



**STAFF REPORT - CITY OF RIVIERA BEACH
DYER INDUSTRIAL EAST SP-19-20
SEPTEMBER 10, 2020**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING SITE PLAN APPLICATION (SP-19-20) FOR A CONTRACTOR STORAGE YARD AND ACCESSORY OFFICE USE, TOTALING APPROXIMATELY 3.00 ACRES, LOCATED AT 4922 DYER BOULEVARD, ASSOCIATED WITH PARCEL CONTROL NUMBERS 56-42-42-36-00-000-3070; 56-42-42-36-00-000-3050 HAVING AN INDUSTRIAL FUTURE LAND USE DESIGNATION; A LIMITED INDUSTRIAL (IL) ZONING DESIGNATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A. Applicant: Steve Zeiger and Spencer Zeiger / Hinterland Group #2 LLC - Owner
Authorized Agent: Dan Siemsen, Gentile Glas Holloway O'Mahoney & Associates, Inc.

B. Request: The applicant is requesting site plan approval for a contractor storage yard and accessory office use.

C. Location: The subject site is located on Dyer Boulevard approximately 340.92 feet east of the intersection of North Haverhill Road and Dyer Boulevard, and 0.329 miles west of North Military Trail, addressed as 4922 Dyer Boulevard, identified by Parcel Control Numbers: 56-42-42-36-00-000-3070; 56-42-42-36-00-000-3050 within the City of Riviera Beach municipal boundary, as depicted on Exhibit A (see attached location map).

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

Parcel Control Numbers: 56-42-42-36-00-000-3070; 56-42-42-36-00-000-3050

Parcel Size: +/-3.00 Acres

Existing Use: Vacant (Undeveloped)

Zoning: Limited Industrial (IL) Zoning District

Future Land Use: Industrial (IND) Future Land Use

E. Adjacent Property Description and Uses:

North: General Industrial (IG) Zoning District: MCI Telecommunications.

South: Residential Planned Unit Development (R-PUD) Zoning District: Turtle Cay – townhomes, zero lot line homes.

East: Limited Industrial (IL) Zoning District: warehouse/distribution terminal.

West: Limited Industrial (IL) Zoning District: vacant.

F. Background:

On November 12, 2019, Gentile Glas Holloway O'Mahoney & Associates, Inc., authorized agent for the applicant, Steve Zeiger and Spencer Zeiger, submitted an application for site plan approval (SP-19-20) for a contractor storage yard and accessory use. This application is also being reviewed concurrently with an associated plat application (PA-19-03). Staff conducted an initial review and provided the applicant with comments. Subsequent resubmittals were reviewed and comments were resolved prior to the application's placement on the Planning and Zoning Board Agenda. The proposed use will consist of a 76,294.74 square foot contractor storage yard (outdoor), and 5,895 square foot (enclosed) contractor storage including 1,930 square feet of accessory office.

The subject site consists of 3.00 acres of vacant land (130,680 square foot land area) located on Dyer Boulevard, approximately 340.92 feet east of the intersection of North Haverhill Road and Dyer Boulevard, 0.329 miles west of North Military Trail, and identified by Parcel Control Number 56-42-42-36-00-000-3070. According to Palm Beach County Property Appraiser's records, the subject parcel was acquired on/about January 2017 by Hinterland Group #1 LLC. Prior to the acquisition, the subject parcel was in use by Southern Truss Companies and operated as an open-air roof truss manufacturing company from approximately 1980 to 2008, and has since relocated to Fort Pierce. While remnants of roof truss materials still exist on the subject site, there is no record or evidence of a building structure ever existing on the site. The Applicant is requesting site plan approval for a 76,294.74 square-foot outdoor contractor storage yard, and 5,895 square-foot (enclosed) contractor storage including 1,930 square-foot accessory office.

The site plan application for the subject property has been scheduled to be heard by the Planning and Zoning Board on Thursday, September 10, 2020 at 06:30 P.M.

G. Staff Analysis:

Proposed Use: Contractor Storage Yard.

Zoning Regulations: The proposed use as a contractor storage yard is a permitted use in the Limited Industrial (IL) Zoning District. The proposed use and accessory office are consistent with the development patterns in the industrial corridor, and complies with the requirements of the City's Land Development Regulations.

Comprehensive Plan: The proposed use is consistent with the City's Comprehensive Plan, including the Industrial Future Land Use category.

Compatibility: The proposed use is compatible with the surrounding parcels within the industrial corridor and does not impose any adverse impact to surrounding properties. Although, a residential development abuts the south (rear) of the proposed use, the site plan and landscape plan demonstrates adequate buffers and screening, such as a 50-foot landscape easement buffer, 10-foot landscape buffer and a six-foot high finished masonry wall along the south property line abutting adjacent residential - a mitigation measure to any potential noise or visual impacts.

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

Landscaping: The proposed landscape plan is adequate and complies with the City's Land Development Regulations.

Parking/Traffic: The site plan proposes the required four (4) parking spaces, including one (1) ADA space per Code requirement for a contractor storage yard and accessory office use. Four to five employees are estimated to remain on site during the workday. The site plan also proposes twenty-one (21) additional parking spaces, to accommodate crane operators and truck drivers (employees), park and leave their vehicle on site, and deliver and pick up cranes off-site. The proposed parking is ample and complies with the City's Land Development Regulations.

The site plan indicates two ingress/egress points from Dyer Boulevard. Palm Beach County Traffic Division reviewed the applicant's Traffic Impact Statement and determined that the proposed development meets the Traffic Performance Standards of Palm Beach County and does not have a significant peak-hour traffic impact on the roadway network.

H. Staff Conclusion: Staff recommends that the Planning and Zoning Board recommend to the City Council approval of the proposed site plan application for a contractor storage yard and accessory office use, located at 4922 Dyer Boulevard with the following conditions:

1. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before a Certificate of Occupancy or Certificate of Completion is issued.
2. Construction and landscaping improvements must be initiated within 18 months of the effective date of this Resolution in accordance with Section 31-60(b), of the City Code of Ordinances. Demolition, site preparation and/or land clearing shall not be considered construction. Building permit application and associated plans and documents shall be submitted in its entirety and shall not be accepted by City staff in a partial or incomplete manner.
3. City Council authorizes City staff to approve future amendments to this site plan administratively so long as the site plan does not deviate greater than 5% from the originally approved site plan.
4. This development must receive final Certificate of Occupancy from the City for all buildings and 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 approval and re-initiate the site plan approval process.
5. All future advertising must state that the development is located in the City of Riviera Beach. Fees and penalties in accordance with City Code Sec. 31-554 will be levied against the property owner and/or business for violation of this condition.
6. 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.
7. Prior to issuance of building permit, the Florida Power and Light 10-foot easement (identified to be abandoned on the proposed site plan and located on

the northern property line) shall be abandoned and said documents recorded in the Official Records of Palm Beach County. The Official Records Book and Page Number shall be provided to the City's Development Services Department upon recordation.

8. Prior to issuance of building permit, a copy of the Palm Beach County driveway and drainage permit shall be provided to the City's Public Works Department (Engineering Division).
9. Due the close proximity to existing residential uses and Limited Industrial Zoning Designation, the open storage of goods and materials shall not exceed twenty (20) feet in height per City Code Sec. 31-363(2). Any equipment or vehicles stored on site, including but not limited to crane arms, shall be lowered to the lowest possible level upon close of business to mitigate visual impacts.

Dyer Industrial East

Location Map

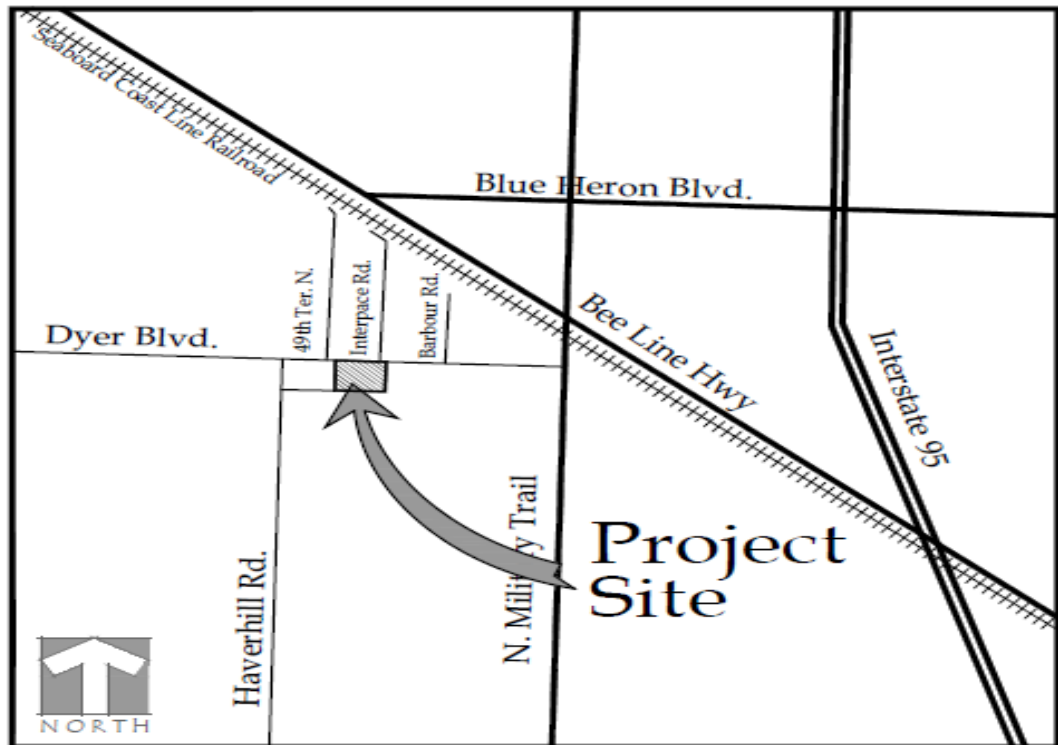


Exhibit B. Legal Description.

The West 632.64 feet of the East 2,371.96 feet of the North Half (N ½) of the South Half (S ½) of the North Half (N ½) of the Northwest Quarter (NW ¼) of Section 36, Township 42 South, Range 42 East, Palm Beach County, Florida, LESS the North 40.00 feet conveyed to the County of Palm Beach as recorded in Official Records Book 445, Page 315, Public Records of Palm Beach County, Florida.