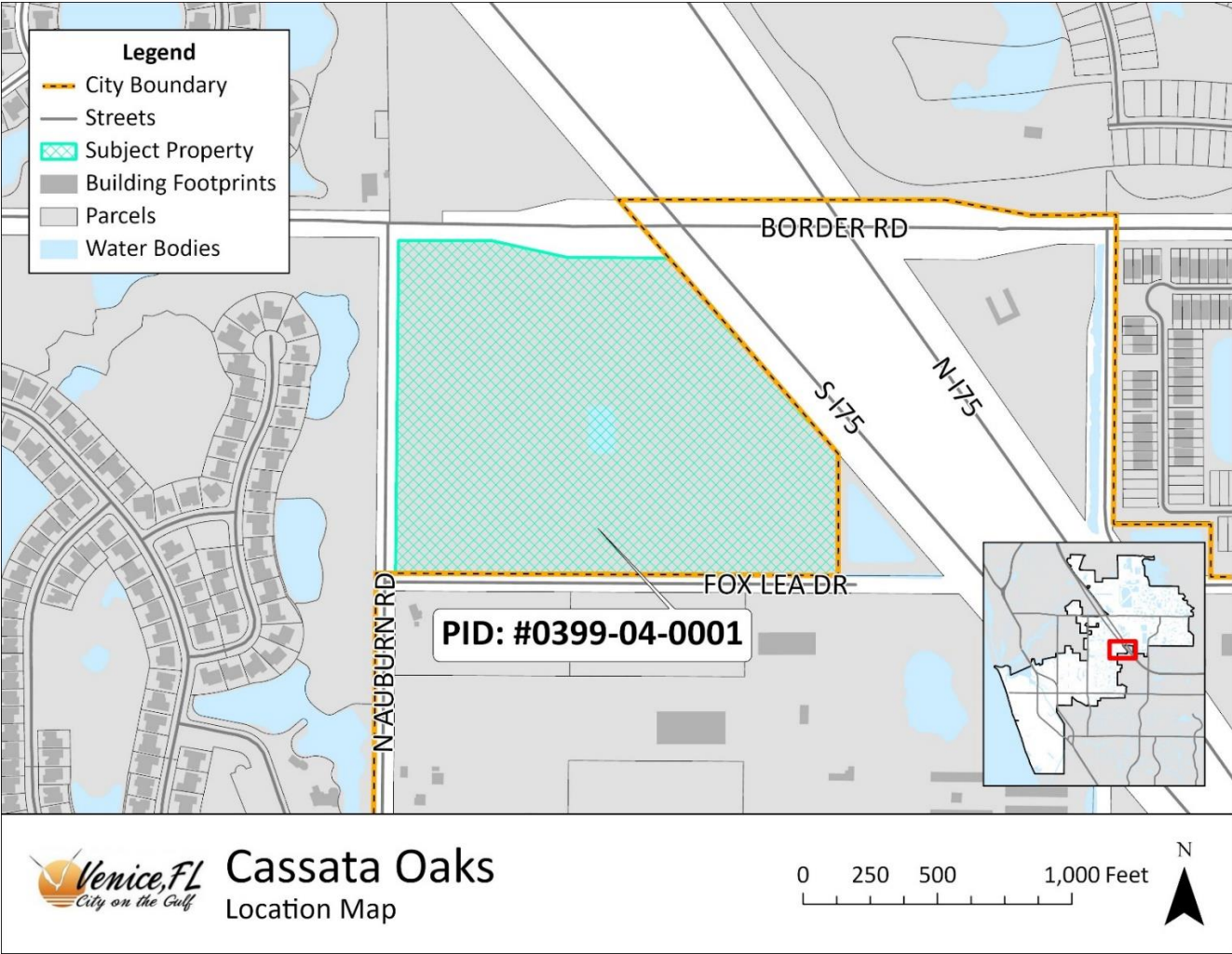


24-64DA Cassata Oaks Design Alternative

Staff Report



General Information

Address:	Southeast quadrant of Border Road and North Auburn Road
Request:	Requests to leave invasive species (Sec. 87-3.7.2.A.8), decrease width of the private road (Sec. 87-3.4.1.J.6), and increase wall height (Sec. 87-3.8.1.C)
Applicant:	Auburn Road FC LLC
Agent:	Mariah L. Miller, Esq.
Parcel ID:	0399-04-0001
Parcel Size:	39.8 ± acres
Future Land Use:	Low Density Residential
Zoning:	Residential Single-Family 3
Comprehensive Plan Neighborhood:	Pinebrook
Application Date:	December 26, 2024

I. BACKGROUND AND EXISTING CONDITIONS

This petition requests three design alternatives:

1. Leaving invasive species along the southern buffer (permitted by 3.7.2.A.8)
2. Decreasing the width of the private right of way from 60' to 50' (permitted by 3.4.1.J.6)
3. Increasing the height of the buffer walls along the south property line from 6' to 8' (permitted by 3.8.1.C)

These alternatives are requested alongside preliminary plat petition 24-66PP for the Cassata Oaks development and are consistent with the plans provided for that petition as well as the binding concept plan approved for the property through Ordinance No. 2024-15. This ordinance included eight stipulations, four of which, identified below, relate directly to these requests (see the ordinance and the preliminary plat staff report for full text):

2) The conceptual plan, attached hereto as Exhibit "B", shall be binding, and any subsequent plat will be substantially consistent with the conceptual plan. Minor deviations may be necessary to comply with other regulations.

4) Restrictive covenants will be provided in the property association documents in language substantially the same as the following:

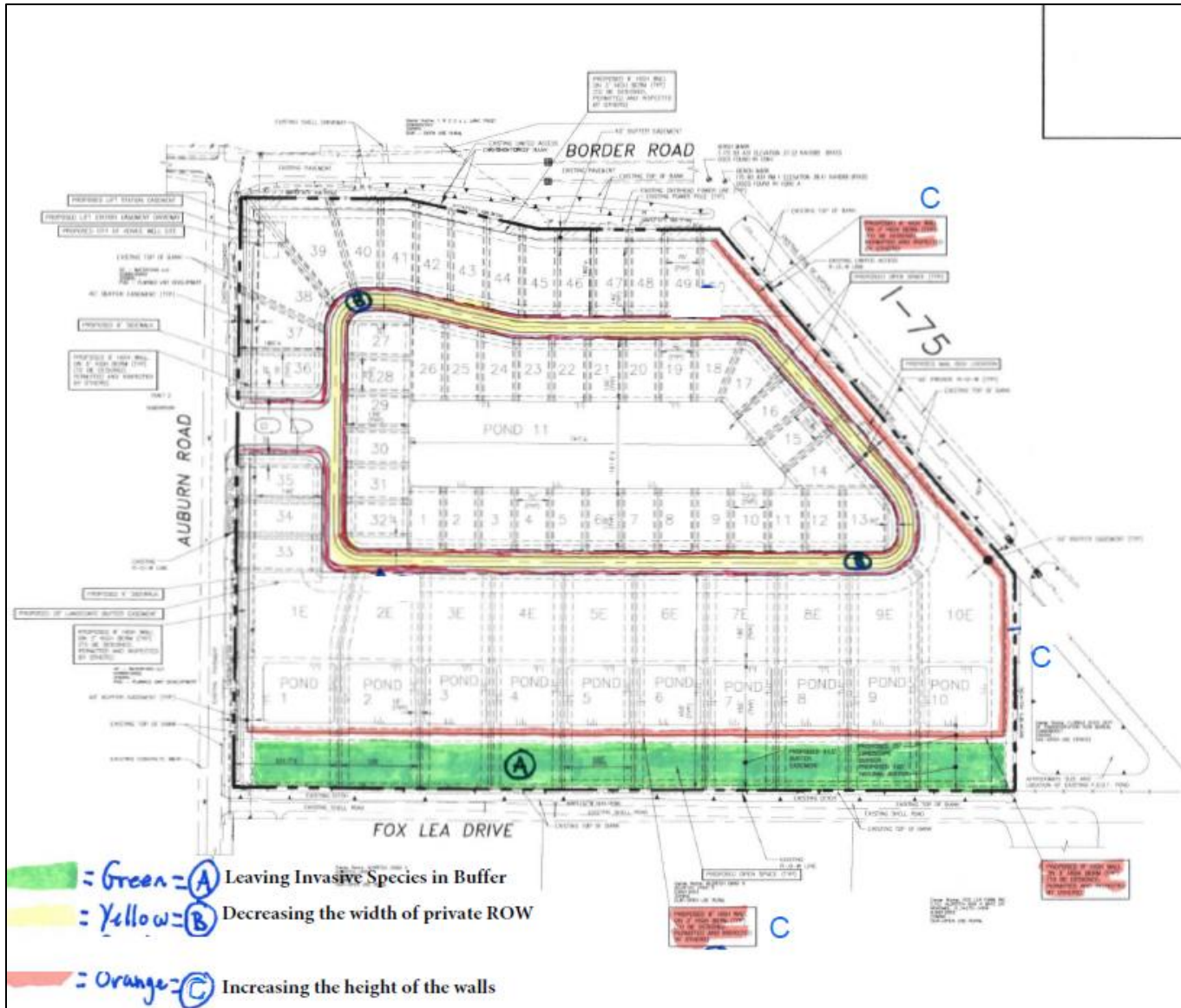
d. The 100-foot natural buffer along the southern boundary of the subject property shall be maintained at a minimum 70% opacity.

5) Construction Best Management Practices will be utilized to minimize impact on the business to the south known as Fox Lea Farm including the following:

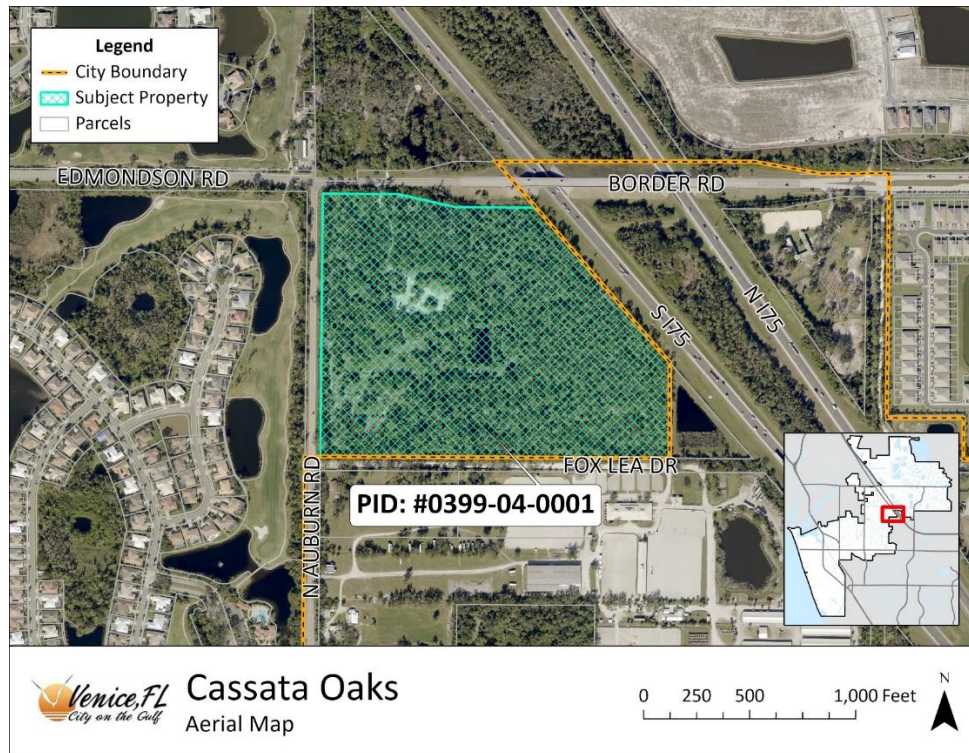
a. The 3 ft. berm and 8 ft. wall parallel with the southern property line will be constructed prior to site clearing except for those areas necessary to obtain access to work area.

6) The existing vegetation in the 100-foot natural buffer along Fox Lea Drive will be kept in its natural condition subject to City of Venice approval or another government authority approval.

The following exhibit shows the location affected by each of the three requests on the plan sheet for the preliminary plat. This exhibit was provided by the applicant.



Aerial Photo



Site Photographs



View to the south along Auburn Rd.



View to the north along Auburn Rd.



View from the west across Auburn Rd.



View of neighboring property to the west across Auburn Rd.



View from southwestern corner of property along Fox Lea Dr.



View from northwestern corner of property along Border Rd.

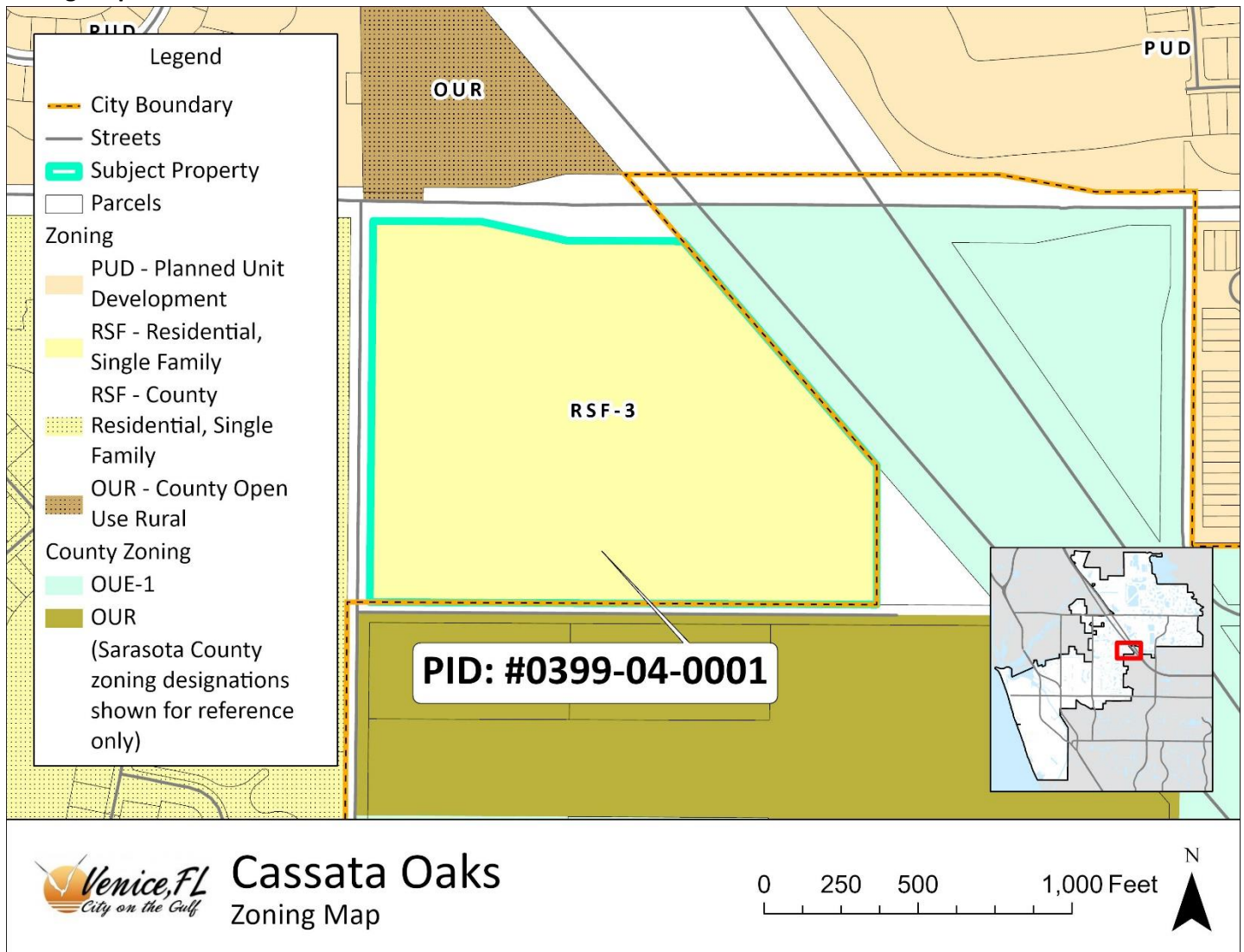
Surrounding Properties

Direction	Existing Land Uses	Current Zoning Districts	Existing Future Land Use Map Designations
North	Vacant Land	Sarasota County Open Use Rural (OUR)	City of Venice Low Density Residential (LDR)
South	Fox Lea Farm Equestrian Facility	Sarasota County Open Use Rural (OUR)	Sarasota County Moderate Density Residential (MODR)
East	Interstate 75	N/A	N/A
West	Sawgrass Subdivision	Sarasota County Residential Single Family (RSF-2)	City of Venice Mixed use Residential (MUR)

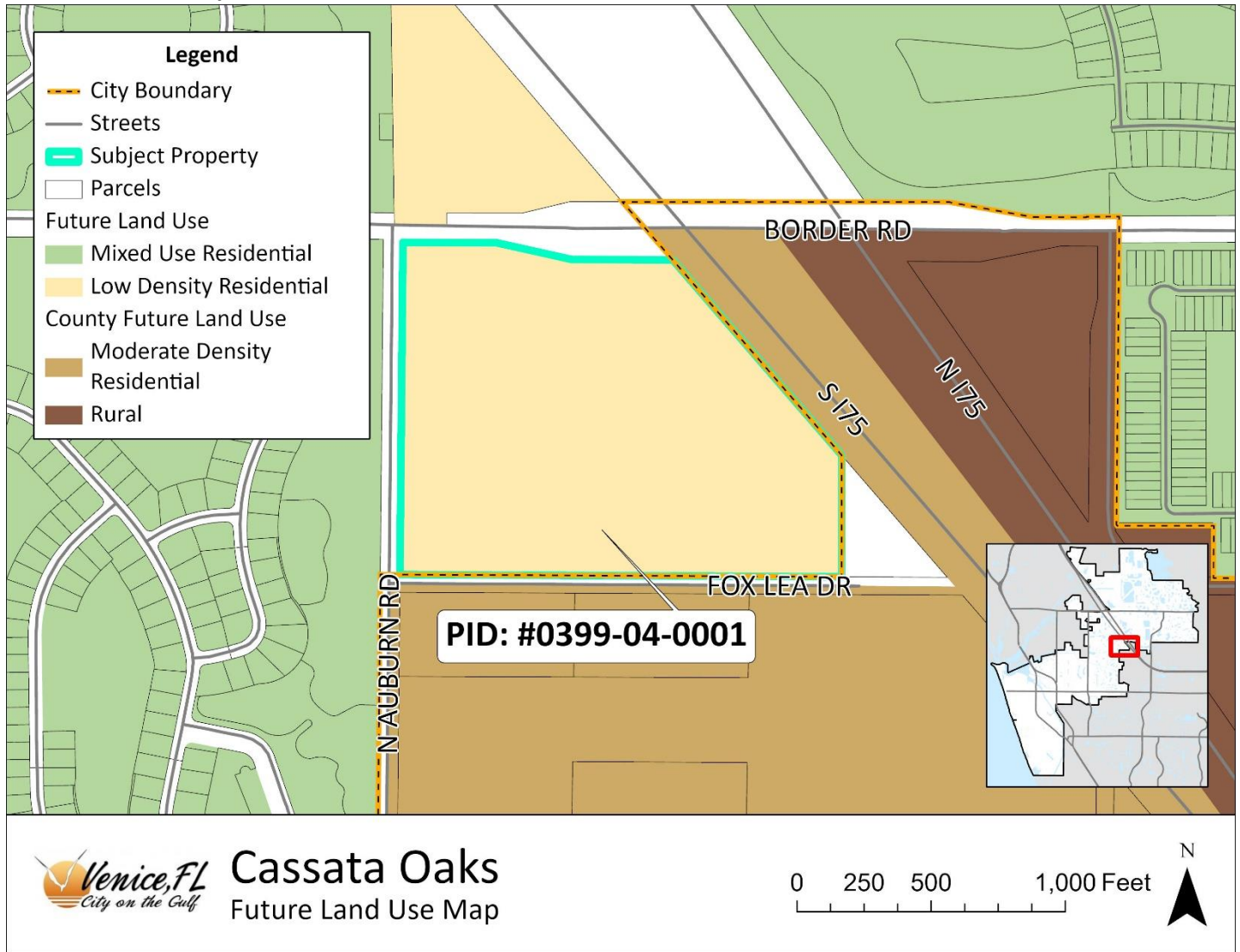
Zoning and Future Land Use

The Future Land Use designation for the subject property is Low Density Residential. The Zoning district is Residential Single Family 3 (RSF-3).

Zoning Map



Future Land Use Map



II. PLANNING ANALYSIS

Staff reviewed the design alternative application to evaluate consistency with the City of Venice Comprehensive Plan and compliance with the Land Development Code.

Consistency with the Comprehensive Plan

Strategy OS 1.4.4 Non-Native Invasive Species

The applicant's request is directly related to this strategy in the Open Space element, which explains the City's position on invasive species and its reason for the LDR requirement to remove them during development of a new project. This strategy does not preclude the applicant from making the design alternative request; it is provided here to aid Planning Commission's review of the topic.

The City should prevent the spread of non-native invasive vegetation, wildlife, insects, and other species and protect the health and well-being of the native environment through:

- 1. Removal of existing non-native invasive species in coordination with City initiated work projects and replacement with native Florida plant species*
- 2. Prohibition of the use of non-native invasive species*
- 3. At the time of development, require the developer to remove non-native invasive species through conditions of approval for the project area subject to the site and development review; property owners shall continue to prevent the existence of non-native invasive species in perpetuity*
- 4. Public awareness about the harmful impacts of non-native species into the environment*
- 5. Regional, state, and federal partnerships on efforts to eradicate invasive species*

CONCLUSIONS/FINDINGS OF FACT (COMPREHENSIVE PLAN): Analysis has been provided to determine consistency with Open Space Element strategies, the Pinebrook Neighborhood element, and other plan elements. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

Land Development Code

The subject petition has been processed with the procedural requirements for a design alternative. The petition has been reviewed by the Technical Review Committee and no issues regarding compliance with the Land Development Regulations were identified.

1.11.3. Decision Criteria

The applicant has provided responses to each of the decision criteria for each of the three requested alternatives, and this has been attached to the agenda as a separate document for Planning Commission's review. Proposed design alternatives may be approved or denied separately or have stipulations imposed deemed appropriate for the request. Planning Commission 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;
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;
3. Whether the design alternative will permit superior design, efficiency, and performance;
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
5. Whether the design alternative will result in a negative impact to the adopted level of service of public facilities.

Summary Staff Comment: The proposed design alternative for invasive species addresses the intent of the buffering requirements in the code by requesting to leave an existing opaque barrier and to exceed the buffer type required by the RSF-3 zoning district; this alternative is also necessary in order to comply with stipulation #6 imposed by Ordinance 2024-15, although the stipulation is noted to be “subject to City of Venice approval.”

The second request for reduced street width is consistent with the binding concept plan approved through Ord. 2024-15 as well, and the reason for the request is to accommodate the larger estate-sized lots and 100’ existing buffer that are shown on the plan within the land area available for the project.

Third, the request for increased wall height is another aspect of the binding concept plan that was already approved and was requested as a benefit to the adjacent property owners at Fox Lea Farm. The intent is to help this project exceed the buffering standards for maximum compatibility and to create the minimum impact possible to the southern neighbor.

Each of these requests are aimed at increasing compatibility with adjacent properties and are within the stated intent of the Land Development Code sections to which they relate. There is no expected impact to public facilities level of service based on any of these requests.

CONCLUSIONS/FINDINGS OF FACT (COMPLIANCE WITH THE LAND DEVELOPMENT CODE):

The subject petition has been reviewed by the Technical Review Committee (TRC) and no issues regarding compliance with the Land Development Code were identified.

III. CONCLUSION

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 to take action on Design Alternative Petition No. 24-64DA.