

**TOWN OF JUPITER
PLANNING AND ZONING COMMISSION
FINAL MINUTES
JUNE 11, 2024**

CALL TO ORDER:

Chair Kevin Kirn called the meeting to order at 7:04 p.m.

ATTENDANCE:

Chair Kevin Kirn, Vice Chair Richard Dunning, Comm. Michael Cassatly, Comm. David Thompson, Comm. Karen Vinson, Comm. Dan Guisinger and Paul Keenan 1st Alternate (voting member); John Sickler, Director of Planning & Zoning; Garret Watson, Principal Planner; Thomas Baird, Esq., Town Attorney and Vernisa Ayers, Secretary.

MINUTES:

Motion to approve the minutes from May 14, 2024 Regular Planning and Zoning Meeting by Comm. Vinson; seconded by Comm. Dunning. Final: Motion passed unanimously, with a 7-0 vote.

CITIZEN COMMENTS: None

REGULAR AGENDA:

A. OLD BUSINESS:

1. Palmwood Residential Annexation, Future Land Use and Rezoning – APPLICANT REQUEST TO POSTPONE TO JULY 9, 2024 -

Applications for a 1.48+/- acre property located on the northwest corner of the intersection of East Frederick Small Road and Palmwood Road, to request a:

- A. Voluntary Annexation;
- B. Small Scale Future Land Use Map (FLUM) amendment from Palm Beach County Low Residential – 2 (LR-2) to Town of Jupiter Medium Density Residential; and (Acting as the Local Planning Agency).
- C. Zoning Map amendment from Palm Beach County Agricultural Residential (AR) zoning district to the Town of Jupiter Residential, Single-Family District (R-1). (PZ# 24-5932/5933/5934)

Motion: Comm. Guisinger motioned to recommend postponing the Palmwood Residential Annexation, Future Land Use and Rezoning application until the July 9, 2024 meeting, seconded by Comm. Thompson. Motion passed unanimously, with a 7-0 vote.

B. NEW BUSINESS:

- 1. Cinquez Park Future Land Use Map (FLUM) Amendment – Application to change the Future Land Use Designation from Recreation to Public / Institutional for a 3.0 acre portion at the southwest corner of the property at 2183 W Indiantown Road. (PZ 24-6052)
(Acting as the Local Planning Agency)**

Staff presentation: Principal Planner, Garret Watson, reviewed the staff report and gave a PowerPoint presentation.

Commissioners asked questions of the Applicant and Staff:

Comm. Keenan asked if there were any specific site plan details available. Mr. Watson replied saying that the site plan and special exception are still in process, but it is within the 3.0 acre area that's being considered.

Mr. Baird clarified that the questions from the Commission should be about the appropriateness of the land use that being assigned to the property.

Comm. Vinson asked what happened to the original idea of there being a playground. Mr. Sickler stated that it had not been funded for construction and the details had not been brought forward. Mr. Sickler explained that from some of the comments received from residents in the neighborhood they weren't necessarily interested in a park playground but maybe in some other recreational improvements on the property.

Comm. Vinson asked what would happen if the change in land use passes and the Fire Station falls through then what sort of uses could be used for that parcel. Mr. Sickler responded saying that any type of active recreation uses could go within that 3.0 acre area and the 10 acres is restricted to passive recreation use. Mr. Sickler explained that any other permitted use or special exception would have to go through the public hearing process to amend the plan and have it approved through the public process.

Comm. Vinson asked has anyone considered waiting to see how the public felt about what should be done with the land, being that it was purchased with bond money, green land or the general fund. Mr. Sickler explained that this has been a very public discussion as it relates to the creation of the Town Fire Department. Mr. Sickler also stated that on May 21, 2024, policy direction was given regarding selection of the Fire Department site at the Town Council's public meeting. Mr. Sickler explained that public notice signs were put up on the property, an advertisement was placed in the newspaper and public notice was put on the Town' website providing notice to residents.

Comm. Vinson asked how much discussion has there been with the public about the impact of taking away part of the park away to build a building on it, regardless of what building it is. Comm. Vinson expressed that this land use change would allow anything to come in the area and increase traffic on Indiantown Road. Mr. Sickler shared that those are the kind of comments that are a part of the public process in which the public at large will be allowed to comment at tonight's meeting, as well as the two Town Council meetings. Mr. Sickler stated that there's been at least two different occasions where a representative from the Town has reached out to residents on Carver Avenue.

Comm. Thompson asked if within the 13.1 acre of land, if only the 3.0 acres land use can be changed. Mr. Watson responded saying that the 10.1 acre that was purchased as part of the open space bond will remain recreational land use. Comm. Thompson asked what was the response from the residents on Carver Avenue. Mr. Sickler responded saying that in one of the meetings that occurred with Carver residents some were not particularly interested in a playground at this time. Mr. Sickler recognized that some of those interests could change because the needs of the community are constantly changing.

Comm. Guisinger asked if there were any concerns relative to the proposed change in land use. Mr. Watson replied saying that he received a message regarding traffic related to the amendment, but there was no clarity provided related to what that was and maybe it will come up during public comments. Mr. Watson stated that at a land use level, it will provide a reduction in traffic. Comm. Guisinger asked if tonight's public comments be recorded and acted on prior to the next Town Council meeting. Mr. Watson responded saying that any public comments stated tonight will be taken into consideration and addressed as adequately as possible.

Comm. Dunning clarified that tonight's meeting is only to discuss the proposed change in land use and the next meeting is to address what may go on the property. Comm. Dunning stated that he's also aware of some of the citizens concerns regarding the banyan tree and hopes the right thing will be done. Mr. Sickler agreed and stated that as part of the direction from Council was to ensure that the tree remains on the property.

Comm. Cassatly asked if the change in land use would affect the drainage pond behind that property or other properties environmentally. Mr. Sickler stated that the any development of the property would have to meet the Town's Stormwater Management Plan requirements.

Public Comment:

Jay Rosner, Michelle Lorenzo, John Labeck, Jen Keeler, Travis Kelso, Traci Moore and Francesca Gonzalez submitted comment cards opposing the proposed project, but did not wish to speak. The comment cards were passed around to the Commission for review. The residents shared similar concerns surrounding the disruption to the lives of neighboring families, constant noise and the traffic impacts of having a Fire Station in this location. Residents expressed that the location should remain a recreational green space and dog park.

Michael Shepherd, Melissa Schneider, Thomas Herndon, Kyle Knottnerus, LaAnne Labeck and Kayla Labeck submitted comment cards opposing the proposed project. The residents spoke about the cost to tax payers associated with the fire station and the interruption to the quality of life as a result of changing the land use. Residents talked about the constant noise, traffic impacts and affect this would have on local businesses. Ms. Schneider spoke about the

affects this would have on her son that has ADHD and their service dog. Mr. Knottnerus felt that people in the area really don't understand what's about to take place and weren't given enough notice or any other options. Ms. Labeck shared a great deal of concern surrounding the negative affect this will have on her family, autistic son and the Town of Jupiter.

Deliberation by Commission:

Comm. Cassatly expressed that he's for keeping parks, but at this point the plan for a building is not up for discussion tonight. He stated that it's a separate issue that will be addressed later down the road.

Vice Chair Dunning and Comm. Guisinger felt that the comments made by residents should be considered, but the purpose of this meeting is only to consider the proposal to change the land use.

Comm. Thompson agreed with the Commission, but shared concern for the residents and the adverse effect this may have on their property value.

Comm. Vinson expressed concerns with changing the land use from recreational to institutional. She felt that this change is not fair to residents that were dependent on it being a park. Comm. Vinson stated that the land use is deemed recreational and should remain a park.

Comm. Keenan thanked residents for their comments and recognized that residents wanted things to remain the same.

Chair Kirn agreed that there were some good and insightful comments made by residents. He agreed with the Commission, but noted that they could only address the item before the Board tonight, which is the land use change. Chair Kirn called for a Motion.

Motion: Comm. Dunning moved to recommend approval of the subject FLUM amendment application, seconded Comm. Guisinger. Motion passed with a 4-3 vote with Commissioners Thompson, Vinson and Keenan dissenting.

ANNOUNCEMENT:

Planning and Zoning Director provided the Commission with a summary of recent Town Council actions.

ADJOURN:

Chair Kirn adjourned meeting at 8:15 p.m.

Kevin Kirn, Chair

Vernisa Ayers, Secretary