



***Project: Eye Associates***  
**Site and Development Plan Amendment Petition No. 05-25SP.2**  
**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 Size:** 452,000± square feet (10.40± acres)

**Address:** 1550 East Venice Avenue

**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 Site and Development Plan Amendment:** The applicant is proposing to amend the Galleria on Venice Avenue site and development plan to allow for the construction of an 8,532 square feet medical and 1,008 retail building known as Eye Associates. The building will be located at 1550 Venice Avenue East on the southeastern most 1.25± acre parcel within the Galleria site.

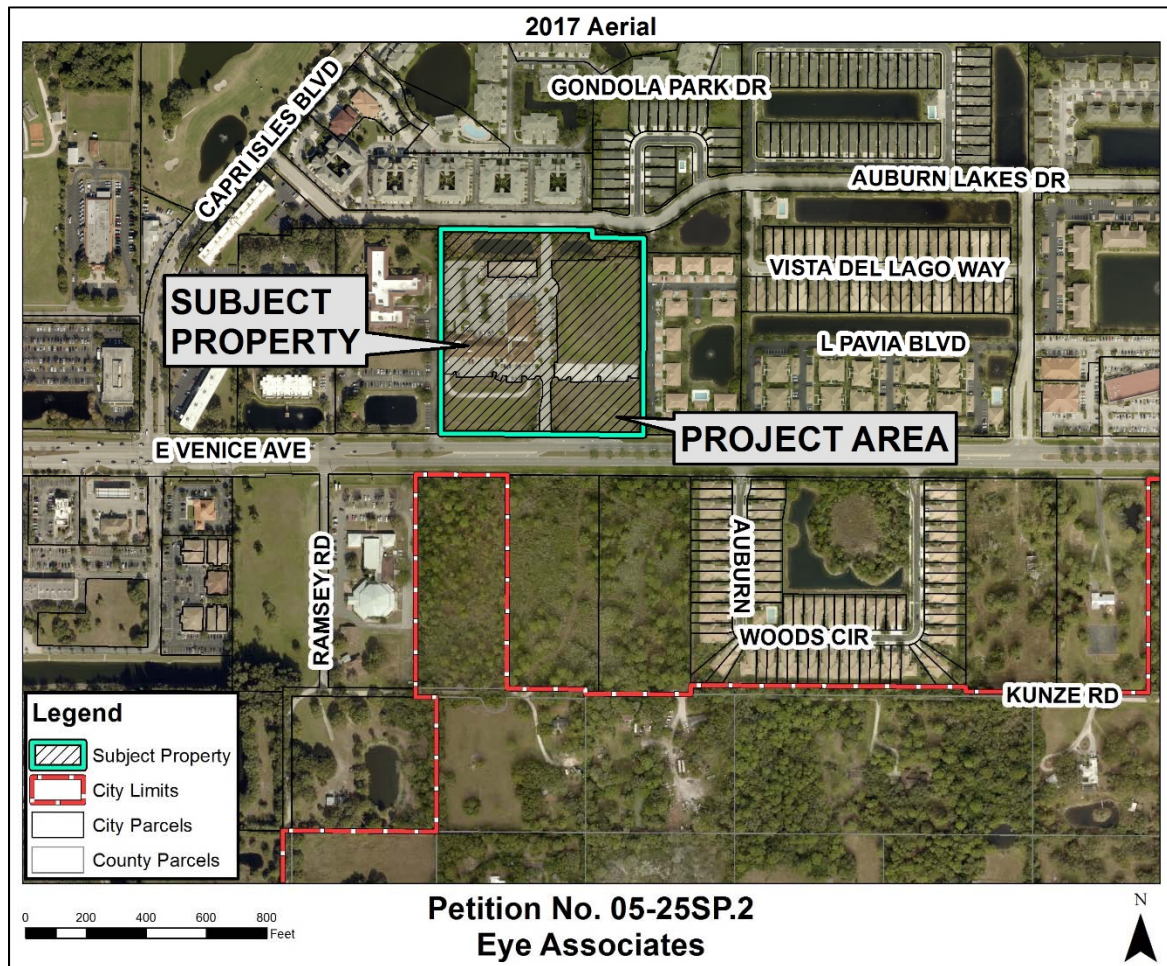
**Stipulation:** Approval of the subject site and development plan amendment must be contingent upon City Council approval of the concurrent changes in plans petition.

**I. INTRODUCTION**

**Request:** Jeffery A. Boone, the authorized agent for property owner Florida Practice Management LLC, has petitioned the city to amend the Galleria on Venice Avenue site and development plan to allow for construction of the future Eye Associates building. If approved, the building will be located at 1550 East Venice Avenue on the southeastern most 1.25± acre parcel within the Galleria site.

**Background:** The subject property is the 10.40± acre Galleria on Venice Avenue located on 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. The project area where the proposed Eye Associates building is to be constructed is the southeastern most 1.25± acres within the Galleria site (see Map 1).

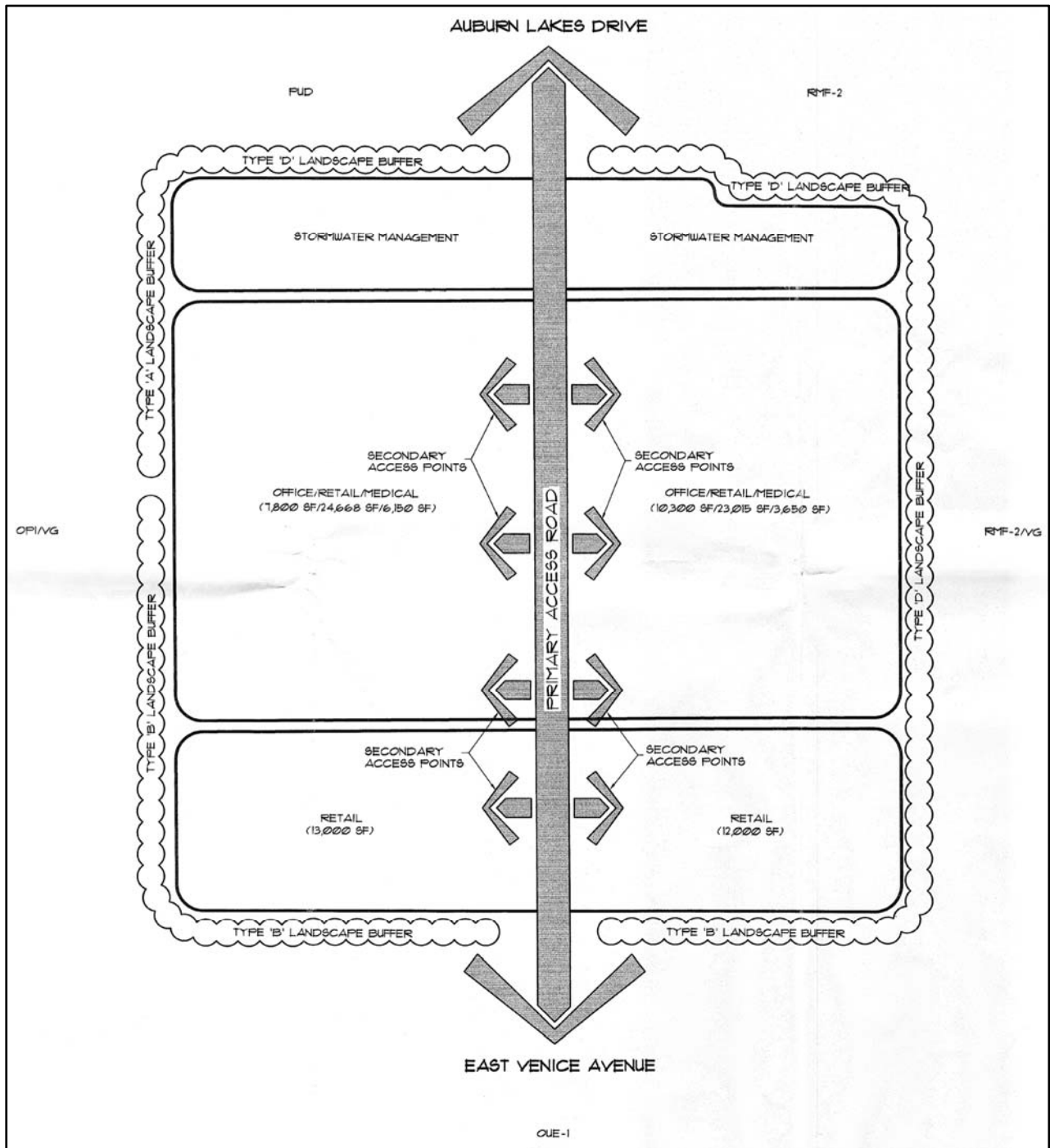
## Map 1. Site Location



In 2004, the eastern 4.95± acres of the subject property was rezoned (Petition No. 04-02RZ) from a Sarasota County zoning designation of Open Use Estate 1 (OUE-1) to a City of Venice zoning designation of Planned Unit Development/Venetian Gateway Overlay District (PUD/VG) and added to the existing Capri Isles PUD. The rezoning included a Concept Plan for a mixed use development known as Ventura Commerce Park. The Concept Plan divided the entire subject property into six development “pods” allowing a total of 72,683 square feet of retail; 18,100 square feet of office; and 9,800 square feet of medical use on site (see Map 2).

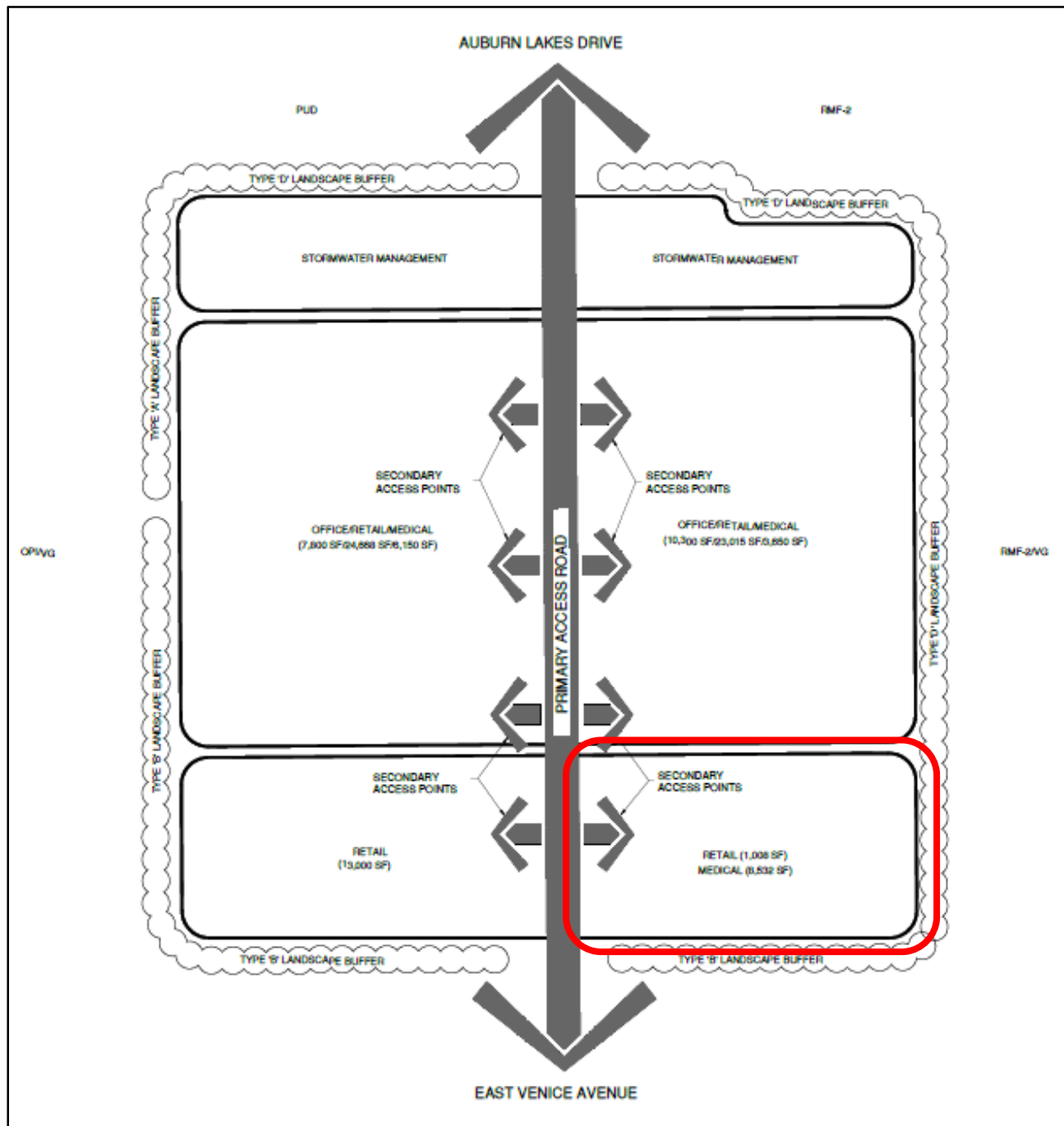
A year after the rezoning, a site and development plan (Petition No. 05-25SP) was approved on the subject property for a mixed use project known as the Galleria on Venice Avenue. Development of the Galleria was consistent with the original Ventura Commerce Park Concept Plan and included stormwater management facilities on the two northernmost development pods and eight one-story buildings and two two-story buildings on the two central development pods. The two southernmost development pods were left vacant for future development and require their own site and development plan approval. In 2010, the Galleria site and development plan was amended (Petition No. 05-25SP.1) to modify the existing ground and building signs associated with the project.

## Map 2. Original Ventura Commerce Park Concept Plan



In 2016, the applicant petitioned the city for “changes in plans” (Petition No. 16-01PC) to the previously approved Ventura Commerce Park Concept Plan for the southeastern 1.25± acre development pod on the property (see Map 3). The original Concept Plan allows for 12,000 square feet of retail use within the development pod. The request is to change the development pod to allow 8,532 square feet of medical and 1,008 square feet of retail use.

### Map 3. Proposed Ventura Commerce Park Concept Plan



In addition to the changes in plans petition, the applicant is concurrently petitioning the city to amend the Galleria on Venice Avenue site and development plan to allow for construction of the Eye Associates building. The building is to be constructed on the southeastern most 1.25± acre parcel within the Galleria site.



## II. SUBJECT PROPERTY / SURROUNDING AREA INFORMATION

The subject property is the 10.40± acre Galleria on Venice Avenue 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. As of the date of this staff report, only the western portion of the current Galleria project has been developed as a mixed use commercial, medical, and retail area; the eastern portion of the project remains vacant.

Property surrounding the Galleria includes a mix of single-family attached (Auburn Cove) and multi-family (Gondola Park) residential to the north, skilled nursing and rehabilitation center (Manor Care) to the west, vacant land to the south, and multi-family residential (Casa Del Lago) to the east. Table 1 below identifies existing uses, current zoning and future land use designations of the surrounding properties.

**Table 1. Existing Uses, Zoning, and Future Land Use Designations of Surrounding Properties**

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	Skilled nursing and rehabilitation (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)

The following photographs show on- and off-site conditions of the subject property and surrounding area.



View of vacant project site from primary Galleria access road, looking east.



Existing Galleria mixed use development, looking north.



Another view of vacant project site/  
Galleria entrance, looking northeast.



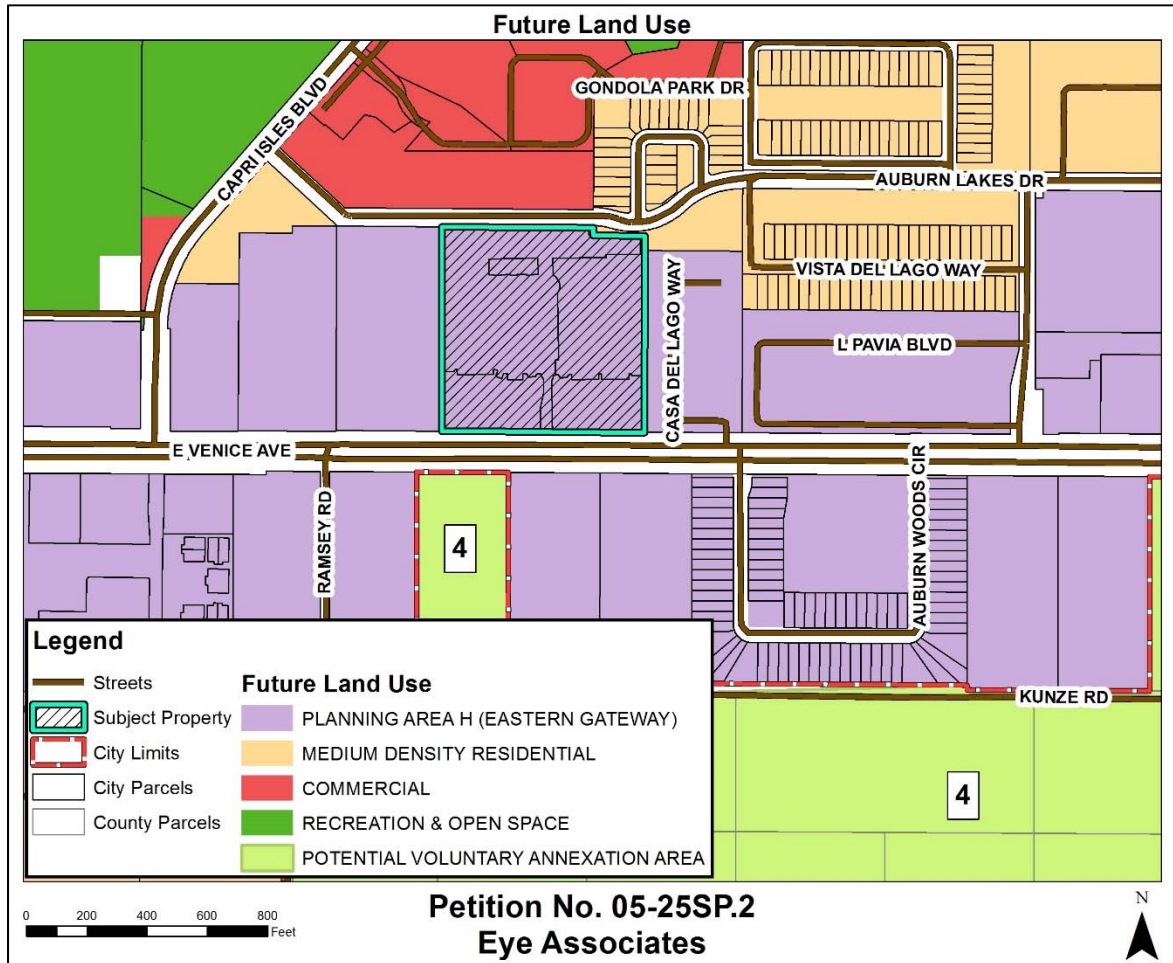
Adjacent Gondola Park condominiums,  
looking northwest.



Adjacent Auburn Cove single-family  
attached, looking north.

**Future Land Use:** Map 4 shows the subject property as having a future land use map (FLUM) designation of Eastern Gateway Corridor (Planning Area H). Policy 16.15 of the Comprehensive Plan describes the planning intent of the Eastern Gateway 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.”*

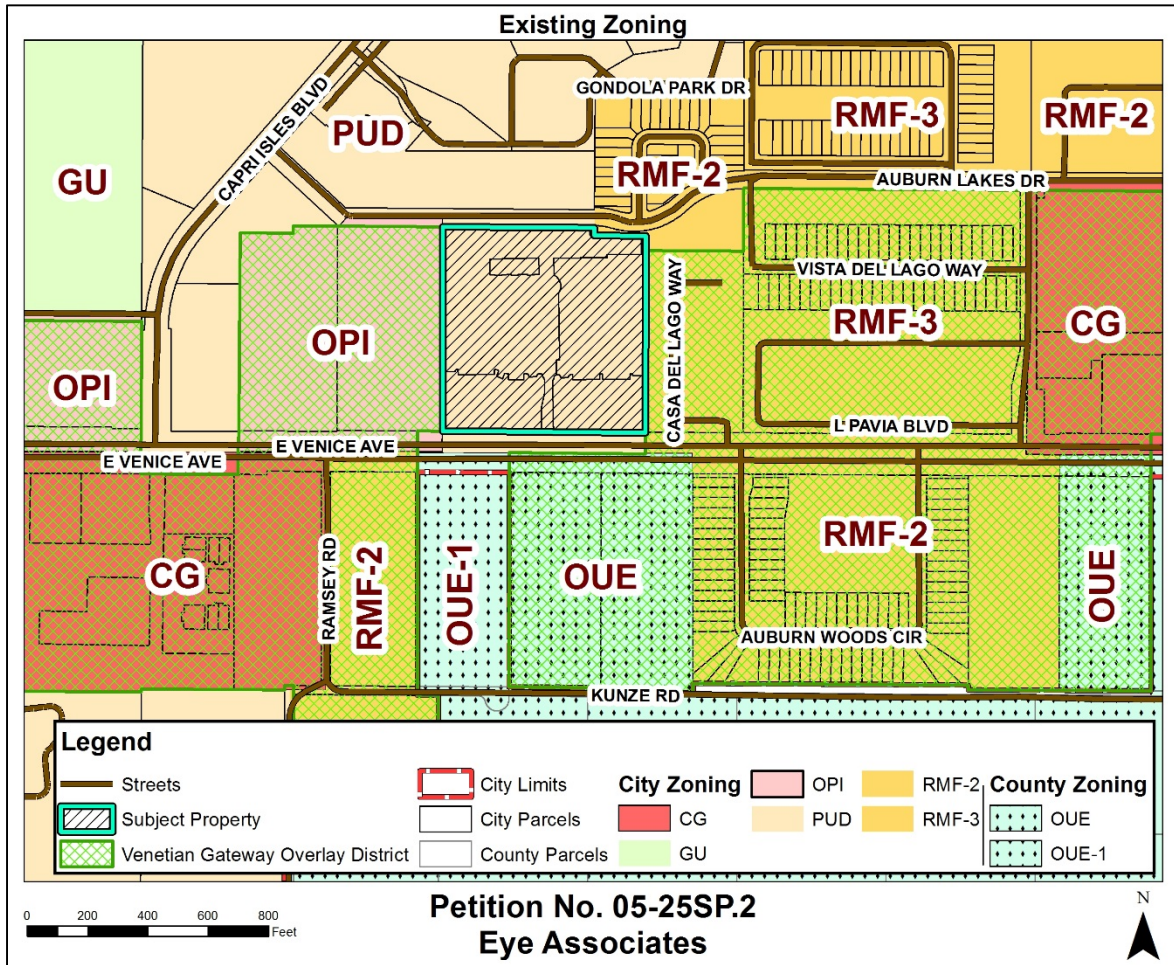
## Map 4. Future Land Use



**Existing Zoning:** Map 5 shows the subject property as having a Planned Unit Development (PUD) zoning designation. In addition, the property is also under the Venetian Gateway (VG) Overlay District. The subject property is part of the Capri Isles PUD, a 354± acre master planned golf course community that consists of primarily medium density multi-family residential developments.



## Map 5. Existing Zoning



The VG Overlay District is designed to protect the East Venice Avenue “front door” to the city by ensuring a favorable impression of the overall appearance of the corridor and the functional operation of the thoroughfare. The district’s architectural design standards require all new structures or substantial improvements to existing structures (except single-family homes) to gain approval by the Planning Commission. All yards abutting East Venice Avenue must have a minimum 30-foot depth from the right-of-way line, and no parking is permitted within 10 feet of the right-of-way line. Landscaping in the district is based on a point system for planting yards, buffer yards, and parking areas and credit is given for preserving existing trees that are in good health.

**Flood Zone Information:** According to 2016 FEMA Digital Flood Insurance Rate Maps (DFIRMs), the majority of subject property is within the X-Unshaded flood zone. The X-Unshaded flood zone is considered a low risk flood area above the 500-year flood level and not identified as a Special Flood Hazard Area subject to base flood elevations. The extreme southern portion of the subject property (along the East Venice Avenue right-of-way) is within the X-Shaded flood zone, which is considered a moderate risk flood area between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. X-Shaded flood zones are also not identified as Special Flood Hazard Areas subject to base flood elevations. The extreme northern portion of the subject property, near the stormwater management facilities, is within AE flood zone (no base flood elevation). AE flood zones are high risk areas considered to be Special Flood Hazard Areas where flood insurance is mandatory for most mortgages that are secured by loans from federally regulated or insured lenders. City of Venice regulations require that the minimum finished floor elevation be the higher of base flood elevation or 15 inches above the adjacent grade. A



survey is required to establish the finished floor elevation and crown of road and an elevation certificate will be required for new construction. Redevelopment of the property will be subject to compliance with FEMA requirements.

### **III. PROPOSED IMPROVEMENTS**

**Eye Associates Building:** The proposed Eye Associates building is to be constructed on the southeastern most 1.25± acre parcel of the subject property (see Maps 5 and 6 on the following page). The new building will contain 8,532 square feet of medical space and 1,008 square feet of retail space.

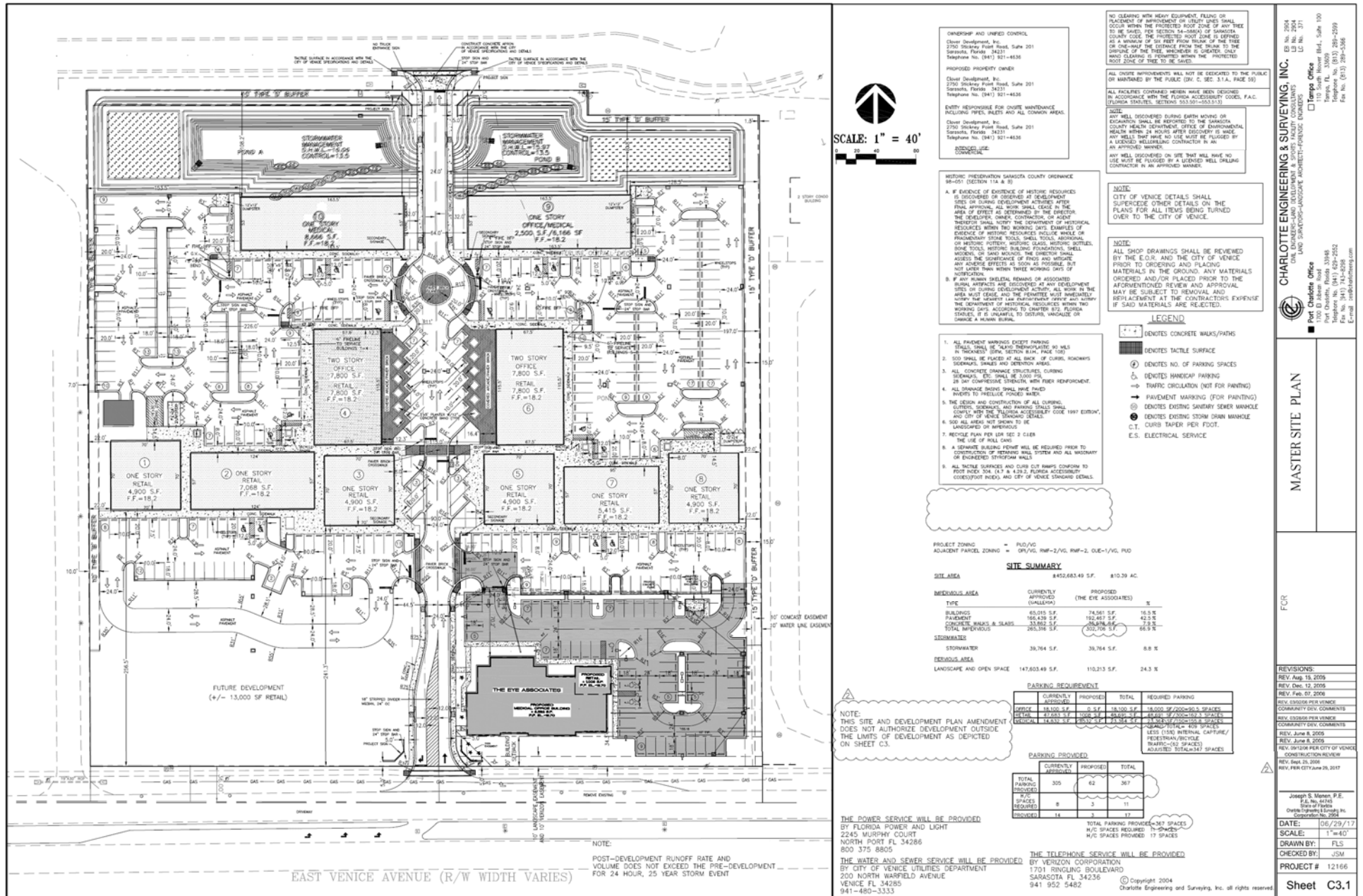
The front of the building will face east where patrons will be able to access the main entrance from the parking lot. The entrance will lead patrons through a retail space to the main reception/waiting room area. Beyond this area will be private patient rooms, offices and work areas, a conference room with kitchen, and a staff breakroom. The building itself is to be designed in a Northern Italian Renaissance style, consistent with Policy 16.16 of the Comprehensive Plan and similar to existing buildings within the Galleria.

**Access:** Automobile access to the new Eye Associates building will be provided by means of a primary Galleria access road off East Venice Avenue. An existing secondary access point off the primary road will allow automobile traffic to enter the customer parking lot. Pedestrian access to the new building will be provided via new sidewalks that connect the building and the parking lot. In addition, the new sidewalks will link with existing sidewalks along East Venice Avenue and the primary access road to provide pedestrian access to existing buildings within the Galleria.

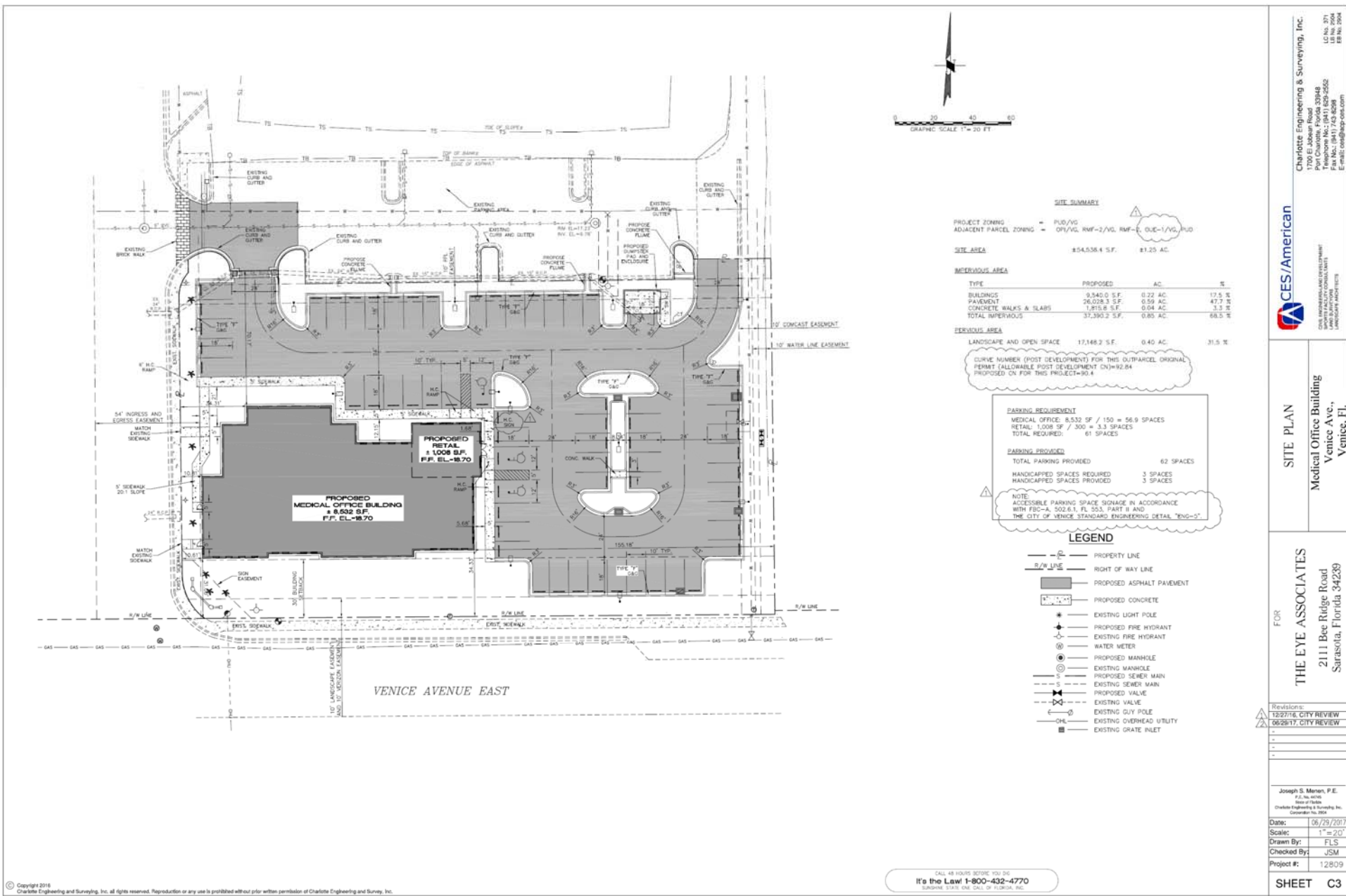
**Parking:** The new Eye Associates building will require 61 parking spaces; however, a total of 62 spaces are being provided. Of the total parking spaces, three of these will be handicapped accessible with two handicap spaces being adjacent the main entrance. The parking lot will separate the new Eye Associates building from the adjacent Casa Del Lago condominiums to the east.

**Landscaping:** Construction of the Eye Associates building will require the planting of 27 trees. The applicant proposes to plant 47 trees to satisfy this requirement. Additional buffering and interior landscaping will be provided by hedges, accents, and ground cover.

# Map 5. Amended Galleria on Venice Avenue Site and Development Plan



## Map 6. Project Area Site Plan





#### **IV. PLANNING ANALYSIS OF THE SITE AND DEVELOPMENT PLAN AMENDMENT**

This section of the report evaluates the site and development plan amendment 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 projects expected impacts on public facilities. For each of the three evaluations staff provides its finding.

**Consistency with the Comprehensive Plan:** As indicated in Section II of this report, the subject property is within the Eastern Gateway Corridor (Planning Area H) future land use area. Policy 16.15 of the Comprehensive Plan 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 Eye Associates building is consistent with Policy 16.15 as it intends to be a mixed use medical and retail building. Other associated improvements such as parking, access, sidewalks, and landscaping are being provided to improve access and provide a more visually attractive project.

Policy 8.2 of the Comprehensive Plan 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 resulting from development inconsistent with the current Comprehensive Plan.
4. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

In conducting the above review, land use density and intensity, building heights and setbacks, character or type of use proposed, and site and architectural mitigation design techniques are to be evaluated. If it is determined that a 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 property, it is reasonable to conclude that there is only one single-family attached residential neighborhood (Auburn Cove) in the vicinity of the subject property. The vacant portion of the Galleria on Venice Avenue project separates the proposed Eye Associates building from the Auburn Cove neighborhood. The proposed building will be located and designed consistent with other mixed use buildings within the Galleria.

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

The proposed Eye Associates is a mixed use medical and retail building consistent with the existing Galleria development. There will be no industrial uses associated with the proposed Eye Associates building.

3. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.

The proposed Eye Associates building is compatible with surrounding land uses and the existing Galleria development. The subject property does not contain any nonconforming uses and no new nonconforming uses are being created as a result of the proposed Eye Associates building.

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

Eastern Gateway Corridor development standards specify a maximum Floor Area Ratio (FAR) of 0.5 and a maximum building height of three stories, up to 42 feet including parking. The proposed Eye Associates building is being developed consistent with these parameters and at an intensity less than what was approved through the original Ventura Commerce Park Concept Plan.

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

**Compliance with the Land Development Code:** The subject property is regulated by standards of the PUD/VG zoning district. The applicant has designed the new Eye Associates building in compliance with the regulatory standards of the VG Overlay District and with the existing development pattern of the Galleria. The project includes a new mixed use medical and retail building and is compliant with the parking standards for medical and retail offices. All other Land Development Code standards have been confirmed for compliance.

***Finding of Fact (Compliance with the Land Development Code):*** Based on the above analysis, a finding can be made that the proposed site and development plan is in compliance with the Land Development Code.

**Concurrency/Adequate Public Facilities:** The applicant has submitted a concurrency determination application and a concurrency review has been completed by staff. The table on the following page shows the expected public facility impacts and the status of the departmental concurrency reviews.

**Table 2. Concurrency Review for the Subject Property**

Department	Facility	Project's Estimated Impact	Status
Utilities	Potable Water	40.35 ERU's	Concurrency confirmed by Utility Department
Utilities	Sanitary Sewer	40.35 ERU's	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	Existing impervious	Concurrency confirmed by Engineering Department
Planning and Zoning	Transportation	332 PM Peak Hour Trips	Concurrency confirmed by the City's Traffic Consultant
School Board	Public Schools	N/A	The project is non-residential and not subject to school concurrency

***Finding of Fact (Concurrency):*** Adopted minimum levels of service for the above facilities will be maintained after taking into account the estimated public facility impact of the proposed library building. Transportation concurrency was deemed to have been met due to a reduction in the PM Peak Hour Trips (from 596 to 332) and total trips per day (from 5599 to 3970). If approved, staff will issue the project a concurrency certificate.

## **V. PLANNING COMMISSION EVALUATION OF THE SITE AND DEVELOPMENT PLAN**

**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."

To assist the Planning Commission, staff has prepared a comment on each of the following standards of findings by which the site and development plan application can be evaluated.

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 southeastern most 1.25± acre parcel by Florida Practice Management LLC. Staff also received a signed letter from the Vice President of the Galleria on Venice Avenue Master Association allowing Eye Associates to proceed with the development.

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 the Comprehensive Plan (see Section IV of this report, Consistency with the Comprehensive Plan, beginning on pages 11-12). 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 Land Development Code standards. Automobile traffic will gain access to the site via an existing secondary



*access point off the primary Galleria access road. Pedestrian traffic will gain access to the site via new sidewalks that link the proposed building with existing sidewalks along East Venice Avenue and the primary access road. The Public Works Department has no concerns regarding solid waste collection, and the Fire Department has 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 lot has been reviewed for compliance with applicable Land Development Code standards. The off-street parking lot will be accessible via an existing secondary access point off the primary Galleria access road and include 62 parking spaces, of which three are handicapped accessible. The parking lot will be situated in a way to separate the proposed Eye Associates building from the adjacent Casa Del Lago condominiums. The proposed development does not require any off-street loading spaces.*

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 applicant has provided interior and external landscaping and buffering to enhance the overall project and protect the adjacent residential use. The landscaping and buffering were designed in compliance with all applicable Land Development Code standards.*

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:*** *The project will utilize an existing sanitary sewer service line available on site. The Utilities Department in its concurrency review confirmed there is adequate sanitary sewer capacity to serve the proposed project.*

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

***Staff Comment:*** *The project will tie into an existing water line on site. The Utilities Department in its concurrency review confirmed there is adequate water capacity to serve the proposed 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:** Section 86-130(j) of the city's Land Development Code requires a PUD to have a minimum 50 percent open space. With the proposed Eye Associates building, the Galleria on Venice Avenue will contain 24.3 percent open space; however, the overall Capri Isles PUD has 212± acres of open space out of a total 354± acres, which equates to nearly 60 percent open space. Therefore, the minimum 50 percent open space for the overall Capri Isles PUD has been satisfied.

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 IV of this report, Consistency with the Comprehensive Plan, beginning on pages 11-12). 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 the 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:** No code modifications are being sought by the applicant; the submitted site and development plan complies with the Land Development Code.

Based upon the above analysis, staff has determined that sufficient information has been provided for the Planning Commission on which to base a determination on this petition.