

RESOLUTION NO. 2020-007

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE SITE PLAN REQUEST OF 7-ELEVEN, INC. FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF, BEING GENERALLY KNOWN AS A PORTION OF TRACT 3, BLOCK 94, "PALM BEACH FARMS COMPANY PLAT NO. 3," IN SECTION 31, TOWNSHIP 48 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; PROVIDING FOR A PUBLIC PURPOSE; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant, 7-Eleven, Inc. ("Applicant"), is requesting site plan approval for said property described in Exhibit "A;" and

WHEREAS, the applicant is seeking site plan approval for the development of a 7-Eleven convenience store with fuel sales located at 4960 and 4990 Coconut Creek Parkway; and

WHEREAS, adoption of this resolution shall approve the development of a 7-Eleven convenience store with fuel sales; and

WHEREAS, the proposed development of the convenience store with fuel sales is consistent with the Land Development Code of the City of Coconut Creek; and

WHEREAS, at its public hearing held on December 11, 2019, the Planning and Zoning Board heard, reviewed, and duly considered the reports, findings, and recommendations of City staff, together with the opinions and testimony stated at the public hearing, and 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 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: Public Purpose. That the City Commission finds and determines that the above described site plan is consistent with the Land Development Code of the City of Coconut Creek and serves a public purpose.

Section 3: Approval. That this site plan application submitted by 7-Eleven, Inc. for the development of a 7-Eleven convenience store with fuel sales, as more particularly described in Exhibit “A,” having been recommended for approval by the Planning and Zoning Board on December 11, 2019, and having been reviewed by the City Commission, is hereby approved with 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 final site plan and building plans shall comply with all applicable zoning regulations and building codes.

Section 5: 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 6: That this resolution shall be in full force and effect immediately upon final approval of the rezoning and special land use ordinances.

Adopted this 23rd day of January, 2020.

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 TRACT 3, BLOCK 94, "PALM BEACH FARMS COMPANY PLAT NO. 3," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING SITUATE IN BROWARD COUNTY, FLORIDA, AND BEING IN SECTION 31, TOWNSHIP 48 SOUTH, RANGE 42 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 31; THENCE RUN NORTH 89 DEGREES 49 MINUTES 20 SECONDS EAST ALONG THE CENTERLINE OF HAMMONDVILLE ROAD (STATE ROAD 814) FOR 2453.70 FEET; THENCE RUN SOUTH 0 DEGREES 40 MINUTES 20 SECONDS WEST FOR 50.00 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 89 DEGREES 49 MINUTES 20 SECONDS EAST, ALONG A LINE 50.00 FEET SOUTH OF AND PARALLEL WITH THE CENTERLINE OF SAID HAMMONDVILLE ROAD FOR 150.02 FEET TO A POINT ON THE WEST LINE OF "FARM STORE PARCEL" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 93, PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN SOUTH 0 DEGREES 37 MINUTES 50 SECONDS WEST ALONG THE WEST LINE OF SAID "FARM STORE PARCEL" FOR 125.00 FEET TO THE SOUTHWEST CORNER OF SAID "FARM STORE PARCEL"; THENCE RUN NORTH 89 DEGREES 49 MINUTES 20 SECONDS EAST ALONG THE SOUTH LINE OF SAID "FARM STORE PARCEL" AND THE EASTERLY EXTENSION THEREOF FOR 85.58 FEET; THENCE RUN SOUTH 0 DEGREES 37 MINUTES 50 SECONDS WEST ALONG A LINE PARALLEL WITH AND 900.00 FEET WEST OF THE EAST LINE OF SAID TRACT 3 FOR 52.00 FEET; THENCE RUN NORTH 89 DEGREES 19 MINUTES 47 SECONDS WEST ALONG A LINE PARALLEL WITH AND 350.00 FEET NORTH OF THE SOUTH LINE OF SAID TRACT 3 FOR 235.70 FEET; THENCE RUN NORTH 0 DEGREES 40 MINUTES 20 SECONDS EAST FOR 173.51 FEET TO THE POINT OF BEGINNING.

Together with:

A PORTION OF TRACT 3, OF BLOCK 94, "PALM BEACH FARMS COMPANY PLAT NO. 3," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 THROUGH 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING SECTION 31, TOWNSHIP 48 SOUTH, RANGE 42 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 31, THENCE RUN NORTH 89°49'20" EAST, ALONG THE CENTERLINE OF HAMMONDVILLE ROAD FOR 2253.68 FEET; THENCE RUN SOUTH 00°40'20" WEST, ALONG THE CENTERLINE OF BANKS ROAD, FOR 50.01 FEET; THENCE RUN NORTH 89°49'20" EAST, FOR A DISTANCE OF 185.02 FEET; THENCE SOUTH 00°40'20" WEST FOR A DISTANCE OF 173.51 FEET TO A POINT ON THENCE NORTH LINE

OF PARCEL "A" BELL OF MARGATE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 85, PAGE 45, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN NORTH 89°19'47" WEST, FOR A DISTANCE OF 185.00 FEET; THENCE RUN NORTH 00°40' 20" EAST, ALONG A LINE PARALLEL WITH AND 15.00 FEET EAST OF THE CENTERLINE OF BANKS ROAD FOR 170.77 FEET TO THE POINT OF BEGINNING.