TOWN OF JUPITER
PLANNING AND ZONING COMMISSION MINUTES
April 11, 2023

CALL TO ORDER:
Chair, Teri Grooms called the meeting to order at 7 p.m.

ATTENDANCE:
Chair, Teri Grooms; Commissioners, Ashlyn Held, Kevin Kirn, Dan Guisinger, John Weisman, 1st Alternate (voting), and Richard Dunning, 2nd Alternate (voting); Planning & Zoning Director, John Sickler; Planning & Zoning Assistant Director, Stephanie Thoburn; Principal Planner, Garret Watson; Senior Planner, Peter Meyer; Planner, Thatcher Hart; Town Attorney, Thomas Baird, Esq.; Secretary, Suzanne Stan.

MINUTES:
Motion to approve the minutes from the March 14, 2023 Regular Planning and Zoning Commission Meeting.

Motion by Kevin Kirn, second by John Weisman.
Final: Motion passed with a 5-1 vote, with Dan Guisinger dissenting.

CITIZEN COMMENTS: None

REGULAR AGENDA:

A. OLD BUSINESS: None

B. NEW BUSINESS:

1. **Town of Jupiter Water Treatment Plant New Hardened Training and Data Facility Site Plan** - (PZ#23-5551)

   Disclosures: Commissioner Dunning, disclosed that he stopped by the facility and talked to one of the managers and took a look around. Commissioners Held, Kirn, Guisinger, Weisman, 1st Alternate and Chair, Grooms, had no disclosures on his item.

   Applicant presentation: Jill Lanigan from Song and Associates, Architects reviewed a powerpoint presentation of the proposed project and noted Jason Lee, from Kimley-Horn was present.

   Staff presentation: Thatcher Hart, Planner, reviewed the staff report for the application.

   Commissioners asked questions of the Applicant and Staff: Questions were asked on how the building would be used as an emergency operations center during storm events; the number of bathrooms; and where food would be stored, when a storm event occurs. The applicant responded that the building would be used as a multi-purpose center; that other restrooms are accessible within the entire facility; and food would be stored in coolers, if needed.

Deliberation by Commission: Comm. Weisman, Dunning, Held and Guisinger provided positive comments on improving the Town's infrastructure in case of a Hurricane. Chair Grooms agreed and called for a Motion.

Motion: Motion by Comm. Weismann, seconded by Comm. Held. Motion passed unanimously with a 6-0 vote.

2. **Ritz Carlton PUD Amendment to allow a guest cottage on a single lot within Pod A, located at 612 Pelican Way – (PZ#23- 5549)**

Disclosures: Commissioner Dunning disclosed that he stopped by the facility and spoke with the applicant. Commissioners Held, Kirn, Guisinger, Weisman and Chair, Grooms had no disclosures.

Town Attorney, Thomas Baird, conducted the swearing in of the witnesses

Applicant presentation: George Gentile with 2GHO reviewed a power point presentation of the proposed Ritz Carlton PUD Amendment.

Staff presentation: Peter Meyer, Senior Planner, reviewed the staff report for the application.

Commissioners asked questions of the Applicant and Staff: Questions were asked if the cottage will include a kitchen facility; how to ensure in the future that a kitchen is not installed if the home was later sold; how would the town be able to monitor compliance; if written HOA approval was received; and why there was construction material on the property. The applicant responded that it does not have a kitchen although it does have the electrical hookup; that a town building inspection will be required; HOA approval was received; and the construction material was for the garage and that they already received a permit to renovate. Staff stated an alteration building permit is required to show the removal of the 220 hookup. If in the future, someone wanted to reinstall it would require a building permit.

Questions were asked on how the 1.13 aces of contiguous upland preserve is affected if the structures are already there; and how to determine if the proposed public benefit is acceptable. The applicant stated that the upland preserve was relocated previously when the property was split into two lots and the eagles' nest was no longer in use. The Chair stated that in the past public benefit was determined on precedence.

Deliberation by Commission:

Comm. Dunning: Stated he looked over the property and feels good about what he's seen.

Comm. Weisman: Stated that he's glad to see the applicant accept the staff recommendations.

Chair Grooms: Called for a Motion to approve based on staff recommendations.

Motion: Motion by John Weismann, seconded by Dan Guisinger. Motion passed unanimously with a 6-0 vote.

3. Jupiter Creek Commercial Christ Fellowship Site Plan and Special Exception to allow a church – (PZ#23-5448 & 5499)

Disclosures: Comm. Dunning and Comm. Guisinger disclosed that they stopped by the facility. Commissioners Weisman, Held, and Chair Grooms had no disclosures, and Comm. Kirn stated that he and his wife are members of Christ Fellowship and that it "won't affect how I vote".

Town Attorney, Thomas Baird, conducted the swearing in of the witnesses.

Applicant presentation: Donaldson Hearing with Cotleur Hearing reviewed the power point presentation for the proposed Site Plan and Special Exception application. He was accompanied by Leo Abdela, the director of real estate operations for Christ Fellowship and Adam Kerr with Kimley-Horn, traffic consultant.

Staff presentation: Thatcher Hart, Planner, reviewed the staff report.

Public Comment: Leo Abdella, Greg Lyon, Al Puglisi, Chris Dyer, Ray Knight, Aaron Fair, Andrew Russo, Dick Witham, Ray Meggison and David D'Amico spoke in favor of the project. Laurie Damico completed a comment card in support of project, but choose not to speak.

Commissioners asked questions of the Applicant and Staff: Questions were asked about if there will be two services for the new church, since the Ascend Church has one service at 10:00 am that could conflict with the Christ Fellowship service at 11:00 am; how traffic patterns will work. Staff replied that about 200 seats are in the adjacent church and that both churches will use the same entrance and exits. There were comments on traffic coming out onto Indiantown Road; questions on how to ensure that all traffic turned right on Caloosahatchee. Staff stated that the applicant has been working with the Jupiter Police Department for traffic management. The Commission had concerns over parking and monitoring as the church grows with no shared parking agreement with adjacent properties. The applicant stated 9:30 am and 11:00 am are the current services and the times will not change; they will coordinate with the Ascend Church. The applicant replied that they have discussed with the Jupiter Creek Professional Association to the east and Water's Edge to the north to explore leasing parking, if needed. Clarity was needed on the process of requesting a parking study, if there is insufficient parking on the property. Staff stated that parking studies for insufficient parking are complaint driven and if parking issues are documented, the code provides the authority to place the owner on notice to complete a parking analysis that is coordinated with the Town's traffic engineer. Concerns were raised on monitoring traffic for Sunday services and that a parking demand study be done before Town Council.

A question was asked about sound mitigation and monitoring from the building; if any noise ordinances would apply; whether there will be outside holiday events; how would they be monitored a year from now. Staff stated Code Compliance does some monitoring on the weekends administered by the Police Department. The applicant said events would occur at the Palm Beach Gardens location. Everything held here will happen inside of the building, unless they do a big event and they would get a special event permit.

Deliberation by Commission:

Comm. Weisman, Comm. Dunning, and Comm. Guisinger stated this was a good project for the community.

Comm. Held said she appreciated the many people in support; however, there are concerns that need to be addressed to make sure it's a win-win for the community.

Comm. Kirn recommended to have permits for any outside events and to complete the parking study 30 days after the first service. We need whatever staff recommends regarding the sound decibel levels that may be needed outside in the back of the building.

Chair Grooms agreed with the comments and recommended coordination with the other church regarding traffic and parking, and Code Compliance to oversee and monitor the music and special permits for anything happening outside.

Motion: Comm. Weismann motioned to recommend approval with Staff's recommendations requiring the following additional conditions of approval:

- a parking study within 60 days;
- traffic and parking to be coordinated with the neighboring church and any other businesses operating on Sundays;
- Code Compliance to oversee and monitor the music outside the building; and,
- Special permits for anything outside of the building.

Motion was seconded by Kevin Kern. Motion passed unanimously with a 6-0 vote.

4. Town Center Zoning Text Amendment to Section 27-1110 to increase density to 20 DU/AC and reduce the Commercial Core requirement – (PZ#23-5232)

Applicant presentation: George Missimer with Cotleur Hearing reviewed a PowerPoint presentation of the proposed Town Center Zoning Text Amendment.

Staff presentation: Garret Watson, Principal Planner, reviewed the staff report.

Public Comment: Elliot Johnson and Noel Martinez completed comment cards and spoke in support of the project.

Commissioners asked questions of the Applicant and Staff: A concern was expressed that the public really is not aware of the proposed change as there are no signs or any notice to the public.

Questions were asked on what is the market rate of the units; how an increase in density could result in a reduction in traffic; if the commercial core was fully occupied; what alternative uses are permitted on the first floor. The applicant replied that market rental rate is close to three dollars a square foot; explained that while residential is being added, the non-residential use is taken away which results in about 100 pm peak hour trips less; and that there are several vacancies in the commercial core. Staff pointed out that the marketing study focused on the lack of viability for retail use; the requirement of the commercial core is associated with non-residential uses being required on the first floor; uses allowed on the ground floor include recreation uses, religious institutions, and office.

Questions were asked on the unit breakdown by number of bedrooms; the square footage of the one, two, and three bedrooms. The applicant responded: one bedroom is 700-800 square feet; two bedrooms are 1200 to 1300 square feet; three bedrooms are over 1400 square feet; 45 percent one bedroom; 42 percent two bedroom; six percent three bedroom, four percent studio, and 13 live work.

Deliberation by Commission:

Comm. Kirn shared concerns around the increase in density. She felt that it really needs a bit more thought, before he could support something like this.

Comm. Guisinger shared some of the same thoughts regarding the density increase. There is also concern for the public benefit. He is open to having further discussion on it. Felt that consideration should be given to option 2.

Comm. Held stated that the community has been very vocal in response to not wanting an increase in density. Density is permanent and workforce housing is not permanent. She would like more thought to go into this project.

Comm. Dunning felt that the Town and staff have done a very good job of staying within the requirements for density. He raised concerns of the precedent that might be set if we take on a project like this. He stated that we want workforce housing but nothing that is too dense.

Comm. Weisman stated that he agrees with what the applicant had to say in respect to the housing shortage, the price of housing and the exploding area along Donald Ross. He did not agree with staff. He said there has to be a middle ground.

Chair Grooms agreed with adding more residential to the community. She would like to see an increase in workforce housing and equal distribution of income categories for housing. She felt that consideration should be given to option 1 and option 2. She said that she is not in support of the Text amendment changes.

Motion: Comm. Dunning made a motion for denial, seconded by Comm. Kirn. Motion was passed with a 5-1 vote, with Comm. Weissman dissenting.

C. ANNOUNCEMENTS: None

D. ADJOURNMENT:

Chair Teri Grooms adjourned the meeting at 9:43 p.m.

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Teri Grooms, Chair

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Vernisa Ayers, Secretary

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