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Via email to: JJeffries@covb.org

August 24, 2022

Jason H. Jeffries, AICP
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Re: Proposed expansion of dry storage facility at the City of Vero Beach Marina

Dear Mr. Jeffries,

I write on behalf of the Vero Beach Preservation Alliance, Inc. to share some preliminary observations and concerns about the **Major Site Plan application for this project that I understand is currently undergoing its initial staff review.** Overall:

- We are greatly concerned that the significant expansion of this facility seems to have been prioritized over the upgrading and repair of the existing wet slip marina.
- The proposed expansion of the dry storage facility is overwhelmingly too big for the site – both spatially and in terms of character.
- The application’s justification is inadequate.
- The application’s environmental analysis is greatly deficient.

I explain these key points further below.

The Overwhelming Size of the Proposed Project

The application is for a Major Site Plan application for proposed improvements at the City of Vero Beach Municipal Marina at 3599 Rio Vista Blvd. Specifically, the project would demolish the existing 6,266 s.f dry storage building and attached 1,712 s.f. office building at 3599 Rio Vista Blvd – with storage for up to 54 boats at up to 22 feet in length; and replace it with a new dry storage building with storage capacity for up to 140 boats up to 35 feet long. The July 8, 2022 traffic concurrency submittal identifies the proposed new project as consisting of a new 21,424 SF dry storage building.

The project would thus more than **triple the size of the existing dry storage facility and almost triple the number of boats** held in dry storage here. It would also increase their size by more than 50%.

In terms of neighborhood impact, a facility this size would **overwhelm the quiet, beautiful, tree lined neighborhood within which it sits**. It would replace a perfectly - scaled office building and mature oak and palm trees with a monstrous parking garage for large boats in this unique Old Florida neighborhood. It would completely transform the area for the worse. It would be useful to have a quality accurate rendering done of what the result would look like. But even that would not fully capture the impact, which would include attracting substantially more vehicular traffic which will include larger trucks hauling larger boats to and from the marina. This project would have a very real and very disruptive impact on a very peaceful and beautiful residential neighborhood.

The last point we would make about the size and scale of the project is that City Code Sec. 62.06. is clear that:

No building or structure, or part thereof, shall be erected or altered to exceed 35 feet, unless an exception over 35 feet has been granted after public hearing.

Attachment B to the Application states that the “proposed total **height of the dry storage building is 49’-8.5”**.”

Parking

Attachment B to the Application reports that Section 63.04 of the City Code requires one parking space per 3 dry storage slips, for a total of 47 parking spaces for this proposed expansion. But the **application includes only 27 parking slips – 20 fewer than are required!** The application attempts to avoid this problem by suggesting that overflow parking will be available at the primary marina during peak use times. **But peak usage times are exactly when parking spaces would be unavailable at either facility, and the City is also proposing an expansion of the primary marina.**

The non-compliance with code parking requirements is very substantial, and the parking problem very real. The application gives this major issue short shrift, but it is undoubtedly the neighbors who will feel the impacts of the project’s lack of the adequate parking required by code.

The parking requirements exist for a reason – to prevent exactly what will happen to the neighbors by building a large trip attractor in a residential neighborhood with inadequate parking.

This problem highlights the fact that the application is trying to shoehorn into this small area a project that is simply does not fit. The project is far too out of scale for the area and objectively in violation of the parking space requirement.

Traffic Impacts

The Application’s concurrency analysis is very difficult to understand. It consists of only two pages, the first of which estimates that the existing dry storage facility generates only about 10 vehicular trips per week. (This hardly suggests a need for expansion.) Then, however, the attached Table 1 shows two different Vehicle Trip Generation numbers for the Existing Site. One entry shows 12.05 vehicles “per day” and the second shows 44.39 “vehicles per weekday” This seems to call for some clarity relative to the exact number of trips generated by the existing facility per day. It would also be important to reflect the day-to-day reality of usage to know what the numbers are during weekdays versus weekends and holidays. It is the neighbors who will feel the impacts of weekend and holiday traffic to and from the marina, and the reality of the likely amount of traffic should be well understood.

Next, the Table’s identification of the expected changes in traffic are also not understandable. Is that table reporting that the dry storage expansion will result in a decrease or an increase of 12.04 vehicles per day and of 2.03 vehicles per hour? It must surely be identifying an increase but the entries of “-12.04” and “-2.03” are confusing, and the report does not include a clear narrative statement as to the expected increase in traffic.

The Natural Resources of the Indian River Lagoon

The Application’s Environmental Assessment (Attachment B, p. 3) – completely ignoring the reason large boats would be stored at the facility – says not a word about water quality or lagoon natural resource impacts, including those to Manatees. This cannot be considered a professionally acceptable analysis; it is a given that cumulative, connected and indirect impacts of development projects must be considered as part of their overall actual impact.

The Indian River Lagoon (IRL) is an estuary of national significance - one of the most diverse estuaries in North America. It is home to one of the largest concentrations of Florida Manatee in Florida. They use this area. A Sept. 30, 2020 Benthic Resource Survey by Coastal Tech (GEC Project Number CT75.1013201.003) found that the area in the vicinity of the proposed expansion “appeared to be heavily grazed by manatees as much of the shoalweed was trimmed short and the substrate was pitted by manatee rooting” [p3].

Manatees use even more those parts of the Lagoon to be visited by the much larger and more numerous boats this project would allow at the expanded facility.

Also, a 12.9.21 letter to Coastal Tech from Steven Hitt, Principle Env. Planner, with Indian River County, commented on the concept plans for this project and explained that this general area “has been deemed to be in an area of high watercraft – related manatee mortality....”

The City Code requires the application to include an “environmental assessment ... of potential environmental impacts on ... endangered, threated or protected species, wildlife habitats, wetlands ... [and] water quality” This application has provided none, even though it proposes an almost three – fold expansion of the number of, and a major increase in the size of, gas engine, powerboats within one of the nation’s most diverse and fragile natural waterways where

endangered manatees live and seagrass beds are experiencing significant loss and stress. The environmental analysis is very inadequate.

One aspect of the environmental issues as contained in the Application is also confusing. The copy of the application we received via a public records request to the City includes a document entitled Notice of Intent to use NPDES Generic Permit for Stormwater Discharge From Large And Small Construction Activities (Rule 62-621.300 (4), FAC). This Notice, which relates to state of Florida environmental permitting requirements, states, on one page (Section C, p. 1 of 12) that the project purpose is **to remove and replace the existing dry storage building and bulkhead**, and that no fill is proposed in wetlands or surface waters. But, **the next page** (Section C, p. 2 of 12) **references DEP Permit Number 31-0193911-005-E (9.14.21) for the reconfiguration of an existing 28-slip marina, provides information needed to process an application for the use of sovereign submerged state land, and provides other information that would relate to a wet slip marina.** (Section C, p. 3 of 12). Then, the document states that the project “will essentially replace an existing marina with an in-kind facility. No additional impacts are expected than were previously realized with the existing facility.” (Section C, p. 5 of 12). Clarity on exactly what is now being applied for would likely benefit all involved.

The Project Purpose

The application states that “[t]he project is intended to better meet market demand for more boat slips to accommodate larger boats.” (Application p 1 of 5). But, **no feasibility or a market study is attached to support this claim and, it is our understanding that no such study has ever been done** to justify this project. This project would use City tax dollars to build a massive and expensive construction project that would adversely impact the every-day quality of life and property values of so many City taxpayers and residents. It would seem out of the question to take this expansive and destructive leap without a recent, reliable market study and feasibility analysis that realistically considered current and future finance rates and cost inflation.

The Project violates the City’s Comprehensive Plan and Code Requirements

Objective 1 of the Comprehensive Plan’s Future Land Use Element is that:

The City should manage future development and redevelopment to **maintain and enhance the unique, small town character of the community** and ... protect the City's manmade and natural resources.

This massive building would not “maintain and enhance the unique, small town character of the community.”

We also believe that the substantial increase in boat usage from the facility would not improve water quality in the Indian River Lagoon, as required by Future Land Use Objective 1 and Policy 1.8.

Next, the increased boating activity from the expanded facility would be inconsistent with Conservation Objective 2, which requires the City to “manage the location ... of boating facilities

... to prevent ... adverse impacts on manatees....” We are aware of the fact that the immediate area of the project has not formally been documented as a high manatee congregation area, but the fact remains that the great number and larger vessels from the facility will be travelling to and from those parts of the lagoon that are extremely important to Manatees. That is a real world impact of this proposal which cannot be ignored.

For the same reason, the project would be inconsistent with the Goal of the Conservation Element, that “[n]atural resources will be conserved, protected, and managed to ensure a high quality natural environment balanced with the built environment.”

Next, Future Land Use **Objective 2** requires the City to “**manage the location and design of boating facilities and boat ramps to prevent the loss of estuarine wetlands, mangrove fringe, sea grass beds, and adverse impacts on manatees....**”

The project would not at all prevent the loss of and adverse impacts to mangrove fringe, sea grasses and manatees, as this Objective requires. As mentioned above, we believe the application’s environmental analysis to be virtually non-existent. It is not hard to imagine that any supplemental analysis will claim that the environmental impacts are minimal. We would disagree, but to the point of this Comprehensive Plan objective, the requirement is to prevent further loss of or adverse impacts to these natural resources – not to continue to permit more and more incremental adverse impacts.

Along these same lines, **Conservation Element Policy 6.3** requires that:

A critical habitat review should be required as part of any application for site plan or subdivision approval for all projects of greater than one (1) acre in area having known or potential habitat for endangered and threatened species and species of special concern identified by the USF&WS and FF&WCC, this element of the Plan, and other scientific sources and studies.

Finally, **Conservation Element Policy 6.13** requires the City to “consult with the USF&WS and FF&WCC prior to the issuance of a development order that has the potential to result in an adverse impact to any endangered or threatened species or species of special concern.”

This project, either alone or in conjunction with the potential wet slip marina expansion surely has the potential to result in an adverse impact to the Manatee. As a result, the City cannot issue itself a development order for this project without engaging in this required consultation.

Next, the proposed Major Site Plan is also inconsistent with City **Code Sec. 64.10. (a)(4)e**, which requires the design of all site plans to take into consideration “[k]nown habitat of protected, endangered or threatened species....” Because this proposed site design would facilitate many more, and much larger, motorboats accessing the lagoon, with a corresponding increase in impacts to manatees, it is inconsistent with this requirement.

Because of the size, scale, layout and parking deficit shown in the proposal, it is inconsistent with the performance standards in **Sec. 64.10(b) (3) and (4)**, that:

(3) The proposed arrangement of buildings, parking and unloading/loading areas, landscaping and site activities will not result in unreasonable and disruptive impacts on adjacent properties, in terms of noise, odor, traffic, debris and trash, the hours of operation, changes in traffic circulation patterns, or other relevant disruptive factors.

(4) The proposed arrangement of buildings, parking and unloading/loading areas, and outdoor uses and activities will not result in noticeable and direct adverse impacts on the safety, stability, and habitability of residential neighborhoods in the immediate vicinity of the project.

The final point we would make at this juncture is that Code **Sec. 74.01**. prohibits the City from issuing any permits allowing any person to “dredge, fill, or excavate in any of the water areas” or to “begin any construction, such as docks, piers, walls, bridges, groins, jetties, moles, bulkheads, breakwaters, seawalls, revetments... or other disposition or removal of material in any of the water areas” until the applicant has obtained permits from all government agencies having jurisdiction over such activities.

We believe this massive expansion has been misguided since it was first raised as a possibility. Our review of the actual application has only confirmed that view, as well as the fact that it is contrary to many provisions of the City’s own Comprehensive Plan and Code. We urge the City to discontinue its pursuit of this massive expansion, which is clearly far too big for this small land area. Any further pursuit of the project, as noted above, must include consultation with the relevant federal and state environmental agencies, as a condition of the City’s own development application review – not put off to some subsequent process. Also, it seems clear that the project could only realistically comply with the City’s own rules if scaled – down dramatically. Also, the expenditure of any further taxpayer dollars to pursue and review this project would be unwisely spent, in our absent a professionally accepted market study that shows that any expansion of the dry storage facility – let alone the massive one shown in this application – is likely to result in so much economic benefit that it justifies the certain disruption it will bring to the lives of those who have made their homes and lives in this community.

We thank you for your consideration and urge the rejection of this proposal.

Sincerely,



Richard Grosso

Cc:

Leslie Tilley
Karen Marcil
Florence Ann Roberts