TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Marcie Nolan, AICP, Acting Development Services Director/(954)797-1101

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

SUBJECT: Delegation Application: DG 9-1-06/06-108/Doral Campus Office Park/Generally located on the northeast corner of University Drive and Northwest 33rd Street.

AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM:
A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS THE "RIVIERA COMMERCIAL PARK NORTH," AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:
The petitioner is requesting to amend the restrictive note on the "Riviera Commercial Park North:"

FROM: "This plat is restricted to 13,065 square feet of commercial on Parcel 1 and 24,800 square feet of commercial, 68,400 square feet of day care and 2.53 acres commercial recreation on Parcels 2-5"

TO: " This plat is restricted to13,065 square feet of commercial on Parcel 1 and 27,400 square feet of existing commercial, 31,664 square feet of existing multipurpose recreational use and 117,548 square feet of office (24,848 square feet of existing, 92,700 square feet proposed) on Parcels 2-5. No commercial/retail uses permitted within the office uses and no freestanding banks or banks with drive-thru facilities are permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

This restriction acknowledges the lease of a 10,000 square foot existing private school within the multipurpose recreational use. However, for the purposes of impact fee

assessment and concurrency review, the building is vested for multipurpose recreational use."

The petitioner's request is consistent with the "Doral Campus Office Park" development project. Additionally, office use is permitted in Commercial Land Use Plan Map designations and is in accordance with the adopted Town of Davie Comprehensive Plan. Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site.

PREVIOUS ACTIONS: This item was tabled from the December 19, 2007 Town Council meeting to the January 16, 2008 meeting.

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

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

Attachment(s):
Resolution, Justification letter, Plat, Future Land Use Map, Aerial, Zoning, & Subject Site Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE " RIVIERA COMMERCIAL PARK NORTH," AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as "Riviera Commercial Park North" was recorded in the public records of Broward County in Plat Book 127, Page 49; and,

WHEREAS, the owner desires to revise the restrictive note associated with said plat; and,

WHEREAS, Broward County requires that the Town of Davie concur with this revision 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 revision to the restrictive note shown on the "Riviera Commercial Park North." The proposed revision being specifically described in the planning exhibits attached hereto.

SECTION 2. Any improvements required to satisfy Transit Oriented Concurrency should be located within the Town of Davie on the local road network.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007.

_____
MAYOR/COUNCILMEMBER

ATTEST:

_____
TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.

Exhibit (Justification Letter)

Riviera Commercial Park North

Existing Note:
This plat is restricted to 13,065 square feet of commercial on Parcel 1 and 24,800 square feet of commercial, 68,400 square feet office, 8,000 square feet of day care and 2.53 acres commercial recreation on Parcels 2-5.

Proposed Note:
This plat is restricted to13,065 square feet of commercial on Parcel 1 and 27,400 square feet of existing commercial, **31,664** square feet of existing multipurpose recreational use and **117,548** square feet of office (24,848 square feet of existing, **92,700** square feet proposed) on Parcels 2-5. No commercial/retail uses permitted within the office uses and no freestanding banks or banks with drive-thru facilities are permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

This restriction acknowledges the lease of a 10,000 square foot existing private school within the multipurpose recreational use. However, for the purposes of impact fee assessment and concurrency review, the building is vested for multipurpose recreational use.

Exhibit (*Plat*)

RIVIERA COMMERCIAL PARK NORTH

SHEET 1 OF 2

A REPLAT OF A PORTION OF TRACTS 25, 26, 27 AND 28
A.J. BENDLE'S SUBDIVISION (P.B. 1, PG. 27 DADE) OF
SECTION 3, TOWNSHIP 51 SOUTH, RANGE 41 EAST
TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

PREPARED BY
KEITH AND SCHNARS, P.A.
ENGINEERS - PLANNERS - SURVEYORS
1175 NORTHEAST 125th AVENUE
FORT LAUDERDALE, FLORIDA
(305) 763-3343

THIS PLAT HAS BEEN APPROVED
IN O.R. BOOK 25491 PG 581

THIS PLAT HAS BEEN RECORDED
SEE PLAT BOOK 166 PAGE 36
IN O.R. BOOK 26648 PG 220

DESCRIPTION

A PORTION OF TRACTS 25, 26, 27 AND 28 OF A. J. BENDLE'S SUBDIVISION OF SECTION 3, TOWNSHIP 51 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 27 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL A, GATELAND RESIDENTIAL PLAT, ALLORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 87-12, PAGE 44 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF NORTHWEST 53RD STREET SOUTH 87° 56' 26" WEST, 233.84 FEET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE SOUTH 88° 19' 01" WEST, 190.10 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 87° 46' 10" WEST, 150.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 35.00 FEET EAST OF THE WEST BOUNDARY OF SAID SECTION 3; THENCE ALONG SAID PARALLEL LINE, NORTH 01° 28' 34" WEST, 1313.40 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID TRACT 25; THENCE ALONG SAID NORTH BOUNDARY, SOUTH 89° 48' 28" EAST, 643.84 FEET TO THE NORTHWEST CORNER OF SAID PARCEL A, GATELAND RESIDENTIAL PLAT; THENCE ALONG THE WEST BOUNDARY OF SAID PARCEL A, SOUTH 01° 28' 34" EAST, 1351.39 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA, AND CONTAINING 19.883 ACRES, MORE OR LESS.

DEDICATION

STATE OF FLORIDA }
COUNTY OF BROWARD } SS

KNOW ALL MEN BY THESE PRESENTS, THAT J. DAVID GATES, DONALD LANDY AND J. LEE CROUCH AS TRUSTEE, THE OWNERS OF THE LAND DESCRIBED AND SHOWN HEREON AS INCLUDED WITHIN THIS PLAT, HAS CAUSED SAID LANDS TO BE SUBDIVIDED AND PLATTED AS SHOWN HEREON, SAID PLAT TO BE KNOWN AS "RIVIERA COMMERCIAL PARK NORTH", EASEMENTS SHOWN HEREON ARE DEDICATED TO THE PUBLIC FOR USES INDICATED. RIGHTS-OF-WAY SHOWN HEREON ARE DEDICATED TO THE PUBLIC IN FEE SIMPLE. "A REPLAT"

IN WITNESS WHEREOF, THE OWNERS HAVE CAUSED THESE PRESENTS TO BE EXECUTED THIS 8 DAY OF JUNE A.D., 1945.

Maria E. Haring
WITNESS AS TO GATES AND LANDY

J. DAVID GATES

Donald Landy
DONALD LANDY

Charlotte A. Kinsella
WITNESS

J. LEE CROUCH, TRUSTEE

WITNESS

ACKNOWLEDGEMENT

STATE OF FLORIDA } SS
COUNTY OF BROWARD }

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME, AN OFFICER DULY AUTHORIZED BY LAW TO ADMINISTER OATHS AND TAKE ACKNOWLEDGEMENTS, J. DAVID GATES, MARIA GATES, DONALD LANDY AND LORETTA LANDY, AND THAT THEY EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED BEFORE ME THAT THEY EXECUTED THE SAME FREELY AND VOLUNTARILY, FOR USES AND PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND SEAL THIS 8 DAY OF JUNE A.D., 1945.

MY COMMISSION EXPIRES: 8-9-87

Maria E. Haring
NOTARY PUBLIC
STATE OF FLORIDA

ACKNOWLEDGEMENT

STATE OF FLORIDA } SS
COUNTY OF BROWARD }

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME, AN OFFICER DULY AUTHORIZED BY LAW TO ADMINISTER OATHS AND TAKE ACKNOWLEDGEMENTS, J. LEE CROUCH, AS TRUSTEE, THE OWNER, AND THAT HE EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED BEFORE ME THAT HE EXECUTED THE SAME FREELY AND VOLUNTARILY, FOR USES AND PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND SEAL THIS 6th DAY OF June A.D., 1945.

MY COMMISSION EXPIRES June 24 1985

Elizabeth A. Kinsella
NOTARY PUBLIC
STATE OF FLORIDA

MORTGAGEE'S CONSENT

STATE OF FLORIDA }
COUNTY OF DADE } SS

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE UPON THE PROPERTY DESCRIBED HEREON AND IN THE DEDICATION IN AND CONSENT TO SUCH DEDICATION, PLAT AND DEDICATIONS THEREON, DESCRIBED IN SAID DEDICATION BY THE OWNERS THEREOF AND RECORDED IN OFFICIAL RECORDS BOOK 12978, PAGE 867 OF THE PUBLIC RECORDS OF BROWARD COUNTY, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

IN WITNESS WHEREOF, THE MORTGAGEE HAVE CAUSED THESE PRESENTS TO BE SIGNED THIS 2 DAY OF APRIL A.D., 1986.

WITNESS AS TO BOTH

INTERAMERICAN FEDERAL SAVINGS AND LOAN ASSOCIATION (F) OF MIAMI

BY: Andrew S. Ferreira
ANDREW S. FERREIRA
EXECUTIVE VICE PRESIDENT

WITNESS AS TO BOTH

ACKNOWLEDGEMENT

STATE OF FLORIDA } SS
COUNTY OF DADE }

BEFORE ME PERSONALLY APPEARED ANDREW S. FERREIRA TO ME WELL KNOWN AND KNOWN TO BE TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AS EXECUTIVE VICE PRESIDENT OF INTERAMERICAN FEDERAL SAVINGS AND LOAN ASSOCIATION, AND HE ACKNOWLEDGED BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID CORPORATION, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND SEAL THIS 8 DAY OF APRIL A.D., 1986.

MY COMMISSION EXPIRES: Jan 29 1990

NOTARY PUBLIC
STATE OF FLORIDA

TOWN COUNCIL

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN APPROVED AND ACCEPTED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE BY RESOLUTION THIS 2nd DAY OF July A.D., 1986.

ATTEST: TOWN CLERK BY: MAYOR

DEVELOPMENT SERVICES DEPARTMENT

THIS IS TO CERTIFY THAT THE DEVELOPMENT SERVICES DEPARTMENT OF THE TOWN OF DAVIE HAS APPROVED AND ACCEPTED THIS PLAT THIS 1st DAY OF July A.D., 1986.

DIRECTOR

PLANNING AND ZONING BOARD

THIS IS TO IDENTIFY THAT THE PLANNING AND ZONING BOARD OF THE TOWN OF DAVIE HAS APPROVED AND ACCEPTED THIS PLAT THIS 2nd DAY OF Oct A.D., 1985.

CHAIRMAN

CENTRAL BROWARD DRAINAGE DISTRICT

THIS PLAT IS HEREBY APPROVED FOR RECORD THIS 6 DAY OF Aug A.D., 1985.

SECRETARY

BROWARD COUNTY ENGINEERING DIVISION

THIS PLAT IS HEREBY APPROVED AND ACCEPTED FOR RECORD.

BY: Henry P. Cohn
HENRY P. COHN
DIRECTOR
FLORIDA P.E., REG. NO. 13708

DATE 2-19-86

Robert E. Thompson
ROBERT E. THOMPSON, P.L.S.
COUNTY SURVEYOR
FLORIDA REGISTRATION NO. 3868

BROWARD COUNTY PLANNING COUNCIL

THIS IS TO CERTIFY THAT THE BROWARD COUNTY PLANNING COUNCIL APPROVED THIS PLAT BEING RECORD NO DEDICATION OR RIGHTS-OF-WAYS BY RESOLUTION ADOPTED THIS 17th DAY OF September A.D., 1985.

BY:

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT, COUNTY RECORDS DIVISION - MINUTES SECTION

THIS IS TO CERTIFY THAT THIS PLAT COMPLIES WITH THE PROVISIONS OF CHAPTER 177, FLORIDA STATUTES, AND WAS ACCEPTED FOR RECORD BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, THIS 2 DAY OF December A.D., 1986.

ATTEST: P. A. JOHNSON
COUNTY ADMINISTRATOR

BY: CHAIRMAN, COUNTY COMMISSION

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT, COUNTY RECORDS DIVISION - RECORDING SECTION

THIS INSTRUMENT WAS FILED FOR RECORD THIS 1st DAY OF July A.D., 1986, AND RECORDED IN PLAT BOOK 127, PAGE 39 BROWARD COUNTY RECORDS.

ATTEST: P.A. JOHNSON
COUNTY ADMINISTRATOR

BY: DEPUTY CLERK

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, THAT PERMANENT REFERENCE MONUMENTS (P.R.M.s) HAVE BEEN SET AS INDICATED HEREON, THAT THE SURVEY WAS MADE UNDER OUR RESPONSIBLE DIRECTION AND SUPERVISION, AND THAT THE SURVEY DATA COMPLIES WITH ALL REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND BROWARD COUNTY ORDINANCE #8V1E. ELEVATIONS SHOWN HEREON ARE BASED ON N.G.V.D. OF 1929 AND CONFORM TO THIRD ORDER ACCURACY STANDARDS.

DATED 10-5-84

KEITH AND SCHNARS, P.A.

BY: WILLIAM Y. KEITH
PROFESSIONAL LAND SURVEYOR
FLORIDA REGISTRATION NO. 1836

— SEALS —

INTERAMERICAN FEDERAL SAVINGS AND LOAN ASSOC.	NOTARY - MORTGAGEE	COUNTY SURVEYOR	NOTARY - DEDICATION	NOTARY - DEDICATION (TRUSTEE)	VOID	VOID	TOWN OF DAVIE	COUNTY ENGINEER	SURVEYOR

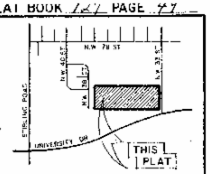
PLAT BOOK 127 PAGE 47

RIVIERA COMMERCIAL PARK NORTH

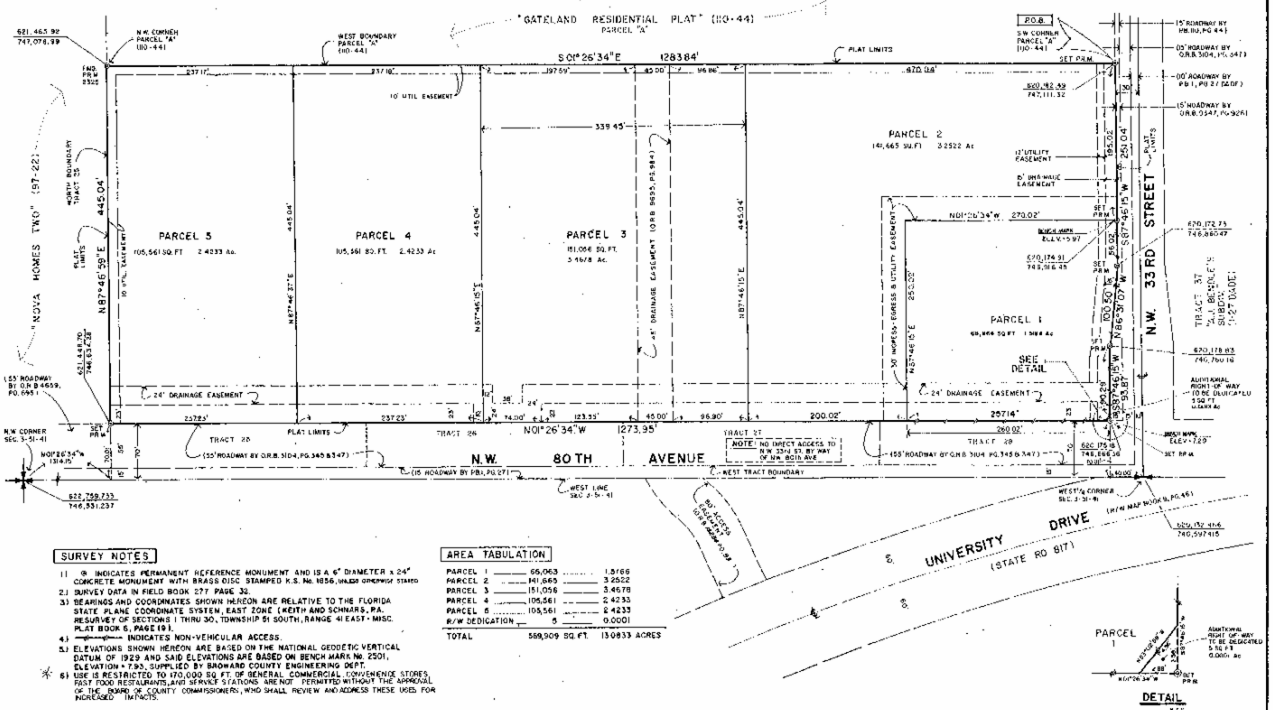
SHEET 2 OF 2

A REPLAT OF A PORTION OF TRACTS 25, 26, 27 AND 28
A. J. BENDLE'S SUBDIVISION (PB. 1, PG. 27 DADE) OF
SECTION 3, TOWNSHIP 51 SOUTH, RANGE 41 EAST
TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

PREPARED BY
KEITH AND SCHNARS, P.A.
ENGINEERS - PLANNERS - SURVEYORS
1100 NORTHEAST 4TH AVENUE
FORT LAUDERDALE, FLORIDA
(305) 763-3565



LOCATION SKETCH
N.T.S.



DETAIL
N.T.S.

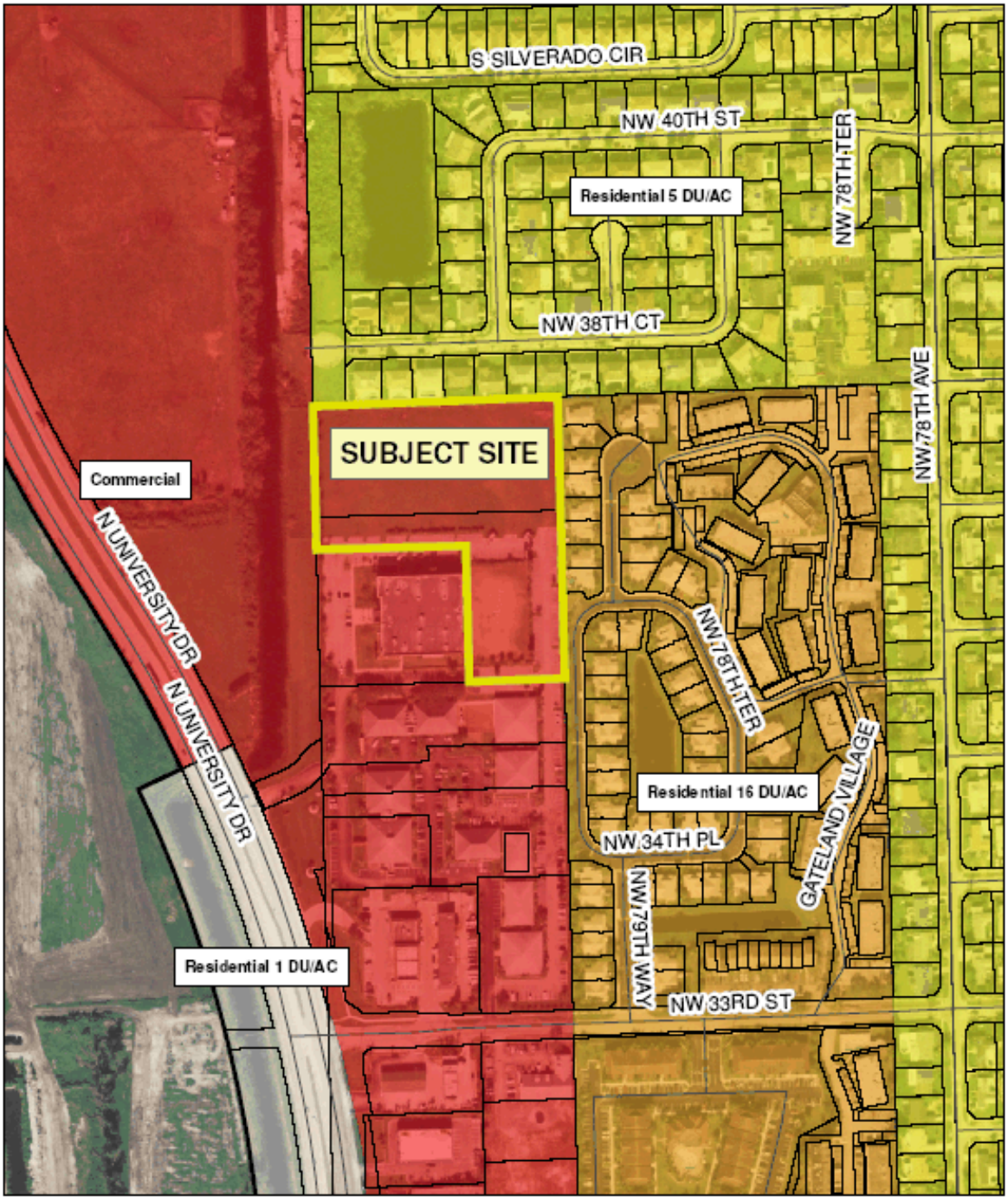
SURVEY NOTES

1) ⊕ INDICATES PERMANENT REFERENCE MONUMENT AND IS A 6" DIAMETER x 24" CONCRETE MONUMENT WITH BRASS DISC STAMPED K.S. No. 1856, UNLESS OTHERWISE STATED.
2) SURVEY DATA IN FIELD BOOK 277 PAGE 32.
3) BEARINGS AND COORDINATES SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (KEITH AND SCHNARS, P.A. RESURVEY OF SECTIONS 1 THRU 30, TOWNSHIP 51 SOUTH, RANGE 41 EAST - MISC. PLAT BOOK 6, PAGE 19).
4) —o— INDICATES NON-VEHICULAR ACCESS.
5) ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 AND SAID ELEVATIONS ARE BASED ON BENCH MARK No. 2501, ELEVATION = 7.93, SUPPLIED BY BROWARD COUNTY ENGINEERING DEPT.
6) * USE IS RESTRICTED TO 170,000 SQ. FT. OF GENERAL COMMERCIAL CONVENIENCE STORES, FAST FOOD RESTAURANTS, AND SERVICE STATIONS ARE NOT PERMITTED WITHOUT THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS, WHO SHALL REVIEW AND ADDRESS THESE USES FOR INCREASED IMPACTS.

AREA TABULATION

PARCEL 1	69,063	1.5166
PARCEL 2	141,665	3.2522
PARCEL 3	151,056	3.4678
PARCEL 4	105,561	2.4233
PARCEL 5	105,561	2.4233
R/W DEDICATION	5	0.0001
TOTAL	569,909 SQ. FT.	13.0833 ACRES

Exhibit (Future Land Use Map)



Date Flown:
12/2004

N

0 150 300 600 Feet

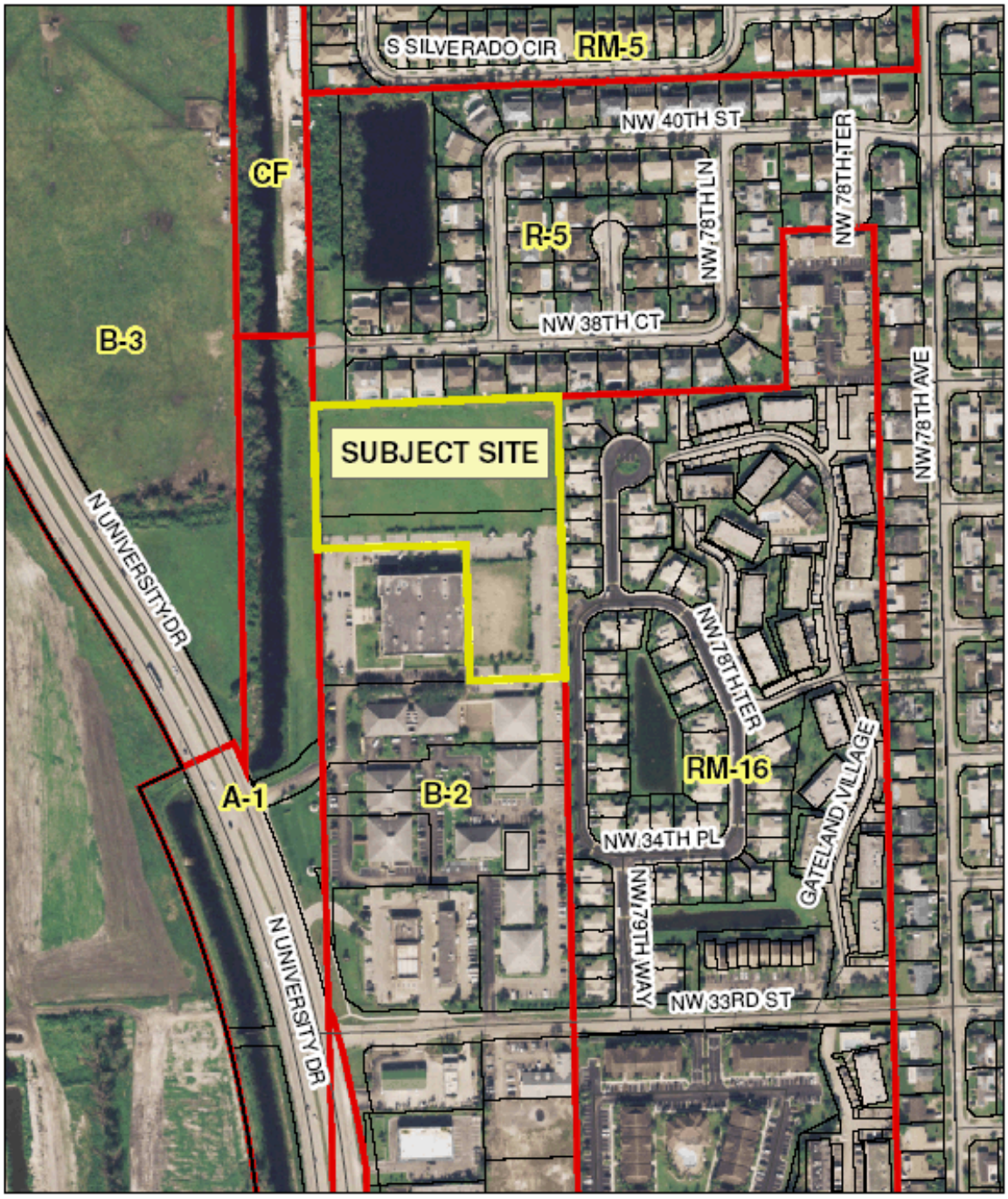
Prepared by the Town of Davie GIS Division

Site Plan
SP 9-3-06

Future Land Use Map

Prepared by: ID
Date Prepared: 5/16/07

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



Date Flown:
12/2004

N

0 150 300 600 Feet

Prepared by the Town of Davie GIS Division

Site Plan
SP 9-3-06

Zoning and Aerial Map

Prepared by: ID
Date Prepared: 5/16/07