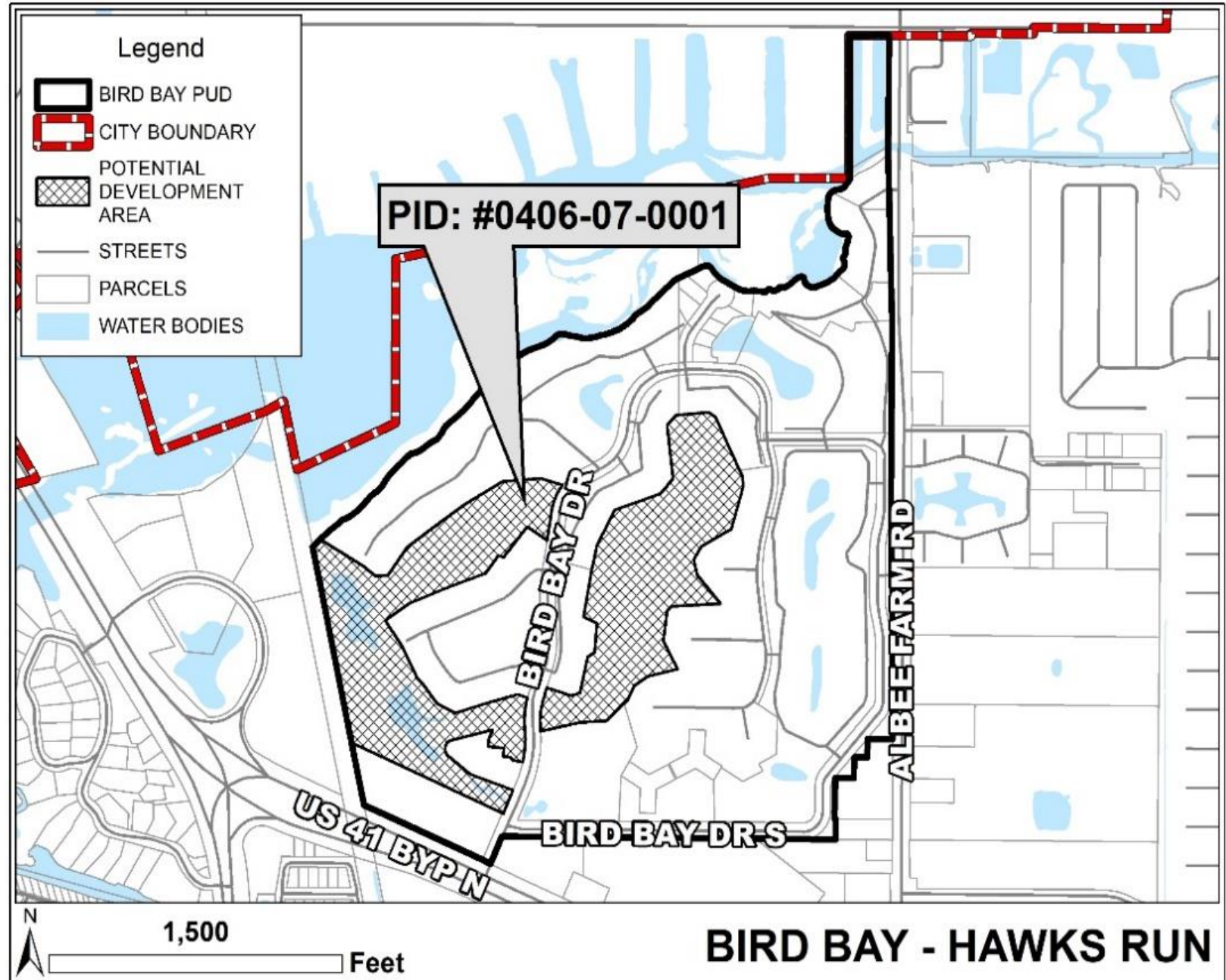


HAWKS RUN BIRD BAY
PUD AMENDMENT PETITION NO.
22-26RZ

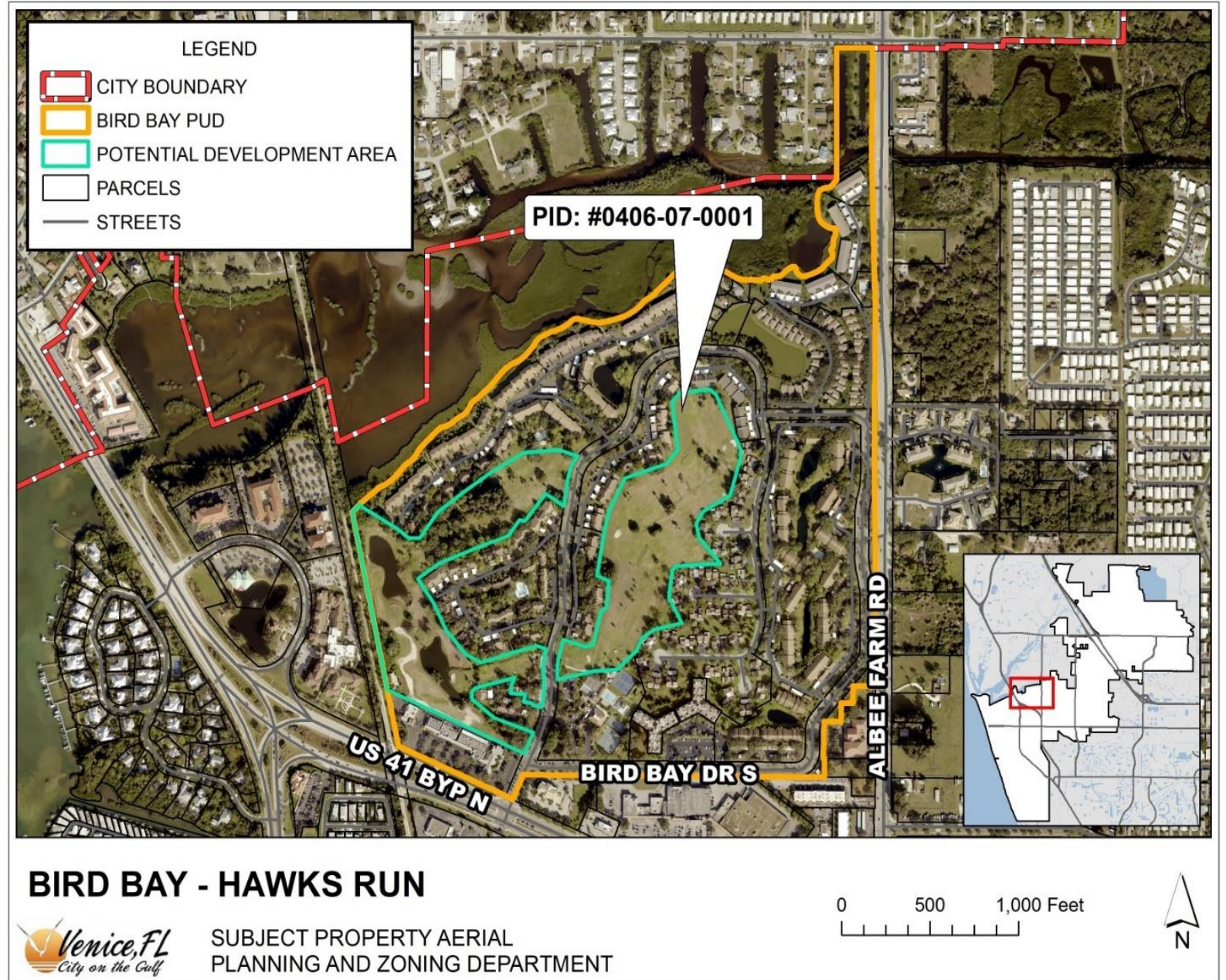
Agent: Jeffery A. Boone, Esq. Boone Law Firm
Owner: Hawks Run Development, LLC

Address:	602 Bird Bay Drive
Request:	Amendment of the Bird Bay PUD Binding Master Plan to allow for the redevelopment of the golf course to include 45 residential dwellings, an amenity area, a redesigned 12-hole golf course along with renovation of the existing golf course, and updated golf course amenities of a clubhouse, pro shop and restaurant.
Owner:	Hawks Run Development, LLC
Agent:	Jeffery A. Boone, Esq. – Boone Law Firm
Parcel ID:	0406040001
Parcel Size:	198.6 ± acres (Bird Bay PUD) 33.3± acres (Potential Development Area)
Future Land Use:	Mixed Use Residential (MUR)
Zoning:	Planned Unit Development
Comprehensive Plan Neighborhood:	Pinebrook
Application Date:	April 25, 2022 – This application was submitted prior to the adoption of the new LDRs and is being reviewed under the previous code.

Location Map



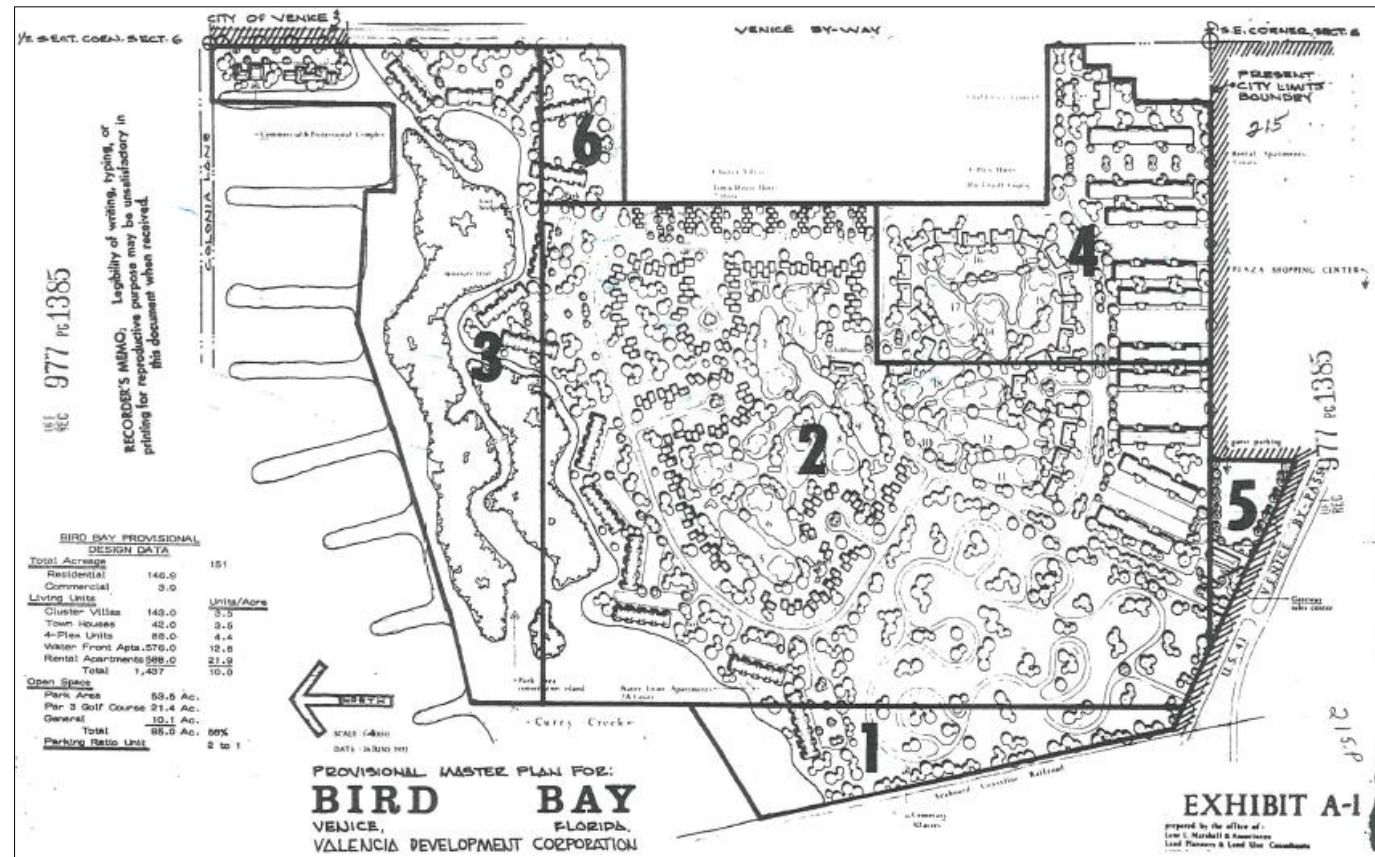
Aerial Map



Project Description

- Proposed amendment to the Bird Bay Binding Master Plan to allow for:
 - Development of 45 residential villas on a portion of the golf course along the Legacy Trail and Bird Bay Plaza.
 - Redesign of the existing 18 hole golf course into a 12 hole layout.
 - Updated amenities of a new clubhouse, pro shop and restaurant.
- It is important to note that this application, if approved, does not provide approval for any development. No development can occur until the processing, review, and consideration through a public hearing of an application for either Site and Development Plan or Preliminary Plat are completed.

August
21, 1972



August 21, 1972

- Pre-Annexation Agreement (PAA) is approved between the City of Venice and the Valencia Development Company to annex the 150-acre property.
- The 30-acre cemetery property is not to be included in the area of the planned residential community.
- Density is limited to 10 units per acre and 56% open space is established.
- If the cemetery license is not obtained, it becomes part of the development.
- Community is to be developed according to a comprehensive master plan.

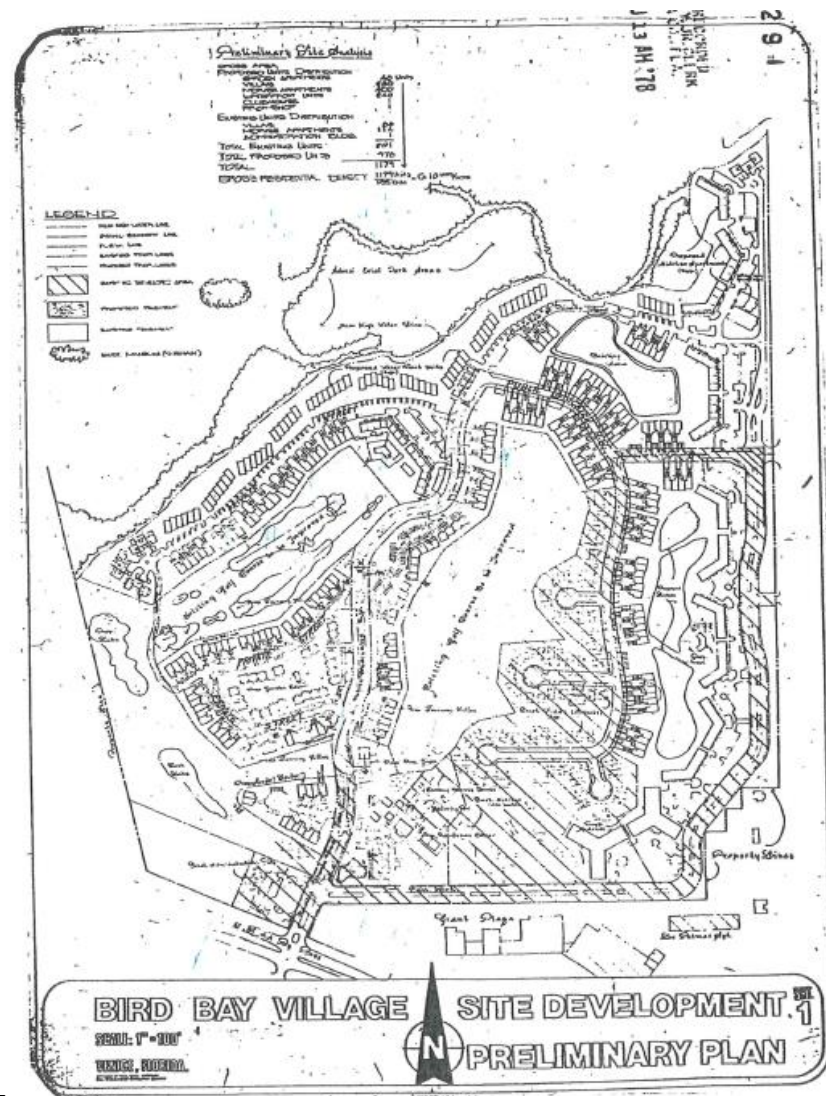
April 24, 1973



April 24, 1973

- Cemetery property becomes part of the Bird Bay planned residential community.
- Total acreage becomes 195.6 acres, of which 4 acres of the 30-acre cemetery property is to be used for commercial purposes. This is Bird Bay Plaza, created through a later petition in 1990.
- Density for the overall project is set at 8.4 units per acre for a total of 1,643 units and open space of 73% is established.

December 21, 1977



December 21, 1977

- Amendment to the PAA indicating a permitted number of residential units at 998 in addition to the 200 existing units in Bird Bay Village Unit One.
- Requires development under the City's PUD standards existing at that time.
- Confirms ability to "modify" the master plan.
- Sets maximum density at 1,198 dwelling units.
- BMP indicates a density of 1,179 units or 6.1 units per acre.

Associated Land Use Applications

December 21, 1977

- Developer's Agreement executed indicating the owner will not rezone the property to PUD, however, does agree to develop the property in accordance with the City's PUD code.
- Dedication of open space indicated, but refused by the City based on inconsistent legal descriptions. Owner agreed to resubmit. No document can be located.

ASSOCIATED LAND USE APPLICATIONS

Master Plan Applications:

- 89-2MP - Indicates 4.87 units per acre and 55.3% open space.
- 90-1MP - Indicates 4.99 units per acre and 55.3% open space.
- 92-1MP - Indicates 5.17 units per acre and 55.3% open space. (CURRENT PLAN)

Preliminary Plat Applications:

- 85-2PP - Established the Bird Bay Golf Course.
- 90-3PP - Established 44 lots on 12.8 acres of the PUD.

Site and Development Plan Applications:

- 82-2SP - Established the development of Bird Bay Plaza.
- 83-9SP - Established over 400 units (Section V)
- 83-15SP - Established 36 units on 2.78 acres.
- 84-6SP - Established 222 units on .32 acres.
- 89-1SP - Established 35 units on 2.78 acres.
- 90-5SP - Established 36 units on 2.79 acres.
- 92-1SP - Established 60 units on 6.7 acres.

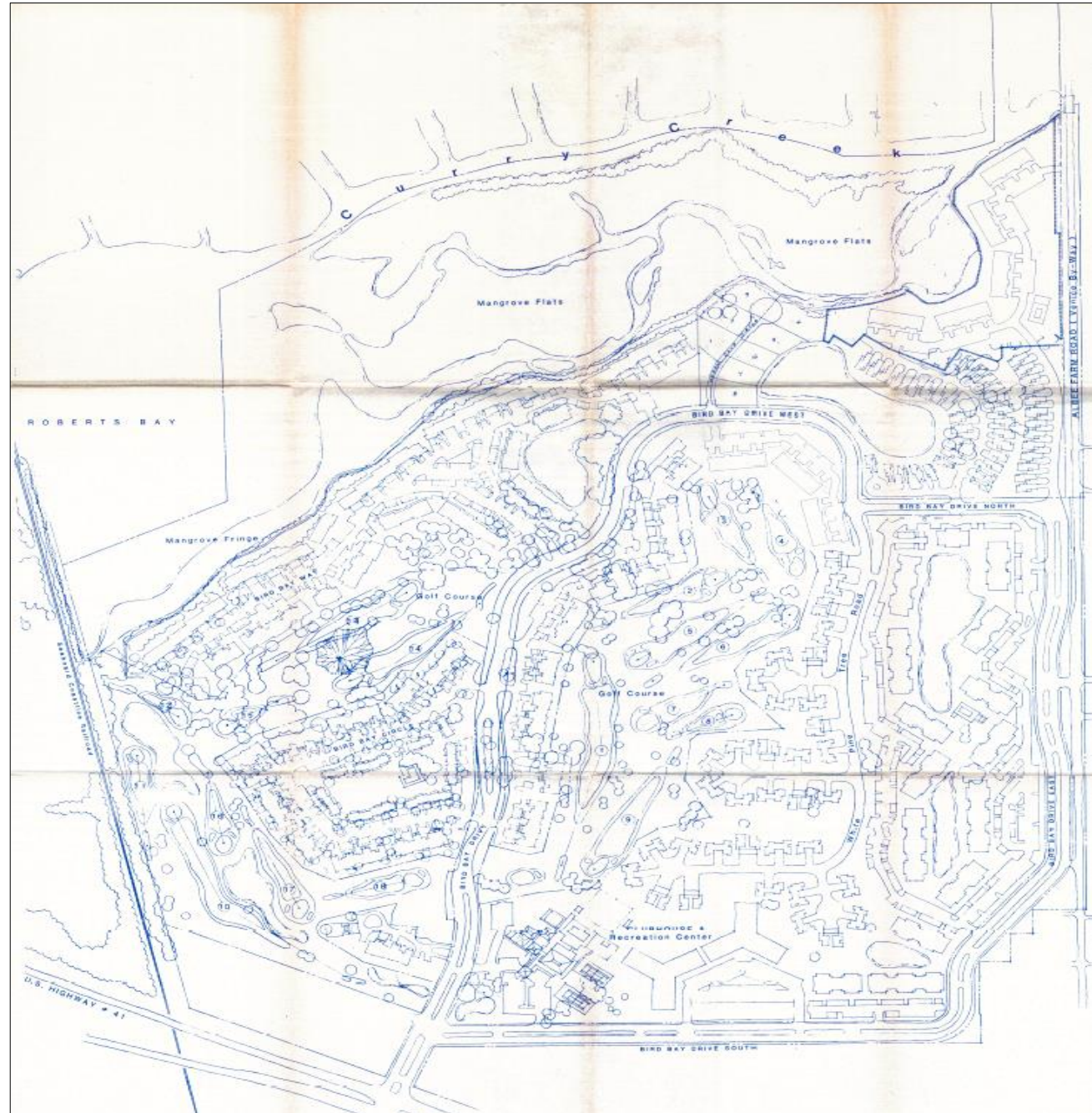
Original Plan



Current Plan



Current Binding Master Plan

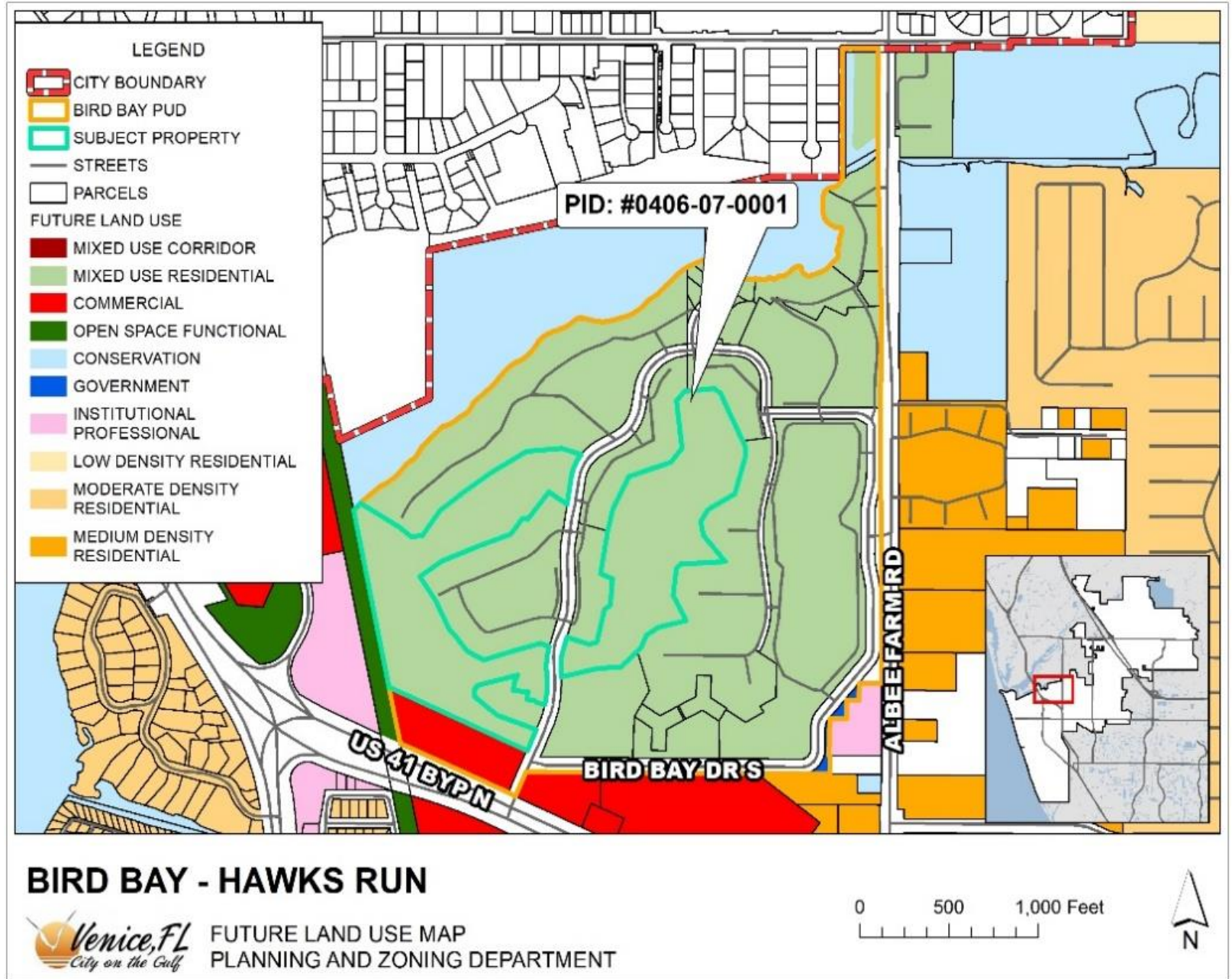


Existing Conditions

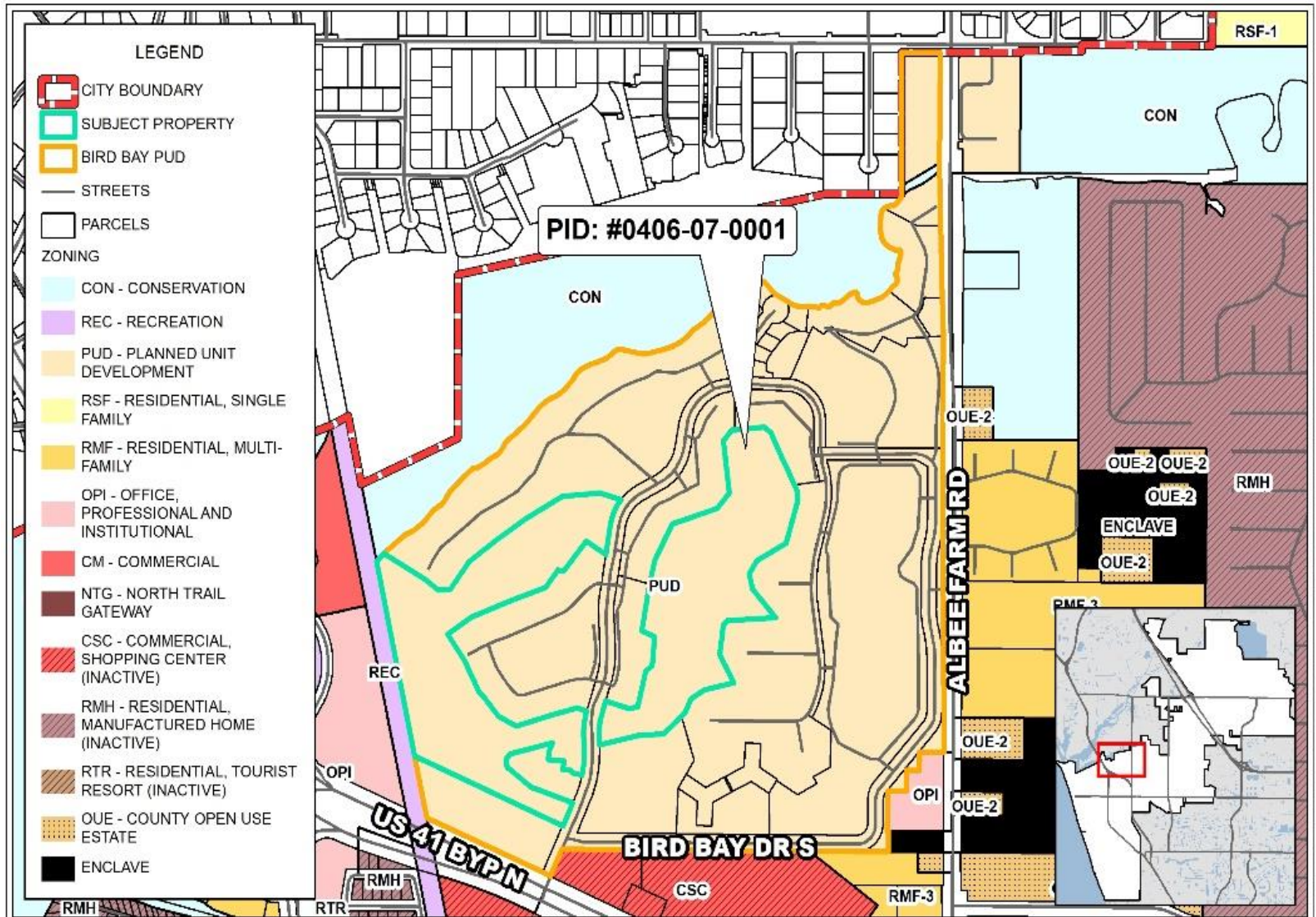
SITE PHOTOS, ZONING & FUTURE LAND USE,
SURROUNDING USES



Future Land Use Map



Zoning Map



BIRD BAY - HAWKS RUN



ZONING MAP
PLANNING AND ZONING DEPARTMENT

0 500 1,000 Feet



Bird Bay - Surrounding Land Uses

Direction	Existing Land Uses(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Roberts Bay	Conservation (CON)	Conservation
South	Commercial and US 41 Bypass	CSC	Commercial
East	Civic Organization and Residential (Salvation Army and Magnolia Park)	OPI and RMF-3	Medium Density Residential and Institutional Professional
West	Legacy Trail	Recreation	Open Space Functional

Planning Analysis

COMPREHENSIVE PLAN, BIRD BAY BINDING MASTER PLAN
AND LAND DEVELOPMENT CODE

Comprehensive Plan Consistency

• Strategy LU 1.2.16 – Mixed Use Residential (MUR)

1. Limited to existing and proposed properties zoned or proposed to be zoned PUD.
2. Consistent with the PUD Zoning, conservation and functional open spaces are required. See also Strategy OS 1.11.1-Mixed Use Residential District Requirements.
3. Development standards including bulk development standards and housing types are designated at the PUD Zoning level.
4. A variety of residential density ranges are envisioned providing the overall density does not exceed 5.0 dwelling units per gross acre for the subject project/property.
5. Previously approved PUD developments exceeding the standards of this Strategy shall be permitted to retain their currently approved density and intensity, open space percentage provisions, and other previously approved development standards.
6. Min/Max Percentages as follows:
 - a. Residential: 95% / 100%
 - b. Non-Residential: 0% / 5%
 - c. Open Space (including both Functional and Conservation): 50% (min). Open Space shall be comprised of a mix of Functional and Conservation Open Space to achieve 50%, with Functional being no less than 10% and Conservation being no less than 20%. For the purposes of this Strategy, Functional Open Space may include public and/or private open space.
7. Intensity/Density:
 - a. Residential Density: 1.0-5.0
 - b. Non-Residential intensity (FAR): 0.4 (average) Designation-Wide: 0.5 maximum per individual property. Non-Residential Intensity is based on the gross acreage of the non-residential portion of the MUR. The intent of the non-residential portion of the MUR is to provide for neighborhood scale and serving uses; not for regional purposes.
8. Figure LU-9 (below) establishes the Compatibility Review Matrix between the MUR and existing Future Land Use categories. See Strategy Lu 1.2.8.

Figure LU-9: FLU Compatibility Review Matrix for MUR

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

	Presumed Compatible
	Potentially Incompatible

Comprehensive Plan Consistency Continued

- **Strategy LU 1.2.21 – Previously Approved Planned Developments**

Previously approved Planned Developments including PUD and CMU developments exceeding the standards of this Strategy shall be permitted to retain their currently approved land use(s), density and intensity, open space percentage provisions, and other previously approved development standards.

- Applicant and staff responses available in the staff report.

Potential Inconsistency With the Comprehensive Plan

- **Strategy LU PB 1.1.1 Neighborhood Open Space Protection**

The City shall require that functional and conservation open spaces within existing residential developments including those zoned Planned Unit Development (PUD) be protected from redevelopment and infill development which may negatively affect their use. Reduction and/or elimination of open spaces developed consistent with the underlying PUD zoning shall not be supported by the City.

- **Strategy LU 1.2.16 – Mixed Use Residential (MUR)**

3. Development standards including bulk development standards and housing types are designated at the PUD Zoning level.

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

Analysis has been provided to determine consistency with the Land Use Element strategies applicable to the Mixed Use Residential designation, Policy 8.2 regarding compatibility, and strategies found in the Pinebrook Neighborhood and other plan elements. Potential inconsistencies have been identified above. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

Bird Bay Binding Master Plan and LDC

- Bird Bay was approved for 1,198 residential units (6.03 units per acre) and currently has 1,026 (5.17 units per acre). The additional 45 units will result in a density of 5.39 units per acre.
- The proposed project will reduce the open space approved in the master plan of 55.3% to 52.32%. However, the minimum PUD requirement of 50% is being maintained.
 - Staff has pointed out that there has always been a requirement to dedicate open space for not less than 99 years through a legal instrument. Although no document can be found, this requirement should be considered.
- These petitions have been processed with the procedural requirements contained in Section 86-47 of the Land Development Code (LDC) and reviewed by the Technical Review Committee

Conclusions/Findings of Fact (Compliance with the Bird Bay Binding Master Plan and Land Development Code):

Staff has reviewed all applicable Land Development Code standards and the Binding Master Plan. Included in the analysis are identified considerations for the decision makers regarding consistency. There is sufficient information to reach a finding for each of the rezoning considerations contained in Section 86-47(f) of the Land Development Code.

Concurrency/Mobility

There are no requirements for concurrency or mobility analysis since the proposal is within the previously approved density of the PUD.

Planning Commission Report and Recommendation

Upon review of the petition and associated documents, comprehensive plan, land development code, 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 make a recommendation to City Council on PUD Amendment Petition No. 22-26RZ.