

**RESOLUTION NO. 46-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING SITE PLAN APPLICATION (SP-20-15) FROM AJP MLP FAMILY LIMITED PARTNERSHIP, TO CONSTRUCT AN APPROXIMATELY 19,097 SQUARE FOOT BUILDING FOR RETAIL USE WITH LIMITED OUTDOOR DISPLAY, ON AN APPROXIMATE 4.43-ACRE PARCEL OF LAND, LOCATED IMMEDIATELY EAST ON N. MILITARY TRAIL, AND IDENTIFIED BY PARCEL CONTROL NUMBERS 56-42-42-36-20-000-0010, 56-42-42-36-20-000-0020 AND 56-42-42-36-40-000-0020; PROVIDING FOR CONDITIONS OF APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 31-59 of the City of Riviera Beach Code of Ordinances establishes the requirements for Site Plan review by the City Council; and

**WHEREAS**, the proposed site plan (SP-20-15) is consistent with the City's Comprehensive Plan and the Commercial Future Land Use Category; and

**WHEREAS**, the applicant, AJP MLP Family Limited Partnership, is requesting a site plan approval (SP-20-15) to build a 19,097 Square Foot building for a retail use, known as the "Tractor Supply Company", with outdoor storage, display and sales of merchandise, and parking; and

**WHEREAS**, the proposed use is retail and is compatible with the surrounding uses; and

**WHEREAS**, on February 25, 2021, the Planning and Zoning Board, an advisory board to the City Council, reviewed the site plan application (SP-20-15) and City staff report, which included the site plan application, plans, and staff comments, and recommended approval with an affirmative vote of 7 to 0; and

**WHEREAS**, the City Council desires to approve the site plan application (SP-20-15) from AJP MLP Family Limited Partnership, to construct an approximately 19,097 square foot building for retail use with limited outdoor display, on an approximate 4.43-acre parcel of land, located immediately East of N. Military Trail, and identified by Parcel Control Numbers 56-42-42-36-20-000-0010, 56-42-42-36-20-000-0020 and 56-42-42-36-40-000-0020, having a commercial future land use designation and a General Commercial (CG) zoning designation, providing for conditions of approval, and providing for an effective date.

**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-20-15) along with corresponding documents and City staff report, associated with the parcels located immediately East on N. Military Trail, and identified by Parcel Control Numbers 56-42-42-36-20-000-0010, 56-42-42-36-20-000-0020 and 56-42-42-36-40-000-0020, is consistent with the City's Comprehensive Plan and the City's Code of Ordinances.

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**SECTION 2.** The City Council approves the site plan application (SP-20-15) 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 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. The proposed thirty (30) feet cross access easement must be filed with the Palm Beach County Clerk and a copy of the recorded easement must be provided to the City (Development Services Department and Public Works Department) prior to the issuance of a building permit.
8. The limit of the outdoor storage and display shall be as shown on plans titled "Site Plan Tractor Supply Company" Sheet SP-1, and the products shall not impede or restrict vehicular and pedestrian circulation. Any expansion of outside storage or display shall require a site plan modification.
9. Whereas the Applicant, Tractor Supply Company, and their Agent, Hix Snedeker Company, have expressed a commitment to hire locally as possible for both construction jobs and subcontracting jobs for the construction phase as well as long term employment for the operation they shall advertise opportunities by participating in local job fairs and advertising opportunities within the City of Riviera Beach. The developer shall provide a

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report to the Development Services Department at 6 months post Certificate of Occupancy documenting the outreach efforts to acquire local employees, number of local employees hired, and the percentage of construction costs expended with local vendors broken down by city.

**SECTION 3.** The associated Site Plan, Landscape Plan, 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 upon its passage and approval by City Council.

**PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

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**APPROVED:**

\_\_\_\_\_  
**RONNIE L. FELDER**  
**MAYOR**

\_\_\_\_\_  
**SHIRLEY D. LANIER**  
**CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**CLAUDENE L. ANTHONY,**  
**CERTIFIED MUNICIPAL CLERK**  
**CITY CLERK**

\_\_\_\_\_  
**KASHAMBA MILLER-ANDERSON**  
**CHAIR PRO TEM**

\_\_\_\_\_  
**TRADRICK MCCOY**  
**COUNCILPERSON**

\_\_\_\_\_  
**DOUGLAS D. LAWSON**  
**COUNCILPERSON**

\_\_\_\_\_  
**JULIA A. BOTEL, Ed. D.**  
**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:** \_\_\_\_\_