

1. REQUESTED MOTION:

ACTION REQUESTED: APPROVE the extension of the vacated Zoning Master Concept Plan for Westgate Regional Centre Commercial Plaza for a period not to exceed two (2) years from the date of extension.

WHY ACTION IS NECESSARY: To allow for the extension of the duration of rights for the approved Commercial Planned Development.

WHAT ACTION ACCOMPLISHES: To allow the original zoning approval of the Commercial Planned Development to be extended for a maximum period of two (2) years pursuant to Land Development Code Section 34-381.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # _____

A4A

3. MEETING DATE:

03-25-2003

4. AGENDA

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE
- ORDINANCE (LDC Sec. 34-381)
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
 - B. DEPARTMENT Community Development
 - C. DIVISION Zoning
- BY Tom Hurd

7. BACKGROUND:

This is an application to allow for the extension of the duration of rights for the approved Commercial Planned Development (CPD), Case #97-04-142.03Z.01.01, Resolution Z-97-082 approved on January 5, 1998. The subject property is located at Lee Boulevard and Westgate Boulevard.

Lee Boulevard is located to the north of the subject property; then north of Lee Boulevard are vacant parcels zoned commercial (C-2). Westgate Boulevard runs along the west property line of subject property; then across Westgate Boulevard, to the west, are lots currently zoned Light Industrial (IL). To the south of subject property lies vacant lots all zoned Light Industrial (IL). To the east of the subject property are 2 lots which are developed with commercial (C-2) uses.

In May of 1997 the subject property was in the Central Urban and Industrial Development future land use category. On May 27, 1998, the Comprehensive Plan was amended to change the Industrial Development portion of subject property to Central Urban, Lee Plan Amendment #9619.

The subject property is vacant except for an outparcel located in the northwest quadrant of the Commercial Planned Development (CPD), which is occupied by a convenience food and beverage store with fuel pumps. This request for extension of the Master Concept Plan is to be reviewed based upon the findings of fact contained in Section 34-381(c)(1) of the LDC.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

A Department Director	B Purchasing or Contract	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>Mark</i>	N/A	N/A		<i>Mark</i>	W/H 3/5/03				
					OA 3/4/03	OM 3/4/03	Risk 3/5/03	GC 3/4/03	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 3/4/03
Time: 1:00 pm
Forwarded To:
Co. ADM.
3/4/03 2:00 PM

~~CO. ATTY.
FORWARDED
TO CO. ADMIN.~~

RECEIVED BY
COUNTY ADMIN. *TD*
3-4-03
2.15
COUNTY ADMIN.
FORWARDED TO: *BH*
3/5/03

This request for extension of the Master Concept plan is to be reviewed based upon the findings of fact contained in Section 34-381(c)(1) of the LDC. A statement of the necessary findings are listed along with the staff findings in bold print.

c) An approved master concept plan may be extended as follows:

1. An approved master concept plan for a phase of or an entire planned development may be extended by the Board of County Commissioners for a period of no more than two (2) years from the date of the extension based upon the following findings of fact:

a. The master concept plan is consistent with the current Lee Plan, including, but not limited to, density, intensity and concurrency requirements:

Staff Finding: A portion of the subject property was originally in the Industrial Development land use category. The Lee Plan was amended to bring the entire property into the Central Urban land use category. The Master Concept Plan (MCP) was found consistent with the Central Urban land use category of Lee Plan. Since that time, there have been no substantial changes in the Lee Plan that would now make this planned development inconsistent.

b. The development shown by the master concept plan has not become incompatible with existing and proposed uses in the surrounding area as the result of development approvals issues subsequent to the original approval of the master concept plan; and

Staff Finding: The surrounding properties have not changed in either zoning or land use and remain mostly undeveloped. The current commercial (C-2) and light industrial (IL) uses of the surrounding properties are compatible with the Commercial Planned Development (CPD). The developed lots to the east, fronting on Lee Boulevard, are commercial (C-2) uses, with several properties to the west, south, and east, of the CPD, zoned for and developed with light industrial (IL) uses.

c. The development shown by the master concept plan will not, by itself or in conjunction with other development, place an unreasonable burden on essential service facilities.

Staff Finding: The Master Concept Plan (MCP) is not found to place an unreasonable burden on the service facilities in the area due to the extension of water and sewer services in the area. The subject property was enhanced by creating Westgate Boulevard, immediately west of the subject property, which improved access to the subject property.

Based upon the above noted findings, staff recommends APPROVAL of this request to extend the duration of the project for the maximum of two (2) years from the date of this action.