

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

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

SUBJECT: Plat
P 5-1-01 Miller, Legg & Associates, Inc./Moersch, Fuselli, Amsouth
Bank, Trustee of the Fuselli Trust, northeast corner of Flamingo Road
and Orange Drive

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT KNOWN AS WESTRIDGE COMMONS AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The applicant requests approval of the resolution for the proposed subdivision plat. The site area consists of approximately 946,593 square feet or 21.731 acres with a note restricting the site to 200,000 square feet of commercial use. Access is provided via two 60' access openings (1 on Flamingo Road the other on Orange Drive), two 40' right in right out only access openings (1 on Flamingo Road the other on Orange Drive), and non-vehicular access lines (NVAL) along the remaining portion of the western and southern limits of the site. NVAL not required along the northern limits of the site since there is no access to right-of-way, and not required along the eastern limits because a masonry wall is required by Code. Utility easements to be determined when comments from Bellsouth and FPL are received. Bicycle and recreational easements will be dedicated via site plan.

PREVIOUS ACTIONS: None

CONCURRENCES: The Planning and Zoning Board, at its August 22, 2001 meeting, recommended denial based on not wanting two access openings on Orange Drive (5-0).

FISCAL IMPACT: None

RECOMMENDATION(S): Motion to approve P 5-1-01 subject to the following conditions:

1. Elimination of the 40' right in right out only access opening on Orange Drive.
2. Sufficient capacity of the regional road network as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.

Attachment(s): Resolution, Planning Report, List of owners, Land use map, Subject site map, Aerial

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT KNOWN AS WESTRIDGE COMMONS AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat of the subdivision to be known as the **Westridge Commons Plat** has been approved by the Town Planning and Zoning Board on August 8, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat of the subdivision known as the **Westridge Commons Plat** is hereby approved subject to staff's recommendations and conditions on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign such plat on behalf of the Town and the Town Clerk is directed to affix to such plat the Town seal.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2001.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2001.

DEVELOPMENT SERVICES DEPARTMENT

Planning & Zoning Division

MEMORANDUM

PZ 11-03-01

TO: Thomas J. Willi, Town Administrator

THRU: Mark Kutney, AICP, Development Services Director

FROM: Christopher M. Gratz, Planner II

DATE: November 1, 2001

RE: Westridge Commons: P 5-1-01, ZB 4-5-01, ZB 4-6-01, V 4-3-01
Petitioner/Owner: Miller, Legg & Associates, Inc./Moersch, Fuselli, Amsouth Bank, Trustee of the Fuselli Trust

Attached is a revised concept plan submittal from the Stiles Development Corporation for the above captioned petitions. The basis for the resubmittal is to address resident concerns and the Planning and Zoning Board's recommendation of denial for all of the petitions.

The revised site layout shows new locations for the grocery store, linear strip retail, and outparcel #2. The grocery store and linear strip retail have traded places and have been reconfigured. Included in the grocery store modification is a truck turning area so that grocery delivery vehicles will utilize Flamingo Road exclusively. The change in location of outparcel #2 could result in variance petition V 4-3-01 being withdrawn. The size of the overall development has been reduced by 40,000 square feet. The two (2) proposed openings along Orange Drive have been modified. The concept plan now shows one (1) 60' unrestricted access opening along Orange Drive.

A table of restrictions has been added to the concept plan. These restrictions include but are not limited to: restricting permitted uses to those allowed in B-2, Community Business Districts, maximum center size of 160,000 square feet, maximum individual building size of 60,000 square feet, maximum building height of 25' on the east 300' of the site, maximum height of light poles of 25'. Provided along the eastern boundary is a landscape buffer of 70', 8' concrete wall that extends 90' along Orange Drive, a 10' berm, 1 shade tree 14-16' in height per 20 lineal feet of berm, 1 accent tree 10-12' in height per 30 lineal feet of berm, continuous row of hedge at the top of the berm, and commitment to complete berm and wall within 120 days from the start of construction.

This information has been provided to Council as an addendum to the aforementioned petitions above and does not alter or impact the staff recommendation.



**NATIONAL DEVELOPER
OF THE YEAR**



October 25, 2001

Chris Grantz
Town of Davie
6591 Orange Drive
Davie, FL 33314



300 S.E. 2nd Street
Ft. Lauderdale, FL 33301
954.627.9160
954.627.9288 Fax
stiles.com
info@stiles.com

**RE: WESTRIDGE COMMONS
N.E.C. FLAMINGO ROAD AND ORANGE DRIVE**

Dear Chris:

In response to the issues raised at the August 22nd Planning & Zoning Board meeting, the purpose of this submittal is to request two modifications of our previous applications for the above referenced project.

1) Revised Master Plan Resubmittal:

In order to address the concerns that were raised by the homeowner's association at the Planning & Zoning Board meeting, we have made several substantial improvements to the Conceptual Master Plan. These changes are described below:

- a) Relocated the grocery store away from the east property line.
- b) Reduced the curb cuts on Orange Drive down to one opening.
- c) Increased the height of the rear berm to 10' (from 5').
- d) Lengthened the screen wall by 90' feet along Orange Drive.
- e) Provided a truck turning area so that grocery delivery vehicles enter and exit via Flamingo Road only.
- f) Relocated Outparcel #2 away from the north property line.
- g) Lowered all site light poles down to 25' (from 40').

We have also agreed to several additional restrictions that are documented in the table of restrictions that has been added to the Master Plan. These restrictions are summarized below:

- a) Reduced the maximum size of the center from 200,000 s.f. to 160,000 s.f.
- b) Limited the permitted uses to only those allowed within B2. Additionally, we have further excluded numerous B2 uses that are not a part of our development plan.
- c) Limited the maximum individual building size to 60,000 s.f.
- d) Provided shade trees on the east berm at 2x Code requirements.
- e) Provided accent trees on the east berm at 3x Code requirements.
- f) Committed to complete the rear berm and wall within 120 days of the start of the project.

Chris Grantz
October 25, 2001
Page 2 of 2

2) Withdrawal of Variance

Since Outparcel #2 has now been relocated so that it no longer lies within 250' of residentially land used property, there is no longer the need for a variance. We are therefore requesting that our Application for Variance #V4-3-01 be withdrawn.

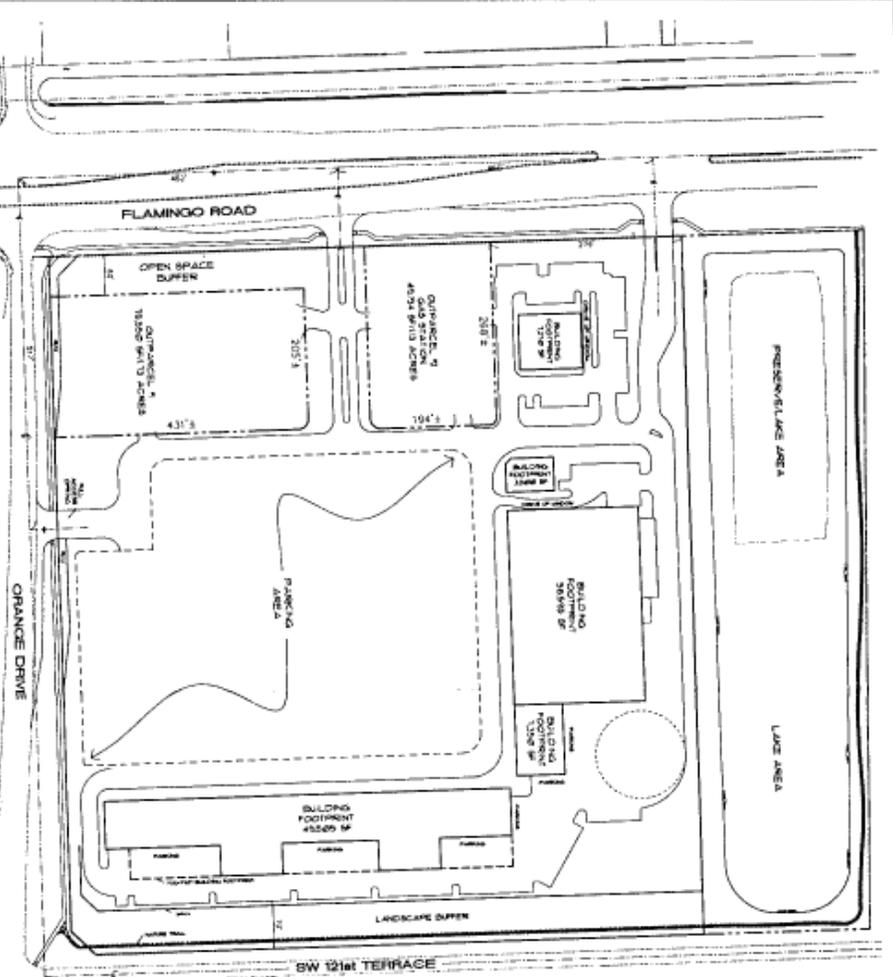
With these modifications and restrictions, we believe that each of the concerns raised by the homeowners association has now been fully addressed. Please contact me at (954) 627-9354 if you should have any questions. Thank you very much.

Sincerely,

STILES DEVELOPMENT CO.



Stephen M. Fleisher
Director of Retail Development



Item No.	Description	Quantity	Unit	Notes
1	Site Preparation	1	Lot	Clearing, grading, and utility relocation.
2	Foundation	1	Lot	Concrete foundation for all buildings.
3	Structural Steel	1	Lot	Structural steel for all buildings.
4	Roofing	1	Lot	Asphalt shingle roofing for all buildings.
5	Exterior Finishes	1	Lot	Brick and stone veneer for all buildings.
6	Interior Finishes	1	Lot	Carpet, drywall, and paint for all buildings.
7	Mechanical	1	Lot	HVAC systems for all buildings.
8	Electrical	1	Lot	Electrical wiring and panels for all buildings.
9	Plumbing	1	Lot	Plumbing fixtures and piping for all buildings.
10	Landscaping	1	Lot	Planting of trees and shrubs.
11	Paving	1	Lot	Asphalt paving for parking and circulation areas.
12	Site Furniture	1	Lot	Benches and lighting for the site.

CONCEPTUAL MASTER PLAN FOR
WESTRIDGE COMMONS
 CORNER OF FLAMINGO ROAD AND ORANGE DRIVE
 DAVIE, FLORIDA

SITE DATA

SITE ZONE: COMMERCIAL

ADJACENT ZONING: COMMERCIAL

ADJACENT DEVELOPMENT: OFFICE BUILDING

ADJACENT PROPERTY: 10,000 SQ. FT. OFFICE BUILDING

ADJACENT STREET: FLAMINGO ROAD

ADJACENT DRIVE: ORANGE DRIVE

ADJACENT SIDEWALK: 10' WIDE SIDEWALK

ADJACENT CURB: 10' WIDE CURB

ADJACENT DRIVEWAY: 10' WIDE DRIVEWAY

ADJACENT PARKING: 10' WIDE PARKING

ADJACENT LANDSCAPE: 10' WIDE LANDSCAPE

ADJACENT UTILITIES: 10' WIDE UTILITIES



Application #: P 5-1-01
Exhibit "A"

Revisions:
Original Report Date: 11/2/01

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

APPLICANT INFORMATION

Owner:

Name: Barry Webber, Attorney-In-Fact
Address: 4430 SW 64 Avenue
City: Davie, FL 33314
Phone: (954)587-3058

Agent:

Name: Miller, Legg & Associates, Inc.
Address: 1800 North Douglas Road, Suite 200
City: Pembroke Pines, FL 33024
Phone: (954)436-7000

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: Approval of the resolution for the proposed subdivision plat.

Address/Location: 4450 Flamingo Road/Generally located at the northeast corner of Orange Drive and Flamingo Road.

Future Land Use Plan Designation: Commercial

Zoning: AG, Agricultural District (B-3, Planned Business Center proposed pursuant to application ZB 4-6-01)

Existing Use: Vacant

Proposed Use: 200,000 square feet commercial use

Parcel Size: 21.731 acres (946,593 square feet)

	<u>Surrounding Uses:</u>	<u>Surrounding Land Use Plan Designation:</u>
North:	Vacant	Residential (1 DU/AC)
South:	Orange Drive, South New River Canal	Recreation and Open Space
East:	Single Family Residential (Laurel Oaks)	Residential (1 DU/AC)
West:	Commercial (Flamingo Commons)	Commercial

Surrounding Zoning:

North: AG, Agricultural District (CF, Community Facilities District proposed)

South: AG, Agricultural District

East: R-1, Estate Dwelling District

West: B-3, Planned Business Center District

ZONING HISTORY

Related Zoning History: None

Previous Request on same property: None

APPLICATION DETAILS

The Applicant's SUBMISSION indicates the following:

1. The site area consists of approximately 946,593 square feet or 21.731 acres.
2. A note restricting the site to 200,000 square feet of commercial use.
3. Two 60' access openings (1 on Flamingo Road the other on Orange Drive), two 40' right in right out only access openings (1 on Flamingo Road the other on Orange Drive), and non-vehicular access lines (NVAL) along the remaining portion of the western and southern limits of the site.
4. NVAL not required along the northern limits of the site since there is no access to right-of-way, and not required along the eastern limits because a masonry wall is required by Code.
5. Utility easements to be determined when comments from Bellsouth and FPL are received.
6. Bicycle and recreational easements will be dedicated via site plan.

Significant Development Review Agency Comments

The Engineering Division recommends elimination of the 40' right in right out only access opening on Orange Drive.

Applicable Codes and Ordinances

Section 12-360(B)(1) of the Land Development Code, platting requirements.

Comprehensive Plan Considerations

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

Broward County Land Use Plan: The subject site falls within Flexibility Zone 100. Approval of the plat shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.

Applicable Goals, Objectives & Policies: Future Land Use Policy 7-4: Commercial land uses shall generally be located with access to primary transportation facilities including interstates, highways and arterials. Commercial uses located on arterials not designated by the Future Land Use Plan map as commercial corridors should be limited to the

intersection of two arterials or arterials and interstates. Consistent with Policy 7-1, vacant land with such access shall be evaluated for potential commercial use.

Staff Analysis

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to use, location, size. Staff recommends modification to the proposed access openings on the southern limits of the plat.

Staff Recommendation

Recommendation: Staff recommends **approval**, of the proposed plat subject to:

1. Elimination of the 40' right in right out only access opening on Orange Drive.
 2. Sufficient capacity of the regional road network as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
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Planning & Zoning Board Recommendation

The Planning and Zoning Board, at its August 22, 2001 meeting, recommended denial based on not wanting two access openings on Orange Drive (5-0).

Exhibits

1. List of owners
2. Resolution
3. Land use map
4. Subject site map
5. Aerial

Prepared by: _____

Reviewed by: _____

Ownership of the proposed "Westridge Commons" plat

Folio No. 0025-01-0142

Owner: Barbara L. Moersch

Folio No. 0025-01-0130

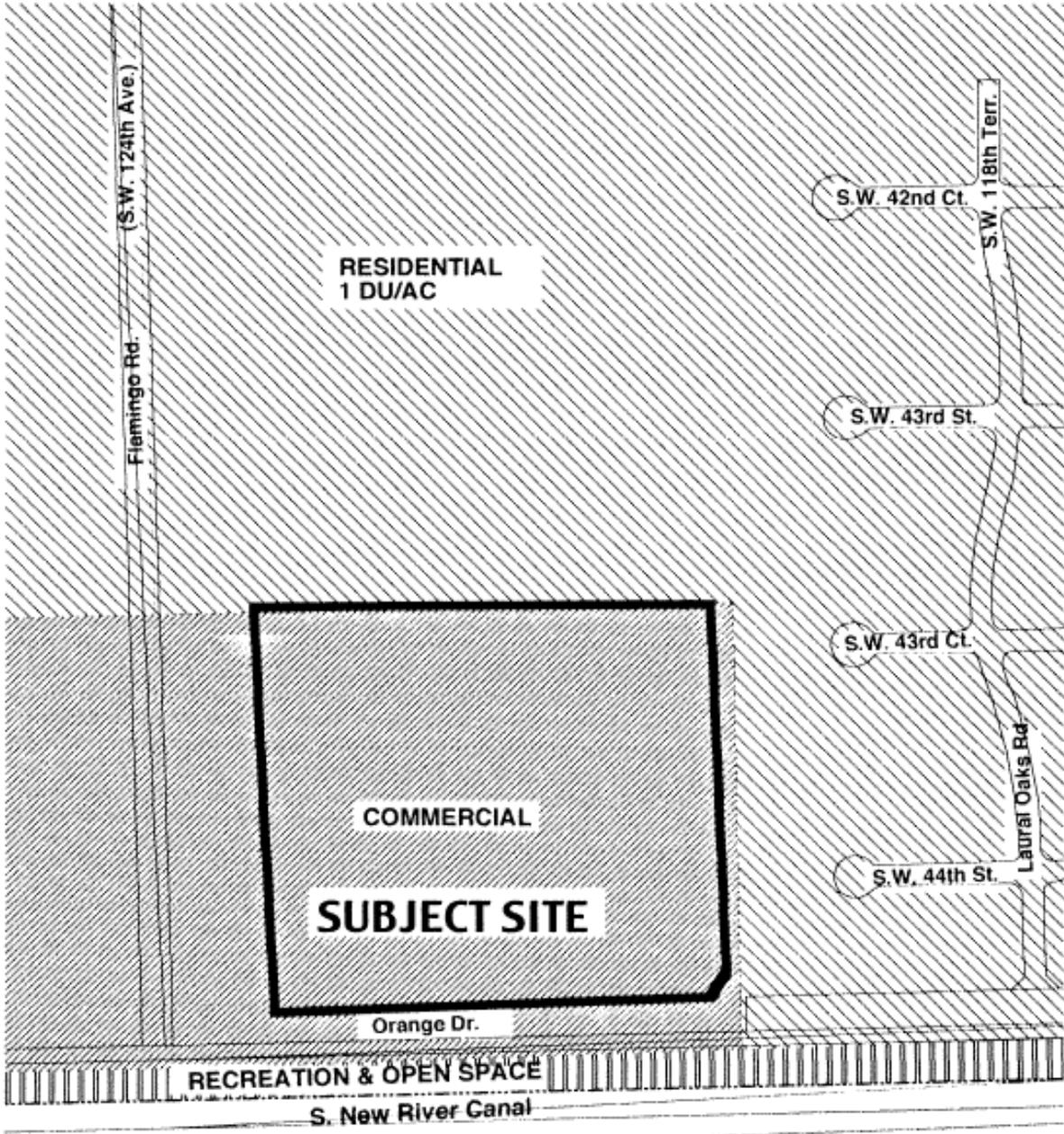
Owner: Barbara L. Fuselli and Frederick P. Moersch, her brother, tenants in common

Folio No. 0025-01-0320

Owner: Robert Moersch and wife, Marion C. Moersch

Folio No. 0025-01-0140

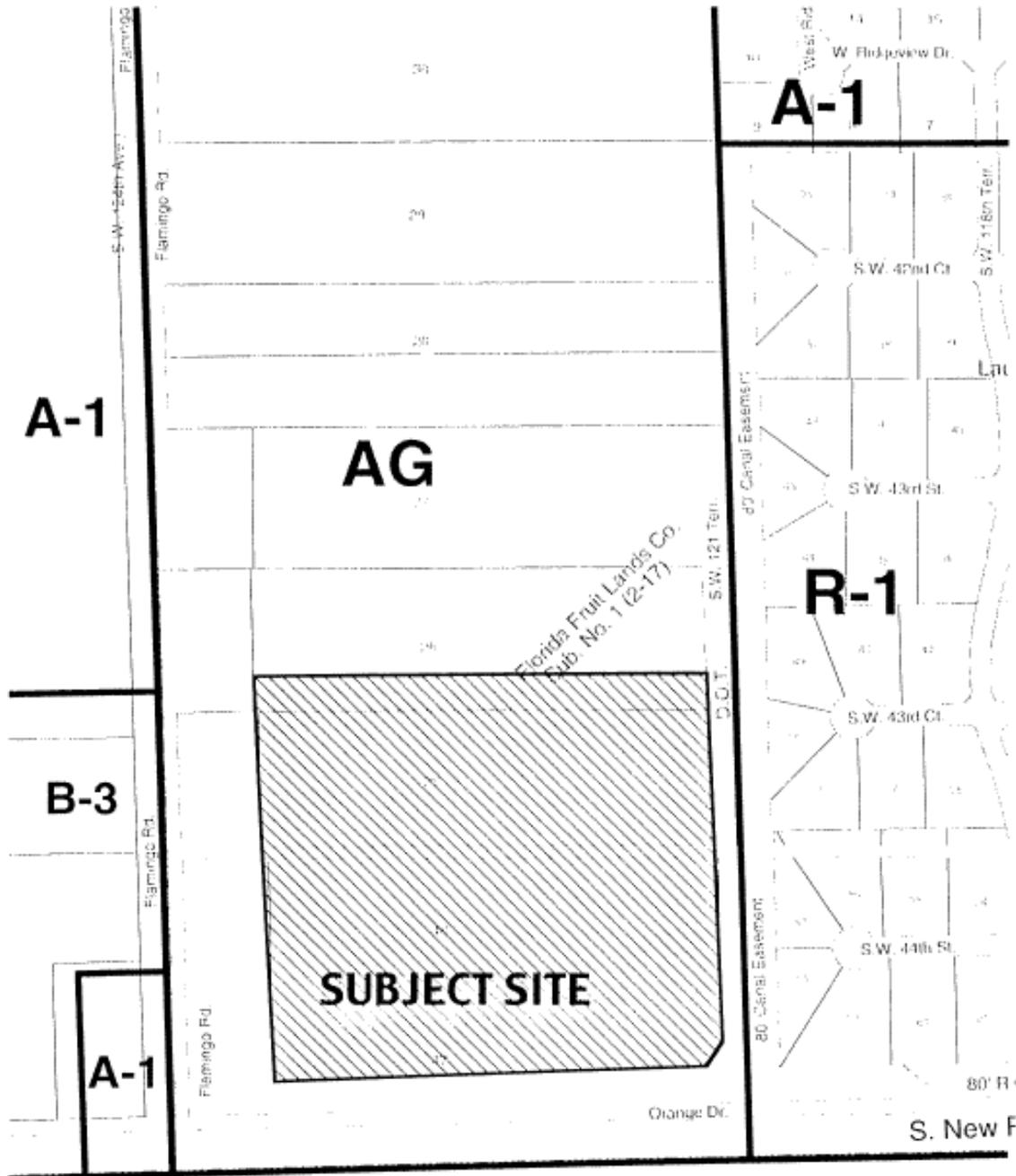
Owner: Personal Representative's Deed in favor of AmSouth Bank, Trustee of The Vincent J. Fuselli Trust



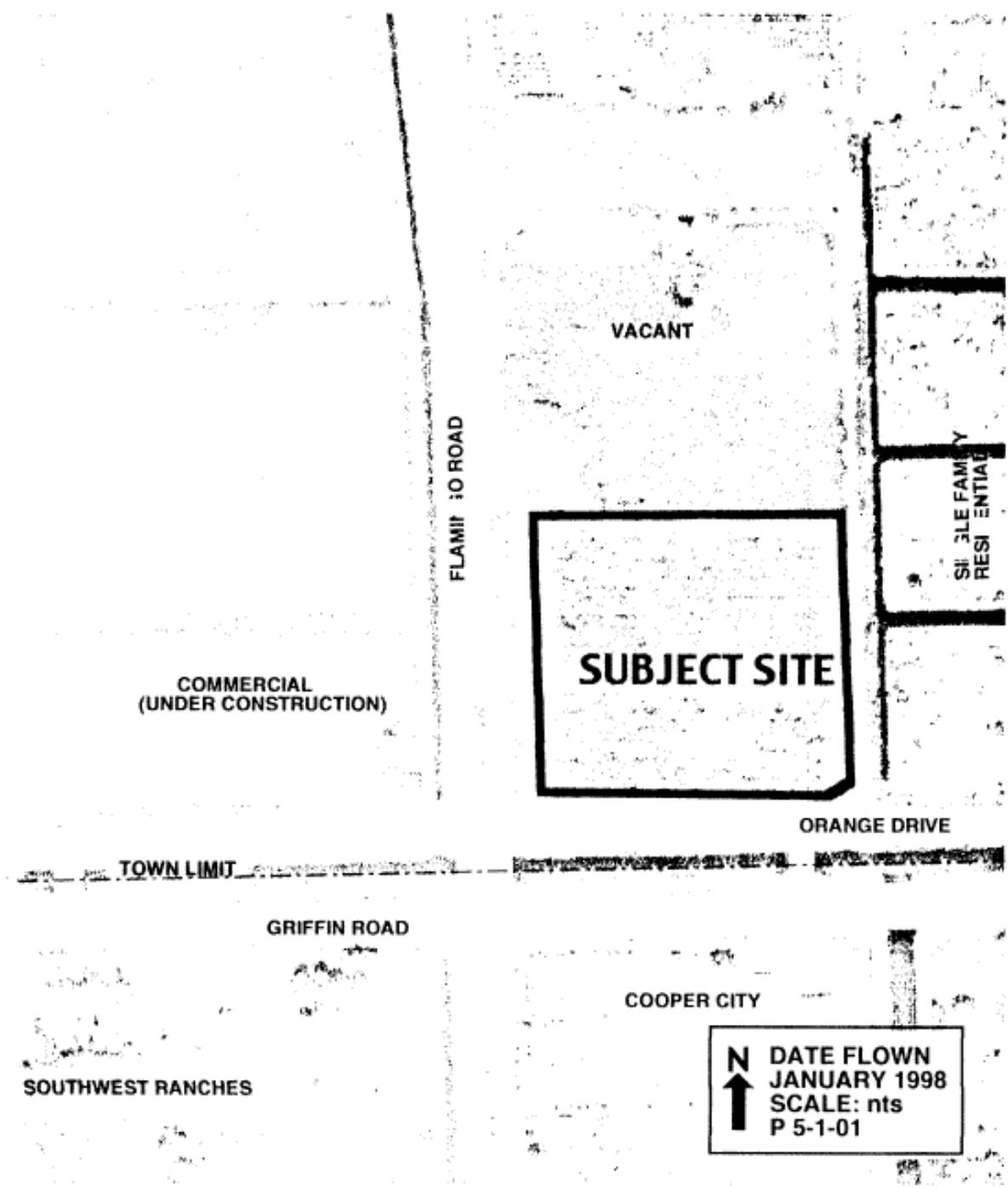
PETITION NUMBER
P 5-1-01
*Subject Site Area
Future Land Use Plan*

PREPARED 6/08/01 Scale 1"=300'
BY THE PLANNING &
ZONING DIVISION

N
4



PETITION NUMBER
 P 5 1-01
 Subject Site Area Zoning Map **A**
 PREPARED BY THE PLANNING & ZONING DIVISION



VACANT

FLAMIT ROAD

COMMERCIAL
(UNDER CONSTRUCTION)

SUBJECT SITE

SINGLE FAMILY
RESIDENTIAL

ORANGE DRIVE

TOWN LIMIT

GRIFFIN ROAD

COOPER CITY

SOUTHWEST RANCHES

N
↑ DATE FLOWN
JANUARY 1998
SCALE: nts
P 5-1-01