

**ORDINANCE NO. 123-99**

**AN ORDINANCE OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE SPECIAL LAND USE APPLICATION SUBMITTED BY VOLKSWAGEN OF AMERICA TO OPERATE AN AUTOMOBILE SALES AND SERVICE ESTABLISHMENT, LOCATED AT THE NORTHEAST CORNER OF STATE ROAD 7 AND CULLUM ROAD, AND MORE PARTICULARLY DESCRIBED AS TRACTS "A" AND "C", WHITWORTH PLAT NO. 1, RECORDED IN PLAT BOOK 164, PAGE 1, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA CONSISTING OF 17.7 ACRES MORE OR LESS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Volkswagen of America, owner of the property described in Exhibit "A", attached hereto and made a part hereof, has made application to operate an automobile sales and service establishment within the Whitworth PCD (Planned Commerce Development) zoning district; and

**WHEREAS**, Section 13-35 of the City's Land Development Code permits said use as a special land use subject to conditions and a Concept Plan attached hereto as Exhibit "B"; and

**WHEREAS**, at a duly advertised public hearing held on April 14, 1999, 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; and

**WHEREAS**, the City Commission has determined that the above described special land use is in the best interests of the residents of the City of Coconut Creek and serves a public purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the special land use application submitted by Volkswagen of America to operate an automobile sales and service establishment on the northeast corner of State Road 7 and Cullum Road, and more particularly described as Parcels "A" and "C", Whitworth Plat No. 1, recorded in Plat Book 164, Page 1, Public Records of Broward County, Florida, having

been approved by the Planning and Zoning Board on April 14, 1999, and having been reviewed by the City Commission is hereby approved.

**Section 2:** That the operation of the subject automobile sales and service establishment shall be subject to the following conditions, in general conformance with the Concept (Site Plan) as shown in Exhibit "B", prepared by Charles Putman & Associates, Inc., dated March 1, 1999:

1. The dealership would be restricted to a new car showroom, a used car showroom, a body shop and accessory uses typical of a car dealership. The used car showroom may only operate in conjunction with a new car dealership.
2.
  - a. A site plan must be approved for the project, which is in compliance with the standards set forth in the Whitworth Planned Commerce District.
  - b. Signage structures will be consistent size, shape, height and material for primary and secondary signs. "Coconut Creek" will be noted on part of the sign structure as approved by building review. If location is included in advertisements, then Coconut Creek shall be noted in the text or map.

3. Traffic circulation to the site would be limited to the approved access points of the overall site plan.

4. Hours of operation are limited as follows:

<u>Service Department</u>	<u>Sales Department</u>
Monday-Saturday 7:00 a.m. - 6:00 p.m.	Monday-Friday 9:00 a.m. - 9:00 p.m.
	Saturday 9:00 a.m. - 5:00 p.m.
	Sunday 9:00 a.m. - 5:00 p.m.

5. Loading and unloading operations are restricted to 7:00 a.m. to 8:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturday and Sunday. Vehicles shall not wait on public property prior to opening hours.
6. No outdoor loudspeakers shall be allowed on site.
7. Test driving of vehicles will be limited to arterial roadways. No residential streets will be used for this purpose.
8.
  - a. No vehicles may be displayed with its hood up, trunk lid up or doors open.
  - b. No vehicles may be displayed on a ramp whether tilted or flat, or any kind of moving platform.
  - c. Vehicles may only be displayed in areas designated on the approved site plan.

9. Except for a grand opening/promotional activity, which requires separate application and approval by the City, no balloons, flags, pennants, streamers, spinners, tinsels or other similar devices or any sign prohibited by Section 13-463, Land Development Code, shall be applied to any building, structure, and vehicles or strung on wires, or otherwise used on site.
10. Landscaping shall comply with the development standards of the Whitworth PCD (Planned Commerce District) and the City landscape code.
11. Certificate of Occupancy will be issued for the buildings on the proposed site in accordance with the site area completion requirements of Section 13-30 of the Coconut Creek Land Development Code and compliance with the Special Land Use conditions.
12. Security will be enhanced on site by the use of Crime Prevention Through Environmental Design (CPTED) techniques including but not limited to lighting, security gates and landscape placement.

**Section 3:** That the City Commission finds and determines that the above described special land use is in the best interests of the residents of the City of Coconut Creek and serves a public purpose.


**Section 4:** 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 5:** That all ordinances or parts of ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

**Section 6:** That this Ordinance shall take effect immediately upon its passage and adoption.

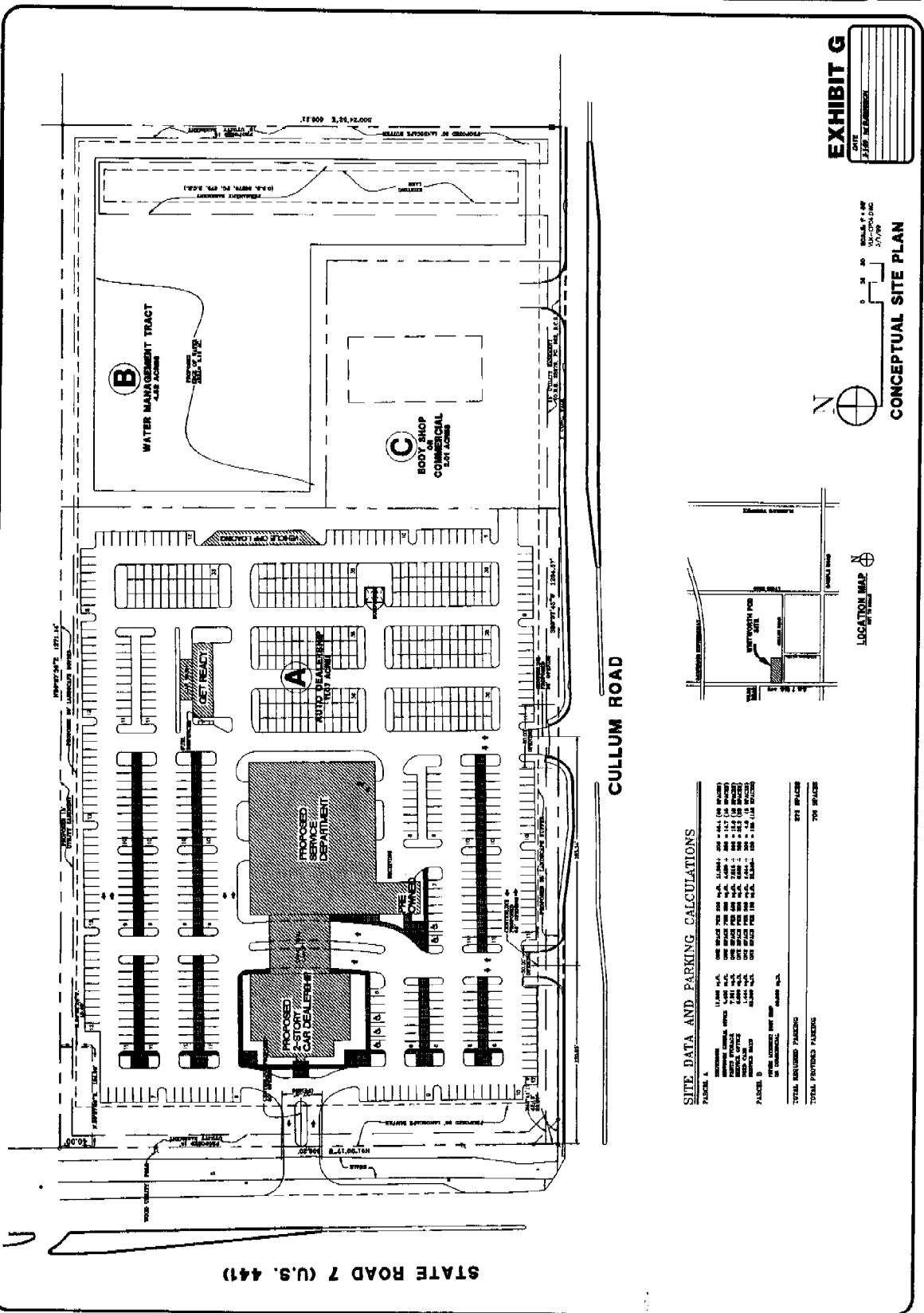
**PASSED FIRST READING THIS 13th DAY OF May, 1999.**

**PASSED SECOND READING THIS 27th DAY OF May, 1999.**

  
\_\_\_\_\_  
Sam Goldsmith, Mayor

**EXHIBIT "A" - LEGAL DESCRIPTION**

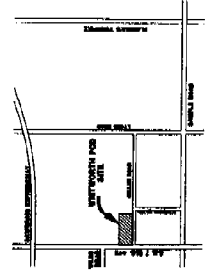
Tracts A and C, WHITWORTH PLAT NO. 1, as per Plat recorded in Plat Book 164, Page 1, of the Public Records of Broward County, Florida.



**EXHIBIT G**

DATE: 1/15/78  
 DRAWN BY: J. W. BROWN  
 CHECKED BY: J. W. BROWN  
 SCALE: 1" = 100'

**CONCEPTUAL SITE PLAN**



**SITE DATA AND PARKING CALCULATIONS**

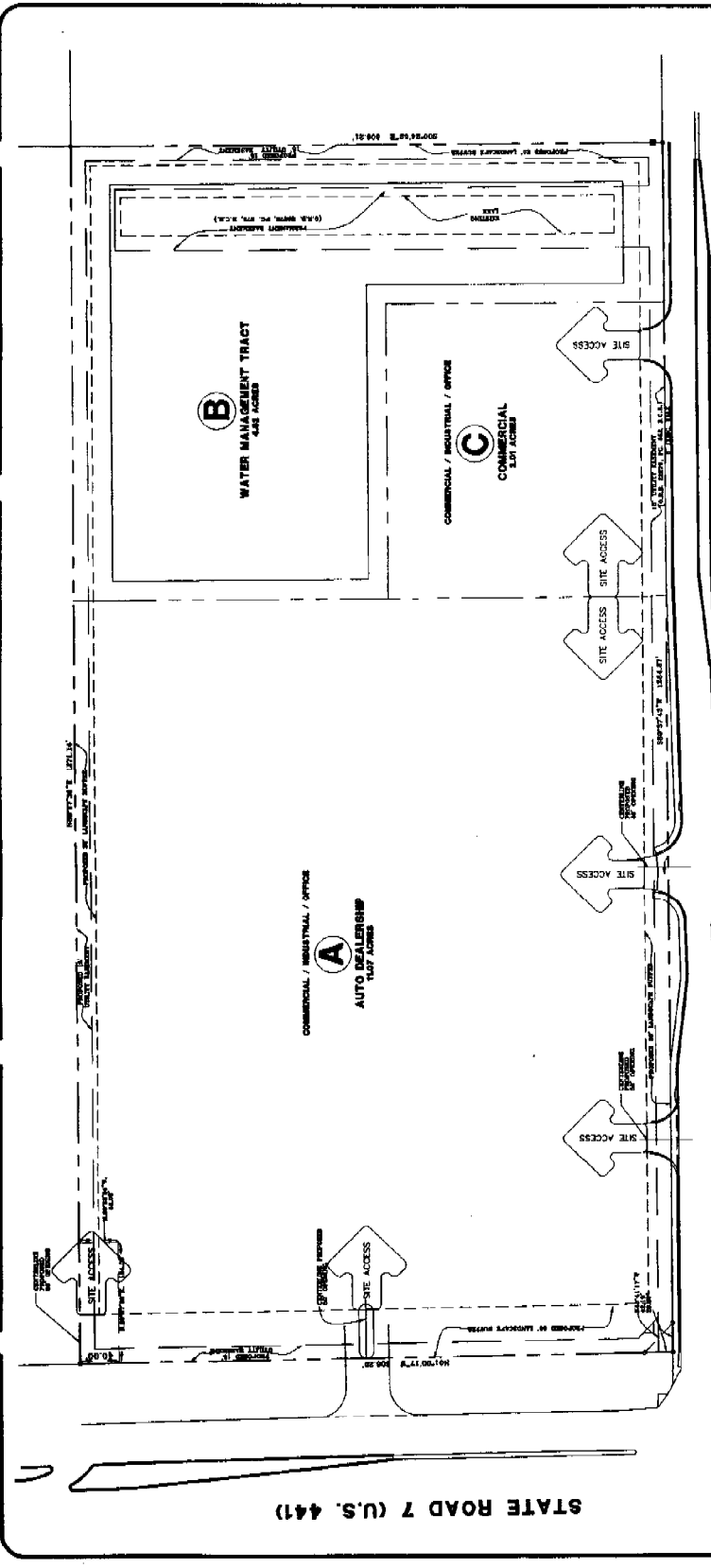
DESCRIPTION	AREA (S.F.)	NO. OF SPACES
1. STORES	11,000	110
2. OFFICES	1,000	10
3. SERVICE DEPARTMENT	1,000	10
4. CAR DEALERSHIP	1,000	10
5. TOTAL	14,000	140
TOTAL PROVIDED PARKING		140
TOTAL REQUIRED PARKING		140

Michael J. Patten & Associates, Inc.  
 Landscape Architects  
 1400 West Road  
 Cherry Hill, Florida 33007  
 BR/278-1188

Day, Briggs, Marsh & Associates, P.A.  
 ARCHITECTS AND PLANNERS  
 14 N.E. 10th Avenue  
 Doral, Florida 33126  
 BR/278-1188

Schwab, Stetson & Associates, Inc.  
 LAND PLANNERS/ENGINEERS  
 5200 Corporate Way  
 Miramar, Florida 33181  
 BR/278-1188

Charles Putnam & Associates, Inc.  
 PLANNING / ENGINEERING / SURVEYING  
 4722 NW 22nd Avenue, Suite 100  
 Ft. Lauderdale, Florida 33309  
 BR/278-1188

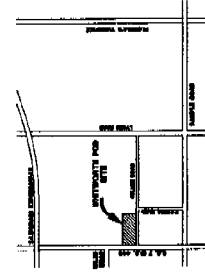


**CULLUM ROAD**

**SITE DATA**

Gross Site Area:	17.7 ac.
Total Building Area:	112,000 sf
Parcel A <sup>(1)</sup>	62,000 sf
Parcel C <sup>(1)</sup>	10,000 sf
Parcel C <sup>(1)</sup>	40,000 sf

(1) NOTE:  
 Alternative land uses allowed in both Parcel A and Parcel C are all of the permitted and special exception uses listed in Table 1 of this PCD report. However, total commercial development on the project shall not exceed 50,000 sf and the total trip generation of any alternative uses or combination of uses may not exceed the equivalent of 62,000 sf of Auto Dealership and 50,000 sf of commercial use.



**EXHIBIT F**

DATE	
SCALE	
REVISION	

MADE P.C. BY  
 M.C. 5/1/76  
**PCD DEVELOPMENT PLAN**

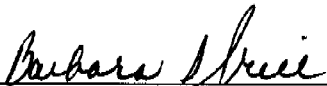
Charles Putnam & Associates, Inc.  
 PLANNING / ZONING / PERMITTING  
 4725 Alway Avenue, Suite 100  
 Fort Lauderdale, Florida 33309  
 813/441-1111 Fax 813/441-0417

Schmetz-Schultz & Associates, Inc.  
 LAND PLANNING / ENGINEERING  
 2010 Corporate Way  
 Fort Lauderdale, Florida 33305  
 813/441-1111 Fax 813/441-3333

Dwy, Eitzen, North & Associates, P.A.  
 ARCHITECTS AND PLANNERS  
 1742 S.W. 8th Avenue  
 Fort Lauderdale, Florida 33444  
 813/781-1800

Michael J. Poirier & Associates, Inc.  
 LANDSCAPE ARCHITECT  
 7200 North Florida  
 Fort Lauderdale, Florida 33307  
 813/781-1111 Fax 813/781-1804

Attest:

  
\_\_\_\_\_  
Barbara S. Price, CMC/AAE  
City Clerk

	<u>1st</u>	<u>2nd</u>
Goldsmith	<u>Aye</u>	<u>Aye</u>
Gerber	<u>Aye</u>	<u>Aye</u>
Sacks	<u>Aye</u>	<u>Aye</u>
Fantl	<u>Aye</u>	<u>Aye</u>
Waldman	<u>Aye</u>	<u>Aye</u>