



Town Council Agenda Report

SUBJECT:

Quasi Judicial Hearing: Special Permit

CONTACT PERSON/NUMBER

Name: Mark Kutney, AICP
Phone: (954) 797-1101

TITLE OF AGENDA ITEM:

SE 9-1-00 C. William Laystrom, Petitioner/Rick and Rita Case, Owners - 15700 Pointe West Drive, Generally located on the north side of Griffin Road, between Weston Road and I-75.

REPORT IN BRIEF:

The applicant proposes to construct an automobile dealership on the eastern portion of the "ICW South" plat. In order to develop the site the applicant proposes to fill an existing 3.3 acre lake within "ICW South Plat" with approximately 67,000 cubic yards of material obtained off-premises from Parcel "C" within the "ICW North Plat".

PREVIOUS ACTIONS: None

CONCURRENCES:

The Planning and Zoning Board recommended approval subject to the planning report (motion carried: 5-0, October 11, 2000).

FISCAL IMPACT: Not Applicable

RECOMMENDATION(S): Motion to approve.

Attachment(s): Planning Report, Justification Letter, Plats, Plans, Land Use Map, Subject Site map, and Aerial.

Application #: SE 9-1-00

Revisions:

Exhibit "A":

Original Report Date: Sept. 15, 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

Agent

Name: C. William Laystrom, Jr.

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

Address: 1177 SE 3 Avenue

City: Ft. Laud., FL 33316

Phone: (954) 967-2788

Phone: (954) 762-3400

BACKGROUND INFORMATION

Application Request: Special permit to backfill a waterbody in excess of 3,000 cubic yards, for a total of 67,000 cubic yards.

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: Water retention lake adjacent to a shopping center and 7.579 acre vacant parcel

Proposed Use: A 60,000 square foot automobile dealership on 8.93 acres.

Parcel Size: 3.3 acres

Surrounding Land Use:

Land Use Designation:

North: Lake and Vacant Parcel
South: Lake, vacant Land And FPL Substation
East: Vacant Land and I-75
West: Pointe West Drive and Martin Shopping Center

North: Commercial
South: Commercial
East: Transportation
West: Commercial

Surrounding Zoning:

North: BP, Business Park District
South: BP, Business park District
East: T, Transportation District
West: BP, Business Park District

ZONING HISTORY

Related Zoning History: None.

Previous Requests on same property: Town Council approved a rezoning request ZB 11-3-95 at second reading on March 6, 1996, from A-1, Agricultural District to BP, Business Park District 115 acre site consisting of the “ICW North and ICW South Plats”.

Town Council approved a rezoning request ZB 10-6-96 at second reading on January 8, 1997, amending the conceptual master plan for the “ICW South Plat”.

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

DEVELOPMENT PLAN DETAILS

The subject property is part of a 31.512 acre master-planned development consisting of a 106,745 square foot shopping center with three out-parcels approximately 1 acre in size, a 3.306 acre lake and 7.579 acre undeveloped land. Proposed on the lake site and undeveloped acreage is an automobile dealership providing for a 54,702 square foot 2-story main office and showroom building together with 1-story ancillary structures, with the remaining area made up of drive aisles, open air vehicle storage area, and landscaping.

The approved master plan for the 31.5 acre “ICW South Plat” provides for a 3.396 acre lake located east of the shopping center site. In order for the applicant to develop the automobile dealership, the applicant must backfill the lake with approximately 67,000 cubic yards of fill. The necessary fill is being provided by excavating the undeveloped Parcel C (approximately 2.2 acres) located within the “ICW North Plat, which is immediately adjacent to the subject auto dealership site. Engineering has informed staff the proposed plan is workable with some minor revisions.

Prior to the issuance of Town permits, the petitioner is required to obtain a Central Broward Drainage District (CBDD) permit, as the lake is regulated by the District. Any required Town Engineering revisions would be required prior to submittal to CBDD. The petitioner will also

be required to obtain a permit from Broward County Department of Planning and Environmental Protection (DPEP).

Applicable Codes and Ordinances

Land Development Code Section 12-33(O)(2) requires special permit request when when back filling a waterbody in excess of 3,000 cubic yards

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 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 Land Use Plan: The proposed request is within Flexibility Zone 113. The proposed use is exempt from Broward County concurrency requirements as back filling waterbodies does not effect existing plat restrictions and are exempt from Broward County platting and concurrency requirements.

Staff Analysis

The proposed backfilling of the lake is compatible with adjacent uses as to the expansion the existing lake area, is not expected to adversely affect surrounding property values or conditions in the neighborhood, and should not be a deterrent to the improvement or development of other properties in accord with existing regulations. The excavation of Parcel “C” within the “ICW North Plat” provides for a larger retention area for all the parcels of lands within the “ICW North and the ICW South Plats”

Vehicular traffic patterns associated with the existing developed center will remain unchanged as the truck traffic will be restricted to the undeveloped Parcel “C” within the “ICW North Plat” and to the lake area within the “ICW South Plat” immediately south of the excavation area.

The purpose of requiring a special permit for extensive filling of water bodies is to allow the Town Council to examine the possible impact to traffic as materials are transported to and from the site, and to examine the impact to existing site plan conditions and adjacent properties.

Given the documentation of approval from Central Broward Drainage District, verification by the Town Engineering Division, and consistency with the requirements of the special permit, staff believes the request is consistent with the intent of the Land Development Code.

Findings of Fact

Section 12-308(A)(1)(a)

- (i) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;
- (ii) The proposed change will not create an unrelated an incompatible use;
- (iii) The proposed change will not adversely affect living conditions in the neighborhood or the town;
- (iv) The proposed change will not create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;
- (v) The proposed change is not expected to adversely affect surrounding property values;
- (vi) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;
- (vii) The proposed change will not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public.

Staff Recommendation

Recommendation: Based upon the foregoing analysis and the overall finding of facts in the positive, staff recommends approval of application no. SE 9-1-00.

Planning and Zoning Board Recommendation

The Planning and Zoning Board motion to recommend approval subject to the planning report (5-0, Motion By: Mr. Davenport, Seconded By: Mrs. Moore) October 11, 2000 meeting.

Exhibits

Justification Letter, Proposed Plans, Land Use map, Subject Site Map, and Aerial.

Prepared by: _____
Reviewed by: _____

W **WINNINGHAM & FRADLEY, INC.**
ENGINEERS • PLANNERS • SURVEYORS

September 13, 2000



Ms. Gori Baluss
Town of Davie
Planning & Zoning Division
6591 Orange Drive
Davie, Florida 33314

Re: Rick Case Honda at Davie Center - Special Permit - Lake Fill
Statement Describing Scope of Work (Revised)
Project Number 06038

Dear Ms. Baluss:

Enclosed, please find three copies of the site improvements plan and details for the above refer-nce project. Also enclosed are 11" x 17" reductions for your use.

In order to meet the site plan requirements for the Dealership, an existing lake (LAKE PARCEL 1, ICW SOUTH Plat - 3.32 Ac.) shall be filled and a proposed lake (on PARCEL C within ICW NORTH Plat - 2.24 Ac.) shall be excavated as shown on the enclosed design plans. Included on the plans are cross sections, lake soundings, and topographic information. The anticipated source of fill shall be the excavated sand/limerock material from the adjacent proposed lake.

The volume of required fill material to excavate and fill the proposed and existing lakes, respectively, has been estimated to be approximately 67,000 cubic yards.

Please note that the existing lake to be filled was dug at minimum depth per local drainage district criteria. Copies of drainage district permits shall be forwarded upon request.

At this time, we do not anticipate any fill to be brought from off site sources to fill the existing lake, therefore eliminating the need for both off-site and onsite haul roads.

Please note the we are currently processing the required Right-of Way and Easement Vacation documents associated with the permitting of these improvements.

If you have any questions or require any additional information, please do not hesitate to call our office.

WF WINNINGHAM & FRADLEY, INC.
ENGINEERS • PLANNERS • SURVEYORS

September 13, 2000
Sheet 2

Sincerely,

WINNINGHAM & FRADLEY, INC.



Werner T. Vaughan, P.E.

cc: Rick Case, Bill Laystrom, David Bardin

cc: 954-771-7440, per: vj@wfinc.com

97-588074 ICM NORTH

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11/6/97 02:26PM DEB 27296 PE 718

Form 100-10

ICW SOUTH

INTERNATIONAL COMMERCIAL WORKERS UNION

MEMORANDUM FOR THE RECORD

DATE: 10/15/54

TO: [Illegible]

FROM: [Illegible]

SUBJECT: [Illegible]

RE: [Illegible]

[Illegible]

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[Illegible]

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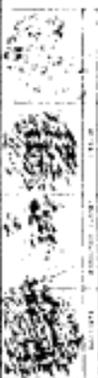
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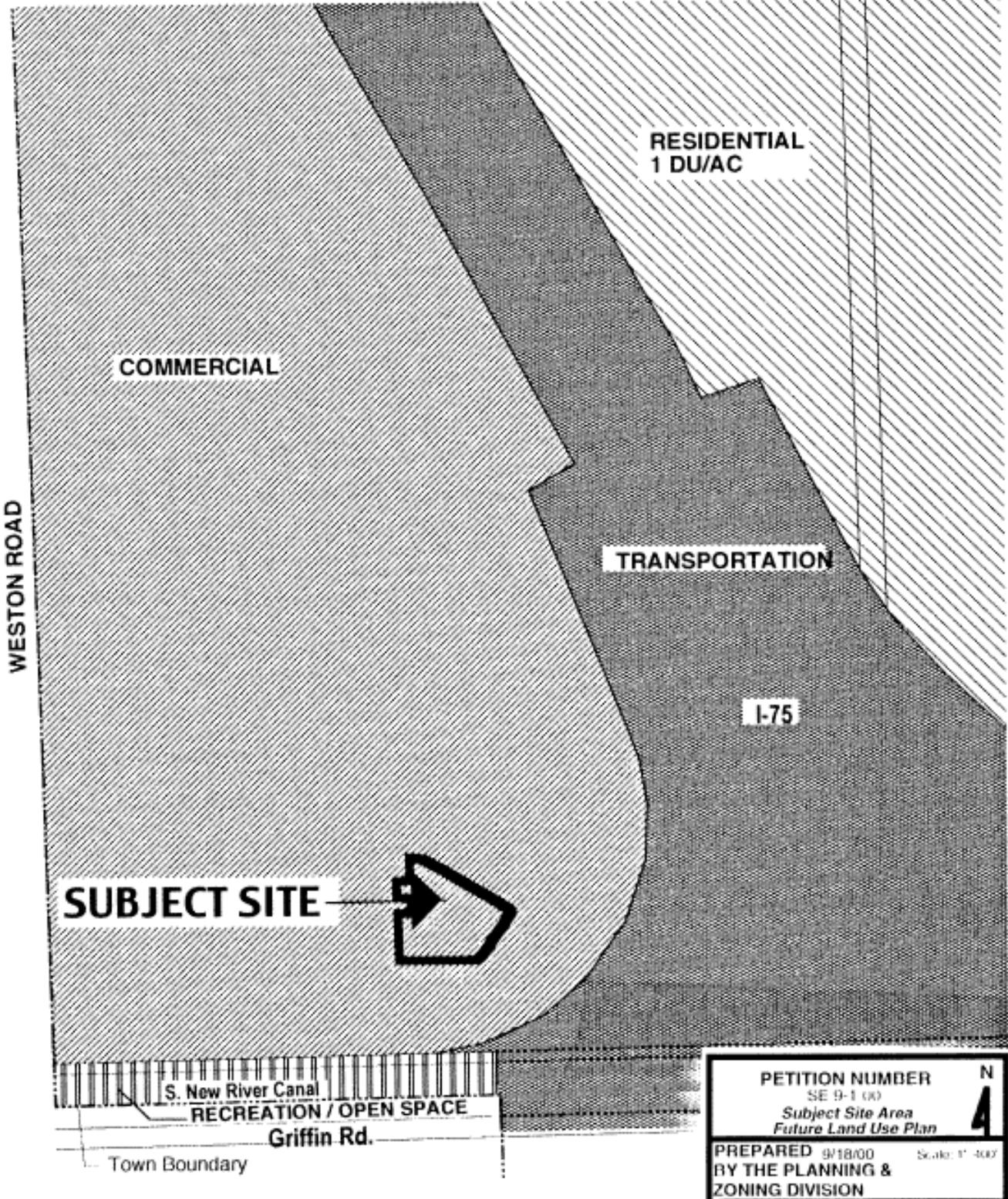
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Robert P. [Illegible]

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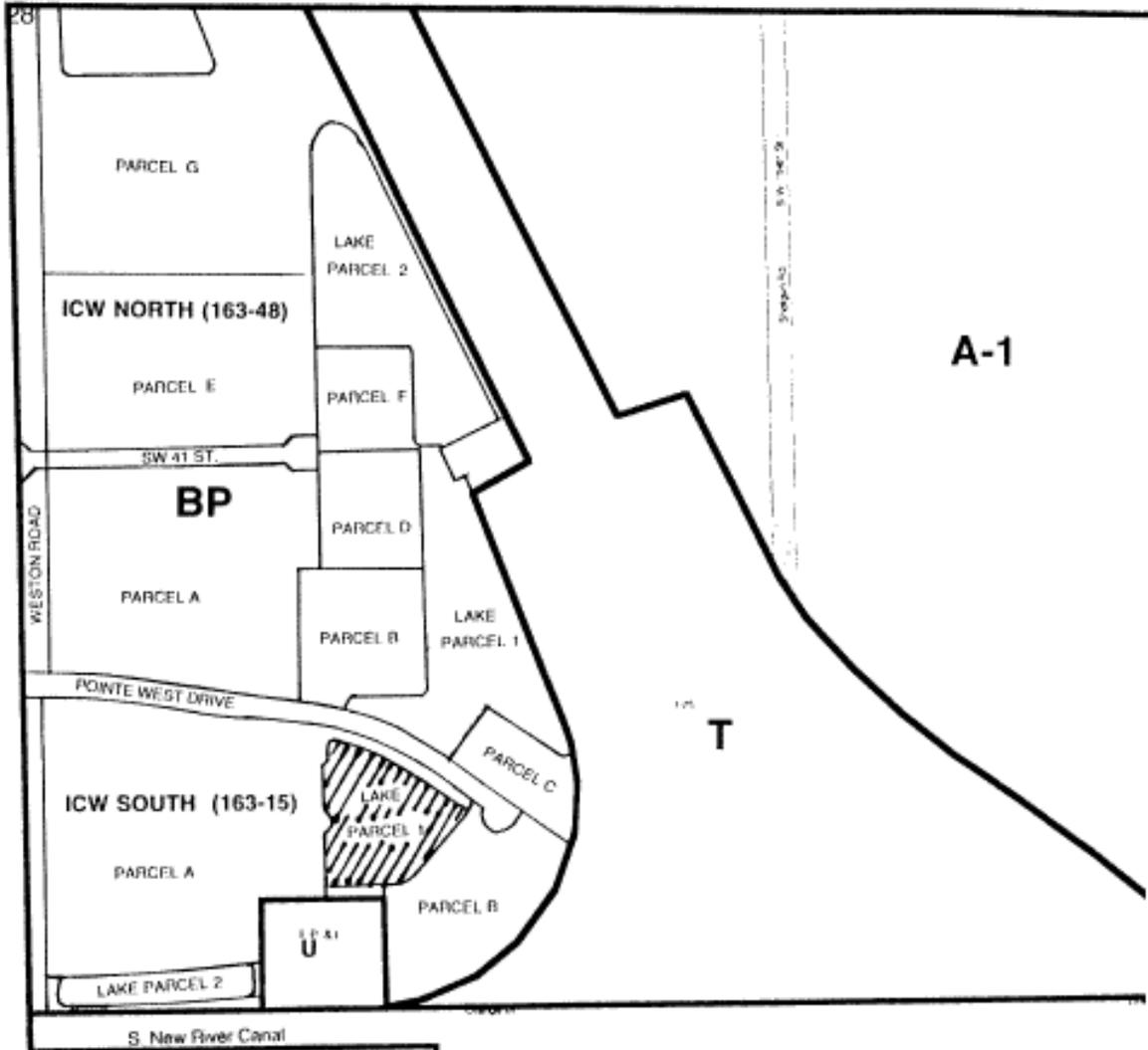


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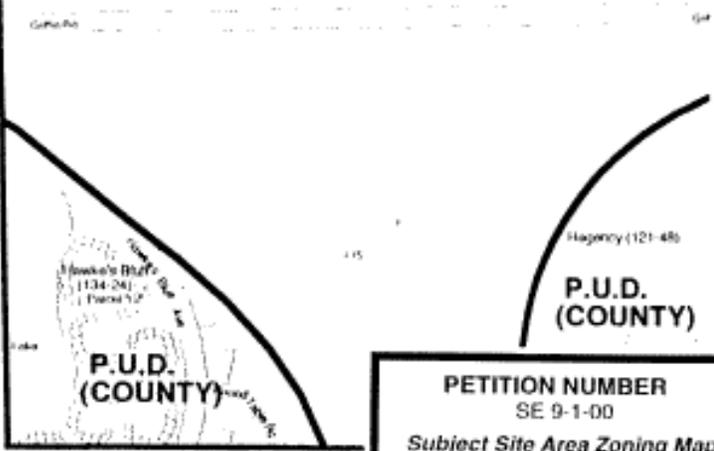


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P.U.D. (COUNTY)

PETITION NUMBER
SE 9-1-00

Subject Site Area Zoning Map

PREPARED 9/18/00 Scale: 1"=400'
BY THE PLANNING & ZONING DIVISION

N

