

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

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

SUBJECT: Resolution
DG 5-4-03 New World Plat, 7676 S.W. 36th Street/ Generally located on the
S.W. Corner of S.W. 36th Street and S.W. 76th Avenue.

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE SUBDIVISION PLAT KNOWN AS THE NEW WORLD PLAT, AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: Petitioner is requesting to amend the restrictive note on "New World Plat" from, this plat is restricted as follows: This plat shall be restricted to 20,000 square feet of private school, including classrooms, administrative offices, pool house, and gymnasium, for grade 9-12, to this plat is restricted as follows: "This plat shall be restricted to 120,000 square feet of classroom space."

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 letter, Plat, Future Land Use Map, Zoning and Aerial Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE SUBDIVISION PLAT KNOWN AS THE NEW WORLD PLAT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the New World Plat was recorded in the public records of Broward County in Plat Book 166, Page 37; 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 New World 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.

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

APPLICANT INFORMATION

<u>Owner:</u>		<u>Agent:</u>	
Name:	Nova Southeastern University, Inc., a Florida Non-Profit Corp.	Name:	Dennis D. Mele, Esq.
Address:	3301 College Avenue	Address:	Ruden, McClosky, et al., 200 East Broward Boulevard
City:	Fort Lauderdale, Florida 33314	City:	Fort Lauderdale, FL 33301
Phone:	(954) 262-8832	Phone:	(954) 527-2409

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: Petitioner is requesting to amend the current plat note restriction on the "New World Plat" **from** "This plat shall be restricted to 20,000 square feet of private school, including classrooms, administrative offices, pool house, and gymnasium, for grade 9-12." **to** "This plat shall be restricted to 120,000 square feet of classroom space."

Address/Location: 7676 S.W. 36th Street/Generally located on the S.W. Corner of S.W. 36th Street and S.W. 76th Avenue.

Future Land Use Plan Designation: Regional Activity Center (RAC)

Zoning: CF - Community Facility

Use: A 120,000 square foot family center village consisting parking areas, ball fields and two buildings, Building "A" at 55,753 square feet, which is for an early learning preschool, and Building "B" at 56,515 square feet is for a Baudhuin "Oral" school.

	<u>Surrounding Uses:</u>	<u>Surrounding Land Use Plan Designation:</u>
North:	Shopping Center	Regional Activity Center (RAC)
South:	Church	Regional Activity Center (RAC)
East:	Residential and Vacant	Residential (5 D.U./acre)
West:	Car Dealership and Vacant	Regional Activity Center (RAC)

	<u>Surrounding Zoning:</u>
North:	B-3 – Planned Business Center
South:	CF – Community Facility
East:	R-5 – Residential 5 dwelling units per acre
West:	B-3 – Planned Business Center

ZONING HISTORY

Previous Request on same property:

Plat Request (P 11-2-97): The New World Plat was approved (R-98-51) by the Town of Davie on February 4, 1998.

Site Plan (SP 1-1-02): The Town of Davie approved the Nova Southeastern University Family Center Village site plan submittal (two buildings total 112,268 square feet) on March 6, 2002.

APPLICATION DETAILS

Petitioner is requesting to amend the restrictive note on the “New World Plat” to reflect the proposed level of development.

Current Plat Note:

This plat is restricted as follows: This plat shall be restricted to 20,000 square feet of private school, including classrooms, administrative offices, pool house, and gymnasium, for grade 9-12.

Proposed Plat Note:

This plat is restricted as follows: This plat shall be restricted to 120,000 square feet of classroom space.

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 amendments.

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.

Comprehensive Plan Considerations

Planning Area:

The proposed project is within the planning area No. 8 characterized by older, small scale commercial development, older single-family residential neighborhoods, and newer large scale multi-family residential developments that serve the South Florida Education Center.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 99.

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.

Staff Analysis/Findings of Fact

The proposed amendment is consistent with the existing and proposed use of the subject site. Only Parcel A is affected by this delegation request. The possibility exists of increased trips to the regional road network at certain times of the day during school opening and closing. This possibility shall be determined by Broward County. Approval of this request is subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the delegation request shall be deemed denied by the Town of Davie.

Staff Recommendation

Recommendation:

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

Town Council Action

Exhibits

1. Justification letter
2. Plat
3. Future Land Use Map
4. Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____

JUSTIFICATION

Delegation Request to Amend the Note on the New World Plat (088-MP-97)

The New World Plat ("Plat") is located on the southwest corner of S.W. 35th Street and S.W. 76th Avenue in the Town of Davie. The Plat was recorded on March 8, 1999 with the following plat note:

This plat shall be restricted to 20,000 square feet private school, including classrooms, administrative offices, pool house and gymnasium for grades 9 - 12.

Applicant proposes to amend the foregoing restriction to place a note on the Plat as follows:

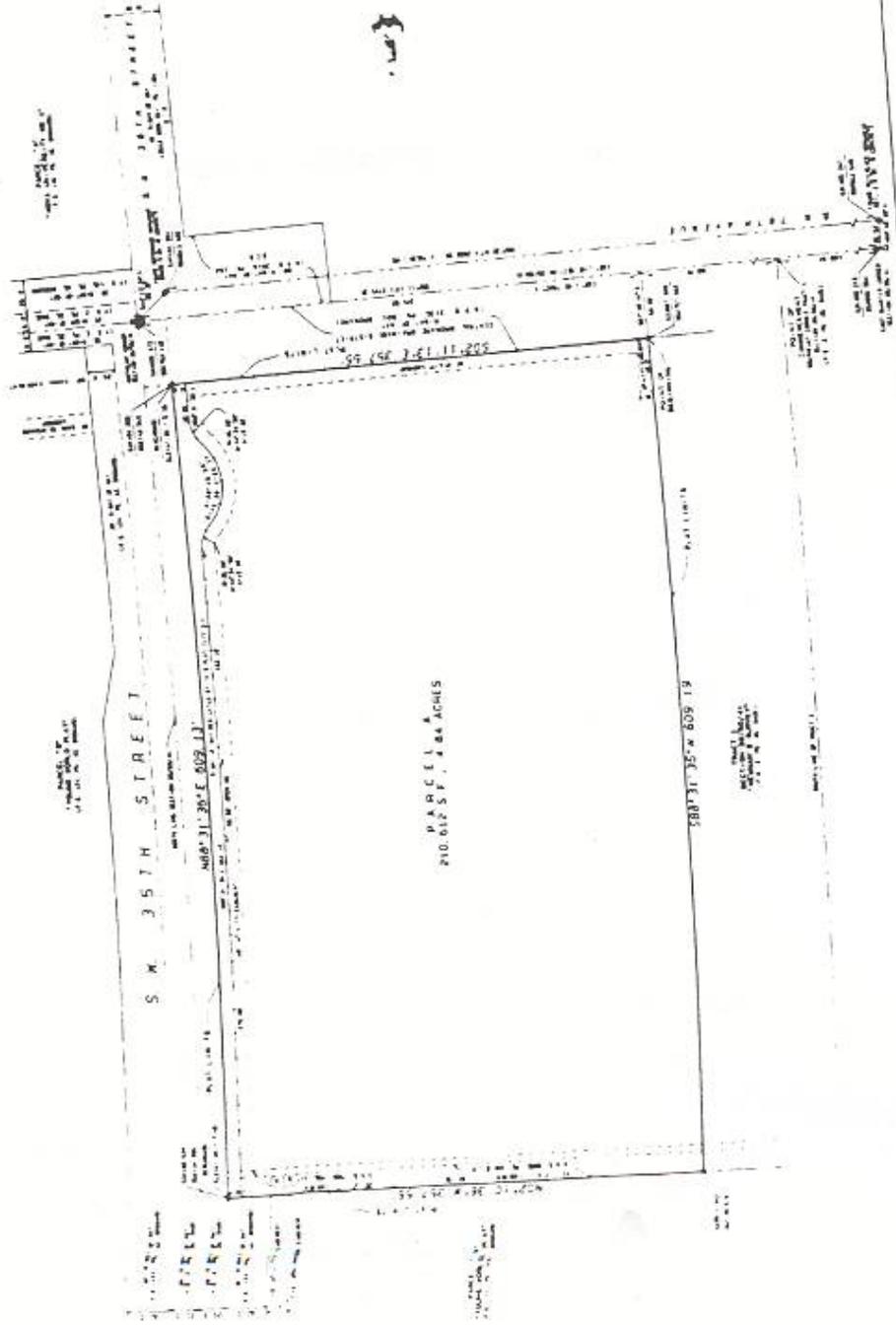
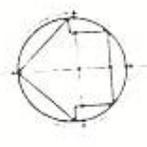
This plat is restricted to 120,000 square feet of classroom space.

This amendment is requested in connection with Applicant's development of the Family Center which will provide classroom facilities for children with learning and physical disabilities and early childhood programs.

NEW WORLD PLAT

A REPLAT OF A PORTION OF JOHN W. NEWMAN'S SURVEY*
PLAT BOOK 2, PAGE 26, PUBLIC RECORDS OF DADE COUNTY, FLORIDA
SECTION 28, TOWNSHIP 50 SOUTH, RANGE 41 EAST
TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

NOVEMBER, 1997



REPLAT NOTES

1. THIS REPLAT IS A REPLAT OF A PORTION OF JOHN W. NEWMAN'S SURVEY, PLAT BOOK 2, PAGE 26, PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SECTION 28, TOWNSHIP 50 SOUTH, RANGE 41 EAST, TOWN OF DAVIE, BROWARD COUNTY, FLORIDA.

2. THE TOTAL AREA OF THE SURVEY IS 1,100,000 SQUARE FEET, OR 25 ACRES.

3. THE TOTAL AREA OF THIS REPLAT IS 210,612 SQUARE FEET, OR 4.84 ACRES.

4. THE TOTAL AREA OF THE REMAINING PORTION OF THE SURVEY IS 889,388 SQUARE FEET, OR 20.16 ACRES.

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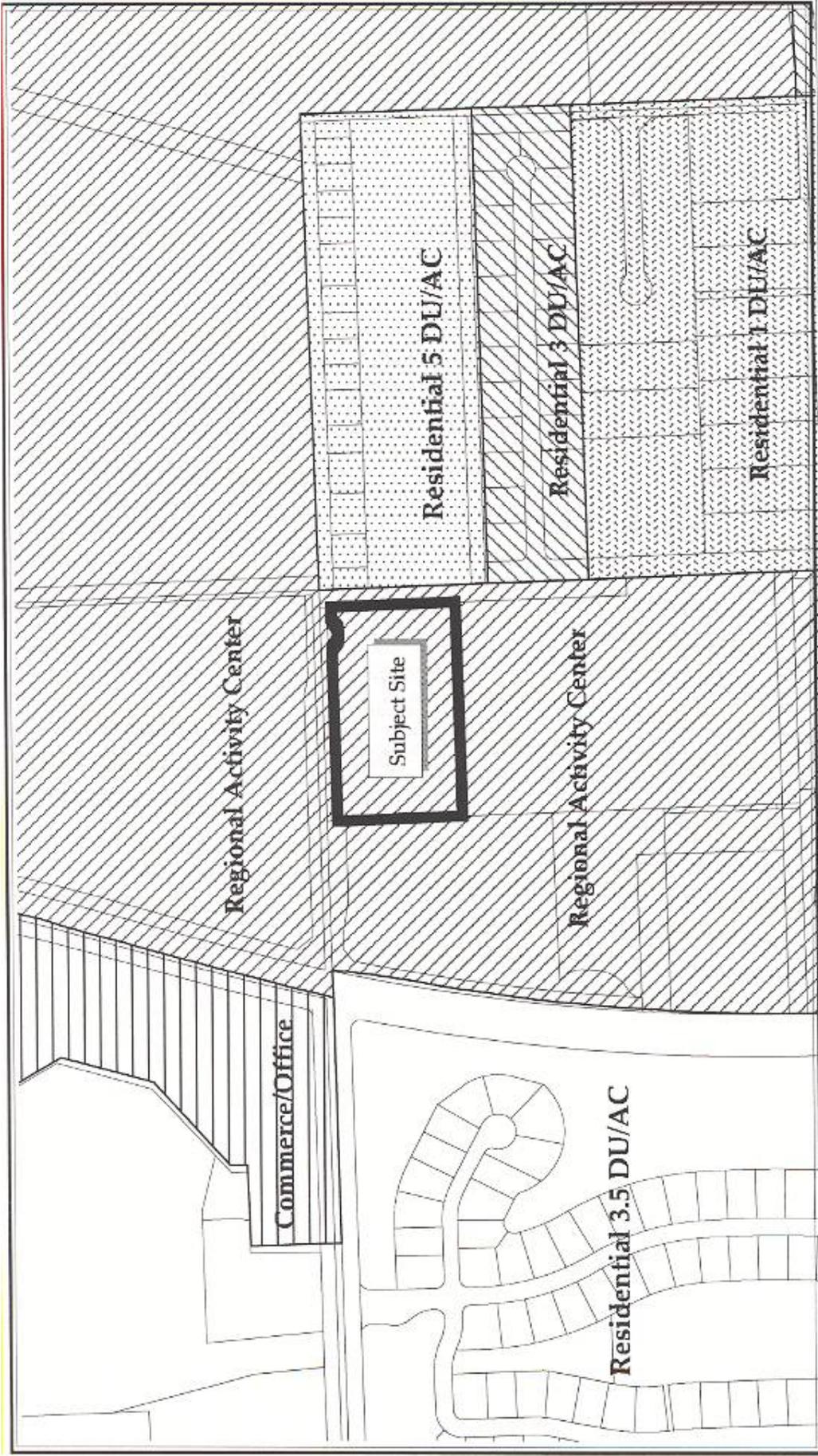
7. THE TOTAL AREA OF THE REMAINING PORTION OF THE SURVEY IS 889,388 SQUARE FEET, OR 20.16 ACRES.

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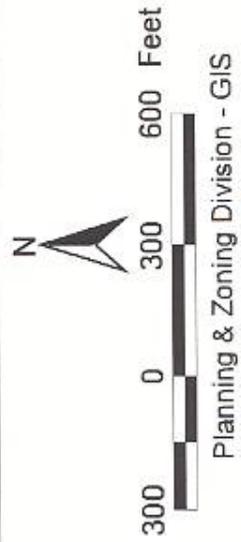
10. THE TOTAL AREA OF THE REMAINING PORTION OF THE SURVEY IS 889,388 SQUARE FEET, OR 20.16 ACRES.

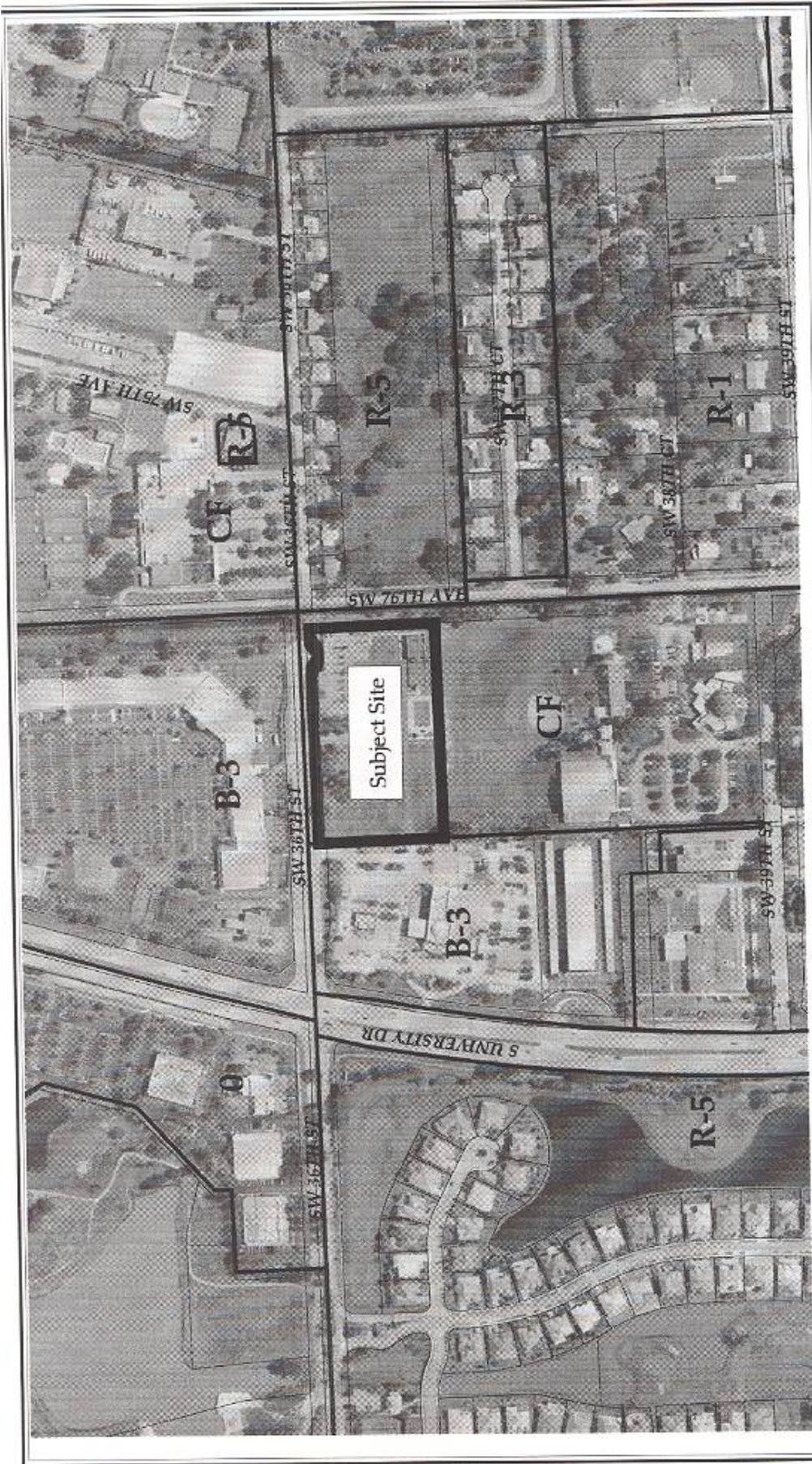
CRAIG A. SMITH & ASSOCIATES
NEW WORLD PLAT
80-100-1-97



DELEGATION REQUEST
DG 5-4-03
Future Land Use Map

Prepared By: DMA
 Date Prepared: 06-23-03





DELEGATION REQUEST
DG 5-4-03
Zoning and Aerial Map

Prepared By: DMA
 Date Prepared: 06-23-03



Date Flown:
 12/31/00

N 

 300 0 300 600 Feet

Planning & Zoning Division - GIS