



# MEETING AGENDA PLANNING AND ZONING BOARD CITY OF RIVIERA BEACH, FL

LOCAL PLANNING AGENCY

Department of Community Development: (561)845-4060 / [comdev@rivierabch.com](mailto:comdev@rivierabch.com)

Commencement – 6:30 PM  
Thursday, June 8, 2017

Council Chambers – Municipal Complex  
600 West Blue Heron Boulevard, 33404

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*If you wish to speak on any item(s) on this agenda, please complete a public comment card and provide it to Planning and Zoning Staff. Cards must be submitted prior to Board discussion of an item. Thank you.*

## **I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

## **II. ROLL CALL**

Rena James, Chairperson

Corey Blackwell, Sr., Board Member

Edward Kunuty, Board Member

Julius Whigham, Sr., Board Member

Jon Gustafson, 1<sup>st</sup> Alternate Member

Tradrick McCoy, Vice-Chair

James Gallon, Board Member

Margaret Shepherd, Board Member

Anthony Brown, 2<sup>nd</sup> Alternate Member

## **III. ACKNOWLEDGEMENT OF BOARD MEMBER ABSENCE NOTIFICATION**

## **IV. ADDITIONS AND DELETIONS TO THE AGENDA**

## **V. DISCLOSURE BY BOARD MEMBERS AND ADOPTION OF THE AGENDA**

## **VI. APPROVAL OF MINUTES – May 11, 2017.**

## **VII. UNFINISHED BUSINESS**

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN APPLICATION FROM SEVEN KINGS HOLDINGS, INC. TO BUILD AND OPERATE A 4,482 SQUARE FOOT RESTAURANT, ON A VACANT PARCEL OF LAND, APPROXIMATELY +/- 0.35 ACRE, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-28-00-003-0090, LOCATED ON THE NORTH SIDE OF BLUE HERON BOULEVARD AND EAST OF LAKE SHORE DRIVE, WITHIN THE DOWNTOWN GENERAL ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

1. Presentation(s)
2. Public Comments
3. Board Comments

## **VIII. NEW BUSINESS**

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN APPLICATION FROM THE RIVIERA BEACH HOUSING AUTHORITY TO DEVELOP 101 SENIOR LIVING APARTMENTS (PHASE 1) AND 79 MULTIFAMILY UNITS (PHASE 2) ON A PARCEL OF LAND, FORMERLY KNOWN AS THE IVEY GREEN VILLAGE, APPROXIMATELY +/- 15.37 ACRES, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-31-01-000-0010, LOCATED WEST OF CONGRESS AVENUE, WITHIN THE LOW DENSITY MULTIPLE FAMILY ZONING DISTRICT (RML-12); AND PROVIDING FOR AN EFFECTIVE DATE.

1. Presentation(s)
2. Public Comments
3. Board Comments

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE HERON LAKES SENIOR CENTER PLAT FROM THE RIVIERA BEACH HOUSING AUTHORITY, APPROXIMATELY +/- 15.37 ACRES, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-31-01-000-0010, LOCATED WEST OF CONGRESS AVENUE; AND PROVIDING FOR AN EFFECTIVE DATE.

1. Presentation(s)
2. Public Comments
3. Board Comments

C. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10 OF THE CITY'S CODE OF ORDINANCES ENTITLED, "LENCENSES AND BUSINESS REGULATIONS", ARTICLE VIII, ENTITLED "MOBILE VENDORS", TO AMEND EXISTING REGULATIONS AND TO CREATE NEW REGULATIONS FOR MOBILE VENDOR USES WITHIN THE CITY; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

1. Presentation(s)
2. Public Comments
3. Board Comments

D. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REVISING ORDINANCE NO. 4088 ADOPTING CHAPTER 25 OF THE CITY'S CODE OF ORDINANCE ENTITLED "FLOOD PREVENTION AND PROTECTION" TO SUPPLEMENT THE WHEREAS CLAUSES TO REFERENCE STATUTORY AUTHORITY RELATED TO THE FLORIDA BUILDING CODE; TO MAKE TWO EDITORIAL CHANGES; TO ADD A FISCAL IMPACT STATEMENT RELATED TO AMENDING THE FLORIDA BUILDING CODE; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

1. Presentation(s)
2. Public Comments
3. Board Comments

## **IX. GENERAL DISCUSSION**

- A. PUBLIC COMMENTS
- B. CORRESPONDENCE
- C. PLANNING AND ZONING BOARD COMMENTS
  1. Project Updates / Upcoming Projects
  2. Upcoming P&Z Board Meetings – June 22, 2017 / July 13, 2017.

## **X. ADJOURNMENT**

NOTICE: In accordance with the Americans with Disabilities Act, persons in need of a special accommodation to participate in this proceeding shall, within a reasonable time prior to any proceeding, contact the City of Riviera Beach, 600 West Blue Heron Boulevard, Riviera Beach, Florida 33404, Telephone 561-845-4000 or TDD 561-840-3350, [www.rivierabch.com](http://www.rivierabch.com).

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<p>CITY OF RIVIERA BEACH PLANNING AND ZONING BOARD</p> <p>---</p> <p>Thursday, May 11, 2017</p> <p>Council Chambers 600 West Blue Heron Boulevard Riviera Beach, Florida</p> <p>6:33 p.m. - 9:32 p.m.</p> <p>---</p> <p>IN ATTENDANCE:</p> <p>Rena James, Chair Tradrick McCoy, Vice Chair Corey Blackwell, Sr., Board Member James Gallon, Board Member Edward Kunuty, Board Member Margaret Shepherd, Board Member Jon Gustafson, 1st Alternate Member Anthony Brown, 2nd Alternate Member Jeff Gagnon, Assistant Director of Community Development Mario Velasquez, Senior Planner Andrew DeGraffenreidt, City Attorney</p>	<p>1 MR. VELASQUEZ: Edward Kunuty.</p> <p>2 MR. KUNUTY: Here.</p> <p>3 MR. VELASQUEZ: Corey Blackwell, Sr.</p> <p>4 MR. BLACKWELL: Present.</p> <p>5 MR. VELASQUEZ: Tradrick McCoy.</p> <p>6 CHAIR MCCOY: Here.</p> <p>7 MR. VELASQUEZ: Rena James.</p> <p>8 CHAIR JAMES: Here.</p> <p>9 MR. VELASQUEZ: A quorum is present.</p> <p>10 CHAIR JAMES: Thank you.</p> <p>11 Move to item III, acknowledgment of Board</p> <p>12 member absence notification.</p> <p>13 MR. GAGNON: Good afternoon. Jeff Gagnon,</p> <p>14 Assistant Director of Community Development.</p> <p>15 I did hear from Mr. Whigham today, and he</p> <p>16 will not be able to make tonight's meeting. Everyone</p> <p>17 else is currently present. With Mr. Whigham absent,</p> <p>18 our first alternate would receive voting rights for</p> <p>19 tonight's meeting.</p> <p>20 CHAIR JAMES: Thank you.</p> <p>21 Item IV, are there any additions or deletions</p> <p>22 to the agenda?</p> <p>23 MR. GAGNON: Yes, I did want to make note of</p> <p>24 the fact that we did receive a rather voluminous amount</p> <p>25 of correspondence in regards to our new business,</p>
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<p>1 BE IT REMEMBERED that the following Planning</p> <p>2 and Zoning Board meeting was had at Riviera Beach City</p> <p>3 Hall Council Chambers, 600 West Blue Heron Boulevard,</p> <p>4 Riviera Beach, Florida, on Thursday, May 11, 2017,</p> <p>5 beginning at 6:33 p.m., with attendees as hereinabove</p> <p>6 noted, to wit:</p> <p>7 ---</p> <p>8 CHAIR JAMES: Good evening. Ready to call</p> <p>9 the May 11th Planning and Zoning Board meeting to</p> <p>10 order. Let the record reflect the time. We'll have a</p> <p>11 moment of silence, followed by the Pledge of</p> <p>12 Allegiance.</p> <p>13 (Moment of silence observed. Pledge of</p> <p>14 Allegiance recited.)</p> <p>15 CHAIR JAMES: Roll call.</p> <p>16 MR. VELASQUEZ: Anthony Brown.</p> <p>17 MR. BROWN: Present.</p> <p>18 MR. VELASQUEZ: Jon Gustafson.</p> <p>19 MR. GUSTAFSON: Present.</p> <p>20 MR. VELASQUEZ: James Gallon.</p> <p>21 MR. GALLON: Present.</p> <p>22 MR. VELASQUEZ: Julius Whigham.</p> <p>23 (No response.)</p> <p>24 MR. VELASQUEZ: Margaret Shepherd.</p> <p>25 MS. SHEPHERD: Here.</p>	<p>1 letter A item, which is the Crab Pot restaurant</p> <p>2 proposal. So what we did is we compiled all the</p> <p>3 information, and we have provided a copy to the Board</p> <p>4 members. We do know this is rather last minute,</p> <p>5 however, we did receive a lot of these comments just</p> <p>6 over the past few days. I think that with tonight's</p> <p>7 attendance, we'll hear many of the comments, the</p> <p>8 questions, firsthand as well, and we obviously want to</p> <p>9 answer as many questions as we can moving forward. But</p> <p>10 for the record, we have this document available.</p> <p>11 And also, we may want to consider moving</p> <p>12 unfinished business, letter A, which is nomination of</p> <p>13 Chairperson and Vice Chair, until after our new</p> <p>14 business section, just to move through the agenda more</p> <p>15 swiftly tonight.</p> <p>16 CHAIR JAMES: All right, thank you.</p> <p>17 Item V, disclosure by Board members and</p> <p>18 adoption of the agenda. Are there any disclosures by</p> <p>19 Board members? Seeing none, we'll move to adoption of</p> <p>20 the agenda. Is there a motion?</p> <p>21 VICE CHAIR MCCOY: Move to adopt the agenda,</p> <p>22 and moving our unfinished business to item number IX.</p> <p>23 CHAIR JAMES: Is there a second?</p> <p>24 MR. KUNUTY: Second.</p> <p>25 CHAIR JAMES: Roll call.</p>

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<p>1 MR. VELASQUEZ: Jon Gustafson.  2 MR. GUSTAFSON: Present and agree.  3 MR. VELASQUEZ: James Gallon.  4 MR. GALLON: Yes.  5 MR. VELASQUEZ: Margaret Shepherd.  6 MS. SHEPHERD: Yes.  7 MR. VELASQUEZ: Edward Kunuty.  8 MR. KUNUTY: Yes.  9 MR. VELASQUEZ: Corey Blackwell, Sr.  10 MR. BLACKWELL: Yes.  11 MR. VELASQUEZ: Tradrick McCoy.  12 CHAIR McCOY: Yes.  13 MR. VELASQUEZ: Rena James.  14 CHAIR JAMES: Yes.  15 MR. VELASQUEZ: Unanimous voting. Motion  16 approved.  17 CHAIR JAMES: Item VI, approval of minutes  18 from April 27, '17. Is there a motion?  19 MR. KUNUTY: Move to approve.  20 CHAIR JAMES: Is there a second?  21 VICE CHAIR McCOY: Second.  22 CHAIR JAMES: Roll call.  23 MR. VELASQUEZ: Jon Gustafson.  24 MR. GUSTAFSON: Yes.  25 MR. VELASQUEZ: James Gallon.</p>	<p>1 resolution of the City Council of the City of Riviera  2 Beach, Palm Beach County, Florida, approving a site  3 plan application from Seven Kings Holdings,  4 Incorporated to build and operate a 4,482 square foot  5 restaurant on a vacant parcel of land which is  6 approximately .35 acre, identified by parcel  7 control number 56-43-42-28-00-003-0090, located on the  8 north side of Blue Heron Boulevard and east of Lake  9 Shore Drive, within the downtown general zoning  10 district, and providing for an effective date.  11 So again, for the presentation portion of  12 tonight's meeting, we'll have staff presentation, we'll  13 have an opportunity for the applicant to present as  14 well and then open the floor for public comments.  15 So at this time I'd like to ask our Senior  16 Planner, Mario Velasquez, to provide the Board and  17 general public with a presentation on this item.  18 CHAIR JAMES: Jeff, were there any comments  19 cards?  20 MR. GAGNON: There are comment cards, yes.  21 CHAIR JAMES: Okay.  22 MR. VELASQUEZ: Good evening, everyone.  23 Mario Velasquez, Senior Planner.  24 Tonight we are here to review the application  25 from Seven Kings Holdings, Inc. for the Crab Pot</p>
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<p>1 MR. GALLON: Yes.  2 MR. VELASQUEZ: Margaret Shepherd.  3 MS. SHEPHERD: Yes.  4 MR. VELASQUEZ: Edward Kunuty.  5 MR. KUNUTY: Yes.  6 MR. VELASQUEZ: Corey Blackwell, Sr.  7 MR. BLACKWELL: Yes.  8 MR. VELASQUEZ: Tradrick McCoy.  9 CHAIR McCOY: Yes.  10 MR. VELASQUEZ: Rena James.  11 CHAIR JAMES: Yes.  12 MR. VELASQUEZ: Unanimous voting. Motion  13 approved.  14 CHAIR JAMES: Thank you. Item VII, new  15 business.  16 MR. GAGNON: Yes, thank you, Chair. We have  17 two items under new business tonight. Just  18 procedurally, we do have white comment cards available  19 in the back of the Council chambers. If anyone here  20 would like to either speak or provide comments in  21 writing, both of those options are available on the  22 card. Typically, we'll ask for those cards to be  23 submitted at the beginning of the item itself, so now  24 would be the time to submit that card.  25 So letter A under new business is a</p>	<p>1 restaurant, application number SP-16-18. It is a  2 retail project. It entails a restaurant that is  3 4,482 square feet, with outdoor deck seating. We will  4 go over the location, get familiarized with the  5 surroundings and continue with the staff analysis.  6 As we can see on the screen, the red dot  7 represents the location, the proposed location for the  8 restaurant. And as we zoom in, we can see the  9 surrounding area a little bit closer, with Marina  10 Grande on the north and the west, and the Intracoastal  11 on the east side and Blue Heron on the south side.  12 The picture on the screen shows what the  13 property looks like right now. It's a vacant lot  14 identified with parcel control number  15 56-43-42-28-00-003-0090. It's approximately .35 of an  16 acre, and the current zoning is downtown general and  17 the future land use is downtown mixed use. To the west  18 and the north side of this property, we can clearly see  19 that is the Marina Grande, which is inlet harbor center  20 planned unit development. That's the zoning. And to  21 the east and south, we have the Intracoastal and the  22 Blue Heron bridge.  23 On the screen we can look at the proposed  24 site plan. It shows the placement of the building with  25 the proposed parking spaces.</p>



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<p>1 Now we have the landscape plan on the screen, 2 which shows some improvement on the site and landscape 3 and screening. These are some of the perspectives that 4 have been provided by the applicant, what the building 5 would look like once it's built.</p> <p>6 I will continue with the staff analysis. As 7 far as the proposed development and use, the applicant 8 is proposing to develop a 4,482 square feet restaurant, 9 with outdoor deck seating. The proposed use complies 10 with the City's Land Development Regulations for the 11 downtown general zoning district. It is also 12 consistent with the Comprehensive Plan's downtown mixed 13 use future land use designation.</p> <p>14 For compatibility, we say that specific 15 conditions of approval may be needed to ensure that 16 this is -- that this use is compatible with adjacent 17 residential development -- Marina Grande -- which may 18 include but not be limited to hours of business 19 operation and specific provisions to govern permitted 20 timeframes for amplified music.</p> <p>21 Continue with the levels of service. City 22 services such as roads, water, sewer and garbage 23 collection are currently available to the site.</p> <p>24 Also, the proposed landscape plan is 25 compatible to the City's Land Development Regulations.</p>	<p>1 resolution shall be considered null and void.</p> <p>2 The full conditions are on the papers 3 provided. I'm just providing a summary of the 4 conditions. And they are also shown on the screen, for 5 the record.</p> <p>6 Number four, all future advertising must 7 state that the development is located in the City of 8 Riviera Beach.</p> <p>9 Once approved, this resolution shall 10 supersede any previous site plan approval resolutions 11 associated with this property, causing previous site 12 plan approval resolutions to be null and void.</p> <p>13 Number six, City Council authorizes the City 14 staff to approve future amendments to this site plan 15 administratively, so long as the site plan does not 16 deviate greater than five percent from the original 17 approved site plan.</p> <p>18 Number seven, hours of business operation; 19 open to the public. This business shall close to the 20 general public at 2 a.m. daily.</p> <p>21 Number eight, hours for amplified music, we 22 have two, A and B. A, amplified music shall be 23 prohibited on Friday and Saturday between the hours of 24 11:30 p.m. and 8 a.m. the next day. Letter B, 25 amplified music shall be prohibited on Sunday through</p>
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<p>1 As far as parking, the number of parking 2 spaces proposed, which is 18 spaces, is in compliance 3 with the City's Land Development Regulations for 4 parking within the downtown area, which requires 15 5 spaces; specifically City Code, Section 31-539, table 6 A, Downtown Zoning District Parking Ratios, which 7 requires one space, one parking space per 300 square 8 feet.</p> <p>9 To conclude, City staff advises that the 10 Planning and Zoning Board review and consider all 11 information presented and provide a recommendation to 12 the City Council. If the Planning and Zoning Board 13 chooses to recommend approval, City staff recommends 14 including the following conditions of approval.</p> <p>15 A two year landscape performance bond for 110 16 percent of the value of landscaping and irrigation 17 shall be required before a Certificate of Occupancy or 18 a Certificate of Completion is issued.</p> <p>19 Construction and landscaping improvements 20 must be initiated within 18 months of the effective 21 date of this resolution.</p> <p>22 This development must receive final 23 Certificate of Occupancy from the City for all 24 buildings and units approved within five years of the 25 approval of the adopting resolution, or the adopting</p>	<p>1 Thursday between the hours of 10 p.m. and 8 a.m. the 2 next day.</p> <p>3 The applicant is present. If the Board has 4 any questions, feel free to ask, and we'll try to 5 provide the best answer.</p> <p>6 VICE CHAIR MCCOY: Madam Chair. 7 CHAIR JAMES: Yes, Mr. McCoy. 8 VICE CHAIR MCCOY: Mr. Velasquez, if we can 9 go back to that slide, I wanted to find out 10 specifically for number seven and number eight, the 11 business hours of operation that's under Staff 12 Conclusion, how did we arrive at that? Is that in the 13 code? Because I know there's a provision that prevents 14 the sale of alcohol after a certain hour. Is that a 15 recommendation from staff?</p> <p>16 MR. GAGNON: Yes, Mr. McCoy, so our current 17 code requirements are silent on hours of business 18 operation. So being that there is a potential 19 compatibility issue with a restaurant use being 20 adjacent to a residential use, this was really the 21 first attempt at providing a definitive timeline that 22 we can carry along as a condition of approval for this 23 property. So it's not to say that that can't be 24 amended. That was really just the initial starting 25 point in order to provide at least a time as far as</p>

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<p>1 when business operations should conclude for that 2 property. 3 VICE CHAIR McCOY: Okay, but it's not a 4 condition? 5 MR. GAGNON: No. These are the conditions of 6 approval that are provided. So even though the heading 7 of this slide says Staff Conclusion, the specific 8 conditions of approval that are recommended are 9 provided. It's numbers one through eight, and then 10 under eight there's both A and B, which discuss 11 amplified music. 12 VICE CHAIR McCOY: Okay, thank you. 13 MR. KUNUTY: Madam Chair. 14 CHAIR JAMES: Yes, Mr. Kunuty. 15 MR. KUNUTY: So the time of 2 a.m. was kind 16 of an arbitrary number that was picked just to have a 17 number? 18 MR. GAGNON: Yes and no. The 2 a.m. 19 requirement actually corresponds to the sale of 20 alcohol. So that's not to say that the business has to 21 be open till 2 a.m., but we know for a fact that they 22 can't sell alcohol after 2 a.m. due to City codes. So 23 there is at least code requirements that govern the 24 sale of alcohol, so that's where that 2 a.m. number 25 came from.</p>	<p>1 site plan, but the other one is the historical picture 2 of the Crab Pot. That was the restaurant that was 3 there for decades on that site. 4 The staff went over the location. It's an 5 existing about a third acre piece of property that's 6 located right, what we consider, right at the base of 7 the bridge, almost under the bridge as it inclines 8 there, and it was the original site of the Crab Pot 9 restaurant. 10 This is the proposed site plan in relation to 11 the surrounding area, the bridge, the Marina Grande 12 project, the Marina Grande parking garage on the west 13 side of it and its context to the Intracoastal 14 Waterway. 15 Just a little history. The original 16 restaurant site here was 6,000 plus square feet. It 17 was built around 1974. Actually, I think there was a 18 restaurant there even before then, but that's the 19 dates. And the hurricanes of 2000, 2005 caused a 20 little bit of -- it caused quite a bit of damage to it. 21 In August 2005 the restaurant was demolished 22 to make way for the Inlet Tower, a 20 story condominium 23 building that was going on this site. So the 20 story 24 condominium that was approved on this site was 25 approved, but did not go through because of the</p>
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<p>1 MR. KUNUTY: Did the applicant have any input 2 to the time? 3 MR. GAGNON: The proposed conditions were 4 provided to the applicant, and they didn't have any 5 opposition to those conditions. I didn't follow 6 through any further to ask if there's additional 7 flexibility. There may be, depending on, really, 8 tonight's meeting and how we move forward. 9 MR. KUNUTY: Thank you. No other questions 10 at this time. 11 CHAIR JAMES: Okay, proceed. If staff is 12 finished with the presentation, then the applicant? 13 MR. GAGNON: Yes, ma'am. 14 MR. GENTILE: Thank you, Madam Chair and 15 Commissioners. For the record, my name is George 16 Gentile. I'm president of Gentile Glas Holloway 17 O'Mahoney &amp; Associates. And a pleasure being here 18 tonight with you on this project. 19 I have a lot of familiarity with this project 20 because of its historical background, as I grew up here 21 in Riviera Beach. And this was a great place for 22 eating seafood, and it was one of the only waterfront 23 restaurants that was available back when I was a young 24 person living here with my family. 25 The pictures you see here are the proposed</p>	<p>1 economy. And it, of course, is currently vacant. 2 So the proposal here is to actually bring the 3 Crab Pot restaurant, but I would say that in a more 4 appropriate venue here, as it will be very similar to a 5 lot of other waterfront restaurants, including the 6 model for this was the U-Tiki restaurant in Jupiter, on 7 the Jupiter Inlet, which is a very popular waterfront 8 quality restaurant. And that's what the owners here 9 are bringing to the project. 10 This was the site. You can see in this 11 corner here the Crab Pot was existing when the Marina 12 Grande project had its construction trailers out there, 13 had cleared the site and started to begin construction. 14 In fact, this is the site during construction, and as 15 well you can see, the restaurant, the 6,000 square foot 16 restaurant was there and continued to be there through 17 the construction, and then was damaged and then 18 eventually was taken down. That is it right there with 19 its associated parking for that venue. 20 Interesting enough, this is the site plan for 21 the Marina Grande project, and if you look down in the 22 corner here, when that project was approved by this 23 City in 2004, the restaurant was still an existing use. 24 That was the Crab Pot restaurant location. This was 25 the Marina Grande project, and then the Loggerhead</p>

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<p>1 Marina was done as a part of this project, and in fact, 2 has coordinated parking both outside and inside the 3 facility. 4 This was approved, again, by the City 5 Council, and I think a lot of the residents here live 6 in that project. You'll notice that our firm was the 7 site planner for that project as well. 8 The project's about a third of an acre. It's 9 very important to know that this is in the downtown 10 mixed use Comprehensive Plan designation. It's in your 11 downtown general district, part of the CRA. There were 12 specific reasons to include this whole area in the CRA. 13 You can see by the site data that we are in compliance 14 or exceed all the Land Development Regulations, and I 15 think that that is a very important thing for this 16 Board to understand. 17 The parking required is one per 300 square 18 feet, as per that zoning district, which requires 15, 19 and we have 18 on the site. We have a lease agreement 20 with the marina to use overflow parking, if necessary, 21 with access being provided by the restaurant back and 22 forth to those parking lot areas. So we feel very 23 comfortable that the venue of this restaurant will be 24 adequately served with parking. 25 Just to reiterate the staff's comments, which</p>	<p>1 This is the site plan, and I want to -- we 2 are using, through a lease agreement with the FDOT, 3 parking on a portion of their extended right-of-way 4 that they had taken for construction purposes of the 5 Blue Heron bridge. We're on a one-way drive access to 6 come into the site, and we have additional parking on 7 the west side, which actually backs up to the parking 8 garage of the Marina Grande project. 9 This project is a much more lower rise 10 building. We did that purposely to make it fit in with 11 the community there. And you'll see in the 12 architecture in a minute some of the other items that 13 Harvard Jolly -- we have our architect, 14 René Tercilla, here from Harvard Jolly in case you have 15 any questions on the architecture. 16 We landscaped and buffered against the Marina 17 Grande project to the north. 18 We do have a marginal dock that will go out 19 to allow boaters to come up to utilize the restaurant 20 and to encourage people to come and visit by boat, 21 which Riviera Beach is well noted as a marine venue and 22 town. 23 This is the elevations, and I want you to 24 look at specifically what we've done on the north 25 elevation and the west elevation. We actually</p>
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<p>1 I think, again, is very, very important, because this 2 use is a use by right in your downtown district, we 3 meet the downtown mixed use land use requirements of 4 the City's Comprehensive Plan. Your staff just 5 provided that to you. The restaurant is a previous 6 permitted use on this site. It was a use by right back 7 then. It's a use by right now. And it also is 8 permitted in the general zoning district as a use by 9 right on this property. 10 The proposed site plan associated development 11 documents, as we provided the Town, and the entire 12 program meets the Land Development Regulations of the 13 City. And we are not requesting any waivers or 14 deviations or variances or anything to the City of 15 Riviera Beach codes. And I think that's also another 16 very important aspect that you need to consider with 17 the project. This is meeting all your Land Development 18 Regulations for that property. 19 The staff has given you conditions of 20 approval. And I know that Jeff was kind enough to say 21 that they came up with the conditions, we've reviewed 22 them, and at this time we have no issues with the 23 conditions, including the hours of operation, the 24 restriction of time for the music, and we agree with 25 those conditions of approval as submitted by the staff.</p>	<p>1 purposely did not put windows or openings in those 2 areas to provide for not only visual but also sound and 3 anything else buffer to the project, to the residential 4 project. We kept the cupola areas in a low-rise 5 position just to give it accent and to provide a 6 nautical type architectural and Keys kind of 7 architecture to the site. 8 The staff has shown you the elevations. This 9 is actually the south elevation that faces the Blue 10 Heron bridge. That's the side of the project that is 11 the main entrance. Again, this is that side facing the 12 other -- towards this it will have a metal, (inaudible) 13 metal roof and clapboard siding. And we think it 14 really is an attractive building. 15 The original Crab Pot had a very high 16 roofline. It had actually a billboard sign that went 17 above the bridge, so as you came over the bridge, you 18 were able to see that. We are, of course, not 19 providing that or proposing that at all in this 20 project. 21 Again, I want to reiterate that we think that 22 this is a great use for that site, particularly being 23 under the bridge. It will bring, I think, a great 24 venue, an outdoor restaurant, a restaurant and 25 waterfront restaurant. We do have some seating</p>

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<p>1 outside. It will allow the patrons, the residents of 2 Riviera Beach, as well as the visitors to Riviera Beach 3 to come here and enjoy the waterfront and to be able to 4 eat. It will be a mixed food venue, and we think it's 5 going to be a great facility. 6 I want to reiterate too that this is a use by 7 right and we do meet all your development, Land 8 Development Regulations. So I'll be glad to answer any 9 questions. We have our architect here as well if we 10 need to answer any of those questions. And we would 11 ask to be able to give additional time in case there's 12 questions from the public that we may need to respond 13 to. 14 Thank you, Ms. Chair. 15 CHAIR JAMES: Thank you, Mr. Gentile. 16 VICE CHAIR McCOY: Mr. Gentile. 17 MR. GENTILE: Yes, I'm sorry. 18 VICE CHAIR McCOY: Going to ask some 19 questions of you. 20 MR. GENTILE: Sure, absolutely. 21 CHAIR JAMES: You're recognized, Mr. McCoy. 22 VICE CHAIR McCOY: How far out -- and I 23 couldn't determine this from the site plan. How far 24 out does that marginal dock extend eastward into the 25 Intracoastal?</p>	<p>1 MR. GENTILE: Well, there was a dock there 2 historically on that site in that location. And they 3 have a submerged land lease, and of course, that will 4 all be brought into it. That will determine the 5 length. We put it in the site plan that you all know 6 that we're putting a dock there. It's a marginal dock 7 because boats can only come up on a side to it. And if 8 we get 350 feet or if we get 50 feet approvals by the 9 agencies, then we have to live by what the agencies, as 10 well as the City, so -- 11 VICE CHAIR McCOY: Okay. I'm not real 12 familiar with how that works, so I was just curious. 13 But that just seems a little unusual. But they don't 14 even give you a conditional approval based on the site 15 plan? 16 MR. GENTILE: Well, we have to actually -- 17 when you request permits, you have to have an approval 18 from the City that you have zoning approval, and that's 19 what we're going through now. And then we will put in 20 our permits to both the FDEP and Army Corps of 21 Engineers for that, and they will determine, based on 22 review of the application, where its location is, what 23 the subsurface is, the elevations, and they will 24 dictate whether they will permit it or not. 25 VICE CHAIR McCOY: And these --</p>
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<p>1 MR. GENTILE: I'll give you the exact 2 dimension. Hold on. It's 350 feet. 3 VICE CHAIR McCOY: My next question is -- and 4 perhaps I don't know if it would be you or perhaps the 5 Planning Department: Who provides the structural 6 inspection of that dock? Is it someone in our Building 7 Department, or is there, I guess, an Army Corps or 8 something like that, Army Corps of Engineers? 9 MR. GAGNON: Yes, there would be a separate 10 permit required through DEP, and I believe Army Corps 11 of Engineers is also involved in permitting the docks. 12 They're also associated with really any sort of 13 structural element in the dock or the length of the 14 dock. So that would really be outside of the City's 15 hands. 16 MR. GENTILE: Right. And that is the 17 proposed dimension. We still have to get that 18 permitted, so it could be reduced. But that was the 19 maximum that we will request in a permit, but it could 20 be made smaller by the agencies. 21 VICE CHAIR McCOY: Okay. But that, I guess, 22 the approval is not by right for the marginal dock, 23 because that would seem to be -- that's definitely 24 outside of the parcel that I see. So is it possible 25 that they won't approve it and --</p>	<p>1 MR. GENTILE: The two agencies, Florida 2 Department of Environmental Protection and the Army 3 Corps of Engineers, because this is in the waters of 4 the Federal government. 5 VICE CHAIR McCOY: Okay. 6 MR. GENTILE: Yes. 7 VICE CHAIR McCOY: So they do -- do they also 8 do the structural inspection of the dock as well? 9 MR. GENTILE: They will review the structural 10 and development permits, but you also will review it in 11 your Building Department, your engineering consultants 12 and your Building Department. I'm sorry, I didn't mean 13 to say that, but -- 14 MR. GAGNON: No, that's very true. 15 MR. GENTILE: -- your staff. 16 MR. GAGNON: We'll review it for Building 17 Code compliance. However, the actual parameters of the 18 dock fall outside of the City's control. 19 VICE CHAIR McCOY: Okay. My next question is 20 the lease you said you have with FDOT regarding those 21 six spaces, is that inside of our packet, because I 22 didn't see that. 23 MR. GENTILE: Yes, it's in the justification 24 statement. You mean the lease document? 25 VICE CHAIR McCOY: Right, because it would</p>

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<p>1 appear that if you don't get -- and I trust you at your 2 word. But you need those spaces in order to satisfy 3 the -- 4 MR. GENTILE: Right. 5 VICE CHAIR McCOY: -- parking requirement, 6 and I would have thought that was going to be 7 something -- 8 MR. GENTILE: We have a conceptual approval 9 from the FDOT for that lease of those spaces. And as 10 soon as the site plan is -- if the site plan is 11 approved, then we will sign that lease with the FDOT. 12 VICE CHAIR McCOY: Okay, fair enough. And my 13 last question -- 14 MR. GENTILE: Yes, sir. 15 VICE CHAIR McCOY: -- for now is you said you 16 guys were the planners for the Marina Grande project as 17 well? 18 MR. GENTILE: I'm sorry? 19 VICE CHAIR McCOY: You said your firm was the 20 planners for the Marina -- 21 MR. GENTILE: Yes, we were. We were the site 22 planners and landscape architects for the Marina Grande 23 project. 24 VICE CHAIR McCOY: Okay, that's it for now. 25 MR. GENTILE: As well as the Loggerhead</p>	<p>1 CHAIR JAMES: Blackwell, okay. 2 MR. BLACKWELL: Mr. Kunuty actually addressed 3 my question of the seating, because I was concerned 4 about the outside spacing of the -- well, the 4,000 5 square footage, how much of the square footage is going 6 to be actually designated for outside use or not 7 covered? 8 MR. GENTILE: Well, the restaurant itself is 9 4,300. They will have outdoor seating. Particularly 10 like they do up in several of the outdoor venues, they 11 will put tables and chairs out. People may sit out 12 there and wait for a table inside, or they may be 13 served food outside, so -- 14 MR. BLACKWELL: In which direction of the 15 parcel? 16 MR. GENTILE: It will be straight out to the 17 east. 18 MR. BLACKWELL: East? 19 MR. GENTILE: Yes, that's the only location. 20 As you can see, the palm trees that we have on that 21 side, they will be able to move seats around. Those 22 will be movable seat areas in this location right here, 23 okay? 24 CHAIR JAMES: I have a question -- 25 MR. GENTILE: Yes, ma'am.</p>
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<p>1 Marina project. 2 VICE CHAIR McCOY: Okay, that's it for me 3 now, Madam Chair. 4 MR. GENTILE: Thank you. 5 MR. BLACKWELL: Madam Chair. 6 MR. KUNUTY: Madam Chair. 7 MR. BLACKWELL: Go ahead, Mr. Kunuty. 8 CHAIR JAMES: Mr. Kunuty, you're recognized. 9 MR. KUNUTY: Yes, Mr. Gentile, what is the 10 capacity of the restaurant? 11 MR. GENTILE: There'll be 150 seats under the 12 roof of the building, and they have an ability -- we're 13 showing approximately 50 seats that could be done out 14 on the deck outside, in the outside area. 15 MR. KUNUTY: That would not be under cover. 16 MR. GENTILE: That's correct. 17 MR. KUNUTY: How many would be actually 18 inside? 19 MR. GENTILE: 150. 20 MR. KUNUTY: 150? 21 MR. GENTILE: Yes, that's the minimum for the 22 restaurant use. 23 MR. KUNUTY: No other questions at this time. 24 CHAIR JAMES: Help me out. Mr. Brown? 25 MR. BLACKWELL: Blackwell.</p>	<p>1 CHAIR JAMES: -- for you. The previous 2 restaurant site, before it was demolished, how many 3 seats did it have under cover? 4 MR. GENTILE: I don't know, but it was almost 5 2,000 square feet larger. So if you -- it probably had 6 inside maybe 200 seats. 7 CHAIR JAMES: 200 seats inside -- 8 MR. GENTILE: Yes. 9 CHAIR JAMES: -- and how many parking spaces? 10 I think in the report it did say previously it only had 11 14 -- 12 MR. GENTILE: Yes. 13 CHAIR JAMES: -- parking spaces. 14 MR. GENTILE: They had 14. 15 CHAIR JAMES: Where did they used to do the 16 overflow parking? 17 MR. GENTILE: I couldn't answer that 18 question. Maybe under the bridge, or maybe down the 19 road. I don't know what they did. 20 CHAIR JAMES: Okay. 21 MR. GENTILE: Yes, ma'am. 22 CHAIR JAMES: Thank you. 23 Are there any more Board questions? 24 MR. GUSTAFSON: Madam Chair. 25 CHAIR JAMES: Go ahead, you're recognized.</p>

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<p>1 MR. GUSTAFSON: Jon Gustafson, for the 2 record. 3 Are you requesting any overnight dockage? 4 MR. GENTILE: No. 5 MR. GUSTAFSON: So -- 6 MR. GENTILE: This is just for coming up to 7 the restaurant, very similar to the Waterway Cafe in 8 North Palm Beach -- actually, Palm Beach Gardens, the 9 Seasons 52. The U-Tiki bar has -- U-Tiki restaurant, 10 I'm sorry, in Jupiter, as well as the Jetty's 11 restaurant have marginal docks for people to 12 occasionally stop their boat there, come out and have 13 dinner or lunch and then leave. Yes, we will not allow 14 24 hour boat docking there. 15 MR. GUSTAFSON: So there will be no power on 16 the dock and no water on the dock? 17 MR. GENTILE: No. 18 MR. GUSTAFSON: No more questions. 19 MS. SHEPHERD: Madam Chair. 20 CHAIR JAMES: You're recognized, 21 Ms. Shepherd. 22 MS. SHEPHERD: Can't think of your name right 23 now. 24 MR. GENTILE: George Gentile, Mrs. Shepherd. 25 MS. SHEPHERD: Mr. Gentile. How well do I</p>	<p>1 to. But we're required two spaces on this property for 2 the amount of spaces we have, per the ADA code. 3 We've also, just so you know, we moved our 4 required dumpster area to this corner here so that it 5 is away from the north property boundary as far as we 6 could get away on our property as well, so -- 7 MS. SHEPHERD: Thank you, Madam Chair. 8 That's all. 9 CHAIR JAMES: Are there any more Board 10 questions for the applicant at this time? 11 VICE CHAIR McCOY: Madam Chair. 12 CHAIR JAMES: You're recognized, Mr. McCoy. 13 VICE CHAIR McCOY: Did you say you were going 14 to use a golf cart from the marina? 15 MR. GENTILE: They would -- that's how they 16 would provide people to come back and forth for 17 overflow parking, yes. 18 VICE CHAIR McCOY: That's got to be at least 19 a quarter of a mile. Riviera Beach Marina? 20 MS. SHEPHERD: No. 21 MR. GENTILE: No, no, no, no. From the 22 marina here, the Loggerhead Marina, yes, right there at 23 the site. They have an outdoor parking lot in the 24 back, and they have spaces that are available in the 25 garage.</p>
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<p>1 know you. 2 MR. GENTILE: You know me very well. 3 MS. SHEPHERD: Very well. I heard you say 4 something about the parking, the overflow will go to 5 the marina. 6 MR. GENTILE: We have a lease agreement with 7 the marina for 75 additional spaces, which is actually 8 more than you would need if you did the original -- 9 your typical zoning code in your commercial district is 10 one, I think one space per -- is it three seats? Yes, 11 three seats. So if you take 200 seats, you would need 12 60 spaces. We have 18 on site and 75 available to us 13 for overflow, so that's more than the 63 spaces that we 14 would need. 15 MS. SHEPHERD: So how will the people get to 16 overflow -- 17 MR. GENTILE: They will use a golf cart or 18 whatever to bring those people to the restaurant, or 19 they will valet park them, depending on what they -- 20 the venue. 21 MS. SHEPHERD: Next question, how many 22 handicapped spaces are there? 23 MR. GENTILE: We have provided handicapped 24 spaces. There are two on this site, and there are, of 25 course, more at the marina which they would have access</p>	<p>1 VICE CHAIR McCOY: Okay, my apologies. 2 MR. GENTILE: No problem. It would be good 3 to bring people up from the Riviera Beach Marina, back 4 and forth, but we wouldn't want to interrupt -- 5 MS. SHEPHERD: Absolutely. 6 MR. GENTILE: -- the restaurant at, the 7 marina restaurants at Riviera Beach's marina. 8 MS. SHEPHERD: Absolutely. Have enough 9 problems. 10 MR. BLACKWELL: Madam Chair, one more 11 question before -- 12 CHAIR JAMES: Mr. Blackwell, you're 13 recognized. 14 MR. BLACKWELL: Yes, sir, one more question. 15 As far as the 2 a.m. daily closing time that was 16 proposed, is the applicant definitively going to open 17 this operation from whenever he opens to 2 a.m. every 18 day or -- 19 MR. GENTILE: The intended hours will be 20 competitive with other restaurants in the City of 21 Riviera Beach, would be from 11:00, for a lunch trade, 22 to 2:00 in the morning. 23 MR. BLACKWELL: Riviera Beach, we have no 24 other restaurants, so -- 25 MR. GENTILE: Well, you do have some over on</p>

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<p>1 the beach --</p> <p>2 MR. BLACKWELL: Singer Island, yes.</p> <p>3 MR. GENTILE: -- and you have some on Singer</p> <p>4 Island, which is --</p> <p>5 MR. BLACKWELL: But I don't think they stay</p> <p>6 open till 2 a.m. But my question is: Is the applicant</p> <p>7 set on a 2 a.m. timeframe?</p> <p>8 MR. GENTILE: The restaurant owner, the</p> <p>9 developer is pretty set on those hours.</p> <p>10 MR. BLACKWELL: 2 a.m.</p> <p>11 MR. GENTILE: Yes.</p> <p>12 MR. BLACKWELL: Okay, thank you.</p> <p>13 CHAIR JAMES: Thank you, Mr. Blackwell.</p> <p>14 Mr. McCoy, did you have something else before</p> <p>15 we move into public comment?</p> <p>16 VICE CHAIR McCOY: I did. And I apologize,</p> <p>17 because I --</p> <p>18 MR. GENTILE: That's not a problem.</p> <p>19 VICE CHAIR McCOY: -- I totally misunderstood</p> <p>20 you when you said the marina. I don't know what I was</p> <p>21 thinking. So there's 75 additional spaces at the</p> <p>22 Loggerhead Marina?</p> <p>23 MR. GENTILE: They have a lease to use an</p> <p>24 additional 75 as a shared parking because the marina</p> <p>25 closes at 5 p.m., the offices there close at 5 p.m.,</p>	<p>1 comes in and comes underneath the bridge right to</p> <p>2 there.</p> <p>3 VICE CHAIR McCOY: Right. And from -- I</p> <p>4 guess I didn't see that in the Fire Department's</p> <p>5 comments, but you know, if you got on-street parking on</p> <p>6 that service road --</p> <p>7 MR. GENTILE: They have full access to that</p> <p>8 through that parking area. I'll go back to the site</p> <p>9 plan. This is your service road right here, and they</p> <p>10 also have access right -- I'm sorry? Yes, I'm sorry.</p> <p>11 I said they have access on this road right here coming</p> <p>12 around, and they also have an access drive coming in</p> <p>13 right here to get up against the building and then</p> <p>14 right back out.</p> <p>15 So they have a full -- we have a drop-off</p> <p>16 area there that is also emergency vehicle access that</p> <p>17 comes here, gets back in and goes straight to where</p> <p>18 they have to go towards the west, which is where your</p> <p>19 hospital is and your other activities.</p> <p>20 CHAIR JAMES: Go ahead, Mr. McCoy.</p> <p>21 VICE CHAIR McCOY: My -- pardon me, folks, I</p> <p>22 just want to make sure I'm clear on these questions.</p> <p>23 So what I don't want to see happen is if</p> <p>24 you're limited with 12 spaces on your lot and six</p> <p>25 spaces that's on the street, I hate when I go to a</p>
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<p>1 and most of the patrons there, except for some people</p> <p>2 that are still out on their boats that may come back at</p> <p>3 night have some of their cars parked there, but all</p> <p>4 their spaces are typically available. The Loggerhead</p> <p>5 Marinas everywhere in Palm Beach County have closed at</p> <p>6 5:00, so --</p> <p>7 VICE CHAIR McCOY: Okay. Well, you know,</p> <p>8 I've certainly seen that you were able to meet the code</p> <p>9 requirements --</p> <p>10 MR. GENTILE: Right.</p> <p>11 VICE CHAIR McCOY: -- of one space to every</p> <p>12 300 feet.</p> <p>13 MR. GENTILE: Right.</p> <p>14 VICE CHAIR McCOY: But just from the</p> <p>15 accessibility and capacity, that just seems like quite</p> <p>16 a bit for seats with such limited parking and then</p> <p>17 having to go to another marina. And that just begs the</p> <p>18 question of public safety. Having just the one way</p> <p>19 access to -- is that called Blue Heron Boulevard</p> <p>20 Service Road? Is that the name of it?</p> <p>21 MR. GENTILE: Yes.</p> <p>22 VICE CHAIR McCOY: So what is -- I wish there</p> <p>23 was a --</p> <p>24 MR. GENTILE: I'm going to get to it. That</p> <p>25 roadway comes in from the intersection right here, and</p>	<p>1 restaurant where you're forced to valet park. And I</p> <p>2 don't know what kind of restaurant you can operate</p> <p>3 that's 4,500 square feet with maybe two people. So I</p> <p>4 can just imagine you're going to have, at minimum,</p> <p>5 eight people working inside of a restaurant. So --</p> <p>6 MR. GENTILE: Well, we will have 18 spaces on</p> <p>7 this site, and six of them will be on the right-of-way.</p> <p>8 VICE CHAIR McCOY: Right. But my concern is</p> <p>9 the lease for those spaces, does that give you</p> <p>10 exclusive right to those spaces, or can someone else</p> <p>11 from the general public park in those spaces that's</p> <p>12 along the road and walk out to the Intracoastal?</p> <p>13 MR. GENTILE: That parking is open to the</p> <p>14 public to use the marina. They will control it. I</p> <p>15 would imagine that the marina operator will have --</p> <p>16 they will have to control it when the restaurant's</p> <p>17 open.</p> <p>18 VICE CHAIR McCOY: I'm speaking of the</p> <p>19 on-street parking where that red car is.</p> <p>20 MR. GENTILE: The on-street parking there?</p> <p>21 VICE CHAIR McCOY: Where that red car is.</p> <p>22 MR. GENTILE: Um-hmm.</p> <p>23 VICE CHAIR McCOY: Is that open to the</p> <p>24 general public? If I chose to just drive down and park</p> <p>25 along the road, would I be able to do that?</p>

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<p>1 MR. SIEMSEN: No.</p> <p>2 MR. GENTILE: No. I'm sorry.</p> <p>3 VICE CHAIR McCOY: So how do you prevent</p> <p>4 someone from doing that?</p> <p>5 MR. SIEMSEN: Hi, good evening. Dan Siemsen</p> <p>6 with Gentile Glas Holloway O'Mahoney.</p> <p>7 That car there is just a representation of a</p> <p>8 car in the road. It's not actually parked there. It's</p> <p>9 static because it's an image. But there is no parking</p> <p>10 on-street on that service road at all, zero. That is</p> <p>11 access only.</p> <p>12 The only parking that's occurring is going to</p> <p>13 be in the site here. Once you enter the driveway here,</p> <p>14 you're into the restaurant parking. That's exclusively</p> <p>15 for the restaurant only. That lease agreement is</p> <p>16 between the restaurant and the DOT. That's it. So</p> <p>17 there is no on-street parking there.</p> <p>18 And as a matter of fact, the DOT is very</p> <p>19 adamant that the parking underneath the bridge that's</p> <p>20 currently fenced in is to stay fenced in. There's to</p> <p>21 be no on-street parking down there because they want to</p> <p>22 maintain access for emergency vehicles.</p> <p>23 VICE CHAIR McCOY: Well, Dan, can you -- and</p> <p>24 pardon me, because I'm a layperson. Can you point to</p> <p>25 it with that cursor, those six spaces that you're</p>	<p>1 MR. KUNUTY: Madam Chair, I have a question.</p> <p>2 CHAIR JAMES: You're recognized, Mr. Kunuty.</p> <p>3 MR. KUNUTY: Yes, Mr. Gentile, basically from</p> <p>4 the black line to where the road is is the leased land</p> <p>5 from --</p> <p>6 MR. GENTILE: This is the leased land right</p> <p>7 here.</p> <p>8 MR. KUNUTY: Okay.</p> <p>9 MR. GENTILE: That's it.</p> <p>10 MR. KUNUTY: Okay. You kind of mentioned</p> <p>11 access into the Marina Grande parking area off the</p> <p>12 property. Is that correct?</p> <p>13 MR. GENTILE: Yes. I said that they have a</p> <p>14 lease agreement to utilize up to 75 spaces of that</p> <p>15 marina itself's parking.</p> <p>16 MR. KUNUTY: But that would be to the west of</p> <p>17 the marina barn --</p> <p>18 MR. GENTILE: Yes.</p> <p>19 MR. KUNUTY: -- correct?</p> <p>20 MR. GENTILE: Yes.</p> <p>21 MR. KUNUTY: And across the street.</p> <p>22 MR. GENTILE: They have some in the garage</p> <p>23 and they have some in the parking lot that is across</p> <p>24 the street.</p> <p>25 MR. KUNUTY: My question though is: Is there</p>
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<p>1 leasing from DOT?</p> <p>2 MR. GENTILE: One, two, three, four --</p> <p>3 MR. SIEMSEN: There's six.</p> <p>4 MR. GENTILE: -- five, and there's here.</p> <p>5 It's one, two, three, four, five, six spaces right</p> <p>6 there.</p> <p>7 VICE CHAIR McCOY: Okay, I'm sorry. I had</p> <p>8 the impression that it was actually on the road.</p> <p>9 MR. GENTILE: No, it's not on the road.</p> <p>10 That's just showing a graphic, a car going around the</p> <p>11 circulation, so that there's no obstruction of any</p> <p>12 traffic on the service road under the bridge at all.</p> <p>13 VICE CHAIR McCOY: Okay.</p> <p>14 MR. GENTILE: I'm sorry.</p> <p>15 MR. GAGNON: And technically, the area that</p> <p>16 we're describing is technically right-of-way. So this</p> <p>17 is why they have to have the access agreement with</p> <p>18 FDOT. So there's a black line that goes through the</p> <p>19 middle of the image. North of that line is private</p> <p>20 property. However, south is FDOT right-of-way, so</p> <p>21 that's why they had to go through a separate agreement</p> <p>22 with FDOT in order to secure those specific parking</p> <p>23 spots for the restaurant use only.</p> <p>24 VICE CHAIR McCOY: Okay, understood.</p> <p>25 That's it for me, Madam Chair, for now.</p>	<p>1 an access from the private property into the Marina</p> <p>2 Grande parking area?</p> <p>3 MR. GENTILE: No.</p> <p>4 MR. KUNUTY: So they would have to leave the</p> <p>5 property and go on the service road to get to the</p> <p>6 parking?</p> <p>7 MR. GENTILE: Correct.</p> <p>8 MR. KUNUTY: Okay, thank you.</p> <p>9 CHAIR JAMES: Okay, we're going to move into</p> <p>10 public comment. Before we do, I am going to read the</p> <p>11 statement on the back of the card. I don't know if you</p> <p>12 had a chance to read it, but it will be read for the</p> <p>13 record. And when I finish, there will be no more</p> <p>14 comment cards that will be allowed because these are</p> <p>15 supposed to be submitted before.</p> <p>16 Members of the public are encouraged to</p> <p>17 actively participate during Planning and Zoning Board</p> <p>18 meetings and may do so by speaking on items or by</p> <p>19 providing comments in writing to be read into the</p> <p>20 record. Most often three minutes are provided to each</p> <p>21 individual on each action item, and we will stick to</p> <p>22 the three minute rule tonight because we have a stack</p> <p>23 of comment cards.</p> <p>24 If you wish to address the Board, please</p> <p>25 complete the reverse side of the card and provide it to</p>



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<p>1 City staff. Please be mindful that this must be 2 submitted to City staff before the item you wish to 3 comment on is open for discussion.</p> <p>4 When your name is called by the Chairperson 5 to speak, please state your name and address for the 6 record before beginning your comments. Comments should 7 be pertinent to and associated with the specific agenda 8 item being discussed.</p> <p>9 Any person making impertinent or slanderous 10 remarks or acting in a disruptive manner may be barred 11 from further participation. The Chairperson may advise 12 that person to cease their discussion and may also ask 13 that an individual be removed from the meeting.</p> <p>14 If you have any questions, please ask City 15 staff. Thank you. And at this time, I will not accept 16 any more comment cards.</p> <p>17 VICE CHAIR McCOY: You've got two more that 18 was already, you know --</p> <p>19 CHAIR JAMES: Yes, this is it. So the first 20 person we're going to have up is Marybeth Coffey.</p> <p>21 MS. COFFER: Go over here?</p> <p>22 CHAIR JAMES: Yes, ma'am, go up to the podium 23 and please state your name and address.</p> <p>24 MS. COFFER: My name is Marybeth Coffey. I 25 reside at Marina Grande in Unit Number 909. We're an</p>	<p>1 traffic flow that's going to occur if that happens.</p> <p>2 I'm also concerned whether this is a 3 restaurant and going to operate as a restaurant or if 4 this is a bar disguised as a restaurant. I welcome the 5 restaurant idea. I do not welcome the idea of a 2 a.m. 6 closure on a restaurant and the loud noise that may 7 come with some of the noise provisions that have been 8 recommended by staff. And while I understand those are 9 broad guidelines, it sounds to me like the developer 10 intends to stick with those. So I think that we should 11 look more closely at those before approval is given.</p> <p>12 I'm also very concerned about trash, because 13 I understand when the Crab Pot was there, there was a 14 rodent problem. Our trash is enclosed and refrigerated 15 at Marina Grande; it's air conditioned. Will they do 16 the same so that we don't have more raccoons, possums 17 and animals coming into that area? Because we are a 18 pet friendly complex and we have a lot of dogs and 19 cats, it should remain the same.</p> <p>20 Also, in terms of keeping with comparable 21 establishments, I think Sailfish Marina is a very good 22 comparable because it is close to residential and also 23 transient housing. It closes at 10 a.m. seven nights a 24 week. 7 p.m. -- 10 p.m. seven nights a week. It does 25 not stay open until 2:00 in the morning. And that was</p>
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<p>1 owner and resident, full-time resident.</p> <p>2 I am not antidevelopment. I welcome 3 something on that vacant lot, and a restaurant, to me, 4 would be the perfect thing for that lot. However, I 5 have numerous concerns that I don't feel have been 6 addressed.</p> <p>7 While the petition may meet the zoning 8 requirements, do they meet the good neighbor 9 requirements? For example, the timing, opening till 10 2:00 in the morning. Someone told me once nothing good 11 happens after midnight, and I believe that to be true 12 for a couple of reasons. One, we don't need to 13 encourage drinking into the late hours. Two, there 14 will be employees in that restaurant who, if it closes 15 at 2 a.m., may be forced to walk to get their cars, 16 creating a very unsafe situation.</p> <p>17 In addition to unsafe situations which the 18 gentleman mentioned, this service road comes out at a 19 stoplight that is no right turn on red. I have 20 witnessed many people turning right on that red turn. 21 And it's already a very bad street with the Publix 22 entrance, the Marina Grande entrance, the confusing 23 stop signs, the sign that says through traffic doesn't 24 stop, even though there's a stop sign at the Publix. I 25 think that your safety people need to relook at all the</p>	<p>1 one of the most comparable that I found.</p> <p>2 Thank you for listening.</p> <p>3 CHAIR JAMES: Thank you, Ms. Coffey.</p> <p>4 I do have a question for staff before we go 5 on in reference to the public comments. Do you take 6 notes and are you going to address everything at the 7 end? How do you want to --</p> <p>8 MR. GAGNON: Yes, so historically, staff will 9 take notes of public comments. We'll always do our 10 best to address as many comments as possible. I have a 11 feeling there will be, again, a voluminous amount of 12 comments tonight. I think we've touched upon a few of 13 the comments stated already, however, I think a larger 14 discussion will have to be really had by the Board in 15 general in order to determine how to move forward. But 16 any sort of technical analysis, staff will be able to 17 provide comment on.</p> <p>18 CHAIR JAMES: All right, thank you.</p> <p>19 Next up is Chris Farrell. Forgive me if I 20 mispronounced your last name.</p> <p>21 MR. FARRELL: Thank you. I appreciate the 22 opportunity to be here. I also live at Marina Grande, 23 Unit 603.</p> <p>24 And as the previous speaker noted, I'm in 25 favor of development too. I'm for it. But you need to</p>

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<p>1 really, really, really slow it down and back down on 2 this, because there are so many problems here that you 3 didn't even address tonight.</p> <p>4 I didn't hear anybody say anything about 5 music. You know, the hours are prohibited between 6 11:30 p.m. and 8 a.m., so does that mean they can start 7 cranking up a band at 9:00 on a Saturday morning and 8 just play until 11:30 on Saturday night? Is it going 9 to be an outdoor band, indoor band?</p> <p>10 I didn't hear anything about liquor sales.</p> <p>11 As a previous speaker noted, is it going to be a 12 restaurant disguised as a bar or a bar disguised as a 13 restaurant? Are they going to be able to -- are they 14 going to have an outdoor tiki bar where you can just 15 pull up like it's, you know, the Waterway Cafe and just 16 sit out there all afternoon and drink and listen to 17 music and do whatever you want?</p> <p>18 I understand there's no overnight boating, 19 but are you going to have a guard there that says, you 20 know, you've got to move your boat, you've got to leave 21 whether you're too drunk to or not?</p> <p>22 They're going to have a golf cart that's 23 going to bring people, overflow into our house. And 24 whether they're inebriated or not, they're going to get 25 in cars in our house, on our property.</p>	<p>1 under the bridge and come back through in that little 2 golf cart?</p> <p>3 A lot of problems here. I'm in favor of 4 development, but we really need to back it down and 5 slow it down here. Thank you.</p> <p>6 CHAIR JAMES: Thank you. 7 Jimmy Coffey.</p> <p>8 MR. COFFER: Thank you for the opportunity to 9 speak. My name is Jimmy Coffey. I live in Marina 10 Grande, Unit 909.</p> <p>11 Several of my concerns are, one, that this is 12 comparable to the U-Tiki bar, which he referred to the 13 U-Tiki bar up in Jupiter, but that to model it after 14 that, they have to realize there is no residential near 15 the U-Tiki bar plus restaurant, where there is within 16 100 feet of this. Right up against our neighbor you're 17 going to have residential. So I don't think that's a 18 fair comparison to try to model it after.</p> <p>19 Secondly, the trash concerns are going to be 20 great. If you have a restaurant, it's 100 people or 21 even 200 people, it produces a lot of food type 22 restaurant. I would propose that they make it 23 mandatory that it be an enclosed, in an 24 air-conditioned, closed unit where it's only rolled 25 out, not a dipsty-dumpster where there's going to be</p>
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<p>1 What about our legal responsibility? What 2 happens if somebody runs into somebody else? What 3 happens if there's some sort of an assault or 4 something? I mean we are going to incur a huge legal 5 responsibility once you start bringing people who have 6 alcohol in them on our property. In fact, we're going 7 to incur a huge legal responsibility anyway if they 8 start bringing people on our property.</p> <p>9 There are so many questions, so many 10 problems. I got 59 seconds left, and I don't even know 11 where to start. I mean the music, the alcohol, the 12 boats. I mean I'm all in favor of a Sailfish type 13 Marina kind of a thing, but I mean when you start 14 operating until 2:00 in the morning, you close the 15 doors, you cart all these people out of here and put 16 them in their cars in my house, that's where I live, 17 and who know who's coming in there? I mean we have a 18 gate guard. You don't get in there without a -- we 19 don't get in there without a driver's license.</p> <p>20 And the parking there is -- that's a one-way 21 street anyway. I don't see how this little golf cart 22 is going to pull people around and put them in our 23 garage, inebriated, and then turn around and drive back 24 the wrong way down that one-way street, or is he going 25 to go all the way around and back down, around and</p>	<p>1 flies and there's going to be rodents and there's going 2 to be rats, which we live on the water, so we're going 3 to see that.</p> <p>4 My next concern is the amplified music.</p> <p>5 There's no statement of how loud this can be. What are 6 they going to try to do? Can you do 4,000 decibels? 7 Can we put a 25 piece rock and roll band out there? I 8 would like to see that we state it and they look at -- 9 the comparable example is the Sailfish Marina, which 10 has outside music, and follow those guidelines and make 11 it mandatory, not optional for the developer, but make 12 it mandatory.</p> <p>13 And lastly, I'd like to point out that in the 14 parking situation, whether they're underneath our 15 building or if they're parking over at the Loggerhead 16 Marina, they're going to take a golf cart onto Lake 17 Shore Drive, cross Blue Heron Boulevard, a major 18 highway, people going very quickly, come back 19 underneath the bridge, drop people off, or are they 20 planning to go the wrong way on a one-way street, which 21 again is another safety concern that the Fire 22 Department should be looking at. I think that's very, 23 very unsafe.</p> <p>24 There's not parking facilities available for 25 the site. So what I would say, let's limit the size of</p>

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<p>1 this restaurant, not to 200 people, plus another 30 or 2 40 staff. Let's take it down to around a 50 or 60 3 person restaurant, something they can handle with the 4 parking and the situation, try to keep it in 5 perspective. 6 Yes, we would like to have a good neighbor, 7 but not one that's going to be open till 2:00 in the 8 morning, playing loud rock and roll, with absolutely no 9 restriction on how loud this music can be. We need to 10 set guidelines specifically, and I think we need to 11 follow the example such as the Sailfish Marina. 12 Thank you very much. 13 CHAIR JAMES: Thank you. 14 Patty Schneider. Patty Schneider? 15 UNIDENTIFIED SPEAKER: I'm not signed to 16 speak. 17 CHAIR JAMES: Okay. Next, Gino Tonetti. 18 MR. TONETTI: Good afternoon, good evening. 19 My name is Gino Tonetti. I live at 2640 Marina Grande, 20 Lake Shore Drive. 21 And what I've heard so far -- thank you very 22 much for the opportunity to speak as well. What I've 23 heard so far, I concur with all the problems we're 24 going to incur with this operation. But one thing I 25 have not heard and I don't know if I missed it or not,</p>	<p>1 But primarily, primarily what I'm trying to 2 say is this. Before the permit is granted or even 3 considered, they should give us, they should give you 4 what is this project going to be, what is this project 5 going to cost economically for the area, for the people 6 lives around here, the traffic, a traffic study. And 7 that is primarily the paramount before this Board would 8 make any decision. 9 That has been my experience through the years 10 that I've been in this business. That would never be 11 considered without even anything else. Plans or no 12 plans, that is primarily what they want first. What is 13 the impact it's going to cause in the community and the 14 surrounding people that lives around that area. 15 Thank you very much. 16 CHAIR JAMES: Thank you. I have a comment 17 card from Dennis George of 2640 Lake Shore Drive, 18 Riviera Beach. He would like his comments read into 19 the record: Concerns for noise limits and trash 20 enclosure. 21 So the next person up to speak will be 22 Mr. Dick Giles. 23 MR. GILES: Thank you. My name is Dick 24 Giles. I live at 2640 Lake Shore Drive, Unit 910 in 25 Marina Grande.</p>
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<p>1 but we don't have a traffic study impact or a social 2 impact, economic impact on this facility. 3 Now, as in business for 35 years, 40 years of 4 my career, I happen to be on the other side of the 5 fence. I am a developer and (inaudible) to be in front 6 of people like you to try to get a permit. And before 7 even anything was discussed, I would have to provide 8 what is the impact that is going to cause my 9 development in the community itself. So I've not heard 10 anything of such yet. 11 And so -- and to assume that DOT is going to 12 give a permit for parking on that kind of facility, a 13 one-way street underneath a bridge without a traffic 14 study, knowing what we have in the corner between 15 Publix and Marina Grande, to me is inconceivable. But 16 that is for you to decide. 17 And as far as the Army Corps of Engineers, 18 they're going to wait for this body to give them the 19 okay so they can look at it, well, that is a very, very 20 difficult permit to obtain, especially in that area. 21 You have, I believe it's they say you have a 22 lot of manatees back and forth, you have a lot of sea 23 life there. I think it's some kind of a restricted 24 area for boating. So that is going to be opened up 25 again for boating? Again, that's another problem.</p>	<p>1 First of all, this is my first opportunity to 2 come and listen to a Zoning Board meeting, and I got to 3 tell you, I'm impressed so far, because you people have 4 a monumental task in front of you. Because when I 5 moved here and moved to Marina Grande, it was one of 6 the bright developments on this side of the bridge. 7 And I think it's been good. 8 When you went in the new marina complex that 9 you built, I think you've done a wonderful job. But I 10 think you've got a great task in front of you, because 11 this is a wonderful area that can produce a lot of tax 12 revenue for Riviera Beach and change the whole dynamics 13 here. 14 And I don't think this restaurant next to one 15 of your premier projects that you approved -- and I 16 think it's been a success. And this whole rejuvenation 17 of the Broadway corridor in Riviera Beach, I mean the 18 Blue Heron area, I think has so much to offer. So I'd 19 just ask you to be cautious in what you're doing and 20 really consider what this is. 21 Is this the proper use of a very small lot 22 with very amplified music and all kinds of things that 23 will diminish the value of some of the properties of 24 Marina Grande if it turns out like I think it might? 25 And there's just so much, so much opportunity ahead of</p>

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<p>1 you as a development council. And it's wonderful the</p> <p>2 things that you can do, and I ask you to just be</p> <p>3 cautious about what you do.</p> <p>4 Thank you.</p> <p>5 CHAIR JAMES: Thank you.</p> <p>6 Richard Steck.</p> <p>7 MR. STECK: Richard Steck. I live in Marina</p> <p>8 Grande also.</p> <p>9 And most of the questions have been answered</p> <p>10 already. But why I bought there -- I didn't buy there</p> <p>11 for the building; I didn't buy for the area. I bought</p> <p>12 to look at the view going up and down. And that 350</p> <p>13 foot, little 350 thing -- I watch the manatees. I'm</p> <p>14 old. I'm only going to live a few more years. I watch</p> <p>15 the manatees go back and forth. And now we're going to</p> <p>16 have a 350 foot jetty going out there? Those people</p> <p>17 that love those manatees would rather me die than one</p> <p>18 of those manatees.</p> <p>19 And I think this is like putting the World</p> <p>20 Trade Center or the Empire State Building on a postage</p> <p>21 stamp. I think you better look very closely at it. We</p> <p>22 live in a beautiful, beautiful place. You did a</p> <p>23 beautiful job down the road. I go over there and eat</p> <p>24 and drink.</p> <p>25 Here I'd pull up -- I can remember when I was</p>	<p>1 In a residential area, it calls for, between</p> <p>2 7 a.m., 8 p.m., ten decibels; between 8 p.m. and</p> <p>3 7 a.m., five decibels. Five decibels is very low</p> <p>4 volume, and that's major at our fence line or their</p> <p>5 boundary line, whichever way you want to look at it.</p> <p>6 And closing at 2:00 in the morning, boats are</p> <p>7 going to be out there till late. They might stay after</p> <p>8 unless their management or security runs them off at</p> <p>9 night. Are they going to be drinking beer from their</p> <p>10 cooler, or are they going to be drinking beer from the</p> <p>11 restaurant?</p> <p>12 A lot of questions to be answered. As far as</p> <p>13 the amplified music, their hours that they show for</p> <p>14 amplified music are completely different than what it</p> <p>15 shows in your ordinance. On your -- on theirs, 11:30</p> <p>16 at night. On Riviera Beach's it's showing 8 p.m. at</p> <p>17 night for amplified music. On Sunday through Thursday</p> <p>18 they're showing 10 p.m., and Riviera Beach is showing</p> <p>19 8:00 p.m. on those hours.</p> <p>20 So I think there's a lot to think about here.</p> <p>21 The noise level at the docks is going to be great.</p> <p>22 I've boated before, and I've been around boating</p> <p>23 people. There's always a designated driver, of course,</p> <p>24 but some of the people get in pretty bad shape.</p> <p>25 Thank you very much.</p>
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<p>1 a kid, and I'd pull up with my little boat with the</p> <p>2 three horse on it, and I'd drink, and I'd get drunk.</p> <p>3 And three of us on there, we're not going to drive that</p> <p>4 boat at night. We just stayed there. Two in the</p> <p>5 morning, I got to go make a pee. Where do I go? I go</p> <p>6 on the Marina Grande in the back on the bushes and pee.</p> <p>7 I mean that was horrible, but that's what happens;</p> <p>8 that's what happens when you have people drinking.</p> <p>9 They pull in on a boat over there.</p> <p>10 I think you just look at it. You did a super</p> <p>11 job down at the restaurant. I go down there. Super,</p> <p>12 every one of you, but really look at this with open</p> <p>13 eyes. Thank you.</p> <p>14 CHAIR JAMES: Thank you.</p> <p>15 Jim Cunningham; Jim Cunningham.</p> <p>16 MR. CUNNINGHAM: Hi. My name is Jim</p> <p>17 Cunningham. I live at 2650 Lake Shore Drive, 2101.</p> <p>18 I've been reading through the ordinances on</p> <p>19 noise today, and from what I can tell, we are</p> <p>20 considered a residential area. The noise compliances</p> <p>21 for them next to a residential area are completely</p> <p>22 different than being in a downtown district. On the --</p> <p>23 not even considering amplified music, but even music</p> <p>24 going to be out there on the patio or talking out on</p> <p>25 the patio I think will probably be over the limit.</p>	<p>1 CHAIR JAMES: Thank you.</p> <p>2 Joseph Sellitto. Joseph Sellitto, Sellitto.</p> <p>3 MR. SELLITTO: Sellitto, that's it. Joseph</p> <p>4 Sellitto. I'm a resident at Marina Grande, Unit 1015.</p> <p>5 Everything really has been said that I would</p> <p>6 have wanted to say, but I would want to reach out to</p> <p>7 you as our representatives. We are 349 units. That's</p> <p>8 349 taxpayers. We have legitimate concerns about this</p> <p>9 property.</p> <p>10 We're not opposed to development. Most of us</p> <p>11 would agree that a restaurant could be a good thing.</p> <p>12 But I think this is going to be a tiki bar, more of a</p> <p>13 drinking establishment than an actual restaurant.</p> <p>14 That's our concern. When Crab Pot was here, there</p> <p>15 weren't 1,000 people living next door. Please consider</p> <p>16 that. Thank you very much.</p> <p>17 CHAIR JAMES: Thank you.</p> <p>18 Judith Feinberg.</p> <p>19 MS. FEINBERG: Thank you. My name is Judy</p> <p>20 Feinberg. I live at 2640 Lake Shore Drive, Unit 1110.</p> <p>21 I would like to add something to that visual</p> <p>22 up there. The words Crab Pot Site, that's where Marina</p> <p>23 Grande is. The windows on the apartments on the south</p> <p>24 side of the building look at those trees there. Maybe</p> <p>25 they are 15, 20 feet away. So that is not indicated</p>

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<p>1 here, how close the building is to the proposed site.</p> <p>2 I'd also like to talk about the noise, the</p> <p>3 ambient, the non-ambient noise, such as amplified music</p> <p>4 and other non-ambient noise. It has been addressed,</p> <p>5 but I would like to read from Article IV, Division 1,</p> <p>6 Section 11-141, Definition of Noise. This is from the</p> <p>7 Riviera Beach noise ordinance dated March 16th, 2017.</p> <p>8 Unnecessary, excessive or offensive noise</p> <p>9 means any sound or noise conflicting with the criteria,</p> <p>10 standards or levels set forth in this article for</p> <p>11 permissible noise. In the absence of specific maximum</p> <p>12 noise levels, a noise level which exceeds the ambient</p> <p>13 sound level -- and ambient is just normal, outside</p> <p>14 noise -- by five dBA -- I don't know what that means,</p> <p>15 but we can look it up -- or more when measured at the</p> <p>16 nearest property line, or in the case of multifamily</p> <p>17 residential buildings, when measured anywhere in one</p> <p>18 dwelling unit or from common space in the same</p> <p>19 building, shall be deemed an unnecessary, excessive or</p> <p>20 offensive noise.</p> <p>21 So yes, we have levels that we measure. I</p> <p>22 think the people who are intending to build here should</p> <p>23 be aware of that, and I think I would be very grateful</p> <p>24 if you people would think about that a lot. This is</p> <p>25 very important to us.</p>	<p>1 you're talking about people who are perhaps drunk. You</p> <p>2 don't know what they're going to be. And that, to me,</p> <p>3 is a real serious problem. And I think you've got to</p> <p>4 give consideration to the traffic aspects of entering,</p> <p>5 getting out of and moving to that area. Anyway, thank</p> <p>6 you.</p> <p>7 CHAIR JAMES: Mr. Schnell, can you state your</p> <p>8 address for the record.</p> <p>9 MR. SCHNELL: 2640 Lake Shore Drive, Unit</p> <p>10 1110.</p> <p>11 CHAIR JAMES: Thank you.</p> <p>12 Hannah Gravino.</p> <p>13 MS. GRAVINO: May I speak from here?</p> <p>14 CHAIR JAMES: We really -- yes, we really</p> <p>15 need you to come up to the podium and speak into the</p> <p>16 microphone.</p> <p>17 MS. GRAVINO: Hannah Gravino, 2640 Lake Shore</p> <p>18 Drive, Unit 515.</p> <p>19 I've been here a very short time, and I love</p> <p>20 the place. And looking at this, I'm concerned about</p> <p>21 how our property is going -- how the value is going to</p> <p>22 go down on our property. I've already heard comments</p> <p>23 from real estate people, and I'm so concerned about</p> <p>24 that.</p> <p>25 The noise, I am close to the building. I'm</p>
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<p>1 The other thing that's important is allowing</p> <p>2 cars in our garage. We take pains to keep that place</p> <p>3 safe and quiet. This will destroy it. I can't put</p> <p>4 that in strong enough words. You're going to destroy</p> <p>5 our community with this type of restaurant. Another</p> <p>6 restaurant would be fine, but not this one.</p> <p>7 Thank you very much.</p> <p>8 CHAIR JAMES: Thank you.</p> <p>9 William Schnell.</p> <p>10 MR. SCHNELL: Thank you. I had a number of</p> <p>11 things, but I think much of it has been covered. The</p> <p>12 one thing I would like to emphasize is the problem with</p> <p>13 the valet parking. And the reason for that is cars</p> <p>14 coming off the bridge. As you all probably know, there</p> <p>15 have recently been two or three accidents with cars</p> <p>16 running off the bridge.</p> <p>17 Now, in order to get to this restaurant with</p> <p>18 a valet, you're talking about golf carts crossing that</p> <p>19 same road where cars race off the bridge, where there</p> <p>20 have been all those accidents, going all the way around</p> <p>21 on the south side and getting back to this restaurant.</p> <p>22 So my real concern is you've got Publix, you've got</p> <p>23 cars coming out of our driveway with the valet, however</p> <p>24 they're going to do it, crossing that busy road where</p> <p>25 there have been all kinds of accidents recently, and</p>	<p>1 not right on the corner, but I'm in one, and I'm going</p> <p>2 to hear everything and smell the food. And that's not</p> <p>3 what I moved here for. It's a beautiful place, and I,</p> <p>4 you know, I'm just sick about this. So I'm asking that</p> <p>5 you reconsider this and just help us. And the traffic</p> <p>6 as well. Thank you.</p> <p>7 CHAIR JAMES: Thank you.</p> <p>8 Karen Christopher.</p> <p>9 MS. CHRISTOPHER: Hi. I'm Karen Christopher.</p> <p>10 I live 2640 Lake Shore Drive, Unit 416.</p> <p>11 My living room and my balcony will be in</p> <p>12 their back yard. I will be hearing the noise and be</p> <p>13 smelling the smells. But I don't want to talk about</p> <p>14 that because they've already talked about it.</p> <p>15 On May 9th I sent an e-mail to Jeff and</p> <p>16 Mario, and I don't know if all of you got copies. I</p> <p>17 made copies. Because Mr. Gentile took you down memory</p> <p>18 lane with photos of the old Crab Pot, I have memory</p> <p>19 lane of the goings-on under the bridge. I've lived</p> <p>20 there since 2007, and for the first seven years -- do</p> <p>21 you want -- have you seen this? I can -- can</p> <p>22 somebody --</p> <p>23 CHAIR JAMES: We're looking through our</p> <p>24 packet.</p> <p>25 MR. GAGNON: We can provide a few more</p>

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<p>1 seconds, just so I can comment.</p> <p>2 MS. CHRISTOPHER: Okay.</p> <p>3 MR. GAGNON: So we did receive --</p> <p>4 CHAIR JAMES: Yes, it is in the packet.</p> <p>5 MR. GAGNON: -- the packet, and we did</p> <p>6 provide all the information.</p> <p>7 MS. CHRISTOPHER: Okay, this is my jaunt down</p> <p>8 memory lane. And I had been to the Crab Pot before,</p> <p>9 and as wonderful as the memories might be, the food and</p> <p>10 the rats running around were not so wonderful.</p> <p>11 We also had so many issues under the bridge</p> <p>12 when I first moved in. We had vagrants, we had drug</p> <p>13 deals, we had people with graffiti, loud music with</p> <p>14 parked cars. You're under that bridge, and it's just</p> <p>15 amplifying. You can put the radio on low, and you</p> <p>16 could hear it going into my bedroom practically. And</p> <p>17 people were having sex down there, urinating in public.</p> <p>18 I have a picture of the guy doing it.</p> <p>19 And I went on a crusade for the first six</p> <p>20 years that I lived there. I sent e-mails, I called the</p> <p>21 police. I sent e-mails to everybody. The County</p> <p>22 Commissioners used to shake when I would come to a</p> <p>23 meeting. We don't want to go back to that.</p> <p>24 Now, I know we have to develop the area, but</p> <p>25 I think that you need to take a long-range view of what</p>	<p>1 pictures.</p> <p>2 MS. CHRISTOPHER: I have a lot more, and I</p> <p>3 have e-mails to the Mayor and to the police.</p> <p>4 CHAIR JAMES: You did your homework.</p> <p>5 MS. CHRISTOPHER: I've been doing it for the</p> <p>6 last ten years.</p> <p>7 CHAIR JAMES: Daniel McGilvery.</p> <p>8 MR. McGILVERY: Yes, my name is Daniel</p> <p>9 McGilvery. The address is 2640 Lake Shore Drive, Unit</p> <p>10 2012.</p> <p>11 Virtually all of the comments I was going to</p> <p>12 make have already been made. I won't repeat them. One</p> <p>13 thing that concerns me, and noise is obviously a</p> <p>14 concern of ours, I haven't heard anything about noise</p> <p>15 restrictions. Can we anticipate that noise</p> <p>16 restrictions will be part of these documents? Is there</p> <p>17 anyone who can answer that question?</p> <p>18 CHAIR JAMES: The questions will be answered</p> <p>19 afterwards.</p> <p>20 MR. McGILVERY: Okay. And I also want to</p> <p>21 know if that's going to apply to the boats. That's it.</p> <p>22 CHAIR JAMES: Thank you.</p> <p>23 Next, Jaxon Ferm.</p> <p>24 MR. FERM: My name is Jaxon Ferm, 2640 Lake</p> <p>25 Shore Drive, 2507.</p>
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<p>1 a restaurant like that is going to be. We're going</p> <p>2 backwards. We're going back to the noise, the</p> <p>3 drinking, the nuisance factor, I guess you could say.</p> <p>4 And if Hannah's sick about it, think about me on the</p> <p>5 fourth floor with all that going on till two in the</p> <p>6 morning. I don't have a loud enough sound machine in</p> <p>7 my bedroom to blank out all that noise.</p> <p>8 We have to think about what the area is like</p> <p>9 now, not what the area was like when the Crab Pot was</p> <p>10 there, because the Crab Pot had overflow parking where</p> <p>11 our building is now. We also have to think about the</p> <p>12 manatees. But I think we've got to think of the</p> <p>13 standards that we want to continue in Riviera Beach,</p> <p>14 the standards that we want to bring to our community,</p> <p>15 to raise the standards of what goes in.</p> <p>16 The marina that was just completed is</p> <p>17 absolutely wonderful; it's fabulous. That needs to be</p> <p>18 expanded. Broadway needs to be cleaned up more. When</p> <p>19 I bought there, and I'll make it fast, Inlet Tower was</p> <p>20 supposed to be going in. Now it's a restaurant. So I</p> <p>21 really want you to think about it and scrutinize this</p> <p>22 plan and just look to see what you're going to do to</p> <p>23 our area and our property values. Thank you.</p> <p>24 CHAIR JAMES: Thank you, Ms. Christopher.</p> <p>25 You did a wonderful job. These are some detailed</p>	<p>1 I'm also not against development. I'm a</p> <p>2 developer in Wilmington, Delaware. I don't understand</p> <p>3 business district zoning. Well, I do understand it,</p> <p>4 but I think it's been misapplied here. If you have 18</p> <p>5 spaces and 152 seats and 30 or 40 people on the patio</p> <p>6 and a 350 foot long dock that will probably hold 40</p> <p>7 boats, I don't know where you're going to park all</p> <p>8 these people. We do have 75 spots in our garage that</p> <p>9 Loggerhead supposedly has total use of. I guess they</p> <p>10 can rent them outside and bring all these people into</p> <p>11 our community. I don't know if they can legally do</p> <p>12 that or not.</p> <p>13 My main thing is parking and traffic. How</p> <p>14 are you going to get the valet back and forth to pick</p> <p>15 up all these people? At 2:30 in the morning, how are</p> <p>16 they going to get through our guard gate? I guess</p> <p>17 we're going to pay our guard to screen them. I'm not</p> <p>18 sure legally if they can do all of this.</p> <p>19 You know, Seven Kings used to own Loggerhead</p> <p>20 Marina. Now they sold it. So I guess the new</p> <p>21 Loggerhead owner is going to let them use these spaces.</p> <p>22 And 75 is the perfect number, right inside of our site.</p> <p>23 So now you're going to approve somebody to open a</p> <p>24 restaurant when 75 spots might not be enough, and</p> <p>25 they're all going to be coming into our community, as</p>

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<p>1 well as all the other nuisances that have been 2 mentioned. It doesn't make any civic sense. I 3 wouldn't, as a developer, even ask to do that, and 4 Delaware wouldn't let me do it. 5 So that's really all I have to say. I 6 support development, and I think this Council has been 7 very proactive in the questions they've asked. So 8 thank you. 9 CHAIR JAMES: Thank you. 10 Brian Gibbons. 11 MR. GIBBONS: Hi. My name is Brian Gibbons. 12 I live at 2650 Lake Shore Drive in the Marina Grande, 13 the complex, in 103. 14 I agree with everything that's been said so 15 far, but I'm concerned about the safety factor with 16 regard to the parking situation. In my earlier years I 17 was the head engineer for a company that built 18 restaurants and other facilities all over the United 19 States and Canada, and never once have I ever seen -- 20 been able to build a project where I could put a 21 restaurant with 200 people in it with not adequate 22 parking, on-site parking for that facility. I've never 23 seen it done before. This is amazing to me. 24 And I read some things, I guess, that I'm 25 thinking about here. My understanding is that they</p>	<p>1 we're going to have drunk people running through our 2 property and making it unsafe for those of us who live 3 there? It just doesn't make any sense to me at all, 4 and I hope that you guys will all consider that. 5 I appreciate the questions that have been 6 asked, particularly from the one gentleman who asked so 7 many questions, and I hope the rest of you will 8 consider this in a big way, because this just doesn't 9 make sense at all. Thank you. 10 CHAIR JAMES: Thank you. 11 Sunny Maffeo. 12 Sunny Maffeo, 2650 Lake Shore Drive, Unit 13 2105. And I thank you for the opportunity to speak as 14 well tonight, and I'm happy to see so many neighbors 15 here. 16 I'm here to read a letter from Judith and 17 Peter Foster, which I very much concur with, but having 18 heard some of this presentation, I cannot go without 19 saying, firstly, one of the main reasons, the main 20 reason why I chose to move to Marina Grande in Riviera 21 Beach was because I felt really safe there. We have 22 security. Our management works very hard to keep us 23 safe. 24 What Mr. Gentile is avoiding telling you, I 25 think, is just how those golf carts that might come</p>
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<p>1 could actually park on the west side of the marina 2 tower. I guess they call it the dry stack, the big dry 3 stack Loggerhead had there. And I wasn't aware until 4 tonight that they can actually enter our property, go 5 past our guard gates and get into our property and 6 park. That's going to be a serious safety concern for 7 me in several areas. 8 First of all, if they could park on the west 9 side of that tower or that dry stack building, they 10 could go around the north side of that tower and enter 11 our property, which is private property at that point. 12 What kind of safety can we have if we have people who 13 can wander through our property like that? That's 14 crazy. And if they can actually get in through our 15 property and park in the garage, in our own garages, 16 that's insane. It just doesn't make any sense to me. 17 The safety factor is not going to be there. 18 And the idea of having golf carts running 19 back and forth, there's not anybody in here, I don't 20 believe, that's going to say that everybody's going to 21 wait till they can get a cart. They're going to start 22 wandering back through our property to get to their 23 cars, whether it's on the west side of that stack or 24 whether it's in our parking garage. 25 And we're expected to just tolerate that</p>	<p>1 through storms and everything else to get to those cars 2 that are in our garage, on our ground floor, are they 3 not planning to come through our security gate or use 4 their back way that they've done before to go through 5 the marina and right between the buildings and into the 6 garage? And anyone who's in that garage can walk right 7 into our elevators. There is nothing preventing that. 8 I would like to take the liberty to invite 9 all of you to come over and walk these paths that are 10 being proposed here. 11 I'd also like to bring attention to the fact 12 that in the presentation we just heard, it was often 13 referred to as the application that has 150 patrons, 14 minimum. 150 is not the maximum, it's the minimum. So 15 what is the maximum that we're talking about here? 16 In the secure areas that we have, this will 17 be completely erased in this plan. Is there any 18 responsibility on the owners to address excessive noise 19 as it interferes with their neighbors' right of quiet 20 enjoyment of their homes? 21 The application does not address the number 22 of boat dockage and how they anticipate their foot 23 traffic to the restaurant. And there will be foot 24 traffic. People will not stand, and they'll want to 25 stroll along the water, and they'll be just strolling</p>

<p style="text-align: right;">Page 69</p> <p>1 all through our community, putting us at security risk  2 and risk of lawsuits. We've already had, from time to  3 time, people have slipped through and into the garage  4 and caused damage to cars. Why would we want to invite  5 people who are intoxicated possibly in to do that? And  6 it would be an invitation.</p> <p>7 There is no requirement in the -- quote --  8 staff conclusion for a maximum decibel. This is about  9 the sound again, and I won't go into that because we've  10 done so much of that. But some of the cases in point  11 when it comes to this, Sailfish Marina, the music  12 consists of a guitar which starts early and ends at  13 9 p.m. And Two Drunken Goats can have a band once a  14 month because the Ritz Carlton complained. And that  15 band goes on from 4 p.m. to 9, and any other day it's  16 one person. Thank you very much.</p> <p>17 CHAIR JAMES: Thank you.  18 Edward Payne.</p> <p>19 MR. PAYNE: Yes, by way of introduction, my  20 name is Edward Payne. I live at 2640 Lake Shore Drive,  21 Riviera Beach, Apartment 1915.</p> <p>22 Just to reiterate one point that Sunny had  23 mentioned about the noise relative to Sailfish Marina  24 and the Ritz Carlton, I think it's important to note  25 that the distances between those -- that residential</p>	<p style="text-align: right;">Page 71</p> <p>1 bulkhead there. And so the proposed dock that was --  2 is being requested is something like 350 feet.</p> <p>3 Now, I'm not an expert here, but 350 feet  4 protrudes quite a bit out into the Intracoastal. Are  5 we to believe that these manatees now, to avoid the  6 dock, are going to have to migrate now into the middle  7 of this waterway, which is basically comparable to the  8 I-95 highway? I mean they're going to be put into  9 additional danger.</p> <p>10 Now, there's also a number of Florida and  11 State regulations that deal with these protected  12 species, and I'll just name a few for you. And I don't  13 know whether, you know, the proposed plan has addressed  14 them at all, but there's the Florida Manatee Protection  15 Plan, there's the Florida Manatee Protection Zones,  16 there's the Florida Manatee Protection Act. There's a  17 Federal and State Marine Mammal Protection Act of 1972,  18 there's a Federal and State Endangered Species Act of  19 1978, there's Federal Fish and Wildlife Service Area,  20 there's a Federal Protectors Act of 1989, and there's a  21 Governor and Cabinet Directive Number 13, all dealing  22 with the manatees.</p> <p>23 Other issues, well, my time is up, but other  24 residents will deal with, you know, additionally with  25 concerns that I have for safety, for parking, for</p>
<p style="text-align: right;">Page 70</p> <p>1 complex and the Two Drunken Goats is something like  2 1,500 feet, and what we're dealing with is a situation  3 where you have this proposed restaurant and its noise  4 and music, and it's only about 15 or 20 feet from us.  5 So whatever standards were applicable to the situation,  6 the Ritz Carlton, Two Drunken Goats, I think need to be  7 considered, given the fact that we are so close to  8 this, and plus the fact that they're asking for a 2:00,  9 you know, timeframe.</p> <p>10 And I think, just to reiterate again, some of  11 the concerns that have been voiced here are only  12 magnified by the fact that the restaurant is so close  13 to our residential buildings, I think within 20 feet.  14 And also the fact that the design of the restaurant is  15 such that especially on the south side, it's an open  16 design, it's an open concept. There is no barriers.  17 So even if there's music to be played inside, there's  18 nothing to prevent that music from flowing out onto the  19 deck as well. And so those are -- you know, that's a  20 major concern that certainly I have.</p> <p>21 What also was addressed before by Gino and  22 some others was a concern that I had with regards to  23 the environmental issue that deals with manatees, which  24 are a protected species. They do migrate in large and  25 small family groups right in front of our, you know,</p>	<p style="text-align: right;">Page 72</p> <p>1 traffic. Some of them have been addressed to date,  2 some of them will continue to be addressed, because  3 it's a major concern for all of us. Thank you for your  4 consideration.</p> <p>5 CHAIR JAMES: Thank you.  6 Bill Davidson.</p> <p>7 MR. DAVIDSON: Madam Chair, Commissioners,  8 thank you. I'm Bill Davidson. I live at 2640 Lake  9 Shore, Unit 1516.</p> <p>10 And I've been trying to consolidate my notes.  11 There's been so many things said I don't want you to  12 have to hear again, but I guess I would start with two  13 things.</p> <p>14 First of all, I've learned from Mr. Gentile a  15 bit more about this project, especially the intended  16 use of our secured parking structure. But I did want  17 to correct him on a couple of things. I have a set of  18 the plans. There's 172 seats on the plans, and then  19 there was discussion of another 50 outside on the  20 balcony or on the deck, and then, of course, I'm  21 estimating 20 to 30 employees. So we're talking about  22 probably 222 people that are going to be working --  23 going to be at this restaurant at peak times.</p> <p>24 You know, there's two big impediments to the  25 development of this property. And I'm a real estate</p>



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<p>1 developer also, and I'm not, obviously not 2 antidevelopment, and I'm not against this project. But 3 those impediments are the size and the proximity to our 4 properties. 5 And I think that the applicant has a very 6 unique situation, a unique opportunity here, because he 7 developed that property, he developed the marina. And 8 he sold the land to the developer who built the 9 condominiums, and he had certain easements that he 10 included in that sale. And just as important, he has a 11 unique relationship with the City of Riviera Beach, as 12 he manages the marina for them. 13 I spoke to him on Tuesday and asked him some 14 questions regarding this matter, and in the course of 15 that conversation I asked him if he was going to be 16 here tonight so that I could meet him and speak with 17 him and bring other questions, and he said, no, he 18 wouldn't be here. He felt this was a useless meeting. 19 Those were his exact words. 20 I don't think this is a useless meeting. I 21 think that you guys have volunteered your time and come 22 here for a reason, and I'm glad that you're listening 23 to what we have to say. 24 I have further concerns because in my 25 conversations with the applicant, Mr. Ray Graziotto, he</p>	<p>1 expressed, some haven't. One of them is that this is 2 being stated as a restaurant. However, with the hours 3 of operation, I would beg to differ. I would say that 4 this is definitely a bar. 5 Further, he went ahead and stated this is 6 going to be -- trying to sync with a restaurant that is 7 up in Jupiter, which I know I've gone to, and it's not 8 a restaurant, it's a bar that serves food. So you 9 know, this is a bar. Let's not kid ourselves about it. 10 I have a different concern than some other 11 people expressed up here, and maybe they have the same 12 concerns and didn't express them, but I have small 13 children, okay? The idea of having people that are 14 intoxicated -- as we know will happen, this is a bar -- 15 around my children and my safe home I have serious 16 concerns about, okay? 17 Additionally, there's been a lot of talk 18 about the parking. And if I could have you guys look 19 up at that Crab Pot sign there, it's kind of funny how 20 that actually mimics what our property looks like. If 21 you looked at that Crab Pot Site sign, if you looked at 22 that as being the inlet for the north side of our 23 property, and then the tree line down being the east 24 side, that is basically our property. And then this 25 over to the bottom corner would end up being where the</p>
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<p>1 misled me about the parking and telling me that it was 2 going to be on the west side of the dry stack outside 3 of our secured area. And since that time I have heard 4 bits and pieces, and now when the number 75 comes up, 5 which is the amount of parking the marina has on our 6 first floor that they can use for their customers, that 7 is, the people who have boats that put them in the dry 8 stack and put them in the marina, now he has found a 9 way to get around that matter. 10 I think that's probably something that you 11 won't be able to deal with tonight, but it's something 12 that we'll be able to deal with as an organization. 13 So quickly, three things. Safety and 14 security, we've heard that; the parking, we've heard 15 that; and then the traffic issues. The traffic is -- 16 there's a confluence there where our only ingress and 17 egress and Publix's only ingress and egress come 18 together near that intersection. I guess I'll stop 19 there. Thank you for your time. 20 CHAIR JAMES: Thank you. 21 Randy Powell. 22 MR. POWELL: Hello. My name is Randy Powell, 23 and I live at 2640 Lake Shore Drive, Unit 611. Thank 24 you very much for listening to us all tonight. 25 I have a couple points, some that have been</p>	<p>1 restaurant is, scaled differently, of course. 2 Now, something that has not been brought up 3 is that on the outside perimeter of our property, going 4 all the way along the water is an easement that the 5 marina owns. We do not have possession of it. It's 6 about probably this wide from the water to our piece of 7 property. It's a sidewalk. Everyone thinks it's ours. 8 It is an easement that the marina owns. 9 Now, I don't know how long it's going to 10 take, and I assume it won't take long. I think people 11 are saying one thing and going to do another. What I 12 definitely, definitely, definitely do not ever want to 13 see happen is for that easement to be used as a conduit 14 to take people from their restaurant to their parking 15 lot on the other side, because that's going to be the 16 next step they're going to say. They're going to say: 17 You know what? We have that parking lot over there. 18 That's our parking lot. Fine. This is our easement 19 sidewalk here. People can go ahead and walk through 20 there. Mission accomplished. 21 But there's one big problem. They're walking 22 through the middle of my back yard. They're walking 23 through their back yard. They're going ahead and 24 having all these people that we don't know, that we pay 25 over \$300,000 a year for for security, going ahead and</p>

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<p>1 coming into our property. Are we supposed to go ahead 2 and have our security stop every single person and ask 3 them for identification. 4 I mean obviously that's -- there's a lot of 5 issues with this, and I please hope that you consider 6 all these options carefully. Thank you. 7 CHAIR JAMES: Thank you. 8 Mary Brabham. 9 MS. BRABHAM: Good evening. Excuse me, 10 Board, is this the public comment? Are we in public 11 comment or are we on the line item, before I start 12 speaking, so because I want to be clear and precise 13 what -- 14 CHAIR JAMES: We're on Crab Pot, and that's 15 what you have marked down on your card for agenda item. 16 MS. BRABHAM: Okay, I'm going to speak on 17 that too, but I also had another card in there too. 18 You see, it's -- Ms. Mary Brabham, Riviera 19 Beach. It is major concerns all over here. The 20 gentleman just talked about his children and his 21 property, the noise, how the traffic will invade your 22 communities. See, it is the same problems all over 23 this city. 24 Now, when I speak again, I'm going to also 25 share with you some hideous invasement that is also</p>	<p>1 won't really regurgitate it, but I don't know if any of 2 you have ever lived on the water. It's a beautiful 3 place on the water. I live on the ninth floor. Now, 4 I'm not on that side; I'm on the marina. 5 Let me tell you, when you're by the water, 6 it's noisy. I sit on the ninth floor, and I hear the 7 guy coming with his boat, and I hear what he caught 8 that day. The sound just goes up and down. And that's 9 from the boats. Now, I get along with that. I can't 10 imagine being in another tower with a bunch of drunks 11 sitting out on there, and those people in 12 -- 11, 12, 12 whatever, sitting on their deck and the noise that's 13 going to come to them. 14 Now, one of the other things that Gino said 15 very rightly is we should be taking consideration of 16 impact. Well, let's be selfish, okay? I don't think 17 there's anybody anywhere with any real estate knowledge 18 will tell you that this will be a positive impact on 19 our property values, not one. And I can tell you 20 something else. A negative impact on our property 21 values is a very real negative impact on tax revenue on 22 this City. 23 So when we take a look and say what's this 24 going to cost, there's also a financial cost, both to 25 us if our property, God forbid, went down ten percent,</p>
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<p>1 coming back to try to impede our community that will 2 also be derelict to the imposition of our neighbors 3 that still resides in the same locality that we reside 4 in. Their concerns are great, just like all of the 5 concerns all over our community. 6 So if this, whatever is to be deliberated 7 here, you all think wisely. Take into consideration 8 what they are saying. If these are impediments upon 9 their lives and their children, we have to weigh that 10 for the comfort of our homes, our schools and our 11 community and our entire residents. That's what 12 encompasses a City. So therefore, I speak in reference 13 to the things that accommodate our lives to make us all 14 better. 15 Yes, it is some traffic concerns here. And 16 the parking, we're talking about our marina parking. 17 Yes, it is some parking issues here. So take into 18 consideration all of these things and then weigh them 19 with the meeting of the mind and say if you were living 20 there, if you were part of this, would this be suitable 21 for your living. Thank you. Ms. Mary Brabham. 22 CHAIR JAMES: Graham Harrison. 23 MR. HARRISON: Hi. I'm Graham Harrison, 2650 24 Lake Shore, Unit 904. 25 And a lot of things have been said, so I</p>	<p>1 or because of it, we didn't increase ten percent on 2 whatever we got, two, three, 400 units. What does that 3 cost financially on the bottom line of the City? Let's 4 just all talk dollars and cents. I mean I don't know 5 what it is, but I can guarantee you it's a hell of a 6 lot more than any tax revenue you're going to get out 7 of a restaurant. 8 And the other thing that's funny is it is not 9 a restaurant. It's a bar. I mean, you know, the 10 developer very clearly, when the question was asked is 11 the developer strong on a 2 a.m. closing, and I think I 12 definitely heard, yes, that's imperative. Was it not? 13 Wasn't that very -- so there is no justification it's a 14 restaurant. It is absolutely a bar, because if it's 15 not 2 a.m., the deal's off the table the way I was 16 interpreting it. And once again, there goes my 17 property values, there goes the tax revenue. That's 18 just dollars and cents. Thank you. 19 CHAIR JAMES: Okay, the next couple of cards 20 have all requested that they do not wish to speak, but 21 would like their comments read into the record. 22 So the first reading for the record is from 23 Gary Palma; address, 2650 Lake Shore Drive, Number 706: 24 I am opposed to the Crab Pot. It will degrade the 25 Marina Grande condos and surrounding area. And it's</p>

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<p>1 checked: I do not support this item.</p> <p>2 Mary Marzolo, 2650 Lake Shore Drive, Number</p> <p>3 706: This restaurant will strongly impact property</p> <p>4 values negatively and would adversely impact our</p> <p>5 community at Marina Grande -- 300 residents -- in these</p> <p>6 ways: Extreme loud music past 11 p.m.; unwarranted</p> <p>7 smells of food; traffic and congestion in our immediate</p> <p>8 area; trespassing on our property. I do not support</p> <p>9 this item.</p> <p>10 Brenda and Scott Grigg, 2650 Lake Shore</p> <p>11 Drive, Number 2106: We do not want this restaurant.</p> <p>12 Cindy Davidson, 2640 Lake Shore Drive, Number</p> <p>13 1516: I do not support this item.</p> <p>14 Robert Smith, 2640 Lake Shore Drive, Number</p> <p>15 1414: Object to noise, parking and potential intrusion</p> <p>16 into Marina Grande. I do not support this item.</p> <p>17 Nunzia Alvergue, 2650 Lake Shore Drive,</p> <p>18 Number 103: Trash, rodents, bugs, smell, parking,</p> <p>19 noise level. I do not support this item.</p> <p>20 Barbara Lambrecht, 2640 Lake Shore Drive,</p> <p>21 Number 1710: The Marina Grande tried to purchase said</p> <p>22 plot several years ago. We were told it was deemed</p> <p>23 unbuildable by Riviera Beach. I do not support this</p> <p>24 item.</p> <p>25 Catherine Leon: I do not support this item.</p>	<p>1 I really feel very compassionate for your homes, your</p> <p>2 safety and your welfare. I will go on record right now</p> <p>3 by saying I will not support this. I can't do it.</p> <p>4 I'm the only one that voted against all of</p> <p>5 these Dollar Stores coming here. I know Riviera Beach</p> <p>6 has great potential, and this is not great potential.</p> <p>7 So my heart go out to you, because I danced at the Crab</p> <p>8 Pot, so I know what the Crab Pot is all about.</p> <p>9 And with that, Madam Chair, I thank you.</p> <p>10 CHAIR JAMES: Thank you, Ms. Shepherd.</p> <p>11 I need to go back to let staff and the</p> <p>12 applicant respond to the public comments.</p> <p>13 So staff, do you want to go ahead and take</p> <p>14 that over?</p> <p>15 MR. GAGNON: Sure. Thank you, Chair.</p> <p>16 Although we received many comments, there's</p> <p>17 two items I wanted to point out specifically, one</p> <p>18 regarding traffic and the second regarding noise.</p> <p>19 If you look in your packet, there is a</p> <p>20 traffic concurrency standard approval letter from the</p> <p>21 County. So that TPSR letter is included, and it is</p> <p>22 approving the current traffic proposal and traffic</p> <p>23 study.</p> <p>24 The noise ordinance. So there's been a lot</p> <p>25 of discussion on noise, and specifically with the</p>
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<p>1 And her address is 2640 Lake Shore Drive, Unit 1014.</p> <p>2 Toby Payne, 2640 Lake Shore Drive, Number</p> <p>3 1915: Have concerns about noise levels, traffic,</p> <p>4 parking, safety, smoke -- slash -- odors. I do not</p> <p>5 support this item.</p> <p>6 Joe Bahr, 2640 Lake Shore Drive, Number 2108.</p> <p>7 It's just checked: I do not wish to speak, but would</p> <p>8 like the following comments read. There's no comments,</p> <p>9 and there is no checkmark. Is Mr. Bahr here?</p> <p>10 Mr. Bahr, am I to assume that you are not in</p> <p>11 support of this item?</p> <p>12 MR. BAHR: Yes.</p> <p>13 CHAIR JAMES: Mr. Bahr, for the record, does</p> <p>14 not support this item.</p> <p>15 And those are all of the public comment</p> <p>16 cards. Now that that's completed, we're going to move</p> <p>17 into Board comments. And I'm going to start from my</p> <p>18 left with Mr. Blackwell -- I'm sorry, Ms. Shepherd.</p> <p>19 MS. SHEPHERD: First, I want to thank the</p> <p>20 public for coming out. And I just want to make it</p> <p>21 clear that I live on 23rd Street, and the marina is on</p> <p>22 13th Street. When I open my bathroom window to get air</p> <p>23 in it on Friday night, my whole house shakes. So I</p> <p>24 don't have to sit here and figure out the width of the</p> <p>25 building, how depth it is. I know what noise is. And</p>	<p>1 conditions of approval. So the times provided in the</p> <p>2 conditions of approval was really an additional</p> <p>3 safeguard that staff was trying to put on the property</p> <p>4 in order to guide and also inform everyone involved</p> <p>5 with this project what hours of operations could be</p> <p>6 like.</p> <p>7 There is a separate section, a City ordinance</p> <p>8 that has been in place for some time now, and that</p> <p>9 governs noise standards within the City. That is</p> <p>10 Section 11-171. So that provides specific decibel</p> <p>11 levels for what's considered daytime hours and</p> <p>12 nighttime hours. And nighttime hours are actually in</p> <p>13 between 8 p.m. and 7 a.m., and the decibel threshold</p> <p>14 for that timeframe is 45 decibels, which is extremely</p> <p>15 low. During the daytime hours I believe it's 50</p> <p>16 decibels.</p> <p>17 So there is an existing noise ordinance in</p> <p>18 place. The difficulty with any noise ordinance is</p> <p>19 actually enforcing the ordinance. So from a staff</p> <p>20 perspective and a City perspective, we want to make</p> <p>21 sure that we lay out all of the regulations as early as</p> <p>22 possible in this potential approval process so that way</p> <p>23 it's very clear throughout.</p> <p>24 So those were the staff comments in regards</p> <p>25 to the traffic and noise. The dumpster was located on</p>

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<p>1 the site. I believe it's not air-conditioned. The</p> <p>2 code requirements don't require it to be, however,</p> <p>3 that's something that the applicant would have to look</p> <p>4 into further.</p> <p>5 I think additional questions are really</p> <p>6 geared more towards the applicant, if they wish to</p> <p>7 provide additional responses, or if there's specific</p> <p>8 items that were addressed that the Board wishes staff</p> <p>9 to comment on further, we'd be happy to.</p> <p>10 CHAIR JAMES: I have a question, Jeff. I</p> <p>11 know normally for City Council there's a book in the</p> <p>12 back that basically contains our packet. Is that</p> <p>13 available for the audience as well?</p> <p>14 MR. GAGNON: That is correct. There's</p> <p>15 actually two books tonight.</p> <p>16 CHAIR JAMES: Okay, thank you.</p> <p>17 So next we'll have the applicant come up and</p> <p>18 address concerns.</p> <p>19 MR. GENTILE: Madam Chair, Commissioners,</p> <p>20 thank you. I just want to make a couple of comments.</p> <p>21 Yes, the traffic was reviewed, as required</p> <p>22 for every project in town, in the City of Riviera</p> <p>23 Beach, through Palm Beach County's TPS ordinance. And</p> <p>24 we meet concurrency, and we meet the TPS for this</p> <p>25 specific area.</p>	<p>1 approximately 76 spaces that are outside of the parking</p> <p>2 garage.</p> <p>3 The lease allows them to utilize 75 spaces</p> <p>4 wherever the marina has an agreement, and it does</p> <p>5 include the garage. However, the sequence of parking</p> <p>6 for this on a valet basis, or if the public wants to</p> <p>7 park there and walk the sidewalk, they would be able to</p> <p>8 park, first of all, in the closest parking lot that's</p> <p>9 outside the garage that is marina property.</p> <p>10 There is a second parking lot that is farther</p> <p>11 to the west that is also a marina parking lot and not</p> <p>12 in the garage. And there's a third parking lot that is</p> <p>13 surface parking and not in the garage that is on the</p> <p>14 other side of the street that the marina also has in</p> <p>15 their ownership. So the sequence of valet for that</p> <p>16 overflow would be to use the surface parking, and then</p> <p>17 at last resort, would use anything in the garage.</p> <p>18 The other reason is that there will be</p> <p>19 patrons that will probably be using the marina parking</p> <p>20 spaces in the garage that would possibly come over or</p> <p>21 walk over to the restaurant. Those people will be in</p> <p>22 that garage no matter what, because they park there</p> <p>23 today as marina boaters and using that facility. So I</p> <p>24 wanted to clarify that.</p> <p>25 We will talk with staff about any golf cart</p>
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<p>1 We have an agreement with DOT for the lease,</p> <p>2 which will be signed if this site plan is approved. If</p> <p>3 it's not approved, we, of course, wouldn't sign a lease</p> <p>4 with them to obligate the owner of the property or the</p> <p>5 developer of the property, that situation. So I wanted</p> <p>6 to make sure you understood that.</p> <p>7 I want to clarify a couple of my comments,</p> <p>8 because it seemed that some of them were issues of a</p> <p>9 lot of the comments.</p> <p>10 First of all, the overflow -- I want to</p> <p>11 continue to reiterate that your City Council and your</p> <p>12 CRA developed a plan for this area which includes this</p> <p>13 property. It's in the downtown development area.</p> <p>14 There is Land Development Regulations that are in place</p> <p>15 for that, and your staff has indicated, as we have as</p> <p>16 well indicated that we meet the standards that we're</p> <p>17 required to, as anyone else in the City developing a</p> <p>18 piece of property.</p> <p>19 We have -- I indicated that we would be using</p> <p>20 a 75 space lease that was agreed to, and as it was also</p> <p>21 indicated that the developer -- actually, the developer</p> <p>22 of this project was the owner of the marina and the</p> <p>23 owner of the Marina Grande project. And when everyone</p> <p>24 bought in there, there was lease agreements for that</p> <p>25 marina to use certain parking. They also have</p>	<p>1 use. It may not have been the -- you know, we may not</p> <p>2 utilize that. But we may have some ability to use that</p> <p>3 for staff being taken by valet to parking or whatever.</p> <p>4 So I wanted to clarify that.</p> <p>5 Jeff Gagnon indicated that you have a noise</p> <p>6 ordinance, and we've agreed that we have to abide by</p> <p>7 that noise ordinance. I have done a tremendous amount</p> <p>8 of noise evaluation in my career as a planner on almost</p> <p>9 every project that I do. We are all talking right here</p> <p>10 at about 50, 55 decibels. I'm talking a little bit</p> <p>11 louder right now because I have amplified noise. We</p> <p>12 have agreed to meet the noise ordinance. We have to</p> <p>13 meet the noise ordinance of your code, so that's -- I</p> <p>14 don't know what else we can do. That is consistent</p> <p>15 with every project in this city. They have to meet</p> <p>16 that noise ordinance, okay?</p> <p>17 As far as the manatee safety goes, whether</p> <p>18 that marginal dock is 350 feet or five feet off the</p> <p>19 water, they will have to meet the Manatee Protection</p> <p>20 Code, they will have to meet the Fish and Wildlife</p> <p>21 Commission requirements, they will have to meet the</p> <p>22 FDEP, the Florida Department of Environmental</p> <p>23 Protection, and they will also have to meet the Army</p> <p>24 Corps of Engineers to obtain their permits for any kind</p> <p>25 of dock.</p>

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<p>1 And just remember, this is not a dock that is 2 solid concrete all the way to the bottom. It's just 3 like every other dock that is built within the City of 4 Riviera Beach, at the City Marina, at all the docks 5 throughout the entire area in Riviera Beach, and it 6 will have pilings that go down with at least eight to 7 ten foot of separation, which the water flows all the 8 way through. And I guarantee you that the manatees 9 have complete access through all of the docks, 10 particularly the ones at the Riviera Beach Marina that 11 the City owns and all the rest of the docks in that 12 entire area.</p> <p>13 And the agencies will not issue a permit for 14 any type of a dock that doesn't meet all the 15 requirements, both federally and State. So I think you 16 could rest assured that we are going to have to meet 17 those requirements.</p> <p>18 Again, this is a -- and your staff can 19 address this. They indicated it in their staff report. 20 This is a use by right. You have conditions of 21 approval that we've met. We didn't say that the item 22 is a deal killer at 2:00. That is a standard that your 23 staff has done because you have no standard.</p> <p>24 We can't -- no bar or restaurant, no 25 restaurant in this city can sell alcohol after 2:00 in</p>	<p>1 you. We think the project, it meets all your Land 2 Development Regulation. We have adequately addressed 3 any issues of overflow parking. Now, whether there's 4 agreement issues privately that have to be dealt with, 5 there is lease agreements in place, that will have to 6 be worked out by the private sector. That is really 7 not -- your code requires on this project 18 spaces -- 8 15 spaces. We provided 18, but we've accommodated for 9 overflow through a lease agreement that has been in 10 place since Marina Grande was envisioned.</p> <p>11 So that's all I have. Thank you, Madam 12 Chair.</p> <p>13 CHAIR JAMES: Thank you.</p> <p>14 VICE CHAIR McCOY: Actually, Madam Chair, I 15 want to ask some questions of the applicant.</p> <p>16 MR. GENTILE: Sure.</p> <p>17 CHAIR JAMES: You're recognized.</p> <p>18 VICE CHAIR McCOY: Your narrative says that 19 this was previously occupied by Crab Pot. Who is the 20 end user restaurant?</p> <p>21 MR. GENTILE: Who is the end -- who's going 22 to be the owner? Seven Kings Holdings, and that is 23 owned by Ray Graziotto, and there's several other 24 members of that corporation.</p> <p>25 VICE CHAIR McCOY: Well, I was speaking of</p>
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<p>1 the morning. So we just -- the staff put that in there 2 because there is nothing in the code that restricts 3 that timeframe other than the alcohol sales. This is a 4 retail restaurant. So we agreed to those conditions. 5 Conditions can be modified. That is something that's 6 the purview of this Commission.</p> <p>7 And I also want to reiterate that I don't 8 believe, nor would I ever indicate that the public 9 process that this City has had, that I've been in front 10 of for numerous years, actually practicing over 33 11 years, that this is not a very important Commission in 12 regards to providing beneficial advice and 13 recommendations to the City Council and the CRA. And I 14 do not believe that our client indicated that this was 15 a useless committee.</p> <p>16 I certainly, as his representative, as his 17 planner, would never, never insinuate or even think 18 that, because this is the public process, the 19 democratic process that we live by throughout this 20 entire county, and in fact, the entire state of 21 Florida. This Commission plays a vital role in 22 providing public input as members of the public who are 23 not elected, but advisory to the Town Council, and we 24 appreciate all the stuff that you do.</p> <p>25 Madam Chair, that's all I have to provide</p>	<p>1 who's going to -- what's the restaurant? What is going 2 to be the use? What's actually going to be -- you said 3 a --</p> <p>4 MR. GENTILE: The restaurant is going to be 5 what we consider a coastal seafood fare, just like the 6 Crab Pot had. It will have fish, it will have steaks, 7 it will have -- it is a restaurant, and it will have, 8 like every other restaurant has, a bar, as well, as a 9 part of it. The licensing on it requires them to have 10 the restaurant, food service. So just to let you know.</p> <p>11 VICE CHAIR McCOY: Okay, I was looking at the 12 traffic report. How do you come up with -- how did you 13 estimate the net new daily trips? I think it was 326 14 maybe.</p> <p>15 MR. GENTILE: I don't have that right in 16 front of me. Here, yes. This is the letter from -- 17 yes, it will have 326 net daily trips. It will have 18 only 28 a.m. new trips, and that's usually typical of a 19 restaurant, because the lunch trade is not as large as 20 the evening dinner trade. And they will have 21 additional -- they'll have 25 p.m. trips, and the total 22 is actually 326 new trips.</p> <p>23 And that is a model that is required for 24 every project in the county. The City of Riviera Beach 25 is not the only city that has to use that, but it's</p>

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<p>1 done under the transportation standards. There is a 2 number for this type of restaurant that will generate 3 based on capacity. 4 And this roadway has a capacity of X number 5 of trips. They calculate the number of trips. New 6 trips is 326. And they determine if the level of 7 service of that road is reduced, and it's done on a 8 grade level, A, B, C, D, E. And we are within -- we 9 are not impeding or decreasing the service level of the 10 road, and we are in compliance with the traffic 11 performance standards that the City of Riviera Beach 12 has adopted, okay. 13 CHAIR JAMES: Do you have any more questions, 14 Mr. McCoy, because you can continue, and then we'll go 15 back down the line. 16 VICE CHAIR McCOY: I do, just a couple more. 17 It was mentioned about the easement, and I 18 tried to pull it up on my computer. And it does appear 19 to be an easement that is owned by -- and I'll get it 20 here. It's associated with the marina. 21 MR. GENTILE: Yes. 22 VICE CHAIR McCOY: But it's so narrow, I 23 couldn't determine on the eastern portion of Marina 24 Grande how wide was that easement. 25 MR. GENTILE: Oh, you're talking about the</p>	<p>1 it was mentioned today, and I had no knowledge of it. 2 And I'm looking at it now, and I didn't even or 3 couldn't even tell from looking at it on the computer 4 that it was just as wide as a walkway. So would you 5 say that there's no plans to even use that? 6 MR. GENTILE: I think if you look at the 7 corner of our plan, that easement is -- yes, that's 8 what I'm talking about, and the way that it jogs over. 9 If you see where that easement -- and I'm going to put 10 the cursor. This is the easement and this is the 11 bulkhead right here. This is the walkway easement. 12 Our dock or deck/dock area, dock area stops right here. 13 And we haven't connected it to that walkway. There is 14 a bulkhead there that is connected, and we do not have 15 any right through the marina owner to use that walkway. 16 VICE CHAIR McCOY: Okay. 17 CHAIR JAMES: Remember, we can only speak one 18 at a time. Thank you. 19 VICE CHAIR McCOY: That's it for me for the 20 applicant, Madam Chair. Thanks. 21 MR. KUNUTY: Madam Chair, I have a question 22 for the applicant. 23 CHAIR JAMES: You're recognized, Mr. Kunuty. 24 MR. KUNUTY: In your site plan application 25 narrative, third paragraph, it says the property is</p>
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<p>1 walkway easement along the water or along the Marina 2 Grande property? 3 VICE CHAIR McCOY: Well, I can't -- I suppose 4 it's a walkway. I didn't even -- 5 MR. GENTILE: It's a seawall, right. 6 VICE CHAIR McCOY: My question is -- 7 MR. GENTILE: Yes, it's not part of this 8 restaurant's easement, so it's part of the -- it's the 9 marina easement. 10 VICE CHAIR McCOY: So you can't speak to 11 that? 12 MR. GENTILE: I can't speak to that easement 13 because we don't have the right to use that specific 14 easement at all. It's the marina. 15 VICE CHAIR McCOY: Right. Well, my question 16 is -- 17 CHAIR JAMES: Excuse me. You can't speak out 18 of turn. We can't hear, so we need to get 19 clarification, we need to be able to hear, and it needs 20 to be -- we need to hear for the record as well. 21 So go ahead and restate your question, 22 Mr. McCoy. 23 VICE CHAIR McCOY: Okay, so you don't have 24 permission to use it, and it was brought up, so I guess 25 my question was: Is that a part of the plan, because</p>	<p>1 currently owned by Riviera Shores, LLC. The applicant 2 is Seven Kings Holding, who is a long-term -- has a 3 long-term lease with the landowner. My question is: 4 Is that lease in place, or is that lease conditional on 5 this restaurant approval? 6 MR. GENTILE: The lease is in place as we 7 speak. 8 MR. KUNUTY: So it's not conditional on 9 anything? 10 MR. GENTILE: No, no. 11 MR. KUNUTY: Further down it says that the 12 traffic statement was presented to County Traffic for 13 review and approval. Now, do we have approval? 14 MR. GENTILE: Yes, sir. Your staff just 15 indicated and I just was reading from the letter of 16 approval from Palm Beach County Engineering, Traffic 17 Engineering, yes. 18 MR. KUNUTY: When you present it to Palm 19 Beach County Engineering, Traffic, my question is did 20 you present the fact that -- of the whole idea of a 21 golf cart shuttle on the public road, service road to 22 shuttle people? 23 MR. GENTILE: No, that was not a part of the 24 requirements. I mean that's -- excuse me, but that is 25 a method of accessing people back and forth which is</p>

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<p>1 done in numerous locations. And it may be an item that</p> <p>2 we use, it may be an item that we don't use.</p> <p>3 The traffic performance standards and the</p> <p>4 County review is for the number of daily and p.m. and</p> <p>5 a.m. trips that are generated from a use.</p> <p>6 There are a number of venues that use</p> <p>7 trollies, buses, street legal golf carts to transport</p> <p>8 people back and forth to outlying parking areas or</p> <p>9 whatever throughout this entire county. It is a method</p> <p>10 that we possibly could use. We may discuss it with</p> <p>11 staff. It may be something before the City Council</p> <p>12 that we decide that we may not be using.</p> <p>13 But the people can park in those parking</p> <p>14 areas outside, that the marina owns that are outside in</p> <p>15 the open area, and they can walk to this facility.</p> <p>16 There is a sidewalk system that can take them to the</p> <p>17 facility. The valets can take the car from the</p> <p>18 drop-off area -- and that's why we have a drop-off</p> <p>19 area -- they can take them to those back on-grade</p> <p>20 parking spaces and walk back. It's done all over the</p> <p>21 county.</p> <p>22 MR. KUNUTY: Understood.</p> <p>23 MR. GENTILE: Yes.</p> <p>24 MR. KUNUTY: It seems that your first comment</p> <p>25 on hours of operation were pretty rigid as far as hours</p>	<p>1 that the staff conditioned, and we agreed with it, and</p> <p>2 that, of course, is open to your discussion.</p> <p>3 CHAIR JAMES: Thank you, Mr. Gentile.</p> <p>4 MR. KUNUTY: Thank you. No other questions</p> <p>5 for the applicant.</p> <p>6 MR. GAGNON: As I stated at the beginning of</p> <p>7 the meeting, just to state it one more time, the</p> <p>8 2:00 p.m. time was put as a condition -- excuse me --</p> <p>9 2 a.m., thank you. The 2 a.m. time was put as a</p> <p>10 condition of approval because the code is silent as far</p> <p>11 as hours of business operation, meaning there is no</p> <p>12 code section that governs that. So the alcohol section</p> <p>13 of our code says that alcohol sales must stop at</p> <p>14 2 a.m., so that's where that reference point came from.</p> <p>15 CHAIR JAMES: Thank you, Jeff.</p> <p>16 We are under Board comments --</p> <p>17 MR. KUNUTY: Yes, just --</p> <p>18 CHAIR JAMES: -- so Mr. Kunuty, we're going</p> <p>19 to hold that, because we're under Board comments and we</p> <p>20 need to go back to Mr. Blackwell. And then you can, in</p> <p>21 your Board comments, you can ask the applicant to come</p> <p>22 back to the podium.</p> <p>23 Okay, Mr. Blackwell.</p> <p>24 MR. BLACKWELL: Thank you.</p> <p>25 First and foremost, I would like to thank all</p>
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<p>1 of operation, but lately you've said something a little</p> <p>2 differently, that it was just an arbitrary number that</p> <p>3 staff came up with.</p> <p>4 So just for staff and your presentation, I</p> <p>5 went on about 15 local restaurant web sites, and some</p> <p>6 of them are national chains, some were just one-offs,</p> <p>7 and the consensus -- actually, all restaurants that I</p> <p>8 looked at, and I don't know, I looked at maybe 15,</p> <p>9 closed at 10 or 11 p.m.</p> <p>10 No other questions for the applicant.</p> <p>11 MR. GENTILE: Mr. Kunuty, if I could just</p> <p>12 make a comment on that.</p> <p>13 CHAIR JAMES: Really quick, please. Go</p> <p>14 ahead, Mr. Gentile, really quick.</p> <p>15 MR. GENTILE: Yes. The marketplace will</p> <p>16 actually dictate the timeframe, because if there is --</p> <p>17 most of those restaurants may not have patrons that</p> <p>18 want to come after 10:00 or 11:00. But that was an</p> <p>19 item because you have nothing in your code that</p> <p>20 indicates the timeframe of closing.</p> <p>21 I think there -- you do have an alcohol</p> <p>22 restriction, so that's after 2:00. But that doesn't</p> <p>23 restrict the restaurants from being open. So staff put</p> <p>24 that in there. We didn't -- actually, I don't even</p> <p>25 think we gave you hours of operation. It was something</p>	<p>1 the residents of Marina Grande for coming out, sharing</p> <p>2 their concerns and helping us with this matter that we</p> <p>3 have before us to deliberate upon. I do not live in</p> <p>4 Marina Grande, but I hear you; I hear you.</p> <p>5 I know the applicant is represented by an</p> <p>6 attorney, and attorneys will do their best for their</p> <p>7 applicant or the person they represent. But I don't</p> <p>8 think that the 2 a.m. operation of hours is a genuine</p> <p>9 thing that's going to make or break this deal.</p> <p>10 I think that there are some people in this</p> <p>11 room know that this restaurant would be a good idea, it</p> <p>12 would be an economic boost for our community. But</p> <p>13 however, we're going to ask that the applicant be a</p> <p>14 little reasonable and come back and be a good neighbor.</p> <p>15 I think there's a lot of opportunity that if we work</p> <p>16 together, that this could come to fruition.</p> <p>17 I would like to see that land developed.</p> <p>18 It's probably going to be developed one way or another</p> <p>19 sooner or later. So I just say to the residents, you</p> <p>20 know, be careful what you wish for and let's kind of</p> <p>21 work together on this and just not all come in and say</p> <p>22 we're going to kill this idea just because of the hours</p> <p>23 of operation.</p> <p>24 The music, I have concerns about the music</p> <p>25 level. The boating, the dock, 300 feet or what have</p>

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<p>1 you protruding into the Intracoastal Waterway, I think  2 these are all issues that need to come back with more  3 definitive answers and something with more realistic  4 numbers or figures.</p> <p>5 The parking, that's -- I know you're saying  6 it fits -- the applicant says it fits the code. But  7 common sense tells me that a 4,000 square foot  8 restaurant, you have 18 spaces, and 75 of those spaces  9 that you have allocated in another location, that's  10 with the lease agreement with Loggerhead Marina, what  11 happens if that lease expires or they somehow withdraw  12 from that lease? Where are these people going to park?</p> <p>13 So these are all things, I think, that need  14 to be ironed out. I do think that a restaurant is a  15 good idea, but I have my reservations right now as it  16 is presented. Thank you.</p> <p>17 CHAIR JAMES: Thank you, Mr. Blackwell.  18 Mr. Kunuty.</p> <p>19 MR. KUNUTY: I feel a lot like Mr. Blackwell  20 does. I think it would be nice to have a restaurant  21 there, but I think in this project where we stand right  22 now there are way too many questions for us to consider  23 voting on it.</p> <p>24 The hours of operation are certainly one, the  25 noise level of the music, the whole way the shuttle is</p>	<p>1 question to staff or the applicant?</p> <p>2 MR. GALLON: To the applicant.</p> <p>3 MR. GENTILE: The project was reviewed by  4 your Police Department. We've agreed to do the  5 conditions that they have. I'm just reiterating -- and  6 by the way, just so that you know, I'm not an attorney.  7 I want to make that very clear. I'm a planner.</p> <p>8 MR. DeGRAFFENREIDT: Is that a bad thing?</p> <p>9 MR. GENTILE: It's not a bad thing. But we  10 planners like to practice, but the attorneys don't like  11 us to, so they were letting me know that.</p> <p>12 We don't know if there will be security on  13 this site. The Police Department reviewed it. We've  14 agreed to their conditions, providing cameras and those  15 type of things that they do require on most projects  16 like this.</p> <p>17 So, and I do want to also reiterate while I'm  18 here that the lease agreement on the parking is  19 actually an easement, so it is in place in perpetuity  20 on that project. So you don't have to be afraid that  21 the parking will be going away at any time. It is an  22 easement agreement that goes and runs with the land.  23 So that was done by the owner who owned it all and is  24 still here today asking you for approval for the  25 restaurant, so --</p>
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<p>1 going to work, the trash issue, the parking, I think  2 all of these are questions that can be addressed to  3 everyone's satisfaction -- well, not everyone, but to  4 consensus satisfaction. So, you know, my feeling is  5 that this needs to go back to staff for a lot more work  6 before it comes back here. So no other questions.</p> <p>7 CHAIR JAMES: Thank you, Mr. Kunuty.  8 Mr. Brown, do you have Board comments?</p> <p>9 MR. BROWN: No comments.</p> <p>10 CHAIR JAMES: Thank you, Mr. Brown.  11 Mr. Gustafson.</p> <p>12 MR. GUSTAFSON: I want to thank the public  13 for coming out and voicing all their concerns and  14 opinions. I also agree that there are some major  15 concerns with the operation ahead of us here. One  16 thing in particular is the parking, the shuttle, and  17 the off-site location with the lease. The dock length  18 frightens me as well, as well as the trash and the  19 noise. No other comments.</p> <p>20 CHAIR JAMES: Thank you.  21 Mr. Gallon.</p> <p>22 MR. GALLON: The comments that I have have  23 already been spoken, but I would like to ask about  24 security. I've heard nothing about security.</p> <p>25 CHAIR JAMES: Do you want to direct that</p>	<p>1 CHAIR JAMES: Thank you, Mr. Gentile.</p> <p>2 MR. GENTILE: Yes, ma'am.</p> <p>3 CHAIR JAMES: Vice Chair McCoy, your Board  4 comments, please.</p> <p>5 VICE CHAIR MCCOY: Yes, I don't know if I can  6 even say anything new. I'm just lost, because, you  7 know, I seen that it was stated in the applicant's  8 narrative that it was consistent with the code, but  9 that's only the code as far as zoning. But there are  10 some other things in the code that brings up questions  11 certainly related to the compatibility of its adjacent  12 uses, and there are a lot of things that are still  13 outstanding.</p> <p>14 The parking is certainly one for me. And  15 then in the letter it actually stated preliminary  16 discussions with FDOT have yielded an informal  17 approval. I don't even know what that means.</p> <p>18 But I just don't think I'm comfortable with  19 supporting it because it just seems like there are some  20 things at this point that need to be resolved. And in  21 good conscience, I don't think I can put this next to a  22 residential, multifamily residential community without  23 the support of the community. And not by petition or  24 popular opinion.</p> <p>25 I certainly support the development, but we</p>



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<p>1 have to be good neighbors, because there are several 2 points, or I guess several -- it's indicated several 3 times in our code. And I'll just take one for example, 4 and this actually speaks to a different district, but 5 it says: No operational activities shall be allowed in 6 any neighborhood commercial district which would 7 disturb or annoy the residential inhabitants in the 8 adjacent or nearby residential areas.</p> <p>9 Now, while that isn't exactly the same zoning 10 code, I think in the spirit of being consistent, I just 11 don't think that I can support it, despite that it has 12 consistency with the land use. It's just, you know, 13 Mr. Gentile, I wouldn't think you would want it right 14 next to your house if you lived there.</p> <p>15 So respectfully, I'm not doing it for 16 applause but I just want to say this. It's just hard 17 to ignore when I got at least 50 people that came out 18 to a meeting to voice their opposition to it. It's 19 just something I cannot ignore.</p> <p>20 So with that, Madam Chair, you know, I don't 21 know where we go from here, but those are my comments 22 for now.</p> <p>23 CHAIR JAMES: Let me go to my comments, and 24 then we're going to entertain a motion. So my 25 comments, I did get the opportunity to ask staff</p>	<p>1 work it out. If we can't work it out, then we have a 2 yea or nay vote. So I'm --</p> <p>3 MR. GENTILE: Mr. Kunuty, we would --</p> <p>4 CHAIR JAMES: Mr. Gentile --</p> <p>5 MR. GENTILE: I'm sorry.</p> <p>6 CHAIR JAMES: -- I'm sorry, I haven't 7 given -- I haven't recognized you.</p> <p>8 MR. GENTILE: I'm sorry.</p> <p>9 MR. KUNUTY: Yes, I would like to hear what 10 he has to say.</p> <p>11 CHAIR JAMES: Okay, so did you have a 12 question specifically for him, because --</p> <p>13 MR. KUNUTY: No. You know, it seems like 14 based on the Board comments, he's ready to make some 15 kind of a statement.</p> <p>16 CHAIR JAMES: Okay. Well, I have a question 17 first of staff. How are we proceeding? Is there still 18 a motion that needs to be made, or can we give just a 19 recommendation to push this back to staff for further 20 review? What is the direction of staff?</p> <p>21 MR. GAGNON: So at this point, the Planning 22 and Zoning Board can make any motion they choose to 23 make. However, being that there are multiple 24 outstanding questions, I believe that the development 25 team and Mr. Gentile probably would like the</p>
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<p>1 questions, and the applicant, and what I feel is 2 nothing new that hasn't already been discussed.</p> <p>3 So at this time, do we have a motion?</p> <p>4 VICE CHAIR MCCOY: Madam Chair, I don't have 5 a motion, but you know, to Mr. Kunuty's point, and if 6 the applicant is so willing, I don't want to outright 7 deny an application or send a negative recommendation 8 to Council. If there's something that can be worked 9 on, you know, I think I'm open for that. But I don't 10 have any motions to accept nor deny at this point.</p> <p>11 CHAIR JAMES: I believe we have to have a 12 motion to either approve or deny and then do some 13 discussion, so --</p> <p>14 MR. KUNUTY: Well, I'm not sure we have to 15 have a motion to approve or deny. Since there were so 16 many questions surfaced, we can send this back to staff 17 to do some more work and bring it back with a lot of 18 these questions answered. Some of them, I mean some of 19 people in the audience said they'd like to have a 20 restaurant there, and some of the people didn't want it 21 in any case. And that would be kind of like a normal 22 reaction.</p> <p>23 I think if we send this back to staff, and 24 staff, with Mr. Gentile and some input from maybe a 25 representative from Marina Grande, we may be able to</p>	<p>1 opportunity to come back with more thorough responses 2 to some of the questions, and staff would, as 3 Mr. Kunuty indicated, want to work with the development 4 team and make sure that we at least provide very 5 thorough answers.</p> <p>6 And then that way, the Board can review those 7 questions and answers at an upcoming meeting, 8 potentially I think it's the 25th is our next meeting. 9 So I think that the questions -- and I can defer to 10 Mr. Gentile, but I think answers to the questions can 11 be generated before that meeting, and you could bring 12 it back with further responses, because at this point, 13 it seems there are just multiple outstanding questions 14 that need more work.</p> <p>15 CHAIR JAMES: Okay.</p> <p>16 MR. KUNUTY: Based on that, Madam Chair --</p> <p>17 CHAIR JAMES: Yes, Mr. Kunuty, you're 18 recognized.</p> <p>19 MR. KUNUTY: Yes, I'll make a motion that we 20 send this project back to staff for review and 21 answer -- and bring it back with answers to the 22 multiple questions that are brought up. And I would 23 recommend also in that motion that between staff, 24 Mr. Gentile and a representative from Marina Grande to 25 work on this together.</p>

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<p>1 CHAIR JAMES: Is there a second?</p> <p>2 MR. BLACKWELL: I will second it with one</p> <p>3 caveat. I think there is also a question as to what</p> <p>4 type of establishment, Mr. Gentile, this is going to</p> <p>5 be. Is it a bar or is it a restaurant? Is it going to</p> <p>6 be operated as a bar/restaurant or a restaurant? So</p> <p>7 there's clearly a definitive difference between the</p> <p>8 two, but --</p> <p>9 MR. GENTILE: If we could -- I'm just going</p> <p>10 to have that very brief answer on the restaurant. But</p> <p>11 I would like to ask Mr. Kunuty and the Commission to</p> <p>12 consider us coming back to the June meeting with our</p> <p>13 answers and responses and working it out with staff and</p> <p>14 others, if that would be possible.</p> <p>15 CHAIR JAMES: Thank you. So there's a motion</p> <p>16 on the floor and a second, which includes the question,</p> <p>17 the definition that will be added. And that was one of</p> <p>18 the many questions that was proposed by the residents</p> <p>19 and also the Board, so that should be included.</p> <p>20 MR. KUNUTY: I will modify the motion to</p> <p>21 include that issue.</p> <p>22 CHAIR JAMES: Okay. Is there a second on</p> <p>23 that amendment?</p> <p>24 MR. BLACKWELL: Yes, second.</p> <p>25 CHAIR JAMES: Roll call.</p>	<p>1 that May 25th is our next Board meeting, however, I</p> <p>2 think if we give ourselves a little bit more time to</p> <p>3 make sure we have thorough responses, June 8th would be</p> <p>4 the anticipated meeting date.</p> <p>5 MR. GENTILE: And we agree with that. Thank</p> <p>6 you.</p> <p>7 CHAIR JAMES: Okay, just for the public that</p> <p>8 is here, I see there is someone in the back that had</p> <p>9 their hand raised. Please know that your next</p> <p>10 opportunity for a comment will be under general</p> <p>11 discussion, item number A. So if you wish to speak at</p> <p>12 that time, you will have to complete a new public</p> <p>13 comment card, okay?</p> <p>14 So we're moving on to the next item, B, and</p> <p>15 we're ready for a staff presentation.</p> <p>16 MR. GAGNON: Thank you, Chair.</p> <p>17 Under new business, letter B is a resolution</p> <p>18 of the City Council of the City of Riviera Beach, Palm</p> <p>19 Beach County, Florida approving a site plan and special</p> <p>20 exception application from Catoe Holdings, LLC to build</p> <p>21 and operate an 8,078 square foot warehouse with</p> <p>22 accessory office on a vacant parcel of land,</p> <p>23 approximately one acre in size, identified by parcel</p> <p>24 control number 56-42-42-26-02-000-0010, located on the</p> <p>25 north side of the intersection of Haverhill Road and</p>
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<p>1 MR. VELASQUEZ: Jon Gustafson.</p> <p>2 MR. GUSTAFSON: Yes.</p> <p>3 MR. VELASQUEZ: James Gallon.</p> <p>4 MR. GALLON: Yes.</p> <p>5 MR. VELASQUEZ: Margaret Shepherd.</p> <p>6 MS. SHEPHERD: No.</p> <p>7 MR. VELASQUEZ: Edward Kunuty.</p> <p>8 MR. KUNUTY: Yes.</p> <p>9 MR. VELASQUEZ: Corey Blackwell, Sr.</p> <p>10 MR. BLACKWELL: Yes.</p> <p>11 MR. VELASQUEZ: Tradrick McCoy.</p> <p>12 CHAIR McCOY: Yes.</p> <p>13 MR. VELASQUEZ: Rena James.</p> <p>14 CHAIR JAMES: Yes.</p> <p>15 MR. VELASQUEZ: Six yes, one no. Motion</p> <p>16 passes.</p> <p>17 CHAIR JAMES: Thank you.</p> <p>18 MR. GENTILE: And that will be the -- the</p> <p>19 date, did you set the date for --</p> <p>20 MR. KUNUTY: No. I think staff will set the</p> <p>21 date.</p> <p>22 CHAIR JAMES: Staff.</p> <p>23 MR. GENTILE: Okay, I'll let staff.</p> <p>24 MR. GAGNON: Just for the anticipated</p> <p>25 timeline for everyone in the audience too, I did state</p>	<p>1 Haverhill Business Parkway, within the general</p> <p>2 industrial zoning district, and providing for an</p> <p>3 effective date.</p> <p>4 CHAIR JAMES: Please, if you're exiting,</p> <p>5 please exit quietly so we can continue the meeting.</p> <p>6 Presentation.</p> <p>7 MR. GAGNON: Yes, and at this time I'd like</p> <p>8 to ask Mario Velasquez, our Senior Planner, to provide</p> <p>9 a presentation to the Board and general public.</p> <p>10 MR. VELASQUEZ: Good evening, everyone. Once</p> <p>11 again, Mario Velasquez, Senior Planner.</p> <p>12 The second item tonight is the Catoe Plumbing</p> <p>13 applicant. The owner is Catoe Holdings, LLC. The</p> <p>14 application number is SP-16-15 and SE-16-02,</p> <p>15 corresponding to the site plan and the special</p> <p>16 exception.</p> <p>17 It's an industrial project that entails</p> <p>18 approximately an 8,000 square foot plumbing warehouse</p> <p>19 with its accessory office. We'll go over -- again, I</p> <p>20 will go over the location, get familiarized with the</p> <p>21 area, continue with the staff analysis and conclude</p> <p>22 with special exception analysis.</p> <p>23 If you look at the screen, the red dot</p> <p>24 represents the location of the proposed warehouse and</p> <p>25 tells us that it is on the west side of the city. As</p>

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<p>1 we zoom in, we can see that it's a vacant lot. This  2 vacant lot is identified with parcel control number  3 56-42-42-26-02-000-0010. It is approximately one acre  4 in size, and the current zoning is general industrial  5 and the future land use is industrial.</p> <p>6 Also, you can see the sign for the  7 notification. The property was properly -- we put a  8 sign for notification, anyone that drives by. Everyone  9 within 300 feet was sent a postcard also informing them  10 of the application on this property. That's required  11 by the special exception.</p> <p>12 Now, on the screen you can see that the  13 picture shows, standing on the, like on the center of  14 the property, the neighbors to the north and to the  15 east, they are -- one is industrial warehouse and the  16 other is vacant. They're both though industrial. From  17 the same point looking south and west, we have, well,  18 mainly the Haverhill roadway. And across that street  19 we just have green area, and that's actually Palm Beach  20 County incorporated.</p> <p>21 Now we have the site plan that shows the  22 placement of the building, the warehouse and the  23 proposed parking.</p> <p>24 Now we have the proposed landscape showing  25 adequate landscaping to provide buffer and</p>	<p>1 Development Regulations. And for parking and traffic,  2 adequate parking has been proposed in accordance with  3 the City's Land Development Regulations.</p> <p>4 Now going into the special exception  5 analysis, as far as ingress to and egress from the  6 property, ingress to and egress from the site are  7 available directly off of Haverhill Business Parkway,  8 which can be accessed from the north and south via  9 Haverhill Road.</p> <p>10 For off-street parking and loading areas,  11 adequate parking spaces have been proposed in  12 accordance with the City's Land Development  13 Regulations, and also one truck loading/unloading area  14 will be provided.</p> <p>15 For refuse and service areas, a six foot high  16 masonry enclosure has been proposed to hold a dumpster  17 for on-site garbage collection, with proper landscape  18 screening.</p> <p>19 For utilities, they are currently available  20 to the site and will be properly connected as regulated  21 by the Utility District.</p> <p>22 As far as screening, buffering and  23 landscaping, adequate landscaping has been proposed  24 along the perimeter of the property, which must be  25 maintained according to the City's Land Development</p>
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<p>1 beautification to the site.</p> <p>2 Now we have a rendering showing what the  3 proposed building will look like if built.</p> <p>4 For the staff analysis, as far as the  5 proposed development, the applicant is proposing to  6 develop 8,078 square feet of warehouse with accessory  7 office use. This proposal would allow an existing  8 business in the city to expand its business capacities,  9 while at the same time keeping the business within the  10 city.</p> <p>11 Also, the proposed use complies with the  12 City's Land Development Regulations for the general  13 industrial IG zoning district, providing that a special  14 exception approval is granted by the City Council for  15 the warehouse use.</p> <p>16 As far as the Comprehensive Plan, the  17 proposed use is consistent with the Comprehensive  18 Plan's industrial future land use designation, and the  19 proposed project is also compatible with the  20 surrounding parcels and uses, which we just saw  21 pictures of what they look like.</p> <p>22 For levels of service, City services such  23 roads, water, sewer and garbage collection are  24 currently available to the site. The proposed  25 landscape plan is compatible with the City's Land</p>	<p>1 Regulations. Also, the applicant has preserved many of  2 the existing trees and vegetation.</p> <p>3 For signs or outside displays, one attached  4 sign is proposed to the main facade of the building,  5 which will be later regulated the by the Code of  6 Ordinances. No freestanding signage is currently  7 proposed.</p> <p>8 And also, a lighting plan has been provided  9 which demonstrates adequate lighting and no light  10 trespass from the property.</p> <p>11 As far as required yards and open spaces,  12 adequate yard and open space has been proposed in  13 accordance with the City's Land Development  14 Regulations.</p> <p>15 Now for staff conclusion, City staff advises  16 that the Planning and Zoning Board review and consider  17 all information presented and provide a recommendation  18 to the City Council. If the Planning and Zoning Board  19 chooses to recommend approval, City staff recommends  20 including the following conditions of approval.</p> <p>21 A two year landscaping performance bond for  22 110 percent of the value of landscaping and irrigation.</p> <p>23 Number two, construction and landscaping  24 improvements will be -- must be initiated within 18  25 months of the effective date of this resolution in</p>

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<p>1 accordance with Section 31-60(b).</p> <p>2 Number three, this development must receive</p> <p>3 final Certificate of Occupancy from the City for all</p> <p>4 buildings and units approved within five years of the</p> <p>5 approval of the adopting resolution or the adopting</p> <p>6 resolution shall be considered null and void, requiring</p> <p>7 the applicant to resubmit application for site plan and</p> <p>8 special exception.</p> <p>9 Number four, all future advertisement must</p> <p>10 state that the development is located in the City of</p> <p>11 Riviera Beach.</p> <p>12 Number five, once approved, this resolution</p> <p>13 shall supersede any previous site plan approval</p> <p>14 resolutions associated with this property, causing the</p> <p>15 previous site plan approval resolutions to be null and</p> <p>16 void.</p> <p>17 And number six, City Council authorizes City</p> <p>18 staff to approve future amendments to this site plan</p> <p>19 administratively so long as the site plan does not</p> <p>20 deviate greater than five percent from the originally</p> <p>21 approved site plan.</p> <p>22 The applicant representative is present. If</p> <p>23 you have any questions, we are here to answer those.</p> <p>24 CHAIR JAMES: Okay, thank you. The applicant</p> <p>25 like to say something?</p>	<p>1 building elevation.</p> <p>2 And I'll be glad to address any question or</p> <p>3 comments you may have.</p> <p>4 CHAIR JAMES: Okay, we're going to go into</p> <p>5 Board comments, and if they have any questions, they'll</p> <p>6 call you up.</p> <p>7 MR. IRAVANI: Thank you.</p> <p>8 CHAIR JAMES: Thank you.</p> <p>9 Okay, we're going to start with Ms. Shepherd.</p> <p>10 MS. SHEPHERD: This is an excellent project,</p> <p>11 sir, coming to the City of Riviera Beach. I have no</p> <p>12 questions. Thank you.</p> <p>13 CHAIR JAMES: Okay, Mr. Blackwell.</p> <p>14 MR. BLACKWELL: No questions.</p> <p>15 CHAIR JAMES: Mr. Kunuty.</p> <p>16 MR. KUNUTY: Really no questions.</p> <p>17 CHAIR JAMES: Mr. Brown.</p> <p>18 MR. BROWN: No questions.</p> <p>19 CHAIR JAMES: Mr. Gustafson. Am I</p> <p>20 pronouncing your name correctly?</p> <p>21 MR. GUSTAFSON: Gustafson.</p> <p>22 CHAIR JAMES: Gustafson.</p> <p>23 MR. GUSTAFSON: Close enough. No comment.</p> <p>24 CHAIR JAMES: Do you have any comments? No?</p> <p>25 MR. GUSTAFSON: No comment.</p>
Page 118	Page 120
<p>1 MR. IRAVANI: Madam Chair, Board members,</p> <p>2 good evening.</p> <p>3 CHAIR JAMES: Good evening.</p> <p>4 MR. IRAVANI: Jeff Iravani on behalf of Catoe</p> <p>5 &amp; Son. I'll be very brief.</p> <p>6 This is going to be a new office for Catoe &amp;</p> <p>7 Son, which is the plumbing company. They're going to</p> <p>8 be moving here. They're going to be hoping to hire</p> <p>9 some ten more people in there, and so we think that the</p> <p>10 project is going to be an asset. The property value is</p> <p>11 going to go up probably about 500 percent, and we think</p> <p>12 the new jobs is going to be certainly an asset.</p> <p>13 I had a presentation, but I have to get</p> <p>14 the -- I'll be brief. I know you guys been through a</p> <p>15 lot already.</p> <p>16 All right, this is the location. It's on</p> <p>17 Haverhill Road. It's an industrial park. We designed</p> <p>18 actually the whole project about ten years ago. And</p> <p>19 all the other development are industrial. This is lot</p> <p>20 one right adjacent to Haverhill Road.</p> <p>21 This is our site plan. We meet all the</p> <p>22 requirements. We are in agreement with the City staff</p> <p>23 recommendation. And I think it's going to be -- it's a</p> <p>24 beautiful landscape, and I think it's going to be an</p> <p>25 asset. And that's the perspective, and also the</p>	<p>1 CHAIR JAMES: Okay. Mr. Gallon.</p> <p>2 MR. GALLON: No questions.</p> <p>3 CHAIR JAMES: Vice Chair McCoy.</p> <p>4 VICE CHAIR MCCOY: Nothing, Madam Chair.</p> <p>5 CHAIR JAMES: Well, I have no questions as</p> <p>6 well. Is there a motion?</p> <p>7 MR. KUNUTY: I move to approve, with staff's</p> <p>8 conditions.</p> <p>9 CHAIR JAMES: Is there a second?</p> <p>10 MR. GUSTAFSON: Second.</p> <p>11 CHAIR JAMES: Roll call.</p> <p>12 MR. VELASQUEZ: Jon Gustafson.</p> <p>13 MR. GUSTAFSON: Yes.</p> <p>14 MR. VELASQUEZ: James Gallon.</p> <p>15 MR. GALLON: Yes.</p> <p>16 MR. VELASQUEZ: Margaret Shepherd.</p> <p>17 MS. SHEPHERD: Yes.</p> <p>18 MR. VELASQUEZ: Edward Kunuty.</p> <p>19 MR. KUNUTY: Yes.</p> <p>20 MR. VELASQUEZ: Corey Blackwell, Sr.</p> <p>21 MR. BLACKWELL: Yes.</p> <p>22 MR. VELASQUEZ: Tradrick McCoy.</p> <p>23 CHAIR MCCOY: Yes.</p> <p>24 MR. VELASQUEZ: Rena James.</p> <p>25 CHAIR JAMES: Yes.</p>

30 (Pages 117 to 120)

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<p>1 MR. VELASQUEZ: Unanimous voting. Motion 2 approved. 3 MR. IRAVANI: Thank you. 4 CHAIR JAMES: Thank you. 5 MR. KUNUTY: Thank you for sitting through 6 that. 7 CHAIR JAMES: Okay, general discussion. 8 MR. GAGNON: I'm sorry, Madam Chair, I 9 believe the Board reordered the agenda. 10 CHAIR JAMES: Oh, that's right. 11 MR. GAGNON: I think the nomination of Chair 12 and Vice Chair is up next. 13 CHAIR JAMES: Thank you for reminding me. 14 MR. GAGNON: So at this point in time, the 15 process for nomination of Chair and Vice Chair is the 16 floor is opened up for nominations of the Chairperson, 17 and you could either nominate an alternate Board member 18 or yourself. That person has the opportunity to either 19 accept or decline that opportunity. Once everyone has 20 the opportunity to nominate somebody, the floor will 21 close and the Board will make a selection on the final 22 nominated Chairperson. So at this point in time, the 23 floor is open for any nominations for Chairperson. 24 MS. SHEPHERD: I'd like to renominate 25 Mrs. Rena James as the Chairperson.</p>	<p>1 MR. GAGNON: I'll let Ms. James -- the 2 Chairperson can handle it at this point, I think. 3 CHAIR JAMES: Any other nominations? 4 Consensus? 5 Congratulations, Mr. McCoy. 6 MR. GAGNON: If he accepts. 7 VICE CHAIR McCOY: Madam Chair, I have to 8 accept. 9 CHAIR JAMES: I'm sorry. 10 VICE CHAIR McCOY: So are you going to ask 11 me? 12 CHAIR JAMES: Do you accept? 13 VICE CHAIR McCOY: Can we table and I think 14 about it? Actually, I accept. 15 CHAIR JAMES: Congratulations. 16 Okay, now moving to general discussion, 17 public comments. So I have two comment cards. First 18 up will be Mary Brabham. 19 MS. BRABHAM: Good evening, Board. Ms. Mary 20 Brabham, Riviera Beach. 21 Congratulation to the Chair as well as the 22 Co-Chair, and congratulation to all of this Board here, 23 as I said before. And you said that you would see me 24 again. Definitely you will see me again. So kudos to 25 Ms. Margaret Shepherd. She's been a long-standing</p>
Page 122	Page 124
<p>1 MR. KUNUTY: Second. 2 MR. GAGNON: Yes, so are there any other 3 nominations? So there's no need to second any motions 4 unless you want to nominate the same person. So anyone 5 can nominate anybody else. 6 And Ms. James, would you accept that 7 nomination? 8 CHAIR JAMES: Yes. 9 MR. GAGNON: Are there any other nominations 10 for Chairperson? It seems as if -- would you like to 11 do a roll call vote or just a consensus? 12 CHAIR JAMES: Consensus. 13 MR. GAGNON: Okay, Ms. James, 14 congratulations. You're once again Chairperson. 15 CHAIR JAMES: Thank you. 16 Thank you, Board. 17 MR. GAGNON: My speech thanking you for your 18 last year of service is not timely anymore, so I'll 19 have to edit that and change it to two years, in 20 addition to your previous experience as Chair. 21 So at this point we open the floor for 22 nomination of Vice Chair. 23 MR. BLACKWELL: I nominate Tradrick McCoy. 24 MR. GUSTAFSON: Second. 25 MR. KUNUTY: Second.</p>	<p>1 member, as well as Mr. Whigham. And I would like to 2 give a shout-out to Mr. Julius Whigham too, because he 3 has been so valuable, you know, to this Board and 4 community. 5 But to put you on notice -- because I'm glad 6 that he's sitting here, Mr. Terrence Bailey -- 7 sometimes staff does not work in the conjunction of the 8 community. We just finished Odyssey, and the residents 9 spoke loud and clear. This man here that sits here 10 that was put in a position, he's trying to bring in 11 Odyssey again under Beyel's and Crane over at 900 West 12 15th Street. Now, you know where West 15th Street is 13 over there, almost near Barack Obama Highway. And over 14 there it's also adjacent to the surrounding 15 neighborhoods. 16 He even wanted it expedited. I have the 17 critical elements here, and I also have other details 18 about it too. He wants this project expedited with 19 priority, Mr. Terrence Bailey, yes. So they're coming 20 in on the Beyel and Crane and Odyssey. 21 And guess what else that they're doing here 22 too? Twenty-four storage tanks. Can you believe this 23 again? This hideous nonsense, this impediment of 24 derelict, irresponsible leadership to our community and 25 trying to destroy our community.</p>

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<p>1 We set up an overlay district way out west 2 out there to address these type of things that we say 3 no, you can't have chemicals and stuff. We went 4 through Chlorite in this city here. And a lot of the 5 evidence was brought out about Chlorite, how it 6 infested these kids, and this is why some of the kids 7 and residents are like they are today, because they was 8 imposed by these chemicals that filtrated the air. 9 You couldn't get Odyssey in one way, so you 10 trying to bring in Odyssey in another way. We say no. 11 We say respect the community and respect the well-being 12 of the entire community from the north, south, east and 13 west. Ms. Brabham does not come parlaying about you 14 one against the other. What is good for one is good 15 for all. 16 And we say this is a hideous process again. 17 And they're trying to set up the exterior tanks 18 outside. So we say no to this project here, and we say 19 stop this travesty. This man, Bailey, here, he wants 20 to expedite it. It's evidence right here. If you all 21 would like copies of it, Ms. Brabham will furnish you 22 the copies, because it's hot press. 23 So we are at this same thing again. It has 24 been signed, an application, and they try to sneak it, 25 all of this stuff in here on the residents. Yes, yes,</p>	<p>1 same page. 2 I happen to be on the Board of Marina Grande; 3 I'm the treasurer. Gino Tonetti here is the president. 4 And he and I have reached out to them and given them 5 our contact information, with the hopes that they can 6 contact us and then we can come up with a solution 7 that's amicable towards everybody, especially the fact 8 of this charade that it, you know, it's a restaurant. 9 You know, the only restaurant I know that's open at 10 1 a.m. is Denny's, and they're not opening up a 11 Denny's. 12 So we want to make sure that our family lives 13 are protected. You know, if there's a restaurant in 14 there, I actually kind of like the idea, but it would 15 have to be a restaurant. You know, you look at what 16 Sailfish Marina's got. You know, something like that, 17 sure. But a 350 foot dock, I have to make mention of 18 that also. My gosh, that's longer than Sailfish 19 Marina. You're going to put those guys out of 20 business. 21 But anyhow, I just wanted to say thank you 22 very much. I think you guys are doing a great job, and 23 thank you very much for hearing us. 24 CHAIR JAMES: Thank you. Mr. Powell, did you 25 give the developer your information tonight, to</p>
Page 126	Page 128
<p>1 yes, this is what's going on now. And it's all at the 2 hands of this so-called Community Director that was 3 appointed prior to us getting the City Manager in here 4 so that he wants to expedite this. And what we stand 5 here and say, these underlaying parlays, yes, it is 6 happening right underneath our noses here. 7 CHAIR JAMES: Thank you, Ms. Brabham. 8 MS. BRABHAM: Thank you. 9 CHAIR JAMES: Next up we'll have Randy 10 Powell. 11 MR. POWELL: Hello. Once again, Randy Powell 12 from Marina Grande, 2640, Unit 611. 13 I just wanted to -- we had an opportunity to 14 listen to the developer, and then us, and the developer 15 talked again. I just wanted to speak real quickly from 16 the community's point of view again. 17 We cannot thank you all enough for taking the 18 time, especially looking up something in the middle of 19 a meeting to make sure that there is actually an 20 easement and what all goes on. We appreciate all your 21 efforts, and we want to work with you. 22 I believe somebody up there made mention that 23 for them to go back, reevaluate the stuff and to come 24 together with possibly even a member of Marina Grande, 25 to go ahead and make sure that we can come up to the</p>	<p>1 Mr. Gentile? That was just tonight you gave him? 2 MR. POWELL: Yes. 3 CHAIR JAMES: Okay. 4 MR. POWELL: Yes, that was this evening 5 after -- we stepped out for a second and gave them the 6 information. 7 CHAIR JAMES: Okay, great, great. 8 MR. POWELL: Thank you. 9 MR. TONETTI: Just a few points that I'd like 10 to make. 11 CHAIR JAMES: Really quick, Mr. Tonetti -- 12 MR. TONETTI: Yes, I will, I will. 13 CHAIR JAMES: -- because you didn't submit a 14 card. I'm going to need you to submit a card too since 15 you're speaking. 16 MR. TONETTI: I will. 17 CHAIR JAMES: Okay, go ahead. 18 MR. TONETTI: I only want to say that we are 19 not here to try to derail this project. The only thing 20 we're trying to do is to safeguard the safety and the 21 value of our properties. And thank you so much for -- 22 actually, you brought up many points that I think are 23 very valid for you to consider. 24 The only thing I'd like to say, let us have 25 time to evaluate and to have conversation with them so</p>

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<p>1 we can come to an understanding on this project. And I 2 think for them to come back as soon as June, the June 3 Board meeting I think is a little bit stretched as far 4 as getting to it, because, you know, to a certain 5 extent, if we don't see eye to eye, then it's for us to 6 come back requesting a traffic study to counterbalance 7 their traffic study, impact, social impact, economic 8 impact of the facility, which is going to take time. 9 So it's for both of us interests to be able 10 to come to a resolution on this project, but I don't 11 think that we can achieve that in one month, from my 12 understanding talking to Mr. Water (phonetic). And so 13 if we can somehow maybe work it out, give a little bit 14 of time so we don't reinvent the wheel twice or go back 15 to it twice in front of you, that is my primary 16 concern, is to give us the time to be able to review 17 this thing and to talk to these people so we can become 18 very good neighbors and everyone else is -- 19 CHAIR JAMES: That's fine. You guys can work 20 that out, because it's not -- 21 MR. TONETTI: Okay. But that was the reason, 22 that was agreed, you know, that was suggested, that you 23 get together and work this project out together. 24 CHAIR JAMES: Yes. 25 MR. TONETTI: Thank you so much.</p>	<p>1 CHAIR JAMES: So even if they can't be 2 present, if they are snowbirds and they're not here, 3 please, if you have communications with them by e-mail, 4 just gather their comments and have them submit them to 5 their HOA president -- 6 MR. POWELL: Good point. We will do that. 7 CHAIR JAMES: -- so that can be included in 8 the next packet as well. 9 MR. POWELL: Thank you; thank you very much. 10 CHAIR JAMES: You're welcome. 11 Okay, we're going to move on to 12 correspondence. 13 MR. GAGNON: Thank you, Madam Chair. 14 The only item for correspondence was 15 mentioned under the additions and deletions section. 16 That was the additional correspondence from interested 17 residents regarding the Crab Pot restaurant proposal. 18 CHAIR JAMES: Okay. So Planning and Zoning 19 Board comments, project updates. I do have a comment 20 card for Mary Brabham. Can she submit a comment card 21 for general discussion for upcoming P &amp; Z Board? 22 UNIDENTIFIED SPEAKER: I think so. 23 CHAIR JAMES: You've got to let me know, 24 because I'm not sure. 25 MR. GAGNON: I think it's at the discretion</p>
Page 130	Page 132
<p>1 CHAIR JAMES: You're welcome. I need you to 2 fill out a comment card, because we can't -- I don't 3 have a comment card. I mean, Mr. Tonetti, please do a 4 comment card before you leave. 5 And remember the comment cards are supposed 6 to be submitted before. So we don't have anyone here 7 right now, so just really quick. 8 MR. PAYNE: Very quick. 9 CHAIR JAMES: State your name and address for 10 the record. 11 MR. PAYNE: Edward Payne, 2640 Lake Shore 12 Drive. We have Unit 1915. 13 Just very quickly to the staging of the next 14 meetings, just be cognizant of the fact that, you know, 15 we had 50 or so people here today at this meeting, but 16 also be aware that many of our residents have traveled 17 north to visit family, and they have second homes and 18 they're back north. And most of them are not going to 19 be back, and a lot more people like myself will be 20 leaving shortly. We won't be back until the end of the 21 summer. So -- 22 CHAIR JAMES: I saw that comment in the 23 packet, and what I would say to that is you guys do 24 have a Board. 25 MR. POWELL: Yes.</p>	<p>1 of the Chair. So I don't see why not at this point for 2 another three minutes. 3 CHAIR JAMES: Please, Ms. Brabham, three 4 minutes, because the time is late. 5 MS. BRABHAM: Ms. Mary Brabham, Riviera 6 Beach. 7 The upcoming projects. So like I said, it is 8 noted that he's trying to expedite this. And it is 9 also Beyel's and Odyssey's intent to construct, in 10 spite of well-known sentiments from the Council, as 11 well as the residents. I have residents here tonight 12 too was opposed to this also too. 13 So I am here, as well as with the community, 14 to voice our great concern. And if he is trying to 15 expedite this and trying to slip it in here, we are 16 well aware of it, to put them definitely on notice. 17 And we say no to this, to construct 24 18 storage tanks. You go from eight now to 24, and you 19 uses the exterior outside. See, Beyel and Crane, 20 you're partnering up with them because he wants to get 21 rid of whatever he have, and they try to slip this in 22 here. 23 Do you know it is great industrial components 24 and businesses on that area, as still as well as those 25 schools are still all over in that area and all over on</p>

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1 this side too. So we did this. So we asking you all  
2 to consider and for them to consider that overlay  
3 district out there.

4 Michael Brown was not sitting here for  
5 nothing. If you all observed him, he was here too. So  
6 it is the same players from the play prior, and these  
7 same players are playing here now, and we will not  
8 play. Thank you.

9 CHAIR JAMES: Thank you, Ms. Brabham.  
10 Upcoming P & Z meeting. Staff, really real  
11 quick.

12 MR. GAGNON: Yes, at this time we don't  
13 necessarily have an item for the May 25th meeting, so  
14 that may be canceled. I will, however, follow up with  
15 an e-mail to the Board at least a week in advance. So  
16 it might be June 8th.

17 CHAIR JAMES: Thank you. Okay, is there a  
18 motion for adjournment?

19 MS. SHEPHERD: Motion to adjourn.

20 CHAIR JAMES: Second. Good night, everyone.  
21 (Whereupon, at 9:32 p.m., the proceedings  
22 were concluded.)  
23  
24  
25

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## 1 CERTIFICATE

2  
3  
4 THE STATE OF FLORIDA )  
5 )  
6 COUNTY OF PALM BEACH )  
7

8 I, Susan S. Kruger, do hereby certify that  
9 I was authorized to and did report the foregoing  
10 proceedings at the time and place herein stated, and  
11 that the foregoing pages comprise a true and correct  
12 transcription of my stenotype notes taken during the  
13 proceedings.

14 IN WITNESS WHEREOF, I have hereunto set my  
15 hand this 16th day of May, 2017.  
16  
17  
18  
19  
20  
21

\_\_\_\_\_  
Susan S. Kruger  
22  
23  
24  
25

34 (Pages 133 to 134)





**STAFF REPORT – CITY OF RIVIERA BEACH  
CASE NUMBER SP-16-18  
PLANNING AND ZONING BOARD, MAY 11, 2017**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN APPLICATION FROM SEVEN KINGS HOLDINGS, INC. TO BUILD AND OPERATE A 4,482 SQUARE FOOT RESTAURANT, ON A VACANT PARCEL OF LAND, APPROXIMATELY +/- 0.35 ACRE, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-28-00-003-0090, LOCATED ON THE NORTH SIDE OF BLUE HERON BOULEVARD AND EAST OF LAKE SHORE DRIVE, WITHIN THE DOWNTOWN GENERAL ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

---

**A. Applicant:** Seven Kings Holdings, Inc.

**B. Request:** The applicant is requesting site plan approval to build a 4,482 square foot restaurant with outdoor deck seating.

**C. Location:** The proposed site is located north of Blue Heron Blvd., east of Lake Shore Dr. (386 E. Blue Heron Blvd.).

**D. Property Description and Uses:** The subject property description and uses are as follows:

Parcel Control Number: 56-43-42-28-00-003-0090.

Parcel Size: +/- 0.35 acre.

Existing Use: Vacant Lot.

Zoning: Downtown General (DG) Zoning District.

Future Land Use: Downtown Mixed Use.

**E. Adjacent Property Description and Uses:**

North: Residential (Marina Grande Development); Inlet Harbor Center Planned Unit Development (IHC-PUD) Zoning and Downtown Mixed Use Future Land Use.

South: "Big" Blue Heron Bridge; Various Commercial Uses; Downtown General (DG) Zoning and Downtown Mixed Use Future Land Use.

East: Intracoastal Waterway.

West: Residential / Parking Garage (Marina Grande Development); Inlet Harbor Center Planned Unit Development (IHC-PUD) Zoning and Downtown Mixed Use Future Land Use.

**F. Background:**

On October 2016, Seven Kings Holdings, Inc. submitted an application for site plan approval, which has been reviewed by City staff for compatibility and consistency with the

City's Comprehensive Plan and Land Development Regulations. The following staff analysis has been prepared for your review:

**G. Staff Analysis:**

**Proposed Development/Use:** The applicant is proposing to develop a 4,482 restaurant with outdoor deck seating.

**Zoning Regulations:** The proposed use complies with the City's Land Development Regulations for the Downtown General (DG) Zoning District.

**Comprehensive Plan:** The proposed use is consistent with the Comprehensive Plan's Downtown Mixed Use Future Land Use designation.

**Compatibility:** Specific conditions of approval may be needed to ensure that this use is compatible with adjacent residential development (Marina Grande), which may include, but not be limited to, hours of business operation and specific provisions to govern permitted timeframes for amplified music.

**Levels of Service:** City services such as roads, water, sewer, and garbage collection are currently available to the site.

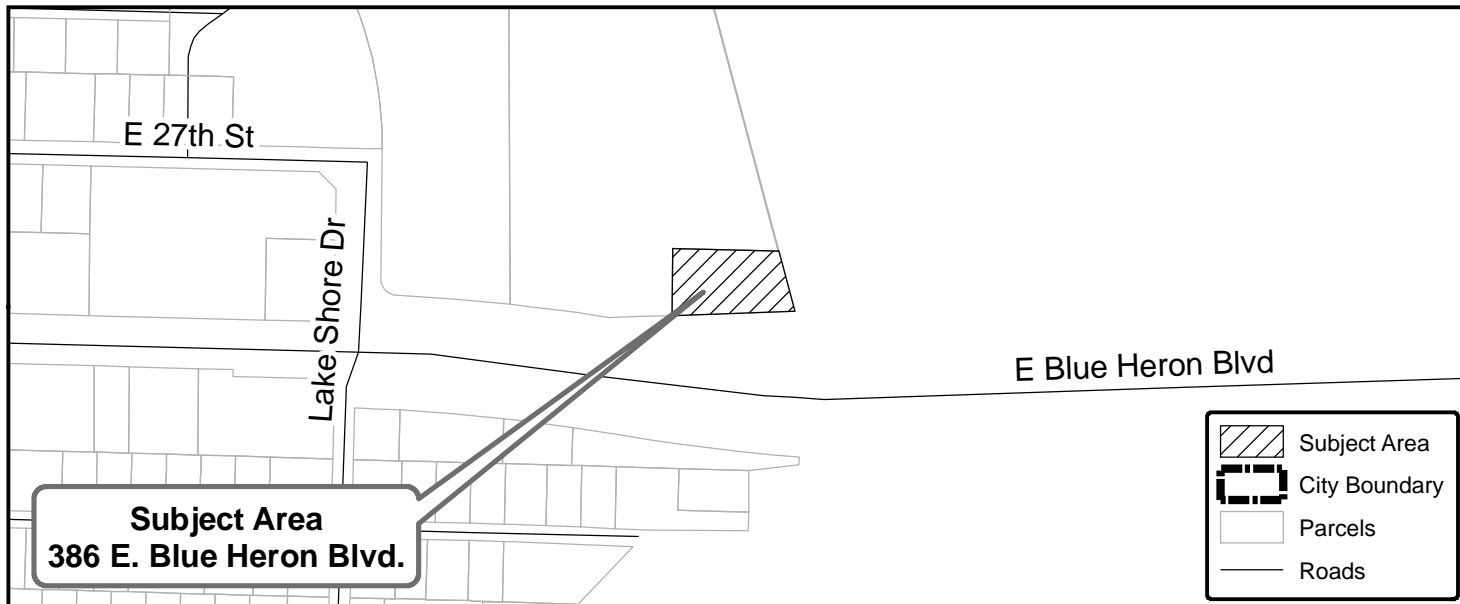
**Landscaping:** The proposed landscape plan is compatible with the City's Land Development Regulations.

**Parking/Traffic:** The number of parking spaces proposed (18 spaces) is in compliance with the City's Land Development Regulations for parking within the Downtown area (15 spaces required); specifically City Code Sec. 31-539 "Table A Downtown Zoning District Parking Ratios" (1 space per 300 sq. ft.)

**H. Staff Conclusion:** City staff advises that the Planning and Zoning Board review and consider all information presented and provide a recommendation to the City Council. If the Planning and Zoning Board chooses to recommend approval, City staff recommends including the following conditions of approval:

1. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before a certificate of occupancy or certificate of completion is issued.
2. Construction and landscaping improvements must be initiated within 18 months of the effective date of this Resolution in accordance with Section 31-60(b), of the City Code of Ordinances. Demolition, site preparation and/or land clearing shall not be considered construction. Building permit application and associated plans and documents shall be submitted in its entirety and shall not be accepted by City staff in a partial or incomplete manner.
3. This development must receive final Certificate of Occupancy from the City for all buildings and units approved within five years of the approval of the adopting resolution or the adopting resolution shall be considered null and void, requiring the applicant to resubmit application for site plan and special exception approval and re-initiate the site plan approval process.

4. All future advertising must state that the development is located in the City of Riviera Beach. Fees and penalties in accordance with City Code Sec. 31-554 will be levied against the property owner and/or business for violation of this condition.
5. Once approved, this resolution shall supersede any previous site plan approval resolutions associated with this property, causing previous site plan approval resolutions to be null and void.
6. City council authorizes City staff to approve future amendments to this site plan administratively so long as the site plan does not deviate greater than 5% from the originally approved site plan.
7. Hours of business operation (open to the public): This business shall close to the general public at 2:00 AM daily.
8. Hours for amplified music:
  - a. Amplified music shall be prohibited on Friday and Saturday between the hours of 11:30 PM and 8:00 AM the next day.
  - b. Amplified music shall be prohibited on Sunday through Thursday between the hours of 10:00 PM and 8:00 AM the next day.



0 37.575 150 225 300  
Feet

Data and Map Disclaimer: The Data is provided as is without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Riviera Beach and Palm Beach County make no warranties, expressed or implied, as to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction, and update.

## Location Map

### SP-16-18

### Crab Pot Restaurant









27th St

Blue Heron Blvd

25th St

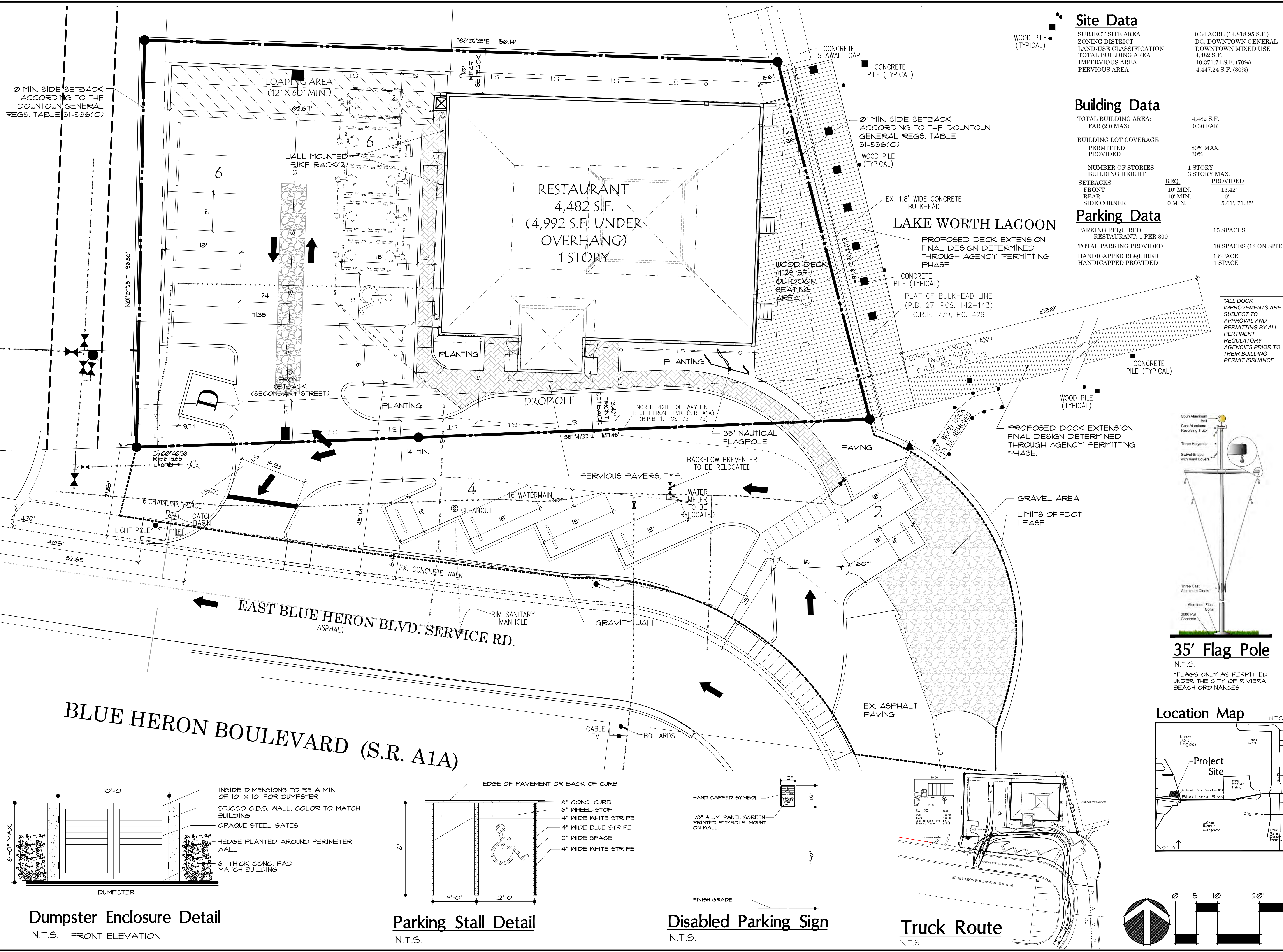
Lake Shore Dr

-  Crab Pot Restaurant
-  City Boundary





FILE: N10CRAB POT - 15-10102A.MINS126-HO FINAL SITE PLAN 15.DWG  
PLOTTED: 3/6/17 AT 11:02PM BY: DSIEMSEN  
KEEP FOLDING



**Site Data**

SUBJECT SITE AREA  
ZONING DISTRICT  
LAND-USE CLASSIFICATION  
TOTAL BUILDING AREA  
IMPERVIOUS AREA  
PERVIOUS AREA

0.34 ACRE (14,818.95 S.F.)  
DG, DOWNTOWN GENERAL  
DOWNTOWN MIXED USE  
4,482 S.F.  
10,371.71 S.F. (70%)  
4,447.24 S.F. (30%)

**Building Data**

TOTAL BUILDING AREA:  
FAR (2.0 MAX)

4,482 S.F.  
0.30 FAR

BUILDING LOT COVERAGE  
PERMITTED  
PROVIDED

80% MAX.  
30%

NUMBER OF STORIES  
BUILDING HEIGHT

1 STORY  
3 STORY MAX.

SETBACKS  
FRONT  
REAR  
SIDE CORNER

REQ.  
10' MIN.  
10' MIN.  
0 MIN.

PROVIDED  
13.42'  
10'  
5.61', 71.35'

**Parking Data**

PARKING REQUIRED  
RESTAURANT: 1 PER 300

15 SPACES

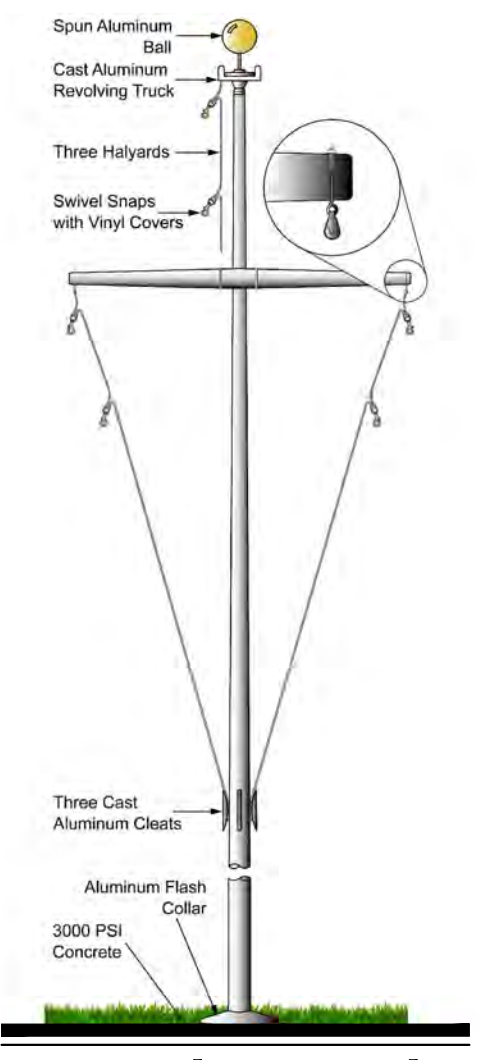
TOTAL PARKING PROVIDED

18 SPACES (12 ON SITE)

HANDICAPPED REQUIRED  
HANDICAPPED PROVIDED

1 SPACE  
1 SPACE

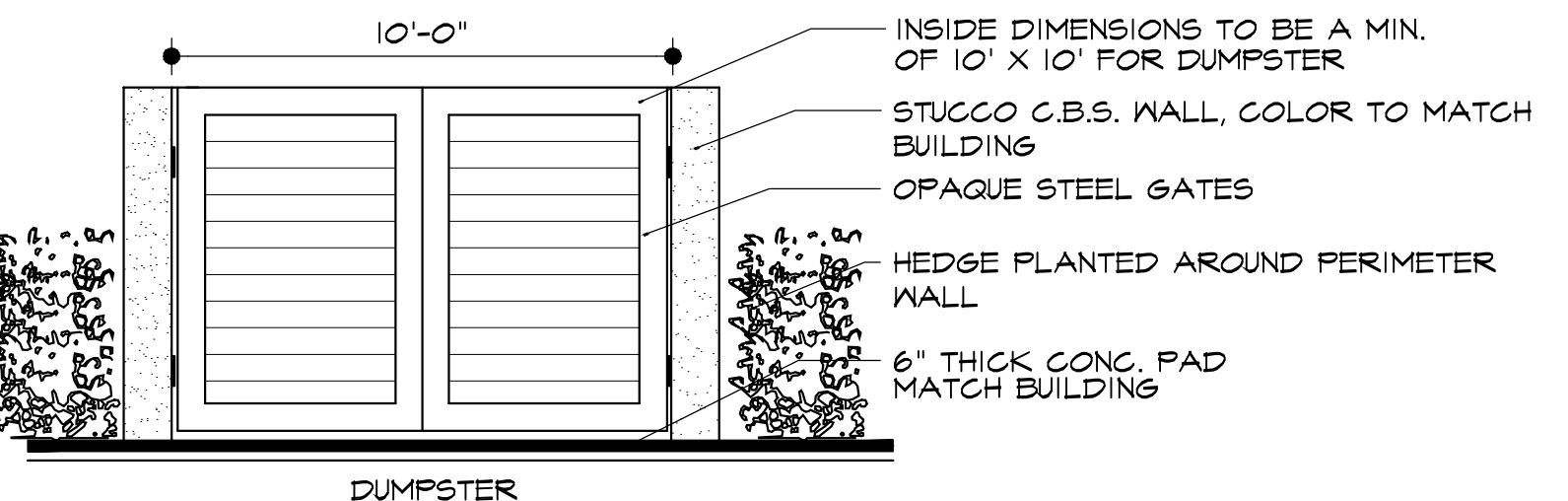
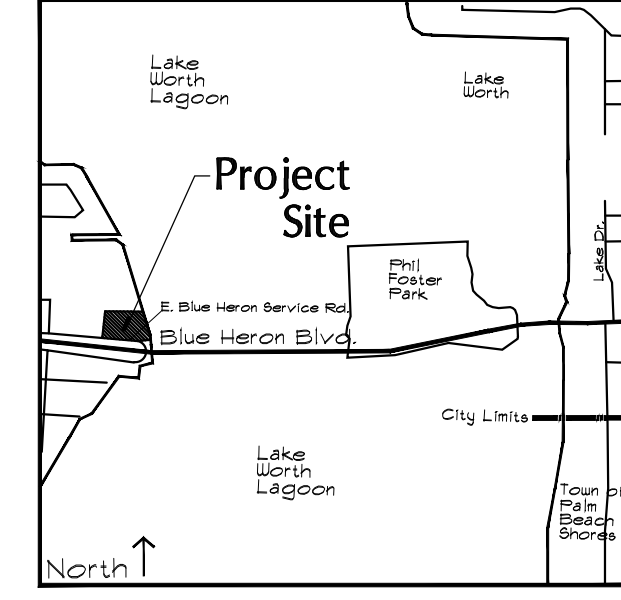
\*ALL DOCK  
IMPROVEMENTS ARE  
SUBJECT TO  
APPROVAL AND  
PERMITTING BY ALL  
PERTINENT  
REGULATORY  
AGENCIES PRIOR TO  
THEIR BUILDING  
PERMIT ISSUANCE



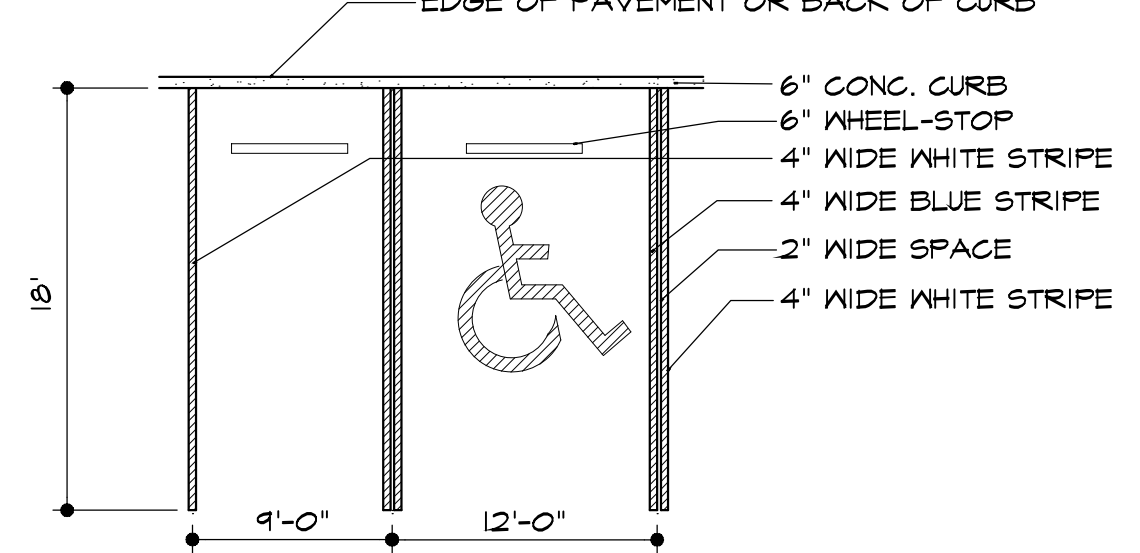
**35' Flag Pole**

N.T.S.  
\*FLAGS ONLY AS PERMITTED  
UNDER THE CITY OF RIVIERA  
BEACH ORDINANCES

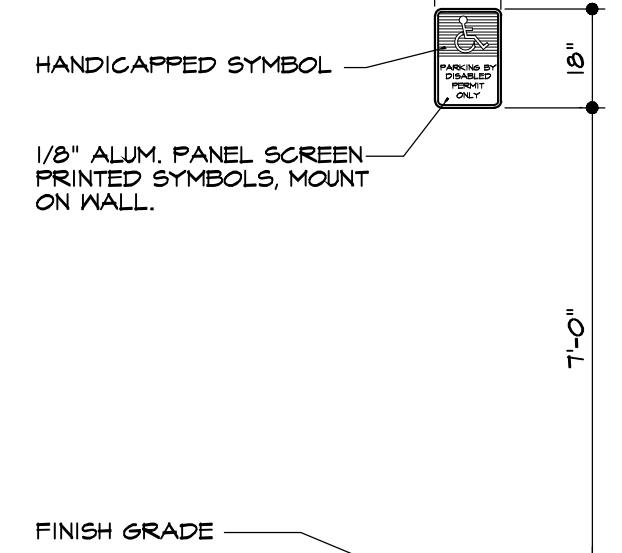
**Location Map**



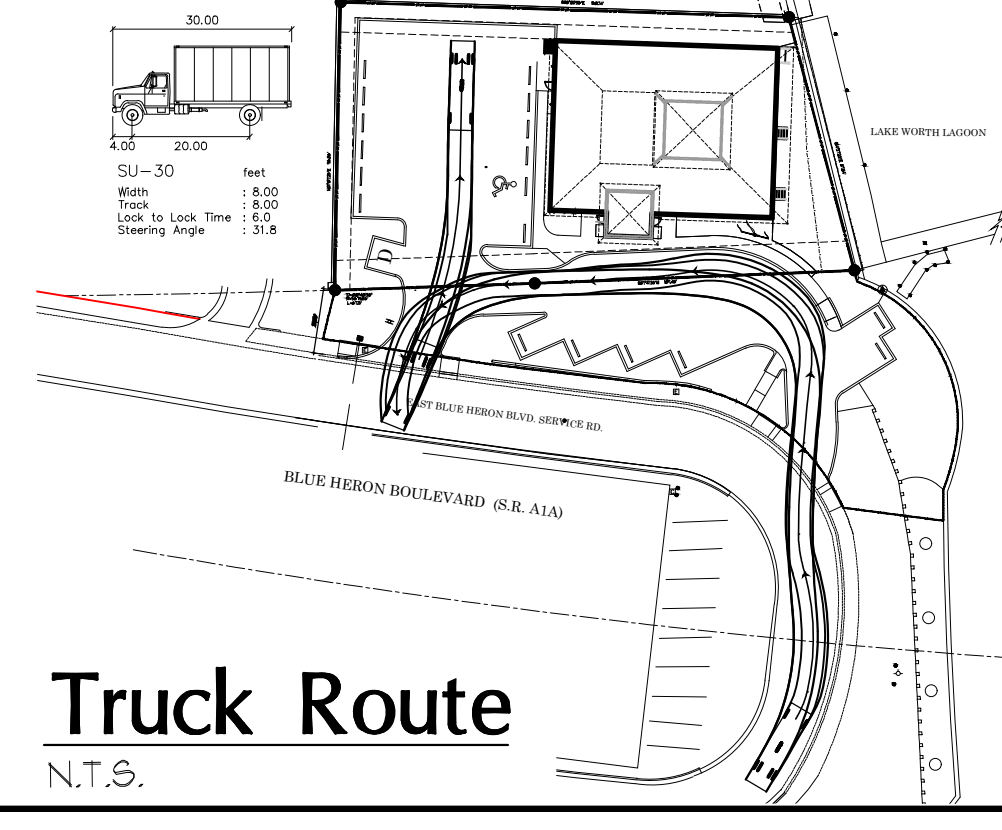
**Dumpster Enclosure Detail**  
N.T.S. FRONT ELEVATION



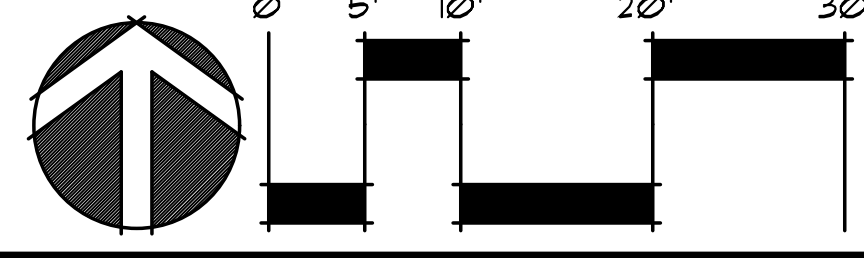
**Parking Stall Detail**  
N.T.S.



**Disabled Parking Sign**  
N.T.S.



**Truck Route**  
N.T.S.



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**Gentile Glas  
Holloway  
O'Mahoney  
& Associates, Inc.**  
Landscape Architects  
Planners and  
Environmental Consultants

1907 Commerce Lane  
Suite 101  
Jupiter, Florida 33458  
561-575-9551  
561-575-5260 FAX  
www.landscape-architects.com

Final Site Plan

# Crab Pot Site

Riviera Beach, Florida

Designed: PSS, GGG  
Drawn: PSS  
Approved: GGG/EOM/MTM/JML  
Date: 10-2-16  
Job no. 15-1017  
Revisions: 3-10-17

LC 0000171

Sheet Title:  
**Final  
Site Plan**

Scale: 1"=10'-0"

Sheet No.  
**FSP-1**

15-1017



1907 Commerce Lane  
Suite 101  
Jupiter, Florida 33458  
561-575-9557  
561-575-5260 FAX  
[www.2GHO.com](http://www.2GHO.com)

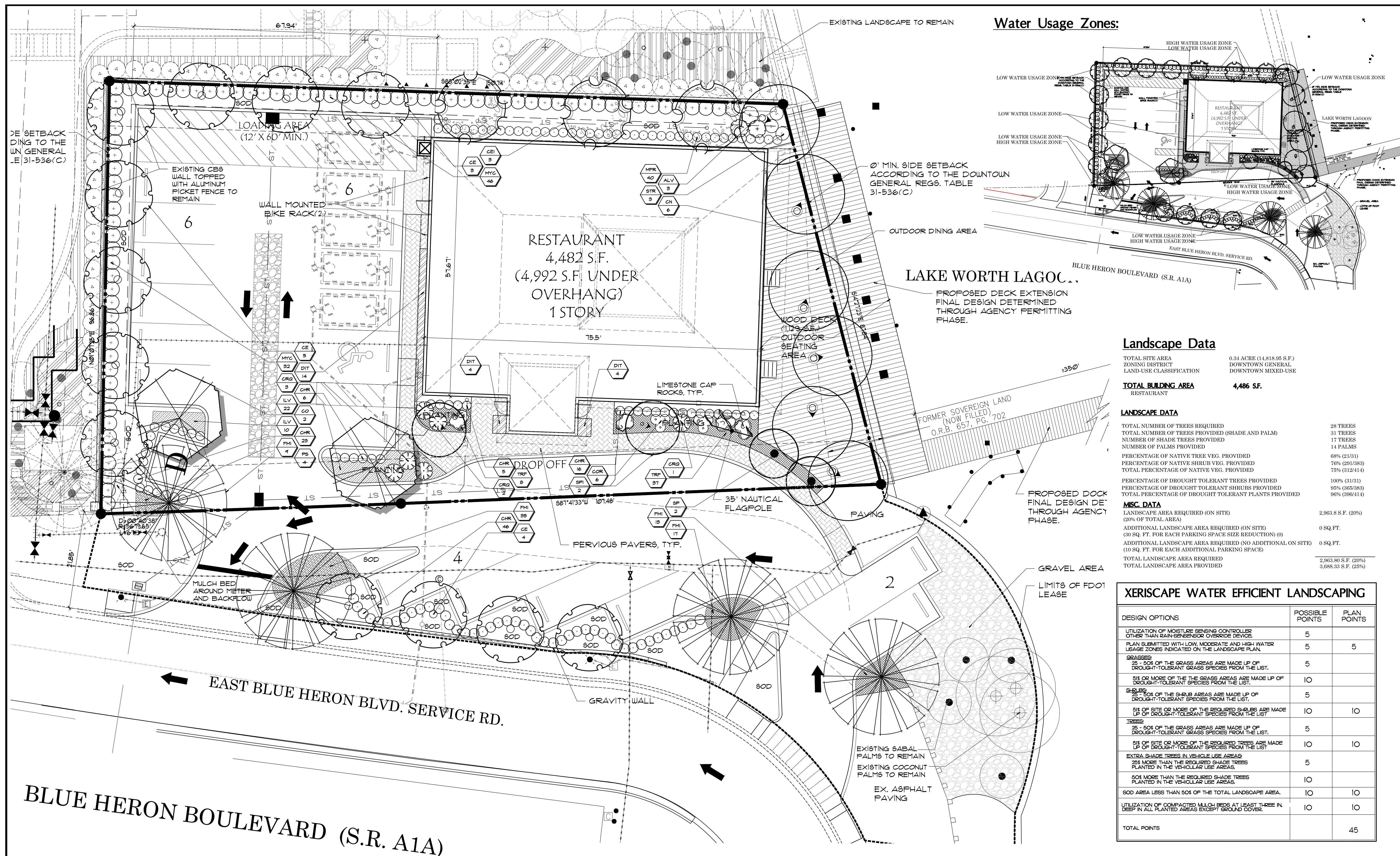
# Crab Pot Site

Landscape Development Plan  
Riviera Beach, Florida

Sea|

LP-1

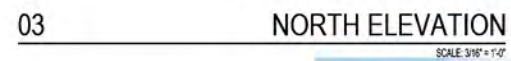
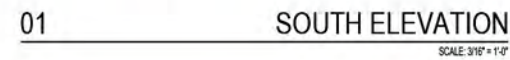
15-1017



FILE: N:\CRAB POT - 15-1017\DRAWINGS\2GH0 FINAL SITE PLAN 15DWG  
PLOTTED: 3/20/17 AT 10:07AM BY: DSIENSEN  
XREFS: F:\PND\DWG



- ① SHERWIN WILLIAMS SW 7004 SNOWBOUND
- ② SHERWIN WILLIAMS SW 6078 REALIST BEIGE
- ③ SHERWIN WILLIAMS SW 6077 EVERYDAY WHITE



C1.1











**For Staff Use Only**

<b>City of Riviera Beach</b>  Community Development Department 600 W. Blue Heron Boulevard Riviera Beach, Florida 33404  Phone: (561) 845-4060 Fax : (561) 845-4038	Date:	Case Number:
	Project Title:	
	Fee Paid:	Notices Mailed:
	1 <sup>st</sup> Hearing:	2 <sup>nd</sup> Hearing:
	Publication Dates (if required)	

**UNIFORM LAND USE APPLICATION**

(Please attach separate sheet of paper for required additional information)  
**Complete appropriate sections of Application and sign.**

<b>APPLICANT</b>	Name of Property Owner(s):	RIVIERA SHORES LLC		
	Mailing Address:	800 NORTH ROAD, BOYNTON BEACH, FL 33435-3238		
	Property Address:	306 EAST BLUE HERON BLD., RIVIERA BEACH		
	Name of Applicant (if other than owner):	SEVEN KINGS HOLDINGS, INC.		
	Home: ( )	— N/A —	Work: (561) 625-9443	Fax: (561) 625-5689
	E-mail Address:	KEN@SKHOLDINGS.COM		

**PLEASE ATTACH LEGAL DESCRIPTION**

<b>PROPERTY</b>	Future Land Use Map Designation:	DOWNTOWN MIXED USE	Current Zoning Classification:	DOWNTOWN-GENERAL (CITY) IHC-PUD: INLET HARBOR CR (CRA)
	Square footage of site:	14,819 SF	Property Control Number (PCN):	56-43-42-28-00-003-0090
	Type and gross area of any existing non residential uses on site:	VACANT SITE		
	Gross area of any proposed structure:	4,500 <sup>±</sup> SF		
	Is there a current or recent use of the property that is/was in violation of City Ordinance? [ ] Yes [X] No	— N/A —		
	If yes, please describe:	— N/A —		
	Have there been any land use applications concerning all or part of this property in the last 18 months? [ ] Yes [X] No	— N/A —		
	If yes, indicate date, nature and applicant's name:	— N/A —		
	Briefly describe use of adjoining property:	North: MARINA GRANDE TOWERS		
		South: BLUE HERON BLVD BRIDGE & SERVICE ROAD		
	East: INTRACOASTAL WATERWAY			
	West: MARINA GRANDE CONDO PARKING STRUCTURE			

<b>REZONE</b>	Requested Zoning Classification:	NO CHANGE FROM EXISTING ZONING.
	Is the requested zoning classification contiguous with existing?	— N/A —
	Is a Special Exception necessary for your intended use? [ ] Yes [X] No	
	Is a Variance necessary for your intended use? [ ] Yes [X] No	

<b>FUTURE LAND USE</b>	Existing Use: <u>VACANT LAND</u>	Proposed Use: <u>RESTAURANT</u>
	Land Use Designation: <u>DOWNTOWN MIXED USE</u>	Requested Land Use: <u>DOWNTOWN MIXED USE</u>
	Adjacent Land Uses: North: <u>RESIDENTIAL (CONDO)</u>	South: <u>BLUE HERON BLVD. BRIDGE / SERVICE ROAD</u>
	East: <u>ICW</u>	West: <u>PARKING GARAGE FOR CONDO BLDG.</u>
	Size of Property Requesting Land Use Change: <u>N/A</u>	

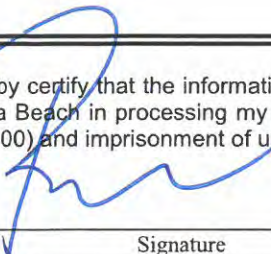
<b>SPECIAL EXCEPTION</b>	Describe the intended use requiring a Special Exception:
	Provide specific LDR ordinance section number and page number:
	How does intended use meet the standards in the Land Development Code?
	Demonstrate that proposed location and site is appropriate for requested use:
	Demonstrate how site and proposed building(s) have been designed so they are compatible with adjacent uses and neighborhoods:
	Demonstrate any landscaping techniques to visually screen use from adjacent uses:
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use:
	Demonstrate how utilities and other service requirements of the use can be met:
	Demonstrate how the impact of traffic generated will be handled:
	On-site:
Off-Site:	
Other:	

<b>VARIANCE</b>	Describe the Variance sought:
	Demonstrate that the Variance is needed to overcome a hardship caused by the unique physical conditions of the site:
	Specify the minimum Variance requirements including: height, lot area, size of structure, size of yard, setback, buffer or open space:
	Other:



SITE PLAN	Describe proposed development: <b>WATERFRONT RESTAURANT</b>
	Demonstrate that proposed use is appropriate to site: <b>HISTORICAL USE OF PROPERTY WAS A FORMER RESTAURANT (CRAB POT)</b>
	Demonstrate how drainage and paving requirement will be met: <b>DRAINAGE WILL BE MET USING EXFILTRATION TRENCH &amp; A PIPED DRAINAGE SYSTEM TO THE FDOT DRAINAGE SYSTEM ON THE SERVICE ROAD. PARKING &amp; DRIVE AISLE AREAS WILL BE PAVED.</b>
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: <b>THE SITE IS ALREADY SCREENED ALONG THE NORTH SIDE (CONDO TOWER) &amp; WEST SIDE (PARKING STRUCTURE). NO SCREENING IS PROPOSED FOR WATERFRONT, &amp; SOUTH SIDE IS SCREENED BY ELEVATED BRIDGE EMBANKMENT.</b>
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: <b>PROJECT IS BEING RE-DEVELOPED INTO SAME USE AS PREVIOUSLY ON SITE. TRAFFIC IMPACT WILL BE NO MORE THAN PREVIOUSLY THERE, &amp; IMPROVED PEDESTRIAN/BOATER ACCESS IS ANTICIPATED.</b>
	Demonstrate how utilities and other service requirements of the use can be met: <b>PROPOSED USE MEETS CONCURRENCY.</b>
Demonstrate how the impact of traffic generated will be handled:	<b>SEE ATTACHED TRAFFIC STATEMENT</b>
On-site:	
Off-site:	

OTHER	<b>COMMUNICATION TOWER CO-LOCATION REQUIREMENTS:</b>
	<ul style="list-style-type: none"> <li>• Three sets of signed and sealed Construction documents, elevations and all equipment shelters, cabinets, Coax, telephone and power conduits identified. These plans will then be used to obtain the Building Permit.</li> <li>• Antenna manufacture cut sheets including antenna size and shape.</li> <li>• Zoning map of area with site clearly marked.</li> <li>• Photos of existing building or tower and surrounding uses.</li> <li>• Letter of non-interference and FCC compliance from applicant's Radio Frequency Professional.</li> <li>• Map of surrounding carrier existing locations in all directions with type i.e. Guyed, Self-Support, Monopole, Rooftop.</li> <li>• Letter of structural capacity and building code compliance.</li> <li>• Notes on plan or letter demonstrating floor area coverage not in excess of restrictions</li> <li>• Provide Photo Enhancements of proposal.</li> <li>• Statement that proposal is in compliance with Environmental Regulations prior to permit issue.</li> </ul>

<b>Confirmation of Information Accuracy</b>	
<p>I hereby certify that the information on this application is correct. The information included in this application is for use by the City of Riviera Beach in processing my request. False or misleading information may be punishable by a fine of up to five hundred dollars (\$500.00) and imprisonment of up to thirty (30) days and may result in the summary denial of this application.</p>	
 Signature	<b>SEVEN KINGS HOLDINGS, INC.</b> <b>BY: RAYMOND E GRAZIOTTO, PRES.</b> Date <b>OCT 3, 2016</b>



## AGENT AUTHORIZATION FORM

Owner(s) of Record: RIVIERA SHORES LLC, BY ANDREW PODRAY, AMBR

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared ANDREW PODRAY

who, being first duly sworn upon oath and personal knowledge say(s) that they are the owner(s) of record of the following described real property:

PC N 56-43-42-28-00-003-0090

the street address of which is: 386 EAST BLUE HERON BLVD., RIVIERA BEACH, FL  
and that we hereby appoint:

Name: SEVEN KINGS HOLDINGS, INC. & ITS DESIGNEES  
Address: 630 MAPLEWOOD DRIVE, SUITE 100  
JUPITER, FL 33458  
Telephone: (561) 625-9443

as our authorized agent, to file applications and papers with the City of Riviera Beach, and to represent me (us) at any Hearing regarding my (our) interest.

[Signature] (Seal)  
[Signature] (Seal)  
[Signature] (Seal)

Sworn to and subscribed before me this 29 day of SEPTEMBER, 2016.

[Signature]  
Notary Public



**AGENT AUTHORIZATION FORM**

Owner(s) of Record: AUTHORIZATION TO:  
SEVEN KINGS HOLDINGS, INC. & ITS  
DESIGNEES.

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared RAYMOND E.  
GRAZIO

who, being first duly sworn upon oath and personal knowledge say(s) that they are the owner(s) of  
record of the following described real property: TENANT

PCN 56-43-42-28- 00-003-0090

the street address of which is: 386 EAST BLUE HERON BLVD., RIVIERA BEACH, FL  
and that we hereby appoint:

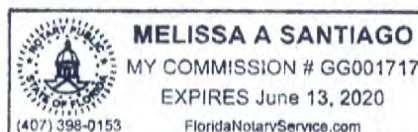
Name: GENTILE, GLAS, HOLLOWAY, O'MATTONEY & ASSOC., INC.  
Address: 1907 COMMERCE LANE, SUITE 101  
JUPITER, FL 33458  
Telephone: (561) 575-9557

as our authorized agent, to file applications and papers with the City of Riviera Beach, and to  
represent me (us) at any Hearing regarding my (our) interest.

[Signature] (Seal)  
SEVEN KINGS HOLDINGS, INC. (Seal)  
RAYMOND E GRAZIO (Seal)  
PRESIDENT (Seal)

Sworn to and subscribed before me this 7th day of DECEMBER, 2014.

Melissa A Santiago  
Notary Public





**CRAB POT SITE**  
Riviera Beach, FL

**SITE PLAN APPLICATION NARRATIVE**

The subject site was previously occupied by the Crab Pot, a waterfront restaurant that had been on its site since roughly the middle of the last century. The Crab Pot consisted of about 6,000 square feet, and approximately 14 on-site parking spaces with the balance of any parking historically derived from parking under the adjacent Blue Heron Blvd. bridge and along the service road.

Due in part to the significant damage arising from the 2004 / 2005 hurricane season, the Crab Pot was demolished in 2005, with the then-intent of constructing Inlet Tower, what was to be a 20-story residential condominium building (1 unit per floor). However, with the downturn in the economy and the condominium market collapse the proposed plan proved unfeasible and was abandoned. The site remains currently vacant.

The property is currently owned by Riviera Shores LLC. The Applicant is Seven Kings Holdings, Inc., who has a long term lease with the landowner.

The site itself is comprised of a total of 14,819 square feet (0.34 acres) of land, located in Flood Zone A7, with a minimum elevation of 8' NGVD resulting in a regulatory mandated finish floor elevation of 9' NGVD. Current Land Use / Zoning on the property Downtown Mixed Use / Downtown – General (from the City) and IHC-PUD: Inlet Harbor Center (CRA) respectively. No change from the current Land Use / Zoning designations are being requested.

The Applicant believes this application is fully compliant with the various City Land Development Code for the building.

Relative to concurrency, attached is:

- A traffic statement noting the site is within the City's TCEA, and is therefore in compliance with the Countywide TPS. An application has been filed with the Palm Beach County Traffic Engineering Department for review and approval;
- A City of Riviera Beach Utility District Letter of Capacity for the site;

As a non-residential project school concurrency is not applicable.

Since the demolition of the Crab Pot:

- FDOT has grassed over former paved areas adjacent to the site, while also erecting fencing under the Blue Heron bridge to disallow any random parking;



- The adjacent 20-story Marina Grande condominium towers were completed, which occupy the north side of the property;
- The adjacent 7-story Marina Grande parking structure and recreational facility occupies the west property line; and
- In conjunction with its construction, the above adjacent Marina Grande property (north and west property lines) had installed a fence / wall / landscaping buffer on the Marina Grande property facing this site.

In addition to the above referenced adjoining properties, the subject parcel is bounded on the east by the Intracoastal Waterway, and on the south by the Blue Heron Blvd. service road.

This application is for the City's approval of a roughly 4,500 square foot, one-story waterfront restaurant with seating for a minimum of 150 patrons. Parking consists of both on-site parking (12 on-site parking spaces), and immediately adjacent "off-site" parking in the form of a lease arrangement with FDOT (6 parking spaces), owner of the southerly adjacent ROW for the public service road on which the site faces. Preliminary discussions with FDOT have yielded an informal approval of the submitted site plan and willingness for the land owner to enter into a lease agreement for the shown parking. Formal application to the FDOT has been made concurrent with this City application. FDOT has further indicated any such final lease arrangement will be conditioned upon the City's approval of the submitted site plan.

While the submitted plans include a site plan data sheet showing compliance with the City Land Development Code, a summary of compliance with the Building Standards are as follows:

- The building is a one-story building as defined by the ULDC and complies with Section 31-535(a).
- Ground story of commercial is ten feet to 18 feet tall per Section 31-535(a)(2).
- Roof top equipment is shielded from ground view by placing on the roof per Section 31-535(a)(9). Given the height of the proposed building (one story) and the heights of the surrounding buildings (seven stories plus) shielding the visual impact from adjacent buildings is not possible.
- As a single story structure, the project complies with Section 31-535(a)(10).
- A significant portion of the building's south façade is open air as well and thus meets requirements of Section 31-535(f)(1).
- The nature of the overall design (open structure) does not generally include windows. However, those windows and doors that do occur do include muntins, with limited use of circular windows per Section 31-535(f)(2).
- An expression line has been included in the building design to respond to Sections 31-535(f)(4)) and 31-536(4)a.

- The existing characteristics of the site do not meet any of the standard design nor location criteria referred to in section 29-65. The site is located on a one-way service road and therefore it cannot comply with any of the standard design examples shown in the code. The applicant has designed the subject site to comply with all interior and parking landscape requirements of Section 31-536(b)(3)a.1.
- Due to the existing conditions of the site, particularly the wide distance between the property line and existing pedestrian walk parallel to the existing service road, a combined 8' pedestrian walk cannot be accommodated per Section 31-536(b)(3)a.2. The applicant does propose a pedestrian connection from the proposed building and outdoor dining area to the existing public right-of-way that shall comply with ADA accessibility requirements as well as surface treatment.
- Front setback area has been designed to incorporate pedestrian circulation to the main building entry and outdoor dining area while incorporating complimentary landscape elements without obstructing views of the restaurant use in accord with Section 31-536(b)(3)a.3.
- Due to grade differences facing the south elevation to the ROW it is unsafe to comply with Section 31-536(b)(3)b. However, the proposed building has used a Storefront type of entrance with a "faux" entrance doors facing the south ROW, and the building entrance feature as a whole facing the ROW in an attempt to satisfy this appearance criteria.
- The proposed building complies with using at least one of the allowed frontage types, in this case a Storefront per Sections 31-536(b)(3)c and 31-537(a).
- The applicant has provided a continuous maintained hedge to screen the view of the on-site parking from the right-of-way. Additionally, shade trees have been incorporated in this area as required under Section 31-536(b)(4)b.
- The adjacent residential site to the side and rear have an existing 6' wall and fence combination. The adjacent use to the west side is a parking garage and to the north (rear) is the side of a 20 story condo building. The adjacent buffer is heavily landscaped; however, the Applicant proposes to supplement landscape material where screening may need to be increased from the actual residential units such as from a window into the subject property to address those requirements of Section 31-536(b)(4)c.



**Department of Engineering  
and Public Works**

P.O. Box 21229  
West Palm Beach, FL 33416-1229  
(561) 684-4000  
FAX: (561) 684-4050  
www.pbcgov.com

**Palm Beach County  
Board of County  
Commissioners**

Mary Lou Berger, Mayor  
Hal R. Valeche, Vice Mayor  
Paulette Burdick  
Shelley Vana  
Steven L. Abrams  
Melissa McKinlay  
Priscilla A. Taylor

**County Administrator**

Verdenia C. Baker

"An Equal Opportunity  
Affirmative Action Employer"

September 26, 2016

Jeff Gagnon  
Planning and Zoning Administrator  
City of Riviera Beach  
600 W. Blue Heron Boulevard  
Riviera Beach, FL 33404

**RE: Crab Pot Site  
Project #: 160911  
TRAFFIC PERFORMANCE STANDARDS REVIEW**

Dear Jeff:

The Palm Beach County Traffic Division has reviewed the **Crab Pot Site** Trip Generation Statement prepared by Pinder Troutman Consulting, Inc., dated August 31, 2016, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code (ULDC). The project is summarized as follows:

<b>Municipality:</b>	City of Riviera Beach
<b>Location:</b>	North of E. Blue Heron Boulevard and approximately 500' east of Lake Shore Drive
<b>PCN #:</b>	56-43-42-28-00-003-0090
<b>Existing Uses:</b>	Vacant
<b>Proposed Uses:</b>	4,486 SF of high turnover sit-down restaurant
<b>Access:</b>	One ingress-only and one egress-only driveway connecting the service loop road under the bridge
<b>New Net Daily Trips:</b>	326
<b>New Net PH Trips:</b>	28 AM (15/13) and 25 PM (15/10)
<b>Build-Out:</b>	December 31, 2020

Based on our review, the Traffic Division has determined the proposed development is located within Riviera Beach TCEA and meets the Traffic Performance Standards of Palm Beach County.

Please note the receipt of a Traffic Performance Standards (TPS) approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

No building permits are to be issued by the City after the build-out date specified above. The approval letter shall be valid no longer than one year from date of issuance, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 684-4030 or email to [gyuan@pbcgov.org](mailto:gyuan@pbcgov.org).

Sincerely,

Quan Yuan, P.E.  
Professional Engineer  
Traffic Division

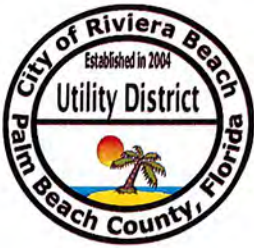
QY/dd

ec: Addressee  
Rebecca J. Mulcahy, P.E. – Pinder Troutman Consulting, Inc.  
Quazi Bari, P.E., Professional Engineer – Traffic Division  
Steve Bohovsky, Technical Assistant III – Traffic Division

File: General - TPS - Mun - Traffic Study Review  
F:\TRAFFIC\MMT\MUNICIPALITIES\APPROVALS\2016\160911 - CRAB POT SITE.DOC

**RECEIVED**  
OCT - 1 2016  
COMMUNITY DEVELOPMENT  
DEPARTMENT





## CITY OF RIVIERA BEACH UTILITY DISTRICT

600 W. BLUE HERON BLVD  
TELEPHONE (561) 845-4185

RIVIERA BEACH, FL 33404  
FAX (561) 840-7292

September 8, 2016

Mark Williams, P.E.  
Southern Design Group  
609 North Hepburn Avenue, Ste 204  
Jupiter, FL 33404  
561-743-0501

**RE: Letter of Capacity for Crab Pot Restaurant in Riviera Beach, Florida.**

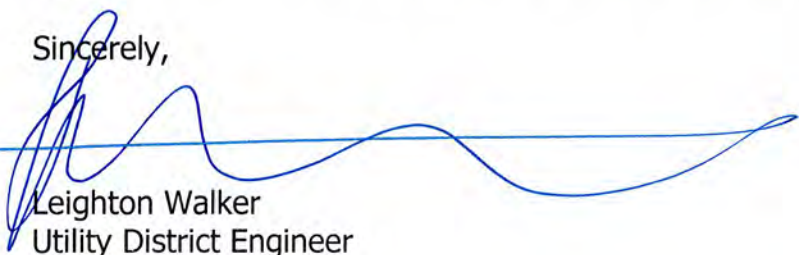
Dear Mr. Williams:

This letter is to confirm that there is sufficient potable water, irrigation water, fire protection pressure, and sewer collection to service this project proposed to be located at 386 East Blue Heron Boulevard. Our understanding is that this 4,486 square foot site will be designed to seat 250 with restrooms and associated facilities.

Please note that it is the District's intention to retain full utility authority and service on this property.

If additional information is needed, please feel free to contact me at (561) 845-4185.

Sincerely,



Leighton Walker  
Utility District Engineer

cc: File

**From:** [March, Ladi](#)  
**To:** [Bailey, Terrence](#); [Velasquez, Mario](#); [Duren, Reginald](#); [Williams III, Clarence D](#); [Perry, Troy](#); [Evans, Jonathan](#)  
**Cc:** [Hughes, Tom](#); [FStallworth@wpb.org](mailto:FStallworth@wpb.org); [Madden, Michael](#); [Thomas, Steven](#); [Walker, Leighton C](#); [Gagnon, Jeff](#)  
**Subject:** RE: SP-16-18 CRAB POT - 386 E Blue Heron Blvd  
**Date:** Monday, April 10, 2017 5:19:02 PM

---

Building has no outstanding comments at this time.

---

**From:** Bailey, Terrence  
**Sent:** Monday, April 10, 2017 1:20 PM  
**To:** Velasquez, Mario <mvelasquez@Rivierabch.com>; March, Ladi <lmarch@Rivierabch.com>; Duren, Reginald <rduren@Rivierabch.com>; Williams III, Clarence D <cwilliams@Rivierabch.com>; Perry, Troy <TPERRY@Rivierabch.com>; Evans, Jonathan <jevans@Rivierabch.com>  
**Cc:** Hughes, Tom <THughes@Rivierabch.com>; FStallworth@wpb.org; Madden, Michael <MMADDEN@Rivierabch.com>; Thomas, Steven <ssthomas@Rivierabch.com>; Walker, Leighton C <Lcwalker@Rivierabch.com>; Gagnon, Jeff <Jgagnon@Rivierabch.com>; Gagnon, Jeff <Jgagnon@Rivierabch.com>  
**Subject:** RE: SP-16-18 CRAB POT - 386 E Blue Heron Blvd

Good afternoon Team,

The developer of the Crab Pot is asking why they have not been scheduled for PZ Board review. We would like to place this project on the next meeting if the comments have been addressed. We have received comments from Police and Fire and need comments from the remaining departments with outstanding comments.

Thank you for your assistance in advance.

Terrence N. Bailey, LEED AP, P.E.  
**Director of Community Development**  
[600 Blue Heron, Riviera Bch 33404](#)  
**Phone:** (561) 845-4060  
**Fax:** (561) 840-4038  
[tbailey@rivierabch.com](mailto:tbailey@rivierabch.com)

We are what we repeatedly do. Excellence then is not an act, but a habit  
-Aristotle

---

**From:** Velasquez, Mario  
**Sent:** Wednesday, April 5, 2017 10:47 AM  
**To:** March, Ladi <[lmarch@Rivierabch.com](mailto:lmarch@Rivierabch.com)>; Duren, Reginald <[rduren@Rivierabch.com](mailto:rduren@Rivierabch.com)>; Williams III, Clarence D <[cwilliams@Rivierabch.com](mailto:cwilliams@Rivierabch.com)>; Perry, Troy <[TPERRY@Rivierabch.com](mailto:TPERRY@Rivierabch.com)>  
**Cc:** Hughes, Tom <[THughes@Rivierabch.com](mailto:THughes@Rivierabch.com)>; [FStallworth@wpb.org](mailto:FStallworth@wpb.org); Madden, Michael <[MMADDEN@Rivierabch.com](mailto:MMADDEN@Rivierabch.com)>; Thomas, Steven <[ssthomas@Rivierabch.com](mailto:ssthomas@Rivierabch.com)>; Walker, Leighton C <[Lcwalker@Rivierabch.com](mailto:Lcwalker@Rivierabch.com)>; Bailey, Terrence <[TBailey@Rivierabch.com](mailto:TBailey@Rivierabch.com)>; Gagnon, Jeff <[Jgagnon@Rivierabch.com](mailto:Jgagnon@Rivierabch.com)>; Bailey, Terrence <[TBailey@Rivierabch.com](mailto:TBailey@Rivierabch.com)>; Gagnon, Jeff

<[Jgagnon@Rivierabch.com](mailto:Jgagnon@Rivierabch.com)>

**Subject:** SP-16-18 CRAB POT - 386 E Blue Heron Blvd

Good morning everyone,

The deadline for the comments was on Monday April 3, 2017. At this time, I have only received comments from Fire Department (THANK YOU).

Please review the information provided and provide your comments as soon as possible. Staff is planning on submitting a response to the applicant on Friday April 7, 2017 and would like to include your comments.

Thank you all for your cooperation,

**Mario Velasquez, Senior Planner/GIS Specialist**  
City of Riviera Beach, P: (561) 845-4034, F: (561) 845-4038

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**From:** Velasquez, Mario

**Sent:** Monday, March 27, 2017 4:59 PM

**To:** March, Ladi <[lmarch@Rivierabch.com](mailto:lmarch@Rivierabch.com)>; Duren, Reginald <[rduren@Rivierabch.com](mailto:rduren@Rivierabch.com)>; Williams III, Clarence D <[cwilliams@Rivierabch.com](mailto:cwilliams@Rivierabch.com)>; Perry, Troy <[TPERRY@Rivierabch.com](mailto:TPERRY@Rivierabch.com)>

**Cc:** Hughes, Tom <[THughes@Rivierabch.com](mailto:THughes@Rivierabch.com)>; 'FStallworth@wpb.org' <[FStallworth@wpb.org](mailto:FStallworth@wpb.org)>; Madden, Michael <[mmadden@Rivierabch.com](mailto:mmadden@Rivierabch.com)>; Thomas, Steven <[ssthenas@Rivierabch.com](mailto:ssthenas@Rivierabch.com)>; Walker, Leighton C <[Lcwalker@Rivierabch.com](mailto:Lcwalker@Rivierabch.com)>; Bailey, Terrence <[TBailey@Rivierabch.com](mailto:TBailey@Rivierabch.com)>; Gagnon, Jeff <[Jgagnon@Rivierabch.com](mailto:Jgagnon@Rivierabch.com)>

**Subject:** SP-16-18 CRAB POT - 386 E Blue Heron Blvd

Good afternoon,

The applicant has resubmitted and provided responses to your comments and concerns.

Please provide comments in your area of expertise on or before Monday April 3, 2017.

A link has been provided for you to access the digital copies of the submittal:

<https://files.secureserver.net/OfUsmuxHuwlgne>

Thank you for your cooperation,

**Mario Velasquez, Senior Planner/GIS Specialist**  
City of Riviera Beach, P: (561) 845-4034, F: (561) 845-4038

**From:** [Bailey, Terrence](#)  
**To:** [Velasquez, Mario](#)  
**Cc:** [Gagnon, Jeff](#)  
**Subject:** RE: SP-16-18 CRAB POT - 386 E Blue Heron Blvd  
**Date:** Friday, January 20, 2017 10:19:26 AM

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Mario,  
Below was my comments on the Crab Pot.

Terrence N. Bailey, LEED AP, P.E.  
**Director of Community Development**  
[600 Blue Heron, Riviera Bch 33404](#)  
**Phone:** (561) 845-4060  
**Fax:** (561) 840-4038  
[tbailey@rivierabch.com](mailto:tbailey@rivierabch.com)

We are what we repeatedly do. Excellence then is not an act, but a habit  
-Aristotle

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**From:** Bailey, Terrence  
**Sent:** Monday, December 19, 2016 1:45 PM  
**To:** Velasquez, Mario <mvelasquez@Rivierabch.com>  
**Cc:** Gagnon, Jeff <Jgagnon@Rivierabch.com>  
**Subject:** RE: SP-16-18 CRAB POT - 386 E Blue Heron Blvd

Engineering is satisfied with the comments and revisions.

Terrence N. Bailey, LEED AP, P.E.  
Riviera Beach City Engineer  
[2391 Ave L Riviera Bch 33404](#)  
**Phone:** (561) 845-3472  
**Fax:** (561) 840-4845  
[tbailey@rivierabch.com](mailto:tbailey@rivierabch.com)

We are what we repeatedly do. Excellence then is not an act, but a habit  
-Aristotle

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**From:** Velasquez, Mario  
**Sent:** Thursday, December 15, 2016 12:23 PM  
**To:** buildingofficialtemp <[buildingofficialtemp@Rivierabch.com](mailto:buildingofficialtemp@Rivierabch.com)>; Bailey, Terrence <[TBailey@Rivierabch.com](mailto:TBailey@Rivierabch.com)>; Duren, Reginald <[rduren@Rivierabch.com](mailto:rduren@Rivierabch.com)>; Williams III, Clarence D <[cwilliams@Rivierabch.com](mailto:cwilliams@Rivierabch.com)>; Perry, Troy <[TPERRY@Rivierabch.com](mailto:TPERRY@Rivierabch.com)>  
**Cc:** Jones, Danny <[ddjones@Rivierabch.com](mailto:ddjones@Rivierabch.com)>; Gagnon, Jeff <[Jgagnon@Rivierabch.com](mailto:Jgagnon@Rivierabch.com)>; Hughes, Tom <[THughes@Rivierabch.com](mailto:THughes@Rivierabch.com)>; [FStallworth@wpb.org](mailto:FStallworth@wpb.org); Madden, Michael <[MMADDEN@Rivierabch.com](mailto:MMADDEN@Rivierabch.com)>; Thomas, Steven <[ssthenas@Rivierabch.com](mailto:ssthenas@Rivierabch.com)>; Walker, Leighton C <[Lcwalker@Rivierabch.com](mailto:Lcwalker@Rivierabch.com)>  
**Subject:** RE: SP-16-18 CRAB POT - 386 E Blue Heron Blvd

Good afternoon,

The applicant has resubmitted and provided responses to your comments and concerns.  
Please provide comments in your area of expertise on or before Friday December 30, 2016.  
A link has been provided for you to access the digital copies of the submittal:

<https://files.secureserver.net/Of3SNe5TmTzyjR>

Thank you for your cooperation,

**Mario Velasquez**, *Senior Planner/GIS Specialist*  
City of Riviera Beach, P: (561) 845-4034, F: (561) 845-4038



## Velasquez, Mario

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**From:** Bailey, Terrence  
**Sent:** Thursday, April 20, 2017 1:23 PM  
**To:** Gagnon, Jeff; Velasquez, Mario  
**Subject:** FW: SP-16-18 Crab Pot

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Terrence N. Bailey, LEED AP, P.E.  
**Director of Community Development**  
[600 Blue Heron, Riviera Bch 33404](#)  
[Phone:](#) (561) 845-4060  
[Fax:](#) (561) 840-4038  
[tbailey@rivierabch.com](mailto:tbailey@rivierabch.com)

We are what we repeatedly do. Excellence then is not an act, but a habit  
-Aristotle

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**From:** Duren, Reginald  
**Sent:** Thursday, April 20, 2017 1:23 PM  
**To:** Bailey, Terrence <[TBailey@Rivierabch.com](mailto:TBailey@Rivierabch.com)>  
**Subject:** RE: SP-16-18 Crab Pot

Yes, the project can move forward pursuant to the guidance detailed in the Fire Rescue Department memo dated March 31, 2017, from Fire Inspector Frank Stallworth.

Reginald K. Duren  
Fire Chief  
Riviera Beach Fire Rescue  
600 West Blue Heron Blvd.  
Riviera Beach, FL 33404  
[rduren@rivierabch.com](mailto:rduren@rivierabch.com)

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**From:** Bailey, Terrence  
**Sent:** Wednesday, April 19, 2017 10:11  
**To:** Walker, Leighton C <[Lcwalker@Rivierabch.com](mailto:Lcwalker@Rivierabch.com)>; Perry, Troy <[TPERRY@Rivierabch.com](mailto:TPERRY@Rivierabch.com)>; Duren, Reginald <[rduren@Rivierabch.com](mailto:rduren@Rivierabch.com)>  
**Subject:** FW: SP-16-18 Crab Pot

Chief Duren and Leighton

I see your comments, can this project move forward with site plan approval with these comments being addressed. If this is acceptable please amend the letter to state that the project can move forward with site plan approval.

Terrence N. Bailey, LEED AP, P.E.  
**Director of Community Development**  
[600 Blue Heron, Riviera Bch 33404](#)

[Phone: \(561\) 845-4060](tel:(561)845-4060)  
[Fax: \(561\) 840-4038](tel:(561)840-4038)  
[tbailey@rivierabch.com](mailto:tbailey@rivierabch.com)

We are what we repeatedly do. Excellence then is not an act, but a habit  
-Aristotle

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**From:** Velasquez, Mario  
**Sent:** Tuesday, April 18, 2017 1:23 PM  
**To:** Kenneth A. Blair <[Ken@SKHOLDINGS.com](mailto:Ken@SKHOLDINGS.com)>  
**Cc:** Dan Siemsen <[DSiemsen@2gho.com](mailto:DSiemsen@2gho.com)>; Bailey, Terrence <[TBailey@Rivierabch.com](mailto:TBailey@Rivierabch.com)>; Gagnon, Jeff <[Jgagnon@Rivierabch.com](mailto:Jgagnon@Rivierabch.com)>  
**Subject:** SP-16-18 Crab Pot

Good afternoon Ken,

Please see attached the comments the Crab Pot project.  
If you have any questions, please do not hesitate to contact me.

Have a nice day,

**Mario Velasquez**, *Senior Planner/GIS Specialist*  
City of Riviera Beach, P: (561) 845-4034, F: (561) 845-4038

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POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

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**To:** DeAndrae Spradley  
**From:** Steven Thomas, Major of Police  
**Date:** April 5, 2017  
**Re:** Crab Pot SP-16-18

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The police department has no further comments.

CC: Clarence Williams, Chief of Police  
Michael Madden, Asst. Chief of Police  
Natalie Moore, Code Enforcement Administrator  
Spencer Rozier, District 1 Commander



# MEMORANDUM

To: **Mario Velasquez, Senior Planner**  
**Community Development**

From: **Leighton Walker – Utilities Engineer**

Date: **April 20, 2017**

Re: **Crab Pot Plan Review**

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The Utility District approves the site plan provided that the below stated condition which was agreed to by the owner's engineer (in the attached email sent) on April 12, 2017 is satisfactorily met:

- Based on the field location of the existing 16" water main along the frontage of the property, a utility easement granted to the RBUD may be required prior to the certificate of occupancy for the building. The existing 16" water main will be field located by the owner/contractor to the satisfaction of the RBUD and a determination made at that time regarding the need for a utility easement.

LCW

## Walker, Leighton C

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**From:** Mark Williams <markw@sdgcivil.com>  
**Sent:** Wednesday, April 12, 2017 4:42 PM  
**To:** Walker, Leighton C  
**Cc:** 'Ken Blair'  
**Subject:** Crab Pot - FDOT Utility Permit application  
**Attachments:** Utility permit 2 pgs.pdf

Leighton,

See attached FDOT application for your signature as discussed. We also need at least one set of stamped approved plans please.

Please sign and advise regarding pick up.

Also, as discussed, you indicated that the need for a utility easement on the property relative to the location of the existing 16" water main (for maintenance purposes) can be required as a condition of the approval. Can we add a condition to the site plan approval that states " based on the field location of the existing 16" water main along the frontage of the property, a utility easement granted to the RBUD may be required prior to the certificate of occupancy for the building. The existing 16" water main will be field located by the owner/contractor to the satisfaction of the RBUD and a determination made at that time regarding the need for a utility easement".

If we can include this type of verbiage in the approval of the site plan, it will avoid another submittal and review relative to the obtaining final approval of the site plan.

Thank you for considering the above.

Mark A. Williams, P.E.  
Southern Design Group, Inc.  
609 No. Hepburn Avenue, Suite 204  
Jupiter, FL 33458  
Ph. No. 561-743-0501  
Cell No. 561-389-8401  
Fax. No. 561-743-1420  
markw@sdgcivil.com

## **Velasquez, Mario**

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**From:** EAPAY@aol.com  
**Sent:** Monday, May 8, 2017 1:10 PM  
**To:** Gagnon, Jeff  
**Cc:** Velasquez, Mario; Bailey, Terrence; Kashamba Miller-Anderson; Masters, Thomas A; djones@rivierabch.com  
**Subject:** Crab Pot Restaurant Approval Process  
**Attachments:** MGPropertyMemo05072017.doc

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please see attached letter addressing some of the concerns I and most of the residents of the Marina Grande Condominium have regarding this site and proposed use as a restaurant.

Thank you for your anticipated continued cooperation.

Edward A. Payne

## MEMORANDU

To: The Members of the Riviera Beach Planning & Zoning Board  
From: Edward & Toby Payne and Marina Grande Concerned Residents  
Dated: May 8, 2017  
Re: Proposed Crab Pot Restaurant

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As residents of the neighboring Marina Grande Condominium, the Crab Pot proposed application seems to raise many concerns needing further clarification. Marina Grande owner / residents are greatly concerned about the proposed Crab Pot restaurant and the negative impact it will have on the quality of life for all Marina Grande residents and community, as well as the potential negative impact on condo values.

Concerns and issues we believe should be looked into for clarification are many and include the following:

**A. NOISE ABATEMENT:** Given the very close proximity of the proposed restaurant to the Marina Grande building, noise and noise levels, are major concerns to residents. After all, The Ritz Carlton property on Singer Island is located much further from their source of music disturbance - Two Drunken Goats restaurant – and where're just a few feet away!!! The more obvious concerns deal with:

1. Restricting *hours* allowed for playing music inside / outside of the restaurant
2. Restrict playing any *amplified* music any time
3. Restricting *decible levels* for any music
4. Restricting all music playing outside on the deck and on docked boats

**B. PARKING ISSUES**

1. Are the number of parking spots in compliance with the size of the restaurant and restaurant seating capacity?
2. Would proposed off site parking spots (not owned by the restaurant) be in compliance given their current use? If not, will variances be required?

**B. TRAFFIC AND SAFETY RELATED CONCERNS**

**C. RESTICTING OUTSIDE LIGHTING:**

1. To ensure outside lighting does not create disturbances to residence in the Marina building and to the community

**D. SMOKE AND COOKING SMELL ABATEMENT ISSUES**

**E. TRASH CONTAINMENT ISSUES**

**F. RAT AND OTHER VERMAN INFESTATION/CONTAINMENT ISSUES**

***G. SET BACK COMPLIANCE***

1. Adherence to all regulations given the close proximity of the proposed restaurant to the Marina Grande buildings

***H. SAFETY ISSUES:***

1. Accessing on to community property

***H. OUSIDE DECK / SEATING***

1. Adherence to current codes / regulations as to how far out into the Intracoastal such a deck can extend from the current bulkhead
2. Will construction of a deck extending out into the Intracoastal require construction of a new bulk head
3. If so, does the Army Corps of Engineers need to approve such work? And does some impact study have to be conducted?

***I. ENDANGERED SPECIES***

1. Manatees and sting rays routinely travel up and down the Intracoastal very close to the shore line. To what extent does building a deck out into these waters impact on their migration patterns (forcing these species to travel further into the water way and into boat traffic). Doesn't this require an environmental impact study to be undertaken?

***I. TEMPORARY DELAYS FOR FURTHER MEETINGS:***

1. With so many Marina Grande residents being away for the summer and unable to attend meetings and or voice their concerns in person, we ask the Town to consider temporarily delaying any further meetings until September / October when all of our residents will be returning.

The Marina Grande Condominium community of approximately 350 units and about 1,000 residents represents a large tax base for the City of Riviera Beach (perhaps as much as \$3.5 million +/-). Having a bad neighbor is not good business for anybody. The loss of condo asset values (the opinions of many local real estate professionals) will also result in lower real estate tax revenues for the City. Many kudos to the City of Riviera Beach for its continuing efforts to enhance its image and in its pursuit of redevelopment projects. As such, the City should look to assure this project, if approved, is moved forward in such a manner beneficial to all those concerned. Lets all look to move forward in a cooperative and positive fashion, and one that will be beneficial to all our interests.

Thank you for your attention and anticipated cooperation in dealing with all these concerns.

Respectfully,

Toby & Edward Payne – Unit 1915



**Velasquez, Mario**

---

**From:** ruahbb@aol.com  
**Sent:** Saturday, May 6, 2017 10:14 AM  
**To:** Gagnon, Jeff; Velasquez, Mario; Bailey, Terrence; Kashamba Miller-Anderson; Masters, Thomas A; Jones, Danny  
**Subject:** Crab Pot  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To: Riviera Beach Officials

From: Peter & Judith Foster  
Marina Grande - Unit 1416

Your packet of information has been forwarded to us in reference to the Crab Pot Application. In reading through the packet, most of our original questions that we asked in our previous email to you remain unanswered. However, information enclosed in the packet raised some additional questions. Mainly, in the section titled "Staff Conclusion".

#7 -- Hours of business extend to 2:00 am.

#8 --- A. Amplified music shall be **PROHIBITED** on Friday & Saturday between the hours of 11:30 PM and 8:00 AM the next day.

B. Amplified music shall be **PROHIBITED** on Sunday through Thursday between the hours of 10:00 PM and 8:00 AM the next day.

What exactly does that mean? Does that mean music is **ALLOWED** 7 days a week from 8:00 AM until 10:00 PM or 11:30 PM, depending on the day? This absolutely needs to be clarified and addressed at this time, not after the fact. Is the music a mellow piano, a single guitar, a 6 piece loud hard rock band? Is the music

enclosed within the area that has 4 walls or in the "open area"? The word "Music" has many meanings! Again this needs to be clarified at this time, not after the fact.

There is no requirement in the "Staff Conclusion" for a Maximum Decibel Level allowed and what manner of monitoring will be implemented.

The statements are way too vague! The Board should require a more defined and specific description of what their intentions are regarding their entertainment. Without parameters, we foresee a nightmare evolving! And perhaps ongoing lawsuits.

Addressing this now, avoids all the "unknowns". How can an application not address these very important issues and be considered by Riviera Beach?

A restaurant is one thing and a loud, rowdy bar is entirely something else. They each attract their own unique patrons. In keeping with the elevation of the area, the latter is not something that benefits any one. It just offers the opportunity to return to the "bad old days" and the reputation Riviera Beach is trying to distance itself from.

Cases in Point:

Sailfish Marina -- Music starts early, ends early 9PM, other side of the intercoastal.

Two Drunken Goats -- Music once a month with Memory Lane band starts at 4 and ends at 8:30. Assorted one piece music is present some afternoons. The Ritz Carlton complained a couple of years ago about the noise levels and allowable time, which were addressed and restricted. The tax dollars that Marina Grande pays

to Riviera Beach should allow that our voices are heard just as loud as the Ritz.

Harbourside in Jupiter --A constant legal lawsuit in progress by residents living ACROSS THE INTERCOASTAL. Decibel levels are way too high and events go too late at night. Even though all of the above has been drastically reduced, there are still on going law suits.

Interestingly, #4 in Staff Conclusion makes it VERY clear that all advertising must state the Crab Pot as being located in Riviera Beach and if not fees and penalties will be levied. And yet, these other very important issues have not been addressed as subject to fines. They haven't even been addressed!

Marina Grande Condominiums has in the neighborhood of approximately 1000 residents LIVING DIRECTLY NEXT DOOR to the proposed Crab Pot restaurant. We are NOT ACROSS THE INTERCOASTAL OR DOWN THE ROAD! The restaurant music and assorted noise will be in our living rooms and bedrooms. Every resident in Marina Grande Condominiums will be living the potential nightmare unless the City of Riviera Beach sets the strict boundaries and limitations needed from the onset. Our sliding doors and SOUTH and EAST windows will be closed on weekends and forever at night. Our condominium does not allow cooking or grilling on our decks BUT we will have to endure the smells of restaurant cooking, smoke and garbage. Our property values will struggle to hold their current values. All for a little city tax revenue for our neighboring commercial piece of property.

Good neighbors take into consideration the rights of "quiet enjoyment" of their neighbors' homes and if they do not, then it is the obligation and responsibility of our governing officials to ensure that all of our rights are equally respected.

Thank you,

Judith Foster

Peter Foster

## **Velasquez, Mario**

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**From:** Juan Carlos Fanjul <fanjul1@yahoo.com>  
**Sent:** Monday, May 8, 2017 1:25 PM  
**To:** Velasquez, Mario  
**Subject:** New Restaurant/Letter of Support  
**Attachments:** CrabPotSite (1).docx

May 8, 2017

Mr. Mario Velasquez  
Senior Planner/GIS Specialist  
City of Riviera Beach  
600 West Blue Heron Boulevard  
Riviera Beach, FL 33404

Re: Crab Pot Site  
Blue Heron Boulevard, Riviera Beach

Dear Mr. Velasquez,

I live at Marina Grande Condominiums and I have been an owner since 2010. I recently became aware there is an effort to build an all-new restaurant on the site of the old Crab Pot restaurant next to our building. I am writing to let you know I fully support such a project and ask the city does the same..

When I purchased my condo seven years ago, we were promised by the mayor and other city leaders that the surrounding area would blossom with new amenities and our property values would increase. The only major business to come in has been Publix. Although that was huge coup for the area, there has been nothing of significance since.

Adding a restaurant, especially on the water, would make the area more desirable for residents and visitors. Aside from a Jamaican joint and Popeye's fast food, there are no conventional restaurants to frequent in the area. You either have to drive across the bridge or head north. Having an eatery on the waterfront would be a game changer for the immediate area and the city as a whole. It is my hope as a taxpayer and resident of Riviera Beach that city staff will support the application to build this restaurant and that it is ultimately approved by the city council.

Thank you for your consideration,  
Juan Carlos Fanjul  
2650 Lake Shore Drive #1503  
Riviera Beach, FL 33404

May 8, 2017

Mr. Mario Velasquez  
Senior Planner/GIS Specialist  
City of Riviera Beach  
600 West Blue Heron Boulevard  
Riviera Beach, FL 33404

Re: Crab Pot Site  
Blue Heron Boulevard, Riviera Beach

Dear Mr. Velasquez,

I live at Marina Grande Condominiums and I have been an owner since 2010. I recently became aware there is an effort to build an all-new restaurant on the site of the old Crab Pot restaurant next to our building. I am writing to let you know I fully support such a project and ask the city does the same..

When I purchased my condo seven years ago, we were promised by the mayor and other city leaders that the surrounding area would blossom with new amenities and our property values would increase. The only major business to come in has been Publix. Although that was huge coup for the area, there has been nothing of significance since.

Adding a restaurant, especially on the water, would make the area more desirable for residents and visitors. Aside from a Jamaican joint and Popeye's fast food, there are no conventional restaurants to frequent in the area. You either have to drive across the bridge or head north. Having an eatery on the waterfront would be a game changer for the immediate area and the city as a whole. It is my hope as a taxpayer and resident of Riviera Beach that city staff will support the application to build this restaurant and that it is ultimately approved by the city council.

Thank you for your consideration,  
Juan Carlos Fanjul  
2650 Lake Shore Drive #1503  
Riviera Beach, FL 33404

## **Velasquez, Mario**

---

**From:** Kenneth Summers <kennethsummers@icloud.com>  
**Sent:** Monday, May 8, 2017 10:42 PM  
**To:** Gagnon, Jeff  
**Subject:** Site Plan application from Seven Kings  
**Attachments:** FullSizeRender.jpg; ATT00001.txt



2650 Lake Shore Drive – Unit 903  
Riviera Beach, FL 33404

May 8, 2017

Mr. Jeff Gagnon, AICP  
Assistant Director of Community Development  
City of Riviera Beach  
600 West Blue Heron Blvd.  
Riviera Beach, FL 33404

Re: Crab Pot Restaurant site  
Blue Heron Blvd., Riviera Beach, FL

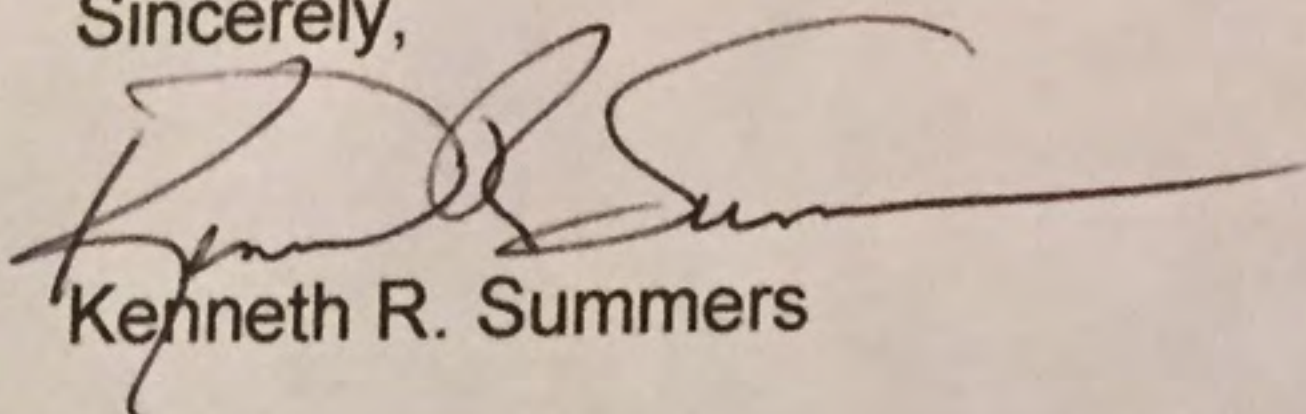
Dear Mr. Gagnon:

As a long-time visitor to Riviera Beach, and now a condominium owner in the adjacent Marina Grande complex, I had historically enjoyed the dining experience of the former Crab Pot restaurant prior to its closing & destruction. With very few waterfront food establishments in the general area, we hope the City will support the approval of the pending application for a new restaurant on the former Crab Pot site.

It certainly is more desirable than the previous high rise condominium that was approved but not built. It would be great to be able to just walk to the adjacent restaurant versus driving to West Palm Beach or Palm Beach Gardens for dinner.

I hope you will count my opinion among those being in support of this application.

Sincerely,



Kenneth R. Summers



## Velasquez, Mario

---

**From:** Marybeth Coffe <marybeth.coffe@gmail.com>  
**Sent:** Tuesday, May 9, 2017 1:34 PM  
**To:** Gagnon, Jeff  
**Subject:** Fwd: Planning & Zoning Meeting, 11 May 2017 Case Number SP-16-18

Jeff

My husband, Jimmy, just spoke with you regarding the crab shack replacement. I am forwarding the email I sent to Mayor Masters and Ms Miller. As Jim conveyed, we are concerned that the permissions are too broad and could hurt the property values of Marina Grande units.

We are pro development within a sound framework.

Marybeth

Sent from my iPad

Begin forwarded message:

**From:** Marybeth Coffe <[marybeth.coffe@gmail.com](mailto:marybeth.coffe@gmail.com)>  
**Date:** May 8, 2017 at 9:37:09 PM EDT  
**To:** [kmiller@rivierabch.com](mailto:kmiller@rivierabch.com), [mayormasters@rivierabch.com](mailto:mayormasters@rivierabch.com)  
**Subject:** Planning & Zoning Meeting, 11 May 2017 Case Number SP-16-18

Mayor Masters and Ms Miller

My husband and I are full time resident owners at Marina Grande Condominiums. We have reviewed the package regarding the request for zoning and planning commission approval Case Number SP-16-18, Restaurant on the vacant lot adjacent to Ocean Tower and Blue Herron Blvd.

First, let me say that we are exciting by the prospect of the right kind of development on this vacant lot. We believe a restaurant might well fill the bill.

However, after having reviewed the staff report, we have more questions for the city and developer and are concerned about the negative impact a poorly defined facility could have on our current lifestyle and property values. To this end, we would like to have more understanding of the following.

1. Is this facility going to primarily going to operate as a restaurant or a bar? The request advises that operating times will go until 2am daily. First, nothing good happens after midnight. Second, I researched similar combo restaurant and bar operations and most close at 11, some earlier, some later. Those that primarily functioned as bars stayed open later on weekends and those that were in close proximity to housing or hotel facilities closed earlier. Those that were more focused on food service also tended to close earlier. Can we get clarification? Sailfish Marina on Singer Island closes at 10 pm and is a perfect comparable in terms of proximity to residential space.

2. If this operation is going to be focused on liquor sales with food as an incidental item, this is not the type of neighbor we need as there is already a full service bar within one block of this location.

3. Amplified music may or may not be a problem depending upon the actual sound level. Will the music be loud bands, recorded music, or small combos? Is it possible to conduct a test at a particular decibel level before such a broad approval is granted? Can times be slightly more restricted?

4. The proposed building is wedged into the lot and it appears that the trash facilities will be on the rear side of the building which is the side closest to the Marina Grande fence on the Ocean Tower side. What arrangements are being made to contain trash, schedule pickup, minimize foul odors from decomposing food items, keep the area rodent and small animal free?

5. Understand that the parking lot spacing meets the minimum standards for a downtown location, I would have to argue that this vacant lot is not in a "downtown" location. A downtown location would have access to paid parking garages, paid lots, and metered street parking. The limited proposed parking of 14 on the lot and the possible 6 leased spaces is only 20 spaces. With a capacity of 150 to 250 guests, this makes no sense as this is not a walk to location. Potentially, restaurant/bar staff could take half these places and leave no parking for customers who are more likely to come in cars with loads of 2, 3 or 4 people. In addition, if staff are expected to park elsewhere, this creates an unsafe condition required for the closing staff who might be expected to walk some distances to their cars.

6. The additional street traffic on the service road and the existing confusing intersection with Lake Shore Dr is going to create traffic problems. The no turn on red light is currently slow and I have seen several people become impatient and run it. Further, traffic coming to the west from the bridge is moving at a pretty fast clip and many turn right, either on the green light or the right turn on red. Combining this with alcohol consumption, the Marina Grande entrance, the Publix entrance, and the odd stop signs, it is an accident waiting to happen. Perhaps, the traffic gurus can come up with a better, safer flow.

I am in no way anti development. I want Riviera Beach to improve and develop, but not at the expense of Marina Grande. We have made a huge financial commitment by making our home here. We need to insure our neighbors enhance our investments and make Marina Grande a place folks want to live. We currently have about 10% of the units for sale, the last thing we want is a neighbor that takes that number higher. I believe a well defined restaurant operation can be a plus for the neighborhood and draw the support of our residents. Please help us get the right fit neighbor.

Respectfully,

Marybeth & Jimmy Coffey  
2640 Lake Shore Dr Unit 909  
Riviera Beach FL 33404  
561-563-2050

Sent from my iPad

## Velasquez, Mario

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**From:** Richard Giles <maragiles@yahoo.com>  
**Sent:** Wednesday, May 10, 2017 10:32 AM  
**To:** Community Development Department  
**Subject:** Fwd: Proposed Crab Pot Site

Sent from my iPad

Begin forwarded message:

**From:** Richard Giles <[maragiles@yahoo.com](mailto:maragiles@yahoo.com)>  
**Date:** May 10, 2017 at 10:15:17 AM EDT  
**To:** [mayormasters@rivierabch.com](mailto:mayormasters@rivierabch.com), [comdew@rivierabch.com](mailto:comdew@rivierabch.com)  
**Cc:** Lindsay <[manager@marinagrande.org](mailto:manager@marinagrande.org)>, Gino Tieppo <[tonettitieppe@gmail.com](mailto:tonettitieppe@gmail.com)>, [admin@marinagrande.org](mailto:admin@marinagrande.org)  
**Subject:** Proposed Crab Pot Site

I am writing you concerning the proposed development of the former Crab Pot Site . As a resident of Marina Grande I am very concerned as to its effect on future property values at Marina Grande. As you know we have 340 units and are significant tax payer in the City of Riviera Beach . In recent years those values have increased since the 2008 financial crisis. I would hate to see a hasty approach to approving any development that would hurt the property value here at Marina Grande. The property owners as well as the city would be the biggest losers. I will also say that the proper development could enhance the property values here at Marina Grande. I have some serious concerns about the current proposed restaurant . They are as follows.

Noise Control amplified music till 11:30 pm will be very disruptive to those of us using our balconies.

Smoke and cooking odors coming from the restaurant. We can not cook on our balconies for the very same reasons

Rat and Vermin infestation from restaurant waste

The lack of building set back ( zero setbacks )

Deck compliance as it relates to noise and construction codes

Trash Containment

Out side lighting

Lack of sufficient parking 18 spots this is ludicrous

Threat to endangered species this area is a major migration route for Manatees and Sting Rays.

Potential damage from dredging

Return of criminal activity under the Blue Heron Bridge.

Increased need for police presence caused by this type of restaurant

I think this development would be very short sighted on the city's behalf. Proper development to this entire Broadway, Blue Heron area offers a great opportunity for the city of Riviera Beach, let's try to get it right this time. The small taxable value will be offset by Lower property values at Marina Grande.

Richard Giles  
Unit 910 Marina Grande  
Sent from my iPad

## Velasquez, Mario

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**From:** Caroline Goodman <Caroline@exclusivegroupfl.com>  
**Sent:** Thursday, May 11, 2017 10:32 AM  
**To:** Velasquez, Mario  
**Subject:** Marina Grande letter from William Gould regarding Crab Pot site  
**Attachments:** Marina Grande letter.pdf

Attached is a letter from William Gould. He is a resident of Marina Grande. This is a letter of support.

Caroline Goodman

[Caroline@exclusivegroupFL.com](mailto:Caroline@exclusivegroupFL.com)

561-745-2780 Office

561-531-2166 Mobile

561-745-2781 Fax



May 10, 2017

*via e-mail to MVelasquez@Rivierabch.com*

Mr. Mario Velasquez  
Senior Planner / GIS Specialist  
City of Riviera Beach  
600 West Blue Heron Blvd.  
Riviera Beach, FL 33404

Re: Crab Pot site and application for proposed restaurant; Blue Heron Boulevard,  
Riviera Beach, Florida

Dear Mr. Velasquez:

I am a resident in the adjacent Marina Grande complex and would like to express my support for the pending application for a new restaurant on the adjacent property next to the Blue Heron bridge (commonly referred to as the Crab Pot property). I have been in the area for many years and remember with fondness the Crab Pot restaurant that used to be located on the property before it was damaged in the 2005 hurricanes. Myself and many others were extremely sad to see the restaurant go but were excited when we heard an application had been submitted with the City to resurrect a restaurant on the site. As a realtor in the area, I can appreciate the limited opportunities that exist for waterfront dining. The City, and community, are in need of a waterfront restaurant like the one proposed. The restaurant will be an asset to the community, to the City and, in my opinion, to the Marina Grande development.

I would hope, and ask, the City supports this application.

Sincerely,

A handwritten signature in black ink, appearing to read "William Gould". The signature is fluid and cursive, with a large loop at the end.

William Gould

## Velasquez, Mario

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**From:** Karen Christopher <parrotfisch@gmail.com>  
**Sent:** Tuesday, May 9, 2017 12:08 PM  
**To:** Gagnon, Jeff; Velasquez, Mario; Kashamba Miller-Anderson; Masters, Thomas A  
**Cc:** Police; City Attorney Department; Community Development Department; Hubbard, Lynne; Davis Johnson, Tonya; Pardo, Dawn S.; Davis, Terence; City News; Pelican2is@bellsouth.net  
**Subject:** Proposed Crab Pot restaurant

Attachment available until Jun 8, 2017

Attached is a letter outlining my objections to the proposed development of the Crab Pot restaurant that will be presented to Planning and Zoning Thursday night, May 11, 2017.

I will be at the Thursday meeting to speak about this proposal as well.

Thank you for your attention to this matter.

My best,  
Karen Christopher  
Marina Grande Unit #416

Karen Christopher  
[parrotfisch@gmail.com](mailto:parrotfisch@gmail.com)

772-285-9123

[Click to Download](#)

restaurant letter.pdf  
96.9 MB

May 9, 2017

To: The City Riviera Beach Planning and Zoning Board  
Re: Proposed Crab Pot Restaurant

As a ten-year homeowner at Marina Grande Condominium and a resident of Riviera Beach the proposed development presents with many issues that need to be addressed before any approval is given to this project.

For nearly eight years the owners on the south side of Marina Grande had been plagued with ongoing disturbances from under the bridge. There was a constant presence of vagrants, drug deals, graffiti, loud music from parked cars, people urinating in public, an inordinate amount of trash, people sleeping overnight in their cars and on occasion, people engaging in sexual activity. This was not an occasional disturbance. It was daily. Finally, after a concerted effort of calls to the police and emails to the FDOT, City Council, Mayor and every name on the Riviera Beach website actions were taken that cleaned up this area.

Now we can enjoy sitting on our balconies without having to endure these nuisances. Allowing an open-air restaurant to operate under our homes will destroy the quiet enjoyment we have had for the last few years. This area has been a testament to our City and shown that with a collaborative effort between residents, city officials and police areas of Riviera Beach can be cleaned up. Here are some examples of we lived with before actions were taken to clean up the bridge:

Graffiti and garbage







Vagrants







People cooking







The Homeless





Public urination



Marina Grande is a prominent luxury condominium community with a resident population of nearly 700+ individuals. The address on our tax bills and voter's registration is Riviera Beach. Our home values took a plunge during the recession and have started to rebound but now the rumors of a "tiki restaurant" opening is having an impact on showings and sales.

We have finally ended the problems that plagued us when we first moved in and now we are possibly looking at an establishment that will bring in a rowdy drinking crowd, noise from music until 11:00 at night, garbage, smells from cooking and more vermin. In addition to this the developers are proposing attracting boat traffic which will bring additional noise, fumes from boats and foot traffic that will create a security breach on our southern perimeter.

This proposal needs to be diligently scrutinized. This developer has no track when it comes to running successful restaurants. They are not restaurateurs. Allowing them to open this type of establishment on a "whim" is not in the best interest of our community or the City of Riviera Beach. If the restaurant fails, which many do in their first year, it will leave another vacant building to attract the undesirable elements we worked so tirelessly to clean up.

This is a unique piece of property and needs to be developed to enhance our area and keep the peaceful atmosphere we have been able and should be able to enjoy in the future.

Thank you for your time.

Sincerely,  
Karen Christopher  
Marina Grande Unit #416

## Velasquez, Mario

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**From:** Gagnon, Jeff  
**Sent:** Tuesday, May 9, 2017 11:39 AM  
**To:** 'EAPAY@aol.com'  
**Cc:** Velasquez, Mario; Bailey, Terrence; Kashamba Miller-Anderson; Masters, Thomas A; Jones, Danny  
**Subject:** RE: Crab Pot Restaurant Approval Process  
**Attachments:** MGPropertyMemo05072017.doc

Good morning Mr. Payne,

We have received your correspondence regarding the Crab Pot development proposal. City staff will provide this document to the Planning and Zoning Board for their review. Thank you.

Jeff Gagnon, AICP - Assistant Director of Community Development - City of Riviera Beach, FL 33404 - [JGagnon@RivieraBch.com](mailto:JGagnon@RivieraBch.com) - Phone: (561)845-4037 - Fax: (561)845-4038 - [www.rivierabch.com](http://www.rivierabch.com)

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**From:** EAPAY@aol.com [mailto:EAPAY@aol.com]  
**Sent:** Monday, May 08, 2017 1:10 PM  
**To:** Gagnon, Jeff <Jgagnon@Rivierabch.com>  
**Cc:** Velasquez, Mario <mvelasquez@Rivierabch.com>; Bailey, Terrence <TBailey@Rivierabch.com>; Kashamba Miller-Anderson <kmiller@Rivierabch.com>; Masters, Thomas A <Mayormasters@Rivierabch.com>; djones@rivierabch.com  
**Subject:** Crab Pot Restaurant Approval Process

**Please see attached letter addressing some of the concerns I and most of the residents of the Marina Grande Condominium have regarding this site and proposed use as a restaurant.**

**Thank you for your anticipated continued cooperation.**

**Edward A. Payne**

## Velasquez, Mario

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**From:** Gagnon, Jeff  
**Sent:** Tuesday, May 9, 2017 2:07 PM  
**To:** 'Marybeth Coffey'  
**Subject:** RE: Planning & Zoning Meeting, 11 May 2017 Case Number SP-16-18

Good afternoon Ms. Coffey,

Yes, it was nice to meet Jimmy today and discuss the Crab Pot Restaurant proposal. Thank you for providing the comments, concerns and suggestions below. I will provide this information to the Planning and Zoning Board for their review.

Jeff Gagnon, AICP - Assistant Director of Community Development - City of Riviera Beach, FL 33404 - [JGagnon@RivieraBch.com](mailto:JGagnon@RivieraBch.com) - Phone: (561)845-4037 - Fax: (561)845-4038 - [www.rivierabch.com](http://www.rivierabch.com)

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**From:** Marybeth Coffey [mailto:marybeth.coffey@gmail.com]  
**Sent:** Tuesday, May 09, 2017 1:34 PM  
**To:** Gagnon, Jeff <Jgagnon@Rivierabch.com>  
**Subject:** Fwd: Planning & Zoning Meeting, 11 May 2017 Case Number SP-16-18

Jeff

My husband, Jimmy, just spoke with you regarding the crab shack replacement. I am forwarding the email I sent to Mayor Masters and Ms Miller. As Jim conveyed, we are concerned that the permissions are too broad and could hurt the property values of Marina Grande units.

We are pro development within a sound framework.

Marybeth

Sent from my iPad

Begin forwarded message:

**From:** Marybeth Coffey <[marybeth.coffey@gmail.com](mailto:marybeth.coffey@gmail.com)>  
**Date:** May 8, 2017 at 9:37:09 PM EDT  
**To:** [kmiller@rivierabch.com](mailto:kmiller@rivierabch.com), [mayormasters@rivierabch.com](mailto:mayormasters@rivierabch.com)  
**Subject:** Planning & Zoning Meeting, 11 May 2017 Case Number SP-16-18

Mayor Masters and Ms Miller

My husband and I are full time resident owners at Marina Grande Condominiums. We have reviewed the package regarding the request for zoning and planning commission approval Case Number SP-16-18, Restaurant on the vacant lot adjacent to Ocean Tower and Blue Herron Blvd.

First, let me say that we are exciting by the prospect of the right kind of development on this vacant lot. We believe a restaurant might well fill the bill.



However, after having reviewed the staff report, we have more questions for the city and developer and are concerned about the negative impact a poorly defined facility could have on our current lifestyle and property values. To this end, we would like to have more understanding of the following.

1. Is this facility going to primarily going to operate as a restaurant or a bar? The request advises that operating times will go until 2am daily. First, nothing good happens after midnight. Second, I researched similar combo restaurant and bar operations and most close at 11, some earlier, some later. Those that primarily functioned as bars stayed open later on weekends and those that were in close proximity to housing or hotel facilities closed earlier. Those that were more focused on food service also tended to close earlier. Can we get clarification? Sailfish Marina on Singer Island closes at 10 pm and is a perfect comparable in terms of proximity to residential space.
2. If this operation is going to be focused on liquor sales with food as an incidental item, this is not the type of neighbor we need as there is already a full service bar within one block of this location.
3. Amplified music may or may not be a problem depending upon the actual sound level. Will the music be loud bands, recorded music, or small combos? Is it possible to conduct a test at a particular decibel level before such a broad approval is granted? Can times be slightly more restricted?
4. The proposed building is wedged into the lot and it appears that the trash facilities will be on the rear side of the building which is the side closest to the Marina Grande fence on the Ocean Tower side. What arrangements are being made to contain trash, schedule pickup, minimize foul odors from decomposing food items, keep the area rodent and small animal free?
5. Understand that the parking lot spacing meets the minimum standards for a downtown location, I would have to argue that this vacant lot is not in a "downtown" location. A downtown location would have access to paid parking garages, paid lots, and metered street parking. The limited proposed parking of 14 on the lot and the possible 6 leased spaces is only 20 spaces. With a capacity of 150 to 250 guests, this makes no sense as this is not a walk to location. Potentially, restaurant/bar staff could take half these places and leave no parking for customers who are more likely to come in cars with loads of 2, 3 or 4 people. In addition, if staff are expected to park elsewhere, this creates an unsafe condition required for the closing staff who might be expected to walk some distances to their cars.
6. The additional street traffic on the service road and the existing confusing intersection with Lake Shore Dr is going to create traffic problems. The no turn on red light is currently slow and I have seen several people become impatient and run it. Further, traffic coming to the west from the bridge is moving at a pretty fast clip and many turn right, either on the green light or the right turn on red. Combining this with alcohol consumption, the Marina Grande entrance, the Publix entrance, and the odd stop signs, it is an accident waiting to happen. Perhaps, the traffic gurus can come up with a better, safer flow.

I am in no way anti development. I want Riviera Beach to improve and develop, but not at the expense of Marina Grande. We have made a huge financial commitment by making our home here. We need to insure our neighbors enhance our investments and make Marina Grande a place folks want to live. We currently have about 10% of the units for sale, the last thing we

want is a neighbor that takes that number higher. I believe a well defined restaurant operation can be a plus for the neighborhood and draw the support of our residents. Please help us get the right fit neighbor.

Respectfully,

Marybeth & Jimmy Coffey  
2640 Lake Shore Dr Unit 909  
Riviera Beach FL 33404  
561-563-2050

Sent from my iPad

## Velasquez, Mario

---

**From:** Gagnon, Jeff  
**Sent:** Tuesday, May 9, 2017 11:22 AM  
**To:** 'manager@marinagrande.org'  
**Cc:** Kashamba Miller-Anderson; Masters, Thomas A; Jones, Danny; Bailey, Terrence  
**Subject:** RE: Restaurant

Good morning Mr. Anglin,

Other than the current Crab Pot Restaurant proposal, (scheduled for the May 11, 2017 Planning and Zoning Board Meeting), I am not familiar with any other restaurant use proposed adjacent to Marina Grande.

Jeff Gagnon, AICP - Assistant Director of Community Development - City of Riviera Beach, FL 33404 - [JGagnon@RivieraBch.com](mailto:JGagnon@RivieraBch.com) - Phone: (561)845-4037 - Fax: (561)845-4038 - [www.rivierabch.com](http://www.rivierabch.com)

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**From:** Property Manager [mailto:manager@marinagrande.org]  
**Sent:** Tuesday, May 09, 2017 10:48 AM  
**To:** Gagnon, Jeff <Jgagnon@Rivierabch.com>  
**Cc:** Kashamba Miller-Anderson <kmiller@Rivierabch.com>; Masters, Thomas A <Mayormasters@Rivierabch.com>; Jones, Danny <ddjones@Rivierabch.com>  
**Subject:** Restaurant

Hi,  
It is my understanding that a few months ago a proposal was submitted to the City regarding the use of the adjacent lot next to Marina Grande for a restaurant use and the proposal was denied. If you concur with this, would you be kind enough to share with the Marina Grand Association any documentation to substantiate the denial. This information was shared with us by the former City Manager.

Thank you,



Delroy Anglin, LCAM  
Community Association Manager  
2640 Lakeshore Drive  
Riviera Beach, FL 33404  
Direct 561.844.1367 Ext. 0  
Email [manager@marinagrande.org](mailto:manager@marinagrande.org)  
Proudly managed by FirstService Residential: [www.fsresidential.com](http://www.fsresidential.com)  
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## **Velasquez, Mario**

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**From:** Patricia Morgenthaler <pat.m@seashippingna.com>  
**Sent:** Wednesday, May 24, 2017 11:35 AM  
**To:** Bailey, Terrence; Gagnon, Jeff; Velasquez, Mario; Robinson, Claudene L; Smith, Tawanna  
**Cc:** assistantmanager@marinagrande.org  
**Subject:** Concerns: Proposed Restaurant adjacent to Marina Grande Complex

Good Morning:

We have been informed that there is a proposed restaurant/bar to be constructed on the lot adjacent to the Marina Grande Complex. Please be advised that it is our opinion that this proposal, as it stands, will have a negative effect on the Marina Grande Community as a whole.

The proposed hours of operation with a closing time of 2:00 AM are extremely excessive. Just about every restaurant, in the surrounding area of the Palm Beaches, closes at a considerate time of 10:00 PM. We feel that the proposal for this restaurant (should it be approved) would conform in respect for the community at large. The audibility of the music should be limited to the restaurant facility only.

Trash dumpsters, which will contain mainly discarded food waste and left on the property, will create a considerably unhealthy environment.

Marina Grande's trash receptacle is enclosed and air conditioned – we would expect nothing less from neighbors.

Please note that we totally object to the proposed parking arrangements; specifically to the use of the first floor of the Marina Grande Parking Garage which will raise huge security issues, open the Marina Grande property to the public and reduce the personal safety of all residents.

We also have a concern with the proposed 350' dock as we feel this will promote problems with boating including accidents and noise; and have an adverse affect on the sea grass areas as well as the manatees.

Please also be advised that we feel that the additional automobile traffic and noise from same will add to adverse affect on Marina Grande and the value of each condominium.

We strongly request that these concerns are taken into deep consideration by the powers that be of the City of Riviera Beach. As we are not present in Florida at this time, we ask that the foregoing be shared with all in attendance at the Town Hall meeting to be held in the social room of the Club House at Marina Grande on May 25, 2017.

Thank you

**Best Regards,**

**Fred and Patricia Morgenthaler  
Unit 310  
2640 Lake Shore Drive  
Riviera Beach, Florida 33404**

## Velasquez, Mario

---

**From:** Deb Grimwade <debgrimwade@yahoo.com>  
**Sent:** Thursday, June 1, 2017 12:19 PM  
**To:** jevens@rivierabch.com; Jones, Danny; City Attorney Department; Masters, Thomas A; Kashamba Miller-Anderson; Hubbard, Lynne; Davis Johnson, Tonya; Pardo, Dawn S.; Davis, Terence; Bailey, Terrence; Gagnon, Jeff; Velasquez, Mario; Robinson, Claudene L; Smith, Tawanna; Frazier, Jackie P; March, Ladi; Richards, Bovell; Hayes, Clarece D; Williams III, Clarence D; Police; Community Development Department; mmckinlay@pbcgov.org; pelican2is@bellsouth.net  
**Cc:** Jim Grimwade  
**Subject:** Concerns with Proposed Restaurant - Grimwade, Owners of Unit #1106, 2650 Lake Shore Drive, Marina Grande

Dear City of Riviera Beach Officials, City Council Members, Planning & Zoning Staff, Community Development Staff, Chief of Police, CRA, Palm Beach County Commissioner and Waterfront Advisory Board:

My husband and I, Jim and Deb Grimwade, would like to share our thoughts with regards to the proposed restaurant/bar "The Crab Pot".

We were renters at Marina Grande prior to purchasing our new unit #1106 in 2016. We were impressed with the area, the people and the level of security MG provided for the community. It was also a deciding factor MG was "Pet Friendly", as we have two small dogs.

As we are not opposed to a new development going in next door, we certainly would not have purchased knowing there would be a "late night" bar going in right next door. We attended the Board Meeting on May 18th for the hearing of the proposal. We are in our early 50's, love to dine out, seek entertainment and have a beverage or two. However, it is clear to us this proposal is hiding the fact it will be more of a bar than a restaurant. We would be curious for the developer to share their business plan, to include their estimated percentage of "food" and "libation" consumption. We personally know other restaurant/bar owners, and they have shared the norm is about 65% food and 35% for libations for true restaurants that have a bar within. If they are proposing the hours are open until 2:00 am every day of the week, we believe the consumption will be leaning much more heavily on the libation side. We also know that 10:00 pm is a reasonable and consistent closing time for other restaurants in the area, as we frequent them.

We have the security concern. As we are walking our dogs throughout the night (could be at any time), we fear our security will be compromised with patrons having access within our property gate and fences until 2:00 am every day having alcohol involved. MG spends approximately \$300,000 a year to make sure we have proper security 24/7. We don't think MG Security should have to incur additional responsibilities, expense and risk to protect our residents from people we do not know entering our "gated community". We are not aware of a plan for the restaurant to have proper security. Not to mention, loud music that will carry across to all of our homes every day and night.

Very concerned about the safety for pedestrians and traffic. The intersection of Lake Shore Drive and Blue Heron is already very busy with frequent accidents. The developer is planning on using "Golf Carts" for their shuttle service. In order to use the offsite parking locations (two West of the Loggerhead Marina), the golf cart will need to travel several hundred yards on Lake Shore Drive,

through the intersection of Lake Shore and cross busy Blue Heron, drive down the one way road south of the bridge, under the bridge and then into the Crab Pot parking lot. We have attached pictures of these two parking lots on a typical Saturday with the regular Marina parking. There are not many open parking places, so not sure how they believe there will be enough to accommodate both the Marina and the Restaurant.

Now, getting to the proposed dock for the restaurant. 350 ft. It is apparent the water level is quite shallow in that area. Therefore, they would need to dredge causing damage/removal to the preserved sea grass. Surprising this would be allowed by the Florida Environmental & Fish Agencies. Just the other day we had 7 manatees swimming along the boardwalk in front of the proposed restaurant and MG. They are seen regularly in this area.

In summary, like we mentioned, we would love to see something developed on the proposed property. However, we sincerely hope everyone will take a very close look at our concerns and the data available. We ask the developer to make modifications in order to create a friendly water environment and be a nice neighbor as we will be so close in proximity.

Thank you for your time and consideration,  
Jim and Deb Grimwade  
561.568.5464











**From:** ruahbb@aol.com  
**Sent:** Wednesday, May 17, 2017 5:53 PM  
**To:** Davis Johnson, Tonya; Hubbard, Lynne; Williams III, Clarence D; City Attorney Department; Police; Masters, Thomas A; Kashamba Miller-Anderson; Pardo, Dawn S.; Davis, Terence; Bailey, Terrence; Gagnon, Jeff; Velasquez, Mario  
**Subject:** Crab Pot Proposal  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To: Riviera Beach Officials

After watching the on-line video of the Riviera Beach Planning & Zoning meeting that took place last week, we were left with even greater concerns about the Crab Pot Project. As we are not able to attend the meeting in June, we are voicing our concerns to you now.

1. The Crab Pot absolutely is a **BAR**, not a restaurant that they are proposing and that concerns us greatly and our safety and security living in a residential complex immediately next door to it. We foresee drunks staggering around at all hours of the night. Or worse yet, just dropping and sleeping on site.

2. Parking---after hearing their illogical and ill thought-out system (golf carts across Blue Heron Blvd.), we cannot even begin to believe such a convoluted arrangement could possibly get approval from the City of RB. That's just what Blue Heron Blvd. needs are golf carts dashing across a 5-way intersection. It makes absolutely no sense. What will end up happening is they will actually be driving the carts the wrong way down the access road or the easy route along the walkway on the water, thereby compromising our secure perimeter! How could anyone approve a plan that allocates only 18 spaces for a restaurant of 200 capacity and absolutely no possibility of more spaces on their site?

3. Hours of Operation -- until 2AM! The City should insist that they only get approval for the same hours of operation that the other nearby restaurants adhere to - 10:00PM closing. The only one we know that is open until 2:00AM is the Sands Hotel on Singer Island. And Lord knows that certainly we do NOT want THAT next door to our residential community. Sailfish Marina runs a

very successful business adhering to 10:00 closing. But they are a RESTAURANT!

4. They kept comparing themselves to the U-Tiki BAR, when they should be comparing themselves to an operation like Sailfish Marina Restaurant, which is located in a residential area. Their approval should be contingent on a Sailfish Marina type operation, not a U-Tiki BAR! This neighborhood has just seen the light of day and is being cleaned up, why would we ever welcome a BAR, and a rowdy late night one at that, in the area to take us backwards to the bad old days?

5. Noise--They absolutely must adhere to low-level decibels, and music should not be daily and should not extend beyond 9:00PM. Again modeling after Sailfish Marina, they end their music at 9:00 and it is a single guitar player. This is a residential community with 700-1000 people living RIGHT NEXT DOOR. Obviously, the developer could care less.

6. Dock Length--- A 350 foot dock is not what I would call "marginal" as the developer referred to

it several times. That is INSANE. As one of our residents stated, that is like forcing the Manatee population (which is protected) to travel I-95.

It appears to us that the developer has not given any great thought to this project, other than **they want to open a bar that will have loud amplified music and serve alcohol until 2AM.** Without the proper space for adequate parking, they have come up with this insane system of using OUR garage, coming through OUR security system and completely intruding upon OUR right of "peaceful enjoyment" of OUR home.

There are so many things wrong with this application!! Viewing the video of the meeting last week, there were many valid questions that were posed by the Riviera Beach Planning & Zoning Board. And we commend you on that. We certainly hope our elected officials will continue their vigilance and **NOT** approve this **BAR** to open. It serves & benefits no one.....not the City, not Marina Grande or other neighbors, just the developer!



Thank you for your time.

Respectfully,

Judith and Peter Foster  
2640 Lakeshore Drive  
Unit #1416

## Velasquez, Mario

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**From:** Bailey, Terrence  
**Sent:** Wednesday, May 17, 2017 9:06 AM  
**To:** Smith, Tawanna; Gagnon, Jeff; Velasquez, Mario  
**Cc:** Robinson, Claudene L  
**Subject:** FW: Crab Pot - Marina Grande

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Ms Smith,  
The below appears to be a public records request.

Terrence N. Bailey, LEED AP, P.E.  
**Director of Community Development**  
[600 Blue Heron, Riviera Bch 33404](#)  
**Phone:** (561) 845-4060  
**Fax:** (561) 840-4038  
[tbailey@rivierabch.com](mailto:tbailey@rivierabch.com)

We are what we repeatedly do. Excellence then is not an act, but a habit  
-Aristotle

---

**From:** Bill Davidson [mailto:bill@davidsonland.com]  
**Sent:** Tuesday, May 16, 2017 8:31 PM  
**To:** Bailey, Terrence <TBailey@Rivierabch.com>  
**Cc:** Velasquez, Mario <mvelasquez@Rivierabch.com>  
**Subject:** Crab Pot - Marina Grande

Hello Mr. Bailey,

My wife & I reside at 2640 Lake Shore Drive, Unit 1516, in Riviera Beach. You & Mr. Velasquez were kind enough to speak with by phone early last week regarding the subject matter. We attended the meeting Thursday evening. Now I am working with my neighbors & the MG board to evaluate the facts. We need the following items from your department:

1. Traffic study documents discussed at the meeting.
2. Agreement granting parking on Loggerhead Marina and/or Marina Grande property.
3. Agreement with Florida Department of Transportation granting use of State land.
4. Environmental clearance or abatement plan to build on this site (excessive levels of arsenic reported).
5. Details regarding the ordinance cited by Commissioner Terrance McCoy regarding compatibility conflicts with residences & zoning matters
6. Details regarding your staff's study, consideration & recommendations regarding "Compatibility. Specific conditions of approval may be needed to ensure that this use is compatible with the adjacent residential development (Marina Grande), which may include, but not be limited to hours

of operation and specific provisions to govern permitted timeframes for amplified music. " - noted in Section G. Staff Analysis.

7. Details regarding additional restaurant/bar noise abatement conditions prompted by Ritz-Carlton owners.
8. Details regarding restaurants/bars noise complaints & police enforcement (number of calls, parties involved, citations issued, fines imposed) during the past twelve months.
9. The criteria used to adopt Downtown District zoning on the subject site & the date of such change.
10. Any information regarding the proposed 350' dock.

Obviously, time is of the essence since the next meeting is June 8. Please call or email with questions or comments. Email is the best method to deliver these items.

Thank you ~~~ Bill Davidson (972 742 6006)

## Velasquez, Mario

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**From:** Gagnon, Jeff  
**Sent:** Tuesday, May 23, 2017 9:35 AM  
**To:** Velasquez, Mario  
**Subject:** FW: Proposed Crab Pot Restaurant on Lakeshore Drive, Riviera Beach

fyi

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**From:** Elaine Ferm [mailto:elaineferm@gmail.com]  
**Sent:** Monday, May 22, 2017 9:54 PM  
**To:** jevans@riverbch.com; Jones, Danny <ddjones@Rivierabch.com>; City Attorney Department <cityattorney@Rivierabch.com>; Masters, Thomas A <Mayormasters@Rivierabch.com>; Kashamba Miller-Anderson <kmiller@Rivierabch.com>; Hayes, Clarece D <CHayes@Rivierabch.com>; Frazier, Jackie P <JPFrazier@Rivierabch.com>; Gagnon, Jeff <Jgagnon@Rivierabch.com>; tbaily@rivierabch.com; MMcKinlay@pbcgov.org; Pelican2is@bellsouth.net; myelasquez@rivierabch.com  
**Subject:** Proposed Crab Pot Restaurant on Lakeshore Drive, Riviera Beach

My name is Elaine Ferm , I have lived in Marina Grande for 8 years . In that eight years I have grown to love my home here in Riviera Beach . I have seen many improvements to the area , the making of Riviera Beach , the building of Publix , redoing the sidewalks and the lights . It's looks beautiful.

When we heard that there was a proposed restaurant going in this location we were extremely concerned not only for the people at Marina Grande but the families in the surrounding neighborhoods. We feel that it will not do anything to improve this area but will only hinder its progress . This is not the location for this restaurant due to the size of the lot , the lack of parking space and the proximity to 350 unit condo building and its surrounding neighborhood. I realize that this location was once a restaurant before , but there was nothing else around it at the time . I feel that by putting this restaurant in this location it will be causing Riviera Beach to go backwards not forwards in its revitalization project. I myself and the people who live in the neighborhood of 2640 Lakeshore Drive in Riviera Beach feel that a restaurant in this location will cause an unsafe environment for the area due to the fact the people will need to walk from their cars to the restaurant at all hours of the day and night due to the fact that the proposed restaurant only has 18 parking spaces for more than 200 patrons this restaurant will be able to serve. This will cause a security issue not only for them but for the people in Marina Grande and its surrounding neighborhoods .The additional parking which is going to be used for this restaurant is right by a bus stop where

children stand and wait for the bus . Also ,this proposed restaurant would be on a very small one way street under a bridge. No telling what could happen there late at night when people are leaving the restaurant especially if they have been drinking. Another reason to not have a restaurant in this area is because of the proposed music that will be coming from it . Due to its proximity to the water the sound will travel to all the people who reside in that area which will impact adults and children alike .

There are many other locations along the water for this restaurant to be placed. There are 700 voting citizens of Marina Grande and the people living in its surrounding neighborhoods that would greatly appreciate your help in preventing this restaurant from getting its proper zoning . Please , please , please join us on June 8 to help block the zoning of this proposed restaurant. Thank you ,Elaine Ferm

Sent from my iPad

## Velasquez, Mario

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**From:** theinfotool@aol.com  
**Sent:** Monday, May 22, 2017 4:24 PM  
**To:** Evans, Jonathan; Masters, Thomas A; Davis Johnson, Tonya; Davis, Terence; Kashamba Miller-Anderson; Pardo, Dawn S.; Bailey, Terrence; Gagnon, Jeff; Velasquez, Mario; Robinson, Claudene L; Smith, Tawanna; Frazier, Jackie P; March, Ladi; Williams III, Clarence D; Pelican2is@bellsouth.net  
**Subject:** June 8th Planning Board Meeting

Dear Esteemed Members of the Riviera Beach Government Board;

I am a Florida resident of Marina Grande whose condo, being on the direct south side of the building, will be looking directly at the proposed bar and dock proposed to be built. I strongly object to this permit being approved for a multitude of reasons. We have lived here for 10 years. No doubt, the residence of the entire building will be negatively impacted, but more so those on the 16th stack.

In the even I am unable to make the meeting on the 8<sup>th</sup>, I needed to express my personal objections.

1. I recognize that the Crab Shack previously occupied that space, but it was then not a residential community. Now with 325 families living next door This elevates a project of this description being a public nuisance, and injuriously injuring and interfering with quiet peace and enjoyment. Property values will be hugely and negatively impacted, especially for all residence on the south side of the building. Noise pollution til 2am, or anytime, will be extremely injurious, causing noise pollution.
2. If Harbourside is being attacked by homeowners across the inter-coastal, imagine being a next door neighbor to the noise.. That said, people across the inter-coastal should be notified, and joined, as to the meeting purpose on June 8 for them to attend and express their concerns about noise pollution to avoid lawsuits. The same noise will travel across the water to Sugar Sands and all the condos and residence on the opposite side of the inter-coastal. Definitely a Harbourside repeat.
3. A 350 foot dock will contribute to the noise pollution, but more importantly, be extremely hazardous to the manatee population. The dock will force the manatee into the channel where propeller and boat injuries will be more dangerous. I wrote to the FPL manatee center to have them join in to the objections to be filed.
4. I cc'ed in the police chief for extreme safety issues. For them to shuttle people on golf carts across blue Heron in the dark, through an intersection already plagued with its share of accidents, is a recipe for multiple death claims, especially when an accident will involve a golf cart and a motor vehicle. I personally have seen these accidents at this intersection.

In addition to my personal concerns, I wish to add to what my fellow owners will be sending:

1. Hours of Operation - The current proposal from the developer specifies a 2:00AM closing time - everyday. Almost every restaurant in the area closes at 10:00 as pointed out by a member of the city development board during the Planning and Zoning meeting last Thursday. A 10:00 closing time very reasonable and consistent with other restaurants in the area.
1. Amplified Music - The current proposal from the developer specifies that amplified music is permissible on Fridays and Saturdays until 11:30PM and 10:00PM from Sunday through Thursday. Needless to say, being forced to listen to loud and in some cases live music until 11:30 is not what many of us signed up for when we bought units at Marina Grande. Reduced hours allowed and specific noise levels should be a consideration.
1. Garbage Dumpsters - Due to the very small building lot, the developer's plan is to leave the garbage dumpster on the property and immediately adjacent to the walkway that is used daily by numerous residents as well as being in full view of all residents of the Marina Grande residents. There is concern that the dumpster will attract rats and



other animals and will create a generally unhealthy environment. Marina Grande's trash receptacle is enclosed and air-conditioned and many believe that the developer should follow the same policy.

1. Parking - The current proposal from the developer specifies that onsite parking will be provided for 18 vehicles for a "restaurant" that has a minimum seating capacity of 150. All other parking will be handled offsite and via a valet service. The developer has proposed three offsite locations including two west of the Loggerhead Marina as well as the first floor of the Marina Grande parking garage for a total of 93 parking spaces.

With restaurant parking being allowed on the first floor of our parking garage, the residents of Marina Grande would be sharing an entrance and exit point in the garage as well as entrance into property via the front guard shack. Peak traffic at the restaurant will coincide with normal peak traffic coming into and exiting Marina Grande creating congestion and a bottleneck for anyone driving in or out of the parking garage.

1. Security - There is a concern that some restaurant patrons who will be using the first floor of the garage as well as the remote parking locations will cut through the Marina Grande property thereby reducing the distance and time to get to the restaurant by roughly two thirds. The same thing works in reverse when the patrons leave the Crab Pot. The concerns is that security and personal safety will be compromised with this new restaurant.
1. Traffic - The intersection of Lake Shore Drive and Blue Heron Blvd is already a very busy intersection with frequent accidents. The developer has filed an application with the Palm Beach County Traffic department but the application did not mention the developer plans for using golf carts to move patrons back and forth to their cars. Golf carts would be required to travel several hundred yards on Lake Shore Drive, through the intersection of Lake Shore and Blue Heron and then down the one way road south of the bridge, under the bridge and then into the Crab Pot parking lot.
1. Dock Length - A 350 foot dock has been proposed that would extend into the intercostal. Anticipated problems include boating accidents, damage to the preserved sea grass areas, limits on the ability for manatees to freely through the intercostal and loud music coming from the docked boats.

The next meeting of Planning & Zoning Board is scheduled for June 8<sup>th</sup>. This board has already heard from roughly 50 residents who attended that last Planning & Zoning Board meeting but they haven't heard from the many residents who were unable to attend the meeting. This is your opportunity to share your opinions and concerns with the individuals who will be making the decisions on the above issues as well as many others.

**Stanley S. Labovitz**, Principal

SurveyTelligence, Inc.

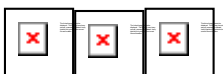
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## Velasquez, Mario

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**From:** BILL DAVIDSON <bill@davidsonland.com>  
**Sent:** Wednesday, May 31, 2017 8:42 PM  
**To:** Bailey, Terrence  
**Cc:** Velasquez, Mario  
**Subject:** Marina Grande - Crab Pot

Hello Mr. Bailey,

Have you obtained a lease & further details regarding the Developer's off-site parking arrangements? As you will recall the commissioners asked many questions about the parking. The information provided by the Developer's engineer was incomplete & unclear.

In the Developer's December 8, 2016 letter to your assistant, Mr. Gagnon, he represented ownership of the adjoining marina & thus access to that parking. On April 17, 2017, the Developer sold all his interest in the marina to an unrelated entity according to Palm Beach County Public Records.

After closely monitoring the parking of the Marina (four lots - three owned & one leased) over the past several weeks it has become obvious there are not adequate spaces to accommodate the employees (30) & patrons (230) - the Developer's own numbers in the same letter.

Also, the assumptions in the traffic study do not match the peak loads at the restaurant. Please remember that with the use of valet the count of one vehicle becomes two (it comes to the front door twice) at an already crowded intersection. Has your staff reviewed it for accuracy?

Thank you ~~~ Bill Davidson (972 742 6006)

2640 Lake Shore Drive - 1516



## **Velasquez, Mario**

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**From:** Chris Farrell <CFarrell@sbgvtv.com>  
**Sent:** Tuesday, May 23, 2017 9:13 AM  
**To:** Velasquez, Mario  
**Subject:** NO "BAR" by bridge and Marina Grande!

**From:** Chris Farrell  
**Sent:** Tuesday, May 23, 2017 9:13 AM  
**Subject:** NO "BAR" by bridge and Marina Grande!

**Imagine someone opening a "BAR" in your neighborhood that is open EVERY DAY until 2AM... plays music EVERY NIGHT until 2 am... serves alcohol EVERY DAY until 2am EVERY DAY OF THE WEEK!?**

Then imagine the "BAR" has a golf cart or valet, to take the drunk people and drop them off at YOUR FRONT DOOR ON YOUR PROPERTY SO THEY CAN WALK AROUND YOUR HOUSE....TO AND THROUGH YOUR GARAGE AND PICK UP THEIR CAR AND DRIVE HOME!?

**Imagine that golf cart is going to drive across busy Blue Heron Boulevard to pick up "more drunk customers" to take them to their cars.**

This will go on for hours every day and night as long as the restaurant is open!

How long before that golf cart gets into an accident?

How long before one of the drunk "customers" falls out of the cart?

How long before a car hits the cart crossing the street?

How long before one of the customers walks into traffic and gets hit by a car?

**THAT IS EXACTLY WHAT IS GOING TO HAPPEN WITH THE "PROPOSED" BAR AT THE OLD CRAB POT SITE!**

This whole restaurant concept on the north side of the Blue Heron bridge next to "our community" Marina Grande is a DISASTER WAITING TO HAPPEN! THIS ENTIRE IDEA IS A LAWSUIT WAITING TO HAPPEN!

**The presentation by the attorney and developer stated "This will be like "U-TIKI" in Jupiter! Well take a look at the U-TIKI website and look at the Happy Hours and Alcohol Drink specials! <https://www.utikibeach.com/>** You might also include that alcohol and alcohol related incidents can and will be expected! This will be a "bar" ...not a "restaurant". There will be music at all hours, there will be "drunk customers" ...walking in... around... and through our property! There will be drunk boaters, there will be fights, there will be people urinating on our property as they walk through and around it! The developer wants to stay open until 2am! How long will we have to wait for drunk people to "pass out" on our property?

**This is a residential area! These are 350 homes! These are 350 families! There are children and seniors and families who's lives are going to be ruined by this "BAR" !**

**WE ARE A RESIDENTIAL NEIGHBORHOOD! THIS IS NOT CLEMATIS IN DOWNTOWN WEST PALM BEACH! THIS IS A FAMILY NEIGHBORHOOD NOT A DOWNTOWN!**

If the developer thinks he's going to let a valet "drop-off" drunk customers at our gate, so they can walk in and get their cars...on our property and then drive through it!? THAT IS ABSURD! We will not tolerate any coming on to our property "under the influence"!

WE PAY A LOT FOR SECURITY TO KEEP PEOPLE OUT WHO DO NOT LIVE HERE! AND THEY ARE GOING TO DROP OFF INTOXICATED/DRUNK STRANGERS ON OUR PROPERTY!?

There are not enough parking places for his “concept” ... 18 SPACES ISNT EVEN ENOUGH FOR THE PEOPLE WHO WOULD WORK THERE!

THIS IS A BAD IDEA! NO! .....NO! .....NO! .....AND..... NO!

**We have over 700 VOTES (and voices) from our community and WE WILL USE THEM AND**

**WE**

**VOTE!**

---



## Velasquez, Mario

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**From:** Daniel McGilvery <info@bpiplans.com>  
**Sent:** Thursday, May 25, 2017 12:19 PM  
**To:** Gagnon, Jeff  
**Subject:** Proposed Crab Pot Restaurant

Mr. Jeff Gagnon,

As a member of the Board of Directors of the Marina Grande condominiums, I've been inundated with comments and concerns from my fellow residents regarding the proposed new Crab Pot restaurant that will be located directly next to our complex on Blue Heron Blvd. The primary concerns include the following:

1. Hours of Operation - The current proposal from the developer specifies a 2:00 closing time - everyday. If the proposed new Crab Pot restaurant is in fact a restaurant rather than a bar, the developer should have no problem with a 10:00 PM closing time. Virtually all of the restaurants that we contacted in Riviera Beach close between 8:00PM and 10:00PM every evening. In the developer's application, this project is in every case referred to as a "restaurant." The word "bar" is never used in the description. There is no rational reason why a restaurant would need to be open until 2:00AM unless they are in fact a bar.
2. Amplified Music - The current proposal from the developer specifies that amplified music is permissible on Fridays and Saturdays until 11:30PM and 10:00PM from Sunday through Thursday. Forgetting for a moment the problems with controlling the volume of amplified and live music, imagine living within a few yards of this operation and having to endure this music and general noise level - every evening. The developer's application made no mention of noise level restrictions. How do we measure the volume of the music and how do we handle excessive volume violations. I'm sure that you're familiar with Harbourside Place and the many law suits that have been filed in that case.
3. Parking - The current proposal from the developer specifies that onsite parking will be provided for 18 vehicles for a "restaurant" that has a minimum seating capacity of 150. All other parking will be handled offsite and via a valet service. As a point of comparison, Frigates which has a maximum seating capacity of 180 has parking for 140 vehicles. The developer has proposed three offsite locations including two West of the marina and the first floor of the Marina Grande parking garage for a total of 93 parking spaces.

We strongly object to having restaurant patrons using the Marina Grande parking garage. The residents of Marina Grande would be sharing an entrance and exit point in the garage as well as entrance into property via the front guard shack. Peak traffic at the restaurant will coincide with normal peak traffic coming into Marina Grande. This will create a constant congestion getting in and out of the parking garage. There is also the issue of how patrons get from the parking garage to the restaurant. The correct way would be to go back out through the entrance, past the guard shack, then walking South on Lake Shore and then down the one-way street to the Crab Pot. Realistically, many patrons will gain access to the restaurant by walking through the Marina Grande property thereby reducing the distance by roughly two thirds. And of course the same thing works in reverse when the patrons leave the Crab Pot.

We will have the exact same problem with patrons who park in the west Loggerhead Marina parking lot(s). There is currently an open gate between the Lake Shore Drive and the marina road entrance. By far, the easiest and fastest method of getting to the restaurant is through this gate and through our property. Marina Grande residents would be continually exposed to restaurant patrons who are walking through our property and who in many cases will be under the influence of alcohol.

4. Security - We envision the above parking issue creating many serious security problems and a clear safety hazard to the Marina Grande Residents. The additional security guards that will be needed should NOT be the responsibility of the Marina Grande residents. Approval of the restaurant / bar will compromise the safety and security of our residents.
5. Traffic - The intersection of Lake Shore Drive and Blue Heron Blvd is already a very busy intersection and there are frequent accidents. It is very hard to believe that adding additional traffic from this proposed restaurant will

get the approval of the Palm Beach County Traffic department. We have been advised that an application has been filed but this application did not mention that the developer plans to use golf carts to move patrons back and forth to their cars. Golf carts would be required to travel several hundred yards on Lake Shore Drive, through the intersection of Lake Shore and Blue Heron Blvd and then down the one way road south of the bridge, under the bridge and then into the Crab pot parking lot.

6. Garbage Dumpsters - Due to the very small building lot, the developer's plan is to leave the garbage dumpster on the property and immediately adjacent to the walkway that is used daily by numerous residents as well as being in full view of all residents of the Marina Grande residents. The dumpster will attract rats and other animals and will create a generally unhealthy environment.
7. Dock Length - A 350 foot dock is clearly excessive. A reasonable recommendation is the Crab Pat dock should be equivalent to the average length of other docks currently used by waterfront restaurants.
8. Business Failure – What happens if this business fails? The failure rate for restaurants is something like 50%. Does that mean that we could be stuck with a vacant building that would attract vagrants, homeless and who would responsible to keep the building maintained. Case in point is the Olive Garden on Palm Beach Lakes next to I-95. It's an eyesore with seemingly no one responsible for upkeep.
9. Resale Value - Many of the residents of Marina Grande have invested their life savings in their condominium and having a bar located within a few yards of their units will have negative impact on their property values. Lower property values means lower property taxes and less income for Riviera Beach.

I know there is probably some resistance from local residents whenever there is a new commercial development is planned. What makes our circumstances unique, however, is the extremely close proximity of our buildings to the proposed Crab Pot restaurant. I'm not aware of any commercial building that is physically as close to a large residential building anywhere else in the entire county. The fact that this new restaurant is actually a bar that will be open until 2:00 every evening with loud music, outdoor seating on an extended deck with a 350 foot boat dock, it becomes painfully clear that we desperately need fair representation from our city officials. We look to you as an elected official to listen to our concerns and assure that proper decisions are made that protect the lives and interests of your constituents.

Thank you for your time and efforts.

Daniel & Dawn McGilvery  
2640 Lake Shore Drive  
Unity 2012  
Marina Grande  
Riviera Beach





**STAFF REPORT – CITY OF RIVIERA BEACH  
HERON ESTATES, CASE NUMBER SP-16-20  
PLANNING AND ZONING BOARD, JUNE 8, 2017**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN APPLICATION FROM THE RIVIERA BEACH HOUSING AUTHORITY TO DEVELOP 101 SENIOR LIVING APARTMENTS (PHASE 1) AND 79 MULTIFAMILY UNITS (PHASE 2) ON A PARCEL OF LAND, FORMERLY KNOWN AS THE IVEY GREEN VILLAGE, APPROXIMATELY +/- 15.37 ACRES, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-31-01-000-0010, LOCATED WEST OF CONGRESS AVENUE, WITHIN THE LOW DENSITY MULTIPLE FAMILY ZONING DISTRICT (RML-12); AND PROVIDING FOR AN EFFECTIVE DATE.

---

**A. Applicant:** Riviera Beach Housing Authority; Wantman Group, Inc. "WGI" – Authorized Agent.

**B. Request:** The applicant is requesting site plan approval to build 101 Senior Living Apartments (Phase 1) and 79 Multifamily Units (Phase 2) at the location formerly known as Ivey Green Village.

**C. Location:** The proposed site is located west of (and adjacent to) Congress Avenue, south of Blue Heron Boulevard and north of Dr. Martin Luther King Jr. Blvd.

**D. Property Description and Uses:** The subject property description and uses are as follows:

Parcel Control Number: 56-43-42-31-01-000-0010.

Parcel Size: +/- 15.37 acres.

Existing Use: Vacant Lot (except for two small structures, approximately 3,000 square feet total area).

Zoning: Low Density Multiple Family (RML-12) District.

Future Land Use: Medium Density Multiple Family Residential.

**E. Adjacent Property Description and Uses:**

North: Industrial; I-PUD Zoning Designation and Industrial Future Land Use.

South: Spinnaker Landing Residential Development; Multiple Family Dwelling District (RM-15) Zoning and Medium Density Multiple Family Residential Future Land Use.

East: Congress Avenue and Congress Lakes Residential Development; Single Family Dwelling District (RS-8) Zoning and Single Family Residential Future Land Use.

West: South Florida Water Management District Canal; Utilities Zoning District and Utilities Future Land Use.

## **F. Background:**

In October 2016, Wantman Group, Inc. (WGI), authorized agent for the Riviera Beach Housing Authority, submitted an application for site plan approval, which has been reviewed by City staff for compatibility and consistency with the City's Comprehensive Plan and Land Development Regulations. The development proposal consists of two construction phases. Phase 1, consists of 101 Senior Living Apartment Units arranged in a three-story building. Phase 2, consists of one and two-story multifamily buildings. The timeline for construction of Phase 2 has not yet been determined and may be dependent on future grant funding opportunities.

The following staff analysis has been prepared for your review:

## **G. Staff Analysis:**

**Proposed Development/Use:** The applicant is proposing to build 101 Senior Living Apartments (Phase 1) and 79 Multifamily Units (Phase 2).

**Zoning Regulations:** The proposed use complies with the City's Land Development Regulations for the Low Density Multiple Family Residential (RML-12) Zoning District.

**Comprehensive Plan:** The proposed use is consistent with the Comprehensive Plan, including the Medium Density Multiple Family Residential Future Land Use Designation.

**Compatibility:** This development proposal is compatible with surrounding uses and historically functioned as the Ivey Green Village.

**Levels of Service:** City services such as roads, water, sewer, and garbage collection are currently available to the site.

**Landscaping:** The proposed landscape plan is compatible with the City's Land Development Regulations.

**Parking/Traffic:** The number of parking spaces proposed (258 spaces) is in compliance with the City's Land Development Regulations for off-street parking for Phase 1 (81 spaces) and Phase 2 (158 spaces); 239 spaces required (including 7 H.C. accessible spaces required and 29 are provided).

**H. Staff Conclusion:** City staff advises that the Planning and Zoning Board review and consider all information presented and provide a recommendation to the City Council. If the Planning and Zoning Board chooses to recommend approval, City staff recommends including the following conditions of approval:

1. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before a certificate of occupancy or certificate of completion is issued.
2. Construction and landscaping improvements must be initiated within 18 months of the effective date of this Resolution in accordance with Section 31-60(b), of the City Code of Ordinances. Demolition, site preparation and/or land clearing shall not be considered construction. Building permit application and associated plans and documents shall be submitted in its entirety and shall not be accepted by City staff in a partial or incomplete manner.



3. This development must receive final Certificate of Occupancy from the City for all buildings and units approved within five years of the approval of the adopting resolution or the adopting resolution shall be considered null and void, requiring the applicant to resubmit application for site plan and special exception approval and re-initiate the site plan approval process.
4. All future advertising must state that the development is located in the City of Riviera Beach. Fees and penalties in accordance with City Code Sec. 31-554 will be levied against the property owner and/or business for violation of this condition.
5. Once approved, this resolution shall supersede any previous site plan approval resolutions associated with this property, causing previous site plan approval resolutions to be null and void.
6. City council authorizes City staff to approve future amendments to this site plan administratively so long as the site plan does not deviate greater than 5% from the originally approved site plan.





Heron Estates Location Map  
SP-16-20

W 17th Ct

W 17th Ct

W 16th Ct

W 16th Ct

N Congress Ave

Essex Ln

Essex Ln

Essex Ln

Garden Rd







**For Staff Use Only**

<b>City of Riviera Beach</b>  Community Development Department 600 W. Blue Heron Boulevard Riviera Beach, Florida 33404  Phone: (561) 845-4060 Fax : (561) 845-4038	<b>Date:</b>	<b>Case Number:</b>
	<b>Project Title:</b>	
	<b>Fee Paid:</b>	<b>Notices Mailed:</b>
	<b>1<sup>st</sup> Hearing:</b>	<b>2<sup>nd</sup> Hearing:</b>
	<b>Publication Dates (If required)</b>	

**UNIFORM LAND USE APPLICATION**

*(Please attach separate sheet of paper for required additional information)  
 Complete appropriate sections of Application and sign.*

<b>APPLICANT</b>	<b>Name of Property Owner(s):</b> Riviera Beach Housing Authority
	<b>Mailing Address:</b> 2014 17th Court, Riviera Beach, FI 33404
	<b>Property Address:</b> 2003 W. 17th Court, Riviera Beach, FL 33404
	<b>Name of Applicant (if other than owner):</b> Agent: WGI
	Home: ( 561 ) 309-1523      Work: ( 561 ) 537-4541      Fax: (561) 687-1110
	<b>E-mail Address:</b> lynn.zolezzi@wantmangroup.com

**PLEASE ATTACH LEGAL DESCRIPTION**

<b>PROPERTY</b>	<b>Future Land Use Map Designation:</b> Medium <b>Current Zoning Classification:</b> RML-12
	<b>Square footage of site:</b> 669,517.2 SF <b>Property Control Number (PCN):</b> 56-43-42-31-01-000-0010
	<b>Type and gross area of any existing non residential uses on site:</b> N/A; site is vacant
	<b>Gross area of any proposed structure:</b> 15.37
	<b>Is there a current or recent use of the property that is/was in violation of City Ordinance?</b> [ <input type="checkbox"/> ] Yes    [ <input checked="" type="checkbox"/> ] No
	<b>If yes, please describe:</b> N/A
	<b>Have there been any land use applications concerning all or part of this property in the last 18 months?</b> [ <input type="checkbox"/> ] Yes    [ <input checked="" type="checkbox"/> ] No
	<b>If yes, indicate date, nature and applicant's name:</b> N/A
	<b>Briefly describe use of adjoining property:</b> North: Industrial
	South: Multi-family residential
East: Single-family residential	
West: Canal	

<b>REZONE</b>	<b>Requested Zoning Classification:</b> N/A
	<b>Is the requested zoning classification contiguous with existing?</b> yes
	<b>Is a Special Exception necessary for your intended use?</b> [ <input type="checkbox"/> ] Yes    [ <input checked="" type="checkbox"/> ] No
	<b>Is a Variance necessary for your intended use?</b> [ <input type="checkbox"/> ] Yes    [ <input checked="" type="checkbox"/> ] No



<b>FUTURE LAND USE</b>	Existing Use: <b>N/A</b>	Proposed Use:
	Land Use Designation:	Requested Land Use:
	Adjacent Land Uses: North:	South:
	East:	West:
	Size of Property Requesting Land Use Change:	

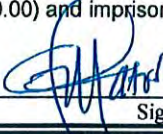
<b>SPECIAL EXCEPTION</b>	Describe the intended use requiring a Special Exception: <b>N/A</b>
	Provide specific LDR ordinance section number and page number:
	How does intended use meet the standards in the Land Development Code?
	Demonstrate that proposed location and site is appropriate for requested use:
	Demonstrate how site and proposed building(s) have been designed so they are compatible with adjacent uses and neighborhoods:
	Demonstrate any landscaping techniques to visually screen use from adjacent uses:
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use:
	Demonstrate how utilities and other service requirements of the use can be met:
	Demonstrate how the impact of traffic generated will be handled:
	On-site:
Off-Site:	
Other:	

<b>VARIANCE</b>	Describe the Variance sought: <b>N/A</b>
	Demonstrate that the Variance is needed to overcome a hardship caused by the unique physical conditions of the site:
	Specify the minimum Variance requirements including: height, lot area, size of structure, size of yard, setback, buffer or open space:
	Other:



<b>SITE PLAN</b>	Describe proposed development: Affordable Housing: Phase 1 will consist of 101 senior multi-family units, Phase 2 will consist of 79 multifamily units.
	Demonstrate that proposed use is appropriate to site: <b>See attached justification.</b>
	Demonstrate how drainage and paving requirement will be met: <b>See attached civil plans.</b>
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: <b>See attached landscape plan.</b>
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: <b>See attached justification.</b>
	Demonstrate how utilities and other service requirements of the use can be met: <b>See attached concurrency compliance chart.</b>
	Demonstrate how the impact of traffic generated will be handled: On-site: <b>See attached Traffic Performance Standards Review.</b> Off-site:

<b>OTHER</b>	<b><u>COMMUNICATION TOWER CO-LOCATION REQUIREMENTS:</u></b>
	<ul style="list-style-type: none"> <li>• Three sets of signed and sealed Construction documents, elevations and all equipment shelters, cabinets, Coax, telephone and power conduits identified. These plans will then be used to obtain the Building Permit.</li> <li>• Antenna manufacture cut sheets including antenna size and shape.</li> <li>• Zoning map of area with site clearly marked.</li> <li>• Photos of existing building or tower and surrounding uses.</li> <li>• Letter of non-interference and FCC compliance from applicant's Radio Frequency Professional.</li> <li>• Map of surrounding carrier existing locations in all directions with type i.e. Guyed, Self-Support, Monopole, Rooftop.</li> <li>• Letter of structural capacity and building code compliance.</li> <li>• Notes on plan or letter demonstrating floor area coverage not in excess of restrictions</li> <li>• Provide Photo Enhancements of proposal.</li> <li>• Statement that proposal is in compliance with Environmental Regulations prior to permit issue.</li> </ul>

<b>Confirmation of Information Accuracy</b>	
<p>I hereby certify that the information on this application is correct. The information included in this application is for use by the City of Riviera Beach in processing my request. False or misleading information may be punishable by a fine of up to five hundred dollars (\$500.00) and imprisonment of up to thirty (30) days and may result in the summary denial of this application.</p>	
 _____ Signature	10/26/2016 _____ Date



# AGENT AUTHORIZATION FORM

**Owner(s) of Record: Riviera Beach Housing Authority**

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared John Hurt, Executive Director.  
Riviera Beach Housing Authority

who, being first duly sworn upon oath and personal knowledge say(s) that they are the owner(s) of record of the following described real property:

**Westside Estates, All of Parcel lying west of Congress Avenue, less the West 17th Street ROW and 50th and the west 17th Court.**

the street address of which is: **2003 West 17th Court, Riviera Beach**

and that we hereby appoint:

Name:	WGI
Address:	2035 Vista Parkway
	West Palm Beach, FL 33411
Telephone:	(561)-687-2220

as our authorized agent, to file applications and papers with the City of Riviera Beach, and to represent me (us) at any Hearing regarding my (our) interest.

your interest.

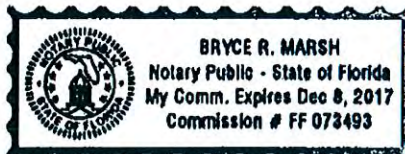
*John Smith* (Seal)

\_\_\_\_\_ (Seal)

\_\_\_\_\_ (Seal)

Sworn to and subscribed before me this 14<sup>th</sup> day of October, 2016.

Bryce R. Marshall  
Notary Public







**JUSTIFICATION STATEMENT**  
**Request for Heron Estates Site Plan Approval**  
**2014 West 17<sup>th</sup> Court, Rivera Beach, Florida**  
*Submitted: October 26, 2016*

**REQUEST**

On behalf of the property owner, Wantman Group, Inc. is requesting Site Plan approval for Phase 1 of an affordable housing development known as Heron Estates. The 15.37 acre site is located on the west side of Congress Avenue, just south of Blue Heron Boulevard in the City of Rivera Beach.

**SITE CHARACTERISTICS & PROPOSED DEVELOPMENT**

The subject site was previously developed as an affordable housing community known as Ivey Green Village. The community incurred hurricane damage and the residential buildings were demolished in 2008. Improvements still existing on the site include an internal roadway system, utilities and 2 small buildings. Access to the site is via S.W. 17<sup>th</sup> Street which connects to Congress Avenue near the southeastern corner of the site.

The site is zoned RML-12, Low Density Multifamily Dwelling District. The property will be developed in two phases. Phase 1 consists of 101 senior living apartment units and Phase 2 will consist of 79 multifamily units. The density is based on 180 units for the entire 15.37 acre site, which results in 11.71 dwelling units per acre. The proposed multifamily development is appropriate to the neighborhood and is compatible with the surrounding land uses.

**Phase 1** proposes 101 senior living apartment units arranged in a three-story building. The proposed development will also provide recreational amenities including a pool, a patio, seating areas and an exercise walk around the lake, which will allow independent living for seniors.

**Phase 2** proposes 79 multifamily units arranged in nine (9) buildings. The buildings will be one and two story ranging from 12 – 6 units per building. Phase 2 provides a clubhouse, a tennis court, a basketball court, a playground, seating area and an exercise walk connecting to amenities proposed in Phase 1.

The existing internal road will be reconfigured and existing buildings will be demolished.

**Elevations**

The elevations were designed by David Lawrence Architects Inc. Please see enclosed Building Plans/Elevations sheet.

**Parking**

Required parking is provided as follows:

Total Parking Required	239 Parking Spaces
o Multifamily Units (2 SP/Unit @79 Units)	158 Parking Spaces
o Senior Living Units (0.8 SP/Unit @101 Units)	81 Parking Spaces
Total Parking Provided	259 Parking Spaces
Handicap Parking Required	7 Parking Spaces
Handicap Parking Provided	28 Parking Spaces



## SITE PLAN APPROVAL STANDARDS

The proposed improvements are in compliance with the Site Plan Approval Standards, provided for in the Uniform Land Use Application. Those standards are as follows:

- **Demonstrate that the proposed use is appropriate to site:** The site was previously developed with an affordable housing community and the applicant is proposing the same type of use. The development being proposed will increase the efficiency and functionality of the site, while improving the aesthetics of the site.
- **Demonstrate how drainage and paving requirement will be met:**

### Paving and Drainage

The existing internal road is proposed to be reconfigured. A retention area is provided on the eastern portion of the site to provide runoff storage. The site meets the required stage and discharge requirements according to SFWMD regulations. The proposed finished floors are higher than the existing 100 year flood plain elevation. Please see enclosed paving and drainage plans, details and surface water management calculations.

### Plat

A boundary plat has been prepared by Perimeter Surveying and Mapping. Please see enclosed Boundary Plat.

- **Demonstrate any landscaping techniques to visually screen use from adjacent uses:** A Landscape Plan has been included as part of the submittal package. The proposed landscape plan complies with the Florida Friendly Landscape Code, as well as FPL's right tree/right place.
- **Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use:** There will be no hazards, problems or public nuisances generated by the project. The proposed site plan has been designed to minimize any impact and maintain consistent and compatible with the surrounding uses and character of the area. Controlled access is provided, as well as security cameras in the buildings.
- **Demonstrate how utilities and other service requirements of the use can be met:** Water and wastewater utilities are provided by connections to existing mains located on the south side of the site. Please refer to the water and sewer plan sheets and details.
- **Demonstrate how the impact of traffic generate will be handled:**

### Access

The site layout has been designed with two access points. The existing access on W 17<sup>th</sup> Street is shared with the existing multifamily development located adjacent to the subject site. A new gatehouse is proposed to be located at the entrance of the Heron Estates development.

A new access point located just east of the elderly housing units is proposed, which provides access to all phases of the development. This access is proposed to be gated and provides direct access to the senior living units. According to Access Management Standards for County Roads on the Thoroughfare Right of Way Identification Map, driveway connection spacing for 100+ foot wide arterials is a minimum of 245 feet. The new access point is located 270 feet from existing driveway north of the property and 327 feet from West 17th Street.

*Traffic Performance Standards Review*

The Palm Beach County Department of Engineering and Public Works conducted a traffic performance standards review in 2012 for 184 Apartments including 75 senior living units, which determined that the proposed residential development for 184 units met the applicable traffic performance standards.

WGI has submitted a revised Traffic Statement for Phase 1 to the Palm Beach County Department of Engineering and Public Works. The proposed Heron Estates Senior Center development has been evaluated following the *PBC TPS - Article 12 of the PBC ULDC*. This analysis shows that the proposed development will be in compliance with the *PBC TPS - Article 12 of the PBC ULDC*.

***Based on the above and enclosed information, the Applicant respectfully requests approval of the Phase 1 Site Plan approval.***



















1 NORTH ELEVATION  
SCALE: 1/16" = 1'-0"



2 SOUTH ELEVATION  
SCALE: 1/16" = 1'-0"



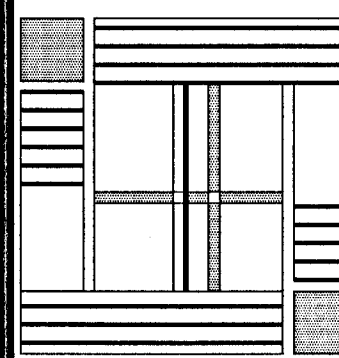
3 EAST ELEVATION  
SCALE: 1/16" = 1'-0"



4 MAIN ENTRANCE  
SHOWN TRUE PLANE SCALE: 1/16" = 1'-0"



5 WEST ELEVATION  
SCALE: 1/16" = 1'-0"



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205 WORTH AVE.  
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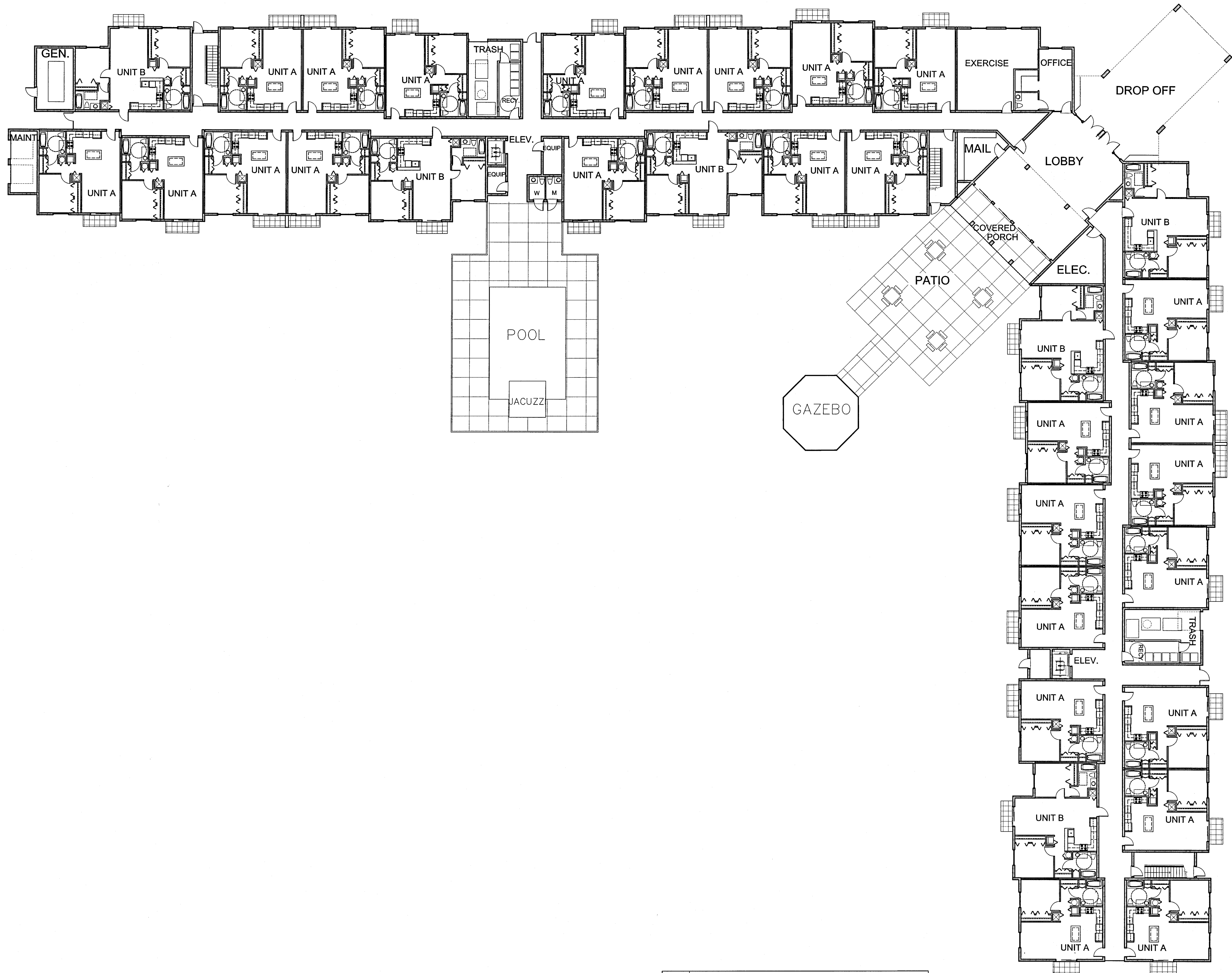
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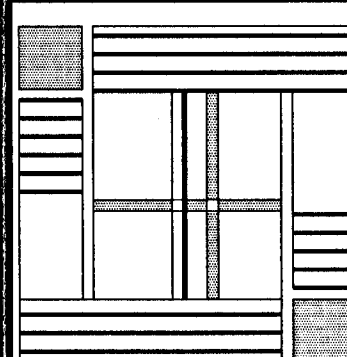




1 FIRST FLOOR PLAN  
SCALE: 1/16" = 1'-0"

HERON ESTATES SENIOR CENTER  
RIVIERA BEACH, FL

FIRST FLOOR PLAN



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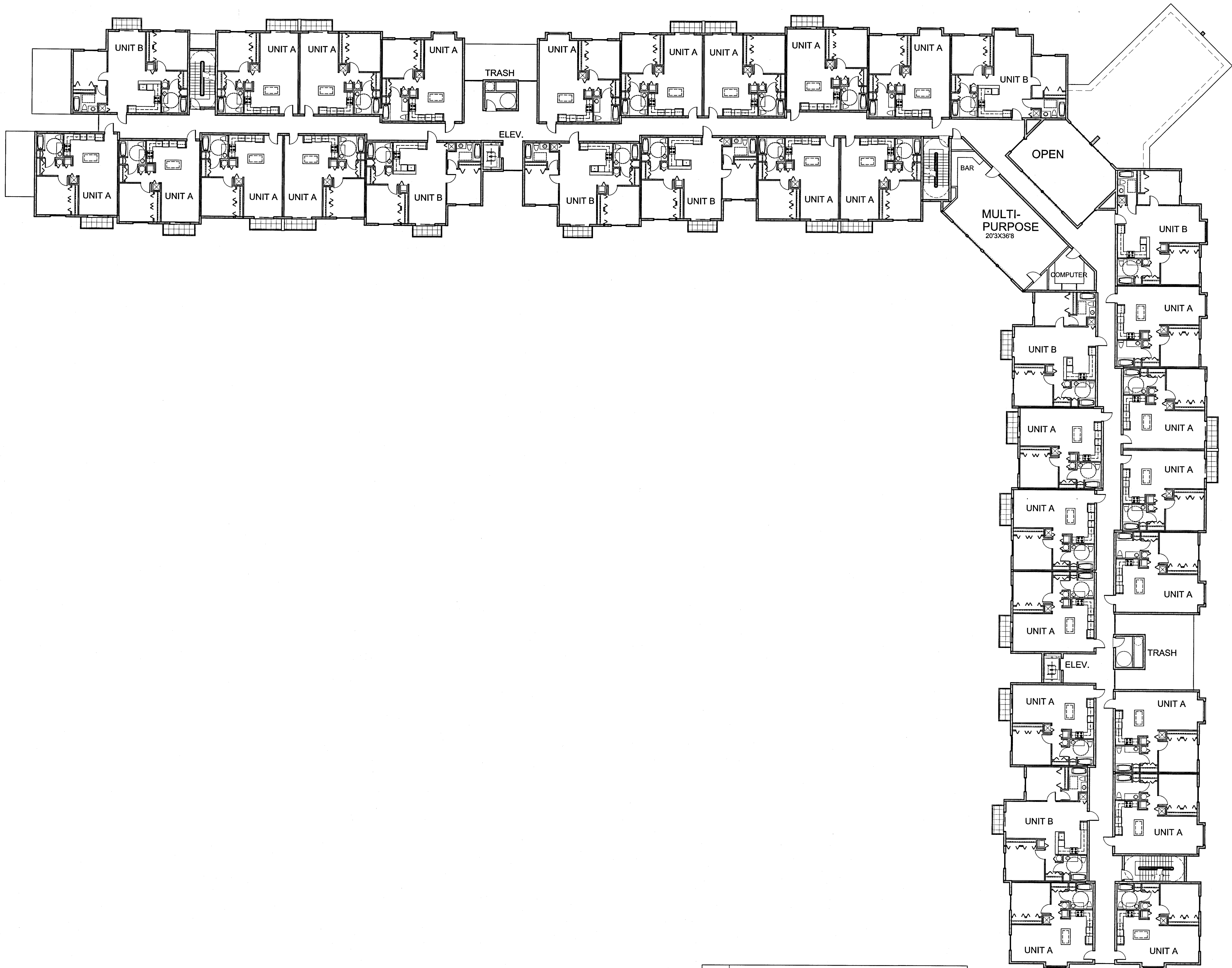
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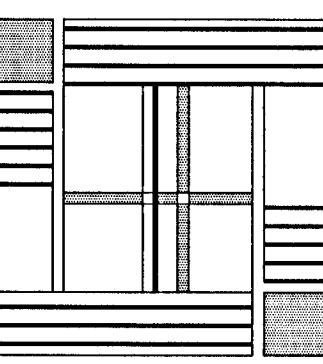
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1 SECOND FLOOR PLAN  
SCALE: 1/16" = 1'-0"

HERON ESTATES SENIOR CENTER  
RIVIERA BEACH, FL

SECOND FLOOR PLAN



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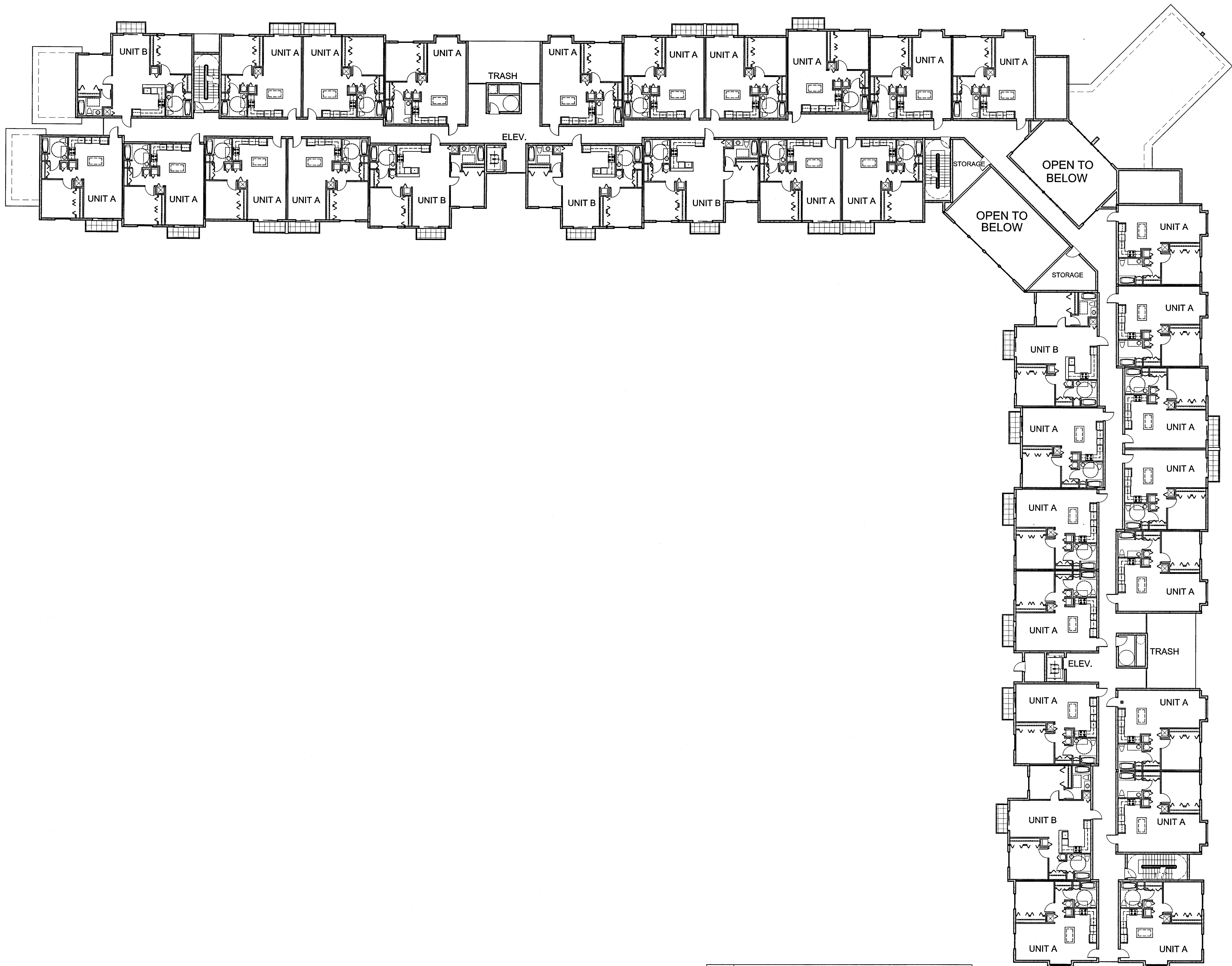
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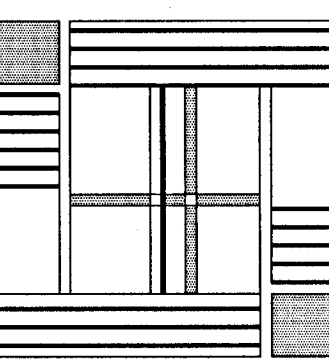




1 THIRD FLOOR PLAN  
SCALE: 1/16" = 1'-0"

HERON ESTATES SENIOR CENTER  
RIVIERA BEACH, FL

THIRD FLOOR PLAN



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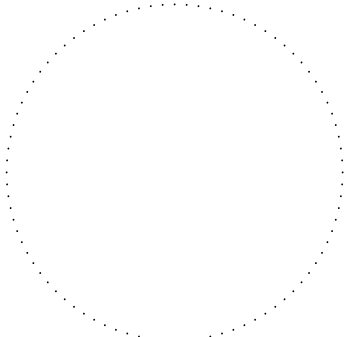




HERON ESTATES  
CITY OF RIVIERA BEACH, FLORIDA

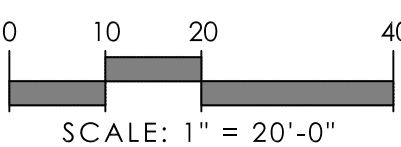
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	2017-02-03	REVISED PER COMMENTS

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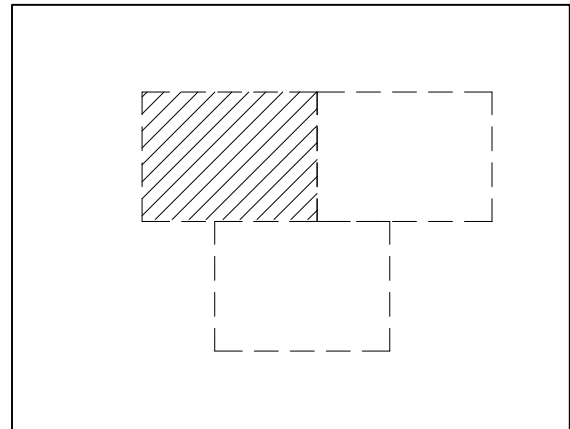
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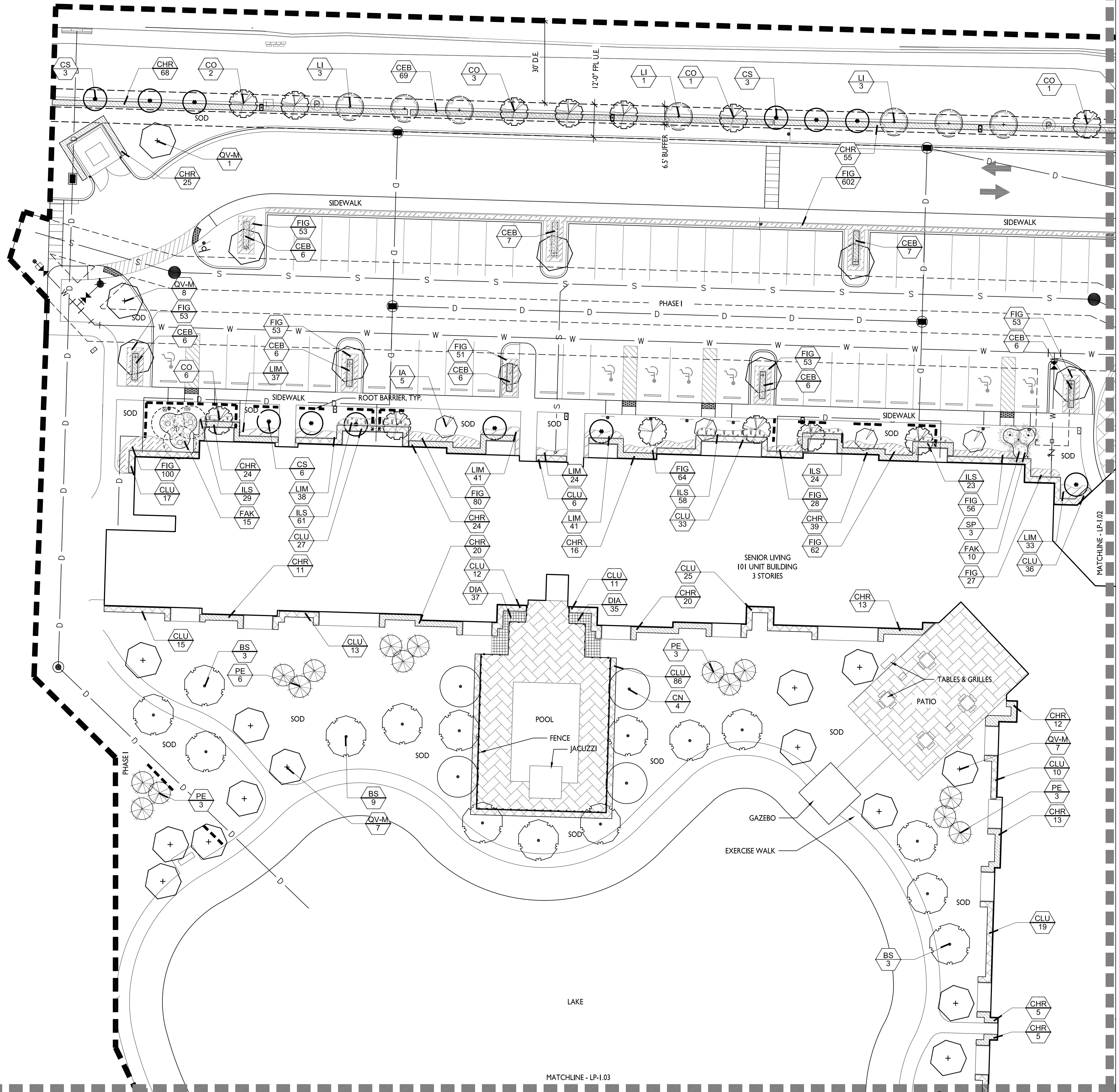
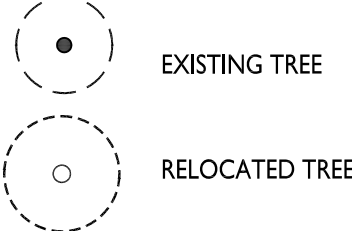


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LP-1.01

SHEET KEY MAP



LEGEND





LANDSCAPE ARCHITECTURE // PLANNING // ENGINEERING //  
TRANSPORTATION // SURVEYING & SUE // CREATIVE SERVICES

2035 Vista Parkway, West Palm Beach, FL 33411  
Phone 866.909.2220 [www.WGILDS.com](http://www.WGILDS.com)  
Cert No. 6091 - LB No. 7055

CONSULTANTS:

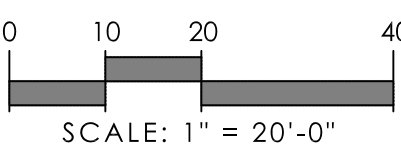
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SHEET #3

LP-1.02





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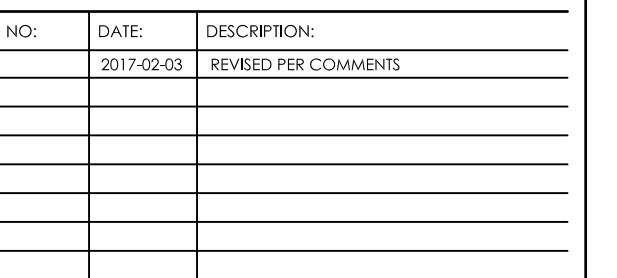
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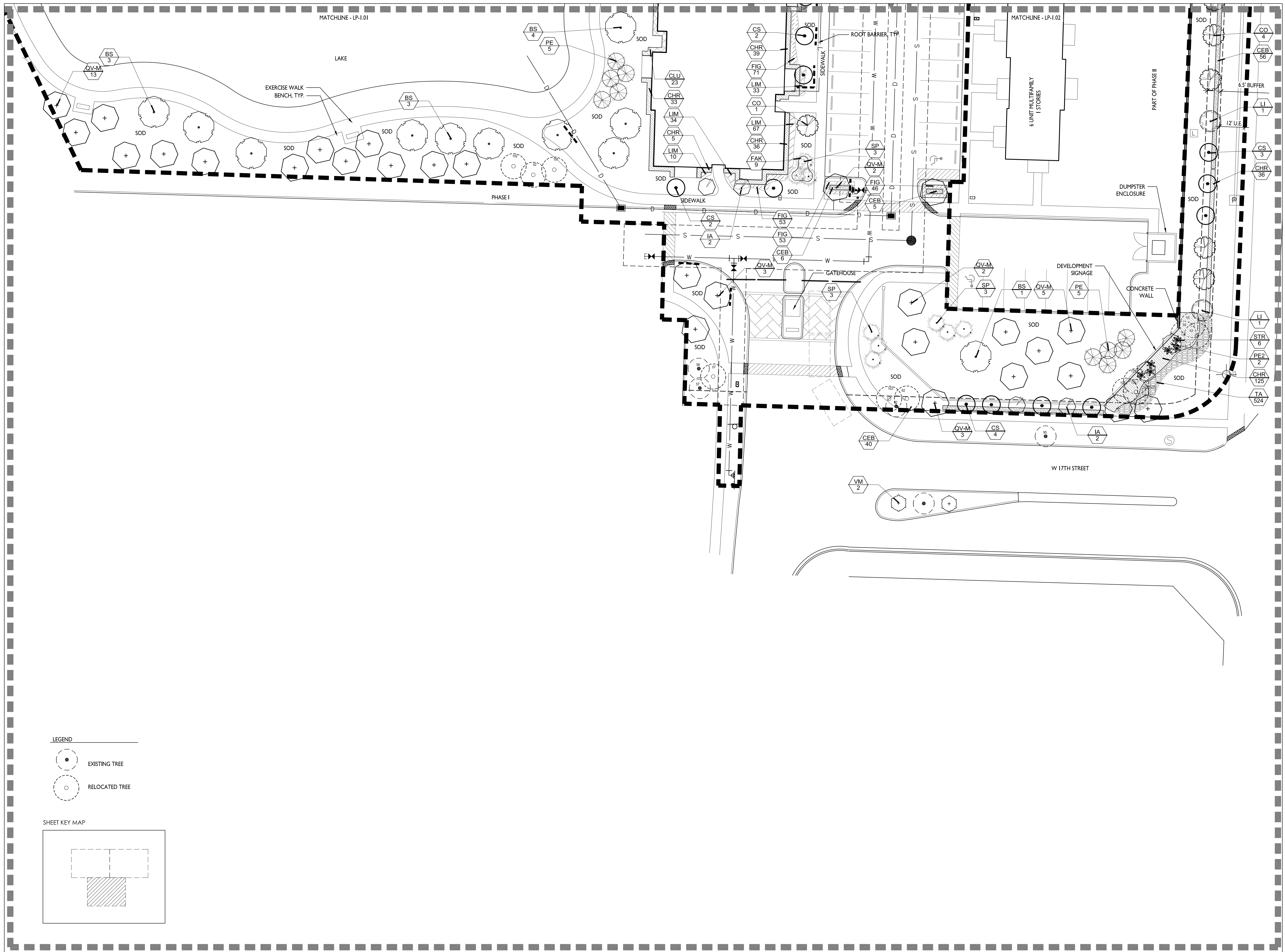
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SCALE: 1" = 20'-0"

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LANDSCAPE PLAN



## MITIGATION INVENTORY

## CITY OF RIVIERA BEACH, FLORIDA

[illegible]

LANDSCAPE REQUIREMENTS		PALM BEACH COUNTY, FLORIDA
<b>LANDSCAPE BUFFER</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
1 CANOPY TREE PER 20 LINEAL FEET (PALMS IN 3 OR MORE= 1 CANOPY TREE) 1 ROW OF SHRUBS 24" HT. MINIMUM 6.25' LANDSCAPE BUFFER WIDTH	N BUFFER 618' LF/20 = 31 TREES  E BUFFER 526' LF/20 = 26 TREES  S BUFFER 244' LF/20 = 12 TREES	N BUFFER 31 CANOPY TREES TOTAL= <u>31 TREES</u>  E BUFFER 26 CANOPY TREES TOTAL= <u>26 TREES</u>  S BUFFER 9 CANOPY TREES 1 EX. PALM + 1 EX. SABAL + 2 RELO. PALMS/3= 2 TREES 3 PALMS/3= 1 TREE TOTAL= <u>12 TREES</u>
<b>INTERIOR PARKING</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
1 CANOPY TREE PER 50 LINEAL FEET 5' WIDE SHRUBS/GROUND COVER @ SIDES OF BUILDING AND PARKING MINIMUM 6' HEIGHT LANDSCAPE BARRIER	BUFFER LENGTH 324 LF/20 =16 TREES	16 CANOPY TREES TOTAL= <u>16 TREES</u>
<b>BUILDING &amp; PARKING</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
1 CANOPY TREE PER 20 LINEAL FEET 5' WIDE SHRUBS/GROUND COVER @ SIDES OF BUILDING AND PARKING MINIMUM 24" HEIGHT HEDGE	BUILDING LENGTH ADJACENT TO PARKING 612 LF/20 =31 TREES	29 CANOPY TREES 3 RELO. SABALS/3= 1 TREE 9 SABALS/3= 3 TREES TOTAL= <u>33 TREES</u>
<b>OVERALL LANDSCAPE</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
20 % OF OVERALL SITE 1 TREE PER 1,500 SQ. FT.	PHASE I = 284,195 SQ. FT. X .20 =56,839 SQ. FT. OF LANDSCAPE 284,195/1500 SQ.FT. = 190 TREES	160 TREES + 25 (EX. + RELOCATED) + 28 PALMS @ 3:1 TOTAL= <u>213 TREES</u>
<b>MITIGATION REQUIREMENT</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
PHASE I DBH REMOVED 195 78 TREES 2.5 D.B.H. FOR MITIGATION	78 TREES 2.5 D.B.H. FOR MITIGATION	78 TREES 2.5 D.B.H. FOR MITIGATION

## PLANT SCHEDULE

REES	QTY	COMMON NAME	BOTANICAL NAME	REMARKS
BS	29	Gumbo Limbo	Bursera simaruba	12" Ht. X 8'-10" Sprd., Full Canopy, NATIVE
CU	11	Sea Grape	Coccoloba uvifera	10" Ht. x 6' Sprd., Full Canopy, Native
CN	4	Coconut Palm	Cocos nucifera	10" C.T., FULL INCAIT FRONDS
CS	38	Silver Buttonwood	Conocarpus erectus sericeus	12" Ht. x 6' Sprd., 2.5" Cal. Min., Multi-Trunk, Native
CO	30	Orange Gelger Tree	Cordia sebestena	10" Ht. x 6' Sprd., 2" Cal. Min., Full Canopy, Native
IA	14	East Palatka Holly	Ilex x attenuata 'East Palatka'	12" Ht. x 6' Sprd., 2.5" Cal. Min., Full Canopy, Native
LI	19	Crape Myrtle	Lagerstromia indica	12" Ht. x 6' Sprd., 2.5" Cal. Min., Multi-Trunk
PE	35	Slash Pine	Pinus elliotii	12" O.A. Ht. x 6' Sprd., 2.5 Cal. Min.
PE2	7	Solitaire Palm	Phycosperma elegans	20'-24" O.A. HT., Double Trunk
QV-M	78	Southern Live Oak	Quercus virginiana	Mitigation-12" Ht. X 6' Sprd., 2.5" Cal. Min., Full Canopy, Native
RE	10	Florida Royal Palm	Roystonea elata	Full Incait fronds, 10-12" C.T.H.
SP	26	Cabbage Palmetto	Sabal palmetto	12" CT, Clean Cut, Native
SP-E	6	Cabbage Palmetto	Sabal palmetto	Existing
LM	2	Christmas Palm	Veitchia merillii	10" C.T.
SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	REMARKS
CA	6	Queen Emma Crinum Lily	Crinum augustum 'Queen Emma'	3-4" O.A.Ht.
STR	24	Orange Bird Of Paradise	Strelitzia reginae	36" HT. x 24" SPRD.
SHRUB AREAS	QTY	COMMON NAME	BOTANICAL NAME	REMARKS
CHR	1,070	Red Tip Cocoplum	Crotybalanus iacaco 'Red Tip'	24" Ht. x 24" Sprd., 24" O.C. Full, Hedge, Native
CLU	333	Small-Leaf Clusia	Clusia guttifera	24" HT. X 24" SPRD., FULL
CG	378	Dwarf Small-Leaf Clusia	Clusia guttifera 'Nana'	24" HT. X 18" SPRD., FULL TO BASE
CEB	387	Silver Buttonwood	Conocarpus erectus sericeus	24" Ht. x 24" Sprd., 24" O.C. Full, Hedge, Native
FAK	66	Dwarf Fakahatchee Grass	Tripsacum flordana	24" x 24" Ht., 36" O.C., Full
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	REMARKS
FIG	135	Flex Lily	Dianella tasmanica	15" Ht. x 15" Sprd., Full
FIG	2,118	Green Island Flame	Ficus microcarpa 'Green Island'	12" Ht. x 12" Sprd., 12" O.C. Full
JLP	469	Japanese Holly	Ilex vomitoria 'Schilling's Dwarf'	24" Ht. x 12" Sprd., 12" O.C. Full, Native
JUS	217	Panaroni Juniper	Juniperus chinensis 'Panaroni'	12" Ht. x 18" Sprd., Full
LM	476	Lily Turf	Liriope muscari	12" Ht. x 12" Sprd., 12" O.C. Full
TA	875	Asian Jasmine	Trachelospermum asiaticum	10" HT X 10" SPRD.









PROJECT TITLE:

"ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE LANDSCAPE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS FORBIDDEN WITHOUT THE LANDSCAPE ARCHITECTS WRITTEN PERMISSION."

DRAWN BY: \_\_\_\_\_ BJ

CHECKED BY: BD

CHECKED BY: \_\_\_\_\_ BD \_\_\_\_\_

---

## LANDSCAPE SPECIFICATIONS

SHEET #:  
LP-3.02





November 21, 2016

Jeff Gagnon  
Planning and Zoning Administrator  
City of Riviera Beach  
600 W. Blue Heron Boulevard  
Riviera Beach, FL 33404

**Department of Engineering  
and Public Works**

P.O. Box 21229  
West Palm Beach, FL 33416-1229  
(561) 684-4000  
FAX: (561) 684-4050  
www.pbcgov.com

**Palm Beach County  
Board of County  
Commissioners**

Mary Lou Berger, Mayor

Hal R. Valeche, Vice Mayor

Paulette Burdick

Shelley Vana

Steven L. Abrams

Melissa McKinlay

Priscilla A. Taylor

**County Administrator**

Verdenia C. Baker

**RE: Heron Estates  
Project #: 161004  
TRAFFIC PERFORMANCE STANDARDS REVIEW**

Dear Jeff:

The Palm Beach County Traffic Division has reviewed the **Heron Estates** Traffic Statement prepared by Wantman Group, Inc., revised November 3, 2016, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code (ULDC). The project is summarized as follows:

<b>Municipality:</b>	City of Riviera Beach
<b>Location:</b>	Westside of Congress Ave, north of W 17 <sup>th</sup> Ct
<b>PCN #:</b>	56-43-42-31-01-000-0010
<b>Existing Uses:</b>	Vacant
<b>Proposed Uses:</b>	101 units of 55+ single family attached dwelling (Phase I only)
<b>Access:</b>	Via W 17 <sup>th</sup> Ct connecting to Congress Avenue and a new right-in/right-out driveway on Congress Avenue
<b>New Net Daily Trips:</b>	347
<b>New Net PH Trips:</b>	20 AM (7/13) and 25 PM (14/11)
<b>Build-Out:</b>	December 31, 2021

Based on our review, the Traffic Division has determined the proposed development meets the Traffic Performance Standards of Palm Beach County. This letter supersedes a previous approval letter dated November 7, 2016 for the same parcel and only approves the first phase of the development. A new TPS review is still required for the second phase. In addition, the new driveway on Congress Avenue will be reviewed and determined by the Roadway Access Permit Engineer.

Please note the receipt of a Traffic Performance Standards (TPS) approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

No building permits are to be issued by the City after the build-out date specified above. The approval letter shall be valid no longer than one year from date of issuance, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 684-4030 or email to [qyuan@pbcgov.org](mailto:qyuan@pbcgov.org).

Sincerely,

Quan Yuan, P.E.  
Professional Engineer  
Traffic Division

QY/dd

ec: Addressee  
Juan Ortega, PhD, P.E. – Wantman Group, Inc.  
Quazi Bari, P.E., Senior Professional Engineer – Traffic Division  
Steve Bohovsky, Technical Assistant III - Traffic Division

File: General - TPS - Mun - Traffic Study Review  
F:\TRAFFIC\MMT\MUNICIPALITIES\APPROVALS\2016\161004 - HERON ESTATES.DOC

"An Equal Opportunity  
Affirmative Action Employer"



April 17, 2017

DeAndrae Spradley  
Principal Planner  
City of Riviera Beach  
Planning & Zoning Division  
600 West Blue Heron Blvd.  
Riviera Beach, FL 33404

**RE: Riviera Beach Housing Authority Heron Estates Senior Site Plan (SP-16-20)**  
**2003 West 17th Court**  
**PCN: 56-43-42-31-01-000-0010**

Mr. Spradley,

We respectfully submit the following responses to the City staff departmental review Comments, issued on March 14, 2017 in addition to some comments by email on February 23 for the Heron Estates Senior project.

**Department of Public Works Comments**

**General Comment:**

**No comments received.**

**Site Plan Comment:**

- 1. (Comment not addressed, Phase 2 may never get built and the are in question in within the phase 1 boundary.) The northeast corner of the project area is devoid of purpose, please consider adding a gazebo and a few seats in conjunction with the proposed landscaping to create a congregations areas, conversely a community garden may also be a good utilization of this space.**

Response: The northeast portion of the project will be used for dry detention drainage purposes. In addition, three benches were places just outside of the dry detention to provide some additional use in this area. Please see revised site plan.

- 2. Please confirm in the parking table that the provided parking provided is 259 spaces with an additional 28 handicap spaces for a total of 287 spaces.**

Response: The total amount of parking spaces is 258. This number includes the 29 handicap parking spaces. There are 229 regular parking spaces. Please see updated site plan parking table.

- 3. The private well at the northwest corner appears to be too close to the proposed building in phase 2.**

Response: No requirements were found for the minimum distance between a well and building so long the building is not a contamination source. The well is also a private well.



## **Engineering Plan Comments:**

### **Sheet LP100**

1. **It appears that there is a landscaping proposed within the 12' utility easement along the north side of the project. Please verify that the plantings will not impact existing or proposed utilities.**  
Response: The plantings will not impact any existing or proposed utilities in the easement because the trees follow the "Right Tree, Right Place" guidelines set forth by FP&L.

## **Police Department Comments**

1. **The Police Department defers to its previous comments to the site plan with the additional suggestion of assigned parking for all tenants. The Police Department requests these items in order to maintain and monitor this location and the City's development standards at this site in the future.**  
Response: The previous comments were addressed in the previous response letter. Please see enclosed previous response letter. Property management is willing to mandate assigned parking space for all tenants if it's beneficial and furthers the overall wellbeing of the development.

## **Fire Department Comments**

**No comments received.**

## **Utility District Department Comments**

1. **Show on the plans at the property line, a master meter and backflow assembly where the water enters the property. From the proposed replat it appears the parcel will be private. Therefore the utilities shall be private.**  
Response: The plans were modified to include a master meter and backflow assembly at the site entrance. All utility easements will be removed except for a short run of the water main until after the master meter and backflow assembly. All utilities will be private after the easement. The utility easement will not be shown on the plat as previously submitted and will instead be added under a separate instrument following construction of actual water main.
2. **On the water main (WM) plans, Replace 90 degree bend fittings with 45 degree fittings.**  
Response: 90 degree bends were replaced with 45 degree bends. See revised plan sheet WS-1.
3. **The sewer lines terminate abruptly to the western portions of the planned development. Please indicate how these lines are to be secured to prevent inflow and infiltration problems along with the introduction of dirt into the sewer system.**  
Response: Plugs were added as each sewer main stub out to prevent inflow and infiltration problems. See revised plan sheet WS-1.

4. **If an automatic flusher / blow off is not going to be installed on the dead end of the 8" WM – Please indicate the plan to maintain the water quality.**

Response: A 2" blow off was added to each water main dead end. See revised plan sheet WS-1.

**Drainage Comments (per email from Terrence Bailey on 2/23/2017)**

1. **The fact that the discharge flood stage is higher than the without flood stage caught my eye and upon looking deeper, it appears the receiving system is overstated, see enclosed.**

Response: The discharge flood stages were revised per the attachment provided. Please see revised calculations.

2. **In addition the open space in the storage calculations starts at el 10.5 but it does not appear consistent with the topography and the proposed elevations for finished floor and the roadway design. In the phase 2 calculations, this error provides the site a large amount of storage that might not be achievable when the final design is completed.**

Response: Per suggestion, the open space was modified to better reflect that actual storage provided. The open space was divided into separate groups, one for elevations greater than 11.2' and one for less than 11.2'. This value was determined by using the minimum pavement elevation and adding 6" which is essentially the top of curb elevation. In addition, a more defined detention area was added to the northeast corner of the site to provide additional storage. This area was separated out of the open space to more accurately reflect the provided storage.



TO: Jeff Gagnon, Assistant Director Community Development  
FROM: Terrence N. Bailey, PE  
DATE: 4/26/17  
RE: Heron Estates Site Plan Review- SP-16-20 Review

=====

Engineering Division has reviewed the submittal and the project is satisfactory for advancing to Planning and Zoning.

A handwritten signature in blue ink, appearing to read "T. Bailey", is written over a horizontal line.

Terrence N. Bailey, P.E.  
City Engineer



# MEMORANDUM

To: **DeAndrae Spradley, Principal Planner**  
From: **Leighton Walker, Utilities Engineer**  
Date: **May 2, 2017**  
Re: **Heron Estates Senior Site Plan SP-16-07 (Phase I)**

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Utility District **approves** the site plan and provides the following comment for construction plan review:

1. Add the Utility District's As-built standards and the Mechanical Thrust Restraint table Sheet D3.

LCW



**From:** [Thomas, Steven](#)  
**To:** [Spradley, DeAndrae L.](#)  
**Subject:** FW: Heron Estates  
**Date:** Wednesday, April 19, 2017 9:57:17 PM  
**Attachments:** [Heron Estates SP-16-20, 2nd submittal Police Comments.doc](#)  
[SP-1620 Heron Estates Senior comments - police.docx](#)  
[Heron Estates Comment Response Letter.docx](#)

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Mr. Spradley, I am not sure if you are aware of this correspondence or not. The police department has submitted 3 responses regarding this site plan and has no additional comment. The police department has no objections to the site plan.

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**From:** Lynn Zolezzi [mailto:Lynn.Zolezzi@wginc.com]  
**Sent:** Tuesday, March 28, 2017 14:08  
**To:** Thomas, Steven <ssthomas@Rivierabch.com>  
**Subject:** Heron Estates

Good Afternoon Major Thomas,

Attached is your comments letter regarding our project. The letter references your previous comment letter that is also attached. We addressed these comments in our response letter of 2/3/2017 (attached), so I am unsure if you disagree with our responses or if there is another issue that needs to be discussed.

We have received plan sign off from other department and are now in need of your final sign off. Please call me to me to discuss any outstanding issues that you may have.

Thank you,



**Lynn Zolezzi** AICP Transportation Planning Division Manager

[Lynn.Zolezzi@wginc.com](mailto:Lynn.Zolezzi@wginc.com)

**2035 Vista Parkway, West Palm Beach, FL 33411**

**t.561.687.2220 f.561.687.1110 d.561.537.4541 c.561.309.1523**

[www.wginc.com](http://www.wginc.com)



## CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD.  
(561) 845-4104

• RIVIERA BEACH, FLORIDA 33404  
(561) 845-4137

OFFICE OF THE  
FIRE CHIEF

**TO:** DeAndrae Spradley, Principal Planner

**FROM:** Frank Stallworth, Fire Inspector

**DATE:** November 6, 2016

**SUBJECT:** Site plan review for Heron Estates located at 2014 West 17<sup>th</sup> Court (SP-1616). PC#56-43-42-31-01-000-0010.

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### Comments

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The proposed occupancy is 101 senior apartment units three story in height and 79 multifamily units two story in height. The projects will be completed in two phases.

The Fire Prevention Bureau has the following comments:

The comments listed below are an attempt to provide the contractor/owner with an outline of the fire code requirements.

The developer must consider the city's ordinance requirement that all new buildings totaling 5,000 square feet or more of gross floor area require a complete fire sprinkler system installed in accordance with applicable NFPA codes. This requirement is independent of the type of construction or type of occupancy of the building. Gross floor area shall be computed by determining the entire square footage under roofs, coverings, or permanent awnings, regardless of any separation. The square footage of each floor level shall be counted separately and combined to achieve a total gross floor area. Where required in NFPA 2012~~2~~ edition new buildings, automatic sprinkler systems are installed, they shall be continuously monitored by a certified central station fire alarm system providing service that complies with all requirements of NFPA 70 and 72, National Fire Alarm Code.

An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into this jurisdiction. The minimum fire flow must be 1500 gallons per minute with 20 psi residual in commercially developed areas. The needed fire flow for this project must be considered to ensure that an adequate available fire flow is present in all areas of the site. A fire flow test must be conducted in the area and the resulting available fire flow must be reviewed by an engineer to ensure that the proposed system will meet the demand of a minimum of 1500



gpm at 20 psi of residual pressure in all areas of the development; considering all losses for friction and fixed pressure devices such as a backflow preventer. This data and respective calculations must be included in the civil construction permit submission.

On-site fire hydrants and mains capable of supplying the required fire flow shall be provided when any portion of the facility or building protected is in excess of 350 feet from a water supply on a public street, as measured by an approved exterior route around the facility or building. All measurements for hydrants shall be made in an approved manner around the outside of the building and along an approved access road way. When measuring for hydrant distances, consideration shall be taken when dealing with retaining walls, fencing, swales, or similar obstructions. In addition, a fire hydrant must be located with 100 feet of the fire department connection (FDC) for all buildings with a fire sprinkler system. Lines to which hydrants are connected shall be a minimum of six inches, except those portions of pipe supplying both hydrant and automatic extinguishing system, which shall be at least 8 inch. Each branch shall be provided with a gate valve located as close as possible to the main and shall be restrained by thrust blocks.

Fire lanes shall be marked with freestanding signs or marked curbs, sidewalks, or other traffic surfaces that have the words FIRE LANE — NO PARKING painted in contrasting colors at a size and spacing approved by the authority having jurisdiction.

Fire protection engineering documents shall be prepared in accordance with applicable technology and the requirements of the authority having jurisdiction. The documents shall identify the Engineer of Record for the project. Both the engineer of record for the fire protection system and the delegated engineer, if utilized, shall comply with the requirements of the general responsibility rules, Chapter 61G15-30, F.A.C. and Chapter 61G15-32, F.A.C. Fire protection system engineering drawings, specifications, prescriptive and performance criteria, water supply analysis and other materials or representations, that set forth the overall design requirements and provide sufficient direction for the contractor to layout the construction, alteration, demolition, renovation, repair, modification, permitting and such, for any public or private fire protection system(s), which are prepared, signed, dated and sealed by the Engineer of Record for the Fire Protection System(s) must be submitted with the general construction documents pursuant to Section 553.79(6), F.S.

Each building greater than 5000 square feet shall be provided with a lock box (Knox or Supra) containing the necessary keys for fire department access, the location of which will be coordinated with the Fire Marshal. Gates obstructing access roads shall have a Knox-box padlock or Knox-box key access.

Licensed fire sprinkler contractor is required to **submit shop drawings** that include a stamped approval by the engineer of record. Fire sprinkler installation shall comply with NFPA 13, state and local ordinances. **NFPA 1-18:** Drawings shall include fire apparatus access plan.

licensed fire alarm contractor is required to **submit shop drawings** that include a stamped approval by the engineer of record, voltage calculations, battery calculations, all wire sizes and types, and all device types and locations for approval prior to the installation of any part of the system. Fire alarm installation shall comply with NFPA 70 and 72, state and local ordinances.

If there are any questions regarding these requirements, please feel free to contact me at 561-845-4106.

C: Department file.

**TO:** Deandrae Spradley, Principal Planner  
**FROM:** Frank Stallworth, Fire Inspector  
**DATE:** February 12, 2017  
**SUBJECT:** 2<sup>nd</sup> submittal site plan review for the Heron Estates Senior (SP-16-16)

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**Comments**

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The Fire Prevention Bureau has received and reviewed the site plans for 2003 West 17<sup>th</sup> Court.  
The Fire Prevention has no comments.

*JS*  
*2/13/17*



HERON ESTATES SITE PLAN  
COMMUNITY MEETING  
SIGN-IN SHEET  
RBHA ADMINISTRATION BUILDING  
May 16, 2017  
5:30 P.M.

NAME	ADDRESS	EMAIL	PHONE
JOHN HURT	RBHA	JHURT@RIVIERA-BEACH.HA.COM	561-845-7450
LYNN ZIEZZI	WGI - 2035 Vista Parkway, WPB	LYNN.ZIEZZI@WGINC.COM	561-309-1523
Jason Lanson	HTG - 3225 Aviation Ave Ste 602 <sup>Coconut</sup> <sub>Grove, FL 33133</sub>	janson1@htg.com	561 523 3289
Edwin Muller	WGI - 2035 Vista Parkway, WPB	Edwin.Muller@wginc.com	
Bryan Fennie	HTG	bryan.f@htg.com	385-778-987
John Nelson	400 N. 15th St Palatka FL 32177	jnelson@palatka.org	886-329-0132
Horace Towns		horace.Towns@RivieraBeachHA.com	561-644-8491
KEN BURGESS	Riv. Bch, FL	thisisourhouse1@yahoo.com	(561) 856-6250
Jeffery Jackson	RBHA	jack3177@aol.com	561-632-7579



**STAFF REPORT – CITY OF RIVIERA BEACH  
HERON ESTATES PLAT, CASE NUMBER PA-16-06  
PLANNING AND ZONING BOARD, JUNE 8, 2017**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE HERON LAKES SENIOR CENTER PLAT FROM THE RIVIERA BEACH HOUSING AUTHORITY, APPROXIMATELY +/- 15.37 ACRES, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-31-01-000-0010, LOCATED WEST OF CONGRESS AVENUE; AND PROVIDING FOR AN EFFECTIVE DATE.

- 
- A. Applicant:** Riviera Beach Housing Authority; Wantman Group, Inc. “WGI” – Authorized Agent.
- B. Request:** The applicant is requesting plat approval in conjunction with the request for site plan approval to build 101 Senior Living Apartments (Phase 1) and 79 Multifamily Units (Phase 2) at the location formerly known as Ivey Green Village.
- C. Location:** The proposed site is located west of (and adjacent to) Congress Avenue, south of Blue Heron Boulevard and north of Dr. Martin Luther King Jr. Blvd.

**D. Property Description and Uses:** The subject property description and uses are as follows:

<u>Parcel Control Number:</u>	56-43-42-31-01-000-0010.
<u>Parcel Size:</u>	+/- 15.37 acres.
<u>Existing Use:</u>	Vacant Lot (except for two small structures, approximately 3,000 square feet total area.
<u>Zoning:</u>	Low Density Multiple Family (RML-12) District.
<u>Future Land Use:</u>	Medium Density Multiple Family Residential.

**E. Adjacent Property Description and Uses:**

<u>North:</u>	Industrial; I-PUD Zoning Designation and Industrial Future Land Use.
<u>South:</u>	Spinnaker Landing Residential Development; Multiple Family Dwelling District (RM-15) Zoning and Medium Density Multiple Family Residential Future Land Use.
<u>East:</u>	Congress Avenue and Congress Lakes Residential Development; Single Family Dwelling District (RS-8) Zoning and Single Family Residential Future Land Use.
<u>West:</u>	South Florida Water Management District Canal; Utilities Zoning District and Utilities Future Land Use.



## **F. Background:**

In October 2016, Wantman Group, Inc. (WGI), authorized agent for the Riviera Beach Housing Authority, submitted an application for site plan approval. In order to implement the proposed site plan, a new plat is required and is being presented concurrently with the site plan. The following staff analysis has been prepared for your review:

## **G. Staff Analysis:**

**Proposed Development/Use:** The applicant is proposing to build 101 Senior Living Apartments (Phase 1) and 79 Multifamily Units (Phase 2). This plat is required in order to implement the proposed site plan.

**Zoning Regulations:** The proposed plat is consistent with the City's Land Development Regulations.

**Comprehensive Plan:** The proposed plat is consistent with the City's Comprehensive Plan.

**Compatibility:** N/A, This plat is required in order to implement the proposed site plan.

**Levels of Service:** City services such as roads, water, sewer, and garbage collection are currently available to the site.

**Landscaping:** N/A.

**Parking/Traffic:** N/A.

**H. Staff Conclusion:** City staff advises that the Planning and Zoning Board review and consider all information presented and provide a recommendation to the City Council.

HERON LAKES SENIOR CENTER

A REPLAT OF ALL OF TRACTS "A" THROUGH "X", "WESTSIDE ESTATES (P.B. 31, PAGES 81& 82, P.B.C.R.), TOGETHER WITH THE VACATED RIGHT-OF-WAY FOR WEST 17TH COURT (O.R.B. 18430, PG. 789, P.B.C.R.).

IN THE NW 1/4 OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 43 EAST

CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA.

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THIS PLAT WAS FILED FOR  
RECORD AT \_\_\_\_\_  
THIS \_\_\_\_ DAY OF \_\_\_\_\_,  
201\_\_\_\_, AND DULY RECORDED  
IN PLAT BOOK \_\_\_\_ ON PAGES  
\_\_\_\_ THROUGH \_\_\_\_  
DOROTHY H. WILKEN, CLERK  
  
BY: \_\_\_\_\_DC

SHEET 1 OF 2

DESCRIPTION, DEDICATION AND RESERVATION

KNOW ALL MEN BY THESE PRESENTS THAT RIVIERA BEACH HOUSING AUTHORITY, A PUBLIC BODY CORPORATE AND POLITIC CREATED PURSUANT TO THE LAWS OF THE STATE OF FLORIDA, OWNER OF THE LANDS SHOWN HEREON, BEING A REPLAT OF A PORTION OF "WESTSIDE ESTATES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 31, PAGES 81 AND 82 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN THE NORTHEAST ONE-QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, AND SHOWN HEREON AS "HERON LAKES SENIOR CENTER", AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF TRACTS "A" THROUGH "X", "WESTSIDE ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 31, PAGES 81 AND 82, TOGETHER WITH THE VACATED RIGHT-OF-WAY FOR WEST 17TH COURT, AS RECORDED IN OFFICIAL RECORDS BOOK 18430, PAGE 789, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE IN THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AND CONTAIN 15.370 ACRES, MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AS FOLLOWS:

1.

TRACT A, AS SHOWN HEREON, IS HEREBY RESERVED BY RIVIERA BEACH HOUSING AUTHORITY, A PUBLIC BODY CORPORATE AND POLITIC CREATED PURSUANT TO THE LAWS OF THE STATE OF FLORIDA, FOR PURPOSES CONSISTANT WITH THE ZONING CODE OF THE CITY OF RIVIERA BEACH.
2.

THE 12.00 FOOT WIDE UTILITY EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED IN PERPETUITY FOR THE CONSTRUCTION AND MAINTENANCE OF UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS. THE INSTALLATION OF CABLE TELEVISION SYSTEMS SHALL NOT INTERFERE WITH THE CONSTRUCTION, AND MAINTENANCE OF OTHER UTILITIES.
3.

THE DRAINAGE EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED IN PERPETUITY FOR THE CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES.

IN WITNESS WHEREOF, RIVIERA BEACH HOUSING AUTHORITY, A PUBLIC BODY CORPORATE AND POLITIC CREATED PURSUANT TO THE LAWS OF THE STATE OF FLORIDA, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS \_\_\_\_\_ AND ATTESTED BY ITS SECRETARY, AND ITS SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_.

RIVIERA BEACH HOUSING AUTHORITY,  
A PUBLIC BODY CORPORATE AND POLITIC  
CREATED PURSUANT TO THE LAWS OF  
THE STATE OF FLORIDA

ATTEST: \_\_\_\_\_ SECRETARY BY: \_\_\_\_\_

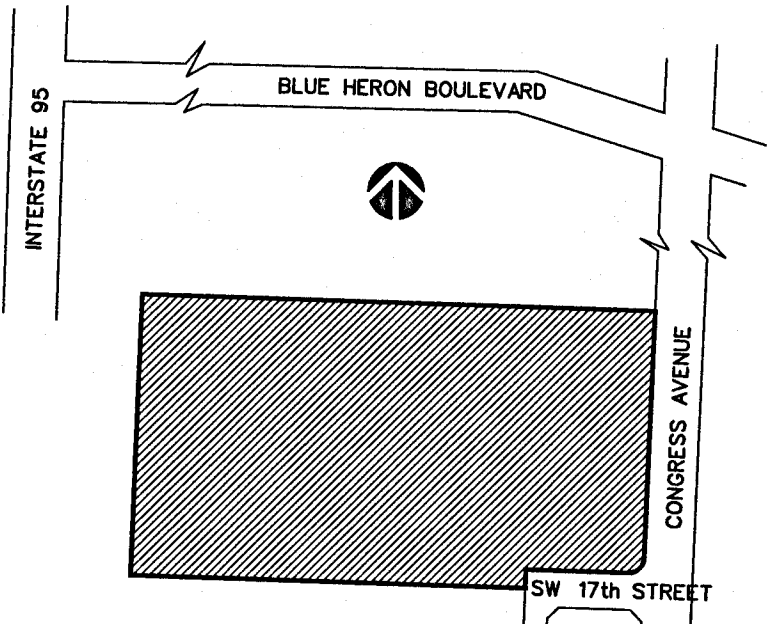
NOTARY

STATE OF FLORIDA )  
COUNTY OF PALM BEACH ) SS

BEFORE ME PERSONALLY APPEARED \_\_\_\_\_ AND \_\_\_\_\_, WHO ARE PERSONALLY KNOWN TO ME OR HAVE PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS \_\_\_\_\_ OF THE RIVIERA BEACH HOUSING AUTHORITY, A PUBLIC BODY CORPORATE AND POLITIC CREATED PURSUANT TO THE LAWS OF THE STATE OF FLORIDA, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT THEY EXECUTED SUCH INSTRUMENT AS SUCH OFFICERS OF SAID CORPORATION, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATION AND THAT IT IS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION, WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_.

MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC

PRINT NAME: \_\_\_\_\_



LOCATION MAP  
NOT TO SCALE

CITY OF RIVIERA BEACH APPROVAL OF PLAT

STATE OF FLORIDA )  
COUNTY OF PALM BEACH ) SS

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS BEEN OFFICIALLY APPROVED FOR RECORDS BY THE CITY OF RIVIERA BEACH, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_.

BY: \_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR  
BY: \_\_\_\_\_  
CLAUDENE L. ANTHONY, CMC  
CITY CLERK  
BY: \_\_\_\_\_  
\_\_\_\_\_, P.E.  
CITY ENGINEER

CERTIFICATE OF REVIEW BY CITY'S SURVEYOR

ON BEHALF OF THE CITY OF RIVIERA BEACH, THE UNDERSIGNED, A LICENSED PROFESSIONAL SURVEYOR AND MAPPER, HAS REVIEWED THIS PLAT FOR CONFORMITY TO CHAPTER 177, PART 1, FLORIDA STATUTES.

DATE: \_\_\_\_\_  
\_\_\_\_\_  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA  
CERTIFICATE NO.

TITLE CERTIFICATION

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )

I, \_\_\_\_\_, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HERON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED TO RIVIERA BEACH HOUSING AUTHORITY, A PUBLIC BODY CORPORATE AND POLITIC CREATED PURSUANT TO THE LAWS OF THE STATE OF FLORIDA, THAT THE CURRENT TAXES HAVE BEEN PAID; THAT THERE ARE NO MORTGAGES OF RECORD, AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATE \_\_\_\_\_ BY: \_\_\_\_\_, ATTORNEY AT LAW  
MEMBER OF THE FLORIDA BAR

NOTES:

01.

BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR FLORIDA EAST ZONE, BASED ON THE NORTH LINE OF SAID SECTION 31 HAVING A BEARING OF NORTH 88°19'41" WEST, ACCORDING TO DATA GATHERED FROM PALM BEACH COUNTY CONTROL POINTS GUM AND FRIDGE.
02.

NO BUILDINGS OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE CITY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.
03.

BUILDING SETBACK LINES SHALL BE AS REQUIRED BY CURRENT CITY OF RIVIERA BEACH ZONING REGULATIONS.
04.

IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES DETERMINED BY USE OF RIGHTS GRANTED.
05.

ALL LINES WHICH INTERSECT CURVED LINES ARE RADIAL UNLESS NOTED AS BEING NON-RADIAL (N.R.)
06.

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
07.

ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES. PROJECT SCALE FACTOR IS 1.00004.

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.'S") HAVE BEEN PLACED AS REQUIRED BY LAW, AND FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED.

DATE \_\_\_\_\_ JEFF S. HODAPP, \_\_\_\_\_  
SURVEYOR AND MAPPER  
FLORIDA LICENSE NO. LS5111  
PERIMETER SURVEYING AND MAPPING, INC.  
CERTIFICATE OF AUTHORIZATION NO. LB7264

REVIEWING SURVEYOR		CITY OF RIVIERA BEACH		SURVEYOR	

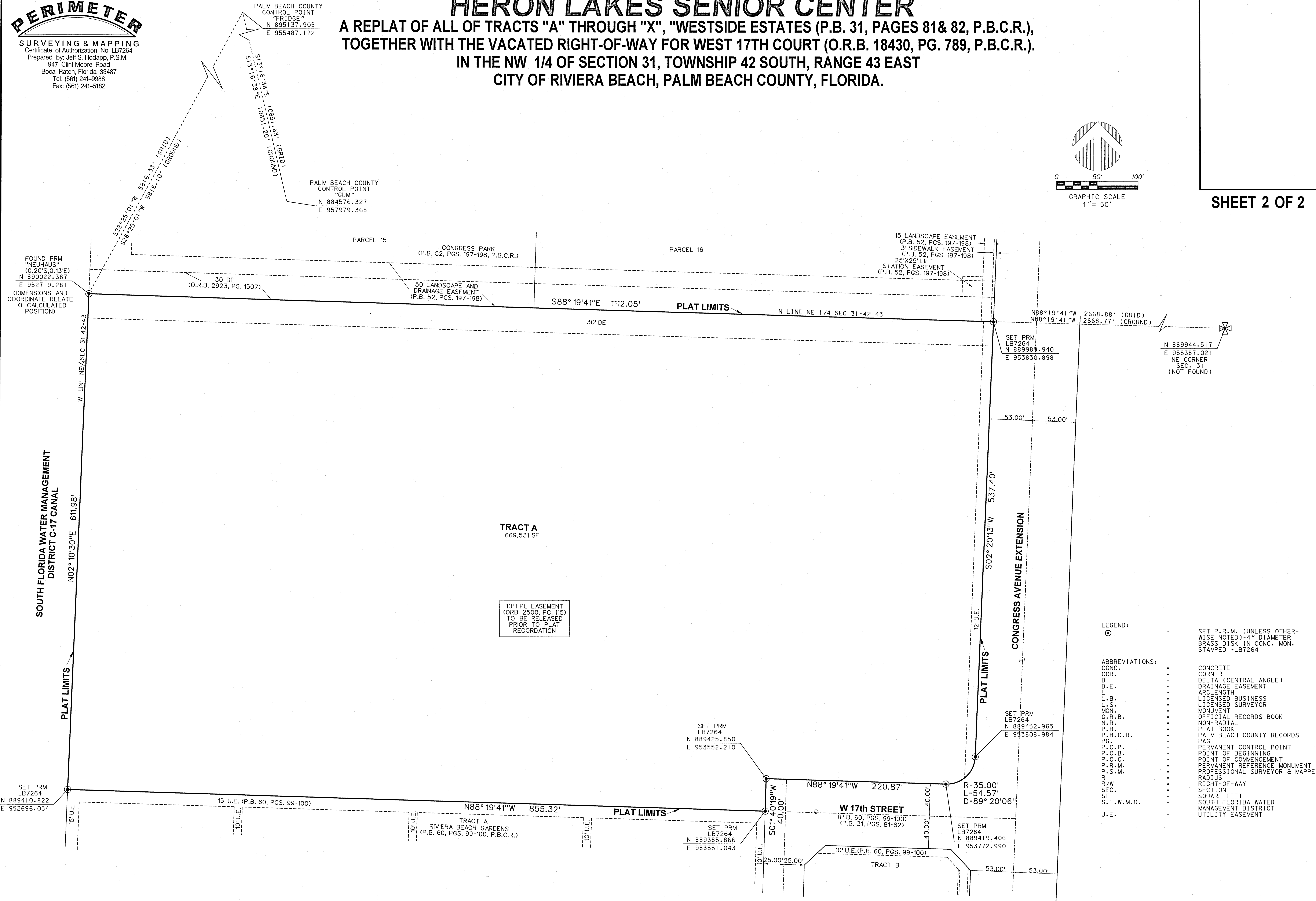
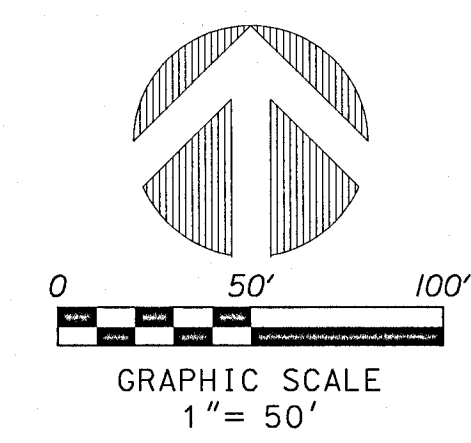


**PERIMETER**

**SURVEYING & MAPPING**  
Certificate of Authorization No. LB7264  
Prepared by: Jeff S. Hodapp, P.S.M.  
947 Clint Moore Road  
Boca Raton, Florida 33487  
Tel: (561) 241-9988  
Fax: (561) 241-5182

# HERON LAKES SENIOR CENTER

A REPLAT OF ALL OF TRACTS "A" THROUGH "X", "WESTSIDE ESTATES (P.B. 31, PAGES 81& 82, P.B.C.R.), TOGETHER WITH THE VACATED RIGHT-OF-WAY FOR WEST 17TH COURT (O.R.B. 18430, PG. 789, P.B.C.R.) IN THE NW 1/4 OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 43 EAST CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA.



- LEGEND:**
- CONC. COR. CONCRETE CORNER
  - D DELTA (CENTRAL ANGLE)
  - D.E. DRAINAGE EASEMENT
  - L ARCLNGTH
  - L.B. LICENSED BUSINESS
  - L.S. LICENSED SURVEYOR
  - MON. MONUMENT
  - O.R.B. OFFICIAL RECORDS BOOK
  - N.R. NON-RADIAL
  - P.B. PLAT BOOK
  - P.B.C.R. PALM BEACH COUNTY RECORDS
  - PG. PAGE
  - P.C.P. PERMANENT CONTROL POINT
  - P.O.B. POINT OF BEGINNING
  - P.O.C. POINT OF COMMENCEMENT
  - P.R.M. PERMANENT REFERENCE MONUMENT
  - P.S.M. PROFESSIONAL SURVEYOR & MAPPER
  - R RADIUS
  - R/W RIGHT-OF-WAY
  - SEC. SECTION
  - S.F. SQUARE FEET
  - S.F.W.M.D. SOUTH FLORIDA WATER MANAGEMENT DISTRICT
  - U.E. UTILITY EASEMENT
- SET P.R.M. (UNLESS OTHERWISE NOTED)-4" DIAMETER BRASS DISK IN CONC. MON. STAMPED •LB7264



**STAFF REPORT – CITY OF RIVIERA BEACH  
MOBILE VENDOR ORDINANCE  
PLANNING AND ZONING BOARD – JUNE 8, 2017**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10 OF THE CITY'S CODE OF ORDINANCES ENTITLED, "LENCENSES AND BUSINESS REGULATIONS", ARTICLE VIII, ENTITLED "MOBILE VENDORS", TO AMEND EXISTING REGULATIONS AND TO CREATE NEW REGULATIONS FOR MOBILE VENDOR USES WITHIN THE CITY; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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- A. Applicant:** City initiated process.
- B. Request:** To amend the City's existing Mobile Vendor regulations to provide for additional Mobile Vendor opportunities throughout the City; more specifically, along the Blue Heron Boulevard and Broadway Corridor, including the City's Marina District.
- C. Location:** This Ordinance would have a citywide impact, however, amendments are focused on promoting Mobile Vendor uses along the Blue Heron Boulevard and Broadway Corridor.
- D. Background and Staff Analysis:** The City's current Mobile Vendor Code was approved in 2009 by Ordinance No. 3059. Since that time, Mobile Vendor uses (including food trucks and food trailers) have become more popular. Amendments to the existing Mobile Vendor Code are required in order to provide additional opportunities for Mobile Vendor uses along the Blue Heron Boulevard and Broadway Corridor; including the City's Marina District and within Bicentennial Park.

Proposed amendments are attached to this staff report. Proposed additions are underlined and proposed deletions are shown in ~~strikethrough~~ format.

- E. Recommendation:** City staff advises that the Planning and Zoning Board review and consider all information presented and provide a recommendation to City Council.



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10 OF THE CITY'S CODE OF ORDINANCES ENTITLED, "LICENSES AND BUSINESS REGULATIONS", ARTICLE VIII, ENTITLED "MOBILE VENDORS", TO AMEND EXISTING REGULATIONS AND TO CREATE NEW REGULATIONS FOR MOBILE VENDOR USES WITHIN THE CITY; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Riviera Beach's Code of Ordinances controls and directs the location of mobile vendors throughout the City; and

**WHEREAS**, the City's Code of Ordinances defines a mobile vending unit as "any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand or other device designed to be portable and not permanently attached to the ground from which goods, wares, merchandise or food is peddled, vended, sold, displayed, offered for sale or given away"; and

**WHEREAS**, the popularity of food trucks, popup restaurants, and mobile festivals has become prevalent, the City has received an increase in the number of merchants seeking mobile vendor licenses; and

**WHEREAS**, to promote and encourage mobile vendors along the Blue Heron Boulevard and Broadway corridors, City Staff has prepared the code revisions regarding mobile vendors within the City contained in this Ordinance; and

**WHEREAS**, the City Council of the City of Riviera Beach desires to adopt these updated code provisions and believes that the updated code provisions contained in this Ordinance will serve to benefit the citizens of Riviera Beach by making access to a variety of food choices a reality by reduction in the pockets of food desert and will protect the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, THAT:**

**SECTION 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption thereof.

**SECTION 2.** Chapter 10 of the Code of Ordinances of the City of Riviera Beach entitled Licenses and Business Regulations is hereby amended at Article VIII Section 10-262 "Definitions" as follow:

The following words, term and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicated a different meaning.

Blue Heron Civic District: Any parcel within 200 feet of Blue Heron Boulevard from President Barack Obama Highway to North Ocean Avenue.

Certificate of occupancy: means a certificate issued by the City of Riviera Beach Building Official to a builder or renovator, indicating that the building is in proper condition to be occupied.

Disposable tableware: Eating and drinking utensils made of paper and/or plastic that are disposed of after initial use.

Ice cream truck: A motor vehicle utilized as the point of retail sales of prewrapped or prepackaged ice cream, frozen yogurt, frozen custard, flavored frozen water or similar frozen dessert products.

Broadway Commercial District: Any parcel within 200 feet of Broadway from the northern City limits at Silver Beach Road to the southern City limits at the Port of Palm Beach parcel.

Mobile vending unit: Any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand or other device designed to be portable and not permanently attached to the ground from which goods, wares, merchandise or food is peddled, vended, sold, displayed, offered for sale or given away.

Mobile vendor: A person who peddles, vends, sells, displays, offers to sell or gives away merchandise from a mobile vending unit which is parked or located on a parcel of private property.

Mobile vending operation: Peddling, vending, selling, displaying, offering for sale or giving away goods, wares, merchandise or food from a mobile vending unit located on private property.

Prepackaged food: means any properly labeled and processed food, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, and prepared at an approved source.

Restricted mobile vendor: A mobile vendor offering only prepackaged food, snow cones, raw produce, or prepackaged ice cream from a mobile vending unit, or a mobile automobile detailer.



Manufactured Metal Facility: The use of a steel intermodal shipping container(s) as a mobile vending operation. Such facility shall be subject to architectural and design standards set forth in the City Code.

Street-side vendor or road-side vendor: A person who peddles, vends, sells, displays, offers to sell or gives away any food products, wares, or merchandise while located in or on a public street, sidewalk, or right-of-way.

Temporary mobile vendor: A person and or group who peddles, vends, sells, displays, offers to sell or gives away merchandise from a mobile vending unit for less than 15 days per calendar year.

**SECTION 3.** Chapter 10 of the Code of Ordinances of the City of Riviera Beach entitled Licenses and Business Regulations is hereby amended at Article VIII Section 10-263 "Permitted Locations" as follow:

- (a) Mobile vendors, except for ice cream trucks and mobile automobile detailers, are not permitted in the following districts: RS-5, RS-6, RS-8, RML-12, RD-15, RM-15, RMH-15, RMH-20, or RM-20.
- (b) Mobile vendors are not permitted to conduct business in any area that is a public right-of-way.
- (c) Mobile vendors shall not operate in parking spaces, driveways, landscape medians, easements, or fire lanes.
- (d) Mobile vendors shall not operate on vacant, unimproved lots.
- (e) Mobile vendors shall be located only on private property where an existing, permanent business operates in a building with a certificate of occupancy.
  - (1) Mobile vendors shall provide the city with a notarized copy of the "Mobile Vendor Access Agreement Form" on an annual basis.
- (f) Mobile vendors shall submit a sketch depicting the location of the mobile vendor on the property, including the designated parking spaces.
- (g) Mobile vendors shall be located within 100 feet of an entrance of a primary building that holds the certificate of occupancy.
- (h) Mobile vendors shall be setback a minimum of 35 feet from all intersections.
- (i) Mobile vendors shall be setback a minimum of 20 feet from all roads.
- (j) Mobile vendors are not allowed within 300 feet of a school, playground, or childcare facility.
- (k) Mobile vendors are not allowed to operate within 100 feet of another licensed mobile vendor.
- (l) Mobile vendors are prohibited in a temporary building, tent, or structure.
- (m) Broadway Commercial District and Blue Heron Civic District. The Broadway Commercial District and Blue Heron Civic District shall serve as an overlay area in the City and the following shall apply:

- (1) Within the Broadway Commercial District and Blue Heron Civil District, mobile operators and manufactured metal container facilities shall only operate in locations approved by the City of Riviera Beach. Within the Marina District area, mobile operators and manufactured metal facilities shall only operate in locations approved by the Community Redevelopment Agency in advance of approval by the City of Riviera Beach.
- (2) All mobile vendor operators and manufactured metal facilities must meet design features set forth by the City of Riviera Beach.
- (3) Mobile vendors shall submit a sketch depicting the location of the mobile vendor on the property, including the designated parking spaces.
- (4) Mobile Vendors shall be setback a minimum of 35 feet from all intersections.

**SECTION 4.** Chapter 10 of the Code of Ordinances of the City of Riviera Beach entitled Licenses and Business Regulations is hereby amended at Article VIII Section 10-264 "Hours of Operation" as follow:

- (a) Mobile vendors may operate only during the business hours of the primary business on the property.
  - (1) Mobile vendors are restricted to the following hours of operation:
    - a. Monday to Thursday: 7:00 a.m. to Midnight.
    - b. Friday and Saturday: 8:00 a.m. to Midnight.
    - c. Sunday: 12:00 p.m. to 6:00 p.m.
- (b) A mobile vendor shall not operate between the hours of 12:00 a.m. and 6:00 a.m.
- (c) The mobile vending unit shall be removed from the site during the hours of nonoperation. Any semi-permanent structure used and/or associated with the mobile vending operation shall also be removed from the site during hours of nonoperation.
- (d) Broadway Commercial District and Blue Heron Civic District. The Marina Village Boundary and Blue Heron Civic District shall serve as an overlay area in the City and the following shall apply:
  - (1) Within the Broadway Commercial District and Blue Heron Civil District, mobile operators and manufactured metal facilities shall only operate within the following hours of operation:
    - a. Monday to Saturday: 7:00 a.m. to Midnight.
    - b. Sunday: 8:00 a.m. to 10:00 p.m.



- (2) A mobile vendor shall not operate between the hours of 12:00 am and 6 a.m.
- (3) The mobile vending unit shall be removed from the site during the hours of non-operation unless approved by the City of Riviera Beach and the Community Redevelopment Agency for areas within the Marina District area. Mobile vendors shall not remain onsite in excess of 100 days without approval of the Riviera Beach City Council.

**SECTION 5.** Chapter 10 of the Code of Ordinances of the City of Riviera Beach entitled Licenses and Business Regulations is hereby amended at Article VIII Section 10-265 "Signage" as follow:

- (a) All signs advertising for the mobile vending unit must meet the following requirements;
  - (1) Signs must be placed flat against the mobile vending unit.
    - a. Sandwich board signs are prohibited.
    - b. Any type of design or artwork that advertises the use of the mobile vending unit is considered to be a sign.
  - (2) Signs may not be larger than nine square feet.
  - (3) No more than three signs may be placed on the mobile vending unit.
  - (4) All signs must be approved by the city prior to being posted.
- (b) Mobile vendors are prohibited from using right-of-way signs and off-premises signs.
- (c) Broadway Commercial District and Blue Heron Civic District. The Broadway Commercial District and Blue Heron Civic District shall serve as an overlay area in the City and the following shall apply:
  - (1) Alternate signage may be installed if approved by the City of Riviera Beach or the Community Redevelopment Agency for areas within the Marina District, and in compliance with the City of Riviera Beach Sign Code of Ordinances.

**SECTION 6.** Chapter 10 of the Code of Ordinances of the City of Riviera Beach entitled Licenses and Business Regulations is hereby amended at Article VIII Section 10-266 "Exemptions and Restrictions" as follow:

- (a) Temporary connections to potable water are prohibited. Water shall be from an internal tank within the mobile vending unit, and electricity shall be from a

generator or a main power supply via a portable cord that is in conformance with the ~~City of Riviera Beach Electrical~~ Florida Building Code. Within the Broadway Commercial District and Blue Heron Civic District, temporary connections to potable water are prohibited unless approved by the City of Riviera Beach and the Community Redevelopment Agency for areas within the Marina District area. Such improvements shall be installed in conformance to the Florida Building Code.

- (b) A mobile vendor shall at no time make use of any outdoor cooking facilities.
  - (1) Exceptions to this rule may be made by the ~~planning and zoning administrator~~ Director of Community Development when the outdoor cooking facility is permanently attached to the mobile vending unit.
- (c) A mobile vendor shall at no time utilize outdoor storage, or warming or refrigeration devices, except for disposable tableware.
- (d) A drive through is not permitted in conjunction with the mobile vendor.
- (e) The mobile vendor shall install signage in a visible location on the mobile vending unit in a visible location indicating that loitering is not permitted and customers may only remain on the site for up to ten minutes after receiving their merchandise.
- (f) The area within which a mobile vending unit is operating shall at all times be kept clean and free from litter, garbage, rubble and debris.
- (g) Mobile vendors providing food or beverage intended for immediate consumption must provide a trash receptacle within ten feet of the mobile vending unit.
- (h) The use of amplified music is prohibited, except when used in the operation of an ice cream truck. Within the Broadway Commercial District and Blue Heron Civic District, the use of amplified music is prohibited, except as approved by the City of Riviera Beach and the Community Redevelopment Agency for areas within the Marina District area. The use of amplified music shall comply with all applicable City Codes and Ordinances.
- (i) The use of temporary or portable lighting is prohibited except that which is required to illuminate the serving area of the mobile vending unit.
- (j) No mobile vending unit shall be larger than 20 feet long by ten feet wide by ten feet high. Within the Broadway Commercial District and Blue Heron Civic District, no mobile vending unit shall be larger than 40 feet long by 20 feet wide by 20 feet high, unless approved by the City of Riviera Beach and the Community Redevelopment Agency for areas within the Marina District area.
- (k) The current business tax receipt must be posted in a visible location on the mobile vending unit.
- (l) A mobile vendor participating in a special event or event under this Code will be required to pay the registration fees set forth in section 10-121 and comply with the requirement of this article prior to participating in said event.

**SECTION 7.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent



jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 8.** All Ordinances or parts of Ordinances in conflict herewith or to the extent of such conflict shall be repealed.

**SECTION 9.** This Ordinance shall take effect upon its final passage and approval by the City Council.

**ORDINANCE NO.**\_\_\_\_\_  
**PAGE 8 of 9**

**PASSED AND APPROVED** on the first reading this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_ 2017.

**PASSED AND ADOPTED** on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_ 2017.

**APPROVED:**

\_\_\_\_\_  
**THOMAS A. MASTERS**  
**MAYOR**

\_\_\_\_\_  
**KASHAMBA MILLER-ANDERSON**  
**CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**CLAUDENE L. ANTHONY**  
**CERTIFIED MUNICIPAL CLERK**  
**CITY CLERK**

\_\_\_\_\_  
**TONYA DAVIS JOHNSON**  
**CHAIR PRO TEM**

\_\_\_\_\_  
**LYNNE L. HUBBARD**  
**COUNCILPERSON**

\_\_\_\_\_  
**DAWN S. PARDO**  
**COUNCILPERSON**

\_\_\_\_\_  
**TERENCE D. DAVIS**  
**COUNCILPERSON**



ORDINANCE NO. \_\_\_\_\_  
PAGE 9 of 9

**1<sup>ST</sup> READING**

**MOTIONED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**L. HUBBARD** \_\_\_\_\_

**K. MILLER-ANDERSON** \_\_\_\_\_

**T. DAVIS JOHNSON** \_\_\_\_\_

**D. PARDO** \_\_\_\_\_

**T. DAVIS** \_\_\_\_\_

**2<sup>ND</sup> & FINAL READING**

**MOTIONED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**L. HUBBARD** \_\_\_\_\_

**K. MILLER-ANDERSON** \_\_\_\_\_

**T. DAVIS JOHNSON** \_\_\_\_\_

**D. PARDO** \_\_\_\_\_

**T. DAVIS** \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

\_\_\_\_\_  
ANDREW DEGRAFFENREIDT, ESQ.  
CITY ATTORNEY

DATE: \_\_\_\_\_



**STAFF REPORT – CITY OF RIVIERA BEACH  
FLOODPLAIN MANAGEMENT ORDINANCE  
PLANNING AND ZONING BOARD – JUNE 8, 2017**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REVISING ORDINANCE NO. 4088 ADOPTING CHAPTER 25 OF THE CITY'S CODE OF ORDINANCE ENTITLED "FLOOD PREVENTION AND PROTECTION" TO SUPPLEMENT THE WHEREAS CLAUSES TO REFERENCE STATUTORY AUTHORITY RELATED TO THE FLORIDA BUILDING CODE; TO MAKE TWO EDITORIAL CHANGES; TO ADD A FISCAL IMPACT STATEMENT RELATED TO AMENDING THE FLORIDA BUILDING CODE; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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- A. Applicant:** City initiated process.
- B. Request:** To make minor amendments to the City's existing Flood Prevention and Protection Ordinance which was adopted on December 21, 2016.
- C. Location:** This Ordinance would have a citywide impact.
- D. Background and Staff Analysis:** The City recently amended the Flood Prevention and Protection Ordinance in order to implement the Florida Division of Emergency Management's model floodplain management ordinance. This was a required element for continued participation in the Community Rating System (CRS) associated with the National Flood Insurance Program (NFIP). The aforementioned amendment was reviewed by the Planning and Zoning Board on October 27, 2016, resulting in a unanimous recommendation of approval. The Ordinance was then presented to the City Council on December 7, 2016 and December 21, 2016, resulting in approval and adoption by Ordinance No. 4088.

Since December 21, 2016, the Federal Emergency Management Agency (FEMA) has issued correspondence regarding final Flood Hazard Determinations (FHD) for the City. Additional amendments to Ordinance No. 4088 are required in order to satisfy all FEMA requirements and to make the City eligible for continued participation in the NFIP and CRS. Prior to October 5, 2017, the City must approve and adopt these amendments which meet the standards of Paragraph 60.3(e) of the NFIP regulations.

Proposed amendments are attached to this staff report. Proposed additions are underlined and proposed deletions are shown in ~~strike through~~ format.

- E. Recommendation:** City staff advises that the Planning and Zoning Board review and consider all information presented and provide a recommendation to City Council.



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REVISING ORDINANCE NO. 4088 ADOPTING CHAPTER 25 OF THE CITY'S CODE OF ORDINANCE ENTITLED "FLOOD PREVENTION AND PROTECTION" TO SUPPLEMENT THE WHEREAS CLAUSES TO REFERENCE STATUTORY AUTHORITY RELATED TO THE FLORIDA BUILDING CODE; TO MAKE TWO EDITORIAL CHANGES; TO ADD A FISCAL IMPACT STATEMENT RELATED TO AMENDING THE FLORIDA BUILDING CODE; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**WHEREAS**, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of Riviera Beach and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

**WHEREAS**, Riviera Beach was accepted for participation in the National Flood Insurance Program on September 22, 1972 and the City Council desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

**WHEREAS**, Chapter 25 of the City's Code of Ordinances, entitled, "Flood Prevention and Protection" was approved in 2002 by Ordinance No. 2929 and repealed and replaced on December 21, 2016 by Ordinance No. 4088, "Floodplain Management;" and

**WHEREAS**, the Federal Emergency Management Agency has updated and revised the Flood Insurance Study and Flood Insurance Rate Maps that apply to the City of Riviera Beach; and

**WHEREAS**, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment,

interpretation and enforcement of a state building code, called the *Florida Building Code*; and

**WHEREAS**, the City Council adopted requirements (1) to increase the minimum elevation requirement for buildings and structures in flood hazard areas; and (2) establish requirements for critical facilities in flood hazard areas prior to July 1, 2010 and, pursuant to section 553.73(5), F.S., formatted those requirements to coordinate with the Florida Building Code as part of Ordinance No. 4088; and

**WHEREAS**, on [INSERT DATE THIS ORD IS REVIEWED], the Planning and Zoning Board reviewed and [unanimously] recommended approval of this revision to Ordinance No. 4088 to the City Council; and

**WHEREAS**, the City Council has determined that it is in the public interest to amend the proposed floodplain management regulations that are coordinated with the *Florida Building Code*.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1.** The foregoing recitals are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

**SECTION 2.** Chapter 25 of the Code of Ordinances of the City of Riviera Beach, entitled "Floodplain Management," is modified to read as follows (additions are underlined and deletions appear in ~~strikethrough~~ format):

#### **Sec. 25-2. APPLICABILITY**

**(3) Basis for establishing flood hazard areas.** The Flood Insurance Study for Palm Beach County, Florida and Incorporated Areas dated October 5, 2017, Wave Height Analysis, City of Riviera Beach, FL dated March 31, 1982, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Building Department at 600 W Blue Heron Blvd, Riviera Beach, FL 33404.

#### **Sec. 25-8. VIOLATIONS**

**(1) Violations.** Any development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this ordinance, shall be deemed a violation of this ordinance. A building or structure



without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this ordinance or the *Florida Building Code* is presumed to be a violation until such time as that documentation is provided.

**(2) Authority.** For development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

**(3) Unlawful continuance.** Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by Chapter 22, ~~section 109.4~~ of the Code of Ordinances.

#### **Sec. 25-34. MANUFACTURED HOMES**

**(1) General.** All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this ordinance. If located seaward of the coastal construction control line, all manufactured homes shall comply with the more restrictive of the applicable requirements.

**(2) Foundations.** All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:

- a. In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the *Florida Building Code, Residential* Section R322.2 and this ordinance. Foundations for manufactured homes subject to subsection ~~25-304.6~~ 25-34(6) are permitted to be reinforced piers or other foundation elements of at least equivalent strength.
- b. In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the *Florida Building Code, Residential* Section R322.3 and this ordinance.

**SECTION 3.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, Section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby. In the event of a subsequent change in applicable law, so the provision which had been held invalid

is no longer invalid, the provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding under this Ordinance.

**SECTION 4.** In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

**SECTION 5.** All Ordinances or parts of Ordinances in conflict herewith or to the extent of such conflict shall be repealed.

**SECTION 6.** Specific authority is hereby granted to codify this Ordinance as it is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach, and the sections of this Ordinance may be renumbered to accomplish such intentions.

**SECTION 7.** This Ordinance shall take effect upon its final approval and adoption by the City Council.

[REMAINDER OF PAGE INTENTIONALLY BLANK]



ORDINANCE NO. \_\_\_\_\_  
PAGE 5 of 6

**PASSED AND APPROVED** on the first reading this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_.

**PASSED AND ADOPTED** on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

**APPROVED:**

\_\_\_\_\_  
**THOMAS A. MASTERS**  
**MAYOR**

\_\_\_\_\_  
**KASHAMBA L. MILLER-ANDERSON**  
**CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**CLAUDENE L. ANTHONY**  
**CERTIFIED MUNICIPAL CLERK**  
**CITY CLERK**

\_\_\_\_\_  
**TONYA DAVIS JOHNSON**  
**CHAIR PRO TEM**

\_\_\_\_\_  
**LYNNE L. HUBBARD**  
**COUNCILPERSON**

\_\_\_\_\_  
**DAWN S. PARDO**  
**COUNCILPERSON**

\_\_\_\_\_  
**TERENCE D. DAVIS**  
**COUNCILPERSON**

ORDINANCE NO. \_\_\_\_\_  
PAGE 6 of 6

**1<sup>ST</sup> READING**

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

K. MILLER-ANDERSON \_\_\_\_\_

T. DAVIS JOHNSON \_\_\_\_\_

L. HUBBARD \_\_\_\_\_

D. PARDO \_\_\_\_\_

T. DAVIS \_\_\_\_\_

**2<sup>ND</sup> & FINAL READING**

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

K. MILLER-ANDERSON \_\_\_\_\_

T. DAVIS JOHNSON \_\_\_\_\_

L. HUBBARD \_\_\_\_\_

D. PARDO \_\_\_\_\_

T. DAVIS \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

\_\_\_\_\_  
ANDREW DEGRAFFENREIDT  
CITY ATTORNEY

DATE: \_\_\_\_\_