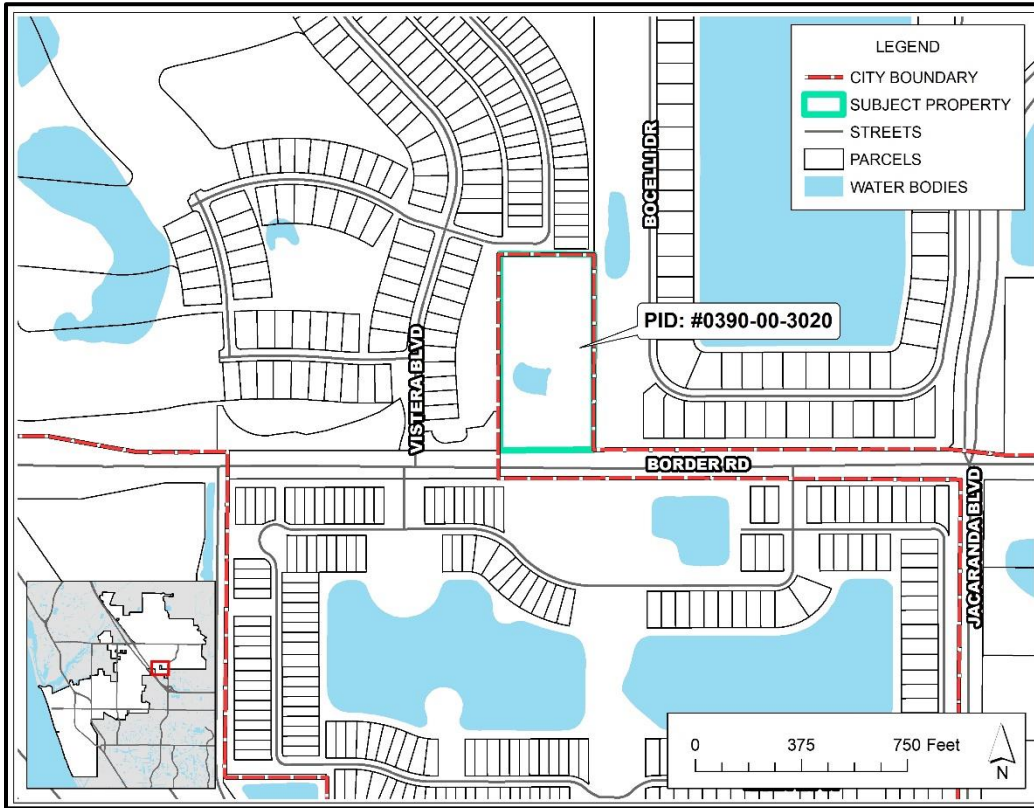


22-55AN BORDER ROAD STORAGE ANNEXATION

Staff Report



GENERAL INFORMATION

Address:	2114 Border Road
Request:	Annexation of 5.35 ± acres into the City's jurisdiction
Applicant:	Dan Lussier
Agent:	Brian Lichterman
Parcel ID:	0390003020
Parcel Size:	5.35 ± acres
Future Land Use:	Sarasota County Major Employment Center (MEC)
Zoning:	Sarasota County Open Use Estate 1 (OUE-1)
Comprehensive Plan Neighborhood:	Northeast Venice Neighborhood (Proposed)
Application Date:	September 14, 2022
Associated Petitions:	22-56CP and 22-57RZ

I. PROJECT DESCRIPTION AND EXISTING CONDITIONS

The subject property contains a single parcel of land totaling 5.35 acres, more or less. The parcel is situated north of Border Road, west of Jacaranda Boulevard and east of I-75. The subject property is contiguous on all four sides with the existing limits of the City of Venice. The subject property is located in Planning Area 2B of the adopted Joint Planning and Interlocal Service Boundary Agreement (JPA/ISBA). More specifically the property is located at 2114 Border Road, Venice, Florida 34292. The JPA/ISBA designates the subject property for annexation to the City and allows for a range of uses including residential development up to 13 dwelling units per acre, and non-residential (retail, office, industrial and manufacturing). The following Annexation request if approved, would allow the property to be redesignated on the City of Venice Comprehensive Plan as Commercial.

Site Photograph

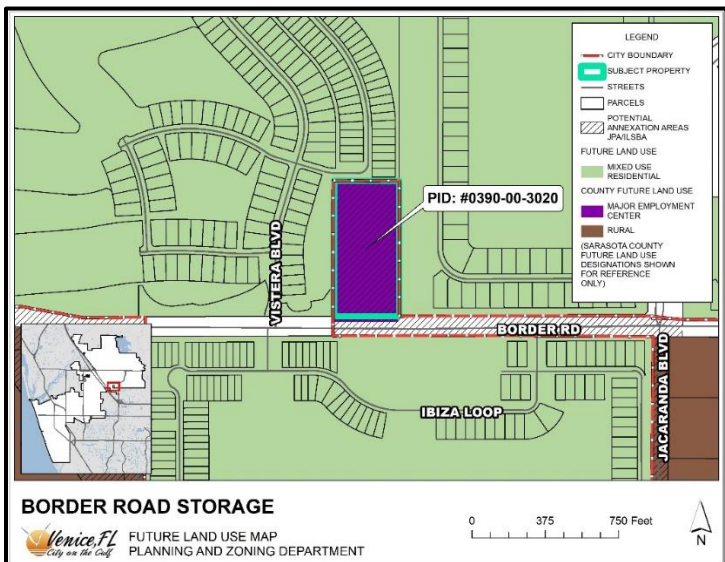


View from Border Road facing North

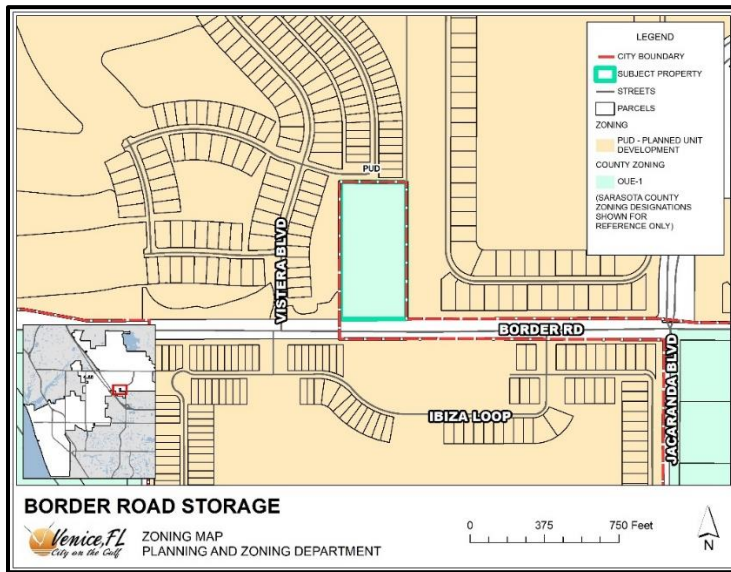
Zoning and Future Land Use

The subject property currently has a Sarasota County Future Land Use designation of Major Employment Center (MEC) and a Sarasota County Zoning designation of Open Use Estate 1 (OUE-1).

Existing Future Land Use Map



Existing Zoning Map



Surrounding Property Information

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Vistera	Planned Unit Development (PUD)	Mixed Use Residential (MUR)
South	Palencia	PUD	MUR
East	Aria	PUD	MUR
West	Vistera	PUD	MUR

II. NOTIFICATION OF POTENTIAL ANNEXATION TO SARASOTA COUNTY

The JPA/ILSBA provides that the City will not annex any lands other than those designated as Potential Annexation Areas identified in the agreement and that these areas consist of land likely to be developed for urban purposes.

The subject property lies within Area 2B of the JPA/ILSBA and provision of water service by the City and sewer service by the County is indicated for this area. The JPA/ILSBA indicates that the “County will not challenge, administratively, judicially, or otherwise, any annexations by the City that annex lands within the Potential Annexation Areas unless the annexed property is not contiguous, as defined in Chapter 171, Florida Statutes, to a City boundary, not compact, or cannot be adequately and reasonably served by police and fire services, or is inconsistent with this Agreement.”

The County has been notified of this and the related petitions and has provided comments. The County requested that the applicant provide an environmental narrative and depict the wetlands, as well as the associated buffers, on the preliminary site plan. In response the applicant has amended the preliminary site plan and shown the wetland in question in a conservation area and a 30’ upland buffer is depicted as the County requested. This project will be required to go through the Site and Development Plan process and will be subject to further review.

III. FINANCIAL FEASIBILITY

Consistent with the City’s annexation process, the applicant has provided the financial feasibility analysis below for the potential annexation of the subject property.

<u>TAXING AUTHORITY</u>	<u>PROJECTED TAXABLE VALUE</u>	<u>TAX RATE</u>	<u>TAXES</u>
SARASOTA COUNTY	\$5,426,520	3.2497	\$ 17,634.56
COUNTY DEBT	\$5,426,520	0.0915	\$ 496.53
LEGACY TRAIL	\$5,426,520	0.0551	\$ 299.00
MOSQUITO	\$5,426,520	0.0500	\$ 271.33
HOSPITAL	\$5,426,520	1.0420	\$ 5,654.43
SWFWMD	\$5,426,520	0.2260	\$ 1,226.39
WCIND	\$5,426,520	0.0394	\$ 213.80
SB STATE LAW	\$6,713,300	3.0240	\$ 20,301.02
SB LOCAL	\$6,713,300	3.2480	\$ 21,804.80
VENICE	\$5,426,520	4.3600	\$ 23,659.63
VENICE DEBT	\$5,426,520	0.4694	\$ 2,547.21
TOTAL			\$ 94,108.70

IV. PLANNING ANALYSIS

This section of the report provides planning analysis on consistency with Chapters 163 and 171 Florida Statutes, consistency with the City’s Comprehensive Plan, and compliance with the land development code.

Consistency with the Comprehensive Plan

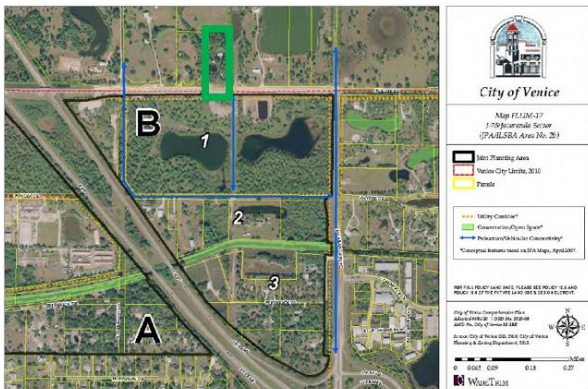
The Comprehensive Plan includes the JPA/ILSBA; therefore, the majority of the analysis for Comprehensive Plan consistency is related to this agreement. The subject petition has been processed consistent with the procedures identified in the JPA/ILSBA including notification of the potential annexation to Sarasota County. As indicated, the applicant is proposing Commercial for the subject property; JPA/ILSBA Area 2B subarea 2 (south of Ewing Drive and north of Curry Creek) permits 13 units per acre, calculated on a gross acreage basis.

The JPA/ILSBA indicates that the City may annex lands as long as the land is contiguous to the municipal boundaries of the City, as defined in Chapter 171, Florida Statutes. The area to be annexed should also be compact.

“Contiguous” means that a substantial part of a boundary of the territory sought to be annexed by a municipality is coterminous with a part of the boundary of the municipality. The subject property is contiguous to the City boundary along the entirety of its borders.

“Compactness” means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Any annexation proceeding in any county in the state shall be designed in such a manner as to ensure that the area will be reasonably compact. The subject property is reasonably compact and rectangular-shaped.

JPA/ILSBA Area No. 2B Map (subject property highlighted in green)



Following is the full text provided in the JPA/ILSBA for Area 2B:

- (3) Area 2B- 1-75 to Jacaranda Boulevard: The land use adopted in the Venice Comprehensive Plan for Subarea 1 (north of Ewing Drive) is a maximum of 9 units per acre, calculated on a gross acreage basis. The land use adopted for Subarea 2 (south of Ewing Drive and north of Curry Creek) is 13 units per acre, calculated on a gross acreage basis. The land use adopted for Subarea 3 (south of Curry Creek) is 18 units per acre, calculated on a gross acreage basis. Up to 50% of the acreage in this sector will be allowable for nonresidential (retail, office space, industrial and manufacturing) uses. The total square footage of nonresidential uses allowed in this Area shall not exceed a 2.0 FAR. Development shall be served by City water and County sewer. The Party with jurisdiction over the development application shall require that right of way be dedicated by the developer for improvements to Jacaranda Boulevard and be completed with appropriate contributions from the developer consistent with the standards in the County's land development regulations.

The project is proposed to be Commercial and will not have a density but will be subject to FAR requirements in JPA/ILSBA Area 2B at the time of site and development plan, which allows for a FAR of 2.0. The proposed 214,000 Sq. ft. self-storage building is estimated to have a floor ratio of 1.8. The future land use (FLU) at this time is a Sarasota County designation. There are no existing uses on the property that would be nonconforming with either the existing or proposed FLU designation, and further analysis of Comprehensive Plan consistency will be included in subsequent petitions.

Summary Staff Comment: *This is an annexation petition. When a Site and Development plan application is submitted it will be reviewed as a separate petition and consistency with the City's Comprehensive Plan will be determined through that process as well.*

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

Analysis has been provided to determine consistency with Chapters 163 and 171 of the Florida Statutes and the Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA) between the City and County. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

B. Compliance with the Land Development Code (LDC)

The City's LDC in Code Section 87-1.4.3 provides instruction regarding annexation of land, indicating that in order to approve a petition for annexation, the Planning Commission and City Council must find that an application for annexation demonstrates:

1. Consistency with state statute regarding annexation;

Applicant Response: *The Applicant has demonstrated consistency with F.S. § 163.3177(6)(a)(2), F.S. § 163.3177(6)(a)(8), and F.S. § 163.3177(6)(a)(9) as addressed in comments found later in this section of the application.*

Staff Response: The applicant does demonstrate consistency with Chapters 163 and 171 of the Florida Statutes and the JPA/ILSBA.

2. Contiguousness and compactness of the property;

Applicant Response: *The subject 5.35 Acres +/- is the only parcel included within Area 2B of the adopted JPA/ILSBA boundary. The Subject Parcel is the only missing parcel in the City Jurisdiction on the north side of Border Road between I-75 and Jacaranda Boulevard. Inclusion of the Subject Parcel into the City Limits will eliminate an isolated island of land within Sarasota County surrounded by the boundaries of the City of Venice.*

3. That the annexation does not create an enclave;

Applicant Response: *The Annexation of the subject 5.35 Acres +/- will serve to eliminate an enclave that has previously been recognized by both the City and Sarasota County. This was the intent the adoption of the JPA/ILSBA which included the Subject Parcel as Area 2B, to have this parcel be incorporated into the City of Venice. A map showing the annexation graphically on the City Future Land Use Map if the subject parcel is 14 annexed is included in this application. The subject parcel is an isolated island surrounded by the City Limits on all sides in the area of Border Road between I-75 and Jacaranda Boulevard. To incorporate this parcel into the City Limits will serve to eliminate an isolated 5.35 Acres +/- island of land within Sarasota County surrounded by the boundaries of the City of Venice.*

4. That the property is included in the annexation areas of the JPA/ILSBA or has been determined to be an existing enclave;

Applicant Response: *The Subject 5.35 Acres +/- was included within area 2B of the JPA/ILSBA boundary as contained in the application submitted. To incorporate this parcel will eliminate an isolated enclave of land within Sarasota County, totally surrounded by the boundaries of the City of Venice.*

5. That the property has access to a public right-of-way; and

Applicant Response: *The Boundary and Topographic Survey of the Subject 5.35 Acres +/- as contained in the application illustrating the subject parcel has legal access to Border Road Right of Way (a public road).*

6. That a pre-annexation agreement addresses existing uses and any other relevant matters has been executed.

Applicant Response: *Please see the executed pre-annexation agreement as contained in the application materials.*

Staff Response: Pre-annexation agreement was approved by City Council on June 13th, 2023.

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

The subject petition complies with all applicable Land Development Code requirements.

V. CONCLUSION

Planning Commission Report and Action

Upon review of the petition, Florida Statutes, the 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 Annexation Petition No. 23-55AN.