

# 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:** Christopher M. Gratz, Planner II

**SUBJECT:** Plat, P 11-1-03 Madison Lakes II, 5050 SW 82 Avenue/Generally located on the east side of SW 82 Avenue, approximately 2,000' south of Griffin Road.

**AFFECTED DISTRICT:** District 3

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PLAT KNOWN AS MADISON LAKES II AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** The applicant requests approval of the plat "Madison Lakes II" for six (6) townhouse units. The subject site consists of 2.92 acres (127,361.18 square feet), and is generally located on the east side of SW 82 Avenue approximately 2,000' south of Griffin Road. The plat is restricted to six (6) townhouse units on Parcel "A" and Parcel "B" is designated as a wetland mitigation area. Access is provided via a 25' permanent ingress-egress easement with the owners of the adjacent plat "Madison Lakes" (P.B. 170, PGS. 117-118) on the southern boundary of the plat. Non-vehicular access lines (NVAL) are provided on the plat's western boundary. A total of 6,600 square feet (0.15 acres) has been dedicated towards the right-of-way for SW 82 Avenue. The drainage for this site is included in the design of "Madison Lakes" (P.B. 170, PGS. 117-118).

To the north and west of the site are plant nurseries with Future Land Use Plan Map designations of 5 DU/AC and 3 DU/AC respectively, to the east of the wetland mitigation area is an office complex, and to the south is the Madison Lakes development which is under construction. The required landscape buffers and setbacks are adequate to separate the development of this site from adjacent existing and allowable uses. The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, size, and use. Staff finds that the plat is in conformance with all applicable Codes and Ordinances in terms of access, location, right-of-way, size, and use. The proposed project is compatible with the surrounding properties.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** At the June 9, 2004, Planning and Zoning Board meeting, Ms. Lee made a motion, seconded by Mr. Stevens, to approve subject to staff's conditions. (Motion carried 5-0)

**FISCAL IMPACT:** N/A

**RECOMMENDATION(S):** This item should be pulled from the consent agenda because the conditions of approval require discussion by Town Council. Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration. In addition, the following conditions shall be met:

1. 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.
2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.
3. Provide a bond prior to an engineering permit application to secure the reconstruction SW 82 Avenue adjacent to limits of both "Madison Lakes" plats.

The original plat approval for "Madison Lakes" required that SW 82 Avenue be reconstructed from Griffin Road or Stirling Road to the site. This condition cannot be met due to insufficient right-of-way (some sections of SW 82 Avenue is only a 40' right-of-way). Therefore, staff recommends, via the attached resolution, that the condition for the approval of "Madison Lakes" (P.B. 170, PGS. 117-118) be modified upon Town Council action to reflect the new condition to reconstruct the segment of SW 82 Avenue that is adjacent to both Madison Lakes plats.

**Attachment(s):** Resolution, Planning Report, Plat, Future Land Use Plan Map, Zoning and Aerial Map

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PLAT KNOWN AS MADISON LAKES II AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as Madison Lakes II was considered by the Town of Davie Planning and Zoning Board on June 9, 2004;

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

SECTION 1. The plat known as Madison Lakes II is hereby approved subject to the conditions stated on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. That the condition to reconstruct a two (2) lane section of SW 82 Avenue from Griffin Road or Stirling Road to the site imposed by the approval of the "Madison Lakes" (P.B. 170, PGS. 117-118) is hereby modified to provide a bond prior to an engineering permit application to secure the reconstruction SW 82 Avenue adjacent to limits of both "Madison Lakes" plats.

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

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

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2004.

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

Attest:

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

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2004.

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



**Applicant Information**

<b><u>Owner:</u></b>		<b><u>Agent:</u></b>	
<b>Name:</b>	FLR Company	<b>Name:</b>	Ghasem Khavanin, P.E.
<b>Address:</b>	350 South Ocean Boulevard	<b>Address:</b>	11900 SW 11 Court
<b>City:</b>	Boca Raton, FL 33024	<b>City:</b>	Davie, FL 33325
<b>Phone:</b>	(561) 305-4646	<b>Phone:</b>	(954) 224-1380

**Background Information**

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

**Planning and Zoning Board Recommendation:** Approval subject to staff's conditions.

**Application Request:** Approval of the plat "Madison Lakes II" for six (6) townhouse units.

**Address/Location:** 5050 SW 82 Avenue/Generally located on the east side of SW 82 Avenue approximately 2,000' south of Griffin Road.

**Future Land Use Plan Map:** Residential 5 DU/AC

**Zoning:** RM-5, Multifamily Low Medium Dwelling District

**Existing Use:** Vacant, Wetland mitigation area

**Proposed Use:** Six (6) townhouses, Wetland mitigation area

**Parcel Size:** 2.92 acres (127,361.18 square feet)

	<b><u>Surrounding Uses:</u></b>	<b><u>Surrounding Future Land Use Plan Map Designations:</u></b>
<b>North:</b>	Plant nursery	Residential 5 DU/AC
<b>South:</b>	Madison Lakes Townhomes	Residential 5 DU/AC
<b>East:</b>	Office Complex	Commercial
<b>West:</b>	Plant nursery, Single family dwelling	Residential 3 DU/AC

**Surrounding Zoning:**

**North:** A-1, Agricultural District  
**South:** RM-5, Multifamily Low Medium Dwelling District  
**East:** B-2, Community Business District  
**West:** A-1, Agricultural District

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**Zoning History**

**Previous Requests on same property:** The rezoning, ZB 1-1-99 Vietnamese Buddhist Cultural Center, changing the subject site from A-1, Agricultural District to CF, Community Facilities District, was approved January 1999.

The rezoning, ZB 3-1-00 Landau/Tham, changing the subject site from CF, Community Facilities District to RM-5, Low Medium Dwelling District, and B-2, Community Business District, was approved on June 21, 2000.

**Related Plat History:** The plat, P 2-3-99 Madison Lakes, was approved with conditions on October 6, 1999, and subsequently recorded in Plat Book 170, Pages 117-118, in the official records of Broward County. The following are the conditions of approval:

1. Approval 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.
2. Developer shall construct the following improvements in accordance with Davie standards prior to the issuance of any certificates of occupancy for structures within the development. Prior to plat recordation, a sufficient bond shall be posted with the Town of Davie to secure these improvements:
  - a. Reconstruct two (2) lane section of SW 82 Avenue from Griffin Road or Stirling Road to the site.
  - b. Provide right and left turn lane storage at entrance.
  - c. Provide guardrail adjacent to existing canal.

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**Application Details**

The applicant's submission indicates the following:

1. *Site:* The applicant requests approval of the plat "Madison Lakes II". The subject site consists of 2.92 acres (127,361.18 square feet).
2. *Restrictive Note:* The plat is restricted to six (6) townhouse units on Parcel "A" and Parcel "B" is designated as a wetland mitigation area.

3. *Access:* Access is provided via a 25' permanent ingress-egress easement with the owners of the adjacent plat "Madison Lakes" (P.B. 170, PGS. 117-118) on the southern boundary of the plat. Non-vehicular access lines (NVAL) are provided on the plat's western boundary.
4. *Trails:* No recreational trails are on or adjacent to the site, or proposed for the future.
5. *Easements and Reservations:* There is a 10' utility easement on the northern and western boundary of Parcel "A".
6. *Dedications:* A total of 6,600 square feet (0.15 acres) has been dedicated towards right-of-way for SW 82 Avenue.
7. *Drainage:* The subject property lies within Central Broward Water Control District. The drainage for this site is included in the design of "Madison Lakes" (P.B. 170, PGS. 117-118).
8. *Compatibility:* To the north and west of the site are plant nurseries with Future Land Use Plan Map designations of 5 DU/AC and 3 DU/AC respectively, to the east of the wetland mitigation area is an office complex, and to the south is the Madison Lakes development which is under construction. The required landscape buffers and setbacks are adequate to separate the development of this site from adjacent existing and allowable uses.

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## **Applicable Codes and Ordinances**

Article XII of the Land Development Code, Subdivisions and Site Plans.

§12-24 (I) (4) of the Land Development Code, RM-5, Multifamily Low Medium Dwelling District. The R-4, R-5 and RM-5 Districts are intended to implement the five (5) dwelling units per acre residential classification of the Town of Davie Future Land Use Plan and the residential classification of the Town of Davie Comprehensive Plan by providing for a low-medium density single-family dwelling district.

§12-81 (C) of the Land Development Code, Conventional Multifamily Development Standards, RM-5, Low Medium Dwelling District requires the following minimums: lot area of 7,000 square feet, 100' frontage, 20' side and rear setbacks, 25' front setback, and the following maximums: height 25', 40% building coverage.

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## **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 Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5-2:* The (re)zoning, (re)planning, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

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## Significant Development Review Committee (DRC) Comments

**Engineering:** The conditions and agreements stipulated during the development of the plat "Madison Lakes" (P.B. 170, PGS. 117-118), between the Town of Davie and the property owner, shall be secured and documented by the property owner prior to an engineering permit application. The conditions included reconstructing a two (2) lane section of SW 82 Avenue from Griffin Road or Stirling Road to the site, providing right and left turn lane storage at entrance, and providing guardrail adjacent to existing canal.

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## Staff Analysis

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, size, and use. The traffic generated by this development can be accommodated by the adjacent local roadway. Development of this site as proposed does not exceed what was anticipated by the Future Land Use Plan Map designation.

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## Findings of Fact

Staff finds that the plat is in conformance with all applicable Codes and Ordinances in terms of access, right-of-way, and use. The proposed project is compatible with the surrounding properties.

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## **Staff Recommendation**

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. In addition, the following conditions shall be met:

1. 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.
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## **Planning and Zoning Board Recommendation**

At the June 9, 2004, Planning and Zoning Board meeting, Ms. Lee made a motion, seconded by Mr. Stevens, to approve subject to staff's conditions. (Motion carried 5-0)

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## **Town Council Action**

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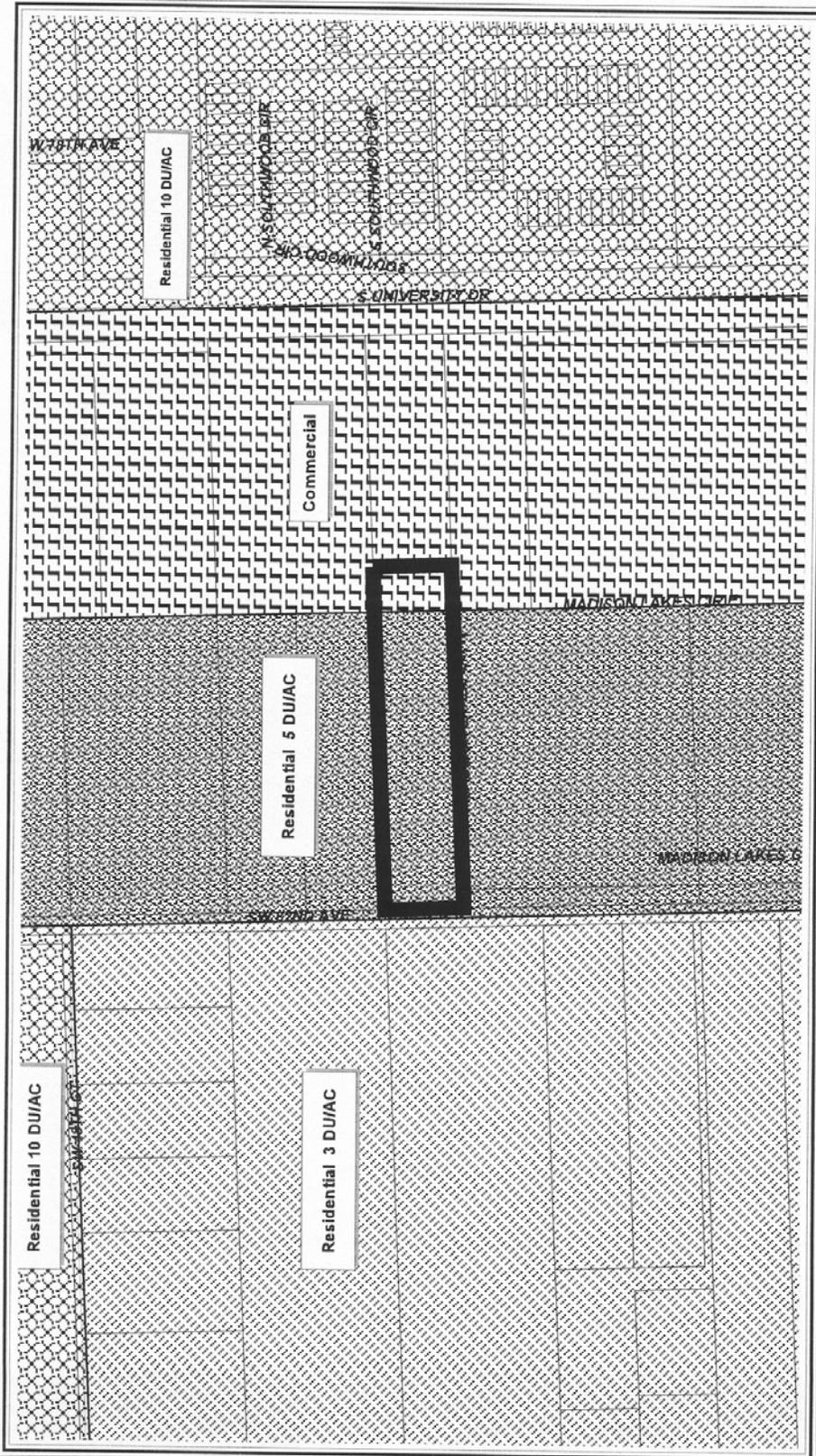
### **Exhibits**

1. Plat
2. Future Land Use Plan Map
3. Zoning and Aerial Map

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

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

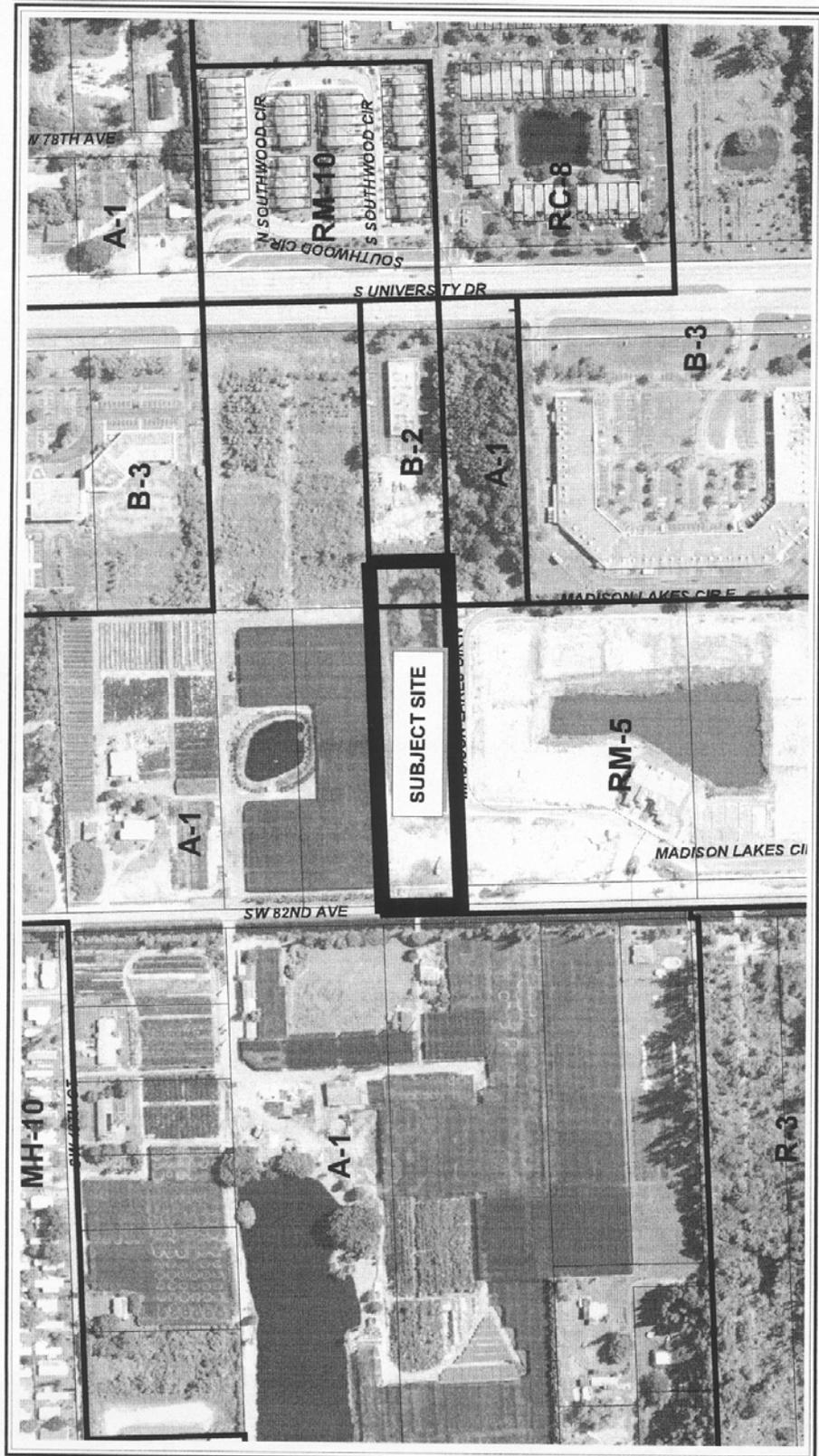




**PLAT**  
**Madison Lakes II**  
**Future Land Use Map**

Prepared By: ID  
 Date Prepared: 2/23/04





**PLAT  
Madison Lakes II  
Zoning and Aerial Map**

Prepared By: ID  
Date Prepared: 2/23/04



Date Flown:  
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Planning & Zoning Division - GIS

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