



AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE □ PALM SPRINGS, FL 33461
NOVEMBER 10, 2022 at 6:30 PM

COUNCIL

- Mayor Bev Smith
- Vice Mayor Doug Gunther
- Mayor Pro Tem Joni Brinkman
- Council Member Patti Waller
- Council Member Gary Ready

ADMINISTRATION

- Village Manager Michael Bornstein
- Village Attorney Glen Torcivia
- Village Clerk Kimberly Wynn

If a person decides to appeal any decision made by the Council concerning any considered matter, they will need a record of the proceeding. For such purposes, they may need to ensure that a verbatim record of the proceedings is available. The recording includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

Mayor Smith called the Local Planning Agency meeting to order at 6:30 PM.

ROLL CALL

Present: Mayor Bev Smith, Vice-Mayor Doug Gunther, Mayor Pro Tem Joni Brinkman, Council Member Gary Ready.

Absent: Council Member Patti Waller

Also Present: Village Manager Michael Bornstein, Village Attorney Glen Torcivia, Village Clerk Kimberly Wynn, Assistant Village Manager Kim Glas-Castro, Police Chief Tom Ceccarelli, as Sergeant-in-Arms, Assistant Utilities Director Paul Ward, and Utilities Director Dr. Jimmy Johnson.

Public Hearing for amending the Comprehensive Land Use Plan by revising the Future Land Use Map and amending the Official Land Development District Zoning Map of the Village by amending and rezoning the following properties in the Village of Palm Springs:

AGENDA

1. **(Quasi-Judicial Hearing) Ordinance No. 2022-12 - Land Use Amendment and Rezoning (Small-Scale) - Oxygen Development;** Motion to recommend for approval Ordinance No. 2022-12; to amend the land use and zoning designations for 17.74 acres (comprised of eleven parcels) to facilitate an industrial development project that is a proposed small-scale land use change from a Commercial and Medium Density Residential to Light Industrial, concurrent with Rezoning from Commercial General (CG) and Residential Multiple-Family (RM) to Light Industrial (LI) planned for a mix of manufacturing and warehouse use located west of Congress Avenue and North of Forest Hill Boulevard at the Oxygen Development.

Staff: Iramis Cabrera, PZB Director

SUMMARY: Mr. Marty Minor from Urban Design Studio, agent for Oxygen Holdings, LLC. ("Applicant"), is requesting a Small-Scale land use plan amendment and rezoning on 17.74 acres (comprised of eleven parcels) to facilitate an industrial development project.

The proposed small-scale land use change would be from Commercial and Medium Density Residential to Light Industrial, concurrent with Rezoning from Commercial General (CG) and Residential Multiple-Family (RM) to Light Industrial (LI). The combined properties are less than 50 acres in size (17.74 acres total) and are planned for a mix of manufacturing and warehouse use.

The applicant is concurrently requesting Site Plan approval to allow a 150,780 square foot warehouse in addition to the 211,363 square foot existing warehouse- manufacturing building. The proposed site plan is presented (within this item) for informational purposes only (no action is required at this time).

Note: The Village does not typically place conditions of approval on future land use map changes. The legislative decision as to the appropriateness of the land use map and rezoning amendments are approved on the 2nd and final reading, and the proposed Site Plan will be presented for consideration at a future date.

Ordinance No. 2022-12 was advertised in the Lake Worth Herald on September 29, 2022, and October 27, 2022.

The proposed request was submitted through the PBC Intergovernmental Plan Amendment Review Committee (IPARC) for intergovernmental review and no comments were received.

Note: IPARC is designated to provide coordination of proposed plan amendments, cooperation between affected local governments and service providers and provides opportunities to resolve potential disputes only within the plan amendment.

The Planning and Zoning Board considered this application during their October 11, 2022 meeting and recommended approval.

The Village Council will consider this item during their November 10, 2022 meeting.

If approved on the 1st reading, the proposed ordinance will be considered for the 2nd and final reading by the Village Council at a future date.

Fiscal Impact: The proposed land use and zoning amendments are not expected to provide a direct fiscal impact on the Village; however, it would facilitate development that will increase the Village's property valuation.

On the record, the Village Clerk read the advertisement. Mayor Smith requested that any ex parte communications be disclosed. Mrs. Brinkman declared a conflict of interest, entered it into the record, and recused herself. The Village Clerk swore in the staff and the applicant, Mr. Marty Minor, from Urban Design Planning.

As she presented the staff report, Ms. Cabrera noted that the applicant had originally requested land-use changes for thirteen parcels. An amended request for Oxygen Development has been downsized to eleven parcels, located west of Congress Avenue and north of Forest Hill Boulevard. At a future Village Council meeting, a site plan will be discussed. The staff presentation was entered into the record by Ms. Cabrera.

As part of his testimony, Mayor Smith offered the applicant the opportunity to present. During his presentation, Mr. Marty Minor provided a summary of the project presentation for the record. He reiterated that light industrial development would not be considered north of the canal. There was an opportunity for the public and the council to comment on this item. Council Member Ready inquired about employee parking spaces. Mr. Minor requested thirty-five (35) additional parking spaces with the amendment. According to Police Chief Ceccarelli, there was no compliance issue on the property that he was aware of. Council members inquired if there were any compliance issues. Their agreement was followed by Oxygen Development.

Village Attorney Torcivia read the title of the caption into the record.

Vice-Mayor Gunther made the motion to recommend Ordinance No. 2022-12 be presented to the Council. Council Member Ready seconded the motion. Motion carried 3-0 (Mayor Pro Tem Brinkman abstained).

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the meeting at 6:43 PM.

NEXT MEETING

Submitted by:

Kimberly Wynn

Kimberly Wynn, Village Clerk

Village of Palm Springs
Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: asaingilus@vpsfl.org
Phone: (561) 584-8200 Ext. 8419

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561) 584-8200 Ext. 8421