

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: David M. Abramson, Acting Deputy Planning and Zoning
Manager

SUBJECT: Quasi Judicial Hearing: Rezoning Application, ZB 7-3-06/06-
93/Great Florida Bank Center/Generally located between University Drive and Southwest
78th Avenue, south of proposed Southwest 48th Street

AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 7-3-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO B-2, COMMUNITY BUSINESS DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: The petitioner (Linda Strutt Consulting, Inc.) requests to rezone a portion (approximately 2.5 acres) of the overall subject site from A-1, Agricultural District, to B-2, Community Business District. The northern portion (approximately 1.5 acres) and eastern (approximately .7 acres) portions of the subject site will remain B-2, Community Business District and A-1, Agricultural District, respectively. The Future Land Use Plan Map designation of the overall subject site will remain Residential 10 DU/Acre.

The subject site is located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street. Adjacent future land use plan map designations consist of Commercial to the north/west; Residential 1 DU/Acre and Residential 10 DU/Acre to the east; and Residential 10 DU/Acre to the south.

Additionally, the subject site is adjacent to the zoning designations of A-1, Agricultural District, Griffin Corridor District (University Drive Node) to the north; A-1, Agricultural District to the east; RM-10, Medium Dwelling District; RC-8, Residential Cluster to the south; and B-3, Planned Business Center to the west.

The proposed commercial use (Great Florida Bank Center) on the subject site with an existing residential future land use plan map designation is possible through the petitioner's concurrent flex application. Approval of this rezoning request will permit the use of a proposed two-story mixed-use development consisting of office/retail uses on the subject site.

The subject site meets the minimum technical requirements for the B-2, Community Business District zoning classification, as the minimum lot size required is 52,500 square feet (approximately 1.20 acres), and a minimum lot frontage and lot depth of 200'.

Staff finds that the rezoning request complies with the general purpose of the proposed B-2, Community Business District. The rezoning request is in conformance with all applicable Codes and Ordinances and is consistent with the other surrounding zoning districts. Furthermore, the rezoning request can be considered compatible with the commercial uses and properties located along University Drive.

PREVIOUS ACTIONS:

At the July 18, 2007 Town Council meeting, Councilmember Starkey made a motion, seconded by Councilmember Crowley, to approve subject to the deed restrictions regarding hours of operation; no lounges, bars, or nightclubs; no gambling with the exception of the Florida Lottery; restaurants to close at 11 p.m.; Site Plan Committee's and staff's recommendations; an 8 foot wall with a vine on the south side; increased landscaping; stacked stone on the angled wall on the front of the building; neutral beiges; green building concepts; the site plan comes back to Council at the next meeting; and roadway improvements on all of 48th Street and the relevant portion that affects the property on 78th Avenue. **(Motion carried 5-0)**

CONCURRENCES:

At the June 13, 2007 Planning and Zoning Board meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve. **(Motion carried 4-0, Mr. Pignato was absent)**

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

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

1. Contingent upon approval of the following development applications:
 - a. Plat Application (*P 7-1-06*), *Great Florida Bank Center*

- b. Site Plan Application (SP 7-4-06), *Great Florida Bank Center*
- c. Vacation Application (VA 7-2-06), *Great Florida Bank Center*
- d. Flex Application (FX 7-1-06), *Great Florida Bank Center*
- e. Variance Application (11-1-06), *Great Florida Bank Center*

Attachment(s): Ordinance, Planning Report

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 7-3-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO B-2, COMMUNITY BUSINESS 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:** A-1, Agricultural District **TO:** B-2, Community Business 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 A-1, Agricultural District to B-2, Community Business District;

- a. The subject property is described 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 B-2, Community Business 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 _____, 2007.

PASSED ON SECOND READING THIS _____ DAY OF _____, 2007.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.

Proposed Use(s): Two-story mixed-use development

Proposed Density: n/a

<u>Surrounding Use(s):</u>		<u>Surrounding Land</u>		
		<u>Use</u>	<u>Plan</u>	<u>Map</u>
		<u>Designation(s):</u>		
North:	Baers	Commercial		
South:	Poinciana Southwood	Residential		10
	DU/Acre			
East:	Vacant	Residential		1
	DU/Acre			
		Residential		10
		DU/Acre		
West:	The Atrium Center	Commercial		

Surrounding Zoning(s):

North:	A-1, Agricultural District/Griffin Corridor District (University Drive Node)
South:	RM-10, Medium Dwelling District/RC-8, Residential Cluster
East:	A-1, Agricultural District
West:	B-3, Planned Business Center

Zoning History

Related zoning history:

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property: n/a

Concurrent Request(s) on same property:

Flex Application (FX 7-1-06), the petitioner requests approval to add commercial flex to the proposed “Great Florida Bank Center” project.

Site Plan Application (SP 7-4-06), the petitioner requests approval site plan approval for a mixed-use project consisting of a two-story retail/office building

Plat Application (P 7-1-06), the petitioner requests approval of the proposed boundary plat known as “Great Florida Bank Center” plat.

Vacation Application (VA 7-2-06), the petitioner requests approval to vacate the southern most portion of Southwest 78th Avenue right-of-way and dedicate it to the proposed “Great Florida Bank Center” plat.

Variance Application (11-1-06), the petitioner requests approval to reduce the required thirty (30) foot wide landscape buffer along the eastern property line, parallel to University to ten (10) feet wide.

Applicable Codes and Ordinances

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

Land Development Code (Section 12-305), Rezoning, Special Permits, Variances, and Vacations or Abandonments of Rights-of-Way, the purpose of this division is to guide the processing and granting of rezonings, special permits, variances and vacations or abandonments of rights-of-way in a manner consistent with the Town of Davie Comprehensive Plan, existing development and in a manner which protects the public health, safety and welfare.

Land Development Code (Section 12-24 (J)(5)), the B-2, Community Business District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the shopping and limited service needs of several neighborhoods or the local community. Retail stores are intended to include convenience, fashion and durable goods.

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 17-2: No property within the Town shall be rezoned to a zoning district that is not in compliance with the Davie Future Land Use Plan.

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.

Application Details

The petitioner (Linda Strutt Consulting, Inc.) requests to rezone a portion (approximately 2.5 acres) of the overall subject site from A-1, Agricultural District, to B-2, Community Business District. The northern portion (approximately 1.5 acres) and eastern (approximately .7 acres) portions of the subject site will remain B-2, Community Business District and A-1, Agricultural District, respectively. The Future Land Use Plan Map designation of the overall subject site will remain Residential 10 DU/Acre.

The subject site is located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street. Adjacent future land use plan map designations consist of Commercial to the north/west; Residential 1 DU/Acre and Residential 10 DU/Acre to the east; and Residential 10 DU/Acre to the south.

Additionally, the subject site is adjacent to the zoning designations of A-1, Agricultural District, Griffin Corridor District (University Drive Node) to the north; A-1, Agricultural

District to the east; RM-10, Medium Dwelling District; RC-8, Residential Cluster to the south; and B-3, Planned Business Center to the west.

The proposed commercial use (Great Florida Bank Center) on the subject site with an existing residential future land use plan map designation is possible through the petitioner's concurrent flex application. Approval of this rezoning request will permit the use of a proposed two-story mixed-use development consisting of office/retail uses on the subject site.

Public Participation

The public participation process provides the ability for citizens of the Town of Davie to actively participate in the Town's development procedures. The petitioner conducted meetings with the public at the Town of Davie Community Room on August 22, 2006 and August 31, 2006. Attached is the petitioner's Citizen Participation Report.

Staff Analysis

The purpose of this request is to rezone the subject site from A-1, Agricultural District, to B-2, Community Business District. According to the Land Development Code, the subject site meets the minimum technical requirements for the B-2, Community Business District zoning classification, as the minimum lot size required is 52,500 square feet (approximately 1.20 acres), and a minimum lot frontage and lot depth of 200'.

The following information is staff's analysis based on the criteria established in the Town of Davie's, Land Development Code, Section 12-307(A)(1) for rezoning applications:

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

The Comprehensive plan allows parcels with a residential Future Land Use Plan Map designation to be rezoned to a commercial zoning district through the allocation of commercial flexibility in accordance with the Administrative Rules Document of the Broward County Land Use Plan.

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

Rezoning the subject site B-2, Community Business District is related to the adjacent Griffin Corridor District (University Drive Node) to the north and B-3, Planned Business Center to the west zoning designations and compatible with the adjacent multi-family to the south through the application of the Land Development Code's setback and buffering requirements.

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

The subject site's boundary lines precisely correspond to the boundaries of the proposed commercial use and the rezoning request is logical since the property meets the requirements to gain the zoning designation.

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

Rezoning the subject site B-2, Community Business District is required in order to develop the mixed-use project (Great Florida Bank Center) with office and retail uses that should not have a negative impact on the neighborhood. The Land Development Code requires that the subject site be designed to account for the adjacent multi-family home development by limiting building height to 35', requiring a minimum 20' setback, 8' masonry wall and 10' landscape buffers.

(e) The proposed change may 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 traffic generated by the proposed commercial use is not what the existing future land use plan anticipated. Prior to final approval of the plat by Broward County and the Town of Davie, traffic impacts are assessed.

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

The subject site is adjacent to commercial uses and should not have a negative impact on the value of the adjacent properties. The proposed mixed-use project (Great Florida Bank Center) is consistent with future and existing commercial uses along University Drive.

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

The vacant parcel to the east can be developed with residential uses while allowing the subject site to be developed as proposed. Additionally, rezoning the subject site will not deter improvements to the surrounding developed properties, since all properties are required to meet existing Land Development Code.

(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;

Applying rezoning will not give the owner a unique benefit that harms the welfare of the general public.

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

The Future Land Use Plan designates the subject site as Residential 10 DU/AC. In order for the subject site to develop with a commercial use, flex is required.

(j) The proposed rezoning may be the most appropriate designation to enhance the Town's tax base given the site's 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 subject site's Future Land Use Plan Map designation is Residential 10 DU/AC. A residential development can be built on the subject site, however, the proposed commercial use on the subject site should provide a higher tax base than residential uses.

Staff finds that the rezoning request complies with the general purpose of the proposed B-2, Community Business District. The rezoning request is in conformance with all applicable Codes and Ordinances and is consistent with the other surrounding Zoning Districts. Furthermore, the rezoning request can be considered compatible with the commercial uses and properties located along University Drive.

Staff Recommendation

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

1. Contingent upon approval of the following development applications:
 - a. Plat Application (*P 7-1-06*), *Great Florida Bank Center*
 - b. Site Plan Application (*SP 7-4-06*), *Great Florida Bank Center*
 - c. Vacation Application (*VA 7-2-06*), *Great Florida Bank Center*
 - d. Flex Application (*FX 7-1-06*), *Great Florida Bank Center*
 - e. Variance Application (*11-1-06*), *Great Florida Bank Center*

Planning and Zoning Board Recommendation

At the June 13, 2007 Planning and Zoning Board meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve. (**Motion carried 4-0, Mr. Pignato was absent**)

Town Council Action

At the July 18, 2007 Town Council meeting, Councilmember Starkey made a motion, seconded by Councilmember Crowley, approve subject to the deed restrictions regarding hours of operation; no lounges, bars, or nightclubs; no gambling with the exception of the Florida Lottery; restaurants to close at 11 p.m.; Site Plan Committee's and staff's recommendations; an 8 foot wall with a vine on the south side; increased landscaping; stacked stone on the angled wall on the front of the building; neutral beiges; green building concepts; the site plan comes back to Council at the next meeting; and roadway improvements on all of 48th Street and the relevant portion that affects the property on 78th Avenue. (**Motion carried 5-0**)

Exhibits

1. Justification Letter
 2. Sketch and Legal Description
 3. Proposed Site Plan
 4. 1,000' Mail out Radius Map
 5. Property Owners within 1,000' of the Subject Site
 6. Public Participation Notice
 7. Public Participation Sign-in Sheet
 8. Public Participation Summaries
 9. Future Land Use Plan Map
 10. Aerial, Zoning, and Subject Site Map
-

Prepared by: _____

Reviewed by: _____

Exhibit 1 (*Justification Letter*)

**GREAT FLORIDA BANK CENTER
REQUEST FOR REZONING WITH COMMERCIAL FLEX ACREAGE
ALLOCATION**

JUSTIFICATION

Reason for the Request:

The applicant has assembled approximately 4.7 gross acres of land located on the east side of University Drive on the west side of SW 78th Avenue for redevelopment as a commercial development. The entire site is designated Low Medium Residential 10 on the Broward County Land Use Map and Residential 10 du/acre on the Town's Future Land Use Map. The northern portion of the site (approximately 1.5 acres) abutting the Griffin Corridor was rezoned to B-2 before it was acquired by the applicant. The balance of the site (3.2 acres) is still zoned A-1 Agricultural District. (See attached legal sketch)

The applicant is seeking to rezone most of the portion of the site which is zoned A-1 to B-2 Community Business District to accommodate a mixed commercial/retail-office project oriented toward University Drive. The applicant has acquired a small parcel of land on the east side of SW 78th Avenue as shown on the attached legal sketch ("Exhibit A") and is submitting a companion application to vacate the southern terminus of SW 78th Avenue which terminates at the southern boundary of the site dividing this parcel from the rest of the site. A portion of the eastern parcel (approximately .7 acres) is excluded from the rezoning request to serve as a buffer for the adjacent residentially zoned property.

In conjunction with the rezoning to B-2, the applicant is requesting an allocation of 4.03 acres of Commercial flex pursuant to the Plan Implementation Section of the Town of Davie Future Land Use Element and Future Land Use Element Policy 6-7. This coincides with the existing and proposed B-2 zoning and is needed to accommodate the proposed commercial building and associated parking.

The proposed project for the entire site is presented on the site plan submitted concurrently with this rezoning request. A plat is also being submitted with the application package.

Section 12-307(A)(1) Criteria

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

The zoning request is consistent with the Town's adopted comprehensive plan as well as the draft recommendations of the Town's Evaluation and Appraisal Report.

The proposed change particularly supports the following objectives and policies adopted in the Town's comprehensive plan:

FLUE Policy 6-7 and the Permitted Uses Residential Land Use Category #9 of the Implementation Section which permit office and neighborhood retail sales of merchandise and services in areas designated for Residential use subject to a contiguous acreage limit of 10 acres:

The requested rezoning and commercial flex allocation will facilitate the development of a mixed retail-office-services project adjacent to medium density residential of the scale and nature envisioned by these flexibility policies. The total site, including the parcel previously rezoned to B-2 with a commercial flexibility allocation, is 4.7 acres, well under the 10-acre limit. The proposed project is well within the size range, in terms of acreage and building square footage, set forth in the Plan Implementation Section for Neighborhood Shopping Centers.

FLUE Policy 7-1 which commits the Town to striving to expand its economic base through expansion of the commercial sector of the economy:

The proposed change will expand the commercial acreage in the Town and facilitate immediate development of commercial uses on underdeveloped land.

FLUE Policy 17-1 which directs that lands designated for non-residential use be located to facilitate development without adversely impacting existing and designated residential areas.

The requested rezoning will allow for the redevelopment of the existing B-2 site which will serve as a buffer from the high-traffic arterial University Drive while being separated by local streets and access drives from residentially developed and designated areas.

Transportation Element Policy 4.1.11 which requires commercial development to be located with adequate access to major transportation facilities.

The proposed commercial development will have access to the major state arterial University Drive. This roadway is also designated as a bus rapid transit corridor which will eventually traverse the entire county.

Evaluation and Appraisal Report Issue D "Planning for Economic Vitality" which includes the need to encourage infill development, attract new businesses and create new employment opportunities for Town residents as a means of addressing the dependence of the tax base on residential uses, the limited expansion of the commercial/industrial sector and the relatively small percentage of vacant commercial land.

The proposed rezoning with commercial flex allocation will convert residentially designated property to commercial use to accommodate development of medical and professional offices, financial, retail and service-type employment opportunities for local residents. The expansion of the B-2 zoned parcel will facilitate redevelopment of the balance of the University Drive frontage between the Griffin Corridor and the Southwood Townhomes now in interim nursery and single-family use thereby contributing to the tax base.

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

The proposed change would extend the contiguous B-2 Community Business District boundary south along University Drive consistent with the existing B-3 zoning on the west side of University Drive. No enclave of A-1 zoning/residential land use will remain between this property and the Southwood Townhomes on the south. The commercial parcel will be bounded by public rights-of-way and a major access drive. Where the applicant proposes to vacate SW 78th Avenue, the existing A-1 zoning will remain as a buffer.

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

No portion of the site is classified for agricultural use on the Future Land Use Plan Map. The existing A-1 zoning district is serving as an interim zoning classification until development of the site consistent with the Future Land Use Plan Map is imminent. The northern portion of the site has previously been zoned B-2, consistent with the adjacent Griffin Corridor University D Node zoning to the north and the character of University Drive, a principal state arterial. The property on the west side of University Drive is zoned B-3 for commercial use consistent with the intensity of the roadway. The property to the south has been zoned RM-10 and developed as a townhouse project.

The A-1 parcel is the last agriculturally zoned parcel along this stretch of University Drive frontage. It is surrounded by roadways, fronting on a high volume arterial, and abuts commercially zoned property which makes development of a quality residential project on the site problematic.

The portion of the site that is included within this rezoning and flex allocation request was used for a plant nursery and a single-family home. The portion already zoned B-2 was also used for a small commercial nursery. The applicant is proposing to redevelop the site to a commercial/retail and office development and is seeking a change to

community business zoning consistent with the rest of the site, vicinity zoning and development patterns, the adjacent roadway and the proposed development.

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

The zoning change will improve the opportunity to buffer the development on both the commercially zoned parcel and the A-1 parcel that is the subject of this application from the adjacent multi-family development and residentially designated land by creating a unified parcel.

(e) The proposed change will not 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 requested zoning change with flex allocation will allow access to University Drive to be consolidated into one point, an existing access driveway connection to University Drive. The left-turn into the University access drive will be improved and additional right-of-way for University Drive will be dedicated through the plat being processed simultaneously with this request. The existing intermediate connections to University Drive serving the component parcels will be removed. The project will be oriented to University Drive, rather than SW 78th Avenue, with access to SW 78th Avenue also consolidated from the multiple existing connections into one access point.

Without the proposed zoning change, this property could yield more than 30 residential units generating work, shopping, school and social trips on both SW 78th Avenue and University Drive. The development proposed in conjunction with the proposed change would produce commercial-service-office uses in close proximity to the residents it will serve. These uses will supplement those provided in the Griffin Corridor University Node capturing trips already on the road.

(f) The proposed change will not adversely affect other property values;

The proposed project will bring quality retail and office use to the currently underutilized site in a tastefully designed two-story building that will serve as a visual and noise buffer from University Drive. Building placement, open area and landscaped buffers will be used to ensure compatibility with adjacent residentially designated property. These improvements are expected to have a positive effect on vicinity property values.

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

The applicant has assembled a compact parcel of underdeveloped land adjacent to University Drive, a portion of which has already been zoned B-2 but is being used for a retail agricultural use (nursery). Without the proposed rezoning and commercial flex allocation, redevelopment of both this B-2 parcel and the residentially designated portions would be hampered by their juxtaposition. The proposed rezoning will facilitate development of a unified commercial development with adequate buffering from adjacent medium residential density (10 du/acres) properties. Development of this assembled site will complete the eastern University Drive frontage south of Griffin Road. The change will allow the entire site to utilize one existing connection to University Drive with improved southbound access, eliminating existing connections that impact the traffic flow.

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

The existing A-1 zoning is generally considered an interim zoning district until the affected land is ready for development. All property zoned A-1 without an Agricultural land use designation eventually needs to be rezoned in order to develop. The request for commercial flex allocation will serve the public's welfare by enhancing the tax base as commercial development typically generates more in revenue than residential development with less pressure on public expenses. The zoning change will allow for development that will also generate employment opportunities and provide banking, retail and service opportunities for vicinity residents conveniently located close to medium density residential development.

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

The existing A-1 zoning on the portion of the site proposed to be rezoned to B-2 is not consistent with the Future Land Use Plan Map designation nor with the zoning on the rest of the property. It would not allow redevelopment consistent with the density or intensity appropriate for the University Drive corridor.

- (j) *The proposed zoning designation is the most appropriate designation 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 northern portion of the site is already zoned B-2, Community Business, which allows for a transition from the Griffin Corridor University Node zoning on the north to the RM-10 multi-family zoning on the south. Currently the subject parcel is adjacent to B-2 zoning. Extending the B-2 zoning as requested will result in a parcel that will be separated from residentially designated property to the east by SW 78th Avenue and from the multi-family development to the south by an access drive which will enable the project to share an existing University Drive access point (see proposed site plan). The applicant is proposing to leave the southeastern portion of the site in A-1 zoning to serve as an additional buffer for the residential property.

The requested commercial zoning for the site location is consistent with comprehensive plan policy directing commercial development to locations with adequate access to major transportation facilities as it is located on a major arterial and premium bus rapid transit route. It is also consistent with the intensity of University Drive and the zoning and development to the north and west of the site.

By converting the use of the site from residential to commercial, the proposed change will contribute to the Town's tax base, furthering the Town's goal of promoting economic vitality, by facilitating the construction of a high quality retail-business-office project to replace the existing agricultural and single-family uses which contributed very little to the tax base and by generating quality local employment opportunities.

Exhibit 2 (*Sketch and Legal Description*)



Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065

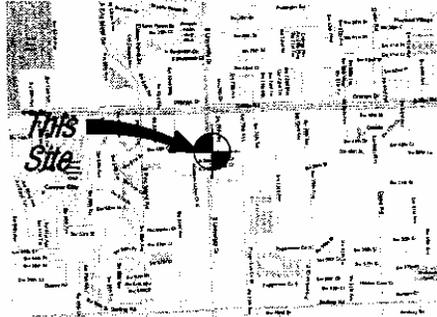
Phone: (954) 509-0083

Fax: (866) 495-0203

LB # 7303

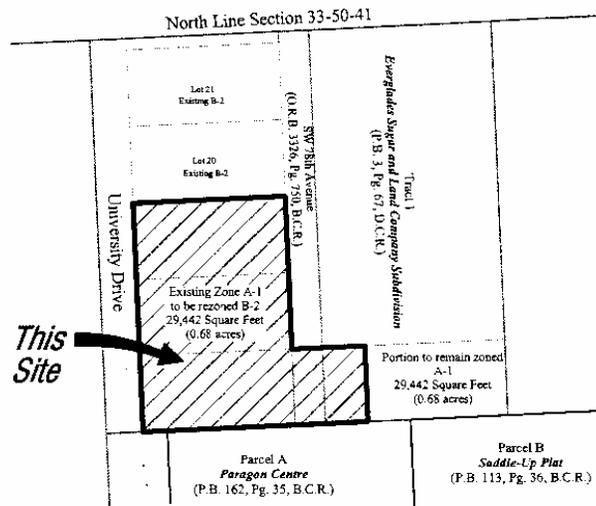
- Sketch and Description -

Sheet 1 of 3



Location Map

Not to Scale



Dennis J. Gabriele

07-18-06

Dennis J. Gabriele
Professional Surveyor and Mapper No. LS5709
State of Florida

Not Valid without the signature
and original raised seal of a Florida
licensed Surveyor and Mapper

Updates and Revisions	Date	By	QC	NOTE: The undersigned and PATRIOT SURVEYING AND MAPPING, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right-of-way, set-back lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. PATRIOT SURVEYING AND MAPPING, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of PATRIOT SURVEYING AND MAPPING, INC. and shall not be reproduced in whole or in part without written permission of PATRIOT SURVEYING AND MAPPING, INC.

Job No. 0511-010	Drawn By: DN	QA / QC: DG	FB: N/A PG.	Scale: N.T.S.
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Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065

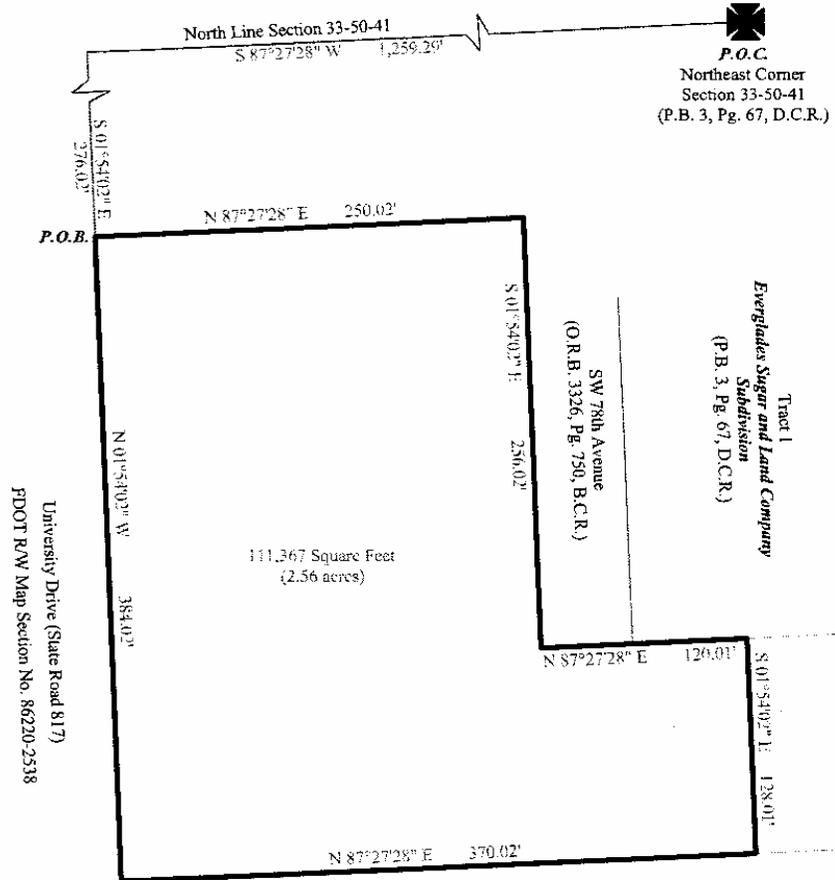
Phone: (954) 509-0083

Fax: (866) 495-0203

LB # 7303

- Sketch and Description -

Sheet 2 of 3



Parcel A
Paragon Centre
(P.B. 162, Pg. 35, B.C.R.)

Survey Notes

1. Bearing Reference: The Bearings shown hereon are referenced to the *Stoner/Keith Resurvey No. III*, Miscellaneous Plat Book 5, Page 9, Broward County Records.
2. P.B. denotes Plat Book
3. Pg. denotes Page
4. B.C.R. denotes Broward County Records
5. D.C.R. denotes Miami-Dade County Records
6. O.R.B. denotes Official Records Book
7. This is not a survey, but only a graphic depiction shown hereon. No boundary corners were set in the field related to this sketch.

Legend

P.O.B. = Point of Beginning
P.O.C. = Point of Commencement

Job No. 0511-010

Drawn By: DN

QA / QC: DG

FB. N/A PG.

Scale: N.T.S.



Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065

Phone: (954) 509-0083

Fax: (866) 495-0203

LB # 7303

- Legal Description -

A portion of Tract 2, *Everglades Sugar and Land Company Subdivision*, Plat Book 3, Page 67 of the Public Records of Miami-Dade County, Florida, lying in Section 33, Township 50 South, Range 41 East, Broward County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Section 33-50-41, as shown on said *Everglades Sugar and Land Company Subdivision* plat:

Thence, South $87^{\circ}27'28''$ West, along the North line of said Section 33-50-41, a distance of 1,259.29 feet;

Thence, South $01^{\circ}54'02''$ East, a distance of 276.02 feet to the **Point of Beginning**;

Thence, North $87^{\circ}27'28''$ East, a distance of 250.02 feet;

Thence, South $01^{\circ}54'02''$ West, a distance of 256.02 feet;

Thence, North $87^{\circ}27'28''$ East, a distance of 120.01 feet;

Thence, South $01^{\circ}54'02''$ East, a distance of 128.01 feet;

Thence, South $87^{\circ}27'28''$ West, a distance of 370.02 feet;

Thence, North $01^{\circ}54'02''$ West, a distance of 384.02 feet to the **Point of Beginning**.

Said land lying and being in the Town of Davie, Broward County, Florida, and containing 111,367 square feet (2.56 acres) more or less.

Exhibit 3 (Proposed Site Plan)

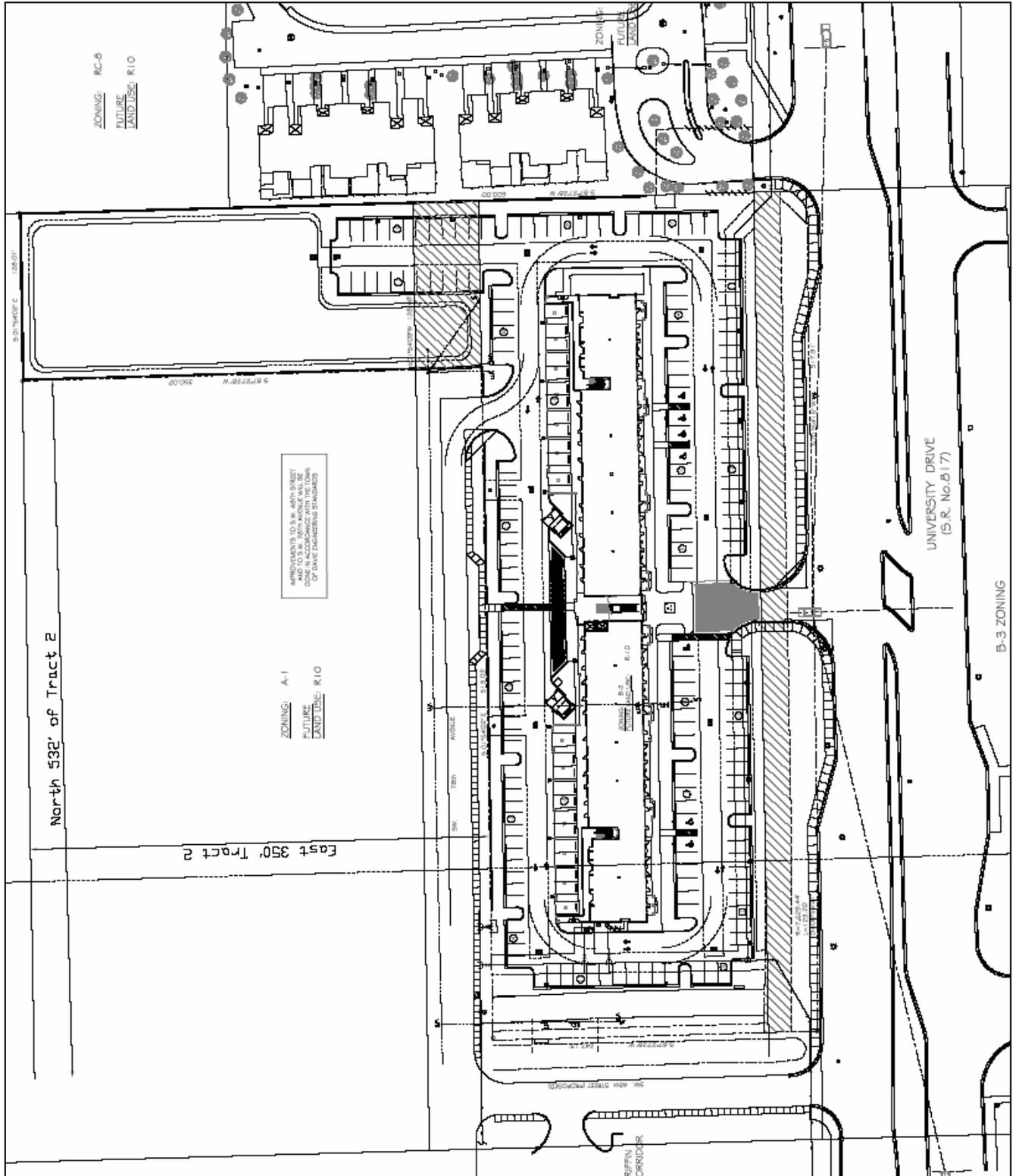


Exhibit 4 (1,000' Mail out Radius Map)

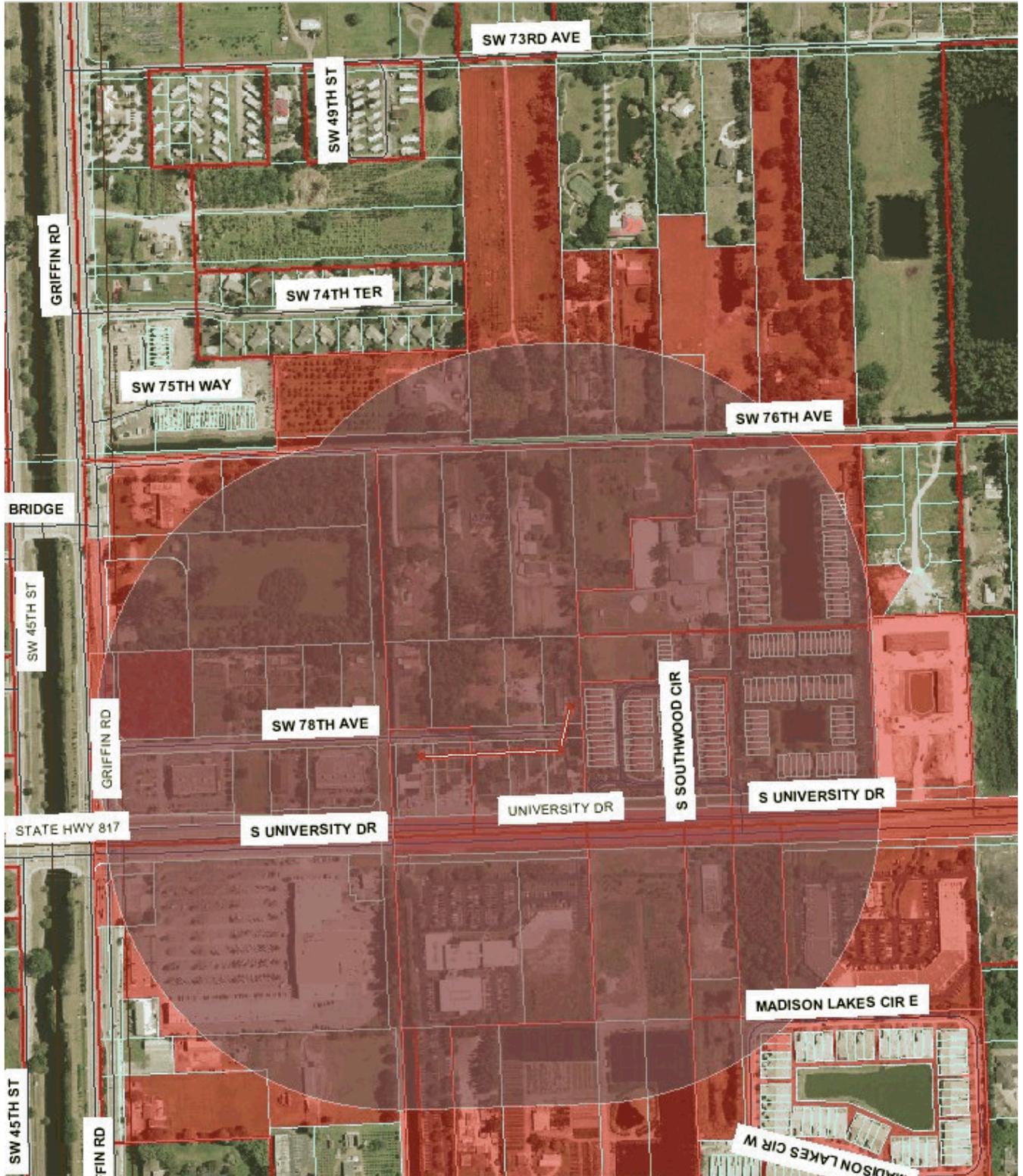


Exhibit 5 (*Property Owners within 1,000' of Subject Site*)

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ACEVEDO,ANGEL
ACEVEDO,IRIS H
7890 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ADAMS,BETH A
5166 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ADRIAN-BUTLER,PATRICIA E
5136 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALAMO PETROLEUM
CONTRACTORS INC
4620 SW 76TH AVE
DAVIE FL 33328-3802

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALBERTI,STEPHEN PATRICK
5154 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALCOVER,E A & SUSAN J
4800 SW 82ND AVE
DAVIE FL 33328-4406

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALTMAN,STEVEN
5038 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALVARADO,JORGE I
5186 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
AMRICH,JOANNE L
5064 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ANCONETANI,GRISSELDA
ANCONETANI,LAURA G
5094 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ANGEL,PETER N
5152 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
AREBALO,ALBERTO F & CHERYL L
5028 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ATRIUM CENTRE LLC
5301 N FEDERAL HWY STE 190
BOCA RATON FL 33487

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
AVEILLE,RANDY & TONYA BELL
5052 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
B & R DEVELOPMENT I LLC
3649 SPANISH OAK POINT
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BAERS FURNITURE CO INC
1589 NW 12TH AVE
POMPANO BEACH FL 33069-1730

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BAILEY,VICTORIA ELIZABETH &
CLARKE,JEREMIAH
3104 WEBSTER ST
MOUNT RAINIER MD 20712

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BALL,THEODORE M II
5012 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BANOUB,KAMAL N
BANOUB,TAMER K
14354 STAMFORD CIR
ORLANDO FL 32826

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BARRON,JAMES K
BARRON,LILLIAN M
8541 SW 30 ST
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BATISTA,HAROLD J
7892 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BECRAFT,BRENT E
7782 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BELL,STEPHANIE C
5076 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BERRIGAN,NANCY
7951 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BIRNBAUM,MARIE A
294 BLACKHEATH ROAD
LONG BEACH NY 11561

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BLACKFORD,STEVEN B
5000 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BLAKLEY,BARBARA MARIE
BLAKLEY,ROBIN MARIE
5188 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BOISVERT,COLETTE E
5032 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BONGIRNE,PATRICE
5144 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BORRAS,HOLLY S
5086 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BRANTLEY,BILLY & ALISON
5088 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BRITO,IRMY
4938 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CAPDEVILLE,LARRY
5010 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CHU,JACKIE SIU LUN
5090 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CIMINO-STANFORD,ANNA THERESE
7780 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COHEN,LAURA A
5018 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COHN,ADAM D
7831 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COTTOM,MICHAEL V & YOMARIE
7891 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CRAIN,DAVID A & SANDRA W
5036 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CROWLEY,MICHAEL T &
CATHERINE
5106 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CUTIER,LAURIE K
9421 SW 49 ST
COOPER CITY FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DE LA CRUZ,ROLANDO
7950 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DE NOBRIGA,LANCEWORTH &
MYRNA
5006 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DEEHAN,ANDREW W
5138 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DEJACOMO,GEORGE M & DENISE
4936 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
D'ERRICO,DINO
WARD,MELISSA
5132 S UNIVERSITY DR BLDG 2
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DJL GRIT LIMITED PARTNERSHIP
5241 PENNOCK POINT ROAD
JUPITER FL 33458-3409

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DORSEY,TODD W
5148 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DOUBERLEY,JOSEPH & LUCY
5078 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ENGELMANN,ANDREW V
ENGELMANN,LEONILA A
7603 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ERDELYL,SCOTT
5026 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
EVANS,NICOLE V
2351 NW 33 ST # 515
FT LAUDERDALE FL 33309

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FINAZZO,MICHAEL A TR
FINAZZO,A M TR,FINAZZO,J S TR
8858 BLOOMFIELD BLVD
SARASOTA FL 34238

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FIRST UNION NATL BANK FL TR
DOROTHY B WEBB REV TR
PO BOX 40062-KELLEY REYNOLDS
JACKSONVILLE FL 32203-0062

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FLR COMPANY LLC
350 S OCEAN BLVD #10-B
BOCA RATON FL 33432

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FRAGA,ANDRES & ADRIANA
5172 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GAMBA,JESUS M
LEON,NELLY
7662 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GAO,HANG
7923 N SOUTHWOOD CIR
FT LAUDERDALE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GARCIA,SONIA E
7981 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GENERETTE,ULYNN C 1/3 INT EA
GENERETTE,WILLIAM L
III,HARRIS,C
5024 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GETEJANC, TODOR SR & MARIJA
7633 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GLASSMAN, CHAD B
7781 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GOLDSTEIN, ELIAS &
GOLDSTEIN, DEBORAH
4691 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GORE, MISTY
5184 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GREEN, ALLAN B & GRETTEL C
5146 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GUTIERREZ, LOUIS
7630 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HARTLEB, ROBERT
8160 GRIFFIN RD
DAVIE FL 33328-3837

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HATTEN, MELISSA A 1/2 INT
HATTEN, JAMES DANIEL
4932 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HEMPEL, CARLOS J 1/2 INT
HEMPEL, UTE
5040 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HENNIG, ELIZABETH L &
OSBORNE, LUNEAL
4979 SW 91 AVE
COOPER CITY FL 33328-3519

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HERNANDEZ, ISRAEL 1/2 INT EA
ROJAS, CARMEN
7723 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HESLOP, ROBIN DAVID &
GLUECK, JUDITH A
5134 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HOLCOMBE, KAREN H
5050 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HOLTON, ELLINOR
5046 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HORNE, ANDREW & JEANNETTE
5116 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HRUSECKY, PAUL & GEORGEANN
5140 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HURTADO, SHEELA L
7661 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
IYER, DANPANI
IYER, PRASAD
5062 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JOEL, TERRANCE A
7721 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, DARRELL E & MARTHA
JOANNE
7751 SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, MICHELLE
5178 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, ROY C & MELINDA B
3818 LAUER LANE
DOVER PA 17315

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KELLNER, ROBERT E
5118 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KEYES, ROBERT JR
8100 MADISON LAKES CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KO, MARY
KO, MICHAEL
5058 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KOLB, NORMAN C
5130 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAPAGLIA, FERMEY & MORENA A
7663 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, J A & V REV TR
5306 SW 76 AVE
DAVIE FL 33328-5404

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, JOHN & VIRGINIA
970 W 53 TER
HIALEAH FL 33012

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, VIRGINIA REV TR
5306 SW 76 AVE
DAVIE FL 33328-5404

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAWSON,CHRISTOPHER J & DEBRA J &
YOUNG,STEPHEN C
130 S BEL AIRE DR
PLANTATION FL 33317

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LEE,ANTHONY
5170 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LERIGER,JOAN M
5110 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LETCHER,FRANK T & JOSEPHINE V
5014 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LICARI,BARBARA L
5128 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LICARI,VINCENT
5112 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LOPEZ,KATHY M
5126 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LOPEZ,WILLIAM
4700 SW 78 AVE
DAVIE FL 33328-3827

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LORENTE,JAVIER A
OTERO,NAHOMMY GUZMAN
7752 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MAC DONALD,SETH & ANDREA
200 BAYBERRY DR
PLANTATION FL 33317

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MALTESE,HARRY GASPER
7893 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MANNING,MICHAEL LOUIS
5022 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARINO,KENNETH J
5070 SW 76TH AVE
DAVIE FL 33328-4602

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARLER,KATHY A
5034 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARQUES,LYDIA 1/2 INT EA
MARQUES,ALFREDO R
5074 UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARTI,CHARLES &
OROZCO,ANA MARIA
5122 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MAYO,CHRISTINA M TR
PO BOX 292256
PLANTATION FL 33329-2256

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MC MULLEN,DONNA
7862 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MCLAUGHLIN,SCOTT
5016 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MC SHANE,SCOTT
7692 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER,LELA P
5042 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER,MELISSA M
5070 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER,RICHARD N
7722 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MIZNOVA,IILIANA J
5072 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MOBIL OIL CORP
PROPERTY TAX DIVISION
PO BOX 4973
HOUSTON TX 77210

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MORRIS,BARBARA
5142 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MOSBY,MARLENA
5102 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MUNOZ,PORFIRIO D 1/2 INT
MUNOZ,MARISELA
7861 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NABIZADEH,ARASTOO T & ZAHRA P
13930 MANDRIN OAKS
JACKSONVILLE FL 32223

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NAUGHTON,JOSEPH
5162 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NAUGLE NURSERY INC
5001 SW 82ND AVE
DAVIE FL 33328-4414

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NELSON,D M & MARY M
2819 LORCOM LN
ARLINGTON VA 22207-4943

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NGUYEN,HUNG &
TRAN,MUOI ETAL
7830 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OJEDA,EILEEN
4930 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OSTRANDER,RUTH M
7625 GRIFFIN RD
DAVIE FL 33328-3816

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OWEN,DEVON M 1/2 INT EA
JOHNSON,DEBRA E
7922 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OWOC,JACK A & VICKI J
5124 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PARKER,ANDREW A
7921 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PEARSON,DORIS M
1000 SW 12TH ST APT 107
FORT LAUDERDALE FL 33315-1359

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PEREZ,JOSE R
4934 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POINCIANA'S SOUTHWOOD INC
% MIELE BROTHERS MANAGEMENT
INC
2421 SW 127 AVE
DAVIE FL 33325

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POLLARD,S L & VICKI SPOFFORD
5100 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POY-WING,CELINA
4841 SW 76TH AVE
DAVIE FL 33328-3805

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POY-WING,CELINA REV TR
4821 SW 76TH AVE
DAVIE FL 33328-3805

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POZNANSKI,ISAAC
2546 N 38 AVE
HOLLYWOOD FL 33021

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
QI,XIAOHONG &
SUN,YAN LI
5092 S UNIVERSITY DR UNIT 5092
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
QUALITY ESTATE HOMES LLC
6790 NW 83 TER
PARKLAND FL 33067

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
RAGUSA,SALVATORE &
RAGUSA,ARELIA CORONA DE
7953 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
REARICK,PILAR
1201 S OCEAN DR #1001 SOUTH
HOLLYWOOD FL 33019

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
REED,HJ
4940 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROBINSON,DEBBIE K
5180 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROGA,APRIL DAWN
5176 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROJAS,RAPHAEL & NURIA
5060 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROMANO,DANIEL & MICHELE C
5082 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROMERO,JUAN CARLOS 1/2 INT
ROMERO,JUAN & AURORA
5080 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROSS,RICHARD &
LINCOLN,JUDY & LINCOLN,DENNIS
7690 SW 78 AVE
DANIA FL 33314

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROTHENBERGER,EUGENE R
34 E PHILADELPHIA AVE
BOYERTOWN PA 19512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SABOL,LYNNETT P
7750 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SACCULLO,JAMES & LENORE
4611 S UNIVERSITY DR PMB 443
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SACCULLO,JAMES & LENORE
4800 SW 76 CT
DAVIE FL 33328-3806

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SADDLE UP TOWNHOMES ASSN INC
% BEDZOW KORN KAN & GLASER PA
11077 BISCAYNE BLVD PH SUITE
MIAMI FL 33161

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SAFI,NEZAMODEEN
5100 SW 76 AVE
DAVIE FL 33328-4604

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SANTUCCIO,FRANK & LINDA E
5030 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCARBROUGH,DANA
5002 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCHICK,MARIE PENELOPE REV LIV TR
4901 SW 73 AVE
DAVIE FL 33314

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCOTT,CHRISTOPHER H
4640 SW 78TH AVE
DAVIE FL 33328-3825

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SIMS,STEPHEN C & BARBARA H
1681 NW 99TH AVE
FORT LAUDERDALE FL 33322-4253

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SIMS,STEPHEN CHARLES &
BARBARA
4721 SW 78TH AVE
DAVIE FL 33328-3815

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SKYDELL,JEFFREY &
FONDEUR,JOSEPH
5060 SW 76TH AVE
DAVIE FL 33328-4602

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SMITH,PAUL M
5056 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SMITH,STEPHEN M & DEBBIE L
5084 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SOSTIZZO,MARIO & SUZI R
7720 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SOSTIZZO,SUZI ROTH
7720 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SPIVAK,MERRILL M & PHYLLIS
4975 SW 76 AVE
DAVIE FL 33328-3807

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
STATE OF FLORIDA DOT
3400 W COMMERCIAL BLVD
FT LAUDERDALE FL 33309-3421

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
STONE,KATHRYN A
5004 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUAREZ,GEORGE E & ANNE E
7753 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUSI,CANDEE C
SUSI,CRISTEE C
7952 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUTTON,ELLIOTT & SUTTON,IRVING
% ECKERD REAL EST DEPT #2034-R
PO BOX 4689
CLEARWATER FL 33758

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SYLVAIN,PROSPER &
JOSEPH,NICOLE
10709 N PRESERVE WAY #104
HOLLYWOOD FL 33025

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TAGHIKHANI,MAJID
MANSHADI,MASOUMEH D
7833 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA
2 RAVINIA DR STE 1400
ATLANTA GA 30346

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
THORPE,RICKY V
7832 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TORRES,RAFAEL & CARMEN
5192 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TRANSAMERICAN LAND CORP
ATTN: ACCOUNTING DEPT
2665 S BAYSHORE DR #1002
MIAMI FL 33133

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TSE,KA MING & ADA
5071 E MADISON LAKES CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TUCKER,EILEEN
5054 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
UNIVERSITY OFFICE CENTER LLC
3006 AVIATION AVE SUITE 2-A
COCONUT GROVE FL 33133

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VAN BALEN-ORTEGA,SUSANNE
5068 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VAN HISE,AMY B
5150 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VASSILOPOULOS,JOHN-PAUL
5048 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VISWANATHAN,PADMA 1/2 INT
VISWANATHAN,ANANAGUR
5182 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WANG,HSIN-CHIH HSU
5096 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WANSEER,DANIELLE
5174 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WEBB NURSERY INC
4640 SW 78TH AVE
DAVIE FL 33328-3825

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WHEELER,CHRISTINE D
7920 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
YABLON,NORMAN & JUDITH C
5066 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
YOUNG,KAREN G
5020 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ZELL,STEPHANIE ANN
7863 N SOUTHWOOD CIR
DAVIE FL 33328

Exhibit 7 (*Public Participation Notice*)

**CITIZEN PARTICIPATION NOTICE
GREAT FLORIDA BANK CENTER**

**REZONING, COMMERCIAL FLEX ALLOCATION, VACATION AND SITE PLAN
4700 – 4900 SW 78TH AVENUE**

The property owner of the 4.7-acre parcel located on the east side of University Drive and west side of SW 78th Avenue, depicted on the attached sketch, has submitted an application to the Town of Davie for site plan approval to construct 51,000 square feet of retail-office-business use in a two-story building on the site.

In conjunction with the site plan request, applications have been submitted to rezone 2.6 acres of the site from A-1 Agricultural District to B-2 Community Business District with an allocation of commercial flexibility acreage to support the development. A request to vacate the southernmost terminus of SW 78th Avenue which splits the site has also been submitted as well as a boundary plat. The easternmost portion of the site is proposed to retain the current A-1 zoning. (see attached graphic)

Consistent with the Town code, the owner/applicant has scheduled two public participation meetings to present the proposed project to vicinity property owners, listen to comments and respond to questions.

As a property owner within 1,000 feet of the subject property, you are invited to attend the public meetings scheduled for this application. The conceptual site plan will be presented at the August 22nd meeting with a follow-up meeting scheduled for August 31st. These meetings will be held at the Davie Town Hall in the Community Room:

*August 22, 2006 @ 6:00 p.m. Davie Town Hall Community Room
6591 Orange Drive*

*August 31, 2006 @ 6:00 p.m. Davie Town Hall Community
Room 6591 Orange Drive*

Should you require additional information or have any questions regarding this meeting, please contact Linda Strutt at (954) 426-4305.

Members of the Davie Town Council May be Present

Exhibit 8 (*Public Participation Sign-in Sheet*)

800-0000

GREAT FLORIDA BANK CENTER PUBLIC PARTICIPATION MEETING
AUGUST 22, 2006

NOTICED Y/N	NAME please note name as it appears on notice if different	ADDRESS (if different than on notice or no notice)	PHONE NUMBER (optional)	E-MAIL ADDRESS (optional)
1	Y DREARK JUDITH 5' 11"	57781 S. Southwood Cir		
2	Y Hughes Scott McShane	17692 North Southwood Cir DAVIE FL 33328	954 689-0567	
3	Y Scott McShane		954-763-764	
4	Y Scott McShane			
5				
6				
7				
8				
9				
10				

GREAT FLORIDA BANK CENTER PUBLIC PARTICIPATION MEETING
 AUGUST 31, 2006

NOTICED Y/N	NAME Please note name as it appears on notice if different	ADDRESS (if different than on notice or no notice)	PHONE NUMBER (optional)	E-MAIL ADDRESS (optional)
1	Robert Kellner	5118 S. University Dr.	(954) 386-6448	
2	Anthony Causefield	5004 S. University Dr		
3	Maurer Trust			
4				
5				
6				
7				
8				
9				
10				

Exhibit 9 (*Public Participation Report*)

**Citizen Participation Report
Great Florida Bank
Site Plan, Flex and Rezoning Applications**

1. A written summary of the results of the citizen participation effort prior to the first public meeting in which the application was heard.

The applicant notified by mail all property owners within 1,000 feet of the site of the scheduled public participation meetings by mail, as required by the Town Code. In addition to the two noticed meetings indicated herein, the applicant, at the invitation of the homeowners, attended the Homeowners Association meeting for the adjacent residential project on October 19, 2006 to discuss the proposed project.

2. Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal.

August 22, 2006 @ 6:00 p.m. Davie Town Hall Community Room
6591 Orange Drive

August 31, 2006 @ 6:00 p.m. Davie Town Hall Community Room
6591 Orange Drive

October 19, 2006 @ 7:00 p.m. Southwood Homeowners Association

3. The names, dates and addresses, and number of people that participated in the process.

A total of 8 individuals, including the Mayor and the Zoning Board Vice-Chair, attended the two public participation meetings.

August 22nd Meeting (5):

Judith Bezark	7781 South Southwood Circle
Phyllis and Merrill Spivak	4975 SW 76 Avenue
Scott McShane	7692 North Southwood Circle
Scott McLaughlin	5016 South University Drive

August 31st Meeting: (3)

Robert Kellner	5118 South University Drive
Anthony Caulfield	5004 South University Drive
Mayor Tom Truex	

4. A written summary of the issues and/or concerns raised by residents and how the applicant proposes to resolve these issues and/or concerns. If the applicant is unable or unwilling to resolve the issues, the summary should state the reason why these issues cannot be resolved.

The meetings opened with the presentation of the proposed site plan by the project architect for the 4.7-acre mixed-use commercial/retail-office project on the east side of University Drive just south of Griffin Road.

During both public meetings, questions regarding the proposed plan were entertained. The primary concerns expressed by the residents of Southwood, the residential development to the south, were the shared access to University Drive and screening of the project from the residences. The issues raised by residents at the meetings specific to the project are grouped into categories below with the applicant's response in italics.

Access

The primary concern expressed by the Southwood residents was the sharing of the driveway connection to University Drive with the Southwood development located within a recorded joint access easement south of the site. The design of the entry and the possibility of pursuing alternative access was further discussed at the HOA meeting.

Two other residents who attended the second meeting were concerned that access to SW 78th Avenue not impact residences.

Applicant response:

The original site plan proposed two direct access points to University Drive, both north of the Southwood access drive. In the pre-application meeting with FDOT, the developer was informed that the project would be required to utilize the existing joint access easement currently used by Southwood. In view of the Southwood residents' concern, the developer worked with the Town and FDOT to secure approval for a connection of SW 48th Street to University Drive as well as a direct connection for the project to University Drive. A follow-up meeting was held with FDOT on December 2, 2006 at which a variance application was suggested for the separate access point. The variance application was presented to FDOT with the support of the Southwood HOA on January 4, 2007 (see attached HOA letter).

FDOT ultimately approved direct access into the subject site, with right turns in and out and left turns out, as well as the SW 48th Street connection. The project will not be using the joint access easement to the south and has agreed to construct a wall along the entire southern boundary. The applicant has also agreed to construct two deceleration lanes along the Great Florida Bank Center

University Drive frontage, one at the project entrance and one at the new SW 48th Street connection. The applicant is working with the Town and the CBWCD on the design of SW 48th Street.

The property included in this development currently has several access points on SW 78th Avenue. The developer is proposing to reduce this to one, secondary, access point.

Buffering

A few residents in the two developments to the south and southeast expressed a desire for screening of the commercial building from the southern residences. The property owner immediately east of the site expressed concern over her horses because of a lack of fencing separating her property from the subject project. In the follow-up discussions at the Southwood Homeowners Association meeting, the residents asked that the existing fence on the adjacent property and the intervening vegetation be removed and replaced with an 8-foot wall along the property line adjacent to the townhomes.

Applicant response:

The proposed development was designed to maximize the physical separation and visual screening of the commercial structure from the adjacent residential developments. The building has been placed as far away as possible from the residential development oriented toward University Drive, The easternmost portion is reserved for a landscaped retention area. The developer has agreed to ensure that no structures are placed on this portion of the site by placing a restriction on the plat.

The developer has agreed to include on the site plan an 8' wall along the southern property boundary shared with the townhomes, with a vine planted on the exterior and additional landscaping on the interior west of the retention area. The developer has also committed to constructing a wall along the eastern boundary of the retention area adjacent to the property with the horses and to continue a wall on that property to protect the horses.

Zoning

Two residents questioned whether the requested change of zoning to B-3 would encourage the commercialization of the area east of SW 78th Avenue. Residents were also interested in the types of uses proposed and there was a specific request that consideration be given to a neighborhood restaurant.

Applicant response:

The applicant has designed the project to place the retention area east of SW 78th Avenue and is voluntarily agreeing not to construct commercial structures on the parcel east of SW 78th Avenue. The applicant has also agreed to construct a

wall along the property's boundary shared with residential development. The site design and the new primary access serve to orient this project toward University Drive and the commercial development to the north.

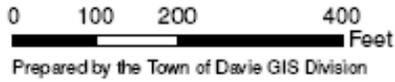
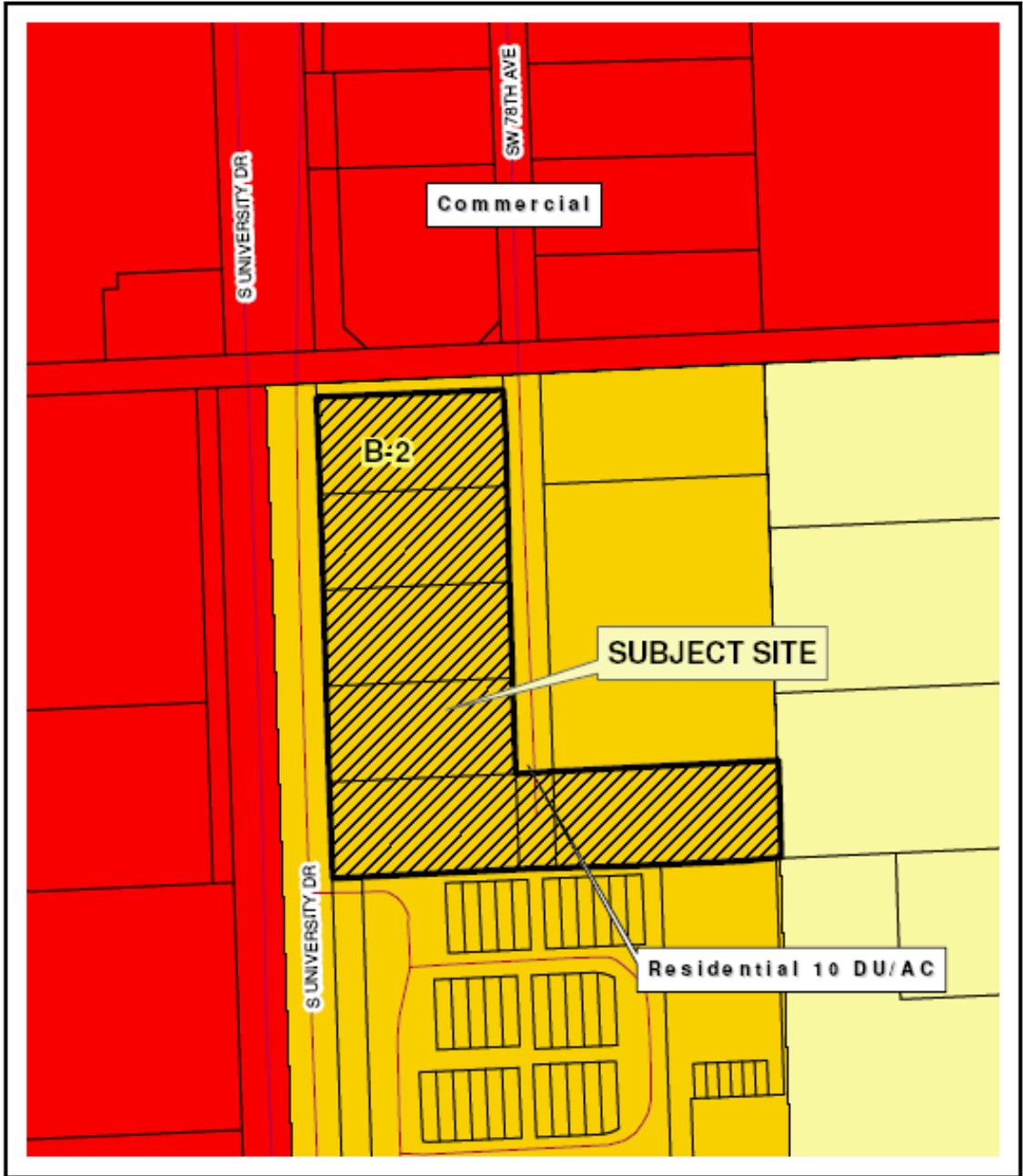
Other

Two residents expressed concern about the cats that had been left behind in the house on site.

Applicant response:

The developer agreed to delay the proposed demolition and assist them in having the cats neutered and relocated over a period of several months. This has been accomplished and the house has been demolished.

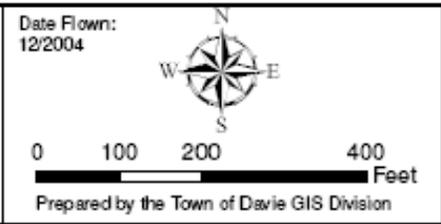
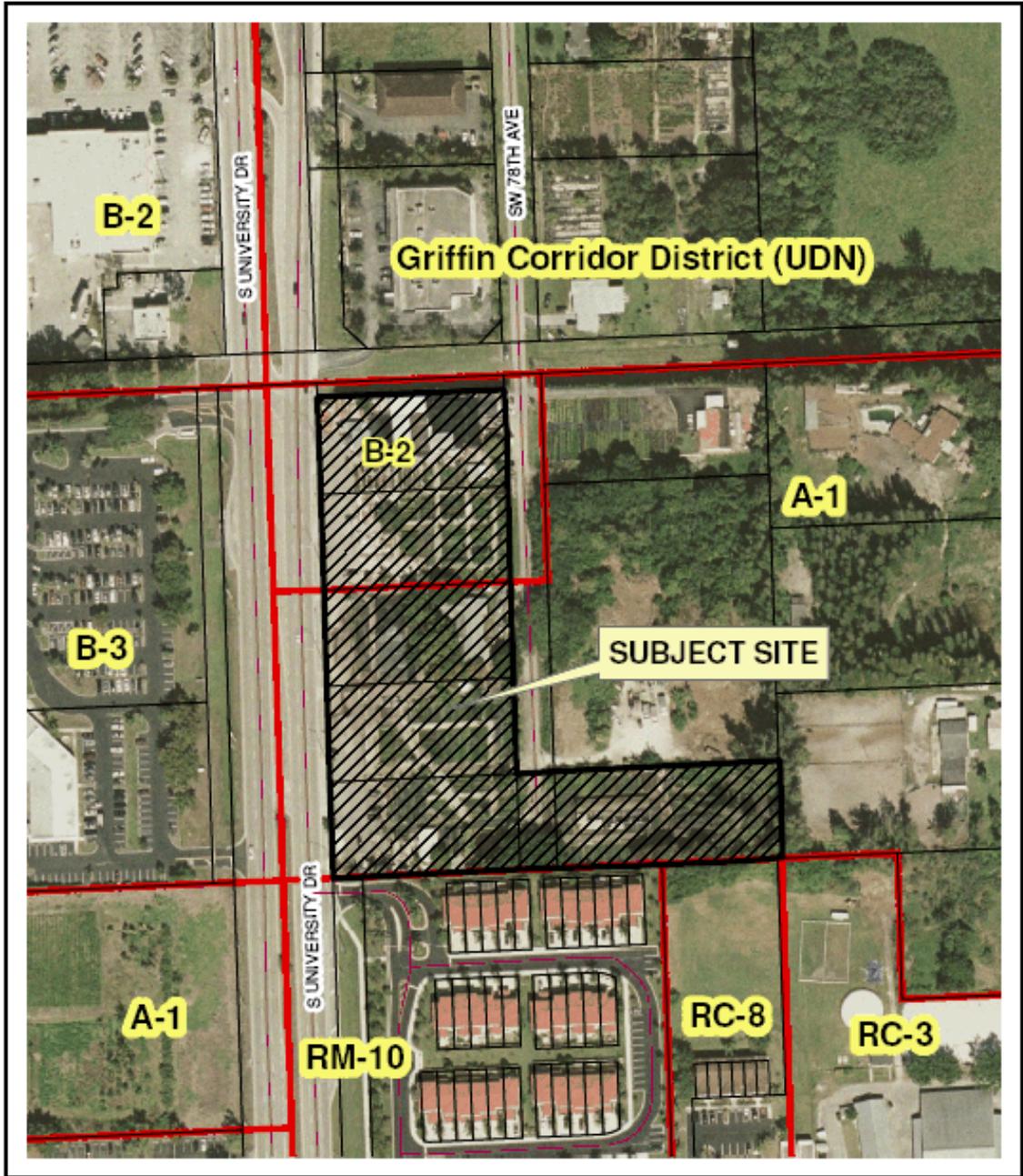
Exhibit 10 (*Future Land Use Map*)



**Site Plan
SP 7-4-06
Future Land Use Map**

Prepared by: ID
Date Prepared: 8/2/06

Exhibit 11 (*Aerial, Zoning, and Subject Site Map*)



Site Plan
SP 7-4-06
Zoning and Aerial Map

Prepared by: ID
Date Prepared: 8/2/06

