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 II

SUBJECT: Resolution: DG 10-3-04/ 04-438 / Lakeside Town Shops, 5700 University Drive/Generally located at the northeast corner of University Drive and Stirling Road

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 THE "WOLF FAMILY PLAT," AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: Petitioner is requesting to amend the restrictive note on "Wolf Family Plat":

From: "This plat is restricted to 275,000 square feet of commercial use. Bank uses are not permitted without approval of the Board of County Commissioners who shall review and address their uses for increased impacts."

To: "This plat is restricted to 275,000 square feet of commercial use and 6,200 square feet of bank use."

The Petitioner is requesting to amend the restrictive note on the "Wolf Family Plat" to reflect the new level of development on this property. This request is directly associated to Master Site Plan Application (MSP 2-1-04) Lakeside Town Shops and Site Plan Application (SP 11-2-04) Wachovia Bank.

The "Wolf Family Plat" is adjacent to Stirling Road and Southwest 76th Avenue and local road improvements are needed. For consistency, all properties abutting Southwest 76th Avenue are required to reconstruct this road to a minimum of 24' wide for the full length of the plat, as well as, contributing into traffic calming.

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

PREVIOUS ACTIONS: None

CONCURRENCES: N/A

FISCAL IMPACT: N/A

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 THE "WOLF FAMILY PLAT," AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the "Wolf Family Plat" was recorded in the public records of Broward County in Plat Book 171, Pages 85 - 86; 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 "Wolf Family Plat." The proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. Reconstruct Southwest 76th Avenue to a minimum of 24' wide for the full length of the plat, as well as, contributing into traffic calming, which shall meet local road improvements.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2005.

_____
MAYOR/COUNCILMEMBER

ATTEST:

_____
TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005.

Application: DG 10-3-04 / 04-438 / Lakeside Town Shops **Revisions:**
Exhibit "A" **Original Report Date:** 5/11/05

TOWN OF DAVIE

Development Services Department
Planning & Zoning Division
Staff Report and Recommendation

Applicant Information

Owner:
Name: Stiles Development Co.
Address: 300 SE 2 Street
City: Fort Lauderdale, FL 33301
Phone: (954) 627-9173

Petitioner:
Name: Karen Chaperon, Miller Legg & Associates, Inc.
Address: 1800 North Douglas Road, Suite 200
City: Pembroke Pines, Florida, 33024
Phone: (954) 436-7000

Background Information

Application History: No deferrals have been requested.

Application Request: Petitioner is requesting to amend the restrictive note on "Wolf Family Plat":

From: "This plat is restricted to 275,000 square feet of commercial use. Bank uses are not permitted without approval of the Board of County Commissioners who shall review and address their uses for increased impacts."

To: "This plat is restricted to 275,000 square feet of commercial use and 6,200 square feet of bank use."

Address/Location: 5700 South University Drive / Generally located on the northeast side of Stirling Road and University Drive

Future Land Use Plan Map: Commercial

Zoning: UC, Urban Commercial District

Existing/Proposed Use(s): Vacant / 4,025 sq. ft. financial institution (Wachovia)

Parcel Size: Out-parcel 3 / 1.09 acres (47,605 sq. ft.)

Surrounding Uses:		**Surrounding Land Use Plan Map Designations:**
North:	Nursery	Commerce/Office
South:	Vacant Commercial Land/CBWCD/ Silverado Homes	Commercial Residential (5 DU/AC)
East:	Exotic Acres/Landscape Nursery With Single Family Homes	Residential (1 DU/AC), Residential (10 DU/AC)
West:	University Creek Shops/Gas Station	Commercial

Surrounding Zoning:

North: CC, Commerce Center District

South: B-3, Planned Business Center District /RM-5, Low Medium Density Dwelling District/CF, Community Facilities District

East: A-1, Agricultural District/R-1, Estate Dwelling District

West: B-2, Community Business District

Zoning History

Related Zoning History:

Rezoning Application (ZB 12-1-03), On June 16, 2004, Town Council approved the rezoning request for the Wolf Family Plat, from CC, Commerce Center District to UC, Urban Commercial District subject to the recordation of a Declaration of Restrictive Covenant to restrict the subject property from the following uses: catering establishments, dance hall/club, game room/arcade, golf course, hotel/motel, mobile home sales, mortuary, motor fuel pumps, motorcycle shop, pawnshop, private clubs, massage parlor, adult bookstore, pinball or electronic game room, an establishment that permits nude or partially nude entertainment, or so called "head shop".

Concurrent Request on same property:

Site Plan Modification (SPM 3-8-05), This application is proposing modification to the approved Lakeside Townshops master site plan.

Previous Requests on same property:

Plat Application, Meeks Farms Plat, was approved by the Broward County Commission on January 17, 1995 for 27,810 square feet of office use under the *de minimis* exception to traffic concurrency, with a requirement that a building permit be issued by January 17, 1998. On March 18, 1997, the County Commission approved a delegation request amending the note on the plat to permit 125,000 square feet of office use, with the requirement that a building permit be issued by March 18, 2002. No building permit has been issued and the County's finding of adequacy expired on March 18, 2002.

Plat Application, On March 16, 1999, Town Council approved Wolf Family Plat (Plat Book 171, Page 85) through Resolution R 99-91 that allows for 90,000 square feet of commercial use,

387,000 square feet of office use, 100,000 square feet of warehouse/storage use and a 185 room hotel. This plat was approved by the Broward County Board of County Commissioners on November 7, 2000.

Land Use Plan Amendment Application (LA 00-01A), May 3, 2000, Town Council denied to change the land use of the subject site from Commerce/Office to Commercial
Delegation Request (DG 12-2-03), On May 19, 2004, Town Council approved the delegation request to amend the restrictive note on the "Wolf Family Plat." From: "This plat is restricted to 90,000 square feet of commercial use, 387,000 square feet of office use, 100,000 square feet of warehouse/storage use and a 185 room hotel. Commercial uses shall be restricted to restaurants, retail establishments, and personal service and shall not consume more than 20 percent of the gross floor area on this plat. Commercial/retail uses are not permitted within the warehouse/storage and/or office use without the approval of the Board of County Commissioners who shall review and address these uses for increase impacts." To: "This plat is restricted to 275,000 square feet of commercial use."

Master Site Plan (MSP 2-1-04), On June 22, 2004, Town Council approved Lakeside Townshops master site plan for 272,375 square feet of retail use.

Developers Agreement (DA 3-1-04), On May 19, 2004, Town Council approved the developers agreement for the findings of adequacy for Meeks Farms Plat, and amending the restrictive note on the plat From "This plat is restricted to 125,000 square feet of office use. Commercial/retail uses are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increases impact." To "This plat is restricted to 7,000 square feet of bank use."

Delegation Request (DG 3-1-04), On June 16, 2004, Town Council approved the delegation requesting to amend the non-vehicular access line (NVAL) along Stirling Road to allow a 100-foot opening rather than the 50-foot opening recorded on the Wolf Family Plat.

Land Use Plan Amendment Application (LA 3-10), On July 7, 2004, Town Council approved this Ordinance 2004-21 to adopt Land Use Amendment LA 3-10 to change the land use of the subject site from Commerce/Office to Commercial.

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. Commercial development of retail centers and office buildings line the University Drive corridor. The east side of this corridor is predominantly small-scale commercial development, with multi-family residential development (one existing, one proposed) and plant nurseries on the northern half of the corridor, and commerce park development and cattle grazing on commerce park-zoned lands on the southern half. Commercial development also exists along Griffin Road within this

planning area. Several small-scale single-family residential communities, two trailer parks totaling approximately 30 acres in area, and an 8-acre industrial park are located within this planning area, together with six parcels zoned for community facilities uses. These include, but are not limited to, a regional library, multiple church uses varying scales, a Girl Scout campground facility, and a private school.

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 17-6: Town land development regulations shall address incompatible land uses through requirements such as buffering and setbacks.

Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-7: Adopted land development regulations shall continue to set forth setbacks or separation regulations, landscaping requirements, and minimum open space criteria to enhance living and working environments.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

*Land Development Code (Section 12-24(D)), t*he Urban Commercial (UC) District is intended to provide for a mix of retail, office, and residential uses in a medium to high-density environment. Areas so designated in the Town of Davie Comprehensive Plan will have some open space requirements to complement the higher densities permitted in the district.

The Broward County Land Development Code requires Delegation Requests for plat note amendments.

Application Details

The petitioner requests approval of the resolution to authorize the change in the restrictive note on the "Wolf Family Plat" **from** this plat is restricted to 275,000 square feet of commercial use. Bank uses are not permitted without approval of the Board of County Commissioners who shall review and address their uses for increased impacts, **to** this plat is restricted to 275,000 square feet of commercial use and 6,200 square feet of bank use.

Staff Analysis

The Comprehensive Plan and Land Development Code permits parcels designated UC, Urban Commercial District to be developed with commercial and bank uses. This request is directly associated to Master Site Plan Application (MSP 2-1-04) Lakeside Town Shops and Site Plan Application (SP 11-2-04) Wachovia Bank.

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.

Findings of Fact

Staff finds that the proposal to develop 275,000 square feet of commercial use and 6,200 square feet of bank use is consistent with the UC, Urban Commercial District Designation, and is compatible with the surrounding area. Staff has no objection to the request.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Town Council for further consideration with the following recommendation:

1. The "Wolf Family Plat" is adjacent to Stirling Road and Southwest 76th Avenue and local road improvements are needed. For consistency, all properties abutting Southwest 76th Avenue are required to reconstruct this road to a minimum of 24' wide for the full length of the plat, as well as, contributing into traffic calming.

Exhibits

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

Prepared by: _____ Reviewed by: _____

"Exhibit 1 - Justification Letter"

JUSTIFICATION

Delegation Request to Amend the Note on the Wolf Family Plat (067-MP-98)

The Wolf Family Plat ("Plat"), generally located on the northeast corner of University Drive and Stirling Road in the Town of Davie was approved by the Broward County Commission on September 28, 2004 with the following restrictive note:

> *This plat is restricted to 275,000 square feet of commercial use. Bank uses are not permitted without approval of the Board of County Commissioners who shall review and address their uses for increased impacts.*

Applicant Lakeside Town Shops, Ltd ("Stiles") is requesting to amend the note on the plat to the following:

> *This plat is restricted to 275,000 square feet of commercial use and 6,200 square feet of bank use.*

This amendment is necessary to allow for a bank use and the outparcel development of the project.

V:\Twp-Rng-Sec\50-41-33\03-00284\Docs\Reports\5ENPlatAmendJustificationrevised051005.doc

RECEIVED
Town of Davie
Planning & Zoning

C:\Documents and Settings\Administrator\Local Settings\Temporary Internet Files\Content.IE5\8BTBU6N1\5ENPlatAmendJustificationrevised051005.doc

PLAT BOOK 171 PAGE 85

SHEET 1 OF 2

WOLF FAMILY PLAT

CFN # 101800736.
Page1 of 2
Recorded 05/08/2002 at 09:30 AM

REPLAT OF A PORTION OF TRACT 63A, AND ALL OF TRACTS 63, 64 AND 64A , OF "THE EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION" PLAT BOOK: 3, PAGE 67 DADE COUNTY RECORDS, IN SECTION 33, TOWNSHIP 50 SOUTH, RANGE 41 EAST, IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA.

PREPARED BY:
ASSOCIATED ENGINEERS AND SURVEYORS OF SOUTH FLORIDA CORP.
CONSULTING ENGINEERS, LAND PLANNERS, LAND SURVEYORS
5450 GRIFFIN ROAD, DAVIE, FLORIDA 33314 TEL: 584-6880

PROJECT NO. 98-03 DATE: MAY, 1998

TOWN COUNCIL:

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN APPROVED AND ACCEPTED BY THE TOWN COUNCIL OF DAVIE, BROWARD COUNTY, FLORIDA BY RESOLUTION ADOPTED THIS 16th DAY OF October 1999

TOWN CLERK MAYOR

TOWN PLANNING AND ZONING BOARD:

THIS IS TO CERTIFY THAT THE TOWN PLANNING AND ZONING BOARD OF DAVIE, BROWARD COUNTY, FLORIDA, HAS APPROVED THIS PLAT.

DATE 10/19/99 BY Chairman

DEVELOPMENT SERVICES DEPARTMENT:

THIS IS TO CERTIFY THAT THE DEVELOPMENT SERVICES DEPARTMENT OF THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA, HAS APPROVED AND ACCEPTED THIS PLAT.

DATE May 7, 2002 BY DIRECTOR

BROWARD COUNTY PLANNING COUNCIL

THIS IS TO CERTIFY THAT THE BROWARD COUNTY PLANNING COUNCIL APPROVED THIS PLAT SUBJECT TO ITS COMPLIANCE WITH DEDICATION OF RIGHTS OF WAY FOR THOROUGHFARES THIS 25 DAY OF October 1999

BY CHAIRPERSON DATE

THIS PLAT COMPLIES WITH THE APPROVAL OF THE BROWARD COUNTY PLANNING COUNCIL OF THE ABOVE DATE AND IS APPROVED AND ACCEPTED FOR RECORD THIS 1st DAY OF April 2002

BY ADMINISTRATOR OR DESIGNEE

BROWARD COUNTY DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION.

THIS PLAT IS HEREBY APPROVED AND ACCEPTED FOR RECORD.

BY DIRECTOR/DESIGNEE 5-7-02 DATE

BROWARD COUNTY ENGINEERING DIVISION:

THIS PLAT IS HEREBY APPROVED AND ACCEPTED FOR RECORD.
THIS 7TH DAY OF MAY 2002

BY HENRY J. DYLK, FLORIDA PROFESSIONAL ENGINEER REG. 12304 IN RECEIPT OF BROWARD COUNTY

BY ERIC B. ARMADOR, COUNTY SURVEYOR, PROFESSIONAL SURVEYOR & MAPPER #LS 5698 STATE OF FLORIDA

CENTRAL BROWARD WATER CONTROL DISTRICT

THIS PLAT IS APPROVED BY THE CENTRAL BROWARD WATER CONTROL DISTRICT
THIS _____ DAY OF _____ 20__

BY SECRETARY 5-2-02 BY CHAIRMAN

DATE 12/5/98

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT, COUNTY RECORDS DIVISION-RECORDING SECTION:

THIS INSTRUMENT WAS FILED FOR RECORD THIS 8 DAY OF MAY 2002 AND RECORDED IN PLAT BOOK 171 PAGE 85 RECORD VERIFIED.

ATTEST: ROGER J. DESJARLAIS COUNTY ADMINISTRATOR

DEPUTY

COUNTY COMMISSIONERS CREATED OCT 1ST, 1915

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT, COUNTY RECORDS DIVISION-MINUTES SECTION:

THIS IS TO CERTIFY THAT THIS PLAT COMPLIES WITH THE PROVISIONS OF CHAPTER 177, FLORIDA STATUTES, AND WAS ACCEPTED FOR RECORD BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, THIS 7th DAY OF November A.D., 2000

ATTEST: ROGER J. DESJARLAIS COUNTY ADMINISTRATOR BY CHAIR COUNTY COMMISSION SECRETARY

LEGAL DESCRIPTION:

Tract 63A of THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION according to the Plat thereof as recorded in Plat Book 3, Page 67 of the Public Records of Dade County, Florida less the East 40.00 feet and the South 30.00 feet thereof, and less Right-of-Way of Record and excepting therefrom a parcel of land in the Southwest corner recorded in O.R. Book 7985 Page 347 of the Public Records of Broward County, Florida. Being more particularly described as follows: A portion of Tract 63A described as commencing at the intersection of centerline of University Drive and Southline of Section 33, thence Northerly 275.00 feet thence Easterly 40.00 feet to the Point of Beginning; continuing Easterly 225.00 feet; thence Southerly 225.00 feet to a point on the North Right-of-Way line of Stirling Road (old R/W line), thence Westerly 374.74 feet to a Point of Curvature; Thence Northeasterly along a curve to the right having a radius of 50.00 feet, a central angle of 90°10'30" (angle at the intersection of 70.76 feet to a point on East Right-of-way of University Drive (old R/W line); thence Northerly 174.74 feet to the Point of Beginning.

Tract 63 as sold "THE EVERGLADES SUGAR & LAND CO. SUBDIVISION less the West 40.00 feet and less Right-of-way of record.

AND

Tracts 64 & 64A of said THE EVERGLADES SUGAR & LAND CO. SUBDIVISION less Right-of-Way of record.
All of the above described land, situate, lying and being in the Town of Davie, Broward County, Florida. Containing 36.40 Acres more or less.

SURVEYOR'S CERTIFICATE:

WE HEREBY CERTIFY THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS RECENTLY SURVEYED, SUBDIVIDED AND PLATTED UNDER OUR RESPONSIBLE DIRECTION AND SUPERVISION, THAT THE SURVEY DATA SHOWN CONFORMS TO THE APPLICABLE REQUIREMENTS OF CHAPTER 177, PART I - STATUTES, AND WITH THE APPLICABLE SECTIONS OF CHAPTER 61 G17-6, FLORIDA ADMINISTRATIVE CODE, THE PERMANENT REFERENCE MONUMENTS (P.R.M.'S) HAVE BEEN SET IN ACCORDANCE WITH SECTION 177.091 OF SAID CHAPTER 177, PART II, THE MONUMENTS SHOWN ARE REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D.) OF 1929 IN CONFORMITY WITH STANDARDS ADOPTED BY THE NATIONAL OCEAN SURVEY FOR THIRD ORDER CONTROL STANDARDS.

ASSOCIATED ENGINEERS AND SURVEYORS OF SOUTH FLORIDA CORP. L.B. #0004827

DATE: August 18, 1998 BY FRANCISCO A. MUNIZ, P.E., P.L.S. PRESIDENT REGISTERED LAND SURVEYOR FLA. NO. 3354 STATE OF FLORIDA

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT MARY L. WOLF & FLAGLER TRUST COMPANY OF FLORIDA, AS SUCCESSOR TRUSTEE FOR THE JOSEPH S. WOLF, FAMILY TRUST, SUSAN M. CORWELL, AND CAROL A. MCMALEN, A/K/A CAROL WOLF MOONAN AS CO-TRUSTEES FOR THE JOSEPH S. WOLF FAMILY LAND TRUST, AS THE OWNERS OF THE LANDS SHOWN AND DESCRIBED HEREON, HAVE CAUSED SAID LANDS TO BE SUBDIVIDED AND PLATTED IN THE MANNER SHOWN HEREON AND TO BE KNOWN AS "WOLF FAMILY PLAT", A REPLAT

ALL EASEMENTS ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR DESIGNATED PURPOSES. THE ADDITIONAL RIGHTS-OF-WAY SHOWN HEREON IS HEREBY DEDICATED IN FEE SIMPLE TO THE PERPETUAL USE OF THE PUBLIC. THE DRAINAGE, CANAL & CANAL MAINTENANCE EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE CENTRAL BROWARD WATER CONTROL DISTRICT FOR DESIGNATED PURPOSES.

IN WITNESS THEREOF, WE HEREUNTO SET OUR HANDS, IN THE TOWN OF DAVIE STATE OF FLORIDA, THIS 4th DAY OF AUGUST 1998

MARY L. WOLF

HARRIS TRUST COMPANY OF FLORIDA, AS SUCCESSOR TRUSTEE FOR JOSEPH S. WOLF FAMILY TRUST

BY: ANN R. HARRIS, VICE PRESIDENT

WITNESSES AS TO ALL THREE (3) PARTIES

SUSAN M. CORWELL, CO-TRUSTEE FOR THE JOSEPH S. WOLF CHILDREN'S LAND TRUST

PRINT NAME: Christina X. Aguilera

PRINT NAME: Marianita Del Sharpald

CAROL WOLF MOONAN, CO-TRUSTEE FOR THE JOSEPH S. WOLF CHILDREN'S LAND TRUST (A/K/A CAROL A. MCMALEN)

PRINT NAME: Cassidy X. Aguilera

PRINT NAME: Kimberly Ann Schofield

PRINT NAME: Flynne Callaway Ladd

PRINT NAME: Edna H. Moore

ACKNOWLEDGEMENT:

STATE OF FLORIDA SS
COUNTY OF BROWARD

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME, AN OFFICER DULY AUTHORIZED BY LAW TO ADMINISTER OATHS AND TAKE ACKNOWLEDGEMENTS,

MARY L. WOLF, WELL KNOWN TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION, AND SHE ACKNOWLEDGED BEFORE ME THAT SHE EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE USE AND PURPOSES THEREIN EXPRESSED, AND WHO DID NOT TAKE AN OATH.

WITNESS MY HAND AND OFFICIAL SEAL IN THE TOWN OF DAVIE, COUNTY OF BROWARD, STATE OF FLORIDA, THIS 21st DAY OF JULY 1998

NAME: EDNA H. MOORE
NOTARY PUBLIC- STATE OF FLORIDA

ACKNOWLEDGEMENT:

STATE OF ILLINOIS SS
COUNTY OF COOK

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME, AN OFFICER DULY AUTHORIZED BY LAW TO ADMINISTER OATHS AND TAKE ACKNOWLEDGMENTS, AND IN MEDIUM, AS VICE PRESIDENT OF HARRIS TRUST COMPANY OF FLORIDA,

AS SUCCESSOR TRUSTEE OF THE JOSEPH S. WOLF FAMILY TRUST, WELL KNOWN TO BE THE INDIVIDUAL DESCRIBED IN & WHO EXECUTED THE FOREGOING DEDICATION, AND SHE ACKNOWLEDGED BEFORE ME THAT SHE EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE USE AND PURPOSES THEREIN EXPRESSED, AND WHO DID NOT TAKE AN OATH.

WITNESS MY HAND AND OFFICIAL SEAL IN THE CITY OF CHICAGO COUNTY OF COOK STATE OF Illinois THIS 30th DAY OF JULY 1998

"OFFICIAL SEAL" Flynne Callaway Ladd Notary Public, State of Illinois My Commission Expires 10/21/98

NAME: FLYNNE CALLAWAY LADD
NOTARY PUBLIC- STATE OF ILLINOIS

ACKNOWLEDGEMENT:

STATE OF FLORIDA SS
COUNTY OF BROWARD

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME, AN OFFICER DULY AUTHORIZED BY LAW TO ADMINISTER OATHS AND TAKE ACKNOWLEDGMENTS, SUSAN M. CORWELL, CO-TRUSTEE OF THE JOSEPH S. WOLF FAMILY LAND TRUST, WELL KNOWN TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION, AND SHE ACKNOWLEDGED BEFORE ME THAT SHE EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE USE AND PURPOSES THEREIN EXPRESSED, AND WHO DID NOT TAKE AN OATH.

WITNESS MY HAND AND OFFICIAL SEAL IN THE TOWN OF DAVIE, COUNTY OF BROWARD, STATE OF FLORIDA, THIS 22nd DAY OF JULY 1998

Notary Public, State of Florida My Commission Expires Oct. 22, 2001

NAME: EDNA H. MOORE
NOTARY PUBLIC- STATE OF FLORIDA

ACKNOWLEDGEMENT:

STATE OF FLORIDA SS
COUNTY OF BROWARD

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME, AN OFFICER DULY AUTHORIZED BY LAW TO ADMINISTER OATHS AND TAKE ACKNOWLEDGEMENTS, CAROL WOLF MOONAN, CO-TRUSTEE OF THE JOSEPH S. WOLF FAMILY LAND TRUST, WELL KNOWN TO BE THE INDIVIDUAL DESCRIBED IN & WHO EXECUTED THE FOREGOING DEDICATION, AND SHE ACKNOWLEDGED BEFORE ME THAT SHE EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE USE AND PURPOSES THEREIN EXPRESSED, AND WHO DID NOT TAKE AN OATH.

WITNESS MY HAND AND OFFICIAL SEAL IN THE TOWN OF DAVIE COUNTY OF BROWARD, STATE OF FLORIDA, THIS 31st DAY OF JULY 1998

Notary Public, State of Florida My Commission Exp. Oct. 22, 2001

NAME: EDNA H. MOORE
NOTARY PUBLIC- STATE OF FLORIDA

TOWN OF DAVIE | COUNTY | COUNTY | SURVEYOR

WOLF FAMILY PLAT

CFN #101880736
Page2 of 2

REPLAT OF A PORTION OF TRACT 63A AND ALL OF TRACTS 63, 64 AND 64A, OF "THE EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION", PLAT BOOK 3, PAGE 67 DADE COUNTY RECORDS, SECTION 33, TOWNSHIP 50 SOUTH, RANGE 41 EAST, IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA.

PREPARED BY:
ASSOCIATED ENGINEERS AND SURVEYORS OF SOUTH FLORIDA CORP.
CONSULTING ENGINEERS, LAND PLANNERS, LAND SURVEYORS
7320 GRIFFIN ROAD SUITE 103, DAVIE, FLORIDA 33314 TEL: (954)-791-2110
PROJECT NO. 98-04 DATE: MAY, 1998

GRAPHIC SCALE

TABULATION AREA:

TRACT "A"	1,466,183.81 S.F.	34.117 Acres
R-O-W TO BE DEDICATED	38,034.44 S.F.	1.286 Acres
TOTAL:	1,542,188.05 S.F.	35.403 Acres

LINE DATA TABLE

LINE	LENGTH	BEARING
L1	285.31'	S87°16'51"W
L2	31.19'	S19°56'28"E
L3	270.90'	N65°37'20"E
L4	243.69'	N89°27'30"E
L5	89.88'	N02°13'08"W
L6	306.98'	S89°27'00"E
L7	100.35'	S87°16'51"E
L8	198.36'	S82°58'31"E
L9	209.87'	S86°37'38"E
L10	89.15'	S01°13'09"E
L11	483.75'	S87°16'51"W
L12	66.00'	S01°34'00"E
L13	42.55'	N62°04'00"E
L14	8.50'	N01°32'28"W
L15	155.77'	N72°15'09"W
L16	265.00'	N87°16'51"E
L17	34.38'	S76°39'44"E

SURVEYOR'S NOTES:

- B = INDICATES ARC RADIUS
- D = INDICATES ARC CENTRAL ANGLE
- L = INDICATES ARC DISTANCE
- O.R.B. = INDICATES OFFICIAL RECORDS BOOK
- O/S = INDICATES OFFSET
- O.T. = INDICATES ORDER OF TAKING
- S.W.D. = INDICATES SPECIAL WARRANTY DEED
- S.F. = INDICATES SQUARE FEET
- P.O.B. = INDICATES POINT OF BEGINNING
- P.R.M. = INDICATES PERMANENT REFERENCE MONUMENT
- R-O-W = INDICATES RIGHT OF WAY
- P.B. PG. = INDICATES PLAT BOOK AND PAGE
- D.C.R. = INDICATES DADE COUNTY RECORDS
- B.C.R. = INDICATES BROWARD COUNTY RECORDS
- P.O.C. = INDICATES POINT OF COMMENCEMENT
- P.O.B. = INDICATES POINT OF BEGINNING
- P.R.M. = INDICATES PERMANENT REFERENCE MONUMENT
- ℄ = INDICATES CENTER LINE
- N,E = INDICATES FLORIDA STATE PLANE COORDINATES
- ELEVATION 7.39 = INDICATES ELEVATION RELATIVE TO NGVD 1929 DATUM. BEARING SHOWN HAVE BEEN CALC. FROM STATE PLANE COORDINATE SYSTEM.
- N.A. = INDICATES NON-VEHICULAR ACCESS
- B.M. ELEV. = INDICATES BENCHMARK ELEVATION AND IS RELATIVE TO TOP OF N.W. BOLT OF A LIGHT POLE AT SERVICE STATION AT THE S.E. CORNER OF THE INTERSECTION OF DAVIE RD. AND STIRLING RD. 90'± NORTH OF THE N.C. LINE AND 180'± EAST OF THE ℄ OF DAVIE RD. ELEV. 8.42

LOCATION MAP
SECTION 33, TWP.50 E, RGE 41 E
N.T.S.

1. THIS PLAT IS RESTRICTED TO ± 80,000.00 SQUARE FEET OF COMMERCIAL USE, 387,000 SQUARE FEET OF OFFICE USE, 300,000 SQUARE FEET OF WAREHOUSE/STORAGE USE, A 180 ROOM HOTEL. TRANSITIONAL USES SHALL BE RESTRICTED TO 100,000 SQUARE FEET OF WAREHOUSE/STORAGE USE, A 180 ROOM HOTEL. TRANSITIONAL USES SHALL BE RESTRICTED TO RESTAURANTS, RETAIL ESTABLISHMENTS, AND PERSONAL SERVICES AND SHALL NOT CONSUME MORE THAN 10 PERCENT OF THE GROSS FLOOR AREA PERMITTED WITHIN THE WAREHOUSE/STORAGE SHOPPING DEPOT USE. MINOR DEVIATIONS TO THE SIZE AND MIX OF USES MAY BE PERMITTED WITH THE ADMINISTRATIVE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS, WHO SHALL BE VESTED WITH AUTHORITY TO ADDRESS THESE USES FOR INCREASED IMPACTS.

USE OF CONSTRUCTION CRANES AND ANY STRUCTURE ON THIS PLAT WHICH EXCEEDS 200 FEET IN HEIGHT MUST COMPLY WITH SECTION 24-57, DEVELOPMENT REVIEW REQUIREMENTS, OF THE BROWARD COUNTY LAND USE PLAN, REGARDING HAZARDS TO AIR NAVIGATION.

THIS NOTE IS REQUIRED BY CHAPTER 5, ARTICLE IX, BROWARD COUNTY CODE OF ORDINANCES, AND MAY BE AMENDED BY APPROVAL OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS. THE RESTRICTIONS AND LIMITATIONS THEREIN ARE SOLELY REDUCING THE APPROVED DEVELOPMENT LEVEL FOR PROPERTY LOCATED WITHIN THE PLAT AND DO NOT OPERATE AS A RESTRICTION IN FAVOR OF ANY PROPERTY OWNER INCLUDING AN OWNER OF PROPERTY WITHIN THIS PLAT WHO TOOK TITLE TO THE PROPERTY WITH REFERENCE TO THIS PLAT.

2. THE BEARINGS AND COORDINATES SHOWN HEREON ARE RELATIVE TO THE NAD 83/90 FLORIDA STATE PLANE COORDINATES SYSTEM, EAST ZONE AS SHOWN ON THE NATIONAL GEODETIC SURVEY TRANSVERSE MERCATOR COORDINATES, FLORIDA EAST ZONE AS SHOWN ON THE SOUTHEASTERN REGIONAL NETWORK (SERN) AND ARE REFERENCED TO THE SOUTH LINE OF SECTION 33-50-41 AS BEING S87°16'51"W. ALL OF TOWNSHIP 50 SOUTH, RANGE 41 EAST.

AS RECORDED IN MISCELLANEOUS PLAT BOOK 2, AT PAGE 8, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND AS TRANSFORMED TO THE NORTH AMERICAN DATUM OF 1983, WITH 1990 ADJUSTMENT.

3. IF A BUILDING PERMIT FOR A PRINCIPAL BUILDING (EXCLUDING DRY MODELS, SALES AND CONSTRUCTION OFFICES) AND FINAL INSPECTION APPROVAL ARE NOT ISSUED BY NOVEMBER 1, 2005, WHICH DATE IS FIVE (5) YEARS FROM THE DATE OF APPROVAL OF THIS PLAT BY BROWARD COUNTY, THEN THE COUNTY'S FINDING OF ADEQUACY SHALL EXPIRE AND NO ADDITIONAL BUILDING PERMITS SHALL BE ISSUED UNTIL SUCH TIME AS BROWARD COUNTY MAKES A SUBSEQUENT FINDING THAT THE APPLICATION SATISFIES THE BROWARD COUNTY LAND DEVELOPMENT REQUIREMENTS SET FORTH WITHIN THE BROWARD COUNTY LAND DEVELOPMENT CODE, THE OWNER OF THE PROPERTY SHALL BE RESPONSIBLE FOR PROVIDING EVIDENCE TO BROWARD COUNTY FROM THE APPROPRIATE GOVERNMENTAL ENTITY, DOCUMENTING COMPLIANCE WITH THIS REQUIREMENT WITHIN THE ABOVE REFERENCED TIME FRAME; AND SAID DOCUMENTING COMPLIANCE WITH THIS REQUIREMENT WITHIN THE ABOVE REFERENCED TIME FRAME.

4. IF PROJECT WATER LINES, SEWER LINES, DRAINAGE, AND THE ROCK BASE FOR INTERNAL ROADS ARE NOT INSTALLED BY NOVEMBER 1, 2005, WHICH IS FIVE (5) YEARS FROM THE DATE OF APPROVAL OF THIS PLAT BY BROWARD COUNTY, THEN THE COUNTY'S FINDING OF ADEQUACY SHALL EXPIRE AND NO ADDITIONAL BUILDING PERMITS SHALL BE ISSUED UNTIL SUCH TIME AS BROWARD COUNTY MAKES A SUBSEQUENT FINDING THAT THE APPLICATION SATISFIES THE BROWARD COUNTY LAND DEVELOPMENT REQUIREMENTS SET FORTH WITHIN THE BROWARD COUNTY LAND DEVELOPMENT CODE. THIS REQUIREMENT MAY BE SATISFIED FOR A PHASE OF THE PROJECT, PROVIDED A PHASING PLAN HAS BEEN APPROVED BY BROWARD COUNTY, THE OWNER OF THE PROPERTY SHALL BE RESPONSIBLE FOR PROVIDING EVIDENCE TO BROWARD COUNTY FROM THE APPROPRIATE GOVERNMENTAL ENTITY DOCUMENTING COMPLIANCE WITH THIS REQUIREMENT WITHIN THE ABOVE REFERENCED TIME FRAME.

5. NOTICE
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LAND DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF BROWARD COUNTY.

6. THE FOLLOWING NOTE IS REQUIRED BY THE BROWARD COUNTY SURVEYOR PURSUANT TO CHAPTER 177.091, SUBSECTION (28), FLORIDA STATUTES. PLATTED UTILITY EASEMENTS ARE ALSO EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES, PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, OPERATION OF CABLE TELEVISION SERVICES, PROVISION, MAINTENANCE, AND INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS NOTE DOES NOT APPLY TO PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRIC CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

007-MP-98

Delegation Application
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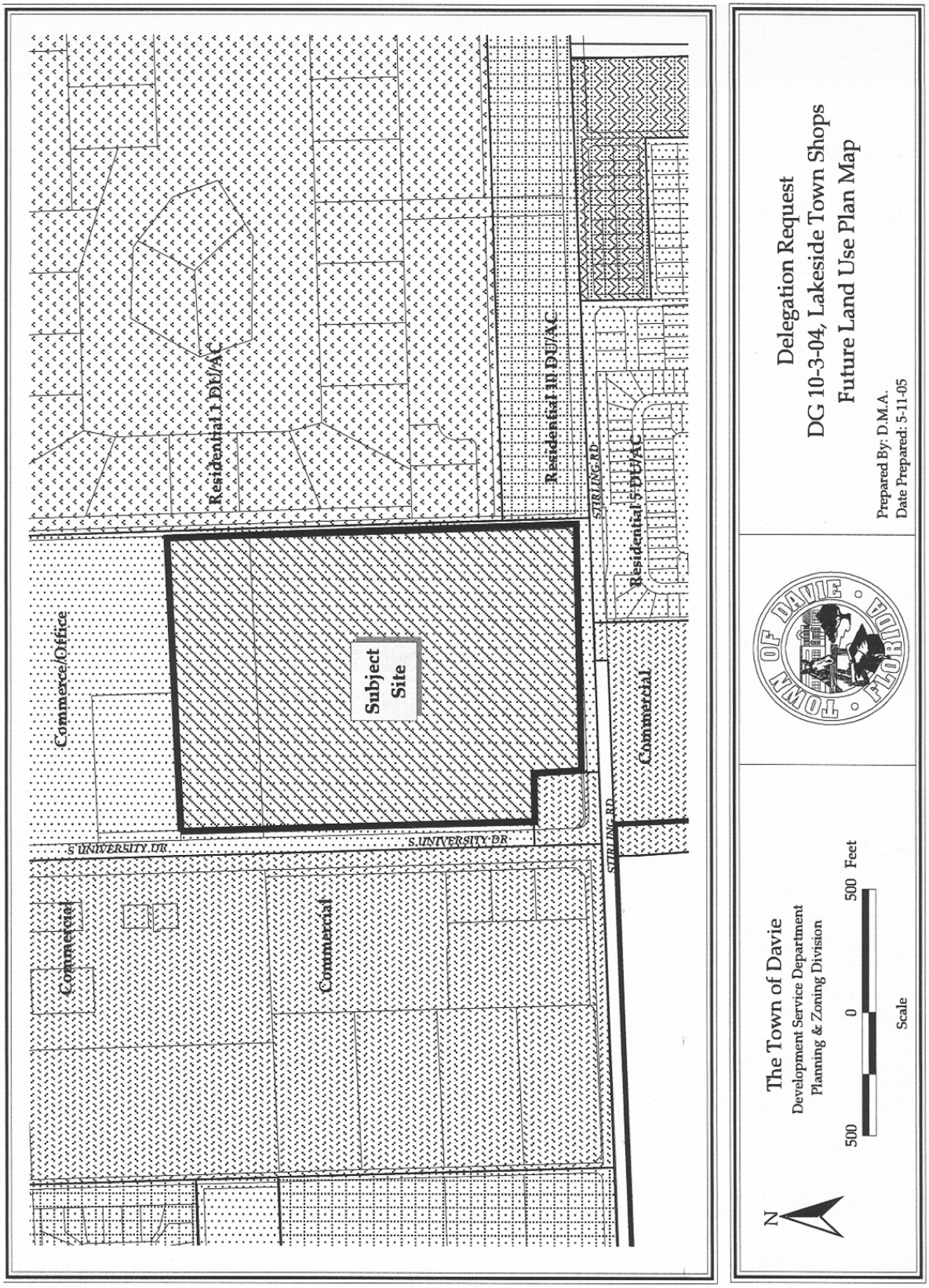
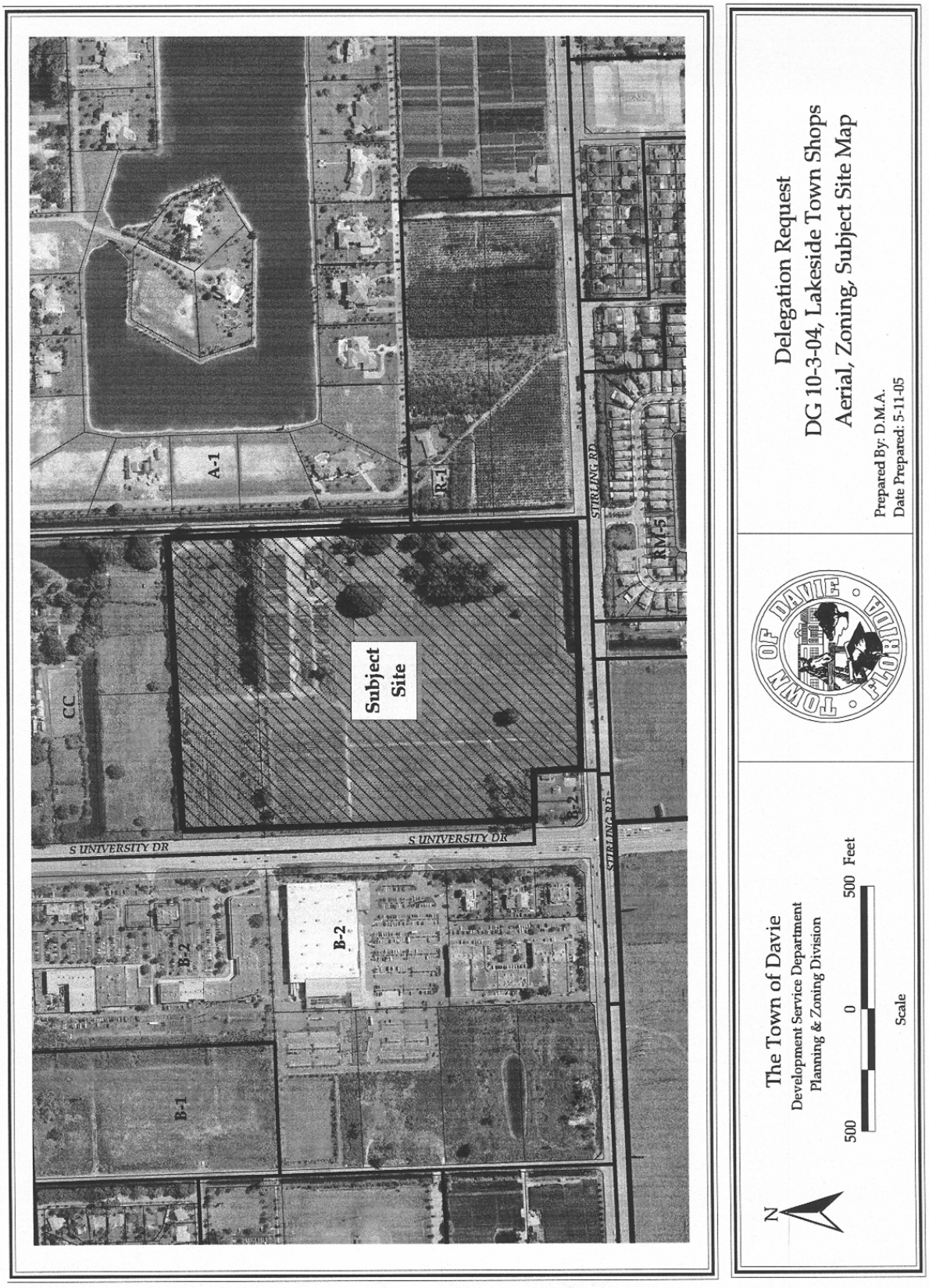
"Exhibit 3 - Future Land Use Map"



"Exhibit 4 - Aerial, Zoning, Subject Site Map"