

Agenda Item No. C - 1

**VILLAGE OF ROYAL PALM BEACH**

Agenda Item Summary

**AGENDA ITEM: Approval of the minutes of the Council Regular Meeting of June 18, 2020, Council Budget Workshop of July 7, 2020 and Council Regular Meeting of July 16, 2020.**

**ISSUE: It is necessary for Village Council to approve all Village Council meeting minutes.**

**RECOMMENDED ACTION: Motion to Approve**

<b>Initiator</b>	<b>Village Manager Approval</b>	<b>Agenda Date</b>	<b>Village Council Action</b>
<b>Village Clerk</b>		<b>08/20/20</b>	

**VILLAGE OF ROYAL PALM BEACH  
MINUTES OF THE COUNCIL REGULAR MEETING  
VILLAGE MEETING HALL  
\*FACE MASK MUST BE WORN INSIDE VILLAGE MEETING HALL  
THURSDAY, JUNE 18, 2020  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Mayor Fred Pinto  
Councilman Jeff Hmara  
Councilwoman Selena Samios  
Councilwoman Jan Rodusky  
Councilman Richard Valuntas

All members of the Council were present; along with the Village Manager and the Village Clerk. The Village Attorney joined the meeting virtual "GotoWebinar".

**LEGISLATIVE UPDATE BY REPRESENTATIVE MATT WILLHITE**

Representative Willhite reported on the last legislative session. He gave an update on the proposed 94 billion dollar budget and reported on bills regarding Alzheimer's disease, automated kiosk pharmacy (noting there will be no controlled substance or narcotics in the machine), Veterans suicide, husband and wife communication privileges, School Board Police First Responders, defense against firefighters and a myriad of appropriations. He stated his concern with the budget due to the Coronavirus and reported on the numerous meetings he has had with various agencies regarding the virus reporting the number of County's positive cases. He added the rise in the number is not because of more testing and stated his concern with people not wearing masks. He addressed the unemployment application process and noted the State is working very hard to remedy the situation. He thanked the Council.

**REPORTS**

Mayor Pinto reported on the Transportation Planning Agency meeting where final approval was given to the 2021-2025 Transportation Improvement Program which includes the extension of State Road 7. A COVID-19 traffic impact update was given showing a decrease in all forms of transportation. He reported on a private TPA meeting with the City of West Palm Beach regarding the State Road 7 lawsuit citing the next step will be mediation.

Councilwoman Samios announced the opening of the Village's summer camp for children under the age of 13. She reported on the checks and balances guide to the County finances for the fiscal yearend report through September 30, 2019 which showed Palm Beach County unemployment rate at 3.2%, Florida at 3% and U.S. overall average was 3.3%. Palm Beach County's leading industries are tourism, construction, manufacturing and bio-science noting everything has maintained except tourism. She reported that the number of mortgages are up 3.12% from 2018 and foreclosures are down 9.29%. Councilwoman Samios said that the Florida Chamber of Commerce is proposing

an amendment to the Florida Constitution for a \$15.00 minimum wage. She referred interested parties to TheFloridaScorecard.org for COVID-19 Scorecard Tracker and added the President has given each state's governor the ability to determine when they begin each phase, noting we are still in Phase I. She explained the Paycheck Protection Program Flexibility Act and the CARES Act for small businesses. Councilwoman Samios reported that the State of Florida has spent nearly 1.4 billion in unemployment compensation and September 30<sup>th</sup> will be the date set for unemployment tax rates and the length of the benefits for 2021. She added no workman's comp claims were made in Florida. She also reported on the proposed 93.2 billion dollar budget.

Vice Mayor Hmara reported on the Palm Beach County School District task force meeting where their recommendations for moving forward will be submitted to the School Board at the end of July. He announced a virtual town hall meeting to be held by the School District on June 25<sup>th</sup> at 6:00 p.m. He said to add interest to Census 2020, the Village has been invited to join several municipalities with a population of over 30,000 to participate in a friendly competition to boost the number of responses to this year's effort. The competition is for how many more responses from this point forward until the end of October. The Village Manager reported that the federal government has postponed the door to door Census taking until August and has asked Congress for an extension to submit the data from December 31, 2020 to March 31, 2021. A discussion ensued with regard to the Census and the competition.

The Village Manager gave an update on the coronavirus stating predictions show social distancing will be in effect for the next 12 months. Palm Beach County has implemented Phase I that includes youth sports, opening of parks, dog parks and summer camp following CDC guidelines. He said the County is entertaining a County-wide Ordinance requiring masks in buildings and is asking for support from the Village. After comments were made it was the consensus to support the County-wide Ordinance concept of requiring facemasks, but Council was not in favor of making it a second degree misdemeanor.

The Village Attorney reported due to the coronavirus the current Executive Order continues to allow virtual meetings through June 30, 2020, unless there is an additional extension.

#### **PETITIONS – None**

#### **STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS OR CONSENT AGENDA ITEMS**

David Swift of 240 Ponce de Leon Street provided a picture of a large bass fish that was caught by him in the M-1 canal while stating his approval of the current canal maintenance. He stated his concerns with fireworks before and after the 4<sup>th</sup> of July in the neighborhoods and ask the Council to review an ordinance that the Village of Wellington has adopted to address the issue.

#### **CONSENT AGENDA**

The Village Clerk read into the record the Consent Agenda as follows:

1. **Finance is requesting ratification of an emergency procurement for the purchase of three (3) Thermal Body Temperature Systems at a cost of \$27,645 each. The work is to be procured and completed in accordance with Village Code, Sec. 10-98(b), Emergency Procurements. We have solicited three (3) quotes for this work and the low quote is from Vetted Security Solutions. (Finance Director)**
2. **Adoption of Resolution No. 20-10. A Resolution of the Village Council of the Village of Royal Palm Beach, Florida adopting a revised Schedule of Fees and Charges; specifically repealing Resolution 19-38; providing that this Schedule of Fees and Charges shall be available for inspection at all times at the Village Hall during regular business hours; providing an effective date; and for other purposes. (Village Clerk)**
3. **Approval and authorization for the Mayor to enter into a Right of Way Consent Agreement between the Village of Royal Palm Beach and Florida Power & Light Company. (Village Manager)**

Councilwoman Samios pulled Item No. 1 for discussion.

Councilwoman Samios made a motion to approve Consent Agenda less Item No. 1; seconded by Councilwoman Rodusky. Mayor Pinto put the motion to a vote and it passed unanimously.

The Village Manager stated the purchase is for three infrared and digital cameras will be placed in the doorways of the Recreation Center, Cultural Center and PBSO lobby. This device measures temperatures, will take pictures of any person who has a fever of more than 100.4 and they will be asked to leave.

Councilwoman Samios made a motion to approve Consent Agenda Item No. 1; seconded by Vice Mayor Hmara. Mayor Pinto put the motion to a vote and it passed unanimously.

## **REGULAR AGENDA**

1. **Public hearing to consider Application 19-0086 (SPM) an application by Urban Design Kilday Studios and Resolution 20-11 confirming Council action. The applicant is seeking a site plan modification in order to modify the existing Lowe's shopping center ingress/egress access driveway; for a 31.91-acre property located at 103 S. State Road 7 and situated within the General Commercial (CG) zoning district. \* Agent: Jeff Evans (P & Z Director)**

This was quasi-judicial and the Village Attorney confirmed virtual presence for everyone involved and swore in all who will speak on this item. He also asked for ex-parte disclosures. The P & Z Director stated the applicant is seeking Site Plan Modification approval in order to modify the existing Lowe's Shopping

Center ingress/egress access driveway. This area is the eastern most section of Erica Boulevard providing interconnectivity for Tuttle Royal Master Plan, Lowe's Shopping Center and the developments to the south. The modification is also designed to align with a proposed new signalized intersection at the southernmost entrance of the Lowe's Shopping Center and line up with the Home Depot/El Dorado Plaza on the east site of State Road 7. Staff considered conformity with the Village of Royal Palm Beach's Zoning Code pertaining to the General Commercial (CG) Zoning District. The original Site Plan met all General Commercial (CG) Zoning District standards and the proposed modification to the existing Lowe's Shopping Center ingress/egress access driveway also complies with these standards. The Planning and Zoning Commission and staff recommended approval.

After confirming with the Village Clerk no comment cards had been received pursuant to the Meeting Notice prior to the meeting and that no one responded on "GoToWebinar".

Robert Boyd of 231 Cypress Trace confirmed that this development must follow the same water retention rules as any other Commercial development.

Mayor Pinto closed public comment with no other response.

The applicant, Jeff Evans had no comment.

Councilman Valuntas made a motion to approve; seconded by Vice Mayor Hmara. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

**2. Public hearing for first reading and approval of Ordinance No. 1003 approving Application No. 19-120 (LSCPA) an application by Jess R. Santamaria, seeking a change of land use designation for four parcels of land totaling 12.28± acres, more or less, from the Village's Commercial (COM) land use designation to the Village's Multifamily Low Density Residential (MFL), located approximately 850 feet north of Okeechobee Boulevard and approximately 500 feet west of Royal Palm Beach Boulevard. Agent: Maria Bolivar of WGI. (P & Z Director)**

The P & Z Director said the applicant is seeking a Large Scale Future Land Use Map Amendment to change the Land Use Designation for four parcels of vacant land totaling approximately 12.28± acres of land from Commercial (COM) Land Use Designation to Multi-Family Low Density Residential (MFL) Land Use Designation. The applicant's ultimate goal is to develop the property for 100 townhouse dwelling units with a proposed density of 8.14 units per acre. Staff considered compatibility with adjacent land uses, consistency with the Village's Comprehensive Plan and whether the action requested will exacerbate any existing public facility capacity deficits in regards to the roadway network, sanitary sewer, solid waste, drainage, potable water, recreation and open space. The applicant has provided a School Capacity Availability Determination letter that concludes there will be a negative impact on the public school system. The property owner shall contribute \$166,688 dollars to the School District of Palm

Beach County prior to the issuance of first building permit to address the school capacity deficiency generated by this development. Staff recommended denial given that the proposed future land use map amendment is incompatible with the adjacent commercial uses. The P & Z Director explained the current Comprehensive Plan goals as they apply to a mix of compatible land uses. He reviewed Goal LU-1, Objective LU-1.10 and Policy IC-1.2.2 and explained Section 163.3164(9), Florida Statutes. In addressing the compatibility of this development with the adjacent properties, the applicant describes how the proposed development is compatible with the existing residential neighborhoods across the M-1 Canal and to the north and west of the property. The Justification Statement fails to mention or address how the proposed residential land use is compatible with the existing commercial uses that are immediately adjacent to and surrounding, a large portion of the proposed development site. In reviewing the proposed land use map amendment, staff has identified the incompatibility deficiencies with the proposal and are offered in support of staff's recommendation of denial. The Director reviewed Policy H-1.1.4 and Policy LU-1.7.2 and said in accordance with the Village's Comprehensive Plan, Section 15-1(i) of the Landscaping Code seeks to utilize vegetation to promote compatibility of otherwise incompatible land uses in close proximity, Section 15-1 (i) promotes the idea that buffering improves compatibility of otherwise incompatible land uses in particular residential adjacent to commercial. In this case Section 15-131(b)(1) requires that commercial properties located adjacent to residential uses have a perimeter landscape buffer along the entire abutting property line and be a minimum of 25 feet in width, additionally Section 26-84(4)(e)4 requires a second minimum 25 foot buffer be installed on the residential property where it borders a nonresidential use, in conclusion the code intended for the burden of the 50 foot perimeter landscape buffer to address the incompatibility issue be shared between the commercial and residential property owners, with 25 feet to be installed on each side. It was noted that Waterway Plaza was developed as a single commercial property and was not originally designed to have residential uses. As a result, no 25 foot landscape buffer was ever installed along the borders of the proposed residential development. Therefore, the entirety of the 50 foot landscape buffer will need to be installed on the proposed residential property in order to meet the Comprehensive Plan and code compatibility thresholds. The applicant's proposed land use map amendment seeks to remove a portion of the entrance drive to the existing Waterway Plaza Shopping Center, change the land use of that portion from commercial to residential and incorporate said portion into the proposed residential development. This proposal effectively cuts off Tracts C-1 and C-2 of the Waterway Plaza Plat from the remainder of the shopping center. A shopping center sign exists pursuant to a private easement between Jess R. Santamaria and the owner of Tract C-2 where the easement and the fourth and fifth spaces at the bottom of the sign are reserved for the businesses located on Tract C of Waterway Plaza.

If the proposed land use map amendment is approved and the entrance drive bifurcates Tracts C-1 and C-2 from the remainder of the Waterway Plaza Shopping Center, then the shopping center sign located on Tract C-2 will become an off-premises sign with respect to the Waterway Plaza Shopping Center owners/tenants to the south of the entrance drive. It may also become an off-premises sign for the commercial owners/tenants on Tract C-1 to the north depending on how that site is developed. Off-premise signs are prohibited and variances cannot be sought for prohibited signs.

The applicant has failed to address how the transformation of the currently permitted shopping center sign into a prohibited off-premises sign does not unduly negatively impact the existing commercial owners/tenants in Waterway Plaza that currently utilize that sign for business identification purposes. Staff cannot recommend approval of a land use change to residential when such change will impact existing commercial uses in this way.

The P & Z Director reported that Policy T-1.1.3 of the Village's Comprehensive Plan requires that the Village review access points and driveways associated with development for safety and for compatibility with the existing and future roadway network. Additionally, Objective T-3.1 of the Village's Comprehensive Plan requires that the Village review all development applications for consistency with the transportation system to appropriately accommodate bicycle and pedestrian roadway design and facility requirement. The applicant has failed to address how it will be able to provide sidewalks and bike lanes within the existing entrance drive and still meet all Village roadway design requirements. This problem is exacerbated by the fact that commercial vehicular traffic is not going to be prohibited from continuing to use the existing entrance drive into the commercial shopping areas, thereby resulting in the encroachment of commercial traffic onto a local residential roadway and encroachment of an incompatible use into a residential area. For these reasons, staff cannot recommend approval of a land use change to residential when the safety of future Village residents is not being adequately addressed.

This proposal not only unduly negatively impacts Tract C-1 and C-2, but the other commercial tracts within the Waterway Plaza Shopping Center as well.

The applicant has indicated that it intends to request a waiver to Section 15-131(b)(1) and a variance to Section 26-84(4)(e)4 in order to deal with the Village's buffer requirements.

He reported that a letter in support had been received by the owner of the Village Royale Shopping Center.

Staff recommended denial given that the proposed future land use map amendment is incompatible with the adjacent commercial uses.

Doug Murray of WGI representing the owner of the property made a presentation requesting the land use change to allow 100 fee simple townhomes. He showed an overlay of the proposed plan with an overall square footage of 147,000 square feet and the unconstructed portion of 106,000 square feet. He reviewed the traffic comparison with the original approval vs. the 100 townhomes that shows a substantial reduction and presented the TPS approval by Palm Beach County. He addressed the capability issues with regard to the west side of the property, showed the M-1 canal with proposed buffers as well as all buffers throughout the development. He added there will be a 6' wall between the townhomes and commercial with lush landscaping. Mr. Murray showed the gated entrance way off Royal Palm Beach Boulevard that includes shared access and sidewalk. Also there will be a break in the wall with a cross access and pathway to allow residents pedestrian traffic to the shopping center. Mr. Murray reported receipt of a letter of support from the owner of the Village Royale shopping center. He reported the existing 50' access

road will change in land use as well and addressed the issue of not having enough room on both sides for a buffer and requested waivers from the code noting they would be working with the property owners and provide enhanced landscaping. Mr. Murray addressed the existing sign issue noting there is an assigned easement that can be removed by the property owner at any time. He summarized his request and noted that D.R. Horton will be the developer.

Mayor Pinto asked the Village Clerk if she had received any comments prior to the meeting. She read into the record two letters, one in opposition from Craig Fialkowski of 1547 Fiddlewood Court, Royal Palm Beach and one in support from William A. Weiner, owner of the Village Royale Shopping Center, 1177A Royal Palm Beach Blvd., Royal Palm Beach (see attached).

The following Royal Palm Beach residents opposed the project:

Robert Boyd of 231 Cypress Trace  
Yarelys Vega of 120 Queens Lane  
Vern Hetherington of 1122 Oakwater Drive  
Bernie Holmstock of 2013 Reston Circle  
Steve Feiertag of 2107 Reston Circle  
Angelique C. Palmer of 1307 Isleworth Court

David Swift of 240 Ponce de Leon Street stated his support.

After confirming with the Village Clerk no other comment cards had been received, Mayor Pinto closed public comment.

Vice Mayor Hmara reported on a recent site visit, addressed the homeless on the property, compatibility of the property and traffic study.

Councilwoman Rodusky commented on the original land use that included a hotel. She thought it to be a great opportunity for future uses (i.e. weddings and conferences) at the Cultural Center to have access to a hotel nearby and felt that use would be the that piece of property in the best way for our residents.

Councilman Valuntas acknowledged the traffic study findings and anticipated future issues with the code compliance with regard to buffers, parking and amenities which were all site plan issues not land use issues.

Councilwoman Samios confirmed there is no other interest in developing the property. She supported the residential vs. commercial but stated her concerns with variances moving forward.

The Village Manager confirmed there were no other comments from online attendees. Mayor Pinto summarized the land use change request.

Councilman Valuntas made a motion to approve; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed 4 – 1 with Councilwoman Rodusky dissenting.



### **3. Village of Royal Palm Beach Traffic Calming presentation for Sparrow Drive East of Royal Palm Beach Boulevard. (Village Engineer)**

The Village Engineer reported that traffic calming is the use of physical measures to reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users. He explained the policy includes reducing speeding and cut-through traffic on local collector roadways, provides a consistent and predictable criteria to support the use of traffic control devices and justifies continued use of traffic control devices on traffic calmed streets. The Village Engineer reported the traffic calming benefits when installed correctly can have several positive impacts and has been shown to reduce vehicle speeding, cut-through traffic, more consistent vehicle speeds and improves safety and quality of life. He said traffic calming can also have negative impacts to the roadway network as well, such as slows down emergency response, increase travel times, cost, maintenance, noise and discomfort for drivers crossing them. He reviewed a flowchart of the Village's policy and traffic calming study to date. The traffic study shows 33% residential approval and 35 of 41 residential units are in favor of the traffic calming on Sparrow Drive and 262 multifamily units are contiguous to Sparrow Drive but not included in the petition. The Village Engineer reviewed the traffic study by Simmons and White reporting the average daily traffic trips were 2,587 with the east bound 85<sup>th</sup> percentile speed at 34 mph and the west bound at 36 mph. He said since the vehicle speeds on Sparrow Drive east of Royal Palm Beach Boulevard were lower than the locations west of Royal Palm Beach Boulevard and there are fewer homes abutting the roadway, the study found that the problem was not excessive enough to warrant more than radar signs. The recommendation was to install radar speed signs in each direction on the Sparrow Drive segment east of Royal Palm Beach Boulevard. He showed the proposed signs and location recommended by Simmons and White on Sparrow Drive and reviewed the remaining steps on the process. The estimated cost for two signs is \$8,000.00. Staff recommended the installation of two radar speed signs on Sparrow Drive.

Seth Konigsberg, 156 Sparrow Drive resident who conducted the petition drive said he believed the study was flawed and explained why. He stated his support for speed humps to slow down the speeders.

A discussion ensued with regard to the effect of installing nine speed humps, going forward with the 50 percent plus one vote and cautioned towards going door to door with COVID-19 right now. Staff recommended installing radar signs for now to collect information and to see if that allays the situation at least temporarily and to proceed with a further study if necessary when it is safe to do so.

Captain Naujoks reported on monitoring the traffic on Sparrow Drive and speed measurements.

After confirming with the Village Clerk no other comment cards had been received prior to the meeting by email or telephone, Mayor Pinto closed public comment.

Councilwoman Samios made a motion to approve two electronic radar speed signs on Sparrow Drive East; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

**4. Public hearing for first reading and approval of Ordinance No. 1004 amending Chapter 20. Signs. of the code of ordinances of the Village of Royal Palm Beach at Article IV. Permitted Signs. at Sec. 20-57. Public Ownership District (PO) or other Village-owned property. in order to increase the size limitation for freestanding monument signs on Village-owned property. (P & Z Director)**

The P & Z Director stated this ordinance is to increase signs from the current 30 square feet to 42 square feet with a maximum height of 7' and 8' in width. This size limitation is for freestanding monument signs on Village-owned property.

After confirming with the Village Clerk no comment cards had been received prior to the meeting by email or telephone, Mayor Pinto closed public comment with no response.

Councilwoman Samios made a motion to approve; seconded by Councilwoman Rodusky. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

**ADJOURNMENT**

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Mayor Fred Pinto

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Diane DiSanto, Village Clerk

**VILLAGE OF ROYAL PALM BEACH**  
**MINUTES OF COUNCIL BUDGET WORKSHOP**  
**\*FACE MASK MUST BE WORN INSIDE VILLAGE MEETING HALL**  
**VILLAGE MEETING HALL**  
**TUESDAY, JULY 7, 2020**  
**6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Mayor Fred Pinto  
Vice Mayor Jeff Hmara  
Councilwoman Selena Samios  
Councilwoman Jan Rodusky  
Councilman Richard Valuntas

All members of Council were present, Councilwoman Rodusky joined via virtual "GoToWebinar". Also present were the Village Manager and the Village Clerk. The Village Attorney joined the meeting via virtual "GoToWebinar".

Mayor Pinto explained the protocol for virtual meetings and how comments will be received from the public.

**COMMENTS FROM THE PUBLIC**

The Village Clerk received three emails prior to the meeting regarding the Madrid Street connection to State Road 7 in the Capital Improvement Program budget. She read into the record comments from the following residents:

Patrick Evans and Jackie Larson, 270 Las Palmas Street  
Philip Karas, 278 Las Palmas Street  
Rodney Nutter, 219 Ponce de Leon Street

Mayor Pinto confirmed with the Village Manager there were no other comments by the public.

David Swift, 20 Ponce de Leon Street also commented on the Madrid Street connection to State Road 7.

The Village Manager responded to the comments made and explained during the Strategic Planning Session this project was included and the decision tonight is to either leave the Madrid Street Connection to State Road 7 or take it out of the budget.

Mayor Pinto gave a history of the Madrid Street Connection, reported on discussions and decisions during past Council meetings and at the recent Strategic Planning Session where it was decided to analyze traffic impacts today as opposed to 11 years ago. He said it has been an unprecedented year and suggested tabling this project for another time. After comments were made by the Council, Mayor Pinto took a vote which resulted in a 3-2 vote with Councilwoman Samios and Councilwoman Rodusky dissenting its removal. Mayor Pinto reiterated this is only to postpone to a later budget year to be determined.

## **REGULAR AGENDA**

### **1. Budget Message by Village Manager**

The Village Manager submitted the proposed Annual 2021 budget along with the five year Capital Improvement Program for fiscal years 2021 – 2025. He said in light of the coronavirus this budget accounts for 15 less employees. There will be no large events this year or senior programs. This budget is less than the current year budget because of those changes and others.

### **2. Budget Overview by Finance Director**

The Finance Director gave a summary of the 2020-2021 budget showing the total budget of \$50,828,578 with 49% for General Operating, 44% Capital Projects, 4% for reserves and 3% stormwater utility. He stated the budget highlights are as follows: property values up again and projected this year at 8.2%, the tax rate of 1.92 has been maintained and there are staff changes in Clerk's Office, Community Development, Public Works and Parks and Recreation departments. The Finance Director reported the use of three million dollars in reserve less \$400,000 when the final budget is presented. He added the PBSO had no increase. All Strategic Plan Initiatives have been incorporated into the budget.

He gave the Ad Valorem Tax overview which shows the Village's property values, including new construction, have increased 8.2% as follows: Prior year value – \$2.975 billion; current year value – \$3.214 billion with an increase of \$238 million. The Finance Director stated the budget is proposing to maintain the operating millage rate at \$1.92 mils per thousand.

He showed the impact of the total proposed millage rate of \$1.9200 on homes valued from \$156,000.00-\$204.00, \$219,000.00-\$324.00 and \$283,000.00-\$447.00 all-encompassing the homestead exemption.

The General Fund Revenue Summary is \$24,944,088 with property taxes generating 23%, other taxes and fees 21% which totals 44% of the revenue stream. Licenses and permits are 12%, intergovernmental revenues at 15%, charges for services 1%, fines 2%, miscellaneous revenues 2%, and current year fund balance at 24%. The expenditure summary is \$24,944,088 with personal services at 43%, contractual services 39% which is comprised of mainly the PBSO, other charges and services 15%, commodities at 3%; and other operating expenses, department capital outlay and grants and aids are less than 1%. The expenditure summary shows merit adjustments are programmed at an average of 2.25% for all employees. A cost of living adjustment of 2.0% is included based on the 12 month running average from April 2019 – March 2020. Medical insurance cost premiums are based on market projections.

The expenditure summary shows the following position additions/deletions/reclassifications are as follows: Village Clerk, Community Development and Public Works – Position reclassification of the Admin Assistant II to Senior Admin Assistant; Human Resources Department –

Position reclassification of the Human Resources Director to Director of Human Resources and Risk Mgmt.; Public Works – Position reclassification from GMI to GMII. Position additions include Public Works – Custodian. Position deletions include Planning & Zoning – Development Review Coordinator; Code Enforcement – Code Enforcement Inspector III; Engineering – Part-time Intern; and Parks and Recreation – Program Supervisor, two Facility Attendants, p/t Program Coordinator (seniors), p/t Admin Assist I, four Program Coordinators and four p/t Facility Attendants.

The Finance Director stated that the Stormwater Utility Fund Revenue Summary is \$1,337,668 which is funded 83% by the stormwater utility fees and 17% Fund Balance. The expenditure summary is \$1,337,668 which is 52% for personal services, contractual services less than 1%, other charges and other charges and services 37%, commodities 3%, other operational expenses less than 1%, and transfers 8%.

The Finance Director reviewed the Capital Improvements Funds – CIP at \$24,546,822. The Recreational Facilities Fund is 7%; Beautification Fund is less than 1%; Impact Fee Fund 20%; Sales Surtax 48%; General Capital Improvements Fund 16%, Utility less than 1% and Reserves 9%.

### **3. Department Directors Present Operating Budgets General Fund**

#### **1. Village Council**

The Village Manager made a correction and removed the Royal Palm Beach High School Project Graduation line item. He referred to page 32 and asked if there were any questions.

Councilwoman Samios referred to the “Grants & Aids” section and questioned the Relay for Life funding vs. all other non-profits. The Village Manager reported that the Mayor’s Golf Tournament is scheduled for Saturday, January 30, 2021 at Madison Green Golf Course. Discussion ensued with regard to funding the Relay for Life, the Relay for Life Village team and other non-profit 501C’s.

#### **2. Village Manager**

The Village Manager reported an increase in “Other Services – Professional” mainly for printing cost for the Community Connection. He did report a decrease in the line item for Election Expenses noting there will not be a Special Election.

#### **3. Legal**

The Village Manager stated there was a slight increase and explained the legal budget that covers the Development Review process.

#### **4. Police**

The Village Manager reported that the budget had remained the same at a 0% increase. Mayor Pinto introduced the implementation of body worn cameras and the funding.

Captain Eric Coleman of the PBSO said that it is the agency's priority to start using body cameras. He reported that the Sheriff supported their use but in their early stages he wanted to let the technology develop along with the policy and law around them. After review with the experts, the PBSO came up with a budget of \$19 million dollars for technology upgrades to include bodycams. He explained the department would need about 3,000 cameras to outfit law enforcement and corrections personnel. Captain Coleman reported that the real re-occurring cost is the State of Florida broad public records laws and that last year there were 1.3 million calls for service, 170,000 traffic stops and 17,000 arrests. He further explained the challenges with retaining that amount of data.

Mayor Pinto asked about the possibility of District 9 adding bodycams to be paid for by the Village. A discussion ensued with regard to municipalities budgeting money for the project and noting the issue is that some are more fiscally situated than others. Captain Coleman felt that a comprehensive program would be an asset to law enforcement and it was his recommendation to table this item until PBSO gets more information on the matter. It was the consensus of the Council to submit a formal letter in support of this matter.

## **5. Human Resources**

The Human Resource Director referred to page 38-39 reporting no significant changes. She noted changes in the carrier for the health savings account which resulted in a huge savings. There will be a 0% increase across the board for all benefit programs.

## **6. Planning & Zoning**

The Village Manager referred to page 42 reporting additional funds for a consultant up to 20 hours per week and the deletion of the Development Review Coordinator.

## **7. Finance**

The Finance Director referred to page 47 noting a decrease in this budget of 3.4%.

## **8. Non-departmental**

The Finance Director referred to page 81 and reported this budget decreased by one-third of 1%.

## **9. Information Systems**

The Village Manager stated that a Technical Optimal Study will be added to the budget and incorporated in the Budget Hearings in September. The Director of

Information Systems referred to page 52 reporting an increase to the Professional Services line item. There is a 6% increase in the budget for hardware and software maintenance contracts, new licensing and an upgrade to servers in order to use biometrics.

## **10. Community Development**

The Village Manager referred to page 60 and noted a slight decrease in the building department budget. He explained the Project Doo program and noted a reduction in staff to the Code Enforcement department.

## **11. Engineering**

The Engineer referred to page 64 noting the only change was the transition of a GIS Intern to a GIS Technician position. A discussion ensued with regard to the sea level rise and flood levels.

## **12. Public Works**

The Director of Public Works referred to page 70 and stated the goals of the department has not changed. There is one addition of a Custodian position, reclassification of General Maintenance Worker I to General Worker II (Grounds Division) and reclassification of Administrative Assistant II to Senior Administrative Assistant. He referred to page 72 where the only changes are in Personal Services, Maintenance Contracts, R & M Sidewalks and R & M Roads/Bridges. He said the line item 64-99 Machinery & Equipment is part of the long term Capital Improvements and Strategic Planning.

### **Utility Fund**

#### **1. Stormwater Utility**

The Director of Public Works referred to page 89 noting no changes to the goals and objectives. There were no major budget service level changes and a 6.3% overall increase in Personal Services. The Village Manager responded to a question regarding stormwater capacity and it was noted there is a deficit but it has been managed to the best of the Village's ability. He further explained the canal system design and abatement. The Village Engineer responded to a question regarding additional projects reporting the Village has received a \$250,000 grant to enlarge the ponds under the power lines to create additional capacity and \$500,000 for dredging.

## **13. Parks & Recreation**

The Parks and Recreation Director reported on the personnel service changes in this budget due to the pandemic. He referred to page 76 (Parks Division) noting it was status quo. The Recreation Division has eliminated senior programs, decreased contract services and supplies for the remainder of this year with the option of reevaluating in the spring. He reported that the Athletic Programs as well as the Young at Heart Board of Directors will continue to meet. He referred to the Cultural Center budget and reported that all four major events have been eliminated. There is a total reduction of 7.77% in this budget. The Director

responded to a question explaining the newly installed temperature checking stations in the Recreation and Cultural Centers.

#### **4. Capital Budget**

The Village Engineer presented the 2021-2025 Capital Improvement Program summary and gave an overview of the six different funds totaling \$25,448,322 in Revenues and \$22,413,806 in Expenditures.

The Recreation Facilities Fund 101 expenditures are associated with the acquisition, improvement, expansion or implementation of parks and recreational facilities. Included in the plan is the FPL Pathway Lighting and RPB Commons Parking lot expansion. The Community Beautification Fund 102 expenditures associated with enhancing the aesthetic landscape and visual perception of the Village includes the Okeechobee Boulevard West Landscape Improvements. The Impact Fee Fund 301 expenditures associated with the acquisition, improvement, expansion or implementation of facilities related to new development and includes the Village Hall and Site Modification at a cost of \$2,900,000 which is divided in two funds. He reported that some additions to the project includes a plaza between the two buildings which will have a dual purpose and designed with a pool/fountain and Art in Public Places. He added this building will be built higher to reduce the probably of flooding and stronger to act as the Village's Emergency Operations Center. He reported on the timeline of the project with the total completion date of December 2023. He also showed the previously funded projects in this fund. He reviewed the Local Discretionary Sales Surtax 302 Fund expenditures associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of five or more years. The 302 Fund includes targeted Commons Park Access easement points with neighboring communities and gave an update to the Bicycle/Pedestrian Transportation Plan. The Village Engineer reviewed the road re-surfacing plan included in this fund and showed a summary of the remaining projects in the 302 Fund. The Village Engineer reviewed the expenditures in the General Capital Improvements Fund 303 where the expenditures are associated with general capital improvements and includes the Traffic Security Cameras (license plate readers) in six locations throughout the Village; ADA Improvements Phase II noting the alternative funding has been exhausted; Corporate Picnic Pavilions (40' x 100') at Commons Park; Security Cameras at various parks; Solar Powered Gates; 12' x 12' Gazebo at Homeplace Park and Cultural Center Entry Enhancement. A discussion ensued with regard to moving the Cultural Center Entry Enhancements to this year. The Corporate Pavilion was one of the project discussed to postpone and the Director of Parks and Recreation reported on several requests for the pavilion. The Village Engineer continued with his presentation on Fund 303 that includes Camellia Park Renovations, Beach at Commons Park, Street Light Fixture Replacement to LED and School Zone Flashing Beacons. He also pointed out the summary of the remaining items in the fund. The Village Engineer reported that the Stormwater Utility Capital Fund 408 where the expenditures are associated with capital improvements for stormwater infrastructure includes the Camellia Park Drainage Improvements.

Mayor Pinto again asked for public comment and closed it with no response.



**ADJOURNMENT**

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Diane DiSanto, Village Clerk

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Mayor Fred Pinto

**VILLAGE OF ROYAL PALM BEACH  
MINUTES OF COUNCIL REGULAR MEETING  
VILLAGE MEETING HALL  
\*FACE MASK MUST BE WORN INSIDE VILLAGE MEETING HALL  
THURSDAY, JULY 16, 2020  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Mayor Fred Pinto  
Councilman Jeff Hmara  
Councilwoman Selena Samios  
Councilwoman Jan Rodusky  
Councilman Richard Valuntas

All members of the Council were present along with the Village Manager and Village Clerk. Councilwoman Rodusky and the Village Attorney joined via virtual "GotoWebinar".

Mayor Pinto reviewed the protocol to follow during this virtual meeting and instructed any resident that has joined tonight's "GotoWebinar", and has a question, to use the raise your hand button. The chat line will not be used or monitored. He said the Council will be taking public comment previously submitted by email first, in person and finally all comments virtually.

**PRESENTATION BY SUPERVISOR OF ELECTIONS WENDY LINK**

Ms. Link gave a status report on the upcoming election in light of COVID-19 limitations. She said that over 300,000 Vote-by-Mail ballots have been sent out and early voting is from August 3rd through August 16th. She assured the residents that safety measures are being taken at the voting locations on August 18<sup>th</sup>, poll workers will have their temperatures taken, will be required to wear masks, gloves, facial shields and partitions will be placed between each poll worker. The precincts will provide masks if needed and hand sanitizer. She said if you are still unsure of standing in line and taking a risk a Vote-by-Mail ballot can be requested up until August 8<sup>th</sup>, are postage paid and can be dropped off at any of the 18 early voting sites.

Mayor Pinto confirmed an increase in requests for Vote-by-Mail ballots and that no precincts were lost in the Village. Vice Mayor Hmara asked if there was a difference in the vote-by-mail ballots and absentee ballots. Ms. Link responded there is no difference because in 2002, the Florida Legislature made it possible for everyone to vote by mail, and in 2016 it changed the term "absentee ballot" to "vote-by-mail". Councilman Valuntas questioned the Supervisor of Elections regarding restoration of felons voting rights.

**LETTER RECOGNIZING PARKS AND RECREATION MONTH 2020**

Mayor Pinto read into the record a letter recognizing and commending the Parks and Recreation department as well as recognized July as Parks and Recreation Month.

## **REPORTS**

Mayor Pinto reported on the Transportation Planning Agency meeting where the FY2022-2026 list of TPA priority projects were adopted. He said that the City of West Palm Beach once again requested a vote to remove the State Road 7 Extension project but were unsuccessful. Also approved was the TPA FY2021 Strategic Plan and other updates which included adjustments to the number of studies and specific benchmarks.

Councilwoman Rodusky reported that the Palm Beach County Intergovernmental Issues Forum will hold its virtual meeting on July 30<sup>th</sup> at 1:00 p.m. to discuss three items.

Vice Mayor Hmara reported on the Feeding South Florida food drive that will continue on Wednesdays through August. He thanked all employees and volunteers for their help. He reported on the virtual monthly Board meeting for the Palm Beach County League of Cities where the budget was approved for the upcoming year, discussion held on the need for an update on the Strategic Plan and the annual performance evaluation and the three year contract renewal for the Executive Director. He announced that the Florida League of Cities Annual Conference held in August will be held virtually with a reduced agenda. He reported that the Village of Wellington's Mayor Anne Gerwig is running for the Vice President position and wished her well. He also announced a vacancy on the Education Advisory Board and reported on the recent Palm Beach County School Board meeting with regard to going back to school.

Councilman Valuntas requested that once the decision is made by the School Board he asked that it be post on the Village signs.

Councilwoman Samios reported on the 2020 Census; announced that the 2020 service guide from Palm Beach County is available; Feeding South Florida is continuing food distribution every Wednesday from 9:00 a.m. – 11:00 a.m. through August; street lighting has been added on Okeechobee Boulevard and that the body temperature cameras have been installed and in use at the Recreation Center and Cultural Center. She also reported due to the uncertainty of public schools opening, private school enrollment is up over 200% throughout the County and that single-family homes sells are up. Councilwoman Samios announced that the Primary Election is on August 18, 2020, polls are open from 7:00 a.m. until 7:00 p.m., the Supervisor of Elections office is in need for Poll Workers, early voting will be held from August 3<sup>rd</sup> through August 16<sup>th</sup> and the deadline for a vote-by-mail ballot is by 5:00 p.m. on August 8<sup>th</sup>. The phone number for the SOE is 561-656-6200.

The Village Manager recognized the following employees for the years of dedicated service: Wilfredo Roque – 10 years; Warren Meeks – 15 years; Deana Foley – 15 years; Monika Bowles – 15 years; Paul Webster – 20 years; Chris Wax – 20 years; Chris Marsh – 20 years; Michael Cheatham – 30 years; and Diane DiSanto – 35 years.

## **PETITIONS – None**

## **STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS OR CONSENT AGENDA ITEMS – None**

## **CONSENT AGENDA**

The Village Clerk read into the record the Consent Agenda as follows:

- 1. Approval of the minutes of the Council Regular Meeting of May 21, 2020 and Council Special Meeting of June 4, 2020. (Village Clerk)**
- 2. Tentative adoption of the proposed millage rate of 1.9200 and approval of scheduled public hearings on September 8, 2020 at 6:30 p.m. and September 17, 2020, at 6:30 p.m. in the Village Meeting Hall. (Finance Director)**
- 3. Approval and authorization for the Village Manager to execute the Second Addendum to Purchase Agreement for the provision of sports lighting equipment and services with Musco Sports Lighting, LLC for Royal Palm Beach Commons Park Lighting. The cost for said services shall not exceed \$189,500.00 and funds will come from project PR1903. (Village Engineer)**
- 4. Approval and authorization for the Village Manager to execute Change Order #1 for Lighting at Royal Palm Beach Commons Park with Davco Electrical Contractors Corp. The cost for said services shall not exceed \$121,356.66 and funds will come from project PR1903 Commons Park Lighting. (Village Engineer)**
- 5. Approval of bid award and authorization for the Village Manager to enter into an agreement with Seeds Café, LLC, the sole responsive, responsible bidder for a monthly lease amount of \$300.00, for the use of the café building located at 1036 B in Veterans Park for food & beverage services. (Parks & Recreation Director)**
- 6. Approval and authorization for the Village Manager to enter into a renewal contract with Call a Doctor Plus, and a renewal contract with CIGNA Healthcare, to provide Health, Dental, and Life/Disability Insurance for the employees of the Village of Royal Palm Beach. (Human Resource Director and Finance Director)**

Councilwoman Samios pulled Consent Item #5 for discussion.

Councilwoman Samios made a motion to approve Consent Agenda less Item #5; seconded by Councilman Valuntas. Mayor Pinto put the motion to a vote and it passed unanimously.

The Director of Parks and Recreation reported that the café owners are confident in being successful even during this pandemic and the effective start date is September 1, 2020.

Councilwoman Samios made a motion to approve Consent Agenda Item #5; seconded by Vice Mayor Hmara. Mayor Pinto put the motion to a vote and it passed unanimously.

## **REGULAR AGENDA**

- 1. Public hearing to consider Variance Application 20-13 (VAR), an application by Tonya Mills, and Variance order VC-20-04. The applicant is requesting a variance from Sec. 26-57 to allow for a reduced side yard setback of zero feet where Village code requires ten (10) feet, a variance of ten (10) feet, for an existing pergola, for a property located at 203 Bobwhite Road. \* (P & Z Director)**

This was quasi-judicial and the Village Attorney swore in all who will speak on this item and asked for ex-parte disclosures. The P & Z Director stated the applicant is requesting a Variance to allow for a reduced rear yard setback of zero feet for a pergola in lieu of the 10-foot side yard setback required. The applicant asserts that the pergola is necessary in this location because they need protection from southern exposure while maintaining air flow from predominant easterly winds as well as proximity to sprinklers to mist the orchids. The sun, wind and water needs of orchids are unique to each species and this location allows best growth conditions while limiting susceptibility to fungi and disease that can occur when conditions are not ideal. The Village sent out the required notice to all residents within a 300-foot radius of the variance request and did not receive any responses either supporting or objecting. The applicant has provided two letters in support from a resident across the street and one from the neighbor to the south which is directly adjacent to the property line where the pergola is located. The P & Z Commission and staff recommended denial.

Tonya Mills, owner of the property was available to answer questions and asked for approval. She clarified there was an existing rotting pergola that was rebuilt 1 ½' to 2' higher than the original.

After confirming with the Village Clerk and the Village Manager there were no public comments received, Mayor Pinto closed public comment with no response.

After confirmation that no permit was pulled for the new structure and that the new structure is 1 ½' to 2' higher than the original pergola, a discussion ensued with regard to educating residents on permit requirements when rebuilding structures. The Village Manager reported on the many various outlets that provide that information. Vice Mayor Hmara made a motion to approve; seconded by Councilwoman Rodusky. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed 4 -1 with Councilman Valuntas dissenting.

- 2. Public hearing to consider Application No. 20-54 (SPM, AAR), an application by Cotleur & Hearing, Inc. and adoption of Resolution 20-13 confirming Council action. The applicant is seeking Site Plan Modification approval and Architectural Approval for development of a new multipurpose building and modifications to the Village Hall complex located on a 16.58 acre parcel of land located at 1050 Royal Palm Beach Boulevard. Agent: Donaldson Hearing, Cotleur & Hearing, Inc. \* (P & Z Director)**

This was quasi-judicial and the Village Attorney swore in all who will speak on this item and asked for ex-parte disclosures. The P & Z Director stated this is

a Site Plan Modification approval for changes to the Village Hall Complex which includes a new 25,380 square foot, two story Village Hall, reconfiguration of the parking areas, building architectural and aesthetic approval and landscape approval. The site is situated within the Public Ownership (PO) Zoning District. In reviewing this petition, staff considered conformity with the Public Ownership (PO) Zoning District as it relates to parcel size and width, setbacks, pervious area, parking requirements, landscape areas and maximum building height. He showed the site plan renderings with reconfiguration of the parking and drive aisles. He noted it complies with all landscape codes and the PBSO office, David B. Farber Training Center and Council Chambers will be changed to match the color schemes of the new building including the roofs. The P & Z Commission and staff recommended approval.

Donaldson Hearing of Coteleur & Hearing, Agent/Landscape Architect/Planner made a presentation. He said that Rick Gonzalez and Manuel Ayala are the Architect & Planner from REG Architects working on this project along with Civic Engineers from Kimley-Horn & Associates. This request is for Site Plan Modification and Architectural Approval and reviewed the site data information noting the total site plan area is 16.58 acres and the existing building area is a total of 14,756 square feet that includes the Council Chambers. The proposed building area is 28,380 square feet with 253 parking spaces and 52.5% open space. He reviewed the project schedule that includes Phase 1a – Contract Award June 2021, Building Permits issued October 2021, complete new Village Hall building – January 2023. Phase 1b includes the demo of existing building and plaza construction in February 2023 with final completion in August 2023. He said the project benefits allow the existing facility to fully remain operational during construction, eliminating logistics and relocation inefficiencies and incorporating modern space planning, organizational efficiencies and flexible spaces. The new design provides for better employee workflow, customer service, greater sustainability and resilience. This facility will be contemporary, state of the art, stronger, more energy efficient, have a higher finished floor elevation, full generator backup power and reduce operating and maintenance cost. Mr. Hearing added that the Council Chambers will have increased capacity and incorporated into the new building. The public plaza design includes a fountain connecting the new Village Hall building to the existing Chamber. The existing Council Chamber will be renovated and repurposed as a multi-use facility. He showed the site plan phasing, architecture, landscaping and signage.

The Village Manager explained the increase in the 18,000 square footage from the existing building. He said the proposed office spaces are smaller than present and the significant increase is in public space that includes the main lobby, lobbies in each department and the post office. He added there is 1,400 square feet of additional space available for growth.

Mayor Pinto confirmed that the new building would also serve as the Emergency Operations Center.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Mayor Pinto explained the funds available for this project.

Councilwoman Samios made a motion to approve; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 3. Public hearing to consider Application 20-14 (PP), an application by Evans Land Consulting and adoption of Resolution 20-12 confirming Council action. The applicant is seeking Preliminary Plat approval for four parcels of land totaling 33.748± acres (POD 4); located on the south side of Acme Road and west of State Road 7 (U.S. 441). Agent: Jeff Evans, Evans Land Consulting. (P & Z Director)**

The P & Z Director stated this request is for Preliminary Plat approval. The site has a Land Use Designation of Single Family (SF) and a Zoning Designation of Single Family Residential (RS-3). The Preliminary Plat is consistent with the approved Site Plan for Pod 4 and conforms to the platting requirements. The P & Z Commission and staff recommended approval.

Jeff Evans of Evans Land Consulting was available for questions.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilman Valuntas made a motion to approve; seconded by Vice Mayor Hmara. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 4. Public hearing to consider Application No. 19-137 (AAR), an application by Lennar Homes, LLC. The applicant is seeking Architectural Approval for 10 additional housing models for the Crestwood North Residential Planned Unit Development (PUD), located at the northwest quadrant of Crestwood Boulevard and the M-1 canal. Agent: Jennifer Vail, Wantman Group Inc. \* (P & Z Director)**

This was quasi-judicial and the Village Attorney swore in all who will speak on this item and asked for ex-parte disclosures. The P & Z Director said the applicant is seeking architectural approval for ten new model home designs with the introduction of a shingle roof option. The ten new model homes are proposed to be designed in the Spanish/Mediterranean architectural style. The Village is not in support of the introduction of a shingle roof option since this option was not part of the original proposal of architectural style upon the sale of the property to Lennar and original approval by the Planning and Zoning Commission and goes against the architectural style to what those individuals who have already bought homes in this neighborhood. He showed the proposed changes that are generally consistent with the current architecture with the exception of the use of shingles. Staff recommended approval of the proposed architectural changes for the additional ten home models and recommended denial of the inclusion of the shingle roof option. Staff believes that the shingle roof option is not consistent with the currently approved architecture and runs contrary to the original architectural style that was approved. He reported that 49 letters of objection to the architectural change to allow the use of shingle roofs have been received. The P & Z Commission recommended approval.

The Village Clerk read into the record 49 public comments received via emails in opposition to the proposed shingled roofs. Mayor Pinto confirmed all public comments read into the record were opposed to the shingled roofs. Mayor Pinto confirmed with the Village Manager there were no other public comments and closed public comment.

Jennifer Vail of Wantman Group, Inc. representing the applicant made a presentation and answered Council questions.

Councilman Valuntas made a motion to approve staff recommendation for the 10 new models and deny the shingled roof request; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 5. Public hearing to consider Application 20-07 (PP), an application by Cotleur & Hearing, Inc. and adoption of Resolution 20-14 confirming Council action. The applicant is seeking Preliminary Plat approval for one parcel of land totaling 14.22 ± acres, for a property located at 10701 Okeechobee Boulevard. Agent: Donaldson Hearing, Cotleur & Hearing, Inc. (P & Z Director)**

The P & Z Director stated this is for Preliminary Plat approval. The site has a Land Use Designation of Commercial (COM) and a Zoning Designation of General Commercial (CG). The plat conforms to the platting requirements of Village Code. The P & Z Commission and staff recommended approval.

George Missimer of Cotleur and Hearing, representing the applicant was available for questions.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilman Valuntas made a motion to approve; seconded by Vice Mayor Hmara. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 6. Public hearing to consider Application 20-42 (LW), an application by Cotleur & Hearing, Inc., and adoption of Landscape Waiver No. 20-02 confirming Council action. The applicant is seeking waivers from the Village's Landscape Code at Section 15-133 Vehicle Use Areas; Parking Lot Divider Strips and Islands; Section 15-131 Perimeter Landscape Buffers required; and Section 15-143 Plant Material Standards; for a 14.22± acre parcel of land located at 10701 Okeechobee Boulevard. Agent: Donaldson Hearing, Cotleur & Hearing, Inc. \* (P & Z Director)**

This was quasi-judicial and the Village Attorney swore in all who will speak on this item and the R – 7 Agenda Item as well. She also asked for ex-parte disclosures. The P & Z Director stated this item is related to the Site Plan Modification and the applicant is requesting Landscape Waivers from various sections of Village Code. He showed the various requests that include the elimination of the three foot berm along the south property line which is being requested since this is an existing condition and the berm was not required



during the original construction. The inclusion of a berm would be detrimental to the existing mature trees. He said along the south property line a request for a reduction of the required 25 foot buffer along Wildcat Way to 10 feet and tapering down to eight feet. The reduction in the required buffer width along Wildcat Way is due to the irregular shape of the property and would greatly impact the reasonable use of the property. The applicant is requesting to eliminate the berm requirement along the north/east property line and is being requested as a direct result and conflict with the existing wetland on the northern portion of the property. Also along the west property line the request is to eliminate the berm because if the three foot berm were to be provided, the existing mature canopy trees would be eliminated. A waiver from Section 15-133 (b) *Perpendicular divider strips* to the north of the existing church building the applicant is requesting a reduced width for a perpendicular landscape divider strip as well as proposing to reduce the required five foot perpendicular landscape strip down to 3.5 feet wide. The P & Z Director stated the applicant's justification contends the perpendicular landscape strip does meet the minimum landscape material requirements, but there is a two foot vehicle overhang into the strip and this is the most reasonable configuration due to the dimensions of the property. He said directly to the north and east of the church building a request to reduce the width for a perpendicular landscape strip. The applicant contends that this waiver is justified due to the curvature of the parcel, the internal layout of the square parking configuration causes a pinch point on the perpendicular landscape strip. This also means that there is a much wider section of the dividing strip as well and the landscape material requirements within the dividing strip is being met. A waiver to Section 15-133 (e) *Double terminal islands*: In various areas of the Landscape Plan the applicant is requesting a reduction in the required minimum eight foot wide double terminal island down to seven feet for five double terminal islands and down to six feet for one double terminal island. The applicant contends that due to the irregular shape of the property and the addition of the pedestrian path through the parking area, the full eight feet of landscape islands exclusive of sidewalks not provided on both sides of every double terminal island. However, due to the curve of the drive aisle one side of every double terminal island is larger than the other and in some instances, it is as much as 16 feet wide. The P & Z Director said that a waiver from Section 15-143 (c) *Trees*: This waiver request is to allow for a reduction in the plant material standards for the required code mitigation trees for the project and requires that upon planting of mitigation trees, they have a height of 14 feet with a diameter at breast height of 2.5 inches. Based on the updated tree survey, there are 255 required mitigation trees for the project. Additionally, 33 preservation trees are required. All preservation requirements are being met with the proposed plan for tree relocations. However, the mitigation code requires replacement trees to be 14 feet tall with a 2.5 inch diameter at breast height at the time of planting. Trees of this size require equipment to place them onsite due to their large size and South Florida Water Management District does not allow the use of equipment within a wetland area; however, planting native trees within a wetland by hand is not restricted. The applicant is proposing an enhanced mitigation design utilizing trees that can be planted by hand. Varying tree heights and native species will provide a natural design that will enhance the wetland area as well as the views from the residential properties to the north. To compensate for the reduced tree size for the mitigation trees, the applicant is proposing to plant 168 additional trees above what is required as code minimum (423 total mitigation trees). A total of 76 mitigation trees are proposed to meet the

minimum size requirement of 14 feet tall. A waiver is being requested for the remaining 179 required mitigation trees to allow those trees to be installed at less than the required 14 foot minimum. He said the next waiver request is from Section 15-133 (d) *Palms*: and is to allow Royal Palm trees to be counted at a one palm tree to one shade tree ratio, for the required shade trees, where Village Code requires palm trees to be counted on a three palm trees to one shade tree ratio. The applicant contends due to Royal Palm trees mature size they provide a much larger canopy than many other palm trees. Royal Palm trees are proposed to be utilized in the narrow landscape area along Wildcat Way. The next waiver request is to allow a row of 16 parking spaces without a landscape island to break them up. The code requires a landscape parallel divider strip every ten parking spaces and the justification states that this waiver request is due to an existing parking condition on the property. Staff recommended approval in part of Application 20-42 (LW) through the adoption of Landscape Waiver No. 20-02, with regard to Landscape Waivers #1-11 and 13-14. Staff recommended denial in part of Application 20-42 (LW) with regard to Waiver #12, the request to deviate from Sec. 15-143 (c) *Trees* to allow for a reduction in the required minimum tree size of 14 feet tall and 2.5 inches in diameter at breast height upon planting. The P & Z Commission recommended approval.

George Missimer of Cotleur and Hearing representing the applicant gave a presentation and was available for any questions.

The P & Z Director explained the applicant reported that the Army Corp of Engineers does not allow entrance into the wetland area with large equipment so in lieu of the larger trees he has agreed to plant by hand an additional 168 - 6' - 12' trees and agreed with the recommendation of all other requirements.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilman Valuntas made a motion to approve; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 7. Public hearing to consider Application No. 19-0071 (SPM, AAR), an application by Cotleur & Hearing, Inc. The applicant is seeking Site Plan Modification approval and Architectural approval for a new Worship Hall, accessory buildings and to expand the existing 8.67 acre church site to include an additional 5.55 acres for a total land area of 14.22± acres on the proposed site plan, for a property located at 10701 Okeechobee Boulevard. Agent: Donaldson Hearing, Cotleur & Hearing, Inc. \* (P & Z Director)**

The applicant is seeking a Site Plan Amendment and Architectural Approval. The site is situated within the General Commercial (CG) Zoning District. The applicant has indicated in their justification statement that the ultimate goal is to expand the church building areas and use the additional parcel of land to ensure adequate parking for the existing and proposed Place of Worship use areas. The applicant is proposing to develop the site in a number of sequences starting with the parking areas. The new parking areas will support the church during the construction activities for the new buildings being proposed.

Pursuant to the submitted sequencing plan, Phase 1A consists of the paved parking area directly to the north of the existing church property. Sequence 2A consists of the paved parking field on the far west side of the existing church property and Sequence 2B consists of all of the building improvements. In reviewing this petition, staff considered conformity with the Village of Royal Palm Beach's Zoning Code pertaining to the Public Ownership (PO) Zoning District, specifically, parcel size and width, setbacks, pervious area, parking requirements, landscape areas and maximum building height. He said overall except for the landscape waivers, the proposed Site Plan is in conformance with the Village's requirements for the General Commercial (CG) Zoning District. The P & Z Commission and staff recommended approval.

George Missimer of Cotleur and Hearing representing the applicant made a presentation and was available for questions.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Vice Mayor Hmara made a motion to approve; seconded by Councilman Valuntas. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

**8. Public hearing for first reading and approval of Application 19-127 and Ordinance No. 1002, an application by Kimley-Horn, regarding a Zoning Text Amendment to Chapter 26 of the Village's Zoning Code to allow Electric Vehicle Charging Stations as accessory uses within certain Zoning Districts and establish supplemental regulations for these electric vehicle charging stations. Agent: Marisa-Ann Lopez Gedeon, Kimley-Horn. (P & Z Director)**

The Village Attorney read into the record Ord. 1002 by title only.

The P & Z Director stated this is to allow for electric vehicle charging stations as accessory uses within certain zoning districts within the Village. It was also clarified this will be for public use. The P & Z Commission and staff recommended approval.

Marisa-Ann Lopez Gedeon of Kimley-Horn representing the applicant was available for questions.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilwoman Samios made a motion to approve; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

**9. Public hearing for first reading and approval of Application 19-129 and Ordinance No. 1001, an application by Camilo Mendez Larino, regarding a zoning text amendment to Chapter 26 of the Village's Zoning Code to allow adult day care centers as a permitted use in the CG - General Commercial Zoning District and establish**

**supplemental regulations for these facilities. Agent: Camilo Mendez Larino. (P & Z Director)**

The Village Attorney read into the record Ord. 1001 by title only.

The P & Z Director stated this is to allow adult care centers as a permitted use in the CG-General Commercial Zoning district and provide supplemental regulations for these facilities. The P & Z Commission and staff recommended approval.

Camilo Mendez Larino representing the applicant was available for questions.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilwoman Samios made a motion to approve; seconded by Vice Mayor Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

**ADJOURNMENT**

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Mayor Fred Pinto

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Diane DiSanto, Village Clerk