

ORDINANCE NO. 2010-013

AN ORDINANCE OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE REZONING REQUEST OF ST. LUCIE INDUSTRIAL PROPERTIES, LLC, FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF, BEING GENERALLY KNOWN AS THE WEST 330 FEET AND THE EAST 660 FEET OF TRACT 10, BLOCK 89, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LESS THE SOUTH 40 FEET OF THE WEST 330 FEET AND THE EAST 40 FEET OF THE EAST 660 FEET OF SAID TRACT 10; TOGETHER WITH ALL OF TRACT "B" AND A PORTION OF TRACT "C," F&N PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 166, PAGE 42, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN SECTION 18, TOWNSHIP 48 SOUTH, RANGE 42 EAST, CITY OF COCONUT CREEK, BROWARD COUNTY, FLORIDA, FROM A-1 (AGRICULTURAL) AND PCD (PLANNED COMMERCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, the owner of the property described in Exhibit "A," attached hereto and made a part hereof, St. Lucie Industrial Properties, LLC, is requesting a rezoning of said property from A-1 (Agricultural) and PCD (Planned Commerce District) to PUD (Planned Unit Development); and

WHEREAS, the proposed rezoning to PUD has an underlying land use of Low-Med 10.0 (Residential 10 DU/Ac); and

WHEREAS, the proposed rezoning is consistent with the effective land use plan of the City of Coconut Creek; and

WHEREAS, the applicant has met the requirements of Chapter 13, Code of Ordinances, Article III thereof, entitled "Zoning Regulations," of the City of Coconut Creek; and

WHEREAS, the proposed development would promote the public health, safety and welfare of the residents of the City of Coconut Creek; and

WHEREAS, at its meeting of June 9, 2010, the City's Planning and Zoning Board recommended approval of said rezoning request subject to the following conditions:

1. Outstanding DRC comments remain effective throughout the development review process and must be addressed prior to the issuance of a building permit;
2. No vertical construction shall commence until landscape buffers are installed between the neighboring HOA property and the subject property;
3. The property owners shall proceed with rodent trapping and relocation; and
4. The trash compactor shall be relocated on the site from the northern boundary of the property prior to the rezoning request being considered by the City Commission.

WHEREAS, all staff reports, minutes of meetings, findings of fact and support documents are hereby incorporated by reference;

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

Section 1: That the foregoing recitations are hereby ratified as true and correct, and are incorporated into the terms and conditions of this Ordinance.

Section 2: That the City Commission hereby accepts the recommendation of the Planning and Zoning Board of June 9, 2010, which recommended approval of the rezoning petition of St. Lucie Industrial Properties, LLC for the property legally described in Exhibit "A", attached hereto and made a part hereof, and hereby approves the rezoning request from A-1 (Agricultural) and PCD (Planned Commerce District) to PUD (Planned Unit Development) subject to the following conditions:

- a. Outstanding DRC comments remain effective throughout the development review process and must be addressed prior to the issuance of a building permit.
- b. No vertical construction shall commence until landscape buffers are installed between the neighboring HOA property and the subject property;
- c. The property owners shall proceed with rodent trapping and relocation; and

d. The trash compactor shall be relocated on the site from the northern boundary of the property prior to the rezoning request being considered by the City Commission.

Section 3: That 108 reserve units and 3.6 acres of commercial flex are hereby allocated to the Bel Lago PUD pursuant to the Administrative Rules Document of the Broward County Land Use Plan.

Section 4: That St. Lucie Industrial Properties, LLC and their assigns shall proceed in compliance with the Bel Lago Rezoning Development Plan, attached hereto and made a part hereof as Exhibit "B."

Section 5: That St. Lucie Industrial Properties, LLC and their assigns have agreed to use City franchisees for all services related to the development and use of the subject property.

Section 6: That this rezoning shall not be construed to create a right to any development of the property that fails to meet the requirements of Chapter 13, City of Coconut Creek Code of Ordinances and any other Broward County land development regulations, except as specifically provided in this Ordinance.

Section 7: That the City of Coconut Creek Director of Sustainable Development shall make the necessary changes to the official zoning map of the City to effectuate said rezoning.

Section 8: 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 9: That all ordinances or parts of ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

Section 10: That this Ordinance shall take effect immediately upon its passage and adoption.

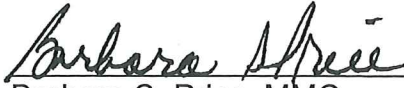
PASSED FIRST READING THIS 12th DAY OF August, 2010.

PASSED SECOND READING THIS 26th DAY OF August, 2010.



Lisa K. Aronson, Mayor

Attest:



Barbara S. Price, MMC
City Clerk

	<u>1st</u>	<u>2nd</u>
Aronson	<u>Aye</u>	Aye
Sarbone	<u>Aye</u>	<u>Aye</u>
Gerber	<u>Aye</u>	<u>Aye</u>
Tooley	<u>Aye</u>	Absent
Belvedere	<u>Aye</u>	<u>Aye</u>

SR:WSS:mb

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EXHIBIT "A"

Legal Description:

The West 330 feet and the East 660 feet of Tract 10, Block 89, Palm Beach Farms Company Plat No. 3, according to the Plat thereof, as recorded in Plat Book 2, Pages 45 to 54, inclusive, of the Public Records of Palm Beach County, Florida; Less the South 40 feet of the West 330 feet and the East 40 feet of the East 660 feet of said Tract 10; Together with all of Tract "B" and a portion of Tract "C," F&N Plat, according to the Plat thereof, as recorded in Plat Book 166, Page 42, of the Public Records of Broward County, Florida, lying in Section 18, Township 48 South, Range 42 East, City of Coconut Creek, Broward County, Florida.