

RESOLUTION NO. R-2026-0491

RESOLUTION APPROVING ZONING APPLICATION DOA-2024-00254
(CONTROL NO. 2010-00352)
a Development Order Amendment
APPLICATION OF Power Diesel Truck Parts II Corporation - Rafael Leyva
BY Arc Development Global, LLC, AGENT
(934 Pike LLC)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application DOA-2024-00254 was presented to the Board of County Commissioners at a public hearing conducted on April 23, 2026;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, the recommendations of the various County Review Agencies, and the recommendation of the Zoning Commission;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Development Order Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Zoning Application DOA-2024-00254, the Application of Power Diesel Truck Parts II Corporation - Rafael Leyva, by Arc Development Global, LLC, Agent, for a Development Order Amendment to modify and delete the Conditional Overlay Zone Conditions of Approval on 1.91 acres, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on April 23, 2026, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Weiss moved for the approval of the Resolution.

The motion was seconded by Commissioner Flores and, upon being put to a vote, the vote was as follows:

- Commissioner Sara Baxter, Mayor - Aye
- Commissioner Marci Woodward, Vice Mayor - Aye
- Commissioner Maria G. Marino - Aye
- Commissioner Gregg K. Weiss - Aye
- Commissioner Joel G. Flores - Aye
- Commissioner Maria Sachs - Aye
- Commissioner Bobby Powell, Jr. - Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on April 23, 2026.

Filed with the Clerk of the Board of County Commissioners on April 23, 2026.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.


APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
COMMISSIONERS

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY

MICHAEL A. CARUSO
CLERK & COMPTROLLER

BY: 

COUNTY ATTORNEY

BY: 

DEPUTY CLERK




EXHIBIT A

LEGAL DESCRIPTION

ALL OF THE PLAT OF 934 PIKE ROAD RECORDED IN PLAT BOOK 125, PAGE 148,
IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 1.905 ACRES MORE OR LESS

EXHIBIT B
VICINITY SKETCH

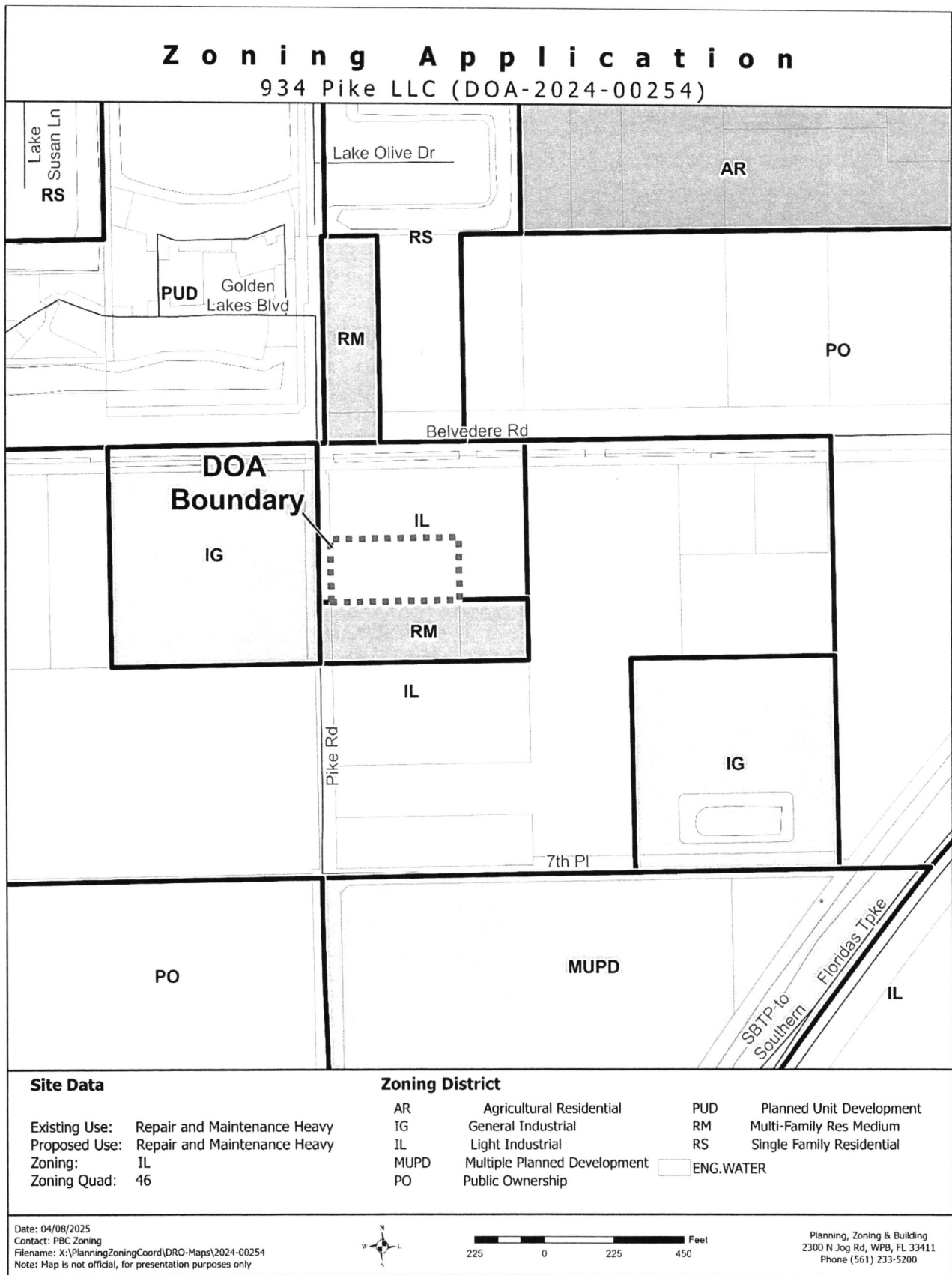


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment

ALL PETITIONS

1. All previous Conditions of Approval applicable to the subject property, as contained in Resolution 2015-1731 (Control 2010-00352), have been consolidated as contained 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 (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Prior to the first Building Permit or December 31, 2027, whichever occurs first, the Property Owner shall pay Palm Beach County all outstanding Liens/Fines to Palm Beach County. The Property Owner shall provide copy of receipt of payment to the Zoning and Code Enforcement Divisions. (BLDG/PMT/DATE: MONITORING - Code Enforcement)

3. All uses on the subject property shall cease until the use obtains the required permits and final approvals to implement the use. (ONGOING: CODE ENF - Zoning)

ENGINEERING

1. Previous ENGINEERING Condition 1 of Resolution R-2015-1731, Control No.2010-00352, which currently states:

In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2019. 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)

Is hereby amended to read:

In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:

a. The Buildout Date is December 31, 2028. No Building Permits for the site may be issued after December 31, 2028. 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. Prior to issuance of the first building permit the property owner shall combine the property into a single lot of record in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDG/PMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2015-1731, Control No.2010-00352)

3. Previous ENGINEERING Condition 3 of Resolution R-2015-1731, Control No.2010-00352, which currently states:

Property owner shall construct a 5 foot concrete sidewalk along the property frontage along the east side of Pike Road. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. These improvements shall be completed concurrently with the onsite paving and grading and shall be completed prior to the issuance of the first building permit. Alternatively, the property owner may provide funds to Palm Beach County to construct the sidewalk based on 110% of a cost estimate prepared by a professional engineer and approved by the County Engineer.

Is hereby amended to read:

Property Owner shall construct a minimum 5' foot wide concrete sidewalk along the east side of Pike Road along the property's entire frontage. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. The sidewalk shall be

completed prior to April 1, 2027 or prior to the issuance of the next certificate of occupancy, whichever shall occur first. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the condition shall be considered satisfied. (BLDGPM/CO/DATE: MONITORING - Engineering)

4. The property owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The property owner shall provide drainage easements, as required, to accommodate offsite drainage.
- a. Drainage study shall be provided the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering) [Note: COMPLETED]
 - b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM/CO/DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2015-1731, Control No.2010-00352)

HEALTH

1. Previous HEALTH Condition 1 of Resolution R-2015-1731, Control No.2010-00352, which currently states:

Wastewater and water service is available to the property. Therefore, no onsite sewage treatment and disposal system (OSTDS) or potable water well will be permitted. All existing OSTDS and potable water well systems shall be abandoned in accordance with Chapter 64E-6, and 8 F.A.C. respectively. (ONGOING: HEALTH-Health) (ONGOING: HEALTH DEPARTMENT - Health Department)

Is hereby deleted. [REASON: Code Requirement]

LANDSCAPE - GENERAL

1. Prior to the issuance of any permits for the subject property, a landscape inspection shall be required to ensure preservation and barricading of the Simarouba glauca (Paradise Tree, Bitterwood). All tree protection measures utilized shall remain in place for the duration of all construction phases. (BLDGPM/CO/DATE: ZONING - Zoning) (Previous LANDSCAPE - GENERAL Condition 2 of Resolution R-2015-1731, Control No.2010-00352)

LANDSCAPE - PERIMETER-NORTH PROPERTY LINE

2. Previous LANDSCAPE - PERIMETER Condition 3 of Resolution R-2015-1731, Control No.2010-00352, which currently states:

The landscaping and buffer width along the north property line shall include:

- a. a minimum fifteen (15) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
- b. a minimum eight (8) foot high concrete wall along the east 250 feet of the north property line;
- c. a minimum six (6) foot high chain link fence along the west 165 feet of the north property line;
- d. one (1) canopy tree per twenty (20) linear feet; and
- e. a continuous four (4) foot high hedge to be planted on the outside of the fence and the wall. (ONGOING: ZONING - Zoning)

Is hereby deleted. [REASON: No longer applicable as the parcel to the north was rezoned to Industrial.]

LANDSCAPE - PERIMETER-SOUTH PROPERTY LINE

3. Previous LANDSCAPE - PERIMETER Condition 4 of Resolution R-2015-1731, Control No.2010-00352, which currently states:

The landscaping and buffer width along the south and east property lines shall include:

- a. a minimum of ten (10) foot wide landscape buffer strip;
- b. a minimum eight (8) foot high concrete wall along the east property line;
- c. a minimum eight (8) foot high concrete wall along the east 250 feet of the south property line;
- d. a minimum six (6) foot high chain link fence along the west 165 feet of the south property line;
- e. one (1) canopy tree per twenty (20) linear feet;
- f. a continuous four (4) foot high hedge to be planted on the outside of the fence and the wall.

Is hereby amended to read:

The landscaping and buffer width along the south property line shall include:

- a. a minimum of ten (10) foot wide landscape buffer strip;
- b. a minimum eight (8) foot high concrete wall along the east 250 feet of the south property line;
- c. a minimum six (6) foot high opaque fence along the west 165 feet of the south property line where the preliminary site plan dated September 18, 2015, indicates required parking (not storage). If the site is revised to provide outdoor storage along the south property line, then the entire buffer shall include a wall;
- d. one (1) canopy tree per twenty (20) linear feet;
- e. a continuous four (4) foot high hedge to be planted on the outside of the fence and the wall. (BLDG/PMT/ONGOING: ZONING - Zoning)

LIGHTING

1. All outdoor, freestanding and structure mounted lighting fixtures shall not exceed twenty (20) feet in height measured from finished grade to highest point. (ONGOING: BUILDING DIVISION - Zoning) (Previous LIGHTING Condition 1 of Resolution R-2015-1731, Control No.2010-00352)
2. All outdoor lighting shall be extinguished no later than 7:30 P.M., excluding security lighting only. (ONGOING: CODE ENF - Zoning) (Previous LIGHTING Condition 2 of Resolution R-2015-1731, Control No.2010-00352)
3. The lighting conditions above shall not apply to proposed low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF - Zoning) (Previous LIGHTING Condition 3 of Resolution R-2015-1731, Control No.2010-00352)

USE LIMITATIONS

1. The hours of operation for the outdoor activities on the site shall be limited to 6:00 AM to 7:00 PM on Monday through Saturday. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-2015-1731, Control No.2010-00352)

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: MONITORING - 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.