

ORDINANCE NO. 2026-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE REZONING REQUEST OF COCONUT CREEK AUTOMOTIVE MANAGEMENT, LLC TO REZONE FROM B-4 (REGIONAL SHOPPING DISTRICT) TO PLANNED MAINSTREET DEVELOPMENT DISTRICT (AL HENDRICKSON TOYOTA PMDD) FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF, BEING GENERALLY LOCATED AT 5201 WEST SAMPLE ROAD; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Jay Doucette, Spring Engineering, Inc., on behalf of the owner of the property, Coconut Creek Automotive Management, LLC ("Property Owner"), is requesting a rezoning of the property described in Exhibit "A," from B-4 (Regional Shopping District) to Planned Mainstreet Development District (Al Hendrickson PMDD); and

WHEREAS, the proposed PMDD rezoning has an underlying land use of Regional Activity Center (RAC); and

WHEREAS, the proposed PMDD rezoning request is consistent with the effective Comprehensive Plan and Future Land Use Map of the City of Coconut Creek; and

WHEREAS, the property owner has met the requirements of the MainStreet Design Standards and all other requirements of Chapter 13, entitled "Land Development Code," of the City of Coconut Creek Code of Ordinances; and

WHEREAS, the proposed development 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 11, 2026, 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 conditions; and

WHEREAS, the City Commission finds and determines that this action is in the best interest of the City based upon the evidence presented at the hearing, 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 Resilient Design and Development Department.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

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. All exhibits attached hereto are incorporated herein and made a specific part of this ordinance.

Section 2: Findings. That the City Commission finds and determines that the above-described rezoning is consistent with the City of Coconut Creek Comprehensive Plan and Future Land Use Map, and meets the requirements of the MainStreet Design Standards, and all other sections of Chapter 13, entitled, "Land Development Code," of the City of Coconut Creek Code of Ordinances, including Section 13-36, “Zoning map amendments,” Subsection (c), “Standards for decision,” in the City of Coconut Creek Land Development Code.

Section 3: Approval. That the City Commission hereby approves the rezoning, adopting the “Planned MainStreet Development District for Al Hendrickson Toyota,” incorporating new development standards, attached hereto as Exhibit “B,” for the property generally located north of Sample Road between Banks Road and NW 54 Street at 5201 West Sample Road, and more particularly described in Exhibit "A," subject to the following conditions:

1. Outstanding DRC comments remain effective throughout the development review process and must be addressed as stated therein, provided all DRC comments and City Commission revisions directly affecting the Planned MainStreet Development District for Al Hendrickson Toyota document, shall be implemented and the revised document submitted to the City in final form no later than eleven (11) calendar days after approval by the City Commission on second reading.

2. Within ten (10) days of approval of this ordinance, the applicant shall record in the public records of Broward County a Declaration of Unity of Title in a form acceptable to the City Attorney's Office.
3. Prior to second reading public hearing for the rezoning, the applicant shall provide the City a revised PMDD regulating document revising the maximum number of display vehicles identified in the Plazas and Open Space section and shown on the Enlarged Site Plan in Exhibit C to no more than thirteen (13).

Section 4: Violation of Conditions. That failure to adhere to the terms and conditions of the approval above shall be considered a violation of the City Code and entities or persons found violating the conditions shall be subject to the penalties prescribed by the City Code, including but not limited to, the revocation of the approvals granted by this ordinance. The applicant understands and acknowledges that it must comply with all other applicable requirements of the City before it may commence construction or operation, and this ordinance may be revoked by the City Commission at any time upon a determination that the applicant is not in compliance with the City Code or this ordinance.

Section 5: Other Approvals. That this approval does not in any way create a right on the part of the applicant to obtain a permit from a county, 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 county, state or federal agency or undertakes action that result in a violation of state or federal law.

Section 6: Agreement for Services. That the applicant, property owner, and or assigns agree to use City franchisees for all services related to the development and use of the subject property.

Section 7: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 8: 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 9: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 9TH DAY OF APRIL, 2026.

PASSED SECOND READING THIS _____ DAY OF _____, 2026.

Jeffrey R. Wasserman, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

	<u>1st</u>	<u>2nd</u>
Wasserman	<u>Aye</u>	_____
Brodie	<u>Absent</u>	_____
Welch	<u>Aye</u>	_____
Rydell	<u>Aye</u>	_____
Railey	<u>Aye</u>	_____

EXHIBIT "A"

Legal Description:

TRACT "A" OF COMMERCE CENTER OF COCONUT CREEK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 131, AT PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

LESS TURN LANE DEDICATION:

THAT PORTION OF TRCT "A" OF COMMERCE CENTER OF COCONUT CREEK AS SHOWN ON PLAT RECORDED IN PLAT BOOK 131, PAGE 30, OF THE 25'15" PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT "A" AND RUN THENCE SOUTH 00°25'15" EAST ALONG THE EASTERLY BOUNDARY OF SAID TRACT "A" ON THE FOLLOWING FOUR (4) COURSES; (1) SOUTH 00°25'15", EAST, A DISTANCE OF 518.01 FEET; (2) SOUTH 06°25'19" WEST, A DISTANCE OF 100.72 FEET; (3) SOUTH 00°25'15" EAST, A DISTANCE OF 67.09 FEET; (4) SOUTH 00°23'55" EAST, A DISTANCE OF 123.14 FEET; THENCE SOUTH 45°03'51" WEST, ALONG A BOUNDARY OF SAID TRACT "A", A DISTANCE OF 49.90 FEET TO A CORNER ON THE BOUNDARY OF SAID TRACT "A" FOR A POINT OF BEGINNING; THENCE NORTH 89°28'23" WEST, ALONG A SOUTHERLY BOUNDARY OF SAID TRACT "A" (SAME BEING 60.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH BOUNDARY OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 48 SOUTH, RANGE 42 EAST). A DISTANCE OF 210.58 FEET; THENCE NORTH 85°39'32" WEST, ALONG A SOUTHERLY BOUNDARY OF SAID TRACT "A". A DISTANCE OF 180.40 FEET; THENCE SOUTH 89°28'23" EAST, PARALLEL WITH AND 72.00 FEET NORTH OF THE SOUTH BOUNDARY OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 48 SOUTH, RANGE 42 EAST. A DISTANCE OF 224.34 FEET; THENCE SOUTH 85°25'40" EAST, A DISTANCE OF 166.68 FEET TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PARCEL OF LAND SITUATE, LYING AND BEING IN THE CITY OF COCONUT CREEK, BROWARD COUNTY, FLORIDA.