

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 M. Abramson, Planner II

SUBJECT: Resolution: DG 2-2-06/ Lakeside Town Shops, 5700 University Drive/Generally located at the northeast corner of University Drive and Stirling Road

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE NON-VEHICULAR ACCESS LINE OF THE "MEEKS FARMS" PLAT, AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The petitioner is requesting to amend the Non-Vehicular Access Line (NVAL) on the "Meeks Farms" Plat. This request directly affects the north-west and south-west portions of the plat in the CC, Commerce Center District. This request is needed to ensure that plat access openings are consistent with those proposed on the site plan for a new one-story financial center.

Therefore, the petitioner first proposes to extend the NVAL located in the northwest corner of the plat from 25' to 100' in length along the southern Ingress Easement. In addition, the petitioner also proposes to modify the NVAL located in the southwest corner of the plat along the northern Traffic Control Easement and Ingress-Egress Easement to 15' from the southern boundary line.

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

PREVIOUS ACTIONS: None

CONCURRENCES: N/A

FISCAL IMPACT: N/A

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

Attachments: Resolution, Planning Report, Justification Letter, Declaration of Restrictive Covenants, Future Land Use Map, Zoning, and Aerial Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE NON-VEHICULAR ACCESS LINE OF THE "MEEKS FARMS" PLAT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the Meeks Farms was recorded in the public records of Broward County in Plat Book 161, Page 24; and

WHEREAS, the owners desire to amend the non-vehicular access line associated with said plat; and

WHEREAS, Broward County requires that the Town of Davie concur with this amendment 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 amendment to the non-vehicular access line shown on the Meeks Farms 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 _____, 2006.

ATTEST:

MAYOR/COUNCILMEMBER

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2006.

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

Applicant Information

Owner/Petitioner:

Name: Stiles Development Co.
Address: 300 SE 2 Street
City: Fort Lauderdale, FL 33301
Phone: (954) 627-9173

Background Information

Application Request: Delegation request approval to amend the Non-Vehicular Access Line on the "Meeks Farms" Plat

Address/Location: 5700 South University Drive / Generally located on the northeast side of Stirling Road and University Drive

Future Land

Use Plan Map: Commercial

Zoning: CC, Commerce Center District

Existing Use(s): Retail Shopping Center

Surrounding Uses:

North: Nursery
South: Vacant Commercial Land/CBWCD/
Silverado Homes
East: Exotic Acres/Landscape Nursery
With Single Family Homes
West: University Creek Shops/Gas Station

Surrounding Land

Use Plan Map Designations:

Commerce/Office
Commercial
Residential (5 DU/AC)
Residential (1 DU/AC),
Residential (10 DU/AC)
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

Related Zoning History:

Rezoning Application (ZB 12-1-03), On June 16, 2004, Town Council approved the rezoning request for the Wolf Family Plat, from CC, Commerce Center District to UC, Urban Commercial District subject to the recordation of a Declaration of Restrictive Covenant to restrict the subject property from the following uses: catering establishments, dance hall/club, game room/arcade, golf course, hotel/motel, mobile home sales, mortuary, motor fuel pumps, motorcycle shop, pawnshop, private clubs, massage parlor, adult bookstore, pinball or electronic game room, an establishment that permits nude or partially nude entertainment, or so called "head shop".

Concurrent Request on same property:

Site Plan (SP 12-9-05), this application is proposing a site plan modification to the approved Lakeside Townshops master site plan.

Site Plan (SP 2-1-06), this application is proposing a site plan for a new one-story financial institution at Lakeside Townshops.

Previous Requests on same property:

Plat Application, Meeks Farms Plat, was approved by the Broward County Commission on January 17, 1995 for 27,810 square feet of office use under the *de minimis* exception to traffic concurrency, with a requirement that a building permit be issued by January 17, 1998. On March 18, 1997, the County Commission approved a delegation request amending the note on the plat to permit 125,000 square feet of office use, with the requirement that a building permit be issued by March 18, 2002. No building permit has been issued and the County's finding of adequacy expired on March 18, 2002.

Plat Application, On March 16, 1999, Town Council approved Wolf Family Plat (Plat Book 171, Page 85) through Resolution R 99-91 that 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.

Land Use Plan Amendment Application (LA 00-01A), May 3, 2000, Town Council denied to change the land use of the subject site from Commerce/Office to Commercial

Delegation Request (DG 12-2-03), On May 19, 2004, Town Council approved the delegation request to amend the restrictive note on the "Wolf Family Plat." From: "This plat is restricted to 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. Commercial uses shall be restricted to restaurants, retail establishments, and personal service and shall not consume more than 20 percent of the gross floor area on this plat. Commercial/retail uses are not permitted within the warehouse/storage and/or office use without the approval of the Board of County

Commissioners who shall review and address these uses for increase impacts.” To: “This plat is restricted to 275,000 square feet of commercial use.”

Master Site Plan (MSP 2-1-04), On June 22, 2004, Town Council approved Lakeside Town Shops master site plan for 272,375 square feet of retail use.

Developers Agreement (DA 3-1-04), On May 19, 2004, Town Council approved the developers agreement for the findings of adequacy for Meeks Farms Plat, and amending the restrictive note on the plat From “This plat is restricted to 125,000 square feet of office use. Commercial/retail uses are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increases impact.” To “This plat is restricted to 7,000 square feet of bank use.”

Delegation Request (DG 3-1-04), On June 16, 2004, Town Council approved the delegation requesting to amend the non-vehicular access line (NVAL) along Stirling Road to allow a 100-foot opening rather than the 50-foot opening recorded on the Wolf Family Plat.

Land Use Plan Amendment Application (LA 3-10), On July 7, 2004, Town Council approved this Ordinance 2004-21 to adopt Land Use Amendment LA 3-10 to change the land use of the subject site from Commerce/Office to Commercial.

Developers Agreement (4-1-05) Town Council approved the Developer’s Agreement to enter into a Regional Road Concurrency Agreement for the installation of improvements to satisfy traffic concurrency for the Meeks Farms Plat.

Site Plan Modification (SPM 3-8-05), Planning and Zoning Division approved this application to modify the approved Lakeside Town Shops master site plan.

Delegation Request (DG 10-3-04), At the July 6, 2005 Town Council Meeting, Council Member Paul made a motion, seconded by Vice-Mayor Hubert to approve Delegation Request DG 10-3-04 / Lakeside Town Shops subject to the following conditions. The traffic light location on the north end of the subject site and at the intersection of Stirling and Griffin Road shall have: 1) pedestrian crosswalks, and 2) countdown light signals - not to exceed \$30,000.

Site Plan (SP 11-2-04), On July 20, 2005, Town Council approved Wachovia at Lakeside Townships site plan for a new one-story financial institution.

Site Plan (SP 4-9-05), On December 7, 2005, Town Council approved Steak and Shake at Lakeside Townships site plan for a new one-story restaurant.

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 17: Land Use Compatibility and Community Appearance, Policy 17-6: Town land development regulations shall address incompatible land uses through requirements such as buffering and setbacks.

Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-7: Adopted land development regulations shall continue to set forth setbacks or separation regulations, landscaping requirements, and minimum open space criteria to enhance living and working environments.

Applicable Codes and Ordinances

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

Land Development Code (Section 12-24(D)), the Urban Commercial (UC) District is intended to provide for a mix of retail, office, and residential uses in a medium 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.

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

Application Details

The petitioner is requesting to amend the Non-Vehicular Access Line (NVAL) on the “Meeks Farms” Plat. This request directly affects the north-west and south-west portions of the plat in the CC, Commerce Center District. This request is needed to ensure that plat access openings are consistent with those proposed on the site plan for a new one-story financial center.

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Staff Analysis

This request is directly associated to Master Site Plan Application (MSP 2-1-04) Lakeside Town Shops and Site Plan Application (SP 2-1-06) Eastern Financial Credit Union. Approval of this request is subject to Broward County Development Management Division. Broward County is the lead agency in assessing the impact of development through the plat and/or delegation request process.

Findings of Fact

Staff finds the plat amendment consistent with the site plan and is compatible with the surrounding areas. Staff has no objection to the request.

Staff Recommendation

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

Exhibits

1. Justification Letter
2. Plat
3. Existing Survey
4. Proposed Survey
5. Future Land Use Map
6. Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____

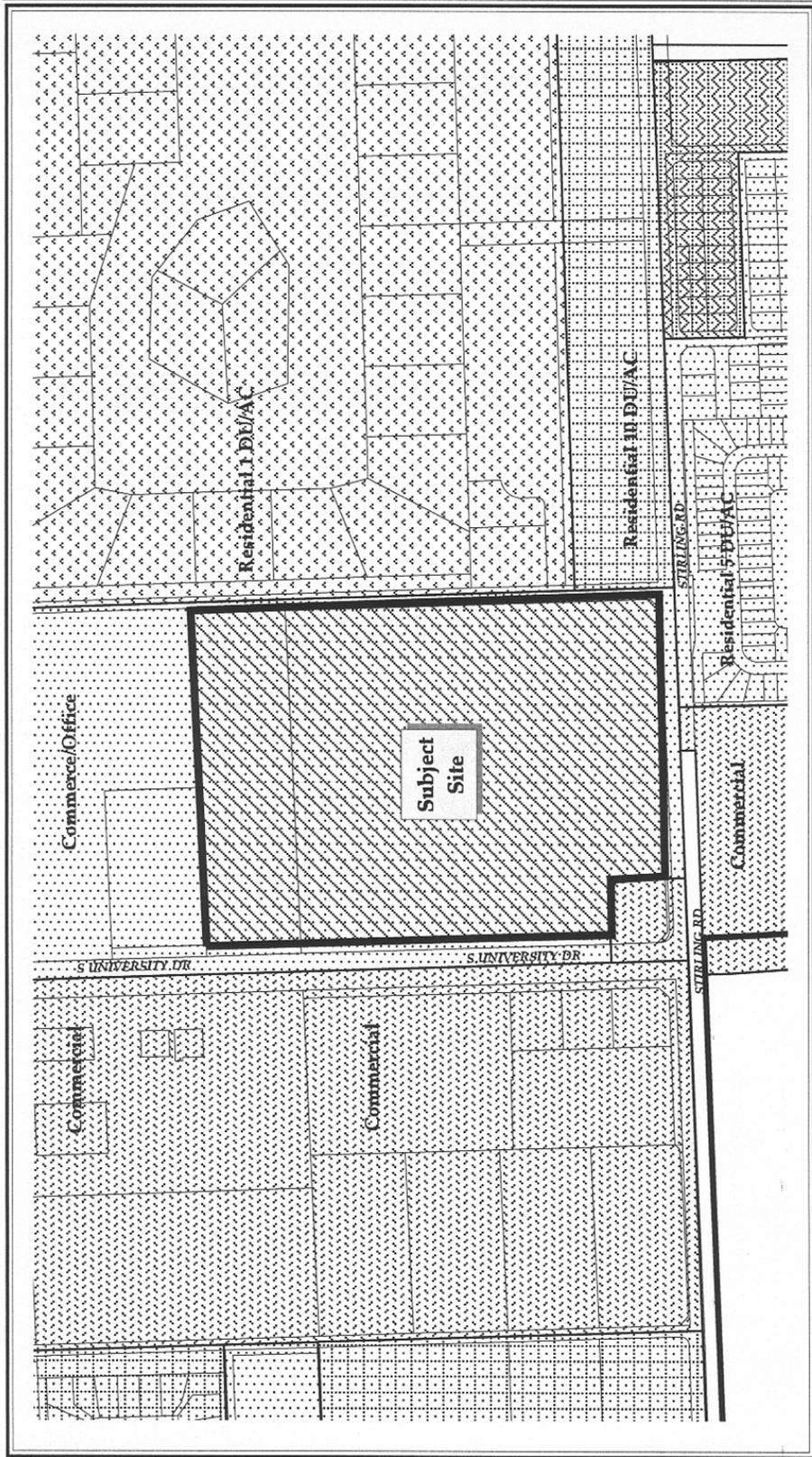
Exhibit 1 (Justification Letter)

Exhibit 2 (Plat)

Exhibit 3 (Existing Survey)

Exhibit 4 (Proposed Survey)

Exhibit 5 (Future Land Use Map)



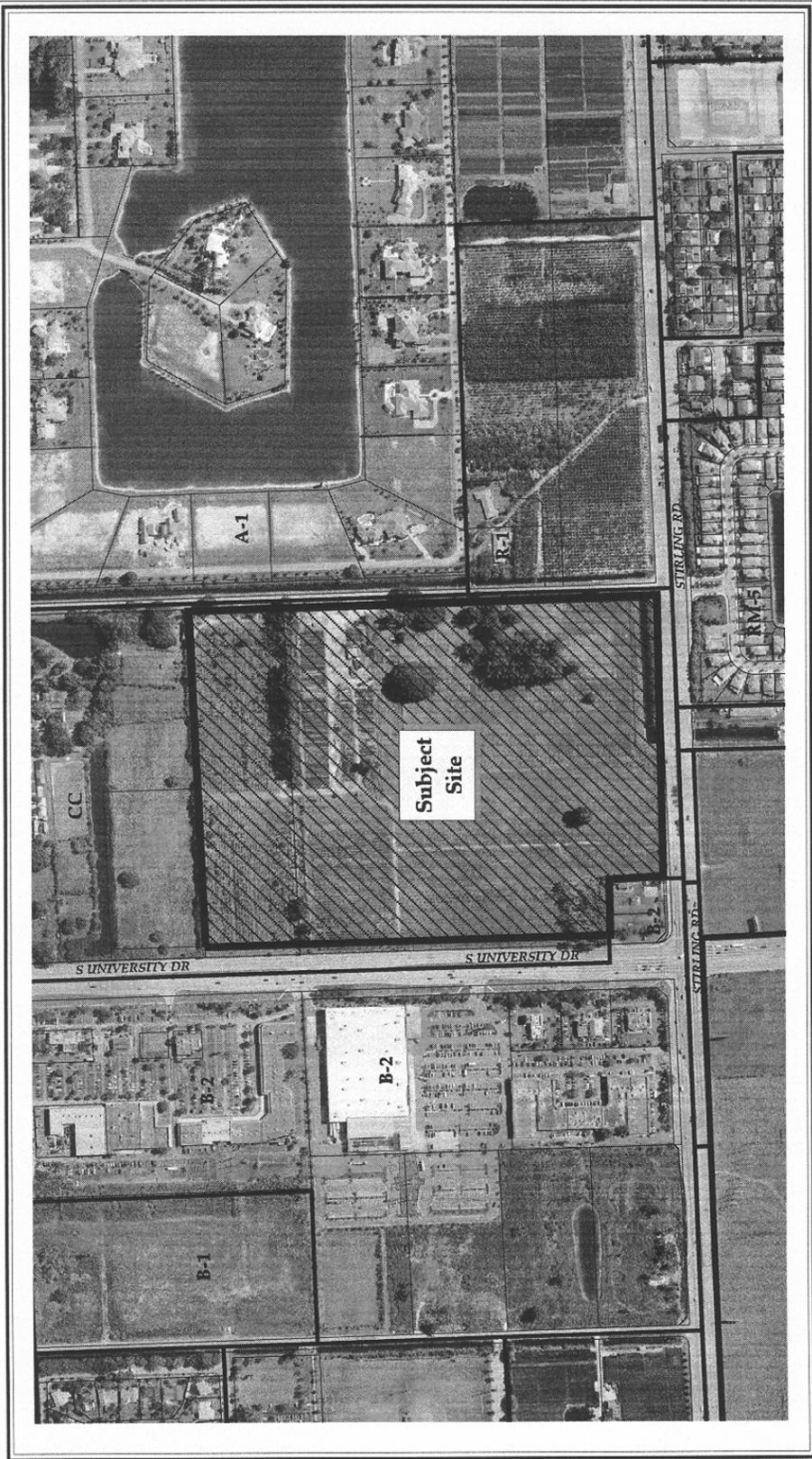
Delegation Request
 Lakeside Town Shops
 Future Land Use Plan Map

Prepared By: D.M.A.
 Date Prepared: 5-11-05

The Town of Davie
 Development Service Department
 Planning & Zoning Division

Scale

Exhibit 6 (Aerial, Zoning, and Subject Site Map)



Delegation Request
 Lakeside Town Shops
 Aerial, Zoning, Subject Site Map

Prepared By: D.M.A.
 Date Prepared: 5-11-05



The Town of Davie
 Development Service Department
 Planning & Zoning Division



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