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: Site Plan, SP 2-4-03, Oak Scholar Academy Charter School, 3655 Shotgun Road (SW 154 Avenue)/Generally located on the west side of Shotgun Road, south of SW 36 Street

AFFECTED DISTRICT: District 4

TITLE OF AGENDA ITEM:

SP 2-4-03, Oak Scholar Academy Charter School, 3655 Shotgun Road (SW 154 Avenue)

REPORT IN BRIEF: The 10.63-net acre site is located on the west side of Shotgun Road, south of SW 36 Street, across the street from the single-family development known as Riverstone. The subject site contains an archeological site, 8BD52. This site is currently a Local Area of Particular Concern, and may be eligible for listing on the National Register of Historic Places. The applicant has filed a tri-party agreement with Broward County and the Town of Davie that specifies a management plan for these archeological resources.

The applicant proposes a 66,565-square foot school facility to accommodate a maximum of 900 students from kindergarten through 8th grade. It consists of four (4) buildings with two (2) courtyards east of the archeological site. There are 145 parking spaces (136 required) provided north of the buildings and surrounding the approximate 3,000-foot long one-way driveway that serves as on-site stacking for student drop-off and pick-up. A separate bus drop-off and drive lane is located in front building facing Shotgun Road. Shotgun Road (SW 154 Avenue) is a designated scenic corridor. A 100-foot scenic corridor buffer including a drainage canal and a 15-foot landscape buffer is provided along the east property line adjacent to Shotgun Road.

The subject site is surrounded by I-75 to the west, a vacant property zoned CF and owned by Broward School Board to the south, and a vacant property zoned AG to the north. An eight-foot wall with a 10-foot landscape buffer is provided along the entire length of the north property line to screen the school from the agricultural/residential zoned property to the north. The existing Riverstone single-family development across Shotgun Road is surrounded by an existing eight-foot wall with landscape buffers along its perimeter lines. As such, the proposed school is compatible with the property to the south because of the nature of the use; and also compatible with the properties to the north and east with appropriate buffering.

PREVIOUS ACTIONS: This item has been tabled three (3) times; two(2) times at the request of the applicant, from June 1, 2005, to July 6, 2005; from July 6, 2005, to July 20, 2005; to allow

time for discussion with the adjacent residents; and was tabled by Town Council from July 20, 2005, to August 3, 2005, in order to have the applicant address the following items: 1) contact the Broward County School Board regarding obtaining land from the adjacent site; 2) supply drainage calculations to ensure that adequate water retention is being provided; 3) emergency access; 4) satisfy traffic concerns along Shotgun Road, the roundabout and South Post Road.

CONCURRENCES: At the May 10, 2005, Site Plan Committee meeting, Vice-Chair Aitken made a motion, seconded by Mr. Aucamp, to approve subject to compliance with the staff report and in addition 1) that the petitioner will install pavers in the four crosswalks of the 24-foot bypass drop-off area; 2) that the left-turn at the traffic circle be manually controlled by school staff during peak drop-off and pickup times; 3) that the sidewalk at the main entrance on the north side of the school shall be widened to an eight-foot clearance and move the decorative circles in order to achieve that widening; 4) that the petitioner agrees to prohibit cafeteria deliveries during peak drop-off and pickup times; 5) that a can wash will be installed by the dumpsters; 6) that the Queen Palms in the courtyard areas will be changed to double Alexandra Palms 18-to 20-feet tall; 7) that the Bald Cypress on the south property line will be changed to Live Oaks; 8) that the Sabal Palms at the northeast and southeast corners of the bus drop-off entrance area will be changed to heights of 16-to 30-foot overall; 9) maintain lighting at 3.0 at the main entrance and drop-off and pickup lanes; and 10) that there shall be a real bell in the bell tower. (Motion carried 4-0 with Mr. Evans abstaining.)

FISCAL IMPACT: N/A

RECOMMENDATION(S): Staff finds the subject application complete and suitable for transmittal to the Town Council for further consideration. In addition, the following conditions shall be met prior to the final site plan approval:

1. Approval of the rezoning, and vacation of the roadway easement along the south property line.
2. Approval of the bridge that crosses the canal by the Central Broward Water Control District.
3. Revise the proposed signage and fencing within Scenic Corridor buffer to comply with the development standards required by Scenic Corridor Overlay District regulations.
4. <u>Provide an emergency vehicle entrance north of the main entrance over the existing culvert at least 15′ wide with a stabilized base, and relocate any landscape material that would have been placed in this area to another location on the site.</u>

Attachment(s): Planning Report, Site Plan

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

Applicant Information

Owner:		**Petitioner:**	
Name:	Oak Scholar of Broward, LLC Hugo F. Hormazabal	**Name:**	C. William Laystrom Jr. Doumar, Allsworth, et al.
Address:	6035 SW 88 Court	**Address:**	1177 SE 3 Avenue
City:	Miami, FL 33173	**City:**	Fort Lauderdale, FL 33316
Phone:	(305) 412-7874	**Phone:**	(954) 762-3400

Background Information

Application History: This item has been tabled three (3) times; two(2) times at the request of the applicant, from June 1, 2005, to July 6, 2005; from July 6, 2005, to July 20, 2005; to allow time for discussion with the adjacent residents; and was tabled by Town Council from July 20, 2005, to August 3, 2005, in order to have the applicant address the following items: 1) contact the Broward County School Board regarding obtaining land from the adjacent site; 2) supply drainage calculations to ensure that adequate water retention is being provided; 3) emergency access; 4) satisfy traffic concerns along Shotgun Road, the roundabout and South Post Road.

Site Plan Committee Recommendation: Approval subject to conditions was recommended at the May 10, 2005, meeting.

Application Request: Site plan approval for construction of a charter school of 66,565 square feet for a maximum capacity of 900 students

Address/Location: 3655 Shotgun Road (SW 154 Avenue)/Generally located on the west side of Shotgun Road, south of SW 36 Street.

Future Land Use Plan Map Designation: Residential (1 DU/AC)

Existing Zoning: AG, Agricultural District

Proposed Zoning: CF, Community Facilities

Existing Use: Vacant

Proposed Use: A charter school of 66,565 square feet for a maximum capacity of 900 students

Parcel Size: 10.63 net acres

Surrounding Use:		**Surrounding Land Use Plan Designation:**
North:	Vacant & SW 36 Street	Residential (1DU/AC)
South:	Vacant Land	Residential (1DU/AC)
East:	Shotgun Road (SW 154 Avenue)	Residential (1DU/AC)
West:	I-75	Transportation

Surrounding Zoning:

North: AG, Agricultural District
South: CF, Community Facilities District
East: E, Estate District
West: T, Transportation

Zoning History

Related Zoning History: On October 16, 2002, the Town Council approved Ordinance 2002-35, amending the Land Development Code to create Article IX of Chapter 12, entitled "Rural Lifestyle Regulations" and to create Scenic Corridors Overlay District. Shotgun Road was designated as a scenic corridor.

Plat Information: On February 18, 2004, the Town Council approved the plat, Oak Scholar-Davie, subject to approval of the rezoning (ZB 2-4-03) from AG, Agricultural District, To CF, Community Facilities District.

Previous Requests on Same Property:

The applicant has submitted the following requests simultaneously with this request:

A rezoning application (ZB 2-4-03) to rezone the subject site from AG, Agricultural District to CF, Community Facilities District;

A vacation request (VA 12-1-03) to vacate the existing 15-foot road easement along the south property line;

A developers agreement (DA 12-2-03) between the developer, Broward County, and Town of Davie for the management plan for the archeological site within the plat limit;

A developers agreement (DA 4-2-04) between the developer, Broward County, and Town of Davie for the Regional Road Concurrency Agreement.

Application Details

The applicant's SUBMISSION indicates the following:

1. *Site:* The 10.63-net acre site is located on the west side of Shotgun Road, south of SW 36 Street, across the street from the single-family development known as Riverstone. The subject site contains an archeological site, 8BD52. This site is currently a Local Area of Particular Concern, and may be eligible for listing on the National Register of Historic Places. The applicant has filed a tri-party agreement with Broward County and the Town of Davie that specifies a management plan for these archeological resources.

   The applicant proposes a 66,565-square foot school facility to accommodate a maximum of 900 students from kindergarten through 8th grade. It consists of four (4) buildings with two (2) courtyards east of the archeological site. There are 145 parking spaces (136 required) provided north of the buildings and surrounding the approximate 3,000-foot long one-way driveway that serves as on-site stacking for student drop-off and pick-up. A separate bus drop-off and drive lane is located in front building facing Shotgun Road. Shotgun Road (SW 154 Avenue) is a designated scenic corridor. A 100-foot scenic corridor buffer including a drainage canal and a 15-foot landscape buffer is provided along the east property line adjacent to Shotgun Road.

2. *Buildings:* The campus has barrel tile roofs, open cupola's well bells, Bahama shutters, and stucco finishes. The color scheme is yellow smooth stucco, beige textured stucco, terracotta fascia and truss extensions, and white shutters and window trim.

3. *Access and Parking:* The access to the site is via a 60-foot opening accommodating two-way in and two-way out traffic on Shotgun Road. The applicant proposes an approximate 3,000 foot long one-way driveway adjacent to the north property line for stacking traffic. Part of this driveway is within the archeological easement. Broward County has approved the location of the driveway and will monitor the situation. The bus drop-off lane is separated and located in front of the building facing Shotgun Road. A total of 145 parking spaces (136 required) are provided.

4. *Trails:* A ten-foot equestrian trail and a five-foot sidewalk are provided within the Shotgun Road right-of-way. A multi-purpose crossing with signage is proposed across the 60-foot school entrance. A ten-foot equestrian trail is also provided adjacent to SW 36 Street within the site.

5. *Lighting:* New lighting is proposed to meet the code requirements. The decorative lighting fixture meets the Rural Lifestyle regulations.

6. *Landscaping:* The existing trees within the archaeological easement will remain and no more landscape materials will be planted inside of the easement. Within the 100-foot scenic corridor buffer and west of the drainage canal, Bald Cypress, Satin Leaf, Geiger

trees are accented by clusters of Sable Palms and different layers of hedges and groundcovers. A Cocoplum hedge with Live Oak trees are provided between the sidewalk and equestrian trail along Shotgun Road. Royal Palms, Queen Palms and Pigeon Plums are provided along the driveways and Live Oaks to provide shade within the courtyard. Buildings are enhanced by clusters of Sable Palms with different layers of hedges and groundcovers. Live Oaks and Cocoplum hedges are provided as perimeter buffers along the property lines.

7. *Drainage:* The subject property lies within Central Broward Water Control District. Approval from this agency shall be obtained prior to issuance of any site development permit. On-site drainage is served by the existing canal along the east property line and a dry retention area located at the northwest corner of the property.

8. *Temporary Uses:* A temporary construction trailer and storage area is located adjacent to the proposed athletic court. Approval of the site plan shall be deemed as the approval for the Temporary Use Permit for this use for a period of time not to exceed one (1) year.

9. *Compatibility:* The subject site is surrounded by I-75 to the west, a vacant property zoned CF and owned by Broward School Board to the south, and a vacant property zoned AG to the north. An eight-foot wall with a 10-foot landscape buffer is provided along the entire length of the north property line to screen the school from the agricultural/residential zoned property to the north. The existing Riverstone single-family development across Shotgun Road is surrounded by an existing eight-foot wall with landscape buffers along its perimeter lines. As such, the proposed school is compatible with the property to the south because of the nature of the use; and also compatible with the properties to the north and east with appropriate buffering.

Applicable Codes and Ordinances

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

Article VI of Land Development Codes provides for minimum requirements for landscaping design.

Land Development Code Section 12-83 requires a minimum of 50′ front setback, 25′ side and rear setbacks, and a minimum of 40% open space.

Comprehensive Plan Considerations

Planning Area: The subject property is within Planning Area 2. Planning Area 2 includes the westernmost section of the Town north of Orange Drive and south of SW 14 Street, and bound on the west by Interstate 75 and on the east by SW 100 Avenue. The predominant existing and planned land use is single family residential at a density of one dwelling per acre.

Broward County Land Use Plan: The proposed plat is in Flexibility Zone 113.

Applicable Goals, Objectives & Policies: *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.

Significant Development Review Agency Comments

Engineering:

1. The 10′ equestrian trail is now shown along the west side of Shotgun Road, between the proposed sidewalk and the EOP. However, there is no crossing or connection shown from the north to the south across the driveway entrance.

This comment has been addressed.

2. Provide a cross-section for Shotgun Road to show sidewalk, equestrian trail within the road R-O-W. Revise the cross-section to show 10 ft minimum tree planting area as commented on #3.

This comment has been addressed.

3. Relocate or add new shade trees for equestrian trail and provide minimum 10′ landscape area for trees along shotgun Road.

This comment has been addressed.

Planning and Zoning:

1. The survey indicates a 15-foot roadway easement along the south property line. A vacation of roadway easement is required to include this parcel into the project prior to the final site plan approval.

The vacation application has been filed.

2. Provide substantial noise buffer along I-75 as per required by FDOT in relate to the plat approval.

A perimeter buffer has been provided.

3. Indicate the existing 10′ equestrian trail in Shotgun Road right-of-way east of the sidewalk.

This comment has been addressed.

4. Provide a 10-foot equestrian trail along SW 36 Street.

This comment has been addressed.

5. The trail should be outside of the wall.

This comment has been addressed.

6. The dumpster enclosure shall use CPTED gates.

This comment has been addressed.

7. Part of the driveway is within the easement of Archeological site. Provide a proof of Broward County approval.

An approval letter from Broward County has been provided.

8. Provide lighting plans. Lighting fixtures shall be one of the styles approved by the Rural Lifestyle Regulations.

This comment has been addressed.

Fire Rescue:

1. Provide an emergency vehicle entrance north of the main entrance over the existing culvert at least 15' wide with a stabilized base.

Staff Analysis

The nature of use is consistent with the general purpose and intent of the proposed CF zoning district regulations and Town of Davie Comprehensive plan. The site plan indicates that appropriate buffers be provided between the development and residential properties to the north and east.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Site Plan Committee and Town Council for further consideration. In addition, the following conditions shall be met prior to the final site plan approval:

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2. Approval of the bridge that crosses the canal by the Central Broward Water Control District.
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Site Plan Committee Recommendation

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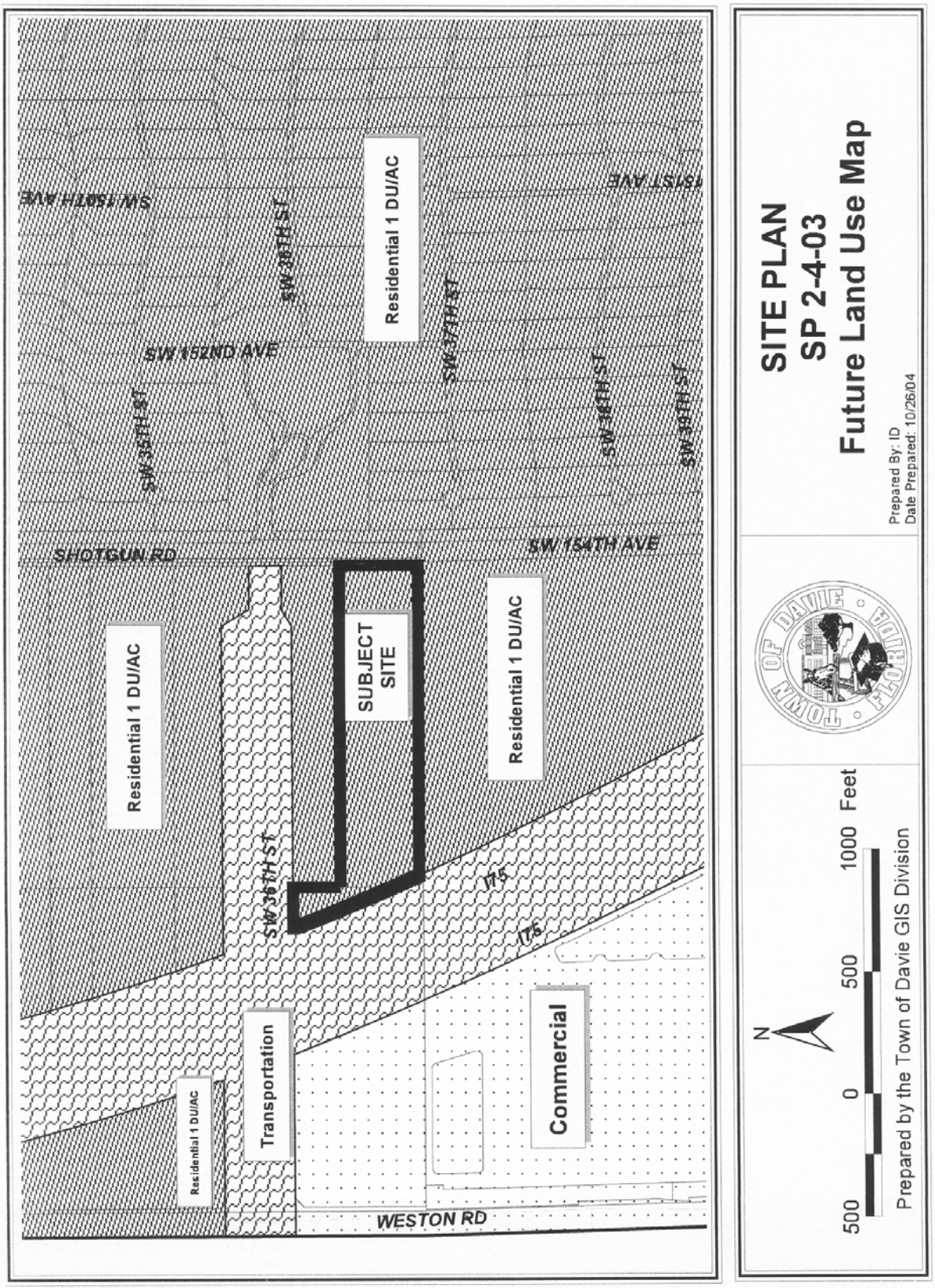
addition 1) that the petitioner will install pavers in the four crosswalks of the 24-foot bypass drop-off area; 2) that the left-turn at the traffic circle be manually controlled by school staff during peak drop-off and pickup times; 3) that the sidewalk at the main entrance on the north side of the school shall be widened to an eight-foot clearance and move the decorative circles in order to achieve that widening; 4) that the petitioner agrees to prohibit cafeteria deliveries during peak drop-off and pickup times; 5) that a can wash will be installed by the dumpsters; 6) that the Queen Palms in the courtyard areas will be changed to double Alexandra Palms 18- to 20-feet tall; 7) that the Bald Cypress on the south property line will be changed to Live Oaks; 8) that the Sabal Palms at the northeast and southeast corners of the bus drop-off entrance area will be changed to heights of 16-to 30-foot overall; 9) maintain lighting at 3.0 at the main entrance and drop-off and pickup lanes; and 10) that there shall be a real bell in the bell tower. (Motion carried 4-0 with Mr. Evans abstaining.)

Town Council Action

Exhibits

1) Site Plan
2) Future Land Use Map
3) Zoning and Aerial Map
4) Neighborhood Meeting Information

Prepared by: _____ Reviewed by: _____


SITE PLAN
SP 2-4-03
Future Land Use Map
Prepared By: ID
Date Prepared: 10/26/04
TOWN OF DAVIE FLORIDA
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Prepared by the Town of Davie GIS Division
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SUBJECT SITE
Residential 1 DU/AC
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Residential 1 DU/AC
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SW 35TH ST
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SW 150TH AVE
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SW 49TH ST
151ST AVE
SHOTGUN RD
SW 154TH AVE
WESTON RD
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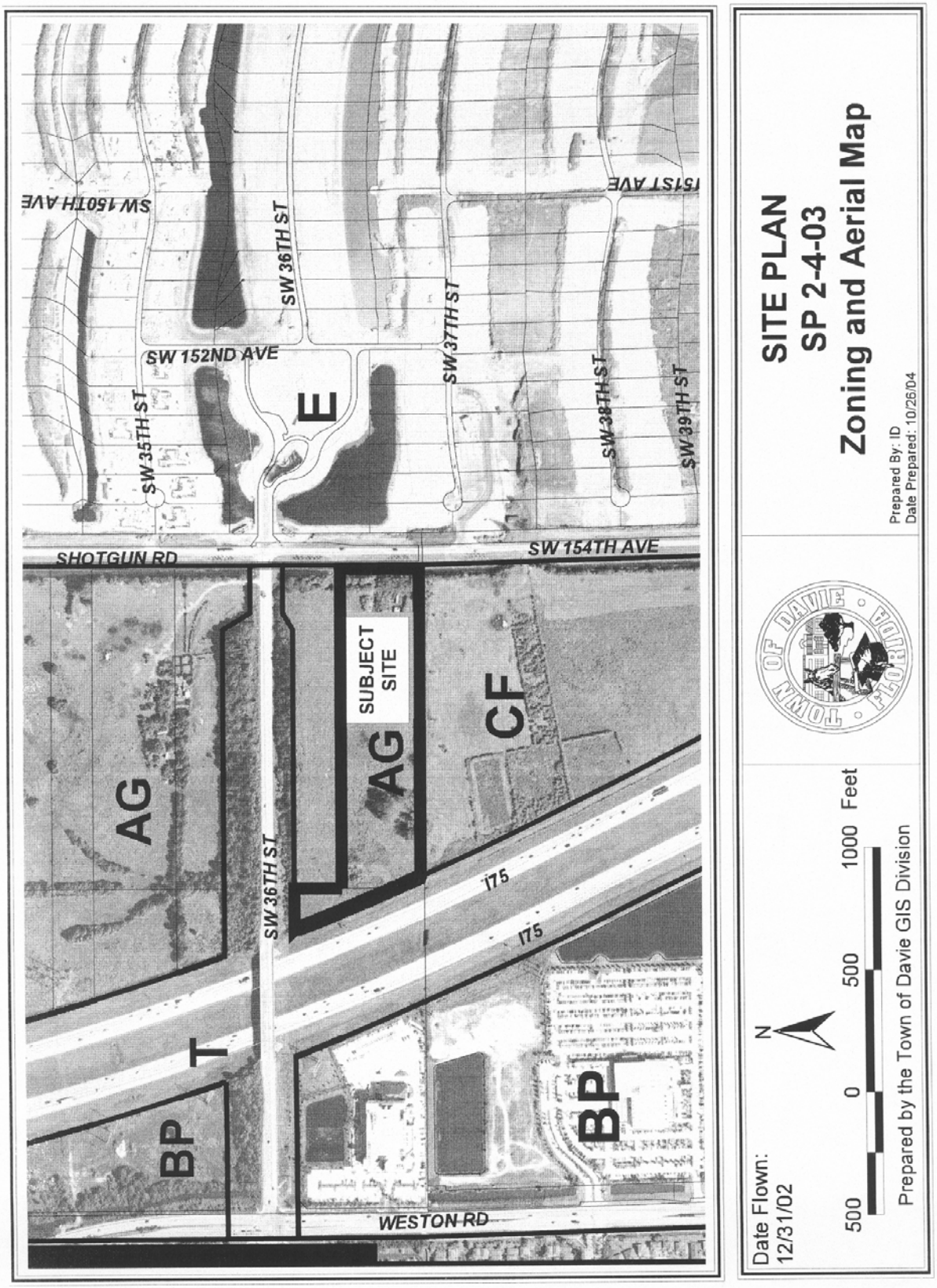
SITE PLAN
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Date Prepared: 10/26/04
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SUBJECT SITE
AG
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I75
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BP
BP
WESTON RD

LAW OFFICES
DOUMAR, ALLSWORTH, CROSS, LAYSTROM,
VOIGT, WACHS, MAC IVER & ADAIR, LLP

JOHN H. ADAIR, III, P.A.
EMERSON ALLSWORTH, P.A.
E. SCOTT ALLSWORTH, P.A.
MARK E. ALLSWORTH, P.A.
J. GARY BROWN, JR.
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JOHN W. PERLOFF, P.A.
OF COUNSEL

July 19, 2005

Chris Gratz, Town Planner
TOWN OF DAVIE
6591 S.W. 45TH Street
Davie, Florida 33314

Re: Oak Scholar - Neighborhood Meeting

Dear Chris,

On July 12, 2005 I conducted a neighborhood meeting at the Weston Marriott Courtyard with residents of Riverstone. Approximately 302 notices were sent out to residents of Riverstone plus notices to each Town Councilmember. In addition to Riverstone residents, present at the meeting were Councilmember Judy Paul and our project development team. A copy of the sign-in sheet is attached.

Yours truly,

Bill Laystrom

C. WILLIAM LAYSTROM, JR.
For the Firm

CWL:lv
Enc.

cc: All Parties on Sign-in Sheet

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* Ginger Collins 14942 SW 36 ST * mpgcollins@aol.com

Jesus Zamora 14955 SW 36 ST. zamorajc@BellSouth.net

FLAG

Judd Brazer 14900 SW 33 ST JBrazer@BellSouth.net

Denise Rodgers 14904 SW 35th ST

Juan Salas 14917 - SW 37 St JSALASTHE1@AOL.com

Tony Delli Carpini 15094 SW 33rd ST. Tony@ThompsonPress.com

Jeanette Delli Carpini 15094 S.W. 33 ST

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Paul Nobel 15243 SW 39 ST

Ruth Bryan 15175 S.W. 37 St

Will Suero 15356 SW 40 St

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Frank Hernandez 14803 SW 34 ST Frankchernandez@msn.com

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Carmen Tellechea-Rodriguez 15207 S.W. 34 Davie

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