



## **COMPREHENSIVE PLAN AMENDMENT APPLICATION**

Submit a complete application package to the Planning and Zoning Division. All information must be legible and will become a permanent part of the public record. Incomplete applications will not be reviewed and will be returned to the applicant/agent. Refer to the City of Venice Code of Ordinances Section 86-33 for submittal requirements.

**Project Name:** Cassata Shores

**Brief Project Description:** The applicant seeks a comprehensive plan amendment for purposes of residential development on the property.

**Address/Location:** 225 The Esplanade N., Venice, FL 34285

**Parcel Identification No.(s):** 0175-14-0018 **Parcel Size:** 0.37 +/- acres ☐ Gated Community ☐ Height ☐ Density

☒ Residential ☐ Non-Residential **Zoning Designation(s):** Current: CN; Proposed: RMF-3 FLUM **Designation(s):** Current: Commercial; Proposed: Medium Density Residential

**Fees:** The Zoning Administrator will determine if a project is a small scale or expedited state review, then select correct fee and review fee below. A review fee shall be deposited to be drawn upon by the city as payment for costs, including but not limited to advertising and mailing expenses, professional services and reviews, and legal fees. If review fee funds fall below 25%, additional funds may be required for expenses. See Section 86-586(b-d) for complete code. *\*Extended technical review fee of \$1400 charged at third resubmittal.*

☐ Application Fee (Small Scale Amendment) \$5,100

☐ Review Fee \$2000 OR

☐ Application Fee (Expedited State Review) \$6,366

☐ Review Fee \$1500

**Applicant/Property Owner Name:** MPS Development and Construction, LLC/Thomas B. Salem

**Address:** 333 S. Tamiami Trl., Ste. 205, Venice, FL 34285 (Applicant)

**Email:**

**Phone:**

**Design Professional or Attorney:** Paul V. Sherma, P.E., Professional Engineering Resources, Inc.

**Address:** 10225 Ulmerton Rd., Suite 4D, Largo FL 33771

**Email:**

**Phone:** (727) 408-5207

**Authorized Agent (1 person to be the point of contact):** Jeffery A. Boone, Esq., Boone Law Firm

**Address:** 1001 Avenida Del Circo, Venice, FL 34285

**Email:** jboone@boone-law.com

**Phone:** (941) 488-6716

**Staff Use Only**

**Petition No.**

**Fee:**

Application packages are reviewed for completeness within 3 business days. Collate all copies into three sets. Packages must be submitted via hard & electronic copies, and additional copies may be requested. Large plans should be collated and folded to allow the bottom right corner visible. Concurrently filed applications must be packaged separately. Please indicate N/A if the document is not being submitted, and why it is not being submitted.

☒ **Application:** (1 copy) Pre-Application Date: November 2019

☒ **Narrative:** Provide A statement describing in detail the proposed changes, in addition to the short description on page one of the application (1 copy).

☒ **Comprehensive Plan Compliance Report:** Justification for the proposed amendment including a statement of consistency with the Comprehensive Plan (1 copy).

☒ **Strikethrough/Underline Revisions:** Prepare a report listing individually each proposed Map, Section, Table, or Figure change of the Comprehensive Plan in strikethrough/underline format (1 copy).

☒ **Location Map:** A map or aerial that delineates every parcel included in the application and indicate each parcel's current & proposed FLUM on the map in callouts (1 copy).

☒ **Land Use Map:** A map or aerial that may include existing conditions, aerial photographs, natural communities and transportation network (1 copy).

☒ **Base Analysis:** may include Comprehensive Plan policy evaluation, site data and land use information (demographics, housing, public service and utilities, transportation, environmental, recreation and open space), special studies, etc. in support of proposed amendment. (1 copy).

☒ **School Concurrency (RESIDENTIAL ONLY):** School Impact Analysis Receipt from Sarasota County dated within 10 days of petition submittal (1 copy).

☒ **Agent Authorization Letter(s):** A signed letter from *each* property owner, authorizing **one individual**, a single point of contact for staff (not a business) to submit an application and represent the owner throughout the application process. Clearly indicate the property parcel identification number(s) on each letter (1 copy for each property owner).

☒ **Statement of Ownership and Control:** Documentation of ownership and control of the subject property (deed). Sarasota County Property Appraiser summaries or Tax Collector records will not suffice. Corporations or similar entities must provide documents recognizing a person authorized to act on behalf of the entity. Clearly indicate the property parcel identification number(s) on each deed (1 copy).


☒ **Public Workshop Requirements:** (Section 86-41) ☒ Newspaper advertisement ☒ Notice to property owners ☒ Sign-in sheet ☒ Written summary of public workshop ☒ Mailing List of Notified Parties (1 copy)

☒ **Survey of the Property:** Signed and sealed survey that accurately reflects the current state of the property. Each parcel must have its own legal description listed separately on the survey, correctly labeled by parcel id. (1 copy) **Date of Survey:** 05/28/2019

☒ **CD with Electronic Files:** Provide PDF's of ALL documents, appropriately identified by name on one CD/ thumb drive. All PDF's of site & development plans need to be signed and sealed. Submit each document or set of plans as one pdf- not each sheet in individual pdf's. **Provide a separate document with the legal description.**

Technical compliance must be confirmed 30 days before a public hearing will be scheduled. The applicant or agent **MUST** be present at the public hearing and will be contacted by staff regarding availability. By submitting this application the owner(s) of the subject property does hereby grant his/her consent to the Zoning Official and his/her designee, to enter upon the subject property for the purposes of making any examinations, surveys, measurements, and inspections deemed necessary to evaluate the subject property for the duration of the petition.

Authorized Agent Name/Date/Signature:

JEFFERY A. BOONE / 13 JUL 2020 / 

Applicant Name/Date/Signature:

**Cassata Shores**  
**Comprehensive Plan Amendment**  
**Project Narrative**

The subject property is an approximate 0.37 acre parcel located at 225 The Esplanade N., Venice, FL 34285. The property has a Commercial Future Land Use (“FLU”) designation and is located within the Island Neighborhood. Concurrent Zoning Map Amendment, Site & Development Plan, and Special Exception applications for the subject property are filed with the City.

Applicant seeks to amend the Comprehensive Plan FLU designation for this property from Commercial to Medium Density Residential to allow for the City’s consideration and approval of the concurrent Zoning Map Amendment, Site & Development Plan and Special Exception applications.

In addition, the applicant proposes to amend Future Land Use *Strategy LU 1.2.3 - Residential. Density Defined*, to allow for residential development below, but not above, the range of densities for a residential land use designation.

Approval of the proposed amendment would allow for construction of a multifamily residential development of up to 13 dwelling units per acre. Contingent upon this Comprehensive Plan amendment, and through its concurrently filed applications, Applicant seeks to rezone the property to RMF-3, the appropriate implementing district per Comprehensive Plan standards, and develop a 3-unit condominium.

It should be noted that Applicant’s proposal provides an opportunity for the beneficial redevelopment of this property that could otherwise be lost to a more intense, less desirable use. As the property is especially valuable due to its beach-front and community-centric location, the economic reality of acquisition and development is costly. The property’s current land use designation and zoning are prohibitive for redevelopment of this parcel in a manner that would yield desirable aesthetic and functional characteristics. This parcel’s commercial FLU designation is isolated and underutilized when considering its surroundings. Applicant’s development plans transform the eye-sore and idle qualities of the existing convenient store use into an attractively designed, small-scale condominium to be enjoyed by its residents and admired by the public. The plans will also bring development into compliance with the Sarasota County Gulf Beach Setback Line and afford opportunity for improvement of infrastructure and environmental considerations. Moreover, the proposed Comprehensive Plan amendment and development plans will reduce the number of trips on The Esplanade, a significant local road in the City.

**Cassata Shores**  
**Comprehensive Plan Amendment**  
**Base Analysis**

The subject property is an approximate 0.37 acre parcel located at 225 The Esplanade N., Venice, FL 34285. The property has a Commercial FLU designation and is located within the Island Neighborhood. Concurrent Zoning Map Amendment, Site & Development Plan, and Special Exception applications for the subject property are filed with the City.

Applicant's proposed Comprehensive Plan amendment and Future Land Use ("FLU") change will allow for redevelopment of the property in a manner that aligns with the Comprehensive Plan objectives and improve the aesthetic and functional characteristics of the property, as demonstrated in the following analysis here below:

**Island Neighborhood:**

*Intent:* In furtherance of the City's vision to provide a development pattern that "balances the economic, social, historical and environmental needs of the community and that preserves the high quality-of-life for all residents" (**Vision LU 1**), the proposed FLU change will redevelop an isolated, unattractive and underutilized convenient store to an attractive, functional, small-scale condominium, compatible with the adjacent residential and functional open-space use.

The Comprehensive Plan recognizes that this neighborhood has minimal opportunities for new development. The Comprehensive Plan expressly supports redevelopment of underutilized properties in order to encourage a diversity of non-residential uses capable of supporting the adjacent residential areas. This property is underutilized in its existing use; however, redevelopment of this property to a commercial use that could serve the adjacent residential areas is improbable. This fact explains why the property remains in its current state of degradation. Through a Future Land Use change, this property be can be redeveloped and used in a manner that enhances the neighborhood and recoups the value and utility of the property itself.

*Unique Considerations:* The property is not situated in a mixed-use area, historical area, coastal high-hazard area, or other area of unique concern.

*Mobility:* The FLU change and proposed development plan will reduce stress on transportation elements in an area of particular scrutiny. The change in use from commercial to a 3-unit multi-family development noticeably reduces the number of trips produced.

*Open Space and Environmental:* The proposed development plan preserves the existing open space and brings the developed area into compliance with the Sarasota County Gulf Beach Setback Line.

## **Land Use Element:**

### **Strategy LU 1.2.8 - Compatibility Between Land Uses.**

Although Figure LU-8 shows a proposed Medium Density Residential FLU designation as potentially incompatible with an existing Commercial FLU designation, such potential incompatibility is not realized in this instance. Rather, the proposed FLU change to Medium Density Residential effectuates presumed compatibility with its adjacent properties of High Density Residential and Open Space-Functional designations. Further, development of the property to a medium density multi-family use will provide a smoother transition between the surrounding high-density residential uses to the open space use.

### **Strategy LU 1.3.1 - Mix of Uses**

This strategy provides the caveat when encouraging the mix of residential and non-residential that it shall be only where desired by the Community. The proposed FLU amendment will allow the underutilized property to be redeveloped to a residential use that is compatible in size and scale to the surrounding developments in the area. The small-scale, 3-unit condominium will offer a variety of density and intensity to the existing development pattern. In addition, the FLU change to Medium Density Residential will facilitate greater multi-modal means of travel than would a commercial designation and use.

### **Strategy LU 1.3.2 - Functional Neighborhoods**

The proposed FLU amendment enhances the functionality of the neighborhood. It provides more variety in housing with less intensity than the adjacent properties; it provides a better transition to OS-F use next door; and, it allows for greater beneficial use and enjoyment of the property.

### **Strategy LU 1.3.5 - Natural Features**

This FLU change improves the site as a whole. It contemplates the protection of natural features through bringing the developed area into compliance with the Sarasota County Gulf Beach Setback Line. This residential development will balance needs of residents and environment.

### **Strategy LU 1.3.7 - Infill Development - Compatibility**

The proposed amendment is more compatible with surroundings than the existing use. It creates a step down from greater intensity and density of adjacent residential developments and better transition to park and beach.

### **Strategy TR 1.1.1 - Roadway Classifications**

The proposed FLU amendment will put fewer trips on the road than the existing commercial designation. Such change will ensure that The Esplanade, a significant local road, can adequately serve its local road function without the stress of heavier and more intense traffic from patrons and service trucks.



# Land Use Map

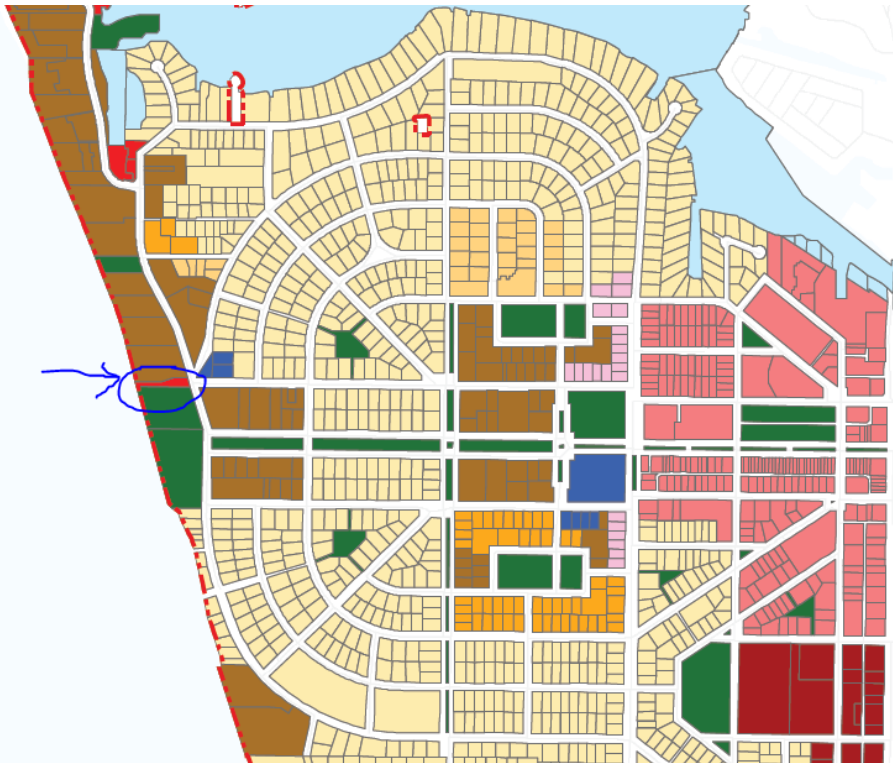


0 0.025 0.05 mi

This map is a product of the Sarasota County Property Appraiser's Office. No warranties are expressed or implied.

**Cassata Shores  
Comprehensive Plan Amendment  
Location Map**

**Current FLUM**

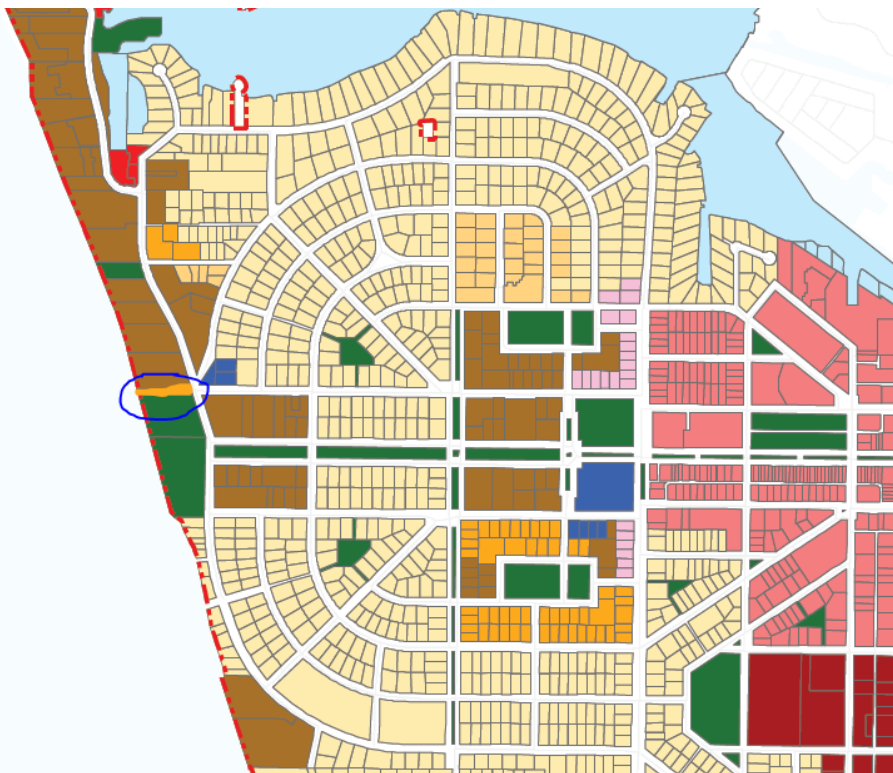


FLUM Series: Planning Horizon  
2017-2027

**Legend**


















-  City Boundary
-  MIXED USE DOWNTOWN
-  MIXED USE SEABOARD
-  MIXED USE CORRIDOR
-  MIXED USE AIRPORT
-  MIXED USE RESIDENTIAL
-  COMMERCIAL
-  OPEN SPACE FUNCTIONAL
-  CONSERVATION
-  INDUSTRIAL
-  GOVERNMENT
-  INSTITUTIONAL PROFESSIONAL
-  LOW DENSITY RESIDENTIAL
-  MODERATE DENSITY RESIDENTIAL
-  MEDIUM DENSITY RESIDENTIAL
-  HIGH DENSITY RESIDENTIAL
-  Potential Annexation Areas JPA/ILSBA

**Proposed FLUM**



FLUM Series: Planning Horizon  
2017-2027

**Legend**

-  City Boundary
-  MIXED USE DOWNTOWN
-  MIXED USE SEABOARD
-  MIXED USE CORRIDOR
-  MIXED USE AIRPORT
-  MIXED USE RESIDENTIAL
-  COMMERCIAL
-  OPEN SPACE FUNCTIONAL
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**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.*

*Future Land Use*

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*



**4. Strategy LU. 1.2.3 – Residential Land Use Density Range Table** (page 24 of the Comprehensive Plan)

- *Add provision for development below the minimum density range of Residential Land Use Designations.*

**Strategy LU 1.2.3 - Residential.**

Density Defined. Dwelling Units Per Acre (DU/AC): Residential Development ("Density") is measured in dwelling units per (gross) acre.

Residential Land Use	Density per Gross Acre	Implementing Zoning Districts
<b>Low Density</b>	1.0 to 5.0	RE, RSF1, RSF2, RSF3
<b>Moderate Density</b>	5.1 to 9.0	RSF4, RMF1, RMF2, RMH
<b>Medium Density</b>	9.1 to 13.0	RMF3
<b>High Density</b>	13.1 to 18	RMF4

Within the Residential Land Use Designations, densities below the minimum of the density range are permitted.

**Cassata Shores**  
**Comprehensive Plan Amendment**  
**Comprehensive Plan Compliance Report**

Page three (3) of the City's Comprehensive Plan instructs that, "All amendments to the Comprehensive Plan shall be reviewed and adopted in accordance with the Community Planning Act." Consistent with the State of Florida's "Community Planning Act," (Ch. 163, Fl. Stat.), and thereby in connection with the City of Venice Land Development Regulations (Ch. 86, City of Venice Municipal Code), Applicant, as the property owner of the subject property, is expressly authorized to request an amendment to the City's Comprehensive Plan through its Agent.

Applicant's proposed amendment does not conflict with the visions, intentions or strategies of the Comprehensive Plan. This property requires no unique analysis as it does not fall within a planning area of special consideration. The proposed amendment to the FLUM will eliminate a small, isolated and under-utilized convenience store, and replace it with a use that will inspire greater harmony with its surroundings and provide more aesthetic appeal. As will be demonstrated in specific detail through applicant's concurrently filed Zoning Map Amendment and Site & Development Plan applications, the proposed development shall be wholly compliant with the Comprehensive Plan, further it's objectives, and advance the interests of the community as a whole.