



**PLANNING AND ZONING ADVISORY BOARD MEETING
MINUTES,
COUNCIL CHAMBERS
226 CYPRESS LANE
VILLAGE OF PALM SPRINGS, FLORIDA
JANUARY 10, 2023, AT 6:30 PM**

CALL TO ORDER

The meeting was called to order by Chairman Johnnie Tieche at 6:34 PM.

ROLL CALL

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

ABSENT:

STAFF: Planning, Zoning, and Building Director Iramis Cabrera, Planning, Zoning and Building Planner, Christian Menendez, Village Attorney Susan Garrett, and Deputy Village Clerk Jane R. Worth

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

Chairmain Tieche asked if there were any revisions to the agenda. Director Cabrera stated there were none. Director Cabrera mentioned the revised plans for the project were sent out this afternoon and they would be going over them and there shouldn't be any conflicts.

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.**

Chairman Tieche asked if there were any ex-parte communications. The Board replied to no.

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

4. **(Quasi-Judicial Hearing) Ordinance No. 2023-01 - Land Use Amendment and Rezoning (Small-Scale) Collection Suites Palm Springs - 874, 884 & 964 South Congress Avenue:** Recommendation of approval of Ordinance No. 2023-01 to Village Council requesting a Small-Scale Land Use Amendment of the Future Land Use Map (FLUM), Rezoning and Site Development Plan on 7.313 acres (comprised of three parcels) to facilitate an industrial development project.
Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Mr. Javier Fernandez from Astrax LLC, agent for Collection Suites Palm Springs ("Applicant"), is requesting a Small-Scale Land Use Amendment of the Future Land Use Map (FLUM), Rezoning and Site Development Plan on 7.313 acres (comprised of three parcels) to facilitate an industrial development project.

The proposed small-scale land use change would be from Commercial General Land Use to Light Industrial, concurrent with Rezoning from Commercial General (CG) to Light Industrial (LI). The combined properties are less than 50 acres in size (7.313 acres total) and are planned for a mix of warehouse/self-storage.

The applicant is concurrently requesting Site Plan approval to allow a development concept of a 79,350 square foot warehouse/self-storage condominium called "Collection Suites Palm Springs" that would contain approximately nineteen (19) condominium units ranging in size from 3,206 square feet to 8,343 square feet, complemented by a 5,256 square foot clubhouse, a 1,283 square foot office, and related support spaces, in addition to the existing 36,054 square feet indoor athletic court (trampoline center). The proposed site plan is presented (within this item) for informational purposes only (no action is required at this time).

Note: The Village does not typically place conditions of approval on future land use map changes. The legislative decision as to the appropriateness of the land use map and rezoning amendments are approved on the 2nd and final reading, and the proposed Site Plan will be presented for consideration at a future date.

Ordinance No. 2023-01 was advertised in the Lake Worth Herald on December 29, 2022, and readvertised in the Palm Beach Post on January 9, 2023, due to changes.

The proposed request was submitted through the PBC Intergovernmental Plan Amendment Review Committee (IPARC) for intergovernmental review, and no comments were received.

Note: IPARC is designated to provide coordination of proposed plan amendments, cooperation between affected local governments and service providers, and provides opportunities to resolve potential disputes only within the plan amendment.

The Local Planning Agency (LPA) will consider this item during their January 26, 2023 meeting.

The proposed ordinance will be considered on the first reading by the Village Council on January 26, 2023, after the LPA meeting, and on February 9, 2023, for the final reading. Deputy Worth swore in Javier Fernandez, Alexandra Simo, Jose Vidal, Rafael Garcia, and Manuel Fernandez.

Planning, Zoning, and Building (PZ&B) Director Iramis Cabrera informed the Board that Items #4 and #5 would be presented together, and Planning, Zoning, and Building Planner Christian Melendez would be presenting.

PZ&B Planner Christian Melendez stated Mr. Javier Fernandez from Astrax LLC, agent for Collection Suites Palm Springs "Applicant" is requesting a Small-Scale Land Use Amendment of the Future Land Use Map (FLUM), Rezoning and Site Development Plan on 7.313 acres (comprised of three parcels) to facilitate an industrial development project. The project would be a 79,350-square-foot warehouse/self-storage condominium called the "Collection Suites Palm Springs". PZ&B Planner, Christian Melendez, explained the size of the units, clubhouse, office, and related support spaces. There was an existing indoor athletic court.

The Applicant requests four (4) waivers for the proposed site plan and one (1) variance.

The Applicant is also requesting approval of the Light Industrial Planned Development Site Plan (SPR23-02), which will depend on the approval of the Land Use Amendment and Rezoning.

Mr. Javier Fernandez, from Astrax LLC, 1200 Brickell Avenue, Miami, Florida, representing Collection Suites, stated a request was being made for a land use change from Commercial General land use to Light Industrial, and rezoning from Commercial General to Light Industrial. Mr. Fernandez informed the Board that currently there is a gym entertainment facility on a parcel located near the three (3) parcels they are requesting to develop. Mr. Fernandez informed the Board of the units and that they would be high-end warehouse storage. The units are highly customizable, with a concierge service available for all units, there will be a clubhouse and a gym that is accessible to all

occupants. Mr. Fernandez continued with a PowerPoint presentation. Mr. Fernandez also went over the revised plans and the waiver requests.

Mr. Hughes stated he had not been informed of such developments, but he did visit one in Jupiter, Florida today. Mr. Hughes said he was very impressed with the development and inquired about the price of the units. Mr. Hughes asked about the entrance off Holly Road, and Mr. Fernandez stated it was dual ingress/egress. Mr. Garcia stated all the units would be \$800,000 to \$5,000,000. Different amenities will be offered, which could increase the cost. Mr. Garcia informed the Board they were more of a luxury and enjoyment type of unit. All collections are private and cannot be seen.

Ms. Gerham stated it was a large variance request and wondered if there was room for negotiation. Ms. Gehrman asked what the sound would be for the 24-hour events. Mr. Fernandez said the special events would be subject to the rules of the Village Code. There would not be any kind of commercial activity, there needs to be an understanding that the people investing in the units are active people and come and go at all times of the night. The hours of operation are 24/7. There will also be on-site security. The noise level of the units has been upgraded as the owners would want that. Mr. Saingilus asked if there were recordings or videos taken. Also, did the owners sleep in the suites? Would there also be a property manager? Mr. Garcia answered there were no recordings/videos. Mr. Garcia stated without videos or recordings, there would be no way for them to know if someone slept there. The property manager would only be there from 9 AM until 5 PM.

The Board stated it was a good project and presented an upgrade to the village.

PZ&B Director Cabrera informed the Board of the waiver request for the 75 sq. ft. to be reduced to 40 sq. ft. The Light Industrial zoning required it to be set back at 75 sq. ft. from any residential area. That is why the staff did not have any concerns about this waiver.

Mr. Fernandez stated they do agree with staff conditions, but are hoping for condition #7, the retail sales and services, to be recognized as professional services. Director Cabrera agreed to that.

Chairman Tieche asked for a motion for the Land Use Amendment and Rezoning (Small Scale), Item #4. A motion to approve Ordinance No. 2023-01 was made by Mr. Hughes and seconded by Mr. Lashells. Motion carried 5-0.

FISCAL IMPACT:

The proposed land use and zoning amendments are not expected to provide a direct fiscal impact on the Village; however, it would facilitate development that will increase the Village's property valuation.

5. (Quasi-Judicial Hearing) Light Industrial Planned Development Site Plan (SPR23-01) - Collection Suites Palm Springs - 874, 884, and 964 South Congress Avenue:

Recommendation to approve Light Industrial Planned Development Site Plan (SPR23-01) application with conditions, submitted by Mr. Javier Fernandez from Astrax LLC, agent for Collection Suites Palm Springs ("Applicant"), to allow the development of a 79,350 square foot warehouse/self-storage building along with an existing 36,054 square foot Indoor Athletic Court on 7.313 acres (comprised of three parcels). The project will also contain approximately nineteen (19) condominium units. The Applicant also requests consideration for approval of four (4) waivers and one variance (PSV23-01) for the project associated with Collection Suites Palm Springs located at 874, 884, and 964 South Congress Avenue.

Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Mr. Javier Fernandez from Astrax LLC, agent for Collection Suites Palm Springs ("Applicant"), is requesting a Site Development Plan (SPR23-01) approval to allow the development of a 79,350 square foot warehouse/self-storage building along with an existing 36,054 square foot Indoor Athletic Court on 7.313 acres (comprised of three parcels) generally located at 874, 884 & 964 South Congress Avenue.

Note: To achieve this development, the applicant is also requesting a Future Land Use Amendment to the Future Land Use Map (FLUM) as well as a Rezoning to change the land use from Commercial to Light Industrial and from Commercial General (CG) to Light Industrial (LI). These requests are separate.

On July 13, 2017, the Village Council adopted Resolution No. 2017-17, approving a site plan and concurrently a Special Exception use with four waivers to permit the development of a 6,800-squarefoot restaurant, 25,928 retail building, and 36,000 square feet of an indoor athletic court. While the indoor athletic court was completed, the balance of the project was never executed.

Currently, the applicant is seeking to develop the site to facilitate the construction of a 79,350 square foot warehouse/self-storage building called the "Collection Suites Palm Springs." The project will contain approximately nineteen (19) condominium units ranging in size from 3,206 square feet to 8,343 square feet, complemented by a 5,256 square feet clubhouse, 1,283 square foot office, and related support spaces.

Note: The Village Code - Section 34-1063(c) Waivers- provides that waivers may be granted by the Village Council following an advisory recommendation by the Planning and Zoning Board. All requests for waivers shall be identified on the site plan and shall accompany an application for site plan approval of planned development.

The applicant is requesting four (4) waivers for the proposed site plan:

1. Relief from Sec. 34-863 (6) to allow a reduction in the required setback along South Congress Avenue from the required 30' to 25' at its narrowest point.

2. Relief from Sec. 34-863 (9) to allow a reduction in the required setback along Holly Road from the required 30' to 20' at its narrowest point.
3. Relief from Sec. 34-863 (10) to allow a reduction in the required setback along Northeast (abutting residential lots) from the required 75' to 40'4
4. Relief from Sec. 34-896 (d) to allow twelve (12) special events each calendar year (more than four (4) allowed per Code).

Additionally, the applicant is requesting one (1) variance:

1. **(PSV23-01)** - Request to allow extended hours of operation to permit unit owners and their guests to use their individual units 24 hours a day. However, no commercial business activity will occur during the extended hours of operation (Provides relief from Section Sec. 34-891 (2) that restricts hours of operations from 7 am to 11 pm).

Approval of the Light Industrial Planned Development Site Plan depends on the approval of the Land Use Amendment and Rezoning.

The Planning, Zoning & Building Staff does not object to the Light Industrial Planned Development Site Plan and recommends conditional approval.

This Item was presented with Item #4.

Chairman Tieche asked for a motion for the Light Industrial Planned Development Site Plan (SPR23-01). A motion to approve the Light Industrial Development Site Plan (SPR23-01) with waivers, the variance (PSV23-01) with the Conditions in Staffs report, was made by Mr. Hughes and seconded by Mr. Lashells. Motion carried 5-0.

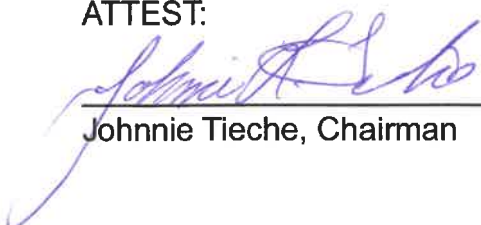
FISCAL IMPACT:

The proposed development will enhance the village's assessed property valuation. This property is located within the Palm Spings Community Redevelopment agency (CRA) - Congress Avenue District and redevelopment would result in increased tax increment financing (TIF) revenue.

OTHER BUSINESS

ADJOURNMENT

ATTEST:



Johnnie Tieche, Chairman

The undersigned is the Deputy Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Planning and Zoning Advisory Board Meeting held on January 10, 2023. Which minutes were formally approved and adopted by the Planning and Zoning Advisory Board on November 14, 2023.


Jane R. Worth, Deputy Village Clerk



NEXT REGULAR MEETING:

Tuesday, February 14, 2023 @ 6:30 PM in the Village Council Chambers

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.