

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101  
Prepared by: Todd Vargo, Planner I

**SUBJECT:** DG 8-3-03 Country Western Store Plat, Centerline Homes/Joseph Michael McHugh, 7500 & 7550 Griffin Road, Generally located on the south side of Griffin Road between SW 74 Terrace and SW 76 Avenue.

**AFFECTED DISTRICT:** District 2

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE RESTRICTIVE NOTE OF THE COUNTRY WESTERN STORE PLAT, AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** Petitioner is requesting to amend the restrictive note on the Country Western Store Plat **from:**

"This plat is restricted to 26,571 square feet of commercial use on Parcel "A" and 15,794 square feet of commercial (no restaurant) use on Parcel "B". Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation."

**To:**

"This plat is restricted to 52 residential units and 22,000 square feet of commercial use. Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation."

Four other requests for this site are being placed on this Town Council agenda so the items may be discussed concurrently:

1. A request for site plan approval, SP 3-1-03, Country Western Village,
2. A request for application of flexibility, FX 3-1-03
3. A request to amend the Non-Vehicular Access Line on the plat, DG 8-4-03,
4. A request for findings of adequacy, DA 8-2-03

**PREVIOUS ACTIONS:** None.

**CONCURRENCES:** None

**FISCAL IMPACT:** None

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

**Attachment(s):** Resolution, Planning Report, Plat, Land Use Map, Zoning and Aerial Map

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE RESTRICTIVE NOTE OF THE COUNTRY WESTERN STORE PLAT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the Country Western Store Plat was recorded in the public records of Broward County in Plat Book 167, Page 6; 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 Country Western Store Plat. The proposed revision being specifically described on the planning report attached hereto as Exhibit "A" and as stated below:

from: "This plat is restricted to 26,571 square feet of commercial use on Parcel "A" and 15,794 square feet of commercial (no restaurant) use on Parcel "B". Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation."

to: "This plat is restricted to 52 residential units and 22,000 square feet of commercial use. Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation."

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.

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

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**APPLICANT INFORMATION**

<b><u>Contract Purchaser:</u></b>		<b><u>Agent:</u></b>	
<b>Name:</b>	Centerline Homes	<b>Name:</b>	Joseph Michael McHugh
<b>Address:</b>	12434 Wiles Road	<b>Address:</b>	7550 Griffin Road
<b>City:</b>	Coral Springs, FL 33076	<b>City:</b>	Davie, FL 33314
<b>Phone:</b>	(954) 344-8040	<b>Phone:</b>	(954) 252-7103

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**BACKGROUND INFORMATION**

**Application History:** No deferrals have been requested.

**Application Request:** Petitioner is requesting to amend the restrictive note on the Country Western Store Plat from:

"This plat is restricted to 26,571 square feet of commercial use on Parcel "A" and 15,794 square feet of commercial (no restaurant) use on Parcel "B". Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation."

To:

"This plat is restricted to 52 residential units and 22,000 square feet of commercial use. Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation."

**Address/Location:** 7500 & 7550 Griffin Road/Generally located on the south side of Griffin Road between SW 74 Terrace and SW 76 Avenue.

**Future Land Use Plan Designation:** Commercial and Residential (5 DU/AC)

**Zoning:** Griffin Corridor District (West Gateway Use Zone 1)

**Existing Use:** One-story retail store and storage yard

**Proposed Use:** One office building of 21,192 square feet and 52 town homes

**Parcel Size:** 5.387 acres (234,658 square feet)

## Surrounding Land

### Use Plan Map Designations:

**North:** Residential (3 DU/AC)  
**South:** Residential (5 DU/AC)  
**East:** Commercial  
**West:** Commercial & Residential (5 DU/AC)

### Surrounding Uses:

Single family dwellings  
Single family dwellings, Nursery  
Office building  
Single family dwellings

### Surrounding Zoning:

**North:** R-3, Low Density Dwelling District  
**South:** A-1, Agricultural District  
R-5, Low Medium Dwelling District  
**East:** Griffin Corridor District (West Gateway Use Zone 1)  
R-5, Low Medium Dwelling District  
**West:** Griffin Corridor District (University Drive Node)

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## ZONING HISTORY

**Related Zoning History:** The subject site was rezoned to B-3 (Planned Business Center) in 1997.

The subject site was rezoned to Griffin Corridor District (West Gateway Use Zone 1) on February 2, 2000.

The Plat, Country Western Store, was approved by the Town Council on August 20, 1997. The plat is restricted to 26,571 square feet of commercial use on Parcel A, and 15,704 square feet of commercial (no restaurant) use on Parcel B.

**Requests on same property:** There are currently five requests for the subject site before Town Council.

1. SP 3-1-03, site plan approval for Country Western Village as a mixed-use development consisting of a 21,192 square feet office building and 52 town homes.
2. FX 3-1-03, a request is to assign 36 reserve units to the subject site without a land use amendment.
3. DA 8-2-03, a request for Findings of Adequacy for concurrency for the Country Western Store Plat.
4. DG 8-4-03, a request to amend the Non-Vehicular Access line as shown on the Country Western Store Plat and to relocate a 50-foot opening on SW 74 Terrace.
5. This request, DG 8-3-03, a request to amend the restrictive note on the Country Western Store Plat.

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## APPLICATION DETAILS

Petitioner is requesting to amend the restrictive note on the Country Western Store Plat.

**Current Plat Note:** “This plat is restricted to 26,571 square feet of commercial use on Parcel “A” and 15,794 square feet of commercial (no restaurant) use on Parcel “B”. Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.”

**Proposed Plat Note:** “This plat is restricted to 52 residential units and 22,000 square feet of commercial use. Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.”

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### 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.

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### 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.

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### COMPREHENSIVE PLAN CONSIDERATIONS

**Planning Area:** The subject property falls within Planning Area 9. This Planning Area is south of Griffin Road, generally north of Stirling Road, east of SW 76 Avenue and west of the Florida Turnpike. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 102.

**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 amendment to the restrictive note on the Country Western Store Plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan. In addition, the following policies apply:

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-1:* Lands designated for non-residential use shall be located in a manner which facilitates development, but does not adversely impact existing and designated residential areas.

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

*Future Land Use Plan, Objective 18: Mixed Use Development:* The Town shall continue to maintain land development regulations that accommodate mixed-use projects, planned developments and other types of non-traditional developments to promote a diverse, imaginative and innovative living and working environment.

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### STAFF ANALYSIS/FINDINGS OF FACT

The proposed delegation request, in concert with the other applications before Town Council, would allow the subject site to be developed following all the guidelines of both the Land Development Code and the Comprehensive Plan, while allowing new, diverse development within the Griffin Road Corridor.

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

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### STAFF RECOMMENDATION

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

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### EXHIBITS

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

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_



**KEITH & BALLBÉ, INC.**  
Consulting Engineers  
2201 West Prospect Road, Suite 100  
Fort Lauderdale, Florida 33309  
Phone (954) 489-9801 Fax (954) 489-9802

August 26, 2003

Mrs. Annie Feng, Planner II  
TOWN OF DAVIE  
Development Services Department  
Planning and Zoning Division  
6591 Orange Drive  
Davie, Florida 33314-3399

Re: **COUNTRY WESTERN VILLAGE**  
Engineer's Project Number: **22-09-54**  
Town of Davie Number: **SP 3-1-03**

Dear Mrs. Feng:

Pursuant to the Town of Davie requirements, please find enclosed the following delegation requests for the above referenced project:

**Amend Plat Note:**

1. One (1) executed copy of the delegation request application.
  2. A processing fee in the amount of \$1,000.00 made payable to "Town of Davie".
- Justification:** Delegation request required due to change in usage on proposed site plan.

**Amend Non-Vehicular Access Line:**

1. One (1) executed copy of the delegation request application.
  2. A processing fee in the amount of \$1,000.00 made payable to "Town of Davie".
- Justification:** Delegation request required due to site plan configuration and Town of Davie Engineering Department requirements.

**Findings of Adequacy:**

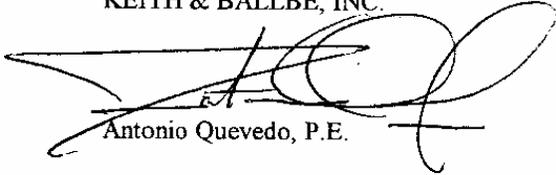
1. One (1) executed copy of the delegation request application.
  2. A processing fee in the amount of \$1,000.00 made payable to "Town of Davie".
- Justification:** Delegation request required in order to reactivate plat with Broward County.

In addition, the following required documents have also been included:

1. A copy of the Broward County Application for Findings of Adequacy.
2. One (1) copy (8 ½" X 11") of the recorded plat.
3. Three (3) copies (11" X 17") of the recorded plat.

If you have any questions or require additional information, please do not hesitate to call our office.

Sincerely,  
KEITH & BALLBÉ, INC.



Antonio Quevedo, P.E.

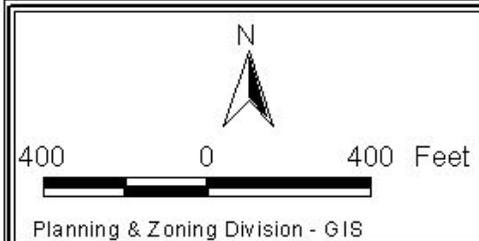
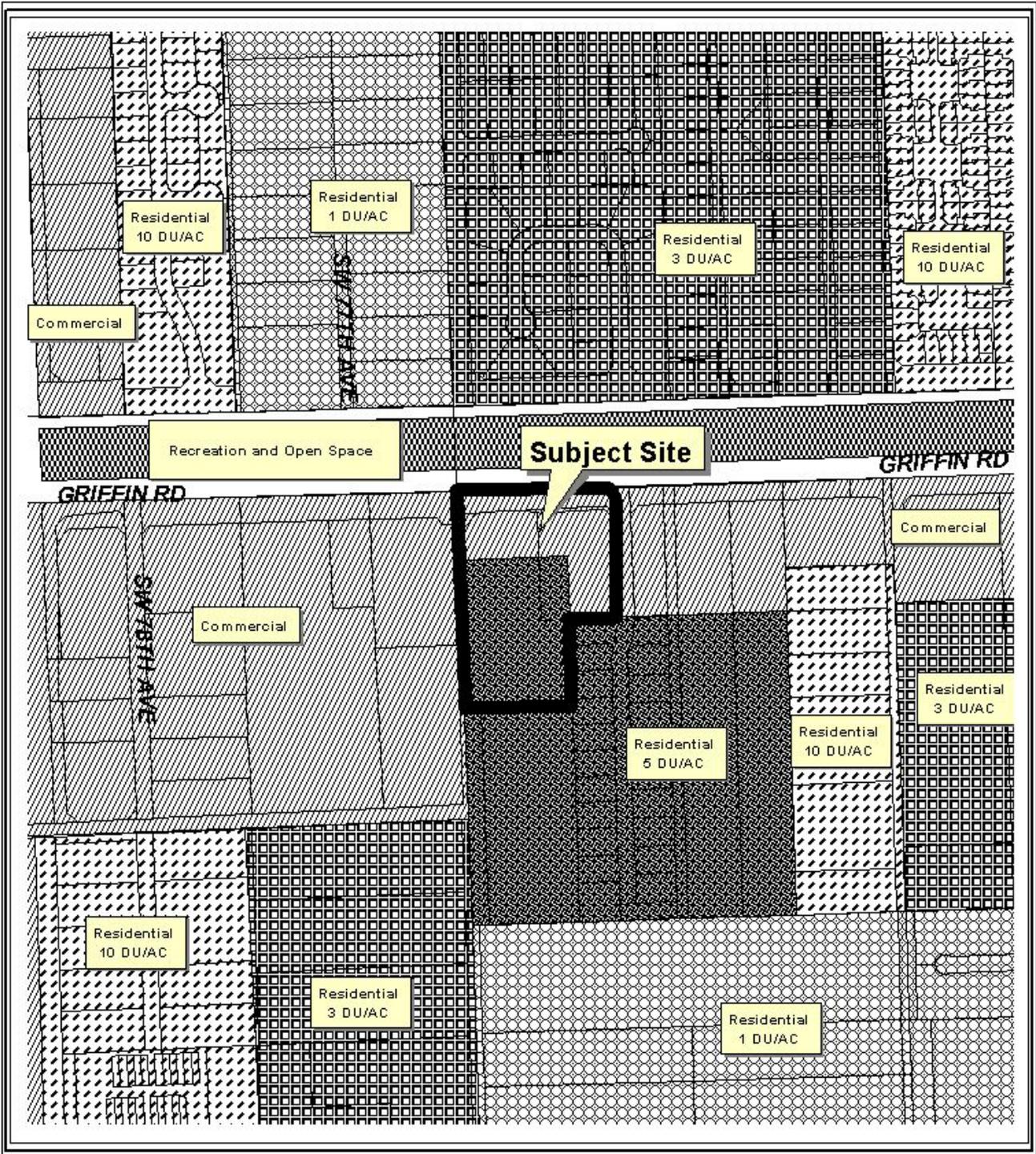
xc: Nick Gluckman, Centerline Homes  
Robert Stiegele, Centerline Homes  
Mark Brumfield, Centerline Homes

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**KEITH & BALLBÉ, INC.**







**DELEGATION REQUEST  
DG 8-3-03  
Future Land Use Map**

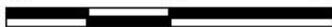
Prepared By: TAV  
Date Prepared: 8/29/03



Date Flown:  
12/31/00



400 0 400 Feet



Planning & Zoning Division - GIS



**DELEGATION REQUEST  
DG 8-3-03  
Zoning and Aerial Map**

Prepared By: TAV  
Date Prepared: 8/29/03