

**PLANNING AND ZONING COMMISSION MINUTES
REGULAR MEETING
September 13, 2016**

The meeting was called to order by Chair Rutter at 7:00 p.m.

ATTENDANCE: Chair Patrick Rutter; Vice Chair Ben Klug; Comms. Ken Duke, David Flinchum, MB Hague, Ankur Patel, Larry Roberts, Nilsa Zacarias (1st Alternate), Peter Robbins (2nd Alternate); Mr. John Sickler, Director of Planning and Zoning; Ms. Stephanie Thoburn, Assistant Director of Planning and Zoning; Mr. Peter Meyer, Senior Planner; Mr. Thomas Baird, Town Attorney; Ms. Valerie Hampe, Secretary.

MINUTES: Regular Planning and Zoning Commission meeting, August 9, 2016.

Comm. Hague asked that the third bullet point on Page 7 be changed to state "Comm. Hague visited the site and went to Mr. Gentile's office for a presentation and discussion of this project".

Vice Chair Klug moved approval with changes; seconded by Comm. Duke. The minutes were approved unanimously by consensus.

CITIZEN COMMENTS: None.

REGULAR AGENDA:

A. **OLD BUSINESS:** None.

B. **NEW BUSINESS:**

1. **Zoning Code Correction – Accessory Residential** – An amendment to re-establish accessory residential use in Industrial Park Light (I-1) and Industrial General (I-2) zoning districts. (PZ# 2027)
Town Council consideration: October 18, 2016 – 1st rdg
November 1, 2016 – 2nd rdg

Mr. Sickler explained that Accessory Residential was inadvertently left out of an ordinance adopted in 2010 when the I-1 and I-2 industrial zoning districts were being modified. This ordinance is a correction to re-introduce Accessory Residential back into those districts.

Comm. Duke asked for further explanation of how the change would help internalize traffic. Mr. Sickler said the idea is to allow employees to live where they work thereby reducing traffic and providing crime prevention by their presence. This would allow Accessory Residential in Pine Gardens North.

Comm. Zacarias arrived at 7:08 p.m.

Accessory Residential – cont'd

Comm. Roberts asked for details on how units would be approved. Mr. Sickler replied that one could be approved administratively, up to three could be approved by Town Council and more would require a change in land use designation.

Comm. Hague said she didn't know how it would be appropriate to have residential units in Pine Gardens North since there are few sidewalks, no street lights and parking all over. She noted that adult entertainment is a use-by-right there and suggested that Accessory Residential remain a special exception.

Mr. Sickler said that site plan criteria will apply for administrative review or Town Council approval. He added that the area behind the Ale House between Orange Avenue and Old Dixie is being redeveloped with a current application.

Mr. Baird noted that residential would be an accessory use in the industrial zoning districts; not the primary use. Chair Rutter added that the zoning wouldn't be changed and said residential units would be very limited in scale.

Comm. Roberts said there is a benefit to having an employee live on site in an industrial area. Comm. Hague observed that the residential units could be rented out and did not have to be occupied by an employee.

Mr. Sickler said accessory residential units provide another housing option for the local workforce. Comm. Zacarias said Jupiter is an inclusive, rather than exclusive, community and this is a great opportunity to offer more diverse housing solutions.

Comm. Roberts asked if the number of possible accessory residential units would be related to the parcel size. Mr. Sickler said no; as long as parking and all of the other requirements are met. Comm. Roberts then asked about streetscapes. Mr. Sickler said streetscapes are improved as property is redeveloped which is one of the reasons to incentivize redevelopment.

Vice Chair Klug moved to recommend approval as proposed by Staff; Comm. Patel seconded the motion.

The Commission was polled and the motion carried (6-1 vote).

Roberts – Y	Duke – Y	Hague – N	Flinchum – Y
Patel – Y	Klug – Y	Rutter - Y	

2. **Florida Power and Light (FPL) Service Center** - Site plan amendment application to demolish a portion of the existing office building and construction of a two story office building with outdoor storage and operations, located on 6.5± acres at 100 S Delaware Blvd. (PZ# 1813)

Town Council consideration:

October 6, 2016

Comm. Robbins said he is a current employee of FPL. He recused himself and left the dais.

FPL Service Center – cont'd

Emily O'Mahoney of 2GHO gave a PowerPoint presentation. She said the applicant is in agreement with the proposed conditions of approval except for 8a which requires deletion of the southernmost driveway. The applicant would like to have that driveway open to improve circulation.

Peter Meyer, senior planner, said Staff considers the dedication of an easement acceptable rather than a right-of-way as required by Code. Staff maintained that the south driveway should be eliminated in keeping with the intent of Code to reduce the number of driveways with direct access to residential areas. He concluded by saying Staff recommended approval with the conditions listed in the Exhibit 1 provided on the dais.

Comm. Zacarias asked how many employees work at the site and what amenities are provided for them. John Rosenthal of FPL said approximately 50 people work there. He said there aren't many amenities there now but there will be bike racks, benches, a picnic table and a fitness center.

Comm. Roberts congratulated FPL on the design and asked if this will still be classified as a service center. Mr. Rosenthal said yes but it will be enhanced.

Vice Chair Klug asked if trucks would only use the south driveway on Delaware during emergencies and Mr. Rosenthal said that was correct. Vice Chair Klug asked how many employees work on a shift. Ms. O'Mahoney said there are 23 management and design employees with usual business hours and 25 line and resource staff that usually come in earlier and leave earlier. Vice Chair Klug observed that there wouldn't be a conflict on a daily basis.

Comm. Patel said the two-foot retaining wall along Delaware and the retention area could pose safety issues for cars and kids. Ms. O'Mahoney said plantings along the edge would solve a lot of problems. Mr. Rosenthal suggested the possibility of working with Staff on a solution.

Comm. Patel asked the following:

Wouldn't it be better to have a consistent wall height along Delaware rather than eight feet at the front and six feet at the back? Ms. Thoburn said the 8-foot wall is to screen the storage area and the 6-foot wall is adjacent to the residential area. Mr. Meyer said the applicant could choose to make the south wall eight feet high.

What is the intent of Condition 9d by including "as well as the new landscaping" in allowing the owner to remove new plants? Chair Rutter said it was to allow flexibility and an as-built plan would be submitted later. Ms. Thoburn said some plants may be lost because of required trees, undergrounding existing utilities and installation of new transformers.

Will the greenspace go below 30%? Ms. Thoburn said 15% is required and she doubted it would end up being significantly below 30%.

Comm. Hague said she understood the applicant wanting the fourth driveway for storm events. She suggested a compromise of gating it except during emergencies. She also suggested signage for visitor parking.

Ms. O'Mahoney said the parking in the area of the south gate would be dead-end parking if the driveway is gated. Fire/Rescue would need to be consulted.

FPL Service Center – cont'd

Gating the driveway would not solve the problem of people using it as a turnaround. Ms. Thoburn reiterated that Staff recommended deleting the south driveway. Most applications would have no more than two driveways on a residential street.

Comm. Duke agreed that gating the south driveway on Delaware would be a good compromise. He asked who would decide when deferred parking spaces would be constructed. Mr. Meyer said Staff would make that determination. Code defines insufficient parking as cars parking on the road or grassed areas. Ms. Thoburn said employees would probably park in the storm-rider staging area if there is a shortage since this area will be stabilized grass.

Comm. Flinchum asked the following and Mr. Rosenthal answered as indicated:
Why isn't the wall being extended along the north side of the substation?
The substation isn't part of this application but the wall probably could be extended.

Will the new opaque gate material be more substantial than the current mesh? We plan to use something that cannot be seen through.

Will the gate on Indiantown Road be manual? Yes. In an emergency there would be plenty of stacking area between the storm-rider area and Indiantown Road to prevent truck traffic from backing up into the roadway.

Is the storm-rider area pervious? Yes; interlocking concrete where grass can grow.

Comm. Flinchum agreed with Staff that the property goes deep into a residential area and having the south driveway open does not do much to improve circulation.

Chair Rutter asked if the applicant had met with the neighborhood. Mr. Rosenthal said yes; earlier this year at the neighborhood formal meeting. He added that they have met three times with Mary Callahan, who resides at the corner of Delaware and Cherokee. She does not have an issue with the south driveway.

Chair Rutter opened the floor to public comment and there was no response.

Comm. Duke said he could support a motion to keep the south driveway open or to have it open only during storm emergencies. Comm. Hague agreed.

Comm. Patel liked the plan but said a condition should be added to require Staff to meet with the applicant regarding the safety issues of the retention area. He said he could see allowing the south driveway to be open during emergencies but otherwise agreed with Staff.

Vice Chair Klug said Condition 8a, which requires the deletion of the driveway, should be deleted. The amount of traffic that will use that driveway on a daily basis is minimal local traffic.

Comm. Roberts supported the project.

FPL Service Center – cont'd

Chair Rutter said this is a unique site with constraints and he agreed with Vice Chair Klug about keeping the south driveway. It isn't the best situation but on balance, with all that the site offers, it isn't that significant.

Comm. Flinchum moved to recommend approval with Staff recommendations and the following modification: add "and extending the proposed perimeter wall along the north side of the existing substation" to Condition 8b. He agreed with Staff about removing the south driveway. The motion died for lack of a second.

Comm. Patel said the wall should be on the east side of the substation too. Mr. Rosenthal said he didn't think that would be possible.

Vice Chair Klug moved to recommend approval with Staff recommendations and the deletion of Condition 8a. Comm. Duke seconded the motion and asked if Vice Chair Klug would modify it to include extending the wall on the north side of the substation as specified by Comm. Flinchum. Vice Chair Klug agreed.

Comm. Patel asked if Vice Chair Klug would include his recommendation for a condition requiring Staff to meet with the applicant regarding the safety of the retention area. Vice Chair Klug and Comm. Duke agreed.

The Commission was polled and the motion carried (6-1 vote).

Roberts – Y	Duke – Y	Hague – N	Flinchum – Y
Patel – Y	Klug – Y	Rutter - Y	

ANNOUNCEMENT:

Comm. Roberts announced a ribbon cutting for the A1A project tomorrow at 9:00 a.m.

ADJOURN:

Chair Rutter adjourned the meeting at 8:45 p.m.

Valerie Hampe, Secretary

PATRICK RUTTER, CHAIR