

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN AND SPECIAL EXCEPTION APPLICATION FROM CATOE HOLDINGS, LLC TO BUILD AND OPERATE AN 8,078 SQUARE FOOT WAREHOUSE WITH ACCESSORY OFFICE, ON A VACANT PARCEL OF LAND, APPROXIMATELY +/- 1.0 ACRE, IDENTIFIED BY PARCEL CONTROL NUMBER 56-42-42-26-02-000-0010, LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF HAVERHILL ROAD AND HAVERHILL BUSINESS PARKWAY, WITHIN THE GENERAL INDUSTRIAL ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, On September 20, 2016 Catoe Holdings, LLC made site plan and special exception application to the City of Riviera Beach on Haverhill Business Park Lot 1; and

WHEREAS, said property known by Parcel Control Number (PCN) 56-42-42-26-02-000-0010 is approximately 1 acre in size and is currently vacant undeveloped; and

WHEREAS, the applicant is proposing to develop an 8,078 square foot warehouse with accessory office to relocate an existing business in the City; and

WHEREAS, development of a warehouse requires a special exception approval by City Council within the General Industrial Zoning District; and

WHEREAS, Section 31-59 of the City of Riviera Beach Code of Ordinances establishes the requirements for Site Plan and Section 31-62 for Special Exception review by the City Council; and

WHEREAS, City staff determined that the Catoe development proposal (SP-16-15 and SE-16-02) is consistent with the City's Comprehensive Plan and the City's Land Development Regulations; and

WHEREAS, City staff has found that the development proposal has met the standards required for granting a special exception as provided in City Code Section 31-62, which include the following: (1) property ingress and egress, (2) off-street parking and loading, (3) refuse and service areas, (4) utilities, (5) screening, buffering and landscaping, (6) signage and exterior lighting, (7) required yards and open space; and

WHEREAS, the Planning and Zoning Board reviewed the Site Plan (Exhibit A) and Special Exception application, including the elevations (Exhibit B) and Landscape Plan (Exhibit C) on May 11, 2017 and unanimously recommended approval; and

WHEREAS, the City Council desires to approve the application for Site Plan and Special Exception to build a new 8,078 square foot warehouse with accessory office at the property know by PCN 56-42-42-26-02-000-0010.

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 finds that the application for Site Plan and Special Exception to build a new 8,078 square foot warehouse with accessory office at property know by PCN 56-42-42-26-02-000-0010 is consistent with the City's Comprehensive Plan and the City's Land Development Regulations.

SECTION 2. The City Council finds that the development proposal has met the standards required for granting a special exception as provided in City Code Section 31-62 specifically outlined within the Special Exception Analysis section of the City Staff Report as follows:

Special Exception Analysis [City Code Section 31-62]

a. Ingress to and egress from the property and the proposed structures thereon, if any, including such considerations as automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

- Ingress to and Egress from the site are available directly off of Haverhill Business Parkway, which can be accessed from the north and south via Haverhill Rd.

b. Off-street parking and loading areas, where required, including consideration of relevant factors in subsection (2)a. of this section, and the economic, noise, glare or odor effects of the location of such areas on adjacent and nearby properties and properties generally in the district.

- Adequate parking spaces have been proposed in accordance with the City's Land Development Regulations.
- One truck loading/unloading area will be provided.

c. Refuse and service areas, including consideration of relevant factors in subsections (2) a. and b. of this section.

- A 6 foot high masonry enclosure has been proposed to hold a dumpster for onsite garbage collection.

d. Utilities, including such consideration as hook-in locations and availability and compatibility of utilities for the proposed use or structure.

- Utilities are currently available to the site and will be properly connected as regulated by the Utility District.

e. Screening, buffering and landscaping, including consideration of such relevant factors as type, dimensions and character to preserve and improve compatibility and harmony of use and structures between the proposed special exception and the uses and structures of adjacent and nearby properties and properties generally in the district.

- Adequate landscaping has been proposed along the perimeter of the property which must be maintained according to the City's Land Development Regulations.
- The applicant has preserved many of the existing trees and vegetation.

f. Signs, or outside displays, if any, and proposed exterior lighting, if any, with reference to glare, traffic safety and economic effects of same on properties in the district.

- One attached sign is proposed on the main façade of the building, which will be regulated by the Code of Ordinances.
- No freestanding signage is currently proposed.
- A lighting plan has been provided, which demonstrates adequate lighting and no light trespass from the property.

g. Required yards and open spaces. The board shall make such recommendations as it deems necessary, guided by the factors that may be described in this zoning district, based on the nature of the request and its effect.

- Adequate yard/open space has been proposed in accordance with the City's Land Development Code.

SECTION 3. The City Council approves the applications from Catoe Holdings, LLC, for site plan and special exception to build a new 8,078 square foot warehouse with accessory office at property know by PCN 56-42-42-26-02-000-0010 that is approximately 1 acre in size with the following eight conditions:

1. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before a Certificate of Occupancy or Certificate of Completion is issued.
2. Construction and landscaping improvements 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. This development must receive final Certificate of Occupancy from the City for all buildings and 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 and special exception approval and re-initiate the site plan approval process.
4. 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.
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 shall host a job fair for Riviera Beach residents prior to certificate of occupancy.
8. The developer shall provide a report to the community development department documenting the efforts to acquire local participation as well as the percentage of construction costs expended with local vendors.

SECTION 4. The associated Site Plan, Elevations, and Landscape Plan are attached hereto and made a part of this resolution as Exhibit "A", Exhibit "B", and "Exhibit C".

SECTION 5. Should any one or more of the provisions or elements 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 6. This Resolution shall take effect immediately upon approval.

PASSED and APPROVED this _____ day of _____, 2017.

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PAGE 5 OF 5

APPROVED:

THOMAS A. MASTERS
MAYOR

KASHAMBA MILLER-ANDERSON
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

TONYA DAVIS JOHNSON
CHAIR PRO TEM

LYNNE L. HUBBARD
COUNCILPERSON

DAWN S. PARDO
COUNCILPERSON

TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

L. HUBBARD _____

D. PARDO _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY

ANDREW DEGRAFFENREIDT
CITY ATTORNEY

DATE: _____