

ORDINANCE NO. 2018-032

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE REZONING REQUEST OF LYONS 7600, LLC, TO REZONE FROM A-1 (AGRICULTURAL DISTRICT) TO CF (COMMUNITY FACILITY) FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE PART HEREOF; PROVIDING FOR A PUBLIC PURPOSE; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Lyons 7600, LLC, owner of the property described in Exhibit "A," attached hereto and made a part hereof, is requesting a rezoning of said property from A-1 (Agricultural District) to CF (Community Facility); and

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

WHEREAS, the owner 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 Planning and Zoning Board has recommended approval of the rezoning at its September 12, 2018, 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, the City Commission has determined that the above described rezoning is in the best interest of the City and serves a public purpose 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 ORDAINED 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 ordinance. All Exhibits attached hereto are incorporated herein and made a specific part of this ordinance.

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

Section 3: That the City Commission hereby accepts the recommendation of the Planning and Zoning Board of September 12, 2018, and hereby approves the application made by IBI Group, on behalf of the owner Lyons 7600, 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 CF (Community Facility) subject to the following condition:

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

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: Severability. That should any section or provision of this ordinance 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 8: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

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

PASSED FIRST READING THIS _____ DAY OF _____, 2019.

PASSED SECOND READING THIS _____ DAY OF _____, 2019.

Joshua Rydell, Mayor

Attest:

Leslie Wallace May, City Clerk

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

WSS:ae

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Exhibit "A"

Legal Description:

A portion of Tract 25, Block 83, Palm Beach Farms Company Plat No.3, according to the Plat thereof, as recorded in Plat Book 2, Pages 45 - 54, of the Public Records of Palm Beach County, Florida.