

MINUTES
TOWN OF JUNO BEACH
PLANNING AND ZONING BOARD MEETING

June 6, 2022

Council Chambers/YouTube
340 Ocean Drive

PRESENT: JIM FERGUSON, CHAIR
MICHAEL STERN, VICE CHAIR
JOHN CALLAGHAN, BOARDMEMBER
HANK COMPTON, BOARDMEMBER
DIANA DAVIS, BOARDMEMBER
NANCY WOLF, ALTERNATE BOARDMEMBER

ALSO PRESENT: FRANK DAVILA, DIRECTOR OF PLANNING & ZONING
CURT THOMPSON, PRINCIPAL PLANNER
ISABELLA HICKEY, PLANNING TECHNICIAN
CAITLIN COPELAND-RODRIGUEZ, TOWN CLERK
LEONARD RUBIN, TOWN ATTORNEY

ABSENT:

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

Audience: 30

- ~ 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: 1:35 – 2:05)

1. **PUBLIC COMMENTS** (Time: 2:06 – 3:01)

*All Non-Agenda items are limited to two (2) minutes. Anyone wishing to speak is asked to complete a comment card with their name and address prior to the start of the meeting as well as state their name and address for the record when called upon to speak (prior to addressing the Board). **Planning & Zoning Board will not discuss these items this evening.** Any issues will be referred to Staff for investigation; a report will be forwarded to the Planning & Zoning Board; and citizens may be contacted.*

Public Comments Opened at 5:30pm.

Public Comments Closed at 5:31pm.

2. **CONSENT AGENDA** (Time: 3:02 – 3:40)

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 April 4, 2022.

Boardmember Callaghan stated that a minor correction was made to the minutes.

***MOTION:** Stern/Callaghan made a Motion to approve the Consent Agenda as amended.*

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

3. **SITE PLAN AND APPEARANCE REVIEW FOR 420 SUNRISE WAY (QUASI-JUDICIAL)** (Time: 3:41 – 18:25)
(Principal Planner Thompson)

A. Disclosure of Ex Parte Communications

Town Attorney Rubin asked the Board if they had any ex parte communications to disclose.

Boardmember Davis disclosed ex parte communications.

Boardmember Callaghan disclosed ex parte communications.

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's presentation.

D. Applicant Presentation

Thomas Twomey, P.E., Applicant, gave a brief presentation and asked the Board if they had any questions.

E. Public Hearing

Public Hearing Opened at 5:39pm.

John Stelluto, 401 Sunset Way, expressed his concerns on when the construction would commence and asked the Planning & Zoning Department to let the neighbors know ahead of time.

Public Hearing Closed at 5:41pm.

F. Planning & Zoning Board Motion/Decision

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

***MOTION:** Stern/Davis made a motion to approve 420 Sunrise Way to move forward to the Building Permit review process.*

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

4. **VARIANCE REQUEST BY JUNO POINT PROPERTY OWNER, LLC (1011 U.S. HIGHWAY 1) (QUASI-JUDICIAL)** (Time: 18:26 – 1:03:01)
(Director of Planning & Zoning Davila)

A. Disclosure of Ex Parte Communications

Town Attorney Rubin asked the Board if they had any ex parte communications to disclose for both Items #4 & #5.

Boardmember Davis disclosed ex parte communications.

Boardmember Callaghan disclosed ex parte communications.

Chair Fersuson disclosed that the entire Board received an email from resident Anne Bosso in regard to the project.

B. Swearing in of Witnesses

Town Attorney Rubin swore in all parties wishing to give testimony on both Items #4 and #5.

C. Staff Presentation

Director of Planning & Zoning Davila went over the memorandum.

D. Applicant Presentation

James Letchinger, owner, went over a presentation (*see attached*) and asked the Board if they had any questions.

E. Public Hearing

Public Hearing Opened at 6:03pm.

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

Jacob Rosengarten, 1613 E Hemingway Dr, commented on the project and the conditions required for a developer to utilize the site area development modification option. He also expressed his concerns on the traffic impact statement.

Susan Van Lindt, 504 Sea Oats Dr., speaking on behalf of the Sea Oats Property Owners Association, expressed the Association's opposition to the variance request.

Town Clerk Copeland-Rodriguez announced that Toni Spinnazola and Richard Van Lindt are opposed to the Variance Request.

Public Hearing Closed at 6:08pm.

F. Planning & Zoning Board Recommendation

The Board reviewed, discussed, and asked staff, Mr. Letchinger, and traffic engineer Andrea Troutman questions on this item.

MOTION: Stern/Compton made a motion to recommend denial of the requested variance from Section 34-631(5) of the Town's Code of Ordinances to reduce the minimum required setback along Donald Ross Road from 45 feet to 36 feet.

ACTION: The motion passed unanimously.

5. **SITE PLAN REVIEW AND SPECIAL EXCEPTION REQUEST BY JUNO POINT PROPERTY OWNER, LLC (1011 U.S. HIGHWAY 1) (QUASI-JUDICIAL)** (Time: 1:03:02 – 3:34:53)
(Director of Planning & Zoning Davila)

A. Staff Presentation

Director of Planning & Zoning Davila went over a presentation (*see attached*).

B. Applicant Presentation

Mr. Letchinger went over a presentation (*see attached*) and asked the Board if they had any questions.

The Board reviewed and asked staff and Mr. Letchinger questions on this item.

Mr. Letchinger agreed with Boardmember Compton's comment that the outdoor seating of the restaurant is small and indicated he would increase it from 500 square feet to 2,500 square feet.

C. Public Hearing

Public Hearing Opened at 7:45pm.

Ron D'Amico, Palm Beach Gardens resident, expressed his support of the project and stated that it is an asset to the Town. He also recommended that the Town build a skybridge across US1 from CVS to the project.

Mr. Stelluto recommended that Mr. D'Amico speak with the Town Manager on the skybridge proposal as he believed it was proposed before but not feasible. He also expressed his concerns on the aesthetics of the project.

Mr. Rosengarten agreed with Mr. Stelluto and expressed his concerns on the look of the project not being coastal.

D. Planning & Zoning Board Recommendation

The Board continued to review and discuss this item.

MOTION: Callaghan/Davis made a motion to continue this item to the July 18, 2022 Planning & Zoning Board meeting and have staff work with the applicant to address

the comments made by the Board at this meeting.

ACTION: *The motion passed unanimously.*

MOTION: *Stern/Davis made a motion to continue Item #6 to the next Planning & Zoning Board Meeting.*

ACTION: *The motion passed unanimously.*

6. ~~ORDINANCE NO. 753: AMENDING THE PLANNING & ZONING BOARD DUTIES, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, RELATING TO ARCHITECTURAL REVIEW OF DETACHED SINGLE-FAMILY DWELLINGS; AMENDING DIVISION 1, "GENERALLY," AND DIVISION 4, "SITE PLAN AND APPEARANCE REVIEW," OF ARTICLE II, "ADMINISTRATION AND ENFORCEMENT," OF CHAPTER 34, "ZONING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTIONS 34-28 AND 34-116 TO ASSIGN ONLY APPEARANCE REVIEW, INCLUDING ARCHITECTURAL REVIEW, OF DETACHED SINGLE-FAMILY DWELLINGS TO THE PLANNING AND ZONING BOARD; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.~~

(Director of Planning & Zoning Davila)

- A. ~~Town Attorney to Read Ordinance Title~~
- B. ~~Staff Presentation~~
- C. ~~Applicant Presentation~~
- D. ~~Public Hearing~~
- E. ~~Planning & Zoning Board Recommendation~~

Staff Recommendation: *Staff recommends that the Planning & Zoning Board review the proposed Ordinance No. 753 and provide a recommendation to the Town Council.*

7. **COMMENTS FROM STAFF** *(Time: 3:34:54 – 3:39:45)*

Director of Planning & Zoning Davila stated that next Planning & Zoning Board meeting is Monday, July 18th and asked the Board if that date was okay.

The Board agreed to have the next meeting on July 18th.

Vice Chair Stern confirmed with staff that the August meeting will still take place on August 1st.

Director of Planning & Zoning Davila stated that staff will be bringing the architectural styles of the Code and lecture series to the Board at either the July or August meeting.

Chair Ferguson requested that the items be brought up at the July meeting.

Boardmember Davis inquired about a series from the American Planning Association or University of Florida that could be presented to the Board.

Director of Planning & Zoning Davila stated that staff will look into it and suggested to have the discussion on the lecture series and architectural review board item at the July meeting.

Chair Ferguson agreed.

Town Clerk Copeland-Rodriguez went over the upcoming meeting dates.

8. **COMMENTS FROM THE BOARD** (Time: 3:39:46 – 3:44:53)

Alternate Boardmember Wolf inquired about the legislation governing the architectural review process.

Town Attorney Rubin explained the statutory requirements as well as the Town's current Ordinance governing the architectural review board.

Boardmember Davis confirmed that Council will not review the Ordinance No. 753 until the Board has provided a recommendation.

Boardmember Callaghan thanked staff on providing the backup material for tonight's meeting and the Boardmembers for their discussion.

9. **ADJOURNMENT** (Time: 3:44:54-3:45:40)

Chair Ferguson adjourned the meeting at 9:13pm.

Minutes Approved on July 18, 2022.