

**RESOLUTION NO. 2008 - 071**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE OAKBROOK RANCHES, LLC SITE PLAN TO CONSTRUCT SIXTEEN SINGLE-FAMILY DETACHED RESIDENCES GENERALLY LOCATED AT THE SOUTHWEST QUADRANT OF THE INTERSECTION OF STIRLING ROAD AND SW 166<sup>TH</sup> AVENUE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATORS AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE THEREFORE.**

**WHEREAS**, the Oakbrook Ranches Site Plan is described as:

ALL OF TRACKS 17 AND 18, LYING IN THE WEST ONE-HALF OF SECTION 5, TOWNSHIP 51 SOUTH, RANGE 40 EAST, OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1," AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LESS AND EXCEPT THEREFROM THE NORTH 15.00 FEET AND THE EAST 15.00 FEET FOR ROAD RESERVATION; and

**WHEREAS**, the property is generally located at the Southwest quadrant of the intersection of Stirling Road and SW 166<sup>th</sup> Avenue; and

**WHEREAS**, the property contains approximately 19.48 gross acres, and is comprised of 16 lots; and

**WHEREAS**, the applicant is requesting site plan approval to construct sixteen single-family detached residences; and

**WHEREAS**, access to the site will be via Oakbrook Ranches Drive, a 50-foot right-of-way that will extend west from SW 166<sup>th</sup> Avenue and terminate in a cul-de-sac; and

**WHEREAS**, a non-vehicular access line (NVAL) along the Stirling Road right-of-way will preclude any future vehicular access to this corridor; and

**WHEREAS**, another NVAL is provided along SW 166<sup>th</sup> Avenue with a single opening for Oakbrook Ranches drive; and

**WHEREAS**, the plat of this property dedicated an additional 40 feet of right-of-way for Stirling Road and 25 feet of right-of-way for SW 166<sup>th</sup> Avenue in order to meet minimum right-of-way requirements for those corridors; and

**WHEREAS**, South Broward Drainage District has required the developer to construct a 2.76 acre lake within the property, to be situated adjacent to the south boundary of the site plan, within lots 8 through 16; and

**WHEREAS**, the subdivision will be connected to the City of Sunrise potable water utility; and

**WHEREAS**, the Town's proposed trail system runs north/south along the west side of SW 166<sup>th</sup> Avenue and east/west along the south side of Stirling Road; and

**WHEREAS**, the property owners' will maintain the 15 foot-wide stabilized path within the SW 166<sup>th</sup> Avenue and Stirling Road rights-of-way adjacent to the site plan; and

**WHEREAS**, the site plan will include landscaping adjacent to the east side of the trail on SW 166<sup>th</sup> Avenue, and on both sides of the trail on Stirling Road, which will include Live Oaks, Gumbo Limbo, and Crape Myrtle trees; and

**WHEREAS**, the Stirling Road trail and two covered resting areas along the trail will be constructed in lieu of paying park impact fees; and

**WHEREAS**, each rest area will be equipped with a picnic table and benches, and wood trail step delineators for mounting horses; and

**WHEREAS**, an entry feature flanking Oakbrook Ranches Drive will consist of two 15 foot-long stone veneer walls, each ranging from 6 to 8 feet in height; and

**WHEREAS**, each wall will have a community identification sign made of 12 inch high raised brass lettering, not to exceed 32 square feet in total sign area; and

**WHEREAS**, the entry of the site will also include landscaping to serve as a buffer between SW 166<sup>th</sup> Avenue and the subdivision; and

**WHEREAS**, the entrance will not be gated; and

**WHEREAS**; there will be no street lighting, sidewalks, or curb and gutter; and

**WHEREAS**, street trees will line Oakbrook Ranches Drive and the center of the cul-de-sac will contain a landscape island that will host a relocated Live Oak; and

**WHEREAS**, trees and shrubs will be provided within the five (5) foot wide landscape easements along the perimeter of the development, and on both sides of the 15 foot wide multi-purpose Stirling Road trail adjacent to the development; and

**WHEREAS**, additional landscaping will be required for each lot and will be reviewed during the permitting phase.

**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 July 10, 2008, following the review of the staff report and all written and oral evidence during the advertised public hearing, the Town Council hereby approves the Oakbrook Ranches Site Plan subject to the following agreed upon conditions:

a. Prior to issuance of any building permit, the plat associated with this subdivision must be recorded.

b. Construction drawings and permits shall comply with any remaining DRC technical issues pursuant to the DRC memoranda from the Mellgren Planning Group and Winningham & Fradley, Inc. the provisions governing tree preservation and abuse and any other applicable Code regulations.

c. Prior to the first issuance of a Certificate of Occupancy, all required site improvements shall be constructed to Town standards.

d. Execute a Declaration of Restrictive Covenants prior to the issuance of the first building permit acknowledging and holding the Town harmless for SW 166<sup>th</sup> Avenue being below the ten year floor elevation.

e. The Declaration of Restrictive Covenants shall also state that the only function of the homeowners association that may be formed in conjunction with this development shall be in the maintenance of the common area. There shall

be no private restrictions limiting the keeping of livestock or other animals on these properties.

f. 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, within thirty (30) days of approval of this application. These expenses shall include, but shall not be limited to, expenses for engineering, planning, legal, advertising, five percent administrative fee, and related expense that the Town has or will incur as a direct result of this application.

g. The applicant shall install additional drainage piping in conformity with the requirements of the Town's Engineer.

h. The multi-purpose trail shall be designed in conformity with the Sunshine Ranches Equestrian Park trails.

i. The multi-purpose trail shall be redesigned to be located outside of perimeter fence, adjacent to the easement area.

j. The multi-purpose trail shall be nine inches thick, composed of 50% lake sand and 50% concrete screenings, and shall be ten feet wide on 166<sup>th</sup> Avenue.

k. The roofs of the resting areas shall be green standing-seam metal roofs in conformity with the design of the Sunshine Ranches Equestrian Park buildings.

l. The perpetual maintenance of the multi-purpose trail on 166<sup>th</sup> Avenue and resting areas shall be the responsibility of the property owners.

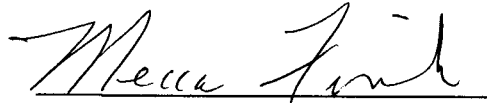
**Section 3.** The Mayor, Town Administrator and Town Attorney are each authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

**Section 4.** This Resolution shall be effective immediately upon adoption.

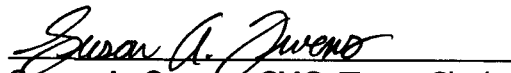
**[SIGNATURES ON FOLLOWING PAGE]**

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 10<sup>th</sup> day of July, 2008, on a motion by Council Member Steve Breitkreuz and seconded by Council Member Aster Knight.

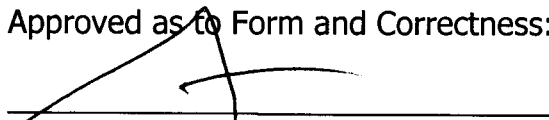
Fink	<u>Y</u>	Ayes	<u>5</u>
Nelson	<u>Y</u>	Nays	<u>0</u>
Breitkreuz	<u>Y</u>	Absent	<u>0</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Maines	<u>Y</u>		

  
Mecca Fink, Mayor

ATTEST:

  
Susan A. Owens, CMC, Town Clerk

Approved as to Form and Correctness:

  
Gary A. Poliakoff, J.D., Town Attorney  
FTL\_DB: 1131416\_1