

ORDINANCE NO. 2018-028

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING ORDINANCE NO. 2007-011, WHICH APPROVED THE VILLAGE SHOPPES OF COCONUT CREEK PLANNED COMMERCE DISTRICT (PCD) AND HEREBY APPROVING THE MODIFICATION REQUEST OF DAGMAR RIVERA, VILLAGE SHOPPES OF COCONUT CREEK INVESTMENTS, LLC, TO PROVIDE FOR MODIFIED SITE DESIGN STANDARDS FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF, PURSUANT TO THE PROVISIONS OF SECTION 13-355, COCONUT CREEK CODE OF ORDINANCES; PROVIDING FOR A PUBLIC PURPOSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Dagmar Rivera, Village Shoppes of Coconut Creek Investments, LLC, is requesting a modification to the approved Village Shoppes of Coconut Creek Planned Commerce District (PCD); and

WHEREAS, adoption of this ordinance will amend Ordinance No. 2007-011, relating to the site design standards for the Village Shoppes of Coconut Creek; and

WHEREAS, Dagmar Rivera, Village Shoppes of Coconut Creek Investments, LLC, as owner, is requesting modifications to the existing Village Shoppes of Coconut Creek PCD to allow for the modification of the PCD Land Use Plan and providing for modified site design standards for the development; and

WHEREAS, the proposed modification of the Village Shoppes of Coconut Creek PCD is consistent with the City of Coconut Creek Comprehensive Plan and Land Use Map and Plat; and

WHEREAS, the Planning and Zoning Board has recommended approval of the PCD modification 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 proposed change to the PCD would promote the public health, safety, and welfare of the residents of the City of Coconut Creek; 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 Dagmar Rivera, Village Shoppes of Coconut Creek Investments, LLC, for the property legally described in Exhibit “A,” attached hereto and made a part hereof and hereby recommends approval of the PCD modification 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.

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 the proposed modification to the PCD is consistent with the City of Coconut Creek Comprehensive Plan and Land Use Map.

Section 6: 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 7: 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 8: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 13TH DAY OF DECEMBER, 2018.

PASSED SECOND READING THIS ____ DAY OF _____, 2019.

Joshua Rydell, Mayor

Attest:

Leslie Wallace May, City Clerk

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

WSS:ae

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EXHIBIT "A"

LEGAL DESCRIPTION:

Tract B of the Alexander Young Plat, according to the Plat thereof, as recorded in Plat Book 164, Page 10, of the Public Records of Broward County, Florida, together with Tracts A, A-1, and B-1 of Spear Plat, according to the Plat thereof, as recorded in Plat Book 170, Page 82, of the Public Records of Broward County, Florida.