

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Marcie Nolan, AICP, Acting Development Services Director/
(954) 797-1101

PREPARED BY: David M. Abramson, Acting Deputy Planning and Zoning
Manager

SUBJECT: Plat Application, Resolution: P 12-3-05/06-20/Royal Davie/5509
SW 64th Avenue (Davie Road)/Generally located on the west side of the 55th block of
Davie Road, between Stirling Road and Griffin Road.

AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "ROYAL DAVIE" 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 subject site consists of 9.84 acres (428,630.40 sq. ft.) gross area/ 8.98 acres (391,168.80 sq. ft.) net area. This Plat is restricted to 19 single-family detached units. The proposed vehicular access into the subject site is via a two-way, 40 foot wide, public right-of-way from Davie Road. The proposed 40 foot right-of-way was approved by the Town Engineer as stated in the released DRC comments. Driftwood Park Trail is located along Davie Road adjacent to the subject site. This recreational trail will accommodate leisure activities to and from the subject site. Additionally, the recreational trail will also allow pedestrians to access numerous Davie parks and other trails.

The easements proposed by this plat are: Thirty five (35) foot canal and lake easement along the western portion of the property, twenty (20) foot Lake maintenance easement around the proposed lake at western portion of the property, fifteen (15) foot drainage easements between lots 1 and 2, 4 and 5, and all lots at the southern portion of the property, five (5) foot sidewalk easement at both sides of the dedicated right of way, ten (10) foot utility easement fronting all proposed lots, and ten (10) foot utility easement fronting Davie Road. The dedications and vacations proposed by this plat are: forty (40)

foot right-of-way dedication along the center of the property, and five (5) foot additional right-of-way dedication fronting Davie Road.

The petitioner obtained approval from Central Broward Water Control District (CBWCD) on March 28, 2007. Approved site plans shall have CBWCD approval stamp prior to final Planning and Zoning Divisions signing off of site plans and the issuance of any site development permit.

PREVIOUS ACTIONS: n/a

CONCURRENCES:

At the November 14, 2007 Planning and Zoning Board Meeting, Mr. Pignato made a motion, seconded by Vice-Chair Stevens, to approve. **(Motion carried 5-0)**

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following condition:

1. Shall meet transit concurrency. In the event transit concurrency 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.
3. Contingent upon approval of the following development applications:
 - a. Rezoning Application (*ZB 121-1-05*), *Royal Davie*
 - b. Site Plan Application (*SP 12-6-05*), *Royal Davie*

Attachment(s): Resolution, Planning Report, Plat

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "ROYAL DAVIE" 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 the "Royal Davie" was considered by the Town of Davie Planning and Zoning Board on November 14, 2007;

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

SECTION 1. The plat known as the "Royal Davie" 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. Any improvements required to satisfy Transit Concurrency should be located within the Town of Davie.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.

Exhibit “A”

Application: P 12-3-05/06-20/Royal Davie

Original Report Date: 11/06/07

Revision(s):

11/16/07

TOWN OF DAVIE

Development Services Department

Planning & Zoning Division

Staff Report and Recommendation

Applicant Information

Owner/Petitioner

Name: Royal Davie Investments LLC
Address: 9240 SW 72nd Street, Suite 216
City: Miami, Florida 33173
Phone: (305) 588-6120

Background Information

Application Request: Approval of the plat known as the “Royal Davie” Plat

Address: 5509 SW 64th Avenue (Davie Road)

Location: Generally located on the west side of the 55th block of Davie Road, between Stirling Road and Griffin Road

Future Land Use Plan Map: Special Classification Residential 2 DU/Acre and Residential Office

Existing Zoning(s): A-1, Agricultural District/RO, Residential Office

Proposed Zoning(s): R-3, Low Density Dwelling District

Existing Use(s): Vacant

Gross/Net Parcel Size: 9.84 acres (428,630.40 sq. ft.) / 8.98 acres (391,168.80 sq. ft.)

Proposed Use(s): nineteen (19) single family dwellings

Proposed Density: 1.93 DU/AC

Surrounding Use(s):

Surrounding Land Use Plan Map

Designation(s):

North: Summit Questa School
2 DU/Acre and Residential Office

South: Residential Development

East: Residential Development

West:

Davie Road/Recovery Center

Surrounding Zoning(s):

North: CF, Community Facility

South: R-3, Low Density Dwelling District

East: CF, Community Facility

West: R-1, Low Density Dwelling District

Zoning History

Related zoning history:

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property: n/a

Concurrent Request(s) on same property:

Rezoning Application (ZB 12-1-05), requesting approval to rezone the property from A-1, Agricultural District and RO, Residential Office to R-3, Low Density Dwelling District.

Site Plan Application (SP 12-6-05), requesting site plan approval for a residential project consisting of nineteen (19) single family dwellings.

Applicable Codes and Ordinances

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

Article XII Subdivisions and Site Plans.

Land Development Code (Section 12-360(B)(1)) platting requirements.

Land Development Code (Section 12-366.1 (A) thru (D)) submission requirements for plats.

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

Land Development Code (Section 12-24 (I)(3)), the R-3, Low Density Dwelling District is intended to implement the three (3) 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 low density dwelling districts in the town.

Land Development Code (Section 12-81A), Conventional Single-Family Development Standards for R-3, Low Density Dwelling District, minimum lot area 12,000 sq. ft., minimum lot frontage 100 feet, maximum height is 35 feet, maximum building ratio is 40%, minimum front setback 30 feet, side setback 15 feet, and rear setback 25 feet.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 9. This Planning Area is south of Griffin Road, generally north of Stirling Road, east of SW 76 Avenue and west of the Florida Turnpike. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 99.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Policy 5-2: The (re)zoning, (re)planning, 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 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details

The applicant's SUBMISSION indicates the following:

1. *Site:* The subject site consists of 9.84 acres (428,630.40 sq. ft.) gross area/ 8.98 acres (391,168.80 sq. ft.) net area.
2. *Restrictive Note:* This Plat is restricted to 19 single-family detached units.
3. *Access:* The proposed vehicular access into the subject site is via a two-way, 40 foot wide, public right-of-way from Davie Road. The proposed 40 foot right-of-way was approved by the Town Engineer as stated in the released DRC comments.
4. *Trails:* Driftwood Park Trail is located along Davie Road adjacent to the subject site. This recreational trail will accommodate leisure activities to and from the subject site. Additionally, the recreational trail will also allow pedestrians to access numerous Davie parks and other trails.
5. *Easements and Reservation:* The following easements are proposed by this plat:
 - Thirty five (35) foot canal and lake easement along the western portion of the property.
 - Twenty (20) foot Lake maintenance easement around propose lake at western portion of the property.
 - Fifteen (15) foot drainage easements between lots 1 and 2, 4 and 5, and all lots at the southern portion of the property.
 - Five (5) foot sidewalk easement at both sides of the dedicated right of way.
 - Ten (10) foot utility easement fronting all proposed lots.
 - Ten (10) foot utility easement fronting Davie Road.
6. *Vacations and Dedications:* The following dedications and vacations are proposed by this plat:
 - Forty (40) foot right-of-way dedication along the center of the property.
 - Five (5) foot additional right-of-way dedication fronting Davie Road.

7. *Drainage:* The petitioner obtained approval from Central Broward Water Control District (CBWCD) on March 28, 2007. Approved site plans must have CBWCD approval stamp prior to final Planning and Zoning Divisions signing off of site plans and the issuance of any site development permit.
8. *Flexibility Rule:* The petitioner is not proposing to utilize the Flexibility Rule in accordance with this site plan application.
9. *Local Concurrency:* As required in the Land Development Code, Section 12-323, Adopted Level of Services, building permits shall not be obtained unless there is sufficient available capacity to sustain the level of service for Potable Water, Sanitary Sewer, Transportation, Drainage System, Solid Waste, Recreation, Police, and Fire. The applicant has obtained concurrency from Solid Waste. All other concurrency determinations must be obtained prior to applying to a building permit.
10. *Compatibility:* The proposed plat can be considered compatible with the uses and properties located along Davie Road. The propose plat is consistent with the Land Development Code as it relates to access, location, size, and use.

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.

Engineering Division:

4. Provide an additional 30 foot road right-of-way adjacent to Davie Road to match parcel to the south of property.
5. Topographic survey must show all existing ground elevations adjacent to the South property line.

Staff Analysis

The proposed “Royal Davie” plat is required and will accommodate a 19-units single – family residential project on the subject site. The subject site was originally platted according to “The Everglade Land Sales Company Subdivision” as recorded in Plat Book 2, Page 34 of the public records of Dade County, Florida. The petitioner’s plat meets the intent of the proposed R-3, Low Density Dwelling District. The proposed project will be compatible with both the Comprehensive Plan and Future Land Use Plan Map designation of Special Classification Residential 2 DU/Acre and Residential Office.

Staff Findings of Fact

Staff finds that the proposed “Royal Davie” plat is in accordance with the Comprehensive Plan and Land Development Code as it relates to access, location, and size. The proposed plat can be considered compatible with the uses and properties located along Davie Road.

Staff Recommendation

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following condition:

6. Shall meet transit concurrency. In the event transit concurrency is not met, the plat shall be deemed denied by the Town of Davie.
7. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.
8. Contingent upon approval of the following development applications:
 - a. Rezoning Application (*ZB 121-1-05*), *Royal Davie*
 - b. Site Plan Application (*SP 12-6-05*), *Royal Davie*

Planning and Zoning Board Recommendation

At the November 14, 2007 Planning and Zoning Board Meeting, Mr. Pignato made a motion, seconded by Vice-Chair Stevens, to approve. **(Motion carried 5-0)**

Town Council Action

Exhibits

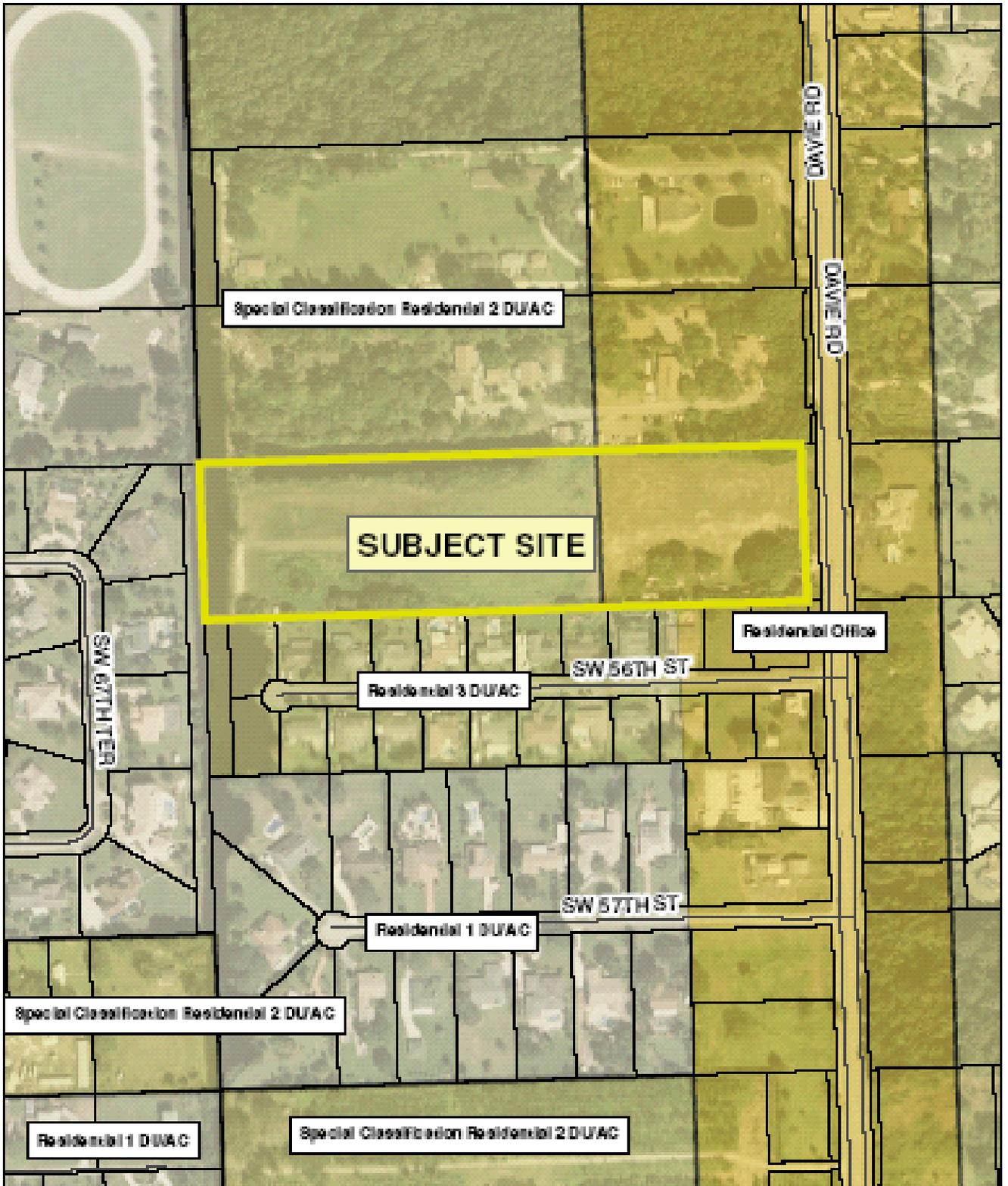
1. Future Land Use Plan Map
 2. Zoning and Aerial Map
-

Prepared by: _____

Review

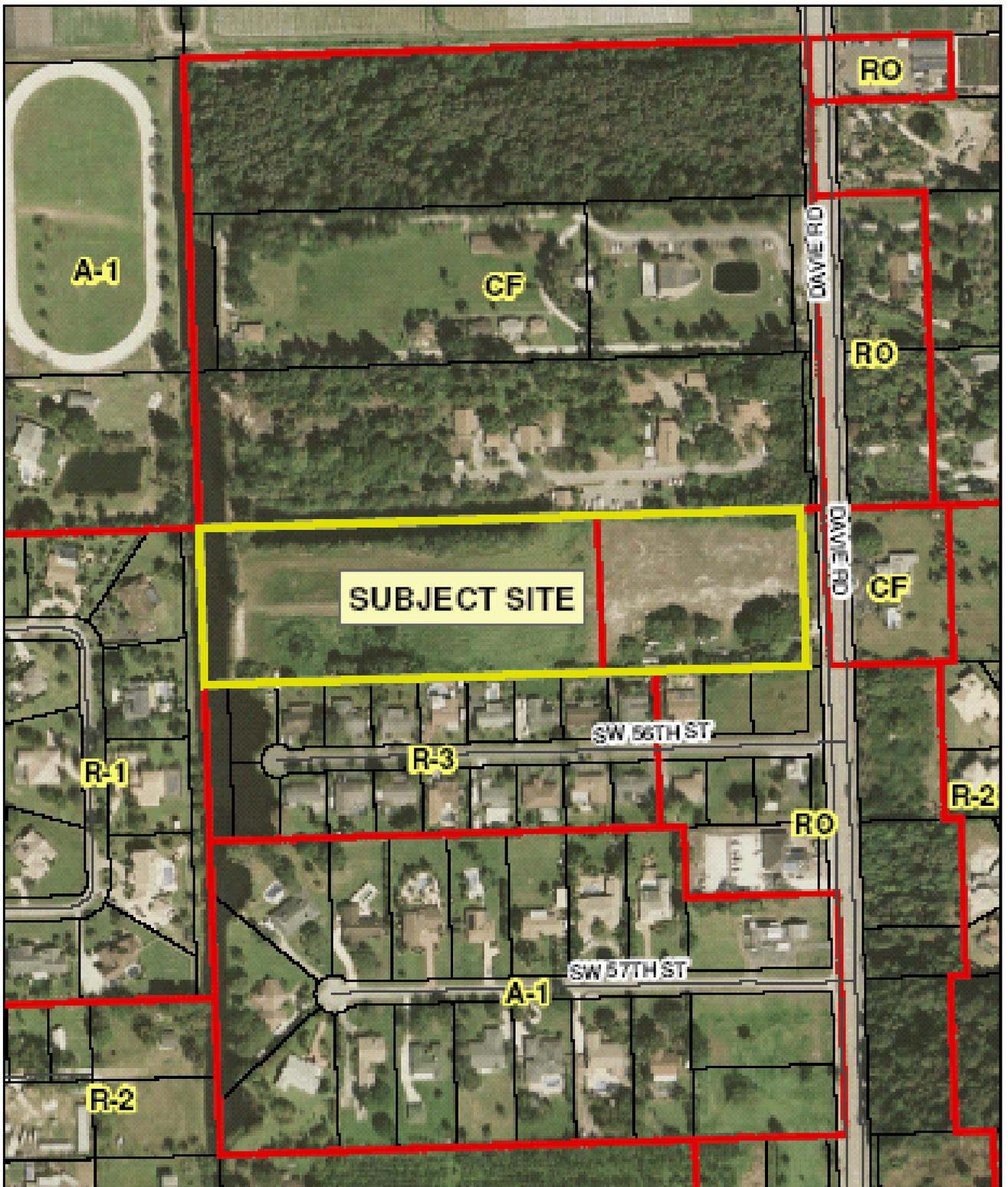
File Location: P&Z\Development Applications\Applications\P_Plat\P_05\P 12-3-05 Royal Davie

Exhibit 1 (*Future Land Use Plan Map*)



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|---|--|---|
|  | <p>Date Plotted: 12/2004</p> <p style="text-align: center;">N</p>  <p style="text-align: center;">0 150 300 600 Feet</p> <p>Prepared by the Town of Davie GIS Division</p> | <p style="text-align: center;">Site Plan SP 12-6-05 Future Land Use Map</p> <p>Prepared by: ID Date Prepared: 3/29/07</p> |
|---|--|---|

Exhibit 2 (*Aerial, Zoning, and Subject Map*)



| | | |
|--|--|---|
| | <p>Date Plotted: 12/2004</p> <p style="text-align: center;">N</p> <p style="text-align: center;">0 150 300 600 Feet</p> <p>Prepared by the Town of Davis GIS Division</p> | <p style="text-align: center;">Site Plan SP 12-6-05 Zoning and Aerial Map</p> <p>Prepared by: ID Date Prepared: 3/28/07</p> |
|--|--|---|

