

**PLANNING AND ZONING COMMISSION MINUTES
REGULAR MEETING
January 9, 2018**

Vice Chair Patel called the meeting to order at 7:00 pm.

ATTENDANCE: Vice Chair Ankur Patel; Comms. MB Hague, Brett Leone, Peter Robbins, Cheryl Schneider, David Flinchum (1st Alternate); James Cordeiro (2nd Alternate); Stephanie Thoburn, Assistant Director of Planning and Zoning; Peter Meyer, Senior Planner; Martin Schneider, Senior Planner; Peter Begovich, Planner; Thomas Baird, Attorney; Valerie Hampe, Secretary.

MINUTES: Regular Planning and Zoning Commission meeting, December 11, 2017.

Comm. Leone moved to approve the minutes; seconded by Comm. Schneider. The minutes were approved unanimously by consensus.

CITIZEN COMMENTS: None.

SWEARING IN:

Attorney Baird conducted the swearing in of witnesses for all agenda items.

REGULAR AGENDA:

A. **OLD BUSINESS:** None.

B. **NEW BUSINESS:**

1. **Enterprise Rent-A-Car** – Special exception and site plan amendment for a vehicle rental facility, for a 0.7+/- acre property located at 275 N Alternate A1A. (PZ# 2507)

Town Council consideration:

February 20, 2018

Vice Chair Patel asked the Commission for ex-parte disclosures and there were none.

Corey O’Gorman of PLACE Planning and Design, Inc. gave a PowerPoint presentation on behalf of the applicant, Enterprise Holdings. He noted that Michael Wood of Michael E. Wood Consulting, and Adam Gearhart of Enterprise Rent-A-Car were present. He said the median west of the site on Alternate A1A is small and asked that the median contribution be reduced to \$23.75 per linear foot; the minimum required by Code.

Peter Begovich, planner, said Staff recommended approval of the application with the conditions listed in Exhibit 1 of the staff report, including \$40.04 per linear foot for the median contribution, which is the cost estimate. This property has not contributed to the median over the years and the minimum rate has not been used since 2005.

Enterprise Rent-A-Car – cont'd

Comm. Robbins noted that landscape contributions were not necessarily for the area directly adjacent to the property. Comm. Leone asked about cross access and Ms. Thoburn said there is an easement to the south.

Comm. Schneider asked if Staff recommended increased landscaping to buffer the neighboring residential areas. Mr. Begovich said yes; Staff is recommending more hedges and landscaping adjacent to Old Jupiter Beach Road where the applicant had proposed using only sod. Ms. Thoburn said more native plants will provide screening there at the entrance to the neighborhood.

Comm. Hague asked how Staff had arrived at \$675,000 to fund the Alternate A1A median project in the Community Investment Program (CIP). Ms. Thoburn said that it was based on a conceptual plan and noted that previous approvals were given with the requirement for \$40.04 per foot.

Comm. Flinchum asked why so many oaks are being removed. Mr. Begovich replied that the Natural Resources Coordinator suggested it because of their location and the way they had been trimmed. Comm. Flinchum said he would like to see the oaks cleaned up and left where they are. He agreed with charging a standard rate for median contributions rather than basing the rate on the size of the median adjacent to the property.

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

Comm. Schneider asked how the \$40.04 rate was calculated. Mr. Begovich replied said it was based on the actual costs for the U.S. Highway One median in 2005 and has not been changed since.

Comm. Leone said it wouldn't be fair to give this applicant a discount if other projects have paid the \$40.04 rate.

Comm. Leone moved to recommend approval with Staff recommendations and the recommendation to keep the oak trees. Comm. Cordeiro seconded the motion.

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

Hague – Y	Flinchum – Y	Leone – Y	Robbins – Y
Schneider – Y	Cordeiro – Y	Patel - Y	

- Jupiter Medical Center** – Site plan amendment application for a major expansion to the existing Foshay Cancer Center building, on a 27.3± acre property, located at 1240 Old Dixie. (PZ# 2567)
Town Council consideration: February 20, 2018
- Jupiter Medical Center North Parking Lot** – Special exception and site plan applications to construct a private offsite parking facility for Jupiter Medical Center, on a 3.69± acre property, located at 960, 962, 964 and 966 S Old Dixie. (PZ# 2674 & 2675)
Town Council consideration: February 20, 2018

Jupiter Medical Center – cont'd

Vice Chair Patel asked the Commission for ex-parte disclosures. Comm. Flinchum said he walked the property several times and researched the Property Appraiser's information.

The Jupiter Medical Center (JMC) and Jupiter Medical Center North Parking Lot presentations were combined.

Jeremy Hubsch of Cotleur Hearing gave a PowerPoint presentation on behalf of the applicant, Jupiter Medical Center. He discussed the proposed expansion of the Foshay Cancer Center, installation of an exfiltration system for drainage on the campus and the addition of the northern parking lot. Mr. Hubsch noted that the following people were present: George Spadafora, director of facilities for JMC; Jeff Iravani, civil engineer; and Francis Roura from Gilbane, who will be doing the construction.

Peter Meyer, senior planner, said Staff recommended approval of the application for the Foshay Center expansion contingent upon traffic concurrency from Palm Beach County. Staff also recommended approval of the special exception and site plan for the off-site parking lot.

Comm. Robbins asked for details of the proposed exfiltration system and Mr. Iravani explained and said they have a permit from South Florida Water Management District. Comm. Robbins asked about access to the proposed lot and expressed concern about the traffic volume when Mr. Hubsch said it would be through JMC and Jupiter Medical Park.

Comm. Schneider asked how many parking spaces would be freed up on the JMC parking lot and where they are located. Mr. Hubsch said the visitor parking areas on the east and west sides of JMC will be enlarged. Comm. Schneider said she would like to see more ADA spaces adjacent to the Foshay entrance.

Comm. Hague asked why the garage that was approved in 2007 was never built. Mr. Hearing said JMC has purchased other properties and had they built that garage, it would now be in the wrong location.

Comm. Hague asked how JMC would get employees to park in the north lot and said she had concerns for employees walking that far at odd hours. Mr. Spadafora said employees will be required to park there and compliance will be monitored with a badge access system. He added that there will be panic buttons installed and there is 24-hour security available to provide an escort on request.

Comm. Cordeiro asked about signage. Mr. Hearing said the signage will be placed on the Foshay building according to Code and he expected JMC to ultimately come back with a master signage plan.

Comm. Flinchum asked if the hospital currently has adequate parking and if the off-site lot is being triggered by the Foshay expansion. Mr. Meyer said yes to both. Comm. Flinchum objected to removing the oaks behind the modular buildings to provide additional parking. Mr. Hearing said they will be relocated when possible.

Jupiter Medical Center – cont'd

Comm. Flinchum agreed with Comm. Hague that there should be a garage and said the northeast corner of the JMC property would be an ideal location. Mr. Hearing said that expansion of surface parking leaves the possibility for a medical village in the future. Comm. Flinchum said the distance from the Foshay building to the gate of the north lot and the furthest parking space would be an unacceptable distance for employees to walk. Mr. Hearing said shuttles could be provided in case of inclement weather.

Comm. Flinchum said there should be a break in the center of the aisles in the north parking lot for safety and efficiency. He also suggested shade structures to give employees a break between their vehicles and their workplace.

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

Has the applicant had considered a covered walkway or a tram system?

They will shuttle employees as needed. Vice Chair Patel suggested removing a few spaces from the north parking lot to build a shelter.

How will people access Old Dixie Highway from the north lot? At the north end of Jupiter Medical Park. Ultimately there will be a connection to Toney Penna from the north lot.

Will there be adequate lighting for the walkway in Jupiter Medical Park?

Yes, the applicant agreed to that.

Will there be vehicle charging stations on the north lot? They are not planned but the applicant would agree to between two and four.

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

Comm. Robbins said this would be a fantastic investment in JMC and the Town of Jupiter. Comm. Leone agreed, said he liked the architecture and it's a great project. He was not in favor of charging stations in the remote lot and said they should be located nearer to the buildings.

Comm. Schneider was concerned that there isn't enough parking even though JMC currently meets the parking Code. She wanted to know how many spaces would be freed up by the addition of the north lot. She was also concerned about the distance to the north lot and said Planning and Zoning should get full plans to comment on projects. She concluded by saying she liked the project but wanted more ADA parking spaces close to the Foshay building.

Comm. Hague said she was glad JMC is expanding but the master plan is piecemeal and there really needs to be a parking garage. She wanted to see a cohesive plan.

Comm. Cordeiro agreed with the comments that had been made. He added that the additional surface parking would alleviate the parking situation and give JMC time to plan how they want to expand into the other properties they've acquired.

Comm. Flinchum said he was uncomfortable with the remote parking lot; it was not well thought out for pedestrian or vehicular circulation. He said the oaks to the east of the modular building should not be removed for parking spaces. He recommended lighting, pedestrian amenities and a break through the center of the aisles in the north parking lot.

Jupiter Medical Center – cont'd

Vice Chair Patel liked the project but said the parking Code is outdated and should be reviewed.

The Planning and Zoning Commission discussed the following items:

- Build out the parking lot to the east of the modular building as the last component, upon need, to preserve the existing trees where they are;
- Add sufficient lighting on the pedestrian pathway to and from the offsite parking lot;
- Evaluate the need for, and add pedestrian lighting on poles;
- Add a shelter outside the Foshay Cancer Center building for pickup and shuttling employees;
- Add additional ADA spaces by the relocated drop off point at the Foshay Cancer Center building;
- Remove “a minimum of 196” from Condition 7 regarding parking;
- Add pedestrian crossing signs with LED lights.

Ms. Thoburn provided clarification of the items discussed by the Commission. Comm. Cordeiro moved to recommend approval of the Foshay Cancer Center application with Staff recommendations and the following modifications:

- Modify Condition 7 to delete “a minimum of 196”.
- Require a shade structure outside of the Foshay Cancer Center.
- In the last phase, construct the 25 parking spaces east of the Foshay Cancer Center to preserve the existing trees.
- Add ADA parking spaces close to the drop off/pick up area of the Foshay Cancer Center building.
- Provide additional lighting for pedestrians walking to and from the offsite parking lot.

Comm. Flinchum asked if Comm. Cordeiro would modify the motion to replace Condition 8a with “Remove proposed parking east of the modular building”. Comm. Cordeiro agreed. Comm. Leone seconded the motion.

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

Hague – Y Flinchum – Y Leone – Y Robbins – Y

Schneider – Y Cordeiro – Y Patel - Y

Vice Chair Patel turned the attention of the Commission to the site plan and special exception applications for the north parking lot.

Ms. Thoburn recited the additional conditions of approval that were suggested by the Commission:

- Add pedestrian warning signs with LED lights;
- Break up the parking lot at the midpoint of the parking islands for vehicles and pedestrians; and
- Provide a shade/rain shelter for pedestrians.

Comm. Leone moved to recommend approval with the addition of pedestrian warning signs and the breaking up of the north parking lot at the midpoint.

Jupiter Medical Center – cont'd

The motion died for lack of a second.

Comm. Cordeiro made the same motion with the addition of a requirement for a shade structure. Comm. Hague seconded the motion. The Commission was polled and the motion carried unanimously (7-0 vote).

Hague – Y	Flinchum – Y	Leone – Y	Robbins – Y
Schneider – Y	Cordeiro – Y	Patel – Y	

4. **Parkway Street Parking Lot** - Application for a small scale Planned Unit Development (PUD) amendment to amend conditions of approval, including habitat mitigation, for the Parkway Street Parking Lot approved to be built on a property located at 761 North A1A. (PZ# 2729)

Town Council consideration:

February 6, 2018

Vice Chair Patel asked the Commission for disclosure of ex-parte communications. Comm. Flinchum said he visited the property and did some research on the Property Appraiser's website.

Don Hearing of Cotleur Hearing gave a PowerPoint presentation on behalf of the applicant, 761 A1A, LLC and noted that Jeff Collins was present to represent the owner. Mr. Hearing described the modifications to Conditions 8 and 15 that were being requested by the applicant.

Martin Schneider said the applicant is requesting phasing for the parking lot. He said the native plants have been removed and the preserve areas that previously existed on the site were fragmented. Staff recommended a revision to the payment in lieu of one-to-one compensation for the upland preserve requirement since that was consistent with the Lighthouse Cove Minigolf site. In that request the owner was approved to remove the existing upland preservation area. Staff initially recommended two-to-one compensation but Council decided on one-to-one.

Mr. Schneider said Staff did not agree with the applicant's request to make changes to Condition 15 administratively; especially Condition 15b which requires the Town's Art Committee and Town Council to approve the focal art piece. He discussed the placement of entrances to the lot and concluded by saying that Staff recommended approval of the application with the conditions listed in the Staff report.

Ms. Thoburn noted that the quality of the scrub previously on the property was unknown because it was cleared before it could be evaluated.

Comm. Flinchum asked if the applicant was in agreement with the rewording of Conditions 8 and 15. Mr. Hearing said yes; except for the requirement to go through the art committee.

Comm. Flinchum noted that there were 16 contiguous spaces in the eastern row without a break. He then observed that Phase 2 would require relocation of some landscaping and lighting. Mr. Hearing replied that they were maximizing shade and the full 300 parking spaces would probably never be built.

Parkway Street Parking Lot - cont'd

Comm. Hague asked where the mitigation fund monies were used and Ms. Thoburn replied that they are used to recreate natural areas or to buy land for preservation. Comm. Hague recommended not using single-trunk seagrapes because of their tendency to blow over in storms. She did not favor removing the requirement for review by the art committee.

Comm. Schneider noted that the Comprehensive Plan and Town Code require the preservation of environmentally sensitive land. She was concerned about the use of payment in lieu of conservation. Ms. Thoburn stated the code allows payment in lieu of preservation and explained that small, isolated preserve areas that are not connected to an overall greenway system often become problematic as garbage dumps and homeless camps. Small and isolated preserves do not always function as habitat since they need more maintenance to keep exotics out so it is not desirable to preserve them in place. She also noted that greenspace requirements would still be met on the property which is more appropriate. If scrub area was recreated on the site, it would not be large enough to function as habitat.

Comm. Schneider asked why it is a benefit to the public to build the parking lot in phases when there is a parking shortage. Martin Schneider replied that it was requested by the applicant and the Town's Love Street public parking lot will not be lost as originally anticipated. Mr. Hearing said the proposed number of spaces have exceeded the requirement and are for the benefit of 761 A1A, LLC but will be left open to the public. Ms. Thoburn said the Commission had the option to recommend not permitting phasing.

Comm. Leone asked if there were areas of upland habitat in the Inlet Village that could be preserved. Ms. Thoburn said no; but there are individual trees. Comm. Leone did not object to payment in lieu of preservation since the area is developed.

Vice Chair Patel asked about ADA parking spaces. Mr. Schneider explained that a parking lot is not considered a use in the parking table in Town Code and therefore would not require any ADA spaces. Staff is recommending eight ADA spaces based on 300 spaces being provided. Staff is reevaluating Code to add a requirement for ADA spaces based on the number of spaces required or provided, whichever is greater.

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

Comm. Schneider said she was disappointed that payment in lieu of conservation was being permitted and Comm. Hague agreed.

Comm. Leone moved to recommend approval of the application with the recommendation that single-trunk seagrape trees be replaced because of their low wind resistance. Comm. Cordeiro seconded the motion. The Commission was polled and the motion carried (6-1 vote).

Hague – Y	Flinchum – Y	Leone – Y	Robbins – Y
Schneider – N	Cordeiro – Y	Patel - Y	

ADJOURN:

Vice Chair Patel adjourned the meeting at 10:05 p.m.

Valerie Hampe, Secretary

PATRICK RUTTER, CHAIR

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2/14/2018