



**CITY OF RIVIERA BEACH STAFF REPORT  
CASE NUMBER AB-17-02, RYBOVICH ABANDONMENT REQUEST  
CITY COUNCIL MEETING – APRIL 4, 2018**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ABANDONING A PORTION OF EAST 20<sup>th</sup> STREET, A PORTION OF AVENUE 'B', AND A PORTION OF AVENUE 'C', EXHIBITED ON THE "REVISED PLAT OF COCOANUT LODGE" IN GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 52 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LOCATED WITHIN THE CITY OF RIVIERA BEACH, FLORIDA, CONTAINING 26,815.6 SQUARE FEET, 0.62 ACRES, MORE OR LESS; PROVIDING CONDITIONS; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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- A. Applicants:** Property Owner: RBY, LLC.  
Authorized Agent: Mr. Charles Millar, Kimley-Horn and Associates, Inc.
- B. Request:** The applicant is requesting the abandonment of a portion of East 20<sup>th</sup> Street and Avenues 'B' and 'C' to be able to use the property as one development, located within the Downtown Marine (DM) and Downtown Core (DC) Zoning Districts, in order to facilitate the relocation and redevelopment of the area from the facility located in West Palm Beach and the operation of a mega yacht lift. The existing buildings and accessory structures will not be affected by the abandonment. A Site Plan and Re-Plat application shall be required as a condition of approval by City Council shall the abandonment be approved.
- C. Location:** The subject area is portions of Right of Way named East 20<sup>th</sup> Street, Avenue 'B' and Avenue 'C', as depicted on Exhibit 'A' and Exhibit 'B'.
- D. Property Description and Uses:** The subject property description and uses are as follows:
- |                                |  |
|--------------------------------|--|
| <u>Parcel Control Numbers:</u> | N/A  |
| <u>Parcel Size:</u>            | 0.62 Acres (total combined)  |
| <u>Existing Use:</u>           | Right of Way (E. 20 <sup>th</sup> St., Ave. 'B', Ave. 'C')                 |
| <u>Zoning:</u>                 | Downtown Marine (DM) Zoning District<br>Downtown Core (DC) Zoning District |
| <u>Future Land Use:</u>        | Working Waterfront (WW) Future Land Use                                    |
- E. Adjacent Property Description and Uses:**
- |               |  |
|---------------|--|
| <u>North:</u> | Downtown Core (DC) Zoning District: Vacant Lots                      |
| <u>South:</u> | Downtown Core (DC) Zoning District: 1940 Avenue C, Rybovich Marina   |
| <u>East:</u>  | Downtown Marine (DM) Zoning District: 1940 Avenue C, Rybovich Marina |

West: Downtown Core (DC) Zoning District: Commercial Development

## **F. Background:**

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

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

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

## **G. Staff Analysis:**

**Proposed Use:** N/A

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

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

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

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

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

**H. Recommendation:** City staff recommends that the City Council consider the requested abandonment of approximately 26,815.6 square feet of Right-of-Way (0.62 acres), including a portion of East 20<sup>th</sup> Street, a portion of Avenue 'B' and a portion of Avenue 'C', and offer the follow conditions of approval:

1. RBY, LLC (Rybovich) or designee, must submit a complete Site Plan application to the City within twelve (12) months of the passage and adoption this Ordinance. This Site Plan application will provide a Master Site Plan for land area owned by Rybovich associated with this abandonment request.
2. A Landscape Plan shall be submitted in conjunction with the aforementioned Site Plan application in accordance with the City's Code of Ordinances.
3. A Plat (or re-plat) shall be submitted in conjunction with the aforementioned Site Plan application.
4. RBY, LLC (Rybovich) or designee, shall facilitate the installation of a new traffic signal at the intersection of Broadway and E. 22<sup>nd</sup> Street. The new traffic light at the intersection of Broadway and E. 22<sup>nd</sup> St. must be fully operational prior to restricting access to the portions of E. 20<sup>th</sup> Street and Avenue 'C' currently proposed to be abandoned as described within this Ordinance.
5. In order to provide for continued City access to maintain, repair and replace City water, sewer and other utility infrastructure, one or more City utility access easements shall be recorded by the applicant in the Official Records of Palm Beach County within thirty (30) days after the passage and adoption of this Ordinance. Said easement(s) shall be identical in dimension and area to the right-of-way abandonment area described herein. The applicant agrees to provide for City utility access as required, from time to time, until said utility easement(s) are recorded within the Official Records of Palm Beach County.
6. The applicant, (or future property owner), shall be responsible for the cost associated with relocating existing City water, sewer or other City utility lines if future owner-initiated construction within the abandonment area impacts City utilities within the abandonment area. New utility easements may be required accordingly.