Agenda Item #	
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Village of Royal Palm Beach Village Council Agenda Item Summary

Agenda Item:

APPROVAL OF A SPECIAL EVENT PERMIT FOR ROYAL PALM BREWING COMPANY, LLC. TO ALLOW FOR TEMPORARY OUTDOOR SEATING AT 543 N. STATE ROAD 7, SUITE 103 DURING NORMAL BUSINESS HOURS DUE TO COVID-19 OCCUPANCY RESTRICTIONS; BY GEORGE AND PAMELA SHETKA.

Issue:

The Applicants are requesting approval to allow a Special Event Permit in order to provide Temporary Outdoor Seating due to the COVID-19 Executive Order of Governor limiting indoor occupancy for restaurants. Currently, the Executive Order limits the occupancy for restaurant establishments to 50% of the restaurant establishment's maximum occupancy. The Applicants are proposing temporary outdoor seating with a total of 7 tables and 19 chairs. The restaurant establishment has a maximum capacity of 82 occupants and the proposed temporary outdoor seating of 19 chairs is below the allowable 50% of the maximum occupancy. The temporary outdoor seating arrangement and location are depicted on **Attachment B**, which complies with recently established Conditions of Approval for Special Event Permits for Temporary Outdoor Seating (see **Attachment A**). The Applicants are proposing to utilize the Temporary Outdoor Seating during normal business hours of 3:00 p.m. to 10:00 p.m. Monday through Thursday, Friday 2:00 p.m. to 10:00 p.m., Saturday 12:00 p.m. to 7:00 p.m.

Village Staff is recommending Approval of the Special Event Permit in order to provide Temporary Outdoor Seating, with the Conditions of Approval found in **Attachment A**.

Recommended Action:

Approval of Special Event Permit, subject to the Conditions of Approval in Attachment A.

Attachment A Special Event Permit Conditions of Approval Temporary Outdoor Seating

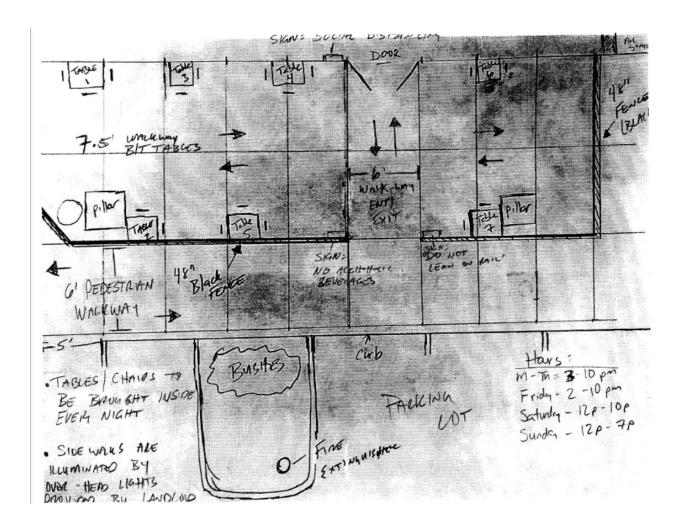
1. Standard Conditions:

- A. The Temporary Outdoor Seating may occur on normal business hours of 3:00 p.m. to 10:00 p.m. Monday through Thursday, Friday 2:00 p.m. to 10:00 p.m., Saturday 12:00 p.m. to 10:00 p.m., and Sunday 12:00 p.m. to 7:00 p.m.
- B. Temporary outdoor seating pursuant to this Special Event Permit is permitted only for restaurants, brewpubs, and microbreweries that are licensed by the Palm Beach County Health Department, and that have a valid Village of Royal Palm Beach Business Tax Receipt.
- C. Temporary outdoor seating shall be permitted on sidewalks and/or parking lots only in accordance with this Special Event Permit.
- D. Temporary outdoor seating requests shall meet all requirements contained in Sec. 16-12 of Village Code at all times, including, but not limited to, all traffic control plans approved for the site, to ensure Village Council and staff fully understand how the area will be utilized. No tents or other fixtures shall be erected as part of the temporary outdoor seating approval unless depicted on the approved circulation plan. Modifications after Council approval shall require new approval by the Village Council, except for time extensions of the Permit as outlined in subsection F below.
- E. All temporary outdoor seating must comply with Centers for Disease Control (CDC) guidelines and tables shall be spaced at least six feet apart. Additionally, all temporary outdoor seating must comply with all Executive Orders issued by the Governor.
- F. Village of Royal Palm Beach approval is required for all outdoor seating not previously approved.
- G. This Special Event Permit shall be valid for a period of thirty (30) days from the date of Village Council approval. Subsequent thirty (30) day extensions may be approved by the Planning & Zoning Director upon written request. A permit holder is not entitled to extensions of the Permit. The applicant may be denied an extension request if the applicant has failed to abide by these conditions of approval or other applicable Village Code requirements during the term of the Special Event Permit.
- H. There shall be no fee for the initial special event permit request, nor for any requested extension(s).

- I. The number of tables and chairs used as part of the approved temporary outdoor seating shall not exceed 50% of the restaurant's/brewpub's/microbrewery's indoor building capacity, including staff. If the permit holder currently has approval for outdoor seating, the additional temporary outdoor seating approved shall not exceed 50% of the restaurant's/brewpub's/microbrewery's indoor building capacity, including staff.
- J. Temporary outdoor seating approved as part of this Special Event Permit shall only be permitted during the 50% indoor capacity reduction imposed by Executive Order of the Governor. As capacity restrictions are further reduced, temporary outdoor seating approved via Special Event Permit shall conform to the restrictions imposed by Executive Order. Temporary outdoor seating approved via Special Event Permit shall cease immediately when the capacity reduction is released or expires.
- K. All temporary outdoor seating located adjacent to travel lanes/driveways shall be separated by physical barrier.
- L. All equipment associated with the provision of temporary outdoor seating (chair, tables, etc.) shall be stored inside a secure building each night.
- M. Outdoor music or entertainment (live or recorded), exterior loudspeakers, and/or paging equipment is prohibited for all temporary outdoor seating approved under Special Event Permit, when the permitted property directly abuts a residential zoning district.
- N. All outdoor lights in the temporary outdoor seating area shall be shielded to ensure that light and glare are limited on the premises and are directed away from adjacent property. Lights shall be low-intensity and the minimum necessary to discourage vandalism, and theft. If a facility abuts a residential zoning district, outdoor lighting fixtures shall be located no closer than fifteen feet to the property boundary line.
- O. Temporary outdoor seating shall not block entrances/exits to building or patios and shall ensure that approved fire access and Americans with Disabilities Act (ADA) circulation is maintained at all times.
- P. In the event that either a tropical storm or hurricane watch or warning is issued for Palm Beach County, all associated equipment, fixtures, etc. used to provide temporary outdoor seating shall be dismantled and securely stored inside the establishment for the duration of the storm event.
- Q. Failure of the permit holder to comply with any of the Conditions of Approval, or any other Village Code requirements, at any time may result in the revocation of the Special Event Permit by the Planning and Zoning Director.

Attachment B Special Event Permit Seating Arrangement Temporary Outdoor Seating

The illustration below is the arrangement of the Temporary Outdoor Seating area.



A FULLY COMPLETED APPLICATION MUST BE SUBMITTED TO THE VILLAGE CLERK 45 DAYS IN ADVANCE OF THE EVENT. FAILURE TO SUBMIT A COMPLETE APPLICATION MAY RESULT IN REJECTION OF THE APPLICATION.

(Temporary Outdoor Seating)

RECEIVED BY: Village of Royal Palm Beach

VILLAGE OF ROYAL PALM BEACH SPECIAL EVENTS PERMIT APPLICATION MAY 27 2020
DATE: MAY 78 2020
I/We GEORCE + Pamer Suther c/o Royal Feth Brown (Name of applicant)
of 545 N. 32 7, #103 Royal Palm Beach, Fr 33411
Name and phone number of contact person rame la Sutu 417 402 9212
Email address: royal paln bruning c yahoo.com
On behalf of Ryal Relan Brean, Corporation, organization, etc.)
hereby request a Special Events Permit from the Village of Royal Palm Beach in order to:
• • • •
fordemiz until deeme sate by the Village of payel
PalmBerch.
In support of such application, I submit the following information: 1. Proposed location: diverty in front of store front not to extend Oust 6 from curb for production wilking.
(Owner's written consent and affidavit of responsibility is attached.)
2. Proposed date, time of commencement and duration of event: As Soon As POSSIBLE UNTIL DEEMED SATE BY VILLAGE OF Payal Palm Beach.
3. Approximate number of participants expected: He Mrué THIN 20 Seats
4. Insurance company and policy number:
ST GOOD IN SURVIE - PHPK 2088336
(Copy of Certificate of Insurance showing general liability & property damage coverage is attached.)

5. Will state, municipal or county controlled property be involved? Yes No
If yes, please describe:
(State, municipal or county permit or written consent, if applicable, to utilize the above property is attached.)
6. How will this proposed event impact municipal traffic control, fire/rescue operations
and/or utilities? There will be no impact to traffic -
all fire land, fire exits + walk was will be free
and/or utilities? There will be no impact to traffic - all fire land, fire exits + walk was will be free from obstruction
Proposed impact mitigation
plan:
7. Are animals involved in this event? Yes No
If yes, all certificates required by Chapter 5 of the Village Code of Ordinances must be
attached hereto prior to the issuance of this permit.
8. What toilet facilities will be provided for use by event participants and the public?
WE HAVE PILET CAPACITIES FOR UP TO FZ PIPLE
9. Site plan for proposed location of special event showing layout of all facilities, including
parking and signage, is attached hereto along with a fully executed hold harmless agreement as
required by Section 16-12A.2 of the Village Code of Ordinances.
10. Please address the following items:
10. The desired the following hems.
A. How will you assure that the proposed special event will have no adverse vehicular or
pedestrian traffic impacts which cannot be prevented by the imposition of conditions?
We will least a lo'+ walkway open between the
(who the reporting out down section berief we will Also as plastic glass were for outside Statile
Will Also our plants closely the section we
will Also as pastil glassword for outside stating

B. How will you assure that the proposed special event will have no adverse impacts on
adjacent properties and will not be detrimental to their use and peaceful enjoyment of their
property?
Our hours are mustly outside our reichburs as
We get basy during non-work hours, we will also
ensure no music + we are closed bof 11 pm Villag norse.
C. How will you assure that the proposed special event will not cause objectionable noise,
vibrations, fumes, odors, glare or physical activity which cannot be prevented by the imposition
of conditions?
Dur hours will be 3-10 10 Monday tru Thursday,
Fridy 2-10 Saturday 12-10 + Sunday 17-7
We have only dais, a temp force + tebles
D. How is the proposed special event compatible with the character of the location for
which it is proposed?
We will be allowed to increase our capacity by
up to 24 people based on 6' social distancy,
but will only be at 22 per Villiage + Safety guide mosts.
11. In addition to depicting proposed temporary signage on the provided site plan, please
list below all signs to be displayed as part of the special event. Please include sign type,
dimensions, square footage and proposed location(s) (See Village Code Section 20-71).
se attachel. squa botage will be 480 sq.f++/-
se attacher square sociage and proposed location(s) (see village code section 20-71). See attacher square sociage will be 480 sq.f++/- Please let us been at an additional significant with the provide display
might want us + provide display

I affirm that all facts set forth herein are	true and correct and understand that the Village of
Royal Palm Beach may impose reasonable con-	ditions upon the Special Events Permit in order to
reduce adverse impacts and to protect the health	n, safety and welfare of all.
	WELLE STETHA, OWNER
Signature of Applicant	Print name and office held, if applicable
THE STATE OF FLORIDA COUNTY OF PALM BEACH	
COUNTY OF TALM BLACH	
or ロ online notarization this <u>る</u> ソ	edged before me by means of physical presence had be day of MAY, 2020, by
	ally known to me or who has produced a Florida
driver's license as identification and who did/di-	d not take an oath.
	Dine M Disort
	NOTARY PUBLIC
DIANE M DISANTO	STATE OF FLORIDA
Notary Public - State of Florida Commission # GG 179016	(Seal)
My Comm. Expires May 19, 2022 Bonded through National Notary Assn.	
Assn.	

VILLAGE OF ROYAL PALM BEACH, FLORIDA

OWNER'S AFFIDAVIT OF CONSENT AND RESPONSIBILITY

DO NOT COMPLETE FOR EVENTS ON VILLAGE PROPERTY

DATE: 5-11-60 20
APPLICATION FOR: Special Events PermitOR Seasonal Vendor Permit
PROPOSED LOCATION FOR SPECIAL EVENT OR TEMPORARY SALE: 543 North State Road 7 Suik 103, Rayal Palm Brach
hereby grant my/our consent for Now Dan Brown Compty to utilize the property for Special Even Outside Yacknowledging that I/we will be responsible for the activities conducted thereon.
Affiant Affiant
STATE OF FLORIDA
COUNTY OF PALM BEACH
The foregoing instrument was acknowledged before me this day of
who is personally known to me or who has produced a Florida driver's license as identification
and who did did not take an oath.
Notary Public
State of Florida (Seal) ANDREW JOSEPH WHEELER Notary Public - State of Florida Commission # GG 110925 My Comm. Expires Jun 1, 2021 Bor ded through National Notary Assesses

HOLD HARMLESS AGREEMENT FOR APPLICANT

The undersigned hereby requests a Special Events/Seasonal Vendor permit (circle one) from the Village of Royal Palm Beach, Florida ("Village").

NOW, THEREFORE, for and in consideration of the issuance of the permit by the Village and for order good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I/we agree as follows:

I/we hereby agree to abide by all regulations set forth in the VILLAGE OF

ROYAL PALM BEACH Code of Ordinances and all other laws.

I/we hereby agree that I/we will indemnify and hold the Village harmless from and against any and all claims, demands, lawsuit, settlements, damages, costs and expenses, including attorneys' fees, suffered or incurred by the Village and arising out of or in connection with the Special Event, Temporary Sale, or Seasonal Vending conducted.

Executed this 240 day of May 2020
WITNESSES: Signature Printed Name Printed Name Printed Name
STATE OF FLORIDA COUNTY OF PALM BEACH
The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 2744 day of
driver's license as identification and who did/did not take an oath Notary Public State of Florida (Seal)

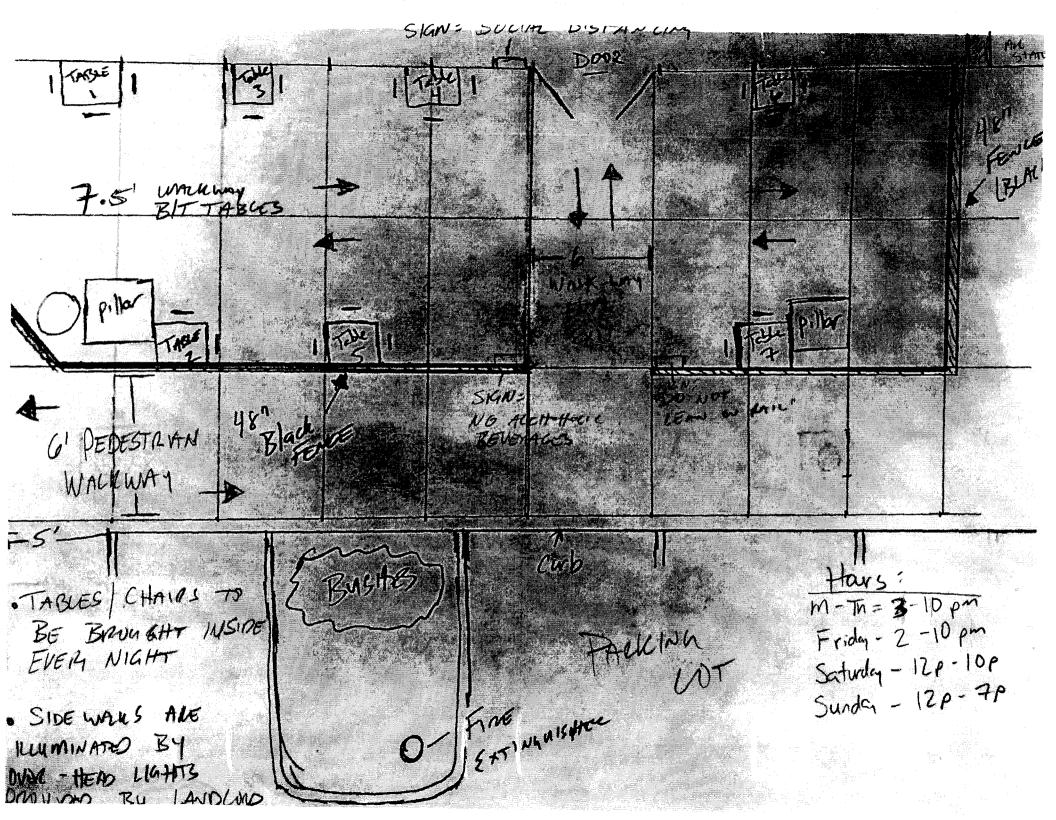
DIANE M DISANTO Notary Public - State of Florida Commission # GG 179016 My Comm. Expires May 19, 2022 Bonded through National Notary Assn.

Exhibit A Special Event Permit Standard Conditions of Approval* Temporary Outdoor Seating

- A. Temporary outdoor seating pursuant to this Special Event Permit is permitted only for restaurants, brewpubs, and microbreweries that are licensed by the Palm Beach County Health Department, and that have a valid Village of Royal Palm Beach Business Tax Receipt.
- B. Temporary outdoor seating shall be permitted on sidewalks and/or parking lots only in accordance with this Special Event Permit.
- C. Temporary outdoor seating requests shall meet all requirements contained in Sec. 16-12 of Village Code at all times, including, but not limited to, all traffic control plans approved for the site, to ensure Village Council and staff fully understand how the area will be utilized. No tents or other fixtures shall be erected as part of the temporary outdoor seating approval unless depicted on the approved circulation plan. Modifications after Council approval shall require new approval by the Village Council, except for time extensions of the Permit as outlined in subsection G below.
- D. Temporary outdoor seating requests shall include a scaled drawing depicting the following:
 - a. Location of outdoor seating area with seating layout/configuration
 - b. Hours of operation during which temporary outdoor seating will be used
 - c. Identification of parking spaces utilized/closed by temporary outdoor seating and required buffer/barricade areas
 - d. All items to be utilized in providing temporary outdoor seating (chairs, tables, tent, etc.)
 - e. Operation and maintenance plan for all equipment associated with providing temporary outdoor seating (chair, tables, tents, etc.) including proposed anchoring and security for all equipment
 - f. All signage proposed (with proposed location)
 - g. Traffic flow patterns, including parking movements around the affected area and Americans with Disabilities Act (ADA) parking available for business accessibility
 - h. Temporary electrical/lighting applications and protections.
- E. All temporary outdoor seating must comply with Centers for Disease Control (CDC) guidelines and tables shall be spaced at least six feet apart. Additionally, all temporary outdoor seating must comply with all Executive Orders issued by the Governor. There shall be no outdoor bars operated as part of the approved temporary outdoor seating.
- F. Village of Royal Palm Beach approval is required for all outdoor seating not previously approved.
- G. This Special Event Permit shall be valid for a period of thirty (30) days from the date of Village Council approval. Subsequent thirty (30) day extensions may be approved by the Planning & Zoning Director upon written request. A permit holder is not entitled to extensions of the Permit. The applicant may be denied an extension request if the

- applicant has failed to abide by these conditions of approval or other applicable Village Code requirements during the term of the Special Event Permit.
- H. There shall be no fee for the initial special event permit request, nor for any requested extension(s).
- I. The number of tables and chairs used as part of the approved temporary outdoor seating shall not exceed 50% of the restaurant's/brewpub's/microbrewery's indoor building capacity, including staff. If the permit holder currently has approval for outdoor seating, the additional temporary outdoor seating approved shall not exceed 50% of the restaurant's/brewpub's/microbrewery's indoor building capacity, including staff.
- J. Temporary outdoor seating approved as part of this Special Event Permit shall only be permitted during the 50% indoor capacity reduction imposed by Executive Order of the Governor. As capacity restrictions are further reduced, temporary outdoor seating approved via Special Event Permit shall conform to the restrictions imposed by Executive Order. Temporary outdoor seating approved via Special Event Permit shall cease immediately when the capacity reduction is released or expires.
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- N. Temporary outdoor seating shall not block entrances/exits to building or patios and shall ensure that approved fire access and ADA circulation is maintained at all times.
- O. In the event that either a tropical storm or hurricane watch or warning is issued for Palm Beach County, all associated equipment, fixtures, etc. used to provide temporary outdoor seating shall be dismantled and securely stored inside the establishment for the duration of the storm event.
- P. Failure of the permit holder to comply with any of the Conditions of Approval, or any other Village Code requirements, at any time may result in the revocation of the Special Event Permit by the Planning and Zoning Administrator.

^{*} These conditions of approval are subject to formal approval of the Village Council. Additional conditions may also be imposed by the Village Council as part of final Special Event Permit approval.



INBT
INBT No Alcoholic Beverages Beyond This Point for
Outdoor & Indoor 12" x 8"







Annual Re-CA-MAN and Company Company



SignMission Coronavirus Notice Sign - Social Distancing Area | Aluminum Sign | Protect Your Business, Municipality, Home & Colleagues | Made in The USA, 10" X 7" Aluminum (OS-NS-A-710-25594)







SmartSign "Danger - Do Not Lean on Rail" Sign | 7" x 10" Plastic



DO NOT LEAN ON RAIL





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 02/08/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed.

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	If yes, describe under							E.L. DISEASE - EA EMPLOYEE		s 1,00	
	DESCRIPTION OF OPERATIONS below							E.L. DISEASE - PO	LICY LIMIT	\$ ',	
Α	Event Policy	Y		EV61961		03/21/2020	03/22/2020				
	CRIPTION OF OPERATIONS / LOCATIONS / VEHICLE				-	-					
Poli	cy EV44337 (Special Event Policy) Extends	Gene	ral Lia	ibility coverage to the parking	lot loca	ted at 543 N St	ate Rd /, Roya	al Palm Beach, F	L 33411		
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CEF	RTIFICATE HOLDER				CANC	ELLATION					
1						SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.					
AUTHORIZED REPRESENTATIVE											
Royal Palm Beach FL 33411				Carlor Hard							

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