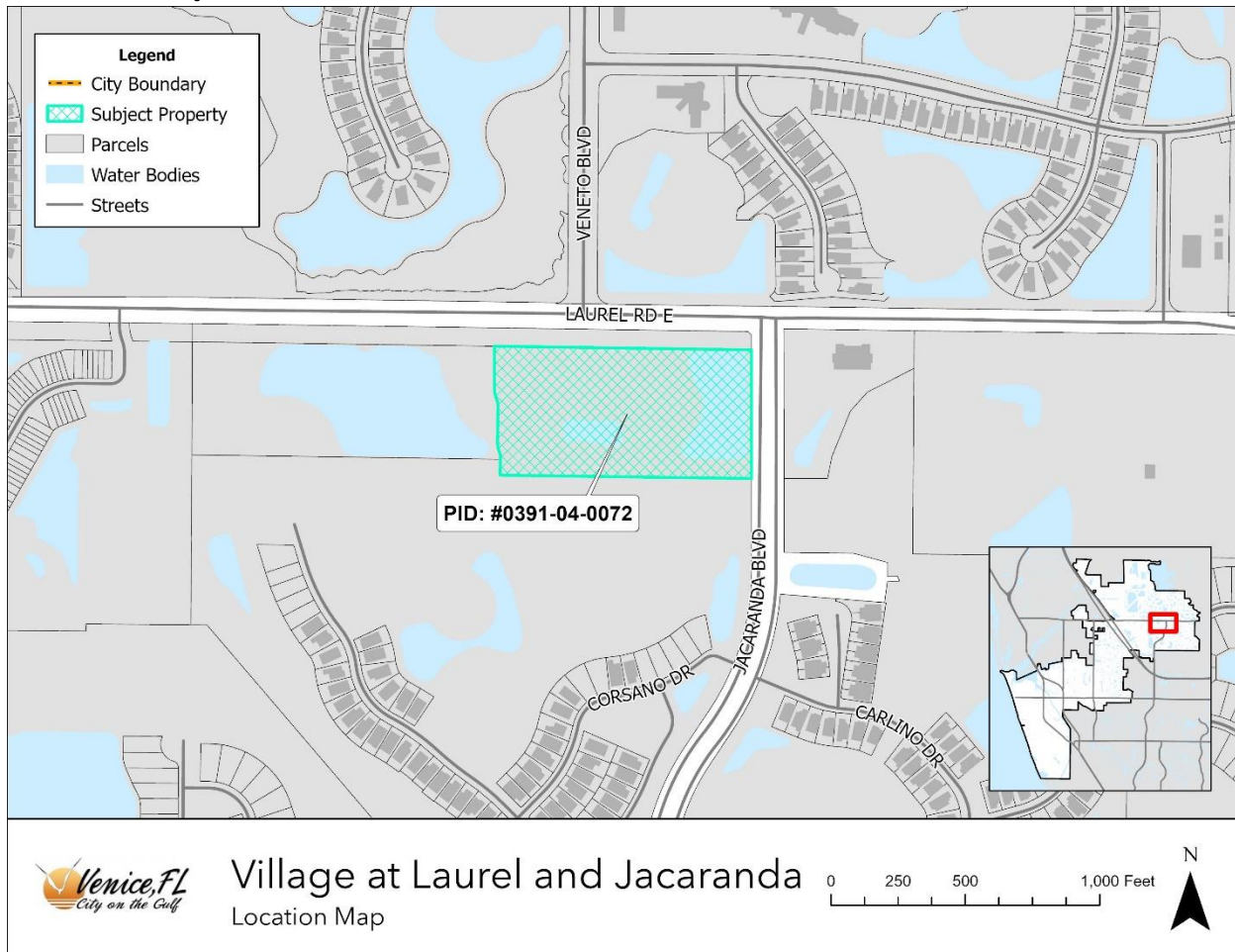


# 24-40SP Village at Laurel and Jacaranda Staff Report



## GENERAL INFORMATION

<b>Address:</b>	Southwest corner of Laurel Road and Jacaranda Boulevard
<b>Request:</b>	To construct a commercial retail development in the Milano PUD
<b>Owner:</b>	Border and Jacaranda Holdings, LLC
<b>Agent:</b>	Jeffery A. Boone, Esq., Boone Law Firm
<b>Parcel ID:</b>	0391040072
<b>Parcel Size:</b>	10.42± acres
<b>Future Land Use:</b>	Mixed Use Residential (MUR)
<b>Zoning:</b>	Planned Unit Development (PUD)
<b>Comprehensive Plan Neighborhood:</b>	Northeast
<b>Application Date:</b>	June 28, 2022

## I. BACKGROUND & PROJECT DESCRIPTION

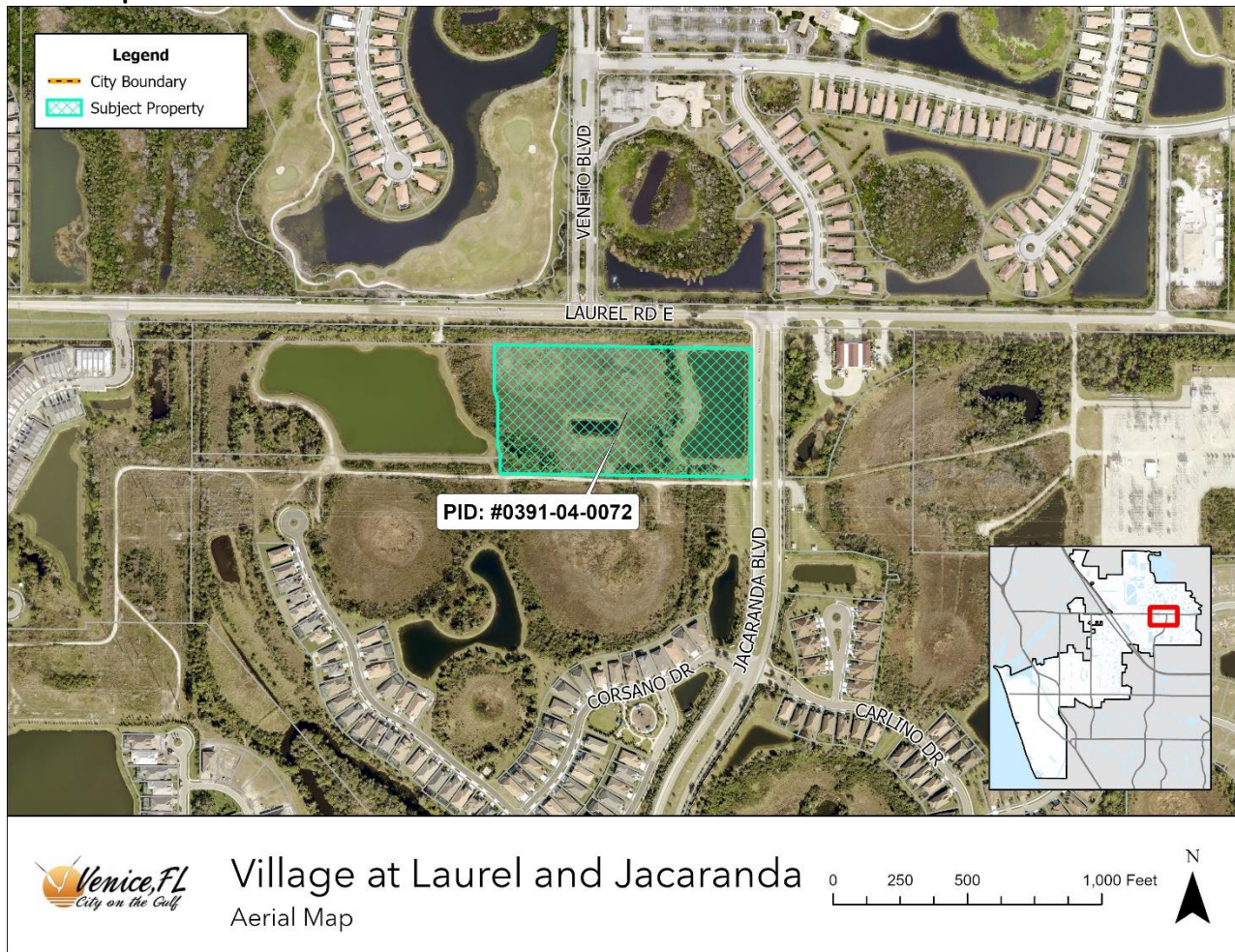
The subject petition was submitted under the previous Land Development Code, Chapter 86. It has been processed according to that chapter and reviewed based on those regulations.

The parcel proposed for development is part of the Milano Planned Unit Development (PUD). The Binding Master Plan for the PUD was amended through ordinance 2023-11 on July 11, 2023, to allow commercial development on this parcel. The ordinance was appealed, but the approval decision by City Council was upheld.

Development standards for commercial uses were included in the July 2023 amendment, along with a stipulation limiting the total commercial square footage in the PUD to 70,240 square feet. The total commercial building area proposed through this site plan is 61,375 square feet. There are two buildings proposed, labeled Retail A and Retail B; Retail A shows uses of grocery, liquor sales, and general retail, and Retail B indicates general retail uses, with six tenant spaces shown for a 7,200 square-foot building.

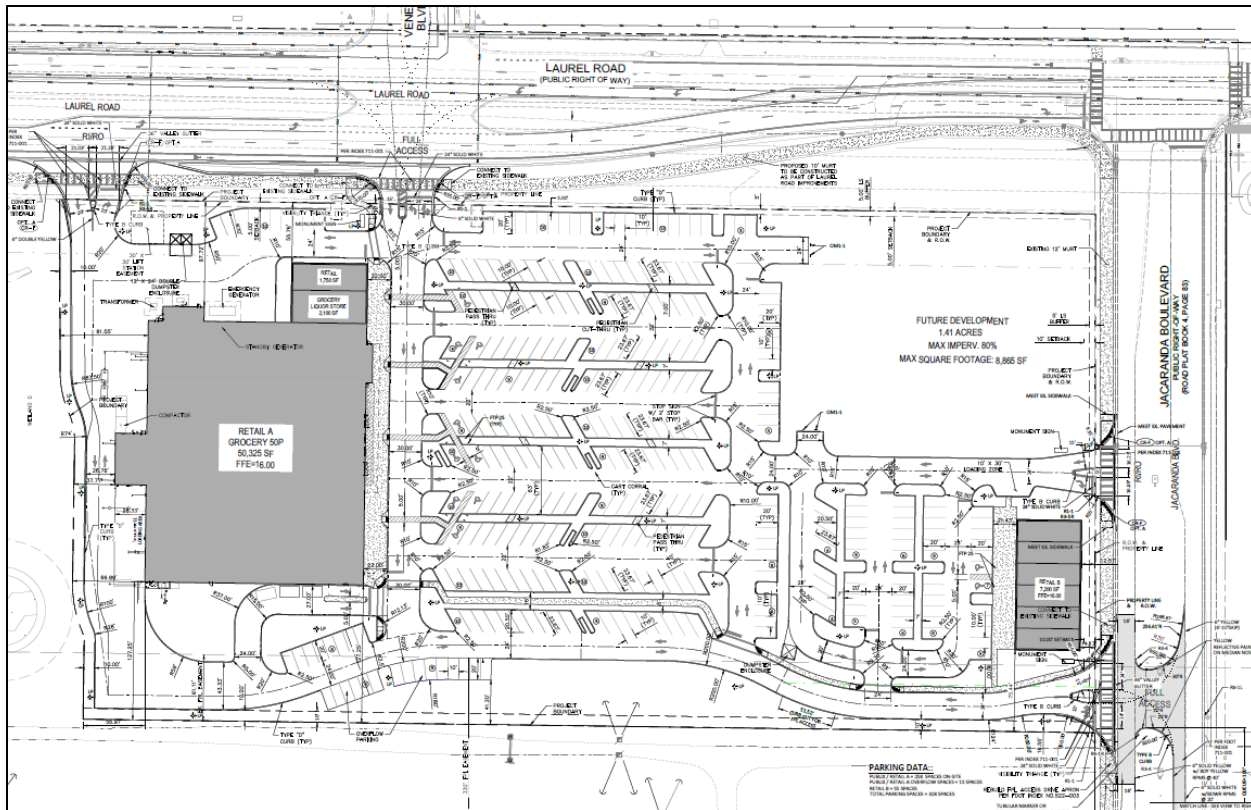
A portion of the property (1.41 acres) is reserved for future development on the site plan; any subsequent development in this area will require Planning Commission's approval of an additional site and development plan application. Building area for this future development will be limited to a maximum of 8,865 square feet.

### Aerial Map





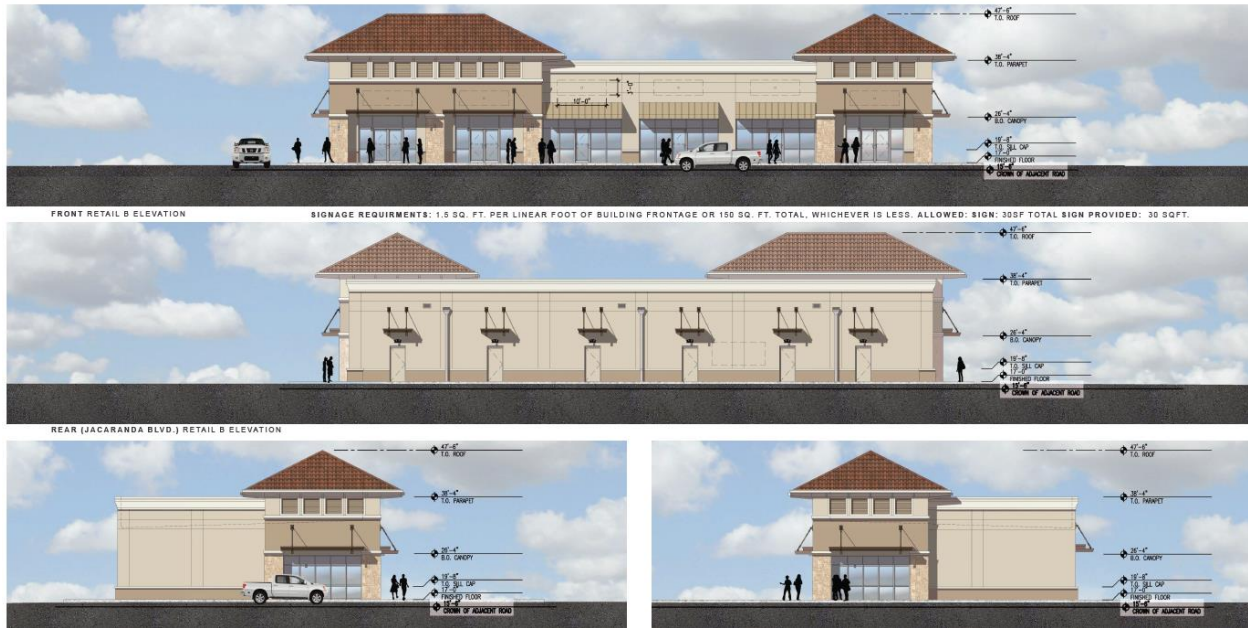
## Site Plan



**Retail A**

**Rear and side of Retail A**

**Retail B**





## Site Photographs



*View from across Laurel Road to the Northeast corner of Property*



*View of Northern Property Line across Laurel Road*



*View to the West across Jacaranda Boulevard*



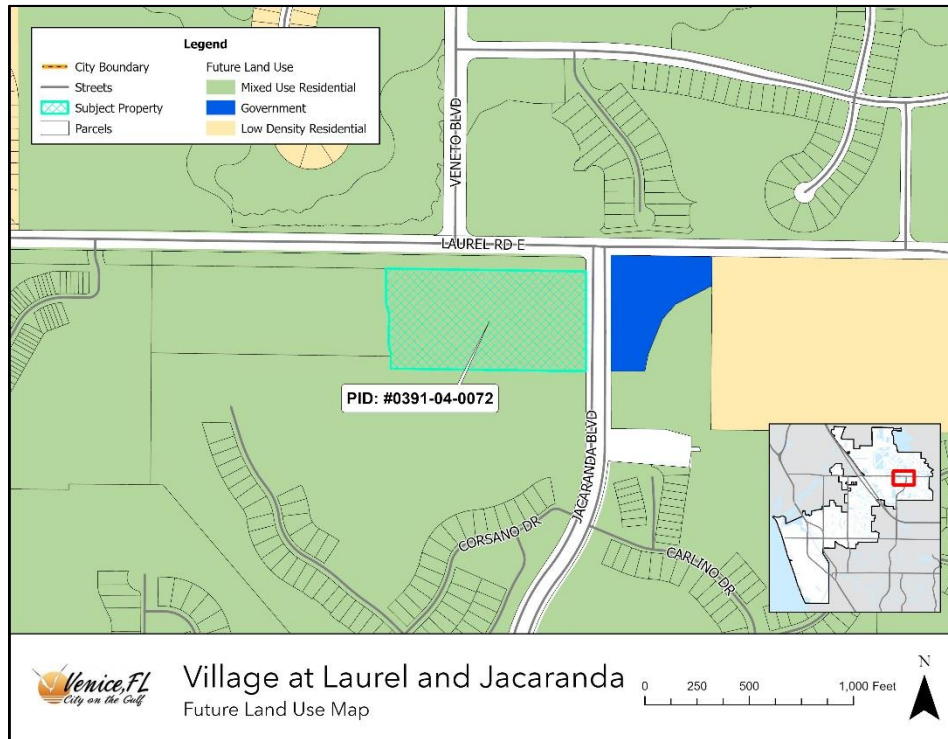
*View looking Southwest from the corner of Border and Jacaranda*



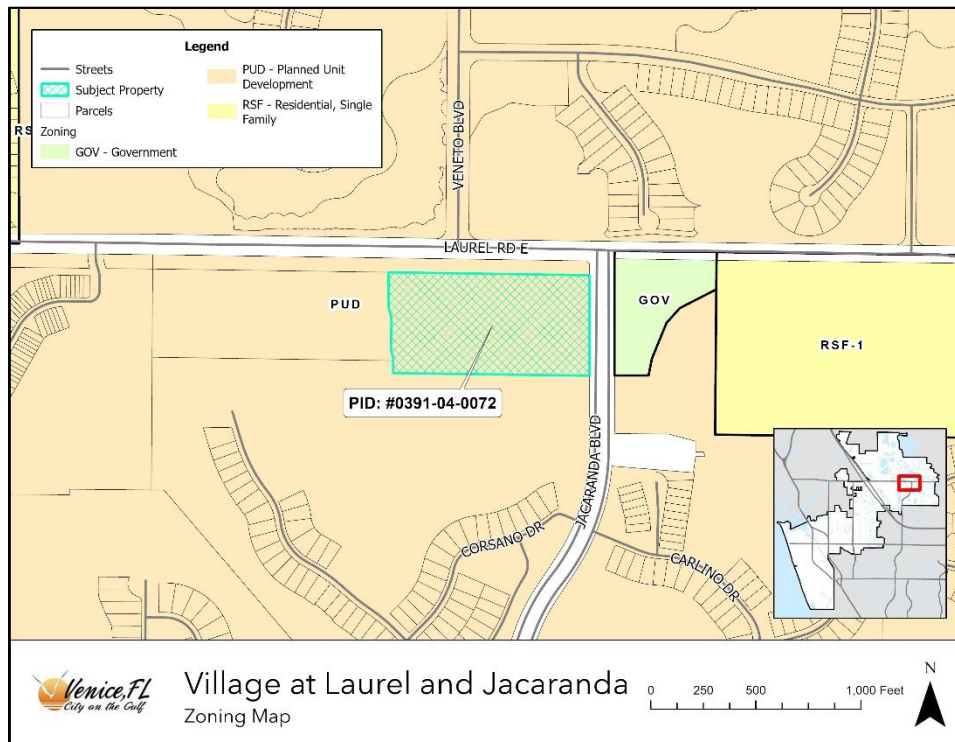
## Future Land Use and Zoning

The Future Land Use designation for the subject property is Mixed Use Residential (MUR) and the zoning designation is Planned Unit Development (PUD), as depicted on the maps below.

### Future Land Use Map



### Zoning Map





## Surrounding Land Uses

Direction	Existing Land Uses(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Venetian Golf and River Club	PUD	MUR
South	Milano	PUD	MUR
East	Fire Station	GOV	GOV
West	Milano	PUD	MUR

## II. PLANNING ANALYSIS

In this section of the report, analysis of the subject Site and Development Plan evaluates 1) consistency with the Comprehensive Plan, 2) compliance with the City's Land Development Code (LDC) and the Milano Binding Master Plan, and 3) compliance with requirements for Concurrency/Mobility.

### Comprehensive Plan Analysis

#### *Land Use Element*

**Strategy LU 1.2.16. – Mixed Use Residential.** This strategy applies to PUD zoning and indicates that development standards will be defined by the zoning (1.2.16.3). Other items in this strategy are relevant to development of a Binding Master Plan and have been determined for the Milano PUD through the zoning map amendment process, including the mix of residential and non-residential land and the amount of open space provided. This strategy does limit the intensity on individual properties in the MUR designation to 0.5 floor area ratio (FAR).

#### **Strategy LU-NE 1.1.1 – Mixed Use Residential (Northeast Neighborhood)**

This strategy limits the neighborhood's total commercial square footage in the MUR designation to 2,306,763ft<sup>2</sup>. The remaining available area is listed as 1,306,844ft<sup>2</sup> as of November 1, 2023, which was after the date of application. This petition is well within the established limit for maximum square footage.

#### **Former Transitional Strategy LU 4.1 – Policy 8.2 Land Use Compatibility Review Procedures.**

This strategy (now incorporated into the Land Development Code as Sec. 87-1.2.C.8) is intended to "[e]nsure that the character and design of infill and new development are compatible with existing neighborhoods."

Compatibility review, including the evaluation of the following items, is required for site and development plan petitions (**applicant responses in bold**):

A. Land use density and intensity.

**Applicant Response: The proposed 10.42 acre commercial designated parcel is limited to 2% of the 503.9 acre PUD, or 40% of the maximum commercial permitted in the PUD. The provision of commercial services in the area will limit trip lengths and allow for multimodal connection to those services by the neighborhood and other nearby properties. The commercial parcel is**

located so as to mitigate impacts to adjacent and nearby properties with separation from surrounding properties by an FPL easement (south), open space (west), Laurel Road (north) and Jacaranda Boulevard (east).

*Staff Comment: The proposed development falls significantly below intensity maximums set for this property by the Comprehensive Plan and Binding Master Plan.*

B. Building heights and setbacks.

**Applicant Response: The proposed PUD Amendment does not seek to change the currently approved building heights for the Milano PUD. Setbacks will be a minimum of one (1) times the building height from the perimeter of the PUD.**

*Staff Comment: This item was determined through the PUD amendment process with petition 22-38RZ. The site plan complies with the standards already set by the code and Binding Master Plan.*

C. Character or type of use proposed.

**Applicant Response: The proposed commercial use is compatible with the surrounding neighborhood, consistent with development patterns in the area, and will provide convenient access to commercial services for the neighborhood.**

*Staff Comment: This item was determined through the PUD amendment process with petition 22-38RZ. The uses are consistent with the Binding Master Plan.*

D. Site and architectural mitigation design techniques.

**Applicant Response: Site and architectural mitigation design techniques, including extensive building setbacks, limitation of building heights, landscape buffering, and open space have been provided to ensure compatibility.**

*Staff Comment: The Binding Master Plan requires Northern Italian architectural design to be applied throughout the PUD. The elevations for this site and development plan demonstrate compliance with the required design elements.*

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

**The proposed use is not incompatible, nevertheless, the following responses are offered;**

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

**Applicant Response: The proposed commercial use with its extensive separation from nearby single-family homes is compatible. Moreover, single-family neighborhoods will benefit from the provision of such services.**

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

**Applicant Response: The proposed commercial use with its extensive separation from nearby single-family homes is compatible. Moreover, single-family neighborhoods will benefit from the provision of such services.**

*Staff Comment: Commercial uses are permitted on this site and will serve the existing residential uses.*

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.

**Applicant Response: Not applicable.**

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



existing uses.

**Applicant Response:** The intensity of the proposed use is significantly below the maximum intensity of commercial uses within the PUD and compatible with the existing uses in the PUD.

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

**Applicant Response:** The proposed use is not incompatible, nevertheless, the following responses are offered;

I. Providing open space, perimeter buffers, landscaping and berms.

**Applicant Response:** Open Space, perimeter buffering, landscaping and berms are provided to ensure compatibility.

*Staff Comment:* Buffering was determined through the PUD amendment process with petition 22-38RZ. The site plan complies with the landscaping and buffering standards already set by the code and Binding Master Plan.

J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.

**Applicant Response:** Sources of light, noise mechanical equipment, refuse areas, delivery and storage are adequately screened to ensure compatibility.

K. Locating road access to minimize adverse impacts.

**Applicant Response:** Road access to the property has been designed to minimize impacts.

*Staff Comment:* Access improvements are required and will be constructed as part of the development of this site. It is important to note that both Laurel Road and Jacaranda Boulevard are County roads, and therefore all permitting of improvements will be done through Sarasota County.

L. Adjusting building setbacks to transition between different uses.

**Applicant Response:** The proposed development meets or exceed the building height setbacks of one (1) times the building height previously established for the PUD.

M. Applying step-down or tiered building heights to transition between different uses.

**Applicant Response:** Building height limits have been previously established for the PUD and are appropriate to ensure compatibility between different uses.

*Staff Comment:* This property is separated from adjacent properties by a 330' easement to the south, a wetland to the west, and Laurel and Jacaranda roads to the north and east, and there are no buildings proposed in excess of the 42' allowed height; step-downs or tiers would not have a significant impact on neighboring uses.

N. Lowering density or intensity of land uses to transition between different uses.

**Applicant Response:** The proposed intensity of the commercial parcel combined with the setback and buffering requirements will ensure an appropriate transition between land uses.

*Staff Comment:* The proposed intensity is significantly lower than the maximum allowed on this site.

***Conclusions/Findings of Fact (Consistency with the Comprehensive Plan):***

Analysis of the Land Use Element strategies applicable to the MUR future land use designation, strategies found in the Northeast neighborhood, and other plan elements has been provided. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

### **Compliance with the Land Development Code and Milano Binding Master Plan**

#### **Comparison of Milano PUD Binding Master Plan and Chapter 86 Standards with Proposed Site and Development Plan**

<b>Standard</b>	<b>Required</b>	<b>Proposed</b>
<b>Parking (min)</b>	201 spaces	328 spaces
<b>Height (max)</b>	42'	30'8"
<b>Setbacks (min)</b>	Front: 10' Rear: 10' Side: None	Front: 14.17' Rear: 37.77' Side: 55.76'/127.25'
<b>Lot Coverage (max)</b>	None	30%
<b>Floor Area Ratio (max)</b>	0.5 FAR	0.1 FAR
<b>Building Square Footage (max)</b>	70,240ft <sup>2</sup>	61,375ft <sup>2</sup>

#### **Decision Criteria 86-23(m)**

Site and Development Plan applications submitted under the now-repealed Chapter 86 require a review of Sec. 86-23(m), which states that in reaching a decision regarding the site and development plan as submitted, the Commission shall be guided in its decision to approve, approve with conditions, or deny by the following considerations **(Applicant responses are provided below in bold)**:

- (1) Sufficiency of statements on ownership and control of the development and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the city.

**Applicant Response: Please see attached deed.**

- (2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the planning commission the authority to reduce residential densities below that permitted by the schedule of district regulations set out in this code.

**Applicant Response: The proposed 10.42 acre commercial designated parcel is limited to 2% of the 503.9 acre PUD, or 40% of the maximum commercial permitted in the PUD. The provision of commercial services in the area will limit trip lengths and allow for multimodal connection to those services by the neighborhood and other nearby properties. The commercial parcel is located so as to mitigate impacts to adjacent and nearby properties with separation from surrounding properties by an FPL easement (south), open space (west), Laurel Road (north) and Jacaranda Boulevard (east).**

*Staff Comment: The proposed intensity is much lower than the maximum allowed for this property through the MUR future land use designation, and the total square footage will not exceed the 70,240ft<sup>2</sup> limit set by Ordinance 2023-11 and the adopted revised Binding Master Plan.*

- (3) Ingress and egress to the development and proposed structures thereon, with particular reference to automotive and pedestrian safety, separation of automotive traffic and pedestrian and other traffic, traffic flow and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe or emergency.



**Applicant Response: Ingress and egress to the development has been designed to ensure automotive and pedestrian safety.**

*Staff Comment: The Technical Review Committee has reviewed the petition and indicated no issues with service for solid waste, fire and emergency services, or transportation access. Access has been thoroughly analyzed by the applicant and reviewed by the City's transportation consultant. It is important to note that both Laurel Road and Jacaranda Boulevard are County roads, and therefore all permitting of improvements will be done through Sarasota County.*

(4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the proposed development, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

**Applicant Response: Off-street parking has been designed to ensure automotive and pedestrian safety, including emergency access. Screening and landscaping of off-street parking meets or exceeds all City of Venice Code requirements.**

(5) Sufficiency of proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the proposed development.

**Applicant Response: Screens and buffers meet or exceed all code requirements and have been designed to preserve internal and external harmony and compatibility with uses inside and outside the proposed development.**

*Staff Comment: Screening and buffering are key components of compatibility, and the Planning Commission may consider these items in determining consistency with Policy 8.2 from the Comprehensive Plan as well as these decision criteria for a site and development plan from the Land Development Code.*

(6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall public drainage capacities.

**Applicant Response: Drainage has been designed to meet all City of Venice Code requirements and will not have any negative impacts to adjacent properties or consequences on public drainage capacities.**

*Staff Comment: The Technical Review Committee has reviewed the petition, and the Engineering Department has indicated no issues with the proposed design.*

(7) Adequacy of provision for sanitary sewers, with particular relationship to overall city sanitary sewer availability and capacities.

**Applicant Response: Sanitary sewer capacity is available to serve the proposed development.**

*Staff Comment: The Technical Review Committee has reviewed the petition and indicated no issues with sanitary sewer capacity.*

(8) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

**Applicant Response: Utilities connections have been designed consistent with City of Venice requirements, and capacity exists to serve the proposed development.**

*Staff Comment: The Technical Review Committee has reviewed the petition, and the Utilities department has indicated there are no issues with hook-in locations, availability, or capacity.*

(9) Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the proposed development, and relationship to community or citywide open spaces and recreational facilities.

**Applicant Response: The proposed Site & Development Plan will result in the Milano PUD exceeding the 50% open space requirement for PUD's.**

*Staff Comment: While the proposed site and development plan for this parcel does not provide recreational facilities, the Milano PUD overall complies with open space requirements.*

(10) General site arrangement, amenities and convenience, with particular reference to ensuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be so at variance with other development in the area as to cause substantial depreciation of property values.

**Applicant Response: The proposed development has been designed to ensure the appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area.**

(11) Such other standards as may be imposed by the city on the particular use or activity involved.

**Applicant Response: Not applicable.**

(12) In the event that a site and development plan application is required, no variance to the height, parking, landscape, buffer or other standards as established herein may be considered by the planning commission. The planning commission may consider modifications to these standards under the provisions and requirements for special exceptions.

**Applicant Response: Not applicable.**

*Staff Comment: No variances are required or requested for this petition.*

**Conclusions/Findings of Fact (Consistency with the Land Development Code and the Milano Binding Master Plan):** The subject petition has been processed with the procedural requirements of former Chapter 86 to consider the Site and Development Plan. In addition, the petition has been reviewed by the Technical Review Committee (TRC) and no issues regarding compliance with the Land Development Code or the Milano Binding Master Plan were identified.

### **Concurrency**

The subject petition was reviewed for public facilities capacity by the relevant departments and concurrency has been confirmed. Estimated impacts reported here incorporate the entire Milano PUD.



Facility	Department	Estimated Impact	Status
Potable Water	Utilities	2,317 ERUs	Compliance confirmed by Utilities
Sanitary Sewer	Utilities	2,317 ERUs	Compliance confirmed by Utilities
Solid Waste	Public Works	14,000 lbs/day	Compliance confirmed by Public Works
Parks	Public Works	16.1ac	Compliance confirmed by Public Works
Drainage	Engineering	Will not exceed 25-year, 24-hour storm event	Compliance confirmed by Engineering

### **Mobility**

The applicant has submitted a transportation impact analysis (TIA) for this project, which was reviewed and confirmed compliant by the City's transportation consultant. No additional issues remain regarding transportation and mobility.

Site access improvements are required for this project, according to the TIA, and these include the following:

#### Laurel Road Full Access Driveway

- Construct a 235' westbound left turn lane
- Construct a 185' eastbound right turn lane
- Restripe the Veneto Boulevard approach to an exclusive left-turn lane and a shared through/right turn lane.

#### Jacaranda Blvd Full Access Driveway

- Construct a 255' northbound left turn lane

The site plan indicates these improvements will be made as required.

Facility	Department	Estimated Impact	Status
Transportation	Planning & Zoning	770 PM Peak Hour Trips	Compliance confirmed by City traffic consultant

### **Conclusions/Findings of Fact (Concurrency/Mobility):**

No issues were identified by the Technical Review Committee regarding the Site and Development Plan request.

### **III. CONCLUSION**

#### **Planning Commission Report and Action**

Upon review of the petitions and associated documents, Comprehensive Plan, Land Development Code, Milano Binding Master Plan, 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 Site and Development Petition No. 22-40SP.