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Memorandum

TO: Mayor and Council

FROM: Barbara L. McDaniel, MMC, Assistant Town Clerk

THROUGH: Russell C. Muniz, CMC, Town Clerk

SUBJECT: Ordinance Tablings (items 6.5 and 6.6)

DATE: December 12, 2006

Due to an advertising error, staff is requesting that item 6.5, regarding an amendment to the Management and General Employee's Pension Plan, and item 6.6, regarding ZB(TXT) 12-1-05, be tabled to January 3, 2007.

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director / (954) 797-1101

PREPARE BY: David M. Abramson, Planner III

SUBJECT: ZB(TXT) 12-1-05 /06-19/Griffin Landmark Building

AFFECTED DISTRICT: Griffin Corridor District – Commerce Zone (Use Zone #4)

TITLE OF AGENDA ITEM:
AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE TOWN OF DAVIE, FLORIDA, BY AMENDING SECTION 12-32.304 – PERMITTED, RESTRICTED AND PROHIBITED USES OF THE GRIFFIN CORRIDOR DISTRICT BY AMENDING THE PERMITTED USES IN THE GRIFFIN COMMERCE ZONE 4 DISTRICT TO ALLOW RESIDENTIAL USES, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:
The petitioner (The Spear Group) proposes a mixed-use development (building) that consists of approximately 36,411 sq. ft. of office use(s), approximately 1,084 sq. ft. of commercial use(s), and 24 high-rise unit(s). In order for the petitioner to develop the subject site with the above mentioned use(s), an amendment must be done to Section 12-32.304 of the Town of Davie Land Development Code to permit residential use(s) within the Griffin Corridor, Commerce Zone (Use Zone 4). Additionally, the petitioner is requesting this amendment in accordance with the "Transit Oriented Corridor" policies that were based on URS's "State Road 7 Charrette Master Plan" approved by the Town Council through Resolution #05-236 on September 7, 2005.

PREVIOUS ACTIONS: None

CONCURRENCES:
At the November 8, 2006 Local Planning Agency Meeting, Mr. Stevens made a motion, seconded by Ms. Turin, to approve. **(Motion carried 4-0)**

RECOMMENDATION(S): Staff recommends approval of the Ordinance.

Attachments: Ordinance, Justification Letter

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE TOWN OF DAVIE, FLORIDA, BY AMENDING SECTION 12-32.304 – PERMITTED, RESTRICTED AND PROHIBITED USES OF THE GRIFFIN CORRIDOR DISTRICT BY AMENDING THE PERMITTED USES IN THE GRIFFIN COMMERCE ZONE 4 DISTRICT TO ALLOW RESIDENTIAL USES, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That Section 12-32.304, of the Land Development Code of the Town of Davie, Florida (the "Town"), is hereby amended to read as follows:

Sec. 12-32.304 Permitted, restricted and prohibited uses.

The following table identifies the permitted, restricted and prohibited uses within the Griffin Corridor District. This district covers a large area regulated by several underlying land use plan designations.

…

USE GROUP/USE	*Gateway West Zone 1*	*Downtown Zone 2*	*Gateway East Zone 3*	*Griffin Commerce Zone 4*	*Nodes*
RESIDENTIAL USE GROUP*					
Home Occupation	P	P	P	P	P
Residential, Multiple-Family: (5 to 10 du/ac)	P	R(12)	P	~~N~~ R(12)	R(12)
Residential, Multiple-Family: (10 to 22 du/ac)	N	R(12)	N	N	N
Mixed Res./Commercial Use	R(13)	R(13)	R(13)	~~N~~ R(13)	R(13)

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. 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 4. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS_____DAY OF_____, 2006

PASSED ON SECOND READING THIS_____DAY OF_____, 2006

_____
MAYOR/COUNCILMEMBER

ATTEST:

_____
TOWN CLERK

APPROVED THIS _____ DAY OF _____ , 2006

ZB(TXT) 12.1.05
06.19

Ruden McClosky

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FORT LAUDERDALE, FLORIDA 33301

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DENNIS.MELE@RUDEN.COM

December 19, 2005

Marcie Nolan
Town of Davie
6591 Orange Drive
Davie, FL 33314

RE: 3-acre parcel located in the Griffin Corridor Commerce District along Griffin Road west of the Florida Turnpike and east of 48th Avenue (Folio No. 504125010420)

Dear Marcie:

This firm represents Spear and Associates, Inc. ("Spear"), the developer of the property described above. The property is designated Commercial on the Town of Davie land use map and is located in the Griffin Corridor "Commerce District." Spear is proposing a mixed use development plan for the property, which includes office uses and also multifamily residential uses, which are currently prohibited in the Commerce District. As part of our application for site plan approval, we are proposing to amend Section 12-32.304 of the Town's Land Development Code to permit residential uses in the Commerce District. This a request that is consistent with the 441 Charette and will integrate residential uses with the commercial uses presently permitted in the Commerce District. I have prepared a draft ordinance which accomplishes this amendment.

Should you have any questions, please feel free to call me.

Sincerely,

Dennis

Dennis D. Mele

DDM/NMC
Enclosure

cc: Jeff Spear

FTL:1614453:1

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