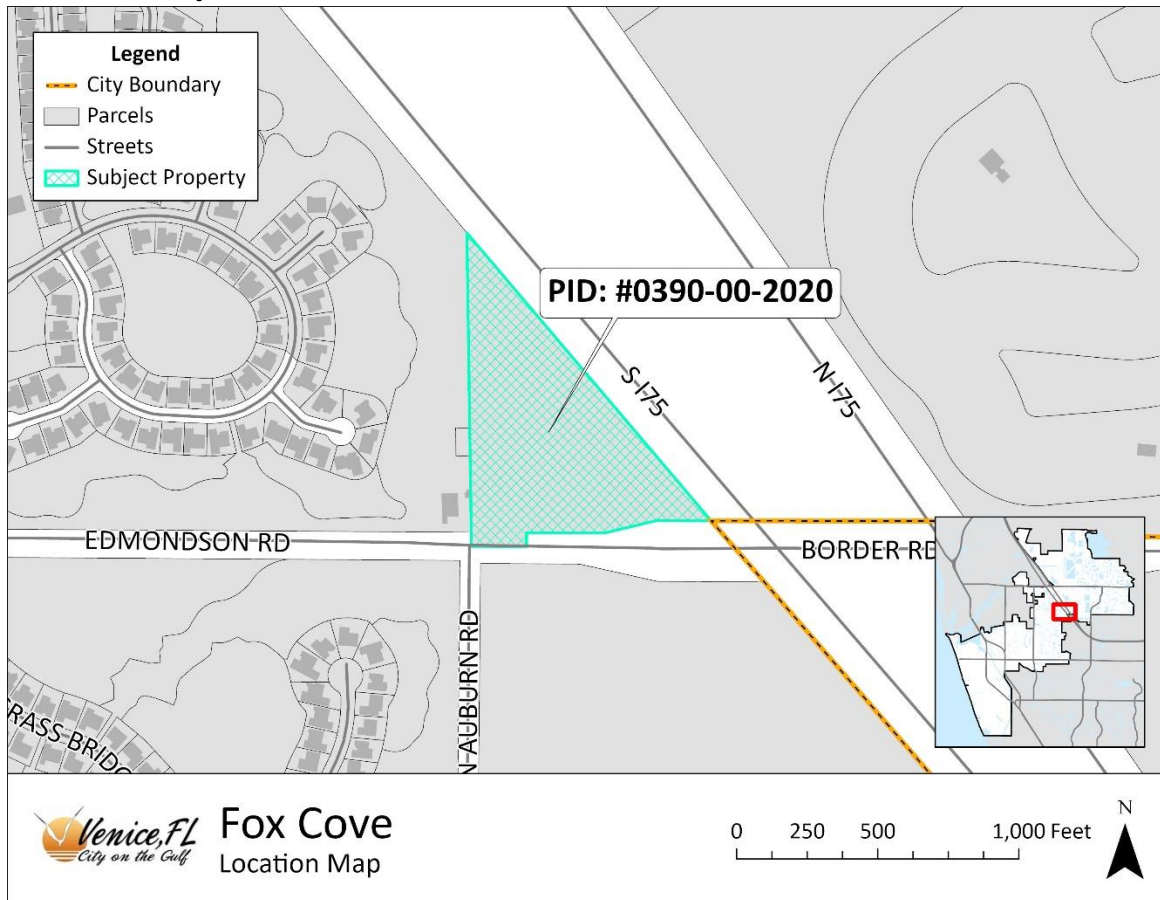


# 24-61RZ Fox Cove Staff Report



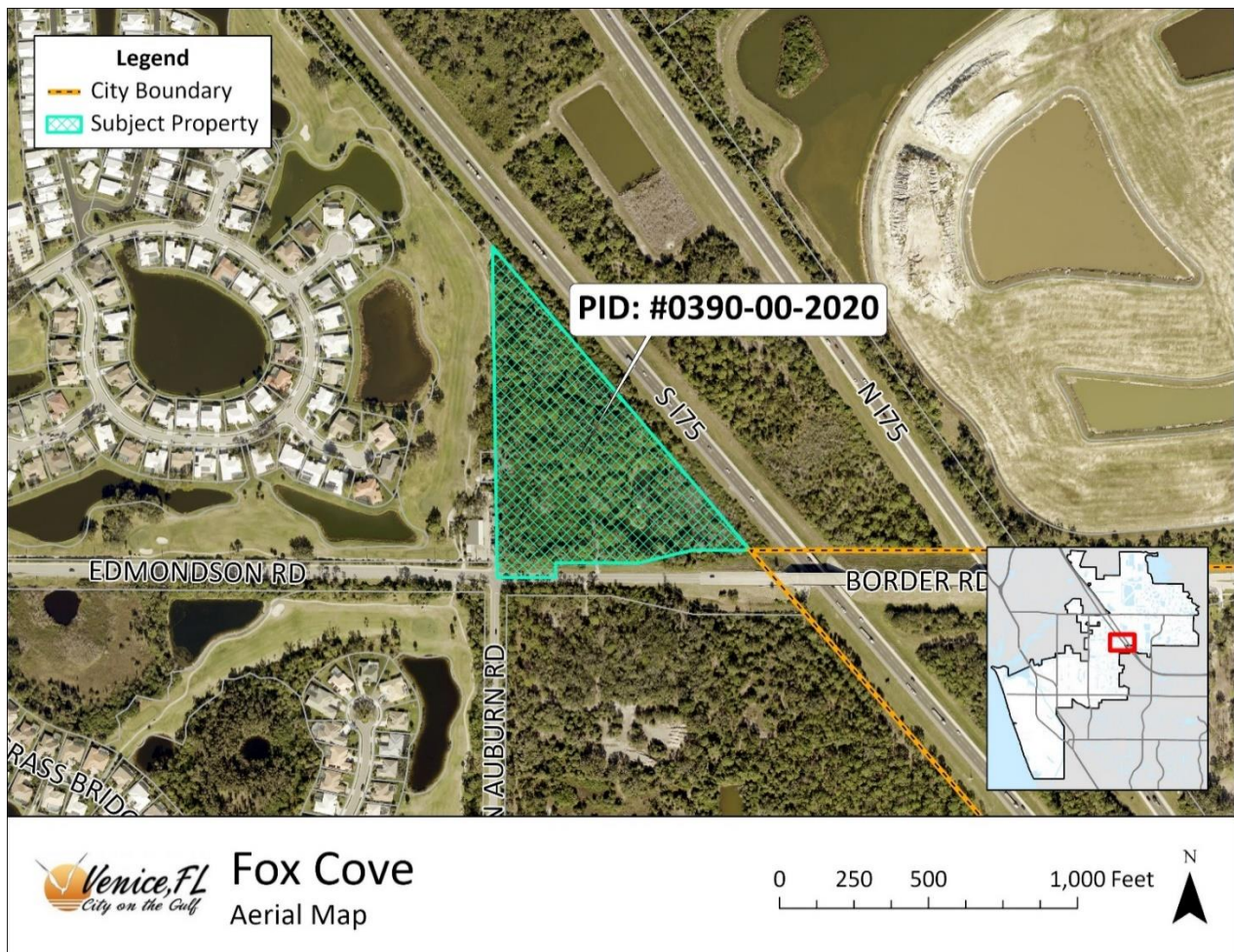
## GENERAL INFORMATION

<b>Address:</b>	Northeast corner of Auburn and Border Rd, South of I-75
<b>Request:</b>	Rezoning from Sarasota County Open Use Rural (OUR) to City of Venice Residential, Multi-family 2 (RMF-2)
<b>Owner:</b>	KB Home Tampa LLC
<b>Agent:</b>	Morris Engineering and Consulting LLC
<b>Parcel ID:</b>	0390002020
<b>Parcel Size:</b>	±10.73
<b>Existing Future Land Use:</b>	Low Density Residential
<b>Proposed Future Land Use:</b>	Moderate Density Residential
<b>Existing Zoning:</b>	Sarasota County OUR
<b>Proposed Zoning:</b>	City of Venice Residential Multifamily (RMF-2)
<b>Comprehensive Plan Neighborhood:</b>	Pinebrook Neighborhood
<b>Application Date:</b>	January 9, 2025
<b>Associated Petitions:</b>	24-60CP

## I. BACKGROUND

The subject property is located at the northeast corner of Border Road and Auburn Road, south of I-75. This request is to change the zoning of the property from Sarasota County Open Use Rural (OUR), which allows 1 dwelling unit per 10 acres to the City of Venice Residential, Multi-family 2 (RMF-2) zoning district, which allows for 5.1 to 9.0 dwelling units per acre through the associated Future Land Use (FLU) designation of Moderate Density Residential. This petition runs concurrently with an FLU map amendment. The applicant has offered to limit the number of units on the property to 70 dwelling units through a stipulation on the relevant ordinance. Note that the requested FLU and implementing RMF-2 zoning would allow between 54 and 96 dwelling units on a  $\pm 10.73$  acre parcel.

### Aerial Map





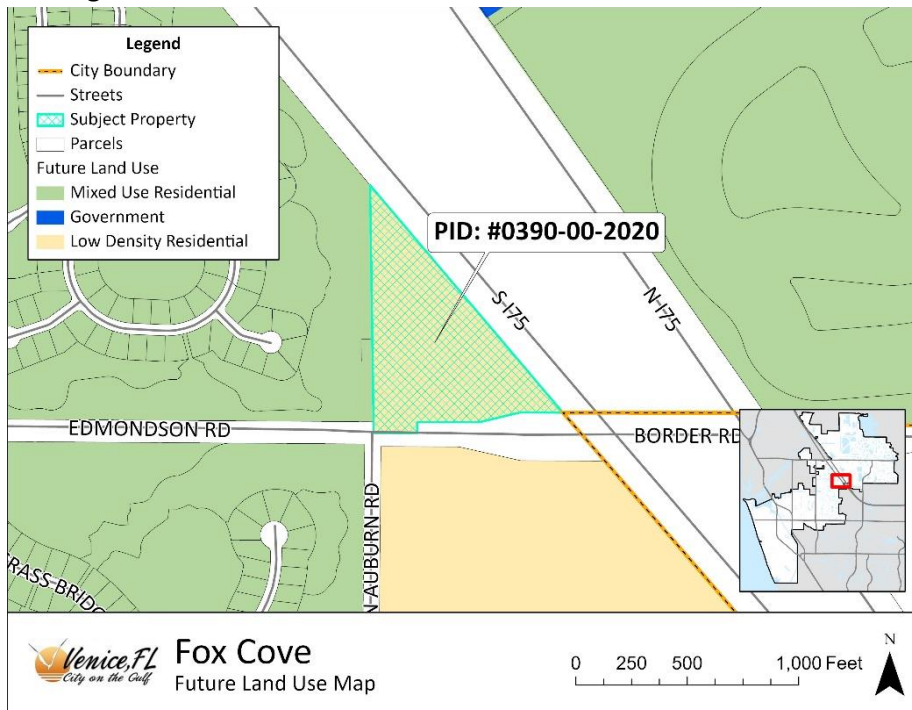
**Site Photograph**  
**Border Road facing east**



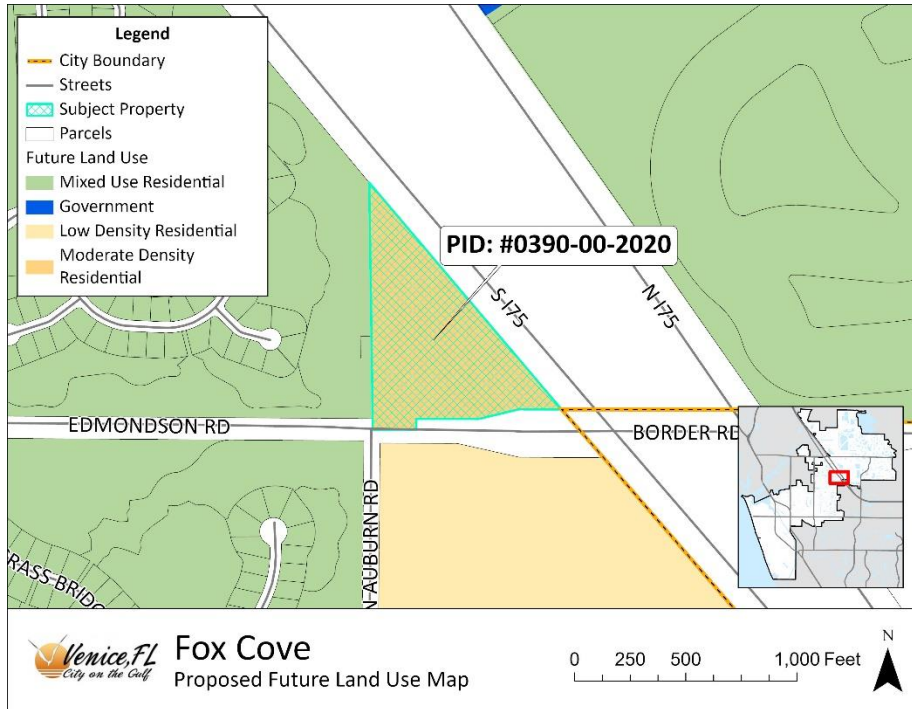
**Future Land Use and Zoning**

The FLU designation for the subject property is Low Density Residential, with a concurrent petition for a Future Land Use Map Amendment that would change the FLU to Moderate Density Residential. The current zoning designation is County Sarasota County Open Use Rural (OUR) and is proposed zoning designation is RMF-2.

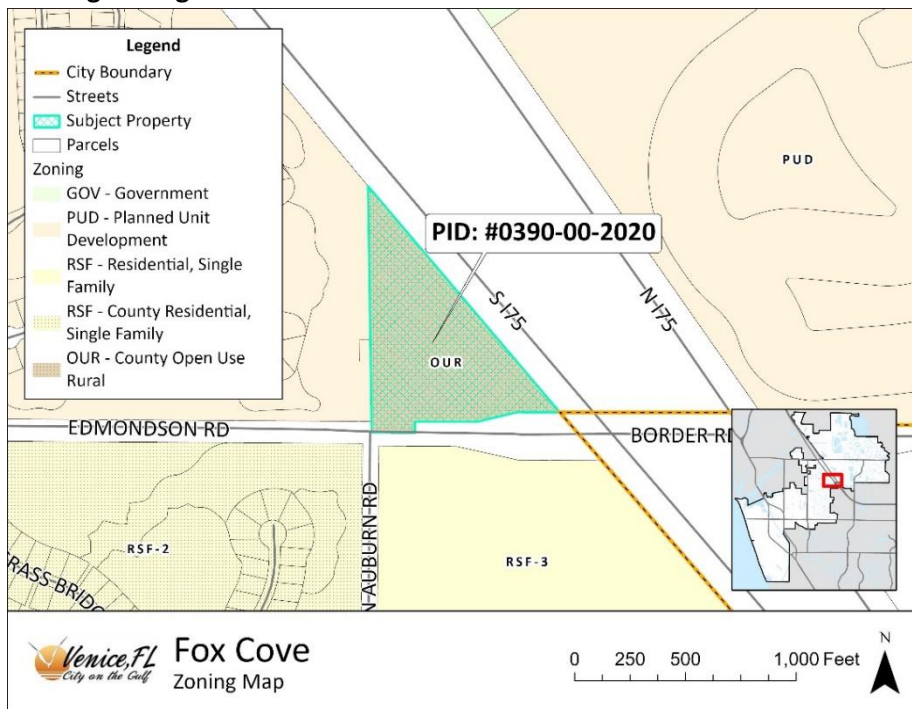
**Existing Future Land Use**



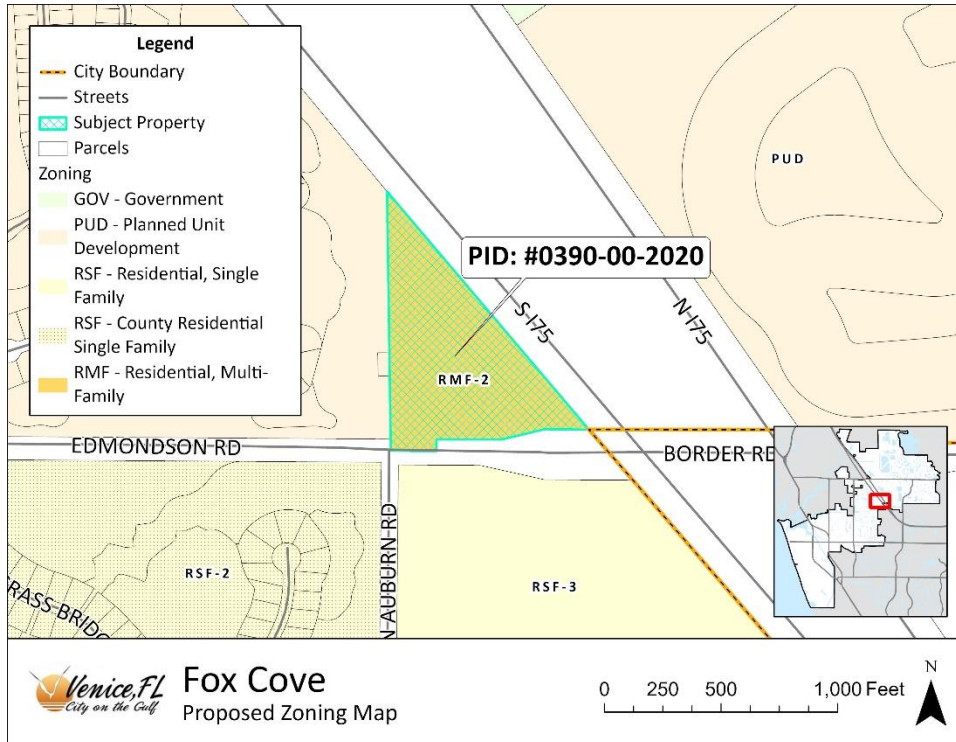
## Proposed Future Land Use



## Existing Zoning



## Proposed Zoning



## Surrounding Land Uses

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	I-75 Corridor	Interstate	Interstate
South	Cassata Oaks	Residential Single Family 3 (RSF-3)	Low Density Residential
East	I-75 Corridor	Interstate	Interstate
West	Waterford	Planned Unit Development	Mixed Use Residential

## II. PLANNING ANALYSIS

In this section of the report, analysis of the subject zoning map amendment petition evaluates 1) consistency with the Comprehensive Plan and 2) compliance with the City's Land Development Code (LDC).

### CONSISTENCY WITH THE COMPREHENSIVE PLAN

The following strategies are considered applicable to the project proposal:

#### Strategy LU 1.2.3.b- Moderate Density Residential

- Supports single family detached and attached residential, with focus on attached residential; multifamily uses may also be supported.
- The proposed project is intended to allow for a 70-unit single-family attached residential development, which meets the intent of this strategy.

#### Strategy HG 1.1-Housing

- The City will promote a range of housing options to ensure residents and potential residents can



select housing that reflects their preferences, economic circumstances, seasonal status, and special housing needs including age-friendly housing.

- The proposed project provides the option of a different housing type which may provide those in the community a housing option that reflects their preferences.

### Conclusions / Findings of Fact (Comprehensive Plan Analysis):

Analysis has been provided to determine consistency with the Land Use Element strategies applicable to the MODR land use designation, strategies found in the Pinebrook Neighborhood, and other plan elements. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

### CONSISTENCY WITH THE LAND DEVELOPMENT CODE

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

### Comparison of Zoning Districts

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

ZONING DEVELOPMENT STANDARDS	
Sarasota County OUR	RMF-2
Intent: The OUR District is intended to retain the open character of the land. This district is further intended for agricultural purposes and uses, and to preserve lands with agricultural development potential.	Intent: The residential, multifamily zoning districts (RMF) offer a range of lot sizes and housing stock to allow a sustainable mix of multifamily residential development. RMF implements Strategy 1.2.3 of the Comprehensive Plan and allows for Moderate to High Density per the Strategy.
Uses: Agricultural Production Crops, livestock, and animal specialties; Animal boarding; Aviary; Farm/produce stand; Keeping of ponies or horses; Livestock auction; Plant nursery; Plant nursery with landscape supply; Borrow pit; Guest house; Cemetery; Airport; Artesian wells; Riding academy; Animal hospital; Crematorium; Single-Family detached; Family day care; Large family child care home; Adult daycare home; Natural park area; Minor utilities; Parking and storage.	Uses: Single family attached dwelling; Two-family dwelling/ paired villas; Multi-family dwelling; Daycare home; Group living; Essential Service and public utilities, minor.
Density: 1 DU/10 acres	Density: 5.1-9.0 DU per acre
Intensity: N/A	Intensity: N/A
Open Space: N/A	Open Space: N/A
Lot Area: 10/6 ac	Lot Area: 4,840 sq ft per building structure
Lot Width: N/A	Lot Width: 75'
Yards: Front: 50' Side: 50' Rear: 50' Waterfront yard: 50'	Yards: Front(min/max): 20' Side: (min/max): 12' Rear: (min/max): 10' Waterfront: 20'
Height: 35'	Height: 35' an additional 10' allowed for understorey parking only; With height exception could build to 46' with an additional 10' for understorey parking.
Building Coverage: N/A	Building Coverage: 35%

## Land Use Compatibility Analysis- Chapter 87 Section 1.2.C.8

Demonstrate that the character and design of infill and new development are compatible with existing neighborhoods. The compatibility review shall include the evaluation of the following items with regard to annexation, rezoning, height exception, conditional use, and site and development plan petitions:

i. Land use density and intensity.

**Applicant Response:** *The proposed infill development is for 70 single-family attached units. The surrounding properties are single-family detached units. The proposed rezone would allow the property to be developed up to 70 units, or 6.52 units per acre. The proposed future land use of Moderate Density Residential is presumed compatible with the Mixed-Use Residential future land use to the west as stated by the LDC.*

ii. Building heights and setbacks.

**Applicant Response:** *The proposed building heights will not exceed 35 feet in building height as limited by the Land Development Code (LDC). The proposed setbacks show a 20-foot landscape buffer and 6 foot opaque fence along the western boundary line as stated in the LDC. The eastern property line also shows a 20-foot landscape buffer with a proposed noise wall. The height of proposed noise wall will be shown during the Site and Development application and after the acoustical study has been completed.*

**Staff Comment:** The required perimeter buffer for the property would be a minimum of type 2, which is 10' in width, 3 trees per 100 LF, 40 shrubs per 100 LF and a 6 foot fence. The applicant's proposed 20' buffer falls somewhere between a Type 3 and a Type 4. However, it would be difficult to enforce the plantings proposed at this stage, which go beyond the requirement for a subsequent plat, unless a stipulation is added to the zoning map amendment ordinance that requires Type 3 or Type 4 buffers.

iii. Character or type of use proposed.

**Applicant Response:** *The proposed use for the property is 70 single family attached townhomes. These types of homes are still single family in nature similar to the surrounding single-family neighborhoods.*

iv. Site and architectural mitigation design techniques.

**Applicant Response:** *The proposed sited plan shows over a 290' separation between the existing Waterford PUD and the western property line. The subject property is not within any architectural design district, however will be similar to surrounding neighborhoods. Official architectural drawings will be part of the Site and Development application.*

b. Considerations for determining compatibility shall include, but are not limited to, the following:

i. Protection of single-family neighborhoods from the intrusion of incompatible uses.

**Applicant Response:** *The proposed future land use of Moderate Density Residential is presumed compatible with the Mixed Use Residential future land use to the west as stated by the LDC. The proposed Single Family attached neighborhood can be seen to operate similarly to the surrounding single family detached neighborhoods.*

**Staff Comment:** There is no incompatibility between low and moderate density residential. There is a perimeter buffer requirement, and the applicant has offered to exceed the required Type 2 buffer through a stipulation on this petition.

ii. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.

**Applicant Response:** *There are no proposed commercial or industrial uses associated with this Rezone*

iii. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.

**Applicant Response:** *There are no foreseen incompatibilities with this development to the Comprehensive Plan.*

iv. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

**Applicant Response:** *The proposed development would allow for the development of 70 dwelling units on the subject 10.73-acre property. The proposed use of single family attached housing with a proposed density of 6.6 units per acre is a permitted density within the MODR (Moderate Density Residential 5.1 to 9 units per acre) Future Land Use. The subject property is currently vacant and is zoned for residential housing with a Future Land Use of LDR (Low Density Residential 1 to 5 units per acre). The proposed development is considered compatible with the surrounding land uses as stated in the compatibility matrix.*

**Staff Comment:** The property currently has a Sarasota County zoning designation of OUR, which allows 1 dwelling unit per 10 acres. The proposed zoning change to MODR would allow for 5.1-9.0 dwelling units per acre; with the applicant proposing to cap the units at 70, the density would be 6.6 dwelling units per acre.

#### **Chapter 87, Section 1, Decision Criteria 1.7.4**

A. Council and the Commission shall consider the following:

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

**Applicant Response:** *The proposed rezone to RMF-2 could be seen as compatible with the existing development pattern as residential developments are built surrounding the proposed development site. The GCCF PUD is under construction to the east across I-75 and is entitled to 1300 dwelling units with the existing Waterford PUD to the west built out with a total of over 400 units. Across Border Road to the south, the property was recently approved for 46 residential units.*

**Staff Comment:** The binding master plan for Waterford shows an overall density of 3.67 dwelling units per acre (du/ac). The density for Cassata Oaks to the south is capped at a density of 3.0 du/ac by the Joint Planning Agreement, but is limited even further by Ordinance No. 2024-15, which binds the property to a density of 1.5 du/ac.

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

**Applicant Response:** *The subject parcel is one of few undeveloped parcels within the City. The subject parcel is surrounded by residential developments and the rezone would allow for infill development within City limits.*

**Staff comment:** Development is not considered infill if it occurs on parcels exceeding one half acre or more.

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

**Applicant Response:** *The proposed rezone could be seen consistent with all applicable elements of the Comprehensive plan.*

4. Conflicts with existing or planned public improvements.

**Applicant Response:** *To the best of our knowledge, there are no conflicts with 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:** *The subject site has availability of public facilities, and a traffic impact statement has been submitted. A more detailed analysis of public facilities, density, and public facilities will occur at the time of Site and Development.*

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

**Applicant Response:** *The proposed rezoning could be seen to have no impact on health, safety, or welfare of the neighborhood and City.*

- 7. Conformance with all applicable requirements of this LDR.

**Applicant Response:** *The proposed rezoning shall be in conformance with all applicable requirements of the LDR.*

- 8. Potential expansion of adjacent zoning districts.

**Applicant Response:** *The surrounding properties have either PUD or Residential Single family zoning district with approved site plans.*

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

**Applicant Response:** *An Environmental assessment report has been conducted and all information is attached.*

**Staff Comment:** While the majority of the environmental review was provided, there are still species-specific studies that need to be conducted based on the recommendations of the environmental reports. The full assessment will be required at the time of the preliminary plat submittal. A 100% habitat survey may be required prior to construction/clearing.

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

**Applicant Response:** *Any other applicable matters pursuant to this LDR or comprehensive plan will be addressed by the Applicant.*

### **Conclusions/Findings of Fact (Land Development Code Compliance):**

Analysis has been provided by staff to determine compliance with the standards of the Land Development Code. The subject petition complies with all applicable standards and there is sufficient information on the record to reach a finding for each of the rezoning considerations contained in Ch. 87, Sec. 1.7.4 of the Land Development Code.

### **CONCLUSION**

#### **Planning Commission Action for Recommendation**

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 Zoning Map Amendment Petition No. 24-61RZ.