

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark Kutney, AICP, Development Services Director/ (954) 797-1101  
Prepared by David M. Abramson, Planner I

**SUBJECT:** Resolution  
DG 2-3-04 CarMax, 7420 State Road 84 / generally located on the  
Southside of I-595 between South University Drive and S.W. 71<sup>st</sup> Terrace

**AFFECTED DISTRICT:** District 2

**TITLE OF AGENDA ITEM:**

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "SOUTH 84 PLAT," AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** Petitioner is requesting to amend the restrictive note on "South 84 Plat"  
**FROM:** "This plat shall be restricted to 82,315 square feet of automobile dealership," **TO:**  
"This plat shall be restricted to 84,004 square feet of automobile dealership."

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, Zoning and Aerial Map

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS SOUTH 84 PLAT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the "South 84 Plat" was recorded in the public records of Broward County in Plat Book 130, Page 9; 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 South 84 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 \_\_\_\_\_, 2004.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

Attest:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2004.

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

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**Applicant Information**

<b><u>Owner:</u></b>		<b><u>Petitioner:</u></b>	
<b>Name:</b>	CarMax Auto Superstore, Inc.	<b>Name:</b>	Erik Jon Wilczek, P.E.
<b>Address:</b>	P.O. Box 42304	<b>Address:</b>	5100 N.W. 33 <sup>rd</sup> Avenue
<b>City:</b>	Richmond, Va 23242-2304	<b>City:</b>	Fort Lauderdale, FL 33309
<b>Phone:</b>	(804) 747-0422	<b>Phone:</b>	(954) 739-2247

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**Background Information**

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

**Application Request:** Approval of the resolution to authorize the change in the restrictive note on the South 84 Plat **FROM:** "This plat is restricted to 82,315 square feet of automobile dealership"; **TO:** "This plat is restricted to 84,004 square feet of automobile dealership."

**Address/Location:** 7420 State Road 84 / generally located on the Southside of Interstate-595 between South University Drive and S.W. 71<sup>st</sup> Terrace

**Future Land Use Plan Designation:** Commercial

**Zoning:** CC, Commerce Center District

**Existing/Proposed Use:** Automobile Dealership

**Parcel Size:** 20.418 acres (889,408 square feet)

	<b><u>Surrounding Uses:</u></b>	<b><u>Surrounding Future Land Use Plan Map Designation:</u></b>
<b>North:</b>	Interstate-595	Transportation
<b>South:</b>	Residential	Commercial
<b>East:</b>	Warehouses Bays	Commerce / Office
<b>West:</b>	Retail / Hotel	Commercial

**Surrounding Zoning:**

**North:** The City of Plantation  
**South:** B-2 (Old Code) Community Business District  
**East:** B-3, Planned Business Center District / M-1 (Old Code) Light Industrial District  
**West:** B-3 / B-3 (Old Code) Planned Business Center Districts

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**Zoning History**

**Previous Requests on same property:**

*Plat Request:* South 84 Plat was approved (R-85-137) by Town Council on July, 17, 1985.

*Variance Request (V 9-1-96):* A Variance to reduce the number of parking and open space required by the land development code was withdrawn.

*Site Plan Request (SP 8-5-96):* A Site Plan for CarMax was approved by Town Council on December 18, 1996.

*Site Plan Modification (SP 7-6-03):* An internal Site Plan Modification was approved by the Planning and Zoning Division on December 2, 2003.

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**Comprehensive Plan Considerations**

**Planning Area:**

The subject property falls within Planning Area 6. Planning Area 6 includes lands located south of State Road 84, east of University Drive and north of Nova Drive, together with lands located east of the Florida Turnpike and west of State Road 7, south of State Road 84 and north of the Town limits. The majority of this planning is industrially zoned and land used plan designated. There are small commercial parcels along the State Road 7 corridor with one large retail center being located on the southeast corner of University Drive and State Road 7.

**Broward County Land Use Plan:**

The subject site falls within Flexibility Zone 99.

**Applicable Goals, Objectives & Policies:**

*Policy 7-1:* The Town shall endeavor to expand its economic base through expansion of the commercial sector of its economy.

*Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

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### **Staff Analysis/Findings of Fact**

On July 17, 1985, Town Council approved the "South 84 Plat". This plat was recorded in Plat Book 130, page 9, in the public records of Broward County. Currently, the note states that the Plat is restricted to 82,315 square feet of automobile dealership. On December 2, 2003, the applicant received an approval from the Planning & Zoning Division for a Site Plan Modification that included a new 1,830 sq. ft. carwash. As a result, Broward County required the restrictive note to be amended to 84,004 sq. ft. incorporating the new carwash.

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### **Staff Recommendation**

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

In addition, approval of this request is subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the delegation request shall be deemed denied by the Town of Davie.

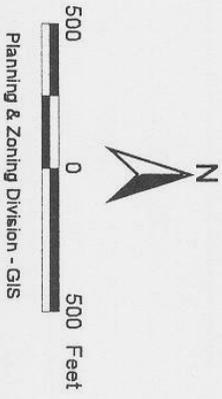
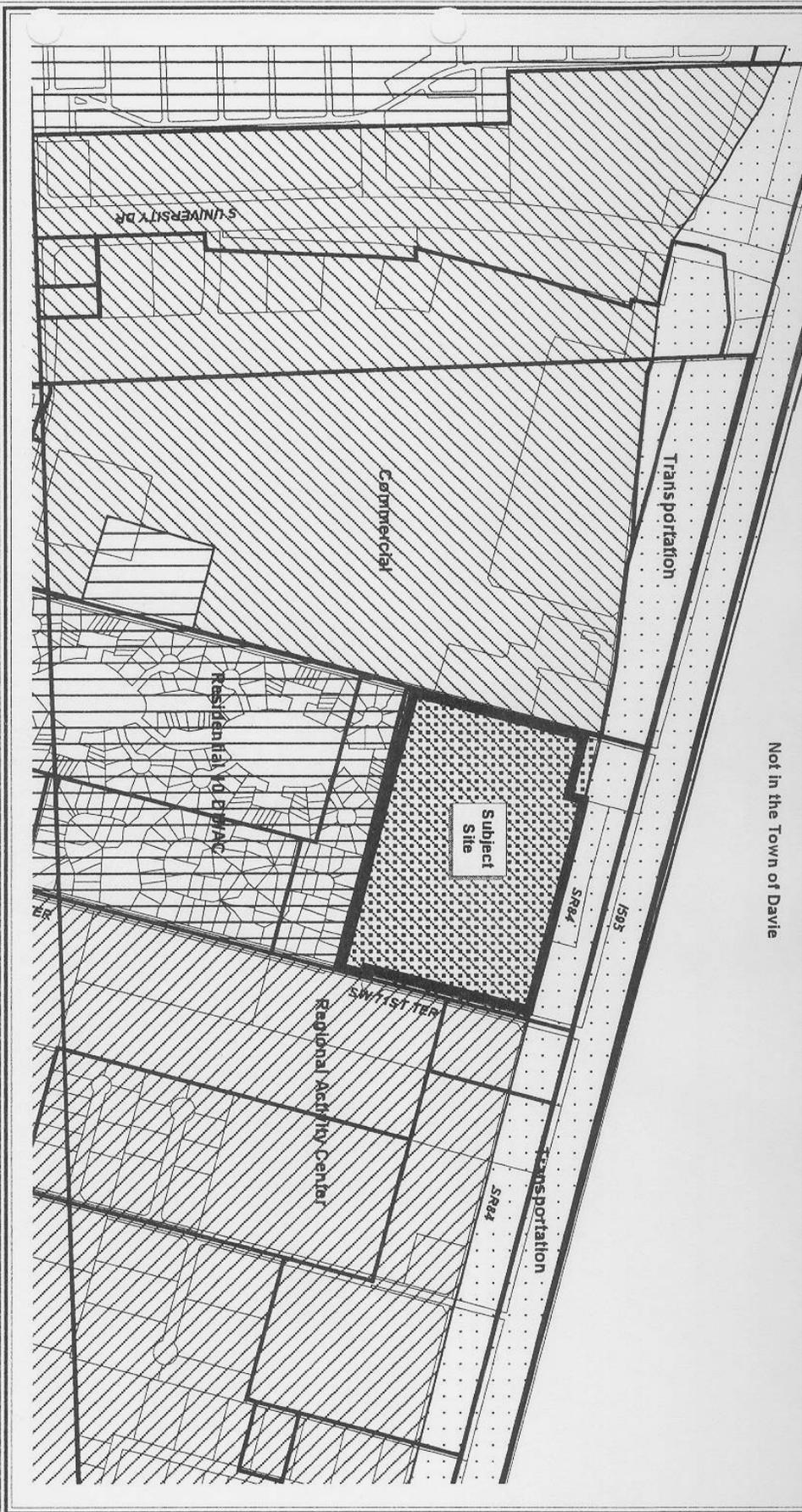
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### **Exhibits**

1. Justification
2. Plat
3. Future Land Use Plan Map
4. Zoning and Aerial Map

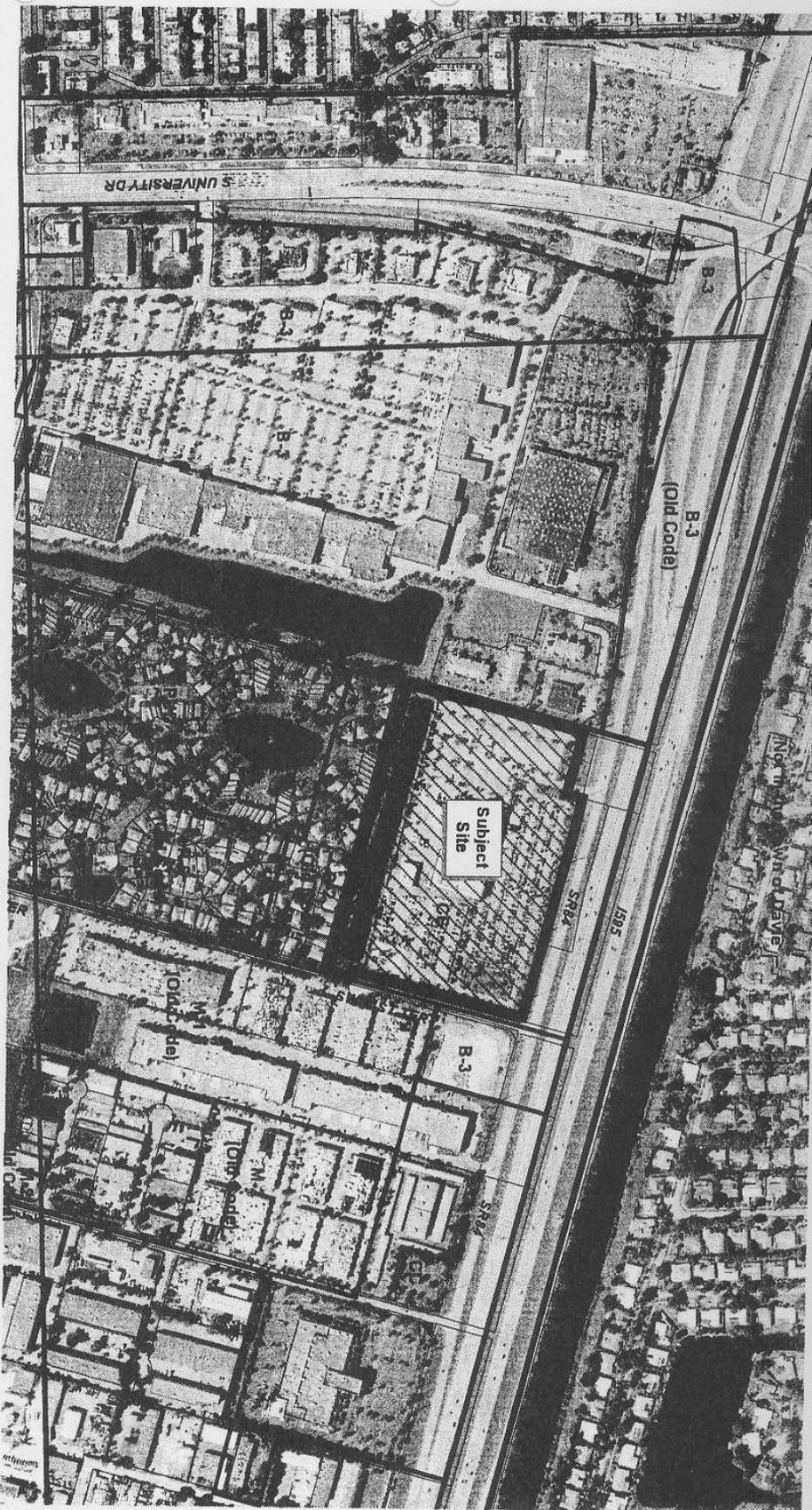
Prepared by: \_\_\_\_\_

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

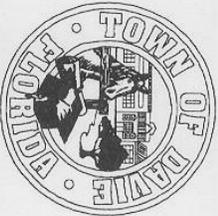


**Delegation Request Application  
 DG 2-3-04, CarMax  
 Future Land Use Map**

Prepared By: D.M.A.  
 Date Prepared: 3/4/04



Planning & Zoning Division - GIS



**Delegation Request Application  
DG 2-3-04, CarMax  
Subject Site, Zoning and Aerial Map**

Prepared By: D.M.A.  
Date Prepared: 3/4/04

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