

**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**

Application No.: DOA-2022-01078
Application Name: Tree Top Academy
Control No./Name: 1989-00066 (Sarria & Cabrera Enterprises, Inc)
Applicant: Treetop Academy of Jupiter LLC
Owners: Treetop Academy Of Jupiter Llc
Agent: Gentile Glas Holloway O'Mahoney & Assoc Inc. Emily O Mahoney and Dan Siemsen
Telephone No.: (561) 575-9557
Project Manager: Larry D'Amato, Site Planner II

Title: a Development Order Amendment **Request:** to add land area (2.99 acres) for a total of 4.49 acres; to reconfigure the site plan, to modify conditions of approval; and increase the number of students

APPLICATION SUMMARY: The request is for the Professional Learning Center (aka) Tree Top Academy. The current approval is for a Day Care on 1.50 acres that was last approved on June 19, 2002 for a Development Order Amendment to reconfigure site plan and to modify conditions of approval. The site is operating as a Day Care.

The proposed request is for a Development Order Amendment to add 2.99 acres of land to the previously approved 1.5 acres (for a new total of 4.49 acres) and to increase the number of allowable students from 270 to 400. The added land area will be from the property to the west Mt. Carmel Baptist Church application (DOA-2022-01227) running concurrently.

The proposed Preliminary Site Plan indicates two existing buildings for Day Care use; Building 1 with a total of 8,083 (sq.ft) and Building 2 with a total of 4,042 (sq.ft). The Preliminary Site Plan indicates three proposed buildings in addition to the existing ones, Building A (3,775 sq.ft.), Building B (4,141 sq.ft), and Building C (6,106 sq.ft.) for a total of 5 buildings. In addition, the PSP indicates a new parking area and new playground areas for the students. Access to the site will remain on Church Street.

SITE DATA:

Location:	North side of Church St, approx. 0.26 miles west of N. Central Blvd
Property Control Number(s)	00-42-40-34-00-000-7030
Future Land Use Designation:	Medium Residential, 5 units per acre (MR-5)
Zoning District:	Residential Transitional Urban District (RTU)
Existing Acreage:	1.5 acres
Proposed Acreage:	4.49 acres
Tier:	Urban/Suburban
Overlay District:	Jonathan Dickinson State Park Greenline Overlay
Neighborhood Plan:	N/A
CCRT Area:	Limestone Creek
Municipalities within 1 Mile	Jupiter
Future Annexation Area	Jupiter
Commission District	District 1, Commissioner Maria G. Marino

RECOMMENDATION: Staff recommends approval of the request, subject to the Conditions of Approval as indicated in Exhibit C.

ACTION BY THE ZONING COMMISSION (ZC): *Scheduled September 7, 2023*

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received no contacts from the public regarding this application.

PROJECT HISTORY: On August 31 1989 the Board of County Commissioner approved a Rezoning that allowed the rezone from Residential High (RH) Zoning District to Residential Transitional Suburban (RTS) Zoning District (R-1990-529) and an Special Exception that allow a Day care Center with a maximum numbers of 240 Children. The Site was last approved by the Board of County Commissioner (BCC) on June 19, 2002 to allow a rezoning from the Residential Transitional Suburban (RTS) Zoning District to the Residential Transitional (RTU) Urban Zoning District (R-2002-1007) and a DOA to reconfigure the Site Plan, increase the number of children to 270, and to modify Conditions of Approval (R-2002-1008).

FINDINGS:

Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

When considering a Development Order application for a Rezoning to a PDD or a TDD, a Conditional Use, excluding Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF), or a Development Order Amendment, the BCC and ZC shall utilize the Standards a – h listed in Article 2.B.7.B, Standards. The Standards and Staff Analyses are indicated below. A Conditional Use, Rezoning to PDD or TDD, or Development Order Amendment that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

a. Consistency with the Plan – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

- *Consistency with the Comprehensive Plan:* The proposed amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
- *Relevant Comprehensive Plan Policies:* Multiple policies in the Plan stipulate the County's role in locating, identifying, and assessing archaeological and historic resources, or cultural resources. Per Future Land Use Element (FLUE) Policy 2.2.8-a, Institutional and Public Facility Uses may be allowed in all future land use designations, provided the uses are consistent with the provisions of the Comprehensive Plan and the ULDC. A daycare use is identified as an institutional, public, and civic use in the ULDC, and as such is consistent with this policy.

The Future Land Use Element County Direction 16, reflects the County's role and reads as follows:

- *Historic Preservation.* Preserve and interpret archaeological resources as stewards of the nation's diverse cultural heritage. Retain the local sense of place by preserving and protecting historic places, buildings and structures. Additionally, FLUE Policy 1.2-a #3 also indicates the County shall protect the character of urban and suburban communities by protecting historic and cultural resources.

Historic Preservation Element (HPE), Policy 1.3-c, identifies the appropriate procedures for protecting cultural resources from adverse development impacts via development reviews.

Policy 1.3-c: The County shall continue to review all applications for public and private development and redevelopment within its jurisdiction, and evaluate impacts to potential and identified historic and cultural resources in a timely and efficient manner through the development review processes.

The request seeks to reconfigure the previously approved site plan, and decrease land area for 5.157 acres, on the Mount Carmel Missionary Baptist Church and Cemetery site, which is identified in Florida Master Site Files as 8PB15382. Due to the site's history, there is reason to evaluate the site as a potential location of unmarked graves, and of cultural significance within the Limestone Creek community. As such, pursuant to ULDC Article 9.A.1.B.4 and 9.A.1.B.5, and the provisions of Florida Statutes, Chapter 872.05, Offenses Concerning Dead Bodies and Graves, the request is subject to archaeological review.

The Applicant elected to complete a preliminary archaeological survey prior to this application being submitted to the County. County Archaeologist reviewed the Phase 1 Archaeological Survey (dated February 2020), submitted January 23, 2023, which included findings from soil excavations, aerial imagery, modeling, and archival research. The report indicated that no prehistoric or historic cultural resources as well as any human remains or mortuary material were found in the project area. The report concludes, *"It is recommended that archaeological monitoring be conducted of major ground-disturbing operations during any future construction within the project area due to the potential for isolated unmarked human graves to occur, especially small infant graves."* The County Archaeologist agrees with the conclusions in the report.

- *Intensity:* The maximum Floor Area Ratio (FAR) of 0.45 is allowed for Institutional uses with the Medium Residential, 5 units per acre (MR-5) future land use designation in the Urban Suburban Tier (195,613 sq. ft. or 4.49 acres x 0.45 maximum FAR = 88,025.85 sq. ft. maximum). The request seeks to add a surveyed 130,243 sq. ft. or 2.99 acres of land area to the site, and increase the previously approved 12,125 sq. ft. to 26,147 sq. ft., totaling to a surveyed 4.491 acres or 195,613 sq. ft., and equating to 0.13 FAR (26,147 sq. ft. / surveyed 195,613 sq. ft. or 4.491 acres = 0.134 FAR).
- *Special Overlay District, Neighborhood Plan, Planning Study Area:* The request is located in two special planning areas, Countywide Community Revitalization Team (CCRT) Area #1, Limestone Creek Area, and Jonathan Dickinson State Park Greenline Overlay (JDSPGO) area.
- CCRT #1 Limestone Creek Area - The Office of Community Revitalization (OCR) administers CCRT areas. Reflected in correspondence items dated September 21-22, 2022, the OCR determined that a neighborhood meeting was unwarranted. No letters in support or objection have been received to date.
- JDSPGO Area The FLUE Objective 5.4. and Objective 5.4.3. identify the JDSPGO area as the greenline buffer that rings the Jonathan Dickinson State Park and Loxahatchee River, and protects the Park's natural resources from possible detrimental uses and land uses. The request would utilize the existing future land use designation and expand the existing daycare which are not incompatible with the Park or Loxahatchee River.
- County Direction #4 establishes that Land Use Compatibility is one of the eighteen directions that are the basis for the Goals, Objectives and Policies of the Comprehensive Plan. The directive reads as follows: Land Use Compatibility. Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated. Several policies within the Plan's Future Land Use Element (FLUE) further address compatibility through the ULDC and development review process. FLUE Policy 2.2-c establishes that the ULDC is consistent with the Plan, and that consistency shall ensure compatibility with adjacent future land uses. Further, FLUE Policy 4.3-i indicates (in part) that the Development Review process shall also consider the compatibility of the density or intensity of proposed development with adjacent future land uses. The Planning Division has reviewed the proposed development application and determined it is compatible with adjacent and surrounding land uses.
- *Planning Conditions:* Staff is imposing conditions of approval to address potential archaeological resources and isolated unmarked human graves.

b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

- *Property Development Regulations:* The proposal is in compliance with the required Property Development Regulations for setbacks and lot size, as stated in Table 3.D.1.A Property Development Regulations. The site meets the minimum setbacks, as the minimum front setback is 25 feet (172.32 ft. provided), the minimum side setback is 15 feet (66.19 ft. provided on the west side and 45.63 ft. on the east side), and the minimum rear setback is 25 feet (33.42 ft. provided). The site exceeds the minimum lot size of 6,000 sq.ft with 4.490 acres provided, 65 ft. of width (276.07 ft provided), and 75' ft. of depth (613.63 ft. provided). Further, the subject site meets the minimum frontage requirements as outlined in Art. 3. E.1.C.2.a.1., Minimum Frontage.

As the Applicant is adding land area which is been deleted from the property to the west through application DOA-2022-1227, the entire site is considered affected and therefore, the entire site must comply with the current Code to the greatest extent possible. The proposed improvements on the added parcel of land indicate compliance with current ULDC provisions as it relates to landscaping, property development regulations, and parking.

- *Day care use:* The General Daycare meets the requirements as indicated in Article 4.B.4.C.7 for Daycare as related to; setbacks, drop-off spaces, sidewalks and outdoor play area as required by the Childcare Section of the Health Department. The facility currently operates between the hours of 8:00 a.m to 5:00 p.m. with no overnight care. In addition, there are existing Use Limitation Conditions 2 and 3 that limit outdoor activities to 7 a.m. to 7 p.m. and prohibit all outdoor loudspeaker systems on the property. The preliminary Site Plan indicates the following; 2 existing buildings with a total of 12,125 sq.ft (labeled as building 1 and 2), 3 proposed building with a total of with a total of 14,022 sq.ft (labeled as building A, B and C), two parking areas with a total of 87 parking spaces with 20 Drop-off spaces and outdoor play area. The proposed Day Care will house a total of 400 Students. The Day Care is currently located within what has been labeled Building 1 and Building 2 with the 17,963 sq. ft. Outdoor Activity Area/s (including Playground and Play Yard areas immediately east of the Day Care). The expanded day care use will be located within the 3 additional proposed buildings: A (3,775 sq. ft.), B (4,141 sq. ft.), and C (6,106 sq ft.).

- *Architectural Review:* The uses are required to comply with the Architectural Guidelines specified in Article 5.C, Design Standards. The Applicant has indicated the desire to submit the required documents for Architectural review at time of Building Permit Approval.
- *Parking:* The proposed uses according to Table 6.B.1.B Minimum parking and Loading Requirements requires a total of 40 parking spaces. The Preliminary Site Plan (PSP), indicates a total of 87 parking spaces. The proposed site plan indicates 20 drop-off spaces for the daycare and one loading area.
- *Landscaping and Buffering:* According to Table 7.C.2.A Regulates the required buffer width and Table 7.C.2.C Incompatibility Buffers. The proposed Preliminary Site Plan indicates a 15-foot ROW (Right-of-Way) landscape buffer along Church Street, and a 15-foot Type 2 Incompatibility Buffer along the north property line with a 8 foot compatibility buffer along the west property line abutting the Commentary and the east property line abutting the Limestone Creek Elementary School. The proposed development is in compliance with the required Foundation planting. The Applicant is proposing to amend or delete conditions of the approved site plan (Resolution 2022-1008), dated June 19, 2002.

The proposed use or amendment complies with applicable standards and provisions of this ode for use, layout, function, and general development characteristics. The proposed use also complies with all applicable portions of Article 4.B.4.C.7., Supplementary Use Standards.

- c. **Compatibility with Surrounding Uses** – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

The property to the north and west consists of the Mt. Carmel Baptist Church and an existing cemetery (Petition 1995-049). Properties to the south across Church Street consist of existing single-family residential. To the east is the Limestone Creek Elementary School in the Town of Jupiter. The proposed modification to increase the acreage of the parcel and increase the number of students is generally consistent with the uses and character of the area.

The Applicant proposes to retain the previously approved 15-foot buffer to the north with additional landscape buffering. New perimeter buffers will be installed to the west with the reconfiguration of the lot boundaries. The proposed landscape buffering will include slash pine trees.

- d. **Design Minimizes Adverse Impact** – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

The design of the expansion to the existing use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands because the site has been designed, considering specific building placement to facilitate efficient vehicular stacking. Within the premises during drop-off and pick-up times possible impact to the adjacent lands. The proposed buildings are also of a size and scale that is generally consistent with other structures in the area.

- e. **Design Minimizes Environmental Impact** – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

- *Vegetation Protection:* The site is heavily vegetated with native species (e.g., Pinus elliottii var. densa, Ficus aurea, Quercus Virginiana, Quercus laurifolia and Sabal palmetto, Serenoa repens). A Protection of Native Vegetation (PNV) approval will be required to process the preservation, relocation, and mitigation efforts, consistent with the dispositions described in vegetation disposition chart contained on the regulating plan. As proposed, the project will result in 94 trees being preserved in place, 13 trees being relocated and approximately 76 trees to be removed and mitigated with 270 mitigation credits to be provided. The PNV application will be required to be submitted prior to the off-the-board approval and will require a performance guarantee, as outlined in the ULDC, Article 14.C.7.C.
- *Wellfield Protection Zone:* This property is located within Wellfield Protection Zone 4.
- *Irrigation Conservation Concerns And Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.

○ *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

f. Development Patterns – *The proposed use or amendment will result in a logical, orderly and timely development pattern.*

The properties surrounding the site are predominantly dedicated to residential areas or Institutional and Civic Uses. The proposed development on the site aligns with logical and orderly development patterns. It takes into account the surrounding proposed and existing development and ensures that they will not be adversely affected. The project's design and implementation is logical and orderly for the site.

g. Adequate Public Facilities – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

ENGINEERING COMMENTS:

The proposed expansion of an existing Day Care facility is expected to generate additional 327 net daily trips, additional 63 net AM peak trips, and additional 63 net PM peak hour trips. Overall, the entire project will generate 818 net daily trips, 156 net AM peak hour trips, and 158 net PM peak hour trips. The build out of the project is assumed to be by 2027.

Central Blvd from Roebuck Rd to Indiantown Rd will have background failure as a 2-lane roadway, with or without the project traffic. Widening to a 4-lane roadway will meet the adopted Level of Service Standards (LOS). As per Florida Statute 163.3180, the project can assume this roadway to be a 4-lane roadway, since the roadway has a background failure.

ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)

Traffic volumes are in vehicles per hour

Segment: Limestone Creek Road to Central Blvd

Existing count: Eastbound=164, Westbound=241

Background growth: Eastbound=38, Westbound=48

Project Trips: Eastbound=27, Westbound=25

Total Traffic: Eastbound=229, Westbound=314

Present laneage: 1 in each direction

Assured laneage: 1 in each direction

LOS "D" capacity: 880

Projected level of service: LOS D or better in both directions

DRAINAGE

The subject site is located within the boundaries of the Northern Palm Beach County Improvement District. The Applicant's engineer states, "*Legal, positive outfall is currently provided by both Church Street (southern portion of the site drains into the swale along the north side of Church Street) which borders the southern property line and an existing onsite ditch with a 24 inch diameter culvert located near the center of the property. This pipe travels east through Limestone Creek Elementary School and outfalls into The Shores lake system. The Shores drainage system has several control structures with outfall to the C-18 canal.*" He further states, "*The site will comply with the required levels of service for pavement, perimeter and building floor elevations. The system will be designed to provide water quality treatment based on the required volume determined by the greater of 1" over the site or 2.5" over the proposed impervious area (less buildings and lakes). The system is expected to include exfiltration trenches and dry detention storage to meet these requirements.*" The entire statement is found in Exhibit E. Prior to issuance of any building permits, the development will have to obtain applicable approvals and permits from the District.

WATER AND WASTEWATER PROVIDER:

The Water provider will be Town of Jupiter, and the wastewater provider is the Loxahatchee River District. The Applicant has provided letters from each of these entities, as part of their application (see Exhibit E and F) describing their ability to provide services for this project. Prior to issuance of any building permits, the development will have to obtain applicable approvals and/or permits from these providers.

PALM BEACH COUNTY HEALTH DEPARTMENT:

This project has met the requirements of the Florida Department of Health.

SCHOOL IMPACTS:

The School Board has no comment regarding this non-residential application.

PARKS AND RECREATION:

Non-residential project therefore, Park and Recreation ULDC requirements do not apply.

FIRE PROTECTION:

Staff has reviewed this application and have no comment. The subject site is located within the service boundaries of PBC Fire Rescue station #19.



- h. Changed Conditions or Circumstances** – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

The Applicant’s Justification Statement states that the request is necessary to meet the need for additional child care for the residents within the area. The Applicant's proposal to expand the existing day care by adding new structures, which will meet or exceed all the setbacks from the adjacent properties will provide an increase in daycare capacity in this area.

CONCLUSION: Staff has evaluated the standards listed under Article 2.B. and has determined that there is a balance between the need for change and the potential impacts generated by the expansion of Tree Top Academy. Staff finds that the requests meets the Development Order Amendment Standards and is recommending approval of the request, subject to Conditions of Approval as indicated in Exhibit C.

CONDITIONS OF APPROVAL

EXHIBIT C

Development Order Amendment

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution 90-0530 (Petition 89-066) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified.

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2002-1008 (Control 1989-066), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING – Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated March 29, 2002. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC.

Is hereby amended to read:

The approved Preliminary Site Plan is dated March 24, 2023. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING – Zoning)

BUILDING AND SITE DESIGN

1. All trash receptacles shall be located away from the residential areas and completely screened by a six (6) foot high solid wood fence and landscaped. (DRO: - ZONING – Zoning) (Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2002-1008, Control No.1989-00066)

2. The site shall be limited to one access point along the western half of the property onto Church Street or a safe vehicular design acceptable to the Palm Beach County Engineering Department and the Palm Beach County School Board. (ONGOING: ZONING - ENG [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 3 of Resolution R-2002-1008, Control No.1989-00066)

ENGINEERING

1. Deleted by Resolution R-2002-1008. (Previous ENGINEERING Condition 1 of Resolution R-2002-1008, Control No.1989-00066)

2. Prior to December 1, 1989 or prior to the issuance of the first Building Permit, whichever shall first occur, the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for Church Street, 50 feet from centerline free of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-ofway conveyances shall also include "Safe Sight Corners"* where appropriate at intersections as determined by the County Engineer. (BLDG PMT: ENGINEERING – Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2002-1008, Control No.1989-00066)

3. The Property owner shall:

a. Pipe the existing open ditch which runs through this property and the adjacent ditch along the south property line subject to approval by the County Engineer; and, (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED]

b. Re-construction of any pedestrian pathways along the site which may be damaged by this petitioner. All concurrent with onsite paving and drainage improvements. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2002-1008, Control No.1989-00066)

4. Deleted by Resolution R-2002-1008. (Previous ENGINEERING Condition 4 of Resolution R-2002-1008, Control No.1989-00066)

5. In order to comply with the mandatory traffic performance standards the Developer shall be restricted to the following phasing schedule:

a. Building Permits for more than 2,900 square feet shall not be issued until construction has begun for Central Boulevard as a 4 lane median section from Indiantown Road to the River Walk development entrance plus the appropriate paved tapers. (BLDG PMT: MONITORING – Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2002-1008, Control No.1989-00066)

6. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering)

7. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPMT/PLAT: MONITORING - Engineering)

8. The Property Owner shall provide to the Palm Beach County Right of Way Section of Roadway Production Division a warranty deed for road right of way and all associated documents as required by the County Engineer for Church Street, 50 feet, measured from centerline of the proposed right of way on an alignment approved by the County Engineer.

All warranty deed(s) and associated documents, including a title policy naming Palm Beach County as an insured, shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. The Property Owner shall provide to the Right of Way Section a tax pro-rata. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDGPMT/ONGOING: MONITORING - Engineering)

9. No Building Permits for the site may be issued after December 31, 2027, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: LAND DEVELOPMENT - Land Development)

10. The Property Owner shall construct:

- i) left turn lane west approach on Church St at project entrance
- ii) right turn lane east approach on Church St at project entrance.

This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. Lengths of these trun lanes shall be as approved by the County Engineer.

- a. Permits required from Palm Beach County for any construction related to additional students shall be obtained prior to the issuance of the first building permit. (BLDGPMPT: MONITORING - Engineering)
- b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy for additional students for the daycare. (BLDGPMPT/CO: MONITORING - Engineering)

HEALTH

- 1. Sewer service is available to the property. Therefore, no septic tank shall be permitted to the site. (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous HEALTH Condition 1 of Resolution R-2002-1008, Control No.1989-00066)
- 2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous HEALTH Condition 2 of Resolution R-2002-1008, Control No.1989-00066)

LANDSCAPING - ALONG THE NORTH AND WEST PROPERTY LINES (ABUTTING THE CEMETARY)

- 1. Previous LANDSCAPING - **ALONG THE NORTH AND WEST PROPERTY LINES (ABUTTING THE CEMETARY)** Condition 1 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

Alternative Perimeter Landscape No. 3 shall be provided along the north and west property lines, supplemented with additional landscape buffering. The landscape buffering shall include a mixture of relocated Slash pines that are (2) to six (6) inches in diameter at breast height and Sabal palms from within the site.

Is hereby amend to read:]

Alternative Perimeter Landscape No. 3 shall be provided along the north property line, supplemented with additional landscape buffering. The landscape buffering shall include a mixture of relocated Slash pines that are (2) to six (6) inches in diameter at breast height and Sabal palms from within the site. (BLDG PMT: ZONING – Zoning)

- 2. Previous LANDSCAPING - **ALONG THE NORTH AND WEST PROPERTY LINES (ABUTTING THE CEMETARY)** Condition 2 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

The petitioner shall provide a six (6) foot high wooden fence along the property lines where the outdoor play area is adjacent to residentially zoned property (north, west).

Is hereby deleted. [REASON: No longer applicable, as the play area has been relocated]

LANDSCAPING - STANDARD

- 3. All native vegetation shall be preserved to the greatest extent possible. All sabal palms and slash pines, two (2) inches to six (6) inches diameter at breast height, shall be relocated to landscape areas on site. BLDG PMT: ZONING – ZONING) (Previous LANDSCAPING – STANDARD Condition 1 of Resolution R-2002-1008, Control No.1989-00066)

- 4. Previous ZONING - LANDSCAPING Condition 2 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

Prior to any clearing operation, the petitioner shall be required to coordinate a site visit with the Zoning Division, to locate preservation areas and verify conditions of approval.

Is hereby deleted. [REASON: Deleted - as this is a code requirement.]

- 5. Previous –LANDSCAPING - STANDARD Condition 3 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

All slash pines and sabal palms shall be preserved within the outdoor play area. All native vegetation shall be preserved along the perimeter of the site.

Is hereby deleted. [REASON: this is a code requirement.]

6. All new palms required to be planted on site by this approval shall meet the following minimum standards at installation: a. 5. c. Palm heights: twelve (12) feet clear trunk; Clusters: staggered heights twelve (12) to eighteen (18) feet; and, Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (CO: ZONING – Zoning) (Previous LANDSCAPING – STANDARD Condition 4 of Resolution R-2002-1008, Control No.1989-00066)

Is hereby deleted. [REASON: Deleted – Must comply with Code.]

7 All new trees, shrubs or hedge materials in perimeter buffers shall be planted in continuous masses and/or in a meandering and naturalistic pattern, consisting of a minimum of three (3) varying heights. Shrub materials shall be continuously maintained to achieve the following heights and hierarchical effect:

- a. Eighteen (18) to twenty-four (24) inches - groundcover and small shrub;
- b. Thirty-six (36) inches - medium shrub;
- c. Forty-eight (48) to seventy-two (72) inches - large shrub; and,
- d. This condition does not apply to five (5) foot wide compatibility buffers. (CO: ZONING – Zoning) (Previous - LANDSCAPING – STANDARD Condition 5 of Resolution R-2002-1008, Control No.1989-00066)

Is hereby deleted. [REASON: Deleted – Must comply with Code.]

LANDSCAPING ALONG SOUTH PROPERTY LINE

8. Landscaping and buffering along the south property line shall be upgraded to include:
- a. . A minimum fifteen (15) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
 - b. One (1) native canopy tree for each thirty (30) linear feet of the property line;
 - c. One (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters;
 - d. One (1) small shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
 - e. One (1) medium shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation: and,
 - f. One (1) large shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (CO: ZONING – Zoning) (Previous LANDSCAPING ALONG SOUTH PROPERTY LINE Condition 1 of Resolution R-2002-1008)

Is hereby deleted. [REASON: Deleted – Most comply with Code.]

LIGHTING

1. Previous LIGHTING Condition 1 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

All outdoor lighting used to illuminate the subject property and identification signs shall be of minimum necessary to satisfy the Palm Beach County Security Code, low intensity, shielded and directed down and away from adjacent properties and streets.

Is hereby deleted. [REASON: the Applicant will comply with current Code.]

- 2. All outdoor, freestanding lighting fixtures shall not exceed twelve (12) feet in height measured from finished grade to highest point. (CO: BLDG – Zoning) (Previous LIGHTING Condition 2 of Resolution R-2002-1008, Control No.1989-00066)
- 3. All outdoor lighting shall be extinguished no later than 9:00 p.m. excluding security lighting only. ONGOING: CODE ENF – Zoning) (Previous LIGHTING Condition 3 of Resolution R-2002-1008, Control No.1989-00066)
- 4. The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF – Zoning) (Previous LIGHTING Condition 4 of Resolution R-2002-1008, Control No.1989-00066)

PLANNING

1. Prior to Final Site Plan approval, the property owner shall obtain a Certificate to Dig (CTD) from the County Archaeologist. (DRO: PLANNING - Planning)

2. Should any archaeological artifacts be uncovered during development or soil disturbing activity, excavation shall halt; the County Archaeologist contacted and allowed to comment on the significance of the find as provided for in Article 9 of the ULDC. (ONGOING: PLANNING - Planning)

SIGNS

1. No additional signage shall be permitted on Church Street. Replacement or relocation of the existing freestanding sign shall be limited as follows:

- a.. Maximum sign height, measured from finished grade to highest point - six (6) feet;
- b. Maximum total sign face area - 60 square feet;
- c. Maximum number of signs - one (1);
- d. Style - monument style only; and,
- e. Location - Church Street. (ONGOING: BDLG – Zoning)] (Previous SIGNS Condition 1 of Resolution R-2002-1008, Control No.1989-00066)

USE LIMITATIONS

1. Previous USE LIMITATIONS Condition 1 of Resolution R-2002-1008, Control No.1989-00066, which currently states:

The day care center shall be limited to a maximum of 270 children.

Is hereby amended to read:

The day care center shall be limited to a maximum of 400 children. (ONGOING: CODE ENF - Zoning)

2. Hours of operation for outdoor activities shall be limited to 7:00 a.m. to 7:00 p.m. daily. (ONGOING: CODE – Zoning) (Previous USE LIMITATIONS Condition 2 of Resolution R-2002-1008, Control No.1989-00066)

3. No outdoor loudspeaker system shall be permitted on site. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 3 of Resolution R-2002-1008, Control No.1989-00066)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning) (ONGOING: ZONING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

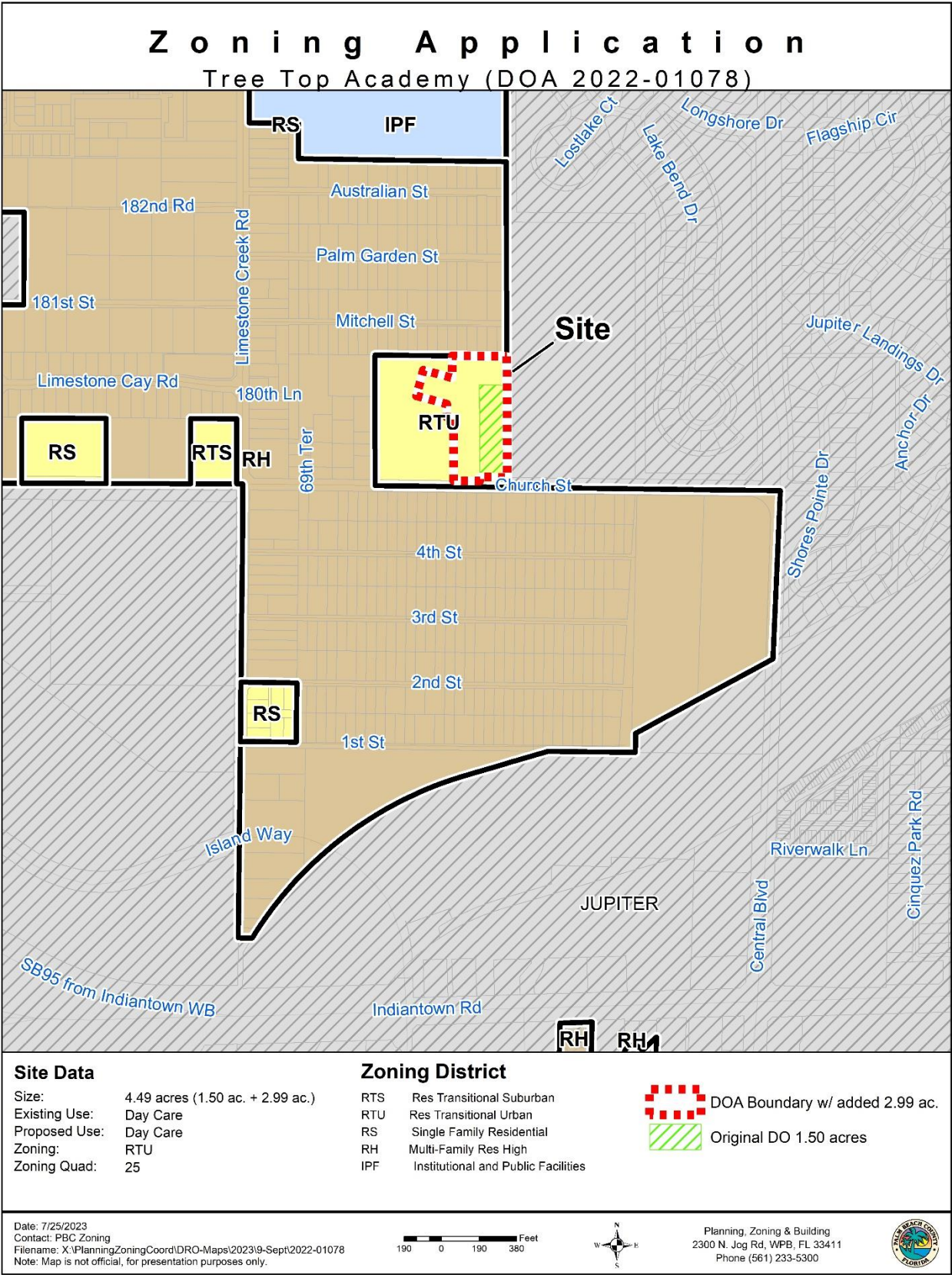
DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

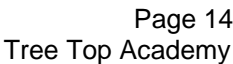
Figure 1 - Land Use Map



Figure 2 - Zoning Map



Zoning Commission
Application No. DOA-2022-01078



Zoning Commission
Application No. DOA-2022-01078



Howard F. Ostrout Jr.
Registered Landscape Architect
Florida Certificate No. 448

d Associates, L.L.C.
cture • Urban Design
101 • Jupiter, Florida 33458
Web Site www.ostrout.com
E-mail howard@ostrout.com

Profe
7769 Church Street

al Learning

Center
Jupiter, Florida 33458

DATE	28 MARCH 1982
SCALE	1" = 20'-0"
JOB NO.	030502

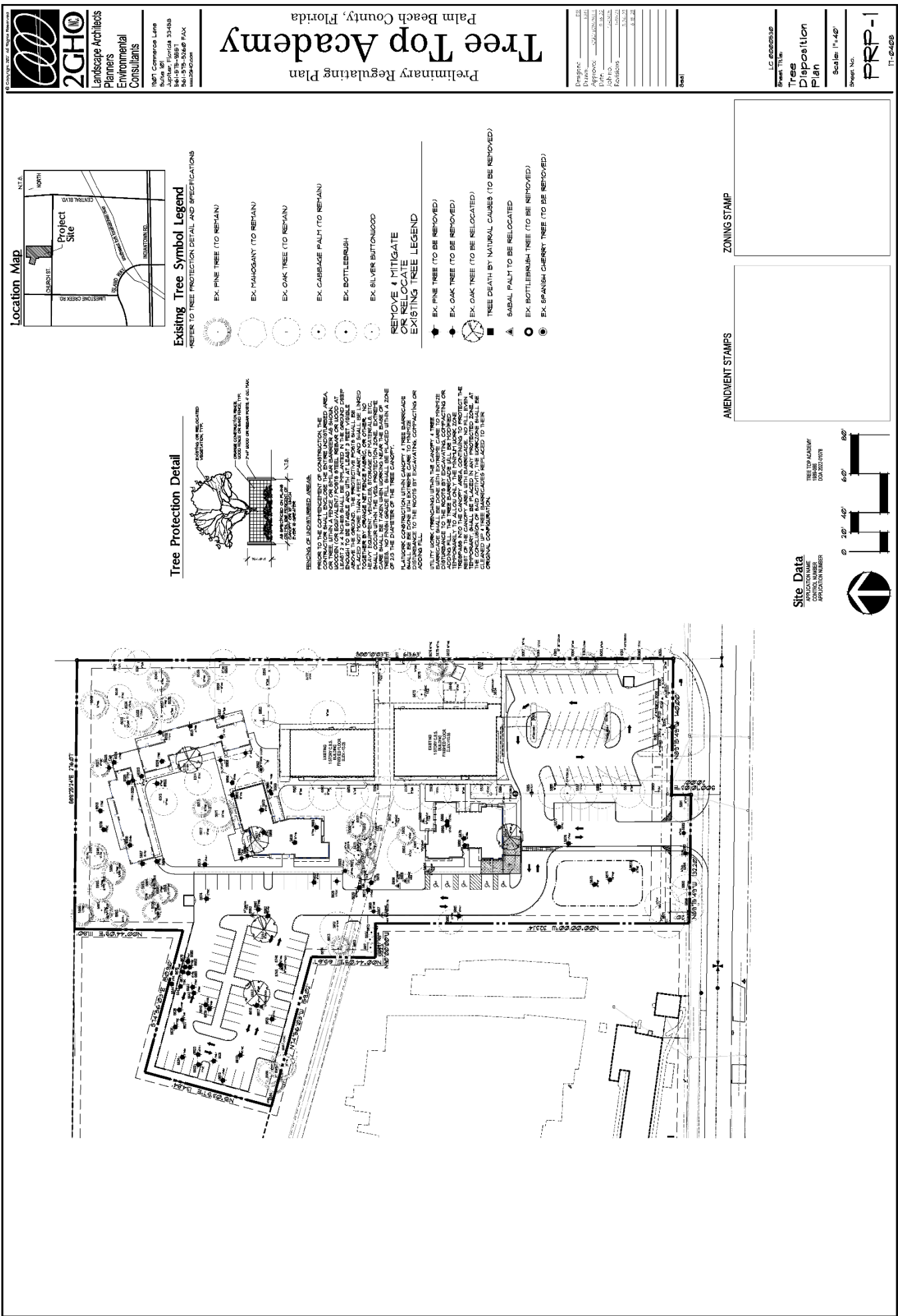
Page 16
Tree Top Academy

Figure 5 Preliminary Regulating Plan dated June 26, 2023 (page 2 of 2)

[illegible]

Exhibit D – Disclosure of Ownership

DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Jeff Turner, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

- 1. Affiant is the [] individual or [x] Manager Treetop Academy of Jupiter LLC [position—e.g., president, partner, trustee] of Treetop Academy of Jupiter LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
- 2. Affiant's address is: 6769 Church Street Jupiter FL 33458
- 3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
- 4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
- 5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
- 6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
- 7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.



Jeff Turner, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization, this 20th day of July, 2022 by
Jeff Turner (name of person acknowledging). He/she is personally
known to me or has produced _____ (type of identification) as
identification and did did not take an oath (circle correct response).

Patricia Y. Lentini
(Name - type, stamp or print clearly)


(Signature)

My Commission Expires on: _____

NOTARY'S SEAL OR STAMP

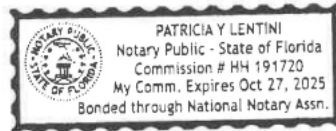


EXHIBIT "A"**PROPERTY****LEGAL DESCRIPTION - PROPOSED EXPANSION TO TREETOP ACADEMY BOUNDARY**

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE ALONG THE SOUTH LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 34, SOUTH 89°15'49" EAST, A DISTANCE OF 1066.32 FEET; THENCE DEPARTING SAID SOUTH LINE, NORTH 00°00'00" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE EXISTING NORTH RIGHT OF WAY LINE OF CHURCH STREET, AS DESCRIBED IN OFFICIAL RECORD BOOK 3887, PAGE 643, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND ALSO BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND;

THENCE CONTINUE NORTH 00°00'00" WEST, A DISTANCE OF 323.13 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 35.23 FEET; THENCE NORTH 00°44'09" EAST, A DISTANCE OF 65.67 FEET; THENCE NORTH 74°56'03" WEST, A DISTANCE OF 159.02 FEET; THENCE NORTH 15°03'57" EAST, A DISTANCE OF 134.84 FEET; THENCE SOUTH 74°56'03" EAST, A DISTANCE OF 150.90 FEET; THENCE NORTH 00°44'09" EAST, A DISTANCE OF 111.80 FEET TO A POINT ON THE NORTH LINE OF THE SAID SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHWEST WEST OF SECTION 34; THENCE ALONG SAID NORTH LINE, SOUTH 89°25'24" EAST, A DISTANCE OF 276.07 FEET TO A TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE ALONG SAID EAST LINE, SOUTH 00°10'03" EAST, A DISTANCE OF 146.64 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 24317, PAGE 450, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 24317, PAGE 450, NORTH 89°15'49" WEST, A DISTANCE OF 140.00 FEET; THENCE ALONG THE WEST LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 24317, PAGE 450, SOUTH 00°10'03" EAST, A DISTANCE OF 486.99 FEET TO A POINT ON THE AFOREMENTIONED EXISTING NORTH RIGHT OF WAY LINE OF CHURCH STREET, AS DESCRIBED IN OFFICIAL RECORD BOOK 3887, PAGE 643; THENCE ALONG SAID EXISTING NORTH RIGHT OF WAY LINE, NORTH 89°15'49" WEST, A DISTANCE OF 132.19 FEET TO THE POINT OF BEGINNING.

CONTAINING 130,240 SQUARE FEET OR 2.989 ACRES, MORE OR LESS.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
Treetop Academy of Jupiter LLC 6769 Church Street Jupiter FL 33458	

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Charles Pittman, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the ☐ individual or ☒ President MOUNT CARMEL MISSIONARY BAPTIST CHURCH OF JUPITER, INC., [position - e.g., president, partner, trustee] of A FLORIDA NOT FOR PROFIT CORPORATION [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 6823 Church Street Jupiter FL 33458
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Charles Pittman
Charles Pittman, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1st day of March, 2023 by Jennifer Rivera (name of person acknowledging). He/she is personally known to me or has produced FL Drivers License (type of identification) as identification and did/did not take an oath (circle correct response). P355-150-30-406-0

Jennifer Rivera
(Name - type, stamp or print clearly)

Jennifer Rivera
(Signature)

My Commission Expires on: 8/4/2026

NOTARY'S SEAL OR STAMP

EXHIBIT “A”

PROPERTY

LEGAL DESCRIPTION - EXISTING MOUNT CARMEL MISSIONARY BAPTIST CHURCH
BOUNDARY
(O.R.B. 841, PG. 843)

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION
34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. LESS
AND EXCEPT THE SOUTH 30 FEET THEREOF, ALSO LESS AND EXCEPT THE
FOLLOWING DESCRIBED PARCEL OF LAND:

BEING A PART OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST,
PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE SOUTH
89°15'51" EAST, ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF
1198.51 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH
89°15'51" EAST, A DISTANCE OF 140.0 FEET; THENCE NORTH 00°10'03" WEST,
A DISTANCE OF 517.00 FEET; THENCE NORTH 89°15'51" WEST, A DISTANCE OF
140.00 FEET; THENCE SOUTH 00°10'03" EAST, A DISTANCE OF 517.00 FEET TO
THE POINT OF BEGINNING, LESS THE SOUTH 50.0 FEET THEREOF FOR ROAD
RIGHT OF WAY.

CONTAINING 354,893 SQUARE FEET OR 8.147 ACRES, MORE OR LESS.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
MOUNT CARMEL MISSIONARY BAPTIST CHURCH OF JUPITER, INC., A FLORIDA NOT FOR PROFIT CORPORATION	6823 Church Street Jupiter FL 33458



August 16, 2022

Re: **Drainage Report for Tree Top Academy**
6769 Church Street, Jupiter, Florida 33458
PCN: 00-42-40-34-00-000-7030 / Section 24, Township 45S, Range 41E

1. SITE DESCRIPTION

The project site currently consists of approximately 1.5 acres and is generally located on the north side of Church Street between Limestone Creek Road and Central Boulevard in unincorporated Palm Beach County. The site will be expanded north and west to include a portion of the adjacent Mt. Carmel Baptist Church property for a proposed total of ±4.49 acres.

2. LEGAL, POSITIVE OUTFALL

Legal, positive outfall is currently provided by both Church Street (southern portion of the site drains into the swale along the north side of Church Street) which borders the southern property line and an existing onsite ditch with a 24 inch diameter culvert located near the center of the property. This pipe travels east through Limestone Creek Elementary School and outfalls into The Shores lake system. The Shores drainage system has several control structures with outfall to the C-18 canal.

3. BASIN / ALLOWABLE DISCHARGE / MINIMUM FINISHED FLOOR

The property is located within the SFWMD’s C-18 Drainage Basin with a maximum allowable discharge of 41.6 cubic feet per second per square mile (CSM) for the 25-year, 3-day design storm. There is no specified finished floor elevation and it will be set based on the 100Y-3D zero discharge stage calculated for the site.

4. FEMA / FLOOD DESIGNATION

The property appears to lie in Zone X with no stated minimum finished floor elevation requirement.

5. MINIMUM LEVELS OF SERVICE

The minimum required levels of service include:

- 1. The parking lot elevations at or above the projected 5-year, 1-day storm event;
- 2. The perimeter elevations at or above the projected 25-year, 3-day storm event; and
- 3. The finished floors elevations at or above the projected 100-year, 3-day storm event.

6. SYSTEM DESIGN

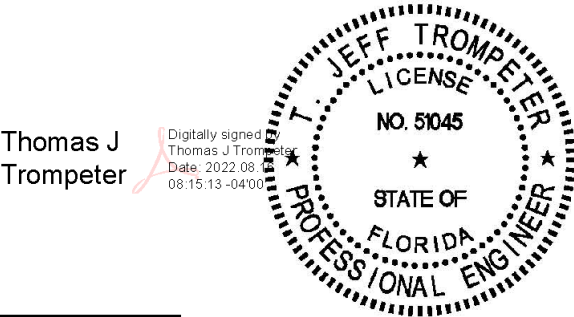
The site will comply with the required levels of service for pavement, perimeter and building floor elevations. The system will be designed to provide water quality treatment based on the required volume determined by the greater of 1” over the site or 2.5” over the proposed impervious area (less buildings and lakes). The system is expected to include exfiltration trenches and dry detention storage to meet these requirements.

1400 Centrepark Blvd., Suite 905 • West Palm Beach, FL 33401 • T: 561.659.5760 • www.civil-design.com

Tree Top Academy
6769 Church Street, Jupiter, FL 33458
August 16, 2022
Page 2 of 2

ADJACENT PARCELS & OFF-SITE FLOWS

- a. NORTH**
The property is bounded to the north by the existing Palm Gardens subdivision which is part of Basin C of the Limestone Creek drainage basin. These properties drain to Mitchell Street which has a stormwater conveyance system. Mitchell Street drains to Limestone Creek Road which has its own stormwater management system before discharge to the C-18 canal.
- b. SOUTH**
The property is bounded to the south by Church Street. Church Street drains to both Central Boulevard and Limestone Creek Road which both have stormwater management systems before discharging to the C-18 canal.
- c. EAST**
The property is bounded to the east by Limestone Creek Elementary School. The school presently drains into The Shores lake system before discharging into the C-18 canal.
- d. WEST**
The property to the west is Mt. Carmel Baptist Church which presently drains to both Church Street and through the same 24" culvert on the Tree Top Academy site and into The Shores lake system before discharging to the C-18 canal.



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY T. JEFF TROMPETER, P.E. ON THE DATE ADJACENT TO THE SEAL.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

Civil Design, Inc.
1400 Centrepark Blvd., Suite 905
West Palm Beach, FL 33401
(561) 659-5760
Registry No. 9664



UTILITIES DEPARTMENT

August 2, 2022

Jeff Trompeter, P.E.
Civil Design, Inc.
1400 Centrepark Boulevard, Suite 905
West Palm Beach, FL 22401

Re: Tree Top Academy – 6769 Church Street

Dear Mr. Trompeter:

Please let this letter serve to confirm that the Town of Jupiter Utilities Department will serve potable water to the proposed project site of Tree Top Academy located at 6769 Church Strteet.

Should you any further questions or require additional information, please feel free to contact me at (561) 741-2702 or johnng@jupiter.f.us

Sincerely,

A handwritten signature in blue ink, appearing to read "John Gaddis".

John Gaddis
Utility Services Manager

cc: David Brown

Exhibit G Loxahatchee River District Sewer Letter dated August 4, 2022



LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458 TEL: (561) 747-5700 FAX: (561) 747-9929

D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

August 4, 2022

Treetop Academy of Jupiter LLC
6769 Church Street
Jupiter, FL 33458

Email: jtrompeter@civil-design.com

Re: Treetop Academy
Parcel No. 00424034000007010
Sewer Availability

To Whom It May Concern:

This letter is provided in response to a recent request by Jeff Trompeter, P.E., of Civil Design, Inc., concerning sanitary sewer service availability for the subject property.

Please be advised that, as of this date, sanitary sewer service can be made available to the subject property upon payment of certain costs and installation and/or modification of infrastructure in accordance with the District Rules. Copies of District Rules Chapter 31-10 are available for your review on our web site at www.loxahatcheeriver.org.

Consistent with District policy, the Developer will be responsible for all costs associated with connecting to the existing wastewater system of the District.

Should you require additional information on this matter, please contact the District Engineering Department at (561) 747-5700 Ext. 4052.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kris Dean".

Kris Dean, P.E.
Deputy Executive Director/Director of Engineering Services

Cc: Jeff Trompeter, P.E.

[M:\ENGINEER\FORMS\SEWER AVAILABILITY LETTERS\Treetop Academy of Jupiter LLC_20220802_Sewer Availability Letter.docx](#)

Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER

Water Reclamation – Environmental Education – River Restoration

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