

**TOWN OF DAVIE
WORKSHOP MEETING
AUGUST 20, 2003**

The meeting was called to order at 5:38 p.m. Present were Mayor Truex, Vice-Mayor Starkey, and Councilmembers Crowley, Hubert and Paul. Also present were Town Administrator Willi, Town Attorney Kiar, and Town Clerk Muniz recording the meeting.

Planning Supervisor Marcie Nolan explained the genesis of the open space design overlay concept. She discussed the maintenance and ownership requirements of open space indicating that it could go to the Town or a not-for-profit organization. Ms. Nolan spoke of the yield plan that dictated density and of the difference between a regular site plan with 35,000 square foot lots as opposed to utilizing the open space design overlay. She indicated that the latter was driven by amenities and not the number of lots. Ms. Nolan advised that the open space design overlay's intent was to establish what was unique about the parcel of land, i.e., wetlands, archeological site or anything of value worth protecting, and included permanent preservation of that land. She stated that dedicated open space needed to be set aside by the developer with an irrevocable conveyance found acceptable by the Town Council, recorded deed restrictions, covenants that run perpetually with the land, or a conservation easement established in accordance with Florida law.

Councilmember Crowley questioned whether this was an option for the developer and whether Council could deny the developer's request and have the developer return to the traditional type of development. Ms. Nolan stated that it was a rezoning option to Council and that the developer could be denied the request.

Councilmember Paul asked if most of the open space would be along the corridors that would tie into existing trail systems. Ms. Nolan answered in the affirmative. Councilmember Paul asked about the requirement for the open space to be contiguous. Ms. Nolan read the definition of contiguous and explained the three requirements for open space: (a) adjacent to an agricultural or rural corridor such as Orange Drive, Shotgun Road, Hiatus Road, Flamingo Road, 70th and 50th; (b) adjacent to a park and/or environmentally sensitive land site; or (c) adjacent to an existing or proposed trail system of greater than 35 feet in width. She stated that in order to come before Council for rezoning, a developer must be adjacent to one of these.

Mayor Truex asked if open space needed to be next to the three items mentioned or just the development. Ms. Nolan read from the intent section which gave the parameters of the location of open space.

Councilmember Crowley asked Ms. Nolan if this item had been brought before the Open Space Advisory Committee. Ms. Nolan stated that it was brought before the Agricultural Advisory Board for their recommendations. Mayor Truex indicated that the Open Space Advisory Committee had voted to recommend denial.

Councilmember Hubert asked if any developer had come forward with a proposal. Ms. Nolan advised that one developer had come in with a proposal.

Councilmember Paul indicated that she had suggested at one time to utilize the open space for community barns and paddocks for those residents to board their horses rather than on their property. She stated that the response from developers had been that they did not feel they could sell homes as equestrian homesites. Councilmember Paul added that she felt it was time for the Town to be allowed to be innovative and attempt to maintain the open space.

Mayor Truex felt that the purpose of the workshop was to inform the newest Councilmembers. He stated that this initiative did increase density and that the will of the

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residents was to preserve the rural and equestrian lifestyle, not preserve open space. Mayor Truex indicated that open space could be used for agricultural uses such as a commercial nursery which he did not feel was actual open space. He was concerned that the open space would not remain open space indefinitely. Mayor Truex stated that open space was still blank land which might be compromised in the future. He felt that public hearings should be held to repeal the open space provision.

Councilmember Hubert asked where the properties were that she referred to. Ms. Nolan indicated that the areas were south of Griffin Road and pinpointed areas on the map further west on Flamingo Road off Orange Drive. Vice-Mayor Starkey indicated that these areas were singled out because they were parcels that were more than 20 acres in size.

Councilmember Crowley questioned whether Council's intent was to throw out the whole rural lifestyle initiative or rather to revise a few sections within the regulation. Vice-Mayor Starkey indicated that she would like this particular open space overlay design repealed. Councilmember Paul suggested revisiting the "gray" areas rather than repealing the entire initiative. She stated that she would never support anything that would be contrary to preserving the rural lifestyle and would like to continue to revisit the issue.

Mayor Truex asked Council for their suggestions. Councilmember Hubert suggested that Council continue to look at the issue. Councilmember Crowley did not want to see the whole issue thrown out, but would like to have certain items amended.

Bill Laystrom, representative of Southern Homes, indicated he was willing to be the Town's prototype for any initiative that the Town wanted.

There being no further business to discuss and no objections, the meeting adjourned at 6:38 p.m.

Approved: _____

Mayor/Councilmember

Town Clerk