

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark Kutney, AICP, Development Services Director/(954) 797-1101  
Prepared by Roberta Moore, Planner I

**SUBJECT:** Resolution  
DG 6-2-03 Falcon's Lea Park, 14900 Stirling Road / Generally located on the southeast side of Stirling Road and Falcon's Lea Drive.

**AFFECTED DISTRICT:** District 4

**TITLE OF AGENDA ITEM:**

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE RESTRICTIVE NOTE OF THE "FALCON'S LEA" PLAT, AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** Petitioner is requesting to amend the non-vehicular access line on the "Falcon's Lea" plat

**From:**

"A 24' access easement shall be provided from Falcons Gate Avenue through Tract "B" to Tract "C" at a location that is acceptable to Broward County Traffic Engineering Division. Said location and dedication must be accomplished prior to site plan approval for either Tract "B" or "C"."

**To:**

"A 24' access easement shall be provided from Stirling Road through Tract "B" to Tract "C" at a location that is acceptable to Broward County Traffic Engineering Division. Said location and dedication must be accomplished prior to site plan approval for Tract "B"."

The applicant is requesting to amend the Non-Vehicular Access Line (NVAL) to permit a new entrance drive into the Falcon's Lea Park property from the Stirling Road.

Presently, the access to the Ivanhoe Fire Station and Community Center is off of Falcon's Gate Avenue located in the Falcon's Lea residential community. The Town of Davie has recently acquired the property adjacent to the Ivanhoe site for the development of Falcon's Lea Park. The applicant would like to demolish the existing entrance from Falcon's Gate Avenue and replace it with a new entrance off Stirling Road. Thus, it will no longer to be a necessary for the public to travel through the adjacent residential community of Falcon's Lea in order to access the park.

It is Staff's understanding that Broward County has no objection to the requested amendment.

Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** None

**FISCAL IMPACT:** None

**RECOMMENDATION:** Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

**Attachments:** Resolution, Planning Report, Justification, Plat, Future Land Use Map, Subject Site, Zoning and Aerial Map

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE RESTRICTIVE NOTE OF THE "FALCON'S LEA" PLAT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the subdivision plat known as the "Falcon's Lea" plat was recorded in the public records of Broward County in Plat Book 128, Page 6; and

WHEREAS, the owners desire 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 "Falcon's Lea" plat. The proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.

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

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**APPLICANT INFORMATION**

<b><u>Owner:</u></b>		<b><u>Agent:</u></b>	
<b>Name:</b>	Town of Davie	<b>Name:</b>	Town of Davie
<b>Address:</b>	6591 Orange Drive	<b>Address:</b>	6591 Orange Drive
<b>City:</b>	Davie, FL 33314	<b>City:</b>	Davie, FL 33314
<b>Phone:</b>	(954) 797-1000	<b>Phone:</b>	(954) 797-1000

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**BACKGROUND INFORMATION**

**Application History:** No deferrals have been requested.

**Application Request:** Petitioner is requesting to amend the non-vehicular access line on the "Falcon's Lea" plat:

**From:** "A 24' access easement shall be provided from Falcons Gate Avenue through Tract "B" to Tract "C" at a location that is acceptable to Broward County Traffic Engineering Division. Said location and dedication must be accomplished prior to site plan approval for either Tract "B" or "C"."

**To:** "A 24' access easement shall be provided from Stirling Road through Tract "B" to Tract "C" at a location that is acceptable to Broward County Traffic Engineering Division. Said location and dedication must be accomplished prior to site plan approval for Tract "B"."

**Address/Location:** 14900 Stirling Road/ Generally located on the southeast side of Stirling Road and Falcon's Lea Drive.

**Future Land Use Plan Designation:** Residential (5 DU/AC)

**Zoning:** PUD - 5, Planned Unit Development

**Existing Use:** Vacant

**Proposed Use:** Town park

**Parcel Size:** 3.80 acres (165,678.90 square feet)

**Surrounding Uses:**

**North:** Residential (Waterford Patio Homes)  
**South:** Residential (Falcon’s Lea)  
**East:** Town of Davie Fire Station  
**West:** Residential (Falcon’s Lea)

**Land Use Plan Designation:**

Residential (PUD County)  
Residential (5 DU/AC)  
Residential (5 DU/AC)  
Residential (5 DU/AC)

**Surrounding Zoning:**

**North:** CC, Commerce Center District  
**South:** PUD - 5 (County)  
**East:** PUD - 5 (County)  
**West:** PUD - 5 (County)

**ZONING HISTORY**

**Related Zoning History:** None

**Previous Request on same property:** On August 10, 2000 a Master Site Plan (MSP 8-1-00) was submitted for the construction of 38 townhomes. This application was withdrawn on January 1, 2001. The Town of Davie purchased the property for a park on January 16, 2002.

**APPLICATION DETAILS**

Petitioner is requesting to amend the non-vehicular access line to allow access on Stirling Road. The Access Note will be changed to reflect the access easement from Stirling Road. The Restricting Note will remain as shown on the approved Falcon’s Lea Plat, **from:** “A 24’ access Easement shall be provided from Falcons Gate Avenue through Tract “B” to Tract “C” at a location that is acceptable to Broward County Engineering and Broward County Traffic Engineering Division. Said location and dedication must be accomplished prior to site plan approval for either Tract “B” or “C”.”; **to:** “A 24’ access easement shall be provided from Stirling Road through Tract “B” to Tract “C” at a location that is acceptable to Broward County Traffic Engineering Division. Said location and dedication must be accomplished prior to site plan approval for Tract “B”.”

**Applicable Codes and Ordinances**

The effective code of ordinances governing this project is the Town of Davie Land Development Code.

The Broward County Land Development Code requires Delegation Requests for plat note revisions.

**Significant Development Review Agency Comments**

Broward County Development Management Division is the County lead agency in assessing the impact of development through the plat and/or delegation request process. Broward County requires that the petitioner request to amend or revise the level of approved

development on the plat. Such requests must be approved by the local municipality and County Commission, and then subsequently recorded against the plat. As part of the delegation request process, the property would be reviewed for traffic concurrency and assessed any additional traffic impact fees, or mitigation measures, as applicable.

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### **Comprehensive Plan Considerations**

**Planning Area:** The subject property falls within Planning Area 1. This Planning Area constitutes the southwesternmost portion of the Town, encompassing all of the land south of Griffin Road and west of Southwest 148 Avenue. This planning area is bisected by I-75 which is accessed at Griffin Road and Sheridan Street. The Ivanhoe development constitutes most of this planning area, which is essentially programmed for low intensity (3 dwellings per acre) residential development. There are parcels designated for commercial use located at the northern and southern ends of the Ivanhoe development at the intersections of I-75 with Sheridan and Griffin Roads, and Orange Drive.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 117.

**Broward County Land Development Code:** The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

**Applicable Goals, Objectives & Policies:** The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

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### **Staff Analysis/Findings of Fact**

The applicant is requesting to amend the Non-Vehicular Access Line (NVAL) to permit a new entrance drive into the Falcon's Lea Park property from the Stirling Road.

Presently, the access to the Ivanhoe Fire Station and Community Center is off of Falcon's Gate Avenue located in the Falcon's Lea residential community. The Town of Davie has recently acquired the property adjacent to the Ivanhoe site for the development of Falcon's Lea Park. The applicant would like to demolish the existing entrance from Falcon's Gate Avenue and replace it with a new entrance off Stirling Road. Thus, it will no longer be a necessary for the public to travel through the adjacent residential community of Falcon's Lea in order to access the park.

The applicant is requesting to delete the original access note that states access will be provided from Falcons Gate Avenue for Parcels "B" and "C". The applicant is requesting the access note to be changed to read:

"A 24' access easement shall be provided from Stirling Road through Tract "B" to Tract

“C” at a location that is acceptable to Broward County Traffic Engineering Division. Said location and dedication must be accomplished prior to site plan approval for Tract “B”.

It is Staff’s understanding that Broward County has no objection to the requested amendment. Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site.

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**Staff Recommendation**

**Recommendation:** Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

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**Exhibits**

1. Resolution
2. Justification letter
3. Plat
4. Future Land Use Map
5. Subject Site, Zoning and Aerial Map

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_





Administration: (954) 797-1030  
Administrative Services: (954) 797-1020  
Budget & Finance: (954) 797-1050  
Parks & Recreation: (954) 797-1145  
Development Services: (954) 797-1111

Engineering: (954) 797-1113  
Fire Department: (954) 797-1090  
Police Department: (954) 693-8200  
Public Works: (954) 797-1240  
Utilities: (954) 433-4000

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**TOWN OF DAVIE** 6591 Orange Drive • Davie, Florida 33314-3399

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(954) 797-1000

**TO:** Mayor and Town Council

**THROUGH:** Bruce Bernard *BB*  
Public Works / Capital Projects Director

**THROUGH:** Thomas J. Willi *TJW*  
Town Administrator

**FROM:** Cheryl Dolin, R.A. *C. Dolin*  
Project Manager, Capital Projects

**DATE:** June 4, 2003

**SUBJECT:** Delegation Request for Falcon's Lea Park

Town of Davie Staff are requesting Town Council to authorize the Town Administrator to make an application to the County for a Delegation Request to amend the platted Non-Vehicular Access Line (NVAL) to permit a new entrance drive into the Falcon's Lea Park property from Stirling Road. Currently the access to the Ivanhoe Fire Station and Community Center is off of Falcon's Gate Avenue. The Town of Davie has recently acquired the property adjacent to the Ivanhoe site for the development of Falcon's Lea Park. The Town would like to demolish the existing entrance from Falcon's Gate Avenue and replace it with a new entrance off Stirling Road, thereby no longer necessitating that the public go through the adjacent residential community in order to access the park.

*An Equal Opportunity Employer*





# FALCON'S LEA

A RESUBDIVISION OF A PORTION OF SECTION 4, TOWNSHIP 51 SOUTH, RANGE 40 EAST,  
CHAMBERS LAND COMPANY SUBDIVISION (P.B. 1-35), TOWN OF DAVIE, BROWARD COUNTY, FLORIDA  
DERRY, CALVIN, BROOME & FARINA • ENGINEERS & SURVEYORS • HOLLYWOOD, FLORIDA

### TOWN PLANNING AND ZONING BOARD

THIS IS TO CERTIFY THAT THE PLANS AND ZONING BOARD OF THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA, HAS REVIEWED AND ACCEPTED THE

COMMENTS DATE 07/26/03

### TOWN COUNCIL

THIS IS TO CERTIFY THAT THIS PLAN HAS BEEN APPROVED AND ACCEPTED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA, BY RESOLUTION ADOPTED THIS 11th DAY OF JULY, 2003, AND THAT A TRUE AND CORRECT COPY OF THE PLAN, INCLUDING ALL COMMENTS AND INDICATED CHANGES, IS ON FILE WITH THE CLERK OF THE TOWN OF DAVIE.

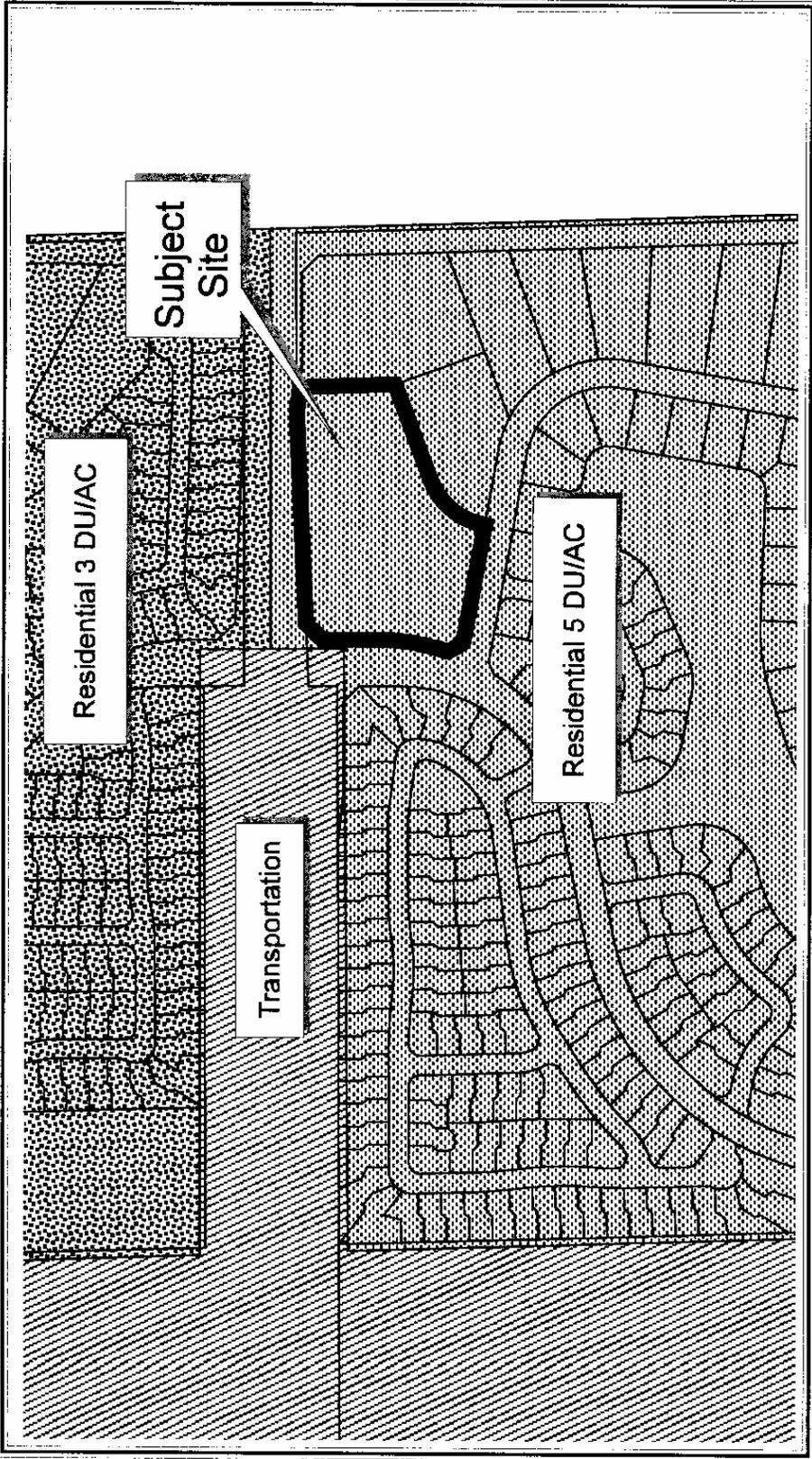
ATTEST: James Grant ATTORNEY AT LAW  
CITY CLERK

### DEVELOPMENT SERVICES DEPARTMENT

THIS IS TO CERTIFY THAT THIS PLAN IS APPROVED AND ACCEPTED BY THE DEVELOPMENT SERVICES DEPARTMENT OF THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA.

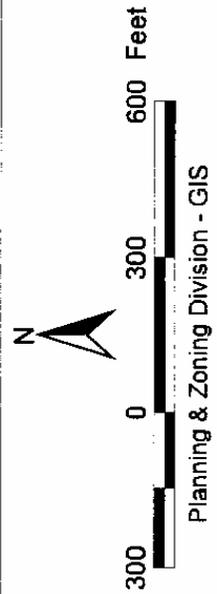
James J. Grant DIRECTOR

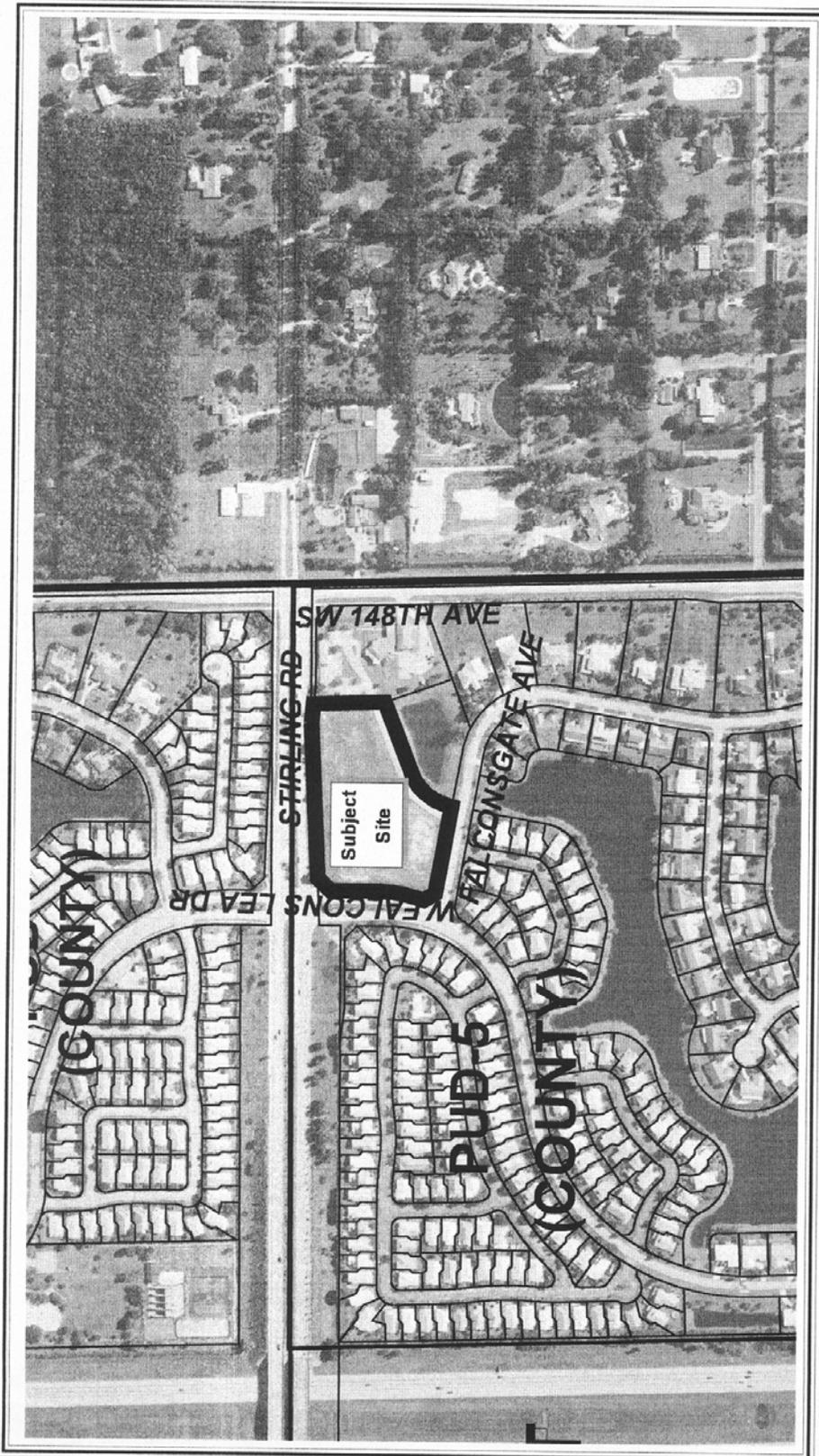




**DELEGATION REQUEST  
 DG 6-2-03  
 Future Land Use Map**

Prepared By: rkm  
 Date Prepared: 6/16/03





**DELEGATION REQUEST**  
**DG 6-2-03**  
**Zoning and Aerial Map**

Prepared By: rkm  
 Date Prepared: 6/16/03



Date Flown:  
 12/31/00



Planning & Zoning Division - GIS