

**TOWN OF JUPITER
PLANNING AND ZONING COMMISSION
APPROVED MINUTES
OCTOBER 10, 2023**

CALL TO ORDER:

Vice Chair Kirn called the meeting to order at 7 p.m.

ATTENDANCE:

Vice Chair Kevin Kirn, Comm. Richard Dunning, Comm. Dan Guisinger, Comm. Ashlyn Held, Comm. David Thompson, Paul Keenan, 1st Alternate (voting member), Cynthia Blum, 2nd Alternate; John Sickler, Director of Planning & Zoning; Garret Watson, Principal Planner; Stephen Mayer, Senior Planner; Peter Meyer, Senior Planner; Thatcher Hart, Planner; Town Attorney, Thomas Baird, Esq.; Vernisa Ayers, Secretary; Michael Schneider, Secretary.

ELECTION OF OFFICERS:

Comm. Dunning nominated Vice Chair Kirn for Chair. Hearing no other nominations, Mr. Baird declared Vice Chair Kirn as chairperson by acclimation.

Vice Chair Kirn nominated Comm. Dunning for Vice Chair. Hearing no other nominations, Mr. Baird declared Comm. Dunning as vice chairperson by acclimation.

MINUTES:

Motion to approve minutes from August 8, 2023 by Vice Chair Dunning; seconded by Comm. Keenan. Final: Motion passed unanimously, with a 7-0 vote.

CITIZEN COMMENTS: None.

CONSENT AGENDA:

All items listed in this portion of the agenda are considered routine by the Planning & Zoning Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner or citizen so requests; in which event, the item will be removed and considered at the beginning of the regular agenda.

- Citizen Matt Lefkowitz submitted a comment card requesting to speak on Item#4; therefore, it was moved to the Regular Agenda.

Motion:

Motion to approve the Consent Agenda Items 1-3 by Vice Chair Dunning; seconded by Comm. Guisinger. Final: Motion passed unanimously, with a 7-0 vote.

1. **Local Building Code Amendment** - Town initiated amendment to Section 21-87, entitled "Building code adopted by reference" to incorporate and amend Chapter 1 of the Florida Building Code 2023 (8th Edition).

Town Council consideration: November 21, 2023 (1st Reading)
December 5, 2023 (2nd Reading)

2. **Jupiter Medical Center** - Site plan amendment application to request a waiver to reduce the front setback for a five-level parking garage on the east side of the existing hospital building, on a 27.3± acre property, located at 1210 Old Dixie Highway. **(PZ 23-5707)**

Town Council consideration: November 21, 2023

3. **Palmwood Preserve Future Land Use Map (FLUM) Amendment and Rezoning** -

A) Town initiated Future Land Use Map (FLUM) amendment for a 15.8 +/- acre property located south of East Frederick Small Road and west of Palmwood Road, within the Bears Club Planned Unit Development (PUD), changing the Future Land Use designation from Low-Density Residential to Conservation. **(PZ 23-5744)** *Acting as the Local Planning Agency*

B) Town Initiated Zoning Map amendment for 15.8 +/- acre property located south of East Frederick Small Road and west of Palmwood Road, within the Bears Club Planned Unit Development (PUD), changing the zoning from Residential, Single Family (R-1) to Conservation Preservation (CP). **(PZ 23-5744)**

Town Council consideration: November 21, 2023 (1st Reading)
December 19, 2023 (2nd Reading)

4. **Alma's Place Rezoning** - Town initiated Zoning Map amendment for a 1.7+/- acre property located west of Town Hall Ave and north of Killane Drive, changing the zoning from Residential, Single Family (R-1) to Conservation Preservation (CP). **(PZ 23-5745)** **MOVED TO REGULAR AGENDA**

END OF CONSENT AGENDA

REGULAR AGENDA:

4. **Alma's Place Rezoning** - Town initiated Zoning Map amendment for a 1.7+/- acre property located west of Town Hall Ave and north of Killane Drive, changing the zoning from Residential, Single Family (R-1) to Conservation Preservation (CP). **(PZ 23-5745)**

Mr. Baird advised that the Alma's Place Rezoning item is not a quasi-judicial, it's a map amendment, which is a legislative item.

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

Public Comment: Matt Lefkowitz submitted a comment card requesting to speak on Item #4. He wanted to know how the proposed changes and setbacks to Alma's Place would affect his property for building and/or his riparian rights. Mr. Hart responded saying that the setbacks are considered to the property line so it would not have any impact on the resident. However, he would need to do a little bit more research on the aspects of riparian lines. Mr. Baird stated that the changes wouldn't impact his riparian rights because riparian rights are to the water. Staff agreed to get with Mr. Lefkowitz prior to the Town Council meeting and go through the details and answer any questions he has.

Deliberation by Commission: Vice Chair Dunning stated that he met with some of the neighbors and they are in favor of the changes.

All of the commission agreed that this item should be postponed to allow time for Mr. Lefkowitz to get his questions answered.

Motion:

Motion made by Comm. Blum to postpone Item #4; seconded by Comm. Held.
Final: Motion passed unanimously, with a 7-0 vote.

A. **OLD BUSINESS:** None.

B. **NEW BUSINESS:**

1. **K2 Motorsports** – New Special Exception for a warehouse use over 10,000 square feet and Site Plan Amendment application to increase the amount of warehouse for an existing 70,471 square foot building to allow for the expansion of a car storage facility with limited accessory retail sales by a wholesale motor vehicle dealer, located on 5.56+/- acres on Lots 17, 18 and 19 of the Jupiter Park of Commerce. (PZ 23-5640 and 5641)

Town Council consideration: November 21, 2023

Disclosures: Chair Kirn disclosed that he spoke with staff and drove by the site. Vice Chair Dunning stated that he met with the operations manager at K2 Motorcars. JS 11/14/23

Swearing In: Town Attorney Thomas Baird, Esq., conducted the swearing-in of witnesses for the item on the agenda.

Applicant: Josh Nichols, representative of K2 Motorcars was in attendance.

Staff: Mr. Sickler informed the commission that he was made aware earlier today that the public notice signs had not been maintained on the property pursuant to code. He stated that it is the option of the commission to move forward with the hearing or to postpone it until next month to allow the signs to be re-posted for the required amount of time, pursuant to code.

Commissioners asked questions of the Applicant and Staff: Comm. Keenan asked Mr. Nichols if he knew that the signs were down and how long were they missing? Mr. Nichols replied that they received the call earlier today informing them that the signs were down. He believed they came down as a result of the series of storms the previous week. He stated that he would get them up as soon as possible. He said he has pictures confirming that they were in fact put up. Chair Kirn stated that he drove by on Monday and they were down. Comm. Keenan asked how long were they there before they came down? Mr. Nichols replied, 15 days prior to the hearing per the statute requirements. Chair Kirn asked if there were more than one sign? Mr. Sickler responded that there were 3 signs. Comm. Blum asked if there were others ways that this notice gets out to the public because the signs were only up for half the time required? Mr. Sickler replied that it's posted on the Town's website under public notices. Then we place an ad in the newspaper before it goes to Council. Mr. Sickler stated that verification photos of the posted signs were sent to us on September 26, 2023. However, it's the applicants' obligation to maintain the signs on the property. Comm. Held clarified that the signs were up approximately 7 days although, they were required to be posted 14 days. All of the commission agreed that they didn't feel comfortable moving forward.

Motion:

Motion to postpone K2 Motorsports to provide enough time for the public notice signs to be posted in compliance with the Town's Code made by Comm. Blum; seconded by Comm. Thompson.

Final: Motion passed unanimously, with a 7-0 vote.

ANNOUNCEMENT:

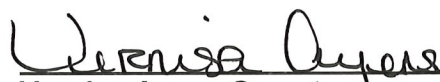
Planning and Zoning Director reported on recent Town Council actions.
Chair, Kirn welcomed new Comm. David Thompson.

ADJOURN:

Chair Kirn adjourned the meeting at 7:22 p.m.



Kevin Kirn, Chair


Vernisa Ayers, Secretary