

**TOWN OF JUPITER
PLANNING AND ZONING COMMISSION MINUTES
REGULAR MEETING
May 11, 2021**

Chair Patel called the meeting to order at 7:01 p.m.

ATTENDANCE: Chair Ankur Patel; Vice Chair Cheryl Schneider; Comms. Frank Fore, Teri Grooms, MB Hague, Marc Pintel, John Weisman (1st Alternate), Malise Sundstrom (2nd Alternate); Stephanie Thoburn, Asst. Director; Peter Meyer, Senior Planner; Peter Begovich, Planner; Thomas Baird, Town Attorney; Valerie Hampe, Secretary.

CITIZEN COMMENTS: None.

MINUTES: Regular Planning and Zoning Commission meeting, April 13, 2021.
Comm. Hague moved to approve the minutes; seconded by Comm. Fore.
The motion carried unanimously by consensus (7-0 vote).

SWEARING IN:
Thomas Baird, attorney, conducted the swearing in of witnesses for the items on the agenda.

REGULAR AGENDA:

A. **OLD BUSINESS:** None.

B. **NEW BUSINESS:**

1. **Abacoa Specialty Hospital** –

- Amendment to the Workplace (WP) and Workplace Limited (WPL) Subdistrict Master Site Plan to remove the future extension of Heritage Drive west of Corporate Way and redefine the blocks west of Corporate Way between University Boulevard and Pioneer Road within a 100.2± acre subdistrict; (PZ# 4523)
- Individual site plan and special exception applications to allow a 48,941 square foot (sq. ft.) specialty hospital on a 5.0± acre parcel located on the northeast corner of Innovation Way and Pioneer Road. (PZ# 4524 & 4525)

Town Council consideration:

June 15, 2021

Chair Patel asked for disclosures of ex-parte communications. Comm. Sundstrom drove by the site and spoke with staff. Chair Patel and Comms. Fore, Hague and Weisman drove by the site. Vice Chair Schneider, Comm. Pintel and Comm. Grooms had nothing to disclose.

Abacoa Specialty Hospital – cont'd

Don Hearing of Cotleur Hearing gave a PowerPoint presentation on behalf of the applicant, Workplace Florida, LTD. He noted that the following people were present: Richard Rendina and Brian Cich, CEO and COO of Rendina Companies, respectively.

Mr. Hearing discussed the requests and said Innovation Way would be extended up to University Boulevard along the greenway. He explained that this will be a post-acute care facility for people leaving the hospital but not yet ready to return home. The Abacoa Property Owners' Association (APOA) and Architectural Control Board have approved the plans. He concluded by stating that the applicant was in agreement with all of the conditions of approval.

Peter Begovich, planner, said that staff recommended approval of the applications subject to the conditions of approval in the staff report and contingent upon Town Council approval of the concurrent zoning text amendment to add Specialty Hospital to the Workplace subdistrict in the Mixed Use Development district. He noted that the requested subdistrict amendment is in conformance with the Abacoa master plan.

Comm. Hague asked if the architectural changes requested by the APOA had been done and Mr. Begovich said yes.

Comm. Pintel asked how many jobs would be created by the facility and Mr. Hearing said 110 full-time jobs and 60 part-time jobs. Comm. Pintel then asked if this would be for people leaving drug or alcohol rehabilitation hospitals. Mr. Hearing said no; those facilities are licensed service providers as defined by Code. This is not a request for a licensed service provider designation.

Comm. Fore said he liked the vehicular and pedestrian connectivity. He asked about traffic calming. Mr. Hearing described the traffic calming features including narrower drive aisles. He said they would consult with the Town Engineer about doing more.

Comm. Sundstrom asked about the grass parking. Mr. Hearing explained that there is a high demand for parking during shift changes but not for a long duration. Therefore, the most remote parking spaces have been left green. Comm. Sundstrom suggested a crosswalk to the Abacoa greenway. Mr. Hearing said it said it would probably best located at Pioneer Road and they would coordinate with the Town Engineer.

Chair Patel asked the following and Mr. Hearing answered as indicated:

- ***Is the crosswalk right on the edge of the roundabout on Pioneer Road?***
Yes; the Town Engineer requested that but we can discuss it with him.
- ***Why isn't the traffic calming island on Innovation Way green?***
It is too small and must be mountable for Fire/Rescue requirements.
- ***Would the applicant consider a hedge line between the parallel parking and the dry retention area in the northeast corner of the property?***
The applicant wouldn't object but a planting of tall grasses would be better.

Abacoa Specialty Hospital – cont'd

- ***What kind of lighting in the north and east parking areas?***

It will be illuminated as if it were paved.

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

Vice Chair Schneider moved to recommend approval with staff recommendations; seconded by Comm. Pintel. The motion carried unanimously by consensus (7-0 vote).

2. **North Old Dixie parking** – Site plan application to construct an off-site parking area with 22 parallel parking spaces located along the east side of Old Dixie Highway between Center Street and Florida Avenue. (PZ# 4420)

Town Council consideration:

June 15, 2021

Chair Patel asked for disclosures. Comm. Sundstrom and Comm. Fore said they had driven the area many times. Comm. Pintel had no disclosures. Comm. Hague did an extensive site visit. Vice Chair Schneider visited the site and had conversations with Councilor May and the applicant. Comm. Grooms had been to the area many times and had a conversation with the applicant. Comm. Weisman drove by the site. Chair Patel did a site visit and spoke with staff.

Brian Chegus of iPlan & Design gave a PowerPoint presentation on behalf of the applicant, Vincent Pezzino. He said that Mr. Pezzino, owner of 105 Center Street, will enter into a lease agreement with Florida East Coast Railway (FEC) upon approval of the site plan. Dan Reedy, owner of Onshore Construction, will enter into a third-party agreement an agreement with Mr. Pezzino to get the parking constructed and maintain it.

He discussed the current usage of the site and said the existing parking is haphazard. Construction of the parking area would help alleviate flooding issues and provide a sidewalk. Mr. Chegus said the applicant was in agreement with seven of the eight recommended conditions of approval. They would like to work with staff prior to Town Council on the landscaping requirement, Condition 8.

Mr. Pezzino thanked those who helped him complete Ferro Via at 105 Center Street and said the parking will address life/safety issues.

Peter Meyer, senior planner, stated that staff recommended approval of the application with the conditions listed in the staff report. He noted that unapproved on-street parking had occurred in this area for many years and the Town has received complaints from nearby residents. He added that staff will not be able to support the upcoming Onshore Construction application unless this parking is constructed.

Comm. Weisman asked if the parking would be open to the public. Mr. Meyer said no; it would be just for Onshore Construction and 105 Center Street. Mr. Chegus said there will be signage indicating who is allowed to park there and it will be enforced by the applicant with towing.

North Old Dixie parking – cont'd

Vice Chair Schneider asked what kinds of uses would create intensities that would trigger concerns about parking. Mr. Meyer said 105 Center Street is non-conforming due to inadequate parking. The concern is that the off-site parking could be removed at any time and it would be difficult to retract approval for a more intense use, such as restaurant, once it is in place.

Vice Chair Schneider asked about Condition 6h regarding locating all parking improvements adjacent to commercially zoned property. Ms. Thoburn said that commercial parking is not permitted in residential zones and therefore staff made the interpretation that parking should not be placed adjacent to a residential zone.

Vice Chair Schneider asked why staff wanted enhanced landscaping for temporary parking. Mr. Meyer said it would create a buffer and the landscaping could be of a somewhat temporary nature.

Comm. Hague asked what broke down between Christian Thomas Construction, Onshore Construction and 105 Center Street that the parking wasn't built when previously approved. Mr. Cheguis said Christian Thomas and Onshore Construction had individual leases with Florida East Coast (FEC) Railroad. This plan is coming in as one application and the three parties will have agreements between them.

Comm. Fore asked if the applicant was going to bring in fill to help with the flooding problem. Mr. Cheguis said he wasn't sure but there would be a deeper subgrade for percolation and the curbing would channel water northward.

Comm. Fore asked if cost was the concern with the landscaping condition. Mr. Cheguis said yes; every time FEC removes landscaping, the applicant will be responsible for replacing it.

Chair Patel suggested a crosswalk to cross Old Dixie Highway somewhere north of Center Street. He said it would be better for the ADA parking and would not have the steep grade that is adjacent to Center Street. Mr. Cheguis said the applicant would consider it and Ms. Thoburn noted that Palm Beach County and the Town traffic engineer would have to approve it.

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

All of the commissioners spoke in favor of the application. Comm. Fore and Comm. Grooms had concerns about placing a crosswalk north of the intersection at Center Street. Comm. Hague said that a four-foot sidewalk would be of adequate width and she favored removing Condition 8 requiring landscaping. Comm. Weisman commended the applicant.

Vice Chair Schneider liked the project and said it needs to be built. She agreed that Condition 8 should be removed and said the Town should not add impediments to getting the parking constructed.

North Old Dixie parking – cont'd

Comm. Grooms was pleased that someone was taking the initiative to construct the parking. She did not support the crosswalk in the middle of the street but agreed that Condition 8 should be deleted.

Chair Patel liked the project and said it would do wonders for the Old Dixie corridor in general. He still supported moving the crosswalk away from the Center Street intersection.

Vice Chair Schneider moved to recommend approval with staff recommendations and the removal of Conditions 6g, 6h and 8; seconded by Comm. Hague. Vice Chair Schneider amended the motion to change Condition 6b to require a four-foot wide, rather than five-foot wide sidewalk. Comm. Hague agreed to the amendment.

Chair Patel suggested amending the motion to allow for the possibility of moving the crosswalk. Vice Chair Schneider declined.

The Commission was polled and the motion carried unanimously (7-0 vote).

Fore – Y Grooms – Y Hague – Y Pintel – Y
Weisman – Y Schneider – Y Patel - Y

3. **Onshore Construction** – Site plan application to construct a 2-story 1,835 square foot office building on a vacant 0.17+/- acre parcel located at 954 N Old Dixie. (PZ# 4260)

Town Council consideration:

June 15, 2021

Chair Patel asked for disclosures of ex-parte communications. Vice Chair Schneider and Comm. Weisman drove by the site. Comms. Hague and Fore did a site visit. Comm. Pintel and Comm. Grooms had no disclosures. Comm. Sundstrom said she drives by the site regularly.

Brian Cheguis of iPlan & Design gave a PowerPoint presentation on behalf of the applicant, Daniel Reedy. He discussed the site, surroundings and architecture. Mr. Cheguis then said the applicant is in agreement with all conditions of approval recommended by staff.

Peter Meyer, senior planner, stated that staff recommended approval of the application with the conditions listed in Exhibit 1 of the staff report. He noted that the application could have been reviewed administratively but said staff was bringing it through the public hearing process due to neighborhood issues with inadequate parking, off-site parking and the proposed use for the floor plan.

Comm. Grooms asked if there were no guest parking spots and Mr. Meyer said that is correct. Comm. Grooms questioned how the Town could approve a project that would contribute to the parking problems in the area. Mr. Meyer said the parking meets Code and Ms. Thoburn noted that the conditions of approval require the off-site parking to be constructed.

Onshore Construction – cont'd

Comm. Hague was also concerned about parking. She observed that the statement of use says this will be a family office but the application is for the business. Mr. Reedy said the purpose of the building is to move himself and his personal staff out of the current Onshore building. Comm. Hague said the parking situation will just have that much more burden when the vacated offices are occupied again.

Chair Patel noted that the address was wrong on Landscape Sheet 1 of 2. He asked what the backup plan would be if FEC rescinds their lease at some point and removes the additional Old Dixie parking. Ms. Thoburn said staff will look at that issue prior to Town Council.

Chair Patel asked if the applicant would be willing to add more canopy trees on the north side of the property and Mr. Cheguis said yes.

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

Comm. Fore asked staff how often the Town requires more parking than code. Ms. Thoburn stated that additional parking could be required per Sec. 27-175 entitled "Criteria for site plan review". Staff determined that the application did not meet three of the criteria. Mr. Meyer listed the three criteria including Criterion #5 which states that "The proposed development does not create or excessively increase traffic congestion or otherwise affect public safety".

Comm. Fore said it seemed somewhat arbitrary to impose more than is required by Code but this is a unique situation. He said he didn't see how the application could be denied. Vice Chair Schneider and Comms. Sundstrom, Pintel, Hague, and Weisman supported the application with the conditions of approval. Comm. Grooms did not support the project only because of the parking issues.

Chair Patel liked the project and agreed with Comm. Fore that the Town cannot penalize the applicant for following Code. Comm. Hague said she hoped the Town would look into enforcing any noncompliant parking on the west side of Old Dixie.

Vice Chair Schneider moved to recommend approval with staff recommendations; seconded by Comm. Pintel. The Commission was polled and the motion carried (6-1 vote).

Fore – Y	Grooms – N	Hague – Y	Pintel – Y
Weisman – Y	Schneider – Y	Patel - Y	

ADJOURN:

Chair Patel adjourned the meeting at 9:38 p.m.

Valerie Hampe, Secretary

ANKUR PATEL, CHAIRMAN

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6/9/2021