



TOWN OF DAVIE
PLANNING & ZONING DIVISION
 6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
 Phone: 954.797.1103 • Fax: 954.797.1204 • www.davie-fl.gov

PLANNING REPORT

Project Name
Temple View Estates(f/k/a Shotgun East)

Application	
Request/Number:	Rezoning (ZB) /14-316
Owner	Deseret Holdings, LLC
Petitioner	Cordova Rodriguez & Associates, Inc.
Project Planner	Lise Bazinet
Date of Report	09/04/2015
Date of Public Participation	02/13/2015 and 02/20/2015
Date of Public Notification	08/26/2015
Date of Board Review	09/09/2015
Date of Town Council Review	10/07/2015

Location/Site	
Folio/Identification Number	50-40-28-06-0010 and 50-40-28-06-0020
Address	3801 SW 154 th Avenue
Nearest North/South Road	Interstate-75
Nearest East/West Road	Southwest 36 th Street
Size (Approx. Acres)	18
Existing Use	Vacant
Future Land Use	Residential 1 DU/Acre
Zoning	A-1
Council District	4
Redevelopment Area	N/A
Overlay District	N/A
Design Regulation	N/A
Flexibility Zone	113
Planning Area	2
Utilities Provider	City of Sunrise
Drainage District	Central Broward Water Control District (CBWCD)
Nearby Equestrian Trail	Robbins Vista View
Nearby Recreational Trail	Robbins Vista View Park
Nearby Park	Governor LeRoy Collins Park
Nearby Bus Route	N/A

Key Points
<ul style="list-style-type: none"> • The request is to rezone the property from Agricultural (A-1) District to Open Space Design Overlay. • The applicant has submitted concurrent site plan and delegation requests in order to develop a new residential community consisting of eighteen (18) single-family detached



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homes.

- The requested Open Space Design Overlay provides greater flexibility with site design and encourages a form of development that consumes less open land and conforms to existing natural features.
- Public Participation information as well as correspondence with the adjacent Rivestone neighbors is included as part of the attachments.

History

1. Zoning History:

- This parcel was part of the 1995 Settlement Agreement commonly referred to as the “Imagination Farms” Agreement. ***The proposed application is not in conflict with the settlement agreement.***
- ***Rezoning (ZB 9-2-02, Shotgun East):*** At the January 2, 2003, Town Council meeting, a motion was made to approve the rezoning subject to a voluntary deed to restrict the site to only be used as a public school. In addition, the Town agreed that if the Broward County School Board chooses not to utilize the site for a public school, the parcel will be zoned back to A-1, Agricultural District. Upon approval of the rezoning back to A-1, the Town of Davie agreed to release the deed restriction, as necessary. The second and final reading was heard and approved by Town Council on January 15, 2003. ***Deed restrictions related to school use subsequently released.***
- Agreement of Use Restriction recorded on Book 37347, Page 1694 of the official records of Broward County. ***The use restrictions were related to school construction and are no longer applicable.***

2. Previous Requests:

- ***Plat (P 9-2-02, Shotgun East):*** At the February 5, 2003 Town Council meeting, a motion was made to approve the boundary plat that consisted of approximately 33.36 acres for the proposed development of a 240,000 square foot public middle school.
- ***Developer’s Agreement (DA 2-3-03, Shotgun East):*** At the March 24, 2003 Town Council meeting, the developer entered into a Regional Road Concurrency Agreement. The developer agreed to pay \$25,000 towards the installation of video detection equipment for a countywide project to install such equipment at signalized intersections. ***This agreement was related to school construction and was never executed.***
- ***Developer’s Agreement (DA 2-4-03, Shotgun East):*** At the March 24, 2003 Town Council meeting, the developer entered into an agreement to prevent destruction of the archaeological site during development of the property and to preserve the archaeological site as private open space. The Town is party to this developer’s agreement solely for the purpose of withholding building permits or certificates of occupancy if required by the County. ***Resolution 2003-079 is attached for reference.***
- ***Developer’s Agreement (DA 7-2-03, Shotgun East):*** At the August 20, 2003 Town Council meeting, the developer entered into an Installation of Required Improvements Agreement in order to satisfy concurrency for the said plat. ***This agreement, adopted by Resolution 2003-212, was related to school construction and is no longer applicable.***



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- *Developer's Agreement (DA 6-1-10, Shotgun East):* At the February 16, 2011 Town Council meeting, the Town released an agreement restricting uses on subject property to only be used as a public school. ***Adopted by resolution 2011-040 (affected only the LDS Temple site).***
 - *Developer's Agreement (DA 9-1-10, Shotgun East Estates):* At the February 16, 2011 Town Council meeting, the Town entered into an agreement to place certain restrictions on the re-plat for future development. ***Adopted by Resolution 2011-041. Staff has confirmed that the proposed residential development is consistent with the agreement.***
 - *Developer's Agreement (DA 11-1-10, Shotgun East Estates):* At the February 16, 2011 Town Council meeting, the Town entered into an agreement to waive the affordable housing requirements. ***Adopted by Resolution 2011-042.***
 - *Delegation (DG 5-1-10, Shotgun East Estates/Latter-Day Saints Temple):* At the February 16, 2011 Town Council meeting, the Town approved an amendment to the non-vehicular access lines along the eastern platted boundary.
 - *Delegation (DG 5-2-10, Shotgun East Estates/Latter-Day Saints Temple):* At the February 16, 2011 Town Council meeting, the Town approved an amendment to the recorded restrictive note.
 - *Plat (P 5-2-10, Shotgun East Estates/Latter-Day Saints Temple):* At the February 16, 2011 Town Council meeting, the Town approved a residential lot specific re-plat consisting of thirteen (13) single-family dwelling lots.
 - *Developer's Agreement (DA 11-102, Shotgun East):* At the September 21, 2011 Town Council meeting, the Town approved a developer's agreement to memorialize conditions of approval. ***Approved Resolution 2011-226 (attached for reference). The agreement related both to the LDS Temple and the residential development. Staff has confirmed that the proposed residential development is consistent with the conditions of this agreement.***
3. Concurrent Requests:
- *Delegation (DG 14-317, Temple View Estates):* to amend the non-vehicular access lines along the eastern boundary as previously approved to be relocated as per proposed site plan.
 - *Delegation (DG 14-318, Shotgun East Estates/Latter-Day Saints Temple):* to amend the recorded restrictive note to 18 single family detached units.
 - *Site Plan SP 14-337 (Temple View Estates),* to allow the development of 18 single family homes.

Analysis

The following information is staff's analysis based on the criteria established in the Town of Davie's, Land Development Code, Section 12-307(A)(1) for rezoning application. The Planning and Zoning Board shall make a recommendation upon the application to the Town Council, based upon its consideration of, where applicable, whether or not:

- (a) The proposed change is contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

The proposed rezoning is consistent with the current land use plan designation of one



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dwelling unit per acre land use category and several other open space and conservation goals.

- (b) The proposed change would create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;
The requested zoning is compatible with adjacent and nearby districts. The subject zoning district is residential use that is compatible to other in the area and preserves open space. The trail and archeological site to the north, meets the intent of the rural lifestyle regulations and at the same time compatible with the single-family community to the east. The proposed trail along the north boundary will provide additional publicly accessible open space.
- (c) Existing zoning district boundaries are illogically drawn in relation to existing conditions on the property proposed for change;
Existing boundaries are logically drawn and generally consistent with existing conditions in the area.
- (d) The proposed change will adversely affect living conditions in the neighborhood;
The requested zoning allows for single-family homes and is consistent with the properties to the east and is not expected to have adverse impacts to the existing adjacent residential communities.
- (e) The proposed change will 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;
Although the proposed development includes 5 more units than previously approved, the new development is not expected to noticeably increase congestion.
- (f) The proposed change will adversely affect other property values;
The requested zoning is not expected to have a negative impact on the value of the adjacent properties. The subject zoning is similar to surrounding districts in both density and compatibility.
- (g) The proposed change will be a deterrent to the improvement or development of other property in accord with existing regulations;
Rezoning the subject property is not expected to deter improvements to the surrounding developed communities and will not affect the development of the property to the north.
- (h) The proposed change will constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;
Rezoning the subject property does not give the owner any unique benefit that harms the welfare of the general public.
- (i) There are substantial reasons why the property cannot be used in accord with existing zoning.
Although the subject property can be developed under the existing Agricultural (A-1)



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Zoning District classification (requiring minimum lot sizes of 35,000 square feet), the requested zoning would allow the developer to increase open space to the north of the property with a pedestrian trail to the archeological site while achieving the quality of development consistent with the adjacent neighborhood.

- (j) The proposed rezoning designation is the most appropriate designation to enhance the Town's tax base given the site's location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

Because the rezoning will allow for the development of a vacant site, the proposed rezoning will have a positive effect on the Town's tax base.



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Recommendations

Staff finds the application complete and suitable for transmittal for further consideration. If approved Staff recommends the following condition:

- Must obtain Central Broward Water Control District Approval.

Attachments

1. Petitioner Documentation
2. Site Plan
3. Land Use Map
4. Zoning Map
5. Citizen Participation Information
6. Resolution 2003-079, Developer's Agreement
7. Resolution 2011-226, Developer's Agreement
8. Correspondence



October 24, 2014

Mr. David Quigley
Manager, Planning & Zoning Division
Town of Davie
6591 Orange Drive, Building B
Davie, Florida 33314

**RE: Temple View Estates (f/k/a Shotgun Estates East)
Scope of Work Letter – Rezoning
CRA Project No.: 14-184.01**

Dear Mr. Quigley,

Please accept this letter (and attached documents) as our request for Town of Davie approval of the Delegation Request for the Temple View Estates project. The following are included in this submittal:

- Submittal fee of \$1,232.00 (check #1069)
- Boundary Survey (prepared by Pulice Land Surveyors, Inc. dated 9/9/2014)
- Plat of Shotgun East (as recorded in P.B. 173, PG. 75, B.C.R.)
- Conceptual Plans
- Pre-application Meeting Form
- T.O.D. Submittal Form
- T.O.D. Application
- Special Warranty Deed (as recorded in O.R.B. 50788, PG. 981, B.C.R.)
- SCAD request receipt
- Criteria Letter

BACKGROUND INFORMATION

The subject property is the north portion of the Shotgun East Plat. The Town has previously approved a plat, master site plan (for entire Plat), site plans (for northern and southern portions), delegation requests, and developer agreements for the property. The south portion has been developed as a religious facility, per those approvals. The north portion was approved for 13 detached single-family dwelling units. An expanded list of the prior development approvals is attached for your reference.

PROPOSED DEVELOPMENT

The proposed development seeks to utilize the Town of Davie Open Space Overlay zoning district to create open space (both public and private) as well as a residential community with 18 detached single-family dwelling units. The development will preserve Florida Archaeological Site 8BD52, including the old-growth shade trees, and create a publicly accessible open space with pedestrian/equestrian trail and seating area. The single-family homes shall be custom homes, which (per the previously-approved developer's agreement) shall be of the same size as those within the Riverstone development.

SCOPE OF WORK – REZONING

The rezoning request seeks to change the zoning from Town of Davie A-1 Agricultural to Town of Davie A-1 Open Space Overlay. The proposed design provides a median lot size in the 25,001-30,000 square feet range, and therefore includes 40% open space.

This submittal is intended to provide all information required for the review and approval of the Rezoning related to the Temple View Estates project. Please let me know if you have any questions or require additional information.

Sincerely,



Rosana Cordova, P.E., AICP, LEED AP
Principal



October 24, 2014

Mr. David Quigley
Manager, Planning & Zoning Division
Town of Davie
6591 Orange Drive, Building B
Davie, Florida 33314

**RE: Temple View Estates (f/k/a Shotgun Estates East)
Criteria Letter – Rezoning
CRA Project No.: 14-184.01**

Dear Mr. Quigley,

Pursuant to section 12-307(A)(1) of the Town of Davie Code of Ordinances, the planning and zoning board shall make a recommendation to the Town Council based upon consideration of, where applicable, whether or not:

- (a) The proposed change is contrary to the adopted comprehensive plan, as amended, or any element or portion thereof; ***The Open Space Design Overlay is intended to preserve the traditional rural character of the town's land use pattern through the creation of large contiguous open areas abutting major road right-of-ways, recreational trails and parkland. The proposed site is within the eligible area map in section 12-298, is adjacent to an agricultural or rural corridor as defined in section 12-281, contains an Archaeological preservation site, and is greater than 15 acres in size as required by section 12-299(1)(a).***
- (b) The proposed change would create an isolated zoning district unrelated and incompatible with adjacent and nearby districts; ***The adjacent zoning districts are CF (south), E (east), and AG (north). The Open Space Design Overlay District is compatible with each of these districts, as all are intended to implement the one (1) unit per acre land use per section 12-24 of the T.O.D. code.***
- (c) Existing zoning district boundaries are illogically drawn in relation to existing conditions on the property proposed for change; ***The existing zoning boundaries provide a designation of A-1 agricultural site, which does not encourage open space development. The site's location along a rural corridor, and the presence of the Archaeological site, suggest that the intent of the comprehensive plan is better served by the application of the Open Space Design Overlay.***
- (d) The proposed change will adversely affect living conditions in the neighborhood; ***The proposed change will create a public open space, with access to the Shotgun road equestrian trail. This development will add an amenity to the Shotgun Road corridor, by virtue of the open space and creative design.***
- (e) The proposed change will 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 or designation, or otherwise affect public safety; ***The proposed change does not seek to increase the land use or apply flex units to the property.***
- (f) The proposed change will adversely affect other property values; ***The proposed change will add an amenity to the Shotgun Road corridor. The impact to adjacent property values will be positive.***

Broward Office

6941 SW 196th Avenue, Suite 28
Pembroke Pines, FL 33332
Office 954.880.0180 Fax-954.880.0181

Miami-Dade Office

1031 Ives Dairy Road Suite, 228
Miami, FL 33179
Office 786.287.2530 Fax 866.682.8126

- (g) The proposed change will be a deterrent to the improvement of other property in accord with existing regulations; ***The only undeveloped/adjacent property is the vacant parcel to the north of the site. This property also contains a portion of the Archaeological site. The proposed change, and resulting public open space, will actually improve the development options for this site,***
- (h) The proposed change will constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public; ***The proposed change is consistent with the intent of the comprehensive plan, zoning district regulations, and provides increased public benefit with the creation of public open space.***
- (i) There are substantial reasons why the property cannot be used in accord with existing zoning; ***The existing zoning designation does not provide flexibility/incentives to encourage open space development.***
- (j) The proposed zoning designation is the most appropriate designation to enhance the Town's tax base given the site location relative to the pattern of land use designations established on the future land use map, appropriate land use planning practice, and comprehensive plan policies directing land use location; ***The Open Space Overlay district allows for the same level of development (same density as A-1), while creating open space opportunities.***
- (k) Any such application for open space design shall be evaluated and approved based upon the criteria listed above and the following criteria:
 - i. How the proposed development contributes towards the creation of a network of open space and promotes accessibility from residential areas to green space; ***All of the single family lots are proposed surrounding a common open space, with pedestrian connection to the Archaeological site, to each lot, and to Shotgun Road.***
 - ii. How the proposed development locates the required open space to benefit both the development and the community of Davie; ***The proposed development creates a publicly accessible open space with Archaeological significance, which is adjacent to a Town of Davie equestrian trail.***
 - iii. How the proposed development addresses the long-term maintenance of the proposed open space, landscape and natural conservation areas; ***All of the proposed open spaces will be the maintenance responsibility of the homeowner's association.***

Please let me know if you have any questions or require additional information.

Sincerely,



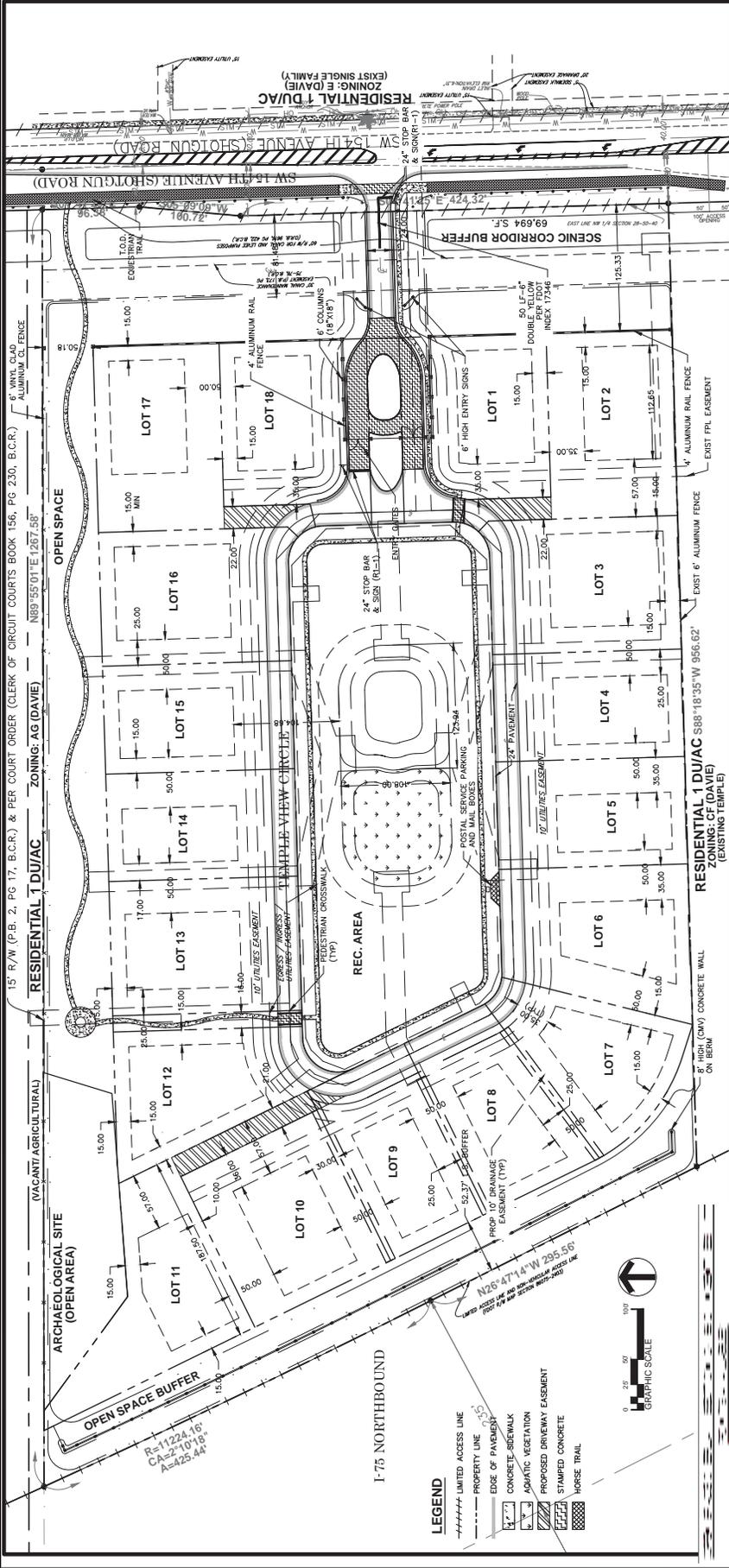
Rosana Cordova, P.E., AICP, LEED AP
Principal

NO.	REVISION

TEMPLE VIEW ESTATES
 3801 SW 154TH AVENUE, DAVIE, FL 33331
 FOR: DESERET HOLDINGS, LLC

ROMAN D. CORVINO, P.E.
 LICENSED ENGINEER
 FL LICENSE NO. 639
 EXPIRES 12/31/2022

DATE: 8-21-2014
 PROJECT NO: 14-118.01
 DRAWING NO: SP-01
 SHEET NO: 03



LANDSCAPE NOTES

1. All landscape materials to be used shall be approved by the applicant and shall be installed in accordance with the approved landscape plan. Written approval from the applicant shall be obtained prior to doing work as per the agreement (ORB 35220 PG 1667).
2. Proposed open space not conveyed to the applicant shall be maintained by the applicant. The applicant shall be responsible for the maintenance of the open space, including but not limited to mowing, weeding, and watering. The applicant shall also be responsible for the maintenance of the landscape materials, including but not limited to trees, shrubs, and plants. The applicant shall also be responsible for the maintenance of the landscape lighting, including but not limited to the installation and maintenance of the lighting fixtures and wiring.
3. All 18 SP-01 lots will require a building permit, landscape review and a landscape plan. The landscape plan shall include but not limited to the type, size, and location of all landscape materials, including but not limited to trees, shrubs, and plants. The landscape plan shall also include but not limited to the type, size, and location of all landscape lighting, including but not limited to the installation and maintenance of the lighting fixtures and wiring.
4. Details of the proposed 8' tall wall, including but not limited to the type, height, and color will be provided.

TABLE 1 - AREA TABLE

PARCEL / LOT	SCENIC CORRIDOR BUFFER	ARCHIT. 5' W. OPEN SPACE AREA	OPEN SPACE BUFFER	RECREATION AREA	LAKE	RECORD	AREA (AC)	TOTAL
LOT 1	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 2	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 3	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 4	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 5	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 6	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 7	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 8	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 9	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 10	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 11	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 12	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 13	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 14	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 15	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 16	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 17	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
LOT 18	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
TOTAL	22.50	22.50	22.50	22.50	22.50	22.50	22.50	22.50

RURAL LIFESTYLE REGULATIONS TABLE

ITEM	REQUIRED	PROVIDED
SCENIC CORRIDOR BUFFER (SHOTGUN ROAD)	100' MINIMUM	125.3'
MINIMUM PARCEL SIZE	15.0 ACRES	16.24 ACRES
MEDIAN LOT SIZE	25,000 S.F. - 50,000 S.F.	25,000.18 S.F.
MINIMUM LOT SIZE	40%	40%
MINIMUM OPEN SPACE (% OF TOTAL)	282,857.6 S.F. (6.48 AC)	290,866.9 S.F. (6.68 AC)
MINIMUM OPEN SPACE (AREA)	28,295.8 S.F. (MAX 10%)	27,585 S.F. (0.59)
MINIMUM LOT SIZE	15,000 S.F.	19,296.5 S.F.
PERCENTAGE OF LOTS LESS THAN 20,000 S.F.	10% MAXIMUM	5.6%
MINIMUM BUILDING SEPARATION	50'	50'
MINIMUM SETBACKS:		
FROM PROJECT BOUNDARY	50'	50'
FROM LOT LINE	15'	15'
FROM ROADWAY	35'	35'
FROM LAKE/POND	100'	100'

SITE PLAN DATA

PROJECT NAME	VACANT/AGRICULTURAL
EXISTING USES	VACANT/CATTLE GRAZING
PROPOSED USES	18 S.F. DWELLING UNITS; OPEN SPACE
LAND USE DESIGNATION (COUNTY)	ESTATE (I) RESIDENTIAL
CURRENT ZONING DESIGNATION	A-1
PROPOSED ZONING DESIGNATION	A-1 OPEN SPACE OVERLAY DISTRICT
NET PROPERTY AREA	707,144 S.F. (16.24 AC)
GROSS PROPERTY AREA	784,980 S.F. (18.00 AC)
PROPOSED DENSITY (GROSS/NET)	1.0 D.U. PER AC. / 110 D.U. PER AC.

NOTES

1. ESSENTIAL DEVELOPMENT SHALL ADHERE TO ANTI-MONOTONY, WALL AND COLUMN COLORS TO MATCH RIVERSTONE PER DEVELOPMENT AGREEMENT.
2. MINIMUM SETBACK FOR POOLS ARE 10' FROM THE REAR OF THE PROPERTY.
3. MINIMUM SETBACK FOR POOLS ARE 10' FROM THE REAR OF THE PROPERTY.
4. PETITIONER WILL PRESENT EVIDENCE IN AN AGREEMENT THAT ANY DEVELOPMENT SUCCESSORS IN THE TITLE ARE BOUND TO THE APPROVAL OF SAID MASTER PLANNED DEVELOPMENT COVENANT SHALL BE PROVIDED ALONG WITH SAID UNITY OF TITLE OR UNIFIED CONTROL AGREEMENT.
5. AND THAT IT SHALL BE MAINTAINED IN A MANNER WHICH WILL ENSURE THAT IT IS SUITABLE FOR ITS INTENDED PURPOSES.
6. PER SEC. 12-299.3(1) OPEN SPACE IS TO BE RECORDED AS ENFORCEABLE BY THE TOWN SO SUCH LAND IS PERPETUALLY KEPT IN AN OPEN STATE.
7. AFFECTED PROPERTY OWNERS' PLAN WILL BE REVIEWED AND APPROVED BY THE TOWN COUNCIL.

SITE PLAN
 1" = 50'
 8-21-2014
 14-118.01
 SP-01
 03

RESUBMITTED FOR APPROVAL
 AUGUST 19, 2015

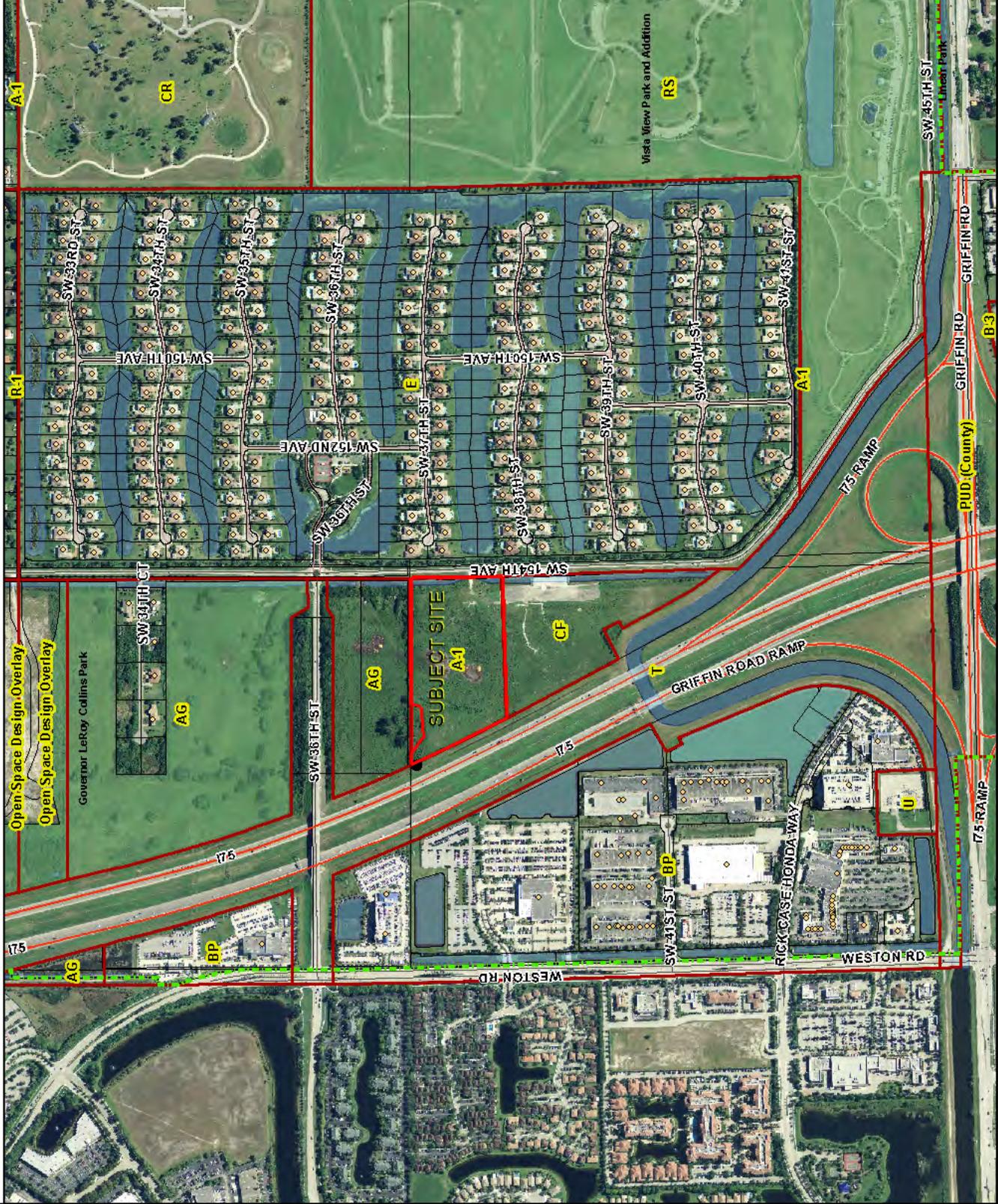
Zoning Map



- Address points
- Town Boundary
- Zoning
- Streets
- DEDICATION
 - STATE RD
 - COUNTY RD
 - LOCAL PAVED RD
 - LOCAL UNPAVED RD
 - PRIVATE RD
- Pre-Annexation Agreements
- Parcels
- Water_Features
- Parks and Open Space



969 ft



GIS MAP DISCLAIMER
 The information on this map is for graphical purposes only. It does not represent a legal survey and has not been prepared or is it suitable for legal, engineering, or surveying purposes. While every effort has been made to ensure that these data are accurate and reliable the Town of Davie cannot assume liability for any damages caused by any errors or omissions in the data.

MEETING NOTICE

2/2/15

(Address)

Re: *Citizen Participation Plan Meeting for Temple View Estates*
Project Number: 2014-00050320

Dear Neighbor:

This letter is to invite you to a citizen participation meeting relating to Temple View Estates for a 16-acre parcel located on South Post Road between Griffin Road and South Post Road, immediately north of the LDS Ft. Lauderdale Temple, per the attached Location Map and Site Plan. Temple View Estates is a new gated community with 18 estate homes on large lots, in accordance with the Town of Davie's Rural Lifestyle Regulations.

Under a Town of Davie ordinance, the petitioner is required to hold two (2) citizen participation meetings and send notice to all property owners within 1,000 feet of the subject site prior the Town initiating their review of the application. We have scheduled the following meetings.

First Citizen Participation Meeting:

 Date: February 13, 2015

 Time: 7 p.m.

 Location: Ivanhoe Community Center, 6101 SW 148 Avenue, Davie, Florida 33331

Second Citizen Participation Meeting:

 Date: February 20, 2015

 Time: 7 p.m.

 Location: Ivanhoe Community Center, 6101 SW 148 Avenue, Davie, Florida 33331

If you wish to submit written comments, please send them to:

Deseret Holdings, LLC
2334 Weston Road, Suite 212
Weston, Florida 33326
(954) 444-3600

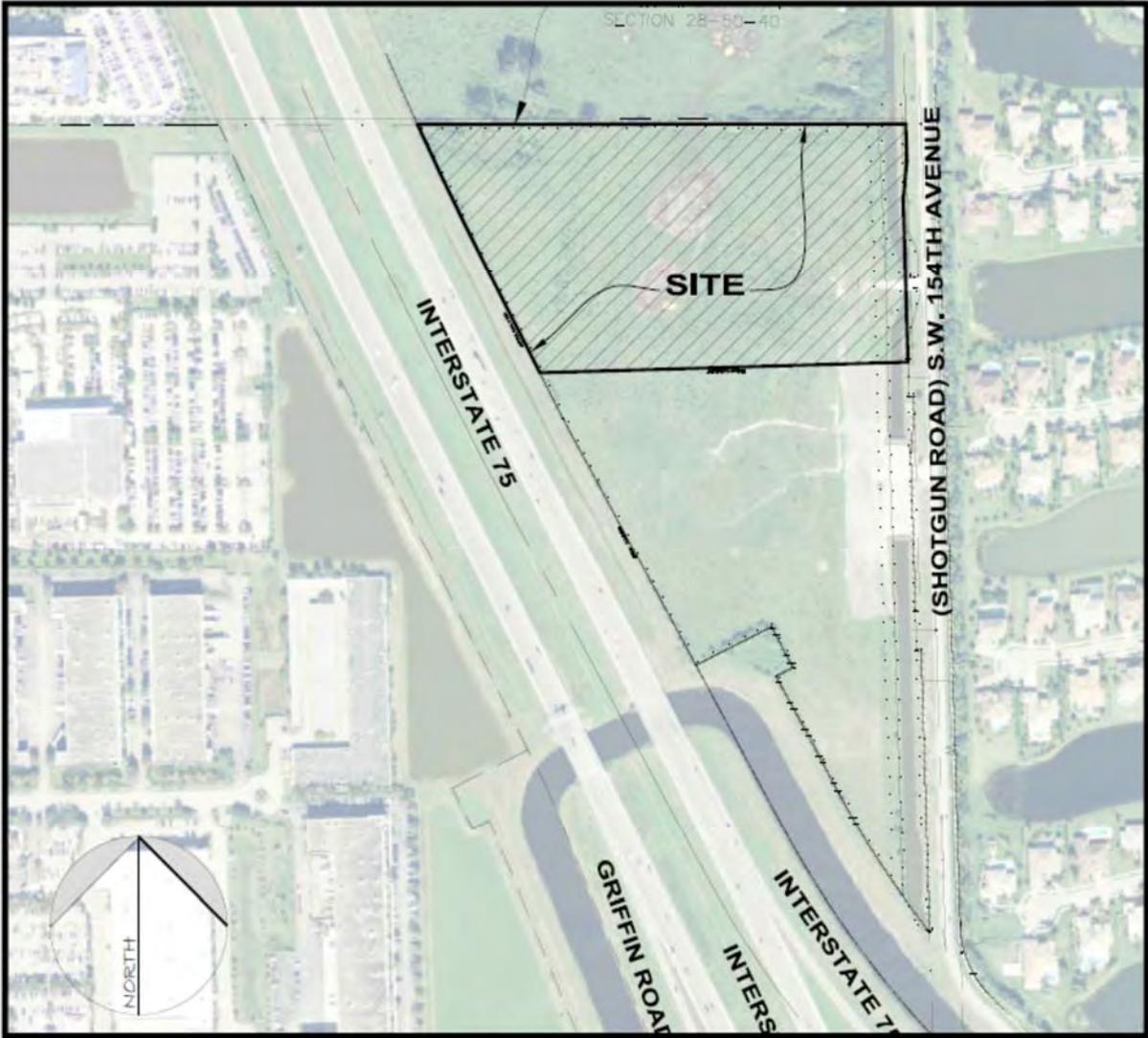
Also, please be advised that there will be additional opportunities for public input at the Town of Davie Public Hearings.

Sincerely,

Tod Workman

Attachments: Location Map, Site Plan

(MEMBERS OF TOWN COUNCIL MAY BE PRESENT)



LOCATION MAP

SECTION 28, TOWNSHIP 50S, RANGE 40E

TOWN OF DAVIE – PUBLIC PARTICIPATION MEETING I

SUMMARY OF DISCUSSIONS TEMPLE VIEW ESTATES (2014-00050320)

DATE: February 13, 2015
TIME: 7 p.m.
LOCATION: Ivanhoe Community Center
6101 SW 148th Avenue, Davie, Florida 33331

ATTENDEES:

Tod Workman (applicant)	2334 Weston Road, Ste. 212, Weston, FL 33326	(954) 444-3600
Stephen Greene (resident)	15343 SW 37 St., Davie FL 33331	(954) 496-3468
Shirley Greene (resident)	15343 SW 37 St., Davie FL 33331	(954) 496-3468
Caesar Rincon (resident)	15315 SW 39 St., Davie, FL 33331	(954) 607-9967
Scott Wright (resident)	2311 SW 97 Lane, Davie, FL 33324	(305) 632-2990

MINUTES:

- After welcoming attendees and introductions, Mr. Workman stated that the meeting is a requirement of the Town of Davie Public Participation Section of the Land Development Code, in accordance with Ordinance No. 2004-31, and then read Section 12-319.5, Purpose and Intent. Workman presented the project, as submitted to the Development Review Committee, including the project location, proposed site plan, engineering plan, landscape plan, and architectural plans. The presentation also included discussion of the lot layout, entry gates, and landscape wall/berm along I-75. Mr. Workman then asked for any comments and/or suggestions.
- Mr. Greene initiated the resident response with a positive reaction to the project. He mentioned that Lennar had come to an HOA meeting proposing higher density along Shotgun Road. He stated that he was very pleased to see the density of this project consistent with the area. Continuing, he noted that this small-scale development shouldn't have an impact on traffic, and that having the gated entry was very important. He also indicated that he occasionally hears I-75 traffic in the morning at his home in Riverstone, east of Shotgun Road. Mr. Workman noted that the completed project will obstruct sound transmission, certainly better than the current open pasture.

TOWN OF DAVIE – PUBLIC PARTICIPATION MEETING I

SUMMARY OF DISCUSSIONS TEMPLE VIEW ESTATES (2014-00050320)

- Mr. Workman answered some questions from the residents regarding the plans (size of units, width of I-75 buffer, public access to archaeological site parcel, and fence along temple). Additionally, the schedule of approvals was discussed, with land development starting following Town Council approval.

- Mr. Greene made some suggestions for the proposed development:
 - Offering smart-home systems for each model;
 - Creating a ‘trap’ using barrier arms to prevent tail-gating through the entry gates;
 - Adding a gate for the pedestrian gate as well – noting that Riverstone was lacking this.

The Public Participation Meeting I Sign in Sheet is attached.

Mr. Workman received one phone call prior to Public Participation Meeting I from Pedro at 786-256-3292, inquiring about a new home for his family.

No letters were received prior to Public Participation Meeting I.

SIGN IN SHEET
PUBLIC PARTICIPATION MEETING I

Temple View Estates
Project Number: 2014-00050320

February 13, 2015

NAME	ADDRESS	PHONE
Tod Workman	2334 Weston Road, Suite 212 Weston, Florida 33326	(954) 444-3600
Steve Greene	15343 SW 37 ST.	305 799-2742
SHARLEY GREENE	" " " "	305 496-3468
CJ HUGHES	1021 SW 124 WAY	954 605 5606
CESAR RINCON	15315 SW 39 ST	305 607 9967

TOWN OF DAVIE – PUBLIC PARTICIPATION MEETING II

SUMMARY OF DISCUSSIONS TEMPLE VIEW ESTATES (2014-00050320)

DATE: February 20, 2015
TIME: 7 p.m.
LOCATION: Ivanhoe Community Center
6101 SW 148th Avenue, Davie, Florida 33331

ATTENDEE:

Tod Workman (applicant) 2334 Weston Road, Ste. 212, Weston, FL 33326 (954) 444-3600

MINUTES:

No one attended Public Participation Meeting II; therefore there is no summary of discussions.

The Public Participation Meeting I Sign in Sheet is attached.

Mr. Workman participated in several telephone calls and communicated via email with Riverstone Home Owners Association Vice-President Art Waganheim, one telephone call with Riverstone Home Owners Association President Lauren Villegas, and appeared before numerous attendees at the Riverstone Home Owners Association Meeting on February 19, 2015, where he presented the project, as submitted to the Development Review Committee, including the project location, proposed site plan, engineering plan, landscape plan, and architectural plans. lot layout, entry gates, and landscape wall/berm along I-75.

Clarifications and positive responses discussed with Mr. Waganheim and at the Riverstone Association Meeting are as follows:

1. A left turn lane will be provided as part of the project.
2. The project is designed not to allow expansion to the adjacent vacant parcels.
3. The berm along the east property line that was installed as part of the LDS Temple project will remain, the existing access in the berm will be restored, and the proposed access will be designed to match the existing berm.
4. The proposed I-75 buffer combining a berm and a sound wall with landscaping, as well as new home structures will reduce I-75 noise transmission to Riverstone.
5. New home prices will be approximately \$850,000 to over \$1 million.
6. Single-story model homes submitted to the Town are about 4,100 s.f. to over 7,000 s.f. in total area.

TOWN OF DAVIE – PUBLIC PARTICIPATION MEETING II

SUMMARY OF DISCUSSIONS TEMPLE VIEW ESTATES (2014-00050320)

7. Construction personnel, suppliers, subcontractors, etc. will be instructed to enter the project from the south, via Orange Drive to Shotgun Road.
8. Site work will hopefully begin around June of this year.
9. All site work will be completed in one phase, including perimeter landscaping.
10. Construction/sales office will likely be located in a portion of the initial model home, as opposed to a temporary trailer.

Mr. Workman will address the following requests from Mr. Waganheim and the Riverstone Association:

1. Report the deficient condition of the turnabout on Shotgun Road, directly in front of Riverstone, to Town officials, and pursue restoration of the entire area, including landscaping, irrigation, concrete, etc., either through the Town, or possibly in association with Riverstone, the LDS Temple and Deseret Holdings.
2. Attend the Riverstone Home Owners Association Meeting again, upon receipt of final approvals, prior to commencement of construction.
3. Work with Town officials, in the project review process to address Shotgun Road lighting, and pursue street lighting directly in front of the entrance to the project.

Mr. Workman distributed the same project data that was mailed to Public Meeting invitees to all Riverstone Home Owners Association attendees, and offered to address any other comments as the project progresses.

Riverstone Home Owners Association will also issue written confirmation of our discussions and a statement of support for the project.

No letters were received prior to Public Participation Meeting II.

SIGN IN SHEET
PUBLIC PARTICIPATION MEETING II

Temple View Estates
Project Number: 2014-00050320

February 13, 2015

NAME	ADDRESS	PHONE
Tod Workman	2334 Weston Road, Suite 212 Weston, Florida 33326	(954) 444-3600

1,000 Feet Radius Buffer Map



Town Boundary

Streets

DEDICATION

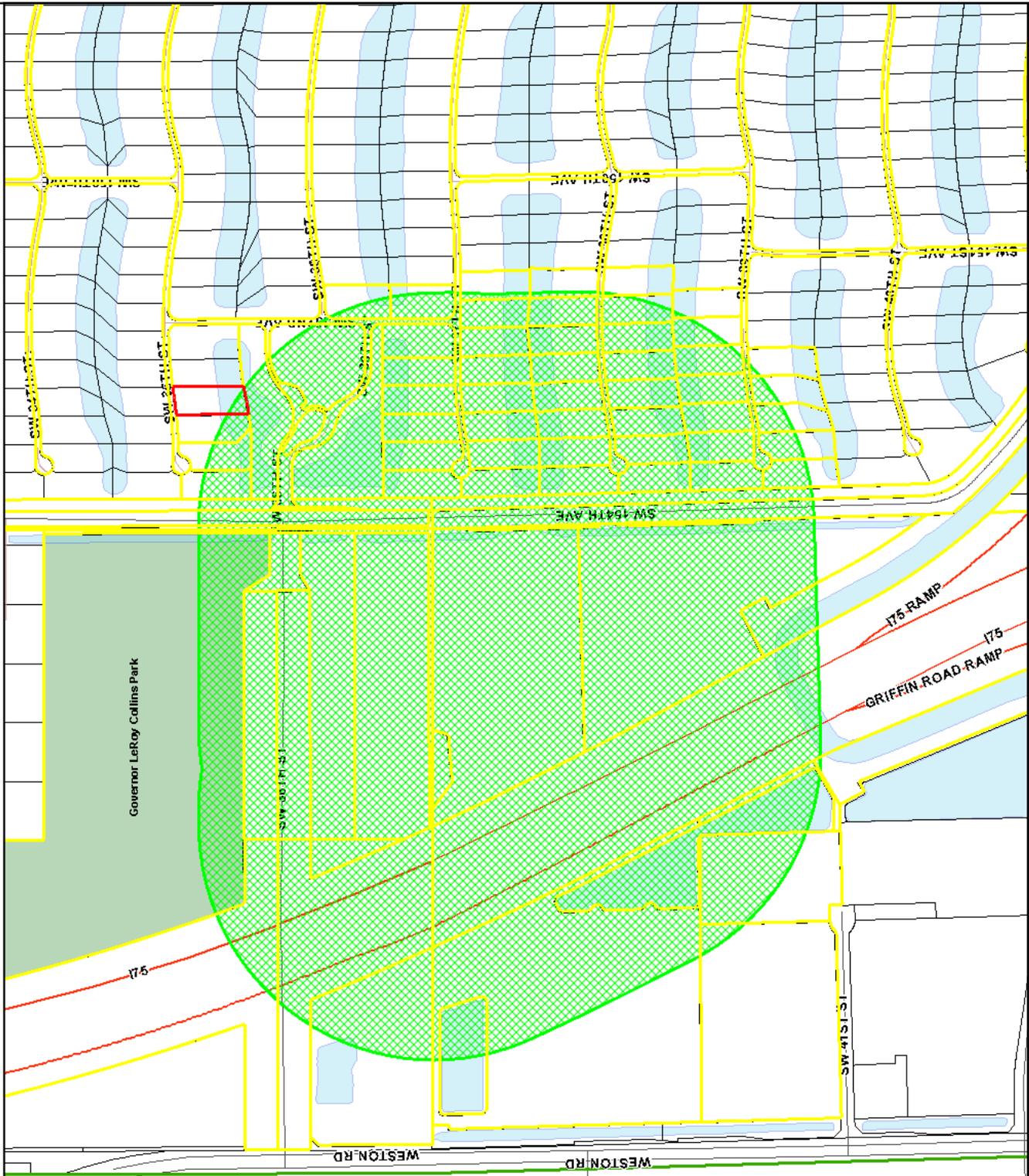
- STATE RD
- COUNTY RD
- LOCAL PAVED RD
- LOCAL UNPAVED RD
- PRIVATE RD

Parcels

Water_Features

Parks and Open Space

629 ft



GIS MAP DISCLAIMER
 The information on this map is for graphical purposes only. It does not represent a legal survey and has not been prepared or is it suitable for legal, engineering, or surveying purposes. While every effort has been made to ensure that these data are accurate and reliable the Town of Davie cannot assume liability for any damages caused by any errors or omissions in the data.

NAME	ADDRESS	CITY	ST/ZIP
ALMEIDA,JOSE R & PATRICIA M	15366 SW 38 ST	DAVIE	FL 33331
AMADOR,DAISY & PEDRO L	15239 SW 37 ST	DAVIE	FL 33331
ARCILA,JAVIER H/E	15196 SW 37 ST	DAVIE	FL 33331
ASKINS,KEITH B & PAULINA	15243 SW 39 ST	FORT LAUDERDALE	FL 33331
BMS DAVIE LTD	PO BOX 25025	GLENDALE	CA 91221
BROCK,LINDA	15256 SW 37 ST	DAVIE	FL 33331
BROWARD COUNTY	115 S ANDREWS AVE RM 326	FORT LAUDERDALE	FL 33301
BRYAN,RUTH	15175 SW 37 ST	DAVIE	FL 33331
CHURCH OF JESUS CHRIST OF LATTER	50 E NORTH TEMPLE ST RM 1100	SALT LAKE CITY	UT 84150
COTO,RAMIRO JR & YEZENIA	15121 SW 38 ST	DAVIE	FL 33331
DALAL,AZHAR	15358 SW 37 ST	DAVIE	FL 33331
DEBRITTO,KENNETH	15222 SW 37 ST	DAVIE	FL 33331
DECHURCH,GREGORY &	15161 SW 39 ST	DAVIE	FL 33331
DELIZZA,ROBERT G & JOANNE C	15324 SW 37 ST	DAVIE	FL 33331
DESERET CORP	8351 EMERALD WINDS CIR	BOYNTON BEACH	FL 33473
DESERET HOLDINGS LLC	1440 CORAL RIDGE DR STE 441	CORAL SPRINGS	FL 33071
DESERET HOLDINGS LLC	1440 CORAL RIDGE DR STE 441	CORAL SPRINGS	FL 33071
EVANS,LILIETH	3377 SEABREEZE LN	MARGATE	FL 33063
FLORIDA DEPT OF TRANSPORTATION	3400 W COMMERCIAL BLVD	FORT LAUDERDALE	FL 33309
GABARDA,MANNY A & EVA M	15396 SW 38 ST	DAVIE	FL 33331
GARCIA,PAOLA S	15254 SW 38 ST	DAVIE	FL 33331
GORDON,DAVID O & SANDRA M H/E	15368 SW 35 ST	DAVIE	FL 33328
GRANDA,LILLIAM	15205 SW 37 ST	DAVIE	FL 33331
GREENE,STEPHEN M & SHIRLEY A	15343 SW 37 ST	DAVIE	FL 33331
GUERRERO,ANGELICA &	15220 SW 39 ST	DAVIE	FL 33331
GUR,MICHELE	15201 SW 39 ST	DAVIE	FL 33331
GUZMAN,JORGE & MARJORIE	15292 SW 38 ST	DAVIE	FL 33331
HORGAN,SHARON	15197 SW 38 ST	DAVIE	FL 33331
IBARS,OSCAR & LOURDES	15266 SW 35 ST	DAVIE	FL 33331
JACKSON,JOSE F & BELLIAMINOWA V	15302 SW 39 ST	DAVIE	FL 33331
KUAN,KAM FAI IP &	4279 DERBY DR	DAVIE	FL 33330
LAX,ANDREW & KATHLEEN ANN	15334 SW 35 ST	DAVIE	FL 33331
LIGER,FERDINAND & MARGUARETTE M	15216 SW 38 ST	DAVIE	FL 33331
LLINET INC	15338 SW 39 ST	DAVIE	FL 33331
LOPEZ,LEONEL A & SARA ELIZABETH	15184 SW 36 ST	DAVIE	FL 33331
M S & S TOYOTA INC	4050 WESTON ROAD	DAVIE	FL 33331
MAZZOTTA,ANA LAURA G	606 BUCHANAN	CANTON	MI 48188
MCCANTS,WILLIAM &	15140 SW 38 ST	DAVIE	FL 33331
MENENDEZ,SEAN & DANIA	15159 SW 38 ST	DAVIE	FL 33331
MURIEL,CARLOS O &	PO BOX 840405	HOLLYWOOD	FL 33084
NEYDA BARBARITA	4851 E 8 AVE	HIALEAH	FL 33013
PARRA,RAMIRO ANTO &	15330 SW 38 ST	DAVIE	FL 33331
PAUL,PATRICK & CYNTHIA H	15349 SW 38 ST	DAVIE	FL 33331
PAZOS,JOSE MANUEL QUINTAS	5178 NW 106 AVE	DORAL	FL 33178
PLANTATION SALES INC	3650 WESTON ROAD	DAVIE	FL 33331
PLEASANT AVENUE LLC	2400 E COMMERCIAL BLVD #820	FORT LAUDERDALE	FL 33308

POINTE WEST PROPERTY OWNERS ASSN	PO BOX 820100	PEMBROKE PINES	FL	33082
PRAZERES,JOSE A JR &	15262 SW 39 ST	DAVIE	FL	33331
PRINCIPAL LIFE INS CO	6820 LYONS TECHNOLOGY CIR #100	COCONUT CREEK	FL	33073
PUBLIC LAND	6591 ORANGE DR	DAVIE	FL	33314
RINCON,CESAR A & CLAUDIA A	15315 SW 39 ST	DAVIE	FL	33331
RIOS,WALTER	15387 SW 38 ST	DAVIE	FL	33331
RIVERSTONE HOMEOWNERS ASSN INC	11784 W SAMPLE ROAD	CORAL SPRINGS	FL	33065
RODRIGUEZ,ROBERT M & ESTHER J	15235 SW 38 ST	DAVIE	FL	33331
RODRIGUEZ,ROBERTO R & HILDA B	15357 SW 39 ST	DAVIE	FL	33331
SALAZAR,ALBERT & ISELE	15307 SW 37 ST	DAVIE	FL	33331
SALICRUP,EDILEEN	15281 SW 39 ST	DAVIE	FL	33331
SANCHEZ,MANUEL & GISELA	15275 SW 38 ST	DAVIE	FL	33331
SCHLEGEL,CINDY LOU	COUNTY RD 45 FIRE #7757 RR 2	*WALLANSTEIN ON	CA	N0B 2
SLOCUM,LOUISE V	15300 SW 35 ST	DAVIE	FL	33331
SOUTH FLORIDA WATER MANAGEMENT	PO BOX 24680	WEST PALM BEACH	FL	33416
TOWN OF DAVIE	6591 ORANGE DR	DAVIE	FL	33314
WALKER,JOSEPH FRANKLIN	15178 SW 38 ST	DAVIE	FL	33331
WHITE,KEITH &	15154 SW 37 ST	DAVIE	FL	33331

Current Occupant	ADDRESS_1	ADDRESS_2	STATE	ZIP
Current Occupant	15159 SW 38 ST	Davie	FL	33331
Current Occupant	15175 SW 37 ST	Davie	FL	33331
Current Occupant	15178 SW 38 ST	Davie	FL	33331
Current Occupant	15196 SW 37 ST	Davie	FL	33331
Current Occupant	15197 SW 38 ST	Davie	FL	33331
Current Occupant	15205 SW 37 ST	Davie	FL	33331
Current Occupant	15216 SW 38 ST	Davie	FL	33331
Current Occupant	15222 SW 37 ST	Davie	FL	33331
Current Occupant	15235 SW 38 ST	Davie	FL	33331
Current Occupant	15239 SW 37 ST	Davie	FL	33331
Current Occupant	15243 SW 39 ST	Davie	FL	33331
Current Occupant	15254 SW 38 ST	Davie	FL	33331
Current Occupant	15256 SW 37 ST	Davie	FL	33331
Current Occupant	15273 SW 37 ST	Davie	FL	33331
Current Occupant	15275 SW 38 ST	Davie	FL	33331
Current Occupant	15281 SW 39 ST	Davie	FL	33331
Current Occupant	15290 SW 37 ST	Davie	FL	33331
Current Occupant	15292 SW 38 ST	Davie	FL	33331
Current Occupant	15302 SW 39 ST	Davie	FL	33331
Current Occupant	15307 SW 37 ST	Davie	FL	33331
Current Occupant	15311 SW 38 ST	Davie	FL	33331
Current Occupant	15315 SW 39 ST	Davie	FL	33331
Current Occupant	15324 SW 37 ST	Davie	FL	33331
Current Occupant	15330 SW 38 ST	Davie	FL	33331
Current Occupant	15338 SW 39 ST	Davie	FL	33331
Current Occupant	15343 SW 37 ST	Davie	FL	33331
Current Occupant	15349 SW 38 ST	Davie	FL	33331
Current Occupant	15357 SW 39 ST	Davie	FL	33331
Current Occupant	15358 SW 37 ST	Davie	FL	33331
Current Occupant	15366 SW 38 ST	Davie	FL	33331
Current Occupant	15368 SW 35 ST	Davie	FL	33331
Current Occupant	15375 SW 37 ST	Davie	FL	33331
Current Occupant	15376 SW 39 ST	Davie	FL	33331
Current Occupant	15387 SW 38 ST	Davie	FL	33331
Current Occupant	15392 SW 37 ST	Davie	FL	33331
Current Occupant	15395 SW 39 ST	Davie	FL	33331
Current Occupant	15396 SW 38 ST	Davie	FL	33331
Current Occupant	15701 SW 41 ST	Davie	FL	33331
Current Occupant	15701 SW 41 ST	Davie	FL	33331
Current Occupant	15701 SW 41 ST	Davie	FL	33331
Current Occupant	3601 SW 152 AVE	Davie	FL	33331
Current Occupant	3625 SW 152 AVE	Davie	FL	33331
Current Occupant	3660 WESTON RD	Davie	FL	33331

RESOLUTION NO. R-2003-79

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, AND G.L. HOMES OF DAVIE ASSOCIATES IV, LTD., TO PREVENT DESTRUCTION OF AN ARCHAEOLOGICAL SITE RELATING TO THE SHOTGUN EAST PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, G.L. Homes of Davie Associates IV, LTD. propose to develop the property known as the Shotgun East Plat; and

WHEREAS, Broward County requires the preservation of the Archaeological Site #8BD52 within the Shotgun East Plat.

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 authorize the Mayor and Town Administrator to enter into an Agreement, attached hereto as Exhibit "A", between Broward County, G.L. Homes of Davie Associates IV, LTD., and the Town of Davie, whereby the Town of Davie may withhold additional building permits or certificates of occupancy for further development within the plat if the developer fails to comply with the provisions of the Agreement.

SECTION 2. The Town Administrator and Town Attorney are authorized to make and accept non-substantive revisions to the agreement in order for the agreement to be in final, recordable form.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS 24th DAY OF March, 2003.



MAYOR/COUNCILMEMBER

Attest:



TOWN CLERK

APPROVED THIS 24th DAY OF March, 2003.

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director/(954) 797-1101
Prepared by Bradley Swing, AICP, Planner II

SUBJECT: Resolution - Developers Agreement
DA 2-4-03, Shotgun East, Miller Legg & Associates, Inc./GL Homes, 4201
SW 154 Avenue/Generally located north of Orange Drive, east of I-75,
west of Shotgun Road.

AFFECTED DISTRICT: District 4

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, AND G.L. HOMES OF DAVIE ASSOCIATES IV, LTD., TO PREVENT DESTRUCTION OF AN ARCHAEOLOGICAL SITE RELATING TO THE SHOTGUN EAST PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

On February 5, 2003 Town Council passed Resolution No. R-2003-35, approving a boundary plat for Shotgun East. The plat contains an Archaeological Site, Florida Site File #8BD52, which is to be preserved as private open space in perpetuity. The developer is entering into an agreement to prevent destruction of the Archaeological Site during development of the property and to preserve the Archaeological Site as private open space. The Town is party to this Developers Agreement solely for the purpose of withholding additional building permits or certificates of occupancy for further development within the plat subject to the agreement.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: None

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

Attachments: Resolution, Archaeological Agreement, Future Land Use Map, Subject Site, Zoning and Aerial Map

Item No.

13.20

Return to: (enclose self-addressed
stamped envelope)

G.L. Homes of Davie Associates IV, Ltd.
1401 University Drive, Suite 200
Coral Springs, Florida 33071
Attn: Michael S. Sheitelman, Esq.

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

AGREEMENT

Among

BROWARD COUNTY

and

TOWN OF DAVIE

and

G.L. HOMES OF DAVIE ASSOCIATES IV, LTD.

for

ARCHAEOLOGICAL SITE SHOWN ON

SHOTGUN EAST PLAT

This is an Agreement among: BROWARD COUNTY, a political subdivision of the State of Florida, its successors and assigns, hereinafter referred to as "COUNTY," through its Board of County Commissioners,

The TOWN OF DAVIE, a municipal corporation created and existing under the laws of the State of Florida, its successors and assigns, hereinafter referred to as "TOWN", through its Town Council and Mayor,

AND

G.L. HOMES OF DAVIE ASSOCIATES IV, LTD., its successors and assigns, hereinafter referred to as "DEVELOPER."

WITNESSETH:

WHEREAS, the SHOTGUN EAST Plat, hereinafter referred to as the "Plat," was approved by the COUNTY COMMISSION on _____, a copy of the approved Plat being attached hereto as Exhibit "A"; and

WHEREAS, the Plat was approved by the TOWN on February 5, 2003; and

WHEREAS, the Plat depicts the proposed development of the real property described in Exhibit "B" attached hereto, hereinafter referred to as the "Property"; and

WHEREAS, the Plat shows the Archaeological Site # 8BD52 on that portion of the Property shown as Parcel "B" and described in Exhibit "C" attached hereto, hereinafter referred to as the "Archaeological Site"; and

WHEREAS, the approval of the Plat by the BOARD OF COUNTY COMMISSIONERS was conditioned upon DEVELOPER agreeing to prevent destruction of the Archaeological Site during development of the Property and to preserve the Archaeological Site as private open space; and

WHEREAS, the Plat is located within the boundaries of TOWN; NOW, THEREFORE,

IN CONSIDERATION of the mutual terms, conditions and promises hereinafter set forth, COUNTY, CITY and DEVELOPER agree as follows:

1. DEVELOPER agrees that the development of the Archaeological Site shall be prohibited, and that the Archaeological Site shall be preserved as private open space in perpetuity. The recording of this agreement in the Public Records of Broward County shall constitute a covenant running with the Archaeological Site in favor of COUNTY. This covenant shall touch and concern the land and shall bind the DEVELOPER, its successors, vendors, assigns, heirs, partners, subsidiaries, and affiliates. In addition to the above:
 - (a) DEVELOPER shall place a note on the face of the plat stating: "This plat contains an Archaeological Site, Florida Site File #8BD52, to be preserved as private open space in perpetuity;" and
 - (b) DEVELOPER shall delineate the Archaeological Site on the plat and identify it as "Archaeological Site #8BD52."
2. DEVELOPER agrees to retain the services of a professional archaeologist (the "Archaeologist"), who shall be approved, in writing, by the State Archaeologist, Division of Historical Resources, Florida Department of State, to monitor development activities within the Property that may adversely and materially affect the Archaeological Site.
3. (a) DEVELOPER agrees to erect a physical barrier consisting of wood or other substantial material around the Archaeological Site in order to prevent damage to the Archaeological Site during development of the Property.

Such barrier shall be constructed prior to the commencement of any filling, grading, excavation or construction activities occurring on the Property. The barrier shall be erected to a height of no less than four (4) feet and shall be brightly colored or have brightly colored flags attached.

- (b) DEVELOPER shall notify COUNTY's Development Management Division or the Broward County Historical Commission in writing, when the barrier has been erected. Within five (5) working days following receipt of this notice, appropriate personnel of COUNTY's Development Management Division or the Broward County Historical Commission shall inspect the barrier and confirm, in writing, to DEVELOPER that the barrier has been erected in accordance with the terms of this Agreement.
 - (c) DEVELOPER agrees to permit appropriate personnel of COUNTY's Development Management Division and/or the Broward County Historical Commission to periodically inspect the barrier to ensure continued compliance with the terms of this Agreement. Such inspections shall be made at reasonable times following at least twenty-four (24) hours verbal notice to DEVELOPER.
 - (d) DEVELOPER agrees to maintain the physical barrier in place until all filling, grading, excavation or construction activities immediately adjacent to the Archaeological Site have been completed.
4. All fill material used to stabilize and/or raise the elevation of the Archaeological Site shall be placed with rubber-wheeled equipment. In addition, DEVELOPER may plant trees upon and irrigate the Archaeological Site. Excavation associated with the above activities shall not exceed a depth of six (6) inches above current grade level or the archaeological sensitive level.
5. After placement of the fill, installation of irrigation, and landscaping of the Archaeological Site is complete, DEVELOPER shall notify COUNTY's Development Management Division and the Broward County Historical Commission in writing, that all required activities and site development have been completed on and immediately adjacent to the Archaeological Site. Within ten (10) working days of this written notification, COUNTY's Development Management Division or the Broward County Historical Commission staff shall verify that said work has been completed and shall confirm this, in writing, to DEVELOPER. The protective barriers shall not be removed until such confirmation is received by DEVELOPER from COUNTY's Development Management Division or the Broward County Historical Commission.
6. DEVELOPER agrees that any proposed change of grade within one hundred (100) feet of the Archaeological Site shall be monitored by the Archaeologist referred to in Paragraph 2 above. In the event that any potentially significant artifacts are uncovered, DEVELOPER agrees to cease any development activities in the immediate vicinity of the discovery site and a reconnaissance level survey and assessment of the discovery site shall be conducted by the Archaeologist. Said survey and assessment shall be submitted by the DEVELOPER to the Development Management Division and the Broward County Historical Commission, the local government having jurisdiction and the State Division of Historical

Resources for review and approval of the assessment, which approval shall not be unreasonably withheld. If the Archaeologist determines, and the reviewing agencies concur, that the discovery site is not significant, development activities may resume, with the appropriate archaeological monitoring. If the reviewing agencies do not notify DEVELOPER in writing that the discovery site is significant within thirty (30) days after receipt of the survey and assessment, then, in that event, the discovery site shall be deemed insignificant and development activities may resume with appropriate archaeological monitoring. If the discovery site is determined to be significant according to the approved Archaeologist's assessment, DEVELOPER shall, within thirty (30) days of the approval of such assessment by reviewing agencies, take one of the following actions:

- (a) Preserve the discovery site by modifying the approved Plat to include the location of the discovery site within the Archaeological Site, or enter into an agreement, in a form acceptable to COUNTY and TOWN, which agreement shall include the location of the discovery site within the Archaeological Site. Upon a modification of the Plat or execution of the agreement by COUNTY and TOWN, development activities may resume with appropriate archaeological monitoring. DEVELOPER agrees to follow those procedures described in paragraphs 2 through 5 above to protect the new Archaeological Site; or
 - (b) Delay construction activities in the location of the discovery site in order to initiate an excavation to recover all significant artifacts at that location. Such excavation shall be supervised by the Archaeologist referred to in Paragraph 2 above and shall be conducted pursuant to all applicable federal, state and local regulations.
7. The Developer obligations contained in Paragraphs 2 through 6 of this Agreement shall terminate and be of no further force and effect when the Developer has fulfilled the obligations contained in Paragraph 4 of this Agreement and when all excavation activity of the land immediately adjacent to the Archaeological Site has been completed.
 8. The continued maintenance of the Archaeological Site shall be the responsibility of the Developer. The site shall be maintained in the same manner as other common areas within the development.
 9. DEVELOPER agrees that the development of the Archaeological Site shall be prohibited, and that the Archaeological Site shall be preserved as private open space in perpetuity.
 10. Excavation of the Archaeological Site shall be permitted only if the activity is part of bona fide archaeological research conducted by a professional archaeologist and permission has been obtained, in writing, from the State Archaeologist and the Broward County Historical Commission concurs.
 11. This Agreement, together with the SHOTGUN EAST Plat, pertains to development activities within and adjacent to Archaeological Site #8BD52, referenced as Parcel B on the SHOTGUN EAST Plat, which is to be preserved as private open

space and in perpetuity. All development activities within or adjacent to the Archeological Site shall be in accordance with this Agreement and consistent with the site plan. Improvements permitted within the Archeological Site include: (a) placement of fill; (b) installation of irrigation; (c) landscaping; (d) planting of native species, to the extent possible, to re-create natural or historical habitat; and/or (e) protective or man-made barriers/fencing with the concurrence of the Broward County Historical Commission.

12. (a) If DEVELOPER fails to comply with the provisions of this Agreement, COUNTY shall provide to DEVELOPER and TOWN written notice of such failure to comply, in which event DEVELOPER shall have ten (10) working days from the date of the notice in which to cure such non-compliance. In the event DEVELOPER does not cure such non-compliance within said ten-day period, TOWN may withhold additional building permits or certificates of occupancy for further development until the default is corrected. If COUNTY or TOWN determines that such a default may be endangering the archaeological resource, COUNTY or TOWN shall be entitled to an injunction to prevent DEVELOPER from damaging or permitting the damage of the archaeological resource.
- (b) The parties agree that if the archaeological resources of the site are damaged as a result of any default of this Agreement by DEVELOPER, COUNTY or TOWN may require DEVELOPER to take action to mitigate such damage. Necessary mitigation shall be determined by COUNTY in consultation with the Archaeologist described in paragraph 2 and the Division of Historical Resources.
13. COUNTY agrees that this Agreement satisfies the requirements of Section 5-198(j)2 of the Broward County Land Development Code with respect to the protection of archaeological sites.
14. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.
15. All notices required by this Agreement shall be delivered by U.S. Mail or hand-delivered to the parties at the following addresses:

To COUNTY:

Director, Development Management Division of Broward County
115 South Andrews Avenue, Room 321
Fort Lauderdale, Florida 33301

Director of Broward County Engineering Division
115 South Andrews Avenue, Room 321
Fort Lauderdale, Florida 33301

To TOWN:

Tom Willi
Town Administrator
Town of Davie
6591 Orange Drive
Davie, FL 33314-3399

To DEVELOPER:

G.L. Homes of Davie Associates IV, Ltd.
c/o Kevin Ratterree, Vice President
1401 University Drive, Suite 200
Coral Springs, FL 33071

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the _____ day of _____, 2002, and TOWN, signing by and through its Mayor and Town Manager, duly authorized to execute same, and DEVELOPER signing by and through the Vice President of G.L. Homes of Davie IV Corporation, the General Partner of G.L. Homes of Davie Associates, IV, Ltd., duly authorized to execute same.

COUNTY

ATTEST:

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

County Administrator and
Ex-Officio Clerk of the
Board of County Commissioners
of Broward County, Florida

By: _____
Chair

_____ day of _____, 2003

Approved as to form by
Office of County Attorney
Broward County, Florida
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-6968

By: _____
Assistant County Attorney

AGREEMENT AMONG BROWARD COUNTY AND THE TOWN OF DAVIE AND G.L. HOMES OF DAVIE ASSOCIATES IV, LTD. FOR ARCHAEOLOGICAL SITE SHOWN ON SHOTGUN EAST PLAT

TOWN

WITNESSES:

TOWN OF DAVIE

Nina B. Valdez

By: [Signature]
Mayor

Nina B. Valdez

24th day of March, 2003

ATTEST:

[Signature]
Town Clerk

By: [Signature]
Town Manager

24th day of March, 2003

(CORPORATE SEAL)

APPROVED AS TO FORM:

By: [Signature]
City Attorney

STATE OF FLORIDA)
COUNTY OF BROWARD)

SS.

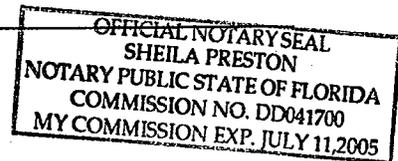
BEFORE ME personally appeared Thomas TRUEX as Mayor and Thomas Willi as Town Manager of TOWN OF DAVIE, both known to me to be the person(s) described in and who executed the foregoing Agreement and acknowledged to and before me that they executed same for the purposes expressed herein. They are personally known to me or have produced _____ as identification and did/did not take an oath.

NOTARY PUBLIC:

(Seal)

Sheila PRESTON
Print Name
Commission No: _____

My Commission Expires:



AGREEMENT AMONG BROWARD COUNTY AND THE TOWN OF DAVIE AND G.L. HOMES OF DAVIE ASSOCIATES IV, LTD. FOR ARCHAEOLOGICAL SITE SHOWN ON SHOTGUN EAST PLAT

Witnesses:

Kevin Rattner

KEVIN RATTNER
Print name

Eileen S. Hornbake

Eileen S. Hornbake
Print name

(CORPORATE SEAL)

STATE OF FLORIDA)
) SS
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 25 day of February 2003, by Alan J. Fant, as Vice President of G.L. Homes of Davie IV Corporation (a Florida Corporation and general partner of GL Homes of Davie Associates, IV, Ltd.), on behalf of the corporation/partnership. He is personally known to me or has produced _____ as identification.

DEVELOPER

GL HOMES OF DAVIE ASSOCIATES IV, LTD., a Florida Limited Partnership

By: G.L. Homes of Davie IV Corporation, a Florida Corporation, general partner

By: Alan J. Fant V.P.

Print Name: Alan J. Fant
Title: Vice-President
Address: 1401 University Drive, Suite 200, Coral Springs, FL 33071

this 25 day of February 2003

NOTARY PUBLIC:

Carol DeLuca

Print name:

Commission No:

CAF#247
08/22/96
FTL:803856:3

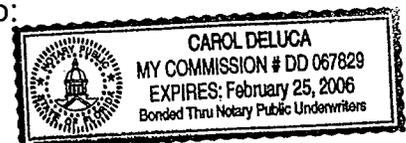


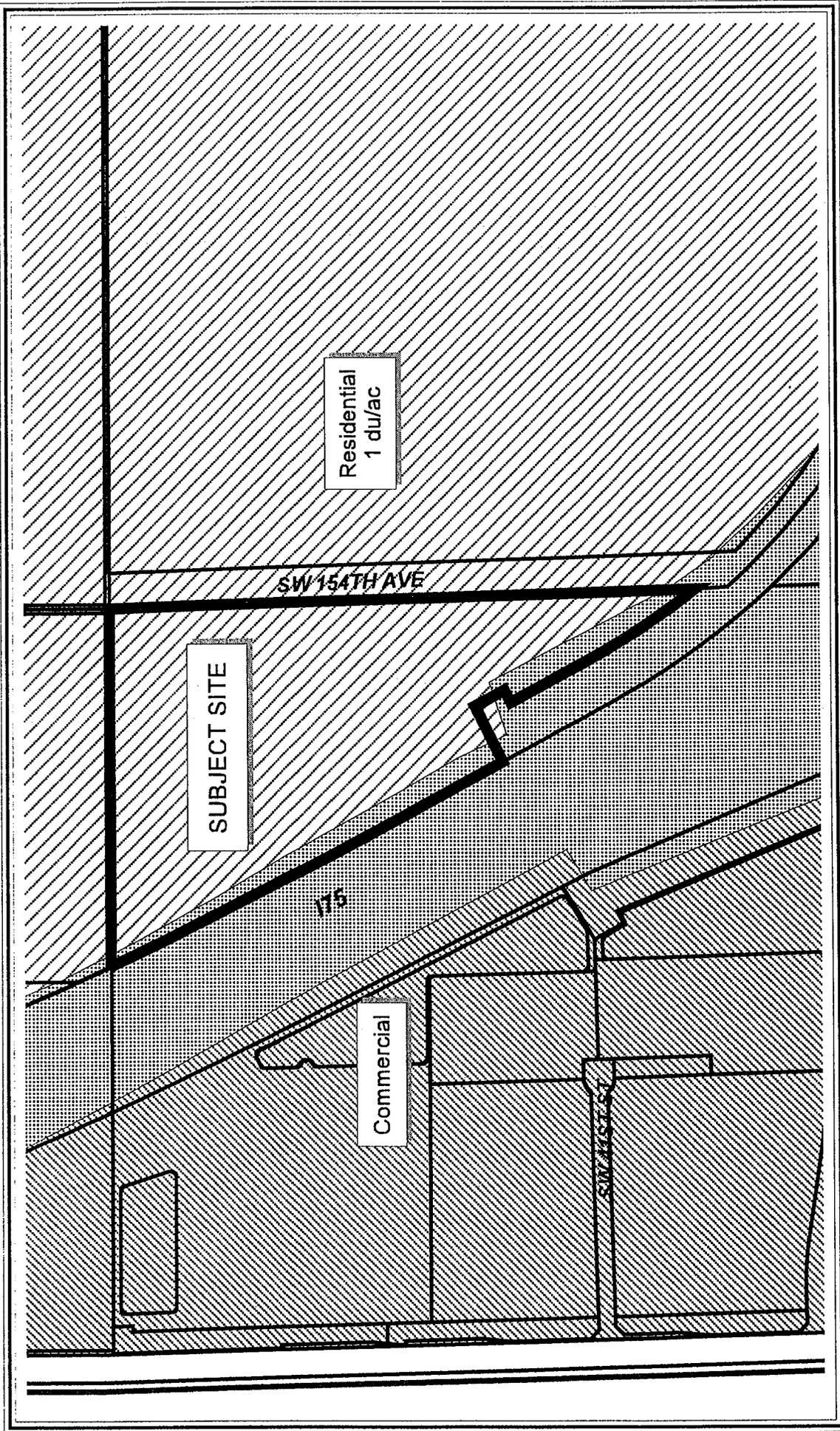
EXHIBIT "B"

Legal Description

A PORTION OF SECTION 28, TOWNSHIP 50 SOUTH, RANGE 40 EAST, BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

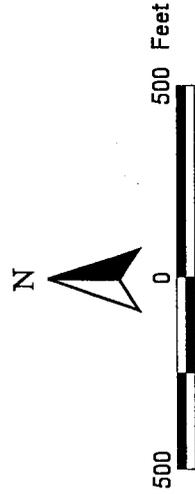
BEGINNING AT THE NORTH QUARTER (N 1/4) CORNER OF SAID SECTION 28; THENCE ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 28, (BEARING BASIS) SOUTH 01°41'25" EAST 2105.08 FEET TO A POINT ON A 2375.23 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS NORTH 51°39'33" EAST; THENCE ALONG THE EASTERLY BOUNDARY OF A 170 FOOT CANAL RIGHT OF WAY PER D.O.T. RIGHT OF WAY MAP SEC. 86075-2403 AS DESCRIBED IN OFFICIAL RECORD BOOK 9527, PAGE 976 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, THE FOLLOWING FIVE (5) COURSES: (1) NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°24'28" AN ARC DISTANCE OF 431.47 FEET TO A POINT OF NON-TANGENCY; (2) NORTH 28°13'11" WEST 344.55 FEET; (3) NORTH 63°12'46" EAST 50.02 FEET; (4) NORTH 28°13'11" WEST 120.00 FEET; (5) SOUTH 63°12'46" WEST 220.07 FEET; THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE 75 PER D.O.T. RIGHT OF WAY MAP SEC. 86075-2403 AS DESCRIBED IN OFFICIAL RECORD BOOK 9527, PAGE 978 OF SAID PUBLIC RECORDS, THE FOLLOWING THREE (3) COURSES: (1) NORTH 28°13'11" WEST 730.23 FEET; (2) NORTH 26°47'14" WEST 428.01 FEET TO A POINT OF CURVATURE OF A 11224.16 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; (3) NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°10'18" AN ARC DISTANCE OF 425.43 FEET TO A POINT OF NON-TANGENCY; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF SECTION 28, NORTH 89°55'01" EAST 1267.58 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING, AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA AND CONTAINING 1,453,177 SQUARE FEET (33.360 ACRES) MORE OR LESS.

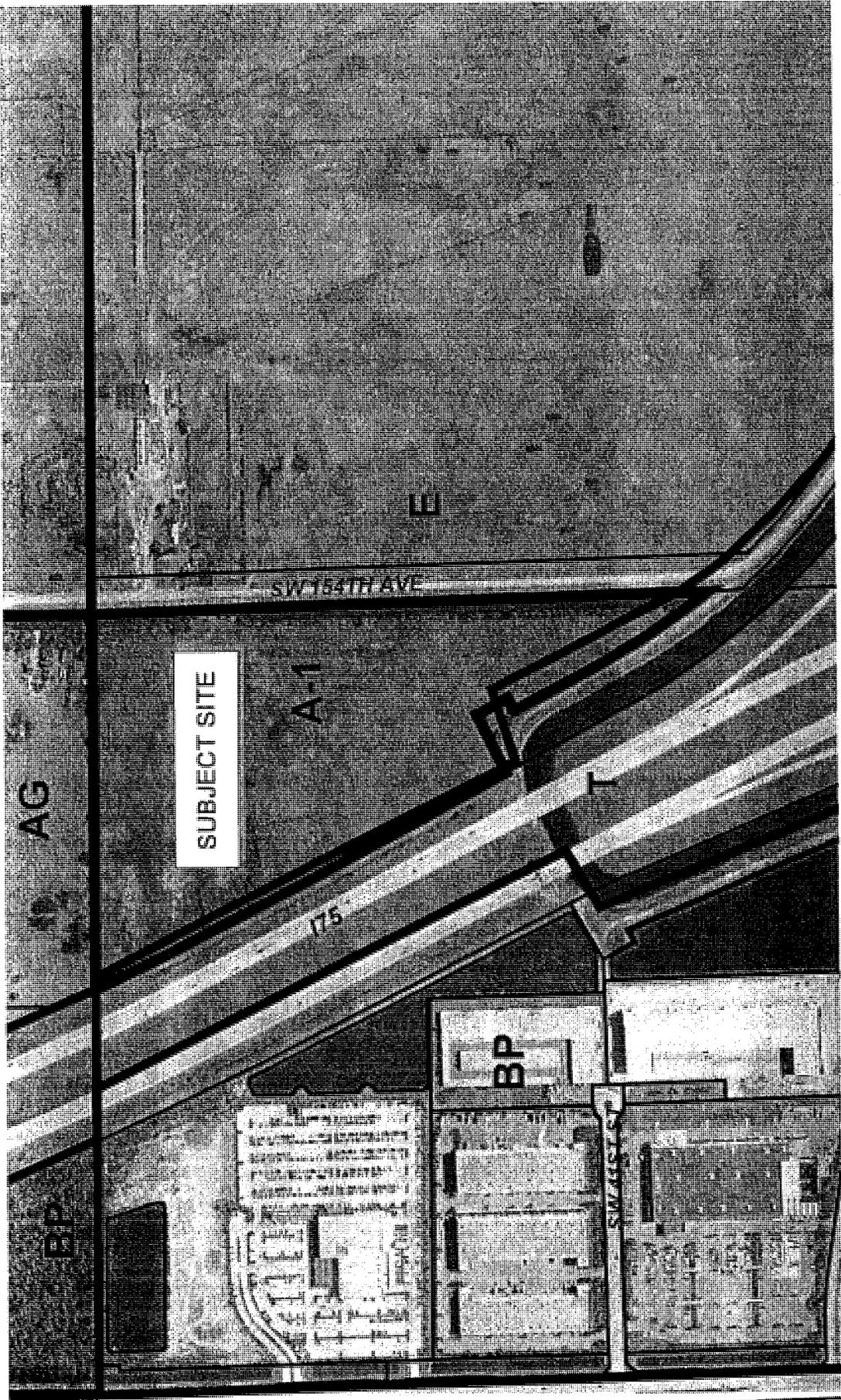


Developer's Agreement
DA 2-4-03
Future Land Use Map

Prepared by: ID
 Date Prepared: 3/5/03



Planning & Zoning Division - GIS



DEVELOPER'S AGREEMENT
DA 2-4-03
Zoning and Aerial Map

Prepared by: ID
 Date Prepared: 3/5/03



Date Flown:
 12/31/01

N 

500 0 500 Feet

Planning & Zoning Division - GIS

RESOLUTION NO. R-2011-226

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO ENTER INTO A DEVELOPERS AGREEMENT WITH CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; TO MEMORIALIZE CONDITIONS DURING THE ENTITLEMENT PROCESS OF THE PROJECT KNOW AS "LATTER-DAY SAINTS TEMPLE/SHOTGUN EAST RESIDENTIAL"; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Church of Jesus Christ of Latter-Day Saints (LDS) is the owner of the property know as the Shotgun East Plat (Plat Book 173, Page 75, B.C.R.) located on the west side of Shotgun Road (Southwest 154th Avenue), south of Southwest 36th Street; and

WHEREAS, LDS intends to divide the said plat into two separate parcels, the southernmost parcel as a Temple and the northernmost parcel for residential use; and

WHEREAS, LDS intends to develop southernmost parcel and not immediately building the residential use; and

WHEREAS, LDS obtained all the necessary Town of Davie (Town) land-use approvals to develop both parcel with the project known as "Latter-Day Saints Temple/Shotgun East Estates"; and

WHEREAS, during the approval process, LDS made certain concessions to the residents, the Town and Central Broward Control District; and

WHEREAS, LDS and the Town desire to execute a developer's agreement to memorialize those concessions.

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 authorize the Mayor and Town Administrator to enter into this "Developers Agreement" for the project known as "Latter-Day Saints Temple/Shotgun East Residential" within the Town of Davie, being specifically described in the exhibits attached thereto.

SECTION 2. The Town Administrator and Town Attorney are authorized to make and accept non-substantive revisions to the agreement in order for the agreement to be in final, recordable form.

SECTION 3. This Agreement shall be recorded in the Public Records of Broward County.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS 21st DAY OF September, 2011.


MAYOR/COUNCILMEMBER

ATTEST:


TOWN CLERK

APPROVED THIS 21st DAY OF September, 2011.

PREPARED BY AND RETURN TO:
John D. Voigt, Esquire
Doumar, Allsworth, Laystrom, Voigt,
Wachs, Adair & Bosack, LLP
1177 S.E. Third Avenue
Fort Lauderdale, Florida 33316

DEVELOPER'S AGREEMENT

THIS DEVELOPER'S AGREEMENT ("Agreement") is entered into this 20th day of July, 2011, by and between the TOWN OF DAVIE, a municipal corporation of the State of Florida ("Davie") and Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole ("LDS").

WHEREAS, LDS is the owner of the property known as the Shotgun East Plat located on the west side of Shotgun Road (S.W. 154th Avenue), south of S.W. 36th Street; and

WHEREAS, LDS intends to divide the Shotgun East Plat into two separate parcels and develop the southernmost parcel as a Temple and to develop the northernmost parcel for residential use; and

WHEREAS, the residential parcel is located on the property as described on Exhibit "A" attached hereto and incorporated herein ("Residential Parcel"); and

WHEREAS, LDS has obtained all necessary land-use approvals to develop the residential parcel, but will not immediately build the residential units or otherwise further develop the property, although the residential portion of the master plan is subject to the existing expiration provisions within the Town's Code of Ordinances; and

WHEREAS, LDS intends to develop a Temple on the southern portion of the property as described on Exhibit "B" attached hereto and incorporated herein ("Temple Parcel"); and

WHEREAS, all development will adhere to approved town staff and site plan committee recommendations; and

WHEREAS, during the approval process, LDS made certain concessions to the residents, the Town of Davie, and the Central Broward Water Control District, in order to obtain the necessary approvals; and

WHEREAS, the parties desire to memorialize those concessions herein.

NOW, THEREFORE, in consideration of the developmental approvals by Davie and the covenants made by LDS and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. The homes in the residential development on the Residential Parcel will be of similar size, and of comparable style to the homes in Riverstone.
2. LDS will reasonably maintain the Residential Parcel in an aesthetically pleasing manner during the time it is vacant, subject to all Town codes and ordinances.
3. LDS will extend the landscape berm required to be constructed along Shotgun Road along the front of the Residential Parcel at the time the berm is constructed on the Temple Parcel.
4. The landscaping along Shotgun Road in front of both parcels will be comparable to or better than the Riverstone landscaping on Shotgun Road.
5. There will be no light fixtures attached above fifty-two (52') feet on the steeple on the Temple Parcel. Further, the lights on the steeple will be off by 11:00 p.m. each night on the Temple Parcel. Notwithstanding anything in this agreement to the contrary, all lighting must comply with the Town's night sky ordinance, Section 12-262.
6. LDS will fund the installation of street lights at the roundabout on Shotgun Road at the entrance to Riverstone up to a maximum contribution by LDS of \$15,000.00, payable within 60 days of approval by the Town of Davie of this Developer's Agreement. No permits shall be issued until these fees are paid to the Town of Davie.
7. To the extent possible, LDS will endeavor to route

traffic to and from the Temple Parcel by way of Griffin Road and the Orange Drive bridge.

8. LDS will route construction traffic on the Temple Parcel by way of Griffin Road and the Orange Drive bridge.
9. At its sole expense, LDS will extend the guardrail on the west side of Shotgun Road between the road and the canal as directed by the Central Broward Water Control District in accordance with their approvals of the paving and drainage plan and variances at their meeting of October 27, 2010.
10. LDS will contribute \$10,000.00 to the Town's Affordable Housing Trust Fund at the time of issuance of the first certificate of occupancy (c.o.) for a residence on the Residential Parcel. An additional \$1,500.00 per home shall be paid to the trust fund as each c.o. is issued for a residence on the Residential Parcel. LDS' aggregate contribution pursuant to this paragraph will not exceed \$29,500.00.

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one instrument. This Agreement shall be recorded in the Public Records of Broward County, Florida.

IN WITNESS WHEREOF, Davie and LDS have executed this Agreement as of the 21st day of September, 2011.

WITNESSES:

[Signature]
Name: Lusien M. [unclear]
[Signature]
Name: Sheila Preston

TOWN OF DAVIE, a municipal corporation of the State of Florida
By: [Signature]
Name: Judy Paul
Title: Mayor

Approved as to form and legal sufficiency:
[Signature]
Town Attorney John Rayson

Attest:

STATE OF FLORIDA)

COUNTY OF BROWARD)

The foregoing instrument is acknowledged before me this _____ day of _____, 201____, by _____, as _____ of the Town of Davie, a municipal corporation of the State of Florida, on behalf of the Town of Davie. He/She is personally known to me or produced _____ as identification.

Notary Public, State of Florida
Commission No. _____
My Commission Expires:

WITNESSES:

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole

Shari Quarberg
Name: SHARI QUARBERG
Donna Jarvis
Name: DONNA JARVIS

By: Dean M. Davies
Name: Dean M. Davies
Title: Authorized Agent

STATE OF FLORIDA)

COUNTY OF BROWARD)

The foregoing instrument is acknowledged before me this 20th day of 20th July, 2011, by Dean M. Davies, as

Authorized Agent of the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, on behalf of the corporation. He/She is personally known to me or produced _____ as identification.



Vicky Porter
Notary Public, State of Florida *Utah*
Commission No. 2/20/12 573383
My Commission Expires: 2/20/12



SKETCH AND LEGAL DESCRIPTION

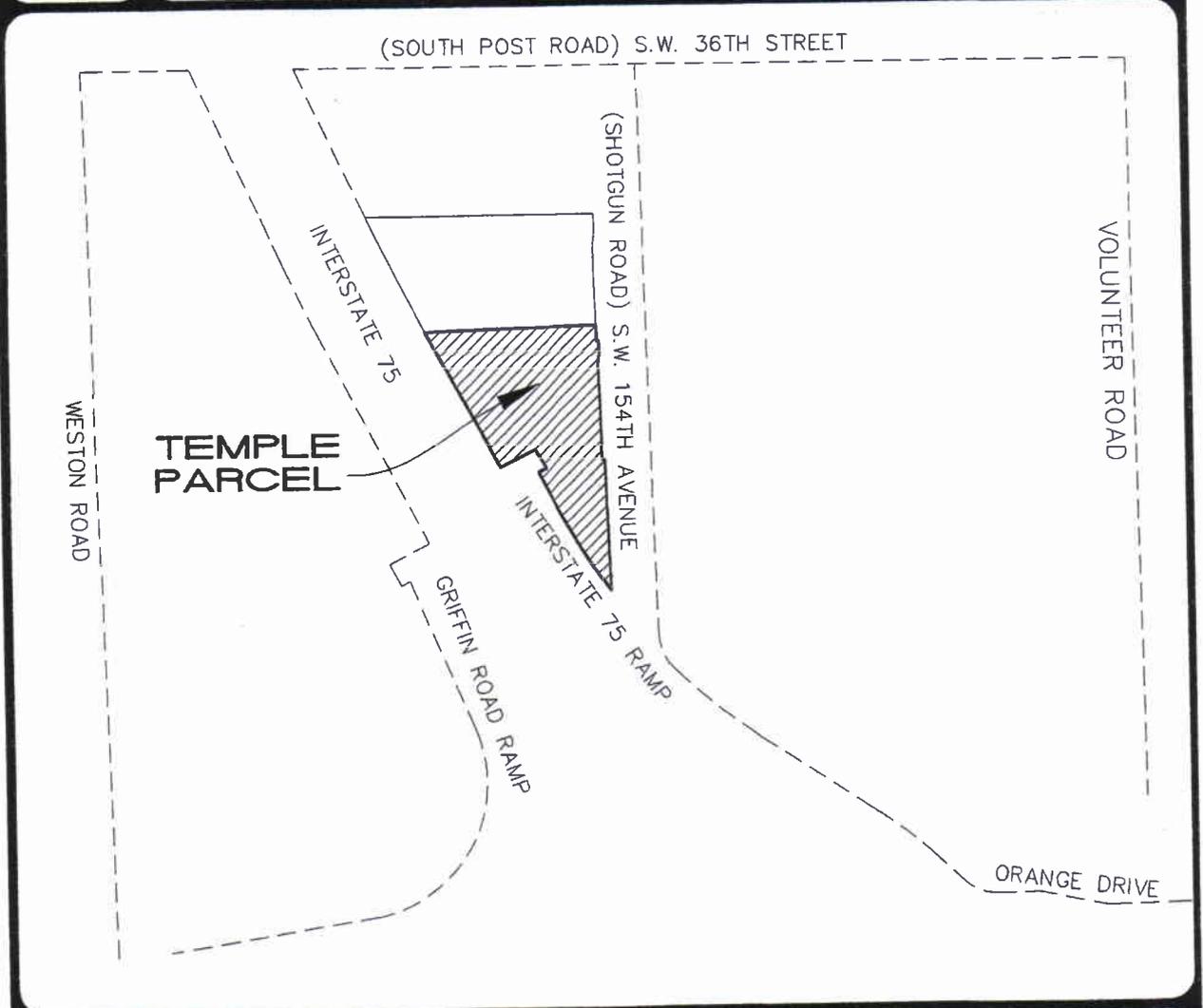
BY

PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



FILE: CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
NOT TO SCALE (LOCATION MAP)
ORDER NO.: 52959-B
DATE: 05/11/10
TEMPLE PARCEL
TOWN OF DAVIE, BROWARD COUNTY, FLORIDA
FOR: CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

SHEET 1 OF 4
 THIS DOCUMENT IS NEITHER FULL NOR
 COMPLETE WITHOUT SHEETS 1
 THROUGH 4 INCLUSIVE



SKETCH AND LEGAL DESCRIPTION

BY

PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



LEGAL DESCRIPTION: TEMPLE PARCEL

A PORTION OF PARCEL "A", "SHOTGUN EAST", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 173, PAGES 75 AND 76, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A", SAID POINT BEING THE INTERSECTION OF THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 50 SOUTH, RANGE 40 EAST WITH THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 AS DEPICTED AS PARCEL 107-R (2) ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 86075-2403, AND A POINT ON THE ARC OF A CURVE CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS NORTH 51°39'33"E; THENCE ON THE WESTERLY BOUNDARY OF SAID PARCEL "A" AND SAID EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95, THE FOLLOWING FIVE (5) COURSES AND DISTANCES; 1) NORTHWESTERLY ON THE ARC OF SAID CURVE HAVING A RADIUS OF 2,375.23 FEET, A CENTRAL ANGLE OF 10°24'28" FOR AN ARC DISTANCE OF 431.46 FEET TO A POINT OF NON-TANGENCY; 2) NORTH 28°13'11" WEST 344.55 FEET; 3) NORTH 63°12'46" EAST 50.02 FEET; 4) NORTH 28°13'11" WEST 120.00 FEET; 5) SOUTH 63°12'46" WEST 220.07 FEET TO THE INTERSECTION WITH EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75, DESCRIBED AS PARCEL 107-R-(A) IN OFFICIAL RECORDS BOOK 8300, PAGE 541, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE AND CONTINUING ON SAID WESTERLY BOUNDARY OF PARCEL "A" THE FOLLOWING TWO (2) COURSES AND DISTANCES; 1) NORTH 28°13'11" WEST 730.23 FEET; 2) NORTH 26°47'14" WEST 132.45 FEET; THENCE NORTH 88°18'35" EAST 956.62 FEET TO THE INTERSECTION WITH THE EASTERLY BOUNDARY OF SAID PARCEL "A" AND THE WESTERLY RIGHT-OF-WAY LINE OF S.W. 154TH AVENUE (SHOTGUN ROAD); THENCE ON SAID EASTERLY BOUNDARY AND SAID WESTERLY RIGHT-OF-WAY LINE, THE FOLLOWING SEVEN (7) COURSES AND DISTANCES; 1) SOUTH 01°41'25" EAST 90.68 FEET; 2) NORTH 88°18'35" EAST 12.00 FEET TO THE INTERSECTION WITH THE AFOREMENTIONED EAST LINE OF THE NORTHWEST 1/4 OF SECTION 28; 3) SOUTH 01°41'25" EAST ON SAID EAST LINE, 45.26 FEET; 4) SOUTH 05°09'09" WEST 100.72 FEET; 5) SOUTH 01°41'25" EAST 515.00 FEET; 6) NORTH 88°18'35" EAST 12.00 FEET TO THE INTERSECTION WITH THE SAID EAST LINE OF THE NORTHWEST 1/4 OF SECTION 28; 7) SOUTH 01°41'25" EAST, ON SAID EAST LINE 733.43 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA CONTAINING 732,470 SQUARE FEET (16.8153 ACRES).

NOTES:

- 1) BEARINGS ARE BASED ON THE NORTH LINE OF "SHOTGUN EAST" PLAT BEING N89°55'01"E.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND:

- R= RADIUS
- CA= CENTRAL ANGLE
- A= ARC DISTANCE
- P.B. PLAT BOOK
- PG PAGE
- O.R.B. OFFICIAL RECOREDS BOOK
- F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION

FILE: CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

SCALE: N/A

ORDER NO.: 52959-B

DATE: 05/11/10

TEMPLE PARCEL

TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

FOR: CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

SHEET 2 OF 4

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THROUGH 4 INCLUSIVE



SKETCH AND LEGAL DESCRIPTION

BY

PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

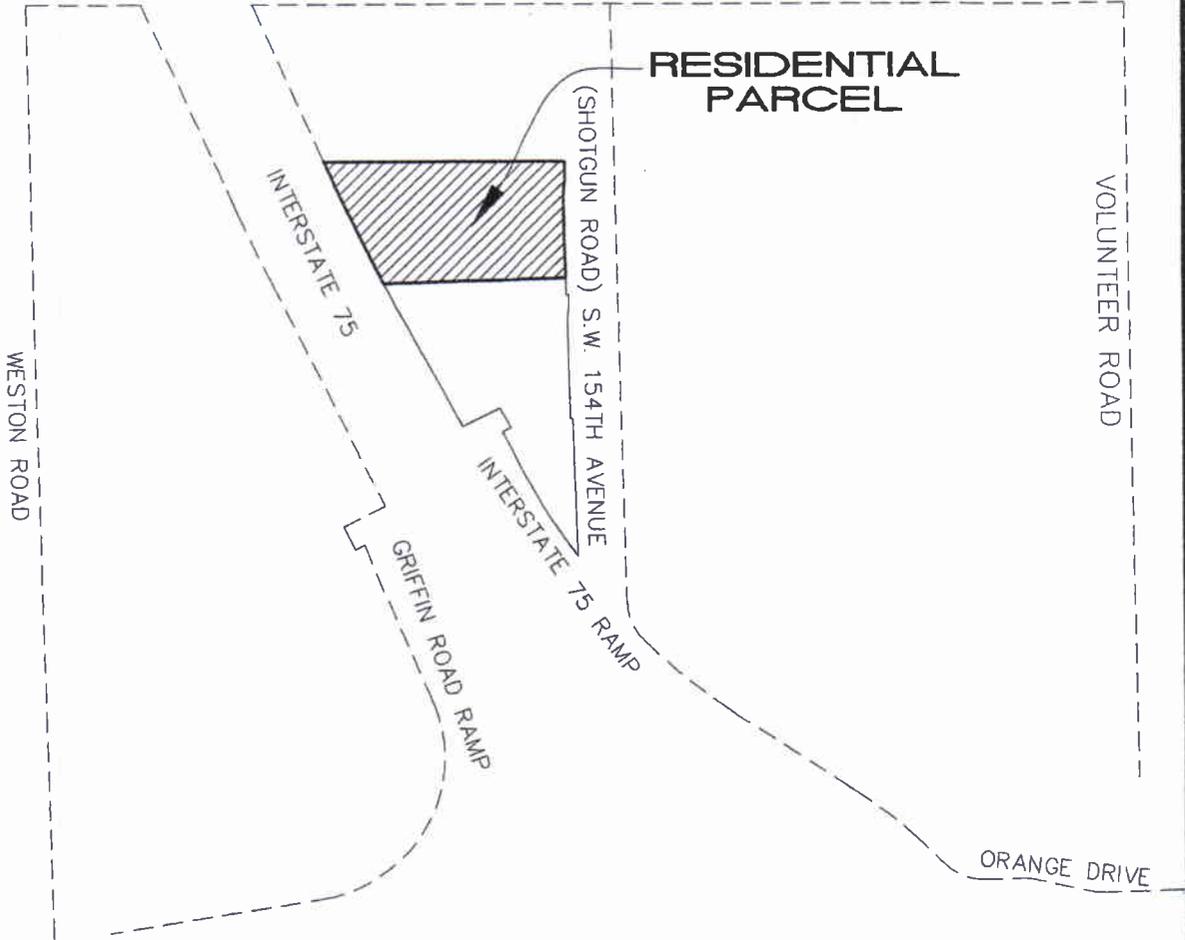
TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



(SOUTH POST ROAD) S.W. 36TH STREET

**RESIDENTIAL
PARCEL**



FILE: CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

NOT TO SCALE (LOCATION MAP)

ORDER NO.: 52959-A

DATE: 05/11/10

RESIDENTIAL PARCEL

TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

FOR: CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

SHEET 1 OF 3

THIS DOCUMENT IS NEITHER FULL NOR
COMPLETE WITHOUT SHEETS 1
THROUGH 3 INCLUSIVE

EXHIBIT "B"



SKETCH AND LEGAL DESCRIPTION
BY
PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



LEGAL DESCRIPTION: RESIDENTIAL PARCEL

A PORTION OF PARCEL "A" AND ALL OF PARCEL "B", "SHOTGUN EAST", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 173, PAGES 75 AND 76, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL "A", ALSO BEING THE NORTH QUARTER CORNER OF SECTION 28, TOWNSHIP 50 SOUTH, RANGE 40 EAST; THENCE ON THE EASTERLY BOUNDARY OF SAID PARCEL "A" AND THE WESTERLY RIGHT-OF-WAY LINE OF S.W. 154TH AVENUE (SHOTGUN ROAD), THE FOLLOWING THREE (3) COURSES AND DISTANCES; 1) SOUTH 01° 41'25" EAST ON THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 28 FOR 96.38' FEET; 2) SOUTH 05°09'09" WEST 100.72 FEET; 3) SOUTH 01°41'25" EAST 424.32 FEET; THENCE SOUTH 88°18'35" WEST 956.62 FEET TO THE INTERSECTION WITH THE WESTERLY BOUNDARY OF SAID PARCEL "A" AND THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 AS DEPICTED ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 86075-2403; THENCE ON SAID WESTERLY BOUNDARY AND SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES; 1) NORTH 26°47'14" WEST 295.56 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE NORTHEASTERLY; THENCE NORTHWESTERLY ON THE ARC OF SAID CURVE HAVING A RADIUS OF 11,224.16 FEET, A CENTRAL ANGLE OF 2°10'18" FOR AN ARC DISTANCE OF 425.44 FEET TO THE NORTHWEST CORNER OF SAID PARCEL "A"; THENCE NORTH 89°55'01" EAST ON THE NORTH LINE OF PARCELS "A" AND "B", ALSO BEING THE NORTH PLAT LIMITS OF SAID "SHOTGUN EAST", 1,267.58 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA CONTAINING 707,144 SQUARE FEET (16.2338 ACRES).

NOTES:

- 1) BEARINGS ARE BASED ON THE NORTH LINE OF "SHOTGUN EAST" PLAT BEING N89°55'01"E.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND:

R= RADIUS
CA= CENTRAL ANGLE
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P.B. PLAT BOOK
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O.R.B. OFFICIAL RECOREDS BOOK
F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION

FILE: CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

SCALE: N/A

ORDER NO.: 52959-A

DATE: 05/11/10

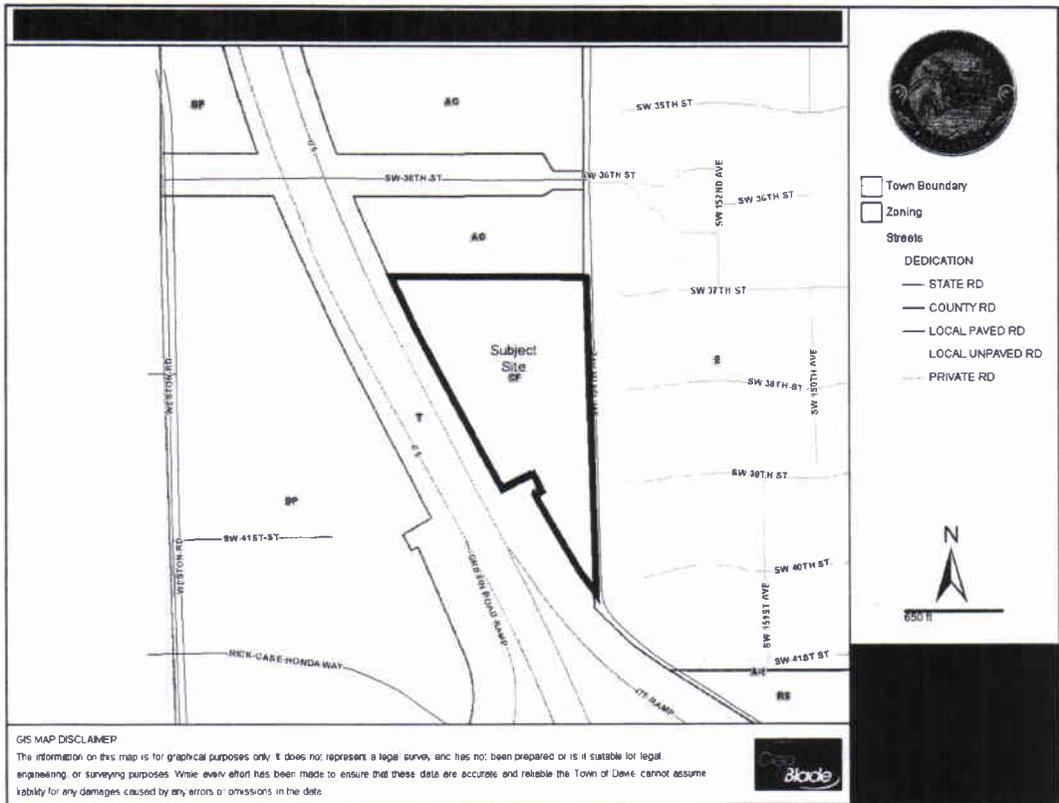
RESIDENTIAL PARCEL

TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

FOR: CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

SHEET 2 OF 3

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THROUGH 3 INCLUSIVE



GIS MAP DISCLAIMER

The information on this map is for graphical purposes only. It does not represent a legal survey and has not been prepared or is it suitable for legal, engineering, or surveying purposes. While every effort has been made to ensure that these data are accurate and reliable the Town of Deer Creek cannot assume liability for any damages caused by any errors or omissions in the data.



**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: David Quigley, AICP, Planning and Zoning Manager/(954) 797-1103

PREPARED BY: David Abramson, Deputy Planning and Zoning Manager

SUBJECT: Other - Developers Agreement

AFFECTED DISTRICT: 4

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: DEVELOPER'S AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO ENTER INTO A DEVELOPER'S AGREEMENT WITH CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; TO MEMORIALIZE CONDITIONS DURING THE ENTITLEMENT PROCESS OF THE PROJECT KNOW AS "LATTER-DAY SAINTS TEMPLE/SHOTGUN EAST RESIDENTIAL"; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (DA 11-102, Latter-Day Saints Temple/Shotgun East Residential (CF))

EXECUTIVE SUMMARY: This request is for a developer's agreement to memorialize conditions made to the Town residents and staff during the entitlement process of the development project known as "Latter-Day Saints Temple/Shotgun East Residential".

KEY POINTS:

- **The project consists of two phases (a place of worship and thirteen single-family residential lots), which required multiple development applications and complex conditions of approval.**
- **This agreement will serve to recapitulate project conditions, including concessions to the residents, the Town and Central Broward Water Control District.**
- **Per number six (6) of this agreement, the Church of Jesus Christ of Latter-Day Saints (LDS) has already contributed \$15,000.00 to the Town for installation of street lights at the roundabout on Shotgun Road.**

- **The agreement addresses the maximum height of exterior lighting attached to the building but provides that all lighting will adhere to the Town's night-sky regulations.**

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Other - Staff finds the application complete and suitable for transmittal to Town Council for further consideration.

Attachment(s): Resolution; Developers Agreement; Land Use Map; Zoning Map

From: [Tod Workman](#)
To: [Lise Bazinet](#)
Subject: RE: Temple View Estates
Date: Thursday, September 03, 2015 4:47:36 PM

Art's concern is with street lighting for all of Shotgun Road ("so that his residents will be able to see cars approaching from the north and south"), which he has apparently been working on for quite some time.

I explained to him that the Temple View Estates development could not provide Shotgun Road street lighting, and he understood.

From: Lise Bazinet [mailto:Lise_Bazinet@davie-fl.gov]
Sent: Thursday, September 03, 2015 11:23 AM
To: Tod Workman
Cc: Rosana Cordova
Subject: RE: Temple View Estates

Tod,

Could you explain how you have address all the neighbors concerns. Specially the lighting at the entrance I believe you were not including lighting on site

From: Tod Workman [mailto:tworkman@workmancorp.com]
Sent: Wednesday, September 02, 2015 4:39 PM
To: Lise Bazinet; David Abramson
Subject: FW: Temple View Estates

Art's email, per your request.

From: Art Waganheim [mailto:artwag@bellsouth.net]
Sent: Monday, February 23, 2015 9:16 AM
To: 'Judy Paul'; 'Marlon Luis'
Cc: Lauren Villegas; Tod Workman
Subject: Temple View Estates

Good morning Mayor and Councilman,

Just a quick email to let you know that the RiverStone HOA, Inc. is very satisfied and pleased, thus far, with the plans and efforts of the development team of Temple View Estates.

Mr. Tod Workman, a representative of Temple View Estates, attended and presented his plans to our Board of Directors at our Thursday, February 19th, meeting.

We look forward to seeing his development, if approved by the Town, proceed in the months ahead.

We did mention to Mr. Workman that Shotgun Road can be dark and dangerous at night due to speeding drivers and we strongly suggested his team work with the Town and FPL to get sufficient illumination of his turn lane and entrance to his community so that his residents will be able to see cars approaching from the north and south.

We also discussed that the Shotgun Road traffic circle is showing its age after ten plus years and it would be nice, and neighborly, if his HOA, our HOA, the LDS Temple, and the Town could work together to replace damaged sidewalks around the circle and replace the aging trees and shrubs. Our HOA has already hired a Landscape Architect to review our Shotgun Road berms and interior medians and also plan to get that firm's suggestions for the circle which we can share with Mr. Workman, the LDS folks, and the Town in the months ahead.

If you have any questions about our thoughts and observations, please contact me or our new RiverStone HOA President Lauren Villegas at your convenience.

FYI, I stepped down as HOA President this past December after ten years at the helm and will now be assisting Lauren as her VP.

Thank you.

Regards,

Art Waganheim
artwag@bellsouth.net
Cell: 954-873-7313