

ORDINANCE NO. 2023-014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE REZONING APPLICATION FOR THE PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF JOHNSON ROAD AND PARK SCHOOL ROAD, IMMEDIATELY WEST OF TRADEWINDS ELEMENTARY SCHOOL AND NORTH OF THE EXISTING LAKESIDE PARK, FROM IO-1 (INDUSTRIAL OFFICE) TO P (PARKS AND RECREATION) TO FACILITATE THE EXPANSION OF THE EXISTING LAKESIDE PARK FACILITY; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek is requesting rezoning approval to rezone from IO-1 (Industrial Office) to P (Parks and Recreation) for the property generally located at the southwest corner of Johnson Road and Park School Road, immediately west of Tradewinds Elementary School and north of the existing Lakeside Park, and legally described in Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, the City of Coconut Creek Future Land Use Map designates the property as Low-3 (Residential 3 DU/AC); and

WHEREAS, the Parks and Open Spaces are permitted land uses within the Low-3 (Residential 3 DU/AC) Future Land Use Designation in the City's Comprehensive Plan; and

WHEREAS, the proposed rezoning will be consistent with the City of Coconut Creek Comprehensive Plan and Future Land Use Map; and

WHEREAS, the proposed rezoning to P (Parks and Recreation) is compatible with the surrounding existing zoning designations and uses for the properties in this vicinity; and

WHEREAS, at its public hearing held on September 14, 2022, 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 rezoning is in the best interest of the City and serves a public purpose 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, 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: Finding. That the City Commission finds and determines that the above described rezoning meets the requirements of the City’s Land Development Code and is consistent with the City of Coconut Creek Comprehensive Plan and Future Land Use Map and that the rezoning meets the requirements of Section 13-36, “Zoning map amendments,” Subsection (e), “Standards for decision,” of the City of Coconut Creek Land Development Code.

Section 3: Approval. That the City Commission accepts the recommendation made by the Planning and Zoning Board at their September 14, 2022, meeting, and hereby approves the rezoning from IO-1 (Industrial Office) to P (Parks and Recreation) for the property legally described in Exhibit “A.”

Section 4: 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 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 state or federal agency or undertakes action that result in a violation of state or federal law.

Section 5: 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 6: 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 7: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 8TH DAY OF JUNE, 2023.

PASSED SECOND READING THIS 22ND DAY OF JUNE, 2023.

Joshua Rydell, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

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

WSS:ae

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Lakeside Rezoning.doc

EXHIBIT "A"

Legal Description of Rezoning:

(PARCELS 1 AND 2) PALM BEACH FARMS 2-53 PB TR 61, BLK 85 LESS E 10 AC, LESS W 2 1/2 AC, LESS OR 27447/293; TOG WITH COMM NE COR TR A SAWGRASS PARK OF COMMERCE COMM SEC B 144-33B, N 25, E 166.04, S 659.96, W 166.07, N 634.97 TO POB LESS N N 25 OF W 165.01 OF TR 61, BLK 85 AND TOGETHER WITH;

(PARCEL 4) PALM BEACH FARMS 2-53 PB POR TR 64, IN BLK 85 DESC AS COMM AT SW COR SAID SEC 6; N 1949.72, E 123.92, E 214.48, S 30, E 494.46 TO POB, N 285.03, E 76.41, S 285.03 W 76.41 TO POB.