

RESOLUTION NO. 2011-085

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A MODIFICATION TO MCDONALDS RESTAURANT SITE PLAN; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the Applicant, McDonald's Corporation, owns a McDonald's Restaurant, located on the north side of Sheraton Street, located on an outparcel within the Coquina Plaza Shopping Center, approximately 400 feet east of Dykes Road (15199 Sheraton Street) (the "Property"); and

WHEREAS, the Property is located in the Community Business Zoning District, as are the properties to the north, east and west. There are residential areas to the south, and

WHEREAS, access to the Property is provided on the north and east sides through internal access drives within the shopping center, and

WHEREAS, the Property is situated approximately 0.93 acres and has a 4,065 square-foot building consisting of a McDonald's fast-food restaurant, with an attached 778 square-foot outdoor playground and dining area, and

WHEREAS, the original site plan for Coquina Plaza was approved by the Town of Davie, prior to the incorporation of Southwest Ranches. As such, several aspects of the Property due not conform to the current code requirements of the Town, and

WHEREAS, the applicant has requested approval of a site plan modification in order to improve the façade of the restaurant, add new signage, install a second drive-through stacking lane with a second menu board, and replace the current playground with an outdoor dining area; and

WHEREAS, the architectural changes consist of an overall upgrade to the existing building without an increase in building area; installation of a new decorative "Golden Arch" projecting from the top of the building on the south façade, which is within the building height allowance; replacement of the current hip roof with a corrugated metal band roof painted in an earth-red color scheme with concrete façade treatments, aluminum accent canopies; new windows and doors; and

WHEREAS, the neon strip lights will be eliminated and replaced by wall mounted accent lights and linear LED accent down lights to accentuate the new building color, and all building light fixtures will be compliant with the Town's outdoor lighting regulations; and

WHEREAS, existing signage will be replaced by two new, Town compliant building signs, consisting of the Golden Arches log on the south and east frontages, and a welcome sign above the doors. The existing free-standing pole sign will be removed; and

WHEREAS, the 400 square feet playground facing Sheridan Street will be eliminated, however the requested additional outdoor seating will not be added due to the insufficiency of parking spaces to support an increase in seating, and

WHEREAS, one additional landscape island will be added adjacent to the drive-thru entrance, and several trees will be replaced in order to achieve consistency in the quality and size of the Property's appearance, and to achieve compliance with the Town's Landscape Code, and

WHEREAS, the drive-thru variance was approved via Resolution VA-04-2011, and will reconfigure the drive-thru to add a second stacking lane without increasing the existing paved/impervious area, replace the original menu board to match the new second menu board, place new metal canopies over the stacking lanes adjacent to the menu boards with directional-type channel letter signs stating "order here" and advising of minimum vehicle clearance. All signs comply with the Town's sign dimension and area requirements, and

WHEREAS, the Council of the Town of Southwest Ranches, Florida, having considered the Applicant's request, evidence submitted, criteria set forth in the Town's Unified Land Development Code, the analysis of the Town Staff, and comments from other interested parties, upon a motion duly made and acted upon, has determined that the Applicant has demonstrated by competent substantial evidence that the site plan modification should be granted and therefore has voted to grant the modification as further set forth herein.

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 August 4, 2011, following the review of the staff report and all written and oral evidence received during the advertised public hearing, the Town Council hereby approves the site plan modification to the McDonald's Restaurant Site Plan subject to the following agreed upon conditions:

- a. Submittal of lighting specifications and approval by the Town Engineer for compliance with Article 95, Outdoor Lighting.
- b. Compliance with the comments issued by the Town Engineer on July 7, 2011, attached hereto and incorporated herein as Exhibit "A".
- c. 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, prior to the issuance of the first building permit. This includes, but may not be limited to, expenses for engineering, planning, legal, and advertising, five (5%) percent administrative fee, and any related expenses that the Town has or will incur as a direct cost of this application.
- d. Prior to the issuance of the Certificate of Completion, Applicant must comply with the memorandum dated June 25, 2011 from the Town's Landscape Engineer, attached hereto and incorporated herein as Exhibit "B".

Section 3. Severability. If any word, phrase, clause, sentence or section of this Resolution is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Resolution, provided that such severability does not affect the intent of this Resolution.

Section 4. Recordation. In furtherance of Section 140-030(H) of the Town's Code of Ordinances, the Town Clerk is hereby authorized to record a copy of this Resolution in the Public Records of Broward County, Florida.

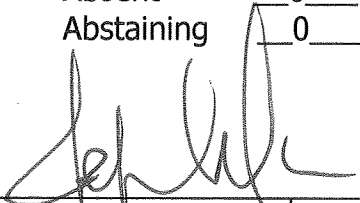
Section 5. This Resolution shall become effective immediately upon adoption.

[Signatures on Following Page]

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 4th day of August 2011, on a motion to approve made by Council Member McKay and seconded by Council Member Jablonski.

Nelson _Y__
Fisikelli _Y__
Breitkreuz _Y__
Jablonski _Y__
McKay _Y__

Ayes 5__
Nays 0__
Absent 0__
Abstaining 0__



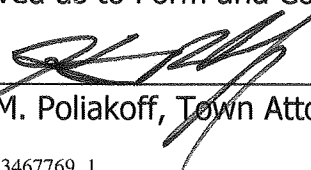
Jeff Nelson, Mayor

ATTEST:



Erika Gonzalez-Santamaria, CMC, Town Clerk

Approved as to Form and Correctness:



Keith M. Poliakoff, Town Attorney

ACTIVE: 3467769_1