



Project: Eye Associates
Changes in Plans Petition No. 16-01PC
Staff Report

Owner: Florida Practice Management, LLC

Parcel IDs: 0411-15-0001, 0411-15-0089, 0412-02-0001, 0000-00-8534, and 0411-15-0090

Parcel Sizes: 452,000± square feet (10.4± acres)

Addresses: 1550 Venice Avenue East

Agent: Jeffery Boone, Esq., Boone Law Firm

Existing Zoning District: Planned Unit Development/Venetian Gateway (PUD/VG)

Future Land Use Designation: Eastern Gateway Corridor (Planning Area H)

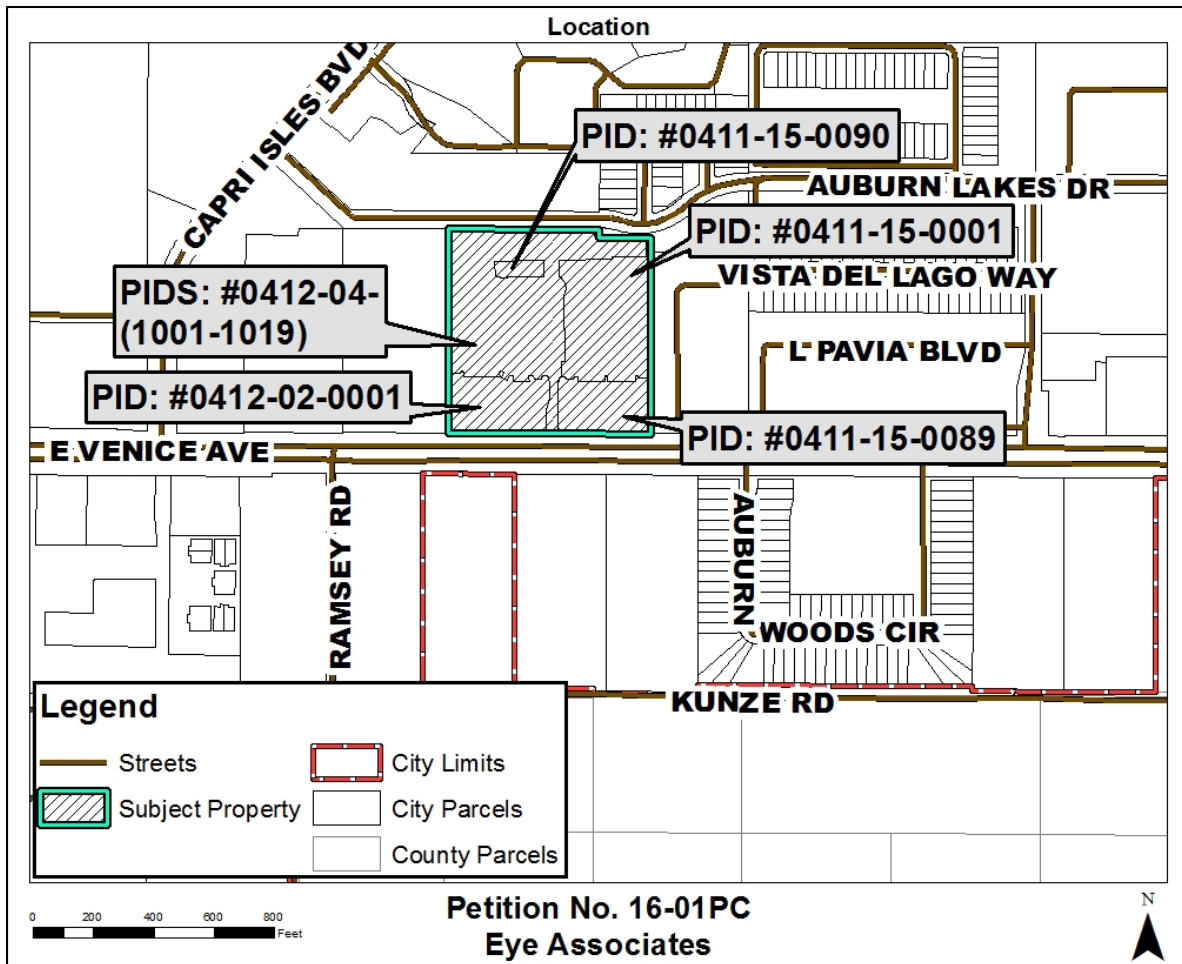
Summary of Changes in Plans:

The applicant is proposing a “changes in plans” petition to the previously approved Ventura Commerce Park Concept Plan for a 1.25± acre development pod located at the southeast corner of the property. The Concept Plan allows for 12,000 square feet of retail use within the development pod. The proposal is to change the Concept Plan for the development pod to allow for construction of an 8,532 medical and 1,008 retail use facility. A concurrently processed site and development plan petition has been submitted by the applicant and is progressing through TRC review.

I. BACKGROUND

The subject property is 10.4± acres located along the north side of East Venice Avenue between Capri Isles Boulevard to the west, Auburn Lakes Drive to the north, and Casa Del Lago Way to the east (see Map 1). The eastern 4.95± acres of the property was rezoned in 2004 from Sarasota County Open Use Estate-1 (OUE-1) to City of Venice Planned Unit Development/Venetian Gateway (PUD/VG) and added to the existing Capri Isles PUD.

Map 1. Site Location

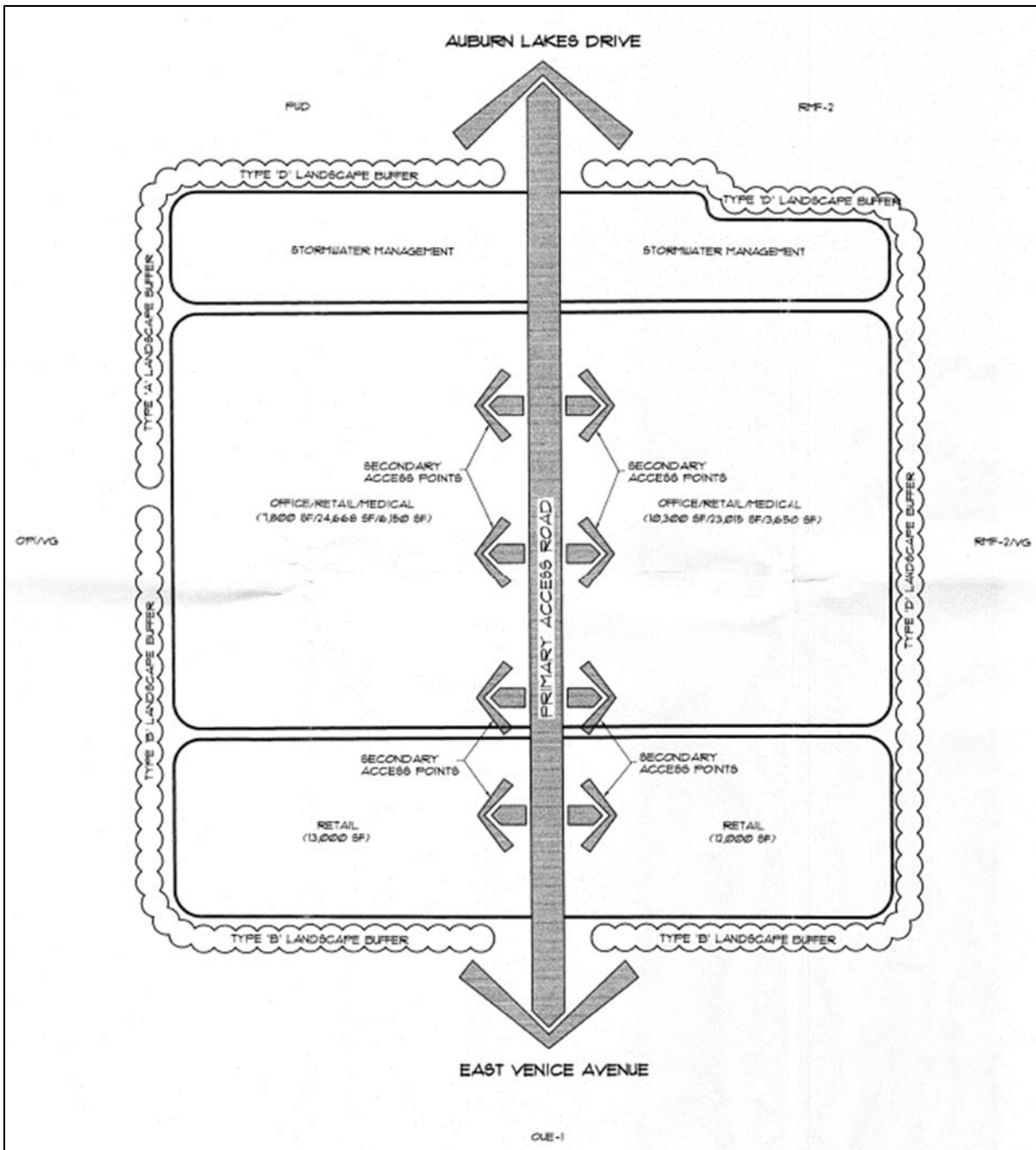


The 2004 rezoning included a concept plan for the mixed use development known as Ventura Commerce Park. The concept plan divided the entire property into development “pods” to allow a total of 72,683 square feet of retail, 18,100 square feet of office, and 9,800 square feet of medical use (see Map 2).

In 2005, a Site and Development Plan was approved for the subject property for a mixed use project known as the Galleria on Venice Avenue. The Galleria included two one-story buildings on the northernmost development pods and eight one- and two-story buildings on the central development pods. The two southernmost development pods were to be left vacant for future development.

The applicant has submitted a Changes in Plans petition along with a concurrent Site and Development Plan petition to allow for construction of an 8,532 square feet medical and 1,008 square feet retail building for the Eye Associates.

Map 2. Existing Ventura Commerce Park Concept Plan



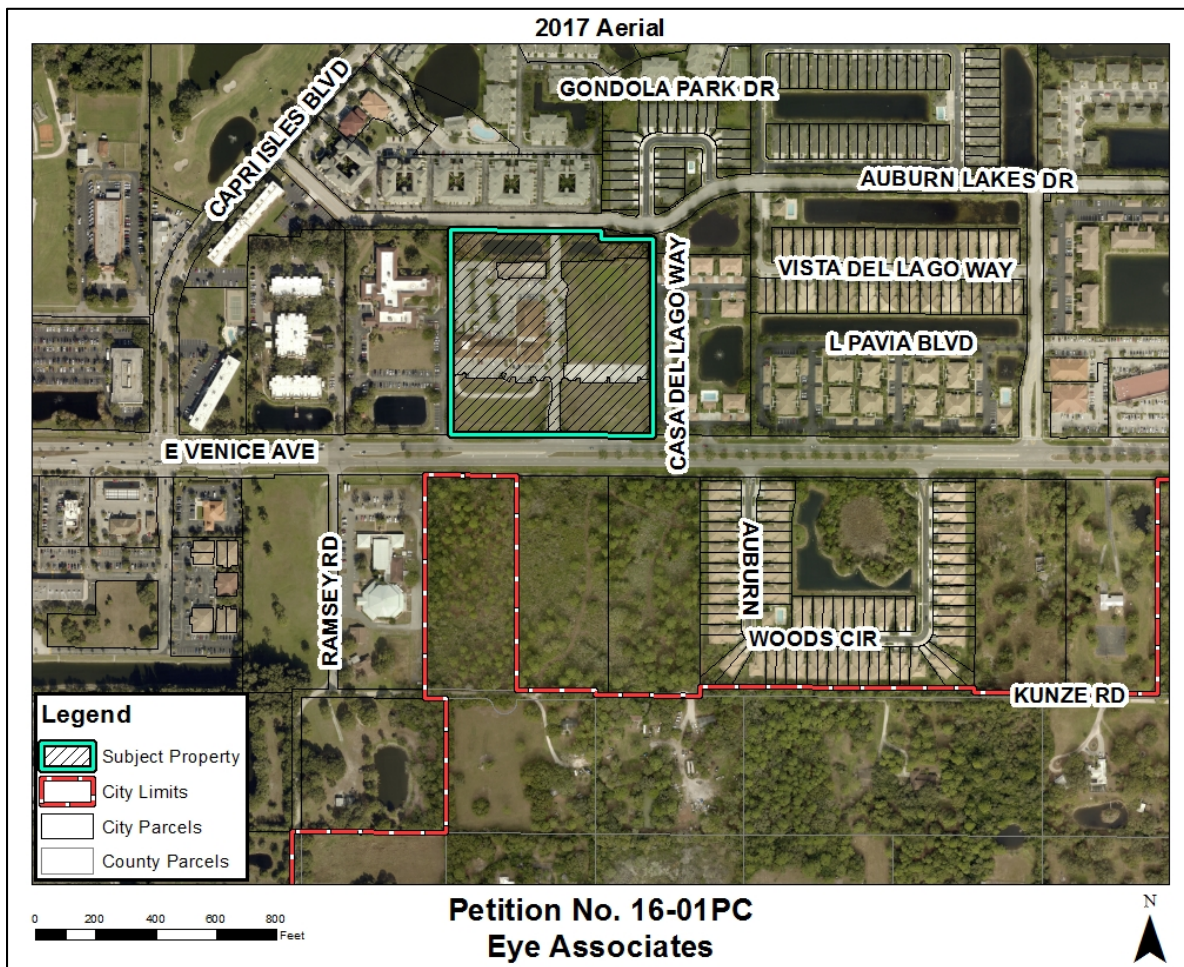
II. SUBJECT PROPERTY/SURROUNDING AREA INFORMATION

- a) **Subject Property Information:** The subject property is a 10.4± acres located on the north side of East Venice Avenue between Capri Isles Boulevard to the west, Casa Del Lago Way to the east, and Auburn Lake Drive to the north. The western portion the property has been developed as a mixed use commercial, medical, and retail area as part of the Galleria on Venice

Avenue project. The remaining portion of the property remains vacant.

Map 3 shows current on-site conditions and properties adjacent to the subject property. Existing uses, current zoning and future land use designations of the abutting properties are provided in the table on the following page.

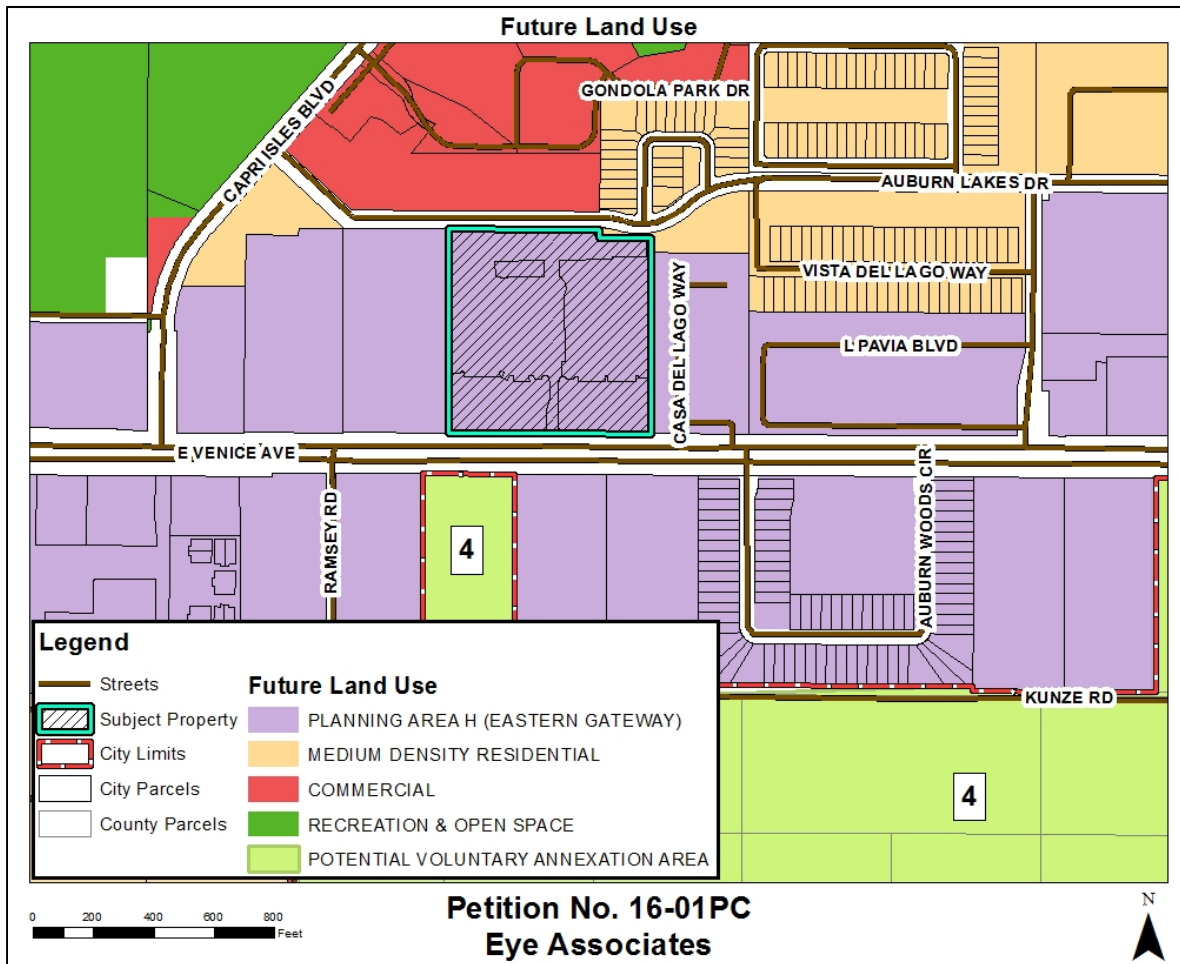
MAP 3: Aerial Photograph



Direction	Existing Use(s)	Current Zoning	Future Land Use Designation
North	Multi-family residential (Gondola Park) and Single-family residential (Auburn Cove)	Planned Unit Development (PUD) and Residential, Multi-family 2 (RMF-2)	Commercial and Medium Density Residential
West	Professional Institution (Manor Care)	Office, Professional and Institutional/Venetian Gateway (OPI/VG)	Eastern Gateway Corridor (Planning Area H)
South	Vacant	Sarasota County Open Use Estate 1/Venetian Gateway (OUE-1/VG) and OUE	Eastern Gateway Corridor (Planning Area H) and JP/ILSBA Area 4 (South Venice Avenue Neighborhood)
East	Multi-family residential (Casa Del Lago)	Residential, Multi-family 2/Venetian Gateway (RMF-2/VG)	Eastern Gateway Corridor (Planning Area H)

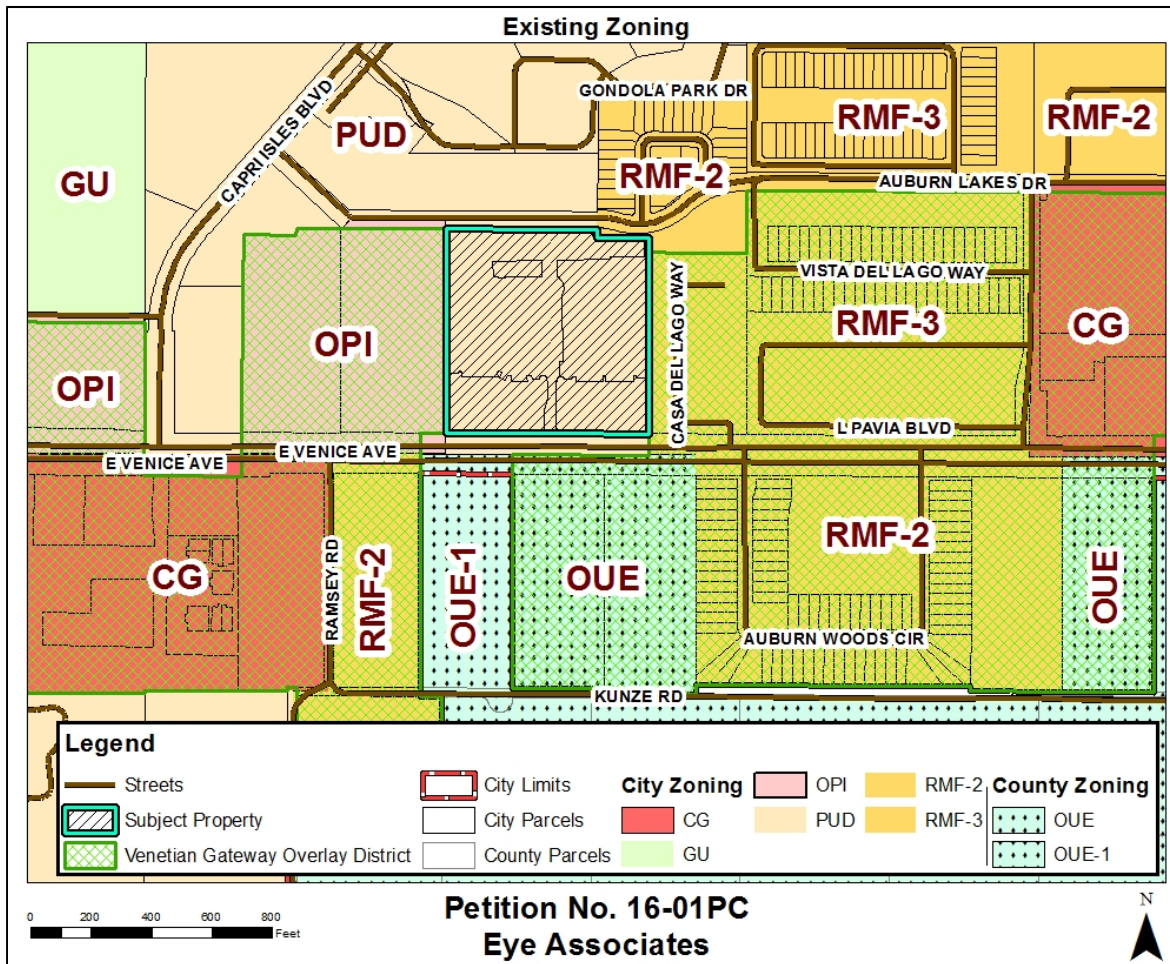
- b) **Future Land Use:** The future land use map (see Map 4) shows the subject property as having a future land use designation of Eastern Gateway Corridor (Planning Area H). The planning intent of the Eastern Gateway Corridor is to create a mixed use business corridor that promotes community connectivity, provides critical commercial shops and services, and supports the City's architectural character.

MAP 4: Future Land Use Map



- c) **Existing Zoning:** Map 5, provided on the next page, shows the subject property as having an existing zoning designation of Planning Unit Development/Venetian Gateway (PUD/VG). The property is a part of the Carpi Isles PUD, a master planned golf course community consists primarily of medium density multi-family development.

MAP 5: Existing Zoning Map



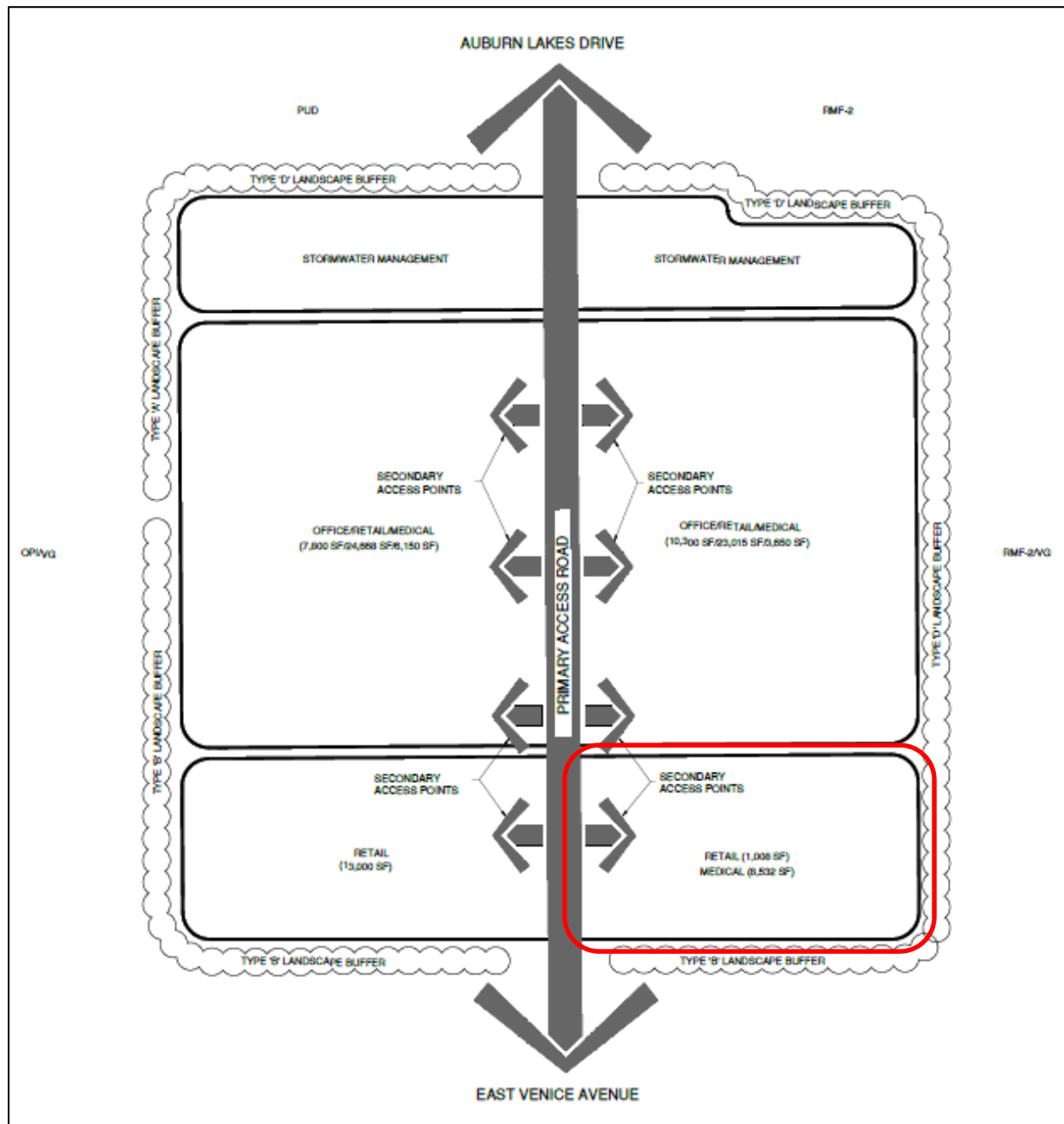
III. PROPOSED CHANGES IN PLANS

The following code section provides Planning Commission with the ability to review and recommend approval to City Council of “changes in plans” approved as part of a rezoning to PUD or make a determination that the changes are significant and warrant rezoning of the property:

Section 86-130(v), Changes in plans. Changes in plans approved as a part of the rezoning to PUD may be permitted by city council upon application by the developer or his successors in interest, and after a recommendation from the planning commission, but only upon a finding that any such changes are in accord with all regulations in effect when the changes are requested and the intent and purpose of the comprehensive plan in effect at the time of the proposed change. Changes other than those indicated shall be processed as for a new application for PUD rezoning.

The existing Ventura Commerce Park Concept Plan allows for development of commercial uses (i.e., office, medical and retail) and intensity of those uses for defined development pods shown on the approved concept plan. The subject development pod, located in the southeast corner of the property, is currently approved for 12,000 square feet of retail use. The proposal is to change the use of this development pod to allow for 1,008 square feet of retail and 8,532 square feet of medical use (see Map 6). The proposed change represents a reduction of 2,460 square feet of development and a reduction in the intensity of a portion of the development from the more intense retail use to the less intense medical use.

Map 6. Proposed Ventura Commerce Park Concept Plan



In review of the above changes in plans, consideration should be focused on what (if any) impact the changes would have on the City, the neighbors, or the site, that may be of such significance to warrant rezoning of the property. It is important to keep in mind that the proposed use of the property is still consistent with the uses identified in the approved PUD and those identified within the Comprehensive Plan for this planning area and in fact, are of less intensity than the uses approved by the existing PUD. The applicant has also included, in their project narrative, a comparison of the proposed development with the approved PUD Concept Plan for Planning Commission's consideration.

IV. **PLANNING ANALYSIS**

- a) **Consistency with the Comprehensive Plan:** The subject property has an Eastern Gateway Corridor (Planning Area H) future land use map designation. Policy 16.16 describes the planning intent of the corridor as to create a mixed use business corridor that promotes community connectivity, provides critical commercial shops and services, and supports the City's architectural character.

The proposed development associated with the changes in plans is consistent with Policy 16.16, as it intends to include a mixed use retail and medical office building. In fact, the proposed changes in plans represents a reduction of 2,460 square feet of development and a reduction in the intensity of a portion of the development from the more intense retail use to a less intense medical use.

Finding of Fact (consistency with the Comprehensive Plan): Based on the above analysis, the proposed changes in plans is consistent with the Eastern Gateway Corridor (Planning Area H) future land use designation and is compatible with adjacent properties. In summary, the proposed changes in plans can be found consistent with the comprehensive plan.

- b) **Compliance with the Land Development Code:** The subject property has a zoning designation of Planned Unit Development/Venetian Gateway (PUD/VG) and is part of the mixed use Capri Isles PUD. The proposed medical and retail uses associated with the changes in plans is consistent with the approved Ventura Commerce Park Concept Plan and consistent with regulations associated with Section 86-120 for the Venetian Gateway district and Section 86-130 for the PUD zoning district.

Finding of Fact (compliance with the Land Development Code): Based on the above analysis, the proposed changes in plans is consistent with the approved Ventura Commerce Park Concept Plan and consistent with Sections 86-120 (VG) and 86-130 (PUD) of the Land Development Code.

- c) **Concurrency/Adequate Public Facilities:**

Concurrency for the subject changes in plans petition is not applicable. Concurrency will be evaluated during review of the concurrent Site and Development Plan petition.

V. **PLANNING COMMISSION ACTION ON CHANGES IN PLANS PETITION NO. 16-01PC**

Upon review of the subject 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 take action on Changes in Plans Petition No. 16-01PC.