

TOWN OF DAVIE
PLANNING AND ZONING BOARD
MAY 28, 2014

1. ROLL CALL

The meeting was called to order at 6:35 p.m. Board members present were Chair Ken DeArmas, Vice Chair Todd Evans, Jodi Davidson, Tom Jacob, and Christopher Cory. Also present were David Quigley, Planning and Zoning Manager; David Abramson, Deputy Planning and Zoning Manager; Phillip Holste, Development Administrator; Danny Stallone, Police Legal Advisor; and Lisa Edmondson/ Prototype Inc. recording the meeting.

2. MOTION TO EXCUSE COMMITTEE MEMBERS - n/a

3. APPROVAL OF MINUTES

3.1 May 14, 2014

Motion made by Vice Chair Evans, seconded by Mr. Jacobs, to approve the minutes of the May 14, 2014, meetings. In a voice vote, the motion passed unanimously.

4. PUBLIC HEARING

4.1 Land Use Amendment (LA) 13-202 Virginia Plantation
5306 Southwest 76 Avenue

It was noted this was not quasi-judicial.

Mr. Abramson provided the staff report, stating that the purpose of the land use amendment is to change the land use designation of the site from Residential 1 DU/Acre to Irregular 2.5 DU/Acre Residential. He said that written public comments were provided as part of the planning report, and citizen participation requirements have been met.

Mr. Cory asked if staff had verified that the addresses in the written public comments had an ownership interest in the property. Mr. Abramson replied that staff had not made that determination.

All Board members acknowledged they had spoken with Ms. Nolan and/or several residents.

Marcie Nolan, Attorney with Becker & Poliakoff, 1 Broward Boulevard, Fort Lauderdale, spoke on behalf of the applicant. Ms. Nolan introduced Steve Gravett (Kennedy Homes) and Cathy Sweetapple (Traffic Planner).

Ms. Nolan gave a Powerpoint presentation covering the location, density, demographics of the area, planned scenic corridor on Southwest 76 Avenue from Griffin Road to Sterling Road, equestrian/pedestrian crossing into Wolf Lake, and guardrails along Southwest 76 Avenue.

Ms. Nolan listed what the project is NOT:

- No impact on Wolf Lake (no drainage into the lake, no filling of the lake, no storm water into Wolf Lake)
- No vehicular or pedestrian access to Southwest 73 Avenue
- No variance required from Central Broward Water Control District
- No widening of Southwest 76 Avenue
- No construction of multi-family homes

Steve Gravett, CEO and President of Kennedy Homes, said that 40% of the buyers of their properties in Davie are from Davie, and the 2.5 DU/Acre allows them to price the properties affordably. He gave background information on his company.

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Ms. Nolan reviewed the public participation meetings, and said they changed the site plan based on feedback received then. Comments and responses are detailed in the public participation report. She stated that the majority of concerns related to traffic on Southwest 76 Avenue, safety for people and horses, how the development would impact the equestrian community, agricultural uses, density, and protection of Davie's rural lifestyle. Ms. Nolan listed the changes to the plan made as a result:

- Traffic counts for all the roadways
 - *Level of Southwest 76 Avenue and the Griffin/Sterling Road intersection at acceptable levels
- Safety for pedestrians and equestrians - provided scenic corridor that provides sidewalks and equestrian path for horses
 - *Proposed guardrail
 - *Equestrian/Pedestrian crossing into Wolf Lake
- Met with neighbor to the north and proposed a buffer and wall surrounding that property
 - *Will seek a variance for an eight-foot wall if requested by the neighbor
- Reduced density down from 3 units per acre to 2.5

Ms. Nolan presented the modified (conceptual) site plan featuring:

- Minimum 10-foot wide landscape buffer exclusive of lot lines around the property
 - *No trees will be removed
- Will deed-restrict the property to 62 units
- Will complete the Green Trail
- Will build a five-foot recreational path the entire length of roadway (Southwest 76 Avenue) and a 10-foot wide equestrian trail

Ms. Nolan explained that there is at least a 50-foot right-of-way for the Town in all places, and some areas have 60 feet. They will pay for the right-of-way if necessary.

In a meeting with the Trailriders, Ms. Nolan agreed to have the trail in place before the first construction order is issued. Also to be completed before the first construction order are the infrastructure onsite improvements, road improvements, and the trail improvements.

Ms. Nolan stated that they had not decided yet who would maintain the trail, although it will be a Town of Davie trail.

Ms. Nolan clarified that the guard rail will only run along their parcel.

Ms. Nolan described the proposed LED-lit west/east equestrian/pedestrian crossing into Wolf Lake. Push buttons will turn on the lights to alert drivers that someone is crossing. There would also be crossings to the north and south of the entrance to Wolf Lake.

Ms. Nolan described the changes they made to the entranceway and architecture of the houses to create a more rural (Davie) feel.

Ms. Nolan then explained the process for the Land Use Plan Amendment. After this hearing, the matter goes to the Town Council, the Broward County Planning Council, the County Commission, and then it goes to the Florida Department of Economic Opportunity. Finally, it returns to the Town Council and County Commission for review. It is a 12-18 month process. Ms. Nolan listed the requirements of Florida Statute 163.

Ms. Nolan showed a history of the Davie area using aerial maps and current photos. Ms. Sweetapple, 101 North Gordon Road, Fort Lauderdale, explained the processes and

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formulas they used for the traffic study. They collected data at the intersection of Griffin Road and Southwest 76 Avenue, and also Sterling Road and Southwest 76 Avenue, in order to understand how the existing residents in the area navigated the network. They examined data from the three peak two-hour time periods in the day on Friday, September 23, 2013. Using that data, they were able to forecast the traffic using the most conservative forecast tools. Combining the forecasted traffic and present traffic patterns, Southwest 76 Avenue would only be used at four to nine percent of its capacity.

Ms. Nolan continued her presentation, discussing land use compatibility, Town policies, and Comprehensive Plan Policies. She pointed out that the trails in Davie meander through a variety of zoning density areas. Ms. Nolan also stated that the Town's Future Land Use policies call for 1,756 more dwelling units. She continued, itemizing Policies 1.2, 6, 6.1, 6.2, 6.3. She clarified that the Transit Oriented Corridor does not allow single family housing, just multi-family housing.

Ms. Nolan stated that their plans are consistent with the Comprehensive Plan and added that the development will bring economic benefit to the Town.

Mr. Cory requested an estimate on the cost of doing the roadwork on the scenic corridor and was told it was \$200,000. Ms. Nolan clarified that the lot sizes are 70x125 (10,000 square feet approximate), and the houses are 2,500 square feet to 3,300 square feet with an average price range of \$450,000 to \$550,000. Mr. Cory also asked about turning lanes to get into and out of the project. Ms. Nolan responded that the Town's Engineering Department is working with them on a design feature at the entrance, but the traffic count does not warrant turn lanes.

Chair DeArmas then opened the meeting to public comment on the item.

Steve Post, 8540 Southwest 21 Street, Davie, spoke in opposition to the rezoning citing issues of housing market saturation, possible raised elevation of homes above the flood plain, decline of equestrian lifestyle and trails, and increase in traffic.

Janice Keller, 6161 Southwest 41 Court, Davie, stated opposition to the measure citing loss of a rural ambience, displacement of fauna and flora, increasing population density and traffic.

Bruce Novak, Orangewood Estates, was opposed to the rezoning, stating that Southwest 76 Avenue would become an "asphalt jungle" and lose its country feeling, particularly in the western area of town.

Lynn Lafferty, 6700 Southwest 58 Court, Davie, stated she was opposed to the rezoning because it would take away from the natural environment and increase the population.

Phil Busey, 837 Southwest 120 Way, Davie, was opposed to the rezoning. He cited the decline of green, open spaces, and loss of agricultural land. He felt there were better places for high or moderate density development.

Stan Pannaman, 7301 Northwest 75 Court, Conservation Chair of the Broward Sierra Club, distributed a resolution approved by a committee of the Sierra Club. He said the Club opposed the project, citing the loss of pristine land, the contamination of canals by fertilizer, flooding of neighboring properties, and increased traffic.

Bob Loboud, 2031 Southwest 70 Avenue, Davie, spoke in opposition to the rezoning, stating as many did, that it would be a good project at one home per acre. He cited traffic concerns.

Nick DeBlasio, 7440 Southwest 43 Court, Davie, was opposed to the rezoning, saying that the developers just want money. He said changes to the Land Use regulations should not be taken lightly.

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Joseph Sperling, 5150 Southwest 70 Avenue, Davie, spoke in opposition to the rezoning, citing loss of rural lifestyle.

Rafael Santiago, 5101 Southwest 73 Avenue, Davie, was opposed to the application. He cited Land Use and Comprehensive Plan regulations which are contrary to the project, incompatibility with adjacent properties, reduction of agricultural business, increased traffic and the equestrian trail being oversold.

Donald Bovie, 5095 Southwest 73 Avenue, Davie, stated opposition to the rezoning, noting he lives next door and does not want his way of life destroyed.

Robert Kelner, 5118 South University Drive, Davie, said he opposed the project because of the density, increased traffic, and the added equestrian trail.

Tom Gill, 11052 Southwest 52 Court, Davie, spoke in favor of the rezoning, citing one home per acre homes being too expensive for the average person.

Arthur Pollio, 6741 Southwest 41 Court, Davie, spoke in favor of the application, saying he wanted the same kind of improvements for Southwest 70 Avenue. He also said that the trail system improvements are the greatest potential benefit.

Linda Greck, 3121 Southwest 116 Avenue, Davie, was in favor of the rezoning, pointing out that fears of increased traffic and density have not been borne out in the past, and trail improvements are beneficial to the neighborhood and the Town.

Natalie Osterhoudt, 5101 Southwest 73 Avenue, Davie, spoke in opposition to the rezoning, citing development which has removed much of the original rural character of the town.

Richard Strain, 5001 Southwest 70 Avenue, Davie, was opposed to the rezoning due to incompatible land use within the area, and increased traffic. He also questioned Ms. Nolan representing the applicant since she has an employment history with the Town.

Dante Fuentes, 5306 Southwest 76 Avenue, Davie, spoke in favor of the application, citing the owner's right to sell the property and rid herself of maintenance issues, developer's willingness to develop the trail and help the town grow, and affordability of the homes.

Shelly Green, 2501 Northeast 26 Terrace, Fort Lauderdale, spoke in opposition to the rezoning. Although not a Davie resident, she has taught at Nova Southeastern University for 25 years and runs a family therapy program involving horses in Davie. She feared the quality of life would suffer with the development.

Charles Lewis, 5201 Southwest 76 Avenue, spoke in favor of the development, citing change as a positive.

David Crane, 5036 South University Drive, Davie, was opposed to the rezoning. He stated the Land Use Plan should not be changed, and said he was in favor of the original plan (for one house per acre).

Cynthia Schaeffer, 4786 Southwest 72 Avenue, spoke in opposition to the rezoning, citing quality of life and the economic and social value of the farm-to-table movement (urban farming).

Tom Truex, Southwest 72 Avenue, opposed the application on the grounds that the zoning should be graduated, exaggerated benefit of the equestrian/pedestrian trail, and what the area will look like in 10 years.

Conrad Barton, 3940 Southwest 54 Avenue, spoke in opposition to the rezoning, citing increased density, drainage issues, and the negative impact on the rural/equestrian nature of the area.

Chair DeArmas then closed the meeting to public comment on the item.

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Chair DeArmas stated that the Board has to determine if a project is compatible with the area, if it is a tax advantage to the Town, and what type of feedback is given by the residents. He commented on the large turnout for this meeting. Chair DeArmas said they have to make sure that services, such as schools and emergency services, are available for all residents. He spoke about the decision making process regarding density.

Mr. Jacob debated the balance of affordability of the homes versus density, and said he was in favor of one unit per acre.

Mr. Cory and Vice Chair Evans stated their opposition to the amendment.

Ms. Davidson said she would oppose it due to the feedback from the residents.

Motion made by Ms. Davidson, seconded by Vice Chair Evans, to deny. In a roll call vote, the vote was as follows: Chair DeArmas - yes; Vice Chair Evans - yes; Mr. Jacob - yes; Mr. Cory - yes; Ms. Davidson - yes. **(Motion carried 5-0)**

[The Board recessed from 9:02 to 9:07 p.m.]

Chair DeArmas excused Mr. Jacobs, as he had another engagement.

4.2 Floodplain Management Ordinance (ZB-TXT) 14-147

Mr. Holste, Development Administrator, stated that the Town is presenting a modification to the existing Floodplain Management Ordinance that will bring the Town into compliance with State and Federal standards.

Motion made by Ms. Davidson, seconded by Vice Chair Evans, to approve. In a voice vote, the motion passed unanimously.

5. **OLD BUSINESS** - None.
6. **NEW BUSINESS** - None.
7. **COMMENTS AND/OR SUGGESTIONS** - None.
8. **ADJOURNMENT**

Hearing no further business, Chair DeArmas adjourned the meeting at 9:09 p.m.

Date Approved: 6-10-14


Chair/Board Member