

Hurt Property

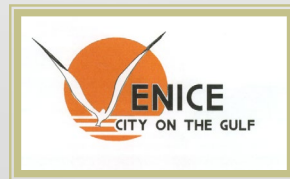
Comprehensive Plan Amendment

Petition No. 19-08CP

Project Owner and Agent:

Owners: Mary H. McMullen, Joseph W. Hurt and Randall C. Hurt Trustees of the Shackett Creek Trust

Agent: Jeffery A. Boone, Esq., Boone Law Firm



We serve with PRIDE

Comprehensive Plan Amendment

Hurt Property

PETITION NO.: 19-08CP

REQUEST: Comprehensive Plan Amendment to change the existing Sarasota County Rural future land use designation of the property to a newly proposed Mixed Use Transitional (MUT) designation, to include applicable text in the Knights Trail Neighborhood section of the Plan, and to revise all affected maps and graphics in the

GENERAL DATA

Owner: Mary H. McMullen, Joseph W. Hurt and Randall C. Hurt Trustees of the Shackett Creek Trust u/a/d November 25, 2002

Agent: Jeffery A. Boone, Esq., Boone Law Firm

Location: East of I-75, South of Rustic Rd.

Parcel ID's: 0364100001 & 0377020001

Property Size: 214± Acres

Existing Future Land Use: Sarasota County Rural

Proposed Future Land Use: City of Venice Mixed Use Transitional (MUT)

Comp Plan Neighborhood: Knights Trail Neighborhood

Existing Zoning: Sarasota County Open Use Estate-1 (OUE-1)

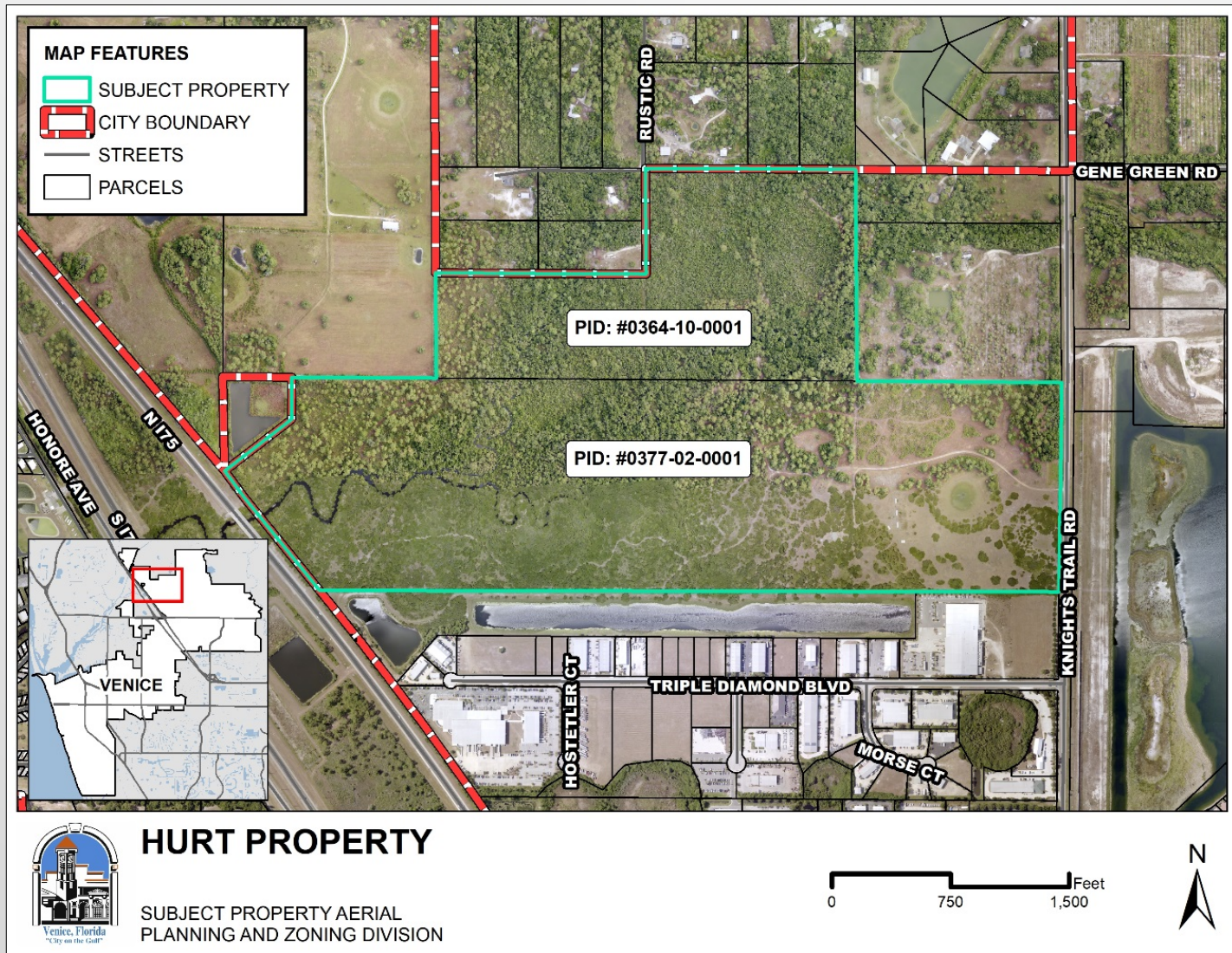
Proposed Zoning: City of Venice Commercial, General (CG) and Residential Multi-Family 3 (RMF-3)

Comprehensive Plan Amendment

Coordination with Sarasota County:

- The JPA/ILSBA provides that the City will forward submittals for rezoning of property located within the JPA within 30 days of receipt to Sarasota County for review.
 - Application deemed complete on March 6, 2019.
 - Forwarded to Sarasota County staff on March 25, 2019.
- County provided review comments
 - March 29, 2019
 - April 22, 2019
 - August 29, 2019
 - January 31, 2020
- *“The City’s recommendation to the City Planning commission and City Council to approve, approve with conditions, or deny a proposed Development of Extrajurisdictional Impact will set forth all County-proposed stipulations that are based on adopted County standards, neighborhood and community plans, industry standards, or common agreement between the City and County.”*
- No stipulations or conditions have been provided.

Aerial Photograph



Photographs of the Site



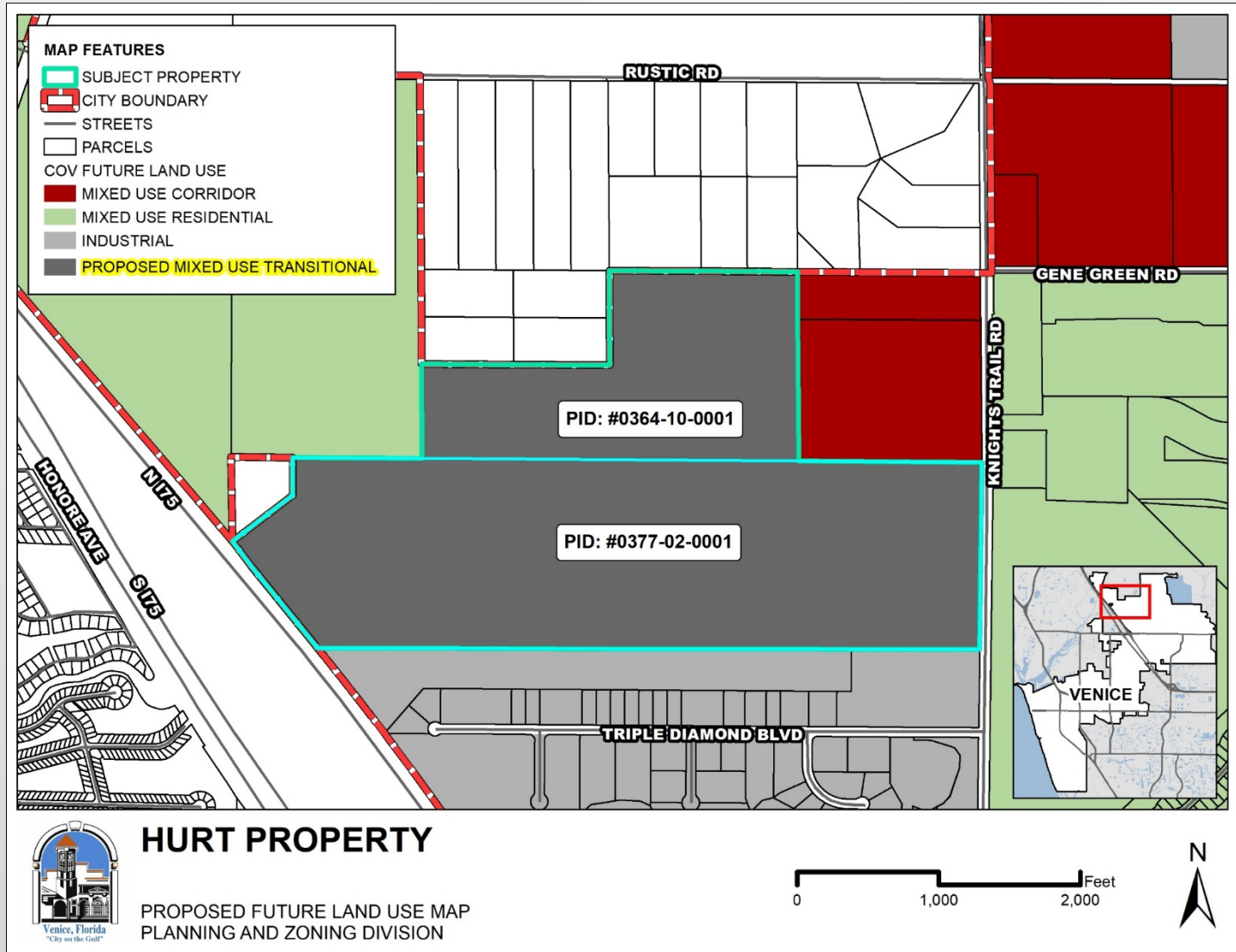
View looking southwest at end of Rustic Road toward I-75



Surrounding Property Information

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Agricultural	Sarasota County OUE-1 and City PUD	Sarasota County Rural and City MUR
West	I-75 and Residential	Sarasota County OUE-1 and City PUD	Sarasota County Rural and City MUR
South	Industrial (Triple Diamond Commerce Plaza)	PID	Industrial
East	Agricultural and Residential (Toscana Isles)	Sarasota County OUE-1, City RMF-4, and PUD	Mixed Use Residential and Mixed Use Corridor

Proposed Future Land Use Map



Comprehensive Plan Amendment

1. Create a new Strategy 1.2.9e – Transitional (MUT) future land use designation and apply it to the subject property.
2. Include the subject property in the Knights Trail Neighborhood and add a new Strategy LU-KT 1.1.7-Mixed Use Transitional to the Knights Trail Neighborhood in the Comprehensive Plan to establish a unique MUT designation with specific development parameters applicable to the subject property.
3. Revise all other impacted maps, graphics, and data throughout the Comprehensive Plan.

Planning Analysis

Land Development Code-Specified Review of Comprehensive Plan Amendments.

Section 86-33(5) of the Land Development Code directs planning and zoning staff in its review of a comprehensive plan amendment application. The code provision specifies that:

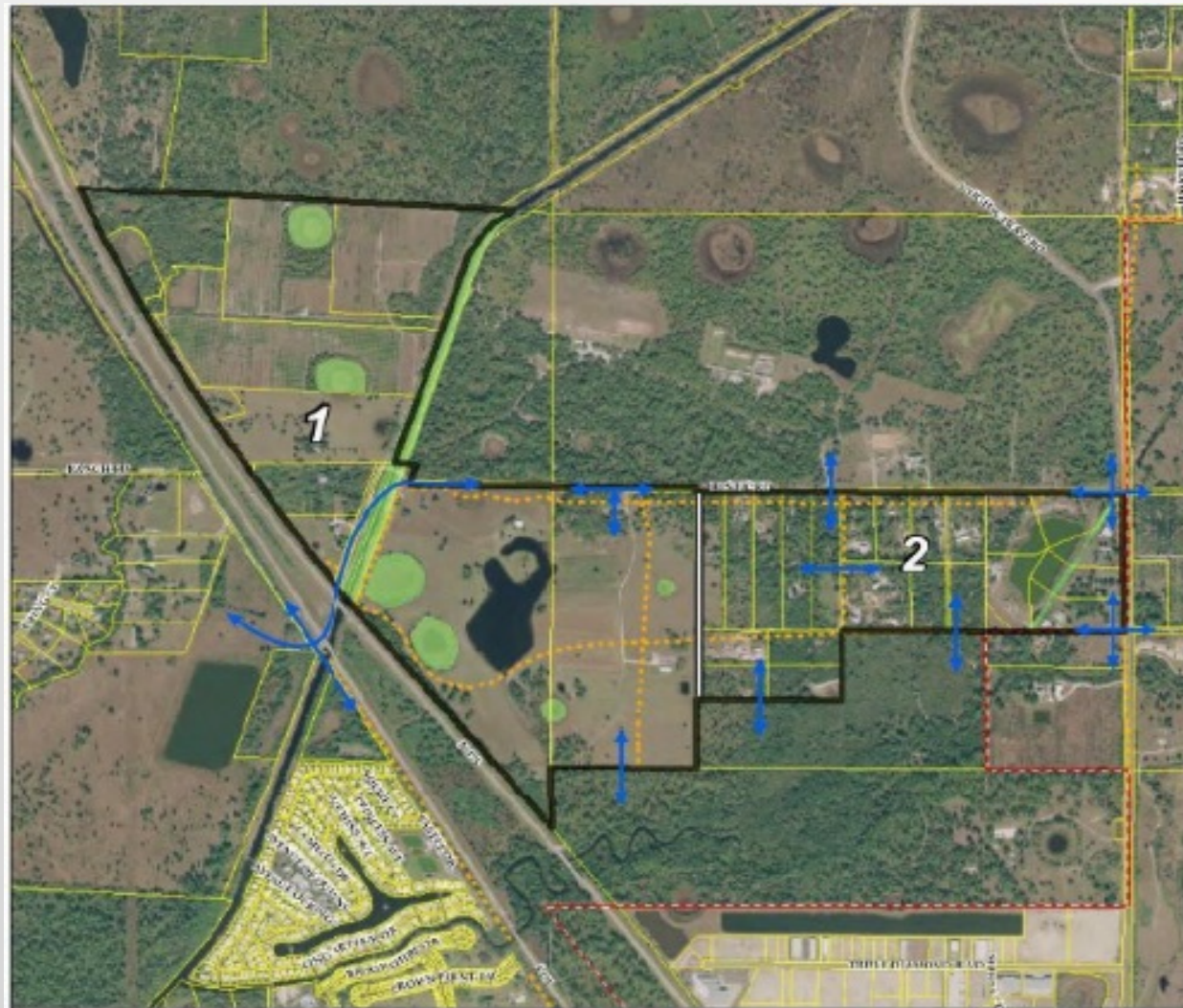
This review will be done to determine consistency with the comprehensive plan and other relevant city ordinances, resolutions or agreements, and assess the effect of the proposed amendment upon the financial feasibility of the comprehensive plan. This analysis shall also address the proposed amendment's consistency with the applicable requirements of F.S. ch.163.

Planning Analysis

Consistency with the Comprehensive Plan, Relevant City Ordinance, and Resolutions or Agreements

- Compatibility
 - Strategy LU 1.2.11 regarding internal compatibility.
 - Strategy LU 1.2.13 regarding external compatibility.
Being drafted in the LDR update.
- Pre-Annexation Agreement
 - Approved by City Council on April 30, 2019
 - Developer Costs
 - Access including roadways
 - Utilities and common area improvements
 - Internal roadways and stormwater facilities
 - 40x40 well site and all associated easements
 - Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA)

JPA Area 1



City of Venice

Map FLUM-15
Rustic Road Neighborhood
(JPA/LSBA Area No. 1)



Joint Planning Area

Venice City Limits, 2010

Parcels

Subarea Delineation

- Utility Corridor*

Conservation/Open Space*

→ Pedestrian/Vehicular Connectivity*

^aConceptual features based on JPA Maps, April 2007.

FOR FULL POLICY LANGUAGE, PLEASE SEE POLICY 18.1 AND POLICY 18.2 OF THE FUTURE LAND USE & DESIGN ELEMENT.

City of Venice Comprehensive Plan
Adopted 06/01/2011 ORD No. 249-08
AMD No. City of Venice 30-HER

Source: City of Venice (2005, 2010); City of Venice Planning & Zoning Department, 2014.



Proposed Strategy LU 1.2.9.e

Strategy LU 1.2.9.e - Transitional (MUT)

1. Limited to the Knights Trail Neighborhood west of Knights Trail Road and south of Rustic Road generally comprised of 214 acres.
2. Supports mixed use (horizontal and vertical).
3. All Non-Residential Uses are permitted. Industrial Uses shall be limited to the area south of Salt Creek and its southern branch.
4. Low and Moderate Density Residential uses are permitted. Single-family residential uses shall be limited to the area north of Salt Creek and its southern branch.
5. Designation Total Development (Min/Max Percentages) as follows:
 - a. Non-Residential: 30%/95%
 - I. Industrial: Up to 40% of the MUT Area
 - b. Residential: 5%/70%
6. Intensity/Density:
 - a. Non-Residential Intensity (FAR): 0.5 (average) Designation-Wide; 1.0 maximum per individual property
 - b. Residential Density: 5.1 - 9.0

LEGEND

- ① Corner monument
- ② Intersection of 200'
- ③ Corner monument
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PLAT MAP OF A PORTION OF THE 100TH MERIDIAN, LINCOLN COUNTY, NORTH DAKOTA

LESS PARCELS

PARCEL CONTAINS: 213.8762 ACRES

TRIPLE DIAMOND COMMERCE PLAZA

MUT

Strategy LU-KT 1.1.7 - Mixed Use Transitional

The MUT within the Knights Trail Neighborhood comprises approximately 214 acres generally located west of Knights Trail Road and south of Rustic Road (see mixed use descriptions in the Future Land Use Element). The following shall apply for the MUT designation:

- A. The minimum residential density is 5.1; the maximum residential density is 9.0 dwelling units (DUs) per gross acre. The range of dwelling units permitted in the MUT is:

	Acres	DU's/AC	Min Dev	Max Dev	Min DU's	Max DU's	Existing
MUT	214	9.0	5%	70%	55	1,348	1

- B. The maximum non-residential intensity for the overall area is calculated based on a FAR of 0.50 (designation-wide); 1.0 (for individual sites). The range of square footage permitted in the MUT is:

	Acres	FAR	Min Dev	Max Dev	Min Sq. Ft	Max Sq. Ft	Existing
MUT	214	0.50	30%	95%	1398,276	4,427,874	0

Table Changes- Page 29

Mixed Use Land Use	Intensity (Floor Area Ratio)	Residential Density	Implementing Zoning Districts
Downtown	See Strategies below for the respective Intensity and Density Standards including Maximum Levels of Development. Residential densities below are per parcel and not an average across the Mixed Use Designation.		CBD, RMF-3, RMF-4, CN, CG, OPI, CMU
Seaboard			RMF-3, RMF-4, CN, CG, CI, CSC, PCD, ILW, PID, CMU
Corridor			RMF-3, RMF-4, PUD, CN, CG, CI, OPI, OMI, PCD, ILW, CMU
Airport			GU, PCD, PID
<u>Transitional</u>			<u>RSF-4, RMF-2, RMF-3, PUD, CN, CG, CI, CMU, OPI, OMI, CSC, PCD, PID, ILW, GU</u>
Residential			PUD

Development Type	JPA/ILSBA Area 1	Sarasota County Rural	Proposed MUT
Residential	5 to 9 units per acre (Max 1,926 units on 214 acres)*	1 unit per 5 acres (Max 43 units)*	Up to 9 units per acre (JPA limits to a Max. 1,348 units)* Min. 96 units*
Non-Residential	Up to 50% (353.5 acres of the total 707 acres in Area 1)**	Specific uses that support the region or are compatible with urban uses	Max of 95% (203.3 acres). Min of 30% (64.2 acres).*

*Numbers based on the subject property

**Numbers based on the entire JPA Area 1

Planning Analysis

Planning Commission Consideration

Staff has the following concerns regarding the newly proposed MUT land use designation:

- The proposed MUT provides for the entire range of uses from single-family residential to industrial.
- The minimum percentage of possible residential uses is lower than that provided in the other mixed use designations

Side Note: Minimum density of JPA Area 1 may not be achievable and a JPA Amendment may be necessary at some point.

Planning Analysis

Financial Feasibility of the Comprehensive Plan:

- The Pre-Annexation Agreement Provides:
 - *At the time of development of the Subject Property, the Owners, or their successors and assigns, shall design, construct, and pay for installing , extending, sizing, and upsizing all offsite and onsite potable water, reclaimed water, and wastewater utility pipelines, and lift-stations necessary to serve the full buildout of the project.*
- The applicant provided a financial feasibility study as part of the approved annexation.

Planning Analysis

Consistency with Chapter 163 Florida Statute:

- Section 163.3177(6)(a)2 provides the future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area
- Section 163.3177(6)(a)8 provides FLUM amendments should be based on LOS analysis, suitability of the undeveloped land, and the minimum amount of land needed to achieve the statutory goals.
- Section 163.3177(6)(a)9 provides that amendments shall discourage urban sprawl.

Planning Analysis

- *Finding of Fact: Staff has provided analysis of the proposed Comprehensive Plan Amendment regarding consistency with the Comprehensive Plan, the Land Development Code (LDC), and other relevant city ordinances, resolutions or agreements. In addition, analysis has been provided with reference to impact on the financial feasibility of the comprehensive plan, and 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.*

Planning Commission Determination:

Pursuant to Section 86-33(7), the Planning Commission, sitting as the local planning agency, shall hold an advertised public hearing on a proposed comprehensive plan amendment to review the amendment and provide recommendations to city council. The Planning Commission's recommendation shall be based, in part, on staff's planning analysis and findings related to the proposed comprehensive plan amendment. Section IV of this report includes a review of factors required by Section 86-33(5) of the Land Development Code and Florida Statutes Section 163.3177(6)(a) and provides the Planning Commission with competent and substantial evidence to support a recommendation to City Council.