

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

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

SUBJECT: Plat
P 3-1-01, Nova Plat No. 2, south of State Road 84, I-595, west of Davie Road
and east of Nova Drive

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT KNOWN AS NOVA PLAT NO. 2 AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The applicant is requesting approval of the resolution for the proposed subdivision plat. The site area consists of approximately 2,088,676 square feet or 47.949 acres. Access is provided along Davie Road with a 135.07' access opening at the northwest corner of the plat, a 60' X 60' ingress/egress easement with the south half being restricted to right turns only, and non-vehicular access lines (NVAL) are provided along the remaining western limits of the plat, as well as 135' along the sides of the access opening at the northwest corner of the plat.

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to use, location, size. The plat is also consistent with the density permitted by the RAC land use designation, but is inconsistent with the density permitted by one area of the underlying zoning district. The RAC land use designation permits 934 units on Parcel B and 760 units are proposed. The portion of Parcel B zoned RM-25, Multi-family District (County) allows 639 units, and 472 units are existing. The portion of Parcel B zoned RM-16, Medium-High Density Dwelling District allows 270 units and 288 units are proposed, which is a density of 16.9 (DU/AC). The subject site also falls under the Forman Agreement, wherein the Town recognized all lands under this agreement to be considered platted. Staff and the Town Attorney will work together to find a suitable mechanism to allow implementation of the requested density on Parcel B. Given the unique circumstances, and that the proposed density on Parcel B is consistent with the RAC land use designation, staff recommends approval subject to the conditions in the recommendation.

PREVIOUS ACTIONS: None

CONCURRENCES: The Planning and Zoning Board recommended approval subject to staff's recommendations at its October 10, 2001 meeting (4-0 Mr. Waitkus absent).

FISCAL IMPACT: None

RECOMMENDATION(S): Motion to approve subject to:

1. The petitioner shall initiate a rezoning petition, ordinance, or other suitable mechanism to allow the proposed density spread on Parcel B as applicable.
2. Sufficient capacity of the regional road network as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.

Attachment(s): Resolution, Planning Report, Exhibit "B" (list of owners), Land use map, Subject site map, Aerial

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT KNOWN AS NOVA PLAT NO. 2 AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat of the subdivision to be known as the **Nova Plat No. 2** has been approved by the Town Planning and Zoning Board on October 10, 2001.

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

SECTION 1. The plat of the subdivision known as the **Nova Plat No. 2** is hereby approved subject to staff's recommendations and conditions on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign such plat on behalf of the Town and the Town Clerk is directed to affix to such plat the Town seal.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2001.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2001.

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

APPLICANT INFORMATION

Owner:

Name: Multiple Owners
see Exhibit "B"

Agent:

Name: Craven Thompson & Assoc., Inc.
Address: 3563 NW 53 Street
City: Fort Lauderdale, FL 33309
Phone: (954)739-2002

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: Approval of the resolution for the proposed subdivision plat.

Address/Location: 2900 Davie Road/Generally located south of SR 84, east of Davie Road, and east of Nova Drive.

Future Land Use Plan Designation: Regional Activity Center

Zoning: B-2, Community Business District, RM-25, Multi-family District (County), RM-16, Medium-High Density Dwelling District

Existing Use: 472 garden apartments, vacant (Parcel B), 11,900 square feet of commercial use (Parcel A1), 6,391 square foot office use (Parcel C)

Proposed Use: 760 garden apartments (Parcel B), 11,900 square feet of commercial use (Parcel A1), 6,391 square foot office use (Parcel C), 3,761 square feet of commercial use (Parcel A2)

Parcel Size: 47.949 acres (2,088,676 square feet)

Parcel A1: 1.438 acres (62,655 square feet)

Parcel A2: 0.95 acres (41,370 square feet)

Parcel B: 42.457 acres (1,849,434 square feet)

Parcel C: 3.104 acres (135,217 square feet)

Surrounding Uses:

North: Hess, Lake
South: Mobile Home Park (Silver Oaks)
East: Mobile Home Park (Everglades MHP)
West: School (South Florida Education Center)

Surrounding Land

Use Plan Designation:

Regional Activity Center
Regional Activity Center
Regional Activity Center
Regional Activity Center

Surrounding Zoning:

North: M-4, Heavy Industrial District (County)
South: T-1, Trailer Park (County)

East: T-1, Trailer Park (County), A-3, Utility District (County)
West: CF, Community Facilities District

ZONING HISTORY

Previous Request on same property: Town Council approved the plat, P 5-2-90 Nova Plat (151-42), on September 5, 1990.

Town Council approved the site plan, SP 2-4-94 Palm Trace, on April 20, 1994.

Town Council approved the site plan, SP 10-1-97 Eckerd's, on August 5, 1999.

Town Council approved a rezoning from A-3, Utilities (County) to RM-16, Medium-High Density Dwelling District on April 21, 1999.

APPLICATION DETAILS

The applicant's SUBMISSION indicates the following:

1. The site area consists of approximately 2,088,676 square feet or 47.949 acres.
2. A note restricting the site to 11,990 square feet of existing commercial use on Parcel A1, 3,761 square feet of proposed commercial use on Parcel A2, 760 garden apartments (472 existing and 288 proposed) on Parcel B, and 6,391 square feet of office use on Parcel C.
3. Access is provided along Davie Road with a 135.07' access opening at the northwest corner of the plat, a 60' X 60' ingress/egress easement with the south half being restricted to right turns only, and non-vehicular access lines (NVAL) are provided along the remaining western limits of the plat, as well as 135' along the sides of the access opening at the northwest corner of the plat.
4. Utility easements have been provided.

Significant Development Review Agency Comments

None

Applicable Codes and Ordinances

Stipulated settlement agreement between the Hamilton M. and Blanche C. Forman Christian Foundation and various other Plaintiffs and the Town of Davie, entered into on November 12, 1985, Broward County Circuit Court Case No. 85-003046-CT.

Section 12-360(B)(1) of the Land Development Code, platting requirements.

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 8. This Planning Area is the heart of Davie and is the most diverse, characterized by older, small-scale commercial development, older single-family residential neighborhoods, and newer, large-scale multi-family residential developments that serve the rapidly growing South Florida Education Center (SFEC). It is bounded on the north by Nova Drive, south by Orange Drive, east by Florida's Turnpike, and west by University Drive. The planning area encompasses the downtown Davie Business District, where western theme architecture is required, the Davie Town Hall and Rodeo Arena, two large mobile home communities, and industrial land.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 97. Approval of the plat shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.

Applicable Goals, Objectives & Policies: Policy 10-1: The Regional Activity Center land use designation shall encourage large-scale development and redevelopment as well as small parcel infill development and redevelopment that facilitates a coordinated and balanced mix of land uses, providing for: educational facilities; a wide selection of housing types for all income ranges; shopping opportunities to meet the basic and expanded needs of students, residents, employees and visitors; research, training and other educational support uses; recreation; and employment opportunities, including the use of mix residential/nonresidential land uses.

Policy 10-9: The maximum residential density with the RAC shall be 22 DU/AC. Nonresidential intensity shall not exceed a building coverage ratio of 40 percent of net site area, and a height limit of 75' for inhabitable structures.

Staff Analysis

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to use, location, size. The plat is also consistent with the density permitted by the RAC land use designation, but is inconsistent with the density permitted by one area of the underlying zoning district. The RAC land use designation permits 934 units on Parcel B and 760 units are proposed. The portion of Parcel B zoned RM-25, Multi-family District (County) allows 639 units, and 472 units are existing. The portion of Parcel B zoned RM-16, Medium-High Density Dwelling District allows 270 units and 288 units are proposed, which is a density of 16.9 (DU/AC). The subject site also falls under the Forman Agreement, wherein the Town recognized all lands under this agreement to be considered platted. Staff and the Town Attorney will work together to find a suitable mechanism to allow implementation of the requested density on Parcel B. Given the unique circumstances, and that the proposed density on Parcel B is consistent with the RAC land use designation, the plat has been allowed to go forward subject to the conditions contained in the staff recommendation.

Staff Recommendation

Recommendation: Staff recommends approval, of the proposed plat subject to:

1. The petitioner shall initiate a rezoning petition, ordinance, or other suitable mechanism to allow the proposed density spread on Parcel B as applicable.

2. Sufficient capacity of the regional road network as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.

Planning & Zoning Board Recommendation

The Planning and Zoning Board recommended approval subject to staff's recommendations at its October 10, 2001 meeting (4-0, Mr. Waitkus absent).

Exhibits

1. Exhibit "B" (list of owners)
2. Resolution
3. Land use map
4. Subject site map
5. Aerial

Prepared by: _____

Reviewed by: _____

EXHIBIT "B"

Owner 1: Palm Trace Landings, Limited
M. Austin Forman, Partner
888 SE 3rd Avenue, Suite 501
Fort Lauderdale, Fl. 33316
Phone 763-8111

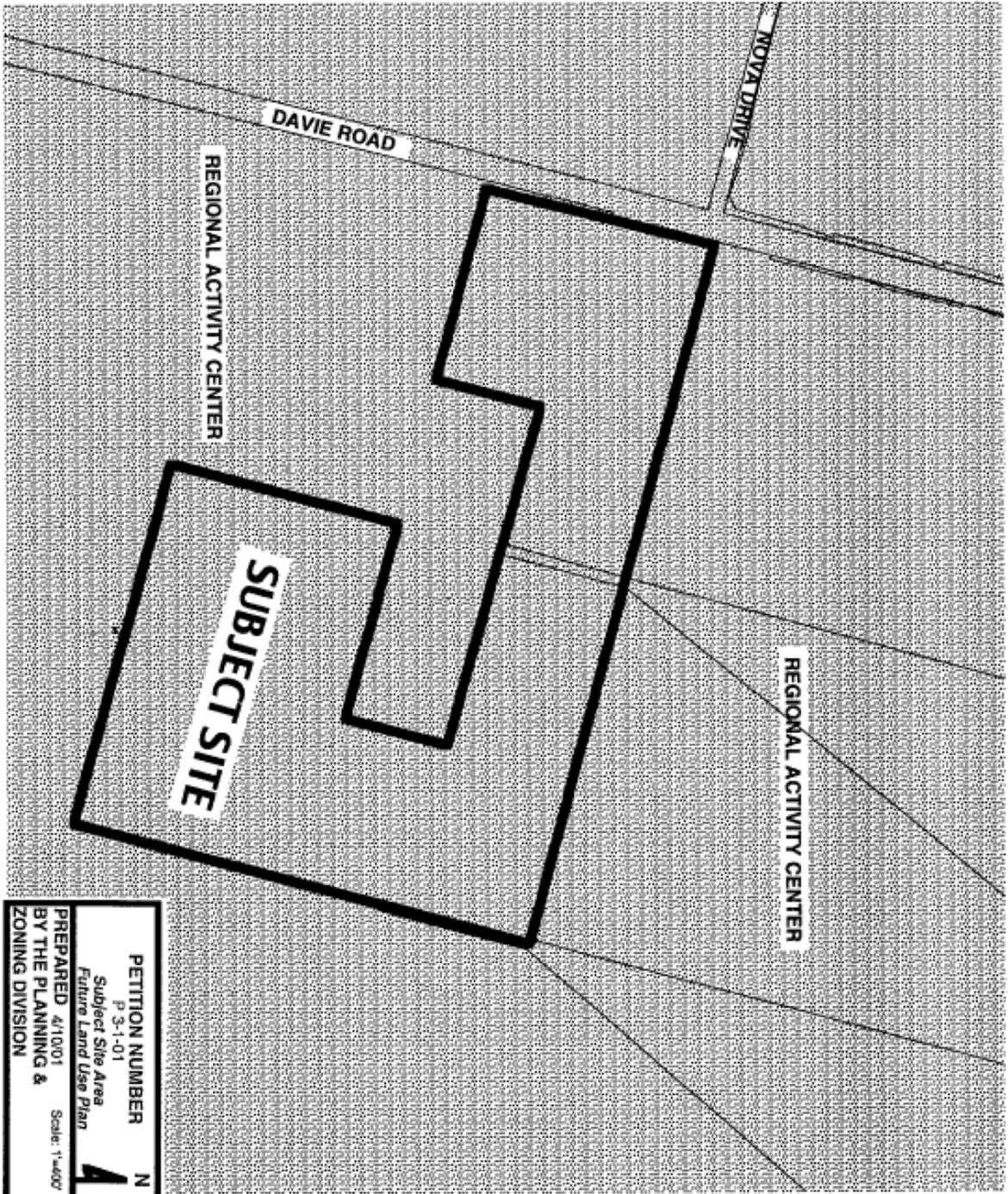
Owner 2: M. Austin Forman Trustee
&
Hamilton C. Forman Trustee
888 SE 3rd Avenue, Suite 501
Fort Lauderdale, Fl. 33316
Phone 763-8111

Owner 3: Elias J. Papachristos & Vasso D. Papachristos, as Trustees
4265 Marina City Drive, Penthouse 1114
Marina Del Ray, CA. 90292
Phone unknown

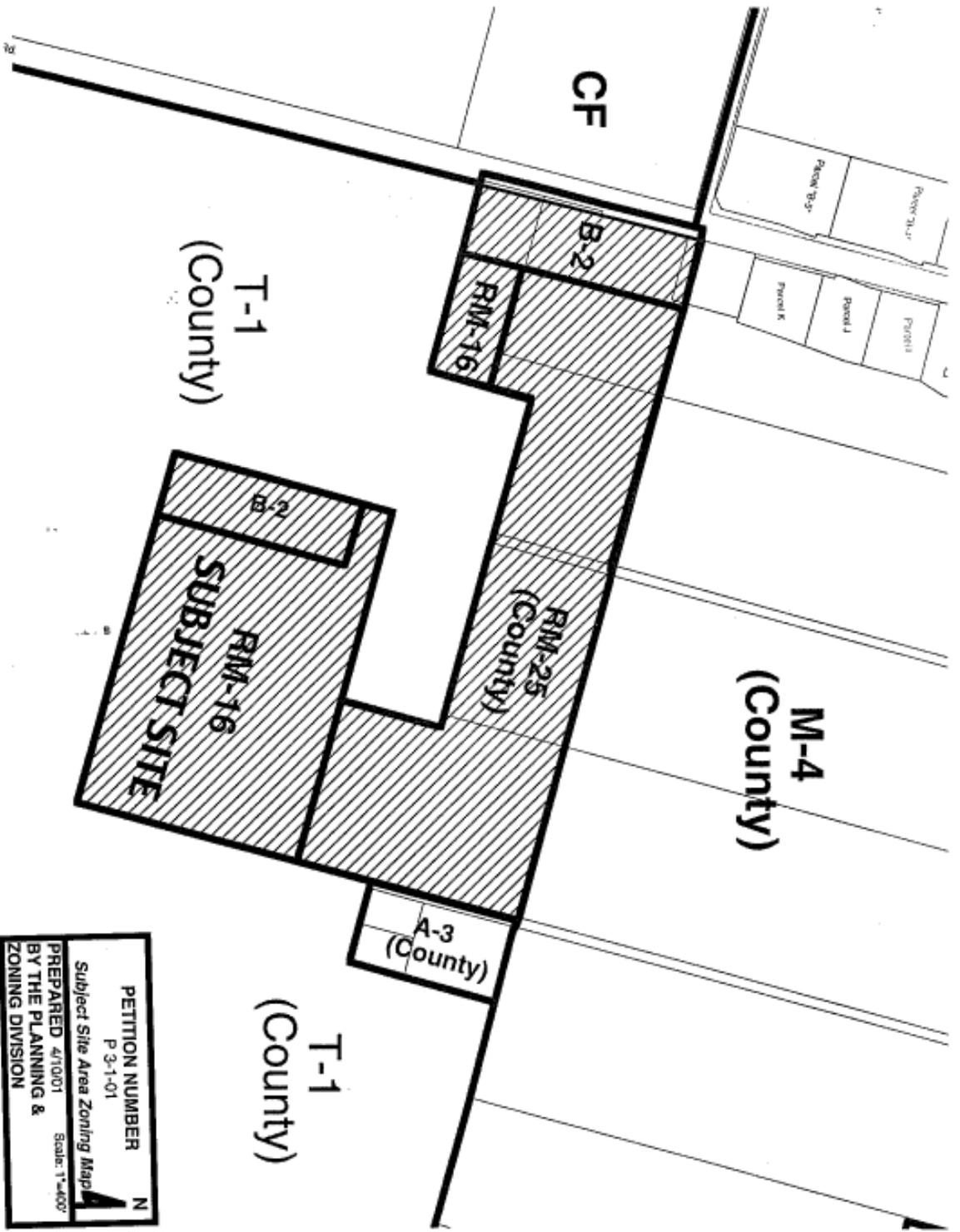
Owner 4: Surf Pasture, LLC, a Florida Limited Liability Company
M. Austin Forman, Partner
888 SE 3rd Avenue, Suite 501
Fort Lauderdale, Fl. 33316
Phone 763-8111

Owner 5: Hamilton C. Forman
1850 Eller Drive
Fort Lauderdale, Fl. 33316
Phone 728-9795

Owner 6: Charles R. Forman
1850 Eller Drive
Fort Lauderdale, Fl. 33316
Phone 728-9795



PETITION NUMBER N
P-3-1-01
Subject Site Area
Future Land Use Plan
PREPARED 4/10/01 Scale: 1"=400'
BY THE PLANNING &
ZONING DIVISION



PETITION NUMBER N
 P-3-1-01
 Subject Site Area Zoning Map
 PREPARED 4/10/01 Scale 1"=400'
 BY THE PLANNING & ZONING DIVISION

