



Project: Furniture Warehouse
Site and Development Plan Petition No. 17-02SP
Special Exception Petition No. 17-01SE
Staff Report

Owners: Mark Richmond Revocable Trust, Mark & Stephany Richmond (CO-TTEES)

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

Address: 550 Seaboard Avenue

Parcel ID #: Portion of 0429-08-0003

Parcel Size: 0.98 acres \pm

Existing Zoning District: Sarasota County Industrial, Light and Warehousing (ILW)

Proposed Zoning District: City of Venice Industrial, Light and Warehousing (ILW)

Future Land Use Designation: Seaboard Sector (Planning Area G)

Summary of Site and Development Plan:

A proposed furniture store which will replace the existing furniture store and include the following improvements:

- A one-story, 21,745 square foot furniture store building, and
- Associated improvements including but not limited to off-street parking, landscaping and signage.

Summary of Special Exception Petition:

In conjunction with the concurrently processed site and development plan petition, a request for the following code modifications:

1. Section 86-100(j)(2) to reduce the minimum rear yard setback from five feet to one foot.
2. Section 122-434(3)p to reduce the minimum required number of off-street parking spaces for the proposed furniture store from 43 spaces to 41 spaces.

Concurrent Land Development Application:

Zoning Map Amendment 17-03RZ to rezone the subject property from Sarasota County Industrial, Light and Warehousing (ILW) to City of Venice Industrial, Light and Warehousing (ILW)

Stipulation:

The site and development plan approval shall become effective with adoption of a City of Venice ILW zoning designation for the subject property.

I. INTRODUCTION

The subject property is home to the Furniture Warehouse, a furniture store located at the south end of Seaboard Avenue, west of U.S. 41 Bypass. The owners of the property propose to demolish the existing 15,000 square foot furniture store building and redevelop the site with a new 21,745 square foot furniture store and associated off-street parking, landscaping and signage improvements.

Additional information on the proposed improvements can be obtained from the Planning Commission packets which include engineering drawings, including the proposed site plan, architectural elevation drawings and a landscape plan.

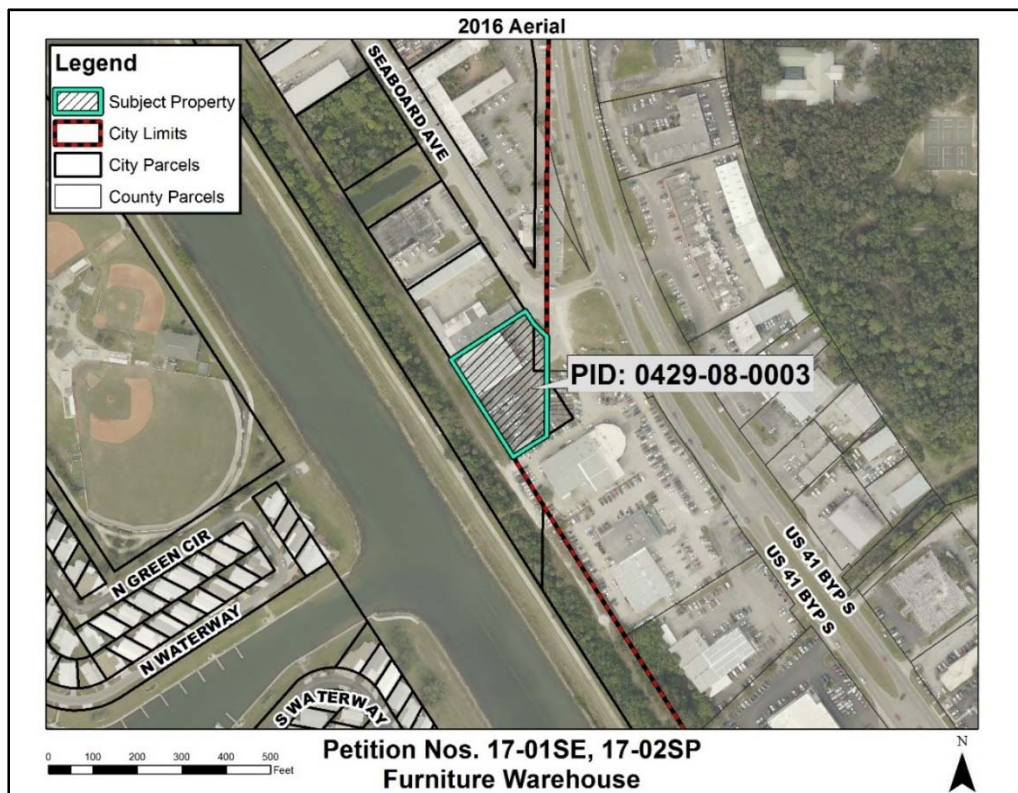
The city limits boundary line traverses across the subject 1.08-acre property. A small 0.10 acre triangular portion of the property is located in unincorporated Sarasota County. Staff's review of the site and development plan and special exception petitions is limited to the larger, 0.98 acre portion of the property that is located inside the city limits. Proposed improvements beyond the city limits will require Sarasota County review and approval.

II. SUBJECT PROPERTY/SURROUNDING AREA INFORMATION

On- and Off-Site Conditions:

The subject property and surrounding properties are shown on Map 1. All existing improvements on the subject property will be removed to accommodate the proposed redevelopment of the property. On the next page are a series of photos which show on-site conditions and properties adjacent to the subject property.

MAP 1: Aerial Photograph





The existing furniture store building viewed from US 41 Bypass



Subject property and other properties built to the rear lot line



A car dealership in unincorporated Sarasota County abutting the property to the south



A vacant warehouse building abutting the property to the north

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

Direction	Existing Use(s)	Current Zoning	Future Land Use Designation
North	Commercial and light industrial uses	Sarasota County Industrial, Light and Warehousing (ILW) and City of Venice ILW	Seaboard Sector (Planning Area G)
West	Venetian Waterway Park and intracoastal waterway	City of Venice Government Use (GU) and Marine Park (MP)	Recreation & Open Space, Marine Park and Waterway
South	Car dealership, Venetian Waterway Park Trail and intracoastal waterway	City of Venice GU and MP and Sarasota County Commercial, Intensive (CI)	Recreation & Open Space, Marine Park, Waterway and Potential Coordination Areas in unincorporated Sarasota County
East	Car dealership and U.S. 41 Bypass	Sarasota County CI	Potential Coordination Areas in unincorporated Sarasota County

Flood Zone Information:

The FEMA Flood Insurance Rate Map (FIRM) shows the subject property in 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 base flood elevation requirements. Development of the property will be subject to compliance with applicable FEMA requirements.

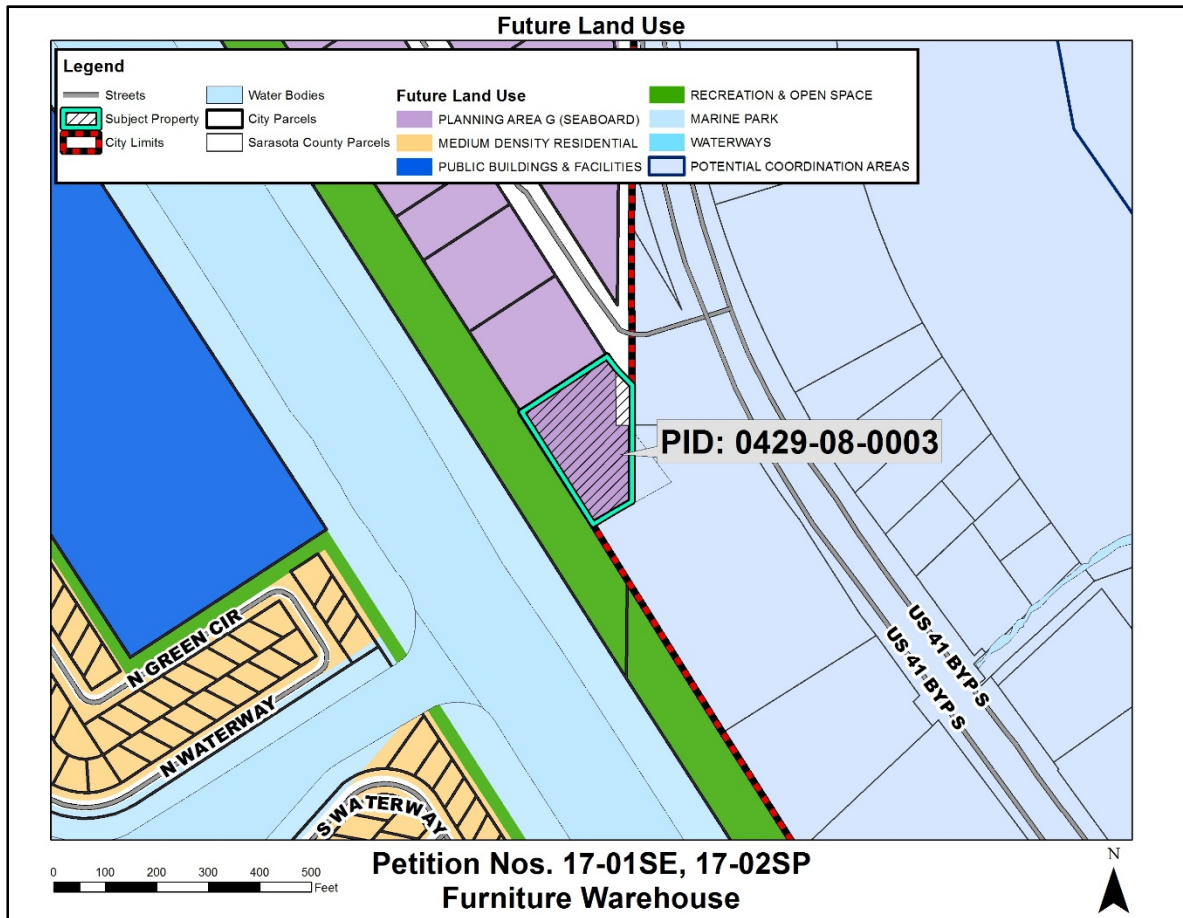
Future Land Use:

The future land use map (see Map 2 on the following page) shows the future land use designations of the subject property and surrounding properties. The future land use designation for the subject property is Seaboard Sector (Planning Area G). Future land use designations which abut the subject property include the Seaboard Sector, Recreation & Open Space (for the Venetian Waterway Park) and Potential Coordination Areas in abutting unincorporated Sarasota County.

The planning intent of the Seaboard Sector is to foster an integrated sector that includes housing opportunities, professional businesses and office, service businesses, recreational and service resources, restaurants, water-oriented activities, and parks and public spaces. The Seaboard Sector Standards contained in Policy 16.14 identifies additional land uses in the sector which include commercial, industrial and retail uses.

Policy 16.14 also includes development standards which include but are not limited to a maximum Floor Area Ratio (FAR) of 2.0, a maximum building height of three stories, up to 42 feet including parking, and a requirement that Northern Italian Renaissance design standards be applied to new and redevelopment projects.

MAP 2: Future Land Use Map

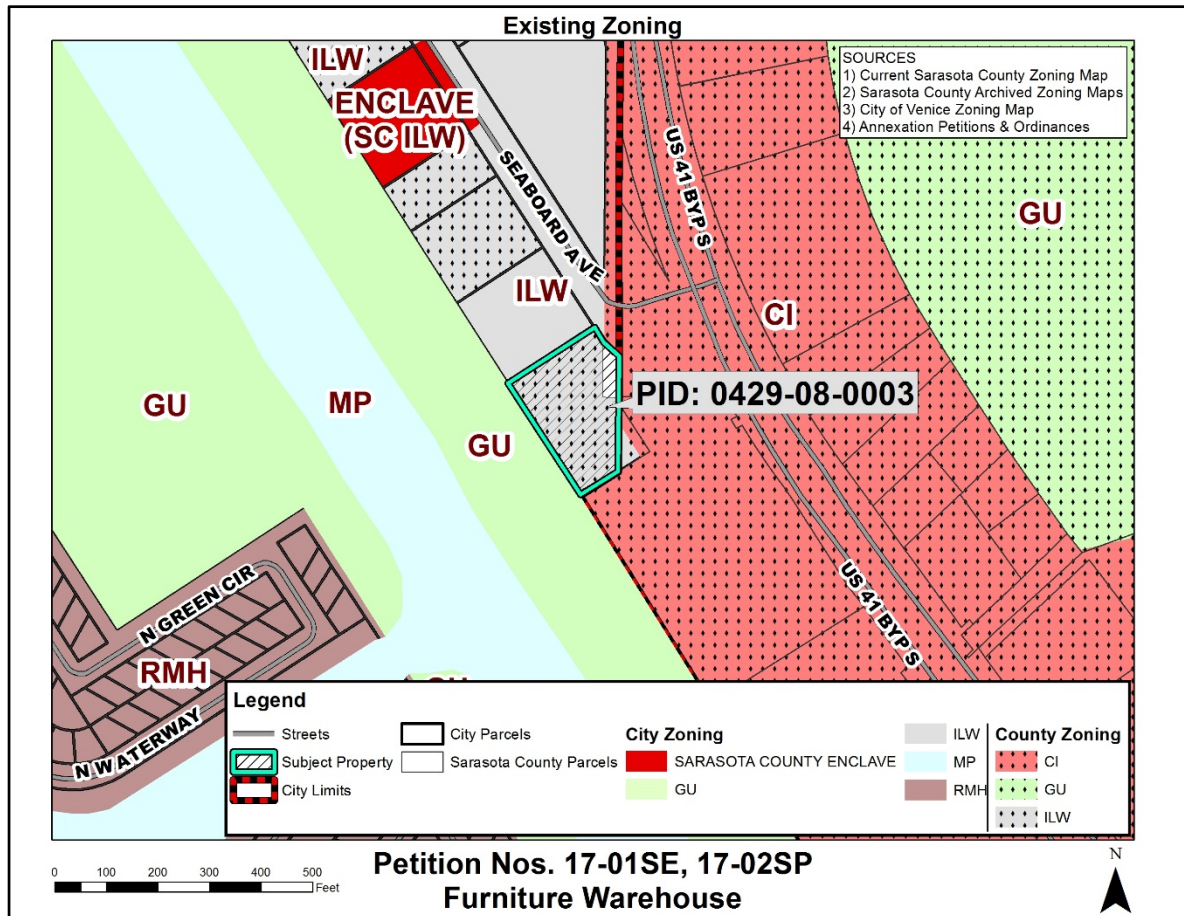


Existing Zoning:

Map 3 on the following page shows the existing zoning designation of the subject property as well as surrounding properties both within the city and outside the city limits in unincorporated Sarasota County. The subject property currently has a Sarasota County Industrial, Light and Warehousing (ILW) zoning designation. However, a currently processed city-initiated zoning map amendment petition was reviewed by the Planning Commission on April 18, 2017 and received a recommendation of approval. Subsequently, on May 23, 2017 City Council approved the proposed rezone ordinance on first reading. City Council's second public hearing on the rezone petition is scheduled for June 13, 2017.

Zoning districts that abut the subject property include both City of Venice and Sarasota County ILW districts to the north, City of Venice Government Use (GU) district to the west and Sarasota County Commercial, Intensive (CI) district to the south and east. There is one enclave property that has yet to be annexed into the city; this property has a Sarasota County ILW zoning designation.

MAP 3: Existing Zoning Map



III. PLANNING ANALYSIS FOR SITE AND DEVELOPMENT PLAN PETITION NO. 17-02SP

This section of the report evaluates the site and development plan petition for 1) consistency with the comprehensive plan, 2) compliance with the Land Development Code, and 3) compliance with the city's concurrency management regulations and the project's expected impacts on public facilities.

1. Consistency with the Comprehensive Plan:

The subject property has a Seaboard Sector (Planning Area G) future land use map designation. The planning intent of the Seaboard Sector is to foster an integrated sector that includes housing opportunities, professional businesses and office, service businesses, recreational and service resources, restaurants, water-oriented activities, and parks and public spaces. The Seaboard Sector Standards contained in Policy 16.14 identifies additional land uses in the sector which include commercial, industrial and retail uses.

Policy 16.14 also establishes development standards which include but are not limited to a maximum Floor Area Ratio (FAR) of 2.0 and a maximum building height of three stories, up to 42 feet including parking.

The proposed furniture store is a retail use that is consistent with the land uses planned for the Seaboard

Sector. The proposed retail building has a total floor area of 21,745 square feet which, on the 0.98-acre property, represents a FAR of 0.51, less than the maximum FAR of 2.0 allowed in the Seaboard Sector. The proposed one-story building is designed with a height of 24' 8", less than the maximum building height of 42 feet in the Seaboard Sector.

Policy 16.14.H requires Northern Italian Renaissance design standards to be applied to new and redevelopment projects. The applicant has incorporated elements of the Northern Italian Renaissance design to satisfy the requirement.

Policy 8.2, Land Use Compatibility Review Procedures, requires a land use compatibility review of the following:

- 1) Protection of single-family neighborhoods from the intrusion of incompatible uses,
- 2) Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses,
- 3) The degree to which the development phases out nonconforming uses in order to resolve incompatibilities with existing uses, and
- 4) Densities and intensities of proposed uses as compared to densities and intensities of existing uses.

In conducting the above review, land use density and intensity, building heights and setback, character or type of use proposed, and site and architectural mitigation design techniques are to be evaluated. If it is determined that potential incompatibility may exist, the policy lists several techniques which can be used to mitigate the potential incompatibility.

The following is a review of each of the four land use compatibility topics listed above.

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

Based on the existing land uses that surround the subject site, it is reasonable to conclude there is no single-family neighborhood in the vicinity of the subject property. The Country Club Estates mobile home park is the closest single-family neighborhood; the Venetian Waterway Park and the intracoastal waterway separate the subject property from the mobile home park. In addition, the proposed redevelopment of the existing furniture store will bring the site into compliance with city development standards and improve the overall appearance of the site.

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

Except for the Venetian Waterway Park and the intracoastal waterway to the west of the subject property, all surrounding properties have existing commercial and industrial uses. The proposed redevelopment of the existing furniture store is compatible with surrounding land uses.

- 3) The degree to which the development phases out nonconforming uses in order to resolve incompatibilities with existing uses.

As noted above for topic no. 2, the proposed redevelopment of the existing furniture store is compatible with surrounding land uses. The property was originally developed in 1981 prior to

site and development plan requirements being in place. There are several existing non-conformities on the property which include but are not limited to setbacks (rear yard setback) and parking layout and design. The site and development plan and accompanying special exception petition will eliminate these existing non-conformities.

- 4) Densities and intensities of proposed uses as compared to densities and intensities of existing uses.

The Seaboard Sector development standards specify a maximum Floor Area Ratio (FAR) of 2.0 and a maximum building height of three stories, up to 42 feet including parking. The proposed redevelopment of the subject property as well as surrounding properties are generally developed at an intensity which is significantly less than the maximum allowed by the Seaboard Sector. In addition, the proposed intensity on the subject property is generally comparable to the intensity of surrounding developed commercial and industrial properties.

Finding of Fact (Comprehensive Plan): *Based on the above review, a finding can be made that the proposed site and development plan is consistent with the Seaboard Sector future land use designation and Policy 8.2 regarding land use compatibility.*

2. Compliance with the Land Development Code:

In a concurrently processed city-initiated zoning map amendment, the zoning of the subject property is proposed to be changed from the existing Sarasota County Industrial, Light and Warehousing (ILW) district to a proposed City of Venice Industrial, Light and Warehousing (ILW) district. Staff's review of the site and development plan is based on the proposed City of Venice ILW zoning.

The proposed furniture store is a permitted retail establishment in the ILW district. Staff has reviewed all submitted plan drawings for compliance with the ILW district regulations and all other applicable LDC regulations. Except for the requested code modifications from Section 86-100(j)(2) to reduce the minimum rear yard setback from five feet to one foot and Section 122-434(3)p to reduce the minimum required number of off-street parking spaces from 43 spaces to 41 spaces, staff confirms the site and development plan is in compliance with all applicable standards contained in the Land Development Code (LDC).

Staff Finding: *Subject to the approval of the concurrently processed special exception petition for two requested code modifications, a finding can be made that the site and development plan is in compliance with the LDC.*

3. Concurrency/Adequate Public Facilities:

The applicant has submitted a concurrency determination application and a concurrency review has been completed by staff. The following table shows the expected public facility impacts and the status of the departmental concurrency reviews.

Department	Facility	Project's Estimated Impact	Status
Utilities	Potable Water	6.5 ERUs	Concurrency confirmed by Utility Department
Utilities	Sanitary Sewer	6.5 ERUs	Concurrency confirmed by Utility Department
Public Works	Solid Waste	N/A	There is no adopted level of service for non-residential uses.
Public Works	Parks & Recreation	N/A	There is no adopted level of service for non-residential uses.
Engineering	Drainage	Compliance with SWFWMD permit	Concurrency confirmed by Engineering Department
Planning and Zoning	Transportation	3 p.m. peak hour trips	Concurrency confirmed by Planning & Zoning Division
School Board	Public Schools	N/A	The project is non-residential therefore not subject to school concurrency

Finding of Fact (Concurrency): *Adopted minimum levels of service for the above public facilities will be maintained after accounting for the estimated public facility impact of the proposed redevelopment project.*

4. Planning Commission Findings of Fact for the Site and Development Plan

Section 86-23(n) specifies the Planning Commission's role in taking action on a site and development plan application and reads in part, "..... the planning commission shall be guided in its decision and exercise of its discretion to approve, approve with conditions, or to deny by the following standards".

Staff has provided commentary on each standard or finding to facilitate the Planning Commission's review and evaluation of the site and development plan application.

- (1) Sufficiency of statements on ownership and control of the development and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the city.

Staff Comment: *A deed and survey have been submitted confirming ownership and control of the subject property.*

- (2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the planning commission the authority to reduce residential densities below that permitted by the schedule of district regulations set out in article IV, division 2 of this chapter.

Staff Comment: *The intensity of the proposed project in relation to adjacent and nearby properties and the effect thereon is studied in detail in evaluation of the project's consistency with*

the comprehensive plan (see Section III of this report, Consistency with the Comprehensive Plan, beginning on pages 6-8). Analysis has been provided to evaluate this consideration and conclude that the project can be found to be compatible with adjacent and nearby properties.

- (3) Ingress and egress to the development and proposed structures thereon, with particular reference to automotive and pedestrian safety, separation of automotive traffic and pedestrian and other traffic, traffic flow and control, provision of services and servicing utilities and refuse collection, and access in case of fire, catastrophe or emergency.

Staff Comment: *Ingress and egress to the development has been designed in compliance with LDC standards. The Public Works Department raised no concern regarding solid waste collection and the Fire Department identified no issues related to access in case of fire, catastrophe or emergency.*

- (4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the proposed development, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

Staff Comment: *The design of the proposed off-street parking and loading facilities have been reviewed for compliance with applicable LDC standards. No concerns were raised regarding pedestrian safety, traffic flow and control and access in case of fire or catastrophe.*

- (5) Sufficiency of proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the proposed development.

Staff Comment: *The parking lot was designed and constructed in compliance with all applicable Land Development Code standards. Properties in the ILW district are exempt from the LDC landscaping and screening standards, however, the project does include landscaped islands as part of the design of the off-street parking facility.*

- (6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall public drainage capacities.

Staff Comment: *The Engineering Department confirmed compliance with applicable drainage requirements.*

- (7) Adequacy of provision for sanitary sewers, with particular relationship to overall city sanitary sewer availability and capacities.

Staff Comment on Sanitary Sewer: *The project will utilize an existing sanitary sewer service line which connects to sanitary sewer main in the right-of-way of Seaboard Avenue. The Utilities Department in its concurrency review confirmed there is adequate sanitary sewer capacity to serve the proposed city project.*

- (8) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

Staff Comment on Potable Water: *New water service and fire lines will connect to an existing*

water main located within the right-of-way of Seaboard Avenue. The Utilities Department in its concurrency review confirmed there is adequate water capacity to serve the proposed city project.

- (9) Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the proposed development, and relationship to community or citywide open spaces and recreational facilities.

Staff Comment: *There are no recreation or open space standards in the Land Development Code that apply to the project. Landscape islands in the proposed parking area provide open space on the site.*

- (10) General site arrangement, amenities and convenience, with particular reference to ensuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be so at variance with other development in the area as to cause substantial depreciation of property values.

Staff Comment: *The compatibility of the proposed project in relation to properties in the general area and the effect thereon is studied in detail in evaluation of the project's consistency with the comprehensive plan (See Section III of this report, Consistency with the Comprehensive Plan, beginning on pages 6-8). Analysis has been provided to evaluate this consideration and conclude that the project can be found to be compatible with adjacent and nearby properties. The proposed use is consistent with comprehensive plan and implementation of the comprehensive plan is generally expected to positively affect property values.*

- (11) Such other standards as may be imposed by this chapter on the particular use or activity involved.

Staff Comment: *There are no other development standards in the Land Development Code that specifically apply to the proposed project.*

- (12) In the event that a site and development plan application is required, no variance to the height, parking, landscape, buffer or other standards as established herein may be considered by the Planning Commission. The Planning Commission may consider modifications to these standards under the provisions and requirements for special exceptions.

Staff Comment: *As part of a concurrently processed special exception petition, the applicant has requested code modifications from Section 86-100(j)(2) to reduce the minimum rear yard setback from five feet to one foot and Section 122-434(3)p to reduce the minimum required number of off-street parking spaces for the proposed furniture store from 43 spaces to 41 spaces. Staff's analysis of the requested special exception is provided in Sections V and VI of this staff report.*

Based upon the above analysis, staff has determined that sufficient information has been provided for the Planning Commission to make findings on each of the above considerations.

IV. SUMMARY OF STAFF FINDINGS

Based on the planning analysis provided in Section III of this report, staff has made the following findings regarding the site and development plan petition.

1. ***Consistency with the Comprehensive Plan:*** *The proposed site and development plan can be found to be consistent with the comprehensive plan.*
2. ***Compliance with the Land Development Code:*** *Subject to approval of the requested code modifications, the proposed site and development plan can be found to be in compliance with the Land Development Code.*
3. ***Concurrency:*** *The proposed site and development plan complies with the city's concurrency management regulations. If approved, staff will issue the project a concurrency certificate.*

V. PLANNING COMMISSION ACTION ON SITE AND DEVELOPMENT PLAN PETITION NO. 17-02SP

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 for the Planning Commission to take action on Site and Development Plan Petition No. 17-02SP. If a recommendation of approval is provided, the following procedural stipulation will need to be included in the motion:

1. The site and development plan approval shall become effective with adoption of a City of Venice ILW zoning designation for the subject property.

VI. PLANNING ANALYSIS FOR SPECIAL EXCEPTION PETITION NO. 17-01SE

This section of the report evaluates the special exception petition's consistency with the comprehensive plan, and provides the applicant's response and staff's comments on the required findings for special exception approval contained in Section 86-43(e). The special exception petition includes the following two requested code modifications:

- 1) Modification from Section 86-100(j)(2) to reduce the minimum rear yard setback from five feet to one foot.
- 2) Modification from Section 122-434(3)p to reduce the minimum required number of off-street parking spaces for the proposed furniture store from 43 spaces to 41 spaces.

Regarding the requested code modifications, the applicant provided the following justifications for the requested code modifications which can be found in the project narrative which is included in the Planning Commission materials on this petition. Staff analysis of the requested code modifications will follow the applicants justification for the request.

Section 86-100(j)(2), Rear Yard Setback

In the project narrative, the applicant provides written justification for the requested code modification from the minimum rear yard setback. In doing so, the applicant notes that property was originally developed when it was adjacent to a railroad right-of-way and therefore not subject to a minimum rear yard setback. The applicant also notes that adjacent property in a similar fashion. Since this development pattern was established, Sarasota County acquired the railroad right-of-way and the setback consequently has become five feet instead of zero feet.

Staff Analysis:

The applicant accurately references the applicable code section which requires a minimum five foot rear yard setback, provided that no yard is required adjacent to railroad rights-of-way. In 1981, when the site was originally developed, a railroad right-of-way abutted the west property boundary allowing a building to be built at the rear property line. With Sarasota County's acquisition of the railroad right-of-way to facilitate the development of the Venetian Waterway Park trail along the intracoastal waterway, the minimum five-foot rear yard setback went into effect.

The applicant also correctly observes that many of the existing buildings located along the former railroad right-of-way are built to the rear or west property line. Approval of the requested code modification would allow a continuation of the existing development pattern along the former railroad right-of-way. A drainage facility, the abandoned railroad bed and an existing landscaped area separate the proposed project and the Venetian Waterway Park trail. Both the site and development plan and special exception petitions were routed to the city Public Works Department and Sarasota County Planning and Development Services Department. Neither raised an objection to the requested code modification.

Section 122-434(3)p, Minimum Number of Off-Street Parking Spaces

In the project narrative, the applicant provides written justification for the requested code modification citing Seaboard Sector Policy 16.14.F.6 which allows alternative parking standards. The applicant also provided data on the number of customers that visit both the Venice and Sarasota store locations and cites Institute of Transportation Engineers (ITE) trip generation data to support the code modification request.

Staff Analysis:

The applicant correctly cites the parking standard contained in Section 122-434(3)p which requires furniture stores to have a minimum of one parking space for every 500 square feet of gross floor area. Applying that standard to the proposed 21,745 square foot building results in a minimum requirement of 43 parking spaces. Policy 16.14.F.6 does provide for alternative parking standards that allow for reduced parking lot size. Assuming "parking lot size" is an alternative way to reference number of parking spaces, reliable data is needed to establish an alternative standard for the minimum number of off-street parking spaces. The ITE (Institute of Transportation Engineers) Parking Generation Report (not the ITE Trip Generation Manual referenced in the applicant's justification) provides a reliable source of data for an alternative parking standard.

The Institute of Transportation Engineers (ITE) Parking Generation Report summarizes parking utilization studies for various types of land uses. Furniture store is one of the uses studied. The Furniture Store study was for Saturdays, the day of the week with the greatest patronage of this type of retail establishment. Based on the 3rd Edition of the ITE Parking Generation Report prepared in 2004, the average peak period parking demand on Saturday per 1,000 square feet of gross floor area of furniture store is 0.94 vehicles and the parking demand range for the stores studies was 0.67 – 1.30 vehicles. Applying the average peak period parking demand (0.94 vehicles per 1,000 square feet of gross floor area) to the proposed 21,745 square foot retail store results in an average peak period parking demand of 20 vehicles. Applying the greatest peak period parking demand observed by the study (1.30 vehicles per 1,000 square feet of gross floor area) results in a peak period parking demand of 28 vehicles.

Accounting for the parking for the four employees results in a total peak parking demand of 32 vehicles.

Based on the parking utilization data provided by the applicant and the staff analysis of ITE Parking Generation data for furniture stores, it appears the 41 parking spaces proposed should be sufficient to accommodate the expected parking demand for the redeveloped furniture store.

1. Consistency with the Comprehensive Plan:

For the special exception petition, the evaluation of consistency with the comprehensive plan is limited to the two requested code modifications, that being minimum rear yard setback and minimum off-street parking.

There is no Seaboard Sector development standard nor other policy in the comprehensive plan that specifically applies to minimum rear yard setbacks. Regarding the requested code modification for minimum off-street parking spaces, Policy 16.14.F.6. does call for alternative parking standards that allow for reduced parking lot size. The requested code modification from Section 122-434(3)p implements that policy.

Staff Finding: *The comprehensive plan has no policy or development standards specific to rear yard setbacks and the requested code modification from Section 122-434(3)p implements Policy 16.14.F.6 of the comprehensive plan. Therefore, staff finds the special exception petition consistent with the comprehensive plan.*

2. Required Planning Commission Findings for Special Exception Approval:

In accordance with Section 86-43(e), before any special exception shall be approved, the Planning Commission shall make a written finding that the granting of the special exception will not adversely affect the public interest and certify that the specific requirements governing the individual special exception, if any, have been met by the petitioner and that, further, satisfactory provision and arrangement has been made concerning the following matters, where applicable.

Staff has provided commentary on each standard or finding to facilitate the Planning Commission's review and evaluation of the special exception application.

1. Compliance with all applicable elements of the comprehensive plan.

Staff Comment: *Based on the comprehensive plan consistency analysis provided above, the special exception petition is consistent with the comprehensive plan.*

2. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Staff Comment: *Based on the planning analysis on this subject provided on this and the prior page, it appears the proposed 41 parking spaces should be sufficient to accommodate the expected parking demand so as to not create issues related to automotive and pedestrian safety and convenience, traffic flow and control and emergency access.*

3. Off-street parking and loading areas, where required, with particular attention to the items listed in subsection (e)(2) of this section and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.

Staff Comment: *The proposed off-street parking and loading areas for the proposed furniture store are not expected to impact adjoining properties and properties generally in the district with regard to economic, noise, glare or odor.*

4. Refuse and service areas, with particular reference to the items listed in subsections (e)(2) and (e)(3) of this section.

Staff Comment: *The Public Works staff have no objection to the project's design and method for solid waste collection.*

5. Utilities, with reference to location, availability and compatibility.

Staff Comment: *The project will tie into existing city water and sewer lines located within the Seaboard Avenue right-of-way. The Utilities Department in its concurrency review confirmed there is adequate water and sewer capacity to serve the proposed project.*

6. Screening and buffering, with reference to type, dimensions and character.

Staff Comment: *Screening and buffering is not required for property located in the ILW district. However, the applicant has provided landscaped islands in the proposed parking area.*

7. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.

Staff Comment: *A sign is proposed on the front (east) elevation of the building. Compliance with sign code standards will be confirmed during the review of the sign permit application.*

8. Required yards and other open space.

Staff Comment: *The ILW district does not have an open space standard and the Seaboard Sector has no specific policy language on open space. The proposed furniture store building complies with minimum required front and side yard standards and the applicant requests to modify the rear yard setback to one foot. Based on the applicant's justification and staff analysis, there is a reasonable basis to support the approval of the requested code modification.*

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

Staff Comment: *The site and development plan, which included site plan drawings with the requested code modifications, was found to be compatible with adjacent properties and other property in the district (see Section III of this report, Consistency with the Comprehensive Plan, pages 6-8).*

10. Any special requirements set out in the schedule of district regulations of this chapter for the particular use involved.

Staff Comment: There are no special requirements in the ILW district standards that specifically apply the minimum rear yard setback or minimum number of off-street parking spaces.

VII. SUMMARY OF STAFF FINDINGS FOR SPECIAL EXCEPTION PETITION

Based on the planning analysis provided in Section VI of this report, staff finds the following regarding the subject special exception petition.

- 1. **Consistency with the Comprehensive Plan:** The special exception petition can be found to be consistent with the comprehensive plan.*
- 2. **Required Planning Commission Findings for Special Exception Approval:** The following can be found regarding the special exception petition:*
 - Will not adversely affect the public interest,*
 - Satisfactory provision and arrangement have been made concerning the matters listed in Section 86-43(e), and*
 - There is a reasonable and legitimate basis to allow the requested modifications from Sections 86-100(j)(2) and 122-434(3)p.*

VIII. PLANNING COMMISSION ACTION ON SPECIAL EXCEPTION PETITION NO. 17-01SE

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 for the Planning Commission to take action on Special Exception Petition No. 17-01SE.