

PZ 17-213



City of Venice  
401 West Venice Ave., Venice, FL 34285  
941-486-2626

DEVELOPMENT SERVICES - PLANNING & ZONING  
**ZONING MAP AMENDMENT APPLICATION**

**ZONING MAP AMENDMENT 17-13 RZ**

**Project Name:** SJMR Property PUD

Parcel Identification No.: 0391-00-1020 and 0393-00-3000

Address: Border Road and Laurel Road

Parcel Size: 292 +/- acres

FLUM designation: Border Road to Myakka River Neighborhood

Current Zoning: County- OUE Proposed Zoning: PUD

**Property Owner's Name:** Pamlico Point Management, LLC

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Mailing Address: 5800 Lakewood Ranch Boulevard, Sarasota, FL 34240

**Project Manager:** Jeffery A. Boone, Esq.

Telephone: 941-488-6716

Mobile / Fax: 941-488-7079

E-mail: jboone@boone-law.com

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

**Project Engineer :** Melanie Smith, P.E., Stantec

Telephone: 941- 907-6900

Mobile / Fax: \_\_\_\_\_

E-mail: melanie.smith@stantec.com

Mailing Address: 6900 Professional Parkway, East Sarasota, FL 34240

**Project Architect:** \_\_\_\_\_

Telephone: \_\_\_\_\_

Mobile / Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

*Incomplete applications cannot be processed - See reverse side for checklist*

**Applicant Signature / Date:**

*[Handwritten Signature]*  
05 OCT 17

Check: CASHIER'S      Type: OC      Drawer: 1  
 Date: 10/17/17      Receipt no: 6966  
 PZ      2017      PLANNING & ZONING

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OK CHECK      14009      \$4732.00  
 Total tendered      \$4732.00  
 Total payment      \$4732.00

Trans date: 10/18/17      Time: 13:20:13

**PLANNING & ZONING**

# APPLICATION CHECKLIST

Required documentation (provide one copy of the following, unless otherwise noted):

- Statement of Ownership & Control**
- Signed, Sealed and Dated Survey of Property**
- Agent Authorization Letter**
- Narrative describing the petition**
- Public Workshop Requirements.** Date held September 27, 2017
  - Copy of newspaper ad.
  - Copy of notice to property owners.
  - Copy of sign-in sheet.
  - Written summary of public workshop.

When pertaining to the rezoning of land, the report and recommendations of the planning commission to the city council shall show that the planning commission has studied and considered the proposed change in relation to the following, where applicable:

- a. Whether the proposed change is in conformity to the comprehensive plan.
- b. The existing land use pattern.
- c. Possible creation of an isolated district unrelated to adjacent and nearby districts.
- d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.
- e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
- f. Whether changed or changing conditions make the passage of the proposed amendment necessary.
- g. Whether the proposed change will adversely influence living conditions in the neighborhood.
- h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
- i. Whether the proposed change will create a drainage problem.
- j. Whether the proposed change will seriously reduce light and air to adjacent areas.
- k. Whether the proposed change will adversely affect property values in the adjacent area.
- l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.
- m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
- n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.
- o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
- p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Please see attached.

## Fees

Application filing fee \$2,908.

Application filing fee for the following zoning districts \$4,732: CMU, PUD, CSC, PCD, PID, RMH.

Public notice fee in excess of \$50 will be billed to applicant and is not included in application fee.

## SJMR Property PUD Project Narrative & Comprehensive Plan Consistency Analysis

The proposed SJMR Property PUD is 292 +/- acre property located south of Laurel Road, north of Border Road, immediately east of the Milano PUD and west of the Woods PUD. The property is located within the Border Road to Myakka River Neighborhood Planning Area. The applicant proposes a rezoning from Sarasota County OUE to City of Venice Planned Unit Development (PUD) to allow for development of a single-family residential development with an amenity center and open space. The proposed density is for up to 539 residential units (approximately 1.8 dwelling units per acre). The circulation plan for the SJMR Property PUD demonstrates connectivity through the development to Laurel Road and Border Road, including a linked sidewalk system for pedestrian connectivity from each of the development pods to an amenity center.

The proposed plan includes a request for a waiver of the sidewalk requirement for sidewalks along the Laurel Road frontage. Pursuant to Sec. 86- 520 (a)(c) The planning commission may recommend to the city council waiver of the sidewalk requirement when the property owner can demonstrate that the required sidewalk will not be reasonably beneficial or useful because of the location of the subject property and the characteristics of the immediate neighborhood.

In this instance, the subject property is bounded to the west by an FPL substation parcel without a sidewalk for a distance of 2,600 feet. Provision of a sidewalk by the applicant on its frontage would not provide a connection to any nearby sidewalk to the west. To the east of the subject property Laurel Road dead ends at Myakka River Park with no through traffic beyond the park and no other access points along Laurel Road. As a result, traffic east of the property is very minimal and provision of a sidewalk would not be reasonably beneficial. Therefore, the sidewalk waiver is hereby requested.

The proposed PUD amendment is consistent with all applicable elements of the City of Venice Comprehensive Plan including, but not limited to, Policy 18.7 concerning the planning intent of the Border Road to Myakka River Neighborhood, and Policy 18.8 concerning the Border Road to Myakka River Neighborhood development standards. In addition, the proposed PUD amendment is consistent with the requirements of Paragraph 10.I of the JPA/ILSBA between the City of Venice and Sarasota County regarding land use compatibility, the requirements which are nearly identical to the City's Future Land Use Policy 8.2 as evaluated below:

Policy 8.2 Land Use Compatibility Review Procedures. Ensure that the character and design of infill and new development are compatible with existing neighborhoods. Compatibility review shall include the evaluation of:

A. Land use density and intensity.

**The subject property located within the Border Road to Myakka River Neighborhood Planning Area is designated for up to 5 dwelling units per acre.**

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- The proposed density of approximately 1.8 acres is significantly less than the maximum and comparable with surrounding densities in the neighborhood.**
- B. Building heights and setbacks.  
**The proposed maximum building height of 35 feet is consistent with the maximum building heights in the surrounding area.**
- C. Character or type of use proposed.  
**The proposed single-family use is consistent and compatible with the surrounding uses in the neighborhood which are primarily residential.**
- D. Site and architectural mitigation design techniques.  
**The proposed site and architectural design of the proposed development is consistent with existing neighborhoods.**

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

**The proposed single family use is compatible with the neighborhood, nevertheless, the following responses are provided.**

- E. Protection of single-family neighborhoods from the intrusion of incompatible uses.  
**The proposed uses are consistent and compatible with single-family neighborhoods.**
- F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.  
**Not applicable.**
- 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.  
**Not applicable.**
- H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.  
**The density and intensity of the proposed uses will comparable to the existing uses.**

Potential incompatibility shall be mitigated through techniques including, but not limited to:

**The proposed development does not create any potential incompatibility, nevertheless the following responses are provided**

- I. Providing open space, perimeter buffers, landscaping and berms.  
The proposed  
**The proposed development provides a minimum of 50% open space and significantly sized landscape buffers.**
- J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.  
**Not applicable.**
- K. Locating road access to minimize adverse impacts.

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**Access has been limited to one access point on Laurel Road and one access point on Border Road in order to minimize adverse impacts.**

- L. Adjusting building setbacks to transition between different uses.  
**Not applicable.**
- M. Applying step-down or tiered building heights to transition between different uses.  
**Not applicable.**
- N. Lowering density or intensity of land uses to transition between different uses.  
**Not applicable.**

Sec. 86-47. - Amendments to the land development code.

(f) *Contents of planning commission report.*

(1) *Rezoning amendments.* When pertaining to the rezoning of land, the report and recommendations of the planning commission to the city council shall show that the planning commission has studied and considered the proposed change in relation to the following, where applicable:

a. Whether the proposed change is in conformity to the comprehensive plan.

**The proposed PUD is consistent with all applicable elements of the Comprehensive Plan. Please see attached Policy 8.2 analysis, Environmental Analysis prepared by ECO Consultants.**

b. The existing land use pattern.

**The proposed PUD seeks approval of a residential land use consistent with the Comprehensive Plan Future Land Use Map at a density which is compatible with the surrounding area.**

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

**The PUD proposes a residential development consistent and compatible with nearby districts.**

d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

**The proposed PUD will not increase or overtax the load on public facilities. Please see attached concurrency application and transportation analysis.**

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

**The proposed PUD property is currently zoned Sarasota County- OUE. The property is required to be rezoned to a City zoning district and the logical zoning designation is PUD, consistent with the properties to its eastern and western boundaries.**

f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

**The Pre-annexation Agreement requirement to rezone the property to a City of Venice zoning district makes passage of the amendment necessary.**

g. Whether the proposed change will adversely influence living conditions in the neighborhood.

**The proposed PUD will authorize single-family residential development consistent and compatible with existing development in the neighborhood and will not adversely influence living conditions in the neighborhood.**

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

**The proposed change will not create or excessively increase traffic congestion. Please see attached transportation analysis.**

i. Whether the proposed change will create a drainage problem.

**The proposed change will not create a drainage problem. The rezoning of the property does not authorize any land development activities on the property. Prior to commencement of land development activities the developer will be required to obtain all applicable local, state and federal permits to demonstrate a drainage problem will not be created.**

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- j. Whether the proposed change will seriously reduce light and air to adjacent areas.  
**The proposed change will not seriously reduce light and air to adjacent areas.**
- k. Whether the proposed change will adversely affect property values in the adjacent area.  
**The proposed change will not adversely affect property values in the adjacent area.**
- l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.  
**The proposed change will not be a deterrent to the improvement of adjacent property.**
- m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.  
**The proposed change will not constitute a grant of special privilege.**
- n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.  
**The proposed PUD property is currently zoned Sarasota County- OUE. The property is required to be rezoned to a City zoning district and the logical zoning designation is PUD, consistent with the properties to its eastern and western boundaries.**
- o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.  
**The proposed PUD is not out of scale with the needs of the neighborhood and is consistent and compatible with nearby development.**
- p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.  
**The proposed residential use for the property is consistent with the Comprehensive Plan Future Land Use Map designation for the property and is the logical site to provide for such use.**

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