



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

LOCAL PLANNING AGENCY

Development Services Department: (561)845-4060 / comdev@rivierabch.com

Commencement – 6:30 PM
Thursday, January 25, 2018

Municipal Marina Event Center
190 East 13th Street, Riviera Beach, FL 33404

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

Tradrick McCoy, Vice-Chair

James Gallon, Board Member

Edward Kunuty, Board Member

Margaret Shepherd, Board Member

Vacant, Board Member

Vacant, Board Member

Jon Gustafson, 1st Alternate Member

Anthony Brown, 2nd 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 – January 11, 2018.

VII. UNFINISHED BUSINESS – None.

VIII. NEW BUSINESS

- A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ABANDONING A PORTION OF EAST 20th STREET, A PORTION OF AVENUE 'B', AND A PORTION OF AVENUE 'C', EXHIBITED ON THE "REVISED PLAT OF COCOANUT LODGE" IN GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 52 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LOCATED WITHIN THE CITY OF RIVIERA BEACH, FLORIDA, CONTAINING 23,370.8 SQUARE FEET, 0.54 ACRES, MORE OR LESS; PROVIDING CONDITIONS; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

IX. WORKSHOP ITEMS – None.

X. GENERAL DISCUSSION

A. PUBLIC COMMENTS

B. CORRESPONDENCE

C. PLANNING AND ZONING BOARD COMMENTS

1. Project Updates / Upcoming Projects

2. Upcoming P&Z Board Meetings – February 8, 2018 / February 22, 2018

XI. 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.

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<p>CITY OF RIVIERA BEACH PLANNING AND ZONING BOARD</p> <p>---</p> <p>Thursday, January 11, 2018</p> <p>Utility District Building Conference Room 600 West Blue Heron Boulevard Riviera Beach, Florida</p> <p>6:43 p.m. - 7:20 p.m.</p> <p>---</p> <p>IN ATTENDANCE:</p> <p>Tradrick McCoy, Vice Chair James Gallon, Board Member Margaret Shepherd, Board Member Anthony Brown, Second Alternate Member Jeff Gagnon, Acting Director of Community Development Lina F. Busby, Assistant City Attorney Simone Davidson, Staff Assistant</p>	<p>1 CHAIR McCOY: Tradrick McCoy, present.</p> <p>2 MS. DAVIDSON: Rena James.</p> <p>3 (No response.)</p> <p>4 MS. DAVIDSON: I'm sorry. Mr. Chair, you</p> <p>5 have a quorum.</p> <p>6 CHAIR McCOY: Thank you. Acknowledgment of</p> <p>7 Board member absence notification.</p> <p>8 MR. GAGNON: Yes, thank you, Chair. I did</p> <p>9 receive word from Chairperson James that she would not</p> <p>10 be able to make it tonight, as well as Mr. Gustafson,</p> <p>11 that he would not be able to make it. In the absence</p> <p>12 of both individuals, for the record, Mr. McCoy will</p> <p>13 serve as Chair, being that he has the Vice Chair</p> <p>14 position currently, and also I'd ask that Mr. Brown</p> <p>15 receive voting rights for tonight's items if a motion</p> <p>16 is made.</p> <p>17 CHAIR McCOY: Thank you, Mr. Gagnon. Any</p> <p>18 additions or deletion to the agenda?</p> <p>19 MR. GAGNON: There are no additions or</p> <p>20 deletions to tonight's agenda.</p> <p>21 CHAIR McCOY: Any disclosure by Board</p> <p>22 members? Hearing none, is there a motion to adopt the</p> <p>23 agenda? Members, is there a motion to adopt the agenda</p> <p>24 as printed?</p> <p>25 MR. GALLON: So moved.</p>
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<p>1 BE IT REMEMBERED that the following Planning</p> <p>2 and Zoning Board meeting was had at the Utility</p> <p>3 District Building Conference Room, 600 West Blue Heron</p> <p>4 Boulevard, Riviera Beach, Florida, on Thursday, January</p> <p>5 11, 2018, beginning at 6:43 p.m., with attendees as</p> <p>6 hereinabove noted, to wit:</p> <p>7 ---</p> <p>8 CHAIR McCOY: Good evening. We're going to</p> <p>9 call the meeting to order. We'll start with a moment</p> <p>10 of silence, followed by the Pledge of Allegiance.</p> <p>11 (Moment of silence observed. Pledge of</p> <p>12 Allegiance recited.)</p> <p>13 CHAIR McCOY: Ms. Simone, if you would call</p> <p>14 the roll.</p> <p>15 MS. DAVIDSON: James Gallon.</p> <p>16 MR. GALLON: Here.</p> <p>17 MS. DAVIDSON: Edward Kunuty.</p> <p>18 (No response.)</p> <p>19 MS. DAVIDSON: Margaret Shepherd.</p> <p>20 MS. SHEPHERD: Here.</p> <p>21 MS. DAVIDSON: Jon Gustafson.</p> <p>22 (No response.)</p> <p>23 MS. DAVIDSON: Anthony Brown.</p> <p>24 MR. BROWN: Present.</p> <p>25 MS. DAVIDSON: You have a quorum.</p>	<p>1 CHAIR McCOY: There's been a motion by</p> <p>2 Mr. Gallon. Is there a second?</p> <p>3 MS. SHEPHERD: Second.</p> <p>4 CHAIR McCOY: There's been a motion and a</p> <p>5 second. Ms. Simone, if you would call the roll on</p> <p>6 approval of the adoption of the agenda.</p> <p>7 MS. DAVIDSON: James Gallon.</p> <p>8 MR. GALLON: Yes.</p> <p>9 MS. DAVIDSON: Margaret Shepherd.</p> <p>10 MS. SHEPHERD: Yes.</p> <p>11 MS. DAVIDSON: Anthony Brown.</p> <p>12 MR. BROWN: Yes.</p> <p>13 MS. DAVIDSON: Tradrick McCoy.</p> <p>14 CHAIR McCOY: Yes.</p> <p>15 MS. DAVIDSON: Unanimous vote.</p> <p>16 CHAIR McCOY: Approval of the minutes. Is</p> <p>17 there a motion to approve the minutes from December 14,</p> <p>18 2017?</p> <p>19 MR. GALLON: So moved.</p> <p>20 CHAIR McCOY: There's been a motion by</p> <p>21 Mr. Gallon. Is there a second?</p> <p>22 MR. BROWN: Second.</p> <p>23 MR. GALLON: Second.</p> <p>24 CHAIR McCOY: There's been a motion and a</p> <p>25 second.</p>

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<p>1 MS. DAVIDSON: James Gallon. 2 MR. GALLON: Yes. 3 MS. DAVIDSON: Margaret Shepherd. 4 MS. SHEPHERD: Yes. 5 MS. DAVIDSON: Anthony Brown. 6 MR. BROWN: Yes. 7 MS. DAVIDSON: Tradrick McCoy. 8 CHAIR McCOY: Yes. 9 MS. DAVIDSON: Unanimous vote. 10 CHAIR McCOY: No unfinished business, no new 11 business. We'll move right to item number IX, workshop 12 items, Mr. Gagnon. 13 MR. GAGNON: Yes, thank you, Chair. We have 14 two items for discussion under workshop items tonight. 15 I also wanted to make mention of the fact 16 that we are holding the meeting within the Utility 17 District Building conference room, just for the record. 18 CHAIR McCOY: Thank you. 19 MR. GAGNON: So under workshop items, letter 20 (A) is a staff presentation providing updates 21 associated with the City initiated Riviera Beach 22 Heights OCommunity Center development, approved 23 by City Resolution Number 14-16, located at 594 West 24 4th Street, on the northeast corner of Avenue "G" and 25 West 4th Street.</p>	<p>1 Council Resolution Number 14-16, and we still feel that 2 that resolution and approval is valid, however, as the 3 project has moved through time and we've received 4 building plans and construction documents, there's been 5 minor amendments to the building and the elevations 6 themselves, so we wanted to be sure that we were very 7 transparent about this and we provided everyone with 8 this information so that the final product, once it was 9 out of the ground, was satisfactory and there were no 10 surprises. 11 So in summary to what I was just stating, 12 this is the first paragraph within the memo. So when 13 the Development Services Department received the 14 building application, we did notice that there were 15 some minor amendments that were made, and there wasn't 16 an official staff amendment that approved these 17 changes. So again, this is what is causing staff to 18 now bring this before the Planning and Zoning Board for 19 your information. And it would be, I think, beneficial 20 at the end, if the Board chooses, to provide somewhat 21 of a ceremonial motion just supporting the project and 22 supporting the amendments to the project. 23 So within that approval resolution, there is 24 a condition of approval that states: Once approved, 25 the City Council authorizes City staff to approve</p>
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<p>1 So within the Planning and Zoning Board 2 packet itself there was a cover memo that addressed 3 this item. The memo is to the Planning and Zoning 4 Board from -- it was for my signature. And I'll 5 provide a summary of the memo within the presentation 6 and also provide the Board with the previously approved 7 elevations for the building, as well as a site plan, as 8 well as the current elevations and site plan for the 9 building. 10 CHAIR McCOY: Mr. Gagnon -- 11 MR. GAGNON: Yes, sir. 12 CHAIR McCOY: -- if I could interrupt, where 13 would that memo be? 14 MR. GAGNON: So it is the first item after 15 the meeting minutes from December 14th. It's just a 16 one page cover memo. And being the packets are printed 17 double-sided, it should be on the back side of the 18 final page of the meeting minutes from December 14th. 19 CHAIR McCOY: Okay, thank you. 20 MR. GAGNON: You're welcome. 21 So the slides themselves will really verbatim 22 state what's addressed in the memo, just for the 23 record. This item is being presented to the Board and 24 to the public for informational purposes, really. 25 Again, this was previously approved by City</p>	<p>1 future amendments to the site plan administratively. 2 So long as the site plan does not deviate greater than 3 five percent from the originally approved submittal. 4 As previously stated, there are some 5 architectural elements that are proposed to be amended, 6 so because of that, it's really difficult to itemize or 7 place a numerical value on some of these amendments. 8 So again, this is why this item is being presented to 9 the Board. 10 In summary, there were five key amendments. 11 Number one -- and they're listed currently one through 12 five as stated within the memo. One is just an 13 additional directional arrow on the pavement at the 14 ingress and egress point of the development. 15 The second is a reduction in the total square 16 feet of the building, so it will be less 188 total 17 square feet, which is actually within the five percent 18 deviation. 19 There was removal of the front patio and 20 sidewalk reconfiguration. 21 There is a bike rack location change and 22 sidewalk reconfiguration accordingly. 23 And additionally, building size reduction and 24 sidewalk reconfiguration at another point on site, but 25 in total, between item number two and item number five,</p>

2 (Pages 5 to 8)

<p style="text-align: right;">Page 9</p> <p>1 that's still -- combined, it's 188 total square feet 2 less than what was approved by Council originally. 3 CHAIR McCOY: Mr. Gagnon. 4 MR. GAGNON: Yes, sir. 5 CHAIR McCOY: Would you like to take 6 questions now? Can I ask a question? 7 MR. GAGNON: Sure, absolutely. 8 CHAIR McCOY: So the amendments that you're 9 proposing, at what point did they come up, because 10 obviously, I think if a permit was submitted, this 11 would have been by the CM, right, by the construction 12 management team, that they came back and found some 13 deviations or variations that wasn't consistent with 14 the original site plan that was proposed? Is that 15 correct? 16 MR. GAGNON: Right. So I think in between 17 the site plan approval process and creation of the 18 actual building documents that are required to submit 19 the building application, there were changes made 20 because of structural issues, because of kind of 21 aesthetic issues, I think, as well. And I do have the 22 slides further on in the presentation that identify 23 what the changes will be, and it shows the color 24 elevations, things of that nature. 25 So I don't know the specific moment when the</p>	<p style="text-align: right;">Page 11</p> <p>1 satisfy that five percent deviation? 2 MR. GAGNON: Yes, from my administrative 3 view, they are within the five percent administrative 4 allowance. However, I want to, again, be sure that it 5 was provided for information, because although the 6 condition is there, I would much rather just present it 7 to the Board and say these are the changes, it's within 8 the five percent deviation, and just field any 9 questions we may have versus going to a grand opening 10 and then have someone say: Well, wait a minute, how 11 did this happen? And it's just a much cleaner and more 12 transparent process to do this. 13 CHAIR McCOY: That's a safe bet. I 14 appreciate that. Thank you. 15 MR. GAGNON: So to continue, as mentioned 16 before, there is no official action that's required by 17 the Planning and Zoning Board, however, a ceremonial 18 motion of support would be, I guess, recommended by 19 staff for this item. 20 So also within your packet it contains the 21 initial resolution of approval, it contains Exhibits A, 22 B and C, which are the original site plan, landscape 23 plan and elevations for the building. It also provides 24 the newly proposed site plan and elevations, as well as 25 a site plan sheet that actually bubbles out the areas</p>
<p style="text-align: right;">Page 10</p> <p>1 changes occurred, but it did occur during or in between 2 the site plan approval process and completion of the 3 documents that are required for the building permit 4 application. 5 CHAIR McCOY: So I'm clear, who initiated 6 those recommendations for the amendment? Was it the 7 construction manager or the GC, or how did that work? 8 MR. GAGNON: I think it was somewhat of a, I 9 guess the term would be value engineering, so to get 10 the most product for the less cost or the least amount 11 of cost. So I think that was part of the conversation 12 and discussion between the City and the architect and 13 also the construction management team. So you know, 14 since this was approved, and this was back in -- let's 15 see -- 16 CHAIR McCOY: '15? 17 MR. GAGNON: -- February 3rd, 2016, so 18 building prices have changed, supply and demand has 19 influenced some of the pricing somewhat. So it's not a 20 significant amount of time, but it's still long enough 21 of a time. And the market has been extremely active, 22 so it's difficult to find contractors and to really get 23 competitive pricing on some products. So I think that 24 also played into the amendment request. 25 CHAIR McCOY: So those amendments would</p>	<p style="text-align: right;">Page 12</p> <p>1 that are proposed to be amended with a red bubble, and 2 I will provide that to the Board momentarily as well. 3 So this is the current project elevations as 4 proposed. So you can see it still has a very strong 5 aesthetic and architectural appeal. It not only meets 6 the residential nature and feel of the community itself 7 and will match that feel, but it does have some 8 additional architectural elements that sets it apart 9 and really identifies that it is a Community Center, 10 it's a public space. And specifically in the top right 11 corner, that view from the southwest, it will have wall 12 signs and have a mural type of dynamic or mural type of 13 panels with different colors to create that inviting 14 feel from the roadway itself. 15 So this was the originally approved 16 elevation. As you can see, there was, I guess, a very 17 drastic change in the color. That has been scaled back 18 somewhat to kind of match that residential appeal and 19 the community appeal versus the very unique or wild 20 color design that was originally proposed on the 21 elevation. 22 As you can see, some of the rooflines have 23 been amended, as well as the structural element that 24 supports the wall sign has been reduced slightly. 25 So I'll go back and forth a few times so you</p>

3 (Pages 9 to 12)

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<p>1 can see the amendment. So again, this is the current, 2 and that is what was originally approved. Once again, 3 the amendment and what was originally approved. 4 So again, staff feels as if these amendments 5 do fall within that five percent deviation, but we 6 wanted to provide that information and transparency 7 through the process and to the public. 8 So this is the currently proposed site plan. 9 The box in the middle of the screen is the footprint of 10 the building, and parking is on the left side, as well 11 as the ingress and egress point on the bottom left 12 corner of the site. 13 So within your packet it may be slightly 14 easier to see and read the detail notes, but each 15 amendment was called out on that amendment sheet. So 16 again, it calls out the arrow that was added, the bike 17 rack location change, the awning amendment and removal 18 from the project and modifying it back to a sidewalk 19 area, and also reduction of what was originally 20 provided as additional storage space, which is on the 21 top right corner of the site itself. 22 And this was the originally approved site 23 plan, where again, you can see in between this site 24 plan and the bubble elements that there are 25 modifications proposed. And again, we feel that falls</p>	<p>1 I'm correct, I included the originally improved parking 2 configuration and also the proposed configuration now. 3 And again, being that there's no change from the 4 original approval, I didn't add it to the slides 5 tonight, but it is within the backup information. 6 MR. GALLON: The property that sits next to 7 the building, how come the City did not purchase that 8 property and actually make the parking there so it 9 would be right where the building is? 10 MR. GAGNON: So there is vacant property to 11 the north of the location. Is that the site? 12 MR. GALLON: Yes. 13 MR. GAGNON: So from what I can recollect, 14 the City staff at the time did reach out to the 15 property owner. However, I think they understood that 16 there was somewhat of a need for the City to acquire 17 the property, so their asking price was pretty 18 unrealistic. So unfortunately, we had to utilize the 19 space for overflow parking across the street. So it's 20 still within proximity. Unfortunately, it's not the 21 best case scenario, but we do have that overflow 22 parking capacity when we need it. 23 MR. GALLON: Right, because that was my only 24 concern about it, because I know that it's across the 25 street, and then you're talking about elderly people,</p>
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<p>1 within the five percent administrative capacity. 2 So that concludes my presentation. I'd be 3 happy to answer any other questions the Board may have. 4 MS. SHEPHERD: Question, Mr. Gagnon. Did I 5 see -- I think this is the old one. Will it have an 6 elevation for handicap accessibility? 7 MR. GAGNON: So being that the building is 8 going to be brand new, we'll have to meet all of the 9 current building and ADA regulations as far as 10 accessibility to the site. So there will be an ADA 11 parking space. There will have to be ADA accessibility 12 from the parking area and sidewalks into the building 13 itself. So that will be addressed. 14 MS. SHEPHERD: Okay, thank you. 15 MR. GAGNON: You're welcome. 16 CHAIR McCOY: Any other members with comments 17 or questions? 18 MR. GALLON: Yes, I have a question. 19 CHAIR McCOY: Mr. Gallon. 20 MR. GALLON: Parking is going to be across 21 the street from the building, isn't it? 22 MR. GAGNON: There's parking that's proposed 23 on site and also across the street on an adjacent lot. 24 There have been no amendments to that lot though 25 through this process, but it should be included -- if</p>	<p>1 and with the kids over there, and the cars and 2 everything else going up and down the street -- 3 MR. GAGNON: Right. 4 MR. GALLON: -- that could be an issue. 5 MR. GAGNON: Yes, I think depending on the 6 type of event, we're hoping that there will be a lot of 7 activity just from the local neighborhood where there 8 will be a lot of residents that can walk to the 9 facility and utilize it that way. 10 If we do have a rather large event within the 11 space, we'd probably have to assign an individual to 12 help direct traffic, and you know, we could kind of 13 manipulate the parking that is closest to the facility 14 for the type of individuals that you've mentioned, so 15 anyone that has ADA accessibility issues, or parents 16 with small children. So it would depend on how the 17 site is used. 18 MR. GALLON: Okay, I'm good. 19 CHAIR McCOY: Any other members? 20 MS. SHEPHERD: Just one more question, 21 Mr. Gagnon -- 22 MR. GAGNON: Yes, ma'am. 23 MS. SHEPHERD: -- can I get it clear, because 24 I remember them talking about the City -- I hope this 25 is the same property we're talking about. The City</p>

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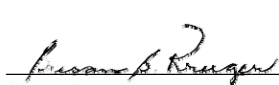

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<p>1 gave them a piece of property across the street. Now, 2 will that be the parking lot that we're talking about? 3 MR. GAGNON: The City did have a lot. I'm 4 trying to remember back now. I think that the City 5 acquired it through the Florida Department of 6 Transportation. 7 MS. SHEPHERD: Yes. 8 MR. GAGNON: I think that's how we acquired 9 the lot that is being utilized for additional parking, 10 overflow parking. 11 MS. SHEPHERD: Overflow, yes. 12 MR. GAGNON: That's correct. 13 MS. SHEPHERD: Okay, will that lot be cleared 14 out and paved, or just how will it be? 15 MR. GAGNON: It will be fully developed. It 16 will be, again, brought up to current standards for 17 parking, so it won't just be a grass lot, it won't just 18 be a gravel lot. It will be fully paved and curbed and 19 landscaped as well. 20 MS. SHEPHERD: Okay, because I think we said 21 in that first meeting, which was held over on 15th 22 Street, and it was understood that, you know, that 23 particular neighborhood there, they were trying to 24 build it up as a neighborhood community, and they all 25 agreed it would be no problem to walk from that lot</p>	<p>1 MS. DAVIDSON: Margaret Shepherd. 2 MS. SHEPHERD: Yes. 3 MS. DAVIDSON: Anthony Brown. 4 MR. BROWN: Yes. 5 MS. DAVIDSON: Tradrick McCoy. 6 CHAIR McCOY: Yes. 7 MS. DAVIDSON: Unanimous vote. 8 CHAIR McCOY: Thank you, members. 9 Item (B), Mr. Gagnon. 10 MR. GAGNON: Yes, thank you. And also for 11 the record, the identical presentation I provided to 12 the Planning and Zoning Board for the Community Center 13 will be provided to City Council on January 17th. 14 Again, it will be an informational item in the same 15 manner that it was presented to the Board tonight. 16 So moving to workshop item (B), it's a City 17 staff presentation providing updates associated with 18 the City's Comprehensive Plan amendment process and 19 anticipated schedule. 20 So I passed out for all Board members just a 21 really brief, one slide, I guess, PowerPoint 22 presentation, so to speak, which is intended to set the 23 stage for discussion on our Comprehensive Plan and 24 anticipated Comprehensive Plan amendments. 25 So as most Board members are likely familiar</p>
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<p>1 over to the Community Center. And I think that's the 2 way the meeting really went, of the clearing of the 3 lot. 4 And I guess the way Lindsey Davis is built, 5 it would be a parking lot -- parking, you know, which 6 doesn't have many parking spaces. But you know, round 7 about and coming out of there, I think, if my mind is 8 clear, that's the way this particular Community Center 9 will be built. I don't know whether I'm correct or 10 not. 11 MR. GAGNON: It's similar, similar. 12 MS. SHEPHERD: Okay. 13 CHAIR McCOY: Any other comments? If not, is 14 there a motion of support for this item? Any member 15 wishing to place a motion of support for these 16 amendments? 17 MS. SHEPHERD: I'd like to make a motion to 18 accept the resolution as read. 19 CHAIR McCOY: It's been moved by Member 20 Shepherd. Is there a second? 21 MR. GALLON: Second. 22 CHAIR McCOY: Properly moved and seconded. 23 Roll call. 24 MS. DAVIDSON: James Gallon. 25 MR. GALLON: Yes.</p>	<p>1 with our Comprehensive Plan, I have a hard copy here. 2 It's also available on the City's website. So I will 3 provide the Board with a hyperlink to the Comprehensive 4 Plan. And we are about to embark on our amendment 5 process. 6 That is typically done once every seven 7 years. The Comprehensive Plan itself is mandated 8 through Florida statutes, and there are specific 9 elements that must be included within the Comprehensive 10 Plan. And I have listed those elements in order of how 11 they're provided in the statute, I believe, within the 12 handout. 13 So our current Comprehensive Plan does 14 discuss all of those items, and it satisfies the 15 Florida statute, however, it was not updated or it has 16 not been updated since October of 2010. So we are 17 almost overdue at this point to go back through and 18 look through each element and make amendments 19 accordingly. 20 So although the Florida statute does call out 21 required elements within the Comp Plan, that doesn't 22 prohibit the City from adding additional elements that 23 they feel strongly about. So if there is some need or 24 some community function that may not be directly 25 covered by an existing element, that's something that,</p>

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<p>1 as staff and as the Board pleases, we can look at the</p> <p>2 Comprehensive Plan and potentially add new elements to</p> <p>3 our existing Comprehensive Plan.</p> <p>4 CHAIR McCOY: You said staff and Board</p> <p>5 members can make those amendments through the process?</p> <p>6 MR. GAGNON: Absolutely. Well, and the whole</p> <p>7 thing is a public process. I mean I'll go all the way</p> <p>8 back. So it's extremely important that we do have</p> <p>9 public participation in this process, because this is</p> <p>10 the most important City document in my field, in my</p> <p>11 opinion, because this sets up the framework and</p> <p>12 guidelines for truly all the development and all of the</p> <p>13 Land Development Regulations to follow the amendment of</p> <p>14 the Comprehensive Plan.</p> <p>15 So this is really our foundation for the</p> <p>16 City. So I know there's other, I guess, competing City</p> <p>17 documents that also are very important and prevalent,</p> <p>18 but in my field of work, this is really the keystone</p> <p>19 document that is truly important to how my department</p> <p>20 functions, how divisions function, how the City</p> <p>21 functions and how the City grows.</p> <p>22 So it's definitely important to have public</p> <p>23 input, staff input, Board input, so that's why I wanted</p> <p>24 to at least bring the Board up to speed and really have</p> <p>25 a conversation tonight about what the Comprehensive</p>	<p>1 it matches everyone's schedule, and also we can provide</p> <p>2 a final product, hopefully by early next year is the</p> <p>3 anticipated goal.</p> <p>4 CHAIR McCOY: Mr. Gagnon --</p> <p>5 MR. GAGNON: Yes, sir.</p> <p>6 CHAIR McCOY: So is this presented as one --</p> <p>7 I guess if we're going to bring in elements, how is it</p> <p>8 presented to Council, in one entire -- I don't</p> <p>9 understand. So will they take it in the element form,</p> <p>10 or are they going to adopt it comprehensively?</p> <p>11 MR. GAGNON: It will be adopted</p> <p>12 comprehensively. So all elements will be adopted</p> <p>13 simultaneously. We found that it was easiest to review</p> <p>14 individual elements, either one at a time if they were</p> <p>15 extremely in depth, or to have maybe two elements to be</p> <p>16 discussed at one time if they're corresponding to one</p> <p>17 another or if there's some sort of synergy. It really</p> <p>18 lessens the burden as far as how many pages we need to</p> <p>19 look at, and it gives us the opportunity to really</p> <p>20 wordsmith certain elements versus trying to look at it</p> <p>21 simultaneously.</p> <p>22 CHAIR McCOY: Well, and I understand that</p> <p>23 from the Planning Board's perspective, but from City</p> <p>24 Council, will they have a thorough breakdown of the</p> <p>25 elements, or are they presented with one Comprehensive</p>
Page 22	Page 24
<p>1 Plan is, the importance of the Comprehensive Plan, and</p> <p>2 also really task the Board with looking at our own</p> <p>3 Comprehensive Plan and looking at other Comprehensive</p> <p>4 Plans, not only in Palm Beach County, in Florida, but</p> <p>5 perhaps outside the state as well, because there could</p> <p>6 be elements that we could pull from larger communities</p> <p>7 that have necessary programs or processes that we can</p> <p>8 duplicate.</p> <p>9 So are there any questions from the Board at</p> <p>10 this time?</p> <p>11 CHAIR McCOY: Members?</p> <p>12 MR. GAGNON: So what I'm anticipating on</p> <p>13 doing is we do have an updated Planning and Zoning</p> <p>14 Board meeting schedule. Historically, when the</p> <p>15 Comprehensive Plan was updated in 2010, what we did is</p> <p>16 we reserved the second Planning and Zoning Board</p> <p>17 meeting of each month to cover one or more specific</p> <p>18 elements.</p> <p>19 So what I'll work on following this meeting</p> <p>20 is an anticipated time line and meeting dates</p> <p>21 associated with each element of the Comprehensive Plan</p> <p>22 that we need to look at. So that way, we have at least</p> <p>23 somewhat of a structure to work from. It won't be a</p> <p>24 final document; it will still be a draft document, but</p> <p>25 we'll at least have a working template to ensure that</p>	<p>1 Plan and then they're asked to vote on it, because</p> <p>2 clearly, we can vet it out, but you know, it's almost</p> <p>3 like the budget. They vote on the budget in total.</p> <p>4 It's either you vote for the budget or you don't vote</p> <p>5 for it at all.</p> <p>6 MR. GAGNON: Right.</p> <p>7 CHAIR McCOY: And I'm curious, is this the</p> <p>8 same process? Because I don't think I was on the Board</p> <p>9 at that point in '10 when you guys did it, but, you</p> <p>10 know, I can see the advantages of both, because once</p> <p>11 you pass a Comprehensive Plan, you know, that's a</p> <p>12 process, and it's pretty lengthy. And I was just</p> <p>13 hoping that, you know, they would be able to piecemeal</p> <p>14 it just as much as we can. But is that not an option,</p> <p>15 or is that not the way it works?</p> <p>16 MR. GAGNON: So what I will say is if the</p> <p>17 Planning and Zoning Board does move forward with</p> <p>18 individual elements, all of the backup information, all</p> <p>19 the discussions, all the presentations will be provided</p> <p>20 to City Council. Ultimately, how City Council treats</p> <p>21 the item will be really at their discretion.</p> <p>22 Staff will provide the full Comprehensive</p> <p>23 Plan in a format that could be approved in that format,</p> <p>24 you know, all in one comprehensive document. However,</p> <p>25 if City Council decides to review any specific element,</p>

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Page 25	Page 27
<p>1 same as any other ordinance, it's really the same 2 adoption mechanism. So if City Council chooses to 3 delve down into line by line, they can do that, so it's 4 kind of at their purview. 5 CHAIR McCOY: Thank you. 6 MR. GAGNON: So that really concludes my 7 brief presentation on the Comprehensive Plan unless 8 there's any other questions that the Board might have. 9 CHAIR McCOY: Members? 10 MR. GALLON: Yes, I have a question. When 11 you're talking the transportation element, what are 12 you -- what's the transportation element all about? 13 MR. GAGNON: So transportation element, 14 it's -- and again, this is a very wide-sweeping, global 15 view of the City. So this could be something as in 16 depth as talking about individual bus stops, let's say, 17 or how bus shelters should look, maybe a uniform or 18 unified architectural theme for bus shelters. It could 19 be anticipated levels of service on roadways. 20 There are some elements that we will really, 21 we're mandated to make sure that it's either in line 22 with Palm Beach County or State statutes as well. So 23 it goes all the way from some of the largest, most 24 global impacts to City roads, and it can go all the way 25 down to something as small as architectural details on</p>	<p>1 go back and review as part of the Comprehensive Plan 2 process. 3 MR. GALLON: Okay. 4 CHAIR McCOY: Mr. Gagnon, so if we choose to 5 make a change to the plan, that doesn't assure us any 6 access to the Brightline trains, or any other trains 7 for that matter? 8 MR. GAGNON: It doesn't assure us access. 9 But what it does is it provides a foundation for future 10 approvals. So, for example, let's say the community 11 wants to have the train station located at the corner 12 of Blue Heron Boulevard and President Barack Obama 13 Highway, however, our Comprehensive Plan currently 14 identifies it located at 13th Street and President 15 Barack Obama Highway. So in order to facilitate that 16 community request, we would have to modify our 17 Comprehensive Plan and really identify the location 18 that's selected by the community for that future train 19 station. 20 So if we don't map out our future land use 21 map and locations such as the train station now the way 22 we want them to be, then in the future, when the 23 opportunity comes, it will either be more difficult to 24 receive funding for it or more difficult to amend the 25 plan to have a new location for a facility to be built.</p>
Page 26	Page 28
<p>1 a bus shelter. 2 MR. GALLON: Okay, the reason why I asked 3 that is I know with this Brightline train service going 4 to be coming through here soon, will the City have any 5 or do the City have any representation as far as, you 6 know, this train coming through here 20 times a day? 7 MR. GAGNON: Right. 8 MR. GALLON: Will there be any -- will we 9 have a stop here? You know, we've got the cruise 10 terminal right there on 13th Street. They'll be coming 11 right through there. Or are we going -- are we 12 involved? Is the City involved with this Brightline in 13 any type of way? 14 MR. GAGNON: There's been discussions 15 throughout the entire railway corridor. There has been 16 a train stop location identified, and that's currently 17 in the Comprehensive Plan. The location that's 18 currently identified is at the corner of 13th Street 19 and President Barack Obama Highway, so that's something 20 that maybe the Board wants to review again. Perhaps 21 there's another location within the City that makes 22 more sense. Just for discussion purposes, perhaps Blue 23 Heron Boulevard and Dr. MLK -- excuse me -- and 24 President Barack Obama Highway may be a better 25 connection point. So maybe it's something that we can</p>	<p>1 CHAIR McCOY: Okay. Is there -- how soon? 2 You said this year, so I guess will we -- I guess can 3 we expect to see this in February, an element from the 4 Comprehensive Plan? 5 MR. GAGNON: It could be as soon as the 6 second meeting in February; it could be. I need to 7 kind of go back for a minute, backtrack for a minute 8 and see. We do have a few items that should be coming 9 to the Planning and Zoning Board in the near future. 10 So we actually did have an RFP go out 11 previously for consulting services, and that was 12 unsuccessful, so we're going back to modify the RFP. 13 I'm trying to not have that RFP time line impact the 14 Planning and Zoning Board review time line. 15 CHAIR McCOY: RFP for -- consultant for what, 16 exactly? 17 MR. GAGNON: Right. For modifications and 18 amendments to the Comprehensive Plan. So within the 19 State statutes it basically indicates that you need to 20 have, in some cases, statistical analysis to justify 21 modifications. We have to revise all the maps that are 22 currently provided in the Comprehensive Plan. 23 So the previous scope was as large as also 24 including reviewing our existing Land Development 25 Regulations to make sure that they're in line with</p>

7 (Pages 25 to 28)

Page 29	Page 31
<p>1 Comprehensive Plan amendments. I think that was part 2 of the reason why the previous RFP was unsuccessful. 3 So we're trying to scale it back. We do want to 4 include community meetings, maybe outside of Planning 5 and Zoning Board, and also include Planning and Zoning 6 Board meetings in the purview of anyone that's applying 7 for that RFP. 8 CHAIR McCOY: Okay. Any other members? 9 MS. SHEPHERD: Mr. Gagnon, while you're 10 standing there -- 11 MR. GAGNON: Yes, ma'am. 12 MS. SHEPHERD: -- explain to me about the 13 potable water, the natural ground water. What is that? 14 MR. GAGNON: So as one of the elements of the 15 Comprehensive Plan, it's becoming really more and more 16 prevalent now than ever before, is looking at how much 17 drinkable water communities have access to. 18 So right now we are provided with what they 19 call a consumptive use permit through the South Florida 20 Water Management District. And what that does is it 21 allocates the City a certain number of gallons of water 22 that we can utilize. So there's been more focus on the 23 importance of preserving groundwater and also trying to 24 encourage infiltration of groundwater. 25 So, for example, instead of having a parking</p>	<p>1 scheduled for our next meeting, and then our first 2 meeting in February would be February 8th. 3 CHAIR McCOY: All right. Hearing nothing, 4 for the good of the order, we're going to adjourn. 5 Thank you. 6 MR. GAGNON: Thank you. 7 (Whereupon, at 7:20 p.m., the proceedings 8 were concluded.) 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
Page 30	Page 32
<p>1 lot that has a fully paved surface, there's new methods 2 and techniques that you can utilize, potentially a 3 pervious paver brick, so instead of having all of the 4 water running off, going into storm drains and then 5 away from the site, you may be able to encourage water 6 to actually soak down through the bricks or into the 7 ground to help recharge the actual groundwater in the 8 aquifer, which is really important for sustaining 9 drinking water in the state. 10 MS. SHEPHERD: Okay. 11 CHAIR McCOY: Any other members? 12 Hearing none, we'll move on to item X, 13 general discussion. Any public comments? 14 Hearing none, correspondence. No 15 correspondence? 16 Members, Planning and Zoning Board member 17 comments. Any members choosing to comment? 18 Hearing no comments, is there any updates, 19 Mr. Gagnon? 20 MR. GAGNON: No updates at this time, other 21 than the new schedule for 2018 being passed out at 22 tonight's meeting, and I hope we have a productive and 23 fruitful new year, 2018. 24 CHAIR McCOY: Okay. And upcoming meetings. 25 MR. GAGNON: Yes, January 25th is tentatively</p>	<p>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 17th day of January, 2018. 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">   Susan S. Kruger </p>

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**CITY OF RIVIERA BEACH STAFF REPORT
CASE NUMBERS AB-17-02, RYBOVICH MARINA
PLANNING AND ZONING BOARD – JANUARY 25, 2018**

AN ORDINANCE ABANDONING A PORTION OF EAST 20th STREET, A PORTION OF AVENUE 'B', AND A PORTION OF AVENUE 'C', EXHIBITED ON THE "REVISED PLAT OF COCOANUT LODGE" IN GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 52 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LOCATED WITHIN THE CITY OF RIVIERA BEACH, FLORIDA, CONTAINING 23,370.8 SQUARE FEET, 0.54 ACRES, MORE OR LESS; PROVIDING CONDITIONS; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

- A. Applicants:** Property Owner: RBY, LLC.
Authorized Agent: Mr. Charles Millar, Kimley-Horn and Associates, Inc.
- B. Request:** The applicant is requesting the abandonment of a portion of East 20th Street and Avenues 'B' and 'C' to be able to use the property as one development, located within the Downtown Marine (DM) and Downtown Core (DC) Zoning Districts, in order to facilitate the relocation and redevelopment of the area from the facility located in West Palm Beach and the operation of a mega yacht lift. The existing buildings and accessory structures will not be affected by the abandonment. A Site Plan and Re-Plat application shall be required as a condition of approval by City Council shall the abandonment be approved.
- C. Location:** The subject area is portions of Right of Way named East 20th Street, Avenue 'B' and Avenue 'C', as depicted on Exhibit 'A' (Location Map).
- D. Property Description and Uses:** The subject property description and uses are as follows:

<u>Parcel Control Numbers:</u>	N/A
<u>Parcel Size:</u>	0.54 Acres (total combined)
<u>Existing Use:</u>	Right of Way (E. 20 th St., Ave. 'B', Ave. 'C')
<u>Zoning:</u>	Downtown Marine (DM) Zoning District Downtown Core (DC) Zoning District
<u>Future Land Use:</u>	Working Waterfront (WW) Future Land Use

E. Adjacent Property Description and Uses:

<u>North:</u>	Downtown Core (DC) Zoning District: Vacant Lots
<u>South:</u>	Downtown Core (DC) Zoning District: 1940 Avenue C, Rybovich Marina
<u>East:</u>	Downtown Marine (DM) Zoning District: 1940 Avenue C, Rybovich Marina
<u>West:</u>	Downtown Core (DC) Zoning District: Commercial Development

F. Background:

The Rybovich Marina facility in Riviera Beach offers unobstructed deep water access from the Atlantic Ocean. Rybovich Riviera Beach provides secure berths for yachts up to 76 meters (250 feet) in length. The full-service marina offers a variety of maritime industry services from hauling and refinishing to metal fabrication and information technology in addition to pump outs, fueling, crane access, in house yacht escort and towing, provisioning & sub-contractor access. The facility expands across multiple currently vacant lots.

The Applicant is seeking approval of the abandonment of portions of Right of Way (streets) adjacent to properties owned by Rybovich in order to foster the future use of the entire land area collectively as one master development. The Applicant plans to relocate business functions currently housed in their West Palm Beach facility to this location along with future site improvements at the Riviera Beach facility. This abandonment request is an initial step in the redevelopment process that will eventually include a future Re-Plat of the existing property as well as an application for Site Plan approval.

The City Council has previously approved a similar abandonment request by Rybovich Riviera Beach, LLC. associated with adjacent Right of Way (streets) through Ordinance No. 4008 (staff application AB-11-01).

G. Staff Analysis:

Proposed Use: N/A

Zoning Regulations: Section 29-66 of the City's Code of Ordinance provides criteria to be reviewed and considered by the City Council in order to approve the requested abandonment. The Applicant has addressed all applicable elements.

Comprehensive Plan: The proposal is consistent with the City's Comprehensive Plan, including the Working Waterfront Future Land Use category.

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

Landscaping: New landscaping is not required nor proposed with this abandonment request. A landscape plan will be required to be submitted concurrently with a future Site Plan application.

Parking/Traffic: The applicant will continue to operate the facility as it currently exists. No additional parking demand is anticipated with this proposal. Parking calculations will be reviewed as part of the future Site Plan application to redevelop the property. A condition of approval recommended by Staff is to ensure that the traffic signal, proposed at the intersection of Broadway and E. 22nd Street, is fully operational prior to any restriction of access to the portions of E. 20th Street and Ave. 'C' proposed to be abandoned.

H. Recommendation: Staff recommends consideration of the application for abandonment of approximately 23,370 square feet of Right of Way, including a portion of East 20th Street, a portion of Avenue 'B' and a portion of Avenue 'C' with the following conditions:

1. A Site Plan application shall be submitted to the City within 12 months of the adoption this Ordinance. This Site Plan application will provide a Master Site Plan for land area owned by Rybovich.
2. A Landscape Plan shall be submitted in conjunction with the aforementioned Site Plan application in accordance with the City's Code of Ordinances.
3. A new plat shall be submitted in conjunction with the aforementioned Site Plan.
4. Rybovich (or designee/agent) shall facilitate the installation of a new traffic signal at the intersection of Broadway and E. 22nd Street. The new traffic light at the intersection of Broadway and E. 22nd St. must be fully operational prior to restricting access to the portions of E. 20th Street and Avenue 'C' currently proposed to be abandoned.

Exhibit A. Location Map.



Exhibit B. Sketch and Legal Description

Area to be abandoned. (Page 1 of 6)

Sketch and Legal Description for: RBY LLC

Surveyor's Notes

- 1) This sketch and legal description is based on office information only and does not represent a boundary survey.
- 2) Additions or Deletions from this map by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 3) This legal description shall not be valid unless:
 - A) Provided in its entirety consisting of 3 sheets, with sheet 3 being the sketch of description.
 - B) Reproductions of the description and sketch are signed and sealed with an embossed surveyor's seal.

Certification

(Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper)


I hereby certify that the Sketch and Legal Description of the property shown and described hereon was completed under my direction and said Sketch and Description is true and correct to the best of my knowledge and belief.

I further certify that this sketch and description meets the Minimum Technical Standards for Surveys set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida State Statutes. The Sketch and Description is based on information furnished by client or client's representative.

9/05/2017
Date of Signature

Mark R. Wendt
Mark R. Wendt
Professional Surveyor and Mapper
Florida Certificate No. 6163

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				Scale: N/A Drawn By: MRW	Date: 9/5/17 Checked: MRW	File & Drawing No.: 14-1052-02-08 Sheet 1 of 3
NO.	REVISIONS	DATE	BY	COPYRIGHT © 2017 BY GCY, INC., PROFESSIONAL SURVEYORS AND MAPPERS		

Drawing Name: 20th Street SKL2

Area to be abandoned. (Page 2 of 6)


Legal Description

Being a portion of East 20th Street and a portion of Avenue C, as shown on the "Revised Plat of Coconut Lodge" in Government Lot 4, Section 28, Township 42 South, Range 43 East, as recorded in Plat Book 7, Page 52, public records of Palm Beach County, Florida and now located within the City of Riviera Beach, Florida, more particularly described as follows, to wit:

Begin at the Southwest corner of Lot 10, Block 5 of said plat; Thence along the East right-of-way of Avenue C (a 40 feet platted right-of-way) and the East line of Lot 10 of said Block 5 a distance of 112.94 feet to the Northeast corner of said Lot 10 of said Block 5; Thence Westerly, a distance of 40.00 feet to the Northeast corner of Lot 1, Block 7 of said plat; Thence Southerly along the West right-of-way of said Avenue C and the East line of said Lot 1, Block 7, a distance of 112.94 feet to the Southeast corner of said Lot 1, Block 7; Thence Westerly along the North right-of-way of East 20th Street (a 40 feet platted right-of-way) and the South line of Lots 1, 2, 3, 4, 5, 6, and 7 of said Block 7 to the East right-of-way of U.S. Highway No. 1. (State Road No. 5, also known as Broadway Avenue) said point being 5.00 feet Easterly of the Southwest corner of said Lot 7, Block 7; Thence Southerly along the East right-of-way line of said U.S. Highway No. 1, a distance of 40.00 feet to the South right-of-way of said East 20th Street and a point 5.00 feet Easterly of the Northwest corner of Lot 15, Block 6 of said plat; Thence along the South right-of-way of East 20th Street (a 40 feet platted right-of-way) and the North line of Lots 15, 14, 13, 12, 11, 10, and 9, a distance of 345.20 feet to the Northwest corner of said Lot 9; Thence Easterly along the Southerly right-of-way of East 20th Street, a distance of 40.00 feet to the Northwest corner of Lot 7, Block 6 of said plat; Thence Northerly along a straight line a distance of 40.00 feet to the Southwest corner of said Lot 10, Block 5 and the Point of Beginning.

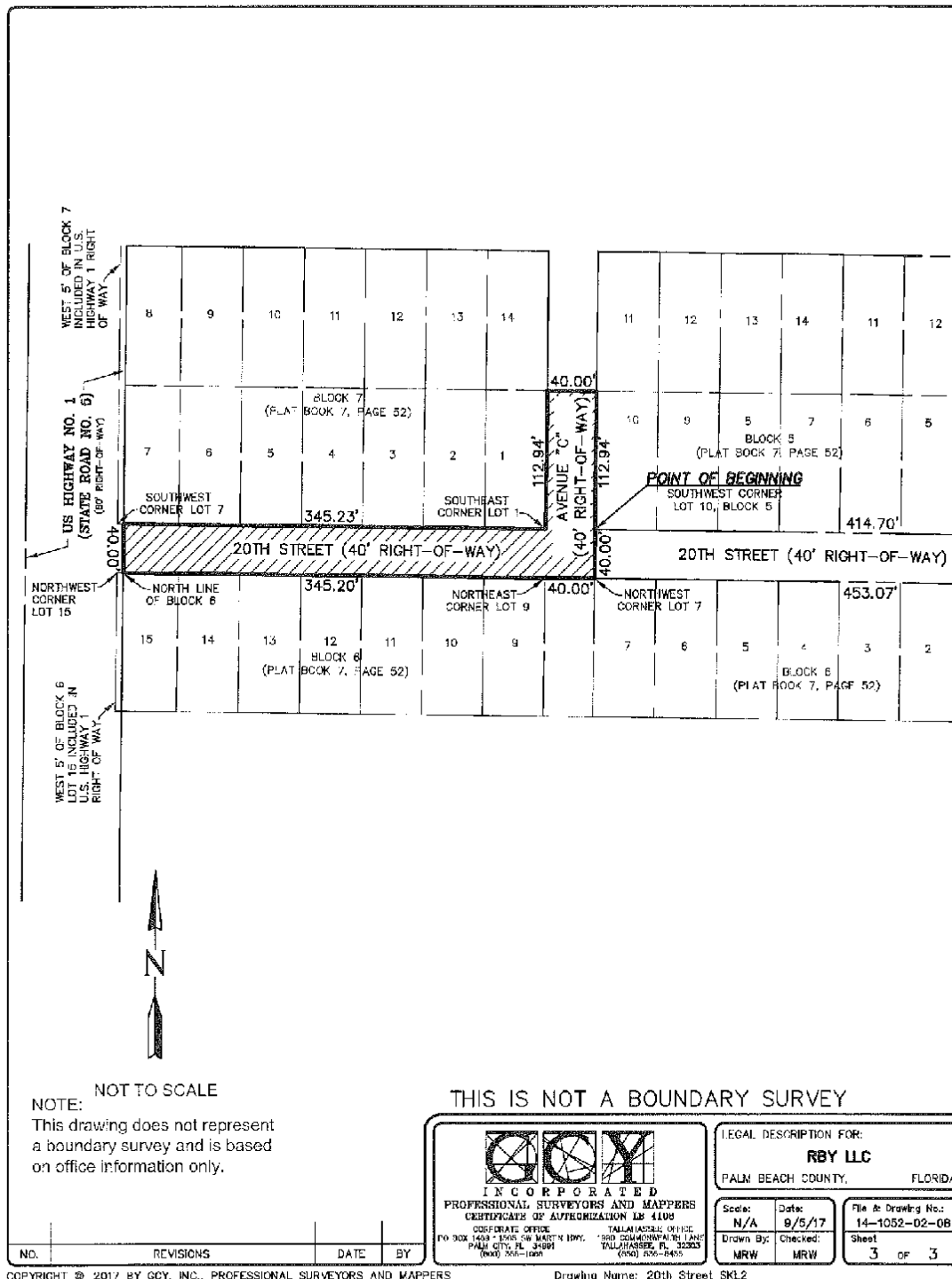
Containing 19,926.0 square feet or 0.46 acres, more or less.

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Drawing Name: 20th Street SKL2



Sketch and Legal Description for: RBY LLC

Surveyor's Notes

- 1) This sketch and legal description is based on office information only and does not represent a boundary survey.
- 2) Additions or Deletions from this map by other than the signing party or parties is prohibited without written consent of the signing party or parties.
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 - B) Reproductions of the description and sketch are signed and sealed with an embossed surveyor's seal.

Certification

(Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper)


I hereby certify that the Sketch and Legal Description of the property shown and described hereon was completed under my direction and said Sketch and Description is true and correct to the best of my knowledge and belief.

I further certify that this sketch and description meets the Minimum Technical Standards for Surveys set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida State Statutes. The Sketch and Description is based on information furnished by client or client's representative.

9/05/2017
Date of Signature

Mark R. Wendt
Mark R. Wendt
Professional Surveyor and Mapper
Florida Certificate No. 6163

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Drawing Name: Avenue B SKL.dwg


Legal Description

Being a portion of Avenue B, as shown on the "Revised Plat of Coconut Lodge" in Government Lot 4, Section 28, Township 42 South, Range 43 East, as recorded in Plat Book 7, Page 52, public records of Palm Beach County, Florida and now located within the City of Riviera Beach, Florida, more particularly described as follows, to wit:

Commence at the Southwest corner of Lot 10, Block 5 of said plat; Thence along the North right-of-way of East 20th Street (a 40 feet platted right-of-way) and the South line of Lots 10, 9, 8, 7, 6, 5 and 1 of said Block 5 a distance of 414.70 feet to the intersection of Avenue B (a 48 feet platted right-of-way as measured at right angles) and the Southeast corner of said Lot 1; Thence Northeasterly along the Westerly right-of-way of said Avenue B and the Easterly boundary of said Lot 1 to the Northeasterly corner of said Lot 1 and the Point of Beginning; Thence Southeasterly perpendicular to said right-of-way of Avenue B, a distance of 24.00 feet; Thence Southwesterly along the center line of said Avenue B and parallel to said right-of-way a distance of 10.18 feet to the Westerly prolongation of the South line of the North 24.00 feet of Lot 4, Block 2, of said revised plat of Coconut Lodge; Thence Easterly along said Westerly prolongation of the South line of the North 24.00 feet of Lot 4, Block 2, a distance of 24.97 feet to the Easterly right-of-way line of said Avenue B; Thence Northeasterly along the Easterly right-of-way line of said Avenue B and the West line of Lots 4 and 3, said Block 2, a distance of 81.34 feet to the Northwesterly corner of said Lot 3, Block 2; Thence Northwesterly perpendicular to said right-of-way of Avenue B, a distance of 24.00 feet; Thence Southwesterly along the center line of said Avenue B and parallel to said right-of-way a distance of 19.30 feet; Thence Northwesterly perpendicular to said right-of-way of Avenue B, a distance of 24.00 feet to the Westerly right-of-way line of said Avenue B and the Northeasterly corner of Lot 2, Block 5 said plat; Thence Southwesterly along the Westerly right-of-way line of said Avenue B and the East line of said Lot 2, Block 5, a distance of 58.75 feet to the Northeasterly corner of said Lot 1, Block 2, and the Point of Beginning.

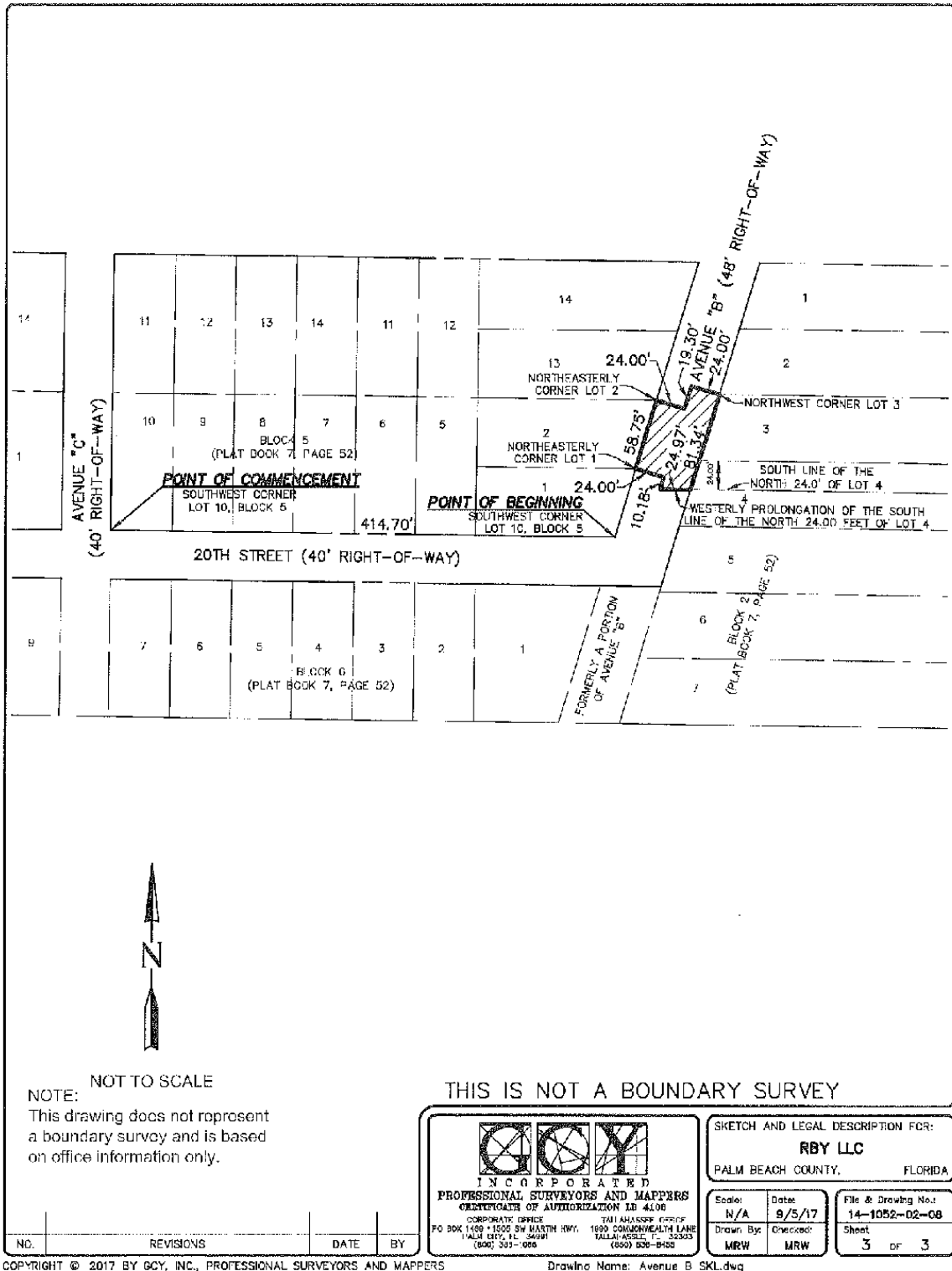
Containing 3,444.8 square feet or 0.08 acres, more or less.

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NO.	REVISIONS	DATE	BY	Drawn By: MRW	Checked: MRW	Sheet: 2 OF 3

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Drawing Name: Avenue B SKL.dwg



REQUEST FOR ABANDONMENT

KEY

- TO BE ABANDONED
- - - COMPATIBLE BUFFER
- ____ RUN BUFFER

NOT TO SCALE 1" = 100'

LOTS OF WORK: APPROX. 15 AC.

EXHIBIT TO PROPOSED ABANDONMENT

Kimley-Horn

THE RYBOVICH COMPANY VALUES:

Our Customers

We strive to understand the challenges faced by our customers and we offer innovative but realistic solutions. As we provide our service, we inspire confidence by placing the needs of our customers first. We always remember that our customer's complete experience and perception is just as important as the eventual result. Ultimately, our success is predicated upon the integrity of the human connection between our customer and us.

Our Service

Our service is the precise fulfillment of a promise. We embody our promise in a contract that clearly defines the expectation for quality, timeliness and price. We strive not only to meet each commitment with precision but also to deliver our service with a reassuring style and integrity that is uniquely identifiable as Rybovich.

Our Team Members

We consider ourselves team members because we know that our role and responsibility is more than just a job. We have careers that require integrity, cooperation and continuous improvement from each one of us. Together, we embrace diversity and creativity because it fosters the proper environment where we can enjoy personal respect and dignity while we contribute to our collective success.

Our Facilities

At Rybovich, our buildings and equipment inspire a confidence that can only come from optimal facilities offered in a controlled and properly maintained environment. Our customers feel at home and free from the industry worries, pressures and solicitation that exists outside our premises. Rybovich is an oasis where guests feel comfortable living and interacting with our team members, colleagues and friends.

Our Community

Rybovich is part of the community with a responsibility to be a good neighbor. We are a positive force for career creation, business opportunity and community advancement. In this effort, we lead by example through our interaction with our team members, our customers, our industry and our neighbors.

Our Stakeholders

We believe that as we live by our values, we will be blessed with the kind of success that will reward our stakeholders. As stewards of a great opportunity, we will guide our actions consistent with our values so that every life that Rybovich touches may have their own opportunity to attain their God given potential.

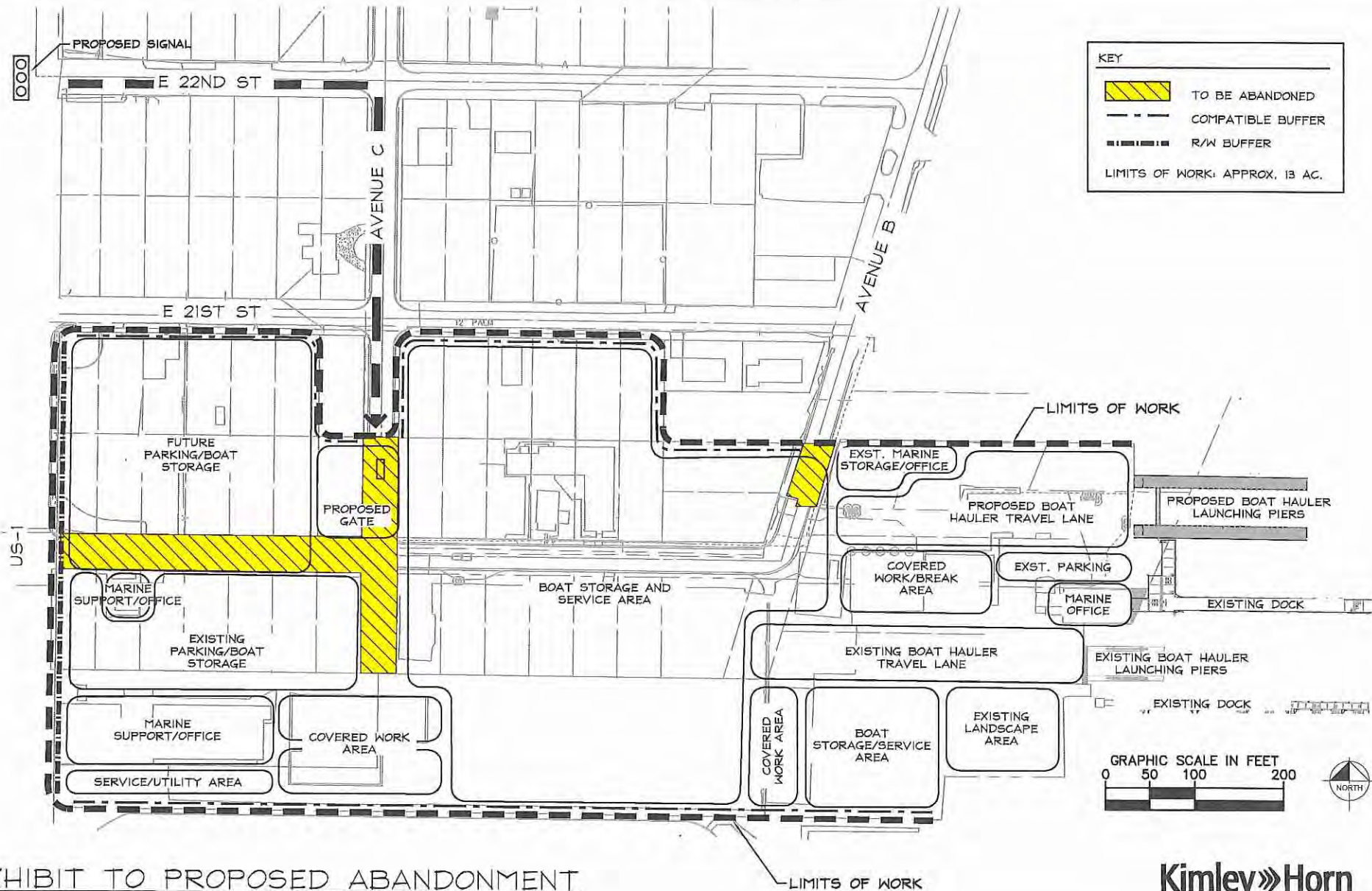
ABANDONMENT JUSTIFICATION REQUEST:

The Riviera Beach City Council maintains the sole discretion to vacate, abandon, discontinue and close any existing public street within the corporate limits of the City of Riviera Beach.

The purpose and intent of the requested abandonment is to allow Rybovich to make a substantial capital investment of over \$10 million in a mega yacht lift. As a component of the redevelopment and advancement of the Riviera Beach facility, a substantial portion of the West Palm Beach shipyard operations are intended to be relocated to the Riviera Beach site. To provide the much-needed boat service area for the larger vessels, portions of Avenue B, Avenue C and 20th Street, which are already within the fenced area, need to be abandoned. This will allow the new mega yacht lift to turn within its designed radius and operate safely and efficiently.

The requested abandonment is justified and should be approved for the following reasons:

- The abandonment request is in compliance with the City's Comprehensive Plan
- The abandonment request with further the goals and objectives of the CRA
- The abandonment request will allow for a \$10 million capital investment in the City's working waterfront
- The ongoing redevelopment and infill of the Rybovich facility will continue to be a value-added addition to the City of Riviera Beach's economic engine
- The continued investment into the City of Riviera Beach will offer an expanded facility and will provide more maritime job opportunities



Kimley»Horn

For Staff Use Only

City of Riviera Beach 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 st Hearing:	2 nd 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.*

APPLICANT	Name of Property Owner(s):	RBY, LLC		
	Mailing Address:	7900 Glades Rd Suite 402 Boca Raton, FL 33434		
	Property Address:	Abandomnet of a portion of Ave. B, Ave. C & 20th St.		
	Name of Applicant (if other than owner):	Kimley-Horn & Associates, Inc. (Mike Spruce & Chuck Millar)		
	Home: ()	Work: (561) 270-6980	Fax: ()	
	E-mail Address: charles.millar@kimley-horn.com / mike.spruce@kimley-horn.com			

PLEASE ATTACH LEGAL DESCRIPTION

PROPERTY	Future Land Use Map Designation:	DMU/WW	Current Zoning Classification:	DC/DM	
	Square footage of site:	+/- 13 acres		Property Control Number (PCN):	right-of-way, NO PCN available
	Type and gross area of any existing non residential uses on site:	+/- 13 acres			
	Gross area of any proposed structure:	No new structures are proposed. Abandonment only.			
	Is there a current or recent use of the property that is/was in violation of City Ordinance?	[] Yes [✓] No			
	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 [✓] No			
	If yes, indicate date, nature and applicant's name:	N/A			
	Briefly describe use of adjoining property:	North:	Rybovich working waterfront		
		South:	Rybovich working waterfront		
	East:	Rybovich working waterfront			
	West:	Rybovich working waterfront			

REZONE	Requested Zoning Classification:	no changes in zoning is requested. Abandonment only.		
	Is the requested zoning classification contiguous with existing?	no change in zoning is requested.		
	Is a Special Exception necessary for your intended use?	[] Yes [✓] No		
	Is a Variance necessary for your intended use?	[] Yes [✓] No		


FUTURE LAND USE	Existing Use: Rybovich working waterfront	Proposed Use: Rybovich working waterfront
	Land Use Designation: DMU/WW (no change)	Requested Land Use: DWU/WW (no change)
	Adjacent Land Uses: North: DMU/WW	South: DMU/WW
	East: DMU/WW	West: DWU/WW
Size of Property Requesting Land Use Change: No change is requested. Abandonment only.		

SPECIAL EXCEPTION	Describe the intended use requiring a Special Exception: No special exception is requested. Abandonment only.
	Provide specific LDR ordinance section number and page number: N/A
	How does intended use meet the standards in the Land Development Code? N/A
	Demonstrate that proposed location and site is appropriate for requested use: N/A
	Demonstrate how site and proposed building(s) have been designed so they are compatible with adjacent uses and neighborhoods: N/A
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: N/A
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: N/A
	Demonstrate how utilities and other service requirements of the use can be met: N/A
	Demonstrate how the impact of traffic generated will be handled: On-site: N/A Off-Site: N/A Other: N/A

VARIANCE	Describe the Variance sought: No variances are requested. Abandonment only.
	Demonstrate that the Variance is needed to overcome a hardship caused by the unique physical conditions of the site: N/A
	Specify the minimum Variance requirements including: height, lot area, size of structure, size of yard, setback, buffer or open space: N/A
	Other: N/A

SITE PLAN	Describe proposed development: No new site plan is requested or proposed. Abandonment only.
	Demonstrate that proposed use is appropriate to site: N/A
	Demonstrate how drainage and paving requirement will be met: N/A
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: N/A
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: N/A
	Demonstrate how utilities and other service requirements of the use can be met: N/A
	Demonstrate how the impact of traffic generated will be handled: On-site: N/A Off-site: N/A

OTHER	<u>COMMUNICATION TOWER CO-LOCATION REQUIREMENTS:</u>
	<ul style="list-style-type: none"> • 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. • Antenna manufacture cut sheets including antenna size and shape. • Zoning map of area with site clearly marked. • Photos of existing building or tower and surrounding uses. • Letter of non-interference and FCC compliance from applicant's Radio Frequency Professional. • Map of surrounding carrier existing locations in all directions with type i.e. Guyed, Self-Support, Monopole, Rooftop. • Letter of structural capacity and building code compliance. • Notes on plan or letter demonstrating floor area coverage not in excess of restrictions • Provide Photo Enhancements of proposal. • Statement that proposal is in compliance with Environmental Regulations prior to permit issue.

Confirmation of Information Accuracy	
<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	9-5-17 _____ Date

AGENT AUTHORIZATION FORM

Owner(s) of Record: RBY, LLC
7900 Glades Rd. Suite 402
Boca Raton, FL 33434

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared _____
Carlos Vidueira RBY, LLC

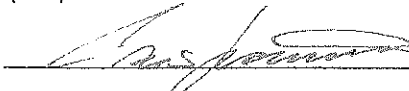
who, being first duly sworn upon oath and personal knowledge say(s) that they are the owner(s) of record of the following described real property:

Requested abandonment for a portion of Avenue B, a portion of Avenue C and a portion of 20th Street.
Any and all other approvals from the City of Riviera Beach with respect to this request.

the street address of which is: Proposed to be abandoned. See attached sketch & legal.
and that we hereby appoint:

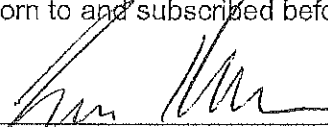
Name: Kimley-Horn & Associates, Inc. (Mike Spruce & Chuck Millar)
Address: 1615 South Congress Ave. Suite 201
Delray Beach, FL 33445
Telephone: 561-270-6980 / 561-404-7248

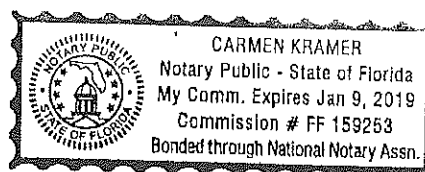
as our authorized agent, to file applications and papers with the City of Riviera Beach, and to represent me (us) at any Hearing regarding my (our) interest.

 1st VP (Seal)

_____ (Seal)

Sworn to and subscribed before me this 5th day of SEPTEMBER, 2017.


Notary Public CARMEN KRAMER





November 7, 2017

VIA ELECTRONIC MAIL

Yoan Machado
Senior Planner / GIS Specialist
City of Riviera Beach
Community Development Department
600 West Blue Heron Blvd.
Riviera Beach, FL 33404

RE: ***Rybovich Marina
Abandonment Application (AB-17-02)***

Yoan:

Thank you for the City's comments with respect to the above captioned project. The Rybovich Marina Development Team has responded to each City comment below and offers the following additional project justification for your review and consideration.

Rybovich, as part of their long-term future expansion program, plans to build-out the infrastructure at their currently under-utilized Riviera Beach boat yard. Barring any unforeseen circumstances, many of the super-yacht repair services being provided at their West Palm Beach boat yard will be relocated to the Riviera Beach facility. Development plans for the future expansion are under consideration, but are contingent upon the abandonment of portions of 20th Street, Avenue B, and Avenue C as proposed in this application. The proposed abandonment will resolve the current separation between Rybovich-owned properties located adjacent to the subject rights-of-way. Moreover, the abandonment will facilitate the development of a comprehensive development plan that consolidates all boatyard and support operations into contiguous properties under common ownership. This proposed development plan will also separate boatyard and support operations from public rights-of-way and adjacent private property.

Before a site plan can be finalized, the first and most critical step is to define a primary travel path to support a multi-ton capacity boat hauler to lift super-yachts from the water and transport them to upland service locations. The land area required to accommodate the primary travel path, the upland service locations, and for maneuvering the boat hauler to and from these locations is substantial and must be contiguous. In addition, the travel path must be centrally located to access launching piers in the water and upland service locations on either side of the travel path. The proposed abandonment of the 20th Street, Avenue B, and Avenue C rights-of-way will facilitate construction of the primary travel path in a centralized location that has unencumbered access to the proposed upland service areas.

Boat haulers for super-yachts are custom made, very expensive, designed for site specific service and require significant lead time to construct. Rybovich must confirm the ability to construct

a predetermined travel path before proceeding with their order. The ordering of the boat lift must occur before the end of the year to maintain the proposed development schedule.

In preparation for the future development, Rybovich is proceeding to complete all the basic requirements at this early stage in order to meet the project's projected timetable. To date, Rybovich has applied for and received all approvals from the Department of Environmental Protection and the Army Corp of Engineers for construction of the required waterside improvements.

Rybovich is only requesting the right-of-way abandonments at this time. After the right-of-way abandonments are approved, Rybovich can complete the development of a site plan for consideration by the City of Riviera Beach. The future Rybovich operations as a super-yacht repair facility is consistent with the City's working waterfront uses.

Rybovich previously has met with all the City Council Members, Community Development Department staff as well as the CRA staff to explain the project plans, sequence of events and required approvals. We respectfully request your prompt completion of staff reviews and recommendation of approval.

Below please find the response to the City's initial comments with respect to the proposed abandonment:

Building Division:

1. Provide an approximation of total square footage:

Response: As stated above, the future site plan is being developed and will be submitted at a later date.

2. Anticipated valuation:

Response: The value of the proposed development is not known at this time due to the early stage of planning. Additional information on project valuation will be provided when the site plan is submitted.

3. Local participation objectives, where applicable:

Response: Local participation objectives will be addressed when the site plan is submitted.

4. Also attached is a form that references anticipated water/sewer/storm water connectivity requests. We ask that where the information is readily available the form be completed as early in the development process as possible to ensure the appropriate calculations are in place:

Response: No site improvements are being requested with this application. Existing facilities on the site are currently being served by City infrastructure and will continue to be served similarly until the future site plan is approved.

Engineering Division:

1. Stop the abandonment 20 feet east of the Broadway/US 1 right-of-way line to allow for maintenance of the signal and crosswalk:

Response: The applicant will convey an easement back to the City for required signal and crosswalk control equipment.

Fire Department:

1. All fire protection equipment shall remain in service at all times. Fire hydrants shall remain operational and accessible to fire apparatus. Standpipe and fire sprinkler system shall remain operational. All fire lanes and access roads shall remain open to emergency vehicles:

Response: The applicant acknowledges the comment and will comply with all applicable life safety standards.

2. How will this effect Riviera Beach Fire Rescue response route, will we still come through gate at 20th and Ave C?

Response: Emergency access will be maintained in its current state until the future site plan is approved.

Police Department:

No comments

Planning and Zoning Division:

1. Please demonstrate compliance with section 29-66 of the Code. Provide a response for each applicable criterion.

Sec. 29-66. – Relocation and use of public right-of-way.

In order to preserve and enhance the existing, interconnected street and block structure in downtown Riviera Beach, public rights-of-way shall not be abandoned. The commission may consider requests for the relocation or use of public rights-of-way using the following criteria:

- I. (1) The proposed relocation resolves existing incompatibilities such as conditions where the fronts of some parcels face the backs of other parcels due to shifts in the block structure and street grid.:

Response: The applicant owns in fee simple title all of the surrounding land which is contiguous to the proposed abandonment. The applicant's future facility expansion is dependent on the proposed abandonment as described above.

- II. (2) The subject right-of-way is an alley or designated as a secondary street. Primary streets are not eligible for relocation or re-orientation unless a new primary street is provided:

Response: The proposed abandonment of the subject right-of-way does not include any primary streets.

- III. (3) The applicant provides a new route within the project that is parallel to the subject right-of-way, establishes a potential (future) street connection on the zoning map, or creates greater connectivity within the city's street network:

Response: Not applicable.

- IV. (4) The proposed relocation maintains or increases public access to the waterfront:

Response: Not applicable.

- V. (5) The relocation will not create a block with a perimeter measuring more than 2,000 feet:

Response: None of the applicant's requested abandonment will result in a perimeter block exceeding 2,000 lineal feet as measured and confirmed by the applicant's Development Team.

- VI. (6) The proposed relocation supports a marine industry, whereby vessel size necessitates increased dimensions of the parcel. Approval of the use of public rights-of-way for marine industry is conditional upon maintaining the industry as the primary use; permits shall stipulate that rights-of-way revert to the city upon the redevelopment of parcels of primarily residential or commercial uses:

Response: The applicant intends to operate the facility as a super-yacht service facility, expanding its land area and service capacity. The future site plan represents an expansion of the local marine industry and requires substantial land area contiguous to a primary travel lane for a super-yacht boat

hauler as described above. The proposed abandonment is required to support the facility expansion.

- VII. (7) Permits shall stipulate that commencement of construction shall occur within two years of approval; otherwise use of subject right-of-way shall revert to the city:

Response: No construction is proposed at this time.

- VIII. (8) Requests to use public rights-of-way for sidewalk encroachments for frontage conditions such as arcades, galleries, or balconies will be considered on a case by case basis:

Response: No arcades, galleries or balconies are proposed at this time.

2. The expected time line for the project is as follows: Completion of Staff Review, Planning and Zoning Board, Community Redevelopment Agency (CRA) Board, City Council:

Response: The applicant acknowledges the comment.

Previous abandonment within the subject property indicates that approval from the CRA was obtained. Please provide documentation of support from the CRA Board before notification for City Council:

Response: The applicant acknowledges the comment and will provide the requested documentation prior to City Council Hearing

3. Please provide comments and documentation from Florida Department of Transportation (FDOT) in reference to new traffic signal or other information about the project:

Response: The FDOT has previously issued the applicable permit(s) to construct the new traffic signal located at the intersection of US 1 & 22nd Street. The permit application has been modified and resubmitted to the FDOT and is currently under review by the FDOT.

City of Riviera Beach - Public Works:

1. Stop the abandonment 20 feet east of Broadway/US 1 right-of-way line to allow for maintenance of the signal and crosswalk:

Response: The applicant will convey an easement back to the City for required signal and crosswalk control equipment.

City of Riviera Beach - Utility District:

1. Please provide a survey of the area that identifies existing easements and rights-of-way bounded by E 21st Street to the north; Ave B to the east; E 20th Street to the south and Broadway to the west:

Response: **A current survey (June, 2017) is attached to this response letter. This attached survey does not include any easements of record.**

2. The Utility District owns water and sewer utilities in the areas outlined for the proposed right-of-way abandonment. Provide a plan to address these utilities. See comment 3 for any utilities that will remain the property of the Utility District:

Response: **No modifications or impacts to public utilities are proposed at this time. The future site plan will address any proposed utility modifications.**

3. In order to facilitate maintenance, replacement and repair activities to water and sewer utilities existing in the above outlined area in comment 1, the Utility District is requesting the establishment of 40' utility easement tracks (within the footprints of the existing rights-of-way) and corresponding easement agreements for the areas where the right-of-way abandonments are being proposed:

Response: **The applicant will dedicate the required utility easements and enter into easement agreements with the Utility District.**

Please schedule this matter for the next available Planning and Zoning Board public hearing. The Rybovich Development Team stands ready to answer and address any further questions. Thank you.

Sincerely,

Charles Millar
Kimley-Horn & Associates, Inc.

Enclosures

cc: Development Team



December 18, 2017

VIA ELECTRONIC MAIL

Yoan Machado
Senior Planner / GIS Specialist
City of Riviera Beach
Community Development Department
600 West Blue Heron Blvd.

Riviera Beach, FL 33404

**RE: Rybovich Marina
Abandonment Application (AB-17-02)
2nd Response to Staff Comments**

Yoan:

Thank you for the City's second round of comments with respect to the above captioned project. The Rybovich Marina Development Team has responded to and addressed each remaining City comment below:

Building Division:

1. I am uncomfortable with the abandonment of this particular road section mainly because I am unclear as to if can truly be abandoned. I recall some resistance while back.

Response: The applicant will work with the Building Division to resolve any remaining concerns.

Engineering / Public Works Division:

1. Engineering and public works are okay. Easements for signals will need to go to the County:

Response: The applicant will convey the requested easements.

Fire Department:

1. Fire rescue has no additional comments:

Response: All issues/comments resolved.

Police Department:

1. No comments:

Response: All issues/comments resolved.

Utility District:

1. Yes, the response satisfies. No further comments from the Utility District.

Response: All issues/comments resolved.

Planning and Zoning Division:

1. Please demonstrate compliance with section 29-66 of the Code. Provide a response for each applicable criterion.

Sec. 29-66. – Relocation and use of public right-of-way.

In order to preserve and enhance the existing, interconnected street and block structure in downtown Riviera Beach, public rights-of-way shall not be abandoned. The commission may consider requests for the relocation or use of public rights-of-way using the following criteria:

- I. (1) The proposed relocation resolves existing incompatibilities such as conditions where the fronts of some parcels face the backs of other parcels due to shifts in the block structure and street grid.:

Response: The applicant currently owns in fee simple title all of the surrounding land which is contiguous and adjacent to the proposed abandonment. The applicant's future facility expansion and capital investment is dependent on City approval of the proposed abandonment.

- II. (2) The subject right-of-way is an alley or designated as a secondary street. Primary streets are not eligible for relocation or re-orientation unless a new primary street is provided:

Response: The proposed abandonment of the subject right-of-way does not include any primary streets.

- III. (3) The applicant provides a new route within the project that is parallel to the subject right-of-way, establishes a potential (future) street connection on the zoning map, or creates greater connectivity within the city's street network:

Response: Not applicable.

- IV. (4) The proposed relocation maintains or increases public access to the waterfront:

Response: Not applicable.

- V. (5) The relocation will not create a block with a perimeter measuring more than 2,000 feet:

Response: None of the applicant's requested abandonment will result in a perimeter block exceeding 2,000 lineal feet as measured and confirmed by the applicant's Development Team.

- VI. (6) The proposed relocation supports a marine industry, whereby vessel size necessitates increased dimensions of the parcel. Approval of the use of public rights-of-way for marine industry is conditional upon maintaining the industry as the primary use; permits shall stipulate that rights-of-way revert to the city upon the redevelopment of parcels of primarily residential or commercial uses:

Response: The applicant intends to operate the facility as a super-yacht service facility, expanding its current land area and growing the vessel service capacity. The future site plan represents an expansion of the local marine industry and requires substantial land area contiguous to a primary travel lane for a super-yacht boat hauler as described above. The proposed abandonment is required to support the facility expansion.

- VII. (7) Permits shall stipulate that commencement of construction shall occur within two years of approval; otherwise use of subject right-of-way shall revert to the city:

Response: No construction is proposed.

- VIII. (8) Requests to use public rights-of-way for sidewalk encroachments for frontage conditions such as arcades, galleries, or balconies will be considered on a case by case basis:

Response: No arcades, galleries or balconies are proposed.

2. Please provide comments and documentation from the Florida Department of Transportation ("FDOT") in reference to the new traffic signal or other information about the project when available.

Response: The applicant acknowledges the comment.

As previously referenced in the prior correspondence, Rybovich, as part of their long-term facility expansion program, plans to build-out the infrastructure at their currently under-utilized Riviera Beach boat yard. Barring unforeseen circumstances, many of the super-yacht repair services being provided at their West Palm Beach boat yard, will be relocated to their Riviera Beach facility. Project plans for the future expansion are under development, but are contingent upon the abandonment of portions of 20th Street, Avenue B, and Avenue C as proposed in this application. The proposed abandonment will resolve the current separation between Rybovich-owned properties located adjacent to the subject rights-of-way and will facilitate the development of a comprehensive development plan that consolidates all boatyard and support operations into contiguous properties under common ownership. This proposed development plan also will separate boatyard and support operations from public rights-of-way and adjacent private property.

Before a site plan can be finalized, the first and most critical step is to define a primary travel path to support a multi-ton capacity boat hauler to lift super-yachts from the water and transport them to upland service locations. The land area required to accommodate the primary travel path, the upland service locations, and for maneuvering the boat hauler to and from these locations is substantial and must be contiguous. In addition, the travel path must be somewhat centrally located to access launching piers in the water and upland service locations on either side of the travel path. The proposed abandonment of the 20th Street, Avenue B, and Avenue C rights-of-way will facilitate construction of the primary travel path in a centralized location that has unencumbered access to the proposed upland service areas.

Boat haulers for super-yachts are custom made, very expensive, and can take approximately 18 months to construct. Rybovich must confirm the ability to construct an appropriately located travel path before proceeding with their capital investment. The ordering of the boat lift must occur before the end of the year to maintain the proposed development schedule. Time is of the essence.

In preparation for the future development, Rybovich is proceeding to complete all the basic requirements at this early stage in order to meet the project's projected timetable. To date Rybovich has applied for and received all approvals from the Department of

Environmental Protection and the Army Corp of Engineers for construction of the required waterside improvements.

Rybovich is only requesting the right-of-way abandonments at this time. After the right-of-way abandonments are approved, Rybovich can complete the development of a site plan for submittal to the City.

Clearly, the applicant has complied with all City standards with respect to the proposed abandonment. Therefore, the applicant respectfully requests that application AB-17-02 be placed on the following City agendas for approval:

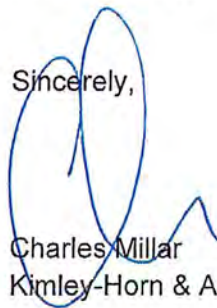
January 25, 2018: Planning and Zoning Board

February 1, 2018: 1st reading by City Council

February 15, 2018: 2nd reading by City Council

Should you have any questions, please contact me directly.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Charles Millar', is written over the typed name.

Charles Millar
Kimley-Horn & Associates, Inc.

cc: Rybovich Development Team

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ABANDONING A PORTION OF EAST 20TH STREET, A PORTION OF AVENUE B AND A PORTION OF AVENUE C EXHIBITED ON THE "REVISED PLAT OF COCOANUT LODGE" IN GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 52 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LOCATED WITHIN THE CITY OF RIVIERA BEACH, FLORIDA, CONTAINING 25,202 SQUARE FEET, 0.6 ACRES, MORE OR LESS; PROVIDING CONDITIONS; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant, Rybovich Riviera Beach, LLC, a division of Rybovich, which owns certain property within the City of Riviera Beach and has requested an abandonment of 25,202 square feet of City owned right-of-way on East 20th Street, Avenue B and Avenue C; and

WHEREAS, Rybovich Riviera Beach, LLC owns all of the property on the north and south side of the rights-of-way; and

WHEREAS, the portions of rights-of-way being requested for abandonment lie within the Community Redevelopment Area of the City of Riviera Beach and the Community Redevelopment Agency Board of Commissioners voted on September 14, 2011, to approve an Escrow Agreement in which they agree that the City should consider abandoning portions of East 20th Street, Avenue B and Avenue C; and

WHEREAS, the City of Riviera Beach City Council voted on September 21, 2011, to approve an Escrow Agreement contemplating the aforementioned abandonment and is willing to vacate said rights-of-way subject to specific concerns and conditions; and

WHEREAS, the City Council has held a public hearing and found that the above referenced rights-of-way should be abandoned as a public rights-of-way.

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

SECTION 1. That the City Council finds that is in the best interests of the City to abandon,

A PORTION OF EAST 20ST STREET, A PORTION OF AVENUE B AND A PORTION OF AVENUE C AS SHOWN ON THE "REVISED PLAT OF COCOANUT LODGE" IN GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 52 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND NOW LOCATED WITHIN THE CITY OF RIVIERA BEACH

SAID LANDS LYING IN THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CONTAINING 25,202 SQUARE FEET, 0.6 ACRES, MORE OR LESS.

SECTION 2. That the public rights-of-way as shown in Exhibit "A" and Exhibit "B" described below is hereby abandoned with the condition that an easement or easements be approved by the City Utility District Director for water and sewer lines located within the abandonment area and be recorded by the applicant in the public records of Palm Beach County within 30 days of final approval of the abandonment.

SECTION 3. That the public rights-of-way as shown in Exhibit "A" and Exhibit "B" described below is hereby abandoned on the condition that any building to take place over the abandonment area where water and sewer lines exist that the water and sewer lines will have to be relocated at the applicants expense and a Utility Easement(s) approved by the City's Utility District Director exhibiting the location of the relocated water and sewer lines be recorded by the applicant in the public records of Palm Beach County.

SECTION 4. That the public rights-of-way as shown in Exhibit "A" and Exhibit "B" and described below is hereby abandoned,

A PORTION OF EAST 20ST STREET, A PORTION OF AVENUE B AND A PORTION OF AVENUE C AS SHOWN ON THE "REVISED PLAT OF COCOANUT LODGE" IN GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 52 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND NOW LOCATED WITHIN THE CITY OF RIVIERA BEACH

SAID LANDS LYING IN THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CONTAINING 25,202 SQUARE FEET, 0.6 ACRES, MORE OR LESS.

SECTION 5. If any word, phrase, clause, subsection or section of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

ORDINANCE NO. 4008
PAGE 3

SECTION 6 All sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.


SECTION 7. This ordinance shall be in full force and effect immediately upon its final passage and approval.

PASSED AND APPROVED on the first reading this 2ND day of NOVEMBER,
2011.


PASSED AND ADOPTED on second and final reading this 16TH day of
NOVEMBER, 2011.


APPROVED:


THOMAS A. MASTERS
MAYOR


JUDY L. DAVIS
CHAIRPERSON

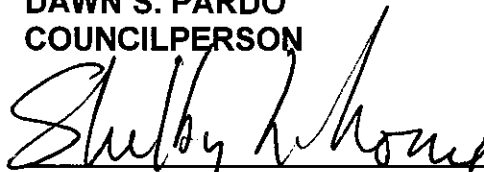
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


BILLIE E. BROOKS
CHAIR PRO TEM


CEDRICK A. THOMAS
COUNCILPERSON


DAWN S. PARDO
COUNCILPERSON


SHELBY L. LOWE
COUNCILPERSON

ORDINANCE NO. 4008
PAGE 5

1ST READING

MOTIONED BY: D. PARDO

SECONDED BY: C. THOMAS

B. BROOKS AYE

J. DAVIS AYE

C. THOMAS AYE

D. PARDO AYE

S. LOWE AYE

2ND & FINAL READING

MOTIONED BY: D. PARDO

SECONDED BY: B. BROOKS

B. BROOKS AYE

J. DAVIS AYE

C. THOMAS AYE

D. PARDO AYE

S. LOWE AYE


REVIEWED AS TO LEGAL SUFFICIENCY

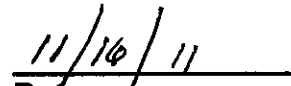

PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 10/26/11

CERTIFICATION OF PUBLICATION

I hereby certify that the notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.


Carrie E. Ward
Master Municipal Clerk
City Clerk


Date

Sketch and Legal Description for: Rybovich Marine Center

Surveyor's Notes

- 1) This sketch and legal description is based on office information only and does not represent a boundary survey.
- 2) This legal description shall not be valid unless:
 - A) Provided in its entirety consisting of 3 sheets, with sheet 3 being the sketch of description.
 - B) Reproductions of the description and sketch are signed and sealed with an embossed surveyor's seal.

Certification

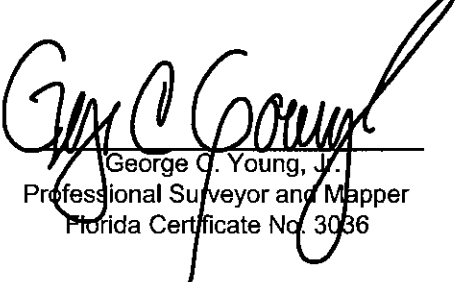
(Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper)

I hereby certify that the Sketch and Legal Description of the property shown and described hereon was completed under my direction and said Sketch and Description is true and correct to the best of my knowledge and belief.

I further certify that this sketch and description meets the Minimum Technical Standards for Surveys set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida State Statutes. The Sketch and Description is based on information furnished by client or client's representative.

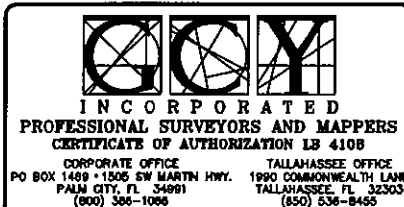
10/24/2011

Date of Signature


 George C. Young, Jr.
 Professional Surveyor and Mapper
 Florida Certificate No. 3036

LEGAL DESCRIPTION

2	REVISED DESCRIPTION AND SKETCH	10/24/11	MRW
1	REVISED DESCRIPTION AND SKETCH	10/20/11	MRW
0.	REVISIONS	DATE	BY



LEGAL DESCRIPTION FOR:			
Rybovich Marine Center			
PALM BEACH COUNTY,		FLORIDA	
Scale:	Date:	File & Drawing No.:	
N/A	9/26/11	11-1056-01-01	
Drawn By:	Checked:	Sheet	
R.L.I.	G.C.Y.	1 of 3	

Legal Description

Being a portion of East 20th Street and a portion of Avenue B, as shown on the "Revised Plat of Coconut Lodge" in Government Lot 4, Section 28, Township 42 South, Range 43 East, as recorded in Plat Book 7, Page 52, public records of Palm Beach County, Florida and now located within the City of Riviera Beach, Florida, more particularly described as follows, to wit:

Begin at the Southwest corner of Lot 10, Block 5 of said plat; Thence along the North right-of-way of East 20th Street (a 40 feet platted right-of-way) and the South line of Lots 10, 9, 8, 7, 6, 5 and 1 of said Block 5 a distance of 414.70 feet to the intersection of Avenue B (a 48 feet platted right-of-way as measured at right angles) and the Southeast corner of said Lot 1; Thence Northeasterly along the Westerly right-of-way of said Avenue B and the Easterly boundary of said Lot 1 to the Northeasterly corner of said Lot 1; Thence Southeasterly perpendicular to said right-of-way of Avenue B a distance of 24 feet; Thence Southwesterly along the center line of said Avenue B and parallel to said right-of-way a distance of 10.18 feet to the Westerly prolongation of the South line of the North 24.00 feet of Lot 4, Block 2, of said revised plat of Coconut Lodge; Thence Easterly along said Westerly prolongation of the South line of the North 24.00 feet of Lot 4, Block 2, a distance of 24.97 feet to the Easterly right-of-way line of said Avenue B; Thence Southwesterly along the Easterly right-of-way line of said Avenue B and the West line of said Lot 5, Block 2 to the intersection of the Easterly prolongation of the South right-of-way line of said East 20th Street; Thence Westerly along said Easterly prolongation and the Southerly right-of-way of said East 20th Street a distance of 453.07 feet to the Northwest corner of Lot 7, Block 6 of said Revised Plat of Coconut Lodge and the intersection of the east right-of-way of Avenue C (a 40 feet platted right-of-way); Thence North along a straight line to the Southwest corner of said Lot 10, Block 5 and the Point of Beginning.

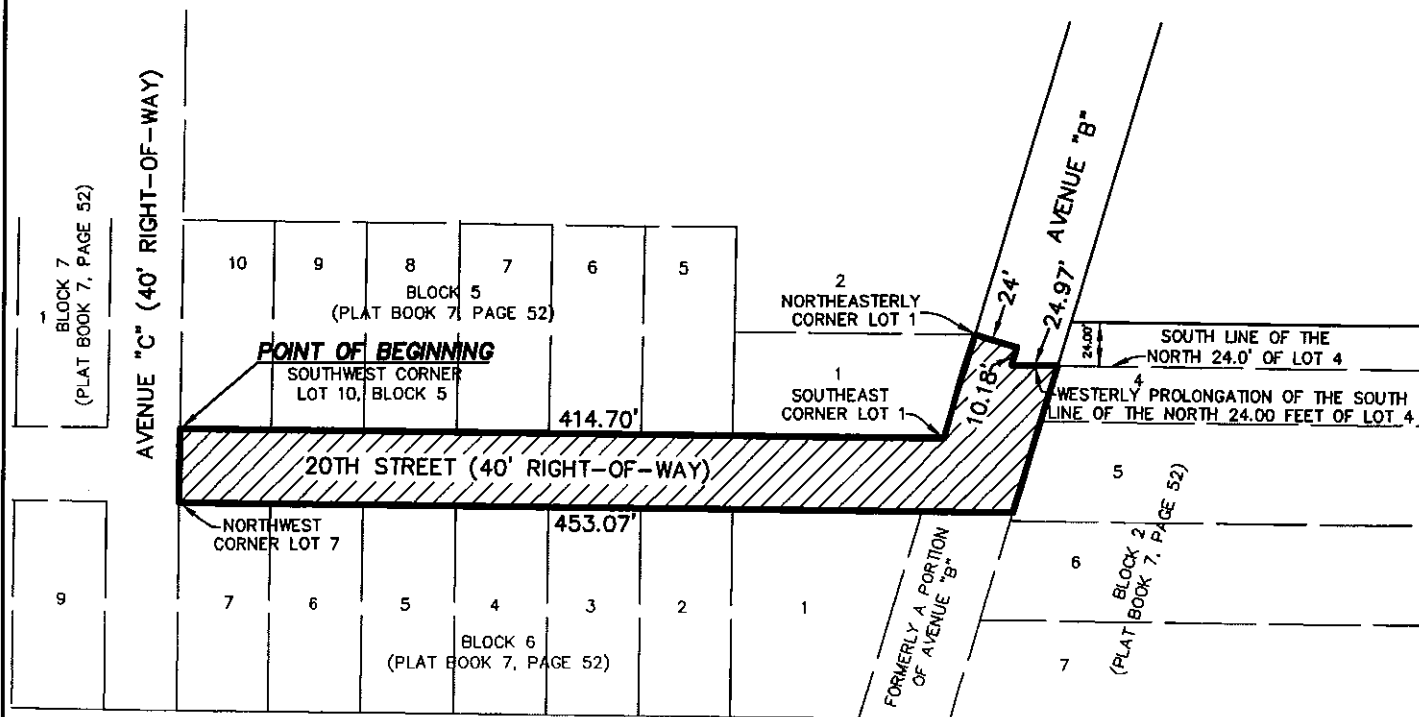
Containing 20,682.0 square feet or 0.47 acres, more or less.

LEGAL DESCRIPTION

2	REVISED DESCRIPTION AND SKETCH	10/24/11	MRW
1	REVISED DESCRIPTION AND SKETCH	10/20/11	MRW
10.	REVISIONS	DATE	BY



LEGAL DESCRIPTION FOR:			
Rybovich Marine Center			
PALM BEACH COUNTY,		FLORIDA	
Scale:	N/A	Date:	9/26/11
Drawn By:	R.L.I.	Checked:	G.C.Y.
File & Drawing No.:		11-1056-01-01	
Sheet		2 of 3	



NOTE: NOT TO SCALE

This drawing does not represent a boundary survey and is based on office information only.

LEGAL DESCRIPTION

2	REVISED DESCRIPTION AND SKETCH	10/24/11	MRW
1	REVISED DESCRIPTION AND SKETCH	10/20/11	MRW
0.	REVISIONS	DATE	BY

G C Y
INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
CERTIFICATE OF AUTHORIZATION LB 4108

CORPORATE OFFICE
PO BOX 1489 • 1506 SW MARTIN HWY.
PALM CITY, FL 34991
(800) 366-1000

TALLAHASSEE OFFICE
1900 COMMONWEALTH LANE
TALLAHASSEE, FL 32303
(850) 536-8455

LEGAL DESCRIPTION FOR:
Rybovich Marine Center
PALM BEACH COUNTY, FLORIDA

Scale: N/A	Date: 9/26/11	File & Drawing No.: 11-1056-01-01
Drawn By: R.L.I.	Checked: G.C.Y.	Sheet 3 of 3

Sketch and Legal Description for: Rybovich Marine Center

Surveyor's Notes

- 1) This sketch and legal description is based on office information only and does not represent a boundary survey.
- 2) This legal description shall not be valid unless:
 - A) Provided in its entirety consisting of 3 sheets, with sheet 3 being the sketch of description.
 - B) Reproductions of the description and sketch are signed and sealed with an embossed surveyor's seal.

Certification

(Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper)

I hereby certify that the Sketch and Legal Description of the property shown and described hereon was completed under my direction and said Sketch and Description is true and correct to the best of my knowledge and belief.


I further certify that this sketch and description meets the Minimum Technical Standards for Surveys set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida State Statutes. The Sketch and Description is based on information furnished by client or client's representative.

9/26/2011

Date of Signature

George C. Young, Jr.
George C. Young, Jr.
Professional Surveyor and Mapper
Florida Certificate No. 3086

LEGAL DESCRIPTION

 INCORPORATED PROFESSIONAL SURVEYORS AND MAPPERS CERTIFICATE OF AUTHORIZATION LB 4100 CORPORATE OFFICE: PO BOX 1422 • 1525 SW MARTIN HWY. • TALLAHASSEE, FL 32303 (904) 266-1000 TALLAHASSEE OFFICE: 1900 COMMERCIAL LANE • TALLAHASSEE, FL 32303 (904) 836-8485				LEGAL DESCRIPTION FOR: Rybovich Marine Center PALM BEACH COUNTY, FLORIDA	
Scale: N/A Drawn By: R.L.L.		Date: 9/26/11 Checked: G.C.Y.		File & Drawing No.: 11-1058-01-01 Sheet: 1 of 3	

Legal Description

BEING A PORTION OF AVENUE C (A 40 FEET PLATTED RIGHT-OF-WAY), AS SHOWN ON THE 'REVISED PLAT OF COCOANUT LODGE' IN GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 52, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND NOW LOCATED WITHIN THE CITY OF RIVIERA BEACH, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS,


TO WIT:

ALL THAT RIGHT-OF-WAY OF SAID AVENUE C LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY OF EAST 20TH STREET.

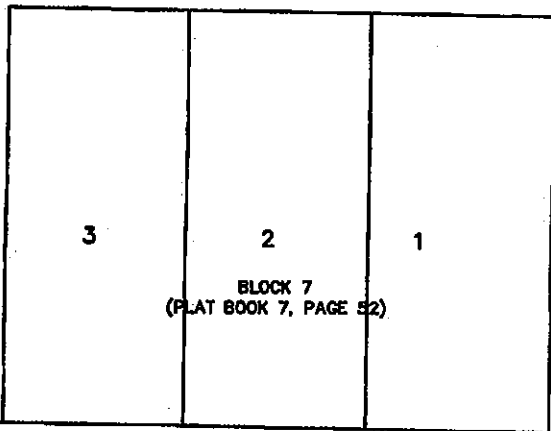
CONTAINING 4,520 SQUARE FEET OR 0.10 ACRE, MORE OR LESS.

LEGAL DESCRIPTION

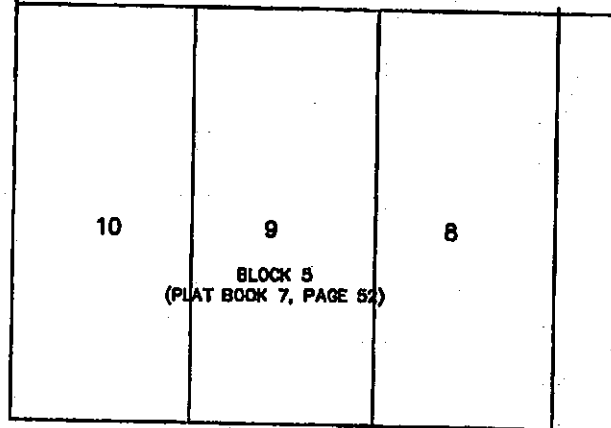
NO.	REVISIONS	DATE	BY

 INCORPORATED PROFESSIONAL SURVEYORS AND MAPPERS CERTIFICATE OF AUTHORIZATION LB 4100 CORPORATE OFFICE: PO BOX 1469 • 1524 SW MARTIN HWY. TALLAHASSEE OFFICE: 1000 COMMONWEALTH LANE PALM CITY, FL 32901 • TALLAHASSEE, FL 32303 (850) 595-1090 (850) 535-8488	
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LEGAL DESCRIPTION FOR:		
Rybovich Marine Center		
PALM BEACH COUNTY,		FLORIDA
Scale:	Date:	File & Drawing No.:
N/A	9/28/11	11-1058-01-01
Drawn By:	Checked:	Sheet
R.L.I.	G.C.Y.	2 of 3

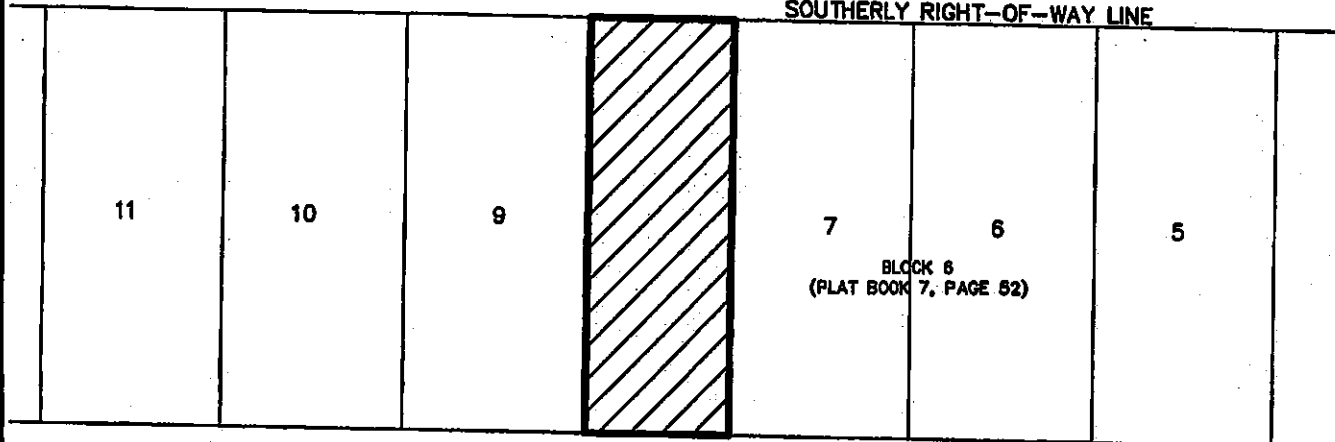


AVENUE "C" (40' RIGHT-OF-WAY)



20TH STREET (40' RIGHT-OF-WAY)

SOUTHERLY RIGHT-OF-WAY LINE



NOT TO SCALE

NOTE:

This drawing does not represent a boundary survey and is based on office information only.

LEGAL DESCRIPTION

GCY INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
 CERTIFICATE OF AUTHORIZATION LB 4108
 CORPORATE OFFICE: PO BOX 1408 • 1505 SW MARTIN HWY. TALLAHASSEE, FL 32303
 TALLAHASSEE OFFICE: 1890 COMMONWEALTH LANE TALLAHASSEE, FL 32303
 (850) 366-1088 (850) 536-5455

LEGAL DESCRIPTION FOR:
Rybovich Marine Center
 PALM BEACH COUNTY, FLORIDA

Scale: N/A	Date: 9/28/11	File & Drawing No.: 11-1058-01-01
Drawn By: R.L.L.	Checked: G.G.Y.	Sheet 3 of 3

NO.	REVISIONS	DATE	BY