

**PLANNING AND ZONING COMMISSION MINUTES  
REGULAR MEETING  
May 8, 2018**

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

**ATTENDANCE:** Chair Patrick Rutter, Vice Chair Ankur Patel; Commas. David Flinchum, MB Hague, Brett Leone, Peter Robbins, Cheryl Schneider; Erasmo Haibi (1<sup>st</sup> Alternate); Frank Fore (2<sup>nd</sup> Alternate); John Sickler, Director of Planning and Zoning; Garret Watson, Senior Planner; Peter Begovich, Planner; Thomas Hernandez, Engineer; Thomas Baird, Attorney; Valerie Hampe, Secretary.

**MINUTES:** Regular Planning and Zoning Commission meeting, March 13, 2018.

Comm. Hague moved to approve the minutes; seconded by Comm. Leone. The motion carried unanimously by consensus.

**ELECTION OF OFFICERS:**

Comm. Patel nominated Chair Rutter for Chair; seconded by Comm. Robbins. Chair Rutter was re-elected unanimously by consensus.

Comm. Hague nominated Comm. Patel for Vice Chair. Comm. Leone nominated Comm. Robbins for Vice Chair. Vice Chair Patel was elected by a show of hands (4-3 vote).

**CITIZEN COMMENTS:** None.

**CONSENT AGENDA:**

A. **OLD BUSINESS:** None.

B. **NEW BUSINESS:**

1. **Pennock Square (fka Jupiter Reserve) Restaurant** – A special exception for additional resaurant use in an existing shopping plaza, located at 901 West Indiantown Road. (PZ# 2708)  
*Town Council consideration:* June 19, 2018
2. **Town of Jupiter Maintenance and Emergency Operations Facility** – Site plan amendment to construct a 4,500 square foot storage and workshop building, a 2,500 square foot covered storage area, outdoor storage bins and an outdoor storage area, for a 20.0+/- acre property located at 3131 Washington Street. (PZ# 2837)  
*Town Council consideration:* June 19, 2018

Comm. Schneider pulled both items from the Consent agenda.

**REGULAR AGENDA:**

A. **OLD BUSINESS:** None.

B. **NEW BUSINESS:**

1. **Pennock Square (fka Jupiter Reserve) Restaurant** – A special exception for additional restaurant use in an existing shopping plaza, located at 901 West Indiantown Road. (PZ# 2708)  
*Town Council consideration:* June 19, 2018

Mr. Baird swore in the witnesses as noted in the item below, Town of Jupiter Maintenance and Emergency Operations Facility.

Comm. Schneider asked if the applicant had any tenants in mind for the increased restaurant space. Troy Holloway of 2GHO said no; they just want to maximize restaurant space. The plaza is parked for the additional square footage, 349 s.f. of which is floating and can be added by moving walls.

Comm. Schneider asked if the restaurants would be quality restaurants and Mr. Holloway said yes; sit-down quality restaurants.

Comm. Schneider said the special exception application seemed anticipatory and asked if that was unusual. Mr. Sickler said no; and the applicant may later request high-turnover restaurant space which would change the traffic calculations but not the parking.

Comm. Schneider asked if the special exception could result in too great a concentration of restaurants, especially if they were adjacent. Mr. Sickler said all of the parking is within 400 feet so the application didn't warrant a special condition and monitoring to prevent that.

Comm. Hague said she had a concern about parking and asked for a definition of "in-line restaurants". Mr. Watson explained that the Town considers them to be in line when they are part of the shopping center building and not an outparcel or separate building.

Comm. Hague noted that Jupiter Medical Center had more of demand for parking than the amount required by Code. She said that the Town requirement for restaurant parking is far below the Urban Land Institute standards and Dr. CJ Lan, traffic engineer for the Town, has requested an increase. The Code is overdue for an update.

Comm. Schneider asked how the application for a special exception could be evaluated if nothing is firm. She suggested that some conditions be applied such as prohibiting the restaurants from being next to each other and requiring them to be quality restaurants.

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

Comm. Leone moved to recommend approval with Staff recommendations; seconded by Comm. Flinchum.

**Pennock Square Restaurant – cont'd**

Comm. Schneider proposed amending the motion to require the restaurants to be quality restaurants and prohibit them from being next to each other. Comm. Leone did not accept the amendment.

The Commission was polled and the motion carried (5-2 vote).

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

2. **Town of Jupiter Maintenance and Emergency Operations Facility** – Site plan amendment to construct a 4,500 square foot storage and workshop building, a 2,500 square foot covered storage area, outdoor storage bins and an outdoor storage area, for a 20.0+/- acre property located at 3131 Washington Street. (PZ# 2837)

Town Council consideration:

June 19, 2018

Mr. Baird, Town attorney, swore in the witnesses for the items being heard this evening. Chair Rutter asked for commissioner disclosures on this item and the Pennock Square Restaurant item and there were none.

Comm. Schneider asked about securing items in the storage area during a storm. Emily O'Mahoney of 2GHO said that three five-foot walls will be added around the storage piles that are currently there. Mr. Hernandez, Town of Jupiter project engineer, said the types of items stored wouldn't move in the wind like a dune would. The facility is an open area surrounded by woods.

Comm. Schneider asked about fencing around the Phase 1 open storage area and lighting. Ms. O'Mahoney said there would not be a fence around the area and Mr. Hernandez said there are some wall lights.

Comm. Leone moved to recommend approval; seconded by Vice Chair Patel. The Commission was polled and the motion carried unanimously (7-0 vote).

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

3. **Admiral's Cove Clubhouse Expansion and Parking** – Large Scale Planned Unit Development amendment with a waiver request to reduce the side setback of a mechanical parking structure to zero feet and a site plan amendment for a 25,805 square foot expansion to the clubhouse, installation of mechanical parking structures, and a new tennis pavilion, on a 12.4+/- acre property, located at 200 Admiral's Cove Boulevard.

**Admiral's Cove Clubhouse – cont'd**

Chair Rutter asked the Commission for disclosures. Comm. Schneider said she met with the applicant and toured the facility. Comm. Haibi said his son lives in Admiral's Cove. Comm. Leone noted that he had been an employee of the agent's firm prior to the time the application was submitted. He added that he had spoken with the agent yesterday and said he had no financial interest in the project.

Mr. Baird swore in the applicant's agent, Brian Chegus of iPlan & Design. Mr. Chegus said he was there on behalf of John Herring, chief executive officer and general manager of the Club at Admiral's Cove, and the board of directors.

Mr. Chegus gave a PowerPoint presentation detailing the application requests. He reviewed the history of the site, discussed the setback waiver request for a parking structure and the proposed changes to the site plan. He concluded by saying the applicant was in agreement with all of the proposed conditions of approval.

Garret Watson, senior planner, discussed the proposed conditions of approval; particularly the landscape requirements and \$5,000 contribution to the Town gateway features as a public benefit.

Comm. Robbins asked:

- ***Why is the tennis pavilion being demolished and rebuilt?*** Mr. Chegus said the building is 25 years old and too large for the club's needs. Lowering the building will make it less visible.
- ***Is there mechanical parking like this elsewhere in Town and are there any concerns?*** Mr. Watson said there are no others in Town. The concerns of the club were minor and it will be valet only.

Comm. Leone asked how Staff arrived at \$5,000 for the public benefit contribution. Mr. Watson said that was what the applicant offered. He noted that they contributed \$15,000 for three waivers in 2012 and they were now asking for one.

Comm. Haibi asked about materials safety during demolition and Mr. Chegus that would be part of the Building permit process. The asbestos testing is scheduled.

Comm. Patel asked:

- ***Will there be valet parking anywhere other than the mechanical parking structures?*** Mr. Chegus said yes; the garage will remain valet parking.
- ***Why isn't there an ADA-compliant ramp on both sides of the tennis pavilion?*** Mr. Chegus said one side is reserved for spectator seating next to the tournament court. Mr. Herring, general manager of the club, further explained the building accessibility.
- ***Are there any signage requests?*** Mr. Chegus said no.

**Admiral's Cove Clubhouse – cont'd**

Comm. Hague said she didn't care for the modern architecture; it is changing the character of Jupiter. She asked if the Admiral's Cove residents had given any input. Mr. Herring said they held multiple focus groups with the club members. The residents did not like the first design but overwhelmingly agreed on this one.

Comm. Hague noted that individual homeowners must apply for variances unless they are in a Planned Unit Development (PUD), in which case a waiver can be granted. Mr. Sickler said the premise of a PUD is to allow for design flexibility which typically results in benefits and design solutions not in the conventional Code. Comm. Hague said residents have told her that they feel it is unfair for PUDs to have the ability to get around Code in this manner.

Comm. Fore asked about maintenance and lighting for the parking structure. Mr. Cheguis said all of the maintenance can be done from the inside and there will be lighting for operational purposes.

Comm. Flinchum asked if the exotics removal list was a Town list or it was from the Exotic Pest Council. Mr. Watson said the original condition for exotics removal was from a Town list. Mr. Sickler said Staff is working to update the list. He would check to make sure it is the Exotic Pest Council list that they plan to adopt.

Chair Rutter opened the floor to public comment.

Carol Watson said the Town should make sure the exotics are removed as required. She asked where parking is provided for employees. She concluded by saying the \$5,000 contribution to Town gateway enhancements should be raised to a minimum of \$15,000.

Comm. Schneider said she considered the mechanical parking a public benefit more than the contribution to gateways because it minimizes impact by preserving greenspace.

Comm. Hague said the setback waiver is perhaps not a big deal but more and more, residents are saying that the waiver program is a way to get around land development regulations. Height and density waivers are becoming expected. People don't like this and it will erode the small town feel of Jupiter.

Comm. Leone agreed with Comm. Schneider about mechanical parking being a public benefit. He cited the green roof approved for Cornerstone as benefit resulting from the flexibility of the PUD process.

Comm. Fore asked if Staff had looked at regulations for mechanical parking. Mr. Sickler said this is a test scenario to see how it is received in the community.

Vice Chair Patel moved to recommend approval of the PUD amendment; seconded by Comm. Flinchum. The Commission was polled and the motion carried unanimously (7-0 vote).

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

**Admiral's Cove Clubhouse – cont'd**

Comm. Robbins moved to recommend approval of the site plan amendment; seconded by Vice Chair Patel. The Commission was polled and the motion carried unanimously (7-0 vote).

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

**ADJOURN:**

Vice Chair Patel adjourned the meeting at 8:35 p.m.

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**Valerie Hampe, Secretary**

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**ANKUR PATEL, VICE CHAIR**