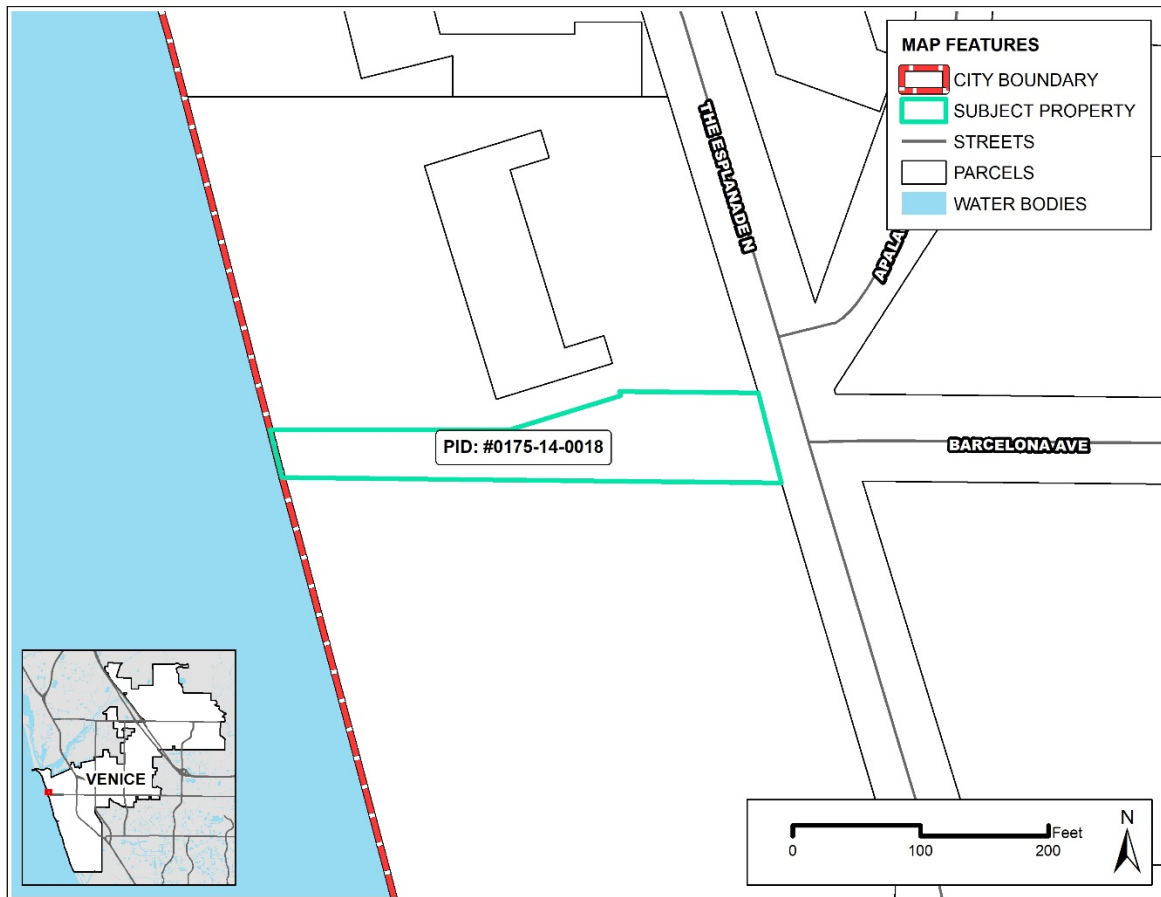




COMPREHENSIVE PLAN MAP AMENDMENT: CASSATA SHORES STAFF REPORT



COMPREHENSIVE PLAN MAP AMENDMENT	
Request:	To amend the existing Comprehensive Plan designation for the subject property from Commercial to Medium Density Residential
Applicant:	MPS Development and Construction, LLC
Owner:	Thomas B. Salem
Agent:	Jeffery A. Boone, Esq.
Location:	225 The Esplanade N.
Parcel ID:	0175140018
Property Size:	0.37 +/- acres
Current Future Land Use:	Commercial
Proposed Future Land Use:	Medium Density Residential
Comprehensive Plan Neighborhood:	Island
Current Zoning:	Commercial, Neighborhood
Proposed Zoning:	Residential Multi-family (RMF-3)
Related Submissions:	Zoning Map Amendment, Site & Development Plan, Special Exception

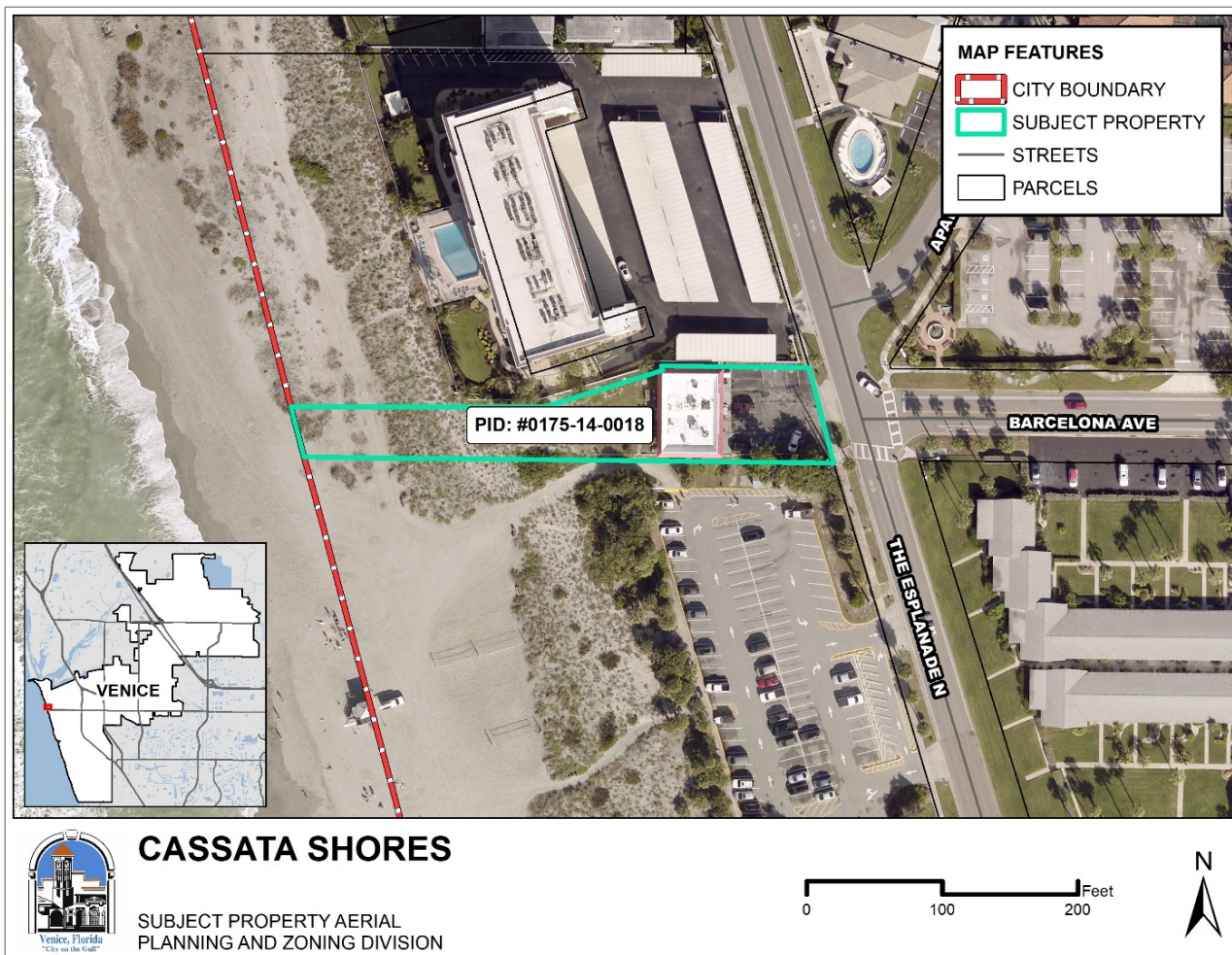
I. EXISTING CONDITIONS

The 0.37 ± acre subject property lies at the far western end of Barcelona Avenue at 225 The Esplanade N. The property is developed and has been used as a single story, 2,940 square foot (gross area) convenience store, without gasoline service. The front portion of the lot is paved and utilized for parking. The store was constructed in 1973. There are no surface waters or notable environmental features on the property, and few trees.

Adjacent to the property on the north is a multistory, high density residential condominium complex, while public parking and public beach accesses lie to the south. To the east is high density residential and public parking. The subject property is beachfront, with its west end fronting the Gulf of Mexico. Vehicular access to the property has been, and will continue to be, provided off The Esplanade N.

The applicant is requesting a Comprehensive Plan map amendment. Petitions for a Zoning map amendment, a Site and Development Plan, and a Special Exception have also been submitted by the applicant for this project. The comprehensive plan map amendment request is to convert the future land use designation from Commercial to Medium Density Residential, implementing this land use by rezoning the property from Commercial, Neighborhood to Residential Multifamily (RMF-3). The applicant proposes to develop the subject property into three residential condominium units, with a ground floor garage and a shared swimming pool.

Aerial View



Site Photographs



Southwest along The Esplanade N.



Looking west across The Esplanade N.



West toward Gulf of Mexico



View is northeast

Flood Zone Information

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) shows the subject property as being located within Zone AE (1% annual chance of flooding) and Zone VE (1% annual chance of coastal flooding with the additional hazard associated with storm-induced velocity wave action). The property is in a designated Special Flood Hazard Area. In addition, the entire property is located seaward of the Coastal Construction Control Line. Development of the property will be subject to compliance with applicable FEMA and Florida Department of Environmental Protection (FDEP) requirements.

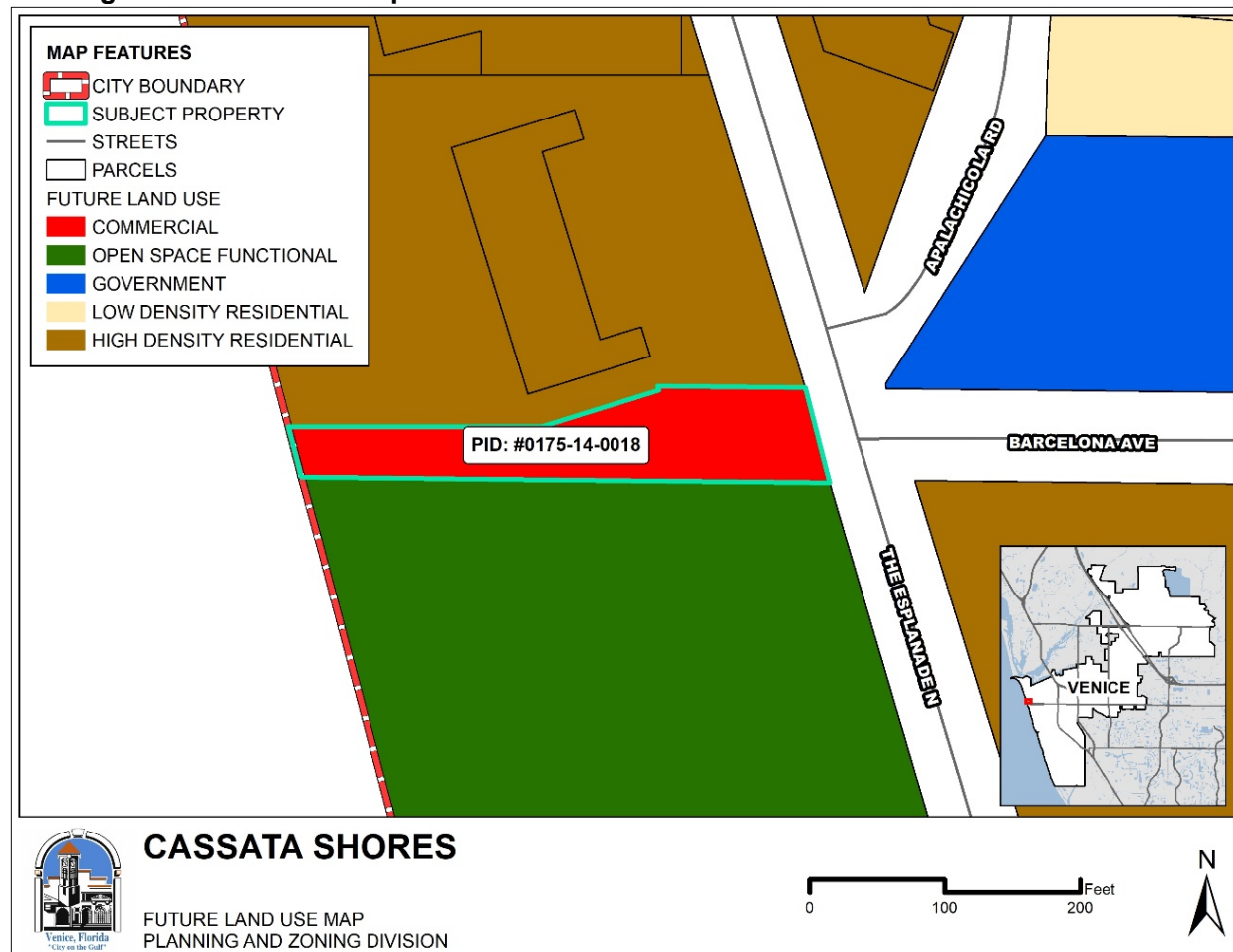
Surrounding Properties

Direction	Existing Land Use(s)	Current Zoning District(s)	Existing Future Land Use Map Designation(s)
North	Residential	Residential Multifamily (RMF-4)	High Density Residential
South	Venice Beach public parking	Government Use (GU)	Open Space Functional
East	Public parking, Residential	GU, RMF-4	Government, High Density Residential
West	Gulf of Mexico	N/A	N/A

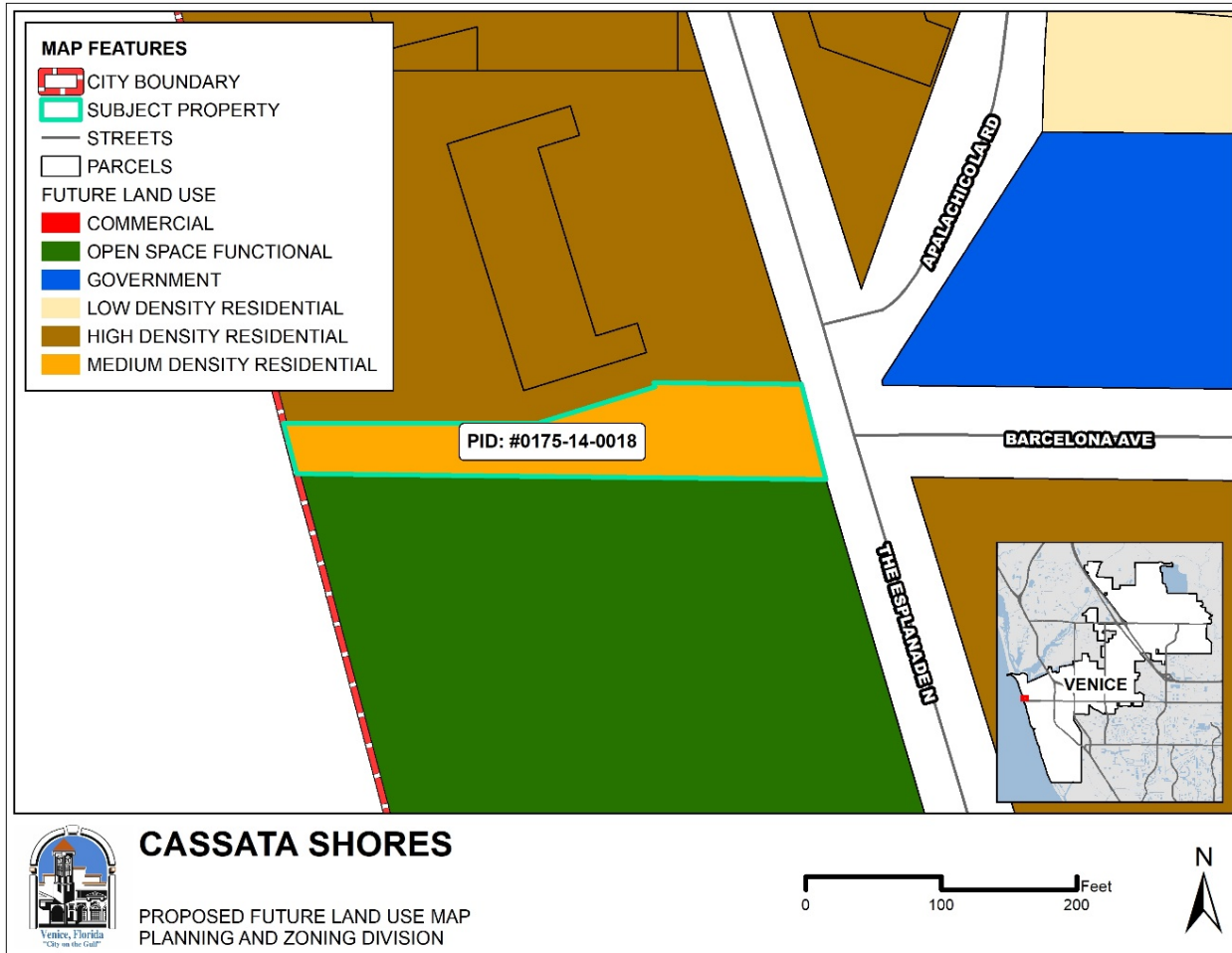
Future Land Use

The subject property is located in the Comprehensive Plan's Island Neighborhood and is designated as Commercial on the future land use map. The property is adjacent to High Density Residential to the north, Open Space Functional to the south, and Government and High Density Residential to the east. To the west is the Gulf of Mexico. The following images show both the current and proposed Future Land Use Maps (FLUM) of the subject property and the surrounding area.

Existing Future Land Use Map



Proposed Future Land Use Map



II. Comprehensive Plan Map Amendment

The proposed Comprehensive Plan Map Amendment is being requested to accomplish the following:

1. Alteration of the future land use designation of the subject property in the Comprehensive Plan's Island Neighborhood. Applicant has suggested that no changes will be required to the neighborhood tables in the Island Neighborhood and throughout the document, considering the size of the property requesting the change. The table in the following section shows strikethrough/underlines provided for justification, taken verbatim from the applicant's submittal.
2. Assign a City of Venice future land use of Medium Density Residential to the subject property.
3. The Comprehensive Plan Map will be changed through this request, if approved, which will then be followed by Comprehensive Plan text changes as a result of the map amendment. All other impacted maps, graphics, text, and data throughout the Comprehensive Plan will be revised.

Island Neighborhood Changes

The following strikethrough/underline information was provided by the applicant:

Cassata Shores Comprehensive Plan Amendment Strikethrough/Underline Revisions

All necessary revisions are to Figure, Maps and Tables and Strategies are below. Each revision is identified below by type and page number of corresponding document, with the revision described in writing (*italics*) thereunder.

Applicant requests the following revisions to the Comprehensive Plan:

1. **“Figure (Map) LU-2: Future Land Use Map”** (page 23 of the Comprehensive Plan)
- Change color subject property parcel to Medium Density Residential color
2. **“Future Land Use” Table** (page 120 of the Comprehensive Plan)
- Due to the fact that the subject property's acreage is less than 0.5, the numbers in this chart should not be impacted by the adoption of this amendment to the Comprehensive Plan.

The Island				City-Wide		
FLU	Acreages	Intensity	Density	Acreages	Intensity	Density
COMMERCIAL	6	261,360	0	184	8,015,040	0
CONSERVATION	304	0	0	608	0	0
GOVERNMENT	476	0	0	634	0	0
HIGH DENSITY RESIDENTIAL	85	0	1,530	134	0	2,412
INDUSTRIAL	0	0	0	523	45,563,760	0
INSTITUTIONAL PROFESSIONAL	22	479,160	0	96	2,090,880	0
LOW DENSITY RESIDENTIAL	579	0	2,895	1,021	0	5,105
MEDIUM DENSITY RESIDENTIAL	73	0	949	244	0	3,172
MIXED USE CORRIDOR	140	2,134,440	1,274	617	11,116,512	3,436
Areas of Unique Concern	49	see LU-IS 1.1.6		49		0
MIXED USE DOWNTOWN	84	1,902,701	756	84	1,902,701	756
MIXED USE SEABOARD	0	0	0	67	1,970,001	422
MIXED USE AIRPORT	127	1,936,242	0	127	1,936,242	0
MIXED USE RESIDENTIAL	0	0	0	3,909	3,405,521	19,545
MODERATE DENSITY RESIDENTIAL	74	0	666	543	0	4,887
OPEN SPACE FUNCTIONAL	436	0	0	568	0	0
	2,455	6,713,903	8,070	9,408	76,000,657	39,735
ROW	362			887		
Total City Boundary	2,817			10,295		

3. **“Figure (Map) LU-IS-2: Future Land Use Map”** (page 127 of the Comprehensive Plan)
- Change color subject property parcel to Medium Density Residential color

Table of Changed Maps and Figures

Comprehensive Plan Changes for 20-09CP		
Page	Element	Name
23	Land Use	Figure LU-2: Future Land Use Map
Comprehensive Plan Neighborhood Changes		
127	Island	Figure LU-IS-2: Future Land Use Map

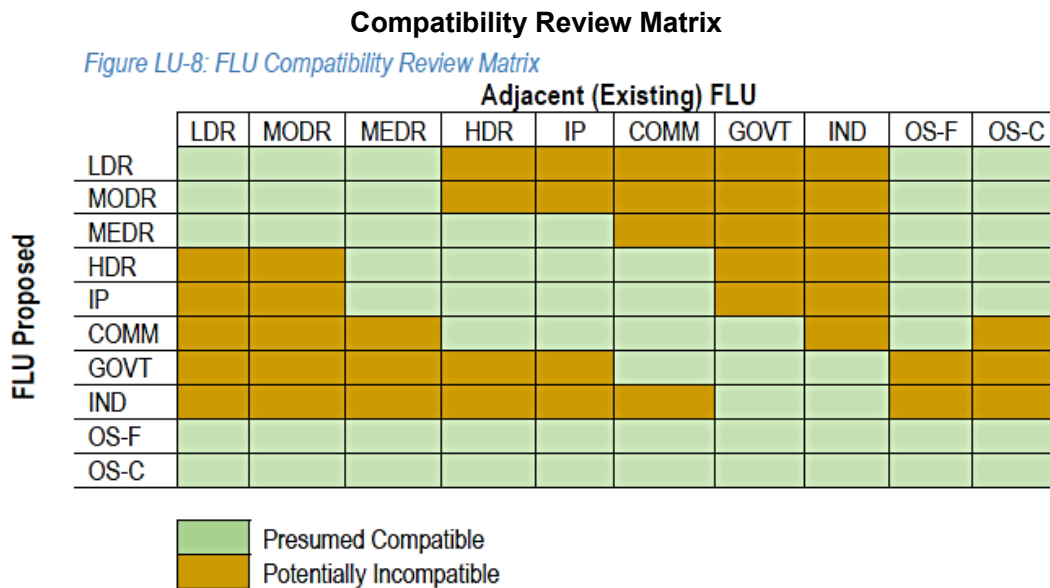
III. PLANNING ANALYSIS

Section 86-33(5) of the Land Development Code directs planning and zoning staff review of comprehensive

plan amendment applications: “This review will be done to determine consistency with the comprehensive plan and other relevant city ordinances, resolutions or agreements, and assess the effect of the proposed amendment upon the financial feasibility of the comprehensive plan. This analysis shall also address the proposed amendment’s consistency with the applicable requirements of F.S. ch.163.”

A. Comprehensive Plan Designation

The Medium Density Residential designation as provided in the Comprehensive Plan allows for a variety of residential types, single family attached and multifamily. Allowed density in this designation is 9.1 to 13.0 dwelling units per gross acre. The original submission requested a change in the Comprehensive Plan to allow lower than minimum density, but in the interim the Comprehensive Plan was changed to allow lower density in residential. Thus, the applicant withdrew this part of their request. The Compatibility Review Matrix has the designation requested as “presumed compatible” with the High Density Residential to the north and east of the subject property, but “potentially incompatible” with Government Uses. In this case, the government use of public parking lots to the east and south of the subject property. In addition, this property is limited by coastal regulatory lines, such as the Coastal Construction Control Line (CCCL) and the Gulf Beach Setback Line (GBSL).



B. Consistency: Effect of Proposed Amendment on Financial Feasibility of Comprehensive Plan for Infrastructure

There is no anticipated impact on the financial feasibility of the Comprehensive Plan for infrastructure purposes, since adequate public facilities and services are preexisting. The developer is responsible for any necessary infrastructure on the subject property, and the site has been served by city facilities since the original construction in 1973.

C. Consistency with Applicable Requirements of F.S. ch.163

Three provisions in Section 163.3177(6)(a) specify how amendments to the future land use element and future land use map are to be evaluated.

Section 163.3177(6)(a)2 Florida Statutes

The first of the three statutory provisions that provide direction on how plan amendments should be reviewed is contained in Section 163.3177(6)(a)2 Florida Statutes which is provided below. A staff response is provided for each of the ten considerations (the italicized portions are direct quotes from the Florida Statutes).

- The future land use plan and plan amendments shall be based upon surveys, studies, and data*

regarding the area, as applicable, including:

- a. *The amount of land required to accommodate anticipated growth.*

Staff Response: A sufficient amount of undeveloped and underdeveloped land remains in the city to accommodate anticipated growth. The proposed redevelopment of the subject property will, though on a small scale considering the size, provide for some of the anticipated growth.

- b. *The projected permanent and seasonal population of the area.*

Staff Response: The proposed future land use map represents a change from commercial to residential, providing for a slight increase in the residential development capacity, both on the subject property and within the city. A sufficient amount of undeveloped and underdeveloped land remains in the city to accommodate anticipated growth based on projected permanent and seasonal population. The Gulf front location of the subject property potentially lends itself to utilization by both populations.

- c. *The character of undeveloped land.*

Staff Response: The subject property is developed and currently being used as a single story, 2,940 square foot (gross area) convenience store, without gasoline service. The front portion of the lot is paved and used for parking. The store was constructed in 1973. There are no surface waters or notable environmental features on the property.

- d. *The availability of water supplies, public facilities, and services.*

Staff Response: The project has been reviewed by the City's Technical Review Committee, and no issues were raised regarding the ongoing ability to provide services to the site. City services have been present there since the original construction in 1973. The developer will be responsible for the cost and construction of necessary facilities to update services to the site and provide all infrastructure regarding utility and stormwater improvements to serve the development.

- e. *The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.*

Staff Response: Not applicable, as the subject property is not in a blighted area.

- f. *The compatibility of uses on lands adjacent to or closely proximate to military installations.*

Staff Response: Not applicable, there are no military installations near the subject property.

- g. *The compatibility of uses on lands adjacent to an airport.*

Staff Response: Not applicable, the subject property is not adjacent to an airport.

- h. *The discouragement of urban sprawl.*

Staff Response: Please see "9.I-IV" below for staff determination, required by Section 163.3177(6)(a)9.b Florida Statutes, that the proposed amendment discourages the proliferation of urban sprawl.

- i. *The need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.*

Staff Response: The development proposed is residential, which will have an impact on the residential home building industry and will diversify residential housing stock, which in turn has an effect on the diversity of the community's economy.

- j. *The need to modify land uses and development patterns within antiquated subdivisions.*

Staff Response: Not applicable. The subject property is not part of an antiquated subdivision.

Section 163.3177(6)(a)8 Florida Statutes

The second of the three statutory provisions that provide direction on how plan amendments should be reviewed is contained in Section 163.3177(6)(a)2 Florida Statutes which is provided below. A staff response is provided for each of the three considerations.

8. *Future land use map amendments shall be based upon the following analyses:*

- a. *An analysis of the availability of facilities and services / (Level of Service Analysis for Public Facilities).*

Staff Response: The City of Venice Comprehensive Plan establishes Level of Service standards for the following public facilities:

- Potable water

- Wastewater
- Parks and public spaces
- Stormwater
- Solid Waste
- Transportation/Roadways
- Schools

Availability of public facilities and services have been deemed to be maintained, see section “2.d” above.

- b. *An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.*

Staff Response: The proposed future land use map amendment will facilitate the redevelopment of an already developed urban site. Impervious surfaces currently cover approximately 0.18 +/- acres. The proposed development will cover 0.12 +/- acres, a slight reduction, but with the addition of Florida Friendly landscaping and stormwater controls. The proposal will eliminate having any part of a structure on this parcel being located seaward of the Sarasota County GBSL. In addition, there are no known historic structures or resources on the property.

- c. *An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.*

Staff Response: An urban use already exists on the subject property, which occupies a small area, only 0.37 +/- acres. The entirety of the site will not be utilized, minimizing the impact. The site will be improved through landscaping and a slightly smaller impervious surface area.

Section 163.3177(6)(a)9 Florida Statutes

The final statutory provision that provides direction on how plan amendments should be reviewed is contained in Section 163.3177(6)(a)2 Florida Statutes which is provided below. Italicized items are quotations from the Statutes.

9. *The future land use element and any amendments to the future land use element shall discourage the proliferation of urban sprawl.*

The subsection provides nine indicators to determine if a plan amendment discourages the proliferation of urban sprawl that states, if four or more indicators are achieved, the plan amendment is confirmed to discourage urban sprawl. Staff has identified the following four indicators:

- I. *Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.*

Staff Response: The subject property has been developed since 1973. The proposed redevelopment project will be required to obtain all necessary city, county, state, and federal environmental permits for the protection of natural resources and ecosystems.

- II. *Promotes the efficient and cost-effective provision or extension of public infrastructure and services.*

Staff Response: The project has been reviewed by the City's Technical Review Committee, where no issues were raised regarding the ability to provide services to the site. The developer will be responsible for the cost and construction of necessary improvements of services to the site and will provide all infrastructure regarding roadway, utility and stormwater improvements to serve the entire development.

- III. *Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.*

Staff Response: The proposed Residential Multifamily designation would allow for compact development and add to the range of housing choices in the area. The subject property will also connect to the existing sidewalk, bicycle, and transit networks.

- IV. *Preserves open space and natural lands and provides for public open space and recreation needs.*

Staff Response: The subject property is 0.37 +/- acres, leaving little space for recreation needs or public open space on the site. The development will, however, preserve dunes and give residents

the opportunity to enjoy the public beach beyond the dunes by directing them to the public beach access on the adjoining property.

IV. CONCLUSION / FINDINGS OF FACT

A. Consistency with the Comprehensive Plan

Staff has provided analysis of the proposed Comprehensive Plan Map Amendment regarding consistency with the Comprehensive Plan, the Land Development Code (LDC), and other relevant city ordinances, resolutions or agreements. The analysis provided should be taken into consideration regarding determination on the proposed Comprehensive Plan Map Amendment.

B. Consistency with Florida Statutes

Analysis has been provided to determine consistency with Chapters 163 and 171 of the Florida Statutes. This analysis should be taken into consideration.

C. Provision of City Services

Based on TRC review and analysis, no issues have been identified regarding provision of services.

V. PLANNING COMMISSION RECOMMENDATION

Based on the staff report, staff presentation, and public testimony, there is sufficient information for the Planning Commission to make a recommendation to City Council on this matter.