

**VILLAGE OF PALM SPRINGS  
MINUTES OF MEETING  
LAND DEVELOPMENT BOARD  
AUGUST 9, 2016  
6:30 PM**

**CALL TO ORDER**

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

**ROLL CALL**

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

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: James Mandigo

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

Director Glas-Castro stated there were no changes but noted the minutes were sent separately to the Board.

**APPROVAL OF MINUTES**

1. Approval of Minutes from July 12, 2016

A motion to accept the minutes was made by Mr. Braun and seconded by Mr. Tieche. 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 and no one was sworn in to give testimony.

2. Abandoning all right, title, and interest in and to an unimproved forty foot wide road right-of-way located east of the terminus of Gardenia Avenue and east of 39th Avenue South.

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Director Glas-Castro stated this was a request from the neighboring Wirkkala family. The Wirkkala's had dedicated the property to the Village, for right-of-way purposes for expansion of utilities, which have been extended. The area would be transferred back to the Wirkkala family, as it is not needed for right-of-way or utility purposes. Each parcel was owned by a different entity, as it is within a family trust. The Village has blocked the area off as it is not a thoroughfare. Administration has spoken with the Wirkkala family and that resulted in the request for the abandonment.

The Board suggested merging the two (2) lots together. Without the right-of-way, how would anyone legally access the property, and without the history of how the lots were created, the Board was leery on abandoning the right-of-way. Director Glas-Castro stated it was brought to Staff's attention this afternoon. The family would have to join the properties with a Unity of Title. Administration asked to move forward with the abandonment, because with the Village having the easement, there is a perception the Village should improve the property and allow it to be an access point for the property off of Corrigan.

Attorney Shutt addressed the Boards concern with the suggestion of a condition that before the Village grants an abandonment, the owners provide the Village with a Unity of Title, where the two lots are joined either to the west or north, so the access is provided. That would be one way to access the legal issue. With the Unity of Title, all three (3) lots are tied together. There was a lengthy discussion with the Attorney regarding this suggestion. The Board stated they felt more comfortable if they knew the history of how those properties were created.

Gary Ready, 3118 Meadow Road, could the Village make them put a road in there where there would be access to the two (2) properties. Attorney Shutt stated they could not have a condition that they are mandated to install a road. They might decide to combine it to the road north, he advised against such direction.

Chairman Wong asked the public or the Board for any additional comments. Hearing none, a motion to deny approval, was made by Mr. Hughes and seconded by Mr. Tieche. Motion carried 4 – 1. Mr. Lashells opposed.

3. Extension of Annexation Area to include parcel on east side of Congress Avenue, south of 6<sup>th</sup> Avenue South.

Director Glas-Castro stated Staff was focusing on the annexation along South Congress Avenue, from the new Kingswood Academy was, to Atlantis City limits. Within the area on the corner of 6<sup>th</sup> Avenue South and Congress Avenue, there is a parcel which is the Palm Beach Habilitation Center. The annexation of this parcel would help balance the annexation the area south of 6<sup>th</sup> Avenue South/Melaleuca, and totally surround the property that has registered voters and could not be included in an involuntary annexation, it would be considered an enclave. Congress Avenue is the boundary for the annexation area, and the Village is extending into the Lake Worth annexation area. This has been shared with the Atlantis City Manager. Village Manager Reade has been trying to contact the Manager for Lake Worth for one (1) month with no success. She was looking for a recommendation from the Board to take to Council to annex the Habilitation Center.

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Gary Read, 3118 Meadow Road, asked if the Thrift Shop on the other side of the Habilitation Center would be annexed also. Director Glas-Castro stated the Thrift Shop and some warehouses at the rear of the property, and five (5) acres of vacant land also would be annexed.

Chairman Wong asked the public or the Board for any additional comments. Hearing none, a motion to approve the annexation extension area, was made by Mr. Tieche and seconded by Mr. Lashells. Motion carried 4 – 1. Mr. Lashells opposed.

#### 4. **Discussion: Creation of a CRA**

Director Glas-Castro stated Staff is drafting an RFP for consulting services to prepare the Finding of Necessity, supporting documentation, and the Community Redevelopment Plan(s). She continued to supply the Board with the information about a CRA and the functions it supports.

An economic (re)development strategy of the Congress Avenue Corridor Study is the creation of a Community Redevelopment Agency as a means to plan for and fund improvements and incentives that result in economic development.

A **Community Redevelopment Agency** (“CRA”) is an independent special district that fosters public and private investment to promote economic growth and redevelopment, and improve quality of life in a designated area. A CRA has the authority to 1) adopt redevelopment plans, 2) issue revenue bonds for redevelopment purposes, 3) acquire property and solicit proposals for redevelopment projects, 4) establish incentives, grants and loan programs to leverage private investment in the area and/or attract new businesses that contribute to the economic growth of the area, and 5) initiate community policing innovations.

Chapter 163, Florida Statutes, provides for the creation of a CRA after a “**Finding of Necessity**” determines that conditions exist that constitute slum or blight within an area for which concentrated efforts through a redevelopment plan might eliminate these conditions and support growth and development. Conditions that can support the creation of a CRA include substandard or inadequate infrastructure (sanitary sewer, drainage, etc.), inadequate parking, advanced ages of buildings, crime statistics or number of fire code violations, deterioration of streets, inadequate street lighting, and the number of nonconforming parcels and diversity of land ownership making it difficult to assemble adequate-sized parcels for redevelopment.

With the creation of the CRA, a **Community Redevelopment Plan** is adopted that provides redevelopment goals and identifies projects or programs for the area. Examples of traditional projects are utility and drainage improvement projects, streetscape and street tree plantings, grants or loans for property improvements, incentives for business relocation into the area, acquisition of blighted/nonconforming property, and community policing or focused code enforcement.

CRAs are funded through **Tax Increment Financing** (“TIF”). With the creation of the CRA, the dollar value of real property in the designated area is set, this is known as the “frozen value”. Redevelopment leads to increased property values, and this increase over the frozen value is the “increment”. The tax increment revenues are directed to the CRA’s Redevelopment

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Trust Fund for redevelopment purposes. The term of a CRA is typically limited to 30-40 years, during which time all revenues are to be utilized or encumbered in implementing the Community Redevelopment Plan.

The CRA Board is an independent governing body that has 5-9 members. The Village Council may designate itself as board members and include 4 business or property owners from the designated area. The CRA may hire an independent executive director, or appoint the Village Manager to serve in that capacity.

While staff has not completed the corridor studies for Lake Worth Road and Military Trail, it is envisioned that strategies for these corridors will also include establishment of a CRA. A city may only have one CRA; however, there can be multiple districts within a CRA, with each district having separate trust funds, accounting and redevelopment plans. Therefore, staff recommends establishing a CRA with three districts: North Congress Avenue, Lake Worth Road, and Military Trail. There is typically only one CRA Board; however, many cities with multiple districts have a separate advisory boards for each district that make recommendations on redevelopment projects and programs.

A lengthy discussion with questions and answers between Director Glas-Castro, Village Attorney Brian Shutt, and the Land Development Board.

Gary Ready, 3118 Meadow Road, asked if any of the CRA's had any defaulted and what happened to the money in the CRA. Director Glas-Castro stated a CRA was only established for a set for period of time, 30-40 years, after that time it goes away. The taxes coming from the value of the property goes to the applicable taxing authorities.

#### **5. Discussion: Expansion of CHO Overlay area**

Director Glas-Castro stated at the meeting for July, the Board reviewed the provisions for the College Hospital Overlay. After the meeting Staff received a phone call and email from the Seaglades property, which was south of Lake Worth Road and West of Congress. They would like to be included in the CHO, the provisions increased density and intensity would enhance the marketability for the property they were trying to sell. She stated that she was bringing this back to the Board to see if they would recommend to expand the CHO prior to adoption to include the Seaglades property. She wanted to mention that the request only came from Seaglades and not the other properties in that area.

The Board stated there was a significant amount of vacant property. There was also concern from the Board the property looked terrible, and what would be the chances of it getting cleaned up. Director Glas-Castro stated their property was cited by Code Enforcement and it seems that the surrounding businesses were abusing the property therefore they have been trying to clean it up. The Board did agree if it were cleaned up it would be a good idea to include it in the CHO.

#### **6. Discussion: Special Exception (minor) by Administrative Approval**

Director Glas-Castro stated at the last Council meeting, Vice Mayor Brinkman brought up that the Board was reviewing special exception applications for small uses that were common

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sense. An example was the Amigos restaurant re-locating into the Greenwood Shopping Center, but into a bay that already had restaurant accommodations. The consensus of the Council would be to explore a threshold that Staff could review with minor special exceptions that don't go forward to Public Hearings. She gave the Board different examples that would fit into that category. Director Glas-Castro spoke with Kevin McGinley who does a lot of projects within Palm Springs and throughout the County. One suggestion he had was if it were in a commercial shopping center, which possibly could be one of the criteria for a minor exception. She continued that she would not feel comfortable for a bar, or a church. There are some uses that she would not let square footage be used as a threshold.

She gave examples from the Palm Beach County and Palm Beach Gardens did used square footage, and Greenacres, Boynton Beach and Lake Worth brought everything before Public Hearings.

The Board stated that 3,000 square foot was a reasonable size to have administrative review. A restaurant less than 3,000 square feet without a hard liquor license could go through administratively. The Board asked if Staff would be comfortable with the special exceptions with beer sales or and then there was the one on Congress that had a church next door, would they still be advertised and how would the public know about them. Director Glas-Castro stated the Code had been regarding the retail sales and on-site consumption and distance separation. The Board stated that maybe down the road that Staff could get dictatorial down the road.

Gary Ready, 3118 Meadow Road, would parking problems still be applied, would they be red flagged to bring to the Land Development Board. The Board stated for Staff if it did not meet code it would not come forward at all.

The Board asked if there were provisions now for an appeal process. Director Glas-Castro stated that if she denied something or they did not agree with her interpretation, they could appeal to the Land Development Board.

## **NEW BUSINESS**

Director Glas-Castro stated that August 26, 2016, the Palm Beach County Planning Progress, was having a film and discussion on "The Future of Energy", the panelist after the movie would be Doug Howard, a former County Commissioner.

## **ADJOURNMENT**

Hearing no other business, Chairman Wong adjourned the meeting at 7:50 pm.

**NEXT LAND DEVELOPMENT BOARD MEETING  
SEPTEMBER 13, 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

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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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