

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING SITE PLAN AND SPECIAL EXCEPTION APPLICATION (SP-19-02 / SE-19-01) TO CONSTRUCT A 120,282 SQUARE FOOT WAREHOUSE, ON A 7.23 ACRE PARCEL OF LAND, LOCATED AT 1301 PRESIDENT BARACK OBAMA HIGHWAY, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-33-00-000-3010, HAVING AN INDUSTRIAL FUTURE LAND USE DESIGNATION AND A GENERAL INDUSTRIAL (IG) ZONING DESIGNATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City received an application for site plan and special exception approval (SP-19-02 / SE-19-01) associated with 1301 President Barack Obama Highway, identified by parcel control number 56-43-42-33-00-000-3010; and

WHEREAS, the subject property has an Industrial Future Land Use designation and a General Industrial Zoning designation; and

WHEREAS, the applicant desires to construct a 120,282 square foot warehouse on the subject property, which requires a special exception use approval within the General Industrial Zoning District; and

WHEREAS, the Planning and Zoning Board reviewed the subject site plan and special exception application (SP-19-02 / SE-19-01) along with corresponding documents and City staff report, on April 11, 2019, and recommended approval to the City Council, with four members affirming the motion and two dissenting; 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 and special exception application (SP-19-02 / SE-19-01).

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 and special exception application (SP-19-02 / SE-19-01) along with corresponding documents and City staff report, associated with 1301 President Barack Obama Highway, identified by Parcel Control Number 56-43-42-33-00-000-3010, is consistent with the City's Comprehensive Plan and the City's Code of Ordinances.

SECTION 2. The City Council approves the site plan and special exception application (SP-19-02 / SE-19-01) with the following conditions of approval:

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 for the Addition.
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

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 _____, 20_____.

RESOLUTION NO. _____
Page 3 of 3

APPROVED:

RONNIE L. FELDER
MAYOR

KASHAMBA L. MILLER-ANDERSON
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

JULIA A. BOTEL, Ed.D
CHAIR PRO TEM

SHIRLEY D. LANIER
COUNCILPERSON

DOUGLAS A. LAWSON
COUNCILPERSON

TRADRICK McCOY
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

K. MILLER-ANDERSON _____

J. BOTEL _____

S. LANIER _____

D. LAWSON _____

T. McCOY _____

REVIEWED AS TO LEGAL SUFFICIENCY

DAWN S. WYNN
CITY ATTORNEY

DATE: _____