

**TOWN OF JUPITER
PLANNING AND ZONING COMMISSION
FINAL MINUTES
August 12, 2025 7:00 P.M.**

CALL TO ORDER:

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

ATTENDANCE:

Chair Kevin Kirn, Vice Chair Beth Kelso, Comm. Michael Cassatly, Comm. Robert Grabowski, Comm. Marty Rogol, Comm. Karen Vinson and, Comm. Paul Keenan 1st Alternate (voting member); John Sickler, Director of Planning & Zoning; Garret Watson, Principal Planner; Thatcher Hart, Senior Planner; Jenna Johnston, Planner; Brett Lashley, Esq., Acting Town Attorney; Vernisa Ayers, Secretary and Rodrekia Brown, Secretary.

Chair Kirn welcomed the newly appointed Commissioners Robert Grabowski and Marty Rogol to the Planning and Zoning Commission.

CITIZEN COMMENTS: None

MINUTES:

1. Motion to approve the minutes from June 10, 2025 Planning and Zoning Meeting by Vice Chair Kelso; seconded by Comm. Cassatly. Final: Motion passed unanimously, with a 7-0 vote.

SWEARING IN:

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

REGULAR AGENDA:

A. **OLD BUSINESS:** None

B. **NEW BUSINESS:**

2. **Promenade Shoppes** – Site Plan amendment application for shared parking on a property with less than 250 parking spaces, increase medical use, and to add outdoor seating greater than 500 square feet, on a 3.4± acre property, located at 240 W Indiantown Road. ***(PZ 24-6183)***

Disclosures: Commissioners Keenan and Rogol did not have disclosures. Chair Kirn also drove by the site and spoke with staff. Comm. Cassatly drove by the site and walked the property. Vice Chair Kelso and Comm. Vinson both drove by the site. Comm. Grabowski drove-by the site and eats at one of the restaurants at that location on a regular basis.

Applicant presentation: Emily O'Mahoney, of 2GHO and representative of Promenade Shoppes, presented a PowerPoint presentation of the proposed project.

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

Commissioners asked questions of the Applicant and Staff:

Comm. Keenan inquired about the outdoor seating on site and if there were any intentions of expanding beyond the current levels. Ms. O'Mahoney confirmed the seating has remained the same and there are no plans for additional seating. Comm. Keenan then asked if the medical use on site is existing or proposed, and whether the original professional use has changed. Ms. O'Mahoney responded that the medical use currently exists and the request is to bring it into compliance. She acknowledged limited familiarity with the full history but noted the space had generally been used for office purposes. Comm. Keenan also questioned the gap between the original 2022 application and the current 2025 review. Mr. Watson explained that the Town has taken a cooperative approach to compliance and over the past three years, the applicant has met with staff to explore other redevelopment options. The current request is to bring existing conditions into compliance, as the applicant ultimately decided to move forward with what is already in place. Comm. Keenan asked if the shared parking agreement is currently in place. Mr. Watson replied that it is not; this is a new request for a shared parking agreement. Comm. Keenan noted that staff's recommendation is to withhold approval until the agreement is finalized. Mr. Watson confirmed that obtaining a signed and executed shared parking agreement is a standard condition for projects involving shared parking.

Comm. Vinson raised concerns about plastic chairs and other items stored visibly in front of the building facing Indiantown Road. Ms. O'Mahoney acknowledged the concern and said there is no intent for outdoor storage in that area and she will follow up.

Chair Kirn asked if mixed uses are regulated by parking requirements rather than specific use percentages. Mr. Watson confirmed shared parking accounts for different peak times and a new shared parking agreement will be required if approved. Future use changes must be reevaluated for compliance. Mr. Sickler explained that once a shared parking agreement is in place, staff can make administrative adjustments as needed.

Comm. Cassatly raised concerns about site lighting at night, uneven pavers affecting chair stability and the volume of background music. He noted music was playing during a daytime visit, even when the restaurant appeared closed and questioned whether a volume limit exists. Mr. Watson explained that the site is subject to the Town's sound ordinance, and enforcement would occur only if a complaint is filed.

Comm. Kelso raised concern with Condition #6, noting the phrase "in a timely manner" regarding lighting maintenance is vague. She recommended specifying that dead bulbs be replaced within 10 days of the monthly inspection, allowing up to 40 days total for detection and replacement. She also noted that the applicant submitted their application in 2022, but installed chairs and tables without approval, raising concerns about setting a precedent. She asked if there's a follow-up process for applications that have been submitted but remain non-compliant. Mr. Sickler said there's no formal follow-up system, though staff may act if aware. He added that applications are considered withdrawn after 60 days

if no response, but this doesn't prevent unapproved work. Comm. Kelso emphasized the need for a formal compliance process to prevent situations where applicants proceed without approval and simply seek forgiveness afterward. Comm. Kelso also pointed out a discrepancy in the staff report stating landscaping is compliant, while the applicant's statement says they're bringing it into compliance. She asked if a current landscape plan is included. Mr. Watson confirmed that a plan was submitted and some work has been done, but staff will verify that everything is still compliant. Comm. Kelso suggested adding a condition to ensure landscaping matches the plan.

Comm. Grabowski asked how a monthly monitoring and maintenance plan would ensure lighting is properly maintained, noting he observed three bulbs out earlier that day. Mr. Watson explained that the condition provides an enforcement mechanism not currently available in the code and this condition would establish a measurable standard for enforcement.

Public Comment: None.

Deliberation by Commission:

Comm. Vinson raised additional concerns about lighting, questioning how string light maintenance would be enforced and whether their removal could create safety issues for outdoor dining. Mr. Watson clarified the condition applies only to decorative string lights, not the required lighting under the Town's photometric code, and noted a compliance check could be requested. Comm. Vinson also expressed concern about the visibility of stacked chairs facing Indiantown Road and suggested adding a condition for their removal or proper screening. Mr. Sickler confirmed outdoor storage is not permitted, unless appropriately screened and would require a submitted plan. Comm. Vinson questioned whether the adjacent pizza restaurant has an outdoor dining permit, noting its seating area blocks the paver walkway. Mr. Watson explained that the area was approved administratively for only 10% of the square footage. Comm. Vinson expressed concern that it appears fully enclosed with no clear pedestrian access. Mr. Sickler stated that if there are compliance concerns, the Commission can delay action pending review, and applications with known violations are typically not processed. Mr. Sickler stated that the Town Council review will be postponed to allow staff sufficient time to address the outstanding issues prior to the public hearing.

Chair Kirn proposed adding several conditions of approval and assigning one item as a staff follow-up. The suggested conditions included; light bulb replacement within 10 days of monthly inspection; landscaping brought into compliance; a photometric study to verify lighting compliance; and, requiring the removal or proper screening of outdoor chair storage. He also requested staff follow up on overall building compliance, including unrelated outdoor dining areas.

Comm. Keenan expressed concern about the lack of consequences for non-compliance, noting that without enforcement, delays—whether now or in December—may not prompt action. He emphasized the issue have persisted for three years and questioned the effectiveness of continued extensions. Mr. Sickler responded that if the applicant fails to comply, the matter would be referred to Code Compliance under the Police Department for enforcement and potential hearing.

Mr. Lashley clarified that if there are existing code violations, enforcement is the responsibility of Code Compliance—not Town Council. He emphasized that the Commission’s concerns should be noted and forwarded as part of the recommendation to Town Council. Mr. Lashley added that many of the new conditions discussed relate to code enforcement, which can proceed independently of this application. He advised that the Commission’s role is to make a recommendation, and Town Council retains the authority to approve, deny, or require compliance before moving forward. He also noted staff can withhold future applications, if code violations remain unresolved. Chair Kirn called for a motion.

Motion:

Vice Chair Kelso moved to recommend approval of the requested Site Plan amendment application, subject to the conditions outlined by staff and light bulb replacement within 10 days of monthly inspection; landscaping brought into compliance; a photometric study to verify lighting compliance; removal or proper screening of outdoor chair storage; and, for staff to follow up on overall building compliance, including unrelated outdoor dining areas; seconded by Comm. Grabowski. Final: Motion passed, with a 5-2 vote with commissioners Vinson and Cassatly dissenting.

3. PAM Health Rehabilitation Hospital–

- Amendment to the Abacoa Workplace (WP) and Workplace Limited (WPL) Subdistrict Master Site Plan to redefine the blocks west of Corporate Way between University Boulevard and Pioneer Road on 100.2 acres;
- Individual site plan and special exception application to allow a 21,186 square foot expansion to the current specialty hospital and to increase the acreage 1.84 acres to a 6.84± acre property located at 5075 Innovation Way. **(PZ 25-6379, 6380, 6392)**

Disclosures: Comm. Grabowski had no disclosures. Vice Chair Kelso viewed the site via GPS. Comm. Cassatly spoke with staff, drove by and walked the site; he also disclosed a minor affiliation with Jupiter Medical Center, serving on its Corporate Board. Chair Kirn drove by the site and spoke with staff. Comm. Rogol drove by the site. Comm. Keenan viewed the site on Google Earth.

Disclosure of Voting Conflict: Comm. Vinson recused herself due to her employment with Jupiter Medical Center, which is affiliated with the applicant. She submitted Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers (attached). She took a seat in the audience during this item.

Applicant presentation: Zach Cciera representative of Cotleur & Hearing presented a PowerPoint presentation of the proposed project.

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

Commissioners asked questions of the Applicant and Staff:

Comm. Grabowski asked whether the applicant would be updating the parking analysis based on the Town Engineer’s recommendations. Mr. Cciera responded that the condition of approval includes ongoing monitoring of parking demand, and the applicant is committed to making adjustments if required by staff. Comm. Grabowski also inquired

about stormwater management conditions. Ms. Johnston confirmed that the Director of Utilities is satisfied with including those conditions as part of the approval. Comm. Grabowski further asked why the location of the public square was being moved. Mr. Watson explained that the square's location had shifted due to changes in the block structure and roadway network related to the hospital expansion. The final location will be determined with future planning, but the block must include a public square to meet code requirements. Lastly, Comm. Grabowski asked about the potential for further expansion, noting that the current proposal adds 50 new jobs and hospital beds. Mr. Ciciera confirmed that they have no current plans for additional expansion but would return through the formal process if needed in the future.

Comm. Kelso asked if the new building would support future vertical expansion. Mr. Ciciera said it is designed as a one-story building with no current plans for more floors. Comm. Kelso questioned why the parking study didn't cover shift change times, which justify the excessive parking. Mr. Ciciera said shift changes were considered, though the study focused on peak hours. Comm. Kelso asked about the new road between Corporate Way and Innovation Way. Mr. Ciciera said it will be a public-access street; Mr. Sickler added maintenance will be decided during platting. Comm. Kelso inquired about generator capacity. Mr. Ciciera said rooftop equipment is planned and will confirm details.

Comm. Cassatly clarified Comm. Kelso's question, asking if the one-story building is designed to support future upper floors. Mr. Ciciera said there have been no discussions of expansion and could not confirm structural details without the architect. Comm. Cassatly also noted limited parking and raised concerns about poor visibility when exiting onto Pioneer Way due to landscaping. He suggested improving the landscaping and Mr. Ciciera agreed to work with staff on the issue.

Comm. Keenan asked for clarification on staffing, noting the application referenced only two shifts, which is uncommon. Mr. Ciciera confirmed that there are two 12-hour shifts.

Chair Kirn inquired about the 20% ADA parking requirement, questioning if it was state-mandated given the apparent low usage of ADA spaces. Mr. Ciciera confirmed that the 20% ADA parking is a state requirement, regardless of usage. Chair Kirn asked about ambulance discharges on-site and whether sirens are activated upon arrival or departure. Mr. Ciciera stated that ambulance access is at the south end of the building and no sirens are used during entry or exit. Chair Kirn also inquired about the average length of stay on the property. Mr. Ciciera replied that the average length of stay is ten days.

Comm. Kelso asked if there was a designated outdoor area where patients, such as those in wheelchairs, could go to get some sun, noting she saw one patient just sitting in the grass. Mr. Ciciera replied that there is a planned mobility track on the west side of the building along Innovation Way to provide a suitable outdoor space for patients.

Public Comment: None

Deliberation by Commission: None

Motion:

Comm. Cassatly moved to recommend approval of the requested Subdistrict Master Site

Plan amendment application, subject to the conditions outlined by staff; seconded by Comm. Keenan. Final: Motion passed, with a 6-0 vote with Comm. Vinson abstaining due to a conflict of interest.

Comm. Grabowski moved to recommend approval of the requested Individual Site Plan and Special Exception application, subject to the conditions outlined by staff; seconded by Comm. Keenan. Final: Motion passed, with a 6-0 vote with Comm. Vinson abstaining due to a conflict of interest.

Mr. Lashley asked Comm. Vinson to join the dais for the next item.

4. **Admirals Cove** – Site Plan amendment application to construct an accessory shade structure over 2,000 square feet to cover four existing pickleball courts, on a 10.26 ± acre property, located at 624 Captains Way. (**PZ 25-6460**)

Disclosure: Commissioner Keenan stated that he walked the site and is familiar with it. Commissioner Kelso viewed the site on Google Earth and is also familiar with it. Commissioners Rogol, Vinson, Cassatly, Grabowski, and Chair Kirn did not have disclosures.

Staff presentation: Laurey Hood representative of Cotleur & Hearing presented a PowerPoint presentation of the proposed project.

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

Commissioners asked questions of the Applicant and Staff:

Comm. Vinson asked whether the proposed structure had to meet hurricane standards and if the screen is removable in the event of a hurricane. Ms. Hood explained that a permit application for the structure had already been submitted and that it meets all applicable requirements, including hurricane standards. Ms. Hood stated that this request is part of the standard permitting procedure.

Comm. Cassatly raised concerns about the hurricanes and asked about the structure's materials. Mr. Ciciara explained that it has a white satin mesh top with aluminum framing. Comm. Cassatly also asked if there would be lighting or fans. Mr. Ciciara confirmed only shielded lighting is planned to minimize light spill.

Comm. Kelso praised covering the courts and asked about fans and lighting inside the structure. Mr. Ciciara confirmed there will be lighting but no fans. Comm. Kelso also confirmed that the white mesh is only on the top, not the sides.

Comm. Grabowski asked where the gutters would discharge. Mr. Ciciara confirmed they drain into the existing stormwater system between the tennis court and pickleball courts.

Commissioners Keenan, Rogol and Chair Kirn did not have questions.

Public Comment: None

Deliberation by Commission: None

Motion:

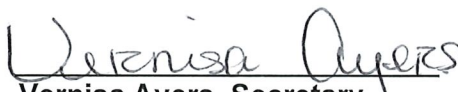
Comm. Vinson moved to recommend approval of the requested Site Plan amendment application, subject to the conditions outlined by staff; seconded by Comm. Cassatly.
Final: Motion passed unanimously, with a 7-0 vote.

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

ADJOURN: Chair Kevin Kirn adjourned the meeting at 8:15 p.m.



Kevin Kirn, Chair



Vernisa Ayers, Secretary