

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: Christopher M. Gratz, Planner II

SUBJECT: Plat, P 11-2-03 Regency Commons, 5251 South University Drive/Generally located on the west side of University Drive, 0.7 miles north of Stirling Road

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PLAT KNOWN AS "REGENCY COMMONS" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The applicant requests approval of the plat "Regency Commons", a professional and medical office condominium development. The subject site consists of 5.25 acres (228,497.12 square feet). The plat is restricted to 52,100 square feet of office use.

Access is provided by two (2) openings; one from a 24' easement through the Renaissance Plaza to the north, and the other from a 24' opening onto the existing private access road that connects to the Bowling Alley to the west. Non-vehicular access lines (NVAL) are provided on the eastern limits adjacent to University Drive, and for 300' westward along the southern boundary.

A total of 0.3 acres (13,204 square feet) of the property has been dedicated towards the right-of-way for University Drive. There is a 12' utility easement around the entire boundary of the plat. The subject property lies within Central Broward Water Control District, and approval from this agency has been obtained.

This proposed plat for professional and medical office development can be considered compatible with both existing and allowable uses on the adjacent properties. To the north is a retail plaza, and vacant land zoned A-1, Agricultural District, to the south is a car dealership and bowling alley, to the west before the single family dwelling will be retention and wetland mitigation area that is provided for on the site plan and to the east is University Drive

PREVIOUS ACTIONS: None

CONCURRENCES: At the November 10, 2004, Planning and Zoning Board meeting, Mr. McLaughlin made a motion, seconded by Mr. Stevens, to approve. (Motion carried 5-0).

FISCAL IMPACT: N/A

RECOMMENDATION(S): Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration. In addition, the following conditions shall be met:

1. Sufficient capacity of the regional road network, as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. Approval is subject to providing improvements to the Town of Davie local road network to satisfy traffic concurrency.
3. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

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

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PLAT KNOWN AS "REGENCY COMMONS" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as "Regency Commons" was considered by the Town of Davie Planning and Zoning Board;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat known as "Regency Commons" is hereby approved subject to the conditions stated on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign said plat on behalf of the Town and the Town Clerk is directed to affix the Town seal to said plat.

SECTION 3. 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.

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



Applicant Information

Owner:

Name: Leonard Kessler, Trustee
Address: 1284 Bayview Circle
City: Weston, FL 33326
Phone: (954) 389-4602

Agent:

Name: Gustavo X. Aguirre, President
Associated Engineers of South Florida, Inc.
Address: 5450 Griffin Road
City: Davie, FL 33314
Phone: (954) 584-6880

Background Information

Application History: Approval was recommended by the Planning and Zoning Board.

Application Request: Approval of the plat "Regency Commons", a professional and medical office condominium development.

Address/Location: 5251 South University Drive/Generally located on the west side of University Drive, 0.7 miles north of Stirling Road

Future Land Use Plan Map: Commercial

Zoning: B-3, Planned Business Center District

Parcel Size: 5.25 acres (228,497 square feet)

Existing Use: Plant nursery (Palms R' Us)

Proposed Use: Professional and medical office condominium development

	<u>Surrounding Uses:</u>	<u>Surrounding Land Use Plan Map Designations:</u>
North:	Renaissance Plaza Vacant	Commercial Commercial & Residential (5 DU/AC)
South:	Bill Seidle Suzuki, Bowling Alley	Commercial
East:	University Drive	Commercial
West:	Single family dwelling	Residential (5 DU/AC)
	<u>Surrounding Zoning:</u>	
North:	B-3, Planned Business Center District A-1, Agricultural District	
South:	B-3, Planned Business Center District	
East:	B-3, Planned Business Center District	
West:	A-1, Agricultural District	

Zoning History

Zoning: The rezoning, ZB 11-2-90 Associated Engineers of South Florida, Inc./Kessler, from NCA-1 to B-3, Planned Business Center District, was approved on January 16, 1991.

Related Zoning: The rezoning, ZB 11-2-83 Kramer (for the Renaissance Plaza), from A-1, Agricultural District to B-3, Planned Business Center District and RM-5, Multifamily Low Medium Dwelling District was approved on November 2, 1983.

Plat: The plat, P 2-3-92 Kessler Center Plat, was approved on May 6, 1992, but was not recorded in the official records of Broward County and expired.

Related Plat: The Renaissance Plaza Plat was approved on February 9, 1984, and subsequently recorded in Plat Book 123, Page 30, in the official records of Broward County on May 15, 1985. This plat provides for a 24' access easement connecting to the property to the south, which is the subject site.

Site Plan: The site plan, SP 6-12-04 Regency Commons, has been submitted concurrently, and is being considered by the Site Plan Committee on November 9, 2004, and by Town Council at the December 1, 2004, meeting.

Application Details

The applicant's SUBMISSION indicates the following:

1. *Site:* The subject site consists of 5.25 acres (228, 497.12 square feet).
2. *Restrictive Note:* The plat is restricted to 52,100 square feet of office use.

3. *Access:* Access is provided by two (2) openings; one from a 24' easement through the Renaissance Plaza to the north, and the other from a 24' opening onto the existing private access road that connects to the Bowling Alley to the west. Non-vehicular access lines (NVAL) are provided on the eastern limits adjacent to University Drive, and for 300' westward along the southern boundary.
4. *Trails:* There are no existing or proposed trails adjacent to the site.
5. *Dedications and Easements:* A total of 0.3 acres (13,204 square feet) of the property has been dedicated towards the right-of-way for University Drive. There is a 12' utility easement around the entire boundary of the plat.
6. *Drainage:* The subject property lies within Central Broward Water Control District, and approval from this agency has been obtained.
7. *Local Road Concurrency:* Broward County's plat report states that the application does not satisfy traffic concurrency for the regional road network. The following road segments are being negatively impacted: Stirling Road from SW 90 Avenue to University Drive, Sheridan Street from Palm Avenue to Douglas Road, University Drive from Nova Drive to SW 30 Street, University Drive from Davie Road Extension to Taft Street, Davie Road from Griffin Road to Orange Drive. The applicant is required to enter into a tri-party agreement for off-site improvements to satisfy traffic concurrency.
8. *Compatibility:* This proposed plat for professional and medical office development can be considered compatible with both existing and allowable uses on the adjacent properties. To the north is a retail plaza, and vacant land zoned A-1, Agricultural District, to the south is a car dealership and bowling alley, to the west before the single family dwelling will be retention and wetland mitigation area that is provided for on the site plan and to the east is University Drive.

Applicable Codes and Ordinances

Article XII of the Land Development Code, Subdivisions and Site Plans.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 10. This Planning Area is generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. Pine Island Road, a major north/south arterial, on the western limits of this planning area provides through access from Griffin Road to Stirling Road.

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

Applicable Goals, Objectives & Policies: *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.

Significant Development Review Committee (DRC) Comments

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Planning and Zoning: None.

Engineering: Provide conceptual drainage plans. *(These have been provided.)*

Staff Analysis

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, size, and use. Development of this site as proposed does not exceed what was anticipated by the Future Land Use Plan Map designation. Mitigation measures to satisfy traffic concurrency are required by Broward County, and will be specifically identified in a tri-party agreement that must come before Town Council for approval.

Findings of Fact

Staff finds that the plat is in conformance with all applicable Codes and Ordinances. A professional and medical office development can be considered compatible with the surrounding properties.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. In addition, the following conditions shall be met:

1. Sufficient capacity of the regional road network, as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. Approval is subject to providing improvements to the Town of Davie local road network to satisfy traffic concurrency.
3. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

Planning and Zoning Board Recommendation

At the November 10, 2004, Planning and Zoning Board meeting, Mr. McLaughlin made a motion, seconded by Mr. Stevens, to approve. (Motion carried 5-0)

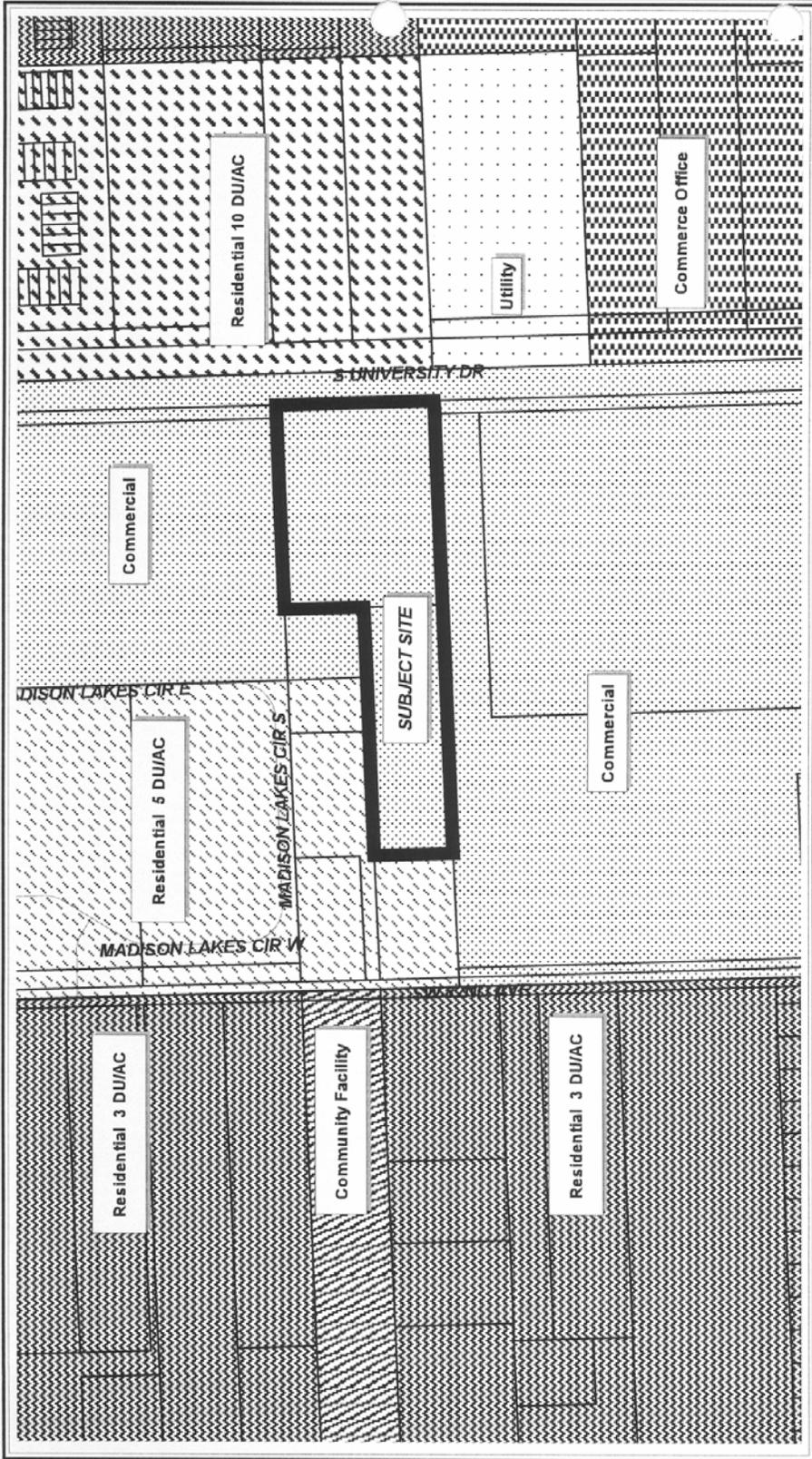
Town Council Action

Exhibits

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

Prepared by: _____

Reviewed by: _____



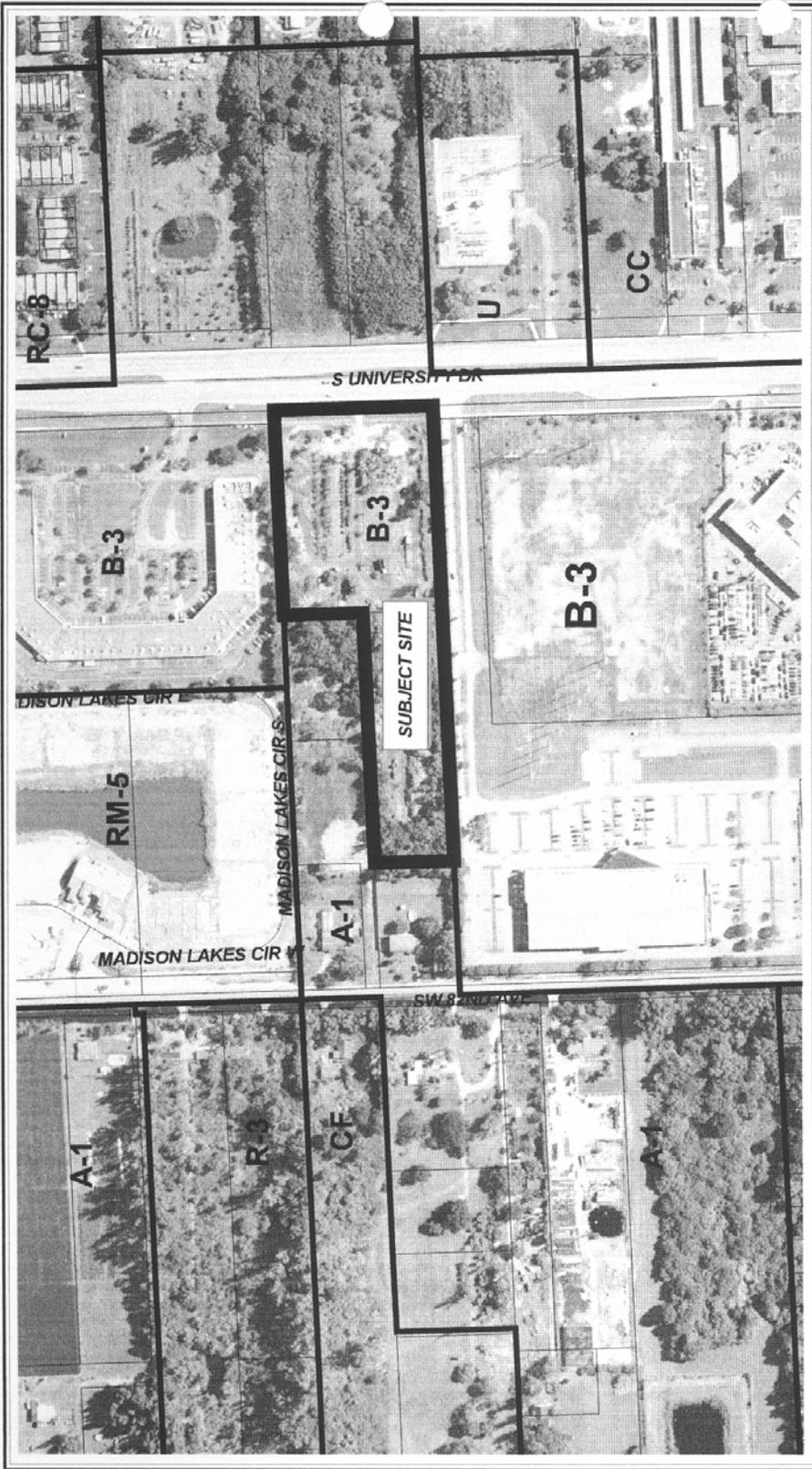
**PLAT
P 11-2-03
Future Land Use Map**

Prepared By: ID
Date Prepared: 2/24/04



300 0 300 600 Feet

Planning & Zoning Division - GIS



**PLAT
P 11-2-03
Zoning and Aerial Map**

Prepared By: ID
Date Prepared: 2/24/04



300 0 300 600 Feet



Date Flown:
12/31/02

Planning & Zoning Division - GIS