

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director/(954) 797-1101
Prepared by Bradley Swing, AICP, Planner II

SUBJECT: Resolution
DG 1-2-03 Pine Island Commercial Plat, 8501 Orange Drive/Generally located at the northwest corner of Pine Island Road and Orange Drive.

AFFECTED DISTRICT: District 3

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "PINE ISLAND COMMERCIAL" PLAT, AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: Petitioner is requesting to amend the restrictive note on the "Pine Island Commercial" Plat from "This plat is restricted to 170,000 square feet of commercial" to "This plat is restricted to 100 Townhouses and 4,800 square feet of commercial".

Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: None

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

Attachments: Resolution, Planning Report, Justification Letter, Plat, Future Land Use Map, Subject Site, Zoning and Aerial Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "PINE ISLAND COMMERCIAL" PLAT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the plat known as Pine Island Commercial was recorded in the public records of Broward County in Plat Book 167, Page 50; and

WHEREAS, the owners desire 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 Pine Island Commercial 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 _____, 2003.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2003.

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

APPLICANT INFORMATION

Owner:

Name: BG Pine Island Corp &
77 Acre Trust

Agent/Council:

Name: Calvin, Giordano & Associates
Shelley Eichner

Address: 1000 South Federal Highway

Address: 1800 Eller Drive, Suite 600

City: Boynton Beach, FL 33435

City: Fort Lauderdale, FL 33316

Phone: (561) 522-3636

Phone: (954) 921-7781

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: Petitioner is requesting to amend the current plat note restriction on the "Pine Island Commercial" plat from "This plat is restricted to 170,000 square feet of commercial" to "This plat is restricted to 100 Townhouses and 4,800 square feet of commercial".

Affected District: District 3

Address/Location: 8501 Orange Drive/Generally located at the northwest corner of Pine Island Road and Orange Drive.

Future Land Use Designation: Commercial and Residential 10 DU/AC (subject to recertification by the Broward County Planning Council)

Existing Use: Vacant

Existing Zoning: B-2, Community Business District.

Proposed Use: Townhouses Development, Gas Station and Wetland Mitigation area

Parcel Size: 15.241 acres (663,906 square feet)

Surrounding Existing Use:

- North:** Multi-family Townhouses, Alpine Woods
- South:** Orange Drive, C-11 Canal, Commercial Plaza (Cooper City)
- East:** Vacant Commercial Land, Hess Gas Station across Pine Island Road
- West:** Vacant (Parkside Estates)

Surrounding Future Land Use Plan Designation:

- North:** Residential (10 DU/AC)
- South:** Recreation & Open Space, Commercial (Cooper City)
- East:** Commercial, Residential (5 DU/AC)
- West:** Residential (1 DU/AC)

Surrounding Zoning:

- North:** RM-10, Medium Density Dwelling
- South:** Orange Drive and C-11 Canal (officially not designated)
- East:** B-3, Planned Business Center
- West:** AG, Agricultural District

ZONING HISTORY

Related Zoning History: Town Council voted to approve on first reading a rezoning request (ZB 9-1-02) changing the zoning from B-2, Community Business District to RM 10, Medium Density Dwelling District and RS, Recreation and Open Space for the subject site on March 5, 2003, motion carried 5-0.

Previous Requests on Same Property: Town Council approved the Pine Island Commercial Plat (Plat Book 167, Page 50) on March 3, 1998 by Resolution 98-78.

Resolution R 99-243 was approved on July 21, 1999 related to the installation of required improvements associated with the Pine Island Commercial Plat.

Two (2) site plans for a shopping center have been submitted to the Town for the subject site (SP 10-7-98 and SP 1-2-00). These applications were subsequently withdrawn by the applicant due to opposition from the adjacent residents to the proposed location of a shopping center along the rear property line.

Ordinance 2003-4 was approved by Town Council on February 19, 2003 adopting a small-scale land use plan amendment, LA 02-9, changing a 9.99 acre portion of the Pine Island Commercial Plat from Commercial to Residential 10 DU/AC and allocating 100 reserve units available in Flex Zone 99.

Town Council voted to approve on first reading a variance request (V 10-1-02) requesting five (5) variances for the subject site on March 5, 2003, motion carried 4-1.

A site plan (SP 10-5-02) has been submitted for the subject site and is scheduled for the March 24, 2003 Town Council meeting.

APPLICATION DETAILS

Petitioner is requesting to amend the restrictive note on the “Pine Island Commercial” (167-50) plat to reflect the proposed level of development.

Current Plat Note: This plat is restricted to 170,000 square feet of commercial.

Proposed Plat Note: This plat is restricted to 100 Townhouses and 4,800 square feet of commercial.

Applicable Codes and Ordinances

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

The Broward County Land Development Code requires Delegation Requests for plat note revisions.

Significant Development Review Agency Comments

Broward County Development Management Division is the County lead agency in assessing the impact of development through the plat and/or delegation request process. Broward County requires that the petitioner request to amend or revise the level of approved development on the plat. Such requests must be approved by the local municipality and County Commission, and then subsequently recorded against the plat. As part of the delegation request process, the property would be reviewed for traffic concurrency and assessed any additional traffic impact fees, or mitigation measures, as applicable.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 5. Planning Area 5 is bound by Nova Drive on the north, University Drive on the east, and Nob Hill Road on the west. The southern limits are SW 36 Street, on the western portion and Orange Drive on the eastern portion. This planning area is comprised of residential uses developed at a density of three to 22 dwelling units per acre and commercial development, existing and proposed, along the University Drive and Orange Drive corridors. The Pine Island Ridge, classified as environmentally sensitive, has been preserved within this planning area.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 99.

Broward County Land Development Code: The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

Applicable Goals, Objectives & Policies: The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

Staff Analysis/ Findings of Fact

The proposed amendment is consistent with the existing and proposed use of the subject site. The proposed amendment requests a change in use from commercial to townhomes and commercial use. The change in the restrictive note will result in a decrease in the number of trips for the parcel. The change in the plat restriction is consistent with the site plan currently under review. Staff has no objection to the request.

Staff Recommendation

Recommendation: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Exhibits

1. Justification letter
2. Plat
3. Future Land Use Map
4. Subject Site, `Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____



Calvin, Giordano & Associates, Inc.
Engineers Surveyors Planners

January 15, 2003

Mr. Brad Swing, Planner
Town of Davie
6591 SW 45th Street
Davie, FL 33314-3399

RE: Pine Island Commercial Plat (167-50)
CGA No. 02-2467.1

Dear Brad:

In association with our proposed rezoning of the above referenced property, we are filing two delegation requests with Broward County.

The first request is to amend the Non Vehicular Access Line (NVAL) by closing the northernmost access opening on Pine Island Road and restricting the westernmost access opening on Orange Drive to "Rights Out only" and eliminating the inbound right turn lane at that opening. Enclosed is sample language describing the existing and proposed NVAL. This language should be included in any resolution or letter the Town issues to Broward County.

The second request is to amend the plat restricting note from 170,000 square feet of commercial to 100 Townhouses and 4,800 square feet of commercial. Attached is sample language to be used in the resolution, however I am waiting on a response from Broward County whether they will require the uses to be more specifically designated to a parcel(s).

Attached are copies of our County Delegation Request Application and associated documents.

If you should have any questions, please do not hesitate to call.

Sincerely,

CALVIN, GIORDANO & ASSOCIATES, INC.

Hoyt Holden
Director of Planning

Reply to:

└ 1800 Eller Drive
Suite 600
Fort Lauderdale, Florida 33316
(954) 921-7781
(954) 921-8907 fax

└ 560 Village Boulevard
Suite 340
West Palm Beach, Florida 33409
(561) 684-6161
(561) 684-6360 fax

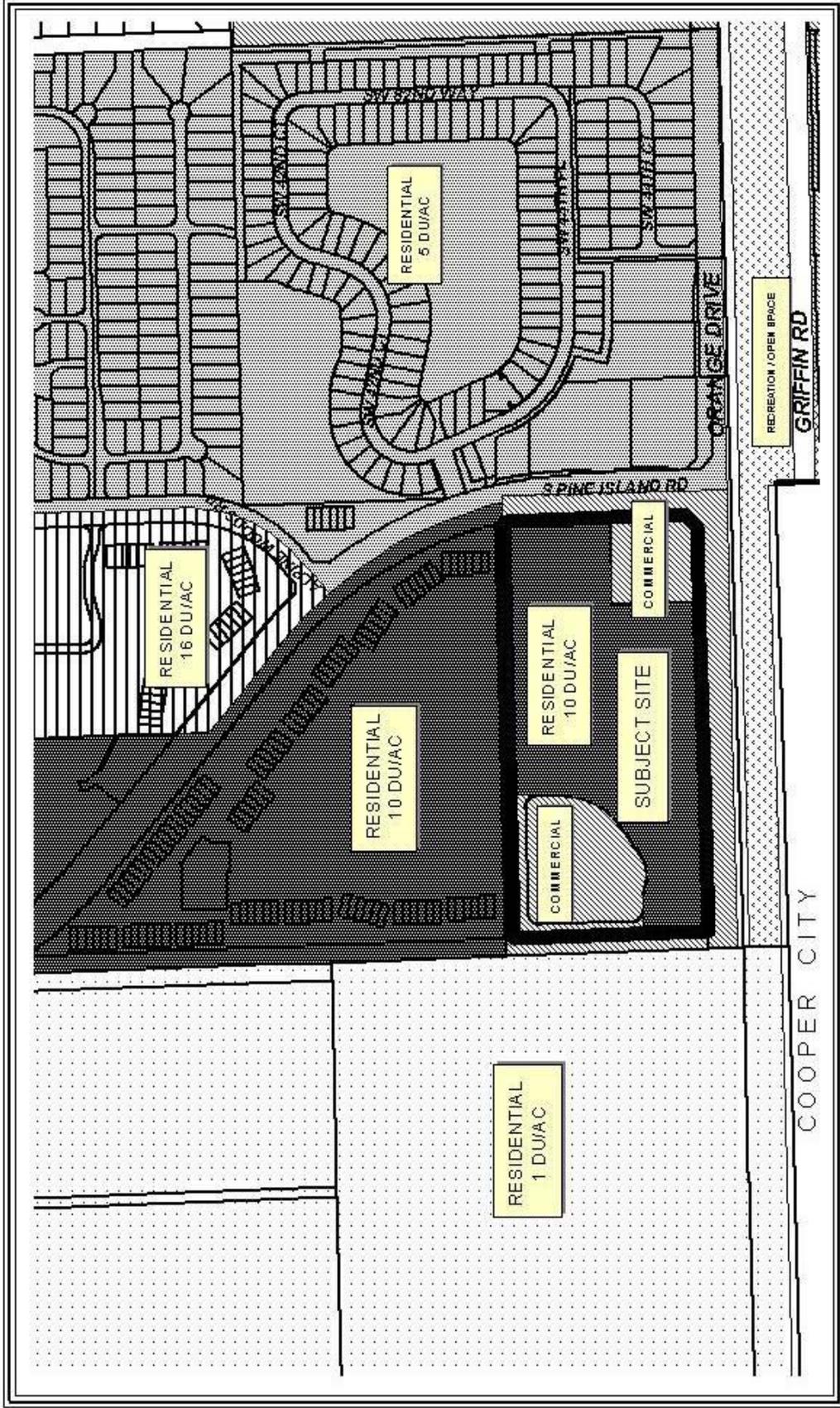
Note Amendment

Existing

This plat is restricted to 170,000 square feet of commercial.

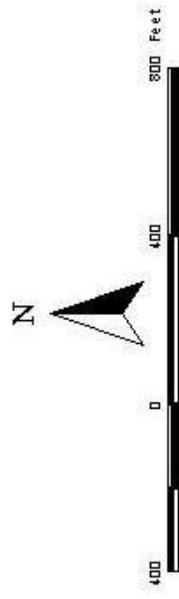
Proposed

This plat is restricted to 100 Townhouses and 4,800 square feet of commercial.



DELEGATION REQUEST
DG 1-2-03
Future Land Use Map

Prepared by: ID
 Date Prepared: 3/19/03



Planning & Zoning Division - GIS

