



AGENDA
PLANNING AND ZONING ADVISORY BOARD MEETING
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
PALM SPRINGS, FL 33461
APRIL 13, 2021
6:30 PM

1. CALL TO ORDER

The meeting held in the Council Chambers at Village Hall was called to order by Chairman Johnnie Tieche at 6:30 p.m.

2. ROLL CALL

BOARD MEMBERS

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

STAFF

Interim Director of Planning, Zoning and Building, Iramis Cabrera, Assistant Village Manager, Kim Glas-Castro, Village Attorney Susan Garrett and Deputy Village Clerk Jane R. Worth

ABSENT

Ralph Lashells and Peter Braun

3. PLEDGE OF ALLEGIANCE

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

5. MINUTES

5.1 Approval of Planning and Zoning Board Meeting Minutes of March 9, 2021

[March 9, 2021 Planning and Zoning Board Meeting Minutes](#)

A motion to accept the minutes was made by Mr. Hughes and seconded by Mr. Saingilus. Motion carried 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

- 6.1 Proposed Ordinance No. 2021-03 - Village Code Amendment - Chapter 34 - Law Enforcement and Parks & Recreation Impact Fees
Proposed Ordinance No. 2021-03 - Law Enforcement and Parks & Recreation Impact Fees
Schedule of Maximum Potential Impact Fee Rates (Proposed) - Law Enforcement and Parks & Recreation
Impact Fee Study - Tindale Oliver - draft March 18, 2021
Calculated Percentages of Maximum Potential Impact Fee Rates - Law Enforcement and Parks and Recreation
Resolution No. 2012-53 - Current Impact Fee Schedule Tindale-Oliver Presentation - Impact Fee Summary

Assistant Village Manager Kim Glas-Castro prepared a power point presentation for the Board regarding Ordinance No. 2021-03. She summarized the findings of the study as the Village Council gave their approval at the April 8, 2021 meeting to proceed.

The Board asked if the Village had any intention of building an athletic building of any sort. Assistant Village Manager Kim Glas-Castro answered the Village does have a wish list, for a Community Center. The Board gave different suggestions of possibilities for vacant lots for building such wish.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to approve Ordinance No. 2021-03 was made by Mr. Saingilus and seconded by Mr. Mandigo. Motion carried. 5 - 0

7. QUASI JUDICIAL PUBLIC HEARINGS

- 7.1 Planning & Zoning Board Order No. 2021-01 - Minor Site Development Plan - Gulfstream Road Apartments - 3861 Gulfstream Road
Proposed PZ&B Order 2021-01 - Minor Site Plan Order - 3681 Gulfstream Road.doc Exhibit "A" - Staff Report & Conditions of Approval
Project Narrative
Site Plan, Landscape Plans, Architectural Plans and Letters Color Rendering
Aerial and Location Maps

Interim Director Iramis Cabrera gave a presentation of the Minor Site Plan Development Plan and stated the applicant is requesting Minor Site Development Plan approval to develop the 0.93 acres Multi-Family parcel, with the construction of 9,200 square feet of residential living space. The applicant is proposing the construction of five (5) residential dwelling units within 3 two-story structures.

The property was annexed into the Village of Palm Springs in 2012 and at that time was developed with five residential units. All structures were demolished in 2016. The property is designated with the Residential Multiple-Family Land Development (Zoning) District and the Low Density Residential Future Land Use category. Therefore up to a maximum of five dwelling units is possible on the property. The proposed minor site development project is consistent with the land use designation and generally meets land development regulation for a residential multiple-family (RM) zoning district.

Staff support the Applicant's request and recommends conditional approval subject to the 31 conditions listed on the Staff report.

Mr. Corey O'Gorman, on behalf of the owner, stated they have reviewed the staff report and recommendations with conditions, and they will accept the conditions. Mr. O'Gorman informed the Board the development will be 9200 sq. ft. in total, for the five (5) residential dwelling units, each will include 5 bedrooms, 4 baths, rental for all ages.

The Board was concerned with the following: Parking spaces, would there be a retaining wall, the price of the rentals, retaining wall and the cost of the rent. Mr. O'Gorman stated the retaining wall was the requirement for the runoff water, it would be masonry of some sort. Mr. O'Gorman did not know what the rental price was, it would be market based.

Sharon Rodriguez – resident - 3879 Gulfstream stated she lived right next door to the property and wanted to know if a retaining wall was being built next the retaining pond. Her property was in danger of flooding. Mr. O'Gorman stated the retaining wall was designed to hold storm water on the sight to be discharged onto Gulfstream Road. There would be no runoff onto the adjacent properties. Ms. Rodriguez also said people go so fast at least 120 mphs! Major concern. Is there anyway to get the speed bumps? Also, will there be a light on Gulfstream, there are going to be a lot of people moving in that area, and that is going to pick up the traffic. Chairman Tieche suggested that she talk to the police regarding the speeding. Assistant Village Manager Glas-Castro stated a light was not proposed by FDOT to date.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to approve Planning & Zoning Board Order No. 2021-01 was made by Mr. Hughes and seconded by Mrs. Gehrman. Motion carried. 5 - 0

7.2 Planning & Zoning Board Order No. 2021-02 - Variances PSV21-01, PSV21-02, PSV21-03, PSV21-04, PSV21-05 - 1827 Palm Acres Drive

[Proposed PZ&B Order 2021-02 - Variance - 1827 Palm Acres Drive - Elio Carlos Fernandez.doc](#)

[Exhibit "A" Staff Report & Conditions of Approval](#)

[Project Narrative and Justification Statement](#)

[Site Plan, Landscape Plans, Architectural Plans, Civil Plans and Letters Color Rendering](#)

[Aerial and Location Maps](#)

[Sec.34-602\(2\)Variances](#)

Interim Director Iramis Cabrera gave a presentation to the Board and stated 7.2 and 7.3 would be presented together. Interim Director Cabrera stated Ana Colom, agent for the owner, is requesting Minor Site Development Plan approval to develop a 0.438 acres Multi-Family parcel, with the construction of three additional dwelling units. There is an existing single-family home on the property and the applicant is proposing to add a 3,023 square foot triplex structure for a total of four (4) dwelling units on the property.

The site is currently developed with a 904 square foot residential structure, constructed in 1948. The property was annexed into the Village in 2001 and designated with the Residential Multiple-Family Zoning District and the Medium Density Residential Future Land Use.

Each unit will be configured with 2 bedrooms and 2 and there will be a single 273 square foot utility room with a bathroom for the convenience of the maintenance person to store his tools and lawn equipment.

As a separate agenda item, the applicant is requesting 5 variances:

1. To allow 4 residential dwelling units to be constructed on a 0.438 acres property rather than 0.562 minimum required.
2. To allow a 22' wide drive aisle rather than 26' wide minimum required.
3. To allow a 3'-9" wide landscaped buffer on the north side rather than that 10' wide minimum buffer required.
4. To allow a 4'-3" wide landscaped buffer on the west side rather than 10' wide minimum buffer required.
5. To allow a 6'-2" wide landscaped buffer on the east side rather than 10' wide minimum buffer required.

Approval of the site plan is dependent on the approval of these variances. The proposed site plan is consistent with the land use designation and generally meets land development regulations for a residential multiple-family (RM) zoning district. Staff supports the applicant's request and recommends conditional approval subject to the 28 conditions listed on the Staff report.

The Board had the following concerns with the project: Density variance, being a triplex and single-family home and the size, the electrical should be installed underground, was the sewer and water already installed, the size of the apartments were small. The Board and Ana Colon had a lengthy discussion on green space.

Archie Ammons - local resident - 1860 Richard Lane - stated he lived on adjacent property. For this particular development the lot is too small, additional noise in this area, concerns of lack of green space area, local area will not look as good with the development. As a teacher myself I have an ethical concern of the Village - too much being built on too small of a lot.

Hank Massey – local resident - 1877 Emilio Lane - President of the HOA of the development just west of this proposed construction, 56 residents, object to the project in total - object to landscape width - 20 ft. barrier preferred. Thank you for the time and considerations.

Linda Dorman - local resident - 882 Richard Lane - Similar complaints about project, outdoor music very loud, disturbs my peace. I have called the police when it gets really really bad. Sometimes it goes all night, one night went all the way till 5 AM. The property asked for a variance on the side, I object to that. How many feet from the back property going to the building. Iramis Cabrera stated 50 feet. Landscape buffers are what they are asking.

The Board and Ana Colon continued to discuss the project.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to deny PZ&B Order No. 2021-02.

Note: The Board issued a vote on all 5 variances individually, all of which were denied.

7.3 Planning & Zoning Board Order No. 2021-03 - Minor Site Development Plan (SPR21-04) - 1827 Palm Acres Drive
[Proposed PZ&B Order 2021-03 - Minor Site Plan Order 1827 Palm Acres Drive.doc](#)
[Exhibit "A" - Staff Report & Conditions of Approval Project Narrative and Justification Statement](#)
[Site Plan, Landscape Plans, Architectural Plans, Civil Plans and Letters](#)
[Color Rendering](#)
[Aerial and Location Maps](#)

Assistant Village Manager Glas-Castro stated due to the denial of Item 7.2, the Board would not be voting on Item 7.3. She also stated the Site Plan would be readvertised after a resubmitted and revised plan goes through technical review and it will be ready to come back.

7.4 Resolution 2021-10 - Site Development Plan Amendment (SPR21- 06) Special Exception Use (PSSE21-02) and Hours of Operation (PSV21-07) - Five Star Education - 2390 South Military Trail (*Quasi-Judicial Hearing*)
[Res No. 2021-10 - Site Development Plan Amendment SPR21-06\) Special Exception \(PSSE21-02\) and Variance \(PSV210-07\) - 2390 South Military Trail](#)
[Exhibit "A" Staff Report & Conditions of Approval Project Narrative and Justification Statement](#)
[Warranty Deed](#)
[Aerial Map and Location Map](#)
[Site Plan, Landscape Plans, Architectural and Letter](#)

Interim Director Iramis Cabrera informed the Board the Applicant is requesting a Site Plan amendment and Special Exception Use approval to re-establish the child daycare use and educational use for the Commercial General property located at 2390 South Military Trail.

Currently, the 3.39 acres property is developed with 5 buildings and 1 portable structure for a total of 22,889 square feet floor area. The property was annexed into the Village in 2001 as a developed parcel and has been used continuously as a place of worship (church).

In 2003 the Village Council approved a site plan and special exception use under to permit educational use on the property as a charter school sponsored by Palm Beach County as a public school of choice with a maximum of 190 students.

Per Village Code, the approved special exception use is valid as long as it remains in operation, and should it cease or not be utilized for more than 12 months, the approved becomes null and void. The educational buildings are still present on the property but have been unutilized for many years.

The applicant is proposing to re-establish the daycare and school use on the property, utilizing the existing buildings previously approved for the same type of use. At this time the applicant is proposing a maximum of 62 children (infant to pre-kindergarten) and a maximum of 89 students (kindergarten to fifth grade) for a total of 151 children/students.

A site plan amendment is being requested to enable the applicant to bring the property up to code, to the extent possible, and to be consistent with the Village's Commercial General zoning district regulations. Additionally, the proposed site plan provides enhanced landscape buffers, dumpster enclosure, upgrades to the interior of the building and cosmetic work to the exterior facades.

Staff recommends conditional approval of the proposed site plan and special exception use subject to the 28 conditions listed on the Staff report.

Ms. Marty Lover stated she was not the owner, but it was what she will be presenting as this is her proposal. The request will be for a childcare and private school. She gave the Board the history.

The Board discussed the proposed school plans with the applicant.

A motion to approve Resolution 2021-10 was made by Mr. Richard Hughes subject to conditions and seconded by Mrs. Gehrman. Motion carried. 5 - 0

7.5 Resolution 2021-11 - Site Development Plan Amendment (SPR21-05) and Special Exception Use (PSSE21-01) - Starbucks - 4380 Forest Hill Boulevard
Res. No. 2021- 11 - Site Development Plan Amendment (SPR21-05) and Special Exception Use (PSSE21-01) - Starbucks - 4380 Forest Hill Boulevard
Exhibit "A" Staff Report & Conditions of Approvals
Project Narrative and Justification Statement
Site Plan, Landscape Plans, Architectural Plans and Letter
Warranty Deed
Color Site Plan and Color Rendering
Aerial Map and Location Map

Interim Director Iramis Cabrera informed the Board t he applicant is requesting a Site Plan Amendment and Special Exception (PSSE21-01) approval to allow the conversion of the existing restaurant into a coffee shop with outdoor seating area and drive thru window, located at 4380 Forest Hill Blvd within the Shoppes of Forest Hill shopping center.

The property was annexed into the Village in 2008 as a developed outparcel and currently, the site is developed with a 3,387 square foot commercial structure and has been used continuously as a fast-food restaurant with drive thru. The applicant is proposing 2,593 square feet indoor coffee area and 482 square feet outdoor seating area.

A site plan amendment is being requested to enable the applicant to convert the existing Boston Market restaurant into a Starbucks coffee shop, maintaining the drive thru and adding an outdoor seating area. It is proposed to recess the building on its northern elevation to create a covered outdoor seating area for customers to enjoy in the shade. The footprint of the building and covered patio generally remains the same as the current restaurant footprint.

The proposed site plan amendment includes creating a longer vehicle stacking lane (by extending a terminal landscape island) and modifications to the traffic circulation plan to avoid negative impacts to the roadway system and internally to the shopping center. The proposed improvements include directional signage, enhanced landscaped buffers, re-striping parking lot, pedestrian connections, and exterior improvements to the building.

Staff recommends conditional approval of the proposed site plan and special exception use subject to the 30 conditions listed on the Staff report.

Mr. Brian Plewinski, agent for the Applicant - 4101 Ravenswood Road - Ft. Lauderdale - informed the Board the stacking had been accommodated, which was the major concern. Currently there is no indoor dining in any of the Starbucks. Mr. Warwinski showed the prior Boston Market and the proposed Starbucks. Furniture would be brought in at night as police were concerned with the extended patio overhang. There will be directional signs and dedicated parking for Staff. Mobile order pick up also. Normally there is a digital menu board, but the Village does not allow for that, therefore there is the normal menu board.

The Board discussed a few items with Mr. Plewinski.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of Resolution No. 2021-11 Site Development Plan Amendment (SPR21-05) and Special Exception Use (PSSE21-01), including the 42 conditions, was made by Mrs. Gehrman and seconded by Mr. Saingilus. Motion carried 5-0

8. ACTIONS AND REPORTS

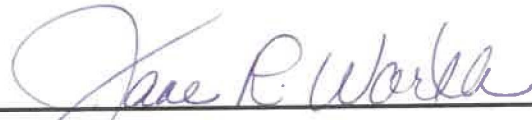
9. ADJOURNMENT – Chairman Tieche adjourned the meeting at 8:24 PM

10. NEXT MEETING - Tuesday, May 11, 2021 @ 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.

The undersigned is the Deputy Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Planning and Zoning Board Meeting held on **April 13, 2021** Which minutes were formally approved and adopted by the Planning and Zoning Board on **May 11, 2021**.



Jane R. Worth, Deputy Clerk

ATTEST:



Johnnie Tieche, Chairman

