

RESOLUTION NUMBER 47-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN APPLICATION (SP-21-01) FROM FLORIDA SUNSTAR LOGISTICS, LLC., REQUESTING SITE PLAN AMENDMENT APPROVAL TO ALLOW FOR THE CONSTRUCTION OF AN INDUSTRIAL CEMENT STORAGE TANK (A.K.A DOME) AS WELL AS AN ACCESSORY OFFICE AND EQUIPMENT BUILDING ON AN APPROXIMATE 3.97 ACRE AREA OF THE PORT OF PALM BEACH, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42-33-29-000-0020; PROVIDING FOR CONDITIONS OF APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City received an application from Florida Sunstar Logistics, LLC. for site plan approval (SP-21-01) associated with the Port of Palm Beach, Parcel Control Number 56-43-42-33-29-000-0020; and

WHEREAS, the proposed project is located in the IG Zoning District at the Port of Palm Beach and the future land use is Port; and

WHEREAS, the proposed project is the redevelopment of existing Port property for economic development purposes and if approved will allow for the construction of a 150 foot high industrial cement storage tank (a.k.a. dome) as well as an accessory office and equipment building on an approximate 3.97 acre parcel by Florida Sunstar Logistics; and

WHEREAS, the applicant simultaneously submitted an application for a text amendment (ZA-21-01), integral to the approval of the site plan application SP-21-01, associated with adding a new subsection to increase the maximum allowable building height in the central area of the Port from 50 feet to 150 feet, as well as defining the central area of the Port as “that area bordered by W. Port Road & Broadway, Avenue E, and Dr. Martin Luther King Jr. Blvd.;

WHEREAS, in order to mitigate any impact, the applicant has agreed to donate funds to the City for the installation of landscape material in and around the City in exchange for the City waiving its landscaping requirements for this proposed development in a general industrial area; and

WHEREAS, the Planning and Zoning Board reviewed the subject site plan (SP-21-01), and text amendment application (ZA-21-01), along with corresponding documents and City staff report, on April 8, 2021, and unanimously recommended approval with conditions to the City Council; and

WHEREAS, City staff finds that this proposed site plan (SP-21-01) is consistent with the City’s Comprehensive Plan and the City Code of Ordinances as long as the text amendment application (ZA-21-01) has been approved by Ordinance on second reading; and

WHEREAS, the City Council supports economic development and deems approval of this site plan application (SP-21-01) as presented and discussed to be in the best interests of the City and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. The City Council finds that the site plan application (SP-21-01) along with corresponding documents and City staff report, attached hereto and made a part of this Resolution, associated with the approximately 3.97 acre parcel within the Port of Palm Beach District, in the central area of the Port, east of Avenue E, and north of W. Port Road and Broadway Avenue, and Dr. Martin Luther King Jr. Blvd. to the south and north, identified by Parcel Control Number 56-43-42-33-29-000-0020, is consistent with the City's Comprehensive Plan and the City's Code of Ordinances, so long as the associated text amendment (ZA-21-01) has been approved by Ordinance on second reading.

SECTION 2. The City Council hereby approves this Site Plan Application (SP-21-01) with the following conditions of approval:

1. The applicant shall provide a check payable to the City of Riviera Beach for not less than \$45,285.15 for landscape improvements in the City prior to the issuance of a Building Permit.
2. Construction 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/or 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 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 concurrently processed ordinance (No. 4166) associated with text amendment application ZA-21-01, (increasing the maximum allowable building height from 50 feet to 150 feet within the central area of the Port as defined as "that area bordered by W. Port

Road & Broadway, Avenue E, and Dr. Martin Luther King Jr. Blvd.”) must be approved and adopted on second reading prior to this site plan approval becoming effective.

8. The applicant shall consider partnering with the City to identify opportunities to provide outreach and support to local residents, including but not limited to, programs such as the Youth Empowerment Program, The Reentry Center, or the establishment of a charitable foundation.
9. The applicant shall actively advertise employment opportunities for temporary and permanent positions within the City of Riviera Beach, including participation at community job fairs or hosting specialized recruitment events. The developer shall provide a report to the Development Services Department, at 6 months post Certificate of Occupancy, documenting the outreach efforts to acquire local employees; the number of local employees hired; the number of local businesses contracted with, subject to employment and privacy laws; and the percentage of construction costs expended with local vendors.
10. Florida Sunstar Logistics shall participate in efforts to enhance and beautify the bridge and southern gateway to the City by working with the City and other partners to provide a conceptual design for the beautification of the gateway and bridge to the City of Riviera Beach. Florida Sunstar Logistics shall deliver the conceptual bridge and gateway beautification design to the City prior to the issuance of a Building Permit.
11. The final design of the mural on the dome structure shall be approved by the City Council and installed prior to the issuance of the Certificate of Occupancy. The applicant shall provide an alternate rendering for consideration by City Council.

SECTION 3. The associated Site Plan with Building Elevations & Floor Plans, and proposed Building Elevations for the cement materials storage dome are attached hereto and made a part of this resolution as Exhibit ‘A’ and ‘B’.

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 become effective immediately upon its final adoption by City Council.

PASSED and APPROVED this TH day of _____, 2021.

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

JULIA A. BOTEL, Ed.D
COUNCILPERSON

DOUGLAS A. LAWSON
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: _____