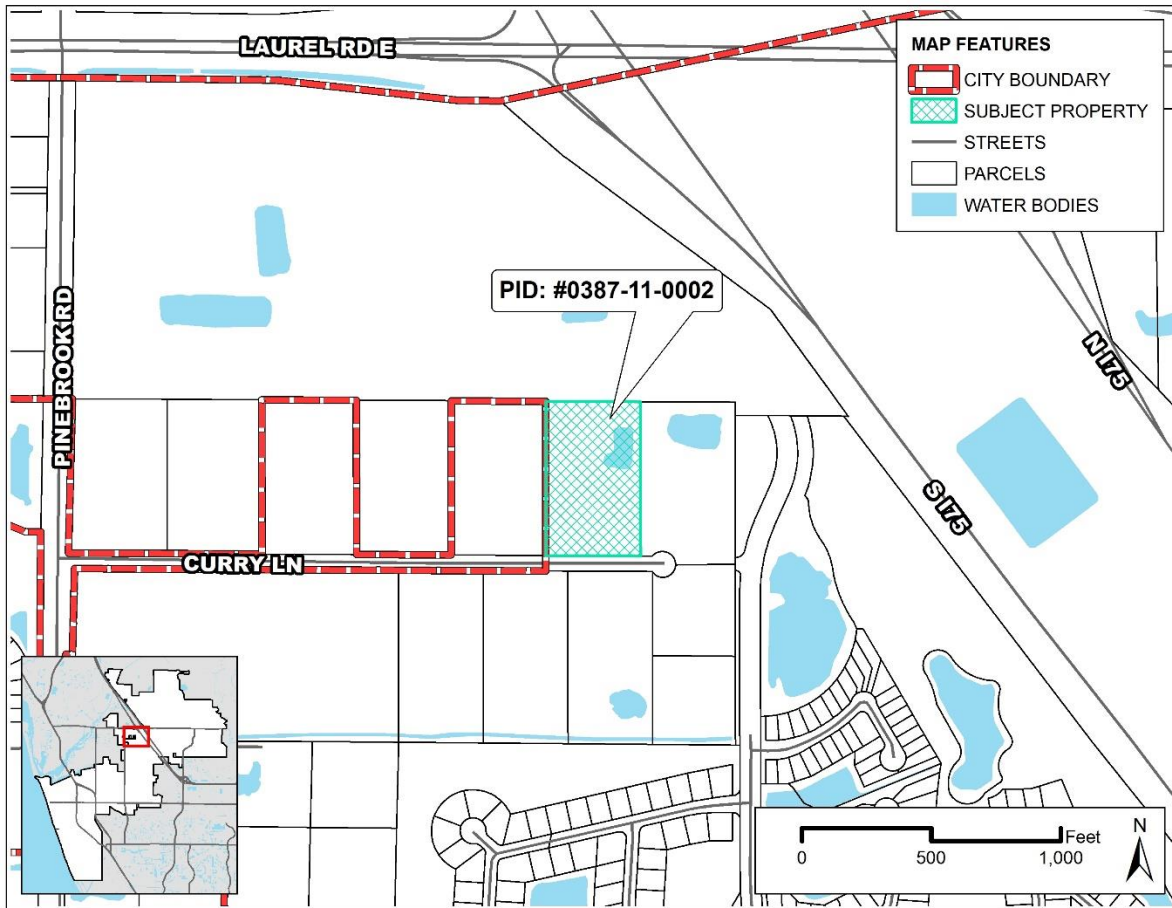


# 22-04CP–2901 Curry Lane

## Staff Report

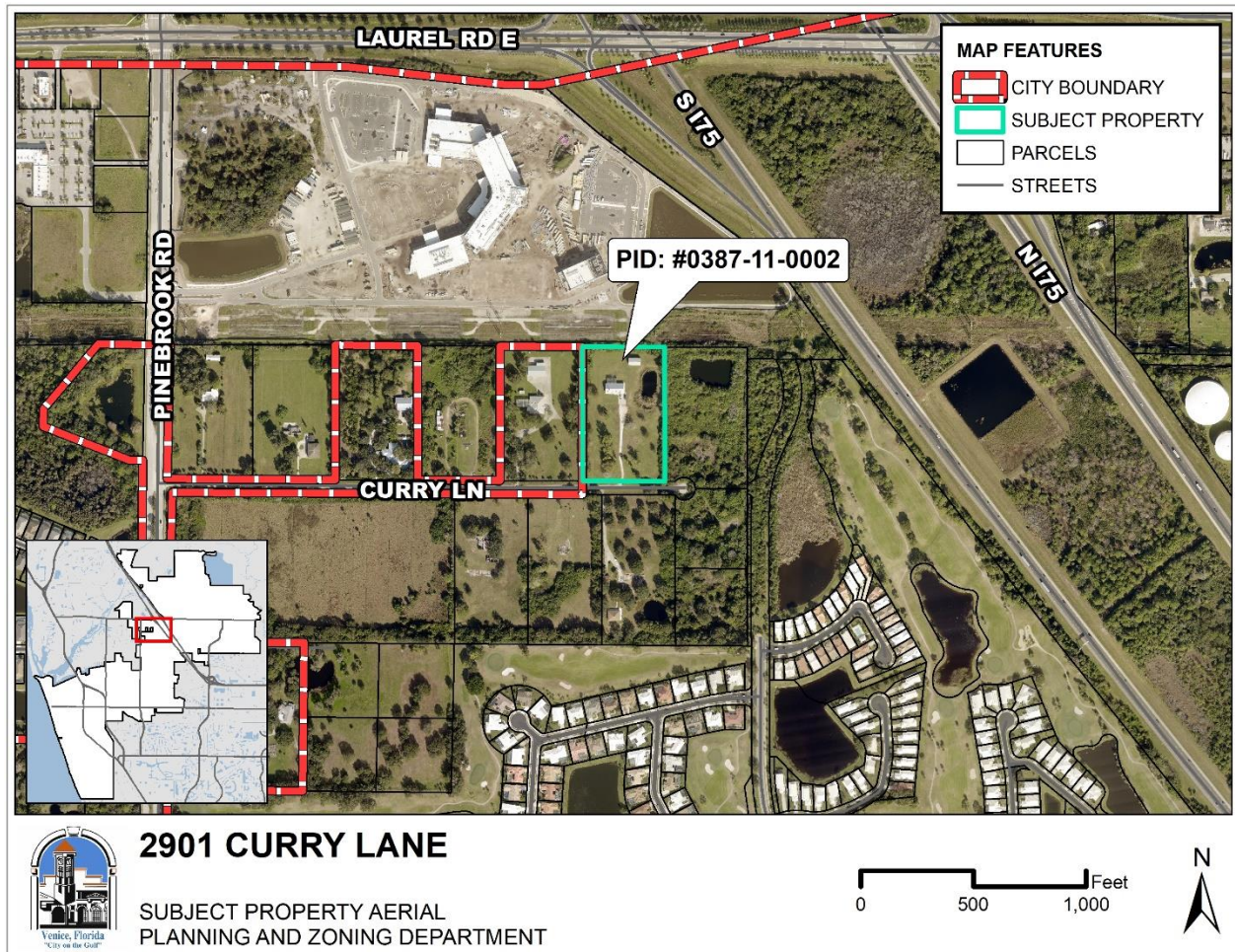


### GENERAL INFORMATION

<b>Address:</b>	2901 Curry Lane
<b>Request:</b>	To change the Future Land Use designation on the subject parcel from Moderate Density Residential (MODR) to Commercial
<b>Owner:</b>	Amber Morse
<b>Agent:</b>	Jeffrey A. Boone, Esq. – Boone Law Firm
<b>Parcel ID:</b>	0387110002
<b>Parcel Size:</b>	5± acres
<b>Existing Future Land Use:</b>	Moderate Density Residential
<b>Proposed Future Land Use:</b>	Commercial
<b>Zoning:</b>	Residential, Multifamily 1 (RMF-1)
<b>Comprehensive Plan Neighborhood:</b>	Pinebrook
<b>Application Date:</b>	January 13, 2022

## I. BACKGROUND & PROJECT DESCRIPTION

The subject property is approximately 5 acres and is included in the Pinebrook neighborhood of the Comprehensive Plan. This project was applied for under the previous Land Development Regulations, Chapter 86, with the intent to change the Future Land Use (FLU) designation from Moderate Density Residential (MODR) to Commercial. The applicant's desired uses as stated in the public workshop and preliminary plans include keeping the existing single family residential and adding commercial uses such as salon, medical office, and retail. The applicant is requesting the former zoning district of Commercial, General (CG) through concurrent Zoning Map Amendment Petition No. 22-03RZ.



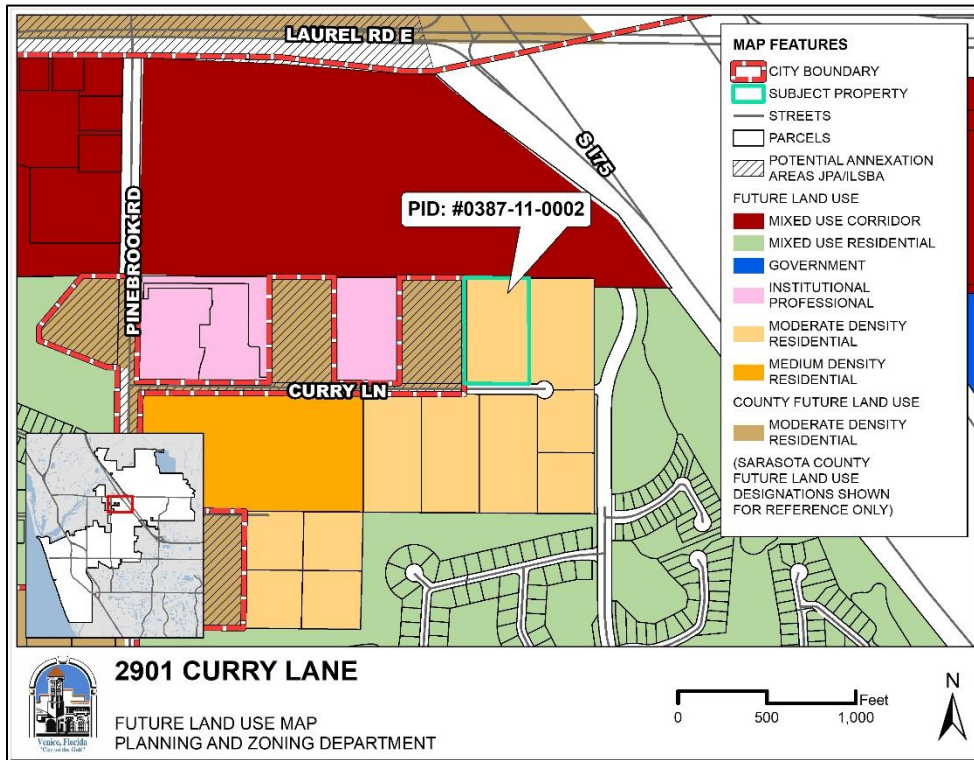
**Site Photograph**



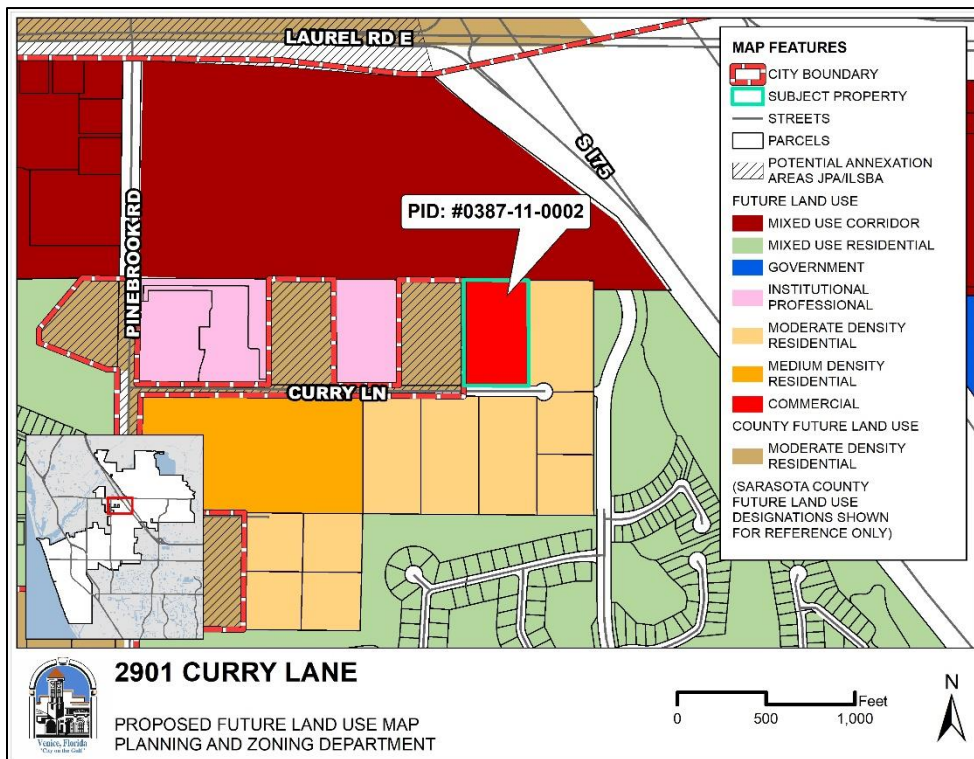
## Future Land Use and Zoning

The Future Land Use designation for the subject property is Moderate Density Residential. The proposal in this petition is to change the FLU from MODR to Commercial, as shown on the maps below.

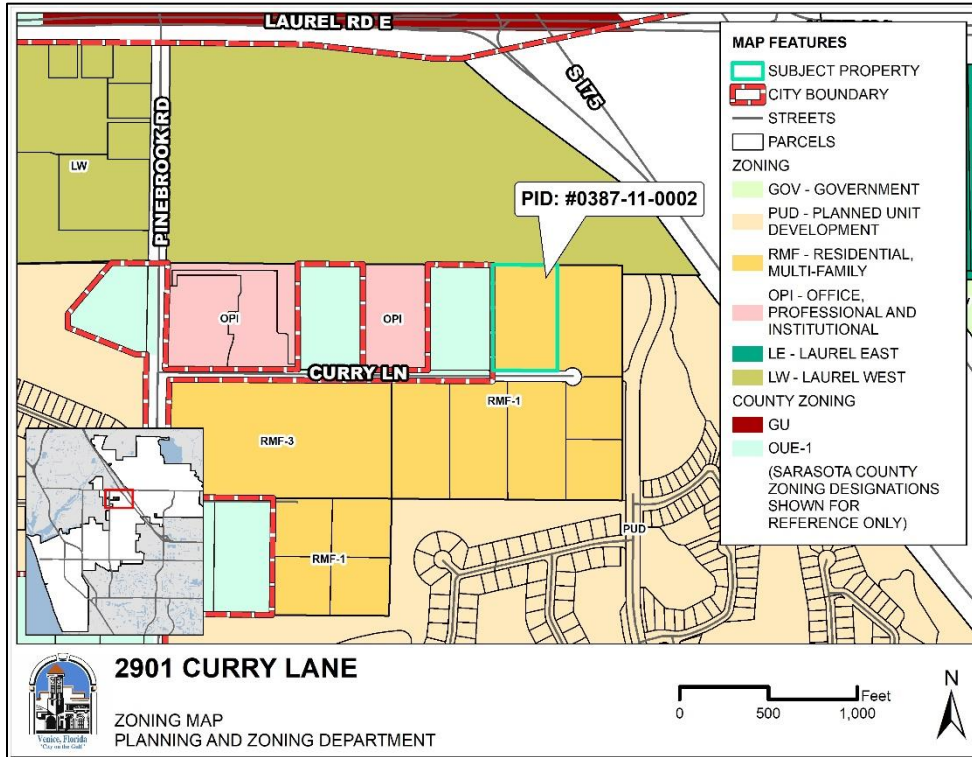
### Existing Future Land Use



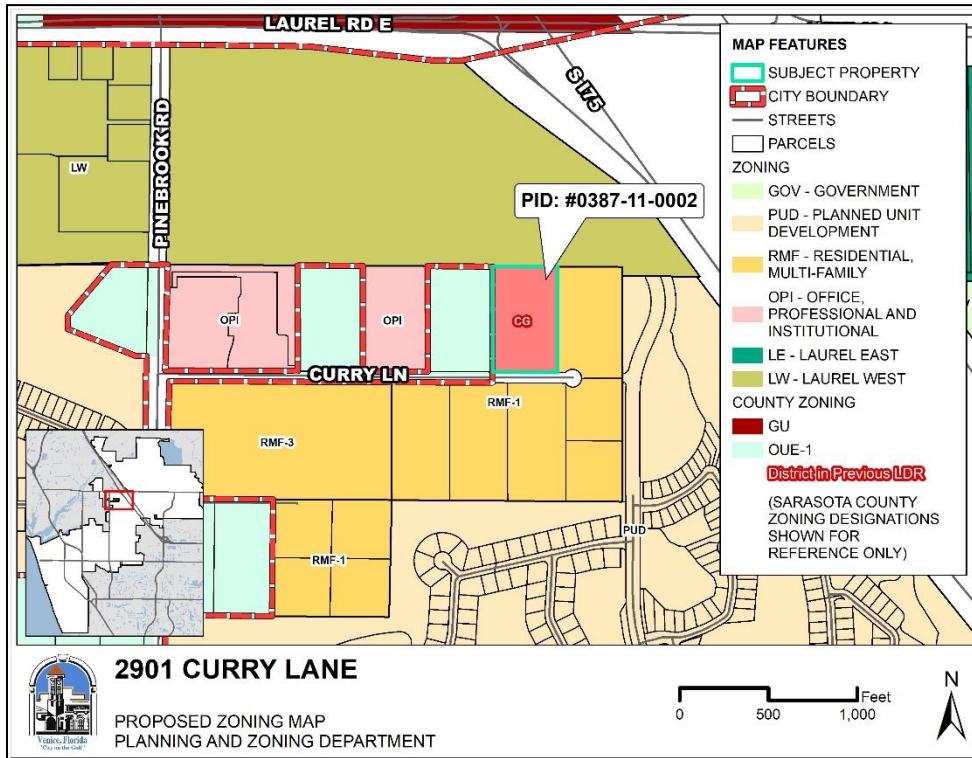
### Proposed Future Land Use



Existing Zoning



Proposed Zoning



### Surrounding Land Uses

Direction	Existing Land Uses(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Sarasota Memorial Hospital	Laurel West	Mixed Use Corridor (MUC)
South	Residential	RMF-1	Moderate Density Residential (MODR)
East	Residential	RMF-1	MODR
West	Residential	County Open Use Estate (OUE-1)	County MODR

## II. PLANNING ANALYSIS

In this section of the report, analysis of the subject comprehensive plan amendment petition evaluates 1) consistency with the Comprehensive Plan, 2) compliance with the City’s Land Development Code (LDC) and Florida Statute, and 3) compliance with requirements for Concurrency/Mobility.

### 1) Consistency with the Comprehensive Plan

#### Strategy LU 1.2.8 – Compatibility Between Land Uses

This petition requests to amend the Future Land Use from MODR to Commercial. The proposed designation is listed as potentially incompatible with the surrounding MODR, though not with nearby Institutional Professional (IP) designations. Sarasota County designations are not accounted for in the matrix. However, the County Medium Density Residential designation on the southern parcels allows for a similar density as the City of Venice MODR (5.0-9.0 du/acre for the County designation, 5.1-9.0 for the City designation). From this strategy, “Options to address potential incompatibilities include but are not be limited to a reduction in density and or intensity, reduction or stepping down of building heights, increased setbacks, increased buffering and opacity standards.” These items may be more easily addressed during site and development plan, but can be discussed at the time of changing FLU or zoning designations as well.

Figure LU-8: FLU Compatibility Review Matrix

		Adjacent (Existing) FLU									
		LDR	MODR	MEDR	HDR	IP	COMM	GOVT	IND	OS-F	OS-C
FLU Proposed	LDR										
	MODR										
	MEDR										
	HDR										
	IP										
	COMM										
	GOVT										
	IND										
	OS-F										
	OS-C										

	Presumed Compatible
	Potentially Incompatible

### **Strategy LU 1.2.4 – Non-Residential**

This strategy includes the intensity limit of 1.0 Floor Area Ratio and lays out implementing zoning districts (Commercial (CM), Planned Commercial District (PCD), Government (GOV), and three inactive districts of Commercial Neighborhood (CN), Commercial Highway Interchange (CHI), and Commercial Shopping Center (CSC)).

#### **Strategy LU 1.2.4.a - Commercial:**

This strategy describes the intended character of the Commercial FLU in three points:

1. Reflects more conventional commercial uses and development patterns
2. Typical uses may include retail, service, financial, automotive convenience centers, and similar
3. Transient lodging (i.e., hotels) may be provided consistent with the underlying zoning district

#### **Strategy LU 1.2.5 - Residential Uses in Non-Residential Designations**

The Comprehensive Plan includes this strategy regarding predictability of land use to state that residential uses previously provided for in the 2010 plan were removed for the 2017 plan. The intent for this property is to keep existing single-family residential and add commercial uses.

#### **Other Relevant City ordinances, resolutions or agreements**

Staff is not aware of any city ordinance, resolution or agreement that is directly relevant to the proposed Comprehensive Plan Amendment.

#### **Florida Statutes**

The size of the subject property indicates that the proposed Comprehensive Plan Amendment will be processed through the State's small scale amendment review process. This will require a recommendation from Planning Commission to City Council. City Council will then hold two readings of the ordinance. After the second reading, which is also an adoption hearing, the results of that hearing will be sent to the State for approval.

#### **Section 163.3177(6)(a)2**

Fla. Stat. § 163.3177(6)(a)2 contains ten criteria for evaluating future land use plan amendments, and this section of the report will respond to each with staff comments.

*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:** The Comprehensive Plan does not address distributions of land use in this neighborhood, though the area can be observed to be growing, with increases in both residential and non-residential uses.

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

**Staff Response:** Not applicable.

*c. The character of undeveloped land.*

**Staff Response:** The property currently has a single-family home on it and has been used as such for some time.

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

**Staff Response:** The project has been reviewed by the City's Technical Review Committee and no issues have been raised regarding the ability to provide services to the site. There is no new construction proposed at this time.

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:** There are no nonconforming uses on the site that staff is aware of.

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

**Staff Response:** Not applicable, as there are no military installations near the subject property.

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

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

h. *The discouragement of urban sprawl.*

**Staff Response:** The subject property is currently used for residential at a very low density of 1 unit per 5 acres and is already within the City of Venice.

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

**Staff Response:** Jobs may be generated by the commercial uses available through this FLU change, both during construction and in the future operations of the site.

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

**Staff Response:** The subject property is not part of an antiquated subdivision.

Section 163.3177(6)(a)8

The second of the three statutory provisions that provide direction on how plan amendments should be reviewed is contained in Fla. Stat. § 163.3177(6)(a)2, provided in this section. 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

**Staff Response:** See answer to “d” above. Availability of public facilities and services will be accomplished and the adopted level of service standards for each of the above public facilities is required to 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:** There are no structures on the property listed on either the City of Venice Local Register



of Historical Resources or the National Register of Historic Places.

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

**Staff Response:** The size of the property involved should be sufficient to accomplish the goals and requirements of this section. The proposed land use designation of Commercial, along with an appropriate rezoning of the land involved in the request, will allow reuse of this property.

Section 163.3177(6)(a)9

The third statutory provision that provides direction for reviewing plan amendments is contained in Fla. Stat. § 163.3177(6)(a)9:

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

Subsection (a) provides nine indicators related to discouraging the proliferation of urban sprawl, and subsection (b) states that if four or more indicators are achieved, the plan amendment is confirmed to discourage urban sprawl. Staff has identified the following four indicators that could apply to the subject petition, along with responses:

- 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 proposed land use designation of Commercial, along with an appropriate rezoning of the land involved in the request, will allow for redevelopment of the property. These actions may direct economic growth and protect natural resources by utilization of property that has already been improved and is adjacent to intense uses such as a hospital.

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

**Staff Response:** The project has been reviewed by the City's Technical Review Committee and no issues have been raised regarding the ability to provide services to the site. The property will not require extension of public infrastructure and services, and road improvements are already underway to ensure Curry Lane is brought up to City standards.

- IV. *Promotes conservation of water and energy.*

**Staff Response:** The property is in an area already served by these utilities and will be a reuse of an existing low density property for a more intense use.

- 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 requested for the property would allow for commercial uses in an area with growing residential, office, and healthcare uses, which may provide a balance for residents and employees in the area.

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

Staff has provided analysis of the proposed Comprehensive Plan Amendment regarding consistency with the Comprehensive Plan, the Land Development Code (LDC), and other relevant city ordinances, resolutions or agreements. In addition, analysis has been provided by staff regarding compliance with the applicable requirements of Chapter 163 Florida Statutes. The analysis provided should be taken into consideration regarding determination on the proposed Comprehensive Plan Amendment.

## **2) Compliance with the Land Development Code**

Section 86-33(5) of the Land Development Code directs Planning and Zoning staff in their 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.*

## **3) Concurrency/Mobility**

### **Concurrency**

The applicant is not requesting confirmation of concurrency as part of the proposed zoning map amendment. Concurrency will be reviewed with any development proposal submitted in the future, and a full review will be provided at that time. However, the proposed zoning map amendment was reviewed by the City's Technical Review Committee (TRC) and no issues were identified regarding facilities capacity.

### ***Conclusion / Findings of Fact (Concurrency):***

As indicated, the applicant is not seeking confirmation of concurrency with the subject application. However, the proposed zoning map amendment was reviewed by the City's Technical Review Committee (TRC) and no issues were identified regarding facilities capacity.

### **Mobility**

The applicant has submitted a traffic impact analysis, which has been reviewed by the City's transportation consultant and has been deemed compliant.

### ***Conclusion / Findings of Fact (Mobility):***

The applicant has provided traffic analysis that has been reviewed by the City's transportation consultant. No additional issues have been identified.

## **III. CONCLUSION**

Upon review of the petition and associated documents, Comprehensive Plan, Land Development Regulations, Staff Report and analysis, and testimony provided during the public hearing, there is sufficient information on the record for the Planning Commission to make a recommendation to City Council on Zoning Map Amendment Petition No. 22-04CP.