

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING SITE PLAN APPLICATION SP-17-02 TO CONSTRUCT THREE BUILDINGS FOR INDUSTRIAL AND OFFICE USE, ON APPROXIMATELY 1.7 ACRES OF VACANT INDUSTRIAL LAND, LOCATED ON WEST 10TH STREET, EAST OF CONGRESS AVENUE, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-31-20-000-0090; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City staff received an application for Site Plan approval (SP-17-02) from Mad Enterprises PB, LLC, to construct three buildings for industrial and office use on the property known by Parcel Control Number 56-43-42-31-20-000-0090; and

WHEREAS, said property is currently vacant, located on West 10th Street, east of Congress Avenue, and is approximately 1.7 acres in area; and

WHEREAS, a description of the proposed buildings are as follows: building number one is a 4,092 square foot one story industrial and office building; building number two is a 4,908 square foot one story industrial building; and building number three is a 4,800 square foot two story office building; and

WHEREAS, City staff has determined that the site plan application (SP-17-02) is consistent with the City's Comprehensive Plan and the City's Land Development Regulations; and

WHEREAS, the Planning and Zoning Board reviewed the application on October 26, 2017, which included the Site Plan (Exhibit 'A'), Landscape Plan (Exhibit 'B'), and Building Elevations (Exhibit 'C'), and unanimously recommend approval to the City Council; and

WHEREAS, the City Council desires to approve the site plan application submitted by Mad Enterprises PB, LLC.

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 site plan application (SP-17-02) associated with the property known by Parcel Control Number 56-43-42-31-20-000-0090, is consistent with the City's Comprehensive Plan and the City's Land Development Regulations.

SECTION 2. The City Council approves the site plan application from Mad Enterprises PB, LLC, to construct three buildings for industrial and office use 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.

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

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: _____