

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; APPROVING AN APPLICATION FROM 49TH TERRACE NORTH, LLC. FOR SITE PLAN APPROVAL TO DEVELOP 3.03 ACRES OF VACANT LAND ON PCN: 56-42-42-25-00-000-7120, WHICH IS LOCATED SOUTH OF SR 710 AND NORTH OF 49TH TERRACE NORTH, FOR A SINGLE STORY 1,440 SQUARE FOOT MODULAR OFFICE STRUCTURE WITH ONSITE STORAGE AND SALES OF MODULAR UNITS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 49th Terrace North, LLC. desires to develop a single story 1,440 square foot modular office structure with onsite storage and sales of modular units on a vacant 3.03 acre parcel of industrial land located south of SR 710 and north of 49th Terrace North on PCN: 56-42-42-25-00-000-7120; and

WHEREAS, on September 10, 2015, the Planning and Zoning Board, an advisory board to the City Council, reviewed the 49th Terrace North, LLC. site plan development proposal and unanimously recommended approval of this project to the City Council; and

WHEREAS, City Staff has determined that 49th Terrace North, LLC. development proposal is consistent with and compatible to the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, the City Council desires to approve the plans for the 49th Terrace North, LLC. to develop a single story 1,440 square foot modular office structure with onsite storage and sales of modular units on a vacant 3.03 acre parcel of industrial land on PCN: 56-42-42-25-00-000-7120.

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 hereby finds that the development proposal to build a single story 1,440 square foot modular office structure with onsite storage and sales of modular units on a vacant 3.03 acre parcel of industrial land on PCN: 56-42-42-25-00-000-7120 is consistent with and compatible to the City's Comprehensive Plan and Land Development Regulations.

SECTION 2. The City Council hereby approves the aforementioned application from 49th Terrace North, LLC. for site plan approval with the following conditions:

1. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before the certificate of occupancy is issued.
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. 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.
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 this resolution (by November 18, 2020) or the resolution shall be considered null and void, requiring the applicant and fees to resubmit application for site plan approval and re-initiate the site plan approval process.
5. 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.
6. 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.

SECTION 3. The associated site plan, landscape plan, and building elevations are attached hereto and made a part of this Resolution as Exhibit "A", "B", and "C".

SECTION 4. Should any one or more of the provisions or element 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 _____, 2015.

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APPROVED:

THOMAS A. MASTERS
MAYOR

DAWN S. PARDO
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

TERENCE D. DAVIS
CHAIR PRO TEM

BRUCE A. GUYTON
COUNCILPERSON

KASHAMBA L. MILLER-ANDERSON
COUNCILPERSON

CEDRICK A. THOMAS
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

B. GUYTON _____

K. MILLER-ANDERSON _____

C. THOMAS _____

D. PARDO _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, B.C.S.
CITY ATTORNEY

DATE: _____