DEVELOPMENT SERVICES DEPARTMENT
Planning & Zoning Division

MEMORANDUM
PZ 5-29-04

TO: Mayor and Town Council

THRU: Marcie Oppenheimer Nolan, AICP, Planning Supervisor

FROM: Annie Feng, Planner II

DATE: May 25, 2004

RE: ZB 12-1-03 Wolf Family Plat
Owner: Mary L. Wolf
Petitioner: Stiles Development Co.
Location: 5700 University Drive/ generally located on the northeast corner of University Drive and Stirling Road

REQUEST: Staff is requesting that the above referenced item, currently scheduled for the June 2, 2004 Town Council meeting, be tabled to the meeting on July 7, 2004. This is the second tabling request by the Town.

HISTORY: The item was tabled by the Town Council from the May 5, 2004 Town Council meeting to the May 19, 2004 Town Council meeting. This first tabling was at the request of the Town Council.

On May 19, 2004, Town Council approved the first reading to rezone the subject property from CC (Commerce Center District) to UC (Urban Commercial District).

JUSTIFICATION: This tabling request is to allow rezoning approval concurrent with the adoption of LA 03-10, land use amendment for the subject site.

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101
Prepared by: Annie Feng, Planner II

SUBJECT: Ordinance 1st Reading/Quasi-judicial, ZB 12-1-03, Stiles Development Co./Mary L. Wolf, 5700 University Drive, Generally located at the northeast corner of University Drive and Stirling Road

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 12-1-03, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM CC, COMMERCE CENTER DISTRICT TO UC, URBAN COMMERCIAL DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

REPORT IN BRIEF:

The applicant is requesting to rezone the subject site of 39.36 acres, located at the northeast corner of University Drive and Stirling Road, from CC, Commerce Center District to UC, Urban Commercial District. The purpose of this request is to allow the development of 275,000 square feet of retail use consisting of an 185,000-square-foot Target Superstore, an additional 65,000-square-foot retail uses and 25,000-square-foot outparcels. The existing CC zoning district restricts retail uses to no more than a maximum of 20% of gross floor area of a commerce or office development while the UC district will allow for retail/commercial development. This rezoning request is in light of the proposed land use amendment for the subject site from "Commerce/Office" land use to "Commercial" land use.

The UC, Urban Commercial District is intended to provide for a mix of retail, office, and residential uses in a median to high-density environment. It also provides for large regional scale uses of 300,000 square feet and greater for retail, office, and mixed uses. The applicant is proposing to construct 275,000 square feet of retail use consisting of an 185,000-square-foot Target Superstore, an additional 65,000-square-foot retail uses and 25,000-square-foot outparcels. The overall size of the parcel, the proposed total square footage, and the size of the Target Superstore exceeds the allowable total development level under both the B-3, Planned Business Center District, and SC, Suburban Commercial Districts. Therefore, the applicant is requesting the UC, Urban Commercial District. The site meets the minimum lot area of 10 acres, required by the UC district. The proposed master site plan meets the UC district requirements in terms of landscaping, open space, and maximum floor area.

The existing CC, Commerce Center District zoning designation is no longer valid due to the pending land use amendment from Commerce/Office to Commercial land use. The CC zoning District is intended to implement the commercial/office classification of the Town of Davie Comprehensive Plan by providing for development of office, research, business, and light industrial complexes at suitable locations throughout the town.

The overall parcel size for the development is 48.61 acres. The rezoning request is for the southern parcel of 39.36 acres. The northern 9.27-acre parcel currently occupied by a nursery and is proposed to be made into a lake for drainage purposes. An outparcel is also proposed adjacent to University Drive on this parcel. The current zoning CC, Commercial Center District, will remain the same as it proposed uses are allowed under the CC zoning district.

The subject site is located at a commercial node, the intersection of University Drive and Stirling Road. The requested UC zoning district is related and compatible to the CC to the north, B-2 to the west and B-3 to the south across Stirling Road. In regard to compatibility with the adjacent single-family home (Exotic Acres) to the east, the proposed site plan indicates that an approximately 250-foot-wide lake with 30 to 50-foot-wide landscape buffer be provided along the east boundary line along SW 76 Avenue. An existing canal along the south boundary line and Stirling Road of more than 110 feet provides a buffer to the single-family homes (Silverado) to the south.

Staff finds the proposed rezoning appropriate. It is consistent with the proposed land use amendment, compatible with the surrounding uses and zoning district. It is also consistent with the goals of the Town's Future Land Use Plan by expanding its economic base through expansion of its commercial sector and is in harmony with the general intent and the purpose of the Town of Davie Land Development Code.

PREVIOUS ACTIONS: None

CONCURRENCES: At the April 14, 2004 Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Vice-Chair Turin, to approve (Motion carried 4-0, Mr. McLaughlin absent).

FISCAL IMPACT: N/A

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

Attachment(s): Ordinance, Planning Report, Justification, Conceptual Site Plan, Land Use Map, Zoning and Aerial Map

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 12-1-03, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM CC, COMMERCE CENTER DISTRICT TO UC, URBAN COMMERCIAL DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, that the classification of certain lands within the Town be changed from CC, Commerce Center District to UC, Urban Commercial District;

WHEREAS, said notice was given and publication made as required by law, and a public hearing there under was held on the date of the adoption of this ordinance.

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

SECTION 1. That the property herein after described be and the same is hereby rezoned and changed from CC, Commerce Center District to UC, Urban Commercial District:

a. The subject property is described in Exhibit "A", which is attached hereto and made a part hereof;

b. The subject property shall be developed in substantial conformance with the conceptual site plan as shown in Exhibit "A", which is attached hereto and made a part hereof;

SECTION 2. That the zoning map heretofore adopted by the Town Council be and the same is hereby amended to show the property described in Section 1, herein, as UC, Urban Commercial District,

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2004.

PASSED ON SECOND READING THIS _____ DAY OF_____, 2004.

ATTEST:

_____
MAYOR/COUNCILMEMBER

_____
TOWN CLERK

APPROVED THIS_____ DAY OF _____, 2004.

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

Applicant Information

Owner:		**Petitioner:**	
Name:	Mary L. Wolf	**Name:**	Stiles Development Co.
Address:	PO Box 215	**Address:**	300 SE 2 Street
City:	Newville, AL 36353-0215	**City:**	Fort Lauderdale, FL 33301
		Phone:	(954) 627-9173

Background Information

Date of Notification: April 7, 2004 **Number of Notifications:** 147

Application History: No deferrals have been requested.

Application Request: Rezone 39.34 acres **FROM:** CC, Commerce Center District; **TO:** UC, Urban Commercial District. The purpose of this request is to allow the development of 275,000 square feet of retail use consisting of an 185,000-square-foot Target Superstore, an additional 65,000-square-foot retail uses and 25,000-square-foot outparcels.

Planning and Zoning Board Recommendation: At the April 14, 2003 Planning and Zoning Board meeting, the board made a motion to approve (Motion carried 4-0, Mr. McLaughlin absent).

Address/Location: 5700 University Drive/Generally located at the northeast corner of University Drive and Stirling Road

Future Land Use Plan Map Designation: The existing land use designation is Commerce/Office on the Town of Davie Future Land Use Plan Map and Commercial on the Broward County Land Use Plan Map.

On February 18, 2004, the Town Council approved the transmittal of Land Use Amendment LA 3-10, to change the land use of the subject site from Commerce/Office to Commercial.

Existing Zoning: CC, Commerce Center District

Existing Use: Vacant

Proposed Use: 275,000 square feet of Commercial retail use

Parcel Size: 39.36 acres

Surrounding Uses:		**Surrounding Land Use Plan Map Designations:**
North:	Nursery	Commerce/Office
South:	Vacant Commercial Land/CBWCD/ Silverado Homes	Commercial, Residential (5 DU/AC)
East:	Exotic Acres/Landscape Nursery With Single Family Homes	Residential (1 DU/AC), Residential (10 DU/AC)
West:	University Creek Shops/Gas Station	Commercial

Surrounding Zoning:

North: CC, Commerce Center District

South: B-3, Planned Business Center District /RM-5, Low Medium Density Dwelling District/CF, Community Facilities District

East: A-1, Agricultural District/R-1, Estate Dwelling District

West: B-2, Community Business District

Zoning History

Previous Requests on same property: A plat for this parcel, the Wolf Family Plat (Plat Book 171, Page 85), was approved by Town Council on March 16, 1999 by Resolution R 99-91. The approved plat allows for 90,000 square feet of commercial use, 387,000 square feet of office use, 100,000 square feet of warehouse/storage use and a 185 room hotel. This plat was approved by the Broward County Board of County Commissioners on November 7, 2000.

Wal-Mart Stores East, Inc. initiated Land Use Plan Amendment, LA 00-1A, to change the land use of the subject site from Commerce/Office to Commercial. The application was denied by Town Council on May 3, 2000 by a vote of 5-0.

On February 18, 2004, the Town Council approved the transmittal of Land Use Amendment LA 3-10, to change the land use of the subject site from Commerce/Office to Commercial.

Applicable Codes and Ordinances

Section 12-307 of the Land Development Code, review for rezonings.

Section 12-24 (E) of the Land Development Code provides the intent of UC, Urban Commercial District: The UC, Urban Commercial District is intended to provide for a mix of retail, office, and residential uses in a median to high-density environment. Areas so designated in the Town of Davie Comprehensive Plan will have some open space requirements to complement the higher densities permitted in the district.

Section 12-24 (J) (3) of the Land Development Code provides the intent of CC, Commercial Center District: The CC, Commerce Center District is intended to implement the commercial/office classification of the Town of Davie Comprehensive Plan by providing for development of office, research, business, and light industrial complexes at suitable locations throughout the town.

Article IX of the Land Development Code, Rural Lifestyle Regulations, provides scenic corridor buffer requirements for SW 76 Avenue.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 10. This Planning Area is generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. Pine Island Road, a major north/south arterial, on the western limits of this planning area provides through access from Griffin Road to Stirling Road. Commercial development of retail centers and office buildings line the University Drive corridor. The east side of this corridor is predominantly small-scale commercial development, with multi-family residential development (one existing, one proposed) and plant nurseries on the northern half of the corridor, and commerce park development and cattle grazing on commerce park-zoned lands on the southern half. Commercial development also exists along Griffin Road within this planning area. Several small-scale single-family residential communities, two trailer parks totaling approximately 30 acres in area, and an 8 acre industrial park are located within this planning area, together with six parcels zoned for community facilities uses. These include, but are not limited to, a regional library, multiple church uses varying scales, a Girl Scout campground facility, and a private school.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 102.

Applicable Goals, Objectives & Policies:

Future Land Use Element, Objective 4: Pursuant to the adopted Davie Future Land Use Plan Map, land uses, intensities and densities shall be distributed and concentrated in such a manner so as to promote an economically sound community and discourage urban sprawl.

Future Land Use Element, Policy 7-4: Commercial land uses shall generally be located with access to primary transportation facilities including interstates, highways and arterials. Commercial uses located on arterials not designated by the Future Land Use Plan Map as Commercial corridors should be limited to the intersection of two arterials or arterials and interstates. Consistent with Policy 7-1, vacant land with such access shall be evaluated for potential Commercial use.

Future Land Use Element, Policy 17-1: Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

Future Land Use Element, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details and Staff Analysis

The applicant is requesting to rezone the subject site of 39.36 acres, located at the northeast corner of University Drive and Stirling Road, from CC, Commerce Center District to UC, Urban Commercial District. The purpose of this request is to allow the development of 275,000 square feet of retail use consisting of an 185,000-square-foot Target Superstore, an additional 65,000-square-foot retail uses and 25,000-square-foot outparcels. The existing CC zoning district restricts retail uses to no more than a maximum of 20% of gross floor area of a commerce or office development while the UC district will allow for retail/commercial development. This rezoning request is in light of the proposed land use amendment for the subject site from "Commerce/Office" land use to "Commercial" land use.

The UC, Urban Commercial District is intended to provide for a mix of retail, office, and residential uses in a median to high-density environment. It also provides for large regional scale uses of 300,000 square feet and greater for retail, office, and mixed uses. The applicant is proposing to construct 275,000 square feet of retail use consisting of an 185,000-square-foot Target Superstore, an additional 65,000-square-foot retail uses and 25,000-square-foot outparcels. The overall size of the parcel, the proposed total square footage, and the size of the Target Superstore exceeds the allowable total development level under both the B-3, Planned Business Center District, and SC, Suburban Commercial districts. Therefore, the applicant is requesting the UC, Urban Commercial District. The site meets the minimum lot area of 10 acres, required by the UC district. The proposed master site plan meets the UC district requirements in terms of landscaping, open space, and maximum floor area.

The existing CC, Commerce Center District zoning designation is no longer valid due to the pending land use amendment from Commerce/Office to Commercial land use. The CC zoning district is intended to implement the commercial/office classification of the Town of Davie Comprehensive Plan by providing for development of office, research, business, and light industrial complexes at suitable locations throughout the town.

The overall parcel size for the development is 48.61 acres. The rezoning request is for the southern parcel of 39.36 acres. The northern 9.27-acre parcel currently occupied by a nursery and is proposed to be made into a lake for drainage purposes. An outparcel is also proposed adjacent to University Drive on this parcel. The current zoning CC, Commercial Center District, will remain the same as it proposed uses are allowed under the CC zoning district.

The subject site is located at a commercial node, the intersection of University Drive and Stirling Road. The requested UC zoning district is related and compatible to the CC to the north, B-2 to the west and B-3 to the south across Stirling Road. In regard to compatibility with the adjacent single-family home (Exotic Acres) to the east, the proposed site plan indicates that an approximately 250-foot-wide lake with 30 to 50-foot-wide landscape buffer be provided along the east boundary line along SW 76

Avenue. An existing canal along the south boundary line and Stirling Road of more than 110 feet provides a buffer to the single-family homes (Silverado) to the south.

Staff finds the proposed rezoning appropriate. It is consistent with the proposed land use amendment, compatible with the surrounding uses and zoning district. It is also consistent with the goals of the Town's Future Land Use Plan by expanding its economic base through expansion of its commercial sector and is in harmony with the general intent and the purpose of the Town of Davie Land Development Code.

Findings of Fact

Rezonings:
Section 12-307(A) (1):
The following findings of facts apply to the rezoning request:

(a) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

The existing land use designation is Commerce/Office on the Town of Davie Future Land Use Plan Map and Commercial on the Broward County Land Use Plan Map. On February 18, 2004, the Town Council approved the transmittal of Land Use Amendment LA 3-10, to change the land use of the subject site from Commerce/Office to Commercial. The proposed change is consistent with the Comprehensive Plan Objective 4: to promote the development of an economically sound community and discourage urban sprawl, Policy 4-1: to give priority to requests to amend the Land Use Plan requiring no increase in capital expenditures, and Policy 4-2: to prioritize the extension of essential services to portions of the Town that already have other services available. The proposed rezoning is consistent with the proposed land use change.

(b) The proposed change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

University Drive, located west of the subject site is currently designated "Commercial" to the west and southeast of the subject site on the Future Land Use Map. The requested UC zoning district is related and compatible to the CC to the north, B-2 to the west and B-3 to the south across Stirling Road. In regard to compatibility with the adjacent single-family home (Exotic Acres) to the east, the proposed site plan indicates that an approximately 250-foot-wide lake with 30 to 50-foot-wide landscape buffer be provided along the east boundary line. An existing canal along the south boundary line and Stirling Road (approximately 110 feet wide) provides a buffer to the single-family homes (Silverado) to the south.

(c) Existing zoning district boundaries are logically drawn in relation to existing conditions on the property proposed for change;

The existing CC zoning District boundaries are logically drawn based upon the official zoning map and the existing conditions on the subject property.

(d) The proposed change is not expected adversely affect living conditions in the neighborhood;

The proposed change is compatible with the adjacent commercial uses to the north, southeast and west. A proposed large buffer along the subject site's eastern and southeast boundary lines are designed to separate the development from the residential districts.

(e) The proposed change is not expected to 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;

The impact that the proposed amendment would have on traffic circulation is minimal as evidenced by the traffic analysis which indicates a net decrease of 278 vehicle p.m. trips based on the proposed retail commercial development.

(f) The proposed change is not expected to adversely affect other property values;

Development of the subject site is not expected to adversely affect other property values, as the site has been anticipated to be developed as a large development and the initial plat approval allows 90,000 square feet of commercial use, 387,000 square feet of office use, 100,000 square feet of warehouse/storage use and a 185 room hotel.

(g) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;

The proposed change will not deter adjacent property owners from improving their property.

(h) The proposed change does not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;

This request as submitted is not a grant of special privilege as this proposal was submitted in accordance with the Town's Land Development Code and reviewed for consistency with the Town's Comprehensive Plan.

(i) There are substantial reasons why the property cannot be used in accord with existing zoning.

In light of the proposed land use change, this rezoning is required to allow the proposed development.

(j) The proposed zoning designation is one of the most appropriate designations to enhance the Town's tax base given the site location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

The proposed rezoning is potentially the most appropriate designation given the site's location along the University Drive commercial corridor and its consistency and compatibility with adjacent land uses and zoning. Development of the site will ultimately enhance the Town's tax base given the site's location at the intersection of two major roadways: University Drive and Stirling Road. In addition, the application furthers Town policy regarding the expansion of its economic base through expansion of the Commercial sector of its economy.

Staff Recommendation

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

Planning and Zoning Board Recommendation

At the April 14, 2003 Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Vice-Chair Turin, to approve (Motion carried 4-0, Mr. McLaughlin absent).

Town Council Action

Exhibits

Justification, Conceptual Site Plan, Future Land Use Map, Zoning and Aerial Map

Prepared by: _____ Reviewed by: _____

Stiles Corporation, a Florida corporation d/b/a Stiles Development Co. ("Applicant"), is the contract purchaser of property known as the Wolf Family Plat ("Plat"), generally located on the northeast corner of University Drive and Stirling Road ("Property") in the Town of Davie, Florida ("Town"). Applicant respectfully requests the rezoning of the Property, currently zoned Commerce Center District ("CC") under the Town of Davie Code of Ordinances ("Code") to Urban Commercial District ("UC"). The proposed use of the Property is for the development of 275,000 square feet of retail use consisting of an 185,000 square foot Target Superstore, an additional 65,000 square foot of retail use and outparcels totaling 25,000 square feet. The requested rezoning, along with a land use plan amendment and a plat note amendment previously submitted by the Applicant, is required to allow for the proposed development of the Property.

In accordance with the criteria provided in Section 27-803(g) of the Code, Applicant is indicating satisfaction of the following:

1. *The proposed change is contrary to the adopted comprehensive plan, as amended, or any element or portion thereof.* Applicant has a land use plan amendment pending with the Town requesting a land use designation of Commercial as the Property's current land use designation of Commercial/Office allows only limited retail use. Upon approval of Applicant's land use plan amendment, the proposed rezoning will be consistent with the Town's Comprehensive Plan as the Commercial land use designation permits retail uses.

2. *The proposed change would create an isolated zoning district unrelated and incompatible with adjacent and nearby districts.* The proposed rezoning would not create an isolated zoning district as the Property is within an area that contains commercial/office uses to the north, commercial and residential uses to the south, commercial uses to the west and residential/agricultural uses to the east. With respect to the residential/agricultural uses to the east, the proposed development will be well separated and buffered. Therefore, the proposed rezoning is in character with the types of permitted development surrounding the Property and does not create an unrelated and incompatible district with respect to adjacent and nearby districts.

3. *Existing zoning district boundaries are illogically drawn in relation to the existing conditions on the property proposed for change.* The existing CC zoning district boundaries are not illogically drawn in relation to the existing conditions of the site as the CC zoning district extends north of this property. The proposed rezoning is also consistent with adjacent commercial uses.

4. *The proposed change will adversely affect living conditions in the neighborhood.* The proposed rezoning will not adversely affect living conditions in the neighborhood. Specific to the residential community to the east, they will be protected by a non-vehicular access line along the east boundary, fifty-five (55) feet of road right-of-way, an additional fifty (50) feet of canal right-of-way, and proposed buffering, either green or water. Applicant has held meetings with the nearby residents for their input and has reached agreements with the neighborhood associations.

5. *The proposed change will create or excessively increase automobile and vehicular traffic congestion or otherwise affect public safety.* The requested zoning change, from CC to UC, will have a beneficial impact on peak hour traffic as commercial traffic tends to be more uniform

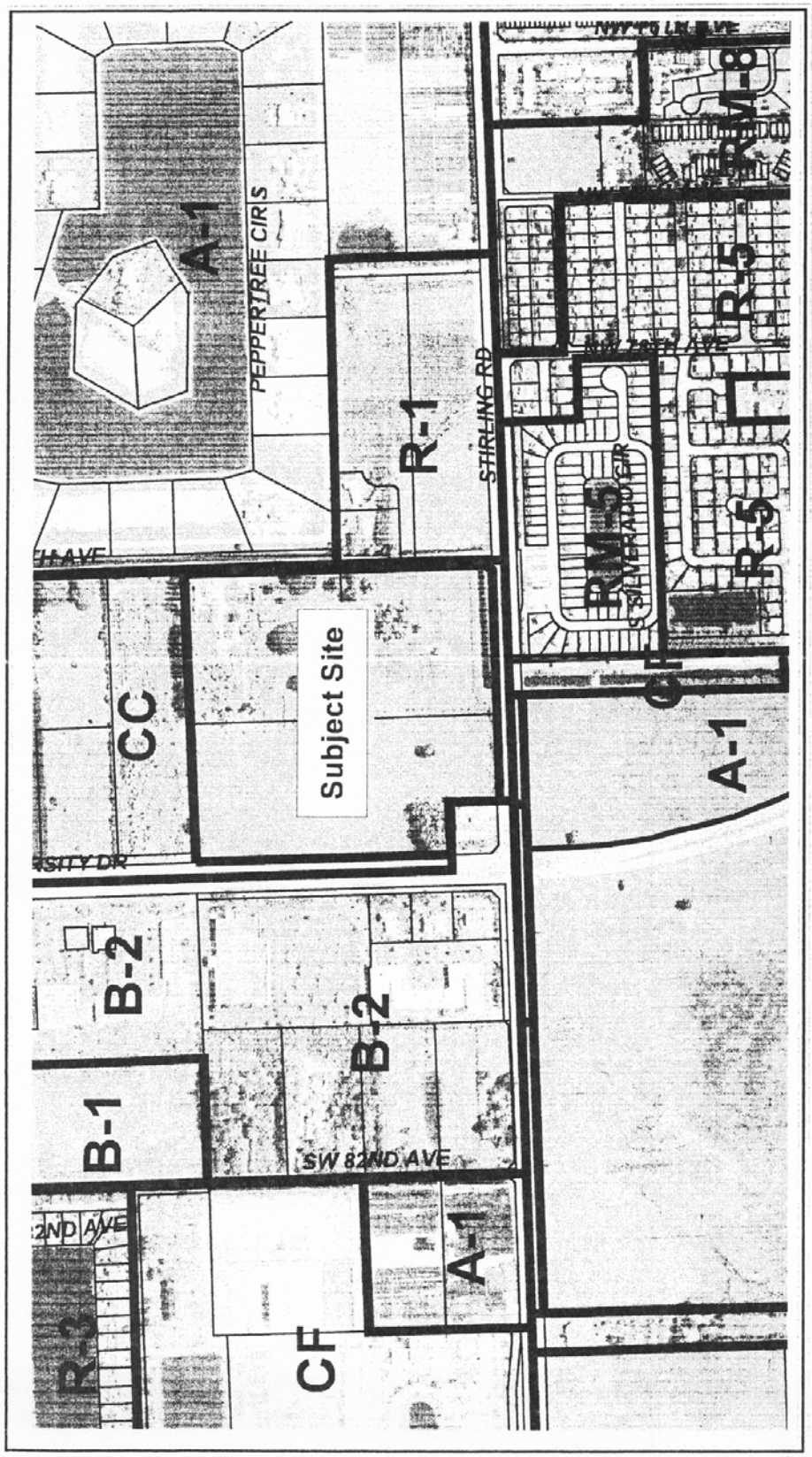
throughout the day than office traffic as office traffic is concentrated in the morning and evening rush hours.

6. *The proposed change will adversely affect other property values*. The overall development proposed by this rezoning will be designed in a manner that provides convenient shopping for the nearby residents in a shopping center that is attractive, adequately buffered and that provides public amenities. Therefore, the proposed rezoning will enhance property values and will create a greater tax base for the Town.

7. *The proposed change will be a deterrent to the improvement or development of other property in accord with existing regulations*. The proposed rezoning will not deter other improvement or development in the area as the Property is surrounded by commercial development to the west, commercial/office uses to the north, vacant commercial land, along with a small residential parcel on the south, and residential/agricultural uses to the east which will be well-separated and buffered to minimalize any negative impacts associated with the proposed development. In addition, the site surrounds an existing gas station at the corner of University Drive and Stirling Road.

8. *The proposed change will constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public*. The proposed rezoning will not grant a special privilege to an individual owner and will not adversely affect the health, safety, security, morals, or general welfare of the surrounding community.

9. *There are substantial reasons why the property cannot be used in accord with existing zoning*. The Property cannot be developed with the proposed 275,000 square feet of retail use without a commercial zoning designation.



Date Flown:
12/31/00

N

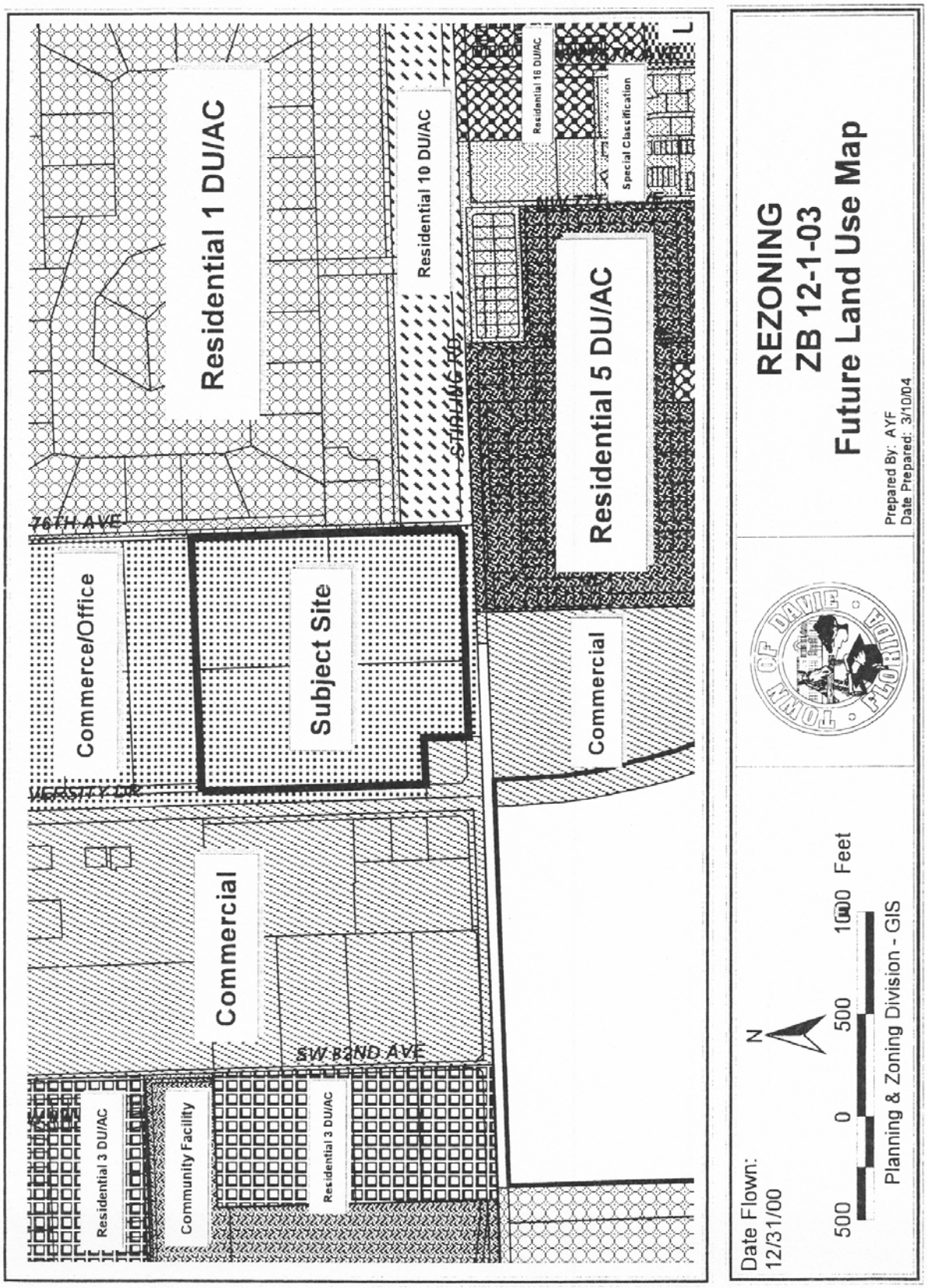
500 0 500 1000 Feet

Planning & Zoning Division - GIS

TOWN OF DAVIE FLORIDA

REZONING
ZB 12-1-03
Zoning and Aerial Map

Prepared By: AYF
Date Prepared: 3/10/04


Residential 1 DU/AC
Residential 10 DU/AC
Residential 16 DU/AC
Special Classification
Residential 5 DU/AC
Commercial
Subject Site
Commerce/Office
Commercial
Residential 3 DU/AC
Community Facility
Residential 3 DU/AC
76TH AVE
SW 72ND AVE
SW 82ND AVE
N
500 0 500 1000 Feet
Planning & Zoning Division - GIS
Date Flown:
12/31/00
TOWN OF DAVIE
REZONING
ZB 12-1-03
Future Land Use Map
Prepared By: AYF
Date Prepared: 3/10/04

throughout the day than office traffic as office traffic is concentrated in the morning and evening rush hours.

6. *The proposed change will adversely affect other property values.* The overall development proposed by this rezoning will be designed in a manner that provides convenient shopping for the nearby residents in a shopping center that is attractive, adequately buffered and that provides public amenities. Therefore, the proposed rezoning will enhance property values and will create a greater tax base for the Town.

7. *The proposed change will be a deterrent to the improvement or development of other property in accord with existing regulations.* The proposed rezoning will not deter other improvement or development in the area as the Property is surrounded by commercial development to the west, commercial/office uses to the north, vacant commercial land, along with a small residential parcel on the south, and residential/agricultural uses to the east which will be well-separated and buffered to minimalize any negative impacts associated with the proposed development. In addition, the site surrounds an existing gas station at the corner of University Drive and Stirling Road.

8. *The proposed change will constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public.* The proposed rezoning will not grant a special privilege to an individual owner and will not adversely affect the health, safety, security, morals, or general welfare of the surrounding community.

9. *There are substantial reasons why the property cannot be used in accord with existing zoning.* The Property cannot be developed with the proposed 275,000 square feet of retail use without a commercial zoning designation.

* * * * * * * * * * * * * * * * * * *

THIS PAGE

INTENTIONALLY

LEFT BLANK

* * * * * * * * * * * * * * * * * * *