

**ORDINANCE NO. 2015-057**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING ORDINANCE NO. 2006-039 AS AMENDED BY ORDINANCE NO. 2008-004, AS AMENDED BY ORDINANCE 2013-005, WHICH APPROVED THE LYONS WILES SITE PLAN, AND HEREBY APPROVING THE SITE PLAN REQUEST OF GARRISON COCONUT CREEK LAND, LLC, RELATING TO OVERALL DEVELOPMENT FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF, PURSUANT TO THE PROVISIONS OF ORDINANCE NO. 2006-039 RELATING TO DEVELOPMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the owner of the property, Garrison Coconut Creek Land, LLC ("Property Owner"), is requesting a modification to the approved Lyons Wiles Site Plan Ordinance; and

**WHEREAS**, adoption of this Ordinance will amend Ordinance No. 2006-039, as amended by Ordinance No. 2008-004, and Ordinance 2013-005, relating to the approved development program; and

**WHEREAS**, the Property Owner originally proposed a mixed-use development including 254,300 square feet of retail and restaurant space, 50,000 square feet of office space, and 456 residential units, which was amended in 2013 to replace the residential units with a movie theater; and

**WHEREAS**, the Property Owner is requesting to construct a free-standing restaurant on the vacant parcel previously approved for two (2) retail buildings; and

**WHEREAS**, adoption of this Ordinance shall approve a 12,244 square foot free-standing restaurant, including wine tasting room, retail area and 1,339+/- square feet of outdoor dining; and

**WHEREAS**, the proposed site plan is generally consistent with the MainStreet Design Standards; and

**WHEREAS**, the proposed change to the Lyons Wiles Site Plan would promote the public health, safety, and welfare of the residents of the City of Coconut Creek; and

**WHEREAS**, at its meeting of November 18, 2015, the City's Planning and Zoning Board recommended approval of said site plan modification request subject to the following conditions:

1. All outstanding DRC comments shall be addressed by the applicant prior to the issuance of a building permit; and

**WHEREAS**, the City Commission has considered the application in its entirety, staff reports, minutes of meetings, findings of fact and support documents and determines the request is in the best interests of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the foregoing application recitals, findings of fact, minutes of meetings and all staff reports and documents are true and correct, and are hereby incorporated by reference and transmitted.

**Section 2:** That at its meeting of November 18, 2015, the City's Planning and Zoning Board recommended approval of said site plan modification request subject to the following conditions:

1. All outstanding DRC comments shall be addressed by the applicant prior to the issuance of a building permit.

**Section 3:** That the City Commission hereby approves the site plan request of Garrison Coconut Creek Land, LLC for the property legally described in Exhibit "A," attached hereto and made a part hereof, and hereby amends Ordinance No. 2006-039, as amended by Ordinance No. 2008-004 and Ordinance No. 2013-005.

**Section 4:** That the Lyons Wiles Site Plan shall be amended to permit a 12,244 square foot free-standing restaurant on a parcel previously approved for two (2) retail buildings.

**Section 5:** That in the event any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

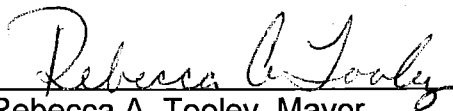
**Section 6:** That through the adoption of this Ordinance, the City Commission hereby vests the specific intensities for a mixed-use development totaling 268,000 square feet of retail and restaurant space, including a theater, and 50,000 square feet of office space.

**Section 7:** That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

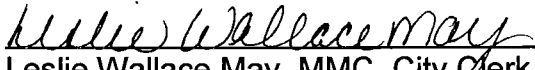
**Section 8:** That this Ordinance shall become effective immediately upon its passage on second and final reading.

**PASSED FIRST READING THIS 10th DAY OF December , 2015.**

**PASSED SECOND READING THIS 14th DAY OF January, 2016.**

  
\_\_\_\_\_  
Rebecca A. Tooley, Mayor

Attest:

  
\_\_\_\_\_  
Leslie Wallace May, MMC, City Clerk

|           | <u>1st</u> | <u>2nd</u>    |
|-----------|------------|---------------|
| Tooley    | <u>Aye</u> | <u>Aye</u>    |
| Belvedere | <u>Aye</u> | <u>Aye</u>    |
| Sarbone   | <u>Aye</u> | <u>Aye</u>    |
| Welch     | <u>Aye</u> | <u>Aye</u>    |
| Rydell    | <u>Aye</u> | <u>Absent</u> |

WSS:jw

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## EXHIBIT "A"

### **Legal Description:**

A Portion of Parcel "A", Green Farm Replat, as recorded in Plat Book 173, Page 116 and 117 of the Public Records of Broward County.