



**AGENDA
PLANNING AND ZONING ADVISORY BOARD MEETING
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
PALM SPRINGS, FL 33461
MAY 11, 2021
6:30 PM**

1. CALL TO ORDER

The meeting was called to order by Vice Chairman Richard Hughes at 6:30 PM

2. ROLL CALL

BOARD MEMBERS

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

STAFF

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Johnnie Tieche.

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

5. MINUTES *Approval of Planning and Zoning Board Meeting Minutes of April 13, 2021*

5.1 MINUTES

[*April 13, 2021 Planning and Zoning Board Meeting Minutes*](#)

Chairman Tieche stated the attendance did not address the absentees from the meeting. That would need to be revised. Hearing no further comments Mr. Mandigo made a motion to approve the minutes from April 13, 2021 with the revisions and Mr. Hughes seconded it.

Motion: James Mandigo	Second: Richard Hughes	Vote: Motion Approve: 3 - 0
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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

Ordinance No. 2021-03 - Land Use Plan Amendment (Large Scale) - 2085 South Congress Avenue and 3243 Lillian Road (Proposed Palm Springs Residences Residential Planned Development)

Ord No. 2021-03 - Comprehensive Plan Amendment (Large Scale) 2085
South Congress Avenue and 3243 Lillian Road
Exhibit "A" - Staff Report and Recommended Conditions of Approval
Applicant's Future Land Use Map Amendment Analysis and
Justification Site Plan, Civil Plans, Landscape Plans, Architectural
Plans & Letters Colored Site Plan and Rendering
School Capacity Availability Determination
FDOT Pre-Application Approval Letter
Proposed Median Improvements
Legal Description and Survey
Aerial Map, Location Map and Future Land Use
Map Letters to Support or Oppose

Interim Director Cabrera stated that Items 6.1 and 7.1 would be present together. She informed the Board the applicant is requesting site plan approval and future land use amendment for a residential planned development project, to construct 264 residential dwelling units within 11 3-story buildings located on 2 parcels, totaling 18.38 gross acres, at 2085 South Congress Avenue and 3243 Lillian Road. The community will have access via South Congress Avenue with an emergency vehicle access from Lillian Road. Amenities include a clubhouse, pool area, tot lot, dog park, fitness lawn and a lake with recreational walking path.

The rental apartments consist of 96 1-bedroom units, 120 2-bedroom units and 48 3-bedrooms units with 826 parking spaces.

The applicant is requesting one waiver for the proposed site plan:

1. To allow for one sidewalk on a street or main driveway rather than the required sidewalks on both sides of the main

Village Staff have identified three (3) main areas of concern related to the proposed project:

- The Congress Avenue/Forest Hill Boulevard intersection is operating at Level of Service F during both peak hours, and the northbound left (west) turn stacking exceeds the length of the turn lane. The proposed residential development generates an additional 445 daily trips over the existing YMCA. The Applicant is requested to mitigate these impacts by covering the cost of converting the existing protected only left turn signal phasing to flashing yellow signal on both the north and southbound approaches.
- John I. Leonard High School is currently over capacity by 654 students. The proposed project will generate an additional 11 high school students. Village police services will be impacted by the rental community and addition of 400 to 900 residents, per the Police Chief, and necessitate the hiring of 1-2 additional officers. The estimated law enforcement impact fee contribution (which is a one-time payment) will not be sufficient to mitigate the demand on police services.

Approval of the Residential Planned Development site plan is dependent of the approval of the Land Use Amendment.

Staff does not object to the applicant proposed and recommends conditional approval subject to the conditions listed on the staff report.

Board Members Ralph Lashells and Larry Saingilus gave their objections to the size and hazards of traffic this project will bring. They also stated this was not the type of development the Village of Palm Springs needed.

Mr. Scott Backman on behalf of the applicant presented a power point to the Board. He stated that the development behind this proposal was on the same density with 5 units additional compared to the proposed project. The plan is also more open compared to the previous one the Board had seen. The parking also conforms to the requirements. Mr. Backman continued to discuss the project in length presenting the amenities, such as pedestrian walkability, dog park, meeting building, upscale fitness room, tot lot, and swimming pool area.

Mr. Backman stated they have reached out to some residents on Lillian Drive, and the residents in the surrounding communities and they have received 6 letters of support and there were some that did not support. But we are concerned with the residents and want to accommodate them as much as possible.

Traffic Engineer Mr. Brian Kelly from Simmons and White, addressed the concerns of the possible increase in traffic flow on Forest Hill Boulevard and Congress Avenue. Mr. Kelly explained they traffic want to get a flashing yellow light, it allows you to actually reduce the stopping. The County and the DOT would have to approve this as well.

There continued to be a discussion regarding the layout, the increased traffic flow, dumpsters, fencing, parking spaces for the development, the entrance to the development, and the location of the bus stop and the danger of that placement and with school children being picked up on Congress Avenue.

Mr. Tim Coffield, CEO of the YMCA, stated there were many offers from different companies to build on the property. They felt that the Palm Springs Residences would be the be project for this area and the Spear Group had worked well with the Village to come up with a project that the Village would also be proud of. They looked at all developers, and they were all offering multi-family residential homes.

Sean Sanders - property owner in the Village - they were having problems with sewer and water and back-ups, and they own property close to this development. He was curious if that had been looked at at all. Assistant Manager Glas-Castro informed him to call the Utilities Department with any questions that he had; however Utilities is also part of the review process of Site Plans.

Paul Pavone - 701 Lori Drive - has lived in the Village for many years. Mr. Pavone gave praise for the upcoming development of the new project. He commented the development will bring residents, customers and clients to the area which will enhance existing business activity, spur interest from new businesses and be a catalyst for economic growth of our community.

Village Attorney Garrett informed the Board that there are two separate agenda items, there needs to be a motion on 6.1 and the second part is 7.1.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend denial of Ordinance 2021-03, was made by Mr. Lashells and seconded for discussion by Mr. Braun.

Mr. Lashells said it was a gorgeous project but just not there and money alone did not seal the deal. Mr. Hughes agreed it was a good-looking project.

Mr. Braun commented if the land use is not changed will this property just sit there for another fifty years? Mr. Saingilus stated he was for growth and change in the community and having a mixed use would be a start to have brand new businesses and changing it to mixed use, would be more beneficial to the Village. Mrs. Gehrman commented that on all three (3) there are low density, and she felt the mixed use

would be better also.

Mr. Braun withdrew his second motion for denial.

Mr. Braun made a motion for approval of the land use and a second to approve was made by Mr. Lashells

Roll Call Vote passed 3 - 2. Mr. Hughes and Mr. Lashells voted against.

Motion: Peter Braun	Second: Ralph Lashells	Vote: Motion Passed: 3 - 2
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7. QUASI JUDICIAL PUBLIC HEARINGS

7.1 Resolution No. 2021-15 - Residential Planned Development Site Plan (SPR21-08) with one (1) Waiver and a Sign Variance (PSV21-10) - Palm Springs Residences - 2085 South Congress Avenue and 3243 Lillian Road

Proposed Res No. 2021-15 - Site Plan Development (SPR21-08) one (1) Waiver and Sign Variance (PSV21-10) - Palm Springs Residences - 2085 South Congress Avenue and 3243 Lillian Road

Exhibit "A" Staff Report and Recommended Conditions of Approval Site

Plan, Civil Plans, Landscape Plans, Architectural Plans & Letters

Project Narrative and Justification Statement for Site Plan Approval

Justification Statement for Sign Variance

Colored Site plan and Rendering

Legal Description and Survey

Proposed Median Improvements

Aerial Map, Location Map and Future Land Use Map

Letters to Support or Oppose

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of Resolution No. 2021-15, including the 55 conditions, was made by Mr. Braun and seconded by Mr. Mandigo.

Roll Call Vote passed 3 - 2. Mr. Hughes and Mr. Lashells voted against.

Motion: Peter Braun	Second: James Mandigo	Vote: Motion Passed: 3 - 2
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7.2 PZ&B Order 2021-04 - Side Setback Variance (PSV21-08) - Brave Little Stars Academy - 3108 South Congress Avenue

PZ&B Order 2021-04 - Brave Little Stars - 3108 South Congress Avenue - Variance

Exhibit "A" Staff Report

Project Narrative and Justification Statement

Site Plan, Landscape Plan, Architectural Plans and Letters

Warranty Deed
Color Rendering
Aerial Map and Location Map

Interim Director Cabrera informed the Board that Items 7.2 and 7.3 would be heard together. Interim Director Cabrera stated the applicant is requesting a Site Development Plan and Special Exception approval to allow the use of the property as a child day care facility for the Commercial General property located at 3108 South Congress Avenue.

The property was annexed into the Village in 1999 as a developed parcel and was used as a sit-down restaurant until five years ago than was vacated and has been unoccupied as of today.

The proposed re-development project consists on developing a 4,728 square feet child day care facility with a maximum of 85 children. The existing one-story commercial building is proposed to be demolished and the existing 1,498 square feet, open pavilion is proposed to be remodeled.

Access to the site is proposed via a one (1) driveway on Congress Avenue and a future cross access easement with the adjacent property to the north is proposed to be dedicated. 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 (CG) zoning district regulations.

The proposed site plan provided enhancements to the landscaped buffers, dumpster enclosure, building renovations, redoing parking lot and improvement to the drainage system.

Additionally, the applicant is requesting 2 variances:

1. to allow a 10' side setback rather than 15' minimum required.
2. to allow business operations to commence at 6:30 in the morning rather than 7 am required. The proposed hours of operation variance it will be considered by the Village Council on June 10.

Staff does not object to the proposed project and recommends conditional approval subject to the thirty (30) conditions listed on the staff report.

Mr. Josh Nichols, representative for the Applicant gave a power point presentation showing the daycare layout, the parking facilities and explained how they needed the 5 foot buffer to keep compliant with what is required for the daycare.

The Board asked about security, access to the office, age of children, if there would be live feed for the parents to be able to see their children. Ms. Elsa Fuentes stated the only live feed would be for them as of right now.

A discussion continued with the Board, Mr. Nichols and Ms. Fuentes discussed the area around the daycare facility also.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of PZ&B Order 2021-04, was made by Mr. Hughes and seconded by Mr. Lashells. Motion carried 5-0

Motion: Richard Hughes	Second: Ralph Lashells	Vote: Motion Passed: 5 - 0
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- 7.3 Resolution 2021-14 - Site Development Plan Amendment (SPR21 -07) and Special Exception Use (PSSE21-03) - Brave Little Stars Academy - 3108 South Congress Avenue
Res No. 2021-14 Site Development Plan Amendment (SPR21-07) and Special Exception Use (PSSE21-03) - Brave Little Stars - 3108 S. Congress Avenue
PZ&B Order 2021-04 - Brave Little Stars - 3108 South Congress Avenue
Exhibit "A" Staff Report
Project Narrative and Justification Statement
Site Plan, Landscape Plan, Architectural Plans and Letters
Warranty Deed
Color Rendering
Aerial Map and Location Map

Approve Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of Resolution No. 2021-14, with the 30 Conditions, was made by Mr. Mandigo and seconded by Mr. Braun. Motion carried 5-0

Please refer to the presentation of Item #7.2.

Motion: James Mandigo	Second: Peter Braun	Vote: Motion Passed: 5 - 0
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8. ACTIONS AND REPORTS

Assistant Manager Glas-Castro stated last week they appeared before the County Commissioners to asking for an amendment to the County's thoroughfare pertaining to Kirk Road. Policy language has been worked out prior to last week. It will go before the County Commission in June, so there is progression.

The public hearing for the impact fees has been moved as there will be an impact fees workshop.

9. ADJOURNMENT

Hearing no further business, Chairman Tieche adjourned the meeting at 8:22 PM

10. NEXT MEETING SCHEDULED FOR JUNE 8, 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 May 11, 2021 Which minutes were formally approved and adopted by the Planning and Zoning Board on June 8, 2021.



Jane R. Worth, Deputy Clerk

ATTEST:



Johnnie Tieche, Chairman

