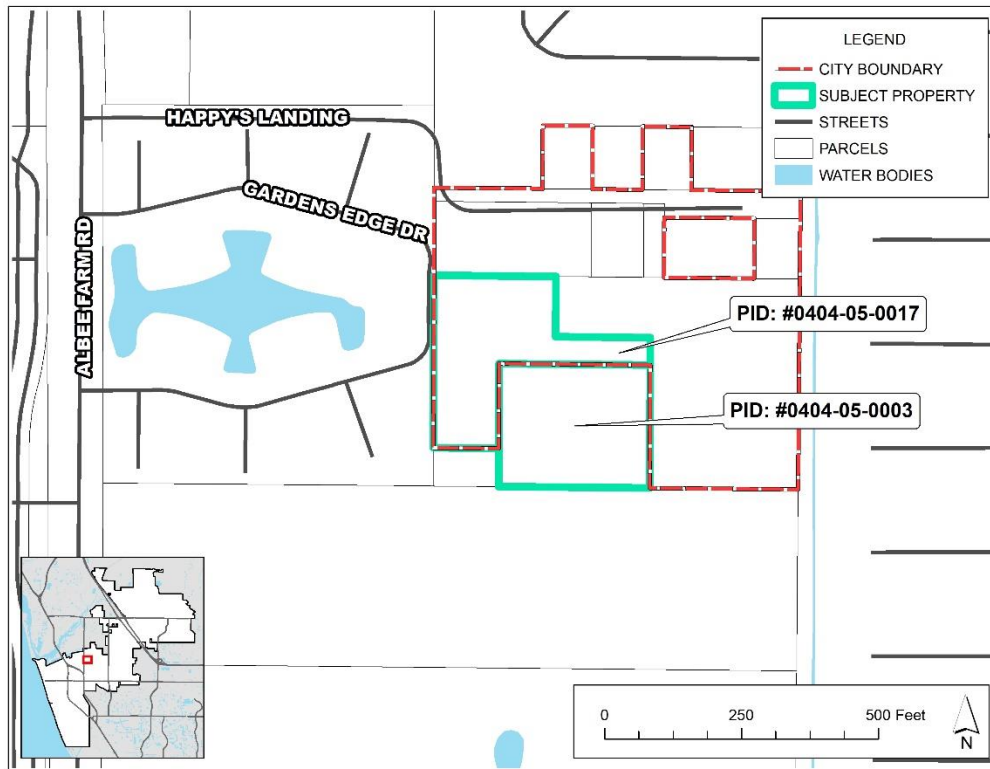


22-29RZ – Oaks at Venice Zoning Map Amendment Staff Report



GENERAL INFORMATION

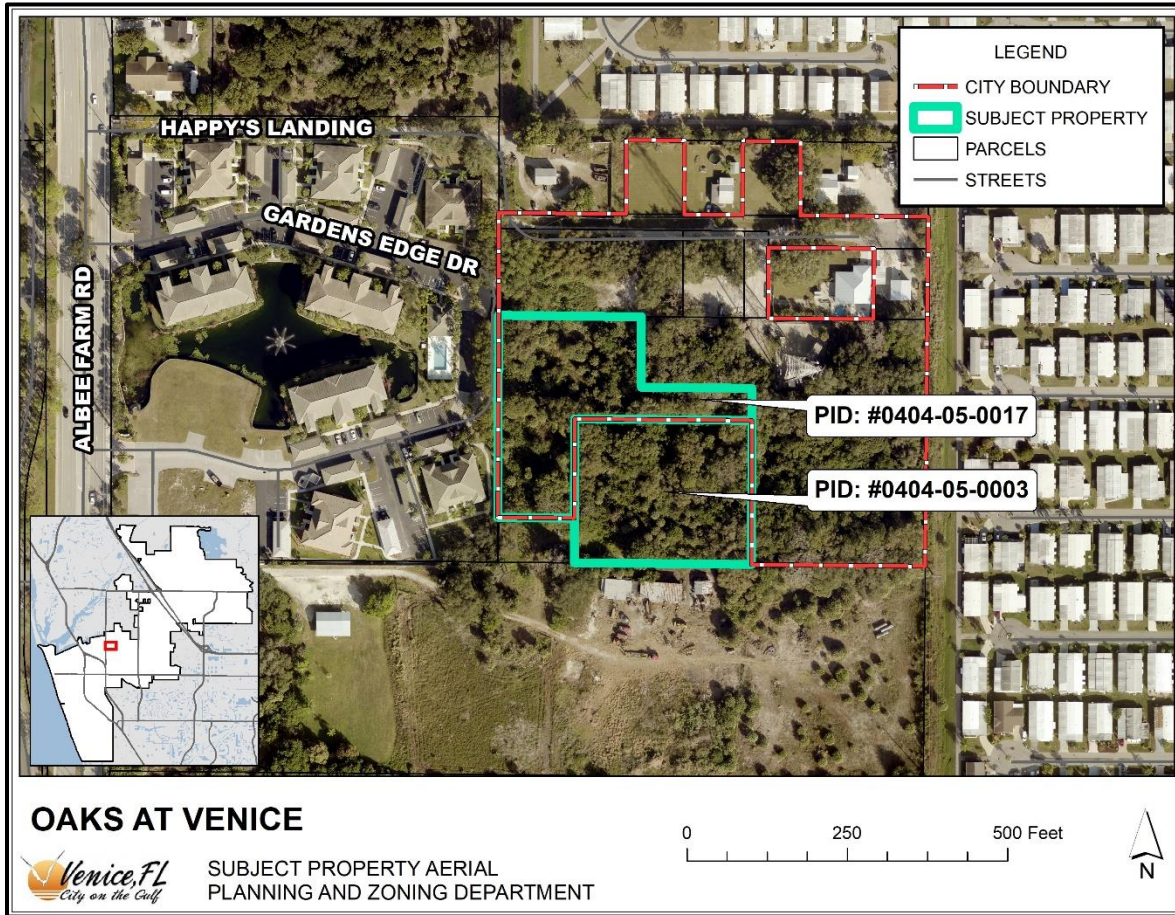
Address:	Unaddressed parcels east of Albee Farm Road
Request:	Assigning a City of Venice Residential, Multi-Family 3 (RMF-3) zoning district to the subject properties
Applicant:	The Oaks at Venice, LLC
Owners:	Douglas G. Andrews, Patrick E. Jaehne
Agent:	Annette Boone, Boone Law Firm
Parcel IDs:	0404050017, 0404050003
Parcel Size:	2.81 ± acres
Future Land Use:	Sarasota County Low Density Residential, City of Venice Medium Density Residential
Zoning:	Sarasota County Open Use Estate 2
Comprehensive Plan Neighborhood:	Pinebrook Avenue
Application Date:	April 19, 2023
Associated Petitions:	23-27AN, 23-28CP

I. PROJECT DESCRIPTION AND EXISTING CONDITIONS

The subject proposal seeks to assign a City of Venice zoning district of Residential, Multi-Family 3 (RMF-3) to two parcels for development of a multifamily project in conjunction with adjacent land already zoned RMF-3. Associated Annexation Petition 23-27AN and Comprehensive Plan Amendment Petition 23-28CP have been filed concurrently with the subject petition. The associated Comprehensive Plan Amendment petition requests the appropriate corresponding future land use designation of Medium Density Residential.

The subject properties currently have Sarasota County Future Land Use designations of Low and Medium Density Residential and a Sarasota County zoning designation of Open Use Estate 2.

Aerial Photo



Site Photographs

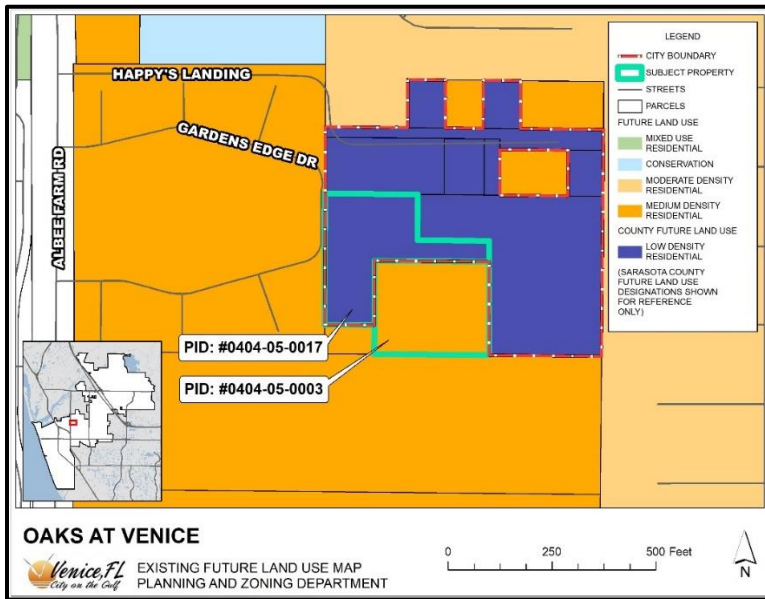




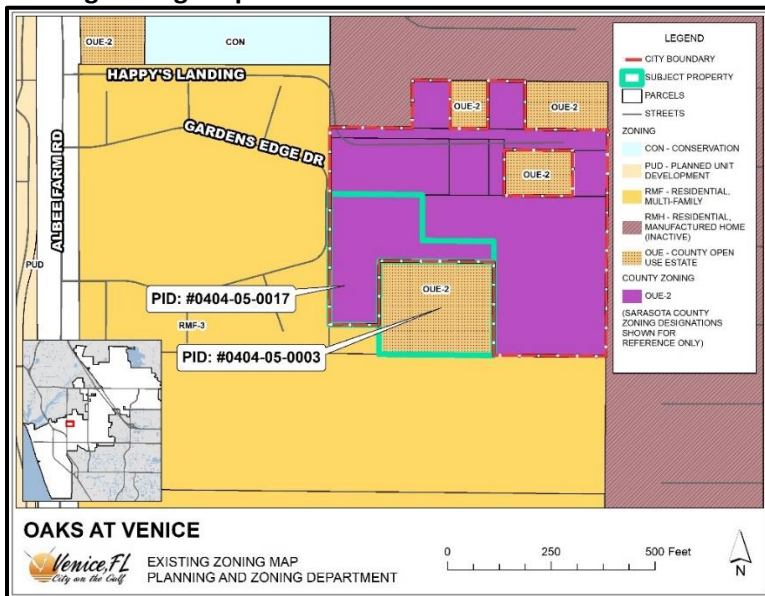
Surrounding Property Information

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

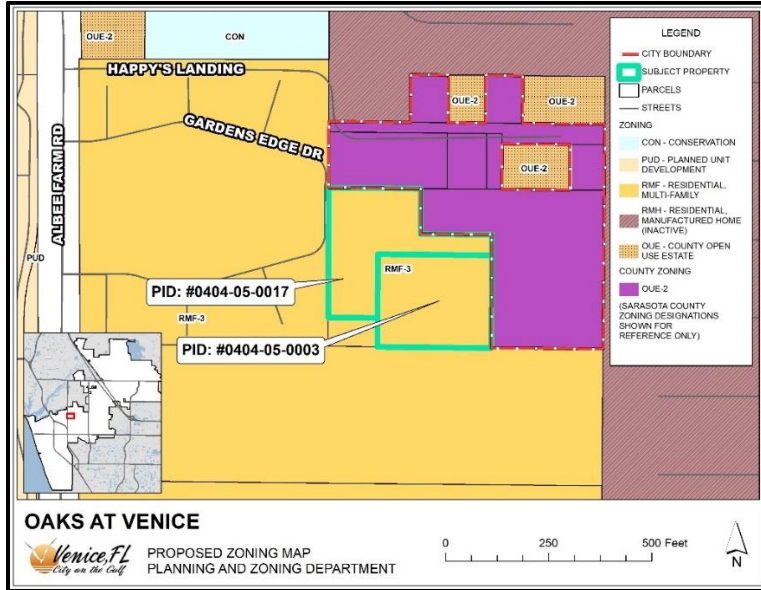
Future Land Use Map (as proposed through 23-28CP)



Existing Zoning Map



Proposed Zoning Map



II. PLANNING ANALYSIS

In this section of the report, analysis of the subject rezone petition evaluates A) how the existing County OUE-2 zoning districts compare to the proposed City RMF-3 zoning with regard to allowed uses and development standards, B) consistency with the Comprehensive Plan, C) compliance with the Land Development Code, and D) compliance with the City’s concurrency management and transportation mobility regulations and the project’s expected impacts on public facilities.

Comparison of Existing County Zoning and Proposed City Zoning

The applicant has submitted a zoning map amendment application to rezone the subject property from County Open Use Estate 2 to City Residential, Multi-Family 3. It is important to note that annexation of the property with PID 0404050017 necessitates that this property be rezoned to a city designation prior to any development proposal. The applicant’s intent is to include the two parcels under consideration here in a multifamily development with parcels to the south already zoned RMF-3.

The table below provides a comparison of the districts’ development standards and permitted uses.

Standards	Existing Zoning – OUE-2	Proposed Zoning – RMF-3
Density Limit	1 du/5 ac	13.0 du/ac
Maximum Dwelling Units on 2.81 acres	<1	36
Height	35 feet	46’ (57’ with height exception) 10’ allowed for understory parking
Lot Coverage	20%	45%
Principal Uses*	Residential, Agriculture, Borrow Pit, Family Daycare, Parks, Utilities, Crematorium	Essential Services (Minor), Single Family Attached Dwellings, Multifamily Dwellings, Home Day Care, Group Living

*Not an exhaustive list of district uses

Consistency with the Comprehensive Plan

The subject properties are proposed for the Future Land Use designation of MEDR. The properties are located in the Pinebrook Avenue Neighborhood.

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.” Neither the FLU designation assigned through petition no. 23-28CP nor this rezoning petition will authorize development, but these designations 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 by the Comprehensive Plan (rather than the zoning district). RMF-3 is an implementing zoning district of MEDR, so the request is consistent with the associated petitions for this project.

No other strategies in the Land Use Element, any other elements, or the Pinebrook neighborhood have been found to relate directly to the subject proposal.

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 Medium Density Residential future land use designation, strategies found in the Pinebrook Neighborhood element, and other plan elements. As indicated above, no inconsistencies have been identified. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

Land Development Code Compliance

The subject petition has been processed with the procedural requirements contained in Section 87-1.7 of the Land Development Code (LDC). In addition, the petition has been reviewed by the Technical Review Committee and no issues regarding compliance with the Land Development Code were identified.

Section 87-1.7.4 of the Land Development Code provides the following decision criteria for Planning Commission and City Council. The criteria and applicant responses are reproduced in this report.

1. Whether the amendment is compatible with the existing development pattern and the zoning of nearby properties.

Applicant Response: The proposed RMF-3 zoning designation for the Property is compatible with the existing development pattern and zoning of nearby properties. The Property is located in an area and neighborhood supporting a mixture of residentially zoned parcels.

2. Changes in land use or conditions upon which the original zoning designation was based.

Applicant Response:

- Parcel 1 is seeking annexation into the City as well as the Medium Density Residential FLU designation. Upon annexation, Parcel 1 will require a City FLU and zoning designation. RMF-3 is an implementing zoning designation for the Medium Density Residential FLU designation.
- Parcel 2 is has the current zoning designation of Residential Estate 1, which has been phased out since the City’s recent adoption of its new Land Development Regulations. The RMF-3 zoning designation will bring Parcel 2’s zoning into greater conformance with the new LDR.
- Moreover, the Applicant is seeking to develop Parcel 1 and Parcel 2 together with three (3) additional adjacent parcels, all of which have RMF-3 zoning, together as a multi-family residential development. Amending the Property’s zoning to RMF-3 will allow for consistent zoning across all five (5) parcels.

3. Consistency with all applicable elements of the Comprehensive Plan.

Applicant Response: The proposed RMF-3 zoning designation for the Property is consistent with the Comprehensive Plan.

- RMF-3 is an implementing zoning district for the Medium Density Residential FLU designation, which is the current designation of Parcel 2 and the proposed designation for Parcel 1.

4. Conflicts with existing or planned public improvements.

Applicant Response: The proposed RMF-3 zoning designation does not conflict with any existing or planned public improvements.

5. Availability of public facilities, analyzed for the proposed development (if any) or maximum development potential, and based upon a consideration of the following factors:

a. Impact on the traffic characteristics related to the site.

b. Impact on population density or development intensity such that the demand for schools, sewers, streets, recreational areas and facilities, and other public facilities and services are affected.

c. Impact on public facilities currently planned and funded to support any change in density or intensity pursuant to the requirements of the Comprehensive Plan and applicable law.

Applicant Response: No impact created by the proposed RMF-3 zoning designation for the Property based upon the above considerations will exceed the availability of public facilities necessary for service. However, in the event that the proposed zoning designation would create a demand for public facilities beyond what is currently available, impact fees paid by the development would cover any such increased demands. The City will thoroughly review all such considerations upon processing this application.

6. Effect on health, safety and welfare of the neighborhood and City.

Applicant Response: The proposed RMF-3 zoning designation will not cause any negative effect on the health, safety and welfare of the neighborhood and City.

7. Conformance with all applicable requirements of this LDR.

Applicant Response: The proposed RMF-3 zoning designation is in conformance with all applicable requirements of the City's LDR.

8. Potential expansion of adjacent zoning districts.

Applicant Response: The proposed RMF-3 zoning designation is consistent with adjacent parcels owned by the Applicant for which the Applicant intends to develop together as a multi-family residential project.

9. Findings of the Environmental Assessment Report, consistent with Chapter 89.

Applicant Response: Per Section 2.2.A of Ch. 89, an Environmental Assessment Report is not required for the Property on account of its size.

10. Any other applicable matters pursuant to this LDR, the Comprehensive Plan or applicable law.

Applicant Response: The proposed RMF-3 zoning designation is consistent with all applicable requirements of the City's LDR, Comprehensive Plan, and other laws and regulations.

Conclusions/Findings of Fact (Compliance with the Land Development Code):

The proposed zoning map amendment is compliant, and no inconsistencies have been identified with the LDC.

Concurrency/ Mobility

The applicant is not requesting confirmation of concurrency as part of the proposed zoning map amendment. Concurrency will be reviewed with a development proposal, 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.

No development has been proposed through this application. A Traffic Impact Analysis will be required with the submittal of a development proposal. An analysis of transportation concurrency will be performed by the City's traffic consultant at that time.

Conclusions/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.

Conclusions/Findings of Fact (Mobility):

No development has been proposed through this application. Traffic will be analyzed further with the submittal of a development proposal.

III. CONCLUSION

Planning Commission Report and Action

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 a recommendation to City Council on Zoning Map Amendment Petition No. 23-29RZ.