



Project: Laurel Road Storage **Zoning Map Amendment Petition No. 16-5RZ**

Staff Report

Owner: Laurel Road Storage, LLC

Parcel ID #s: 0387-01-0009 & 0387-01-0005

Agent: Jeffery Boone, Boone Law Firm

Addresses: 3496 & 3500 Laurel Road East

Parcel Size: 5.81 acres

Existing Zoning Districts: Commercial, Intensive (CI) & Commercial, Highway Interchange (CHI)

Proposed Zoning District: Commercial, Intensive (CI) & Commercial, General (CG)

Future Land Use Designation: Commercial

Concurrent Applications: Site and Development Plan Petition No. 16-1SP
Special Exception Petition No. 16-1SE

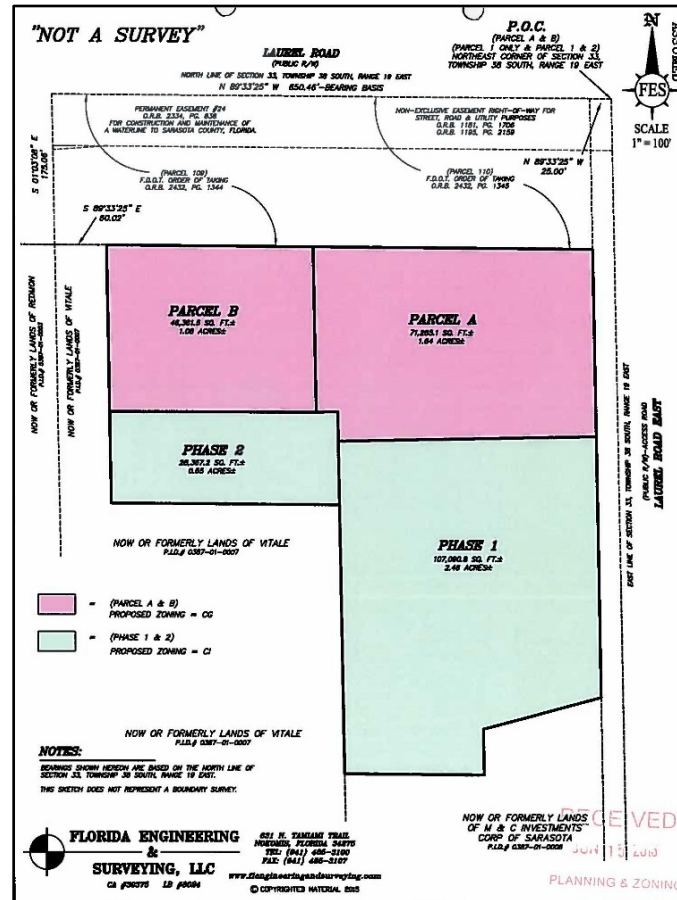
I. INTRODUCTION / SUMMARY FINDINGS OF FACT

The subject property is comprised of two abutting parcels with a combined area of 5.81 acres. The eastern parcel (parcel id. no. 0387-01-0005) currently has Commercial, Highway Interchange (CHI) zoning, and the western parcel (parcel id. no. 0387-01-0009) currently has Commercial, Intensive (CI) zoning (see Map 4 on page 7).

Map 1 on the next page shows the proposed zoning map designations reflecting the zoning designations that will be in place if the proposed zoning map amendment is approved. The proposed zoning map amendment establishes Commercial, General (CG) zoning on the northern portion of both parcels, shown as "Parcel A" and "Parcel B" on Map 1, and Commercial, Intensive (CI) zoning on the southern portion of the parcels, shown as "Phase 1" and "Phase 2". The proposed CG zoning district to the north would comprise of 2.70 acres and the proposed CI to the south would comprise of 3.11 acres.

The proposed zoning map amendment is intended to facilitate the development of a self-storage facility on the southern portion of the property proposed for CI zoning. The northern portion of the property proposed for CG zoning is intended for future commercial development. It is important to note that the boundaries of the proposed CG and CI districts do not correspond to the boundaries of the two parcels of record. The sole purpose of Map 1 is to show the proposed zoning on the subject property. It is not to intended to represent any type of division of land. The two existing parcels of record will remain in place, unaltered in any way by the proposed zoning map amendment.

MAP 1: PROPOSED ZONING DESIGNATIONS



The subject property has a City of Venice future land use map designation of Commercial. The commercial designation is planned for multi-purpose activity centers, such as downtowns or central business districts, commercial corridors, and shopping centers that include commercial uses such as retail, office, professional, service, and hotel/motel lodging activities. Total square footage of commercial uses shall not exceed a floor area ratio (FAR) of 1.0.

The proposed CI and CG zoning district use regulations include a wide range of uses, including the planned development of a self-storage facility on the proposed CI-zoned portion of the property, which are consistent with the commercial future land use designation. Compliance with the maximum FAR standard will be confirmed during the review of the concurrently processed site and development plan application.

The following summary findings of fact provide an overview of the staff analysis included in this report:

Staff Summary / Findings of Fact

- Finding of Fact (Evaluation of Existing/Proposed Zoning):** The layout of the proposed zoning districts provides a more traditional sequencing or transition of zoning districts on the south side of Laurel Road (with CG zoning along Laurel Road, CI zoning south of the CG zoning, and Industrial, Light and Warehousing (ILW) south of the CI zoning). Compared to the existing zoning of the subject property, the proposed zoning map amendment allows for more uses to implement the commercial

future land use map designation. While there is a difference in the existing and proposed district maximum lot coverage standards, any zoning district in the commercial future land use map designation is subject to a maximum FAR of 1.0.

- 2) **Finding of Fact (Comprehensive Plan):** The proposed CI and CG zoning districts are consistent with the commercial future land use designation. Compared to the existing zoning of the subject property, the proposed zoning map amendment will have the effect of allowing more uses to implement the commercial future land use designation. The proposed CI and CG zoning districts are compatible with surrounding commercial and industrial zoning districts and no single-family neighborhood requiring protection exists in the vicinity of the subject property. Land use compatibility will be further evaluated as part of the review of the concurrently-processed site and development plan.*
- 3) **Finding of Fact (Concurrency):** A preliminary concurrency analysis identified no concerns regarding the availability of adequate public facilities to accommodate development subject to the proposed zoning. A final concurrency analysis resulting in the issuance of a certificate of concurrency will need to be obtained prior to any development of the subject property.*
- 4) **Findings of Fact (Applicable Rezoning Considerations):** Staff has provided the applicant's evaluation of the applicable rezoning considerations contained in Section 86-47 (f) (1) a-p, of the Land Development Code. When appropriate, staff has supplemented the applicant's evaluation to provide additional information to be considered. Sufficient information has been provided for the Planning Commission to evaluate the consideration.*

Based upon the above analysis, there is sufficient basis for the Planning Commission to make recommendation to City Council regarding Zoning Petition No. 16-5RZ.

II. SUBJECT PROPERTY/SURROUNDING AREA INFORMATION

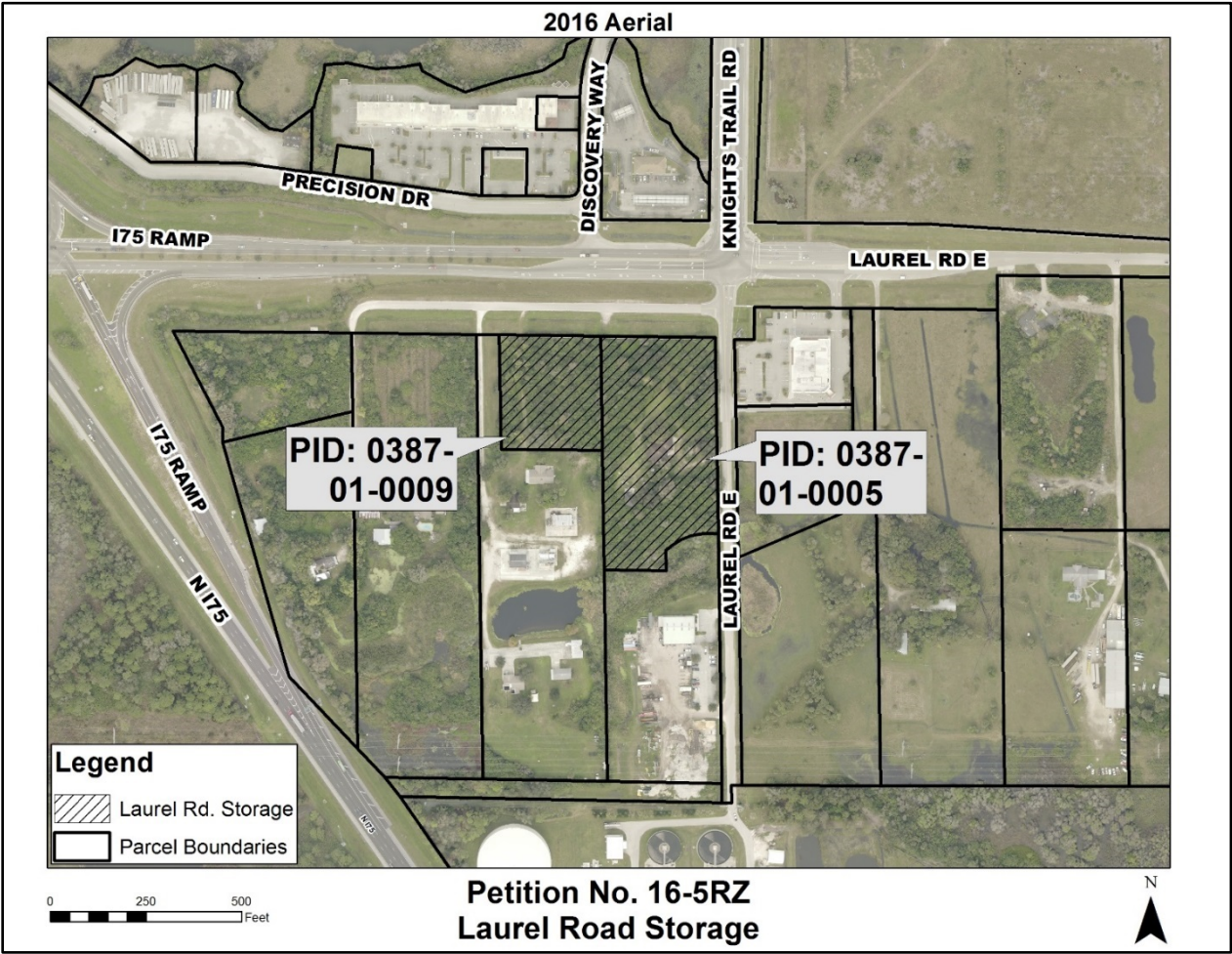
Subject Property Information:

The subject property is comprised of two parcels of land totaling 5.81 acres as shown on Map 2 (see following page). With the recent demolition of a house and associated accessory structures on the eastern parcel (parcel id. no. 0387-01-005), both parcels are vacant.

The property has street frontage on two local streets, both of which are named Laurel Road East (the four-lane arterial roadway immediately to the north is also named Laurel Road East). The north-south local road which provides access to the Laurel Road East (the arterial roadway) at the intersection of Laurel Road East and Knight's Trail Road terminates to the south at the entrance of the City of Venice wastewater treatment plant. The east-west local road is also a non-through road providing adjacent properties access to Laurel Road East.

Following Map 2 are a series of photos which show on-site conditions and properties adjacent to the subject property.

MAP 2: Aerial Photograph



Access to the subject property is from two local roads, both named Laurel Road E.



The northern portion of the subject property looking west



Abandoned residential structures on the property recently demolished



A light industrial business abutting the subject property to the south



Two of several buildings on the property abutting the subject property to the west



A CVS store to the east of the subject property

Flood Zone Information:

The FEMA Flood Insurance Rate Map (FIRM) shows the subject property with two flood zone designations. Parcel no. 0387-01-0009 has a Zone X FIRM designation with moderate to low flood risk. The Zone X designation is not identified as a Special Flood Hazard Area and therefore not subject to based flood elevation requirements. Parcel no. 0387-01-0005 has a Zone X and an AE FIRM designation with high to low flood risk. The AE designated portion of the parcel is identified as a Special Flood Hazard Area and is subject to a base flood elevation of 14.7 feet. Any development of the property will be subject to compliance with FEMA requirements.

Future Land Use:

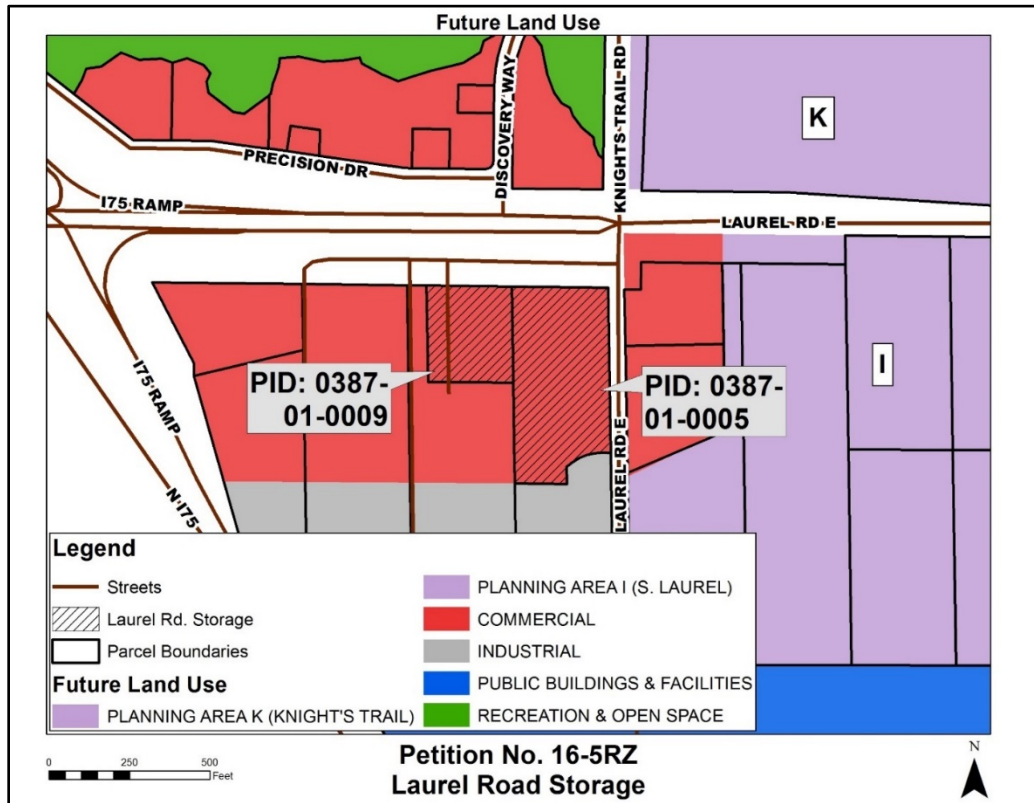
Map 3 (see following page) shows the subject property having a Commercial future land use map designation. The commercial designation is planned for multi-purpose activity centers, such as downtowns or central business districts, commercial corridors, and shopping centers that include commercial uses such as retail, office, professional, service, and hotel/motel lodging activities. Total square footage of commercial uses shall not exceed a floor area ratio (FAR) of 1.0. Properties to the north, west and east also have a commercial designation, while property to the south has an industrial future land use map designation.

Existing Zoning:

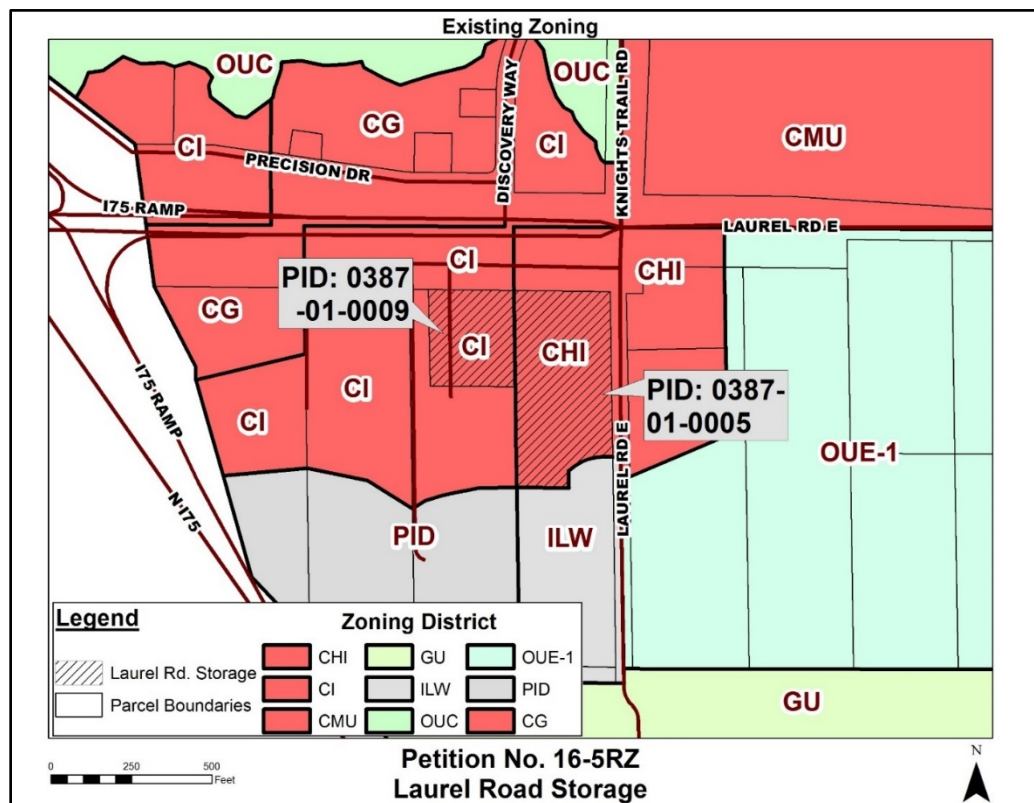
Map 4 (see following page) shows the existing zoning of the subject and surrounding properties. The eastern parcel (parcel id. no. 0387-01-0005) currently has Commercial, Highway Interchange (CHI) zoning, and the western parcel (parcel id. no. 0387-01-0009) currently has Commercial, Intensive (CI) zoning. Parcel no. 0387-01-0005 was rezoned from Sarasota County Open Use, Estate 1 (OUE-1) to City of Venice Commercial, Highway Interchange (CHI) on May 14, 2002 through the adoption of Ordinance No. 2002-25. Parcel no. 0387-01-0005 was rezoned from Sarasota County Open Use, Estate 1 (OUE-1) to City of Venice Commercial, Intensive (CI) on March 26, 1996 through the adoption of Ordinance No. 96-07 which included the following two stipulations:

1. The CI district be limited to automotive service stations, automotive convenience centers, convenience stores, restaurants, gift shops catering to the traveling public, transient accommodations, and banks with drive-up facilities.
2. Truck stops shall be allowed upon the granting of a special exception.

MAP 3: Future Land Use Map



MAP 4: Existing Zoning Map

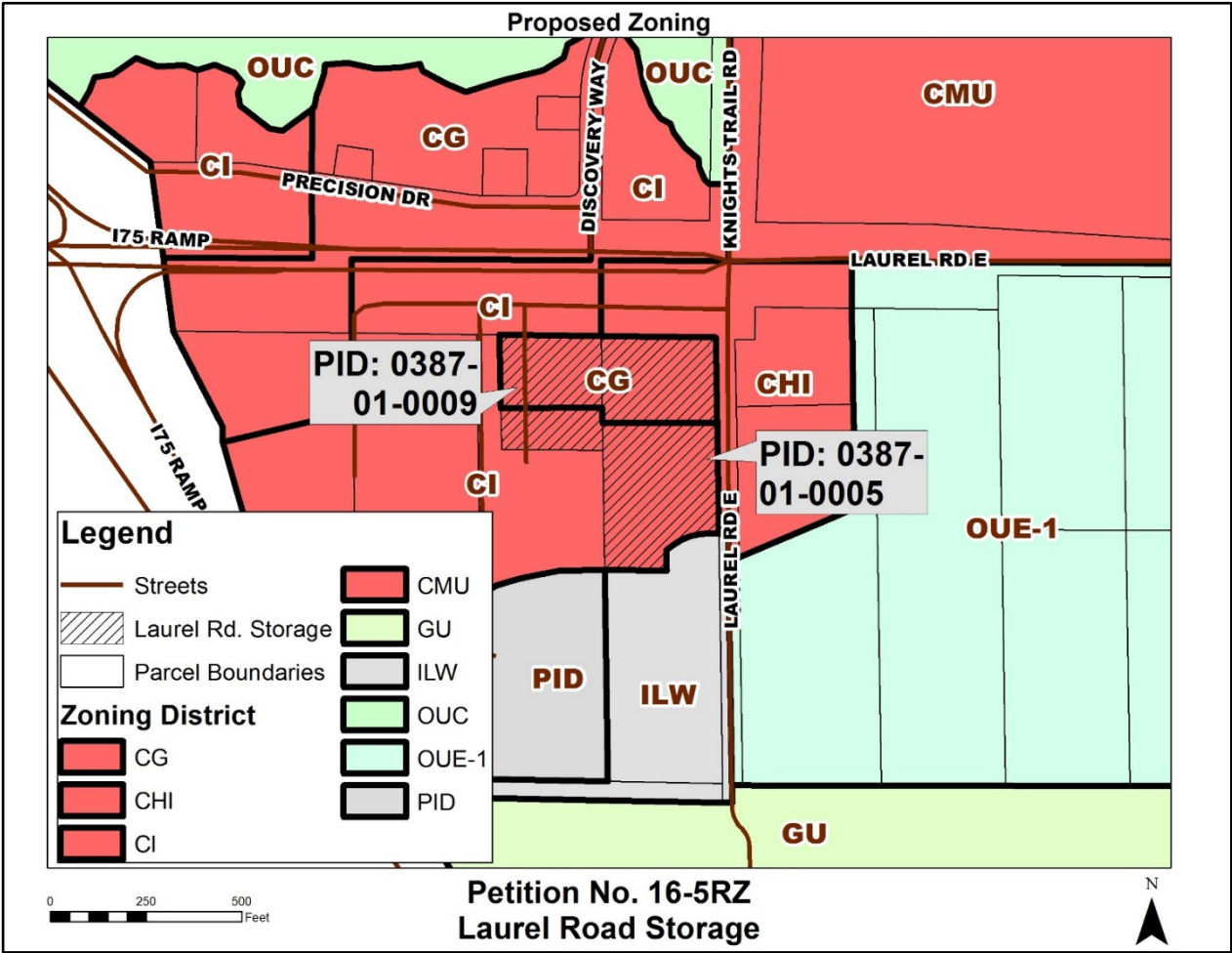


Surrounding properties to the north, west and east have either existing CHI, CI or CG zoning, while properties to the south have existing industrial zoning (Industrial, Light and Warehousing (ILW) and Planned Industrial Development (PID)).

Proposed Zoning:

Map 5 (see following page) shows the zoning map amended with the proposed CI and CG zoning for the subject property.

MAP 5: Proposed Zoning Map (Proposed CG and CI Zoning)



While the subject petition is for the rezone the subject property from two commercial zoning districts (CHI and CI) to two commercial zoning districts (CG and CI), it is important to generally identify the differences in the zoning districts in terms of use regulations and development standards. Generally, without taking into account the spatial arrangement of existing versus proposed zoning districts, the net effect of the proposed zoning map amendment is to replace CHI zoning with CG zoning while retaining CI zoning.

First, the use regulations of the CHI and CI districts are compared. The permitted uses in the CHI district are limited to four automotive-related uses, hotels, motels and similar accommodations, restaurants, souvenir shops, tourist information/welcome centers and emergency medical clinics. In contrast, the

CG has twelve broad categories of general commercial uses and a total of 46 typical permitted uses listed.

Regarding development standards, the maximum lot coverage and building height standards (the primary zoning standards that limit the amount of allowable commercial floor area) of the existing CHI and CI districts in comparison to the proposed zoning (CI and CG districts) are summarized in the following table.

	Existing Zoning Districts		Proposed Zoning Districts	
Zoning Standard	CHI	CI	CI	CG
Maximum Lot Coverage	35% of lot area	Unrestricted	Unrestricted	Unrestricted
Maximum Building Height	35 feet by-right, up to 85 feet w/conditional use	35 feet	35 feet	35 feet by-right, up to 85 feet w/conditional use

The CHI and CG districts have the same maximum height standard, so the only difference in development standards between the two districts is with regard to maximum lot coverage. The existing CHI district has a 35% maximum lot coverage standard, while the proposed CG district has an unrestricted maximum lot coverage. It is important to keep in mind, that any zoning district in the commercial future land use map designation is subject to a maximum FAR of 1.0.

Surrounding Property Information:

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

Direction	Existing Land Use(s)	Existing Zoning District(s)	Future Land Use Map Designation(s)
North	Gas station/convenience store and commercial plaza	Commercial, Intensive (CI) and Commercial, General (CG)	Commercial
West	Mixed use commercial and residential, and vacant land	CI	Commercial
South	Excavation company w/ recycling facility and city wastewater treatment facility	Industrial, Light and Warehousing (ILW) and Planned Industrial Development	Industrial
East	Drug store and vacant land	Commercial, Highway Interchange (CHI)	Commercial

III. PLANNING ANALYSIS

a) Evaluation of Proposed CI and CG Zoning:

Compared to the existing zoning, the arrangement or layout of the proposed zoning districts provides for a more traditional sequencing or transition of zoning districts in this area south of Laurel Road East. The proposed zoning map amendment provides for CG zoning along the Laurel Road East frontage and CI zoning situated between the CG zoning to the north and the more intensive industrial zoning to the south.

A comparison of the use, maximum lot coverage and maximum building height standards is provided in Section II (proposed zoning subsection) of this report on pages 8 and 9. As indicated, the net effect of the proposed zoning map amendment is to replace CHI zoning with CG zoning while retaining CI zoning. The proposed zoning map amendment will have the effect of allowing more uses to implement the commercial future land use designation. There should be no impact on the building height of development in the proposed districts because the CHI and CG districts have the same maximum building height restrictions. Development in the CG district has the potential of having a greater building footprint than development in the CHI district, however, any zoning district in the commercial future land use map designation is subject to a maximum FAR of 1.0.

Finding of Fact (Evaluation of Existing/Proposed Zoning): *The layout of the proposed zoning districts provides a more traditional sequencing or transition of zoning districts on the south side of Laurel Road (with CG zoning along Laurel Road, CI zoning south of the CG zoning, and Industrial, Light and Warehousing (ILW) south of the CI zoning). Compared to the existing zoning of the subject property, the proposed zoning map amendment allows for more uses to implement the commercial future land use map designation. While there is a difference in the existing and proposed district maximum lot coverage standards, any zoning district in the commercial future land use map designation is subject to a maximum FAR of 1.0.*

b) Consistency with the Comprehensive Plan:

The subject property has a Commercial future land use map designation. The commercial designation is planned for multi-purpose activity centers, such as downtowns or central business districts, commercial corridors, and shopping centers that include commercial uses such as retail, office, professional, service, and hotel/motel lodging activities. Total square footage of commercial uses shall not exceed a floor area ratio (FAR) of 1.0.

Both the proposed CI and CG districts allow for a wide range of commercial uses that are consistent with the commercial future land use map designation. In fact, compared to the existing CHI and CI zoning, the proposed CI and CG districts allow for more uses to implement the commercial future land use map designation. While there are some differences in the maximum lot coverage standards in the existing versus the proposed zoning district, development of the subject property under any commercial zoning will be subject to the maximum FAR of 1.0 that is specified for the commercial future land use designation.

At the rezone stage of a project Policy 8.2, Land Use Compatibility Review Procedures, require consideration of the following:

- Protection of single-family neighborhoods from the intrusion of incompatible uses, and

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

The land use compatibility can be reviewed by comparing existing and proposed zoning districts and land uses. Regarding the zoning district review, the subject property already has commercial zoning (CHI and CI). The zoning map amendment changes the commercial zoning (to CI and CG). As indicated in the Surrounding Property table on page 9, the subject property is adjacent to a variety of commercial zoning districts to the north, west and east, and the property is adjacent to industrial zoning districts to the south. As such, the proposed zoning districts are compatible with the existing zoning of surrounding properties.

Regarding compatibility with existing land uses, no single-family neighborhood exists in the immediate vicinity of the subject property. Existing land uses adjacent to the subject property are either commercial, industrial or vacant commercial. The one exception is the 6.9-acre property which abuts the subject property to the south and west. This is a mixed use property with multiple residential structures and storage structures from which multiple businesses are conducted, including but not limited to a lawn service business and pool contractor. Based on an evaluation of adjacent land uses, the proposed zoning map amendment will not result in an intrusion of incompatible uses into a single-family neighborhood, nor will the proposed commercial zoning districts be incompatible with existing uses.

Finding of Fact (Comprehensive Plan): *The proposed CI and CG zoning districts are consistent with the commercial future land use designation. Compared to the existing zoning of the subject property, the proposed zoning map amendment will have the effect of allowing more uses to implement the commercial future land use designation. The proposed CI and CG zoning districts are compatible with surrounding commercial and industrial zoning districts and no single-family neighborhood requiring protection exists in the vicinity of the subject property. Land use compatibility will be further evaluated as part of the review of the concurrently-processed site and development plan.*

c) Concurrency/Adequate Public Facilities:

Staff conducted a preliminary concurrency analysis based on the type and intensity of development proposed with the concurrently processed site and development plan. Based on that preliminary analysis, there currently are adequate public facilities available to accommodate the expected development on the subject property. Further concurrency review, including the issuance of a certificate of concurrency, will be required in conjunction with site and development plan approval on the subject property.

Finding of Fact (Concurrency): *A preliminary concurrency analysis identified no concerns regarding the availability of adequate public facilities to accommodate development of the subject property in compliance with the proposed zoning. Further concurrency analysis and the issuance of a certificate of concurrency will be required in conjunction with site and development plan approval on the subject property.*

d) Applicable Zoning Map Amendment Considerations

Section 86-47(f) of the Land Development Code states “When pertaining to the rezoning of land, the report and recommendations of the Planning Commission to the City Council shall show that the Planning Commission has studied and considered the proposed change in relation to the following,

where applicable.” To facilitate the Planning Commission’s review of the subject petition staff has provided the applicant’s response to each of the following considerations and when appropriate staff has provided comments with additional information.

- (a) Whether the proposed change is in conformity to the comprehensive plan.

Applicant’s Response: *The subject property is designated Commercial on the Future Land Use Map and the proposed CG and CI zoning is consistent with the plan.*

Staff Comment: *Based on the Planning Analysis provided in Section III, Consistency with the Comprehensive Plan subsection, of this report, staff finds the proposed zoning map amendment consistent with the comprehensive plan.*

- (b) The existing land use pattern.

Applicant’s Response: *The proposed rezoning will relocate the more intensive CI uses which currently front on a portion of Laurel Road, to the rear of the property adjacent to industrial zoned property. The Laurel Road fronting property will be rezoned to CG, thus creating a transition of zoning intensity from CG to CI to ILW (existing) as the distance from Laurel Road increases.*

Staff Comment: *The subject property is surrounded by property with non-residential zoning (commercial and industrial) districts. The proposed zoning map amendment will not result in an intrusion of incompatible uses into a single-family neighborhood, nor will the proposed commercial zoning districts be incompatible with existing uses.*

- (c) Possible creation of an isolated district unrelated to adjacent and nearby districts.

Applicant’s Response: *The proposal will not create an isolated district unrelated to nearby districts.*

Staff Comment: *Adjacent properties to the north, west and east have commercial zoning districts (CHI, CI or CG districts) that are similar to the proposed CI and CG districts.*

- (d) The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

Applicant’s Response: *The proposed rezoning will not result in an overtaxing of the load on public facilities as the property is currently designated for commercial uses.*

Staff Comment: *Based on a preliminary concurrency analysis, staff has identified no concerns regarding the availability of adequate public facilities to accommodate development in compliance with the proposed zoning.*

- (e) Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Applicant's Response: The existing boundaries are illogically drawn as the CHI zoned property is not adjacent to the interstate interchange.

Staff Comment: Compared to the existing zoning, the arrangement or layout of the proposed zoning districts provides for a more traditional sequencing or transition of zoning districts in this area south of Laurel Road East. The proposed zoning map amendment provides for CG zoning along the Laurel Road East frontage and CI zoning situated between the CG zoning to the north and the more intensive industrial zoning to the south.

- (f) Whether changed or changing conditions make the passage of the proposed amendment necessary.

Applicant's Response: The changing conditions in the Laurel Road area including the growing number of residents with needs for general commercial services makes the proposed amendment necessary.

Staff Comment: The existing CHI zoning district has been in place on the larger eastern parcel for nearly 15 years and no development proposals for the parcel have been submitted to the city.

- (g) Whether the proposed change will adversely influence living conditions in the neighborhood.

Applicant's Response: The proposed change will not adversely influence living conditions in the neighborhood and will improve conditions by providing necessary land for commercial services needed in the neighborhood.

Staff Comment: Adequate safeguards are in place in the comprehensive plan and the Land Development Code to minimize any adverse impacts to living conditions in the neighborhood.

- (h) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

Applicant's Response: The proposed change will not excessively increase traffic congestion or otherwise affect public safety.

Staff Comment: Based on a preliminary concurrency analysis, staff has identified no concerns regarding the creation of traffic congestion. Potential public safety impacts will be evaluated in the review of the concurrently processed site and development plan.

- (i) Whether the proposed change will create a drainage problem.

Applicant's Response: The proposed change will not create a drainage problems.

Staff Comment: A zoning map amendment does not create a drainage problem and any development of the site must comply with City stormwater regulations.

- (j) Whether the proposed change will seriously reduce light and air to adjacent areas.

Applicant's Response: *The proposed change will not seriously reduce light and air to adjacent areas.*

Staff Comment: *Staff concurs with the applicant's response.*

- (k) Whether the proposed change will adversely affect property values in the adjacent area.

Applicant's Response: *The proposed change will not adversely affect property values in the adjacent area.*

Staff Comment: *The zoning map amendment is consistent with comprehensive plan and implementation of the comprehensive plan is generally expected to positively affect property values.*

- (l) Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

Applicant's Response: *The proposed change will not be a deterrent to the improvement or development of adjacent property.*

Staff Comment: *The proposed zoning change may stimulate development of adjacent commercial properties.*

- (m) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

Applicant's Response: *The proposed change will not constitute a grant of special privilege to an individual owner as contrasted with the public welfare.*

Staff Comment: *The proposed change will not grant or result in a special privilege as determined by the finding of consistency with the Comprehensive Plan cited above in this report.*

- (n) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

Applicant's Response: *The more intensive CI uses are better suited for the rear of the property with CG uses located along Laurel Road.*

Staff Comment: *The subject property can be used in accord with existing zoning. However, the existing CHI zoning district has been in place on the larger eastern parcel for nearly 15 years and no development proposals for the parcel have been submitted to the city.*

- (o) Whether the change suggested is out of scale with the needs of the neighborhood or the city.

Applicant's Response: *The suggested change is not out of scale with the needs of the neighborhood.*

Staff Comment: *The proposed zoning map amendment is necessary for a development proposal that is expected to meet the needs to the larger neighborhood east of I-75.*

- (p) Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Applicant's Response: *There is a lack of appropriately zoned property in the Laurel Road corridor for the provision of the anticipated use.*

Staff Comment: *Staff concurs with the applicant's response; the existing CHI zoning of the larger eastern tract allows for use primarily limited to those catering to the travelling public.*

Findings of Fact (Applicable Rezoning Considerations): *Based on the above evaluation, staff finds that an affirmative finding can be reached for each of the rezoning considerations contained in Section 86-47 (f) a-p, of the Land Development Code.*

Based upon this finding, the Planning Commission can make a positive recommendation to City Council regarding Zoning Petition No. 16-05RZ.

IV. PLANNING COMMISSION REPORT AND RECOMMENDATION TO CITY COUNCIL

The Planning Commission is required to study and consider the factors contained in Section 86-47(f) and make a report and recommendation regarding rezone petitions to City Council. This staff analysis and report has been conducted to provide the Planning Commission with competent and substantial evidence to support a recommendation to City Council. The factors and/or considerations, along with staff comments, is provided in the planning analysis, Section III of this report. A further summary of all staff findings of fact is included in Section I providing a summary basis for recommendation.