

**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, FEBRUARY 7, 2023**

Mayor Kuretski called the meeting to order at 7:00 P.M.

Roll Call: Mayor Jim Kuretski; Vice-Mayor Ron Delaney; Councilor Cameron May; Councilor Cheryl Schneider; Councilor Malise Sundstrom; Town Manager Frank Kitzerow
Town Attorney Thomas J. Baird and Town Clerk Laura Cahill

PROCLAMATION

1. 2-1-1 Helpline Awareness Month – Ms. Karen Bailey, 2-1-1 Palm Beach/Treasure Coast.

Mayor Kuretski presented the proclamation to Ms. Karen Bailey, Outreach Coordinator with 2-1-1 Palm Beach/Treasure Coast.

CITIZEN COMMENTS

Mr. Brett Leone, resident of Barbados Drive, thanked Staff and Jupiter Police Department for their assistance with Hurricane Ian. He spoke about his concerns regarding holiday decoration diversity, the turnpike park and ride, and improving pedestrian safety in the Town.

Mr. Glen DeCicco, resident of Duncombe Drive, spoke about his concern regarding Mallory Creek.

MINUTES

2. January 11, 2023 Town Council Special Meeting Minutes and January 17, 2023 Town Council Meeting Minutes.

Vice-Mayor Delaney moved to approve January 11, 2023 Town Council Special Meeting Minutes and January 17, 2023 Town Council Meeting Minutes, as amended; seconded by Councilor Sundstrom; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Schneider
Yes

Sundstrom
Yes

CONSENT AGENDA

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

- Mr. Glen DeCicco removed item 3.
- Councilor Sundstrom pulled item 3.

Councilor May moved to approve the Consent Agenda, as amended; seconded by Vice-Mayor Delaney; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Schneider
Yes

Sundstrom
Yes

CONSENT AGENDA

PUBLIC HEARING

3. **Ordinance 4-23, First Reading, Nonresidential Building Standards** – Town Code Text Amendment to Chapter 13, entitled “Nuisances”, to make the provisions of Article II applicable to all buildings and structures in the Town, and repealing Sections 13-43, 13-44, 13-45, and 13-46. (second reading 2/21/23) **MOVED TO REGULAR AGENDA**

PUBLIC BUSINESS

4. **Resolution 6-23**, Approving an amendment to revise the schedule of fines and costs and update Code section numbers listed on the Code Citation.
5. **Resolution 15-23**, Accepting FEMA and State of Florida matching funds and authorizing the Town Manager to accept and execute documents relating to Hurricane Ian.

END OF CONSENT AGENDA

ITEM MOVED FROM CONSENT AGENDA TO REGULAR AGENDA

3. **Ordinance 4-23, First Reading, Nonresidential Building Standards** – Town Code Text Amendment to Chapter 13, entitled “Nuisances”, to make the provisions of Article II applicable to all buildings and structures in the Town, and repealing Sections 13-43, 13-44, 13-45, and 13-46. (second reading 2/21/23)

Councilor Sundstrom proposed amending page 6 Sec.13-42 lines 15 and 16, to remove the strike and use the original language.

Title read by Mr. Baird.

Councilor Sundstrom moved to approve Ordinance 4-23; First Reading, as amended; seconded by Vice-Mayor Delaney; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Schneider
Yes

Sundstrom
Yes

REGULAR AGENDA

PUBLIC HEARING

6. **Resolution 5-23, 550 Bush Road, - Quasi-judicial** - Small scale planned unit development (SSPUD) application to request a two-unit per acre increase in density; Site plan application to construct 35 multi-family residential units with five workforce housing units, and request a workforce housing density bonus on a 2.93 +/- acre property, located at 550 Bush Road.

Ex-Parte Communications:

- Vice-Mayor Delaney received numerous emails from residents; had a phone conversation with Ms. MB Hague; drove by the site; and watched the Planning and Zoning meeting.
- Councilor Sundstrom drove by the site; spoke to Staff; received a number of emails from residents; had phone conversations with Ms. MB Hague and Ms. Terri Grooms.

REGULAR AGENDA

PUBLIC HEARING

6. Resolution 5-23

Ex-Parte Communications:

- Councilor May received emails from residents and drove by the site.
- Mayor Kuretski also received emails from residents.

Town Clerk swore in six people.

Mr. Miles Rich, representing Rich Properties gave a brief presentation which included the project location; developer; proposed request and consistency zoning; zoning and land use; density calculation; parking calculation; workforce housing; environmentally green building materials; floor plans; elevations; landscaping plans; and proposed rendering photos.

Mr. Peter Meyer, Senior Planner stated the Applicant was requesting a small scale planned unit development (SSPUD) with a density increase of two units per acre, sixty units in total and thirty-five town homes. He noted the request followed the incentives established by the Comprehensive Plan. He discussed a requested workforce housing density bonus and land use designation.

Mr. Meyer provided Council with an aerial view of the proposed development; discussed: the requirement for an irrevocable letter of credit; requirement for a silver-level certification from the Florida Green Building Coalition; typo error on the Resolution, page C Section 3 (b); traffic and intersections concerns; and how the Planning and Zoning Commission had recommended approval with the conditions to add a stop sign at the point of entry and to provide a signage plan.

Councilor Sundstrom mentioned Section 27-3198, Section C2 of the Town Code regarding residency requirements and workforce housing.

Councilor Sundstrom and Staff discussed the timing for the project completion and the Bush Road traffic improvements.

Councilor Sundstrom noted when residential units were built, people also questioned school concurrency. She asked how often the Town spoke to the School District regarding concurrency and available space.

Mr. Martin Schneider, Principal Planner stated the Town provided updates to the School District semi-annually and whenever there was a zoning or land change. Site plans were calculated into their growth models.

Councilor Sundstrom discussed concerns with Wellington's workforce housing rental units and their monitoring. Mr. Schneider stated there was a certain way rent was calculated and how the Town monitored each development on an annual basis.

REGULAR AGENDA

PUBLIC HEARING

6. Resolution 5-23

Councilor Sundstrom asked the Applicant if they intended to keep rent at the low level for workforce housing and how they would handle rent increases. Mr. Rich stated he planned on complying with the workforce housing plan and working within the range.

Council and the Applicant discussed driveway and parking space sizes and the fact that garages had to be used for parking.

Mayor Kuretski asked how practical it was to enforce parking in garages and what was his experience with the practice. Mr. Rich said it was practical with a leasing office onsite and quarterly inspections performed.

Vice-Mayor Delaney asked Staff about the improvements for Bush Road. Mr. Hernandez explained the turn lanes from Bush Road and Toney Penna, a through lane and a sidewalk along Toney Penna Drive.

Councilor Sundstrom asked for the timeline for construction. Mr. Kitzerow stated if approved there would be meetings between Engineering and Planning and Zoning, and a discussion with residents on the construction plan before a timeline could be given.

Ms. Jane Snell, resident of Laurel Oaks Way, spoke regarding concerns for the proposed development. She believed the development would bring more traffic to small side streets and the surrounding communities. She asked that Council revisit the proposed project and reduce the size.

Mr. Charles Collazzo, resident of Laurel Oaks Way, said his main concern with the project was its density in a forest surrounding community. He noted if the Town allowed the development it would increase traffic and result in a loss of what made Jupiter a nice place to live.

Ms. Karina Leonard, resident of Lakeside Circle, was very concerned about additional traffic, timely emergency services for the nursing facility, and high-density parking. She asked Council to consider a smaller density project.

Mr. Ray Lucero, resident of Oak Leaf Terrace, was opposed to the project. He mentioned emergency vehicle access, gridlocks at rush hour, and said high density would not be a good fit for Bush Road.

Ms. Lisa Masters, resident of Greentree Circle, felt the project would have negative impact on the community. She noted schools and traffic concerns.

Ms. Marlene Iviante-Corso, resident of Wooden Mill Terrace, thought sending letters to nearby residents about projects would be a good idea. She said traffic was already backed up on the Bush Road and Jupiter High School was already overcrowded.

REGULAR AGENDA

PUBLIC HEARING

6. Resolution 5-23

Mr. Rich defended the project and noted it was not high density, green space and parking were more than required, units were two and not three stories, and garbage cans would fit in the storage areas. He discussed traffic, speed limits, speed bumps, the Palm Beach County traffic engineer report, schools and future plans for Toney Penna Drive.

Mayor Kuretski mentioned the small-scale PUD allowed a density bonus and a workforce housing density bonus. He said he was a proponent for workforce housing but noted only five units would be considered workforce housing. He had concerns with parking and other shortcomings and felt the project was not a good fit and would not be supporting the project.

Councilor Schneider said she did not support density bonuses and the residents had been clear they did not want the higher density project.

Councilor Sundstrom discussed traffic, workforce housing requirements, being grateful for public input, Bush Road improvements, lack of affordable housing, and quality of life. She said the only reason she thought about supporting the project was the Bush Road improvements, workforce housing which required the resident to work in the Town and the fact the project met the Town code.

Councilor Schneider was also troubled with increased density of 17 units while only providing five workforce housing units. She agreed with residents' concerns and did not support the project.

Vice-Mayor Delaney noted the lack of workforce housing in the Town but felt Bush Road could not sustain the extra density. He did like the look of the project but thought parking and garage size could be a challenge and the density would be a little too impactful.

Councilor May mentioned he had completed many emergency calls to the nursing facility on Bush Road and understood the concerns. He noted the improvements planned for Bush Road would help slightly but would be going from level of service F to level of service C. Councilor May felt the few workforce housing units did not offset his concerns.

Councilor Sundstrom noted the failing intersection which caused the level of service to be an F. She said she understood the traffic concerns.

Mayer Kuretski said it was clear the project did not have support as presented. He gave the Applicant an opportunity to withdraw the application and explained if the project was denied the Applicant could not try again for two years.

Vice-Mayor Delaney moved to deny Resolution 5-23; seconded by Councilor Sundstrom; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Schneider
Yes

Sundstrom
Yes

PRESENTATION

7. Annual Traffic Update.

Mr. Thomas Hernandez, Director of Engineering gave a presentation regarding the strategic initiative of mobility and mitigation strategies.

Mayor Kuretski and Mr. Hernandez discussed the funded Florida Department of Transportation (FDOT) projects cost.

Mayor Kuretski asked Staff if the Central Boulevard project to add one north bound through lane was only north of Indiantown Road or if it included a section south of Indiantown Road. Mr. Hernandez noted that it was just north of Indiantown Road.

Mayor Kuretski asked Staff if there was a potential construction schedule for the proposed traffic mitigations. Mr. Hernandez noted the schedule was to be determined.

Councilor Schneider asked Staff if there was a plan for traffic turning left from Riverwalk Lane on to Central Boulevard. Mr. Hernandez said an engineer recommended to comment on the county's plan and ask them to install a median.

Mr. Hernandez presented a status update of roadway projects: A1A and Jupiter Beach Road Intersection improvements, traffic signal at Toney Penna Drive and Central Boulevard, Jupiter Park Drive at Central Boulevard improvements, and Toney Penna Drive and Bush Road improvements.

Mayor Kuretski mentioned he was grateful that all projects were advancing.

Mr. Hernandez discussed traffic counts, speeding concerns, pedestrian crossings projects.

Council and Mr. Hernandez discussed pedestrian traffic and roundabouts on Central Boulevard.

Mr. Hernandez mentioned a future County project to expand Center Street to three lanes from Loxahatchee River Road towards Highway A1A.

Chief David England reviewed the 2018-2022 annual traffic crashes, DUI-related crashes, and major roadway and signalized intersection crashes.

Mr. Hernandez discussed the County project at Central and University Boulevard intersection.

Chief England reviewed the Central Boulevard south segment intersection crashes and Town wide bicycle and pedestrian crashes from 2018-2022. He also mentioned the pedestrian and bike safety grant enforcement areas and education program.

Council discussed pedestrian and bicycle safety within the Town.

REPORTS

TOWN ATTORNEY

- Mallory Creek and the Bears Club items - Mr. Baird addressed that at the next Council meeting he would need to step aside for two items due to perceived conflicts. He stated the two items were Mallory Creek due to his current neighborhood sharing the same easement and the Bear's Club due to litigations which his partners at Jones Foster defended. He clarified it was not because of legal conflicts. Mr. Bill Capko would take his place at the dais during discussions of those items.

TOWN MANAGER

- Community Redevelopment Agency (CRA) Meeting – Mr. Kitzerow stated there was a CRA meeting scheduled tomorrow, February 8, 2023 at 6:00 P.M.
- Waste Management trash bins - Mr. Kitzerow mentioned Waste Management had started distributing trash bins to Jupiter residents.
- Jupiter Jubilee – Mr. Kitzerow thanked Kristin George and the Recreation team for their efforts with the Jupiter Jubilee.
- Business Advisory Council – Mr. Kitzerow mentioned the Business Advisory Council would meet via Zoom February 15th at 9am. He also mentioned the January issue of the Town of Jupiter Business Journal.
- Florida Department of Transportation (FDOT) Indiantown Road Bridge Closure for Marine Traffic – Mr. Kitzerow stated the Town received notification this week from the FDOT U.S. 1 bridge project team that the Coast Guard has approved their request to lock the Indiantown Road bridge in the down position during the morning and afternoon rush hours, temporarily closing the navigation channel under the bridge to marine traffic that requires the bridge to be open.
- Derelict Vessels – Mr. Kitzerow thanked Chief England and his crew for their efforts regarding derelict vessels. He stated there were two vessels within the Town and were authorized by Florida Fish and Wildlife Commission (FWC) to start the removal process.
- Coffee with a Cop – Mr. Kitzerow stated Coffee with a Cop was February 9, 2023 at 9:00 A.M. at TooJay's Deli.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR MAY

- Indiantown Road Bridge Closure for Marine Traffic – Councilor May stated he wanted to follow this topic as it was one of his strategic priorities to have the bridge in the down position during morning and afternoon rush hour permanently.
- Double Roads ribbon cutting – Councilor May mentioned Double Roads Tavern was having a ribbon cutting on Friday, February 10, 2023 at 5:00 P.M.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR SCHNEIDER

- Bureau of Land Management – Councilor Schneider stated the Bureau of Land Management had a public session discussing improvements to the shoreline at the Jupiter Inlet Lighthouse Outstanding Natural Area (ONA) and how they would try to protect the dunes and seagrass in that area. She suggested having them present to Council so the public could understand the upcoming changes.

VICE-MAYOR DELANEY

- Jupiter Jubilee – Vice-Mayor Delaney also thanked Kristin George and the Recreation team for their efforts with the Jupiter Jubilee.

COUNCILOR SUNDSTROM

- Jupiter Jubilee – Councilor Sundstrom gave kudos to Staff for putting on a great event.

MAYOR KURETSKI

- Jupiter Jubilee – Mayor Kuretski also stated how fantastic the Jubilee was and that the event was created to perpetuate a small-Town feel. He felt that Snow Place like Jupiter and the Holiday Lighting would become traditions, as well.
- Jupiter Lighthouse Wreaths – Mayor Kuretski mentioned the Lighthouse did not have wreaths up during the holiday season due to damage to the handrail over many years. He asked Staff to contact them to see if there was a way to continue having the wreaths up.
- *Councilor May noted for Staff to speak to the holiday decorating company to incorporate all the holiday traditions. LC 2/21/23*

Councilor Sundstrom stated she wanted to make sure everyone was represented.

Mr. Kitzerow noted all the holiday lights were generic.

Mayor Kuretski also noted the holiday banners along the roadway were never put up.

- Trash Bins – Mayor Kuretski mentioned the new trash bins and asked what could be done with the old bins.

Mr. Hernandez stated Staff was working with Waste Management and Community Relations to get information out to the public. He also mentioned residents could preserve their old can for yard waste or it could be picked up on bulk day.

- Workforce Housing – Mayor Kuretski stated his concerns regarding labeling projects workforce housing when only a small fraction of the units were considered workforce housing.

ADJOURNMENT- 10:15 P.M.

Laura Cahill, Town Clerk

