



Town Council Agenda Report

SUBJECT: Resolution - Plat Amendment

DG 8-2-00, ICW South Plat - 4400 Weston Road, Generally located on the north side of Griffin Road, between Weston Road and I-75.

CONTACT PERSON/NUMBER

Mark A. Kutney, AICP (797-1101)

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "ICW SOUTH PLAT", AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The applicant proposes to amend the restrictive note on the Plat **from** 152,338 square feet of commercial use and a 125 room hotel; **to** 125,000 square feet of commercial use and 60,000 square feet of automobile dealership. The proposed plat amendment does not increase the number of trips on the roadway network and is consistent with the permitted use of the BP (Business Park) District.

PREVIOUS ACTIONS: None

CONCURRENCES: None

RECOMMENDATION(S): Motion to approve.

Attachment(s): Resolution, Planning Report, Justification Letter, Plat, Land Use map, Subject Site map, and Aerial.

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "ICW SOUTH PLAT", AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the subdivision plat known as ICW South Plat was recorded in the public records of Broward County in Plat Book 163, Page 45; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires 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 the proposed revision to the restrictive note shown on the ICW South Plat, the proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2000.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2000.

Application #: DG 8-2-00
ICW South Plat

Revisions:

Exhibit "A"

Original Report Date: Sept. 11, 2000

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

Applicant Information

Owner:

Name: Sandler at Broward, LP
c/o Sam Navon, Atty.
Navon, Kopelman, and Levin

Address: 2699 Stirling Road
Suite B100
City: Fort Lauderdale, FL 33312

Phone: (954) 967-2788

Agent:

Name: C. William Laystrom, Jr.

Address: 1177 SE 3 Avenue
City: Ft. Laud., FL 33316

Phone: (954) 762-3400

Background Information

Application Request: To amend the restrictive note on the plat from 152,338 commercial use and 125 room hotel; to 125,000 square feet of commercial and 60,000 square feet automobile dealership.

Address/Location: 4400 Weston Road, Generally located on the north side of Griffin Road, between Weston Road and I-75.

Land Use Plan Designation: Commercial

Zoning: BP, Business Park District

Existing Use: 106,745 square foot shopping center with three out-parcels, a 4.27 acre vacant parcel and 4.81 acre of lakes

Proposed Use: Addition of a 60,000 square foot automobile dealership.

Parcel Size: 31.512 acres

Surrounding Land Use:

North: Home Depot
South: South New River Canal/Griffin Road
East: I-75
West: Weston Road/City of Weston

Surrounding Zoning:

North: BP, Business Park District
South: T, Transportation District
East: T, Transportation District
West: A-1, Limited Agriculture (City of Weston)

Zoning History

Related Zoning History: None

Previous Request on same property: The subject plat was recorded by Broward County on October 30, 1997, Plat Book 163, Page 45 of the Broward County records.

Summary of Significant Development Review Agency Comments

None

Applicable Codes and Ordinances

None

Comprehensive Plan Considerations

Planning Area: The proposed plat is in Planning Area 1 which constitutes the southwestern most portions of the Town, encompassing all the land north and south of Griffin Road and west of SW 148 Avenue. This planning area is bisected by I-75 which is accessed by Griffin Road and Stirling Road. Over 100 acres at the northwest intersection of I-75 and Orange Drive are planned for business park development, known as ICW West.

Broward County Comprehensive Plan: The Broward County Comprehensive Plan requires that any changes to the restrictive note on the plat be reviewed and approved or disapproved by the municipality, and with final approval by Broward County Commission.

Flexibility Zone: The proposed plat is in Flexibility Zone 113.

Concurrency Considerations: Based upon the most recently distributed edition of the Broward County Overcapacity Roadway Map, the subject area is in a compact deferral area. The application and accompanying trip calculations indicates no increase in trips on the

roadway network.

Applicable Goals, Objectives & Policies: Several plan policies require consideration of traffic impacts from proposed development, and maintenance of adopted levels of service (see concurrency considerations).

Staff Analysis

The delegation request provides for 27,338 square feet reduction of the permitted commercial use and eliminates the hotel use. The request also provides for the addition of a 60,000 square feet automobile dealership use.

Staff finds the delegation request is consistent with the Business Park permitted uses and will not increase trip generation committed to this plat.

Findings of Fact

The proposed change is not contrary to the Land Development Code or the adopted Comprehensive Plan, as amended, or any element or portion thereof.

Staff Recommendation

Recommendation: Based upon the above and the positive findings of fact, staff recommends approval of application number DG 8-2-00.

Exhibits

Resolution, Planning Report, Justification letter, Plat, Land Use Map, Subject Site, and Aerial

Prepared By: _____

Reviewed By: _____

LAW OFFICES
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PERLOFF, VOIGT, WACHS & MAC IVER, LLP**

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MARR F. ALLSWORTH, P.A.
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* ALSO ADMITTED IN NEW JERSEY
† BOARD CERTIFIED REAL ESTATE LAWYER
** CERTIFIED THROUGH CIVIL AND FAMILY MEDIATION

August 23, 2000

Geri Baluss, Planning Aide
Town of Davie
6591 S. W. 45th Street
Davie, Florida 33314



Re: Rick Case Automotive Dealership - ICW South Plat Note Amendment

Dear Geri:

Please treat this correspondence as our justification letter for the amendment to the ICW South plat note to allow Rick Case to construct an automobile dealership at Davie Center. The Davie Center project is located west of I-75 at the Northeast corner of Griffin Road and Dykes Road. This dealership will be approximately 60,000 square feet on the eastern half of the ICW South Plat. The dealership proposed by Mr. Case provides a missing link western residents of Davie will need for their future automotive needs and provide an alternate choice for their automotive purchases. Davie residents will be afforded an opportunity for selection and cost comparison between Honda and other brands without traveling across Town or to another municipality.

Rick Case looks forward to being an integral part of the community in western Davie and has, simultaneously with the filing of this plat note amendment, filed a site plan application for approval by the Town of Davie.

Yours truly,

C. WILLIAM LAYSTROM, JR.
FOR THE FIRM

CWL:ks

cc: Rick and Rita Case
Werner Vaughn

97-278-851

ICM SOUTH

IN THE STATE OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA
 DEPARTMENT OF AGRICULTURE
 OFFICE OF THE COMMISSIONER
 COLUMBIA, SOUTH CAROLINA

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 Commissioner

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 Commissioner

Robert P. [Signature]



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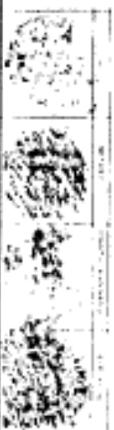
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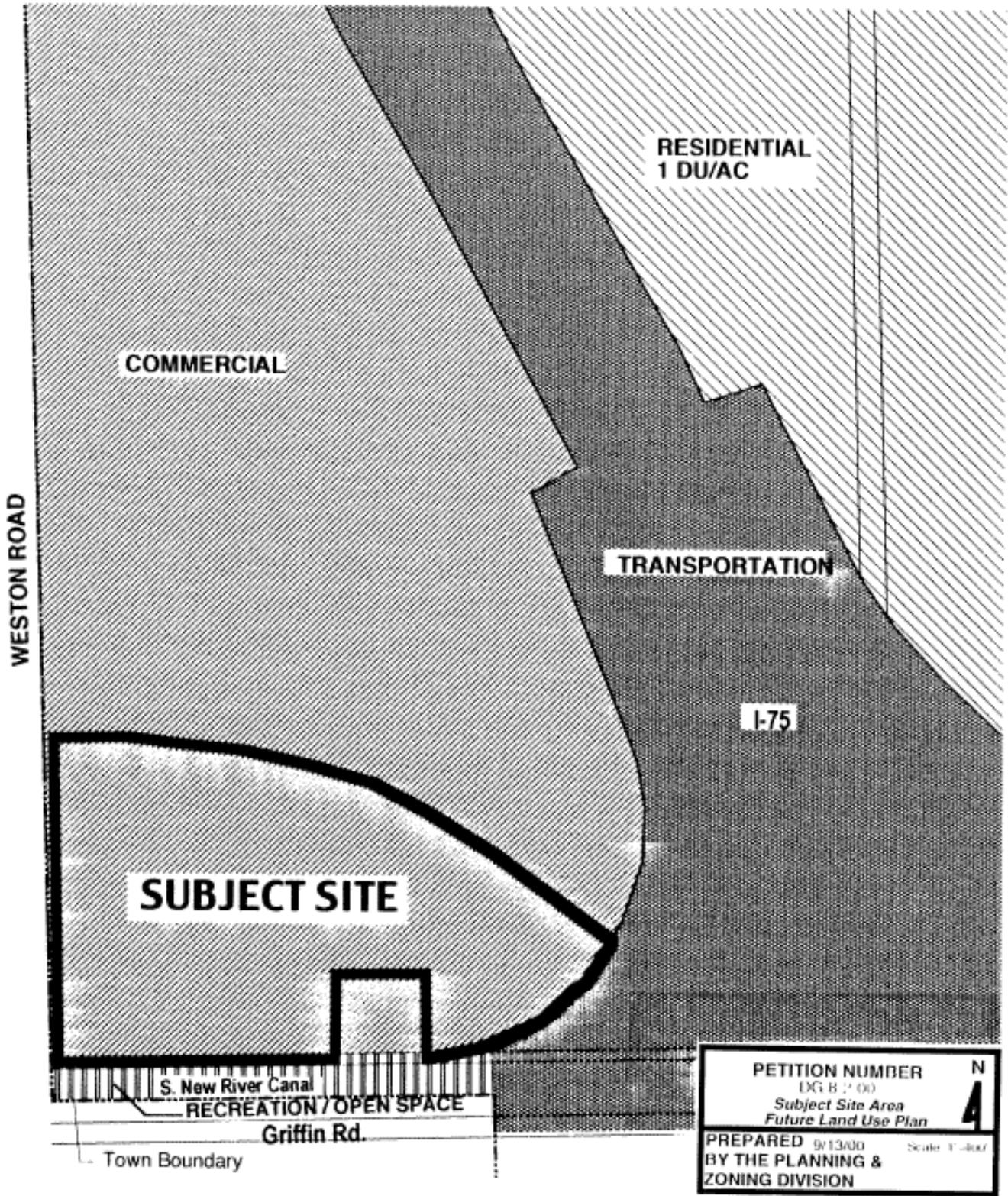
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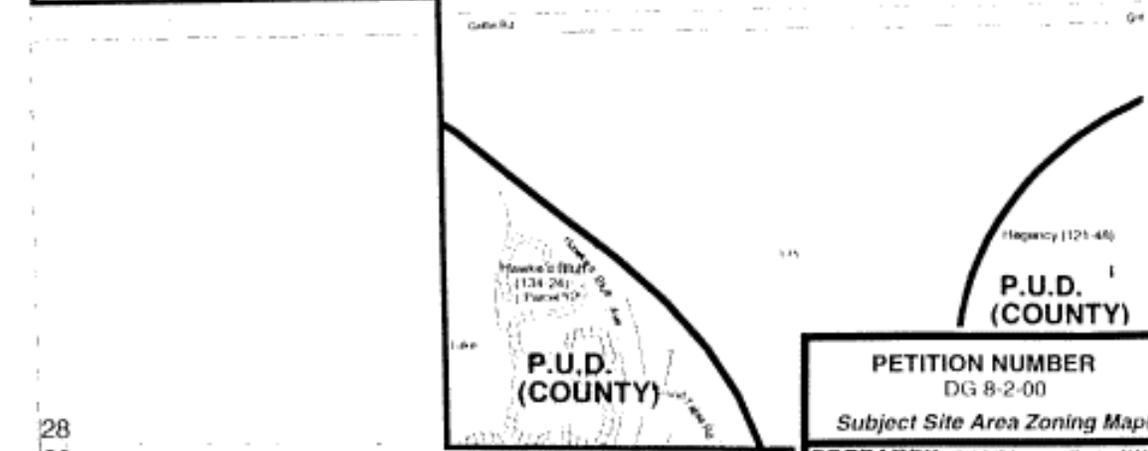
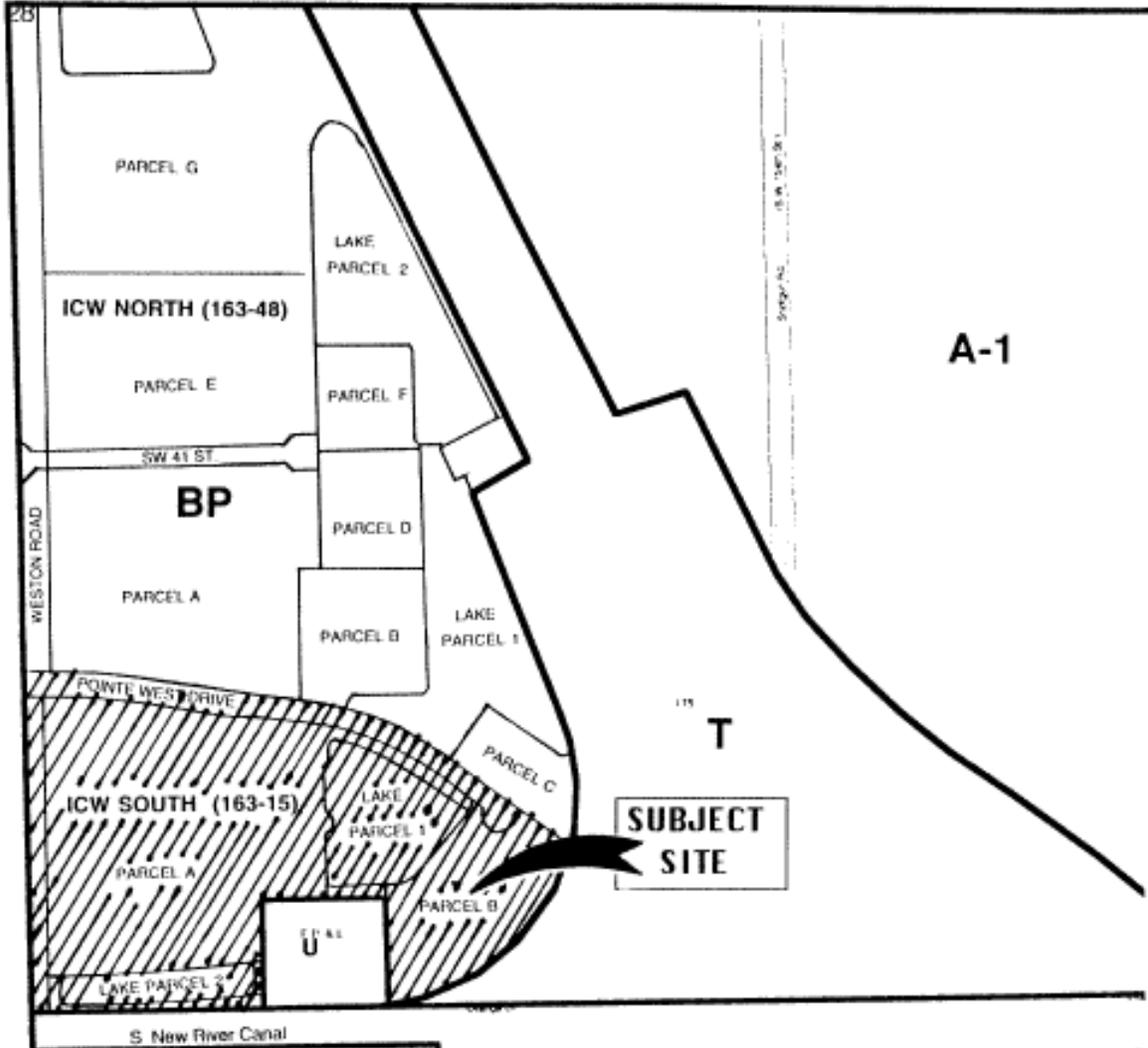
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 Commissioner



CPA 27216 P6/03





PETITION NUMBER
 DG 8-2-00
Subject Site Area Zoning Map

PREPARED 9/13/00 Scale: N15
BY THE PLANNING & ZONING DIVISION

