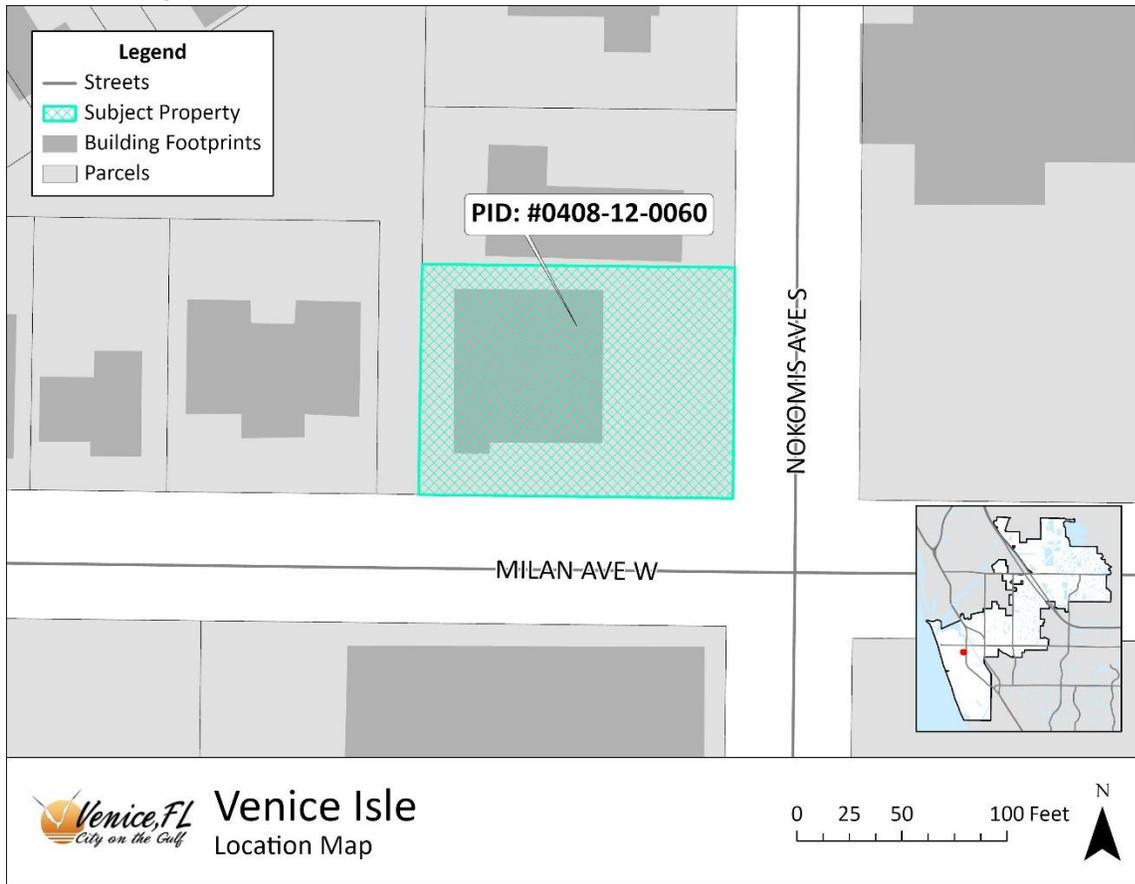


# 25-55DA Venice Isle Staff Report



## General Information

<b>Address:</b>	256 Nokomis Ave. South
<b>Request:</b>	Request for relief from Chapter 87 Section 4.5 for perimeter buffer, Chapter 87 Section 3.1.8.1.B.1.a center of drive to property line distance, and Chapter 87 Section 2.3.5.1 for setbacks.
<b>Owner:</b>	Venice Isle LLC
<b>Agent:</b>	Beka Saldadze (B Design LLC)
<b>Parcel ID:</b>	0408-12-0060
<b>Parcel Size:</b>	±.379 acres
<b>Future Land Use:</b>	Mixed Use Downtown (MUD)
<b>Zoning:</b>	South Trail 1 (ST 1)
<b>Comprehensive Plan Neighborhood:</b>	Island
<b>Application Date:</b>	April 18, 2025
<b>Related Applications:</b>	25-13 SP

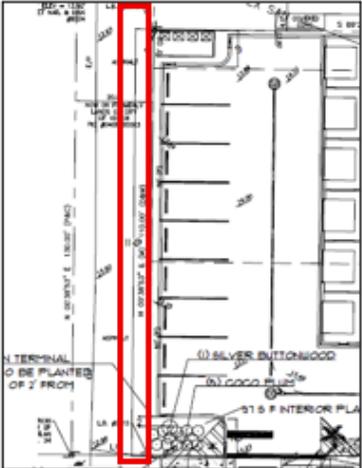
# I. BACKGROUND AND EXISTING CONDITIONS

The proposed project is located on the corner of Nokomis Avenue South and Milan Ave West at 256 Nokomis Ave. S. The entire parcel contains ±0.38 acres more or less. The project involves removing the existing single-story commercial building and constructing a new three-story multi use building, which will include commercial areas on the first floor and residential units on the top two floors. The requested design alternative is running concurrently with Site and Development Plan petition 25-13SP.

The applicant proposes three (3) design alternatives, all related to the unique nature of the proposed use. They include alternatives to Chapter 87 Section 4.5 for perimeter buffer, Chapter 87 Section 3.1.8.1.B.1.a center of drive to property line distance, and Chapter 87 Section 2.3.5.1 for setbacks. The applicant provided the following narrative justifications. Additionally, clips from the relevant plans, along with outlining where needed, have been provided by staff.

**Justification for Design Alternative to Chapter 87 Section 4.5:** Along the west property boundary, a Type 1 perimeter buffer is required by LDC code Chapter 87, Section 4.5. However due to the proposed building design, property layout and required parking, only a 2’ perimeter buffer is provided and a design alternative is requested.

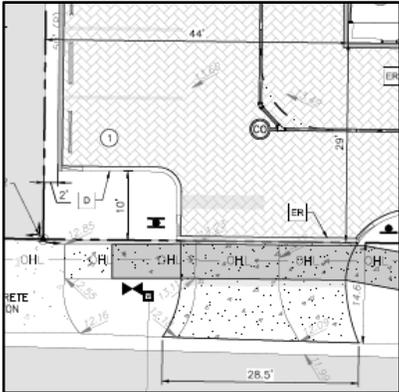
Chapter 87, Section 4.2.B notes that the intent of a perimeter buffer is to mitigate and screen the property from adjacent properties and public right-of-way. For the last few decades there have been no buffer between the existing building and the building to the west. This project looks to completely change the appearance of the property, maximize the number of residential units and also include a commercial component to the property that did not exist before. The proposed project includes a small landscape buffer to the west, however due to the layout of the property and building it is smaller than required by the current LDR and the building cannot be shifted or adjusted to meet this buffer requirement as well as all the other City of Venice code requirements. However, this alternative layout still provides some buffer to the adjacent property that did not exist for the last few decades.



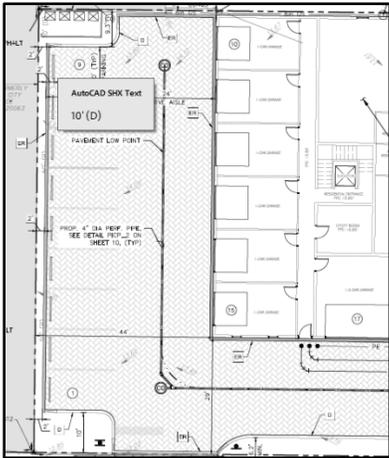
**Justification for Design Alternative to Chapter 87 Section 3.1.8.B.1.a:** A second design alternative includes the distance from the center of the drive to the property line.

Per LDR Chapter 87, Section 3.1.B.1 the required offset from the center of the drive to the edge of the property is required to be 20’ for non-residential and mixed-use districts. This project proposes an alternative design of 17’ from the center of the drive to the property line. While this offset is slightly smaller than required, there is still an adequate landscape buffer prior to

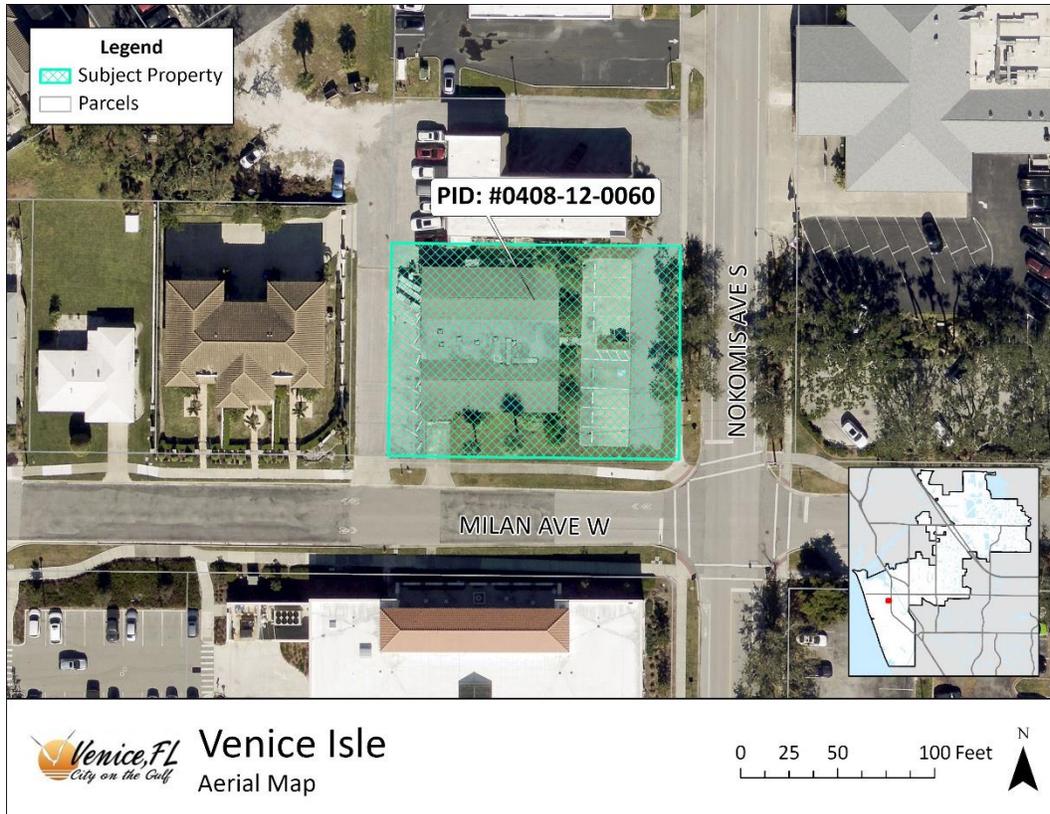
the sidewalk and will not negatively affect the aesthetics of the property. Due to the layout of the building, required parking and other code requirements, the driveway could not be shifted further away from the property line without impacting the setback distance on the other side of the property.



**Justification for Design Alternative to Chapter 87 Section 2.3.5.1:** A third design alternative includes the maximum rear and side (south) setback distance. Per LDR Chapter 87, Section 2.3.5; The maximum rear setback dimension is 20'. The proposed project has a maximum rear setback of 44'. Due to the layout of the building and required parking spaces, the building was set at the minimum front setback dimension of 5' and the rear corner of the building is 44' from the property line. The building cannot be shifted further to the west due to the required drive isle and parking spaces that come within 2' of the rear property line. While this dimension is greater than the Land Development Code allows, the max. rear setback is similar to the existing building that has been there for decades and this proposed project does not distract from the surrounding properties. Also per LDR Chapter 87, Section 2.3.5; The maximum side setback dimension is 15'. The proposed project has a maximum south side setback of 29'. Due to the layout of the building, driveway width regulation and landscape buffer the building was set at the 29' from the south property line.



## Aerial Photo



## II. PLANNING ANALYSIS

Staff reviewed the design alternative application to evaluate consistency with the City of Venice 2017-2027 Comprehensive Plan and compliance with the Land Development Code.

### Consistency with the Comprehensive Plan

The following strategy is applicable to the petition for Design Alternative:

**Strategy LU-IS 1.1.2-Mixed Use Downtown.** The proposed Site and Development Plan would support mixed use, including upper unit residential and ground floor commercial. Medium and high density residential uses are permitted and commercial/office uses are envisioned on the ground floor. Residential Density (Du/Ac) is 9.1-18 except when vertical mixed use is proposed, which can allow for the minimum to be reduced to 5.1 Du/Ac. The proposed project would be at the maximum for allowable density at 7 units, or 18 du/ac.

**Conclusions/Findings of Fact (Comprehensive Plan):** Analysis has been provided to determine consistency with Land Use Element strategies, the Island Neighborhood strategies, and other plan elements. As previously indicated, no inconsistencies have been identified. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

## Land Development Code

The subject petition has been processed with the procedural requirements for a design alternative. In addition, the petition has been reviewed by the Technical Review Committee.

### 1.11.3. Decision Criteria

Proposed design alternatives may be approved or denied separately or have stipulations imposed deemed appropriate for the request. The reviewing body shall consider the following criteria in making its determination:

1. Whether the design alternative is consistent with the stated purpose and intent of this LDR and with the Comprehensive Plan;

**Applicant Response:** *Chapter 87, Section 4.2.B notes that the intent of a perimeter buffer is to mitigate and screen the property from adjacent properties and public right-of-way. For the last few decades there have been no buffer between the existing building and the building to the west. This project looks to completely change the appearance of the property, maximize the number of residential units and also includes a commercial component to the property that did not exist before. The proposed project includes a small landscape buffer to the west, however due to the layout of the property and building it is smaller than required by the current LDR and the building cannot be shifted or adjusted to meet this buffer requirement as well as all the other City of Venice code requirements. However, this alternative layout still provides some buffer to the adjacent property that did not exist for the last few decades.*

*Likewise, the required offset from the center of the drive to the edge of the property is required to be 20' for non-residential and mixed use districts per LDR Chapter 87, Section 3.1.B.1. This project proposes 17' in the longitudinal center of the drive to the property line. While this offset is slightly smaller than required, there is still an adequate landscape buffer prior to the sidewalk and will not negatively affect the aesthetics of the property. Due to the layout of the building, required parking and other code requirements, the driveway could not be shifted further away from the property line without impacting the setback distance on the other side of the property.*

*In addition, LDR Chapter 87, Section 2.3.5, states the maximum rear setback dimension is 20'. The proposed project has a maximum rear setback of 44'. Due to the layout of the building and required parking spaces, the building was set at the minimum front setback dimension of 5' and the rear corner of the building is 44' from the property line. The building cannot be shifted further to the west due to the required drive aisle and parking spaces that come within 2' of the rear property line. While this dimension is greater than the Land Development Code allows, the max. rear setback is similar to the existing building that has been there for decades and this proposed project does not distract from the surrounding properties.*

2. Whether the design alternative will have a material negative impact on adjacent uses, and if so, whether the applicant proposes to mitigate the negative impact to be created by the proposed design alternative;

**Applicant Response:** *For the past few decades, the existing building at 256 Nokomis Ave S. and 216 Milan Ave. W were separated by approximately 35' of paved asphalt that included an alley for vehicle access to the north of Milan Ave. W and vehicle parking immediately adjacent to the alley. For the proposed project the appearance would be very similar, except the vehicle parking would be accessed from the private driveway at 256 Nokomis Ave. W and not the alley. There would be 2' grass strip between the two areas which is more than there is existing. Even though this 2' strip is substandard, this proposed layout would improve the aesthetics of the area. Due to the layout of the building, required parking and access, there is insufficient room to accommodate a standard width buffer area between the alley and the parking.*

Similarly, the City of Venice Code requires the centerline of an access driveway to be 20' offset of the property line. Due to the layout of the building, required parking and access, there is insufficient room to accommodate the standard offset distance. However there is a landscape buffer between the access driveway and the sidewalk. The overall appearance of the proposed project will not have a negative impact for the neighborhood.

Likewise, the required maximum setback at the rear property line of 20' is greater than the proposed project actual dimension of 44'. As noted above, due to the layout of the building, required parking and access, there is insufficient room to accommodate the maximum rear setback distance. The existing building has a similar rear setback dimension so the overall appearance will not be affected but the proposed project will enhance the neighborhood appearance due to the run down nature of the exiting building due to the hurricane damage.

3. Whether the design alternative will permit superior design, efficiency, and performance;

**Applicant Response:** The existing building was constructed many years ago and is in a state of disrepair. The proposed project looks to improve the neighborhood by increasing retail space, providing additional housing and to improve the aesthetics of the property. The design of the flex space is of superior design and use of the property.

4. If applicable, whether the design alternative is necessary to preserve or enhance significant existing environmental or cultural features, such as trees, scenic areas, historic or archeological sites, public facilities, or similar; and

**Applicant Response:** The design alternative will not preserve or enhance significant existing environmental or cultural features. Due to the size and layout of the property and to utilize the allowed residential density and commercial use there is insufficient area to provide the required standard buffer along the west property boundary and to shift the access driveway further away from the property line without a complete re-design of the proposed building and parking facilities.

5. Whether the design alternative will result in a negative impact to the adopted level of service of public facilities.

**Applicant Response:** The proposed project cannot help but improve the overall appearance and function of the property. For the west landscape buffer requirement, there has been no landscape buffer between these properties for decades. While the proposed landscape buffer is less than the required, it still provides a partial landscape buffer. For the driveway offset, while the required distance is not achievable, there is adequate distance for the driveway and for a landscape buffer prior to the sidewalk. For the maximum setback distance, the exiting building has a similar setback dimension for decades so the change in appearance is minor.

**Summary Staff Comment:** The proposed project is on a small parcel, which makes providing required parking and associated buffers while maximizing the development a potential challenge. Chapter 87 Section 2.3.2.D allows for a design alternative to be requested for building placement/setback in a mixed use district, which is consistent with the design alternative request for the side and rear setbacks. In the current state the property does not have a buffer along the west side of the property. Upon further review the requested design alternative for the drive aisle is not necessary as it is currently over 20' on the site plan.

**Conclusions/Findings of Fact (Compliance with the Land Development Code):** The proposed design alternative has all the required information for a decision to be made.

**III. CONCLUSION**

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 make a decision on Design Alternative Petition No. 25-55DA.