



**LOCAL PLANNING AGENCY BOARD AGENDA
REGULAR MEETING
Village Hall - Council Chambers
226 Cypress Lane
Palm Springs, FL 33461
Thursday, March 12, 2020
6:30 PM**

Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at (561) 965-4010 at least three (3) business days prior to the meeting in order to request such assistance.

1. CALL TO ORDER

2. ROLL CALL

Mayor Bev Smith, Vice Mayor Joni Brinkman, Mayor Pro Tem Patti Waller, Council Member Doug Gunther, Council Member Gary Ready, Village Attorney Glen Torcivia, Village Manager Richard Reade and Village Clerk Kimberly Wynn

3. AGENDA

Public Hearing for amending the Comprehensive Land Use Plan by revising the Future Land Use Map (FLUM) and amending the Official Land Development District Zoning Map of the Village by amending and rezoning the following properties in the Village of Palm Springs:

- 3.1 Ordinance No. 2020-03 - Land Use and Rezoning (Small-Scale) - 2623 10th Avenue North and 900 Lynnwood Drive (SECOND READING) (*Quasi-Judicial Hearing*)

Motion	Second	Vote
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[Proposed Ordinance No. 2020-03 Land Use Amendment and Rezoning - 2623 10th Avenue North and 900 Lynnwood Drive](#)

[Exhibit A - Parcel Spreadsheet](#)

[Proposed Annexation Letter from Palm Beach County - 2623 10th Avenue North and 900 Lynnwood Drive](#)

[Aerial, Location, Future Land Use and Zoning Maps](#)

- 3.2 Ordinance No. 2020-04 - Land Use Plan Amendment (Large Scale) - 2085 South Congress Avenue and 3243 Lillian Road (Proposed Palm Springs Residences Residential Planned Development) [*FIRST READING*]

(THE APPLICANT REQUEST THIS ITEM BE POSTPONED TO A DATE CERTAIN OF APRIL 9, 2020)

4. **PUBLIC COMMENT** *The public shall be limited to three (3) minutes to speak on agenda or non-agenda item(s)*

5. **ADJOURNMENT**

If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.



Village of Palm Springs

Executive Brief

AGENDA DATE: March 12, 2020

DEPARTMENT: Planning, Zoning & Building

ITEM 3.1: Ordinance No. 2020-03 - Land Use and Rezoning (Small-Scale) - 2623 10th Avenue North and 900 Lynnwood Drive (SECOND READING) (*Quasi-Judicial Hearing*)

SUMMARY:

The proposed ordinance would amend the land use and zoning designation for the 0.5972-acre property located at 2623 10th Avenue North and 900 Lynnwood Drive (southeast corner of 10th Avenue North and Lynnwood Drive), which is being considered for voluntary annexation (Ordinance No. 2020-02).

Concurrent with the annexation of the properties, the Village is initiating the small-scale land use and zoning changes from Palm Beach County designations to Palm Springs designations. The property is less than 10 acres in size (0.5972 acres) and is currently vacant and is planned for urban use:

Existing PBC Future Land Use	Proposed Village Future Land Use	Existing PBC Zoning	Proposed Village Zoning
PBC - Medium Density Residential (MR5)	Residential Medium Density	PBC - Residential High (RH)	Residential Multi- Family (RM)

Note: See attached table and maps. This property is being proposed to developed as multi-family residential use.

The proposed land use plan amendment was submitted through the PBC Intergovernmental Plan Amendment Review Committee (IPARC) and no comments were received.

The Planning & Zoning Board considered the proposed ordinance during their January 14, 2020 meeting and recommended approval.

The Local Planning Agency (LPA) is requested to consider this item during their March 12, 2020 meeting and their recommendation will be provided to the Village Council on March 12, 2020.

The proposed ordinance was prepared by the Village Clerk and reviewed by the Village Attorney and Planning, Zoning & Building Director.

FISCAL IMPACT:

The proposed land use and rezoning amendments are not expected to affect the Village's property tax revenue; however, they will assist in facilitating the development of the property.

ATTACHMENTS:

Proposed Ordinance No. 2020-03 Land Use Amendment and Rezoning - 2623 10th Avenue North and 900 Lynnwood Drive

Exhibit A - Parcel Spreadsheet

Proposed Annexation Letter from Palm Beach County - 2623 10th Avenue North and 900 Lynnwood Drive

Aerial, Location, Future Land Use and Zoning Maps

ORDINANCE NO. 2020-03

(SMALL SCALE LAND USE AMENDMENT & REZONING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, FOR THE 0.5972-ACRE PARCEL LOCATED AT 2623 10th AVENUE NORTH AND 900 LYNNWOOD DRIVE, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, FROM A LAND USE DESIGNATION OF "MEDIUM DENSITY RESIDENTIAL (MR5)" TO A VILLAGE FUTURE LAND USE DESIGNATION OF "RESIDENTIAL MEDIUM DENSITY"; FURTHER CHANGING THE ZONING DESIGNATION FROM "RESIDENTIAL HIGH" TO PROVIDE FOR A ZONING DESIGNATION OF "RESIDENTIAL MULTI-FAMILY (RM)" DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village has determined the need to amend the land use and zoning designations for the 0.5972-acre parcel located at 2623 10th Avenue North and 900 Lynnwood Drive, which is being considered for voluntary annexation (Ordinance No. 2020-02); and

WHEREAS, the Village will initiate the small-scale land use and zoning changes from the existing Palm Beach County designation. The subject properties are less than 10 acres in size; and

WHEREAS, the Village has adopted a Comprehensive Plan pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act (the "Act"); and

WHEREAS, the Village Council, sitting as the Village's Local Planning Agency (the "LPA") will consider this item on March 12, 2020 and their recommendation will be provided to the Council prior to consideration; and

WHEREAS, the Village Council has considered the request of Village Staff for small-scale land use amendments and re-zoning designations; and

WHEREAS, the Village Council has determined that granting the request for land use amendments and rezoning serves a valid public purpose.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. Findings. The Village Council finds the above statements are true and correct and serve as a basis for consideration of this ordinance.

Section 2. Future Land Use. The Future Land Use designation in the Village's Comprehensive Land Use Plan for the lands described herein, as more particularly designated in "**Exhibit A**" shall be established as "Residential Medium Density". Until such time as the appeal period expires, (if challenged, the new zoning is not effective until such time as the state land planning agency or the Administration Commission issues a final order of compliance) but not sooner than 31 days following the effective date of this ordinance, all development of said lands shall be subject to the requirement of the existing Village Land Use Plan, Zoning, and Subdivision regulations.

Section 3. Zoning. Concurrent with said small-scale land use amendments, the Land Development (Zoning) District designations on the official Village of Palm Springs Zoning Map shall be established as "Residential Multi-Family (RM)" more particularly designated in **Exhibit "A"**, subject to the approval and appeal period stated in Section 2, above.

Section 4. Directions to the Village Clerk. The Village Clerk is hereby authorized and directed to forthwith cause the designations of the zoning of the properties described in the attached "**Exhibit A**", as set forth in Section 3 of this Ordinance, on the official Village of Palm Springs Zoning Map.

Section 5. Repeal of Conflicting Ordinances. All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

Section 6. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective immediately upon adoption.

Council Member _____, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEVERLY SMITH, MAYOR	☐	☐	☐
JONI BRINKMAN, VICE MAYOR	☐	☐	☐
PATTI WALLER, MAYOR PRO TEM	☐	☐	☐
DOUG GUNTHER, COUNCIL MEMBER	☐	☐	☐
GARY READY, COUNCIL MEMBER	☐	☐	☐

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, this _____ day of _____, 2020.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEVERLY SMITH, MAYOR

First Reading _____

Second Reading _____

ATTEST:

BY: _____
KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____
GLEN J. TORCIVIA, VILLAGE ATTORNEY

<u>OWNER NAME</u>	<u>PBC L/U</u>	<u>ZONING</u>	<u>ADDRESS</u>	<u>Street</u>	<u>PCN #</u>	<u>ACRES</u>	<u>Site Devl</u>	<u>Assd Value</u>	<u>Fl Zone</u>	<u>Zip Code</u>
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Nelson Tiburcio	Medium Density Residential (5 du/ac)	RH	2623	10th Avenue North	00434420010390010	0.4419	vacant	\$105,000.00	X	33461
Nelson Tiburcio	Medium Density Residential (5 du/ac)	RH	900	Lynnwood Drive	00434420080000010	0.1553	vacant	\$30,000.00	X	33461

0.5972

\$135,000.00



**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb



**Palm Beach County
Board of County
Commissioners**

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Hal R. Valeche

Gregg K. Weiss

Mary Lou Berger

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

December 20, 2019

Kim Glas-Castro, AICP LEED AP
Land Development Director
Village of Palm Springs
226 Cypress Lane, Village Hall
Palm Springs, FL 33461



RE: Proposed Annexation Tiburcio Nelson Properties, 2020-70-001

Dear Ms. Glas-Castro:

Thank you for providing the County advance notice and the opportunity to review the annexation summarized below.

Name	Description
Tiburcio Nelson Properties 2020-70-001	Acres: 0.59 Location: Southeast corner of 10 th Ave N and Lynnwood Dr. 1st Reading: 1/9/2020 2nd Reading: 2/13/2020

The proposed annexation was processed through the County's Annexation Review Process. County staff and service delivery agencies reviewed the proposed annexation. After review, County staff has not identified any inconsistencies with Chapter 171, Florida Statutes. The proposed annexation is located within the County's Urban Redevelopment Area (URA) and the Revitalization, Redevelopment and Infill Overlay (RRIO). There are county owned and maintained roads, which will not be annexed nor will have the operation and maintenance transferred to the Village.

The County remains consistent in our efforts to work cooperatively with the Village on resolving annexation challenges. Please contact Ed Nessenthaler at 561-233-5328 for questions regarding the URA and RRIO. For any other comments or questions, please contact me at 561-233-5332.

Sincerely,

Patricia Behn
Planning Director

cc: The Honorable Dave Kerner, Mayor & District 3 Commissioner
Patrick W. Rutter, Assistant County Administrator
Ramsay Bulkeley, PZ&B Executive Director
Kevin Fischer, Deputy Planning Director, PBC
Bob Banks, AICP, Chief Land Use County Attorney

Scott A. Stone, Assistant County Attorney
Rich Reade, Village Manager, Palm Springs
Ed Nessenthaler, Senior Planner, PBC
Stephanie Gregory, Senior Planner, PBC

t:\planning\intergovernmental\annexations\2020 fiscal year\letters\ps-tiburcio nelson properties - dec.2019.docx



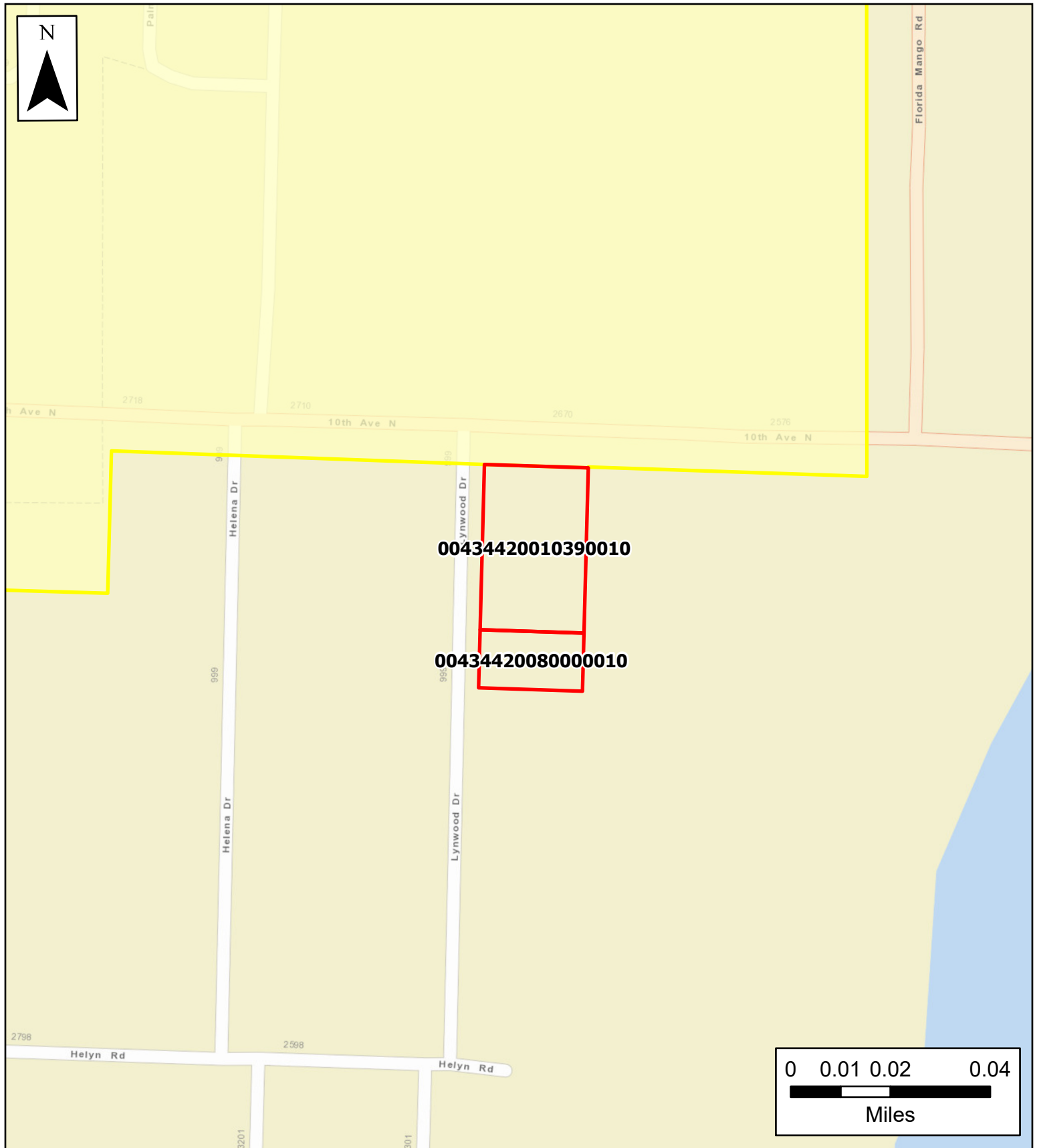
Village of Palm Springs

Annexation of Parcels
10th Ave N and Lynnwood Dr
Location Map

 Proposed Annexation
 Village Limits

Data Source: Property Boundary provided by Palm Beach County, Village Limits provided by the Village of Palm Springs, Basemap imagery provided by ESRI Online Services.

The Data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The Village of Palm Springs make no warranties, express or implied, as to the use of the licensed Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction and update.



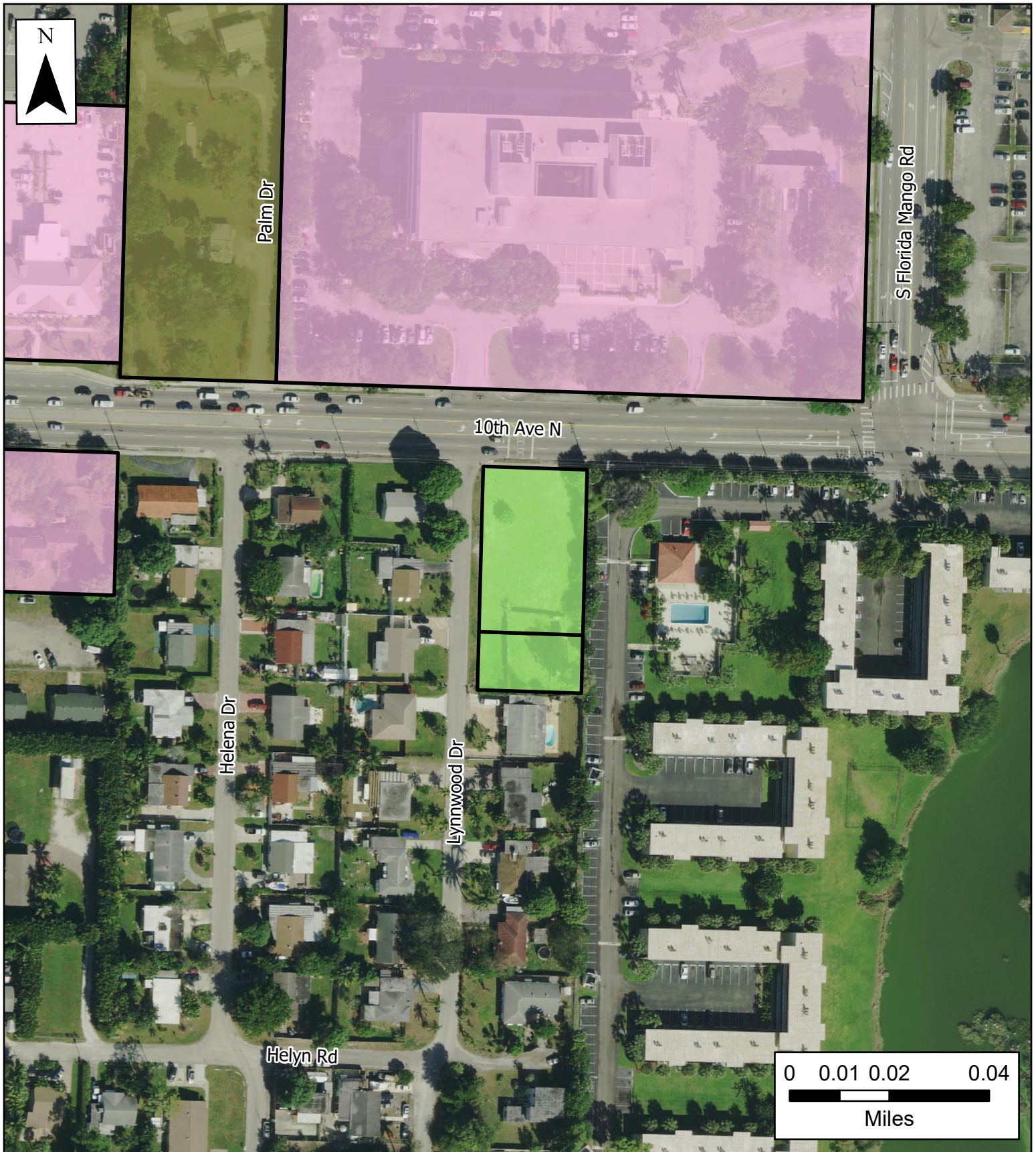
Village of Palm Springs

Annexation of Parcels
10th Ave N and Lynwood Dr
Location Map

- Proposed Annexation
- Village Limits

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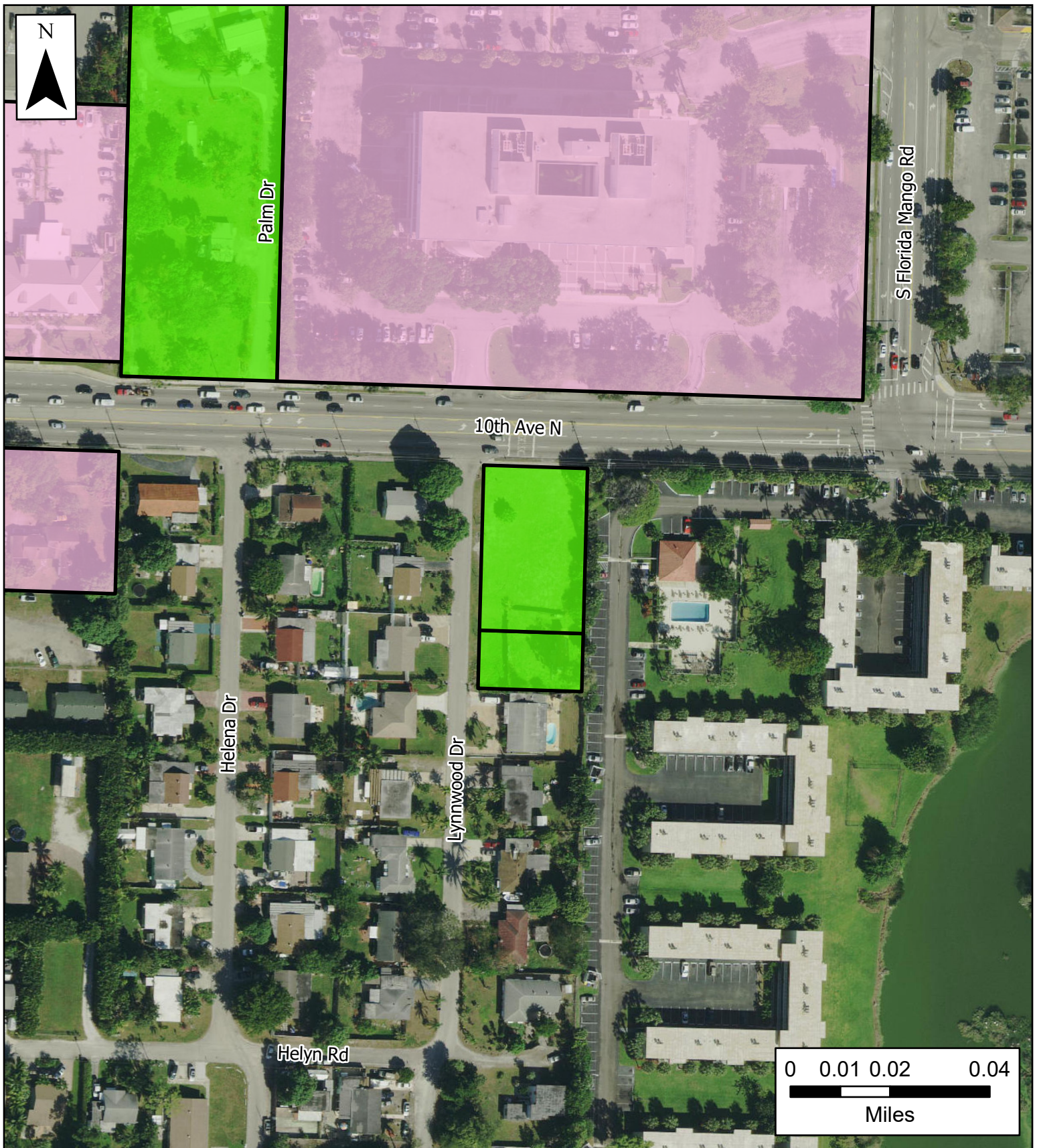
Village of Palm Springs

Annexation of Parcels
10th Ave N and Lynnwood Dr
Future Land Use Map

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- Medium Density Residential
- High Density Residential
- Commercial

Data Source: FLU provided by the Village of Palm Springs, Basemap imagery provided by ESRI Online Services.



Village of Palm Springs

Annexation of Parcels
10th Ave N and Lynnwood Dr

Zoning Map

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- CG (Commercial General)
- RM (Residential Multiple-Family)

Data Source: Zoning provided by the Village of Palm Springs, Basemap imagery provided by ESRI Online Services.



Village of Palm Springs

Executive Brief

AGENDA DATE: March 12, 2020

DEPARTMENT: Planning, Zoning & Building

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(THE APPLICANT REQUEST THIS ITEM BE POSTPONED TO A DATE CERTAIN OF APRIL 9, 2020)

SUMMARY:

FISCAL IMPACT:

ATTACHMENTS: