

MINUTES
TOWN OF JUNO BEACH
PLANNING AND ZONING BOARD MEETING

February 7, 2022

Council Chambers/YouTube
340 Ocean Drive

PRESENT: MICHAEL STERN, CHAIR
 PAUL SHEA, VICE CHAIR
 JIM FERGUSON, BOARDMEMBER
 JOHN CALLAGHAN, BOARDMEMBER
 HANK COMPTON, BOARDMEMBER
 BRUCE FRANSON, ALTERNATE BOARDMEMBER

ALSO PRESENT: CURT THOMPSON, PRINCIPAL PLANNER
 CAITLIN COPELAND-RODRIGUEZ, TOWN CLERK
 JOSEPH F. LO BELLO, TOWN MANAGER
 LEONARD RUBIN, TOWN ATTORNEY
 ESTEFANY MATA, ADMINISTRATIVE SECRETARY

ABSENT:

Chair Stern called the Planning and Zoning Board Meeting to order at 5:30 pm.

Audience: 32 with an overflow of 20 in the lobby.

- ~ CALL TO ORDER
- ~ PLEDGE OF ALLEGIANCE TO THE FLAG
- ~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA – *None*
(Time Stamp is based off of [YouTube video](#)) (Time: :50 – 1:30)

1. **PUBLIC COMMENTS** (Time: 1:31 – 3:07)

Chair Stern announced that this is for any comments on items that are not on the agenda.

Public Comments Opened at 5:32 pm.

Public Comments Closed at 5:32pm.

2. **CONSENT AGENDA** (Time: 3:08 – 3:21)

All matters listed under Item 2, Consent Agenda, are considered to be routine by the Planning & Zoning Board and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. Approval of Planning & Zoning Board Meeting Minutes for January 3, 2022.

MOTION: *Shea/Ferguson made a Motion to Approve the Consent Agenda.*

ACTION: *The motion passed unanimously.*

3. **VARIANCE REQUEST BY LACIPOINT BUS LIVING TRUST/ANTHONY MARCHAND, TRUSTEE (900 JUNO OCEAN WALK, LOT A59)** (Time: 3:22 – 21:08) (Principal Planner Thompson)

A. Disclosure of Ex Parte Communications – *None*

B. Swearing in of Witnesses

Town Attorney Rubin swore in all parties wishing to give testimony.

C. Staff Presentation

Principal Planner Thompson went over the memorandum and asked the Board to hold their questions until after the applicant has presented.

D. Applicant Presentation

Anthony Marchand, 900 Juno Ocean Walk, briefly summarized his variance request and asked the Board if they had any questions.

E. Public Hearing

Public Hearing Opened at 5:48pm.

Public Hearing Closed at 5:49pm.

F. Planning and Zoning Board Recommendation

The Board reviewed, discussed, and asked Mr. Marchand and staff questions on this item.

G. Board Action

MOTION: *Shea/Ferguson made a motion to recommend denial of the requested variance from Section 34-566(a) of the Town's Code of Ordinances to exceed the maximum size of 400 square feet allowed for a sun room.*

ACTION: *The motion passed unanimously.*

4. **ORDINANCE NO. 749 – ASSISTED LIVING FACILITY MAXIMUM DENSITY** (Time: 21:09 – 30:59)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING ARTICLE IV, "SUPPLEMENTAL REGULATIONS," DIVISION 12, "ASSISTED LIVING FACILITIES," OF CHAPTER 34, "ZONING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 34-1247, "MAXIMUM DENSITY," TO PROVIDE A UNIT TO BED CONVERSION RATE FOR FACILITIES WITH MIXED HOUSING TYPES PROVIDING A CONTINUUM OF CARE; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

(Director of Planning & Zoning Davila)

A. Town Attorney to Read Ordinance Title

Chair Stern read the ordinance title.

B. Staff Presentation

Director of Planning & Zoning Davila went over the memorandum and asked the Board if they had any questions.

C. Public Hearing

Public Hearing Opened at 5:54pm

Town Clerk Copeland-Rodriguez read a comment into the record (*see attached*).

Mr. Cooke commented on this item.

Public Hearing Closed at 5:55pm.

D. Board Discussion

The Board reviewed, discussed, and asked Staff questions on this item.

E. Board Action

MOTION: *Shea/Ferguson made a motion to recommend that the Town Council approve Ordinance No. 749.*

ACTION: *The motion passed unanimously.*

5. **REQUEST TO AMEND THE FUTURE LAND USE MAP OF THE TOWN COMPREHENSIVE DEVELOPMENT PLAN TO INCLUDE SEVEN PARCELS AND ADJACENT RIGHT-OF-WAY WITHIN THE PLAT OF PLEASANT RIDGE TO BE ANNEXED AND ASSIGN A TOWN OF JUNO BEACH LAND USE CLASSIFICATION OF HIGH DENSITY RESIDENTIAL (THE WATERFORD) & 6) REQUEST TO AMEND THE TOWN ZONING MAP TO INCLUDE SEVEN PARCELS AND ADJACENT RIGHT-OF-WAY WITHIN THE PLAT OF PLEASANT RIDGE TO BE ANNEXED AND ASSIGN AN UNDERLYING TOWN OF JUNO BEACH ZONING DESIGNATION OF COMMERCIAL OFFICE (THE WATERFORD)** (Time: 31:00 – 1:09:58)
(Principal Planner Thompson & Director of Planning & Zoning Davila)

Chair Stern announced that the Board will combine the public hearing Item #5 and Item #6.

A. Swearing in of Witnesses

Town Attorney Rubin swore in all parties wishing to give testimony.

B. Disclosure of Ex Parte Communications

Boardmember Callaghan stated that he was invited by The Waterford, as a candidate for Town Council, to attend a presentation given by Lifespace Communities.

C. Staff Presentation

Principal Planner Thompson and Director of Planning & Zoning Davila went over the memorandums and presentations (*see attached*) and asked the Board to hold their questions until after the applicant's presentation.

D. Applicant Presentation

Harvey Oyer, attorney for Lifespace Communities, went over a presentation (*see attached*) and asked the Board if they had any questions.

D. Public Hearing

Public Hearing Opened at 6:24pm

Mr. Cooke expressed his support of the project.

Julie Gratz, 601 Universe Blvd., expressed her support of the project.

Bill Smedly, 601 Universe Blvd, expressed his support of the project and asked the Board to vote yes.

Sonia Banin, 601 Universe Blvd., expressed her support of the project.

Gerard Bercher, 601 Universe Blvd., expressed his support of the project.

Karen Marcus, 920 Evergreen Drive, stated that as a friend of both residents of The Waterford and Pleasant Ridge, she would like to continue working with the project manager about landscaping adjacent to the wall. She also recommended that the Town add an additional clause that would prevent the land from being utilized for anything other than the PUD designation and explained.

Public Hearing Closed at 6:39pm.

E. Board Discussion

The Board reviewed, discussed, and asked Mr. Oyer and staff questions on this item.

E. Board Action

MOTION: *Shea/Ferguson made a motion to recommend that the Town Council approve the proposed Future Land Use Map amendment to change the Future Land Use classification from the Palm Beach County Future Land Use (FLU) designation of Medium Residential, 5 units per acre (MR-5) to the Town of Juno Beach FLU designation of High Density Residential (Up to 22 DU/AC) for seven (7) parcels as indicated in the memorandum's Table 1.*

ACTION: *The motion passed unanimously.*

MOTION: Shea/Ferguson made a motion to recommend that the Town Council approve the proposed amendment to the Town Zoning Map to rezone the subject parcels from the Palm Beach County Multifamily Residential High Density (RH) designation to the Town of Juno Beach Zoning Commercial Office (CO) designation with a Planned Unit Development overlay for seven (7) parcels as indicated on Table 1 of the memorandum.

ACTION: The motion passed unanimously.

7. **MAJOR SITE PLAN/PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTION AMENDMENT – THE WATERFORD RECONFIGURATION AND EXPANSION OF THE EXISTING SENIOR LIVING FACILITY** (Time: 1:09:59 – 2:11:26)
(Director of Planning & Zoning Davila)

A. Swearing in of Witnesses

Town Attorney Rubin swore in all parties wishing to give testimony.

B. Disclosure of Ex Parte Communications

C. Staff Presentation

Director of Planning & Zoning Davila went over a presentation (*see attached*) and asked the Board if they had any questions.

F. Applicant Presentation

Harvey Oyer, attorney for Lifespace Communities, went over a presentation (*see attached*) and asked the Board if they had any questions.

E. Public Hearing

Public Hearing Opened at 7:06pm.

Roger Whitcomb, 601 Universe Blvd, expressed his concerns regarding the project and parking within the community.

Ken Craig, 601 Universe Blvd., expressed his support for the project.

Nancy Lodise, Pleasant Ridge, expressed her thoughts on the project and thanked Lifespace Communities and Town Staff for working with the residents of Pleasant Ridge.

Town Clerk Copeland-Rodriguez read Ms. D'Souza's comment into the record.

Public Hearing Closed at 7:17pm.

F. Board Discussion

The Board reviewed, discussed, and asked both Mr. Oyer, Mr. Yoan Machado (Project Manager), and staff questions on this item.

G. Board Action

***MOTION:** Shea/Ferguson made a motion to recommend that the Town Council approve the Request for a Major Site Plan Amendment to a Special Exception Planned Unit Development (PUD) for the reconfiguration and expansion of the existing senior living facility community, subject to the conditions outlined in the memorandum.*

***ACTION:** The motion passed unanimously.*

Boardmember Ferguson thanked all those from The Waterford, members of Pleasant Ridge and Nancy Lodise who attended this evening.

Boardmember Compton thanked the Applicant and staff for the information they provided as it was very helpful.

8. **DISCUSSION ON PLANNING & ZONING BOARD LECTURE SERIES** (Time: 2:11:27 – 2:12:59)
(Director of Planning & Zoning Davila)

The Board gave consensus to discuss this item at the next meeting.

9. **COMMENTS FROM STAFF** (Time: 2:13:00 – 2:13:55)

Town Clerk Copeland-Rodriguez announced that due to the upcoming March 8th election, the next Planning & Zoning Board meeting will need to be rescheduled. Shea asked the Board if March 21st worked with their schedules.

The Board gave consensus to have the next Planning & Zoning Board meeting on Monday, March 21st.

10. **COMMENTS FROM THE BOARD** (Time: 2:13:56 – 2:14:00) - None

11. **ADJOURNMENT** (Time: 2:14:01 – 2:14:20)

Chair Stern adjourned the meeting at 7:43 pm.

Minutes Approved on March 21, 2022.