

Milano PUD
Rezone Petition No. 16-07RZ

Owners: Neal Communities of SW FL, LLC
Border and Jacaranda Holdings, LLC

Agent: Jeffery Boone, Boone Law Firm



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Milano PUD

Location: South of Laurel Road, north of Border Road and both east and west of Jacaranda Boulevard

Parcel Size: 527 ± acres

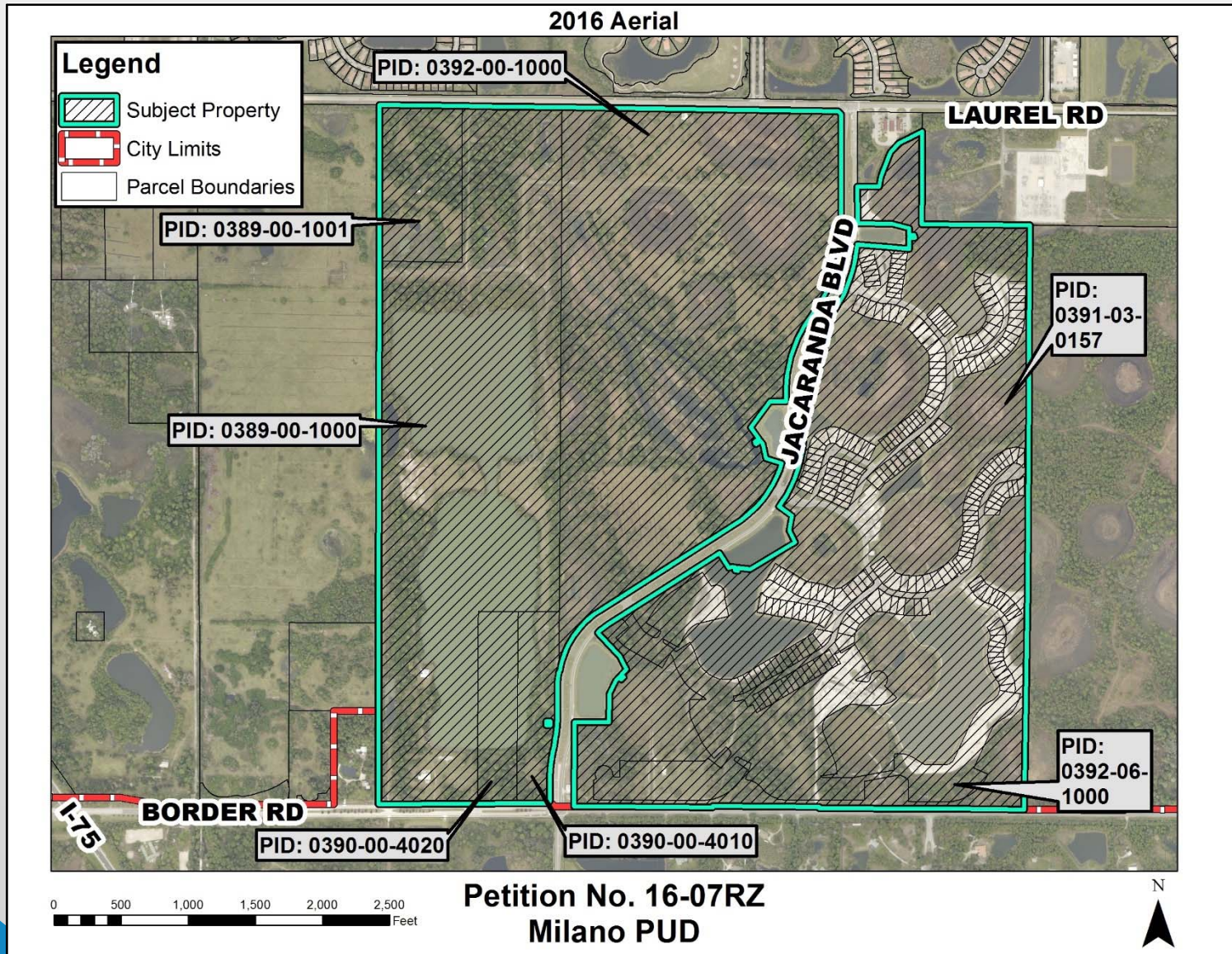
Existing Zoning Districts: Planned Unit Development (PUD), Laurel Lakes PUD and VICA PUD

Proposed Zoning District: Planned Unit Development (PUD), Milano PUD

Future Land Use Designation: South Laurel Neighborhood (Planning Area I)

Summary of Proposal: The applicant proposes to combine two previously approved planned unit developments (Laurel Lakes PUD and VICA PUD) into a single Milano PUD. With one exception, the development standards for Milano PUD are the same as the VICA PUD development standards. The one exception is a change in the minimum lot standards for multi-family residential parcels. The two existing PUDs have a combined maximum entitlement of 1,505 residential units. Milano PUD proposes a maximum of 1,350 units, representing a reduction of 155 units compared to the existing entitlement on the subject property.

Aerial Photograph (Staff Report Map 2)





**One of the VICA PUD
entrances on Jacaranda
Boulevard**

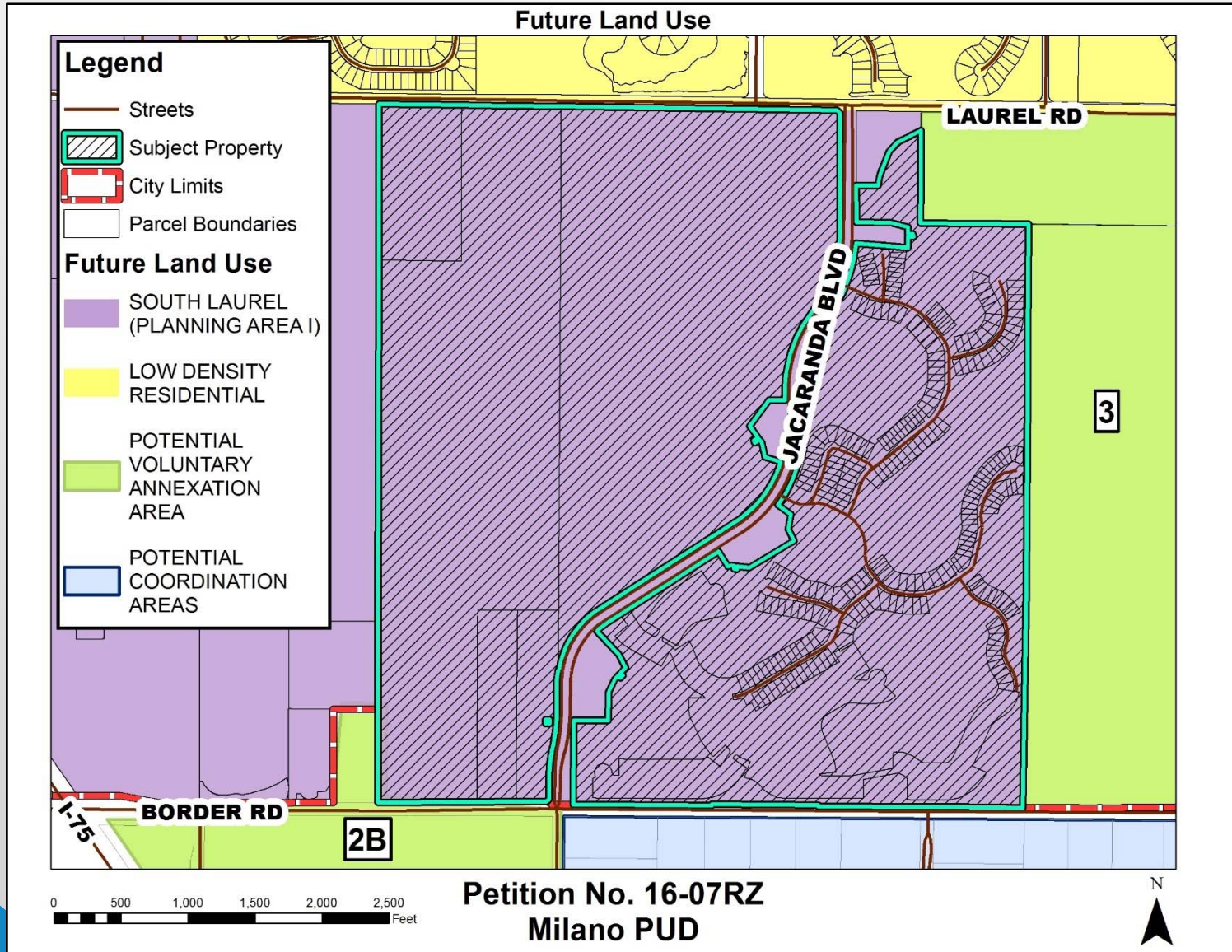


**Occupied houses in the
VICA PUD**

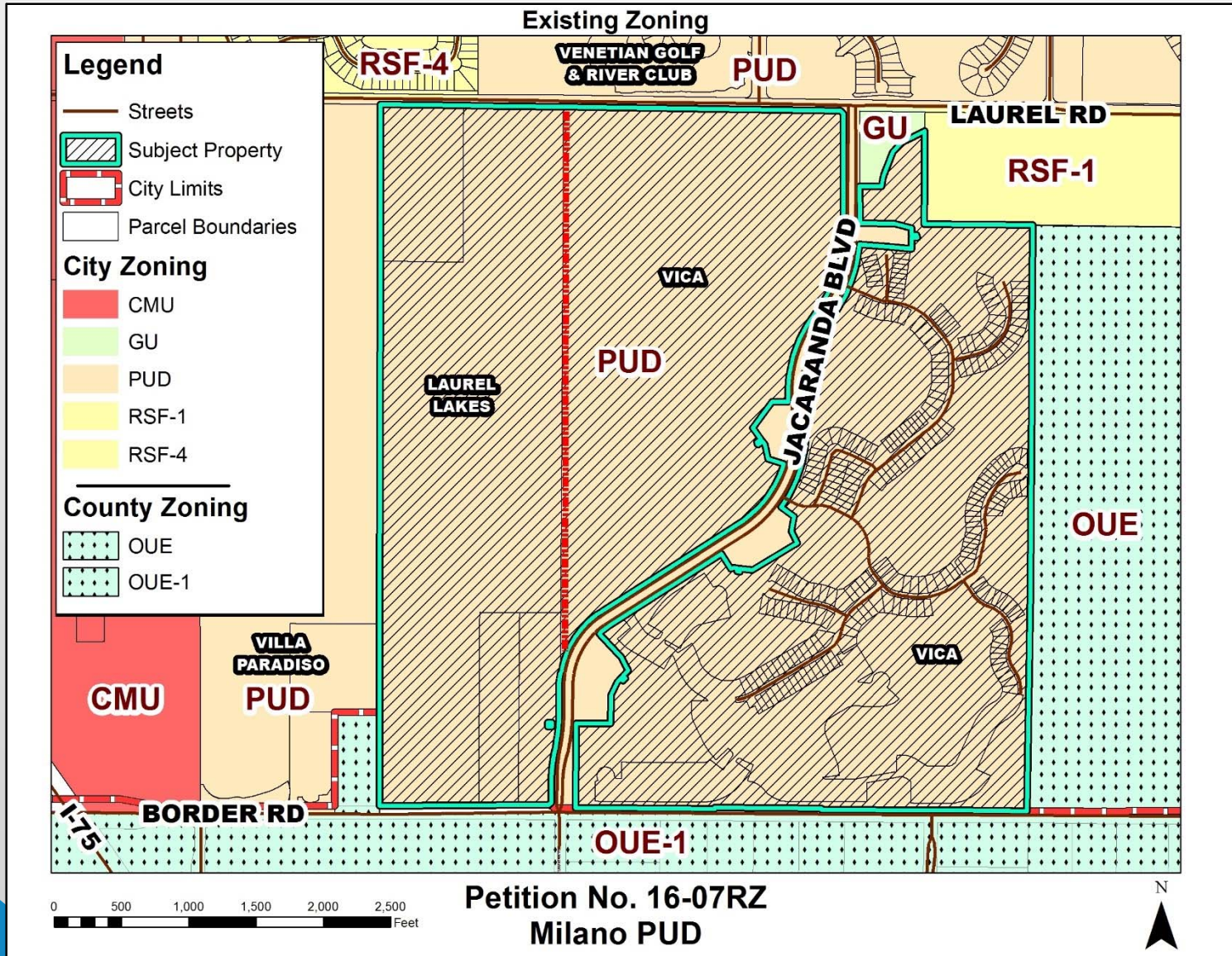


**Current horizontal
construction in phase 2
of the VICA PUD**

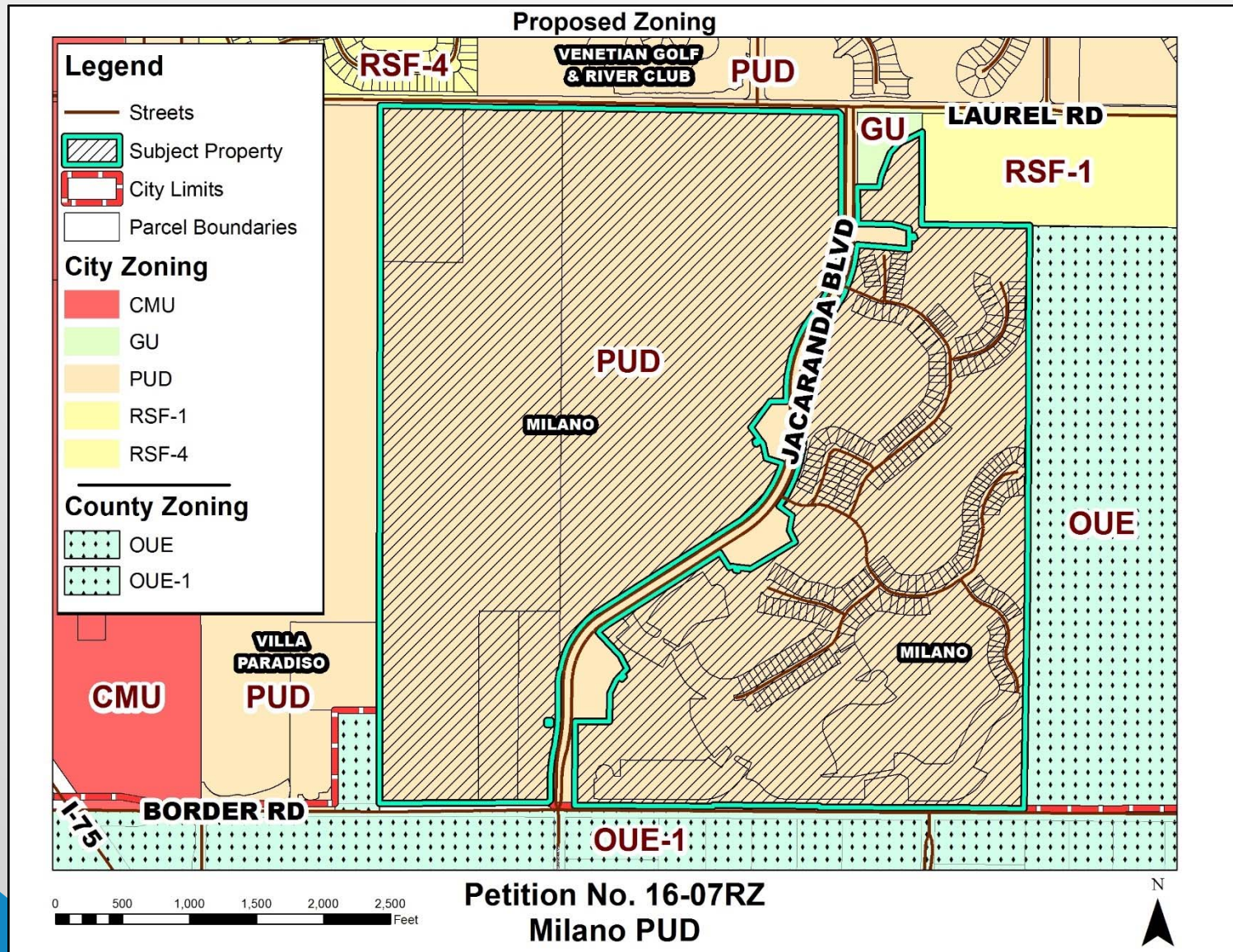
Future Land Use Map (Staff Report Map 3)



Existing Zoning Map (Staff Report Map 4)



Proposed Zoning Map (Staff Report Map 5)



Comparison of Existing & Proposed Zoning

Comparison of Use Regulations:

- Existing – VICA PUD allows single family detached, paired villas and multi-family residential units. Laurel Lakes PUD approved uses were exclusively multi-family residential plus two acres of internal commercial uses.
- Proposed – Milano PUD allows single family detached, paired villas, and multi-family residential units, the same uses as the VICA PUD.

Comparison of Existing and Proposed Zoning

Comparison of PUD Development Standards:

Development Standards	Existing Laurel Lakes PUD	Existing VICA PUD	Proposed Milano PUD
No. of Dwelling Units	805	700	1,350
Residential Density	4.99	1.90	2.56
% Open Space	56.7%	55.2%	55.2%
Max. Building Height	7 stories, up to 95'	3 stories, up to 42'	3 stories, up to 42'

Landscape Buffers: The Milano PUD landscape buffers are the same as the VICA PUD, 30 feet wide along all existing roads and 20 feet wide the east and west property boundaries.

Comparison of Existing and Proposed Zoning

Comparison of District Development Standards:

Development Standards	Combined Laurel Lakes and VICA PUDs	Proposed Milano PUD
No. of Dwelling Units	1,505	1,350
Residential Density	2.86	2.56
% Open Space	55.9%	55.2%
Max. Building Height	7 stories, up to 95'	3 stories, up to 42'

Comparison of Existing and Proposed Zoning

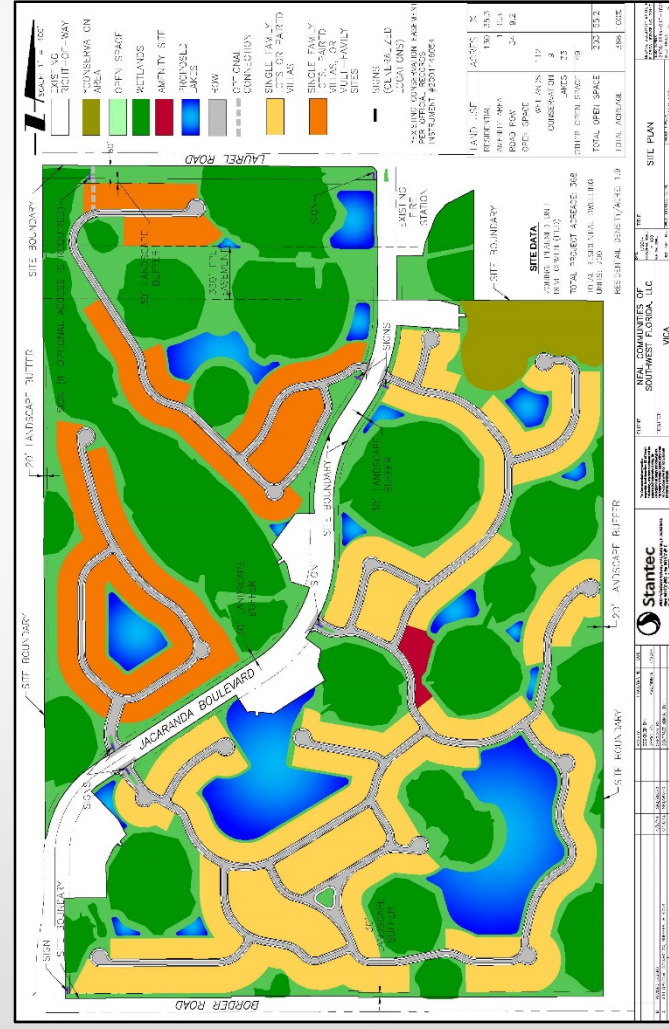
Comparison of Binding Concept Plans:

- **VICA PUD**
- **Laurel Lakes PUD**
- **Milano PUD**

Comparison of Existing and Proposed Zoning

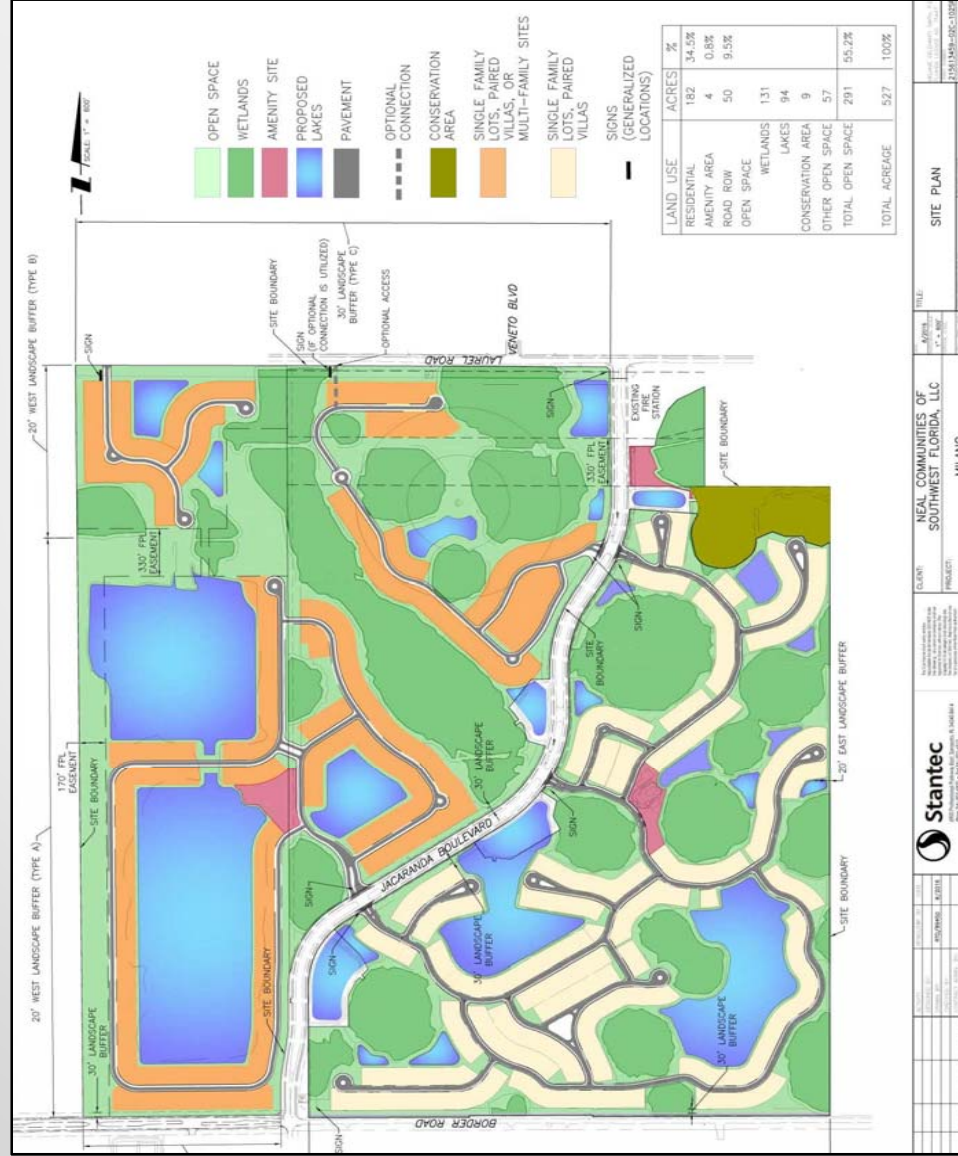


Laurel Lakes



VICA

Comparison of Existing and Proposed Zoning



Milano

Environmental Assessment

- **The applicant prepared an environmental narrative which reviewed the Milano PUD for consistency with three objectives in the Conservation and Open Space Element of the Environmental Chapter of the Comprehensive Plan.**
- **Environmental topics evaluated included:**
 - **Removal of nuisance vegetative species,**
 - **Landscaping with native Florida and Florida-friendly vegetative species,**
 - **Wetland and native habitat preservation,**
 - **Creation of wildlife corridor systems,**
 - **Protection of all listed species.**

Environmental Assessment

- **Sarasota County Environmental Protection Division staff request a stipulation regarding “grand trees”. The stipulation is provided on page 12 of the staff report.**
- **Staff worked with the applicant to establish stipulations to achieve consistency with objectives in the Environmental Chapter. Staff agree with following stipulations brought forward by the applicant.**

Environmental Assessment

1. An updated listed species survey shall be conducted prior to any construction.
2. The applicant shall provide the city with the results of the updated listed species survey, and any correspondence with the United States Fish and Wildlife Service (USFWS) or the Fish and Wildlife Conservation Commission (FWC).
3. The applicant shall obtain all applicable state and federal listed species permits.
4. The applicant shall comply with FWC regulations regarding the survey and relocation of Gopher Tortoises and associated commensal species.
5. The applicant shall provide a tree survey and any other permits or documents related to tree removal to the city.
6. The applicant shall obtain all applicable state and federal environmental permits and provide wetland mitigation, as required.
7. Any nuisance species observed within project area wetlands and uplands shall be removed and replanted with native Florida species, as required to obtain SWFWMD permits.

Pre-Annexation Agreements

- **Three pre-annexations agreements apply to the subject property; one for the “VICA PUD” portion of the property and two for the “Laurel Lakes” portion of the property.**
- **The pre-annexation agreement that applies to the “VICA PUD” portion of the property requires the dedication of 80 feet of ROW adjacent to Laurel Road west of Jacaranda Blvd.**
- **The applicant has acknowledged the dedication requirement in the VICA PUD applicant and continues to do so in the Milano PUD.**

Pre-Annexation Agreements

- **Both pre-annexation agreements for the “Laurel Lakes” portion of the property included the following Ambiance and Community Standards provision:**

The Owner is encouraged to develop the Subject Property similar to the original city plan by John Nolen. The City recognizes, however, that environmental and stormwater considerations may impact the ability to fully utilize such design features.

- **The pre-annexation agreements also specified architectural styles of buildings. The Milano PUD binding master plan includes architectural design standards which satisfy both the pre-annexation agreement provisions as well as Policy 16.18.G.1 which requires North Italian architectural design.**

Consistency with the Comprehensive Plan

The Milano PUD can be found to be consistent with the following South Laurel Neighborhood standards:

- **Uses**: the proposed single-family detached, paired villa and multi-family residential uses are consistent with the planning intent of the neighborhood,
- **Max. Residential Density**: Maximum – 6 units per acre; 2.56 units per acre proposed,
- **Max. Building Height**: Maximum and proposed – 3 stories, up to 42 feet including parking,
- **Collector and Arterial Roadway System**: It can be determined that the project design provides an interconnection between Laurel Road and Border Road,
- **Parks and Public Space**: Min. 25% of gross acreage a parks and public spaces; the project design provides 55.2% open space,
- **Architectural Design**: Required and proposed application of Northern Italian architectural design.

Consistency with the Comprehensive Plan

The Milano PUD can be found to be compatible with existing adjacent uses based on an evaluation of the following considerations:

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

- **The Milano PUD is a residential project and new residential uses are generally considered to be compatible with other residential uses,**
- **The VICA PUD was found compatible; the Milano PUD is an expansion of the VICA PUD with the same residential uses as the VICA PUD,**
- **If approved, the Milano PUD eliminates Laurel Lakes PUD entitlements which include multi-family buildings with a max. height of 65 and 95 feet as well as up to two acres of commercial uses,**
- **The binding site plan depicts that multi-family residential uses may be located in any residential area west of Jacaranda Blvd. Despite the lack of specificity regarding that location of multi-family uses that was addressed by both the Planning Commission and staff, the Milano PUD can be found to satisfy this consideration.**

Consistency with the Comprehensive Plan

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

- The existing uses adjacent to the proposed Milano PUD are predominately residential,
- The Milano PUD does not allow commercial or industrial uses,
- If approved, the Milano PUD eliminates Laurel Lakes PUD entitlements which include up to two acres of commercial uses.

The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current comprehensive plan

- Not applicable; there are no existing non-conforming uses and all existing and proposed uses are consistent with the South Laurel Neighborhood.

Consistency with the Comprehensive Plan

Densities and intensities of proposed uses as compared to the densities and intensities of existing uses

- **Policy 13.1 provides guidance on this matter by stating, in part, that densities at the lower end of the density range will be appropriate adjacent to lower density residential uses or designations,**
- **The lowest density residential designation is Low Density Residential which allows residential density up to five (5) dwelling units per acre,**
- **The proposed density of the Milano PUD as well as the existing density of adjacent residential developments are all considered low density residential; and actually in the lower half of the density range allowed by the low density residential designation.**

Consistency with the Comprehensive Plan

Densities and intensities of proposed uses as compared to the densities and intensities of existing uses

Residential Development	Residential Density (units/acre)
Venetian Golf & River Club	1.53
Willow Chase	2.48
OUE Residential Properties on the south side of Border Road	0.20
Proposed Milano PUD	2.56

Findings of Fact – Comprehensive Plan

Finding of Fact (Comprehensive Plan): *The proposed Milano PUD is consistent with the South Laurel Neighborhood future land use designation and can be found to be compatible with existing adjacent uses. Land use compatibility will be further evaluated when subsequent land development applications are submitted to implement the Milano PUD. Overall, the proposed Milano PUD can be found consistent with the comprehensive plan.*

Compliance with the Land Development Code

The Milano PUD can be found to comply with the following Planned Unit Development (PUD) district standards:

- **Max. Residential Density: Maximum – 4.5 units per acre; 2.56 units per acre proposed,**
- **Min. Open Space: Minimum – 50% of project area: 55.2% proposed,**
- **Evidence of Unified Control; Development Agreement: Staff is working with the applicant to prepare a development agreement which needs to be in place prior to final approval of the rezone petition and is expected to address the following:**
 - Code specified sureties,
 - Concurrency,
 - Code required open space restriction, and
 - Other topics which may arise requiring agreement between the developer and the city.

Compliance with the Land Development Code

The Milano PUD can be found to comply with the following Land Development Code Provisions:

- **Procedural Requirements:** The rezone petition has been processed in compliance with the procedural requirements contained Section 86-47.
- **Applicable LDC Standards:** The Technical Review Committee reviewed the rezone petition and found it in technical compliance with all applicable LDC standards.
- **Rezone Considerations/Findings of Fact:** Affirmative findings can be reached for each of the rezoning considerations contained in Section 86-47(f).

Findings of Fact – Land Development Code

Finding of Fact (Land Development Code): *The proposed Milano PUD may be found in compliance with 1) the Planned Unit Development (PUD) district standards, 2) all applicable Land Development Code standards, and 3) the rezoning procedural requirements. In addition, affirmative findings can be reached for each of the rezoning considerations contained in Section 86-47(f). Overall, the proposed Milano PUD can be found in compliance with the Land Development Code.*

Concurrency

Staff conducted a preliminary concurrency evaluation and no concerns were identified regarding the availability of adequate public facilities to accommodate development of the proposed Milano PUD.

The applicant has recently made application for concurrency review and the application was routed for staff review. Concurrency approval will be incorporated into the development agreement.

Summary of Findings


1. **Findings of Fact (comprehensive plan)**: The Milano PUD can be found consistent with the comprehensive plan.
2. **Findings of Fact (Land Development Code)**: The Milano PUD can be found in compliance with the Land Development Code.
3. **Findings of Fact (concurrency)**: A preliminary concurrency analysis identified no concerns regarding the availability of adequate public facilities to accommodate the proposed Milano PUD. Concurrency approval will be incorporated into the development agreement.



Milano PUD
Rezone Petition No. 16-07RZ

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 for the Planning Commission to make recommendation on Rezone Petition No. 16-07RZ.

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If the Planning Commission elects to recommend approval of the subject rezone petition, the motion should include reference to:

- *The stipulation requiring dedication of right-of-way and improvements to Laurel Road. (see staff report, bottom of page 13)*
- *The stipulation requested by Sarasota County staff regarding grand trees (see staff report , bottom of page 12)*
- *The seven environmental stipulations brought forward by the applicant.*