



**PLANNING AND ZONING ADVISORY BOARD MEETING  
MINUTES, COUNCIL CHAMBERS  
226 CYPRESS LANE  
VILLAGE OF PALM SPRINGS, FLORIDA  
JULY 12, 2022 AT 6:30 PM**

**CALL TO ORDER**

Chairman Johnnie Tieche called the Planning & Zoning Meeting to Order at 6:31 p.m.

**ROLL CALL**

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

The Board Chair, Mr. Tieche, asked if there were any changes to the agenda. Staff requested that Item #2, Approval of the March 8, 2022, Planning & Zoning Board Meeting Minutes, be removed.

Mr. Hughes made a motion to Approve the Agenda as Amended. Mr. Braun seconded the motion. The said motion carried 5-0.

**APPROVAL OF MINUTES**

- 1. Approval of February 8, 2022 Minutes of the Planning and Zoning Board Meeting**  
Staff: Jane Worth, Deputy Village Clerk
- 2. Approval of March 8, 2022 Planning and Zoning Board Meeting Minutes**  
Staff: Jane Worth, Deputy Village Clerk

**ORDER OF BUSINESS**

**REGULAR AGENDA**

**PUBLIC HEARINGS**

- 3. Resolution No. 2022-13 - Site Plan Amendment (SPR22-06) and Special Exception Use (PSSE22-03) - Triomphe Restaurant, Lounge & Banquet Hall, LLC - 4206-4208 Lake Worth Road (*Quasi-Judicial Hearing*)**  
Staff: Rogelio Perez Gonzalez, Planner

**SUMMARY:** Mr. Scott Ehrenberg of Berg Design, Inc., agent for the tenant Triomphe Restaurant, Lounge, & Banquet Hall, LLC, "applicant", is requesting a Site Plan Amendment (SPR22-06) and Special Exception Use (PSSE22-03) to allow the conversion of a 7,080 square feet of retail-office space into a restaurant located on a 4.25-acre parcel that is located at 4236 Lake Worth Road. The proposed tenant will be occupying two (2) tenant bays within the existing Commercial General (CG) shopping center (4206-4208 Lake Worth Road).

**Note:** The 4.25-acre property was annexed into the Village in 2014 as a developed parcel with a total of 40,240 square feet of building area within two (2) commercial structures.

Previously, the applicant requested a special exception to allow a restaurant use with a private club and also requested a relief from the Code to allow business operations to commence at 8:00 am and to be extended until 2:00 am on Sundays, rather than from 12:00 pm to 11:00 pm, as it is required for establishments that dispense alcohol beverages for on-premise consumption and the allowance to operate later than 11:00 pm on premises located within 54 feet from a residential district rather than the required 250 feet.

The Planning and Zoning Board considered that application during their March 8, 2022 meeting and recommended denial. The Board's concerns included illegal operations without proper approval, serving alcoholic beverages without proper licenses, inconsistency with residential uses surrounding the property, noise to be generated, and extended hours of operations. The applicant requested their item be postponed at the April 14, 2022, Village Council meeting to revise the application.

The applicant has removed the special exception request for private club use and withdrew the two requested variances on May 17, 2022. This newly revised application is for the special exception and site plan amendment required for the proposed restaurant use.

A restaurant is permissible as a special exception in the CG district with Village Council approval. If the special exception is approved, it is valid as long as it remains in operation. The approved use will become null and void should the uses cease or be unutilized for more than twelve (12) months.

A site plan amendment is being requested to enable the applicant to bring the property up to code to the greatest extent possible and to increase consistency with the Village's Commercial General (CG) zoning district regulations.

The Planning, Zoning, & Building Staff (and CRA Staff) do object to the proposed special exception use and site plan amendment and recommend denial of the proposed request considering that the applicant's justification statement describes that the expanded seating capacity of the restaurant will provide "a location for weddings, funerals, birthdays, ....." and the floor plan provides for a large (33'x15') raised floor for live entertainment, thus the proposal continues to have the characteristics of a Banquet Hall. The staff is concerned about incompatibilities with the adjacent residential uses and ongoing complaints that will divert Code and Police attention from the focus on eliminating blight and enhancing safety.

Staff notes that the applicant has operated illegally without a Village-issued Certificate of Occupancy, reports of the business serving alcohol without proper credentials and with minors present, construction work done without building permits, and complaints received about loud music on weekend nights.

**The Village Clerk, Ms. Wynn, swore in the Applicant, and staff (Applicant, Mr. Scott Ehrenberg, Assistant Village Manager, Kim Glas-Castro, Planner, Rogelio Perez, Director of Planning, Building, and Zoning, Iramis Cabrera). Chairman Tieche asked the Board if there was any ex parte communication; there was none.**

**Mr. Perez gave the staff's presentation.**

**Mrs. Glas-Castro explained the reasons the Community Redevelopment Agency (CRA)**

recommended denial of the Triomphe Restaurant, Lounge & Banquet project. She stated that the property is within the CRA Corridor Lake Worth District. She said the business did not meet the objectives of the CRA as a viable contribution to the community.

The Applicant, Mr. Ehrenberg, presented his testimony. He stated that he removed his Special Exception request. He also noted that he sought approval to change his request to use the establishment as a Restaurant from a Banquet Hall. He acknowledged that the tenant may not have followed the proper procedures in the beginning, but they intend to follow them. Mr. Ehrenberg said he was not able to receive a police report about the numerous alleged disturbance calls. He also talked about the underage drinking that was mentioned at a previous meeting. The property owner, Mr. Michael Jawloski, interjected at this point. He discussed the challenges he and his tenants ran into with getting permits from the Village. The Village Attorney, Ms. Garrett, advised Mr. Jakowski that he needed to be sworn in. Mr. Jawloski was sworn in by the Village Clerk.

Chairman Tieche opened the meeting for Board discussion. The Board commented on the tenant's inability to comply with Village Ordinances. The tenant had a pattern of not following procedure and creating a nuisance. The Board asked if they were the same owners of a business on Forest Hill Road and Congress Avenue. Mr. Ehrenberg was not aware if they were related; however, the tenants answered (sidebar) that they were not the same owners. The Board asked about the tenant not having a certificate of occupancy and not having an alcohol license.

Mr. Jakowski once again interjected. He offered his opinion of what the challenges were and suggested there may be a language barrier. He recalled the same night his tenant was denied their restaurant, the Village approved a Spanish restaurant that was located nearby. He suggested that there was preferential treatment given. Mr. Saingilus rebutted the suggestion and explained that the objective of the Village is to make sure things are done properly.

Chairman Tieche questioned the capacity at the location, the grease trap, and the capability to cook for one hundred sixty-six (176) people. There was discussion about the dining arrangements and the availability of space. Further discussion ensued among the Board members about the woes of the project.

Chairman Tieche opened the meeting up for Public Comment.

Mr. Jakowski explained there was no reason to deny the project. There were no police reports, the food trucks were in compliance, in addition to the bathroom.

Chairman Tieche explained that the Planning & Zoning Board made recommendations to forward to the Council for consideration. The Council decides to approve or deny the Site Plan Amendment.

Vice Chair Hughes made a motion to deny Resolution No. 2022-13. Mr. LaShells seconded the motion. The said motion carried 6-0.

**FISCAL IMPACT:**

The proposed project is not expected to have a direct fiscal impact on the Village. However, if approved, this project would require various Village services that will result in increased expenditures to the Village.

**OTHER BUSINESS**

Ms. Cabrera reminded the Planning & Zoning Board to let her know if they were attending the Planning Workshop on August 4, 2022. Please send an email as soon as possible.

**ADJOURNMENT**

Hearing no further business, Chairman Tieche adjourned the meeting at 7:25 p.m.

**ATTEST:**



**Johnnie Tieche, Chairman**

The undersigned is the Deputy Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Planning and Zoning Advisory Board held on **July 12, 2022**. Which minutes were formally approved and adopted by the Planning and Zoning Advisory Board on **August 9, 2022**.



**Jane R. Worth, Deputy Village Clerk**



**NEXT REGULAR MEETING:  
TUESDAY, AUGUST 9, 2022 @ 6:30 PM**

If a person decides to appeal any decision made by this Board with respect to any matter considered at this meeting, they will need a record of the proceeding, and that for such purpose they 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.