

Staff Report

DATE: May 7, 2009

TO: Chairman and Members of the
Planning and Zoning Board

VIA: David H. Frank
Administrative Services Director

FROM: Sharon L. Williams
Associate Planner

Project: Chapel Trail Development of Regional Impact
(DRI) Notice of Proposed Change (NOPC)

Project No: PH 2008-07

Location: North side of Pines Boulevard, east of US 27

Applicant: Holland & Knight, LLP
(Janna Lhota, Esq.)

Project Summary:

Chapel Trail Associates, Ltd., through their agent, Holland & Knight, LLP, is requesting approval of an application to modify the development order granted by Ordinance No. 843 for the Chapel Trail DRI, pursuant to Section 380.06, Florida Statutes, adopted by the City Commission on September 15, 1987, and as modified by Ordinance No's 943 (adopted 11/28/90), 1009 (adopted 9/16/92), 1130 (adopted 8/2/95), 1332 (adopted 2/2/2000), 1418 (adopted 9/4/2002), 1462 (adopted 10/15/2003) and 1517 (adopted 6/8/2005). The DRI is a 1,850-acre mixed-use development generally located between Sheridan Street and Pines Boulevard, and between US 27 and NW 184th Avenue. The proposed change is to modify the DRI development program that would result in a simultaneous increase in commercial square feet (from 187,500 to 290,254) and decrease in industrial and community facility square feet (from 1,550,000 to 1,029,914 of industrial, from 224,200 to 189,816 of community facility). No changes in residential density or office uses are proposed.

The DRI is currently approved for 187,500 square feet of retail, 100,000 square feet of office, 1,550,000 square feet of industrial, 224,200 square feet of community facilities, and 3,662 dwelling units. See table below for modified development plan proposed by the subject NOPC:

Land Use	Original ADA	Approved Square Feet Unit changes (Subsequent NOPC's)	Proposed Square Feet (Subject NOPC)	Change	Existing/Under Construction DRI Development	Sq. Ft. /Units Remaining if NOPC approved
Residential	3,200	3,662	0	0	3,662	0
Office	709,000	100,000	0	0	100,000	0
Industrial	1,274,000	1,550,000	1,029,914	520,086	678,495	351,419
Commercial/Retail	285,000	187,500	290,254	102,754	118,471	171,783
Community Facility	44,000	224,200	189,816	34,384	189,816	0

The applicant has prepared a traffic analysis to determine PM Peak hour trip generation from the proposed change. According to the analysis, no increases in PM Peak hour trips will be generated by the proposed change. The proposed NOPC and revised traffic study were reviewed by the City's Environmental Services Division, as well as by the State of Florida Departments of Transportation (DOT) and Community Affairs (DCA) with no objections and a finding that the proposed changes do not result in any increased regional impacts.

The applicant is aware that a permit from the State of Florida Fish and Wildlife Commission (FWC) may be required prior to any construction activity due to the proximity of the subject parcel to the active Eagles Nest on the south side of Pines Boulevard on the Chambers property. Prior to the issuance of a building permit, the applicant will be required to submit documentation from the FWC that a FWC permit has been issued or a permit will not be required.

Staff Recommendation: Transmit to the City Commission with a favorable recommendation with a determination that the proposed change does not constitute a substantial deviation and that prior to the issuance of a building permit, the applicant will be required to submit documentation from the FWC that a FWC permit has been issued or will not be required.

Enclosed: Memo from Engineering Division, dated 12/22/2008
Letter from DOT, dated 3/11/2009
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