



**PLANNING AND ZONING ADVISORY BOARD MEETING
MINUTES, COUNCIL CHAMBERS
226 CYPRESS LANE
VILLAGE OF PALM SPRINGS, FLORIDA
FEBRUARY 14, 2023 AT 6:30 PM**

CALL TO ORDER

ROLL CALL

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

1. **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.

APPROVAL OF MINUTES

2. **Approval of September 13, 2022, Planning and Zoning Advisory Board Minutes**
Staff: Jane Worth, Deputy Village Clerk
3. **Approval of October 11, 2022, Planning and Zoning Advisory Board Minutes**
Staff: Jane Worth, Deputy Village Clerk

ORDER OF BUSINESS

REGULAR AGENDA

PUBLIC HEARINGS

2. **Proposed Ordinance No. 2023-02 - Voluntary Annexation - 2873 Forest Hill Boulevard:** Motion to recommend approval to the Village Council for rezoning and future land use map amendment for construction of a 4,144 square foot automatic carwash including an office. The property is located at 2873 Forest Hill Boulevard, 2910 Shawnee Road, and an unincorporated Palm Beach County property located at 2873 Forest Hill Boulevard.
Staff: Iramis Cabrera, PZB Director

SUMMARY: Pursuant to Village annexation objectives, discussions have been ongoing with the property owner regarding the benefits of annexation. The subject property

proposed to be annexed is generally located east of South Congress Avenue, west of South Florida Mango Road, and on the north side of Forest Hill Boulevard.

The property owner, Mr. Geoffrey Jervis and Mr. Vito Monteleone, has requested voluntary annexation of their property into the Village of Palm Springs in accordance with Section 171.044, Florida Statutes.

The 0.3013 acre property is currently being developed with a 2,400 s.f. commercial building and the applicants have the intention of combining the property with two other properties and re-developing the property with a modern car wash facility in the near future. A proposed village land use and zoning designation will be assigned under a separate ordinance following the annexation process.

The Village Staff finds the annexation to be in compliance with Chapter 171, Florida Statutes, as the proposed annexation is compact and contiguous to the Village boundaries per statutory annexation criteria. The subject property is located within the Village's adopted future annexation area and is within the Palm Beach County utility service area. It is located adjacent to the Congress Avenue District of the Palm Springs CRA. The annexation will facilitate the assemblage of parcels and the redevelopment of the self-serve car wash property.

Palm Beach County anticipates from a preliminary review, that this proposed annexation seems to be consistent with the Florida Statutes and policies in the County's Comprehensive Plan and they don't anticipate any objection to the proposed annexation. The approval letter from Palm Beach County will be provided prior to the first reading consideration by the Village Council.

If approved, the proposed ordinance will be considered for 1st reading by the Village Council on March 9, 2023.

Planning, Zoning, and Building Director Iramis Cabrera informed the Board the applicant has applied for voluntary annexation of a 0.3013 acre property, which will be combined with two (2) other properties, and will be redeveloped into a modern car wash facility soon.

Mr. Josh Nichols of Schmidt Nichols, agent for the owner, 2877 Forest Hill Opco, LLC, stated he would be presenting items #4 through #7. Mr. Nichols reiterated there was a voluntary annexation, land use and rezoning, variances, site plan, and special exception for this project. All parcels are commercial. Mr. Nichols projected a site location map and went over the proposal of the project with a PowerPoint. Mr. Nichols stated there was an existing car wash and that was the special exception as this would be used in the project. Mr. Nichols stated the tire shop, which the neighbors were very dissatisfied with as mosquitos were breeding, would be cleaned up and worked into the proposed project. He also mentioned conversations had taken place with surrounding neighbors. The residents said they wanted a higher barrier wall, and an agreement was made, that instead of a six (6) foot fence they would install an eight (8) foot wall.

Mr. Nichols introduced Mr. Geoffrey Jervis, 224 Bloomfield Drive, WPB, and his partner Mr. Vito Monteleone. Mr. Jervis showed a PowerPoint presentation with different views of what the new and upcoming car wash would look like. There were different slides of the new buildings and landscaping for comforting surroundings on the concrete buildings. They are "A", typical for inside services. There is vacuuming for those who want to do their own. There is an inside area for patrons to provide comfort as they wait. Mr. Jervis mentioned his company is very concerned about the residents that surround the car wash, so he addressed all the concerns that the residents mentioned to them as they went door to door and talked with the residents. Some concerns were drug use and crime on the vacant parcel, the current self-serve car wash on the property, illegal parking, auto repairs on the property, and the noise from dryers. Mr. Jervis explained that technology with large dryers has changed tremendously. Mr. Jervis went over additional items that were addressed by the residents.

Attorney Garrett informed the Board that there are four separate items, and since the presentation will combine all the items, they would be voting on them separately.

Chairman Tieche asked for a motion for the Voluntary Annexation, Item #4, Ordinance No. 2023-02. A motion to approve Ordinance No. 2023-02 was made by Mr. Braun and seconded by Ms. Gehrman. Motion carried 4-0.

FISCAL IMPACT:

The assessed value of the property is \$323,468 and will contribute to the village's overall property value. If approved and constructed, it will further contribute to the village's overall property values.

5. **Proposed Ordinance No. 2023-03 - Land Use and Rezoning (Small-Scale) - 2873 Forest Hill Boulevard:** Recommendation of approval of Ordinance No. 2023-03 to Village Council requesting a Small-Scale Land-Use Amendment of the Future Land Use Map (FLUM), Rezoning and Site Development Plan on 0.3013 acres to develop a 2,400 sq. ft. commercial building and redevelopment with a modern car wash facility.
Staff: Iramis Cabrera, PZB Director

SUMMARY: The proposed ordinance would amend the land use and zoning designation for the 0.3013-acre property located at 2873 Forest Hill Boulevard, which is being considered for voluntary annexation (Ordinance No. 2023-02).

Concurrent with the annexation of the property, the Village is initiating small-scale land use and zoning changes from Palm Beach County designations to Palm Springs designations. The property is less than 50 acres in size (0.3013) and is currently developed with a 2,400 square foot commercial building and is planned for redevelopment with a modern car wash facility.

Existing PBC Future Land Use	Proposed Village Future Land Use	Existing PBC Zoning	Proposed Village Zoning
Commercial High	Commercial	Commercial General (CG)	Commercial General (CG)

Note: This property is located adjacent to the Congress Avenue District of the Palm Springs CRA, and is proposed to be developed as a modern car wash with the assembly of two other properties.

The Local Planning Agency (LPA) will consider the proposed ordinance during their March 9, 2023 meeting and their recommendation will be provided to the Village Council.

The Village Council will consider the proposed ordinance during their March 9, 2023 meeting. Director Cabrera stated the ordinance would amend the existing Palm Beach County future land use from Commercial High to the proposed Village land use of Commercial and the existing zoning of Commercial General (CG) to Village proposed Commercial General (CG).

Mr. Nichols stated this item was presented with Item #4.

Chairman Tieche asked for a motion of Ordinance No. 2023-03, Item #5. A motion to approve Ordinance No. 2023-03 was made by Mr. Braun and seconded by Mr. Hughes. Motion carried 4-0.

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.

6. **Proposed Planning & Zoning Board Order No. 2023-01 - Minimum Side Setback Variances (PSV23-02 & PSV23-03) and Minimum Rear Setback Variance (PSV23-04):** Motion to approve Planning & Zoning Board Order No. 2023-01; an application from Mr. John Schmidt of Schmidt Nichols, agent for the property owner, 2877 FOREST HILL OPCO LLC, Applicant for a Site Development Plan, (SPR23-02) with conditions, and a modification to the existing Special Exception Use (PSSE23-01), for construction of a 4,414 square foot automatic carwash including and office, located at 2877 Forest Hill Boulevard, 2910 Shawnee Road and 2873 Forest Hill Boulevard.
Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Mr. Jon Schmidt from Schmidt Nichols, agent for the property owner, 2877 FOREST HILL OPCO, LLC, requests approval of a Site Development Plan (SPR23-02)

and a modification to the existing Special Exception Use (PSSE23-01) with three variances for the combination of the properties located at 2877 Forest Hill Boulevard, 2910 Shawnee Road and 2873 Forest Hill Blvd (PCNs 70-43-44-08-15-005-0071; 70-43-44-08-15-005-0010; & 00-43-44-08-15-005-0061, respectively). The applicant is proposing the construction of a 4,414-square-foot automatic carwash including an office.

Note: The property located at 2873 Forest Hill Boulevard is under the annexation process and it is the subject of a separate agenda item. The property is currently being developed with a 2,400-foot tire shop.

Currently, there is an existing 2,760 square-foot carwash facility proposed to be demolished at 2877 Forest Hill Blvd and to be replaced with a modern 4,414 square-foot full-service car wash facility with associated stacking spaces, office, detailing area, and free vacuums.

A car wash is permissible as a Special Exception Use within the CG district. However, since there is an existing car wash facility, the applicant is proposing a modification to the existing Special Exception Use to facilitate the redevelopment of the property with a newly renovated facility.

As part of the proposed Site Plan, the applicant requests three (3) setback variances that are subject to the Planning and Zoning Board's consideration:

1. **(PSV23-02)** - The applicant is requesting a variance relief from Sec.34-826 (8) to allow a reduction in the required side corner setback along Forest Hill Blvd from the required 25' to 16' at its narrowest point.
2. **(PSV23-03)** - The applicant is requesting a variance relief from Sec.34-826 (8) to allow a reduction in the required side corner setback along Shawnee Rd. from the required 25' to 21' at its narrowest point.
3. **(PSV23-04)** - The applicant is requesting a variance relief from Sec.34-826 (9) to allow a reduction in the required rear setback adjacent to residential lots from the required 30' to 17'.

The Planning, Zoning & Building staff does not object to the variances requested and recommends conditional approval to facilitate the development of the property.

Planning, Zoning, and Building Planner Christian Mendez informed the Board, Mr. Jon Schmidt from Schmidt Nichols, agent for the property owner, 2877 FOREST HILL OPCO, LLC, requests approval of a Site Development Plan (SPR23-02) and a modification to the existing Special Exception Use (PSSE23-01) with three variances for the combination of the properties located at 2877 Forest Hill Boulevard, 2873 Forest Hill Blvd, and 2910 Shawnee Road. The applicant is proposing the construction of a 4,414-square-foot automatic carwash, including an office. PZ&B Planner Melendez explained further the three (3) variances. Planner Melendez stated the Planning, Zoning, and Building Staff

did not object to the variances and recommended conditional approval for the development of the property.

Mr. Nichols stated the variance for the canopy above the detailing would also smash the sound down instead of going through the neighborhood.

The Board had the following comments: Very nice presentation and that area needs help. Hours of operation with noise reduction are good. What is the actual pay that the employees will be making? It was stated that they were getting \$15 an hour, which included tips. Mr. Jervous stated they would actually be paid \$11 and they were required to claim their tips on taxes.

The hours of operation that were altered are much better. The comment was made that the project would enhance the area on Forest Hill Boulevard. Ms. Gehrman stated she was not a big fan of concrete, but it would be a better buffer, and didn't think there was a way around that. Ms. Gehrman wondered about the payment and whether membership was offered.

Not being a fan of concrete, but knowing the neighbors is also being taken into consideration, which makes it better for the sound

Mr. Christopher Bicki, 2890 Shawnee, lives right next to the car wash. Property values will be greatly affected. Would you like to live next to a car wash? I have been living there for two (2) years now. Traffic is a major concern. He mentioned that he has enough concrete for his seven (7) year old to ride her bike. The driveway exits into Shawnee and he parks his truck so she can't go in the main road. Visibility, the eight (8) foot wall will block my visibility onto Shawnee and will be a problem. Noise levels, noise decibels, and the sounds will be 75 to 90 decibels. They had to have taken that decibel range all during business hours. He mentioned he worked on Palm Beach Island and passed by the car wash at Southern and Olive. They only have four (4) holding spots, but there is already a lot of traffic at Forest Hill and Congress. There are going to be 15 spaces. How difficult traffic is going to be during the rush hour.

Ms. Jane Nepil, 2820 Shawnee Road, there currently is not a lot of crime on her street, the police have been taking care of that area much better. The exists onto Choctaw even with speed bumps there are going to be cars building up and speeding up and down the road. The other concerns are the sewers, which they were told they would have to hook up, and having the road torn up would be a disaster. She mentioned the speed bumps were not wanted. Ms. Nepil was also concerned about the noise. Ms. Nepil

Mr. George Griffith, there are pluses and minuses. The tire shop is great that it's going. The turn-off on Shawnee Road is a cut-through road. It's a shame we live there and people treat it like a raceway. At the end of the street on Prairie, there is no cut-through road. There will be a lot more inconsiderate drivers that cut through and speed on the road. The neighbor has a daughter who rides a bicycle. We are continuously telling her

to look at the road. The traffic is going to be increased on Forest Hill and that is going to increase the number of cars cutting through the neighborhood.

Ms. Karen Cruz, 2889 Shawnee, has lived there for one (1) year. This is not something that will be an added extra. She has three (3) dogs and there are cats in the neighborhood. That is going to increase the traffic and there is fear for the animals. The existing car wash is empty and that was one of the reasons she bought in the neighborhood. The noise will be increased and the street lights will be more impacted at night. It will be nice to see that security cameras will be there.

Chairman Tieche asked where the sidewalk is going down Choctaw. Mr. Nichols stated it was not included. That is Palm Beach County. Director Cabera said it was not the Village property, but it could be added if that was what the Board was concerned about. Mr. Nichols stated it was mandatory to make a left turn only onto Choctaw, which would make traffic turn south onto Forest Hill Boulevard. There will be a 6-foot hedge placed around the concrete wall for the sound barrier. They agree to put the poop bags for the dogs. The sewer connection, they are not mandating them to connect. It will be available to the neighbors, but it is not required.

The Board asked when the decibel readings were taken at the sight. Mr. Jervous stated they were done during the hours of operations. One was scheduled for 9 AM and the other at the peak hours of the evening. Surprisingly, the evening hours were reduced, and that is because of the traffic volume.

Chairman Tieche asked for a motion of Variances (PSV23-02), (PSV23-03), and (PSV23-04) Item #6. A motion to approve the mentioned variances was made by Mr. Hughes and seconded by Mr. Braun. Motion carried 4-0.

FISCAL IMPACT:

The proposed development will enhance the village's assessed property valuation.

Note: The properties currently within the Village boundary are within the Congress Avenue District of the Palm Springs CRA.

7. Site Development Plan (SPR23-02) and Special Exception Use (PSSE23-01) - Mint Eco Car Wash - 2877 Forest Hill Boulevard: Motion to recommend approval to Village Council of an application from Mr. John Schmidt of Schmidt Nichols, agent for the property owner, 2877 FOREST HILL OPCO LLC, Applicant, for a Site Development Plan, (SPR23-02) with conditions, and a modification to the existing Special Exception Use (PSSE23-01), for construction of a 4,414 square foot automatic carwash including and office, located at 2877 Forest Hill Boulevard, 2910 Shawnee Road and 2873 Forest Hill Boulevard.

Staff: Iramis Cabrera, PZB Director

SUMMARY: Mr. Jon Schmidt from Schmidt Nichols, agent for the property owner, 2877 FOREST HILL OPCO, LLC, requests approval of a Site Development Plan (SPR23-02) and a modification to the existing Special Exception Use (PSSE23-01) with three (3) variances for the combination of the properties located at 2877 Forest Hill Boulevard, 2910 Shawnee Road and 2873 Forest Hill Boulevard (PCN's 70-43-44-08-15-005-0071; 70-43-44-08-15-005-0010; and 00-43-44-08-15-0050061, respectively). The applicant is proposing the construction of a 4,414-square-foot automatic car wash including an office.

Note: The property located at 2873 Forest Hill Boulevard is under the annexation process and it is the subject of a separate agenda item. The property is currently being developed with a 2,400square foot tire shop.

Currently, there is an existing 2,760 square foot car wash facility proposed to be demolished at 2877 Forest Hill Boulevard and to be replaced with a modern 4,414 square foot full-service car wash facility with associated stacking spaces, office, detailing area, and free vacuums. The parcels currently within the Village limits are within the Congress Avenue District CRA, and the redevelopment will enhance values and fulfill CRA objectives.

A car wash is permissible as a Special Exception Use within the CG district. However, since there is an existing car wash facility, the applicant is proposing a modification to the existing Special Exception Use to facilitate the redevelopment of the property with a newly renovated facility.

As part of the proposed Site Development Plan, the applicant is requesting three (3) variances:

1. **(PSV23-02)** - The applicant is requesting a variance relief from Sec.34-826 (8) to allow a reduction in the required side corner setback along Forest Hill Blvd from the required 25' to 16'at its narrowest point.
2. **(PSV23-03)** - The applicant is requesting a variance relief from Sec.34-826 (8) to allow a reduction in the required side corner setback along Shawnee Rd. from the required 25' to 21' at its narrowest point.
3. **(PSV23-04)** - The applicant is requesting a variance relief from Sec.34-826 (9) to allow a reduction in the required rear setback adjacent to residential lots from the required 30' to 17'.

The Planning, Zoning & Building staff does not object to the proposed Special Exception Use, Site Development Plan, and variances requested and recommend conditional approval to facilitate the redevelopment of the property.

Mr. Nichols stated that he did not have any comments for this item as it was discussed in full with all other items discussed. Chairman Tieche asked the applicant if they accepted

all 35 conditions, plus the Choctaw channelization and four (4) others mentioned. Mr. Nicols did agree with them.

Chairman Tieche asked for a motion of (SPR23-02) and (PSSE23-01) Item #7. A motion to approve (SPR23-02) and PSSE23-01) was made by Ms. Gehrman, with the 35 conditions and the additional four (4) conditions that were added, along with the Choctaw channelization and seconded by Mr. Braun. Motion carried 4-0.

FISCAL IMPACT:

The proposed development will enhance the village's assessed property valuation.

8. **Ordinance No. 2023-04 - Village Code Amendment - Chapter 34 - Outdoor Lighting:** Motion to recommend approval to the Village Council of Ordinance No. 2023-04 to amendment to the Village Code - Chapter 34 - Section 34-64 "Outdoor Lighting", to include a temperature standard and modified illumination levels.

Staff: Iramis Cabrera, PZB Director

SUMMARY: In 2015, the Village Council approved Ordinance 2015-31 to create new regulations pertaining to outdoor lighting. Until that time, the staff had been informally utilizing Palm Beach County's standards in its review of photometric plans; however, the Village Code didn't contain lighting requirements. At this time, the Planning, Zoning & Building (PZ&B) department is requesting an amendment to the Village Code - Chapter 34 - Section 34-64 "Outdoor Lighting", to include a temperature standard and modified illumination levels.

Some of the key aspects of the amendment include:

- If a property or use with nonconforming lighting is vacant or unutilized for a 12-month period, then all outdoor lighting shall be reviewed and brought into compliance before the use is resumed.
- Accent and landscape luminaries should not exceed 100 watts. ○ All light sources shall have a color-corrected temperature (CCT) of 3000 Kelvin or warmer. ○ Eliminate the rural and exurban locations from the maximum permitted luminaire height table. ○
- The proposed ordinance was prepared by the Assistant Village Manager and reviewed by outdoor lighting experts: Larry Smith (Smith Engineering Consultants), Ronald Levinson, consulting engineer, and Jillian Churik (Epic Forensics & Engineering), all of whom did not have any concerns about the proposed changes. The proposed ordinance was also reviewed by the Village Attorney and PZ&B Director.

Director Cabrera stated this was a housekeeping item to clean up the regulations for the outdoor lighting requirements. It will include some modifications to lamination levels and temperature. Director Cabrera gave more details to the Board.

Chairman Tieche asked for a motion of Ordinance No. 2023-04. A motion to approve Ordinance No. 2023-04 was made by Ms. Gehrman and seconded by Mr. Hughes. Motion carried 4-0.

FISCAL IMPACT:

The proposed ordinance does not have a fiscal impact on the Village.

9. **Ordinance No. 2023-05 - Village Code Amendment - Chapter 34 - Electric Vehicle Charging Infrastructure:** Motion to recommend approval to the Village Council of proposed Ordinance No. 2023-05, adding a new section within Division 8, for Electric Vehicle Charging Infrastructure.

Staff: Iramis Cabrera, PZB Director

SUMMARY: The Planning, Zoning & Building Department is proposing amendments to the Land Development Regulations to add a new section within Division 8 to include new regulations for electric vehicle charging infrastructure. These new regulations would provide the availability of electric vehicle charging stations for residents and visitors of the Village. Transformational initiatives are needed in order to enhance the transportation infrastructure and meet the growing demand for safely moving people while enhancing economic prosperity and preserving the quality of our environment and communities.

The proposed ordinance provides the following:

All new or existing commercial, mixed-use, or multi-family development projects with at least twenty-five (25) parking spaces that enter into either a site plan or site plan amendment process are subject to the following: Four percent of the total minimum required off-street parking spaces shall be designated and outfitted as electric vehicle charging spaces. Each required space at a minimum shall include the following:

- 1) A maintained and operational 240-volt charging station, with a cable retraction device and/or place to hang permanent cords and connectors sufficiently above the ground, and mounted at a height which places the connector a minimum of thirty-six (36) inches and a maximum of forty-eight (48) inches above the ground.
 - 2) Wheel stops or concrete-filled steel bollards to protect the aforementioned charging station.
 - 3) Signage allowing only an electric vehicle to park in such a space and indicating that it is only for electric vehicle charging purposes.
- 3) The ability for all visitors to the site to access and use such space.

A. All spaces with electric vehicle charging infrastructure shall be located in close proximity to the building or facility entrance.

B. Any development that proposes more than twenty(20) percent of its required off-street parking to be outfitted as electric vehicle charging space, or operates any amount of charging stations as a primary use as determined by the Planning, Zoning & Building Director, shall be classified as a "Fuel Station" use and is subject to special exception procedures outlined in Sec. 34-607.

C. Charging stations in RM land development districts shall be for the exclusive use of the development's residents and guests that are visiting the development's residents, and shall not be made available to the general public.

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

The proposed ordinance, if approved, will be considered on 1st reading by the Village Council on March 9, 2023.

Director Cabrera stated that due to the change in the electrical vehicles, this is required. Director Cabrera stated all new or existing commercial, mixed-use, or multi-family development projects with at least twenty-five (25) parking spaces that enter into either a site plan or site plan amendment process and gave examples to the Board.

The Board gave their suggestions to Director Cabrera.

Chairman Tieche asked for a motion of Ordinance No. 2023-05. A motion to approve Ordinance No. 2023-05 was made by Ms. Gehrman and seconded by Mr. Braun. Motion carried 4-0.

FISCAL IMPACT:

Amending the Land Development Regulations to add a new section does not have a direct fiscal impact on the Village.

OTHER BUSINESS

10. **Discuss an alternate date for Tuesday, March 14, 2023, Planning & Zoning Meeting due to the Village of Palm Springs Municipal Election. Alternative dates: Tuesday, March 8, 2023, or Wednesday, March 15, 2023.**
Staff: Jane Worth, Deputy Village Clerk

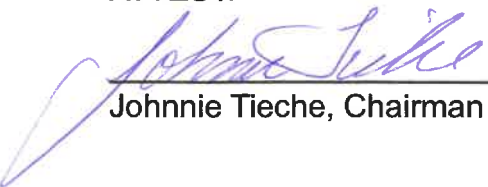
The next visioning workshop will be on March 30, 2023.

The next meeting will be held on Wednesday, March 15, 2023, at 6:30 pm.

ADJOURNMENT

Hearing no further business, Chairman Tieche adjourned the meeting at 8:10 pm.

ATTEST:



Johnnie Tieche, Chairman

The undersigned is the Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Regular Council Meeting held on **February 14, 2023**. Which minutes were formally approved and adopted by the Village Council on **November 14, 2023**.


Jane R. Worth, Deputy Village Clerk



**NEXT REGULAR MEETING:
March 15, 2023 @ 6:30 PM**

If a person decides to appeal any decision made by this Board with respect to any matter considered at this meeting, they will need a record of the proceeding, and that for such purpose they 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.