



ZONING COMMISSION MEETING
Minutes for Thursday July 2, 2026

CALL TO ORDER

A. Roll Call (**9:00AM**)

Commissioner Cheri Pavlik, (Chair)	Absent
Commissioner Christopher Kammerer (Vice Chair)	Present
Commissioner James Williams	Present
Commissioner Claudia Mendoza	Present
Commissioner Sam Caliendo	Absent
Commissioner Lori Vinikoor	Present
Commissioner Alison Thomas	Present
Commissioner Angella Jones	Present
Commissioner Susan Kennedy	Present

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

D. Notice

E. Proof of Publication

Proof of Publication - **Motion** to receive and file **approved by a vote of 7-0-0**

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones- Vann	Williams	Kennedy
				Motion			Second	
Absent	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

F. Swearing In - County Attorney

G. Approval of the Minutes - **Motion** to receive and file **approved by a vote of 7-0-0**

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones- Vann	Williams	Kennedy
				Motion			Second	
Absent	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

H. Amendments to the Agenda

- Wendy gave a Presentation of the Add/Delete
- Request to Pull Items from Consent

- **Motion** to adopt the Agenda as Amended by a vote of 7-0-0

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones- Vann	Williams	Kennedy
				Motion			Second	
Absent	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

I. Conflicts/Recusals

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones- Vann	Williams	Kennedy
Absent	None	None	Absent	None	None	None	None	None

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. Postponements

1. [PDD/CA/ZV-2025-00293 Park West Commerce North \(1985-50131\)](#)

Zoning Application of Morningstar Nursery, Inc. by JMorton Planning & Landscape Architecture

Location: Northeast corner of Atlantic Avenue and Starkey Road

Project Manager: Matthew Boyd, Senior Site Planner

BCC District: 5

DISCLOSURES

- Title:** an Official Zoning Map Amendment **Request:** to postpone to the August 6, 2026 hearing
MOTION: No motion required.
- Title:** a Class A Conditional Use **Request:** to postpone to the August 6, 2026 hearing
MOTION: No motion required.
- Title:** a Class A Conditional Use **Request:** to postpone to the August 6, 2026 hearing
MOTION: No motion required.
- Title:** a Type 2 Variance **Request:** to postpone to the August 6, 2026 hearing
MOTION: No motion required.

2. [Z/CA/ZV-2025-00300 Park West Commerce South \(2024-00132\)](#)

Zoning Application of Morningstar Nursery, Inc. by JMorton Planning & Landscape Architecture

Location: Southeast corner of Atlantic Avenue and Persimmon Avenue

Project Manager: Matthew Boyd, Senior Site Planner

BCC District: 5

DISCLOSURES

- Title:** an Official Zoning Map Amendment **Request:** to postpone to the August 6, 2026 hearing
MOTION: No motion required.
- Title:** a Class A Conditional Use **Request:** to postpone to the August 6, 2026 hearing

MOTION: No motion required.

- c. **Title:** a Type 2 Variance **Request:** to postpone to the August 6, 2026 hearing

MOTION: No motion required.

B. Withdrawals

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA-

CONSENT AGENDA

A. DISCLOSURES for Consent Items

B. Zoning Applications

3. [ABN/DOA-2026-00566](#) Palm Beach Park of Commerce - Averitt Express Inc. (1981-00190)

Zoning Application of Averitt Express, Inc. by Urban Design Studio

Location: Northwest corner of Beeline Highway and Park of Commerce Boulevard

Project Manager: Shannan Webb, Site Planner II

BCC District: 1

DISCLOSURE

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones- Vann	Williams	Kennedy
Absent	None	None	Absent	Verbal communication	None	None	None	None

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

- a. **Title:** a Development Order Abandonment **Request:** to abandon a Retail Gas and Fuel Sales with a Convenience Store on 1.99 acres

MOTION: No motion required.

- b. **Title:** a Development Order Amendment **Request:** to modify the overall Master Plan to designate 1.99 acres of the General Commercial Pod to a Light Industrial Pod and to modify Conditions of Approval on 1,322.19 acres

MOTION: To recommend approval of item 3.b

Motion carried by a vote of 7-0-0

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones- Vann	Williams	Kennedy
				Motion			Second	
Absent	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

Decision: Recommended approval of a Development Order Amendment by a vote of 7-0-0

- END OF CONSENT AGENDA –

REGULAR AGENDA

A. Items Pulled From Consent

B. Zoning Applications with current Future Land Use applications

4. [DOA-2025-00313 Pipers Glen PUD \(1980-00212\)](#)

Zoning Application of Palm Cove Builders, LLC by Schmidt Nichols, Dunay Miskel and Backman, LLP

Location: Generally north and south sides of Pipers Glen Boulevard, extending from Military Trail to Hagen Ranch Road

Project Manager: Nancy Frontany Bou, Senior Site Planner I

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C.

- a. **Title:** a Development Order Amendment **Request:** to modify the overall Planned Unit Development to delete land area (2.39 acres) from the overall 645.19-acre development and to modify Conditions of Approval for a remaining total of 642.80 acres

MOTION: To recommend approval of item 4.a

Motion carried by a vote of 7-0-0

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones- Vann	Williams	Kennedy
				Motion			Second	
Absent	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

Decision: Recommended approval of a Development Order Amendment by a vote of 7-0-0

People who spoke on this application: Josh Nichols, Agent for the application, gave a brief presentation. Nancy Frontany Bou, from the Zoning Division, gave a brief presentation. Member of the public inquired what use was approved on the property originally. Wendy Hernández, Zoning Director, responded to the question. Presentative from COBWRA brought up concerns about drainage monitoring and compatibility. Scott Cantor, Land Development Director, responded.

Comment Cards: Three comment cards were submitted in opposition. One member of the public chose not to speak.

5. [Z-2025-00315 Palm Cove Subdivision \(2025-00018\)](#)

Zoning Application of Palm Cove Builders, LLC by Schmidt Nichols

Dunay Miskel and Backman LLP

Location: Southwest corner of Military Trail and Pipers Glen Boulevard

Project Manager: Nancy Frontany Bou, Senior Site Planner I

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C.

- a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Residential Transition (RT) Zoning District with a Special Exception for a Planned Unit Development (PUD) to the Single Family Residential (RS) Zoning District with a Conditional Overlay Zone (COZ) on 2.39 acres

MOTION: To recommend approval of item 5.a

Motion carried by a vote of 7-0-0

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones- Vann	Williams	Kennedy
				Motion			Second	
Absent	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

Decision: Recommended approval of an Official Zoning Map Amendment by a vote of 7-0-0

People who spoke on this application: Josh Nichols, Agent for the application, gave a brief presentation. Nancy Frontany Bou, from the Zoning Division, gave a brief presentation. Member of the public inquired what use was approved on the property originally. Wendy Hernández, Zoning Director, responded to the question. Presentative from COBWRA brought up concerns about drainage monitoring and compatibility and requested that future HOA documents address the drainage maintenance. Scott Cantor, Land Development Director, responded.

Comment Cards: Three comment cards were submitted in opposition. One member of the public chose not to speak.

C. ULDC Revisions

6. Fitness Centers in Commerce FLU – Privately Proposed Revision Phase 2

Zoning Application of BC Boynton Industrial LLC - Jon Channing, by JMorton Planning & Landscape Architecture, Inc.

Summary: The item before the Board is a Privately Proposed Revision (PPR) to the Unified Land Development Code (ULDC) to remove the square footage restriction for a Fitness Center occupying the industrial space of a development with Commerce (CMR) Future Land Use designation.

Project Manager: Jerome Ottey, Principal Site Planner

Zoning Commission Phase 1 Initiation Recommendation: At the February 5, 2026 Hearing, the Zoning Commission recommended approval of Phase 1 and Initiation of Phase 2 by a vote of 7-0.

Board of County Commissioners Phase 1 Initiation: This item was scheduled for February 26, 2026 Hearing, however, the Applicant requested a postponement to the March 26, BCC Hearing to allow for further discussion on the proposed changes. The postponement request was approved by the BCC by a vote of 7-0. At the March 26, 2026 Hearing, the BCC approved Phase 1 and Initiation of Phase 2 by a vote of 7-0. Board discussion included direction for staff to analyze allowing Fitness Center to occupy 100 percent of the square footage of an industrial building in CMR FLU. Commissioners also expressed concern with pedestrian safety for the public accessing these industrial sites with industrial activities such as circulation of commercial vehicles and the proposed location of Fitness Center uses within the site.

Board of County Commissioners Phase 2 Request for Permission to Advertise: At the June 17, 2026 Hearing, the Board approved Request for Permission to Advertise for first reading at the July 15, 2026 Zoning Hearing by a vote of 7-0. Board discussion was centered around the limitations for the specific Fitness Center activities. Members of the public all spoke in support of the item.

Staff Recommendation:

- a. To recommend approval of the proposed ULDC revision; and
- b. To recommend that the proposed ULDC revision is found to be consistent with the Comprehensive Plan.

MOTION:

- a. To recommend approval of the proposed ULDC revision; and

Motion carried by a vote of 7-0-0

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones- Vann	Williams	Kennedy
				Motion			Second	
Absent	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

Decision: Recommended approval of the proposed ULDC revision by a vote of 7-0-0

- b. The Zoning Commission, serving as the Land Development Regulation Commission pursuant to 163.3194, F.S., recommends that the proposed ULDC revision is found to be consistent with the Comprehensive Plan.

Motion carried by a vote of 7-0-0

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones- Vann	Williams	Kennedy
				Motion			Second	
Absent	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

Decision: Recommended approval that the proposed ULDC revision is found to be consistent with the Comprehensive Plan by a vote of 7-0-0

People who spoke on this application: Jennifer Morton, Agent for the application, gave a brief presentation. Two members of the public spoke in support of this change to the ULDC. Commissioner Kennedy inquired will this reduce industrial space. Zoning Director, Wendy Hernández responded.

Comment Cards: Three comment cards were submitted in support. One member of the public chose not to speak

D. Previously Postponed Zoning Applications

7. [ZV/DOA-2025-01602 Project Tango \(2015-00085\)](#)

Zoning Application of PBA Holdings, Inc. - Enrique Tomeu by Carlton Fields P.A. & WGINC

Location: Approximately 3.7 miles west of Seminole Pratt Whitney Road on the North side of Southern Boulevard

Project Manager: Wendy N. Hernández, Zoning Director

BCC District: 6

DISCLOSURE

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones-Vann	Williams	Kennedy
Absent	Verbal and written communication	Written communication	Absent	Verbal and written communication	Written communication	Verbal and written communication	Written communication	Verbal and written communication

Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C-1.

- a. Title:** a Development Order Amendment **Request:** to amend the previously approved Master Plan the overall Economic Development Center MUPD, to add square footage and modify phasing on 202.67 acres

MOTION: To recommend approval of item 7.a

Motion denied by a vote of 6-0-0

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones- Vann	Williams	Kennedy
					Second			Motion
Absent	Nye	Nye	Absent	Nye	Nye	Absent	Nye	Nye

Decision: Recommended Denial of Development Order Amendment by a vote of 6-0-0

People who spoke on this application: Ernie Cox, Agent for the application, gave a brief presentation. Wendy Hernández, Zoning Director, gave a brief presentation. Commissioner Kammerer inquired about square footage and what policy the board should consider when voting. Wendy Hernández, Zoning Director and Bryan Davis from the Planning Division responded. Commissioner Kennedy and Kammerer inquired how heavy industrial use and light industrial use were defined and if the use was updated in the ULDC. Bryan Davis, from Planning Division, Wendy Hernández, Zoning Director and Darren Leiser County Attorney responded. Tara Duhy, Attorney for the WPA Logistics, landowner spoke. Ms. Duhy stated her client does not consent to the master plan changes on property or the conditions. During her comments a letter was submitted into the record. Darren Leiser, County Attorney, and Wendy Hernández, Zoning Director, responded. Commissioner Kennedy asked if a property owner's associate would be required to give consent. Wendy Hernández, Zoning Director, responded. Tara Duhy, Attorney for the WPA Logistics, inquired about condition of approval affecting her client's application. Wendy Hernández, Zoning Director, and Whitney Carroll, Executive Director, responded. Commissioners Mendoza and Vinikoor inquired about use for WPA Logistics and if they can take advantage of the square footage in the master plan changes. Wendy Hernández, Zoning Director and Tara Duhy, Attorney for the WPA Logistics, responded. John Eubanks, Attorney for Arden PUD and Kristina Riechert, representing Western Palm Beach County Alliance, expressed concerns about the effects on adjacent elementary school, noise study, heavy industrial use, site plan being changed, water usage, cooling system and no increase in community jobs. Members of the public raised concerns about low frequency noise (mental and physical effects), compatibility, water and air quality, heat, ground vibrations, effects on animals (Lion Country Safari, domestic pets, wildlife and horse community), homeowners insurance increases and property values decreasing, intensity, power outages, battery fires, hours of operation, buffers proximity to Arden community and the elementary school, reiterating that the location is not correct for the proposed use and its intensity. Ernie Cox, Agent responded to public comment. Commissioners Kammerer, Williams, Kennedy, Vinikoor and Thomas, expressed concerns about type of noise study and use compatibility to the area. Ernie Cox, Agent, and Wendy Hernández, Zoning Director responded. Commissioners Vinikoor and Mendoza stated code should be revised to update this use. Commissioners Kennedy inquired about the processing of evaluate the public and applicants' evidence against each other. Darren Leiser, County Attorney, responded. Commissioner Kennedy stated the application does not meet the standards for approval (consistency

with the comprehensive plan, consistency with the ULDC, compatibility with the surrounding uses, design minimizing adverse impact, design minimizing environmental impact, adequate public facilities)

Comment Cards: Fifty-one comment cards were submitted in opposition to the application. Eight members of the public chose not to speak.

- END OF REGULAR AGENDA -

COMMENTS

A. COUNTY ATTORNEY-

B. PLANNING DIRECTOR-

C. ZONING DIRECTOR- Advised the hearing location and date for Board of County Commissioners Hearing.

D. EXECUTIVE DIRECTOR-

E. COMMISSIONERS-

ADJOURNMENT- 1:49

Pavlik	Kammerer	Mendoza	Caliendo	Vinikoor	Thomas	Jones- Vann	Williams	Kennedy
				Motion	Second			
Absent	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes