

RESOLUTION NO. _____

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.

WHEREAS, the Meditteranea Development is located north of Blue Heron Boulevard, east of Military Trail and south of Leo Lane, addressed as 4046 Woods Edge Circle, consisting of approximately 70 acres of land; and

WHEREAS, historically, construction occurred within the Meditteranea Development which ceased and was discontinued due to the economic recession, resulting in an incomplete development; and

WHEREAS, Meditteranea Palm Property Subsidiary, LLC, submitted a site plan application (SP-16-10) to complete development of the Meditteranea Project, which proposes to develop 236 townhome units and 152 single family units; and

WHEREAS, City Staff has determined that the Meditteranea Palm Property Subsidiary, LLC development proposal is consistent and compatible with the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, on December 8, 2016 the Planning and Zoning Board, an advisory board to the City Council, reviewed the development proposal and recommended approval to the City Council; and

WHEREAS, the City Council desires to approve the site plan application and associated plans submitted by Meditteranea Palm Property Subsidiary, LLC, for the Meditteranea Development.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. The City Council hereby finds that the site plan application submitted by Meditteranea Palm Property Subsidiary, LLC to develop 236 townhome units and 152 single family units within the Meditteranea Development, located at 4046 Woods Edge Circle, is consistent and compatible with the City's Comprehensive Plan and Land Development Regulations.

SECTION 2. The City Council hereby approves the application for site plan approval from Mediterranea Palm Property Subsidiary, LLC, 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. In order to increase neighborhood stability, all units sold must be owner-occupied for the first year after the initial sales date.
9. The applicant must install any traffic control devices as required by Palm Beach County.

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SECTION 3. The associated site plans, landscape plans, and building elevations are attached hereto and made a part of this Resolution as Exhibit "A", "B", and "C".

SECTION 4. Should any one or more of the provisions or element of this Resolution be held invalid, such provision or element shall be null and void, and shall be deemed separate from the remaining provisions or elements and shall in no way affect the validity of any of the remaining provisions or elements of this resolution.

SECTION 5. This Resolution shall take effect immediately upon approval.

PASSED and APPROVED this _____ day of _____, 2017.

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APPROVED:

THOMAS A. MASTERS
MAYOR

TERENCE D. DAVIS
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

KASHAMBA MILLER-ANDERSON
CHAIR PRO TEM

LYNNE L. HUBBARD
COUNCILPERSON

TONYA DAVIS JOHNSON
COUNCILPERSON

DAWN S. PARDO
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

L. HUBBARD _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

D. PARDO _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY

ANDREW DEGRAFFENREIDT, ESQ.
CITY ATTORNEY

DATE: _____