



***Project: Crush-It, Inc.***

**Site and Development Plan Amendment Petition No. 16-02SP.1**  
**Staff Report**

**Owner:** Lisa Anne Richardson Revocable Living Trust      **Parcel ID #:** 0366-00-3025

**Address:** 530 Gene Green Road

**Agent:** Jeffery Boone, Esq., Boone Law Firm      **Parcel Size:** 9.9± acres

**Existing Zoning District:** Planned Industrial Development (PID)

**Future Land Use Designation:** Gene Green Sector (Planning Area L)

**Summary of Site and Development Plan Amendment:**

The submitted site and development plan amendment proposes the additional use of on-site concrete crushing, modifications to the approved berms, a revised landscape plan and the installation of a concrete wall.

**Stipulations (included in original approval of 16-02SP)**

1. This property will be required to connect to City water and sewer pursuant to the conditions specified in Section 74-2 of the City's Code of Ordinances.
2. Prior to approval of construction for the project, all applicable requirements for fire suppression systems for the project must be resolved and approved by the City's Fire Chief. If a static water supply is used than a third party review will be required prior to the Fire Chief's approval.

**Technical Review Committee (TRC):**

The subject petition has been reviewed by the TRC and has been found in compliance with all regulatory standards of the City's regulations.

**I. BACKGROUND**

- The subject property was a portion of the 184 acre APAC tract that was annexed into the city on June 22, 2004 through City Council's adoption of Ordinance No. 2004-26.
- On December 13, 2005, Comprehensive Plan Amendment No. 05-10CP was approved by City Council that assigned the future land use designation of "Industrial" to the property. With the adoption of the current Comprehensive Plan, the future land use designation for the subject property was changed to Gene Green Sector (Planning Area L).
- On January 24, 2006, City Council approved the rezoning of the property to Planned Industrial Development (PID) through the adoption of Ordinance No. 2006-01. The approved PID proposed construction of site facilities to include an office, warehouse/shop, concrete block plant and curing room that total approximately 23,538 square feet of enclosed space along with other accessory structures for the processing and recycling of concrete.

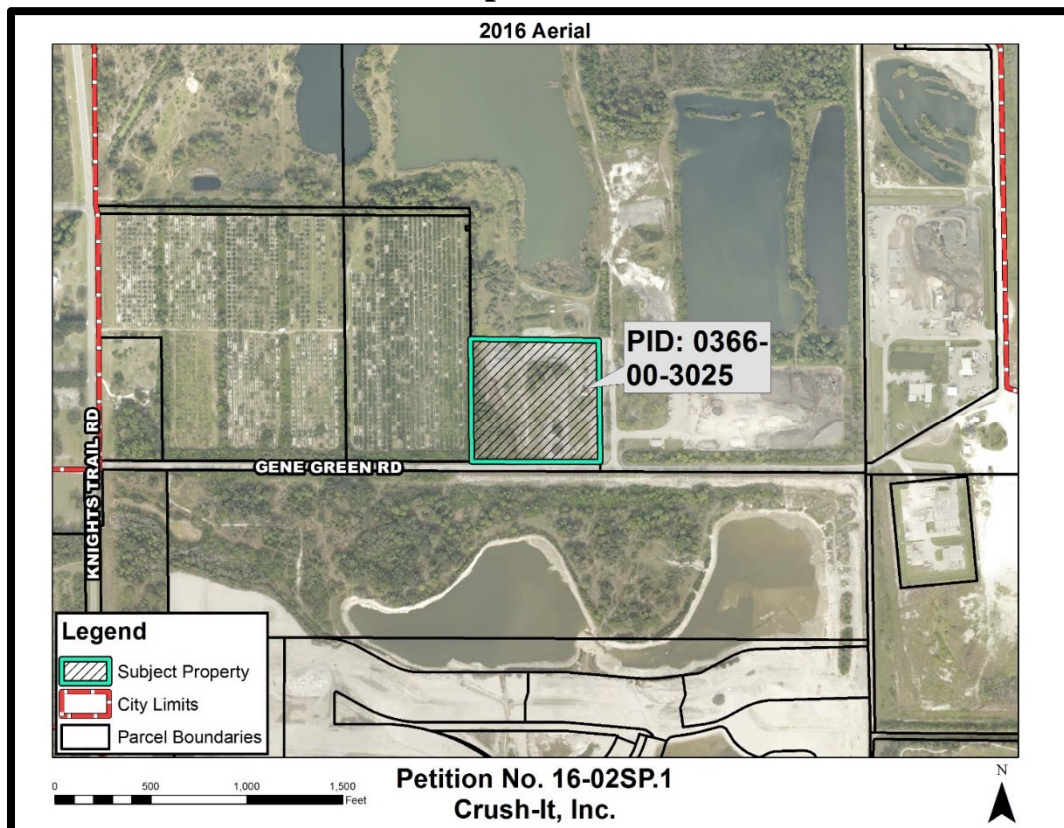
- On February 13, 2006, Rinker Materials of Venice, Inc. submitted Site and Development Plan Petition No. 06-2SP for construction of an office, warehouse/shop, concrete block plant and curing room associated with a concrete batch facility that was to include three silos from approximately 60 to 80 feet in height. No progress was made on the petition and it was administratively closed on March 10, 2008.
- On June 27, 2016, the subject Site and Development Plan Petition was submitted on behalf of Crush-It, Inc. for the construction of an office, shop/warehouse, large equipment storage, aggregate storage and associated parking for Crush-It, Inc., which operates a portable concrete crushing business for off-site crushing and recycling of concrete.
- On December 20, 2016, Planning Commission approved Site and Development Plan Petition No. 16-02SP for Crush-It, Inc.
- On June 14, 2017, the subject Site and Development Plan Amendment Petition No. 16-02SP.1 was submitted.

## II. SUBJECT PROPERTY / SURROUNDING AREA INFORMATION

### Subject and Surrounding Property Information:

The subject property is comprised of approximately 9.9 acres as shown on Map 1. The subject property is the physical location of the Crush-It business which is currently under construction and is used for storage of materials and equipment. The applicant has yet to complete the improvements associated with the approved site and development plan. The property fronts on Gene Green Road which is actually a private ingress/egress easement that was established and recorded in 1975 and is available to all adjacent properties along its extent. Gene Green Road connects to Knights Trail Road which is a public road.

**Map 1: Aerial**



Following are a series of photos which show on-site conditions for the subject property.



View of the site frontage along Gene Green Road looking northwest.



Entrance drive looking north toward the rear of the site where the onsite concrete crushing is proposed.



View of the southeast corner of the site and the proposed wall.

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

<b>Direction</b>	<b>Existing Use(s)</b>	<b>Current Zoning</b>	<b>Future Land Use Designation</b>
<b>North</b>	Vacant/Stormwater Part of the APAC-Georgia Property	Planned Industrial Development (PID)	Gene Green Sector (Planning Area L)
<b>West</b>	Nokomis Groves	Sarasota County Open Use Estate-1 (OUE-1)	Knights Trail Neighborhood (Planning Area K), Subarea No. 1
<b>South</b>	Residential (Toscana Isles)	Planned Unit Development (PUD)	Knights Trail Neighborhood (Planning Area K), Subarea No. 2.
<b>East</b>	Asphalt Production Facility (APAC-Georgia)	Planned Industrial Development (PID)	Gene Green Sector (Planning Area L)

Flood Zone Information:

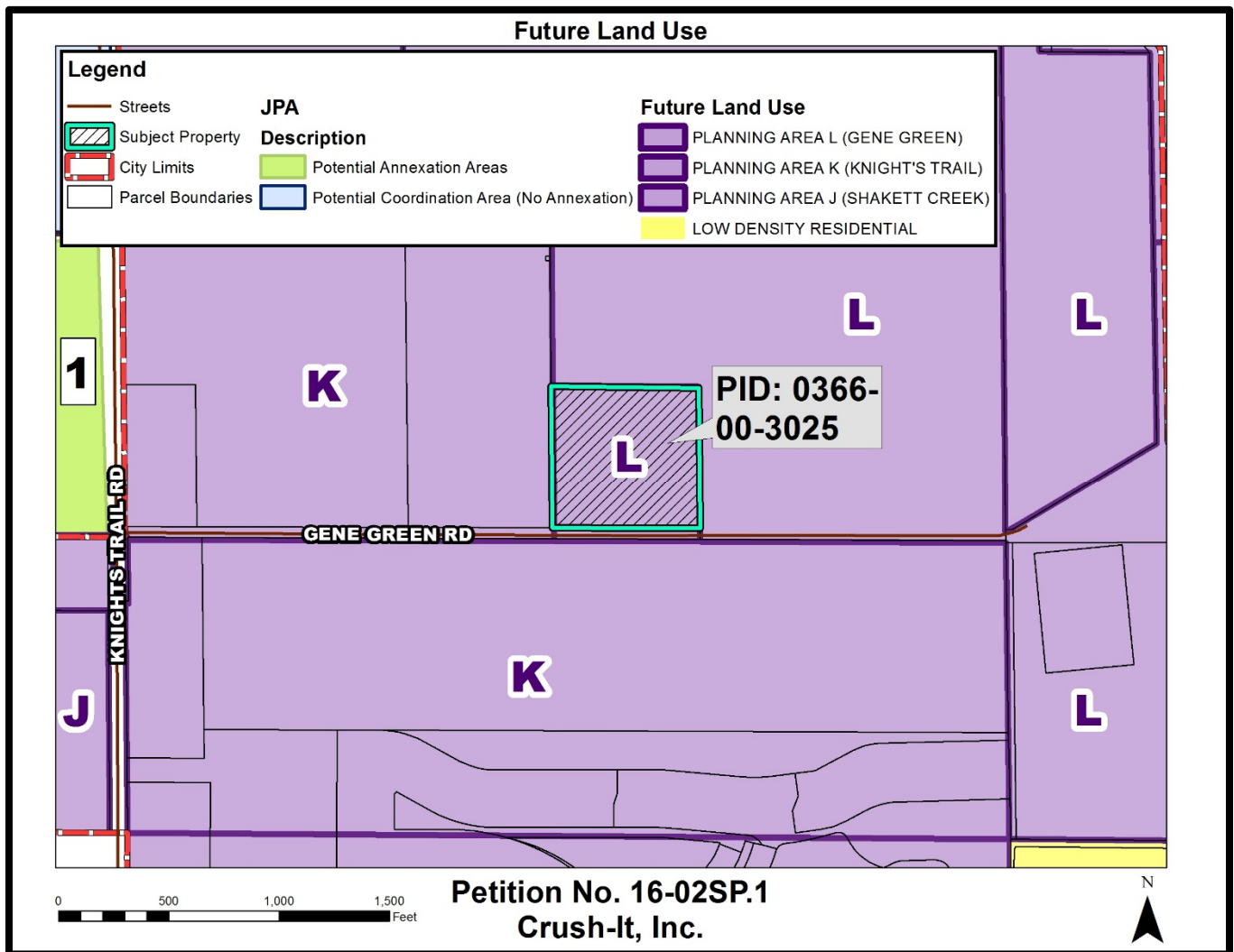
Based on the newly adopted FEMA Flood Maps, the subject property is located within Flood Zone “X” per FIRM panel #12115C0245F. Zone “X” is defined as areas determined to be outside the 0.2% annual chance floodplain. Areas designated as Zone “X” are typically considered areas of minimal flooding. The project is required to obtain Southwest Florida Water Management District permits prior to construction.

Future Land Use:

Map 2 shows the subject property having a Future Land Use designation of Gene Green Sector (Planning Area L). The Gene Green Sector will accommodate the following land uses: mining, material extraction, sorting, processing and loading; asphalt production, manufacturing, recycling and other components of asphalt production; temporary and permanent stockpiling; concrete/cement and related products production and processing; water resource storage and production; stormwater management; native habitat preservation/mitigation; and accessory uses.



## Map 2: Future Land Use Map

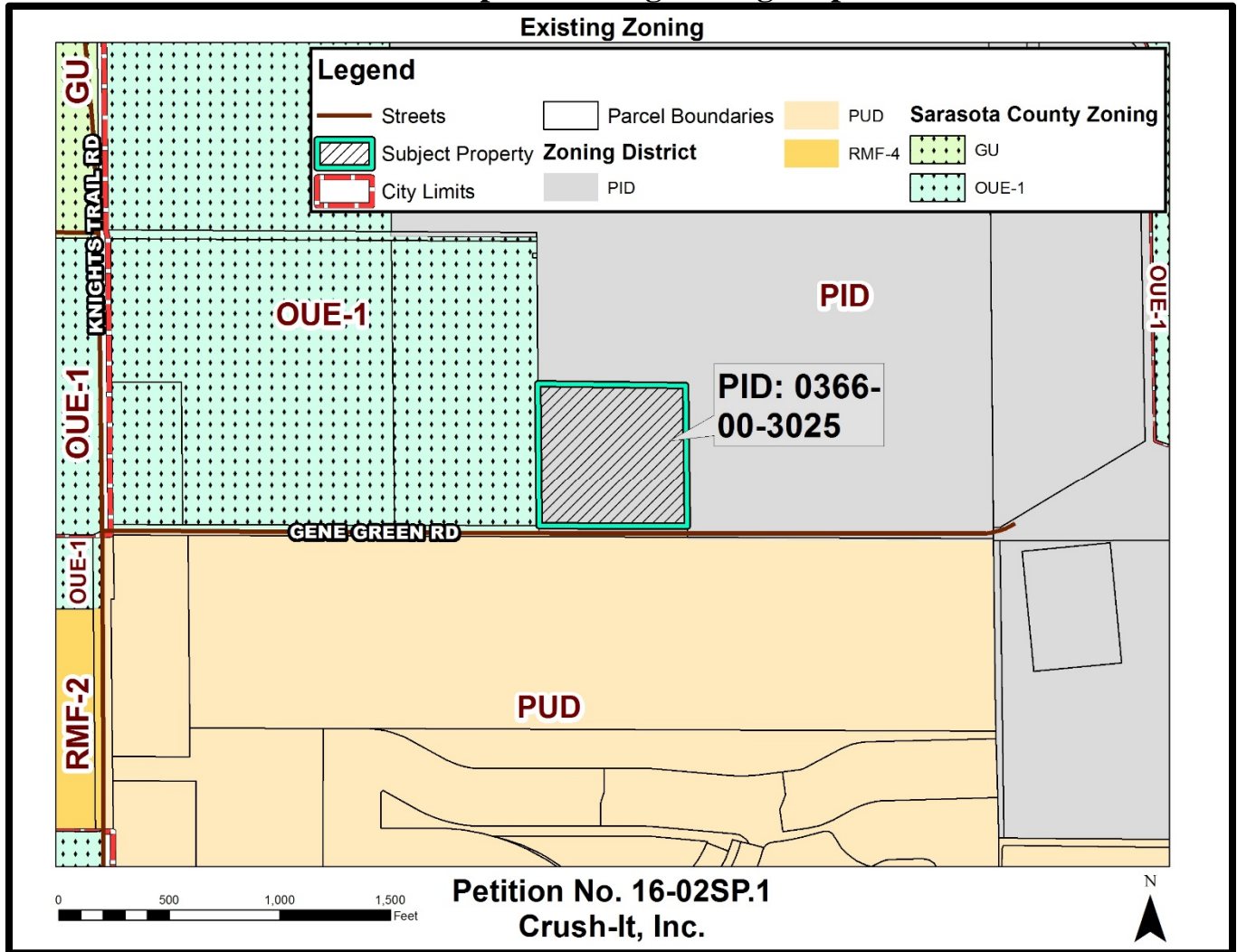


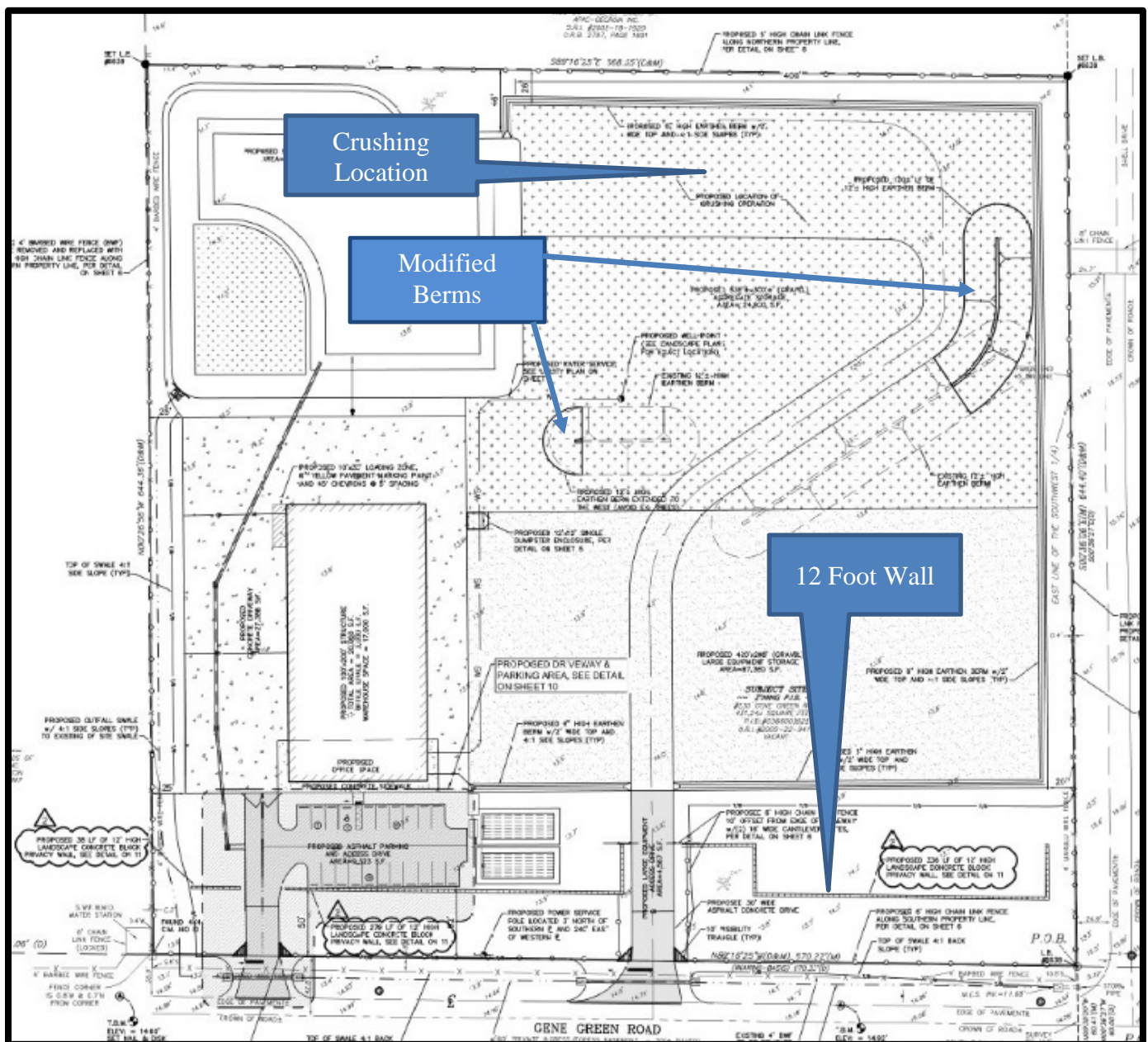
### Existing Zoning:

Map 3 (see following page) shows the existing zoning of the subject and surrounding properties. The property is bounded on the east and north sides by property also zoned PID and the properties to the west and south are zoned County open use and City residential. The adjacent property zoned PID is the current location of APAC-Georgia, Inc., an asphalt production facility. The property to the west is under the Sarasota County designation of Open Use Estate-1 (OUE-1) and the property to the south, Toscana Isles, is zoned City of Venice Planned Unit Development (PUD) and is currently in the construction stage.

The subject property is zoned Planned Industrial Development (PID). As determined during the original Site and Development Plan for the Crush-It project, uses proposed at that time are consistent with the uses permitted in the approved PID. The only aspect of use requested in the subject amendment petition is the onsite crushing. The PID approved for the property specifically included concrete recycling as a permitted use and crushing would be considered an aspect of this use. The additional proposed amendments are only enhancements to the site to increase buffering of adjacent property owners.

### Map 3: Existing Zoning Map





### III. PROPOSED IMPROVEMENTS

The subject property contains approximately 9.9 acres and is located in the North Venice area at 530 Gene Green Road and is under the zoning designation of Planned Industrial Development (PID). Site and Development Plan Petition No. 16-02SP provided approval for development of an office, shop/warehouse, areas for large equipment storage and aggregate storage along with associated parking for Crush-It, Inc., which operates a portable concrete crushing business for off-site crushing and recycling of concrete.

The proposed construction for the original Petition No. 16-02SP included an office, shop/warehouse to be housed in a 20,000 square foot building along with associated parking, vehicle use and storage areas. Outdoor storage areas were specifically identified for large equipment and aggregate material and are contained. In addition to the perimeter buffers, internal berms of 12± feet were proposed to provide a visual screen for the aggregate storage and equipment and material delivery area. Fencing

is proposed around the entire perimeter of the site to provide additional security. The majority of these improvements have not been completed as of yet.

During the review of the original site and development plan petition, it was understood that portable crushing equipment would be located and maintained onsite. However, no onsite crushing of concrete was requested. The applicant indicated that a potential future amendment to this site and development plan would be submitted for this activity. The subject amendment petition proposes the on-site crushing use and also includes modification of approved berms, a revised landscape plan and the installation of a 12 foot concrete wall.

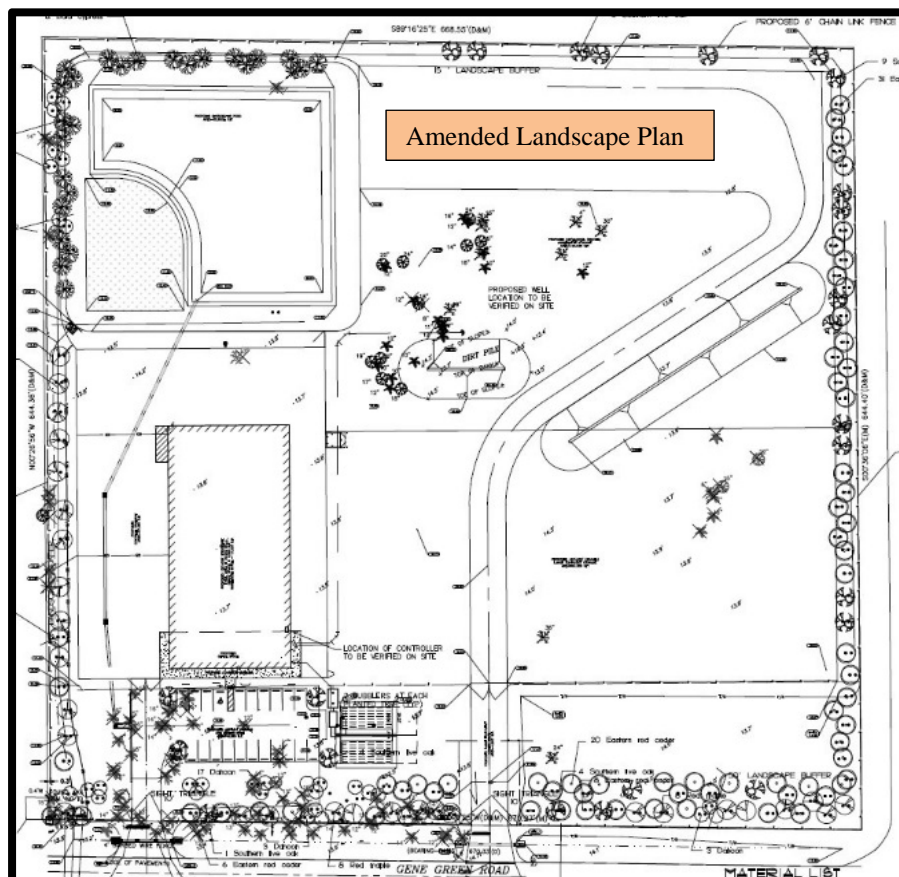
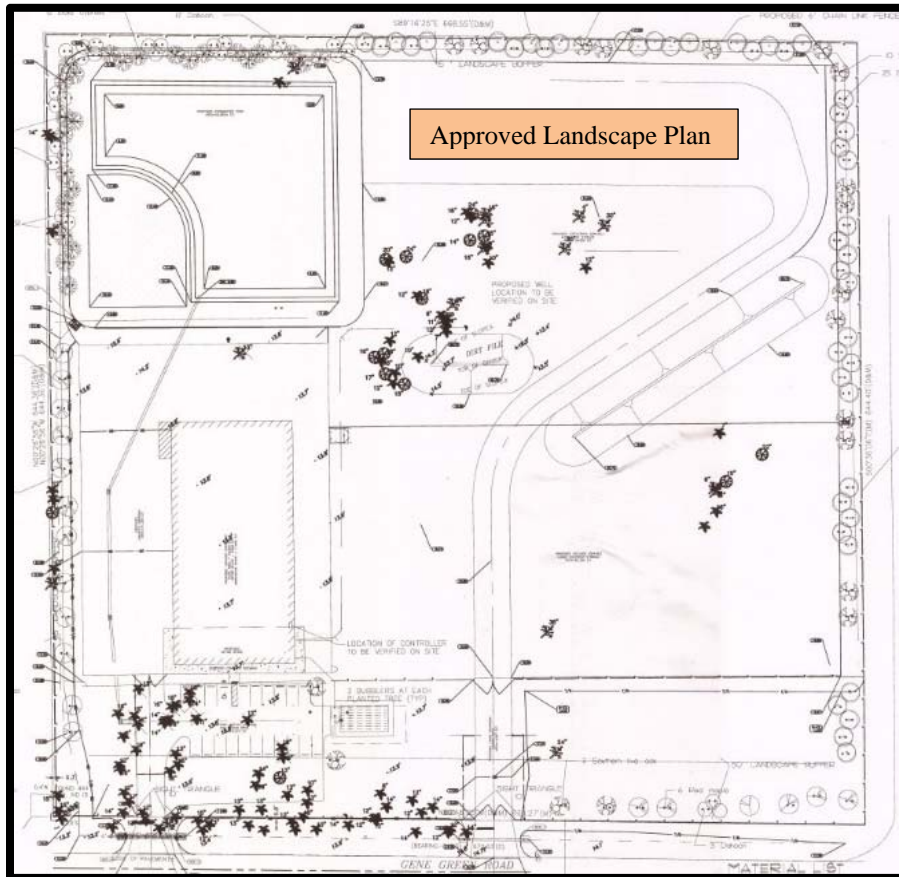
### Proposed Amendments:

- **On-site Concrete Crushing:** As indicated above, the Crush-It business maintains a fleet of portable concrete crushers that are typically delivered to, and operated on active construction sites. In addition to this offsite crushing aspect of their business, the applicant desires to include onsite crushing of concrete as a permitted use at their location on Gene Green Road. In order to address any potential concerns associated with this activity from the surrounding property owners, the owner of Crush-It provided opportunity for the surrounding communities to visit the site and observe the crushing activity as part of the construction of their facilities during the first week of this past April. The applicant has provided, in their submittal, emails relative to this opportunity. Staff has not received any comments from the surrounding property owners other than those submitted by the applicant.
- **Modification of Approved Berms:** The approved site plan provided for 12'± earthen berms to buffer activities toward the rear of the property. The applicant is proposing to expand the approved berms as depicted on the amended site plan to increase the effectiveness of the buffering.
- **Revised Landscape Plan:** Due to the removal of trees from the property that were originally intended to remain, the applicant, in working with both the county and the city, has provided a revised landscape plan. The originally approved landscape plan has also been included in the agenda packet. The majority of the revisions are provided to increase buffering to the south adjacent to the residential properties, and in order to accomplish this, previously indicated trees along the north property line adjacent to PID zoning have been relocated to the front of the property. In addition, the majority of species have been increased from the previously approved plan to account for the trees that were removed. The chart below provides the increase in numbers from the approved plan to the proposed plan.

Tree Species	Approved	Proposed
Southern Live Oak	19	25
Dahoon Holly	29	32
Eastern Red Cedar	45	70
Red Maple	18	29
Bald Cypress	25	25

- **Concrete Wall:** In order to further buffer the residential properties to the south, the applicant is proposing to install 336 linear feet of 12 foot high privacy wall to be constructed with landscape block. The wall will extend across the front of the site from east to west and will extend nearly to the side property lines.





## IV. PLANNING STAFF ANALYSIS

This section of the report evaluates the proposed amendments to the approved site and development plan petition for 1) consistency with the comprehensive plan, 2) compliance with the Land Development Code (LDC), 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.

### 1. Consistency with the Comprehensive Plan

The subject property is located in the Gene Green Sector (Planning Area L). The intent of the planning area is to accommodate the following land uses: mining, material extraction, sorting, processing and loading; asphalt production, manufacturing, recycling and other components of asphalt production; temporary and permanent stockpiling; concrete/cement and related products production and processing; water resource storage and production; stormwater management; native habitat preservation/mitigation; and accessory uses.

The only amendment to be considered in this analysis is the inclusion of the onsite crushing of concrete. This proposed use may be considered an accessory use of those uses that have already been found to be consistent with the Comprehensive Plan in the previously approved site and development plan. In addition, analysis of Policy 8.2 of the City's Comprehensive Plan concludes that compatibility has been further enhanced by the proposed amendment with the modification of berms, the revised landscape plan and the installation of the concrete wall to further buffer the property to the south. In addition to the requirements of Policy 8.2, Gene Green Sector Policy 16.25 seeks to "*ensure an adequate landscaped buffer between the Gene Green Sector and adjacent residential areas to protect adjacent uses from environmental impacts resulting from excavation, industrial, commercial, or other non-residential activity.*" As indicated, the proposed amendments will only further this provision.

Many of the mitigation techniques such as perimeter buffers, landscaping and berms, maintenance of approved access drives, increased building setbacks, reduction of structural height were provided in the original site and development plan. Although a new accessory use is proposed for the onsite operations of the Crush-It business, the additional enhancements to berms, landscaping and the installation of the wall only further enhance the mitigation techniques already in place.

**Staff Finding:** *The proposed site and development plan amendment may be found consistent with the comprehensive plan.*

### 2. Compliance with the Land Development Code

Regarding the proposed amendments, most only increase compliance with the City's code and enhance the previously approved plan such as the increased berm, landscaping and the wall. Regarding the additional use of onsite crushing of concrete, the PID approved for the property specifically included concrete recycling as a permitted use and crushing would be considered an aspect of this use. The subject petition is consistent with the standards indicated in the both the approved PID and the city's land development code.

**Staff Finding:** *Staff finds that the site and development plan amendment petition may be found in compliance with the approved PID and the remainder of the LDC.*

### 3. Concurrency/Adequate Public Facilities

It has been determined that the proposed amendments to the approved site and development plan will not cause any additional impacts to public facilities, including transportation. Therefore, there are no issues regarding the previously issued Certificate of Concurrency for the site.

**Staff Finding:** *The proposed site and development plan amendment causes no additional impacts to public facilities.*

Based on the planning analysis provided in Section IV 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 may be found consistent with the comprehensive plan.*
2. **Compliance with the Land Development Code:** *The proposed site and development plan may be found in compliance with the approved PID and the remainder of the land development code.*
3. **Concurrency:** *The proposed site and development plan amendment causes no additional impacts to public facilities.*

## V. PLANNING COMMISSION EVALUATION

### 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 or 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 provided confirming ownership and control of the subject property. There is no common open space.*

- (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:** *As indicated in this report, the addition of the onsite crushing is the only additional aspect of use being proposed and all other elements of the proposed amendment provide further buffering of the 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:*** *No changes proposed.*

- (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:*** *No changes proposed.*

- (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:*** *As indicated in this report, screens and buffers are being enhanced to further buffer the adjacent residential uses to the south.*

- (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:*** *No changes proposed.*

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

***Staff Comment on Sanitary Sewer:*** *No changes proposed.*

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

***Staff Comment on Potable Water:*** *No changes proposed.*

- (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:*** *No changes proposed.*

- (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 area for the proposed onsite crushing use has been identified to the northern extent of the site along with the location of the proposed wall and the modified berms. A revised*



*landscape plan has also been provided. All other aspects of the approved site plan remain unchanged. As indicated in this report, screens and buffers are being enhanced to further buffer the adjacent residential uses to the south*

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

***Staff Comment:*** *The project is in compliance with all standards provided in the City's Land Development Code that are not specified in the PID.*

- (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:*** *The applicant is not requesting any modification of the standards provided in the approved PID or the LDC.*

Based upon the above analysis, Planning Commission has sufficient information on which to base a determination on this petition. The following stipulations from the original approval for the Crush-It project, Petition No. 16-02SP, will be required to be included in any approval for the subject site and development plan amendment petition:

- 1. This property will be required to connect to City water and sewer pursuant to the conditions specified in Section 74-2 of the City's Code of Ordinances.*
- 2. Prior to approval of construction for the project, all applicable requirements for fire suppression systems for the project must be resolved and approved by the City's Fire Chief. If a static water supply is used then a third party review will be required prior to the Fire Chief's approval.*