

MINUTES
TOWN OF JUNO BEACH
PLANNING AND ZONING BOARD MEETING

August 1, 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 (*Via Zoom*)

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

ABSENT:

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

Audience: 25

- ~ 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:1:43 – 2:11)*)

1. **PUBLIC COMMENTS** (*Time: 2:12 – 3:38*)

*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.

Alexander Cooke, 400 Seaside Lane, expressed his concerns on the Board's vote at the last meeting on proposed Ordinance No. 753 revising the duties of the Planning and Zoning Board.

Public Comments Closed at 5:32pm.

2. **CONSENT AGENDA** (*Time: 3:39 – 6:14*)

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 July 18, 2022.

***MOTION:** Stern/Callaghan made a Motion to Approve the Consent Agenda.*

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

3. **SITE PLAN REVIEW AND SPECIAL EXCEPTION REQUEST BY JUNO POINT PROPERTY OWNER, LLC (1011 U.S. HIGHWAY 1) (QUASI-JUDICIAL)** (Time: 6:15 – 2:03:00)
(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.

Boardmember Davis disclosed ex parte communications.

Alternate Boardmember Wolf disclosed ex parte communications.

B. Swearing in of Witnesses

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

C. Staff Presentation

Director of Planning & Zoning Davila went over a presentation (*see attached*) and asked the Boardmembers to hold their questions until after the applicant has presented.

D. Applicant Presentation

James Letchinger, on behalf of Juno Point Property Owner, LLC, the property owner, went over a presentation (*see attached*) and asked the Boardmembers if they had any questions.

The Board asked staff, Mr. Letchinger, and landscape architect Troy Holloway questions on this item.

E. Public Hearing

Public Hearing Opened at 6:42pm.

Susan Van Lindt (*via Zoom*), on behalf of residents of Sea Oats, expressed opposition to the project.

Walter Oakden, 467 Juno Dunes Way, expressed his thoughts on the garage parking.

Public Hearing Closed at 6:48pm.

F. Planning & Zoning Board Recommendation

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

Boardmember Davis provided a copy of her comments on the project (*see attached*).

Public Comments Opened at 7:22pm.

Ron D'Amico, Palm Beach Gardens resident, asked Alternate Boardmember Wolf if she was on the Council when they approved Ocean One.

Chair Ferguson stated that they do not go into debate with members of the public.

Mr. D'Amico stated that he does not see any benefit that the Ocean One project has for the residents of Juno Beach and is offended by Alternate Boardmember Wolf's attitude towards this project.

Public Comments Closed at 7:23pm.

Alternate Boardmember Wolf stated that she was not on Council nor the Planning & Zoning Board when Ocean One was built. She stated that she is not opposed to this project at all. She explained that she is being stickler and that if the Board does not want 75/25 then they could save a lot of time by amending our code.

***MOTION:** Stern/Compton made a motion to recommend approval of the request for Site Plan/Appearance Review and Special Exception Approval for the restaurant use and the Site Area Development Modification Option subject to the conditions outlined in staff's memorandum and additional conditions relating to remediation of the property, the posting of surety for infrastructure and public improvements, the reinstatement of the condition for pedestrian improvements, if possible, or to allocate the funds elsewhere, and the easement connection to Plaza La Mer.*

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

Chair Ferguson recessed the meeting at 7:29pm.

Chair Ferguson reconvened the meeting at 7:31pm.

4. **COMMENTS FROM STAFF** (Time: 2:03:01 – 2:05:49)

Director of Planning & Zoning Davila provided an update on the lecture series and dates.

Town Clerk Copeland-Rodriguez announced the upcoming meeting and event dates.

5. **COMMENTS FROM THE BOARD** (Time: 2:05:50 – 2:48:50)

Chair Ferguson provided a proposal to the Board (*see attached*) and asked that the Board request that the Town Council consider creating an ordinance for the conservation and protection of Pelican Lake and wetland areas within the Town. He asked the Boardmembers for their thoughts.

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

The Board gave consensus to have staff bring this information to the Town Council for consideration.

Boardmember Davis provided her comments to the Board on proposed Ordinance No. 753 (*see attached*).

Vice Chair Stern inquired as to why they are receiving the comments at this time and not sooner.

Town Attorney Rubin explained that it is not appropriate to continue funneling out documents from Boardmembers prior to a meeting because the practice violates the intent and spirit of the Sunshine Law and should only be used in extraordinary circumstances.

The Board reviewed, discussed, and asked staff questions on the comments provided by Boardmember Davis.

Town Attorney Rubin asked the three members of the Board who voted in favor of Ordinance No. 753 if they wished to reconsider their vote.

The Boardmembers did not wish to reconsider their vote on Ordinance No. 753.

Boardmember Davis provided her comments (*see attached*) and inquired about how to challenge a permit.

Town Attorney Rubin explained the process and addressed Boardmember Davis's questions.

6. **ADJOURNMENT** (*Time: 2:48:51 – 2:49:09*)

Chair Ferguson adjourned the meeting at 8:17pm.

Minutes Approved on September 7, 2022.