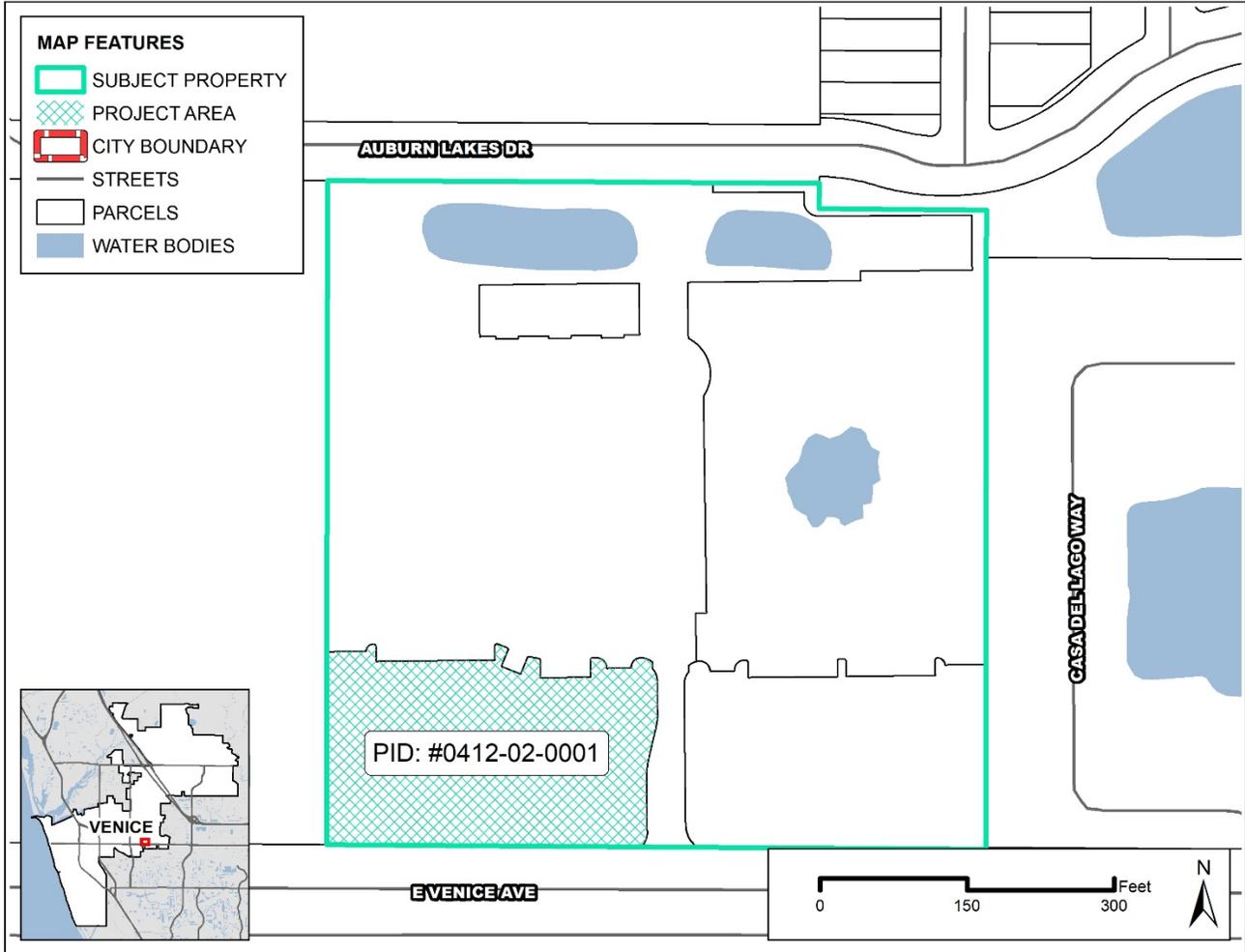


SITE AND DEVELOPMENT PLAN AMENDMENT STAFF REPORT GALLERIA

August 18, 2020

20-08SP



PETITION NO.: 20-08SP

REQUEST: A Site and Development Plan Amendment for development of a commercial/retail building on an outparcel of the Galleria on Venice Avenue along with associated parking, landscaping and other improvements.

GENERAL DATA

Owner: Galleria Shops, LLC
Agent: Jeffery A. Boone, Esq., Boone Law Firm
Parcel ID: 0412020001
Property Size: 10.4 +/- Acres
Project Area: 1.38 acres
Future Land Use: Mixed Use Residential (MUR)
Comp Plan Neighborhood: East Venice Avenue Neighborhood
Zoning: Planned Unit Development (PUD)

ASSOCIATED DOCUMENTS

A. Application Information (completed petition)

I. BACKGROUND

- **January 24, 2006:** The eastern half of the subject property, then known as Ventura Commerce Park, was rezoned from Sarasota County Open Use Estate (OUE) to City of Venice Planned Unit Development as part of the Capri Isles PUD through the adoption of Ordinance 2006-06.
- **April 18, 2006:** Site and Development Plan Petition No. 05-25SP was approved by Planning Commission for the development of the Galleria on Venice Avenue project, a mix of commercial and medical uses.
- **August 30, 2010:** Site and Development Plan Amendment Petition No. 05-25SP.1 was administratively approved for additions and modifications to approved signage.
- **September 12, 2017:** City Council approved Changes in Plans Petition No. 16-01PC to modify the uses on the southeast development pod to modify the existing permitted 12,000 square feet of retail to allow for 8,532 square feet of medical and 1,008 square feet of retail.
- **September 25, 2017:** Site and Development Plan Amendment Petition No. 05-25SP.2 was approved for the 1.25 acre outparcel in the southeast corner of the Galleria site for the construction of the Eye Associates Project.
- **February 12, 2020:** The subject Site and Development Plan Amendment Petition No. 20-08SP is submitted.

II. EXECUTIVE SUMMARY

The subject 10.4± acre property is part of the Capri Isles Planned Unit Development (PUD) and provides for a mix of non-residential uses. The project area is approximately 1.38 acres in size and is identified, through the PUD, for 13,000 square feet of retail use. The applicant is proposing a 12,644 square foot, multi-tenant, retail building along with associated parking and landscaping.

Based on the submitted application materials and staff analysis in the staff report, findings are as follows:

- **Conclusions / Findings of Fact (Consistency with the Comprehensive Plan):**

Analysis has been provided to determine consistency with the Land Use Element strategies applicable to the Mixed Use Residential future land use designation, Policy 8.2 regarding compatibility, strategies found in the East Venice Avenue Neighborhood and other plan elements. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

- **Conclusions / Findings of Fact (Compliance with the PUD and the Land Development Code):**

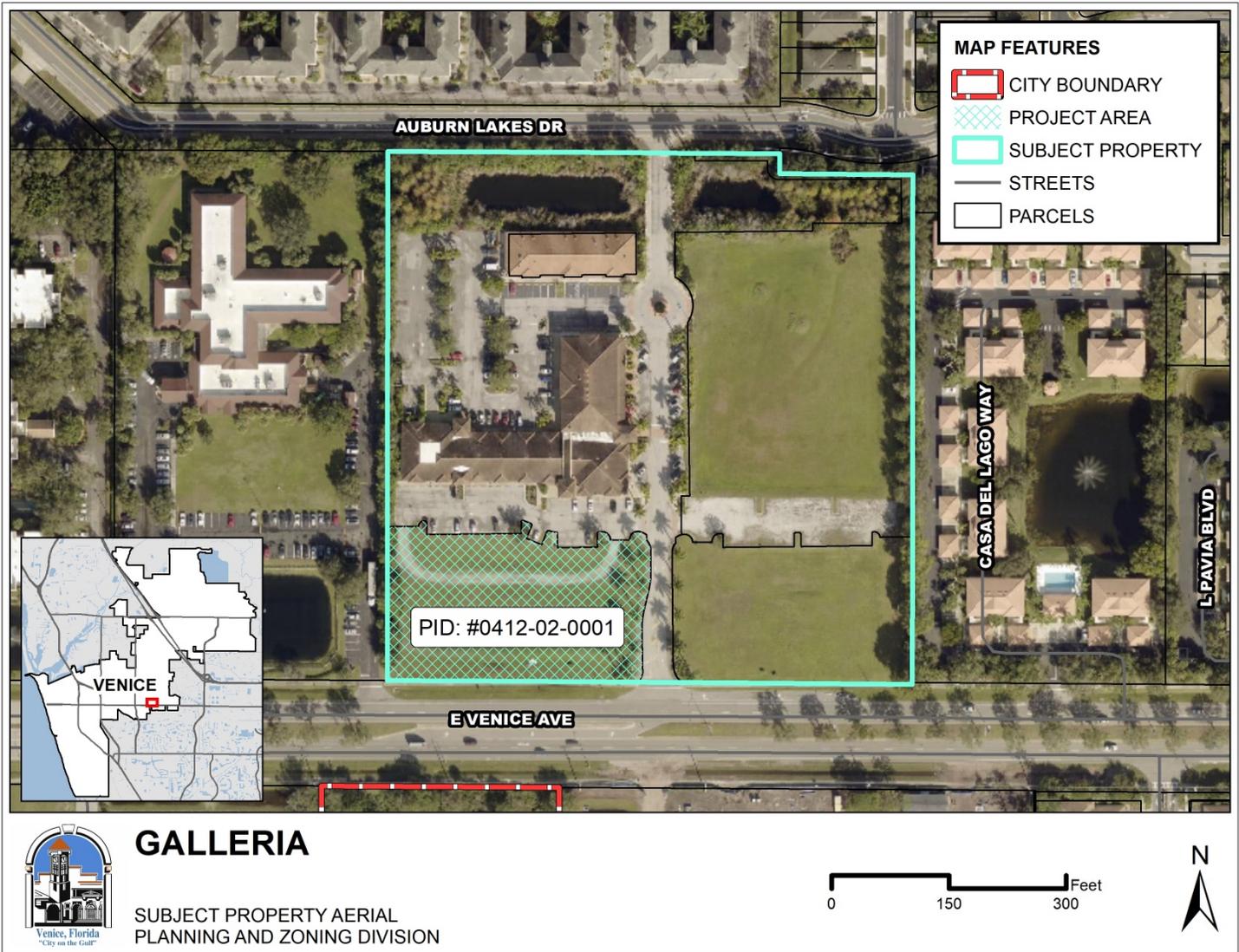
The subject petition complies with all PUD and applicable Land Development Code standards and there is sufficient information to reach a finding for each of the site and development plan considerations contained in Section 86-23(m) of the Land Development Code.

- **Conclusions / Findings of Fact (Concurrency and Mobility):**

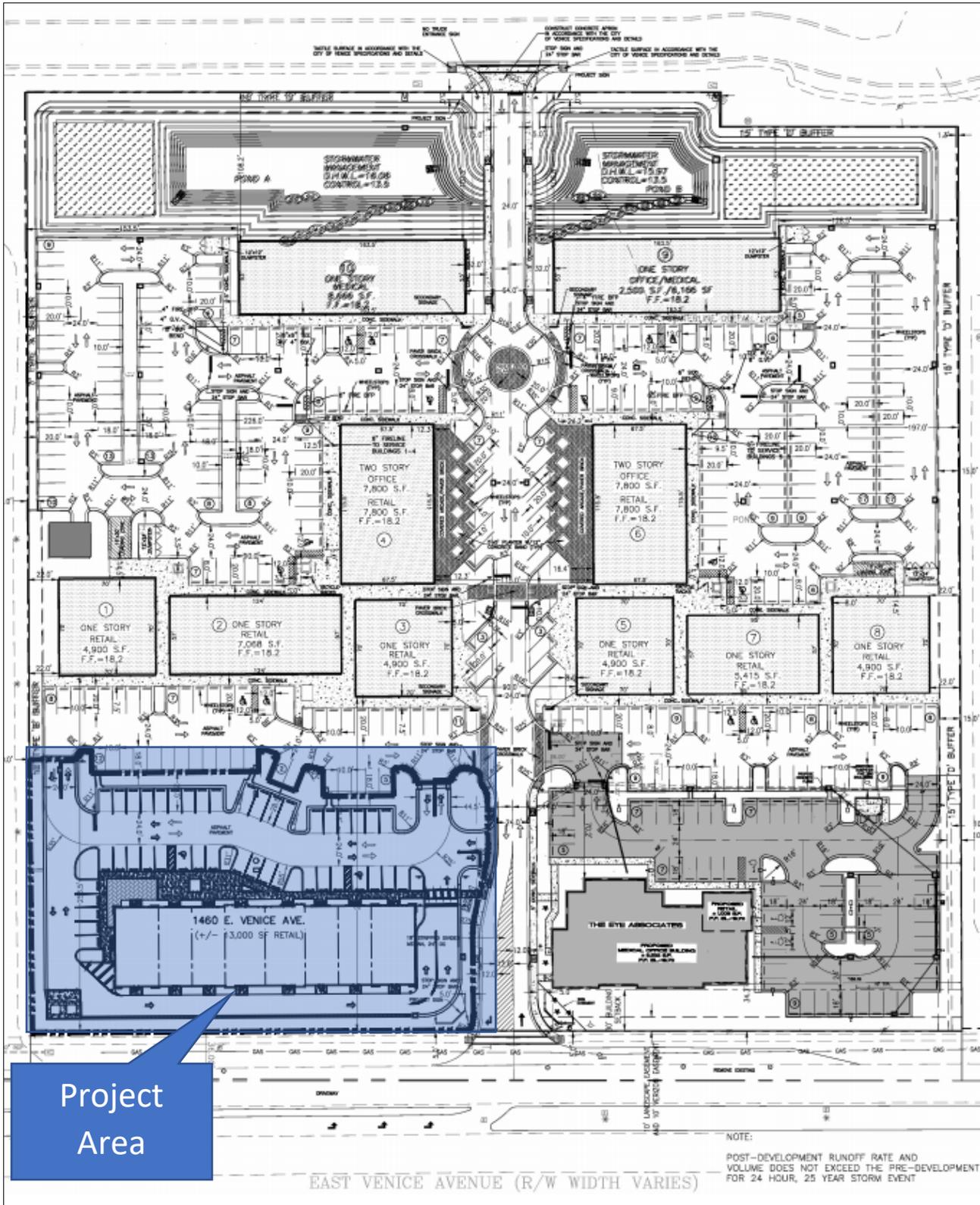
The project has been reviewed by the City's TRC and no issues have been identified regarding facilities capacity. In addition, generated traffic falls within the previous approval issued for the Galleria Plaza.

IV. EXISTING CONDITIONS

The majority of the approximately 10 acre Galleria project is built, or is under construction. If the subject project is approved, the entire western half of the Galleria will be completed with only the approximately 2.7 acre parcel along the eastern boundary remaining vacant. The recently approved Eye Associates project is currently being constructed on the southeast outparcel, in front of the vacant parcel. This vacant parcel was recently proposed for hotel use. However, the Planning Commission provided a recommendation of denial to City Council and the application has been administratively closed due to lack of activity.



GALLERIA PLAZA



Photos taken of the subject property:



View looking northeast from E. Venice Avenue.



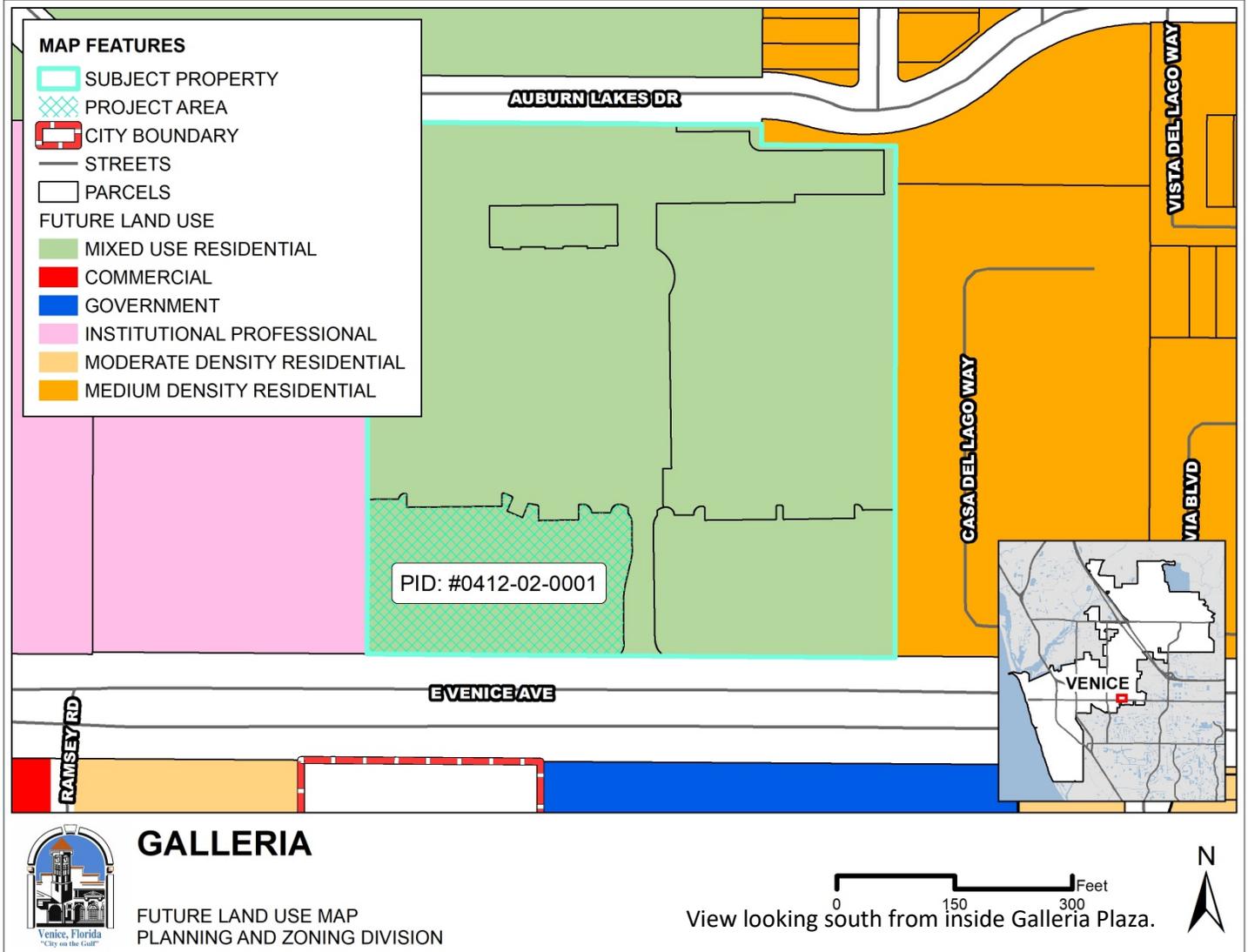
View looking northwest from E. Venice Avenue.



View looking south from inside Galleria Plaza.

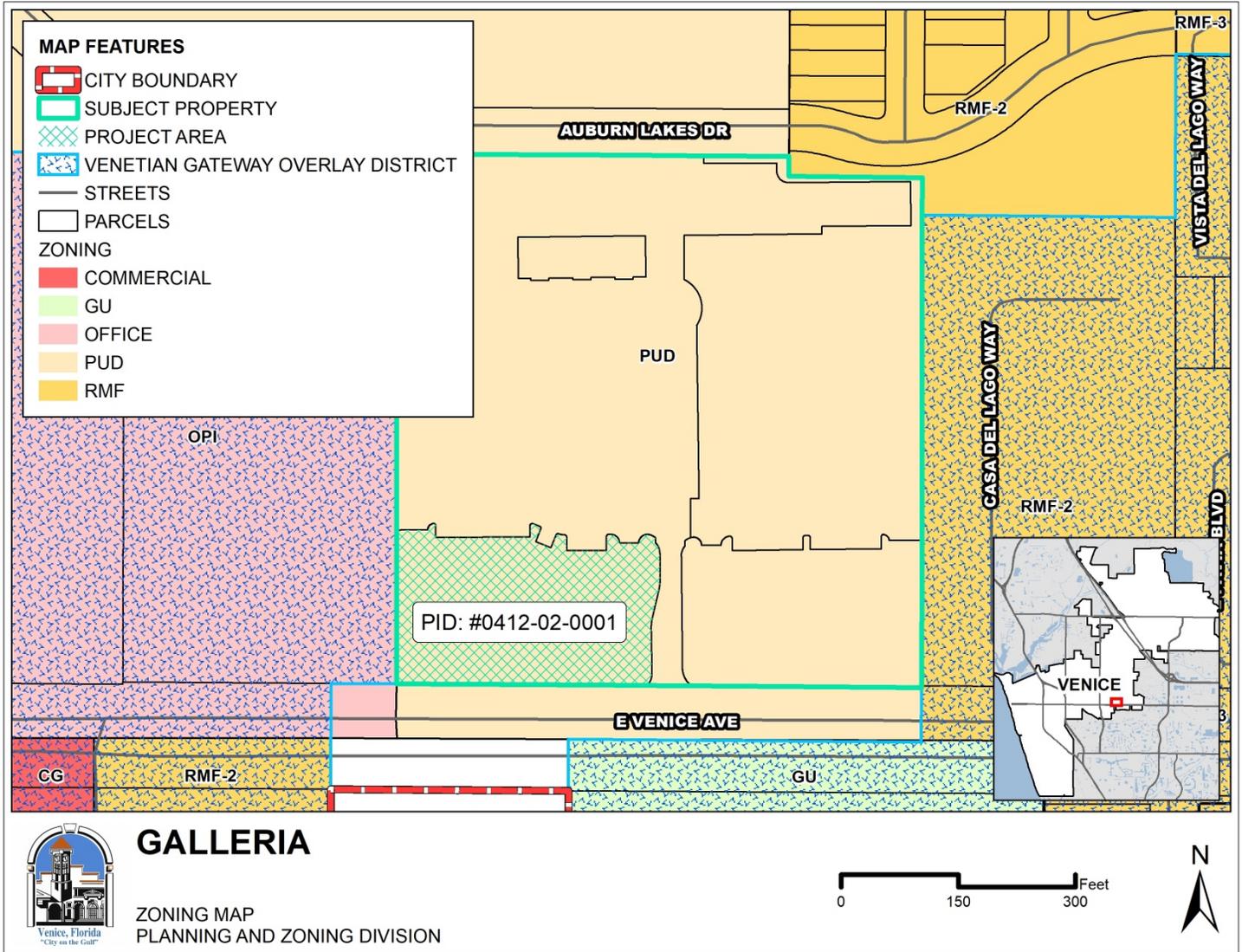
Future Land Use

The subject property is located in the 558 acre East Venice Avenue Neighborhood. The following map shows the future land use designation for the subject property and adjacent properties. The subject property has a Mixed Use Residential (MUR) designation. Property to the north across Auburn Lakes Drive is also designated as MUR along with a small portion of Medium Density Residential. The entire eastern boundary is bordered by Medium Density Residential. To the south, across E. Venice Ave. is property designated as Government along with some property still in the County that has a designation of County Medium Density Residential. The parcel to the west is designated as Institutional Professional.



Zoning Designation

The map below shows the existing zoning of the subject and adjacent properties. The subject property is zoned Planned Unit Development (PUD) district. The property to the north is zoned PUD and Residential, Multi-Family 2 (RMF-2). The property to the east is zoned RMF-2 and the property to the south, across E. Venice Ave. is zoned Government Use (GU) and County Open Use Estate (OUE). Both are also governed by the Venetian Gateway (VG) overlay district. Property to the west is identified as Office, Professional and Institutional (OPI/VG).



The following table summarizes the existing uses, current zoning, and future land use designations on properties adjacent to the subject property.

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Residential (Gondola Park & Auburn Cove)	PUD & RMF-2	MUR & Medium Density Residential
West	Institutional (Manor Care)	OPI/VG	Institutional Professional
South	Vacant & Government (VPD Public Safety Facility)	County OUE/VG and City GU/VG	County Medium Density Residential & City Government
East	Residential (Casa Del Lago)	RMF-2/VG	City Medium Density Residential

Flood Zone Information

The FEMA Flood Insurance Rate Map (FIRM) shows the subject property with the designation of Zones X. Moderate flood hazard areas designated as Zone X are shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. Development of the property will be subject to compliance with applicable FEMA requirements.

V. PLANNING ANALYSIS

This section of the report provides planning analysis on A) consistency with the comprehensive plan, B) consistency with the PUD, C) compliance with the land development code, D) compliance with the city’s concurrency management regulations and the project’s expected impacts on public facilities, and E) the impact on transportation mobility.

A. Consistency with the Comprehensive Plan

The Comprehensive Plan identifies the subject property as being within the 558 acre East Venice Avenue Neighborhood. The subject property has a Mixed Use Residential (MUR) future land use designation. The following analysis includes review of significant strategies found in the Land Use Element of the Comprehensive Plan.

Strategy LU 1.2.16 provides criteria for the MUR designation. The proposed project is consistent with the requirements of this strategy and is also covered by Strategy LU 1.2.21 that provides that previously approved PUD’s exceeding standards are permitted to maintain their previously approved development standards. Although the proposed project does not exceed current PUD standards, the PUD is recognized and the proposed further implements the approved PUD.

Strategy LU-EV 1.1.2 – Provides for a floor area ratio (FAR) maximum of 0.25. The proposed project FAR is 0.20.

Strategy TR-EV 1.1.4 – Driveway Connections. This strategy discourages additional driveway connections to East Venice Avenue. No additional access is proposed to E. Venice Ave.

Strategy LU 4.1.1 of the 2017 Comprehensive Plan includes Policy 8.2, Land Use Compatibility Review Procedures. Compatibility review requires evaluation of the following as listed in Policy 8.2:

- A. Land use density and intensity.

- B. Building heights and setbacks.
- C. Character or type of use proposed.
- D. Site and architectural mitigation design techniques.

Policy 8.2 E through H lists considerations for determining compatibility. Staff provided the applicant's response to each consideration as well as staff's commentary on each consideration.

- E. Protection of single-family neighborhoods from the intrusion of incompatible uses.

Staff Comment: There are no single-family homes adjacent to the subject property. The only residential uses are multi-family to the north and east and they are not adjacent to the project site.

- F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.

Staff Comment: This area of the PUD is approved for retail use.

- G. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.

Staff Comment: There are no non-conforming uses onsite.

- H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

Staff Comment: The proposed project is consistent with the approved PUD. An assisted living facility is adjacent to the site to the west, however consists only of parking in this area. To the south, across E. Venice Ave., is the new public safety facility and a vacant, yet to be annexed County property. To the east is the remainder of the Galleria Plaza and beyond is property zoned RMF.

Based on the above evaluation there is adequate information to make a determination regarding compatibility with the surrounding properties and to make a finding on considerations E. through H.

The following mitigation techniques provided in Policy 8.2 I through N may be considered for any potential incompatibility. There does not appear to be any potential incompatibility as the project is consistent with previous approvals and the applicant is compliant with locational and landscaping requirements of the VG overlay district.

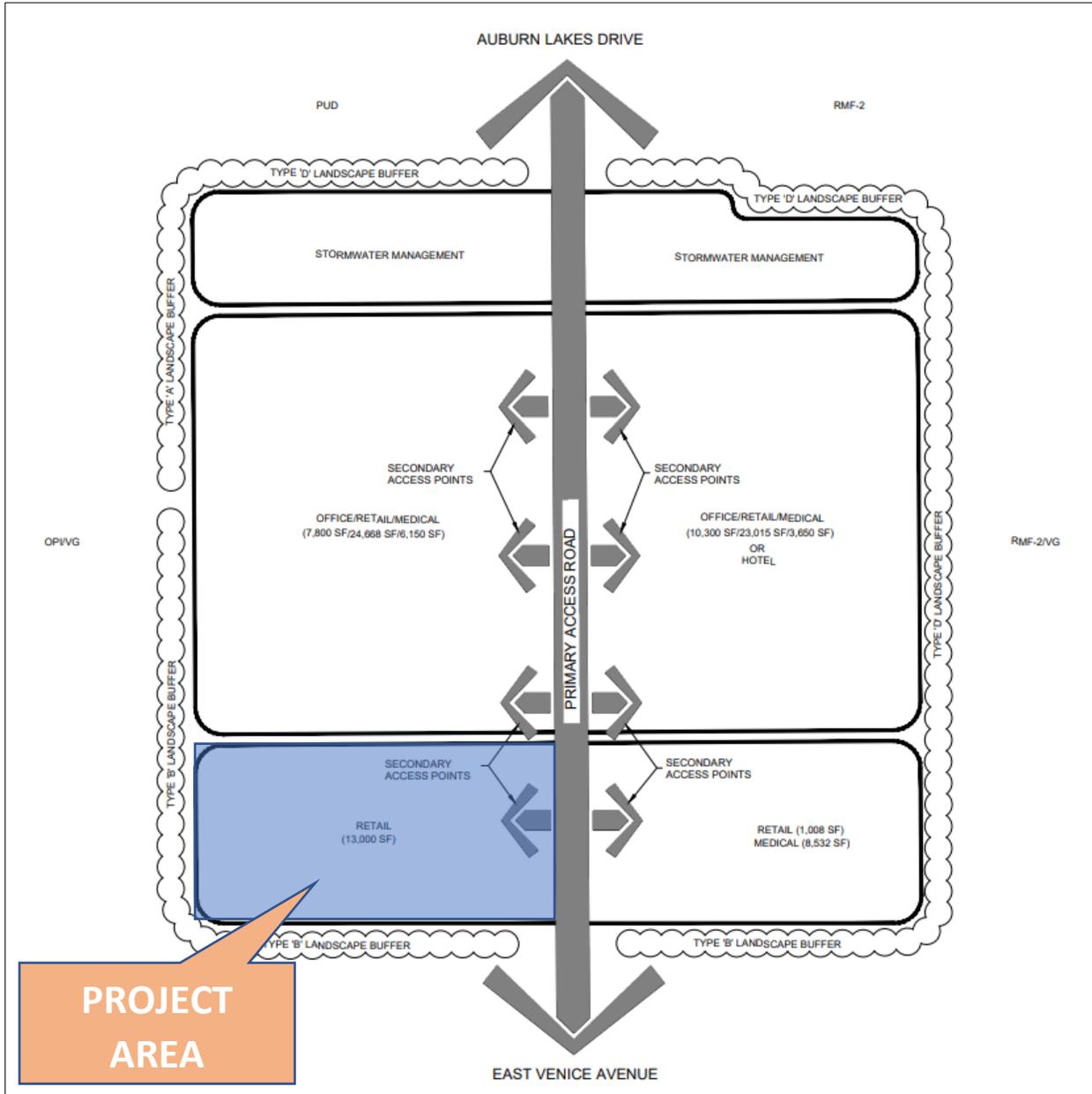
- I. Providing open space, perimeter buffers, landscaping and berms.
- J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.
- K. Locating road access to minimize adverse impacts.
- L. Adjusting building setbacks to transition between different uses.
- M. Applying step-down or tiered building heights to transition between different uses.
- N. Lowering density or intensity of land uses to transition between different uses.

Conclusions / Findings of Fact (Consistency with the Comprehensive Plan):

Analysis has been provided to determine consistency with the Land Use Element strategies applicable to the Mixed Use Residential future land use designation, Policy 8.2 regarding compatibility, strategies found in the East Venice Avenue Neighborhood and other plan elements. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

B. Compliance with the PUD and the LDC

GALLERIA PUD



The subject project area is highlighted above on the approved PUD. Location, size and access points are all compliant with the PUD. In addition, landscaping is compliant with both the PUD and the requirements of the VG overlay district.

C. Compliance with the Land Development Code

The subject petition has been processed according to the procedural requirements contained in Section 86-49 of the Land Development Code (LDC). In addition, the petition has been reviewed by the Technical Review Committee (TRC) and no issues regarding compliance with the LDC were identified.

Section 86-23(m) specifies the Planning Commission's role in taking action on a site and development plan application and reads in part, "..... the Planning Commission shall be guided in its decision and exercise of its discretion to approve, approve with conditions, or to deny by the following standards". Staff has provided commentary on each standard or finding to facilitate the Planning Commission's review and evaluation of the site and development plan application.

1. Sufficiency of statements on ownership and control of the development and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purposes and to ensure that such common facilities will not become a future liability for the city .

Staff Comment: A deed and survey have been provided confirming ownership and control of the subject property.

2. Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the planning commission the authority to reduce residential densities below that permitted by the schedule of district regulations set out in this code.

Staff Comment: The proposed project is consistent with the approved PUD regarding use and square footage. Landscaping is also provided consistent with the PUD and the VG overlay district. Adjacent uses are those interior to the PUD and the parking area of an assisted living facility to the west.

3. Ingress and egress to the development and proposed structures thereon, with particular reference to automotive and pedestrian safety, separation of automotive traffic and pedestrian and other traffic, traffic flow and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe or emergency.

Staff Comment: The applicant has maintained consistency with the layout of the Galleria project and internal connectivity is provided via sidewalks and walkways. No additional access is proposed for E. Venice Ave. No access issues have been indicated upon review by the TRC.

4. Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the proposed development with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

Staff Comment: As indicated previously, internal connectivity is provided. All parking and loading facilities are internal to the site and are in compliance with the City standards.

5. Sufficiency of proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the proposed development.

Staff Comment: PUD buffering requirements are being maintained and the VG overlay landscape standards are being complied with.

6. Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall public drainage capacities.

Staff Comment: The proposed surface water management system meets the requirements of the City of Venice and the Southwest Florida Water Management District.

7. Adequacy of provision for sanitary sewers, with particular relationship to overall city sanitary sewer availability and capacities.

Staff Comment: The City's Utilities Department has not identified any issues regarding provision of services.

8. Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

Staff Comment: The City's Utilities Department has not identified any issues regarding provision of services.

9. Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the proposed development and relationship to community of citywide open spaces and recreational facilities.

Staff Comment: This is a commercial project and no recreational facilities are proposed.

10. General site arrangement, amenities and convenience, with particular reference to ensuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be so at variance with other development in the area as to cause substantial depreciation of property values.

Staff Comment: The proposed project is consistent with the approved PUD. Architectural elements and materials of the Northern Italian style have been employed as encouraged by the VG overlay district and required by the Comprehensive Plan.

11. Such other standard as may be imposed by the city on the particular use or activity involved.

Staff Comment: The project is in compliance with all other standards provided in the City's Land Development Code that are not specified in the PUD.

12. In the event that a site and development plan application is required, no variance to the height, parking, landscape, buffer or other standards as established herein may be considered by the planning commission. The planning commission may consider modifications to these standards under the provisions and requirements for special exceptions.

Staff Comment: The applicant is not requesting any modification of the standards provided in the approved PUD or the LDC.

Conclusions / Findings of Fact (Compliance with the PUD and the Land Development Code):

The subject petition complies with all PUD and applicable Land Development Code standards and there is sufficient information to reach a finding for each of the site and development plan considerations contained in Section 86-23(m) of the Land Development Code.

D. Concurrency

The applicant has submitted a concurrency determination application and a concurrency review has been completed by staff. The table below shows the expected public facility impacts and the status of the departmental concurrency reviews. Although concurrency is still in the City’s Code and applies to the items in the chart, in regards to Transportation, the City has entered into an Interlocal Agreement with Sarasota County to collect mobility fees for traffic impacts consistent with County Ordinance. Fees collected may be used to mitigate these impacts

<i>Concurrency</i>			
FACILITY	DEPARTMENT	ESTIMATED IMPACT	STATUS
Potable Water	Utilities	51.06 ERUs	Concurrency Confirmed by Utilities
Sanitary Sewer	Utilities	50.5 ERUs	Concurrency Confirmed by Utilities
Solid Waste	Public Works	N/A (Non-Residential)	N/A
Parks and Rec	Public Works	N/A (Non-Residential)	N/A
Drainage	Engineering	Compliance Shown with SWFWMD permit	Concurrency Confirmed by Engineering
Public Schools	School Board	N/A (Non-Residential)	N/A

E. Mobility

<i>Mobility</i>			
FACILITY	DEPARTMENT	ESTIMATED IMPACT	STATUS
Transportation	Planning & Zoning	596 PM Peak Hour Trips (previously approved)	Compliance Confirmed by Traffic Engineering Consultant

Regarding mobility and impacts to transportation, the applicant’s proposed generated traffic is within prior approvals for transportation issued for the entire Galleria project. In addition, uses with reduced traffic impacts have recently been approved for this PUD. Also, based on the County’s 2017 Generalized Level of Service (LOS) Analysis, there is sufficient capacity to maintain required LOS.

Conclusion / Findings of Fact (Concurrency):

The project has been reviewed by the City’s TRC and no issues have been identified regarding facilities capacity. In addition, generated traffic falls within the previous approval issued for the Galleria Plaza.

V. CONCLUSION

Planning Commission Decision

Upon review of the petition and associated documents, Comprehensive Plan, Land Development Code, Staff Report and analysis, and testimony provided during the public hearing, there is sufficient information on the record for the Planning Commission to take action on Site and Development Plan Amendment Petition No. 20-08SP.