

RESOLUTION NO. R-2026-0612

RESOLUTION APPROVING ZONING APPLICATION DOA/CA-2025-00502  
(CONTROL NO. 1984-00079)  
a Development Order Amendment  
APPLICATION OF Current Capital Realty, Inc., Coco Plum Plaza, LLC  
BY Bowman Consulting Group, AGENT  
(Del Taco West Palm Beach)

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/CA-2025-00502 was presented to the Board of County Commissioners at a public hearing conducted on May 28, 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/CA-2025-00502, the Application of Current Capital Realty, Inc., Coco Plum Plaza, LLC, by Bowman Consulting Group, Agent, for a Development Order Amendment to modify the previously approved Special Exception of a Planned Commercial Development to add a building, square footage, and a use, with modifications to the associated site elements on 4.43 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 May 28, 2026, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marino moved for the approval of the Resolution.

The motion was seconded by Commissioner Woodward 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 May 28, 2026.

Filed with the Clerk of the Board of County Commissioners on May 28, 2026.

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

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:   
\_\_\_\_\_  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

MICHAEL A. CARUSO,  
CLERK & COMPTROLLER

BY:   
\_\_\_\_\_  
DEPUTY CLERK



**EXHIBIT A**

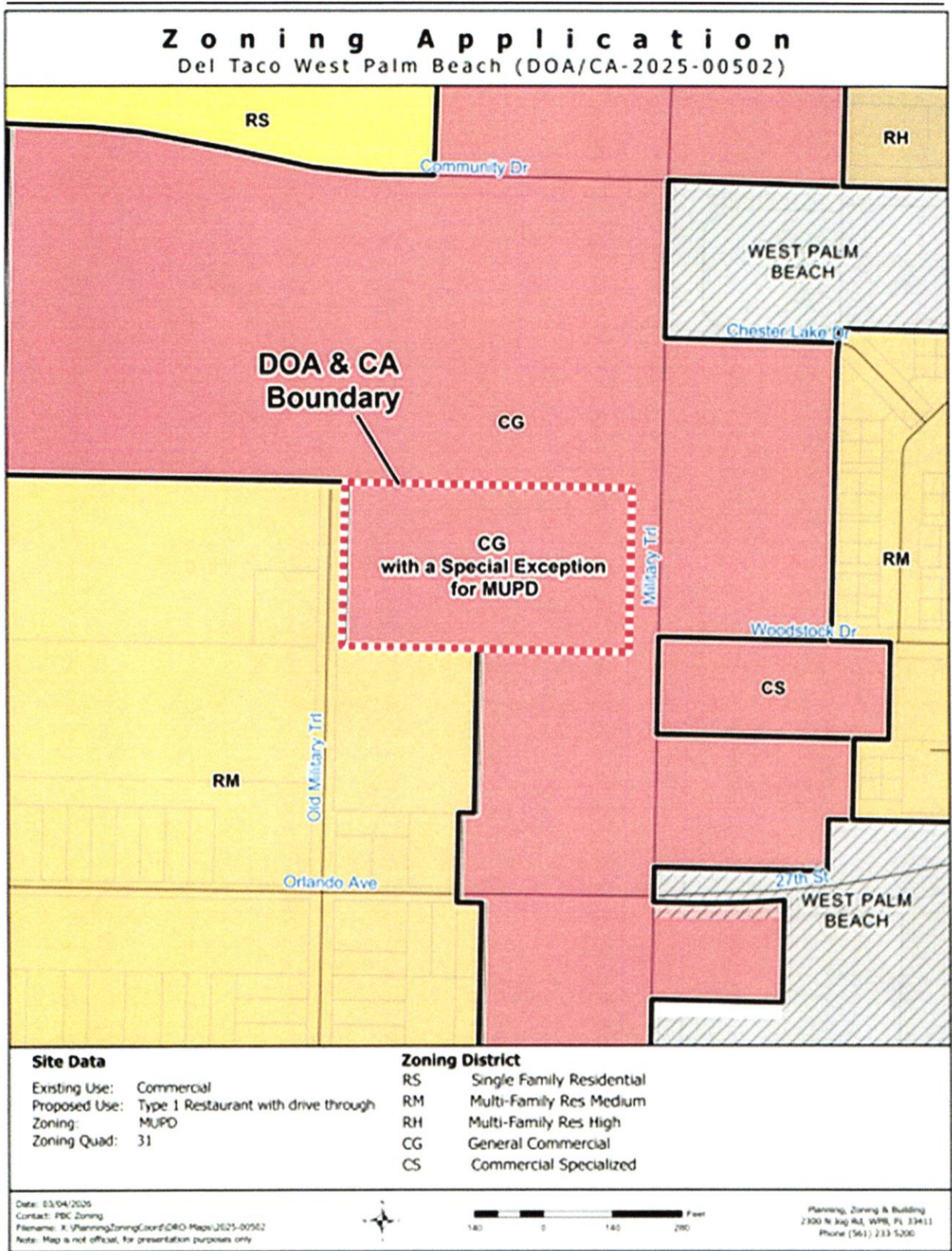
**LEGAL DESCRIPTION**

THE NORTH  $\frac{1}{2}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 24, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PLAM BEACH COUNTY, FLORIDA, LESS THE EAST 50 FEET THEREOF FOR RIGHT-OF-WAY DEEDED TO PALM BEACH COUNTY IN DEED BOOK 931, PAGE 444, OF THE PUBLIC RECORDS OF PLAM BEACH COUNTY, FLORIDA AND LESS ROAD RIGHT-OF-WAYS CONVEYED TO PALM BEACH COUNTY IN OFFICIAL RECORD BOOK 4531, PAGE 253, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 192,955 SQUARE FEET OR 4.43 ACRES MORE OR LESS

EXHIBIT B

VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### Development Order Amendment

##### ALL PETITIONS

1. Resolution R-1994-947 which approved a corrective resolution for R-1994-363 is hereby revoked. (ONGOING: MONITORING - Zoning) (Previous ALL PETITIONS Condition 1 of Resolution R-2011-2, Control No.1984-00079)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2011-2, Control No.1984-00079, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-1994-363 (Control 1984-79 A) 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 or Zoning Commission, unless expressly modified.

##### Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-1994-363 (Control 1984-79 A), and R-2011-0002 (Control No. 1984-00079) 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 or Zoning Commission, unless expressly modified. (ONGOING: MONITORING - Zoning)

3. The approved Preliminary Site Plan dated is March 18, 2026. 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. (ONGOING: ZONING - Zoning)

##### ARCHITECTURAL REVIEW

1. All mechanical and air conditional equipment to be roof mounted and screened with parapets or be contained within the enclosed loading and service area. (ONGOING: BUILDING DIVISION - Zoning) (Previous BUILDING Condition 1 of Resolution R-2011-2, Control No.1984-00079)

2. The west facade of the shopping center shall, be given architectural treatment consistent with the front of the center to avoid an incompatible industrial appearance impact upon nearby residential development. (ONGOING: BUILDING DIVISION - Zoning) (Previous BUILDING Condition 2 of Resolution R-2011-2, Control No.1984-00079)

3. Prior to the issuance of the Certificate of Occupancy for the Type I Restaurant with drive-through (Building B), the Property Owner shall repaint the existing buildings on the property with the same primary color(s) as provided for the proposed Building B. (BLDG/PMT/CC: BUILDING DIVISION - Zoning)

##### ENGINEERING

1. The property owner shall convey for the ultimate right of way of:

a. Military Trail, 60 feet from centerline.

b. Old Military Trail, 30 feet from centerline. (ONGOING: ENGINEERING – Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2011-2, Control No.1984-00079)

2. Developer shall construct concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer:

a. Left turn lane, south approach on Military Trail at the project's south entrance.

b. Right turn lane, north approach on Military Trail at the project's north entrance. (ONGOING: ENGINEERING – Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2011-2, Control No.1984-00079)

3. The Developer shall pay a fair share fee in the amount and manner required by "The Fair Share Contribution for Road Improvements Ordinance" as it may from time to time be amended. Presently The Fair Share Fee for this project is \$55,000.00.

In addition, based on the amount of traffic generated by this development, the Developer has agreed to contribute an additional \$24,000.00 toward Palm Beach County's existing road way Improvement Program to be paid in 6 months. If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the Fair Share Fee this amount shall be credited toward the increase Fair Share Fee. (ONGOING: ENGINEERING – Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2011-2, Control No.1984-00079)

4. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPM: MONITORING - Engineering)

5. Pursuant to the Traffic Analysis, the Buildout Date is 2029. No Building Permits for the site may be issued after December 31, 2029. 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)

6. The existing southern driveway connection on Military Trail shall be repaired and repaved, including any necessary milling, resurfacing, pavement restoration, and associated improvements, as determined by the County Engineer. Any and all costs associated with the construction shall be paid by the Property Owner. Construction shall be completed prior to the issuance of the first Certificate of Occupancy for Building B. (CO: MONITORING – Engineering)

7. Prior to the approval of the Final Site Plan by the Development Review Officer, the Property Owner shall redesign the south driveway connection to provide additional storage for the drive through operations. (DRO: ENGINEERING - Engineering)

#### **ENVIRONMENTAL**

1. Previous ENVIRONMENTAL Condition 1 of Resolution R-2011-2, Control No.1984-00079, which currently states:

The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

**Is hereby deleted.** [REASON: The site has been previously developed and there are no preservation areas.]

#### **HEALTH**

1. Prior to certification by the Site Plan Review Committee, the petitioner shall submit to the Health Department acceptable plans and applications for sewer connection. COMPLETED (DRO: HEALTH DEPARTMENT - Health Department) [Note: COMPLETED] (Previous HEALTH Condition 1 of Resolution R-2011-2, Control No.1984-00079)

2. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties. COMPLETED (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous HEALTH Condition 2 of Resolution R-2011-2, Control No.1984-00079)

3. Reasonable precautions shall be exercised during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters. (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous HEALTH Condition 3 of Resolution R-2011-2, Control No.1984-00079)

#### **LANDSCAPE - GENERAL**

1. Prior to issuance of a Certification of Occupancy, the Property Owner shall ensure that all dead and missing plant material shall be replaced and inspected. (BLDGPM/CC: BUILDING DIVISION - Zoning)

#### **SITE DESIGN**

1. Prior to site plan certification, the site plan shall be amended, to reflect the following:

a. provision of either a ten (10) foot wide seventy-five (75) percent opaque landscape buffer or a five (5) foot wide landscape strip with attendant six (6) foot high solid masonry wall supplemented

by 12' to 14' canopy trees planted at twenty feet on center along the south and west property boundaries abutting residential development.

b. enclosed loading areas separated from any nearby residential areas by ten foot wing walls. (ONGOING: ZONING - Zoning) (Previous SITE DESIGN Condition 1 of Resolution R-2011-2, Control No.1984-00079)

### **USE LIMITATIONS**

1. No stock loading or dumpster pickup will be permitted between the hours of 6:00 p.m. and 8:00 a.m. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-2011-2, Control No.1984-00079)

2. No storage or placement of any materials, refuse, equipment or accumulated debris in the rear of the shopping center. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 2 of Resolution R-2011-2, Control No.1984-00079)

3. No parking of any vehicles along the rear of the shopping center except in designated spaces or unloading areas. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 3 of Resolution R-2011-2, Control No.1984-00079)

4. Security lighting shall be directed away from nearby residences. (ONGOING: BUILDING DIVISION - Code Enforcement) (Previous USE LIMITATIONS Condition 4 of Resolution R-2011-2, Control No.1984-00079)

### **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 (CO); 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; 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 (ULDC) 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; 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.