

**PLANNING AND ZONING COMMISSION MINUTES
REGULAR MEETING
February 14, 2017**

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

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

MINUTES: Regular Planning and Zoning Commission meeting, January 10, 2017.
Comm. Hague moved approval; seconded by Vice Chair Klug. The minutes were approved unanimously by consensus.

CITIZEN COMMENTS:
Ernie Fidanza spoke about outside interest in Jupiter's historic district and said he would like the Commission to view his historic house on Center Street.

REGULAR AGENDA:

A. OLD BUSINESS:

APPLICANT REQUESTS CONTINUATION TO 3/14/17

1. **Center Park** – Applications for a 7.3+/- acre parcel of land located at 114 Datura Street (approximately 220 feet south of Center Street between Hepburn Avenue and Old Dixie Highway) to include:
 - A. Small Scale Future Land Use Map amendment from Commercial to General Industrial; (PZ# 16-1910)
Acting as the Local Planning Agency
 - B. Zoning Map amendment from General Commercial (C-2) on 1.8+/- acres and Restricted Commercial (C-4) on 5.5+/- acres to Industrial Park Light Industry (I-1) for the entire 7.3+/- acres. (PZ# 1911)
Town Council consideration: March 21, 2017 – 1st rdg
April 20, 2017 – 2nd rdg

APPLICANT REQUESTS CONTINUATION TO 3/14/17

2. **Center Park** - Application for a large-scale Planned Unit Development (PUD), a Site Plan, and Special Exceptions for a redevelopment of 11.6± acres to allow self-storage, warehouse, office, retail, restaurant, medical office, indoor recreation and accessory residential use at 114 Datura Street. (PZ#'s 1913, 1914 and 1916)
Town Council consideration: March 21, 2017 – 1st rdg
April 20, 2017 – 2nd rdg

Center Park – cont’d

Vice Chair Klug moved to continue the Center Park small scale Future Land Use Map amendment to March 14, 2017; seconded by Comm. Patel. The Agency was polled and the motion carried unanimously (7-0 vote).

Flinchum – Y Patel – Y Roberts – Y Zacarias – Y
Hague – Y Klug – Y Rutter – Y

Comm. Hague moved to continue the Center Park rezoning, special exception and site plan applications to March 14, 2017; seconded by Comm. Patel. The Commission was polled and the motion carried unanimously (7-0 vote).

Flinchum – Y Patel – Y Roberts – Y Zacarias – Y
Hague – Y Klug – Y Rutter - Y

B. NEW BUSINESS:

3. **Wendy’s** – Site plan amendment to renovate and expand a nonconforming fast food restaurant use on a 0.65 ± acre property, at 626 W. Indiantown Road. (PZ# 15-1584)

Town Council consideration:

March 21, 2017

Craig McDonald of Corporate Property Services gave a PowerPoint presentation and discussed the site plan, landscaping and architecture. He noted that Ed Carcache, engineer and architect; and Karl Peterson, traffic engineer, were present.

Garret Watson, planner, noted that Wendy’s is able to expand up to ten percent as a nonconforming use as long as they reduce nonconformities. He discussed the improvements in the site plan and said that traffic stacking in the drive-thru lane will be significantly reduced.

Comm. Robbins asked the following:

Will the turn-in from eastbound Indiantown Road become a choke point for traffic? Mr. Watson said the new plan is a significant improvement over what currently exists. Mr. McDonald agreed.

What does the applicant think about the requirement for a sealed dumpster? Mr. McDonald said there haven’t been any problems with the current dumpster; he would have to find out the cost and ask his client. Mr. Watson said it was added to reduce nuisance factors because this is the expansion of a nonconforming use. Typically, a sealed dumpster is required near a residential area.

Is there a dollar amount for the fee in lieu of undergrounding utilities? Mr. Watson said it will be based on an estimate that will be determined by the Engineering Division. Mr. McDonald said the cost may be more than the applicant is willing to spend in addition to all of the other improvements.

Wendy's – cont'd

Comm. Zacarias asked if the applicant agreed to all of the conditions except for the infrastructure requirements. Mr. McDonald said yes; they agree to all of the conditions except for the infrastructure and the sealed dumpster. He would have to check on the cost of the sealed dumpster. He said the condition to relocate the slash pines toward Indiantown Road would conflict with Florida Power and Light (FPL) requirements.

Comm. Roberts asked why the footprint wouldn't be like other new Wendy's buildings. Mr. McDonald said that would require a teardown and rebuild which they can't do because they are a nonconforming use. Mr. Watson said it could be torn down and rebuilt as long as it wouldn't expand more than ten percent.

Comm. Patel asked the following questions and made these comments:

Will the crosswalk on the east side of the building through the drive-thru lane connect to a sidewalk on the east? Mr. Watson said there would likely be a landing there for the sidewalk.

Will there be enough lighting for late night hours in the parking spaces of the bank's easement? Mr. McDonald said they would look at increasing the lighting and would comply with Code.

Why not cover the pedestrian entrance on the east side? Comm. Patel suggested continuing the cover from over the drive-thru window and said that would prevent congestion inside the door when it rains. Mr. McDonald agreed.

"McDonald's" should be changed to "Wendy's" in the last sentence of the Signage paragraph on Page 3-9.

Comm. Hague asked if the large oak tree on the northwest corner of the building would be saved. Mr. McDonald said they would be relocating it. Comm. Hague asked for a further description of the work taking place on the bank easement and where the Wendy's parking would be located. Mr. Watson explained and said the easement includes the driveways between the properties and that the driveway entering into the Town's property would remain in the same location as today.

Comm. Flinchum asked if Staff had received any updates to the 2015 traffic study that had been provided. Mr. Watson said the Town traffic engineer had not requested a letter from the County since there was no increase to the trip generation. Comm. Flinchum said road conditions had changed and Mr. Sickler said Staff would check again to see if the traffic engineer had concerns.

Comm. Flinchum made the following suggestions:

- The semi-truck loading area should be shown on the site plan and the width of the exit to the community center should be increased from 12 feet to 15 feet to accommodate the trucks.
- There are six surplus parking spaces which could be converted to greenspace.
- Make the northernmost parking space adjacent to the east side of the building part of the landscape island. This will facilitate access from the door to the new parking spaces in the easement.
- Remove the two parking spaces north of the drive-thru exit queue to avoid backup conflicts.

WFLA
3/15/17

Wendy's – cont'd

- The westernmost parking should be parallel rather than angled to widen the area and save the tree at the northwest corner of the building.
- Add “do not enter” signs to the exiting aisle in the southwest corner.
- Add a sidewalk for employees to walk from the building to the dumpster.

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

Comm. Patel noted that the changes suggested by Comm. Flinchum would result in the loss of eight parking spaces which would put the site under the required number of spaces. Comm. Flinchum said he was not concerned because there will be off-site spaces at the community center. Mr. Watson clarified that the off-site parking spaces are provided on the 100-foot easement on the bank's property. Mr. McDonald said the applicant could not agree to parallel parking on the west side of Wendy's because it would not be functional for this type of restaurant. Vice Chair Klug agreed.

Comm. Flinchum said kids would not use the sidewalk on the west side of the property when coming from the south; they will walk in the drive aisle toward oncoming traffic. He suggested Staff find a more direct route to enter the building from the south.

Comm. Patel moved to recommend approval with Staff recommendations and the following modifications:

- Extend the covered area on the side of the building;
- Eliminate the parking space at the northeast corner of the building next to the crosswalk, as discussed; and
- Eliminate of the two parking spaces north of the drive-thru exit, as discussed.

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

Flinchum – Y	Patel – Y	Roberts – Y	Zacarias – Y
Hague – Y	Klug – Y	Rutter - Y	

ANNOUNCEMENTS:

Mr. Sickler announced that future Planning and Zoning Commission meetings would be broadcast live over the internet beginning with the March 14, 2017 meeting.

ADJOURN:

Chair Rutter adjourned the meeting at 7:52 p.m.

Valerie Hampe, Secretary

PATRICK RUTTER, CHAIR