

**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**

Application No.: Z/CA-2023-00660
Application Name: Al Packer Fleet Services
Control No./Name: 2012-00292 (Al Packer Fleet Services)
Applicant: Packer Family Limited PTR
Owners: Packer Family Limited PTR
Agent: JMorton Planning & Landscape Architecture - Alex Ahrenholz
Telephone No.: (561) 721-4463
Project Manager: Imene Haddad, AICP, Senior Site Planner

Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Residential Multifamily (RM) zoning district to the Commercial General (CG) zoning district on 1.58 acres

Title: a Class A Conditional Use **Request:** to allow Heavy Repair and Maintenance on 2.14 acres

APPLICATION SUMMARY: The proposed requests are for the 2.14 acres Al Packer Fleet Services development. The site has no prior Board of County Commissioners (BCC) approvals and is currently vacant.

The request will rezone the site to the General Commercial (CG) to allow for the development of a Heavy Repair and Maintenance use (Class A Conditional Use). The Preliminary Site Plan (PSP) indicates one building with a total of 11,690 square feet (sq. ft.). with 79 parking spaces proposed. Access will be from North Military Trail.

SITE DATA

Location:	East side of North Military Trail, approximately 334 feet South of Elmhurst Road
Property Control Number(s)	00-42-43-25-00-000-1341
Future Land Use Designation:	Commercial High, with an underlying HR-8 (CH/8)
Existing Zoning District:	General Commercial District (CG); Multi-family Residential District (RM)
Proposed Zoning District:	General Commercial District (CG) on the entirety of the site
Total Acreage:	2.14 acres
Tier:	Urban/Suburban
Overlay District:	Westgate Belvedere Homes Community Redevelopment Area Overlay, Urban Redevelopment Area Overlay, Revitalization Redevelopment & Infill Overlay
Neighborhood Plan:	N/A
CCRT Area:	N/A
Municipalities within 1 Mile	Haverhill, West Palm Beach
Future Annexation Area	West Palm Beach
Commission District	District 7, Commissioner Mack Bernard

RECOMMENDATION: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

ACTION BY THE ZONING COMMISSION (ZC): *Scheduled November 2, 2023*

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received no contacts from the public regarding this application.

PROJECT HISTORY: The subject property is vacant and has no prior public hearing approvals.

FINDINGS:

Official Zoning Map Amendment (Rezoning) to a Standards District:

When considering a Development Order application for a rezoning to a Standard Zoning District with or without a Conditional Overlay Zone (COZ), the BCC and ZC shall consider Standards a through g listed under Article 2.B.7.B.2, Standards. The Standards and Staff Analyses are indicated below. An amendment that fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved.

a. Consistency with the Plan - The proposed amendment is consistent with the Plan.

○ *Consistency with the Comprehensive Plan:* The proposed use and amendment to the zoning is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

○ *Relevant Comprehensive Plan Policies:* Future Land Use Element (FLUE) policies 4.3-g and 4.3-k employ planning techniques to facilitate uses with similar or like land uses to provide interconnectivity which reduced potential traffic conflicts along the primary roadway.

- Policy 4.3-g: Where appropriate, similar and/or complementary neighboring land uses shall employ access management techniques such as shared entrances (to reduce the number of curb cuts) and vehicular and/or pedestrian cross access between like development projects (to encourage inter-connectivity both within and between sites, and reduce the need to use the primary street system to access adjacent sites).

- Policy 4.3-k: The County shall require, where feasible, that commercial land uses employ access management techniques, such as shared entrances and vehicular cross access, between adjacent existing and proposed commercial land uses.

The subject site proposes a cross access point to adjacent nonresidential parcels to the north and south of the subject site. Staff is recommending conditions of approval to record a cross access easements in the indicated locations prior to final approval by the DRO, and pave to the property line prior to issuance of the Certificate of Occupancy for the Conditional Use request.

○ *Intensity:* The maximum Floor Area Ratio (FAR) of 0.85 is allowed for a non-residential project with a Commercial High (CH) Future Land Use designation in the Urban/Suburban Tier. (93,075 sq. ft. or 2.14 ac x .85 = 79,113.7 sq. ft. maximum). The request for 11,690 sq. ft. equates to a FAR of approximately 0.13 (11,690 sq. ft. / 93,075 sq. ft. = 0.13).

○ *Special Overlay District/ Neighborhood Plan/Planning Study Area:* The request is located within the Urban Redevelopment Area (URA) and the Westgate Community Redevelopment Area (WCRA). The WCRA issued a letter May 9, 2023 with a recommendation of approval for the request. The WCRA letter provides no further conditions or comments.

b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

The requests for this application include rezoning to General Commercial (CG) Zoning District on a portion of the overall 2.14 acre. Approximately one and a quarter acres is already zoned CG. The rezoning will allow the entire parcel to have one consistent zoning classification.

○ *Property Development Regulations (PDRs):* In order to implement the form-based code outlined in the WCRA plan, additional PDRs are established for the seven sub-areas of the overlays. The ULDC requires that developments within the WCRAO utilize the PDRs of the Sub-area in which they are located. The property is in compliance with Table 3.B.14.F – WCRAO Non-Residential and Mixed-Use Sub-area PDRs including the minimum lot frontage and depth, building coverage, setbacks, and maximum number of stories and building height, and meets frontage and access requirements for the UH Urban Highway sub-area.

○ *Overlays:* The subject site is located within two overlays Westgate Community Redevelopment Area Overlay (WCRAO) and the Urban Redevelopment Area Overlay (URAO).

- *WCRAO:* The site is located within the boundaries of the UH, Urban Highway subarea within Westgate Community Redevelopment Overlay and the Urban Redevelopment Area (WCRAO). Pursuant to Art. 3.B.14.A, the intent of the WCRAO is to remove blighted conditions and enhance the PBCs tax base. As this property has been vacant, the development of the parcel will align with the intent WCRAO. As mentioned, the Applicant has utilized the required PDRs of the UH Sub-area of the Overlay and has sought to meet or exceed the requirements of the Overlay.

- *URAO:* The subject site is within the boundaries of the URA, but is not designated within the Priority Redevelopment Area (PRA). For this specific site, the requirements of the WCRAO apply.

- *Revitalization, Redevelopment and Infill Overlay:* Objectives and Policies of the Plan require and encourage redevelopment within this area. *“The County shall establish incentives and make resources available, when feasible, to encourage revitalization, redevelopment, and infill in areas identified as a RRIO that are in need of assistance. The County shall work closely with*

residents, businesses, property owners, governmental agencies, and stakeholders to advance concepts and strategies that guide future revitalization, redevelopment, and infill activities in these areas.” The subject site is adjacent to the Myla, Myrtle Vilma Area, Haverhill East, and Pin Ridge Cherry Lane CCRT areas.

○ **Access:** Access and frontage for the subject site is proposed to be off North Military Trail. North Military Trail is an Arterial street, which satisfies the requirement of Art. 3.E.1.C.2.a., Access and Circulation. A 30-foot cross access easement is proposed on the south side of the property.

c. Compatibility with Surrounding Uses - *The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.*

The proposed rezoning will be compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. The site is located on the existing commercially developed North Military Trail corridor where there are currently several vehicular-oriented uses. North of the subject site is a commercial development with a mix of Office and retail uses (Control No. 2007-460). To the west of the site is the Repair and Maintenance use and Vehicle Sales and Rental use known as the “Foreign Affairs Auto” (Control No. 1997-00067) and the Tuff Coat Pain and Body shop and to the south is the worship place known as Eglise Evangelique Baptiste (Control No. 1980-00229) both within the CG zoning district. The Dunworth Office Warehouse is south of the property (Control No. 2005-00076).

d. Effect on Natural Environment – *The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

○ **Vegetation Protection:** The application request does not impact native vegetation.

○ **Wellfield Protection Zone:** This property is not located within Wellfield Protection Zone.

○ **Irrigation Conservation Concerns And Surface Water:** All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.

○ **Environmental Impacts:** There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

e. Development Patterns – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

The proposed rezoning to CG district for the portion of the site, will allow the redevelopment of the site with commercial uses, including the proposed commercial use for Heavy Repair and Maintenance. The location of the proposed use has a frontage on North Military which is a commercial corridor within the WCRAO overlay where other vehicular oriented uses are located. Development of the site is planned for the development pattern of this area. Rezoning to have the entire parcel with a consistent zoning classification is logical.

f. Adequate Public Facilities – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

ENGINEERING COMMENTS:

The proposed Auto Repair and Maintenance facility is expected to generate 194 net daily trips, 22 net AM peak trips, and 24 net PM peak hour trips.

The build out of the project is assumed to be by 2028.

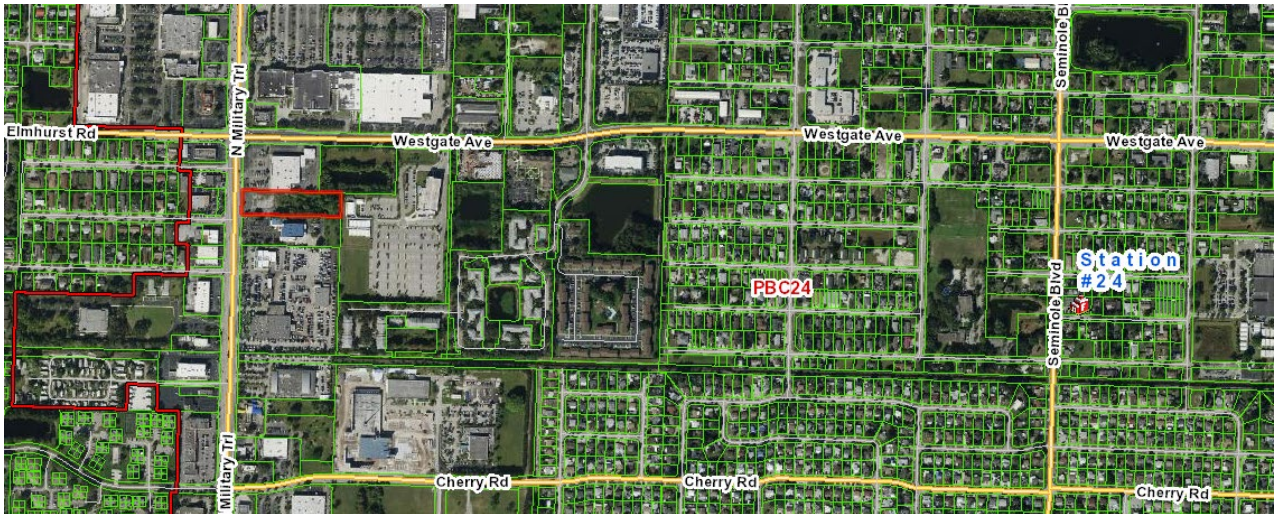
The project will have insignificant impacts (as per the definition in PBC Traffic Performance Standards) on the area roadways and thus meets the standards.

PALM BEACH COUNTY HEALTH DEPARTMENT: This project has met the requirements of the Florida Department of Health.

WATER AND WASTEWATER PROVIDER: The Water and Wastewater provider will be Palm Beach County (PBC) Water Utilities Department (WUD). In accordance with their letter dated August 14, 2022, they have stated the following, “*The Palm Beach County Water Utilities Department is willing and able to*

provide the following utility service(s) to the property identified below, and will reserve the indicated utility capacity, in Equivalent Residential Connections (ERCs), for a period not to exceed five (5) years from the date of this letter.” Prior to the issuance of any building permit, the Applicant/Property Owner must secure permits and approvals for water and wastewater to the subject site from PBC WUD.

FIRE PROTECTION: Staff has reviewed this application and have no comments. The subject site is located within the boundaries of PBC Fire Station #24.



SCHOOL IMPACTS:
The School Board has no comment regarding this non-residential application.

PARKS AND RECREATION:
This is a non-residential project, therefore the Parks and Recreation Department ULDC standards do not apply.

g. Changed Conditions or Circumstances – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

As indicated in the Applicant’s Justification statement, “the property currently has CG and RM zoning designation with an underlying CH land use over the entire site. Rezoning the entire Property to CG will allow the development of a commercial use, consistently with the corridor.” The development of this property will align with the intent of the WCRAO through the removal of blighted conditions associated with this vacant property, and will allow for the enhancement and increase in the tax base within the Overlay. The Applicant has demonstrated changed circumstances that necessitate the proposed requests for the rezoning and the conditional use.

FINDINGS:

Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

When considering a Development Order application for a Rezoning to a PDD or a TDD, a Conditional Use, excluding Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF), or a Development Order Amendment, the BCC and ZC shall utilize the Standards a – h listed in Article 2.B.7.B, Standards. The Standards and Staff Analyses are indicated below. A Conditional Use, Rezoning to PDD or TDD, or Development Order Amendment that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

a. Consistency with the Plan – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

○ *Consistency with the Comprehensive Plan:* The proposed use and amendment to the zoning are consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use. The all-inclusive analysis for both the Official Zoning Map Amendment and the Conditional Use is provided above under Standard a. for the Official Zoning Map Amendment.

b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

The proposed Class A Conditional Use for Heavy Repair and Maintenance is not in conflict and is consistent with the Code. Pursuant to ULDC Table 3.B.14.E – WCRAO Sub Area Use Regulation and Table 4.B.2.A, Commercial Use Matrix. The proposed use also is in compliance with Art. 4.B.2.C.28, Repair and Maintenance, Heavy, the proposed use as it exceed the minimum setback requirement of 100 from any parcel with a RM Flu designation. The Preliminary Site Plan (PSP), indicates a 11,690 sq.ft. building.

- *Architectural Review:* The proposed use must comply with the requirements of Article 5.C. Building elevations and the Visual Impact Analysis will be provided and reviewed by Zoning Staff at time of building permit.

- *Parking:* Consistent with ULDC Art. 6.A.1.A, Purpose and Intent as it relates to on-site parking and site circulation, to ensure the design and function, parking, and pedestrian circulation, driveways, and access are efficient and safe, 79 parking spaces are proposed exceeding the 47 minimum required by the ULDC, pedestrian walkways traversing vehicular use areas are separate from handicapped spaces, and the principal structure encompassing the proposed use is encircled by a continuous two-way drive aisle.

- *Landscape/Buffering:* The PSP indicates a 20-foot R-O-W buffer along North Military Trail. In addition along the north property line, an 8-foot compatible buffer is proposed along the north and south property. A 15-foot incompatibility buffer is proposed for the east property line, buffering the commercial use from the adjacent residential development.

- *Signs:* *The Applicant has submitted a Preliminary Master Sign Plan (Figure 5) that meets the requirements of Article 8. The Applicant is proposing to install one free standing sign along North Military Trail that will be a maximum 15 feet on height and 150 sq.ft. Furthermore, the Preliminary Master Sign Plan indicates three wall signs, one with a maximum of 77 sq.ft. and the other two with a maximum 79 sq.ft. All proposed signage are consistent with the requirements of Art. 8, Signage, as well as the as the Technical Manual requirements outlined in Title 5, Signage.*

c. Compatibility with Surrounding Uses – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

The proposed Class A Conditional Use for Heavy Repair and Maintenance is compatible with the zoning and land uses surrounding the property. As it is consistent with the Rezoning to the CG Zoning District, the proposed use is consistent with the surrounding vehicle-oriented uses. Furthermore, a cross-access easement is proposed between the adjacent, compatible commercial uses.

d. Design Minimizes Adverse Impact – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

The proposed Class A Conditional Use for Heavy Repair and Maintenance minimizes potential adverse impacts to the surrounding properties. The required Type 2 Incompatibility Buffer is located to the east of the subject property in addition to the proposed setbacks exceeding minimum requirements and the building location to the west portion of the site close to Military trail. The ULDC requires that developments within the WCRAO utilize the PDRs of the Sub-area in which they are located. Pursuant to ULDC Table 3.B.14.F – WCRAO Non-Residential and Mixed-Use Sub-area PDRs, a minimum rear setback of 25 feet is required, while the PSP indicates a the proposed principal structure has a rear (east) setback of 341 feet. A minimum side interior setback of 15 feet is required, while a setback of 36 feet from both the north and south side setback is proposed. The building placement is closer to Military trail and will generally align with the buildings fronting to the north and south. Parking and storage of the vehicles pending maintenance occurs at the rear of the property.

e. Design Minimizes Environmental Impact – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

- *Vegetation Protection:* The application request does not impact native vegetation.

- *Wellfield Protection Zone:* This property is not located within Wellfield Protection Zone.

- *Irrigation Conservation Concerns And Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non stormwater discharge or the

maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.

o *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

f. Development Patterns – *The proposed use or amendment will result in a logical, orderly and timely development pattern.*

The proposed use will not be inconsistent with the development pattern of the area. A portion of the site has been zoned commercial since 1957. Development of the repair and maintenance use would be a logical use along this arterial roadway. Institutional and Retail auto sales and services uses are within proximity to the subject site. The Repair and maintenance use will be an orderly and logical use within the pattern of uses along the east side of the road. This use may also be able to serve the communities along the west side of Military Trail. Development approvals in the vicinity with access and frontage on North Military Trail, specifically within the past 20 years, have been for the construction of predominantly commercial uses. Development of commercial use within this area is a consistent development pattern with surrounding lots.

g. Adequate Public Facilities – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

The proposed use is consistent with the requirements for Adequate Public Facilities. An all-inclusive analysis for both the Official Zoning Map Amendment and the Conditional Use is provided above pursuant to Standard f. Adequate Public Facilities for the Official Zoning Map Amendment.

h. Changed Conditions or Circumstances – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

The Applicant has indicated in his Justification Statement that the Property has been vacant for 10 years and needs development of a use that is compatible with the area. They have stated that this facility will be utilized by an existing business on the corridor and provides an essential service for public and private entities with vehicle fleets in South Florida. As previously stated, the development of this property will align with the intent of the WCRAO.

CONCLUSION: Staff has evaluated the standards listed in Article 2.B, and determined the there is a balance between the need for change and the potential impacts generated by Official Zoning Map Amendment and Class A Conditional. Therefore, Staff is recommending approval of the request, subject to the Conditions of Approval as indicated in Exhibit C-1 and C-2.

CONDITIONS OF APPROVAL

EXHIBIT C-1

DISCLOSURE

1. All applicable State or Federal permits shall be obtained before commencement of the development authorized by this Development Permit.

CONDITIONS OF APPROVAL

EXHIBIT C-2

Class A Conditional Use – 2.14 acres

ALL PETITIONS

1. The approved Preliminary Site Plan is dated September 20, 2023. 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: ZONING - Zoning)

ENGINEERING

1. No Building Permits for the site may be issued after December 31, 2028, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. The Property Owner shall provide to the Florida Department of Transportation (FDOT), a road right of way deed and all associated documents as required by FDOT for Military Trail, for the expanded intersection of Okeechobee Boulevard and Military Trail as approved by the FDOT or County Engineer.

All right of way deed(s) and associated documents shall be provided and approved prior to the issuance of the first building permit. Right of way conveyance shall be along the project's entire frontage and shall be free and clear of all encumbrances and encroachments. Property Owner shall provide FDOT with sufficient documentation, including, at a minimum, sketch and legal description of the area to be conveyed, copy of the site plan, a Phase I Environmental Site Assessment, status of property taxes, statement from Tax Collector of delinquent and pro-rata daily taxes, full owner name(s) of area to be conveyed, and one of the following: title report, attorney's opinion of title, title commitment or title insurance policy, or as otherwise required and acceptable to FDOT. The Property Owner must warrant that the property being conveyed to FDOT meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County and FDOT harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate, as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall coordinate conveyance of right of way directly with FDOT and shall provide evidence to Palm Beach County Land Development Division once conveyance has been completed. (BLDGPM: MONITORING - Engineering)

ENVIRONMENTAL

1. Prior to the final approval by the Development Review Officer, a Tree Preservation Area Management Plan shall be provided to ERM for review and approval. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

2. All mitigation plantings shall be planted on-site or as approved by ERM. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

3. The areas to be planted with vegetation surrounding the Tree Preservation Area (i.e., in the dry detention and buffers) shall utilize species native to South Florida, or as approved by ERM in writing. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

4. Prior to the final approval by the Development Review Officer, a Phase II Environmental Site Assessment shall be submitted to the Department of Environmental Resources Management (ERM). If the results of the Phase II Environmental Site Assessment indicate areas of on-site contamination, the project shall be referred to the Florida Department of Environmental Protection (FDEP) for the development of a mitigation plan and to oversee the remediation on the site. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

PLANNING

1. Prior to Final Approval by the Development Review Officer (DRO), in a form approved by and acceptable to the County Attorney's Office, submit a recorded cross access easement agreement, for the location depicted on the Site Plan. (DRO: PLANNING - Planning)

2. Prior to Final Approval by the Development Review Officer (DRO), the Property Owner shall revise the Site Plan to add the Official records book and page number for the recorded cross access easement. (DRO: PLANNING - Planning)
3. Prior to the release of the Certificate of Occupancy (CO), the Property Owner shall construct, and pave to the property line, the cross access as shown on the Final Site Plan. (CO: MONITORING - Planning)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: ZONING - Zoning)
2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:
- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
 - b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
 - c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
 - d. Referral to Code Enforcement; and/or
 - e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit

Figure 1 - Land Use Map



Zoning Commission

Application No. Z/CA-2023-00660

November 2, 2023

Page 10

AI Packer Fleet Service

Figure 2 - Zoning Map

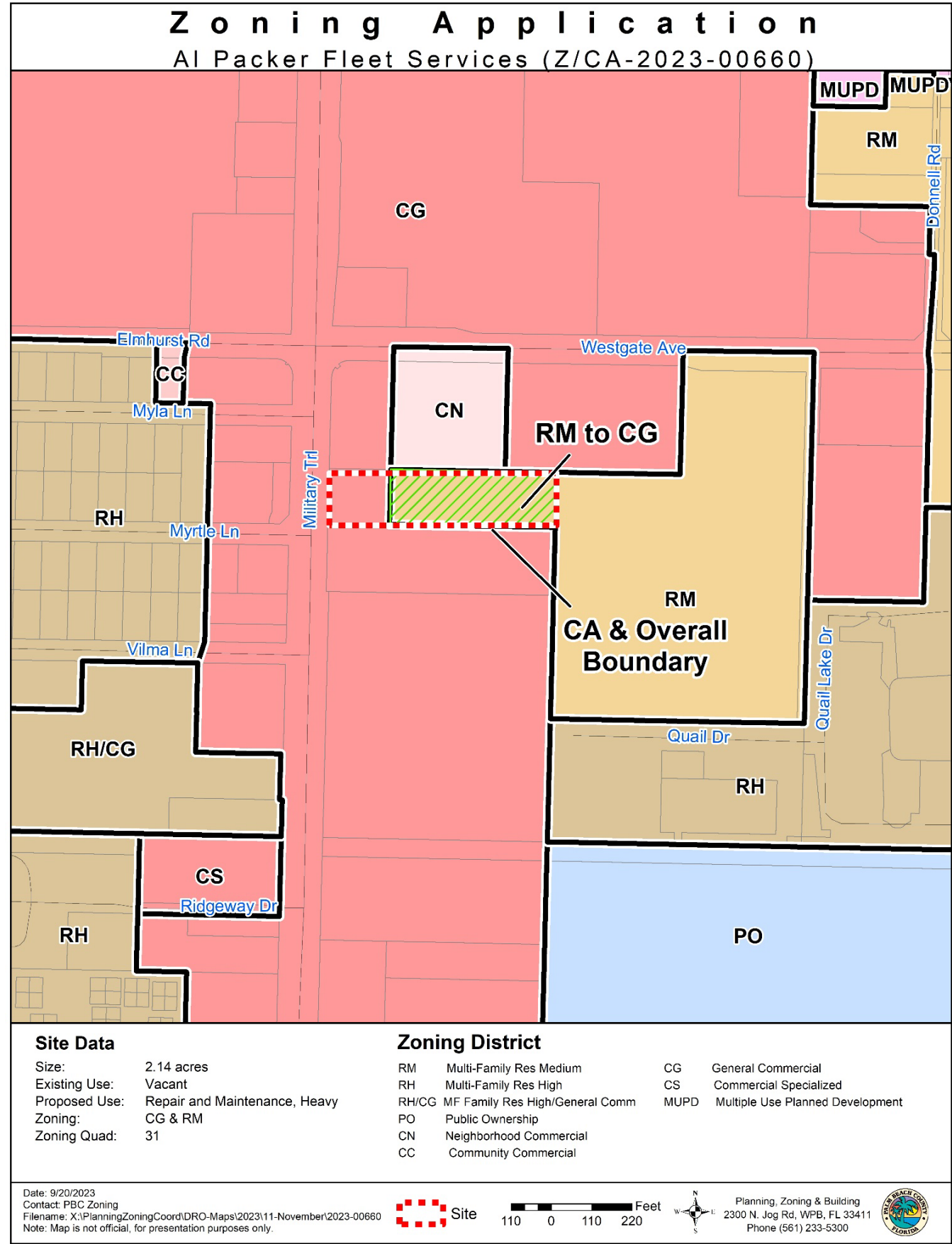


Figure 4 – Preliminary Site Plan Zoom in dated September 20, 2023

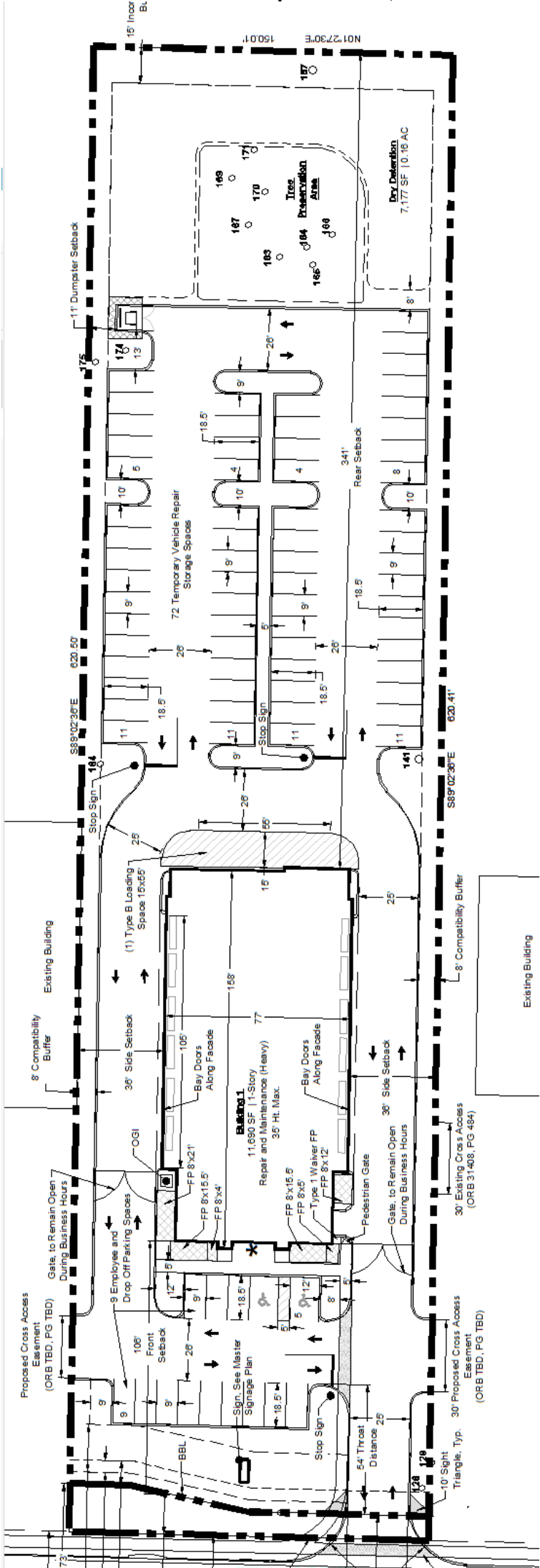


Figure 5 – Preliminary Master Sign Plan dated August 28, 2023

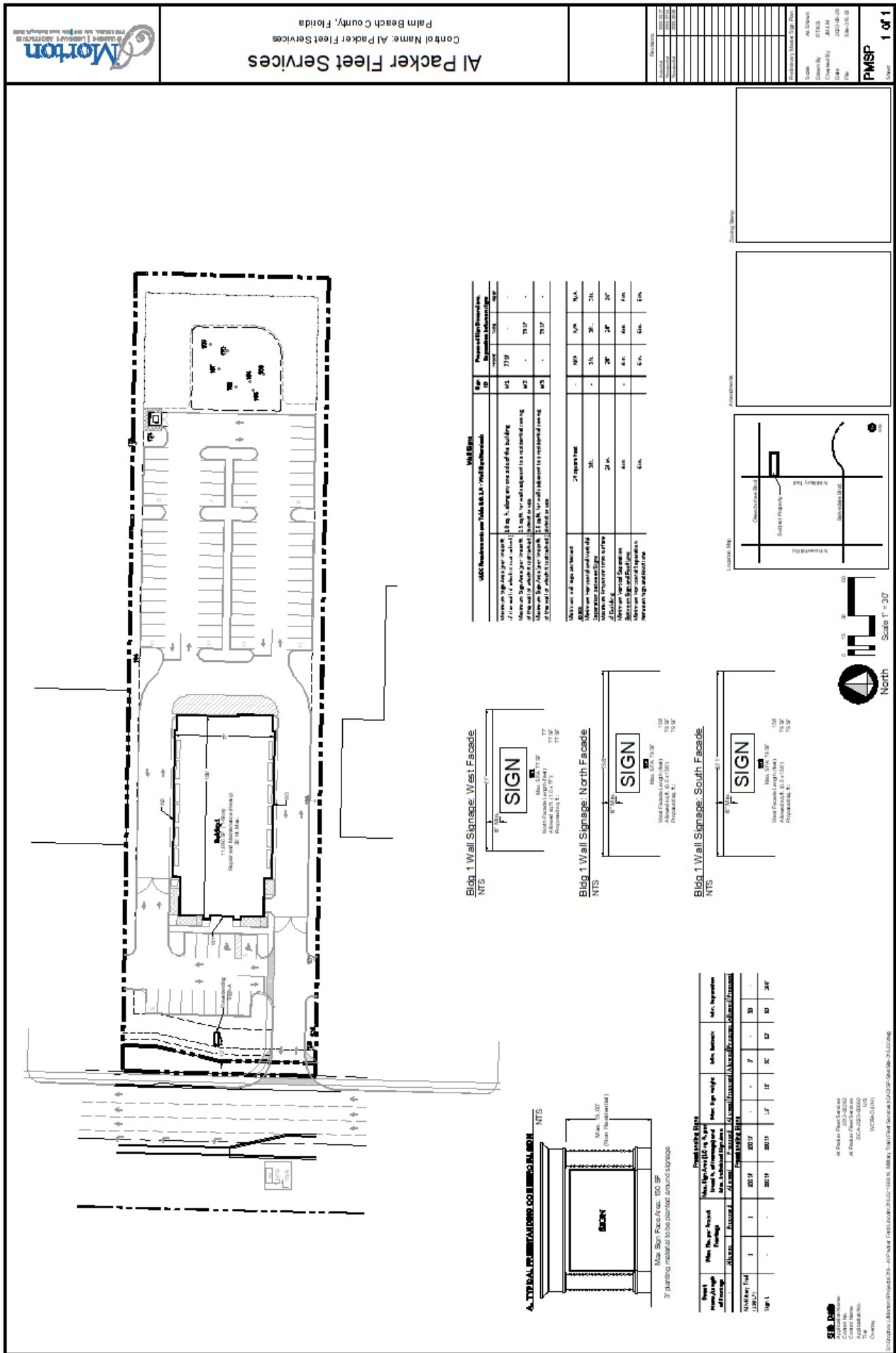


Exhibit D – Disclosure of Ownership

PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Mark Packer, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

- 1. Affiant is the [] individual or [x] Authorized Agent *[position - e.g., president, partner, trustee]* of Packer Family Limited Partnership II *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
- 2. Affiant's address is: 9801 Pulaski Hwy
Baltimore, MD 21220
- 3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
- 4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
- 5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
- 6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

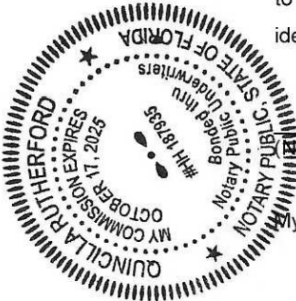


Mark Packer, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 4th day of April, 2023 by Mark Packer (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).



(Name - type, stamp or print clearly)
My Commission Expires on: 10/17/2025



(Signature)

NOTARY'S SEAL OR STAMP

EXHIBIT "A"

PROPERTY

The North 150 feet of the South half of the North half of the West half of the Southwest Quarter of the Northeast Quarter of Section 25, Township 43 South, Range 42 East, LESS the Right-of-way of Military Trail (State Road 809) as same is shown in Road Plat Book 2, Page 233, of the Public Records of Palm Beach County

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
Mark A. Packer	2012 IRR Trust 1530 Military Trail WPB FL 33409
IRR Trust DTD 12/26/89 FBO Elliott L. Packer	9801 Pulaski Hwy Baltimore MD 21220
IRR Trust DTD 12/27/89 FBO Natalie P. Freedman	1530 Military Trail WPB FL 33409



April 17, 2023
Rev. July 24, 2023

Re: **Drainage Statement for Al Packer Fleet and Truck Center**
1668 N. Military Trail
West Palm Beach, Florida 33409
SEC 25, TWP 43S, RGE 42E
PCN: 00424325000001341
LDi Project No. 21-057

This drainage statement is prepared for the proposed Al Packer Fleet and Truck Center property located at 1668 North Military Trail West Palm Beach, Florida 33409, which consists of approximately 2.14 acres of vacant land.

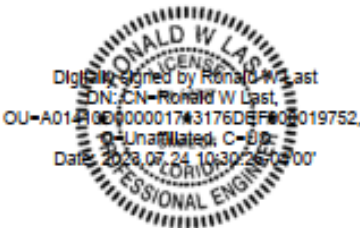
The proposed site consists of approximately 11,609 square feet of building footprint and associated paved parking and drive aisle area. The site proposes a dry detention area and pervious open green space area.

Onsite stormwater management for this project will be accomplished with a combination of onsite dry detention area, interconnected culvert pipes and drainage inlets and exfiltration trench (as required) that will provide for the calculated water quality runoff volume and sufficient onsite stormwater runoff storage. The site is bounded to the west by Military Trail that has its own internal drainage system, to the east by The School Board of Palm Beach County property with its own internal water management system, to the south by an existing church site with an internal stormwater management system and to the north by an existing commercial development with a stormwater management system. Therefore, there are no off-site inflows to the site.

The site is located in a Flood Zone "X" as determined by FEMA, and is situated in the SFWMD C-51 Basin, Sub-basin 25B and will be designed to meet C-51 Basin requirements of the 100-year flood stage of 14.2 NGVD. Offsite discharge will be accomplished through an approved discharge control structure providing a maximum discharge of 35 CSM for a 10 year-3 day storm event, which will direct runoff to the Military Trail, Florida Department of Transportation (FDOT), drainage system via overland flow and serving as the site's point of Legal Positive Outfall.

1860 Old Okeechobee Road, Suite 504 • West Palm Beach, FL 33409 • Phone: 561-615-6567 • Fax: 561-683-0872
www.lastdevenport.com

The property owner recognizes that any development of the existing property must be in accordance with applicable regulatory requirements in place at the time of submission including, but not limited to, Palm Beach County, FDOT, NPDES and SFWMD including C-51 East Basin compensating storage requirements.



Ronald W. Last, P.E.
FL Reg. No. 38707
EB# 9889

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY RONALD W. LAST, P.E. ON 07/24/2023.
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

1860 Old Okeechobee Road, Suite 504 • West Palm Beach, FL 33409 • Phone: 561-615-6567 • Fax: 561-683-0872
www.lastdevenport.com

To: Zoning Division
PBC Planning, Zoning, & Building Department

Date: August 14, 2023

Re: PZ&B Application #: Z/CA-2023-00660
Project Name – Al Packer Fleet Services

Service Type	Capacity (in ERCs)
Potable Water	5.80
Wastewater	5.80
Reclaimed Water	

The above capacity is reserved for the following property:

Before the five (5) year period expires, the Developer must pay all Service Initiation Fees and connect to the Department's facilities, or for projects greater than 18.3 ERCs, enter into a Standard or Non-Standard Development Agreement to maintain this capacity reservation. This memorandum does not represent a contract for service, and the Developer remains obligated to meet all of the requirements of the Water Utilities Department prior to obtaining utility service.

Date: 16-Aug-23

THIS PAGE LEFT BLANK INTENTIONALLY