



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

PLANNING AND ZONING BOARD STAFF REPORT

ABC Supply Company

Meeting	File No.	Application Type
January 26, 2026	2023-207-USE-PZB 2024-126-SPR-LV1	Conditional Use (Lumberyard) with Level 4 Site Plan
Property Owner	Applicant	Authorized Agent
KM Property Consultants, LLC	Robert Maschue, PE	Jeff Costello, AICP, FRA-RA; JC Planning Solutions, LLC

Request

Provide a recommendation to the City Commission on request for approval of a Level 4 Site Plan Application with landscape plan, and conditional use approval to allow a lumberyard with outdoor storage of roofing materials, and accessory storage of trucks (Resolution No. 22-26) at 1127 Poinsettia Drive.

Project Information

Location: 1127 and 1107 Poinsettia Drive

PCN: 12-43-46-20-23-002-0010 and 12-43-46-20-23-002-0080

Property Size: 2.0416 acres

Land Use: Commerce (CMR)

Zoning:

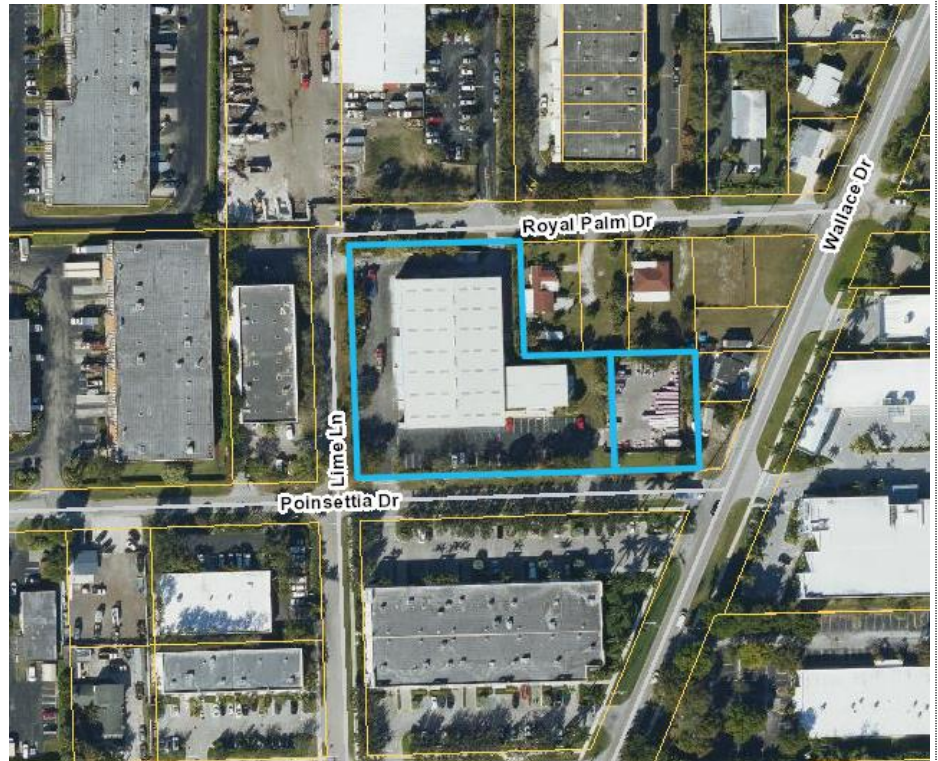
- **North:** Industrial (I)
- **South, East and West:** Mixed Industrial and Commercial (MIC)

Existing Use: Roofing materials warehouse.

Proposed Use: Lumberyard with outdoor storage of roofing materials and accessory storage of 4 delivery trucks not over 100 feet long, 14 feet wide, and 15 feet high.

Floor Area Ratio:

- Existing: 0.29
- Maximum Allowed: 0.60
- Proposed: 0.29



Background Information

The relevant history of the property is summarized as follows:

1988. The property was annexed into the City (Ord. 50-88) via the Enclave Act (Enclave 31A). It was assigned a Light Industrial (LI) zoning designation.

1990. The parcel was rezoned from LI to Mixed Industrial and Commercial (MIC) during the 1990 citywide rezoning.

1999. The City Commission approved a conditional use request (November 2, 1999) to establish an ornamental cast concrete/stone manufacturing facility for Profiles in Concrete. The project was to construct a 25,600 SF building, including 12,800 SF of office and manufacturing area and 12,800 SF storage area.

2000. The Site Plan Review Board approved the site plan (March 15, 2000) for the use approved in 1999, including an outdoor storage area on the southeast side of the property. The building was completed in 2001.

2004. Code Enforcement Case 04-00029082 was filed on March 3, 2004. The violations included outside storage of material on required parking, a site plan modification violation, and outside storage of materials without screening. The approved Conditional Use request in 1999 did not allow outside storage within the 25-foot front/side setback without the approval of a variance. Instead of pursuing relief, the applicant purchased an additional lot on the southeast side of the property in 2006, to be used as outside storage area.

2006. To cure ongoing code violations for removing parking and keeping outdoor storage within setbacks, the owner sought a modification of the conditional use to provide a dumpster and to allow outside storage of material. The request was approved by the City Commission on May 2, 2006.

2008. A site plan modification was approved for the installation of a fence enclosing the outside storage area that was approved in the 2006 conditional use request.

2022-2023. Code Enforcement violations (Case No. 22-00001910 and Case No. 22-00001913) were issued for storage of materials at an unapproved outdoor location and removal of required parking. That violation was cured by the removal of the canopy structures on the west and east sides of the warehouse in violation of the approved site plan, and the required parking was restored.

2023-2024. A Zoning Certificate of Use (ZCU) was approved on August 16, 2023, for wholesale distribution use; the applicant has been continuously operating since the ZCU was approved. The applicant subsequently submitted a conditional use application on July 10, 2023, and on April 9, 2024, for a site plan application, and the request has been under review until it was released for Board review in late 2025.

2024. As part of the approval process, in 2004, the applicant was required to file for a plat exemption to unify both parcels because they operate as a unified site.

The tenant, ABC Supply Company, Inc., describes itself in its website as a *major, private American roofing supply company based in Beloit, Wisconsin. It also sells windows, gutters, and siding for residential and commercial buildings and is the largest roofing and vinyl siding wholesale distributor in the United States*" (source: www.abcsupply.com). The subject property is the southernmost of four warehouses in Palm Beach County.

The subject property, which consists of 1107 and 1127 Poinsettia Drive, is a 2.0416-acre parcel with a Commerce (CMR) land use designation and Mixed and Industrial Commercial District (MIC) zoning. The City approved a plat exemption to unite the two parcels on



Poinsettia Drive (Image: Google Maps)



Lime Lane (Image: Google Maps)

December 6, 2024, but the exemption has not been recorded by the applicant. Therefore, "subject property" refers to both 1107 and 1127 Poinsettia Drive.

CMR land use is applied to lower intensity commercial and light industrial uses. It has a maximum Floor Area Ratio (FAR) of .60 under the Commerce Land Use land use category (Table NDC-1). The Comprehensive Plan stresses the application of “*industrial land use designations of Industrial and Commerce to those areas where industrial type uses, such as fabrication and assembly of goods, warehousing, and vehicle repair, are the primary economic strategy for the district, to ensure that those industries, which are essential to the local economy, are appropriately accommodated in the city*” (**Objective NDC 1.4**). The Plan also “*recognizes the importance of maintaining the Commerce land use designation for long term economic prosperity by discouraging amendments to the Future Land Use Map that diminish the quantity of property with Commerce land use designation*” (**Policy NDC 1.4.8**).

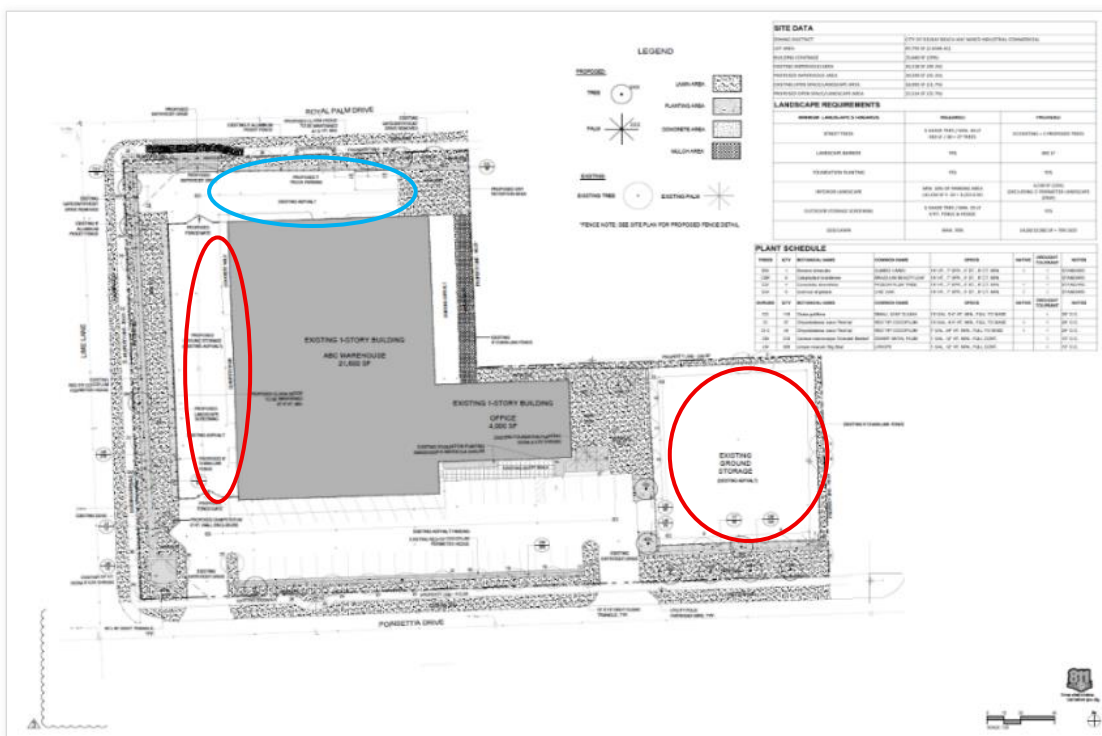
MIC zoning is created to provide for a mix of industrial, commercial, and office use in a single zoning district. The uses allowed are intended to enhance employment opportunities in the industrial, manufacturing and trade sectors, with supporting business and professional office functions. Retail uses are appropriate on a limited basis, and only as a secondary use within the district. Residential uses are only allowed within the I-95/CSX Railroad Corridor Overlay District, subject to Article 4.7. The MIC District is applied to properties with a Commerce or Industrial designation on the Land Use Map (LDR Section 4.4.19).

Project Description

The Applicant is requesting conditional use approval to operate a lumberyard with outdoor storage of roofing materials at the subject property. The request includes the accessory storage of four trucks not over 100 feet long, 14 feet wide, and 15 feet high. Pursuant to LDR Section 4.4.19(C)(4), *the storage of equipment is allowed as an accessory use of equipment, or materials, within a structure or in an approved outside locations.*

The subject property has an existing 25,600 square-foot warehouse, approximately 10,716 square feet of outdoor storage to the east of the building (on the portion of the property that was previously a separate parcel). 5,518 square feet of outdoor storage is proposed to the west of the building. The outside storage to the west of the building would be used primarily for palletized bundles of roofing shingles. An associated Level 1 site plan application is being processed concurrently with the proposed development and processed as a Level 4 site plan (discussed below).

The image at right, shows the outdoor storage areas, in **red**, while the proposed accessory truck storage area, in **blue**, on the north side of the building will be used to store four delivery trucks. Each truck is a Mack Truck with flatbed and boom attachment, weighing 23,000 pounds, with a length of 28 feet, a width of 95.4 inches, and a height of 12 feet, 4 inches (photo below, taken on the property in November 2023).





Review and Analysis

LDR Section 2.1.5(E)(5) - The Planning and Zoning Board – Board Recommendations

The Planning and Zoning Board shall review and make recommendations to the City Commission with respect to the following items, pursuant to the procedures and standards of the Land Development Regulations (LDR):

- (e) Establishment of a Conditional Use.*
- (j) Level 4 Site Plan Applications, including any density or height increases, and associated relief such as waivers, variances, etc.*

LDR Section 2.4.10(A)(1)(d), Level 4

Applications include requests that could otherwise be classified as a Level 2 or Level 3 Site Plan application but have concurrent request requiring final action by the City Commission for one or more of the following:

- 1. Increase of height or density as part of a City workforce housing or incentive program.*
- 2. Utilization of the Central Business District (CBD) Incentive Program.*
- 3. Approval of Conditional Use.*
- 4. Granting of an In-lieu of Parking Fee request.*
- 5. Approval of Waiver(s) not otherwise authorized to other approving bodies.*

The proposed outdoor storage area and landscape improvements qualifies as a Level 1 Site Plan application based on the scope of work. However, in accordance with LDR Section 2.4.10(A)(1)(d), applications that include concurrent requests requiring City Commission approval, such as a conditional use, are elevated to a Level 4 Site Plan. Therefore, the subject application is being processed as a Level 4 Site Plan with Conditional Use, requiring review and recommendation by the Planning and Zoning Board, and final action by the City Commission pursuant to LDR Section 2.1.5(E)(5).

LDR Section 2.4.10(A)(2)(d)5., Board Review

Level 4 Site Plan applications require review and recommendation by the Planning and Zoning Board and/or Historic Preservation Board prior to action by the City Commission.

LDR Section 2.4.10(A)(3), Findings

All site plan applications require compliance with the applicable regulations and review criteria and shall be consistent with the Comprehensive Plan and other local ordinances. The following specifically apply:

- (b) Level 2, Level 3, and Level 4 Site Plan applications must comply with the findings in Chapter 3, Performance Standards.*
- (c) Landscape plans must comply with Section 4.6.16, Landscape Regulations.*

The Conditional Use request and site plan will be analyzed together below to assess operational characteristics, compliance with applicable zoning criteria, and potential impacts on surrounding properties.

LDR Section 2.4.6(A)(1), Establishment of a Conditional Use: General

The City Commission, by motion, after review and recommendation for approval by the Planning and Zoning Board may approve or reject a request for Conditional Use.

If the Board provides a recommendation for approval, the request will be scheduled for an upcoming City Commission meeting. However, if the Board does not provide a recommendation of approval, the application would not move forward with the review process to the City Commission.

LDR Section 2.4.6(A)(4), Establishment of a Conditional Use: Conditions

Conditions may be imposed pursuant to Article 2.2. In addition, limitations on the hours of operation and/or the longevity of the use may be imposed.

Article 2.2, LDR Section 2.2.1(E)(3)

(3) **Approval with conditions.** *In granting approval to any development application, the granting body may impose conditions it deems necessary to ensure:*

- (a) *The compatibility of the use with nearby existing and proposed uses.*
- (b) *Consistency with the requirements of these Land Development Regulations.*
- (c) *Meeting concurrency requirements.*
- (d) *Consistency with the Comprehensive Plan.*
- (e) *The fulfillment of requirements of the Land Development Regulations that should have or could have been fulfilled prior to the approval action but were not due to conditions beyond the control of the applicant.*
- (f) *The fulfillment of requirements of the Land Development Regulations that could have been fulfilled prior to the approval action, but remain outstanding, providing that they will be completed in a later stage of processing.*
- (g) *Notwithstanding the provisions above, neither a final subdivision plat, nor an abandonment of a right-of-way or an easement shall be approved subject to conditions.*

The ability to impose conditions can be considered by the Board relative to the required findings, which are discussed below.

LDR Section 2.4.6(A)(5), Establishment of a Conditional Use: Findings

In addition to provisions of Chapter 3, the City Commission must make findings that establishing the conditional use will not:

- *Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located;*
- *Hinder development or redevelopment of nearby properties.*

The Board's recommendation to the City Commission must take into consideration these two required findings when evaluating the conditional use. As noted previously, the analysis of the conditional use and site plan findings are discussed together below.

LDR Section 3.1.1, Required Findings

Prior to the approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information on the application, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application.

These findings relate to the Land Use Map, Concurrency, Consistency (with the Comprehensive Plan), and Compliance with the LDR.

(A) Land Use Map. *The resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Land Use Map.*

The subject property is zoned MIC, which is a preferred implementing district under the CMR land use designation, per Table NDC-1 in the comprehensive plan. Pursuant to LDR Section 4.4.19(B)(D)(2)(a) a Lumberyard with outside storage of roofing materials is allowed as a conditional use.

(B) Concurrency. *Concurrency as defined by Objective NDC 3.1 of the Neighborhoods, Districts, and Corridors Element of the adopted Comprehensive Plan must be met and a determination made that the public facility needs, including public schools, of the requested land use and/or development application will not exceed the ability of the City and The School District of Palm Beach County to fund and provide, or to require the provision of, needed capital improvements in order to maintain the Levels of Service Standards established in Table CIE, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach.*

Traffic. A letter from an engineer was submitted (dated March 09, 2024) indicating that that proposed conditional use will not produce additional traffic to and from the site, but the letter does not meet professional standards for a traffic statement (letter attached). However, the previously approved use was a warehouse and distribution use, so the Board can consider if the use is similar enough to the proposed lumberyard use to proceed without a full traffic statement.

Water and Sewer. The site is currently serviced by municipal water and sewer.

Solid Waste. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2054.

Schools. Commercial development is not subject to school concurrency evaluation.

(C) Consistency. *A finding of overall consistency may be made even though the action will be in conflict with some individual performance standards contained within Article 3.2, provided that the approving body specifically finds that the beneficial aspects of the proposed project (hence compliance with some standards) outweighs the negative impacts of identified points of conflict.*

The following standards in **Article 3.2, Performance Standards** are applicable:

- **LDR Section 3.2.1, Basis for Determining Consistency**
- **LDR Section 3.2.3, Standards for site plan and/or plat actions**
- **LDR Section 3.2.4, Standards for Specific Areas or Purposes**

LDR Section 3.2.1. Basis for Determining Consistency.

The performance standards set forth in this Article either reflect a policy from the adopted Comprehensive Plan or a principle of good planning practice. The performance standards set forth in the following sections as well as compliance with items specifically listed as required findings in appropriate portions of Section 2.4.5 shall be the basis upon which a finding of overall consistency [Section 3.1.1(C)] is to be made. However, exclusion from this Article shall not be a basis for not allowing consideration of other objectives and policies found in the adopted Comprehensive Plan in the making of a finding of overall consistency.

The following Comprehensive Plan objectives and policies are relevant to the Conditional Use request, and apply to the required conditional use findings:

Neighborhoods, Districts, and Corridors Element

Policy NDC 1.1.2 *Provide a complementary mix of land uses, including residential, office, commercial, industrial, recreational, and community facilities, with design characteristics that provide:*

- *Similar uses, intensity, height, and development patterns facing each other, especially in residential neighborhoods.*
- *Uses that meet the daily needs of residents.*
- *Public open spaces that are safe and attractive.*

Policy NDC 1.1.14 Continue to require that property be developed or redeveloped or accommodated, in a manner so that the use, intensity and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.

Policy NDC 1.4.3 Use the Industrial land use designation to accommodate manufacturing, fabrication, assembly, and warehousing uses on properties where such uses currently exist and in areas identified as appropriate to continue or expand industrial-based uses.

Policy NDC 1.4.5 Recognize the importance of maintaining the Industrial land use designation for long term economic prosperity by prohibiting amendments to the Land Use Map that diminish the quantity of property with Industrial land use designation.

Policy NDC 1.4.8 Recognize the importance of maintaining the Commerce land use designation for long term economic prosperity by discouraging amendments to the Future Land Use Map that diminish the quantity of property with Commerce land use designation.

Policy NDC 2.6.3 Concentrate efforts to improve the condition of the heavy industrial and undeveloped areas along arterial roadways to provide a better image of the community by providing: ongoing code enforcement; and perimeter landscaping requirements in the land development regulations; and standards for the maintenance and landscaping of vacant property in the Land Development Regulations.

Policy NDC 2.7.15 Evaluate and update the Wallace Drive Industrial Area Redevelopment Plan, which was adopted in 2004, and continue to encourage the development of light industrial uses, and limited commercial and office uses and support aggregation of parcels for new development new improvements and development shall comply with the provisions of the adopted Plan until an updated plan is adopted.

Policy NDC 3.4.2 Use the development review process to determine whether development, redevelopment, and adaptive reuse are consistent with and complementary to adjacent development, regardless of the implementing zoning designations for each land use designation.

Policy NDC 3.4.2 Use the development review process to determine development, redevelopment, and adaptive reuse is consistent with and complementary to adjacent development, regardless of the implementing zoning designations for each land use designation (See Table NDC-1).

The Comprehensive Plan recognizes the importance of maintaining the Commerce land use designation for long term economic prosperity, by discouraging amendments to the Land Use Map that diminish the quantity of property with Commerce land use designation. The proposal is for the operation of a use that is allowed as a conditional use in the implementing MIC zoning.

When evaluating the proposal, the intensity of the project can be considered in terms of Floor Area Ratio (FAR), which is the total gross floor area of the building(s) on a lot divided by the total lot area. FAR is a tool to regulate the volume, shape, and spacing of a building to improve the relationship of a building to the surrounding development and the street. The land use allows a maximum Floor Area Ratio (FAR) of 0.60 (52,653 SF); the site has an existing FAR of 0.29 (25,600 sf), and the only changes to the site are relative to the outdoor storage use, which does not impact FAR.

The surrounding use of the subject property consists of industrial uses to the north and mixed industrial and commercial uses to the west and south. There are four parcels with an existing legal non-conforming residential use on the east side of the site. The table at right describes the character of the surrounding area, and the image below indicates the properties with an active residential use (yellow shading).

Adjacent Land Use, Zoning, and Use			
Direction	Land Use	Zoning Designation	Use
North	Industrial	Industrial (I)	Industrial
South	Commerce	MIC	Industrial, Commercial
East	Commerce	MIC	Residential, Commercial
West	Commerce	MIC	Industrial, Commercial

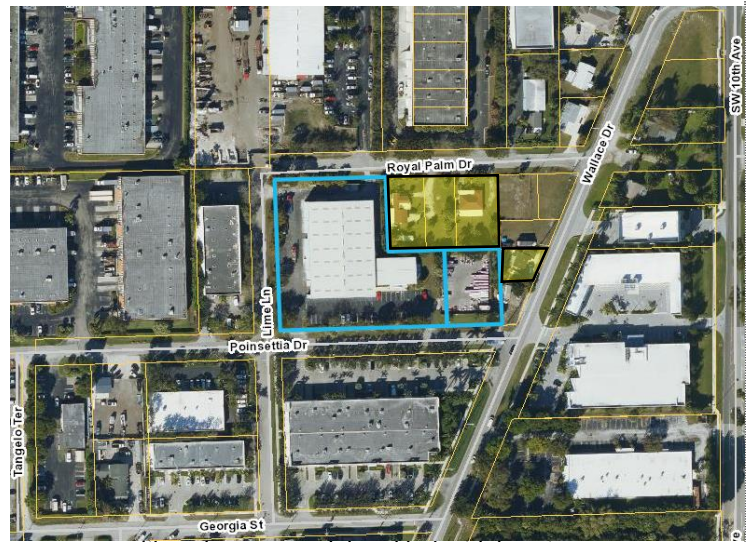
The proposed use demonstrates general consistency with the City's adopted Comprehensive Plan policies related to commercial/industrial activity and employment generation, and the broad goal of accommodating diverse commercial and industrial uses.

The suitability of the use and proposed site plan are discussed in further detail in the site plan and conditional use analysis.

Economic Prosperity Element

Policy ECP 3.1.6 *Promote both good job creation and business ownership opportunities when encouraging the development and diversification of industry clusters.*

A lumberyard use could provide employment opportunities to office workers, warehouse operators and truck drivers, which are common positions in commercial and industrial sectors.



Conservation, Sustainability, and Resiliency (CSR) Element

Objective CSR 2.1 Water Resource Contamination *Focus on detecting and eliminating water resource contamination and instituting preventative measures to protect water supply sources.*

Policy CSR 2.1.1 *Monitor groundwater through wellfield protection programs and other regulatory frameworks.*

Policy CSR 2.2.2 *Inspect and monitor business premises to ascertain that facilities and procedures exist and are utilized to properly manage hazardous materials and wastes commonly occurring as a result of existing or proposed activities in compliance with the Wellfield Protection Program, Industrial Pretreatment Program, and Fire Department inspections.*

The site is in Wellfield Protection Zone 4 which requires close review under the City's adopted policies for water resource protection. The requirements of LDR Section 3.2.4, discussed below, apply.

LDR Section 3.2.3, Standards for site plan action.

The Conditional Use request is accompanied by a Site Plan application, which requires full review of the Performance Standards in Article 3.2. The overall proposal was reviewed and analyzed for consistency with the Performance Standards highlighted above, consisting of policies from the Comprehensive Plan or principles of good planning practices and Standards for Site Plan Action.

The following standards from LDR Section 3.2.3 are applicable to the request:

LDR Section 2.4.10(A)(3), Findings

All site plan applications require compliance with the applicable regulations and review criteria and shall be consistent with the Comprehensive Plan and other local ordinances.

(A) *Building design, landscaping, and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.*

No changes are proposed to the existing structure or site lighting. The landscaping has been reviewed against this standard, and it complies with all site visibility standards.

(B) *All development shall provide pedestrian, bicycle, and vehicular interconnections to adjacent properties, where possible, and include accessible routes from the entry points of publicly accessible buildings to the sidewalk network in accordance with the Americans with Disabilities Act (ADA).*

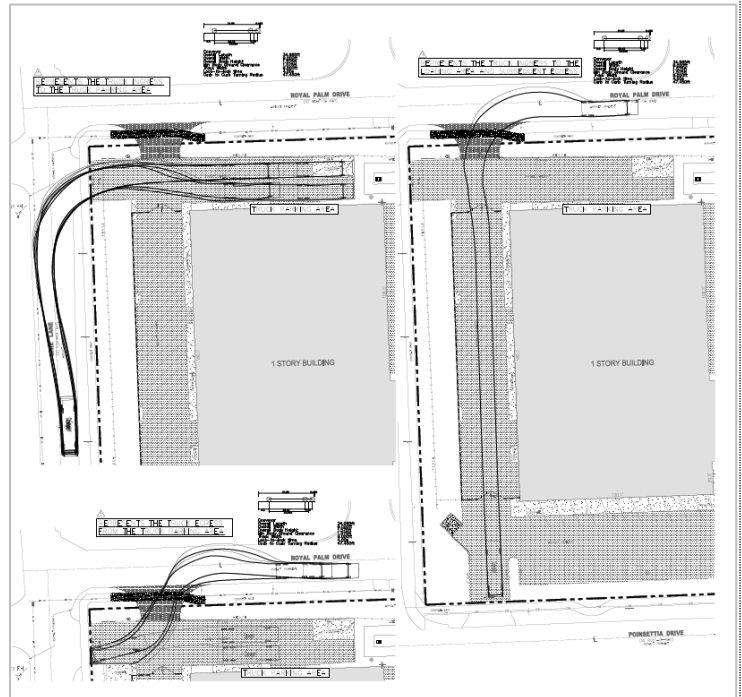
No modifications are made to the existing sidewalks along Lime Lane, Poinsettia Drive, and Royal Palm Drive. The existing ADA accessible parking is in the appropriate location.

- (F) *Property shall be developed or redeveloped in a manner so that the use, intensity, and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services: are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.*
- (H) *Consideration shall be given to the effect a development will have on the safety, livability, and stability of surrounding neighborhoods and residential areas. Factors such as but not limited to, noise, odors, dust, and traffic volumes and circulation patterns shall be reviewed and if found to result in a degradation of the surrounding areas, the project shall be modified accordingly or denied.*

The surrounding area is generally commercial and light industrial, with the exception of four parcels with an existing non-conforming residential use. The existing structure was built in 2001 and has consistently had a similar type of warehouse and distribution use. The only modification in the current subject request is additional outside storage and accessory truck parking.

- (I) *Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.*

The proposal relocates the driveway from the northeast corner of the property along Royal Palm Drive to the northwest corner to allow dedicated ingress and egress for parking and loading. The truck parking route will use the existing entrance on Lime Lane for ingress, and back out within the site to be able to exit through Royal Palm Drive. The trucks will be parked in a tandem formation to accommodate two rows. The image at right shows the proposed truck paths.



- (K) *Development shall not exceed the maximum limits established in the Table NDC-1, Land Use Designations: Density, Intensity, and Implementing Zoning Districts, of the Neighborhoods, Districts, and Corridors Element or specific standards established in the zoning districts that limit density (dwelling units per acre) or intensity (floor area ratio) and must adhere to whichever limit is lower. Development in areas included in density or incentive programs (i.e. workforce housing programs specified in Article 4.7-Family/Workforce Housing) may exceed the Standard density limit, up to the specified Revitalization/Incentive density established for the program: development in all other areas shall not exceed the Standard density.*

As noted above, the development complies with the FAR standard for the MIC zoning district.

LDR Section 3.2.4, Standards for Specific Areas or Purposes

The proposed lumberyard falls within Wellfield Protection Zone 4, which requires close review under the City's adopted policies for water resource protection. The project includes above-ground storage of roofing materials. The applicant filed an Affidavit of Notification with Palm Beach County indicating that no regulated substances will be stored on the premises in compliance with Palm Beach County Environmental Resources Management regulations.

- (D) Compliance with the LDRs.** *Whenever an item is identified elsewhere in the LDR, it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.6 and in special regulation portions of individual zoning district regulations.*

This section evaluates the application's compliance with applicable provisions of the LDR as they relate to the site plan review. A summary of the requirements, and staff analysis, is provided below.

Section 4.4.19. – Mixed Industrial and Commercial (MIC) District

A lumberyard is allowed as a conditional use in the MIC District. The site plan must comply with all LDR requirements, including landscape buffers, parking, and lighting.

LDR Section 4.4.9, General Commercial - 4.3.4(K) – Development Standards Matrix

Standard/Regulation	Review	
Minimum	Required:	Proposed:
Lot Size	0 feet	2.0146 acres
Lot Width		412 feet
Lot Depth		284.01 feet
Lot Frontage on Poinsettia Drive		412 feet
Lot Frontage on Royal Palm Drive		206 feet
Open Space	25 percent	25.7 percent (22,514 sf)
Height	48	40
Building Minimum Setbacks		
Front North (Royal Palm Drive)	25	42
Front South (Poinsettia Drive)	25	41
Side Street West (Lime Lane)	25	151
Side Interior (East)	25	25
Rear	10	10

Article 4.6 – Supplemental District Regulations

Regulation	Review	
4.6.4., Special district boundary treatment	Required:	Proposed:
Rear and side abutting residentially zoned property without any separation	50 - side and rear 30 – front	No abutting residentially <u>zoned</u> property
4.6.5., Walls, Fences, And Hedges.	Required:	Proposed:
Height restrictions	Front & Side Street: 6 feet maximum Interior Side & Rear: 6 feet maximum	Front (Royal Palm Drive): 6-foot-high metal picket fence. Front (Poinsettia Drive): Perimeter hedge Side Street (Lime Lane): 6-foot metal picket fence.
4.6.9, Off-Street Parking	Required:	Proposed:
Parking Spaces	39	44
Bicycle Parking (Type I Spaces)	2 spaces minimum	2 spaces

Section 4.6.6. - Commercial and industrial uses to operate within a building

Certain conditional uses that are allowed within commercial, industrial, and mixed use districts can be characterized as outside uses. Such operations may be conducted outside when it is specifically determined through the conditional use process that the outside aspects of the use are appropriate. Conditions may be applied to mitigate visual and other impacts.

Activities associated with outside conditional uses are allowed **when it is specifically determined through the conditional use process that the outside aspects of the use are appropriate**. Conditions may be applied to mitigate visual and other impacts. Outside storage of 5,518 square feet is proposed on the west side. The existing 10,176 square feet of outdoor storage on the east was approved

for a prior occupant in 2006. However, a modification is proposed to the landscape plan. Therefore, it is included in the request as well as the new outdoor storage area to the west. The accessory outside truck parking is allowed as an accessory use, pursuant to LDR Section 4.4.19(C)(4), but it must be approved as part of the conditional use. The approving resolution specifies the outdoor parking of parking four trucks not over 100 feet long, 14 feet wide, and 15 feet high. The Board should consider if a numerical limitation is necessary, and if so, if the limitation to four trucks is excessively restrictive.

LDR Section 4.6.8, Lighting

Artificial lighting used to illuminate premises shall be directed in such a way to minimize light spillover on adjacent properties and reduce urban glow.

The LDR requires all perimeter exterior lighting to be full cutoff luminaires to minimize spillover on adjacent properties. Maximum allowable illumination at the property line of any adjoining parcel or public right-of-way is 0.25 horizontal and vertical foot-candles measured at six feet above grade level. The applicant did not provide a photometric plan, however no changes are proposed to the existing lighting as part of the site plan.

Landscape Regulations, LDR Section 4.6.16

The landscaping plan for the proposed development has been evaluated for consistency with LDR Section 4.6.16. Key elements of the landscape plan are summarized below, and the proposed landscape plan is provided as an attachment.

LDR Section 2.4.10(A)(3)(c), Findings

Landscape Plans, including modifications to Section 4.6.16, Landscape Regulations.

Tree Mitigation. The tree mitigation plan requires installing 12 trees with a 4-inch caliper. A 30-foot-high mahogany tree and a 28-foot-high yellow trumpet tree must be removed. The mahogany tree was removed due to a conflict with the new proposed driveway, while the yellow trumpet tree was removed because of a conflict with co-dominant leaders (two or more stems grow upward from a single point, and which weaken the tree).

Perimeter Landscape Buffers. Due to the complicated configuration of the subject property, the frontage determination is indicated in the figure at right.

- Royal Palm Drive. Within the 10-foot setback areas, a Clusia hedge with a height of 5-6 feet at time of planting will be provided adjacent to the metal fence, three Brazilian Beauty leaf trees with a mature height of 8 feet, planted 25 feet, on center, and three Gumbo Limbo trees where the driveway is being removed on the northeast corner of the property, to expand the existing tree line.
- Lime Lane. A Liriope hedge that will grow to a height of 15 inches will be planted 15 inches on center in front of existing Red Tip Cocoplum hedge; 2 Live Oak trees will be added to the tree line.
- Corner of Poinsettia Drive and Lime Lane. A Liriope border that will grow to a height of 15 inches will be provided in front of the existing Ixora and Ilex shrubs.
- Poinsettia Drive: Two Live Oak trees (one next to each driveway will be planted 25 feet on center) and 3 Brazilian Beauty Leaf trees will be added to the perimeter in front of the east side outdoor storage area. In front, along the parking area, Dwarf Natal Plums will be planted 15 inches on center, in front of existing Red Tip Cocoplums.
- Interior Side. Mulch will be added on the interior lot line of the 1127 Poinsettia Drive portion of the subject property.
- Rear. New sod will be planted and two Pigeon Plum trees that will grow to a height of 16 feet will be installed.



Landscape Screening

- Dumpster Area. Red Tip Cocoplum shrubs will be added.
- Outdoor Storage.
 - West Side (Lime Lane): A Small Leaf Clusia hedge with a height of 5 to 6 feet at time of planting will be provided, planted 30 inches on center in front of a 6-foot chain link fence.
 - Southeast Side (Poinsettia Drive): A hedge of Red Tip Cocoplum will be provided as landscape screening, planted 24 inches on center. A Secondary outer planting of Dwarf Natal Palm, to grow to a height of 12 inches, planted 15 inches on center. One Gumbo Limbo tree, to grow to a height of 16 feet will be planted between 2 existing Gumbo Limbo trees in front of the shrubs. At the storage area entrance facing west, 2 Pigeon Plum trees, that will grow to a height of 16-feet, with liriopie ground cover to grow to 1 foot, planted, 15 inches on center.

Truck Parking Area (Royal Palm Drive). A Hedge of Small Leaf Clusia, that will mature to a height of 5-6-feet, will be planted 30 inches on center, in front of a 6-foot metal picket fence.

An excerpt from landscape schedule for the entire proposal is provided at right.

PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	SPECS
BSI	1	Bursera simaruba	GUMBO LIMBO	16' HT., 7' SPR., 6' ST., 8' CT. MIN.
CBR	6	Calophyllum brasiliense	BRAZILIAN BEAUTYLEAF	16' HT., 7' SPR., 6' ST., 8' CT. MIN.
CDI	4	Coccoloba diversifolia	PIGEON PLUM TREE	16' HT., 7' SPR., 6' ST., 8' CT. MIN.
QVI	6	Quercus virginiana	LIVE OAK	16' HT., 7' SPR., 6' ST., 8' CT. MIN.
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SPECS
CG	116	Clusia guttifera	SMALL LEAF CLUSIA	15 GAL. 5-6' HT. MIN., FULL TO BASE
CI	57	Chrysobalanus icaco 'Red-tip'	RED TIP COCOPLUM	15 GAL. 4-5' HT. MIN., FULL TO BASE
CI-2	24	Chrysobalanus icaco 'Red-tip'	RED TIP COCOPLUM	7 GAL. 24" HT. MIN., FULL TO BASE
CM	310	Carissa macrocarpa 'Emerald Blanket'	DWARF NATAL PLUM	1 GAL. 12" HT. MIN., FULL CONT.
LM	395	Liriope muscari 'Big Blue'	LIRIOPE	1 GAL. 12" HT. MIN., FULL CONT.

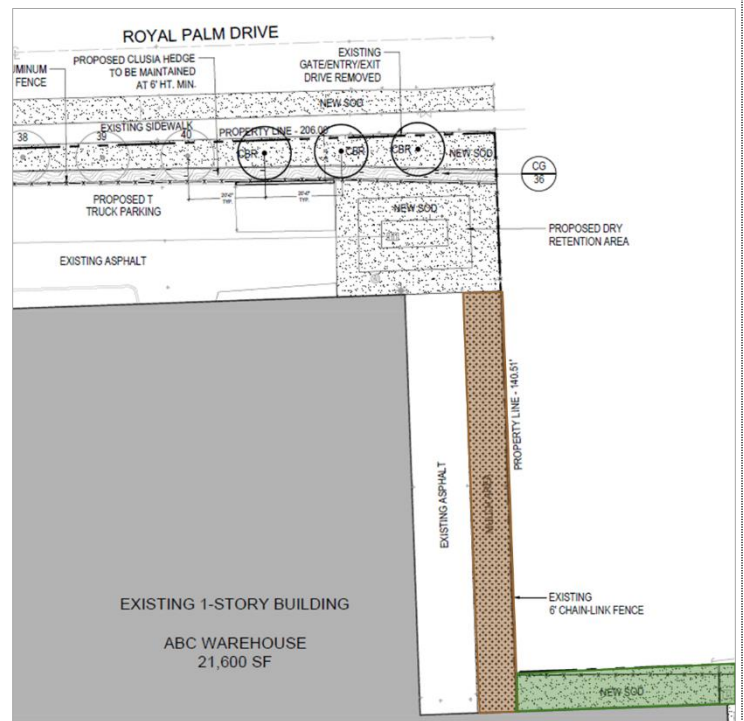
Considerations, Proposed Landscape Plan. While the proposed landscape plan complies with the standards in the LDR, the Board can consider if enhanced landscaping should be provided adjacent to the residential uses (**brown**, indicating a mulched area, and **green** indicating sod, on the landscape plan excerpt at right).

The residential structure on the adjacent property to the east was constructed in 1958, predating the structure on the subject property that was constructed in 2001. Minimal landscaping is located on the other side of the property line from the subject property. The Board should consider if the proposed changes to the use and site plan are significant enough to require landscaping that was not required in prior approvals or previously provided.

Regarding the landscaping adjacent to the truck parking, the MIC zoning district requires the following buffering for the storage and rental of construction equipment not over 100 feet long, 14 feet wide, and 15 feet high:

- The property must be buffered by a minimum six-foot wall or minimum six-foot hedge. However, if the property is adjacent to a public building, school, park, library, or residential area at the time of conditional use approval, a minimum six-foot high berm and either a six-foot wall or six-foot hedge on top of the berm shall be required.
- Provision of a ten-foot minimum landscape buffer with trees planted 25 feet on-center around the perimeter of the storage area.

The trucks parked as an accessory to the lumberyard use are 28 feet long, 95.4 inches wide, and 12 feet, 4 inches in height. The Board should consider whether an enhanced level of landscaping for a similar use is necessary to buffer the parking of four trucks, or if that would be excessive in the context of the surrounding neighborhood.



Conditional Use Findings

The surrounding zoning industrial and office uses except for several lots east of the parcel which have a non-conforming residential use, despite the Commerce land use designation and MIC zoning; the zoning anticipates these properties as redeveloping in the future with a commercial or industrial type use. The surrounding zoning, land use, and uses are shown in the table and map below.

The adjacent residential use to the east was built in 1958 and existed at the time the conditional use was approved and when the warehouse was built in 2001. The subject property is not in the Wallace Drive Overlay District, but it is located within Redevelopment Area #2, the redevelopment of which is governed by the Wallace Drive Redevelopment Plan. The overlay district was created to address the unique needs of properties that were annexed into the City as part of the Enclave Act in 1988. The area developed under the County's jurisdiction, and there was a mixture of incompatible land uses and inadequate public infrastructure. The Wallace Drive Redevelopment Plan was adopted in 2004, and further amended in 2012. Its main purpose was to provide strategies to revitalize the area and further economic development by creating the framework for the future redevelopment of the area. The 2012 plan update acknowledged that market conditions created challenges for the redevelopment of the area with light industrial uses because of economic downturns that resulted in delayed projects because of the difficulty of attracting tenants. The warehouse on the subject property was built in 2001, and has been occupied by a concrete casting manufacturer, a screen company, and the current roofing materials business. The subject use continues a lighter industrial type of use, as is anticipated by the Redevelopment Plan and the zoning district.

The Board might consider if the proposed lumberyard with outside roofing material storage is part of a complementary mix of land uses, including residential, office, commercial, industrial, recreational, and community facilities, with design characteristics that provide [s]imilar uses, intensity, height, and development patterns facing each other, especially in residential neighborhoods and [u]ses that meet the daily needs of residents, pursuant to Policy NDC 1.1.2, and whether the property is developed or redeveloped or accommodated, in a manner so that the use, intensity and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs (Policy NDC 1.1.14).

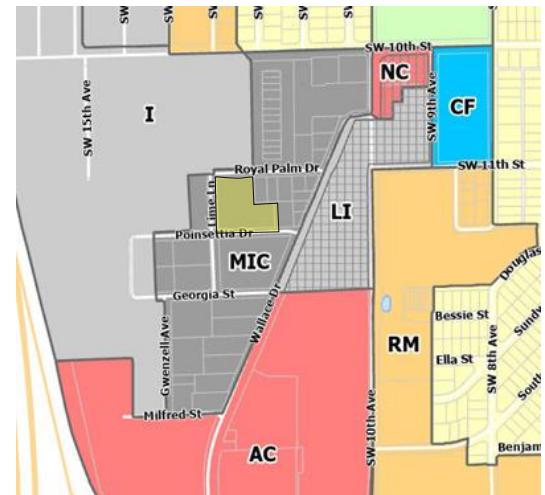
Comprehensive Plan Policy NDC 1.1.3 requires that transitions between land use designations [be provided] at the rear of properties or at major corridors so that the prescribed uses and potential development patterns are arranged to achieve compatible and appropriate changes in intensity, height, and scale.

The subject property is in an industrial area where the existing development pattern is industrial except for residential property to the east (which is anticipated to change to an industrial use over time). The subject property abuts the side and rear yards of the adjacent residential uses, as prescribed in this comprehensive plan policy. However, pursuant to the powers given to the approving body as part of the conditional use process, the Board might consider whether there is sufficient buffering to mitigate impacts on less intense uses, or if additional landscape buffering should be provided.

LDR Section 2.4.6(A)(5), Establishment of a Conditional Use: Findings

In addition to provisions of Chapter 3, the City Commission must make findings that establishing the conditional use will not:

- Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located;*
- Hinder development or redevelopment of nearby properties.*



Technical Notes

Landscape plans will need to show the Lime Lane Driveway as existing.

Board Considerations

The Board should consider whether:

- The use is appropriate for the location.
- The landscape buffer is sufficient to shield the residential use to the east, or if enhanced landscaping should be provided.
- The truck storage on the north side of the building is sufficiently buffered from Royal Palm Drive, or if enhanced landscaping should be provided.

Options for Board Action

- A.** Move a recommendation of approval of a Level 4 site plan application with landscape plan, including a request for conditional use approval of a conditional use request to allow a lumberyard with outdoor storage of roofing materials, and accessory outdoor truck storage, at 1127 and 1107 Poinsettia Drive (Resolution No. 22-26) by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.6(A)(5), and the Land Development Regulations.
- B.** Move a recommendation of **approval as amended** of a Level 4 site plan application with landscape plan, including a request for conditional use approval of a conditional use request to allow a lumberyard with outdoor storage of roofing materials, and accessory outdoor truck storage, at 1127 and 1107 Poinsettia Drive (Resolution No. 22-26) by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.6(A)(5), and the Land Development Regulations.
- C. Deny** a Level 4 site plan application with landscape plan, including a request for conditional use approval of a lumberyard with outdoor storage of roofing materials, and accessory outdoor truck storage, at 1127 and 1107 Poinsettia Drive, by finding that the request is not consistent with the Comprehensive Plan and does not meet criteria set forth in Section 2.4.6(A)(5), and the Land Development Regulations.

D. Continue with direction.

Public and Courtesy Notices

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| <ul style="list-style-type: none">• La Paloma• Woods of Southridge. This neighborhood is in close proximity to the subject property, but it does not have an active neighborhood association listing with the City. | <p><u> X </u> Public Notice was posted at the property 7 calendar days prior to the meeting.</p> <p><u> X </u> Public Notice was mailed to property owners within a 500' radius 10 days prior to the meeting.</p> <p><u> X </u> Public Notice was posted to the City's website 10 calendar days prior to the meeting.</p> <p><u> X </u> Public Notice was posted in the main lobby at City Hall 10 working days prior to the meeting.</p> <p><u> X </u> Agenda was posted at least 7 calendar days prior to meeting.</p> |
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Technical Advisory Committee (TAC) Timeline

Conditional Use

Review No.	Submittal Date	TAC Comments Transmitted
1	07/10/2023	07/21/2023
2	03/20/2024	04/29/2024

3	11/12/2024	12/16/2024
4	6/24/2024	07/16/2024
5	11/12/2024	12/16/2024
6	05/15/2025	06/10/2024
7	08/04/2025	08/25/2025
8	11/24/2025	12/15/2025
Site Plan		
Review No.	Submittal Date	TAC Comments Transmitted
1	10/19/2023	11/03/2023
2	04/09/2024	05/07/2024
3	06/24/2024	07/16/2024
4	11/12/2024	12/16/2024
5	05/15/2025	06/10/2024
6	08/04/2025	08/25/2025
7	11/24/2025	12/15/2025
Extensions Requested by Applicant		
	Date Granted	
1	September 19, 2024	
2	February 4, 2025	
3	April 11, 2025	
4	September 23, 2025	