

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP/(954) 797-1101

SUBJECT: Rezoning

Project Name and Location: Home Depot University Creek. 5801 South University Drive, generally located on the west side of University Drive east of 82nd Avenue north of Stirling Road.

TITLE OF AGENDA ITEM:

ZB 10-1-00 Applicant: Home Depot USA, petitioner/Fidel Farias, and Marc Geiserman, Trustee, owners.

REPORT IN BRIEF:

The applicant requests to rezone the 6.12 acre property from A-1 to B-2 for the construction of a parking lot, retention area and landscaping, all requirements of a new Home Depot store proposed for the parcel to the east zoned B-2. A 165' FPL easement currently exists on the property consuming 2.5 acres of the eastern most portion. The rezoning will provide a consistent zoning designation with the properties to the north (zoned B-1, B-2) and west (zoned B-2). It would also remain consistent with the commercial designation within Broward County's Comprehensive Plan.

PREVIOUS ACTIONS: None.

CONCURRENCES:

The Planning and Zoning Board recommended to approve the request at its February 28, 2001 meeting (motion carried 5-0).

FISCAL IMPACT: None.

RECOMMENDATION(S): Motion to approve.

Attachment(s): Justification letter, Site Plans, Land Use Map, Subject Site Map, Aerial.

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT, TO B-2, COMMUNITY BUSINESS DISTRICT, OF THE TOWN OF DAVIE CODE; 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 thereunder 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 owner has provided a conceptual master plan described in Exhibit "B", which is attached hereto and made a part hereof.

SECTION 3. 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 4. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 5. 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 6. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS _____ DAY OF _____,2001.

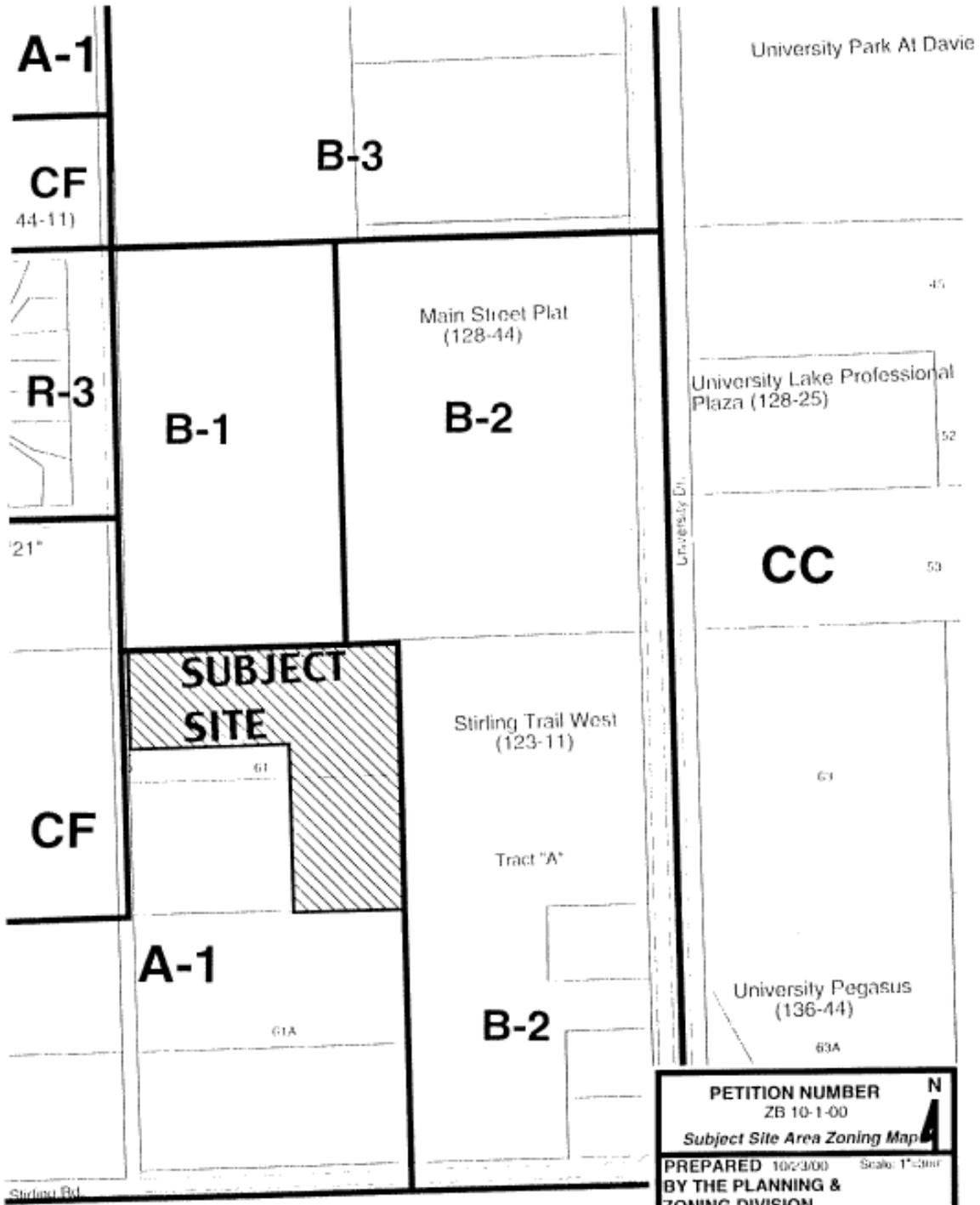
PASSED ON SECOND READING THIS _____ DAY OF _____,2001.

ATTEST:

MAYOR/COUNCILMEMBER

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2001.



PETITION NUMBER
ZB 10-1-00

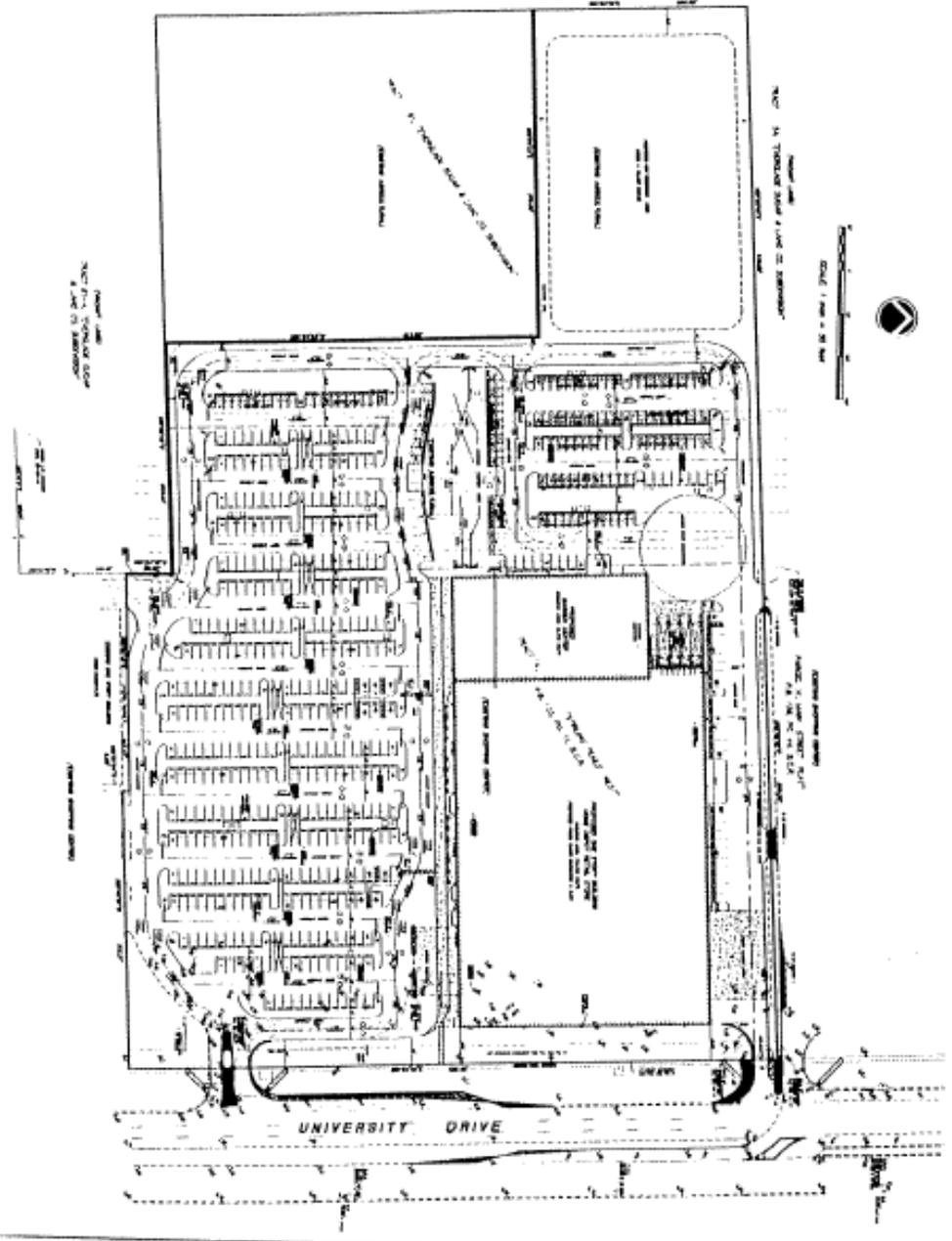
Subject Site Area Zoning Map

PREPARED 10/2/00 Scale: 1"=300'

**BY THE PLANNING &
ZONING DIVISION**

N

R W 42nd AVENUE



1'45" 10/11/00	1'45" 10/11/00	1'45" 10/11/00	1'45" 10/11/00	1'45" 10/11/00	1'45" 10/11/00	1'45" 10/11/00	1'45" 10/11/00	1'45" 10/11/00	1'45" 10/11/00						
HOME DEPOT STIRLING RD & UNIVERSITY DR															
SITE PLAN															
<table border="1"> <tr> <th>NO.</th> <th>REVISION</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>					NO.	REVISION					S&T Sus Tech Engineering, Inc. 10000 Rte. 100, Suite 100 Dallas, TX 75243 Phone: 972.714.1111 Fax: 972.714.1112				
NO.	REVISION														