

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Marcie Nolan, AICP, Development Services Director/(954) 797-1101

PREPARED BY: David M. Abramson, Deputy Planning and Zoning Manager

SUBJECT: Resolution, Delegation Request: DG 5-1-08, Nova University No. 1

AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: REVISION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE BOUNDARY PLAT KNOWN AS "NOVA UNIVERSITY NO. 1," AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The petitioner (Ruden McClosky) requests approval of an amendment to the "Nova University No. 1" plat's restrictive note. Staff has reviewed the proposed note amendment and found it consistent with the Nova Southeastern University (NSU) master plan development for the campus. Pursuant to this request, the restrictive note on the plat currently states:

FROM: This plat is restricted to 1,527,000 square feet of classroom facilities (782,000 square feet existing, 745,000 square feet proposed), 80,040 square feet of existing administrative buildings, 1,002,000 square feet of dormitory buildings consisting of 2000 residential dormitory rooms (332 rooms existing, 1668 rooms proposed), an existing ten acre recreational facility consisting of 67,000 square feet of sports training facility with 15,000 square feet of bleachers, a 333,000 square foot student center (33,000 square feet existing, 300,000 square feet proposed), a 32,000 square foot existing gymnasium, 40,000 square feet of mechanical buildings, 327,000 square feet of existing library, and a 30,000 square foot proposed auditorium. It is further restricted to an independent education institution of higher learning accredited by the Southern Association of Colleges and Schools which is a not-for-profit corporation pursuant to Chapter 617, Florida Statutes, and has a tax exempt status pursuant to 26 U.S.C.A. 501 and Chapter 196, Florida Statutes.

The petitioner proposes the following:

TO: Parcel A-1 of this plat (see attached legal description) is restricted to 200,000 square feet of office and 40,000 square feet of retail. The balance of this plat is restricted to 1,463,000 square feet of college classroom and office facilities (709,000 square feet existing, 754,000 square feet proposed); 985,000 square feet of dormitory buildings (385,000 square feet existing, 600,000 square feet proposed), consisting of 2,911 residential dormitory beds (1,161 beds existing, 1,750 beds proposed); a 76,000 square foot sports training facility (56,000 square feet existing, 20,000 square feet proposed) with 15,000 square feet of existing bleachers and 97,000 square feet of existing ancillary covered practice field; a 287,000 square foot existing student center; 2,000 square feet of pre-k classroom and office space (450 square feet existing and 1,550 square feet proposed); an 127,000 square foot elementary school (42,000 square feet existing and 85,000 square feet proposed); a 52,000 square foot middle school (32,000 square feet existing and 20,000 square feet proposed); an 87,000 square foot high school (65,000 square feet existing, 22,000 square feet proposed), 70,000 square feet of auditorium/performing

arts/classroom for grades K-12; an 84,000 square foot sports center for grades K-12 (24,000 square feet existing, 60,000 square feet proposed); a 50 meter competition pool for grades K-12; 85,000 square feet of utility buildings (20,000 sq. ft. existing, 65,000 sq. ft. proposed); 15,000 bleacher seats associated with campus spectator activities; 22,000 square feet of modular buildings associated with campus spectator activities (2,000 square feet existing and 20,000 square feet proposed); 20,000 square feet of modular classroom and office buildings (7,000 square feet existing and 13,000 square feet proposed); and a 325,000 square foot existing library.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Staff finds the application complete and suitable for transmittal to Town Council for further consideration.

Attachment(s): Resolution, Justification letter, Plat, Parcel A-1 of the Plat, Future Land Use Map, and Zoning & Subject Site Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE BOUNDARY PLAT KNOWN AS "NOVA UNIVERSITY NO. 1," AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as "Nova University No. 1" was recorded in the public records of Broward County in Plat Book 146, Page 49; and,

WHEREAS, the owner desires to revise the restrictive note associated with said plat; and,

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve of the proposed revision to the restrictive note shown on the "Nova University No. 1" plat. The proposed revision being specifically described in the "Attachment (*Justification Letter*)" hereto.

SECTION 2. Any improvements required to satisfy Transit Oriented Concurrency should be located within the Town of Davie on the local road network.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2008.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2008.

Attachment (*Justification Letter*)

AMENDMENT TO NOTATION ON PLAT

The existing notation shown on the face of the PLAT clarifying and limiting the use of the platted property is amended from:

This plat is restricted to 1,527,000 square feet of classroom facilities (782,000 square feet existing, 745,000 square feet proposed), 80,040 square feet of existing administrative buildings, 1,002,000 square feet of dormitory buildings consisting of 2000 residential dormitory rooms (332 rooms existing, 1668 rooms proposed), an existing ten acre recreational facility consisting of 67,000 square feet of sports training facility with 15,000 square feet of bleachers, a 333,000 square foot student center (33,000 square feet existing, 300,000 square feet proposed), a 32,000 square foot existing gymnasium, 40,000 square feet of mechanical buildings, 327,000 square feet of existing library, and a 30,000 square foot proposed auditorium. It is further restricted to an independent education institution of higher learning accredited by the Southern Association of Colleges and Schools which is a not-for-profit corporation pursuant to Chapter 617, Florida Statutes, and has a tax exempt status pursuant to 26 U.S.C.A. 501 and Chapter 196, Florida Statutes.

The notation shown on the face of the PLAT clarifying and limiting the use of the platted property is amended to:

Parcel A-1 of this plat (see attached legal description) is restricted to 200,000 square feet of office and 40,000 square feet of retail. The balance of this plat is restricted to 1,463,000 square feet of college classroom and office facilities (709,000 square feet existing, 754,000 square feet proposed); 985,000 square feet of dormitory buildings (385,000 square feet existing, 600,000 square feet proposed), consisting of 2,911 residential dormitory beds (1,161 beds existing, 1,750 beds proposed); a 76,000 square foot sports training facility (56,000 square feet existing, 20,000 square feet proposed) with 15,000 square feet of existing bleachers and 97,000 square feet of existing ancillary covered practice field; a 287,000 square foot existing student center; 2,000 square feet of pre-k classroom and office space (450 square feet existing and 1,550 square feet proposed); an 127,000 square foot elementary school (42,000 square feet existing and 85,000 square feet proposed); a 52,000 square foot middle school (32,000 square feet existing and 20,000 square feet proposed); an 87,000 square foot high school (65,000 square feet existing, 22,000 square feet proposed), 70,000 square feet of auditorium/performing arts/classroom for grades K-12; an 84,000 square foot sports center for grades K-12 (24,000 square feet existing, 60,000 square feet proposed); a 50 meter competition pool for grades K-12; 85,000 square feet of utility buildings (20,000 sq. ft. existing, 65,000 sq. ft. proposed); 15,000 bleacher seats associated with campus spectator activities; 22,000 square feet of modular buildings associated with campus spectator activities (2,000 square feet existing and 20,000 square feet proposed); 20,000 square feet of modular classroom and office buildings (7,000 square feet existing and 13,000 square feet proposed); and a 325,000 square foot existing library.

DECLARATION OF MORTGAGE AND DEED
THE FIRST NATIONAL BANK OF FLORIDA, INC., a corporation organized under the laws of the State of Florida, and a member of the Federal Reserve System, does hereby certify that the within mortgage and deed are the true and correct copies of the original instruments as recorded in the public records of the County of Duval, State of Florida, and that the same are the true and correct copies of the original instruments as recorded in the public records of the County of Duval, State of Florida, and that the same are the true and correct copies of the original instruments as recorded in the public records of the County of Duval, State of Florida.

Witness my hand and the seal of the County of Duval, State of Florida, this 1st day of January, 1934.

By _____, Clerk of the County of Duval, State of Florida.

By _____, Notary Public, State of Florida.

DECLARATION OF MORTGAGE AND DEED
THE FIRST NATIONAL BANK OF FLORIDA, INC., a corporation organized under the laws of the State of Florida, and a member of the Federal Reserve System, does hereby certify that the within mortgage and deed are the true and correct copies of the original instruments as recorded in the public records of the County of Duval, State of Florida, and that the same are the true and correct copies of the original instruments as recorded in the public records of the County of Duval, State of Florida, and that the same are the true and correct copies of the original instruments as recorded in the public records of the County of Duval, State of Florida.

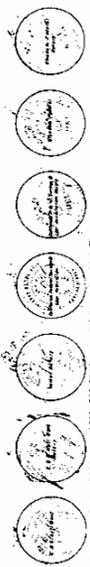
Witness my hand and the seal of the County of Duval, State of Florida, this 1st day of January, 1934.

By _____, Clerk of the County of Duval, State of Florida.

By _____, Notary Public, State of Florida.

NOVA UNIVERSITY NO. 1

A RESUBDIVISION OF PORTIONS OF "NOVA UNIVERSITY", PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.





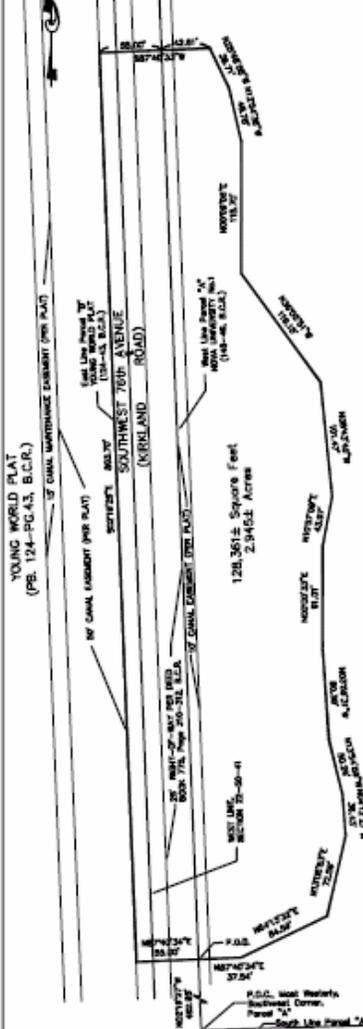
McLAUGHLIN ENGINEERING COMPANY
 400 NORTHEAST 3rd AVENUE
 FORT LAUDERDALE, FLORIDA, 33301
 ENGINEERS - SURVEYORS
 (L.B.# 285)

PHONE: (954) 763-7611

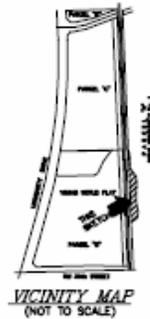
FAX: (954) 763-7615

Indicates Marker
 Scale 1" = 100'

Legend
 M.L. Cap = McLaughlin Cap
 Elev = Elevation
 R/A = Right
 O/S = Offset
 Conc = Concrete
 M = Measured
 P = Post
 C.B.S. = Concrete, Block, Slab
 P.O.B. = Point of Beginning
 P.O.C. = Point of Commencement



Sketch & Description



LEGAL DESCRIPTION

A portion of Parcel A, NOVA UNIVERSITY No. 1, according to the plat thereof as recorded in Plat Book 146, Page 49 of the public records of Broward County, Florida;

Together with that portion of Southwest 76th Avenue (Kirkland Road) lying West of and adjacent to said portion of Parcel A, both being more fully described as follows:

Commencing at the most Westerly Southwest corner of said Parcel A; thence North 02° 19' 27" West, on the said West line of Parcel A, a distance of 482.95 feet to the Point of Beginning; thence North 87° 40' 34" East, a distance of 37.54 feet; thence North 64° 13' 32" East, a distance of 84.59 feet; thence North 13° 05' 53" East, a distance of 72.59 feet; thence North 04° 12' 27" West, a distance of 36.43 feet; thence North 13° 54' 59" East, a distance of 50.29 feet; thence North 03° 58' 31" West, a distance of 80.39 feet; thence North 00° 00' 33" East, a distance of 91.01 feet; thence North 10° 57' 09" East, a distance of 43.97 feet; thence North 05° 43' 45" West, a distance of 101.47 feet; thence North 38° 05' 51" West, a distance of 119.15 feet; thence; thence North 00° 09' 06" East, a distance of 115.70 feet; thence North 12° 54' 36" West, a distance of 48.78 feet; thence North 25° 48' 58" West, a distance of 39.71; thence South 87° 40' 33" West, a distance of 42.61, to a point on the West line of said Parcel A; thence continue South 87° 40' 33" West, a distance of 55.00 feet, to a point on the Westerly right-of-way line of said Southwest 76th Avenue and the East line of Parcel B, YOUNG WORLD, according to the plat thereof as recorded in Plat Book 124, Page 43, of the public records of Broward County, Florida; thence South 02° 19' 26" East on the said East Line of Parcel B, a distance of 803.70 feet; thence North 87° 40' 34" East, a distance of 55.00 feet to a point on the said West line of Parcel A and the Point of beginning of the herein described parcel.

Said Lands Situate, lying and being in the Town of Davle, Broward County, Florida and containing 128,361 square feet or 2.945 acres more or less.

CERTIFICATION:

We hereby certify that this sketch meets the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 27th day of July, 2004.

NOTES:

1. THIS IS NOT A SURVEY.
2. Legal Description prepared by McLaughlin Engineering Company.
3. Underground Improvements, if any, not located.
4. This sketch reflects all easements and rights-of-way, as shown on above referenced record plat. The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Co.

McLAUGHLIN ENGINEERING CO.

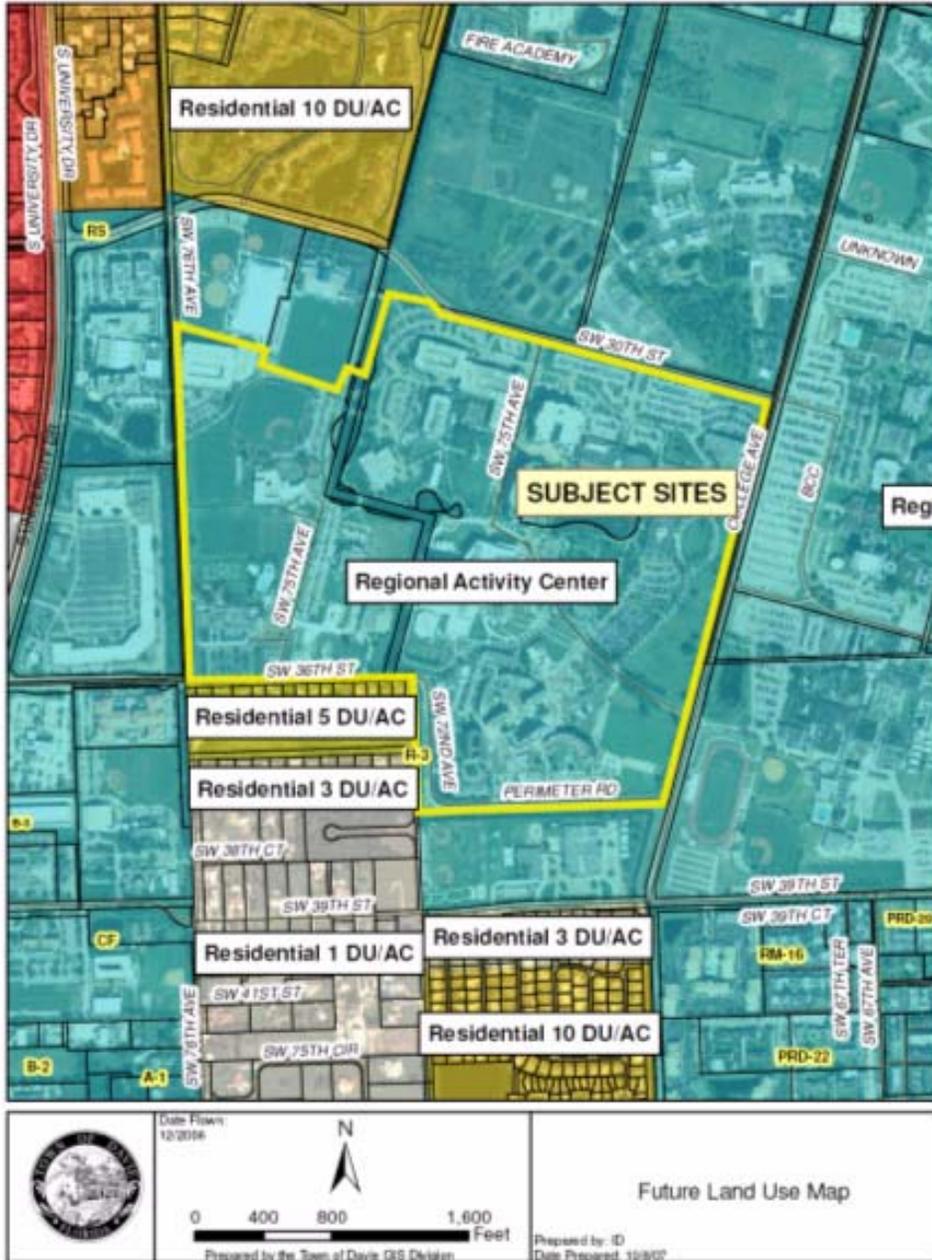
Jerald A. McLaughlin
 Registered Land Surveyor No. 5269
 State of Florida

"NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL"

FIELD BOOK NO. _____
 JOB ORDER NO. T-8801

DRAWN BY: JAM
 CHECKED BY: _____

Attachment (Future Land Use Plan Map)



Attachment (Zoning and Aerial Map)

