

ORDINANCE NO. 2017-010

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE SITE PLAN REQUEST OF INTERSTATE COCONUT, LLC FOR A MODIFICATION TO THE EXISTING MCDONALD'S RESTAURANT MORE PARTICULARLY 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, Interstate Coconut, LLC ("Property Owner") is requesting a modification to the existing McDonald's site plan; and

WHEREAS, the Property Owner is requesting to modify the existing restaurant's interior and exterior, including the addition of a side-by-side drive-thru; and

WHEREAS, the proposed site plan is generally consistent with the MainStreet Design Standards; and

WHEREAS, the proposed change to the McDonald's Site Plan would promote the public health, safety, and welfare of the residents of the City of Coconut Creek; and

WHEREAS, at its public hearing held on March 8, 2017, 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 ORDAINED 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 Ordinance.

Section 2: Public Purpose. That the City Commission finds and determines that the above described site plan is in the best interest of the residents of the City of Coconut Creek and serves a public purpose.

Section 3: That the site plan application submitted by Interstate Coconut, LLC for a modification to the existing McDonalds’s restaurant located at 4480 North State Road 7, and more particularly described in Exhibit “A,” having been recommended for approval by the Planning and Zoning Board on March 8, 2017, and having been reviewed by the City Commission, is hereby approved subject to 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: Severability. That should any section or provision of this Ordinance, 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: Effective Date. That this Ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 13th DAY OF APRIL, 2017.

PASSED SECOND READING THIS 27th DAY OF APRIL, 2017.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, City Clerk

| | <u>1st</u> | <u>2nd</u> |
|-----------|------------|------------|
| Tooley | <u>Aye</u> | <u>Aye</u> |
| Rydell | <u>Aye</u> | <u>Aye</u> |
| Sarbone | <u>Aye</u> | <u>Aye</u> |
| Belvedere | <u>Aye</u> | <u>Aye</u> |
| Welch | <u>Aye</u> | <u>Aye</u> |

WSS;jw

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03-16-17

EXHIBIT "A"

Legal Description:

A portion of Parcel "A" of McJAMES PLAT NO. 1, according to the Plat thereof, as recorded in Plat Book 147, Page 18, of the Public Records of Broward County, Florida.