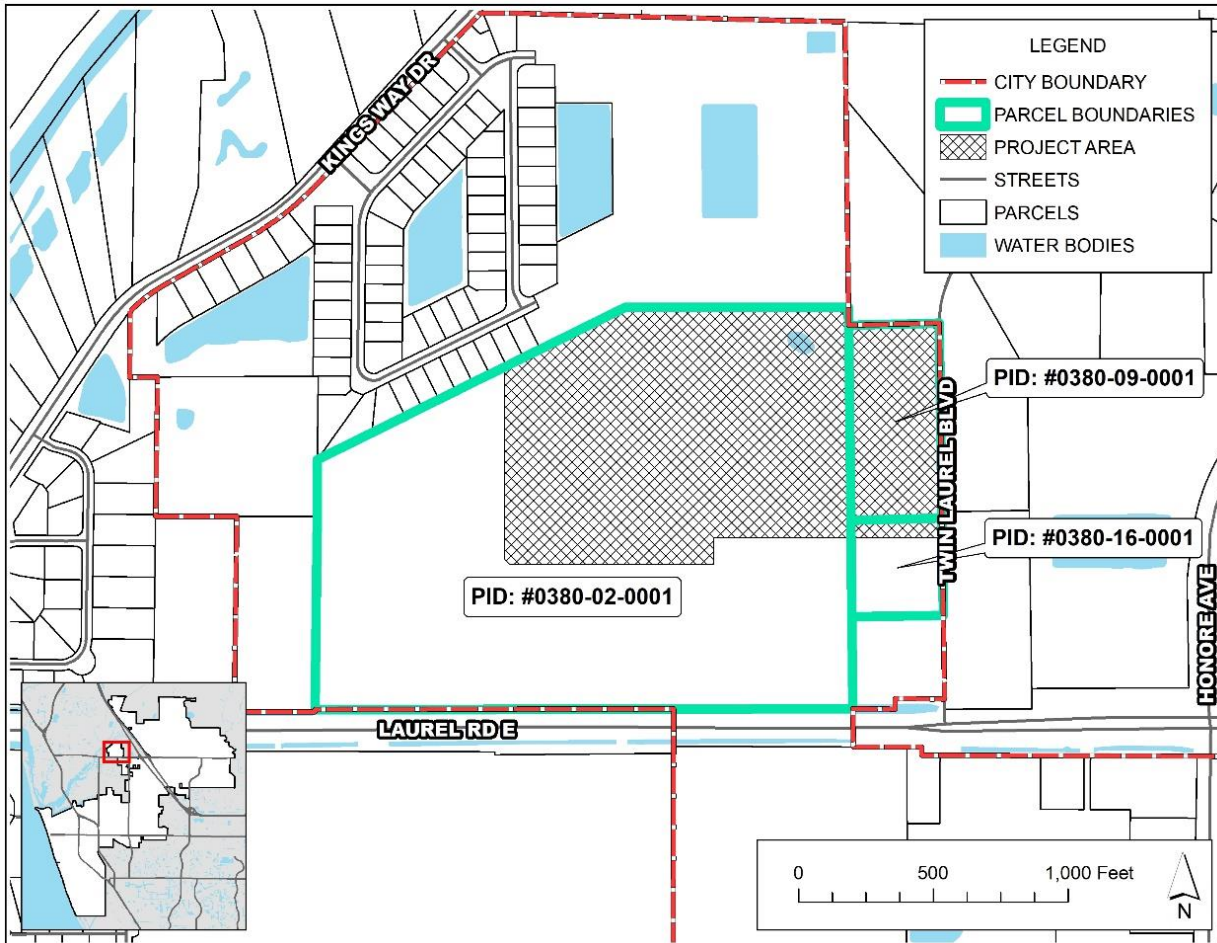


# 23-35CU Hurt Assemblage Multi-Family Conditional Use Staff Report



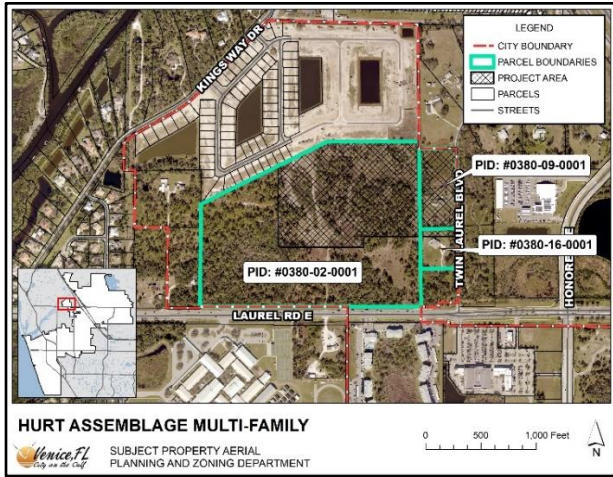
## General Information

<b>Address:</b>	Laurel Road
<b>Request:</b>	To Allow Multifamily Residential Development in the Commercial General (CG) Zoning District
<b>Applicant:</b>	2001 Laurel LLC
<b>Agent:</b>	Jackson R. Boone, Esq., Boone Law Firm
<b>Parcel ID:</b>	0380-02-0001; 0380-09-0001; 0380-16-0001
<b>Parcel Size:</b>	Approximately 31.88 acres
<b>Future Land Use:</b>	Mixed Use Corridor (MUC)
<b>Zoning:</b>	Commercial General (CG), Previous code zoning district
<b>Comprehensive Plan Neighborhood:</b>	Laurel Road Neighborhood
<b>Application Date:</b>	May 11, 2023

# I. PROJECT DESCRIPTION

The requested Conditional Use, Pursuant to Sec. 86-92(d)(2), proposes to allow for a multi-family residential development of 360 residential units within the 31.88 +/- acre portion of the property. Access to the site is proposed to be from Laurel Road through the future commercial development within the 83+/- acre assemblage. The proposed multi-family development is proposed to incorporate a mix of multi-family housing types including cottages, duplexes, and townhouses with an amenity center and a mix of surface parking and garage parking. The requested Conditional Use is for the use of residential multi-family dwellings only.

# II. EXISTING CONDITIONS



Aerial Map



Site Photo

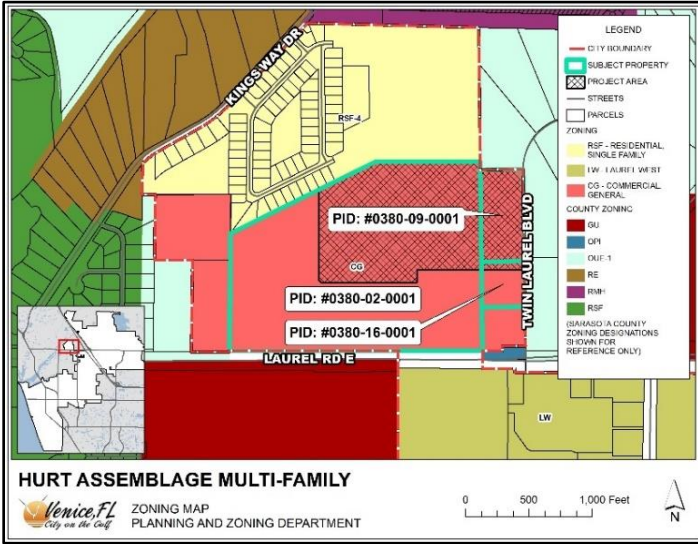
## Surrounding Property Information

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Residential	Residential Single Family 4 (RSF-4)	Moderate Density Residential
South	School	Sarasota County Government Use (GU)	Sarasota County Moderate Density Residential

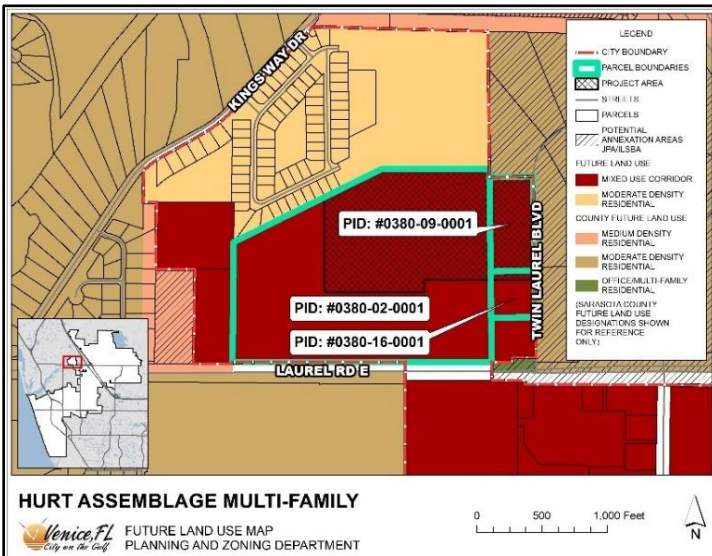
Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
East	Vacant land and residential development	Commercial General (CG) and Residential Single Family 4 (RSF-4)	Mixed Use Corridor and Moderate Density Residential
West	Residential	Sarasota County Residential, Single Family, 2.5 units/ acre (RSF-1) and Residential, Estate, 1 unit/ acres (RE-1)	Sarasota County Moderate Density Residential

### Zoning and Future Land Use

The Future Land Use designation for the subject property is Mixed Use Corridor. The Zoning for the property is Commercial General (CG).



Zoning Map



Future Land Use Map

# I. PLANNING ANALYSIS

In this section of the report, analysis of the subject conditional use petition evaluates consistency with the Comprehensive Plan, and compliance with the City’s Land Development Code (LDC), and compliance with requirements for Concurrency/Mobility.

## Consistency with the Comprehensive Plan

The proposed Conditional Use for multi-family use would provide for a transition of uses between the future commercial development within the 83 acre +/- assemblage to the south and the adjacent single family residential development to the north, and will allow for a mixed-use development consistent with the guidelines of Comprehensive Plan Strategy LU-LR 1.1.1. and, consistent with Strategy LU 1.2.11 and LU 1.2.13.

**Strategy LU-LR 1.1.1** states that the maximum residential density is 13.0 dwelling units (Dus) per gross acre. The proposed project is within these parameters.

**Strategy LU 1.2.11** Mixed use developments should generally provide non-residential (such as retail, eating establishments, food stores, and banks), and other uses such as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form. All uses permitted internal/within a mixed-use category shall be deemed to be compatible.

**Strategy LU 1.2.13** Mixed Use land use designations are deemed to be compatible with the adjacent land use designations. Through the update to the City’s Land Development Code, Form Based Codes shall be developed for the Mixed-Use designations that provide for perimeter compatibility standards. For the purpose of this Strategy, perimeter is deemed to include the Future Land Use designation boundary only.

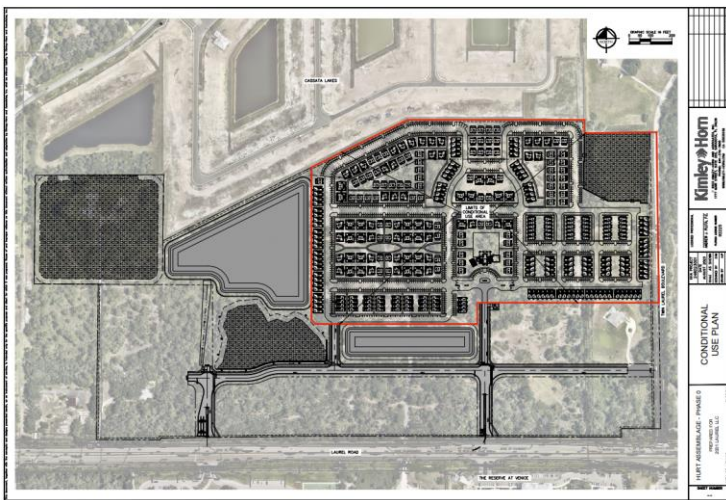
### **Conclusions/Findings of Fact (Consistency with the Comprehensive Plan):**

*Analysis has been provided to determine consistency with the Land Use Element strategies applicable to the Mixed-Use Corridor designation, strategies found in the Laurel Road Neighborhood, and other plan elements. As indicated above, no inconsistencies have been identified. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.*

## Compliance with the Land Development Code

The Commercial, General zoning lists multi-family as a use that needs a special exception under the former land development code. The appropriate course of action at this time is to process this request as a conditional use, as this is an inactive district and under the new land development code the special exception process is no longer an available option. It should be noted that, though this property opted out of rezoning, the project area would have been included in the Laurel West Zoning District, in which multi-family is a permitted use.

The approximate area of the conditional use request is identified on the Conditional Use Plan below:



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

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:

a. Land use density and intensity.

**Applicant Response:** The proposed Conditional Use for multi-family use will allow for a less intense use than the commercial uses permitted by right in the Commercial General (CG) district.

**Staff Response:** The proposed land use is consistent with the current FLU and Zoning that applies to other properties that did not opt out of the rezone that happened in July 2022.

b. Building heights and setbacks.

**Applicant Response:** Building heights and setbacks will be confirmed through the required S&D plan application to ensure compatibility.

c. Character or type of use proposed.

**Applicant Response:** The proposed Conditional Use for multi-family use will provide for a transition of uses between the future commercial development within the 83 acre +/- assemblage to the south and the adjacent single-family residential development to the north.

d. Site and architectural mitigation design techniques.

**Applicant Response:** The proposed Conditional Use for multi-family use has been located to provide a transition of uses between the future commercial development within the 83 acre +/- assemblage to the south and the adjacent single-family residential development to the north.

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

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

**Applicant Response:** The proposed Conditional Use for multi-family use will allow for a less intense use than the commercial uses permitted by right in the Commercial General (CG) district.

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

**Applicant Response:** Not applicable.

g. 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:** Not applicable.

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

**Applicant Response:** The proposed Conditional Use for multi-family use will allow for a less intense use than the commercial uses permitted by right in the Commercial General (CG) district.

### Decision Criteria for Conditional Use

Chapter 87 Section 1.8.3 provides decision criteria that specifies that the Commission shall make a finding that the granting of the conditional use will not adversely affect the public interest and that satisfactory provision and arrangement has been made concerning the following matters, where applicable. The applicant has provided a written response to each consideration as part of the submitted application material:

1. Compliance with all applicable elements of the Comprehensive Plan.

**Applicant Response:** The proposed multi-family use is consistent with all applicable elements of the Comprehensive Plan. Specifically, the subject property is designated Mixed Use Corridor and approval of the proposed conditional use will allow for a mixed-use development consistent with the intent of the Comprehensive Plan.

2. General compatibility with adjacent properties and other property in the district.

**Applicant Response:** The proposed multi-family residential use is compatible with the properties in the Commercial General (CG) district to the south and west, and with the property to the east with a pending rezoning to the Commercial

Highway Interchange (CHI) in Sarasota County. The proposed multi-family use is also compatible with the single-family residential uses to the north and will provide an appropriate transition between the future commercial uses to the south of the subject property and the single-family residential uses to the north.

3. Any special requirements set out in Section 2 in this chapter for the particular use involved.

**Applicant Response:** Not Applicable

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

*The proposed conditional use has been deemed compliant, and no inconsistencies have been identified with the LDC.*

**Concurrency/Mobility**

Regarding public facilities concurrency, no issues were identified by the Technical Review Committee regarding the Conditional Use request. Concurrency will be sought through a separate petition for Preliminary Plat and Site and Development Plan. The preliminary plat application has been received and is in TRC review. Site and Development Plan application has not yet been received.

An analysis of transportation mobility for the preliminary plat is under review by the City's traffic consultant and compliance will be confirmed through that process.

***Conclusions/Findings of Fact (Concurrency):***

*No issues have been identified regarding adequate public facilities capacity to accommodate the development of the project. Comments were received from the School Board, and a school concurrency determination will be required at the time of the submittal for the final site plan or plat.*

***Conclusions/Findings of Fact (Mobility):***

*The applicant has provided traffic analysis through an associated petition for this property (Preliminary Plat Petition No. 23-59PP) which is under review by the City's transportation consultant and Sarasota County.*

## **II. CONCLUSION**

### **Planning Commission Report and Action**

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 Conditional Use Petition No. 23-35CU.