



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

LOCAL PLANNING AGENCY

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

Commencement – 6:30 PM  
Thursday, July 12, 2018

City Council Chambers - Municipal Complex  
600 W. Blue Heron Blvd., Riviera Beach, FL 33404

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

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

**II. ROLL CALL**

Tradrick McCoy, Chairperson

James Gallon, Board Member

Margaret Shepherd, Board Member

Vacant, Board Member

Anthony Brown, 1<sup>st</sup> Alternate Member

Rena Burgess, Vice-Chair

Edward Kunuty, Board Member

Jon Gustafson, Board Member

Vacant, 2<sup>nd</sup> Alternate Member

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

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

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

**VI. APPROVAL OF MINUTES** – April 26, 2018.

**VII. UNFINISHED BUSINESS** – None.

**VIII. NEW BUSINESS**

A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING SITE PLAN APPLICATION SP-17-09 FOR THE CONSTRUCTION AND USE OF A 130 FOOT MONOPOLE WIRELESS SERVICES TOWER LOCATED AT 700 AVENUE 'E', WITHIN THE PORT OF PALM BEACH, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-33-22-0010010, HAVING A PORT FUTURE LAND USE DESIGNATION AND A GENERAL INDUSTRIAL ZONING DESIGNATION; AND PROVIDING FOR AN EFFECTIVE DATE.

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY'S ADOPTED COMPREHENSIVE PLAN BASED ON EVALUATION AND APPRAISAL REVIEW IN ORDER TO PROVIDE CONSISTENCY WITH CURRENT STATUTORY REQUIREMENTS PER SECTION 163.3191(4), FLORIDA STATUTES, INCLUDING, BUT NOT LIMITED TO, DELETING ANY AND ALL REFERENCES TO RULE 9J-5, FLORIDA ADMINISTRATIVE CODE, AS PROVIDED WITHIN ALL ELEMENTS OF THE COMPREHENSIVE PLAN, MORE SPECIFICALLY THE FUTURE LAND USE ELEMENT AND COASTAL MANAGEMENT ELEMENT, AND TO ADDRESS PERIL OF FLOOD PRINCIPLES PER SECTION 163.3178(2)(F), FLORIDA STATUTES; PROVIDING FOR CONFLICTS AND SEVERABILITY; 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 – July 26, 2018 / August 9, 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](http://www.rivierabch.com).

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<p>CITY OF RIVIERA BEACH PLANNING AND ZONING BOARD</p> <p>---</p> <p>Thursday, April 26, 2018</p> <p>Council Chambers 600 West Blue Heron Boulevard Riviera Beach, Florida</p> <p>6:39 p.m. - 9:30 p.m.</p> <p>---</p> <p>IN ATTENDANCE:</p> <p>Tradrick McCoy, Chair James Gallon, Board Member Edward Kunuty, Board Member Margaret Shepherd, Board Member Jon Gustafson, First Alternate 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 Burgess.</p> <p>2 (No response.)</p> <p>3 MS. DAVIDSON: Tradrick McCoy.</p> <p>4 CHAIR McCOY: Here.</p> <p>5 MS. DAVIDSON: You have a quorum.</p> <p>6 CHAIR McCOY: Thank you. Acknowledgment of</p> <p>7 Board member absence notification.</p> <p>8 MR. GAGNON: Thank you, Chair. Jeff Gagnon,</p> <p>9 Acting Director of Community Development.</p> <p>10 I did not receive word from Ms. Burgess</p> <p>11 tonight. In the absence of two or more regular</p> <p>12 members, I would like to request that both the first</p> <p>13 alternate and second alternate receive voting rights.</p> <p>14 CHAIR McCOY: Thank you. Additions and</p> <p>15 deletions.</p> <p>16 MR. GAGNON: Yes, thank you, sir. I do want</p> <p>17 to mention one addition to the agenda. It is a</p> <p>18 stricken through and underlined copy associated with</p> <p>19 new business, letter A. And what that is is</p> <p>20 identifying how the proposed text would appear within</p> <p>21 the City's Zoning Code of Ordinances. So that was</p> <p>22 passed out to the Board. It's also placed in the</p> <p>23 public record binder, which is available in the back of</p> <p>24 the dais tonight.</p> <p>25 And one thing I want to mention as well,</p>
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<p>1 BE IT REMEMBERED that the following Planning</p> <p>2 and Zoning Board meeting was had at Riviera Beach City</p> <p>3 Hall Council Chambers, 600 West Blue Heron Boulevard,</p> <p>4 Riviera Beach, Florida, on Thursday, April 26, 2018,</p> <p>5 beginning at 6:39 p.m., with attendees as hereinabove</p> <p>6 noted, to wit:</p> <p>7 ---</p> <p>8 CHAIR McCOY: Good evening. We're going to</p> <p>9 call the April 26, 2018 Planning and Zoning Board</p> <p>10 meeting to order. We'll start with a moment of</p> <p>11 silence, followed by the Pledge of Allegiance.</p> <p>12 (Moment of silence observed. Pledge of</p> <p>13 Allegiance recited.)</p> <p>14 CHAIR McCOY: Roll call.</p> <p>15 MS. DAVIDSON: Edward Kunuty.</p> <p>16 MR. KUNUTY: Here.</p> <p>17 MS. DAVIDSON: Margaret Shepherd.</p> <p>18 MS. SHEPHERD: Here.</p> <p>19 MS. DAVIDSON: James Gallon.</p> <p>20 MR. GALLON: Here.</p> <p>21 MS. DAVIDSON: Jon Gustafson.</p> <p>22 MR. GUSTAFSON: Here.</p> <p>23 MS. DAVIDSON: Anthony Brown.</p> <p>24 MR. BROWN: Here.</p> <p>25 MS. DAVIDSON: Rena James. I'm sorry, Rena</p>	<p>1 Chair, we don't always a full attendance, but we have a</p> <p>2 few individuals here tonight, so maybe mention the</p> <p>3 comment card system we use, so that way, if individuals</p> <p>4 do want to speak, then we'll have those comment cards</p> <p>5 available.</p> <p>6 Do we have them in back as well?</p> <p>7 MS. DAVIDSON: Yes.</p> <p>8 MR. GAGNON: Okay, so we have comment cards</p> <p>9 available in back. So if anyone is interested in</p> <p>10 speaking, they'll just need to fill out the comment</p> <p>11 card and provide it to staff up front. There's also an</p> <p>12 option if you don't want to publicly speak, you can</p> <p>13 just write in comments, and that can be read into the</p> <p>14 record if you so choose. So I just wanted to make</p> <p>15 mention of that option for the public. Thank you.</p> <p>16 CHAIR McCOY: Thank you, Mr. Gagnon.</p> <p>17 Disclosure by members and adoption of the</p> <p>18 agenda. Any members wishing to disclose? Hearing</p> <p>19 none, is there a motion to adopt the agenda?</p> <p>20 MR. KUNUTY: So moved.</p> <p>21 MS. SHEPHERD: Second.</p> <p>22 CHAIR McCOY: It's been moved and properly</p> <p>23 seconded. Roll call.</p> <p>24 MS. DAVIDSON: Edward Kunuty.</p> <p>25 MR. KUNUTY: Yes.</p>

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<p>1 MS. DAVIDSON: Margaret Shepherd. 2 MS. SHEPHERD: Yes. 3 MS. DAVIDSON: James Gallon. 4 MR. GALLON: Yes. 5 MS. DAVIDSON: Jon Gustafson. 6 MR. GUSTAFSON: Yes. 7 MS. DAVIDSON: Anthony Brown. 8 MR. BROWN: Yes. 9 MS. DAVIDSON: Tradrick McCoy. 10 CHAIR McCOY: Yes. 11 MS. DAVIDSON: Unanimous vote. 12 CHAIR McCOY: Approval of the minutes from 13 April 12, 2018. Is there a motion? 14 MR. GALLON: So moved. 15 MR. KUNUTY: Second. 16 CHAIR McCOY: Been moved and seconded. Roll 17 call. 18 MS. DAVIDSON: Edward Kunuty. 19 MR. KUNUTY: Yes. 20 MS. DAVIDSON: Margaret Shepherd. 21 MS. SHEPHERD: Yes. 22 MS. DAVIDSON: James Gallon. 23 MR. GALLON: Yes. 24 MS. DAVIDSON: Jon Gustafson. 25 MR. GUSTAFSON: Yes.</p>	<p>1 Board take any action or take any motion on these items 2 until all three are heard. 3 So with that, I'd like to do the staff 4 presentation, followed by the applicant's presentation, 5 make sure there's adequate time for public comment, for 6 any public cards we receive, and then following those 7 three items, have the Board make any motion. So if 8 there's deliberation or questions for each individual 9 item, I think that would be highly appropriate for the 10 Board just to ask whatever question arises. 11 However, I think it's best to make any sort 12 of motion at the end of hearing all three items. And I 13 would request that the motions would be in the order of 14 the items appearing on the agenda, so a motion for A, 15 motion for B, motion for C. So if that pleases the 16 Board, I will continue with new business, letter A. 17 So for the record, letter A is an ordinance 18 of the City Council of the City of Riviera Beach, Palm 19 Beach County, Florida, amending Chapter 31 of the 20 City's Code of Ordinances entitled Zoning, Article 1, 21 In General, Section 31-1, Definitions, and amending 22 Article VII, Off-Street Parking and Loading, Section 23 31-577, Off-Street Parking Ratios in order to add 24 definitions for and associated with affordable housing, 25 low income housing, workforce housing and similar, and</p>
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<p>1 MS. DAVIDSON: Anthony Brown. 2 MR. BROWN: Yes. 3 MS. DAVIDSON: Tradrick McCoy. 4 CHAIR McCOY: Yes. 5 MS. DAVIDSON: Unanimous vote. 6 CHAIR McCOY: We have no unfinished business. 7 We'll move into item number VIII, new business. And 8 prior to -- excuse me -- starting, as Mr. Gagnon said, 9 if any member from the public wishes to speak on any of 10 the items, please fill out a card and then turn it in 11 to staff. 12 Mr. Gagnon. 13 MR. GAGNON: Thank you, sir. We have three 14 items tonight under new business, A, B and C. Letters 15 B and C are connected in the fact that there's an 16 abandonment request that's tied to a site plan approval 17 and future construction of a clubhouse, community 18 building. 19 Letter A is also connected to the two as 20 well, because letter A is requesting a text amendment 21 to our parking regulations to create a specific 22 definition for affordable housing, as well as a 23 specific parking ratio for that housing type. 24 So if it pleases the Board, I would like to 25 really present each item concurrently and not have the</p>	<p>1 to provide specific parking ratios for the 2 aforementioned uses, providing for conflicts, 3 severability and codification, and providing for an 4 effective date. 5 So as mentioned under the add/delete section 6 of tonight's meeting, each Board member received an 7 underlined copy of the proposed text. I'll also have 8 the text available within the PowerPoint presentation. 9 Just in summary, the applicant is Millennia 10 Housing Development, Limited, and the request, again, 11 is to incorporate a new definition for affordable 12 housing because our code is currently silent. In 13 addition to that definition, also incorporate a parking 14 ratio, which would be a ratio of one parking space 15 required per each affordable housing unit. 16 Being that this is an ordinance impacting the 17 entire city, this would have a global impact, so it's 18 not site specific, even though this specific ordinance 19 would have an impact on items B and C as following the 20 agenda. 21 The item that's most important is this is the 22 cornerstone of the site plan as well. Because of 23 existing parking ratios within the development, the 24 site is currently considered legal nonconforming. And 25 we'll talk about that once we get into the specific</p>



<p style="text-align: right;">Page 9</p> <p>1 site plan details and the abandonment request, but I 2 did want to make sure that the Board and the public was 3 aware of the connection between the three items. 4 So before you on the screen, this is the 5 proposed definition for affordable housing, which is an 6 owner occupied or rental dwelling unit with a purchase 7 cost, value or monthly rental, as applicable, equal to 8 or less than the amounts established in the applicable 9 standards for those individuals whose income is at or 10 below 60 percent of the area median income, as 11 published by the United States Department of Housing 12 and Urban Development and certified by the Department 13 of Community and Economic Development. 14 So that's the proposed definition for 15 affordable housing, which seems to be rather standard 16 within the industry. 17 And the entire off-street parking ratio 18 section of the code was provided to the Board and is 19 also available to the public. 20 Only section one, residential uses, would be 21 impacted by this proposal. So again, the deletions are 22 shown in strike-through format, the additions are shown 23 underlined in red text. So you can see there's a minor 24 modification under letter A, which removes all 25 residential units, being that there are other</p>	<p style="text-align: right;">Page 11</p> <p>1 parking space per unit. A Parking Analysis Management 2 Plan shall be provided in order to ensure that 3 transportation and off-street parking needs will be 4 met. I do apologize for that. 5 So that's the amendment proposed within the 6 off-street parking ratio, and again, that's identified 7 within the handout that was provided to the Board and 8 available to the public. 9 At this point, I think, if it pleases the 10 Board, if you have no additional questions or 11 questions. 12 CHAIR McCOY: Yes, Mr. Gagnon, I have a 13 question. 14 MR. GAGNON: Yes, sir. 15 CHAIR McCOY: I was curious, I just seen that 16 definition tonight for the first time. And you said it 17 was standard. The 60 percent below the area median was 18 standard to define what affordable housing is? 19 MR. GAGNON: To my knowledge, yes. And that 20 was within the ordinance that was provided by the 21 applicant provides the identical definition. So that 22 was really copied and pasted from the applicant's 23 proposal into this format and is shown in red text to 24 provide the Board with an indication of how it would 25 appear in the City's code.</p>
<p style="text-align: right;">Page 10</p> <p>1 categories possible. So B and C, as proposed, are also 2 residential units. So that's a minor cleanup. That 3 would ensure there's not a contradiction within the 4 code itself. 5 Within B, the black text, again, is already 6 within our code structure, so for any elderly housing 7 or age restricted housing, the parking ratio that's 8 required is 0.8 parking spaces per unit, and we're 9 proposing to add an additional request or requirement, 10 being that a Parking Analysis and Management Plan will 11 need to be provided to the City to ensure that both 12 transportation and off-street parking needs will be 13 met. 14 That is mirrored in the text amendment within 15 letter C. So that's the second sentence that's 16 identical as proposed in B. Within C, the text states: 17 Affordable housing units shall provide at least one 18 parking space per unit. And that's -- I apologize -- 19 that units for the elderly shall include independent 20 living units and assisted living units. That is, I 21 believe, a typo on my part. Do apologize. So it 22 should just read -- yes, that was a typo. I apologize. 23 That was from the definition B. 24 So it should read, for the record: 25 Affordable housing units shall provide at least one</p>	<p style="text-align: right;">Page 12</p> <p>1 CHAIR McCOY: Okay. Well, and I guess I'll 2 ask the applicant this later, but is that the standard 3 and the premise in which they're getting, I believe, 4 the financing from HUD, that it has to have that area 5 of median -- 60 percent below the area median income, 6 is that -- 7 MR. GAGNON: I believe that's the 8 affordability threshold, yes. But again, it's, I 9 think, a better question for the applicant when that 10 time arises, just to confirm that. 11 CHAIR McCOY: Okay. Secondly, the Parking 12 Analysis and Management Plan, is that something that's 13 new and specific to this project and something that 14 we're going to be incorporating? So is there any 15 standard operating procedures on what that looks like 16 or what that includes? 17 MR. GAGNON: So we currently don't have a 18 requirement for any Parking Analysis or Management Plan 19 other than our typical code requirements to demonstrate 20 that traffic concurrency will be met, that, you know, 21 there will be no above and beyond traffic congestion 22 for a site. 23 So what this will do, this allows staff to 24 look at each site on a case by case basis, because the 25 sites can be very, very different. So you can have a</p>

<p style="text-align: right;">Page 13</p> <p>1 site that is, you know, within a downtown area of the 2 city, adjacent to available transportation, so it can 3 be available to Palm Tran, available to a bus stop, 4 versus another location that might be proposed within a 5 single family neighborhood that is, you know, ten 6 blocks away from any existing bus route. 7 So what we really want to do is make sure 8 that any future proposal will be able to meet parking 9 demand, and if there is a proposal to utilize this 10 affordable housing structure, that there won't be 11 parking issues in the future. Also, that there will 12 also be opportunity for other transportation methods 13 for the residents of the community, so ensuring that 14 there is a bus shelter, ensuring that there is bus 15 transportation or another transportation method that's 16 readily available. 17 CHAIR McCOY: Mr. Gagnon, I appreciate that, 18 and I understand why we need it, but I'm not sure I 19 understand what it is, you know. Is it a statement? 20 Is it a summary? What kind of elements are contained 21 in this Parking Analysis? What components is it made 22 up of, because, you know, this becomes an ordinance. 23 So, you know, it shouldn't be arbitrary. It should be 24 something that's definable or there's something that we 25 can point to similar to that we all know what a site</p>	<p style="text-align: right;">Page 15</p> <p>1 So that's not even an issue, or won't be an issue, 2 because we're doing a text amendment. Am I right? 3 MR. GAGNON: Right, that's correct. 4 CHAIR McCOY: So what was the -- how did they 5 go about doing a text amendment, an application to do a 6 text amendment? Is it specific, or is there a uniform 7 application, and what's the process of that? 8 MR. GAGNON: Yes, we utilize the same 9 application for almost any development proposal or 10 request. So the same application we utilize for a site 11 plan or a plat we would request from the applicant that 12 is proposing a text amendment. 13 The process, it's really something where the 14 applicant has the right and opportunity to make the 15 request. It's something that the initial request isn't 16 always accepted verbatim, however, so there were some 17 conversations between really myself and the applicant 18 where some of the ratios that were initially proposed 19 didn't seem feasible based on our community's dynamics. 20 You know, we're not necessarily in a downtown 21 area per se. You know, we're not downtown West Palm, 22 we're not downtown Fort Lauderdale, we're not downtown 23 Miami, so some of the public transportation options are 24 not as readily available here as in those locations. 25 So we had a discussion and talked about what we thought</p>
<p style="text-align: right;">Page 14</p> <p>1 plan is. Is there something a little more defining as 2 to what must be inside of this Parking Analysis and 3 this Management Plan? 4 MR. GAGNON: So it's not specifically 5 codified, as you just mentioned. We don't have a 6 standard operating procedure associated with it yet. 7 What I envision it to be is from the 8 development team, they would have to provide us with 9 what the industry standards are, what their anticipated 10 parking demand is, what transportation opportunities 11 exist in the area and what guarantees they have to 12 ensure that if they are utilizing a reduced parking 13 ratio, that those traffic impacts aren't going to 14 impact the neighborhood and greater community. 15 So in some ways, we already ask for that 16 information through our site plan analysis and through 17 our traffic concurrency process. But we wanted to 18 really ensure that we have a separate document that we 19 can rely on and state within this summary, within this 20 management plan, this is how parking was to occur, this 21 is how transportation was going to be facilitated for 22 the site so we'll have, again, another document to rely 23 on to ensure that there's nothing that's missed. 24 CHAIR McCOY: Okay. And I know when we seen 25 this the last time, there was a discussion of variance.</p>	<p style="text-align: right;">Page 16</p> <p>1 could potentially work. 2 So the ratio that's provided tonight is 3 something that staff can see it working, so long as 4 this transportation and management plan, Parking 5 Analysis Management Plan is provided to guarantee that 6 it will still foster adequate off-street parking and 7 provide enough opportunity for transportation to and 8 from the location. 9 CHAIR McCOY: Okay. Any other members with 10 questions? 11 MS. SHEPHERD: Mr. Gagnon, on the one with 12 the handout -- 13 MR. GAGNON: Yes, ma'am. 14 MS. SHEPHERD: -- kind of explain it to me 15 just a little. 16 MR. GAGNON: Sure. 17 MS. SHEPHERD: (B), parking units for the 18 elderly shall be provided at least 0.8 parking spaces. 19 I'm sorry. (B), talking about the parking for the 20 elderly at 0.8. Kind of explain that to me a little 21 bit. 22 MR. GAGNON: Sure, sure. So all the text 23 that appears in black, that is our current code 24 structure. 25 MS. SHEPHERD: Okay.</p>

<p style="text-align: right;">Page 17</p> <p>1 MR. GAGNON: So what we currently have in our 2 code is really an exemption for our parking standards 3 for any elderly or age restricted development. So what 4 that allows to happen, because some seniors get to a 5 point where they're not driving anymore, so the need to 6 have multiple vehicles isn't there. And oftentimes age 7 restricted developments or senior living developments 8 will start providing transportation as well. So let's 9 say there's a shuttle bus that goes to the grocery 10 store every day at 1:00. 11 So because of that, staff previously had 12 looked at parking ratios, and we would consider other 13 transportation options versus just having parking 14 spaces. So that's why there's a reduced parking ratio 15 for any elderly type of development. 16 MS. SHEPHERD: So what you're saying, they 17 would lose that parking space in lieu of transportation 18 coming to them? 19 MR. GAGNON: So if you're proposing a brand 20 new development, our current requirements, which -- so 21 under letter A, the current requirement is to have two 22 parking spaces per each residential unit. So 23 oftentimes elderly housing or age restricted housing 24 starts having smaller units for one, so you know, it's 25 one bedroom, one bath, maybe two bedroom, two bath. So</p>	<p style="text-align: right;">Page 19</p> <p>1 MR. KUNUTY: Seems to me that that has way 2 more impact than I was considering on this. You know. 3 I mean there will be future developments. I mean we've 4 got three big parcels over on U.S. 1 that could turn 5 into that. 6 And it seems to me, you know, I guess I don't 7 have a real problem with maybe considering it as unique 8 to this property, but I think I have a problem with 9 making it global in the sense that anybody, forever, in 10 the city can use that. You know for a fact that that's 11 going to -- that's probably what's going to happen, 12 okay. Once you do that, nobody's going to have two 13 parking places, okay. 14 So I don't know how we handle that. But like 15 I say, I don't have a problem with something being 16 unique to this development, you know, if other 17 conditions are in place, but I have a problem making it 18 global throughout the city. 19 And then my final point is how is this 20 process? Does that text amendment come here and we 21 approve it or disapprove it. 22 MR. GAGNON: So the text amendment process is 23 going to follow really the same process as the 24 abandonment that's requested on B and C, as well as the 25 site plan. It will go to the Planning and Zoning Board</p>
<p style="text-align: right;">Page 18</p> <p>1 that factors into this parking calculation. 2 In addition to that, a lot of the residents 3 within that style of residence, they're no longer 4 driving or they'll seek alternate transportation 5 methods. So that's why we have a lower parking ratio 6 than two parking spaces per unit. 7 MS. SHEPHERD: Okay, I get it. Thank you. 8 MR. GAGNON: You're welcome. 9 CHAIR MCCOY: Any other members? 10 MR. KUNUTY: Yes, I'm not really sure I 11 understand how we modify the two parking rule, two 12 parking space rule with a text amendment. Is this text 13 amendment unique to this piece of property and this 14 development only? 15 MR. GAGNON: Well, it will be -- the text 16 amendment will have a global implication. So if the 17 text amendment's approved, any development proposal 18 meeting that definition for age restricted housing -- 19 excuse me -- for affordable housing will be able to 20 utilize one parking space per unit, so long as they 21 also provide the traffic analysis and parking 22 management plan. So this will not only be applicable 23 to the development we'll discuss in letters B and C 24 tonight, but this would be applicable to the entire 25 city.</p>	<p style="text-align: right;">Page 20</p> <p>1 for review and discussion. Their recommendation will 2 be provided to the City Council. 3 The text amendment and the abandonment 4 require approval by ordinance, so there will be two 5 City Council readings. The site plan will be brought 6 before the Council, likely during the first reading as 7 well, just for their information, so they understand 8 how they're all associated. But it would be approved 9 upon second reading of the ordinance, so it's really a 10 typical ordinance process. 11 MR. KUNUTY: Sure. 12 MR. GAGNON: It's brought to the Board and 13 then goes to City Council for two readings. 14 MR. KUNUTY: But I guess from a protocol 15 standpoint, if we're being asked to approve this now 16 without the text amendment, it's like we're getting 17 half the information we need to make the decision. 18 MR. GAGNON: Well, it's going to be -- the 19 project, as provided, is going to be contingent upon 20 approval of the text amendment. So if a recommendation 21 from the Planning and Zoning Board is provided to City 22 Council and City Council decides to not move forward 23 with the text amendment, then the site plan that's 24 provided wouldn't be able to move forward. 25 MR. KUNUTY: I understand that. But what I'm</p>

<p style="text-align: right;">Page 21</p> <p>1 saying is at this juncture right now, shouldn't we have 2 the text amendment language in front of us to assess it 3 before we consider approving A? 4 MR. GAGNON: Well, the text amendment, as 5 proposed, is identified on the previous two slides, as 6 well as the handout. So all the red line information 7 is the proposed amendments to our existing code. 8 So in order to implement that, we would need 9 to incorporate the definition for affordable housing, 10 as well as incorporate letter C as provided, which 11 speaks to that ratio associated with affordable housing 12 at one parking space per unit. 13 MR. KUNUTY: Okay, let me massage that. I'm 14 not sure. No other questions. 15 CHAIR McCOY: Any other members? 16 Okay, Mr. Gagnon, if you could remind me of 17 how we're taking the next items so I'm clear, because I 18 did want to ask questions from the applicant. 19 MR. GAGNON: Sure. 20 CHAIR McCOY: But I think Mr. Kunuty was 21 already going down the route that some of these 22 questions might be directed to the applicant, because I 23 wanted to know more about the affordable housing 24 component. But while you're there, I wanted to know 25 what -- how are we going to take this? Are we going to</p>	<p style="text-align: right;">Page 23</p> <p>1 anything, so I think they had to meet whatever the 2 parking requirement is. 3 But it did bring up to my concern this 4 definition of affordable housing is specific. Well, I 5 guess we're bringing this here because this applicant 6 has some sort of mortgage backing by HUD, and I guess 7 there is a requirement of this mortgage that it has to 8 be affordable housing. 9 But when that mortgage is satisfied, or when 10 that mortgage isn't satisfied, or whatever that 11 arrangement is with HUD no longer exists and there's 12 not really a component or a requirement for affordable 13 housing, then what happens in that parking situation, 14 because now we've really changed the code across the 15 city to accommodate one applicant. 16 And I know specifically of a place where that 17 occurred at. If anyone in here is familiar with, 18 there's a place on Australian Avenue called Joseph 19 Village. It was a HUD property that was originally for 20 senior living, and it's just south of 25th Street. 21 Well, that changed maybe six years ago and it's no 22 longer affordable housing. And you know, why it's that 23 way, I'm not sure, but it's privately owned, and it's 24 no longer a HUD regulated property. So that 25 definition, in my opinion, wouldn't exist anymore for</p>
<p style="text-align: right;">Page 22</p> <p>1 get another presentation? 2 MR. GAGNON: Yes, I think procedurally if we 3 allow for public comments for A, B and C following 4 staff presentation of A, B and C, and also applicant 5 presentation of A, B and C, I think that will be fair 6 for everybody, and then that way, all the information 7 will be available, and it might answer some questions 8 the Board may have or some of the questions that the 9 public may have. 10 So that would be my recommendation, to 11 proceed with the staff presentation on letter B and C, 12 follow that up with the applicant's presentation on all 13 three items, open up for public comments and then 14 follow with Board comments. 15 CHAIR McCOY: I don't have a problem with 16 that. I just wanted to find out what the pleasure was, 17 because I do have other questions, and it relates to 18 how this is all implemented. 19 And I asked initially what this -- I guess 20 this text amendment is an alternative to a variance, 21 which would seem like it would have been more 22 appropriate in this sense for a few different reasons. 23 Number one, I know we just did the Heron 24 Estates, you know, within the last year or so, and I 25 don't even recall, I don't think they had a variance or</p>	<p style="text-align: right;">Page 24</p> <p>1 that property. 2 But now the code is changed, and I can see 3 that is very much of a possibility. And that's why I 4 initially thought we would see it as a variance, and I 5 didn't really know that we was going to get a text 6 amendment. 7 So I guess my concern is similar to what 8 Mr. Kunuty brought up. This seems like it's going to 9 be -- it's going to have some unintended consequences 10 at some point. You know, while, you know, I'm 11 definitely willing to be open for some variance or 12 deviation from the code for the applicant, this may be 13 more harmful than anything. 14 You know, when you think about if they don't 15 satisfy their obligations with HUD and it gets 16 foreclosed and it goes out on the private market, I 17 mean that's a real concern. Now you have, you know, 18 this large, multifamily property in the city that 19 essentially has a designation of affordable housing 20 that's no longer affordable housing, but has diminished 21 significantly in the parking requirements. So 22 that's -- I know it's a lot to digest, but that was my 23 first concern. And then my other concerns are for the 24 applicant. 25 So that's all for me for now.</p>

<p style="text-align: right;">Page 25</p> <p>1 MR. GAGNON: Well, if it pleases the Board, 2 we can continue staff presentation with letters B and 3 C. At this time I'd like to ask Ms. Andrea Harper, our 4 Principal Planner, to provide the Board with a 5 presentation on item B. And I will read that into the 6 record as well. 7 B is an ordinance of the City Council of the 8 City of Riviera Beach, Palm Beach County, Florida, 9 abandoning an unnamed road right-of-way located within 10 the city, approximately 50 feet wide, adjacent to and 11 surrounded by the real property accessed as -- excuse 12 me -- addressed as 1555 Dr. Martin Luther King, Jr. 13 Boulevard, parcel control number 56-43-42-06-000-0090, 14 as recorded in plat book 5, page 67 of the public 15 records of Palm Beach County, Florida as William Taylor 16 Subdivision, containing approximately 30,000 square 17 feet, .68 acres, more or less, providing conditions, 18 providing for severability and conflicts, and providing 19 for an effective date. 20 And also, the presentation will touch upon 21 the site plan as well, so it's a joint presentation for 22 B and C. 23 So for the record, letter C is a resolution 24 of the City Council of the City of Riviera Beach, Palm 25 Beach County, Florida, approving a site plan</p>	<p style="text-align: right;">Page 27</p> <p>1 The lot size is 9.33 acres. Currently 2 existing on the property is 14 two-story buildings. 3 Access point will continue to take place on Martin 4 Luther King Drive. 5 The first request is to abandon the unnamed 6 public right-of-way, public roadway that runs north and 7 south through the center of the existing Stonybrook 8 Apartments. As you see highlighted in yellow, that's 9 the abandonment. For this request, the applicant has 10 satisfied all conditions as noted in the staff report. 11 Recommendation: City staff advises the Board 12 to review and to consider all information present and 13 provide recommendations to the City Council. If the 14 Board chooses to approve this proposal, two conditions 15 of approval, as noted within the staff report. Those 16 conditions are -- you have up front, and you also have 17 it in your staff report. 18 The second proposal is the applicant is 19 requesting site plan approval to modify the existing 20 site plan to add a 4,480 square foot community center. 21 Once again, the site currently supports 14 two-story 22 buildings. You can see clouded in red the proposed. 23 In the center of this site plan is the proposed 24 community center. 25 Just to give you a little bit of background</p>
<p style="text-align: right;">Page 26</p> <p>1 application associated with the real property addressed 2 as 1555 Dr. Martin Luther King, Jr. Boulevard, parcel 3 control number 56-43-42-06-000-0090, commonly know as 4 the Stonybrook Apartments, providing specific 5 conditions of approval, and providing for an effective 6 date. 7 So at this time I'd like to ask Ms. Harper to 8 make the presentation. 9 MS. HARPER: Thank you, Jeff. 10 Good evening, Planning and Zoning Board 11 members. Andrea Harper, Principal Planner, for the 12 record. 13 Applicant is Millennia Housing Development. 14 The project name is Azure Estates, currently known as 15 Stonybrook Apartments. The applicant has two requests 16 before you this evening. 17 The property is located in the southeast 18 corner of Martin Luther King Drive and Sam Cooper Way. 19 The land use is multifamily, and the zoning 20 district is multifamily, which the zoning district is 21 currently consistent with the land use. The 22 surrounding zoning district, to the north you have a 23 single family zoning district; to the south, general 24 industrial; to the east, general industrial; and to the 25 west, general industrial.</p>	<p style="text-align: right;">Page 28</p> <p>1 about this project, staff reviewed the project, 2 provided comments. Staff's biggest concern is with 3 parking, based on the site does not meet the current 4 parking requirements. Per code, based on 216 units, 5 it's required to have 442 parking spaces. The 6 applicant is only providing 232 parking spaces, 7 including ten handicap, with no guest parking. 8 Also, the applicant did not address prior 9 comments, Utility comments and Public Works comments, 10 so staff provided conditions of approval to address 11 those comments. 12 The applicant also provided a landscaping 13 plan. This is the north portion of the site. That's 14 the central portion and the southern portion of the 15 site. Elevation plan as well they provided. 16 And once again, City staff advises the Board 17 to review and to consider this information and the 18 presentation and provide recommendations to the City 19 Council. If the Board chooses to approve this project, 20 City staff also recommends seven conditions, as stated 21 in the staff report. 22 This concludes my presentation. If you have 23 any questions, be glad to answer. 24 CHAIR McCOY: Members. 25 MR. KUNUTY: I have a question about the</p>

<p style="text-align: right;">Page 29</p> <p>1 traffic flow on there. Obviously, the traffic flow, is 2 it moving around the community center? 3 MS. HARPER: Let's go back to the site plan. 4 Based on the proposed site plan here, the entrance, 5 once again, the access point is Martin Luther King. So 6 you have parking here, proposed new parking, and you go 7 around here all the way through. You have parking, 8 then you go out all the way around and in, same as 9 before. 10 MR. KUNUTY: So basically, you're building 11 the community center in the middle of -- between -- in 12 the middle of the roadway, and you're going to have 13 traffic moving on both sides of it? 14 MS. HARPER: Um-hmm, right in the middle. 15 CHAIR McCOY: Is that it, Mr. Kunuty? 16 MR. KUNUTY: Yes, that's it for right now. 17 CHAIR McCOY: Any other members? 18 MS. SHEPHERD: Mrs. Andrea, you did a real 19 good presentation. So the community center is sitting 20 right there in the middle. 21 MS. HARPER: Right. It's going to be 22 proposed right in the middle, Ms. Shepherd. 23 MS. SHEPHERD: Okay, so the cars have to go 24 around? 25 MS. HARPER: Yes.</p>	<p style="text-align: right;">Page 31</p> <p>1 saying it's in the middle. Am I correct? 2 MS. HARPER: Yes, ma'am. 3 MS. SHEPHERD: So the cars are coming on the 4 side. If it's raining, the mud, the whatever is going 5 everywhere. It's going to create chaos. 6 MS. HARPER: That's why, ma'am, that's why 7 staff is having a big problem with the parking, because 8 it doesn't take any account for guest parking, and it 9 doesn't meet the requirements and current code 10 requirements. And on top of that, they're adding 4,000 11 plus more square footage. 12 MS. SHEPHERD: So let's stop. Let me think 13 now. So if the Fire Department comes, there's a fire, 14 all of these spaces are taken up, how do the fire 15 trucks come in? How do EMT get in? 16 MS. HARPER: That might be a problem down the 17 line. 18 MS. SHEPHERD: I think it's called a hazard 19 to people's lives. I'm through; I'm through. 20 CHAIR McCOY: Any other members? 21 Okay, there was a comment, and I was looking 22 for it, I didn't see anything about those departments. 23 You said they weren't, those comments weren't satisfied 24 by the other departments? 25 MS. HARPER: Yes. So what we did was in the</p>
<p style="text-align: right;">Page 30</p> <p>1 MS. SHEPHERD: Okay. So they -- take it slow 2 with me now. 3 MS. HARPER: Um-hmm, sure. 4 MS. SHEPHERD: So they have no parking places 5 set aside for this community center? Is this what 6 you're saying? Where will they park if it's a party? 7 MS. HARPER: Well, typically for a community 8 center, the parking ratio is one to 200. So if they 9 are proposing 232 parking spaces, so with that count, 10 they'll probably only have 16 left over. Based on my 11 calculation of 4,000 -- or 482 parking spaces, they 12 need 22 more parking spaces for the community center. 13 MS. SHEPHERD: Okay, so where does the 14 residents park? I mean because the community center -- 15 I've been there before, now, so if they're having a 16 party, then they're going to kind of push out the 17 residents, their parking spaces. I mean this kind of 18 like not make any sense. So they want this Board to 19 justify giving them the opportunity to bring in their 20 project, but you're not thinking about the residents. 21 MS. HARPER: Yes, ma'am. 22 MS. SHEPHERD: So if you're having a party -- 23 I've been there, I've been there, so I know what I'm 24 talking about. They're parking all up on the grass, 25 they're parking on the side of the road. Now, you're</p>	<p style="text-align: right;">Page 32</p> <p>1 conditions of approval, to address the comments here 2 with Utilities -- okay, to address the comments here, 3 Public Works was asking for a Palm Tran easement. So 4 to address that, we made it as a condition of approval. 5 Fire is also asking -- 6 CHAIR McCOY: I'm sorry, I'm sorry, I don't 7 understand what you're saying. So if you can -- 8 MS. HARPER: Go ahead. 9 CHAIR McCOY: -- slow us down and walk me 10 through it. You said Public Works requested a Palm 11 Tran shelter? 12 MS. HARPER: Yes, a bus -- 13 CHAIR McCOY: But they need the easement 14 portion? 15 MS. HARPER: Correct, first. 16 CHAIR McCOY: Okay. 17 MS. HARPER: So in order to kind of force 18 their hand, we made it as a comment, a condition of 19 approval. 20 CHAIR McCOY: Okay. So I'm just not sure I 21 understand how that even is incorporated, because I've 22 never seen something like this conditioned on approval. 23 MS. HARPER: It's pretty standard. 24 CHAIR McCOY: Well, I guess what I mean is 25 these kinds of things are generally resolved before</p>

<p style="text-align: right;">Page 33</p> <p>1 they even get to us. So, you know, if Fire signs off 2 and if Public Works signs off, it would never become a 3 condition of approval. So you know, it seems like 4 we're way ahead of ourselves. 5 So I don't even see how we get to this 6 process if, you know -- you know, I think the bus is 7 almost discretionary, if they want to give it up, you 8 know. But the fire rated walls and things that, you 9 know, first responders think is critical, how does that 10 even come to this point without even -- I mean I don't 11 even understand how we're here right now, because I 12 mean that seems pretty critical to me, because usually 13 we've not seen things like this come before the Board, 14 anything related to certain fire hazard requirements 15 that have to be met. You know, it seems very premature 16 that this is here. 17 And if I can jump back to the other ones, I 18 don't even know what Utility -- 19 MS. HARPER: Chair, can I answer the 20 question? 21 CHAIR McCOY: Yes, ma'am. 22 MS. HARPER: Normally if it gets approved, 23 say if this project gets approved and it goes to the 24 City Commission, they have the comments, and these 25 comments or these conditions are approved. Prior to --</p>	<p style="text-align: right;">Page 35</p> <p>1 approval. 2 MS. SHEPHERD: Is it in our -- 3 MS. HARPER: No, it's not in your packet. 4 But if you like, I can provide you with those comments. 5 MR. KUNUTY: Well, I think they should be in 6 here, the comments from, you know, from the various 7 departments and the conditions that -- you know, we're 8 the Planning Board, and we're trying to approve or 9 disapprove something. I mean those conditions should 10 be here. 11 MS. HARPER: If you like, I can bring them up 12 to you, the comments from the -- 13 MR. KUNUTY: Well, yes, I understand that. 14 But I mean shouldn't that all be incorporated, 15 Mr. Gagnon -- 16 MR. GAGNON: Yes, sir. 17 MR. KUNUTY: -- into this official document 18 so that when it goes to the City Council -- 19 MR. GAGNON: Right. 20 MR. KUNUTY: -- they could say Fire approved 21 it? You know, because I think Mr. McCoy is right 22 ahead, you know, we're kind of jumping ahead to approve 23 this, and then they say, oh, and by the way, now you 24 guys have to still do something. 25 MR. GAGNON: Well, I want to, for the record,</p>
<p style="text-align: right;">Page 34</p> <p>1 that's why this one says prior to C.O. certificate, 2 prior to getting a building permit, they have to 3 provide this easement and the bus. That's prior to 4 that, okay. So it would be done prior to, in the 5 building permit process. Also, condition number seven 6 as well. 7 CHAIR McCOY: Okay. 8 MS. HARPER: Else we won't sign off on the 9 building permit. 10 CHAIR McCOY: Okay. 11 MS. HARPER: Okay. And going back -- bear 12 with me -- and with abandonment, these are pretty 13 standard conditions associated with all abandonments. 14 CHAIR McCOY: Okay, any other members having 15 questions of the presentation by Ms. Harper? If not, I 16 wanted to ask the applicant questions, so do you want 17 to -- 18 MR. KUNUTY: Yes, I do. I just have one. 19 I'm looking for where, and I couldn't remember reading 20 where it says that all of those conditions are going to 21 be met. I mean has Fire seen this? Has Police seen 22 this? I mean, you know, have they reviewed it and made 23 comments? 24 MS. HARPER: Yes, sir, they reviewed it, and 25 these are the comments. But we made them conditions of</p>	<p style="text-align: right;">Page 36</p> <p>1 state that I did not include the comments that we 2 received from the Utility District, however, they are 3 incorporated in this condition of approval for the 4 abandonment request. 5 Additionally, the comments received from the 6 Fire Department were somewhat boilerplate, and those 7 conditions were incorporated in the site plan approval 8 to ensure that there's no question in the future. 9 Prior to this meeting and part of the reason 10 why the timing of this meeting is so crucial, and I 11 think the applicant can be expand on this more, but 12 they have certain timing elements that they're trying 13 to meet as well. 14 So I had sent two e-mails to department 15 heads, to individuals that are reviewing the project, 16 asked specific questions, did not receive responses in 17 a timely manner. So this was staff's method, and 18 really my method of ensuring that the comments and 19 concerns that were expressed from these departments 20 were incorporated into the staff report as conditions 21 of approval. So that was the justification, the 22 reasoning why they weren't provided within the packet. 23 MR. KUNUTY: Well, I'm looking at the 24 conditions of approval for the abandonment, and it's 25 basically they take over the ownership and they're</p>

<p style="text-align: right;">Page 37</p> <p>1 responsible for the utilities there. They give us an 2 easement to fix them, and if they want to do anything 3 or if they sell the property, want to do anything in 4 the future, whoever owns it pays for it. Okay, that's 5 the conditions of that. 6 MS. HARPER: Yes, sir. 7 MR. KUNUTY: The conditions for the site plan 8 are basically, you know, the standard boilerplate, two 9 year landscaping; construction has to start, so forth; 10 all future advertising is in Riviera Beach; once 11 approved, this resolution shall supersede prior receipt 12 of Certificate of Occupancy; a Palm Tran easement and 13 fire walls and doors will be required in all units. 14 Does that mean every unit in the complex? 15 MR. GAGNON: Yes. 16 MR. KUNUTY: So I don't see where it says 17 that we're going to -- I don't see where we've 18 incorporated Fire Department, Police Department 19 comments in any of the conditions, okay. So we got the 20 abandonment. Then number three, we got the site plan 21 and the conditions on the -- you know, those are 22 basically the two. So I don't see where those things 23 are there. 24 You know, we've gone down this path before 25 where we kind of rushed, you know, and in good faith</p>	<p style="text-align: right;">Page 39</p> <p>1 I mean, you know, the traffic flow around 2 that -- down that abandoned street is going to be -- I 3 think is going to be an issue, you know. I mean, you 4 know, you've got a community center and you've got 5 traffic running back and forth on both sides. Okay, 6 somebody -- you know, I mean that doesn't seem like the 7 Police or Traffic would be kind of, you know, too keen 8 on that. So anyway, I have no other comment right now. 9 MS. SHEPHERD: Ms. Andrea, where was the 10 community center before the applicant? I've been over 11 there. It's been a while since I've been there. Where 12 was the community center before the applicants came in? 13 MS. HARPER: And you might have to ask the 14 applicant that question. 15 MS. SHEPHERD: Okay. 16 CHAIR McCOY: Before we bring up that, any 17 other questions of staff? 18 MS. SHEPHERD: I'm asking a question now. I 19 want to visualize where this community -- well, I'll 20 wait till the applicants come, because I'm kind of 21 curious where the community center was at and how did 22 it function. Now you have it in the middle. The 23 children are coming and going. Yes, I'll wait for 24 that. 25 MS. HARPER: I don't think they had a</p>
<p style="text-align: right;">Page 38</p> <p>1 approved things, and the applicants made a lot of, you 2 know, claims that they will take care of all the stuff, 3 and then all of a sudden we find out that all the 4 stuff's not taken care of, you know. And at that point 5 in time, we have no recourse but to just say, you know, 6 we screwed up. 7 MR. GAGNON: And that's why -- one of the 8 reasons we ensured there were conditions of approval. 9 And that will run through the approval process as 10 stated for the Planning and Zoning Board. So as you 11 indicated, a lot of those conditions are standard 12 conditions, but those few items that seem to be 13 outstanding were presented as conditions of approval, 14 so that way if it appears in an ordinance or it appears 15 in a resolution in the future, it'll be provided in 16 that document and it will be a legal document where the 17 City can fall back on and state these are the 18 requirements of this approval, and they need to be 19 satisfied. 20 MR. KUNUTY: Well, I understand. But right 21 now we've got something in front of us that says 22 "H. Recommendations." And I just read to you all the 23 conditions that you propose, and I don't see anything 24 that's addressing Fire, okay, Police or some of the 25 other stuff, you know.</p>	<p style="text-align: right;">Page 40</p> <p>1 community center, to be honest with you. 2 CHAIR McCOY: There was. There's one on 3 there. 4 MS. SHEPHERD: It was a little, small thing 5 setting off to the side. 6 MS. HARPER: Okay, which is -- you have a 7 maintenance, on-site maintenance building, a laundry 8 room -- 9 CHAIR McCOY: It may be -- -- 10 MS. HARPER: -- they convert one of those 11 buildings. 12 CHAIR McCOY: Okay, any other questions of 13 Ms. Harper? 14 Can we have the applicant to address some of 15 these questions? 16 MR. GAGNON: Thank you, Chair. There are 17 multiple individuals here with the Millennia 18 Development team. Mr. Tom Mignogna is one of the lead 19 agents that have been working on this project, and I 20 will turn over the microphone to the Millennia 21 Development team. 22 Tom. 23 MR. MIGNOGNA: Thank you. 24 Mr. Chair, honorable Board members, my name 25 is Tom Mignogna. I'm here with our design architect,</p>



<p style="text-align: right;">Page 41</p> <p>1 Paul Glowacki from Dimit Architecture, Rich Ionelli and 2 Pieter Bockweg from NEI General Contractors. 3 We are back here before you today to, I 4 think, shed some light on a few things, and I think 5 we -- we're seeking some guidance as well then, because 6 some of the issues that were discussed today, I had not 7 seen those conditions before, and neither had my design 8 team, so we're not aware of those. 9 So yes, I think some of those conditions are 10 too early to bring before you, because we haven't even 11 had a chance to review them, see where they fit within 12 the scope of the project, whether they're feasible for 13 the project and whether we can move forward. So yes, 14 that item was way too early. 15 Typically when we do development projects, we 16 work with staff, a team from the municipality, and have 17 a go-between to understand what their comments are and 18 to see if we can address them before they're brought 19 before any Board for a decision. So I apologize to you 20 on that. We're going to have to have a very big 21 discussion with City staff on this matter. 22 We do not own the property. We want to 23 purchase the property. The community center that was 24 just discussed is not there. The current community 25 center is in an 800 square foot block building off into</p>	<p style="text-align: right;">Page 43</p> <p>1 affordable housing. The 40 year HUD insured mortgage 2 is a vehicle used by market rate and affordable housing 3 developers to provide housing product in multifamily 4 projects not tied to affordable housing. It could be 5 one or the other. 6 This project at Riviera Beach and Stonybrook 7 has a 100 percent housing assistance payment contract 8 on it and has had one on it for decades. That's rental 9 assistance for eligible residents. It's not part of 10 the financing of this project. It already exists at 11 the property. We are renewing that contract for 12 another 20 years. So we wanted to give you some idea 13 of the long-term plans of maintaining and sustaining 14 the affordability of this project in the long run. 15 I believe that we did not want to go after 16 the variance because that is a three to four month 17 process through a magistrate, one which we did not want 18 to take the time to afford, but instead, engaged in 19 discussion with the City about the need for identifying 20 issues that address the ability to build and sustain 21 affordable housing across the country, in Florida, and 22 in particular, in Riviera Beach. 23 And you have this in your packet. We had 24 done an analysis of the population of Riviera Beach, 25 the percentage of low income individuals, and the</p>
<p style="text-align: right;">Page 42</p> <p>1 the corner of the property. And the intent for that 2 was to bring it to a centralized location and not off 3 into the corner, to unify the left side and right side 4 of the property into one community, to provide traffic 5 calming design around the sides. But let's go into -- 6 let's follow the agenda items. 7 For starters, the item A concerning the 8 affordable housing, Mr. Chair, you had some questions 9 about the 60 percent. The 60 percent of area median 10 income is the national definition used to determine low 11 income eligible, low income individuals. It is a 12 condition for receiving low income housing tax credits 13 from state agencies. 14 It is often accompanied with a 30 year land 15 use restriction, which means if the property is no 16 longer providing affordable housing to folks who meet 17 that 60 percent AMI definition, then they are in 18 violation of that land use restriction. 19 Let's talk about the timing associated with 20 the financing for this project. This project will have 21 a 30 year LURA on it. It will have a 40 year HUD 22 insured mortgage on it. Both are conditioned upon 23 providing affordable housing. Well, no, let me correct 24 that. 25 The 30 year will be the restriction on the</p>	<p style="text-align: right;">Page 44</p> <p>1 identified amount of affordable housing units in your 2 community and found that there was only 12 percent of 3 that population, of that low income population of 4 having enough units available to them. 5 And it's not just an issue that is affecting 6 Riviera Beach. It's affecting Florida, it's affecting 7 Ohio, it's affecting all across the country. There is 8 a deficit of affordable housing in this country. 9 Housing prices are increasing. The cost to build 10 affordable housing is increasing. Materials, labor, 11 all going up. The ability to provide affordable 12 housing is directly impacted by the cost to build it, 13 and so within your packet are studies and best 14 practices from across the country confirming that. 15 I believe that is why the zoning code 16 amendment or the text amendment is put before you, to 17 address a larger issue than just one affecting this 18 property. 19 That being said, we did do a parking analysis 20 of the property and found that of the 248 parking 21 spaces that exist there, only 70 of those spaces were 22 used by residents. And we did that by utilizing a tag 23 system and having our management team go out there 24 different times of day and do counts. 25 Cars that were not tagged were not residents.</p>

<p style="text-align: right;">Page 45</p> <p>1 And we're finding that that is an issue that's plaguing 2 this property, that there are unwanted visitors, there 3 are cars that are dumped there. 4 There are traffic issues that need to be 5 controlled, not only for maintaining the site plan and 6 maintaining the property, but for the security of the 7 residents. We don't want unwanted traffic going 8 through there. Visitors are fine, as long as they're 9 welcomed. But that leaves, what, roughly 170 spaces 10 available for guests and visitors and additional 11 parkers if residents come in with cars. 12 So we feel that -- and this is supported by 13 national trends -- affordable housing properties 14 nationally do not require two spaces per unit. It's 15 just not the case. 16 Now, Stonybrook Apartments was built in, I 17 believe, 1974. 18 UNIDENTIFIED SPEAKER: '72. 19 MR. MIGNOGNA: '72, thank you. 20 It was grandfathered in. And if we do 21 nothing to the property to improve it, we don't have to 22 come here today asking for a variance or a text 23 amendment. We can leave the property in its current 24 condition and be within the code. But because we want 25 to do such a substantial rehabilitation to improve the</p>	<p style="text-align: right;">Page 47</p> <p>1 MR. MIGNOGNA: I believe so. 2 CHAIR McCOY: Rivera Beach Housing? 3 MR. MIGNOGNA: Yes, thank you. 4 We don't want to eliminate housing. We want 5 to improve it. If we could expand it, we would, but 6 the footprint doesn't allow. And the parking is what 7 it is. We cannot expand on that either. 8 So I would argue that zoning codes across the 9 country get in the way of developers being able to 10 develop affordable housing. And to apply a market rate 11 zoning code to an affordable housing project is not the 12 best practice. 13 So I would argue that you would consider to 14 apply that for any affordable housing project, but if 15 you want to limit the breadth of it, you can reduce it, 16 the breadth, to say existing affordable housing that 17 has a long-term land use restriction on it, because 18 we're not going to flip it, and we're not going to turn 19 it to market rate. 20 And if we did, under our review of the zoning 21 code change that was put before you, if it went to 22 market rate, it would no longer be eligible for the 23 one-to-one requirement because it would no longer 24 have -- meet that affordability requirement that's 25 being proposed for the code amendment.</p>
<p style="text-align: right;">Page 46</p> <p>1 units, to improve the conditions for the residents, we 2 have to come before you today to ask for this text 3 amendment. 4 If we were to have to add the additional 5 number of spaces, for a total of 432 parking spaces, 6 that would practically eliminate all the green space 7 within the property. This is an existing property that 8 had and was functioning with an excess of parking 9 spaces for many, many years. So we don't see an issue, 10 based on the last 18 months that we've been analyzing 11 this property. 12 I think one way of addressing some of the 13 concerns that Mr. Kunuty had about the breadth of the 14 text amendment is to identify that existing low income 15 housing, affordable properties can have a one-to-one 16 ratio and then you don't have to worry about new 17 construction properties that haven't even designed 18 their property yet. 19 But because this is an existing, we are in a 20 footprint that cannot expand. And we do not want to 21 eliminate any public housing -- or not public housing, 22 but low income housing units, because there are only 23 950 in the city, according to -- who did I speak to? I 24 spoke to the -- 25 CHAIR McCOY: John Hurt?</p>	<p style="text-align: right;">Page 48</p> <p>1 CHAIR McCOY: Right, and let me chime in 2 right there. So if that's the case, in the event, 3 similar to this other property that I brought up called 4 Joseph Village, if we allow you that one-to-one ratio, 5 then for whatever reason you convert or foreclose or 6 new owners or structure change, then you're legally 7 nonconforming at that point, because you're supposed to 8 only have this one-to-one for affordable housing, but 9 you won't have that classification anymore, and we'll 10 kind of be upside down in parking. 11 MR. MIGNOGNA: I would see how the variance 12 would create a situation like that, because you're 13 taking that property and you're saying this property is 14 allowed to proceed with a one-to-one ratio. But under 15 the zoning code, if there is a transfer and a change of 16 use from affordable to market rate, I would think it 17 would be -- it wouldn't -- it would have a title defect 18 in it, because it would no longer be zoned 19 appropriately. 20 Just like if we wanted to build a high-rise 21 in a multifamily district that's not zoned for 22 high-rise, we would have to come back before the Board 23 for a variance. I believe the same situation would 24 exist in this case if we were to no longer be 25 affordable and rely on that for a one-to-one parking</p>

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<p>1 ratio.</p> <p>2 We have to get a zoning review, and we have</p> <p>3 to share that with our lenders and with the title</p> <p>4 company before every project. And if we are legal</p> <p>5 nonconforming, then we can move forward in this</p> <p>6 instance. But if we're in -- if there's a zoning code</p> <p>7 violation, that has to be fixed before we can move</p> <p>8 forward with our financing. That would be the case</p> <p>9 with anyone's lender forward, I believe.</p> <p>10 CHAIR McCOY: Members, questions of the</p> <p>11 applicant?</p> <p>12 MR. KUNUTY: You mentioned regarding this</p> <p>13 parking and that you're -- it still seems to me that a</p> <p>14 variance for this particular project would make more</p> <p>15 sense. But your argument is good about the</p> <p>16 affordability of housing.</p> <p>17 I have one question about the 60 percent</p> <p>18 median income. How is that enforced in the sense of --</p> <p>19 how is that enforced? Does an applicant have to prove</p> <p>20 their income?</p> <p>21 MR. MIGNOGNA: Yes, they have to prove their</p> <p>22 income, and we have to report it, not only to the State</p> <p>23 agency, but to the tax credit investor involved, who is</p> <p>24 at risk if that tenant isn't eligible. Then there are</p> <p>25 economic penalties, not only to --</p>	<p>1 opportunity to design where its units are, how many</p> <p>2 units it can fit and also fit within the zoning code</p> <p>3 the number of spaces required.</p> <p>4 So there is a large differential in those</p> <p>5 processes. That's why I would argue if you wanted to</p> <p>6 limit the scope or the breadth of this text amendment</p> <p>7 to existing properties that want to spend the necessary</p> <p>8 rehabilitation dollars to improve those properties to</p> <p>9 such an extent that they're no longer grandfathered in,</p> <p>10 then you're providing an incentive as opposed to a</p> <p>11 disincentive to anyone who wants to come in and make</p> <p>12 rapid, grand improvements to aging, decrepit housing</p> <p>13 stock, which is what we'd like to do.</p> <p>14 We're going to be spending \$11.5 million,</p> <p>15 roughly 59,000 a unit, to improve these units. And we</p> <p>16 are doing that for the residents because right now the</p> <p>17 conditions of those units are deplorable.</p> <p>18 MR. KUNUTY: No, I agree with that. I mean,</p> <p>19 you know, I'm not trying to discourage what you're</p> <p>20 doing, okay, I'm trying to protect, I guess, the City's</p> <p>21 right for the future of what happens.</p> <p>22 MR. MIGNOGNA: Sure.</p> <p>23 MR. KUNUTY: I mean somebody -- if somebody</p> <p>24 has -- is currently an owner of a decrepit property, as</p> <p>25 you said, and they want to turn it into -- fix it up</p>
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<p>1 MR. KUNUTY: Is that to the landlord?</p> <p>2 MR. MIGNOGNA: To the owner --</p> <p>3 MR. KUNUTY: To the owner, yes.</p> <p>4 MR. MIGNOGNA: -- through the limited</p> <p>5 partnership agreement, because that tax credit investor</p> <p>6 is relying on the affordability and the reporting of</p> <p>7 that person's income as an eligible tenant under the</p> <p>8 tax credit program.</p> <p>9 MR. KUNUTY: So there's a mechanism in place</p> <p>10 to control that.</p> <p>11 MR. MIGNOGNA: A very painful mechanism. It</p> <p>12 is followed, trust me.</p> <p>13 MR. KUNUTY: Good. As far as the parking and</p> <p>14 the affordable housing, you mentioned to apply it to</p> <p>15 the existing. I'm not sure existing is really the</p> <p>16 issue. I mean whatever is there is there, okay, just</p> <p>17 like Stonybrook. So I think that I throw this out for</p> <p>18 debate, but it seems to me that what we're really</p> <p>19 considering is future development of affordable housing</p> <p>20 and the application of that particular standard.</p> <p>21 MR. MIGNOGNA: This is true, the difference</p> <p>22 being -- and that is a debate for the Board, is we are</p> <p>23 landlocked with an existing site, with an existing</p> <p>24 footprint, and we have to live with the number of</p> <p>25 spaces that we have. A new development does have the</p>	<p>1 and turn it into affordable housing, it would seem to</p> <p>2 me that they can come to the City and just say, look,</p> <p>3 you know, we'd like to have the one parking space so</p> <p>4 that we can do that. And I'm sure the City would be</p> <p>5 amenable to grant the variance for that particular</p> <p>6 property, you know.</p> <p>7 So I don't see the problem going backwards.</p> <p>8 I see the issue, you know -- and maybe there isn't an</p> <p>9 issue, but I see it going forward.</p> <p>10 MR. MIGNOGNA: Sure. I touched on many of</p> <p>11 the points on the PowerPoint already.</p> <p>12 CHAIR McCOY: Mr. Mignogna, one second.</p> <p>13 MR. MIGNOGNA: Yes.</p> <p>14 CHAIR McCOY: Ms. Harper, is it possible that</p> <p>15 we can get those comments you spoke of?</p> <p>16 MS. HARPER: Yes.</p> <p>17 CHAIR McCOY: Okay.</p> <p>18 MR. MIGNOGNA: And we would like copies of</p> <p>19 those as well, please, Ms. Harper.</p> <p>20 So there are existing 216 units, 248 parking</p> <p>21 spaces. I wanted to clarify that for the record. And</p> <p>22 for under the code, we would have to add 184 spaces to</p> <p>23 432, not 442, for the record.</p> <p>24 I also think it's important to know we're not</p> <p>25 adding any new units to the property, but we are</p>

<p style="text-align: right;">Page 53</p> <p>1 proposing a community center that will be utilized by 2 the residents only. It's, unfortunately, not a 3 community center for Rivera Beach. It's for the 4 tenants of Azure Estates. There are currently four 5 parking spots that are handicap accessible. We are 6 adding eight additional handicap accessible parking 7 spots. 8 Again, we talked about our rationale, but I 9 really want to reiterate it because I think it's 10 important. I mean we're here for this project, but 11 we're also in this business, or I am because I'm an 12 advocate of affordable housing for low income 13 individuals. Costs in housing development are 14 increasing rapidly. This affects the affordability of 15 rents. 16 I think affordable housing options are 17 decreasing across the country, and as we showed and as 18 we discussed, only 12 percent of the low income 19 population in Riviera Beach has a unit available to 20 them. Cities across the country are trying to 21 determine incentives to address how they can inspire 22 and incentivize more affordable housing construction in 23 their communities. 24 One such suggestion was the one-to-one 25 parking ratio, which in your packet you'll see, you</p>	<p style="text-align: right;">Page 55</p> <p>1 team to have a centralized location so that they can 2 offer a unified service and assistance to the 3 residents. Currently the property management office is 4 tucked away right here in the very first building. We 5 want them dead center, center of the property, so that 6 they can, again, monitor and assist. 7 Our new proposed site plan, again, shows the 8 one-to-one. We're not -- we were able to add the 9 community center in the middle and maintain 248 parking 10 spots. Quite honestly, I would be more comfortable if 11 we could get lesser, because it would make for a better 12 site plan, but we knew the importance of maintaining at 13 least a one-to-one ratio of existing to proposed. 14 Again, none of this is happening if we can't 15 figure this out, so I want you to know this is 16 important that we work through this. 17 CHAIR McCOY: Well, I would like, you know -- 18 it has to be something done. But clearly, it's kind 19 of -- you know, it's pretty tough. 20 MR. MIGNOGNA: How so? 21 CHAIR McCOY: I mean can we -- is this the 22 only workup of a plan that you guys could come up with? 23 You know, I mean I'm sure you know your business 24 structure and what will work for -- what you guys are 25 trying to accomplish more so than I can, but just from</p>
<p style="text-align: right;">Page 54</p> <p>1 know, identified in other best practices in other 2 cities as one item that is used to help affordable 3 housing developers address the growing need for 4 creating housing. 5 Now, here's an existing aerial showing that 6 we have 248 spaces in the existing site plan. And yes, 7 that big square in the middle is where we would like to 8 move the community center, which I would believe is -- 9 Is that the big one in the middle? And Paul, 10 where's the -- 11 MR. GLOWACKI: I think it's the one to the 12 left. 13 MR. MIGNOGNA: Right there? 14 MR. GLOWACKI: Yes. 15 MR. MIGNOGNA: So that's where the community 16 center is right now, off into the corner, off into the 17 side, and really a benefit for the folks on the left 18 side of the property. We have made a very concise, 19 planned move to put the community center within the 20 center of the property, (a), for traffic calming, 21 because that is important. We want people to drive 22 slow and carefully throughout this property. 23 (B), we want to unify the entire property. 24 It is not only for the residents on the far right side 25 of the site plan, but also for the property management</p>	<p style="text-align: right;">Page 56</p> <p>1 the existing code, being that obviously this whole 2 affordable definition is going to have a global impact 3 and it's causing some hesitation, but how about even 4 trying to rework it to at least one and a half? That 5 would put us at almost probably another 80 spaces or 6 so. 7 MR. MIGNOGNA: I don't know if we can agree 8 to that for a few reasons. 9 CHAIR McCOY: And I'm not asking you to. But 10 you know, I'm trying to find some median, because it 11 clearly doesn't seem like there is, at least from the 12 comments that I've been hearing, that there's a whole 13 lot of support for the current plan. And you know, it's 14 kind of hard to tell you guys to walk away, but we 15 really need you guys here at the table to get it done. 16 But you know, first of all, my first concern 17 and the first thing I noticed that it wasn't a 18 variance. Now I'm looking at this whole parking thing. 19 That's a serious issue. And I really want to be 20 optimistic, but it's really hard. 21 I mean obviously, I was going to go down the 22 list of asking about traffic calming devices in there, 23 but I think I heard it mentioned. And is there not a 24 possibility to even expand -- like you say, the 25 footprint is limited -- to expand just to the east of</p>

<p style="text-align: right;">Page 57</p> <p>1 the property, because I know that there's some vacancy 2 there for a project that never went through. 3 But it doesn't seem like a whole lot that can 4 happen with this property under the current code. But 5 if we change to affordable housing and give you a 6 one-to-one, that really puts -- you know, I've actually 7 seen it. All of the parking isn't utilized. 8 You know, a lot of people do use public 9 transit, which I'm okay with. So definitely I can 10 understand why the bus shelter, the easement for the 11 bus shelter was asked for. And I just want to see if 12 there is something better that can be counted as 13 opposed to, you know, this is the plan. I think it's 14 nothing changed since we seen it the last time. 15 MR. MIGNOGNA: It has changed slightly. So I 16 believe the plans examiner was showing you an outdated 17 version of the plan. 18 CHAIR McCOY: So you have something 19 different? 20 MR. MIGNOGNA: Well, this shows 248. I 21 believe she showed something that showed 232. 22 CHAIR McCOY: Okay. 23 MR. MIGNOGNA: Okay. All turning radiuses 24 and all widths of car paths meet the code requirement 25 to allow fire trucks through. They allow for the</p>	<p style="text-align: right;">Page 59</p> <p>1 standards, so there was additional square footage being 2 proposed, which, from my perspective, from staff's 3 perspective, it seems like it's a community benefit. 4 Because it's being proposed, I thought that it would be 5 very difficult to achieve all of the variance criteria. 6 So it's not something that I can prohibit the 7 development team from seeking a variance, however, my 8 own personal take on this was the variance may have 9 some elements that would be much more difficult to 10 overcome versus a text amendment, being that our code 11 structure is relatively outdated. And that's every 12 element of our code structure. 13 Current housing trends seek to promote any 14 sort of development opportunity for affordable housing 15 by revisiting the zoning structure, revisiting 16 requirements to see what may not be an essential 17 component of some old zoning codes. 18 So, you know, we are stuck with what they 19 call an Euclidean type of zoning standard where, you 20 know, residential goes here, commercial goes here, 21 industrial goes here. And we're slowly starting to 22 evolve from that and create, you know, downtown mixed 23 use areas and promote mixed use corridors within the 24 city. 25 We haven't visited affordable housing at this</p>
<p style="text-align: right;">Page 58</p> <p>1 turning radiuses of fire trucks to access the units in 2 the event of a fire. 3 CHAIR McCOY: Okay. 4 MR. MIGNOGNA: So again, comments that were 5 raised should have been addressed with the development 6 team, between the professional civil engineer and the 7 architect designer before coming to you so that those 8 things could have been vetted and put -- you know, 9 discussed, because again, they were all designed with 10 those items within the code and presented before you 11 today. 12 MR. GAGNON: If I may, Chair, as well, 13 there's a reoccurring question about the variance 14 process and why a text amendment versus the variance 15 process. So just for everyone's information, the 16 variance process would not be brought before the 17 Planning and Zoning Board. That would go before the 18 development special magistrate. 19 There are seven criteria that are associated 20 with the variance process itself. One of those 21 criteria is that the variance requested is not 22 self-caused. The concern that I had, and I'm not the 23 development special magistrate, however, the concern I 24 had is being that the clubhouse was being added and it 25 wasn't just requesting a variance to existing</p>	<p style="text-align: right;">Page 60</p> <p>1 point, so this was a great opportunity to look at our 2 existing code regulations. And the safeguard, as I 3 envision it, is requiring this Parking Analysis 4 Management Plan so if the development team for a new 5 project comes in and they just try to fit, you know, a 6 square peg in a round hole and it just will not work 7 and they don't have analysis to back it up, then that 8 gives staff and P &amp; Z and City Council enough 9 information to turn it down because of parking. 10 So that is at least the information leading 11 up to this point as far as why the variance wasn't 12 requested to date. Again, a variance could be 13 requested, however, in my opinion, I don't believe it 14 was right for a variance because of the fact that the 15 clubhouse was being added. 16 CHAIR McCOY: Well, in response to that, is 17 it possible, and you know, I'm not trying to recreate 18 the City codes, but can we do a carve-out specifically 19 based on location? Like for instance, if we used 20 language south of Dr. Martin Luther King, Jr. Boulevard 21 and west of Australian Avenue and east of Congress, 22 but, you know -- 23 MR. GAGNON: We could. I wouldn't recommend 24 doing it in that manner. If perhaps specific zoning 25 districts were to be able to take advantage of</p>

<p style="text-align: right;">Page 61</p> <p>1 affordable housing, perhaps trying to create -- and it 2 sounds like you're trying to create an overlay to say 3 this area of the city will have special consideration 4 for affordable housing. 5 I kind of caution the Board in treating it in 6 that manner because of some spot zoning issues, because 7 if there's only one parcel that can really take 8 advantage of this zoning, then someone can make the 9 argument, or another property owner can make the 10 argument that, you know, I wasn't even given an 11 opportunity because this is the only parcel that could 12 be utilized for affordable housing. 13 So it's something that staff sought from 14 really an opportunity standpoint where we got to 15 revisit our code. Is it perfect? No. Is it better? 16 Definitely. 17 So right now if we had an affordable housing 18 project to be brought before us, we would say you have 19 to have two parking spaces, no matter what. There's no 20 variance, there's no exception to it, there's no 21 parking management plan discussed, required, even 22 requested. 23 So this at least gives an opportunity to 24 start having that conversation with development teams 25 in the future, be able to consider what other elements</p>	<p style="text-align: right;">Page 63</p> <p>1 conversation. 2 MR. KUNUTY: Do you think that the one 3 parking space criteria would have an impact on the 4 three parcels on U.S. 1? I mean would that encourage 5 someone to come in and say, you know, that makes more 6 sense, I think I can develop this? 7 MR. GAGNON: I think it could. I think it 8 definitely could. 9 There is -- our downtown, not to get very off 10 topic, but our downtown code was designed almost as if 11 we were downtown West Palm. It's designed as if there 12 are parking nodes, whether it's surface parking or 13 parking garages throughout the community that citizens 14 can take advantage of, any visitors can take advantage 15 of, similar to downtown West Palm. You know, if you 16 want to go to City Place, you're probably not going to 17 find on-street parking along the roadway, you're going 18 to utilize a parking garage. 19 So there's some carve-outs within that 20 downtown code that talk about if you have certain lot 21 dimensions, then technically, you don't have to provide 22 any parking, which is something staff is looking at 23 very seriously now. And you know, there's other 24 criteria in place to provide site plan and development 25 approval, but to be that liberal, as far as saying if</p>
<p style="text-align: right;">Page 62</p> <p>1 associated with affordable housing the City really 2 needs to incorporate, and this is really just the 3 starting point for that. 4 CHAIR MCCOY: Okay, I have nothing else. 5 MR. KUNUTY: Just one question of Mr. Gagnon. 6 Is this, in fact, a trend of one parking space 7 nationally for affordable housing? 8 MR. GAGNON: I can't say that as a matter of 9 fact, but I can say that reduced parking ratios for 10 affordable housing is definitely a national trend. 11 It's really, it's city specific, it's municipality 12 specific where you have to look at what the demands 13 currently are, what transportation options exist. 14 You know, again, as I spoke of earlier in the 15 meeting, we're not downtown West Palm, we're not 16 downtown Fort Lauderdale, we're definitely not Miami. 17 So we have very limited transportation options in the 18 state of Florida. We're not anticipating a subway 19 anytime soon. You know, we're talking about new train 20 connections and things like that. 21 But anything we can do to try to foster 22 affordable housing, specifically in Palm Beach County, 23 is very important because the county is expensive. So 24 this was one opportunity for us to look at our zoning 25 code and requirements and at least start having that</p>	<p style="text-align: right;">Page 64</p> <p>1 you have a really small parcel and there's adequate 2 parking on street, you don't have to provide a driveway 3 at all. So that's already in our code. 4 So it's something where I think we need to 5 really start having a conversation about it and looking 6 at it more, because housing trends have definitely 7 changed, housing needs have changed, specifically in 8 Florida where, you know, we have an aging population, 9 we have different concerns that weren't necessarily in 10 existence 20, 30, 40 years ago. 11 MR. MIGNOGNA: Now, I can add to that just 12 from having a little bit of flavor of doing development 13 across the country. Parking requirements for market 14 rate housing have been significantly reduced in areas 15 in the west coast. From Minnesota to San Francisco, as 16 you can imagine, they're not requiring construction of 17 one-to-one parking spaces for some of those properties 18 over there, market rate or affordable. In Albany, New 19 York we're working on a project, 107 units that only 20 have 42 parking spots, and the City is not requiring an 21 addition to that. 22 MR. KUNUTY: Is that New York City? 23 MR. MIGNOGNA: No, no, no, Albany. 24 Yes, so one of the things that is also unique 25 to Florida is the trigger of exceeding X amount of</p>

<p style="text-align: right;">Page 65</p> <p>1 improvement dollars per unit that takes you outside of 2 being grandfathered in from an existing zoning 3 condition, which many other states and municipalities 4 do not have. So this is a unique item, at least that 5 I've seen, in Florida and nowhere else. 6 MR. KUNUTY: Okay, thank you for your 7 comments. 8 MR. MIGNOGNA: To wrap up the presentation, 9 unless there are any more questions, again, we want you 10 to know that we are looking to do 59,000 per unit to 11 make these significant improvements. We feel like we 12 have submitted the best site plan for everyone, again, 13 to make this community safe. And by community, I mean 14 the residential community safe. 15 And it allows our management team to optimize 16 their services for the entire site and not to be off in 17 one corner. It will improve the operational 18 management, is what I'm trying to say. 19 Again, the curb appeal. Property values to 20 the entire site will increase. It is currently owned 21 by a nonprofit. We are a for-profit. The property 22 would come back onto the tax rolls. 23 We're trying to do everything we can to make 24 this deal work, but we cannot incur unforeseen costs, 25 which is why, for one, we don't want to add unnecessary</p>	<p style="text-align: right;">Page 67</p> <p>1 MR. MIGNOGNA: Seventy. 2 MR. GUSTAFSON: Seventy. So on those numbers 3 alone, if that was a continuing trend in affordable 4 housing -- 5 MR. MIGNOGNA: That leaves us with 178 unused 6 units. 7 MR. GUSTAFSON: Leaves you with 178 on that 8 particular piece of property. 9 MR. MIGNOGNA: Correct. 10 MR. GUSTAFSON: And with the clubhouse -- and 11 I commend you for putting all this together. It needs 12 to happen. Traffic calming, is that building meant to 13 slow down traffic coming in and out of that property? 14 MR. MIGNOGNA: Absolutely. The reason why 15 it's not a straight shot like it currently is, cars can 16 fly through there. 17 MR. GUSTAFSON: Absolutely. I drove there 18 today, so I understood, and I saw people driving and 19 speeding through while I was in there. 20 And how do you meet your -- well, I guess we 21 have to wait till Fire and Police come back and meet 22 those recommendations. But do you see anything that's 23 out there now that's going to cause that to be a 24 problem for Fire to come in to make -- respond to calls 25 or -- I mean when I was there, the roads seemed quite</p>
<p style="text-align: right;">Page 66</p> <p>1 parking spaces. And two, we have to review the 2 conditions that Mrs. Harper has put forth that we have 3 not reviewed yet to see if the budget can carry that. 4 We would very much like to do this project, and we hope 5 that we can get your support and work through this. 6 Thank you. 7 MR. GUSTAFSON: I have a couple questions for 8 you. Someone did a parking analysis and put the 9 pictures together. What is the occupancy rate at 10 Stonybrook now? 11 MR. MIGNOGNA: It has fluctuated between 90 12 percent and 80 percent. The increase for that had to 13 do with the hurricane, which created some down units, 14 as well as two fires started by residents. 15 MR. GUSTAFSON: And with that, I see that 16 you've also generated, or the management team gave 17 stickers out -- 18 MR. MIGNOGNA: Yes. 19 MR. GUSTAFSON: -- to each of the residents. 20 And out of the 200 -- so at 90 percent, that would be 21 roughly -- at 216 is roughly -- 22 MR. MIGNOGNA: That would be about 190. 23 MR. GUSTAFSON: -- be 190 or so. Out of 24 those residents, how many of them had vehicles that had 25 stickers?</p>	<p style="text-align: right;">Page 68</p> <p>1 large in comparison to other apartment complexes that 2 are even modern. And the spaces, I don't know what the 3 dimensions are on those spaces, but they seem to be 4 larger than a typical parking space at a big box store. 5 MR. MIGNOGNA: Right. So if we go back to 6 the site plan, and I'm sorry, it's not defined as well 7 as it could be, but the buildings are outlined. And in 8 between the buildings are a courtyard that the 9 residents use in front of their entry doors. But 10 honestly, a fire vehicle would be able to utilize those 11 courtyards, if necessary, to access a building. And I 12 know that they do drive over onto the grass -- 13 MR. GUSTAFSON: Sure. 14 MR. MIGNOGNA: -- to do whatever they have to 15 do. That is part of my argument of why we cannot add 16 additional parking spots, because that's where they 17 would have to go. They could -- we're going to have a 18 pavilion right here. 19 Paul, what is this right here? 20 MR. GLOWACKI: That would be the playground. 21 MR. MIGNOGNA: And a playground for the 22 children. We would not want to lose those amenities or 23 put parking around those amenities if we didn't have 24 to. 25 The traffic calming you could see are also in</p>

<p style="text-align: right;">Page 69</p> <p>1 the form of the islands which separate the incoming and 2 the outgoing at the north and south ends of the 3 property. And it's, again, it was designed with all 4 turning radiuses for large vehicles in mind. 5 MR. GUSTAFSON: Now, you're also on the 6 corner of Sam Cooper Way on the south end of the 7 property. Is there any means that we could also, if 8 Fire is requesting it, we could probably put a fire 9 gate in there? 10 MR. MIGNOGNA: I don't know. Are you 11 familiar with that condition? 12 MR. GLOWACKI: Yes. We haven't looked at 13 that. You're saying going to the west out the -- 14 MR. GUSTAFSON: On Sam Cooper Way. 15 MR. MIGNOGNA: Which is which way, right here 16 or -- 17 MR. GUSTAFSON: No, it would be to the left. 18 Correct, there's a road that's right there. 19 MR. MIGNOGNA: Okay. Paul, if you want to 20 step up and introduce yourself. 21 MR. GLOWACKI: Sure. 22 Good evening. My name is Paul Glowacki. I'm 23 with Dimit Architects, the architecture firm that's 24 working with Millennia, and we've been working hand in 25 hand with Florida Engineering Group, who is the civil</p>	<p style="text-align: right;">Page 71</p> <p>1 King. And the concept is to pull these gates a little 2 bit farther south here. What it does, it actually 3 reduces the length of pavement here that a car could 4 accelerate even getting into the main part of the site. 5 And then obviously, the curves that are 6 there, we have many pedestrian crosswalks that will 7 obviously be demarcated there. I believe there are 8 also stop signs at those locations. 9 So really, quite a few things that we've done 10 to make sure that the real amenity of having the 11 community building be the heart of the entire project, 12 having those views out of the -- there's very large 13 windows out of the community building to see 14 essentially all throughout the site. The leasing 15 offices have great windows to be able to see as people 16 pull in and out of the site. 17 And then additionally, the security. 18 Additional lighting throughout the site really helps as 19 an amenity to locate that community building. And the 20 location we think really is the best part of the site 21 and really gives the amenity to all the residents 22 versus maybe just half the residents having, you know, 23 direct access to that location. 24 CHAIR MCCOY: Any other members with 25 questions or comments?</p>
<p style="text-align: right;">Page 70</p> <p>1 engineer. 2 We have not looked at that proposal of 3 accessing out through the west side of the site there. 4 There's a dumpster there currently that could be 5 relocated. The site is maintaining all of the fire 6 truck radiuses. It's been designed that way. So 7 you'll notice as the curves are kind of very subtle, 8 that's all based around a fire truck being able to move 9 through those radiuses. It meets all the zoning 10 requirements for those, for the width of the road and 11 additionally for the radiuses of those turns. 12 One additional item that was brought up that 13 I'd like to speak to was the concept of the clubhouse 14 being in the middle of the site and issues with people, 15 you know, crossing traffic. And really, that happens 16 currently. The community building is on the left-hand 17 part of the site, so everybody that lives on the 18 right-hand part or even in kind of the north or south 19 parts of the site already cross that road. That road, 20 as you mentioned, is almost a drag strip right now. 21 Cars can get going pretty quickly from north to south. 22 A number of items that we have included in 23 the site plan, at the very entry to the north, here 24 there's currently a set of gates, vehicular gates that 25 create kind of a backup of cars out onto Martin Luther</p>	<p style="text-align: right;">Page 72</p> <p>1 MS. SHEPHERD: Not trying to throw a damper 2 on the picture, and I get it; I get it. Once again, 3 how many people -- the clubhouse, how many people does 4 it hold in that clubhouse? 5 MR. GLOWACKI: It's about, say, 4,000 square 6 feet, and so approximately -- I can't remember what the 7 code is. It's like 15 square feet per person. 8 Somebody can do the quick math on that. You're talking 9 about -- 10 MR. MIGNOGNA: I have a layout of the 11 clubhouse. 12 MR. GLOWACKI: Yes, that'd be great. 13 So the clubhouse is broken up into a few 14 different spaces. And so you'll see on kind of the 15 left-hand side of this plan here there's a fitness 16 room, there's a couple of leasing offices here. And 17 then there's bathrooms here, and then there's like a 18 large community space here. There's also a large 19 community space that's outside. 20 The proposed occupancy -- we just looked at 21 the code -- is 200 occupants for that building. 22 Obviously, these spaces are going to hold a lot less. 23 You can see we're showing kind of six person tables in 24 here, so, you know, if you could fit eight to ten of 25 those, it's probably very likely it would be, you know,</p>



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<p>1 50 to 100 people kind of inside of that large space. 2 And then the same could be on the outside in this 3 pergola covered outdoor area as well. 4 MS. SHEPHERD: Well, I keep harping on the 5 parking. So if you have a large party of about 100, 6 where are they going to park? 7 MR. MIGNOGNA: The property management team 8 is going to utilize this for the residents and the 9 tenants, and if there is a number where they feel that 10 a significant number of people who aren't residents 11 there would create a hazard, they would probably limit 12 the amount of people that can come in here. 13 I don't think that can hold 100 people. I 14 would say I see six six-tops. That's 36 people. Maybe 15 50 to 60 people could attend a party within there. If 16 there is a large 100 person party planned, I don't 17 think the management team would want that, and if they 18 decided it was feasible, they would work on the parking 19 associated for the needs with that. But that would be 20 an exception and not the norm. 21 MR. GUSTAFSON: Is that space there, the 22 community center, is that going to be open to residents 23 at all times, or is it going to have to be, I guess, 24 signed out for a party, so management would -- a 25 resident would come in and say, hey, I would like to</p>	<p>1 or -- 2 MR. MIGNOGNA: Yes, there is a security plan 3 that has been developed. It will involve security 4 cameras throughout the site, as well as coordination 5 with a security company. There's one currently 6 utilized, and I think they are being vetted right now 7 to see if we want them to remain as the security 8 provider once the acquisition moves forward. But there 9 will be a form of security -- 10 MS. SHEPHERD: A security person is going to 11 be there? 12 MR. MIGNOGNA: Correct. 13 MS. SHEPHERD: Is that what you're saying? 14 MR. MIGNOGNA: Correct. 15 MS. SHEPHERD: I guess that's all I have to 16 ask. 17 MR. MIGNOGNA: In fact, we have a 18 dedicated former -- well, no, he's a current police 19 officer from Indiana, from one of our previous 20 projects, who we coordinate closely with -- the City of 21 Gary, Indiana. This police officer is coming on staff 22 to be our Director of Security and has met with the 23 Councilperson and with Mr. Gagnon, I think January of 24 this year, to discuss the security protocols and the 25 plans for the operations of the property.</p>
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<p>1 throw a birthday party for X, and I'd like to utilize 2 the space? 3 MR. MIGNOGNA: That's a great question. 4 That's an operational question. Typically, we sign it 5 out so that we can understand what is going to occur 6 there, the hours of which would need to be monitored, 7 and normally with staff present at the time. 8 MR. GUSTAFSON: Absolutely. And I take it 9 that also would mean if they're throwing a party, 10 management, as an operational question, would say: How 11 many are you expecting? Are most of these tenants that 12 are living inside the community, or are they outside 13 guests coming in? Therefore, you could manage your 14 parking situation. 15 MR. MIGNOGNA: That is true. Especially in 16 situations where we're coming into a new property, to 17 understand the tenancy and the issues associated with 18 that particular property, our management team takes a 19 very active role and a very proactive stance on 20 understanding exactly what's occurring on site at all 21 times. 22 MS. SHEPHERD: So will you have extra 23 security if you know it's going to be a large party, or 24 what is the security there? How many security guards 25 are you going to have, or have you thought that through</p>	<p>1 MS. SHEPHERD: One more question. It's just 2 one-way in and one-way out? 3 MR. GLOWACKI: Yes, it's essentially a loop; 4 it's essentially a loop through the site. So 5 essentially, around the community building you have a 6 one-way road down south, and then it loops and then 7 goes back out the north, correct. 8 MS. SHEPHERD: I'm not trying to put a damper 9 on it, and I applaud you all for Stonybrook, I really 10 do. It's a good project. But I just want to know if 11 there's a fire or a shooting, you have one -- I'm 12 trying to visualize how you're getting out of that 13 particular place with the -- how are the people going 14 to get out if it's just one exit? 15 MR. MIGNOGNA: Well, there's one exit at the 16 moment. 17 MS. SHEPHERD: At the moment? 18 MR. MIGNOGNA: Yes. 19 MS. SHEPHERD: So you're anticipating 20 another? 21 MR. MIGNOGNA: No. We're utilizing the same 22 entrance and exit. We're just putting a traffic 23 calming median in between them on the site plan. 24 MS. SHEPHERD: Okay, thank you. 25 MR. GALLON: I have a comment. I see that</p>

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<p>1 there's a lot of comments here from staff, and I don't 2 see how you can put these stipulations in here with all 3 these comments. I see 27 just from the Planning and 4 Zoning Division. 5 MR. GAGNON: We can have Ms. Harper speak to 6 the specific comments. During the review process, 7 comments are generated by each department, and 8 typically the applicant will respond to the comments 9 and modify the site plan accordingly. 10 If I recall correctly, the development team 11 acknowledged the specific Planning and Zoning comments. 12 The largest comment that was still outstanding had to 13 do with parking, which we've spent really a majority of 14 tonight's meeting discussing potential paths forward. 15 If there's specific questions or comments that you 16 would like to have more information on, we can 17 definitely speak about those tonight. 18 MS. SHEPHERD: When is this going before 19 Council? 20 MR. GAGNON: It's not scheduled for Council 21 at this point in time, so it -- 22 MS. SHEPHERD: Oh, it's not? 23 MR. GAGNON: No, no. 24 MS. SHEPHERD: Thank you. 25 MR. GAGNON: You're welcome.</p>	<p>1 green header on the response letter. 2 MS. HARPER: And just to piggyback, most of 3 those are my comments, not the other department 4 comments. 5 MR. GAGNON: So the applicant identified each 6 comment and provided responses in red. Again, some of 7 the responses were modifications to the site plan, some 8 technical requirements and questions that I believe 9 have occurred. Again, the biggest is parking. 10 CHAIR McCOY: Anything else, members? If 11 not, I want to go to these public comment cards. 12 Courtney Butler. 13 MR. BUTLER: Hello. My name is Courtney 14 Butler. I live at 1555 Martin Luther King, Stonybrook. 15 I have some issues with the whole thing that 16 they're planning to do. One is that I go to the 17 community meetings. I'm one of their ambassadors. I'm 18 a single father, and we utilize the community center 19 that they have now, which is to the west of the 20 property. 21 I like the part that they have about the new 22 community center. But like you're saying, that there's 23 not required parking for the Bridges, Community 24 Partners, all of the other people that come in to serve 25 the low income to come in to park.</p>
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<p>1 MS. HARPER: Yes, Mr. Gallon, I really don't 2 have a specific question to any of the comments. I'm 3 just seeing that there's quite a few comments, and with 4 these few stipulations that's in here, it just doesn't 5 make any sense. Typically, the project shouldn't have 6 gone forward, to me, because -- 7 MR. GALLON: I agree. 8 MS. HARPER: -- I would have deemed it 9 insufficient. 10 MS. SHEPHERD: It should have what now? 11 MS. HARPER: I would have deemed it 12 insufficient. It shouldn't have came forward. I would 13 have deemed it insufficient based on them not 14 responding to all the department comments. But just 15 like Mr. Gagnon said, they're under the gun as far as 16 funding, so he made a call. 17 MR. GAGNON: Right. And the comments were 18 addressed by the applicant towards the end of the 19 packet. So if you can see, there's a response letter 20 from FEG, which is Florida Engineering Group. So the 21 same comments -- 22 MS. SHEPHERD: Where are you at? 23 MR. GAGNON: If you go all the way to the 24 back of the packet, that's the easiest way to find it. 25 So maybe five or six pages from the back. It has a</p>	<p>1 It would take away the residents' parking to 2 some extent, because you saw a lot of residents still 3 don't have vehicles, and if there's an event going, not 4 a party, but an event that we're holding for the 5 community, for the outside the community to come to 6 enjoy the things that we have going on, there's not 7 going to be enough parking. But there is, you know, 8 parking down the street, you know, at the (inaudible), 9 so I've been thinking about that. I'm thinking park 10 down there and just walk down to the Stonybrook. 11 But the issue that I'm having is I've asked 12 Millennia to come to our meetings -- they never come -- 13 to ask, to get some of our input on what do we see, you 14 know, things that you can help do with, because we 15 wanted to thank them for coming to try to make our 16 community better, but they never come. 17 So I just wanted to know, you know, why, you 18 know, is there -- you know, it's like they make a 19 problem with the management and the residents, and the 20 residents end up getting no -- with each other or 21 having problems with each other because, you know, 22 they're not, you know, trying to be a solution. I 23 think it's a bigger picture than what they're saying 24 tonight. 25 So I just want to know if, you know, if they</p>

<p style="text-align: right;">Page 81</p> <p>1 can come back to our community meetings, which, you 2 know, we need more meetings throughout the month. We 3 have the one meeting with the month. But if they can 4 come and we can, you know, shed some information that 5 we want to collaborate back and forth with them, it 6 could ease up some of the things they're concerning 7 tonight about the whole parking and all that stuff. 8 That's all. 9 MR. MIGNOGNA: We'll do that. 10 Mr. Chair, may I address that? 11 CHAIR McCOY: Yes, please. 12 MR. MIGNOGNA: So on January 16th we did have 13 a community meeting where we outlined the project. We 14 had roughly 23 residents attend, and we can submit for 15 the record the sign-in sheet, as well as the 16 advertising notification of the resident meeting. 17 Millennia Housing Management is managing the 18 property for the current owner, who is not related to 19 the company. In other words, this is an arm's length 20 transaction. The management company that formerly 21 managed it for the ownership, the current owner, they 22 walked when they learned that the property was being 23 sold. 24 So we stepped in to manage the property while 25 we also work on the acquisition of it. So Ms. Lee or</p>	<p style="text-align: right;">Page 83</p> <p>1 property and go after whoever damaged your property, 2 not try to charge the whole building or charge the 3 whole -- because they tear that gate up. And I'm a 4 resident. If they tear that gate up, they're not going 5 to charge everybody out there to fix their gate. 6 They're going to fix the gate and then they're going to 7 go about with doing what they supposed to be doing. 8 MR. MIGNOGNA: Sure. 9 MR. BUTLER: But I don't think that -- it's 10 Ms. Lee and the other management, they don't try to be 11 a voice of reason. They try to just keep up the whole 12 bickering from the other management. And so that, you 13 know, it just keeps a big circle going, and I don't 14 think that should happen. 15 That's why we, as ambassadors, asked for you 16 guys to come before the whole thing, the project, you 17 know, you did the whole thing, and for you to work with 18 us and we work with you guys on to, you know, kind of 19 being -- like all the shooting and stuff going on, a 20 lot of this stuff could have been avoided, a lot of 21 those killings that happened. It wasn't you guys' 22 fault, but I think a lot of stuff could have been 23 avoided, you know, if you guys would come to our 24 meetings. 25 MR. MIGNOGNA: Sure. And let me point out</p>
<p style="text-align: right;">Page 82</p> <p>1 Ms. Paula or Rita Mooney should be in the property 2 management office, and they should be responding to 3 requests for participating. 4 Okay, I'll give you my card so the next time 5 there's a scheduled one, I'll make sure we have a 6 representative there for more meetings. 7 MR. BUTLER: The issue is that they're not 8 just coming. 9 MS. SHEPHERD: Go to the mike, please. 10 MR. BUTLER: You know, the issue that I have 11 is they're just not coming. And when I go and -- you 12 spoke of with Ms. Lee. When I go speak to Ms. Lee, 13 it's that she pulls in this whole corporate said this 14 and corporate said that. I reached out to corporate. 15 Never called me back, never. And this has been going 16 on. 17 I have an incident where they're trying to 18 charge me for property being damaged that I didn't or 19 my guest didn't create. And they didn't want to accept 20 my rent because property has been damaged that another 21 resident's done, that they know, and they have cameras, 22 know who did it, and they still want to charge the 23 whole building for something someone else did. 24 And I don't have money to just give to fix 25 your property. I mean I think you should fix your</p>	<p style="text-align: right;">Page 84</p> <p>1 for you and for the Board, we're not the owner. So 2 Ms. Lee and Ms. Paula, they represent the current 3 owner, and they take their instructions from him, 4 because Millennia isn't the owner now, and we don't 5 have the standing to tell them what to do. We don't 6 own the property. So that being said, it's hard for us 7 to talk for the current owner and why he makes his 8 decisions or not. 9 But the design of the property and the 10 necessary improvements I think were just bolstered by 11 what you just heard as the condition of the property. 12 We have to do something to deal with the shootings, to 13 deal with people crashing through the gates. 14 So in part, we have a short time line, 15 because it's not only driven by our financing and the 16 timing on our purchase and sale agreement, but also 17 because these improvements have to start now. They 18 have to start getting into place so we can change the 19 community, right? We have to change the atmosphere 20 there to a safer, better managed, better owned 21 property. 22 I'll give you my card though, and we can talk 23 afterwards. 24 CHAIR McCOY: Mr. Butler, I want to ask you a 25 couple questions. You spoke that you're an ambassador.</p>

<p style="text-align: right;">Page 85</p> <p>1 Can you explain what that is?</p> <p>2 MR. BUTLER: Well, one of the things that we</p> <p>3 do, we try to get the mothers, which is pretty much, I</p> <p>4 guess, 98 percent of the residents out there are single</p> <p>5 mothers, to come out and to be a part of the community,</p> <p>6 not just, you know, be a person that just, you know,</p> <p>7 you tend to yourself, but be a part of the community</p> <p>8 and bring out a certain quality of life that you want,</p> <p>9 just help us come out, and you know, things that you</p> <p>10 want for your kids and things that, you know.</p> <p>11 Because we're all on low income, so there are</p> <p>12 companies that come out, like Community Partners'</p> <p>13 Bridges that come out to provide services. And so we</p> <p>14 want them to keep coming if, you know, we want to get</p> <p>15 some of the services as far as day care and all that</p> <p>16 other stuff that, you know, people are providing. You</p> <p>17 can gets referrals to get you above the list because</p> <p>18 you are on low income.</p> <p>19 But one of the ambassadors, what we do is</p> <p>20 just we just go out and we try to be, you know, a help,</p> <p>21 a barrier in between Community Partners or Bridges so</p> <p>22 we can -- a person like myself can go and talk to</p> <p>23 single fathers, and maybe they can come out and start</p> <p>24 coming to, you know, the community meetings, because</p> <p>25 the community meetings are just not just for Stonybrook</p>	<p style="text-align: right;">Page 87</p> <p>1 9.50 an hour, you can't afford to pay that, you know,</p> <p>2 what they're saying.</p> <p>3 CHAIR McCOY: Let me ask you this,</p> <p>4 Mr. Butler: Your role as an ambassador, that's a</p> <p>5 volunteer role?</p> <p>6 MR. BUTLER: Yes, I volunteer.</p> <p>7 CHAIR McCOY: Okay. And you do that for</p> <p>8 what? You just do that for the Stonybrooks community?</p> <p>9 MR. BUTLER: Well, yes. And so we went to,</p> <p>10 early this year, in January, I went to a, it's called a</p> <p>11 conference, parenting and ethics conference in Oakland,</p> <p>12 California, and at that Community Partners sponsored me</p> <p>13 and another resident. Well, she's not a resident,</p> <p>14 she's an ambassador. She lives outside the community</p> <p>15 that comes out there. And so we went there to try to</p> <p>16 see if we can get some equality for our kids, equal</p> <p>17 playing field for all of our kids in education.</p> <p>18 And so a couple weeks ago I came here for</p> <p>19 more a racial and equity conference that they had here.</p> <p>20 Tonya Davis Johnson had it for all people to come, and</p> <p>21 we had a conference here.</p> <p>22 So I just -- I volunteer because there's not</p> <p>23 a lot of men that support their kids. They have</p> <p>24 dropped the ball; we have dropped the ball. So that's</p> <p>25 why I had stepped up, because I saw the guy Cleveland</p>
<p style="text-align: right;">Page 86</p> <p>1 residents. People on outside who are low income, these</p> <p>2 people come out and come to our meetings and to get</p> <p>3 help. Seniors, you know, come to our meetings, you</p> <p>4 know, from outside of the community. So it's just not</p> <p>5 about, you know, community -- I mean Stonybrook's</p> <p>6 residents coming out to this community center.</p> <p>7 But I mean as far as what the ambassadors do,</p> <p>8 we just go and we try to be a voice for parents that</p> <p>9 are in low income and to help them. You know, like me,</p> <p>10 myself, I want to go and try to get first time home</p> <p>11 buyer. So I don't plan on living out at Stonybrooks</p> <p>12 for too many more years.</p> <p>13 But as far as what they say, the 60 percent,</p> <p>14 I think that's actually 70 percent in our lease, and we</p> <p>15 pay 30 percent of our income. As far as what that</p> <p>16 whole percentage is, I think that in the lease it's 70</p> <p>17 percent. And so if you look at it how, if I was making</p> <p>18 9.50 an hour and I worked 32 hours a week, not a lot of</p> <p>19 money that you can afford to pay that \$1,000 a month</p> <p>20 for what they're saying how Stonybrook looks now. And</p> <p>21 I wouldn't do it.</p> <p>22 But if they're going to improve and all that</p> <p>23 stuff, you need the extra income. So I can understand</p> <p>24 their saying do you want to change it to the 60</p> <p>25 percent. But as far as what the economy is doing, that</p>	<p style="text-align: right;">Page 88</p> <p>1 from Community Partners; he was the only guy coming out</p> <p>2 there trying to get those girls to come. And so I</p> <p>3 said: I'm going to get your back, bro. We need more</p> <p>4 fathers to come out here. And I know, me as a father,</p> <p>5 I need somebody else to come out here and help me. I</p> <p>6 would like somebody to help me, so I got your back.</p> <p>7 But they've, you know, kind of changed the people that</p> <p>8 are coming out there. There's some other ladies coming</p> <p>9 out there now.</p> <p>10 But like I say, I'm still a volunteer, and I</p> <p>11 try to be a voice for the fathers who -- and you know,</p> <p>12 try to be somewhat of a mentor for the kids to see that</p> <p>13 they can have, you know, a better life, they can have,</p> <p>14 you know, men in their life that aren't necessarily,</p> <p>15 you know, their biological family.</p> <p>16 CHAIR McCOY: Sure.</p> <p>17 MR. BUTLER: So that's what I -- I volunteer</p> <p>18 for Stonybrook and pretty much the community.</p> <p>19 CHAIR McCOY: Well, I appreciate you. Thank</p> <p>20 you for that.</p> <p>21 MS. SHEPHERD: I commend you, Mr. Butler, for</p> <p>22 such eloquently speaking. You shed a lot of light on</p> <p>23 what's going on in there, and I do appreciate you</p> <p>24 coming. And please do not make this your last time.</p> <p>25 Please continue to come out and speak.</p>

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<p>1 MR. BUTLER: I had spoken with Tonya Davis, 2 and so what we're trying to do right now with the 3 ambassadors, we want to get the seniors involved with 4 the whole Lindsey Davis thing, because what the -- 5 where our seniors go. So we're trying to get to see 6 if, like they were saying, to bring some 7 transportation. So I wanted -- I asked Tonya to see 8 maybe possibly we could have the trolley system, like 9 they have in Delray and Boynton, to bring the trolley 10 system to, you know, ease up some of the traffic for 11 the seniors riding the bus. 12 So maybe that's one thing that they can do 13 for us if they wanted to have the bus system. But 14 there is a bus system. You know, it runs east and west 15 on Martin Luther King. There's just not a covering 16 there. So, you know, there is transportation for, you 17 know, the seniors or people that don't have, you know, 18 transportation, because when I moved out there, I 19 didn't have transportation. I walked and I rode the 20 bus for almost two years before I got some 21 transportation. 22 And there is a sticker that works on the back 23 of the bus -- I mean on your car. But the thing about 24 the security, they have not tried to find who are the 25 real residents. It becomes a problem, because they</p>	<p>1 CHAIR McCOY: Gotcha. 2 MS. SHEPHERD: Thank you. 3 MR. MIGNOGNA: Sure. Just for a point of 4 clarification, it is 60 percent AMI to determine 5 eligibility of being low income. The Section 8 HAP 6 contract that is already awarded to the property for 7 the last several decades pays 70 percent of the 8 tenant's income. The tenant is responsible for the 30 9 percent of the rent. HUD pays that 70 percent. So 10 that's the differential between 70 and the 60. I 11 wanted to make sure you were clear on that. 12 CHAIR McCOY: Okay. 13 MR. MIGNOGNA: Rich Ionelli from our general 14 contractor is also here. He's been working on the 15 design and the pricing of this project for the last 12 16 months. 17 MR. IONELLI: I just wanted to add something 18 quickly to Mr. Butler's conversation. I mean not only 19 are we here to build this project, and one thing that's 20 going to benefit you and the residents, the first thing 21 we'll intend to do is look to hire residents. This 22 is -- they aren't minimum wage jobs. It's a prevailing 23 wage project. 24 So not only are they investing money into the 25 project, but into the residents and into your community</p>
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<p>1 harass the residents. And I think if the security 2 finds out who the residents are, they won't have the 3 other issues and they can -- if you know -- if you're 4 not supposed to be out there, they can know who you 5 are, they know you're not supposed to be out here 6 because they know the residents. That's the issue that 7 the security have. 8 They, I cannot put the words, but they -- 9 it's an issue that they -- I mean they harass the 10 residents for certain things that, you know, if you 11 know I'm a resident, I have six cases of water, I need 12 to park here in the front to bring in six cases of 13 water, because you can't drive up in there like they're 14 saying. They put a barrier there. You can't drive up 15 in there to unload my water. 16 So I went and got a dolly, and you know, I 17 used my dolly to, you know, carry all my water, you 18 know, because they put a barrier there for me. I 19 can't -- if I had big furniture, I can't drive up in 20 there. I would have to lug my furniture way from 21 there, you know, from the back up to the road. And 22 then they'll be like: Oh, you can't park there. You 23 know you can't park there. But I'm trying to move 24 furniture. I'm trying to unload my water. Like what 25 do you want me to do?</p>	<p>1 for the long haul. We have stories of people we hired 2 with no construction education, and yet they're still 3 an employee today that started out making \$19 an hour 4 and currently are making \$75,000 a year. So just we 5 want to let you guys know that that's part of the 6 reason expediting this project can benefit us all. 7 CHAIR McCOY: Well, thank you. 8 Next public comment, Peter -- 9 MR. HRUDA: Hruda. 10 CHAIR McCOY: -- Hruda. Thank you. 11 MR. HRUDA: I don't actually know if this is 12 the forum. It's about parking on Riviera Beach, on 13 Singer Island for construction, and I'm not sure if 14 this is the place and the forum for it. I kind of ask 15 that question. I can bring it up at a different time. 16 It doesn't -- it's not related to this project, and I 17 don't know that -- 18 CHAIR McCOY: We can take you; yes, we can 19 take you later. 20 MR. HRUDA: Okay. So that's kind of where I 21 am with that. 22 CHAIR McCOY: Okay, I'm sorry about that. 23 MR. HRUDA: No, not a problem. 24 CHAIR McCOY: And Willie Mankins. 25 See, you could have took Willie Mankins'</p>

<p style="text-align: right;">Page 93</p> <p>1 place. We'll hear you later.</p> <p>2 Any last questions, concerns or comments by</p> <p>3 members of the Board? Would we like to have the</p> <p>4 applicant to give some final remarks or whatever the</p> <p>5 pleasure? Anything from members?</p> <p>6 MS. SHEPHERD: First, let me thank you all</p> <p>7 for coming out. And I'm excited about the Heron</p> <p>8 Estates, and Stonybrook need to be repaired.</p> <p>9 I was in Ivey Green since 1995. I'm now in a</p> <p>10 piece of private property owned by the federal</p> <p>11 government, which is HUD. So I'm excited about it.</p> <p>12 Stonybrook needs a real overhauling and a real</p> <p>13 building.</p> <p>14 But my concern is really the parking and the</p> <p>15 senior citizens. Other than that, it's just if it's</p> <p>16 not planned out, I think it's just a catastrophe</p> <p>17 waiting to happen. But other than that, I have no</p> <p>18 problem with this particular project, I really don't.</p> <p>19 We need you, and I think you need us.</p> <p>20 MR. MIGNOGNA: That is true, and we</p> <p>21 appreciate the comment, honestly. Unfortunately, we're</p> <p>22 landlocked, and the site plan is such that we would not</p> <p>23 be able to meet code. That's just the bottom line.</p> <p>24 And then that's reinforced by the fact that after</p> <p>25 managing the property and doing our parking survey,</p>	<p style="text-align: right;">Page 95</p> <p>1 type of -- since they're in negotiation right now,</p> <p>2 about to do the groundbreaking? Because as I hear you</p> <p>3 all talk -- and I do sit over there as a volunteer and</p> <p>4 kind of give them a step of the way, because I was the</p> <p>5 last one, next to the last to leave, so I kind of give</p> <p>6 them the steps and little tidbits. And I hear your</p> <p>7 frustration. And maybe just to get an understanding of</p> <p>8 what they're going through, Mr. Finnie and the tax</p> <p>9 credits and all that. I know it's mind boggling. And</p> <p>10 just to get a little, you know, from him. He's a great</p> <p>11 person.</p> <p>12 MR. MIGNOGNA: I'm not familiar with him.</p> <p>13 But we do roughly 10 to 12 low income housing tax</p> <p>14 credit deals a year.</p> <p>15 MS. SHEPHERD: Okay.</p> <p>16 MR. MIGNOGNA: And we manage over 250</p> <p>17 properties across the country, most of them low income,</p> <p>18 affordable housing. Many of those properties were in</p> <p>19 the condition that Stonybrook is in now, where it's a</p> <p>20 little bit like the wild, wild west, with not a lot of</p> <p>21 strong management and people living in poor conditions.</p> <p>22 And the reason why we were brought to the table for</p> <p>23 this project was because of our history of being able</p> <p>24 to deal with these challenging properties and to</p> <p>25 provide a decent, safe place for people to call home.</p>
<p style="text-align: right;">Page 94</p> <p>1 only 70 spaces were being utilized, we feel we could</p> <p>2 work within those additional 178 spaces to accommodate</p> <p>3 anything that's thrown at us.</p> <p>4 And we feel that the community center is an</p> <p>5 absolute must for this property, for these residents.</p> <p>6 And after, you know, hearing Mr. Butler, he'll have a</p> <p>7 whole new forum in order to run his meetings. And our</p> <p>8 property management team would work closely with him on</p> <p>9 those issues. Again, we have to get to a point where</p> <p>10 we're the owners and we're, you know, doing these</p> <p>11 improvements and getting this property stabilized,</p> <p>12 improved and managed the right way.</p> <p>13 So thank you all for your time.</p> <p>14 MR. KUNUTY: I have a question. What's your</p> <p>15 timeframe as far as closing and starting?</p> <p>16 MR. MIGNOGNA: We would like to have permits</p> <p>17 issued within 60 to 70 days. And that coincides with</p> <p>18 the timing with our HUD financing approval. Once we</p> <p>19 get that, we are all but ready to close. The seller</p> <p>20 expects us to have this property acquired mid summer, I</p> <p>21 want to say June 30th. I don't think we'll hit June</p> <p>22 30th, but we won't have much more time after that.</p> <p>23 MR. KUNUTY: Thank you.</p> <p>24 MS. SHEPHERD: May I ask you a question?</p> <p>25 Have you talked to Mr. John W. Hurt? Have you had any</p>	<p style="text-align: right;">Page 96</p> <p>1 CHAIR McCOY: Any other members?</p> <p>2 I have one question, Mr. Gagnon. Who</p> <p>3 presented us -- is this Millennia that presented us</p> <p>4 with this, I guess it's this journal article from --</p> <p>5 that contains the ordinance from the City of Miami?</p> <p>6 MR. GAGNON: Yes, that was information that</p> <p>7 was provided by the applicant. Staff had requested any</p> <p>8 additional research and backup information that would</p> <p>9 support some of the affordable housing trends locally</p> <p>10 or nationwide, if applicable.</p> <p>11 CHAIR McCOY: So, and I don't know if this is</p> <p>12 useful or even can be utilized in this situation. I'm</p> <p>13 not sure if I quite understand what it means, but it's</p> <p>14 a little -- has some legal jargon, but I'm going to try</p> <p>15 to go at it.</p> <p>16 But there's a section in here, and it might</p> <p>17 be better suited for Ms. Busby, but in this ordinance</p> <p>18 from the City of Miami, I think it's about -- there's</p> <p>19 no page number, but there's something that says a</p> <p>20 recorded covenant running with the land is acceptable</p> <p>21 to the City confirming the property will meet the</p> <p>22 criteria. And it referenced the subsections, which</p> <p>23 essentially models that of the 30 year, I guess the</p> <p>24 mortgage that they would have with HUD. Is that</p> <p>25 something that's appropriate that we what need to</p>

<p style="text-align: right;">Page 97</p> <p>1 include?</p> <p>2 MS. BUSBY: The Miami case study was very</p> <p>3 extensive. If you give me a chance, I'll be able to</p> <p>4 respond in writing to you. Is it something that you</p> <p>5 think Riviera Beach can model? Is that what you're</p> <p>6 asking?</p> <p>7 CHAIR McCOY: Well, it almost sounds almost</p> <p>8 exactly like what I heard Mr. Mignogna speak of, that</p> <p>9 there will be a 30 year requirement to maintain it as</p> <p>10 affordable housing. But I wanted to know in our final</p> <p>11 draft that's going to be presented to the Council, is</p> <p>12 that something that may, you know, be a benefit for us</p> <p>13 to include in our language as well? But that's just</p> <p>14 something you can --</p> <p>15 MS. BUSBY: It's a good inquiry, and I'll</p> <p>16 look into it for you. But also, I think that the</p> <p>17 applicant can address the factual issue on that.</p> <p>18 CHAIR McCOY: Okay. Members, we don't have</p> <p>19 any other questions, comments or concerns?</p> <p>20 MR. KUNUTY: I would just like to make one</p> <p>21 comment. You know, the purpose of this meeting is to</p> <p>22 delve into facts and try to understand the reasoning</p> <p>23 behind all of it. And I would like to say that my</p> <p>24 views on the parking is really changed as long as we</p> <p>25 can apply it to projects from here into the future for</p>	<p style="text-align: right;">Page 99</p> <p>1 open the floor for a motion on item number VIII, letter</p> <p>2 A, related to the affordable housing definition and</p> <p>3 parking analysis. Is there a motion for item VIII,</p> <p>4 letter A, related to the definition of affordable</p> <p>5 housing and an inclusion of the parking analysis</p> <p>6 language?</p> <p>7 MR. KUNUTY: I move that we approve item A</p> <p>8 with the addition to the text amendment that we add in</p> <p>9 all future affordable housing will be included.</p> <p>10 MR. GALLON: Second.</p> <p>11 CHAIR McCOY: There's been a motion and a</p> <p>12 second. Hearing nothing else, can we have the roll</p> <p>13 call on VIII A, please?</p> <p>14 MS. DAVIDSON: Edward Kunuty.</p> <p>15 MR. KUNUTY: Yes.</p> <p>16 MS. DAVIDSON: Margaret Shepherd.</p> <p>17 MS. SHEPHERD: Yes.</p> <p>18 MS. DAVIDSON: James Gallon.</p> <p>19 MR. GALLON: Yes.</p> <p>20 MS. DAVIDSON: Jon Gustafson.</p> <p>21 MR. GUSTAFSON: Yes.</p> <p>22 MS. DAVIDSON: Anthony Brown.</p> <p>23 MR. BROWN: Yes.</p> <p>24 MS. DAVIDSON: Tradrick McCoy.</p> <p>25 CHAIR McCOY: Yes.</p>
<p style="text-align: right;">Page 98</p> <p>1 low income housing, Mr. Gagnon.</p> <p>2 MR. GAGNON: Well, if by stating that you're</p> <p>3 referencing the text amendment being applied evenly for</p> <p>4 future proposals for affordable housing?</p> <p>5 MR. KUNUTY: Yes. Text amendment, yes.</p> <p>6 MR. GAGNON: That's absolutely --</p> <p>7 MR. KUNUTY: Exactly. Not going backwards.</p> <p>8 Going forward, okay?</p> <p>9 MR. GAGNON: Yes.</p> <p>10 MR. KUNUTY: No other comment.</p> <p>11 CHAIR McCOY: You know, I have some</p> <p>12 hesitation as well about the parking, but, you know,</p> <p>13 it's kind of hard to see any other option. And then I</p> <p>14 know I heard Mr. Mignogna speak that it was either the</p> <p>15 affordable housing or market rate. Is that correct?</p> <p>16 MR. MIGNOGNA: Mr. Chair, the two space per</p> <p>17 unit that is currently being applied is a market rate</p> <p>18 condition that there's no carve-out for affordable</p> <p>19 housing, which is why we're requesting in this instance</p> <p>20 that the two products be treated differently, because</p> <p>21 we feel, and it's supported by many national opinions,</p> <p>22 affordable housing requires less parking than market</p> <p>23 rate. Therefore, that's why we differentiated the two.</p> <p>24 CHAIR McCOY: Okay, good enough. So if</p> <p>25 there's nothing else concerning these items, we will</p>	<p style="text-align: right;">Page 100</p> <p>1 MS. DAVIDSON: Unanimous vote.</p> <p>2 CHAIR McCOY: And I'm sorry, let me just make</p> <p>3 sure I'm clear on that, Mr. Gagnon. You are removing</p> <p>4 that one sentence that was in error that was placed in</p> <p>5 there, correct?</p> <p>6 MR. GAGNON: Yes, I did change it in the</p> <p>7 PowerPoint earlier. So just for the record, there was</p> <p>8 an accidental copy from B which was inserted in C. So</p> <p>9 C will read: Affordable housing units shall provide at</p> <p>10 least one parking space per unit. A Parking Analysis</p> <p>11 and Management Plan shall be provided in order to</p> <p>12 ensure that transportation and off-street parking needs</p> <p>13 will be met.</p> <p>14 So the accidental text read: Units for the</p> <p>15 elderly shall include independent living units and</p> <p>16 assisted living units.</p> <p>17 MR. GUSTAFSON: Where is Mr. Kunuty's</p> <p>18 additional wording going to be filtered in?</p> <p>19 MR. GAGNON: My understanding of the request,</p> <p>20 and Mr. Kunuty can clarify, but once this is enacted as</p> <p>21 ordinance, any affordable housing development that's</p> <p>22 proposed would utilize this ratio. So that was my</p> <p>23 understanding of what Mr. Kunuty's comments were. But</p> <p>24 if you could clarify, that would be great.</p> <p>25 MR. KUNUTY: Well, yes, what I'm saying is</p>

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<p>1 that the one parking space does not apply to the 2 current. Whatever the parking requirement is for 3 current affordable housing stands as grandfathered in. 4 This would be for all future affordable housing, this 5 project and all future.</p> <p>6 MR. GAGNON: And to clarify that further, if 7 there was another development proposal that was already 8 built within the city, let's say 30 years ago, whatever 9 approvals that were associated with that development 10 would still run with that property. If, in fact, they 11 came in, and if it was affordable housing and they came 12 in and tried to renovates significantly, then they 13 would have to provide that, the traffic plan as 14 discussed, but they would be able to utilize the new 15 traffic count if they were coming in for a full 16 renovation and redevelopment.</p> <p>17 MR. KUNUTY: Yes. Basically, I'm saying we 18 would address those each individually.</p> <p>19 MR. GAGNON: Right.</p> <p>20 MR. KUNUTY: Yes.</p> <p>21 CHAIR McCOY: I have a question, Mr. Gagnon.</p> <p>22 MR. GAGNON: Yes, sir.</p> <p>23 CHAIR McCOY: Being this has now reached a 24 citywide impact as far as affordable housing, you know, 25 I think the only strength and teeth that we're going to</p>	<p>1 that's due to be presented at the next City Council 2 meeting, I believe it's the 2nd, is discussion of the 3 Policy and Procedural Manual for the City. So that 4 would enable staff to enact and implement those certain 5 policies associated with this and have it in a memo 6 format so it would be available for everyone to view.</p> <p>7 CHAIR McCOY: Sure. Thank you.</p> <p>8 Members, item VIII B, the ordinance 9 concerning the abandonment of the right-of-way, the 10 floor is looking for a motion. Item VIII B, is there a 11 motion to recommend approval for the abandonment of the 12 right-of-way?</p> <p>13 MR. KUNUTY: I move to approve item B with 14 staff's recommendations one and two.</p> <p>15 CHAIR McCOY: There's been a motion. Is 16 there a second?</p> <p>17 MR. BROWN: Second.</p> <p>18 CHAIR McCOY: There's been a motion and a 19 second.</p> <p>20 MR. GUSTAFSON: I just want to see where 21 they -- where the one and two comments are.</p> <p>22 Mr. Kunuty, do you have the comments there?</p> <p>23 MR. KUNUTY: Yes, it says: Recommendation, 24 Staff Recommendation. One: Water, sewer utilities 25 within the abandoned area will become private. A</p>
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<p>1 have at this point is making sure that there is a real 2 solid standard operating procedure regarding a Parking 3 Analysis and Management Plan.</p> <p>4 And I know this is outside of our scope, but 5 you know, just because we passed this framework and 6 we've offered this framework for Council to approve, 7 you know, I kind of want to know what that is, you 8 know. So whatever staff comes up with, you know, be it 9 six months down the line regarding, you know, how do we 10 make sure that this is not something that is going to 11 be abused or there's not enough, I guess there's not 12 policy behind it, I want to make sure that we can at 13 least have an idea or see, you know, what this is that 14 we've created.</p> <p>15 We've created a requirement to have a parking 16 analysis, so if there's some sort of policies or 17 framework or procedural how that will work in 18 operation, I think, you know, it might be useful for us 19 to know what that ended up, that final product looks 20 like.</p> <p>21 MR. GAGNON: Yes, I'll be happy to bring it 22 back to the Board.</p> <p>23 One of the discussion items, not to get too 24 far off point, but one of the discussion items that was 25 brought before the Planning and Zoning Board previously</p>	<p>1 master meter with backflow assembly is required until 2 provided -- in order to provide for continued City 3 access to maintain and repair the City sewer until the 4 infrastructure. The applicant agrees to provide the 5 City with utility access as required from time to time 6 until said utility easements are recorded within the -- 7 basically, they're saying that they agree to let the 8 City service it until the easement is filed.</p> <p>9 Item two is: The applicant or future 10 property owner shall be responsible for the cost 11 associated with relocating existing City water, sewer 12 or other City utility lines if future owner initiated 13 construction within the abandoned area impacts City 14 utilities within the abandoned area. New utility 15 easements may be required accordingly.</p> <p>16 MR. GUSTAFSON: Thank you.</p> <p>17 CHAIR McCOY: Anything else? There was a 18 motion and a second. Roll call.</p> <p>19 MS. DAVIDSON: Edward Kunuty.</p> <p>20 MR. KUNUTY: Yes.</p> <p>21 MS. DAVIDSON: Margaret Shepherd.</p> <p>22 MS. SHEPHERD: Yes.</p> <p>23 MS. DAVIDSON: James Gallon.</p> <p>24 MR. GALLON: Yes.</p> <p>25 MS. DAVIDSON: Jon Gustafson.</p>



<p style="text-align: right;">Page 105</p> <p>1 MR. GUSTAFSON: Yes.</p> <p>2 MS. DAVIDSON: Anthony Brown.</p> <p>3 MR. BROWN: Yes.</p> <p>4 MS. DAVIDSON: Tradrick McCoy.</p> <p>5 CHAIR McCOY: Yes.</p> <p>6 MS. DAVIDSON: Unanimous vote.</p> <p>7 CHAIR McCOY: Members, item VIII, letter C,</p> <p>8 related to the resolution for the site plan of</p> <p>9 Stonybrook Apartments/Azure Estates. Is there a</p> <p>10 motion?</p> <p>11 MR. GUSTAFSON: I'm looking for that page.</p> <p>12 CHAIR McCOY: Toward the back.</p> <p>13 MR. KUNUTY: Okay, I move to approve item C</p> <p>14 with staff's recommendations one through seven and the</p> <p>15 implementation of the comments from the various</p> <p>16 departments that were circulated here at the meeting.</p> <p>17 MR. GUSTAFSON: Second.</p> <p>18 CHAIR McCOY: Any final thoughts, questions?</p> <p>19 Hearing none, roll call on item VIII C.</p> <p>20 MS. DAVIDSON: Edward Kunity.</p> <p>21 MR. KUNUTY: Yes.</p> <p>22 MS. DAVIDSON: Margaret Shepherd.</p> <p>23 MS. SHEPHERD: Yes.</p> <p>24 MS. DAVIDSON: James Gallon.</p> <p>25 MR. GALLON: Yes.</p>	<p style="text-align: right;">Page 107</p> <p>1 if we can still table it.</p> <p>2 But this is -- for instance, item number</p> <p>3 seven. We can't sprinkler a two-story, 214 unit</p> <p>4 building under our current budget. It would just take</p> <p>5 us out of feasibility. So these are all things that we</p> <p>6 need to work through with staff before an agreement can</p> <p>7 be reached.</p> <p>8 MR. GLOWACKI: It's also not -- I'm sorry,</p> <p>9 Paul Glowacki with Dimit.</p> <p>10 Number seven is not required by the building</p> <p>11 code either. Under the existing building code, we</p> <p>12 would not have to sprinkler those units. So that would</p> <p>13 have to be addressed kind of outside of the scope of</p> <p>14 the zoning. That's really a building code item.</p> <p>15 Sewer -- or, sorry, fire hydrants and that</p> <p>16 type of thing would be part of that, but not the actual</p> <p>17 buildings themselves, both the community buildings and</p> <p>18 the residential buildings.</p> <p>19 CHAIR McCOY: Well taken. Yes, and that's,</p> <p>20 you know -- here's what I would say to that. That's</p> <p>21 kind of why I was really unsure when we first seen</p> <p>22 that. That's not generally something that I've seen.</p> <p>23 But, you know, even from the permitting process, I mean</p> <p>24 it seems like these -- and then so what -- some of</p> <p>25 these things were never addressed. Can you tell us</p>
<p style="text-align: right;">Page 106</p> <p>1 MS. DAVIDSON: Jon Gustafson.</p> <p>2 MR. GUSTAFSON: Yes.</p> <p>3 MS. DAVIDSON: Anthony Brown.</p> <p>4 MR. BROWN: Yes.</p> <p>5 MS. DAVIDSON: Tradrick McCoy.</p> <p>6 CHAIR McCOY: Yes.</p> <p>7 MS. DAVIDSON: Unanimous vote.</p> <p>8 CHAIR McCOY: Thank you, members.</p> <p>9 MR. GAGNON: Chair, the applicant did have a</p> <p>10 comment in regards to the conditions of approval.</p> <p>11 MR. MIGNOGNA: Mr. Chair and the Board, we</p> <p>12 cannot at this time agree to items one through seven</p> <p>13 until they are vetted with our design and civil</p> <p>14 engineering teams. In part, we feel that from a site</p> <p>15 plan standpoint, these are more items that are relevant</p> <p>16 to the buildings and the construction and the building</p> <p>17 permits and plans, and not relevant to a site plan</p> <p>18 per se.</p> <p>19 So we feel that approval of the site plan</p> <p>20 with these conditions is something that we cannot agree</p> <p>21 to or act upon at this time and wanted to try to catch</p> <p>22 you before you made the motion and made the roll call</p> <p>23 on that. So from a standpoint of procedure, I don't --</p> <p>24 you know, this is passed. I don't know if we have to</p> <p>25 come back before you or whether we should table it or</p>	<p style="text-align: right;">Page 108</p> <p>1 why?</p> <p>2 MR. MIGNOGNA: We had correspondence back</p> <p>3 from October of '17 between our civil engineer and</p> <p>4 Ms. Harper, and I believe that the correspondence and</p> <p>5 the discussions and the dialogue between the two of</p> <p>6 them broke down between the holidays till now.</p> <p>7 So there have been responses, and I believe</p> <p>8 that staff has acknowledged that there have been</p> <p>9 responses, but the dialogue has not been completed.</p> <p>10 And because we were presenting for a site plan and not</p> <p>11 for building code issues and building plan review</p> <p>12 comments, we didn't foresee that these issues would be</p> <p>13 raised for this agenda item.</p> <p>14 CHAIR McCOY: Mr. Mignogna, so is it just</p> <p>15 number seven is causing the heartburn?</p> <p>16 MR. MIGNOGNA: I'm going to invite my GC up</p> <p>17 here to see if we can -- if we have addressed the other</p> <p>18 items already.</p> <p>19 (Discussion held off the record.)</p> <p>20 MR. MIGNOGNA: Right, six requires</p> <p>21 negotiations with a third party organization and an</p> <p>22 additional structure to be added. That was not</p> <p>23 contemplated. I don't know if I can deliver on six. I</p> <p>24 don't want to make false promises just to get your</p> <p>25 approvals. So I would rather table this than to have</p>

<p style="text-align: right;">Page 109</p> <p>1 to agree to six or seven. 2 Regarding one through five, I haven't had the 3 chance to examine these conditions. 4 CHAIR McCOY: Well, let me -- what would be 5 the maintenance that's involved in these bus shelters, 6 Mr. Gagnon? 7 MR. GAGNON: At this point, I think that the 8 item was approved by the Planning and Zoning Board with 9 specific conditions. Planning and Zoning Board is a 10 recommendation board to City Council. 11 If the development team -- and I believe 12 everyone received this packet a week in advance. It 13 was sent out; the web link was sent out. If there was 14 miscommunication, I'll take responsibility for that. 15 So to my knowledge, this information was made 16 public a week ago. If there were questions or 17 concerns, I wish they were discussed prior to tonight. 18 But the bottom line is Planning and Zoning Board is an 19 advisory board to the City Council. I will almost 20 guarantee these items will be brought up again in the 21 City Council forum. 22 Between now and that point in time, I think 23 we'll have adequate opportunity to discuss financial 24 implications, feasibility, things of that nature. But 25 I will guarantee that these questions will come up at a</p>	<p style="text-align: right;">Page 111</p> <p>1 CHAIR McCOY: Mr. Kunuty. 2 MR. KUNUTY: Yes, I mean I'm looking at the 3 note from Palm Tran. And it says: Thanks for reaching 4 out. I see the assessment -- the easement. I'm not 5 sure if the City has made shelter installation part of 6 the conditions of approval. If so, I've attached some 7 requirements for the shelter. 8 So I think that should be made available to 9 the applicant, if it hasn't been. 10 MS. HARPER: It was. 11 MR. KUNUTY: It was, okay. 12 CHAIR McCOY: Okay, well -- 13 MS. SHEPHERD: Well, they definitely need a 14 shelter. That they need. 15 MR. MIGNOGNA: Mr. Chairman, a point of 16 clarification. Who is to build and install and 17 maintain the bus shelter? I see where applicant must 18 provide an easement. Do we know -- 19 MR. GAGNON: So it's staff's current 20 recommendation that the applicant both installs it and 21 maintains it. I don't know if this is the best forum 22 to have that conversation at this point. 23 Again, this information was made publicly 24 available a week in advance of this meeting. If there 25 was miscommunication, I'll apologize and take that on</p>
<p style="text-align: right;">Page 110</p> <p>1 City Council meeting. 2 MS. SHEPHERD: May I ask a question? The 3 Palm Tran, where is it located now near Stonybrook? Is 4 it one outside the -- 5 MR. GAGNON: There is an existing bus stop on 6 the north and south side of MLK. 7 MS. SHEPHERD: So what you're asking, for 8 Palm Tran to come inside of the complex? Is that what 9 you're asking? 10 MR. GAGNON: No. So in order to establish a 11 bus shelter, Palm Tran requires establishment of an 12 easement and the shelter would be placed inside of that 13 easement. This is something that we're anticipating is 14 needed due to the frequent use of Palm Tran. I believe 15 Mr. Butler had made a comment before that he was 16 utilizing bus transit for some period of time. 17 However, there's no existing shelter 18 currently, so if you can imagine if it's hot out, if 19 it's raining, there's no shelter to protect someone 20 that's waiting for the bus. So our analysis of the 21 site plan thought that it was crucial that that was 22 identified and that an easement was granted and that a 23 shelter was provided. 24 MS. SHEPHERD: Okay. 25 MR. KUNUTY: Mr. Chair.</p>	<p style="text-align: right;">Page 112</p> <p>1 my shoulders. Again, we'll have an opportunity to 2 discuss all of the conditions, all the elements, all 3 the talking points that we went through tonight between 4 this point and the City Council meeting, which 5 Ms. Shepherd did bring up the point which City Council 6 meeting is it scheduled for. It has not yet been 7 scheduled for a City Council meeting. 8 So if that needs to get pushed out to a much 9 later date for these to get resolved, whatever needs to 10 happen, if it has to come back to the Planning and 11 Zoning Board, we can bring it back to Planning and 12 Zoning Board, whatever needs to happen to resolve these 13 items. 14 MS. SHEPHERD: Yes, because if you're going 15 to do it, you must do it right, you know. Got to do it 16 right. 17 MR. MIGNOGNA: Would it be wrong to ask for 18 approval of the site plan without the requirements 19 associated with the construction of the project and 20 make that a condition of permit approval? 21 MR. GAGNON: The City really doesn't have a 22 legal mechanism to place it on the shoulders of permit 23 approval. So having the conditions of approval with a 24 resolution that would coincide with the site plan 25 approval and the development order would allow staff,</p>

<p style="text-align: right;">Page 113</p> <p>1 during that permit approval process, prior to final 2 C.O., to have the ability to ensure that all conditions 3 of approval were satisfied. 4 MR. MIGNOGNA: So if this was approved, this 5 moves on to City Council, and then that's a 6 recommendation, but not a final determination? 7 MR. GAGNON: Unless you want to table the 8 item for tonight and bring it back to another Planning 9 and Zoning Board meeting, that's exactly correct. This 10 is a recommendation of the Planning and Zoning Board to 11 City Council. City Council will review all the items 12 presented to the Planning and Zoning Board tonight at a 13 future City Council meeting. 14 Again, Planning and Zoning Board is a 15 recommending body to City Council. If there are 16 economic reasons that these can't be facilitated, there 17 will be at least two more public meetings to discuss 18 those factors, being that the abandonment is an 19 ordinance. So again, we have at least two more public 20 meetings at City Council level to discuss all of the 21 elements associated with this project. 22 MR. MIGNOGNA: Then if we could just note for 23 the record that staff will work with applicant to 24 potentially discuss these items and modify the 25 recommendations of the Planning and Zoning Board so</p>	<p style="text-align: right;">Page 115</p> <p>1 behind your back when we go to City Council and push 2 for something different, and perhaps we can reach 3 agreements with staff to modify some of these 4 requirements outside of your knowledge, because you've 5 already approved it. 6 MR. KUNUTY: Mr. Chair, the only thing I 7 would ask is that whatever the modifications are, they 8 are -- Planning and Zoning Board is informed of them. 9 MR. GAGNON: I will provide the Council 10 meeting minutes as soon as they're available. 11 MR. KUNUTY: Okay, no further questions. 12 MR. GUSTAFSON: Mr. Chair. 13 CHAIR McCOY: You're recognized. 14 MR. GUSTAFSON: If I understand correctly, we 15 made a motion, which I also seconded, that we're going 16 to approve item C with the recommendations one through 17 seven. That went through and passed, but now are we 18 going to see an alteration before it goes to Council? 19 CHAIR McCOY: No, no. I think they were just 20 supplementing the record that the applicant didn't 21 approve of items six and seven, if I am correct. 22 MS. BUSBY: You're correct, Chair. 23 CHAIR McCOY: So there's no changing. 24 MR. GUSTAFSON: Okay, so the item C will go 25 through to Council with Planning and Zoning's</p>
<p style="text-align: right;">Page 114</p> <p>1 that what appears as a recommendation from staff to 2 City Council, if it is different is because it was 3 performed after the approval of this, with the express 4 understanding of the Planning and Zoning Board that 5 additional conversations need to occur between 6 applicant and City staff, which may change City staff's 7 recommendation. 8 MR. GAGNON: What I'll be happy to do is to 9 provide the Planning and Zoning Board packet, as it 10 exists, to Council and provide supplemental 11 documentation in a memo format to Council that 12 identifies the fact that the development team and City 13 staff had worked through these specific talking points 14 and provide City Council with final resolution to those 15 items. But I won't modify this packet, because this is 16 part of the Planning and Zoning Board record. However, 17 I will provide that supplemental documentation. 18 Additionally, staff has the opportunity, with 19 the agenda item summary sheet that's basically the 20 cover page for the City Council agenda item, to provide 21 additional information as well, so I can make note of 22 that within that agenda item summary. 23 MR. MIGNOGNA: And we're fine with that. I 24 just want to make sure you all know that, you know, we 25 have some issues with these comments. We're not going</p>	<p style="text-align: right;">Page 116</p> <p>1 recommendations one through seven? 2 CHAIR McCOY: Yes. 3 MR. GUSTAFSON: Very good. Thank you. 4 CHAIR McCOY: Okay, so we're done with that. 5 I think we're done with it, right? Good enough. 6 Item number IX, workshop. We're not in a 7 workshop. We're at item X, public comments. 8 Peter Hruda. 9 MR. HRUDA: Mr. Chair. 10 CHAIR McCOY: Excuse me one second. Did we 11 take a roll call vote on that item C? We did, correct? 12 Yes, we did. 13 Okay, Mr. Peter Hruda. 14 MR. HRUDA: I'm a Singer Island resident, and 15 I have a business here in Rivera Beach. And I like the 16 idea of HUD coming in. It sounds like a great project 17 if it can be approved. 18 One of the things I have noticed recently is 19 the amount of traffic on the Island and the amount of 20 construction workers that are using the parking 21 facilities all over the Island, on the Island side to 22 park. 23 I know Cast Construction at the 500 Building 24 buses them in with a bus system that they, you know, 25 sponsor the bus system, the transit. There are some</p>

<p style="text-align: right;">Page 117</p> <p>1 other, the Amrit and some other ones do not have such 2 facilities, and they're parking sporadically wherever 3 they can find parking. 4 I brought this up at one of the other 5 meetings. I've actually had a conversation with Jeff 6 on the same issue, just to kind of bring it up to his 7 attention. 8 And it's a concern, because they are coming 9 in at very early hours, quite a few of them, and 10 they're going rather quickly. I made the law 11 enforcement, City of Riviera Beach Police, I've asked 12 them to look into the traffic patterns and the speeding 13 which is going on. 14 And just the fact that, you know, they're 15 transient, they're coming from different locations, a 16 lot of them. The contractor is from Miami and the 17 Miami/Fort Lauderdale area. They're coming up, and 18 they park all day long. They undress in the parking 19 lot before the end of the day to go home. And I would 20 just like -- am I doing something? Sorry about that. 21 So it's becoming an issue for residents, for 22 our transient people that come in to enjoy the Island. 23 You have the parking lot has been redone between Johnny 24 Longboats and the Sands Hotel, which is nice. It's 25 added to our parking. But these people are trying to</p>	<p style="text-align: right;">Page 119</p> <p>1 appreciated from the standpoint of just people on the 2 Island using the roadways and what have you. So that's 3 one of my biggest concerns. 4 The other one is the actual conditions of the 5 pathways to the beaches. Is there -- who monitors the 6 particular pathways to the beach? Who takes care of 7 that? 8 MR. GAGNON: (Inaudible.) 9 MR. HRUDA: Okay, all right. So my concerns 10 are the conditions and the repairs on the pathways 11 leading to the beach-ways. And that's it, and thank 12 you for this time. 13 MR. GAGNON: Turn this microphone on now and 14 speak right into it, right? 15 The specific paths to the beach, it's going 16 to technically depend on if it's an easement, if 17 someone has specific access to the easement, if it's a 18 specific HOA or if it's just public. 19 Public Works, if it was a community easement 20 for the City only and not an HOA, then it would be 21 Public Works Department. If it's a specific easement 22 dedicated to a specific HOA or POA, then there might be 23 a dedication requirement that requires that POA to 24 maintain it. 25 Oftentimes during the construction process,</p>
<p style="text-align: right;">Page 118</p> <p>1 find parking places. 2 And I just wanted you to be made aware that 3 something, if it can be addressed in some way, or the 4 contractors at least can be noted that the amount of 5 employees needs to seek some type of other 6 transportation and parking for their construction 7 workers, because it's a two year project. It's not 8 something that's a short-term project. These projects 9 that are going on are very long, long scheduled. So I 10 see this as being a pattern, a continuing pattern -- 11 MS. SHEPHERD: Point of order one minute. 12 Can they step outside, Mr. McCoy, so we can hear? We 13 can't hear him. 14 MR. HRUDA: Am I not speaking properly into 15 the mike? 16 MS. SHEPHERD: No, no. They were talking, 17 and we couldn't hear. 18 MR. HRUDA: I'm sorry. 19 In the conditions, I know there are permits 20 and fees, you know, towards these people, but the 21 roadways and the conditions of the roadways at this 22 early stage of the contract or the construction part 23 are being damaged. And if just if someone could pay 24 attention to that, make sure there is some type of 25 repair in the future, that would be, you know,</p>	<p style="text-align: right;">Page 120</p> <p>1 there is special treatment of those areas that needs to 2 occur. Whether or not that's having a silt screen or 3 having almost a pedestrian roof or a walkway to ensure 4 that there's no construction element that could 5 interfere with pedestrian access could also come into 6 consideration. 7 So that's a, I guess, very general answer. 8 If there's a specific pathway or walkway, we'd be happy 9 to look and see exactly how it was dedicated and who 10 has responsibility to maintain that pathway. 11 MR. HRUDA: Okay. My particular one is 12 actually between the Tiara and the Amrit. 13 MR. GAGNON: Okay. 14 MR. HRUDA: It's in -- I've talked to Public 15 Works, and they were very accommodating. They came 16 out, met with me, and then it seemed to -- nothing 17 happened. So I'm not sure if there's something going 18 on that I don't -- I'm not, you know, aware of or 19 there's a reason that hasn't taken place. But it's 20 really bad. 21 MR. GAGNON: Okay, I'll be happy to follow up 22 with the Public Works Director -- 23 MR. HRUDA: Okay, thank you. 24 MR. GAGNON: -- to address that. 25 MR. HRUDA: And the parking?</p>

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<p>1 MR. GAGNON: Parking, I actually, I believe 2 that -- I don't know if you made the comment at another 3 community meeting on Singer Island, but that spurred on 4 staff to do an analysis of existing parking. I believe 5 that our Acting Assistant Chief had started an analysis 6 of that. I need to see whether or not we received 7 e-mail correspondence about those final results. 8 MR. HRUDA: Okay. 9 MR. GAGNON: I'd be happy to look and see 10 what I have in my e-mail and follow up with you on 11 that. 12 MR. HRUDA: Thank you very much. 13 MR. GAGNON: You're welcome. 14 MR. HRUDA: Thank you, everybody. 15 CHAIR McCOY: Thank you. 16 P &amp; Z Board comments. Any members with any 17 comments? 18 Hearing none, Mr. Gagnon, project updates. 19 MR. GAGNON: I don't have a comprehensive 20 project update at this time. I did want to mention the 21 fact that we have multiple ordinances that came before 22 the Planning and Zoning Board that are going before 23 City Council on second reading on the 2nd, that is the 24 medical marijuana ordinance, the principal arterial 25 overlay ordinance, as well as the separation</p>	<p>1 than likely, we'll meet on May 24th. 2 CHAIR McCOY: Okay. Anything else from 3 members? 4 All right, we stand adjourned. 5 (Whereupon, at 9:30 p.m., the proceedings 6 were concluded.) 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
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<p>1 requirement for gas stations. Those will be presented 2 on second reading. 3 On first reading we'll have the Technical 4 Manual and Policy and Procedural Manual, so we look 5 forward to having those move forward. 6 If it's okay with the Board, I'll move into 7 correspondence as well. Just wanted to make note of 8 the fact that we received documentation for an upcoming 9 planning officials training workshop, so if the Board 10 has interest in attending, please let me know off-line, 11 and we'll make sure that anyone that's interested in 12 attending has the opportunity to do so. 13 MS. SHEPHERD: Mr. Gagnon, do we have to pay 14 for that or -- 15 MR. GAGNON: No, the cost will be provided by 16 the City. 17 MS. SHEPHERD: Okay, I would like to go to 18 that. 19 MR. GAGNON: Okay. 20 CHAIR McCOY: And do you have anything on 21 upcoming meetings, Mr. Gagnon? 22 MR. GAGNON: So our upcoming meetings are 23 scheduled for May 10th, May 24th. At this point in 24 time, I don't have anything in my mind that would make 25 that May 10th agenda. It's subject to change, but more</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 5th day of May, 2018. 16 17 18 19 20 21 22 23 24 25 <hr/>Susan S. Kruger</p>



**CITY OF RIVIERA BEACH STAFF REPORT  
CASE NUMBER SP-17-09, VERTEX  
JULY 12, 2018**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING SITE PLAN APPLICATION SP-17-09 FOR THE CONSTRUCTION AND USE OF A 130 FOOT MONOPOLE WIRELESS SERVICES TOWER LOCATED AT 700 AVENUE 'E', WITHIN THE PORT OF PALM BEACH, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-33-22-0010010, HAVING A PORT FUTURE LAND USE DESIGNATION AND A GENERAL INDUSTRIAL ZONING DESIGNATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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- A. Applicants:** Vertex Development, LLC and the Port of Palm Beach.
- B. Request:** The applicant is requesting Site Plan approval for the construction and use of a 130 foot monopole wireless services tower.
- C. Location:** The subject property is located within a restricted area of the Port of Palm Beach, addressed as 700 Avenue 'E'.
- D. Property Description and Uses:** The subject property description and uses are as follows:

<u>Parcel Control Numbers:</u>	56-43-42-33-22-001-0010
<u>Parcel Size:</u>	+/- 4.3 Acres (parent parcel)
<u>Existing Use:</u>	Vacant area adjacent to existing storage tanks.
<u>Zoning:</u>	General Industrial (IG)
<u>Future Land Use:</u>	Port

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

<u>North:</u>	General Industrial (IG), Port of Palm Beach.
<u>South:</u>	General Industrial (IG), Port of Palm Beach.
<u>East:</u>	General Industrial (IG), Port of Palm Beach.
<u>West:</u>	General Industrial (IG), Port of Palm Beach.

**F. Background:**

Vertex is leasing real property within the Port of Palm Beach to construct a monopole style wireless services tower, with associated equipment and structures, which is designed to be utilized by major telecommunication providers to offer wireless service to the area. The total tower compound area is approximately 2,500 square feet. The area selected for placement is ideal due to the dense and intense Port uses located adjacent and the nearest residential use existing over 1,000 feet away (located to the north, W. 10<sup>th</sup> Street).

Additionally, construction of this tower will prohibit construction of another tower within a half-mile radius due to new tower construction requirements within the City's Code of Ordinances.

#### **G. Staff Analysis:**

**Proposed Use:** Construction and use of a 130 foot monopole wireless services tower within the Port of Palm Beach.

**Zoning Regulations:** New towers are permitted within the General Industrial (IG) Zoning District.

**Comprehensive Plan:** The proposal is consistent with the City's Comprehensive Plan, and the Port Future Land Use Designation.

**Levels of Service:** Customary services are currently available to the site.

**Landscaping:** Since this site is located within a restricted area of the Port of Palm Beach, a request to waive landscape requirements has been submitted and deemed appropriate by City staff due to site constraints, including existing and proposed property improvements and structures. City staff will provide a recommendation to the Port of Palm Beach to enhance the premier boundary of the Port by adding additional landscape material where applicable, in lieu of providing landscaping for this development proposal.

**Parking/Traffic:** One parking space has been provided for service vehicle use as needed. This proposal will have little to no impact on traffic; services vehicles only.

**H. Recommendation:** Staff recommends approval of Site Plan application SP-17-09 from Vertex Development, LLC, and the Port of Palm Beach, for construction and use of a 130 foot monopole wireless services tower located at 700 Avenue 'E', within the Port of Palm Beach, identified by parcel control number 56-43-42-33-22-0010010, with the following conditions of approval (in addition to the requirements provided within City Code Chapter 31 - Zoning, Article XI. - Wireless Services Facilities Tower and Antenna Siting):

1. Construction improvements must be initiated within 18 months of the effective date of this Resolution in accordance with Section 31-60(b), of the City Code of Ordinances. Demolition, site preparation and/or land clearing shall not be considered construction. Building permit application and associated plans and documents shall be submitted in its entirety and shall not be accepted by City staff in a partial or incomplete manner.
2. City Council authorizes City staff to approve future amendments to this site plan administratively so long as the site plan does not deviate greater than 5% from the originally approved site plan.
3. This development must receive final Certificate of Occupancy or Certificate of Completion from the City for all approved site plan elements within five years of the approval of the adopting resolution or the adopting resolution shall be considered null and void, requiring the applicant to resubmit application for site plan and special exception approval and re-initiate the site plan approval process.
4. Once approved, this resolution shall supersede any previous site plan approval resolutions associated with this property, causing previous site plan approval resolutions to be null and void.

August 1, 2017

City of Riviera Beach  
Community Development Department  
600 W. Blue Heron Boulevard  
Riviera Beach, Florida 33404

**RE: Application for Major Site Plan to allow for the construction and use of a 130-foot Monopole Wireless Services Tower with landscaping hardship request**

**Applicant:** Vertex Development, LLC  
405 South Dale Mabry Hwy #244  
Tampa, FL 33609

**Owner:** Port of Palm Beach  
1 East 11<sup>th</sup> Street, Ste 600  
Riviera Beach, FL 33404

**Contacts:** Mary Doty Solik, Esquire  
407-367-7868  
msolik@dotysoliklaw.com

Dear Mr. Gagnon:

Enclosed herein please find Vertex Development, LLC's (Vertex) application for Major Site Plan Approval to construct a 130' monopole-type wireless service tower ("Tower"). I have enclosed the following documents pursuant to the City of Riviera Beach Land Development Code (LDC) for Vertex's submittal:

- Application Fee
- Uniform Land Use Application
  - Vertex Sunbiz
  - Legal Descriptions
- Agent Authorization
- Site Plans (6 sets)
- Site Plans digital copy
- Written Statement (*this narrative letter*)
- Existing Towers Map
- Radiofrequency Package
- Photo Simulation Package
- Tower Drawing and Tower Calculations
- FAA Determination of No Hazard for ASN 2017-ASO-4677-OE
- Federal Communications Commission (FCC) TOWAIR Determination
- FCC AM Compliance Letter by Waterford Consultants
- Zoning Affidavit
- Color Board
- Collocation Letters
- One (1) CD with all supplemental materials



Vertex is requesting Major Site Plan Approval for a 130' Tower and associated ground equipment to be located on the property within the Port of Palm Beach at 700 Avenue E, Riviera Beach, Florida; PCN 56-43-42-33-22-001-0010.

The total parent parcel is approximately 4.3 acres MOL (according to the Palm Beach County Property Appraiser's Office), and it contains molasses storage tanks. The parcel is zoned "IG" (General Industrial) with a future land use designation of "Port."

The Tower will be designed to accommodate the four regional wireless telecommunication providers (AT&T, T-Mobile, Verizon and Sprint). The tower compound is 2,500 square feet in addition to any required easements for access and utilities.

Please find below a description how Vertex's application meets the criteria of the applicable sections of the City of Riviera Beach LDC.

## **ARTICLE XI. - WIRELESS SERVICE FACILITIES TOWER AND ANTENNA SITING**

...

Sec. 31-730. - Application: Site plan submission and review requirements.

Every applicant for a tower or antenna shall at minimum submit the following to the city:

- (1) Minor site plan. An applicant for the co-location of a wireless service facility shall submit a minor site plan that complies with this subsection...**Vertex is proposing a new Tower, and, therefore, a Major Site Plan. However, Vertex's future collocators will comply as necessary.**
  - a. Certification. For all co-located facilities,...**Section not applicable, as Vertex is proposing a new Tower. However, Vertex's future collocators will comply.**
  - b. Review and approval. A minor site plan shall be administratively reviewed and approved... **Section not applicable, as Vertex is applying for a Major Site Plan review.**
- (2) Major site plan. A major site plan submission shall contain all of the items required for a minor site plan, including additional applicable fees, and provide the following additional information:

**Vertex is applying for a Major Site Plan and will comply as applicable.**

- a. Inventory of existing towers.
  1. Each applicant shall submit an inventory of existing towers, antennas, and approved wireless service facilities within the search area identified in an application. No new tower shall be permitted unless the applicant demonstrates to the satisfaction of the city that no existing facility or structure can accommodate, as is or through modification, the proposed facility. Evidence to demonstrate that no existing facility or structure is suitable shall consist of any of the following:

- i. An affidavit demonstrating that the applicant made diligent efforts to install or co-locate on an existing tower or other existing structure within the geographic search area, as determined by a qualified radio frequency engineer.
- ii. An affidavit demonstrating that existing towers or structures located within the geographic search area, as determined by a certified radio frequency engineer, do not have the capacity to provide reasonable technical service consistent with the applicant's technical system, including but not limited to, applicable FCC requirements.
- iii. Written technical evidence from a qualified radio frequency engineer that existing towers or structures are not of sufficient height to meet applicable FCC requirements.
- iv. Written technical evidence from a qualified radio frequency engineer that existing towers or structures do not have sufficient structural strength to support the proposed facility.
- v. A written statement from a qualified radio frequency engineer that the proposed and existing facilities are incompatible due to electromagnetic/radio frequency interference or the new facility would otherwise interfere with public safety communications or the usual and customary transmission or reception of radio, television, or other communications service enjoyed by surrounding properties.
- vi. An affidavit that the fees, costs, or contractual provisions required by the owner to share an existing tower or structure, or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
- vii. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
- viii. The applicant demonstrates that state of the art technology used in the wireless service business and within the scope of applicant's FCC license, is unsuitable for the site involved. Costs of state of the art technology that exceed new tower development shall not be presumed to render the technology unsuitable.

**Please see Existing Towers Map and Radiofrequency Package. There are no towers or available structures within the geographical search area for antennas to collocate.**

2. The city reserves the right to share inventory information with other applicants seeking to site wireless service facilities. However, in doing so, the city shall neither be responsible for the accuracy of the information, nor will it infer that any sites are available or suitable.

**Vertex acknowledges this section.**

- b. Engineering report. All proposals for a new tower shall submit a written report certified by a Florida-licensed electrical engineer who specializes in radio frequency engineering or wireless service facilities, except as otherwise provided herein. The report shall include:

1. A description of the geographical search area requirements;

**Please see Radiofrequency Package.**

2. A site development plan, drawn to scale, including without limitation, a legal description of the parent tract and leased parcel, if applicable, on-site and adjacent land uses, comprehensive plan and zoning classification of the site, a visual impact analysis and photo digitalization of the tower and all attachments including associated buildings and equipment containers at the property line, as well as at a distance of 250 feet and 500 feet from all properties within that range, or at other points agreed upon by the city and the wireless service facilities owner.

**Please see Site Plans for required information. For visual impact analysis, see Photo Simulation Package, which includes views from closest residential and properties outside of the Port of Palm Beach.**

3. A projection of wind-load capacity for the proposed facility, provided by a licensed professional engineer. No tower shall be permitted to exceed its wind loading capacity as provided for by the standard building code at the time of original approval of the tower or structure on which the proposed facility is to be co-located;

**Please see Tower Drawings and Tower Calculations. Also, see Site Plans, Page N-1, Site Plans #1.**

4. A statement that the proposed tower facilities, and reception and transmission functions will not interfere with the visual and customary transmission or reception of radio, television or similar services as well as other wireless services enjoyed by surrounding properties;

**Please see Radiofrequency Package.**

5. A statement of compliance with the South Florida Building Code and all other applicable building codes, as amended from time to time, associated regulations and safety standards;

**Please see Site Plans, Page N-1, Site Notes #1.**

6. The effective radiated power of the facility and how it meets or exceeds the FCC's regulations on the environmental effects of radio frequency emission;

**Please see Radiofrequency Package.**

7. Any additional information deemed warranted by the city to assess compliance with applicable regulations.

**Vertex will comply as reasonably necessary, in accordance with Florida Statutes.**

- c. Review and approval. A major site plan shall be reviewed by city staff and considered by the city council upon receipt of an advisory recommendation by the planning and zoning board: The city council shall consider an application within 180 days of the applicant's submission of a completed application. The city may commission a review by a professional consultant with appropriate technical experience to review the plan and all supporting documentation. Such review by a professional consultant shall be completed within 60 days of commencement consistent with this section. The cost of this review shall be borne by the applicant and shall not exceed \$5000.00; no review will commence until the cost recovery arrangement is finalized and payment has been submitted by the applicant. If the city does not accept the full report provided as accurate, or if the city disagrees with any part of the report, the time in which an application is processed may be tolled, in the reasonable discretion of the city, pending further investigation.

**Vertex acknowledges the review and approval process.**

**Sec. 31-731. - General requirements.**

- (a) Local, state and federal requirements. A wireless service facilities owner shall certify that all franchises/licenses/permits required by law have been obtained and shall file a copy of these with the city. The construction, operation and repair of a facility shall be in accordance with all applicable local, state and federal requirements. The construction, operation and repair shall be performed in a manner consistent with applicable industry standards, including the Electronic Industries Association. The facility must meet or exceed current standards and regulations of the FAA, the FCC, including radio frequency emissions standards, and any other agency of the local, state or federal government with the authority to regulate the facility prior to issuance of a building permit by the city. A statement shall be submitted by a licensed engineer certifying compliance with this subsection. If applicable standards and regulations require retroactive application, then the facility owner shall bring the facility into compliance with these standards and regulations within six months of the effective date of these standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to comply with this section shall constitute grounds for removal at the owner's expense.

**Please see signed and sealed Site Plans, Page N-1, for proposed code compliance. Reference FAA Determination of No Hazard, FCC TOWAIR Determination, FCC AM Compliance Letter and Zoning Affidavit for Vertex's further efforts of compliance.**

- (b) Environmental regulations. A wireless facility owner shall demonstrate compliance with applicable environmental laws including, without limitation, the National Environmental Policy Act of 1969, as amended, Pub. L. 91-190, 83 Stat. 852 (1969), the Endangered Species Act, as amended, Pub. L. 93-205, 87 Stat. 884 (1969), the Migratory Bird Treaty Act, as amended, 40 Stat. 755 (1918), the Bald Eagle Protection Act, as amended, 54 Stat. 250 (1940), and the Golden Eagle Protection Act, as amended, Pub. L. 87-884, 76 Stat. 1246 (1962). A statement shall be submitted certifying compliance with this section prior to obtaining any building permit from the city.

**Vertex shall procure all applicable environmental due diligence – including, but not limited to, Phase I Environmental Site Assessment and NEPA Report – prior to issuance of a building permit. See Zoning Affidavit.**

- (c) (1) Inspection; reports. The city reserves the right to conduct periodic inspection of wireless service facilities other than co-located or roof-mounted facilities at the facility owner's expense to ensure structural and electrical integrity. Such periodic inspection shall take place no more than once every two years. Where the city does not possess the expertise to perform inspections as required herein, the city reserves the right to have such inspections performed by a licensed professional engineer at the applicants expense. If inspection determines noncompliance with applicable codes and standards (except in the case of a legal nonconforming use) then, upon notice, the owner shall have 30 days, or such other time as the city may allow, for good cause shown, to bring the facility into compliance. Failure to do so within the time allowed shall constitute grounds for the removal of the facility at the owner's expense.
- (2) Wireless facility owners shall submit a report to the city certifying structural and electrical integrity every two years. The report shall be accompanied by a non-refundable fee of \$200.00 to reimburse the city for the cost of review.  
**Vertex shall comply with periodic inspections and associated reasonable fees per subsections (1) and (2) hereinabove.**
- (d) Lighting. No signals, artificial lights, or illumination shall be permitted on any wireless service facility unless required by the FAA or other applicable authority. If required, the lighting shall be designed to minimize off-site impacts. Strobe lights will not be allowed.  
**Per FAA Determination of No Hazard, “marking and lighting are not necessary for aviation safety.” Therefore, the proposed Tower will not have signals, artificial lights or illumination.**
- (e) Signs. No signs, including commercial advertising, logo, political signs, flyers, flags, or banners, but excluding warning signs, shall be allowed on any part of an antenna or tower. Any signs placed in violation of this section shall be removed immediately at the facility owner's expense. In addition to other requirements set forth in the city's zoning code, the following warning signs shall be utilized in connection with the tower or antenna site, as applicable: (a) If high voltage is necessary for the operation of the tower, associated equipment, or backhaul network or accessory structures, "HIGH VOLTAGE—DANGER" warning signs shall be permanently attached to the fence or wall surrounding the structure and spaced no more than 40 feet apart; (b) "NO TRESPASSING" warning signs shall be permanently attached to the fence or wall surrounding the structure and spaced no more than 40 feet apart; (c) the height of the lettering of the warning signs shall be at least eight inches and the signs shall be installed at least five feet above the finished grade; (d) the warning signs may be attached to free standing poles if the content of the sign may be obstructed by landscaping. Warning signs shall contain all other information in compliance with FCC regulations.  
**Please see Site Plans, Page N-1, Site Notes #7 regarding this requirement, and Page C-7, for proposed signage illustrations and notes. Also, see Zoning Affidavit.**

(f) Equipment structure.

- (1) Except for an equipment structure needed to operate an approved facility, accessory uses are prohibited unless otherwise permitted in the zoning district in which the facility is located. The equipment structure shall not contain more than 450 square feet of gross floor area and shall not be more than ten feet in height, not including any platform structure (which shall be limited to no more than three feet), subject to the limitations of section 31-733(b)(2) herein.

**Vertex and its future collocators shall comply with this section.**

- (2) Where the equipment structure is located on the ground, it shall meet the minimum setbacks required for a principal building in the underlying zoning district... Screening shall be required for all equipment structures to minimize the visual impact upon adjacent properties and the general public.

**See Site Plans, page C-4. It should be noted that all adjacent properties (excluding the elevated portion of Broadway/ U.S. Highway 1) are owned by the Port of Palm Beach District.**

**Vertex will screen the site and equipment structures with slatted chain link fencing – see Site Plans, Page C-7. It should be noted that the closest non-Port owned property within the Port is 371' to the southwest, which is a reasonable distance to assume visual impact upon non-contiguous properties and general public is minimized.**

- (g) Parking. Each facility site shall provide stabilized parking only for use by maintenance personnel. No vehicle storage shall be permitted.

**Expected trips to the tower site are approximately one trip per month per carrier. As such, Vertex has proposed one 10' x 20' parking spot within a non-exclusive access and utility easement just north of the compound. See Site Plans, Page C-4, for illustration.**

- (h) Security fencing. Towers and associated accessory building and equipment shall be enclosed by a security fence or wall that is a minimum of eight feet in height and may be equipped with an anti-climbing device or apparatus where appropriate. Such perimeter fencing shall be landscaped pursuant to subsection (l) hereof.

**See Site Plans, Page C-7 for illustration of the proposed 8-foot tall slatted, chain link fence, which will provide adequate security and screening of the base of the tower, accessory buildings and equipment structures. Regarding landscaping, please see response to section (l)(4) herein below.**

- (i) Outdoor storage. No outdoor storage of vehicles or equipment is permitted. Equipment such as generators or equipment cabinets may, with prior notice to the city and at the city's discretion, be placed outdoors on site, on a temporary basis.

**See Site Plans, Page N-1, Site Notes #10. Vertex and its future collocators shall comply with this section.**

- (j) Facility replacement. **Section not applicable to this application.**
- (k) Removal of abandoned facility. Any tower or facility that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner shall remove it within 90 days of receipt of notice from the city. Failure to remove an abandoned tower or facility within the 90 days shall be grounds to remove it at the owner's expense. If there are two or more users of a single facility, then this provision shall not become effective until all users cease using it. **Vertex shall comply with this section. Please see Zoning Affidavit.**
- (l) Facility appearance.

- (1) Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color to reduce visual obtrusiveness.

**See Site Plans, page N-1, Site Notes #2, and Color Board. Tower will have a galvanized steel finish, as the FAA is not imposing any design standards.**

- (2) The design of the equipment structure and any other associated permitted structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that minimize the visual impact and enhance compatibility with surrounding development.

**Vertex has strategically sited the proposed Tower in the middle of the Port of Palm Beach to be compatible with the surrounding development and to minimize visual impact to the surrounding neighborhoods. The closest residential property is located approximately 1,069 feet to the north (see Site Plans, page C-3); such a great distance implies no additional screening from ground equipment is required. Please see the Color Board for proposed neutral colors and textures. Also, see Photo Simulation Package for design compatibility.**

- (3) To the extent feasible, wireless service facilities shall be stealth facilities. The use of a tower or facility other than a stealth facility must be documented by the applicant as the only appropriate facility which the provider can use.

**The monopole design is compatible with the surrounding industrially zoned port uses. As Vertex is proposing a 130' Tower to accommodate all the regional carriers' needs, a monopole will create less visual impact with a much slimmer profile than a stealth flagpole or tree (monopine). See Photo Simulation Package.**

- (4) Facilities must comply with the requirements of the city landscape code. The city may require landscaping in excess of those requirements in order to enhance compatibility with adjacent uses or zoning districts, provided that any such additional requirements shall not exceed 80 percent of the amount otherwise required.

**Please see Vertex's response to section 31-596, included herein below, regarding landscaping.**

- (5) For co-located facilities, the antennas and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure to minimize the visual impact and enhance compatibility with surrounding development.

**Please see the Color Board for proposed design with neutral colors. As previously noted, Vertex has strategically sited the proposed Tower – and thus the future collocator’s antennae and supporting equipment – in the middle of the Port of Palm Beach to minimize visual impact to the surrounding neighborhoods.**

- (m) Security fund. Every wireless service provider shall establish a security fund to secure the payment of removing a tower or wireless service facility that has been determined to be abandoned, to secure the payment of removing a tower facility that has been determined to be in noncompliance with this Code, and to provide the city a fund from which to deduct fines and penalties for noncompliance with this Code or other applicable laws. Such fund may be in the form of a cash deposit, letter of credit, corporate guarantee, indemnity bond or surety bond as determined by the city at its sole discretion. The amount to be provided for each tower shall be no less than \$5,000.00; the amount for each antenna array shall be no less than \$1,000.00.

**Upon Major Site Plan Approval and prior to Building Permit issuance, Vertex and its future collocators shall furnish such surety to the City.**

Sec. 31-732. - Siting alternatives hierarchy.

- (a) Siting of a tower and/or wireless service facility shall be in accordance with the following siting alternatives hierarchy. The order of ranking, from highest to lowest, shall be 1A, 1B, 2A, 2B, 3A, 3B. Where a lower ranked alternative is proposed (e.g., 3A), the applicant must demonstrate that higher ranked options (e.g., 2A) are not feasible.

- (1) Co-location on existing communications tower.

**Please reference the Radiofrequency Package for the following:**

- a. On city-owned site. **There are no city-owned towers on which to collocate within the geographical search area; the closest city-owned tower is approximately 1.26 miles away, located at the City of Riviera Beach government center. See Existing Towers Map.**
- b. On non-city owned site. **There are no FCC-registered towers within the geographical search area; the closest FCC-registered tower is approximately 1.38 miles away. See Existing Towers Map.**

- (2) Co-location on existing building/other structure.

- a. On city-owned site. **There are no city-owned buildings or structures within the geographical search area with a minimum height of 50 feet [as provided for in Section 31-733(b)(2)].**
- b. On non-city owned site. **AT&T currently has antennas collocated on a Port building (Palm Beach County PCN 56-43-42-33-19-001-0110), which will be demolished in 2018. Therefore, AT&T must relocate their antennas. Within the geographic search area, the Port does not have any other building over 50 feet tall [as provided for in Section 31-733(b)(2)] available for collocation purposes.**



(3) Development of new communications tower.

- a. On city-owned site. **While there is one city-owned property within T-Mobile's geographical search area (Palm Beach County Parcel 56-43-42-33-06-030-0010), the property is surrounded by single-family residential development. Placement of the proposed tower on this city-owned property is not feasible, as it would not meet the City's objectives of locating towers in non-residential areas and minimizing the potential adverse impact of towers in residential areas.**
  - b. On non-city owned site. **Per 3B, Vertex is proposing a new Tower on a non-city owned site due lack of feasibility with higher ranked options in the siting alternatives hierarchy. As stated in 2B, the Port's lack of available options for building collocation, including the demolition of a currently collocated building, prompted the issuance of a Request for Proposal for a tower – a permitted use in the IG district per 31-734(a) – to be located on the parent parcel. This option also allows for a tower-to-residential separation of at least 1,000 feet and will minimize impact on the surrounding neighborhoods.**
- (b) The city reserves the right to modify or waive the requirement for use on city owned public property. Nothing herein shall be construed to grant an absolute right of access to city property. A determination whether to grant or deny a waiver request shall be made in accordance with standards to be adopted by administrative regulation of the city.

**Vertex acknowledges this section.**

Sec. 31-733. - Co-location requirements.

- (a) Use regulations. Co-location is permitted in the IL, IG, and CF zoning districts... **Vertex is proposing a new tower and not collocation. However, Vertex's future collocators will comply, as the proposed Tower is located in the "IG" district.**
- (b) Height:
  - (1) Tower. In compliance with section 31-734(d). **The proposed Tower will be in compliance with 31-734(d).**
  - (2) Building/other structure. The minimum height of the building/structure before installation of the wireless service facility shall be 50 feet... **Section not applicable, as Vertex is proposing a new Tower.**
- (c) Antenna type and size... **Vertex's future collocators will comply, as applicable, with this section.**
- (d) Modification. **Section not applicable to this application.**
- (e) Future co-location. Unless demonstrated as infeasible, the wireless service facility shall provide for future co-location on the facility by other wireless service facilities and for city and public purposes. The siting applicant shall demonstrate that other potential service providers have been contacted to determine if their future needs can be accommodated through co-location on the site. The facility owner shall make every effort to design the site in a manner that allows for future co-location.

At a minimum, a monopole tower shall be built to accommodate a minimum of two wireless service providers. At a minimum, a self-support, lattice or guyed tower shall be built to accommodate a minimum of three wireless service facilities.

**The proposed Tower is designed to accommodate the equipment of the four regional wireless carriers and the Port of Palm Beach security equipment. See Collocation Letters and Site Plans, Pages C4 – C-5. If the City or another public agency is interested in collocating on this Tower, Vertex will accept applications for collocation.**

- (f) Lease. The city may require, as a condition of entering into a lease agreement with the city,... **Section not applicable, as Vertex is not proposing to enter into a lease agreement with the city.**
- (g) Site plan. An applicant for the co-location of a wireless service facility shall submit a minor site plan that complies with section 31-730(a). To further encourage the co-location of wireless service facilities, the city will attempt to review any submitted minor site plan within 30 days of the filing of a completed application. **Vertex's future collocators will comply with this section, as applicable.**
- (h) **Section not applicable.**

Sec. 31-734. - New tower requirements.

- (a) Use regulations. New towers shall be permitted in the IL, IG, and CF zoning districts. New towers may be permitted as a special exception in the OP, CG, RM-20 and RMH-20 zoning districts, provided the facility qualifies as a stealth facility consistent with the definition set forth in section 31-728 hereof, subject to the same notice requirements and other procedures of section 31-61 of this Code.  
**Vertex is proposing a Tower within the "IG" zoning district, which is a permitted use.**
- (b) Minimum lot size. Standard of the applicable district.  
**Per section 31-383(1), the minimum lot size for the "IG" district is one acre. The parent parcel is approximately 4.3 acres, MOL.**
- (c) Minimum setbacks. 110 percent of the tower height. Setback requirements shall be measured from the base of the tower to the perimeter of the property on which it is located.  
**For a 130' Tower, the minimum setback is calculated at 143 feet. The closest non-contiguous property, or property not owned by the Port of Palm Beach District, is 371 feet from the base of the tower. See Site Plans, page C-3.**
- (d) Maximum height. Towers shall not be constructed at any heights in excess of those provided below.
  - Tower capable of maintaining a single antenna array: 100 feet
  - Tower capable of maintaining two antenna arrays: 130 feet
  - Tower capable of maintaining three or more antenna arrays: 150 feet.

Any antenna, lighting, lighting rod, lighting beacon or other wireless service facility shall not extend more than ten feet above the height of the tower.

**Vertex is proposing a 130' Tower (top of steel) to accommodate the collocation of four wireless carriers, and all appurtenances are designed to be no taller than 139 feet**

**above ground level, which is in compliance with both the definition of tower height and the maximum height requirements in this subsection.**

- (e) Minimum separation distance. Any wireless service facility tower shall be separated from any other tower, notwithstanding whether such other tower is within the incorporated area of the city, by a minimum distance of ½ mile. Separation distance shall be measured by a straight line between the bases of the towers.

**The proposed Tower exceeds this requirement, as there are no existing towers within ½ mile. See Existing Towers Map. The closest FCC-registered tower is 1.38 miles southwest (FCC ASR 1031315, owned by Palm Beach County) of the proposed Tower. The closest tower is 1.26 miles to the northwest, owned by the City of Riviera Beach; it is not FCC-registered.**

- (f) Lease. **Section not applicable**

**Sec. 31-735. - Variance provisions.**

Where a proposed wireless service facility owner is able to demonstrate, based upon verifiable evidence, that its proposed facility cannot be developed under the terms of this article, the following will apply:

- (1) A major site plan that meets the requirements of section 31-730(b)(1), (2) hereof shall be submitted. As part of the plan, the application shall clearly indicate the specific reasons why a variance is justified and provide supporting documentation.  
**Vertex is submitting a Major Site Plan application in accordance with section 31-730(2).**
- (2) Upon receipt of a complete major site plan application, the city shall commission a review by a professional consultant with appropriate technical experience to review the plan and all supporting documentation. The cost of this review shall be borne by the applicant. No review shall commence until the cost recovery arrangement is finalized and no authorization shall be issued until all payments due to the city have been paid in full.

**Vertex acknowledges this section and will comply as reasonably necessary and in accordance with the Florida Statutes.**

- (3) In reviewing the proposal, the zoning board of adjustment may impose conditions it reasonably determines are warranted to minimize negative community impacts.

**Vertex acknowledges this section and will comply as reasonably necessary and in accordance with the Florida Statutes.**

**Sec. 31-736. - Protection of the city and its residents. Section not applicable, as Vertex is not entering into a lease agreement with the City.**

**Sec. 31-737. - Penalties.**

Any person, firm or corporation who knowingly breaches any provision of this article shall upon receipt of written notice from the city be given a time schedule to cure the violation. Failure to commence to cure within 30 days and to complete cure, to the city's satisfaction, within 60 days, or such longer time as the city may specify, shall result in revocation of any permit or license and the city shall seek any remedy or damages to the full extent of the law.

**Vertex understands this provision and will comply, as necessary.**

---

**Concurrency Table** (per Uniform Land Development Application, page 6)

<b>Element</b>	<b>Criteria</b>	<b>Proposed Tower</b>
Traffic Generation	Average Daily Trips	< 1 trip per day
Sanitary Sewer	Total Gallons Produced per Day	NONE
Potable Water	Total Gallons Required per Day	NONE
Drainage	Detain on-site run-off?	Site will match existing grading
Solid Waste	Total Pounds of Waste per Day	NONE
Recreation	Recreation or Park Areas	n/a – Project not residential
School Concurrency	Application & Fees	n/a – Project not residential

---

**ARTICLE VIII – FLORIDA FRIENDLY LANDSCAPE REGULATIONS**

...

**Sec. 31-619. - Hardship relief.**

Where a landowner is unduly burdened by the strict application of this landscape code, said landowner may apply to the community development director for hardship relief. Also, an administrative waiver in accordance with section 20-127 of the city's Code of Ordinances may be granted by the utility district director, or designee, for individual water use requests if the applicant can demonstrate particular hardships and acceptable reasons for the requested waiver.

- (a) *Hardship* . The design and development of a renovation development, a vacant development, or any other parcel exhibiting a hardship may preclude a literal compliance with all the landscape design, installation and irrigation requirements of this article.
- (b) *Reduction in landscaping permitted*. The community development director may allow a reduction in required landscaping that may reasonably and economically accommodate a particular hardship.
- (c) *Criteria for reduction*. A reduction in required landscaping may be allowed, subject to one or more the following criteria being applicable to a property or development:

- (1) That existing property improvements, including buildings, parking or similar items, preclude complete compliance with required landscaping; or
- (2) The reduction in required landscaping represents the smallest reduction possible; or
- (3) The site, when vacant, possesses irregular boundaries, restrictive easements or similar circumstances that restrict the ability to install landscaping; or
- (4) The site has been adversely affected by prior governmental action, such as expansion of public road right-of-way; or
- (5) The hardship is not caused by the action of the property owner; or
- (6) The reduction in landscaping is not based solely or principally on economic reasons.

**Vertex is requesting a hardship relief from landscaping requirements under Section 31-596, etc., and an Administrative waiver under Section 20-127.**

**Per Section 31-181, the “IG” general industrial district is intended to promote development of industrial and manufacturing uses which would increase the tax base of the city and provide increased employment opportunities for the area residents. The Port of Palm Beach is the fourth busiest container port of Florida’s 14 deepwater ports and is the 18<sup>th</sup> busiest container port in the United States. In order to maximize the total infrastructure capabilities of the district and to promote water conservation, there is minimal existing landscaping within “restricted” areas of Port of Palm Beach. Likewise, the location in and around the Tower Site is accessible only to federally authorized users (via the U.S. Homeland Department of Homeland Security Transportation Security Administration (TSA) Transportation Worker Identification Credential program) and not to the general public.**

**The proposed Tower Site will be buffered from immediately adjacent uses with the use of slatted chain link fencing (see Site Plans, Page C-7). Furthermore, the closest non-contiguous property is approximately 371 feet away, and the closest residential property is approximately 1,069 feet away. Please reference the Photo Simulation Package that the base of the Tower Site will not be visible to the general public. The landscaping relief will not adversely affect the character of surrounding uses – which are mostly owned by the Port of Palm Beach District.**

**For Staff Use Only**

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

**UNIFORM LAND USE APPLICATION**

*(Please attach separate sheet of paper for required additional information)*

**Complete appropriate sections of Application and sign.**

<b>APPLICANT</b>	<b>Name of Property Owner(s):</b> Port of Palm Beach District
	<b>Mailing Address:</b> 1 East 11th St, Ste 600, Riviera Beach, FL 33404
	<b>Property Address:</b> 700 Avenue E, Riviera Beach, FL 33404
	<b>Name of Applicant (if other than owner):</b> Vertex Development, LLC
	<b>Home:</b> (813) 335-4768 <b>Work:</b> (   ) <b>Fax:</b> (813) 436-5674
	<b>E-mail Address:</b> alanruiz@vertexdevelopment.net

**PLEASE ATTACH LEGAL DESCRIPTION**

<b>PROPERTY</b>	<b>Future Land Use Map Designation:</b> Port <b>Current Zoning Classification:</b> IG
	<b>Square footage of site:</b> 189,093 <b>Property Control Number (PCN):</b> 56-43-42-33-22-001-0010
	<b>Type and gross area of any existing non residential uses on site:</b> Molasses Storage Tanks
	<b>Gross area of any proposed structure:</b> 2,500 S.F. for tower compound
	<b>Is there a current or recent use of the property that is/was in violation of City Ordinance?</b> [ ] Yes    [✓] No
	<b>If yes, please describe:</b>
	<b>Have there been any land use applications concerning all or part of this property in the last 18 months?</b> [ ] Yes    [✓] No
	<b>If yes, indicate date, nature and applicant's name:</b>
	<b>Briefly describe use of adjoining property:</b> North: Port of Palm Beach
	South: Port of Palm Beach
East: Port of Palm Beach	
West: Port of Palm Beach	

<b>REZONE</b>	<b>Requested Zoning Classification:</b>
	<b>Is the requested zoning classification contiguous with existing?</b>
	<b>Is a Special Exception necessary for your intended use?</b> [ ] Yes    [ ] No
	<b>Is a Variance necessary for your intended use?</b> [ ] Yes    [ ] No


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

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

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

<b>SITE PLAN</b>	Describe proposed development: <b>130' Monopole Tower</b>
	Demonstrate that proposed use is appropriate to site: <b>Per LDC 31-734(a), towers are a permitted use in the IG district</b>
	Demonstrate how drainage and paving requirement will be met: <b>New development will be graded to match existing site conditions.</b>
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: <small>The tower site will be screened by a slatted chain link fence; Vertex is seeking hardship relief from landscaping requirements. Please see written narrative for more information.</small>
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: <small>There are no anticipated hazards, problems, etc. The siting of a tower as a general public service and emergency service use (including E911) shall strengthen the wireless service to area and support the health, welfare and safety of the community</small>
	Demonstrate how utilities and other service requirements of the use can be met: <b>Vertex will bring power and telco to the site from near, existing infrastructure. No other utilities are required.</b>
	Demonstrate how the impact of traffic generated will be handled: On-site: <b>There is an anticipated one vehicular trip per month per carrier. Additionally, the tower site is located within the Port.</b> Off-site: <b>There is an anticipated one vehicular trip per month per carrier. Additionally, the tower site is located within the Port.</b>

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

<b>Confirmation of Information Accuracy</b>	
<p>I hereby certify that the information on this application is correct. The information included in this application is for use by the City of Riviera Beach in processing my request. False or misleading information may be punishable by a fine of up to five hundred dollars (\$500.00) and imprisonment of up to thirty (30) days and may result in the summary denial of this application.</p>	
 _____ Signature	6/29/17 _____ Date



**AGENT AUTHORIZATION FORM**

Owner(s) of Record: Port of Palm Beach District

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared Manuel Almira,  
Executive Director

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:

the street address of which is: 700 Avenue E, Riviera Beach, FL

and that we hereby appoint:

Name: Mary Doty Solik, Esquire, of Doty Solik Law, P.A.

Address: 121 S. Orange Avenue, Suite 1500, Orlando, FL 32801

Telephone: 407-367-868

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.

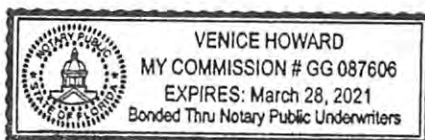
Manuel Almira (Seal)

\_\_\_\_ (Seal)

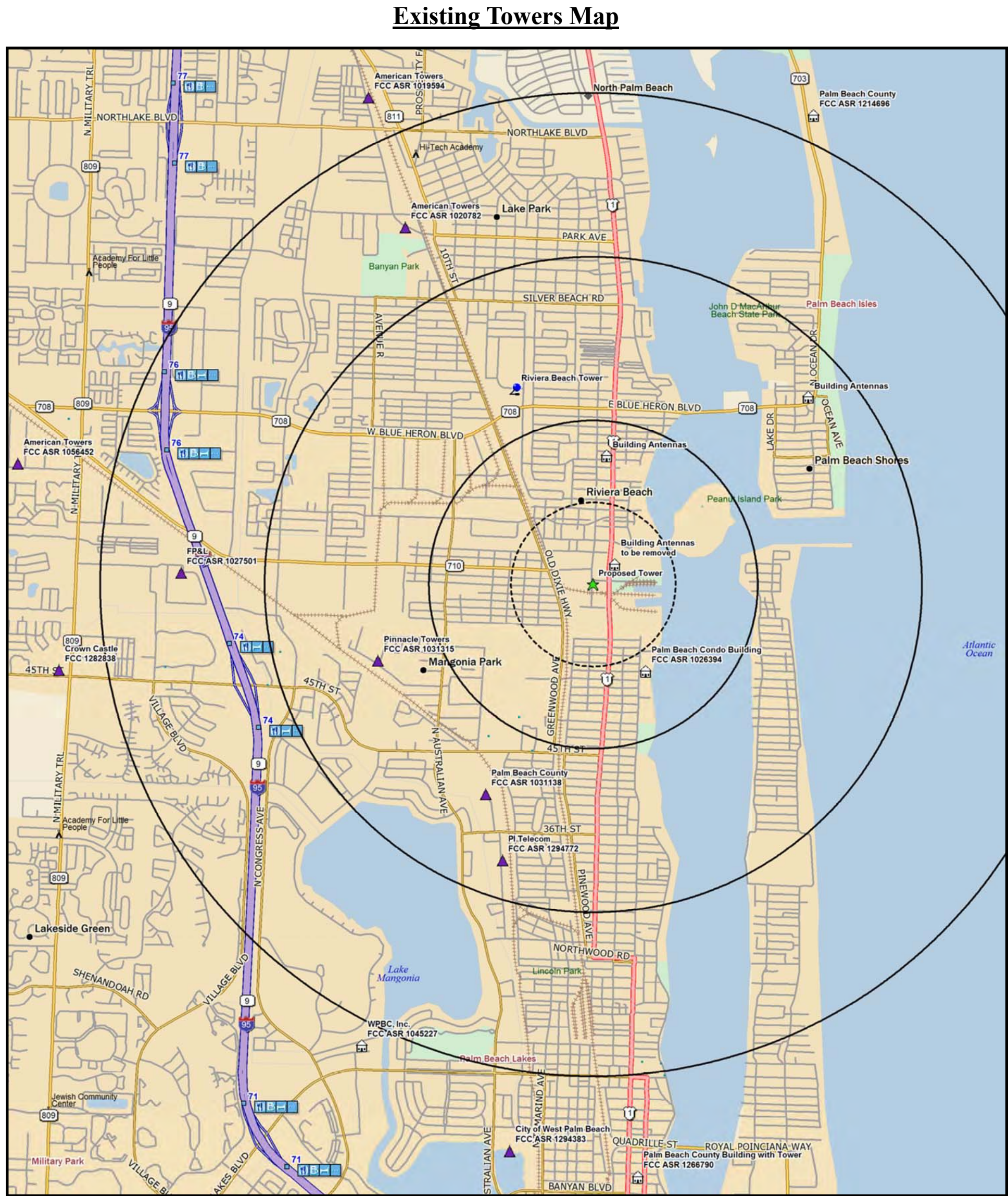
\_\_\_\_ (Seal)

Sworn to and subscribed before me this 28<sup>th</sup> day of June, 2017.


Venice Howard  
Notary Public











LEGEND


 1/2-mile Radius

 1-mile Radius

 Proposed Tower

 Existing FCC-registered towers

 Constructed, non-FCC-registered Towers

 Building (may include Antennas or Tower;  
FCC-registered as noted)





Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
10101 Hillwood Parkway  
Fort Worth, TX 76177

Aeronautical Study No.  
2017-ASO-8787-OE

Issued Date: 05/12/2017

Jennifer Frost  
Vertex Development, LLC  
405 S. Dale Mabry Hwy  
#244  
Tampa, FL 33609

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Monopole Port of Palm Beach FL-5250
Location:	Riviera Beach, FL
Latitude:	26-46-04.56N NAD 83
Longitude:	80-03-24.87W
Heights:	13 feet site elevation (SE) 138 feet above ground level (AGL) 151 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)  
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

This determination expires on 11/12/2018 unless:

- the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- extended, revised, or terminated by the issuing office.
- the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (404) 305-6462. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-ASO-8787-OE.

**Signature Control No: 329681974-331291159**

( DNE )

Michael Blaich  
Specialist

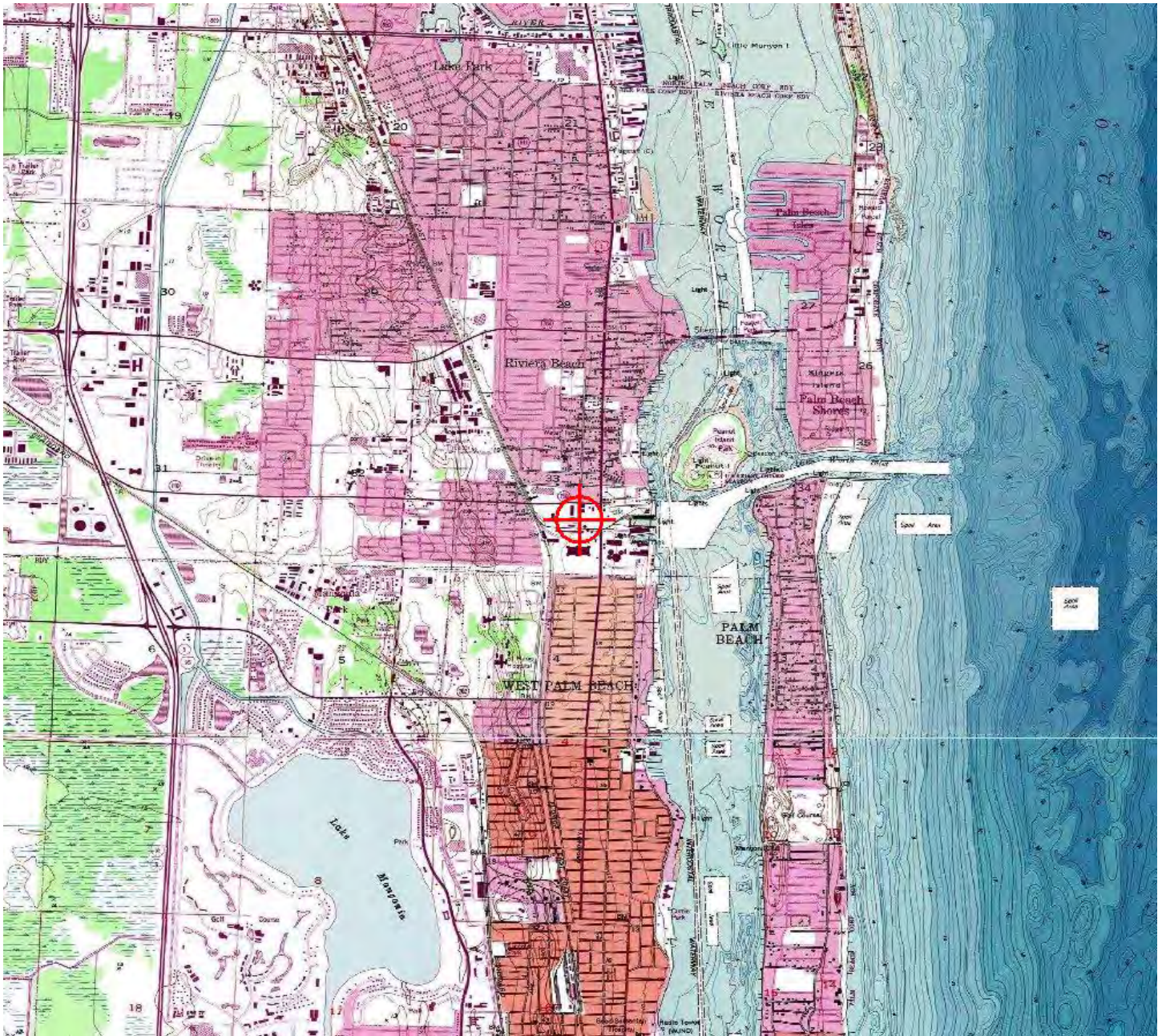
Attachment(s)  
Frequency Data  
Map(s)

cc: FCC

# Frequency Data for ASN 2017-ASO-8787-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
806	824	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W













**AERIAL VIEW**

**PORT OF PALM BEACH  
FL-5250  
VERTEX DEVELOPMENT, LLC**

For visual reference only. Actual visibility is  
dependant upon weather conditions, season,  
sunlight and viewer location.



Created By: Mike Murphy





For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

View 1

**PORT OF PALM BEACH  
FL-5250  
VERTEX DEVELOPMENT, LLC**





View 1

**PORT OF PALM BEACH  
FL-5250  
VERTEX DEVELOPMENT, LLC**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.





**BEFORE**

**View 2**

**PORT OF PALM BEACH  
FL-5250  
VERTEX DEVELOPMENT, LLC**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.





**PROPOSED 130'  
4 CARRIER MONOPOLE  
HIGHEST APPURTENANCE  
139' AGL**

**AFTER**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

**View 2**

**PORT OF PALM BEACH  
FL-5250  
VERTEX DEVELOPMENT, LLC**





View 3

**PORT OF PALM BEACH  
FL-5250  
VERTEX DEVELOPMENT, LLC**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.





**PROPOSED 130'  
4 CARRIER MONOPOLE  
HIGHEST APPURTENANCE  
139' AGL**

**AFTER**

**View 3**

**PORT OF PALM BEACH  
FL-5250  
VERTEX DEVELOPMENT, LLC**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.





For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

View 4

**PORT OF PALM BEACH  
FL-5250  
VERTEX DEVELOPMENT, LLC**





**PROPOSED 130'  
4 CARRIER MONOPOLE  
HIGHEST APPURTENANCE  
139' AGL**

**AFTER**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

**View 4**  
**PORT OF PALM BEACH**  
**FL-5250**  
**VERTEX DEVELOPMENT, LLC**





**BEFORE**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

**View 5**  
**PORT OF PALM BEACH**  
**FL-5250**  
**VERTEX DEVELOPMENT, LLC**





**PROPOSED 130'  
4 CARRIER MONOPOLE  
HIGHEST APPURTENANCE  
139' AGL**

**AFTER**

**View 5**

**PORT OF PALM BEACH  
FL-5250  
VERTEX DEVELOPMENT, LLC**

For visual reference only. Actual visibility is  
dependant upon weather conditions, season,  
sunlight and viewer location.





**View 6**

**PORT OF PALM BEACH  
FL-5250  
VERTEX DEVELOPMENT, LLC**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.





**PROPOSED 130'  
4 CARRIER MONOPOLE  
HIGHEST APPURTENANCE  
139' AGL**

**AFTER**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

**View 6**

**PORT OF PALM BEACH  
FL-5250  
VERTEX DEVELOPMENT, LLC**





**BEFORE**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

**View 7**  
**PORT OF PALM BEACH**  
**FL-5250**  
**VERTEX DEVELOPMENT, LLC**





**PROPOSED 130'  
4 CARRIER MONOPOLE  
HIGHEST APPURTENANCE  
139' AGL**

**AFTER**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

**View 7**  
**PORT OF PALM BEACH**  
**FL-5250**  
**VERTEX DEVELOPMENT, LLC**





**BEFORE**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

**View 8**  
**PORT OF PALM BEACH**  
**FL-5250**  
**VERTEX DEVELOPMENT, LLC**





**PROPOSED 130'  
4 CARRIER MONOPOLE  
HIGHEST APPURTENANCE  
139' AGL**

**AFTER**

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.

**View 8**

**PORT OF PALM BEACH  
FL-5250  
VERTEX DEVELOPMENT, LLC**



USA ENGINEERING - T:\00-2014 PROJECTS\25\_VERTEX DEVELOPMENT\Roost\Design\ZDsua\Roost\_XB.dwg June 12, 2014 1:50:34 PM chuckr

T-1

General Conditions:

1. These Specifications and Construction Drawings are intended to be fully explanatory and complementary. However, should anything be shown, indicated or specified on one and not the other, it shall be the same as if shown, indicated or specified on both.
2. The intention of the documents is to include all labor and materials reasonably necessary for the proper execution and completion of the work as indicated in the documents.
3. Minor deviations from the design layout are anticipated and shall be considered as part of the work; however, no changes that alter the character intent of the design shall be made or permitted by the Subcontractors, without express written Consent from the Construction Manager.
4. The Contractor is solely responsible for all site safety including but not limited to protection of all site personnel and the general public during the entire site construction period. The Contractor shall take all reasonable precautions to place and maintain barricades, lamps, signs, and the like in accordance with OSHA Safety Act and ANSI occupational guidelines.

Conflicts:

1. The Contractor and each Subcontractor shall be responsible for verification of all measurements at the site before ordering any materials or performing any work. No Change Order, extra charge or compensation shall be allowed due to difference between actual dimensions and dimensions indicated on the neither Construction Drawings nor Specifications. Any such discrepancy in dimension which may inadvertently occur shall be submitted to the Construction Manager for consideration before the Contractor proceeds with the work in the affected area.
2. The Contractor shall contact a subsurface utility locator for location of existing utilities prior to commencement of any construction activities. For assistance in locating existing utilities call "SUNSHINE STATE ONE CALL" at 1-800-638-4097.
3. Damage by the Contractor to utilities or property of others, including existing pavement and other surfaces disturbed by the Contractor during construction shall be repaired to pre-construction conditions by the Contractor. For grassed areas seed and mulch shall be acceptable.

Inspections:

1. The Contractor shall be solely responsible for ensuring that all relevant authority inspections are carried out in a timely manner.

As-Builts Drawings:

1. The Contractor shall prepare a red-lined set of As-Built Drawings.

Environmental Protection

1. Noise Level: The Contractor shall ensure that state and local regulations are complied with in regard to noise levels produced by his or his sub-Contractor's equipment or methods of construction.
2. Dust Control: The Contractor shall take all necessary steps to limit the creation of any dust nuisance that might arise during construction to the satisfaction of the local authorities.
3. ALL TRIMMING UNDERTAKEN ON A TREE PROTECTED BY THE LAND DEVELOPMENT CODE SHALL BE IN ACCORDANCE WITH THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) A-300 PRUNING STANDARDS.

Clean Up:

1. The Subcontractors shall at all times keep the site free from accumulation of waste materials or rubbish caused by their employees at work, and at the completion of the work, they shall remove all rubbish from and about the building, including all tools, scaffolding and surplus materials, and shall leave the work clean and ready for use.

Code Compliance:

1. All materials, design, and workmanship shall be in accordance with all applicable codes (some of which are listed below), ordinances, and authorities having jurisdiction over the work. Where no codes exist, the work shall conform to the 2012 Florida Building Code, and/or the specifications herein, whichever is more stringent.

City/County Building Codes

2014 Florida Building Code 5th Edition

EIA/TIA-222 Rev. G

Florida Fire Prevention Code 5th Edition

Life Safety Code 101

National Electric Code 2011

American Institute of Steel Construction Specifications

American Welding Society

American Concrete Institute

Federal Aviation Authority Regulations

Federal Communications Commission Regulations

American National Standards Institute

American Society for Testing and Materials

National Underwriter's Laboratories
2. It is the Subcontractor's responsibility to verify compliance with the governing codes and to notify the Construction Manager of any discrepancies prior to performing work. Reference to any standard or code of practice in this specification shall be deemed to mean the edition current at the time of award of the contract.

Site Work:

1. The Contractor is required to maintain all ditches, pipes, and other drainage structures free from obstruction until work is accepted. The Contractor is responsible for any damages caused by failure to maintain drainage structure in operable condition.

Structural:

1. All cast in place concrete shall be mixed and placed in accordance with the requirements of ACI 318 and ACI 301, and shall have a 28 day minimum compressive strength of 4000 PSI. Concrete shall be placed against undisturbed soil unless otherwise noted. Minimum concrete cover shall be 3 inches.
2. Each new communication tower must be designed and constructed so that in the event a tower falls it will collapse only within the property lines of the lot on which the tower is located. All applications for development approval shall provide verification of compliance with this design requirement from an engineer registered by the State of Florida. In addition, the construction of new communication towers shall comply with all county construction codes.
3. All reinforcing steel shall conform to ASTM 615 grade 60, deformed billet steel bars. Welded wire fabric reinforcing shall conform to ASTM A185.

2014 Florida Building Code 5th Edition  
FBC Specifications: Risk Category II; Exposure = D; Topographic Category 1  
Wind Loads (ASCE 7-10)  
169 mph ultimate design wind speed per FBC 2014  
131 mph nominal design wind speed per FBC 2014

Site Notes:

1. All Wireless Service Facilities Tower (Towers), Antennas, and Equipment shall comply with the City of Riviera Beach Comprehensive Plan and Land Development Regulations; all applicable fire safety codes, building codes, and technical codes adopted by City of Riviera Beach, including the South Florida Building Code; all applicable federal and state regulations; and FAA and FCC.
2. The Tower will be a monopole design with a galvanized finish.
3. The Tower and Antennas must meet the radiation emission standards set by the FCC.
4. Collocation. The Tower shall be designed to accommodate the future Antennas of four (4) wireless telecommunications carriers at varying elevations.
5. Interference. No Tower or Antenna shall interfere with public safety communication. Frequency coordination is required to ensure non-interference with public safety systems and/or public safety entities.
6. Illumination. No signals, light, or illumination shall be permitted on the Tower, unless required by any applicable federal, state or local rule, regulation or law. If required, such lighting will be designed to minimize off-site impacts.
7. Signage. No advertising signs, including commerical advertising, logo, political signs, flyers, flags or banners, whether or not posted temporarily, shall be permitted on any part of the Tower, with the exception of the following: a warning, danger or other sign designed to maintain public safety.
8. Parking and Traffic. Traffic to the Tower Site is approximately one trip per carrier per month. Stabalized area(s) sufficient for the temporary off-street parking for one (1) vehicle shall be provided. No vehicle storage shall be permitted.
9. Fencing. The perimeter base of the Tower will be enclosed within a security fence no less than eight (8) feet in height with access secured by a locked gate and shall be equipped with an anti-climbing device, where appropriate.
10. Outdoor storage. No outdoor storage of vehicles or equipment is permitted. Equipment such as generators or equipment cabinets may, with prior notice to the city and at the city's discretion, be placed outdoors on site, on a temporary basis.
11. Utilities. Tower shall not require any water, wastewater, or solid waste disposal.

REV	DATE	DESCRIPTION
A	05/25/17	PRELIMINARY ZDs REV "A"
B	05/31/17	PRELIMINARY ZDs REV "B"
C	06/01/17	PRELIMINARY ZDs REV "C"
D	06/07/17	PRELIMINARY ZDs REV "D"
0	07/17/17	ISSUED CDs REV "0"
USA ENG PROJECT NO.: 25170001-03		
DRAWN BY:		CHECKED BY:
BMF		MM



405 SOUTH DALE MABRY  
SUITE 244  
TAMPA, FLORIDA 33609  
PH: (813) 335-4768



815 SOUTH KINGS AVENUE  
BRANDON, FLORIDA 33511  
PH: (813) 657-7810

PREPARED BY:



2818 CYPRESS RIDGE BOULEVARD  
SUITE 110  
WESLEY CHAPEL, FL 33544  
(813) 994-0365  
FL COA #31705

JULY 17, 2017

MARC MAIER, PE  
FL PROFESSIONAL ENGINEER LIC. # 72513

PORT OF PALM  
BEACH

700 AVENUE E  
RIVIERA BEACH, FLORIDA 33404  
PALM BEACH COUNTY

SHEET	DESCRIPTION
	GENERAL NOTES
SHEET NUMBER	N-1





REV	DATE	DESCRIPTION
A	05/25/17	PRELIMINARY ZDs REV "A"
B	05/31/17	PRELIMINARY ZDs REV "B"
C	06/01/17	PRELIMINARY ZDs REV "C"
D	06/07/17	PRELIMINARY ZDs REV "D"
0	07/17/17	ISSUED CDs REV "0"

USA ENG PROJECT NO.: 25170001-03	
DRAWN BY: BMF	CHECKED BY: MM

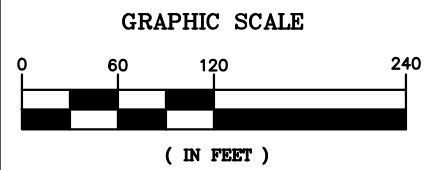
**VERTEX**  
DEVELOPMENT, LLC  
405 SOUTH DALE MABRY  
SUITE 244  
TAMPA, FLORIDA 33609  
PH: (813) 335-4768

**EXPERT**  
CONSTRUCTION MANAGERS, INC.  
815 SOUTH KINGS AVENUE  
BRANDON, FLORIDA 33511  
PH: (813) 657-7810

PREPARED BY:  
**USA ENGINEERING**  
2818 CYPRESS RIDGE BOULEVARD  
SUITE 110  
WESLEY CHAPEL, FL 33544  
(813) 994-0365  
FL COA #31705

JULY 17, 2017  
MARC MAIER, PE  
FL PROFESSIONAL ENGINEER LIC. # 72513

**PORT OF PALM BEACH**  
700 AVENUE E  
RIVIERA BEACH, FLORIDA 33404  
PALM BEACH COUNTY  
SHEET DESCRIPTION  
OVERALL AERIAL  
SHEET NUMBER  
**A-1**



**LANDUSE & SETBACK PLAN**  
SCALE: 1" = 100'  
SCALE BASED ON 11"x17" ONLY



CALL FLORIDA 811  
ONE CALL - DIAL 811  
CALL 3 WORKING DAYS  
BEFORE YOU DIG  
1-800-638-4097

[illegible]

USA ENG PROJECT NO.: 25170001-03

DRAWN BY:	CHECKED BY:
BMF	MM



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SUITE 244  
TAMPA, FLORIDA 33609  
PH: (813) 335-4768



815 SOUTH KINGS AVENUE  
BRANDON, FLORIDA 33511  
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PREPARED BY:



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JULY 17, 2017

MARC MAIER, PE  
FL PROFESSIONAL ENGINEER LIC. # 72513

PORT OF PALM  
BEACH

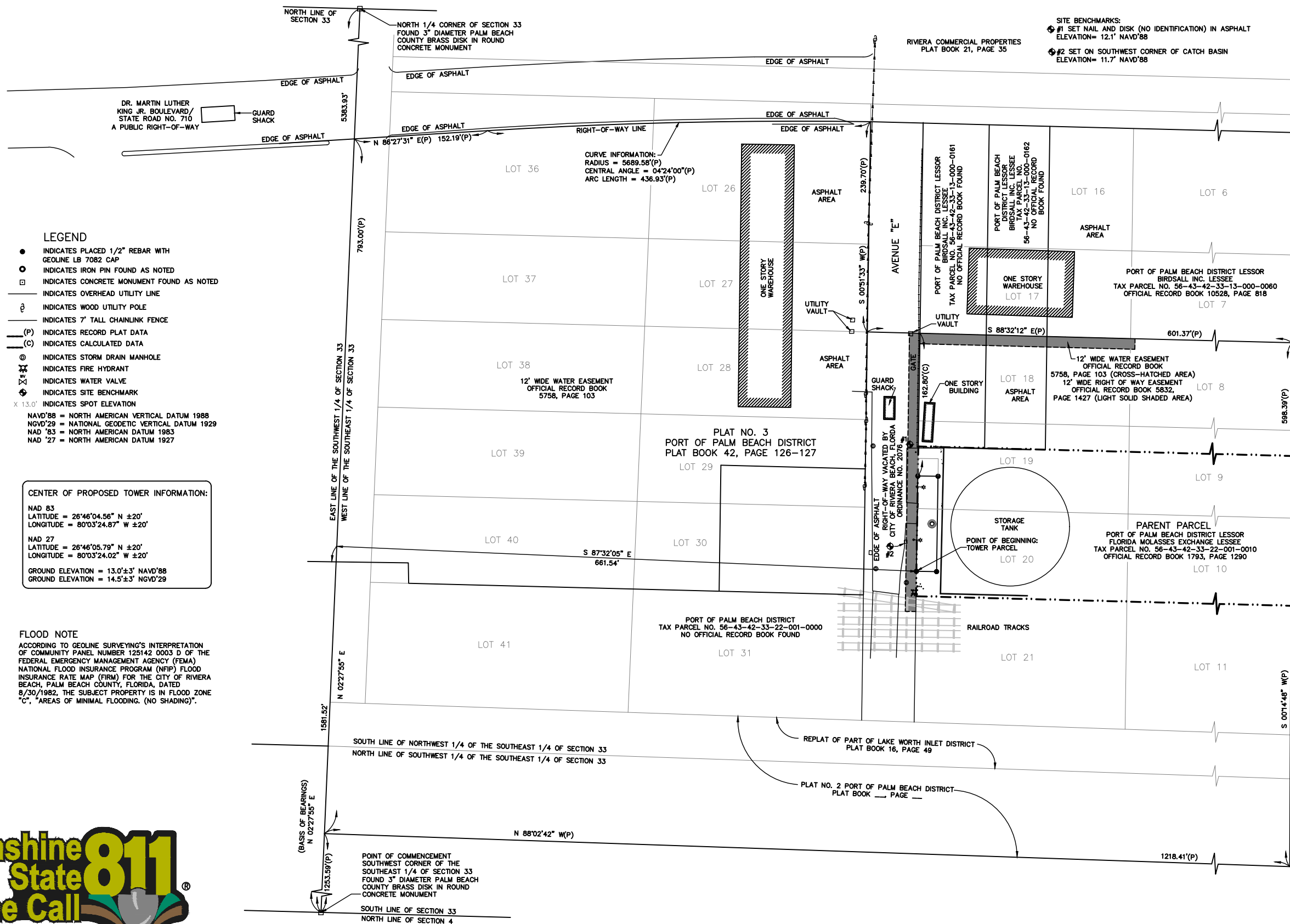
700 AVENUE E  
RIVIERA BEACH, FLORIDA 33404  
PALM BEACH COUNTY

### SHEET DESCRIPTION

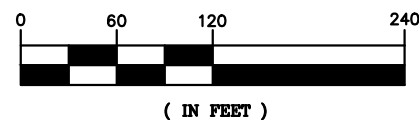
OVERALL  
SITE PLAN

SHEET NUMBER

C-1



1 OVERALL SITE PLAN  
C-1 SCALE: 1" = 120'  
SCALE BASED ON 11"x17" ONLY



PROPERTY DESCRIPTIONS

PARENT PARCEL  
(OFFICIAL RECORD BOOK 1793, PAGE 1290)

LOTS 8, 9, 10, 18, 19 AND 20, RIVIERA COMMERCIAL PROPERTIES, A SUBDIVISION IN THE CITY OF RIVIERA BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 21, PAGE 35.

TOWER PARCEL  
(PREPARED BY GEOLINE SURVEYING, INC.)

THAT PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE NORTH 02°27'55" EAST ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 FOR 1581.52 FEET; THENCE SOUTH 87°32'05" EAST FOR 661.54 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF THE VACATED PART OF THE 60 FOOT WIDE RIGHT-OF-WAY OF AVENUE E (VACATED BY CITY OF RIVIERA BEACH, FLORIDA, ORDINANCE NO. 2076), AND THE POINT OF BEGINNING; THENCE NORTH 00°51'33" WEST ALONG SAID EAST RIGHT-OF-WAY LINE FOR 108.70 FEET; THENCE SOUTH 89°08'27" EAST FOR 23.00 FEET; THENCE SOUTH 00°51'33" WEST ALONG A LINE PARALLEL WITH SAID EAST RIGHT-OF-WAY LINE FOR 108.70 FEET; THENCE NORTH 89°08'27" WEST FOR 23.00 FEET TO SAID POINT OF BEGINNING.

CONTAINING 2,500 SQUARE FEET (0.057 ACRES), MORE OR LESS.

NON-EXCLUSIVE ACCESS AND UTILITY EASEMENT  
(PREPARED BY GEOLINE SURVEYING, INC.)

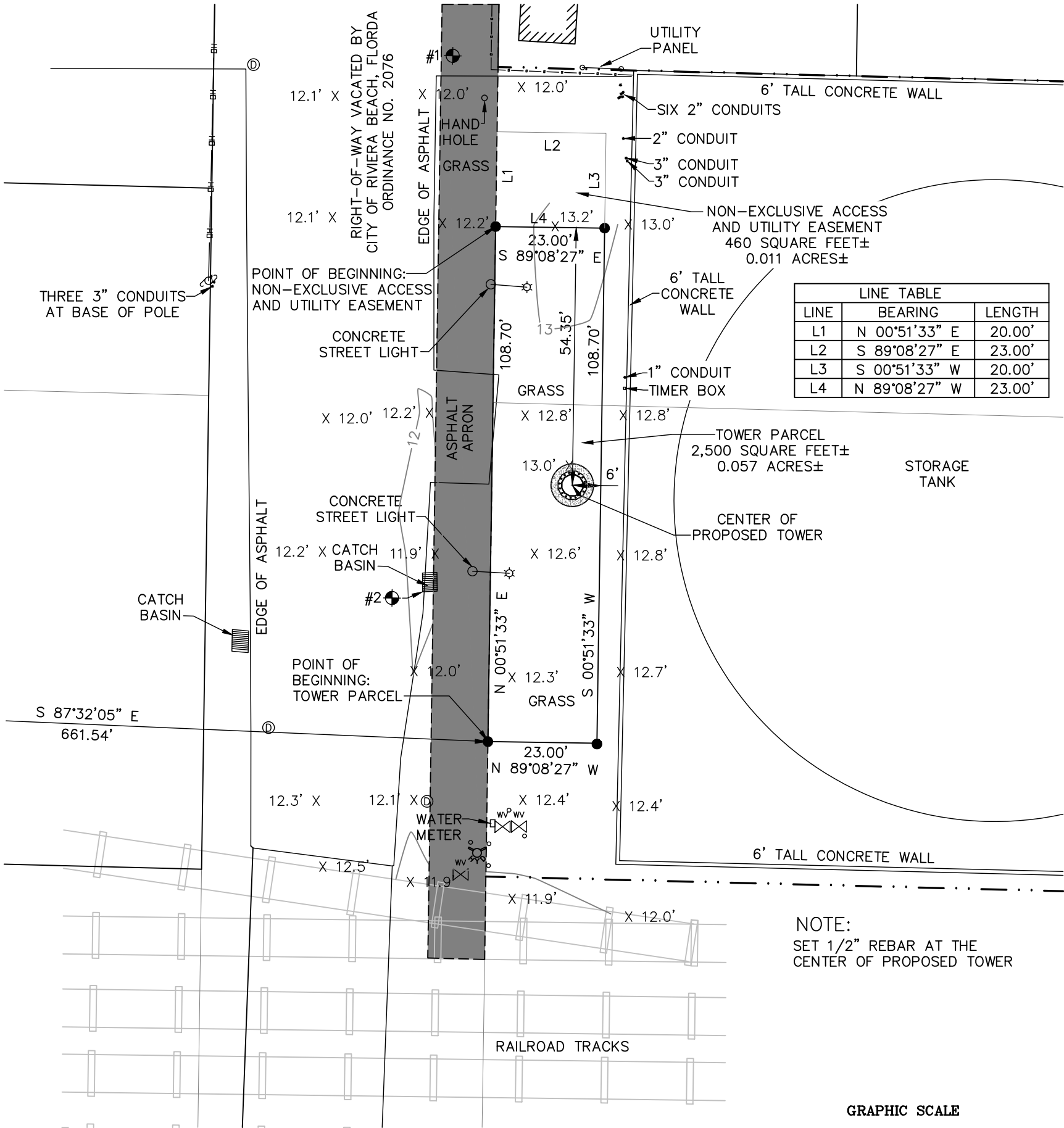
THAT PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE NORTH 02°27'55" EAST ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 FOR 1581.52 FEET; THENCE SOUTH 87°32'05" EAST FOR 661.54 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF THE VACATED PART OF THE 60 FOOT WIDE RIGHT-OF-WAY OF AVENUE E (VACATED BY CITY OF RIVIERA BEACH, FLORIDA, ORDINANCE NO. 2076), AND THE SOUTHWEST CORNER OF AN 23.00 FOOT X 108.70 FOOT TOWER PARCEL; THENCE NORTH 00°51'33" WEST ALONG SAID EAST RIGHT-OF-WAY LINE AND ALONG THE WEST LINE OF SAID TOWER PARCEL FOR 108.70 FEET TO THE NORTHWEST CORNER OF SAID TOWER PARCEL AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°52'33" WEST ALONG SAID EAST RIGHT-OF-WAY LINE FOR 20.00 FEET; THENCE SOUTH 89°08'27" EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID TOWER PARCEL FOR 23.00 FEET TO AN INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID TOWER PARCEL; THENCE SOUTH 00°51'33" WEST ALONG SAID NORTHERLY EXTENSION FOR 20.00 FEET TO THE NORTHEAST CORNER OF SAID TOWER PARCEL; THENCE NORTH 89°08'27" WEST ALONG SAID NORTH LINE OF SAID TOWER PARCEL FOR 23.00 FEET TO SAID POINT OF BEGINNING.

CONTAINING 460 SQUARE FEET (0.011 ACRES), MORE OR LESS.

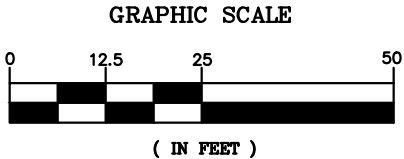
FLOOD ZONE NOTE:

ACCORDING TO GEOLINE SURVEYING'S INTERPRETATION OF COMMUNITY PANEL NUMBER 125142 0003 D OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) FOR THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DATED 8/30/1982, THE SUBJECT PROPERTY IS IN FLOOD ZONE "C", "AREAS OF MINIMAL FLOODING. (NO SHADING)".



1  
C-2  
ENLARGED SITE PLAN  
SCALE: 1" = 25'  
SCALE BASED ON 11"x17" ONLY

NOTE:  
SET 1/2" REBAR AT THE  
CENTER OF PROPOSED TOWER



REV	DATE	DESCRIPTION
A	05/25/17	PRELIMINARY ZDs REV "A"
B	05/31/17	PRELIMINARY ZDs REV "B"
C	06/01/17	PRELIMINARY ZDs REV "C"
D	06/07/17	PRELIMINARY ZDs REV "D"
0	07/17/17	ISSUED CDs REV "0"

USA ENG PROJECT NO.: 25170001-03	
DRAWN BY: BMF	CHECKED BY: MM

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SUITE 244  
TAMPA, FLORIDA 33609  
PH: (813) 335-4768

815 SOUTH KINGS AVENUE  
BRANDON, FLORIDA 33511  
PH: (813) 657-7810

PREPARED BY:

2818 CYPRESS RIDGE BOULEVARD  
SUITE 110  
WESLEY CHAPEL, FL 33544  
(813) 994-0365  
FL COA #31705

JULY 17, 2017

MARC MAIER, PE  
FL PROFESSIONAL ENGINEER LIC. # 72513

PORT OF PALM  
BEACH

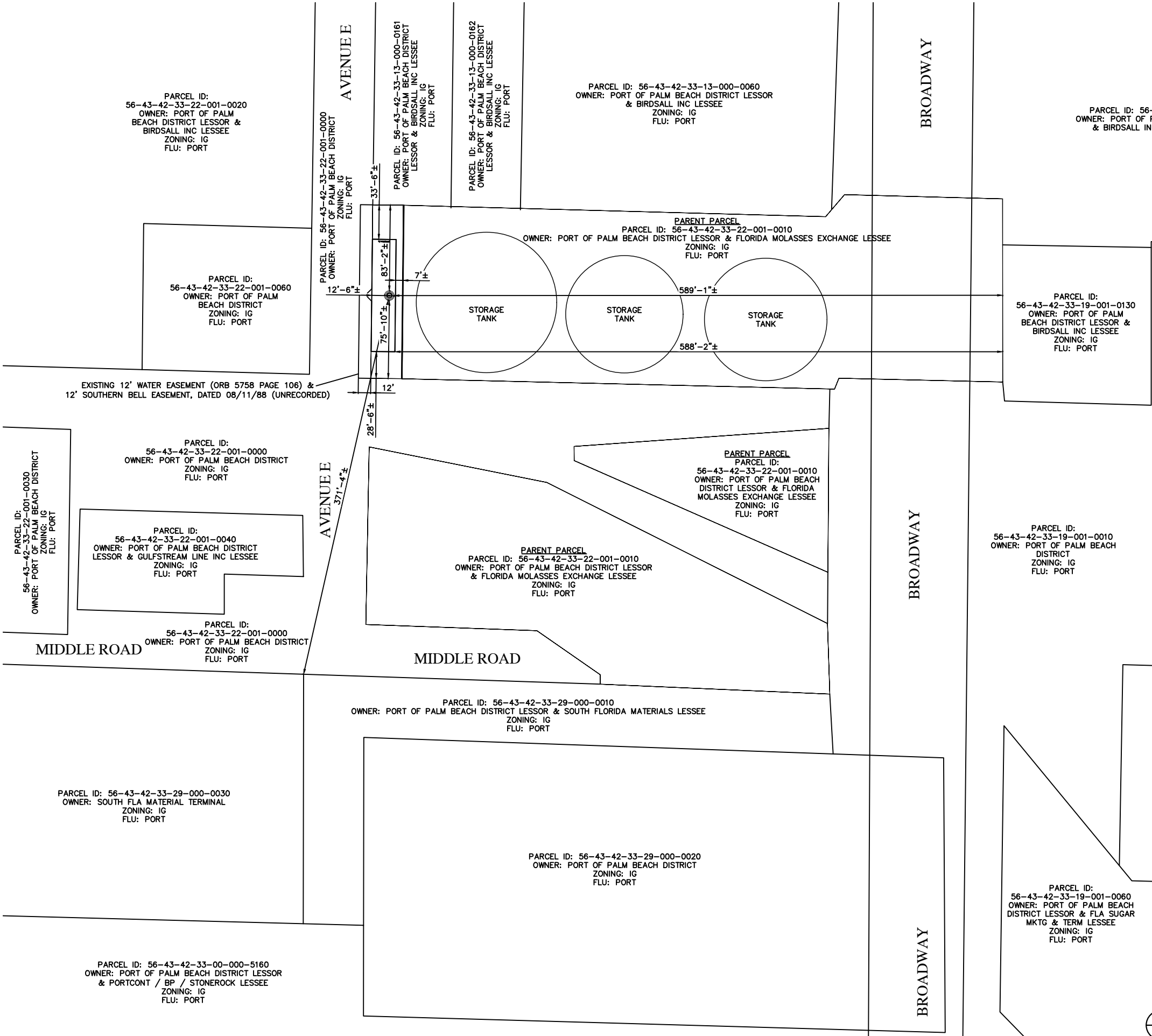
700 AVENUE E  
RIVIERA BEACH, FLORIDA 33404  
PALM BEACH COUNTY

SHEET DESCRIPTION

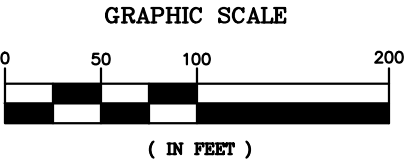
ENLARGED  
SITE PLAN

SHEET NUMBER

C-2



SETBACK TABLE		
SETBACK TO:	REQUIRED:	PROVIDED (BASE OF TOWER)
PROPERTY LINE	143' (110% OF TOWER HEIGHT)	83'-2"± TO PROPERTY LINE (NORTH)
		75'-10"± TO PROPERTY LINE (SOUTH)
		589'-1"± TO PROPERTY LINE (EAST)
		12'-6"± TO PROPERTY LINE (WEST)
NON-CONTIGUOUS PARCEL	143' (110% OF TOWER HEIGHT)	371'-4"± TO PARCEL 56-43-42-33-29-000-0030 (SOUTH-WEST)
RESIDENTIAL	N/A	1069'-6"± TO PARCEL 56-43-42-33-06-022-0200 (NORTH)
		1609'-6"± TO PARCEL 74-43-43-04-01-000-0510 (SOUTH)
		1312'-6"± TO PARCEL 56-43-42-32-01-039-0280 (WEST)
DISTRICT SETBACKS	FRONT: 40'	0'-0"± TO WEST (LEASE AREA)
	REAR: 20'	588'-2"± TO EAST (LEASE AREA)
	SIDE: 15'	33'-6"± TO NORTH (LEASE AREA)
		28'-6"± TO SOUTH (LEASE AREA)



1 C-3 SETBACK PLAN  
SCALE: 1" = 100'  
SCALE BASED ON 11"x17" ONLY

REV	DATE	DESCRIPTION
A	05/25/17	PRELIMINARY ZDs REV "A"
B	05/31/17	PRELIMINARY ZDs REV "B"
C	06/01/17	PRELIMINARY ZDs REV "C"
D	06/07/17	PRELIMINARY ZDs REV "D"
0	07/17/17	ISSUED CDs REV "0"

USA ENG PROJECT NO.: 25170001-03	
DRAWN BY: BMF	CHECKED BY: MM




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TAMPA, FLORIDA 33609  
PH: (813) 335-4768



815 SOUTH KINGS AVENUE  
BRANDON, FLORIDA 33511  
PH: (813) 657-7810

PREPARED BY:



2818 CYPRESS RIDGE BOULEVARD SUITE 110  
WESLEY CHAPEL, FL 33544  
(813) 994-0365  
FL COA #31705

JULY 17, 2017  
MARC MAIER, PE  
FL PROFESSIONAL ENGINEER LIC. # 72513

PORT OF PALM BEACH

700 AVENUE E  
RIVIERA BEACH, FLORIDA 33404  
PALM BEACH COUNTY

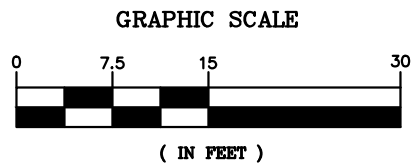
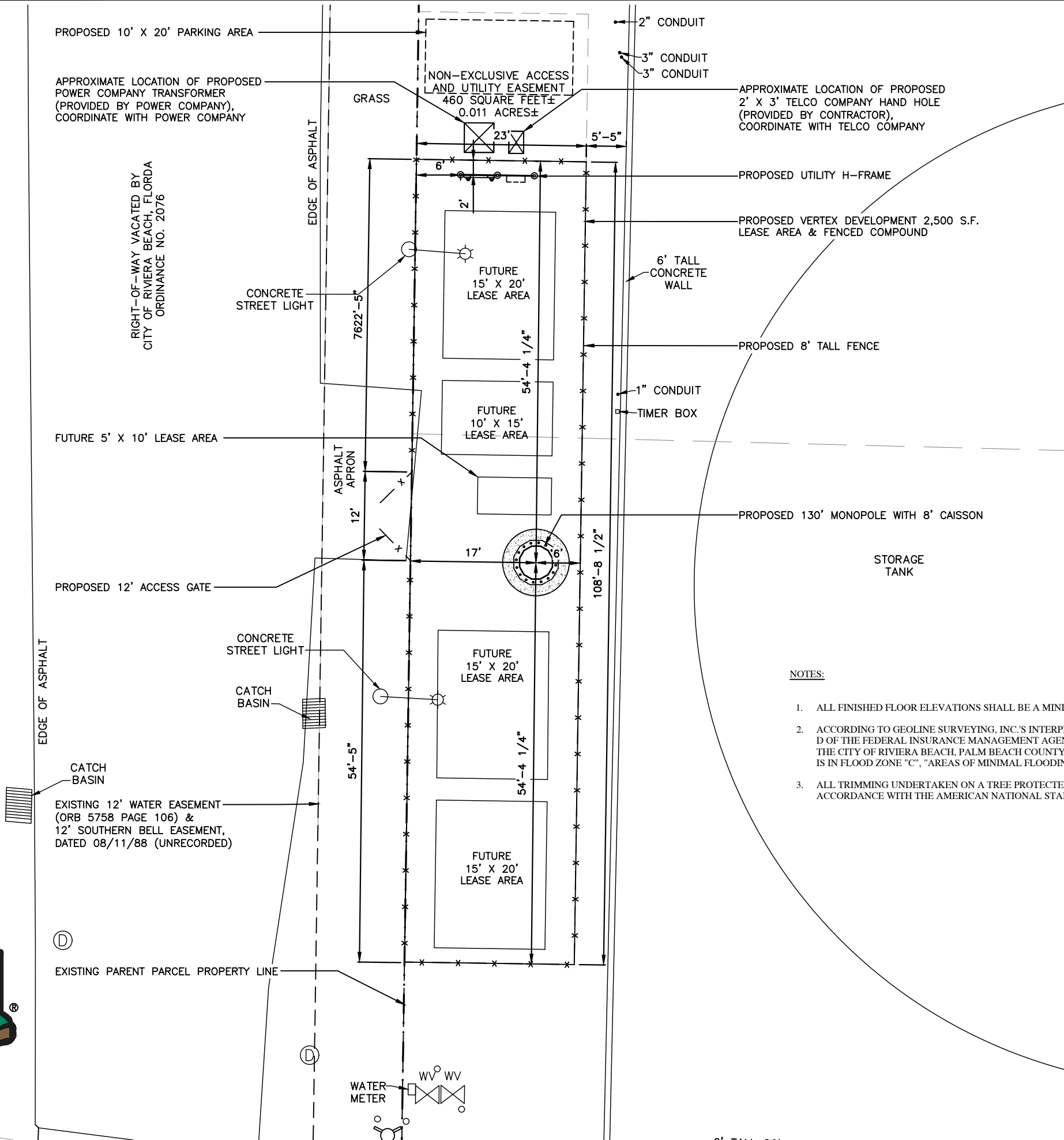
SHEET DESCRIPTION

SETBACK PLAN

SHEET NUMBER

C-3





1 C-4 COMPOUND PLAN SCALE: 1" = 15'-0" SCALE BASED ON 11"x17" ONLY



REV	DATE	DESCRIPTION
A	05/25/17	PRELIMINARY ZDs REV "A"
B	05/31/17	PRELIMINARY ZDs REV "B"
C	06/01/17	PRELIMINARY ZDs REV "C"
D	06/07/17	PRELIMINARY ZDs REV "D"
0	07/17/17	ISSUED CDs REV "0"

USA ENG PROJECT NO.:	25170001-03
DRAWN BY:	CHECKED BY:
BMF	MM



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815 SOUTH KINGS AVENUE BRANDON, FLORIDA 33511 PH: (813) 657-7810

PREPARED BY:



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JULY 17, 2017

MARC MAIER, PE FL PROFESSIONAL ENGINEER LIC. # 72513

PORT OF PALM BEACH

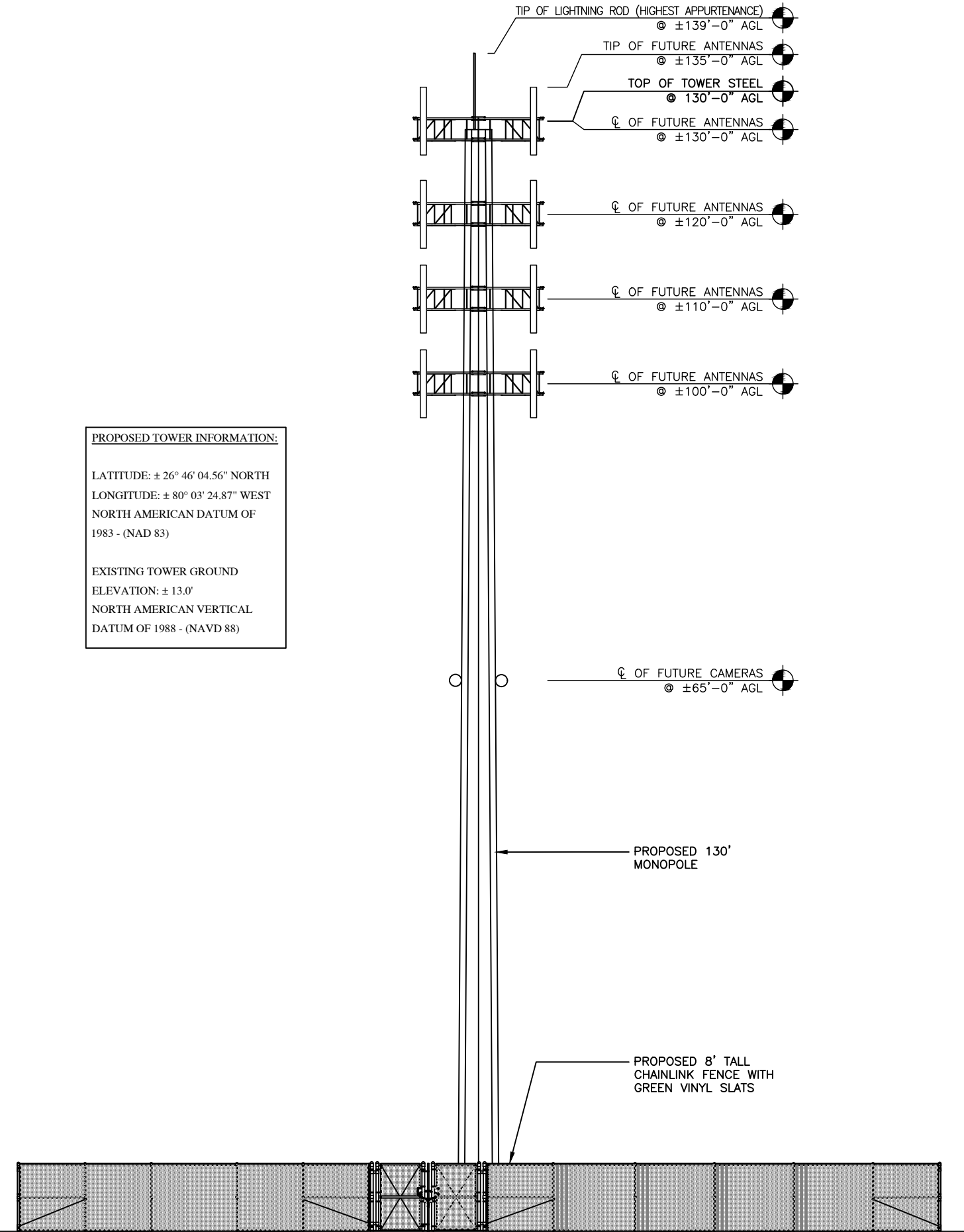
700 AVENUE E RIVIERA BEACH, FLORIDA 33404 PALM BEACH COUNTY

SHEET DESCRIPTION

COMPOUND DETAIL

SHEET NUMBER

C-4

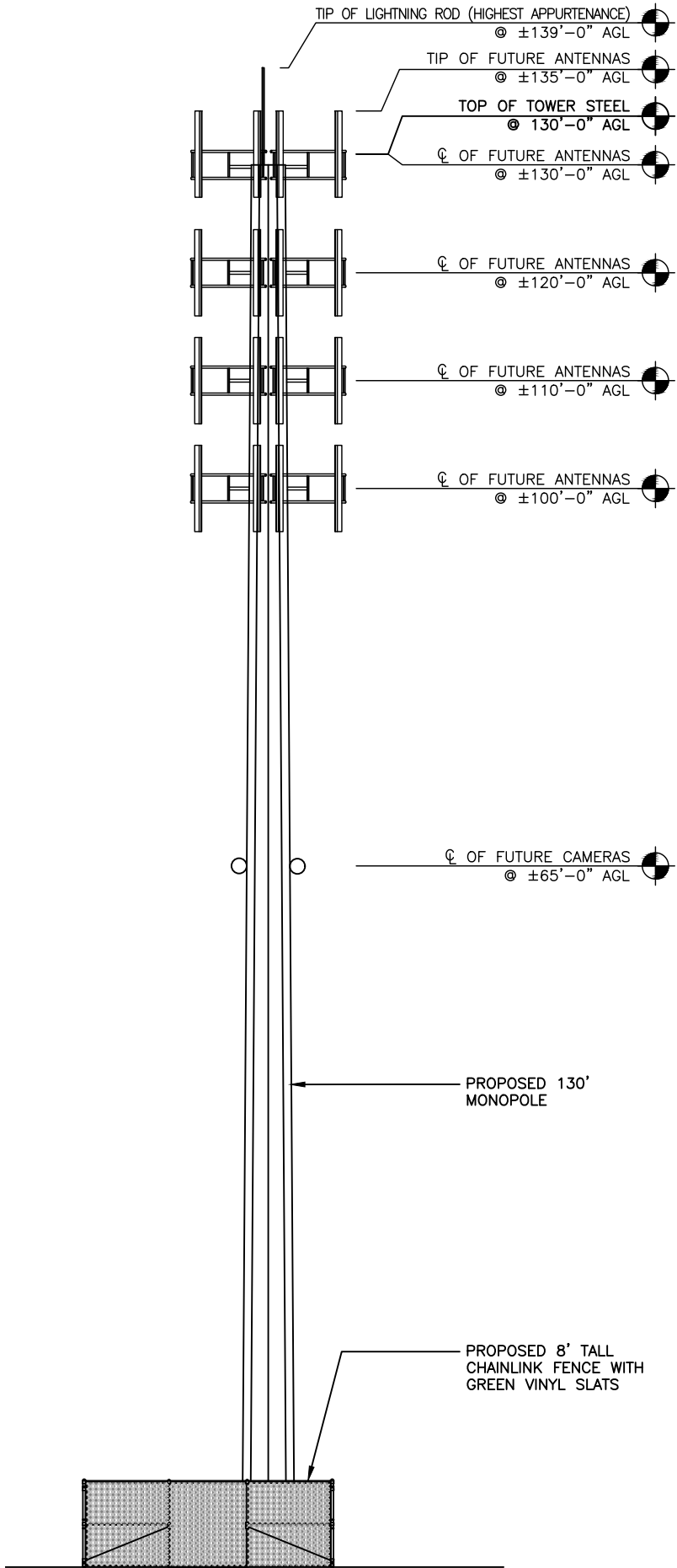


PROPOSED TOWER INFORMATION:

LATITUDE: ± 26° 46' 04.56" NORTH  
LONGITUDE: ± 80° 03' 24.87" WEST  
NORTH AMERICAN DATUM OF 1983 - (NAD 83)

EXISTING TOWER GROUND  
ELEVATION: ± 13.0'  
NORTH AMERICAN VERTICAL DATUM OF 1988 - (NAVD 88)

1  
C-5 TOWER WEST ELEVATION  
SCALE: 1" = 15'-0"  
SCALE BASED ON 11"x17" ONLY



2  
C-5 TOWER SOUTH ELEVATION  
SCALE: 1" = 15'-0"  
SCALE BASED ON 11"x17" ONLY

REV	DATE	DESCRIPTION
A	05/25/17	PRELIMINARY ZDs REV "A"
B	05/31/17	PRELIMINARY ZDs REV "B"
C	06/01/17	PRELIMINARY ZDs REV "C"
D	06/07/17	PRELIMINARY ZDs REV "D"
0	07/17/17	ISSUED CDs REV "0"

USA ENG PROJECT NO.: 25170001-03	
DRAWN BY: BMF	CHECKED BY: MM

**VERTEX**  
DEVELOPMENT, LLC

405 SOUTH DALE MABRY  
SUITE 244  
TAMPA, FLORIDA 33609  
PH: (813) 335-4768

**EXPERT**  
CONSTRUCTION MANAGERS, INC.

815 SOUTH KINGS AVENUE  
BRANDON, FLORIDA 33511  
PH: (813) 657-7810

PREPARED BY:

**USA ENGINEERING**

2818 CYPRESS RIDGE BOULEVARD  
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FL COA #31705

JULY 17, 2017

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PORT OF PALM BEACH

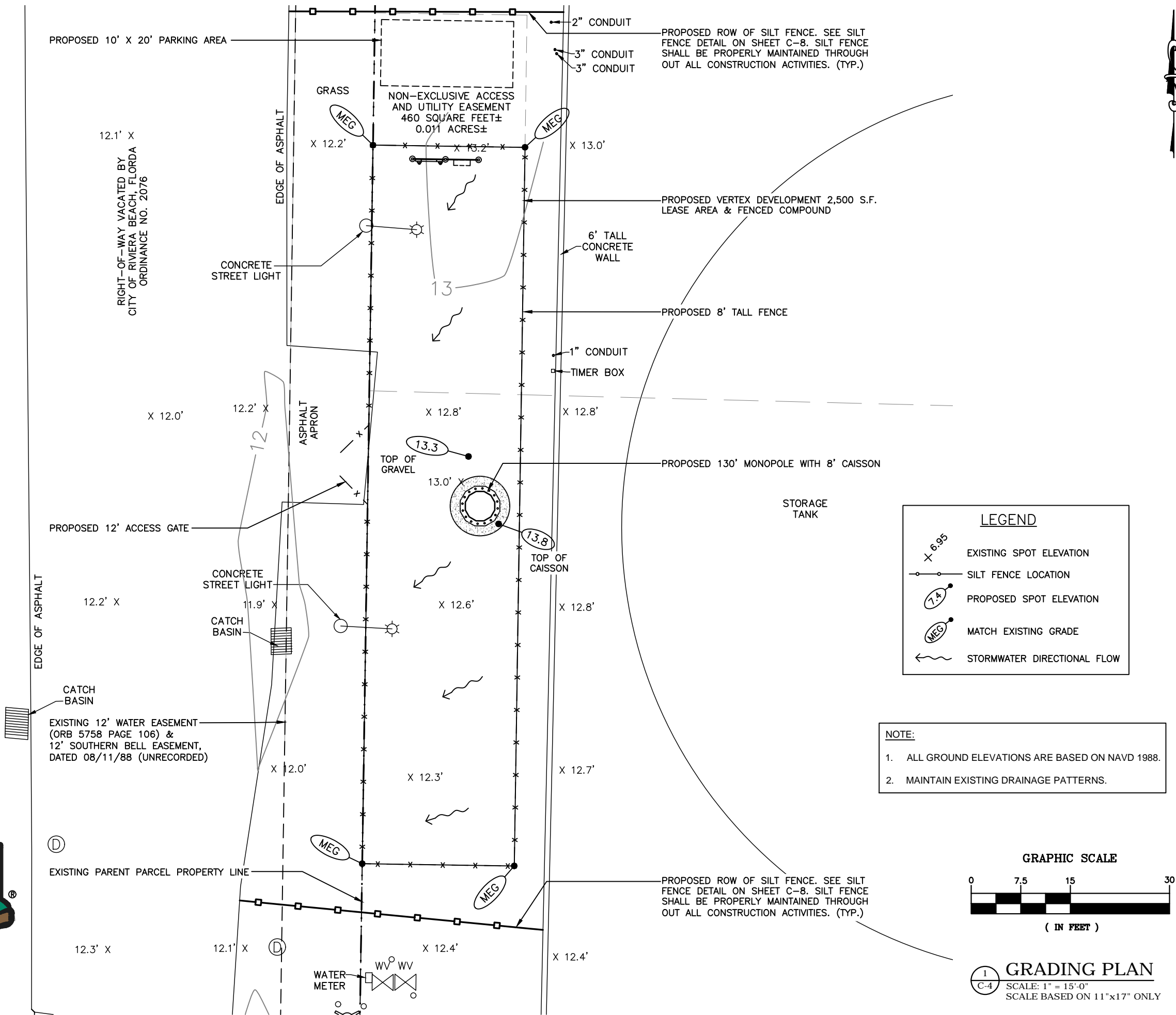
700 AVENUE E  
RIVIERA BEACH, FLORIDA 33404  
PALM BEACH COUNTY

SHEET DESCRIPTION  
TOWER ELEVATION

SHEET NUMBER  
C-5



USA ENGINEERING - T:\00-2014 PROJECTS\25\_VERTEX DEVELOPMENT\util Roost\Design\ZDsutil Roost\_XB.dwg June 12, 2014 1:50:34 PM chuckr



REV	DATE	DESCRIPTION
A	05/25/17	PRELIMINARY ZDs REV "A"
B	05/31/17	PRELIMINARY ZDs REV "B"
C	06/01/17	PRELIMINARY ZDs REV "C"
D	06/07/17	PRELIMINARY ZDs REV "D"
O	07/17/17	ISSUED CDs REV "O"

USA ENG PROJECT NO.:	25170001-03
DRAWN BY:	CHECKED BY:
BMF	MM



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PREPARED BY:



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(813) 994-0365  
FL COA #31705

JULY 17, 2017

MARC MAIER, PE  
FL PROFESSIONAL ENGINEER LIC. # 72513

## PORT OF PALM BEACH

700 AVENUE E  
RIVIERA BEACH, FLORIDA 33404  
PALM BEACH COUNTY

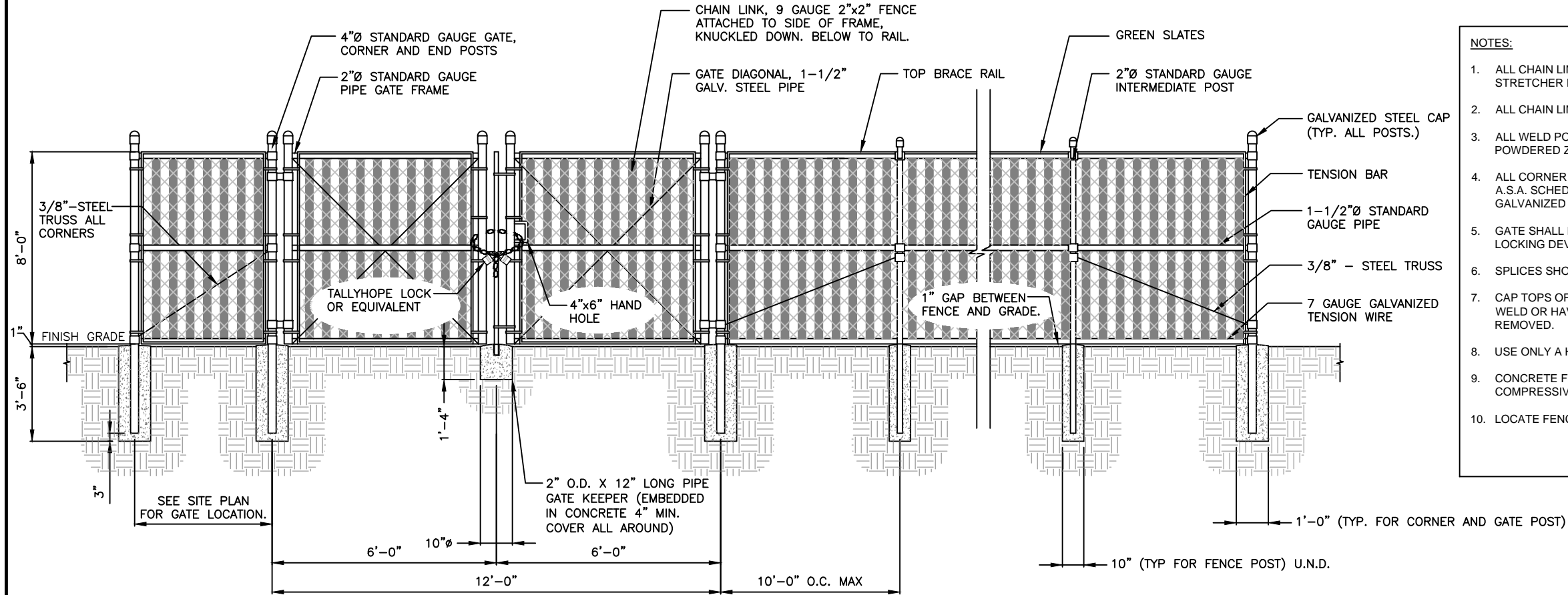
SHEET DESCRIPTION

GRADING AND  
DRAINAGE PLAN

SHEET NUMBER

C-6

USA ENGINEERING - T:\00-2014 PROJECTS\25\_VERTEX DEVELOPMENT\util Roost\Design\ZDsutil Roost\_XB.dwg June 12, 2014 1:50:34 PM chuckr



NOTES:

1. ALL CHAIN LINK FENCE WALLS TO BE STRUNG THROUGH STRETCHER BARS AND ATTACHED TO END POST WITH CLIP.
2. ALL CHAIN LINK FENCE ALONG PIPE FRAME TO BE WIRE TIED.
3. ALL WELD POINTS SHALL BE CLEANED AND PAINTED WITH POWDERED ZINC PRIMER.
4. ALL CORNER POSTS SHALL BE GALVANIZED STEEL PIPE A.S.A. SCHEDULE 40, AND ALL LINE POST SHALL BE GALVANIZED STEEL.
5. GATE SHALL HAVE HEAVY DUTY HINGES AND MULTIPLE LOCKING DEVICES.
6. SPLICES SHOULD ONLY OCCUR AT CROSS-RAILS.
7. CAP TOPS OF UPRIGHTS SHALL EITHER HAVE A CONTINUOUS WELD OR HAVE "SET SCREWS" SO THEY CAN NOT BE REMOVED.
8. USE ONLY A HEAVY DUTY LATCH ON GATE.
9. CONCRETE FOR FOOTINGS TO HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3000 PSI.
10. LOCATE FENCE AS SHOWN ON SITE PLAN.



PORT OF PALM BEACH  
FL-5250  
700 AVENUE E  
RIVIERA BEACH, FLORIDA 33404  
  
FCC ASR #: TBD  
LAT: 26° 46' 04.56" N - LONG: 80° 03' 24.87"  
  
EMERGENCY CONTACT: 813-335-4768

NO  
TRESPASSING  
AREA

DANGER  
HIGH  
VOLTAGE

SIGN NOTES:

- A. IF HIGH VOLTAGE IS NECESSARY FOR THE OPERATION OF THE TOWER, ASSOCIATED EQUIPMENT, OR BACKHAUL NETWORK OR ACCESSORY STRUCTURES, "HIGH VOLTAGE DANGER" WARNING SIGNS SHALL BE PERMANENTLY ATTACHED TO THE FENCE OR WALL SURROUNDING THE STRUCTURE AND SPACED NO MORE THAN 40 FEET APART.
- B. "NO TRESPASSING" WARNING SIGNS SHALL BE PERMANENTLY ATTACHED TO THE FENCE OR WALL SURROUNDING THE STRUCTURE AND SPACED NO MORE THAN 40 FEET APART.
- C. THE HEIGHT OF THE LETTERING OF THE WARNING SIGNS SHALL BE AT LEAST EIGHT INCHES AND THE SIGNS SHALL BE INSTALLED AT LEAST FIVE FEET ABOVE THE FINISHED GRADE.
- D. THE WARNING SIGNS MAY BE ATTACHED TO FREE STANDING POLES IF THE CONTENT OF THE SIGN MAY BE OBSTRUCTED BY LANDSCAPING. WARNING SIGNS SHALL CONTAIN ALL OTHER INFORMATION IN COMPLIANCE WITH FCC REGULATIONS.

1  
C-7

COMPOUND FENCE/SIGNAGE DETAIL

SCALE: N.T.S.  
SCALE BASED ON 11"x17" ONLY

REV	DATE	DESCRIPTION
A	05/25/17	PRELIMINARY ZDs REV "A"
B	05/31/17	PRELIMINARY ZDs REV "B"
C	06/01/17	PRELIMINARY ZDs REV "C"
D	06/07/17	PRELIMINARY ZDs REV "D"
0	07/17/17	ISSUED CDs REV "0"

USA ENG PROJECT NO.: 25170001-03

DRAWN BY:	CHECKED BY:
BMF	MM



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PREPARED BY:



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FL COA #31705

JULY 17, 2017

MARC MAIER, PE  
FL PROFESSIONAL ENGINEER LIC. # 72513

PORT OF PALM  
BEACH

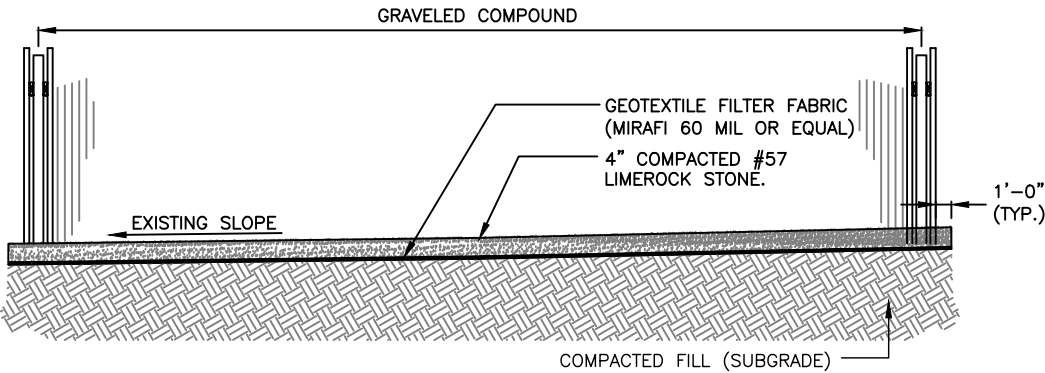
700 AVENUE E  
RIVIERA BEACH, FLORIDA 33404  
PALM BEACH COUNTY

SHEET DESCRIPTION

SITE DETAILS

SHEET NUMBER

C-7

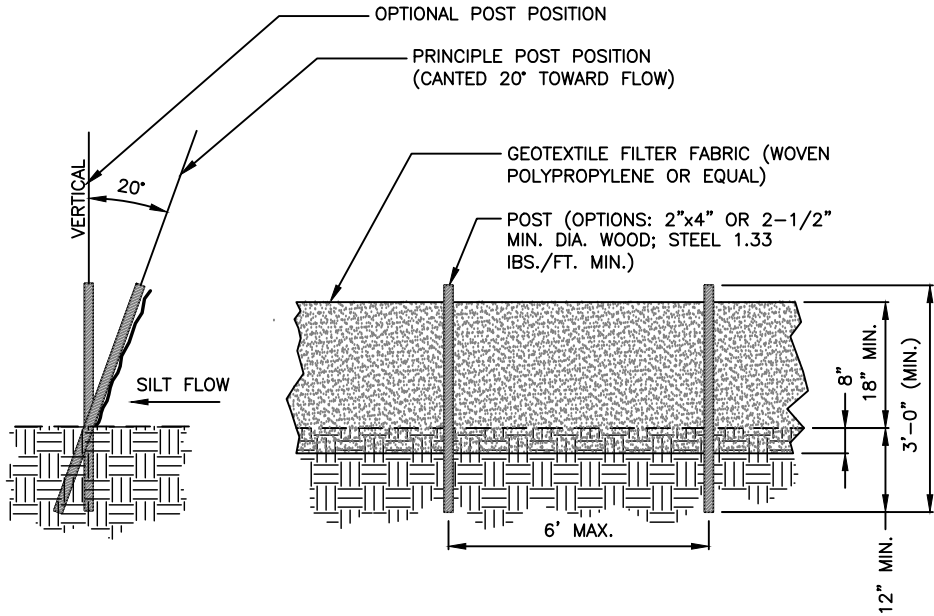


NOTES:

1. SITE WILL BE GRADED TO ALLOW DRAINAGE PER SHEET C-5.
2. PRIOR TO LAYING THE STONE, THE COMPOUND SHOULD BE CLEARED OF ALL ORGANIC MATTER, STERILIZED WITH WEED KILLER, AND THEN TREATED WITH HERBICIDE.
3. AFTER PROJECT COMPLETION ALL DISTURBED AREAS MUST BE SEEDED WITH LOW MAINTENANCE GRASS.

1  
C-8

**TYPICAL COMPOUND SECTION DETAIL**  
SCALE: N.T.S.  
SCALE BASED ON 11"x17" ONLY



NOTES:

1. CONTRACTOR SHALL BE RESPONSIBLE FOR CONSTRUCTION AND MAINTENANCE OF EROSION AND SEDIMENTATION CONTROLS DURING CONSTRUCTION. INSTALL SILT FENCE AS SHOWN WHERE ADDITIONALLY REQUIRED FOR PROTECTION OF ADJACENT PROPERTIES, ROADWAYS, AND WATERWAYS.
2. CONTRACTOR SHALL INSPECT INSTALLED EROSION CONTROL DEVICE WEEKLY DURING CONSTRUCTION AND AFTER HEAVY RAINS FOR DAMAGE. MAINTENANCE SHALL INCLUDE CLEANING BUILT-UP SEDIMENT BEHIND THE BARRIERS AND/OR REPLACING DAMAGED SECTIONS.
3. THE EROSION CONTROL DEVICES SHALL BE MAINTAINED BY THE CONTRACTOR UNTIL PERMANENT STABILIZATION IS ESTABLISHED.
4. HAY BALES BE SHALL NOT BE USED AS EROSION CONTROL.
5. CONTRACTOR IS RESPONSIBLE FOR PROVIDING SITE FREE OF DRAINAGE PROBLEMS.
6. CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICES FOR CONSTRUCTION TO PREVENT THE DIVERSION OF SEDIMENT LADEN STORM WATER RUNOFF OR ERODED MATERIALS FROM LEAVING THE CONSTRUCTION SITE.

2  
C-8

**SILT FENCE DETAIL**  
SCALE: N.T.S.  
SCALE BASED ON 11"x17" ONLY

REV	DATE	DESCRIPTION
A	05/25/17	PRELIMINARY ZDs REV "A"
B	05/31/17	PRELIMINARY ZDs REV "B"
C	06/01/17	PRELIMINARY ZDs REV "C"
D	06/07/17	PRELIMINARY ZDs REV "D"
0	07/17/17	ISSUED CDs REV "0"

USA ENG PROJECT NO.: 25170001-03

DRAWN BY:	CHECKED BY:
BMF	MM



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JULY 17, 2017

MARC MAIER, PE  
FL PROFESSIONAL ENGINEER LIC. # 72513

**PORT OF PALM  
BEACH**

700 AVENUE E  
RIVIERA BEACH, FLORIDA 33404  
PALM BEACH COUNTY

SHEET DESCRIPTION

SITE DETAILS

SHEET NUMBER

C-8



ELECTRICAL SPECIFICATIONS

GENERAL

- A. PROVIDE ALL LABOR, MATERIALS, EQUIPMENT AND SERVICES NECESSARY FOR AND INCIDENTAL TO THE COMPLETE INSTALLATION AND OPERATION OF ALL ELECTRICAL WORK. ALL WORK SHALL BE DONE BY QUALIFIED PERSONNEL.
- B. CONFORM TO THE 2014 FLORIDA BUILDING CODE & 2008 NATIONAL ELECTRIC CODE. THE CURRENT NATIONAL ELECTRICAL SAFETY CODE ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION. THE INSTALLATION SHALL COMPLY WITH THESE & ALL APPLICABLE RULES & REGULATIONS OF LOCAL AND STATE AUTHORITIES HAVING JURISDICTION.
- C. COORDINATE THE WORK OF ALL TRADES.
- D. ARRANGE CONDUIT, WIRING, EQUIPMENT, AND OTHER WORK GENERALLY AS SHOWN, PROVIDING PROPER CLEARANCES AND ACCESS. CAREFULLY EXAMINE ALL CONTRACT DRAWINGS AND FIT THE WORK IN EACH LOCATION WITHOUT SUBSTANTIAL ALTERATION. WHERE DEPARTURES ARE PROPOSED BECAUSE OF FIELD CONDITIONS OR OTHER CAUSES, PREPARE AND SUBMIT DETAILED DRAWINGS FOR ACCEPTANCE. THE RIGHT IS RESERVED TO MAKE REASONABLE CHANGES IN LOCATION OF EQUIPMENT, CONDUIT, AND WIRING UP TO THE TIME OF ROUGH-IN OR FABRICATION.
- E. THE CONTRACT DRAWINGS ARE GENERALLY DIAGRAMMATIC AND ALL OFFSETS, BENDS, FITTINGS AND ACCESSORIES ARE NOT NECESSARILY SHOWN. PROVIDE ALL SUCH ITEMS AS MAY BE REQUIRED TO FIT THE WORK TO THE CONDITIONS
- F. THERE SHALL BE NO INTERRUPTION OF POWER TO EXISTING ELECTRICAL SYSTEMS WITHOUT PRIOR CONSENT OF THE BUILDING OWNER. SUCH INTERRUPTIONS SHALL BE KEPT TO A MINIMUM AND SHALL BE SCHEDULED WITH THE OWNER AT LEAST THREE BUSINESS DAYS IN ADVANCE OF THE OUTAGE. ANY COST FOR WORK THAT MUST BE DONE ON AN OVERTIME BASIS SHALL BE INCLUDED IN THE BID.
- G. VISIT THE SITE AND INSPECT THE EXISTING CONDITIONS BEFORE BID IN ORDER TO ENSURE PROPER EVALUATION OF WORKING CONDITIONS AND LOCATION OF EXISTING CONDITIONS.
- H. WHERE OUTLETS ARE REMOVED OR CIRCUITS INTERRUPTED OR BROKEN, PROVIDE THE REQUIRED RELOCATION, RECONNECTION OR REARRANGEMENT TO RESTORE SERVICE TO ALL ITEMS, OUTLETS, ETC. NOT MADE OBSOLETE BY THIS WORK.
- I. MOUNTING AND SUPPORTING OF ALL EQUIPMENT PROVIDED UNDER THIS SECTION SHALL BE COORDINATED WITH THE CONSTRUCTION MANAGER IN THE FIELD.

PERMITS AND FEES

- A. OBTAIN, PAY FOR, AND DELIVER ALL PERMITS, CERTIFICATES OF INSPECTION, ETC., REQUIRED BY THE AUTHORITIES HAVING JURISDICTION. DELIVER CERTIFICATES TO THE OWNER PRIOR TO FINAL ACCEPTANCE OF THE WORK.

MATERIAL AND EQUIPMENT

- A. MATERIAL AND EQUIPMENT INSTALLED AS A PART OF THE PERMANENT INSTALLATION SHALL BE NEW, UNLESS OTHERWISE INDICATED OR SPECIFIED, AND SHALL BE LISTED BY A NATIONALLY RECOGNIZED TESTING LAB, FOR INSTALLATION IN EACH PARTICULAR CASE, WHERE STANDARDS HAVE BEEN ESTABLISHED.

CUTTING AND PATCHING

- A. PROVIDE ALL CUTTING AND PATCHING NECESSARY FOR THE INSTALLATION OF THE ELECTRICAL WORK. ANY DAMAGE DONE TO THE WORK ALREADY IN PLACE BY REASON OF THIS WORK SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE BY A QUALIFIED MECHANIC EXPERIENCED IN SUCH WORK. PATCHING SHALL BE UNIFORM IN APPEARANCE AND SHALL MATCH THE SURROUNDING SURFACE. DO NOT CUT STRUCTURAL MEMBERS WITHOUT APPROVAL BY THE CONSTRUCTION MANAGER. WHERE PENETRATIONS ARE NECESSARY THROUGH THE ROOF, PROVIDE ALL NECESSARY CURBS, SLEEVES, SHIELDS, FLASHING, FITTINGS, AND CAULKING TO MAKE THE PENETRATIONS ABSOLUTELY WATERTIGHT.

ELECTRICAL WORK UNDER OTHER DIVISIONS

- A. IN GENERAL POWER WIRING FOR SYSTEMS ARE INCLUDED UNDER THIS SPECIFICATION. CAREFULLY REVIEW THE CONTRACT DOCUMENTS AND COORDINATE THE ELECTRICAL WORK TO BE PERFORMED UNDER THE OTHER DIVISIONS.

GUARANTEE

- A. GUARANTEE THE ELECTRICAL SYSTEM INSTALLED BY THE CONTRACTOR FREE FROM ALL MECHANICAL AND ELECTRICAL DEFECTS FOR THE PERIOD OF ONE YEAR BEGINNING FROM THE DAY OF FINAL ACCEPTANCE OF THE WORK OR BENEFICIAL OCCUPANCY BY THE OWNER, WHICHEVER OCCURS FIRST.
- B. UPON RECEIPT OF NOTICE FROM THE OWNER OF FAILURE OF ANY PART OF THE ELECTRICAL INSTALLATION DURING THE GUARANTEE PERIOD, NEW REPLACEMENT PARTS SHALL BE FURNISHED AND INSTALLED PROMPTLY AT NO COST TO THE OWNER

CONDUIT AND FITTINGS

- A. MINIMUM CONDUIT SIZE SHALL BE 4". (UNLESS OTHERWISE INDICATED)
- B. SUPPORT ALL CONDUIT NOT EMBEDDED IN CONCRETE OR MASONRY SO THAT STRAIN IS NOT TRANSMITTED TO OUTLET BOXES AND PULL BOXES, ETC. SUPPORTS TO BE SUFFICIENTLY RIGID TO PREVENT DISTORTION OF CONDUITS DURING WIRE PULLING.
- C. ALUMINUM CONDUIT IS PROHIBITED.
- D. ALL CONDUITS SHALL BE GALVANIZED ELECTRICAL METALLIC TUBING (EMT) INTERIOR ONLY, PVC, OR RIGID GALVANIZED STEEL (EXTERIOR EXPOSED)
- E. EMT CONDUIT FITTINGS SHALL BE FERROUS COMPRESSION TYPE, INTERIOR ONLY.
- F. IN DAMP OR WET LOCATIONS USE FLEXIBLE, LIQUID-TIGHT METAL CONDUIT WITH APPROVED FITTINGS.

COORDINATION

- A. COORDINATE THE WORK OF POWER, GROUNDING AND TELCO AT EQUIPMENT WITH EQUIPMENT SUPPLIER PRIOR TO ROUGH-IN. FINAL TERMINATIONS TO BE AT THE DIRECTION OF THE EQUIPMENT SUPPLIER.
- B. PRIOR TO BEGINNING WORK CONTRACTOR SHALL COORDINATE ALL POWER & TELCO WITH THE LOCAL UTILITY COMPANY AS IT MAY APPLY TO THIS SITE. ALL WORK TO COMPLY WITH THE RULES AND REGULATIONS OF THE UTILITIES INVOLVED.

WIRES AND CABLES (600 VOLTS)

- A. BUILDING WIRE, UNLESS OTHERWISE INDICATED SHALL BE 600 VOLTS, TYPE THWN INSULATION (75°C). CONDUCTORS SHALL BE SIZED AND RUN AS INDICATED CONDUCTORS SHALL BE SOFT DRAWN COPPER OF NOT LESS THAN 98% CONDUCTIVITY.

CONDUCTOR INSULATION

- A. ALL CONDUCTORS SHALL BE COLOR CODED AS REQUIRED BY NEC AND FURTHER IDENTIFIED AND CODED AS SPECIFIED HEREINAFTER. COLOR CODING SHALL BE BY MEANS OF COLORED INSULATING MATERIAL, COLORED BRAID OR JACKET OVER THE INSULATION OR BY MEANS OF SUITABLE COLORED, PERMANENT, NON-AGING, INSULATING TAPE APPLIED TO CONDUCTORS AT EACH CABINET OR JUNCTION POINT. THE COLOR CODING SHALL BE ACCOMPLISHED AS THE CONDUCTORS ARE INSTALLED. THE FOLLOWING SYSTEMS OF COLOR CODING SHALL BE STRICTLY ADHERED TO:

- A) GROUND LEADS: GREEN  
B) GROUNDED NEUTRAL LEADS: WHITE  
C) 120/208 VOLT (120/240 VOLT) UNGROUNDED PHASE WIRES; BLACK, RED, BLUE

THE COLOR CODE ASSIGNED TO EACH PHASE WIRE SHALL BE CONSISTENTLY FOLLOWED THROUGHOUT.

CONDUIT SUPPORTS

- A. SUPPORT SURFACE RUNS OF CONDUIT USING ONE OR TWO HOLE PIPE STRAPS. STRAP SPACING 6 FOOT ON CENTERS, MAXIMUM, UNLESS NOTED OTHERWISE.
- B. FASTEN STRAPS TO CONCRETE USING INSERTS OR EXPANSION BOLTS AND TO HOLLOW MASONRY USING TOGGLE BOLTS. WOODEN PLUGS ARE UNACCEPTABLE.

OUTLET, JUNCTION AND PULL BOXES

- A. ALL BOXES, WHETHER OUTLET, JUNCTION, PULL, OR EQUIPMENT SHALL BE FURNISHED WITH APPROPRIATE COVERS.
- B. NO SECTIONALIZED BOXES SHALL BE USED.
- C. OUTLET, JUNCTION AND PULL BOXES SHALL BE SHEET STEEL. WHERE REQUIRED TO FACILITATE PULLING OF WIRES OR CABLES, SUCH BOXES SHALL BE RIGIDLY MOUNTED AND INSTALLED IN ACCESSIBLE LOCATIONS.

SAFETY DISCONNECT SWITCH

- A. PROVIDE SAFETY DISCONNECT SWITCHES AS SHOWN ON THE DRAWINGS AND WHERE REQUIRED BY THE NATIONAL ELECTRICAL CODE. SWITCHES SHALL BE HORSEPOWER-RATED WHERE APPLICABLE, AND SHALL BE THE SIZES REQUIRED. SERVICE ENTRANCE SWITCH SHALL BE SO RATED.
- B. SWITCHES SHALL BE HEAVY DUTY TYPE FUSED OR UNFUSED, AS INDICATED; SIDE HANDLE OPERATED, NEMA 1 FOR GENERAL INTERIOR WORK AND NEMA 3R STEEL FOR EXTERIOR, DAMP, OR WET LOCATIONS. SWITCHES SHALL BE EQUIPPED WITH A COVER INTERLOCK TO PREVENT OPERATION WITH COVER OPEN.
- C. SWITCHES SHALL BE VISIBLE BLADE, EXTERNALLY OPERATED, WITH ALL CURRENT CARRYING PARTS SILVER OR TIN-PLATED. ALL SWITCHES SHALL HAVE PROVISIONS FOR NOT LESS THAN THAN TWO EXTERNAL PADLOCK.

GROUNDING

- A. PROVIDE GROUND FOR ALL RACEWAYS, DEVICES, AND UTILIZATION EQUIPMENT PERMANENTLY AND EFFECTIVELY IN ACCORDANCE WITH REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE AND AS HEREINAFTER SPECIFIED. ALL GROUNDED NEUTRAL CONDUCTORS SHALL BE CONTINUOUSLY IDENTIFIED. ALL GROUNDING AND BONDING CONNECTIONS SHALL BE SOLDERLESS.
- B. PROVIDE INSULATED GROUNDING CONDUCTORS FOR FEEDER AND BRANCH CIRCUIT WIRING AS CALLED FOR ON THE PLANS. PROVIDE GROUNDING BLOCKS, TERMINALS, ETC., FOR CONNECTION OF GROUND WIRE IN ALL DISTRIBUTION EQUIPMENT, OUTLETS, JUNCTION BOXES, AND UTILIZATION EQUIPMENT. TERMINATE WITH LUGS OR COMPRESSION TERMINALS. CONDUCTORS LOOPED UNDER BOLTS OR SCREWS WILL NOT BE ACCEPTABLE.
- C. GROUND RODS, WHEN NEEDED SHALL BE STEEL, COPPER CLAD 5/8" DIAMETER BY TEN FEET LONG. GROUND ROD SHIELDS TO BE PROVIDED FOR DRIVING RODS. SERVICE GROUND RODS SHALL BE ¾" X 10' AND COPPER CLAD STEEL.
- D. THE MAXIMUM RESISTANCE OF THE COMPLETED GROUNDING SYSTEM SHALL NOT EXCEED 5 OHMS ON ANY PART OF THE SYSTEM. IF DUE TO SOIL CONDITIONS OR OTHER PARAMETERS THIS MAXIMUM VALUE IS EXCEEDED, CONTACT THE ENGINEER FOR ADDITIONAL INSTRUCTIONS.
- E. GROUND BAR PLATES ARE TO BE MANUFACTURED EXACTLY AS DETAILED AND DIMENSIONED.
- F. ALL MOUNTING HARDWARE SHALL BE STAINLESS STEEL
- G. ALL BARE COPPER SURFACES SHALL BE COATED PRIOR TO LUGGING. JOINT COMPOUND SHALL BE KOPR-SHIELD BY THOMAS & BETTS.

- I. CONNECTION OF CONDUCTORS BELOW GRADE TO GROUND RODS, GROUND RINGS, GROUND WELL, ETC., SHALL BE EXOTHERMIC TYPE WELDING CONNECTIONS "CADWELD".
- J. CONNECTION OF CONDUCTORS ABOVE GRADE TO METALLIC OBJECTS OR IN HANDHOLES SHALL BE WITH PRESSURE TYPE CRIMP CONNECTORS, BOLTED CLAMPS, OR SPLIT BOLT CONNECTIONS WITH SOLID BRONZE HARDWARE. CADMIUM PLATED STEEL HARDWARE IS NOT ACCEPTABLE. CONNECTIONS TO INTERIOR HALO GROUND RING SHALL BE WITH 'C' CLAMPS. SOLID TO SOLID AND STRANDED CONDUCTORS REQUIRES TWO (2) CLAMPS. ALL 'C' CLAMPS REQUIRE INSTALLATION WITH THE CORRECT HYDRAULIC CLAMP TOOL.

SUPPORTS, HANGERS AND FOUNDATIONS

- A. PROVIDE ALL SUPPORTS, HANGERS, BRACES, ATTACHMENTS, AND FOUNDATIONS REQUIRED FOR THE WORK. SUPPORT AND SET THE WORK IN A THOROUGHLY SUBSTANTIAL AND WORKMANLIKE MANNER WITHOUT PLACING STRAINS ON THE MATERIALS, EQUIPMENT, OR THE BUILDING STRUCTURE.
- B. SUPPORTS, HANGERS, BRACES AND ATTACHMENTS SHALL BE STANDARD MANUFACTURED ITEMS OR FABRICATED STRUCTURAL STEEL SHAPES.

AS-BUILT DATA

- A. CONTRACTOR SHALL PREPARE AND SUBMIT TO THE CONSTRUCTION MANAGER "AS-BUILT" DRAWINGS FOR CHANGES OR DEVIATIONS FROM CONTRACT DRAWINGS TO THE FOLLOWING:
1. SOURCE, ORIGIN, AND/OR ROUTING OF MAIN FEEDERS
2. LOCATION OF MAJOR PIECES OF DISTRIBUTION EQUIPMENT SUCH AS KILOWATT/ HOUR METER AND MAIN FEEDER OVERCURRENT DEVICES.

IDENTIFICATION OF EQUIPMENT

- A. ALL EQUIPMENT SHALL BE MARKED WITH WARNING LABELS AND SIGNAGE AS REQUIRED BY THE NATIONAL ELECTRIC CODE AND OTHER APPLICABLE STANDARDS.

REV	DATE	DESCRIPTION
A	05/25/17	PRELIMINARY ZDs REV "A"
B	05/31/17	PRELIMINARY ZDs REV "B"
C	06/01/17	PRELIMINARY ZDs REV "C"
D	06/07/17	PRELIMINARY ZDs REV "D"
0	07/17/17	ISSUED CDs REV "0"
USA ENG PROJECT NO.: 25170001-03		
DRAWN BY:		CHECKED BY:
BMF		MM



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JULY 17, 2017

MARC MAIER, PE  
FL PROFESSIONAL ENGINEER LIC. # 72513

PORT OF PALM  
BEACH

700 AVENUE E  
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SHEET DESCRIPTION


ELECTRICAL  
NOTES

SHEET NUMBER

E-1

ANSI	AMERICAN NATIONAL STANDARDS INSTITUTE
NEC	NATIONAL ELECTRICAL CODE, LATEST ADOPTED EDITION
NEMA	NATIONAL ELECTRICAL MANUFACTURER'S ASSOCIATION
NFPA	NATIONAL FIRE PROTECTION ASSOCIATION
UL	UNDERWRITERS LABORATORIES, INC.

PREPARED BY:

 **USA  
ENGINEERING**

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E-2



**CITY OF RIVIERA BEACH, STAFF REPORT  
COMPREHENSIVE PLAN AMENDMENT  
JULY 12, 2018**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY'S ADOPTED COMPREHENSIVE PLAN BASED ON EVALUATION AND APPRAISAL REVIEW IN ORDER TO PROVIDE CONSISTENCY WITH CURRENT STATUTORY REQUIREMENTS PER SECTION 163.3191(4), FLORIDA STATUTES, INCLUDING, BUT NOT LIMITED TO, DELETING ANY AND ALL REFERENCES TO RULE 9J-5, FLORIDA ADMINISTRATIVE CODE, AS PROVIDED WITHIN ALL ELEMENTS OF THE COMPREHENSIVE PLAN, MORE SPECIFICALLY THE FUTURE LAND USE ELEMENT AND COASTAL MANAGEMENT ELEMENT, AND TO ADDRESS PERIL OF FLOOD PRINCIPLES PER SECTION 163.3178(2)(F), FLORIDA STATUTES; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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- A. Applicant:** City initiated amendment process.
- B. Request:** To amend the City's Comprehensive Plan to delete current references to Rule 9J-5, Florida Administrative Code, per Section 163.3191(4), Florida Statutes, and to also identify existing Elements, Goals, Objectives, and Policies which address peril of flood principles per Section 163.3178(20)(f), Florida Statutes.
- C. Location:** The Comprehensive Plan is applicable citywide.
- D. Background and Staff Analysis:** The City's Comprehensive Plan is a policy document required by State Statute, which provides guidance for future development and growth patterns in the City. The City is required to evaluate and appraise the Comprehensive Plan every seven years. A component of this process is to ensure that the Comprehensive Plan is amended to incorporate any statutory changes adopted by the State since the Plan was last approved. The City's Planning and Zoning Board sits as the Local Planning Agency when reviewing Comprehensive Plan amendments.

The following items have been identified as required amendments:

1. Deletion of any reference to Rule 9J-5, Florida Administrative Code. City staff desires to take immediate action to resolve this conflict (see attached Comp. Plan pg. 1, 12 and 74).
2. Identification of satisfaction of Peril of Flood principles, as provided below.
  - a. Include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.
  - b. Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.
  - c. Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.



- d. Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.
- e. Require that any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 be consistent with chapter 161.
- f. Encourage local governments to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents.

The following Comprehensive Plan Elements speak to the abovementioned Peril of Flood principles:

- Future Land Use Element
  - Goal 1, Protect and Enhance Residential, Commercial, Industrial, and Natural Resource Areas; specifically Objective 1.1, Policy 1.1.3 and Objective 1.5, Policy 1.5.1 and 1.5.2 (per page 1 and page 12).
- Conservation Element
  - Goal 5, Protection of Natural Floodplains, and subsequent Objectives and Policies (per pages 66-67).
- Coastal Management Element
  - Goal 2, Coastal Development and Emergency Management, and subsequent Objectives and Policies (per pages 74-76).
  - Goal 3, Intergovernmental Coordination, and subsequent Objectives and Policies (Per pages 77).

**E. Recommendation:** City staff recommends approval of this Ordinance, which will result in the deletion of all current Comprehensive Plan references to Rule 9J-5, Florida Administrative Code, per Section 163.3191(4), Florida Statutes.

# **FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES**

**GOAL**        *To protect and enhance the residential, commercial, industrial and natural resource areas of Riviera Beach.*

## **OBJECTIVE 1.1: Public Facilities Availability**

*The City shall continue to insure that all development and redevelopment is coordinated with the availability of facilities and services, and is compatible with soil conditions and topography.*

**Policy 1.1.1:** As new development occurs within the City, continue to use the development code to require a tie-in to the sanitary sewer and public water systems.

**Policy 1.1.2:** The City shall continue to supply water and sewer to new developments that occur in areas yet to be annexed and subject to receipt of a petition for voluntary annexation. If the property is contiguous, it shall be annexed prior to connection to the City's water and sewer system; otherwise, the property shall be annexed when the development becomes contiguous.

**Policy 1.1.3:** The City shall continue to use the flood plain provisions of the Land Development Code to assure new development at topographic elevations sufficient to minimize flood impact.

**Policy 1.1.4:** Periodically review all development codes to determine needed refinements relative to on-site drainage, open-space and parking lot design standards.

**Policy 1.1.5:** The City shall continue to use the adopted Concurrency Management System, contained in "Article X of the Land Development Code, ~~to implement requirements contained in~~ ~~01-5-0055~~ and to insure that public facilities are in place concurrent with the impacts of any development, and levels of service continue to be maintained.

**Policy 1.1.6:** The City will encourage the use of water conserving appliances in order to reduce the per capita consumption of potable water and the increased use of energy efficient appliances to reduce energy consumption and the carbon footprint of the City through public information campaigns.

## **OBJECTIVE 1.2: Redevelopment**

*By 2010, the City shall reconsider revisions to the adopted Community Redevelopment Plan (CRA) by addressing issues and market conditions that have arisen since plan implementation was initiated.*

**Policy 1.2.1:** The City and the CRA will revise the adopted 2001 Redevelopment Plan which shall be designed to change the image of the Riviera Beach community redevelopment area from a depressed district suffering from loss of residential and business vitality into one respected for community purpose and pride, and to reshape the City into a desirable place to live, work, shop, and visit, with special places, events, and experiences, -not available anywhere

**Policy 1.4.3:** The City shall continue to implement the predominant use of native vegetation through the Land Development Code.

## **OBJECTIVE 1.5: Hurricane Evacuation**

*Grant no land use plan amendments that would increase residential land use density and intensity in the coastal high hazard area (CHHA [9J-5.006(9)(b)5, F.A.C.]*

**Policy 1.5.1:** The City shall evaluate plan amendments and rezoning requests that would increase the permanent and transient residential population densities permitted by the Comprehensive Plan in the CHHA in order to avoid further burdens on the hurricane evacuation process. Vacant parcels shall be developed at densities and intensities consistent with the Future Land Use Map, and will adhere to Objective 2.2 (Development in The Coastal High Hazard Area [CHHA]) and related policies of the Coastal Management Element.

**Policy 1.5.2:** The City of Riviera Beach has adopted the hurricane evacuation routes and times as stated in the Palm Beach County Comprehensive Emergency Management Plan. The City has developed its own Emergency Management Plan for category 5 hurricanes which includes the state-mandated evacuation times of 16 hours out of county and 12 hours to shelter including a description of routes for potential evacuees.

## **OBJECTIVE 1.6: Annexation**

*The City shall continue to identify and annex pockets and enclaves, east of the City's western limits, to create a unified, compact pattern of municipal development and efficiency of utility service delivery.*

**Policy 1.6.1:** The City will continue to annex enclaves within its municipal boundaries in accordance with its interlocal agreement with Palm Beach County (Resolution 98-01: Designating the Future Annexation Boundaries of the City of Riviera Beach).

**Policy 1.6.2:** The City will continue to annex enclaves within its municipal boundaries for the purposes of economies of scale as relates to the provision of utility services.

## **OBJECTIVE 1.7: Innovative Land Development**

*The City shall continue to develop and encourage utilization of innovative land regulations and zoning districts, including PUD, mixed-use development, and new urbanist approaches.*

**Policy 1.7.1:** The City shall continue its review of existing Planned Unit Development (PUD) Districts to determine if adjustments to the PUD code are necessary. To date, the City has made revisions to minimum lot areas within PUDs, and in the future will create/adopt additional districts with Land Use designations as necessary.

**Policy 1.7.2:** The City shall review existing Floor Area Ratios (FAR's) and make adjustments as needed to facilitate innovative development.

## **GOAL 2 COASTAL DEVELOPMENT AND EMERGENCY MANAGEMENT**

*It is the goal of the City of Riviera Beach (1) to restrict development activities that would damage or destroy coastal resources; (2) to protect human life by limiting public expenditures in areas subject to destruction by natural disasters within the coastal high hazard area; (3) to maintain and implement a safe and effective emergency management program; and (4) provide for orderly redevelopment in a post-disaster period.*

### **OBJECTIVE 2.1: Levels of Service**

*The City of Riviera Beach shall maintain existing public infrastructure capacity in the coastal high hazard area to ensure the protection of its residents during disaster events.*

**Policy 2.1.1:** The City shall insure that infrastructure is available to serve responsible development or redevelopment in the coastal area through implementation of the Concurrency Management System.

**Policy 2.1.2:** The City shall provide for the safe evacuation from coastal areas by requiring that within the Hurricane Vulnerability Zone as defined by Rule 9J-2.0256(f), F.A.C., the amount of new development or redevelopment be controlled by the capacity of existing coastal roads, such that evacuation times shall be no greater than the eight-hour hurricane evacuation time currently predicted for the CHHA.

### **OBJECTIVE 2.2: Development in the Coastal High Hazard Area (CHHA)**

*The City of Riviera Beach shall direct permanent residential population concentrations away from known or predicted coastal high hazard areas except as provided in the adopted Future Land Use Map. The City shall discourage increases in permanent residential population densities or land use that would increase the eight-hour hurricane evacuation time currently predicted for the CHHA.*

**Policy 2.2.1:** The City shall carefully evaluate all land use plan amendments and zoning amendments that would increase residential land use density or intensity in the CHHA in order to reduce adverse impacts to property and people and public costs associated with disaster recovery. ~~[9J-5.012(3)(b)5,6,7, F.A.C.]~~

**Policy 2.2.2:** The City shall discourage increased densities in the Category 1 hurricane evacuation areas as defined by the Division of Emergency Management.

**Policy 2.2.3:** New development in the Coastal Planning Area shall be consistent with the densities proposed by the Future Land Use Element for the area.

# *Comprehensive Plan*



Adopted May 19, 2010  
Amended Oct. 06, 2010

Ordinance No. 3066  
Ordinance No. 3073

*The Best Waterfront City in which  
To Live, Work and Play.*



# **FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES**

**GOAL**      *To protect and enhance the residential, commercial, industrial and natural resource areas of Riviera Beach.*

## **OBJECTIVE 1.1: Public Facilities Availability**

*The City shall continue to insure that all development and redevelopment is coordinated with the availability of facilities and services, and is compatible with soil conditions and topography.*

**Policy 1.1.1:** As new development occurs within the City, continue to use the development code to require a tie-in to the sanitary sewer and public water systems.

**Policy 1.1.2:** The City shall continue to supply water and sewer to new developments that occur in areas yet to be annexed and subject to receipt of a petition for voluntary annexation. If the property is contiguous, it shall be annexed prior to connection to the City's water and sewer system; otherwise, the property shall be annexed when the development becomes contiguous.

**Policy 1.1.3:** The City shall continue to use the flood plain provisions of the Land Development Code to assure new development at topographic elevations sufficient to minimize flood impact.

**Policy 1.1.4:** Periodically review all development codes to determine needed refinements relative to on-site drainage, open-space and parking lot design standards.

**Policy 1.1.5:** The City shall continue to use the adopted Concurrency Management System, contained in "Article X of the Land Development Code, to implement requirements contained in 9J-5.0055 and to insure that public facilities are in place concurrent with the impacts of any development, and levels of service continue to be maintained.

**Policy 1.1.6:** The City will encourage the use of water conserving appliances in order to reduce the per capita consumption of potable water and the increased use of energy efficient appliances to reduce energy consumption and the carbon footprint of the City through public information campaigns.

## **OBJECTIVE 1.2: Redevelopment**

*By 2010, the City shall reconsider revisions to the adopted Community Redevelopment Plan (CRA) by addressing issues and market conditions that have arisen since plan implementation was initiated.*

**Policy 1.2.1:** The City and the CRA will revise the adopted 2001 Redevelopment Plan which shall be designed to change the image of the Riviera Beach community redevelopment area from a depressed district suffering from loss of residential and business vitality into one respected for community purpose and pride, and to reshape the City into a desirable place to live, work, shop, and visit, with special places, events, and experiences, -not available anywhere

**Policy 1.4.3:** The City shall continue to implement the predominant use of native vegetation through the Land Development Code.

## **OBJECTIVE 1.5: Hurricane Evacuation**

*Grant no land use plan amendments that would increase residential land use density and intensity in the coastal high hazard area (CHHA [9J-5.006(3)(b)5, F.A.C.]*

**Policy 1.5.1:** The City shall evaluate plan amendments and rezoning requests that would increase the permanent and transient residential population densities permitted by the Comprehensive Plan in the CHHA in order to avoid further burdens on the hurricane evacuation process. Vacant parcels shall be developed at densities and intensities consistent with the Future Land Use Map, and will adhere to Objective 2.2 (Development in The Coastal High Hazard Area [CHHA]) and related policies of the Coastal Management Element.

**Policy 1.5.2:** The City of Riviera Beach has adopted the hurricane evacuation routes and times as stated in the Palm Beach County Comprehensive Emergency Management Plan. The City has developed its own Emergency Management Plan for category 5 hurricanes which includes the state-mandated evacuation times of 16 hours out of county and 12 hours to shelter including a description of routes for potential evacuees.

## **OBJECTIVE 1.6: Annexation**

*The City shall continue to identify and annex pockets and enclaves, east of the City's western limits, to create a unified, compact pattern of municipal development and efficiency of utility service delivery.*

**Policy 1.6.1:** The City will continue to annex enclaves within its municipal boundaries in accordance with its interlocal agreement with Palm Beach County (Resolution 98-01: Designating the Future Annexation Boundaries of the City of Riviera Beach).

**Policy 1.6.2:** The City will continue to annex enclaves within its municipal boundaries for the purposes of economies of scale as relates to the provision of utility services.

## **OBJECTIVE 1.7: Innovative Land Development**

*The City shall continue to develop and encourage utilization of innovative land regulations and zoning districts, including PUD, mixed-use development, and new urbanist approaches.*

**Policy 1.7.1:** The City shall continue its review of existing Planned Unit Development (PUD) Districts to determine if adjustments to the PUD code are necessary. To date, the City has made revisions to minimum lot areas within PUDs, and in the future will create/adopt additional districts with Land Use designations as necessary.

**Policy 1.7.2:** The City shall review existing Floor Area Ratios (FAR's) and make adjustments as needed to facilitate innovative development.

generated according to use.

**Policy 4.1.4:** The City shall continue to review data from the existing surface water quality monitoring network to identify point-source and non-point source water quality problem areas and develop and implement programs designed to reduce point and non-point source discharges to surface waters. The City shall continue to enforce Surface Water Quality Standards and the Stormwater Pollution Prevention Ordinance throughout its jurisdiction. The City shall comply with the U.S. EPA National Pollutant Discharge Elimination System (NPDES) stormwater permit requirements.

**Policy 4.1.5:** The City shall not take any land use actions, which are inconsistent with County, State, and the South Florida Water Management District efforts to maintain and/or improve water quality in the Lake Worth Lagoon estuary, or are in conflict with an adopted surface water improvement and management plan.

**Policy 4.1.6:** The City supports the implementation of the 2007 Lake Worth Lagoon Management Plan. As part of that effort, the City and County shall coordinate on stormwater discharges into the Lake Worth Lagoon and other estuarine waters, to implement actions which meet or exceed the State's Class III Surface Water Quality Standards.

**Policy 4.1.7:** The City shall continue to work toward reducing the number of the 18 direct stormwater outfalls into Lake Worth Lagoon by 2010.

**Policy 4.1.8:** The City shall continue to enforce the provisions of the Wellfield Protection Ordinance and by 2008 will conduct an analysis to determine whether or not all potential development activities that could occur in or near wellfield areas will negatively impact the quality or quantity of the water resources.

**Policy 4.1.9:** The City shall protect its wellfields from contamination in conjunction with the processes established by Palm Beach County and the FDEP, and through participation in the FDEP "Brownfields" program. Historically contaminated sites will be evaluated for participation in the EPA's "Superfund" program and federal or regional Brownfields redevelopment programs.

**Policy 4.1.10:** The City shall --on an ongoing basis through its Capital Improvements Element-- periodically review its infrastructure projects/activities to assure that potentially hazardous waste and sanitary sewer system connections will not adversely affect or interfere with water quality.

**Policy 4.1.11:** The City shall coordinate with the County regarding hazardous waste +enforcement issues and shall notify the County of violations.

## **GOAL 5 PROTECTION OF NATURAL FLOODPLAINS**

*To manage its floodplain in such a way as to minimize hazards to public health, safety, and property and to preserve natural recharge areas.*

## **OBJECTIVE 5.1: Identification and Mapping of Natural and Man-made Flood Prone Areas**

*The City shall continue to work with the digitized Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) rate maps and The Arbiter of Storms (TAOS) model projections for category 1 through 5 storm surge areas, and its own property appraiser maps to develop accurate overlays showing all areas prone to flooding within its jurisdiction.*

**Policy 5.1.1:** The City will continue the process of acquiring all available Geographic Information System (GIS) data bases showing flood hazard areas within Riviera Beach and overlaying them with City property appraiser maps. These digital databases include:

- The NFIP rate maps;
- The new TAOS model storm surge projection maps; and
- The revised USGS topographic maps for Florida's east coast as they become available.

**Policy 5.1.2:** The City shall continually enhance its Land Development Code to identify additional measures that will improve its Community Rating System ranking in order to achieve more favorable flood insurance rates for residents of the City.

## **OBJECTIVE 5.2: Regulation and Mitigation**

*The City shall continue to regulate development in and around natural flood plain areas and areas subject to tropical storm and hurricane storm surge, and implement projects to mitigate long-term damage.*

**Policy 5.2.1:** The City shall support the Local Mitigation Strategy (LMS), and the Countywide Project Prioritization List.

**Policy 5.2.2:** The City will continue its application process for membership in the FEMA NFIP - Community Rating System (CRS) program and to make any needed revisions to its flood elevation standards to continue to improve flood insurance rates in the City.

**Policy 5.2.3:** The City will continue to identify all relevant disaster-related capital projects, and submit them for inclusion on the LMS Countywide Project Prioritization List.

## **GOAL 6 PRESERVATION OF FISHERIES HABITAT & WATERFRONT ACCESS FOR RECREATIONAL FISHING**

*The goal of the City of Riviera Beach is to protect and enhance all critical habitats necessary to maintaining viable and stable populations of the many recreationally and commercially important fish and shellfish species caught in the surrounding waters.*

## **GOAL 2 COASTAL DEVELOPMENT AND EMERGENCY MANAGEMENT**

*It is the goal of the City of Riviera Beach (1) to restrict development activities that would damage or destroy coastal resources; (2) to protect human life by limiting public expenditures in areas subject to destruction by natural disasters within the coastal high hazard area; (3) to maintain and implement a safe and effective emergency management program; and (4) provide for orderly redevelopment in a post-disaster period.*

### **OBJECTIVE 2.1: Levels of Service**

*The City of Riviera Beach shall maintain existing public infrastructure capacity in the coastal high hazard area to ensure the protection of its residents during disaster events.*

**Policy 2.1.1:** The City shall insure that infrastructure is available to serve responsible development or redevelopment in the coastal area through implementation of the Concurrency Management System.

**Policy 2.1.2:** The City shall provide for the safe evacuation from coastal areas by requiring that within the Hurricane Vulnerability Zone as defined by Rule 9J-2.0256(f), F.A.C., the amount of new development or redevelopment be controlled by the capacity of existing coastal roads, such that evacuation times shall be no greater than the eight-hour hurricane evacuation time currently predicted for the CHHA.

### **OBJECTIVE 2.2: Development in the Coastal High Hazard Area (CHHA)**

*The City of Riviera Beach shall direct permanent residential population concentrations away from known or predicted coastal high hazard areas except as provided in the adopted Future Land Use Map. The City shall discourage increases in permanent residential population densities or land use that would increase the eight-hour hurricane evacuation time currently predicted for the CHHA.*

**Policy 2.2.1:** The City shall carefully evaluate all land use plan amendments and zoning amendments that would increase residential land use density or intensity in the CHHA in order to reduce adverse impacts to property and people and public costs associated with disaster recovery. [9J-5.012(3)(b)5,6,7, F.A.C.]

**Policy 2.2.2:** The City shall discourage increased densities in the Category 1 hurricane evacuation areas as defined by the Division of Emergency Management.

**Policy 2.2.3:** New development in the Coastal Planning Area shall be consistent with the densities proposed by the Future Land Use Element for the area.



**Policy 2.2.4:** Infill or redevelopment densities and intensities in Category 1 hurricane evacuation areas shall be consistent with Comprehensive Plan land use densities and adopted Redevelopment Plan and existing adjacent development.

**Policy 2.2.5:** The City shall limit public expenditures that subsidize development permitted in CHHAs except those that preserve, restore, or enhance existing/adjacent natural resources.

**Policy 2.2.6:** Maintain zoning policies that prohibit tall signs, new hospitals, and mobile home parks in the coastal high hazard area.

**Policy 2.2.7:** The City will strive to increase the City's Community Rating System rating and on an ongoing basis make any needed revisions to its flood elevation standards to continue to improve flood insurance rates in the City.

**Policy 2.2.8:** The coastal high-hazard area is the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. Application of mitigation and the application of development and redevelopment policies, pursuant to s. 380.27(2), and any rules adopted there under, shall be at the discretion of local government.

### **OBJECTIVE 2.3: Emergency Preparedness and Evacuation**

*The City of Riviera Beach shall maintain and update as necessary, its Emergency Management Plan (EMP), which provides for direction and control of activities during the period of any disaster, including preparedness, response and recovery.*

**Policy 2.3.1:** The City shall utilize its designated shelters for residence in conjunction with the American Red Cross, Palm Beach County Chapter, and Palm Beach County Division of Emergency Management.

**Policy 2.3.2:** The City shall coordinate with local, regional, or state agencies to maintain an efficient and timely evacuation process in the case of a hurricane.

**Policy 2.3.3:** The City shall annually coordinate with representatives of Palm Tran and the Palm Beach County Division of Emergency management to develop an Emergency Transit Evacuation Plan that secures buses to safely evacuate areas with transit-dependent populations.

**Policy 2.3.4:** The City shall update its Emergency Management Plan (EMP) periodically in a manner consistent with Rules 9G-6 and 9G-7, FAC to incorporate changes to population, highways/bridges, shelter modifications, hurricane hazard analysis, and forecast techniques.

### **OBJECTIVE 2.4: Post-Disaster Redevelopment**

*The City of Riviera Beach will reduce post-disaster damage by implementing steps to create a more disaster-resistant community.*

**Policy 2.4.1:** The City will continue to actively participate on the Palm Beach County Unified Local Mitigation Strategy (LMS) Steering Committee.

**Policy 2.4.2:** The City shall prohibit the rebuilding of non-conforming uses that have experienced damage of greater than or equal to 50 percent of the assessed value, in the hurricane vulnerability zone.

**Policy 2.4.3:** The City shall continue to promulgate regulations and enforce codes that provide for hazard mitigation prevention through the Land Development Code and the international (State of Florida) Building Code. These include land use changes in potentially affected areas, use of structural modifications to existing buildings and use of updated building codes in high-hazard areas; and enforcement of the coastal construction line. These regulations shall also be applied to eliminate unsafe buildings and inappropriate/non-conforming uses.

**Policy 2.4.4:** The City shall review – on an ongoing and continuous basis -- its building code to ensure consistency with the newly adopted Florida International Building Code.

**Policy 2.4.5:** The City will continue to create a more disaster-resistant community via the implementation of its unsafe building abatement ordinance.

**Policy 2.4.6:** The City's post-disaster redevelopment activities shall fall into two categories:

- 1) Emergency Work; and
- 2) Permanent Work.

Emergency Work shall commence immediately after a disaster and shall include only those activities necessary to save lives, protect property and remove threats to public health and safety. Permanent work includes any replacement or repair activities to facilities which were damaged, but which do not pose an immediate threat. Removal, relocation or structural modification of infrastructure and unsafe structures shall be prioritized into one of the two categories.

**Policy 2.4.7:** During the post-disaster recovery period, the Public Works Department, the Community Development Department, the Community Redevelopment Agency, and other appropriate agencies shall identify the damaged areas requiring rehabilitation or redevelopment (i.e. interim repairs prior to redevelopment versus demolition using pre-established criteria); prepare a redevelopment plan which reduces or eliminates the future exposure of life and property to hurricanes particularly where repeated damage has occurred; analyze and recommend to the City Council hazard mitigation options for damaged public facilities.

**Policy 2.4.8:** Per 2008 Charter Provisions, the City shall use 1½% of its total estimated annual ad valorem tax revenue as a source to provide matching funds for obtaining Federal Financial assistance in post-disaster emergencies and hazard mitigation, and familiarize itself with the more than 40 different public (state and federal) assistance programs through the use of an available document: "Post-Disaster Community Redevelopment and Economic Revitalization".



### **GOAL 3 INTERGOVERNMENTAL COORDINATION**

*To advance the level of intergovernmental coordination and cooperation for decision making and policy development, regarding coastal issues.*

#### **OBJECTIVE 3.1: Environmental Preservation, Enhancement, and Hazard Mitigation**

*The City of Riviera Beach shall seek appropriate vehicles and forums for achieving effective intergovernmental coordination and cooperation regarding the impacts and implications of development in the coastal area on fragile coastal ecosystems and hazard mitigation.*

**Policy 3.1.1:** The City shall utilize the mechanisms provided in the Intergovernmental Coordination Element and the LMS to resolve intergovernmental conflicts and issues regarding environmental protection, preservation and restoration, and hazard mitigation.

**Policy 3.1.2:** The City will continue to coordinate with environmental agencies such as Palm Beach County, the State of Florida, The SFWMD, FDEP, Florida Communities Trust, DCA, and other agencies regarding conservation, preservation, coastal management and emergency management/hazard mitigation matters.

**Policy 3.1.3:** The City shall coordinate with Palm Beach County, the SFWMD and the FDEP, as well as other municipalities along Lake Worth Lagoon to preserve and protect the Lagoon, through administration of the Land Development Code, enforcement of environmental regulations, and implementation of the Coastal Management Element.

**Policy 3.1.4:** The City supports and will coordinate with the 2007 Lake Worth Lagoon Management Plan jointly prepared by Palm Beach County Department of Environmental Resources Management, Florida Department of Environmental Protection and the South Florida Water Management District.

## MEMORANDUM

**TO: THE HONORABLE MAYOR AND CITY COUNCIL MEMBERS**  
**FROM: JEFF GAGNON, ACTING DEVELOPMENT SERVICES DIRECTOR**  
**THROUGH: KAREN HOSKINS, CITY MANAGER**  
**DATE JUNE 21, 2018**  
**SUBJECT: PLANNING AND ZONING BOARD NOMINATIONS**



During the June 20, 2018 City Council Meeting, the City Council took the following actions associated with Planning and Zoning Board Members:

1. Mr. Kunuty was reappointed for another three year term.
2. Mr. McCoy was reappointed for another three year term.
3. Ms. Shepherd was reappointed for another three year term.
4. Mr. Gustafson was shifted from first alternate to a permanent seat.
5. Mr. Brown was shifted from second alternate to first alternate.

Additionally, a vacant permanent member seat was intentionally not filled in order to provide for a future City Council appointment to the Board (more specifically, there was consensus to allow a future appointment by Councilwoman Hubbard).

The abovementioned City Council action has now opened the second alternate position. City staff has and will continue to accept applications to fill vacant positions. The vacant positions may be filled by City Council at their discretion during a future City Council Meeting.

Please contact me with any questions. Thank you.

C: Willie Horton, Acting Deputy City Manager  
Claudene Anthony, CMC, City Clerk