

ORDINANCE NO. 2016-28

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE REZONING REQUEST OF CRYSTALIS, INC. AND CLARITY POINTE DEVELOPMENT PARTNERS, LLC, TO REZONE FROM A-1 (AGRICULTURAL DISTRICT) TO O-2 (LOCAL OFFICE) FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, owners of the property described in Exhibit "A," attached hereto and made a part hereof, Crystalis Inc. and Clarity Pointe Development Partners, LLC, are requesting a rezoning of said property from A-1 (Agricultural District) to O-2 (Local Office); and

WHEREAS, the proposed rezoning to O-2 has an underlying land use of Office Professional (OP); and

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

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

WHEREAS, the Planning and Zoning Board recommended approval of the rezoning at its May 11, 2016, meeting, subject to the following condition:

1. Outstanding DRC comments remain effective throughout the development review process and must be addressed prior to issuance of a building permit; and

WHEREAS, all staff reports, minutes of meetings, findings of fact and support documents are hereby incorporated as referenced.

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

Section 1: That the foregoing recitals, findings of fact, staff reports, and documents are true and correct, and are hereby incorporated by reference.

Section 2: That the City Commission hereby accepts the recommendation of the Planning and Zoning Board of May 11, 2016, and hereby approves the application made by Crystals Inc. and Clarity Pointe Development Partners, LLC, for the property legally described in Exhibit "A," attached hereto and made a part hereof, and hereby recommends approval of the rezoning request from A-1 (Agricultural District) to O-2 (Local Office).

Section 3: That Crystals Inc. and Clarity Pointe Development Partners, LLC, and their assigns shall proceed in compliance with the Clarity Pointe Rezoning Development Plan, attached hereto and made a part hereof as Exhibit "B."

Section 4: That the applicant, property owner, and or assigns agree to use City franchisees for all services related to the development and use of the subject property.

Section 5: 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 6: That the City of Coconut Creek Sustainable Development Director shall make the necessary changes to the official zoning map of the City to effectuate said rezoning.

Section 7: 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 8: That all ordinances or parts of ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

Section 9: That this Ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 23rd DAY OF JUNE, 2016.

PASSED SECOND READING THIS _____ DAY OF _____, 2017.

Mayor

Attest:

Leslie Wallace May, City Clerk

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

EXHIBIT "A"

LEGAL DESCRIPTION:

The West 330.00 feet of Tract 40, Block 85, PALM BEACH FARMS COMPANY PLAT NO. 3, according to the Plat thereof on file in the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 2, Pages 45 through 54; said land lying, being and situated in Broward County, Florida.