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Riviera Beach Planning and Zoning Regular Meeting
 City of Riviera Beach Council Chambers
 2nd Floor, Municipal Complex
 600 West Blue Heron Boulevard
 Riviera Beach, Florida
 Thursday, October 11, 2018
 6:37 p.m. to 8:33 p.m.

Chair Tradrick McCoy
 Vice Chair Rena James Burgess
 Board Member James Gallon
 Board Member Jon Gustafson
 Board Member Margaret Shepherd
 1st Alternate Member Anthony Brown
 Jeff Gagnon, Acting Director of Community Development
 Linda Busby, Assistant City Attorney
 Simone Davidson, Staff Assistant
 Andrea Harper, Principal Planner
 Josue Leger, Senior Planner, GIS Specialist
 Yoan Machado, Senior Planner, GIS Specialist

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1 Jeff Gagnon, Acting Director of Development
 2 Services.
 3 I did hear from Mr. Kunity that he either is
 4 running late or he may not be able to make it at all
 5 because of travel.
 6 In the absence of a permanent member,
 7 Mr. Anthony Brown would receive voting rights.
 8 Thank you.
 9 CHAIR McCOY: Thank you, Mr. Gagnon.
 10 Item number 4, additions and deletions to the
 11 agenda.
 12 MR. GAGNON: I have no additions or deletions to
 13 the agenda.
 14 However, I did want to commend the board for
 15 completing the Palm Beach County Code of Ethics
 16 training. It's kind of a self initiated training course
 17 available online. So most board members had that
 18 training already in place. However, there's a renewal
 19 requirement associated with that, so I appreciate
 20 everyone's quick action with that. So as of right now
 21 we're all up-to-date with our Palm Beach County ethics
 22 training, which I think is very important. And that's
 23 all I have for additions and deletions.
 24 CHAIR McCOY: Thank you, Mr. Gagnon.
 25 Item number 5, disclosure of board member -- I'm

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1 CHAIR McCOY: Good evening. We're going to call
 2 the October 11th, 2018, Planning and Zoning Board
 3 meeting to order.
 4 We'll start with a moment of silence, followed
 5 by the Pledge of Allegiance.
 6 (Pledge of Allegiance recited.)
 7 CHAIR McCOY: Ms. Davidson, roll call.
 8 STAFF ASSISTANT DAVIDSON: Rena Burgess.
 9 BOARD MEMBER BURGESS: Here.
 10 STAFF ASSISTANT DAVIDSON: Edward Kunity.
 11 (Absent.)
 12 STAFF ASSISTANT DAVIDSON: Margaret Shepherd.
 13 BOARD MEMBER SHEPHERD: Here.
 14 STAFF ASSISTANT DAVIDSON: James Gallon.
 15 BOARD MEMBER GALLON: Here.
 16 STAFF ASSISTANT DAVIDSON: Jon Gustafson.
 17 BOARD MEMBER GUSTAFSON: Here.
 18 STAFF ASSISTANT DAVIDSON: Anthony Brown.
 19 ALTERNATE BOARD MEMBER BROWN: Here.
 20 STAFF ASSISTANT DAVIDSON: Tradrick McCoy.
 21 CHAIR McCOY: Here.
 22 STAFF ASSISTANT DAVIDSON: You have a quorum.
 23 CHAIR McCOY: Item number 3, acknowledgement of
 24 board member absence notification.
 25 MR. GAGNON: Thank you, Chair.

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1 sorry. Disclosure of board members -- by the board
 2 members, and adoption of the agenda. Any members with
 3 disclosures on any items?
 4 Hearing none, is there a motion to adopt the
 5 agenda?
 6 BOARD MEMBER BURGESS: So moved.
 7 BOARD MEMBER GUSTAFSON: Second.
 8 CHAIR McCOY: There is a motion by Ms. Burgess
 9 and a second by Mr. Gustafson.
 10 Roll call.
 11 STAFF ASSISTANT DAVIDSON: Rena Burgess.
 12 BOARD MEMBER BURGESS: Yes.
 13 STAFF ASSISTANT DAVIDSON: Margaret Shepherd.
 14 BOARD MEMBER SHEPHERD: Yes.
 15 STAFF ASSISTANT DAVIDSON: James Gallon.
 16 BOARD MEMBER GALLON: Yes.
 17 STAFF ASSISTANT DAVIDSON: Jon Gustafson.
 18 BOARD MEMBER GUSTAFSON: Yes.
 19 STAFF ASSISTANT DAVIDSON: Anthony Brown.
 20 ALTERNATE BOARD MEMBER BROWN: Yes.
 21 STAFF ASSISTANT DAVIDSON: Tradrick McCoy.
 22 CHAIR McCOY: Yes.
 23 STAFF ASSISTANT DAVIDSON: Unanimous vote.
 24 CHAIR McCOY: Thank you, Ms. Davidson.
 25 Item number 6, approval of the minutes of August

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1 23rd, 2018. Is there a motion?
 2 BOARD MEMBER BURGESS: So moved.
 3 BOARD MEMBER SHEPHERD: Second.
 4 CHAIR McCOY: There's been a motion by
 5 Mrs. Burgess, second by Mrs. Shepherd.
 6 Ms. Davidson, roll call.
 7 STAFF ASSISTANT DAVIDSON: Rena Burgess.
 8 BOARD MEMBER BURGESS: Yes.
 9 STAFF ASSISTANT DAVIDSON: Margaret Shepherd.
 10 BOARD MEMBER SHEPHERD: Yes.
 11 STAFF ASSISTANT DAVIDSON: James Gallon.
 12 BOARD MEMBER GALLON: Yes.
 13 STAFF ASSISTANT DAVIDSON: Jon Gustafson.
 14 BOARD MEMBER GUSTAFSON: Yes.
 15 STAFF ASSISTANT DAVIDSON: Anthony Brown.
 16 ALTERNATE BOARD MEMBER BROWN: Yes.
 17 STAFF ASSISTANT DAVIDSON: Tradrick McCoy.
 18 CHAIR McCOY: Yes.
 19 STAFF ASSISTANT DAVIDSON: Unanimous vote.
 20 CHAIR McCOY: Thank you, Ms. Davidson.
 21 There's no unfinished business under number 7.
 22 We'll move right to new business, number 8.
 23 MR. GAGNON: Thank you, sir.
 24 We have four items under new business. Letters
 25 A, B, C and D. And letters B and C are associated with

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1 one another.
 2 So if it pleases the board, we'll proceed with
 3 letter A, which is a resolution of the City Council of
 4 the City of Riviera Beach, Palm Beach County, Florida,
 5 approving an application from Florida Power and Light
 6 for a major site plan approval (SP-18-17) to create a
 7 master plan of record for six parcels, supporting
 8 existing facilities within FPL Port West site on 88.6
 9 acres of industrial lands at 2460 Port West Boulevard,
 10 identified by parcel control number
 11 56-42-42-36-33-000-0000, which is located approximately
 12 0.12 miles east of the intersection of Military Trail
 13 and Port West Boulevard; and providing for an effective
 14 date.
 15 At this point in time I would like to ask our
 16 principal planner, Ms. Andrea Harper, to provide the
 17 board and public with a presentation. Additionally, the
 18 applicant is present as well.
 19 MS. HARPER: Thank you, Jeff.
 20 Good afternoon, Planning and Zoning Board
 21 members.
 22 For the record, my name is Andrea Harper,
 23 principal planner.
 24 The applicant is FP&L, Florida Power and Light.
 25 The project's name is Florida Power and Light Port West

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1 Distribution Center Master Plan.
 2 Applicant is requesting a master sign, master
 3 sign approval to create a master plan to consolidate six
 4 parcels. The project is located point twelve miles east
 5 of the intersection of Military Trail and Port West
 6 Boulevard.
 7 We have six parcels, A, B, C, D, E, and F. A,
 8 B, and C has the same zoning district, which is general
 9 industrial. The land use also is industrial. D, E and
 10 F, the zoning district and the land use is utilities.
 11 The surrounding uses to the north, RV park. To the
 12 south is the City of West Palm Beach end, which is the
 13 FP&L office area and facilities as well. To the east of
 14 the property is the FP&L power plant and the I-95
 15 corridor. To the west of the site is the Rapids Water
 16 Park. And along the western property line we have
 17 industrial uses.
 18 Once again, the site, the acreage, the lot size,
 19 is 88.86 acres. What's existing there on the site is
 20 already the distribution center. So it's been there for
 21 a while.
 22 This is our previous approved master plan, dated
 23 1998. So it's almost 20 years that, you know, we're
 24 bringing a master plan or a site plan before the board
 25 to get approved.

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1 Here is the proposed master plan. The last
 2 page, which is parcel F.
 3 Applicant also has provided us a landscaping
 4 plan, the master landscaping plan. Also parcel F, as
 5 well.
 6 Staff is recommending consideration of the site
 7 plan application with the following five conditions.
 8 Number one, applicant must replace all dead and missing
 9 landscaping materials located within the affected area
 10 within six months, following the approval of this
 11 resolution. According to code requirements and the
 12 previous plan approvals, landscaping material shall be
 13 maintained in perpetuity.
 14 Second condition: Applicant must maintain the
 15 Port West Boulevard landscaping swale area located
 16 adjacent to the property. Applicant acknowledges that
 17 the parking within the swale area is prohibited.
 18 Third condition: A plat shall be approved by
 19 the City and recorded within the official records of
 20 Palm Beach County following approval of this resolution
 21 prior to approval of new development order.
 22 Fourth condition: All future advertisements
 23 must state that the development is located in the City
 24 of Riviera Beach.
 25 The fifth condition: Once approved, this

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1 resolution shall supersede any previous site plan
 2 approvals, resolution, associated with this property,
 3 causing the previous site plan approvals, resolutions,
 4 to be null and void.
 5 This concludes my presentation. If you have any
 6 questions, feel free to ask.
 7 CHAIR McCOY: Members, any questions on the
 8 presentation?
 9 I have one question. Well, a couple of
 10 questions, Ms. Harper.
 11 Is there not an elevation or anything other than
 12 just the site plan?
 13 MS. HARPER: No, because everything is already
 14 existing. It's been existing for 30 years now.
 15 CHAIR McCOY: Okay. So as it stands -- and I
 16 couldn't understand this from the backup -- is there
 17 going to be a change in use? I'm sorry. Not a change
 18 in use. In zoning for the existing, I think the three
 19 parcels, D, E, F, that's utilities? Or is that going to
 20 stay?
 21 MS. HARPER: No change in zoning at all.
 22 All of it existed, the zoning is in place right
 23 now, the parcels are in place. Sort of giving us -- I'm
 24 going back to the previous, what we have on file right
 25 here. So if the applicant was to come through and do

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1 some -- say add a building, or canopies, it's hard to do
 2 from this. Okay?
 3 So FP&L met with staff, and we decided to bring
 4 them back through, clean everything up, bring what's
 5 actually approved out there, so when they come to pre-op
 6 meetings it's easy for staff to say, okay, yeah, you can
 7 add more canopy space, you have the number of parking
 8 spaces; so it's just easy for us to work with. So we're
 9 just trying to bring this before you, clean it up, and
 10 have up-to-date controlling documents on this parcel out
 11 there.
 12 And later, as the condition stated, that they're
 13 going to plat all six parcels.
 14 CHAIR McCOY: Okay. And the utilities, what
 15 exactly is that? Overhead utilities? Or is this like
 16 some sort of --
 17 MS. HARPER: Utilities is a district that we
 18 have.
 19 CHAIR McCOY: Right. But I'm asking, what's on
 20 D, E, and F right now? It's zoned for utilities. Is
 21 there any overhead utilities? Is there a, I guess a
 22 distribution, an electrical distribution center? How
 23 does that work?
 24 MS. HARPER: Right now what exists on the whole
 25 entire site is FP&L's distribution center.

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1 CHAIR McCOY: Okay. So I don't know what that
 2 means. So a distribution center in light industrial.
 3 I'm sure that there must be some sort of composition of
 4 what that is. But is that the same exact distribution
 5 center that's on the south side, that's in the area
 6 that's zoned as utilities?
 7 MS. HARPER: Okay. Could you hold that? And
 8 when the applicant comes up with her presentation she's
 9 going to go into details.
 10 But all of the site, each parcel is
 11 interconnected. Okay? So you might have some
 12 warehouses out here. You might have some fleet, you
 13 know, inventory, where they have their fleet building.
 14 Two months ago we came before the Planning and
 15 Zoning Board for the 3500 square foot new building
 16 coming out there, in-fleet building.
 17 So they've got several different type of uses.
 18 We have a recycling plant that's out there.
 19 So I don't know if I'm answering your question,
 20 Tradrick.
 21 CHAIR McCOY: That's good.
 22 MR. GAGNON: Chair, if I may add to that as
 23 well.
 24 I think that's real important that Ms. Harper
 25 brought up the previous site plan that went through the

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1 process. So when we met with FPL and agents for FPL
 2 previously for that building that has already gone
 3 through the approval process, we realized that our
 4 master document associated with the site was 20 years
 5 old. So part of our discussions at that point was
 6 really asking FPL if they would be willing to come in
 7 and update this document; so that way if there's any
 8 other future amendments to the site we have a current
 9 working document, which will make it much easier to work
 10 from both the staff perspective and from their
 11 perspective as well. So they were willing to come in
 12 and update this document.
 13 Again, that goes back to our initial
 14 conversations on that other development order.
 15 So that's how we get to this point. And we're
 16 really, you know, happy that FPL is willing to come
 17 through the process and update this document. So in the
 18 future if there are any other additions to the site,
 19 we'll have current information to work from.
 20 CHAIR McCOY: Okay. And let me just kind of
 21 clarify why I'm asking. I didn't see an elevation. So
 22 my first thing to do was to try to locate it on Google
 23 Maps so I can get a physical idea of where it's at. But
 24 it appears that Google Maps doesn't take you all the way
 25 down to the end of that road. Because, you know, I

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1 couldn't even tell if it was a private road, because it
 2 only -- Port Road would only allow me to go so far on
 3 Google Maps. So I couldn't exactly determine what was
 4 on that property without driving back there. So that's
 5 why I was asking.

6 MS. HARPER: Let me ask you -- you can get to it
 7 through Up the Grove Lane as well. But right here, if
 8 I'm going through this, there are utility lines on the
 9 property. Okay? You got physical utility lines going
 10 through parcel F.

11 And the applicant's presentation will show more
 12 detail.

13 CHAIR MCCOY: Okay. Any other members with
 14 questions of Mrs. Harper's presentation?

15 Hearing none, can we hear from the applicant?

16 Thank you, Ms. Harper.

17 MS. WALTER: Good evening, Chairman McCoy, board
 18 members.

19 Collene Walter, with Urban Design Kilday
 20 Studios, here on behalf of FP&L regarding their physical
 21 distribution center.

22 As Ms. Harper and Mr. Gagnon indicated, this is
 23 a facility that FPL has had in this location for
 24 approximately 40 years.

25 The site that's on the slide there, that is

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1 highlighted in yellow, are the six parcels that comprise
 2 the PDC. And these are all within the municipal limits
 3 of the City of Riviera Beach.

4 There are parcels to the south that are also
 5 owned and utilized by FPL, that are within the municipal
 6 limits of the City of West Palm Beach. And when we get
 7 to the old master plan, you will actually see both
 8 parcels within Riviera Beach and the City of West Palm
 9 Beach on that master plan.

10 Chairman McCoy, you were not at the August
 11 planning board meeting, so I can understand that this is
 12 somewhat new. At that meeting we actually came before
 13 the planning board for parcel A, which is the
 14 northernmost parcel of these six parcels. We received
 15 approval for a new in-fleet building that supports the
 16 commissioning activity that goes on here. And in
 17 conjunction with meeting with staff regarding getting a
 18 permit and a site plan review for that building, that
 19 was when it was identified that the records that the
 20 city had were over 20 years old; very difficult to read;
 21 not accurate as far as reflecting what all now exists on
 22 the site. And in working with city staff the in-fleet
 23 building was able to move through the process in advance
 24 of bringing a master plan through, so that we could
 25 essentially clean up the records and make it easier for

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1 all of us as we move forward on the site.

2 So that's a little bit of background as it
 3 relates to why we're before you this evening with a new
 4 master plan.

5 All of the activities that occur on this site
 6 support FPL and their public utility operations.

7 As Ms. Harper indicated, the northernmost
 8 parcels have a general industrial zoning designation.
 9 The southern parcels have a utility designation. FPL's
 10 facilities are classified by your code as a public
 11 utility. That actually is the use designation. That
 12 use designation is allowed in both the general
 13 industrial zoning designation and the utility
 14 designation. So the existing zoning designations on all
 15 of the parcels are consistent with the public utility
 16 use. And that is one of the reasons that we do not need
 17 to do a rezoning at this point in time, is because the
 18 use is allowed in both of those zoning districts and,
 19 again, has been in operation there for over 40 years.

20 There are the six parcels. And as Ms. Harper
 21 indicated, there is a condition of approval to come
 22 through and to file plats for these properties.

23 Although there are six parcels this essentially
 24 functions as one project. And so there will be two
 25 plats, one for the northernmost parcels and a second

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1 plan for the southernmost parcels.

2 Access to the site is from Military Trail and
 3 Port West Road. This western portion of Port West Road
 4 is a public right-of-way.

5 At one point in time, years back, Port Road did
 6 extend through the site when the property was owned by
 7 the Port. And the Port abandoned this section of Port
 8 West Road, and that allowed for the properties to be now
 9 contiguous, parcels A and B. The Port then, again,
 10 years ago, sold the property to FPL, and they've had
 11 their PDC facilities here since then. But as -- all of
 12 these properties are secured, as they would need to be,
 13 for any public utility, to make sure. So there is a
 14 guardhouse that is located here. There is a cul-de-sac
 15 at the end of Port West Road; so if somebody does get to
 16 the end of the road, there is the opportunity to turn
 17 around and head back west.

18 Ms. Harper spoke to you about the old master
 19 plan. And as I mentioned, it also includes these
 20 parcels that are in the City of West Palm Beach. So
 21 what is proposed with the master plan that we have
 22 before you tonight is to clean that up.

23 This master plan shows only those properties
 24 that are within the municipal limits of the City of
 25 Riviera Beach. It reflects all of the existing

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1 conditions. FPL had an as-built survey done earlier
 2 this year so that the master plan could be based on and
 3 represent existing conditions; and this becomes the
 4 baseline for any future expansions moving forward with
 5 the project.
 6 Kind of walking you through the site, the parcel
 7 A, which was before you in August for the new fleet
 8 building, that was added here. That primarily serves as
 9 commissioning of new vehicles for FPL; and also for
 10 inventory and storage of substation equipment, so that
 11 it is readily available in the event there has to be any
 12 repair or maintenance done at substation facilities. So
 13 the commissioning occurs on the western side. The
 14 storage and inventory occurs on the eastern side.
 15 The B buildings are primarily used for warehouse
 16 operations for FPL. This is storage of equipment and
 17 materials that has to be done within an enclosed
 18 building.
 19 There also is building B2, located here, which
 20 serves as an emergency operations center.
 21 These buildings, which are A, C, C1, E, F, and
 22 K, have to do with the resource recovery operations that
 23 occur on the site. Anything that is damaged, that comes
 24 in from a substation or one of FPL's other facilities,
 25 depending on what it is, they go to these buildings;

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1 it's determined whether it can be repaired or whether
 2 it's, you know, reached the end of its life span. And
 3 in that case anything that can be recovered or recycled
 4 is, and then is transported off the site. So those
 5 operations occur in these two areas.
 6 What is proposed as part of the master plan are
 7 two new canopies that will support this resource
 8 recovery. And those are shown here in the yellow.
 9 They're not buildings, but they're just going to be
 10 covered work areas for weather protection for the
 11 employees.
 12 Building G is where the FPL vehicles are
 13 repaired and maintained. It is primarily an automotive
 14 center. However, it also does have a component of
 15 administrative offices on the north end of the building.
 16 And building D serves as corporate records
 17 storage.
 18 The balance of the site, north of the canal, is
 19 mainly used for lay down yards for exterior storage of
 20 equipment and other vehicles for service and repair,
 21 light poles, things like that.
 22 The parcels that are on the south side of the
 23 canal, there is a large overhead transmission corridor
 24 that runs along the entire tail of the property -- which
 25 I'll show you on the next slide -- as well as through

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1 here, and then cuts down through the southwest corner of
 2 the site.
 3 So there is the overhead utility with a series
 4 of overhead lines.
 5 The property underneath those overhead lines is
 6 used for storage of equipment in vehicles primarily
 7 during hurricane season, so that it is at the ready and
 8 ready to respond if need be. Fortunately for us this
 9 week. But do feel sorry for those in the Panhandle;
 10 and, you know, FPL is on the way up there.
 11 The tail of the site -- which just would not fit
 12 on the site plan -- is currently utilized as a mulching
 13 area. FPL contracts with landscape contractors to do
 14 clearing of trees and shrubs that are underneath utility
 15 lines or around their facilities. That brush is brought
 16 back here and mulched.
 17 There is an existing parking lot that years back
 18 FPL entered into a leasing agreement with one of the
 19 tenants in West Palm Beach. But, again, the overhead
 20 utility lines extend through this entire tail of the
 21 site.
 22 Approval of this master plan will create an
 23 accurate document that both FPL and the City can utilize
 24 moving forward.
 25 As part of the master plan application, if it

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1 has been confirmed that all city services exist to
 2 support the existing facilities, the site does comply
 3 with parking requirements with the minimum pervious
 4 area.
 5 And we would respectfully request your
 6 consideration of approval for this master plan.
 7 A representative from FPL is here, and we'd be
 8 happy to answer any questions that you may have.
 9 Hopefully we've addressed some of the ones that you had
 10 earlier for Ms. Harper.
 11 Thank you very much.
 12 CHAIR McCOY: Thank you, Ms. Walter.
 13 Any members have a question on the presentation?
 14 BOARD MEMBER BURGESS: I did have some
 15 questions, but like Ms. Walter just said, they were
 16 answered during her presentation. And also from this
 17 document that they submitted was pretty comprehensive,
 18 in our packet; it was submitted September 12th.
 19 So, thank you.
 20 CHAIR McCOY: Any other members?
 21 Hearing none, I have a few questions.
 22 So my first question relates to one of the
 23 recommendations that speaks of the landscape that needs
 24 to be replaced. Do you have something up there that
 25 would give us a description of what exactly that area

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1 is?

2 And then before you go back, let me also point

3 to -- I want to also find out about the swale that you

4 guys acknowledge that it's prohibited to park in there.

5 Can you point to that as well?

6 MS. WALTER: Sure can.

7 In working -- I'll start with the landscape. In

8 working with staff, the intention of the condition is

9 that as any new improvements come in, just as was done

10 when we brought in the in-fleet building on parcel A,

11 the affected area will replace any missing landscape;

12 and all new landscape will comply with code.

13 As part of the master plan we did submit an

14 overall landscape plan that reflects existing

15 conditions. Again, to recreate a baseline. And then as

16 any new building comes in, that affected area will be

17 reviewed and landscaping addressed.

18 And, again, on parcel A we did a little bit of

19 the cart before the horse, but that was the -- if you

20 remember it -- unfortunately I do not have that slide

21 with me. But in that case the affected area where the

22 new building is, where the new parking was proposed, and

23 the buffer along Port West Road, was all brought up to

24 current code, and any missing landscape material

25 replaced.

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1 CHAIR McCOY: So it's not anything on here that

2 you can show us? Because I was looking for something

3 that was going to depict -- I think it referenced dead

4 and missing landscape materials. So there's nowhere

5 that you can really point to on this aerial?

6 MS. WALTER: That is correct. That would be as

7 each affected area or each new improvement comes in,

8 that's where it will be analyzed and reviewed.

9 MS. HARPER: Let me just answer your question.

10 Excuse me, Collene. But the reason why we put the

11 condition there is, it's no new construction on this

12 master plan, everything is existing. But down the line,

13 say if we had a code enforcement issue, where FP&L just

14 let some landscaping that's already there die out, we

15 wanted to put it in there to say, okay, we have this

16 condition, your landscaping is dead, so we need you to

17 replace it. Like on other approvals, like in the first

18 parcel A, we had a landscaping -- our standard

19 landscaping condition is 100 percent you got to put a

20 bond. But in this case they're not putting a building

21 so it won't trigger anything.

22 CHAIR McCOY: Okay. So I don't get confused,

23 and I want to stop you right there. We're putting a

24 condition on what may potentially happen in the future,

25 that is not even existing right now, is what you're

Page 23

1 saying?

2 MS. HARPER: Well, we're just covering ourself

3 as the city.

4 CHAIR McCOY: That's premature. And I think

5 it's a little bit overreaching. Because you're asking

6 me and all of the membership to make a recommendation to

7 council about dead landscaping, when we haven't seen it;

8 and from what you just said that may potentially occur

9 in the future. That's the first part.

10 So I just don't understand exactly, because --

11 MR. GAGNON: So to try to clarify further,

12 within the backup material, I think it might be part of

13 the staff's presentation, but there's two landscape

14 sheets that are provided. And on those landscape sheets

15 it identifies existing plant material. So if it was

16 brand new development you'd have a landscape bond at our

17 disposal to replace any missing or dead or dying

18 material, as required by the code.

19 So what this condition simply does is the

20 existing landscaping that's identified on those plans,

21 if it were to expire for whatever reason, staff has the

22 ability to go back and say that this condition of

23 approval was placed on the plan, so any identified

24 landscape material needs to be maintained in perpetuity

25 on site.

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1 CHAIR McCOY: Okay. But wouldn't that be

2 handled from a code enforcement perspective, as opposed

3 to a condition now? Because you said if it was to

4 expire. What exactly would expire? The landscape, you

5 mean?

6 MR. GAGNON: Right. So if there were trees that

7 were identified on the landscape plan right now, that's

8 in the backup material, if those trees were to -- let's

9 say get struck by lightning, a tree gets struck by

10 lightning and it needs to be replaced, our code section,

11 our landscape code, has a different mechanism in place

12 to help ensure that the landscaping is maintained in

13 perpetuity. And part of that is requiring a landscape

14 bond. Because there's no new construction proposed

15 here, staff doesn't want to require landscape bonds. So

16 this is our, I guess, in between condition that protects

17 the existing landscaping as far as maintaining it in

18 perpetuity, but not going as far as requiring a

19 landscape bond to the applicant.

20 CHAIR McCOY: Okay. That -- I've never heard or

21 encountered that in my time here, so I guess that's new.

22 But I heard Ms. Walter reference that when they

23 do build another building, or potentially may build a

24 building, that will come back here, am I right?

25 MR. GAGNON: Yes.

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1 CHAIR McCOY: So I guess for all intents and
 2 purposes the landscape bond wouldn't -- I'm sorry. The
 3 landscape requirement wouldn't suffice for some new
 4 construction that may occur on the master plan, right?
 5 MR. GAGNON: So what's great about the master
 6 plan is that this will function as our baseline. So
 7 this is our template to work from. So any new proposals
 8 that we receive will go through the typical site plan
 9 process; it will come before Planning and Zoning Board
 10 and City Council. And with that it will identify the
 11 impacted area on the master site plan. And being that
 12 it's new development, we can ask the developer to
 13 provide us with our typical conditions of approval,
 14 which would be our landscape bond as well.
 15 So as the site progresses, and as redevelopment
 16 occurs on the site, what this does is, again, it sets
 17 the framework to really work from staff perspective and
 18 FPL's perspective, and really the board's perspective.
 19 So we have an expectation of what is there, and we know
 20 what can be built. And as those new proposals come in,
 21 they'll go through the typical process and use this as
 22 the starting point.
 23 CHAIR McCOY: Okay. Now, is that requirement
 24 about the landscaping exclusive to this being a master
 25 plan? Or is it for existing, I guess existing site

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1 plans that's having some sort of, I guess, threshold
 2 improvements?
 3 MR. GAGNON: I think your assessment is correct
 4 in that it is a somewhat unique condition, being that
 5 it's a master site plan, it's not a new site plan. So
 6 this specific language hasn't been brought before the
 7 Planning and Zoning Board previously.
 8 But in this situation, because we're not asking
 9 for a landscape bond, we wanted to ensure that we can
 10 protect the material that's on site and also recognize
 11 it as far as what is currently existing.
 12 So it is -- it's somewhat unique, as far as not
 13 really providing that to the board previously for other
 14 projects. But, really, this is a very unique project
 15 itself, so I think the condition is -- it's suitable
 16 based on the uniqueness of the project.
 17 CHAIR McCOY: Okay. Well, thank you for
 18 explaining that. I certainly trust you guys are the
 19 subject matter experts. But that just was new to me.
 20 I have a couple other questions regarding the
 21 first use you mentioned that you guys use out there,
 22 Ms. Walter. I think you called it a commissioning of
 23 new vehicles. Is that correct?
 24 MS. WALTER: Yes.
 25 CHAIR McCOY: So what exactly does that mean?

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1 Is that where you guys intake all your vehicles and
 2 purchases and that's where they start out at?
 3 MS. WALTER: That is correct. The western
 4 portion of parcel A here, that is where FPL brings in
 5 their new fleet vehicles. They get logged in, and
 6 primarily various stickers are added to the vehicles.
 7 They are temporarily stored here. And then they are
 8 moved essentially off site to the various respective
 9 employees or to locations.
 10 And so when we were here in August, currently
 11 that commissioning occurs under an open air structure,
 12 located right here on the north side of the cul-de-sac.
 13 And what was approved in August is a 3500 square foot
 14 building where that commission will occur, and the
 15 existing open air structure will be removed.
 16 CHAIR McCOY: Okay. And on this same point
 17 regarding commissioning of vehicles. Is this for the
 18 South Florida region? Is this for all across the state?
 19 Like these vehicles that are commissioned there, where
 20 exactly are they then --
 21 MS. WALTER: Do you know how far reaching it is?
 22 The whole state.
 23 CHAIR McCOY: The whole state. Okay.
 24 Interesting.
 25 Well, I'm glad to know that we have that in our

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1 city. Because if I understand the code correctly, you
 2 know, certain industries have to pay a business tax
 3 receipt for the number of vehicles that they have; and I
 4 would imagine that that's quite a bit that FPL has in
 5 their fleet; and hopefully that's reflected in the
 6 amount of business tax revenue that we receive in the
 7 city.
 8 So those are my questions I have.
 9 But I just wanted to ask, and you don't have to
 10 go back, so the swale, is that that certain cul-de-sac
 11 right in the middle, that's referenced in the
 12 recommendation?
 13 MS. WALTER: The swale is the area that runs on
 14 the north side of Port West Road along the site's
 15 frontage right here, and including that cul-de-sac.
 16 So FPL will essentially maintain from the edge
 17 of pavement to their property line, as well as then
 18 their landscape buffer. And will not park there.
 19 CHAIR McCOY: Thank you.
 20 Any other members?
 21 BOARD MEMBER SHEPHERD: Yes. You said you were
 22 here in August?
 23 MS. WALTER: Yes.
 24 BOARD MEMBER SHEPHERD: I remember you well.
 25 And I think the Port does -- FP&L does a great job,

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1 there and the one over on -- is it Blue Heron?
 2 MS. WALTER: Yes.
 3 BOARD MEMBER SHEPHERD: Broadway. Broadway.
 4 MS. WALTER: Broadway, yes.
 5 BOARD MEMBER SHEPHERD: And, you know, it's just
 6 gracious to have FP&L in our city, especially with the
 7 storms coming, I know that you're here to protect us.
 8 And if nothing else, I understand your presentation; and
 9 I thank you for coming and being a part of this. Thank
 10 you.
 11 MS. WALTER: Well, thank you.
 12 CHAIR McCOY: Any other members? Questions of
 13 Ms. Walter?
 14 Hearing none, is there a motion on this item?
 15 BOARD MEMBER BURGESS: So moved.
 16 ALTERNATE BOARD MEMBER BROWN: Second.
 17 CHAIR McCOY: Thank you.
 18 That was a motion by Mrs. Burgess and a second
 19 by Mr. Brown.
 20 Ms. Davidson, roll call.
 21 STAFF ASSISTANT DAVIDSON: Rena Burgess.
 22 BOARD MEMBER BURGESS: Yes.
 23 STAFF ASSISTANT DAVIDSON: Margaret Shepherd.
 24 BOARD MEMBER SHEPHERD: Yes.
 25 STAFF ASSISTANT DAVIDSON: James Gallon.

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1 BOARD MEMBER GALLON: Yes.
 2 STAFF ASSISTANT DAVIDSON: Jon Gustafson.
 3 BOARD MEMBER GUSTAFSON: Yes.
 4 STAFF ASSISTANT DAVIDSON: Anthony Brown.
 5 ALTERNATE BOARD MEMBER BROWN: Yes.
 6 STAFF ASSISTANT DAVIDSON: Tradrick McCoy.
 7 CHAIR McCOY: Yes.
 8 STAFF ASSISTANT DAVIDSON: Unanimous vote.
 9 MS. WALTER: Thank you very much for your
 10 consideration.
 11 BOARD MEMBER SHEPHERD: Thank you.
 12 CHAIR McCOY: Letter B, Mr. Gagnon.
 13 MR. GAGNON: Thank you, Chair.
 14 Letter B, which is also connected to sister item
 15 letter C. We'll go one at a time though.
 16 B is a resolution of the City Council of the
 17 City of Riviera Beach, Palm Beach County, Florida,
 18 approving site plan application (SP-18-08) for a
 19 contractor storage yard and accessory office use,
 20 located at 501 Avenue S, also know as Sam Cooper Way,
 21 associated with parcel control numbers
 22 56-43-42-32-25-001-0000; and also
 23 56-43-42-32-20-001-0020, having industrial future land
 24 use designation and a general industrial (IG) zoning
 25 designation; and providing for an effective date.

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1 At this time I'd like to ask Mr. Josue Leger,
 2 our senior planner and GS specialist to provide a power
 3 point presentation to the board and general public.
 4 MR. LEGER: Thank you, Jeff.
 5 Good evening, Board Members, Chair.
 6 Once again, Josue Leger, with the Planning and
 7 Zoning Department Services.
 8 The applicant is requesting approval for a
 9 contractor's storage yard.
 10 BOARD MEMBER SHEPHERD: Could you speak in the
 11 mic, please, sir?
 12 MR. LEGER: Sorry.
 13 Is this better?
 14 BOARD MEMBER SHEPHERD: Yes, sir.
 15 MR. LEGER: As Jeff stated on the record
 16 already, the applicant is requesting a contractor's
 17 storage yard for the currently existing Cemex property.
 18 The property is located west of President Barack
 19 Obama Highway, east of 95.
 20 Currently there are two parcels that makes up
 21 this property. The future land use is industrial.
 22 Zoning is IG, which is general industrial district.
 23 So you got two PCNs that makes up the property.
 24 The first one identified on the power point. And the
 25 second one.

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1 And of course the applicant is proposing to
 2 reconfigure the parcel. And of course as Jeff mentioned
 3 earlier, there is a concurrent plat review, which will
 4 be presented later.
 5 This is the proposed site plan. So you have an
 6 affected area and an existing area. So within this
 7 development you have existing areas to the east of the
 8 property, which is about 2.06 acres; and the affected
 9 area, it's about 3.14 acreage.
 10 This is the landscape plan that the applicant
 11 provided. Of course the affected area is the only area
 12 that they're proposing to -- new landscaping and
 13 anything that exists.
 14 So on the presentation, as you can see, the
 15 darker gray is the existing area of the property. And
 16 of course the lighter, the more legible portion of the
 17 slide, it's the affected area.
 18 So the applicant is proposing new landscaping
 19 within the affected area; and all existing landscaping
 20 will remain within the existing area.
 21 This is an elevation of the proposed 2100 square
 22 feet building on the property.
 23 Staff recommends approval of the second
 24 application, with the following conditions. The first
 25 six conditions are typically normal conditions. Seven