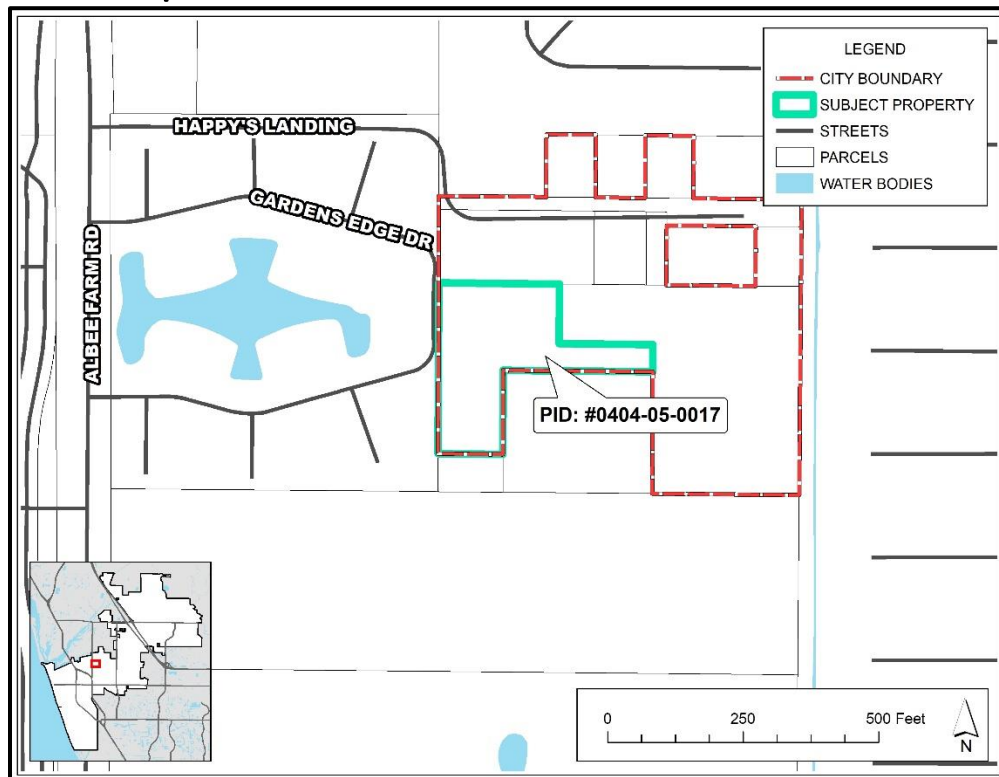


23-38CP – Oaks at Venice Comprehensive Plan Amendment Staff Report



GENERAL INFORMATION

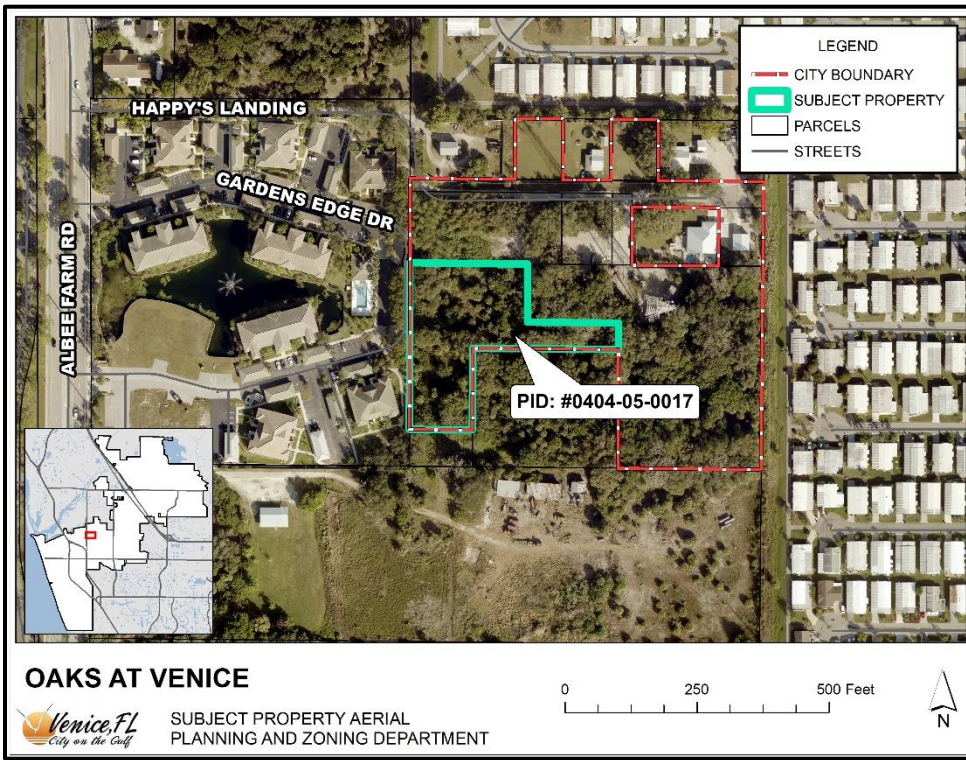
Address:	Unaddressed parcel east of Albee Farm Road
Request:	Assigning a City of Venice Future Land Use designation of Medium Density Residential to the subject property
Applicant:	The Oaks at Venice, LLC
Owner:	Douglas G. Andrews
Agent:	Annette Boone, Boone Law Firm
Parcel ID:	0404050017
Parcel Size:	1.43 ± acres
Future Land Use:	Sarasota County Low Density Residential
Zoning:	Sarasota County Open Use Estate 2
Comprehensive Plan Neighborhood:	Pinebrook Avenue
Application Date:	April 19, 2023
Associated Petitions:	23-27AN, 23-29RZ

I. PROJECT DESCRIPTION AND EXISTING CONDITIONS

The subject proposal comes alongside annexation petition 23-27AN and seeks to assign a City of Venice Future Land Use designation of Medium Density Residential (MEDR) for development of residential units. The property is intended to be included with the previously proposed development named Oaks at Venice, which was originally applied for as a site plan petition in 2021. That petition has since been closed and a new site plan will be reviewed under the current land development code. After this petition and its associated petitions are complete, this property can be included in that site plan.

Associated Annexation Petition 23-27AN and Rezoning Petition 23-29RZ have been filed concurrently with the subject petition. The associated Zoning Map Amendment petition requests the appropriate implementing district of Residential, Multi-Family 3 (RMF-3) to correspond with this Future Land Use map amendment request. The subject property currently has a Sarasota County Future Land Use designation of Medium Density Residential and Sarasota County zoning designation of Open Use Estate 2.

Aerial Map

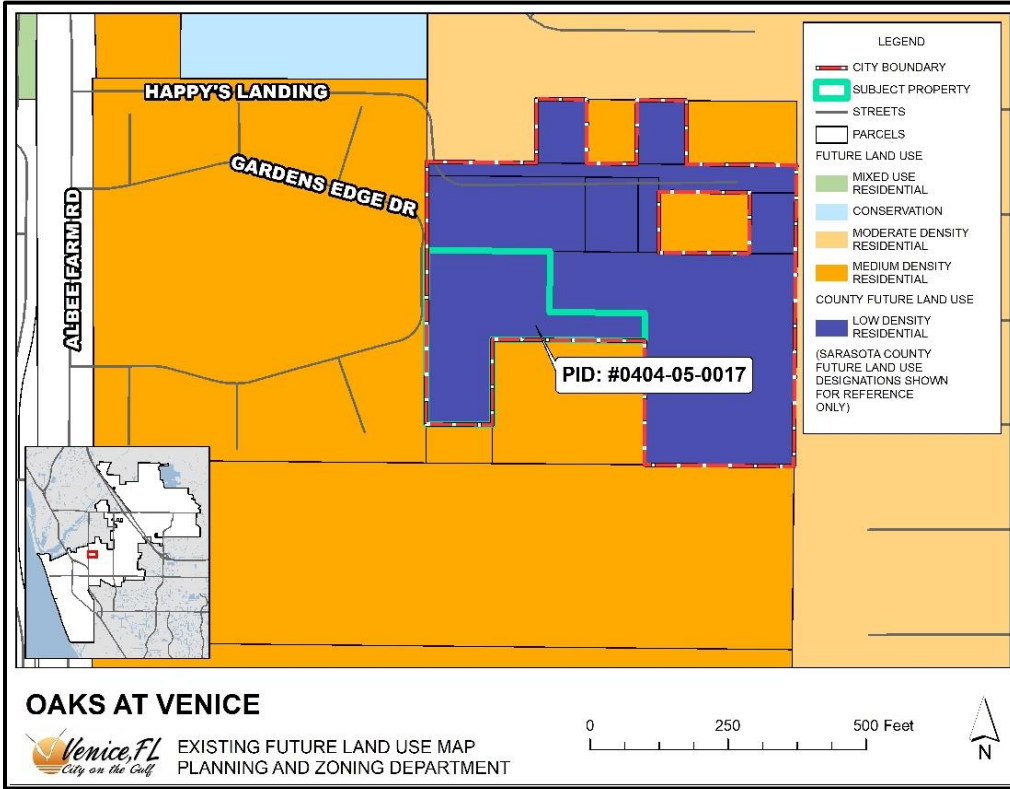


Site Photographs

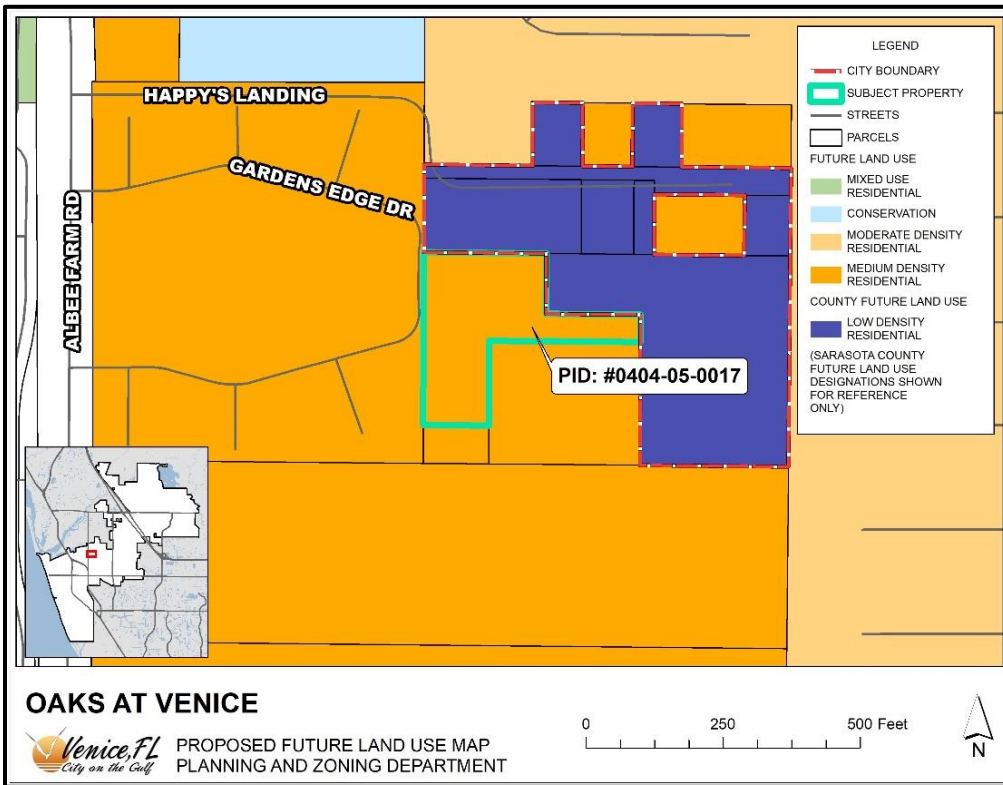




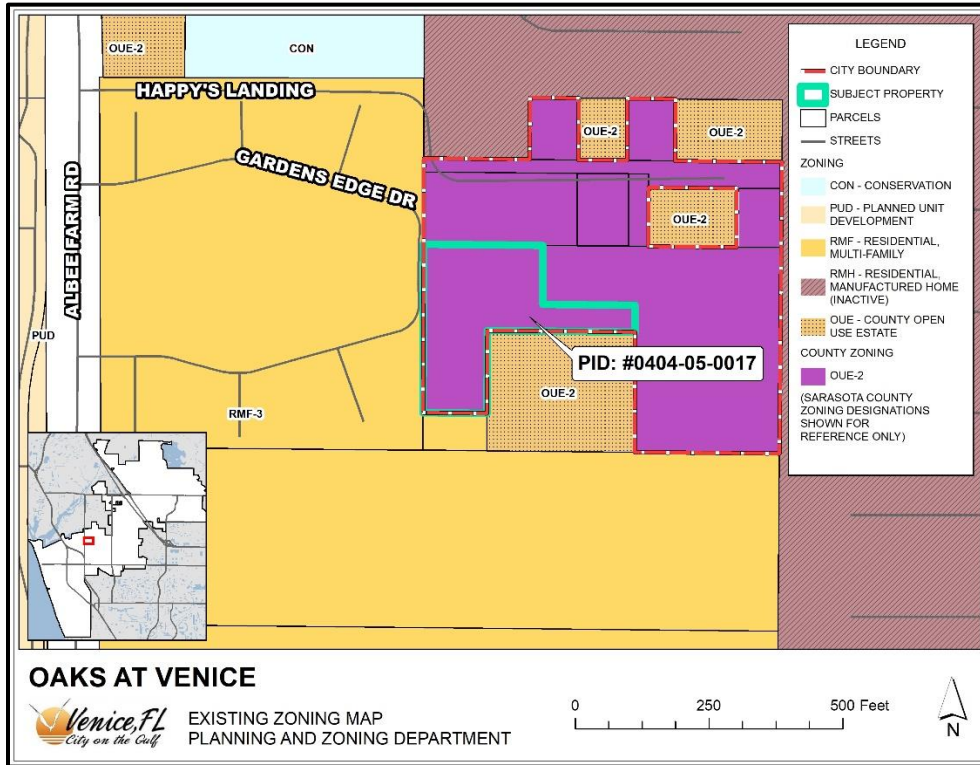
Existing Future Land Use Map



Proposed Future Land Use Map



Existing Zoning



Surrounding Property Information

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Residential	Sarasota County Open Use Estate 2 (OUE-2)	Sarasota County Low Density Residential
South	Residential	OUE-2 & City of Venice Residential Multi-Family 3 (RMF-3)	Sarasota County and City of Venice Medium Density Residential
East	Residential	OUE-2	Sarasota County Low Density Residential
West	Residential	RMF-3	City of Venice Medium Density Residential

II. PLANNING ANALYSIS

Land Development Code

Section 87-1.5.3 of the Land Development Code directs Planning Commission and City Council in their consideration of a Comprehensive Plan Amendment application. The Code includes the following decision criteria:

- A. *The City shall consider the impacts to the adopted level of service standards when considering any proposed Comprehensive Plan amendment.*
- B. *The City shall consider the compatibility matrix in the Comprehensive Plan and its subsequent impact on possible implementing zoning designations.*
- C. *The application must be found in compliance with all other applicable elements in the*

A transportation impact statement has been provided according to the requirements of Section 87-1.5, and a further review of traffic impacts will be conducted with any subsequent development applications.

Consistency with the Comprehensive Plan

This petition seeks to apply a Medium Density Residential Future Land Use designation to the subject property, which is located in the Pinebrook Neighborhood, home to a variety of land uses, including residential, office, commercial, and civic.

Strategy LU 1.2.3.c – Medium Density Residential includes “a variety of residential types – single family attached and multifamily; supports mixed use residential development.” The FLU designation assigned through this petition will not authorize development but will dictate the type of development that may occur. The applicant’s stated intent for multifamily residential is appropriate for this designation and will be limited to a density range of 9.1-13.0 dwelling units per acre.

Strategy LU 1.2.8 – Compatibility Between Land Uses provides a compatibility review matrix, which demonstrates no potential incompatibilities among the proposed MEDR and adjacent FLU designations.

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

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.

- I. 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 includes applicant and staff responses to each.

- 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.*
 - b. *The projected permanent and seasonal population of the area.*
 - c. *The character of undeveloped land.*

- d. *The availability of water supplies, public facilities, and services.*
- 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.*
- f. *The compatibility of uses on lands adjacent to or closely proximate to military installations.*
- g. *The compatibility of uses on lands adjacent to an airport.*
- h. *The discouragement of urban sprawl.*
- i. *The need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.*
- j. *The need to modify land uses and development patterns within antiquated subdivisions.*

Applicant Response: Per Florida Statutes Ch. 163, all municipalities in the state of Florida are required to adopt a Comprehensive Plan and periodically update and/or amend same. Consequently, the above considerations are requirements and guidelines for municipalities as they are in the statutorily required process of either adopting or amending a Comprehensive Plan. This statute and considerations found therein are not intended to apply to individual property owners seeking to voluntarily change the FLU designation of their property.

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

Applicant Response: Per Florida Statutes Ch. 163, all municipalities in the state of Florida are required to adopt a Comprehensive Plan and periodically update and/or amend same. Consequently, the above considerations are requirements and guidelines for municipalities as they are in the statutorily required process of either adopting or amending a Comprehensive Plan.

III. 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 a staff and applicant response:

- (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.*
- (II) *Promotes the efficient and cost-effective provision or extension of public infrastructure and services.*
- (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.*
- (VII) *Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.*

Applicant Response: Per Florida Statutes Ch. 163, all municipalities in the state of Florida are required to adopt a Comprehensive Plan and periodically update and/or amend same. Consequently, the above considerations are requirements and guidelines for municipalities as they are in the statutorily required process of either adopting or amending a Comprehensive Plan.

Summary Staff Comment: The project aims to resolve an existing enclave and assign City of Venice FLU designations to properties retaining County Flu designations. This will not create sprawl and will allow for denser multifamily development in a neighborhood that currently has a wide range of uses. Any site and development plan on the project will require sidewalk connectivity to be provided and environmental impact studies to be undertaken and reviewed by the City.

Conclusions/Findings of Fact: Staff has provided analysis of the proposed Comprehensive Plan Amendment regarding consistency with the Comprehensive Plan, the Land Development Code, 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.

III. CONCLUSION

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 Planning Commission to make a recommendation to City Council on Comprehensive Plan Amendment Petition No. 23-28CP.