



Gulf Harbor Estates
Petition Number: 16-4PP

Staff Report

Owner: Southbridge Investments, LLC.

Parcel ID #: 0178-09-0023

Agent: Tom Ballenger, P.E., GAP Engineering & Planning, LLC

Project Acreage: 2.68 acres

Existing Zoning: Sarasota County Residential, Single-Family 2 (RSF-2)

Existing Future Land Use Designation: Low Density Residential

Summary of Proposed Preliminary Plat:

- 1) The subject preliminary plat proposes nine single family lots in compliance with the minimum lot area and width requirements of the City of Venice RSF-3 zoning district.
- 2) Stormwater management facilities are proposed on each of the nine lots; utility service is proposed via existing water and sewer mains in the rights-of-way of Harbor Drive and Gulf Drive.
- 3) A five-foot wide sidewalk is proposed along the north side of Gulf Drive and the west side of Harbor Drive.
- 4) In accordance with Section 86-520(c), the applicant is requesting a waiver from constructing a sidewalk along a portion of unimproved Sunset Drive.

Stipulation:

- 1) The preliminary plat approval shall become effective with adoption of a City of Venice RSF-3 zoning designation for the subject property.

I. INTRODUCTION

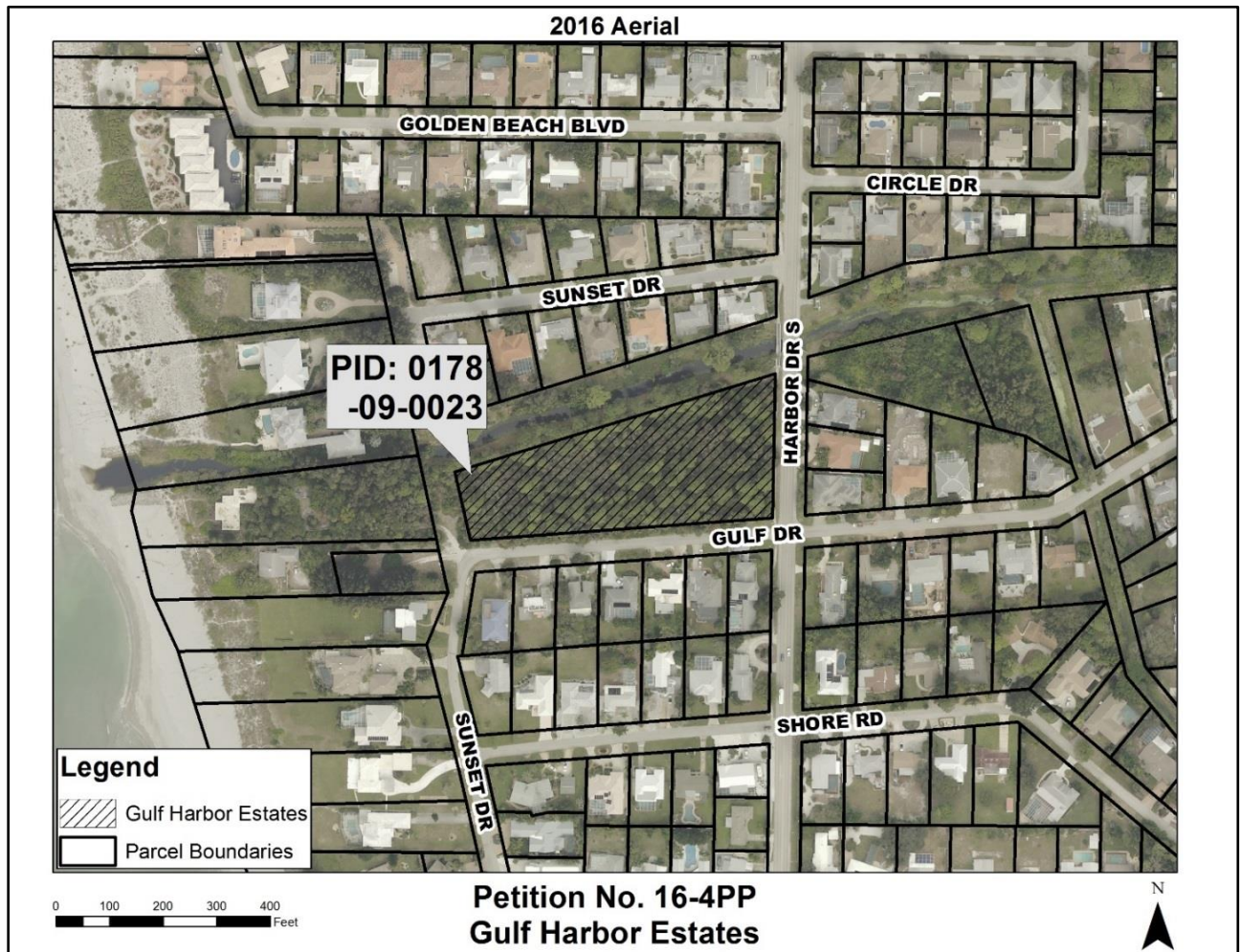
On May 26, 2016, the application for the Gulf Harbor Estates preliminary plat was submitted by the owner's agent. The application and the proposed preliminary plat design were based on city zoning maps available at the time which showed the property being located in a City of Venice Residential, Single-Family 3 (RSF-3) zoning district. Several months later, while the application was still under technical review, staff discovered the subject property did not obtain City of Venice zoning after its March 23, 2004 annexation into the city. As such, the property still retains the Sarasota County RSF-2 zoning it had at the time it was annexed into the city.

For development to proceed, the subject property will need to obtain City of Venice zoning. After consulting with the City Attorney on this matter, it was decided that the petition could proceed to public hearing and the city could take action on the proposed preliminary plat subject to a stipulation that the preliminary plat approval cannot become effective until the property officially acquires City of Venice RSF-3 zoning. Contingent on this stipulation, the proposed preliminary plat was reviewed for compliance with the City of Venice Land Development Code, including City of Venice RSF-3 district standards.

II. SUBJECT PROPERTY/SURROUNDING AREA INFORMATION

As shown on Map 1, the subject property is generally located in the southern portion of Venice Island. The subject property fronts on Harbor Drive, Gulf Drive and an unimproved portion of Sunset Drive right-of-way. Following Map 1 are a series of photos which show on-site conditions and properties adjacent to the subject property.

MAP 1: Aerial Photograph/Existing Land Use





The subject property frontage along Harbor Drive



The subject property frontage along Gulf Drive



Unimproved Sunset Drive right-of-way, with the subject property in the background



Deertown Gully, a Sarasota County-owned and maintained drainage facility along the subject property's north boundary



Existing single-family detached properties on the south side of Gulf Drive

Surrounding Property Information:

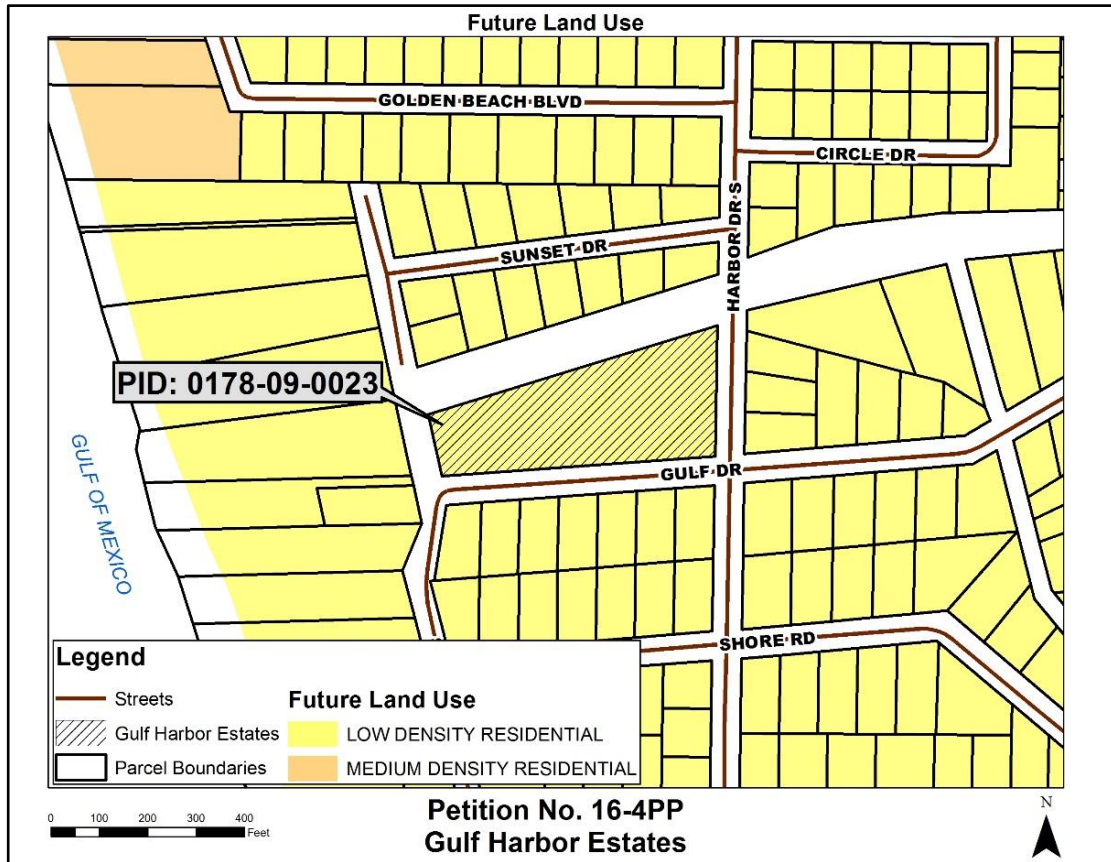
Existing uses, current zoning and the future land use designation of surrounding properties is provided in the following table.

Direction	Existing Use(s)	Current Zoning	Future Land Use Designation
North	Deertown Gully and single family detached residential properties	<u>Sarasota County Residential, Single-Family 1 (RSF-1), Sarasota County Residential, Single-Family 2 (RSF-2), Sarasota County Residential, Single-Family 3 (RSF-3)</u>	Low Density Residential
West	Single-family detached residential properties	<u>Sarasota County Residential, Single-Family 1 (RSF-1) and City of Venice Residential, Single-Family 1 (RSF-1)</u>	Low Density Residential
South	Single-family detached residential properties	<u>Sarasota County Residential, Single-Family 2 (RSF-2) and Sarasota County Residential, Single-Family 3 (RSF-3)</u>	Low Density Residential
East	Single-family detached residential properties	<u>Sarasota County Residential, Single-Family 3 (RSF-3)</u>	Low Density Residential

Future Land Use:

The future land use map (see Map 2 on the following page) shows the subject property and all surrounding properties having a future land use designation of Low Density Residential. The Low Density Residential designation is for residential areas consisting of up to five (5) dwelling units per acre or less and are intended to accommodate single-family and other similar residential uses.

MAP 2: Future Land Use Map

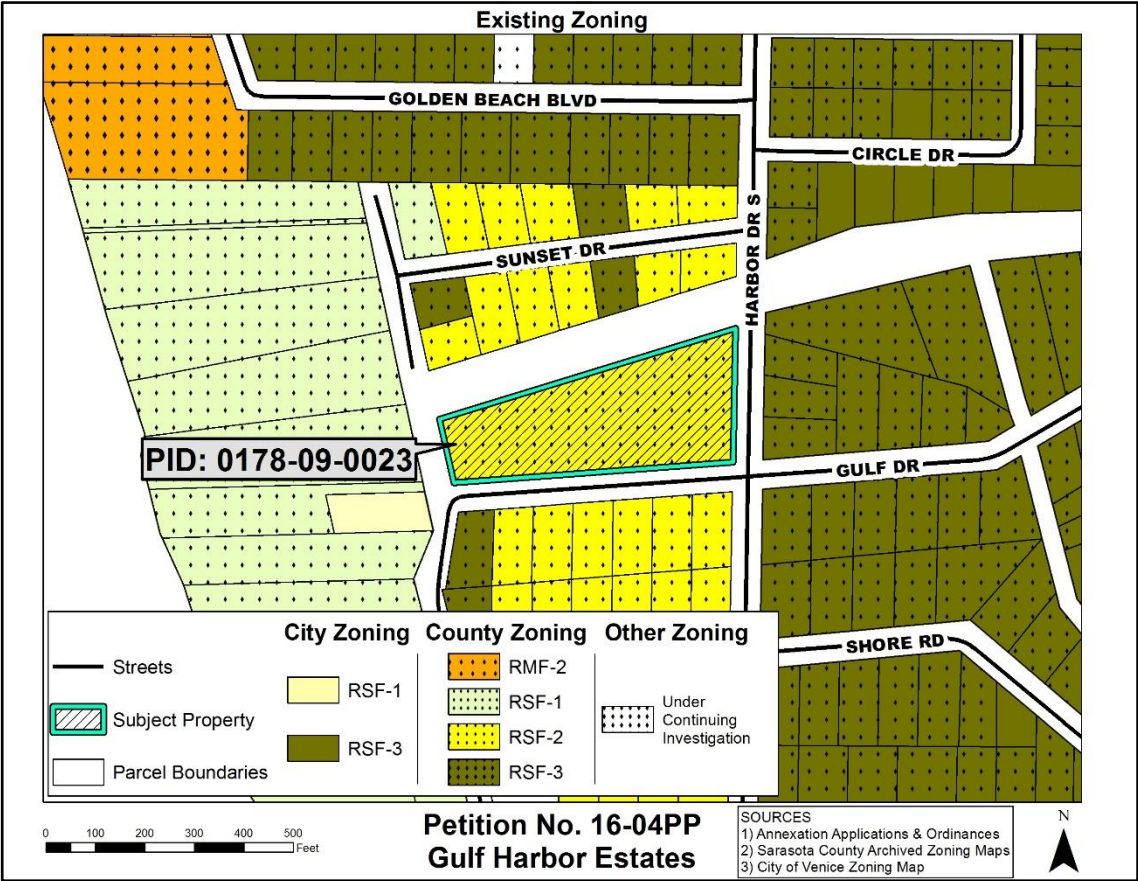


Existing Zoning:

The existing zoning map (see Map 3 on the following page) shows the existing zoning of the subject and surrounding properties. The subject property is in a Sarasota County Residential, Single-Family 32 (RSF-2) zoning district and most of the surrounding properties also have Sarasota County zoning designations. As with the subject property, the other properties in the area with Sarasota County-zoning were annexed into the city but were not officially given City of Venice zoning designations. As shown on Map 3, there is one property in which staff is still reviewing the county zoning records to determine what specific Sarasota County zoning designation was in place at the time of annexation.

For development to proceed, the subject property will need to obtain City of Venice zoning. Approval of the preliminary plat will need to be subject to a stipulation specifying that the preliminary plat approval will not be effective until the property acquires City of Venice RSF-3 zoning. With this stipulation, the proposed preliminary plat was reviewed for compliance with the City of Venice Land Development Code, including City of Venice RSF-3 district standards.

MAP 3: Existing Zoning Map

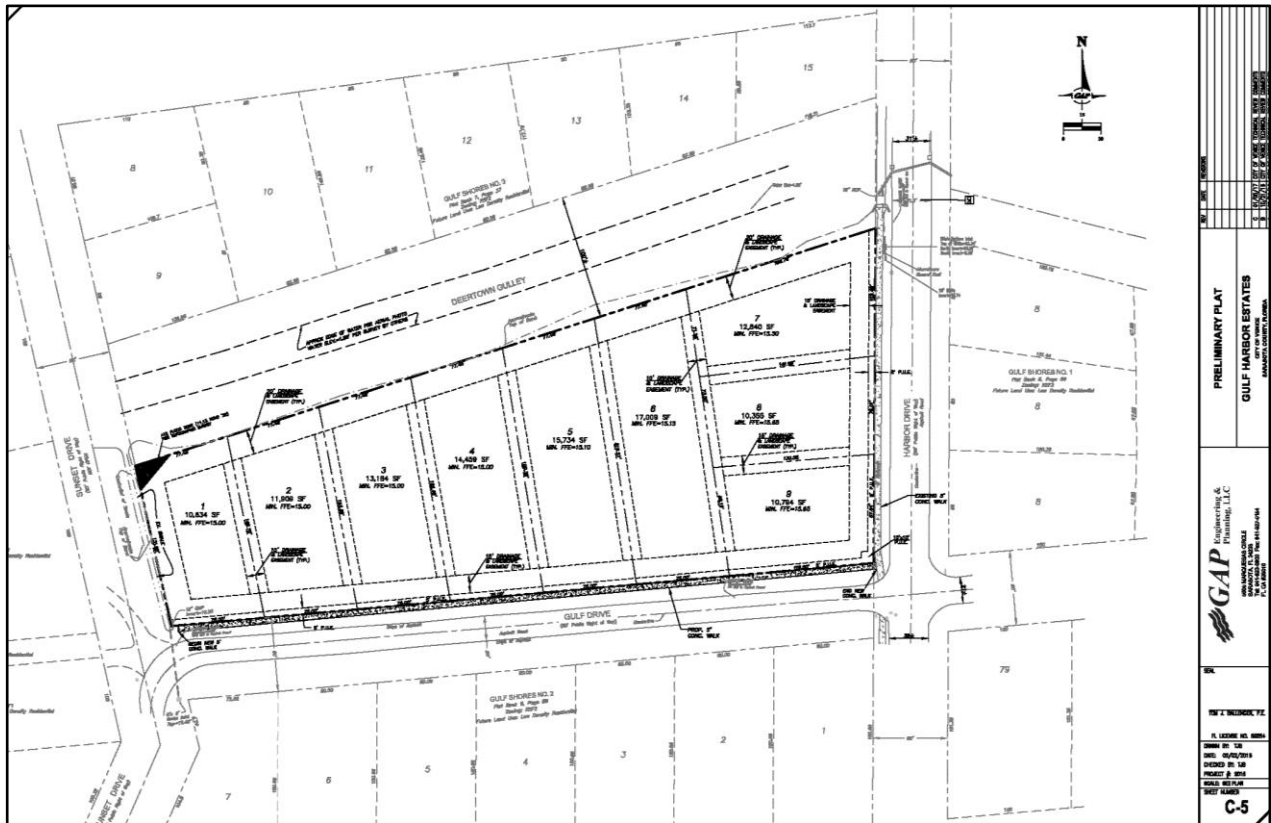


III. PRELIMINARY PLAT REVIEW

a) Overview of Proposed Gulf Harbor Estates Preliminary Plat:

The applicant is requesting Planning Commission recommendation of approval of the proposed Gulf Harbor Estates nine-lot preliminary plat. Map 4 shows the preliminary plat site plan drawing prepared by the applicant.

MAP 4: Proposed Gulf Harbor Estates Preliminary Plat



The proposed subdivision is bounded by Harbor Drive to the east, Gulf Drive to the south, an unimproved section of Sunset Drive to the west and Deertown Gully, a Sarasota County-owned and maintained drainage facility, to the north.

The proposed lots have lot areas that range between 10,355 square feet to 17,009 square feet. The six lots that front only on Gulf Drive have lot widths of 75 feet, while the width of the lots that front on Harbor Drive vary between 79 feet and 102 feet.

No street is proposed as part of the preliminary plat. All of the proposed lots are design to have direct vehicular access to an existing public street. Landscape and drainage easements are proposed on all sides of each lot to accommodate drainage and landscaping improvements. The proposed landscaping satisfies Sarasota County tree replacement requirements. Single family residential uses are exempt from city landscaping requirements.

Proposed off-site improvements include sewer and water connections to mains in Harbor Drive and Gulf Drive right-of-ways and a five-foot wide sidewalk along the west side of Harbor Drive and the north side of Gulf Drive. In accordance with Section 86-520(c), the applicant is requesting a waiver from constructing a sidewalk along a portion of unimproved Sunset Drive.

a) Consistency with the Comprehensive Plan:

The subject property has a Residential Low Density future land use map designation. This designation is for residential areas of up to five (5) dwelling units per acre. These areas are intended to accommodate single-family and other similar residential uses. Nine single-family lots are proposed on the 2.68-acre subject property resulting in a residential density of 3.35 dwelling units per acre.

Applicable provisions of Policy 8.2 of the Future Land Use & Design Element include considerations of protecting single-family neighborhoods from the intrusion of incompatible uses, and densities of proposed uses as compared to the densities of existing uses.

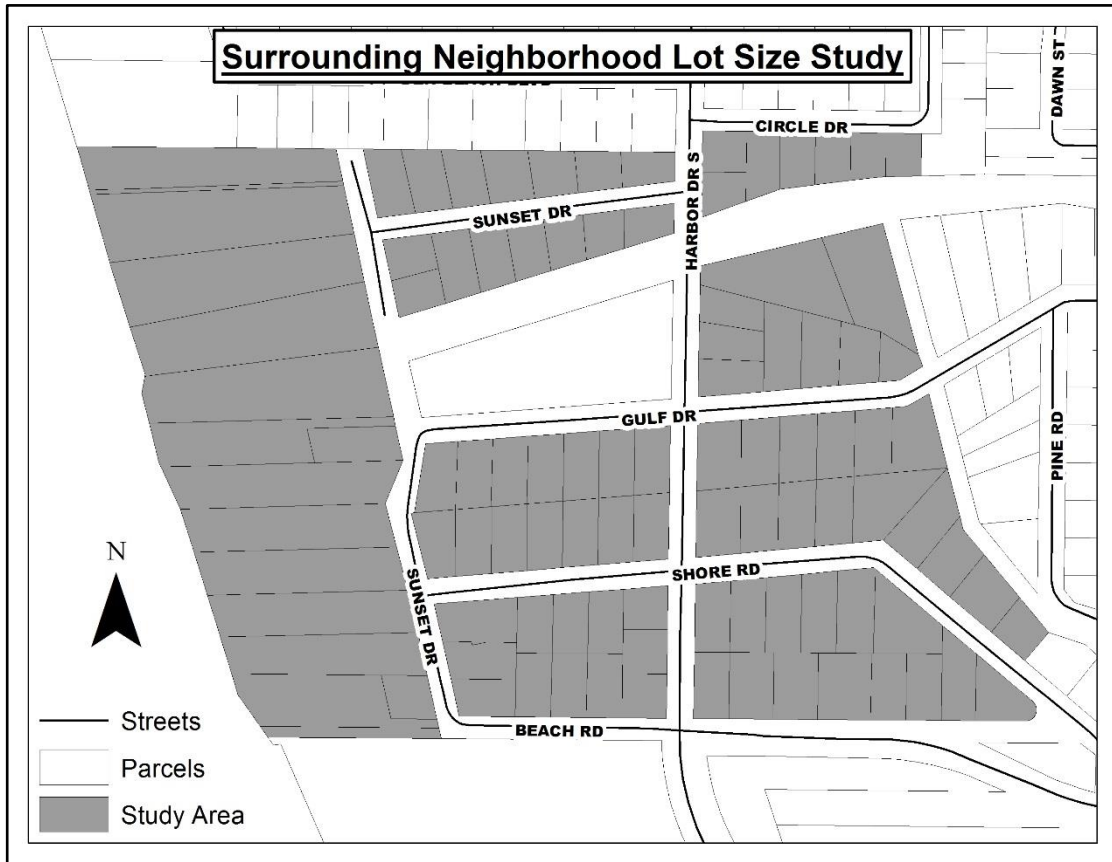
Regarding the first consideration, the subject property is zoned Sarasota County Residential, Single Family 2 but has been reviewed for compliance with City of Venice RSF-3 district standards which include a use regulation allowing no more than one dwelling unit per lot or parcel. In other words, each proposed lot is allowed only one single family dwelling. The proposed nine-lot single-family subdivision is consistent with the surrounding single-family neighborhood. The existing low density residential future land use designation and the ~~existing RSF-3 zoning district~~ RSF zoning district protects the surrounding single-family neighborhoods from an intrusion of an incompatible use.

Regarding the second consideration, staff conducted an analysis of Sarasota County Property Appraiser data to compare the proposed residential density to the existing residential density of the surrounding neighborhood. The map on the next page shows the subject property and the surrounding properties that were studied. All of the surrounding properties have either RSF-1, RSF-2 or RSF-3 zoning.

The analysis uses average lot size as a measure of residential density and compares the existing average lot size of the surrounding residential properties to the average lot size of the proposed preliminary plat. The existing average lot size of the surrounding residential properties is reported two ways: 1) including all properties in the study area, and 2) the study area excluding the larger, gulf-front RSF-1 zoned properties.

Average Lot Size		
Entire Study Area	Study Area Excluding RSF-1 Lots	Proposed Preliminary Plat
16,017 sq. ft.	12,639 sq. ft.	12,991 sq. ft.

The results of the analysis show that the average lot size of the proposed preliminary plat (12,991 sq. ft.) is approximately 3,400 sq. ft. less than average lot size for the entire study area. However, when the more unique and larger RSF-1 zoned gulf-front properties are excluded from the analysis, the average lot size of the proposed preliminary plat is actually greater than the RSF-2 and RSF-3 zoned portion of the study area (12,639 sq. ft.).



Finding of Fact (comprehensive plan):

Based on the above analysis, the subject preliminary plat is consistent with the Residential Low Density future land use designation and Policy 8.2 regarding land use compatibility and can therefore be found consistent with the comprehensive plan.

b) Compliance with the Land Development Code:

The applicant has submitted engineering plans prepared by GAP Engineering & Planning, LLC and landscape plans prepared by Frank J. Solinko, R.L.A. Staff’s review is of these plans as well as other documents submitted as part of the application for the proposed preliminary plat.

With the recommended stipulation concerning the effective date of the preliminary plat approval, the proposed preliminary plat was reviewed for compliance with the City of Venice subdivision design standards and the RSF-3 district standards. The Technical Review Committee found the proposed preliminary plat to be in compliance with all but one Land Development Code standard. The one exception is the applicant’s proposal not to provide sidewalks along an unimproved section of Sunset Drive right-of-way required by Section 86-520(a).

In accordance with Section 86-520(c), the applicant has requested a waiver from the construction of approximately 130 feet of sidewalk along the east side of the Sunset Drive right-of-way. Per Section 86-520(c), the Planning Commission may recommend to the City Council a waiver of the sidewalk requirement when the property owner can demonstrate that the required sidewalk will not be reasonably beneficial or useful because of location of the subject property and the characteristics of the immediate neighborhood.

The applicant's justification for the waiver request includes the following considerations:

- There is no street in the section of right-of-way, and
- The Deertown Gulley which abuts the subject property to the north prevents vehicular and pedestrian circulation across the gulley, effectively creating in a dead-end section of right-of-way.

Finding of Fact (compliance with the Land Development Code):

Subject to the recommended stipulation regarding the effective date of the preliminary plat approval and approval of the requested sidewalk waiver, the proposed preliminary plat is in compliance with the Land Development Code.

c) **Compliance with Subdivision Standards:**

Sections 86-231(b)(3) and 86-233(a) specifies the Planning Commission's role in taking action on a preliminary plat petition. This section of the staff report provides a staff finding for each topic in which the Planning Commission is required to make a determination.

- Compliance of the preliminary plat with the requirements of this chapter and the applicable laws of the state.

Staff Comment: The preliminary plat drawings have been signed and sealed by a state licensed engineer. Design is compliant with all local regulatory standards and appears consistent with state requirements of F.S. Chapter 177, Part 1: Platting. Full compliance will be confirmed through the processing and recording of the final plat.

- Review the design of the preliminary plat in relationship to the adjacent land use to ensure compatibility.

Staff Comment: The subject property is in an existing Sarasota County Residential, Single Family 2 (RSF-2) zoning district. However, the proposed preliminary plat has been reviewed for compliance with City of Venice RSF-3 minimum lot area (7,500 square feet) and minimum lot width (75 feet) standards with an understanding that preliminary plat approval would not be effective until the subject property obtains City of Venice RSF-3 zoning. The proposed lots in the preliminary plat exceed the minimum lot area standard (lots size vary between 10,355 square feet and 17,009 square feet) and the proposed lots are in compliance with the minimum lot width standard.

The proposed preliminary plat is generally compatible with surrounding RSF-2 and RSF-3 zoned properties with respect to lot area and lot width. The proposed lots are allowed one dwelling unit per lot consistent with the existing surrounding land use pattern.

- Confirmation that the subdivision can be served adequately and economically with the necessary public facilities and services.

Staff Comment: The city's technical review staff has reviewed the petition for concurrency and found no issues regarding compliance with the city's required level of service (LOS) standards (also see concurrency section below). The applicant proposes sidewalks along the west side of Harbor Drive and the north side of Gulf Drive. In accordance with Section 86-520(c), the applicant

is requesting a waiver from constructing a sidewalk along a 132-foot portion of unimproved Sunset Drive.

Finding of Fact (compliance with subdivision standards):

Subject to the recommended stipulation regarding the effective date of the preliminary plat approval and approval of the requested sidewalk waiver, the proposed preliminary plat is in compliance with the city’s Land Development Code subdivision standards.

d) Concurrency:

Staff conducted a concurrency review of the proposed preliminary plat. While the following information provides clarification as to the status of the concurrency for the proposed project, a concurrency certificate is required prior to approval for the subdivision (**Final Plat**). As required by the City’s concurrency ordinance, the following reviewing agencies provide input on the applicable public facilities. The current status for concurrency for each of these reviewing agencies is depicted on the following table.

Department	Facility	Project’s Estimated Impact	Status
Utilities	Potable Water	9 ERUs	Concurrency confirmed by Utility Department
Utilities	Sanitary Sewer	9 ERUs	Concurrency confirmed by City of Venice and Sarasota County Utility Departments
Public Works	Solid Waste	94 pounds/day	Concurrency confirmed by Public Works Department
Public Works	Parks & Recreation	23 persons	Concurrency confirmed by Public Works Department
Engineering	Drainage	Meets 25 year/24 hour SWFWMD criteria	Concurrency confirmed by Engineering Department
Planning and Zoning	Transportation	9 p.m. peak hour trips	Concurrency confirmed by Planning & Zoning Department
School Board	Public Schools	Under review awaiting Final Plat approval	No issue raised – approval upon Final Plat

Finding of Fact (concurrency): *No concurrency issues for public facilities have been identified. Issuance of a certificate of concurrency will be required in coordination with approval of the final plat.*

IV. SUMMARY OF STAFF FINDINGS OF FACT

Based on the planning analysis provided in Section III of this report, staff has made the following findings regarding the preliminary plat petition.

- 1) **Findings of Fact (comprehensive plan)**: The subject preliminary plat can be found consistent with the comprehensive plan.
- 2) **Findings of Fact (compliance with *Land Development Code*)**: Subject to the recommended stipulation regarding the effective date of the preliminary plat approval and approval of the requested sidewalk waiver, the proposed preliminary plat is in compliance with the Land Development Code.
- 3) **Findings of Fact (concurrency)**: No concurrency issues for public facilities have been identified. Issuance of a certificate of concurrency will be required in coordination with approval of the final plat.

V. CITY ACTION ON PRELIMINARY PLAT PETITION NO. 16-4PP

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 to take action on Preliminary Plat Petition No. 16-4PP.