

23-18AN Deans Property Staff Report



GENERAL INFORMATION

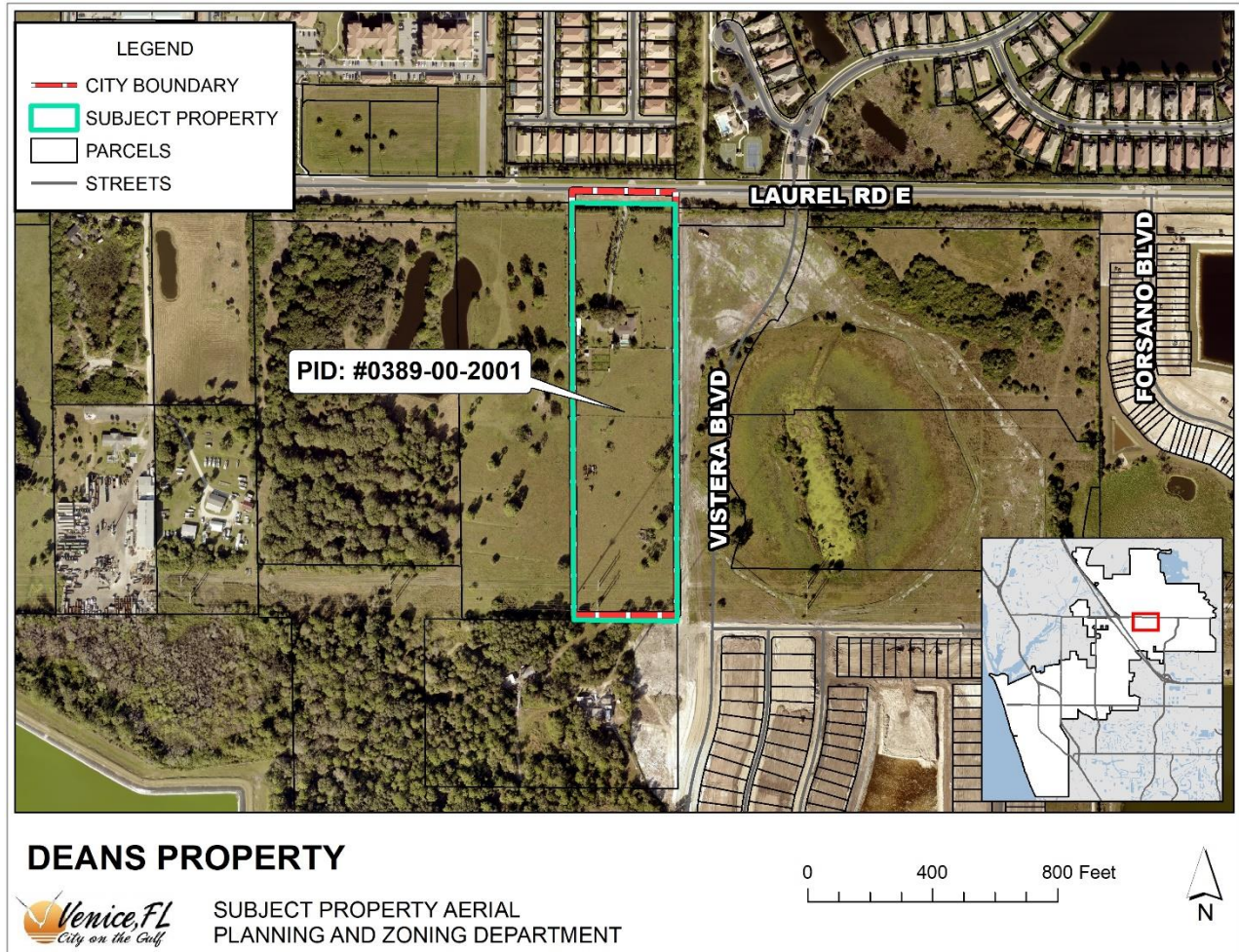
Address:	3600 Laurel Road East.
Request:	To annex a 10.15 ± acre property into the City of Venice jurisdiction
Applicant:	Stiles Corp.
Owner:	Stephen & Cherie Deans
Agent:	Jackson R. Boone, ESQ, Boone Law Firm
Parcel ID:	0389002001
Parcel Size:	10.15 ± acres
Future Land Use:	Sarasota County Major Employment Center (MEC)
Current Zoning:	Sarasota County Open Use Estate (OUE)
Comprehensive Plan Neighborhood:	Northeast Neighborhood
Application Date:	March 9, 2023
Related Applications:	23-19CP and 23-20RZ

I. BACKGROUND

The subject parcel is located south of Laurel Road East and west of Vistera Boulevard at 3600 Laurel Road East. The subject proposal is a voluntary annexation of the property to allow for a multifamily residential development.

The proposed annexation petition is part of a three-part application including a request for a Zoning Map Amendment Petition (23-20RZ) and a Comprehensive Plan Amendment (23-19CP); however, they will not be discussed in this report.

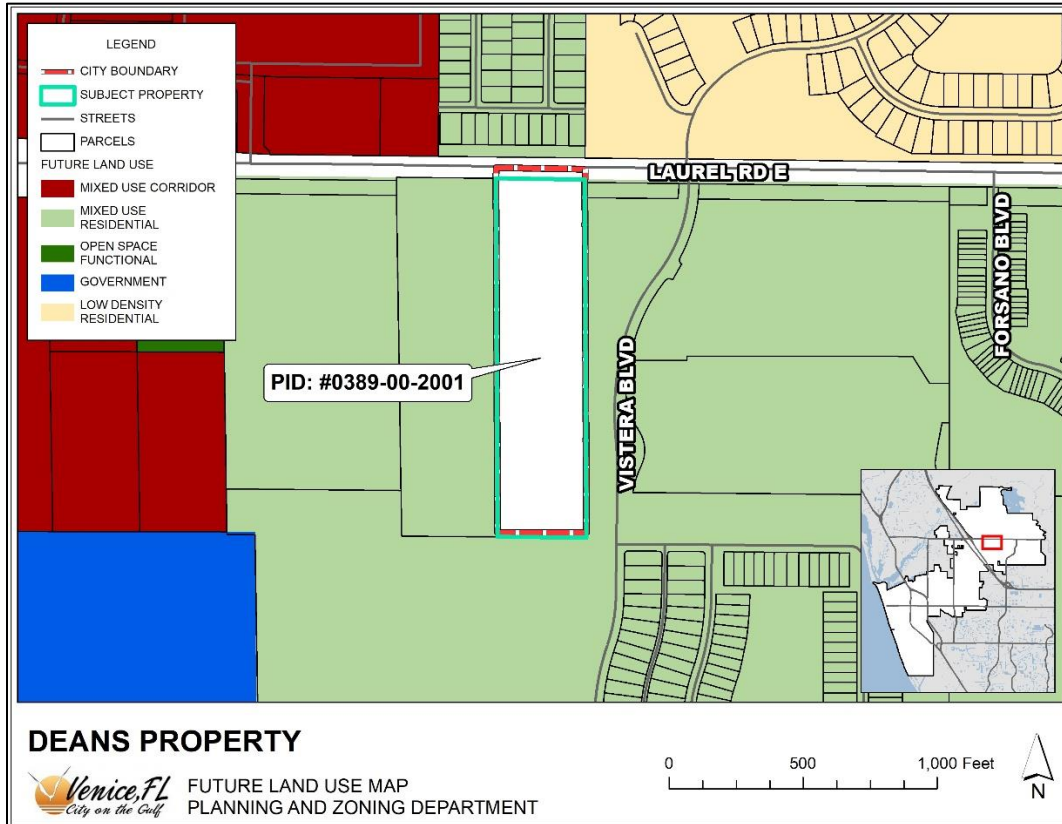
Aerial Photo



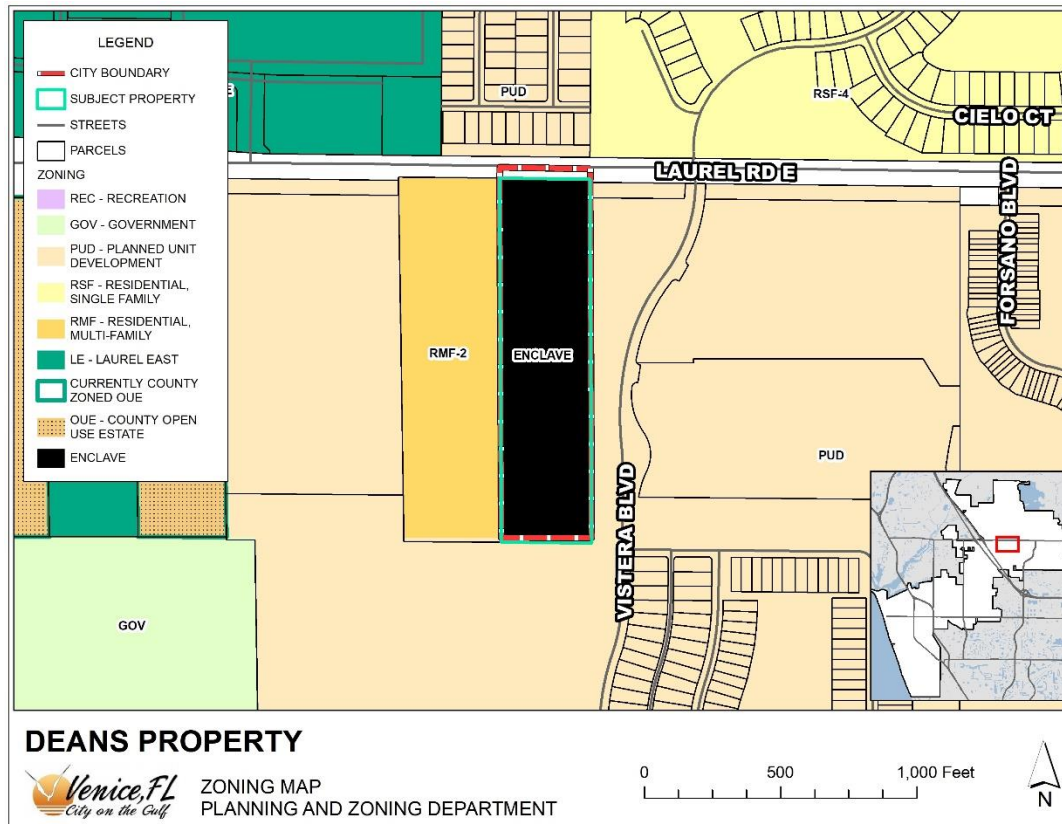
Future Land Use and Zoning

The Future Land Use designation for the subject property is Sarasota County Major Employment Center (MEC), with the current zoning on the subject property being Sarasota County Open Use Estate (OUE), as depicted on the maps below. The subject property is indicated enclave.

Future Land Use



Current Zoning



Surrounding Land Uses

Direction	Existing Land Uses(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Residential (Toscana Isles), Commercial (Mirasol)	Laurel East (LE), Planned Unit Development (PUD)	Mixed Use Residential (MUR), Mixed Use Corridor (MUR)
South	Residential (GCCF PUD)	PUD	MUR
East	Residential (GCCF PUD)	PUD	MUR
West	Residential	RMF-2	MUR

II. NOTIFICATION OF POTENTIAL ANNEXATION TO SARASOTA COUNTY

The subject property is not part of the JPA/ILSBA designated planning areas for annexation however, the property is still eligible for annexation. Per the City’s Land Development Code Chapter 87 Sec.1.4.1, “Any property identified as a potential annexation area within the JPA/ILSBA or determined to be an enclave is eligible for annexation.” The subject property is considered an enclave and the applicant is voluntarily requesting to annex into the City of Venice. Potable water and reclaimed water service will be provided by the City of Venice.

III. FINANCIAL FEASIBILITY ANALYSIS

Consistent with the City’s annexation process, the applicant has provided the financial feasibility analysis below (table and the notes that immediately follow it taken verbatim from the application) for the potential annexation of the subject property.

	Units	Average Taxable	Ad Valorem	Utility Fees Per Unit	Impact Fees Per Unit
Multi-Family (MF)	130	300,000	\$1,487.22	\$4,785	\$8,224.67
Total MF			\$193,338.60	\$622,050.00	\$1,069,207.10

NOTES:

- Additional Annual Revenues to the City will result from Communication Service Tax, Insurance Premium Taxes, Utility Service Taxes, Franchise Fees, Water and Sewer Fees, and other License and Permitting Fees.
- Infrastructure enhancements to the public transportation network, utility system, schools, and recreational facilities shall be determined by way of the Pre-Annexation Agreement and at the time of development. All such necessary improvement shall be provided by the developer or through impact fees.

IV. PLANNING ANALYSIS

This section of the report provides planning analysis on consistency with Chapter 171 Florida Statutes, consistency with the City’s Comprehensive Plan, and compliance with the Land Development Code.

Consistency with Chapters 171 Florida Statutes and the City’s Comprehensive Plan

The applicant has submitted a petition for annexation of the subject property from the jurisdiction of Sarasota County into the jurisdiction of the City of Venice. The property is eligible for annexation into the City due to the subject property’s status as an enclave. Chapter 171 of the Florida Statutes provides for the adoption of Local Government Boundaries.

Consistency with the Comprehensive Plan

The subject petition has been processed consistent with the procedures identified in the Land Development Code and Comprehensive Plan as well as the necessary Florida Statutes. As indicated, the applicant is proposing RMF-3 for the subject property. Approval of the annexation does not extend to any proposed uses. Uses will be determined based on the subsequent consideration of future land use and zoning.

Defined within the Florida Statutes in Chapter 171, the City may annex lands as long as the land is contiguous to the municipal boundaries of the City. 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 surrounded by the City of Vencie.

“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.

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 and does not propose development or a change in future land use. Subsequent petitions will be reviewed regarding development and consistency with the Plan.*

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

Analysis has been provided to determine consistency with Chapter 171 of the Florida Statutes. 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 87-1.4.2 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 application is consistent with FS Chapter 171.

2. Contiguousness and compactness of the property;

Applicant Response: The property is contiguous and compact.

3. That the annexation does not create an enclave;

Applicant Response: The annexation does not create an enclave and will eliminate an existing enclave.

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 property has been determined to be an existing enclave.

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

Applicant Response: The property has access to Laurel Road, a public right-of-way

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

Applicant Response: A draft Pre-Annexation Agreement has been provided to the City addressing existing uses and all other relevant matters and will be executed upon approval by City Council.

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

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

I. 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 on Annexation Petition No. 23-18AN.