

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, AICP, Development Services Director/797-1101  
Prepared by: Bradley Swing, AICP, Planner II

**SUBJECT:** Application LA(TXT) 04-1, Amendment to the Future Land Use Element (FLUE) Text of the Comprehensive Plan  
Amendment to Policy 10-9, Policy Group 10: Regional Activity Center Use

**AFFECTED DISTRICT:** District 2

**TITLE OF AGENDA ITEM:** AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING APPLICATION LA(TXT) 04-1, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE ELEMENT TEXT TO INCREASE THE MAXIMUM HEIGHT LIMIT FOR INDIVIDUAL STRUCTURES WITHIN THE REGIONAL ACTIVITY CENTER; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**REPORT IN BRIEF:** The ordinance before Town Council is based on a request to amend the text of the Future Land Use element of the Town's Comprehensive Plan to increase the maximum height limit for buildings in the Regional Activity Center consistent with the maximum building height established in the Town's Land Development Code. The Town Council of the Town of Davie approved Ordinance 2004-1 on January 7, 2004 amending the Land Development Code to add Regional Activity Center-Academical Village District as a designated and permitted zoning district within the Town of Davie. In order to implement the proposed Nova Southeastern University (NSU) Academical Village and its design guidelines, the following amendment to the Town of Davie's Comprehensive Plan is proposed. Additional policies are proposed that will promote compatibility of the proposed uses with adjacent surrounding areas outside of the Regional Activity Center.

The proposed policy changes/additions to the Town of Davie Comprehensive Plan, based on the attached Exhibit 1 as presented by the applicant, are as follows:

- Policy 10-8: Compatibility of land uses within the RAC shall be supported by local land development regulations and plans to address the impacts of new development on existing land uses and residents, and by plans to improve community facilities and services
- Policy 10.9: The maximum residential density within the RAC shall be 22 du/ac. Nonresidential intensity shall not exceed a building coverage ratio of 40 percent of net site area, and a height limit of 75 feet for inhabitable structures excluding the Regional Activity Center-Academical Village (RAC-AV) zoning district as defined in the Land Development Code. Within the RAC-AV zoning

district the height limit for inhabitable structures shall be regulated by both the Comprehensive Plan and the Land Development Code.

- Policy 10-10: The RAC-AV zoning district, adopted to implement the RAC land use category, addresses compatibly with surrounding uses through setbacks, buffers, landscaping, and building placement. The review of development or redevelopment within the RAC-AV shall be consistent with Policy 10-8 above, the adopted RAC-AV land development regulations, and the following:
  - a. Within the RAC-AV zoning district, the maximum building height shall be 150 feet for buildings in the Mixed Use Area, generally located in the western portion of the Nova Southeastern University (NSU) campus; 125 feet in height for buildings in the University Area, generally located in the northern and eastern portions of the NSU campus; and 50 feet in height for buildings in the School Area, generally located in the south-central portion of the NSU campus.
  - b. All new development and redevelopment within the RAC-AV that exceeds a height of 50 feet will be reviewed by the Town for compatibility with adjacent existing and planned uses as part of the site plan process.
  - c. Any building adjacent to existing single-family neighborhoods shall not exceed 50 feet in height. If a parcel of land identified in the RAC-AV district is directly adjacent to a natural or man made feature 50 feet or greater in width it shall not be considered adjacent for the purpose of this policy.

## **Background**

The Town of Davie Regional Activity Center (RAC) is a 2,000 acre-plus parcel, which is bounded by University Drive, the Florida's Turnpike, State Road 84/I-595, and Griffin Road. Within the RAC there are a variety of commercial, industrial, recreational, open space, and community facilities permitted. A primary component of the RAC is the South Florida Educational Center (SFEC), which includes several University systems. The stated purpose of the RAC is to promote and encourage large-scale development that facilitates a coordinated and balanced mix of land uses providing for educational facilities, a wide selection of housing types, shopping opportunities to meet the basic and expanded needs of students, residents, employees and visitors; research, training; educational support uses; recreation; and employment opportunities.

NSU has developed an Academical Village master plan for its 285-acre campus to encourage a high standard of education, business, cultural, residential, supportive service, and provide a unique cultural environment for the Town of Davie. The Academical Village master plan is comprised of the following three (3) main components:

1. The first is a Mixed-Use Area that provides educational research, health care, retail, office, hotel/conference, residential, and governmental uses that will offer a unique alternative town center for the university. The maximum height in the mixed-use

district is 15 stories or 150 feet. The mixed-use area will include healthcare and educational research components providing state of the art facilities.

2. The second component is the University Area, which provides facilities for higher education and uses to support an educational environment that include sports and recreational facilities that would be offered to the entire campus. The maximum height in the University area is 12 stories or 125 feet. It will also provide living facilities for students and faculty of the university.
3. The third area is a School Area that provides facilities for Pre-K through 12<sup>th</sup> grade education and uses to support that educational environment. The maximum height in the school area is 5 stories or 50 feet.

NSU also commissioned EDSA, a landscape architecture company, to develop design guidelines for the Academical Village district. The design guidelines include a wide range of elements such as permitted uses, circulation and parking, grading and drainage retention, building design, landscape, site furnishings, signage and graphics, and lighting. The purpose of design guidelines is to ensure that there is the highest level of design incorporated into all facilities, as well as to protect the long-term value of the facilities built within the Academical Village district. Design guidelines are also intended to provide adequate flexibility for architects to have design latitude for their respective projects. The goal is to develop a variety of visual richness throughout the Academical Village.

### **Geographic Area**

The Academical Village master planned area is generally bound by University Drive on the west, College Avenue on the east, S.W. 30<sup>th</sup> Street/Fischler Boulevard to the north, and S.W. 37<sup>th</sup> Court to the south. The project abuts University Drive, which is a 200-foot principal arterial roadway serving the Town of Davie, as well as southwest Broward County.

The Mixed-Use area will also incorporate and encourage plazas as being an important element in its development. They provide opportunities to incorporate places for public congregation as well as recreation. Architectural elements will be incorporated into the landscape patterns in the plaza areas. The plazas also provide a connection between adjacent uses and greenways throughout the district. The plazas provide good separation to permit the architectural form to take varying degrees of height. The design guidelines also provide standards for the massing of buildings as they interrelate to one another throughout the district. The design guidelines encourage a variety of overall height, so as to not result in a monotonous architectural theme for the district.

The applicant's rationale for the proposed amendment is shown in the attached Exhibit 1. The proposed amendment to the Future Land Use Element text is Exhibit "A" to the attached ordinance (See Exhibit 2). First reading to approve transmittal of the ordinance to the Department of Community Affairs will occur on June 2, 2004. Second reading of the ordinance will occur at a later date subsequent to review by the Florida Department of Community Affairs.

On June 3, 2004, staff transmitted LA(TXT) 04-1 to DCA and the South Florida Regional Planning Council, the Florida Department of Environmental Protection, the Florida Department of Transportation, the South Florida Water Management District, the Broward County Planning Council, and the Florida Department of State and requested that DCA process the proposed amendment as a Preliminary Review.

## **Conclusion**

If approved, the proposed text amendment will be consistent with the goals and objectives of the Town of Davie Comprehensive Plan and the requirements of the Town's Land Development Code.

**PREVIOUS ACTIONS:** The item was tabled from June the 16, 2004 Town Council meeting to the July 7, 2004 meeting.

At the June 2, 2004 Town Council meeting, Councilmember Crowley made a motion, seconded by Councilmember Starkey, to approve. Motion carried 4-1, with mayor Truex dissenting.

**CONCURRENCES:** At the May 26, 2004 Local Planning Agency (LPA) meeting Mr. Stevens made a motion, seconded by Vice Chair Turin, to approve. Motion carried 4-0, with Mr. McLaughlin abstaining.

**FISCAL IMPACT:** n/a

**RECOMMENDATION(S):** Staff recommends approval of the ordinance.

## **Attachment(s):**

Exhibit 1      Applicants Rational  
Exhibit 2      Ordinance and Text language

**EXHIBIT 1**

**Text Amendment  
Town of Davie Comprehensive Plan  
Regional Activity Center  
Prepared by  
Nova Southeastern University**

## **I. Comprehensive Plan Amendment**

In order to implement the proposed Nova Southeastern University (NSU) Academical Village and its design guidelines, the following amendment to the Town of Davie's Comprehensive Plan is proposed. Additional policies are proposed that will promote compatibility of the proposed uses with adjacent surrounding areas outside of the Regional Activity Center. The following policy changes / additions are proposed to the Town of Davie Comprehensive Plan:

- Policy 10.9  
The maximum residential density within the RAC-AV shall be 22 du/ac. Nonresidential intensity shall not exceed a building coverage ratio of 40 percent of net site area.
- Policy 10.13  
All development within the Regional Activity Center –Academical Village that exceeds a height of 75 feet, as defined in the Town's Land Development Code, will be reviewed by the Town for compatibility as a part of the land development regulations of the community.
- Policy 10.14  
No building height abutting existing single-family neighborhoods shall exceed 75 feet, as defined on the Town's Land Development Code.

## **II. Background**

The Town of Davie Regional Activity Center (RAC) is a 2,000 acre-plus parcel, which is bounded by University Drive, the Florida Turnpike, State Road 84/I595, and Griffin Road. Within the RAC there are a variety of commercial, industrial, recreational, open space, and community facilities permitted. A primary component of the Regional Activity Center is the South Florida Educational Center (SFEC), which includes several University systems. The stated purpose of the RAC is to promote and encourage large-scale development that facilitates a coordinated and balanced mix of land uses providing for educational facilities, a wide selection of housing types, shopping opportunities to meet the basic and expanded needs of students, residents, employees and visitors; research, training; educational support uses; recreation; and employment opportunities.

NSU has developed an Academical Village master plan for its 285-acre campus to encourage a high standard of education, business, cultural, residential, supportive service, and provide a unique cultural environment for the Town of Davie. The academical village master plan is comprised of three (3) main components. The first is a Mixed-Use Area that provides educational research, health care, retail, office, hotel/conference, residential, and governmental uses that will offer a unique alternative town center for the university. The maximum height in the mixed-use district is 15 stories or 150 feet. The mixed-use

area will include healthcare and educational research components providing state of the art facilities. It also will provide an atmosphere for related research, work force development, opportunities for physicians, offices, medical research, clinics, and outpatient care. It will focus on internal transit and a mixture of uses that will minimize impacts on the roadway system.

The second component is the University Area, which provides facilities for higher education and uses to support an educational environment that include sports and recreational facilities that would be offered to the entire campus. The maximum height in the University area is 12 stories or 120 feet. It will also provide living facilities for students and faculty of the university. The third area is a School Area that provides facilities for Pre-K through 12<sup>th</sup> grade education and uses to support that educational environment. The maximum height in the school area is 5 stories or 50 feet.

NSU also commissioned EDSA, a landscape architecture company, to develop design guidelines for the academical village district. The design guidelines include a wide range of elements such as permitted uses, circulation and parking, grading and drainage retention, building design, landscape, site furnishings, signage and graphics, and lighting. The purpose of design guidelines is to ensure that there is the highest level of design incorporated into all facilities, as well as to protect the long-term value of the facilities built within the academical village district. Design guidelines are also intended to provide adequate flexibility for architects to have design latitude for their respective projects. The goal is to develop a variety of visual richness throughout the academical village.

The academical village master planned area is generally bound by University Drive on the west, College Avenue on the east, S.W. 30<sup>th</sup> Street/Fischler Boulevard to the north, and S.W. 37<sup>th</sup> Court to the south. The project abuts University Drive, which is a 200-foot principal arterial roadway serving the Town of Davie, as well as southwest Broward County. The academical village furthers many goals of the Town's Comprehensive Plan as it relates to transportation facilities. University Drive is presently constructed as a 6-lane divided urban principal arterial connecting to the north with I-595 to Downtown Fort Lauderdale and the Fort Lauderdale/Hollywood International Airport. University Drive is also serviced by mass transit facilities including Route 2, which travels along University Drive. Route 12 serves the eastern portion of the RAC district along Davie Road. The design guidelines plan for the integration of transit stops with the Broward County mass transit facilities and the NSU Shuttle System. The intent is to plan shuttle stops within the village near parking structures to assist residents and visitors to park and easily traverse the area by transit. Other means of access to the site are focused on pedestrian ways, which will be developed throughout the academical village and includes a bikeway system. The design guidelines promote pedestrian ways that have important connections throughout the village.

It will also interact with a plaza atmosphere, which would enhance the experience within the village. In as much as there is a significant student population, a bikeway system will have many advantages for transport of students that are both visiting and living on the site. This would also help discourage automobile traffic within the site and reduce traffic impacts both internally and externally.

The bus/transit stops in the area will also interact with the facilities of the Town of Davie, the South Florida Educational Complex, as well as Broward County Transit. The above bike and pedestrian way facilities are consistent with the Town of Davie Comprehensive Plan's Transportation Element Objective 3.2, which states that the "Town will continue the implementation of a safe and enjoyable bikeway/walkway system, which will include land use and other strategies to promote the use of bicycles and walking." It also consistent with Policy 4.1.8, which indicates residential densities above ten (10) dwelling units per acre should be located with adequate access to major or minor arterial roadways, expressways and public transit routes. The academical village meets all of these criteria in its master plan.

The Mixed-Use area will also incorporate and encourage plazas as being an important element in its development. They provide opportunities to incorporate places for public congregation as well as recreation. Architectural elements will be incorporated into the landscape patterns in the plaza areas. The plazas also provide a connection between adjacent uses and greenways throughout the district. The plazas provide good separation to permit the architectural form to take varying degrees of height. The design guidelines also provide standards for the massing of buildings as they interrelate to one another throughout the district. The design guidelines encourage a variety of overall height, so as to not result in a monotonous architectural theme for the district.

## EXHIBIT 2

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING, APPLICATION LA(TXT) 04-1, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE ELEMENT TEXT TO INCREASE THE MAXIMUM HEIGHT LIMIT FOR INDIVIDUAL STRUCTURES WITHIN THE REGIONAL ACTIVITY CENTER; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie desires to amend the Future Land Use Element of the Comprehensive Plan to increase the maximum height limit for individual structures within the Regional Activity Center; and

WHEREAS, the Local Planning Agency of the Town of Davie held a public hearing duly advertised as required by State Statutes on May 26, 2004; and

WHEREAS, the Town Council of the Town of Davie held a public hearing duly advertised as required by State Statutes on July 7, 2004 and on the date of adoption of this Ordinance; and

WHEREAS, the Town Council of the Town of Davie desires to transmit the Town's Comprehensive Plan Amendment provided herein to the State of Florida Department of Community Affairs (DCA) for their review and consideration.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That the Future Land Use Element text of the Comprehensive Plan heretofore adopted by the Town Council be and the same is hereby amended according to Exhibit "A", attached hereto and made a part thereof.

SECTION 2. The Town Council hereby authorizes the appropriate Town officials to submit the appropriate number of copies of this ordinance and the Town's Comprehensive Plan, as amended herein, to the State of Florida Department of Community Affairs and to any other governmental agency having jurisdiction with regard to the approval of same in accordance with and pursuant to Chapter 163, Florida Statutes.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. The effective date of this plan amendment shall be conditional upon Broward County Planning Council recertification and the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, F.S.

PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004

PASSED ON SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004

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

ATTEST:

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

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

## EXHIBIT "A"

### POLICY GROUP 10: REGIONAL ACTIVITY CENTER USE

- Policy 10.9: The maximum residential density within the RAC shall be 22 du/ac. Nonresidential intensity shall not exceed a building coverage ratio of 40 percent of net site area, and a height limit of 75 feet for inhabitable structures excluding the Regional Activity Center-Academical Village (RAC-AV) zoning district as defined in the Land Development Code. Within the RAC-AV zoning district the height limit for inhabitable structures shall be regulated by both the Comprehensive Plan and the Land Development Code.
  
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  - a. Within the RAC-AV zoning district, the maximum building height shall be 150 feet for buildings in the Mixed Use Area, generally located in the western portion of the Nova Southeastern University (NSU) campus; 125 feet in height for buildings in the University Area, generally located in the northern and eastern portions of the NSU campus; and 50 feet in height for buildings in the School Area, generally located in the south-central portion of the NSU campus.
  
  - b. All new development and redevelopment within the RAC-AV that exceeds a height of 50 feet will be reviewed by the Town for compatibility with adjacent existing and planned uses as part of the site plan process.
  
  - c. Any building adjacent to existing single-family neighborhoods shall not exceed 50 feet in height. If a parcel of land identified in the RAC-AV district is directly adjacent to a natural or man made feature 50 feet or greater in width it shall not be considered adjacent for the purpose of this policy.