



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COMMUNITY ROOM
226 CYPRESS LANE**

**AUGUST 11, 2005
7:30 P.M.**

COUNCIL

- Mayor John M. "Mike" Davis
- Vice Mayor Joni Brinkman
- Mayor Pro Tem Patti Waller
- Council Member Chet Osborne
- Council Member Bev Smith

ADMINISTRATION

- Village Manager Karl E. Umberger
- Village Attorney Paul J. Nicoletti
- Deputy Village Clerk Virginia Walton

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Motion	Second	Vote
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CONSENT AGENDA

1. Minutes of Regular Council Meeting on July 28, 2005

Motion	Second	Vote
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End of Consent Agenda.....

ANNOUNCEMENTS AND PROCLAMATIONS

- 2. **Mayor’s Proclamation for Florida Water, Wastewater and Systems Operators Week – August 15 – 19, 2005.**

PUBLIC COMMENT - (Five minute limit.)

PUBLIC HEARINGS

- 3. **RESOLUTION NO. 2005-56 (SITE PLAN – QJ)**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF CARLOS M. GONZALEZ, AGENT FOR THE OWNER, GONZALEZ-MUSIBAY CONSTRUCTORS & LAND DEVELOPERS LLC; FOR SITE PLAN REVIEW (SPR 05-09); FOR CONSTRUCTION OF FORTY-TWO TOWNHOUSES IN A CLUSTER DEVELOPMENT TO BE KNOWN AS ST. CHARLES LANDINGS PHASE II, ON 3.20 ACRES LOCATED ON 2ND AVENUE NORTH BETWEEN CONGRESS AVENUE AND DAVIS ROAD; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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This item will be continued to the August 25th Agenda

- 4. **RESOLUTION NO. 2005-57 (SITE PLAN – QJ)**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF PAUL A. HERSHORIN, AGENT FOR THE OWNER, HALFWAY HOUSES OF FLORIDA, INC.; FOR SITE PLAN REVIEW (SPR 05-10); FOR CONSTRUCTION OF HALFWAY/REHABILITATION HOUSING CONSISTING OF FOUR BUILDINGS, FOR A TOTAL OF SIXTEEN UNITS, ON 1.65 ACRES LOCATED ON LONE PINE WAY AND DEALINDA LANE NORTH OF FOREST HILL BOULEVARD; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

This item will be continued to the August 25th Agenda

5. RESOLUIN NO. 2005-58 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF PETER GILSTAD/SONG & ASSOCIATES, AGENT FOR THE OWNER, COMPREHENSIVE COMMUNITY CARE NETWORK, INC.; FOR SITE PLAN REVIEW (SPR 05-11); FOR RENOVATION OF THE ENTIRE 15,000 SQUARE FOOT FIRST FLOOR AREA FOR A SPECIAL NEEDS CLINIC, SOCIAL SERVICES OFFICES AND A NEW ENTRANCE/RECEPTION AREA, AND 5,000 QUARE FEET ON SECOND FLOOR AREA FOR NEW MEETING ROOMS AND STAFF SUPPORT AREAS, AND EXTERIOR RENOVATIONS TO INCLUDE NEW SITE LIGHTING, FULL LANDSCAPING, RECONSTRUCTED PARKING SURFACE AND REPLACEMENT OF EXISTING MANSARD ROOFS WITH NEW STUCCO SURFACES, FOR THE EXISTING BUILDING LOCATED AT 2330 SOUTH CONGRESS AVENUE; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

This item will be continued to the August 25th Agenda

6. RESOLUTION NO. 2005-62 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF JOHN CARRINO, AGENT FOR THE OWNER, PHILIPS LAKE WORTH, L.P.; FOR SITE PLAN REVIEW (SPR 05-13); FOR CONSTRUCTION OF 23,600 SQUARE FEET OF OFFICE AND RETAIL SPACE ON 1.84 ACRES LOCATED AT 3525 SOUTH CONGRESS AVENUE; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

This Item will be continued to the August 25th Agenda

7. RESOLUTION NO. 2005-63 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF JOHN CARRINO, AGENT FOR THE OWNER, PHILIPS LAKE WORTH, L.P.; FOR SITE PLAN REVIEW (SPR 05-14); FOR CONSTRUCTION OF 23,200 SQUARE FEET OF OFFICE AND RETAIL SPACE ON 1.698 ACRES

LOCATED AT 3400 SOUTH CONGRESS AVENUE; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

This item will be continued to the August 25th Agenda

8. RESOLUTION NO. 2005-64 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF CHRISTIAN BALLESTEROS/CBR GROUP ARCHITECTS, AGENT FOR THE OWNER, DOWNTOWN SHOPS LLC; FOR SITE PLAN REVIEW (SPR 05-15); FOR CONSTRUCTION OF 20,894 SQUARE FEET OF OFFICE AND RETAIL SPACE ON 1.46 ACRES LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF LAKE WORTH ROAD AND ADCOCK LANE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

9. RESOLUTION NO. 2005-65 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF DAVID KEIR/SEMINOLE BAY LAND CO., AGENT FOR THE OWNER, HUGH W. BAYLESS; FOR SITE PLAN REVIEW (SPR 05-16); FOR CONSTRUCTION OF 1500 SQUARE FEET OF BAR/PAVILION SPACE AND ADDITION OF 395 SQUARE FEET OF BATHROOM FACILITIES TO EXISTING RESTAURANT/BAR KNOWN AS TAPPER’S OAR HOUSE LOCATED AT 3810 SOUTH CONGRESS AVENUE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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This item will be continued to the August 25th Agenda

10. ORDINANCE NO. 2005-18 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF 8.55 ACRES OWNED BY LAKESHORE CENTER LLC; LOCATED AT 2677 FOREST HILL

BOULEVARD; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO COMMERCIAL, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT COMMERCIAL GENERAL, WITH A SPECIAL EXCEPTION FOR SHOPPING CENTER USE, ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

11. ORDINANCE NO. 2005-19 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING TWO (2) PARCELS OF LAND CONSISTING OF 0.97 ACRES OWNED BY MUTUAL TRUST LLC; LOCATED AT 2719 10TH AVENUE NORTH; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO COMMERCIAL, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT COMMERCIAL GENERAL ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Roll Call Vote
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12. ORDINANCE NO. 2005-20 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, THE LAND CONSISTING OF LESS THAN 10 ACRES, OWNED BY BUENA VISTA HOMES OF PALM BEACHES, INC.; LOCATED ON THE NORTHWEST CORNER OF 2ND AVENUE AND DAVIS ROAD; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; TO MEDIUM DENSITY RESIDENTIAL LAND USE; SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT RESIDENTIAL MULTI-FAMILY (RM) ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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13. ORDINANCE NO. 2005-21 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .82 ACRES OWNED BY SHOWCASE REAL ESTATE INVESTORS LLC; LOCATED AT 3848 DALE ROAD; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO LOW DENSITY RESIDENTIAL, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT RESIDENTIAL MULTI-FAMILY ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

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Motion	Second	Vote
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14. ORDINANCE NO. 2005-22 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, THE LAND CONSISTING OF LESS THAN TEN (10) ACRES, OWNED BY HECTOR AND NILDA SARDINA; LOCATED AT 3534 CANAL ROAD; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; TO MEDIUM DENSITY RESIDENTIAL LAND USE; SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT RESIDENTIAL MULTI-FAMILY (RM) ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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15. ORDINANCE NO. 2005-23 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, THE LAND CONSISTING OF FOUR PARCELS TOTALLING LESS THAN TEN (10) ACRES OWNED BY EDUARDO CORA, MICHAEL SWAN, CARLO MERCURIO, AND JUAN GARCIA; LOCATED AT 3800, 3804, 3808 AND 3812 MERCURIO DRIVE; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; TO MEDIUM DENSITY RESIDENTIAL LAND USE; SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT RESIDENTIAL MULTI-FAMILY (RM) ZONING DISTRICT ON THE VILLAGE OF

PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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16. ORDINANCE NO. 2005-24 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, THE LAND CONSISTING OF LESS THAN TEN (10) ACRES; OWNED BY PELICAN PROPERTIES; LOCATED AT 3663 A & B , 3675 A & B, 3669 DAVIS ROAD; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; TO MEDIUM DENSITY RESIDENTIAL LAND USE; SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT RESIDENTIAL MULTI-FAMILY (RM) ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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17. ORDINANCE NO. 2005-25 (FIRST READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 30 LAND DEVELOPMENT; ARTICLE VI, LAND USE; DIVISION 1, GENERALLY; AND DIVISION 7. SUPPLEMENTAL DISTRICT REGULATIONS; SUBDIVISION II. RECREATIONAL VEHICLES, COMMERCIAL VEHICLES AND SIMILAR

VEHICLES BY AMENDING VARIOUS PROVISIONS RELATED TO PARKING; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Paul J. Nicoletti, Village Attorney

Motion	Second	Vote
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REGULAR AGENDA

ACTIONS AND REPORTS

- 18. Report on Current Issues from Senator Ron Klein

**FIRST READING OF ORDINANCES - None
RESOLUTIONS**

- 19. RESOLUTION NO. 2005-67

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO ENDORSE AN ANNEXATION STUDY FOR USE AS A GUIDE FOR PREPARATION OF JOINT PLANNING AGREEMENT BETWEEN VILLAGE OF PALM SPRINGS AND PALM BEACH COUNTY; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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VILLAGE COUNCIL COMMENTS

ADJOURNMENT

NEXT LOCAL PLANNING AGENCY MEETING

AUGUST 25, 2005 AT 7:15 P.M.

**NEXT REGULAR COUNCIL MEETING
AUGUST 25, 2005 AT 7:30 P.M.**

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 965-4010 at least 3 days prior to the meeting in order to request such assistance.