County Administrator Verdenia C. Baker



Department of Planning, Zoning and Building 2300 North Jog Road West Palm Beach, Florida 33411

Phone: (561) 233-5200 Fax: (561) 233-5165

ZONING COMMISSION HEARING AMENDMENTS TO THE AGENDA OCTOBER 6, 2022

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

- 5. PDD/DOA-2021-01373, Sussman AGR-PUD (Control 2000-00032)
 - Letter Requesting Postponement attached

MOTION: To approve postponement to the November 3, 2022 Zoning Commission hearing.

- 6. PDD/CA/W-2021-01361, Atlantic AGR Commercial and Self-Storage (Control 2021-00083)
 - · Letter Requesting Postponement attached
 - Letter from Delray Alliance in support of postponement attached

MOTION: To approve postponement to the November 3, 2022 Zoning Commission hearing.

CONSENT AGENDA

- D. ZONING APPLICATIONS NEW
- 1. DOA/CA-2022-00117 Dunkin Donuts at Oriole Plaza (1973-00039)
 - Letter from Delray Alliance in support attached

AMEND - Development Order Amendment: All Petitions Condition 1 in Exhibit C-1

1. Previous ALL PETITIONS Condition 1 of Resolution R-2020-1245, Control No.1973-00039, which currently states:

The approved Preliminary Site Plan is dated April 13, 2020. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission.

Is hereby amended to read:

The approved Preliminary Site Plan is dated August 11, 2022. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: MONITORING - Zoning)

AMEND - Development Order Amendment: All Petitions Condition 3 in Exhibit C-1

3. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2017-1767 for the Class A Conditional Use for a Self Service Storage Facility (Control 1973-00039) shall remain in full force and effect and have not been consolidated herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners or Zoning Commission, unless expressly modified. (ONGOING: MONITORING - Zoning) (Previous ALL PETITIONS Condition 3 of Resolution R-2020-1245, Control No.1973-00039)

<u>REPLACE</u> – Development Order Amendment: Signs Condition 2 in Exhibit C-1 to remove duplicate condition 2 and carrying forward previous condition 2 as shown in strike out and underline below that was inadvertently omitted from staff report.

- 2. If, prior to the issuance of a building permit for the project, the Sign Code is amended to be more restrictive than the conditions of approval, the regulations of the amended Sign Code shall supersede the sign related conditions of approval. (ONGOING: ZONING Zoning) (Previous SIGNS Condition 2 of Resolution R-2020-1245, Control No.1973-00039)
- 2. No freestanding signs shall be permitted on any outparcel of the PCD over the number of permitted by the sign code. Any new or replaced freestanding signs shall conform to the following standard:
- a. Maximum number of signs: 1 (one)
- b. Maximum square footage of total sign face area: 100 square feet
- c. Maximum height: 15 feet

(ONGOING: ZONING - Zoning) (Previous SIGNS Condition 2 of Resolution R-2020-1245, Control No.1973-00039)

2. DOA-2022-00216 South Road Office MUPD (2003-00036)

<u>AMEND</u> - Development Order Amendment: Lighting Condition 1 in Exhibit C to revise this existing condition to reflect the relocation of the lighting requirements from the Palm Beach County Security Code to the ULDC.

- 1. All outdoor lighting used to illuminate the subject property and identification signs shall be of minimum necessary to satisfy Article 5.E.4.e. the Palm Beach County Security Code, and in addition be low intensity, shielded and directed down and away from adjacent properties and streets. (CO/ONGOING: BUILDING DIVISION Zoning) (Previous LIGHTING Condition 1 of Resolution R-2019-899, Control No.2003-00036)
- 4. ZV/PDD-2021-01547 Okeechobee Commerce Park (1994-00038)

<u>DELETE</u> – Type 2 Variance: All Petitions Condition 3 in Exhibit C-1 to delete this condition as it is not necessary.

3. The Development Order for this Standalone Variance shall be tied to the Time Limitations of the Development Order for ZV/PDD-2021-01547. The Property Owner shall secure a Building Permit or Commencement of Development to vest this Variance. (ONGOING: MONITORING - Zoning)



October 5, 2022

Lisa Amara Zoning Division Director 2300 N. Jog Rd., 2nd Floor West Palm Beach, FL 33411

RE: FORMAL REQUEST FOR 30-DAY POSTPONEMENT AND 60-DAY TIME EXTENSION - Sussman AGR-PUD

Ms. Amara,

Please let this letter serve as a formal request for a by right postponement pursuant to Article 2.B.6.E of the ULDC for the herein referenced project. The project consists of an Official Zoning Map Amendment and two Development Order Amendment applications.

The applications were originally scheduled to be heard by the Zoning Commission (ZC) on September 1, 2022, and by the Board of County Commissioners (BCC) on September 22, 2022. The Applicant requested a 30-day postponement to the October 6th ZC hearing and the October 27th BCC hearing to communicate and work with the community regarding the concurrent Zoning application Atlantic AGR Commercial and Self-Storage (PDD/CA/W-2021-01361).

The Applicant is requesting a date certain postponement of the application to the ZC hearing scheduled on November 3, 2022 and the BCC hearing scheduled on November 28, 2022. The request is being made in order for the Applicant to work with the neighbors at Delray Lakes Estates and need additional time to work with outstanding issues.

The current statutory review deadline of 120 days is set for November 28, 2022. Therefore, at this time we would respectfully request a 60-day time extension to January 27, 2023 in order to meet the BBC hearing on January 11, 2023 if it does not meet the BBC hearing of November 28th, 2022.

Application Name: Sussman AGR-PUD **Application No:** PDD/DOA-2021-01373

Control No: 2000-00032 Requests: see list below

- 1) Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District;
- 2) Development Order Amendment to modify the Master Plan; and
- 3) Development Order Amendment to partially release a Conservation Easement.

Should you have any questions, please do not hesitate to contact me. Thank you for your assistance with this matter.

Sincerely,

WGI, Inc.

Jeff Brophy, PLA, Vice President



October 5, 2022

Lisa Amara Zoning Division Director 2300 N. Jog Rd., 2nd Floor West Palm Beach, FL 33411

RE: FORMAL REQUEST FOR 30-DAY POSTPONEMENT AND 60-DAY TIME EXTENSION – Atlantic AGR Commercial and Self-Storage

Ms. Amara,

Please let this letter serve as a formal request for a by right postponement pursuant to Article 2.B.6.E of the ULDC for the herein referenced project. The project consists of an Official Zoning Map Amendment, two Class A Conditional Uses, and Type 2 Waiver applications.

The applications were originally scheduled to be heard by the Zoning Commission (ZC) on September 1, 2022, and by the Board of County Commissioners (BCC) on September 22, 2022. The Applicant requested a 30-day postponement to the October 6th ZC hearing and the October 27th BCC hearing to communicate and work with the community.

The Applicant is requesting a date certain postponement of the application to the ZC hearing scheduled on November 3, 2022 and the BCC hearing scheduled on November 28, 2022. The request is being made in order for the Applicant to work with the neighbors at Delray Lakes Estates and need additional time to work with outstanding issues.

The current statutory review deadline of 120 days is set for November 28, 2022. Therefore, at this time we would respectfully request a 60-day time extension to January 27, 2023 in order to meet the BBC hearing on January 11, 2023 if it does not meet the BBC hearing of November 28th, 2022.

Application Name: Atlantic AGR Commercial and Self-Storage

Application No: PDD/CA/W-2021-01361

Control No: 2021-00083 Requests: see list below

- 1) Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to Multiple Use Planned Development (MUPD) Zoning District;
- 2) Class A Conditional Use to allow a Mutli-Access and Limited Access Self-Service Storage Facility;
- 3) Class A Conditional Use to allow a Car Wash; and
- 4) Type 2 Waiver to allow an alternative Type 3 Incompatibility Buffer.

Should you have any questions, please do not hesitate to contact me. Thank you for your assistance with this matter.

Sincerely,

WGI. Inc.

Jeff Brophy, PLA, Vice President

Alliance of Delray Residential Associations, Inc.

10290 West Atlantic Avenue #480504 Delray Beach, FL 33448 Phone: 561.495.4694 www.allianceofdelray.com

- Serving more than 100 Communities between the Everglades and the Ocean in south Palm Beach County.
- Working Toward Sustainable Development
- Applying Resilience Thinking to Our Natural Resources

October 4, 2022

Palm Beach County Zoning Division Att: Lisa Amara, Director 2300 N Jog Road West Palm Beach, Florida 33411





Re: October 6, 2022 Zoning Commission Application PDD/CA/W-2021-01361 Atlantic AGR Commercial and Self Storage

Dear Director Amara:

Please provide this letter from the Alliance of Delray Residential Associations to the Zoning Commissioners regarding the October 6, 2022 Regular Agenda item D6.

The Alliance of Delray supports a request for postponement of Application PDD/CA/W-2021-01361 Atlantic AGR Commercial and Self-Storage.

Delray Lakes Estates, an Alliance member community, asked the Applicant to request a postponement of this item and the Applicant has agreed.

Several issues have arisen during the past month of communications between the Applicant and the Community which could be resolved with a 30 day postponement. The Car Wash is a new concept for the Agricultural Reserve and of concern to the residents and the storage facility is one of the first of its kind to be proposed on Atlantic Avenue adjacent to a residential development. Further, the additional entrance adjacent to Delray Lakes Estates has brought up some traffic pattern issues. Time is needed for the Community to work with the Applicant to understand with greater certainty the functioning of these newer uses within the neighborhood and to fit them appropriately into the intended plan for the Agricultural Reserve.

Please grant the request for postponement.

THANK YOU!

Gori Vinikoor

Sincerely,

Dr. Lori Vinikoor, President

Cc via e mail to: Lisa Amara, Zoning Director; Ramsay Bulkeley, Esq. Executive Director PZB; Whitney Carroll, Deputy Director PZB; Patrick Rutter, Assistant Administrator; Verdenia Baker, County Administrator; Scott Backman, Esq.; Jeff Brophy, ASLA; Delray Lakes Estates Board

OFFICERS AND DIRECTORS OF THE ALLIANCE:

Lori Vinikoor, President

Arnie Katz, Executive Vice President Norma Arnold, Vice President Allen Hamlin, Vice President Carol Klausner, Secretary Deborah Borenstein, Treasurer

Directors: Rob Cuskaden Paul Finkelstein York Freund Carol Klausner Phyllis Levine Evelyn Spielholz Susan Zuckerman
Assistants to the President: Rose DeSanto John Gentithes Rhoda Greifer Joel Vinikoor
Chairman of the Board: Bob Schulbaum Legal Counsel: Joshua Gerstin

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October 4, 2022

Palm Beach County Zoning Division Att: Lisa Amara, Director 2300 N Jog Road West Palm Beach, Florida 33411

Re: October 6, 2022 Zoning Agenda Item D1 Application # DOA/CA-2022-00117 Dunkin' Donuts

Dear Director Amara:

Please provide this letter to the Zoning Commissioners regarding October 6, 2022 Zoning Agenda Item D1 Application # DOA/CA-2022-00117 Dunkin' Donuts.

The Applicant met with the Alliance of Delray Residential Associations Board of Directors regarding this project. The Alliance provided the Applicant with the contact information for the Gleneagles Country Club leadership and the Applicant subsequently contacted the Association.

The Alliance supports this application. Moving the entrance to the east will improve the traffic flow into the site and within the plaza itself and the updated architecture will improve aesthetics. The Alliance is encouraging as much plant material to be installed as is practicable to soften the contemporary architecture and provide a more positive experience for local residents.

The razing of the previous Dunkin' Donuts and the creation of a new design driven by consumer demand for the convenience of a drive-through is a progressive step. This project and the most recent McDonald's drive-through built adjacent to this site place the exclamation point on the need for expediting the expansion of Atlantic Avenue.

Thank you.

Yori Vinikoor

Sincerely,

Dr. Lori Vinikoor, President

Cc via e mail to: Ramsay Bulkeley, Esq. Executive Director PZB; Whitney Carroll, Deputy Director PZB; Patrick Rutter, Assistant Administrator; Verdenia Baker, County Administrator; Brian Terry, PLA Insite Studio; Adam Kerr, PE Kimley Horn

OFFICERS AND DIRECTORS OF THE ALLIANCE:

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Assistants to the President: Rose DeSanto John Gentithes Rhoda Greifer Joel Vinikoor

Chairman of the Board: Bob Schulbaum Legal Counsel: Joshua Gerstin

County Administrator

Verdenia Baker



2300 N. Jog Road West Palm Beach, FL 33411 Phone: 561-233-5200

Fax: 561-233-5165

ORDER OF BUSINESS ZONING COMMISSION PALM BEACH COUNTY, FLORIDA

THURSDAY OCTOBER 6, 2022

9:00 A.M.

Vista Center, Ken Rogers Hearing Room, VC-1W-47 2300 N. Jog Road, West Palm Beach

CALL TO ORDER

- Α. Roll Call
- Opening Prayer and Pledge of Allegiance B.
- C. Remarks of the Chair
- **Notice** D.
- Ε. **Proof of Publication**
- F. Swearing In
- G. Approval of the Minutes
- Н. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. **Disclosures**
- K. Conflicts/Recusals

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public

hearing.



ZC AGENDA OCTOBER 2022 PAGE i

AGENDA PALM BEACH COUNTY ZONING COMMISSION

OCTOBER 6, 2022

CALL TO ORDER

- A. Roll Call 9:00 A.M.
- B. Opening Prayer, and Pledge of Allegiance
- C. Remarks of the Chair:

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Vista Center, Ken Rogers Hearing Room, VC-1W-47, 2300 N. Jog Road, West Palm Beach, FL, to consider applications for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments, Type II Variances and other actions permitted by the Palm Beach County Unified Land Development Code and to hear the recommendations of staff on these matters. The Commission takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on accepting, rejecting, or modifying the recommendations of staff regarding other requests. The Board of County Commissioners of Palm Beach County will conduct a public hearing at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:30 A.M. on Thursday, October 27, 2022 to take final action on the applications listed below regarding Official Zoning Map Amendments (rezoning), Class A Conditional Uses, Requested Uses, Planned Developments, Development Order Amendments, Waiver Requests and Administrative Inquiries.

D. Notice:

Zoning hearings are quasi-judicial in nature and must be conducted to afford all parties due process. The Board of County Commissioners has adopted Procedures for conduct of Quasi-Judicial Hearings to govern the conduct of such proceedings. The Procedures include the following requirements:

Any communication with commissioners, which occurs outside the public hearing, must be fully disclosed at the hearing.

Applicants and persons attending the hearing may question commissioners regarding their disclosures. Such questions shall be limited solely to the disclosures made at the hearing or the written communications made a part of the record at the hearing.

Any person representing a group or organization must provide documentation that the person representing the group has the actual authority to do so regarding the matter before the Commission.

Any person who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

The Applicant and County staff may cross-examine witnesses. Any other persons attending the hearing may submit cross-examination questions, including follow up questions, to the Chair, who will conduct the examination. The scope of cross-examination is limited to the facts alleged by the witness in relation to the application.

Public comment is encouraged and all relevant information should be presented to the commission in order that a fair and appropriate decision can be made.

- E. Proof of Publication Motion to receive and file.
- F. Swearing In- County Attorney
- G. Approval of the Minutes
- H. Amendments to the Agenda
- Motion to adopt the Agenda
- J. Disclosures
- K. Conflicts/Recusals

ZC AGENDA PAGE 1

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

- A. POSTPONEMENTS
- B. REMANDS
- C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

BCC District: 5

CONSENT AGENDA

- A. REQUESTS TO PULL ITEMS FROM CONSENT
- **B. STATUS REPORTS**
- C. PREVIOUSLY POSTPONED ZONING APPLICATIONS
- D. ZONING APPLICATIONS NEW
- 1. <u>DOA/CA-2022-00117</u>_<u>Title:</u> a Development Order Amendment application of Atlantic Avenue Realty Associates, LLC, Vesnodevi Donut Corp. Hitesh Patel by Insite Studio, Agent.

Request: to reconfigure the Site Plan; to add and delete use; delete square footage; and, modify Conditions of Approval on 25.46 acres

<u>Title:</u> a Class A Conditional Use application of Atlantic Avenue Realty Associates, LLC, Vesnodevi Donut Corp. - Hitesh Patel by Insite Studio, Agent. <u>Request:</u> to allow a Type 1 Restaurant with drive-through on 0.83 acres

General Location: North side of Atlantic Avenue, approximately 795 feet east of Hagen Ranch Road (Dunkin Donuts at Oriole Plaza) (Control 1973-00039)

Project Manager: Timothy Haynes

Size: 25.46 acres +

<u>Staff Recommendation:</u> Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C-1 and C-2.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan; to add and delete use; delete square footage; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with drive-through, subject to the Conditions of Approval as indicated in Exhibit C-2.

 DOA-2022-00216 Title: a Development Order Amendment application of 5165 Homeland Plaza, LLC by Insite Studio, Agent. Request: to reconfigure the Site Plan; add a building and square footage; and, modify Conditions of Approval on 9.26 acres
 General Location: West side of State Road 7 approximately 1 mile south Lake Worth Road (South Road Office MUPD) (Control 2003-00036)

Project Manager: Timothy Haynes

Size: 9.26 acres + BCC District: 6

<u>Staff Recommendation:</u> Staff recommends approval of the request, subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan; add a building and square footage; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C.

3. Z-2022-01017 <u>Title:</u> an Official Zoning Map Amendment application of Lin Zheng by WGI Inc., Agent. <u>Request:</u> to allow a Rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District on 4.77 acres

<u>General Location:</u> Approximately 258 feet south of the Northlake Boulevard and North Bates Road intersection (North Bates Subdivision) (Control 2017-00178)

Project Manager: Alex Biray

Size: 4.77 acres <u>+</u> BCC District: 1

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to the Condition of Approval as indicated in Exhibit C.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a Rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District subject to the Condition of Approval as indicated in Exhibit C.

4. ZV/PDD-2021-01531_Title: a Type 2 Variance application of 2154 Zip Code Property LLC by Schmidt Nichols, Agent. Request: to allow the side and rear setback reduction on 8.12 acres

<u>Title:</u> an Official Zoning Map Amendment application of 2154 Zip Code Property LLC by Schmidt Nichols, Agent. <u>Request:</u> to allow a Rezoning from the General Commercial (GC) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 8.12-acres

<u>General Location:</u> East side of Military Trail, approximately 670 feet north of Okeechobee Boulevard. (Okeechobee Commerce Park) (Control 1994-00038)

Project Manager: Brenya Martinez

Size: 8.12 acres + BCC District: 7

<u>Staff Recommendation:</u> Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C-1 and C-2.

MOTION: To adopt a Resolution approving a Type 2 Variance to allow the side and rear setback reduction, subject to the Conditions of Approval as indicated in Exhibit C-1. **MOTION**: To recommend approval of an Official Zoning Amendment Request to allow a Rezoning from the General Commercial (GC) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-2.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

BCC District: 5

REGULAR AGENDA

- A. ITEMS PULLED FROM CONSENT
- **B. STATUS REPORTS**
- C. PREVIOUSLY POSTPONED ZONING APPLICATIONS
- D. ZONING APPLICATIONS NEW
- 5. PDD/DOA-2021-01373 Title: an Official Zoning Map Amendment application of JDR Development, LLC Jason Sher, Paradise Properties Of Delray LLC, Atlantic USA Development LLC, Pebb Atlantic II LLC & by WGINC, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District on 10.20 acres

 Title: a Development Order Amendment application of JDR Development, LLC Jason Sher, Paradise Properties Of Delray LLC, Atlantic USA Development LLC, Pebb Atlantic II LLC & by WGINC, Agent. Request: to modify the Master Plan to delete land area (9.89 acres) and to add land area (10.20 acres) for a final DO total of 743.33 acres

<u>General Location:</u> East side of State Road 7, approximately 700 feet south of W Atlantic Avenue (Sussman AGR-PUD) (Control 2000-00032)

Project Manager: Imene Haddad

Size: 743.33 acres <u>+</u>

(affected area 10.20 acres +)

lected area 10.20 acres 1)

<u>Staff Recommendation:</u> Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C-1 and C-2.

MOTION: To recommend approval of an Official Zoning Map amendment from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District subject to the Condition of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to modify the Master Plan to add and delete land area subject to the Conditions of Approval as indicated in Exhibit C2.

6. PDD/CA/W-2021-01361_Title: an Official Zoning Map Amendment application of Pebb Atlantic II LLC & SOCRO LLC, JDR Development, LLC - Jason Sher by WGINC, Agent. Request: to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 9.89 acres

<u>Title:</u> a Class A Conditional Use application of Pebb Atlantic II LLC & SOCRO LLC, JDR Development, LLC - Jason Sher by WGINC, Agent. <u>Request:</u> to allow a Multi-Access and Limited Access Self-Service Storage Facility on 9.89 acres

<u>Title:</u> a Class A Conditional Use application of Pebb Atlantic II LLC & SOCRO LLC, JDR Development, LLC - Jason Sher by WGINC, Agent. <u>Request:</u> to allow a Car Wash on 9.89 acres

<u>Title:</u> a Type 2 Waiver application of Pebb Atlantic II LLC & SOCRO LLC, JDR Development, LLC - Jason Sher by WGINC, Agent. <u>Request:</u> to allow an alternative Type 3 Incompatibility Buffer on 9.89 acres

<u>General Location:</u> South side of Atlantic Avenue, approximately 783 feet east of Lyons Road (Atlantic AGR Commercial and Self Storage) (Control 2021-00083)

Project Manager: Timothy Haynes

Size: 9.89 acres + BCC District: 5

<u>Staff Recommendation:</u> Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C-1 through C-4.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Class A Conditional Use to allow a Multi-Access and Limited Access Self-Service Storage Facility, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Class A Conditional Use to allow a Car Wash, subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of a Type 2 Waiver to allow an alternative Type 3 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-4.

END OF REGULAR AGENDA

COMMENTS

- A. COUNTY ATTORNEY
- **B.** ZONING DIRECTOR
- 7. Title: 2023 Zoning Hearing Calendar
- **C. PLANNING DIRECTOR**
- D. EXECUTIVE DIRECTOR
- **E. COMMISSIONERS**

ADJOURNMENT

