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: Marcie Nolan, Deputy Planning and Zoning Manager

SUBJECT: Plat, P 5-4-05, Westridge Oaks, Stiles Development Company/Moersch, 4450 South Flamingo Road/Generally located at the northeast corner of South Flamingo Road and Orange Drive.

AFFECTED DISTRICT: District 3

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PLAT KNOWN AS "WESTRIDGE OAKS" 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: This application is for approval of the boundary plat known as the "Westridge Oaks" is being requested. The subject site consists of 27.649 acres, and is located on the northeast corner of Orange Drive and Flamingo Road. The plat is restricted to 65,000 square ft of commercial, 60,000 square feet of office and 5,600 square feet of bank on Parcel A and 44 townhomes on Parcel B.

Access to the townhome portion of the development is provided by SW 121 Terrace off Orange Drive. Access to the commercial portion is via two access points off Orange Drive, one a full opening and one egress only closest to Flamingo Road. There are two access points off Flamingo Road. The main entrance is a proposed right in and right out only and the northern most access point is proposed as a full opening. The applicant is dedicating a 10 foot recreational trail along the eastern portion of the site and across the northern property line to connect to Flamingo Road. A five (5) foot recreational trail is provided along Orange Drive and Flamingo Road where it adjoins the wetland area.

PREVIOUS ACTIONS: None

CONCURRENCES: At the April 26, 2006 Planning and Zoning Board meeting, Chair Bender passed the gavel and made a motion, seconded by Ms. Stenzel-Nowicki, to deny. Motion carried 3-0 with Vice Chair McLaughlin abstaining. The reasons given for the denial were the height of the office building and the mix of uses, specifically residential.

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

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

ITEM 4.3

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PLAT KNOWN AS "WESTRIDGE OAKS" 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 "Westridge Oaks" 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 "Westridge Okas" 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. Approval is also subject to placing a note on the plat stating that if traffic concurrency issues are identified by Broward County, then the improvements needed to satisfy traffic concurrency are to be done within the Town of Davie.

SECTION 3. 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 4. 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

Owners:
Name: Barbara Moersch, Frederick P. Moersch & Marion C. Moersch
Address: 211 Pine Island Road
City: Jacksonville, AL 36265
Phone: (256) 435-8228

Applicant:
Name: Stiles Development Company
Address: 300 SE Second Street
City: Fort Lauderdale, FL 33301
Phone: (954) 627-9354

Background Information

Application History: No deferrals have been requested.

Application Request: Approval of the plat known as "Westridge Oaks."

Address/Location: 4450 South Flamingo Road/Generally located at the northeast corner of South Flamingo Road and Orange Drive

Future Land Use Plan Map Designations: Commercial & Residential (1 DU/AC)

Existing Zoning: AG, Agricultural District

Proposed Zonings: B-2, Community Business District (12.397 acres)
R-1, Estate Dwelling District (5.918 acres)
RM-5, Multi-family Low Medium Dwelling District (9.334 acres)

Existing Use: Vacant

Proposed Uses: 61,138 square feet of retail uses
57,930 square feet of office use
Forty-four (44) townhouse units

Net Parcel Size: 27.649 acres (1,204,378 square feet)

Surrounding Uses:

North:	Agriculture
South:	Orange Drive, then C-11 canal
East:	Laurel Oaks (estate homes)
West:	Flamingo Commons (commercial center)

Surrounding Future Land Use Plan Map Designations:

North:	Residential (1 DU/AC)
South:	Recreation/Open Space
East:	Residential (1 DU/AC)
West:	Commercial

Surrounding Zoning:

North:	AG, Agricultural District
South:	AG, Agricultural District
East:	R-1, Estate Dwelling District
West:	B-3, Planned Business Center District

Zoning History

Concurrent Requests: The master site plan, MSP 9-1-05 Westridge Oaks, is requesting approval for 44 townhomes, 63,138 square feet of retail uses, and 57,930 square feet of office use.

The rezoning, ZB 7-6-05, Westridge Oaks, is requesting B-2, Community Business District (12.397 acres) with a declaration of restrictive covenants; R-1, Estate Dwelling District (5.918 acres); RM-5, Multi-family Low Medium Dwelling District (9.334 acres), on a 27.659 acre parcel.

The flex application, FX 7-1-05 Westridge Oaks, is requesting the application of 44 reserve units from Flex Zone 100, leaving a total of 109 reserve units in this flex zone.

The variance, V 11-3-05 Westridge Oaks, is requesting approval of three (3) variances; from: maximum building height of 35' to: 55'; from: 100,000 square feet of overall development to: 120,000 square feet; from: 40,000 square feet for an individual building to: 57,930 square feet.

A waiver to the scenic corridor along Flamingo Drive has also been requested.

Previous Requests: The plat, rezoning, variance, and master site plan, Westridge Commons, requesting B-3, Planned Business Center District & CF, Community Facilities District zoning, to allow the development of a 200,000 square feet commercial retail center with a gas station, was denied on November 7, 2001.

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.

§12-24 (5) Community Business (B-2) District. The B-2 District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the shopping and limited service needs of several neighborhoods or the local community.

§12-83 Conventional Nonresidential Development Standards, B-2, Community Business District requires the following minimums: 52,500 square feet lot area, 200' frontage and depth, 20' on sides abutting residentially zoned properties, 25' adjacent to rights-of-way, 30% open space, 40% maximum building coverage, and 35' maximum height.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 2. Planning Area 2 includes the westernmost section of the Town north of Orange Drive and south of SW 14 Street, and bound on the west by Interstate 75 and on the east by SW 100 Avenue. The predominant existing and planned land use is single family residential at a density of one dwelling per acre

Broward County Land Use Plan: The subject site falls within Flexibility Zone 100, which has 140 Flexibility Units and 153 Reserve units available.

Applicable Goals, Objectives & Policies:
Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5-2: The (re)zoning, (re)platting, 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, Policy Group 7: Commercial Use, Policy 7-1: The Town shall endeavor to expand its economic base through expansion of the commercial sector of its economy.

Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance: Comprehensive Plan policies and land development regulations shall continue to encourage preservation, enhancement, and maintenance of the Town's semi-rural character and western themed downtown business district, elimination of land uses

found to be inconsistent with the character of the community and prevention of future incompatible uses.

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 "Westridge Oaks" is being requested. The subject site consists of 27.649 acres, and is located on the northeast corner of Orange Drive and Flamingo Road.

2. *Restrictive Note:* The plat is restricted to 65,000 square ft of commercial, 60,000 square feet of office and 5,600 square feet of bank on Parcel A and 44 townhomes on Parcel B.

3. *Access:* Access to the townhome portion of the development is provided by SW 121 Terrace off Orange Drive. Access to the commercial portion is via two access points off Orange Drive, one a full opening and one egress only closest to Flamingo Road. There are two access points off Flamingo Road. The main entrance is a proposed right in and right out only and the northern most access point is proposed as a full opening.

4. *Trails:* The applicant is dedicating a 10 foot recreational trail along the eastern portion of the site and across the northern property line to connect to Flamingo Road. A five (5) foot recreational trail is provided along Orange Drive and Flamingo Road where it adjoins the wetland area.

5. *Dedications and Easements:* The applicant has dedicated a corner cord at the intersection of Orange Drive and Flamingo Road. No easements are indicated on the plat.

6. *Drainage:* The subject property lies within Central Broward Water Control District, and approval from this agency shall be obtained prior to the approval of the Town Council.

7. *Road Concurrency:* The plat is located within the Southwest Zone, the traditional road concurrency area. Road impact and administrative fees will be assessed and paid in accordance with the fee schedule approved by the Broward County Commission.

8. *Compatibility:* The site is adjacent to single family estate homes one unit per acre to the east. Across Flamingo Road is an existing commercial center in scale with the proposed shopping center. A Wal-Mart is located on the southeast corner in

Cooper City. Recognizing that large commercial parcels are typically not located next to single family one unit per acre homes, the applicant has proposed a transitional buffer to reduce intensity gradually from the shopping center to the estate homes through the use of townhomes. The 44 townhomes represents a density of 2.3 units per acre including the R-1 zoning districts. Utilizing just the portion requested to be rezoned to RM-5 the density represents 4.7 units per acre. Utilizing half the required retention and wetlands, the density of the residential is 3.6 dwelling units per acre. Proper planning theories would suggest a density of less then 5 units per acre when adjacent to one unit per acre homes. Typically this would be represented by smaller lot single family homes, transitioning to townhomes, and then to commercial. Here the land use of commercial immediately next to one use per acre did not provide for such a transition.

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.

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. Approval of the rezoning and flexibility applications in order for the plat to be consistent with the zoning, as required.

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

Planning and Zoning Board Recommendation

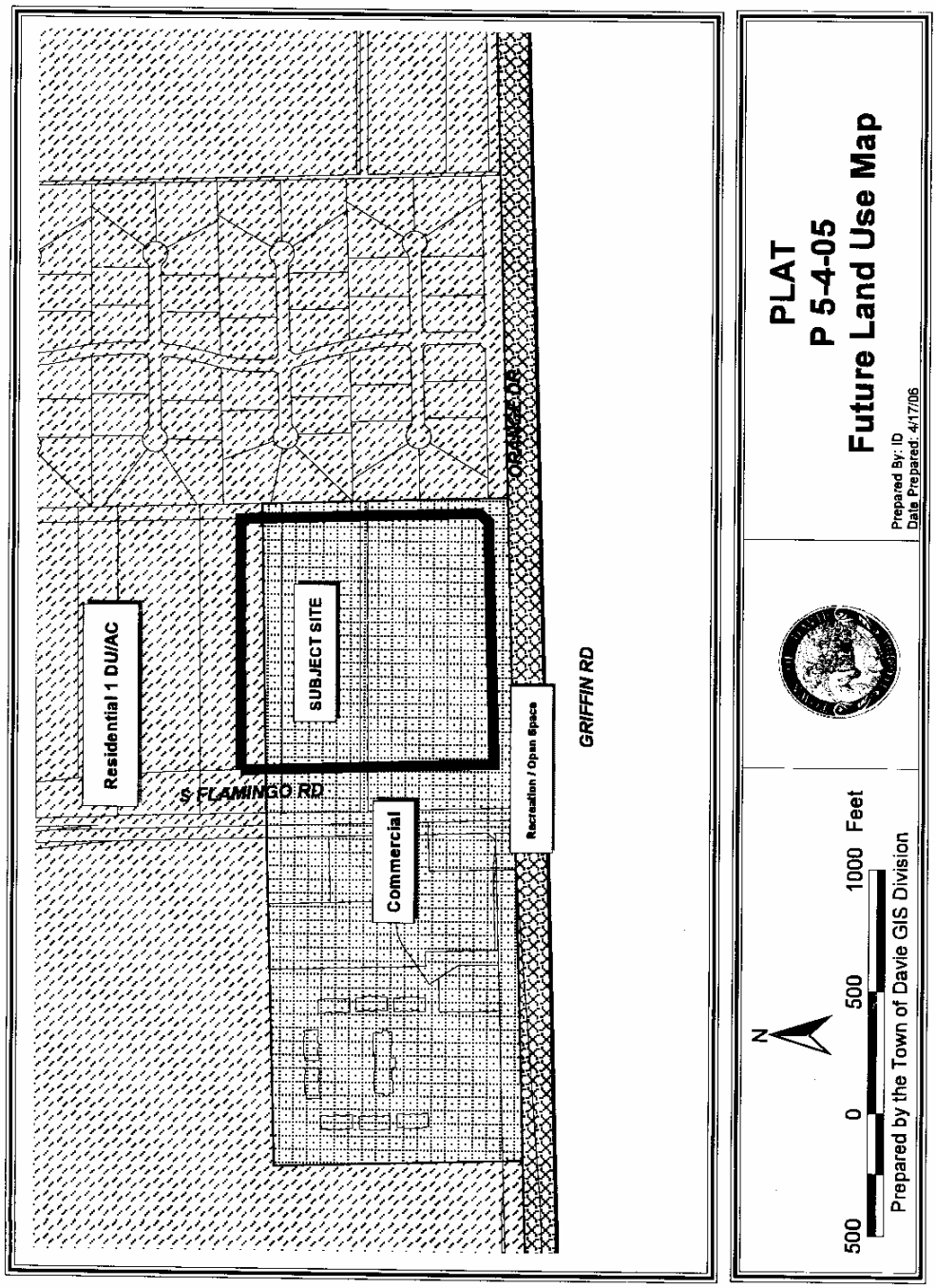
At the April 26, 2006 Planning and Zoning Board meeting, Chair Bender passed the gavel and made a motion, seconded by Ms. Stenzel-Nowicki, to deny. Motion carried 3-0 with Vice Chair McLaughlin abstaining. The reasons given for the denial were the height of the office building and the mix of uses, specifically residential.

Town Council Action

Exhibits

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

Prepared by: _____
Reviewed by: _____


Residential 1 DU/AC
SUBJECT SITE
S FLAMINGO RD
Commercial
Recreation / Open Space
ORANGE DR
GRIFFIN RD
PLAT
P 5-4-05
Future Land Use Map
Prepared By: ID
Date Prepared: 4/17/06
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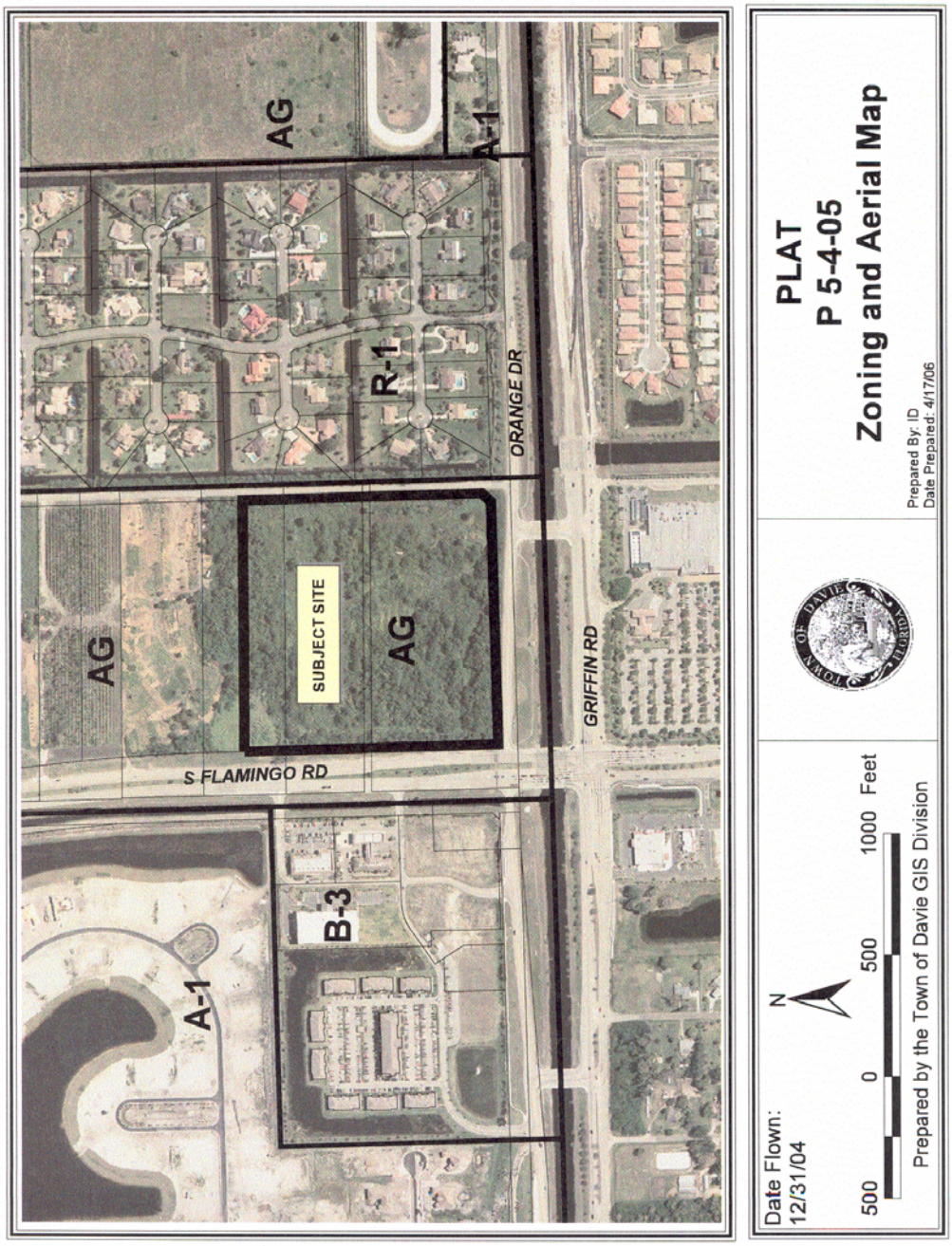
Prepared by the Town of Davie GIS Division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Prepared by the Town of Davie GIS Division
PLAT
P 5-4-05
Zoning and Aerial Map
Prepared By: ID
Date Prepared: 4/17/06