

RESOLUTION NUMBER 70-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN APPLICATION (SP-19-27) FROM BLUE LAGOON PLAZA, LLC. REQUESTING SITE PLAN APPROVAL TO CONSTRUCT A NEW COMMERCIAL BUILDING, APPROXIMATELY 3,840 SQUARE FEET IN AREA, ON APPROXIMATELY 0.41 ACRE OF VACANT LAND, LOCATED AT 200 WEST BLUE HERON BOULEVARD, NORTHWEST OF, AND ADJACENT TO, THE INTERSECTION OF WEST BLUE HERON BOULEVARD AND AVENUE 'F', IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-28-04-006-0220, HAVING A DOWNTOWN MIXED USE FUTURE LAND USE DESIGNATION AND A DOWNTOWN GENERAL (DG) ZONING DESIGNATION; PROVIDING FOR CONDITIONS OF APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City received an application for site plan approval (SP-19-27) associated with 200 W. Blue Heron Boulevard, identified by parcel control number 56-43-42-28-04-006-0220; and

WHEREAS, the subject property has a Downtown Mixed Use (DMU) Future Land Use designation and a Downtown General (DG) Zoning designation; and

WHEREAS, the Applicant desires to construct a new commercial building, approximately 3,840 square feet in area, for a restaurant (2,208 sq. ft.), retail and office space (1,632 sq. ft.) on the subject property, which requires a site plan approval within the DG Zoning District; and

WHEREAS, the Planning and Zoning Board reviewed the subject site plan application (SP-19-27) along with corresponding documents and City staff report, on February 27, 2020, and unanimously recommended approval to the City Council; 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-19-27).

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-19-27) along with corresponding documents and City staff report, associated with 200 W. Blue Heron Boulevard, identified by Parcel Control Number 56-43-42-28-04-006-0220, is consistent with the City's Comprehensive Plan and the City's Code of Ordinances.

SECTION 2. The City Council approves the site plan application (SP-19-27) 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

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- ~~7. The Applicant shall consult with the Riviera Beach Police Department in order to incorporate one or more Internet Protocol (IP) Cameras within their site design for RBPB use. (Condition number 7 deleted by City Council)~~
8. The final east and west building elevations, specifically areas visible from adjacent roadways, must utilize consistent architectural treatments with the south elevation (fronting West Blue Heron Boulevard), including but not limited to paint colors, expression lines, cornices, light fixtures, and decorative façade treatments.
9. Prior to the City's issuance of a building permit, a sufficient plat application to re-plat the three existing lots of record into one lot, must be submitted to the City's Planning and Zoning Division for processing.

SECTION 3. The associated Site, Landscape, and Building Elevation Plans 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_____.

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APPROVED:

RONNIE L. FELDER
MAYOR

JULIA A. BOTEL, Ed.D
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

DOUGLAS A. LAWSON
CHAIR PRO TEM

TRADRICK McCOY
COUNCILPERSON

KASHAMBA L. MILLER-ANDERSON
COUNCILPERSON

SHIRLEY D. LANIER
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

T. McCOY _____

K. MILLER-ANDERSON _____

S. LANIER _____

J. BOTEL _____

D. LAWSON _____

REVIEWED AS TO LEGAL SUFFICIENCY

DAWN S. WYNN
CITY ATTORNEY

DATE: _____