

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20030765

1. REQUESTED MOTION:

ACTION REQUESTED: APPROVE the first extension of the vacated zoning Master Concept Plan for Carissa CPD for a period not to exceed two (2) years from the date of the approval by the Board of County Commissioners.

WHY ACTION IS NECESSARY: Allows time extension.

WHAT ACTION ACCOMPLISHES: Extends zoning approval for two years.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # 2

A4A

3. MEETING DATE:

08-26-2003

4. AGENDA

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE
 - ORDINANCE
 - ADMIN. CODE
 - OTHER (LDC)

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT Community Development
- C. DIVISION Zoning
- BY Mary Gibbs

7. BACKGROUND:

This is an application to allow for the extension of the duration of rights for the approved Commercial Planned Development Zoning Case 96-12-014.03Z 01.01 as approved by Resolution Z-97-029 for a period not to exceed two (2) years. The subject property is located at 12151, 12211 JV Parker Lane & 12110, 12150 Six Mile Cypress Parkway (along west side of Six Mile Cypress Pkwy. south of Penzance Road). The subject property was originally zoned to Commercial Planned Development (CPD) on June 16, 1997. This approval allowed a mixed use commercial development consisting of 100,000 square feet of retail commercial floor area, 50,000 square feet of office floor area and 100 hotel/motel units. Adjacent property to the north is zoned CPD and RPD, both properties are currently vacant. To the east is Six Mile Cypress Parkway, then vacant EC zoned lands. To the south is vacant, CS-1 zoned land. To the west, is AG-2 zoned lands, both vacant and developed with a mobile home and single family residence.

Although the Land Development Code was changed by Ordinance 03-16 addressing how extensions of planned developments may be granted, this application was found sufficient before the changes became effective on July 1, 2003. Therefore this application is being processed under the old regulations.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

A Department Director	B Purchasing or Contracts	C Human Rel.	D Other	E County Attorney	F County Administration	G County Manager
<u>Mary Gibbs</u>	<u>NIA</u>	<u>NIA</u>	<u>NIA</u>	<u>[Signature]</u>	<u>[Signature]</u> 8/14/03 <u>Risk</u> <u>[Signature]</u> 8/14/03	<u>[Signature]</u>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 8/13/03
Time: 2:20
Forwarded to:
City Admin
8/14/03 9:45 A.M.

RECEIVED BY
COUNTY ADMIN: TD
8-14-03
10:10
COUNTY ADMIN
FORWARDED TO: [Signature]
8/14/03

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) of the LDC. A statement of the necessary findings are listed along with the staff findings in bold print.

An approved master concept plan for a phase of or an entire planned development which has been vacated due to a failure to proceed on the applicant's part may be extended no more than two times by the Board of County Commissioners for a period of no more than two (2) years each, provided it does not extend the life of the master concept plan more than ten (10) years from the date of the original zoning action. Approval of this request as recommended would be the first extension, would not exceed two years, and would not extend the life for more than 10 years from the date of the original zoning action.

LDC Section 34-381(c)(1):

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

Staff Finding: **The subject property was, and continues to be, located within the Central Urban future land use category of the Lee Plan. There has been substantially little change to the zoning or use of the lands in this immediate area. The project was originally found to be consistent with the Lee Plan and the Master Concept Plan remains consistent with the Lee Plan.**

- 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 development shown on the approved Master Concept Plan remains compatible with the existing and proposed uses in this area. The only substantial change in proposed surrounding use was a rezoning to Residential Planned Development (RPD) for land fronting on Penzance Road to the north. Where the subject property abuts that approved RPD, the Master Concept Plan proposes retention and detention areas and in staff's opinion will remain consistent and compatible with this proposed residential development.**

- 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: **Staff does not expect that this development by itself or in conjunction with other development will place an unreasonable burden on essential services. Some services, such as potable water and sanitary sewage, have been improved in this area since the original zoning.**

Based upon the above noted findings, staff recommends APPROVAL of this request for the first extension of the duration of the project for the maximum of two (2) years from the date of this approval by the Board of County Commissioners.