

RESOLUTION NO. 2020/094

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE PLAT APPLICATION SUBMITTED BY DEERFIELD DEVELOPMENT RESOURCES, LLC, TO AMEND THE PLAT NOTE ON THE PENNELL FAMILY PLAT (P.B. 160, PG. 23) FOR 3.5007 ACRES OF LAND LOCATED AT 412 NORTH RIVER DRIVE & 454 N.E. 1ST AVENUE, DEERFIELD BEACH, FLORIDA, TO RESTRICT PARCELS A & B TO 179 MID-RISE DWELLING UNITS TO ACCOMMODATE THE PROPOSED VISTA CLARA APARTMENTS DEVELOPMENT (APPLICATION NO. 19-P-223); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, Application No. 19-P-223 (the "Plat Application") has been submitted to the City by Deerfield Development Resources, LLC (the "Applicant") to amend the plat note for 3.5007-acres of property, located at 412 North River Drive and 454 N.E. 1st Avenue, Deerfield Beach, to restrict Parcel A and B of the Pennell Family Plat to 179 mid-rise dwelling units (the "Residential Development") to accommodate the proposed Vista Clara Apartments development; and

WHEREAS, the site for the Residential Development is approximately 3.5007 acres generally located at 412 North River Drive and 454 N.E. 1st Avenue, Deerfield Beach, Florida, as more particularly described in the file (collectively, the "Property"); and

WHEREAS, the Plat Application submitted by the Applicant for the Residential Development would restrict the Property to the development of 179 mid-rise dwelling units to accommodate the proposed 326-unit multi-family dwelling unit Vista Clara Apartments development; and

WHEREAS, the Plat Application is being processed concurrently with a Rezoning (Application #19-R-185), two other Plat Applications (Application #19-P-222 and 19-P-224), a Site Plan (Application # 19-PDD-01) and an Abandonment request (Application No. 19-A-195); and

WHEREAS, the City Commission has considered the evidence and testimony presented by the Applicant and other interested parties and the recommendations of the various City of Deerfield Beach review agencies and staff; and

WHEREAS, the City Commission has determined that the Plat Application meets all departmental and Land Development Code requirements and finds it in the best interest of the City to approve the Plat Application.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part hereof.

Section 2. The Plat Application is hereby approved, subject to the following conditions all of which shall be satisfied by the Applicant: (1) the conditions set forth in the Plat Application and the Development Review Comments as amended, and dated February 13, 2020, which

conditions are hereby incorporated herein by this reference, (2) execution and recording of a Development Agreement, in a form acceptable to the City Attorney's Office, that provides, at a minimum, for the following onsite and off-improvements to be constructed by the Applicant:

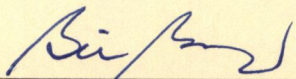
- (A) A Waterfront Boardwalk and boat slips to be accessible by the public during the hours of dawn to dusk;
- (B) Improvements to North River Avenue to provide public sidewalk access to the boardwalk and boat slips;
- (C) Sidewalk, landscaping and drainage improvements on NE 1st Avenue adjacent to the property and with an extension to NE 2nd Street;
- (D) A sidewalk on the property connecting the sidewalk on NE 5th Street to the boardwalk and boat slips;
- (E) A vehicle turnaround on the property adjacent to North River Avenue that will be accessible to the public;
- (F) A ten (10) inch water main upgrade along NE 1st Avenue between NE 2nd Street and NE 5th Street; and
- (G) Rebuild and relocate City Sanitary Sewer Pump Station 48 on City property, specifically folio No. 4743 31 00 0090.

Section 3. All resolutions or parts of resolutions in conflict herewith, be and the same, are hereby repealed to the extent of such conflict.

Section 4. Should any section or provision of this Resolution or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

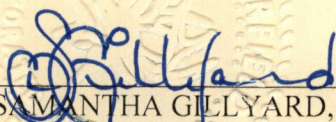
Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 4TH DAY OF AUGUST, 2020.



BILL GANZ, MAYOR

ATTEST:



SAMANTHA GILLYARD, CMC, CITY CLERK

