TOWN OF JUPITER
PLANNING AND ZONING COMMISSION
FINAL MINUTES
FEBRUARY 11, 2025 7:00 P.M.

CALL TO ORDER:
Chair Kevin Kirn called the meeting to order at 7:00 p.m.

ATTENDANCE:
Chair Kevin Kirn; Vice Chair Richard Dunning; Comm. Michael Cassatly; Comm. Dan Guisinger; Comm. Beth Kelso; Comm. David Thompson; Comm. Karen Vinson; Paul Keenan, 1st Alternate (non-voting member) and Cynthia Blum, 2nd Alternate (non-voting member); Thomas Baird, Town Attorney; John Sickler, Director of Planning & Zoning; Jenna Johnston, Planner; Garret Watson, Principal Planner; Peter Meyer, Senior Planner; Dennis DePalma, Secretary; and Vernisa Ayers, Secretary.

MINUTES:
Motion to approve the minutes from the January 14, 2025 Planning and Zoning Commission Meeting by Comm. Cassatly, seconded by Vice Chair Dunning. Motion passed with a 6-1 vote with Comm. Guisinger dissenting.

SWEARING IN:
Secretary Vernisa Ayers conducted the swearing-in of witnesses for all quasi-judicial items on the agenda.

CITIZEN COMMENTS: None.

REGULAR AGENDA:

A. OLD BUSINESS:

B. NEW BUSINESS:

1. **River Plaza Future Land Use and Zoning Map Amendments** – Applications for a 4.76+/- acre property located at 900 S. US Highway One:
   A. Small Scale Future Land Use Map (FLUM) amendment from Commercial to Mixed Use; and
   B. Zoning Map amendment from Commercial, Office (C-3) to U.S. Highway One/Intracoastal Waterway Corridor District-Mixed Use Residential Subdistrict (US1/ICW-MXR).
   (PZ 24-6101, 25-6313)
   (Acting as the Local Planning Agency)

   Applicant presentation: George Missimer, representative of Cotleur & Hearing presented a PowerPoint presentation of the proposed project. Owner and developer of the property, Dr. Fishel of Renaissance Jupiter LLC was also in attendance.

Staff presentation: Planner, Jenna Johnston, reviewed the staff report.

Commissioners asked questions of the Applicant and Staff:

Comm. Keenan asked if the client's intention is to construct residences that would be the maximum density allowed under the rezoning. George Missimer confirmed that it is the current plan. Comm. Keenan asked if 38 is the number for maximum residential units. Mr. Missimer confirmed.

Comm. Vinson asked if there are two separate office buildings. Mr. Missimer confirmed.

Comm. Thompson asked if the existing office building with historic significance is on the eastern or western portion of the site. Mr. Missimer stated that it was on the western portion of the site.

Comm. Guisinger asked staff, if the marine stewardship plan is required when the site is proposed and submitted to staff for approval. Ms. Johnston confirmed.

Chair Kevin Kirn asked staff how concurrency with school capacity is considered. Mr. Watson stated that during the site plan review process a school concurrency determination request with the Palm Beach County school district is reviewed using their methodology.

Vice Chair Dunning asked staff if there had been any input from adjoining business or property owners that have made comments on the application. Ms. Johnston stated that she has not received any.

Comm. Cassatly asked about the historical significance. Mr. Missimer stated that they are very proud of the building and though it does not have historic designation, it could one day become historic since it was developed by architect Gene Lawrence, and they have no intent to demolish the building. Comm. Cassatly asked about the environmental enhancements. Mr. Missimer stated that part of the proposed plan significantly increases landscaping around the chillers and also along the length of the Riverwalk, with an additional access point is provided to the Riverwalk. Comm. Cassatly asked about the intentions of the plans with the trees. Mr. Missimer stated that part of the plan does include a tree mitigation plan, to preserve in place and relocate a significant number of healthy trees on site.

Comm. Kelso asked staff who will be maintaining the Riverwalk. Mr. Watson stated that the section of the Riverwalk was deeded to the Town, and is currently the Town's property.

Public Comment: None.

Deliberation by Commission: Comm. Vinson asked questions about the future Riverwalk and public access, which were addressed by Mr. Missimer.

Motion:
Comm. Guisinger moved to recommend approval of the requested Future Land Use Map amendment, seconded by Comm. Kelso. Motion passed unanimously, with a 7-0 vote.

Comm. Vinson motioned to approve the request for rezoning, seconded by Comm. Thompson. Motion passed unanimously, with a 7-0 vote.

2. **1352 S. US1** – Site plan application to construct a four-story medical office building, on a 1.35± acre property located at 1352 S US Highway One.
(PZ 24-5894)

Comm. Blum, Comm. Kelso, Comm. Thompson, Comm. Keenan stated that they drove by the site. Vice Chair. Dunning stated that he walked past the site, Comm. Guisinger stated that he talked to staff but could not walk or drive the site. Comm. Vinson stated that she walked and drove by the site. Comm. Cassatly stated that he walked and drove by the site. Chair Kirn stated that he drove by the site and spoke with staff.

Applicant presentation: George Missimer, representative of Cotleur & Hearing presented a PowerPoint presentation of the proposed project. Dr. Fishel, Jupiter Land LLC was also in attendance.

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

Commissioners asked questions of the Applicant and Staff:

Comm. Blum inquired about the green wall. Mr. Missimer explained how the green wall system is designed as a system of panels with plants that can be replaced as needed. Comm. Blum asked about the number of handicapped spaces for the medical building. Senior Planner, Peter Meyer and Mr. Missimer both touched on the fact that the number of handicapped spaces required is based on the total number of parking spaces, in which four spaces satisfies ADA code. Dr. Fishel, explained that the type of patients being treated are relatively healthy and there is not a need for more handicapped spaces than the code requires.

Comm. Kelso asked staff why there is a need for a maintenance agreement. Mr. Meyer explained that there have been previous buildings with green walls that were not properly maintained and the agreement is to ensure the wall will be kept in good condition. Comm. Kelso questioned why height limit does not apply to the rooftop mechanical room. Mr. Meyer explained that the code allows a mechanical room as long as they are less then 20% of the size of rooftop, and that is a new revision to code. Comm. Kelso asked about the sign size being 7 feet and not 12 feet. John Sickler, the Director of Planning and Zoning, mentioned that the maximum height is 12 feet but the community standard is to lower the height of the signs. Comm. Kelso mentioned that the building's aesthetic is repetitive. Mr. Missimer mentioned that there are several vertical elements that tie down to the support columns underneath the building that go all the way to the top that breaks up the elevation.

Comm. Cassatly asked if the green wall counts as green space. Mr. Missimer stated that it does not count. Comm. Cassatly asked if the dumpster was in the best location, being right next to the access point. Mr. Missimer stated that it is in the best location possible for access and screening to make sure its as hidden. Comm. Cassatly asked if the access point is owned by the Town. Mr. Sickler stated that the access point is not owned by the Town. Comm. Cassatly mentioned the additional green space near the Riverwalk and if it will be used for employees, or if there will be a walkway from the Riverwalk for the public to enjoy. Mr. Missimer stated that it will be accessible for employees, but there is not easy access from the Riverwalk, as it does not make sense due to the layout.

Chair Kirn inquired about the generator. Architect Chris Sabel stated that the generator will support the third-floor ambulatory surgical center and is a level 1 emergency power system for critical branch, outlets, patient care areas and will provide emergency power to the building fire alarm system. Chair Kirn asked the staff if it is sufficient to have a single ingress and egress to US Highway 1. Mr. Sickler stated that it is sufficient to serve the needs of the development from a volume standpoint; however, there are comprehensive plan policies that speak to requiring connectivity.

Comm. Guisinger asked about the maintenance of the green wall, and if there needs to be special companies hired to maintain the wall. Mr. Missimer stated there is no special maintenance required in terms of plant care, it is standard maintenance and the plants are watered through the integrated irrigation system. Comm. Guisinger asked if the maintenance company will know how to maintain the green wall. Mr. Missimer explained that the system is pretty self-explanatory and if a plant goes bad, just one section needs to be replaced. Comm. Guisinger was concerned about the possible need for special equipment to reach the top of the green wall. Mr. Missimer stated that additional equipment may be necessary. Comm. Guisinger asked if they have to be removed in a hurricane. Mr. Missimer explained that the wall is wind-rated and do not need to be regularly removed for a storm. Comm. Guisinger followed up asking about a category 5. Mr. Missimer stated that they are not rated up to a category 5 and he is not sure of the exact rating. Comm. Guisinger asked staff about the scenic corridor being five feet less then required and if a special variance is required. Mr. Sickler stated that the portion that does not meet the requirement is the portion that is within the U.S. Highway 1 right-of-way, and the applicant has met the requirements of the 29 feet on the private property.

Comm. Thompson asked if Cotleur & Hearing has ever done this type of green wall. Mr. Missimer stated that they have never done this type of green wall specifically, but there are many developers around Florida who have done them successfully. Comm. Thompson asked if there are any in Palm Beach County. Mr. Missimer stated that the closest one is in Orlando.

Comm. Vinson inquired about the height of the building. Mr. Missimer stated that the top of the penthouse reaches 53.5 feet. Comm. Vinson asked about the height requirement. Mr. Missimer stated that the average height requirement is 35 feet. Comm. Vinson made a comment on the building being almost 20 feet over the average height requirement. Mr. Missimer explained that those elements over the average height requirement. Mr. Missimer explained that those elements are exempt from the height limitation due to screening elements designed to capsulate the rooftop equipment. Comm. Vinson made a comment on the boundaries being pushed with the height. Mr. Missimer stated that they attempted to lower the building, but was not possible with the current design of the building. Comm. Vinson asked if Water Pointe has agreed to what Mr. Missimer is proposing. Mr. Missimer stated that they have not shared a specific plan yet. Comm. Vinson asked who is paying for the easement between the two properties. Mr. Missimer stated that it is subject property's responsibility to build the cross access. Comm. Vinson asked who will be upkeeping the combined properties. Mr. Missimer stated that the default would be everything on Water Pointes property would be maintained by Water Pointe and everything on the applicant's property would be maintained by the applicant.

Comm. Guisinger made a comment that he would like to see a compromise on landscaping between Water Pointe and the applicant.

Chair. Kirn asked if there will be any deviation from code. Mr. Sickler stated they have not asked for any exception or waiver. Chair. Kirn asked if there is any consideration in code regarding the differential in height between the two buildings. Mr. Sickler replied no, that there are provisions in code when someone introduces an opposing land use and there is no requirement for additional buffering.

Public Comment:
Craig Rubinstein, representing Water Pointe discussed the easement disconnect between Water Pointe, the applicant and the Town. Mr. Rubinstein clarified that the cross-access easement remains their property, contrasting with the public cross and pedestrian access easements dedicated to the Town. Safety and necessity were highlighted as concerns. The traffic study showed only one access point needed. Mr. Rubinstein also mentioned that the easement's location near Water Pointe's driveway poses safety risks, including potential accidents and pedestrian hazards.

Deliberation by Commission:
Comm. Kelso stated that she believes the easement access is not necessary.

Comm. Cassatly stated his concerns about the height of the building and potentially moving the access point further west due to safety concerns.

Comm. Dunning stated that he has concerns with the access point and safety.

Comm. Guisinger stated that he likes the architecture/green wall and believes there should be cross access.

Comm. Thompson stated that he believes there should be more then one access point.

Comm. Vinson stated that she agrees with the cross access.

Comm. Keenan stated that all three parties should agree on the access point.

Motion:
Comm. Vinson moved to recommend approval of the requested site plan application subject to all of the conditions with the exception of the second access point, which should be worked through with staff and both owners, seconded by Comm. Guisinger. Motion passed unanimously, with a 7-0 vote.

STAFF UPDATE: Planning and Zoning Director report on recent Town Council actions on Commission items.

ADJOURN: Chair Kevin Kirn adjourned the meeting at 8:30 p.m.

Kevin Kirn, Chair

Vernisa Ayers, Secretary