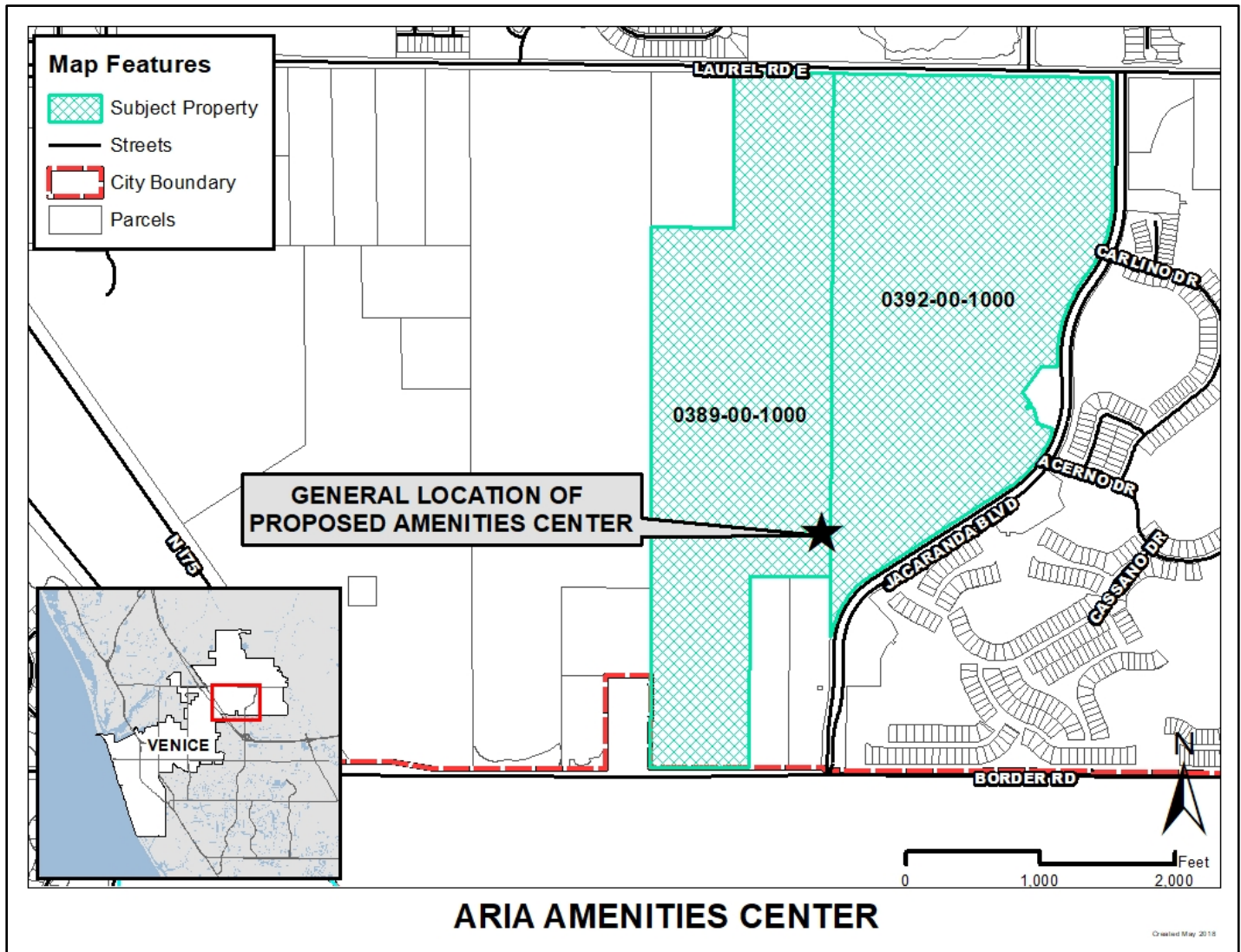




SITE AND DEVELOPMENT PLAN STAFF REPORT

June 19, 2018

18-01SP



PETITION NO.: 18-01SP

REQUEST: Site and development plan for an amenity center in the Aria subdivision within the Milano PUD. Proposed improvements include a 6,111 square foot amenity building, on-site amenities that include but are not limited to a swimming pool and spa, pickle ball courts and community mailbox, off-street parking and landscaping.

GENERAL DATA

Owner: Border and Jacaranda Holdings, LLC **Agent:** Melanie Smith, P.E., Stantec
Address: 301 Aria Drive **Property IDs:** 0392-00-1000 and 0389-00-1000
Property Size: 2.6 acres ±
Future Land Use: Mixed Use Residential (MUR)
Neighborhood: Northeast Neighborhood
Existing Zoning: Planned Unit Development (PUD) District / Milano PUD
Application Date: March 15, 2018

ASSOCIATED DOCUMENTS

- A. Application Information (completed petition)
- B. Ordinance No. 2017-25 approving Milano PUD
- C. Milano PUD binding master plan
- D. Milano Developer's Agreement

I. EXECUTIVE SUMMARY

The subject property is part of the Aria preliminary plat which was approved by City Council on June 12, 2018. To date, no final plat associated with the Aria preliminary plat has been approved and recorded. As such, the parcels and tracts depicted on the approved preliminary plat do not legally exist at this time.

The applicant has requested the subject site and development plan petition be brought to public hearing prior to the approval and recordation of a final plat establishing the subject property as a lot or parcel of record. In addition, the site and development plan relies on access to a public street via internal subdivision streets which do not legally exist until they are established through the recordation of a final plat.

The Planning Commission can take action on the subject site and development plan, provided that any approval of the petition shall not be effective until a final plat including the subject property is approved and recorded. This requirement will need to be provided in a stipulation or condition of approval.

Based on the submitted application materials, staff data and analysis, and conclusions of this staff report, staff provides the following summary findings on the subject petition:

- **Conclusions / Findings of Fact (Consistency with the Comprehensive Plan):**
The proposed site and development plan may be found consistent with the Comprehensive Plan.
- **Conclusions / Findings of Fact (Compliance with the Milano PUD)**
The proposed site and development plan complies with all applicable standards contained in the Milano PUD Binding Master Plan.
- **Conclusions / Findings of Fact (Compliance with the Land Development Code):**
The proposed site and development plan complies with all applicable Land Development Code standards and there is sufficient information to reach a finding for each of the considerations contained in Section 86-23(n) of the Land Development Code.
- **Conclusions / Findings of Fact (Concurrency):**
No issues have been identified regarding adequate public facilities capacity to accommodate the development of the subject site and development plan. Upon Planning Commission approval of the site and development plan, staff will issue a certificate of concurrency for the project.

II. BACKGROUND INFORMATION

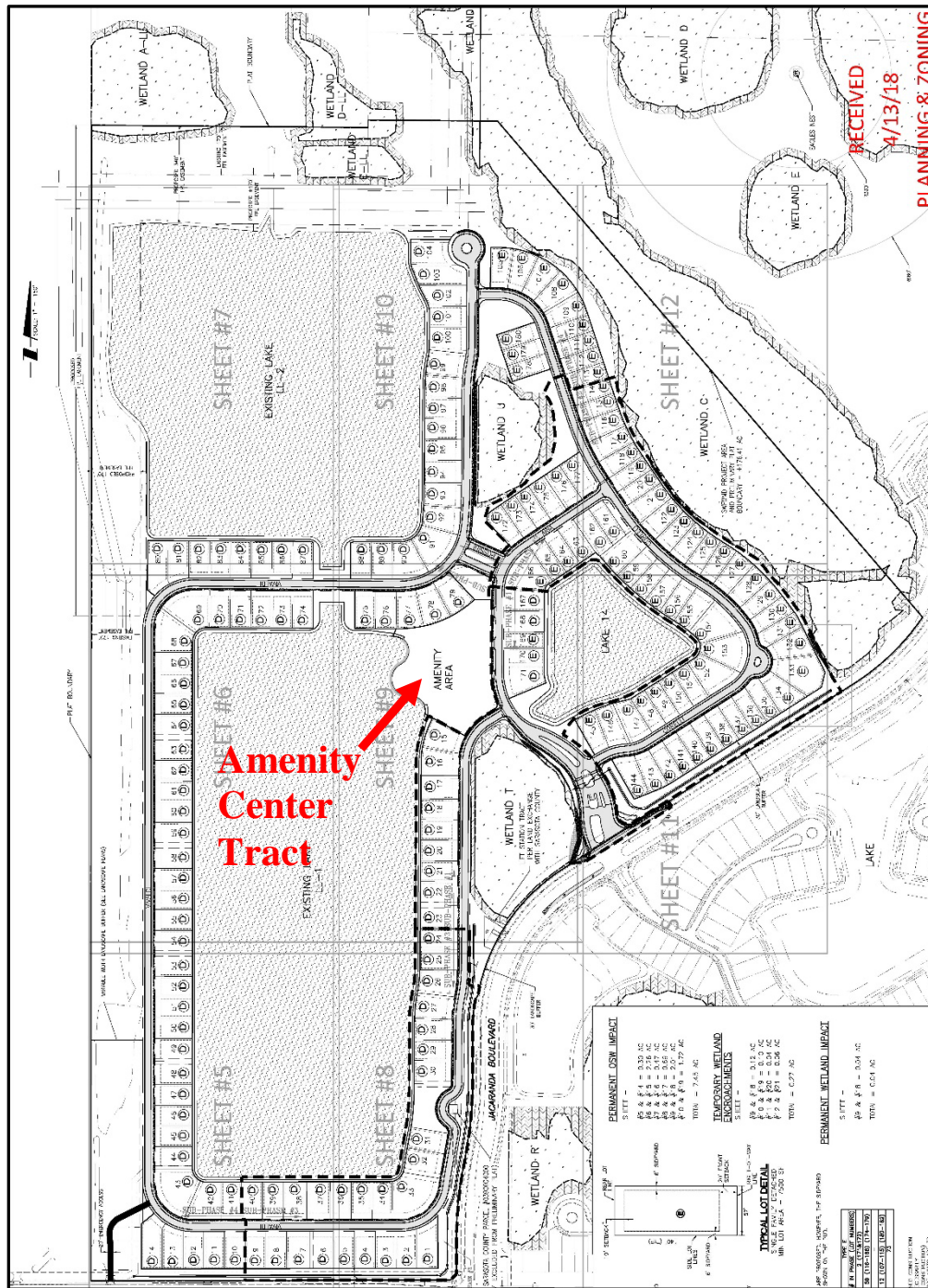
Based on a review of city records, the following is an outline of the past city actions related to the Milano PUD.

- July 29, 2014 adoption of Ordinance No. 2014-16 approving the VICA PUD that included 700 residential units with a gross residential density of 1.90 units per acre.
- September 23, 2014 approval of Preliminary Plat Petition No. 14-03PP for Villages of Milano Phases 1A and 1B on 87 acres of land and consisting of 155 residential units.
- May 19, 2015 approval of Site and Development Plan Petition No. 15-04SP for the Villages of Milano Amenity Center and approval of Site and Development Plan Petition No. 15-05SP for the Villages of Milano Dog Park.
- July 12, 2015 approval of Preliminary Plat Petition No. 14-03PP.1 for the replat of the 9.7 acre Tract 200 and consisting of 27 residential units, and approval of Preliminary Plat Petition No. 16-01PP for Villages of Milano Phase 2 on 118 acres of land and consisting of 282 residential units.
- September 15, 2015 approval of Special Exception Petition No. 15-05SE allowing Villages of Milano off-site project identification signs.
- August 22, 2017 adoption of Ordinance No. 2017-25 approving the Milano PUD to combine the VICA and Laurel Lakes PUDs that included up to 1,350 residential units with a gross residential density of 2.56 units per acre.
- On January 30, 2018, the City entered into a Developer's Agreement with the owner of the Milano PUD. The Developer's Agreement included a Certificate of Concurrency for utilities, solid waste, parks and transportation with concurrency for storm water and public schools to be confirmed through subsequent development orders for the project.
- June 12, 2018 approval of Preliminary Plat Petition No. 17-02PP for the Aria subdivision on 176 acres of land and consisting of 180 single-family residential lots and a 2.6-acre amenity tract.

III. PROJECT DESCRIPTION

The Aria amenity center site is included in the Aria preliminary plat. On June 12, 2018, City Council approved the Aria preliminary plat. Until the portion of an Aria final plat that includes the amenity center site is approved and recorded, the 2.6-acre amenity center tract does not legally exist. The applicant has elected to proceed with the subject site and development plan application prior to the establishment of a legal lot of record for the subject property. Consequently, any approval of the project shall not be effective until a final plat including the subject property is approved and recorded. This requirement will need to be provided in a stipulation or condition of approval.

The approved Aria preliminary plat site plan is provided on the following page to show the location of the amenity center tract in relation to the overall Aria preliminary plat.



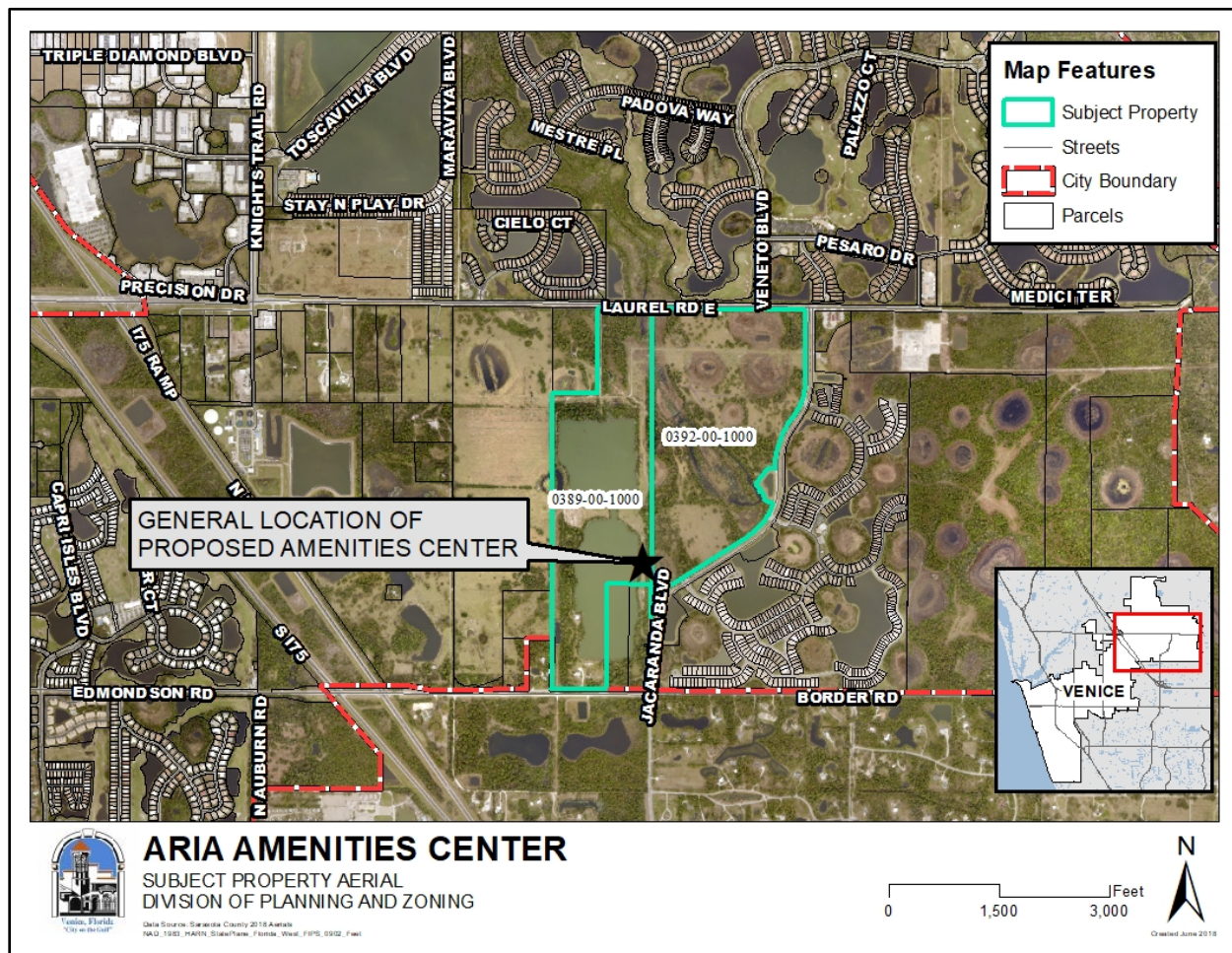
The site plan drawing included as part of the site and development plan application that shows the proposed amenity center improvements is provided on the following page.



- A 6,111 square foot amenity building,
- A 33-space off-street parking facility,
- Storm water management improvements,
- Landscaping, and
- Various amenities that include but are not limited to a swimming pool and spa, pickle ball courts, and a community mailbox.

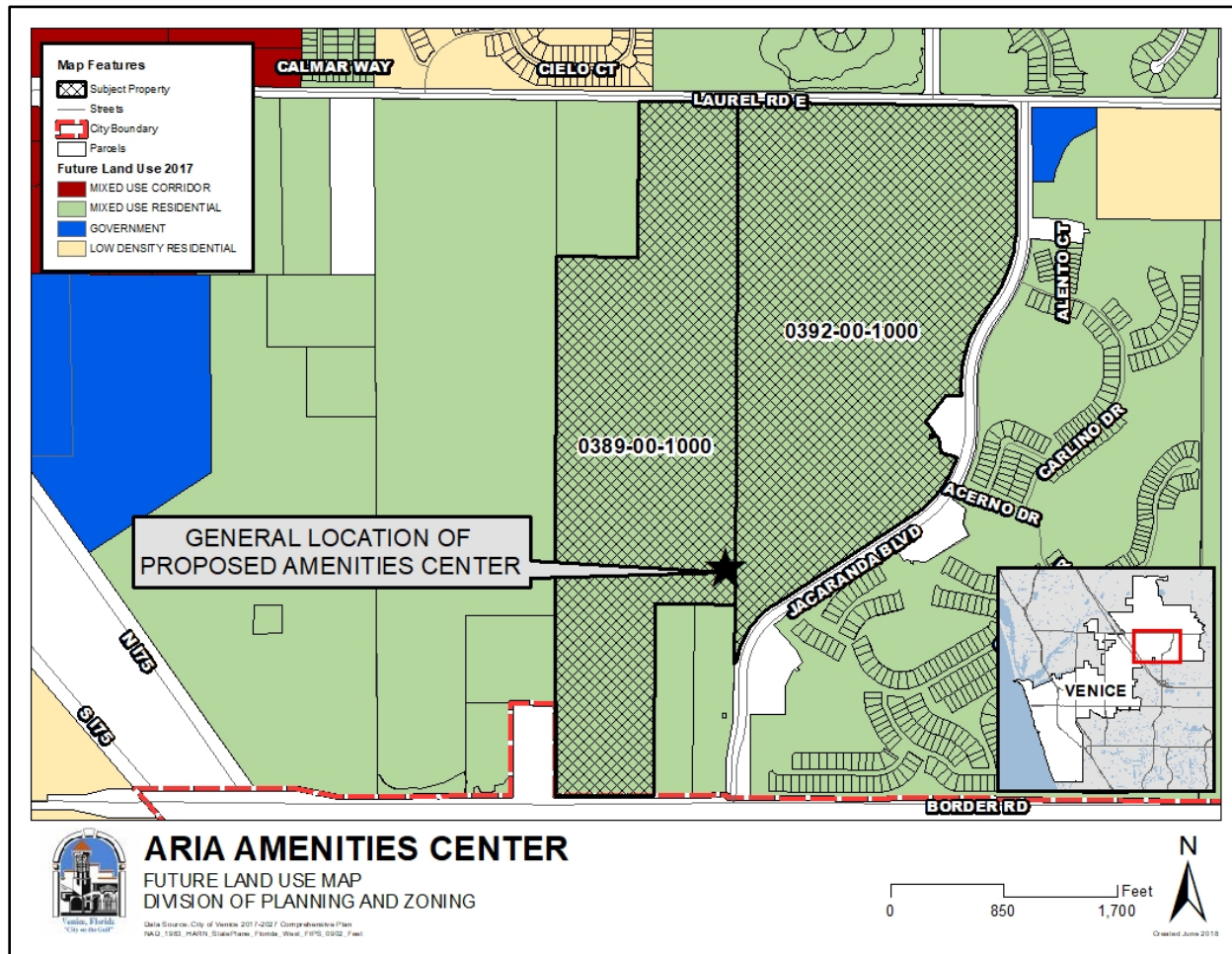
The aerial photograph on the following page shows the subject property as well as adjacent properties. The subject property is generally located north of Border Road and west of Jacaranda Boulevard. The 2.6-acre amenity center site is included in the Aria preliminary plat that was approved by City Council on June 12, 2018. However, until the portion of the Aria final plat that includes the amenity center is approved and recorded, the 2.6-acre amenity center tract does not legally exist.

Without a legal lot of record the applicant has identified the subject property with the two existing parcels in which the amenity center site is located (0389-00-1000 and 0392-00-1000). These two properties and a general location of the proposed amenity center site are provided on the aerial photograph and other maps in the staff report.



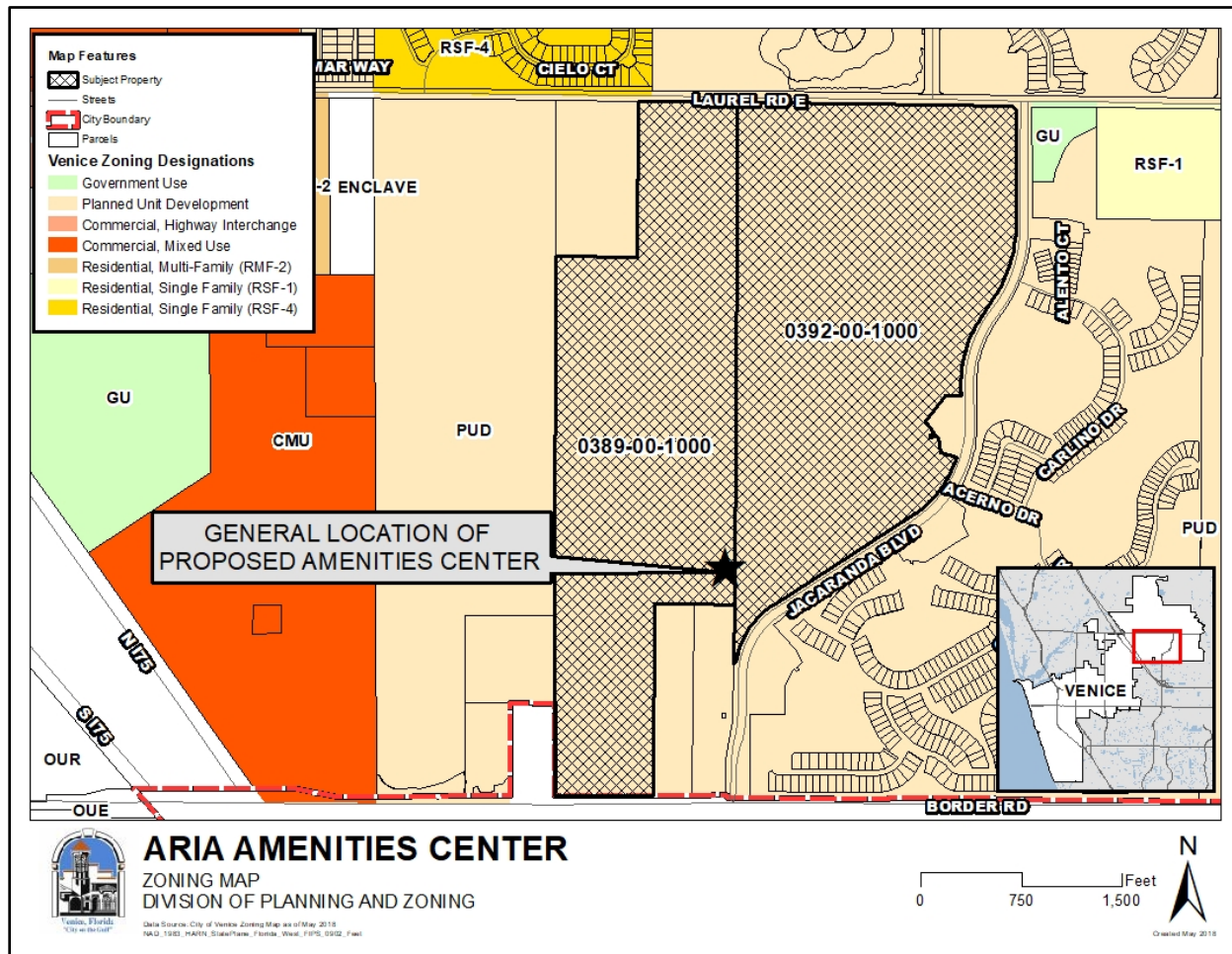
Future Land Use

The subject property is located in the Northeast Neighborhood. The Future Land Use Map provided below shows the future land use map designation for the subject property and adjacent properties. The subject property has a Mixed Use Residential (MUR) designation and all property adjacent to the proposed amenity center also has a MUR designation.



Zoning Designation

The map on the following page shows the existing zoning of the subject and adjacent properties. The subject property has a Planned Unit Development (PUD) zoning designation and is within the Milano PUD. All property adjacent to the proposed amenity center has a PUD zoning designation.



The following table summarizes the existing uses, current zoning and future land use designations on properties adjacent to the subject property.

Direction	Existing Use(s)	Current Zoning	Future Land Use Designation
North	Cleared, undeveloped land	Planned Unit Development (PUD) / Milano PUD	Mixed Use Residential (MUR)
East	Cleared, undeveloped land	PUD / Milano PUD	MUR
South	Cleared, undeveloped land	PUD / Milano PUD	MUR
West	Cleared, undeveloped land	PUD/ Milano PUD	MUR

Flood Zone Information

The FEMA Flood Insurance Rate Map (FIRM) shows the subject property with Zone AE, Zone X and Zone X500 FIRM designations with moderate to low flood risk. The Zone X and X500 flood zone designations are not in a Special Flood Hazard Area and therefore not subject to base flood elevation requirements. The Zone AE designation is in a Special Flood Hazard Area with required base flood elevations between 12.6 and 12.9 feet.

V. PLANNING ANALYSIS

The planning analysis provided in this section of the report evaluates the site and development plan for 1) consistency with the comprehensive plan, 2) compliance with the Milano PUD binding master plan, 3) 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.

A. Consistency with the Comprehensive Plan

The approval of the Milano PUD binding master plan as part of Ordinance No. 2017-25, verified comprehensive plan consistency for the overall Milano development. A site and development plan found in compliance with the approved Milano PUD binding master plan is, therefore found to be consistent with the comprehensive plan.

Conclusions / Findings of Fact (Consistency with the Comprehensive Plan):

The proposed site and development plan may be found consistent with the Comprehensive Plan.

B. Compliance with the Milano PUD Binding Master Plan

The subject petition has been reviewed by the Technical Review Committee for compliance with the Milano PUD Binding Master Plan. The Milano PUD standards that apply to the proposed amenity center include 1) permitted principal uses and structures, 2) maximum building height, and 3) architectural design.

The location of the proposed amenity center is consistent with the location of an amenity center on the approved Milano PUD master site plan drawing.

Regarding permitted uses in the Milano PUD, the Milano PUD binding master plan specifically references amenity centers in the project narrative, and includes recreational areas, open space, and private club, community centers and civic and social organization facilities as permitted uses.

The Milano PUD established a maximum building height of three stories up to 42 feet, including parking. The one story, 27.4 foot tall amenity building complies with this maximum building height standard.

The Milano PUD architectural design standards specify the development will apply Northern Italian architectural design. The architectural drawings show the proposed amenity center building design incorporates the following elements of Northern Italian architectural design.

- Concrete roof tiles,
- Arched doors and windows,
- Columns framing doorway, windows and other architectural features,
- Cementitious exterior finish, and
- Decorative features which include but are not limited to corbels, column caps, soffit molding, circular windows, and decorative light fixtures.

Conclusions / Findings of Fact (Compliance with the Milano PUD Binding Master Plan):

The proposed site and development plan compliance with all applicable standards contained in the Milano PUD Binding Master Plan.

C. Compliance with the Land Development Code

The subject petition has been processed with the procedural requirements contained in Section 86-49 of the Land Development Code (LDC). In addition, the petition has been reviewed by the Technical Review Committee and no issues regarding compliance with the Land Development Code were identified.

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 proposed amenity center is a permitted use in the Milano PUD and the location of the amenity center tract is consistent with the Milano PUD binding master plan.*

- (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 amenity center is via an internal subdivision street consistent with the Milano PUD binding master plan. In its review of the subject petition, the Technical Review Committee (TRC) identified no concerns regarding 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.*

- (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 by the TRC for compliance with applicable Milano PUD and Land Development Code (LDC) standards. No concerns were raised regarding pedestrian safety, traffic flow and control and access in case of fire or catastrophe. Off-street parking facilities are screened and landscaped in compliance with LDC standards.*

- (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: *Through the approval of the Milano PUD binding master plan, development consistent with the binding master plan was found to be compatible with adjacent properties. The proposed landscaping for the amenity center site complies with all applicable LDC standards; Milano PUD landscaping standards do not apply to the proposed amenity center located internal to the Aria subdivision.*

- (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: *New Sarasota County sanitary sewer lines associated with the Aria subdivision will provide sewer service to the subject property. The availability and capacity of city sanitary sewer service has been confirmed through the granting of concurrency for the entire Milano PUD in the developer's agreement.*

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

Staff Comment on Potable Water: *New potable water lines associated with the Aria subdivision will provide sewer service to the subject property. The availability and capacity of city potable water service has been confirmed through the granting of concurrency for the entire Milano PUD in the developer's agreement.*

- (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: *The size and location of the amenity center site is consistent with the Milano PUD binding master plan that also requires a minimum of 50% of the land area of the PUD be open space. The amenity center site is in the Aria subdivision that is consists of 68% open space.*

- (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 approval of the Milano PUD binding master plan verified comprehensive plan consistency for the overall Milano development. The comprehensive plan consistency determination*

included a determination that Milano development is compatible with surrounding properties. The proposed site and development plan can be found in compliance with the approved Milano PUD binding master Plan and therefore can be found to be compatible with properties in the general area.

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

Staff Comment: *The project complies with all applicable standards contained in the Milano PUD and the LDC.*

(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 modifications from the standards contained in the Milano PUD and the LDC.*

Conclusions / Findings of Fact (Compliance with the Land Development Code):

The subject petition complies with all applicable Land Development Code standards and there is sufficient information to reach a finding for each of the considerations contained in Section 86-23(n) of the Land Development Code.

D. Concurrency/Adequate Public Facilities

Concurrency for all facilities except drainage and public schools was approved for the entire Milano PUD and those approvals are cited in the attached Milano PUD Developer's Agreement. Staff has confirmed the Milano PUD's estimated public facility impact provided in the table on the following page has not been exceeded taking into consideration all approved Milano PUD plats, including the Aria preliminary plat approved on June 12, 2018.

Department	Facility	Project's Estimated Impact	Status
Utilities	Potable Water	2,295 ERUs	Concurrency confirmed
Utilities	Sanitary Sewer	2,295 ERUs	Concurrency confirmed
Public Works	Solid Waste	14,000 pounds/day	Concurrency confirmed
Public Works	Parks and Recreation	2,295 persons	Concurrency confirmed
Engineering	Drainage	Meets 25 year/24 hour SWFWMD criteria	Concurrency confirmed
Planning and Zoning	Transportation	1,053 PM peak hour trips per day	Concurrency confirmed by the City's transportation consultant
School Board	Public Schools	N/A	Amenity center not subject to school concurrency

Conclusions / Findings of Fact (Concurrency):

No issues have been identified regarding adequate public facilities capacity to accommodate the development of the subject site and development plan. Upon Planning Commission approval of the site and development plan, staff will issue a certificate of concurrency for the project.

V. CONCLUSION

Planning Commission Action

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 Amendment Petition No. 18-01SP. If the Planning Commission elects to approve the petition, the following stipulation will need to be included in the motion:

1. The site and development plan approval shall become effective with the approval and recordation of a final plat that includes the Aria Amenity Center site.