



Project: Fisherman's Wharf
Comprehensive Plan Amendment Petition No. 17-02CP
Staff Report

Owner: Venice Marine Park, LLC

Agent: Jeffery Boone, Esq., Boone Law Firm

Address: 509 Tamiami Trail North

Property ID #: 0407-06-0010

Parcel Size: 7.2 +acres

Existing Future Land Use Designations: Northern Gateway Corridor (Planning Area F) and Waterway

Proposed Future Land Use Designation: Commercial

Technical Review Committee (TRC): The subject petition has been reviewed by the TRC and has been found in compliance with the regulatory standards of the City Code of Ordinances.

Concurrently Processed Land Development Petitions:

- Rezone Petition No. 17-11RZ
- Conditional Use Petition No. 17-02CU
- Site and Development Plan Petition No. 14-03SP.2
- Special Exception Petition No. 17-03SE

I. SUMMARY OF PROPOSAL AND SUMMARY FINDINGS OF FACT

As indicated the applicant's project narrative, the proposed change is necessary to allow the property owner to move forward with a proposal for a mixed-use development on the property, including a conditional use request for height in excess of current limitations. By removing the subject property from the Northern Gateway Corridor (Planning Area F), development of the would no longer be subject to the planning area's height limitation of four stories, up to 45 feet including parking. Instead, the property would be subject to the applicable zoning district's maximum building height standards.

The subject comprehensive plan amendment petition is the first of a series of land development petitions the applicant has determined are needed to allow a specific proposed mixed use development project. As noted in the above petition summary, the applicant has on file four other land development petitions including a rezone, conditional use, special exception and site and development plan petition.

The applicant's request is to change the future land use map designation of the subject property from Northern Gateway Corridor (Planning Area F) and Waterway to a Commercial future land use map designation.

The comprehensive plan amendment petition will require amendments to two future land use maps contained in the comprehensive plan which are provided in Section IV of the staff report. First, Map FLUM-1, the future land use map which shows the future land use designation of all property in the city as well as Joint Planning Areas outside the city limits, is proposed to be amended to change the future land use map designation of the property from Northern Gateway Corridor (Planning Area F) and Waterway to Commercial. Second, FLUM-7, the future land use map which show the properties located within the Northern Gateway Corridor (Planning Area F) needs to be amended to remove the upland portion of the subject property from the planning area.

The following summary findings of fact provide an overview of the staff analysis and findings included in this report.

Summary Findings of Fact: The proposed comprehensive plan amendment:

- 1) *can be found consistent with the comprehensive plan and other relevant city ordinances, resolutions or agreements,*
- 2) *does not have a negative impact on the financial feasibility of the comprehensive plan, and*
- 3) *can be found in compliance with the applicable requirements of F.S. ch. 163.*

II. BACKGROUND

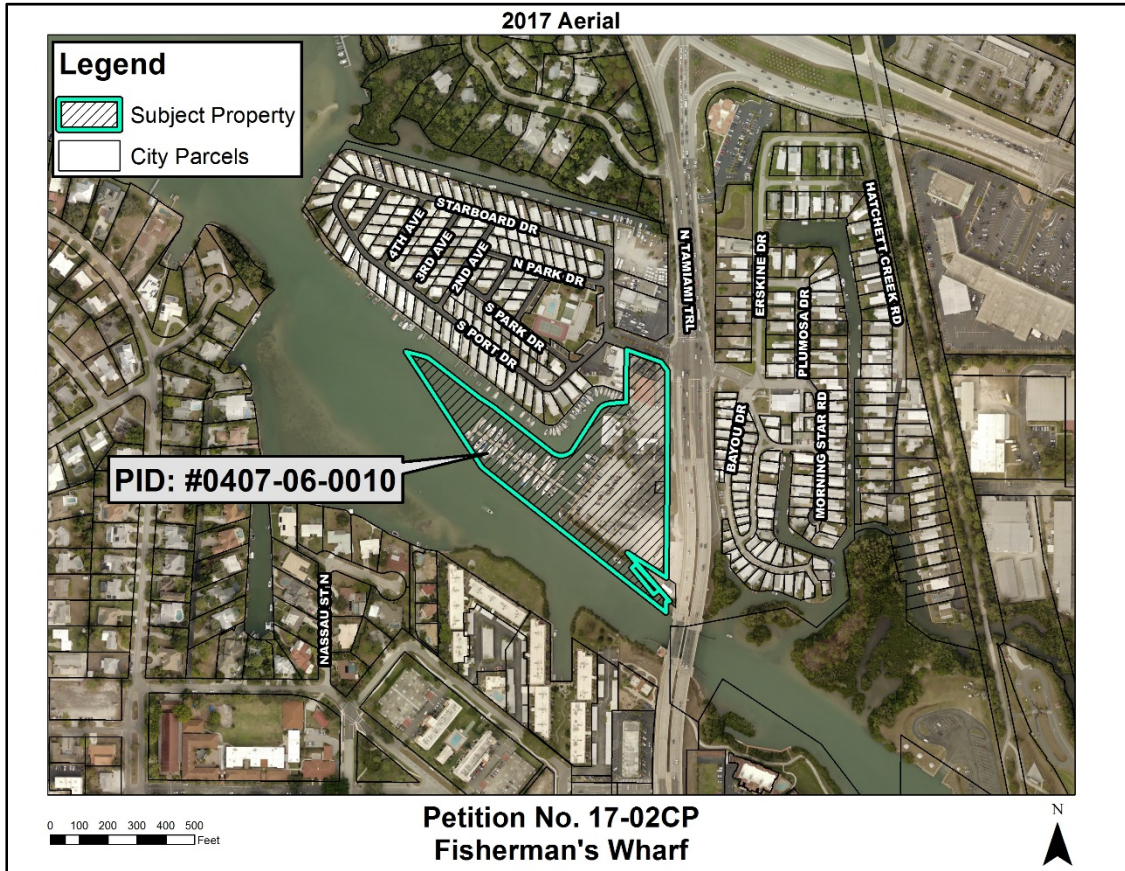
- Between 1953 and 1980 the following existing improvements were developed on the site without site and development plan approval: two marine sales/service/repair buildings on the north side of the site, a water-front restaurant, the commercial/office/storage building adjacent to the restaurant, the dock master office/marine service building on the south side of the site and the off-street parking and landscaping improvements.
- Through the approval of a major structure over water permit, petition number 13-03MI, City Council approved an existing 57-slip marina subject to 44 stipulations.
- Through the approval of Special Exception Petition No. 14-01SE, the Planning Commission approved 15 live-aboard slips at the marina subject to five stipulations.
- Through the approval of Site and Development Plan Petition No. 14-03SP, the Planning Commission approved an existing 2,600 square foot tiki hut with a maximum capacity of 72 restaurant seats and a 481-square foot laundromat building adjacent to the dock master office (the laundromat was not constructed prior to the two-year expiration of the site and development plan approval).

III. SUBJECT PROPERTY / SURROUNDING AREA INFORMATION

Subject and Surrounding Property Information:

The subject property is comprised of multiple parcels, including submerged land associated with the marina, with a combined area of 7.2 ± acres, comprised of 3.52 acres of upland and 3.68 acres of submerged land (location of an existing marina). The existing use of the subject property as well as adjacent properties is shown on Map 1 (see next page). The subject property is located immediately west of the north US 41 Business Bridge. Vehicular access to the property is provided with a one-way access road that provides access to properties located under the US 41 Business bridge. The property also has boat access via the Intracoastal Waterway.

Map 1: Aerial



Existing uses, current zoning and the future land use designation of surrounding properties are provided in the Table 1 on the next page.

Table 1: Designations of Subject and Surrounding Properties

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Mobile home subdivision and commercial buildings	Residential, Mobile Home (RMH) & Commercial, Intensive (CI)	Northern Gateway Corridor (Planning Area F), Waterway & Medium Density Residential
West	Intracoastal waterway and mobile home subdivision	Marine Park (MP) & RMH	Medium Density Residential & Waterway
South	Intracoastal waterway and police substation and boat dock	Government Use (GU) & MP	Waterway & City Center Sector (Planning Area E)
East	US 41 Bus. and mobile home subdivision	RMH	Seaboard Sector (Planning Area G)

Future Land Use:

The upland portion of the subject property having a future land use map designation of Northern Gateway Corridor (Planning Area F) and the submerged land (marina) portion of the property having a Waterway designation. The Planning Intent of the Northern Gateway Corridor is contained in Policy 16.11 of the Future Land Use & Design Element of the Comprehensive Plan and reads as follows:

Redevelop the corridor into an integrated neo-traditional mixed use corridor. The concept is to integrate single and multi-family residential dwelling units with restaurants, shops, professional offices, schools, parks, and civic spaces. This mixed use planning strategy supports the City's efforts to redevelop areas located along the Intracoastal Waterway and provide a better linkage to the residential uses surrounding the area.

The Northern Gateway Corridor included several development standards contained in Policy 16.12 which, in part, include the following:

- **Maximum Residential Density** – The maximum residential density range shall be up to 18 dwelling units per acre.
- **Non-Residential Uses** – Up to 80% of the acreage in this corridor will be allowable for commercial (retail and office space) uses. The total square footage of commercial uses allowed in this corridor shall not exceed a floor area ratio (FAR) of 2.0.
- **Maximum Building Height** – Maximum height shall be limited to 4 stories, up to 45 feet including parking.
- **Land Use Compatibility** – Mitigating techniques as described in Objective 8, Policy 8.2 of this Element shall be required to ensure compatibility with adjacent uses.
- **Architectural Design Style** – Northern Italian Renaissance architectural design standards are to be applied to new and redevelopment projects.

Policy specific to the Waterway future land use map designation contained in Policy 13.5 of the Future Land Use & Design Element of the Comprehensive Plan and reads as follows:

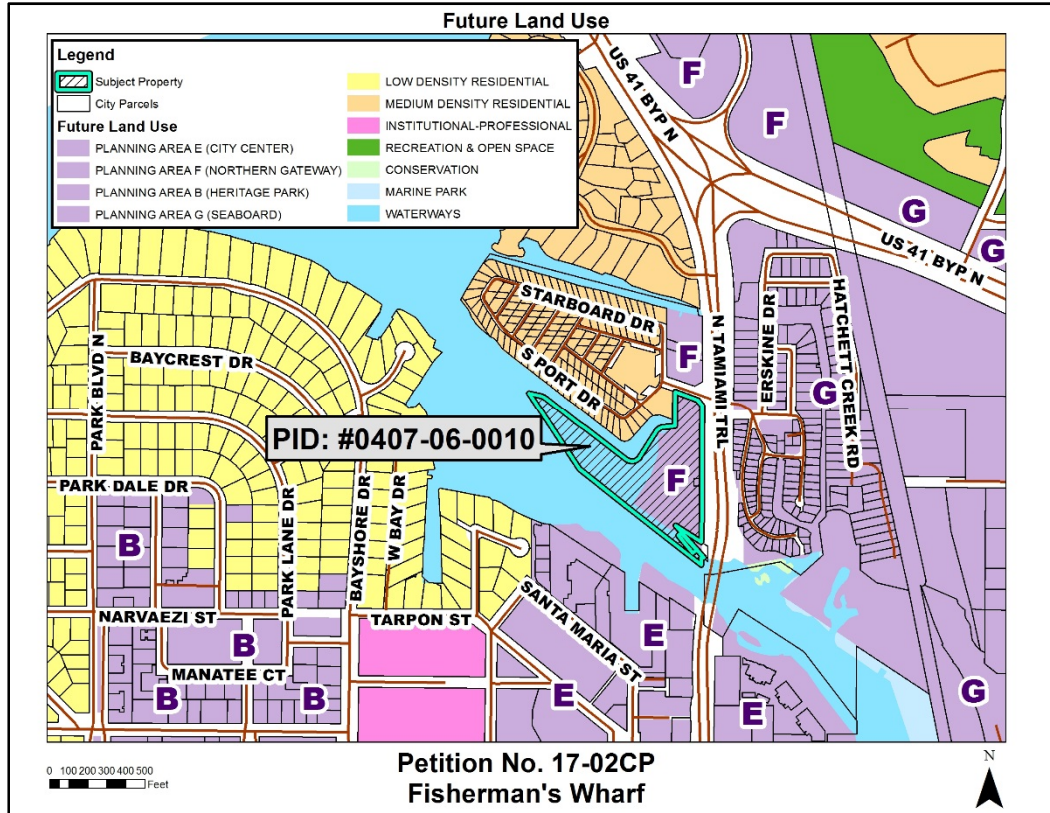
Waterway. *Submerged lands comprising the City's marine waterways including the Intracoastal Waterway, Roberts Bay, and Dona Bay. Passive or active uses in such areas are discouraged and may only proceed after the environmental impacts are carefully evaluated. Any use that would negatively impact the area's natural ecosystems shall be prohibited.*

IV. PLANNING ANALYSIS

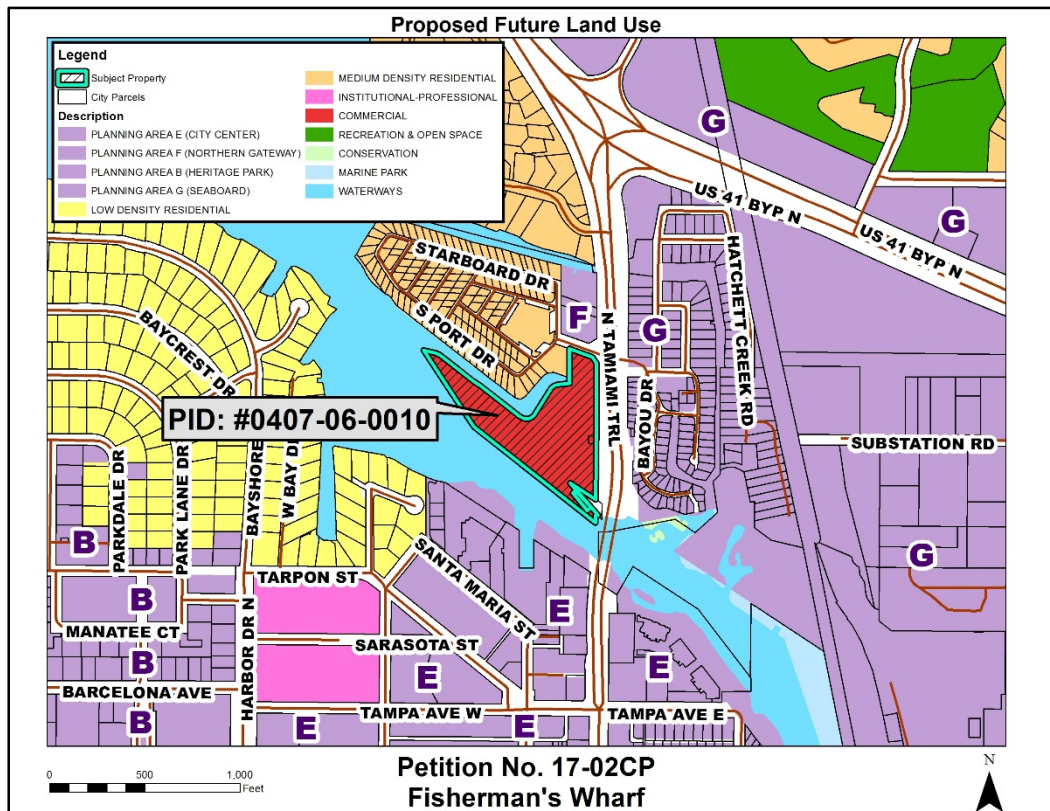
Analysis of the Proposed Comprehensive Plan Amendment.

The proposed comprehensive plan amendment, if approved, will result in the amendment of two future land use maps which are shown on the following two pages. Maps 2 and 3 are Map FLUM-1, the future land use map for the city, with Map 2 showing the existing future land use map and Map 3 showing the map amended by changing the future land use map designation of the subject property from Northern Gateway Corridor (Planning Area F) and Waterway to Commercial. Maps 4 and 5 are Map FLUM-7, the map of the Northern Gateway Corridor (Planning Area F), with Map 4 showing the existing planning area boundary and Map 5 showing planning area boundary amended by removing the upland portion of the subject property from the planning area.

Map 2: Existing Future Land Use Map (Map FLUM-1)



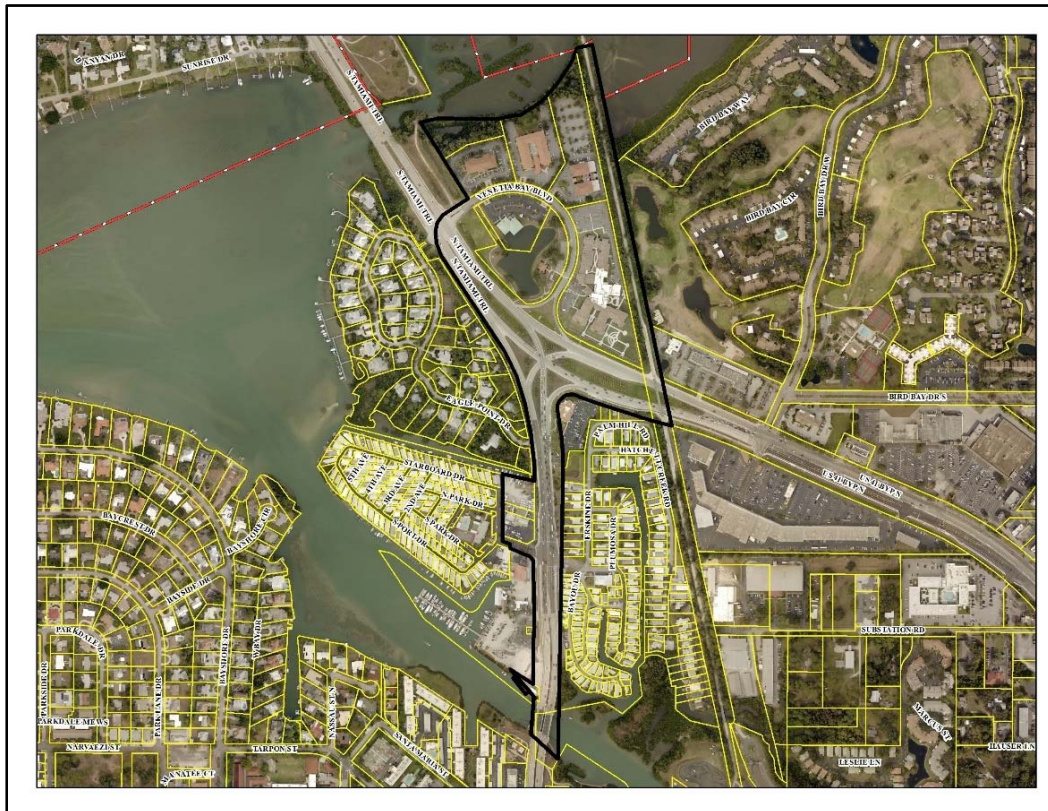
Map 3: Proposed Future Land Use Map (Map FLUM-1)



Map 4: Existing Northern Gateway Corridor (Map FLUM-7)



Map 5: Proposed Northern Gateway Corridor (Map FLUM-7)



Policy 13.2 provides policy on commercial future land uses generally as well as policy for the proposed Commercial future land use map designation. The general policy language for commercial use land uses is as follows:

Commercial Future Land Uses. Commercial land uses are intended to support existing and future commercial activity centers. The City’s commercial activity centers are designed to provide the community vibrant places to work, shop, receive services, and conduct business. These areas are intended to be accessible via a variety of transportation alternatives and should not be isolated from surrounding residential uses.

Where a mix of residential and non-residential uses is allowed, such mix is denoted as an allocation ratio based on gross acreage. This allocation ratio is to be applied using the maximum allowable density for the designation and a conversion factor for determination of maximum allowable non-residential square footage. Residential units and non-residential square footage may be mixed within the same structure so long as the allowable number of residential units and non-residential square footage is not exceeded.

The policy for the Commercial future land use map designation includes the following language:

Commercial. *Multi-purpose activity centers, such as downtowns or central business districts, commercial corridors, and shopping centers that include commercial uses such as retail, office, professional, service, and hotel/motel lodging activities. Total square footage of commercial uses shall not exceed a floor area ratio (FAR) of 1.0. As residential and civic/public uses increase the viability of commercial activity centers, such uses are permitted in commercial designations if protective strategies, such as those described in Objective 8, Policy 8.2 of this Element, are utilized to ensure the compatibility of such uses.*

Maximum residential density shall not exceed 13 dwelling units per acre by right or 18 dwelling units per acre by conditional use. The ratio of residential to non-residential uses shall be a minimum of seventy-five (75) percent non-residential and up to twenty-five (25) percent residential. Conversion between residential and non-residential land uses may be made on an equivalent dwelling unit basis of 1 dwelling unit per 2,000 square feet non-residential space, gross acreage.

Net Effect of the Proposed Future Land Use Map Amendment

The comprehensive plan establishes land use and density/intensity standards for each future land use map designation. The proposed future land use map amendment will have the effect of changing the allowed uses and development standards on the subject property. Table 2, provided on the following page, compares the allowed uses and development standards in the existing Northern Gateway Corridor (Planning Area F) and Waterway designations as well as the proposed Commercial designation.

Table 2: Allowed Uses and Development Standards in the Existing & Proposed Future Land Use Designations

Future Land Use Map Designation	Existing Northern Gateway Corridor	Existing Waterway	Proposed Commercial
Allowed Uses	Single family & multi-family dwellings, restaurants, shops, professional offices, schools, parks, and civic spaces	Passive or active uses	Residential, retail, office, professional, service, and hotel/motel lodging activities
Maximum Density (By Right)	18 units per acre	No maximum density standard	13 units per acre
Maximum Floor Area Ratio (FAR)	2.0	No maximum FAR standard	1.0
Maximum Building Height	4 stories, up to 45 feet including parking	No maximum building height standard	No maximum building height standard

The 7.2-acre subject property is comprised of 3.52 acres of upland and 3.68 acres of submerged land (marina). Technically, the proposed comprehensive plan amendment would change the future land use map designation of the submerged land (marina) from Waterway which allows passive or active uses to a Commercial designation which allows residential and commercial uses. However, the submerged land is developed as a marina and it is expected that the marina use will remain in place for the foreseeable future.

For the upland portion of the property, the existing Northern Gateway Corridor and proposed Commercial designations are similar regarding the uses allowed. Both allow residential and commercial uses. The net effect of the proposed future land use map amendment is the elimination of schools, parks and civic spaces as allowed uses and the addition of hotel/motel lodging activities.

Regarding development standards that apply to the upland portion of the site, both maximum density and intensity standards are reduced by the proposed future land use map amendment. The existing maximum density of 18 units per acre in the Northern Gateway Corridor designation is reduced to 13 units per acre in the proposed Commercial designation. The existing maximum FAR of 2.0 in the Northern Gateway Corridor is reduced to 1.0 in the proposed Commercial designation. Finally, the proposed amendment will eliminate a maximum building height standard (4 stories, up to 45 feet including parking) that applies under the existing Northern Gateway Corridor designation; the proposed Commercial designation does not have a maximum building height standard.

In addition to the Northern Gateway Corridor standards listed in Table 2, Policy 16.12 of the Future Land Use & Design Element includes standards that apply specifically to the planning area. Policy 16.12, provided in Exhibit A, also includes standards on integrated transportation network, parking, parks and public space and architectural design style. With the subject property proposed to be removed from the Northern Gateway Corridor, none of these standards will apply under the proposed Commercial designation.

To further illustrate the net effect of the proposed amendment on development standards, Table 3 shows the results of applying the maximum density and intensity standards on the upland portion of the subject property. Two future development scenarios are evaluated with the upland portion of the property developed with either residential or commercial uses.

Table 3: Development Scenarios of the Subject Property with the Existing and Proposed Future Land Use Map Designations

Future Land Use Designation	Residential Development	Commercial Development
Existing Northern Gateway Corridor	63 units	306,662 sq. ft.
Proposed Commercial	46 units	153,331 sq. ft.

Under both future development scenarios, the development potential is reduced by the proposed future land use map amendment. The existing Northern Gateway Corridor designation allows a maximum of 63 residential units on the upland portion of the site. Under the proposed Commercial designation, the maximum allowed residential development is reduced to 46 residential units. In terms of maximum allowed non-residential development, the existing Northern Gateway Corridor designation allow a maximum of 306,662 square feet of commercial floor area while the proposed Commercial designation allows a maximum of 153,331 square feet of commercial floor area.

Impacts to the Comprehensive Plan and the Northern Gateway Corridor.

The proposed future land use map amendment will have a negligible impact on the comprehensive plan as a whole. Overall, a sufficient amount of undeveloped land remains in the city to accommodate anticipated growth. The proposed amendment facilitates a mixed use development project which implements a goal cited in most planning areas. Finally, the reduced development potential of the subject property has a positive effect on the city’s ability to maintain its adopted levels of service for public facilities.

The proposed amendment removes 3.52 acres of land from the Northern Gateway Corridor. Overall, this change is expected to have very little impact on the city’s impact to implement the goals of the planning area. The subject property is the southernmost parcel in the planning area; its removal will not impact the contiguity of the corridor. The proposed amendment will facilitate redevelopment of the subject property which implements the planning intent of the corridor with a mixed use redevelopment along the Intracoastal Waterway that integrates multi-family residential dwelling units with an existing restaurant and shops.

Regardless of whether the subject property is inside or outside the planning area, development of the property will be subject to land use compatibility review pursuant to Policy 8.2 of the Future Land Use & Design Element. As shown with the information contained in Table 2, the allowed uses in existing and proposed future land use map are similar. As such, the removal of the subject property from the planning area will not have a significant impact on the type of uses allowed.

Land Development Code-Specified Review of Comprehensive Plan Amendments.

Section 86-33(5) of the Land Development Code directs planning and zoning staff in its review of a comprehensive plan amendment application. The code provision specifies that:

This review will be done to determine consistency with the comprehensive plan and other relevant city ordinances, resolutions or agreements, and assess the effect of the proposed amendment upon the financial feasibility of the comprehensive plan. This analysis shall also address the proposed amendment's consistency with the applicable requirements of F.S. ch.163.

Consistency with the Comprehensive Plan and Other Relevant City Ordinance, Resolutions or Agreements.

It can be confirmed that the proposed amendment has been processed consistent with the requirements to amend the City's Comprehensive Plan found in the Introduction of the plan that indicates the following:

From time to time it will be necessary to amend the Comprehensive Plan to keep up with changing conditions; to comply with State mandated updates and evaluations, to achieve implementation of the Plan and to provide citizens and affected parties a means of recourse to participate in the City's Comprehensive Plan Program. All amendments to the Comprehensive Plan shall, as a minimum, comply with the advertising requirements as prescribed by Part II, Chapter 163 F.S. and by City Ordinance, as amended. Any action which requires that a change be made to any of the maps, text, figures, tables or charts and any other change having the effect of altering the use of land as prescribed by the Plan shall be deemed to require a Comprehensive Plan amendment. Plan amendments may be initiated by elected bodies, public agencies, appointed officials, advisory boards, public, semi-public or private utilities, individuals and groups, or any other affected person or combinations thereof.

It can also be confirmed that the City of Venice Comprehensive Plan notification requirements for small-scale development amendments, which requires the applicant to provide notification to adjacent property owners in the manner proscribed, has been accomplished by the applicant.

Regarding the substantive review of the proposed amendment, the comprehensive plan provides limited policy by which to evaluate future land use map amendments. Policy 13.2 states commercial land uses are intended to support existing and future commercial activity centers and goes on to state that the City's commercial activity centers are designed to provide the community vibrant places to work, shop, receive services, and conduct business. The comprehensive plan contains no further definition or description of what constitutes a commercial activity center. In addition, a mix of residential and non-residential uses are allowed in commercial future land use designations.

The proposed Commercial future land use map designation is described as a multi-purpose activity centers, such as downtowns or central business districts, commercial corridors, and shopping centers that include commercial uses such as retail, office, professional, service, and hotel/motel lodging activities. The policy for the Commercial future land use map designation recognizes that residential and civic/public uses increase the viability of commercial activity centers.

The subject property is across the Intracoastal Waterway from the downtown or central business district activity center. Even though there is a slight difference in the allowed use in the existing and proposed designations, the proposed Commercial designation can be considered a logical northward extension of the downtown activity center.

Staff is not aware of any city ordinance, resolution or agreement which is directly relevant to the proposed future land use map amendment. As such, the proposed comprehensive plan amendment is not in conflict with or inconsistent with any city ordinance, resolution or agreement.

Effect of the Proposed Amendment Upon the Financial Feasibility of the Comprehensive Plan.

The proposed future land use map amendment is located in an area of city in which adequate public facilities and services are already in place. The proposed amendment is not expected to require the expenditure of public funds related to public facilities and services. Table 3 on page 8 shows that the development potential of the subject property decreases under the proposed future land use map designation and therefore no increase in the demand for public facilities and services is expected.

The proposed mixed use project near the downtown core of the city is expected to increase the level property tax revenue generated from the subject property. The additional revenue may allow the city to enhance or expand public facilities and services.

Based on the above analysis, the proposed amendment can be expected to have a positive effect on the financial feasibility of the comprehensive plan.

Proposed Amendment's Consistency with the Applicable Requirements of F.S. ch.163.

Due the size of the subject property (being less than ten acres in size), Section 163.3187 classifies the proposed comprehensive plan amendment as a small-scale comprehensive plan amendment. This is the first small-scale comprehensive plan amendment in the 2017 calendar year and representing the first 7.2 acres in the 120-acre maximum in a calendar year. Section 163.3187(4) specifies that comprehensive plans may only be amended in such a way as to preserve the internal consistency of the plan pursuant to Section 163.3177.

Three provisions in Section 163.3177(6)(a) specify how amendments to the future land use element and future land use map are to be evaluated.

Section 163.3177(6)(a)2 Florida Statutes.

The first of the three statutory provisions that provide direction on how plan amendments should be reviewed is contained in Section 163.3177(6)(a)2 Florida Statutes which is provided below. A staff response is provided for each of the ten considerations.

2. *The future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area, as applicable, including:*
 - a. *The amount of land required to accommodate anticipated growth.*

Staff Response: A sufficient amount of undeveloped and underdeveloped land remains in the city to accommodate anticipated growth. The redevelopment and intensification of

development on the subject property will, in small measure, accommodate some the anticipated growth.

b. The projected permanent and seasonal population of the area.

Staff Response: The proposed future land use map represents a reduction in the development capacity on the subject property. A sufficient amount of undeveloped and underdeveloped land remains in the city to accommodate anticipated growth based on projected permanent and seasonal population.

c. The character of undeveloped land.

Staff Response: Not applicable, the subject property is developed.

d. The availability of water supplies, public facilities, and services.

Staff Response: Based on the data provided in Table 3, the proposed future land use map amendment decreases the development potential of the subject property. As such, under the proposed Commercial future land use map amendment, planned availability of public facilities and services will be maintained and the adopted level of service standards for each of the above public facilities will also be maintained.

e. The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.

Staff Response: The subject property is not located in an officially designated blighted area. However, the proposed redevelopment project involves the removal of two old commercial buildings and will result in the existing nonconforming parking facility being brought into compliance with city standards.

f. The compatibility of uses on lands adjacent to or closely proximate to military installations.

Staff Response: Not applicable, there is no military installations near the subject property.

g. The compatibility of uses on lands adjacent to an airport.

Staff Response: Not applicable, the subject property is not adjacent to an airport.

h. The discouragement of urban sprawl.

Staff Response: The future land use map amendment represents a discouragement of urban sprawl. See pages 13-15 for staff's determination, required by Section 163.3177(6)(a)9.b Florida Statutes, that the proposed amendment discourages the proliferation of urban sprawl.

i. The need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.

Staff Response: The proposed redevelopment project will support the city’s economic development goals.

j. The need to modify land uses and development patterns within antiquated subdivisions.

Staff Response: Not applicable, the subject property is not part of an antiquated subdivision.

Section 163.3177(6)(a)8 Florida Statutes.

The second of the three statutory provisions that provide direction on how plan amendments should be review is contained in Section 163.3177(6)(a)2 Florida Statutes which is provided below. A staff response is provided for each of the three considerations.

8. Future land use map amendments shall be based upon the following analyses:

a. An analysis of the availability of facilities and services/(Level of Service Analysis for Public Facilities).

Staff Response: The City of Venice Comprehensive Plan establishes Level of Service standards for the following public facilities:

- Potable water
- Wastewater
- Parks and public spaces
- Stormwater
- Solid Waste
- Transportation/Roadways
- Schools

Based on the data provided in Table 3, the proposed future land use map amendment decreases the development potential of the subject property. As such, under the proposed Commercial future land use map amendment, planned availability of public facilities and services will be maintained and the adopted level of service standards for each of the above public facilities will also be maintained.

b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

Staff Response: The proposed future land use map amendment is intended to facilitate an infill redevelopment project of an already developed urban site. The subject property is suitable for the comprehensive plan amendment based on a review of the following considerations. The subject property was first developed in 1953 with various subsequent site improvements. Impervious surfaces (buildings, asphalt and shell parking) cover nearly all the property; see Exhibit A, City of Venice Soil Types Map which identifies the underlying soil types. The topography of the site is flat, there appears to be no significant upland native habitat on site, and there no structures on the property listed on either the City of Venice Local Register of Historical Resources or the National Register of Historic Places. The submerged land is occupied by a marina and other boat docking facilities. Most

of the property's shoreline is hardened with seawall, the property's remaining shoreline appears to be hardened with rip-rap.

c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.

Staff Response: Urban uses already exist on the subject property and are accounted for by comprehensive plan regarding the amount of land designated for future planned uses. The proposed future land use map amendment is intended to facilitate a mixed use redevelopment project that will add a residential use to the existing commercial property. In doing so, the future land use map amendment achieves the following goals and requirements of Section 163.3177 Florida Statutes.

- Section 163.3177(6)(a)3.h – Implementation of a mixed use development.
- Section 163.3177(6)(a)2.e – Redevelopment of an underutilized commercial property.
- Section 163.3177(6)(a)3.c – Preservation of commercial working waterfronts for water-dependent uses (existing marina).

Section 163.3177(6)(a)9 Florida Statutes.

The final statutory provision that provides direction on how plan amendments should be reviewed is contained in Section 163.3177(6)(a)2 Florida Statutes which is provided below. A staff response is provided for each of the eight considerations.

9. The future land use element and any amendments to the future land use element shall discourage the proliferation of urban sprawl.

The subsection provides a procedure to determine if a plan amendment discourages the proliferation of urban sprawl that reads as follows:

The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

I. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

Staff Response: The subject property is fully developed. Any future redevelopment project will be required to obtain all necessary city, county, state and federal environmental permits for the protection of natural resources and ecosystems.

II. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

Staff Response: The subject property is currently served by public facilities and services; the urban infill redevelopment project will continue to be served by those facilities and services in an efficient and cost-effective manner.

III. *Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.*

Staff Response: The proposed future land use map designation provides for compact development and a mix of uses. The proposed Commercial designation allows a maximum permitted residential density of 13 units per acre and a maximum Floor Area Ratio (FAR) of 1.0. Mixed-use development is allowed by the proposed designation and the proposed redevelopment project on the subject property includes commercial (restaurant, retail, and office), marina and residential uses. The allowed densities and intensities support a multimodal transportation system, which in this case will include pedestrian and bicycle trips to the adjacent downtown area and elsewhere.

IV. *Promotes conservation of water and energy.*

Staff Response: Water and energy conservation measures may be incorporated into the proposed redevelopment project.

V. *Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.*

Staff Response: The subject property is a fully developed urban site; there are no agricultural areas or activities to preserve.

VI. *Preserves open space and natural lands and provides for public open space and recreation needs.*

Staff Response: The subject property is currently developed with no preserved upland open space and natural resources and with no provision of public open space and recreation. The future land use map amendment will not change those conditions. The unimproved portion of the submerged land (not used as a marina) is expected to remain open and undisturbed.

VII. *Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.*

Staff Response: The future land use map amendment is intended to facilitate a mixed use redevelopment project that will meet the demand of a growing residential population as well as that population's needs for nonresidential uses. Specifically, the proposed residential component of the project addresses the demand for housing in or adjacent to the downtown core. In turn, the residents of the project will support existing downtown businesses as well as the on-site commercial and marina uses.

VIII. *Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.*

Staff Response: The proposed future land use map is for property located in an urbanized area adjacent to the city's downtown. The proposed Commercial future land use designation provides for

uses, densities and intensities of uses which are urban and which result in an urban form of development. Uses allowed include commercial uses such as retail, office, professional, services, and hotel/motel lodging at a maximum FAR of 1.0. Various types of residential uses are allowed at a maximum density of 13 units per acre. Development of the subject property consistent with the Commercial designation's standards will further urbanize the underutilized site. The proposed mixed use redevelopment project will provide an innovative development pattern through the provision of commercial (retail, office and restaurant), marina and residential uses on a single 7.2-acre property.

***Finding of Fact (Land Development Code):** The proposed comprehensive plan amendment 1) can be found consistent with the comprehensive plan and other relevant city ordinances, resolutions or agreements, 2) does not have a negative impact on the financial feasibility of the comprehensive plan, and 3) can be found in compliance with the applicable requirements of F.S. ch. 163.*

V. PLANNING COMMISSION REPORT AND RECOMMENDATION TO CITY COUNCIL

Pursuant to Section 86-33(7), the Planning Commission, sitting as the local planning agency, shall hold an advertised public hearing on a proposed comprehensive plan amendment to review the amendment and provide recommendations to city council. The Planning Commission's recommendation shall be based, in part, on staff's planning analysis and findings related to the proposed comprehensive plan amendment. Section IV of this report includes a review of factors required by Section 86-33(5) of the Land Development Code and Florida Statutes Section 163.3177(6)(a) and provides the Planning Commission with competent and substantial evidence to support a recommendation to City Council.