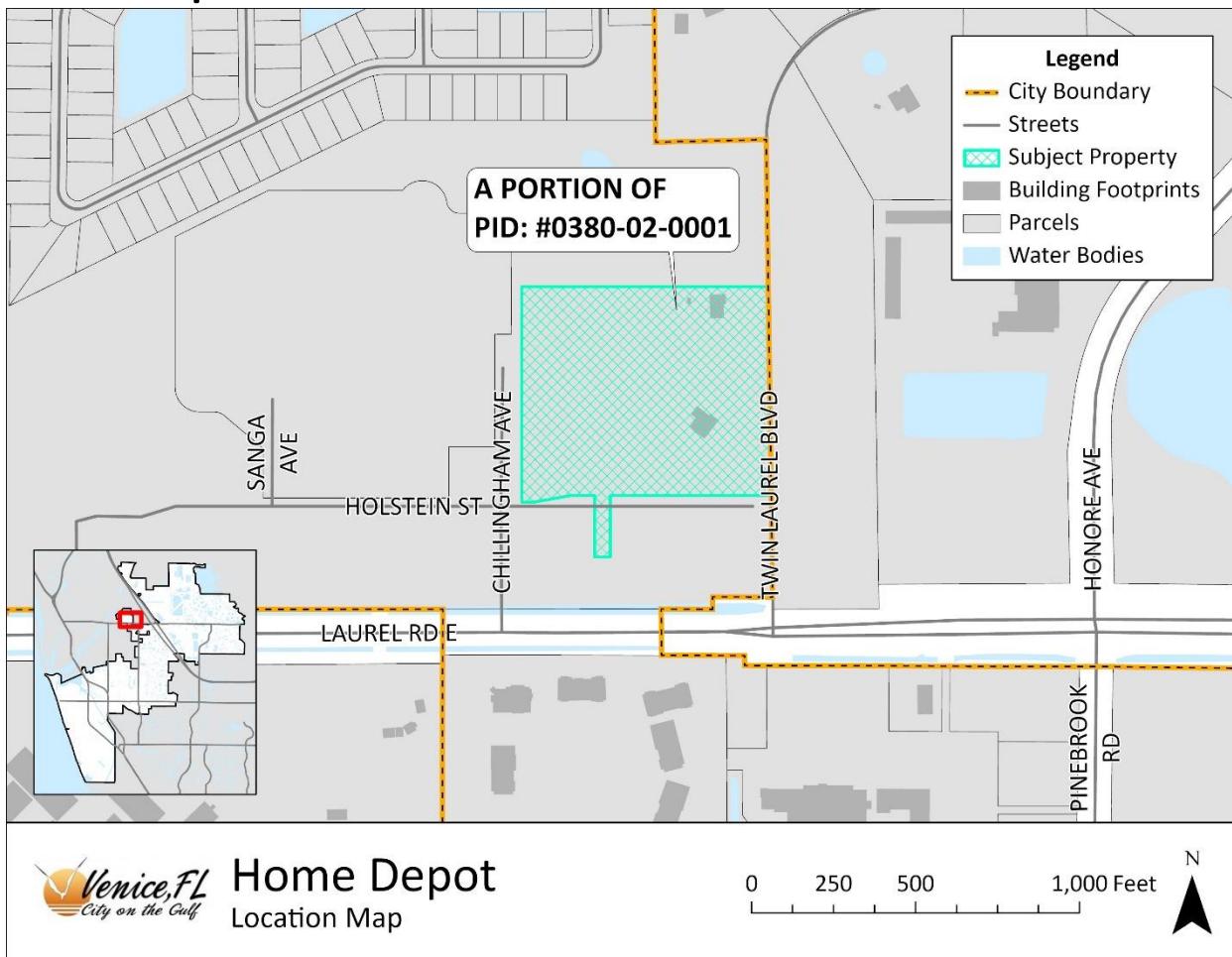


25-52CU Home Depot

Staff Report

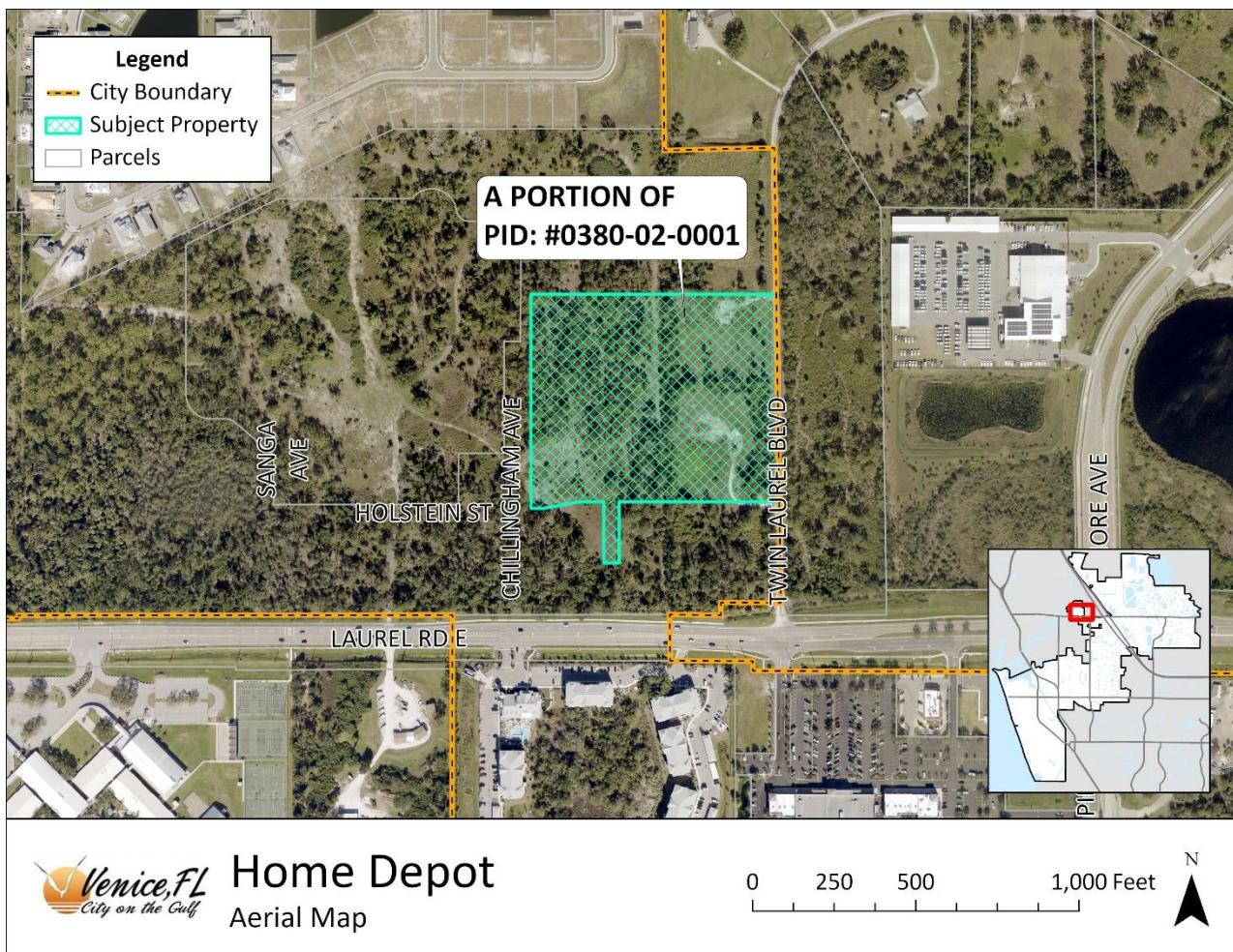


GENERAL INFORMATION

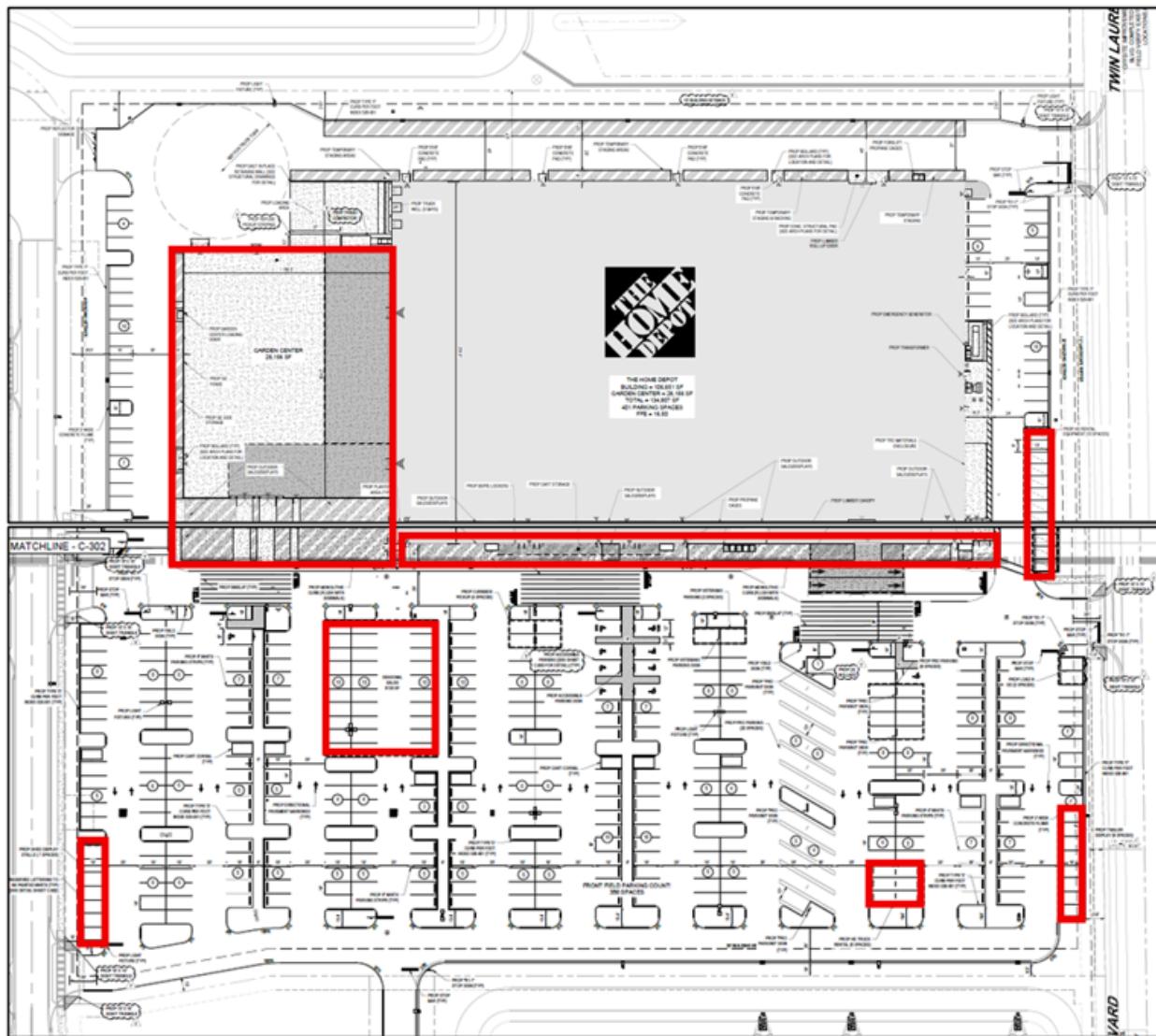
Address:	204 Chillingham Ave
Request:	To have Outdoor Sale and Display of Retail Merchandise as an allowable use
Owner:	2001 Laurel LLC
Applicant:	Home Depot USA, Inc.
Agent:	Jackson R. Boone, Esq., Boone Law Firm
Parcel ID:	0380-02-0001
Parcel Size:	±11.29 acres
Future Land Use:	Mixed Use Corridor
Zoning:	Commercial General
Comprehensive Plan Neighborhood:	Laurel Road
Application Date:	August 6, 2025
Associated Petition:	25-51SP and 25-53DA

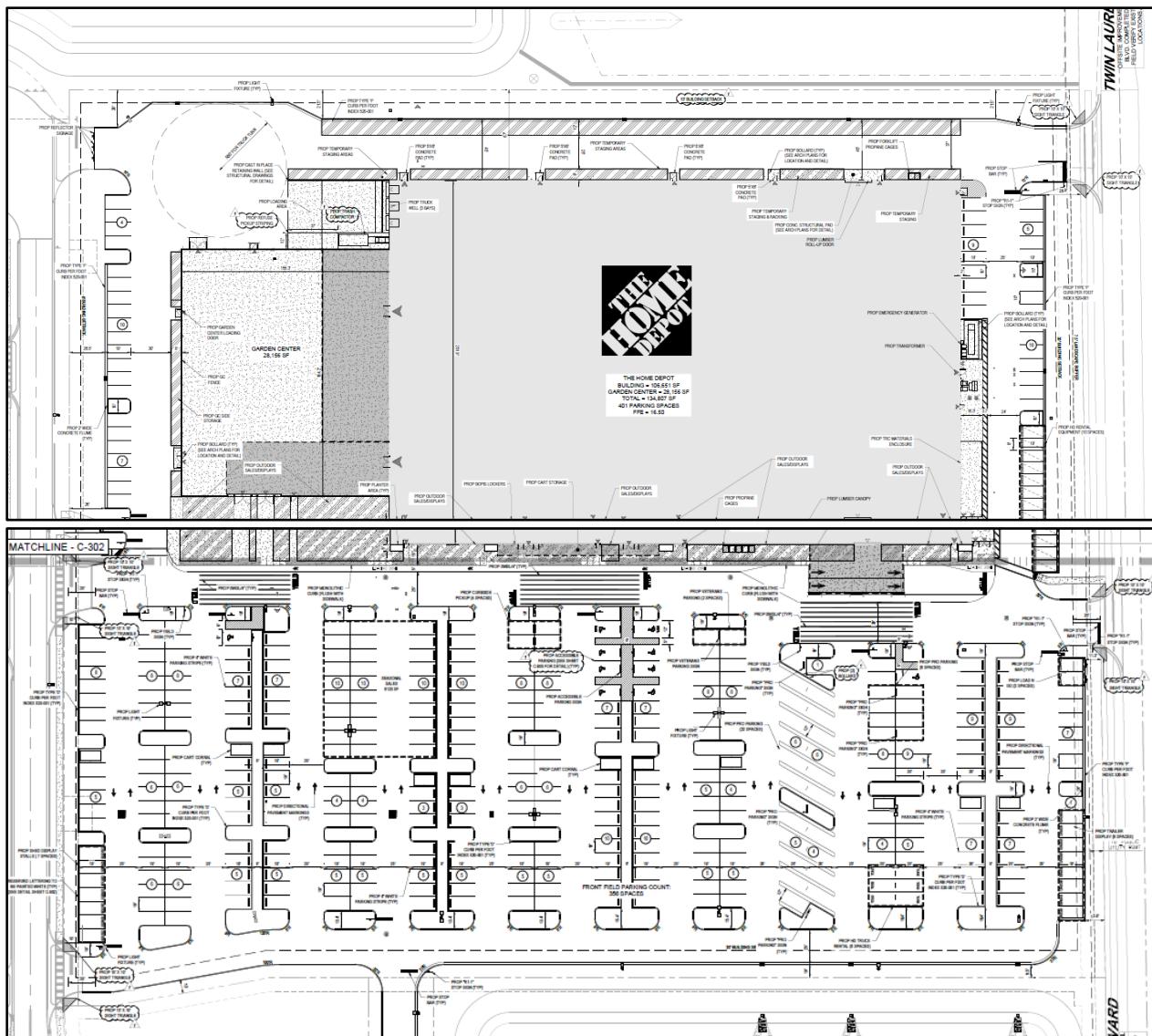
I. PROJECT DESCRIPTION

The subject property is an ± 11.29 acre parcel within Venice Crossing (approved preliminary plat 25-16PP), located north of Laurel Road and west of Twin Laurel Boulevard. The property is located within the Laurel Road Neighborhood of the Comprehensive Plan, and it has a Future Land Use designation of Mixed Use Corridor (MUC). The requested Conditional Use proposes outdoor sale and display of retail merchandise as an allowable use in Commercial, General. The areas that the conditional use would be applicable to are identified on Sheets C-302 and C-303 of the site and development plan, including, as the outdoor garden center (completely within a fenced area but not an enclosed building), merchandise display areas in front of the store and the garden center, a shed display area, rental truck and trailer area, and equipment rental area within the parking lot area (but not within required parking spaces).



Conditional Use Site Plan

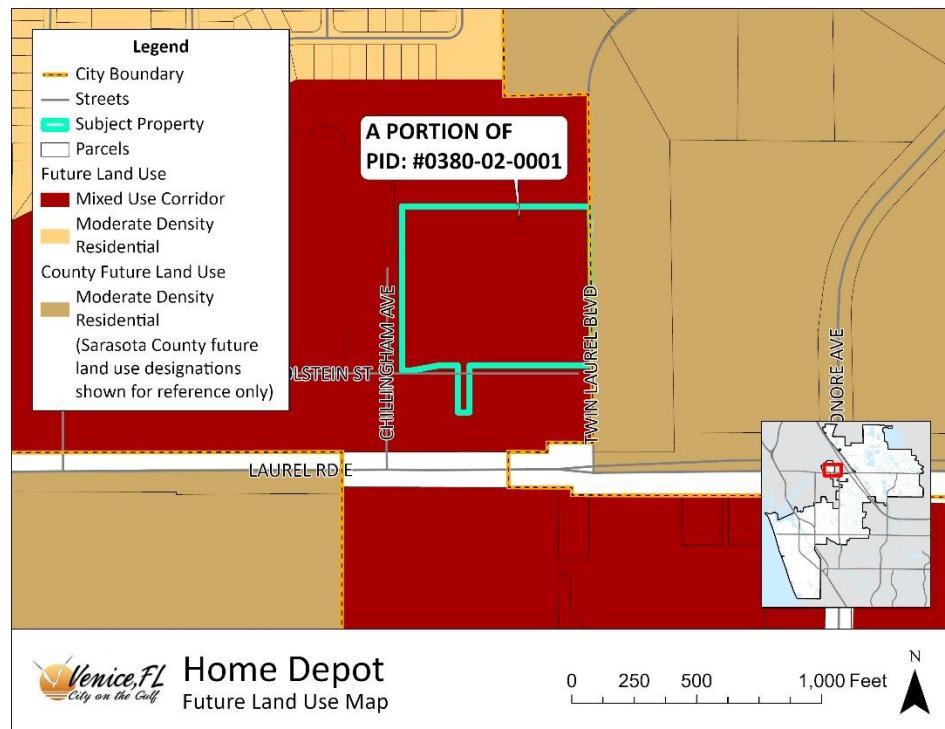




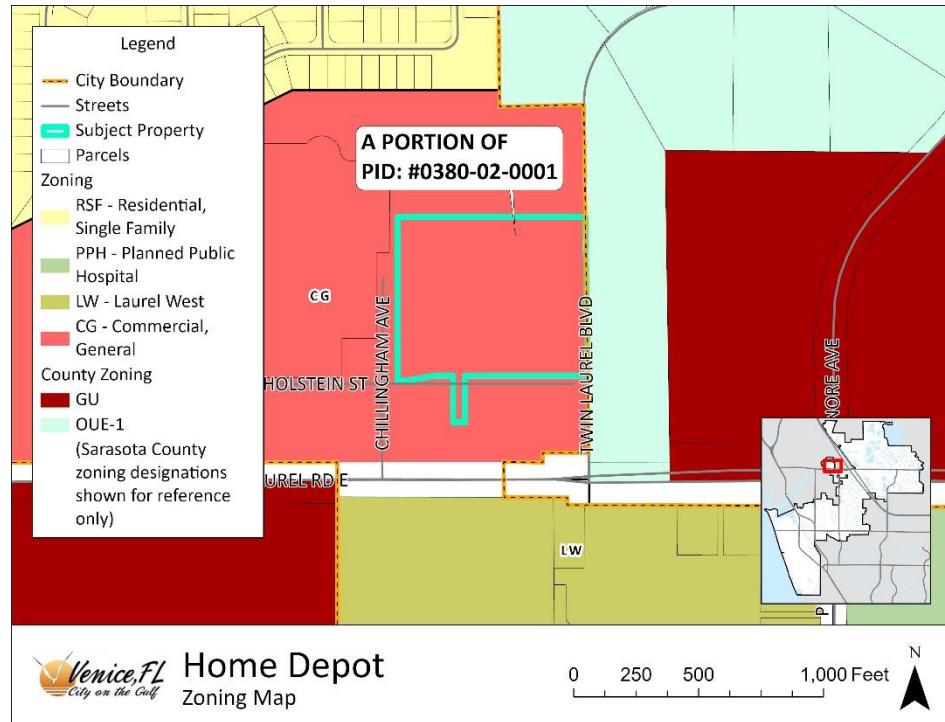
Future Land Use and Zoning

The Future Land Use designation for the subject property is Mixed Use Corridor (MUC) and the current zoning is Commercial General (CG), as depicted on the maps below.

Future Land Use



Current Zoning



Surrounding Land Uses

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Vacant	Commercial General (CG)	Mixed Use Corridor (MUC)
South	Vacant	CG	MUC
East	Vacant	OUE-1	Moderate Density Residential
West	Vacant	CG	MUC

I. PLANNING ANALYSIS

In this section of the report, analysis of the subject Conditional Use will be provided regarding 1) consistency with the Comprehensive Plan and 2) compliance with the City's Land Development Code (LDC).

Comprehensive Plan Analysis

Strategy LU 1.2.9.c – Corridor

This strategy supports mixed use both horizontal and vertical. Non-residential uses are limited to Commercial and Institutional Professional. Except for Laurel Road Corridor, in which this project is located, large-scale, single use commercial buildings and uses including those requiring outdoor display of goods are not permitted within the Corridor (MUC).

Comprehensive Plan Inconsistencies

No inconsistencies have been identified with this proposal.

Conclusions / Findings of Fact (Comprehensive Plan Analysis):

Analysis has been provided to help the Planning Commission determine consistency with Land Use Element strategies applicable to the Mixed Use Corridor future land use designation, strategies found within the Laurel Road Neighborhood element, and other plan elements.

Land Development Code Compliance

Conditional Use applications require a review of Land Use Compatibility 1.2.C.8 and Decision Criteria 1.8.3 to ensure compatibility with surrounding properties. The items from these sections of policy are reproduced below with applicant responses and staff comments. Additionally, this area is subject to the Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA). Consistent with notice requirements of Sections 7.D-E. and 10.A. of the JPA/ILSBA, the City of Venice provided notice to Sarasota County that the Conditional Use application was received. The County, in response, provided a letter finding the petition to be in compliance with the JPA/ILSBA for Area 5.

1.2.C.8. Land Use Compatibility Analysis.

Conditional Use applications require a review of Land Use Compatibility 1.2.C.8 to ensure compatibility with surrounding properties. The items from these sections are reproduced below with applicant responses and staff comments.

(a) Demonstrate that the character and design of infill and new development are compatible with existing neighborhoods. The compatibility review shall include the evaluation of the following items with regard to annexation, rezoning, height exception, conditional use, and site and development plan petitions:

- i. Land use density and intensity.

Applicant Response: *The proposed retail uses with outdoor sale and display is consistent with all applicable elements of the Comprehensive Plan and Land Development Regulations.*

ii. Building heights and setbacks.

Applicant Response: *Building heights are below maximum allowed building heights and setbacks exceed minimum required setbacks.*

iii. Character or type of use proposed.

Applicant response: *The character of the proposed use is compatible with existing uses in the neighborhood.*

iv. Site and architectural mitigation design techniques.

Applicant Response: *Substantial setbacks and buffers have been provided to ensure compatibility with the neighborhood.*

(b) Considerations for determining compatibility shall include, but are not limited to, the following:

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

Applicant Response: *The proposed use is compatible with single-family neighborhoods, nevertheless significant setbacks and landscape buffers have been provided, including stormwater pond and wetland area within the commercial center north of the property providing additional buffering from the property.*

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

Applicant Response: *The proposed use is located within an 80+ acre area which has been designated for commercial use and is compatible with existing uses.*

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

Applicant Response: *Not applicable.*

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

Applicant Response: *The intensity of the proposed use with an FAR below 0.25 is consistent and compatible with intensity of existing uses in the area.*

Summary Staff Comment: *This proposal has been reviewed by the TRC and has been deemed to be in compliance with the applicable code standards and the subject parcel is within a commercial development. The FAR of the proposed project is significantly under the maximum for the property.*

Additionally, this property may be considered for additional mitigation standards based on the special considerations listed in 87-4.4.B, as it is adjacent to a property that has Sarasota County zoning and is included in the Joint Planning Area. The mitigation standards are as follows:

1. Lowering density and intensity;
2. Increasing building setbacks;
3. Adjusting building step-backs (see Section 4.4.B. below);
4. Requiring tiered buildings;
5. Adjusting onsite improvements to mitigate lighting, noise, mechanical equipment, refuse and delivery and storage areas;
6. Adjusting road and driveway locations; and
7. Increasing buffer types and/or elements of the buffer type.

It is noted that this proposal includes a lower than allowable FAR of .27, setbacks in excess of the required, previously approved landscape buffers and the building is one story. The applicant has requested a design alternative to lighting, but buffering, lighting, noise, delivery areas, and access are all site components that may be relevant for consideration. Additionally, although the FAR is low, there is an outdoor sales and display proposed for the site that does not count towards the FAR.

Decision Criteria 1.8.3

Before any conditional use shall be approved, the Commission shall make a finding that the granting of the conditional use will not adversely affect the public interest and that satisfactory provision and arrangement has been made concerning the following matters, where applicable:

1. Compliance with all applicable elements of the Comprehensive Plan.

Applicant Response: *The proposed conditional use is in compliance with all applicable elements of the Comprehensive Plan.*

2. General compatibility with adjacent properties and other property in the district.

Applicant Response: *The proposed conditional use is compatible with adjacent properties and other properties in the district. The property is bounded on its south and west by additional CG zoned properties within the Venice Crossing commercial center, is bounded by the to-be-improved Twin Laurel Blvd. roadway to the east, and is separated and buffered from the adjacent single-family use to the north by stormwater pond, wetland area, and buffer located within common area of the Venice Crossing commercial center.*

3. Any special requirements set out in Section 2 in this chapter for the particular use involved.

Applicant Response: *Not applicable.*

Summary Staff Comment: *The Applicant is proposing to construct a home improvement center with outdoor sale and display that is typically associated with such a development and is consistent with the Comprehensive Plan. Three sides of the project are surrounded by lands within the overall Venice Crossing commercial development, with the other side being vacant County OUE-1/Moderate Density Residential vacant County land.*

Conclusions / Findings of Fact (Land Development Code Compliance):

The subject petition has been processed with the procedural requirements to consider the Conditional Use. In addition, the petition has been reviewed by the Technical Review Committee (TRC) and no issues regarding compliance with the Land Development Code were identified.

II. CONCLUSION

Planning Commission Report and Action

Upon review of the petitions 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 Conditional Use Petition No. 25-52CU.