

ORDINANCE NO. 144-96

AN ORDINANCE OF THE CITY OF COCONUT CREEK, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE PLANNING AND ZONING BOARD AND HEREBY APPROVING THE REZONING REQUEST OF HILLSBORO-LYONS INVESTORS, LTD., FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF, BEING GENERALLY KNOWN AS THE MARKETPLACE AT HILLSBORO, PARCEL "A" OF HILLSBORO CENTER, PLAT BOOK 133, PAGE 4 OF THE PUBLIC RECORDS OF BROWARD COUNTY, LESS A TWO (2) ACRE PORTION OF PARCEL "A" HILLSBORO CENTER, PLAT BOOK 133, PAGE 4, OF PUBLIC RECORDS OF BROWARD COUNTY AND PARCEL "A" HILLSBORO CENTER NO. 2 PLAT BOOK 142, PAGE 45 OF PUBLIC RECORDS OF BROWARD COUNTY CONTAINING 17.6 ACRES, FROM B-3 (COMMUNITY SHOPPING DISTRICT) TO PCD (PLANNED COMMERCE DISTRICT); PROVIDING FOR A REZONING DEVELOPMENT PLAN ATTACHED HERETO AS EXHIBIT "B"; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Hillsboro-Lyons Investors, Ltd. has requested that the land described in Exhibit "A", attached hereto and made a part hereof, be rezoned from B-3 (Community Shopping District) to PCD (Planned Commerce District); and

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

WHEREAS, the Planning and Zoning Board has recommended approval of the requested rezoning at its June 12, 1996 meeting; 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, minutes of meetings and 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 June 12, 1996, which recommended for approval the rezoning petition of Hillsboro-Lyons Investors, Ltd. for the property legally described in Exhibit "A", attached hereto and made a part hereof, and hereby approves the rezoning of said property from B-3 (Community Shopping District) to PCD (Marketplace at Hillsboro Planned Commerce District) with the following conditions:

- a. The required perimeter landscaping along Hillsboro Boulevard and Lyons Road to be completed within sixty (60) days of the completion of the widening of Hillsboro Boulevard between Lyons Road and the Florida Turnpike.
- b. The rezoning development plan attached hereto and included herein as Exhibit "B" shall regulate said property.

Section 3: That the City Commission finds and determines that the above described rezoning is in the best interests of the residents of the City and serves a public purpose.

Section 4: That the Director of Development Services is hereby authorized to effectuate all necessary changes to the official zoning map of the City of Coconut Creek.

Exhibit "A"

PARCEL I

Parcel "A" of HILLSBORO CENTER, according to the Plat thereof recorded in Plat Book 133, at Page 4, of the Public Records of Broward County, Florida.

LESS

A portion of Parcel "A", HILLSBORO CENTER as recorded in Plat Book 133, at Page 4, of the Public Records of Broward County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Parcel "A"; thence run South 89 degrees 38 minutes 48 seconds West along the South line of said Parcel "A" for a distance of 82.50 feet; thence run North 85 degrees 46 minutes 48 seconds West for a distance of 150.48 feet; thence run South 89 degrees 38 minutes 46 seconds West for a distance of 5.00 feet to the Point of Beginning of the parcel of land hereinafter described; continue South 89 degrees 38 minutes 46 seconds West for a distance of 176.50 feet (the last four mentioned courses being coincident with the South line of said Parcel "A" and the Northerly right-of-way line of Hillsboro Boulevard); thence run North 00 degrees 22 minutes 32 seconds West for a distance of 209.60 feet; thence run North 89 degrees 37 minutes 28 seconds East for a distance of 176.50 feet; thence run South 00 degrees 22 minutes 32 seconds East for a distance of 209.67 feet to the Point of Beginning lying and being in the City of Coconut Creek, Broward County, Florida.

PARCEL II

Parcel "A", "HILLSBORO CENTER NO. 2", according to the Plat thereof recorded in Plat Book 142, at Page 45, of the Public Records of Broward County, Florida.

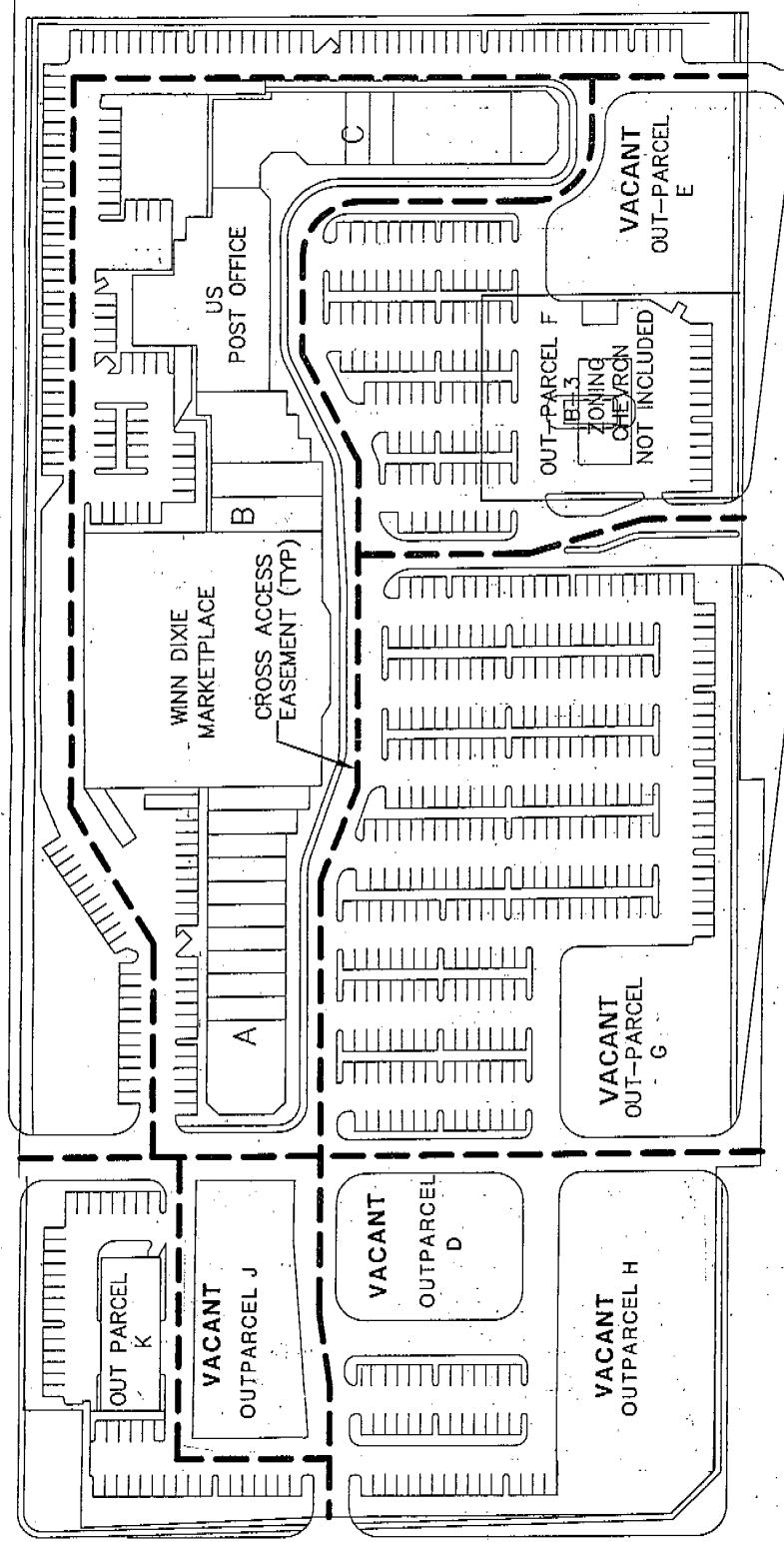
LESS THE BELOW DESCRIBED OUTPARCEL:

Begin at the Southeast corner of said Parcel "A"; thence run South 89 degrees 38 minutes 46 seconds West for a distance of 258.01 feet; thence North 45 degrees 21 minutes 53 seconds West for a distance of 48.56 feet; thence North 06 degrees 28 minutes 02 seconds East for a distance of 95.21 feet; thence North 00 degrees 22 minutes 32 seconds West for a distance of 4.97 feet; thence North 89 degrees 37 minutes 28 seconds East for a distance of 143.66 feet to a point of curvature; thence run Southeasterly along the arc of a circular curve concave to the Southwest and having for its elements a radius of 10.00 feet and a central angle of 66 degrees 25 minutes 19 seconds for an arc distance of 11.59 feet; thence run North 89 degrees 37 minutes 28 seconds East for a distance of 128.17 feet; thence South 00 degrees 22 minutes 32 seconds East for a distance of 127.94 feet to the Point of Beginning.

RECORDED IN THE OFFICIAL RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
COUNTY ADMINISTRATOR

BR 23961 PG 0281

N.W. 71st STREET



LYONS ROAD

HILLSBORO BOULEVARD

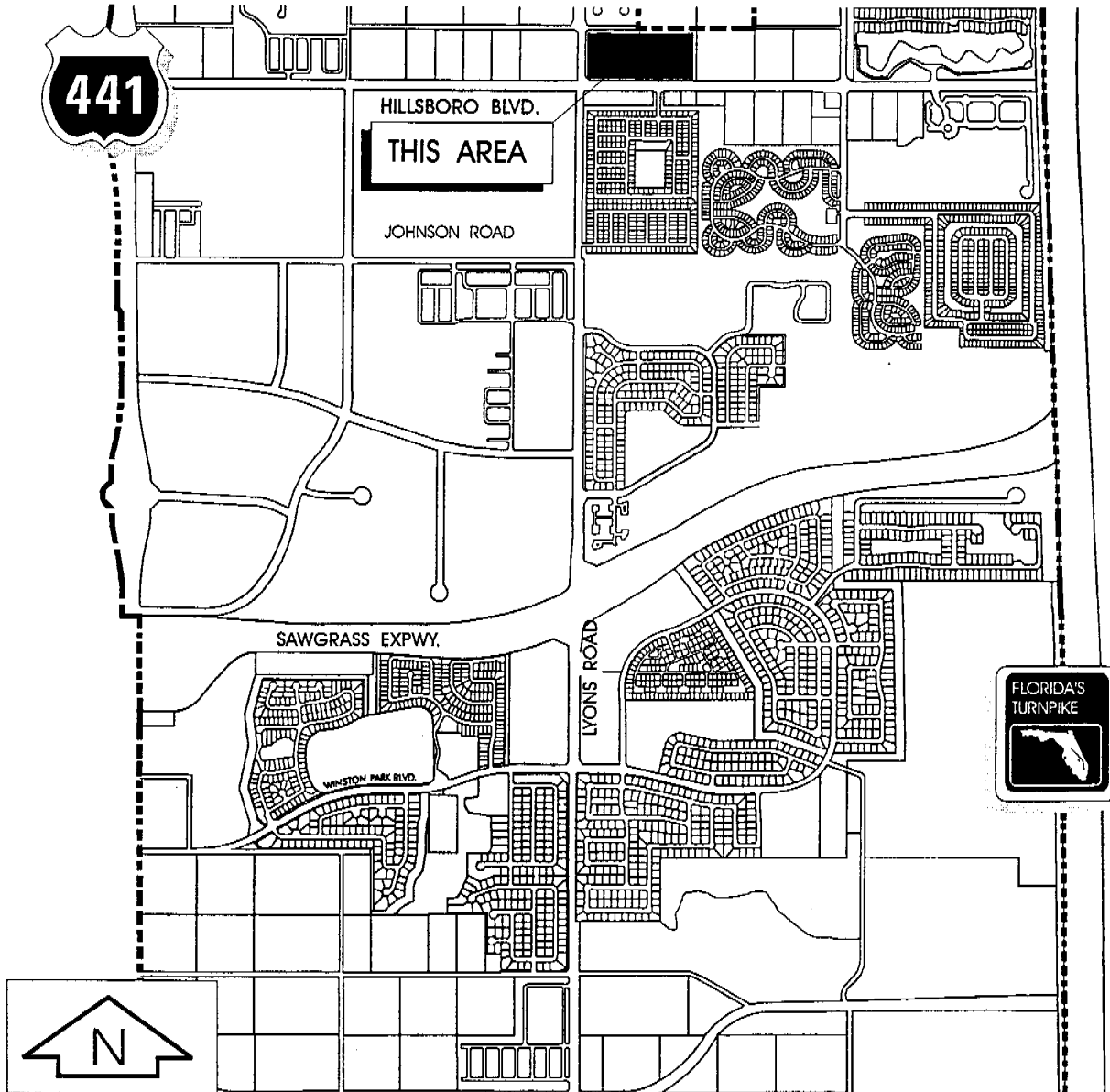


THE MARKETPLACE AT HILLSBORO
 COCONUT CREEK, FLORIDA
 P.C.D. LAND USE PLAN

CAULFIELD & WHEELER, INC.
 Consulting Engineers, Planners, Surveyors
 7301 A West Palmetto Park Road
 Suite 100A
 Boca Raton, Florida 33433

EXHIBIT A
 P.C.D. LAND USE PLAN

HILLSBORO CENTER NO. 2
(MARKETPLACE AT HILLSBORO)



CITY COMMISSION

JUNE 27, 1996

REZONING B-3 TO PCD

CITY OF COCONUT CREEK

DEPARTMENT OF PUBLIC SERVICES

4800 WEST COPANS ROAD
COCONUT CREEK, FLORIDA
33063

TELEPHONE (305) 973-6756



M.D.W. TAPE BK #1

Section 5: 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 6: That all ordinances or parts of ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

Section 7: That this Ordinance shall take effect immediately upon its passage and adoption.

PASSED FIRST READING THIS 27th **DAY OF** June, 1996.

PASSED SECOND READING THIS 7th **DAY OF** August, 1996.

Attest:

Barbara S Price
Barbara S. Price, CMC
City Clerk

Margie DeFeo Zehender
Margie DeFeo Zehender, Mayor

	<u>1st</u>	<u>2nd</u>
Zehender	<u>Aye</u>	<u>Aye</u>
Goldsmith	<u>Aye</u>	<u>Aye</u>
Greenstein	<u>Aye</u>	<u>Aye</u>
Gerber	<u>Aye</u>	<u>Aye</u>
Mautner	<u>Absent</u>	<u>Aye</u>