



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

**AUGUST 25, 2005  
7:30 P.M.**

**COUNCIL**

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

**ADMINISTRATION**

- Village Manager Karl E. Umberger  
• Deputy Village Clerk Virginia Walton  
• Acting Village Attorney Thomas Sheehan

**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 Local Planning Agency Meeting of August 11, 2005**
- 2. Minutes of Regular Council Meeting of August 11, 2005**
- 3. Leisure Services Budget Amendment in the amount of \$14,000 to cover additional expenses for Travel Club trips, summer/vacation programs and**

**the concession stand.**

- 4. **Public Safety Budget Amendment in the amount of \$2,543 to recognize revenues from donations made by local businesses and residents.**

- 5. **RESOLUTION NO. 2005-68**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY PURSUANT TO SECTION 163.01 FLORIDA STATUTES, ET SEQ., FOR CO-UTILIZATION OF THE PALM BEACH COUNTY SURPLUS PROPERTY THRIFT STORE; AND PROVIDING AN EFFECTIVE DATE.** Staff: Karl E. Umberger, Village Manager

- 6. **RESOLUTION NO. 2005-69**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING AND CONSENTING TO THE ASSIGNMENT OF A CABLE TELEVISION SYSTEM AND FRANCHISE FROM ADELPHIA COMMUNICATIONS CORPORATION TO PARNASSOS, L.P., A WHOLLY-OWNED SUBSIDIARY OF COMCAST CORPORATION; AND PROVIDING AN EFFECTIVE DATE.** Staff: Paul J. Nicoletti, Village Attorney

- 7. **RESOLUTION NO. 2005-74**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN AGREEMENT WITH SHOWCASE REAL ESTATE INVESTORS LLC, FOR ONE (1) PARCEL OF LAND CONSISTING OF .82 ACRES, LOCATED AT 3848 DALE ROAD; FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Staff: Bette Lowe, Land Development Director

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

**ANNOUNCEMENTS AND PROCLAMATIONS - None**

**PUBLIC COMMENT - (Five minute limit.)**

**PUBLIC HEARINGS**

**This item will be continued to the September 7, 2005 Agenda**

**8. RESOLUTION NO. 2005-09 (SITE PLAN – QJ)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF NIVALDO VAZQUEZ, AGENT FOR THE OWNER, INTERAMERICAN BANK; FOR SITE PLAN REVIEW (SPR 05-02); FOR CONSTRUCTION OF A 1,755 SQUARE FOOT ONE-STORY ADDITION, A 179 SQUARE FOOT COVERED ENTRY, AND A 639 SQUARE FOOT COVERED DRIVE-THRU LOCATED AT 2265 SOUTH CONGRESS AVENUE AND A SPECIAL EXCEPTION (PSSE 05-02) FOR AUTOMATED TELLER MACHINES (ATM’S) AND OTHER DRIVE-IN, DRIVE-UP, DROP-OFF OR WALK-UP FACILITIES IN A COMMERCIAL GENERAL ZONING DISTRICT; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director**

**This item will be continued to September 7, 2005 Agenda**

**9. 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**

**10. RESOLUTION NO. 2005-66 (SITE PLAN – QJ)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF GUILLERMO FERRER, OWNER OF CONGRESS STORAGE LLC, FOR AMENDMENT TO PHASE II SITE PLAN (SPR 03-05) REQUESTING AN EXTENSION OF BUILD OUT TIME TO JUNE 27, 2007, FOR CONSTRUCTION OF 30,489 SQUARE FEET OF STORAGE AREA ON 2.84 ACRES LOCATED AT 3599 SOUTH CONGRESS AVENUE; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director**

Motion	Second	Vote
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**11. 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

Motion	Second	Roll Call Vote
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**12. ORDINANCE NO. 2005-20 (SECOND 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 2<sup>ND</sup> 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	Roll Call Vote
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**13. ORDINANCE NO. 2005-21 (SECOND 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

Motion	Second	Roll Call Vote
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**14. ORDINANCE NO. 2005-22 (SECOND 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	Roll Call Vote
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**15. ORDINANCE NO. 2005-23 (SECOND 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 TOTTALLING 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	Roll Call Vote
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**16. ORDINANCE NO. 2005-24 (SECOND 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	Roll Call Vote
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**REGULAR AGENDA**

**ACTIONS AND REPORTS**

**17. Appointment to Land Development Board**

Staff: Virginia Walton, Deputy Clerk

Motion	Second	Vote
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**VILLAGE COUNCIL COMMENTS**

**ADJOURNMENT**

**NEXT REGULAR COUNCIL MEETING AND BUDGET HEARING  
(WEDNESDAY) SEPTEMBER 7, 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.