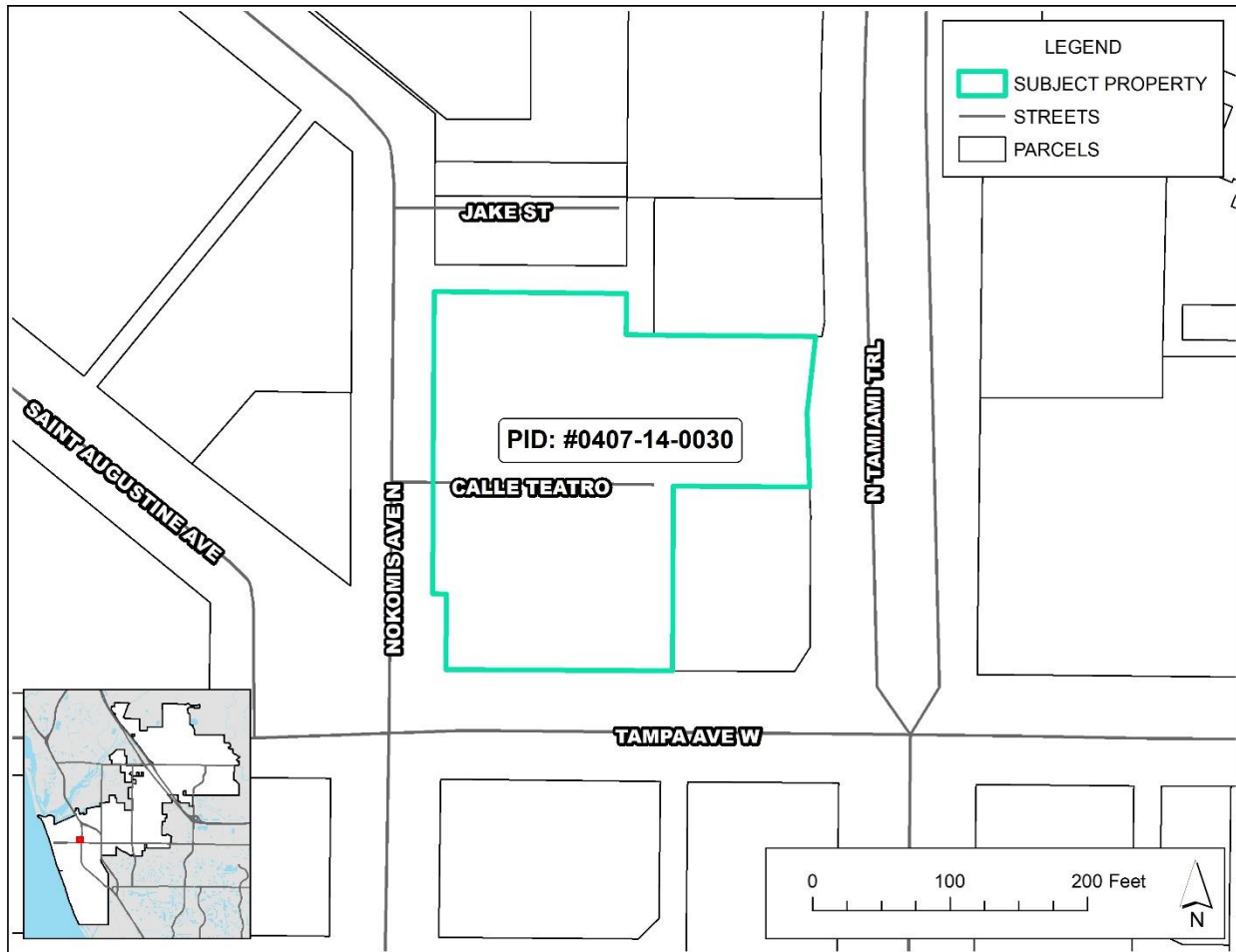


23-02RZ Venice Theatre Staff Report



GENERAL INFORMATION

Address:	140 W. Tampa Avenue
Request:	To rezone the Venice Theatre property from Venice Avenue (VA) to Downtown Edge (DE)
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:	Existing: VA Proposed: DE
Comprehensive Plan Neighborhood:	Island
Application Date:	January 6, 2023
Related Applications:	23-25SP and 23-26HE

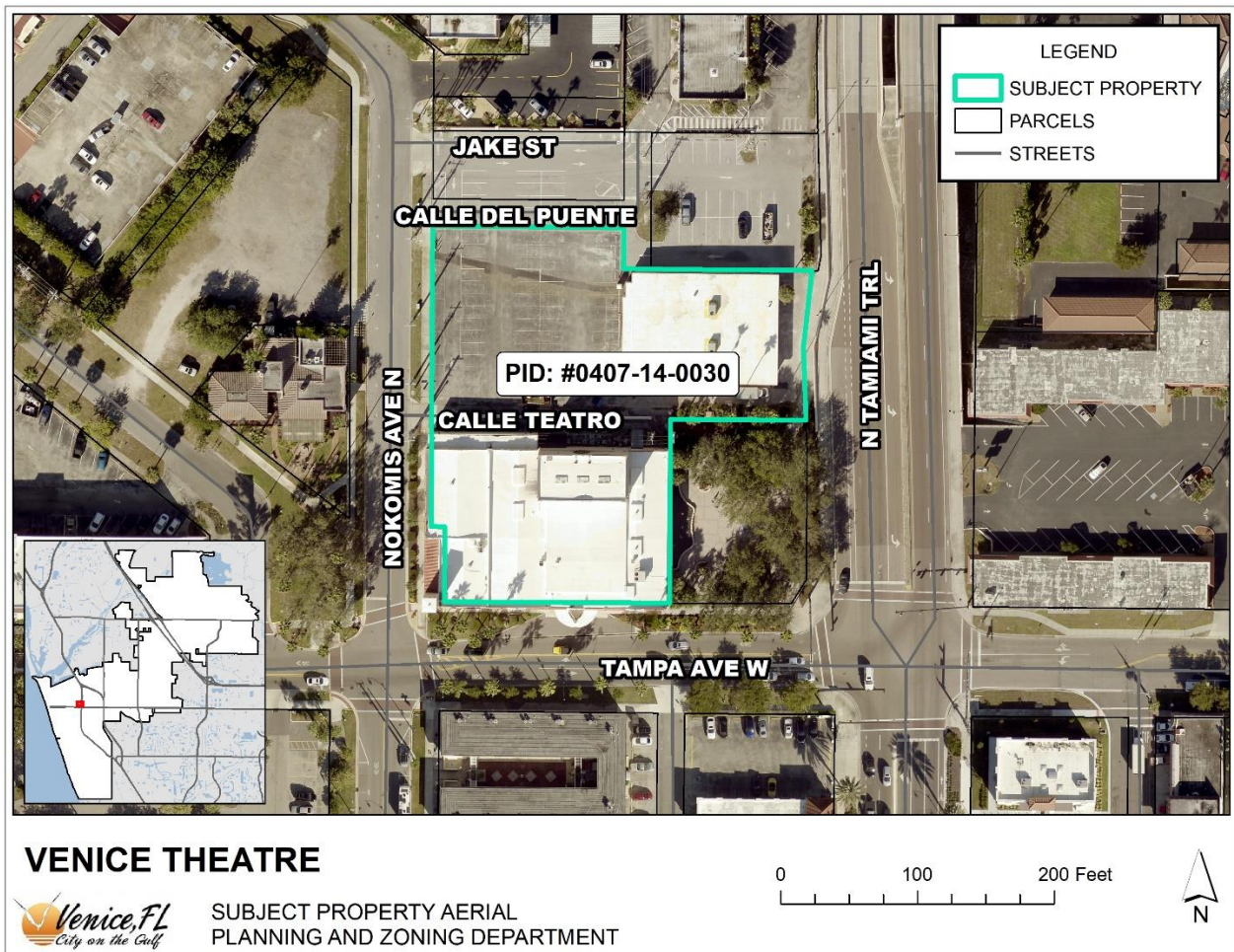
I. BACKGROUND

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. After exploring various options, the theatre is requesting a rezone from Venice Ave (VA) to Downtown Edge (DE).

The Venice Theater is considered a cultural gem of the City and a highly respected institution in the community. Although the damage to the building caused by Hurricane Ian could be reconstructed exactly as it existed prior to the storm, the theater desires to take advantage of a catastrophic event to improve and upgrade the facility to provide an even better experience for patrons. The rezone to the DE district and City Council consideration of a height exception will allow this to be accomplished.

To the north of the subject property is a city owned parcel used as a public parking lot and additional theatre property both zoned DE. Rezoning the subject property to DE would make it consistent with the parcel to the north and bring the entire property under the same zoning district. The former Hamilton building is under the ownership of the theatre, and is used for the theatre's arts education programs.

Requests for a Site and Development Plan (23-25SP) and a Height Exception (23-26HE) have been submitted however; they will not be discussed in this report.



Site Photographs



Northeast



Southeast

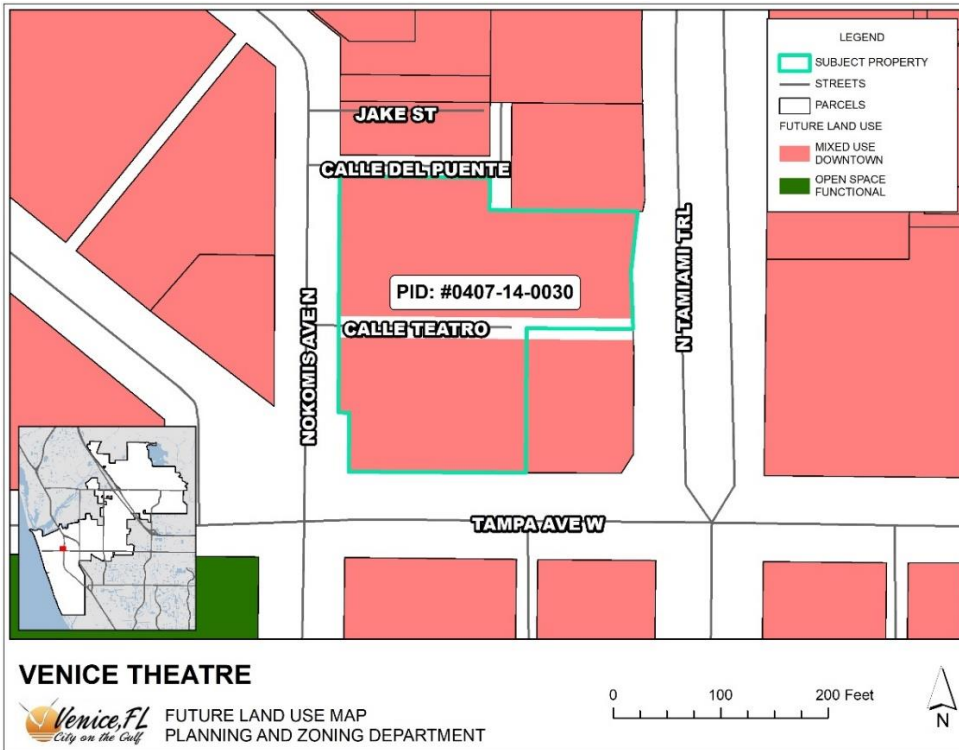


West

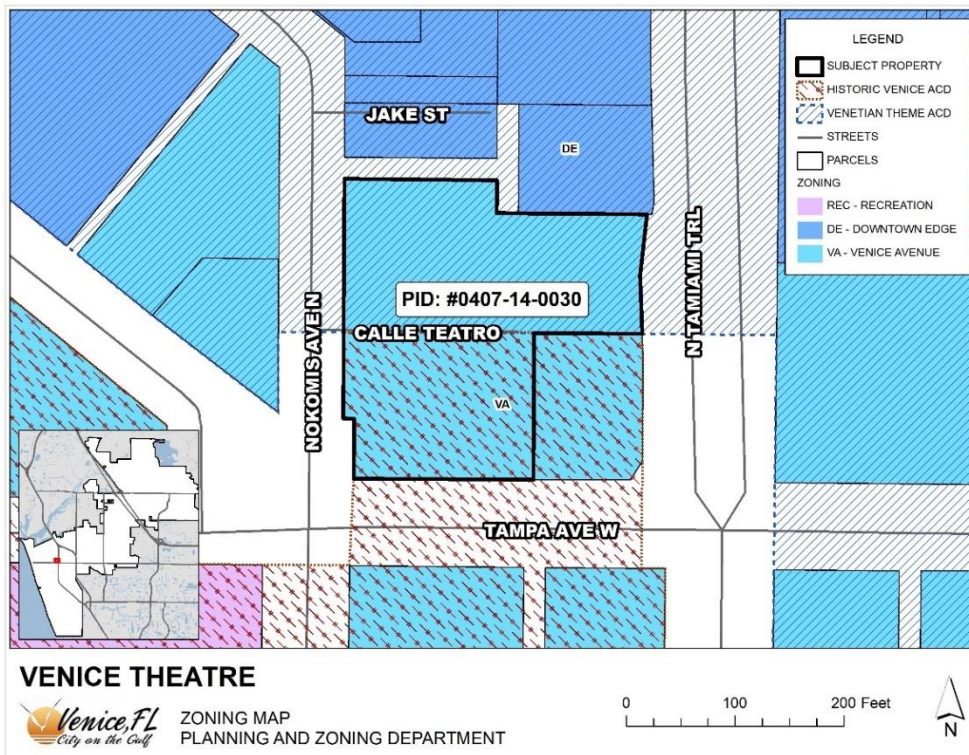
Future Land Use and Zoning

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

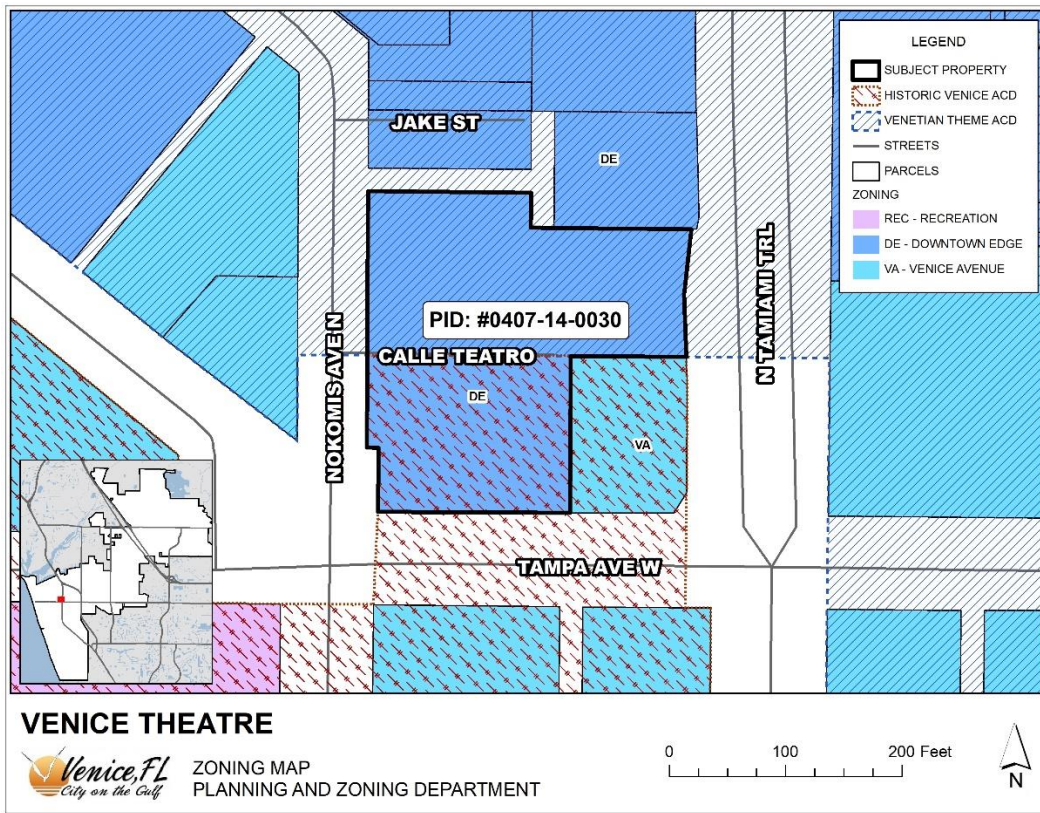
Future Land Use



Zoning



Proposed Zoning



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

II. PLANNING ANALYSIS

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

1) Consistency with the Comprehensive Plan

Land Use Element

Strategy LU 1.2.9. Mixed Use Category. The subject property has an existing Comprehensive Plan Future Land Use of Mixed Use Downtown (MUD). The DE zoning district is an implementing district in the Downtown Mixed Use Land Use.

Strategy LU 1.2.9.a - Downtown (MUD). The property is consistent with the min/max percentages of the Non-Residential development within the MUD Future Land Use.

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

2) Compliance with the Land Development Code

The subject petition has been processed with the procedural requirements contained in Ch. 87, Sec. 1.7 of the Land Development Code (LDC). In addition, the petition has been reviewed by the City's Technical Review Committee and no issues regarding compliance with the LDC were identified.

Decision Criteria (Section 1.7.4)

1. Whether the amendment is compatible with the existing development pattern and the zoning of nearby properties.

Applicant Response: The proposed amendment is compatible with the existing development pattern and zoning of nearby properties.

Staff Comment: Rezoning to DE would bring all of Venice Theatre under the same zoning district.

2. Changes in land use or conditions upon which the original zoning designation was based.

Applicant Response: The original zoning designation split the Venice Theatre property into two separate zoning districts; the proposed amendment will bring the property under one zoning district.

Staff Comment: There have been no land use changes.

3. Consistency with all applicable elements of the Comprehensive Plan.

Applicant Response: The proposed amendment is consistent with all applicable elements of the Comprehensive Plan.

Staff Comment. The requested DE district is an implementing district of the MUD future land use designation and is consistent with the Comprehensive Plan.

4. Conflicts with existing or planned public improvements.

Applicant Response: Not applicable; no conflicts created.

5. Availability of public facilities, analyzed for the proposed development (if any) or maximum development potential, and based upon a consideration of the following factors:

a. Impact on the traffic characteristics related to the site.

b. Impact on population density or development intensity such that the demand for schools, sewers, streets, recreational areas and facilities, and other public facilities and services are affected.

c. Impact on public facilities currently planned and funded to support any change in density or intensity pursuant to the requirements of the Comprehensive Plan and applicable law.

Applicant Response: Sufficient public facilities are available in connection with the proposed amendment.

6. Effect on health, safety and welfare of the neighborhood and City.

Applicant Response: No adverse impacts to health, safety and welfare of the neighborhood and City are proposed.

7. Conformance with all applicable requirements of this LDR.

Applicant Response: The proposed amendment conforms with all applicable requirements of the LDR.

8. Potential expansion of adjacent zoning districts.

Applicant Response: The proposed amendment will provide uniform zoning for the Venice Theatre property.

9. Findings of the Environmental Assessment Report, consistent with Chapter 89.

Applicant Response: Not applicable.

10. Any other applicable matters pursuant to this LDR, the Comprehensive Plan or applicable law.

Applicant Response: The proposed amendment is compliant with the LDR and is consistent with the Comprehensive Plan and all other applicable laws.

Summary Staff Comment: The request to DE is an implementing zoning district within the MUD designation and would bring all of the Venice Theatre property under the same zoning district.

3) Public Facilities Concurrency

The applicant is not requesting confirmation of concurrency as part of the proposed Zoning Map Amendment and no development is being proposed through this request. However, the request was reviewed by the City's Technical Review Committee (TRC) and no issues were identified regarding facilities capacity.

Conclusion/Findings of Fact (Public Facilities 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.

4) Transportation/Mobility

This request is for a zoning map amendment. Thus no transportation changes are anticipated.

Conclusion/Findings of Fact (Transportation/Mobility):

No traffic analysis has been provided for this request as no development is being proposed.

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 Zoning Map Amendment Petition No. 23-02RZ.