



**PLANNING AND ZONING ADVISORY BOARD MEETING
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
PALM SPRINGS, FL 33461
AUGUST 10, 2021
6:30 PM**

1. CALL TO ORDER

The meeting held in the Council Chambers at Village Hall was called to order by Chairman Johnnie Tieche at 6:33 PM.

2. ROLL CALL

BOARD MEMBERS

Chairman Johnnie Tieche, Vice Chairman Richard Hughes, Ralph Lashells, James Mandigo, Peter Braun, Kim Gehrman and Larry Saingilus

ABSENT

Kim Gehrman and Larry Saingilus

STAFF

Planning, Zoning and Building Interim Director Iramis Cabrera, Assistant Village Manager Kimberly Glas-Castro, Village Attorney Susan Garrett and Deputy Village Clerk Jane R. Worth

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Johnnie Tieche.

4. ADDITIONS, DELETIONS, OR MODIFICATIONS, AND APPROVAL OF AGENDA

5. MINUTES

5.1 Approval of July 13, 2021 Planning and Zoning Board Meeting Minutes

[July 13, 2021 Planning and Zoning Board Minutes](#)

A motion to accept the minutes was made by Mr. Braun and seconded by Mr. Mandigo. Motion carried. 5 - 0

Motion: Peter Braun	Second: James Mandigo	Vote: Motion Passed: 5 - 0
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6. PUBLIC HEARING NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY EX PARTE COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY

6.1 Ordinance No. 2021-07 - Comprehensive Plan Amendment - Property Rights Sub-Element

[Proposed Ordinance No. 2021-07 - Text Amendment - Comprehensive Plan - Property Rights Sub-Element](#)
[Committee Substitute/Senate Bill 496](#)

Director Cabrera informed the Board the Planning, Zoning & Building Department is proposing a text amendment to the Future Land Use Element to establish a new sub-element in accordance with new legislation that recently became law.

Statutory provisions within Chapter 163, Florida Statutes, related to comprehensive plans, were amended during the most recent 2021 Florida Legislative Session that will now require each local government to adopt a property rights element within their existing comprehensive plan. It is expected that the new property rights element will protect private property rights and ensure that they are considered during the local decision-making process.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of Ordinance No. 2021-07, was made by Mr. Hughes and seconded by Mr. Braun. Motion carried 5-0

Motion: Richard Hughes	Second: Peter Braun	Vote: Motion Passed: 5 - 0
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6.2 Planning & Zoning Board Order 2021 -13 - Minimum Landscape Buffer Width Variance (PSV21-13) - Legend Plaza - 1696 South Military Trail

[Planning & Zoning Board Order 2021-07 - 1696 S. Military Trail - My Incentive LLC](#)
[Exhibit "A" Staff Report](#)
[Variance Justification Statement](#)
[Site Plan, Landscape Plans, and Letters](#)
[Warranty Deed](#)
[Stipulated Order of Taking](#)
[Aerial and Location Maps](#)

Director Cabrera informed the Board both Items 6.2 and 6.3 would be heard together. Director Cabrera stated she had sent a revised Staff Report, and one (1) of the conditions had been deleted. There was a bus stop proposed on the property, and FDOT decided to move it to the south on the 7-Eleven property. Board Member Hughes asked if all agreed with this. Mr. Vijay Mishra agent for the owner, My Incentive LLC, stated The

FDOT did not like the location of the bus stop and shelter, therefore they were the ones that decided to move the shelter to the property south of our property due to the eminent domain.

Director Cabrera stated that the widening project will impact the property causing the loss of thirteen (13) parking spaces, the utility connection, and right-of-way landscape buffer. Director Cabrera stated this was the reason for the variance request to allow an irregular landscape buffer along the west side of the property. The Board did not have any questions as they felt the presentation was sufficient.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of P&Z Board Order 2021-13 for (PSV21-13), was made by Mr. Lashells and seconded by Mr. Braun. Motion carried 5-0

Motion: Ralph Lashells	Second: Peter Braun	Vote: Motion Passed: 5 - 0
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6.3 Resolution 2021-28 - Site Development Plan Amendment - Legend Plaza - 1696

South Military Trail (Quasi-Judicial Hearing)

[Proposed Resolution No. 2021-28 - Site Development Plan Amendment \(SPR21-13\)](#)

[- 1696 S. Military Trail](#)

[Exhibit A Staff Report.doc](#)

[Variance Justification Statement](#)

[Site Plan, Landscape Plans, and Letters](#)

[Warranty Deed](#)

[Stipulated Order of Taking](#)

[Aerial and Location Maps](#)

Director Cabrera informed the Board that the presentation was in the first Item 6.1. Mr. Vijay Mishra agent for the owner, My Incentive LLC, stated the build-out of the three (3) offices were complete as Board Member Mr. Hughes asked if they were completed with their project.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of Resolution No. 2021-28, was made by Mr. Mandigo and seconded by Mr. Hughes. Motion carried 5-0

Motion: James Mandigo	Second: Richard Hughes	Vote: Motion Passed: 5 - 0
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6.4 Ordinance No. 2021 -08 - Village Code Amendment - Chapter 34 - Administration -
Building Design and Architectural Review
[Proposed Ordinance No. 2021-08 - Design and Architectural Review](#)
[Board Village Code Section 34-1366 - Building Design Guidelines](#)

Director Cabrera informed the Board this was a housekeeping matter which the Planning, Zoning & Building department is requesting an amendment to the Village Code - Chapter 34 - to add a new enumeration (14) under subsection (d) "Powers and Duties" to formally assign architectural review authority to the Planning & Zoning Board as the Village of Palm Springs Design and Architectural Review Board. The Planning & Zoning Board is already performing this function of reviewing 'proposed development projects' building design elements for consistency with the Village's adopted building design guidelines (Section 34-1366). The proposed ordinance clarifies this authority.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of Ordinance No. 2021-08, was made by Mr. Braun and seconded by Mr. Lashells. Motion carried 5-0

Motion: Peter Braun	Second: Ralph Lashells	Vote: Motion Passed: 5 - 0
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7. ACTIONS AND REPORTS

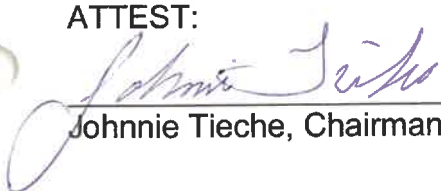
8. ADJOURNMENT

9. NEXT MEETING TUESDAY, SEPTEMBER 14, 2021 @ 6:30 PM.

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 accommodation in order to attend or participate in this meeting should contact the Village Clerk at (561) 965-4010 at least 3 business days prior to the meeting in order to request such assistance.

The undersigned is the Deputy Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Planning and Zoning Board Meeting held on **August 10, 2021** which minutes were formally approved and adopted by the Planning and Zoning Board on **September 14, 2021**.

ATTEST:


Johnnie Tieche, Chairman




Jane R. Worth, Deputy Village Clerk