

**TOWN OF JUPITER
PLANNING AND ZONING COMMISSION MINUTES
REGULAR MEETING
February 9, 2021**

Vice Chair Schneider called the meeting to order at 7:00 p.m.

ATTENDANCE: Chair Ankur Patel; Vice Chair Cheryl Schneider; Comms. Frank Fore, MB Hague, Marc Pintel, John Weisman (Alternate); John Sickler, Director of Planning and Zoning; David Kemp, Principal Planner; Peter Meyer, Senior Planner; Peter Begovich, Planner; Thomas Baird, Town Attorney; Valerie Hampe, Secretary.

MINUTES: Regular Planning and Zoning Commission meeting, November 10, 2020.

Comm. Hague moved to approve the minutes; seconded by Comm. Zuniga. The motion carried unanimously by consensus (6-0 vote).

CITIZEN COMMENTS: None.

SWEARING IN: Town Attorney Baird conducted the swearing in of all witnesses.

REGULAR AGENDA:

A. **OLD BUSINESS:** None.

B. **NEW BUSINESS:**

1. **Accessory Uses, Buildings and Structures** – Applicant initiated zoning text amendment to Section 27-1910(a) to allow accessory structures in the front yard of residential properties meeting certain area and dimension requirements and Town initiated text amendment to Section 27-1910(a) to incorporate existing policies. (PZ# 4478)
Town Council consideration:

March 2, 2021 – 1st rdg
March 16, 2021 – 2nd rdg

David Milledge of Cotleur Hearing gave a PowerPoint presentation on behalf of the applicant, Paul Thibadeau. He reviewed the proposed text changes and showed a map of the properties that would be affected. The applicant agreed with the staff report.

Peter Begovich, planner, stated that Staff recommended approval of the proposed changes. He noted that this would bring some nonconforming properties in Jupiter into compliance. The intent of the Code is to provide architectural compatibility.

Accessory Structures – cont'd

Chair Patel asked for disclosures of ex-parte communications. There were none other than Chair Patel noting that he had spoken with Staff about the application.

Vice Chair Schneider suggested limiting the changes to R1 and R2 districts to avoid unintended consequences. Mr. Sickler said R1A is often applied to properties that are annexed into the Town from the County.

Comm. Hague noted that Paragraph A, Residential Districts, on Page 1-2 of the staff report had underlined language that included the word “primary” and suggested that be changed to “principal”. Mr. Begovich said it had been corrected for the next update.

Comm. Hague noted that the applicant’s property is peninsular and asked about property lines that go out into the water. Mr. Sickler noted that the Town has a regulation stating that the mean high water line is used to determine setbacks even when the property line extends into the water.

Comm. Fore asked about the history of the regulations. Mr. Sickler said a shed that appeared to be in the front yard of a corner lot was permitted because it met setbacks. The regulations were subsequently updated to require accessory uses behind the front corners of houses.

Comm. Fore asked how architectural compatibility is determined and Mr. Sickler replied that Staff looks at the materials used, roof types and similar characteristics to make sure the structure won’t stand out. Mr. Sickler added that the proposed language is to clarify common practices that are consistently applied. Mr. Begovich added that these types of structures are typically scrutinized at weekly review meetings.

Chair Patel asked why the applicant did not apply for a variance. Mr. Sickler said Staff was open to both processes and noted that it may have been difficult for the applicant to meet the hardship requirement for a variance. He noted that other property owners have similar circumstances and Staff was supportive of a more comprehensive solution.

Chair Patel asked how Planned Unit Developments would be affected. Mr. Begovich replied that if the lots were large enough, they would qualify.

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

Comm. Fore moved to recommend approval with Staff recommendations; seconded by Comm. Weisman. The motion carried unanimously by consensus (6-0 vote).

2. **Jupiter Medical Center** – Site plan amendment application for a major expansion to the surgical center, emergency department and central energy plant on a 27.34+/- acre property located at 1210 Old Dixie Highway.
(PZ# 4280 & 4358)

Town Council consideration:

March 16, 2021

Chair Patel asked for disclosures of ex-parte communications. Comm. Pintel and Chair Patel spoke with Staff about the application.

Don Hearing of Cotleur Hearing said there are three petitions: expansion of the emergency center; surgery center and energy plant. He noted that the following people were present: Steve Seeley, Chief Operating Officer of the medical center; Steve Boruff, architect for the emergency room expansion; Adam Kerr, traffic engineer; Michael Schwartz, civil engineer; and Toney Ruebsam, management consultant.

George Missimer of Cotleur Hearing gave a PowerPoint presentation on behalf of the applicant, Jupiter Medical Center. He discussed the proposed expansions and overall site plan of the campus. He outlined the phasing of the project and noted that a parking study would be required during high season after the surgical center and emergency center expansions have been completed.

Peter Meyer, senior planner, said Staff recommended approval of the applications based on the conditions in Exhibit 1. He noted that Staff agreed with the applicant's modification to Condition 9 regarding parking and said Condition 13a was no longer needed because the applicant had submitted a revised drainage plan.

Mr. Meyer briefly discussed the master signage plan that was distributed on the dais. The Commission recessed at 7:57 p.m. to review the plan and reconvened at 8:03 p.m.

Comm. Pintel asked how many new jobs would be created by the expansion. Mr. Hearing said that Mr. Seeley indicated it would probably add around 100.

Vice Chair Schneider asked about the thought process behind eliminating the skilled nursing facility. Mr. Seeley said skilled nursing has been a declining business for the medical center as more care is shifted to home care. He added that Hospice will be moved over to the main hospital.

Vice Chair Schneider noted that there would be eight new beds in the emergency room expansion but only one bathroom. She asked if there would be more access to other bathrooms in the area. Mr. Seeley said these rooms are for short-stay patients but if there is a need, the hospital can make others available.

Comm. Hague asked if Staff had encouraged the applicant to consider building a garage. Mr. Sickler replied that in the past, they had not anticipated the demolition of the skilled nursing center which frees up parking and reduces demand. He added that a parking garage will probably become a necessity eventually.

Jupiter Medical Center – cont'd

Comm. Hague noted that the entire campus has one address and asked if Staff had considered labelling buildings A, B, C, etc. She also asked about directional signage. Mr. Meyer said that is up to the hospital. Mr. Seeley said there will be a signage plan coming forward in which the Patient/Family Advisory Council was engaged.

Comm. Hague asked how the off-site employee parking was working out. Mr. Seeley said the hospital has been more liberal with allowing employees to park near the buildings during Covid but the parking is being used and there are shuttles in operation. Comm. Hague asked when the applicant anticipated completion of the expansions and Mr. Seeley said late 2023.

Comm. Fore asked if there was Emergency Room signage on the roadway. Mr. Missimer said yes, but the signage is not exclusively for the emergency room. He noted that there is signage along all entrances to the campus. Comm. Fore stressed that it is important to get separate signage, not part of a directory sign, out at the street.

Comm. Fore asked if the applicant would be seeking an exemption if the parking study failed. Mr. Meyer said that if the study failed, they would have to remedy the situation by adding parking. Mr. Hearing said the hospital wisely chose to acquire additional land rather than building a parking garage. He added that there are a lot of options for additional parking.

Comm. Fore agreed with Vice Chair Schneider that there should be more than one bathroom in the emergency room expansion. Steve Boruff, architect, said there are other bathrooms scattered throughout the department.

Chair Patel was concerned that there would not be adequate pedestrian signage; particularly to direct pedestrians to the correct entrance. Mr. Missimer noted that valet parking is offered free of charge to anyone. Chair Patel said he still suggested pedestrian signage.

Chair Patel addressed the crosswalk between the dumpsters and the emergency room. Tony Ruebsam of Northstar Management Company said that there is a staff entrance on the north side of the surgical center where the shuttle will drop of employees from remote parking. There is also a loading area and the ambulance entrance. Chair Patel said pedestrians will be trying to cross in the area where ambulances are dispatched. Mr. Hearing discussed the uses of the various crosswalks and suggested the possibility of using different pavement colors.

Chair Patel noted that the greenspace area will be reduced from 27% to 22%. He asked if the applicant would be willing to make the new parking green initially. Mr. Hearing said a lot of green elements have been introduced. These spaces are adjacent to the surgical center in an area that is important to maintain.

Chair Patel asked about security in the covered parking area under the surgical center. Mr. Hearing said that the stairwell access will be for emergency egress only. He then described the lighting for the garage and for the outdoor areas.

Jupiter Medical Center – cont'd

Chair Patel asked for several crosswalks to be lighted: main entrance and second entrance from Jupiter Lakes Boulevard and the crosswalk between the surgery center and cancer center. Mr. Hearing agreed.

Chair Patel said he wanted Staff to make sure construction equipment would not block parking or access the site through the parking lot.

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

Comm. Fore said parking and signage were his pet peeves. He was happy with what the applicant proposed for signage but was still concerned about parking being adequate. He liked the overall project.

Comm. Hague was also concerned about parking and suggested that the hospital provide a shuttle that goes around the hospital at some point.

Vice Chair Schneider liked the project but said the Emergency Room signage can be confusing and is not very prominent on Military Trail at Jupiter Lakes Boulevard. She suggested that the applicant consider an additional bathroom in the emergency room.

Comm. Pintel thanked the applicant for bringing the expansion forward and agreed that there should be further consideration of the signage and parking.

Comm. Weisman echoed the other comments and said it would be helpful if the applicant could add another bathroom in the emergency room.

Chair Patel said it is a great project and the Commission was appreciative. He said he would like to see lighted crosswalks and pedestrian signs.

Comm. Fore moved to recommend approval with Staff recommendations; seconded by Comm. Weisman. Vice Chair Schneider asked if this included the parking condition revision and Mr. Sickler said yes; that is part of Staff recommendation. The Commission was polled and the motion carried unanimously (6-0).

Pintel – Y

Weisman – Y

Fore – Y

Hague – Y

Schneider – Y

Patel - Y

3. **Rooftop Mechanical Equipment Room Standards** – Town initiated zoning text amendment to Section 27-2305 and Section 27-1 to provide development standards for enclosed rooftop mechanical equipment rooms. (PZ# 4585)
Town Council consideration: March 2, 2021 – 1st rdg
March 16, 2021 – 2nd rdg

David Kemp, principal planner, stated that Staff recommended approval of the application. He said the impetus for the application was a pre-application with Beacon Pharmaceutical. They are seeking a rooftop enclosure of mechanical equipment to protect it from weather, which would exceed the allowable building height. If the text amendment is approved, Beacon Pharmaceutical will be able to proceed with an administrative site plan amendment.

Comm. Fore said the applicant's request of an 18-foot enclosure seemed kind of tall. Mr. Sickler explained that the exception for such extensive HVAC equipment is limited to special uses such as portions of laboratories which may prohibit air circulation. This will only apply to areas with the Bioscience designation. The height of the equipment would not be included as part of the building height if there wasn't a roof over the equipment.

Vice Chair Schneider questioned why the roof structures would be limited to bioscience since the benefit is to prevent degradation of the equipment from the weather. She then asked why there was no cap on the height. Mr. Sickler replied that he did not anticipate this being exploited because most people do not want to have the cost of so much weight on top of a building.

Vice Chair Schneider said either the Town wants to make the additional height less intrusive or draw attention to them with signage. She said that she could not support the application if signage is allowed. Comm. Weisman agreed and added that the height may be necessary to provide for air circulation.

Chair Patel suggested using a descending scale for the structures rather than allowing six feet of height for each floor of the building. Mr. Sickler said the issue for Beacon Pharmaceutical is that there is 62.5' height cap.

Chair Patel said there may be more buildings wanting to enclose rooftop equipment. He said a six-foot structure on a single-story building could look out of place and suggested greenscaping for the structures.

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

Comm. Fore said 18 feet seems high and he would like to see credit given for greenscaping. He did not want to allow signage on the structure.

Comm. Hague said she would be more comfortable if there was a cap on the height but she definitely did not want to allow signage. Vice Chair Schneider agreed and said she could not support the application without a cap on height and a prohibition of signage. Not having a height cap could lead to height creep.

Rooftop Mechanical – cont'd

Comm. Pintel concurred that there should be no signage and a cap on the height. Comm. Weisman agreed with the comments and said the potential for height creep needs to be addressed.

Chair Patel agreed that the height should be limited and he opposed having signage on the structures. He liked the idea of greenscaping for credit, but wasn't sure how that should be worded.

Vice Chair Schneider did not want to deny the application and said Staff should work out the language for a cap to prevent height creep and language stating that enclosures would not be eligible for signage.

Chair Patel suggested limiting equipment enclosures to 10% of the building height. Mr. Sickler said that 10% would provide what is needed for Beacon Pharmaceutical.

Comm. Fore moved to recommend approval with two changes:

- No signage will be permitted on the enclosed area.
- The enclosed area will not increase the building height by more than 10%.

Vice Chair Schneider seconded the motion. The motion carried unanimously by consent (6-0 vote).

ADJOURN:

Chair Patel adjourned the meeting at 9:47 p.m.

Valerie Hampe, Secretary

ANKUR PATEL, CHAIRMAN