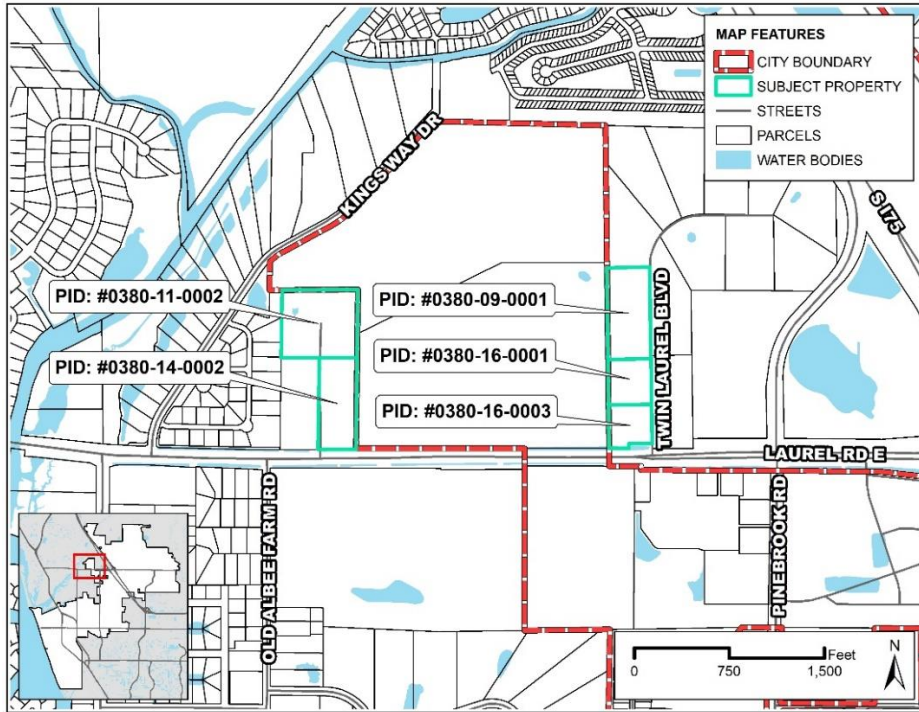


22-46RZ Laurel Road Assemblage Rezone Staff Report



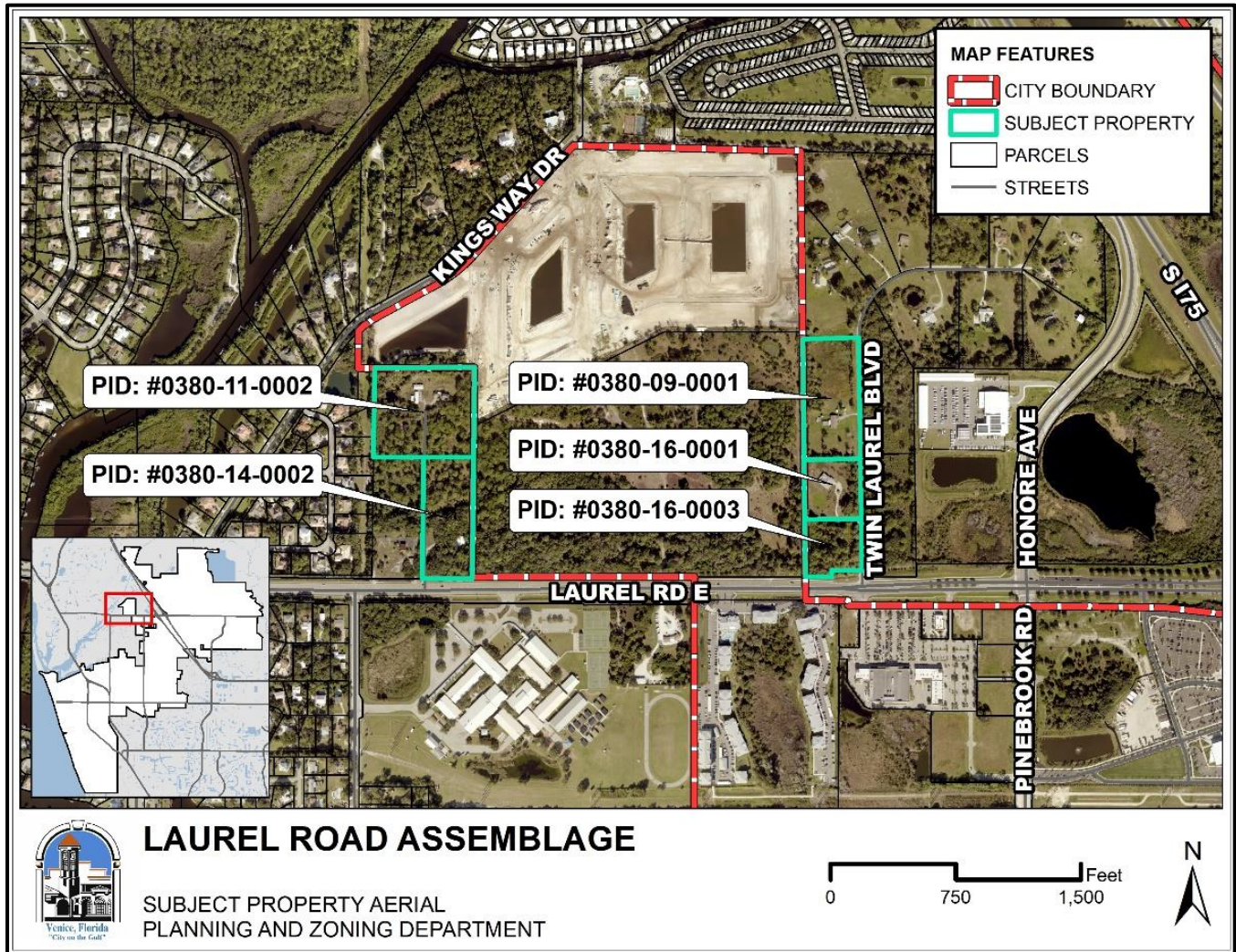
GENERAL INFORMATION	
Address:	1651 Laurel Road E.; 1881 Laurel Road E.; 1101 Twin Laurel Blvd.; 1099 Twin Laurel Blvd.; 2399 Laurel Road E.
Request:	Request to assign a City of Venice zoning designation of Commercial, General (CG) to the subject properties
Owner/Applicant:	2001 Laurel LLC
Agent:	Annette M. Boone, Esq., Boone Law Firm
Parcel ID:	0380110002;0380140002;0380090001;0380160001;0380160003
Parcel Size:	22.97 ± acres
Future Land Use:	East: Sarasota County Moderate Density Residential and Office/Multi-Family Residential; West: Sarasota County Medium Density Residential
Proposed Future Land Use:	Commercial General (CG)
Zoning:	East: Sarasota County Open Use Estate 1 and Office, Professional, and Institutional; West: Sarasota County Open Use Estate 1
Proposed Zoning:	Mixed Use Corridor (MUC)
Comprehensive Plan Neighborhood:	Laurel Road Neighborhood
Application Date:	June 30, 2022

I. BACKGROUND

The following petition was applied for under the former Chapter 86 of the Land Development Code, and therefore references to the old LDRs are within this staff report. The subject property consists of five (5) parcels all located in Nokomis, Sarasota County, Florida 34275 (collectively referred to as the "Subject Property"). The Property totals 22.97 ± acres. The Applicant has submitted concurrent Annexation and Comprehensive Plan Amendment applications with this Zoning Map Amendment application. The Applicant is proposing a Future Land Use (FLU) designation of Mixed-Use Corridor (MUC) and zoning designation of Commercial General (CG). The Applicant anticipates developing the Property, together with the interlinking 60 (+/-) acre parcel, for a mixture of potential office/professional and institutional, commercial, and/or residential uses that would support and complement the area.

II. EXISTING CONDITIONS

Aerial Photo



Site Photos



Drone Imagery- East Parcels



Drone Imagery-Facing West Parcels

Flood Zone Information

The FEMA Flood Insurance Rate Map (FIRM) shows the subject property with the designations of Zone X: 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile, and Zone A: Without Base Flood Elevation.

Surrounding Property Information for East Subject Property

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Residential	Sarasota County Open Use Estate, 1 unit/5 acres (OUE-1)	Sarasota Mixed Use Corridor (MUC)
South	Multifamily housing and School	Residential Multi Family 3 (RMF-3)	MUC
East	Vacant land	Sarasota County OUE-1	Sarasota Moderate Density Residential (MODR)

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
West	Vacant land	CG	MUC

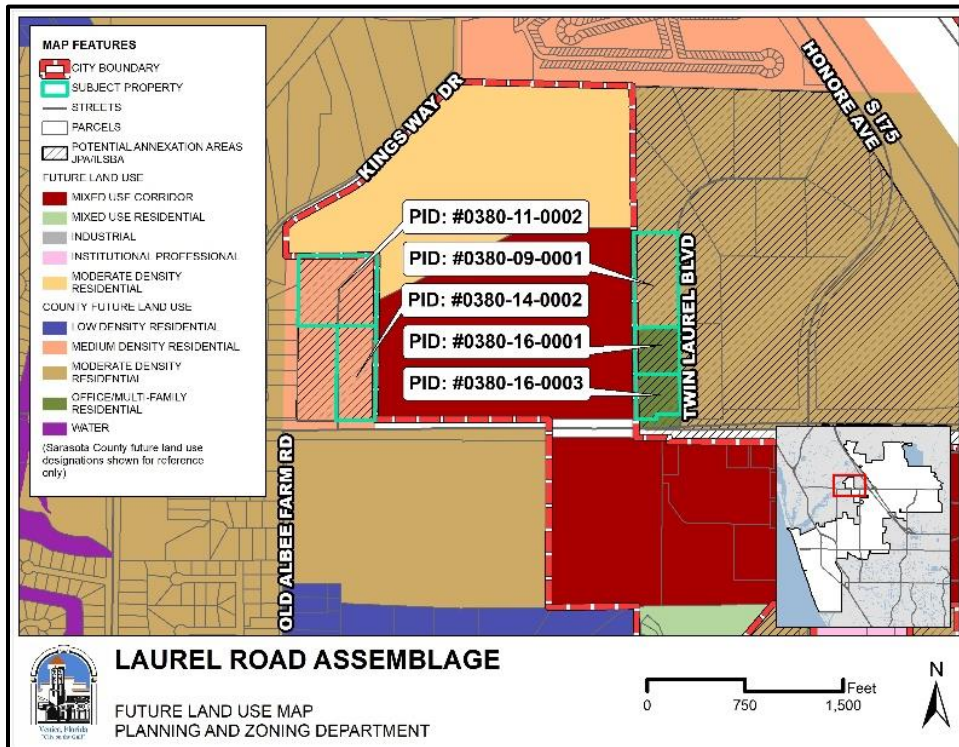
Surrounding Property Information for West Subject Property

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 Moderate Density Residential
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 Moderate Density Residential

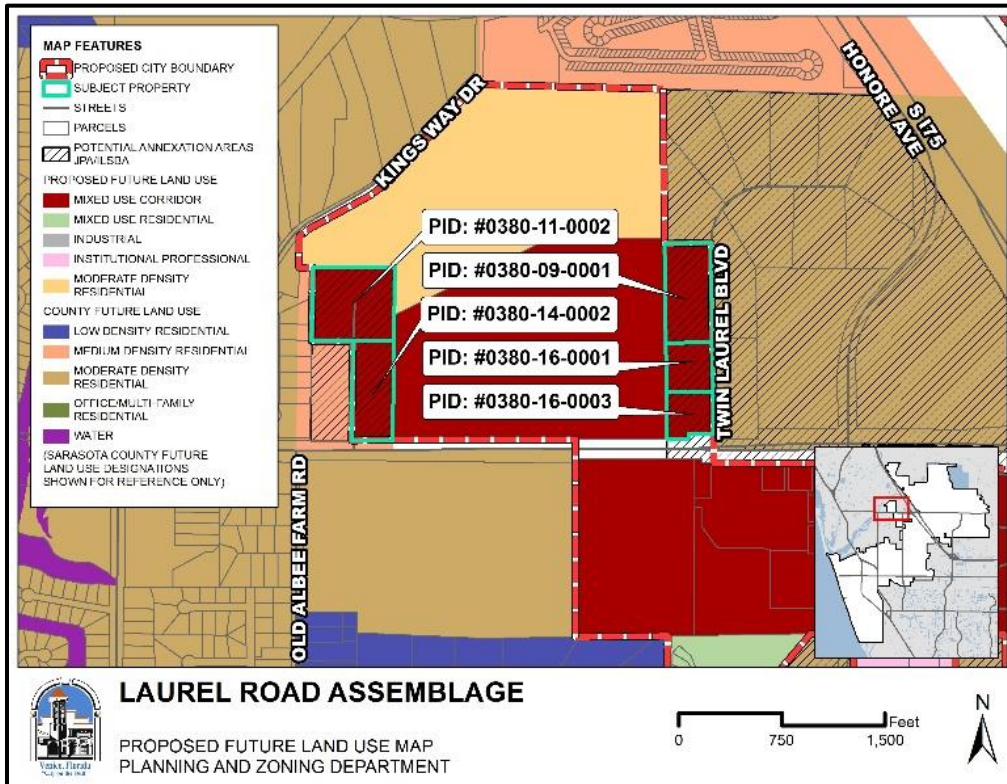
As indicated above the West subject property currently has Sarasota County zoning designations of Open Use Estate 1 and Office, Professional, and Institutional, and the Future Land Use designations of Moderate Density Residential and Office/Multi-Family Residential. The East subject property currently has Sarasota County zoning designations of Open Use Estate 1 and Office, Professional, and Institutional, and the Future Land Use designations of Moderate Density Residential and Office/Multi-Family Residential. The Subject Property for both the western and eastern subject property is located within Area 5 of the JPA/ILSBA.

The request is for a change in Zoning to Commercial General (CG). A related proposal is to change the Future Land Use designation to Mixed Use Corridor (MUC), as shown on the maps below.

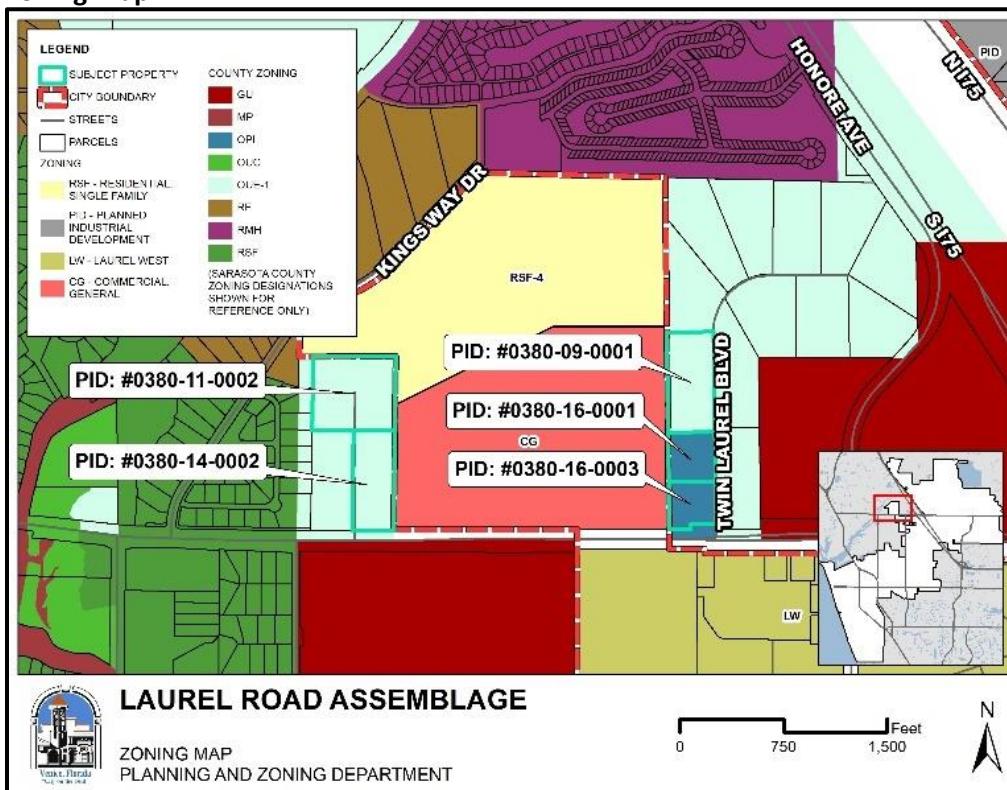
Future Land Use Map



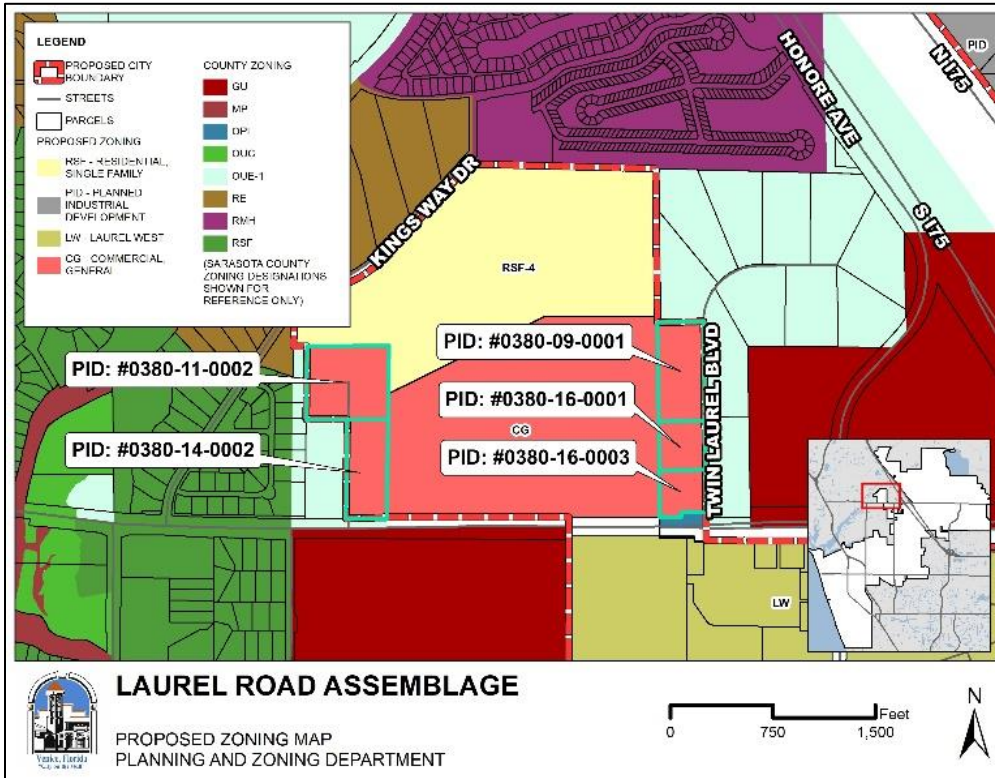
Proposed Future Land Use



Zoning Map



Proposed Zoning Map



III. PLANNING ANALYSIS

In this section of the report, analysis of the subject rezone petition evaluates A) how the existing County zoning compares to the proposed City Commercial General (CG) zoning with regard to allowed uses and development standards, B) consistency with the Comprehensive Plan, C) compliance with the Land Development Code, and D) compliance with the City’s concurrency management and transportation mobility regulations and the project’s expected impacts on public facilities.

Comparison of Existing County Zoning and Proposed City CG Zoning

The applicant has submitted a zoning map amendment application to rezone the subject property from County Open Use Estate 1 and Office, Professional, and Institutional (East parcels) and Open Use Estate 1 (West parcels) to City CG zoning. It is important to note the approved pre-annexation agreement requires the property to be rezoned to a City designation concurrent with the proposed annexation and prior to any development proposal for the property. The applicant has considered the surrounding properties in determining an appropriate zoning district for the subject property. The table below provides a comparison of the districts’ development standards and permitted uses.

Standards	Existing Zoning – OUE	Existing Zoning – OPI	Proposed Zoning – CG
Density Limit	1 du/5 ac	N/A	18 du/ac
Maximum # Dwelling Units	1	9- upper story residential	35

Height	35 feet	35 feet by right 85 feet by special exception	35 feet*
Principal Uses**	Residential, Agriculture, Borrow Pit, Family Daycare, Parks, Utilities, Crematorium	The district is not retail commercial in character. Large-scale office, cultural and institutional uses are encouraged to locate in these districts. This district allows residential use, including upper story residential dwelling units, in order to promote live-work and mixed use opportunities.	CG district is intended for general commercial activity. Retail, Personal and Business Services and Personal and Business Services.

*Conditional Use available for additional height

**Not an exhaustive list of district uses

Consistency with the Comprehensive Plan

The subject property has the Future Land Use designation of Mixed Use Corridor (MUC). The property is located in the Laurel Road Neighborhood, an area where planned developments within the City and development surrounding the City emphasize a further need for non-residential land uses.

The previous Strategy LU 1.2.4 identified the proposed CG District as an implementing zoning district of the Mixed Use Corridor land use designation, which is proposed for the subject property through petition no. 22-45CP. Currently, Strategy 1.2.4 identifies only the mixed use zoning districts as implementing districts for the MUC, though these were not available to the applicant at the time of filing. The nearest mixed use district to the subject property would be Laurel West. Note that the intervening property is also Commercial, General, as it was given a City zoning in 2020 and the property owner opted out of receiving a Laurel West designation with the adoption of the zoning map on July 12, 2022.

Strategy LU 1.2.9.c addresses the Mixed Use Corridor designation. The subject site is located in and has the potential to support the Laurel Road Corridor and other areas of the City. No specific development has been proposed with this rezoning request, but a mix of uses, both horizontal and vertical, are allowed. Since industrial uses are only permitted as grandfathered, they would not be allowed, as the subject site is vacant. Typical developments in this area should utilize form-based code concepts and standards, or a “campus-style” design, encouraging walkability within the site.

The Subject Property is adjacent to a mixture of JPA Area 5-Laurel Road Mixed Use and single-family residential subdivisions. JPA Area 5-Laurel Road Mixed Use is compatible with the Future Land Use of Mixed Use Corridor (MUC) and the proposed CG Zoning based on **Strategy LU 1.2.13**. Also consistent with this strategy, perimeter compatibility standards in the Land Development Code will be applied during development. Those areas next to single family will be addressed further at the time of Site and Development or Preliminary Plat application submittal, which would be processed under the new Land Development Code and subject to the same compatibility standards previously included in the Comprehensive Plan as Policy 8.2. The applicant has provided responses to the items in Policy 8.2, which was still in effect at the time of application, for consideration.

The previous Strategy LU 4.1.1 included Policy 8.2, Land Use Compatibility Review Procedures. Compatibility review requires evaluation of the following as listed in Policy 8.2:

A. Land use density and intensity.

Applicant Response: The CG zoning designation sought through this proposed zoning map amendment permits a land use density and intensity that is compatible with the existing neighborhood. Moreover, the MUC FLU designation and JPA neighborhood further regulate the land use density and intensity in a way that facilitates compatibility.

B. Building heights and setbacks.

Applicant Response: The building heights and setbacks permitted via CG zoning designation are of a scale that is compatible with the existing neighborhood.

C. Character or type of use proposed.

Applicant Response: The character or type of use permitted under the proposed CG zoning designation are of a scale that is compatible with the existing neighborhood.

D. Site and architectural mitigation design techniques.

Applicant Response: N/A

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 uses permitted under the proposed CG zoning designation, if implemented on the property at the time of development, would not create incompatibility with existing single-family neighborhood and thereby intrude upon such neighborhoods.

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

Applicant Response: The proposed CG zoning designation for the Property would not allow the location of commercial or industrial uses in areas where such uses would be incompatible with the existing uses in the area.

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: N/A.

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

Applicant Response: The densities and intensities permitted under the proposed CG zoning designation are compatible with the densities and intensities of existing uses.

Summary staff comment: Staff is not aware of any nonconforming uses existing on the property. The existing uses are permitted until such time as a site and development plan are proposed.

Potential incompatibility shall be mitigated through techniques including, but not limited to:

I. Providing open space, perimeter buffers, landscaping and berms.

J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.

K. Locating road access to minimize adverse impacts.

L. Adjusting building setbacks to transition between different uses.

M. Applying step-down or tiered building heights to transition between different uses.

N. Lowering density or intensity of land uses to transition between different uses.

Applicant Response I.-N.: The considerations set forth in items I.-N. are not all materially applicable to the zoning map amendment stage; however, the proposed zoning map amendment complies with the JPA/ILSBA and

Comprehensive Plan, and therefore development of the Property will proceed in a manner that ensures compatibility with the existing neighborhood. All such considerations will be further evaluated and appropriately addressed at the time of development plan proposal.

Summary Staff Response: Further consideration will be addressed at the time of site and development plan.

Comprehensive Plan Inconsistencies

No inconsistencies have been identified with this proposal.

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 future land use designation, strategies found in the Laurel Road Neighborhood element, and other plan elements. As indicated above, no inconsistencies have been identified. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

Land Development Code Compliance

The subject petition has been processed with the procedural requirements contained in Section 86-47 of the Land Development Code (LDC). In addition, the petition has been reviewed by the Technical Review Committee and no issues regarding compliance with the Land Development Code were identified.

Section 86-47(f) of the Land Development Code states that, when pertaining to the rezoning of land, the report and recommendations of the Planning Commission to the City Council shall show that the Planning Commission has studied and considered the proposed change in relation to the considerations listed below. The Planning Commission materials include the applicant's response verbatim (italicized) to each of the considerations. Staff comments have also been provided where applicable.

(f) Contents of planning commission report.

(1) Rezoning amendments. When pertaining to the rezoning of land, the report and recommendations of the planning commission to the city council shall show that the planning commission has studied and considered the proposed change in relation to the following, where applicable:

a. Whether the proposed change is in conformity to the comprehensive plan.

Applicant response: The proposed Zoning Map Amendment to CG for the Property conforms to the Comprehensive Plan and the JPA/ILSBA, as incorporated therein. Further, the concurrently proposed Comprehensive Plan Amendment to the MUC FLU designation permits CG as an implementing zoning district.

Staff Comment: The proposed Zoning Map Amendment to CG for the Property conforms to the Comprehensive Plan and the JPA/ILSBA.

b. The existing land use pattern.

Applicant response: The proposed CG zoning for the Property is compatible with existing land uses in the area.

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

Applicant response: The proposed CG zoning will not create an isolated district, and rather complements the uses in its area.

Staff Comment: Proposal will not create an isolated district.

d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

Applicant response: The proposed zoning change will not stress demands on public facilities, and development will pay impact fees that may be used to support all public facilities.

Staff Comment: The proposed zoning does not fully address demands on public facilities, and this can be further addressed at the time of site and development plan submittal.

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Applicant response: The Property is proposed for annexation into the City for future development. The proposed CG zoning designation will provide for an appropriate zoning district. The Property is currently either undeveloped or utilized by current owners for single-family residences; all property owners are seeking to allow for development of the Property in accordance with the concurrently proposed Comprehensive Plan FLU designation and existing and future development in the area.

f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

Applicant response: Increased development and intensification of the surrounding neighborhood suggests that this proposed zoning amendment would provide for a more complimentary land use pattern.

Staff Comment: Passage of the proposal will allow for the development of the property to support the surrounding growth in the area.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.

Applicant response: The proposed zoning will not adversely influence living conditions in the neighborhood.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

Applicant response: The proposed zoning change will not create or excessively increase traffic congestion, nor will it affect public safety.

Staff Comment: Proposed zoning change will not increase traffic. Further analysis of transportation impacts would be conducted at time of site and development plan submittal.

i. Whether the proposed change will create a drainage problem.

Applicant response: The proposed zoning will not create a drainage problem and will be required to meet all City, State, and Federal standards related to drainage at the time of development.

j. Whether the proposed change will seriously reduce light and air to adjacent areas.

Applicant response: No serious reduction to light and air available to adjacent areas would be produced by the proposed zoning.

k. Whether the proposed change will adversely affect property values in the adjacent area.

Applicant response: No adverse impact to property values will be created by the proposed zoning.

l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

Applicant response: The proposed zoning will not deter improvement or development of adjacent property in accordance with existing regulations.

m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

Applicant response: The proposed zoning would not constitute a special privilege granted to the owner of the Property compared to the public welfare.

n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

Applicant response: The Property presently has a County zoning designation and requires a City zoning designation, which is obtained through this Zoning Map Amendment process.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

Applicant response: The proposed zoning works to meet the needs of the neighborhood and the City as a whole.

p. Whether it is impossible to find other adequate sites in the City for the proposed use in districts already permitting such use.

Applicant response: In light of the development changes in the immediate area surrounding the Property, this site is appropriately suited for the proposed zoning map amendment more so than other areas in the City.

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

The proposed zoning map amendment is compliant, and no inconsistencies have been identified with the LDC.

Concurrency/ Mobility

The applicant is not requesting confirmation of concurrency as part of the proposed zoning map amendment. Concurrency will be reviewed with a development proposal, and a full review will be provided at that time. However, the proposed zoning map amendment was reviewed by the City's Technical Review Committee (TRC) and no issues were identified regarding facilities capacity.

No development has been proposed through this application. A Traffic Impact Analysis will be required with submittal of a development proposal. An analysis of transportation concurrency will be performed by the City's traffic consultant at that time.

Conclusions/Findings of Fact (Concurrency): As indicated, the applicant is not seeking confirmation of concurrency with the subject application. However, the proposed zoning map amendment was reviewed by the City's Technical Review Committee (TRC) and no issues were identified regarding facilities capacity.

Conclusions/Findings of Fact (Mobility):

No development has been proposed through this application. A Traffic Impact Analysis will be required with submittal of a development proposal.

IV. SUMMARY FINDINGS OF FACT

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 future land use designation, strategies found in the Laurel Road Neighborhood element, and other plan elements. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

CONCLUSIONS/FINDINGS OF FACT (CONSISTENCY WITH LAND DEVELOPMENT CODE): The proposed zoning map amendment is compliant, and no inconsistencies have been identified with the LDC.

CONCURRENCY/MOBILITY: No issues have been identified regarding adequate public facilities capacity to accommodate the development of the project per Chapter 94 of the Land Development Regulations, and no transportation issues have been identified.

V. 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 for the Planning Commission to take action on Zoning Map Amendment Petition No. 22-46RZ.