

RESOLUTION NO. 2019-162

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE SITE PLAN REQUEST OF VILLAGE SHOPPES OF COCONUT CREEK INVESTMENTS, LLC FOR THE PROPERTY GENERALLY LOCATED AT 4670 STATE ROAD 7 (US441), AT THE NORTHEAST CORNER OF WILES AND STATE ROAD 7 AS LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of the property, Village Shoppes of Coconut Creek Investments, LLC ("Property Owner"), is requesting site plan approval for the property described in Exhibit "A;" and

WHEREAS, the Property Owner is seeking site plan approval for the development of a free-standing Chick-Fil-A restaurant with a dual drive-thru lane at the Village Shoppes of Coconut Creek Plaza, located at 4670 State Road 7 (US441); and

WHEREAS, adoption of this resolution shall approve the development of a free-standing Chick-Fil-A Restaurant with a dual drive-thru lane; and

WHEREAS, at its public hearing held on July 10, 2019, 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 considered two alternative development scenarios and recommended approval of Alternative 1 and approval of Alternative 2; 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: Finding. That the City Commission finds and determines that the above described site plan meets the requirements of the City’s Land Development Code.

Section 3: City Commission Action.

- (a) That site plan application Alternative 1, submitted by Village Shoppes of Coconut Creek Investments, LLC entitled Site Development Plans for Chick-Fil-A Coconut Creek #3841 and dated October 10, 2018, for a free-standing Chick-Fil-A restaurant with a dual drive-thru lane, generally located at the Village Shoppes of Coconut Creek Plaza, located at 4670 State Road 7 (US441), as more particularly described in Exhibit “A,” is hereby denied as submitted; and
- (b) That site plan application Alternative 2, submitted by Village Shoppes of Coconut Creek Investments, LLC entitled Site Development Plans for Chick-Fil-A Coconut Creek #3841 and dated May 1, 2019, for a free-standing Chick-Fil-A restaurant with a dual drive-thru lane, generally located at the Village Shoppes of Coconut Creek Plaza, located at 4670 State Road 7 (US441), as more particularly described in Exhibit “B,” is hereby approved as modified to reflect:
 - 1. the revisions directed by the City Commission on July 11, 2019, and
 - 2. the revisions for compliance with the conditions of approval; and
- (c) Any approval granted herein shall be subject to the following condition:
 - 1. Outstanding DRC comments remain effective throughout the development review process and shall be addressed prior to the issuance of a building permit, unless any individual comment is superseded by this action.

Section 4: Compliance Required. That the final building plans and all construction shall comply with site plan approved by this resolution and all applicable zoning regulations and building codes.

Section 5: That this approval does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the City for issuance of the approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that result in a violation of state or federal law.

Section 6: Severability. 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 7: Effective Date. That this resolution shall be in full force and effect upon final adoption of the rezoning and special land use ordinances.

Adopted this 11th day of July, 2019.

Sandra L. Welch, Mayor

Attest:

Leslie Wallace May, City Clerk

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

WSS:ae

\\pdc\data\Development Services\Common\Documents\PLANNING & ZONING\Project Coordinator\Resolutions\RES 2019-162 Chick-Fil-A Site Plan (07-11-19).docx

EXHIBIT "A"

Legal Description:

A PARCEL OF LAND LYING WITHIN AND BEING A PORTION OF TRACT B, ALEXANDER-YOUNG PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 164, PAGE 10, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT B, SAID ALEXANDER-YOUNG PLAT, THENCE NORTH 89°37'35" EAST ALONG NORTH LINE OF SAID TRACT B, A DISTANCE OF 208.01 FEET; THENCE SOUTH 01°00'19" EAST A DISTANCE OF 235.0' FEET; THENCE SOUTH 89°37'35" WEST A DISTANCE OF 208.01 FEET TO THE WEST LINE OF SAID TRACT B; THENCE NORTH 01°00'19" WEST ALONG SAID WEST LINE A DISTANCE OF 235.01 FEET TO THE POINT OF BEGINNING.

CONTAINING +/- 48,883 SQUARE FEET OR 1.1222 ACRES MORE OR LESS.