

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PLAT AND TWO-PHASE MASTER SITE PLAN FROM THE RIVIERA BEACH HOUSING AUTHORITY TO DEVELOP 101 SENIOR LIVING APARTMENTS (PHASE 1) AND 79 MULTIFAMILY UNITS (FUTURE PHASE 2), ON A PARCEL OF LAND, TOTALING APPROXIMATELY 15.37 ACRES, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-31-01-000-0010, KNOWN AS THE HERON ESTATES, FORMERLY KNOWN AS THE IVEY GREEN VILLAGE, LOCATED NORTHWEST OF THE INTERSECTION OF NORTH CONGRESS AVENUE AND WEST 17TH COURT, WITHIN THE LOW DENSITY MULTIPLE FAMILY ZONING DISTRICT (RML-12); AUTHORIZING EXECUTION OF SAID PLAT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City staff received an application for a Plat and a two-phase Master Site Plan approval (PA-16-06 and SP-16-20) for the Heron Estates project in October of 2016, from Wantman Group, Inc. (WGI), authorized agent for the Riviera Beach Housing Authority, to redevelop the property formerly known as the Ivey Green Village, identified by Parcel Control Number 56-43-42-31-01-000-0010; and

WHEREAS, said property totals approximately 15.37 acres and is currently vacant and undeveloped, except for two small structures, approximately 3,000 square feet total area; and

WHEREAS, the Riviera Beach Housing Authority is proposing to build 101 senior living apartments in development Phase 1, and 79 multifamily units in a future Phase 2 as identified on the Master Site Plan; and

WHEREAS, City staff has determined that the Heron Estates development proposal (PA-16-06 and SP-16-20) is consistent with the City's Comprehensive Plan and the City's Land Development Regulations; and

WHEREAS, the Planning and Zoning Board reviewed the two-phase Master Site Plan (Exhibit 'A'), Landscape Plan (Exhibit 'B'), Building Elevations (Exhibit 'C') and Plat (Exhibit 'D') on June 8, 2017 and unanimously recommend approval to the City Council; and

WHEREAS, the City Council desires to support a variety of housing choices within the City and to approve this application for a Plat and a two-phase Master Site Plan associated with the Heron Estates development proposal.

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 Heron Estates project application for a Plat and a two-phase Master Site Plan associated with the property known by PCN 56-43-42-31-01-000-0010, formerly known as the Ivey Green Village, is consistent with the City's Comprehensive Plan and the City's Land Development Regulations.

SECTION 2. The City Council approves the Plat and Phase 1 of the Heron Estates Master Site Plan, consisting of 101 senior living apartments. The City Council conceptually approves Phase 2 of the Heron Estates Master Site Plan for construction of 79 multifamily units and authorizes City staff to administratively approve the plans for future Phase 2 development so long as the plans do not deviate greater than 5% (five percent) from the Master Site Plan.

SECTION 3. The City Council approves the Heron Estates Master Site Plan and Plat application from Wantman Group, Inc. (WGI), authorized agent for the Riviera Beach Housing Authority, with the following 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 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, Landscape Plan, Building Elevations, and Plat are attached hereto and made a part of this resolution as Exhibit 'A', 'B', 'C', and 'D'.

SECTION 5. The Mayor, City Clerk and City Engineer are hereby authorized to sign and execute the Heron Estates Plat, entitled "Heron Lakes Senior Center".

SECTION 6. 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 7. This Resolution shall take effect immediately upon approval.

PASSED and APPROVED this _____ day of _____, 2017.

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: _____