

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 12-1-04 Farida Plat, Daniel A. Fee, P.E./CDI Engineering & Planning/FMAOA, Inc./Dr. Mustafa Saleh, 950 South Flamingo Road/Generally located on the west side of SW 121 Avenue, north of SW 9 Manor.

AFFECTED DISTRICT: District 3

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PLAT KNOWN AS THE "FARIDA PLAT" 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: Approval of the boundary plat known as the "Farida Plat" is being requested. The subject site consists of 3.44 net acres (150,038 square feet), and is generally located on is located south of State Road 84, north of SW 14 Street, between Flamingo Road and SW 121 Avenue. The plat is restricted nine (9) single family detached units.

Access is provided on the northern boundary by a 60' opening to SW 121 Avenue. Non-vehicular access lines have been provided on the remainder of the eastern boundary. Access to the site is exclusively from SW 121 Avenue since the parcel to the west is developed with an animal hospital that is under separate ownership. While under single ownership, the approval of the animal hospital site plan eliminated the plausibility of providing an access to the rear of the property that meets development standards. In order for access to be provided to the subject site through the animal hospital parcel, a 50' right-of-way with a 10' landscape buffer to the property to the north is required, for a total of 60'. The AG, Agricultural District requires 35' side setbacks, and building is 80' from the property line. If the northern 60' of the site is used for access the side setback of the building does not comply at only 15', and the distance from the building to the southern boundary of parcel is even less. Although there are access drives adjacent to both sides of the property that could be used accommodate full access, none of the adjoining property owners desire to share access.

The subject property lies within Central Broward Water Control District, and approval from this agency has been obtained.

Development of the site with the proposed use can be considered compatible with the uses on the surrounding properties. To the north are single family dwellings, to the south is single family dwelling and a plant nursery, to the east across SW 121 Avenue are townhomes, and to the west is an animal hospital.

PREVIOUS ACTIONS: None

CONCURRENCES: At the December 14, 2005, Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Ms. Turin, to approve. (Motion carried 4-0 with Vice-Chair McLaughlin abstaining.)

FISCAL IMPACT: N/A

RECOMMENDATION(S): Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Attachment(s): Resolution, Planning Report

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PLAT KNOWN AS THE "FARIDA PLAT" 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 known as the "Farida Plat" 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 the "Farida Plat" 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 _____, 2006.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2006.

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

Applicant Information

<u>Owner:</u>		<u>Petitioner:</u>	
Name:	FMAOA, Inc. Dr. Mustafa Saleh	Name:	Daniel A. Fee, P.E. CDI Engineering & Planning
Address:	681 NW 133 Way	Address:	320 West Davie Boulevard
City:	Plantation, FL 33325	City:	Fort Lauderdale, FL 33315
Phone:	(954) 845-0440	Phone:	(954) 524-9800

Background Information

Application History: No deferrals have been requested.

Application Request: Approval of the plat known as the "Farida Plat".

Address/Location: 950 South Flamingo Road/Generally located on the west side of SW 121 Avenue, north of SW 9 Manor.

Future Land Use

Plan Map Designation: Residential (5 DU/AC)

Zoning: R-5, Low Medium Dwelling District

Existing Use: Vacant (former plant nursery)

Proposed Use: Nine (9) Single family detached dwellings

Gross Parcel Size: 3.55 acres (154,440 square feet)

Net Parcel Size: 3.44 acres (150,038 square feet)

Surrounding Uses:

North: Single family dwellings

South: Single family dwelling, Jane's Plant Nursery

East: Village at Lake Pines (townhomes)

West: Extra Care Animal Hospital

Surrounding Future Land Use Plan Map Designations:

North: Residential (5 DU/AC)
South: Residential (5 DU/AC)
East: Residential (5 DU/AC)
West: Residential (5 DU/AC)

Surrounding Zoning:

North: AG, Agricultural District
South: AG, Agricultural District
East: RM-5, Low Medium Dwelling District
West: AG, Agricultural District

Zoning History

Related Site Plan: The site plan, SP 6-5-00 Extra Care Animal Hospital, was approved on August 2, 2000.

Zoning: The rezoning, ZB 11-1-04 Farida Plat, changing the site from AG, Agricultural District to R-5, Low Medium Density Dwelling District, was approved on September 21, 2005.

Applicable Codes and Ordinances

§12-24 (I) (4) Low Medium Density Dwelling (R-4, R-5 and RM-5) Districts: The R-4, R-5 and RM-5 Districts are intended to implement the five (5) dwelling units per acre residential classification of the Town of Davie Future Land Use Plan and the residential classification of the Town of Davie Comprehensive Plan by providing for a low-medium density single-family dwelling district.

§12-81 (A) Conventional Residential Development Standards, R-5, Low Medium Density Dwelling District requires the following minimums: lot area of 7,000 square feet, 75' frontage, 25' front, 10' side, 15' rear setbacks, 1,000 square foot dwelling unit floor area, and the following maximums: height 35' & 40% building coverage.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 4. This Planning Area is bordered by SR 84 on its north, University Drive on its east, Flamingo Road on its west, and an irregular border on its south that corresponds to Nova Drive and, SW 14 Street and the Village of Harmony Lakes development. A portion of the University Drive and SR 84 commercial corridors are included in this area, as are several planned residential communities typically developed at five dwellings per acre, but in some cases up to ten, including Arrowhead Golf Course and Country Club, Village of Harmony Lakes, West Ridge, the Ridgeview Lakes developments, Scarborough, Village at Pine Lakes, and the Pine Island Ridge, Park City and Rexmere Village developments, located within an area between Nob Hill Road and Pine Island Road.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 100.

Applicable Goals, Objectives & Policies: *Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5-2:* The (re)zoning, (re)plating, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

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.

Application Details

1. *Site:* Approval of the boundary plat known as the “Farida Plat” is being requested. The subject site consists of 3.44 net acres (150,038 square feet), and is generally located on is located south of State Road 84, north of SW 14 Street, between Flamingo Road and SW 121 Avenue.
2. *Restrictive Note:* The plat is restricted nine (9) single family detached units.
3. *Access:* Access is provided on the northern boundary by a 60’ opening to SW 121 Avenue. Non-vehicular access lines have been provided on the remainder of the eastern boundary. Access to the site is exclusively from SW 121 Avenue since the parcel to the west is developed with an animal hospital that is under separate ownership. While under single ownership, the approval of the animal hospital site plan eliminated the plausibility of providing an access to the rear of the property that meets development standards. In order for access to be provided to the subject site through the animal hospital parcel, a 50’ right-of-way with a 10’ landscape buffer to the property to the north is required, for a total of 60’. The AG, Agricultural District requires 35’ side setbacks, and building is 80’ from the property line. If the northern 60’ of the site is used for access the side setback of the building does not comply at only 15’, and the distance from the building to the southern boundary of parcel is even less. Although there are access drives adjacent to both sides of the property that could be used accommodate full access, none of the adjoining property owners desire to share access.
4. *Trails:* There are no trails, existing or planned, adjacent to the site.
5. *Dedications and Easements:* On the northern boundary is a 12’ utility easement, and on the southern boundary there is a 12’ utility easement then a 27’ drainage easement. There is a 30’ canal easement then a 20’ canal maintenance easement on the eastern boundary.

6. *Drainage:* The subject property lies within Central Broward Water Control District, and approval from this agency has been obtained.
7. *Road Concurrency:* The plat is located within the South Central Transit Oriented Concurrency District. This district meets the regional transportation standards specified in the Broward County Land Development Code.
8. *Compatibility:* Development of the site with the proposed use can be considered compatible with the uses on the surrounding properties. To the north are single family dwellings, to the south is single family dwelling and a plant nursery, to the east across SW 121 Avenue are townhomes, and to the west is an animal hospital.

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: Provide topographic survey, revise from a lot specific to a boundary plat or submit a site plan, define access opening and non-vehicular access lines. (*Items provided*)

Engineering: Provide utility easement, topographic survey, and storm water management calculations. (*Items 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.

Findings of Fact

The plat is in conformance with the applicable Codes and Ordinances. This proposed plat for single family detached units can be considered compatible with the uses on the surrounding properties.

Staff Recommendation

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

1. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

Planning and Zoning Board Recommendation

At the December 14, 2005, Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Ms. Turin, to approve. (Motion carried 4-0 with Vice-Chair McLaughlin abstaining.)

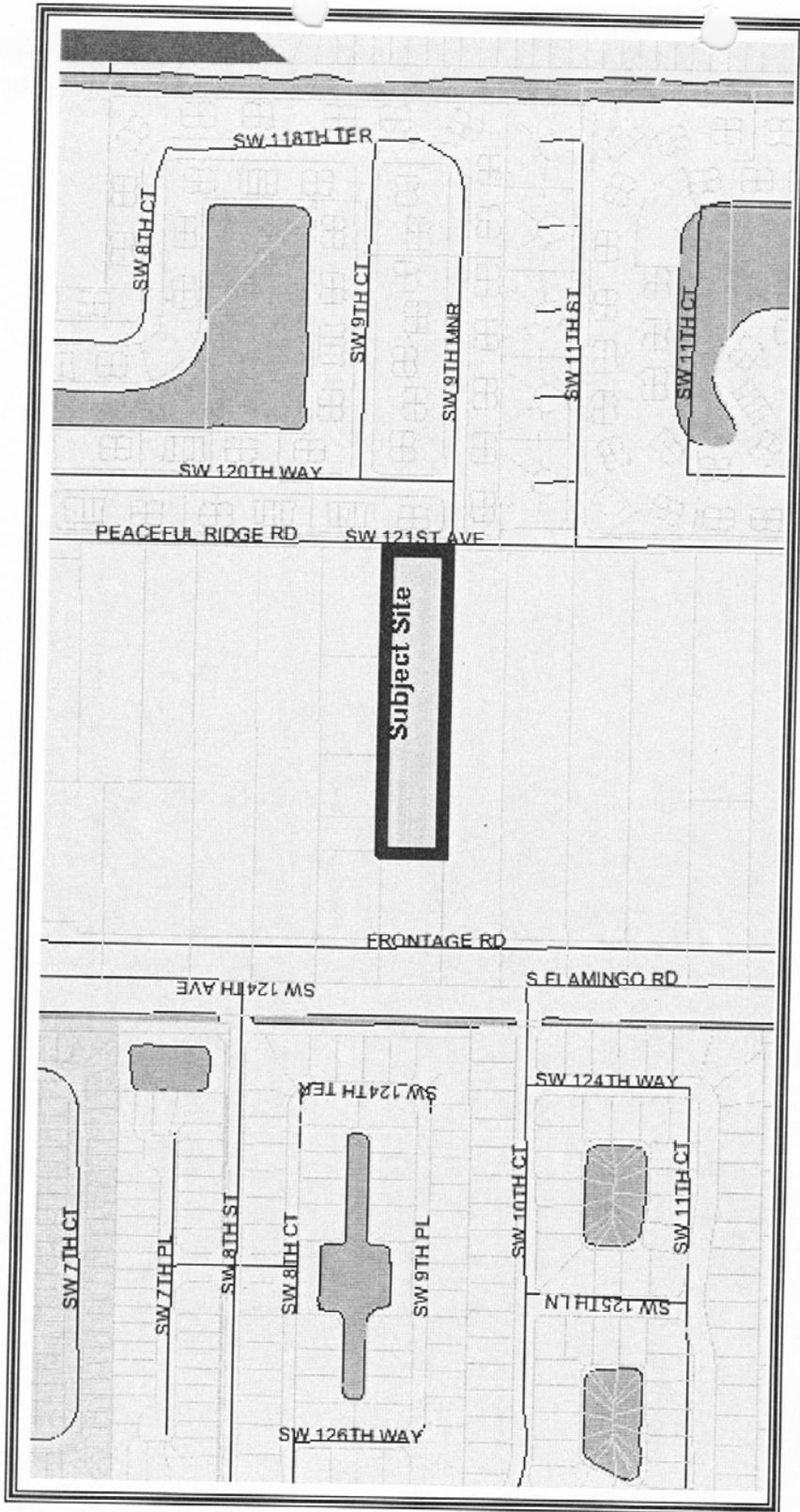
Town Council Action

Exhibits

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

Prepared by: _____

Reviewed by: _____



**Rezoning Application
ZB 11-1-04 Farida
Future Land Use Plan Map**

Prepared By: C.M.G.
Date Prepared: 7/11/05



The Town of Davie
Development Services Department
Planning and Zoning Division



Scale: N.T.S.



**Rezoning Application
ZB 11-1-04 Farida
Zoning and Aerial Map**

Prepared By: C.M.G.
Date Prepared: 7/11/05



The Town of Davie
Development Services Department
Planning and Zoning Division



Scale: N.T.S.