

**TOWN OF JUPITER
PLANNING & ZONING COMMISSION
MINUTES
August 8, 2023**

CALL TO ORDER:

Chair Grooms called the meeting to order at 7 p.m.

ATTENDANCE:

Chair Teri Grooms; Vice Chair Kevin Kirn; Comm. Richard Dunning; Comm. Ashlyn Held; Paul Keenan, 1st Alternate (voting member); Cynthia Blum, 2nd Alternate (voting member); John Sickler, Director of Planning & Zoning; Garret Watson Principal Planner; Martin Schneider Principal Planner; Town Attorney Thomas Baird, Esq.; Vernisa Ayers Secretary.

MINUTES:

Motion to approve minutes from the July 11, 2023 Regular Planning and Zoning Commission Meeting.

Motion by Vice Chair Kirn to approve the minutes with corrections to the spelling of the name Pintel & the date in the header, seconded by Comm. Dunning. Final: Motion passed unanimously, with a 6-0 vote.

CITIZEN COMMENTS: None.

REGULAR AGENDA:

A. **OLD BUSINESS:** Comm. Keenan asked if staff could provide a report of what transpired at previous Town Council meetings related to submissions or issues that have been brought before the Planning & Zoning Commission. Staff replied yes.

B. NEW BUSINESS:

1. **Roger Dean Chevrolet Stadium Renovations** – Site plan amendment to renovate the existing spring training facility, construct new team clubhouses, and construct new temporary facilities during construction, on a 90± acre property, located at 4355 Stadium Drive. (PZ 23-5543)

Disclosures: Comm. Keenan disclosed that he spoke with John Sickler regarding all of the items on the Agenda. Vice Chair Kirn, Commissioners Held and Blum stated that they've been to the site multiple times, but did not have any disclosures. Chair Grooms and Comm Dunning stated that they did not have any disclosures.

Swearing In:

Town Attorney Thomas Baird, Esq., conducted the swearing-in of witnesses for all of the items on the agenda.

Applicant presentation: Mr. George Gentile, with 2GHO presented a PowerPoint of the renovation plans for the complex. Mr. Gentile was accompanied by Mike

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Bauer the manager of Roger Dean Stadium and Kirk Bauer from Fawley Bryant Architects, who is the architect on the project. The applicant expressed concern with condition #7 that requests a grass parking area because it's a drainage area.

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

Commissioners asked questions of the Applicant and Staff:

Comm. Keenan asked if it was known that there was an issue with the drainage and if there was a remedy for it? Mr. Sickler responded that there was no information provided that stated this was a concern. Mr. Gentile would need to provide details and have it reviewed by the Town's Stormwater Coordinator. Mr. Watson clarified that the condition requires stabilized grass parking to be established in that area. On previous projects a material called Truegrid was used. This is basically a grid system that has stabilized substrate below it, the material and then grass is placed on top. This would provide a much more permeable surface. Mr. Gentile stated that South Florida Water Management, on a water quality basis, says that it can't be done there because it's an area where the water drainage goes and discharges to the north past Central Blvd. Mr. Gentile said that they will provide this information to staff prior to the Town Council Meeting.

Vice Chair Kirn asked staff if the proposed signage was compliant with Abacoa standards? Mr. Watson responded yes.

Comm. Held asked about the public art concept. She wanted to know if it would involve the community of Abacoa and who would finalize that project? Mr. Bauer stated that it's part of Palm Beach County's requirements to go out and solicit artists for art in public places. They have already done the solicitation and have a list of applicants. The intent is to reach out to the Town of Jupiter to get their input as well.

Comm. Dunning asked what's the Town's current contract with the teams? Between the Marlins and Cardinals. Mike Bauer stated that they have a Facility Use Agreement with the Town. Mr. Baird clarified that the contract between the Marlins and Cardinals is through the beginning of 2027.

Comm. Blum asked how many parking spaces were being reduced? Mr. Gentile responded that parking is being increased. It's currently at 443 spaces and it will go up to 470 spaces.

Comm. Blum asked if there was an elevator or ramp to accommodate the elderly? Mr. Bauer responded that there is currently an existing ADA ramp that's on the third base side. The new addition will connect to that so that everything's accessible to the new third base bar area. There is also a second ramp on the first baseline.

Public Comment: None.

Deliberation by Commission: All commission were in favor of approving the project subject to the drainage and parking issues being resolved as staff recommended.

Motion:

Comm. Dunning motioned to recommend approval of the application subject to staff addressing the issues with Condition number 7 regarding the drainage by adding, "subject to review and approval by the Town's Stormwater Coordinator and the South Florida Water Management District" at the end of the condition, and all other conditions outlined by staff, seconded by Vice Chair Kirn. Motion passed unanimously, with a 6-0 vote

2. **Evaluation and Appraisal Report (EAR) based Comprehensive Plan Text Amendments** – To modify the Future Land Use, Transportation, Housing, Conservation, Coastal Management, Recreation and Open Space, Infrastructure, and Capital Improvements elements related to incorporating statutorily required changes and additional revisions to reflect changes in local conditions and priorities contained in the Town's Strategic Plan.

(PZ 23-5591) Acting as the Local Planning Agency

Staff presentation: Martin Schneider Principal Planner, reviewed the staff report.

Commissioners asked questions of the Applicant and Staff:

Chair Grooms asked, if the land use is conservation, would changing it in the future make it harder because of the super majority requirements? Mr. Schneider replied yes.

Comm. Dunning asked when would the official implementation date be? Mr. Schneider replied that it first has to go before Council, then to the Department of Commerce. It'll go to the state for 60 days for review, then before Council for the 2nd reading before adoption. There's also a time period afterwards to make sure there are no objections before it goes into effect.

Comm. Dunning wanted to know how a new applicant would know when this could go into effect and how to submit their application to meet the requirements and maximize the benefits? Mr. Sickler replied saying that the Town would make applicants aware as soon as it's approved through our comment letters and with making a pre-application meeting.

Vice Chair Kirn asked do you aggregate all of these changes over a 5-year period and this is the culmination of that? Mr. Schneider responded no we look at what the state requires and make sure we meet all of them. The Comprehensive Plan can be amended at any-time by the Town, Council or by an applicant. It gets updated throughout those 7 years.

Comm Keenan raised concerns regarding the transportation element of the plan. He wanted to know why there was no reference to trains in the Vision Zero Action

Plan Analysis, but it was referenced in the policy? Staff replied that it probably had to do with the crossing of trains and safety. Comm Keenan stated that it's all federally preemptive and not something we should mess with. He noted that the railroad crossing is federally preempted, but the roads leading up to the crossing would be a municipal concern within a certain distance approaching the crossing. Comm Keenan suggested that the reference to a proactive safe system approach for trains be deleted because we don't have any say over trains. Attorney Baird clarified that we don't have any say over train operations, however we do have a say over the approach to our train tracks. This is to make sure there's a safe approach for the public on the streets and highways of the Town. He also shared that the policy has to do with vision and safety for the motoring and pedestrian public. It's intended to address the number of fatalities we've seen on our road and rails. Mr. Baird stated that he will take Comm. Keenan's recommendation into consideration. Comm. Keenan stated that he would also like to see something in the plan about public signage with maps identifying the location of the trail system. Mr. Schneider stated that it's something that we could work on, but didn't think it was suitable for the Comprehensive Plan. It could be included in the CRA Plan which has to do with these systems.

Public Comment: None.

Deliberation by Commission: All of the commission felt that the report really spoke to the ideas and values of the community. It was well put together and corresponds with what the community desires for the 21st century.

Motion: Vice Chair Kirn motioned to recommend approval of the application as presented, seconded by Comm. Keenan. Motion passed unanimously, with a 6-0 vote.

3. Evaluation and Appraisal Report (EAR) based Town initiated Small Scale Future Land Use Map (FLUM) and Zoning Map Amendments

- A. Small Scale Future Land Use Map amendment to change the Future Land Use designation on 7.9+/- acres from:
 - "Medium Density Residential" to "Recreation" on 7.6+/- acres located at 500 N Delaware Boulevard; and
 - "Not designated" to "Conservation" on 0.3+/- acres located on the south side of Indiantown Road across from the FL Turnpike intersection. (PZ 23-5589) *Acting as the Local Planning Agency*
- B. Zoning Map Amendment to change the Zoning designation on 7.9+/- acres from:
 - "Residential, Single-family" to "Public/Institutional" on 7.6+/- acres located at 500 N Delaware Boulevard;
 - "Not zoned" to "Conservation Preservation" on 0.3+/- acres located on the south side of Indiantown Road across from the FL Turnpike intersection. (PZ 23-5590)

Staff presentation: Martin Schneider Principal Planner, reviewed the staff report.

Commissioners asked questions of the Applicant and Staff:

Comm Blum asked if there was any real access to the property? Mr. Sickler clarified and pointed out on the presentation the location of the Jupiter Inlet District property. He noted there is vehicular access there and then there's a driveway that goes up to the two residential units on the north side of the property.

Chair Grooms wanted to know what public park meant and what was the difference between conservation and recreation? Mr. Schneider stated that recreation would allow more uses than conservation. The reason for going with recreation land use and public institution was to allow more flexibility because the Town Council hasn't determined what they would like to do on the property yet. They could put the conservation land use on if they choose. Chair Grooms stated that Jupiter Inlet District sent an email that said they're in favor of the passive park. She also said that previously when this was being proposed for residential, the residents of Sims Creek really came out because they didn't want any additional traffic coming off that residential development. If it is developed would it bring additional traffic? Mr. Sickler replied that yes, there would be trips.

Comm. Held asked if there was a difference in the intensity levels of recreation? Mr. Sickler replied that recreation could include ball fields, a community center and other types of uses like that. Comm. Held asked if the commission had the ability to give recommendations that would allow for lower intensity use of recreation? Mr. Sickler responded that you could make a recommendation on whatever consensus you came up with.

Comm. Dunning asked if there were any other areas subject to this zoning? Mr. Sickler replied that this is the only area proposed. This is just a change in condition because the Town bought the property and doesn't intend to use it for residential use.

Public Comment: Joe Chaison the Executive Director of the Jupiter Inlet District spoke in support of the conservation preservation zoning designation for this site.

Deliberation by Commission: Comm. Keenan would like to see this designated conservation instead of recreation. Vice Chair Kirn stated that he could probably argue this both ways, but was willing to listen to stronger opinions. He raised concern because he did not know what the public thought about this project. Chair Grooms stated that over 70% of voters voted for the open space bond and this was the intention of having conservation land. Mr. Sickler responded clarifying that property owners within 300 feet were mailed courtesy notices letting them know about the proposed change. Legal ads were advertised in the paper and signs were posted on the properties with the proposed changes. Comm. Held stated that she wasn't aware that the community voted for the conservation aspects. Comm. Dunning agreed with Vice Chair Kirn. He is sensitive to what the public thinks and what their concerns are about this project. Comm. Blum and Chair Grooms were both in favor of conservation preservation.

Motion: Comm. Blum motioned to recommend approval to designate both properties as Conservation and Conservation Preservation, seconded by Vice Chair Kirn. Motion passed unanimously, with a 6-0 vote.

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ANNOUNCEMENT:

John Sickler provided a report of the recent Town Council meetings.

ADJOURNMENT:

Chair Grooms adjourned meeting at 8:30 p.m.

TBD, Chair

Vernisa Ayers, Secretary

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