



Town Council Agenda Report

SUBJECT: Resolution - Plat Amendment

DG 12-1-00, 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 request corrects the previously approved plat note amendment DG 8-2-00 which Council approved on October 4, 2000.

The applicant proposes to amend the restrictive note on the Plat by deleting the 125 room hotel use and decreasing the allowable commercial use from 152,338 to 142,338 square feet while increasing the allowable building area for an automobile dealership from 60,000 to 62,150 square feet. 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:

The Town Council approved a plat note amendment by Resolution No. 2000 - 240, 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 at its October 4, 2000 meeting.

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 123, Page 11; 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 12-1-00
ICW South Plat

Revisions:

Exhibit "A"

Original Report Date: December 4, 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 square feet of commercial use and a 125 room hotel; to 142,338 square feet of commercial use and 62,150 square feet of automobile dealership. The request corrects the previously approved plat note amendment DG 8-2-00 which Council approved on October 4, 2000.

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 62,150 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.

The Town Council approved a plat note amendment by Resolution No. 2000 - 240, 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 at its October 4, 2000 meeting.

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 the deletion of the 125 room hotel use, a 10,000 square foot decrease of the permitted commercial use, and the 2,150 square foot increase of the permitted automobile dealership use and is consistent with the approved Davie Center Master Plan and the proposed site plan submitted to the Planning and Zoning Division for review. This request will also correct the previously approved plat note amendment which Town Council approved on October 4, 2000.

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 12-1-00.

Exhibits

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

Prepared By: _____

Reviewed By: _____

LAW OFFICES
**DOUMAR, ALLSWORTH, CURTIS, CROSS, LAYSTROM,
PERLOFF, VOIGT, WACHS & MAC IVER, LLP**

EMERSON ALLSWORTH, P.A.
E. SCOTT ALLSWORTH, P.A.
HARRI E. ALLEWORTH, P.A.
WILLIAM S. CROSS, P.A.**
CHARLES L. CURTIS, P.A.
RAYMOND A. DOUMAR, P.A.*

1177 SOUTHEAST THIRD AVENUE
FORT LAUDERDALE, FLORIDA 33310-1107
MIAMI (954) 762-3400
MIAMI (305) 945-3172
TELE/FAX (954) 525-3423

C. WILLIAM LAYSTROM, JR., P.A.
STUART J. MAC IVER, P.A.
JOHN W. PERLOFF, P.A. &
JOHN D. VOIGT, P.A.
JEFFREY S. WACHS, P.A. †

CHRISTINA R. CASALS, P.A.
JOHN H. ADAIR, III, P.A.

† ALSO ADMITTED IN PENNSYLVANIA
* ALSO ADMITTED IN MICHIGAN
& BOARD CERTIFIED REAL ESTATE LAWYER
** CERTIFIED CIRCUIT CIVIL AND FAMILY MEDIATOR

November 27, 2000

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

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

Dear Geri:

Please treat this correspondence as our justification letter to revise 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 62,500 square feet on the eastern half of the ICW South Plat.

I have attached the calculations from Tinter Associates showing a reduction of 10,000 of retail and 125 hotel rooms in exchange for 62,500 square feet of automobile dealership use. This results in no net change to the trips generated by the automobile dealership use versus the retail/hotel uses which are being eliminated.

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. The reason for this new revision is to slightly increase the size of the dealership (2500 square feet) since our application in September which requested 60,000 square feet of automobile dealership use. This will allow the dealership to better accommodate new vehicle deliveries and customer service requirements.

Yours truly,

A handwritten signature in cursive script, appearing to read "Bill Laystrom, Jr.", written in dark ink.

C. WILLIAM LAYSTROM, JR.
FOR THE FIRM

CWL:ks

cc: Rick and Rita Case
Werner Vaughn

ICM SOUTH

ICM SOUTH

MEMORANDUM FOR THE DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
FROM: SAC, NEW YORK (100-100000)
SUBJECT: [Illegible]

RE: [Illegible]

DATE: [Illegible]



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Robert P. [Illegible]

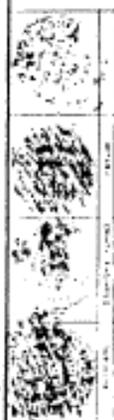
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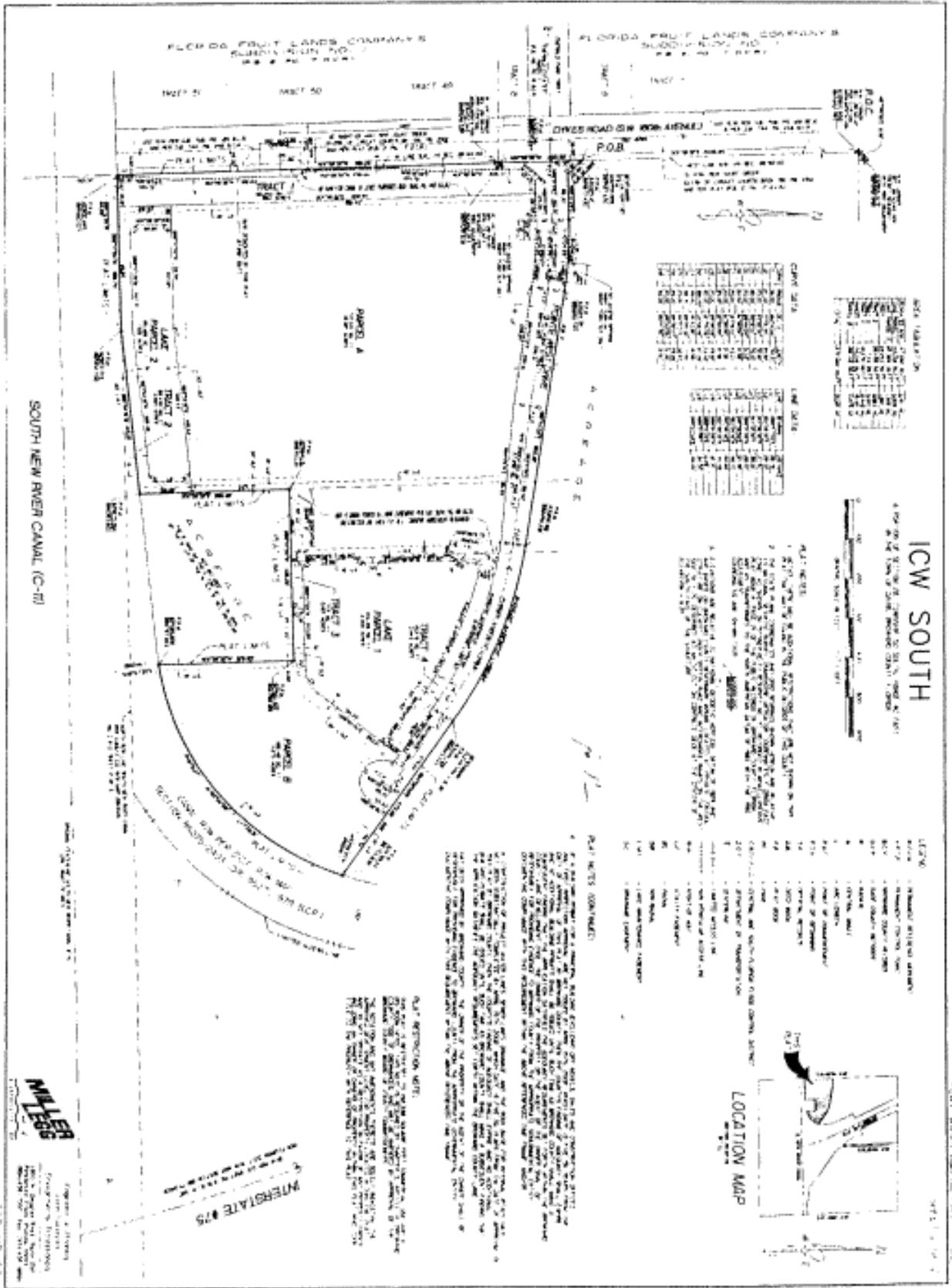
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CPB 27216 P6/05



ICW SOUTH

SET 1 (PARTIAL)

TRACT	ACRES	DATE
TRACT 1	100.00	1/1/50
TRACT 2	100.00	1/1/50
TRACT 3	100.00	1/1/50
TRACT 4	100.00	1/1/50
TRACT 5	100.00	1/1/50
TRACT 6	100.00	1/1/50
TRACT 7	100.00	1/1/50
TRACT 8	100.00	1/1/50
TRACT 9	100.00	1/1/50
TRACT 10	100.00	1/1/50

LAND DATE

TRACT	DATE
TRACT 1	1/1/50
TRACT 2	1/1/50
TRACT 3	1/1/50
TRACT 4	1/1/50
TRACT 5	1/1/50
TRACT 6	1/1/50
TRACT 7	1/1/50
TRACT 8	1/1/50
TRACT 9	1/1/50
TRACT 10	1/1/50

PLANT NOTES

1. ALL PLANTS AND SOILS ARE TO BE MAINTAINED IN THE ORIGINAL STATE AND NOT TO BE DISTURBED OR REMOVED WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

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- LEGEND**
- 1. ROAD (DOTTED LINE)
 - 2. CANAL (DASHED LINE)
 - 3. WATER (WAVE LINE)
 - 4. LAND (SOLID LINE)
 - 5. AGROLOG (HATCHED AREA)



PLANT NOTES (CONTINUED)

4. ALL PLANTS AND SOILS ARE TO BE MAINTAINED IN THE ORIGINAL STATE AND NOT TO BE DISTURBED OR REMOVED WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

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PLANT RESTRICTION NOTE

1. ALL PLANTS AND SOILS ARE TO BE MAINTAINED IN THE ORIGINAL STATE AND NOT TO BE DISTURBED OR REMOVED WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

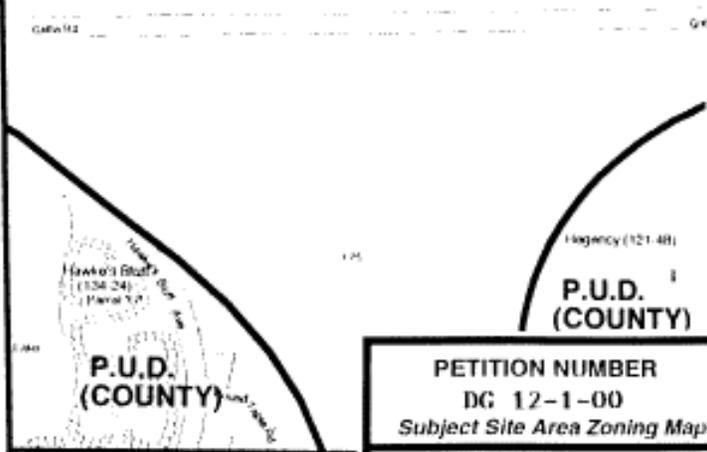
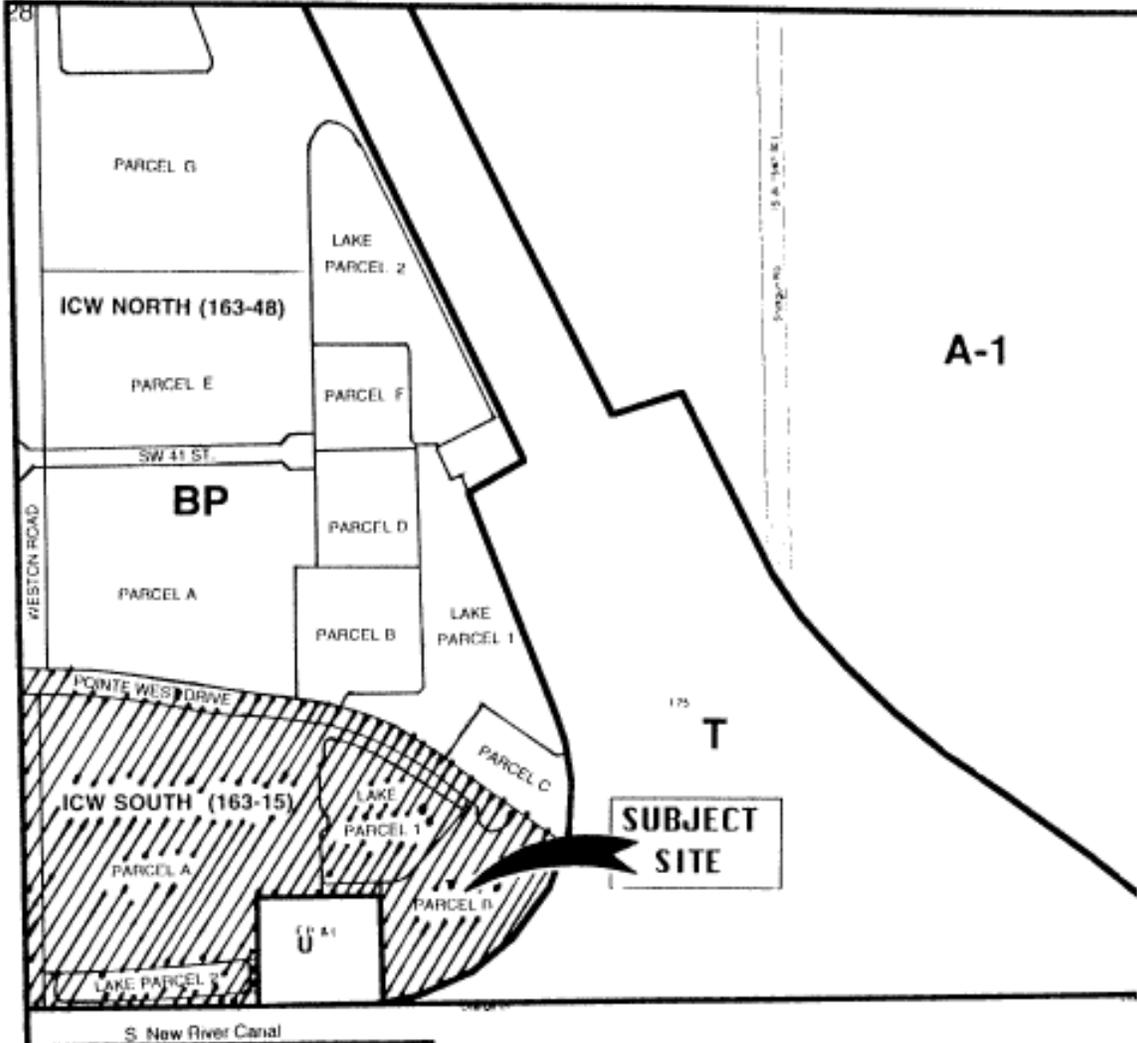
2. ALL PLANTS AND SOILS ARE TO BE MAINTAINED IN THE ORIGINAL STATE AND NOT TO BE DISTURBED OR REMOVED WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

MILLER

ENGINEERS & ARCHITECTS

1000 N. W. 10th St., Ft. Lauderdale, Fla.

1972-1973



PETITION NUMBER DG 12-1-00 <i>Subject Site Area Zoning Map</i>		N
PREPARED 0/13/00 Scale: NTS BY THE PLANNING & ZONING DIVISION		

