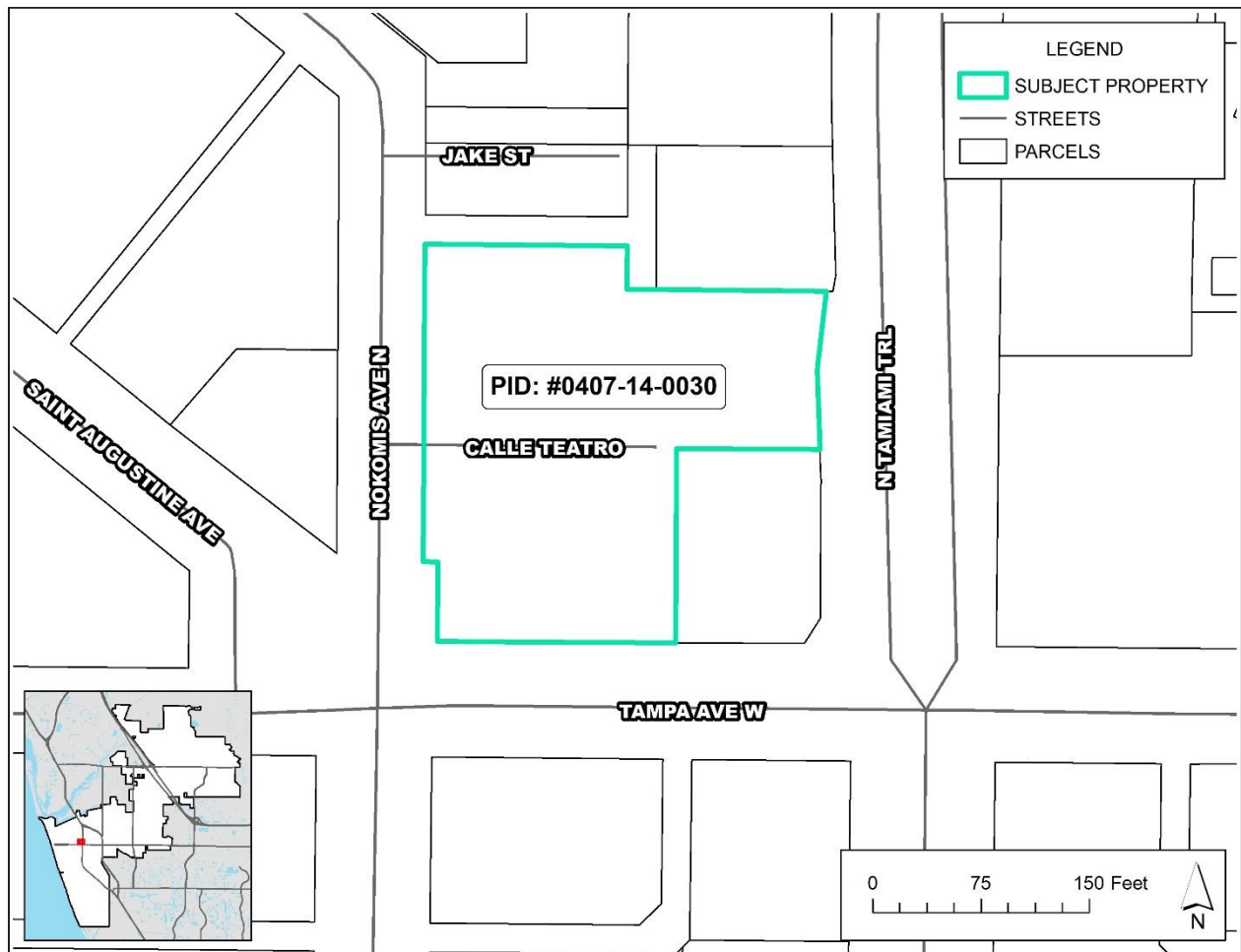


23-26HE Venice Theatre Staff Report



GENERAL INFORMATION

Address:	140 W. Tampa Avenue
Request:	To reconstruct the Venice Theatre fly loft to a height of approximately 70 feet.
Owner:	Venice Theatre, Inc.
Agent:	Jackson R. Boone, Esq. Boone Law Firm
Parcel ID:	0407140030
Parcel Size:	1.3 ± acres
Future Land Use:	Mixed Use Downtown (MUD)
Zoning:	Venice Avenue (VA)
Proposed Zoning:	Downtown Edge (DE), awaiting 2 nd reading for approval
Comprehensive Plan Neighborhood:	Island
Application Date:	January 6, 2023
Related Applications:	23-25SP and 23-02RZ

I. BACKGROUND

The Venice Theatre is located on the corner of Tampa Avenue and Nokomis Avenue North. The structure was heavily damaged in late September of 2022 by Hurricane Ian and the Theatre has started the process of rebuilding.

The Venice Theatre is considered a cultural gem of the city and a highly respected institution in the community. Although the building could be reconstructed exactly as it existed prior to Hurricane Ian, the Theatre desires to take advantage of a catastrophic event to improve and upgrade the facility to provide an even better experience for patrons.

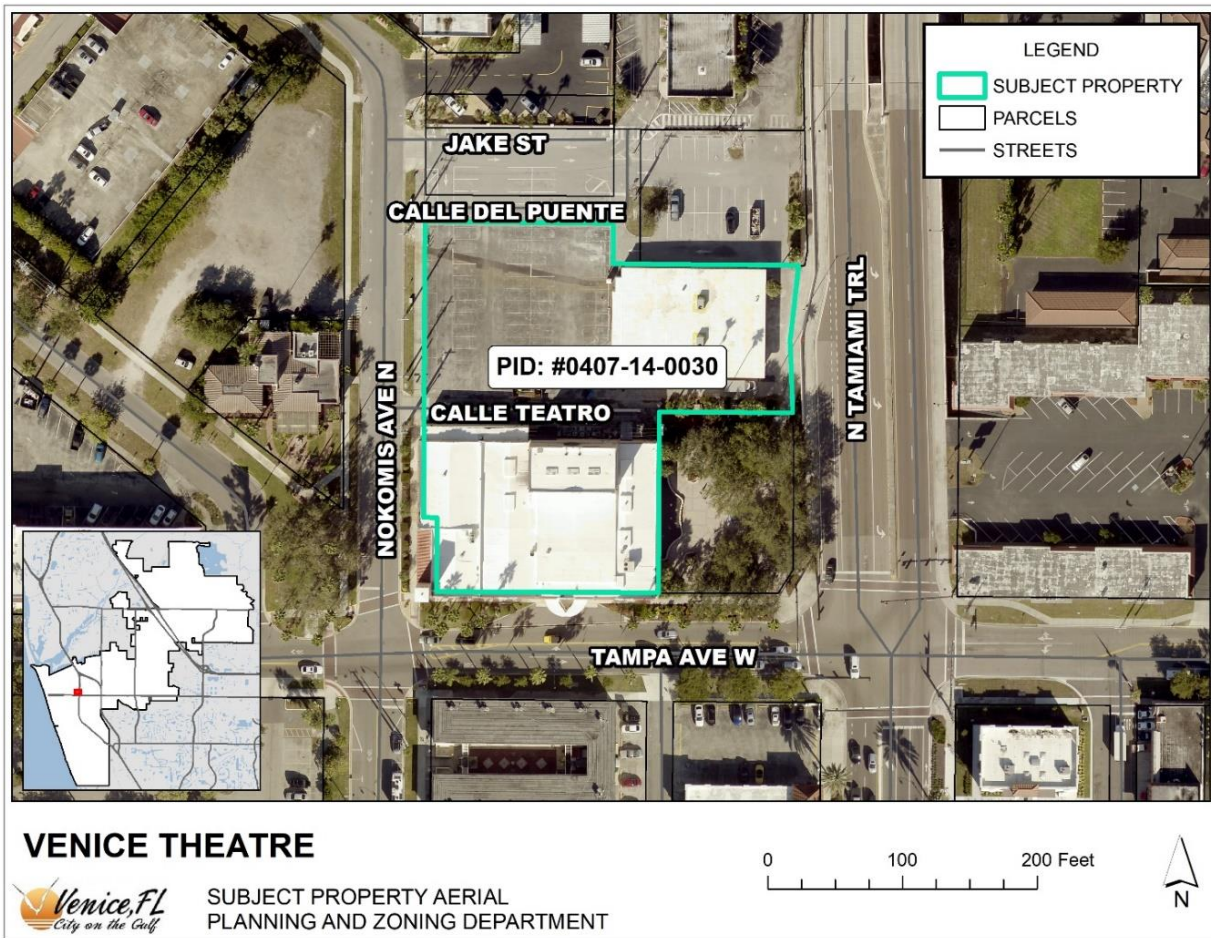
The Height Exception is contingent upon approval of Zoning Map Amendment Petition (23-02RZ), scheduled for a second reading on 6/13/23. The proposed Zoning Map Amendment would rezone the property from Venice Avenue (VA) to Downtown Edge (DE). The DE district allows for a Height Exception request up to 75 feet, while the existing zoning of VA only allows a Height Exception request up to 45 feet. The Theatre is requesting to reconstruct the fly loft to a height of approximately 70 feet.

II. PROJECT DESCRIPTION

Height Exception

The Height Exception request is to reconstruct the Venice Theatre fly loft to a height of approximately 70 feet. This would result in an additional 35 feet in height above the maximum allowed in the Downtown Edge (DE) Zone District. However, it will exceed the previous fly loft height by 24 feet. The rebuilt fly loft is designed to bring the Theatre building up to industry standards in terms of vertical spacing above the stage and safety for its use.

There are two petitions associated with this petition, which are Site and Development Plan (23-25SP) and Zoning Map Amendment Petition (23-02RZ). The rezoning is scheduled for second reading on 6/13/2023, while this petition and the Site and Development Plan are scheduled for the Planning Commission for 6/06/2023. Because the Height Exception is contingent on the approval the Zoning Map Amendment Petition, a stipulation is recommended and is included at the end of this report.



Site Photographs



Northeast



Southeast



West

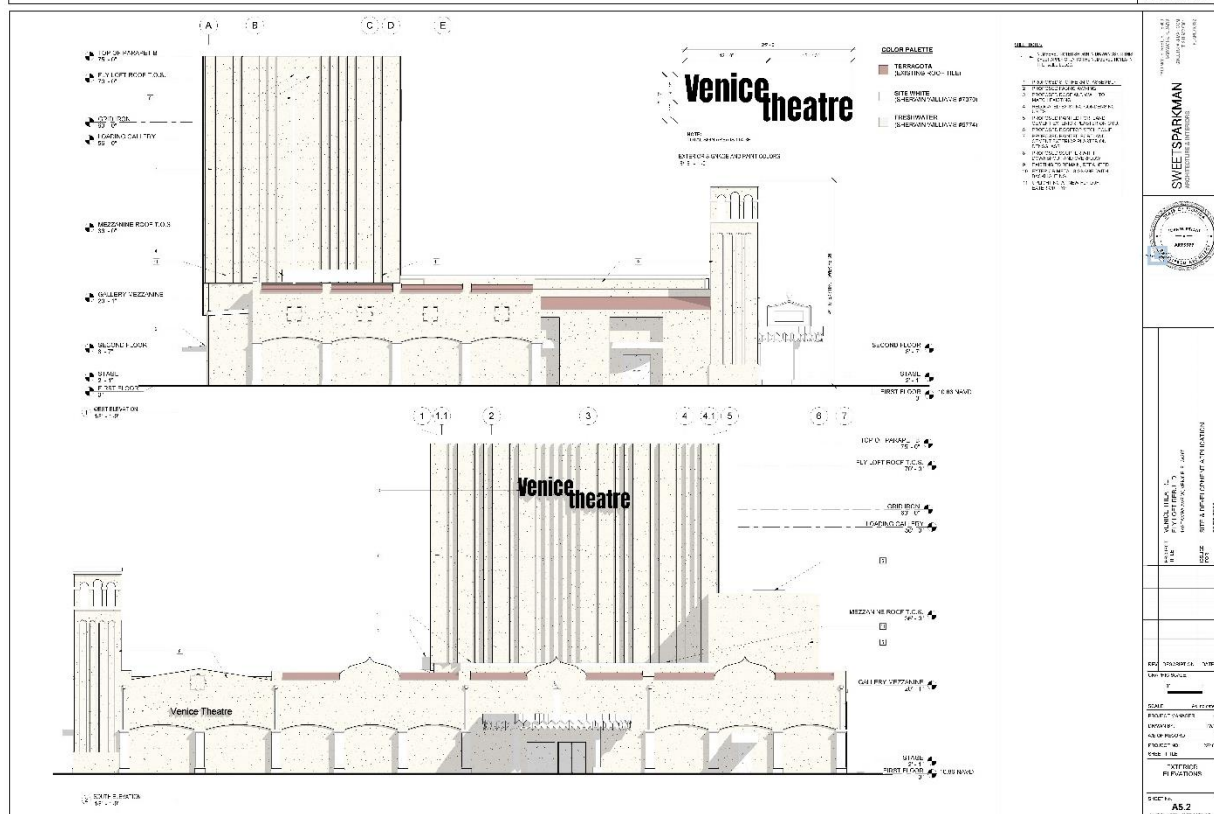
Site Photographs before Hurricane Ian



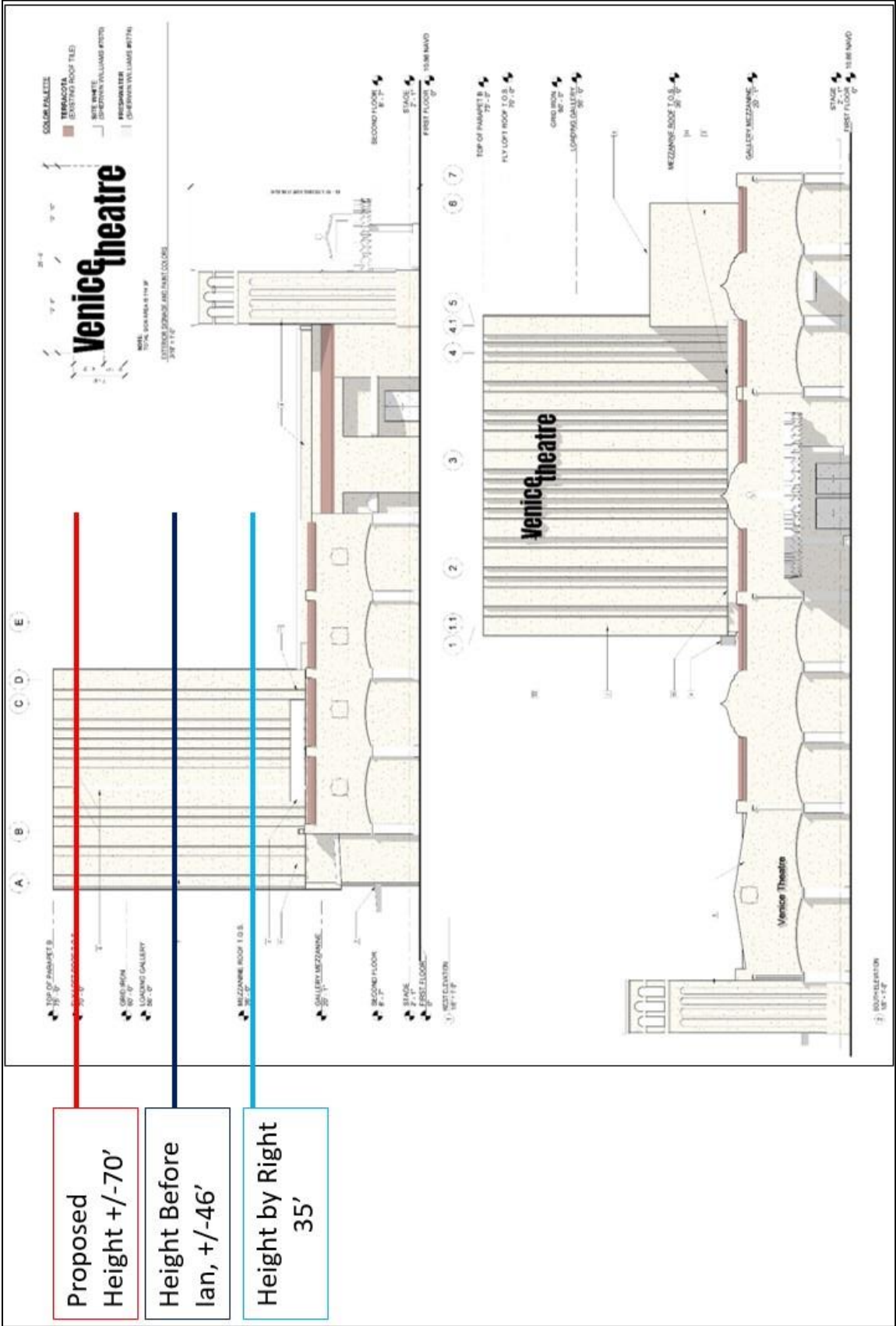
Looking Northeast



Looking Southwest from U.S 41 Bypass

[illegible]

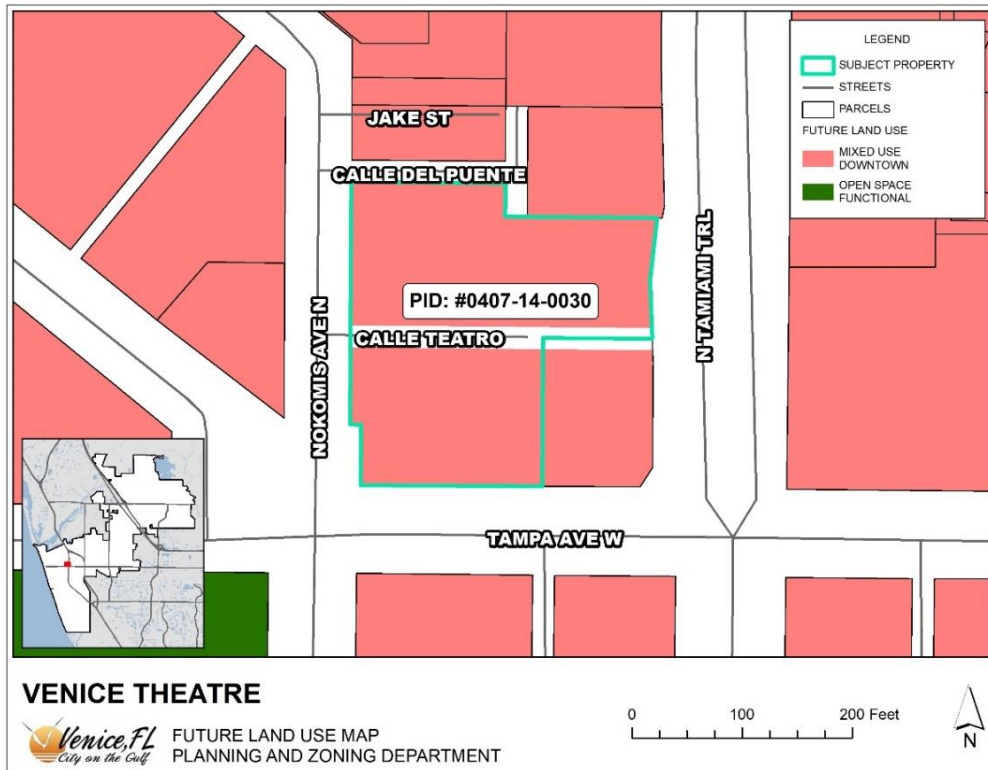
Approximate Location of Applicable Heights



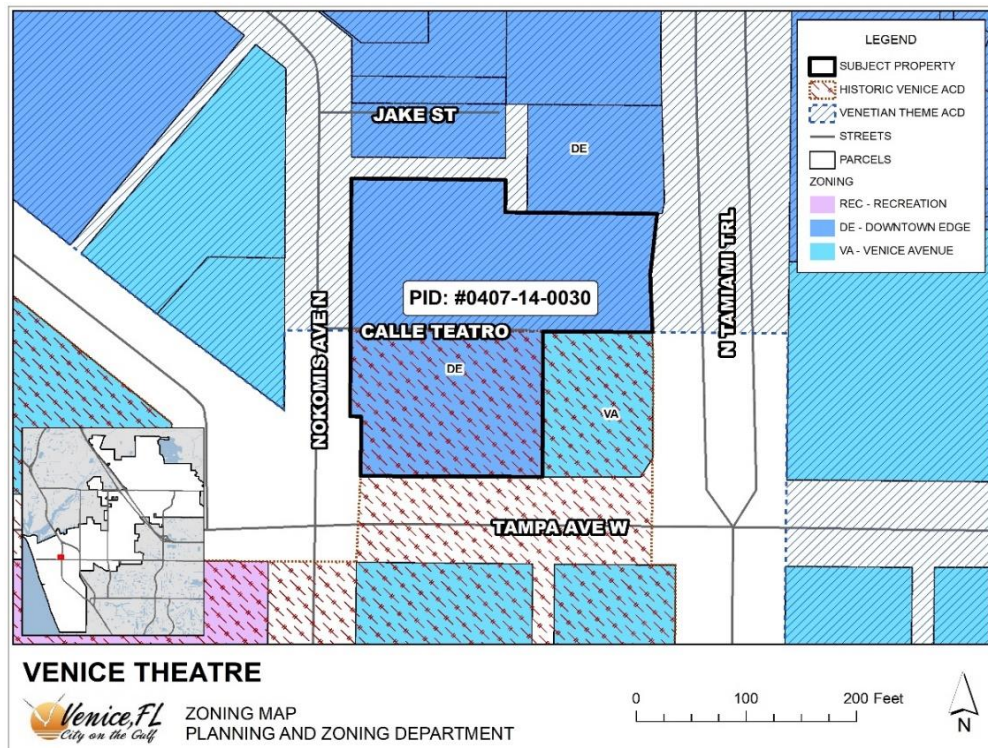
Future Land Use and Zoning

The Future Land Use designation for the subject property is Mixed Use Downtown (MUD) and the current and proposed zonings are depicted on the maps below.

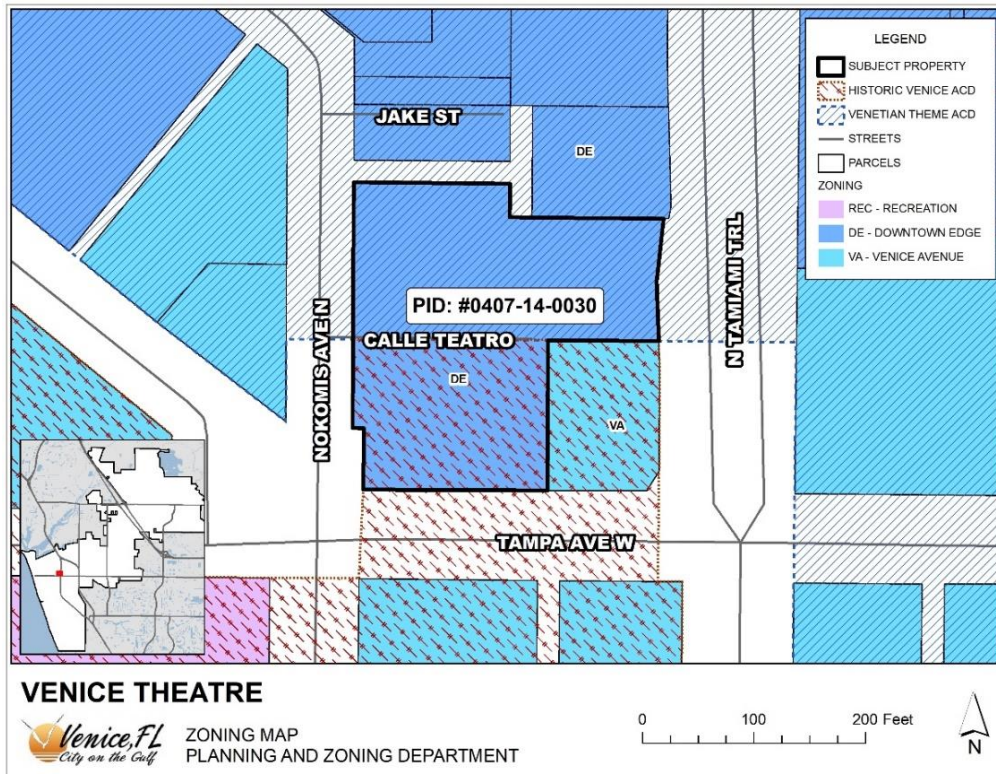
Future Land Use



Current Zoning



Zoning Proposed



Surrounding Land Uses

Direction	Existing Land Uses(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Public Parking Lot	Downtown Edge (DE)	Mixed Use Downtown (MUD)
South	Residential over Retail (Christian Science Society)	Venice Avenue, (VA)	MUD
East	Michael Biehl Park	VA	MUD
West	Commercial (Luna)	VA	MUD

III. PLANNING ANALYSIS

In this section of the report, analysis of the Special Exception petition evaluates 1) consistency with the Comprehensive Plan, and 2) compliance with the City's Land Development Code (LDC), and 3) compliance with requirements for Concurrency/Mobility.

Consistency with the Comprehensive Plan

A review of the Comprehensive Plan does not produce any strategies or intents that would relate to this proposal for 35 feet of additional building height, either in the Mixed Use downtown future Land Use Element or in the Island Neighborhood element. A review of other elements and strategies did not

produce any other relevant considerations for the project, and no inconsistencies have been identified with this proposal.

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 Downtown future land use designation, strategies found in the Island 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 subject petition has been processed with the procedural requirements to consider a Height Exception. In addition, the petition has been reviewed by the Technical Review Committee (TRC) and no issues regarding compliance with the Land Development Code were identified.

Decision Criteria 1.12.3.

In reaching a decision regarding the height exception as submitted, the Council shall be guided in its decision to approve, approve with conditions, or to deny by the following considerations. (Applicant responses are provided below in bold):

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

Applicant Response: The proposed height exception is compliant with all applicable elements of the Comprehensive Plan.

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

Applicant Response: The proposed height exception is compatible with adjacent properties and other properties in the district.

3. Scale of development. The relationship of the project or development in terms of its size, height, bulk, massing, intensity, and aesthetics, to its surroundings;

Applicant Response: The scale of the development, i.e., its size, height, bulk, massing, intensity and aesthetics, are appropriate and compatible with its surroundings.

4. Required yards and other open space;

Applicant Response: Not applicable.

5. Screening and buffering, with reference to type, dimensions and character;

Applicant Response: Not applicable.

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

Applicant Response: The proposed height exception is consistent with all applicable zoning requirements.

Summary Staff Comment

The Applicant is proposing to reconstruct the fly loft to 70 feet. The additional height requested does not affect traffic flow, access, or parking requirements. Regarding compatibility and scale, there are taller structures to both the East and West of the Theatre.

Concurrency/Mobility

Regarding public facilities Concurrency and Mobility, no issues were identified by the Technical Review Committee regarding the Height Exception.

Conclusions/Findings of Fact (Concurrency/Mobility):

No issues were identified by the Technical Review Committee regarding the Height Exception request.

Recommended Stipulation

Approval of this Height Exception (23-26HE) is contingent upon approval of proposed Zoning Map Amendment Petition No. 23-02RZ by City Council.

IV. CONCLUSION

Planning Commission Report and Action

Upon review of the petitions 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 Height Exception Petition No. 23-26HE.