

PZ 17-084



City of Venice
401 West Venice Ave., Venice, FL 34285
941-486-2626
DEVELOPMENT SERVICES - PLANNING & ZONING
TEXT AMENDMENT APPLICATION

TEXT AMENDMENT 17-01 AM

Project Name: Text Amendment to PID Zoning District (Sec. 86-132) & Definitions (86-570)
Parcel Identification No.: _____
Address: _____
Parcel Size: _____
FLUM designation: _____
Zoning Map designation: _____
Property Owner's Name: PGT Industries, Inc. c/o Cate Wells, Esq., Shumaker, Loop & Kendrick, LLP
Telephone: 813-227-2229
Fax: 813-229-1660
E-mail: cwells@slk-law.com
Mailing Address: 101 E. Kennedy Blvd., Suite 2800, Tampa, FL 33602
Project Manager: N/A
Telephone: _____
Mobile / Fax: _____
E-mail: _____
Mailing Address: _____
Project Engineer : AM Engineering, Inc.
Telephone: 941-377-9178
Mobile / Fax: 941-378-3786
E-mail: sleins@amengfl.com
Mailing Address: 8340 Consumer Court, Sarasota FL 34240
Project Architect: N/A
Telephone: _____
Mobile / Fax: _____
E-mail: _____
Mailing Address: _____

Incomplete applications cannot be processed - see next page for checklist

Applicant Signature / Date:

Debbie L. Burska

1/13/17

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JAN 23 2017

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Trans date: 2/23/17 Time: 11:13:16
CK DEIK
Revised 12/10
Type: CANCELLED
Date: 2/23/17
File/print: 4/23/15
Drawn: 1
\$4732.00
\$4732.00
163321

Required documentation (provide one copy of the following, unless otherwise noted):

- ☐ Agent Authorization Letter
- ☐ Narrative describing the petition
- ☐ Amendment depicting in legislative format

Fees

Application filing fee \$4,732.

Public notice fee in excess of \$50 will be billed to applicant and is not included in application fee.

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NARRATIVE DESCRIPTION OF PETITION

Proposed Amendment

PGT Industries, Inc. ("PGT") requests that the following underlined language (the "Proposed Amendment") be added to Sec. 86-132(c) of the Planned Industrial Development (PID) district of the City of Venice Land Development Code (the "Code") and to Sec. 86-570(b) of the General Administrative Provisions of the Code:

Sec. 86-132. – PID planned industrial development district.

(c) Permitted uses. In a PID district, buildings or structures on land or water shall be used only for the following purposes:

(15) Child care centers.

(16) Principal parking.

Section 86-570. - Definitions

(b) Any word not specifically defined herein shall be interpreted as meaning its most commonly used definition.

Parking, principal means any parking garage or surface level parking lot at which the parking of vehicles is the principal use of the lot or parcel and whether operated by commercial or private purposes.

Need and Justification for Proposed Amendment

PGT desires to build a child care center on land within the Triple Diamond PID district for the convenience of and as an incentive for its employees, at subsidized rates and charges. In the event the child care center is not 100% utilized by PGT employees, PGT would make the services of the proposed child care center available to other owners, employers and /or tenants within the City's planned industrial development districts as well as other employers within the City. At the outset of this project, Development Services Director Jeff Shrum found that there was sufficient language in Section 86-132 to support a child care center as an allowable use within the PID zoning district. In an abundance of caution, however, Director Shrum recommended that PGT pursue the Proposed Amendment to expressly clarify that child care centers are permitted in the PID district.

PGT's campus includes facilities located within the Triple Diamond PID and the Technology Industrial Park PID. The campus includes, but is not limited to, the manufacturing facility within the Technology Industrial Park PID, the glass manufacturing facility within both PIDs and parking of vehicles related to the aforementioned operations. The Proposed Amendment recognizes and would expressly allow for a use that is integral and necessary to the successful operation for an expanding business without substantially impacting the combination and totality of uses within the City's industrial districts. The Proposed Amendment does not limit parking to

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an accessory use and instead, allows for the parking of vehicles as a principal use in recognition of the fact that such use supports PGT's overall operations. It is also important to note that uses permitted within a PID currently include commercial parking lots and parking garages, motorbus or truck or other transportation terminals and related uses.

Consistency with Comprehensive Plan and Code

PGT believes that the Proposed Amendment is consistent with the City of Venice Comprehensive Plan (the "Comprehensive Plan") and the Code, and specifically furthers the following provisions:

Comprehensive Plan

Policy 1.4 Live, Work, and Play Choices. Establish mixed use development practices that provide community members opportunities to live, work, and play within close proximity to the City's activity centers.

Policy 1.5 Compact Development Patterns. Promote sustainable growth and discourage sprawl by utilizing the following land use practices to foster compact development patterns:

- A. Promote a variety of densities appropriate to geographic areas.
- B. Promote mixed use developments.
- C. Establish a grid-pattern street network.
- D. Identify building height in targeted areas and neighborhood height overlay restrictions.
- E. Establish build-to lines as appropriate and compatible with the immediate area.
- F. Establish building set-back requirements as appropriate and compatible with the immediate area.
- G. Integrate urban trails, transit resources, and sidewalks throughout the community.

Policy 11.10 Facility Partnerships. Identify opportunities for co-locating programs, sharing public systems, and creating multi-use facilities with other private and public partner entities including Sarasota County, Sarasota County School Board, YMCA, Gulf Coast Community Foundation of Venice, and Boys and Girls Club. Potential facility partnerships include:

- A. Parking, stormwater, potable water, and refuse systems.
- B. Schools, parks, concert stages, and physical fitness facilities.
- C. Meeting rooms and conference space.
- D. Schools and performing arts centers.
- E. Multi-use facilities.

Policy 12.3 Resource Co-location. Coordinate with local, regional, and state organizations on the use, co-location, siting, and design of public facilities and buildings.

Policy 13.3 Industrial Future Land Uses. Industrial future land uses are intended to support existing and future industrial areas. The City's industrial areas are designed to provide community members sustainable employment centers and necessary services. These areas are

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intended to be accessible via a variety of transportation alternatives. Industrial land use categories are:

Industrial. Activity centers that include manufacturing, wholesaling, storage, and distribution/shipping facilities. The total square footage of industrial uses allowed shall not exceed a floor area ratio (FAR) of 2.0.

As residential uses are generally incompatible with industrial activities, residential uses shall not be permitted in industrial activity centers.

Industrial-Commercial. Activity centers that include a mix of commercial businesses, retail operations, offices, manufacturing, wholesaling, storage, and distribution/shipping facilities, and workforce housing by conditional use. The total square footage of industrial-commercial uses shall not exceed a floor area ratio (FAR) of 2.0.

In support of workforce housing initiatives, residential dwelling units that meet the definition of workforce housing as defined in the Housing & Neighborhood Development Element may be considered in industrial-commercial areas through conditional use review by City Council. The density range for workforce housing units in the industrial-commercial designation shall be up to 13 units per acre.

Code

Sec. 86-132. - PID planned industrial development district.

(a) Intent and purpose. A zoning district classification, to be designated as a planned industrial development district (PID), is hereby established. It is the intent of this district that it be used for industrial activity, promoting thereby, in connection with such industrial activity, more efficient and economical land use, harmony in physical design and industrial relationships, variety and amenity in industrial development, and the protection of adjacent and nearby existing and future nonindustrial uses and activities. It is further the intent of this district that it be so located in relation to major thoroughfares that resulting traffic generated by industrial activity will not be channeled through residential areas or unduly interfere with traffic on major thoroughfares.

Sec. 86-1. - Purpose and intent.

This chapter enacts the Land Development Code for the City of Venice to implement the city comprehensive plan. Chapter 86 establishes the regulations, procedures, and standards for reviewing and approving all development orders, development permits, and use of land within the incorporated area of the city. The land development code is enacted to protect and preserve the public health, safety, and general welfare and to assist in the orderly and controlled growth and development in the city. It is the intent of the land development code to establish an efficient, effective and equitable regulatory and procedural code relating to the use of land and development within the city.

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ORDINANCE NO. 2017-XX

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING CHAPTER 86, LAND DEVELOPMENT CODE, ARTICLE V, USE REGULATIONS, DIVISION 8, PLANNED DEVELOPMENT ZONING DISTRICTS, SECTION 86-132(c) TO ADD NEW SUBSECTIONS (15) CHILD CARE CENTERS, AND (16) PRINCIPAL PARKING; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the city has received a text amendment application (Petition No. 17-01AM) to amend the Land Development Code;

WHEREAS, the text amendment application requests an amendment to the Planned Industrial Development (PID) zoning district to add child care centers and principal parking as two new permitted uses;

WHEREAS, the Planning Commission considered this amendment (17-01AM) to the Land Development Code and following a duly noticed public hearing on March 21, 2017, forwarded its recommendation for approval and findings of consistency with the comprehensive plan to City Council as required by law; and

WHEREAS, City Council has received and considered the report of the Planning Commission recommending approval.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

SECTION 1. The above whereas clauses are ratified and confirmed as true and correct.

SECTION 2. Chapter 86, Land Development Code, Article V, Use Regulations, Division 8, Planned Development Zoning Districts, Section 86-132(c) is hereby amended as follows:

Sec. 86-132. PID planned industrial development district.

(a) and (b) No change.

(c) *Permitted uses.* In a PID district, buildings or structures on land or water shall be used only for the following purposes:

(1) through (14) No change.

(15) Child care centers.

(16) Principal parking.

(d) through (s) No change.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 4. Severability. If any part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional, or invalid, shall remain in full force and effect. The city council specifically declares that no invalid or prescribed provision or application was an inducement to the enactment of this ordinance, and that it would have enacted this ordinance regardless of the invalid or prescribed provision or application.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon approval and adoption as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS XX DAY OF MAY, 2017.

First Reading:

Final Reading:

Adoption:

John W. Holic, Mayor

ATTEST:

Lori Stelzer, MMC, City Clerk

I, LORI STELZER, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the Venice City Council at a meeting thereof duly convened and held on the XX day of May, 2017 a quorum being present.

WITNESS my hand and the official seal of said City this XX day of May, 2017.

Lori Stelzer, MMC, City Clerk

(SEAL)

Approved as to form:

City Attorney

DRAFT