

1.11.3 Decision Criteria

- A. Proposed design alternatives may be approved or denied separately or have stipulations imposed deemed appropriate for the request. The reviewing body shall consider the following criteria in making its determination:
1. Whether the design alternative is consistent with the stated purpose and intent of this LDR and with the Comprehensive Plan;

Chapter 87, Section 4.2.B notes that the intent of a perimeter buffer is to mitigate and screen the property from adjacent properties and public right-of-way. For the last few decades there have been no buffer between the existing building and the building to the west. This project looks to completely change the appearance of the property, maximize the number of residential units and also includes a commercial component to the property that did not exist before. The proposed project includes a small landscape buffer to the west, however due to the layout of the property and building it is smaller than required by the current LDR and the building cannot be shifted or adjusted to meet this buffer requirement as well as all the other City of Venice code requirements. However, this alternative layout still provides some buffer to the adjacent property that did not exist for the last few decades.

Likewise, the required offset from the center of the drive to the edge of the property is required to be 20' for non-residential and mixed use districts per LDR Chapter 87, Section 3.1.B.1. This project proposes 17' in the longitudinal center of the drive to the property line. While this offset is slightly smaller than required, there is still an adequate landscape buffer prior to the sidewalk and will not negatively affect the aesthetics of the property. Due to the layout of the building, required parking and other code requirements, the driveway could not be shifted further away from the property line without impacting the setback distance on the other side of the property.

In addition, LDR Chapter 87, Section 2.3.5, states the maximum rear setback dimension is 20'. The proposed project has a maximum rear setback of 44'. Due to the layout of the building and required parking spaces, the building was set at the minimum front setback dimension of 5' and the rear corner of the building is 44' from the property line. The building cannot be shifted further to the west due to the required drive isle and parking spaces that come within 2' of the rear property line. While this dimension is greater than the Land Development Code allows, the max. rear setback is similar to the existing building that has been there for decades and this proposed project does not distract from the surrounding properties.

2. Whether the design alternative will have a material negative impact on adjacent uses, and if so, whether the applicant proposes to mitigate the negative impact to be created by the proposed design alternative; *For the past few decades, the existing building at 256 Nokomis Ave S. and 216 Milan Ave. W were separated by approximately 35' of paved asphalt that included an alley for vehicle access to the north of Milan Ave. W and vehicle parking immediately adjacent to the alley. For the proposed project the appearance would be very similar, except the vehicle parking would be accessed from the private driveway at 256 Nokomis Ave. W and not the alley. There would be 2' grass strip between the two areas which is more than there is existing. Even though this 2' strip is substandard, this proposed layout would improve the aesthetics of the area. Due to the layout of the building, required parking and access, there is insufficient room to accommodate a standard width buffer area between the alley and the parking.*

Similarly, the City of Venice Code requires the centerline of an access driveway to be 20' offset of the property line. Due to the layout of the building, required parking and access, there is insufficient room to accommodate the standard offset distance. However there is a landscape buffer between the access driveway and the sidewalk. The overall appearance of the proposed project will not have a negative impact for the neighborhood.

Likewise, the required maximum setback at the rear property line of 20' is greater than the proposed project actual dimension of 44'. As noted above, due to the layout of the building, required parking and access, there is insufficient room to accommodate the maximum rear setback distance. The existing building has a similar rear setback dimension so the overall appearance will not be affected but the proposed project will enhance the neighborhood appearance due to the run down nature of the exiting building due to the hurricane damage.

3. Whether the design alternative will permit superior design, efficiency, and performance;

The existing building was constructed many years ago and is in a state of disrepair. The proposed project looks to improve the neighborhood by increasing retail space, providing additional housing and to improve the aesthetics of the property. The design of the flex space is of superior design and use of the property.

4. If applicable, whether the design alternative is necessary to preserve or enhance significant existing environmental or cultural features, such as trees, scenic areas, historic or archeological sites, public facilities, or similar; and

The design alternative will not preserve or enhance significant existing environmental or cultural features. Due to the size and layout of the property and to utilize the allowed residential density and commercial use there is insufficient area to provide the required standard buffer along the west property boundary and to shift the access driveway further away from the property line without a complete re-design of the proposed building and parking facilities.

5. Whether the design alternative will result in a negative impact to the adopted level of service of public facilities.

The proposed project cannot help but improve the overall appearance and function of the property. For the west landscape buffer requirement, there has been no landscape buffer between these properties for decades. While the proposed landscape buffer is less than the required, it still provides a partial landscape buffer. For the driveway offset, while the required distance is not achievable, there is adequate distance for the driveway and for a landscape buffer prior to the sidewalk. For the maximum setback distance, the existing building has a similar setback dimension for decades so the change in appearance is minor.