

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; APPROVING AN APPLICATION FROM LEAF PROPERTIES, INC., FOR SITE PLAN APPROVAL TO DEVELOP A SINGLE STORY 7,545 SQUARE FOOT DOLLAR GENERAL RETAIL STORE ON 0.64 ACRE (28,008 SQUARE FOOT) OF LAND AT 3701 BROADWAY, WHICH IS LOCATED WEST OF BROADWAY, SOUTH OF SILVER BEACH ROAD, AND NORTH OF WEST 37TH STREET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 3701 Broadway, known by Parcel Control Number 56-43-42-28-28-005-0170, consists of approximately 0.64 acre of land, has a Downtown Mixed Use Future Land Use and Downtown General Zoning Designation, and is located within the City's Community Redevelopment Area; and

WHEREAS, Leaf Properties, Inc. submitted a site plan application (SP-15-13) to develop a single story 7,545 square foot Dollar General Retail Store at 3701 Broadway, which is located west of Broadway, south of Silver Beach Road, and north of West 37th Street; and

WHEREAS, City Staff has determined that the Leaf Properties, Inc. development proposal is consistent with and compatible to the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, on March 24, 2016, the Planning and Zoning Board, an advisory board to the City Council, reviewed the Leaf Properties, Inc. site plan development proposal and recommended approval of this project to the City Council with a 3 to 2 vote; and

WHEREAS, on July 13, 2016, the Riviera Beach Community Redevelopment Agency Board reviewed the Leaf Properties, Inc. site plan development proposal and found the application to be consistent with the City of Riviera Beach Community Redevelopment Plan by a vote of 4 to 1; and

WHEREAS, the City Council desires to approve the development application and associated plans submitted by Leaf Properties, Inc., to develop a single story 7,545 square foot Dollar General Retail Store, located at 3701 Broadway.

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 site plan application submitted by Leaf Properties, Inc. to develop and operate a single story a single story 7,545 square foot Dollar General Retail Store located west of Broadway, south of Silver Beach Road and north of West 37th Street on a 0.64 acre parcel of commercial land on PCN: 56-43-42-28-28-005-0170, known as 3701 Broadway, is consistent and compatible with the City's Comprehensive Plan and Land Development Regulations.

SECTION 2. The City Council hereby approves the aforementioned application from Leaf Properties, Inc. 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 August 3, 2021) or the resolution shall be considered null and void, requiring the applicant to resubmit site plan fees and 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.
7. The developer agrees to modify the existing onsite City of Riviera Beach welcome sign as determined by the City Engineer.

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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 _____, 2016.

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APPROVED:

THOMAS A. MASTERS
MAYOR

TERENCE D. DAVIS
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

KASHAMBA MILLER-ANDERSON
CHAIR PRO TEM

LYNNE L. HUBBARD
COUNCILPERSON

TONYA DAVIS JOHNSON
COUNCILPERSON

DAWN S. PARDO
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

L. HUBBARD _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

D. PARDO _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY

ANDREW DEGRAFFENREIDT, ESQ.
CITY ATTORNEY

DATE: _____