



**AGENDA
PLANNING AND ZONING ADVISORY BOARD MEETING
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
PALM SPRINGS, FL 33461
APRIL 14, 2020
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. Members of the Board, Kim Gehrman, Larry Saingilus and James Mandigo were remote from home.

2. ROLL CALL

Board Members: Chairman - Johnnie Tieche, Vice Chairman - Richard Hughes, Ralph Lashells, James Mandigo, Kim Gehrman, Larry Saingilus

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

3. PLEDGE OF ALLEGIANCE

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

Director Glas-Castro stated Item #7.1 and Item #7.2 were continued to the May 12, 2020 Meeting.

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

7. QUASI JUDICIAL PUBLIC HEARINGS

7.1 Planning & Zoning Board Order No. 2020-02 - Landscape Buffer Variances PSV20-03 & PSV20-04 - Penuel Evangelical Church - 3401 2nd Avenue North (**Quasi-Judicial**)

Planning & Zoning Board Order 2020-02.doc
Staff Report
Project Narrative and Justification Statements
Site Plan, Landscape Plans, Architectural Plans and Letters
Color Site Plan
Aerial and Location Maps
Sec.34-602(2) Variances

7.2 Resolution No. 2020-15 - Site Plan Amendment (SPR20-04) and Special Exception Use (PSSE20-01) - Penuel Evangelical Church - 3401 2nd Avenue North
Res No. 2020 -15 Site Plan Amendment (SPR20-04) and Special Exception (PSSE20-01) .doc
Staff Report
Project Narrative and Justification Statements
Site Plan, Landscape Plans, Architectural Plans and Letters
Color Site Plan
Legal Description
Aerial and Location Maps

7.3 Resolution No. 2020-06 - Residential Planned Development Site Plan (SPR20-03) and Four (4) Waivers - 3922 Park Lane (*Quasi-Judicial*)
Res No. 2020-06 Residential Planned Development - SPR20-03 - -3922 Park Lane.doc
Exhibit "A" Staff Report
Project Narrative and Justification Statement
Site Plan, Landscape Plan, Architectural Plans, Civil Plans and Letters
Legal Description
Aerial Map and Location Map
Color Rendering

Planner Cabrera informed the Board at the previous Planning & Zoning Board hearing, Staff had concerns that the proposed common amenity areas didn't comply with the objectives of the Village's residential planned development regulations for open space. Common amenities areas were not designed to be enjoyable and didn't promote safety or general welfare of the occupants. Staff highly recommended eliminating a unit to provide an aggregated and enough common amenity area in a safer and healthier location.

The applicant decided to postpone the consideration of the Residential Planned Development project to make changes to the plans and attempt to receive support from Staff. One dwelling unit was eliminated and the proposed common amenities (playground equipment, playhouse, picnic table and sitting area) were aggregated to one location, providing more comfort, convenience and pleasantness in social relationships maintaining social amenities. The croquet lawn was eliminated from the plans.

The Applicant is now requesting four (4) waivers for the proposed RPD site plan:

1. Relief from Sec.34-1328 - Allow a 24' wide drive aisle rather than the required 26' wide drive aisle for 2-way traffic.

2. Relief from Sec.34-1064(c) - Allow a residential planned development project with only 0.79 acres of land area rather than the required 3-acre minimum.

3. Relief from Sec.34-766(1) - Allow 10 multi-family dwelling units to be constructed on an 0.8-acre parcel rather than the required 2.08-acre minimum lot size. Note: Based on the size of the property (0.8 gross acres) the maximum development on the site is restricted to 5 dwelling units.

4. Relief from Sec.34-1063(a)(1) - Allow one sidewalk along the driveway rather than the required sidewalks on both sides of the main driveway.

Planning, Zoning & Building Staff does not object to the Residential Planned Development Site Plan with 4 waivers and recommend conditional approval of the proposed development subject to forty-four (44) conditions, along with the voluntary monetary contribution, requested by the School District to mitigate school impacts.

The Board made the following statements prior to the presentation: The project was still overly dense and to populated for the small piece of property. It's too tight. Parking was still a concern and access for service vehicles, whether they be first responders or the garbage trucks. Dead ends are not favorable.

Mr. Cory Cross thanked the Board very much for the meeting. This came before the Board two months ago. We took note of your comments then made several changes to the project in order to address those comments. Iramis already went over the fact that we did remove one unit and that we aggregated all of the common amenity areas.

In addition to that we eliminated the need for a couple of waivers. We moved the building a little farther to the West so that we are now 20 feet from the East property line, before we were a little over 15 feet. We also made some adjustments to the parking. We had we had before just enough parking to meet code now. There is one additional parking space as there has been a unit eliminated.

For the service vehicles, we still have a wide turn at the back of the property this turn meets all the requirements of the Palm Beach County fire department and it meets all the requirements for garbage pickup. Those Services have looked at this plan and have approved it. We also took the dumpster enclosure which we had asked the waiver for because it was within 25 feet of the South property line and we moved it North and so it is now no longer requiring a waiver.

We also have made some very minor revision to the building just to make it a little more compact onto the site and allow for more landscaping. I would be happy to answer any questions that you may have.

The Board had the following questions:

1. Has the price changed at all for the rental for affordable housing? No, the rental is still \$1,500.00 and is in line with the current market. Mr. Jose Raza stated these were three-bedroom units, with a garage. The current market is \$1,900.00. These are larger, better apartments.

2. How many parking spaces are available? How many spaces are available for guest parking? Mr. Cross stated they were providing thirty-three (33) which is one (1) additional parking spaces and that includes the parking in the garage. They will not be able to have four

(4) vehicles, they can only have two (2) vehicles. They are aiming for families that have young children that don't drive. Mr. Cross stated there are thirteen (13) guest spaces and if they get one of those, they will. Mrs. Gehrman stated this is a very big problem with not having excess parking, it will come back on the owner. Mr. Razza stated that all guest parking will require a pass, that is how we are going to monitor this situation. There will be signs out there that will have towing if they do not have the pass. Mrs. Gehrman stated she was concerned for the fire department and the services that need to use that turn around at the end of the road. What is your recommendation or allowances for pets? We have not decided that yet. It's still open to debate. Mrs. Gehrman said she was concerned about the minimal area. There is very minimal area, even for recreation for the residents and I just wasn't quite sure how you were going to work that out with some of the pets, but those are my main concerns and thank you. It looks very nice and thank you for decreasing it by one unit. I would feel more comfortable if you reduced by a few more, but I understand and that was my main concern. Thank you.

3. Mr. Hughes asked if there was a remote provided for the garage? He also asked if there would be commercial vehicles allowed. Mr. Cross stated there would not be any commercial vehicles. Yes, there would be a remote for every apartment. Mr. Hughes asked how they would monitor if they are not using the garage as storage. Mr. Cross stated management has the right to inspect any time. We are not allowing this. Mr. Hughes asked Staff if there was public parking on Park Avenue. Director Glas-Castro stated in the code there is parking in a swale. Mr. Hughes stated he was not convinced with the parking and the monitoring of the garages. Aesthetically the apartments are very beautiful.

4. Mr. Tieche asked if they ever took a permit out for the demolition they did on the property. Mr. Cross stated there was nothing on the lot, it was empty when Mr. Raza bought the property. Director Glas-Castro stated there was a house on the property, an after-the-fact permit is required. Mr. Tieche stated he could not support waivers two and three for housing on that small lot. Mr. Tieche stated they have parking boats in the garage, which will take away one of your spots for your car, not in favor of that. Mr. Cross stated that was recommended by Staff, if they want it taken out, he will do so. Mr. Tieche said he was glad that dumpster was moved, but it looked like the truck would be picking up on an angle. It did not look like a straight on angle. Mr. Cross stated they checked the turning radius and it complies. There was a statement that there were 44 conditions, but with the school it looks like 45 conditions. Mr. Cross stated he did not believe #45 was a condition.

Mr. Hughes stated the Village was about to do an enhancement of the sidewalks and widen them. He asked Director Glas-Castro what side of the street was the wider sidewalk going on? Director Glas-Castro stated it would be on the north side. Director Glas-Castro stated Richard Reade clarified the park connector pathway is on the north side of Park Lane.

A discussion took place regarding the parking and the concern that the Board had with it. The Board also stated the PVC fence was not what had been discussed at the last meeting. Mr. Cross felt the concrete was not as attractive as the PVC fence. The Board stated the minimum lot size is three (3) acres and its .8 acres, minimum lot area is 2.08 acres, minimum proposed is .8 acres. It is too much on a tiny piece. Mr. Tieche agreed with the rest of the Board members and their comments. It really is a beautiful design. Mr. Cross stated there are other projects that have been approved in the Village that are on lots less than three (3) acres.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of the of Resolution No. 2020-06 and the 4 waivers was made by Mr. Mandigo.

Attorney Shutt stated since there was not a second motion for approval, there would have to be a motion for denial.

Mr. Hughes recommended denial of Resolution No. 2020-06 and the 4 waivers and it was seconded by Mr. Lashells. A roll call vote was taken, vote carried 4 - 1 for denial.

7.4 Planning & Zoning Board Order No. 2020-03 - Lot Width Variance PSV20-05 - 3955

Edwards Avenue (**Quasi-Judicial**)

[Planning & Zoning Board Order 2020-03.doc](#)

[Staff Report](#)

[Application](#)

[Justification Narrative](#)

[Proposed Survey](#)

[Proposed Construction Plans](#)

[Aerial and Location Maps](#)

[Edwards Ave 50' Lot Width](#)

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

Approve

Planner Cabrera informed the Board the applicant was requesting a variance relief to allow a minimum lot width of 50 feet in lieu of the require. 65 feet minimum width. The subject property is located on the east side of Kirk Road between Lake Worth Road and Lakewood Road. The area is designated residential multifamily zoning district and low density. The applicant has a special condition which does not result from actions of the applicant. Granting the variance will be the minimum consideration to make possible the reasonable use of the land and will be in harmony with the general intent of the variance requested. Director Glas-Castro stated other properties along the street that have the same lot Dimension to show that the requested variance is not unusual for the character of the area.

Mr. Julian Guterrez he did not have a presentation. He was trying to get approved for the 50-foot-wide lot.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to approve PZ&B Order No. 2020-03 was made by Mr. Lashells and seconded by Mr. Mandigo. Motion carried 5-0

A roll call vote was taken, and motion passed 5-0 approved.

Motion: Ralph Lashells	Second: James Mandigo	Vote: Motion Passed: 5 - 0
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7.5 Planning & Zoning Board Oder No. 2020-04 - Lot Width Variance PSV20-04 - 4083

Dale Road (**Quasi-Judicial**)

[Planning & Zoning Board Order 2020-04.doc](#)

[Staff Report](#)

[Application](#)

[Justification Narrative](#)

[Proposed Survey](#)

[Construction Plans](#)

Aerial and Location Maps
Dale Rd 50' Lot Width
Sec.34-602(2) Variances

Approve

Planner Cabrera stated the applicant was requesting a variance relief to allow a minimum lot width of 50 feet in lieu of the required 65 feet minimum width. The surrounding properties located on the inside is South Military Trail between Kirk Road and Donald Road. The area is the same area residential multi family zoning district and medium density residential future land use. The property dimensions are 136 feet depth and 50 feet width for a total of 6,800 square feet land area.

Staff considers that this is the minimum variance that will make possible the reasonable use of the land, will be in harmony with the general intent and purpose of the variance requested and will not be injurious to the area involved or otherwise detrimental to the public welfare.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to approve PZ&B Order No. 2020-04 was made by Mrs. Gehrman and seconded by Mr. Mandigo. Motion carried 5-0

A roll call vote carried approval 5-0.

Motion: Kim Gehrman	Second: James Mandigo	Vote: Motion Passed: 5 - 0
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7.6 Planning & Zoning Board Order No. 2020 -05 - Setback Variance PSV20-07 & PSV20-08 - Red Rhino Leak Detection & Bayside Pool - 3945 Davis Road (**Quasi-Judicial**)

[Planning & Zoning Board Order 2020-05.doc](#)

[Staff Report](#)

[Variance Application](#)

[Project Narrative](#)

[Survey](#)

[Aerial and Location Map](#)

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

Approval

Planner Cabrera informed the Board the applicant is requesting a variance from Section 34-826(6) and Section 34-826(7) of the Village of Palm Springs Land Development Regulations to allow a minimum rear setback of 4.2' and a minimum side setback of 4.1' for two storage accessory buildings in lieu of 20' and 15' respectively required. The applicant will need to submit a building permit with a planning zoning and building department and complete the work within 12 months of this approval.

Director Glas-Castro stated the temporary license agreement is expiring and so they've been asked to provide their necessary storage in accessory structures that comply with Florida building code so they are making the modification posing the modifications to the containers to make them compliant with Florida building code by strapping them down by putting siding on them and they will also landscape the Davis Road perimeter of the property.

Mrs. Gehrman asked if there was a picture of what the proposed look would be? Director Glas-Castro stated they do not have a photo of that. She did say the Applicant was available to answer their questions.

Ms Pam Marino stated there were a lot of building supplies when they go to do repairs. It would entail piping. There is a poxy that would be applied to the pipes, but there is not any chemicals like chlorine.

Planner Cabrera stated they were trying to make the containers as a permanent structure. They were adding some siding so it would not look like a metal facade.

Ms. Marino stated the building itself was 4.4 feet from the property on the east side. They were not a pool maintenance. The hedges have been done on Davis Road and Frenches bar and the East side. They keep the building painted really nice and looking good for the Village. Director Glas-Castro stated if the applicant was not

approved, they would have to find another location in the Village. Ms. Marino stated it would be the same siding as French's Bar. She said it was a vinyl siding.

The Board continued to discuss the variances with the Applicant and Staff.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to approve PZ&B Order No. 2020-05, PSV20-07 and PSV20-08, subject to conditions in the staff report and the condition that the garbage container currently there be removed and located on the private property in accordance with Village Code concurrent with permitting was made by Mr. Lashells and seconded by Mr. Mandigo. Motion carried 5-0

Motion: Ralph Lashells	Second: James Mandigo	Vote: Motion Passed: 5 - 0
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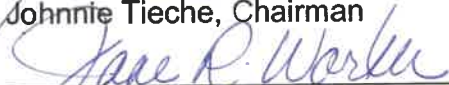
8. ACTIONS AND REPORTS

9. ADJOURNMENT

Hearing no further business, Mr. Tieche adjourned the meeting at 7:55 PM



Johnnie Tieche, Chairman



Jane R. Worth, Deputy Clerk

Approved by Board 5-12-2020
(Date)



NEXT MEETING, TUESDAY, MAY 12, 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.