

# 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 4-1-04, Nova Southeastern University / Generally located South of  
S.W. 30<sup>th</sup> Street, between S.W. 76<sup>th</sup> Avenue and College Avenue.

**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 SUBDIVISION PLAT KNOWN AS THE NOVA UNIVERSITY NO. I PLAT, AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** Petitioner is requesting to amend the restrictive note on "Nova University No. 1 Plat"

**From:** This plat is restricted to the buildings which were existing on March 2, 1990, and 21, 040 square foot physical plant building, 289,600 square feet of classroom facilities, a 75,000 square foot administration building, tree dormitories consisting of a total of 457 rooms, a 10 acre recreational facility consisting of 67,000 square feet of sports training facility with 15,000 square feet of bleacher, a 33,200 square foot student center, a 2,000 square feet field house, a 25,000 square foot school gymnasium and 9,200 square feet of mechanical buildings. It is further restricted to an independent education institution of higher learning accredited by the Southern Association of Colleges and Schools which is a not-for-profit corporation pursuant to Chapter 617, Florida Statutes, and has a tax exempt status pursuant to 26 U.S.C.A. 501 and Chapter 196, Florida Statutes.

**To:** This plat is restricted to 1,527,000 square feet of classroom facilities (782,000 square feet existing, 745,000 square feet proposed), 80,040 square feet of existing administrative buildings, 2000 residential dormitory rooms (332 rooms existing, 1668 rooms proposed), an existing ten acre recreational facility consisting of 67,000 square feet of sports training facility with 15,000 square feet of bleachers, a 32,000 square foot existing gymnasium, 40,000 square feet of mechanical buildings, 327,000 square feet of existing library, and a 30,000 square foot proposed auditorium. It is further restricted to an independent education institution of higher learning accredited by the Southern Association of Colleges and Schools which is a not-for-profit corporation pursuant to Chapter 617, Florida Statutes, and has a tax exempt status pursuant to 26 U.S.C.A. 501 and Chapter 196, Florida Statutes.

Petitioner is requesting to amend the restrictive note on the “Nova University No. 1 Plat” to reflect the new proposed level of development in the RAC-AV, Regional Activity Center Academical Village.

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

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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>Owner:</u></b>		<b><u>Petitioner:</u></b>	
<b>Name:</b>	Nova Southeastern University	<b>Name:</b>	Ruden McClosky
<b>Address:</b>	3301 College Avenue	<b>Address:</b>	222 Lakeview Avenue, Suite 800
<b>City:</b>	Fort Lauderdale, Florida 33314	<b>City:</b>	W. Palm Beach, Florida 33401
<b>Phone:</b>	(954) 262-8837	<b>Phone:</b>	(561) 838-4542

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**Background Information**

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

**Application Request:** Petitioner is requesting to amend the restrictive note on "Nova University I Plat":

**From:** This plat is restricted to the buildings which were existing on March 2, 1990, and 21,040 square foot physical plant building, 289,600 square feet of classroom facilities, a 75,000 square foot administration building, tree dormitories consisting of a total of 457 rooms, a 10 acre recreational facility consisting of 67,000 square feet of sports training facility with 15,000 square feet of bleacher, a 33,200 square foot student center, a 2,000 square foot field house, a 25,000 square foot school gymnasium and 9,200 square feet of mechanical buildings. It is further restricted to an independent education institution of higher learning accredited by the Southern Association of Colleges and Schools which is a not-for-profit corporation pursuant to Chapter 617, Florida Statutes, and has a tax exempt status pursuant to 26 U.S.C.A. 501 and Chapter 196, Florida Statutes.

**To:** This plat is restricted to 1,527,000 square feet of classroom facilities (782,000 square feet existing, 745,000 square feet proposed), 80,040 square feet of existing administrative buildings, 2000 residential dormitory rooms (332 rooms existing, 1668 rooms proposed), an existing ten acre recreational facility consisting of 67,000 square feet of sports training facility with 15,000 square feet of bleachers, a 32,000 square foot existing gymnasium, 40,000 square feet of mechanical buildings, 327,000 square feet of existing library, and a 30,000 square foot proposed auditorium.

It is further restricted to an independent education institution of higher learning accredited by the Southern Association of Colleges and Schools which is a not-for-profit corporation pursuant to Chapter 617, Florida Statutes, and has a tax exempt status pursuant to 26 U.S.C.A. 501 and Chapter 196, Florida Statutes.

**Address/Location:** Nova Southern University 3301 College Avenue / Generally located South of S.W. 30<sup>th</sup> Street, between S.W. 76<sup>th</sup> Avenue and College Avenue.

**Future Land Use Plan Designation:** Regional Activity Center (RAC)

**Zoning:** RAC-AV, Regional Activity Center Academical Village

**Parcel Sizes:** Parcel "A" - 189.35 Acres (8,248,118 sq. ft.)

**Existing Uses:** Education Facility

	<u>Surrounding Uses:</u>	<u>Surrounding Land Use Plan Designation:</u>
<b>North:</b>	Residential & Educational	Residential 10 DU / Acre & Regional Activity Center (RAC)
<b>South:</b>	Residential & Educational	Residential 5 DU / Acre & Regional Activity Center (RAC)
<b>East:</b>	Educational	Regional Activity Center (RAC)
<b>West:</b>	Retail, Office, & Educational	Regional Activity Center (RAC)

	<u>Surrounding Zoning:</u>
<b>North:</b>	RM-10, Medium Density Dwelling District & CF, Community Facility
<b>South:</b>	R-5, Low Medium Density Dwelling District & CF, Community Facility
<b>East:</b>	CF, Community Facility
<b>West:</b>	RAC-AV, Regional Activity Center - Academical Village

## Zoning History

**Previous Request on same property:**

*Plat Request (P 11-2-97):* The New World Plat was approved (R-98-51) by the Town of Davie on February 4, 1998.

*Site Plan (SP 1-1-02):* The Town of Davie approved the Nova Southeastern University Family Center Village site plan submittal (two buildings total 112,268 square feet) on March 6, 2002.

*Delegation Request (DG 5-4-03):* Town Council approved (R-2003-172) to change the restrictive note for the subdivision plat known as the new world plat on July 8, 2003.

*Delegation Request (DG 6-1-03):* Town Council authorized (R-2003-195) a revision to the non-vehicular access line of the "new world plat", and providing an effective date on August 6, 2003.

Rezoning Request (ZB 1-1-04): Town Council approved (Ord-2004-006) rezoning certain lands within the Town of Davie from CF, Community Facilities and B-3, Planned Business Center District to RAC-AV, Regional Activity Center - Academical Village on February 4, 2004.

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## Application Details

Petitioner is requesting to amend the restrictive note on the "Nova University I Plat" to reflect the new proposed level of development in the RAC-AV, Regional Activity Center Academical Village.

### **Current Plat Note:**

*This plat is restricted as follows:* This plat is restricted to the buildings which were existing on March 2, 1990, and 21,040 square foot physical plant building, 289,600 square feet of classroom facilities, a 75,000 square foot administration building, tree dormitories consisting of a total of 457 rooms, a 10 acre recreational facility consisting of 67,000 square feet of sports training facility with 15,000 square feet of bleacher, a 33,200 square foot student center, a 2,000 square feet field house, a 25,000 square foot school gymnasium and 9,200 square feet of mechanical buildings. It is further restricted to an independent education institution of higher learning accredited by the Southern Association of Colleges and Schools which is a not-for-profit corporation pursuant to Chapter 617, Florida Statutes, and has a tax exempt status pursuant to 26 U.S.C.A. 501 and Chapter 196, Florida Statutes.

### **Proposed Plat Note:**

*This plat is restricted as follows:* This plat is restricted to 1,527,000 square feet of classroom facilities (782,000 square feet existing, 745,000 square feet proposed), 80,040 square feet of existing administrative buildings, 2000 residential dormitory rooms (332 rooms existing, 1668 rooms proposed), an existing ten acre recreational facility consisting of 67,000 square feet of sports training facility with 15,000 square feet of bleachers, a 32,000 square foot existing gymnasium, 40,000 square feet of mechanical buildings, 327,000 square feet of existing library, and a 30,000 square foot proposed auditorium.

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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 amendments.

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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 proposed project is within the planning area No. 8 characterized by older, small-scale commercial development, older single-family residential neighborhoods, and newer large-scale multi-family residential developments that serve the South Florida Education Center.

#### **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.

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### **Staff Analysis**

Based upon the existing and proposed uses, the area is subject to review for traffic impacts in Broward County. The possibility exists of increased trips to the regional road network at certain times of the day. In light of potentially increasing existing trips, Nova Southeastern University plans to mitigate trips through mass transit with the development of a bus terminal to meet Broward County concurrency.

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## Findings of Fact

The proposed amendment is consistent with the existing and proposed use of the subject site. 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. The delegation request is due to the increase in square footage that triggered an increase in traffic volumes. The applicant has mitigated any potential traffic impacts.

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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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## Town Council Action

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## Exhibits

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

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

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



222 LAKEVIEW AVENUE  
SUITE 800  
WEST PALM BEACH, FLORIDA 33401-6112

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FAX: (561) 514-3442  
KIM.GLASCASTRO@RUDEN.COM

April 14, 2004

**Plat Note Amendments – Nova Southeastern University**

Young World Plat and Nova University Plat No. 1

Nova Southeastern University ("Nova") is requesting amendments to the notations on the face of the Young World Plat and Nova University Plat No. 1 to revise the use restrictions. The current plat notes do not reflect Nova's master plan for expanded and new classroom, dormitory, teaching clinics and office space. The requested plat notes describe the proposed uses, many of which require subsequent Town site plan approval, for the university campus.

The Delegation Request modifies the recorded plat approvals to bring them into consistency with Nova's future plans for an Academic Village. This Academic Village will provide a mixed-use development of educational, research and training facilities, as well as services and housing for students and employees.

The Applicant is requesting to amend the restrictive note to reflect the existing and proposed level of development on the Nova University Plat No. 1 and Young World Plats.

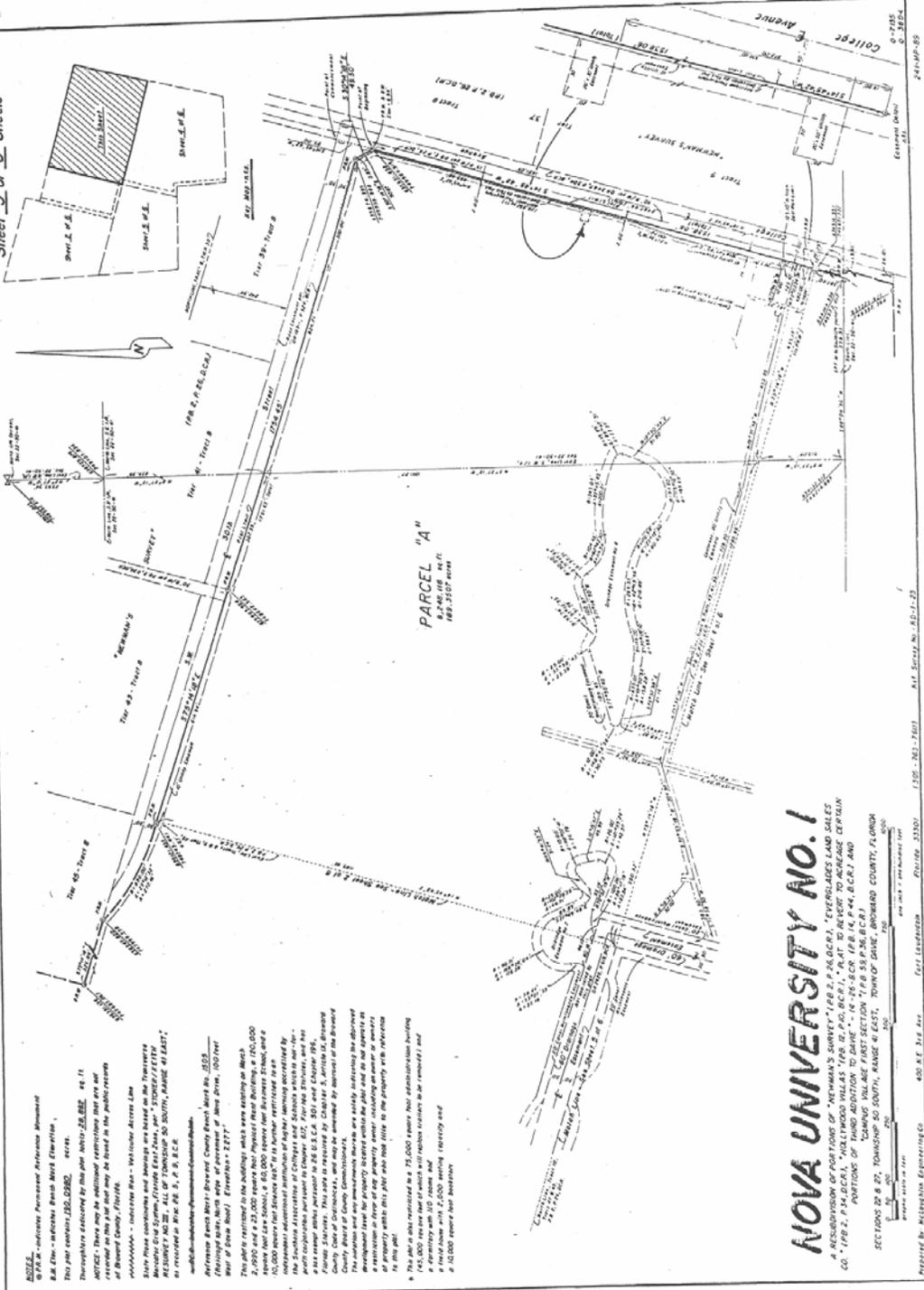
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RUDEN, McCLOSKEY, SMITH, SCHUSTER & RUSSELL, P.A.

CARACAS • FT. LAUDERDALE • MIAMI • NAPLES • ORLANDO • PORT ST. LUCIE • SARASOTA • ST. PETERSBURG • TALLAHASSEE • TAMPA • WEST PALM BEACH







**NOTES:**  
 1. P.A.R. - indicates Proposed Reference Monument  
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**NOVA UNIVERSITY NO. 1**  
 A RESUBDIVISION OF PORTIONS OF "NEWMAN'S SURVEY" (P.E. 2, P. 36, D.C.R.), "EVERGLADES LAND SALES  
 CO." (P. 3, P. 34, D.C.R.), "HOLLYWOOD VILLAS" (P. 10, P. 20, B.C.R.), "PINE HILLS" (P. 10, P. 20, B.C.R.), "CENTRAL  
 PORTIONS OF TOMMINGS VILLAGE FIRST SECTION" (P. 8, P. 36, B.C.R.), "PINE HILLS" (P. 10, P. 20, B.C.R.), AND  
 SECTIONS 28 & 27, TOWNSHIP 30 SOUTH, RANGE 4 EAST, BROWARD COUNTY, FLORIDA  
 Prepared by: MILLINGTON ENGINEERING CO. 400 N.E. 3rd Ave. Fort Lauderdale, Florida 33301 732-761-7501 A.C. Smith, No. 82-11-23



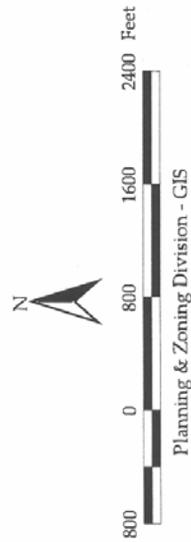


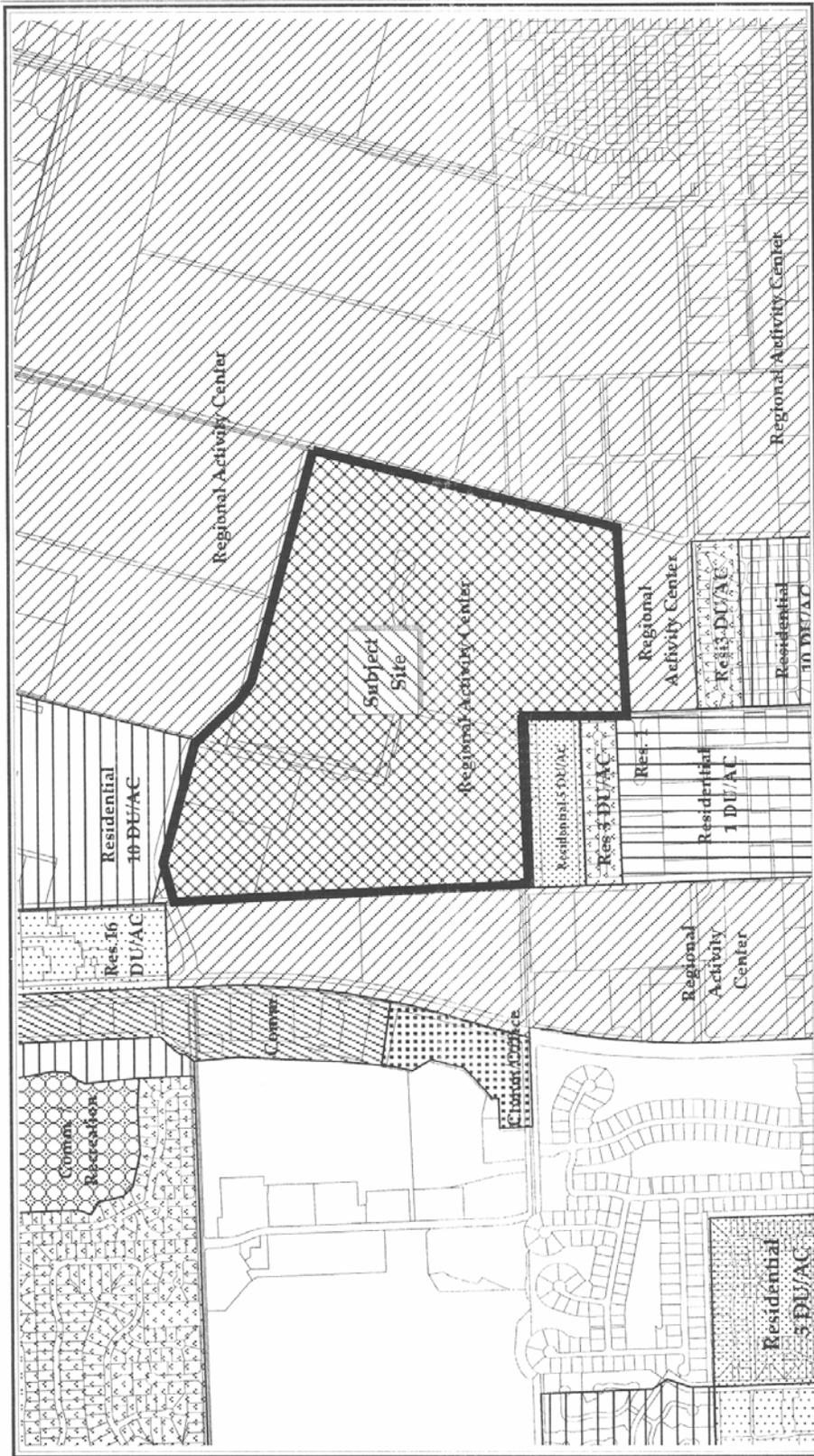




Delegation Request  
DG 4-1-04, Nova Southeastern University  
Subject Site, Zoning, and Aerial Map

Prepared By: D.M.A.  
Date Prepared: 6-2-04





**Delegation Request**  
**DG 4-1-04, Nova Southeastern University**  
**Future Land Use Map**

Prepared By: D.M.A.  
 Date Prepared: 6-2-04

