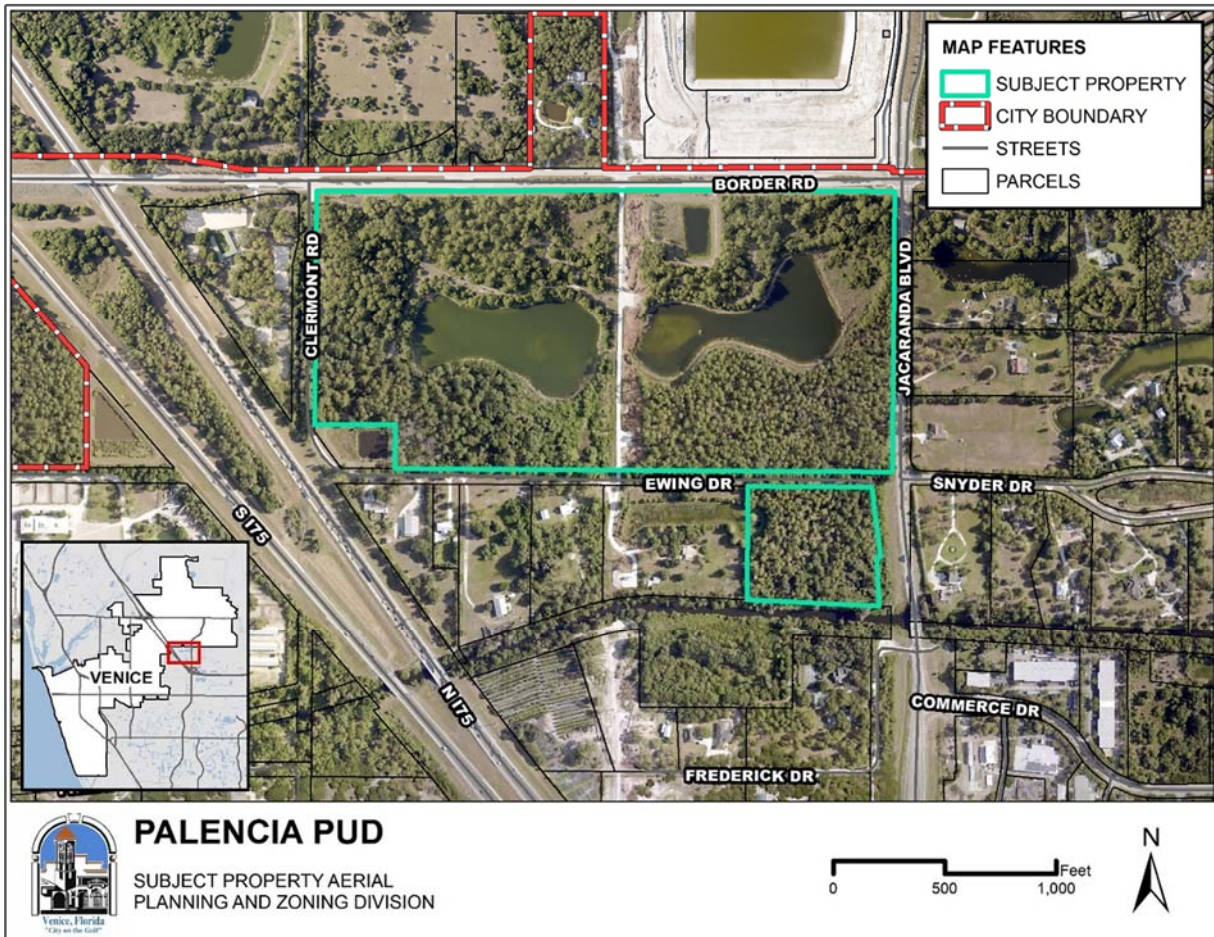




COMPREHENSIVE PLAN MAP AMENDMENT: PALENCIA STAFF REPORT



COMPREHENSIVE PLAN MAP AMENDMENT	
Request:	To amend the existing Comprehensive Plan designation for subject properties to Mixed Use Residential (MUR)
Owners:	SSD Land Holdings, LLC, Russell W. and Iralyn M. Snyder, Jason Milton Kramer, and Jonathan Sol Kramer
Applicant:	D.R. Horton, Inc.
Agent:	Jeffrey A. Boone, Esq.
Location:	Bordered by Jacaranda Boulevard, Border Road, N. Clermont Road and Curry Creek/ Blackburn Canal
Parcel ID:	0399010001 and 0399090001
Property Size:	73 acres and 6.7 acres, total 80 +/- acres
Current Future Land Use:	Sarasota County Rural
Proposed Future Land Use:	Mixed Use Residential (MUR)
Neighborhood:	Northeast – Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA) 2b, Subareas 1 and 2
Current Zoning:	Sarasota County Open Use Estate (OUE-1)
Proposed Zoning:	Planned Unit Development (PUD)

I. EXISTING CONDITIONS

The subject 80± acre property consists of two vacant parcels, 73± acres and 6.7± acres, with multiple owners. There are currently no active uses on the property. There are wetlands and other surface waters on the property, along with large wooded areas and a Florida Power and Light easement that bisects the larger parcel. That parcel is bounded by N. Clermont Road, Border Road, Jacaranda Boulevard, and Ewing Drive. The smaller parcel is bounded by Ewing Drive, Jacaranda Boulevard, Curry Creek, and large lot residential in Sarasota County. The adjacent properties are used as residential, agricultural, and vacant land. Vehicular access to the property will be provided off of Border Road, which is paved.

The applicant is requesting a comprehensive plan map amendment. Petitions for an Annexation Amendment, a Zoning Map Amendment, and a Conditional Use (for a gated community) have been submitted by the applicant. The request is to convert the future land use designation from Sarasota County Rural to City of Venice Mixed Use Residential (MUR), implementing this land use by rezoning the property to Planned Unit Development (PUD). The subject property is eligible for annexation due to its inclusion within the Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA) between the City of Venice and Sarasota County. The applicant proposes to develop the subject property into a residential community consisting of single-family homes and paired villas, an amenity center, and open space.

Site Photographs



West along Border Rd., stormwater pond on left



East along Border Rd. looking toward N. Clermont Rd.



N. Clermont Rd. from Border Rd., looking south



View is north along FPL easement bisecting property

Flood Zone Information

The FEMA Flood Insurance Rate Map (FIRM) shows the majority of the subject property with designations of Zone X: outside the 500 year floodplain; X500: 0.2% annual chance of flooding; and AE: 1% annual chance of flooding.

The AE portions of the subject properties are in a Special Flood Hazard Area. Development of the property will be subject to compliance with applicable FEMA requirements.

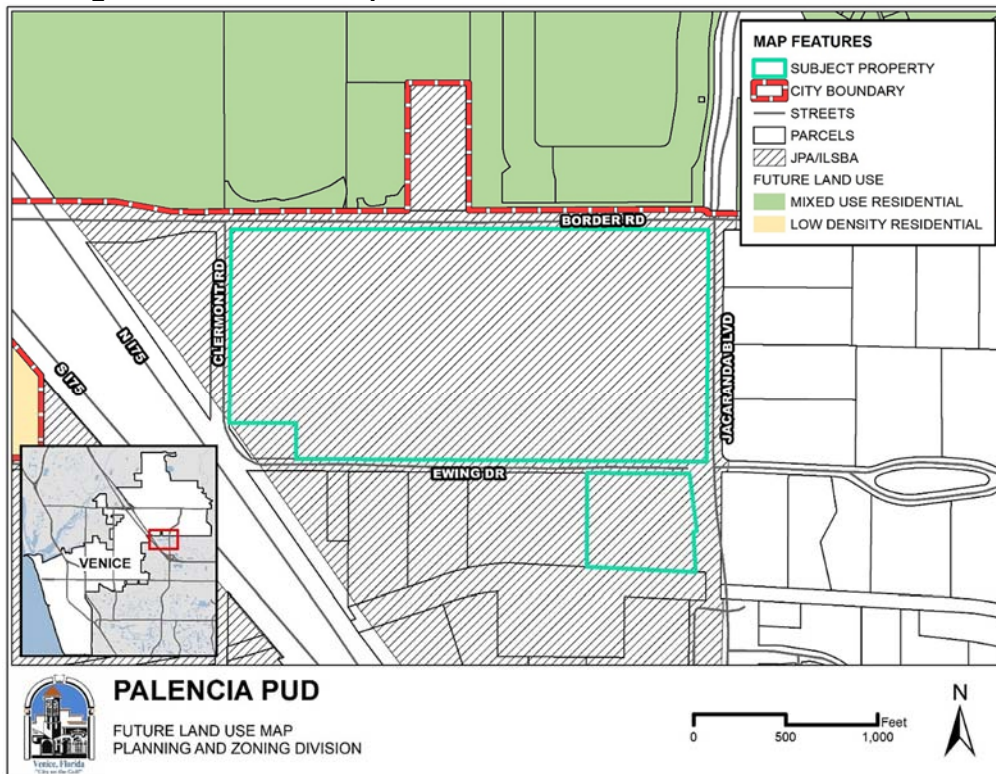
Surrounding Properties

Direction	Existing Land Use(s)	Current Zoning District(s)	Existing Future Land Use Map Designation(s)
North	Residential	Venice Planned Unit Development (PUD) and Commercial Mixed Use; Sarasota County Open Use Estate (OUE-1)	Venice Mixed Use Residential (MUR); Sarasota County Major Employment Center (MEC)
South	Large lot residential	Sarasota County OUE-1	Sarasota County Rural
East	Large lot residential	Sarasota County OUE-1	Sarasota County Rural
West	Agricultural	Sarasota County OUE-1	Sarasota County Rural

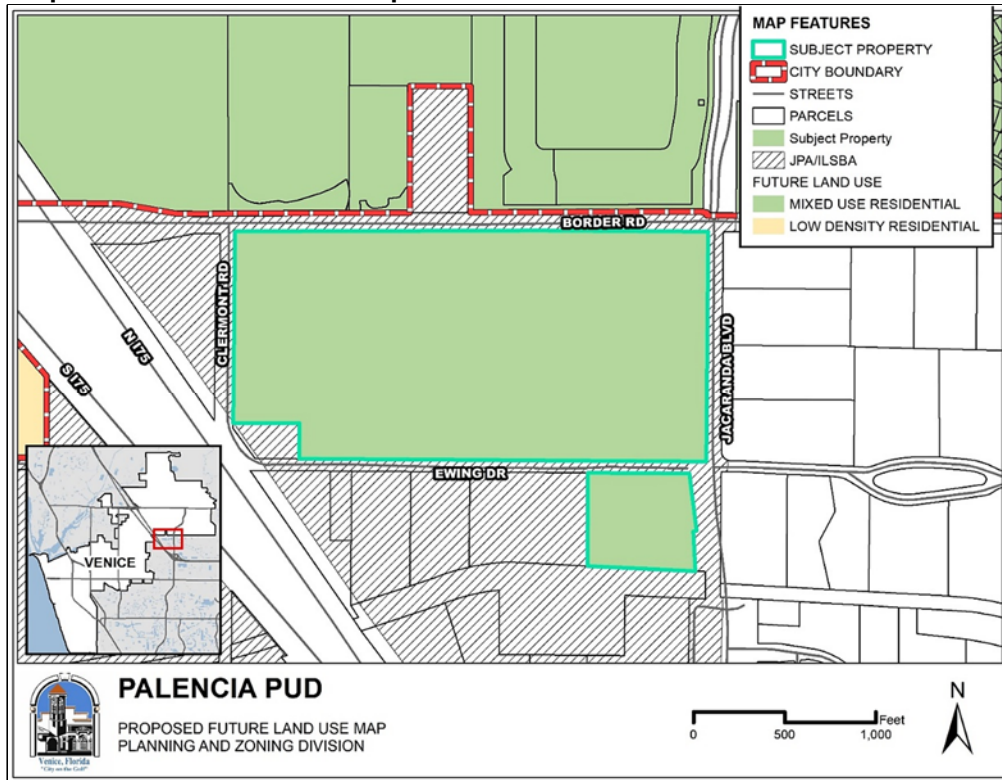
Future Land Use

The subject property is located in the Comprehensive Plan's Northeast Neighborhood and is designated as Rural on Sarasota County's future land use map. It is surrounded to the east, west, and south by the County land use designation of Rural. To the north is the City designation of Mixed Use Residential (MUR) and the County designation of Major Employment Center (MEC). The following images show both the current and proposed Future Land Use Maps (FLUM) of the subject properties and the surrounding area. The subject property is within JPA Area 2b, which designated the property for potential annexation and development consistent with the agreement parameters in the JPA/ILSBA.

Existing Future Land Use Map



Proposed Future Land Use Map



II. Comprehensive Plan Map Amendment

The proposed Comprehensive Plan Map Amendment is being requested as a consequence of annexation approval to accomplish the following:

1. Add the subject properties to the Comprehensive Plan's Northeast Neighborhood, which requires adjustments to be made to the neighborhood tables throughout the document (the following table shows strikethrough/underlines provided for these changes, taken verbatim from the applicant's submittal).
2. Assign a City of Venice future land use of MUR to the subject property consistent with the parameters of the JPA/ILSBA and JPA Area 2b, Subareas 1 and 2.
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. Revise all other impacted maps, graphics, text, and data throughout the Comprehensive Plan.

Northeast Neighborhood Changes

The strikethrough/ underline changes below were provided by the applicant:

"Land Use

Strategy LU-NE 1.1.1 - Mixed Use Residential

The MUR within the Northeast Neighborhood comprises approximately ~~2,579~~ 2,659 acres generally including residential areas east of I-75 and along Laurel Rd (see mixed use descriptions in the Future Land Use Element). The following shall apply for the MUR designation:

- A. The minimum residential density is 1.0; the maximum residential density is 5.0 dwelling units (DUs) per gross acre. The range of dwelling units permitted in the MUR is:

	Number of Acres	DUs per Acre (Max)	Minimum Development %	Maximum Development %	Minimum DUs	Maximum DUs	Existing as of 01/01/17
MUR	2,579 <u>2,659</u>	5	95%	100%	42,250 <u>12,630</u>	42,895 <u>13,295</u>	1,403

- B. The maximum non-residential intensity for the overall area is calculated based on a FAR of 0.40 (designation-wide); 0.5 (for individual sites). The range of square footage permitted in the MUR is:

	Number of Acres	Area Wide FAR	Minimum Development %	Maximum Development %	Minimum Square Feet	Maximum Square Feet	Existing as of 01/01/17
MUR	<u>2,579</u> <u>2,659</u>	0.40	0%	5%	0	<u>2,246,825</u> <u>2,316,521</u>	26,939

- C. Specific to Open Space, see LU 1.2.16.6.c.”

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. Consistency

Effect of Proposed Amendment on Financial Feasibility of Comprehensive Plan for Infrastructure

The developer is bound by the language in the PAA: “At the time of development of the subject property, the Owners, or their successors and assigns, shall design, construct, and pay for installing, extending, sizing, and upsizing all offsite and onsite potable water utility pipeline necessary to serve the full buildout of the project.”

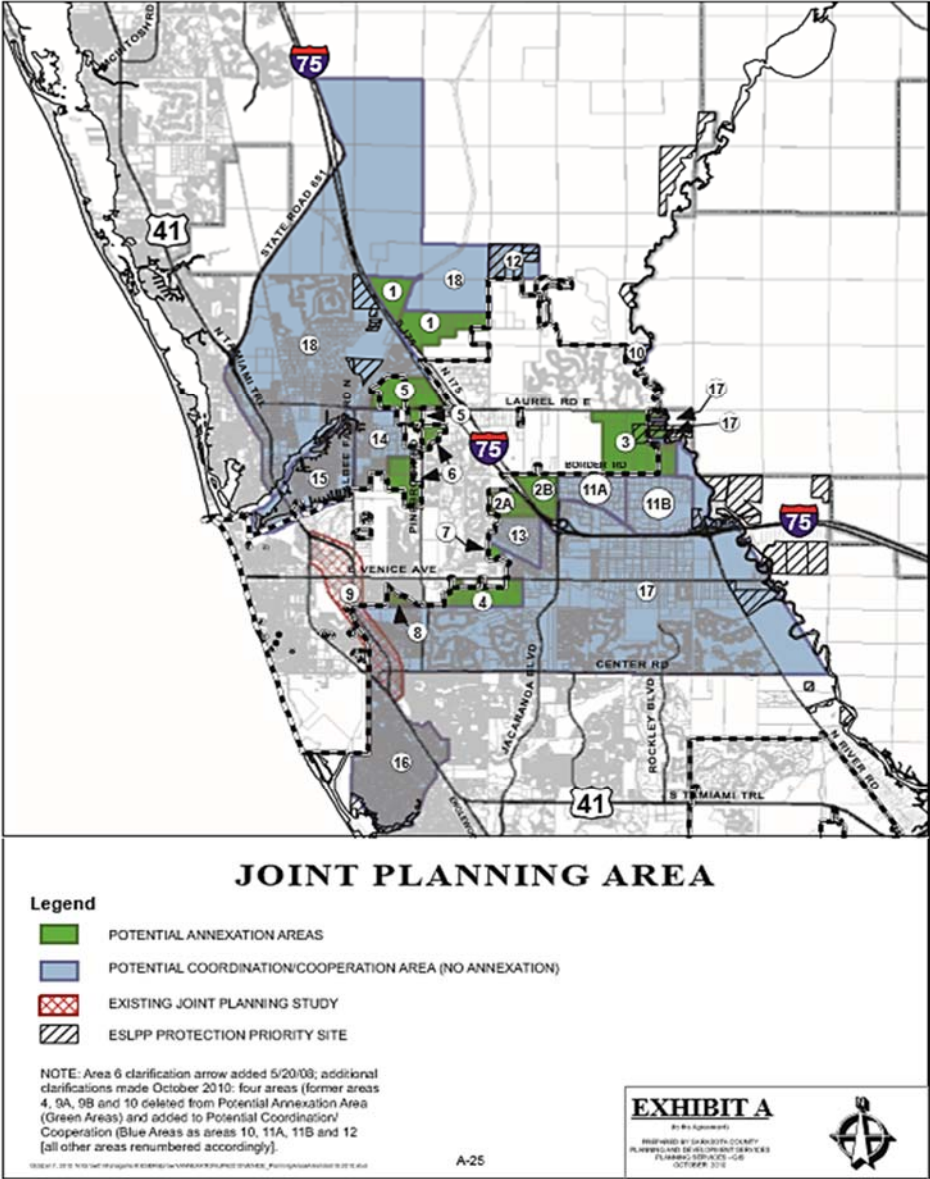
B. Joint Planning and Interlocal Service Boundary Agreement

The applicant is requesting the City’s future land use designation of Mixed Use Residential (MUR) for the future development of a residential project. The JPA/ILSBA includes the subject property and identifies it as being located in Joint Planning Area 2b – I-75 to Jacaranda Boulevard, Subareas 1 and 2.

JPA/ILSBA Notification of Comprehensive Plan Amendments to Sarasota County

The JPA/ILSBA provides that the City will forward submittals for Comprehensive Plan Amendments for property located in the joint planning area to the County within thirty days of receipt for the county to review and provide comments. The subject application was deemed complete on June 18, 2019 by the City’s Planning and Zoning Division and was forwarded to Sarasota County staff on June 21, 2019. The County has provided comments and those comments have been forwarded to the applicant for their consideration and response. The JPA/ILSBA further states that the City “will set forth all County-proposed stipulations that are based on adopted County standards, neighborhood and community plans, industry standards, or common agreement between the City and County.” As of the writing of this report, the County has not provided any conditions or stipulations regarding the proposed application. If provided by the County, they will be brought forward at the hearing.

Map of JPA/ILSBA Area 2b



Following is the full text provided in the JPA/ILSBA for Area 2b:

“Area 2b – I-75 to Jacaranda Boulevard: The land use adopted in the Venice Comprehensive Plan for Subarea 1 (north of Ewing Drive) is a maximum of 9 units per acre, calculated on a gross acreage basis. The land use adopted for Subarea 2 (south of Ewing Drive and north of Curry Creek) is 13 units per acre, calculated on a gross acreage basis. The land use adopted for Subarea 3 (south of Curry Creek) is 18 units per acre, calculated on a gross acreage basis. Up to 50% of the acreage in this sector will be allowable for nonresidential (retail, office space, industrial and manufacturing) uses. The total square footage of nonresidential uses allowed in the Area shall not exceed a 2.0 FAR. Development shall be served by City water and County sewer. The Party with jurisdiction over the development application shall require that right of way be dedicated by the developer for improvements to Jacaranda Boulevard and be completed with appropriate contributions from the developer consistent with the standards in the County’s land development regulations.”

Existing JPA/ILSBA vs. Proposed

Development Type	Sarasota County Rural	JPA/ILSBA Area 2b Subarea 1	JPA/ILSBA Area 2b Subarea 2	MUR	Proposed MUR
Residential	1 unit per 5 acres (max 16 units)	9 units per acre (max 657 units on 73 acres)	13 units per acre (max 78 units on 6 acres)	Up to 5 units per acre (max 400 units)	Up to 2.5 units per acre (max 203 units)

C. Comprehensive Plan Designation

The MUR designation as provided in the Comprehensive Plan allows for a maximum of five units per acre across 100% of the MUR designated property for a total of 400 units. The minimum allows for up to 5% of non-residential development at a floor area ratio (FAR) of 0.4 (designation-wide) and 0.5 for (individual sites), which would allow for a total of 380 units. The applicant has proposed no non-residential development.

The submitted Comprehensive Plan Map Amendment could allow additional dwelling units beyond the 203 proposed in the rezoning request. The Comprehensive Plan restricts MUR development to 5 dwelling units per acre, for a potential of 400 units. The JPA/ILSBA allows even higher densities, for Area 2b, Subarea 1 permits up to 9 units per acre, which could result in 657 dwelling units on the north subject parcel, while Subarea 2 allows up to 13 units per acre, which could result in 78 units on the south subject parcel. Based on the information and analysis provided, the applicant's requested amendment is consistent with the standards provided in the JPA/ILSBA.

D. 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 (italicized portions are direct quotes from the Florida Statutes).

2. *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: The subject property, through its inclusion in the JPA/ILSBA, was identified as early as 2007 for potential annexation and development. According to maps in the Comprehensive Plan, the subject property is identified as Area 2b, Subareas 1 and 2, which allow residential uses up to a maximum of 9 (Subarea 1) and 13 (Subarea 2) units per acre. Therefore, this property was anticipated to be residential and accommodate anticipated growth of the City if annexed.
 - b. *The projected permanent and seasonal population of the area.*

Staff Response: This area was anticipated through the JPA/ILSBA to be annexed and developed. Based on the land use sought, maximum development potential is 5 units per acre, resulting in 400 units or an additional population of 680 based on the Comprehensive Plan standard of 1.7 persons per household. The Comprehensive Plan projects a 2030 Venice population of 27,020. Adding the subject petition results in a potential population of 27,700. The Comprehensive Plan Data Inventory & Analysis shows the typical seasonal population of Venice adds 15-20%. This results in a potential seasonal population of 31,855 - 33,240. Development of this predetermined annexation area provides a location for potential growth. Subsequent development applications will be analyzed based on actual proposed development.
 - c. *The character of undeveloped land.*

Staff Response: The subject property is level, with wetlands and other surface waters present, and heavily wooded. It has a cleared strip for a Florida Power and Light easement bisecting the larger parcel from north to south. Gopher tortoise burrows were identified on the site, along with "grand trees" noted by Sarasota County. The geotechnical report states that the soils should support building foundations, following report guidance. Additional details of the development will be addressed at the development stage.
 - 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 have been raised regarding the ability to provide services to the site. The developer will be responsible for the cost and construction of necessary facilities to bring services to the site and provide all infrastructure regarding roadway, utility and stormwater improvements to serve the entire 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 it is not an area of redevelopment.
 - 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 applicant has provided a geotechnical report with soils analysis. Regarding natural resources, the applicant provided an Ecological Narrative prepared by DexBender that was forwarded by planning staff to the City's environmental consultant (report is attached). It was determined that the proposed development was consistent with the Strategies in the Open Space Element of the City's Comprehensive Plan. In addition, there are no structures on the property.

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

Staff Response: The subject property is included in the JPA/ILSBA with development anticipated in a manner consistent with the agreement since 2007. The proposed land use designation of Mixed Use Residential, along with an appropriate rezoning of the property will allow this development to occur.

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 is included in the JPA/ILSBA because it has been anticipated since 2007 that this area would be developed in a manner consistent with the agreement. The proposed land use designation of MUR, along with an appropriate rezoning of the property will allow this development to occur. Regarding natural resources, the applicant provided an Ecological Narrative prepared by DexBender with an application for rezoning. This was forwarded by planning staff to the City's environmental consultant, where it was determined that the proposed development was consistent with the Strategies in the Open Space Element of the City's Comprehensive Plan and therefore protects natural resources and ecosystems.

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

Staff Response: The JPA/ILSBA established service providers, identifying this area to be served by the City for water and the County for sewer. The project has been reviewed by the City's Technical Review Committee, raising no issues regarding the ability to provide services to the site. The developer will be responsible for the cost and construction of necessary facilities to bring services to the site and 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 land use being requested for the property can only be implemented through residential PUD zoning. The request was submitted concurrently and provides for single-family and attached villa housing types. The proposed development provides sidewalks for pedestrian activities. Any proposed development other than a PUD will require a comprehensive plan map amendment to a land use designation other than MUR.

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

Staff Response: The concurrent project is a residential PUD that requires 50% open space. Open space, parks, and amenity areas are proposed for the residents.

Comments for Clarification

Staff has noted the following issue that may need to be addressed or clarified by the applicant:

The applicant has not limited themselves in the comprehensive plan petition to 203 dwelling units, which could leave them with the opportunity to increase that number.

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 Policy 8.2 in 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 and JPA/ILSBA

Analysis has been provided to determine consistency with Chapters 163 and 171 of the Florida Statutes and the Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA) between the City and Sarasota County. The project proposed is at a much lower density than allowed for in the JPA/ILSBA. This analysis should be taken into consideration. Based on the planning analysis, consistency with the JPA/ILSBA is confirmed.

C. Provision of City Services

Based on TRC review and analysis, no issues have been identified regarding provision of services. Evaluation will take place with each subsequent development petition to ensure the adopted levels of service are maintained.

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 decision on this matter.

ATTACHMENT:

Ecological Narrative