

**COMPATIBILITY REVIEW**  
**“PINE ISLAND MARKETPLACE – TOWN OF DAVIE”**  
**PLANNING AND REDEVELOPMENT DIVISION STAFF REPORT**

I. PROJECT LOCATION AND SIZE

Approximately 9.895 acres located at the southeast corner of Stirling Road and Pine Island Road. The parcel is currently vacant. Please see **Attachment 1**.

II. PROJECT JURISDICTION

Town of Davie (Local Reference FX 13-58)

III. PROPERTY OWNER/REPRESENTATIVE

Cynthia L. Varat, Trustee, and Rachel J. Spear, Trustee, represented by Nectaria M. Chakas, Esq., Lochrie and Chakas, P.A.

IV. PROJECT DESCRIPTION

The applicant is seeking to develop commercial uses totaling 66,688 square feet, including the following (See **Attachment 2**):

- 39,188 square feet of grocery store (Anchor Tenant)
- 25,000 square feet of flex building to consist of a mix of retail and restaurant
- 2,500 square feet stand-alone restaurant

V. COMPATIBILITY REVIEW REQUEST

The Town of Davie seeks to utilize the Broward County Land Use Plan’s “5% Residential-to-Commercial Flexibility Rule.” The “5% Residential-to-Commercial Flexibility Rule” allows municipalities to permit office and/or neighborhood retail sales of merchandise or services on parcels no greater than 10 acres in size which are designated on the land use plan as “Residential.”

The origin of this “compatibility review” request is the City of Cooper City. Pursuant to Article 9.4 (B) of the Administrative Rules Document: Broward County Land Use Plan (ARD), the City of Cooper City, as a contiguous municipality, requested a “compatibility review” on July 23, 2013. See **Attachment 3**. The Town of Davie was notified of the City of Cooper City’s request on August 5, 2013. The Town was also notified that, pursuant to Article 9.5 of the ARD, the Town’s allocation of “Flexibility” would be subject to a public hearing by the County Commission. The application for a “compatibility review” was received by County staff on January 31, 2014.

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VI. COMPATIBILITY REVIEW CRITERIA AND STAFF ANALYSIS OF COMPLIANCE

As per Article 9.2 of the ARD, “compatibility” is defined as “a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.”

As per Article 9.3 of the ARD, compatibility determinations shall be based on the following considerations:

- (A) The density and intensity of the land use(s) resulting from the application of flexibility and the density and intensity of existing and planned land uses adjacent to the site.

STAFF ANALYSIS OF COMPLIANCE WITH CRITERIA (A)

The proposed development reflects single story commercial uses consisting of a 39,188 square foot grocery store anchor, and four (4) other detached commercial use buildings ranging in size from 2,500 square feet to 9,400 square feet. Please see **Attachment 2**.

Adjacent to the proposed development parcel are the following existing and planned uses:

	EXISTING USE	ZONING	FUTURE LAND USE
<b>NORTH</b>	David Posnack JCC Campus – north of Stirling Road	CF	Community Facility
<b>EAST</b>	Calvary Fellowship Free Will Baptist Church	CF	Residential 1 DUAC
<b>SOUTH</b>	Wetland Area	A-1	Residential 1 DUAC
<b>WEST</b>	Single Family Homes – Estada at Monterra – west of Pine Island Road	PMUD (Cooper City)	Residential 3.663 DUAC (Cooper City)

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The primary issue concerning compatibility is felt to be the interface of the proposed commercial development with adjacent existing and planned single family residential development. The nearest existing and planned single family residential property is located approximately 130 to 140 feet from the proposed commercial development parcel, west across the 4-lane divided Pine Island Road facility. These residential uses are also separated from Pine Island Road via a wall and landscape buffer. Additional single family properties are located to the south and east over 200 feet from the subject parcel, separated from the proposed commercial parcel by a wetlands area and an existing church property.

Staff finds that the interface of the existing and proposed land uses do not, in and of themselves, raise a compatibility issue, as long as proper mitigation measures are required by the municipality via the zoning and site planning process, or are offered by the property owner. Commercial retail uses located adjacent to single family residential are not uncommon. For example, the city of Cooper City currently permits such interfaces in several areas, such as at the intersection of Griffin Road and Palm Avenue, and other areas in the City. Please see **Attachment 4**, which includes information submitted by the applicant in this regard.

- (B) Comprehensive plan requirements, land development code provisions, zoning regulations, adopted design guidelines or other measures in place to ensure compatibility.

STAFF ANALYSIS OF COMPLIANCE WITH CRITERIA (B)

Information submitted with the application states that the applicant will be subject to the following mitigation measures to ensure compatibility with adjacent uses (please see **Attachment 5** for additional details):

- Buffer wall measuring 6 to 8 feet in height. Please see **Attachment 6**.
- Perimeter landscape buffers – along Pine Island Road and Stirling Road, the buffer will include undulating and meandering.
- Pedestrian connectivity
- Lighting which meets the Town's Night Sky Ordinance
- Public square located at the main access point along Pine Island Road
- Voluntary restrictions on operations addressing store hours, delivery hours, size of store, shopping carts and safety features

It is also noted that as part of the Town's development approval process, the applicant submitted a traffic analysis which concluded that all significantly impacted roadway links are expected to operate acceptably through build out in 2018. The project is also proposed to be mitigated via a new right turn lane at the full access opening on Pine Island Road, and the existing southbound left turn lane at this driveway is proposed to be modified to provide additional deceleration and storage length. Please see **Attachment 7**.

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- (C) Impact of proposed increases in residential density on public school enrollments and capacity, including consideration of any proposed mitigation for density increases impacting overcrowded schools.

STAFF ANALYSIS OF COMPLIANCE WITH CRITERIA (C)

This criterion is not applicable as the proposal does not involve residential development.

- (D) Impact on public beach access, including any reduction in public access points or public rights-of-way providing access to the beach.

STAFF ANALYSIS OF COMPLIANCE WITH CRITERIA (D)

This criterion is not applicable as the proposal will not affect public beach access.

VII. ADDITIONAL INFORMATION

Included in the city of Cooper City's July 23, 2013, request for a compatibility review, the request stated that the City felt that the proposed application by the Town of "commercial flexibility" was a circumvention of the rules, "as the subject site exceeds 10 acres." Consideration of this question is not under the purview of the compatibility review analysis, as per Article 9 of the Administrative Rules Document: Broward County Land Use Plan. However, it is noted that the application submitted for review indicates that the subject parcel proposed for allocation of "commercial flexibility" is 9.895 acres. The applicant indicates that an adjacent 1.302 acre parcel located south and owned by the applicant will not be developed or rezoned, and will be converted to a conservation easement.

VIII. PUBLIC OUTREACH

- (A) On February 19, 2014, email correspondence was sent to both the Town of Davie and City of Cooper City notifying them of the tentative public hearing date and soliciting comments, including comments from interested parties. Please see **Attachment 8**.

- (B) Correspondence received is included as **Attachment 9**.

IX. STAFF RECOMMENDATION

**Staff recommends the County Commission find the subject allocation of commercial flexibility in the Town of Davie compatible with adjacent land uses.**

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X. ATTACHMENTS

1. Project location
2. Conceptual Site Plan
3. Correspondence from City of Cooper City dated July 23, 2013
4. City of Cooper City Future Land Use Plan Map
5. Site Plan Requirements and Applicant Voluntary Commitments
6. Project Screenwall Elevations
7. Applicant's Traffic Impact Analysis
8. Email Correspondence to Town of Davie and City of Cooper City
9. Correspondence Received



Attachment 1

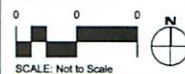






**SP-1** Concept Site Plan  
November 12th, 2013

**Pine Island Marketplace**  
Stirling Rd / Pine Island Rd - Town of Davie



  
GATLIN DEVELOPMENT COMPANY

Attachment 3

Greg Ross, Mayor  
Lisa Mallozzi, Commissioner  
John Sims, Commissioner  
James C. Curran, Commissioner  
Jeff Green, Commissioner  
Bruce Loucks, City Manager



THE CITY OF

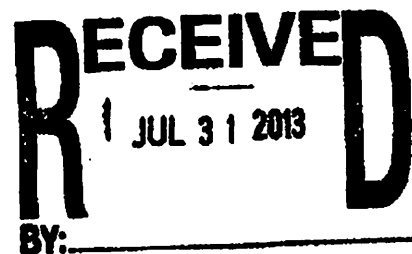
Someplace Special

BROWARD COUNTY, FLORIDA

P.O. Box 290910  
9090 Southwest 50 Place  
Cooper City, Florida 33329-0910  
(954) 434-4300 - Fax 434-5099  
[coopercityhall@coopercityfl.org](mailto:coopercityhall@coopercityfl.org)

July 23, 2013

Mr. Henry Snizek, Director  
Broward County Planning and Redevelopment Division  
Broward County Board of County Commissioners  
Broward County Governmental Center  
115 S. Andrews Avenue, Room 329K  
Fort Lauderdale, FL 33301



RE: Request for Compatibility Review

Dear Mr. Snizek:

The City of Cooper City hereby requests a Compatibility Review by the County Commission of a request for allocation of flexibility by the Town of Davie on a parcel of land which is contiguous to the Cooper City limits. Pursuant to Section 9.4(B) of the Broward County Administrative Rules Document, Cooper City has 30 days from receipt of the Notification from the Town of Davie to request a compatibility review from Broward County following a noticed public hearing. Cooper City received the attached Notice of Allocation of Flexibility from the Town of Davie on July 12, 2013.

The rezoning request consists of approximately 9.68 acres of commercial flexibility for the "Spears" property located at the southeast corner of Stirling Road and Pine Island Road. The request is to rezone from Agricultural (A-1) District to Community Business (B-2) District in order to develop the property with a shopping center including a Walmart grocery store.

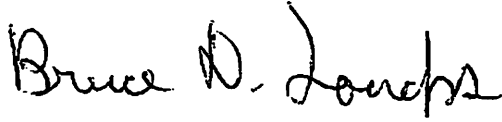
Cooper City requests the compatibility review based on, among other reasons, the proposed rezoning is inconsistent with the Town of Davie Future Land Use Element, is incompatible with surrounding land uses and is a circumvention of the Commercial Flexibility Rules as the subject site exceeds 10 acres.





Thank you in advance for your assistance and please contact Matt Wood, Growth Management Director, if there is anything else you need at this time.

Very Truly Yours,

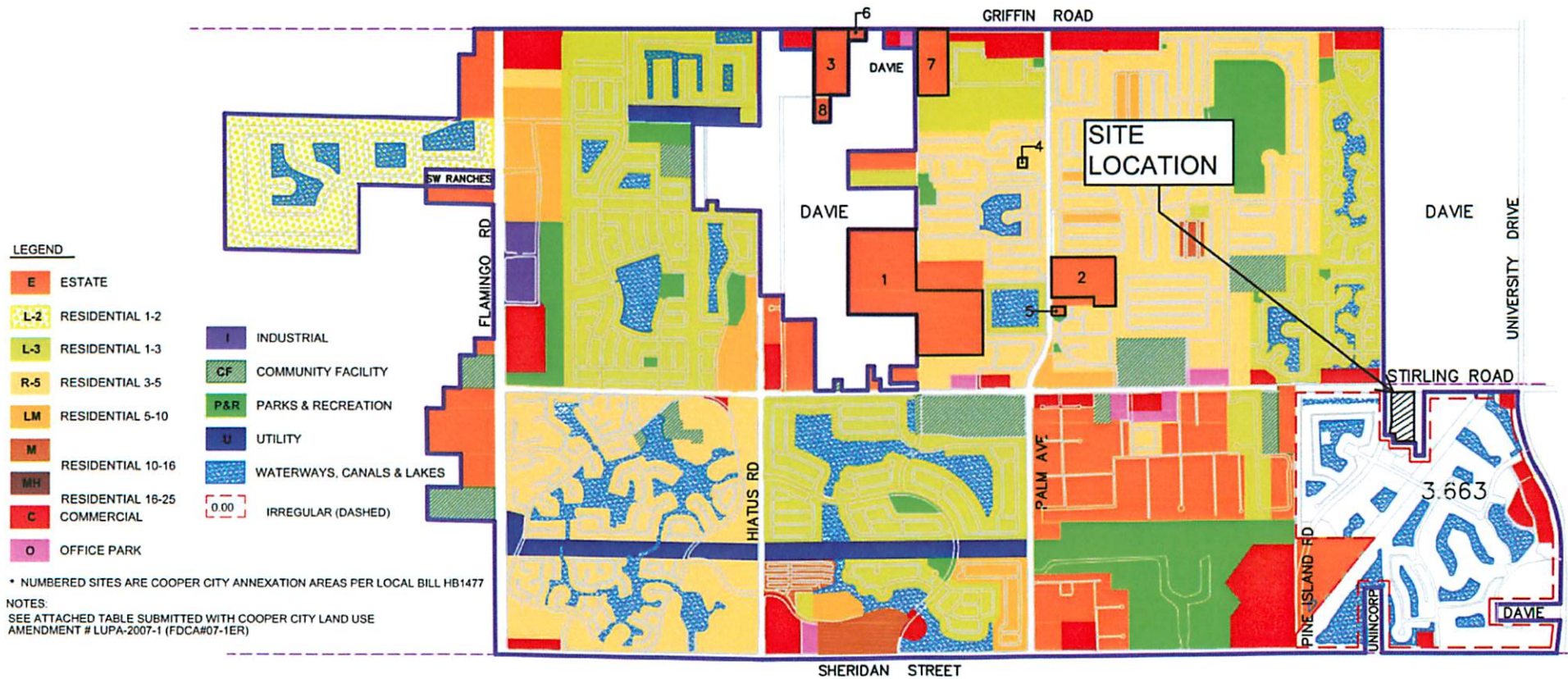
A handwritten signature in black ink that reads "Bruce D. Loucks". The signature is written in a cursive, flowing style.

Bruce D. Loucks, City Manager

BDL:mw

c: Mr. David Quigley, Planning and Zoning Manager, Town of Davie  
Mayor and City Commissioners  
Matt Wood, Growth Management Director  
David Wolpin, City Attorney

Attach.



## FUTURE LAND USE MAP

NOTE: COMPLIES WITH BROWARD COUNTY TRAFFIC WAYS PLAN

# COOPER CITY COMPREHENSIVE PLAN LAND USE ELEMENT



SCALE: 1" = 1000'  
DATE: OCTOBER 9, 2007

**Leigh Robinson Kerr  
& Associates, Inc.**

PLANNING-ENGINEERING-LAND USE  
808 E. Las Olas Blvd. - Suite 104  
Fort Lauderdale, Florida 33301  
(954) 487-6308

**CITY OF COOPER CITY COMPREHENSIVE PLAN**

County. Development may not exceed the specific allocation of units without a Land Use Plan Amendment, or application of reserve or flexibility units, if available in the flexibility zone. (See Future Land Use Element Implementation Section)

<b>Table 1-8 Future Land Uses Acreage and Dwelling Units [5.005(2)(C)1]</b>		
<b>Land Use Residential</b>	<b>Gross Acreage</b>	<b>Dwelling Units</b>
Rural Estates	0	0
Rural Ranches	0	0
Estate	340	340
Res. 2	233	466
Res. 1-3	722	2,166
Res. 3-5	747	3,735
Res. 5-10	155	1,550
Res. 10-16	9	144
Res. 16-25	2	50
Special Classification	878	4,291 4
<b>RESIDENTIAL TOTAL</b>	<b>3,086</b>	<b>12,747</b>
<b>Land Use Non-Residential</b>	<b>Gross Acreage</b>	<b>Dwelling Units</b>
Commercial	255	
Office Park	34	
Community Facility	177	
Industrial	31	
Parks & Recreation	343	
Utilities	104	
Waterways	300	
<b>NON-RESIDENTIAL TOTAL</b>	<b>1,244</b>	
<b>TOTAL</b>	<b>4,330</b>	

Source: Leigh Robinson Kerr & Associates, Inc.

Cooper City lies in Flexibility Zones 101, 102 and 117 as defined in the Broward County Land Use Plan. In order to maintain a plan in "substantial conformity" with the County Plan, Cooper City's land use plan must be developed within given parameters, which include residential densities, industrial and commercial acreage.

Based on the analysis provided in the previous section, the Future Land Use Map may not provide sufficient residential areas to accommodate the future projected population. Land Use Plan Map amendments for additional residential units will



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## CITY OF COOPER CITY COMPREHENSIVE PLAN

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be evaluated based on the analysis contained in the Comprehensive Plan and additional data, analysis and trends related to population growth.

### 2. Commercial

As the city grows and develops, there will continue to be a need for commercial areas to provide for the residents' retail and personal services. Commercial use includes office use. Cooper City, as other western Broward County Communities, has experienced significant growth compared to the eastern portion of the County. Commercial designations in Cooper City have been located along major trafficways, particularly at intersections, so traffic flow would not be interrupted by ingress/egress traffic into commercial sites.

During the period 1989-1996, the amount of commercial development in the City almost doubled. Approximately 444,000 square feet of commercial use was added during this period. Also there was a reduction in the amount of land designated Commercial on the Future Land Use Map. Several land use plan amendments near the intersection of Hiatus Road and Stirling Road resulted in approximately 23 acres being changed from commercial to residential. The ratio of commercial land uses to residential land uses in the Cooper City is approximately one-half that of other communities throughout the County. The City recognizes a need for additional commercial development in order to maintain a balanced mix of land uses for the convenience of the residents and to maintain a healthy tax base. Approval of future commercial areas should be based not only on need but also market demand, and compatibility.

In order to address the need for additional commercial land, the City has incorporated flexibility provisions that allow small retail centers to be developed in residential areas consistent with the Broward County Land Use Plan, provided that the proposed commercial areas meet the criteria in this Future Land Use Element. This language is provided in Section VI. Future Land Use Implementation.

APPLICANT REQUIREMENTS AND COMMITMENTS Attachment 5

The Applicant is also providing the following features to promote compatibility with adjacent and nearby uses:

- **Buffer wall.** The Project incorporates a wall measuring 6'-8' in height that extends along eastern perimeter of the Development Site (next to the church) and increases in height to 8' when it reaches the anchor tenant (Grocery Store) building. The 8' wall continues along the rear of the Grocery Store to shield the loading/unloading areas. As the wall continues along the western portion of the building, the wall transitions down to 6' in height and becomes more decorative in nature since it will be visible from Pine Island Road. (See Appendix 8 – Screenwall Elevations)
- **Landscape buffers.** The Project incorporates an attractive perimeter landscape buffer utilizing a rich layering of landscape materials (trees, shrubs ground cover). Along Pine Island and Stirling Road the landscape buffer includes undulating and meandering berms.
- **Pedestrian connectivity.** The Project includes a sidewalk along Pine Island Road and Stirling Road as well as within the site to provide pedestrian connectivity between the buildings.
- **Lighting which meets the Town's Night Sky Ordinance.** All of the Project parking lot and water feature lighting was designed to comply with the Town's Night Sky Ordinance which mitigates light pollution on to adjacent rights-of-way and adjacent properties.
- **Public square.** The Project includes a public square located at the main access point along Pine Island. The public square will include pergola features and a fountain to create a pleasant environment for visitors to relax and enjoy.
- **Voluntary restrictions on operations.** After conducting three community outreach meetings, and hearing the concerns raised by some of the neighbors (primarily Monterra residents), Applicant agreed to certain restrictions on the operations of the Grocery Store. The restrictions were incorporated as conditions of site plan approval and will further be memorialized in a Declaration of Restrictions which will be recorded prior to the issuance of a building permit for any structures on the Development Site. The restrictions are as follows:
  - **Store Hours.** The Grocery Store will not be a 24 hour store. Instead, it will be open to the public between the hours of 6:00 am and 11:00 pm. Internal operations such as restocking of shelves or employee training will be permitted during hours that the store is not open to the public (this is common practice for grocery retailers).
  - **Delivery Hours.** Deliveries for the Grocery Store shall be permitted between the hours of 7:00 am and 11:00 pm. Delivery trucks shall not be permitted to idle in the loading area.
  - **Size of Store.** The Grocery Store shall not exceed 40,000 square feet.
  - **Shopping carts.** An electronic shopping cart containment system shall be added to the proposed amenities of the Grocery Store to prevent shopping carts from leaving the Property.
  - **Safety features.** The Grocery Store shall include the following safety and security features: outside and inside surveillance security cameras, landscape design incorporating CPTED principles, and an operational security plan.

## APPLICANT REQUIREMENTS AND COMMITMENTS Attachment 5

**Sec. 12-55. Scale of nonresidential development.**

Nonresidential development shall be in keeping with the scale required for that district. The scale is specified for groupings of buildings in shopping centers, parks or campus settings, and for individual uses or buildings. The types of scale and their standards are defined in this section.

*Commentary:* This section is intended to govern the size and scope of development within each district to levels that conform to the intended character of the districts. For example, the Urban Commercial (UC) District will be limited to a maximum of regional scale uses, in keeping with the purpose of the district to provide a range of sites for retail, office and mixed uses in the downtown areas of the Town of Davie.

**TABLE 12-55. SCALE OF NONRESIDENTIAL DEVELOPMENT**

Maximum Size in Square Feet			
Scale of Development	Center/ Park/Campus	Individual Building	Applicable Districts
Regional	300,000+	N/A	UC, FB, BP
Community	100,000–300,000	100,000	B-3, M-1, M-2, M-3, CF, PCF, RS, CR
Neighborhood	30,000–100,000	40,000	SC, O, CC, C1, B-1, B-2
Convenience	Less than 30,000	8,000	RO, NCF,
Building	not permitted	5,000	U

(Ord. No. 90-4, § 7, 2-21-90; Ord. No. 91-33, 9-4-91)



APPLICANT REQUIREMENTS AND COMMITMENTS  
CITY OF COOPER CITY COMPREHENSIVE PLAN

Attachment 5

D. Density and Intensity of Existing Land Use:

The approximate acreage and general range of density or intensity of existing land uses, in tabular form, is shown on Table 1-2. (5.006(1)(c)).

1. **Residential:** Residential land uses are the predominate land use in the City, encompassing 2,538 acres or 62% of the City's total land area. For classification purposes, residential land uses are divided into four (4) density categories within Cooper City, as tabulated on Table 1-2. Combined, the residential categories account for 62% of the land area in the City. The predominate type of existing residential use is Single Family, encompassing 53% of the land area in the City. The Estate and high density Residential uses comprise 2% of the land area. The Estate Residential percentage is expected to increase as existing vacant areas are developed and estate enclaves are annexed. The medium density residential areas make up the balance of the residential lands and represent 7% of the total land area.
2. **Commercial Development:** Commercial development currently encompasses 155 acres or only 4% of the City's total land area. Cooper City has primarily been a residential community, reflecting its predominance of residential developments. The City currently does not have a Central Business District.

Community retail trades placed along arterial roadways are the typical style of commercial development found in the City, along with service businesses. No regional commercial centers or malls exist within the City. However, a variety of commercial uses have been developed throughout the City along major roadways including Flamingo Road, Griffin Road, Stirling Road and Sheridan Street. These commercial uses are distributed throughout the City to serve all its residents.

3. **Institutional:** Institutional uses include public and private educational institutions, religious institutions, community facilities and planned municipal/community centers, encompassing 241 acres or 6% of City lands. Lands designated community facilities were planned and are distributed throughout the community, assuring adequate acreage for future school demands and the location of public service facilities.
4. **Utilities:** Existing utilities encompass approximately 100 acres and represent 2% of municipal lands. Utility acreage includes a major FP&L transmission line transversing the City and the municipal, public works, wastewater and water treatment facilities.
5. **Parks & Recreation:** Park and recreation acreage within the City totals 317 acres or 7% of municipal lands. This acreage is comprised of public parklands owned by the City or Broward County, and private recreation areas. Brian Piccolo Park is a regional park in the City and it consists of 180 acres located on Sheridan

**APPLICANT REQUIREMENTS AND COMMITMENTS**

Attachment 5

Street. Additional park acreages are also leased from the County School Board, which includes recreation fields located at educational facilities in the community.

The City platting process requires developers to dedicate 6 acres of land per 1,000 population or a similar fee, in lieu thereof, for park facilities based upon the development's projected population. This assures adequate acreage for meeting current and future recreation needs for Cooper City.

6. **Waterways, Canals & Lakes:** Water bodies account for 356 acres or 9 % of total lands. A primary drainage canal, South New River C-11, runs parallel with Griffin Road to the Atlantic Ocean via the New River Waterway. Lakes only include manmade lakes that contain development runoff from residential sites. No natural lakes or rivers occur in the community.
7. **Vacant:** Vacant lands comprise all remaining undeveloped land within municipal boundaries. The City's Future Land Use Plan has designated future uses for these vacant lands. Vacant land accounts for approximately 9% or 392 acres of total City area.

**Table 1-2  
Existing Land Uses – Cooper City 2002**

Land Use	Percent	Net Acreage
Estate Residential	1	52
Single Family	50	2,176
Multi Family (1)	6	278
Multi Family (2)	1	32
Agriculture	0	
Commercial	4	155
Private Recreation	2	93
Public Recreation	5	224
Utilities	2	100
Institutional	6	241
Vacant or Undeveloped	9	392
Waterways	8	356
Industrial	1	27
Major Roadways	5	204
<b>Total</b>	<b>100</b>	<b>4,330</b>

Note: Major roadways are those which are Howard County Trafficways  
 Sources: Growth Management Department  
 Leigh Robinson Kerr & Associates, Inc.



APPLICANT REQUIREMENTS AND COMMITMENTS Attachment 5

Prepared by and return to:

Name: Nectaria M. Chakas, Esq.  
Lochrie & Chakas, P.A.  
Address: 1401 E. Broward Boulevard  
Suite 303  
Ft. Lauderdale, FL 33301

SPACE ABOVE THIS LINE FOR PROCESSING DATA

**DECLARATION OF RESTRICTIVE COVENANTS**

This DECLARATION OF RESTRICTIVE COVENANTS ("Declaration") is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ [PROPERTY OWNER], having an address of \_\_\_\_\_ (the "Declarant") for the benefit of the TOWN OF DAVIE, a municipal corporation existing under the laws of the State of Florida having an address of 6591 Orange Drive, Davie, FL 33314 (the "Town").

**W I T N E S S E T H:**

WHEREAS, Declarant is the fee simple owner of approximately 9.895 acres of land located in the Town more particularly described in Exhibit A attached hereto and made a part hereof ("Property"); and

WHEREAS, Declarant made an application to Town for Rezoning and Master Site Plan approval (Town Applications ZB 13-61 and MSP 13-57) for a retail center to be developed on the Property ("Project");

WHEREAS, the Project proposes a grocery store as the anchor tenant ("Grocery Store") as shown on the site plan for the Project; and

WHEREAS, as a condition to the Town's approval of the Project, Declarant has agreed to place certain restrictions on the Grocery Store as set forth below.

NOW, THEREFORE, in consideration of the promises and covenants herein contained, Declarant hereby declares that the Property shall be owned, held, used, transferred, sold, conveyed, demised and occupied subject to the covenants, restrictions, and regulations hereinafter set forth, all of which shall run with the Property and any part thereof and which shall be binding upon all parties having any right, title or interest in such property or any part thereof, their heirs, successors and assigns.

1. **Recitals.** The recitals set forth above are true and correct and are incorporated herein by reference.

2. **Restrictions.** Development of the Grocery Store is hereby restricted as follows:

- a. **Store Hours.** The Grocery Store shall be permitted to be open to the public between the hours of 6:00 am and 11:00 pm. Internal operations such as, but not limited to, restocking of shelves or employee training, shall be permitted during hours that the store is not open to the public.



APPLICANT REQUIREMENTS AND COMMITMENTS Attachment 5

- b. **Delivery Hours.** Deliveries for the Grocery Store shall be permitted between the hours of 7:00 am and 11:00 pm. Delivery trucks shall not be permitted to idle in the loading area.
  - c. **Size of Store.** The Grocery Store shall not exceed 40,000 square feet.
  - d. **Shopping carts.** An electronic shopping cart containment system shall be added to the proposed amenities of the Grocery Store to prevent shopping carts from leaving the Property.
  - e. **Safety features.** The Grocery Store shall include the following safety and security features: outside and inside surveillance security cameras, landscape design incorporating CPTED principles, and an operational security plan.
3. **Amendments, Releases and Termination.** This Declaration shall not be modified, amended or released as to any portion of the Property except by written instrument, executed by the then lessee/operator of the Grocery Store and the then owner or owners of the portion of the Property affected by such modification, amendment, or release and approved in writing by Town. The appropriate governmental authority of Town shall execute a written instrument effectuating and acknowledging such modification, amendment or release. Any amendment, modification or release of this covenant shall be recorded in the Public Records of Broward County, Florida.
4. **Recordation and Effective Date.** This Declaration shall not become effective and shall not be recorded in the Public Records of Broward County, Florida, until after all necessary approvals of the Project have been received by the governmental agencies having jurisdiction over the Project and the expiration of all appeal periods or, if an appeal is filed, the conclusion of such appeal in a manner that does not affect the approvals of the Project. Once recorded, this Declaration shall run with the land for the sole benefit of Town and shall bind all successors-in-interest with respect to the Property.
5. **Severability.** If any court of competent jurisdiction shall declare any section, paragraph or part of this Declaration invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph, or part hereof, and the same shall remain in full force and effect.
6. **Captions, Headings and Titles.** Articles and paragraph captions, headings and titles inserted throughout this covenant are intended as a matter of convenience only and in no way shall such caption, heading or titles define, limit or in any way affect the subject matter or any of the terms and provisions thereunder or the terms and provisions of this covenant.
7. **Governing Law.** This Declaration shall be governed by and construed in accordance with the laws of the State of Florida and venue for any litigation arising hereunder shall lie in the Seventeenth Judicial Circuit in and for Broward County, Florida.
8. **Notice.** Any notice required or permitted to be given hereunder shall be in writing and may be given by personal delivery or by certified mail, return receipt requested, postage prepaid to the address of the Property owner as reflected on the tax assessor's records for the affected Property.

[SIGNATURES ON FOLLOWING PAGE]

APPLICANT REQUIREMENTS AND COMMITMENTS Attachment 5

IN WITNESS WHEREOF, Declarant has executed this Declaration on the day first above written.

**WITNESSES:**

**DECLARANT:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

BY: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

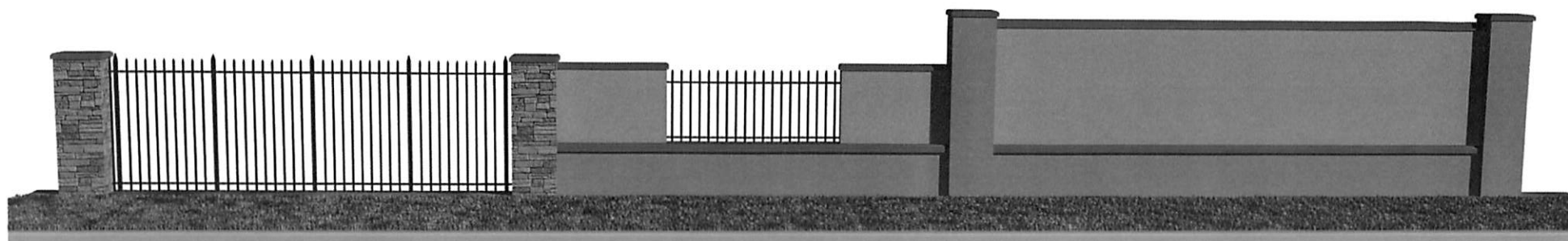
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_.  
He/She is personally known to me or has produced \_\_\_\_\_ as  
identification.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Typed, printed or stamped name of Notary Public  
My Commission Expires: \_\_\_\_\_

Attachment 6



Typical 6ft Aluminum Screen Fence

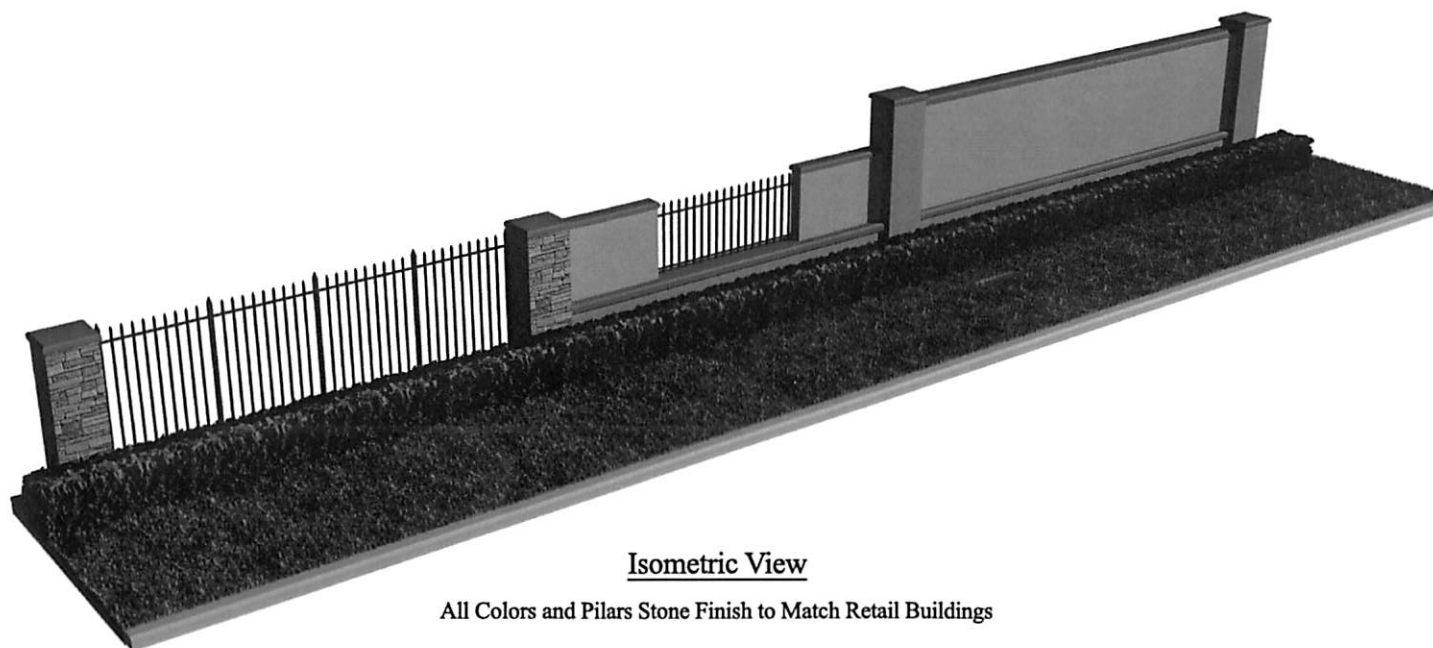
Perimeter of North Pond  
North Edge of Wet Land Area  
(Stone Pilars at Every 20 Feet)

Decorative 6ft Screen Wall

West of Public Square Facing Pine Island Rd.  
West Edge of Wet Land Area Facing Pine Island Rd.  
(Stone Pilars at Every 20 Feet)

Solid 8ft Screen Wall

East and South Side of Grocery Store  
West Perimeter to Screen Grocery Store Loading Area  
(Painted Pilars at Every 20 feet)



Isometric View

All Colors and Pilars Stone Finish to Match Retail Buildings

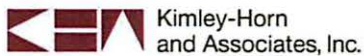


## *TRAFFIC IMPACT ANALYSIS*

# **PINE ISLAND MARKETPLACE**

## **DAVIE, FL**

Prepared for:  
Gatlin Development Company  
Ft. Lauderdale, FL



147231002  
June 2013  
Revised July 2013  
Revised August 2013  
CA 00000696  
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## INTRODUCTION

It is proposed to develop a mix of commercial retail, supermarket, and fast-food restaurant with drive-through uses at the southeast corner of Stirling Road & Pine Island Road in Davie, Florida. The existing site is currently vacant. *Table 1* summarizes the land use breakdowns for the proposed buildout conditions for the site.

Table 1: Land Use Summary (Proposed)

TABLE 1: LAND USE BREAKDOWN	
LAND USE	PROPOSED
Fast-Food Restaurant	2,500 SF
Supermarket	39,188 SF
Shopping Center	25,000 SF

As summarized in *Table 1*, at buildout, the site will have a 39,188 square-foot supermarket, a 2,500 square-foot restaurant, and a 25,000 square-foot shopping center. The site plan for the proposed development is available in Appendix A.

*Figure 1* illustrates the location of the project site.

Access to the project site is provided by a right-in driveway on Pine Island Road, a full-access driveway on Pine Island Road, and a right-in/right-out driveway on Stirling Road.


Kimley-Horn and Associates, Inc. was retained to prepare a traffic impact analysis to evaluate the impact resulting from buildout of the site by 2018. This document presents the methodology used and the findings of the traffic impact analysis. The analysis was conducted in accordance with the methodology provided by the Town of Davie.





LEGEND

 SITE

FIGURE 1  
SITE LOCATION  
PINE ISLAND MARKETPLACE  
 Kimley-Horn  
and Associates, Inc.





## INVENTORY AND PLANNING DATA

Existing peak-hour traffic count data were obtained from Broward County. The count data are provided in Appendix B. Gatlin Development Company provided the project development information.

### Data Collection

Weekday PM (4:00 PM to 6:00 PM) peak period turning movement counts were performed on Tuesday, June 4, 2013 at the following intersections:

- Pine Island Road & Stirling Road
- Stirling Road & University Drive
- Sheridan Street & Pine Island Road

Weekday AM (7:00 AM to 9:00 AM) peak period turning movement counts were performed on Tuesday, August 6, 2013 at the following intersections:

- Pine Island Road & Stirling Road
- SW 82<sup>nd</sup> Avenue & Stirling Road
- Stirling Road & University Drive
- Sheridan Street & Pine Island Road

Weekday PM (4:00 PM to 6:00 PM) peak period turning movement counts were also performed on Tuesday, August 6, 2013 at the intersection of SW 82<sup>nd</sup> Avenue & Stirling Road.

The volumes were collected in 15-minute intervals and the peak hour was determined for each intersection. The Florida Department of Transportation (FDOT) peak season conversion factors were applied to the traffic counts to adjust the traffic to peak season volumes. A peak season factor of 1.05 was applied to the June counts and a peak season factor of 1.08 was applied to the August counts. The turning movement counts and FDOT peak season factor category report are included in Appendix C.



## PROJECT TRAFFIC

Project traffic used in this analysis is defined as the vehicle trips expected to be generated by the project, and the distribution and assignment of that traffic over the study roadway network.

### Proposed Land Uses

The existing site is currently vacant. It is proposed to build a 39,188 square-foot supermarket, a 25,000 square-foot shopping center, and a 2,500 square-foot fast-food restaurant.

### Trip Generation

The trip generation potential of the development was calculated based upon the trip generation rates and equations contained in the Institute of Transportation Engineers' (ITE) *Trip Generation, Ninth Edition, 2012*. Excerpts from this publication are included in Appendix G. As indicated in *Table 2*, the net new trip generation potential of the entire site is 4,494 net external daily trips, 171 net new external AM peak hour trips (101 in / 70 out), and 409 net new external PM peak hour trips (208 in / 201 out). Based on the comprehensive plan for the Town of Davie, the maximum radius of development influence is 1 mile.

### Pass-By and Internal Capture Volumes

The Institute of Transportation Engineers' (ITE), *Trip Generation Handbook, 9<sup>th</sup> Edition*, documents an average pass-by percentage for Land Use 934 (Fast Food Restaurant with Drive-Through) of 50 percent. The handbook also documents an average pass-by percentage of 28 percent for Land Use 850 (Supermarket) and 58 percent for Land Use 820 (Shopping Center). Internal capture was calculated using the percentages shown in *Table 2*. The internal capture matrices used to calculate these percentages are available in Appendix D.



Attachment 7

Traffic Impact Analysis

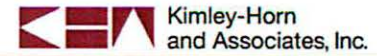


Table 2: Trip Generation

TABLE 2 TRIP GENERATION PINE ISLAND MARKETPLACE									
Land Use	Intensity		Daily Trips	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
<b>Proposed</b>									
Fast food Restaurant with Drive-through	2,500	SF	1,240	114	58	56	82	43	39
Supermarket	39,188	SF	4,015	133	82	51	389	202	187
Shopping Center	25,000	SF	2,758	67	42	25	237	114	123
Subtotal			8,013	314	182	132	708	359	349
<b>Internal Capture</b>									
	Daily	AM	PM						
Fast food Restaurant with Drive-through	6.13%	5.26%	4.88%	76	6	3	4	2	2
Supermarket	2.99%	4.51%	2.31%	120	6	3	9	5	4
Shopping Center	4.35%	5.97%	3.80%	120	4	2	9	4	5
Subtotal				316	16	8	22	11	11
<b>Pass-by</b>									
Fast food Restaurant with Drive-through	50%		582	54	28	26	39	21	18
Supermarket	28%		1,091	36	22	14	106	55	51
Shopping Center	58%		1,530	37	23	14	132	64	68
Subtotal				3,203	127	73	277	140	137
Driveway Volumes				7,697	298	174	686	348	338
Net New External Trips			4,494	171	101	70	409	208	201

Trip generation was calculated using the following data:			
Daily Trip Generation			
Fast Food Restaurant with Drive-through	[ITE 934]	=	T = 496.12 trips / 1,000 sq. ft.
Supermarket	[ITE 850]	=	T = 66.95(X) + 1391.56 trips
Shopping Center	[ITE 820]	=	Ln(T) = 0.65ln(X) + 5.83
AM Peak Hour Trip Generation			
Fast Food Restaurant with Drive-through	[ITE 934]	=	T = 45.42 trips / 1,000 sq. ft. (51% in / 49% out)
Supermarket	[ITE 850]	=	T = 3.40 trips / 1,000 sq. ft. (62% in / 38% out)
Shopping Center	[ITE 820]	=	Ln(T) = 0.61ln(X) + 2.24 (62% in / 38% out)
PM Peak Hour Trip Generation			
Fast Food Restaurant with Drive-through	[ITE 934]	=	T = 32.65 trips / 1,000 sq. ft. (52% in / 48% out)
Supermarket	[ITE 850]	=	Ln(T) = 0.74 Ln(X)+3.25 (51% in / 49% out)
Shopping Center	[ITE 820]	=	Ln(T) = 0.67ln(X) + 3.31 (48% in / 52% out)



### **Traffic Distribution**

Traffic distribution is the pairing of trip ends from the subject site with other land uses in the area. These trips were assigned to the surrounding roadways based upon a review of the roadway network proposed to be in place at the time of buildout and its travel time characteristics.

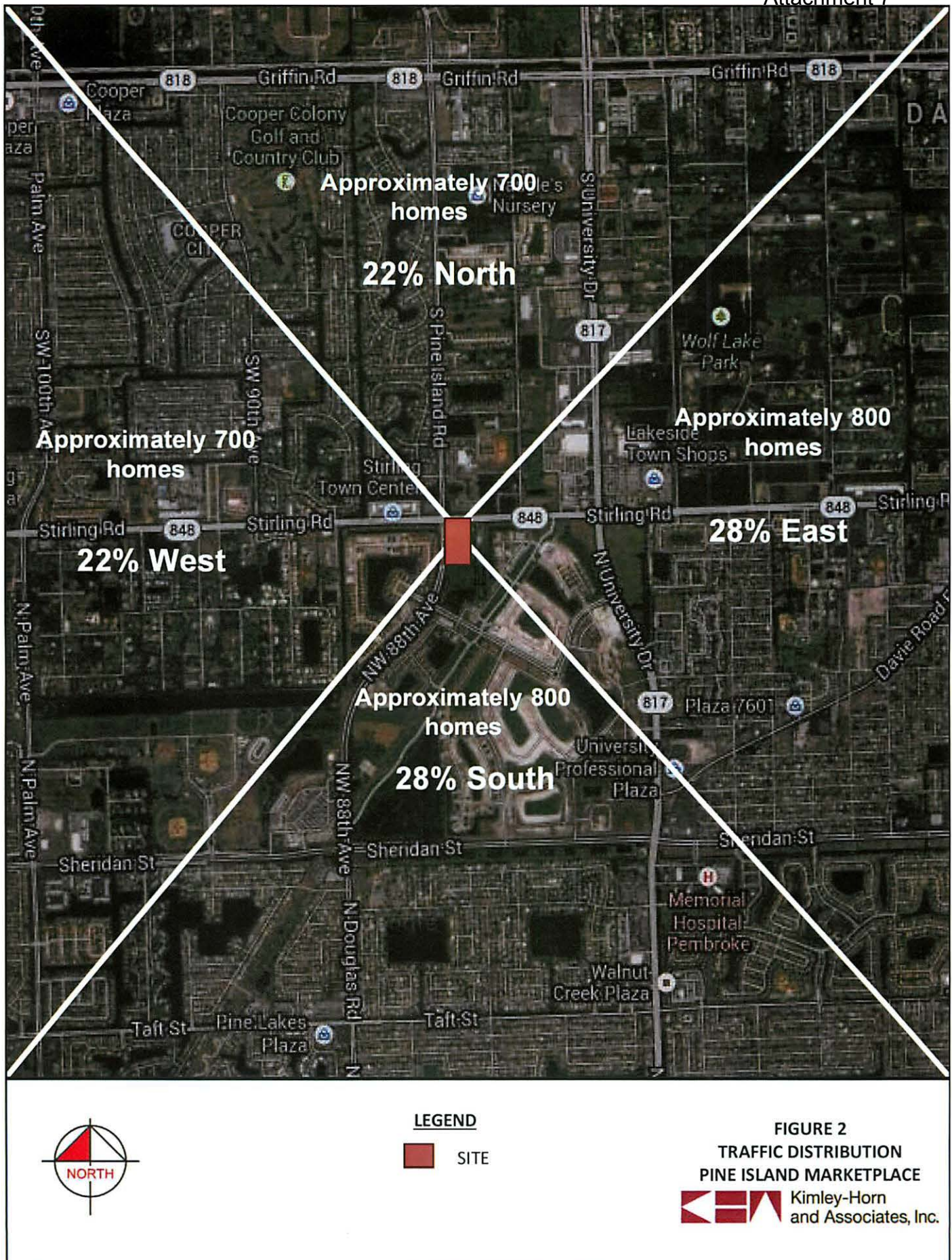
The distribution according to cardinal directions is:

NORTH	-	22 percent
SOUTH	-	28 percent
EAST	-	28 percent
WEST	-	22 percent

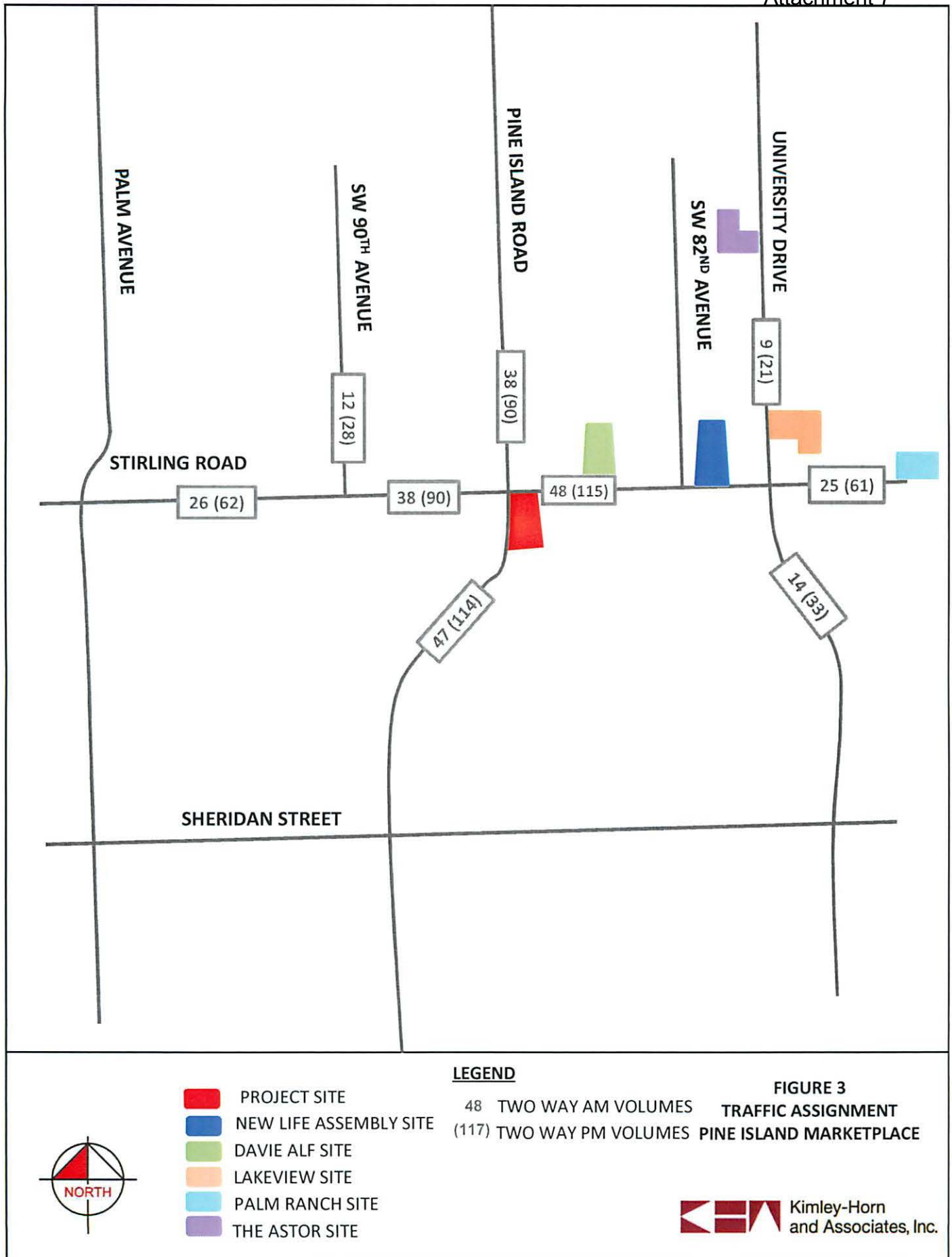
### **Traffic Assignment**

The AM and PM peak hour trips for the project were assigned to the surrounding roadway network proposed to be in place by 2018. *Figure 3* illustrates the project traffic assignment to the surrounding roadway network.





Attachment 7







## ROADWAY IMPROVEMENTS

A review was conducted of the committed projects within the area of our impact radius. Based on information provided by the Town of Davie, the following committed projects were included in the analysis. These projects are:

- New Life Assembly of God Church and Private School
- Lakeview Residences at Davie
- The Astor at Davie
- Palm Ranch Apartments
- Davie ALF

The traffic generated by these developments was included in the capacity analysis for the major roadway links as well as the intersection capacity analysis. The traffic impact analysis reports for these developments are available in Appendix E.



## VOLUME DEVELOPMENT

Existing AM and PM peak period traffic count data was collected from Broward County MPO for the major roadway links and intersections impacted by the proposed development. The background traffic was calculated from peak season factors and historical annual growth rates. As previously mentioned, committed traffic was also added along with traffic derived from the existing growth rate. The analysis is evaluated for year 2018 traffic conditions.

Because the base turning movement counts for the AM counts were collected in August, a peak season factor of 1.08 was applied to these volumes. A peak season factor of 1.05 was applied to the PM counts which were collected in June. Growth rates were calculated based on the historical peak hour counts for the major links within the development influence radius. A nominal growth rate of 0.5% was applied in cases where the historical growth rate was lower. The traffic growth rate and committed development traffic were then applied to the peak season traffic volumes to determine the AM and PM peak hour background traffic. Project traffic was then applied to the peak hour volumes to determine total peak hour volumes.

The new external project traffic was assigned to all the major roadway links within the radius of development influence. Per Broward County standards, all the links on which the project traffic impact is greater than 3% of the level of service (LOS) D generalized service volume are considered significantly impacted links. Further analysis is only required for links that are considered significantly impacted and are also operating at a level of service (LOS) F. Based on these criteria, none of the roadway links require further analysis.



Table 3: Significance Calculations

PINE ISLAND ROAD/STIRLING ROAD DEVELOPMENT TWO-WAY PEAK HOUR SIGNIFICANCE CALCULATIONS (2018)																			
Roadway	From	To	Roadway Class	Existing		Committed		2013 Base Peak Hour Volume**	Growth Rate (1)	2018 Background Growth (from growth rate)	Committed Traffic	2018 Background Traffic	Peak Hour Project Traffic			2018 Peak Hour Volume With Proposed Amendment			
				Lanes	LOS D+ Service Volume	Lanes	LOS D+ Service Volume						% Assignment	Trips	% Impact		Significant Impact ?		
AM TWO-WAY PEAK HOUR																			
Pine Island Road	Sheridan Road	Stirling Road	Class I	4LD	3,222	4LD	3,222	1,297	C	0.73%	48	22	1,367	28.00%	48	1.49%	No	1,415	C
		Griffin Road	Class I	4LD	3,222	4LD	3,222	1,651	C	0.50%	42	11	1,704	22.00%	38	1.18%	No	1,742	C
	SW 90th Avenue	Stirling Road	Class II	2LU	1,197	2LU	1,197	870	D	1.88%	140	19	1,029	7.00%	12	1.00%	No	1,041	D
		Griffin Road	Class I	6LD	5,390	6LD	5,390	2,694	C	0.50%	68	75	2,837	8.00%	14	0.26%	No	2,851	C
	University Drive	Stirling Road	Class I	6LD	5,390	6LD	5,390	2,983	C	0.79%	120	218	3,321	5.00%	9	0.17%	No	3,330	C
		Griffin Road	Class I	4LD	3,580	4LD	3,580	1,974	C	0.50%	50	10	2,034	15.00%	26	0.73%	No	2,060	C
	Palm Avenue	SW 90th Avenue	Class I	4LD	3,580	4LD	3,580	1,947	C	0.50%	49	38	2,034	22.00%	38	1.06%	No	2,072	C
		SW 90th Avenue	Class I	4LD	3,580	4LD	3,580	2,149	C	0.50%	54	214	2,417	28.00%	48	1.34%	No	2,465	C
	Pine Island Road	University Drive	Class I	4LD	3,580	4LD	3,580	2,172	C	1.88%	212	89	2,473	15.00%	26	0.48%	No	2,499	C
		University Drive	Class I	6LD	5,390	6LD	5,390												
PM TWO-WAY PEAK HOUR																			
Pine Island Road	Sheridan Road	Stirling Road	Class I	4LD	3,222	4LD	3,222	2,323	C	0.73%	86	23	2,432	28.00%	115	3.57%	Yes	2,547	C
		Griffin Road	Class I	4LD	3,222	4LD	3,222	2,129	C	0.50%	54	12	2,195	22.00%	90	2.79%	No	2,285	C
	SW 90th Avenue	Stirling Road	Class II	2LU	1,197	2LU	1,197	870	D	1.88%	140	19	1,029	7.00%	29	2.42%	No	1,058	D
		Griffin Road	Class I	6LD	5,390	6LD	5,390	3,644	C	0.50%	92	80	3,816	8.00%	33	0.61%	No	3,849	C
	University Drive	Stirling Road	Class I	6LD	5,390	6LD	5,390	4,082	C	0.79%	164	242	4,488	5.00%	20	0.37%	No	4,508	C
		Griffin Road	Class I	4LD	3,580	4LD	3,580	2,731	C	0.50%	69	10	2,810	15.00%	61	1.70%	No	2,871	C
	Palm Avenue	SW 90th Avenue	Class I	4LD	3,580	4LD	3,580	2,731	C	0.50%	69	43	2,843	22.00%	90	2.51%	No	2,933	C
		SW 90th Avenue	Class I	4LD	3,580	4LD	3,580	2,990	C	0.50%	76	234	3,300	28.00%	115	3.21%	Yes	3,415	C
	Pine Island Road	University Drive	Class I	4LD	3,580	4LD	3,580	2,898	C	1.88%	283	96	3,277	15.00%	61	1.13%	No	3,338	C
		University Drive	Class I	6LD	5,390	6LD	5,390												

LOS D Capacity is based FDOT 2013 generalized LOS D standards for two-way peak hour roadways

\*2013 Peak hour volumes obtained from turning movement counts taken on 06/04/13. Volumes on SW 90th Ave come from the 2010 peak hour volumes provided by Broward MPO and the growth rate was applied for 8 years instead of 5.

\* LOS D Capacity is based on FDOT 2013 generalized LOS D standards for two-way peak hour roadways.  
 \*\* 2013 base volumes obtained from turning movement counts taken on 06/04/13. Volumes on SW 90th Ave come from the 2010 peak hour volumes provided by Broward MPO and the growth rate was applied for 8 years instead of 5.  
 (1) Growth rates based on historical data provided by Broward County MPO; a minimum of 0.5% growth was used for all links.





## INTERSECTION ANALYSIS

The operating conditions for three scenarios (existing, background, and future total) were analyzed using Trafficware's *Synchro* 8.0 Software, which applies methodologies outlines in the *Highway Capacity Manual* (HCM). Analysis worksheets for the study intersections are included in Appendix F. *Tables 4* through *6* show the delay and level of service for each movement and the overall intersection delay for existing, future background, and future total conditions, respectively.

In the analyses, the phasing splits were optimized at the three signalized intersections to reflect the expectation that the intersection timing plans will be modified to accommodate future traffic volume patterns. For all three scenarios, the intersections of Stirling Road & Pine Island Road and Sheridan Street & Pine Island Road are anticipated to operate at LOS D or better. Under future conditions, the intersection of Stirling Road & University Drive is anticipated to operate at LOS D during the AM peak hour and LOS E during the PM peak hour. A new eastbound right turn lane is proposed to be constructed at this intersection, which would allow the existing right turn lane to be converted to a third eastbound through lane. This committed expansion helps to reduce overall intersection delay. *Table 7* summarizes the percent contribution of the project traffic to the total future traffic at this intersection. As seen in *Table 7*, the project traffic accounts for 0.47% of the total AM peak hour traffic and 1.45% of the total PM peak hour traffic. For all three scenarios, the southbound movement at the unsignalized intersection of Stirling Road & SW 82<sup>nd</sup> Avenue is expected to operate at LOS F during the PM peak hour. As seen in *Table 6*, a solution to improving the level of service for this movement is to convert the access configuration from a full median opening to a directional median opening.



## Attachment 7

## Traffic Impact Analysis

Kimley-Horn  
and Associates, Inc.

Table 4: Existing Intersection Conditions

TABLE 4: EXISTING CONDITIONS PEAK HOUR INTERSECTION ANALYSIS													
AM PEAK HOUR													
Intersection	Intersection LOS/Delay	Movement LOS/Delay											
		NB left	NB thru	NB right	SB left	SB thru	SB right	EB left	EB thru	EB right	WB left	WB thru	WB right
Stirling Road & Pine Island Road	D/37.4	D/48.5	C/28.2*	C/29.1	D/47.3*	C/23.4	C/22.9	E/72.2	C/29.1*	C/20.8	D/46.2*	B/11.3	B/11.2
Sheridan Street & Pine Island Road	D/54.2	E/59.3	C/28.1*	C/20.5	D/53.9*	C/26.3	C/27.0	D/41.3	F/80.3	F/13.6	E/57.3	D/39.2	D/33.2
Stirling Road & University Drive	D/47.3	E/67.8	D/50.0*	C/33.4	E/60.4*	C/31.7	C/29.2	E/69.7	F/93.0*	D/50.8	D/45.9*	D/35.2	D/39.4
Stirling Road & SW 82nd Ave	N/A	N/A	N/A	N/A	D/33.4	N/A	D/33.4	A/0.2	A/0.0	N/A	N/A	A/0.0	A/0.0
PM PEAK HOUR													
Intersection	Intersection LOS/Delay	Movement LOS/Delay											
		NB left	NB thru	NB right	SB left	SB thru	SB right	EB left	EB thru	EB right	WB left	WB thru	WB right
Stirling Road & Pine Island Road	D/35.6	E/69.9*	D/36.9	D/36.4	E/63.7	D/42.4*	D/39.4	E/74.5*	C/30.2	C/26.5	D/50.4	B/17.2*	A/6.3
Sheridan Street & Pine Island Road	D/40.2	E/63.8*	C/31.2	B/18.3	D/52.6	D/35.8*	C/31.4	E/61.9*	D/35.6	B/17.0	E/64.1	D/37.8*	C/25.9
Stirling Road & University Drive	D/51.6	F/97.6*	D/48.7	C/32.7	F/80.5	D/43.8*	D/47.0	F/87.8*	D/53.9	D/51.6	E/56.1	E/66.6*	E/78.1
Stirling Road & SW 82nd Ave	N/A	N/A	N/A	N/A	F/604.3	N/A	F/604.3	C/20.4	A/0.0	N/A	N/A	A/0.0	A/0.0

Table 5: Future Background Intersection Conditions

TABLE 5: BACKGROUND CONDITIONS PEAK HOUR INTERSECTION ANALYSIS													
AM PEAK HOUR													
Intersection	Intersection LOS/Delay	Movement LOS/Delay											
		NB left	NB thru	NB right	SB left	SB thru	SB right	EB left	EB thru	EB right	WB left	WB thru	WB right
Stirling Road & Pine Island Road	C/34.1	D/48.9	C/29.9*	C/32.2	D/47.7*	C/24.5	C/23.9	D/54.8	C/31.2*	C/21.3	D/48.0*	C/26.2	C/25.6
Sheridan Street & Pine Island Road	E/57.6	E/59.5	C/28.9*	C/21.1	D/53.9*	C/27.2	C/27.6	D/41.9	F/95.2*	F/13.3	E/56.8*	D/38.2	D/32.1
Stirling Road & University Drive	D/50.6	E/72.2	D/48.8*	C/34.7	E/72.0*	C/33.0	C/31.4	E/75.1	D/45.7*	C/33.7	E/66.7*	D/40.2	D/44.6
Stirling Road & SW 82nd Ave	N/A	N/A	N/A	N/A	E/46.3	N/A	E/46.3	B/10.3	A/0.0	N/A	N/A	A/0.0	A/0.0
PM PEAK HOUR													
Intersection	Intersection LOS/Delay	Movement LOS/Delay											
		NB left	NB thru	NB right	SB left	SB thru	SB right	EB left	EB thru	EB right	WB left	WB thru	WB right
Stirling Road & Pine Island Road	D/41.9	F/80.1*	D/40.2	D/41.5	E/65.5	D/46.1*	D/42.2	E/65.7*	C/31.7	C/27.2	E/57.4	D/48.8*	C/24.4
Sheridan Street & Pine Island Road	D/42.0	E/65.5*	C/33.1	B/19.4	D/52.8	D/39.2*	C/33.1	E/64.5*	D/36.2	B/16.7	E/63.6	D/38.2*	C/25.3
Stirling Road & University Drive	E/69.6	F/106.7	E/67.4*	D/42.0	F/123.2*	E/61.0	E/68.4	F/144.1*	D/44.9	D/42.2	F/80.9	F/77.6*	F/89.8
Stirling Road & SW 82nd Ave	N/A	N/A	N/A	N/A	F/976.0	N/A	N/A	C/22.2	A/0.0	N/A	N/A	A/0.0	A/0.0

## Attachment 7

## Traffic Impact Analysis

Kimley-Horn  
and Associates, Inc.

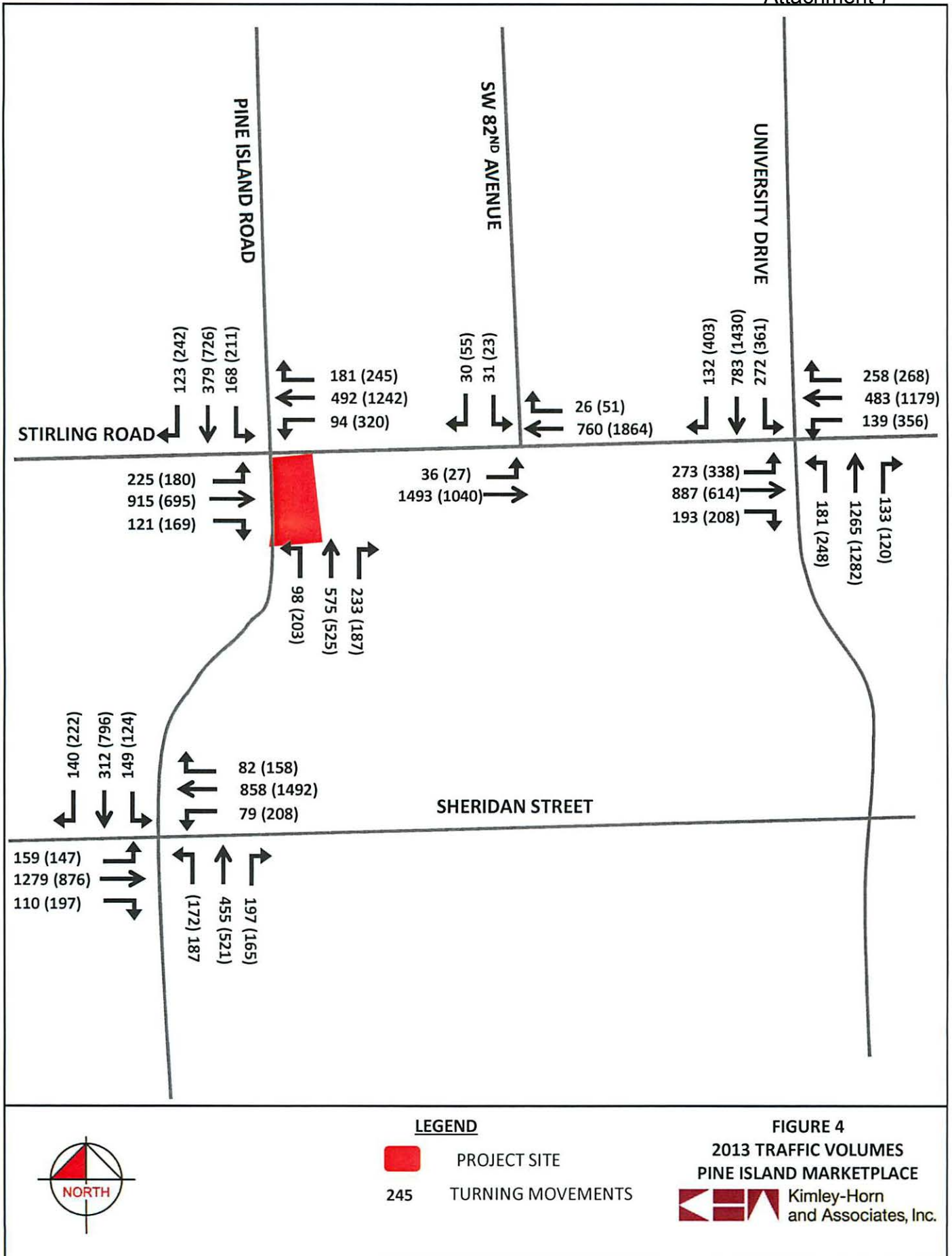
Table 6: Total Future Intersection Conditions

TABLE 6: FUTURE CONDITIONS PEAK HOUR INTERSECTION ANALYSIS													
AM PEAK HOUR													
Intersection	Intersection LOS/Delay	Movement LOS/Delay											
		NB left	NB thru	NB right	SB left	SB thru	SB right	EB left	EB thru	EB right	WB left	WB thru	WB right
Stirling Road & Pine Island Road	C/33.9	D/50.2	C/33.1*	D/35.2	D/51.1*	C/27.5	C/26.6	D/50.2	C/29.8*	C/20.9	D/52.1*	C/25.4	C/24.7
Sheridan Street & Pine Island Road	C/34.9	E/56.2	D/39.8*	D/42.6	E/57.2*	D/37.2	D/38.8	E/56.1	C/29.8*	A/8.0	E/60.5*	C/20.8	A/9.7
Stirling Road & University Drive	D/49.6	E/76.0	D/45.8*	C/34.1	E/79.0*	C/32.7	C/31.3	E/72.4	D/52.9*	D/37.6	F/82.1*	D/46.5	D/54.7
Stirling Road & University Drive: Additional EB Thru	D/48.8	E/73.2	D/48.3*	C/34.3	E/72.0*	C/33.1	C/31.6	E/71.4	D/50.2*	D/49.2	E/79.4*	E/64.9	F/104.0
Stirling Road & SW 82nd Ave	N/A	N/A	N/A	N/A	F/51.7	N/A	F/51.7	B/10.4	A/0.0	N/A	N/A	A/0.0	A/0.0
Stirling Road & SW 82nd Ave: No Left Turns	N/A	N/A	N/A	N/A	B/12.6	N/A	B/12.6	B/10.4	A/0.0	N/A	N/A	A/0.0	A/0.0
PM PEAK HOUR													
Intersection	Intersection LOS/Delay	Movement LOS/Delay											
		NB left	NB thru	NB right	SB left	SB thru	SB right	EB left	EB thru	EB right	WB left	WB thru	WB right
Stirling Road & Pine Island Road	D/45.7	E/60.9*	D/38.8	D/39.0	E/61.4	D/53.4*	D/43.2	E/61.0*	C/33.1	C/27.6	E/60.9	E/55.0*	C/23.6
Sheridan Street & Pine Island Road	D/40.4	E/66.2*	C/32.6	C/30.9	D/54.1	D/37.5*	C/32.8	E/67.0*	D/43.6	B/19.6	D/51.4	D/41.7*	B/16.0
Stirling Road & University Drive	E/72.9	F/122.9*	F/79.0	D/43.8	F/107.1	E/65.0*	E/76.0	F/112.7*	D/45.0	D/42.5	E/76.0	F/89.2*	F/101.7
Stirling Road & University Drive: Additional EB Thru	E/72.7	F/88.3*	E/72.6	D/42.9	F/107.1	E/69.7*	F/80.7	F/112.7*	D/41.0	D/43.7	E/72.8	F/96.9*	F/109.2
Stirling Road & SW 82nd Ave	N/A	N/A	N/A	N/A	F/ >1000	N/A	F/ >1000	C/23.3	A/0.0	N/A	N/A	A/0.0	A/0.0
Stirling Road & SW 82nd Ave: No Left Turns	N/A	N/A	N/A	N/A	N/A	D/34.0	D/34.0	C/23.3	A/0.0	N/A	N/A	A/0.0	A/0.0

Table 7: Percent Contribution of Project Traffic at Stirling Road &amp; University Drive

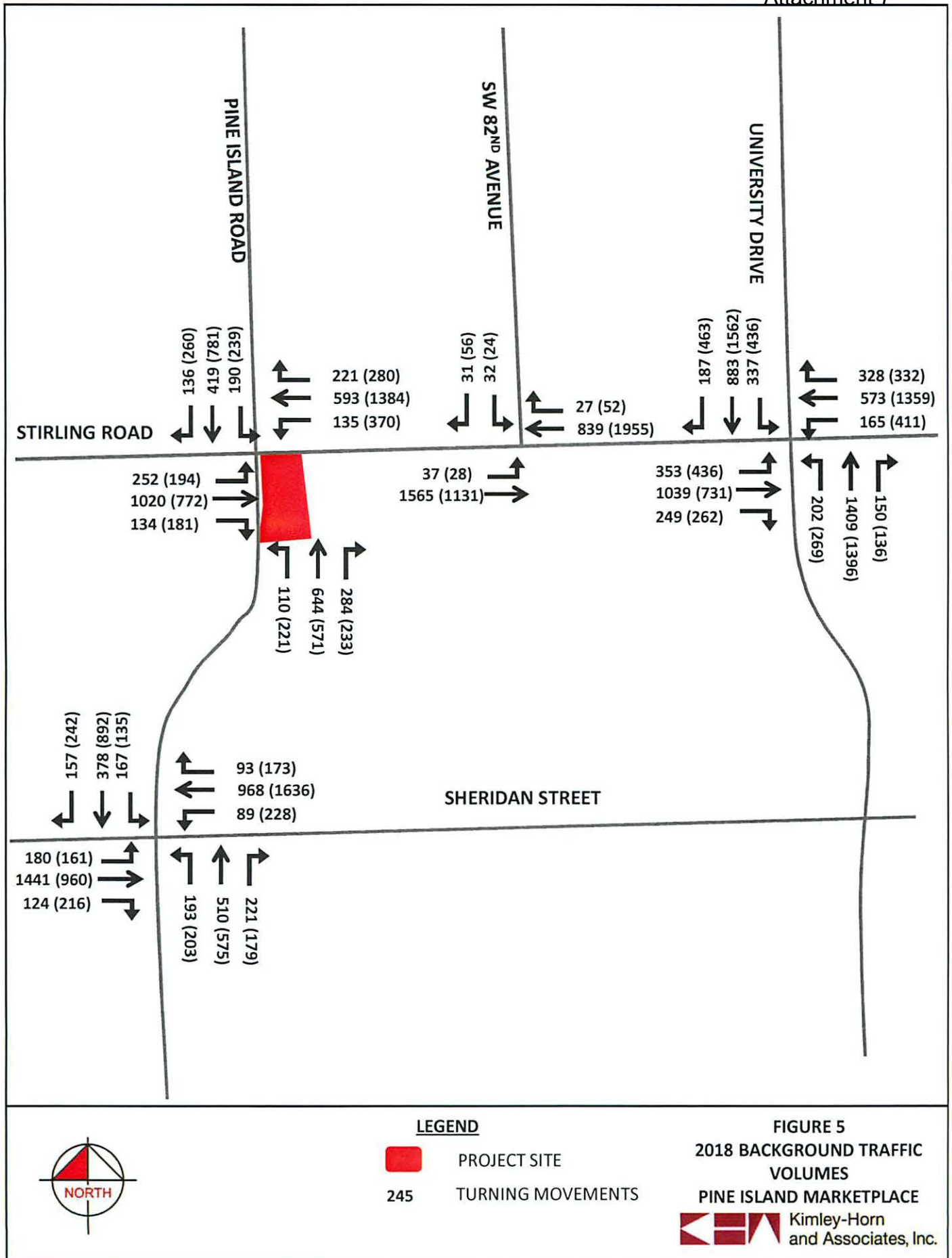
TABLE 7: STIRLING ROAD & UNIVERSITY DRIVE PERCENT OF TRAFFIC CAUSED BY PROJECT												
Northbound			Southbound			Eastbound			Westbound			Total
LT	Thru	RT	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT	
8	0	0	0	0	5	0	0	0	0	15	0	28
217	1409	150	337	883	195	362	1065	264	165	604	328	5979
4%	0%	0%	0%	0%	3%	0%	0%	0%	0%	2%	0%	0.47%
Northbound			Southbound			Eastbound			Westbound			Total
LT	Thru	RT	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT	
17	0	0	0	0	10	10	30	16	0	31	0	114
284	1396	136	436	1562	471	443	752	275	411	1390	332	7888
6%	0%	0%	0%	0%	2%	2%	4%	6%	0%	2%	0%	1.45%

Attachment 7



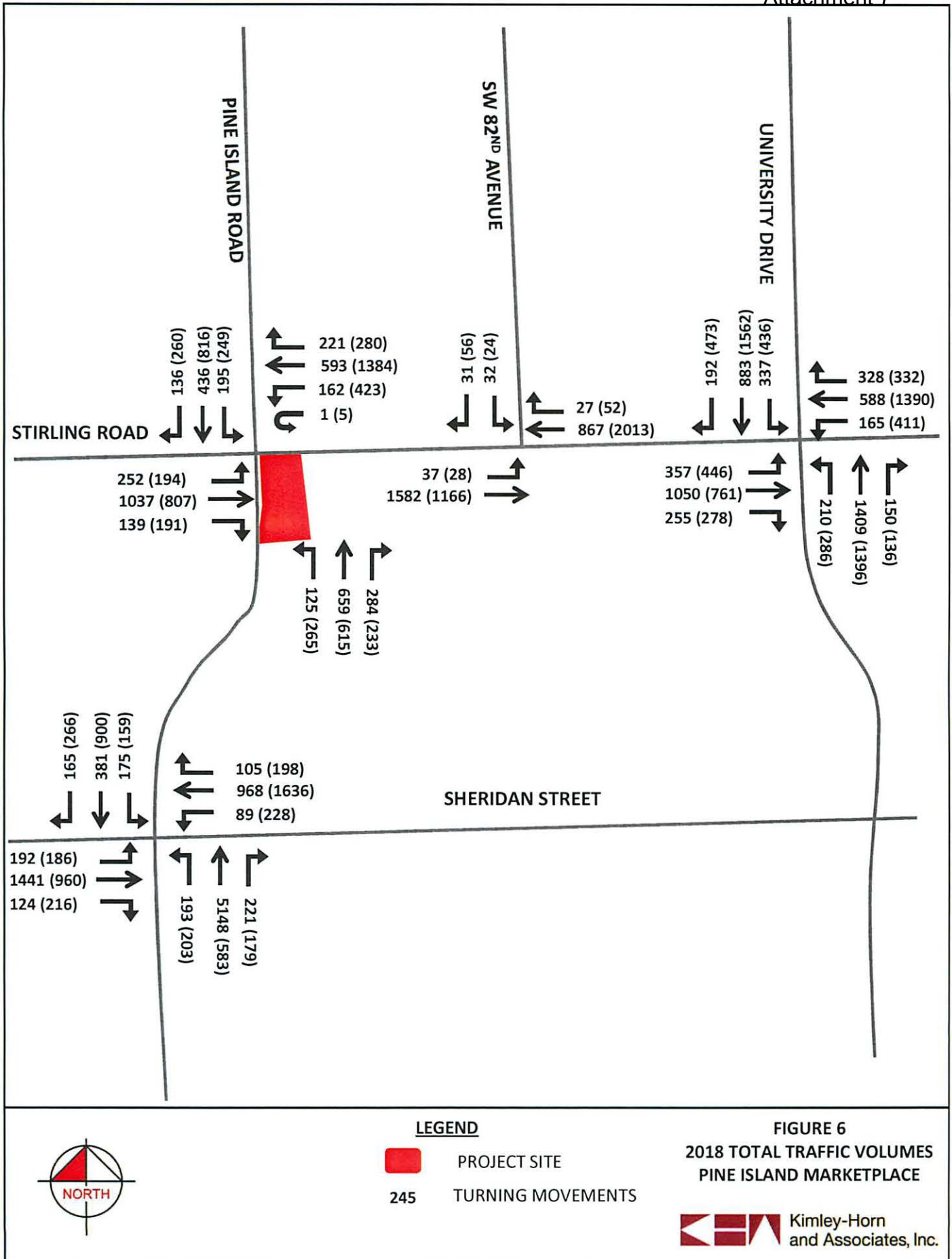


Attachment 7





Attachment 7





## VEHICLE CIRCULATION AND QUEUING

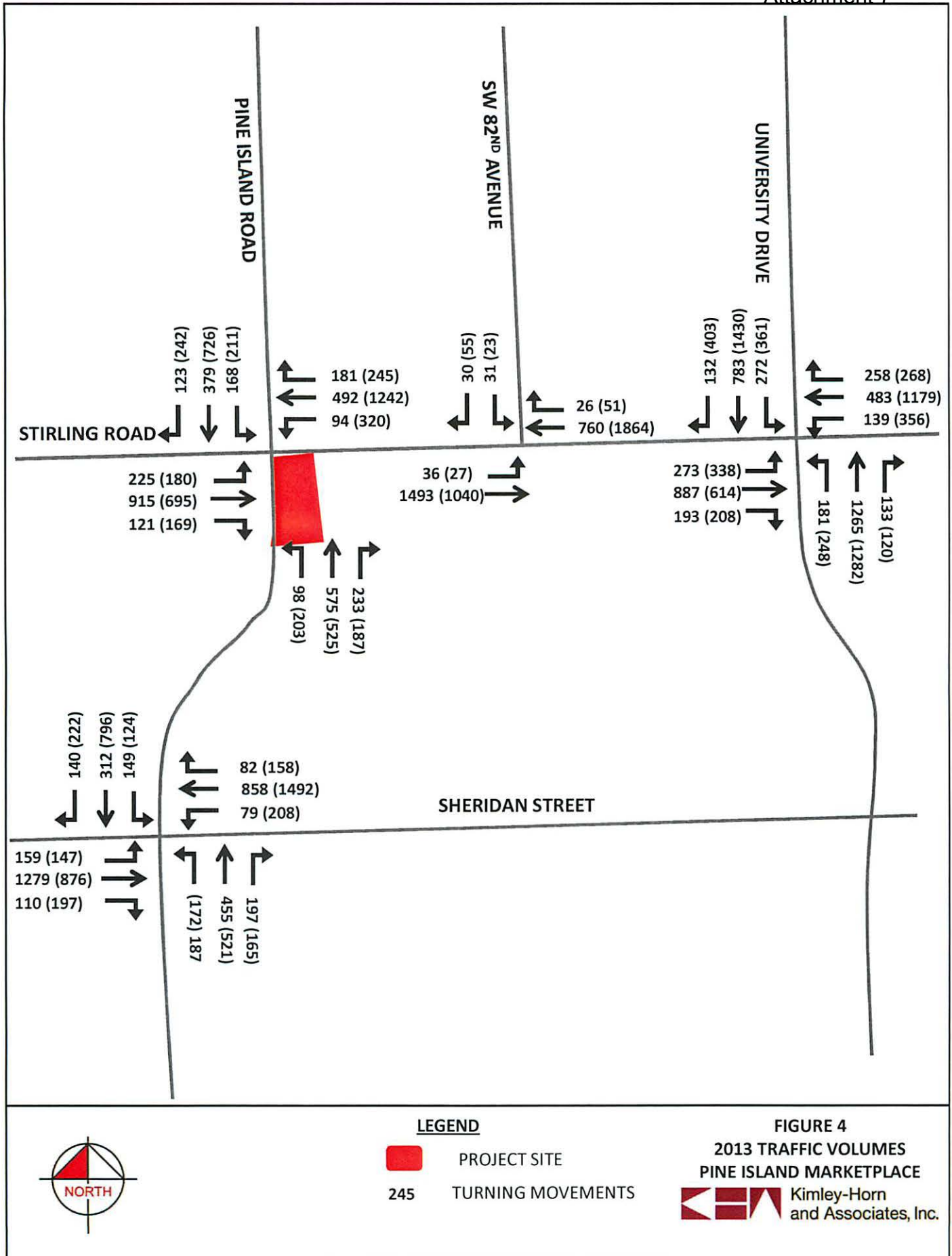
### Driveway Analysis

The site is proposed to be accessed via one full-access driveway on Pine Island Road, one right-in driveway on Pine Island Road, and one right-in right out driveway on Stirling Road. The FDOT *Driveway Handbook* was used to determine whether dedicated left and right turn lanes were needed at the driveways. Based on a posted speed limit of 45 mph, a dedicated eastbound right turn lane is required at the right-in/right-out driveway on Stirling Road and a dedicated southbound left turn lane is required at the full access driveway on Pine Island Road. These turn lanes have been included in the proposed site plan.

Driveway Number	Description/Location
1	Full Access Driveway on Pine Island Road
2	Right-in on Pine Island Road
3	Right-in/Right-out on Stirling Road

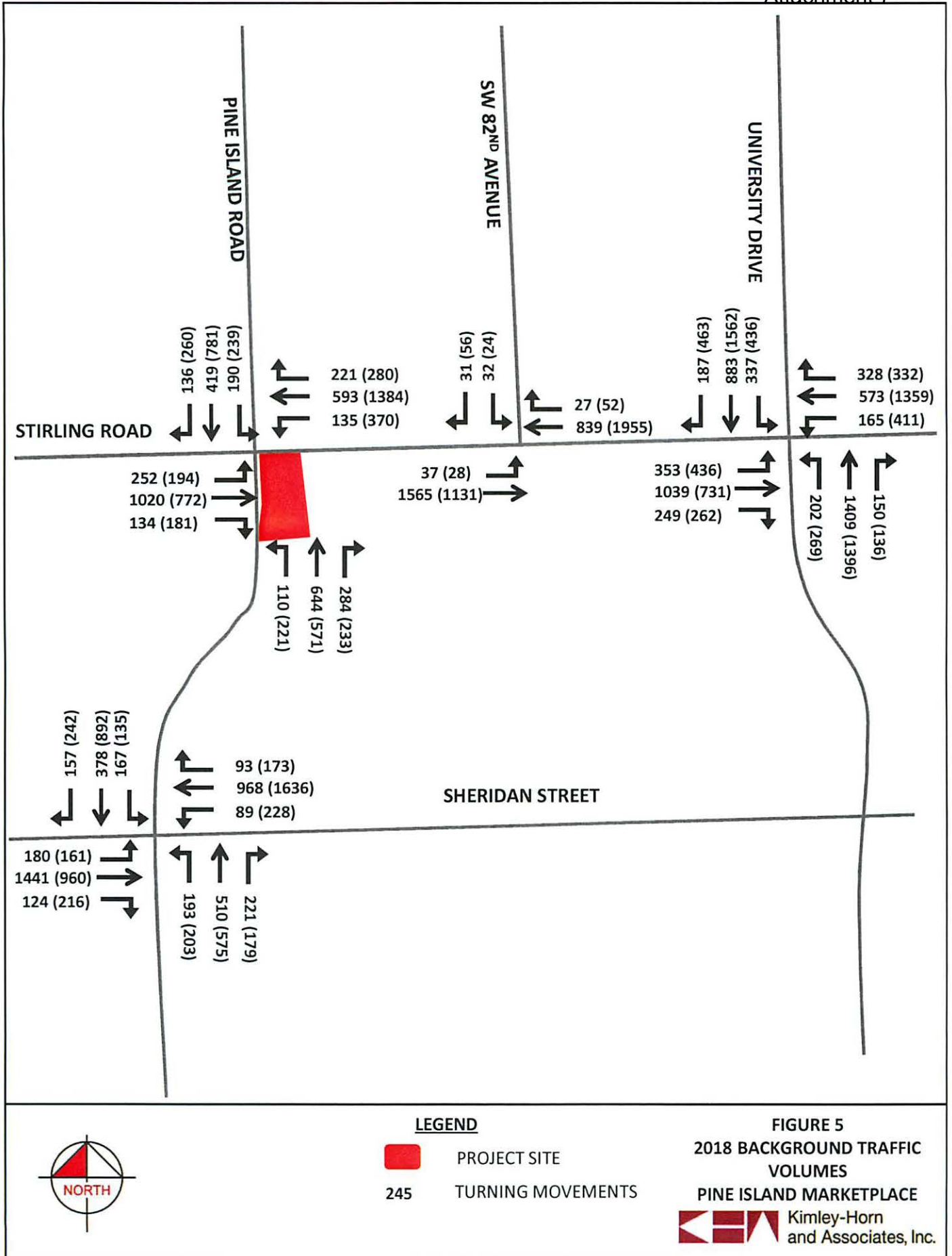
*Figure 7* illustrates the location and proposed volumes for the site driveways. *Figures 8* and *9* illustrate the driveway percentages for the inbound and outbound trips, respectively.

Attachment 7

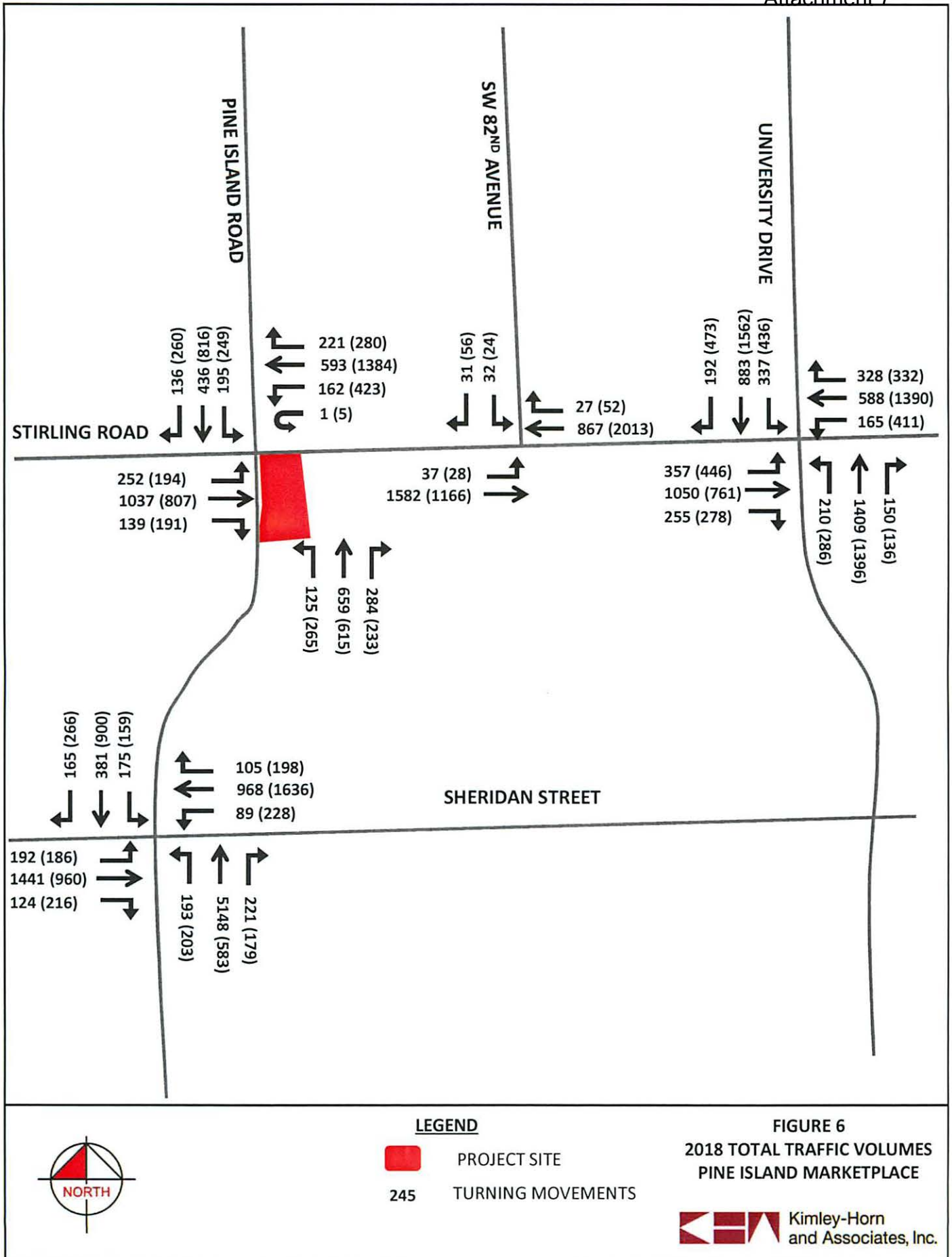




Attachment 7



Attachment 7



**Turn Lane Requirements**

The required storage length, deceleration distance, and total turn lane length were calculated for the left turn lane at the full access driveway. This is a County roadway and is subject to County design review and permitting. It is proposed to modify the turn lane from its current design to allow additional storage length. As shown below, the anticipated vehicle storage required is 50 feet, and an additional 185 feet are proposed to be provided for deceleration and taper. This deceleration distance and taper with the FDOT *Roadway Design Standards* requirement for a design speed of 45 miles per hour. In this case, the posted speed is 45 mph; however, any additional lengthening of the turn lane to provide additional deceleration length would result in a reduction of the deceleration length and storage for the northbound left turn lane at Pine Island Road & Stirling Road. Therefore, the modified turn lane is proposed to be 235 feet in length, including a 50-foot taper. Final turn lane dimensions and modifications are subject to review and permitting by Broward County.

**Table 8: Turn Lane Calculations Summary**

LOCATION	VOLUME (VPH)	VEHICLE STORAGE (FT)	DECELERATION DISTANCE, INCL. TAPER (FT)	TOTAL TURN LANE LENGTH (FT)
SB Left-Turn Lane	94	50	185	235





## CONCLUSION

It is proposed to develop a currently vacant property on the southeast corner of Pine Island Road and Stirling Road. The proposed development will consist of a 39,188 square-foot supermarket, a 25,000 square-foot shopping center, and a 2,500 square-foot fast-food restaurant.

Based on the proposed traffic, all significantly impacted roadway links are expected to operate acceptably through buildout in 2018.

The capacity analysis indicated that the intersection of Stirling Road & University Drive is anticipated to operate at a level of service (LOS) D during the AM peak hour and a level of service (LOS) E during the PM peak hour. At this intersection the project traffic only accounts for 0.47% of the total future traffic during the AM peak hour and 1.45% of the total future traffic during the PM peak hour. The analysis indicates that the intersections of Stirling Road & Pine Island Road and Sheridan Street & Pine Island Road will operate at a level of service (LOS) D or better under the total future conditions. The minor street approach at the unsignalized intersection of Stirling Road & SW 82<sup>nd</sup> Avenue currently operates at a level of service (LOS) F during the PM peak hour and is expected to worsen. This movement is expected to improve to an acceptable level of service if southbound left turns are disallowed.

A driveway analysis was also performed for the site. The right-in/right-out driveway on Stirling Road and the right-in-only driveway on Pine Island Road both include a portion of a right turn deceleration lane that extends past their driveway openings. A new right turn lane is proposed to be constructed at the full access opening on Pine Island Road, and the existing southbound left turn lane at this driveway is proposed to be modified to provide additional deceleration and storage length.

**Snieszek, Henry**

Attachment 8

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**From:** Snieszek, Henry  
**Sent:** Wednesday, February 19, 2014 2:26 PM  
**To:** david\_quigley@davie-fl.gov  
**Cc:** 'richard\_lemack@davie-fl.gov'; david\_abramson@davie-fl.gov  
**Subject:** Compatibility Review - Spears Property in Davie  
**Attachments:** LettertoDavie020714.pdf

2/19/14

Hi, David. Hope this finds you well. The attached is FYI and use. As you may be aware, we have received an application for a "compatibility review" for the Spears property in Davie. We are targeting **April 8, 2014, 2:00 P.M.** for the County Commission public hearing.

I would request that any written comments that the Town may want to submit should be submitted to me no later than March 14 if you want them to be include in the County Commission agenda backup materials. Comments received after March 14 will be forwarded to the County Commission as additional agenda material.

On a related matter, if you know of specific persons or organizations who wish to be notified or may wish to submit comments, please feel free to forward this and invite them to contact me at [hsnieszek@broward.org](mailto:hsnieszek@broward.org) or call me at 954-357-6670. Alternatively, please feel free to forward to me addresses or email addresses of any interested parties you are aware of.

Please feel free to contact me at your convenience if you have any questions or wish to discuss.

Thanks!

Henry  
954-357-6670

**Snieszek, Henry**

Attachment 8

---

**From:** Snieszek, Henry  
**Sent:** Wednesday, February 19, 2014 2:20 PM  
**To:** 'mwood@coopercityfl.org'  
**Cc:** 'bloucks@coopercityfl.org'  
**Subject:** Compatibility Review - Spears Property in Davie  
**Attachments:** LettertoDavie020714.pdf

2/19/14

Hi, Matt. Hope this finds you well. The attached is FYI and use. We have received an application for a "compatibility review" for the Spears property in Davie. We are targeting **April 8, 2014, 2:00 P.M.** for the County Commission public hearing.

I would request that any additional written comments that the City may want to submit should be submitted to me no later than March 14 if you want them to be include in the County Commission agenda backup materials. Comments received after March 14 will be forwarded to the County Commission as additional agenda material.

On a related matter, if you know of specific persons or organizations who wish to be notified or may wish to submit comments, please feel free to forward this and invite them to contact me at [hsnieszek@broward.org](mailto:hsnieszek@broward.org) or call me at 954-357-6670. Alternatively, please feel free to forward to me addresses or email addresses of any interested parties you are aware of.

Please feel free to contact me at your convenience if you have any questions or wish to discuss.

Thanks!

Henry  
954-357-6670



Attachment 8



Environmental Protection and Growth Management Department  
**PLANNING AND REDEVELOPMENT DIVISION**

1 North University Drive, Suite 102-A • Plantation, Florida 33324 • Telephone 954-357-6666 • FAX 954-357-6521 • 954-765-4948

February 7, 2014

**SENT VIA CERTIFIED MAIL**

Richard J. Lemack, Town Administrator  
6591 Orange Drive  
Davie, FL 33314

**Subject: Receipt of Application for a Compatibility Review by the County Commission Regarding the Town of Davie's Allocation of "Commercial Flexibility" for the "Spears" Property Located at the Southeast Corner of Stirling Road and Pine Island Road**

Dear Mr. Lemack;

The purpose of this letter is to advise that the Broward County Planning and Redevelopment Division has received an application from the Town of Davie requesting a Broward County Commission "Compatibility Review" regarding the Town's allocation of "commercial flexibility" for a parcel of land located at the southeast corner of Stirling Road and Pine Island Road, which is contiguous to the City of Cooper City. The application has been filed in response to a request from the City of Cooper City, pursuant to Article 9.4(B) of the Administrative Rules Document: Broward County Land Use Plan.

As per Article 9.5 of the Administrative Rules Document: Broward County Land Use Plan, "Compatibility Review" determinations shall be made by the County Commission following a public hearing. County staff has tentatively identified April 8, 2014, for the County Commission public hearing in this regard.

If you or your staff has any questions, please feel free to contact me at your convenience. My phone number is 954-357-6670, and email is [hsniezek@broward.org](mailto:hsniezek@broward.org).

Respectfully,

A handwritten signature in black ink, appearing to read "H. Sniezek", written over a horizontal line.

Henry A. Sniezek, Director

/HAS

**Richard J. Lemack, Town Administrator**  
**February 7, 2014**  
**Page 2 of 2**

cc: **Bertha Henry, Broward County Administrator**  
**Cynthia Chambers, Director, EPGM**  
**Maite Azcoitia, Esq., Deputy County Attorney**  
**David M. Abramson, Deputy Manager, Town of Davie**  
**David Quigley, Planning and Zoning Manager, Town of Davie**  
**Bruce D. Loucks, City Manager, City of Cooper City**  
**Matt Wood, Growth Management Director, City of Cooper City**  
**Barbara Blake Boy, Executive Director, Broward County Planning Council**  
**Nectaria M. Chakas, Esq., Lochrie & Chakas, P.A.**



John Gilliland – Pastor

December 4, 2013

To whom it may concern:

I am writing this letter to express my approval for the planned shopping center on the property behind my house and beside our church. I wish I could be at your meeting tonight to express this in person, but given my duties at the church I cannot be there. I think it is important that you know that I am the closest neighbor to the project, given that it will be in my back yard.

I believe this project will be a benefit to our community. I am sure there are many things that could be built on this site, but many of them could have very negative consequences for our community. I do not believe that this project will have those negative consequences.

I do not believe that it will add to the traffic in the area, instead I believe it will serve that traffic. I cannot see that anyone would drive out of their way to stop in this center given that there are so many other options within a close proximity. I further believe that a wall between the properties will reduce any noise to acceptable levels.

Thank you for hearing my position if you have any questions please feel free to contact me personally.

Respectfully,



John Gilliland  
Pastor – Calvary Fellowship FWB Church

8530 Stirling Rd • Hollywood, FL 33024 • Tel: 954-432-2550 • Fax: 954-732-7969



**Greg Ross, Mayor**  
**Lisa Mallozzi, Commissioner**  
**John Sims, Commissioner**  
**James C. Curran, Commissioner**  
**Jeff Green, Commissioner**  
**Bruce Loucks, City Manager**



THE CITY OF

**COOPER CITY**

Someplace Special

**BROWARD COUNTY, FLORIDA**

P.O. BOX 290910  
 9090 Southwest 50th Place  
 Cooper City, Florida 33329-0910  
 (954) 434-4300 • Fax: (954) 434-5099  
 coopercityhall@coopercityfl.org

Tuesday, March 4, 2014

Broward County Board of County Commissioners  
 115 S. Andrews Avenue, Room 421  
 Fort Lauderdale, FL 33301-1872

**Re: Spears Property**

**Flexibility Allocation Compatibility Review Application (Article 9.4(B), Administrative Rules Document of Broward County Land Use Plan)**

Members of the Broward County Board of County Commissioners:

This letter is written at the request of the City Commission of the City of Cooper City with regard to the application for compatibility review concerning the Town of Davie's proposed allocation of commercial square footage for the "Spears" property under the Town of Davie Comprehensive Plan and the Broward County Land Use Plan (the "application").

**1. Background**

The Town of Davie proposes to rezone the northern portion of the subject site (an area of approximately 9.9 acres) from Agricultural (A-1) to Community Business (B-2), at the Town's municipal boundary with the City of Cooper City. The Town of Davie Future Land Use designation of the property is Residential (1 dwelling unit/acre) and the Broward County Land Use Plan designation of the property is Estate (1) Residential. The application proposes to utilize residential-to-commercial flexibility under Article 2.5 of the Broward County Land Use Plan.

The petitioner proposes a new commercial shopping center (Pine Island Marketplace) on the subject property, consisting of five (5) freestanding buildings totaling 68,000 square feet. The development is proposed to include Walmart Neighborhood Market as an anchor tenant.

**2. The Application Does Not Meet the Requirements for Allocation of Commercial Flexibility**

In accordance with the Compatibility Determination process and review criteria of Article 9 of the Administrative Rules Document of the Broward County Land Use Plan, I find it appropriate and necessary to express the City's serious concerns with the application.



- Article 9.2 of the Administrative Rules Document defines “compatibility” as follows:

*Compatible or compatibility – a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is negatively impacted directly or indirectly by another use or condition.*

- Article 9.3 of the Administrative Rules Document provides:

*Compatibility determinations shall be based upon the following considerations:*

*(A) the density and intensity of the land use(s) resulting from the application of flexibility;*

*(B) the density and intensity of existing and planned land uses adjacent to the site;*

- Article 2.5(A)(8) of the Administrative Rules Document provides:

*the arrangement of land use designations must produce a reasonable development pattern. Criteria for reasonableness shall include compatibility of adjacent land uses and suitability of parcels for various development patterns.*

If approved, the allocation of commercial flexibility acreage to the site will be incompatible with the land uses on adjacent properties and will result in an unreasonable and inconsistent land use pattern, in direct opposition to the commercial flexibility review criteria of the Administrative Rules Document. Approval of the application would create an isolated island of intense commercial development, surrounded on three sides by property that is designated for low-density residential development.

The development located to the west and south of the site, within the City of Cooper City, is within the Monterra planned mixed-use development and subject to a low-density residential land use designation which allows an overall maximum of 3.663 dwelling units per acre. The Bella Terra at Monterra single-family residential pod located to the south of the site is limited to no more than 3 dwelling units per acre, and the Estada at Monterra single-family residential pod located west of the site is limited to only 2 dwelling units per acre. Corta Bella at Monterra, a single-family development located east of the site, allows 2.4 dwelling units per acre.

The City is very concerned that the proposed allocation of commercial flexibility will negatively affect property values within the adjacent low-intensity residential neighborhoods, due to the incompatible effects of such an intensive large-scale commercial development. The development of the site as an approximately 68,000 square foot commercial shopping center will certainly generate increased vehicle traffic, noise, and other impacts which will negatively impact the surrounding residential uses.

Finally, the City is concerned that the application for allocation of commercial flexibility acreage to the property is not consistent with Article 2.5 of the Administrative Rules. Article 2.5 (2) provides that allocations of commercial flexibility acreage cannot apply to a contiguous area more than 10 acres in size. The application requests rezoning and allocation of commercial flexibility acreage to 9.9 acres of land, although the development site plan is 11.2 acres, including the 1.3 acre stormwater retention area at the south of the development site, which is included within the applicant’s site plan for the development. If the 1.3 acres was properly included as part of the application, the application would exceed the 10 acre limitation for the


allocation of commercial flexibility acreage. The applicant's failure to include this area in the rezoning and flexibility allocation application is disingenuous and does not comply with Article 2.5 (2).

Additionally, the requested use of commercial flexibility is unreasonable as it will bypass infill areas within the Town of Davie, including lands which are more suitable for the proposed use and already possess the appropriate land use and zoning designations for this scale of commercial development.

For the foregoing reasons, the City requests that the Board of County Commissioners find the proposed allocation of commercial flexibility to be inconsistent with Article 2.5(A)(8) and Article 9.3 of the Administrative Rules Document.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce D. Loucks". The signature is fluid and cursive, with the first name "Bruce" being more prominent.

Bruce D. Loucks  
City Manager

CC: Town of Davie Town Administrator, Richard Lemack  
Broward County Planning Council  
City Commission, City of Cooper City  
Town of Davie Town Council  
Gary Fiegler, Association Services of Florida  
Janet Kroll, Manager Community Services, Minto Communities – Florida  
Megan Lingerfelt, Cascada Isles HOA Manager  
Nicole Luaces, Cascada HOA Manager  
Maria P. Spagnuolo, CDD & Club Manager – Monterra  
Jimmy Wright, Vice President, Land, CC Devco, LLC