

**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:** Delegation Application: DG 1-2-07/07-112/Washington Mutual  
(Westport Plaza)/6505 Nova Drive/Generally located on the northwest corner  
(intersection) of Davie Road and Nova Drive

**AFFECTED DISTRICT:** District 1

**ITEM REQUEST:** **Schedule for Council Meeting**

**TITLE OF AGENDA ITEM:**

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING AN  
EXISTING 80' x 124' ACCESS EASEMENT AND NON-VEHICULAR ACCESS LINE  
(NVAL) FROM THE "WESTPORT BUSINESS PARK PARCELS A & B," AND  
PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:**

The petitioner (Avid Group) requests to amend an existing 80' x 124' access easement and non-vehicular access line (NVAL) along the eastern side of access easement by reducing the width ten (10) feet from 80' to 70'. The access easement and NVAL were recorded per O.R.B. 31013 Page 1936. This delegation request is required to ensure that both the access easement and NVAL is consistent with proposed Site Plan Modification Application (SPM 10-1-06) "Washington Mutual" in the Westport Plaza. Staff finds that the proposed amendment is consistent with the existing and proposed uses of the subject site.

**PREVIOUS ACTIONS:** n/a

**CONCURRENCES:** n/a

**FISCAL IMPACT:** not applicable

Has request been budgeted? n/a

**RECOMMENDATION(S):**

Staff finds the application complete and suitable for transmittal to the Town Council for further consideration.

**Attachment(s):**

Resolution, Justification letter, Plat, Sketch and Legal, Future Land Use Map, Aerial, Zoning, & Subject Site Map

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING AN EXISTING 80' x 124' ACCESS EASEMENT AND NON-VEHICULAR ACCESS LINE (NVAL) FROM THE "WESTPORT BUSINESS PARK PARCELS A & B," AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as "Westport Business Park Parcels A & B" was recorded in the public records of Broward County in Plat Book 143, Page 5; and,

WHEREAS, the owner (Equity One Realty and Management) desires to amend an existing 80' x 124' access easement and non-vehicular access line (NVAL) 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 Delegation Application (DG 1-2-07, Washington Mutual (Westport Plaza)) to amend an existing 80' x 124' access easement and non-vehicular access line (NVAL) on "Westport Business Park Parcels A & B," and being specifically described in attachments hereto.

SECTION 2. This resolution shall be recorded in the Broward County public records.

SECTION 3. 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.

**Attachment** (*Justification Letter*)



# Washington Mutual Westport Plaza

## Narrative

### Project Description

We are proposing to construct a 4,000 square foot bank facility with drive-thru lanes on the out-parcel of the Westport Plaza. The out-parcel's size totals 29,048 square feet in area, with the approved building area of 7,500 square feet. The minimum pervious area of the out-parcel is 5,809 square feet. The master utility plan shows that the water and sewer lines have already been constructed.

### Location

Westport Plaza is located on the northwest corner of Davie Road and Nova Drive within the incorporated limits of the City of Davie. The subject property is an out-parcel located on the northeast corner of Nova Drive at the main entrance to the plaza.

### Justification

In order to have the required parking spaces for the project, it was necessary to acquire the area next to and part of the non-vehicular access easement to the center. The required landscape buffers from the property for the parcel include a 20'-0" buffer along Nova Road, a 10'-0" buffer along the entry access and 10'-0" on both adjacent sides of the property. In order to make the project feasible, it was necessary to place the required parking in the non-vehicular access easement. This encumbrance will not effect the access entry easement since the entry road is already in place and there is no future required use of this area. The subject parcel will not have access into the roadway entrance through the non-vehicular access easement. As such, we feel this was the intent of the easement. Please consider the reconfiguration of the access easement to allow for vehicle parking only.



**Attachment** (*Plat*)





**WESTPORT BUSINESS PARK  
PARCELS A & B**

A REPLAT OF A PORTION OF TIERS 31, 33, 35 AND 37  
ALL ACCORDING TO THE "MEMPHIS SURVEY PLAT"  
OF DAVID, BROWARD COUNTY, FLORIDA,  
BEING A PART OF SECTION 36, T1P. 60S, R0E. 4E  
MARCH 1989

**TINDALL HAMMOCK IRRIGATION AND SOIL  
CONSERVATION DISTRICT**

IN CONNECTION WITH ITS APPROVAL  
OF THIS PLAT PROVIDES THE FOLLOWING NOTICE:

THE TINDALL HAMMOCK IRRIGATION AND SOIL CONSERVATION DISTRICT HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT THE PLAT IS IN ACCORDANCE WITH THE DISTRICT'S CHARTER AND THE DISTRICT'S POLICY STATEMENT. THE DISTRICT HAS REVIEWED THE PLAT AND HAS DETERMINED THAT THE PLAT IS IN ACCORDANCE WITH THE DISTRICT'S CHARTER AND THE DISTRICT'S POLICY STATEMENT. THE DISTRICT HAS REVIEWED THE PLAT AND HAS DETERMINED THAT THE PLAT IS IN ACCORDANCE WITH THE DISTRICT'S CHARTER AND THE DISTRICT'S POLICY STATEMENT.

THIS PLAT WAS APPROVED BY THE TINDALL HAMMOCK IRRIGATION AND SOIL CONSERVATION DISTRICT THIS 11th DAY OF MARCH, 1989.

BY: \_\_\_\_\_  
MELBA AUSTIN FORMAN

**TOWN PLANNING AND ZONING BOARD:**

THIS BOARD HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT THE PLAT IS IN ACCORDANCE WITH THE TOWN'S ZONING ORDINANCES AND THE TOWN'S PLANNING AND ZONING BOARD'S POLICY STATEMENT.

DATE: 3/24/89  
BY: EMILIEFRIEDSON, G.J. WEBB

**TOWN COUNCIL:**

THIS IS TO CERTIFY THAT THIS PLAT WAS APPROVED AND ACCEPTED BY THE TOWN COUNCIL OF DAVID, BROWARD COUNTY, FLORIDA, BY SAID RESOLUTION ADOPTED THIS 30th DAY OF MARCH, 1989.

ATTEST: \_\_\_\_\_  
TOWN CLERK: \_\_\_\_\_  
GAIL REINFELD-JACOBS

**DEVELOPMENT SERVICES DEPARTMENT:**

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

DATE: \_\_\_\_\_  
BY: DIRECTOR

**ADDITIONAL  
SURVEYOR'S NOTES**

1. THIS PLAT SHALL BE EXTRACTED TO 2 AREAS OF CONVEYANCE, USES AND INTERESTS. THE SURVEYOR'S NOTES SHALL BE THE EXTRACTED PLAT. THE SURVEYOR'S NOTES SHALL BE THE EXTRACTED PLAT. THE SURVEYOR'S NOTES SHALL BE THE EXTRACTED PLAT.

2. PARCELS A AND B ARE RESTRICTED TO 450,000 SQ. FT. OF INDUSTRIAL USE. PARCELS A AND B ARE RESTRICTED TO 450,000 SQ. FT. OF INDUSTRIAL USE.

**DEDICATION:**

KNOW ALL MEN BY THESE PRESENTS THAT GABLE TV FUND 14-A-B VENTURE, A COLORADO JOINT VENTURE, COUNTY OF ARAPAHOE, STATE OF COLORADO, HAS HEREBY DEDICATED TO THE PUBLIC THE PORTION OF PARCELS A AND B, BROWARD COUNTY, FLORIDA, AS TO THE PORTION OF THE PLATED PROPERTY WHICH IS OWNED BY GABLE TV FUND 14-A-B VENTURE, AS TO THE PORTION OF THE PLATED PROPERTY WHICH IS OWNED BY GABLE TV FUND 14-A-B VENTURE, AS TO THE PORTION OF THE PLATED PROPERTY WHICH IS OWNED BY GABLE TV FUND 14-A-B VENTURE.

IN WITNESS WHEREOF, JAMES B. O'BRIEN HAS PLACED HIS HAND AND SEAL OF OFFICE THIS 24th DAY OF MARCH, 1989.

BY: \_\_\_\_\_  
JAMES B. O'BRIEN

**ACKNOWLEDGEMENT:**

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME, AN OFFICER DULY AUTHORIZED BY THE STATE OF COLORADO, JAMES B. O'BRIEN, COUNTY CLERK OF ARAPAHOE COUNTY, COLORADO, WHO HAS DECLARED UNDER OATH THAT HE IS THE COUNTY CLERK OF ARAPAHOE COUNTY, COLORADO, AND HAS ACKNOWLEDGED TO ME THE DEDICATION FOR THE PURPOSES AND USES THEREIN EXPRESSED BY GABLE TV FUND 14-A-B VENTURE, AS TO THE PORTION OF THE PLATED PROPERTY WHICH IS OWNED BY GABLE TV FUND 14-A-B VENTURE, AS TO THE PORTION OF THE PLATED PROPERTY WHICH IS OWNED BY GABLE TV FUND 14-A-B VENTURE.

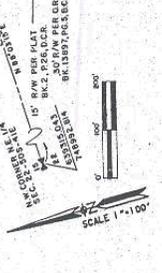
MY COMMISSION EXPIRES: \_\_\_\_\_  
STATE OF COLORADO

PREPARED BY:  
**CRNEN THOMPSON & ASSOCIATES INC.**  
SURVEYORS ENGINEERS PLANNERS  
1001 W. WASHINGTON AVENUE  
DENVER, CO 80202



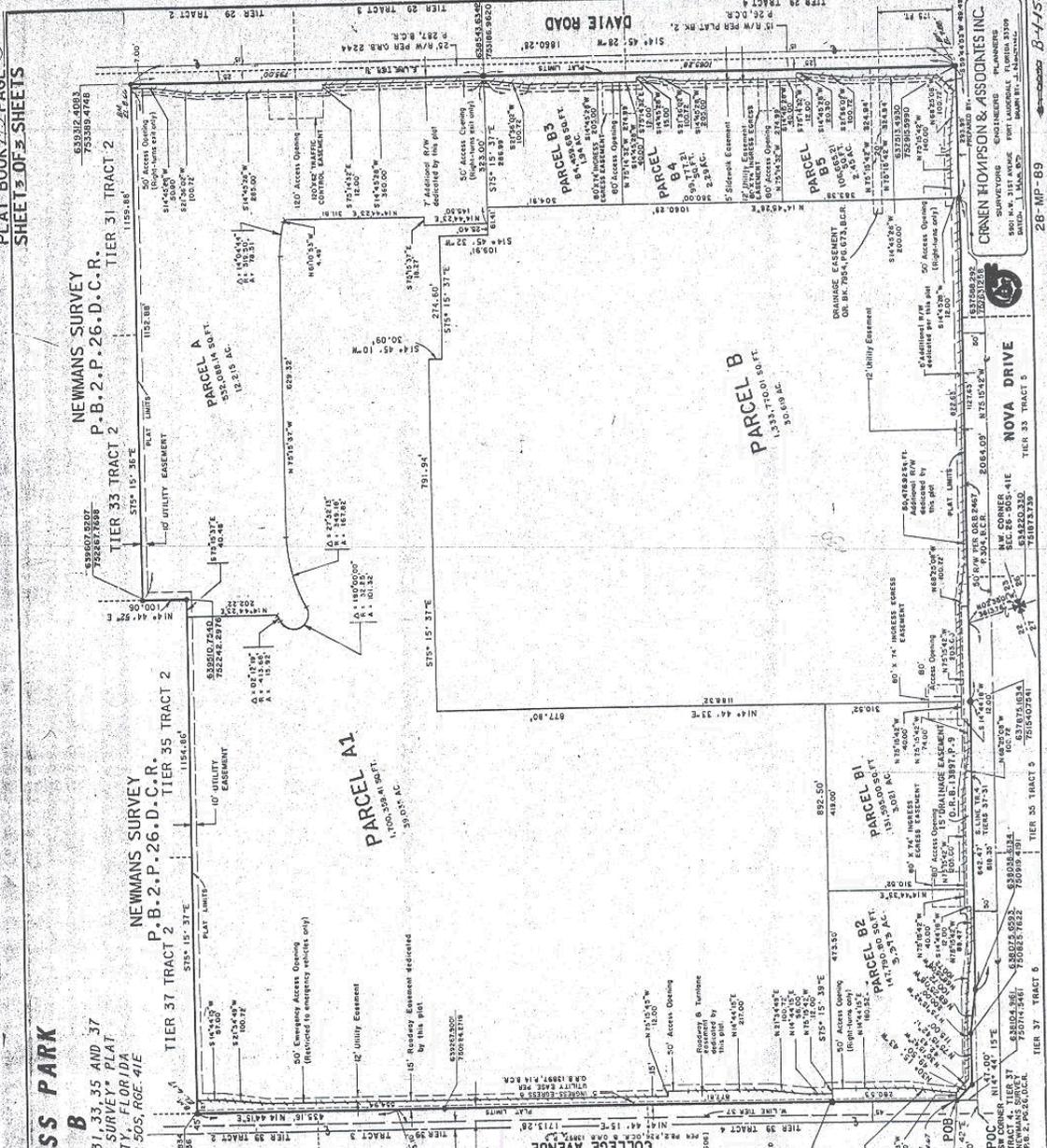
**WESTPORT BUSINESS PARK**  
**PARCELS A & B**

A REPLAT OF A PORTION OF TIERS 31, 33, 35 AND 37  
ALL ACCORDING TO THE "NEWMANS SURVEY", PLAT  
TOWN OF DAVIE, BROWARD COUNTY, FLORIDA  
BEING A PART OF SECTIONS 14, 15, 22, 23, TWP. 30S, R6E-47E  
MARCH 1989



**SURVEYOR'S NOTES:**

1. THE BEARING BOUNDARIES ARE BASED ON THE STONEY/STONEY SURVEY OF TOWNSHIP 30 NORTH RANGE 47 EAST OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
2. THE BEARING BOUNDARIES ARE BASED ON THE STONEY/STONEY SURVEY OF TOWNSHIP 30 NORTH RANGE 47 EAST OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
3. THE BEARING BOUNDARIES ARE BASED ON THE STONEY/STONEY SURVEY OF TOWNSHIP 30 NORTH RANGE 47 EAST OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
4. THE BEARING BOUNDARIES ARE BASED ON THE STONEY/STONEY SURVEY OF TOWNSHIP 30 NORTH RANGE 47 EAST OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
5. THE BEARING BOUNDARIES ARE BASED ON THE STONEY/STONEY SURVEY OF TOWNSHIP 30 NORTH RANGE 47 EAST OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
6. THE BEARING BOUNDARIES ARE BASED ON THE STONEY/STONEY SURVEY OF TOWNSHIP 30 NORTH RANGE 47 EAST OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
7. THE BEARING BOUNDARIES ARE BASED ON THE STONEY/STONEY SURVEY OF TOWNSHIP 30 NORTH RANGE 47 EAST OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
8. THE BEARING BOUNDARIES ARE BASED ON THE STONEY/STONEY SURVEY OF TOWNSHIP 30 NORTH RANGE 47 EAST OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
9. THE BEARING BOUNDARIES ARE BASED ON THE STONEY/STONEY SURVEY OF TOWNSHIP 30 NORTH RANGE 47 EAST OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
10. THE BEARING BOUNDARIES ARE BASED ON THE STONEY/STONEY SURVEY OF TOWNSHIP 30 NORTH RANGE 47 EAST OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

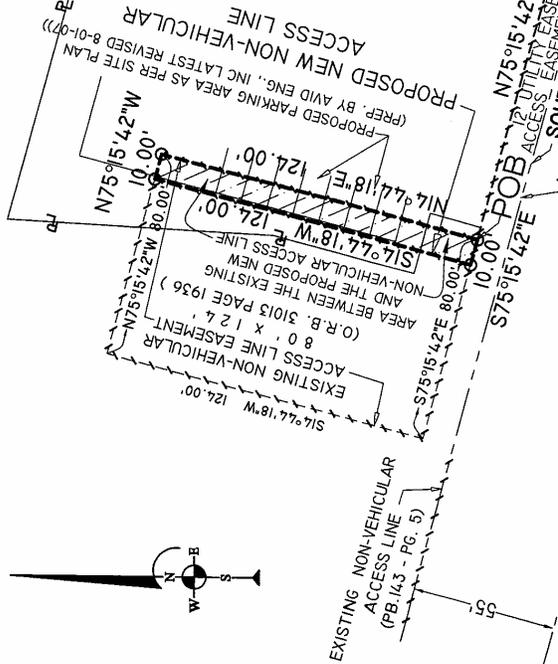


**Attachment** (*Sketch and Legal Description*)

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



WESTPORT BUSINESS PARK PARCELS A&B  
PARCEL B  
(P.B. 143 - P.G. 5)



NOVA DRIVE

## SURVEYOR'S NOTES AND REPORT:

BEARINGS ARE BASED ON THE SYSTEM AS SHOWN ON THE PLAT OF WESTPORT BUSINESS PARK PARCELS A & B\* (P.B. 143 - P.G. 5) ALONG THE CENTERLINE OF NOVA DRIVE, WHICH IS N75°15'42"W. THIS IS NOT A BOUNDARY SURVEY.

THIS IS A SKETCH TO ACCOMPANY LEGAL DESCRIPTION.

ACCESS LINE AND THE PROPOSED NEW NON-VEHICULAR ACCESS LINE.

## LEGEND:

- ☐ = DENOTES CENTER LINE
- ⊕ = DENOTES PROPERTY LINE
- R/W = DENOTES RIGHT-OF-WAY
- ESMT = DENOTES EASEMENT
- P.O.C. = DENOTES POINT OF COMMENCEMENT
- P.O.B. = DENOTES POINT OF BEGINNING
- B.C. = DENOTES OFFICIAL RECORDS BOOK
- P.B. = DENOTES PLAT BOOK
- PG. = DENOTES PAGE

FOR LEGAL DESCRIPTION SEE PAGE 1

<b>MANUEL G. VERA &amp; ASSOCIATES, INC.</b> ENGINEERS • SURVEYORS • MAPPERS 13300 SW 17th Street, Miami, FL 33156 P.O. BOX 850528 • e-mail: mvera@myvera.com www.myvera.com		TYPE OF PROJECT: <b>MANUEL G. VERA &amp; ASSOCIATES, INC.</b>	SKETCH & LEGAL DESCRIPTION
PROJECT NAME: <b>LB 2439</b>		DATE: 11-05-2007	DRAWN BY: R.M.
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		SCALE: AS SHOWN	JOB NO.: 06-05-51
MANUEL G. VERA & ASSOCIATES, INC. 6501 and 6525 NOVA DRIVE, BROWARD, FLORIDA		PROJECT NAME: <b>WAMU SF WESTPORT PLAZA</b>	PAGE: 2 OF 2

*Manuel G. Vera*

# LEGAL DESCRIPTION

THE EASTERLY 10 FEET OF THE ABOVE DESCRIBED PARCEL:

A PORTION OF PARCEL B, "WESTPORT BUSINESS PARK PARCELS A & B," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 143, AT PAGE 5 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID PARCEL B; THENCE ON A GRID BEARING OF NORTH 75°15'42" WEST, ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL B, A DISTANCE OF 81.02 FEET; THENCE NORTH 68°25'08" WEST, A DISTANCE OF 100.72 FEET; THENCE NORTH 75°15'42" WEST, ALONG A LINE 12.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL WITH SAID SOUTHERLY BOUNDARY, A DISTANCE OF 215.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 14°44'18" EAST, A DISTANCE OF 124.00 FEET; THENCE NORTH 75°15'42" WEST, A DISTANCE OF 80.00 FEET; THENCE SOUTH 14°44'18" WEST, A DISTANCE OF 124.00 FEET; THENCE SOUTH 75°15'42" EAST, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA, CONTAINING 1240 SQUARE FEET MORE OR LESS.

**SURVEYOR'S NOTES:**

THE PROPOSED NEW NON-VEHICULAR ACCESS LINE AS SHOWN IN PAGE 2 OF 2, WAS ESTABLISHED AS PER INFORMATION TAKEN FROM SITE PLAN FOR WAMU SF WESTPORT PLAZA DAVIE, FLORIDA, PREPARED BY AVID ENGINEERING INC. DATED AUGUST 2006, LATEST REVISED 8-01-07 AND AS PER CLIENT'S INSTRUCTIONS.

*Manuel G. Vera*

FOR SKETCH SEE PAGE 2

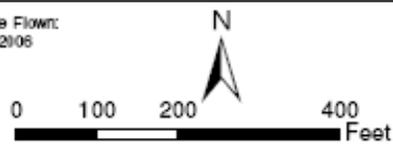
 <b>MANUEL G. VERA &amp; ASSOCIATES, INC.</b> ENGINEERS • SURVEYORS • MAPPERS 13860 SW 47th Street • Miami, FL 33175 • Phone (305)221-4210 P.O. BOX 850578 • Miami, FL 33285 • Fax (305)221-1295 www.mgvera.com • e-mail: mvera@mgvere.com	TYPE OF PROJECT: PROJECT NAME: DATE:	<b>SKETCH &amp; LEGAL DESCRIPTION</b> <b>WAMU SF WESTPORT PLAZA</b> 6501 and 6525 NOVA DRIVE, BROWARD, FLORIDA.
	SCALE: DRAWN BY: R.H.	JOB No. 06-05-51
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		



**Attachment** (*Future Land Use Map*)



Date Flown:  
12/2/06



Prepared by the Town of Davie GIS Division

Rezoning  
ZB 5-4-07  
Future Land Use Map

Prepared by: ID  
Date Prepared: 8/31/07



**Attachment** (*Aerial, Zoning, and Subject Site Map*)



Date Flown:  
12/2/06

N

0 100 200 400  
Feet

Prepared by the Town of Davie GIS Division

Rezoning  
ZB 5-4-07  
Zoning and Aerial Map

Prepared by: ID  
Date Prepared: 8/31/07

