



**AGENDA
PLANNING AND ZONING ADVISORY BOARD MEETING
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
PALM SPRINGS, FL 33461
OCTOBER 13, 2020
6:30 PM**

1. CALL TO ORDER

Chairman Johnnie Tieche called the meeting to order at 6:30 PM

2. ROLL CALL

BOARD

MEMBERS

Chairman Johnnie Tieche, Vice Chairman Richard Hughes, Ralph Lashells, Peter Braun, Kim Gehrman and Larry Saingilus

Absent: James Mandigo

STAFF

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

3. PLEDGE OF ALLEGIANCE

Chairman Tieche led the Pledge of Allegiance.

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

5. MINUTES

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 asked if there were any ex-parte communications. There were none from the Board. Deputy Clerk Worth swore in Village Attorney Brian Shutt, Director Kim Glas-Castro, Planer Iramis Cabrera, and Mr. Kevin McGinley.

1. Ordinance No. 2020-16 - Village Code Amendment - Chapter 34 - Gulfstream Road Overlay
[Proposed Ord. No. 2020-16 - Land Development Regulations - Gulfstream Road Overlay](#)

Approve

Director Glas-Castro informed the Board the Planning, Zoning & Building Department is proposing amendments to the Land Development Regulations to establish a Gulfstream Road Overlay in Subdivision XXV. The intent of the Gulfstream Road Overlay ("GRO") is to encourage residential redevelopment, to optimize utilization of residential property, and to create a neighborhood identity.

Property owners along Gulfstream Road are interested in redeveloping their residential properties. The area is characterized by large lots (0.5 – 1.15 acres in size) that are currently underutilized and are either vacant or developed with only a single-family residence. There is interest in additional density, however, the entire area between Davis Road (on the east) and Kirk Road (on the west), is designated with the Low Density Residential land use category.

Rather than consider land use changes on a parcel-by-parcel basis, which might lead to concerns about compatibility and "spot zoning", an overlay may be utilized to permit additional density in exchange for design considerations.

The proposed GRO (land development regulations and design requirements) was initially drafted by Gulfstream Road property owners and was workshopped with the Planning & Zoning Board on July 9, 2019.

Village staff has proposed various revisions to the property owners' suggested land development regulations and is moving forward as a staff-initiated effort.

The Gulfstream Road Overlay provides the following:

- Use of Key West architectural style to establish a distinct neighborhood identity and create a sense of place,
- Clustering of multi-family dwelling units to allow aggregation of open space for common amenity area,
- Flexibility (no minimum) in lot area so long as maximum density not exceeded,

- Density bonus in consideration of high-quality design features (up to a maximum of ten (10) units per acre), and
- Standard parking, open space and landscape requirements are maintained.

The proposed GRO encompasses 20 parcels and a total of 13.94 acres. The area is designated with the Low Density Residential Land Use category, which allows up to 5.8 units per acre (or a maximum of 80 residential units for the area). If every property were to be redeveloped pursuant to the GRO allowances, and approved for the maximum eligible density (10 du/ac), the neighborhood would be comprised of 139 residential units (an increase of 59 units). The provisions do not require that parcels be aggregated (there would be no minimum lot size). The smallest lots of record are ¼ acre in size and have potential for a maximum of two (2) units (i.e., duplexes, stand-alone units, garage apartments, etc.) if the GRO is utilized.

The potential impacts of an additional 59 residential units are summarized below:

Maximum Potential Demand on Public Services/Facilities			
Public Facility/Service	Existing Land Use (5.8 du/ac) 80 dwelling units	Proposed Density Bonus (max. of 10 du/ac) 139 dwelling units	Increase in Demand
Roads (traffic)	81 pht	92 pht	+11 pht
Schools (students)	17 students	17 students	n/a
Potable Water	16,925 gpd	29,407 gpd	+12,482 gpd
Sanitary Sewer	28,000 gpd	34,750 gpd	+6,750 gpd
Solid Waste	1,377 lbs/day	2,392 lbs/day	+1,015 lbs/day
			+3,316 s.f.
Parks	4,494 s.f.	7,811 s.f.	(0.08 acres)

The objective of the GRO is to promote redevelopment of the Gulfstream Road neighborhood, creating a distinct character and identify. The potential density bonus (an additional 4.2 units per acre) would service as the mechanism to incentivize property owners and/or developers to assemble parcels and build new residences in Key West style. It is envisioned that this effort may result in additional neighborhood overlays being requested in the future.

The proposed overlay was discussed with the Village Council on September 10, 2020 and staff received direction to proceed.

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

Mr. Kevin McGinley was present to answer any questions, he was not the applicant, but he was the originator.

The Board asked if the parking would remain with the code requirements and would there be any relief on the landscaping. Director Glas-Castro stated yes, they would still have to provide 2.5 spaces per unit and an additional 25% guest parking. She answered they would have to come before the Board for a variance. A hardship would have to be justified and that may be the same consideration too for the density bonus. The Board asked about the structural limits. Director Glas-Castro stated there would still be required for the 35 foot height limitation. Where would the 10% bonus for people without going up. She answered they were larger properties and underutilized. There is land there and potential for either two (2) duplexes or two (2) free standing homes. There would be a common aggregate area where there would be a tot lot, gazebos, grills, etc.

The Board asked Mr. McGinley who would be maintaining the common areas. Mr. McGinley stated they came up with a plan to make sure that it would work. There would have to be an Association. The Board asked how many lots would be tied into this project. Mr. McGinley stated the lots will be assembled. There was a question if there would be a dead end or would the roads loop. Mr. McGinley stated they would loop. The Board asked if they would-be single-family homes. Mr. McGinley stated they would be townhomes.

There was a question of who would have the last say regarding the architectural style. Director Glas-Castro stated the Key West style is a commonly known style. The regulations provide for the gables and if assistance is needed an architect would be called in, but the Council would have the final say. She proceeded to describe the proposed architectural design. Mr. McGinley asked if the architectural design prohibited satellite dishes. Director Glas-Castro stated she did not believe they were prohibited.

A Board Member asked if notices were sent to the residents around the proposed site. Director Glas-Castro confirmed they were. It was also asked what the percentage of actual vacant lots was. Mr. McGinley stated on the west side of Gulfstream there were vacant lots, but as you move forward on Gulfstream, there were structures.

A discussion continued regarding the possibility of variances; how soon would it get started if it passed. Mr. McGinley stated the applicant was very interested in getting the project moving.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of the of Ordinance No. 2020-16 was made by Mr. Hughes and seconded by Mr. Braun. Motion carried 5-0

Motion: Richard Hughes	Second: Peter Braun	Vote: Motion Passed: 5 - 0
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6.2 Ordinance No. 2020-17 - Comprehensive Plan Amendment - Gulfstream Road Overlay

[Proposed Ord. No. 2020-17 - Text Amendment - Comprehensive Plan Exhibit "A" - Gulfstream Road Overlay - comprehensive plan provisions](#)

Approve

The Planning, Zoning & Building Department is proposing text amendments to the Future Land Use Element to establish a Gulfstream Road Overlay. The intent of the Gulfstream Road Overlay ("GRO") is to encourage residential redevelopment, to optimize utilization of residential property, and to create a neighborhood identity.

Property owners along Gulfstream Road are interested in redeveloping their residential properties. The area is characterized by large lots (0.5 – 1.15 acres in size) that are currently underutilized and are either vacant or developed with only a single-family residence. There is interest in additional density, however, the entire area between Davis Road (on the east) and Kirk Road (on the west), is designated with the Low Density Residential land use category.

Rather than consider land use changes on a parcel-by-parcel basis, which might lead to concerns about compatibility and "spot zoning", an overlay approach may be utilized to permit additional density in exchange for design considerations.

The proposed GRO (land development regulations and design requirements) was initially drafted by Gulfstream Road property owners and was workshopped with the Planning & Zoning Board on July 9, 2019.

Village staff has proposed various revisions to the property owners' suggested land development regulations and is moving forward as a staff-initiated effort.

The Gulfstream Road Overlay provides the following:

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The potential impacts of an additional 59 residential units are summarized below:

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The objective of the GRO is to promote redevelopment of the Gulfstream Road neighborhood by creating a distinct character and identify. The potential density bonus (an additional 4.2 units per acre) would serve as the mechanism to incentivize property owners and/or developers to assemble parcels and build new residences in Key West style. It is envisioned that this effort may result in additional neighborhood overlays being requested in the future.

The proposed comprehensive plan amendments were submitted through the PBC Intergovernmental Plan Amendment Review Committee (IPARC) for intergovernmental review and no comments were received.

The proposed overlay was discussed with the Village Council on September 10, 2020 and staff received direction to proceed.

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

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of the of Ordinance No. 2020-17 was made by Mr. Lashells and seconded by Mr. Hughes. Motion carried 5-0

Motion: Ralph Lashells	Second: Richard Hughes	Vote: Motion Passed: 5 - 0
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6.3 Ordinance No. 2020-18 - Village Code Amendment - Chapter 34 - Traffic Calming Measures

[Proposed Ordinance No. 2020-18 - Traffic Calming Palm Beach County TRAFFIC CALMING POLICY \(1997\)](#)
[PROPOSED Village Traffic Calming Policy \(summary\)](#)

Approve

Director Glas-Castro informed the Board the Code of Ordinances does not provide for "Special Assessments". The Planning, Zoning & Building department is requesting an amendment to the Village Code - Chapter 34 to create a new Article VII "Special Assessments" to establish procedures for residents to request that public infrastructure improvements (i.e., traffic calming measures, street lighting, streetscape, etc.) be paid through levy and collection of special assessments.

The proposed amendment includes:

1. A process for Village Council to levy and collect special assessments for capital improvements.
2. Ability for residents/property owners to request levy of special assessment to pay for desired infrastructure improvements that benefit the HOA or neighborhood.
3. Legal proceedings, including a requirement for a "Resolution of Necessity" and publication/notice to affected property owners.

The proposed ordinance was prepared by the Village Attorney and reviewed by the Planning, Zoning & Building Director, Finance Director, Public Service Director and Police Chief.

Village Attorney stated there were State Statutes under Chapter 170, and Chapter 197.136.32 that talk about the processes for special assessments. This would also be in place for possibly a beautiful assessment as an example.

The Board and Staff discussed how this would be handled and different types of procedures that might be a possibility.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of the of Ordinance No. 2020-18 was made by Mr. Lashells and seconded by Mrs. Gehrman. Motion carried 5-0

Motion: Ralph Lashells	Second: Kim Gehrman	Vote: Motion Passed: 5 - 0
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6.4 Ordinance No. 2020-19 - Village Code Amendment - Chapter 34 - Special Assessments [Proposed Ordinance No. 2020-19 - Special Assessments.doc](#)

Approve

Director Glas-Castro informed the Board the Code of Ordinances does not provide for "Special Assessments". The Planning, Zoning & Building department is requesting an amendment to the Village Code - Chapter 34 to create a new Article VII "Special Assessments" to establish procedures for residents to request that public infrastructure improvements (i.e., traffic calming measures, street lighting, streetscape, etc.) be paid through levy and collection of special assessments.

The proposed amendment includes:

1. A process for Village Council to levy and collect special assessments for capital improvements.
2. Ability for residents/property owners to request levy of special assessment to pay for desired infrastructure improvements that benefit the HOA or neighborhood.
3. Legal proceedings, including a requirement for a "Resolution of Necessity" and publication/notice to affected property owners.

The proposed ordinance was prepared by the Village Attorney and reviewed by the Planning, Zoning & Building Director, Finance Director, Public Service Director and Police Chief.

Village Attorney Shutt stated there were State Statutes under Chapter 170, and Chapter 197.36.32 that talks about the processes for special assessments. As an example, this would be a process to provide a for a beauty assessment. This would be if residents came to the Council and said we want this to be implemented.

The Board and Staff discussed how this would be handled and different types of procedures that would go along with it.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of the of Ordinance No. 2020-19 was made by Mr. Braun and seconded by Mr. Hughes. Motion carried 5-0

Motion: Peter Braun	Second: Richard Hughes	Vote: Motion Passed: 5 - 0
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7. ACTIONS AND REPORTS

Attorney Shutt stated he really enjoyed working with everyone and he was sure he would be seeing us around.

Chairman Tieche stated he wanted to thank everyone for stepping up while he was out sick, it meant a lot.

Director Glas-Castro stated there were some site plans in for review, but they were not moving along.

8. ADJOURNMENT

Hearing no further business, Chairman Tieche adjourned the meeting at 7:45 p.m.

9. NEXT MEETING - Tuesday, November 10, 2020 @ 6:30 PM

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 a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. 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 3 business days prior to the meeting in order to request such assistance.

ATTEST:


Johnnie Tieche, Chairman


Jane R. Worth, Deputy Clerk

Approved by Board

3/9/2021
(Date)

