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

LOCAL PLANNING AGENCY
Development Services Department: (561)845-4060, www.rivierabeach.org

VIA COMMUNICATION MEDIA TECHNOLOGY ONLINE

Commencement – 6:30 PM
Thursday, May 28, 2020

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

Due to COVID-19, this meeting will occur in a digital format available at www.rivierabeach.org. If you wish to comment on any item(s) on this agenda, please submit an email to City staff (JGagnon@RivieraBeach.org), with "Public Comment" in the subject line, to be read in the record.

I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

II. ROLL CALL

Rena Burgess, Chairperson
Jon Gustafson, Vice-Chair
James Gallon, Board Member
Margaret Shepherd, Board Member
Anthony Brown, Board Member
Stephen Hunt, Board Member
William Wyly, Board Member
Evelyn Harris Clark, 1st Alternate
Moeti Ncube, 2nd Alternate

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 – February 27, 2020.

VII. UNFINISHED BUSINESS – None.

VIII. NEW BUSINESS

IX. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CITY'S CODE OF ORDINANCES ENTITLED, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", BY CREATING A NEW ZONING DISTRICT ENTITLED, "SP SPECIAL PRESERVATION DISTRICT", COINCIDING WITH THE CITY'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT FOR SPECIAL PRESERVATION AREAS; AND AMENDING CHAPTER 31, ARTICLE V, DIVISION 1, "GENERALLY", SECTION 31-96, "DESIGNATION OF DISTRICTS", BY ADDING REFERENCE TO THE "SP SPECIAL PRESERVATION DISTRICT"; AND AMENDING CHAPTER 31, ARTICLE V, DIVISION 1, "GENERALLY", SECTION 31-97, "OFFICIAL ZONING MAP AND ZONING DISTRICT BOUNDARIES", BY AMENDING THE CITY'S ZONING MAP BY ASSIGNING A SPECIAL PRESERVATION ZONING DISTRICT DESIGNATION TO ANY AND ALL LAND AREA CURRENTLY HAVING A SPECIAL PRESERVATION FUTURE LAND USE DESIGNATION ACCORDING TO THE CITY'S COMPREHENSIVE PLAN AND FUTURE LAND USE MAP, IN ORDER TO PROVIDE CONSISTENCY BETWEEN THE CITY'S FUTURE LAND USE MAP AND ZONING MAP, WHICH WILL IMPACT REAL PROPERTY OR PORTIONS THEREOF, LOCATED NORTH OF PINE POINT ROAD AND WEST OF NORTH OCEAN DRIVE IN THE CITY OF RIVIERA BEACH; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

X. 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 – June 11 / June 25, 2020.

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.rivierabeach.org.

CITY OF RIVIERA BEACH
PLANNING AND ZONING BOARD

Thursday, February 27, 2020

Council Chambers
600 West Blue Heron Boulevard
Riviera Beach, Florida

6:37 p.m. - 8:36 p.m.

IN ATTENDANCE:

Rena Burgess, Chair
Jon Gustafson, Vice Chair
Anthony Brown, Board Member
James Gallon, Board Member
Stephen Hunt, Board Member
Margaret Shepherd, Board Member
William Wyly, Board Member
Evelyn Harris Clark, 1st Alternate
Moeti Ncube, 2nd Alternate
Jeff Gagnon, Acting Director of Development Services
Lina F. Busby, Assistant City Attorney
Simone Davidson, Planner
Josue Leger, Senior Planner/GIS Specialist

BE IT REMEMBERED that the following Planning and Zoning Board meeting was had at Riviera Beach City Hall Council Chambers, 600 West Blue Heron Boulevard, Riviera Beach, Florida, on Thursday, February 27, 2020, beginning at 6:37 p.m., with attendees as hereinabove noted, to wit:

CHAIR BURGESS: Good evening. Time is now 6:37. Calling the meeting to order. We'll begin with a moment of silence, followed by the Pledge of Allegiance.

(Moment of silence observed. Pledge of Allegiance recited.)

CHAIR BURGESS: Roll call.

MS. DAVIDSON: Margaret Shepherd.

MS. SHEPHERD: Present.

MS. DAVIDSON: William Wyly.

MR. WYLY: Present.

MS. DAVIDSON: Stephen Hunt.

MR. HUNT: Present.

MS. DAVIDSON: James Gallon.

MR. GALLON: Here.

MS. DAVIDSON: Anthony Brown.

MR. BROWN: Present.

MS. DAVIDSON: Evelyn Harris Clark.

MS. CLARK: Here.

MS. DAVIDSON: Moeti Ncube.

MR. NCUBE: Present.

MS. DAVIDSON: Jon Gustafson.

VICE CHAIR GUSTAFSON: Here.

MS. DAVIDSON: Rena Burgess.

CHAIR BURGESS: Here.

MS. DAVIDSON: You have a quorum.

CHAIR BURGESS: Thank you.

Item III, acknowledgment of Board member absence notification.

MR. GAGNON: Thank you, Madam Chair. Jeff Gagnon, Acting Director of Development Services.

Everyone is with us tonight.

CHAIR BURGESS: All right, thank you. On to item IV, additions and deletions to the agenda.

MR. GAGNON: Thank you. I wanted to bring up the fact that we have four Board members who have terms that are expiring in April. That is Ms. Burgess, Mr. Gallon, Mr. Brown and Mr. Gustafson. Staff has been in contact with all four of those members and all have expressed a desire for another three year term, so that agenda item will be provided to the City Council probably towards the end of next month. So hopefully we'll have continued consistency throughout our Board.

The other item I wanted to mention is within our workshop item, I just wanted to briefly discuss the City's Comprehensive Plan and current status. So just maybe as an intro to the workshop item, I'll spend a few minutes to discuss that as well.

CHAIR BURGESS: All right, thank you.

Item V, disclosure by Board members and then adoption of the agenda. Are there any disclosures? Seeing none, is there a motion to adopt the agenda?

MR. GALLON: So moved.

MR. HUNT: I second.

CHAIR BURGESS: Roll call.

MS. DAVIDSON: Margaret Shepherd.

MS. SHEPHERD: Yes.

MS. DAVIDSON: William Wyly.

MR. WYLY: Yes.

MS. DAVIDSON: Stephen Hunt.

MR. HUNT: Yes.

MS. DAVIDSON: James Gallon.

MR. GALLON: Yes.

MS. DAVIDSON: Anthony Brown.

MR. BROWN: Yes.

MS. DAVIDSON: Jon Gustafson.

VICE CHAIR GUSTAFSON: Yes.

MS. DAVIDSON: Rena Burgess.

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CHAIR BURGESS: Yes.
MS. DAVIDSON: Unanimous vote.
CHAIR BURGESS: Item VI, approval of the minutes from the February 13th, 2020 meeting.
MR. GALLON: So moved.
MR. HUNT: I second.
CHAIR BURGESS: Roll call.
MS. DAVIDSON: Margaret Shepherd.
MS. SHEPHERD: Yes.
MS. DAVIDSON: William Wyly.
MR. WYLY: Yes.
MS. DAVIDSON: Stephen Hunt.
MR. HUNT: Yes.
MS. DAVIDSON: James Gallon.
MR. GALLON: Yes.
MS. DAVIDSON: Anthony Brown.
MR. BROWN: Yes.
MS. DAVIDSON: Jon Gustafson.
VICE CHAIR GUSTAFSON: Yes.
MS. DAVIDSON: Rena Burgess.
CHAIR BURGESS: Yes.
MS. DAVIDSON: Unanimous vote.
CHAIR BURGESS: Seeing that there is no unfinished business, we'll move on to item VIII, new business.

MR. GAGNON: Thank you, Madam Chair.
We have one item under new business for your consideration tonight. That is a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida approving an application, SP-19-27, from Blue Lagoon Plaza, LLC, requesting site plan approval to construct a new commercial building, approximately 3,840 square feet in area, on approximately 0.41 acre of vacant land located at 200 West Blue Heron Boulevard, northwest of and adjacent to the intersection of West Blue Heron Boulevard and Avenue F, identified by parcel control number 56-43-42-28-04-006-0220, having a downtown mixed use future land use designation and a downtown general, DG zoning designation, providing for conditions of approval and providing for an effective date.
At this time I'd like to ask Mr. Josue Leger, our Senior Planner and GIS Specialist, to provide the Board and public with a presentation. Also of note, the development team is present, as well as Mr. Scott Evans, the Executive Director of our CRA. Thank you.
MR. LEGER: Good afternoon, Madam Chair, Board members. Josue Leger, Development Services, for the record.
As Jeff mentioned earlier, the item before

you is the request for the construction of a new commercial building, approximately 3,840 square feet in area, on approximately 0.41 acre of vacant land located at 200 West Blue Heron Boulevard, northwest of and adjacent to the intersection of West Blue Heron Boulevard and Avenue F. The postal address for the subject property is 200 West Blue Heron Boulevard.
This is to give you a brief description on the location of where the property is located as it relates to our main arterial roads. So you have Broadway to the east and President Barack Obama Highway to the west.
And this is a close-up of the area to kind of show you the northwest intersection of West Blue Heron Boulevard and Avenue F. The property has a land use designation of downtown mixed use, a zoning designation downtown general, and as mentioned before, lot size, 0.41 acres.
This is the proposed site plan. The building gross floor area is approximately 3,840 square feet. The applicant is intending to propose a restaurant, approximately 2,208 square feet for the restaurant, and you will have two remaining bays which will each have approximately 816 square feet for each retail and office space.

The applicant is proposing monument signs along Blue Heron Boulevard, and of course, dumpster enclosures provided to the north of the property here. The code requires for the applicant to provide a six foot high wall at the north and west property line, as shown on the site plan, and the applicant is proposing access to be along Avenue F at the northeast corner of the property as shown with the red arrows.
This is the proposed elevations. Of course, maximum height as proposed is 25 feet. The east and the north elevation, and this is the west and the south elevation. Same elevations proposed, 25 feet high.
This is the proposed landscape plan, for the record.
City staff recommends that the Planning and Zoning Board recommend site plan approval to the City Council with the following conditions. These are our boilerplates, six standard conditions. I'll briefly go through them for the record.
Condition number one, a two year landscaping performance bond for 110 percent of the value of the landscaping and irrigation shall be required before Certificate of Occupancy is issued for the site.
Construction and landscaping improvement must be initiated within 18 months of the effective date of

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this resolution, in accordance with Section 31-16(b) of the City Code of Ordinances. Demolition, site preparation and all 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.

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 five percent from the original approved site plan.

This development must receive final Certificate of Occupancy from the City of all buildings and/or units approved within five years of the approval of the adopting resolution or the adopting resolution shall be considered null and void, requiring the applicant to resubmit application for site plan and special exception approval and reinitiate the site plan approval process.

All future advertising must state that the development is located in the City of Riviera Beach. Fees and penalties in accordance with City Code Section 31-554 will be levied against the property owner and/or business for violations of this condition.

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.

And additionally, we do have three additional conditions, which is condition number seven, the applicant shall consult with the City of Riviera Beach Police Department in order to incorporate one or more internet protocol IP cameras within the site design for RBPD use.

Condition number eight: The final east and west building elevations, specifically areas visible from adjacent roadways, must utilize consistent architectural treatments with the south elevations fronting West Blue Heron Boulevard, including but not limited to the following colors, expression lines, cornices, light fixtures and decorative façade treatments.

Condition number nine: Prior to the issuance of a City Certificate of Occupancy, a sufficient plat application to replat the three existing lots of record must be submitted to the City's Planning and Zoning Division for processing.

And this concludes my presentation. If the Board has any questions, I'll be glad to answer. If not, I'll be glad to pass it over to the development

team, which I believe also has a presentation.

CHAIR BURGESS: Thank you.

Are there any questions from the Board at this time?

MR. HUNT: I do have one.

CHAIR BURGESS: Go ahead; you're acknowledged, Mr. Hunt.

MR. HUNT: Yes, in the process of announcing the property and things of that sort, were there any objections or concerns expressed by any of the residents nearby as part of that formal announcement process?

MR. GAGNON: That's a good question, Mr. Hunt. From the City's perspective, we haven't received any feedback for or against the project, but I believe the development team, in particular Mr. Skyers, was present during the last Planning and Zoning Board meeting, and he can describe some of the information that he can --

MR. HUNT: That's fine.

MR. GAGNON: -- or has obtained from the local property owners and community in regards to the project during his presentation.

MR. HUNT: Okay, but you received no --

MR. LEGER: No objections.

MR. HUNT: -- at all. All right, thank you.

CHAIR BURGESS: Are there any other questions from the Board at this time for staff before we let the applicant come forward?

Okay, applicant, you're free to come forward.

MR. SKYERS: I don't know how to use this even if you hit me in the head with it. Oh, that's what that means? High tech.

Good evening, Madam Chair. My name is Paul Skyers. I'm the head of the development team. I report directly to Scott Evans from the Riviera Beach CRA. I'm actually a consultant with the CRA assigned to this project to do two things, bring the project to fruition through predevelopment, and then subsequently oversee the construction phase of the project. With me are my two development team members, Greg Buckle and Hugh Anglin, the architect of record on the project.

UNIDENTIFIED SPEAKER: Engineer.

MR. SKYERS: I would like to start with giving you just a brief background on the project, and then we can get into some of the specifics, including the issues that Mr. Hunt inquired about a while ago.

So some four years ago, well, four and a half years ago, we had a discussion with the CRA about relocating Tony's Subs, which is a local restauranteur

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that's based on Avenue E and 20th -- 21st Street, I'm sorry, here in Riviera Beach.

And within the discussion came the opportunity to look at this site, which is on the corner of Avenue E -- sorry -- Avenue F and Blue Heron Boulevard as a potential destination. At that time we were concerned because the site was so small, and we had to make it economically viable for the restaurant to sustain itself.

And in that effort, we went through a predevelopment phase which allowed us to define a three bay plaza that would enable Tony's Subs to locate there, and two other micro businesses that were small in nature and perhaps offered office type or had a need for office type facilities or retail type facilities in that location.

And we at that point thought that this thing was going to sail right through and that we would be done in a year. Then after doing the site plan assessment, doing a feasible analysis, a soil analysis, a traffic study, here we are four years later.

So I will walk you through our goals, and then you can determine if this is what the City is expecting. The one thing that Scott charged us, what Mr. Evans charged us with was creating a property, a

project that would have enough curb appeal and enough of an example for the rest of the businesses along Blue Heron Boulevard and along Broadway to model their redevelopment efforts off of.

He wanted it to be a signature project, and as such, he stepped up to the tape, so to speak, and asked his Redevelopment Board, the Commissioners, to sign a Properties of Distinction grant to the project as an incentive to achieve those goals.

We modeled the project off of a plaza that's on Northlake Boulevard, the Bulday Plaza (phonetic). That's just immediately east of I-95 on the north side of Northlake Boulevard.

Within the goals that the CRA outlined for the project were, one, to facilitate economic revitalization of dormant real estate. That parcel had been sitting for, as best as I remember, it's six years before considering a project that could bring any kind of economic value to it.

Secondly, to serve as a model project, like I just mentioned, for small scale redevelopment along the corridor, to increase the inventory of available modern commercial space within the revitalization area, and to stem the severe impact of retail leakage. And by that, I mean that many of us who reside here in the city shop

elsewhere. We go up to Northlake Boulevard, we travel to Congress, up to Walmart. A lot of the retail dollars that should be spent here in this city are leaving. So we're trying to reverse that trend.

And then finally, to generate tax revenues. This is a tax positive project. This isn't wealthy or social wealthy or anything like that. These people are being taxed through the teeth, but then by the same token, they're bringing a value to the community, and then hopefully through the entrepreneur process, a value to themselves. So the final goal here was to increase tax revenue currently being lost from the dormant real estate parcel.

At the time when we took the property over, the City was paying money to have the property treated and sprayed and maintained and dealing with vagrancy issues associated with Blue Heron Boulevard. We want to reverse a lot of that and transform that area into something that will set an example for future entrepreneurs along the corridor.

As we looked at the economic benefits, we started to do an evaluation based on metrics as we envisioned the project. We envisioned that with the three bays that are there, the large one for the restaurant -- and he's been there some 22 years, Tony's

Subs. I've had dinner there. They got great chicken. If you like chicken, that's the place to go get chicken. I like the chicken. And then two other rental spaces.

So far, we've gotten interest from hair salons and real estate agents and insurance agents. There was one bond -- a bail bondsman and a few other entities, but we haven't signed anybody to intent to lease just yet. We're reviewing all of those options.

We anticipate that we will generate some $336,000 in annual wages, and that's on the conservative side. We also anticipate that from the construction jobs, we'll spend $440,000 with the construction company. That's a company called HBR Construction. It's a local company that does work with the CRA in terms of housing developments, I think, currently.

And we also anticipate that -- again, tax positive -- that this site will generate roughly $14,000 in ad valorem taxes. We anticipate that collectively speaking, across the three bays we'll generate some $80,000 in annual sales tax and $600 in business and compliance fees. $1,000 goes to the City through its consumption of electricity.

And roughly speaking, across the three bays

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we'll generate some $1.4 million in GDP, in gross domestic product. I must say that when you look at gross domestic product in terms of microeconomics, looking at micro ventures, we're really talking about gross profit. So you if were to look specifically at those businesses, the top line revenue that they generated, you take away the cost of sales or cost of goods sold, that net profit, that net gross profit figure is what we characterize as gross domestic product. And we focus primarily on direct impact, in other words, sales coming through the door, and of course, sales through the internet for those businesses.

We also looked at the induced gross domestic product, which is customers spending money with that business, doing stuff like catering, and with the other businesses doing, if the tour operator gets in there, doing tours that would go over to the Bahamas. All of that revenue then would be induced revenue.

What we didn't consider for this exercise of what's considered nationally is indirect, indirect impact. And that would be investment in capital equipment. Like for instance, in a restaurant situation, they're going to be buying air conditioning units, a hood system, a lot of cooking equipment. None

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of the capital expenditures were considered in this. We tried to be as conservative as possible in terms of looking at the economic impact.

And then finally, we viewed the 90 percent reduction in vagrancy, without giving it a value and a metric as being something significant to the City.

I mentioned the tenants earlier. We have the anchor tenant. That's a -- he's in place. His name is George Steel, Tony's Subs. He's been a restauranteur here in the city for 22 plus years, hopes to do another 22.

And the prospective tenants, we are not allowed to reveal her identity because she's currently located at a different location with a partner, and that situation needs to be worked out before she can sign an intent to lease, but she's willing to pay above the rate that we asked. We're asking $20 a square foot. She's willing to pay above that for the space.

And then the third bay, we're working on two separate companies, a small realtor and a small insurance agency and one orthodontist who looks at this market as a growth market for his business. So we'll have more details as we proceed through this exercise with you, and we'll be able to reveal those identities at a subsequent date.

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Now, the question that Board Member Hunt asked a while ago and asked that specifically of Jeff was what kinds of feedback did we get from the neighbors surrounding the property. And you have to envision the property as being surrounded by neighbors to the north, south, east and west.

The ones to the north are immediately impacted by this project. They're next door neighbors to this project, so they had issues with the City mandated codes that deal with the height of the wall. The City restricts the height of the wall to six feet. They would like an eight foot wall.

And you know, and what the City explained to us is that our industrial construction allows for an eight foot; our commercial doesn't. So, you know, I explained to those residents that it would be a tricky situation. But they were supposed to show up tonight -- oh, perfect -- to express their concerns with regards to that.

And then those same residents also had concerns dealing with the rodents that were currently residing in those trees. There are trees that are along the property -- well, along the property line that have been there for years, and they're starting to become a problem.

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The trees haven't been treated, they haven't been sprayed properly and they haven't been trimmed. Every year, if you don't trim those trees, what happens is the berries accumulate in the hutch of those palm trees, and they're nutrients for the rodents. So as reluctant as rodents are to travel 40 feet up in the sky, they will for food. So what happens is after the rodents eat, then they come over into these neighboring properties and create havoc. So those two properties to the immediate north of the project have had the most issues.

The properties to the west, they were happy. A matter of fact, that lady wants to see if she can get employment.

We couldn't get in to see the property to the east. And we knocked on the door, they wouldn't come to the door. And then we went back at sundown, and they were inside, but they didn't want to come to the door. I don't know what's going on there. That street address is 221 27th Street. I'm sorry, correction: 176 West Blue Heron Street.

And then the property across the street is owned by a gentleman who's doing -- he has multiple units that he's subletting to tenants there. He's happy. He's a long time client of Tony's Subs. And

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also the property to the east, Mr. Curtis Brown, he was real happy that Tony's Subs was moving into the neighborhood.

So, you know, on whole, we have a challenge that we're going to have to deal with in some respects, some way, shape or form with regards to the City's codes and how we handle the neighbors in the back. We deliberately moved the garbage dumps as far away from the property line as we could by curving it. We can look at the site plan again. We're curving it away from their property.

I don't know what we can do with regards to the height of the wall because we're dealing with City Code. But we're willing to do anything that you recommend as a solution, because we want to be good neighbors.

And then finally, the timeline that I mentioned, the four year timeline you can see started this journey back in 2018. And really, to be honest with you, the conceptual work started prior to that in 2017. So we, with your blessing, would like to commence construction in June of this year, if possible. I don't know if, you know, schedules and timelines would permit that, but that's the ambition that we have, with the hope of having a grand opening

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early next year, if not the end of this year.

The construction company that we're using, they build fast, and this type of construction is something that they're very familiar with, so we're guardedly optimist that we'll get this place open on or before February 21st -- 2021, excuse me.

That's it. I don't know if Scott wants to add. I yield to Scott.

MR. EVANS: Good evening. Scott Evans, Director of the CRA.

I just want to thank the Board for your consideration of this project. We've been pushing the development team to bring this forward. We've been waiting a long time for this project, but we think that it will bring a new, a really nice looking building to along Blue Heron Boulevard.

And for a long time we hadn't seen any new projects proposed, and recently I know there's been one proposed just west of Barack Obama Highway, I believe too. So it's good to see that there's some movement along that corridor.

We think this project will be really nice. We modeled it after one. We sort of went out and drove around and said where are some really nice new commercial projects that have been built, and then we

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challenged the team to design one that matched that building. I think they did a good job. So we'd just appreciate your consideration tonight. Thank you.

CHAIR BURGESS: Thank you. And let me say probably on behalf of myself and the Board for doing your due diligence with going out and speaking with the residents beforehand, that's very nice to have this information available for us.

MR. SKYERS: You're welcome.

CHAIR BURGESS: It helps us to make a wise decision.

MR. SKYERS: Thank you, Madam Chair. I will add one last touch. Mr. Anglin, he handled the landscaping as well as the structural on this project, and he was good in terms of staying to theme, because the city's -- when we polled the residents in the city, they wanted a design that was kind of coastal, because they said, listen, you're getting away from who we are. We're kind of a coastal town.

So that sea blue that he used there, and then a lot of the flowering that he used, like for instance, that plant that you see on either side of that image, that's called the Blue Lagoon Catmint. Now, there are four other varieties of plants that are blue in nature throughout the landscaping package, but that one in

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particular attracts hummingbirds. And I thought, you know, I've got to give him props that he was really creative and he searched long and hard for that.

But as you venture through the landscaping package to see the thought process that he incorporated in it, I wanted him to be recognized for that level of creativity. That was nicely done.

That particular catmint is dispersed throughout the property in clusters. So you'll have a cluster of catmint here, a cluster of catmint here, about four different clusters that makes for a nice setting, something that will engage the public not only in terms of its beauty, but, you know, create a talking point if it does attract hummingbirds. So we'll see.

CHAIR BURGESS: Thank you.

So we're going to move over to Board comments. But before I do Board comments, I have one comment card, so let me go ahead and take that comment card. So that's from Mr. Carlos Miller.

MR. MILLER: Good evening.

CHAIR BURGESS: Good evening.

MR. MILLER: My name is Carlos Miller. I'm the son of the owner at 201 West 27th Street. That's, I guess, north of the building, the projected building.

First I want to say that I'm definitely in

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support of what they're trying to do. And me and my mom, and for the most part, the neighbors that we have come in contact with do support this building just for growth in the city, just to see change. You got to start somewhere, and if you're not growing, you're dying. So we do support the building.

Our only concern really is with the height of the building. I mean I grew up in Riviera. I grew up at the house. I'm 30 plus years now, so I seen a lot. And we would just like to -- I would like my mom to feel protected, you know, and feel like she, you know, is safe in the best way that's possible.

So for her, that means a wall that's higher than something I could easily jump, you know. And you know, I seen, you know, again, growing up there, seen a lot, seen enough. So you know, I know the potential what can happen.

And I know the business is going to bring in, you know, quality people, people who are trying to see this city thrive. But again, our main concern is just, you know, hopefully having a wall that kind of is a better deterrent other than six feet.

But again, like we are definitely in support of the business and of the potential that can bring to the city and to the community. So I definitely want to

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say that, and I thank you for your time.

CHAIR BURGESS: Thank you, Mr. Miller.

Okay, now we're going to Board comments, and I'm going to start with Ms. Shepherd. I am going to go around for everyone, so everyone will have an opportunity. I just like to go in order to make sure that I don't miss anyone.

So we'll start with Ms. Shepherd.

MS. SHEPHERD: Well, first, I don't have too much to say about this project. I know we're in good hands with Mr. Buckle and Mr. Skyers, who's been in the city and around the city for many, many years, and I trust them. They've always done good things in the city and have always made sure that we were safe and in the right direction.

I am a favorite of Tony's Subs. I don't know about the chicken, but the soup is delicious. And it's going to be a great building here in the city. I think it's going to look very nice. And I know that if I have any problems, I'm coming to Scott, and I know Scott going to straighten it out.

So with that, Mr. Buckle and Mr. Skyers, I'm really looking for a great project and I'm looking for that great pot of soup and to Tony's Subs, who's been in that little -- I don't know what you call that, I

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really don't. And it's time. I want the city to know we need good restaurants. It's time. People are really talking that we need to spend money in our city.

And Scott, this is an opportunity for one good project that we can be proud of. And in that little hub there where the new building, I guess the CRA is going to be, that is going to be a jaw breaker for everybody to leave out that building and come over to Tony's Subs.

I did hear you say, which is kind of bothering me, you said it's going to be a dentist in that building and something else?

MR. SKYERS: Among the businesses that have shown interest was a dentist, a hair stylist, somebody who's in the real estate business and one insurance person. Those have shown interest so far. It's a very small space. It's 816 --

MS. SHEPHERD: Yes, yes.

MR. SKYERS: -- square feet. So it's only personal services, people who function by appointment, primarily, that would survive there.

MS. SHEPHERD: So how many people are going to be in that little complex?

MR. SKYERS: There are going to be three bays. So the Tony's Subs will occupy the largest of

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the three bays, and that's a 2,208 square feet bay. And then there are two tiny bays for micro businesses that have 814 square feet each.

MS. SHEPHERD: Mr. Skyers, I do have problems with the parking and coming in and out of that little -- because my uncle live right there, and I'm telling you, coming out -- what's it, going from north to south -- it gets kind of busy at that light.

MR. SKYERS: That's true.

MS. SHEPHERD: And to have a restaurant, which Tony is busy at 12:00.

MR. SKYERS: Yes.

MS. SHEPHERD: You can't get near his place. And I'm kind of feeling a little queasy that you're going to have those three people in that bay, and knowing Tony's going to be busy, and you know, of course, we have to get our hair done, and you know, they're going to be busy. So I don't know. I just -- to me, to me, I'm sure it will work. I'm sure we will make it work or you will make it work.

MR. SKYERS: The traffic study, we looked at trips, in particular, and we decided, we determined that, one, it complied with the City's regulations, but two, that we would gravitate more towards businesses that operated by appointment only for the two small

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bays to limit the impact on the use of those 13 parking spaces. And our challenge then is to create that economic vehicle that will allow everybody to coexist happily, and that's our challenge. We won't disappoint you in that.

MS. SHEPHERD: I hope so, I hope so, because I can understand Tony, because he is busy.

MR. SKYERS: Right.

MS. SHEPHERD: I wasn't too clear on the other people that was going to be in that little -- it's a small piece of land.

MR. SKYERS: The way in which Tony's Subs, his business is going to transform itself, he will have a counter within the business that's shaped like an L. And on the right side of that counter, he's going to be dealing with people who are calling in for orders. So their turnaround time will probably be about four minutes.

On the left side he'll be dealing with people who dine in. In other words, he wants to create kind of an engagement, a public engagement. So the interior will look a lot like a Panera Bread, that kind of amenity. It will allow him then to keep the website orders moving and the pickup orders moving, because he does -- it's deceptive, but he does 60 percent of his

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business in takeout.

The problem right now that he's having is he's not queuing properly, and as a result of that, it looks congested when you get there during peak hours. We're going to require him to use software that allows him to queue properly so that the takeout portion of the business is a rotating door.

It's just the dine-in portion that we don't anticipate more than 12 or 13 diners being there at any one instance. But during the lunchtime, if there is that situation, then we'll find a way to deal with that.

MS. SHEPHERD: Well, now since you're opening that door with Tony's and it's going to be people coming in now, because it's going to be a very relaxed mode, and anytime you go out and it's good food, you're going to sit there and you're going to eat, and when you get full, then you're going to say, well, I think I'm going to have dessert. And I think that's what's going to stop the process of keeping the people moving, because they're going to stay there relaxed. Maybe not around lunchtime, because they're going to be on the move.

MR. SKYERS: On the move.

MS. SHEPHERD: But I don't know, that part of

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it I think you need a little bit more.

MR. SKYERS: We tried to buy property to the west. Really did. We tried everything we could to convince that owner that it was time for Blue Heron Boulevard to have a different look.

MS. SHEPHERD: Right.

MR. SKYERS: He's not ready to sell yet. But if you notice, I don't have the site plan up, but our project's moved all the way to the west of the parcel, and there's a reason for that. So you know, should we finally encourage that owner to the west to sell, then I think you can predict what's going to happen.

MS. SHEPHERD: Well, I wish you well.

MR. SKYERS: Thank you so much.

MS. SHEPHERD: Thank you.

I'm finished, Madam Chair.

CHAIR BURGESS: Thank you, Ms. Shepherd.

Mr. Wyly.

MR. WYLY: Yes. Again, just to piggyback off the question she asked about the parking here, noticing that when you're going north on Avenue F and then turning into the parking lot, would that cause, when you did your traffic survey, would that cause a problem also with the cars stopping, because the cars are coming south and cars are coming north and turning in

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and causing a logjam right there.

Now, I'm all about solutions. Is there any way, possible way for the parking lot, the south end of that parking lot to be opened up to the street to where the vehicles can come in and just turn in then at that point, or that was not a -- that's a no-go?

MR. SKYERS: I'll probably need Josue to -- when we did the traffic study, they didn't --

CHAIR BURGESS: Can you come to the microphone, please?

MR. WYLY: I mean I'm no expert with engineering or anything like that, but I was just saying I just thought that may be a good idea just to keep traffic flowing, just so there won't be a backlog, and then the vehicles coming to the west will, you know, be stopped, be hampered, so --

MR. LEGER: Yes, so as the Board's already discussing parking, we have to maximum as much as we can to whatever possible space to use it for parking. And part of the resolutions to that question from the development team was to provide parking as much as they could.

MR. WYLY: Right.

MR. LEGER: So that kind of allowed them to meet parking, at the same time still provide plausible

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ingress and egress to the property --
MR. WYLY: Right.
MR. LEGER: -- you know, so any reconfiguration of ingress and egress to the property does majorly impact the way parking is configured as well.
MR. WYLY: It's just a question of this, like I say, I think it's a great idea, but it was just a question of just trying to make everything flow properly and for safety, of course, for the city and everything.
But did the young man leave already who talked about --
MR. LEGER: No, he's here.
MR. WYLY: Yes, sir, I can understand your situation with your mom being protected and everything.
Mr. Gagnon, is there any way that that can be changed from six to eight feet for everyone's safety on that behalf on the north part of that facility? Can that be voted on and changed, or is that something that's just (inaudible) or commercial law, it can't be changed?
MR. GAGNON: Yes, unfortunately the code right now limits the height of any wall or fence to six feet.

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MR. WYLY: Right.
MR. GAGNON: I do understand the concern, and you know, I guess the ability to climb a six foot wall or fence versus an eight foot wall or fence. What we anticipate to happen is once the building is constructed, there will be additional lighting, and it will be up to current code.
One of the conditions of approval is also associated with working with the Rivera Beach Police Department as far as installing cameras that would be in a location that didn't invade any privacy, but in prime locations, perhaps in the parking lot area or angled down in the back alley, I guess, for lack of a better term, to really make people mindful that the area is watched and there are eyes within that corridor.
So I think we found as places become redeveloped, that the potential for criminal element is reduced --
MR. WYLY: Right.
MR. GAGNON: -- not to say that it is mitigated entirely. But I definitely do understand the concern, but unfortunately, based on our code requirement and how it's written, there's really not much flexibility as far as the overall height that can

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be approved.
MR. WYLY: Okay. And one more question. We talked about the trees as bringing in the rodents. Are those trees going to be taken down in convenience for the neighbors who want them gone, because it sound like they want them gone. So is that something that we can do also?
MR. GAGNON: With the landscape plan, what the City does is if there are certain desired tree types, what the landscape plan can do is incorporate existing trees. They would have to be maintained and trimmed and pruned properly. So really that area of the site on the north side is going to be transformed from what it is now.
MR. WYLY: Right.
MR. GAGNON: I think a lot of the concern has to do with, you know, branches that are really overgrowing property lines and a lot of the undergrowth hasn't really been very well maintained along the property line. So those issues will be addressed during the landscape improvements on the site.
MR. WYLY: So to satisfy the people, I was looking at the list here of the people who were complaining about that, since we cannot get the eight foot fence, would that be something of strong

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probability, that they can get that removed if that's something that's going to make them happy for this project? I mean is that something that can be definitely done, because I'm pretty sure they would like to have some, a final answer on whether it's going to be done so they have something they can look forward to.
MR. GAGNON: I want to make sure I'm accurately answering it, so it might be a good idea to have maybe a conversation with staff and the adjacent property owners after the meeting and then we can look at the landscape plan. If there's additional modifications that would, you know, benefit the property owners and still meet the City Code requirements as far as overall landscaping design, then we're more than happy to consider that.
MR. WYLY: Thank you. Jeff, thank you.
CHAIR BURGESS: Thank you, Mr. Wyly.
Mr. Hunt.
MR. HUNT: I don't have any questions.
CHAIR BURGESS: All right, Mr. Gallon.
MR. GALLON: I don't have a question, but I do have a comment. We have the same type situation on S Avenue where the Kentucky Fried Chicken is, and I don't think there's been any issues as far as traffic

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going in and out at that point.
So, and they have just about the same amount of parking and everything else at that site, and it's less; I'm sure it's less, you know. So I don't really see an issue as far as the parking, you know, but I do appreciate this, his time where all these little spots is taken care of. Thanks.
MR. SKYERS: And in response to Board member Wyly's concerns, the first iteration that we had in mind was to egress onto Blue Heron Boulevard. But then when we dealt with the City's engineer, he says: You can't do that. Too close to that intersection. You're going to create accidents. I'm not going to approve this. So we then had no choice. We had to move the --
MR. WYLY: That makes sense. I was just trying to make, at least make it flow a little smoother. But yes, he's probably right. That's why he's the engineer.
CHAIR BURGESS: All right, moving on to Mr. Ncube.
MR. NCUBE. Just one comment was about the prospective occupant of it. I'm a little concerned about a bail bondsman being there. You know, that's just my only concern as far as, you know, a resident. But I mean everything else, I like it. This is my only

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concern. But are there any -- is that like a real realistic thing, or I don't know.
MR. SKYERS: We're in this for profit. The Commissioners said to us that they didn't want any cell phone companies there because they attracted teenagers who didn't have anything to do with their time. They didn't want any pawn shops. And the best bid that we've gotten is from the pawn shop that's on Military Trail. Apparently the largest growing demographic in their industry is female, is single females who want guns; single female black women who want guns. That's the largest growing sector of their business, so they wanted that entire 3,000 square feet. But that wasn't to be.
With regards to the bail bondsman, he's just one of many people who have offered curiosity. You would think that a bail bondsman would want to locate closer to a courthouse, so I -- we'll have that discussion like we're having discussion with everybody else. But if -- we understand your sentiment. We will definitely look at alternatives.
MR. NCUBE: I just want to express, you know, again, I don't want to -- obviously, I know you have to just look at the occupants, but I just wanted to just put that out there, that, you know, hopefully we can

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find something.
MR. SKYERS: Certainly. I'm certain, I'm quite sure that we can meet everybody's approval on that. It has to be approved by the CRA, and then subsequently by its Board of Commissioners, because they were specific about the image that they wanted this particular model project to exude. So thank you, sir.
CHAIR BURGESS: Ms. Harris Clark.
MS. CLARK: Sure. Mr. Skyers, you can remain at the podium.
MR. SKYERS: With pleasure.
MS. CLARK: All growth is not good growth, and all business models are not business models, good business models for our city. And I'm glad to see that you're on this project because I know you know Rivera Beach extremely intimately. And for those who don't know, my blessing of being here in Riviera Beach is all due to the convincing of Mr. Paul Skyers, is why I and my family reside and invested in Riviera Beach.
And with that being said, let me just ask some general questions.
MR. SKYERS: Certainly.
MS. CLARK: This is mirrored after that property that is on Northlake Boulevard and Northlake.

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MR. SKYERS: Yes, ma'am.
MS. CLARK: So one of the dynamics about that property is it's not walkable. It doesn't have walkable foot traffic, so you literally have to drive and go in the back. Looking at this schematic, can you enter from the front, or you got to go through the back?
MR. SKYERS: Oh, yes. Let me see, can you guys pull up the site plan for us? Oh, wait. It's there in the rendering, I'm sorry. Oh, here's a mouse here. You're a good man.
MR. LEGER: We'll pull up the site plan.
MR. SKYERS: Perfect, good. So if you look at the sidewalk here, you can walk straight up that main alley, and there's some really nice flowers. It's a contrast. There are red flowers right there in that island that contrasts against the blue flowers on either side and into either of these three bays.
And remember now, the City requires columns and glazing, so those are storefronts that go all the way down, with the equivalent of Tuscan columns. So it's going to be a gathering spot. That was the idea behind creating that. With the landscaping bed --
UNIDENTIFIED SPEAKER: Use the microphone.
MR. SKYERS: Oh, I'm sorry. Forgive me. Not

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used to this.
With the landscaping that exists around here, it will draw people into that area, because there's landscaping around here, kind of a meandering line around here and around here that kind of allows this to be a gathering space, a community space for individuals who want to spend a little time with their friends or family member, grab a bite to eat and use any of these services that are going to be in any of the three bays.
MS. CLARK: Okay, so that was my next question. They can come in the front, and then there is space where people can enjoy themselves at the restaurant.
MR. SKYERS: Certainly.
MS. CLARK: Okay, terrific. My next question is in regards to the restaurant, not to see some of the challenges that we have had as a city when we had built space in hopes of a restaurant. Has the oil traps and that type of scenario for his restaurant been worked out --
MR. SKYERS: Yes.
MS. CLARK: -- beforehand?
MR. SKYERS: So the grease trap for the restaurant, right here, would be right here. It's the new style grease trap that's -- 10,000 gallon? I'm

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trying to remember. It's a new 12,000 gallon grease trap is right here.
This is the dumpster right here. Notice how the driveway curves away from the neighbors to give them maximum peace and quiet. And then, let's see here, for loading goods and supplies into either of those two, there's this area here where a truck could park. I'll bring Mr. Ingram up -- Mr. Anglin, I'm sorry.
MR. ANGLIN: For loading, the trucks would pull up around about here. And you see this walkway here, this walkway can either access at the restaurant to the front, or you can go along here, this walk at the back. That will access all three bays at the back. There's a door in each of these here, and there's two doors, one on this side and one on that side. We have the storage over here. So for the restaurant, you come along here, load along here and enter through the back here.
MR. SKYERS: Thank you.
MS. CLARK: Okay. All right, let's see, I just have a few more questions.
MR. SKYERS: Certainly.
MS. CLARK: In regards to the cap, who -- obviously they got the residents or tenants got to pay

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into that and manage that. So that is their sole responsibility, to cover the cap expenses?
MR. SKYERS: Right, yes, yes.
MS. CLARK: Next, in regards to the wall, Mr. Gagnon, can you define the wall? And the reason that I'm asking, typically we're going to see a six foot for residential, eight foot for residential (sic). But is there any reconfiguring at the top where it is still a barrier, but it is an invisible barrier that will give the height of eight feet and give the residents some relief in terms of their concern about safety? You understand what I'm asking?
MR. SKYERS: Like a trellis?
MS. CLARK: The defining of the wall, can that change in that definition where it's reconfigured differently?
MR. GAGNON: Unfortunately, the overall height would be determined by any additional features of the wall. I think what you're trying to describe essentially is if you had a concrete wall, then maybe an aluminum --
MR. SKYERS: A trellis or --
MR. GAGNON: -- trellis or some additional feature on top of it.
MS. CLARK: Right.

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MR. GAGNON: From the City's standpoint, whatever additional feature would be considered the overall height of the wall. So unfortunately, that's not an option. I think it's a good thought process.
As far as the height itself, it's typically measured from the finish floor elevation of the peak of adjacent roadways. We would also take into consideration the grade of the site itself, so that way there's not a very high juxtaposition between a new property that's being developed and the floor elevation of an adjacent property. So we'd look at that as well.
But unfortunately, the height limitation of the wall, it's rather strict, and it's done in that manner because we've had other applicants, specifically in industrial areas, sometimes in commercial areas as well, or in downtown mixed use areas and they want to add additional features such as barbed wire.
So when we consider that height, we don't want to be able or enable individuals to have an additional two, three, four feet of something that would be very undesirable, along the lines of barbed wire or something like that. So unfortunately, there's not a good solution to the height problem we're discussing right now.
MS. CLARK: All right. Well, thank you.

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It's just for clarification, edification on my behalf. I'm pretty sure, listening to the feedback, that the team has obtained that. I'm sure there's a mutual agreement that can come about for both, on the CRA and the residents.

And my last question, since this is a City type of project and we are trying to, if you will, highlight the City of Riviera Beach with this particular property, is there any way to add additional lighting, that when you go into Jupiter or you go into some areas like that, those type of buildings, you know, give you the appearance that, hey, this is glamorous, this is exciting, this building looks fabulous and the light suggests on it. So can you find some more money for that, Scott?

MR. EVANS: Well, we have a Board approved grant agreement. But I think we can -- the grant agreement provides for site development, some construction costs, and then the final completion of the project. It may even include some money for lighting.

So we'll work with the developer to look at what lighting they're going to put in, and yes, you have my commitment to make sure that it will be something that's really nice. And if it's not right

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now in the specs, we'll make sure. The final lights actually don't, usually don't get finalized till they submit for a building permit, so I will ensure that they include a really nice lighting package.

MS. CLARK: That's good. I just don't want my husband and Mr. Skyers to stand outside with flashlights shining on the building.

Thanks. I yield.

CHAIR BURGESS: Thank you, Ms. Harris Clark. Mr. Brown.

MR. BROWN: Yes. It's a nice looking building. My only concern are the parking spaces. You've got three businesses and 13 spaces. I don't think that's going to be enough, I really don't. I notice you have 43 feet back there. Could you rework that somehow --

MR. SKYERS: Come again?

MR. BROWN: -- 43 feet around the back? You know, 43 feet.

MR. SKYERS: Back here?

MR. BROWN: Yes. Couldn't you do something back there? I mean is that possible?

MR. GAGNON: So the difficulty we'd run into is if you want to use the back of the property, you would have to factor in a two-way drive aisle, which is

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a minimum of 24 feet for the City's code, and then the parking dimension itself would be 20 feet. Maybe it's reduced to 19. But I don't know if there's enough space in the back of the building, if you include a landscape buffer, to actually fit additional parking.

MR. SKYERS: You know, it's interesting when you do urban redesign projects because you're always challenged with real estate and how you, you know, conceptualize a project and create, which is most important, a value proposition. Because somebody has to pay a mortgage on this thing restricts you in terms of what your capabilities are too.

I guess we could have gone up two stories, but we would have ran into a problem of cost. You're looking at, as simple as it seems there, this is a $900,000 project. It's the City put some requirements on us that we -- they asked for quite a lot, I'm not going to lie to you, and those things cost money. So we had that delicate balance of how do we make this thing cash flow positive and how do we make it aesthetically pleasing.

If you look at the walls, you don't see it, but on either side of the walls, we're planting Morning Glory. So there will be that right around the property. We're not leaving the neighbors bare. They

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get to look at beautiful flowers on their side of the wall as well as ours. So there's -- we had to spend a little bit of money.

So I don't know what to say about the additional parking. The only thing I will say is look at where this property is. I mean the building is all the way to the west. There's a reason for that. You know, you should trust me on that. There's a long-term strategy in play here. I can't articulate it too much now, but --

MR. BROWN: Is there a way to get some overflow parking somewhere?

MR. SKYERS: Well, this space over here where people wouldn't answer the door, and then when I knocked in the evening, they turned off the light on me, it's owned by some company called Federal Holding Corporation. So we're trying to find them to see if they would allow us, because they have a large parking lot there, to see if they would make an accommodation for us if we ever had events or special events. So we'll see how that works out.

MR. BROWN: Thanks.

MR. SKYERS: Yes, sir. Thank you.

CHAIR BURGESS: Mr. Gustafson.

VICE CHAIR GUSTAFSON: Thank you.

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This being a CRA property, who is responsible for the maintenance of the site plan and all the plants?

MR. SKYERS: Ultimately, it will be the owner of the project, Blue Lagoon Plaza, LLC.

VICE CHAIR GUSTAFSON: Okay. And second, to that site plan, it's a great site plan, but in reference to the six foot wall, maybe if we did a redesign and put a hedge. There's five feet between the wall and the entranceway to the garbage bin all the way back. Maybe we can put some clusia or podocarpus in there that could grow up to ten feet. I don't think that's restricted by the code if there's a six foot wall, but then you could put a green space between both sides of the wall for the people in the back, as well as the wall, so you can't climb over it through a podocarpus.

MR. SKYERS: The equivalent of about a one foot of green space?

VICE CHAIR GUSTAFSON: A podocarpus hedge is, I don't know, three feet wide, but you can grow to ten feet. Maybe someone else has better knowledge about this.

MR. SKYERS: That's a good strategy.

VICE CHAIR GUSTAFSON: We live in an area

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that has hedges everywhere around here that are ten feet high.

MR. SKYERS: Yes, I like that.

MR. GAGNON: I understand the strategy, so --

VICE CHAIR GUSTAFSON: The six foot wall would never -- would always be the same, but then --

MR. SKYERS: The hedge would --

VICE CHAIR GUSTAFSON: I think the gentleman wants to say something, or potentially. I don't know. I don't mean to put you on the spot there, but --

MR. ANGLIN: If you look at the landscaping plan, there's actually -- I take your point. There's actually a hedge right next to the -- even though we have Morning Glory right along the wall, there's actually a hedge right in front of the wall all around. I take your point. It may be a good idea to change the hedging and make it a little bit higher if we get permission from the City.

VICE CHAIR GUSTAFSON: Yes, that might suffice the neighbors and also give a little protection, additional height to the wall.

MR. ANGLIN: Yes, I think we have a lot of trees back there. I know the neighbors are complaining, but we had to put trees. There are a lot of trees back there. So if we have trees and the

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hedge, it will be almost a perimeter.

VICE CHAIR GUSTAFSON: That's correct.

MR. ANGLIN: Yes.

VICE CHAIR GUSTAFSON: I yield.

CHAIR BURGESS: All right, so my comments in this are probably going to be directed more towards staff. It's the recommendations provided by the Police Department. There were eight listed in the packet, so can staff speak on the recommendations that will be considered for this applicant included?

MR. GAGNON: So the Police Department typically provides recommendations. Oftentimes they don't have, you know, a building code to guide development or mandate development, but oftentimes the recommendations are based off of their perceived best management practices.

You know, comment number one is directly related to some historic issues with graffiti in the city, so they recommend using a certain paint type that's resistant to spray paint so it makes it much more quick of a process to clean up any spray paint on a building. We hope that the situation wouldn't arise here, but that's really the generator of that comment.

A lot of the other comments, there's some that are CPTED based comments as far as crime

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prevention through environmental design.

CHAIR BURGESS: Right.

MR. GAGNON: So it's a balancing act, and I think we're kind of discussing it tonight as far as, you know, the height of the wall and then landscape design. And oftentimes there's a desire to keep a lot of view corridors open as well, because that also is a crime deterrent, because if you can see certain areas, then it reduces the likelihood of any sort of activities that are undesirable occurring in those spots. So it's definitely a balancing act in between satisfying the Building Code requirements and the Landscape Code requirements and best management practices as provided by CPTED.

I think one of the most interesting comments has to do with the IP based surveillance cameras. So the City has a really advanced and interesting camera system, and they actually have staff that are dedicated to that system. So if there was any sort of emergency event or if one of the license plate tag readers came back to a stolen vehicle, they're actually able to track vehicles using their camera system.

So what staff and Police Department, Development Services are really trying to coordinate together on is trying to improve the camera system.

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And we see that as new development comes into the city, it's a great opportunity. And more often than not, development teams are very welcoming to try to include additional Police Department surveillance, not to say that it's monitored 24/7 by the Police Department, but it just provides that access component.

That's kind of the comments in a nutshell. If there's anything, Madam Chair, that you'd like for me to --

CHAIR BURGESS: Well, I was just saying because they provide recommendations, and I know that I've seen the IP based video surveillance, you know, that's not a new one. But for this project, since they did provide these as recommendations, what was actually being considered as taken from these recommendations for this particular project?

MR. GAGNON: Well, the camera system is a true condition of approval, so that's recommended by staff to the Planning and Zoning Board.

CHAIR BURGESS: Okay.

MR. GAGNON: Some of the others, I'd have to refer to the development team as far as the final paint scheme and paint palette. I know that there's color chips that are identified. I'm not sure if they're available in the graffiti resistant paint type, so

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perhaps that's something we should look at one more time. And we can, of course, look at that through the building permit process. Luckily, paint is one of the last items to go on the building, so we can definitely work through that item.

CHAIR BURGESS: Okay. Just wanted to make sure that I brought that up, because, you know, the other departments stated, you know, no comments at this time, so I guess that means they don't have concerns or they didn't have a comment about anything.

And then my other question was there's no proposed drive-through or drive-up for this location, correct?

MR. GAGNON: That's correct.

CHAIR BURGESS: Okay. And then the business hours, because basically, they're going to -- there's going to be three businesses there. I understand a restaurant could be open seven days a week, and we don't have any intents to lease on the other two. But thinking about the traffic flow that will be in and out of this particular development, what are we looking at like for the hours?

I mean if these are, you know, like you said, appointment based businesses, you know, I'm thinking, you know, even if it's like a Monday through Friday,

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you know, most businesses kind of cut off six, seven. You know, if you can just kind of like give us sort of an idea.

MR. SKYERS: Well, our experience with Tony's Subs is that they're basically a lunch and dinner business. They dabble in breakfast, but that's not the core of their business.

The other businesses though, depending on, for instance, the hair stylist who's been after us for three years now, she is a seven day a week business, and she has private clients that she sees early in the morning. I mean early. So I anticipate that on those days, we'll have the elongated hours. I mean 6:30 in the morning, and sometimes she closes at 10:00 at night.

But what I will say is that she operates by appointment only, so you don't have a line of ladies congregating in her waiting room, looking at other people getting their hair done, wondering when their turn's going to -- she doesn't tolerate that. So if we do go with that, she'll be a great tenant if we pick her, because in all likelihood, she'll occupy one or two parking spaces in any of those time slots that you see on the traffic study that you have in your possession.

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Now, for the other tenants that have shown interest, especially the realtor, he just wanted a location that's visible on a main thoroughfare. His business is out on the road.

CHAIR BURGESS: Right.

MR. SKYERS: I can't say the same for somebody like the bondsman. I still -- that's still a curious applicant. And then for the other ones, like the insurance agent, I can't predict. The orthodontist, can't predict. I don't know what their traffic's like. I can only speak for Tony's Subs and for the hair stylist.

CHAIR BURGESS: Yes, but we kind of know, like, you know, for a dentist's office, you know, usually they're not going to be open on a Sunday. They may keep, you know, a Saturday open, but it's probably not going to be after six or seven.

MR. SKYERS: Right.

CHAIR BURGESS: You know, so just those are things to keep in mind when you're thinking about who you're going to put in that spot, especially, you know, as far as the parking spaces, because they are limited.

MR. SKYERS: Yes.

CHAIR BURGESS: But those were the questions that I had about the project, so thank you.

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So at this time we've heard from staff, we've heard from the public, we've heard from the applicant and we've also heard from the Board. Is there a motion?

MR. HUNT: I make a -- let me try that one again. I move that we approve this site plan and give strong support to encourage rapid development and press forward.

MR. WYLY: Second.

CHAIR BURGESS: Okay, there's been a motion and a second. Roll call.

MS. DAVIDSON: Margaret Shepherd.

MS. SHEPHERD: Yes.

MS. DAVIDSON: William Wyly.

MR. WYLY: Yes.

MS. DAVIDSON: Stephen Hunt.

MR. HUNT: Yes.

MS. DAVIDSON: James Gallon.

MR. GALLON: Yes.

MS. DAVIDSON: Anthony Brown.

MR. BROWN: Yes.

MS. DAVIDSON: Jon Gustafson.

VICE CHAIR GUSTAFSON: Yes.

MS. DAVIDSON: Rena Burgess.

CHAIR BURGESS: Yes.

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MS. DAVIDSON: Unanimous vote.

CHAIR BURGESS: Thank you.

On to the next item, item IX.

Thank you for coming out.

Item IX, workshop.

MR. HUNT: Madam Chair, I'm going to do some of this, and I'm going down there.

CHAIR BURGESS: Sure.

UNIDENTIFIED SPEAKER: Thank you.

CHAIR BURGESS: You're welcome.

Mr. Hunt, before you go down, can I ask you: About how long do you think your presentation is?

MR. HUNT: It's about 25 to 30 minutes.

CHAIR BURGESS: Okay, thank you.

(Ms. Shepherd left the dais.)

MR. GAGNON: Thank you, Madam Chair.

So I did want to briefly touch upon the City's Comprehensive Plan and really our projected time line moving forward. We would like to have, I guess, a presentation. It might not be a full kickoff presentation, but an initial presentation to get back into the Comprehensive Plan swing of things. So probably the second meeting in April, which is the 23rd, if everything is going to plan, we'll have a consultant on board that's assisting with the process

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and we'll be able to provide some opening comments to the Board.

Moving beyond that, we anticipate that we would utilize the second Planning and Zoning Board meeting that's really reserved each month and utilize that for Comprehensive Plan amendment review. So historically, we've utilized that second meeting each month to look at each element of the Comprehensive Plan, so each meeting would have a connection with each element. I believe that Mr. Hunt actually touches upon the Comprehensive Plan and some of the elements in his discussion tonight.

So it's something that has been long awaited by the community, and I think we're at a very good jump-off point to really start having these conversations, because these are the conversations that are going to guide the future redevelopment, being that the Comprehensive Plan is really the foundation for all of our Land Development Regulations, and it's long awaited. So I just wanted to mention that to the Board, and we hope to bring that for you, for your consideration and education in the very near future.

CHAIR BURGESS: Thank you.

MR. GAGNON: So at this point, I will turn over the microphone to Board Member Hunt.

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CHAIR BURGESS: I do have one quick question, Jeff, for you. Ms. Shepherd just stepped away. Is she coming back or --

MR. WYLY: She went to the bathroom.

CHAIR BURGESS: Okay. I didn't get that notice, so thank you.

MR. HUNT: Thank you very much. I wanted to do a little bit of a summary of some thoughts and perspectives that we would really be discussing in greater detail in the workshop itself, but I wanted to give you a couple of good examples.

First of all, there is a great book that I did find about creating a vibrant community, and it turns out that this is going to be the subject of a meeting up in Pensacola the end of March and the first week in April, and several other folks in the city, I know Dr. Botel is planning on attending, things of that sort.

But it gives a really good strategy and a framework for how Pensacola was able to go through and actually reform their city and build a vibrant environment, and it's a great study. I was, unfortunately, pressed for time this afternoon, so I didn't get a chance to print it, but I will have a .pdf copy of Chapter 2, which is the Pensacola story itself.

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And with Mr. Gagnon's assistance, we'll distribute that tomorrow with a copy of these slides. We were just pressed a little bit today.

The short version is they were blessed with a local leader who happened to be independently wealthy, and he spearheaded the team that included attorneys and architects and the other folks that are listed there. And that helped tremendously get the project started.

And then Hurricane Ivan hit. And the story essentially became quite fascinating, because with the amount of damage that was done by Hurricane Ivan, they really had to do some really fresh rethinking of the entire strategy and what would be salvageable and what could be done. It's a great story. I think you'll find it interesting.

They, between 2004 and 2017, they essentially accomplished a miracle to make Pensacola quite an interesting and vibrant city. It's a great story, and I think a pretty good framework for us to think about.

And in thinking about some of the challenges we face, I just keep going back many times to my good friend Kaye Curling (phonetic), who was head of Human Resources for a company I worked for, and her view was if we could just get rid of all the people, our policies and systems would work just fine. And

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obviously, the objective is not to get rid of the people.

So what we have to deal with is how do you deal with the various personalities? And here's the Jacksonville story. They identified in the book four basic types of people: Those with strong support; those that are leaning towards support; those that are leaning against; and those that are strong opponents. And that sounds kind of familiar to some of the people that we have had talking with us before.

And interestingly enough, when it started, they basically had about 25 percent of the citizens were in each one of those categories. And so their guidelines for us to think about are the real challenge is what do you do with types one, two and three, and their view is that many are persuadable, many of them are already convinced, but facts, facts, facts and more facts help bring as many people onto the positive side of an approach.

However, you must always listen and always be respectful. Even for those who are opponents, you just can't ignore them, but their guidance is don't waste a lot of time trying to persuade them because they probably won't be persuaded.

And the net/net/net effect after several

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years' worth of work was the ordinance to approve the start for the renovation. Passed 54 -- or 56 to 44. So you're not going to get 100 percent approval, you're not going to get unanimous votes on everything, and we just have to deal with it.

And one of the first things that they talk about in the book and I thought was quite fascinating, it's really not about construction and jobs. Revitalization is about helping the citizens believe they deserve better than what they have now and believe in a process that will get them there. Pretty powerful thoughts and pretty powerful ideas.

Here's couple of pictures of what Ivan did to downtown Pensacola. It was a mess. And here's what the first park looked like. It was vacant and obviously beautiful water views, but the baseball park was also a key element of the process, and that came from an investment by the wealthy individual who happened to be leading the whole project. So he put his own money where his mouth was. But it was a big bet to build that basic first start.

Secondly, they started a whole series of modernizations along Palafox Street, which is the main set. You can see what it looked like in the '20s. It was beautiful, lots of people. By between 2013 -- or

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2011, the trees were overgrown. It was pretty desolate. Many of the businesses were abandoned, buildings were closed. And today it is a great set of shops and restaurants and bars and second story residences and things of that sort.

But they started with one intersection, made one intersection interesting enough to bring people in, and interestingly enough for other small businesses to come in and join them. So it started with a small circle, and the circle started growing and intersecting and that sort of stuff. So it's a fascinating story.

And one of those tiny bets that they did -- and we'll come back to the idea of tiny bets -- was something that was essentially getting a couple of people to bring up some old Airstream trailers and put them into a vacant lot and create a dining experience called Al Fresco.

There were five separate restaurants, five separate themes, shared tables, shared communities, lots of stuff, but it took basically no construction, no significant investment in infrastructure to get that started. And what that actually did is brought people downtown into Pensacola and suddenly helped start showing people why it was fun to be there with your neighbors. A great story.

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In my personal perspective, I look at the book as an opportunity to think about how does that Pensacola story relate to Rivera Beach. We don't have a naval base right outside the main street, but I think we have three things that we can and should do, and I would propose we talk about these things in the upcoming workshop.

First is we urgently need to get the Marina II initiative approved as soon as possible. I was talking to Dr. Botel last night, and her guess is that it's probably going to be early summer before that actually gets approved, because they're still working through issues associated with the financial solvency of the bidders. But she is pretty confident they will all get approved, but it looks like it could be as much as a year after the proposal. Not a particularly good thing.

Secondly, the idea of Al Fresco and those mobile trailers basically is a concept called -- quote -- Tactical Urbanism. And those are tiny bets. It doesn't cost much. It gets people excited, gets people looking at things differently. And you can find out whether or not there's interest or not and not have wasted a lot of time in pursuing things that don't have any real interest.

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And then I think we should really find a way to do one new incremental bet -- and I'll talk about that here in just a second -- that goes beyond Marina, but is smaller in scope and it's not just one particular building.

Here is a quick summary of Tactical Urbanism. We'll talk about this in greater detail. The book is a fascinating read. The whole idea is to be the exact opposite of the big bureaucracy, the big plans that take 10, 15 years to come to fruition. It's get something done in six months or get something done in three months, and then if it doesn't work, you haven't invested a lot of time.

And here's a couple of examples. One is to do a popup like Al Fresco on vacant lots. Another one is to put planters around for reducing traffic in residential neighborhoods and stopping the flow of heavy trucks that we've talked about in the past. Another one is sampling the idea of bike lanes along routes, turning vacant lots or parking spaces into mini parks or adding greenery to city streets that don't have anything at all of interest to make it at least attractive and interesting.

Here's two examples of what I mean about an incremental bet. Both of these are going on in West

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Palm Beach right at the moment. This is a new development on South Dixie Highway where the old Palm Beach Post facility used to be. It is a mixed use, residences above retail. It's a gorgeous facility. It's about two and a half to three acres, I believe, if I remember correctly. But it would be a great addition in an area, for example, similar to where the proposed Tri-Rail station is in south Rivera Beach or along Broadway.

Here's another one. Happens to be called District Flats in the warehouse district. It's another example of what low density or low height mixed use can look like and be very vibrant with residences above and retail down below.

And here's a couple of thoughts that I wanted to introduce to you. We'll have more discussions in our workshop, and I will be sending copies of this information out for our discussions, but I think there's a couple of things that happen to dovetail exactly with what Mr. Gagnon was talking about in terms of the Comprehensive Plan.

The requirement is for a plan, and this is the Master Plan in the City of Riviera Beach. All the plans for the CRA, the Utility District, other organizations, those are subsidiary, but this is the

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Master Plan. And the list highlights the things that are either required to be in it or are suggested to be in it. And I've highlighted four areas that are either missing or are just not included. And it gives you some things to think about as we read the Master Plan.

And here's a couple of other details. One of the things that is missing from the current plan is anything related to population growth estimates. And so doing a little bit of math analysis, I built a high and a low estimate of the probability of growth out to 2040. We'll see what 2020 really looks like when the census is complete this year.

I think there's something that we can do in addition to what Mr. Gagnon proposed, and I think that that is to participate as citizens, not members of the Board, but as citizens in the Treasure Coast CRA workshops that are going to be announced in the next couple of weeks. I intend to participate in as many as I can. The idea would be, for those of us that have the time, I think it would be a great opportunity for us to listen and understand what's being discussed within the scope of the CRA.

Secondly, I think each one of us, in preparation for the discussions that Mr. Gagnon talked about, is to understand the current Comprehensive Plan

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and to look at it from the standpoint of what we think is either missing or needs to be enhanced.

And I would propose perhaps too revolutionary a strategy, but that is for the Planning and Zoning Board to take a lead in drafting a segment of that Comprehensive Plan to be the vision statement, which can be a five to ten page document. It's not a huge thing. It does not require an architect. It requires really understanding what the needs of the citizens are.

And I've laid out a series of steps that may or may not be suitable for what we turn out to do. But I think it would be a creative way of putting our energy into better defining what do we want to be when we grow up. And I believe we could make a significant contribution by using this panel and this Board not only as a catalyst for drawing out the comments, but also helping to stimulate some of the debate and discussion.

Then there's an additional element too, which we call zoning, and it was fascinating to see how closely this related to our previous conversations about the six foot high and the eight foot high wall and things of that sort.

And I think the best quote is on the top

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left, and this is directly from the author: To understand zoning, you have to delve through a long list of permitted and prohibited uses, tables of maximum building heights, minimum setbacks, yada, yada, yada, yada, yada, yada. Put together, they can become mind numbingly complex. And I think that is a very good description of zoning.

And this particular book, I think, will provide an opportunity for extensive discussion, because it highlights some of the challenges associated with not just Rivera Beach, but the zoning systems and processes that exist throughout the United States that this author has actually researched. It talks about current zoning systems' complexity, things that it doesn't do, then it talks about a series of failed assumptions that go into zoning.

And a couple of key things are variances. We talked about variances on heights of walls and things of that sort. Well, those just won't ever exist, except they exist all the time. Nonconformities, deviations from the standards will obviously go away, and yet they last for 40 or 50 or 60 or 70 years.

Zoning rules should be static and not change because that better protects the owners, and that's a failed assumption. And zoning should only be left to

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the technical professionals. That says the citizens don't count.

And so I think what's really fascinating about this particular book is the issue of providing a series of opportunities for us to really discuss what do we want the zoning process to actually do to help us build a vibrant city and build a better place.

And here's a couple of fundamental principles. I won't go through all of these details. There's a lot of observations. And here's the ten principles for creating which require changes to zoning that would help create a more livable city. And we're not going to talk about any of these details at this point, but it really lays out a pretty good strategy of here's what can and should be done without disrupting the legal foundation or destroying the capability.

So with that as a foundation, here's a couple of shots. In case you hadn't heard about it, this is coming to -- it's Route 1 at that point in Lake Park, but this is two blocks north of the edge of Rivera Beach. This is in Lake Park. It is called Nautilus 21.

These are facing the Intracoastal, and it's right on the Lake Park harbor. And it faces directly on Broadway and Route 1. Gorgeous building. It's

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already been approved. It's already funded and in the plans. The existing buildings on that property are vacant, and I expect the bulldozers to be there fairly quickly to start building. It's going to be a gorgeous facility.

What can we do though and be aware of for Rivera Beach? As you can recall, we got a notice of the attempt to buy a property on Blue Heron right at the intersection between Australian, which runs down the left side of that, and L Street, which runs down on the right side. And that's going to be a new Water Utility District facility, new water supplies, new wells, new well technology, new transmission improvements and a whole new water treatment facility. It's going to take two and a half to three years' worth of planning, which is not unusual, and it will probably be done in sometime about three to -- or between four and five years from now. But it's coming.

There is also a project that is working. It's the old Blue Hotel that has been talked about. There's still extensive discussions going on between City Council members and the owners of this property. One of their proposed uses is for a drug treatment facility and residence for those drug addicts, or they're thinking about building condos.

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Those have significant zoning considerations for us, and it's just helpful to know things that are brewing before they are delivered to Mr. Gagnon and before they get to the staff so we're not caught completely by surprise.

You may have heard about something called the old Sands Hotel replacement. That's what it looks like. It is a 30 story tall building, lots of glass, lots of apartments and condos and things of that sort. And the parking space that you see is the small lot right in front of the Ocean Mall. And so you can pretty well guess what that's going to look like if that gets proposed, formally proposed. And it actually stretches down towards the right side of the -- that particular image doesn't show how big that facility really is.

Then there's a second one being proposed right in front of that space. And here's what it looks like if you're driving towards the Ocean Mall. Those are mixed use facilities with retail, and residential on top. And it's called the Ocean Walk Mall Improvement. And lovely, but then parking becomes a significant challenge when you get all of the existing Ocean Mall traffic, plus the replacement for the Sands, plus this. We have a real opportunity.

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That's enough to bore you to death to a certain extent, but I hope gives you some things to think about and also to help set the stage for the workshop.

Since we have everybody here and I have the microphone, the current leaders of the dates for things are Sunday, I think it is March 29th or 27th. I think it's the 29th. I should have looked at my calendar to be sure. It's the Sunday, the last Sunday in March. And that's leading the fleet with --

MS. BUSBY: March 29th.

MR. HUNT: It is Sunday, March 29th. That's the choice of four -- or no, correction -- yes, four of the respondents that I've received so far. Does that work for everybody, because if so, then we don't need to send any more e-mails and fuss around with this.

CHAIR BURGESS: Well, I think while we have mostly everybody here -- Ms. Shepherd, I guess she did leave, so I need that to be noted for the record. She left right after our last item, after the vote. So that wasn't told to me --

MR. HUNT: I will check. I'm not sure whether she's answered the mail. I'll follow up with her specifically.

CHAIR BURGESS: Okay, so if anybody that's here that did not respond, can we just get their information now?

MR. HUNT: Yes, that would be great.

CHAIR BURGESS: Will that work?

MR. HUNT: That works for me.

CHAIR BURGESS: Because you said you received four. I know I submitted my response.

MR. HUNT: Yes. And I think Mr. Gallon was not going to be available, and --

CHAIR BURGESS: So if you know you did not respond to the survey, could you please --

VICE CHAIR GUSTAFSON: I did not respond. How long is it supposed to be on that day?

MR. HUNT: I'm proposing two to two and a half hours, something like that.

VICE CHAIR GUSTAFSON: Morning, afternoon?

MR. HUNT: Afternoon. I suggested between 1:30 and 4.

VICE CHAIR GUSTAFSON: I will be available that day; I don't have anything on my calendar now. But if we could get it to an earlier time during the day so we could --

MR. HUNT: Would 1:00 be --

VICE CHAIR GUSTAFSON: I was thinking more like 9 a.m.

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CHAIR BURGESS: On a Sunday?

MR. HUNT: No, that would probably --

CHAIR BURGESS: Oh, no. No, we have to go to church.

MR. HUNT: That probably would take a lot of other votes away.

CHAIR BURGESS: Yes, we have church on Sunday morning.

MR. HUNT: So 12:30 would work for me if -- well, let's first decide the date, if it's going to be Sunday the 29th, if anybody is opposed to that. Do we have a consensus?

MS. BUSBY: Chair, could I just -- I just want to make a clarification, Chair.

CHAIR BURGESS: Okay.

MS. BUSBY: So is this going to be a formal meeting here in Council chambers?

MR. HUNT: No. It would be a workshop wherever we choose to -- that was the third question that I wanted to ask.

MS. BUSBY: Okay. Are you going to make it open to the public?

MR. HUNT: We certainly can announce it and make it open to the public if you wish. I was not planning on it being that formal a process. It would

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be more of an open discussion.
MS. BUSBY: Well, for Florida in the Sunshine, I think it's important that you do make it open to the public and that you publicly notice it.
MR. HUNT: Okay, that's fine. I mean that's the whole purpose of the workshop, is to be able to get participation. But we have consensus that Sunday, March 29th is acceptable?
MR. WYLY: 29th is good for me.
CHAIR BURGESS: Yes, so that date works.
MR. HUNT: Okay. Now, how about votes for 12:30? Okay, we got three votes for -- three and a half with the flexibility. How about 1:00 would be more preferable? Okay, 1:30 pushes it too late? 1:00? Is 1:00 a better compromise than 12:30?
MS. CLARK: Let's go with 1:00.
MR. HUNT: Let's do it at 1:00. We will try to keep it as short and as sweet and as focused as possible. And I'll make up an announcement, and we'll let Jeff go through the normal process of announcing it and we'll make it publicly available. That means we do it here.
MR. GAGNON: Mr. Hunt, let me verify Council chamber availability. I'm sure there won't be an issue, but --

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MR. HUNT: Yes, that's fine.
MR. GAGNON: -- let me just --
MR. HUNT: Can we do the conference room as an alternative, if necessary? We wouldn't have a video, but we would --
MR. GAGNON: Well, I think what we'll do, I don't know if it will be, I guess, as full of a production as a typical Planning and Zoning Board meeting. I think it's really just intended to be a relaxed workshop atmosphere. So we do the public notice, we take meeting minutes for the record. It wouldn't be verbatim meeting minutes, we wouldn't have a court reporter, we probably wouldn't have a recording of the meeting as well. So it's very grassroots, so to speak --
MR. HUNT: Sure.
MR. GAGNON: -- as far as just being able to discuss the core items and doing it in a formal, yet informal setting.
MR. HUNT: Correct. Okay. And you're going to check on the availability and work through --
MR. GAGNON: Yes.
MR. HUNT: Okay, great. Do you have any questions at all about what I showed you, because I'm going to send you a .pdf. Actually, I'm going to send

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it to Jeff and Jeff will send it to you with a .pdf of those slides, and then we'll have more of it for the workshop.
VICE CHAIR GUSTAFSON: What is the specific agenda?
MR. HUNT: For the workshop?
VICE CHAIR GUSTAFSON: Yes, for the workshop.
MR. HUNT: My intention was to go through and at least provide additional detail about the planning, zoning and permitting process that we are facing and to propose some ideas like I did on the other slide for discussion. And we'll work through a detail of the agenda now that we know we have a date and we have at least a quorum. I'm wide open to suggestions.
VICE CHAIR GUSTAFSON: So the specific projects that you showed during this presentation would be --
MR. HUNT: No sir, those are not projects that are before us. Those are indicators of things that are coming down the pike -- well, may be coming down the pike. And so we're not voting. We're not addressing those; those are not formal submissions.
CHAIR BURGESS: No, those are just like references.
MR. HUNT: We're talking about the process.

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VICE CHAIR GUSTAFSON: But those are reference items that are coming down the line, and during that meeting are we going to be potentially speaking about them?
MR. HUNT: No, I don't think so. I merely showed them to you today because Dr. Botel showed them yesterday to another group of citizens and things of that sort, so they're being talked about. But they are not projects that are before us, and they are not ready for debate or discussion at this point.
CHAIR BURGESS: Right, because that would violate Sunshine.
MR. HUNT: Right.
CHAIR BURGESS: I think how I understand it is that these sessions were to more educate us as a Board --
MR. HUNT: Correct.
CHAIR BURGESS: -- and how we fulfill our duties and what those duties are with making recommendations on capital improvements of the city and those type of things --
MR. HUNT: Correct, correct.
CHAIR BURGESS: -- going forward.
MR. HUNT: Correct.
CHAIR BURGESS: So definitely not to be

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discussed about any upcoming projects, because we know we cannot discuss those type of things.

MR. GAGNON: If I could, Madam Chair, from a staff perspective, we see this as an opportunity to have a conversation about Board member expectations as well and to see if there's other things that staff can do and implement them in our typical processes that help resolve potential conflicts or really create a foundation for expectations for all parties involved.

CHAIR BURGESS: Very good. So who from staff is planning to be here?

MR. GAGNON: I will be planning to be here. We'll need to have a larger conversation. You know, we're not intending on voting on any motions or anything like that.

CHAIR BURGESS: Right, right, very informal.

MR. GAGNON: So I don't know if we'll have to have the Legal Department represented there.

CHAIR BURGESS: Right.

MR. GAGNON: I am more than capable of taking, you know, a summary of meeting minutes for the record, per requirements for a noticed meeting. So I think we can get together from a staff perspective and see who we can get there as a core complement to be sure that we check all the boxes, but again, not to

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create additional staff burden.

CHAIR BURGESS: Right, right. Great, great. Thank you. You'll let us -- you'll keep us posted on that.

The presentation was very good. What I can say from being up here and how we all have been working together, the purpose of us coming here, volunteering our time is to be a voice for the residents, also for ourselves because we're all residents. And we're not always going to agree, but we have to agree to disagree. Everybody is going to have their own opinion, especially about growth and what they want to see come to the city. And we, I think we all up here want growth, but we want smart growth.

MR. HUNT: Yes.

CHAIR BURGESS: And I think that is the main point. So when we have, you know, different views on what that growth looks like for Mr. Wyly versus what it looks like for me, I think we need to remember as a Board that we just always need to be respectful of each other in our opinions, because, you know, we're collaborating together.

So I just wanted to put that out. I know I read through the last minutes of the meeting. I was not here. And for me as Chairperson, I just want to

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make sure, you know, that we always keep that on the forefront. We have to agree to disagree, because everybody has their opinion.

So thank you, Mr. Hunt.

We're going to move into item X, general discussion, public comments. There's no public comments, so we're going to move over to correspondence.

MR. GAGNON: Yes, thank you, Madam Chair. I also wanted to thank Mr. Hunt for that information. I think it's really good to have a kick-start to a lot of the conversations we're going to need to have, especially associated with the Comprehensive Plan updates. So it's definitely a good start for a visioning session of sorts.

Staff has no correspondence to report. I don't believe we have any public comments either.

CHAIR BURGESS: No.

MR. GAGNON: So we just have our regularly scheduled meeting is anticipated March 12th and March 26th.

CHAIR BURGESS: Thank you. Are there any other comments for the Board, and if not, do we have a motion to adjourn?

MS. CLARK: I have a comment.

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CHAIR BURGESS: Okay, you're acknowledged.

MS. CLARK: Thank you, yes.

I just want to caveat off of what Mr. Hunt has proposed, what can we do in terms of zoning and also what you commented on, Madam Chair.

And I, as a member of the Planning and Zoning Board, I will be called upon to review, comprehend and action various City ordinances, municipal codes and other land uses related information. It is my goal to have and seek out a deeper orientation of processes that have an attorney based law or court-like nature, enabling me to execute my role as Board member intelligently, methodically and academically, with a solid knowledge of Florida State laws around Land Development Regulations tied to our Comprehensive Plan.

Municipal Planning and Zoning Boards throughout the state of Florida have formal standard operating procedures to navigate various projects and deliver a quality product recommendation to their City Council and residents for consideration or vote.

For example, every Planning and Zoning Board should have an orientation process to have staff walk the Board through their process of due diligence, research compilation, recommendation, providing supporting documentation, plus enough time to

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deliberate, obtain appropriate staff responses or to step back and workshop, enabling an informed vote.

I'm delighted to share a contact from the University of Florida, Program for Resource Efficient Communities, has expressed support to train our Planning and Zoning Board members, as well as our Board hosting countywide training for all 39 cities and their Planning and Zoning Board members. It has been a while since our county has been refreshed on tools and resources which strengthen P&Z boards and their best practices.

Upon consensus to move forward, I will begin the discussion and coordination, with updates to the Chair. My personal goal is to temper passion decisions in a quasi-judicial court-like process nature involving land use. Once a precedent of quality, efficiencies, effectiveness has been established and followed by this Board, it will set the tone for standard operating procedures for projects to come. Thank you.

I would like to have a brief discussion if we would like this training by this faculty member, who does it for the entire state of Florida, to complement what we are doing now and in the future.

CHAIR BURGESS: Sounds like a really good opportunity for us.

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MS. CLARK: Would we like to post it as our city and bring people here to the Marina, for example?

CHAIR BURGESS: That sounds lovely, but I guess that would be a question for staff.

MR. GAGNON: It sounds like a very exciting opportunity. We haven't really had the opportunity to discuss it, so we can see what, again, the facility availability is at the Marina Event Center, if that's the preferred location, and discuss more with your contact on available times and scope of the training, if that pleases the Board. It sounds like a great opportunity.

MS. CLARK: I can get the conversation going and share with not only the Chair, but also with staff. And let's coordinate this and make Riviera Beach stand out. When we have this opportunity, it's, you know, a great opportunity to pull these other cities in. And if we decide that we just want to do it amongst ourselves, you know, that's okay too.

CHAIR BURGESS: Okay, so Mrs. Harris Clark, you will forward that information to staff, and maybe then staff can shoot it out to the rest of us.

MR. GAGNON: Sure.

CHAIR BURGESS: So, but I would definitely be interested in it.

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MS. CLARK: Thank you, Madam Chair.

CHAIR BURGESS: Is there any other Board comments?

MR. GALLON: Madam Chair.

CHAIR BURGESS: Go ahead, Mr. Gallon.

MR. GALLON: Jeff, I like the way this company came in with, I guess, knowingly that we was going to ask the question about whether or not they reached out to the residents. I wish that this could probably be part of your process, as far as when they're going to have a building or build anything or do anything around the residents, that they know up front that we're going to ask this question and they're going to have go back and do the work. They should do it up front.

CHAIR BURGESS: Well, it seems like to me they kind of maybe paid attention --

MR. GALLON: They paid attention to the last meeting.

CHAIR BURGESS: -- and took notes. So kudos to them --

MR. GALLON: To them.

CHAIR BURGESS: -- to the company, because that's how all companies --

MR. GALLON: Should do it.

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CHAIR BURGESS: -- like Mr. Gallon was saying, should come to us and not just automatically assume, because like, you know, I stated before, we are the voice for our city and our residents. So, you know, it's like we say we want growth, but we want smart growth.

MS. CLARK: Exactly.

CHAIR BURGESS: So we just don't want anything and we shouldn't have to accept anything just because it's being proposed here.

MR. GAGNON: Understood. I think as you know, we have a very good Board dynamic, I think, right now where we have some very new Board members and we have some tenured Board members. So from a staff perspective, as we go through meetings and we learn what was being requested by the Board, staff can provide that information in advance to development teams.

So the ultimate goal is to ensure that there's the best process for all parties involved. So, you know, hopefully we can use the workshop as another opportunity to discuss items exactly like this.

MR. GALLON: Yes, that's my biggest concern, to make sure that whatever comes or whoever comes to do whatever they want to do, they got to go to those

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residents first.

CHAIR BURGESS: Any other Board comments?

MS. CLARK: Just to caveat off of that too, I think as a Board and as a project manager, we should not feel compelled to act upon certain situations when it's our time, our residents' time and our vision and our planning. If we need to step back and workshop to make sure that we are clear, we have a good understanding and we're looking at all of the ramifications, good or bad that may surround some of the requests that we must make a decision on, you know, I feel good about taking a step back and making sure we deliver a good quality product that will not get sent back by the City Council and not be rejected by our residents.

CHAIR BURGESS: I agree.

Okay, if there's no other comments, is there a motion?

MR. HUNT: I make a motion to adjourn.

MR. GALLON: Second.

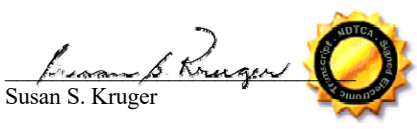
(Whereupon, at 8:36 p.m., the proceedings were concluded.)

C E R T I F I C A T E

THE STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

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

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of March, 2020.



Susan S. Kruger

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CITY OF RIVIERA BEACH STAFF REPORT
CASE NUMBER ZA-20-01
SPECIAL PRESERVATION ZONING AMENDMENT
MAY 28, 2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CITY'S CODE OF ORDINANCES ENTITLED, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", BY CREATING A NEW ZONING DISTRICT ENTITLED, "SP SPECIAL PRESERVATION DISTRICT", COINCIDING WITH THE CITY'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT FOR SPECIAL PRESERVATION AREAS; AND AMENDING CHAPTER 31, ARTICLE V, DIVISION 1, "GENERALLY", SECTION 31-96, "DESIGNATION OF DISTRICTS", BY ADDING REFERENCE TO THE "SP SPECIAL PRESERVATION DISTRICT"; AND AMENDING CHAPTER 31, ARTICLE V, DIVISION 1, "GENERALLY", SECTION 31-97, "OFFICIAL ZONING MAP AND ZONING DISTRICT BOUNDARIES", BY AMENDING THE CITY'S ZONING MAP BY ASSIGNING A SPECIAL PRESERVATION ZONING DISTRICT DESIGNATION TO ANY AND ALL LAND AREA CURRENTLY HAVING A SPECIAL PRESERVATION FUTURE LAND USE DESIGNATION ACCORDING TO THE CITY'S COMPREHENSIVE PLAN AND FUTURE LAND USE MAP, IN ORDER TO PROVIDE CONSISTENCY BETWEEN THE CITY'S FUTURE LAND USE MAP AND ZONING MAP, WHICH WILL IMPACT REAL PROPERTY OR PORTIONS THEREOF, LOCATED NORTH OF PINE POINT ROAD AND WEST OF NORTH OCEAN DRIVE IN THE CITY OF RIVIERA BEACH; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A. Applicants: City Initiated Process.

B. Request: Creation and implementation of a Special Preservation Zoning District, including a zoning text amendment and zoning map amendment (see attached Exhibit A, B and C).

C. Location: The Special Preservation Zoning District is proposed to coincide with the Special Preservation Future Land Use area; north of Pine Point Road and west of North Ocean Drive (see attached Exhibit A, B and C).

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

Parcel Control Numbers: (28 parcels; applicable PCN's provided below for reference)

56434215000010060;	56434215000010070;	56434215000010050;	56434215000010040;
56434222000010370;	56434222000010350;	56434222000010331;	56434222000010320;
56434222000010310;	56434222000010290;	56434222000010271;	56434222000010261;
56434222000010250;	56434222000010250;	56434222000010230;	56434222000010220;
56434222000010210;	56434222000010200;	56434222000010180;	56434222000010160;
56434222000010130;	56434222000010110;	56434222000010100;	56434222000010140;
56434222000010090;	56434222000010080;	56434222000010070;	56434222000010050.

Area:	Approximately 150 acres; primarily submerged lands.
Existing Use:	Undeveloped; primarily submerged lands.
Zoning:	Currently: RS-5, Single Family Residential Proposed: SP, Special Preservation
Future Land Use:	Special Preservation

E. Adjacent Property Description and Uses:

North: North Palm Beach; John D. MacArthur Beach State Park

South: Single Family Residential Uses; RS-5, Single Family Residential Zoning

East: Primarily Residential Uses; RM-20, Multifamily Residential and CF, Community Facility Zoning

West: Intracoastal Waterway

F. Background:

The City's Comprehensive Plan, more specifically the Future Land Use Element, and Future Land Use Map (see Exhibit A), provide specific provisions for Special Preservation areas of the City. The same land area having a Special Preservation Future Land Use designation currently has an RS-5, Single Family Residential Zoning designation (see Exhibit B). Per the Florida Statutes, (Sec. 163.3202(1), "Land Development Regulations") the City's Zoning Map must be compatible with the Future Land Use Map. In order to accomplish this state required compatibility, the City must create a Special Preservation Zoning Designation and amend the Zoning Map accordingly. This amendment will result in the proposed Special Preservation area on the City's Zoning Map mirroring the Special Preservation Future Land Use area per the City's Future Land Use Map.

G. Staff Analysis:

Proposed Use: N/A

Comprehensive Plan and Zoning Regulations: The City's Comprehensive Plan, more specifically the Future Land Use Element and Future Land Use Map, provide for a Special Preservation Future Land Use designation. The City's Zoning Code is currently silent regarding Special Preservation district regulations. In order for the City's Zoning Code (Land Development Regulations) to be consistent with the City's Comprehensive Plan and Future Land Use Map, a Special Preservation Zoning Designation must be created. Additionally, the City's Zoning Map must be amended to apply the newly created Special Preservation Zoning Designation on the same land area currently identified as Special Preservation Future Land Use.

Levels of Service: N/A

Landscaping: N/A

Parking/Traffic: N/A

H. Recommendation:

City staff recommends that the Planning and Zoning Board recommend approval of the subject Special Preservation Ordinance to the City Council.

Exhibit A. Location Map (Subject Area in Shown in Green):

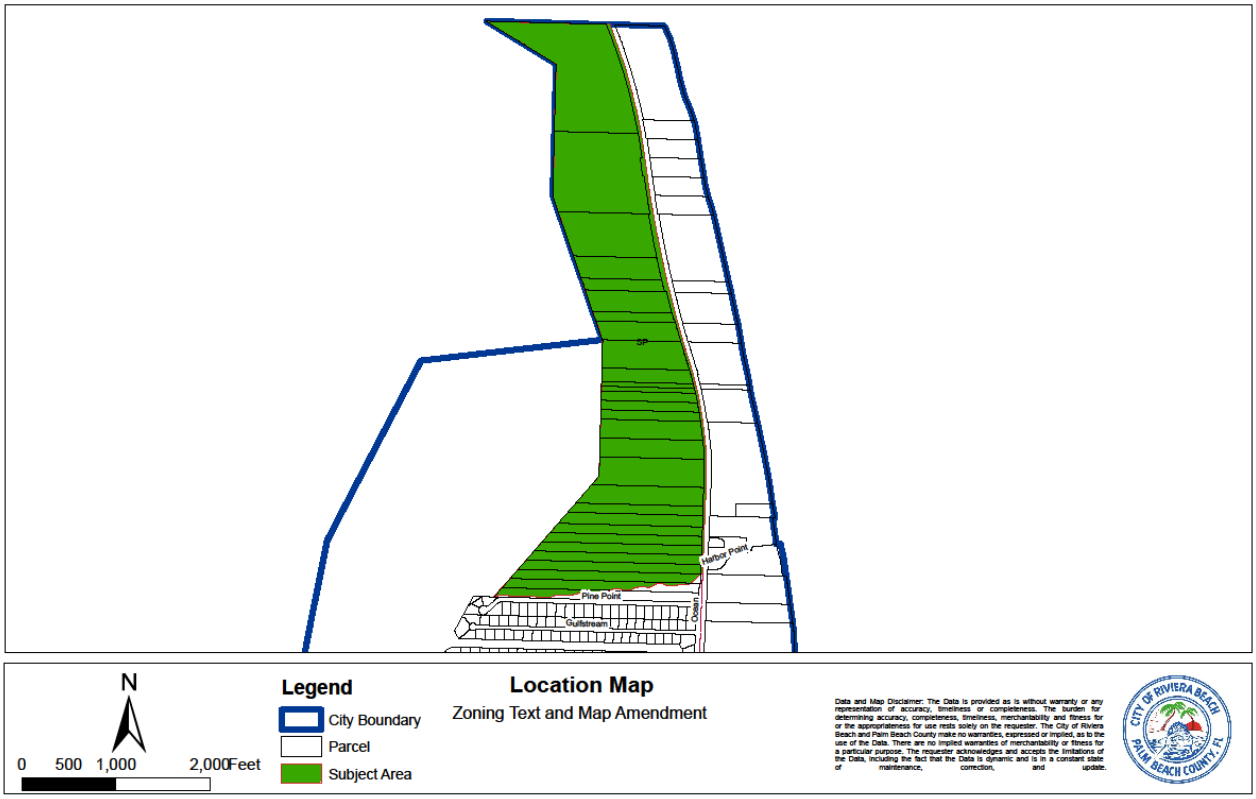


Exhibit B. Proposed Zoning Map Amendment (Current RS-5 Single Family Zoning in Yellow on Left; Proposed SP Special Preservation Zoning in Green on Right):

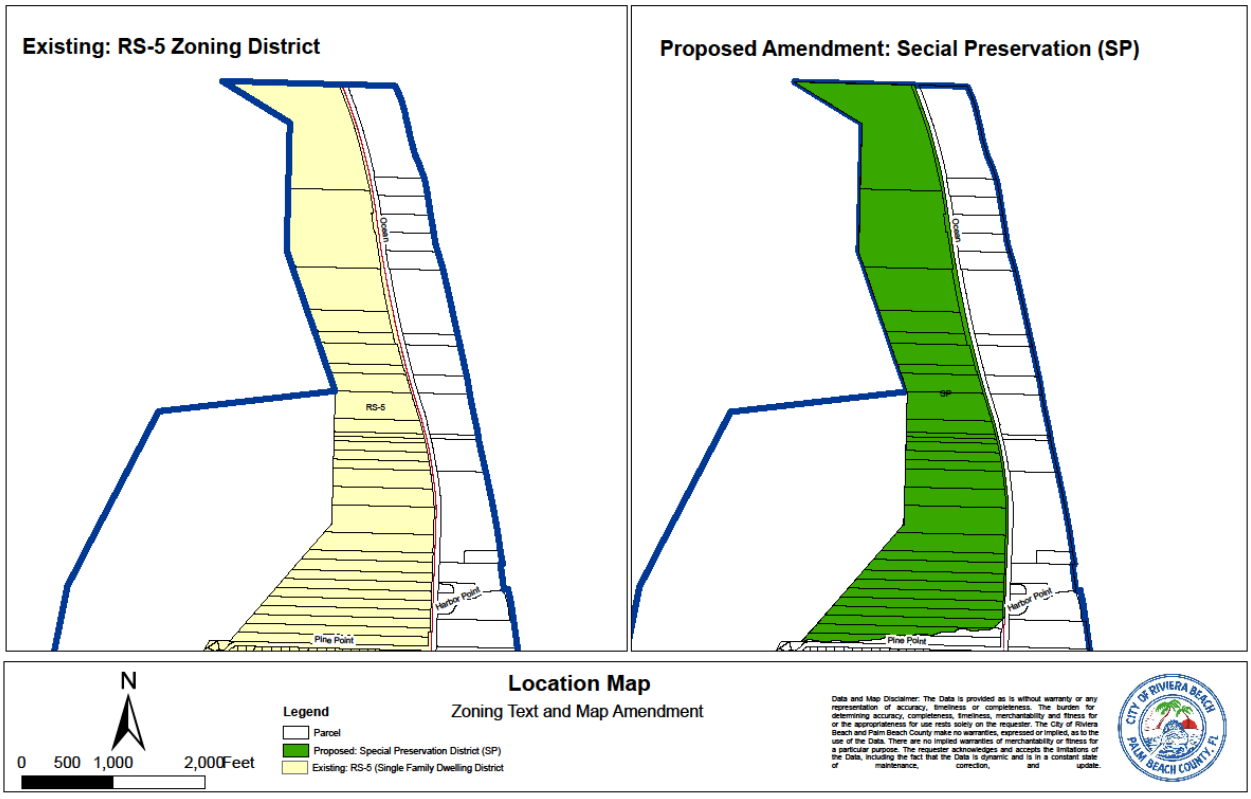


Exhibit C. Proposed Zoning Text Amendments:

DIVISION ##. – SP SPECIAL PRESERVATION DISTRICT.

Sec. 31-###. – Purpose and intent.

The purpose and intent of the special preservation district is to provide for land development regulations that address the use of special estuarine bottomlands, wetlands, and mangrove habitat while promoting the City's preservation policies contained within the City's Comprehensive Plan, including but not limited to the Conservation Element and Future Land Use Element. This district aims to protect and conserve the City's natural resources including, but not limited to, air, beaches, shores, fisheries, native plant and animal communities and ecosystems, wetlands, soils, water, wildlife and wildlife habitats, bottomlands, environmentally-sensitive lands and unique estuarine mangrove habitat found in and around the Lake Worth Lagoon.

Sec. 31-###. – Use regulations.

a) *Uses permitted*. The following uses are permitted in the SP special preservation district:
    1) Private residential fishing or viewing platforms and docks for non-motorized boats may be permitted subject to the following regulations:
        a. Platforms and docks shall not extend outward past the mean low water line.
        b. Construction must be fully achievable from an on-shore location.
        c. Permits must be obtained from DEP and/or all other applicable regulatory agencies.
    2) Mitigation land banks.
    3) Preservation land.

b) *Special Exception*. The following uses may be permitted in the SP special preservation district:
    1) None.

c) *Uses prohibited*. The following uses shall be prohibited in the SP special preservation district:
    1) Any use not specifically stated as a use permitted within this section.

Sec. 31-###. - Judicially determined vested rights.

a) The Special Preservation District shall not be construed nor implemented to impair or preclude judicially determined vested rights to develop or alter submerged lands.

Exhibit D. Aerial View

