

RESOLUTION NO. 2019-001

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RE-APPROVING THE AKAI ESTATES SITE PLAN FOR THE CONSTRUCTION OF SIXTEEN SINGLE FAMILY DWELLING UNITS WITHIN THE TARA PLAT, LOCATED AT THE SOUTHWEST QUADRANT OF GRIFFIN ROAD AND UNIMPROVED SW 184TH AVENUE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council approved Application No. SP-57-14, Akai Estates Site Plan, for 16 single-family homes on the Tara Plat ("Plat") on December 8, 2016, subject to conditions; and

WHEREAS, the developer failed to apply for building permits within the twelve months allotted for same in Sec. 120-060 of the Unified Land Development Code, causing the site plan to expire; and

WHEREAS, Akai Estates, LLC ("Owner," which shall include its successors and assigns in title) submitted Application No. SP-73-18 for the reapproval of the Akai Estates Site Plan; and

WHEREAS, the Town Council finds that the Site Plan continues to comply with the applicable requirements of the Town of Southwest Ranches Unified Land Development Code and the Town of Southwest Ranches Comprehensive Plan.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1. 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. That, at a duly noticed public hearing held on October 25, 2018 following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves Application No. SP-73-18 for reapproval of the Akai Estates Site Plan, which is unchanged from the 2016 approval pursuant to Resolution No. 2017-017, subject to Owner complying with the same conditions as those set forth in such Resolution, which are restated as follows:

1. Approval of accompanying Application No. VC-27-17 to vacate and re-dedicate drainage easements within the Plat.

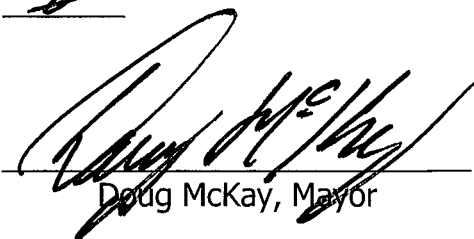
2. Execution and Recordation of a Temporary Ingress/Egress Easement to connect Akai Drive to Griffin Road prior to issuance of the first building permit for a principal building.
3. Execution and Recordation of an Ingress/Egress Easement to extend the internal street (Akai Drive) to the north, as new access for Lots 1 through 4 (originally to be accessed directly from SW 184th Avenue) prior to issuance of the first building permit for a principal building.
4. The HOA shall be responsible for maintenance of the public right-of-way within the plat. Owner shall record an indemnification, indemnifying the Town for the public right-of-way within the Plat prior to issuance of the first building permit for a principal building.
5. Final approval of the HOA documents by the Town Attorney prior to their recordation, prior to issuance of the first building permit for a principal building. Such HOA documents shall not restrict the keeping of animals in a manner more stringent than the ULDC.
6. Provide certified cost estimate for onsite and designated offsite improvements (if any not bonded to Broward County) and surety bond in the amount of 125 percent of construction costs prior to issuance of the first building permit. Such improvements shall include the demucking and sodding or mulching of the multi-use trail.
7. Record a document in the Broward County Public Records, to be approved as to form by the Town Attorney, providing notice to potential purchasers that there are substantial improvements required in connection with the site plan approval that have not been bonded or otherwise guaranteed, and that the Town will not issue a building permit for any home until such time as the improvements have been bonded with the Town.
8. SBDD approval required for plantings in drainage easements.
9. Broward County Highway Construction and Engineering Division approval required for signage, landscaping and frontage road improvements within the Griffin Road Right-of-Way.
10. Construction of any models with associated signage and parking, and any construction trailer shall require Administrative approval.
11. Administrative site plan modification will be required for the re-establishment of the signage and any entrance features at the permanent community entrance.
12. Applicant shall pay to the Town of Southwest Ranches an amount equal to the total expenses incurred by the Town in the processing and finalizing of this application. This includes, but may not be limited to, expenses for engineering, legal, and any related expenses that the Town has or will incur as a direct cost of this application.
13. No gates are permitted in conjunction with the guardhouse. Speed bumps or a similar device may be employed to slow cars as they approach the guardhouse.

Section 3. The Mayor, Town Administrator and Town Attorney are each authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

Section 4. This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 25th day of October, 2018 on a motion by Don Breithung and seconded by Joe Schroeder.

McKay	<u>Yes</u>	Ayes	<u>5</u>
Fisikelli	<u>Yes</u>	Nays	<u>0</u>
Breitkreuz	<u>Yes</u>	Absent	<u>0</u>
Jablonski	<u>Yes</u>	Abstaining	<u>0</u>
Schroeder	<u>Yes</u>		



Doug McKay, Mayor

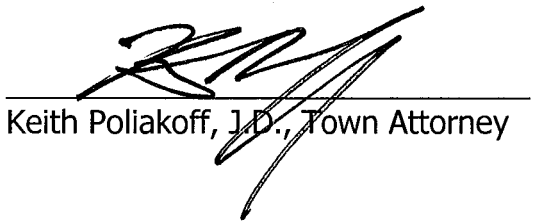
ATTEST:

This is to certify that this Resolution and Final Order has been filed by the undersigned for the records, and a copy provided to the Applicant and/or authorized agent this 25th day of October, 2018.



Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:



Keith Poliakoff, J.D., Town Attorney