

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers
FROM/PHONE: Mark A. Kutney, AICP (797-1101)
SUBJECT: Resolution - Plat

Application No., Project Name and Location:
DG 12-1-01, Andreas-Creme Inc. Plat - 12100 State Road 84, Generally located
on the southwest corner of State Road 84 and SW 121 Avenue.

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "ANDREAS-CREME INC. PLAT", AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The applicant proposes to amend the restrictive note on the Plat **from** No Development Rights (35 detached single family units); **to** 70,000 square feet of Community Facility consisting of a 20,000 square foot library and 50,000 square foot museum.

The delegation request provides for the construction of 70,000 square feet of community facility which will enable the Town of Davie and Broward County in a joint effort to construction a 20,000 square foot regional library and 50,000 square foot children's museum for the Young At Art, and is consistent with the proposed Community Facility permitted uses.

In order to enable the project to move forward a rezoning request, initiated by the Town of Davie will be following this application, to rezone the 11.67 acre site to CF, Community Facility.

PREVIOUS ACTIONS:

Town Council approved the Andreas-Creme Inc. Plat Plat by Resolution No. 94-229 at its August 3, 1994 meeting.

This plat was reviewed by Broward County Commission and recorded on October 11, 1995 in Plat Book 159, Page 23 of the public records of Broward County.

CONCURRENCES: None

RECOMMENDATION(S): Motion to approve, subject to rezoning the subject site to Community Facility.

Attachment(s): Resolution, Planning Report, Justification letter, Plat, Land Use Map, Subject Site, and Aerial.

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "ANDREAS-CREME INC. PLAT", AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as ANDREAS-CREME INC. PLAT was recorded in the public records of Broward County in Plat Book 159, Page 23; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires the Town of Davie concur with this revision prior to a review of the proposed 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 ANDREAS-CREME INC. PLAT. The proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2002.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2002.

Application #: DG 12-1-01

Revisions:

Exhibit "A":

Original Report Date: December 12, 2001

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

APPLICANT INFORMATION

Owner:

Name: ChelseaLynn Corp.

Agent:

Name: Mr. C. William Laystrom

Address: c/o C. William Laystrom
1177 SE Third Avenue

City: FT. Laud., FL 33316

Address: 1177 SE Third Avenue

City: Ft. Laud., FL 33316

Phone: (954) 762-3450

Phone: (954) 762-3450

BACKGROUND INFORMATION

Application Request: To amend the restrictive note on the Plat from No Development Rights (35 detached single family units); to 70,000 square feet of Community Facility consisting of a 20,000 square foot library and 50,000 square foot museum.

Address/Location: 12100 State Road 84, Generally located on the southwest corner of State Road 84 and SW 121 Avenue.

Land Use Plan Designation: Residential (5 du/ac)

Zoning: R-3, Low Medium Density Dwelling District *Pending Rezoning approval to CF, Community Facility

Existing Use: Vacant Land

Proposed Use: Proposed construction of 70,000 square foot Community Facility consisting of 20,000 square foot regional library and a 50,000 square foot children's museum.

Parcel Size: 11.670 acres (508,362 square feet)

Surrounding Land Use:

Land Use Designation:

North: State Road 84/I-595
South: Plant Nursery
Lake Pine Village Development
West: Plant Nursery

North: Transportation
South: Residential (5 du/ac)
East: Residential (5 du/ac)
West: Residential (5 du/ac)

East:

Surrounding Zoning:

North: T, Transportation District
South: AG, Agricultural District
East: RM -5, Low Medium Density Dwelling District
West: AG, Agricultural District

ZONING HISTORY

Related Zoning History: None.

Previous Request on same property: Town Council approved the Andreas-Creme Inc. Plat by Resolution No. 94-229 at its August 3, 1994 meeting.

This plat was reviewed by Broward County Commission and recorded on October 11, 1995 in Plat Book 159, Page 23 of the public records of Broward County.

Summary of Significant Development Review Agency Comments

None

Application Codes and Ordinances

Land Development Code Section 12-33(P)(6): Access to commercial/office facilities shall be restricted to strategic locations that represent the safest and most expedient method of directing traffic off the street into parking areas.

Comprehensive Plan Considerations

Planning Area: The plat is in Planning Area 4, is bordered by State Road 84 on its north, University Drive on its east, Flamingo Road on its west, and an irregular border on its south that corresponds to Nova Drive and, SW 14 Street and Village of Harmony Lakes development. A portion of the University Drive and State Road 84 commercial corridors are included in this area, as are several planned residential communities typically developed at five dwelling units per acre, but in some cases up to ten, including Arrowhead Golf Course and Country Club, Village of Harmony Lakes, Westridge, the Ridgeview Lakes developments, Scarborough, Village at Pine Lakes, and the Pine Island Ridge, Park City and Rexmere Village developments, located within an unincorporated

area between Nob Hill Road and Pine Island Road.

Flexibility Zone: The proposed plat is in Flexibility Zone 100.

Concurrency Considerations: None

Applicable Goals, Objectives & Policies:

Policy 15-3: Land development regulations shall address and control access to the regional roadway network as depicted on the Broward County Trafficways Plan.

Policy 15-4: Land development regulations shall provide for adequate, convenient and safe on-site circulation and off-street parking facilities.

Staff Analysis

The original restrictive note on the plat provided for 35 detached single family units which development rights expired as no permits were obtained within three (3) years of Broward County Commissions approval, as provided under the De Minimis exception.

The proposed restrictive note of 70,000 square feet of community facility will enable the Town of Davie and Broward County in a joint effort to construction a 20,000 square foot regional library and 50,000 square foot children's museum for the Young At Art.

In order to enable the project to move forward a rezoning request, initiated by the Town of Davie will be following this application, to rezone the 11.67 acre site to CF, Community Facility.

Staff finds the delegation request is consistent with the proposed Community Facility designation, and permitted uses.

Findings of Fact

The proposed change is not contrary to the Land Development Code or the adopted Comprehensive Plan, as amended, or any element or portion thereof.

Staff Recommendation

Recommendation: Based upon the above and the positive findings of fact, staff recommends approval of application number DG 12-1-01 subject to the approval of the rezoning of the property to Community Facility.

Exhibits

Resolution, Planning Report, Justification letter, Plat, Land Use Map, Subject Site, and

Aerial.

Prepared By: _____ Reviewed By: _____

SUPPLEMENTAL JUSTIFICATION STATEMENT
FOR ANDREAS-CREME, INC. PLAT NOTE AMENDMENT APPLICATION

The property included in the Andreas-Creme, Inc. Plat is zoned residential, but currently has no development rights in that those contained in the Plat Note have expired. The property is currently owned by ChelseaLynn Corp. and is under contract to be sold to Young at Art of Broward, Inc.

As you may be aware, Young at Art is currently located in a temporary facility on State Road 84 at Hiatus Road. For quite some time Young at Art, Broward County and the Town of Davie have been negotiating a tri-party agreement for the location of a Broward County regional library in the Town of Davie and to include a permanent home for the Young at Art Children's Museum at the library development. Previously a site had been identified on State Road 84 just east of Hiatus Road, but that site proved unworkable.

It is our understanding that Broward County will join Young at Art in the purchase of the ChelseaLynn property for the purposes of building the regional library and the Young at Art Museum. Since this development has long been contemplated it would appear to be in the best interest of both Broward County and the Town of Davie to grant the necessary approvals for this development to go forward and serve the public.

The applicant seeks to have the Plat Note amended to provide for construction of 70,000 square feet of community facility consisting of a 20,000 square foot regional public library and a 50,000 square foot children's museum. The Town of Davie has already instituted a rezoning application for the subject property in order to facilitate this process.

Recently Broward County has changed its standard for calculating trips generated by development and is now using a peak hour standard for this calculation. Using this new peak hour standard, the applicant's traffic engineer has determined that the 35 detached single family homes previously approved for this site would generate 35 trips per hour. Using the same new standard for the proposed library and museum requires using the community facility rate of 123 trips per hour. This results in a net increase in trips of 88 per hour using the peak hour standard.

This increase in trips is justified by the tremendous positive impact on the community that the library/museum development will have on the community. The increase in trips is not so significant

that it would create any traffic problem on State Road 84. Further, the increase will not create a burden on nearby residents of the community.

As a result of the foregoing this application merits favorable consideration.

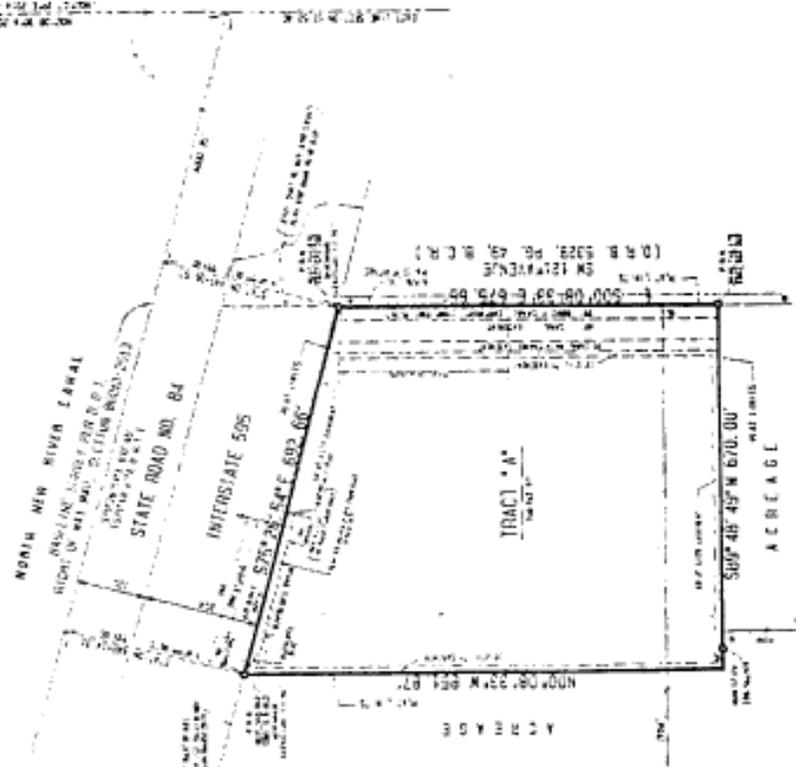
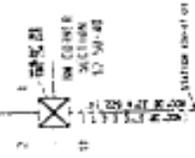
ANDREAS-CREME INC. PLAT

A PORTION OF THE WEST ONE-HALF (W1/2) OF SECTION 12,
TOWNSHIP 50 SOUTH, RANGE 40 EAST, TOWN OF DAVID, DROWARD COUNTY, FLORIDA

SHEET 2 OF 2 SHEETS

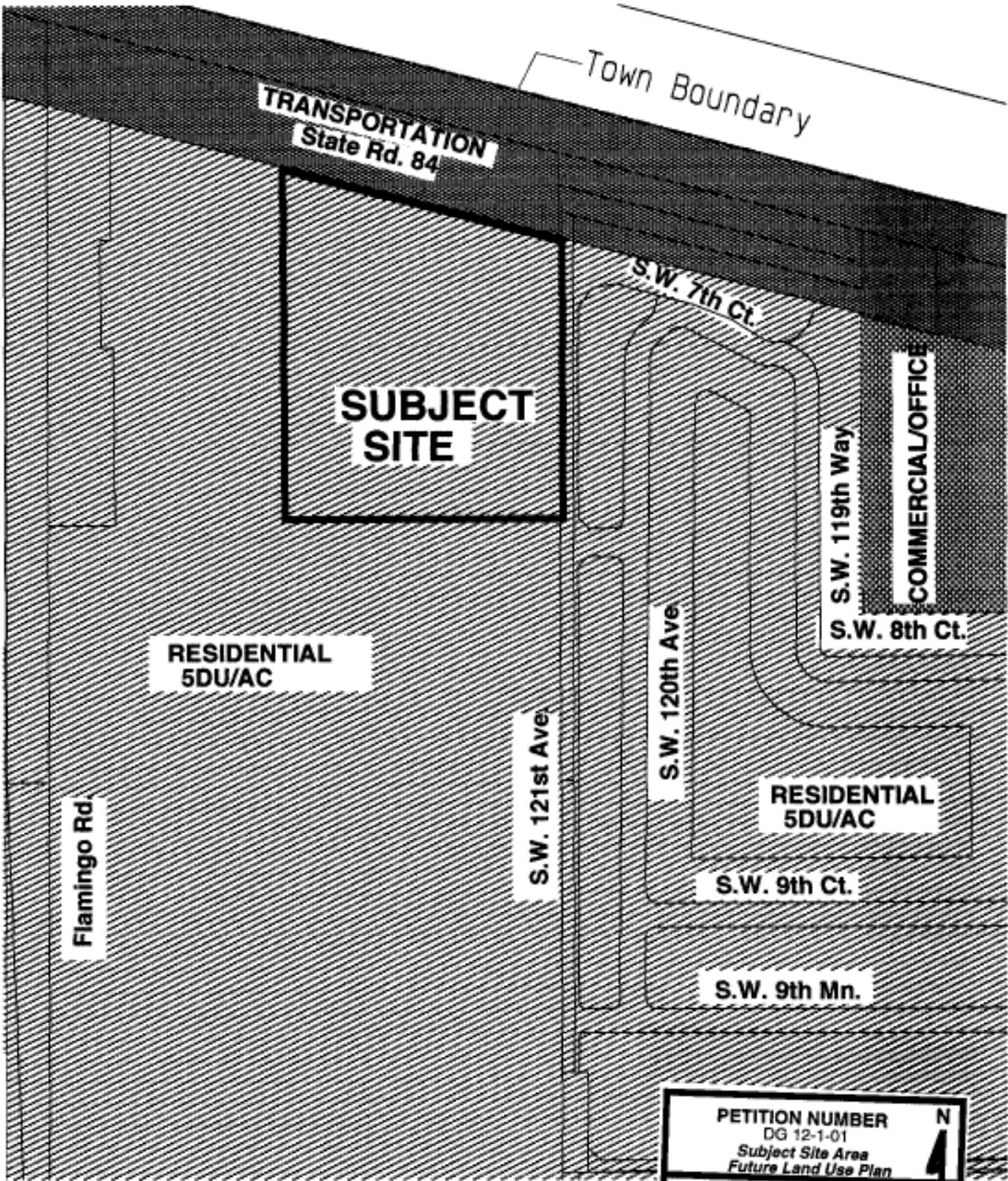


AREA CALCULATION
 AREA: 100.00 AC
 PERMITS: 100.00 AC
 TOTAL: 100.00 AC



- NOTES**
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PREPARED BY
DIETZ & DIETZ LAND SURVEYORS, INC.
 1074 N. W. 84th STREET, MIAMI, FLORIDA 33157
 TEL. 305-551-1111



PETITION NUMBER **N**
DG 12-1-01
Subject Site Area
Future Land Use Plan **4**
12/12/01 Scale: 1"=300'
PREPARED BY: TOWN OF DAVIE
PLANNING & ZONING DIVISION - GIS

N. New River Canal

State Rd. 84

T

R-3
SUBJECT
SITE

S.W. 124th Ave. (Flamingo Rd.)

CC

Adopt RW

S.W. 7th Ct.

S.W. 119th Way

S.W. 8th Ct.

Lake Pine Village
(111-30)

RM-5
Lake

S.W. 9th Ct.

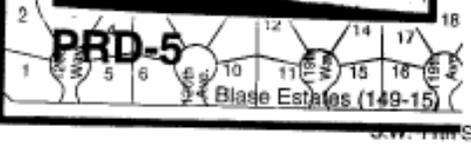
AG

PETITION NUMBER
DG 12-1-01

Subject Site Area Zoning Map

12/12/01 Scale: 1"=300'

**PREPARED BY: TOWN OF DAVIE
PLANNING & ZONING DIVISION - GIS**



S.W. 119th Ave



N DATE FLOWN
↑ JANUARY 1998
SCALE: NTS
DG 12-1-01
PREPARED BY: TOWN OF DAVIS
PLANNING & ZONING DIVISION - GIS