RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING SITE PLAN APPLICATION (SP-18-08) FOR A CONTRACTOR'S STORAGE YARD AND ACCESSORY OFFICE USE, LOCATED AT 501 AVENUE S (AKA SAM COOPER WAY), ASSOCIATED WITH PARCEL CONTROL NUMBERS 56-43-42-32-25-001-0000; 56-43-42-32-20-001-0020 HAVING AN INDUSTRIAL FUTURE LAND USE DESIGNATION AND A GENERAL INDUSTRIAL (IG) ZONING DESIGNATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Applicant, Titon Builders. Inc, has applied for site plan approval (SP-18-08) associated with the real property known by parcel control number 56-43-42-32-25-001-0000 and 56-43-42-32-20-001-0020, approximately 5.2 acres in area, located at 501 Avenue 'S' (AKA Sam Cooper Way); and

WHEREAS, the Applicant desires to operate a contractor's storage yard with an accessory office use; and

WHEREAS, the Planning and Zoning Board reviewed the site plan application (SP-18-08) on October 11, 2018; and

WHEREAS, City staff and the City Council finds that the proposed site plan is consistent with the City's Comprehensive Plan and the City's Code of Ordinances; and

WHEREAS, the City Council of the City of Riviera Beach desires to approve this site plan application (SP-18-08).

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 site plan application (SP-18-08) submitted by Titon Builders, Inc., for the real property known by parcel control number 56-43-42-32-25-001-0000 and 56-43-42-32-20-001-0020, located at 501 Avenue 'S' (AKA Sam Cooper Way) is consistent with the City's Comprehensive Plan and the City's Code of Ordinances.

SECTION 2. The City Council approves this site plan application (SP-18-08) with the following conditions of approval:

1. A two-year landscaping performance bond for 110% of the value of new 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. 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.

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 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.

5. 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.

6. 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.

7. A plat shall be approved by the City and recorded within the official records of Palm Beach County prior to the issuance of a certificate of occupancy or certificate of completion.

8. The aforementioned plat must clearly indicate the following information prior to recordation: 1) the northeastern property line abutting Dr. Martin Luther King Jr. Boulevard shall not extend to nor encroach into the Ultimate Right-Of-Way; 2) the Railroad Spur Track Easement overlapping the proposed Access Easement at the ingress / egress point of the property must be released or abandoned; 3) all Dry Detention and Retention areas as identified on the site plan (SP-18-08), must be delineated.

SECTION 3. The associated Site Plan, Landscape Plan, and Building Elevation Plan are attached hereto and made a part of this resolution as Exhibit ‘A’, Exhibit ‘B’, and Exhibit ‘C’.

SECTION 4. 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 5. This Resolution shall take effect immediately upon approval.

PASSED and APPROVED this _____day of _____, 2018.

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APPROVED:

_____
THOMAS A. MASTERS
MAYOR

_____
TONYA DAVIS JOHNSON
CHAIRPERSON

ATTEST:

_____
CLAUDENE L. ANTHONY,
CERTIFIED MUNICIPAL CLERK
CITY CLERK

_____
LYNNE L. HUBBARD
CHAIR PRO TEM

_____
KASHAMBA MILLER-ANDERSON
COUNCILPERSON

_____
JULIA A. BOTEL
COUNCILPERSON

_____
TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

L. HUBBARD **_____**

K. MILLER-ANDERSON **_____**

T. DAVIS JOHNSON **_____**

J. BOTEL **_____**

T. DAVIS **_____**

REVIEWED AS TO LEGAL SUFFICIENCY

_____
ANDREW DEGRAFFENREIDT
CITY ATTORNEY

DATE: _____