



**STAFF REPORT – CITY OF RIVIERA BEACH
CASE NUMBERS SP-16-10
PLANNING AND ZONING BOARD, DECEMBER 8, 2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FROM MEDITERRANEA PALM PROPERTY SUBSIDIARY, LLC, FOR 236 TOWNHOME UNITS AND 152 SINGLE FAMILY UNITS IN THE MEDITERRANEA PLANNED UNIT DEVELOPMENT, LOCATED ON THE EAST SIDE OF MILITARY TRAIL, SOUTH OF LEO LANE, AT 4046 WOODS EDGE CIRCLE; PROVIDING SPECIFIC CONDITIONS OF APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.

A. Applicant: Mediterranea Palm Property Subsidiary, LLC

B. Request: The applicant is requesting site plan approval to build 236 townhome units and 152 single family units that will incorporate 3 and 4 bedroom units in the existing Mediterranea planned unit development.

C. Location: The proposed location is on the east side of Military Trail, south of Leo Lane.

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

Parcel Control Number: 56-42-42-25-03-000-0010.

Parcel Size: ± 69.25 acres.

Existing Use: 98 existing units to remain.

Zoning: Residential Planned Unit Development (R-PUD).

Future Land Use: Medium Density Multiple Family Residential, up to 15 dwelling units per acre.

E. Adjacent Property Description and Uses:

North: Palm Beach Golf Center; General Commercial (CG) Zoning and Commercial Future Land Use.

Residential Developments and Vacant Lot; Low Density Multiple Family (RML-12) Zoning and Medium Density Multiple Family Future Land Use.

South: Residential Development – Palm Lake Co-Op; County Unincorporated.

East: Interstate Highway I-95.

West: Woodbine Commons Commercial Center; General Commercial (CG) Zoning and Commercial Future Land Use.

Woodbine; Residential Planned Unit Development (R-PUD) Zoning and Medium Density Multiple Family Future Land Use.

F. Background:

The Mediterranean R-PUD was originally approved by Resolution #162-05 on September 21, 2005 for 210 Townhomes as phase I and Resolution #129-06 on September 6, 2006 for Phase II for 758 fee simple townhome units for a total of 968 townhome units. Only 98 units were built. Later on January 2, 2013 Resolution #05-13 approved the change of type of units from fee simple townhomes to low-rise luxury apartments, but no development was done. As of today, all development order approvals and extensions are expired.

G. Staff Analysis:

Proposed Development/Use: The applicant is proposing to develop 236 townhome units and 152 single family units both types would incorporated 3 and 4 bedroom units. Including the existing 98 units on the northwest area of the site, the development will have 486 total units (density of approximately 7 units per acre).

Zoning Regulations: The proposed use requires an amendment to the City's Land Development Regulations, specifically for the Residential Planned Unit Development (R-PUD) Zoning District.

Comprehensive Plan: The proposed use is consistent with the Comprehensive Plan's Medium Density Multiple Family Residential Future Land Use designation.

Compatibility: The proposed project will be compatible with the surrounding parcels and uses after minor approval of text amendment of the Land Development Regulations, specifically to the R-PUD zoning district.

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

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

Parking/Traffic: Adequate parking has been provided in accordance with the City of Riviera Beach Land Development regulations and the developer is working with Palm Beach County for the potential need for traffic signal for the development and providing a North bound exclusive right-turn lane at the project main access driveway on Military Trail.

H. Recommendation: Staff recommends approval of the site plan application from Mediterranean Palm Property Subsidiary, LLC, for 236 townhome units and 152 single family units in the Mediterranean planned unit development, located on the east side of Military Trail, south of Leo Lane, at 4046 Woods Edge Circle, with the following conditions:

1. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before the certificate of occupancy is issued.
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. 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.
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 this resolution (by September 21, 2021) or the resolution shall be considered null and void, requiring the applicant to resubmit site plan fees and application for site plan approval and re-initiate the site plan approval process.
5. 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.
6. 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.
7. The developer must provide a North bound exclusive right-turn lane at the project main access driveway on Military Trail prior to the first Certificate of Occupancy being issued for the project.
8. All units must be owner-occupied for the first year the unit is being occupied.
9. The Property Owner shall fund the cost of signal installation at the project main access driveway when and if warranted, as determined by the County Engineer. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition. Building Permits for dwelling units shall not be issued until the developer provides acceptable surety to the County Traffic Division in an amount to be determined by the Director of the Palm Beach County Traffic Division. In order to request release of the surety for the traffic signal, the Property Owner shall provide written notice to the Traffic Division stating that the final Certificate of Occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal (if warranted) or release the monies. In the event the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner.