

RESOLUTION NO. 2018-225

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE SITE PLAN REQUEST OF RPT REALTY, L.P. FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF, BEING GENERALLY KNOWN AS A PORTION OF TRACT A, "SAWGRASS PARK OF COMMERCE COMMERCIAL SECTION "B," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 144, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; PROVIDING FOR A PUBLIC PURPOSE; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of the property, RPT Realty, L.P. ("Property Owner") is requesting site plan approval for said property described in Exhibit "A;" and

WHEREAS, the Property Owner is seeking site plan approval to modify the existing Coral Creek Shops shopping plaza master site plan generally located at the southeast corner of Johnson Road and State Road 7 (US 441); and

WHEREAS, adoption of this resolution shall approve the master site plan; and

WHEREAS, the proposed expansion of Coral Creek Shops shopping plaza would promote the public health, safety, and welfare of the residents of the City of Coconut Creek; and

WHEREAS, at its public hearing held on September 12, 2018, the Planning and Zoning Board heard, reviewed, and duly considered the reports, findings, and recommendations of the City staff, together with the opinions and testimony stated at the public hearing, and has recommended approval of this item to the City Commission subject to the following conditions:

- a. The applicant providing proof of unity of control;
- b. The applicant providing an amendment to the master site plan to show general land use module instead of specific business name;

- c. The applicant providing a maintenance agreement for the entire PCD; and
- d. Outstanding DRC comments remain effective throughout the development review process and shall be addressed prior to the issuance of a building permit; and

WHEREAS, the City Commission finds and determines that this site plan is in the best interest of the City based upon all the Development Review Committee comments and minutes, Planning and Zoning Board minutes, City staff reports, and findings of fact pertaining to this project located within the official City Development/Project file kept within the Department of Sustainable Development.

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

Section 1: Ratification. That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

Section 2: Public Purpose. That the City Commission finds and determines that the above described site plan is in the best interest of the residents of the City of Coconut Creek and serves a public purpose.

Section 3: That this site plan application submitted by RPT Realty, L.P. for the modification of the existing Coral Creek Shops shopping plaza master site plan, located at the southeast corner of Johnson Road and State Road 7 (US 441), as more particularly described in Exhibit “A,” having been recommended for approval by the Planning and Zoning Board on September 12, 2018, and having been reviewed by the City Commission, is hereby approved on the following conditions:

- a. The applicant providing proof of unity of control within sixty (60) days of approval of the rezoning;
- b. The applicant providing an amendment to the master site plan to show general land use module instead of specific business name;
- c. The applicant providing a maintenance agreement for the entire PCD;
- d. Outstanding DRC comments remain effective throughout the development review process and shall be addressed prior to the issuance of a building permit; and
- e. RPT Realty, L.P. must submit and receive all necessary approvals from City staff for ground identification signs and/or designer directional signs visible from the street and compliant with City Code prior to issuance of the Certificate of Occupancy for the Wendy’s development.

Section 4: That the final site plan and building plans shall comply with all applicable zoning regulations and building codes.

Section 5: That should any section or provision of this resolution, or any portion thereof, any paragraph, sentence, clause 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 hereof other than the part declared invalid.

Section 6: That this resolution shall be in full force and effect upon final approval of the rezoning ordinance.

Adopted this 28th day of February, 2019.

Joshua Rydell, Mayor

Attest:

Leslie Wallace May, City Clerk

Rydell	<u>Nay</u>
Welch	<u>Aye</u>
Tooley	<u>Aye</u>
Sarbone	<u>Aye</u>
Belvedere	<u>Aye</u>

WSS:ae

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EXHIBIT "A"

Legal Description:

A portion of Tract A, "Sawgrass Park of Commerce Commercial Section "B," according to the Plat thereof, as recorded in Plat Book 144, Page 33, of the Public Records of Broward County, Florida.