

**VILLAGE OF PALM SPRINGS  
MINUTES OF MEETING  
LAND DEVELOPMENT BOARD  
JULY 12, 2016  
6:30 PM**

**CALL TO ORDER**

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

**ROLL CALL**

Members present: Vice Chairman John Tieche, Ralph Lashells, Richard Hughes, Dawn Cox, Peter Braun and James Mandigo

Staff in attendance: Land Development Director Kim Glas-Castro, Land Development Planner Iramis Cabrera, Village Attorney Brian Shutt and Deputy Village Clerk Jane Worth

Absent: Chairman Ronald Wong

**ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA**

**APPROVAL OF MINUTES**

1. Approval of Minutes from June 14, 2016

A motion to accept the minutes was made by Mr. Hughes and seconded by Mr. Lashells. Motion carried 5-0

**ORDER OF BUSINESS**

**PUBLIC HEARINGS**

**REGULAR AGENDA**

NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY *EX PARTE* COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL DISCUSSIONS. CLERK TO SWEAR WITNESSES FOR TESTIMONY

There were no ex parte communications disclosed. Deputy Village Clerk Worth swore in Director Glas-Castro, Attorney Brian Shutt, Planner Iramis Cabrera, Kevin McGinley, and Colin Foreman, to give testimony.

2. An application submitted by Colin Foreman, agent for the owners, 3860 Canal 9 Rd. LLC ("Applicant") for a Site Plan Amendment (SPR16-06) for construction of an additional single family home for a total of three dwelling units, located at 3860 Canal 9 Road.

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Planner Cabrera informed the Board the owner was proposing to add a single family home on a lot that was approximately 0.54 acres. A duplex was already situated on the property, which would then have three (3) living accommodations, but only two (2) buildings, the duplex and the single family residents. Staff recommends approval of the project.

The Board asked for clarification on the parking and what the total spaces would be. Mr. Foreman stated there would be an addition of three (3) parking spaces from the new constructed home. The Board also asked about the driveway, if there would be a new one installed. Mr. Foreman stated they would be paving the existing driveway. The Board asked if there needed to be a cross access agreement. Director Glas-Castro stated Mr. Foreman would have to place an access easement over the driveway, and it would be documented for the future, which would be done during permitting. She also advised the Board they would be the final approval and this would not be going to the Council. Mr. Foreman stated they were ready for construction.

Mr. Foreman stated that he was not clear on Condition #11, landscape irrigation. Director Glas Castro stated he would be required to install a well for the irrigation of the landscaping.

Gary Ready, 3118 Meadow Road, asked if there would be yellow signs notifying the neighbors of the construction. Director Glas-Castro stated they were already present and letters have been mailed to surrounding neighbors

Vice Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of SPR16-06, including Staff conditions, was made by Mr. Lashells and seconded by Mr. Hughes. Motion carried 5 – 0.

3. An application submitted by Land Research Management, Inc., agent for the owner, Amigos Mexican & Spanish Restaurant II, Inc. ("Applicant"), for a Site Plan (SPR16-05) and concurrently requesting a Special Exception Use (PSSE-16-05) to allow a 2,856 square foot restaurant within a tenant bay at the Greenwood Shopping Center, for the Commercial General district property located at 1666 South Congress Avenue.

Director Glas-Castro stated the applicant was Equity One, and it was to facilitate restaurant use by Amigos, the applicant had been stated as Amigos. Planner Cabrera informed the Board there had been a restaurant in the space that Amigos would be occupying. Since that space had been vacated for more than two (2) years, a new Special Exception application must be submitted. Staff recommends approval.

Mr. Kevin McGinley was present with the authority and consent of Equity One, to answer any questions the Board might have regarding the Dos Amigos restaurant that would be occupying the existing bay. The Board did inquire about the parking and if there were designated spots. Also if there would be a full alcohol bar. Mr. McGinley stated that the parking spots were not designated and there would be a full alcohol bar.

Vice Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval, subject to conditions recommended by Staff, was made by Mr. Hughes and seconded by Ms. Cox. Motion carried 5 – 0

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4. Approval for the Preliminary Plat for Water's Edge Dermatology, submitted by Kevin McGinley agent for the owner of the property, Lakeshore Center LLC, to create a separate parcel that can be conveyed to the contract purchaser "Water's Edge Dermatology" as a legal lot of record, located at, 2669 Forest Hill Boulevard.

Director Glas-Castro informed the Board it was a request to plat a separate parcel within the Lakeshore Center. The previous owner was TD Bank in the front. The property would be united for the zoning for the Site Plan perspective. The purpose of the replat is to separate out the parcel that would be sold fee simple to the Water's Edge Dermatology, the intended user, so they would own the property and not rent. Before recordation of the final plat, the parties would need to provide cross access, cross parking, shared infrastructure agreements, and all protected measures are established for each property owner's rights and obligations. The Village has done this in the past where the former Winn Dixie was and it now was the Presidente'. Staff would like to request a condition of approval that recognizes that the cross access, shared parking, shared infrastructure agreements need to be drafted, reviewed by the Village Attorney and executed prior to final recordation of the final plat.

The Board asked if the property to the east was a separate piece of property, and would there also have to be parking agreements. Director Glas-Castro stated there would have to easements and agreements executed and recorded prior to recordation of the final plat. The Auto Parts store was the property to the east and it would make three (3) owners for the property in Lakeshore Plaza.

Gary Ready, 3118 Meadow Road, asked was there anything that could be done to get the shopping center to fix up the eye sores that are currently existing. There are stop signs that are barely readable, a fence in the back that is in bad condition, etc. Director Glas-Castro stated this would be brought up with Code Enforcement.

Vice Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval, subject to conditions recommended by Staff, was made by Ms. Cox and seconded by Mr. Lashells. Motion carried 5 – 0

5. A Village initiated process to abandon a portion of unimproved right-of-way, platted with the name "Childs Street", dedicated to the public via the Plat No. 1 of Green Acres plat recorded at Plat Book 12, Page 72, Palm Beach County Records.

Director Glas-Castro stated this action was following up on a Village commitment made during the annexation for the Bob's Auto Glass and Tacos El Carbon to facilitate re-development of the two (2) properties. Upon abandonment, the land area reverts to the adjacent abutting property owners so they would be able to utilize the land area in their re-development plans.

The Board asked if the current owners had any re-development plans in the process. Director Glas-Castro stated both of the current owners did.

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Vice Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval, subject to conditions recommended by Staff, was made by Ms. Lashells and seconded by Ms. Cox. Motion carried 5 – 0

6. Ordinance No. 2016-12 – Amendment to the Comprehensive Plan to create a “College-Hospital Overlay”.

Director Glas-Castro informed the Board this was a Village initiated proposal. This followed up on the Congress Avenue (south) corridor study, to create a zoning overlay that allows for additional density and intensity to create re-development. It can only be applicable on properties south of the current Village limits that are within the annexation areas that will be annexed this calendar year. The intent of the overlay is to provide a mix of uses in consideration of the proximity of the Palm Beach State College and the JFK Hospital, therefore the name “College Hospital Overlay”.

Director Glas-Castro went into the statistics of population and trips regarding traffic. She provided the Comprehensive Plan Amendment which contained the new objective “O” and the related policies to establish for the new overlay. The Board was also provided with a Zoning Ordinance to create the overlay.

The Board’s comments were:

- 1) The density was very marketable.
- 2) There was a question on the property that was in front of Emerald Lakes. Mr. Richard Carlson representing the owner of Emerald Lakes stated that parcel was a wetland mitigation area. They have not looked at that parcel in any type of redevelopment area.
- 3) The Board where the end was for the annexation limitation was for the Village. Director Glas-Castro stated it was the Atlantis area.

Gary Ready, 3118 Meadow Road, above the area where Race Trac had come in and the Daycare, where there any other plans for annexation on the other properties west of them. Director Glas-Castro stated there were intentions of taking in from Davis Road to Meleluca Lane. There were plans for squaring it off.

Ms. Debra Keiser, 3602 Elizabeth Street, asked exactly what this would provide. Director Glas-Castro stated it was focusing on the promoting mixed uses that will serve hospital staff, college campus students, drive by commuters that don’t have a place to go for restaurants, retail services as they come and go from work or school. Ms. Keiser informed the Director that there was presently a restaurant on Congress Avenue near McDonald’s that had created flooding for Elizabeth Street and she thought that this was the property that the Director had been talking about.

Vice Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval, as presented by Staff, was made by Mr. Braun and seconded by Ms. Cox. Motion carried 5 – 0

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7. Ordinance No. 2016-13 – Amendment to Chapter 34, Land Development, to add a new Subdivision X, “College-Hospital Overlay” to include Sections 34-1081 through 34-1084 enacting area-specific development allowances for the South Congress Avenue Corridor.

Director Glas-Castro stated she had highlighted the previous presentation, this would be the actual zoning provisions that would go in the Land Development regulations with the establishment creation of the overlay zone.

Vice Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of Ordinance 2016-13, was made by Ms. Cox and seconded by Mr. Lashells. Motion carried 5 – 0.

**OTHER BUSINESS**

Director Glas-Castro stated Friday, July 15, 2016, would be the Planning Officials Training if anyone was interested and needed to sign up.

Vice Chairman Tieche asked if there had been any more discussion on the parking ordinance, if possibly there was going to be a Board that would have to be put together for this. Director Glas-Castro introduced Brent Morgan to speak on behalf of Staff. Brent stated there was a committee that would go through each section and it would be done internally. Their recommendations would more than likely go back to the Village Manager.

**ADJOURNMENT**

Hearing no other business, Vice Chairman Tieche adjourned the meeting at 7:20 pm.

**NEXT LAND DEVELOPMENT BOARD MEETING  
AUGUST 9, 2016 AT 6:30 P.M.**

If a person decides to appeal any decision made by this Board 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 965-4010 at least 3 days prior to the meeting in order to request such assistance.

Respectfully submitted,

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Deputy Clerk

Approved by Board \_\_\_\_\_  
(Date)

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