amendments (CD-ROM format)

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TOWN OF JUPITER

July 24, 2014

Ms. Deena Woodward
Historic Preservation Planner
Bureau of Historic Preservation
Department of State
500 South Bronough Street
Tallahassee, Florida 32399-0250

RE: Adopted Amendments to the Town of Jupiter's Comprehensive Plan - Round 2010-01

Dear Ms. Woodward:

Attached please find:

- One (1) copy on a CD-ROM in a Portable Document Format (PDF) of two (2) Future Land Use Map amendments

Pursuant to Section 163.3184(3)(a), Florida Statutes, the Town of Jupiter is transmitting copies of the adopted amendments to the Treasure Coast Regional Planning Council (TCRPC), the Florida Department of Transportation (FDOT), and the South Florida Water Management District (SFWMD). The Town's 2014-01 round of Comprehensive Plan amendments are subject to the expedited state review process, pursuant to Section 163.3184(3), Florida Statutes.

The Jupiter Town Council held a public hearing on the Comprehensive Plan amendments on July 15, 2014, at which time the proposed 2014-01 Comprehensive Plan Future Land Use Map Amendments were adopted without any changes.

A brief description of the amendments is as follows:

Comprehensive Plan Amendment A – Future Land Use Map (FLUM) amendment (Ordinance #43-13) - To change the land use designation from Commercial with the Bioscience Research Protection Overlay to Low Density Residential for 25.1+/- acres, in Parcel H of the Parcel 19 North – PUD Plat, approximately 2,300 feet north of Indiantown Road.

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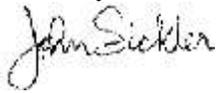
The local contact person for information on the amendments is as follows:

Ms. Deena Woodward
July 24, 2014
Page 2

David M. Kemp, AICP
Principal Planner
Department of Planning and Zoning
Town of Jupiter
210 Military Trail
Jupiter, Florida 33458
(561) 741- 2452 (phone)
(561) 744-3116 (Fax)
davidk@jupiter.fl.us

If you have any further comments or questions, please feel free to contact David Kemp at your earliest convenience.

Sincerely,



John Sickler
Director of Planning and Zoning
Town of Jupiter

Cc: Stephanie A. Thoburn, Assistant Director of Planning and Zoning (via e-mail)
(w/o Attachments)
George Gentile, Gentile Glas Holloway O'Mahoney & Associates, Inc.
James W. Beasley, Jr., Intervener

Attachments:

Transmittal Letter to Ray Eubanks, DEO
2014-01 Town Comprehensive Plan Amendments (CD-ROM format)

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TOWN OF JUPITER

July 24, 2014

Ms. Nicki Van Vonno
Growth Management Director
Martin County Administrative Center
2401 SE Monterey Road
Stuart, Florida 34996

RE: Adopted Amendments to Town of Jupiter's Comprehensive Plan - Round 2014-01

Dear Ms. Van Vonno:

Attached please find one (1) copy on a CD-ROM in a Portable Document Format (PDF) of two (2) Future Land Use Map (FLUM) amendments. Pursuant to Section 163.3184(4)(b), Florida Statutes (F.S.), the Town of Jupiter is transmitting copies of the adopted amendments to the Treasure Coast Regional Planning Council, the South Florida Water Management District, the Florida Department of Environmental Protection, the Florida Department of Transportation, and the Florida Department of State (FDOS). The Town will be transmitting the amendments to the Florida Department of Economic Opportunity on July 24, 2014 and the amendments will be subject to expedited state review process, pursuant to Section 163.3184(3), F.S.

The Town of Jupiter held a public hearing on July 15, 2014 at which the proposed 2014-01 Comprehensive Plan amendments were adopted. The Town received a no comment letter from DEO on July 2, 2014.

If you have any further comments or questions, please feel free to contact me at your earliest convenience at (561) 741-2452.

Sincerely,

David M. Kemp, AICP
Principal Planner
Department of Planning and Zoning

Attachments

cc: John Sickler, Director of Planning and Zoning (via e-mail) (w/o Attachments)
Stephanie Thoburn, Assistant Director of Planning and Zoning (via e-mail)
(w/o Attachments)

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210 Military Trail • Jupiter, Florida 33458 • www.jupiter.fl.us
Phone (561) 741-2323 • Fax (561) 744-3116



TOWN OF JUPITER

July 24, 2014

Ms. Natalie Crowley, AICP
Director of Planning and Zoning
City of Palm Beach Gardens
10500 N. Military Trail
Palm Beach Gardens, Florida 33410

RE: Adopted Amendments to Town of Jupiter's Comprehensive Plan - Round 2014-01

Dear Ms. Crowley:

Attached please find one (1) copy on a CD-ROM in a Portable Document Format (PDF) of two (2) Future Land Use Map (FLUM) amendments. Pursuant to Section 163.3184(4)(b), Florida Statutes (F.S.), the Town of Jupiter is transmitting, concurrent with this letter, copies of the adopted amendments to the Treasure Coast Regional Planning Council, the South Florida Water Management District, the Florida Department of Environmental Protection, the Florida Department of Transportation, and the Florida Department of State (FDOS). The Town will be transmitting the amendments to the Florida Department of Economic Opportunity on July 24, 2014 and the amendments will be subject to the expedited state review process, pursuant to Section 163.3184(3), F.S.

The Town of Jupiter held a public hearing on July 15, 2014 at which the proposed 2014-01 Comprehensive Plan amendments were adopted. The Town received a no comment letter from DEO on July 2, 2014.

If you have any further comments or questions, please feel free to contact me at your earliest convenience at (561) 741-2452.

Sincerely,

David M. Kemp, AICP
Principal Planner
Department of Planning and Zoning

Attachments

cc: John Sickler, Director of Planning and Zoning (via e-mail) (w/o Attachments)
Stephanie Thoburn, Assistant Director of Planning and Zoning (via e-mail)
(w/o Attachments)

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210 Military Trail • Jupiter, Florida 33458 • www.jupiter.fl.us
Phone (561) 741-2323 • Fax (561) 744-3116

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ORDINANCE NO. 43-13

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN, ORIGINALLY ADOPTED BY ORDINANCE 57-89; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF A 25.1+/- ACRE PARCEL OF PROPERTY LOCATED ON THE NORTH SIDE OF INDIANTOWN ROAD ACROSS FROM THE JUPITER COUNTRY CLUB, AND WEST OF THE FLORIDA TURNPIKE KNOWN AS "PARCEL 19"; PROVIDING FOR THE ASSIGNMENT OF A FUTURE LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL; 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 pursuant to the "Local Government Comprehensive Planning and Land Development Regulation Act" (the "Act"); and,

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

WHEREAS, Jupiter 19 Park, LLC is the owner (the "Owner") of a parcel of land now referred to as "Lakewood", totaling 25.1+/- acres, The legal description of which is set forth in **Exhibit "A"** which is attached hereto and incorporated herein **(the subject property)**; and,

1 **WHEREAS**, the subject property is located approximately 2,300 feet north of
2 Indiantown Road, just west of the Florida Turnpike as shown in **Exhibit "B"**;

3 **WHEREAS**, the future land use designation currently assigned to the subject
4 property is "Commercial" and is within the Bioscience Research Protection Overlay
5 established by the Town Council to protect properties from conversion to residential
6 uses as part of its commitment to the location of Scripps Florida in Jupiter; and,

7 **WHEREAS**, the Owner has submitted an application to the Town proposing
8 to amend the future land use designation of the subject property to assign a future
9 land use of "Low Density Residential" to enable the Owner to develop residential
10 uses thereon; and,

11 **WHEREAS**, the Town's Planning and Zoning Department has reviewed the
12 application to amend the future land use designation of the subject property and has
13 recommended to the Local Planning Agency that the proposed amendment to the
14 future land use map be approved; and

15 **WHEREAS**, the Town's Local Planning Agency (the "LPA") has conducted a
16 public hearing as required by Section 163.3174(4)(a), Florida Statutes (F.S.) to
17 consider the Owner's proposed amendment of the future land use designation to
18 change the subject property's future land use to low density residential; and

19 **WHEREAS**, following notice, the Town Council conducted a transmittal public
20 hearing pursuant to Section 163.3187(1)(c)3., F.S., to consider the Owner's
21 proposed plan amendment; and

22 **WHEREAS**, at the transmittal public hearing, the Town Council considered
23 the proposed plan amendment pursuant to Section 163.3184(11), F.S., and after
24 considering public comments, and the recommendation of the Planning and Zoning
25 Department's staff, authorized the transmittal of the proposed amendment to the
26 Future Land Use Map to the Florida Department of Economic Opportunity,

1 appropriate reviewing agencies and any other local government or governmental
2 agency that has filed a written request and requested their comments pursuant to
3 Section 163.3184(3)(b)1., F.S.; and,

4 **WHEREAS**, the Florida Department of Economic Opportunity and
5 appropriate reviewing agencies have reviewed the proposed amendment to the
6 Future Land Use Map for consistency with the Act and sent any comments to the
7 Town pursuant to Section 163.3184(3)(b)2. through 4., Florida Statutes.

8 **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL**
9 **OF THE TOWN OF JUPITER, FLORIDA:**

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

12 **Section 2.** Ordinance No. 57-89 of the Town of Jupiter, entitled
13 "Comprehensive Plan of the Town of Jupiter," is hereby amended to assign a future
14 land use designation of "Low Density Residential" to the subject property as shown in
15 the attached **Figure "1"**, which is attached hereto and incorporated herein.

16 **Section 3.** The Town Clerk is hereby directed to transmit the required
17 copies of the proposed amendment to the Comprehensive Plan to the Department of
18 Economic Opportunity and all other agencies pursuant to Section 163.3184(3)(c)2.,
19 F.S.

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

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

1 **Section 6.** Effective Date. The provisions of this Ordinance shall
2 become effective pursuant to Section 163.3184(3)(c)4., F.S.

3

4 **Attachments: Exhibit "A" - Legal description of the subject property**

5 **Exhibit "B" - Location Map**

6 **Figure "1" - New Future Land Use Map**

7

8

9 K:\Staff\WP51\COMPPLAN\Amendments\2014-01 Lakewood (Parcel 19) FLUM (PZ 13-286 & 339)07-
10 15-14 TC Meeting\FLUM Amendments\Ordinance 43-13 Adoption.doc July 1, 2014

**DESCRIPTION & SKETCH
PREPARED FOR:
CYPRESS REALTY OF FLORIDA, LLC**

**TRACT H
PARCEL 19 NORTH-P.U.D.**

LEGAL DESCRIPTION

TRACT H, AS SHOWN ON THE PLAT OF PARCEL 19 NORTH-PUD,
RECORDED IN PLAT BOOK 109, PAGES 176 THROUGH 193, PUBLIC
RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 25.08 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF
A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY LIDBERG LAND SURVEYING, INC.
5. DATE OF LEGAL DESCRIPTION: FEBRUARY 22, 2012

LIDBERG LAND SURVEYING, INC.

(Signature)

 DAVID C. LIDBERG
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 3613

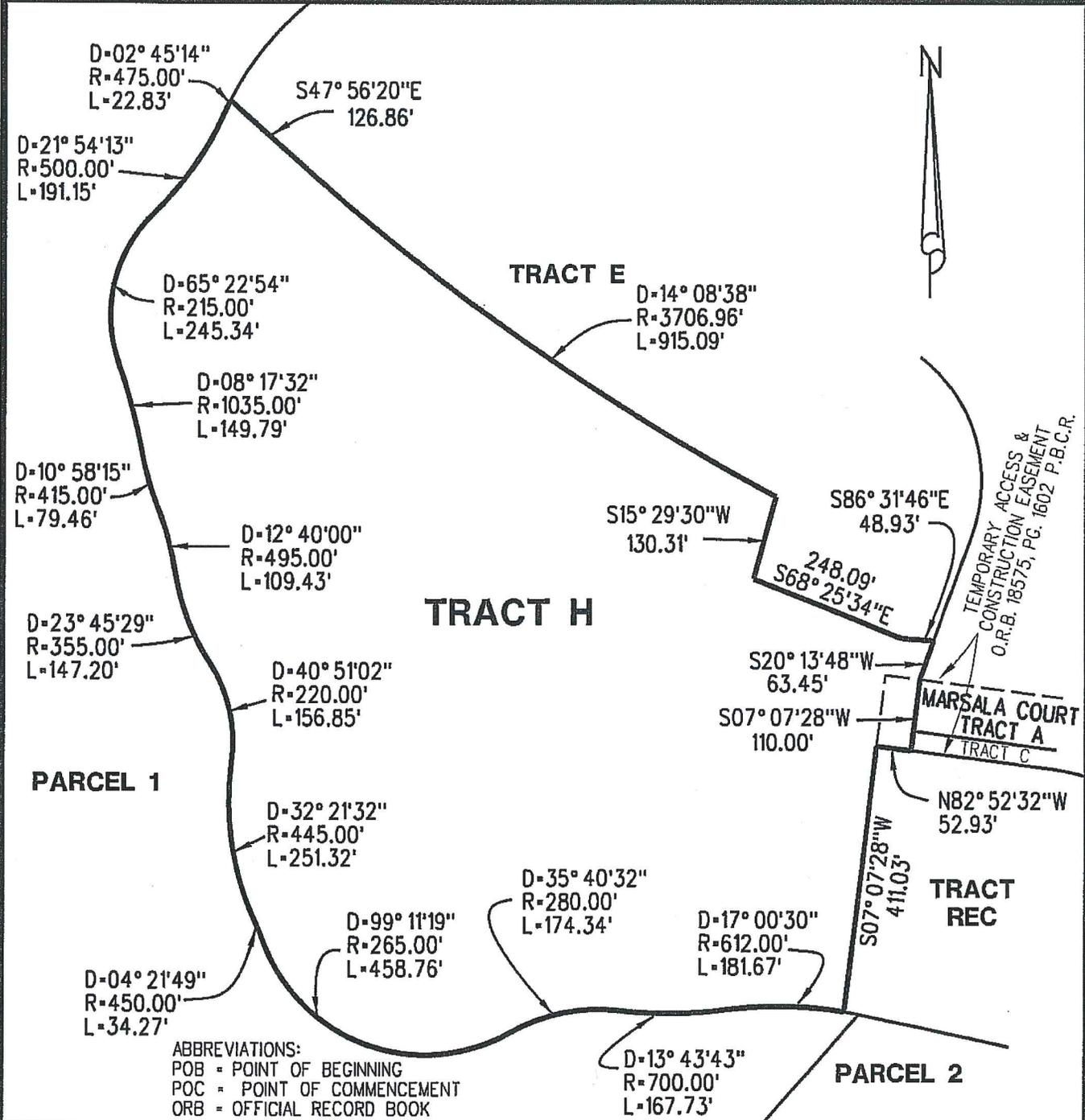


LB4431 675 West Indiantown Road, Suite 200,
Jupiter, Florida 33458 TEL. 561-746-8454

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FLD. _	FB. PG.	JOB 09-051-303B	
OFF. L.J.C.		DATE 02/22/12	
CHKD. D.C.L.	SHEET 1 OF 2	DWG. A09-051B	

**DESCRIPTION & SKETCH
PREPARED FOR:
CYPRESS REALTY OF FLORIDA, LLC**

**TRACT H
PARCEL 19 NORTH-P.U.D.**



**LIDBERG LAND
SURVEYING, INC.**

LB4431

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02/22/12

CKD.

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DWG.

A09-051B

Exhibit B
Aerial Location Map - Lakewood
(25.1+ Acres)

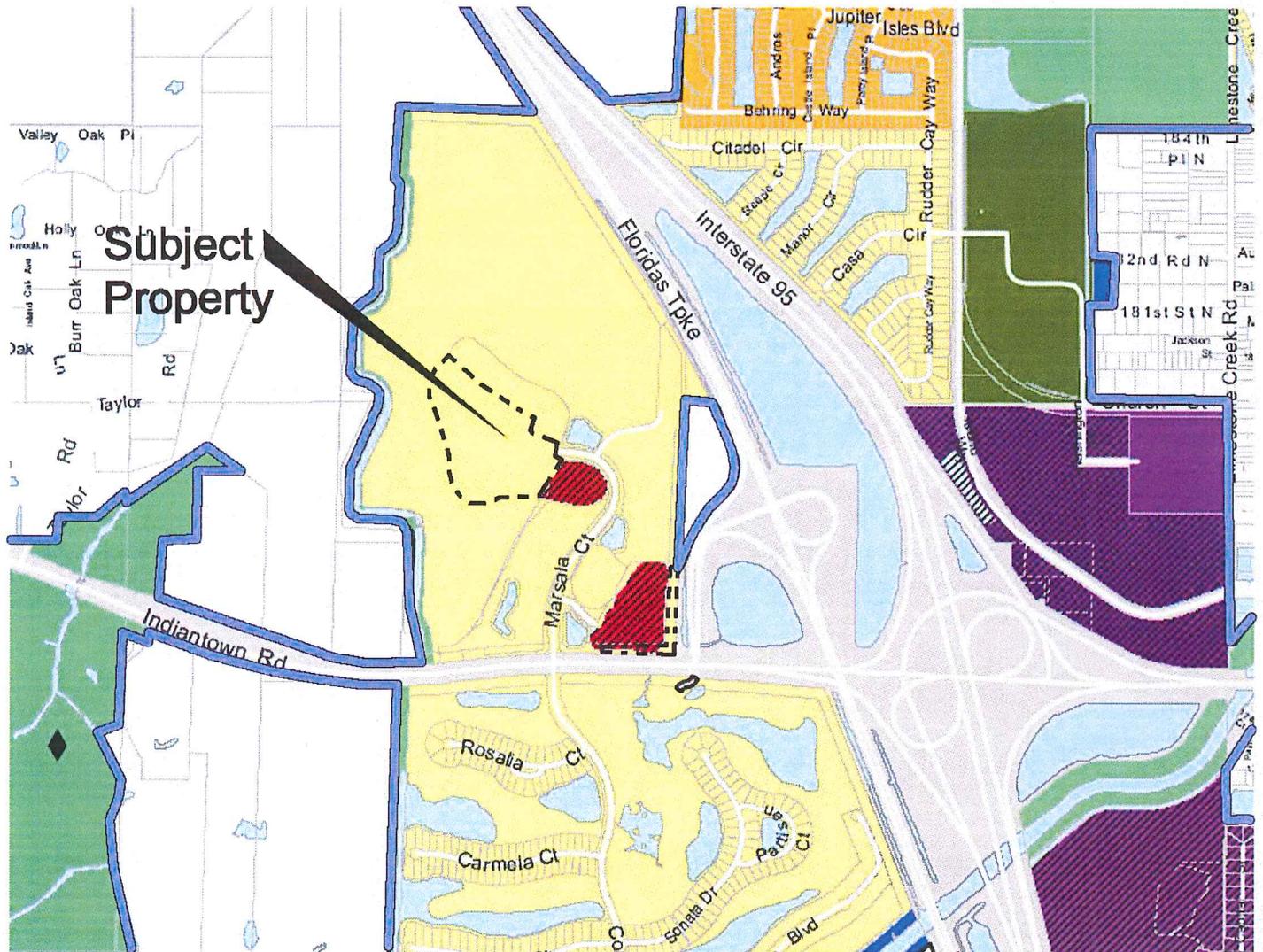


Legend

-  Subject Properties
-  Town Boundary



Figure 1 New Future Land Use Map Lakewood (25.1+ Acres)



Legend

- Subject Properties
- Town Boundary
- Water

LEGEND

- Historic Resources**
 - Locally Designated Site
 - Historically Significant Site Meriting Protection
 - Town Boundary
 - US-1 - Intracoastal Waterway Corridor Boundary
 - Bioscience Research Protection Overlay
 - Extra - Jurisdictional
 - Water

FUTURE LAND USE DESIGNATIONS

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



Upon First Reading this 20th day of May, 2014, the foregoing Ordinance was offered by Councilor Todd Wodraska, who moved its adoption. The motion was seconded by Councilor Wendy Harrison, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR KAREN J. GOLONKA	X	_____
VICE-MAYOR ILAN KAUFER	X	_____
COUNCILOR WENDY HARRISON	X	_____
COUNCILOR JIM KURETSKI	_____	X
COUNCILOR TODD R. WODRASKA	X	_____

Upon Second Reading this 15th day of July, 2014, the foregoing Ordinance was offered by Councilor Todd Wodraska, who moved its adoption. The motion was seconded by Councilor Wendy Harrison, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR KAREN J. GOLONKA	X	_____
VICE-MAYOR ILAN KAUFER	X	_____
COUNCILOR WENDY HARRISON	X	_____
COUNCILOR JIM KURETSKI	_____	X
COUNCILOR TODD R. WODRASKA	X	_____

The Mayor thereupon declared Ordinance 43-13 duly passed and adopted this 15th day of July, 2014.

TOWN OF JUPITER, FLORIDA

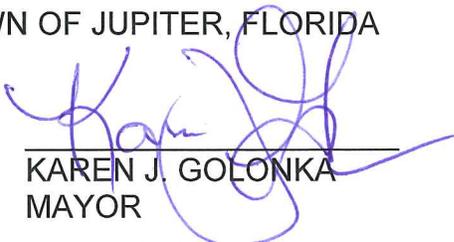
ATTEST:



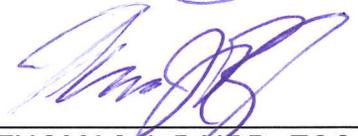
 SALLY M. BOYLAN, MMC
 TOWN CLERK



BY:



 KAREN J. GOLONKA
 MAYOR



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

(TOWN SEAL)

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ORDINANCE NO. 45-13

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN, ORIGINALLY ADOPTED BY ORDINANCE 57-89; PROVIDING FOR THE AMENDMENT OF THE FUTURE LAND USE MAP TO ASSIGN A FUTURE LAND USE DESIGNATION OF "COMMERCIAL" TO A 3.8+/- ACRE PARCEL OF PROPERTY GENERALLY LOCATED NORTH OF INDIANTOWN ROAD ACROSS FROM THE JUPITER COUNTRY CLUB AND WEST OF THE FLORIDA TURNPIKE KNOWN AS "PARCEL 19"; 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 pursuant to the "Local Government Comprehensive Planning and Land Development Regulation Act" (the "Act"); and,

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

WHEREAS, Jupiter 19 Park, LLC is the owner (the "Owner") of a parcel of land totaling 3.8+/- acres, the legal description of which is set forth in **Exhibit "A"** which is attached hereto and incorporated herein (the subject property); and,

WHEREAS, the subject property is generally located along Indiantown Road, across from the Jupiter Country Club, and west of the Florida Turnpike as shown on **Exhibit "B"**; and,

1 **WHEREAS**, the future land use designation currently assigned to the subject
2 property is “Low Density Residential”; and,

3 **WHEREAS**, the Owner has proposed an amendment to the future
4 land use designation of the subject property to assign a future land use designation
5 of “Commercial” to it and to incorporate the subject property within the Bioscience
6 Research Protection Overlay (the Plan Amendment); and,

7 **WHEREAS**, the Town’s Planning and Zoning Department has recommended
8 that the Plan Amendment be approved; 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), Florida Statutes (F.S.) to
11 consider the Plan Amendment; and

12 **WHEREAS**, following notice the Town Council conducted a transmittal public
13 hearing pursuant to Section 163.3187(1)(c)3., F.S., to consider the Owner’s Plan
14 Amendment; and

15 **WHEREAS**, the Town Council has conducted a public hearing to consider the
16 transmittal of the Plan Amendment pursuant to Section 163.3184(11), F.S., and after
17 considering public comments, and the recommendation of the Planning and Zoning
18 Department’s staff authorized the transmittal of the proposed Future Land Use Map
19 amendment to the Florida Department of Economic Opportunity, and appropriate
20 reviewing agencies and any other local government or governmental agency that has
21 filed a written request and requested their comments pursuant to Section
22 163.3184(3)(b)1., F.S.; and,

23 **WHEREAS**, the Florida Department of Economic Opportunity and
24 appropriate reviewing agencies have reviewed the proposed amendment to the
25 Future Land Use Map for consistency with the Act and sent any comments to the
26 Town pursuant to Section 163.3184(3)(b)2. through 4., Florida Statutes.

1 **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**
2 **TOWN OF JUPITER, FLORIDA:**

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

5 **Section 2.** Ordinance No. 57-89 of the Town of Jupiter, entitled
6 “Comprehensive Plan of the Town of Jupiter,” is hereby amended to assign a future
7 land use designation of “Commercial” to the subject property and to include it within
8 the Bioscience Research Protection Overlay as shown in the attached **Figure “1”**,
9 which is incorporated herein.

10 **Section 3.** The Town Clerk is hereby directed to transmit the required
11 copies of the Plan Amendment to the to the Department of Economic Opportunity
12 and all other agencies pursuant to Section 163.3184(3)(c)2., F.S.

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

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

19 **Section 6.** Effective Date. The provisions of this Ordinance shall become
20 effective pursuant to Section 163.3184(3)(c)4., F.S.

21 **Attachments: Exhibit "A" - Legal description of the subject property**

22 **Exhibit "B" - Location Map**

23 **Figure “1” - New Future Land Use Map**

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**DESCRIPTION & SKETCH
PREPARED FOR:
CYPRESS REALTY OF FLORIDA, LLC**

**PORTION OF TRACT B-3
PARCEL 19 NORTH, P.U.D.**

LEGAL DESCRIPTION

A PORTION OF TRACT B-3, AS SHOWN ON THE PLAT OF PARCEL 19 NORTH-P.U.D., RECORDED IN PLAT BOOK 109, PAGES 176 THROUGH 193, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT B-3; THENCE ALONG THE SOUTH LINE OF SAID TRACT B-3, NORTH 88° 51'00" WEST, A DISTANCE OF 651.02 FEET; THENCE CONTINUE ALONG SAID SOUTH LINE, NORTH 88° 50'57" WEST, A DISTANCE OF 220.35 FEET; THENCE DEPARTING SAID SOUTH LINE, NORTH 01° 09'03" EAST, A DISTANCE OF 100.00 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT B-3, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT J AS SHOWN ON SAID PLAT; THENCE ALONG SAID NORTH LINE AND THE SOUTH LINE OF SAID TRACT J, SOUTH 88° 50'57" EAST, A DISTANCE OF 220.35 FEET; THENCE CONTINUE ALONG SAID NORTH LINE AND SOUTH LINE OF SAID TRACT J, SOUTH 88° 51'00" EAST, A DISTANCE OF 553.83 FEET TO THE SOUTHEAST CORNER OF SAID TRACT J; THENCE ALONG THE WEST LINE OF SAID TRACT B-3 AND THE EAST LINE OF SAID TRACT J, NORTH 02° 47'06" EAST, A DISTANCE OF 789.35 FEET TO THE NORTHEAST CORNER OF SAID TRACT J; THENCE ALONG THE EASTERLY PROLONGATION OF THE NORTH LINE OF TRACT J, SOUTH 87° 49'52" EAST, A DISTANCE OF 100.01 FEET TO A POINT ON THE EAST LINE OF SAID TRACT B-3; THENCE ALONG SAID EAST LINE, SOUTH 02° 47'06" WEST, A DISTANCE OF 887.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.81 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY LIDBERG LAND SURVEYING, INC.
5. DATE OF LEGAL DESCRIPTION: FEBRUARY 13, 2012

LIDBERG LAND SURVEYING, INC.

DAVID C. LIDBERG
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 3613

ABBREVIATIONS:

POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
ORB = OFFICIAL RECORD BOOK



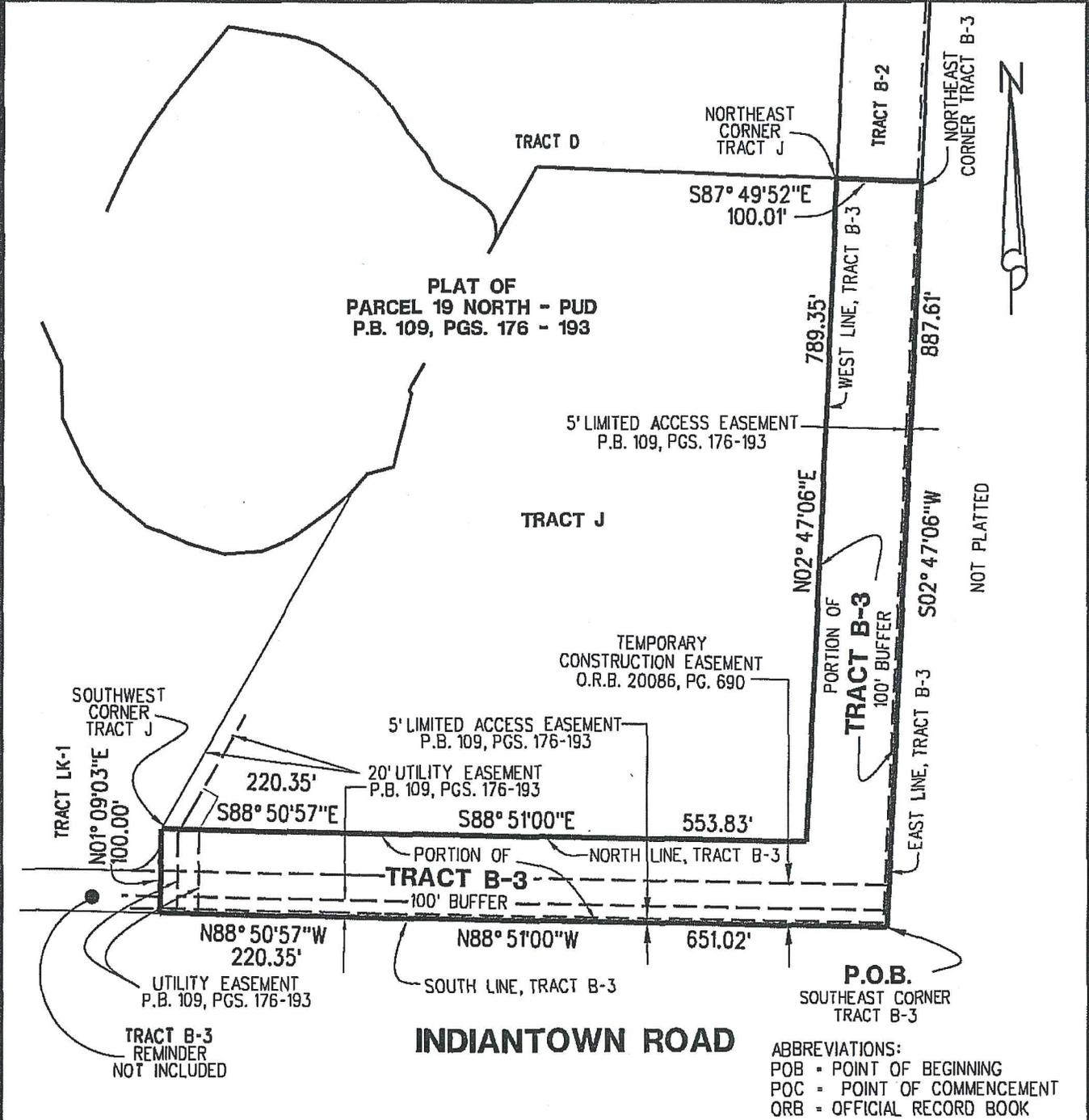
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FLO. -	FB. PG.	JOB 09-051-303	
OFF. L.J.C.	-	DATE 02/13/12	
CKD. D.C.L.	SHEET 1 OF 2	DWG. A09-051	

**DESCRIPTION & SKETCH
PREPARED FOR:
CYPRESS REALTY OF FLORIDA, LLC**

**PORTION OF TRACT B-3
PARCEL 19 NORTH, P.U.D.**

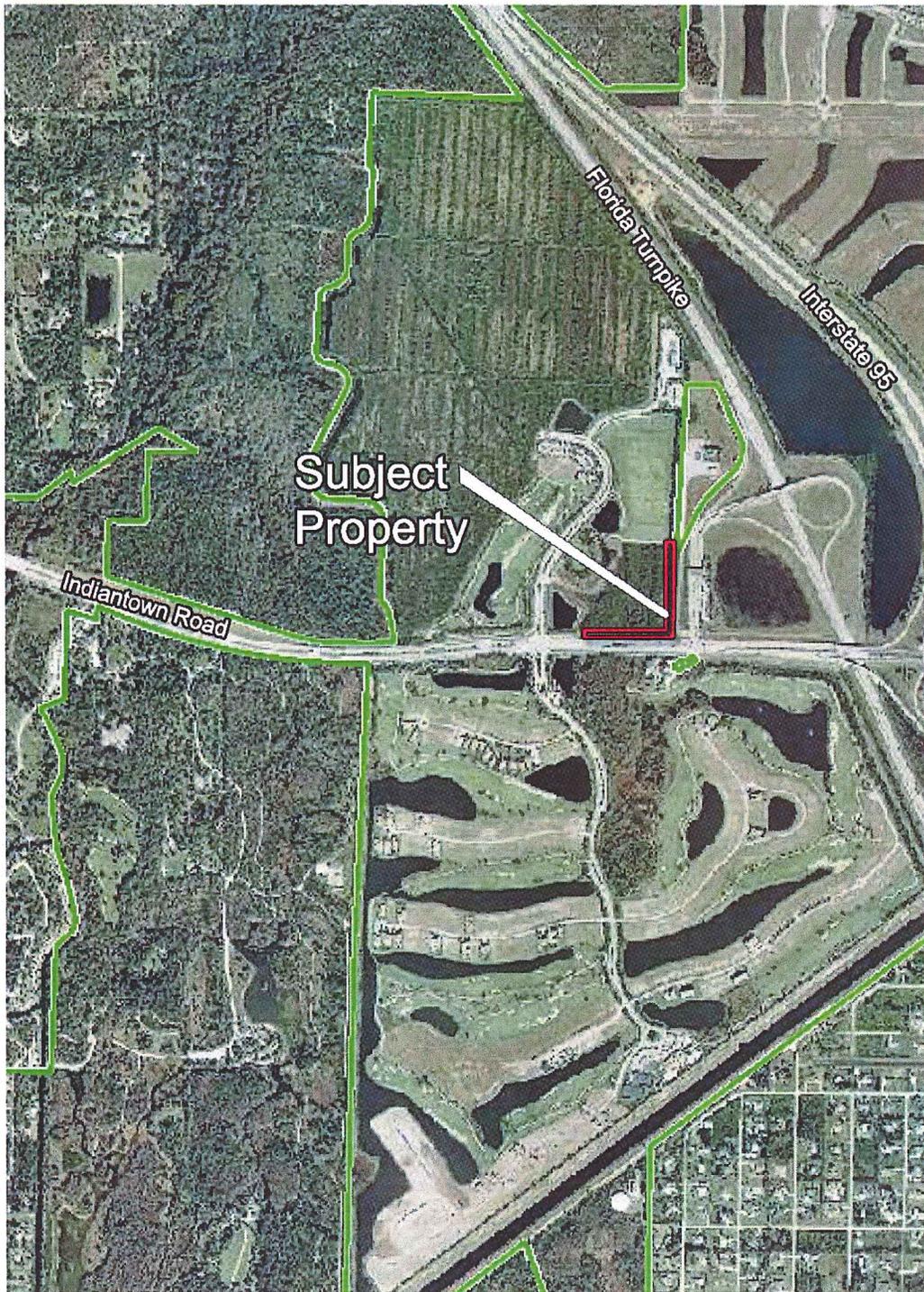


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OFF. L.J.C.			DATE 02/13/12
CKD. D.C.L.	SHEET 2	OF 2	DWG. A09-051

Exhibit B
Aerial Location Map - Lakewood
(3.8+ Acres)

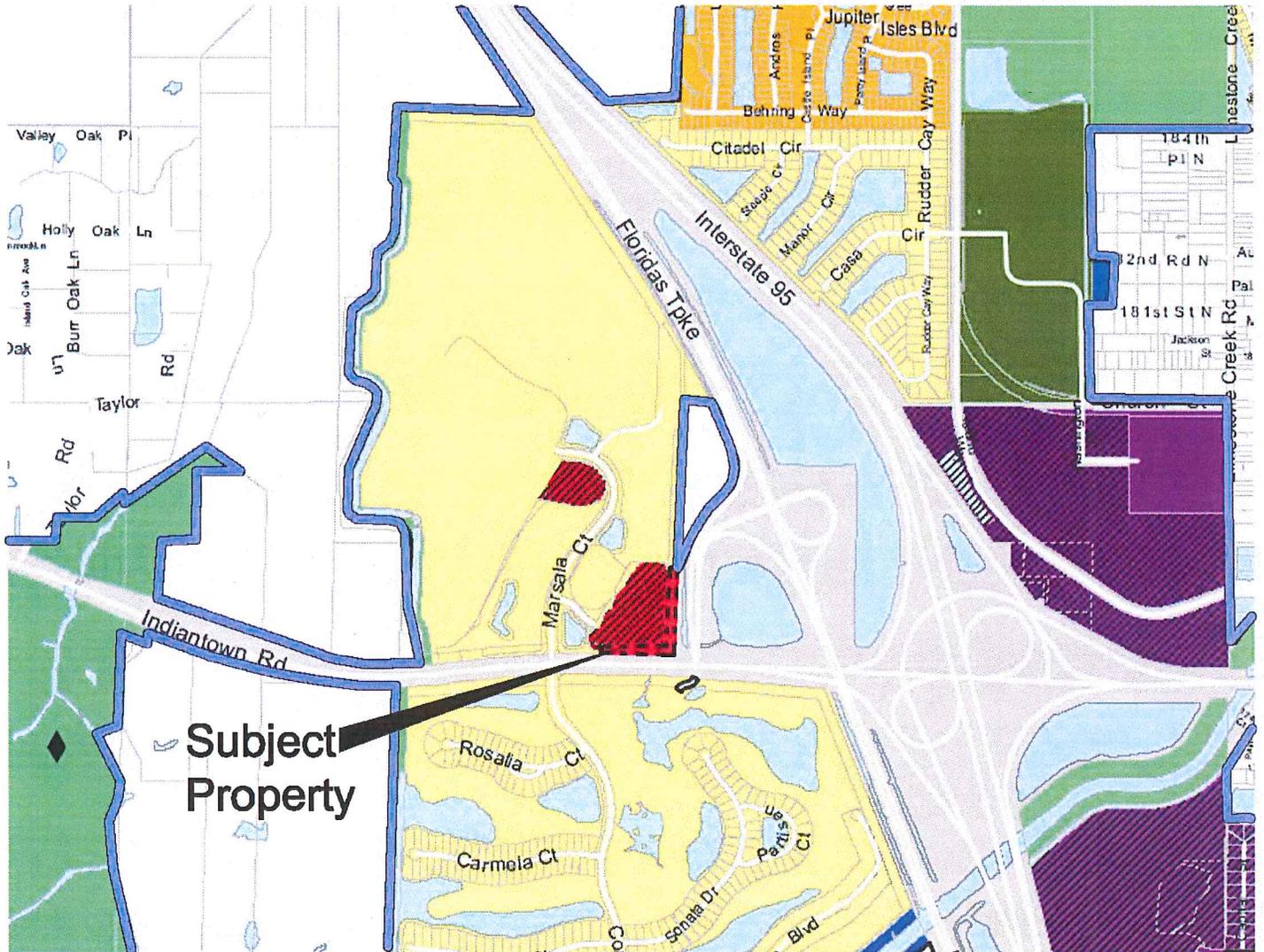


Legend

-  Subject Properties
-  Town Boundary



Figure 1 New Future Land Use Map Lakewood (3.8+ Acres)



Legend

- Subject Properties
- Town Boundary
- Water

LEGEND

- Historic Resources**
 - Locally Designated Site
 - Historically Significant Site Meriting Protection
- Town Boundary
- US-1 - Intracoastal Waterway Corridor Boundary
- Bioscience Research Protection Overlay
- Extra - Jurisdictional
- Water

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- MEDIUM DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- MIXED-USE
- PUBLIC / INSTITUTIONAL
- GENERAL INDUSTRIAL
- CONSERVATION
- RECREATION
- COMMERCIAL
- INLET VILLAGE FLEX
- RIVERWALK FLEX
- NOT DESIGNATED
- UNINCORPORATED



Upon First Reading this 20th day of May, 2014, the foregoing Ordinance was offered by Councilor Todd Wodraska, who moved its adoption. The motion was seconded by Councilor Wendy Harrison, and upon being put to a roll call vote, the vote was as follows:

	A YE	N AY
MAYOR KAREN J. GOLONKA	X	_____
VICE-MAYOR ILAN KAUFER	X	_____
COUNCILOR WENDY HARRISON	X	_____
COUNCILOR JIM KURETSKI	_____	X
COUNCILOR TODD R. WODRASKA	X	_____

Upon Second Reading this 15th day of July, 2014, the foregoing Ordinance was offered by Councilor Todd Wodraska, who moved its adoption. The motion was seconded by Councilor Wendy Harrison, and upon being put to a roll call vote, the vote was as follows:

	A YE	N AY
MAYOR KAREN J. GOLONKA	X	_____
VICE-MAYOR ILAN KAUFER	X	_____
COUNCILOR WENDY HARRISON	X	_____
COUNCILOR JIM KURETSKI	_____	X
COUNCILOR TODD R. WODRASKA	X	_____

The Mayor thereupon declared Ordinance 45-13 duly passed and adopted this 15th day of July, 2014.

TOWN OF JUPITER, FLORIDA

ATTEST:



 SALLY M. BOYLAN, MMC
 TOWN CLERK



BY: 

 KAREN J. GOLONKA
 MAYOR

(TOWN SEAL)



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

**Data and Analysis for Town of Jupiter
Comprehensive Plan Amendments (2014-01)
to
the Future Land Use Map
(Amendments A and B)**

Property Information.

The existing surrounding uses, future land use designations and zoning districts are as follows:

Property A – 25.1+/- acres

<i>Direction</i>	<i>Existing Land Uses</i>	<i>Future Land Use/Zoning Districts</i>
North	Vacant	Low Density Residential/ Residential, Single Family (R-1)
South	Vacant	Low Density Residential/ R-1
East	Golf Club and retention area	Commercial with the Bioscience Research Protection Overlay/ Commercial, General (C-2)
West	Vacant	Low Density Residential/ R-1

Property B – 3.8+/- acres

<i>Direction</i>	<i>Existing Land Uses</i>	<i>Future Land Use/Zoning Districts</i>
North	Golf Course Driving Range	Low Density Residential/ R-1
South	Golf Course (south of Indiantown Road)	Low Density Residential/ R-1
East	Florida Turnpike Right-of-way	Not Designated with land use or zoning
West	Golf Course (open space area)	Low Density Residential/ R-1

The future land use and zoning district designations adjacent to the subject properties are included on the Current Future Land Use Map (FLUM) (see Attachment B of staff report) and the Current Zoning Map (see Attachment D of staff report).

Background Information.

Reason for the Application to Amend the FLUM: As noted in the applicant’s Statement of Use (see Attachment F of staff report), the owner is requesting the FLUM amendment on the 25.1+/- acre subject property in order to provide for 275 single-family homes, as well as bioscience/R&D uses, a restaurant and a drugstore. The applicant has submitted a concurrent application for rezonings to implement the proposed amendments to the FLUM and an application to amend the Parcel 19 Planned Unit Development (PUD). The Future Land Use Map (FLUM) application on the 3.8+/- acre subject property (the backwards “L” shaped parcel on the attached map series) is requested so as to combine this parcel with an existing 10.3+/- acre vacant property (for a total of 14.1+/- acres). Staff notes the existing north side of Parcel 19 PUD plat states the 3.8+/- subject property is dedicated for buffer purposes, which includes berms, walls, fences, landscaping and irrigation. The uses proposed on the total 14.1 acres are:

- 150,000 square feet (s.f.) of bioscience/research and development uses;
- 5,000 s.f. of restaurant use;
- 14,750 s.f. drugstore.

The applicant has not submitted a site plan for the above noted residential or commercial development, but is requesting these uses as part of the PUD application.

The following is a timeline of the development of the Parcel 19 property:

- *November 2003* – The overall 896.1+/- acre Parcel 19 property is assigned with Town future land use and zoning designations. In addition, the FLUM amendment for the property includes a 9,638 daily traffic trip cap.
- *July 2004* – Town Council approved a planned unit development (PUD) and site plan for 242 for single family dwelling units, 488 multi-family dwelling units, 50 timeshare units, 230 room resort hotel, golf club, 25,000 sf of retail and restaurant, 25,000 sf of office, 36 hole golf course. The number of daily traffic trips generated by the approved PUD (9,258) is 380 trips lower than the 9,638 trip cap in the Comprehensive Plan.
- *December 2006* – An Overlay to preserve land for bioscience research and technology related uses (the Overlay) was assigned to a total of 40.4+/- acres of the Parcel 19 property, which includes the 25.1+/- acre subject property, which had been approved for a hotel and timeshare use to support the golf course. The 25.1 acre parcel was designated with the Overlay in order to protect the commercial land use so that there would be an opportunity to incorporate bioscience research and biotechnology uses on the parcel if the property did not develop as approved or for redevelopment. This property was identified by the Town at the time it was assigned with the Overlay as a location for regional employment uses adjacent to the Turnpike and I-95 on the west side. The assignment of the Overlay would also qualify the 25 acre parcel for incentives to develop bioscience research and technology uses.
- *March 2012* – The applicant submits FLUM, FLUM daily trip cap revision and zoning map amendments to the subject properties.
- *May 2012* - The applicant submits an amendment the overall Parcel 19 PUD and a site plan for the development of 350 single-family “zero lot line” dwelling units. The following are significant events related to the FLUM, Zoning Map, PUD and site plan submittals:
 - *May 2012* - At their May 17, 2012 meeting, the Bioscience Land Protection Advisory Board recommended **approval** of the prior FLUM and Zoning Map amendments.
 - *July 2012* – The applicant presents a conceptual review of the proposed development to the Town Council at their July 17, 2012 meeting. The Conceptual Review Executive Summary and the applicable Town Council Meeting Minutes are included as Attachments G and H, respectively.
 - *February 12, 2013* - At their February 12, 2013 meeting, the Planning and Zoning Commission, acting as the Local Planning Agency, recommended approval (by a 5-2 vote) of the Future Land Use Map amendment applications and approval for a trip cap on the overall 896.1+/- acre Parcel of whatever would accommodate 150,000 square feet of Research and Development Use. The Planning and Zoning Commission also recommends approval (by a 4-3 vote) of the Zoning Map amendment applications.
 - *August 2013* – At the August 8, 2013 Town Council public hearing, the applicant withdrew all of the applications submitted for the Parcel 19 property.
- *September 9, 2013* – The applicant submits the subject FLUM and Zoning Map amendment applications and the concurrent PUD amendment application.

Analysis.

I. Applicant Future Land Use Map (FLUM) Amendment Request

The FLUM amendment applications request the following land use changes on the subject properties as shown on Attachment C:

- 25.1+/- acre property – Change from Commercial with the Bioscience Research Protection Overlay (the Overlay) to Low Density Residential;
- 3.8+/- acre property – Change from Low Density Residential to Commercial with the Overlay.

Staff Analysis: Staff compared the previous FLUM amendments with the subject applications to quantify the proposed changes in acreage for the land uses on the entire original Parcel 19 property. Below is a table comparing the percentage changes in the four land uses assigned in 2003 to those proposed in the current FLUM amendments. The proposed net increase of 21.3+/- acres assigned with the Low Density Residential future land use designation represents 2.8+/- percent of the total residential acres in the entire Parcel 19 property. While the proposed net decrease of acres assigned

with the Commercial future land use designation is 52.8+/- percent of the total acres assigned with this land use, the reduction is interior to the Parcel 19 PUD located on the north side of Indiantown Road. This commercial acreage is surrounded by property assigned with the Low Density Residential land use and the golf club site, which is commercial.

Table 1 – Comparison of Amount of Land

Future Land Use Designation	Acres Assigned in 2003	Acres with proposed FLUM	% Change with proposed FLUM
Low Density Residential	759.6	780.9	+2.8
Commercial	40.4	19.1	-52.8
Conservation	32.2	32.2	-----
Public/ Institutional	63.9	63.9	-----
Totals	896.1	896.1	

Below is analysis of the appropriateness and impacts of the current FLUM amendments in support of staff's recommendation of **approval**, compared with similar analysis for the previous withdrawn FLUM amendments.

- 1) *Elimination of Daily Trip Cap amendment* - The applicant is no longer proposing to increase the FLUM daily traffic trip cap (9,638) on the overall 896.1+/- acre Parcel 19 property. The density and intensity of the proposed PUD development has been reduced to below the daily trip cap of 9,258, as requested by the Town Council at their January 7, 2014 meeting. At the August 8, 2013 public hearing in which the FLUM amendments were withdrawn, public comments from nearby residents stated they were in favor of development that was lower intensity. Specifically, development that was more compatible with the rural nature of the Jupiter Farms community located west of the Florida Turnpike and the preservation aspect of the national "Wild and Scenic" Loxahatchee River Corridor located adjacent to Parcel 19.
- 2) *Net reduction of 21.3 acres of commercial land* – The proposed net decrease of 21.3 acres interior to the property, assigned with Commercial land use, provides a better transition to the adjacent river corridor and rural Jupiter Farms community, consistent with the public comments from nearby residents. The commercial lands located along Indiantown Road will transition more appropriately from the road and the Florida Turnpike to the low density residential when buffered by the golf clubhouse, driving range and golf holes. Further, the location of the original commercial land uses in the middle of the development (assigned in 2003) were based on what was necessary to accommodate the proposed resort development and not necessarily based on a hierarchy of intensity and use (location criteria) contained in the Town's land use designations. The locational criteria for the Commercial future land use designation states general commercial uses should be situated preferably along an arterial roadway (e.g. Indiantown Road) and adjacent to medium density residential areas. The proposed increase of the commercial parcel adjacent to Indiantown Road by 3.8+/- acres enhances the viability of the parcel for a wider array of commercial uses. The currently approved commercial uses (resort hotel and timeshare) on the 25.1+/- acre subject property are unlikely to be built.
- 3) *Net increase of 21.3 acres of low density residential land* – As noted in the table above, the proposed net increase of 21.3 acres assigned with the Low Density Residential future land use designation represents an increase of 2.8+/- percent of residential designated land on the overall PUD. The Low Density Residential future land use designation includes location criteria for residential developments to be in areas that provide convenient access to work and shopping areas and where adequate police and fire protection can be economically provided. The net increase of 2.8+/- percent of residential lands on the Parcel 19 property strictly associated with the proposed FLUM amendments will not have a significant impact on the provision of government services such as police and fire protection, since the existing traffic cap will remain as a limit on the maximum density. Further, the predominate land use designation on this property has always been primarily low density residential and it is located west of the Florida Turnpike adjacent to the nationally designated "wild and scenic" Loxahatchee River. Allowing the change to residential in this location

reduces prior concerns with the need to provide an appropriate transition to preserve lands to the west and rural residential areas.

- 4) *Net decrease of 21.3 acres assigned with the Bioscience Overlay* - The proposed FLUM amendment would result in a reduction of 21.3+/- acres of land which has been included within the Overlay, so as to be available to meet the Town's commitment to provide land available for the expansion of bioscience technology uses. However, in contrast to the previously withdrawn applications, the applicant is now proposing, as noted in the concurrent PUD staff report, that it will make its "best efforts" to market and develop 150,000 s.f. of Bioscience/R&D uses, on 9 acres of the 14.1+/- acre commercial parcel for the 5 years after the Town issues a building permit for any vertical residential construction. If the applicant is unable to develop the 150,000 s.f. within this 5 year time frame, they propose 9 of the 14.1 +/- acres would be conveyed to the Town of Jupiter, which the Town could then market for Bioscience/R&D uses. To further guarantee Bioscience/R&D uses will be produced, the applicant has agreed to the concept of recording a restrictive covenant allowing only Bioscience/R&D uses be placed on 9 acres of the property prior to adoption of the proposed land use changes. It is important to note that the approved Parcel 19 PUD development has never included any Bioscience/R&D uses.

Finally, staff notes that parts of the approved development have been implemented on the north side of Parcel 19 (i.e. two golf holes, Jupiter Country Golf Club, driving range and maintenance facility), which significantly limits the options. Therefore, other more appropriate sites for additional Bioscience/R&D are limited. The only other options staff identified were to locate parcels along the Florida Turnpike for employment center uses, or to have the applicant and Toll Brothers work together to achieve land swaps to relocate the driving range to allow more bioscience and employment uses on the north side of Parcel J.

II. Applicant Responses to Town Council Questions/Comments

The applicant provided a response letter dated October 9, 2013 (see Attachment I of staff report) to the following questions/comments raised by the Town Council at the August 8, 2013 public hearing:

- o Applicant discussions with representatives from Toll Brothers, developers of the Jupiter County Club, regarding any potential land swaps to relocate the commercial land uses on the north side of Parcel 19;
- o How the intent of the current Master Plan, on the overall 896.1+/- acre Parcel 19 property, will be preserved with the proposed FLUM amendment on the 25.1+/- acre property to eliminate the commercial uses;
- o A request to reach out to the Jupiter Farms organizations that gave public comments on the FLUM amendments at the public hearing.

Staff notes that the applicant and Toll Brothers did not reach an agreement to swap any lands. However, as noted in the May 7, 2014 letter (see Attachment T of staff report) from Toll Brother's attorney, they have no objections to the most recent Lakewood plans submitted on April 18, 2014. This acceptance by Toll Brothers is conditional, provided that the Town allocates at least 71 dwelling units to Pod D, pursuant to an application to be submitted by Toll Brothers.

III. Criteria for FLUM amendments. Section 27-99 of the Zoning Code provides four criteria the staff and Council are required to apply to the review of the proposed Future Land Use Map (FLUM) amendments. Each of the four criteria is discussed below.

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

Staff Analysis: The proposed FLUM amendments to assign the proposed land use designations noted above are consistent with the following goals, objectives and policies of the Comprehensive Plan as described below:

FUTURE LAND USE ELEMENT

Policy 1.3.1 Low Density Residential – The predominate dwelling type in this future land use designation is detached, single-family dwelling units. Within a planned unit development (PUD) larger than 160 acres, duplexes, zero-lot-line, townhome, multi-family and accessory dwelling units may be allowed, and single-family dwelling units may not be required to be the predominate dwelling type. The previously described allowances are subject to Town Council approval. The allowable density range is up to two units per gross acre with the following location criteria. Additional compatible uses may be permitted in the land development regulations (including home occupations, parks and playgrounds, utility services, religious institutions, cemeteries, daycares and limited public uses).

Location Criteria

- a) In areas that afford attractive natural and/or rural surroundings.
- b) In areas that provide convenient access to work and shopping areas.
- c) In areas that are spatially separated and buffered by other uses from major streets, commercial or industrial activities, or other land uses which generate significant adverse impacts including but not limited to the following: noise, glare, dust or fumes.
- d) In areas where water supply and sewerage facilities services can be provided economically.
- e) In areas where adequate police and fire protection can be economically provided.

Staff Analysis: The proposed Future Land Use Map (FLUM) amendment to the 25.1+/- acres (Property A) to the Low Density Residential land use designation is an increase of 2.8+/- percent on the entire PUD. This net increase of residential lands on the Parcel 19 property strictly associated with the proposed FLUM amendments will not have a significant impact on the provision of government services such as police and fire protection. In addition, the increase in residential lands in the middle of the overall property provides a better transition to the adjacent river corridor and rural residential areas, consistent with the public comments from nearby residents. Staff finds the proposed amendment to increase the land designated for low density residential is generally consistent with the land use designation's location criteria as previously discussed. The proposed amendments to the FLUM are generally consistent with Policy 1.3.1.

Policy 1.3.9 Commercial - This future land use designation provides for neighborhood, general, office, heavy products commercial uses, and accessory residential apartments for employees, which are detailed below. The subcategories should be used as a guide for the assignment of zoning.

Neighborhood Commercial - Stores offering frequently needed goods and services to nearby residential areas. Typical activities include pharmacy, dry-cleaning, florist, hardware and garden supplies, professional offices, and personal services.

a) Location Criteria

- 1) In areas accessible to immediate surrounding residential neighborhoods;
- 2) Can be located in conjunction with groups of retail uses to achieve multi-purpose trips and promote pedestrian-friendly districts;
- 3) Commercial uses which are a part of a planned unit development must be situated in the interior of the project and not along an external roadway;
- 4) In areas where water supply and sewerage facilities services are available.

b) Intensity measures

- 1) Site area - minimum 20,000 sq. ft. and maximum 2 acres
- 2) Site coverage maximum - 35%
- 3) Height limitation - 35 feet/2 stories

General Commercial - Consists of a wide range of commercial goods and services serving a community-wide market. That does not mean that the entire range of all commercial goods and services must be available. A representative sample of activities includes personal services, banking

and offices, retail stores, nurseries, printing and publishing, auto repair, marine facilities, and medical and dental clinics.

a) Location Criteria

- 1) At major intersections, or as provided for in certain districts of the IOZ District;
- 2) Central to and/or readily accessible to several residential areas of the community;
- 3) Preferably grouped with other stores of this category to achieve a combined market draw of people on multipurpose trips;
- 4) Not adjacent to low density, single family neighborhoods;
- 5) Adjacent to Medium Density Residential areas when proper buffering is provided;
- 6) Situated preferably on an arterial roadway, but never on a local street;
- 7) In areas where water supply and sewerage facilities services are available.

b) Intensity Measures

- 1) Lot coverage maximum - 35%
- 2) Building height maximum - 50 feet unless parking provided under building then 60 feet.

Office Commercial - Activities that generally do not entail sale or display of goods and do not require high visibility from major roadways. Typical uses include legal, insurance, financial, realty, technical, some medical service establishments and bio-tech, high-tech, laboratory and office research. Office commercial may also contain retail uses that directly serve the needs of the office businesses.

a) Location Criteria

- 1) Location needs are often determined by type of service (attorneys near courthouse, physician near hospital, etc.);
- 2) Attractive or prestigious setting is often desired; suitable for location near multi-family housing to serve as a transitional use between more intensive commercial and industrial uses;
- 3) May locate adjacent to low density residential neighborhood only when height is limited to one story, less than 35% of project site utilized for structure(s) and adequate buffering provided;
- 4) May locate in industrial park however should be located in designated tract of land in park;
- 5) In areas where water supply and sewerage facilities services are available.
- 6) Should include adequate utilities, including electricity, sources of processed water and specialized methods for disposal of industrial wastes;
- 7) These areas should be located outside of environmentally sensitive habitats;
- 8) High-Tech, bio-tech, and office research uses should be encouraged in all Industrial or Workplace zoning districts of the MXD, in order to preserve retail uses for Commercial districts.

b) Intensity Measures

- 1) Lot coverage maximum - 35%
- 2) Building height maximum - 50 feet unless parking provided under building then 60 feet

Heavy Products Commercial - Activities that sell large or bulk products or maintain large inventories of products. These usually serve a sizeable market area and are often similar to or part of industrial activities. Building materials, heavy machinery and wholesale establishments are typical heavy commercial uses.

a) Location Criteria

- 1) Parcels should be accessible from outlying service areas and near primary routes for shipping and receiving goods (highways, rail);
- 2) Should be spatially separated from residential areas;
- 3) Should not be located in proximity to other commercial activities, e.g., retail stores, offices;
- 4) Suitable siting is near or in industrial areas due to similar location and transportation needs;
- 5) In areas where water supply and sewerage facilities services are available.

b) Intensity Measures

1) Site coverage maximum - 35%

2) Building height maximum - 35 feet

Staff Analysis: As previously discussed, the reduction of 21.3+/- acres of commercial land interior to the north side of the Parcel 19 PUD and the increase of 3.8+/- acres commercial land at the corner of Indiantown road and the Florida Turnpike, is supported by location criteria in the Commercial land use designation and is indicative of generally accepted planning principles. The proposed FLUM amendment to the 3.8+/- acres (Property B) with the Commercial land use designation is generally consistent with the intensity and location criteria in Policy 1.3.9.

Objective 1.4: The Town's economic base shall be expanded by promoting commercial and industrial bioscience research, biotechnology uses and activities as planned on the Future Land Use Map, by ensuring adequate sites for development, providing for public utilities in a timely manner, and services to stimulate such growth.

Objective 1.17: The Town shall promote a cluster of sites for bioscience research and biotechnology uses through the creation of an Overlay. The Bioscience Research Protection Overlay is intended to protect parcels of land in the Town for the development of bioscience research and biotechnology uses which are expected to be attracted to Northern Palm Beach County due to the location of the Scripps Florida Research Institute at Florida Atlantic University's Jupiter Campus. The Town shall encourage uses within the Overlay, which are supportive of and compatible with the Scripps Florida Research Institute, or which are accessory to bioscience research and biotechnology uses. The Overlay does not limit the uses currently allowed consistent with the property's land use designation including uses allowed pursuant to planned development approvals and developments of regional impact.

Staff Analysis (for both objectives): As previously discussed, because of the lack of other adequate sites for bioscience uses on the north side of the Parcel 19 property, the proposed location of these uses along Indiantown Road is an acceptable alternative. In addition, the applicant has agreed to the concept of recording a restrictive covenant allowing only Bioscience/R&D uses be placed on 9 acres of the property prior to adoption of the proposed land use changes. Further, it is important to note that the approved Parcel 19 PUD development has never included any Bioscience/R&D uses. The proposed FLUM amendments will be generally consistent with Objective 1.4 and 1.17 if protective measures are in place. Finally, the Town received Bioscience Overlay related correspondence, an October 10, 2013 letter (see Attachment J of staff report) and November 20, 2013 e-mail (see Attachment K of staff report), from Attorney Ron Kolins. He is representing Toll Brothers, which has filed as an intervener for the subject FLUM, Zoning Map, PUD and site plan applications.

Policy 1.17.9 Any proposed Future Land Use Map amendment or rezoning on a property within the Overlay that, allows uses other than those encouraged by the Overlay, specifically disallows uses encouraged by the Overlay, or that the Director of Planning and Zoning determines would discourage uses encouraged by the Overlay, must be presented to the Bioscience Land Protection Advisory Board prior to action being taken by the Town Council. Further, the Department of Planning and Zoning shall notify the other municipalities subject to the executed (Overlay) Interlocal Agreement and Palm Beach County of any such proposals prior to any public hearings on any such amendment or rezoning.

Staff Analysis: The FLUM amendment to the 25.1+/- subject property was brought before the Bioscience land Protection Advisory Board at their November 20, 2013 meeting. All of the other municipalities subject to the executed Overlay Interlocal Agreement and Palm Beach County were notified of this Advisory Board meeting. In addition, staff will notify the municipalities and the County when the staff report for this amendment is available on the Town's webpage. The processing of the proposed FLUM amendments is consistent with Policy 1.17.9.

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

Staff Analysis: The proposed land use for the 25.1+/- acres (Property A) is generally consistent with the vacant property on three sides. It leaves a 5.0+/- acre commercial parcel to the east where the Jupiter Country Club clubhouse is located. The proposed land use for the 3.8+/- acres along Indiantown Road (Property B) is consistent with the existing vacant property to currently assign with Commercial land use to the north and west. The property is also generally consistent with the golf course (driving range) use to the north and the Florida Turnpike right-of-way property to the east and the Indiantown Road right-of-way to the south.

- 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 Analysis: The proposed land use on the 25.1+/- acres (Property A) will not be an isolated land use related to the immediate adjacent properties on three sides, which are assigned with the Low Density Residential land use designation. The property is unrelated to the clubhouse site located to the east. The proposed land use on the 3.8+/- acres along Indiantown Road (Property B) will not be an isolated land use related to the immediate adjacent property to the north and west, which is assigned with the Commercial land use designation.

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

Staff Analysis: The applicant submitted a needs assessment for the proposed development (see Attachment L of staff report), which was submitted to the Town in April 2013. Staff has the following comments on the needs assessment about the following demographic characteristics data contained in the needs assessment:

- *2012 Town Total Population Estimate* – The needs assessment estimates the Town’s 2012 total population at 56,980. The Town’s 2012 University of Florida Bureau of Economic and Business Research (BEBR) total population estimate is 56,337, which is 643 residents less than the needs assessment estimate.
- *2015 and 2025 Town Population Projections* – The needs assessment projects the total Town population in 2015 and 2025 at 61,294 and 76,169, respectively. Included as Attachment M is the Greater Jupiter Area Population Projections for 2010 to 2025 table, which was utilized in the Town’s Evaluation and Appraisal Report (EAR)-based Comprehensive Plan Amendments adopted in 2008. Staff notes that the projections for 2015 through 2025 are still valid. The 2010 U.S. Census total population for the Town was 55,156 and the projection in the table was slightly lower at 53,849. The needs assessment 2015 and 2025 total population projections are 2,469 and 12,384 residents higher than the projections contained in the Town’s table.
- *Household Owner-occupied vs. Renter Comparison* – The needs assessment states that the 87.0% of the Town’s housing units are owner-occupied, compared to a Palm Beach Countywide owner-occupied rate of 69.5%; a gap of 17.5%. The most recent 3-year (2010-2012) U.S. Census American Community Survey (ACS) for housing characteristics (Attachment N) states that the Town’s owner-occupied units rate is 71.7% and the corresponding Palm Beach Countywide rate is 71.0%. The information from the 3-year ACS represents that the total amount of owner-occupied housing units in the Town is 15.3% lower than reported in the needs assessment. The owner-occupied housing units percentage gap between the County and the Town is reduced to 0.7% based on the 3-year ACS.

While staff believes the applicant’s need assessment over estimates a potential need, it does indicate there is some need for additional residential. Staff notes that the proposed FLUM amendments are not necessary because of changing conditions related to demographic trends, annexation or public service needs. However, as previously noted the proposed FLUM amendments provide a hierarchy of intensity of use and address the location criteria more appropriately than the current land uses.

IV. Impacts and Infrastructure Availability Analysis

Population impacts. The existing Commercial land use designation on the 25.1+/- acres (Property A) does not permit residential development, except for accessory residential uses. The proposed change of the land use to Low Density Residential would allow up to two units per acre. The proposed change on the 25.1+/- acres (Property A) could increase the population by 116 residents (25.1x2x2.31 [average persons per household in the Town]). While the 3.8+/- acres along Indiantown Road (Property B) is currently assigned with the Low Density Residential land use designation, it is designated as a buffer property on the overall Parcel 19 plat and the PUD. As such, it cannot be developed with residential units.

Traffic impacts. The applicant's traffic analysis (see Attachment O of staff report) states the proposed amendments to the land use designations would result in the following decreases:

- 8,673 daily traffic trips;
- 210 AM peak hour trips;
- 840 PM peak hour trips.

Staff does not have any traffic-related concerns with the proposed Future Land Use Map amendments, since the existing daily trip cap on the overall Parcel 19 Property will be maintained.

Environmental impacts. The Town's Natural Resources Coordinator has reviewed the proposed FLUM amendments and does not have any concerns. With regard to the proposed FLUM amendment to the 3.8+/- acre subject property, as previously noted it is currently listed on the Parcel 19 plat and the PUD for buffer purposes. Therefore, any proposed development would still be required to use a portion of the 3.8+/- acre property to provide for adequate landscape buffering.

Infrastructure availability. As noted in Attachment P of the staff report, all public facilities are available to the subject properties without adversely impacting the Town's established adopted LOS standards as required by the Comprehensive Plan; specifically Infrastructure Element Policy 1.4.4. A letter received from the Palm Beach County School District granting concurrency approval to the proposed land use change on the 25.1+/- acre subject property is included as Attachment Q of staff report.

**TOWN OF JUPITER
TOWN MANAGER'S OFFICE**



DATE: July 17, 2014
TO: Honorable Mayor and Members of Town Council
THRU: Andrew D. Lukasik, Town Manager
FROM: John Sickler, Planning and Zoning Director
SUBJECT: **LAKEWOOD (NORTH PARCEL 19)** – Applications to change the future land use designation of two properties located on the north side of Indiantown Road, and west of the Florida Turnpike:
 A. 25.1+/- acre property, Parcel H of the Parcel 19 North-PUD Plat, approximately 2,300 feet north of Indiantown Road from Commercial with the Bioscience Research Protection Overlay to Low Density Residential;
 B. 3.8+/- acre property in Parcel B of the Parcel 19 North-PUD Plat, located along the north side of Indiantown Road from Low Density Residential to Commercial with the Bioscience Research Protection Overlay.

PZ #13-286 (25.1 acre) - Ord #43-13	Meeting	BIO	11/20/13
PZ #13-339 (3.8 acre) - Ord #45-13	dates:	PZ	12/10/13
DMK		TC	12/17/13 (continued)
		TC	01/07/14 (continued)
		TC	02/04/14 (continued)
		TC	03/18/14 (continued)
		TC	05/04/14 (continued)
		TC	05/20/14 (1st reading)
		TC	07/15/14 (2nd reading)

<i>Property owner:</i>	Jupiter 19 Park, LLC
<i>Applicant:</i>	Lakes Development Company
<i>Agent:</i>	Gentile Glas Holloway O'Mahoney & Associates, Inc.
<i>Acreage:</i>	Property A: 25.1+/- acres Property B: 3.8+/- acres (see Attachment A- location map)
<i>PCNs:</i>	Property A: 30-42-40-32-02-008-0000 Property B: 30-42-40-32-02-002-0011 (portion of)
<i>Property locations:</i>	Property A: Approximately 2,300 square feet north of Indiantown Road just west of the Florida Turnpike Property B: Along the north side of Indiantown Road just west of the Florida Turnpike
<i>Existing Use of Both Properties:</i>	Vacant
<i>Current FLUM Designations:</i>	Property A: Commercial with the Bioscience Research Protection Overlay (the "Overlay")

<i>Proposed FLUM Designations:</i>	Property B: Low Density Residential Property A: Low Density Residential Property B: Commercial with the Overlay
<i>Intervener</i>	Toll Brothers, Inc. (see Attachment R)

Town Council Final Action.

At their July 15, 2014 meeting, the Town Council adopted (by a 4-1 vote) the proposed Future Land Use Map amendments, as recommended by staff.

Staff Update.

The Town received a “No-ORC” letter from the Department of Economic Opportunity (DEO) on July 2, 2014 (Attachment V), stating the Department did not have any objections to the proposed Future Land Use Map amendments. Therefore, pursuant to Section 163.3184, Florida Statutes, the Town has 60 days, from July 2, 2014, in which to adopt, adopt with changes, or determine that the Town will not adopt the proposed amendments.

Town Council Action.

At their May 20, 2014 meeting, the Town Council **approved** (by a 4-1 vote) on 1st reading transmittal of the Future Land Use Map amendments, as recommended by staff.

Staff Update.

The applicant has submitted a revised Statement of Use (staff report Attachment F), reducing the proposed number of single-family units from 286 to 275, slightly decreasing the restaurant intensity and increasing the drugstore intensity on the proposed combined 14.1+/- acres of commercial along Indiantown Road. The decreases in density and intensity are proposed by the applicant in response to the daily trip cap discussion that occurred at the January 7, 2014 Town Council meeting. The revised development lowers the proposed daily trip total for the Lakewood project in order to stay below the daily trip cap of 9,258 for the overall Parcel 19 Planned Unit Development (PUD), as noted in a staff supplemental report (Attachment S) prepared for the January 7, 2014 Town Council meeting. The intervener has submitted a May 7, 2014 letter to the Town (Attachment T) and a Jupiter Country Club resident has submitted a May 7, 2014 letter (Attachment U), both pertaining to the updated development request.

Town Council Action (01-07-14)

At their January 7, 2014 meeting, the Town Council moved to continue (by a 5-0 vote) the FLUM and Zoning Map amendments applications to the February 4, 2014 meeting. The Town Council also unanimously agreed that the trip cap applicable to the Parcel 19 PUD is a daily trip cap of 9,258, based on the finding that Ordinance #12-03 included more land south of the C-18 Canal that is not part of the Parcel 19 PUD.

Local Planning Agency Recommendation.

At their December 10, 2013 meeting, the Planning and Zoning Commission, acting as the Local Planning Agency, recommended approval (by a 5-2 vote) of the Future Land Use Map amendment applications.

Staff Recommendation.

The proposed amendments to the Comprehensive Plan's Future Land Use Map (FLUM) are generally consistent with the goals, objectives and policies of the Comprehensive Plan. The staff report contains an analysis of the appropriateness and impacts, in support of the current FLUM amendments, compared to the FLUM amendments that were withdrawn by the applicant at the August 8, 2013 Town Council meeting. Specifically, it includes the elimination of the Daily Trip Cap amendment and the applicant's assurance of 9 acres of this commercial property being available for Bioscience/R&D uses. Based on this analysis below, staff recommends that the Planning and Zoning Commission, acting as the Town's Local Planning Agency, recommend that the Town Council **approve** the proposed amendments to the FLUM.

Bioscience Land Protection Advisory Board Recommendation.

At their November 20, 2013 meeting, the Bioscience Land Protection Advisory Board recommended **approval** (by a 6-0 vote) of the proposed FLUM amendments.

Property Information.

The existing surrounding uses, future land use designations and zoning districts are as follows:

Property A – 25.1+/- acres

Direction	Existing Land Uses	Future Land Use/Zoning Districts
North	Vacant	Low Density Residential/ Residential, Single Family (R-1)
South	Vacant	Low Density Residential/ R-1
East	Golf Club and retention area	Commercial with the Bioscience Research Protection Overlay/ Commercial, General (C-2)
West	Vacant	Low Density Residential/ R-1

Property B – 3.8+/- acres

Direction	Existing Land Uses	Future Land Use/Zoning Districts
North	Golf Course Driving Range	Low Density Residential/ R-1
South	Golf Course (south of Indiantown Road)	Low Density Residential/ R-1
East	Florida Turnpike Right-of-way	Not Designated with land use or zoning
West	Golf Course (open space area)	Low Density Residential/ R-1

The future land use and zoning district designations adjacent to the subject properties are included on the Current Future Land Use Map (FLUM) (see Attachment B) and the Current Zoning Map (see Attachment D).

Background Information.

Reason for the Application to Amend the FLUM: As noted in the applicant's Statement of Use (Attachment F), the owner is requesting the FLUM amendment on the 25.1+/- acre subject property in order to provide for 275 single-family homes, as well as bioscience/R&D uses, a restaurant and a drugstore. The applicant has submitted a concurrent application for rezonings to implement the proposed amendments to the FLUM and an application to amend the Parcel 19 Planned Unit Development (PUD). The Future Land Use Map (FLUM) application on the 3.8+/- acre subject property (the backwards "L" shaped parcel on the attached map series) is requested so as to combine this parcel with an existing 10.3+/- acre vacant property (for a total of 14.1+/- acres). Staff notes the existing north side of Parcel 19 PUD plat states the 3.8+/- subject property is dedicated for buffer purposes, which includes berms, walls, fences, landscaping and irrigation. The uses proposed on the total 14.1 acres are:

- 150,000 square feet (s.f.) of bioscience/research and development uses;
- 5,000 s.f. of restaurant use;
- 14,750 s.f. drugstore.

The applicant has not submitted a site plan for the above noted residential or commercial development, but is requesting these uses as part of the PUD application.

The following is a timeline of the development of the Parcel 19 property:

- *November 2003* – The overall 896.1+/- acre Parcel 19 property is assigned with Town future land use and zoning designations. In addition, the FLUM amendment for the property includes a 9,638 daily traffic trip cap.
- *July 2004* – Town Council approved a planned unit development (PUD) and site plan for 242 for single family dwelling units, 488 multi-family dwelling units, 50 timeshare units, 230 room resort hotel, golf club, 25,000 sf of retail and restaurant, 25,000 sf of office, 36 hole golf course. The number of daily traffic trips generated by the approved PUD (9,258) is 380 trips lower than the 9,638 trip cap in the Comprehensive Plan.
- *December 2006* – An Overlay to preserve land for bioscience research and technology related uses (the Overlay) was assigned to a total of 40.4+/- acres of the Parcel 19 property, which includes the 25.1+/- acre subject property, which had been approved for a hotel and timeshare use to support the golf course. The 25.1 acre parcel was designated with the Overlay in order to protect the commercial land use so that there would be an opportunity to incorporate bioscience research and biotechnology uses on the parcel if the property did not develop as approved or for redevelopment. This property was identified by the Town at the time it was assigned with the Overlay as a location for regional employment uses adjacent to the Turnpike and I-95 on the west side. The assignment of the Overlay would also qualify the 25 acre parcel for incentives to develop bioscience research and technology uses.
- *March 2012* – The applicant submits FLUM, FLUM daily trip cap revision and zoning map amendments to the subject properties.
- *May 2012* - The applicant submits an amendment the overall Parcel 19 PUD and a site plan for the development of 350 single-family "zero lot line" dwelling units. The following are significant events related to the FLUM, Zoning Map, PUD and site plan submittals:
 - *May 2012* - At their May 17, 2012 meeting, the Bioscience Land Protection Advisory Board recommended **approval** of the prior FLUM and Zoning Map amendments.
 - *July 2012* – The applicant presents a conceptual review of the proposed development to the Town Council at their July 17, 2012 meeting. The Conceptual Review Executive Summary and the applicable Town Council Meeting Minutes are included as Attachments G and H, respectively.
 - *February 12, 2013* - At their February 12, 2013 meeting, the Planning and Zoning Commission, acting as the Local Planning Agency, recommended approval (by a 5-2

vote) of the Future Land Use Map amendment applications and approval for a trip cap on the overall 896.1+/- acre Parcel of whatever would accommodate 150,000 square feet of Research and Development Use. The Planning and Zoning Commission also recommends approval (by a 4-3 vote) of the Zoning Map amendment applications.

- August 2013 – At the August 8, 2013 Town Council public hearing, the applicant withdrew all of the applications submitted for the Parcel 19 property.
- September 9, 2013 – The applicant submits the subject FLUM and Zoning Map amendment applications and the concurrent PUD amendment application.

Analysis.

I. Applicant Future Land Use Map (FLUM) Amendment Request

The FLUM amendment applications request the following land use changes on the subject properties as shown on Attachment C:

- 25.1+/- acre property – Change from Commercial with the Bioscience Research Protection Overlay (the Overlay) to Low Density Residential;
- 3.8+/- acre property – Change from Low Density Residential to Commercial with the Overlay.

Staff Analysis: Staff compared the previous FLUM amendments with the subject applications to quantify the proposed changes in acreage for the land uses on the entire original Parcel 19 property. Below is a table comparing the percentage changes in the four land uses assigned in 2003 to those proposed in the current FLUM amendments. The proposed net increase of 21.3+/- acres assigned with the Low Density Residential future land use designation represents 2.8+/- percent of the total residential acres in the entire Parcel 19 property. While the proposed net decrease of acres assigned with the Commercial future land use designation is 52.8+/- percent of the total acres assigned with this land use, the reduction is interior to the Parcel 19 PUD located on the north side of Indiantown Road. This commercial acreage is surrounded by property assigned with the Low Density Residential land use and the golf club site, which is commercial.

Table 1 – Comparison of Amount of Land

Future Land Use Designation	Acres Assigned in 2003	Acres with proposed FLUM	% Change with proposed FLUM
Low Density Residential	759.6	780.9	+2.8
Commercial	40.4	19.1	-52.8
Conservation	32.2	32.2	-----
Public/ Institutional	63.9	63.9	-----
Totals	896.1	896.1	

Below is analysis of the appropriateness and impacts of the current FLUM amendments in support of staff’s recommendation of **approval**, compared with similar analysis for the previous withdrawn FLUM amendments.

- 1) *Elimination of Daily Trip Cap amendment* - The applicant is no longer proposing to increase the FLUM daily traffic trip cap (9,638) on the overall 896.1+/- acre Parcel 19 property. The density and intensity of the proposed PUD development has been reduced to below the daily trip cap of 9,258, as requested by the Town Council at their January 7, 2014 meeting. At the August 8, 2013 public hearing in which the

- FLUM amendments were withdrawn, public comments from nearby residents stated they were in favor of development that was lower intensity. Specifically, development that was more compatible with the rural nature of the Jupiter Farms community located west of the Florida Turnpike and the preservation aspect of the national “Wild and Scenic” Loxahatchee River Corridor located adjacent to Parcel 19.
- 2) *Net reduction of 21.3 acres of commercial land* – The proposed net decrease of 21.3 acres interior to the property, assigned with Commercial land use, provides a better transition to the adjacent river corridor and rural Jupiter Farms community, consistent with the public comments from nearby residents. The commercial lands located along Indiantown Road will transition more appropriately from the road and the Florida Turnpike to the low density residential when buffered by the golf clubhouse, driving range and golf holes. Further, the location of the original commercial land uses in the middle of the development (assigned in 2003) were based on what was necessary to accommodate the proposed resort development and not necessarily based on a hierarchy of intensity and use (location criteria) contained in the Town’s land use designations. The locational criteria for the Commercial future land use designation states general commercial uses should be situated preferably along an arterial roadway (e.g. Indiantown Road) and adjacent to medium density residential areas. The proposed increase of the commercial parcel adjacent to Indiantown Road by 3.8+/- acres enhances the viability of the parcel for a wider array of commercial uses. The currently approved commercial uses (resort hotel and timeshare) on the 25.1+/- acre subject property are unlikely to be built.
 - 3) *Net increase of 21.3 acres of low density residential land* – As noted in the table above, the proposed net increase of 21.3 acres assigned with the Low Density Residential future land use designation represents an increase of 2.8+/- percent of residential designated land on the overall PUD. The Low Density Residential future land use designation includes location criteria for residential developments to be in areas that provide convenient access to work and shopping areas and where adequate police and fire protection can be economically provided. The net increase of 2.8+/- percent of residential lands on the Parcel 19 property strictly associated with the proposed FLUM amendments will not have a significant impact on the provision of government services such as police and fire protection, since the existing traffic cap will remain as a limit on the maximum density. Further, the predominate land use designation on this property has always been primarily low density residential and it is located west of the Florida Turnpike adjacent to the nationally designated “wild and scenic” Loxahatchee River. Allowing the change to residential in this location reduces prior concerns with the need to provide an appropriate transition to preserve lands to the west and rural residential areas.
 - 4) *Net decrease of 21.3 acres assigned with the Bioscience Overlay* - The proposed FLUM amendment would result in a reduction of 21.3+/- acres of land which has been included within the Overlay, so as to be available to meet the Town’s commitment to provide land available for the expansion of bioscience technology uses. However, in contrast to the previously withdrawn applications, the applicant is now proposing, as noted in the concurrent PUD staff report, that it will make its “best efforts” to market and develop 150,000 s.f. of Bioscience/R&D uses, on 9 acres of the 14.1+/- acre commercial parcel for the 5 years after the Town issues a building permit for any vertical residential construction. If the applicant is unable to develop the 150,000 s.f. within this 5 year time frame, they propose 9 of the 14.1 +/- acres would be conveyed to the Town of Jupiter, which the Town could then market for Bioscience/R&D uses. To further guarantee Bioscience/R&D uses will be produced, the applicant has agreed to the concept of recording a restrictive covenant allowing

only Bioscience/R&D uses be placed on 9 acres of the property prior to adoption of the proposed land use changes. It is important to note that the approved Parcel 19 PUD development has never included any Bioscience/R&D uses.

Finally, staff notes that parts of the approved development have been implemented on the north side of Parcel 19 (i.e. two golf holes, Jupiter Country Golf Club, driving range and maintenance facility), which significantly limits the options. Therefore, other more appropriate sites for additional Bioscience/R&D are limited. The only other options staff identified were to locate parcels along the Florida Turnpike for employment center uses, or to have the applicant and Toll Brothers work together to achieve land swaps to relocate the driving range to allow more bioscience and employment uses on the north side of Parcel J.

II. Applicant Responses to Town Council Questions/Comments

The applicant provided a response letter dated October 9, 2013 (Attachment I) to the following questions/comments raised by the Town Council at the August 8, 2013 public hearing:

- Applicant discussions with representatives from Toll Brothers, developers of the Jupiter County Club, regarding any potential land swaps to relocate the commercial land uses on the north side of Parcel 19;
- How the intent of the current Master Plan, on the overall 896.1+/- acre Parcel 19 property, will be preserved with the proposed FLUM amendment on the 25.1+/- acre property to eliminate the commercial uses;
- A request to reach out to the Jupiter Farms organizations that gave public comments on the FLUM amendments at the public hearing.

Staff notes that the applicant and Toll Brothers did not reach an agreement to swap any lands. However, as noted in the May 7, 2014 letter (Attachment T) from Toll Brother's attorney, they have no objections to the most recent Lakewood plans submitted on April 18, 2014. This acceptance by Toll Brothers is conditional, provided that the Town allocates at least 71 dwelling units to Pod D, pursuant to an application to be submitted by Toll Brothers.

III. Criteria for FLUM amendments. Section 27-99 of the Zoning Code provides four criteria the staff and Council are required to apply to the review of the proposed Future Land Use Map (FLUM) amendments. Each of the four criteria is discussed below.

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

Staff Analysis: The proposed FLUM amendments to assign the proposed land use designations noted above are consistent with the following goals, objectives and policies of the Comprehensive Plan as described below:

FUTURE LAND USE ELEMENT

Policy 1.3.1 Low Density Residential – The predominate dwelling type in this future land use designation is detached, single-family dwelling units. Within a planned unit development (PUD) larger than 160 acres, duplexes, zero-lot-line, townhome, multi-family and accessory dwelling units may be allowed, and single-family dwelling units may not be required to be the predominate dwelling type. The previously described allowances are subject to Town Council approval. The allowable density range is up to

two units per gross acre with the following location criteria. Additional compatible uses may be permitted in the land development regulations (including home occupations, parks and playgrounds, utility services, religious institutions, cemeteries, daycares and limited public uses).

Location Criteria

- a) In areas that afford attractive natural and/or rural surroundings.
- b) In areas that provide convenient access to work and shopping areas.
- c) In areas that are spatially separated and buffered by other uses from major streets, commercial or industrial activities, or other land uses which generate significant adverse impacts including but not limited to the following: noise, glare, dust or fumes.
- d) In areas where water supply and sewerage facilities services can be provided economically.
- e) In areas where adequate police and fire protection can be economically provided.

Staff Analysis: The proposed Future Land Use Map (FLUM) amendment to the 25.1+/- acres (Property A) to the Low Density Residential land use designation is an increase of 2.8+/- percent on the entire PUD. This net increase of residential lands on the Parcel 19 property strictly associated with the proposed FLUM amendments will not have a significant impact on the provision of government services such as police and fire protection. In addition, the increase in residential lands in the middle of the overall property provides a better transition to the adjacent river corridor and rural residential areas, consistent with the public comments from nearby residents. Staff finds the proposed amendment to increase the land designated for low density residential is generally consistent with the land use designation's location criteria as previously discussed. The proposed amendments to the FLUM are generally consistent with Policy 1.3.1.

Policy 1.3.9 Commercial - This future land use designation provides for neighborhood, general, office, heavy products commercial uses, and accessory residential apartments for employees, which are detailed below. The subcategories should be used as a guide for the assignment of zoning.

Neighborhood Commercial - Stores offering frequently needed goods and services to nearby residential areas. Typical activities include pharmacy, dry-cleaning, florist, hardware and garden supplies, professional offices, and personal services.

a) Location Criteria

- 1) In areas accessible to immediate surrounding residential neighborhoods;
- 2) Can be located in conjunction with groups of retail uses to achieve multi-purpose trips and promote pedestrian-friendly districts;
- 3) Commercial uses which are a part of a planned unit development must be situated in the interior of the project and not along an external roadway;
- 4) In areas where water supply and sewerage facilities services are available.

b) Intensity measures

- 1) Site area - minimum 20,000 sq. ft. and maximum 2 acres
- 2) Site coverage maximum - 35%
- 3) Height limitation - 35 feet/2 stories

General Commercial - Consists of a wide range of commercial goods and services serving a community-wide market. That does not mean that the entire range of all commercial goods and services must be available. A representative sample of activities includes personal services, banking and offices, retail stores, nurseries, printing and publishing, auto repair, marine facilities, and medical and dental clinics.

a) Location Criteria

- 1) At major intersections, or as provided for in certain districts of the IOZ District;
- 2) Central to and/or readily accessible to several residential areas of the community;
- 3) Preferably grouped with other stores of this category to achieve a combined market draw of people on multipurpose trips;
- 4) Not adjacent to low density, single family neighborhoods;
- 5) Adjacent to Medium Density Residential areas when proper buffering is provided;
- 6) Situated preferably on an arterial roadway, but never on a local street;
- 7) In areas where water supply and sewerage facilities services are available.

b) Intensity Measures

- 1) Lot coverage maximum - 35%
- 2) Building height maximum - 50 feet unless parking provided under building then 60 feet.

Office Commercial - Activities that generally do not entail sale or display of goods and do not require high visibility from major roadways. Typical uses include legal, insurance, financial, realty, technical, some medical service establishments and bio-tech, high-tech, laboratory and office research. Office commercial may also contain retail uses that directly serve the needs of the office businesses.

a) Location Criteria

- 1) Location needs are often determined by type of service (attorneys near courthouse, physician near hospital, etc.);
- 2) Attractive or prestigious setting is often desired; suitable for location near multi-family housing to serve as a transitional use between more intensive commercial and industrial uses;
- 3) May locate adjacent to low density residential neighborhood only when height is limited to one story, less than 35% of project site utilized for structure(s) and adequate buffering provided;
- 4) May locate in industrial park however should be located in designated tract of land in park;
- 5) In areas where water supply and sewerage facilities services are available.
- 6) Should include adequate utilities, including electricity, sources of processed water and specialized methods for disposal of industrial wastes;
- 7) These areas should be located outside of environmentally sensitive habitats;
- 8) High-Tech, bio-tech, and office research uses should be encouraged in all Industrial or Workplace zoning districts of the MXD, in order to preserve retail uses for Commercial districts.

b) Intensity Measures

- 1) Lot coverage maximum - 35%
- 2) Building height maximum - 50 feet unless parking provided under building then 60 feet

Heavy Products Commercial - Activities that sell large or bulk products or maintain large inventories of products. These usually serve a sizeable market area and are often similar to or part of industrial activities. Building materials, heavy machinery and wholesale establishments are typical heavy commercial uses.

a) Location Criteria

- 1) Parcels should be accessible from outlying service areas and near primary routes for shipping and receiving goods (highways, rail);
- 2) Should be spatially separated from residential areas;
- 3) Should not be located in proximity to other commercial activities, e.g., retail stores, offices;
- 4) Suitable siting is near or in industrial areas due to similar location and transportation needs;
- 5) In areas where water supply and sewerage facilities services are available.

b) Intensity Measures

- 1) Site coverage maximum - 35%
- 2) Building height maximum - 35 feet

Staff Analysis: As previously discussed, the reduction of 21.3+/- acres of commercial land interior to the north side of the Parcel 19 PUD and the increase of 3.8+/- acres commercial land at the corner of Indiantown road and the Florida Turnpike, is supported by location criteria in the Commercial land use designation and is indicative of generally accepted planning principles. The proposed FLUM amendment to the 3.8+/- acres (Property B) with the Commercial land use designation is generally consistent with the intensity and location criteria in Policy 1.3.9.

Objective 1.4: The Town's economic base shall be expanded by promoting commercial and industrial bioscience research, biotechnology uses and activities as planned on the Future Land Use Map, by ensuring adequate sites for development, providing for public utilities in a timely manner, and services to stimulate such growth.

Objective 1.17: The Town shall promote a cluster of sites for bioscience research and biotechnology uses through the creation of an Overlay. The Bioscience Research Protection Overlay is intended to protect parcels of land in the Town for the development of bioscience research and biotechnology uses which are expected to be attracted to Northern Palm Beach County due to the location of the Scripps Florida Research Institute at Florida Atlantic University's Jupiter Campus. The Town shall encourage uses within the Overlay, which are supportive of and compatible with the Scripps Florida Research Institute, or which are accessory to bioscience research and biotechnology uses. The Overlay does not limit the uses currently allowed consistent with the property's land use designation including uses allowed pursuant to planned development approvals and developments of regional impact.

Staff Analysis (for both objectives): As previously discussed, because of the lack of other adequate sites for bioscience uses on the north side of the Parcel 19 property, the proposed location of these uses along Indiantown Road is an acceptable alternative. In addition, the applicant has agreed to the concept of recording a restrictive covenant allowing only Bioscience/R&D uses be placed on 9 acres of the property prior to adoption of the proposed land use changes. Further, it is important to note that the approved Parcel 19 PUD development has never

included any Bioscience/R&D uses. The proposed FLUM amendments will be generally consistent with Objective 1.4 and 1.17 if protective measures are in place. Finally, the Town received Bioscience Overlay related correspondence, an October 10, 2013 letter (Attachment J) and November 20, 2013 e-mail (Attachment K), from Attorney Ron Kolins. He is representing Toll Brothers, which has filed as an intervener for the subject FLUM, Zoning Map, PUD and site plan applications.

Policy 1.17.9 Any proposed Future Land Use Map amendment or rezoning on a property within the Overlay that, allows uses other than those encouraged by the Overlay, specifically disallows uses encouraged by the Overlay, or that the Director of Planning and Zoning determines would discourage uses encouraged by the Overlay, must be presented to the Bioscience Land Protection Advisory Board prior to action being taken by the Town Council. Further, the Department of Planning and Zoning shall notify the other municipalities subject to the executed (Overlay) Interlocal Agreement and Palm Beach County of any such proposals prior to any public hearings on any such amendment or rezoning.

Staff Analysis: The FLUM amendment to the 25.1+/- subject property was brought before the Bioscience land Protection Advisory Board at their November 20, 2013 meeting. All of the other municipalities subject to the executed Overlay Interlocal Agreement and Palm Beach County were notified of this Advisory Board meeting. In addition, staff will notify the municipalities and the County when the staff report for this amendment is available on the Town's webpage. The processing of the proposed FLUM amendments is consistent with Policy 1.17.9.

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

Staff Analysis: The proposed land use for the 25.1+/- acres (Property A) is generally consistent with the vacant property on three sides. It leaves a 5.0+/- acre commercial parcel to the east where the Jupiter Country Club clubhouse is located. The proposed land use for the 3.8+/- acres along Indiantown Road (Property B) is consistent with the existing vacant property to currently assign with Commercial land use to the north and west. The property is also generally consistent with the golf course (driving range) use to the north and the Florida Turnpike right-of-way property to the east and the Indiantown Road right-of-way to the south.

- 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 Analysis: The proposed land use on the 25.1+/- acres (Property A) will not be an isolated land use related to the immediate adjacent properties on three sides, which are assigned with the Low Density Residential land use designation. The property is unrelated to the clubhouse site located to the east. The proposed land use on the 3.8+/- acres along Indiantown Road (Property B) will not be an isolated land use related to the immediate adjacent property to the north and west, which is assigned with the Commercial land use designation.

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

Staff Analysis: The applicant submitted a needs assessment for the proposed development (Attachment L), which was submitted to the Town in April 2013. Staff

has the following comments on the needs assessment about the following demographic characteristics data contained in the needs assessment:

- *2012 Town Total Population Estimate* – The needs assessment estimates the Town’s 2012 total population at 56,980. The Town’s 2012 University of Florida Bureau of Economic and Business Research (BEBR) total population estimate is 56,337, which is 643 residents less than the needs assessment estimate.
- *2015 and 2025 Town Population Projections* – The needs assessment projects the total Town population in 2015 and 2025 at 61,294 and 76,169, respectively. Included as Attachment M is the Greater Jupiter Area Population Projections for 2010 to 2025 table, which was utilized in the Town’s Evaluation and Appraisal Report (EAR)-based Comprehensive Plan Amendments adopted in 2008. Staff notes that the projections for 2015 through 2025 are still valid. The 2010 U.S. Census total population for the Town was 55,156 and the projection in the table was slightly lower at 53,849. The needs assessment 2015 and 2025 total population projections are 2,469 and 12,384 residents higher than the projections contained in the Town’s table.
- *Household Owner-occupied vs. Renter Comparison* – The needs assessment states that the 87.0% of the Town’s housing units are owner-occupied, compared to a Palm Beach Countywide owner-occupied rate of 69.5%; a gap of 17.5%. The most recent 3-year (2010-2012) U.S. Census American Community Survey (ACS) for housing characteristics (Attachment N) states that the Town’s owner-occupied units rate is 71.7% and the corresponding Palm Beach Countywide rate is 71.0%. The information from the 3-year ACS represents that the total amount of owner-occupied housing units in the Town is 15.3% lower than reported in the needs assessment. The owner-occupied housing units percentage gap between the County and the Town is reduced to 0.7% based on the 3-year ACS.

While staff believes the applicant’s need assessment over estimates a potential need, it does indicate there is some need for additional residential. Staff notes that the proposed FLUM amendments are not necessary because of changing conditions related to demographic trends, annexation or public service needs. However, as previously noted the proposed FLUM amendments provide a hierarchy of intensity of use and address the location criteria more appropriately than the current land uses.

IV. Impacts and Infrastructure Availability Analysis

Population impacts. The existing Commercial land use designation on the 25.1+/- acres (Property A) does not permit residential development, except for accessory residential uses. The proposed change of the land use to Low Density Residential would allow up to two units per acre. The proposed change on the 25.1+/- acres (Property A) could increase the population by 116 residents (25.1x2x2.31 [average persons per household in the Town]). While the 3.8+/- acres along Indiantown Road (Property B) is currently assigned with the Low Density Residential land use designation, it is designated as a buffer property on the overall Parcel 19 plat and the PUD. As such, it cannot be developed with residential units.

Traffic impacts. The applicant’s traffic analysis (Attachment O) states the proposed amendments to the land use designations would result in the following decreases:

- 8,673 daily traffic trips;
- 210 AM peak hour trips;
- 840 PM peak hour trips.

Staff does not have any traffic-related concerns with the proposed Future Land Use Map amendments, since the existing daily trip cap on the overall Parcel 19 Property will be maintained.

Environmental impacts. The Town's Natural Resources Coordinator has reviewed the proposed FLUM amendments and does not have any concerns. With regard to the proposed FLUM amendment to the 3.8+/- acre subject property, as previously noted it is currently listed on the Parcel 19 plat and the PUD for buffer purposes. Therefore, any proposed development would still be required to use a portion of the 3.8+/- acre property to provide for adequate landscape buffering.

Infrastructure availability. As noted in Attachment P, all public facilities are available to the subject properties without adversely impacting the Town's established adopted LOS standards as required by the Comprehensive Plan; specifically Infrastructure Element Policy 1.4.4. A letter received from the Palm Beach County School District granting concurrency approval to the proposed land use change on the 25.1+/- acre subject property is included as Attachment Q.

Conclusions.

Staff supports the requested changes in land use and zoning on the subject properties for the following reasons:

1. The amendments are generally consistent with the objectives and policies of the Town's Comprehensive Plan.
2. The proposed amendments will allow for the potential development of commercial uses on the 14.1+/- acre property along Indiantown Road as proposed in the concurrent Parcel 19 Planned Unit Development (PUD) amendment application. The PUD application also provides assurances for Bioscience/R&D uses within the Bioscience Research Protection Overlay to preserve land to provide economic development related to this use.
3. The proposed amendments and proposed development in the concurrent application to amend the Parcel 19 PUD is below the daily trip cap of 9,258, which was unanimously agreed to by the Town Council at their January 7, 2014 meeting.

Attachments:

- Attachment A – Location Map/Aerial
- Attachment B – Current Future Land Use Map
- Attachment C – Proposed Future Land Use Map
- Attachment D – Current Zoning Map
- Attachment E – Proposed Zoning Map
- Attachment F – Statement of Use
- Attachment G – Town Council July 19, 2012 Conceptual Review Executive Summary
- Attachment H – Town Council July 19, 2012 Meeting Minutes
- Attachment I – October 9, 2013 letter from applicant regarding responses to staff comments
- Attachment J – October 10, 2013 letter from Attorney Ron Kolins
- Attachment K – November 20, 2013 e-mail from Attorney Ron Kolins
- Attachment L – Lakewood Needs Assessment by Thompson Consulting (February 2013)
- Attachment M – Greater Jupiter Area Population Projections 2010-2025 (2006)
- Attachment N – American Community Survey 3-year (2010-2012) Town/County Owner-occupied vs. renter total housing units estimates

Lakewood (aka the north side of Parcel 19)

FLUM Amendments

Page 14 of 14

Attachment O – Applicant’s Traffic Analysis for FLUM amendments on subject properties

Attachment P – Infrastructure Availability Staff Analysis

Attachment Q - November 7, 2013 Letter from the Palm Beach County School District

Attachment R – February 25, 2013 Toll Brothers, Inc. Intervener Letter

Attachment S – December 31, 2014 Staff Supplemental Report

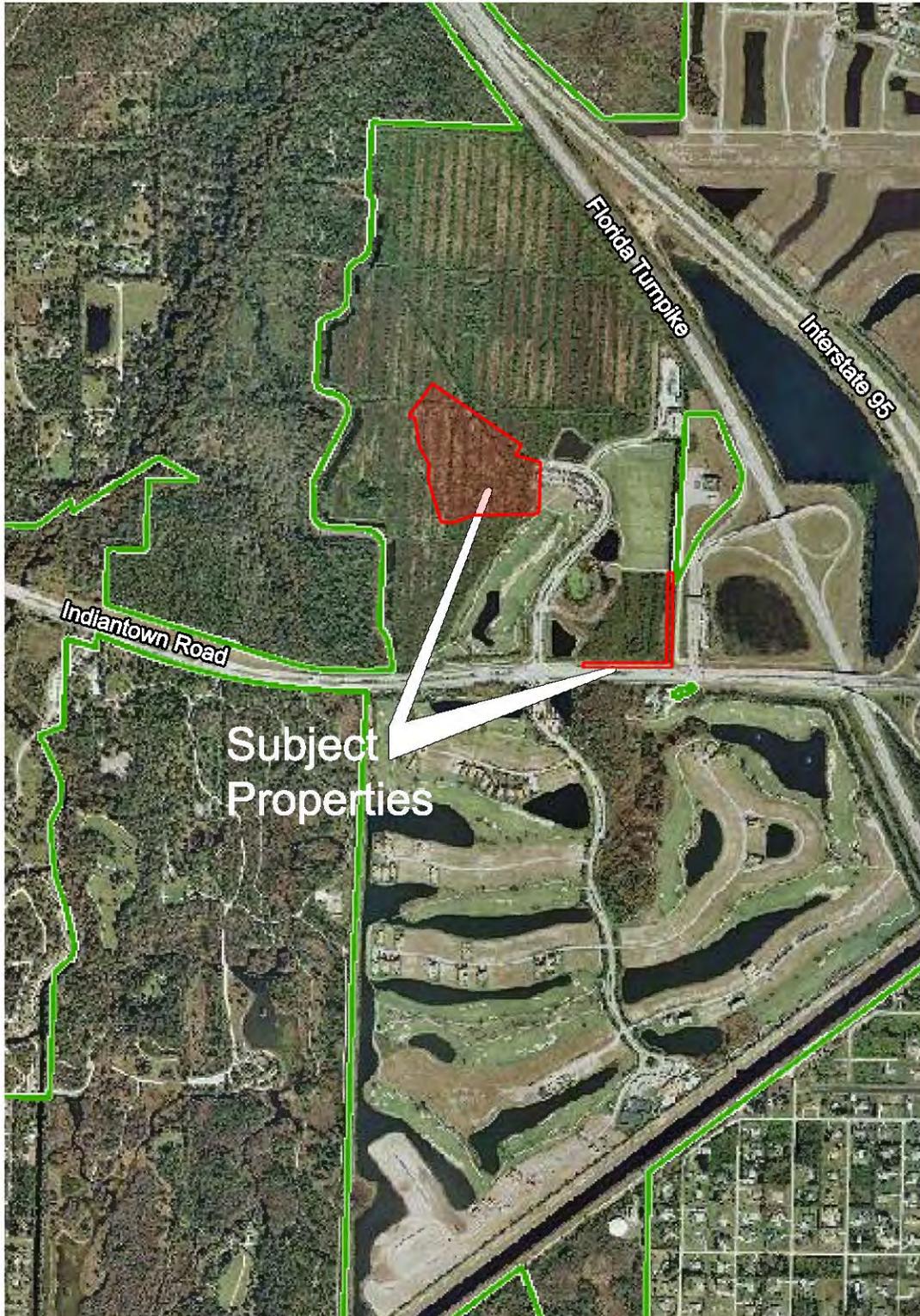
Attachment T – May 7, 2014 Toll Brothers, Inc. Intervener Letter

Attachment U – May 7, 2014 Jupiter Country Club resident Letter

Attachment V – July 2, 2014 No-ORC letter from DEO

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Attachment A Aerial Location Map - Lakewood

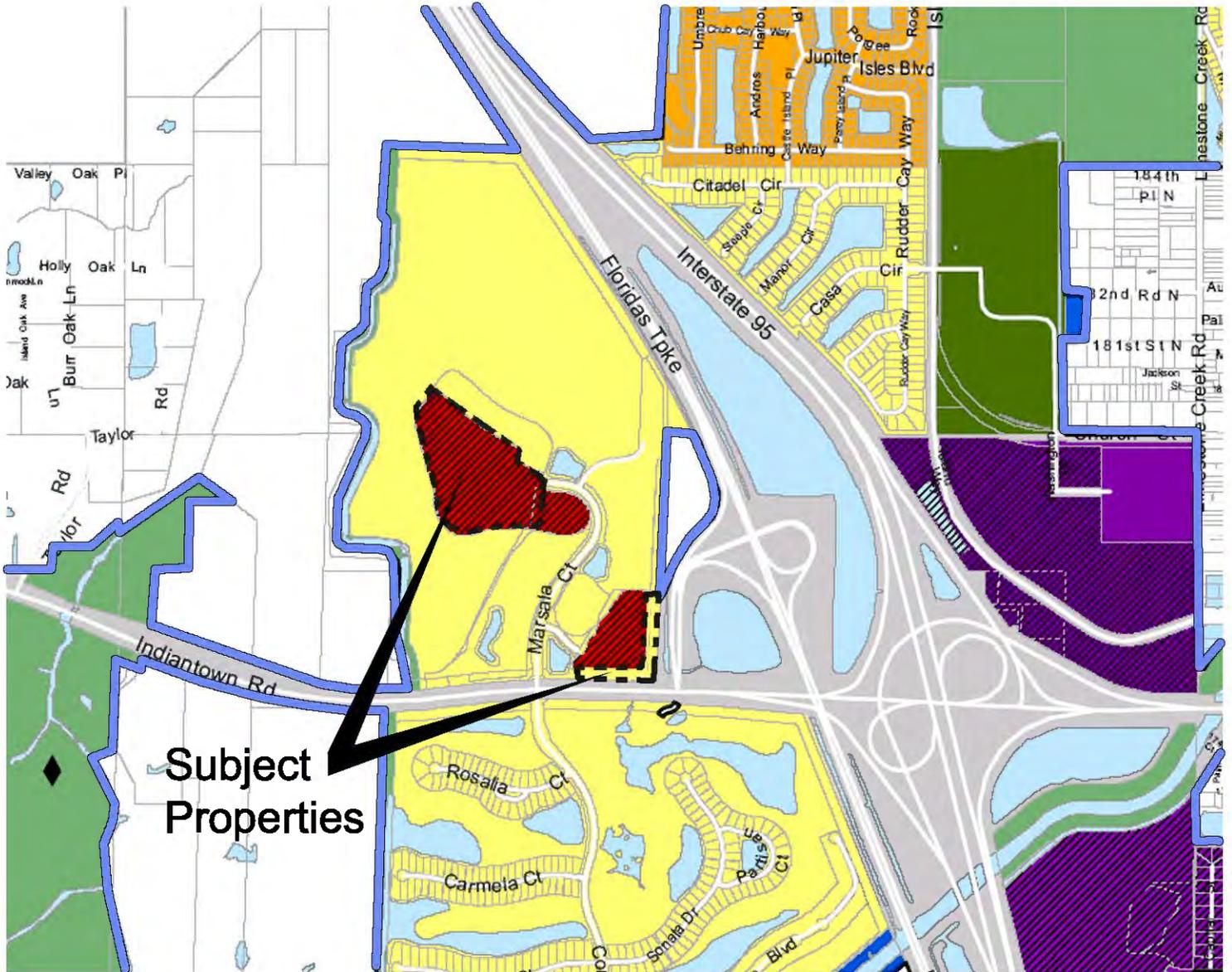


Legend

-  Subject Properties
-  Town Boundary

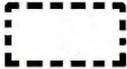
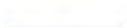


Attachment B Current Future Land Use Map - Lakewood



Subject Properties

Legend

-  Subject Properties
-  Town Boundary
-  Water

LEGEND

- Historic Resources**
 -  Locally Designated Site
 -  Historically Significant Site Meriting Protection
 -  Town Boundary
 -  US-1 - Intracoastal Waterway Corridor Boundary
 -  Bioscience Research Protection Overlay
 -  Extra - Jurisdictional
 -  Water

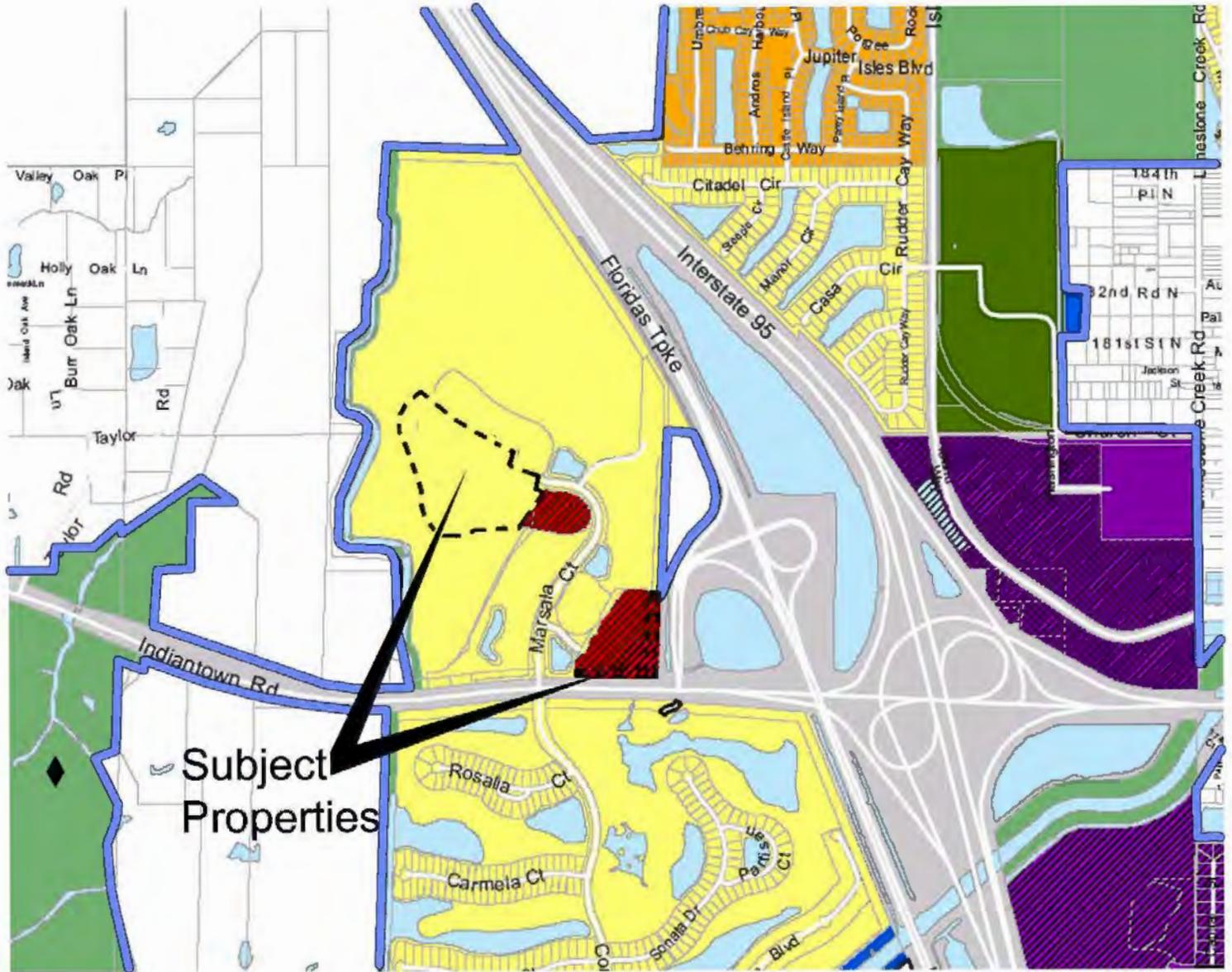
FUTURE LAND USE DESIGNATIONS

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



Attachment C

Proposed Land Use Map - Lakewood



Subject Properties

Legend

- Subject Properties
- Town Boundary
- Water

LEGEND

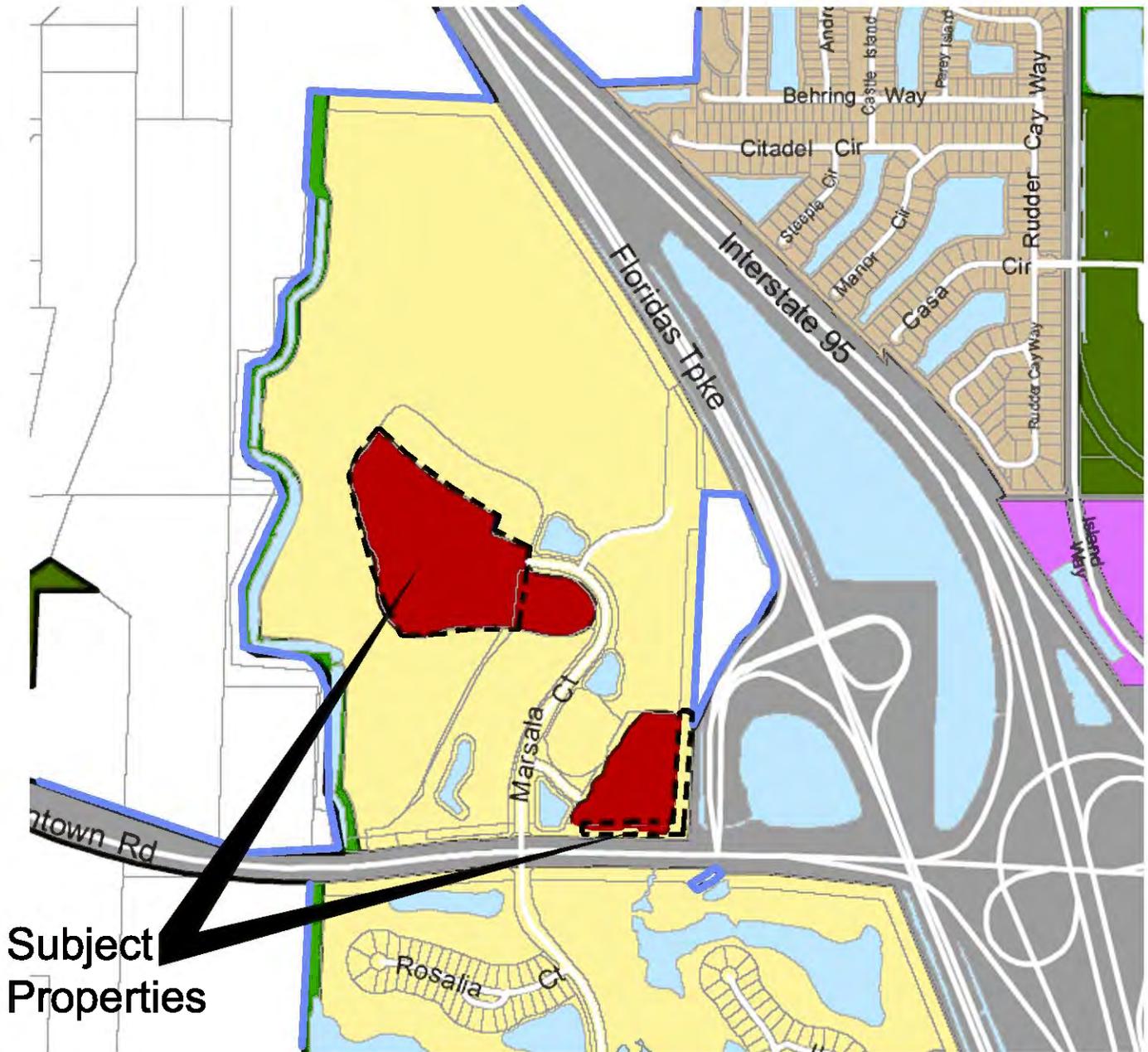
- Historic Resources**
- Locally Designated Site
 - Historically Significant Site Meriting Protection
 - Town Boundary
 - US-1 - Intracoastal Waterway Corridor Boundary
 - Bioscience Research Protection Overlay
 - Extra - Jurisdictional
 - Water

FUTURE LAND USE DESIGNATIONS

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



Attachment D Current Zoning Map - Lakewood



Subject Properties

Legend

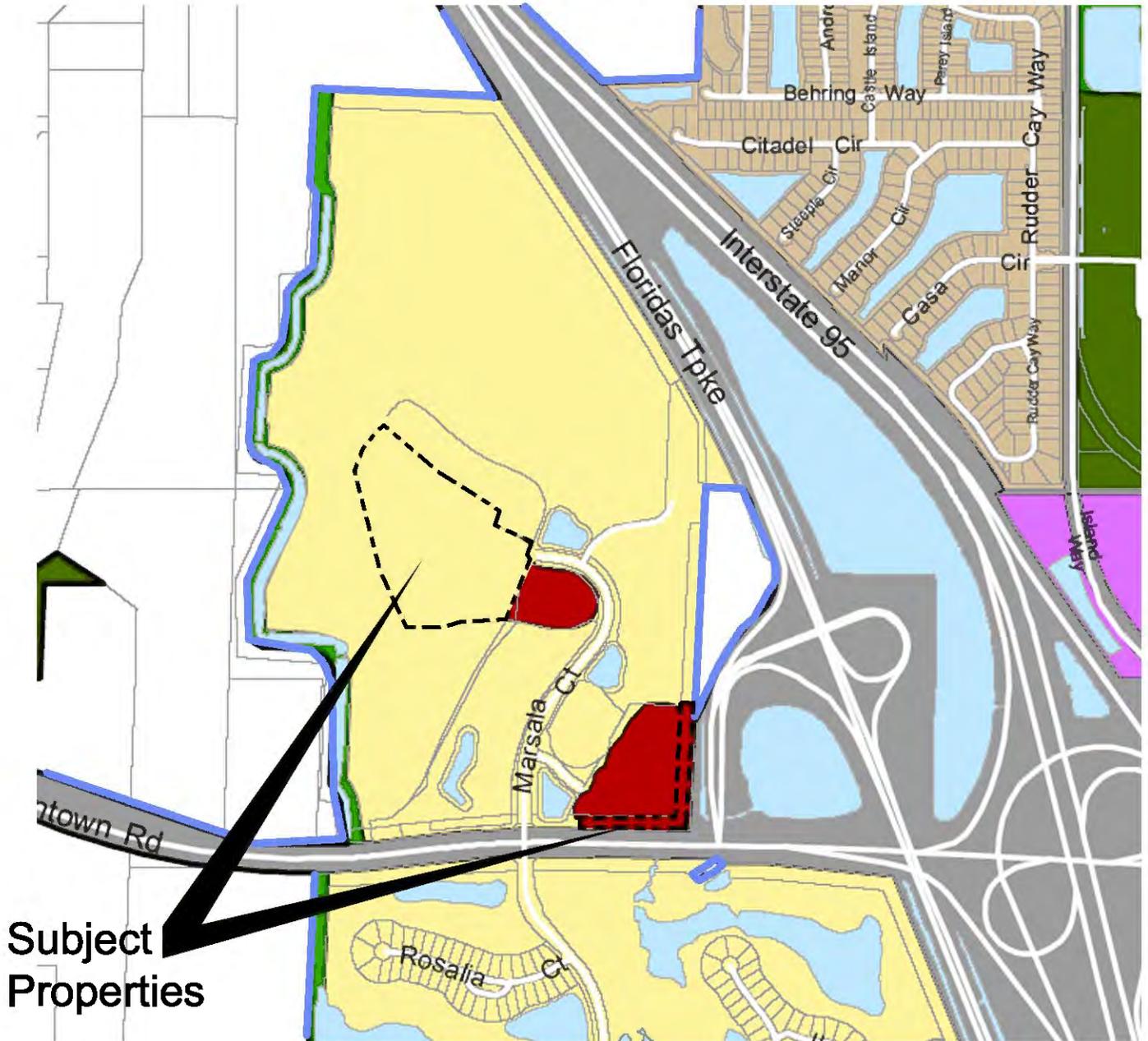
- Subject Properties
- Town Boundary
- Water

Legend

- Town Boundary
 - IOZ Subdistrict Boundary (Inset 2)
 - Redevelopment Overlay Areas (ROA)
 - Extra-jurisdictional
 - Water
- ZONING**
- | | |
|---|--|
| <ul style="list-style-type: none"> A1 Agricultural C1 Commercial, Neighborhood C2 General, Commercial C3 Commercial, Office C4 Commercial, Restricted CP Conservation Preservation CR/L Conservation Restricted/Limited I1 Industrial, Park Light Industrial I2 Industrial, General | <ul style="list-style-type: none"> I3 Industrial, High Technology I4 Industrial, High Technology & Employment Center IV Inlet Village (Inset 4) MC Medical Center MXD Mixed Use Development (Inset 1) NZ Not Zoned PI Public / Institutional QPI Quasi-Public / Institutional R1 Residential, Single-Family R-1A Residential, Compact Single Family R2 Residential, Single-Family, Duplex R3 Residential, Limited Multi-Family RR Rural, Residential US-1 / Intracoastal Waterway Corridor (Inset 3) Unincorporated |
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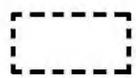
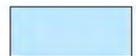


Attachment E Proposed Zoning Map - Lakewood

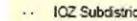
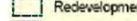
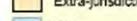
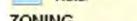
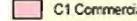
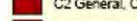
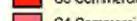
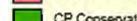
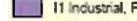
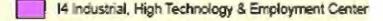
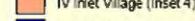
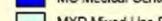
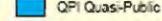
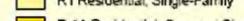
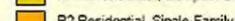
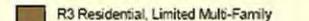
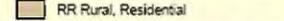
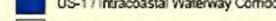


Subject Properties

Legend

-  Subject Properties
-  Town Boundary
-  Water

Legend

-  Town Boundary
 -  IOZ Subdistrict Boundary (Inset 2)
 -  Redevelopment Overlay Areas (ROA)
 -  Extra-jurisdictional
 -  Water
- ZONING**
-  A1 Agricultural
 -  C1 Commercial, Neighborhood
 -  C2 General, Commercial
 -  C3 Commercial, Office
 -  C4 Commercial, Restricted
 -  CP Conservation Preservation
 -  CR/L Conservation Restricted/Limited
 -  I1 Industrial, Park Light Industrial
 -  I2 Industrial, General
 -  I3 Industrial, High Technology
 -  I4 Industrial, High Technology & Employment Center
 -  IV Inlet Village (Inset 4)
 -  MC Medical Center
 -  MXD Mixed Use Development (Inset 1)
 -  NZ Not Zoned
 -  PI Public / Institutional
 -  QPI Quasi-Public / Institutional
 -  R1 Residential, Single-Family
 -  R-1A Residential, Compact Single Family
 -  R2 Residential, Single-Family, Duplex
 -  R3 Residential, Limited Multi-Family
 -  RR Rural, Residential
 -  US-1 / Intracoastal Waterway Corridor (Inset 3)
 -  Unincorporated





Landscape Architects ■ Planners ■ Environmental Consultants

GENTILE | GLAS | HOLLOWAY | O'MAHONEY & Associates, Inc.

LC 0000177

George G. Gentile FASLA
M. Troy Holloway ASLA
Emily M. O'Mahoney ASLA
Dodi Buckmaster Glas AICP

Lakewood (Parcel 19 North)

Statement of Use

Future Land Use Amendment and Rezoning
REVISED March 17, 2014

REQUEST

Gentile Glas Holloway O'Mahoney & Associates, Inc. as agent for the applicant is requesting a Future Land Use Map Amendment and Rezoning on a 25.08 acre portion and a 3.81 acre portion of a 259.6 acre parcel within an approved PUD known as Parcel 19. The area which is the subject of this request is a portion of the PUD located along the north side of Indiantown Road.

The request on the 25.08 acre portion is from the Commercial Future Land Use Designation and C-2, General Commercial Zoning District to the Low-Density Residential Future Land Use Designation and the R-1 Single-Family Residential Zoning District. The request on the 3.81 acre portion is from Low-Density Residential Future Land Use Designation and the R-1 Single-Family Residential Zoning District to the Commercial Future Land Use Designation and to the C-2 General Commercial Zoning District.

As noted this site is part of the overall Parcel 19 PUD, which was approved by the Town Council in 2004 (Ord. 17-04) and is located along the north side of Indiantown Road, just west of the Florida Turnpike. The overall intent will be to develop the site with approximately 275 units, 150,000 SF of Bio-Science/Research & Development (R&D), 5,000 SF of restaurant, and a 14,750 SF drugstore.

UPDATE

The project was the subject of a Future Land Use Amendment and was the basis for a related Text Amendment in 2003 (Ord. 12-03). The Future Land Use Amendment established the current Low-Density Residential designation and Commercial designation for the Parcel 19 project. This Ordinance also established the prevailing **maximum density of 2 dwelling units per acre** on the project. As part of that change, the **request also included a text amendment to allow greater flexibility in the types of residential units that would be permitted within the Low-Density Residential land use designation.**

As part of the approval of Ord. 12-03 in 2003, the Town included the requirement for a traffic trip cap of 9,638 daily trips for the overall development based on the methodology of determining traffic capacity at that time and the PUD request. The 9,638 trips was based on the traffic concurrency reservation requested and approved by Palm Beach County.

On August 8, 2013 the Town Council was presented this project. The previous Future Land Use Amendment was proposing to modify the traffic cap that was approved in Ordinance 12-03. The previously requested modification to the traffic cap would have permitted approval of the previously proposed 350 units, 150,000 SF of R&D, 13,000 SF drugstore, 9,000 SF restaurant, and 5,000 SF convenience store/gas-station with 20 fueling positions. It should be noted that the previous request was found to be **consistent** with the County's Traffic Performance Standards despite exceeding the Traffic Cap. Nevertheless, it was clear that the Town Council's desire was to keep the Traffic Cap in place, the applicant decided to modify their request to reduce the units, and reduce the intensity of the non-residential uses so that the number of trips produced by the site would not exceed the Traffic Cap from Ord. 12-3.

This project was presented to the Town Council on January 7, 2014. At the meeting the Town Council expressed concern regarding a discrepancy between the traffic cap which was approved and adopted in 2003 by Ordinance # 12-03 for the property and the traffic cap expressed in the Jupiter Area Study, which was approved and adopted in 2006 and updated again in 2011 in reference to this property. As such, the applicant determined that it would modify the project, again, to meet the smaller traffic cap number expressed in the Jupiter Area Study. The revised proposal reduces the number of units by another 40 units to a maximum of 245 units. However, during the redesign of this project, the applicant has also been working closely with Toll Brothers to try and resolve some differences. As a resolution between the applicant and Toll Brothers, the applicant relocated the main entrance into the development and in return will receive 30 units that were approved for the Jupiter Country Club and that will not be developed by Toll Brothers. The 30 units have already been approved for the PUD and are considered in the project's overall traffic. This would allow Lakewood to develop with 275 units but remain under the traffic cap per the Town Council's direction. The applicant is also decreasing the size of the proposed restaurant by 500 SF to 5,000 SF and slightly increasing the size of the proposed drugstore by 1,750 SF to a maximum of 14,750 SF.

BACKGROUND

The original Parcel 19 PUD was approved by the Town Council on July 20th 2004, by Ordinance 17-04. At that time the applicant was Communities Finance Corporation, whose parent company was WCI Communities. Initially, the PUD was approved with 780 dwelling units, 50 timeshare units, a 230 room hotel, golf club facilities (public and private) 25,000SF of retail and 25,000SF of office space. The vast majority of the residential units were allocated to the portion of the PUD located south of Indiantown Road with approximately 48 units of multi-family and 50 timeshare units to be built on the north side of the PUD.

Toll Brothers purchased the southern portion of the PUD from WCI along with portions of the north side of the PUD. The northern portions of the land controlled by Toll Brothers are primarily used for the Golf Maintenance Facility, the Golf Clubhouse (currently under construction) and a small portion of the golf course. The rest of the north side of the PUD has remained vacant. These vacant portions are the subject of these requests.

In 2006, IHP Investment Fund III (aka Toll Brothers) received approval by the Town Council for 216 single family units, and approximately 166 multi-family units within 5 residential pods. (Res.7-06) After several amendments to the PUD and an additional site plan for a residential pod on the south side, the PUD is currently approved for 444 single-family units and 149 multi-family units. Toll Brothers has only one residential pod, Parcel 'D', remaining that has not received site plan approval.

Subsequent to these approvals, in 2006, the Town Council, as part of its coordinated effort with other municipalities in the northern end of Palm Beach County to bring the Florida Scripps Research Institute to the area, adopted the Bio-Science Research Protection Overlay. The Overlay was adopted as a means of protecting/reserving land suitable for the development of other associated bio-research or bio-medical industries. (ORD 35-06 & 44-07) While a portion of the north side of Parcel 19 was placed in the Bio-Science Research Protection Overlay, no other modifications to the uses permitted in the PUD were ever made. So no specific square footage was ever assigned to research & development (R&D)/office as a component of developing bio-science within the Parcel 19 PUD. As proposed, in addition to the residential units, the applicant intends to specifically reserve approximately 150,000SF of R&D. On May 17, 2012, the Bio-Science Land Protection Advisory Board (BLPAB) unanimously recommended approval of

removing the portion of the site from the Bio-Science Overlay and was supportive of establishing a specified square footage for bio-science/R&D in combination with a variety of commercial uses

As 2007 came to an end, the global financial markets began their downward spiral and further development on this site ceased. The previous owners (WCI) went into bankruptcy and with the exception of Toll Brother's golf activities on the northern side of the PUD, the property has remained vacant and underutilized. The Scripps Research Institute developed within the Abacoa community and now is planning to utilize more property within the Briger DRI on the south side of Donald Ross Road.

Within the last 36 months the applicant purchased the north side of the Parcel 19 PUD property with the intent of developing a residential community and an R&D component. In order to develop the property as proposed, the applicant has multiple requests to support the project. First is the subject of this request, which is to amend the future land use designation for 2 portions of the site. When the previous project was approved a hotel use was proposed to be centrally located within the Parcel 19 PUD's north side. The 25.08 acre area reserved for the hotel was designated with a future land use of Commercial, and given a C-2, General Commercial zoning district. Furthermore a 3.81 acre area surrounding the site's other commercial area was left with a future land use designation of Low-Density Residential and a zoning district of R-1 single-family residential. It is the intent now to consolidate the commercial uses within the southeast corner of the site and develop the rest of the property with the residential uses, and thus the request to amend the land use and zoning of these areas.

In addition, because the property is located in the Bio-Science Research Protection Overlay, the applicant requested removal from the overlay for all portions of the property except the existing and newly proposed commercial areas on the southeast portion of the site, as the intent is to encourage and promote these areas for future bio-science industry. The Bio-Science Land Protection Advisory Board (BLPAB) recommended approval of the request at the May 17, 2012 BLPAB Meeting. The BLPAB re-heard the request and recommend approval of the request at the November 20, 2013 BLPAB Meeting. **At both meetings the BLPAB agreed that the current approval did not provide for any bio-science/R&D uses and that the proposal would make that possible.**

On February 12, 2013, the Planning and Zoning Commission heard the previous proposed request and recommended APPROVAL of the Future Land Use Amendment, Rezoning, and Removal of the Bio-Science Research Protection Overlay. At the May 14, 2013 public hearing, the Planning and Zoning Commission heard the previous proposed request and recommended APPROVAL of the PUD Amendment and Site Plan with waivers. At the December 12, 2013 public hearing the Planning and Zoning Commission re-heard the request and once again recommended APPROVAL of the Future Land Use Amendment, Rezoning, removal of the Bio-Science Research Protection Overlay, PUD Amendment and Waivers.

CONSISTENCY WITH COMPREHENSIVE PLAN AND ZONING DISTRICT

The proposed request is consistent with following Goals, Objectives, & Policies of the Town's Comprehensive Plan and Land Development Regulations:

Goal 1: Ensure that the future land use pattern maintains the existing low intensity, residential character, recognizes and protects the environmental quality of the Town, and allows the Town to become a full-service community serving Northern Palm Beach County

The request to amend the future land use and rezone portions of the existing PUD, will further this goal, as the request supports the residential character of the Town and the existing development pattern in this area. The proposed residential and relocation of the commercial uses will create a less intense and more compatible use of the land, while providing additional community serving uses to northern Palm Beach County. This request relocates the previously approved non-residential uses, which would have been a fairly intense use in terms of its height/scale in that area of the site that is primarily low density residential, to a more suited location closer to the Turnpike interchange. This change also protects the adjacent environmentally sensitive areas west of the site by again reducing

the intensity and height, but it also eliminates a large portion of the previously approved golf course which could help with the water quality of this stretch of the Loxahatchee River.

Policy 1.1.1 – *Development shall only be approved if the level of service standards as set forth in Policy 1.2.1 of the Capital Improvement Element are met concurrent with the impact of the proposed development.*

The current request does not include a modification or removal of the Traffic Cap. The applicant has simply altered the proposed density and intensity in the mix of uses to be consistent with the existing approved traffic cap as dictated by the Jupiter Area Study, which is a smaller cap. Based on the latest traffic analysis, again the project meets the traffic performance standards of Palm Beach County. In addition, the traffic analysis, which used similar methodologies that other projects in the area used, demonstrated that all impacted State, County, and Town roads meet the LOS as established by Policy 1.2.1 of the Capital Improvement Element.

Assuming that the Town had distributed the previous request, through IPARC for the Future Land Use Amendment, other than comments related to a historical phosphorus issue cause by previous farming operations, the Town of Jupiter Water Department, Loxahatchee River Control District, SFWMD have not indicated that the project exceeds capacity consistent with Policy 1.2.1 of the Capital Improvement Elements. Likewise, no comments from the Solid Waste Authority related to exceeding waste capacity have been provided. It should be noted that during the processing of Ord. 12-03 the maximum density and intensity on the site **should** have been evaluated for LOS in all these categories. As Ord. 12-03 was adopted it can be assumed that the maximum density and intensity was evaluated and did not exceed the LOS established by Policy 1.1.1 and Policy 1.2.1 and thus the project **remains** consistent with these policies.

Objective 1.2 – *The Town shall promote maintain compatibility of land uses in the Town's land development regulations, which consider natural and historic resources, the intensities and densities of land use activities and their relationship to surrounding properties, the proper transition of land uses, and the coordination of coastal population densities with the Palm Beach County Hurricane Plan in order to minimize their potential exposure to storm related impacts.*

As proposed the, request would create greater consistency with the existing intensity and density of the PUD and provide for a more traditional transition of land uses from the natural areas west of the subject site to the proposed non-residential against the Turnpike on the east side of the site. The prevailing land use and development pattern in the vicinity is low density residential, and the applicants request is consistent with that pattern. Furthermore, the sites proximity to both the Florida Turnpike and I-95, two primary evacuation routes would minimize storm related impacts in the event an evacuation order is issued for this community. It also provides direct proximity and access for non-residential uses.

Policy 1.2.2 – *Whenever commercial uses are incorporated as part of planned unit development (PUD) they shall be compatible with the overall character of the PUD. They are permissible in the Low, Medium, and High Density Residential future land use designations as long as the following performance standards are met:*

c) Adequate buffering between the commercial and surrounding residential properties is accomplished;

As previously approved, there were two pods designated commercial within the north side of the Parcel 19 PUD. Pod H was central to the site and was supposed to be the location of the 230 room hotel. Pod J, the other commercially designated pod on the north side, was to contain the 25,000SF of retail and 25,000SF of office uses. Given that the Town desires bio-science on this site, the applicant has incorporated R&D into their development program which is consistent with the Town's goals. The proposed bio-science/R&D, restaurant, and drugstore now proposed is more intense than just the previously approved hotel and time-share use. As such, it would be more appropriate to aggregate these uses and to create a larger buffer between the proposed residential uses and the proposed R&D/commercial. Pursuant to this application, the applicant would do just that as it moves the more intense non-residential uses to POD J, and to amend the land use and zoning on POD H to low-density residential and R-1 single-family residential.

Based on the proposed development of the commercial as R&D, which furthers the goals of the Town to encourage more bio-science uses, the request also furthers the Town's desire to encourage greater buffers between more intense non-residential uses and residential uses.

Policy 1.3.1 – Low Density Residential *The predominate dwelling type in this future land use designation is detached, single-family dwelling units. Within a planned unit development (PUD) larger than 160 acres, duplexes, zero-lot-line, townhome, multi-family and accessory dwelling units may be allowed, and single-family dwelling units may not be required to be the predominate dwelling type. The previously described allowances are subject to Town Council approval. The allowable density range is up to two units per gross acre with the following location criteria. Additional compatible uses may be permitted in the land development regulations (including home occupations, parks and playgrounds, utility services, religious institutions, cemeteries, daycares and limited public uses).*

Locations Criteria:

- a) In areas that afford attractive natural and/or rural surroundings.*
- b) In areas that provide convenient access to work and shopping areas.*
- c) In areas that are spatially separated and buffered by other uses from major streets, commercial or industrial activities, or other land uses which generate significant adverse impacts including but not limited to the following: noise, glare, dust or fumes.*
- d) In areas where water supply and sewerage facilities services can be provided economically.*
- e) In areas where adequate police and fire protection can be economically provided.*

The proposal is to amend a portion of the future land use to low-density residential within an existing 792.50 acre PUD. The site affords residents an attractive surrounding as it is adjacent to natural areas including Riverbend Park and Loxahatchee River, and beyond that Jupiter Farms a rural community within unincorporated Palm Beach County. The PUD as proposed will contain a significant amount of square footage for R&D providing employment opportunities for the residents. Shopping opportunities are accessible to the west of the site at the Jupiter Farms Publix shopping center via Indiantown Road and more intense retail areas further south at the Gardens Mall via I-95 or the Florida Turnpike. As stated previously it is the intent to locate the proposed residential areas of the PUD away from the proposed non-residential uses, creating an appropriate separation between those uses and the Florida Turnpike along the east side of the site. Water and Sewer service is currently available to the site, and fire and police service to this PUD were previously determined to be adequate in terms of responding to this community or it should have been considered when Ord. 12-03 was adopted converting this entire area into a low density residential within the Town.

Objective 1.4 – *The Town's economic base shall be expanded by promoting commercial and industrial bioscience research, biotechnology uses and activities as planned on the Future Land Use Map, by ensuring adequate sites for development, providing for public utilities in a timely manner and services to stimulate such growth.*

Currently there is no Bio-Science/R&D square footage approved for the site. The previous development approvals on this site granted approval for a 250 room hotel, 25,000SF of retail, and 25,000SF of office. The subsequent approval of the bio-science research protection overlay did not specifically allocate any square footage for bioscience or biotechnology uses, the overlay simply provided a means of permitting future development on this site to happen. Based on the proposal, the applicant intends to incorporate approximately 150,000SF of Research and Development (R&D) consistent with this policy on the site along with accessory support services that are important for potential businesses and future residents alike. Despite removing 21.3 acres of land within the overlay, which granted essentially nothing, the applicant is dedicating approximately 9 acres of land to the Town for their use to market to a Bio-Science/R&D user. The applicant has also reduced the density and intensity of the project to continue to accommodate 150,000 SF of future Bio-Science/R&D use on the site while maintaining the current Traffic Cap. Thus the Town is expanding its economic base consistent with this policy, as 9 acres of the site is being conveyed to the Town, whereas presently the Town has 0 acres of land conveyed for their use on the site. In addition 150,000 SF of potential Bio-Science/R&D is being accommodated where no Bio-Science/R&D previously existed.

Policy 1.17.5 – *The Town shall deter the conversion of uses within the Bioscience Overlay to commercial retail or residential uses so as to achieve, in coordination with FAU, the County and those municipalities which are part of the executed (Overlay) Interlocal Agreement the purpose of which is to promote the clustering of bioscience research and biotechnology uses and the intellectual exchange between researchers, scientists, students and others in the workforce.*

Currently there is no Bio-Science/R&D approved on this site. While the overlay is present on site, it does not contain an approval for any square footage conveyed specifically for Bio-Science/R&D. The previous request and proposed request continue to offer Bio-science/R&D square footage in exchange for removing a portion of the overlay from the site. Furthermore, the applicant is prepared to convey a total of 9 acres with Parcel J to the Town to further their efforts to attract Bio-Science/R&D uses to the Town. THUS, the request is consistent with Objective 1.17 and Policy 1.17.8. The current proposed plan for the site begins the process to actually identify where Bioscience uses can be located. By approving the conversion of the commercial land use and zoning request on the 25.08 acre portion and the 3.81 acre portion of the site, the Town is not losing its ability to locate bioscience uses on the site. This proposal actually designates R&D and other supportive non-residential development, creating a variety and mix of uses in this area. The reorganization of the land use and zoning on the site is to create a more viable and sustainable project that can support both residential and non-residential uses, i.e. Bio-Science/R&D. It should be noted that while this property is in the bioscience research protection overlay the primary cluster of bioscience related development has been along the Donald Ross Road corridor.

COMPATIBILITY WITH SURROUNDING LAND USE AND ZONING

As stated previously the request is to amend the future land use designation and zoning on a 25.08 acre portion from Commercial/C-2 to Low Density Residential/R-1 and from Low-Density Residential/R-1 to Commercial/C-2 on a 3.81 acre portion of the site. The request is consistent with the existing land use and zoning designations on the site, this request is simply reallocating these designations on the site, in a way that supports the established community character.

	EXISTING ZONING	EXISTING FLU
SUBJECT PROPERTY	25.08 Acre Portion: PUD/C-2 3.81 Acre Portion: PUD/R-1	25.08 Acre Portion: Commercial 3.81 Acre Portion: Low-Density Residential
NORTH	25.08 Acre Portion: PUD/R-1 3.81 Acre Portion: PUD/C-2 PUD: Unincorporated PBC - AR	25.08 Acre Portion: Low Density Residential 3.81 Acre Portion: Commercial PUD: Unincorporated PBC - CON
EAST	25.08 Acre Portion: PUD/C-2 3.81 Acre Portion: Turnpike/UT PUD: Turnpike/UT	25.08 Acre Portion: Commercial (Temp Clubhouse) 3.81 Acre Portion: Turnpike/UT PUD: Turnpike/UT
SOUTH	25.08 Acre Portion: PUD/R-1 3.81 Acre Portion: Indiantown Rd./PUD/R-1 PUD: Unincorporated PBC: AR	25.08 Acre Portion: Low Density Residential 3.81 Acre Portion: Indiantown Rd. Low Density Residential PUD: Unincorporated PBC- RR 2.5 & CON
WEST	Unincorporated PBC: Agricultural Residential (AR)	Unincorporated PBC: Conservation (CON)

LAND USE & ZONING DOES NOT CREATE AND ISOLATED DESIGNATION/DISTRICT

The proposed request will not create and isolated land use designation or zoning district unrelated to adjacent or nearby designations or districts. These are simply existing uses being reconfigured on the parcel. Both the Commercial/C-2 and Low Density Residential/R-1 designations and districts currently exist within the existing PUD. The request would actually eliminate a large area of isolated Commercial/C-2 within the middle of the northern portion of the Parcel 19 PUD and an isolated area of Low Density Residential/R-1 along the southeast corner of the northern portion of the Parcel 19 PUD. The amendment will create a better transition from the less intense uses west

of the site to the more intense non-residential uses and the intersection of the Turnpike and Indiantown Road along the site's southeastern boundary.

THE APPLICATION IS NECESSARY BECAUSE OF CHANGED CONDITIONS

Given the areas more residential development pattern, the Town's desire to encourage more bio-science uses, and the revitalization of Riverbend Park, a large natural conservation area, the proposed mix of uses associated with this request are less intense than the previously proposed mix of retail, office, hotel and golf facilities. Because the economy has forced people to re-evaluate, the average home size has also shrunk thus making the larger homes that were proposed in the boom period less desirable. The request will allow the developer to introduce a more reasonably priced unit to cater to a larger population that no longer has large amounts of discretionary income or the ability to qualify for a large home loan and a consumer focused on value, as well as quality of life.

TRAFFIC

A traffic analysis was done based on the request to amend the Future Land Use Designation and Zoning District for the 25.08 acre portion and the 3.81 acre portion of the Parcel 19 PUD. As concluded in the Pinder Troutman analysis included with this application, the requested amendment and rezoning, is consistent with Policy 3.1.1 and meets the County's Traffic Performance Standards. Please note that the trip analysis provided for the requested Future Land Use Amendment will be significantly smaller in terms of number trips generated by the Future Land Use Request versus the number trips generated in the Concurrency Traffic Analysis. The Concurrency Traffic Analysis accounts for the projects existing and proposed development plan and is included with the concurrent PUD Amendment.

CONCLUSION

The request to amend the land use designation and zoning district on the 25.08 acre portion from Commercial/C-2 to Low Density Residential/R-1 and from Low Density Residential/R-1 to Commercial on the 3.81 acre portion of the subject site is consistent with the existing development pattern established in this area. The Low Density Residential and the R&D being proposed are supported by the Town's Comprehensive Plan policies and the Bio-Science Research Protection Overlay. This request creates an opportunity to support and continue the developed community character and a more consistent mix of uses in line with the desire of the Town to encourage bio-science uses in keeping with the current economic situation of the area. Therefore, on behalf of our client, Gentile Glas Holloway O'Mahoney & Associates, Inc. respectfully request approval of the proposed Future Land Use Designation and Zoning District amendment.

TOWN OF JUPITER



DATE: July 10, 2012
TO: Honorable Mayor and Members of Town Council
THRU: Andrew D. Lukasik, Town Manager
FROM: John R. Sickler, Director of Planning and Zoning *JRS*

SUBJECT: Parcel 19 North (Lakewood) – Conceptual review of Applicant proposed development

HEARING DATES:	TC 07/17/12	PZ #12-188 DMK & MS
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EXECUTIVE SUMMARY:

Conceptual review of the Lakewood Development proposed on the north side Indiantown Road and west of the Florida Turnpike.

Proposed Future Land Use Map (FLUM) amendment, Rezoning, Planned Unit Development (PUD) amendment, and Site Plan -

The proposal contained in the applicant's attached Conceptual Review Summary and Proposed Master Plan (Attachment A) requires the following changes as indicated on Attachment B (Maps) and summarized in Tables 1 and 2 below.

Table 1: Land use and rezoning summary

Parcel	Size (acres)	Existing FLUM	Existing Zoning	Proposed FLUM	Proposed Zoning
2,300± feet north of Indiantown Road west of the Florida Turnpike ramps	25.1±	Commercial with Bioscience Research Protection Overlay	C-2	Low Density Residential	R-1
Backwards "L" shaped property located along Indiantown Road & Florida Turnpike entrance	3.8±	Low Density Residential	R-1	Commercial w/ Bioscience Research Protection Overlay	C-2

The applicant is also requesting in the FLUM amendment to eliminate the 9,638 daily traffic trip cap applicable to the entire Parcel 19 property (totaling 896.1 acres) as approved in Ordinance #12-03.

Table 2: Approved & proposed development program for 259.6 acres within the north side of Parcel 19

Approved PUD/Site Plan	Proposed PUD/Site Plan
48 multi-family units	350 single-family residential units
50 timeshare units	150,000 square feet (s.f.) of Research and Development (R&D) Uses along Indiantown Road
230 room hotel	
18 hole golf course	
25,000 s.f. of office along Indiantown Road	
25,000 s.f. of retail commercial along Indiantown Road	

Staff issues with FLUM and Zoning Map Amendments - The elimination of 21.3 acres of commercial land use and the Bioscience Overlay from the FLUM and Zoning maps creates the following issues:

- The 3.8 acre backwards “L” property (see Attachment B) proposed to be assigned with commercial land use is currently described on the plat for buffer purposes. This buffer is approximately 100 feet wide and would need to be amended on the plat, further only a portion of the area will be developable as 25-30 feet is proposed to remain as buffer.
- There is no guarantee that the R&D component will be developed or if it will be developed prior to the 350 residential units since the applicant is not proposing development on the 14.1 acres of commercial with Bioscience overlay land at the northwest corner of Indiantown Road and the Turnpike (see Attachment C).
- The applicant has committed that all buildings on the 14.1 acres will be built to bioscience specifications to allow easy conversion in the future for bioscience uses. It is unclear what the conversion would be from, since R&D is the only use proposed in the traffic analysis.
- Future Land Use Policy 1.17.5 states the Town shall discourage the conversion of uses within the Bioscience Overlay to residential uses. Although the applicant has expressed a vague commitment to R&D uses on the 14.1 acres as noted above, staff recommends the applicant relocate the proposed 150,000 s.f. of R&D along the Florida Turnpike and allow the parcel fronting Indiantown Road to be used for commercial retail.
- Staff does not support the elimination of the approved 25,000 s.f. of retail commercial uses at the northwest corner of the Turnpike and Indiantown Road. The approved commercial component would have provided the existing Jupiter Country Club, the proposed 350 residential units, Jupiter Farms residents, and highway drivers with convenient commercial uses, which would help reduce trips on Indiantown Road east of I-95.
- The Low Density Residential future land use designation (Future Land Use Element Policy 1.3.1) includes location criteria for residential developments to be in areas that provide convenient access to work and shopping areas and where adequate police and fire protection can be economically provided. The applicant has not shown how the proposed development of an additional 300 residential units is consistent with this policy.
- The reduction of 21.3 acres of land assigned with commercial land use will reduce the potential tax base associated with non-residential uses (retail, office and bioscience), and increase low density residential units, which typically have a higher number of police and fire rescue calls and pay comparatively less taxes than commercial uses.

Staff Traffic Issues -The applicant requests to eliminate the daily trip cap of 9,638 applicable to the entire property (totaling 896.1 acres) as approved in Ordinance #12-03.

- The approved PUD/site plan net daily traffic trip total is 8,943 as indicated in Attachment D.
- The proposed PUD/site plan development will result in a net daily traffic trip total of 10,156 (includes 3,250 of the proposed trips resulting from the proposed 350 residential units) as indicated in Attachment A.
- Net increase in the proposed PUD/site plan is 1,440 daily trips over the approved development.
- Proposed development results in 745 more daily traffic trips than the existing 9,638 trip cap.
- Elimination of the approved 25,000 s.f. of retail will significantly reduce the internal capture for the project and require residents and highway drivers to travel further for basic services.

Staff PUD/Site Plan issues

- The previously approved PUD (Condition # 24, Ordinance 17-04) limited the amount of residential pods and residential building permits that could be issued prior to development of the commercial parcel northwest of Indiantown Road and the Turnpike. The applicant has not addressed how this condition will be addressed in regard to the timing of the one undeveloped residential pod remaining in the Jupiter Country Club (JCC) development and the applicant’s proposed residential development.
- The applicant has not described what assurance, if any, there is that the non-residential site will be developed as research and development once the residential component has been developed by the applicant.
- The R&D proposed in the Commercial land use area will be limited to bio-tech, high-tech, laboratory and office research per Policy 1.3.9 of the Future Land Use Element of the Comprehensive Plan.

- Along with approved seven waivers granted to the overall PUD that increase the density and intensity standards allowed under the R-1 zoning category, the applicant is requesting an additional waiver to increase the zero lot line building lot coverage from 35 to 50 percent. This is a significant increase in the lot intensity which will allow for larger residential units than typical zero lot line homes. The applicant states that the same request was made for Pod E of the PUD. Pod E was approved for 120 units, whereas the current proposal would comprise 350 single-family units.
- The only public benefit proposed to justify the lot coverage waiver is a bus shelter easement along Indiantown Road. Staff recommends a more substantial public benefit to justify the increase in lot coverage requested.
- The proposal increases the number of residential units, while eliminating the retail commercial, golf course, and conference hotel use. Staff notes when the PUD was approved these non-residential uses were considered desirable assets. The non-residential uses increased the internal capture of trips, and were less service dependent uses from the Town's perspective. These changes will likely provide less tax base for the Town while increasing the need for services. The applicant should provide additional justification in support of the proposed alterations to the PUD's use mix.
- Toll Brothers is objecting to the proposed applications as it relates the Declaration of Restrictions that encumber the subject property (Attachment E). The applicant will be asked to coordinate with Toll Brothers.

STAFF RECOMMENDATION:

If Town Council is generally supportive of the applicant's proposal, staff recommends the following be revised on the site plan as shown on Staff's Conceptual Master Plan alternative (Attachment F):

- Include 25,000 s.f. of commercial retail on the subject property along Indiantown Road and the Turnpike;
- Reduce the number of residential dwelling units by a minimum of 43 units, which is the equivalent to the traffic impacts of 25,000 s.f. of commercial retail;
- Add a minimum of 16 acres adjacent to the Turnpike designated for Bio-Science/R&D uses with the Bio-Science Research Protection Overlay, and a Light/High Tech Industrial or Commercial land use designation.
- Relocate the proposed 150,000 s.f. of R&D to face toward the Turnpike on the above described area;
- Create a 200' to 300' landscape and lake buffer between the R&D and residential lots.

Staff's alternative would have slightly less trips than the applicant's proposed PUD/site plan since the number of dwelling units shown on the plan is 293. The inclusion of commercial retail within the project will increase the internal capture for the project, and will also eliminate some trips by residents living west of the Turnpike and from highway users from having to travel east of I-95 on Indiantown Road to obtain convenience goods and services. Additional traffic analysis will be completed by the Town's Traffic Engineer for distribution prior to the meeting.

Strategic Priority: Strong Local Economy

Attachments:

Attachment A - Applicant conceptual review summary & proposed master plan (06-28-12)
Attachment B – Future Land Use Map and Zoning Map Amendments Location Map
Attachment C – Proposed Future Land Use Map
Attachment D – Trip Generation Analyses for Approved Parcel 19
Attachment E – Letter from Toll Brothers to Town of Jupiter
Attachment F – Staff's conceptual master plan



GENTILE GLAS HOLLOWAY O'MAHONEY & Associates, Inc.

George G. Gentile FASLA
 M. Troy Holloway ASLA
 Emily M. O'Mahoney ASLA
 Dodi Buckmaster Glas AICP

Lakewood (Parcel 19 North)

Conceptual Review Summary

June 28, 2012

REQUEST

Gentile Glas Holloway O'Mahoney & Associates, Inc. as agent for the applicant has submitted a plan to amend the existing Parcel 19 PUD and Site Plan to allow for 350 dwelling units, 150,000 SF of Research & Development, on approximately 259.6 acres within the northern half of Parcel 19. This request also includes a waiver for the zero lot line lot coverage to be increased from 35% to 50%. The site is located at the northwest corner of Indiantown Road and the Florida Turnpike. This site is part of the overall Parcel 19 PUD, which was approved by the Town Council in 2004 (Ord. 17-04).

BACKGROUND

As initially approved the PUD was to be developed with 780 dwelling units, 50 timeshare units, a 230 room hotel, golf club facilities (public and private) 25,000SF of retail and 25,000SF of office space. The vast majority of the residential units were allocated on the portion of the PUD located south of Indiantown Road with approximately 48 units of multi-family and 50 timeshare units were to be built on the north side of the PUD.

Toll Brothers purchased a small portion on the north side of Indiantown Road which is primarily used for the Golf Maintenance Facility, the temporary Golf Clubhouse, driving range, and three holes of golf.

In addition to the residential units, the applicant intends to specifically reserve approximately 150,000SF of R&D. As further stated in a letter dated April 30, 2012, the developer's agent (Gentile Glas Holloway O'Mahoney & Associates, Inc.) confirmed that within the proposed commercial portions of the project site, previously referred to as Parcel J, all planned buildings will be built to bio-science specifications. This will allow easy conversion at some time in the future to a bio-science use.

CONCEPTUAL SITE PLAN(S)

Included with the submittal is the proposed site plan that was received by the Town on May 14, 2012. Subsequent to the initial site plan submittal on May 14, 2012, our team attended a meeting on May 17, 2012 with the Bio-Science Overlay Protection Committee to receive their recommendation on removing a portion of the site from the overlay. The Bio-Science Overlay Protection Committee recommended approval of the request. However during the meeting there was some discussion about intensifying the uses on the 14 acre commercial site or at the very least continuing to provide a use that would provide services to the existing and proposed community, such as a limited amount of retail.

The overall intent of this proposed development has been and will continue to be to create a project that is in keeping with the existing residential development pattern of this area, while balancing the Town's desire to also encourage bio-science uses in this vicinity, and the County's preservation efforts to the west of the site. Further intensification on this site would not be in keeping with the

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development pattern in this area. It should also be noted that the applicant throughout the formation of this proposed plan has been mindful of the number of traffic trips that would be generated by the project. The applicant has restricted the number of units to 350 dwellings in order to be consistent with the existing and approved traffic concurrency, and to also provide 150,000' SF of R&D on the site.

CONCLUSION

This request creates an opportunity to support and continue the developed community character and create a more consistent mix of uses in line with the desire of the Town to encourage bio-science uses in keeping with the current economic situation of the area. The proposed residential is also an attractive alternative to the previously proposed hotel, which had created visual concerns from the surrounding community and was the impetus for the increased setbacks along the northern and western boundaries of the existing PUD.

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Alternative Matrix 6-28-12
6/28/2012

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Exhibit 1
Parcel 19
Alternative Matrix

Proposed Site	Land Use Data	Existing Approval (2003)	Current Plan
The Lakes (North Side)	Single Family Residential Units	None	350 DUs
	Multi-Family Residential Apartments	98	None
	Golf Course	18 Holes	None
	Hotel	230 rooms	None
	Shopping Center	25,000 SF	None
	Research & Development	None	150,000 SF
	Office	25,000 SF	None
	Gas Station	None	None
	Convenience Store	None	None
Jupiter Country Club (South Side)	Single Family Residential Units	444 DUs	444 DUs
	Multi-Family Residential Apartments	149 DUs	149 DUs
	Golf Course (existing)	18 holes	18 holes
Total Project (The Lakes and Jupiter Country Club)	Proposed Traffic Data	Existing Approval (1)	Current Plan (2)
	Daily Trips	8,943	10,156
	AM Peak Hour Trips	669	834
	PM Peak Hour Trips	750	943
	% increase over Approved on Indiantown Rd (3)	N/A	3.3%
	Arterial Required	N/A	YES
	Intersection: Indiantown Rd & Central Blvd (4)	N/A	Meets Standards (CMA)

(1) Based on current trip generation, internal capture, and % pass-by rates for the Approved Plan.

(2) Based on preliminary Traffic Data provided by PTC, June 26, 2012.

(3) Indicates percent increase in project trips (Proposed Plan minus Existing Approval) of total traffic at buildout on Indiantown Road, from the Turnpike to I-95.

(4) The intersection of Indiantown Rd & Central Blvd must meet TPS in order to conduct the Arterial Analysis.

**Exhibit 2A
 Parcel 19 - Current Plan
 Daily Trip Generation**

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PROPOSED NORTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips	Internal Trips		External Trips	Interzonal Trips to South (3)		External Area Trips Volume	Pass-by Trips (1)		New Trips
Residential - SF	210	350 DUs	10 /DU	3,500	141	4.04%	3,359	85	2.54%	3,274	-	0.0%	3,274
Research & Devel.	760	150,000 SF	$\ln(T) = 0.82\ln(X) + 3.14$	1,406	141	10.0%	1,265	62	4.9%	1,203	120	10.0%	1,083
TOTALS				4,906	282	5.7%	4,624	147	3.0%	4,477	120		4,357

PROPOSED SOUTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips	Internal Trips (2)		External Trips	Interzonal Trips to North (3)		External Area Trips Volume	Pass-by Trips (1)		New Trips
Residential - SF	210	444 DUs	10 /DU	4,440	72	1.60%	4,368	87	2.0%	4,281	-	0.0%	4,281
Residential - MF Apts.	220	149 DUs	7 /DU	1,043	18	1.60%	1,025	21	2.0%	1,004	-	0.0%	1,004
Golf	430	18 Holes	35.74 /Hole	643	90	14.0%	553	39	7.0%	514	-	0.0%	514
TOTALS				6,126	180	2.9%	5,946	147	2.4%	5,799	-		5,799

TOTAL PROPOSED TRIPS				11,032	462	4.2%	10,570	294	2.7%	10,276	120		10,156
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(1) Source: Palm Beach County and Institute of Transportation Engineers, Trip Generation, 8th Edition.
 (2) Utilized Internal Capture per original approved traffic study for Parcel 19, dated October 28, 2003.
 (3) Interzonal trips based on average of AM/PM percentages and balanced North to South.

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6/27/2012
Trip Gen R & D 12-003 6-26-12

Exhibit 2B
Parcel 19 - Current Plan
AM Peak Hour Trip Generation

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PROPOSED NORTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips (3)		External Trips			Interzonal Trips to South (3)		External Area Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total	In	Out	In	Out	Total	In	Out	Total	In	Out	Total				
Residential - SF	210	350 DUs	0.75 /DU (25/75)	66	197	263	7	2.5%	64	192	256	5	1.8%	63	188	251	-	0.0%	63	188	251
Research & Devel.	760	150,000 SF	$\ln(T) = 0.86\ln(x) + 0.93$ (83/17)	157	32	189	7	3.5%	151	31	182	5	2.5%	147	30	177	18	10.0%	132	27	159
TOTALS				223	229	452	14	3.1%	215	223	438	10	2.2%	210	218	428	18		195	215	410

PROPOSED SOUTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips (2)		External Trips			Interzonal Trips to North (2)		External Area Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total	In	Out	In	Out	Total	In	Out	Total	In	Out	Total				
Residential - SF	210	444 DUs	0.75 /DU (25/75)	83	250	333	6	1.9%	82	245	327	5	1.4%	82	240	322	-	0.0%	82	240	322
Residential - MF Apts.	220	149 DUs	$T = 0.49(x) + 3.73$ (20/80)	15	62	77	2	2.0%	15	60	75	1	1.4%	15	59	74	-	0.0%	15	59	74
Golf	430	18 Holes	2.23 /Hole (79/21)	32	8	40	8	20.0%	25	7	32	4	11.8%	22	6	28	-	0.0%	22	6	28
TOTALS				130	320	450	16	3.6%	122	312	434	10	2.2%	119	305	424	-	0.0%	119	305	424

TOTAL PROPOSED TRIPS				353	549	902	30	3.3%	337	535	872	20	2.2%	329	523	852	18	2.1%	314	520	834
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(1) Source: Palm Beach County and Institute of Transportation Engineers, Trip Generation, 8th Edition.

Exhibit 2C
Parcel 19 - Current Plan
PM Peak Hour Trip Generation

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PROPOSED NORTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips		External Trips			Interzonal Trips to South		External Area Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total		%	In	Out	Total		%	In	Out	Total		%	In	Out	Total
Residential - SF	210	350 DUs	$\ln(T) = 0.90\ln(x) + 0.51 (63/37)$	204	120	324	18	5.7%	193	113	306	4	1.3%	190	112	302	-	0.0%	190	112	302
Research & Devel.	760	150,000 SF	$\ln(T) = 0.82\ln(X) + 1.09 (15/85)$	27	154	181	18	10.0%	24	139	163	14	8.3%	22	127	149	15	10.0%	20	114	134
TOTALS				231	274	505	36	7.1%	217	252	469	18	3.6%	212	239	451	15		210	226	436

PROPOSED SOUTH

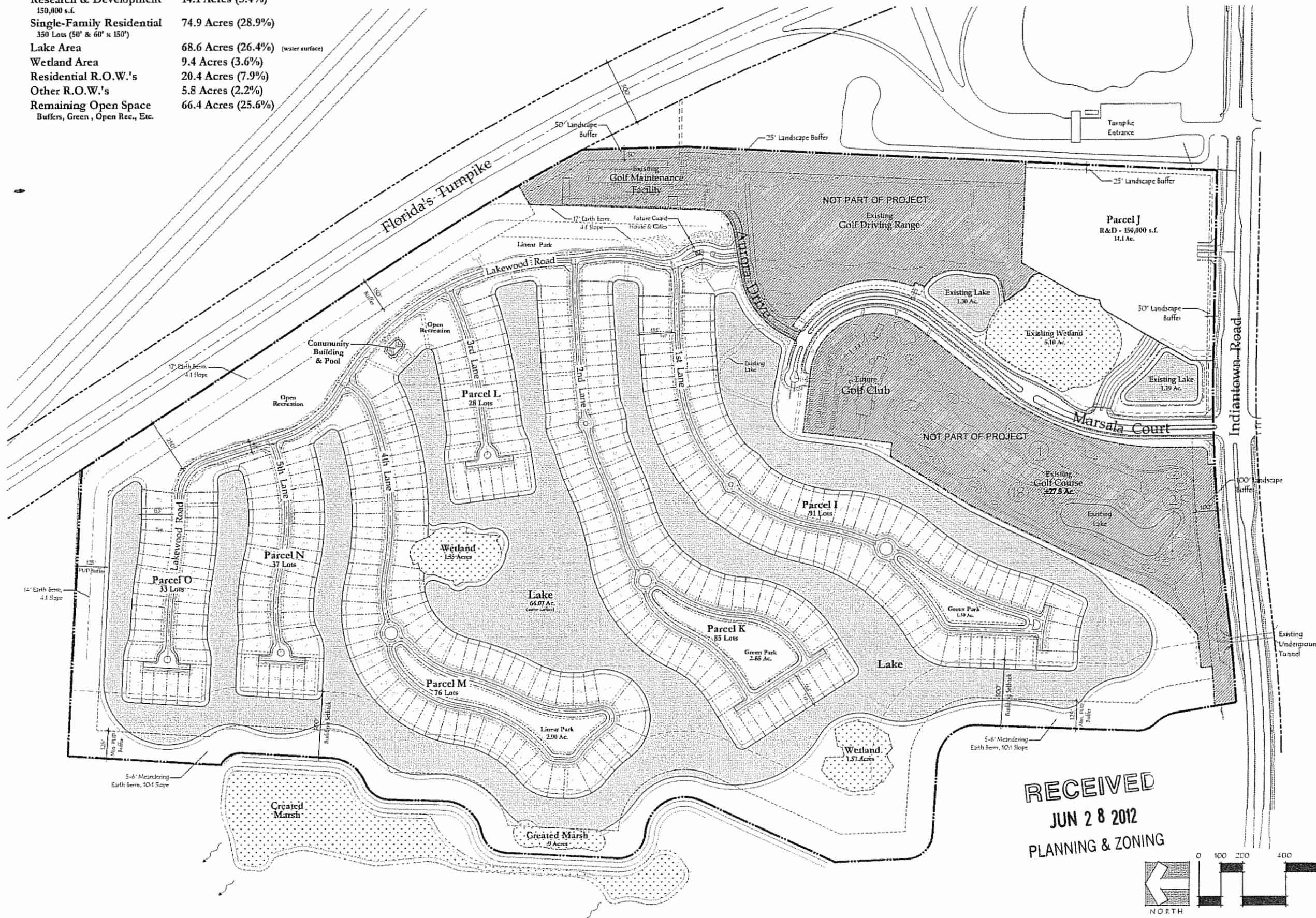
Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips		External Trips			Interzonal Trips to North		External Area Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total		%	In	Out	Total		%	In	Out	Total		%	In	Out	Total
Residential - SF	210	444 DUs	$\ln(T) = 0.90\ln(x) + 0.51 (63/37)$	253	149	402	8	2.0%	248	146	394	11	2.8%	245	138	383	-	0.0%	245	138	383
Residential - MF Apts.	220	149 DUs	0.62 /DU (65/35)	60	32	92	2	2.0%	59	32	90	3	2.8%	59	29	88	-	0.0%	59	29	88
Golf	430	18 Holes	2.78 /Hole (45/55)	23	27	50	10	20.0%	18	22	40	4	10.6%	16	20	36	-	0.0%	16	20	36
TOTALS				336	208	544	20	3.7%	325	200	524	18	3.3%	320	187	507	-	0.0%	320	187	507

TOTAL PROPOSED TRIPS				567	482	1,049	56	5.3%	542	452	993	36	3.4%	532	426	958	15	1.6%	530	413	943
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(1) Source: Palm Beach County and Institute of Transportation Engineers, Trip Generation, 8th Edition.

Site Data

Total Site Area	259.6 Acres (n.i.c. Toll Property)
Research & Development	14.1 Acres (5.4%)
150,000 s.f.	
Single-Family Residential	74.9 Acres (28.9%)
350 Lots (50' & 60' x 150')	
Lake Area	68.6 Acres (26.4%) (water surface)
Wetland Area	9.4 Acres (3.6%)
Residential R.O.W.'s	20.4 Acres (7.9%)
Other R.O.W.'s	5.8 Acres (2.2%)
Remaining Open Space	66.4 Acres (25.6%)
Buffers, Green, Open Rec., Etc.	



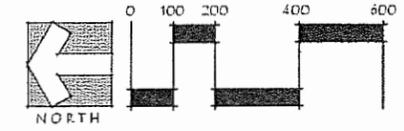
**GentileGlas
Holloway
O'Mahoney
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Planners and
Environmental Consultants

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561-575-9557
561-575-5260 FAX
www.landscap-architects.com

Lakewood
Jupiter Florida

Designed:	MTI
Drawn:	MTI
Approved:	MTI
Date:	5/24/11
Job no:	11-C51
Revisions:	6/2/11

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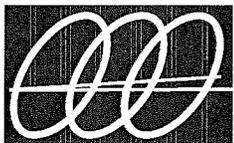


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Sheet Title:
**Master
Development
Plan**
Scale: 1" = 200'
Sheet No:
MP-1
11-0511

The Lakes

(aka Parcel 19)

Jupiter, Florida



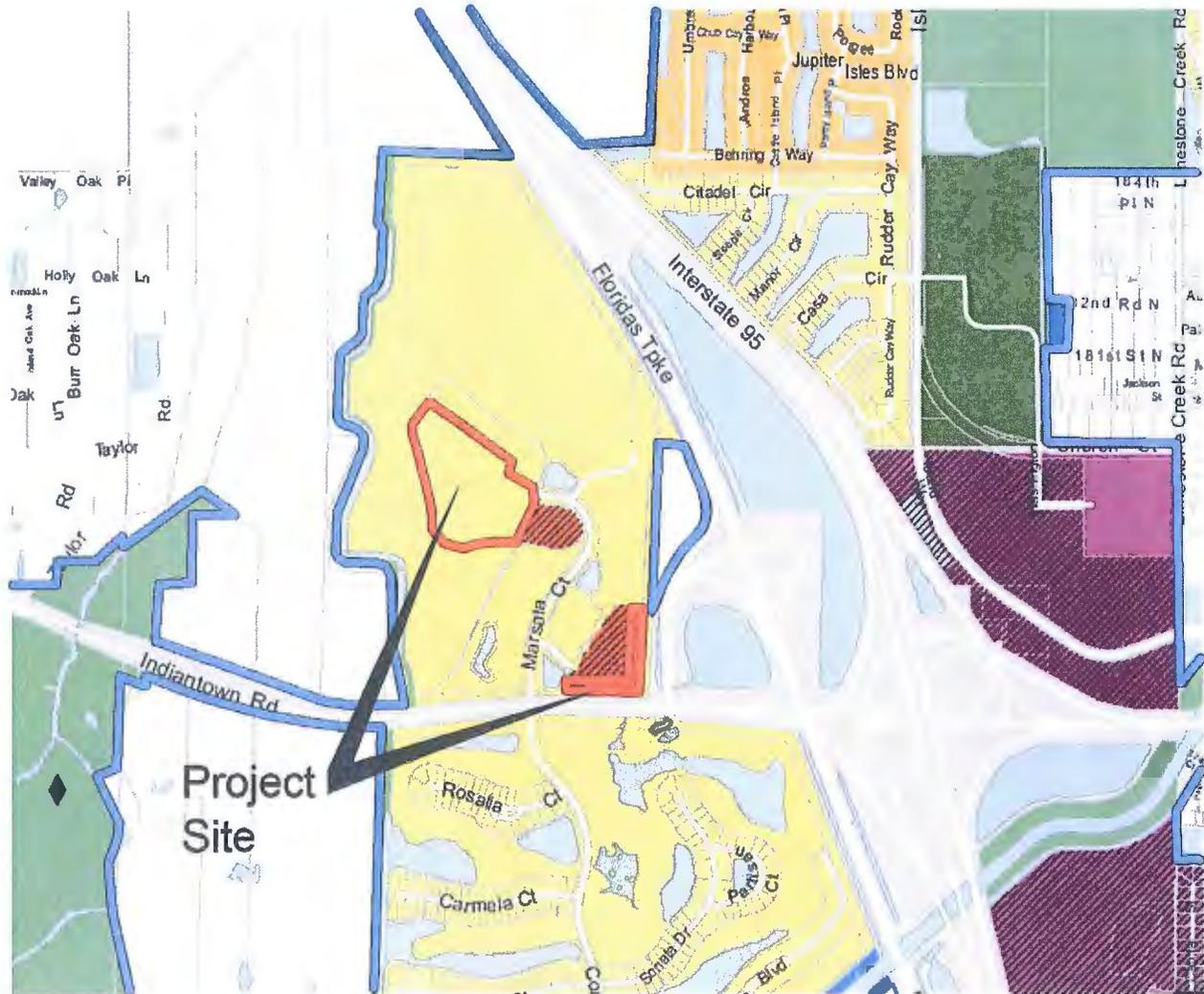
Aerial Location Map



3/12/12

Attachment C

Proposed Land Use Map - Lakewood



Legend

-  Subject Site
-  Town Boundary
-  Water

LEGEND

- Historic Resources**
 -  Locally Designated Site
 -  Historically Significant Site Meriting Protection
 -  Town Boundary
 -  US-1 - Intracoastal Waterway Corridor Boundary
 -  Bioscience Research Protection Overlay
 -  Extra - Jurisdictional
 -  Water

FUTURE LAND USE DESIGNATIONS

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

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**Exhibit 2A
Parcel 19
Daily Trip Generation**

APPROVED NORTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips	Internal Trips (2)		External Trips	Interzonal Trips to South (2)		External Area Trips Volume	Pass-by Trips (1)		New Trips
Residential - MF Apts.	220	98 DUs	7 /DU	686	96	14.0%	590	28	4.7%	562	-	0.0%	562
Golf	430	18 Holes	35.74 /Hole	643	182	28.3%	461	66	14.3%	395	-	0.0%	395
Hotel	310	230 Rooms	8.92 /Room	2,052	265	12.9%	1,787	111	6.2%	1,676	168	10.0%	1,508
Shopping Center	820	25,000 SF	$\ln(T) = 0.65\ln(X) + 5.83$	2,758	177	6.4%	2,581	533	20.6%	2,048	1,090	53.2%	958
Office	710	25,000 SF	$\ln(T) = 0.77\ln(X) + 3.65$	459	57	12.4%	402	26	6.4%	376	38	10.0%	338
TOTALS				6,598	777	11.8%	5,821	764	11.6%	5,057	1,296		3,761

APPROVED SOUTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips	Internal Trips (2)		External Trips	Interzonal Trips to North (2)		External Area Trips Volume	Pass-by Trips (1)		New Trips
Residential - SF	210	444 DUs	10 /DU	4,440	72	1.60%	4,368	520	11.9%	3,848	-	0.0%	3,848
Residential - MF Apts.	220	149 DUs	7 /DU	1,043	18	1.60%	1,025	122	11.9%	903	-	0.0%	903
Golf	430	18 Holes	35.74 /Hole	643	90	14.0%	553	122	22.1%	431	-	0.0%	431
TOTALS				6,126	180	2.9%	5,946	764	12.5%	5,182	-		5,182

TOTAL APPROVED TRIPS				12,724	957	7.5%	11,767	1,528	12.0%	10,239	1,296		8,943
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PROPOSED NORTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips	Internal Trips		External Trips	Interzonal Trips to South (3)		External Area Trips Volume	Pass-by Trips (1)		New Trips
Residential - SF	210	350 DUs	10 /DU	3,500	174	4.97%	3,326	76	2.3%	3,250	-	0.0%	3,250
Research & Devel.	760	112,500 SF	$\ln(T) = 0.82\ln(X) + 3.14$	1,111	111	10.0%	1,000	48	4.8%	952	95	10.0%	857
Office	710	37,500 SF	$\ln(T) = 0.77\ln(X) + 3.65$	627	63	10.0%	564	28	5.0%	536	54	10.0%	482
TOTALS				5,238	348	6.6%	4,890	152	2.9%	4,738	149		4,589

PROPOSED SOUTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips	Internal Trips (2)		External Trips	Interzonal Trips to North (3)		External Area Trips Volume	Pass-by Trips (1)		New Trips
Residential - SF	210	444 DUs	10 /DU	4,440	72	1.60%	4,368	87	2.0%	4,281	-	0.0%	4,281
Residential - MF Apts.	220	149 DUs	7 /DU	1,043	18	1.60%	1,025	21	2.0%	1,004	-	0.0%	1,004
Golf	430	18 Holes	35.74 /Hole	643	90	14.0%	553	44	8.0%	509	-	0.0%	509
TOTALS				6,126	180	2.9%	5,946	152	2.5%	5,794	-		5,794

TOTAL PROPOSED TRIPS				11,364	528	4.6%	10,836	304	2.7%	10,532	149		10,383
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NET INCREASE IN TRIPS													1,440
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(1) Source: Palm Beach County and Institute of Transportation Engineers, Trip Generation, 8th Edition.
 (2) Utilized Internal Capture per original approved traffic study for Parcel 19, dated October 28, 2003.
 (3) Interzonal trips based on average of AM/PM percentages and balanced North to South.

Exhibit 2B
Parcel 19
AM Peak Hour Trip Generation

APPROVED NORTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips (2)		External Trips			Interzonal Trips to South (2)		External Area Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total	In	Out	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Residential - MF Apts.	220	98 DUs	$T = 0.49(x) + 3.73$ (20/80)	10	42	52	4	7.8%	9	39	48	4	8.8%	8	36	44	-	0.0%	8	36	44
Golf	430	18 Holes	2.23 /Hole (79/21)	32	8	40	10	25.2%	24	6	30	5	16.0%	20	5	25	-	0.0%	20	5	25
Hotel	310	230 Rooms	0.67 /Room (58/42)	89	65	154	9	5.9%	88	57	145	4	2.9%	87	54	141	14	10.0%	78	49	127
Shopping Center	820	25,000 SF	1.00 /1,000 SF (61/39)	15	10	25	6	23.3%	12	7	19	3	15.9%	10	6	16	9	53.2%	4	3	7
Office	710	25,000 SF	$\ln(T) = 0.8\ln(x) + 1.55$ (88/12)	55	7	62	7	11.1%	50	5	55	1	0.9%	49	5	54	5	10.0%	44	5	49
TOTALS				201	132	333	36	10.8%	183	114	297	17	5.1%	174	106	280	28		154	98	252

APPROVED SOUTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips (2)		External Trips			Interzonal Trips to North (2)		External Area Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total	In	Out	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Residential - SF	210	444 DUs	0.75 /DU (25/75)	83	250	333	6	1.9%	81	246	327	8	2.3%	79	240	319	-	0.0%	79	240	319
Residential - MF Apts.	220	149 DUs	$T = 0.49(x) + 3.73$ (20/80)	15	62	77	2	2.0%	15	60	75	1	2.3%	15	59	74	-	0.0%	15	59	74
Golf	430	18 Holes	2.23 /Hole (79/21)	32	8	40	8	20.0%	26	6	32	8	24.5%	20	4	24	-	0.0%	20	4	24
TOTALS				130	320	450	16	3.6%	122	312	434	17	3.8%	114	303	417	-	0.0%	114	303	417

TOTAL APPROVED TRIPS				331	452	783	52	6.6%	305	426	731	34	4.3%	288	409	697	28	4.0%	268	401	669
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PROPOSED NORTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips (2)		External Trips			Interzonal Trips to South (2)		External Area Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total	In	Out	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Residential - SF	210	350 DUs	0.75 /DU (25/75)	66	197	263	6	2.3%	66	191	257	4	1.6%	65	188	253	-	0.0%	65	188	253
Research & Devel.	760	112,500 SF	$\ln(T) = 0.86\ln(x) + 0.93$ (83/17)	122	25	147	7	4.8%	117	23	140	4	2.5%	113	23	136	14	10.0%	101	21	122
Office	710	37,500 SF	$\ln(T) = 0.8\ln(x) + 1.55$ (88/12)	76	10	86	5	5.8%	72	9	81	2	2.7%	70	9	79	8	10.0%	63	8	71
TOTALS				264	232	496	18	3.6%	255	223	478	10	2.0%	248	220	468	22		229	217	446

PROPOSED SOUTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips (2)		External Trips			Interzonal Trips to North (2)		External Area Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total	In	Out	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Residential - SF	210	444 DUs	0.75 /DU (25/75)	83	250	333	6	1.9%	82	245	327	5	1.4%	82	240	322	-	0.0%	82	240	322
Residential - MF Apts.	220	149 DUs	$T = 0.49(x) + 3.73$ (20/80)	15	62	77	2	2.0%	15	60	75	1	1.4%	15	59	74	-	0.0%	15	59	74
Golf	430	18 Holes	2.23 /Hole (79/21)	32	8	40	8	20.0%	25	7	32	4	11.8%	22	6	28	-	0.0%	22	6	28
TOTALS				130	320	450	16	3.6%	122	312	434	10	2.2%	119	305	424	-	0.0%	119	305	424

TOTAL PROPOSED TRIPS				394	552	946	34	3.6%	377	535	912	20	2.1%	367	525	892	22	2.5%	348	522	870
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NET INCREASE IN TRIPS																			80	121	201
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(1) Source: Palm Beach County and Institute of Transportation Engineers, Trip Generation, 8th Edition.
(2) Internalization matrices are included in Appendix B.

Exhibit 2C
Parcel 19
PM Peak Hour Trip Generation
Scenario A2

APPROVED NORTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips (2)		External Trips			Interzonal Trips to South (2)		External Area Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total	In	Out	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Residential - MF Apts.	220	98 DUs	0.62 /DU (65/35)	40	21	61	34	56.7%	18	9	27	1	4.0%	17	9	26	-	0.0%	17	9	26
Golf	430	18 Holes	2.78 /Hole (45/55)	23	27	50	17	33.5%	15	18	33	6	17.0%	12	15	27	-	0.0%	12	15	27
Hotel	310	230 Rooms	0.7 /Room (49/51)	79	82	161	20	12.2%	66	75	141	11	7.8%	58	72	130	13	10.0%	52	65	117
Shopping Center	820	25,000 SF	$\ln(T) = 0.67\ln(X) + 3.37$ (48/52)	120	131	251	50	19.9%	98	103	201	39	19.4%	87	75	162	86	53.2%	41	35	76
Office	710	25,000 SF	$\ln(T) = 0.74\ln(X) + 1.83$ (17/83)	11	56	67	15	21.8%	7	45	52	5	9.4%	3	44	47	5	10.0%	3	39	42
TOTALS				273	317	590	136	23.1%	204	250	454	62	10.5%	177	215	392	104		125	163	288

APPROVED SOUTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips (2)		External Trips			Interzonal Trips to North (2)		External Area Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total	In	Out	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Residential - SF	210	444 DUs	$\ln(T) = 0.90\ln(x) + 0.51$ (63/37)	253	149	402	8	2.0%	249	144	394	43	10.8%	224	127	351	-	0.0%	224	127	351
Residential - MF Apts.	220	149 DUs	0.62 /DU (65/35)	60	32	92	2	2.0%	59	32	90	10	10.8%	53	27	80	-	0.0%	53	27	80
Golf	430	18 Holes	2.78 /Hole (45/55)	23	27	50	10	20.0%	18	22	40	9	21.5%	14	17	31	-	0.0%	14	17	31
TOTALS				336	208	544	20	3.7%	326	198	524	62	11.4%	291	171	462	-	0.0%	291	171	462

TOTAL APPROVED TRIPS	609	525	1,134	156	13.8%	530	448	978	124	10.9%	468	386	854	104	12.2%	416	334	750
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PROPOSED NORTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips (2)		External Trips			Interzonal Trips to South (2)		External Area Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total	In	Out	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Residential - SF	210	350 DUs	$\ln(T) = 0.90\ln(x) + 0.51$ (63/37)	204	120	324	19	5.9%	200	105	305	4	1.3%	198	103	301	-	0.0%	198	103	301
Research & Devel.	760	112,500 SF	$\ln(T) = 0.82\ln(X) + 1.09$ (15/85)	21	122	143	14	9.8%	10	119	129	8	6.3%	4	117	121	12	10.0%	4	105	109
Office	710	37,500 SF	$\ln(T) = 0.74\ln(X) + 1.83$ (17/83)	15	76	91	9	9.9%	9	73	82	6	7.9%	4	72	76	8	10.0%	4	64	68
TOTALS				240	318	558	42	7.5%	219	297	516	18	3.2%	206	292	498	20		206	272	478

PROPOSED SOUTH

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips (2)		External Trips			Interzonal Trips to North (2)		External Area Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total	In	Out	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Residential - SF	210	444 DUs	$\ln(T) = 0.90\ln(x) + 0.51$ (63/37)	253	149	402	8	2.0%	248	146	394	11	2.8%	245	138	383	-	0.0%	245	138	383
Residential - MF Apts.	220	149 DUs	0.62 /DU (65/35)	60	32	92	2	2.0%	59	32	90	3	2.8%	59	29	88	-	0.0%	59	29	88
Golf	430	18 Holes	2.78 /Hole (45/55)	23	27	50	10	20.0%	18	22	40	4	10.6%	16	20	36	-	0.0%	16	20	36
TOTALS				336	208	544	20	3.7%	325	200	524	18	3.3%	320	187	507	-	0.0%	320	187	507

TOTAL PROPOSED TRIPS	576	526	1,102	62	5.6%	544	497	1,040	36	3.3%	526	479	1,005	20	2.0%	526	459	985
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NET INCREASE IN TRIPS																110	125	235
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(1) Source: Palm Beach County and Institute of Transportation Engineers, Trip Generation, 8th Edition.

(2) Internalization matrices are included in Appendix B.

Toll Brothers

America's Luxury Home Builder®

Attachment E

May 22, 2012

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

RECEIVED
MAY 24 2012
PLANNING & ZONING

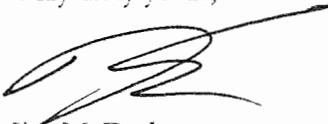
Dear Mr. Sickler:

Jupiter Country Club LLC ("JCC") is the owner and developer of the Jupiter Country Club property, which is located south of Indiantown Road in the Town of Jupiter. Situated on the opposite side of Indiantown Road is a partially improved property that is owned by Jupiter 19 Park, LLC ("Jupiter 19") and presently approved for development of a golf course and four star hotel (the "Restricted Property"). We understand that the owner of the Restricted Property now intends to abandon that plan and seeks to develop in its place a 350 unit single home community. JCC objects to Jupiter 19's proposal because it would violate a Declaration of Restrictions that encumbers the Restricted Property.

When JCC acquired the Jupiter Country Club parcel from WCI in 2005, the acquisition was subject to certain development restrictions on the Restricted Property that would ensure that development of the Restricted Projects would complement JCC's development of the Jupiter Country Club. Those restrictions were memorialized in a Declaration of Restrictions that was recorded against the Restricted Property. A copy is enclosed. Among other things, that Declaration prohibits the owner of the Restricted Property from modifying Ordinance No. 17-04 and Resolution No. 37-04 in a way that decreases the entitlements of the Jupiter Country Club parcel or otherwise materially affects the Jupiter Country Club parcel. We are presently investigating whether Jupiter 19's pending proposal will in fact result in a decrease in entitlements to the Jupiter Country Club property. There is no question, however, that the modification that Jupiter 19 presently seeks will materially affect the Jupiter Country Club property. Instead of a neighboring golf course and high-end resort, the new proposal calls for the development of 350 single family homes.

Please feel free to contact me if you should have any questions or concerns.

Very truly yours,



Jim McDade
Division President

Enclosure



CFN 20050293032
 OR BK 18575 PG 1577
 RECORDED 05/13/2005 14:33:44
 Palm Beach County, Florida
 Sharon R. Bock, CLERK & COMPTROLLER
 Pgs 1577 - 1583; (7pgs)

This instrument was prepared by and
 when recorded return to:

White & Case LLP
 200 South Biscayne Blvd.
 Suite 4900
 Miami, Florida 33131
 Attn: H. William Walker, Jr., Esq.

FIDELITY TITLE, INC.
 500 WESTVIEW DRIVE
 CORAL SPRINGS, FL. 33076

RECEIVED

MAY 24 2012

PLANNING & ZONING

Space above this line for recorder's use

DECLARATION OF RESTRICTIONS
 (Seller Land)

THIS DECLARATION OF RESTRICTIONS (this "Declaration") is made this 12th day of May, 2005, by COMMUNITIES FINANCE COMPANY, LLC, a Delaware limited liability company ("Declarant"), whose address is c/o WCI Communities, Inc., 24301 Walden Center Drive, Bonita Springs, Florida 34134.

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property more particularly described on Exhibit "A" hereto (the "Land"); and

WHEREAS, pursuant to Agreement for Sale and Purchase of Real Property dated March 25, 2005 (the "Contract," capitalized terms used but not otherwise defined herein having the meanings set forth in the Contract) between Declarant, as seller, and IHP Investment Fund III, L.P., a California limited partnership (the "Buyer"), as assignee of Toll Brothers, Inc., a Delaware corporation, Seller has agreed to sell to Buyer certain land (the "Buyer Land," described on Exhibit "B" hereto) contiguous or proximate to the Land, and Buyer has agreed to purchase the Buyer Land from Seller, upon condition that Seller impose certain covenants and restrictions running with title to the Land, as hereinafter set forth.

NOW, THEREFORE, in consideration of the purchase of the Buyer Land by Buyer from Seller, as evidenced by Special Warranty Deed made and delivered contemporaneously herewith, Declarant hereby declares, for itself, its successors and assigns, that the Land hereafter will be owned, held, developed, encumbered and transferred subject to the following:

1. Use Restrictions. Any hotel constructed on the Land will be designed for "4-star" recognition (provided, however, Buyer acknowledges and agrees that Declarant is not hereby warranting or guarantying that any such hotel will attain or maintain a particular rating or designation). Declarant agrees that the entry feature, related signage and project buffer on the southerly portion of the Land adjacent to Indiantown Road will be consistent, in terms of quality, with the entry feature, related signage and project buffer on the northerly portion of the Buyer Land situated south of Indiantown Road approved by Seller. In addition, in the event Seller

approves the plans for the North Clubhouse prior to construction of the entry feature on the southerly portion of the Land adjacent to Indiantown Road, such entry feature will be architecturally compatible with the approved North Clubhouse. Seller agrees that Seller will not seek a modification of Ordinance No. 17-04 and Resolution No. 37-04 of the Town of Jupiter, Florida, which (i) would decrease the entitlements of the Buyer Land (i.e., increase the aggregate number of "trips" generated by the Land by an amount which would decrease the number of trips available to the Buyer Land) or (ii) would violate applicable governmental rules and/or regulations, and Seller will provide written notice to Buyer no less than fourteen (14) days prior to seeking any such modification. Finally, Seller will not apply for or attempt to obtain any modification or amendment to the PUD Approval if such modification applies to or materially affects the Buyer Land; and Seller will pay all costs, fees or other charges related to or arising out of any such modification or amendment, and will comply with any and all conditions imposed in connection with the modification or amendment.

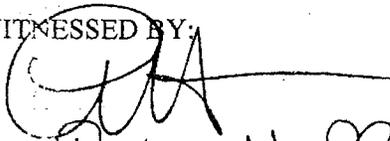
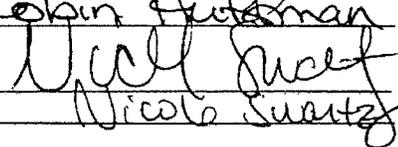
2. Covenant Running with the Land. This Declaration (a) will be recorded in the Public Records of Palm Beach County, Florida, (b) constitutes a covenant running with title to the Land, enforceable against any and all persons or entities from time to time having any legal or equitable interest therein (c) will inure to the benefit of Buyer, and be binding upon Declarant, and their respective successors and assigns.

3. Enforcement. The terms and provisions of this Declaration may be enforced by an action by Buyer, its successors or assigns, including suit for specific performance or injunctive relief, against the party violating the terms and provisions hereof. The prevailing party in any such action or suit will be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the court may adjudge to be reasonable for the services of its legal counsel.

4. Governing Law. This Declaration will be construed in accordance with, and governed by, the laws of the State of Florida.

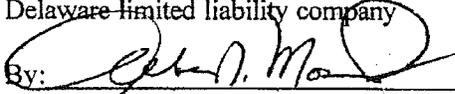
IN WITNESS WHEREOF, this Declaration has been executed on the date first above written.

WITNESSED BY:


Name: Robin Hufman

Name: Nicole Suartz

DECLARANT

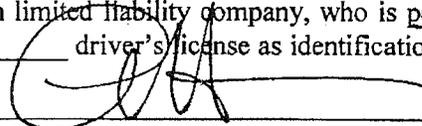
COMMUNITIES FINANCE COMPANY, LLC, a
Delaware limited liability company

By: 
Albert F. Moscato, Jr., Vice President

RECEIVED
MAY 24 2012
PLANNING & ZONING

STATE OF FLORIDA)
)ss:
COUNTY OF LEE)

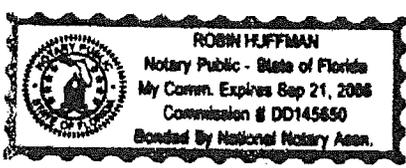
The foregoing instrument was acknowledged before me this 12 day of May, 2005, by Albert F. Moscato, Jr., as Vice President of COMMUNITIES FINANCE COMPANY, LLC, a Delaware limited liability company, on behalf of such limited liability company, who is personally known to me or has produced a _____ driver's license as identification.



Notary Public, State of Florida

Robin Huffman
Printed Name of Notary Public

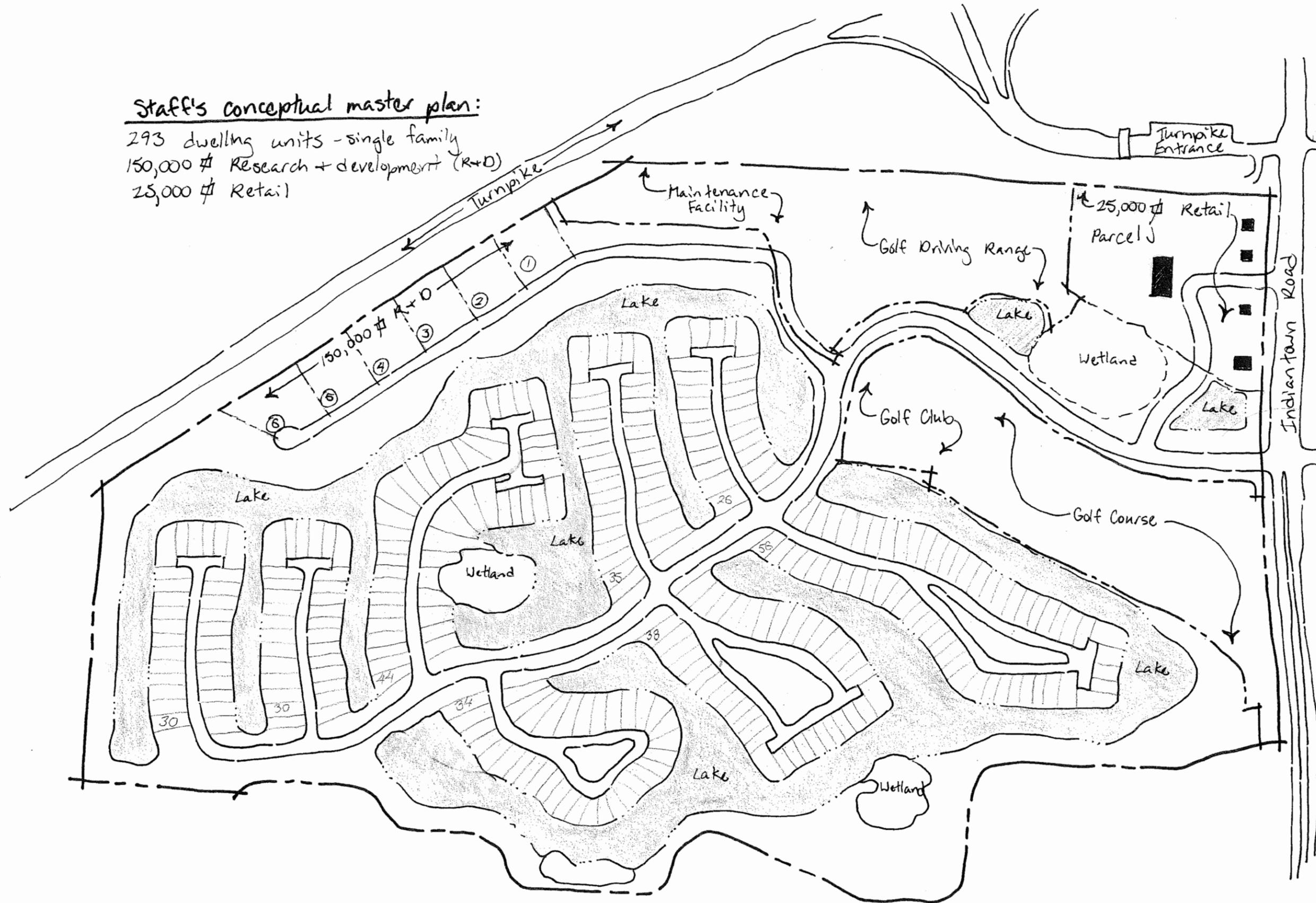
My Commission expires:



RECEIVED
MAY 24 2012
PLANNING & ZONING

Staff's conceptual master plan:

293 dwelling units - single family
150,000 # Research + development (R+D)
25,000 # Retail



REGULAR AGENDA**PUBLIC BUSINESS****18. Resolution 57-12**

Councilor Kuretski asked for information regarding the pricing to be added to the record.

Councilor Kuretski moved to approve Resolution 57-12 as amended to include the recommendation of the Selection Committee evaluation and recognition of the fixed rate for the next five years; seconded by Vice-Mayor Wodraska; motion passed.

Golonka
Yes

Wodraska
Yes

Kuretski
Yes

19. CONCEPTUAL REVIEW

Parcel 19 North (Lakewood).

Mr. George Gentile of Gentile Glas Holloway O'Mahoney & Associates, and representing the applicant, highlighted PowerPoint slides on the concept for the 259 acres at the north end of the Parcel 19 Planned Unit Development (PUD). He commented two C2 zoned commercial pieces were now part of the bioscience overlay. He said the applicant's proposal included amenities such as lots with water frontage, a large park, and a turnpike buffer. He noted research and development acreage increased from ten to fourteen acres, or 150,000 square feet, and they proposed 350 zero lot line homes. He requested reducing the landscape buffer from 600 to 300 feet because a multi-story hotel was eliminated. He listed other modification requests as eliminating the golf course, increasing the traffic count by 3.3%, and increasing residential lot coverage to 50%.

Mr. John Sickler, Director of Planning and Zoning, reviewed a PowerPoint and explained the approved hotel site would change to low density residential. He explained the 3.8 acres of landscape buffer adjacent to Indiantown Road and the Turnpike entry would become commercial with a bioscience overlay.

Mr. Sickler noted policy discouraged conversion of uses within the overlay to residential uses although Staff recognized a hotel would probably not be built. He said non-residential components such as convenience commercial uses at the Turnpike entrance were considered desirable assets. He explained Staff's concerns with eliminating the 9,638 trip cap that was mitigation for Indiantown Road. He mentioned a requirement for completing the commercial piece before the residential was not addressed in this proposal.

REGULAR AGENDA

19. CONCEPTUAL REVIEW Parcel 19 North (Lakewood).

Mr. Sickler said Staff had an alternative plan if Council supported eliminating the hotel and office uses for a single family development. He noted Staff proposed maintaining 25,000 square feet of low intensity commercial at the Turnpike entrance area, and moving the 150,000 square feet of research and development adjacent to the Turnpike where it would have prominent highway frontage. He added Staff also proposed moving the main road and shortening the cul-de-sacs, which reduced the residential units by 57 to maintain traffic equivalency.

Vice-Mayor Wodraska felt Staff had raised several valid issues. He thought bioscience research and development should be included, and agreed with having commercial uses to reduce traffic heading east on Indiantown Road for gas, food, or convenience store items. He was not sure about relocating the main road. He liked Staff's suggestion for the research and development location, but felt the applicant's plan for a marquee building at the entrance also had merit. He felt it made sense to change to residential from a major hotel and golf course, but commented the bioscience commitment went back to 2005 and there were not many parcels left to offer if a large company wanted to locate in the Town.

Councilor Kuretski said due to Indiantown Road traffic issues he had championed the trip cap, noting the original approval took 900 acres and mitigated traffic impacts. He did not want to remove the cap although he might consider an adjustment in return for a public benefit. He questioned if a retail parcel could be successful. He liked Staff's plan to balance the traffic numbers. He supported research and development, but felt the proposal's commitment to construct buildings for research and development was weak. He noted if the buildings had tenants for uses other than research and development, the traffic would be higher, so a traffic cap was needed.

Mayor Golonka recognized the market for a hotel had changed. She felt major changes to the original approval should make sense for the Town and the applicant and add value. She noted retail such as a gas station or convenience store made sense until it was demonstrated otherwise. She wanted to see bioscience on this parcel which had great accessibility, but she understood it was purchased primarily for the residential component. Mayor Golonka was not opposed to changing the cap if it improved the value to the applicant and the community, but did not support removing it. She would consider Staff's suggestion of removing some of the residential units, and she agreed that the cul-de-sacs were very long. She expressed skepticism that buildings built for commercial use would be attractive to bioscience users.

Vice-Mayor Wodraska also agreed with not removing the cap, but would change it for a public benefit in return.

REGULAR AGENDA

19. CONCEPTUAL REVIEW Parcel 19 North (Lakewood)

Councilor Kuretski felt the residential was the least valuable to the Town of Jupiter other than the fact it would fill the acreage with low traffic. He said if retail could work it would be beneficial. He added the bioscience would be good. He explained there were other uses beside the residential which were more beneficial to the public. Mayor Golonka said there were site constrictions but felt deviation from the excess of amount of water could provide more road alignment flexibility and land uses that worked better.

Mr. Donald Barnes, representing the Toll Brothers, The Jupiter County Club and the Jupiter Home Owners Association, had concerns about the project. He added the proposed use was not what they had thought. He stated they wanted to be involved with the project and emphasized the need to be involved due to the large investment they had in their project.

Councilor Kuretski and Vice-Mayor Wodraska asked for more details regarding the objections or concerns.

REPORTS

TOWN ATTORNEY – None.

TOWN MANAGER

- Council Vacancy – Due to the death of Councilor Robert Friedman, Mr. Lukasik offered to place a discussion item on the August 9, 2012 meeting agenda and asked Council if they would like to review any supplemental information. Council agreed to schedule a roundtable discussion and requested the Charter guidelines.
- New Financial Reports – Staff distributed the new format and Mr. Lukasik and Mr. Mike Villella, Director of Finance, explained additional changes were forthcoming.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR KURETSKI

- Great Response by Police Department – Councilor Kuretski mentioned the comments this morning on the radio regarding the impressive response of the Jupiter Police Department, especially to the non-emergency number.

VICE-MAYOR WODRASKA

- Councilor Robert Friedman – Vice-Mayor Wodraska expressed how he would surely miss his friend and colleague.

ADJOURNMENT – 10:02 P.M.

Sally M. Boylan, Town Clerk

Karen J. Golonka, Mayor



Landscape Architects ■ Planners ■ Environmental Consultants

GENTILE | GLAS | HOLLOWAY | O'MAHONEY & Associates, Inc.

George C. Gentile FASLA
 M. Troy Holloway ASLA
 Emily M. O'Mahoney ASLA
 Dodi Burckmaster Glas AICP

October 9, 2013

Mr. John Sickler
 Director of Planning and Zoning
 Town of Jupiter
 210 Military Trail
 Jupiter, Florida 33458

Subject: **Parcel 19 (Lakewood) – Sufficiency Review** – Future Land Use Map (FLUM) and Zoning Map amendments for 25.1+/- acre and 3.8+/- acre parcels of land located north of Indiantown Road and west of the Florida (*PZ #'s 13-286; 13-287;13-283*)

Dear Mr. Sickler:

This letter is in response to staff comments dated October 2, 2013 for the above referenced project. Our responses have been provided below in **bold** for your convenience.

Town Council Public Hearing

At the August 8th public hearing, the following questions/comments were raised. These remain unaddressed in the resubmittal.

1. Has the applicant had discussions with Toll Brothers regarding any potential land swaps to relocate the commercial land uses? This was recommended to create a more cohesive land use pattern, which will create an opportunity for additional bioscience development on more acres.

Response: In April, 2012, prior to the submission of the original plan, a conversation between the applicant and Toll Brothers took place relative to swapping land. At that time, Toll Brothers stated that they were only interested in having the project developed as then currently approved. In February 2013, the Applicant and Toll Brothers met again. Toll again stated that only the current approval was acceptable to it. Toll Brothers has had a representative at every public meeting the applicant has had with the Town. On each occasion, Toll has indicated that the current approval on the property is the proposal that it finds acceptable. Therefore, the Applicant has concluded that Toll has been and continues to be non-responsive to the idea of a swap.

Additionally given the complexity of this project, the costs associated therewith, and the fact that the application has been in process for over 1 year and 7months, it is

unreasonable for the Applicant to be required to pursue a land swap at this time. In the meantime, this project is providing 9 acres to the Town, which can provide 150,000 SF for Bio-Science/R&D related uses, within the proposed area.

2. How will the overall intent of the current Master Plan, on the overall 896.1+/- acre Parcel 19 property, be preserved if the proposed Future Land Use Map (FLUM) amendment to eliminate the 25.1+/- acres assigned with the Commercial future land use designation is adopted? The applicant should provide a response that details how the current overall Parcel 19 Master Plan will be maintained and what effects the proposed FLUM amendment will have on The Toll Brothers' development.

Response: The requested FLUM amendment to the 25.1+/- acres from Commercial to Low Density Residential will not substantially alter and/or impact the Toll Brothers Development. One of the primary intentions of the original PUD approval was to develop a mix of uses and to locate those uses so that they would not negatively impact the adjacent natural areas west of the site. The original intent found that low density residential was a compatible use within this area. Toll Brothers has built a residential community and the applicant is also proposing a residential community. Please note that 98 units are currently approved for development within the northern portion of the Parcel 19 PUD. Again we submit that relocating the commercial areas to the intersection at Indiantown Rd. and the Florida's Turnpike, on this specific site, is appropriate in creating a greater buffer from the surrounding natural areas and creating greater consistency with the current and proposed uses.

The existing 25.1+/- acres of Commercial is also surrounded by Low Density Residential. The Town's Comprehensive Plan requires consistency with the request. The proposed Low Density Residential will be consistent with the surrounding land use designation. Furthermore, it has been stated to the development team on many occasions that offering commercial uses in proximity to the intersection will draw some of the traffic that would typically travel east along Indiantown Road. This was viewed as a positive. Again, locating the commercial at the southeast corner against the Turnpike rather than central to the site will encourage that draw.

Please note that Toll Brothers and the Applicant have an agreement that provides for how and what recourses each party has in addressing any perceived impacts caused by the either party or conflicts and disputes. Both Toll Brothers and the Applicant are already a party to a master association for the existing PUD.

3. The applicant was asked to reach out to the Jupiter Farms organizations that gave public comments on the FLUM amendments. Please provide a summary of the meetings held with the Jupiter Farms organizations to address their concerns, subsequent to the August 8th Town Council public hearing.

Response: Prior to the public hearings, the applicant's representatives met with the Jupiter Farms organizations. At the meeting on August 8th, the concerns expressed by the Jupiter Farms organizations were related to traffic, and the proposed gas station. Subsequent to the August 8th meeting, the applicant reduced the number of

dwelling units, eliminated the gas station from the mix of uses. The result of these modifications, made the proposed project's traffic generation consistent with the existing traffic cap approved as part of a previous FLUM amendment (Ord. #12-03). On October 4, 2013, the applicant's representatives contacted Ms. Susan Kennedy. Ms. Kennedy informed the applicant that they had discussed the revised plans for the Lakewood development and that the Jupiter Farms Neighborhood Board voted to unanimously support the project as currently proposed, with a concern that the development would not use IQ water for irrigation purposes. The Jupiter Farms Neighborhood Association would prefer that the applicant irrigate using either a potable water source or surface water from the proposed lakes.

Planning and Zoning Department – David Kemp

Comprehensive Plan

The applicant should address how the proposed FLUM amendments fulfill the locational criteria for Future Land Use Element Policy 1.3.1 (Low Density Residential), which requires the economic provision of adequate police protection. The applicant's Statement of Use states that police services to the overall Parcel 19 Planned Unit Development (PUD) had been determined to be adequate, or should have been considered when the Low Density residential was originally assigned to the property in 2003. The FLUM amendments will increase the amount of Low Density Residential land use on the subject property by 21.3+/- acres. The FLUM amendments are being proposed in order to allow for an additional 220+/- single family residential units that were not part of the original overall Parcel 19 PUD. The isolated, low-density residential character of the proposal will add to the cost of police services for the development. Existing Town data indicates residential communities have a higher number of police service calls and pay comparatively less taxes than commercial uses. Also, the location is separated from Town services by I-95 and the Turnpike and is limited by a single point of access into the community.

Response: We continue to maintain that while this project is proposing an increase to the physical number of units on the site, the Low Density Residential Future Land Use Designation permits 2 units per acre. While there is an increase in the number of units, there is also an increase in the Bio-Science/R&D uses, which also had a benefit to the overall tax base to the Town. Currently there is not Bio-Science/R&D allocated to the site. Furthermore, removing the hotel from the list of approved uses on the site reduces transients and thus increases security.

When the site was originally located within unincorporated Palm Beach County, the designation on this property was also Low Density Residential (Low Density Residential 3 units per acre (LR-3). The LR-3 Designation in Palm Beach County would have allowed for a maximum of 2,688.3 residential units. When the site was annexed into the Town of Jupiter, the Low Density Residential Future Land Use Designation was assigned to 867.2+/- acres of the total 896.1+/- of the Parcel 19 Project. When an Annexation and a FLUM Amendment are processed the assumption has to be that the maximum density and intensity is a possibility and should be analyzed accordingly. Thus, by assigning a density of 2 units per acre on 867.2+/- acres, a total of 1,734.4 dwelling units could have potentially been developed on this

property. Ordinance #17-04 approved 780 units of which 98 were assigned to the north portion of the Parcel 19 PUD. The applicant is proposing 286 dwelling units, which includes the approved 98 units, or an overall PUD increase of 188 units, not 220 units as indicated above. The original FLUM application indicated adequate public facilities to serve the site, therefore police services should be adequate to serve the 968 unit proposed.

As for the “low-density residential character” of the proposal, the existing development of the PUD has a low-density residential character; the proposed project is again just an extension of the prevalent development pattern. Furthermore, consistent with the Toll Brother’s residential portion of the community to the south of Indiantown Road, this neighborhood will also provide a 24-hour manned security gate, which will greatly reduce criminal activity within the development.

1. The cul-de-sac issue needs to be worked out. The disparity between Town Engineer, PBC Fire, and the applicant has been going on for several months.
Response: The applicant has opted to withdraw the proposed site plan at this time. The cul-de-sac at the terminus of the main spine road will comply with both the Town’s requirements and Palm Beach County Fire Rescue requirements.
2. The hammerheads should be revised. Since the development will be losing a good number of units, this should be easy to accomplish. If applicant is set on using hammerheads, please provide model lot layouts and driveway locations for lots around the hammerheads (in Pod K) for staff review as soon as possible. We will determine whether the layout is acceptable or if we will recommend a condition addressing the hammerheads in the staff report.
Response: Again, the applicant at this time has opted to withdraw the site plan and reconsider the lot lay out and street system. The only request at this time will be for the PUD Amendment which includes the mix of uses.
3. Provide a table (in Word) showing the uses (# units, & sq ft) of the previous submittal to the new submittal.
Response: Please see attached word document indicating the changes in units and square footages from the previous submittal to the current proposed submittal.
4. Provide confirmation that the 9 acres for R&D will be transferred to the Town upon approval, not five years from now, if this is the intention.
Response: The 9 acres for R&D, or whatever remains of the proposed 9 acres, will be transferred to the Town 5 years after the first vertical building permit is issued for the project.
5. Donald Barnes provided comments (see attached):
 - a. Provide additional landscaping buffers as shown
Response: The landscape buffers requested are not required and the applicant is not inclined to provide an additional buffer at this time. The road in question is owned by the applicant and was never contemplated for the exclusive use

by the golf-club. As required street trees line the road. A landscape perimeter buffer along the west side of Marsala Dr. was approved with the permanent Clubhouse facility currently under construction. The landscape perimeter buffer meets the code requirements. No additional landscape is required along the street with this request.

b. Provide a gate for the road leading to the driving range and maintenance facility.
Response: Again the road in question was never contemplated for the exclusive use by the golf-club or the maintenance vehicles. The applicant does not understand why a gate is needed to restrict access to the maintenance facility.

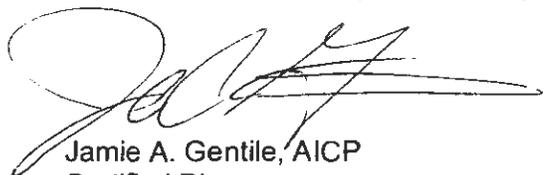
c. Provide stacking of guest lane and resident lanes at the main gate to Lakewood.
Response: Queuing for approximately 20 vehicles is already provided from the entry gate to the Jupiter Country Club Golf Clubhouse entrance.

d. Provide "aerial crossing" across Marsala for carts. I believe he intended an overpass or underpass, but I think a raised crosswalk/speed table would be reasonable.

Response: An aerial crossing is impractical for this location. Again the road was never intended for the exclusive use of the golf-club, and this has previously not been an issue. However in order to address the concern, we would agree to propose a 3-way stop at the intersection of Marsala and Aurora and modify the cart-part to provide a crossing at that location. There are numerous examples of cart path crossings, like the proposed, on the south side of the PUD that have had no issues.

We appreciate your review of our proposal and we trust that our responses have satisfied the application's insufficiencies. In addition, as part of our resubmittal to the Town, we are providing you with a withdrawal letter for the concurrent site plan application under separate cover. We would also like to offer as public benefit \$100,000.00 for the Town's efforts to provide Workforce Housing, which was a recommendation by the Planning and Zoning Commission. Despite our withdrawal of the site plan application, we are planning to still request approval of a waiver for the generator setback and add an additional waiver to permit the hammerhead turns. Although we continue to have a difference of opinion on whether additional benefit is needed for the waivers that are already approved for the Parcel 19 PUD, we are still committed to offering the same public benefits as we had previously proposed. So we are requesting that those waivers are also applied to this portion of the project. Again we thank you for your consideration, and on behalf our client, Gentile Glas Holloway O'Mahoney & Associates, Inc respectfully request approval of the Lakewood Parcel 19 FLUM, Rezoning, and PUD Amendment with Waivers applications.

Sincerely,
Gentile Glas Holloway O'Mahoney & Associates, Inc.



Jamie A. Gentile, AICP
Certified Planner

October 10, 2013

RONALD K. KOLINS
701 South Olive Avenue
Unit 313
West Palm Beach, Florida 33401

RECEIVED

OCT 11 2013

PLANNING & ZONING

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

Re: Lakewood/Parcel 19
Bioscience Land Protection Advisory Board
September 19, 2013

Dear John:

As you will recall, I represent Toll Brothers, Inc. in the matter of Lakewood's applications for approvals to develop a portion of the northern section of Parcel 19, and that Toll has been designated as a party in that matter. I have recently learned that the Bioscience Land Protection Advisory Board (hereinafter "the Board") considered this matter at its meeting of September 19, 2013. A review of the agenda for that meeting suggests that it was the Town which requested that the matter be on the Board's agenda, and that the Town gave the Board an "update on the Lakewood project".

As you are also aware, the Town Council did not approve the Lakewood applications at its August hearing but allowed the applicant to file a new application which the applicant has now done. It is my understanding that the Board, on September 19, determined, based upon the information provided to it at the hearing, that the applicant would not have to reapply to said Board and have further hearings concerning its new application.

Toll Brothers, Inc. was not given any notice to the effect that this matter would be considered and discussed by the Board on September 19, and hence did not attend that hearing; did not have the opportunity to present its views on the matter to the Board; and the decision of the Board was made without any input or participation by a party to the case, namely Toll.

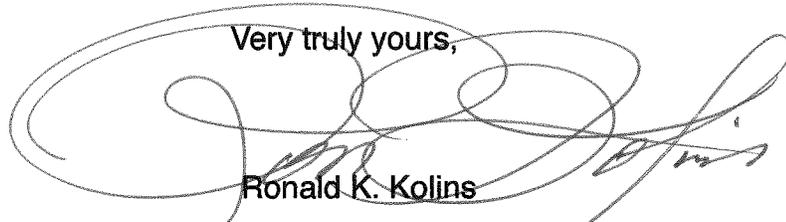
While certainly the public should have notice of hearings regarding matters pending before the Town, it is a fundamental principle of due process that parties to a proceeding be given notice of all hearings so as to have the opportunity to participate and be heard. Unfortunately, in this matter, and as I stated, Toll received no notice

whatsoever and thus was denied its ability to participate in the hearing and its right to due process of law.

While I ascribe no malice to the Town or its staff in this regard, as the failure to give Toll notice may well have just been an oversight, nevertheless, without such notice and the corresponding ability to participate, the action and determination of the Board taken at that meeting is null and void. The hearing must be rescheduled and noticed to allow such participation, and all subsequent hearings before other boards, such as Planning & Zoning, must be correspondingly delayed until proper action is taken by the Bioscience Land Protection Advisory Board.

Please advise when this matter will again be scheduled before that Board. Thank you for your cooperation and understanding.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Ronald K. Kolins', is written over the typed name. The signature is highly stylized and cursive.

Ronald K. Kolins

PH: 561-202-1841

Email: CleanSlateRK@Gmail.com

cc: Thomas Baird, Esq.
James Beasley, Esq.
Kristine Maciolek Small, Esq.
Jim McDade

RECEIVED

OCT 11 2013

PLANNING & ZONING

John Sickler

From: Ron Kolins <cleanslaterk@gmail.com>
Sent: Wednesday, November 20, 2013 9:18 AM
To: Jim McDade; Donald Barnes; Tim Hoban; James W. Beasley, Jr.; Ken Tuma; John Sickler
Subject: Fwd: BioScience Land Use Advisory Board--Jupiter Parcel 19

----- Forwarded message -----

From: **Ron Kolins** <cleanslaterk@gmail.com>
Date: Wed, Nov 20, 2013 at 9:16 AM
Subject: BioScience Land Use Advisory Board--Jupiter Parcel 19
To: Rbanks@pbcgov.org

Mr. Banks:

I represent Toll Brothers, Inc. ("Toll") in the matter of the applications pending before the Town of Jupiter which, if granted, would allow the development of residential zero lot line homes and some commercial uses on the north side of what is commonly referred to as Parcel 19 which lies at northwest corner of the intersection of Indiantown Road and the Florida Turnpike. My client is in the process of building out a previously approved single family residential development on the portion of Parcel 19 which lies to the south of Indiantown Road and which also encompasses a portion of the northern section as well. Toll opposes the pending applications and has been designated, by the Town of Jupiter, as a full party to the proceeding.

As the property at issue in the pending applications initially encompassed a BioScience Overlay of 25.1 acres imposed in 2006, the modifications to the overlay proposed by the applicant, representing as it does a very substantial reduction in the area covered by the Overlay, must have the approval of this Board.

I am personally unable to attend today's Board meeting because I have just been diagnosed with pneumonia. I not only am not well enough to attend, but the last thing I would want to do is to cause anyone else to become ill. Instead, therefore, I write this email to set forth, very briefly, some of the reasons why Toll objects to the change to the Overlay.

The applicant proposes not only the relocation within the north side of Parcel 19 of the Overlay, but a dramatic reduction in its size. The reduction, as I understand it, approximates at least 65 percent. While the Jupiter professional staff recommends approval of the underlying FLUM and rezoning applications, it does not recommend the reduction in the Overlay and states in its respective staff reports (FLUM and rezoning) that the change to the Overlay "doesn't fulfill the intent of the Overlay".

Not only does the applicant propose to dramatically reduce the size of the Overlay, but it seeks to absolve itself from all responsibility to secure one or more bioscience uses within the overlay. As I understand the applicant's latest proposal, it would simply transfer to the Town of Jupiter the reduced Overlay acreage and leave it to the Town to try to market it for and obtain a user in the field of bioscience. The previous iteration of the applicant's development proposal included a limitation of 5 years during which it would market the overlay property for a bioscience use and, if it did not obtain such a use during that period, would then give it to the Town to see if the Town could get it done.

In sum, the proposal before the Board dramatically reduces the size of the overlay, and not only reflects nothing of substance to obtain the goal of a bioscience use, but instead merely reflects the applicant's absolving itself from any obligation in that regard. Toll finds this contrary to the purpose of the Overlay; this essentially finds the applicant giving the Overlay and its purpose the "back of its hand"; and if the entire purpose of bioscience overlay districting is to have any meaning whatsoever, this application before you today should be denied.

Thank you very much.

Lakewood Mixed Use Tract

Prepared for:

*Prepared by:
Thompson Consulting, Inc.
West Palm Beach, Florida
(561) 659-6068*

February 2013

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Introduction

This report presents findings and conclusions relating to the development potential of a mixed use development on a tract of land located at the northwest quadrant of Indiantown Road and Florida's Turnpike within the corporate limits of the Town of Jupiter, Florida. The commercial retail uses which ultimately locate on the subject site will cater to not only the needs of residents within the subject mixed use development but also to those already traveling on Florida's Turnpike, Interstate 95 and Indiantown Road west traffic. Most commercial opportunities, particularly, transient and business oriented hotels, tend to locate on major arterial roadways. Given the subject site's interchange location with Florida's Turnpike and close proximity to I-95, the subject site is well suited to accommodate both non-residential and residential land uses. Residents of the subject mixed use development who work outside the corporate limits of the Town of Jupiter, will be well located to either highway, making their work commute less time consuming.

The subject site is approximately 259.6 acres, located on the north side of Indiantown Road, adjacent to Florida's Turnpike on the west side. It is part of an approved Planned Unit Development on 858 acres known as Parcel 19 PUD, which was approved on land area located on the northwest and southwest quadrants of Indiantown Road and Florida's Turnpike. Two areas of the subject 259.6 acre site which would be amended if approved equal 25.08 acres and 3.81 acres, respectively. The parcels are intended to accommodate 350 single family residences, 150,000 square feet of biotechnology office space, 5,000 square feet of gas station/convenience retail, 9,000 square foot restaurant and 13,000 square foot drug store.

A comparison of proposal to the overall PUD is presented in the table below:

Project	Residential	Hotel	Retail	Biotech-Office	Golf
Parcel19-Total	780 units 50 time share (Toll Bros.=593 units on S. side of Indiantown Rd.	0 rooms	25,000 sq. ft.	0	18 holes Driving range Club
Lakewood	350 units (on that portion of Parcel 19 located on the north side of Indiantown Rd.	100 rooms	5,000 sq. ft. gas/conv. 9,000 sq. ft. restaurant 13,000 sq. ft. drug store	150,000 sq. ft.	0

Overall site visibility and access are excellent. The Lakewood portion of the Parcel 19 tract has visibility from Florida's Turnpike as well as from Indiantown adjacent on the west with its interchange with Indiantown Road.

Those general factors affecting the development potential of the subject site for the proposed land uses, from a land use balance and market perspective, are examined in this study. While not required and with no specific guidelines relative to format and content, the Town of Jupiter and the applicant agreed that this type of analysis would assist in the Town's review of the proposed mixed use development.

Site/Vicinity Analysis

Land Use

As indicated in the Introduction section of this report, the subject site is located at the northwest quadrant of Indiantown Road and Florida's Turnpike, within the corporate limits of the Town of Jupiter, Florida.

Surrounding land uses to the subject site include:

North: Part of subject PUD land area (Jupiter R-1 & C-2; PUD (unincorporated PBC – AR)

South: Part of subject PUD land area (Jupiter R-1 & C-2; Indiantown Rd; PUD (unincorporated PBC-AR)

East: Part of subject PUD land area (Jupiter R-1 & C-2; Florida's Turnpike

West: Unincorporated PBC (Agricultural Residential-AR)

As the subject site is located in the Town of Jupiter, its location at the less heavily traveled western side of Florida's Turnpike on the north side of Indiantown Road. For purposes of the residential complement of the development potential analysis, the entirety of the Town of Jupiter will be examined as well as the Jupiter Farms community which is located west of the subject site in unincorporated Palm Beach County.

The gas station, restaurant and drug store will be examined from internal land use balance and market support which will also interface with traffic volumes generated along Florida's Turnpike and Interstate 95, given the site's close proximity to Florida's Turnpike and the subject site.

The biotech office use will be examined from the perspective of a larger area, as this land use is associated with an industry cluster which is anchored in larger part by a project which is located on the very northern periphery of Palm Beach Gardens and the very southern portion of the Town of Jupiter (southeast of the subject site at the northeast quadrant of I-95 and Donald Ross Road known as the Briger Tract DRI. Phase 1 of the Scripps Research Institute and Max Planck Institute are located on the north side of Donald Ross Road, across of the Briger Tract DRI, which is approved to accommodate 4,000,000 square feet of biotechnology space (inclusive of Phase II of the Scripps Research Institute), office and retail space, a hotel/conference center and both for sale and for rent residential units.

Roads/Traffic

Primary access to the subject site will be via Indiantown Road, Florida's Turnpike and Interstate 95. Indiantown Road is a major east/west arterial in northern Palm Beach County, running from Beeline Highway on the west to Ocean Avenue (SR A1A) on the east.

The table below provides number of lanes and traffic count estimates for Indiantown Road, east and west of the subject site.

Roadway	Laneage	Traffic Counts (AADT)
Indiantown Road	2-lane (Beeline Hwy. to Pratt-Whitney Rd.)	2,948
Indiantown Road	2-lane (Beeline Hwy. to 130 th Ave. N.)	4,930
Indiantown Road	4-lane divided (130 th Ave. N. to Alexander Run)	12,915
Indiantown Road	4-lane divided (Alexander Run to Jupiter Farms Rd.)	21,607
Indiantown Road	4-lane divided (Jupiter Farms Rd. to Florida's TP)	29,029
Indiantown Road	6-lane divided (Florida's TP to I-95)	44,444
Indiantown Road	6-lane divided (I-95 to Central Blvd.)	57,439
Indiantown Road	6-lane divided (Central Blvd. to Center St.)	48,214
Indiantown Road	6-lane divided (Center St. to Military Tr.)	41,919
Indiantown Road	6-lane divided (Military Tr. To S.R. 811)	39,078
Indiantown Road	6-lane divided (S.R. 811 to U.S. 1)	29,823
Indiantown Road	4-lane divided (U.S. 1 to S.R. A1A)	15,851

Source: Palm Beach County Traffic Division, 2012 AADT

As evidenced by the statistics presented above, traffic volumes along Indiantown Road vary widely east and west of both Florida's Turnpike and Interstate 95. On the west side of the Florida's Turnpike and I-95, traffic volumes increase from 2,948 average trips per day just east of Beeline Highway to 29,029 just west of Florida's Turnpike, as one travels west to east, peaking between the two closely located north/south highways (44,444 average trips per day). Between Florida's Turnpike and I-95, traffic volumes are greatest along Indiantown Road (57,429 average trips per day). As one travels west to east, from I-95 average trips per day are estimated to be 48,214 (just east of I-95) to 15,851 average trips per day just east of U.S. 1.

The heaviest traffic volumes are located east of Interstate 95 by relative comparison to those located to the west of Florida's Turnpike which are at an average of 20,029 at the location of the subject site.

The table below provides traffic count estimates (passing volumes) for Florida's Turnpike and Interstate 95 (given its close proximity and accessibility to the Florida's Turnpike and the subject site:

Roadway/Year	Florida's Turnpike	Interstate 95
2010	36,000	79,000
2012	40,000	82,000
2015	46,100	90,900
2020	59,100	108,000
2025	75,400	128,200
2030	96,300	139,600
2035	122,900	161,800

Source: Florida's Turnpike; Florida Department of Transportation; Thompson Consulting, Inc.

As evidenced by the statistics presented above, traffic volumes on both Florida's Turnpike and Interstate 95 passing the interchanges with Indiantown Road are great and projected to increase. As such, the site is well located to capture traffic from these highways for those uses which are frequently supported by motorists who can easily find lodging, purchase gasoline and other retail goods and services proximate to interchanges.

Demographic Characteristics

Demographic characteristics data, as well as housing and income data related to the resident population of the Town of Jupiter are included in Exhibit 5. A bullet comparison of those characteristics within the Town of Jupiter to those of Palm Beach County as a whole, is included below:

- The 2012 base year population within the Town of Jupiter (ToJ) is estimated to be 56,980 residents [an increase of nearly 45% (44.9%) since 2000]. An estimated 61,294 residents are projected by the year 2015. By the year 2025, an estimated 76,169 residents are projected. The population increase to the year 2025 represents a 34% increase from 2012.
- Within the ToJ, the resident population is slightly older than that which is the case countywide, as indicated by the median age estimate (45.2 years-ToJ vs. 44.0-Palm Beach County). The age differential is projected to be maintained by the year 2015, with the ToJ median to be 46.3 while the county's is to be 45.2.
- 20.9% of the resident population in the ToJ is in the 0-19 year age group. This is less than that found countywide in the same age group (22.2%). In the over 65 year age group, the ToJ has a lower percentage than is the case countywide (20.8%-ToJ vs. 22.3%-Palm Beach County).
- Within the ToJ, average household size is 2.28, slightly smaller than that which is the case countywide (2.38).
- These age group and household size statistics support the observation that the ToJ is comprised of younger, comparably sized households to that found countywide.
- A much larger proportion of total households in the ToJ is comprised of owner-occupied units than is the case within the county as a whole (87.0%-ToJ vs. 69.5%-Palm Beach County).
- The estimated median household income within the ToJ is approximately 23% higher than that found countywide (\$62,710-ToJ vs. \$50,797-Palm Beach County).

Source: 2000 & 2010 Census; ESRI, Inc.; Palm Beach County Planning Division; University of Florida Bureau of Economic and Business Research & Shimberg Center; TCI.

Exhibit 5 - Summary of Demographic Characteristics (Town of Jupiter)

Characteristic	2010	2012	2017
<u>Total Persons</u>	55,156	56,980	64,285
<u>Average H.H. Size</u>	2.29	2.28	2.30
<u>Households (%)</u>			
Owner Occup.	85.0	87.0	91.0
Renter Occup.	15.0	13.0	9.0
<u>Age Distribution (%)</u>			
0-19	21.3	20.9	20.5
20-24	4.6	4.8	4.4
25-44	24.4	24.0	23.5
45-64	29.7	29.5	28.5
65+	20.0	20.8	23.1
<u>Median Age (Years)</u>	44.7	45.2	46.3
<u>H.H Income (%)</u>			
< \$24,999	19.1	16.9	13.0
\$25,000-\$34,999	8.1	7.2	5.0
\$35,000-\$49,999	11.1	14.6	13.2
\$50,000-\$74,999	19.5	18.7	21.8
\$75,000-\$99,999	12.7	13.0	15.4
\$100,000-\$149,999	14.1	14.1	14.8
\$150,000-\$199,999	6.0	7.8	8.7
\$200,000+	9.3	7.6	8.1
<u>Median H.H. Inc. (\$)</u>	63,653	62,700	70,295
<u>Total Persons (Yr. 2000)</u>	39,328	NA	NA
<u>Total Persons (Yr. 2015)</u>	61,294	NA	NA
<u>Total Persons (Yr. 2020)</u>	68,772	NA	NA
<u>Total Persons (Yr. 2025)</u>	76,169	NA	NA

Source: 2000 & 2010 Census; 2011 ACS; University of Florida Shimberg Center; ESRI; TCI

Exhibit 6 - Summary of Demographic Characteristics (Palm Beach County)

Characteristic	2010	2012	2017
Total Persons	1,320,134	1,349,800	1,429,740
Average H.H. Size	2.34	2.39	2.40
Households (%)			
Owner Occup.	75.0	77.0	76.0
Renter Occup.	25.0	23.0	24.0
Age Distribution (%)			
0-19	22.7	22.2	21.8
20-24	5.6	5.7	5.2
25-44	23.6	23.4	22.9
45-64	26.4	26.4	25.6
65+	21.7	22.3	24.5
Median Age (Years)	43.5	44.0	45.2
H.H Income (%)			
< \$24,999	23.2	23.8	19.9
\$25,000-\$34,999	10.9	10.7	7.8
\$35,000-\$49,999	14.7	14.6	13.7
\$50,000-\$74,999	17.3	18.2	21.7
\$75,000-\$99,999	12.0	11.0	12.8
\$100,000-\$149,999	11.8	11.9	12.8
\$150,000-\$199,999	4.5	4.2	4.7
\$200,000+	5.6	5.6	5.9
Median H.H. Inc. (\$)	58,783	50,797	57,506
Total Persons (Yr. 2000)	1,131,184	NA	NA
Total Persons (Yr. 2015)	1,394,300	NA	NA
Total Persons (Yr. 2020)	1,482,900	NA	NA
Total Persons (Yr. 2025)	1,568,500	NA	NA

Source: 2000 & 2010 Census; 2011 ACS; University of Florida Shimberg Center; ESRI; PBC Planning Div.; TCI

Development Potential

Residential

Demand

As evidenced by statistics presented in Exhibit 6 and in the table below, the base year (2012) population estimates within the Town of Jupiter are estimated to be 56,980. The average household size in 2012 is 2.29, but it is projected to increase to 2.3 by the year 2017. Since the projections contained herein are to the year 2025, the 2017 household size is being used in conjunction with population data to estimate demand for additional housing during the projection time frame.

Projected resident population, average household size and resultant demand estimates for additional units within the Town of Jupiter from 2015 through 2025 are below:

Exhibit 7

Estimate/Year	Population (2012 forward by increment)	Average number of persons per household	Housing unit demand by increment
2015	7,305	2.3	3,176
2020	11,792	2.3	5,127
2025	19,189	2.3	8,343

Source: 2000 & 2010 Census; ESRI; University of Florida BEBR and Shimberg Center; TCI

Supply

Dwelling unit projections based on existing dwelling units, available vacant residential land assumed to be built at maximum density allowed by Land Use designation or development approval (e.g., PUD), is estimated to be 32,661 units.*

Demand/Supply Comparison

Based on the total supply estimate referenced above (existing and approved/unbuilt) of 32,661 units compared to estimated total demand for 33,203 units by the year 2015, a supply shortfall of 542 units is projected. This shortfall is projected to increase throughout the projection time frame (through 2025).

*Source: Palm Beach County Metropolitan Planning Organization; Traffic Analysis Zone (TAZ) map overlay onto aerial and Future Land Use Atlas of the Town of Jupiter

Market Factors

Depending on what source is used, the residential market within the Town of Jupiter is characterized and presented in slightly different ways. However, the sources which we researched, all agreed that the market was improving and would continue to do so, albeit at a more moderate pace than that which was experienced during the housing bubble years.

All sources agreed that the inventory of available sales was 40% less than it was two (2) years ago (Estimated 790 today versus 1290 two/2 years ago for an annual sales absorption of 250 per year. In addition, the median list and sales price has increased by an estimated 30% (median list = \$479,000; median sales = \$274,500).

In addition, the median number of days a home is on the market prior to selling has decreased by approximately 21% in two (2) years, from 132 to 104, while the median price per square foot has increased by 13%. Price reductions have also decreased significantly, from 221 in 3/12 to 107 in 3/13.

The above statistics support the result of the Demand/Supply comparison found on the preceding page, which indicates a projected supply shortfall in the Town of Jupiter of 542 units by the year 2015, which is projected to continue increasing through the projection timeframe of 2025.

Additional Market Considerations

The product type to be built and offered for sale on the subject site is known as zero lot line single family. At the present time, there are no new zero lot line single family units available for sale in the Town of Jupiter. The zero lot line units that are for sale are re-sales, not new units. In addition, they are few in number with an average time on the market much shorter than the 104 day average that all units for sale are on the market in the Town. Zero lot line homes are popular housing products.

The zero lot line homes which will be offered for sale on the subject site include standard features such as gas generators sufficiently sized to power the entire home during a power outage. The homes will all be located on lots which include side setbacks of 15 feet versus the usual 10 feet, resulting in outdoor space which is usable. All units/lots will be located on the water as the proposed development includes substantial lakes. The price points of the units will be more than competitive as standard costs associated with maintaining a home are quite costly. The developer, Buz Divosta, understands this and takes it into consideration in the design and delivered product to the market. With his 50+ years of home building and development excellence, he knows virtually down to the penny what his costs are and then decides on what his profit margin will be. This is always less than the prevailing market which draws lines of buyers to purchase a proven, reliable product at a great price.

Non-Residential

Commercial Retail (Gas Station/Convenience, Restaurant and Drug Store)

Demand

Demand for the neighborhood/convenience commercial uses proposed on the subject site is estimated based on a review of the population located west of Florida's Turnpike, with access to Indiantown Road as an east/west thoroughfare. This area includes the subject site, that portion of Parcel 19 PUD which is located at the southwest quadrant of Indiantown Road and Florida's Turnpike, being developed by Toll Brothers, and the area known as Jupiter Farms.

At the present time, the U.S. Census estimates the population of Jupiter Farms to be 11,994, with projections by the Palm Beach County Metropolitan Planning Organization (MPO) within TAZs comprising the above described geographic area, to be 13,033 by the year 2035.

Using a commercial retail multiplier developed by the Palm Beach County Planning Division in a study entitled "Commercial Needs Assessment Study," of 20 sq. ft. per capita (representing that portion of demand which is neighborhood/convenience based versus that which is associated with a wider draw such as community and regional retail space), demand is estimated/projected in the table below:

Exhibit 8

Neighborhood Commercial (N/C)	Estimated sq. ft. per capita	Estimated Demand for N/C space (2012)	Projected Demand for N/C Space (2035)
Total	20	239,880	260,660

Supply

Existing commercial retail space located west of Florida's Turnpike along Indiantown Road was surveyed and determined to total 112,693 square feet, inclusive of 7,410 square feet of non-retail uses (e.g., real estate, dentist, etc.) and 8,200 square feet of vacant space. There are two (2) existing commercial centers located west of Florida's Turnpike. These include Sierra Square (27,563 sq. ft.) and Jupiter Farms Shopping Center (85,130 sq. ft.).

The table below provides a breakdown of existing commercial retail supply for those centers referenced above:

Exhibit 9

Name	Location	Estimated Size (sq. ft.)	Estimated Non-Retail (sq. ft.)	Estimated Vacant (sq. ft.)
Sierra Square	S. side Indiantown Rd./W. of Lox. River Battlefield Park	27,563	4,410	2,200
Jupiter Farms Shopping Center	S. side Indiantown Rd./E. of 103 rd Terrace	85,130	3,000	6,000
Total		112,693	7,410	8,200 (7.2%)

In addition to existing commercial retail space, the subject site proposes to include an additional 23,000 square feet comprised of a gasoline station of 3,000 square feet, 5,000 square foot restaurant and a 15,000 square foot drug store.

The subject site is also proposed to accommodate 350 residential units. Using the average number of persons per household estimated in the Town of Jupiter of 2.30, a total population associated with the 350 units is estimated to be 805.

Applying the 20 square feet per capita neighborhood/convenience demand multiplier discussed above to the population associated with the subject site of 805, yields a base year (2012) demand estimate of 16,100 square feet which is considered supportable by the population living within the proposed mixed use development.

Additional demand for the 23,000 square feet of commercial space proposed for the subject site is available from existing residents of Jupiter Farms and the Toll Brothers residential development located at the southwest quadrant of Indiantown Road and Florida's Turnpike and from pass by traffic from Florida's Turnpike which exit at Indiantown Road heading west.

Demand/Supply Comparison

Exhibit 10

Time Frame	Estimated Demand (sq. ft.)	Estimated Supply (sq. ft.)	Supply Deficit (-) Supply Surplus (+) (sq. ft.)
2012	239,880	112,693	127,187
2035	276,760	135,693	141,067

In summary, more than sufficient demand exists currently and in the future to support the commercial intensity proposed for the subject site.

Biotech Office

Introductory Discussion

Biotechnology is a complex industry supplying the necessary technology and methodologies required by other industries to develop products that create value for both suppliers and consumers. It consists of large multinational firms, entrepreneurial firms, public and private research entities, dedicated biotechnology investment companies, bioinformatics companies and academia (often associated with research and teaching hospitals). Among the core biotechnology commercial and R&D firms, there are three broad tiers within the biotech industry: Dedicated; multifaceted and supporting/recipient firms.

The dedicated firm is predominantly involved in the application of biotech techniques to produce goods or services and/or the pursuit of biotech discoveries, such as R&D life sciences companies. Multi-faceted biotech firms attribute only a portion of their total activity to biotechnology and include manufacturing, often in conjunction with labs and corporate facilities. Supporting/recipient firms receive, use, market, support, translate and/or facilitate the commercialization of biotechnology products and services, but they themselves are not biotechnology firms. These include companies such as straight pharmaceutical, energy, venture capitalist, engineering, IT, bioinformatics, food, legal/intellectual property, etc.

Biotechnology is a quite diverse industry which is relatively young, remaining firmly in a growth phase with multiple market segments. It involves a high-level mix of scientific theory and commercial risk. As such, is heavily reliant upon funding by a multitude of sources, including government, universities, venture capitalists, medical institutions and non-profit organizations.

It remains a stark reality that much of the R&D science of biotechnology never makes it to the market. The hurdle to commercialization is high with many attempting the leap but with few succeeding. The commercial development phase, which accounts for more than half of all R&D spending, seeks to refine the technologies or processes produced by research into usable products.

Biotechnology products and services cover five (5) main areas: human health technologies; agriculture and aquaculture technologies; industrial technologies; animal health, marine, and terrestrial technologies; and environmental remediation and natural resources recovery.

R&D office use is a small part of the total industry.

Demand

At the county level, there are no existing secondary data sources such as those for general uses such as office, industrial and retail space and land, nor are there any historical data as the industry is still in its beginning stages. However, a study prepared by the National Defense University's Industrial College of the Armed Forces entitled "Biotechnology Industry" in the spring of 2011, reported projected annual growth rates to 2016 to be 9.6%, assuming the national economic recovery continues.

The above referenced study also reported that the relatively untested commercial value of much of biotechnology means that the fallout from the 2008-2009 recession will continue to influence the industry out to 2016 in two key areas. First, investment funds for start-up and small companies have become more difficult to source as venture capital investors seek companies with products of proven commercial viability. Second, many companies pared back R&D spending due to concerns about financial resources. Two-thirds of U.S. biotechnology firms reduced spending on research in 2009 and overall R&D spending was down 13% after years of increases. The result of reduced R&D spending from 2008-2010 is likely to manifest itself in fewer novel products being brought to market in the next five years than would have been the case had R&D expenditures been maintained at higher levels.

A review of employment data by industry available from the Florida Department of Economic Opportunity for Palm Beach County, indicates that between 2002 to 2006, employment in NAICS (North American Industry Classification System) code 5417 (Scientific, research and development services) has increased by 6% per year, dropping by 20% between 2006 and 2007, with a downward trend in 2008 as well. However, between 2009 and 2011, it increased by an average annual rate of approximately 4%/year.

Supply

The 693 acre Briger Tract mixed use development approved to accommodate 4,000,000 square feet of biotech space, is located at the southeast quadrant of Interstate 95 and Donald Ross Road. The Scripps Research Institute with 364,000 square feet and Max Planck with 100,000 square feet, for a total of 464,000 square feet, are located directly north of the Briger Tract on the north side of Donald Ross Road, just east of I-95.

Based on biotech industry information available from the Palm Beach County Business Development Board, In northern Palm Beach County (with entitlements and zoning allowing life sciences uses):

There are 1,582,500 square feet available on vacant land within a 1.5 mile radius of the Briger tract (inclusive of the 364,000 square feet for use by Scripps and 100,000 square feet for use by Max Planck on the FAU campus); Between a 1.5 and 2.5 mile radius of the Briger Tract, an additional 1,888,500 square feet are available; Between a 2.5 and 5.0 mile radius of the Briger Tract, an additional 3,448,000 square feet are available (for a grand total of 6,919,000 square feet).

In northern Palm Beach County (without entitlements, but with zoning allowing biotech uses):

There are 4,225,000 square feet available on vacant land within a 1.5 mile radius of the Briger tract (inclusive of the 4,000,000 square feet to be located on the Briger Tract); Between a 1.5 and 5.0 mile radius of the Briger Tract, an additional 7,958,500 square feet are available (for a grand total of 12,183,500 square feet).

In summary, in excess of 19 million square feet (19,102,500) of space zoned to accommodate biotech uses in northern Palm Beach County (inclusive of the 4,000,000 square feet at the Briger Tract and 464,000 square feet on the FAU campus) are estimated to be available. In addition, in Martin and St. Lucie Counties, nearly 20 million square feet (19,623,780) of industrial space which could accommodate biotech uses are available.

Martin County has in excess of 860 acres (863.9±) of vacant industrial land available, located along Interstate 95 and Florida's Turnpike at present. There are three areas which comprise the total 864± acres. The first area is located on the west side of Florida's Turnpike, bounded on the north by the St. Lucie County south boundary line and totals 496± acres. The second area is located on the east and west sides of Florida's Turnpike, north of Martin Highway (County Road 714) and the Martin Downs turnpike interchange and totals 255± acres. The third area is located between I-95 and Florida's Turnpike, north and south of Kanner Highway (SR 76) and totals 112± acres. A conservative floor area ratio/FAR of 0.30, yields approximately 11,290,752 square feet of space which could be accommodated on that industrial land.

In Port St. Lucie, there are in excess of 8 million square feet available (industrial and R&D/office space) along the 5+ mile stretch of Interstate 95, running from Tradition Parkway/Gatlin Boulevard to the St. Lucie County south boundary line/Martin County north boundary line. This space is located in a number of developments of regional impact (DRIs) located on the west side of I-95. These developments include:

- 1) Tradition - Florida Innovation Center at Tradition (SWQ of Tradition Parkway/Gatlin Boulevard and I-95) = 68 acres/888,624 square feet at 0.30 FAR (less that which is committed to Torrey Pines Institute for Molecular Studies, Vaccine and Gene Therapy Institute, Mann Research Institute (inclusive of a retail complement), Martin Memorial Hospital and Hotel/Conference Center)
- 2) Riverland (West side I-95, just south of Tradition referenced above) = 1,361,250 square feet of R&D/Office; 1,361,250 square feet of Light Industrial (Total=2,722,500 square feet)
- 3) Southern Grove (West side I-95, just south of Riverland referenced above) = 1,999,404 square feet Industrial
- 4) Wilson Grove (West side of I-95, just south of Southern Grove referenced above – south boundary is northern boundary line of Martin County) = 1,361,250 square feet R&D/Office; 1,361,250 square feet of Light Industrial (Total=2,722,500 square feet)

Grand Total approved/un-built = 8,333,028 square feet

Demand/Supply Comparison

Given the amount of available industrial and R&D space located along the I-95 corridor in St. Lucie County and Martin County, as well as in northern Palm Beach County, it will be quite challenging for the subject site to attract and fill biotech office space in the amount of 125,000 square feet. In addition, the Hawkeye subdivision is in for approval by the Town of Jupiter for 993,000 square feet high tech space on 81.9 acres, just southeast of Indiantown Road's interchange with Interstate 95.

Torrey Pines (Torrey Pines Science Center) in La Jolla, California took 37 years to absorb 7.2 million square feet. The core development began with The Scripps Research Institute, with the balance of development occurring in concentric rings around this "ground zero." This absorption rate is consistent with the phasing time frame (20± years) at the Briger Tract for the 4,000,000 square feet of biotech space planned. The spin-off development pattern which occurred at Torrey Pines supports development proximate to the Scripps Research Institute/Max Planck "anchor" hub first, with development in more outlying areas in later years.

If the 9.6% per annum average employment growth rate as projected by the "Biotechnology Industry" report prepared by the National Defense University at Fort McNair in Washington D.C. is applied to the base 464,000 square feet establishing the core of the biotech cluster, it is estimated that it would take nearly 25 years to absorb the 4,000,000 square feet of space planned at the Briger Tract.

If the 4% per annum average employment growth rate in Palm Beach County between 2009 and 2011 in the bioscience industry sector (NAICS code 5417), is applied to the base 464,000 square feet establishing the core of the cluster, it is estimated that it would take 41 years to absorb the 4,000,000 square feet of space planned at the Briger Tract.

The 683 acre Briger tract is better positioned to compete for biotech companies, given its location including The Scripps Research Institute, Max Planck, Florida Atlantic University/FAU medical school, a planned 80 bed research/teaching hospital and the public subsidies associated therewith.

With 4,000,000 square feet of bioscience space approved at the Briger tract, the subject site is likely to not generate substantive interest within the 20 year build-out time frame projected for the Briger Tract's bioscience complement.

-
- (2) Martin County Comprehensive Plan (Future Land Use Atlas); Google Earth Maps; Martin County Property Appraiser
 - (3) Treasure Coast Regional Planning Council (approved DRIs)

Approval for biotech office use on the subject site should allow for uses beyond just biotech research and development. For example, as the biotech industry matures, a pharmaceutical company might want to locate a corporate or satellite office without it having to be ancillary to a research and development lab on-site.

Tracts similar to the subject parcel have developed/are developing in both emerging and established bioscience hubs with uses not limited to biotech. These include such researchers and companies involved in pharmaceutical development, bioinformatics, materials and services suppliers, venture capitalists, and business consultants assisting startup companies. A broad spectrum of companies, institutions and interested individuals, representing both those working directly in biotechnology and those in related or supportive fields, form a "biotechnology community," all of whom have a stake in the future of life/bioscience.

GENERAL LIMITING CONDITIONS

Every effort has been made to insure this report contains the most accurate and timely information possible, which is believed to be reliable. However, no responsibility is assumed for inaccuracies in reporting by developer, developer's agents or any other sources.

Contractual obligations do not include access to or ownership transfer of any electronic data processing files, programs or models completed directly for or as a by-product of this research effort.

This report may not be used for any purpose other than for which it is prepared, except by owner/developer. Possession of this report does not carry with it the right of publication and its contents shall not be disseminated to the public through advertising media, sales media, or any other public means of communication without prior written consent and approval of Thompson Consulting, Inc.

Town of Jupiter Adopted 2006 Evaluation and Appraisal Report

Table 1 - Greater Jupiter Area Population Projections 2010 through 2025¹

Incorporated & Unincorporated Areas	2005²	2010	2015	2020	2025
<i>Town of Jupiter</i>	48,269	53,849	58,825	63,785	63,785
<i>Village of Tequesta</i>	5,702	5,862	6,085	6,422	6,744
<i>Town of Juno Beach</i>	3,600	3,682	3,932	4,170	4,379
<i>Jupiter Inlet Colony</i>	381	383	400	423	444
<i>Unincorporated Palm Beach Co.:</i>					
<i>Enclaves East of Highway Alt. A1A</i>	3,077	3,109	3,152	3,239	3,321
<i>Enclaves West of Highway Alt. A1A & East of I-95</i>	7,246	7,600	7,956	8,411	8,822
<i>All areas West of I-95 (Including Jupiter Farms)</i>	17,107	18,528	19,553	20,546	21,433
<i>Martin Co. (South County Planning Area - West³)</i>	517	525	540	555	575
<i>Martin Co. (South County Planning Area - East)</i>	4,618	4,920	5,166	5,416	5,747
<i>Non-Jupiter Totals</i>	42,248	44,609	46,784	49,182	51,465
<i>Combined Greater Jupiter Totals</i>	90,517	98,458	105,609	112,967	115,250

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¹ Based on population projections from Palm Beach and Martin Counties

² Current estimated population

³ Includes Section 28 and Island Country Estates



CP04

SELECTED HOUSING CHARACTERISTICS

2010-2012 American Community Survey 3-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Subject	Palm Beach County, Florida			Jupiter town, Florida		
	2010-2012 Estimate	2007-2009 Estimate	Statistical Significance	2010-2012 Estimate	2007-2009 Estimate	Statistical Significance
HOUSING OCCUPANCY						
Total housing units	665,541	640,397	*	31,010	26,866	*
Occupied housing units	78.3%	79.0%	*	77.5%	75.2%	
Vacant housing units	21.7%	21.0%	*	22.5%	24.8%	
Homeowner vacancy rate	3.2	4.0	*	0.7	4.1	*
Rental vacancy rate	9.8	11.2	*	3.6	3.5	
BEDROOMS						
Total housing units	665,541	640,397	*	31,010	26,866	*
No bedroom	1.2%	1.0%		0.6%	0.6%	
1 bedroom	10.6%	11.6%	*	5.7%	5.3%	
2 bedrooms	39.8%	40.5%		37.9%	38.7%	
3 bedrooms	33.7%	32.9%		40.1%	40.2%	
4 bedrooms	11.3%	10.9%		11.4%	12.6%	
5 or more bedrooms	3.5%	3.2%	*	4.4%	2.7%	*
HOUSING TENURE						
Occupied housing units	520,971	505,989	*	24,036	20,206	*
Owner-occupied	71.0%	72.7%	*	71.7%	73.0%	
Renter-occupied	29.0%	27.3%	*	28.3%	27.0%	
Average household size of owner-occupied unit	2.47	2.43	*	2.32	2.39	
Average household size of renter-occupied unit	2.68	2.61	*	2.35	2.69	*



Transportation Consultants



2005 Vista Parkway, Suite 111
 West Palm Beach, FL 33411-6700
 (561) 296-9698 Fax (561) 684-6336
 Certificate of Authorization Number: 7989

February 27, 2012

Ms. Stephanie Thoburn, AICP
 Town of Jupiter
 Planning & Zoning
 210 Military Trail
 Jupiter, FL 33458

**Re: Parcel 19 - #PTC12-003
 Land Use Amendment**

Dear Ms. Thoburn:

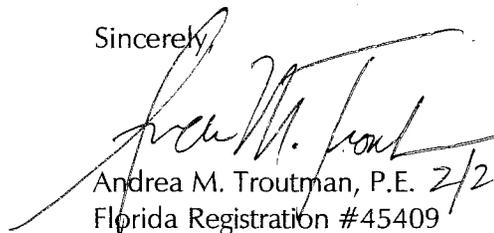
The purpose of this letter is to provide a Comprehensive Plan amendment traffic analysis for a land use amendment within the Parcel 19 project in the Town of Jupiter. The site is located north of Indiantown Road west of the Turnpike. It is proposed to make the following changes:

Acres	Existing Land Use Designation		Proposed Land Use Designation	
	Designation	Maximum Intensity *	Designation	Maximum Intensity *
3.81	Low Density Residential	7 DUs	Commercial	58,087 SF
25.08	Commercial	382,370 SF	Low Density Residential	50 DUs

* 2 DUs per acre for Residential and 35% lot coverage for single story for Commercial

Attachments 1A through 1C provide the daily, AM and PM peak hour trip generation potential of the existing land use designations as compared to the proposed land use designations. The proposed land use designations are projected to generate fewer daily, AM and PM peak hour trips than the existing land use designations. Based on the findings of this analysis, no additional traffic impacts are projected and the proposed land use designations are in compliance with the Town's Comprehensive Plan.

Sincerely,


 Andrea M. Troutman, P.E. 2/27/12
 Florida Registration #45409

PZ 12 00098
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Attachments

cc: Nader Salour
 Dodi Glas

Attachment 1A
 Parcel 19
 Comprehensive Plan Amendment Trip Generation Comparison

DAILY
Existing Land Use Designation (Low Density Residential/Commercial)

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips	Pass-by Trips		New Trips
Single Family Residential	210	7 DUs (2)	10 /DU	70	-	0%	70
General Commercial	820	382,370 SF (3)	$\ln(T) = 0.65\ln(X) + 5.83$	16,239	4,531	27.9%	11,708
TOTALS				16,309	4,531		11,778

Proposed Land Use Designation (Commercial/Low Density Residential)

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips	Pass-by Trips		New Trips
General Commercial	820	58,087 SF (4)	$\ln(T) = 0.65\ln(X) + 5.83$	4,771	2,166	45.4%	2,605
Single Family Residential	210	50 DUs (5)	10 /DU	500	-	0%	500
TOTALS				5,271	2,166		3,105

Net New Trips	(8,673)
----------------------	----------------

- (1) Source: Palm Beach County and Institute of Transportation Engineers (ITE), Trip Generation, 8th Edition.
 (2) Based on 2 DUs per acre for 3.81 acres.
 (3) Based on 35% lot coverage for single story for 25.08 acres.
 (4) Based on 35% lot coverage for single story for 3.81 acres.
 (5) Based on 2 DUs per acre for 25.08 acres.

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Attachment 1B
 Parcel 19
 Comprehensive Plan Amendment Trip Generation Comparison

AM PEAK HOUR
Existing Land Use Designation (Low Density Residential/Commercial)

Land Use	ITE Code	Intensity	Trip Generation Rate (2)	Total Trips			Pass-by Trips		New Trips		
				In	Out	Total			In	Out	Total
Single Family Residential	210	7 DUs (2)	0.75 / DU (25/75)	1	4	5	-	0.0%	1	4	5
General Commercial	820	382,370 SF (3)	1.00 / 1,000 SF (61/39)	233	149	382	107	27.9%	168	107	275
TOTALS				234	153	387	107		169	111	280

Proposed Land Use Designation (Commercial/Low Density Residential)

Land Use	ITE Code	Intensity	Trip Generation Rate (3)	Total Trips			Pass-by Trips		New Trips		
				In	Out	Total			In	Out	Total
General Commercial	820	58,087 SF (4)	1.00 / 1,000 SF (61/39)	35	23	58	26	45.4%	19	13	32
Single Family Residential	210	50 DUs (5)	0.75 / DU (25/75)	10	28	38	-	0.0%	10	28	38
TOTALS				45	51	96	26		29	41	70

Net New Trips	(140)	(70)	(210)
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- (1) Source: Palm Beach County and Institute of Transportation Engineers (ITE), Trip Generation, 8th Edition.
- (2) Based on 2 DUs per acre for 3.81 acres.
- (3) Based on 35% lot coverage for single story for 25.08 acres.
- (4) Based on 35% lot coverage for single story for 3.81 acres.
- (5) Based on 2 DUs per acre for 25.08 acres.

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PLANNING & ZONNING

Attachment 1C
Parcel 19
Comprehensive Plan Amendment Trip Generation Comparison

PM PEAK HOUR
Existing Land Use Designation (Low Density Residential/Commercial)

Land Use	ITE Code	Intensity	Trip Generation Rate (2)	Total Trips			Pass-by Trips		New Trips		
				In	Out	Total			In	Out	Total
Single Family Residential	210	7 DUs (2)	$\ln(T) = 0.90\ln(x) + 0.51$ (63/37)	6	4	10	-	0.0%	6	4	10
General Commercial	820	382,370 SF (3)	$\ln(T) = 0.67\ln(X) + 3.37$ (48/52)	750	813	1,563	436	27.9%	541	586	1,127
TOTALS				756	817	1,573	436		547	590	1,137

Proposed Land Use Designation (Commercial/Low Density Residential)

Land Use	ITE Code	Intensity	Trip Generation Rate (3)	Total Trips			Pass-by Trips		New Trips		
				In	Out	Total			In	Out	Total
General Commercial	820	58,087 SF (4)	$\ln(T) = 0.67\ln(X) + 3.37$ (48/52)	212	230	442	201	45.4%	116	125	241
Single Family Residential	210	50 DUs (5)	$\ln(T) = 0.90\ln(x) + 0.51$ (63/37)	35	21	56	-	0.0%	35	21	56
TOTALS				247	251	498	201		151	146	297

Net New Trips	(396)	(444)	(840)
----------------------	-------	-------	-------

- (1) Source: Palm Beach County and Institute of Transportation Engineers (ITE), Trip Generation, 8th Edition.
- (2) Based on 2 DUs per acre for 3.81 acres.
- (3) Based on 35% lot coverage for single story for 25.08 acres.
- (4) Based on 35% lot coverage for single story for 3.81 acres.
- (5) Based on 2 DUs per acre for 25.08 acres.

PZ
12 00098
12 00099

RECEIVED

MAR 12 2012

PLANNING & ZONNING

Attachment P - Infrastructure Impact Analysis

1. *Water.* The subject properties are currently being serviced potable water from the Town of Jupiter. The Town's water plant has a permitted capacity of 30.0 million gallons per day (mgd). As of December 31, 2012, the Town has water demand reservations of 16.9 mgd. With an excess capacity of approximately 13.1 mgd, there is sufficient water services capacity available to service the subject properties.
2. *Sanitary Sewer.* The Loxahatchee River District (LRD) services the subject properties. The Loxahatchee River District has a permitted sanitary sewer capacity of 11 mgd and current sanitary demand and reservations of approximately 8.13 mgd. With a remaining capacity of approximately 2.87 mgd, there is sufficient sanitary sewer capacity available to service the subject properties.
3. *Stormwater.* Development improvements will be required to satisfy the Town's on-site retention requirements and other related standards of the South Florida Water Management District as stated in Policy 1.3.11 of the Town's Drainage Element, and Policy 1.2.1 of the Town's Capital Improvements Element.
4. *Solid waste.* Collection may be provided by Waste Management, Inc. which currently has a franchise agreement with the Town for waste disposal services. As of December 2012 (2013 landfill Depletion Model), the Solid Waste Authority of Palm Beach County estimates the Northern County Landfills have a total remaining capacity of 30,355,863 cubic yards, which is estimated to meet countywide needs through 2046. Therefore, there is sufficient solid waste capacity available to service the subject properties.
5. *Fire Rescue.* Palm Beach County Fire-Rescue is responsible for fire-rescue service to the subject properties. The property will be served by Fire Station No. 19, which is located on Central Boulevard just north of Indiantown Road.
6. *Intergovernmental Coordination.* Staff has also notified the County's Interlocal Plan Amendment Review Committee (IPARC) of the proposed Future Land Use Map amendments. As of the date of this report, staff has not received any comments from any adjacent local governments.
7. *Recreation.* The proposed FLUM amendment on the 25.1+/- acre property will not have a significant increase in demand for recreation facilities in the Town. However, the proposed 286 single-family residential units will have an increase on recreational demands.
8. *School Concurrency.* The 25.1+/- acres (Property A) have received school concurrency approval from the Palm Beach County school system (see Attachment Q).
9. *Police Services.* Police service will be provided by the Jupiter Police Department. A general industry standard for law enforcement services is 2.2 uniformed officers per 1,000 residents. To maintain this standard with the Town's 2013 Florida Bureau of Economic and Business Research total permanent population estimate of 56,577 residents, the police department would need to maintain 124 uniformed officers ($2.2 \times 56,577/1,000$). As of the date of this report, the police department has 109 full-time officers, and therefore is under the general industry standard. Staff notes that the project is located west of the Florida Turnpike and is spatially segregated from the rest of the Town. This segregation results in less than optimal delivery police services. However, as noted in the staff report, the net increase of 21.3+/- acres of residential land use with the proposed FLUM amendments only represents an increase of one percent of total residential acreage in the overall Parcel 19 property. Therefore, the proposed FLUM amendments will only have a small impact to police services.
10. *General Government.* As noted above, only a small increase in demand for general government services is anticipated with the proposed FLUM amendments to the subject properties.



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

PLANNING AND REAL ESTATE SERVICES
3300 FOREST HILL BLVD., SUITE C-110
WEST PALM BEACH, FL 33406

KRISTIN GARRISON
DIRECTOR

MICHAEL J. BURKE
CHIEF OPERATING OFFICER

STEVEN G. BONINO
CHIEF OF SUPPORT OPERATIONS

PHONE: 561-434-8020 / FAX: 561-434-8815

WWW.PALMBEACHSCHOOLS.ORG/PLANNING

November 7, 2013

Mr. David Kemp, AICP - Principal Planner
Town of Jupiter Planning & Zoning Department
210 Military Trail
Jupiter, FL 33458

RE: FUTURE LAND USE ATLAS AMENDMENT FOR LAKEWOOD (NORTH PARCEL 19 PROPERTY "A", (PZ# 13-286)

Dear Mr. Kemp:

The Palm Beach County School District has reviewed the above referenced future land use (FLU) map amendment from the current Town of Jupiter FLU designation of Commercial with the Bioscience Research Protection Overlay to Low Density Residential. The subject project is about 25.1 acres in size and is located approximately 2,300 feet north of Indiantown Road, just west of the Florida Turnpike.

The subject site is located in Study Area Code (SAC) 003C. Based on the review of the proposed amendment, there would be additional public school students generated from this land use change. The area affected by the proposed future land use change (Property "A") could be developed with a maximum of 50 dwelling units (2du/ac X 25.1ac.). According to the School District's adopted student multipliers for single family units, there would be 15 potential students generated from the subject property (50 units X 0.29). The following table lists projected school enrollments for school year 2013/14 and 2016/17 as well as the projected utilizations with additional students generated from the subject property.

Schools	Capacity	Enrollment (13/14)	Enrollment (16/17)	New Students From The Subject Property	Utilization (13/14) *	Utilization (16/17) *
Jerry Thomas Elementary	1,100	849	763	8	78%	70%
Independence Middle	1,503	1,339	1,394	3	89%	93%
Jupiter Community High	2,765	2,735	2,723	4	99%	99%

Note: Utilization = (Enrollment + New Students from the Subject Property) / Capacity

If approved, the subject site's residential acreage would be included into the overall 245.5 acreage designated for residential use. In that case, the residential portion of the site could be developed with a maximum of **491** dwelling units (2du/ac X 245.5ac.). According to the School District's adopted student multipliers for single family units, there would be **142** potential students generated from the subject property (491 units X 0.29). The following table lists projected school enrollments for school year 2013/14 and 2016/17 as well as the projected utilizations with additional students generated from the subject property.

Schools	Capacity	Enrollment (13/14)	Enrollment (16/17)	New Students From The Subject Property	Utilization (13/14) *	Utilization (16/17) *
Jerry Thomas Elementary	1,100	849	763	74	84%	76%
Independence Middle	1,503	1,339	1,394	29	91%	95%
Jupiter Community High	2,765	2,735	2,723	39	100%	100%

Note: Utilization = (Enrollment + New Students from the Subject Property) / Capacity

According to the Comprehensive Plan Amendment Executive Summary DEO #2014-01 (PZ#s 13-286 & 13-339), the residential portion of the subject site will be developed with **286** single family units. According to the School District's adopted student multipliers for single family units, there would be **83** potential students generated from the subject property (286 units X 0.29). The following table lists projected school enrollments for school year 2013/14 and 2016/17 as well as the projected utilizations with additional students generated from the subject property.

Schools	Capacity	Enrollment (13/14)	Enrollment (16/17)	New Students From The Subject Property	Utilization (13/14) *	Utilization (16/17) *
Jerry Thomas Elementary	1,100	849	763	43	81%	73%
Independence Middle	1,503	1,339	1,394	17	90%	94%
Jupiter Community High	2,765	2,735	2,723	23	100%	99%

Note: Utilization = (Enrollment + New Students from the Subject Property) / Capacity

According to the tables above, the Palm Beach County School District has determined that there will be adequate capacity to accommodate the proposed development by the assigned elementary, middle and high schools.

Please be advised that this correspondence does not constitute a concurrency determination. A school concurrency determination is required to be applied for simultaneously with a development application to the local jurisdiction.

If you have any questions regarding this letter, please feel free to contact me at (561) 434-8962.

Sincerely,



Michael C. Owens
Senior Planner

cc: Angela D. Usher, AICP, School District of Palm Beach County

February 25, 2013

RONALD K. KOLINS
701 South Olive Avenue
Unit 313
West Palm Beach, Florida 33401

RECEIVED

FEB 26 2013

PLANNING & ZONING

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

Re: Parcel 19 (Lakewood Applications)
Comprehensive Plan Amendments
Site Plan

Dear John:

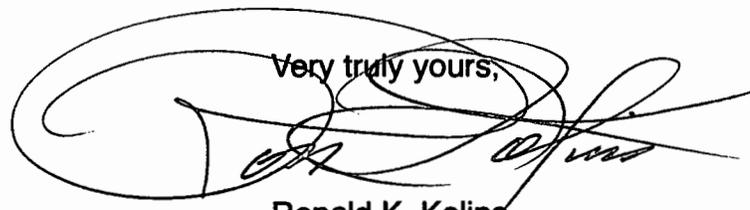
As you know, I represent Toll Brothers Inc. ("Toll") in the proceedings before the Town of Jupiter captioned above. Toll stands in opposition to all applications related to those captioned above. You will recall that Toll owns, and is actively developing its portion of Parcel 19 (Jupiter Country Club) which is the southern portion of the property plus segments of the northern portion. The applications at issue seek approval to, among other things, amend the approved PUD Master Plan for the remaining portions of the property on the north side of Indiantown Road not owned by Toll. To do so, the applicant must get Town approval for two amendments to the Town's Comprehensive Plan FLUM, together with amendment of said Master Plan and site plan approval. Those applications are presently before the Town, with the next public hearing scheduled for on or about April 9, 2013 before the Planning & Zoning Commission.

Please consider this letter as the notice of Toll seeking party-intervenor status for all elements of the applications relating to the portions of Parcel 19 which it does not presently own. This notice is filed pursuant to, and consistent with, section 2-2 of the Town's Code. While that Code requires the submission of this request be sent to the Department of Community Affairs, it is my understanding that there is no longer such a department in the Town, and that its successor is the Planning & Zoning Department. I submit this notice to you as the Director of that department.

My client, Toll, is, obviously, represented by counsel, and is an "affected person" as defined within said section of the Town's Code. Toll owns property within 300' of the property which is the subject of the applications referenced herein, and also operates a business within 300' feet thereof.

I believe that the foregoing information satisfies the requirements of the Code, but if there is anything further that you require, please let me know at your earliest opportunity.

Please send me written notification of the designation of my client as a party-intervenor. Thank you very much for your kind cooperation.

Very truly yours,


Ronald K. Kolins

PH: 561-202-1841

Email: CleanSlateRK@Gmail.com

cc: Kristine Masciolek
Donald Barnes
Jim McDade
Ken Tuma

RECEIVED

FEB 26 2013

PLANNING & ZONING

**TOWN OF JUPITER
TOWN MANAGER'S OFFICE**



DATE: December 31, 2013
TO: Honorable Mayor and Members of Town Council
THRU: Andrew D. Lukasik, Town Manager
FROM: John Sickler, Planning and Zoning Director *AS*
SUBJECT: LAKEWOOD (NORTH PARCEL 19) FLUM AMENDMENTS – Staff Supplemental Report

New Major Issues related to Future land uses and traffic.

Since the December 17, 2013 Town Council meeting, and following his review of the December 12th staff report and the documents received by the Council after its December 17th meeting, Councilor Kuretski raised questions regarding the trip cap number which was assigned to the Parcel 19 PUD. He has also raised questions regarding the traffic impact which is created by changing the future land uses from those uses originally approved as part of the Parcel 19 PUD. In particular, the change of land uses within the PUD creates different characteristics of peak hour trips on Indiantown Road in areas which are already heavily congested. Staff is providing this supplemental staff report with its analyses of these two issues.

Staff Supplemental Analysis.

PARCEL 19 FLUM DAILY TRAFFIC TRIP CAP

The first issue raised by Councilor Kuretski has to do with the appropriate number of trips to be assigned to the Parcel 19 PUD. As discussed in the staff report previously distributed to the Town Council, a daily traffic trip cap was imposed upon the Parcel 19 PUD in an attempt to address traffic congestion on Indiantown Road. The original trip cap was adopted in 2003, when the Town Council approved changes to the future land use for the area known as the 855 acre Parcel 19 PUD. On first reading a trip cap of 9,258 trips was established for the property which comprised the 855 acres of the Parcel 19 PUD. This trip cap was changed between first and second reading to increase the number of trips to be allocated to the Parcel 19 PUD from 9,258 trips to 9,638. Based on the public record available to staff, it appears this change was to allocate an additional 380 trips for a 38 acre of land south of the C-18 canal also owned by WCI, but which was **not** within the Parcel 19 PUD. At that time WCI proposed to assign a Low Density Residential land use to the 38 acre parcel south of the C-18, hence the allocation of the additional 380 trips. WCI also owned a three acre parcel adjacent to the 38 acre parcel, however, the future land use for this parcel was proposed as Public/Institutional and no trips were assigned to this property. Therefore, there was a total of 41 acres of property owned by WCI that was located south of the C-18 canal.

At the second reading of the FLUM amendment on 11/18/03, a supplemental staff report dated November 14, 2003, included the additional 380 trips increasing the trip cap from 9,258 to 9,638 new external daily vehicular trips for the subject property. The staff report and the ordinance which amended the land uses for the WCI properties, including the 38 acre and three acre parcels located south of the C-18 canal was established with a trip cap of 9,638. Thus, the trip cap established for the land uses within the Parcel 19 PUD was **overstated** because of the inclusion of the 41 acres of property south of the C-18 in Ordinance #12-03. This has apparently created an internal inconsistency between the future land use Ordinance and the Parcel 19 PUD Ordinance because the Parcel 19 PUD did not include the 41 acres. In addition, the requested use of the higher 9,638 trip cap by the applicant in the concurrent PUD amendment is inconsistent with the 9,258 trip cap contained in the Jupiter Area Study. Further, it is important to note that the PUD Ordinance was adopted **after** the future land use Ordinance. The later enacted ordinance would prevail in terms of the Council's legislative intention.

Neither WCI or its assigns, Jupiter Country Club or Lakewood now own the 41 acres south of the C-18 canal. Currently, 36 acres are owned by Palm Beach County and the remaining five acres are owned by the Town's Utility upon which it has located its Western Repump Station. The 36 acres has a conservation land use and has no traffic associated with the use based on the County and the Institute of Transportation Engineers (ITE) 7th Editions Trip Generation Handbook. The five acre parcel which houses the Town's Western Repump Station has been assigned one average daily trip pursuant to Resolution #5-04. In addition, because there is no access to the 41 acres from Indiantown Road, trips generated by this acreage, if changed would not impact Indiantown Road. Rather, access to the 41 acres is provided through Palm Beach Country Estates via Donald Ross Road.

FLUM AMENDMENTS IMPACT ON TRAFFIC PEAKING EFFECT OF PUD AMENDMENT

The second issue posed by Councilor Kuretski is whether the change of the future land use by the applicant changes the peaking effect or characteristics of the traffic which would be generated by an amendment to the Parcel 19 PUD.

Staff notes that Policy 1.2.2 of the Future Land Use Element states that "Whenever commercial uses are incorporated as part of a planned unit development (PUD), they shall be compatible with the overall character of the PUD..." While the applicant's traffic analysis for the land use amendment states that the AM and PM peak hour trips will be reduced by 210 and 840 trips; approving the change in land uses and amending the Parcel 19 PUD will generate an increase in trips during the peak hours. The FLUM amendment to decrease 25.1 acres of commercial land use interior of the site and increase of 3.8 acres of commercial land abutting Indiantown Road and the Turnpike will change the peaking effect or character of the traffic. The specific characteristics of the new land uses proposed as part of an amended Parcel 19 PUD (refer to that report section "Trip generation and the Indiantown Road trip cap") would substantively change the AM and PM peak hour traffic demands as compared to the land uses proposed by WCI as part of the original PUD.

BEASLEY HAUSER KRAMER & GALARDI, P.A.

ATTORNEYS AT LAW



FLAGLER CENTER, SUITE 1500
505 S. FLAGLER DRIVE
WEST PALM BEACH, FLORIDA 33401

561.835.0900 (TEL)
561.835.0939 (FAX)
www.beasleylaw.net

May 7, 2014

VIA E-MAIL AND U.S. MAIL

Mr. John Sickler, Director
Planning and Zoning Department
Town of Jupiter
210 Military Trail
Jupiter, Florida 33458

RECEIVED

MAY 08 2014

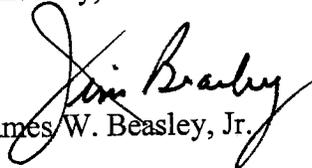
PLANNING & ZONING

Re: Lakewood

Dear John:

I am writing to advise that Jupiter Country Club, Inc.; Jupiter Non-Equity CC, LLC; and Jupiter CC, LLC ("JCC entities") have no objection to the April 18, 2014 applications submitted to you by the Lakewood entities, subject to the allocation by the Town of at least 71 units to Pod D pursuant to application to be submitted by the JCC entities.

Sincerely,


James W. Beasley, Jr.

cc: George Gentile (via e-mail)
Phil Brandt (via e-mail)
Nader Salour (via e-mail)
Thomas J. Baird, Town Attorney (via e-mail)
F. Martin Perry, Esq. (via e-mail)
J. Michael Burman (via e-mail)
Jim McDade
Donald Barnes

HOWARD M. AND FRANCES SCHOOR
174 CARMELA COURT
JUPITER, FL 33478

May 7, 2014

Town of Jupiter
Jupiter Town Council
210 Military Trail
Jupiter, FL 33458

Re: Parcel 19 (Lakewood)

Dear Mayor and Council:

We would be appearing and speaking before you if not for a prior commitment out of state.

We domicile and vote from the above address since January 2009, although we spend several months each year in NJ/NY.

Part of our rationale in choosing to purchase at Toll Brothers' Jupiter Country Club was the upscale nature of the community with diverse housing types. Most importantly, it was part of an approved PUD with a resort-type 230 room, four star hotel, golf course, 98 golf homes and 50,000 sf of office/commercial to be constructed in the future.

The plan now, while an improvement from Lakewood's original proposal, still is not appropriate.

Re-zoning primarily for the economic benefit of an experienced land developer who purchased the property with full knowledge of how it was zoned and further knowing it was part of an approved PUD, is plain wrong.

Staff apparently has decided and recommended that a change in zoning is good. Staff is not elected, you are.

Do what is right for the town and those most directly affected; deny the rezoning unless the Applicant agrees to a significant reduction in its density.

Prior to any site plan approvals, the Applicant should also be required to do current and updated traffic studies for comparison to those used and projected in the original concurrency studies.

We thank you for your consideration and ask that this letter be read into the record.

Very truly yours,

Howard and Frances Schoor

Howard and Frances Schoor

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

July 2, 2014

The Honorable Karen J. Golonka, Mayor
Town of Jupiter
210 Military Trail
Jupiter, Florida 33458

Dear Mayor Golonka:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for the Town of Jupiter (Amendment No. 14-1ESR), which was received on June 2, 2014. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

The Town is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the Town. If other reviewing agencies provide comments, we recommend the Town consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

The Town should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held and the amendment adopted within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

We appreciate the opportunity to work with the Town of Jupiter on planning and community development issues. If you have any questions concerning this review, please contact Adam Antony Biblo, at (850) 717-8503, or by email at Adam.Biblo@deo.myFlorida.com.

Sincerely,

Ana Richmond, Chief
Bureau of Community Planning

AR/aab

Enclosure: Procedures for adoption of comprehensive plan amendments

cc: John R. Sickler, AICP, Director, Department of Planning & Zoning Division, Town of Jupiter
David M. Kemp, AICP, Principal Planner, Department of Planning & Zoning Division, Town of Jupiter
Michael J. Busha, AICP, Executive Director, Treasure Coast Regional Planning Council

David Kemp

From: Bush, Lois <Lois.Bush@dot.state.fl.us>
Sent: Wednesday, July 02, 2014 5:35 PM
To: John Sickler; David Kemp; DCPexternalagencycomments@deo.myflorida.com
Cc: pmerritt@tcrc.org; Biblo, Adam A; Dykstra, Lisa; Samson, Kim C.; Nick Uhren
Subject: Jupiter 14-1ESR - FDOT District Four Review

I am writing to advise you that the Department will not be issuing formal comments for the proposed Town of Jupiter comprehensive plan amendments with DEO reference number 14-1ESR relating to the Lakewood Planned Unit Development (PUD).

The Department offers the following technical assistance comments, developed in consultation with the Turnpike, for the Town's consideration:

- The Lakewood PUD is located in one of the developed/developing quadrants adjacent to two Strategic Intermodal System (SIS) facilities, the Turnpike and I-95, and their interchanges with Indiantown Road. The area has been the subject of prior studies and identified for improvements in Palm Beach Metropolitan Planning Organization plans and programs. The 2040 Desires Plan – Highway Component for the MPO's 2040 Long Range Transportation Plan, currently under development, includes an "interchange improvement" on I-95 at Indiantown Road and a "Turnpike Connect to I-95 at Indiantown Road" project.
- Regarding the proposed amendment to expand the site with a Commercial future land use designation north of Indiantown Road and west of the Turnpike right-of-way from 10.3 to 14.1 acres, the Turnpike and the Department recommend access to this site be provided only via Marsala Court to preserve the functional integrity of the Turnpike and I-95 interchanges.
- The Department requests to be included in the development/site plan review process for the expanded Commercial site given its location in relation to the Turnpike and I-95 and their interchanges with Indiantown Road.

The Department requests one copy, which may be on CD ROM in Portable Document Format (PDF), of all adopted plan amendment materials, including graphic and textual materials and support documents.

Thank you.

Lois Bush
Florida DOT - District Four
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309
TEL: 954-777-4654 FAX: 954-677-7892

David Kemp

From: Stahl, Chris <Chris.Stahl@dep.state.fl.us>
Sent: Thursday, June 12, 2014 3:31 PM
To: David Kemp
Cc: Craig, Kae; DEO Agency Comments
Subject: Jupiter 14-1ESR – Proposed

To: David Kemp, Planning Department - Jupiter

Re: Jupiter 14-1ESR – Expedited Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please feel free to contact me with any questions.

Chris Stahl
Office of Intergovernmental Programs
Florida Department of Environmental Protection
3900 Commonwealth Blvd., MS 47
Tallahassee, FL 32399-3000
(850) 245-2169





SOUTH FLORIDA WATER MANAGEMENT DISTRICT

June 19, 2014

John Sickler, AICP, Director
Town of Jupiter, Department of Planning and Zoning
210 Military Trail
Jupiter, FL 33458

**Subject: Town of Jupiter, DEO #14-1ESR
Comments on Proposed Comprehensive Plan Amendment Package**

Dear Mr. Sickler:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by the Town of Jupiter (Town). The package includes two map amendments changing the land use designations on a total of 28.9 acres. There appear to be no regionally significant water resource issues; therefore, the District forwards no comments on the proposed amendment package.

The District offers its technical assistance to the Town and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the Town's future water supply needs and to protect the region's water resources. Please forward a copy of adopted amendments to the District. For assistance or additional information, please contact Deborah Oblaczynski, Policy and Planning Analyst, at (561) 682-2544 or doblaczy@sfwmd.gov.

Sincerely,

A handwritten signature in black ink that reads "De Powell".

Dean Powell
Water Supply Bureau Chief

DP/do

c:

Michael J. Busha, TCRPC
Ray Eubanks, DEO
David M. Kemp, Town of Jupiter
Deborah Oblaczynski, SFWMD
James Stansbury, DEO

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 8C
From: Staff
Date: June 20, 2014 Council Meeting
Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Town of Jupiter Comprehensive Plan
Amendment No. 14-1ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the Treasure Coast Regional Planning Council (TCRPC) review local government comprehensive plan amendments prior to their adoption. TCRPC comments are limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any local government within the Region. TCRPC must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the State Land Planning Agency.

The amendment package from the Town of Jupiter includes two changes to the Future Land Use Map of the comprehensive plan. This report includes a summary of the proposed amendment and TCRPC comments.

Summary of Proposed Amendment

The proposed amendment is to change the Future Land Use designations on two properties in the Parcel 19 Planned Unit Development (PUD), which is located adjacent to Indiantown Road, just west of the Florida Turnpike. The Parcel 19 PUD is a total of 896.1 acres and was approved by the town in 2004. Both subject properties are located in Lakewood, which is the northern portion of the Parcel 19 PUD situated north of Indiantown Road.

The Future Land Use changes are proposed on Property A, which is 25.1 acres; and Property B, which is 3.8 acres. The proposal is to change the Future Land Use designation from Commercial with the Bioscience Research Protection Overlay to Low Density Residential on Property A; and from Low Density Residential to Commercial with the Bioscience Research Protection Overlay on Property B. The Future Land Use designations adjacent to Property A are Low Density Residential to the north, south, and west; and Commercial with the Bioscience Research

Protection Overlay to the east. The Future Land Use designations adjacent to Property B are Low Density Residential to the north, south, and west; Commercial with the Bioscience Research Protection Overlay to the northwest; and not designated to the east, because it is within the Florida Turnpike right-of-way.

The applicant has proposed the change on the 25.1-acre Property A in order to allow development of 275 single family homes, as well as bioscience/research and development, and other commercial uses. The proposed change on the 3.8-acre Property B is in order to combine this parcel with the adjacent 10.3-acre parcel on the northwest side to provide a total of 14.1 acres of Commercial with Bioscience Research Protection Overlay. The applicant has not submitted a site plan for the proposed uses, but is requesting these uses as part of the PUD application.

The proposed changes will result in a net reduction of 21.3 acres of commercial land and a net increase of 21.3 acres of low density residential land within the overall Parcel 19 PUD property. The town staff report indicates the net increase of residential lands on the Parcel 19 PUD property will not have an adverse impact on the provision of public services. Regarding traffic, the analysis provided by the applicant indicates the proposed change will result in a reduction in daily and peak hour trips. The town staff report indicates that the existing daily trip cap on the overall Parcel 19 property will be maintained. Also, the town staff report indicates that the change to low density residential on Property A will reduce prior concerns with the need to provide an appropriate transition to the preserved lands in the nationally designated wild and scenic Loxahatchee River corridor adjacent to the west side of the Parcel 19 property.

Extrajurisdictional Impacts

The proposed amendment was circulated by the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse Coordinator on October 25, 2013. No extrajurisdictional impacts have been identified.

Regional Impacts

No adverse effects on significant regional resources and facilities have been identified.

Conclusion

The proposed amendment is consistent with the SRPP.

Recommendation

Council should approve this report and authorize its transmittal to the Town of Jupiter and the Florida Department of Economic Opportunity.

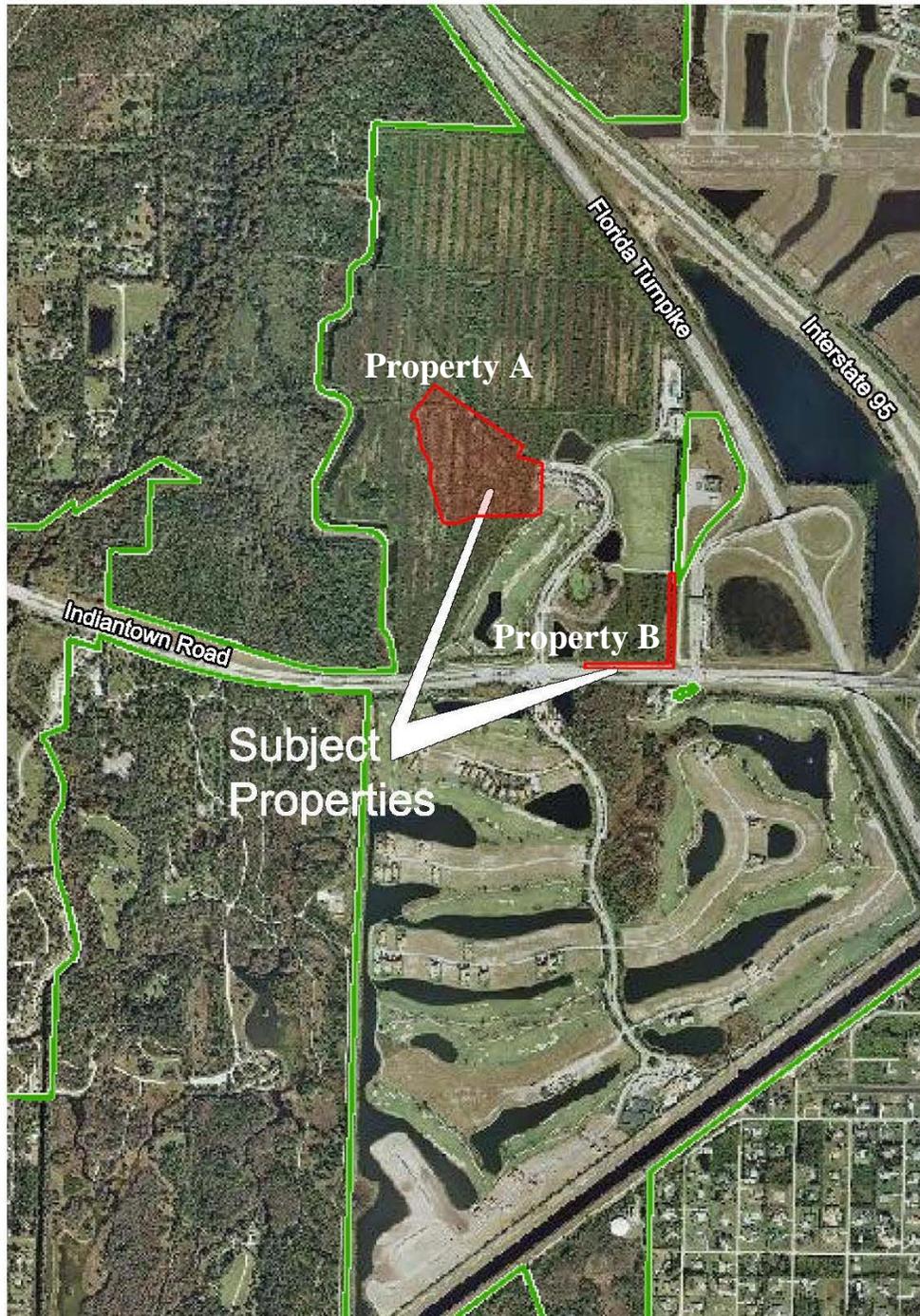
Attachments

List of Exhibits

Exhibit

- 1 General Location Map
- 2 Aerial Location Map
- 3 Current Future Land Use Map
- 4 Proposed Future Land Use Map

Exhibit 2 Aerial Location Map

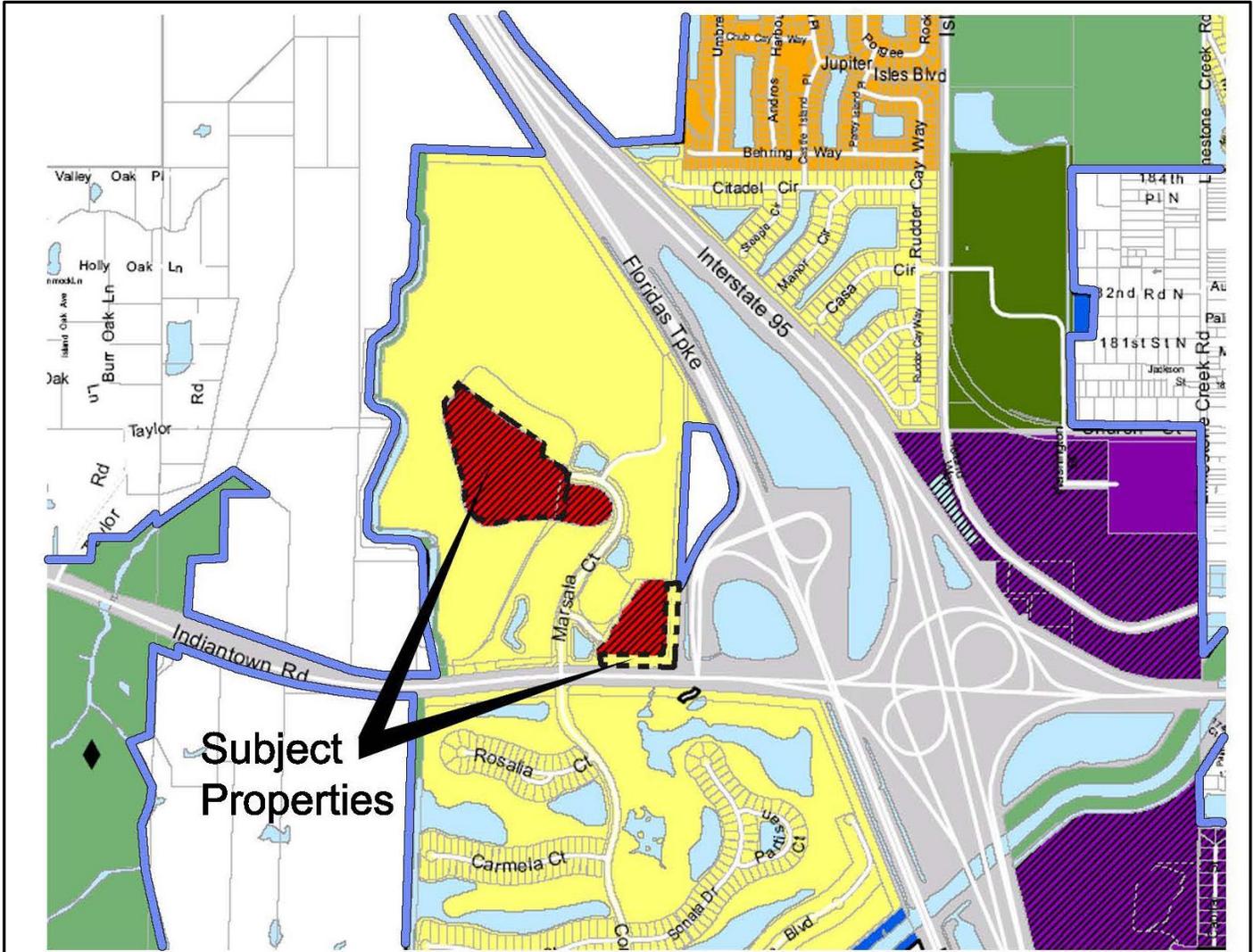


Legend

-  Subject Properties
-  Town Boundary



Exhibit 3 Current Future Land Use Map



Legend

- Subject Properties
- Town Boundary
- Water

LEGEND

- Locally Designated Site
- Historically Significant Site Meriting Protection
- Town Boundary
- US-1 - Intracoastal Waterway Corridor Boundary
- Bioscience Research Protection Overlay
- Extra - Jurisdictional
- Water

FUTURE LAND USE DESIGNATIONS

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



Exhibit 4 Proposed Future Land Use Map

