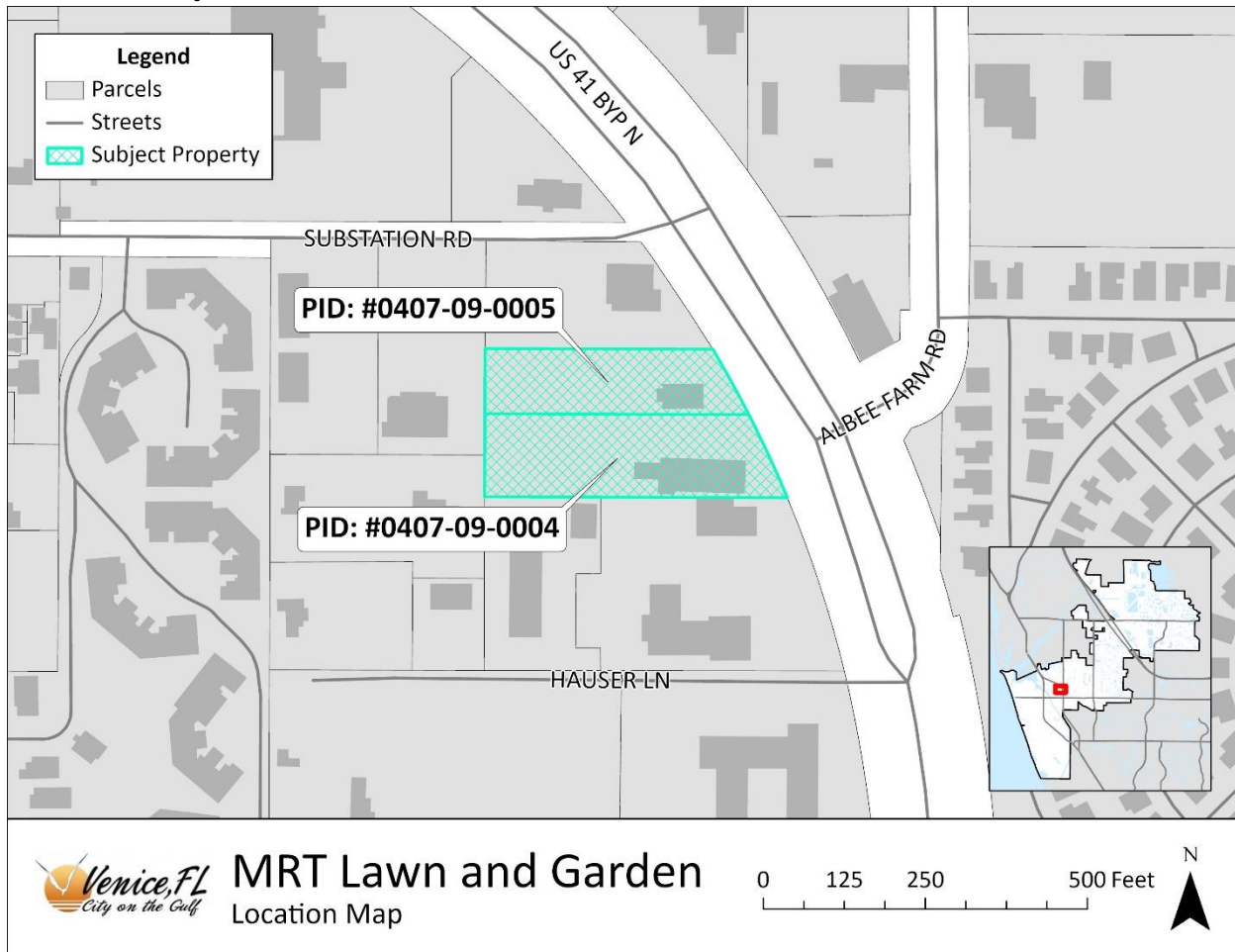


# 24-56CU MRT Lawn & Garden Center Staff Report

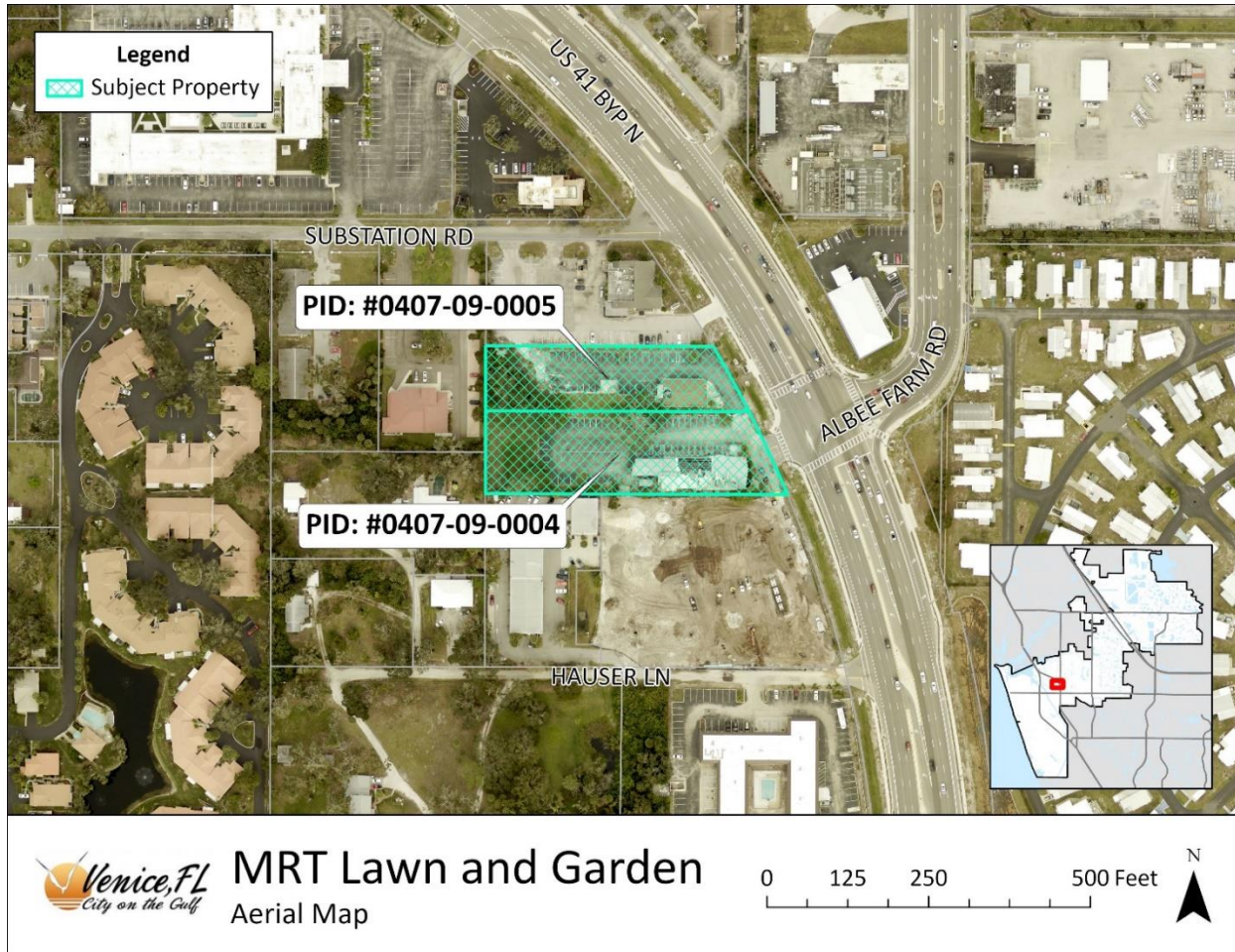


## GENERAL INFORMATION

<b>Address:</b>	385 & 395 US 41 Bypass N.
<b>Requests:</b>	Request for Outdoor Sales and Display use
<b>Owner:</b>	MRT Lawn & Garden, Inc
<b>Agent:</b>	Jackson R. Boone, Esq. of Boone Law Firm
<b>Parcel IDs:</b>	0407-09-0004 and 0407-09-0005
<b>Parcel Size:</b>	±2.1 acres
<b>Future Land Use:</b>	Commercial
<b>Zoning:</b>	Commercial (CM)
<b>Comprehensive Plan Neighborhood:</b>	Gateway Neighborhood
<b>Application Date:</b>	October 23, 2024
<b>Associated Petitions</b>	24-55SP

## I. PROJECT DESCRIPTION

The requested Conditional Use proposes that Outdoor Sales and Display be an allowable use in connection with the proposed redevelopment of the properties to allow for a retail garden center. A Site and Development Plan for a garden center is running concurrently with this conditional use application.





## Site Photographs

Photo facing northwest from access road



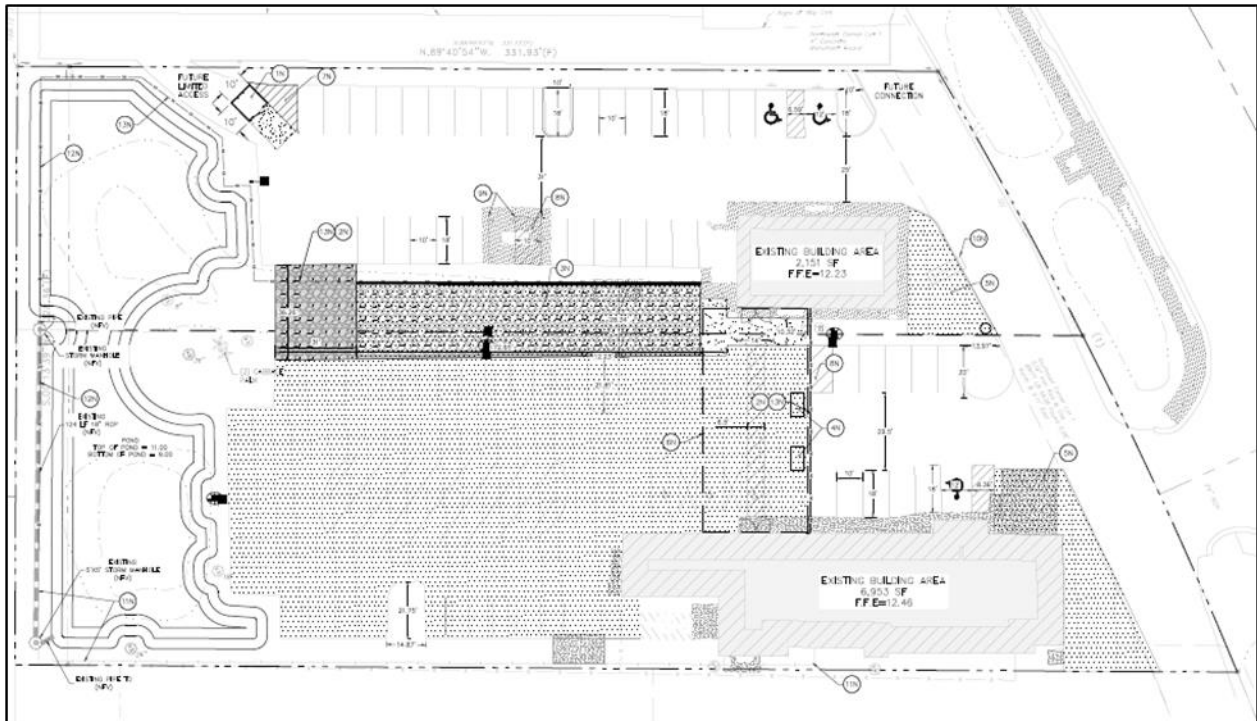
Photo facing southwest from access road



Photo facing southeast from the rear of the property



Conditional Use Site Plan

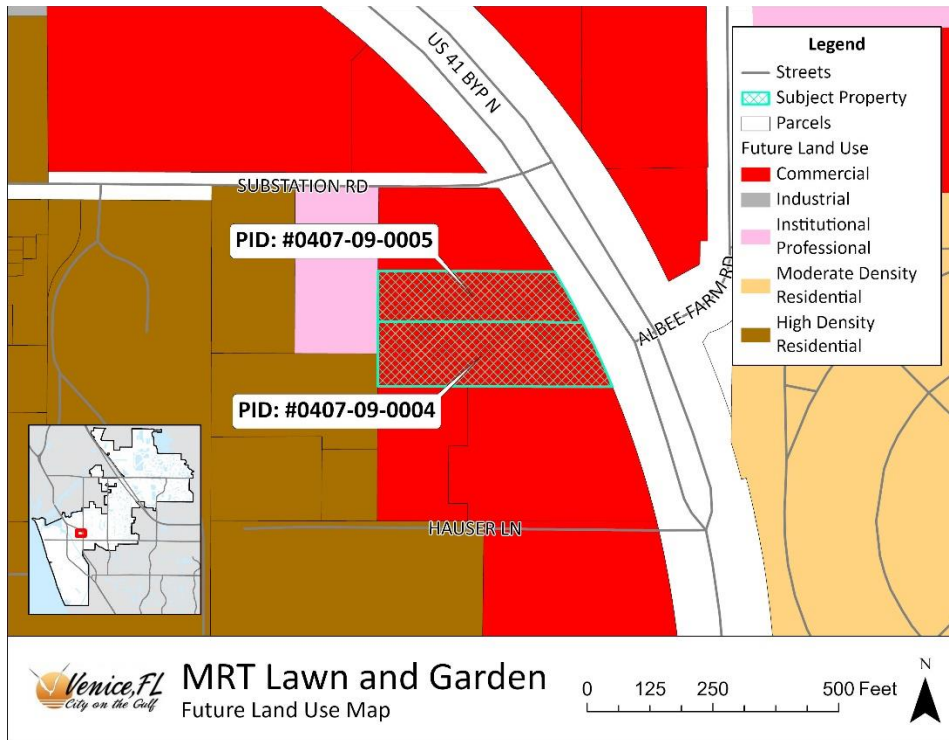




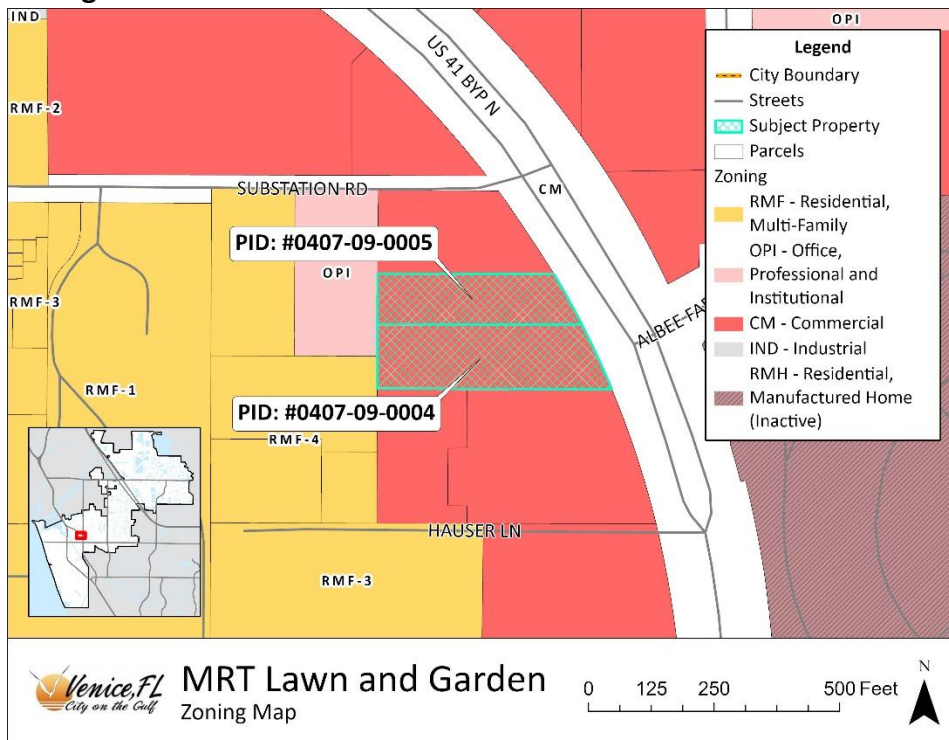
## Future Land Use and Zoning

The Future Land Use designation for the subject property is Commercial and the existing zoning is Commercial, as depicted on the maps below.

### Future Land Use



### Zoning



## Surrounding Land Uses

Direction	Existing Land Uses(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Plaza Mexico Restaurant	Commercial	Commercial
South	Living Waters Pond and Garden	Commercial	Commercial
West	Professional office/s (Venice Area Board of Realtors) and a single-family home	OPI and RMF-4	Institutional Professional and High Density Residential
East	Ridgewood Mobile Home Park (across US 41/intervening ROW)	Residential, Manufactured Home (RMH)	Moderate Density Residential

## I. PLANNING ANALYSIS

In this section of the report, analysis of the subject Conditional Use will be provided regarding 1) consistency with the Comprehensive Plan and 2) compliance with the City's Land Development Code (LDC).

### Review of Comprehensive Plan

The subject property has the Future Land Use designation of Commercial, which is in alignment with the proposal for a continuing garden center. The strategies identified below are relevant to the proposed project:

**Strategy LU 1.2.4.a- Commercial** reflects commercial uses and development patterns. Typical uses may include retail, service, financial, automotive convenience centers, and similar.

**Strategy LU 1.3.7- Infill Development-Compatibility** states that new buildings and development shall relate to the context of the neighborhood and community with regard to building placement, height, and design. The proposed project design features, height, and placement are consistent with neighboring development and utilize existing structures.

**Strategy LU-GW 1.1.1- Redevelopment** The City recognizes this Neighborhood is envisioned to support redevelopment efforts including both traditional and non-traditional development. The City shall support redevelopment design in the Gateway Neighborhood to enhance its intrinsic natural, historic and cultural characteristics. The Redevelopment Strategies shall include but not be limited to the following:

- A. Consideration of Coastal High Hazard Area
- B. Strengthen neighborhood connections to the Island network
- C. Encourage retail, service, office, limited light industrial, and residential through mixed-use development
- D. Encourage mixed-use development and development designs that support pedestrian-orientated uses; emphasis should be placed on the placement of buildings, construction of

pedestrian facilities, placement of parking, and architectural designs that create active, attractive, and functional public spaces.

E. Require the installation of pedestrian realm features including but not limited to: street trees, street furniture/furnishings, and wayfinding signage

F. Place utilizes underground where feasible

### ***Conclusions / Findings of Fact (Comprehensive Plan Analysis):***

Analysis has been provided to help the Planning Commission determine consistency with Land Use Element strategies applicable to the Commercial future land use designation, strategies found within the Gateway Neighborhood element, and other plan elements.

### **Review of the Land Development Code**

Outdoor Sales and Display Use, defined in Chapter 87 section 2.4.8.K, is characterized typically accessory to principal uses, especially retail. This accessory use is defined because it may only be permitted by conditional use in certain non-industrial zoning districts.

### **1.2.C.8. Land Use Compatibility Analysis.**

(a) Demonstrate that the character and design of infill and new development are compatible with existing neighborhoods. The compatibility review shall include the evaluation of the following items with regard to annexation, rezoning, height exception, conditional use, and site and development plan petitions:

i. Land use density and intensity.

**Applicant Response:** *The proposed use is consistent and compatible with the intensity of other commercial uses in the area and with the existing multi-family development in the area. There is no nearby single-family development.*

ii. Building heights and setbacks.

**Applicant Response:** *The proposed building heights and setbacks are consistent with and compatible with other commercial uses in the area and with the existing multi-family development in the area. There is no nearby single-family development.*

iii. Character or type of use proposed.

**Applicant response:** *The character of the proposed use is compatible with other commercial uses in the area and with the existing multi-family development in the area. There is no nearby single-family development.*

iv. Site and architectural mitigation design techniques.

**Applicant Response:** *Not applicable.*

(b) Considerations for determining compatibility shall include, but are not limited to, the following:

i. Protection of single-family neighborhoods from the intrusion of incompatible uses.

**Applicant Response:** *Not applicable, the nearest single-family neighborhood is more than 1,300 feet from the proposed development and will not be impacted.*

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

**Applicant Response:** *Not applicable.*

iii. 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:** *Not applicable.*

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

**Applicant Response:** *The intensity of the proposed development is similar to and compatible with existing intensity of development in the area.*

**Summary Staff Response:** *The proposed project has met the requirements for setbacks and building height, and they are also consistent with those in the area. The proposed project has provided the necessary buffering requirements for the adjacent properties and is considered compatible with the surrounding uses in the area, including the neighboring commercial and high density residential properties.*

### **Decision Criteria 1.8.3**

Before any conditional use shall be approved, the Commission shall make a finding that the granting of the conditional use will not adversely affect the public interest and that satisfactory provision and arrangement has been made concerning the following matters, where applicable:

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

**Applicant Response:** *The proposed outdoor sales and display is in compliance with all applicable elements of the Comprehensive Plan.*

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

**Applicant Response:** *The proposed use is consistent and compatible with the intensity of other commercial uses in the area and with the existing multi-family development in the area. There is no nearby single-family development.*

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

**Applicant Response:** *Not applicable.*

**Summary Staff Response:** *The proposed project has provided the necessary buffering requirements for the adjacent properties and is considered compatible with the surrounding uses in the area, including the neighboring commercial and high density residential properties. The application materials provided meet all the requirements of the conditional use application type.*

### **Conclusions / Findings of Fact (Land Development Code Compliance):**

The subject petition has been processed with the procedural requirements to consider a Conditional Use. 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.

## **II. 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 Conditional Use Petition No. 24-56CU.