



Toscana Isles Unit 1
Preliminary Plat Amendment No.: 13-3PP.1
Staff Report

Applicant: Multiple Entities (see application) Parcel ID #: Multiple Parcels (see application)

Agent: D. Shawn Leins, P.E., AM Engineering, Inc.

Project Acreage: 146.45 acres (Toscana Isles PUD 428.34 +/- acres)

Existing Zoning: Planned Unit Development (PUD)

Existing Future Land Use Designation: Knights Trail Neighborhood (Planning Area K)

Summary of Proposed Preliminary Plat Amendment:

- 1) The preliminary plat petition no. 13-3PP for Toscana Isles Unit 1 was approved by City Council on November 26, 2013. A portion (164 of 296 lots) of Unit 1 was recorded as a final plat on July 24, 2015. The applicant is proposing an increase to lot sizes and other revisions in the areas that have yet to be recorded as a final plat. The proposed modifications will result in a total of 277 lots in Unit 1 (a reduction of 19 lots from original approval).

Stipulation:

- 1) Prior to the approval of any final plat associated with the subject preliminary plat, the developer shall restrict all open space shown on the approved preliminary plat in accordance with Section 86-130(j)(3) in a manner satisfactory to the City Attorney.

Attached Exhibits: Exhibit A: Toscana Isles Binding Master Plan (adopted by Ordinance No. 2012-13)

I. BACKGROUND

- In 2011, the former RV park property was rezoned to “Planned Unit Development (PUD)” for the development of Toscana Isles, a mixed residential and commercial project.
- An initial preliminary plat petition No. 11-1PP was approved in 2011 that subdivided the property into 18 large tracts to facilitate future development of the property.
- In 2012, Ordinance No. 2012-13 approved the rezoning of a portion of the former “Renaissance” property to PUD and included it for future development within the Toscana Isles project.
- In 2013, preliminary plat petition No. 13-3PP was approved for Unit 1 consisting of 296 single-family lots (Map 5 on page 10 of staff report).
- A final plat for a portion of Unit 1 was recorded in July of 2015 that included 164 of the

296 proposed lots.

- The current petition proposes to increase the remaining lot sizes in Unit 1, Phase 2 along with revisions to other areas of the plat. These changes will result in a total of 277 lots for Unit 1, 19 less than originally proposed.

II. INTRODUCTION

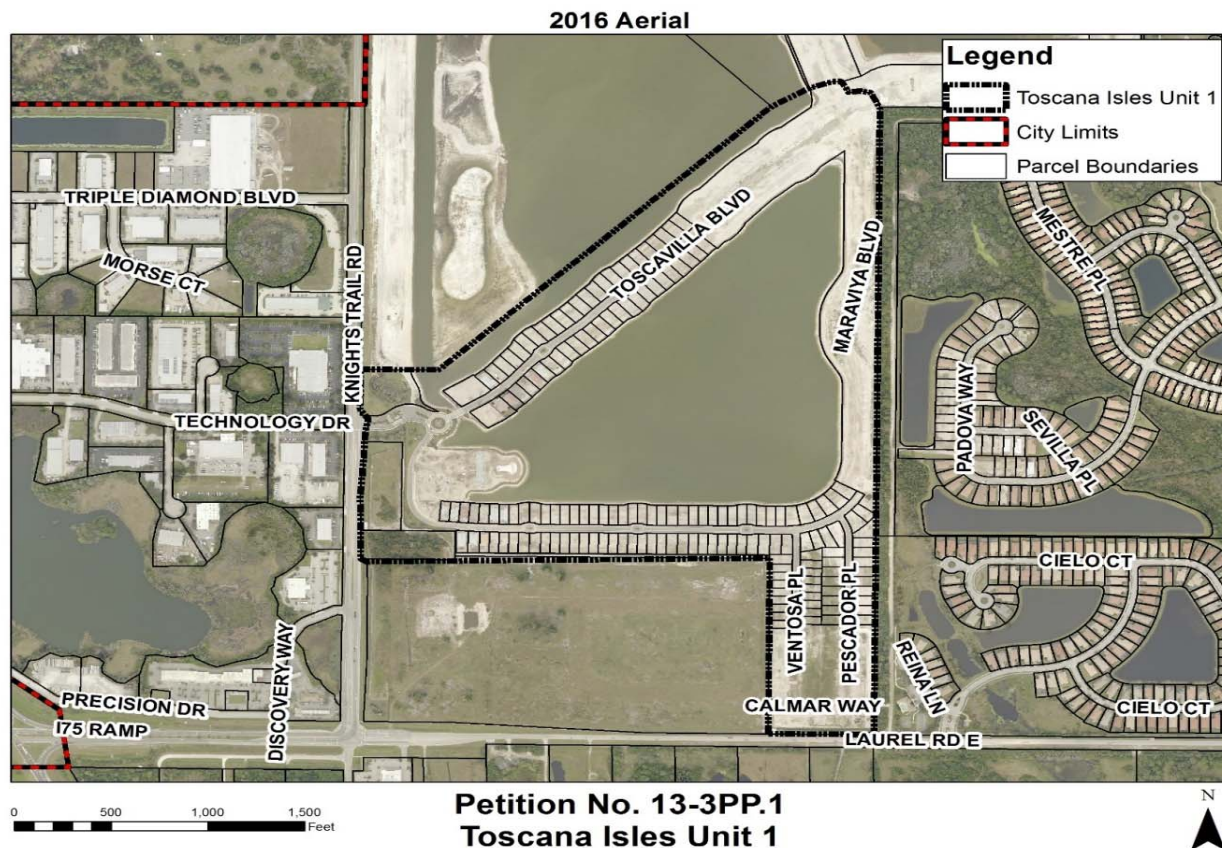
On December 29, 2015, a pre-application meeting was held with City Planning staff and the development team to discuss amending the approved Toscana Isles Unit 1 preliminary plat. On March 16, 2016, a formal petition to amend the previously approved Unit 1 preliminary plat was submitted by AM Engineering, Inc. Since that time, staff has worked with the development team members to ensure compliance with the Toscana Isles PUD Binding Master Plan standards and the subdivision design standards contained in the Land Development Code.

The owner proposes to increase lot sizes in Unit 1, Phase 2 and make revisions in other areas of the plat. These areas of the Unit 1 preliminary plat have yet to be memorialized through the recording of a final plat. In order to accomplish the proposed revisions, the owner must revise the existing approved preliminary plat to reflect the changes prior to approval of a final plat for the remainder of Unit 1. This is being accomplished through the subject preliminary plat amendment application.

III. SUBJECT PROPERTY/SURROUNDING AREA INFORMATION

As shown on the aerial photograph below (Map 1), the subject property is generally located east of Knights Trail Rd., north of Laurel Rd. and south of Gene Green Rd. It is located in the southern portion of the Toscana Isles subdivision in which residential structures are currently being permitted and constructed. Following Map 1 are a series of photos which show on-site conditions of the subject property.

MAP 1: Aerial Photograph/Existing Land Use





View of Unit 1, Phase 3 looking northeast along Toscavilla Blvd.



Location of the circle where Maraviya and Toscavilla intersect. Unit 2 location in the background.



View of Unit 1, Phase 2 along Maraviya. Location of proposed increase of lot sizes.



View of Unit 1, Phase 4 looking south toward Laurel Road. Pescador Place is the street in the foreground.



Long view of buffer along shared border with the Portofino project.



Buffer close up

Surrounding Property Information:

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

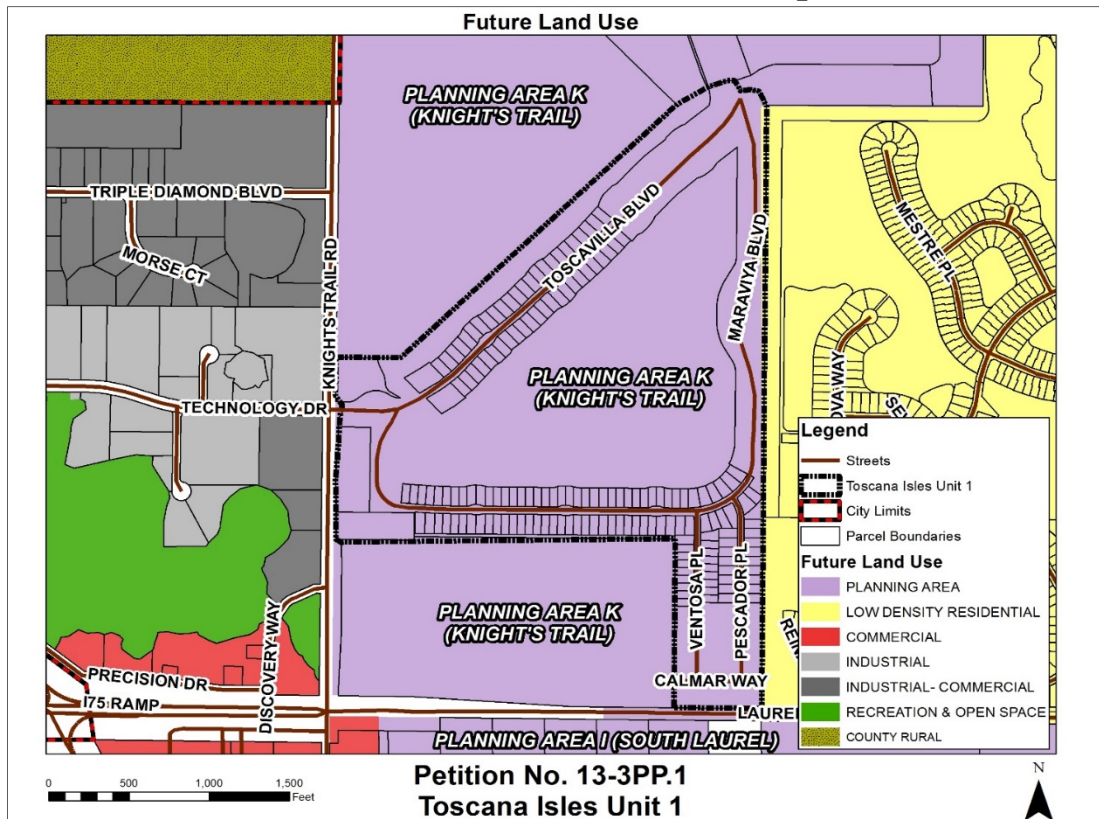
| Direction | Existing Use(s) | Current Zoning | Future Land Use Designation |
|-----------|---|--|--|
| North | Nokomis Groves, Rinker Materials and APAC-Georgia | Sarasota County OUE-1 and PID | Knights Trail Neighborhood (Planning Area K) and Gene Green Sector (Planning Area L) |
| West | Various industrial parcels (TDCP and LIBC), Habitat for Humanity and the Portofino project | PID (TDCP and LIBC), GU (Habitat for Humanity) and CMU (Portofino) | Industrial, Commercial, Industrial and Knights Trail Neighborhood (Planning Area K) |
| South | Habitat for Humanity, Portofino and Residential | GU(Habitat for Humanity), CMU (Portofino) and RMF-2 and an enclave | Knights Trail Neighborhood (Planning Area K) and South Laurel Neighborhood (Planning Area I) |
| East | Willow Chase, Venetian Golf & River Club, Miami Valley Ready Mix and MAH Venice Investments, Inc. | Residential, Single-Family-4, PUD and PID | Low Density Residential and Gene Green Sector (Planning Area L) |

Subject Property Information:

Future Land Use:

The following future land use map (Map 2) shows the subject property having a Future Land Use designation of Knights Trail Neighborhood, Planning Area K:

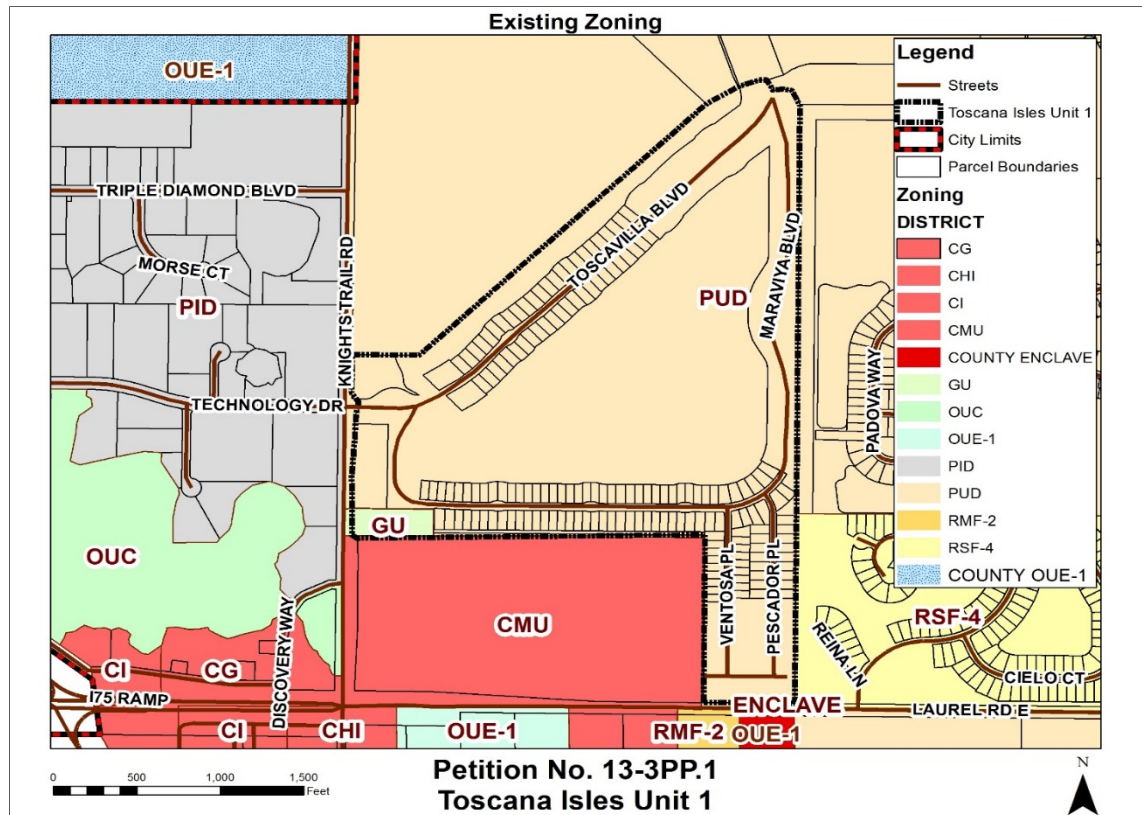
MAP 2: Future Land Use Map



Existing Zoning:

The map following (Map 3) shows the existing zoning of the subject and surrounding properties. The subject property is zoned Planned Unit Development (PUD) and is part of the Toscana Isles PUD.

MAP 3: Existing Zoning Map



IV. PRELIMINARY PLAT AMENDMENT REVIEW

Overview of the Proposed Toscana Isles Unit 1 Preliminary Plat Amendment:

The applicant is requesting Planning Commission approval of a preliminary plat amendment for Toscana Isles Unit 1. As indicated earlier, the applicant is proposing modifications to areas of the previously approved preliminary plat that have yet to be recorded in a final plat. The proposed modifications are as follows:

- Increase of lot sizes in Phase 4 along Maraviya Blvd. resulting in 277 residential single-family lots for Unit 1. This is a reduction of 19 lots to the originally approved 296 lots.
- Modifications to the landscaped buffer locations along Laurel Road and the shared border with the Portofino project. Whereas the previously approved Unit 1 Preliminary Plat (Map 5 on page 10 of this staff report) depicts these buffers located in common area entirely within the boundaries of the Toscana Isles property, the revised buffers now encroach onto the single-family lots 5 feet by easement and extend fifteen feet offsite onto Portofino property (Map 4 on page 9 of this report and plans sheet 4). As indicated, along the shared border with Portofino, the majority of the landscaped buffer is located offsite on the Portofino property. A landscape easement agreement between the two properties has been recorded in the public records to govern this area. This proposed design, although not

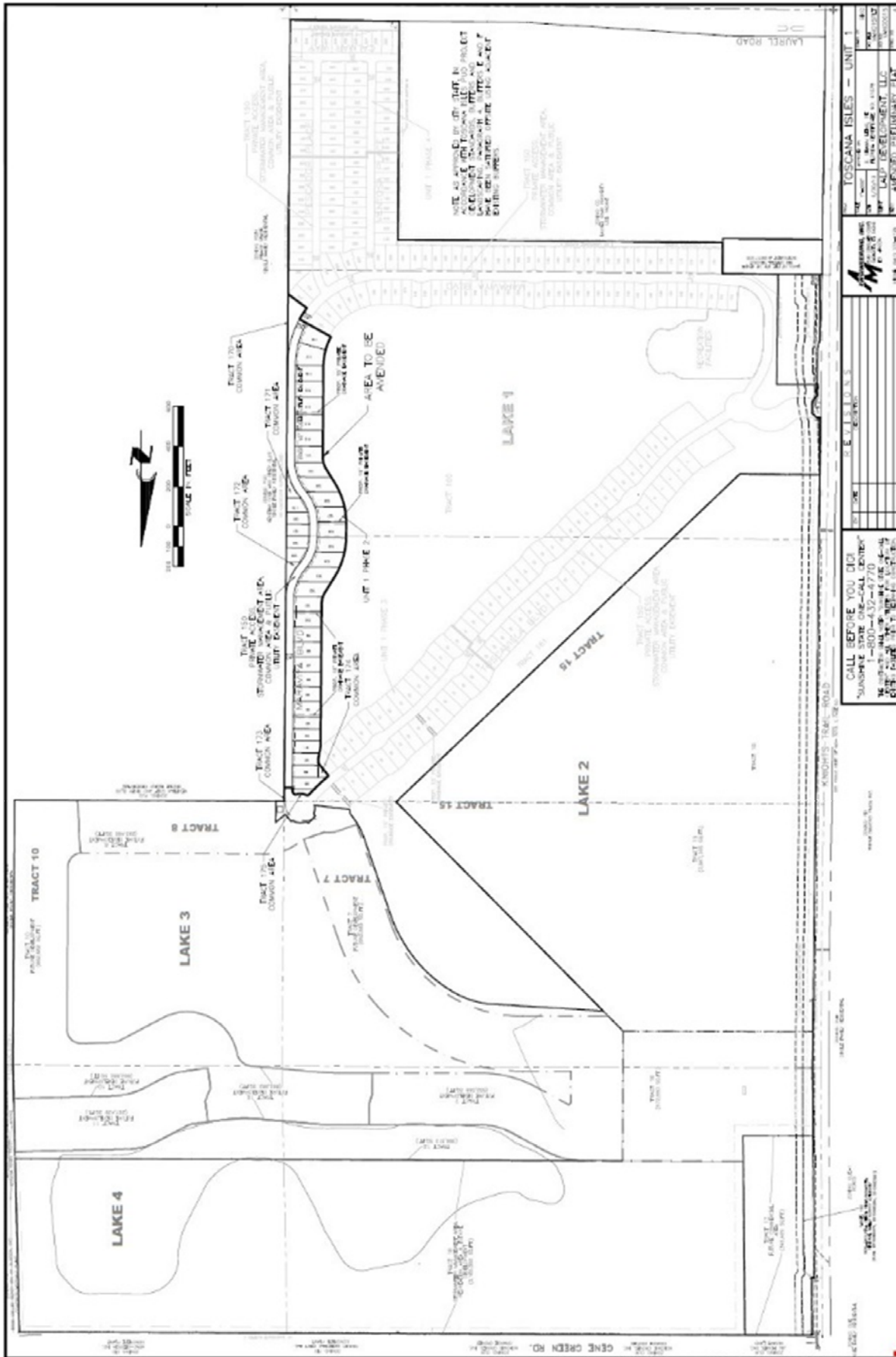
typical, is consistent with both the approved Toscana Isles PUD and the Portofino Commercial Mixed Use District (CMU) in that the approved standards of both planned districts permit the satisfaction of required buffers by the adjacent project.

- As a result of the buffer relocation, the lots along the shared boundary with Portofino have been increased in length.
- Modifications to the lot lines for lots 87 and 88 in Phase 4 have been made.
- The right-of-way width of Maraviya Blvd. has been reduced from 45 feet to 40 feet.
- Modifications to the previously approved plat boundaries at the circle where Maraviya meets Toscavilla are proposed.

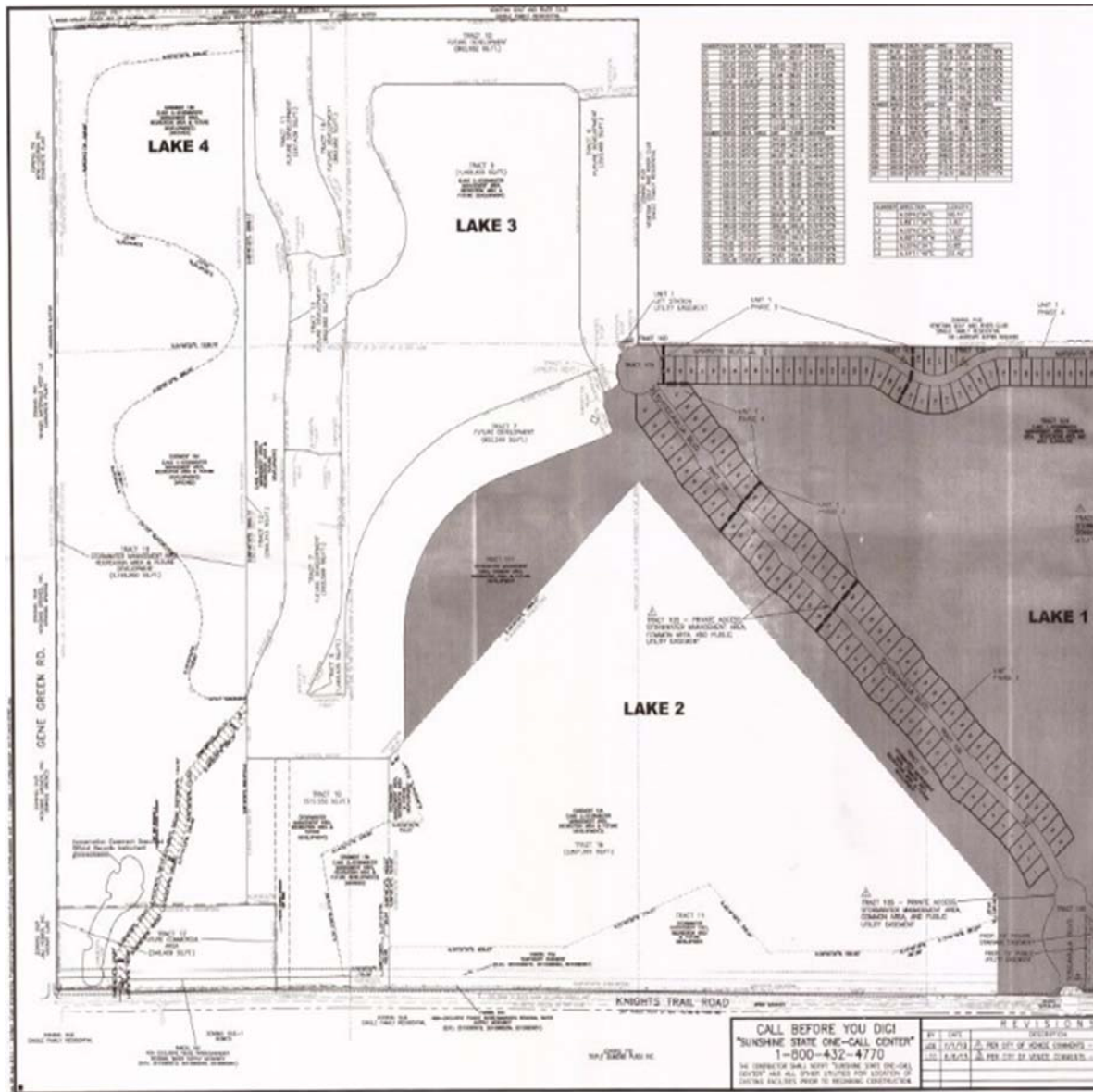
The majority of the identified revisions are minor in nature and are typical of adjustments that are necessary as a project develops. The only revision of any impact is the modification of lot sizes in Phase 4 since this results in a reduction in overall density. In addition, the location of the landscape buffer adjacent to the Portofino project offsite is not a typical design, however, as indicated previously, is consistent with the standards of the Toscana Isles PUD and the Portofino CMU.

Engineering plans have been provided by AM Engineering, Inc. along with supporting documentation required by the City's code for a preliminary plat amendment petition. This staff report is based upon the review of these plans and documents submitted as part of the application for the proposed project. The plans were reviewed for compliance with the attached Toscana Isles Binding Master Plan and the subdivision design standards contained in the Land Development Code. The Toscana Isles Binding Master Plan includes a conceptual land use plan for the entire PUD which is shown on page 13 of this staff report as Map 6.

MAP 4: Toscana Isles Unit 1 Amended Preliminary Plat



MAP 5: Approved Toscana Isles Unit 1 Preliminary Plat



Consistency with the Comprehensive Plan:

The approval of the Toscana Isles Binding Master Plan as part of Ordinance No. 2012-13, verified consistency for the proposed overall Toscana Isles development with the City's comprehensive plan. The proposed preliminary plat amendment petition has further been found consistent with the approved Toscana Isles PUD and is therefore consistent with the comprehensive plan.

Finding of Fact (comprehensive plan):

The Toscana Isles preliminary plat amendment petition is consistent with the comprehensive plan.

Compliance with Approved PUD:

This section of the staff report reviews the project for compliance with the following Toscana Isles PUD Binding Master Plan standards that are applicable to the Unit 1 preliminary plat amendment.

- **Binding Site Plan:**

The design of the preliminary plat is required to be generally consistent with the Toscana Isles Binding Site Plan (See Map 6), which is the case for the proposed preliminary plat amendment. No areas of the approved Toscana Isles Binding Master Plan that identify where specific uses will be permitted are being proposed for modification. Consistent with the PUD, the residential lots proposed in Unit 1 are located within the Subarea 1 designated as "low density single-family residential".

- **Permitted and accessory land uses:**

No change to primary or accessory uses have been proposed.

- **Maximum density and intensity of development (portion of the PUD):**

The Unit 1 preliminary plat was originally approved for a total of 296 residential units. The proposed modification to lot sizes in Phase 4 in this plat amendment results in a reduction of 19 residential units for a total of 277 units for Unit 1. This is a reduction to the previously approved density. The cumulative number of approved residential units and open space is being tracked with each preliminary plat. The Toscana Isles PUD was approved for a maximum of 1,714 residential units.

- **Minimum open space:**

The Toscana Isles PUD requires that 50% of the land area of the PUD be used as open space. The cumulative amount of open space proposed is being tracked with each preliminary plat in the Toscana Isles PUD to ensure compliance with the overall PUD open space standard. Based on the table provided on the cover page of the submitted plans, nearly a third of the required open space is being provided by the Preliminary plat for Unit 1.

Section 86-130(j)(3) requires land in a PUD designated as open space will be restricted by appropriate legal instrument satisfactory to the city attorney as open space perpetually, or for a period of not less than 99 years. Such instrument shall be binding upon the developer, his successor and assigns and shall constitute a covenant running with the land, and be in a recordable form.

To date, the developer has not satisfied the above PUD requirement for Unit 1 which will need to be satisfied prior to the approval of any final plat associated with the subject preliminary plat. To address the PUD open space requirement, the following stipulation is proposed:

Prior to the issuance of any final plat associated with the subject preliminary plat, the

developer shall restrict all open space shown on the approved preliminary plat in accordance with Section 86-130(j)(3) in a manner satisfactory to the City Attorney.

- **Roadway Design:**

Road standards were not included within the Toscana Isles PUD, however, the roads proposed in Unit 1 are consistent with the previously approved Unit 1 preliminary plat. Sidewalks are provided along both sides of the street. Where no use is proposed, the sidewalk may continue along only the side with active uses.
- **Yard and bulk standards:**

The Unit 1 lots are designed for single family detached residential structures. The preliminary plat confirms each of the following Toscana Isles PUD yard and bulk standards.

PUD Subarea 1 – Low Density Single-Family Residential

 - Maximum Lot Coverage: 60%
 - Minimum Yards: Front – 15 feet (driveway length 20 feet), Side – 5 feet, Rear – 10 feet
 - Accessory structures - may be located within five feet of the rear lot line
- **Landscaping and Buffering:**

Landscape buffers in the area adjacent to the subject petition are not proposed for modification. In fact, the buffers previously approved in the Unit 1 plat have been installed and are in excess of the buffers required by the Toscana Isles PUD. As previously indicated, the buffers now encroach onto the single-family lots 5 feet by easement and extend offsite fifteen feet onto Portofino property. Along the shared border with Portofino, the majority of the landscaped buffer is located offsite on the Portofino property. A landscape easement agreement between the two properties has been recorded in the public records to govern this area. This proposed design, although not typical, is consistent with both the approved Toscana Isles PUD and the Portofino CMU in that the approved standards of both planned districts permit the satisfaction of required buffers by the adjacent project.
- **Architecture:**

As provided in Policy 16.22.H, of the city’s comprehensive plan, Toscana Isles will demonstrate consistency with features of the Northern Italian Renaissance or Northern Mediterranean architecture. Compliance will be confirmed during the review of all building permit applications.
- **Stormwater management:**

The subject property must comply with City stormwater management requirements of post development runoff not exceeding predevelopment runoff for a 24-hour, 25-year storm event and applicable standards of the Southwest Florida Water Management District (SWFMD) prior to construction. Compliance will be confirmed by the Engineering Department in its review and approval of the construction plans for the project.
- **Water and sewer service:**

In accordance with an interlocal agreement between Sarasota County and the City of Venice, the Toscana Isles PUD is in an area where the water and sewer service is split between the City and the county. The project is required to have City of Venice water service and the Sarasota County Curry Creek Improvement District will provide sewer service. The proposed preliminary plat amendment acknowledges those utility service area designations and the connection to the respective utility systems will be specified in the construction plans for the project.

MAP 6: Toscana Isles Conceptual Land Use Plan



VANGUARD LAND LLC.
 CITY OF VENICE, FLORIDA
 KIMLEY-HORN and ASSOCIATES, P.C.
 URBAN RESOURCE GROUP

Toscana Isles
 Conceptual Land Use Plan
 NOVEMBER 2011 PUD AMENDMENT

Compliance with Subdivision Standards:

Sections 86-231(b)(3) and 86-233(a) specifies that 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 the approved PUD 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 proposed preliminary plat is in compliance with the Toscana Isles PUD which provided a full analysis of compatibility with adjacent land uses and no issues were found. The proposed preliminary plat will implement setbacks and buffering in accordance with the approved Toscana Isles PUD to minimize impact to surrounding properties.

- 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 for compliance with the city's required level of service (LOS) standards (also see concurrency section below).

Finding of Fact (approved PUD standards and the Land Development Code):

The proposed Toscana Isles preliminary plat amendment petition is in compliance with the Toscana Isles PUD Binding Master Plan as approved by Ordinance No. 2012-13 and the City's Land Development Code.

Concurrency:

Preliminary concurrency review has been accomplished by staff starting with the Toscana Isles PUD and continuing through this proposed preliminary plat amendment. The original certificate of concurrency was issued through the rezone petition for the Toscana Isles PUD. Concurrency was confirmed and the certificate was issued for 1,107 equivalent residential units (ERU's). This certificate was issued for all elements of concurrency including transportation, potable water, sanitary sewer, solid waste stormwater and parks. The certificate did not include schools as they do not confirm until the approval of a final plat. The certificate has been revised a number of times mainly to adjust for timeframe of development. At this point in the development of the project, staff is maintaining an accounting of the project through each submitted petition. As a result, the most recently issued certificate of concurrency was for the initial 164 lots located in Unit 1 that were recorded through final plat. The applicant has submitted a concurrency application with this petition for staff review. Once a final plat is approved that includes the indicated modifications and the

remaining 113 lots proposed for Unit 1, an updated certificate will be issued. 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 | 277 ERUs | Concurrency confirmed by Utility Department |
| Utilities | Sanitary Sewer | 277 ERUs | Concurrency confirmed by Utility Department |
| Public Works | Solid Waste | 2,873 pounds/day | Concurrency confirmed by Public Works Department |
| Public Works | Parks & Recreation | 471 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 | Cumulative impact for the Toscana Isles PUD remains less than the approved 915 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 |

Note: As a follow up to transportation and the approved traffic study, two offsite improvements were identified as the responsibility of the developer as follows:

- *Construct northbound to eastbound right turn lane at the north project driveway at such time as the north driveway is constructed.*
- *At such time as the equivalent of 600 single family dwelling units receive a certificate of occupancy, the developer shall conduct a full traffic signal warrant study coordinated with Sarasota County for Knights Trail and the south project driveway. Construction of signalization shall be in accordance with the language as specified in the traffic analysis.*

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.

V. 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 Toscana Isles PUD was found to be consistent with the City’s comprehensive plan by Ordinance No. 2012-13 and the proposed preliminary plat

amendment for Unit 1 is found to be consistent with the PUD and therefore consistent with the City's comprehensive plan.

- 2) **Findings of Fact (approved PUD standards and the Land Development Code)**: The proposed Toscana Isles Unit 1 preliminary plat amendment is in compliance with the Toscana Isles PUD Binding Master Plan as approved by Ordinance No. 2012-13 and the City's Land Development Code.
 - a. **Stipulation**: Prior to the approval of any final plat associated with the subject preliminary plat, the developer shall restrict all open space shown on the approved preliminary plat in accordance with Section 86-130(j)(3) in a manner satisfactory to the City Attorney.
- 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.

VI. **PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL**

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 Amendment Petition No. 13.3PP.1.