



**CITY OF RIVIERA BEACH STAFF REPORT
CASE NUMBER ZA-21-01, SP-21-01
FLORIDA SUNSTAR LOGISTICS
APRIL 8, 2021**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING ZONING TEXT AMENDMENT (ZA-21-01) FROM FLORIDA SUNSTAR LOGISTICS, LLC., TO REVISE THE LAND DEVELOPMENT CODE FOR IG (GENERAL INDUSTRIAL) TO INSERT NEW SUBSECTION “a” INTO SECTION 31-383 (2), INCREASING THE ALLOWABLE BUILDING HEIGHT IN THE CENTRAL AREA OF THE PORT FROM 50’ TO 150’, WHERE THE CENTRAL AREA IS DEFINED AS “THAT AREA BORDERED BY W. PORT ROAD & BROADWAY AVE, AVENUE E, AND DR. MARTIN LUTHER KING JR. BLVD.”, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-33-29-000-0020, AND PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING SITE PLAN APPLICATION (SP-21-01) FROM FLORIDA SUNSTAR LOGISTICS, LLC., TO ALLOW FOR THE CONSTRUCTION OF AN INDUSTRIAL CEMENT STORAGE TANK (A.K.A DOME) AND AN ACCESSORY OFFICE AND EQUIPMENT BUILDINGS ON A ~3.97 ACRE AREA AT THE PORT, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-33-29-000-0020, HAVING AN PORT FUTURE LAND USE DESIGNATION AND A GENERAL INDUSTRIAL (IG) ZONING DESIGNATION, PROVIDING FOR CONDITIONS OF APPROVAL, AND PROVIDING FOR AN EFFECTIVE DATE.

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- A. Applicants:** Florida Sunstar Logistics, LLC.
- B. Request:** The applicant has two requests. First, a Zoning Text Amendment to increase the maximum building height to 150’ from 50’ in an ~ 17.75 acre portion of the port IG General Industrial zone. Second, Site Plan Approval for a new 150’ tall dome and accessory structures and parking for a cement material storage facility on a portion of the property in the central portion of the port IG General Industrial zone.
- C. Location:** The subject property is located inside the Port of Palm Beach. The area of the text amendment is a ~17.75 acre portion of the IG zone. The property which is the subject of the Site Plan Approval is ~3.97 acres of the area that is included in the zone text change. While the port is adjacent to West Palm Beach the property under consideration today is within the port and not directly adjacent to West Palm Beach. The photographs below show the view standing on the site (in order) to the North, East, South and West and demonstrate that the project location is in the middle of the port property. (See also Location Map at end of document.)

View to the North



View to the East



View to the South



View to the West



D. Property Description and Uses:

| | |
|--------------------------------|---|
| <u>Parcel Control Numbers:</u> | 56-43-42-33-29-000-0020 |
| <u>Parcel Size:</u> | 3.97 acres |
| <u>Existing Use:</u> | Industrial |
| <u>Zoning:</u> | General Industrial (IG) Zoning District |
| <u>Future Land Use:</u> | Port |

E. Adjacent Property Description and Uses:

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|---------------|---|
| <u>North:</u> | General Industrial (IG) Zoning District; Port property. |
| <u>South:</u> | General Industrial (IG) Zoning District; Port property. |
| <u>East:</u> | General Industrial (IG) Zoning District; Port property. |
| <u>West:</u> | General Industrial (IG) Zoning District; Port property and State Road/US 1 overpass |

F. Background:

The Applicant submitted Zoning Text Amendment Application (ZA-21-01) for approval to increase the maximum building height from 50' to 150' on approximately 17.75 acres of land at the port in the center of the IG (General Industrial) zoning district. The area subject to the increased height is defined as "That area bordered by W. Port Road & Broadway Ave, Avenue E, and Dr. Martin Luther King Jr. Blvd." The need for the requested text amendment comes from a desire to facilitate and expand the opportunities for future growth and economic development of the Port of Palm Beach and allow for the construction of a 150 foot high storage structure by Florida Sunstar Logistics.

The Applicant also submitted Site Plan Application (SP-21-01) for approval for Florida Sunstar LLC. to develop a 12,271 square foot/150' tall cement materials storage dome capable of storing 50,000 tons of material, a one story 2,080 square foot office building, a 2,568 square foot mechanical/equipment building, and associated parking and mechanical equipment on a ~3.97 acre portion of the ~17.75 acres that would benefit from the related text amendment. This project is a ~27 million dollar investment and is projected to bring both construction and long term employment opportunities to the City in addition to increasing the tax base. The applicant has proposed to decorate the materials storage dome with an ocean/dolphin design and the words "Riviera Beach" in banner format along the top edge of the dome so as to be visible to traffic crossing the bridge. The applicant provided illustrations to show how it would look during the day and when illuminated at night. The applicant is aware that the design must be to the satisfaction of the City Council.

G. Staff Analysis:

Proposed Use: The proposed use is Industrial and is permitted. A zone text amendment is required to allow the construction of the proposed materials storage dome as intended.

Zoning Regulations: The General Industrial (G) Zoning District purpose (Section 31-381) is to promote development of industrial and manufacturing uses which would increase the tax base of the city and provide increased employment opportunities for area residents”. This project is a ~\$27 million dollar investment. Per the Applicants response to staff comments on job creation *“We estimate over 100 temporary construction jobs during the course of the build. These jobs will include both skilled and unskilled jobs from laborers, carpenters, excavators, pipefitters, welders, electricians, ironmen and data technicians. We are estimating approximately 110 full time jobs once construction is complete. Approximately 10-12 of these positions will be onsite with varying degrees of skill sets and experience. Job titles include Site Manager, Site Operators, Administrative Assistant, Deckhands, Mechanics, etc. All other positions will be related to truck drivers loading material from the Port and delivering to the local market.”*

Comprehensive Plan: The proposed project is consistent with the City’s Comprehensive Plan and the Port Future Land Use Category.

Uses: The proposed use is a permitted use per the General Industrial (IG) Zoning District code section 31-382 (a)1 which says all uses permitted in the IL District under Section 31-362 (a) 1 are permitted in IG District – and this use falls under “wholesaling”.

Compatibility: The proposed development of this property is compatible with adjacent development as it is all port related operations.

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

Landscaping: Within the port facility landscape materials are not installed as they would typically be on other commercial or industrial sites in the city. However, typically landscaping is one way to mitigate impacts of a development on the adjacent properties and provide screening for noise, lights and views. The applicant was asked to quantify the scope of the landscape requirement if this project was not in the port and calculate the cost of that improvement. The applicant was asked if they would contribute the cost of the landscape requirement to the City to use to install landscape offsite for the benefit of the community. The applicant is in agreement and provided a landscape estimate of 45,285.15. Staff recommends that a check in this amount be provided to the City prior to issuance of the Building Permit.

Lighting: The lighting on the dome will be installed approximately 10 feet below the bridge. The lighting fixtures selected meets the IDA dark sky certification as shown on the cut sheet on E-3 and E-4 and will not cause glare to traffic on the overpass. The site is in the middle of the active port facility and as such the site lighting is not expected to adversely impact abutting lessors.

Parking/Traffic: All traffic enters the site via the security checkpoint at the east terminus of MLK Jr. Blvd. Traffic volume is estimated at 100 truck trips and 70 employee trips per day with one round trip equal to two trips. There is existing transportation infrastructure to handle the traffic and a parking area is provided on site for the maximum number of employees expected to work on the site as well as in the office per shift.

Municode Section 26-5 Table III offers bonuses for the IG district: *Reduction in spaces or size (no limit) based on demonstrated use or alternative plan. It must be demonstrated that the requirement is unrealistic for a particular use (i.e., based on number of employees) or that an alternative plan, such as park and ride, is available.* The parking calculation utilized is per the maximum number of employees that would be at the site in one shift, which is 16 employees for the site (not just the office building). A clear pedestrian path from the parking area to the office building has been depicted on the site plan to ensure on site pedestrian safety.

H. Recommendation:

ZA-21-01:

Staff recommends approval of the Zoning Text Amendment application (ZA-21-01) to increase the maximum building height from 50' to 150' on approximately 17.75 acres of land at the port in the center of the IG (General Industrial) zoning district. The area subject to the increased height is defined as "That area bordered by W. Port Road & Broadway Ave, Avenue E, and Dr. Martin Luther King Jr. Blvd."

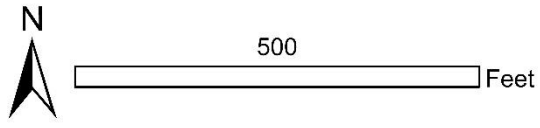
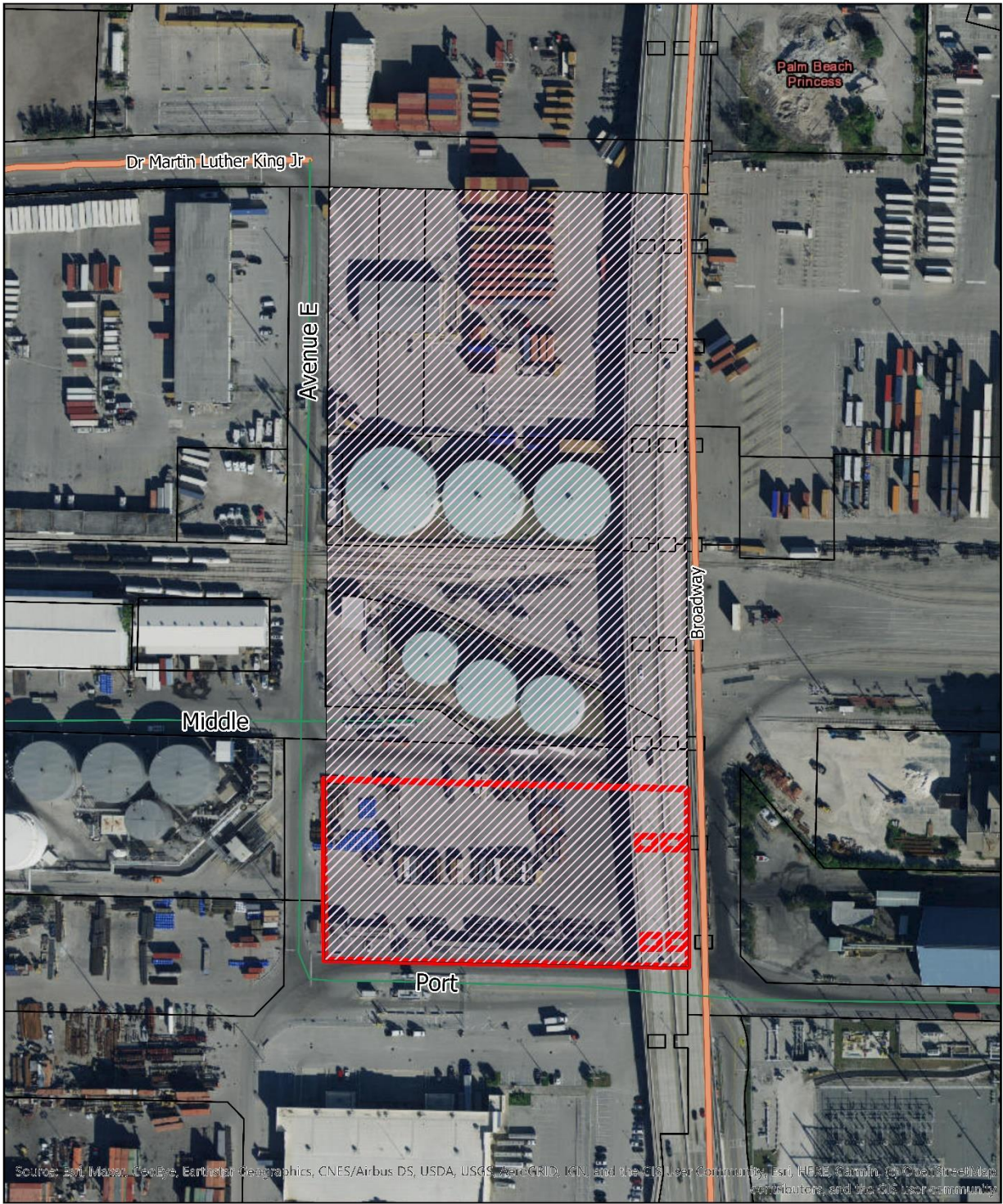
SP-21-01:

Staff recommends approval of the Site Plan application SP-21-01 for Florida Sunstar LLC. to develop a 12,271 square foot/150' tall materials storage dome capable of storing 50,000 tons of material, a one story 2,080 square foot office building, a 2,568 square foot mechanical/equipment building, and associated parking and mechanical equipment on a ~3.97 acres of property known as PCN #56-43-42-33-29-000-0020, subject to the following conditions:

1. The applicant shall provide a check payable to the City of Riviera Beach for not less than \$45,285.15 for landscape improvements in the City prior to the issuance of a Building Permit.
2. Construction 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/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 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. The concurrently processed ordinance (ZA-21-01) must be adopted, approved and become effective prior to this site plan approval becoming effective.
8. The applicant shall consider partnering with the City as possible to identify opportunities to provide outreach and support to local residents, including but not limited to programs such as the Youth Empowerment Program, The Reentry Center, or the establishment of a charitable foundation.
9. The applicant shall actively advertise employment opportunities for temporary and permanent positions within the City of Riviera Beach including participation at community job fairs or hosting specialized recruitment events.
10. Because the location of the dome structure, bridge and intersection of Access Rd. & Broadway offer a unique opportunity to visually invite residents, businesses and the public into the City of Riviera Beach, Florida Sunstar Logistics shall participate in efforts to enhance and beautify the bridge and southern gateway to the City by working with the City and other partners.
11. The final design of the mural on the dome structure shall be to the satisfaction of the City Council and installed prior to the issuance of the Certificate of Occupancy.

Location Map



Legal Description

A PARCEL OF LAND IN SECTION 33, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING PARTIALLY IN BIRDSALL INC. PLAT 1, RECORDED IN PLAT BOOK 68, PAGE 188, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID PLAT; THENCE ALONG THE SOUTH BOUNDARY OF SAID PLAT, N88°47'02"W FOR 575.39 FEET TO THE POINT OF BEGINNING; THENCE N00°31'15"E FOR 141.65 FEET TO THE NORTH BOUNDARY OF SAID PLAT; THENCE ALONG SAID NORTH BOUNDARY S88°26'17"E FOR 481.47 FEET; THENCE S01°33'43"W FOR 19.00 FEET; THENCE S88°26'17"E FOR 268.11 FEET; THENCE S89°44'21"W FOR 96.38 FEET; THENCE N83°47'16"W FOR 55.70 FEET; THENCE N89°00'36"W FOR 463.52 FEET; THENCE N00°31'15"E FOR 45.95 FEET TO THE POINT OF BEGINNING.
CONTAINING 172,759 SQUARE FEET (3.966 ACRES), MORE OR LESS.