



City of Venice  
401 West Venice Ave., Venice, FL 34285  
941-486-2626  
DEVELOPMENT SERVICES - PLANNING & ZONING  
**ZONING MAP AMENDMENT APPLICATION**

**ZONING MAP AMENDMENT** **17-11 RZ**

**Project Name:** Fisherman's Wharf

**Parcel Identification No.:** 0407-06-0010

**Address:** 509 Tamiami Trail North

**Parcel Size:** 7.18 acres

**FLUM designation:** Current-Northern Gateway Corridor and Waterway / Proposed-Commercial

**Current Zoning:** CI and MP **Proposed Zoning:** CG

**Property Owner's Name:** Venice Marine Park, LLC

**Telephone:**

**Fax:**

**E-mail:**

**Mailing Address:** 1834 Main St., Sarasota, FL 34236

**Project Manager:** Jeffery A. Boone, Esq.

**Telephone:** (941) 488-6716

**Mobile / Fax:** (941) 488-7079

**E-mail:** jboone@boone-law.com

**Mailing Address:** 1001 Avenida Del Circo, Venice, FL 34285

**Project Engineer :** Paul Sherma, P.E., Professional Engineering Resources, Inc.

**Telephone:** (727) 408-5207

**Mobile / Fax:**

**E-mail:**

**Mailing Address:** 10225 Ulmerton Rd, Suite D, Largo, FL 33771

**Project Architect:**

**Telephone:**

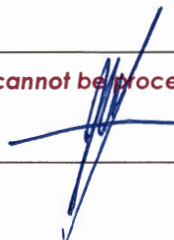
**Mobile / Fax:**

**E-mail:**

**Mailing Address:**

*Incomplete applications cannot be processed - See reverse side for checklist*

**Applicant Signature / Date:**

 (Agent) 1/25/18

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# APPLICATION CHECKLIST

Required documentation (provide one copy of the following, unless otherwise noted):

- ☒ **Statement of Ownership & Control**
- ☒ **Signed, Sealed and Dated Survey of Property**
- ☒ **Agent Authorization Letter**
- ☒ **Narrative describing the petition**
- ☒ **Public Workshop Requirements.** Date held November 30, 2016
  - ☒ Copy of newspaper ad.
  - ☒ Copy of notice to property owners.
  - ☒ Copy of sign-in sheet.
  - ☒ Written summary of public workshop.

When pertaining to the rezoning of land, the report and recommendations of the planning commission to the city council shall show that the planning commission has studied and considered the proposed change in relation to the following, where applicable:

- a. Whether the proposed change is in conformity to the comprehensive plan.
- b. The existing land use pattern.
- c. Possible creation of an isolated district unrelated to adjacent and nearby districts.
- d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.
- e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
- f. Whether changed or changing conditions make the passage of the proposed amendment necessary.
- g. Whether the proposed change will adversely influence living conditions in the neighborhood.
- h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
- i. Whether the proposed change will create a drainage problem.
- j. Whether the proposed change will seriously reduce light and air to adjacent areas.
- k. Whether the proposed change will adversely affect property values in the adjacent area.
- l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.
- m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
- n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.
- o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
- p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Please see attached

## Fees

Application filing fee \$2,908.

Application filing fee for the following zoning districts \$4,732: CMU, PUD, CSC, PCD, PD, RMH.

Public notice fee in excess of \$50 will be billed to applicant and is not included in application fee.

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## **Fisherman's Wharf Rezone Narrative & Comprehensive Plan Consistency Analysis**

The subject property is a 7.18 +/- acre parcel located at 501 N. Tamiami Trail with the Northern Gateway Corridor and Waterway of the City's Comprehensive Plan. The applicant proposes to rezone the property from the Commercial Intensive (CI) and Marine Park (MP) zoning districts to the Commercial General (CG) zoning district.

In conjunction with the proposed rezoning application, the applicant will be filing a Special Exception Application to allow for multi-family development on the subject property, and a Conditional Use application to allow for the proposed multi-family development to exceed 35 feet in height.

While both the CI and CG districts permit the multi-family use with Special Exception approval, the CI district does not allow for the potential for a Conditional Use approval to exceed 35 feet. Therefore, the proposed rezoning to the CG district is required in order to allow for the subsequent Conditional Use Application.

Approval of the proposed CG rezoning will not significantly expand the uses permitted on the property, but will with approval of a Special Exception and Conditional Use Application allow for multi-family development on the property.

The applicant believes the proposed redevelopment at the northern gateway to the City will be a benefit to the City. Without the CG rezoning the applicant will be limited to redevelopment options for the property which would be less than ideal for the northern gateway to the City, and therefore hereby requests approval of the rezoning of the property to the CG zoning district.

The proposed rezoning is consistent with all applicable elements of the City of Venice Comprehensive plan and specifically consistent with FLU Policy 8.2 as evaluated below.

### **Policy 8.2**

Policy 8.2 Land Use Compatibility Review Procedures. Ensure that the character and design of infill and new development are compatible with existing neighborhoods. Compatibility review shall include the evaluation of:

- A. Land use density and intensity.  
**The proposed zoning change from CI and MP to CG will not increase the density or intensity of permitted uses and will remain compatible with the neighborhoods.**
- B. Building heights and setbacks.  
**The proposed rezoning will allow for the applicant to seek a conditional use approval for height above 35'. Compatibility of the proposed height will be evaluated through the conditional use process.**
- C. Character or type of use proposed.  
**The proposed rezoning will not result in a change in the character or type of uses currently permitted and will remain compatible with the neighborhood.**
- D. Site and architectural mitigation design techniques.  
**Site and architectural mitigation design techniques will be evaluated through the Site and Development plan process.**

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Considerations for determining compatibility shall include, but are not limited to, the following:

- E. Protection of single-family neighborhoods from the intrusion of incompatible uses.  
**Not applicable.**
- F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.  
**Not applicable, the proposed rezoning does not significantly change the permitted uses for the property.**
- G. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.  
**Not applicable.**
- H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.  
**The proposed rezoning will not change the density or intensity of uses currently permitted on site.**

Potential incompatibility shall be mitigated through techniques including, but not limited to:

**No incompatibility exists, nevertheless, the applicant offers the following responses.**

- I. Providing open space, perimeter buffers, landscaping and berms.  
**Open space, buffers and landscaping will be reviewed through the S&D process.**
- J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.  
**Screening of sources of light, noise, mechanical equipment, refuse, and delivery and storage areas will be evaluated through the S&D process.**
- K. Locating road access to minimize adverse impacts.  
**Road access will be evaluated through the S&D process.**
- L. Adjusting building setbacks to transition between different uses.  
**Building setbacks will be evaluated through the S&D process.**
- M. Applying step-down or tiered building heights to transition between different uses.  
**Building heights will be evaluated through the S&D process.**
- N. Lowering density or intensity of land uses to transition between different uses.  
**Intensity of land uses will be evaluated through the S&D process.**

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Sec. 86-47. - Amendments to the land development code.

- (1) *Rezoning amendments.* When pertaining to the rezoning of land, the report and recommendations of the planning commission to the city council shall show that the planning commission has studied and considered the proposed change in relation to the following, where applicable:

- a. Whether the proposed change is in conformity to the comprehensive plan.

**The subject property currently has a future land use designation of Northern Gateway Corridor and Waterway and a Comprehensive Plan Amendment application has been filed to re-designate the property to the Commercial future land use designation. The proposed rezoning from CI and MP to CG is consistent with both the existing and proposed future land use designation for the property.**

- b. The existing land use pattern.

**The proposed rezoning from CI and MP to CG does not significantly alter the permitted uses on the property and therefore will be consistent with the existing land use pattern.**

- c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

**The proposed rezoning from CI and MP to CG does not significantly alter the permitted uses on the property and therefore will not create an isolated district unrelated to adjacent and nearby districts.**

- d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

**The proposed rezoning from CI and MP to CG does not significantly alter the permitted uses on the property and therefore will not increase or overtax the load on public facilities.**

- e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

**Not applicable.**

- f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

**The proposed development which would allow for needed redevelopment of the northern gateway to the City makes the proposed change necessary.**

- g. Whether the proposed change will adversely influence living conditions in the neighborhood.

**The change will not adversely influence living conditions in the neighborhood.**

- h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

**The proposed rezoning from CI and MP to CG does not significantly alter the permitted uses on the property and therefore will not excessively increase traffic congestion or otherwise affect public safety.**

- i. Whether the proposed change will create a drainage problem.

**The proposed change will not create a drainage problem and all development on the property will be in compliance with all City of Venice regulations regarding drainage.**

- j. Whether the proposed change will seriously reduce light and air to adjacent areas.

**The proposed change will not seriously reduce light and air to adjacent areas.**

- k. Whether the proposed change will adversely affect property values in the adjacent area.

**The proposed change will not adversely affect property values in adjacent areas.**

- l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

**The proposed change will not be a deterrent to the improvement or development of adjacent property.**

- m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

**The proposed change will not constitute a grant of special privilege.**

- n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

**The existing height limitation in the CI district limits the ability for multi-family development on the property. Without the option for multi-family development the only other feasible use for the property would be a large boat storage warehouse which the applicant believes would not be desirable at the northern gateway to the City.**

- o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

**The proposed change is not out of scale with the needs of the neighborhood and will allow for the needed redevelopment of a gateway to the City.**

- p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

**Not applicable, the proposed change does not seek to allow for a use not already permitted on the site.**

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