AGENDA
PLANNING AND ZONING ADVISORY BOARD MEETING
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
PALM SPRINGS, FL 33461
MAY 12, 2020
6:30 PM

1. CALL TO ORDER

2. ROLL CALL

Board Members: Chairman - Johnnie Tieche, Vice Chairman - Richard Hughes, Ralph Lashells, James Mandigo, Peter Braun, Kim Gehrman, and Larry Saingilus

Staff: Village Attorney Brian Shutt, Planning, Zoning and Building Director Kim Glas-Castro, Planning, Zoning and Building Planner Iramis Cabrera, Deputy Village Clerk Jane R. Worth

3. PLEDGE OF ALLEGIANCE

4. ADDITIONS, DELETIONS, OR MODIFICATIONS, AND APPROVAL OF AGENDA

5. MINUTES

5.1 Minutes - July 9, 2019
Minutes - July 9, 2019

5.2 Minutes – August 13, 2019
Minutes - August 13, 2019

5.3 Minutes - September 10, 2019
Minutes - September 10, 2019

5.4 Minutes - October 8, 2019
Minutes - October 8, 2019

5.5 Minutes - November 12, 2019
Minutes - November 12, 2019

5.6 Minutes - December 10, 2019
Minutes - December 10, 2019

5.7 Minutes - January 14, 2020
Minutes - January 14, 2020

5.8 Minutes - February 11, 2020
Minutes - February 11, 2020

5.9 Minutes - February 25, 2020
Minutes - February 25, 2020

5.10 Minutes - April 14, 2020
Minutes - April 14, 2020

A motion to accept the minutes was made by Mr. Lashells and seconded by Mr. Braun. Motion carried. 5 - 0

Motion: Ralph Lashells	Second: Peter Braun	Vote: Motion Approve: 5 - 0

6. PUBLIC HEARING *NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY EX PARTE COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY*

Deputy Clerk Worth ascertained there were no ex parte communications. The Clerk swore in the following: Village Attorney Brian Shutt, Director of Planning, Zoning and Building, Kimberly Glas-Castro, Planner of Planning, Zoning and Building, Iramis Cabrera, Agent for the Owner, Kevin McGinley and Agent for the Owner, Beatriz Rodriguez

6.1 Ordinance No. 2020-08 - Village Code Amendment - Chapter 34 - Land Development Procedures
Proposed Ordinance No. 2020-08 - Land Development Procedures

Director Glas-Castro informed the Board this was an amendment regarding quasi judicial procedures. Everything was directly under Land Development, it needed to be clarified, it could also be applied to Village Council and other Boards. This was a housekeeping item. Chairman Tieche asked about Section 34-6045, if the Construction Board of Adjustment and Appeals was still an active Board? Director Glas-Castro stated it was, and met on an as needed basis.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of the of Ordinance No. 2020-08 was made by Mr. Hughes and seconded by Mr. Braun. A roll call vote was taken, and motion passed 5-0 approved.

Motion: Ralph Lashells	Second: Peter Braun	Vote: Motion Approve: 5 - 0

6.2 Ordinance No. 2020-09 - Village Code Amendment - Chapter 34 - Article VI "Land Use" - Mobile Food Dispensing Vehicles
Proposed Ordinance No. 2020-09 - Food Trucks House Bill 1193

Director Glas-Castro stated the House Bill will be effective July 1, 2020. This preempts cities with regulating food trucks. We may not require them to get a license, special permits or collect business taxes either. The Village Code currently prohibits food trucks with the Village limits. She continued to explain the bill and regulations within it. She stated once the Governor is presented with this bill, he has 14 or 15 days to either put it into law or not, if he does not act on it, it will automatically become law without action.

Mr. Hughes expressed he did not like food trucks. Mr. Hughes and Mr. Lashells both thanked Director Glas-Castro for the work that she had put into this. Mr. Lashells asked if food trucks were asked to be part of a special event, what was protocol. Director Glas-Castro stated they would still have to get a special events permit. Mr. Saingilus stated he loved food trucks, limiting them is great, but they are also good to bring more millennial's out and it is easy access to food.

Staff and Board Members continued to discuss the pros and cons of food trucks.

Chairman Tieche asked the public or the Board for any additional comments. There was a question from the public asking if the food trucks were allowed to be on construction sites. Director Glas-Castro answered they were.

A motion to recommend approval of the of Ordinance No. 2020-08 was made by Mr. Braun, with the suggestion that the food truck must be parked on pavement and seconded by Mr. Hughes. A roll call vote was taken, and motion passed 5-0 approved.

Motion: Peter Braun	Second: Richard Hughes	Vote: Motion Passed: 5 - 0

7. QUASI JUDICIAL PUBLIC HEARINGS

7.1 Planning & Zoning Board Order No. 2020-02 - Landscape Buffer Variances PSV20-03 & PSV20-04 - Penuel Evangelical Church - 3401 2nd Avenue North (*Quasi-Judicial Hearing*) [Continued from April 14, 2020 Planning and Zoning Board Meeting]

Lake Worth Herald Advertisement
Staff Report
Site Plan, Landscape Plans, Architectural Plans and Letters
Project Narrative and Justification Statements
Building Elevations.pdf
Color Site Plan
Aerial and Location Maps Sec.
34-602(2) Variances
Planning Zoning Board Order 2020-02

PZ&B Planner Cabrera informed the Board the applicant wants to convert the existing veterinary clinic at one time, into a place of worship, including a 192-seat sanctuary, administrative offices, a meeting room, storage room, restrooms and small kitchen area. The site presently has access from Davis Road and 2nd Avenue North and proposed access is the same.

Mr. Kevin McGinley stated that the variances that were being requested are for existing site conditions. There were no additions that were going to be built to the building. The widths are existing widths that don't meet code. It is a tight site at the south east corner. Whether it was a church or any other building, they would still need the same variance.

The Boards only questions were regarding emergency vehicle clearance referring to turning around. The question of overflow parking was brought up. Mr. McGinley stated there was no issue with the emergency vehicles. Regarding the overflow parking, there was also not an issue currently. There is room for 192 seat capacity, and they have not reached that at present time.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to approve Resolution No. 2020-15 was made by Mr. Mandigo, to include the sidewalks to be connected as discussed and seconded by Mr. Braun. Motion carried 5-0 A roll call vote carried approval 5-0.

Motion:	Second:	Vote:
James Mandigo	Peter Braun	Motion Passed: 5 - 0

7.2 Resolution No. 2020-15 - Site Plan Amendment (SPR20-04) and Special Exception Use (PSSE20-01) - Penuel Evangelical Church - 3401 2nd Avenue North ***(Quasi-Judicial Hearing)*** [Continued from April 14, 2020 meeting]

Lake Worth Herald Advertisement
Proposed Resolution No. 2020-15

Exhibit "A" - Staff Report and Conditions of Approval
Project Narrative and Justification Statements
Site Plan, Landscape Plans, Architectural Plans and Letters
Building Elevations.pdf
Color Site Plan
Legal Description
Aerial and Location Maps

PZ&B Planner Cabrera stated presentation was given with Item 7.1. Mr. McGinley did not have anything extra for the Board but would answer any questions the Board might have.

Chairman Tieche stated the two sidewalks do not meet is there a possibility to cut the corner with the sidewalk? They go into the road and just stop. Director Glas-Castro stated that would possibly lead to a sidewalk easement, it goes across the church parking lot at the end. Mr. McGinley stated the present sidewalks are in the right of way, and he felt construction of a sidewalk that would encroach into the right of way and he felt that was a reasonable request. Chairman Tieche also asked about the sidewalk coming from the back parking, would they be using the back door. Mr. McGinley stated there was a front door and they would also be using the back door.

Chairman Tieche asked about page 113 #5, no social services in the church. Also page 187 regarding child care, would there be child care during the day? Director Glas-Castro stated currently they were not requesting social services or child care.

A question from the public was asking if there would be a problem with flooding. Mr.McGinley stated currently there is no drainage system on the property. There is a connection to the storm water sewer system that is being installed. Mr. McGinley explained this in more detail.

Mr. Hughes asked on the west side of the parking lot did not have a reservoir there either. In looking around the site, there are homes constructed around that area. Will there be a drainage problem with the new buffer system you are putting in? Mr. McGinley said there is a criteria that none of the storm water onto adjacent properties. Those are issues that are being looked at through the permitting process, if it is not correct, it would have to be corrected.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to approve Resolution No. 2020-15 was made by Mr. Mandigo, to include the sidewalks to be connected as discussed and seconded by Mr. Braun. Motion carried 5-0 A roll call vote carried approval 5-0.

Motion:	Second:	Vote:
James Mandigo	Peter Braun	Motion Passed: 5 - 0

7.3 Resolution No. 2020-17 - Preliminary Plat - Beatrice Place - 4405 Dale Road *(Quasi-Judicial Hearing)*
Proposed Res No. 2020-17 - Preliminary Plat - 4405 Dale Road
Proposed Preliminary Plat
Letter of Compliance Florida Statutes - Engenuity Group
Special Purpose Survey
Narrative
Aerial Map and Location Map

Approve

PZ&B Planner Cabrera informed the Board the applicant was requesting approval of the preliminary plate to subdivide a multi-family lot into three (3) separate lots, located at 4405 Dale Road.

Mr. Saingilus asked if they would be rental properties or will they be sold. The applicant stated one would be her primary resident, one would be sold, and the other would either be sold or rented. Mr. Lashells asked how the lots compared to the other lots in the neighborhood. Director Glas-Castro stated the lot size does conform to code. Chairman Tieche asked about the one lot from Vicliff and is longer and created a pocket, was that the way it was laid out. The applicant stated it was their choice.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to approve Resolution No. 2020-17 was made by Mr. Hughes and seconded by Mr. Lashells. Motion carried 5-0 A roll call vote carried approval 5-0.

Motion: Richard Hughes	Second: Ralph Lashells	Vote: Motion Passed: 5 - 0

8. ACTIONS AND REPORTS

9. ADJOURNMENT

Hearing no other business, Chairman Wong adjourned the meeting at 7:35 pm.

ATTEST:

Richard Hughes, Vice Chairman

Jane R. Worth, Deputy Clerk

VILLAGE OF PALM SPRINGS SEAL 1957 FLORIDA

Approved by Board 8/3/2020
(Date)

NEXT PLANNING AND ZONING ADVISORY BOARD MEETING
TUESDAY, JUNE 9, 2020 AT 6:30 P.M.