

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP/(954) 797-1101

SUBJECT: Quasi Judicial Hearing: Special Permit

SE 6-3-01 Bouza/Sundance at Davie and University Parc, 7085 Nova Drive, Generally located at the northeast corner of Nova Drive and SW 71 Terrace.

TITLE OF AGENDA ITEM: SE 6-3-01 Bouza/Sundance at Davie and University Parc, 7085 Nova Drive (R-4A and M-1, Old Code)

REPORT IN BRIEF:

The applicant requests to use the existing construction trailer as a temporary information center for the proposed development of 94 multi-family rental units called University Parc Residences. The trailer is already on site appropriately within the district setbacks and the petitioner will be improving its appearance by adding asphalt paving and landscape material. The applicant states that the proposed trailer will be on the site for a duration not to exceed twelve (12) months. Staff finds that the proposed temporary information center poses minimal negative impacts on the surrounding area due its temporary nature and location on the subject site and is consistent with the intent of the Land Development Code.

PREVIOUS ACTIONS: None

CONCURRENCES:

The Planning and Zoning Board recommended approval of the request at its August 22, 2001 meeting (Motion carried 5-0).

FISCAL IMPACT: None

RECOMMENDATION(S): Motion to approve

Attachment(s): Justification letter, Landscape plan, Land use map, Subject site map, Aerial

Application #: SE 6-3-01
Exhibit "A"

Revisions:
Original Report Date: 8/28/01

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

Owner:

Name: Sundance at Davie/University Parc
Address: 3971 SW 8 ST, Suite 205
City: Miami, FL 33134
Phone: (954)252-8366

Agent:

Name: Jorge Bouza
Address: 3971 SW 8 ST, Suite 205
City: Miami, FL 33134
Phone: (954)252-8366

BACKGROUND INFORMATION

Date of Notification: August 15, 2001 **Number of Notifications:** 286

Application History: No deferrals have been requested.

Application Request: Special permit for a trailer to be used as a temporary information center pursuant to Section 12-34(P)(1)(b)(3)(f) of the Land Development Code.

Address/Location: 7085 Nova Drive/Generally located at the northeast corner of Nova Drive and SW 71 Terrace.

Future Land Use Plan Designation: Regional Activity Center

Zoning: R-4A, Planned Apartment District, Old Code and M-1, Light Industrial District, Old Code

Existing Use: Construction trailer

Proposed Use: Temporary information center

Parcel Size: 9.786 (426,278 square feet)

Surrounding Uses:
North: Warehouses & Vacant Land
South: Nova Gardens Condominiums
East: Nova Villas Condominiums
West: Arista Park Condominiums,
Village of Arista Park Townhouses

Surrounding Land
Use Plan Designation:
Regional Activity Center
Regional Activity Center
Regional Activity Center
Residential 10 DU/AC

Surrounding Zoning:

North: M-1, Light Industrial District, Old Code
South: RM-16, Medium-High Dwelling District
East: R-4A, Planned Apartment District, Old Code
West: R-4A, Planned Apartment District, Old Code; R-6, Hotel District, Old

ZONING HISTORY

Related Zoning History: None.

Previous Request on same property: Petition ZB 4-2-99 requesting M-1, Light Industrial District designation was denied by the Planning and Zoning Board on June 23, 1999. Request was withdrawn by applicant on July 21, 1999.

Petition ZB 12-2-99 requesting RM-16, Medium High Dwelling designation was denied by Town Council on April 18, 2000.

Town Council approved the site plan for the subject site, SP 5-8-00, University Parc Residences on November 11, 2000.

Petition V 12-1-00 requesting one (1) variance FROM: Section 20-20 (Old Code), which limits the height of walls on residentially zoned property to six (6) feet TO: allow an eight (8) foot wall on the eastern portion of the property was granted by Town Council on February 21, 2001.

APPLICATION DETAILS

The applicant is proposing to utilize the existing construction trailer as a temporary information center. This request is associated with a proposed development of 94 multi-family rental units called University Parc Residences. Building permit applications have been made for the information center and said proposed trailer will be on the site for a duration not to exceed twelve (12) months. The trailer is located 60 feet from SW 71 Terrace and over 200 feet from Nova Drive within the district setbacks. There will be an asphalt parking lot installed with 6 parking spaces (including 1 handicapped), 6 queen palms 12'-14' in height, 2' on center areca palms will surround the trailer, 40 nora grants will accent the queen palms, and a 2' on center silver buttonwood hedge will be planted along the access driveway and edge of parking stalls.

Applicable Codes and Ordinances

Section 12-34(P)(1)(b)(3)(f) of the Land Development Code permits trailers to be used as a temporary real estate sales office pursuant to a special permit, and requires removal upon completion of the development of the subdivision or, as dictated by the special permit. Sales activity is prohibited on the development site until final development approval has been granted by Town Council pursuant to the site plan application procedure.

Comprehensive Plan Considerations

This parcel is inside the Regional Activity Center Future Land Use Plan designation that was adopted by Town Council in 1998.

Planning Area: The subject property falls within Planning Area 6. Planning Area 6 includes lands located south of State Road 84, east of University Drive and north of Nova Drive, together with lands located east of the Florida Turnpike and west of State Road 7, south of State Road 84 and north of the south Town limits. The majority of this planning

area is industrially zoned and land used plan designated. There are small commercial parcels along the State Road 7 corridor with one large retail center being located on the southeast corner of University Drive and State Road 84. Commercial flexibility has been applied to lands designated industrial on Nova Drive.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 99.

Applicable Goals, Objectives & Policies: None.

Staff Analysis

The intent of Land Development Code's requirement for special permits is for the Town to consider external impacts of uses that require special permits. Staff finds that the proposed information center poses minimal negative impacts on the surrounding area due its temporary nature and location on the subject site and is consistent with the intent of the Land Development Code. The trailer is already on site and the petitioner will be improving its appearance by adding asphalt paving and landscape material.

Findings of Fact

Review for Special Permits:

Section 12-308(A)(1)(a):

- (i) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;
 - (ii) The proposed change will not create an unrelated an incompatible use;
 - (iii) The proposed change will not adversely affect living conditions in the neighborhood or the town;
 - (iv) The proposed change will not create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;
 - (v) The proposed change will not adversely affect surrounding property values;
 - (vi) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;
 - (vii) The proposed change will not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public.
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Staff Recommendation

Recommendation: Based upon the above and the finding of facts in the positive, staff recommends **approval**, of petition SE 6-1-01.

Planning & Zoning Board Recommendation

The Planning and Zoning Board recommended approval of the request at its August 22, 2001 meeting (Motion carried 5-0).

Exhibits

1. Justification letter
2. Landscape plan
3. Land use map
4. Subject site map
5. Aerial

Prepared by: _____

Reviewed by: _____



June 28, 2001

JUN 29 2001

Town of Davie
Planning and Zoning Department
6591 Orange Drive
Davie, FL 33314

Re: University Parc Information Trailer

CRITERIA FOR REVIEWING SPECIAL PERMITS *CF 6-3-01*

1). Is contrary to the adopted comprehensive plan, as amended or any element or portion thereof;

This application is for a temporary use for the duration of the construction phase of this project.

2). Will create an unrelated and incompatible adjacent use;

Adjacent uses are industrial, this application is temporary.

3). Will adversely affect living conditions in the neighborhood, or the town;

This temporary use will not affect living conditions in the area; there will be no nuisance or hazardous uses associated with this request.

4). Will create or excessively increase automobile and vehicular traffic congestion or otherwise affect public safety;

No excessive vehicular traffic will be generated from this use. All traffic and parking generated from this temporary use will be on site and off any public right of way.

5). Will adversely affect, surrounding property values;

This is a temporary use that will not effect property values.

6). Will be a deterrent to the improvement or development of other properties;

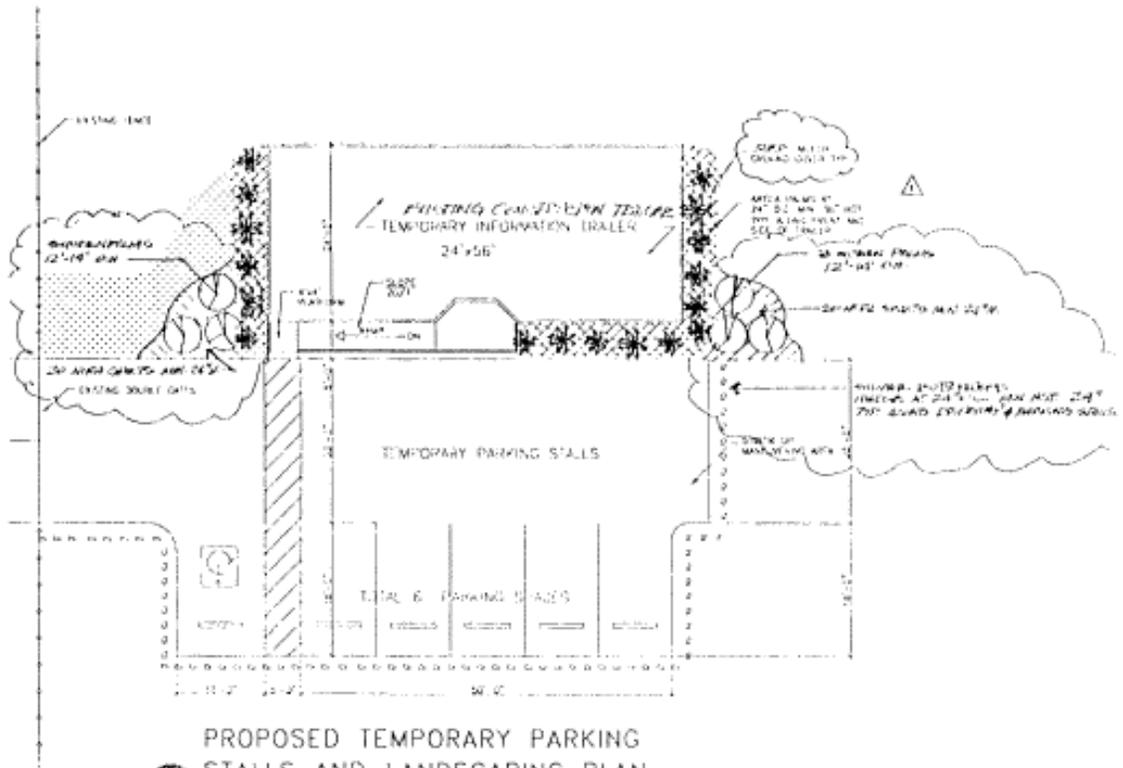
Not effected since this is a temporary use.

7). Will constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public.

This use does not apply.

8). Reason for special permit request.

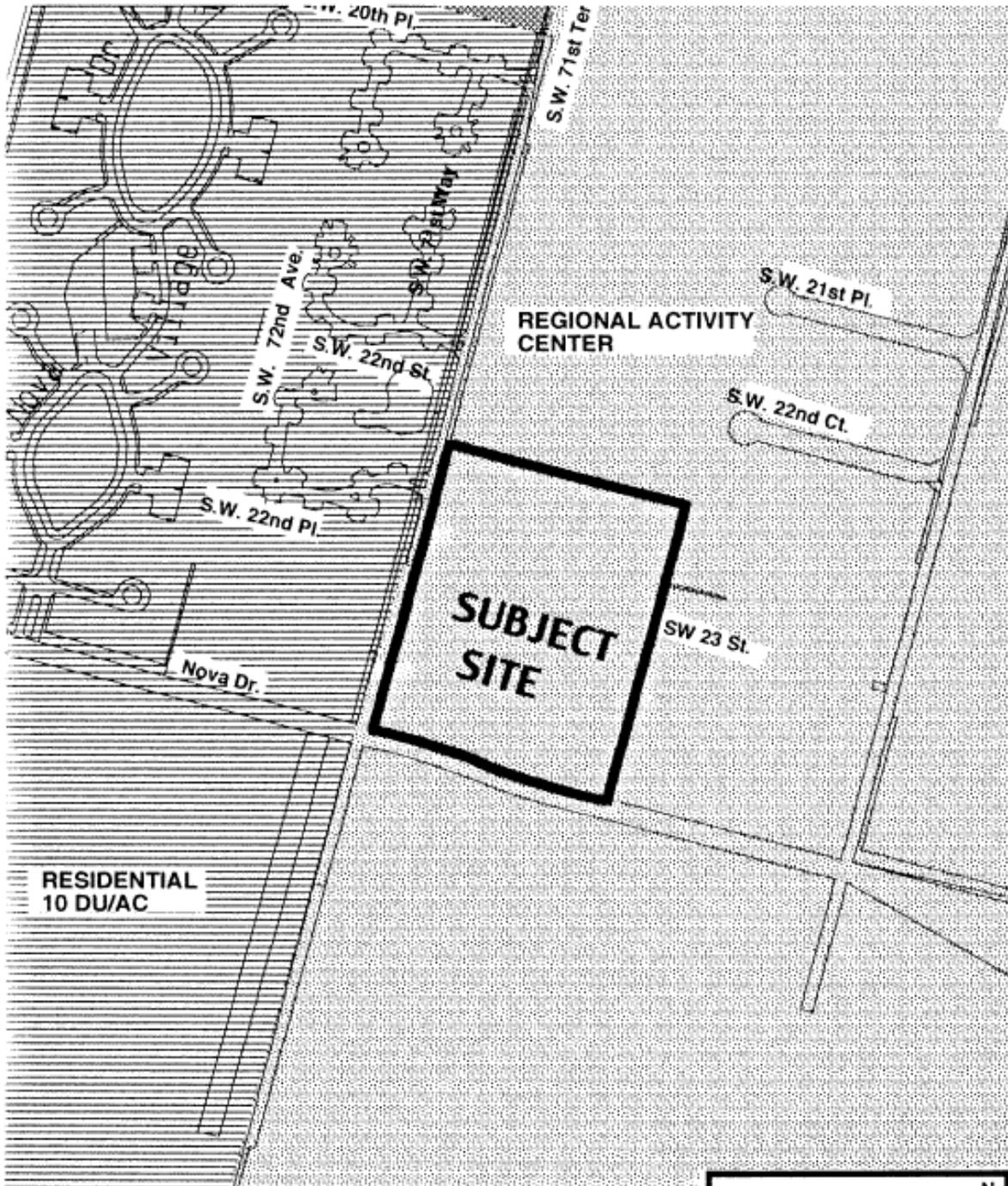
As a temporary use, in order to minimize the use of additional trailers on site, the request is to combine the use of the existing construction trailer, already permitted, as an information center.



PROPOSED TEMPORARY PARKING STALLS AND LANDSCAPING PLAN



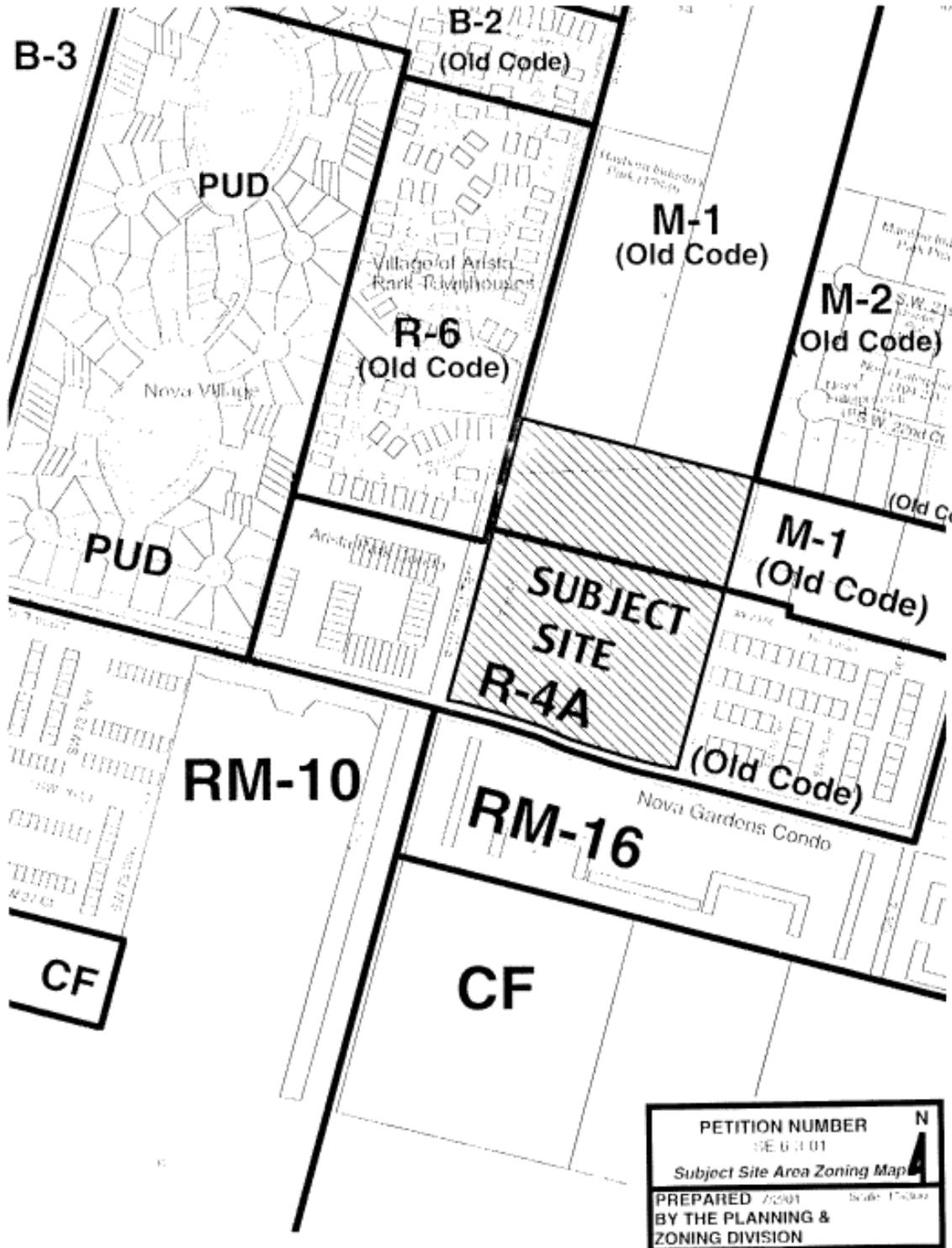
SCALE 1" = 10'

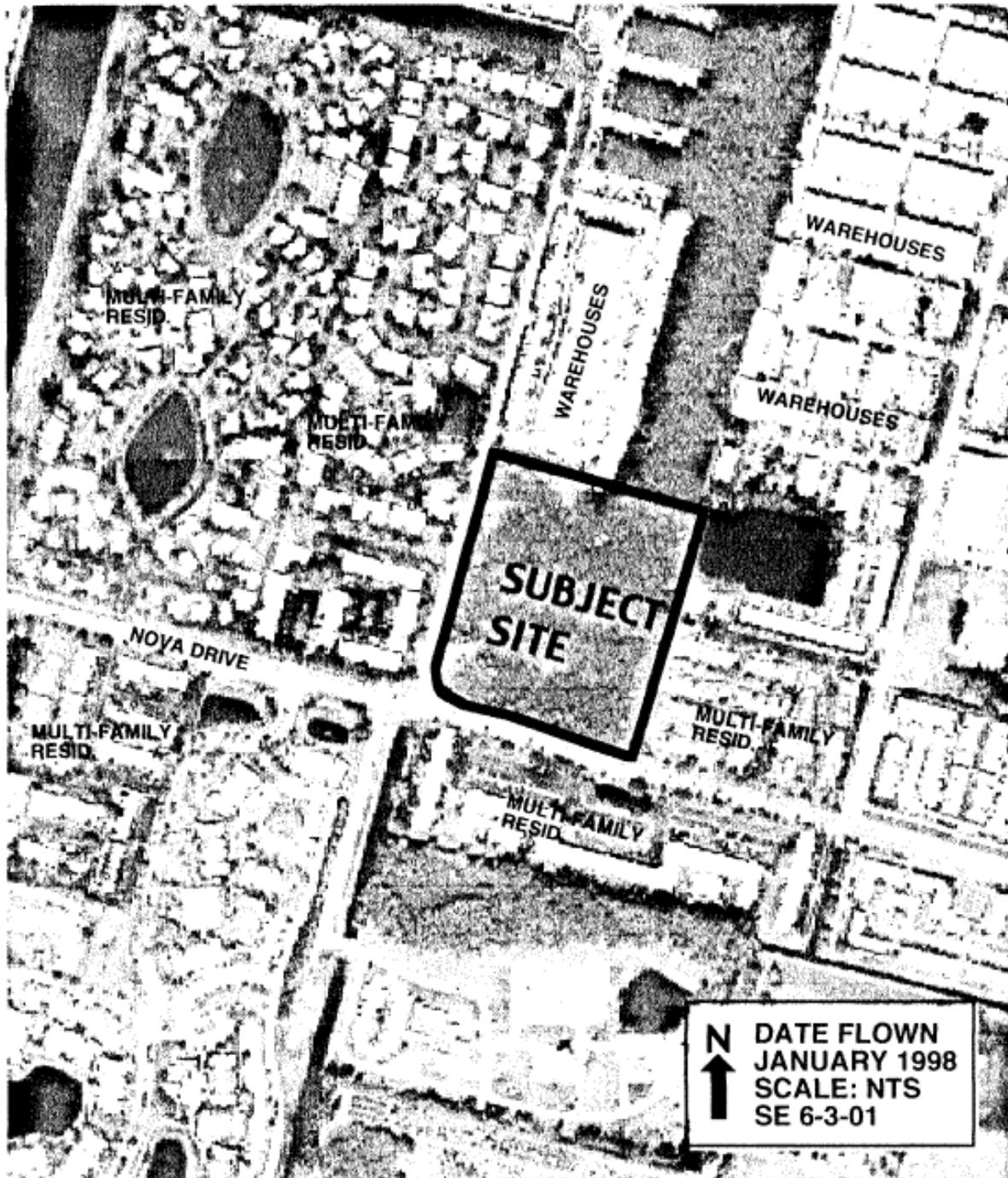


PETITION NUMBER
SE 6-3-01
Subject Site Area
Future Land Use Plan

N
4

PREPARED 7/2/01 Scale 1"=300'
BY THE PLANNING &
ZONING DIVISION





N
↑ DATE FLOWN
JANUARY 1998
SCALE: NTS
SE 6-3-01