

RESOLUTION NO. 2019-163

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE SITE PLAN REQUEST OF FOOD FOR THE POOR, INC. GENERALLY LOCATED ON THE WEST SIDE OF LYONS ROAD AND NORTH OF THE SAWGRASS EXPRESSWAY 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, Food For The Poor, Inc. ("Property Owner"), is requesting site plan approval for the property generally located on the west side of Lyons Road and north of the Sawgrass Expressway and legally described in Exhibit "A;" and

WHEREAS, the Property Owner is seeking site plan approval to develop an office/warehouse building generally located on the west side of Lyons Road and north of the Sawgrass Expressway; and

WHEREAS, adoption of this resolution shall approve the construction of an office/warehouse building; and

WHEREAS, at its public hearing held on June 12, 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 recommended approval of this item to the City Commission subject to the following condition:

- a. 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 finds and determines that this action 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: Commission Action. That this site plan application submitted by Food For The Poor, Inc. for the construction of an office/warehouse building on the west side of Lyons Road and north of the Sawgrass Expressway, as legally described in Exhibit “A,” is hereby approved on 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: Compliance Required. That the final site plan, building plans and all construction shall comply with the site plan approved by this resolution and all applicable zoning regulations and building codes.

Section 5: Other Approvals. 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 immediately upon final approval of associated vacation of easement ordinances.

Adopted this 11th day of July, 2019.

Sandra L. Welch, Mayor

Attest:

Leslie Wallace May, City Clerk

Welch Aye

Sarbone Aye

Tooley Aye

Belvedere Aye

Rydell Aye

WSS:ae

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EXHIBIT "A"

Legal Description:

A portion of Parcel "A" and Tract "GB-1" of SPRINGS-MCKENZIE PLAT, according to the plat thereof as recorded in Plat Book 165, Page 7, Public Records of Broward County, Florida.