

ASSOCIATED DOCUMENTS

- A. Application Materials
- B. Proposed Revisions to PUD Binding Master Plan

EXECUTIVE SUMMARY

The proposed amendment to the Toscana Isles Binding Master Plan is a revision to clarify standards for front and side yards, and driveway locations in regards to corner lots. The applicant is also asking to authorize the Zoning Administrator to administratively approve minor modifications of standards contained within the PUD with appropriate mitigation techniques excluding increasing maximum density or building height, reducing minimum buffer widths and the addition of uses.

- **Conclusions/Findings of Fact – Consistency with the Comprehensive Plan:**
The petition to amend the Toscana Isles PUD Binding Master Plan may be found consistent with the 2017-2027 Comprehensive Plan's Land Use Element and/or Policy 8.2 regarding compatibility.
- **Conclusions/Findings of Fact – Compliance with the Land Development Code:**
The petition to amend the Toscana Isles PUD Binding Master Plan may be found consistent with the Land Development Code Section 86-47 on Rezoning Criteria.

PROJECT INFORMATION

The proposed amendment to Toscana Isles' Binding Master Plan clarifies driveway standards and the location of the front and side yards, particularly on properties with multiple street-frontages and would provide the Zoning Administrator authority to administratively approve minor modifications to the Binding Master Plan. The proposed changes to the Binding Master Plan are indicated below in red. Illustrations are staff-generated for clarification purposes only.

Modify Section 4 of the Project Development Standards to:

4. PROJECT DEVELOPMENT STANDARDS

The Toscana Isles PUD is proposed to consist of three (3) planning subareas with distinct character, development form, permitted uses and features. The subareas are generally defined as:

- 1. Subarea 1: Low Density Single Family Residential Uses*
- 2. Subarea 2: Low Density Mixed Residential Uses*
- 3. Subarea 3: Commercial Uses*

The Toscana Isles PUD development standards and permitted and accessory uses are defined in this section and shall govern future development of the subject site consistent with the applicable provisions of the City of Venice Land Development Code. The proposed 'land bridge' depicted in the northeastern corner of the subject property bisecting the existing lake reflects an optional element of Subarea 2. The zoning administrator shall have the authority to administratively approve minor modifications of standards contained within the PUD, excluding increasing maximum density or building height, reducing minimum buffer widths and the addition of uses. Reasonable mitigation measures may be imposed by the zoning administrator to limit impacts from the requested adjustment of standards. The following identifies the project development standards for Toscana Isles and are detailed by each of the three (3) planning subareas depicted on the PUD Concept Plan:

Modify Section 4, Yard/Bulk Standards to:

Yard/Bulk Standards

The permitted yard and bulk standards shall be in accordance with respective subarea standards contained within this application and as noted below. The Front Yard setback requirements contained herein shall only apply to frontages from which the parcel receives vehicular access from the adjoining right-of-way and has a permanent driveway constructed therein. All other yards fronting right-of-ways shall be Side yards or rear yards accordingly. See Figure 1 for graphic representation.

Staff Comment: The setback requirements are not changing. The revision is only to clarify current implementation of the location of each yard type for corner lots.

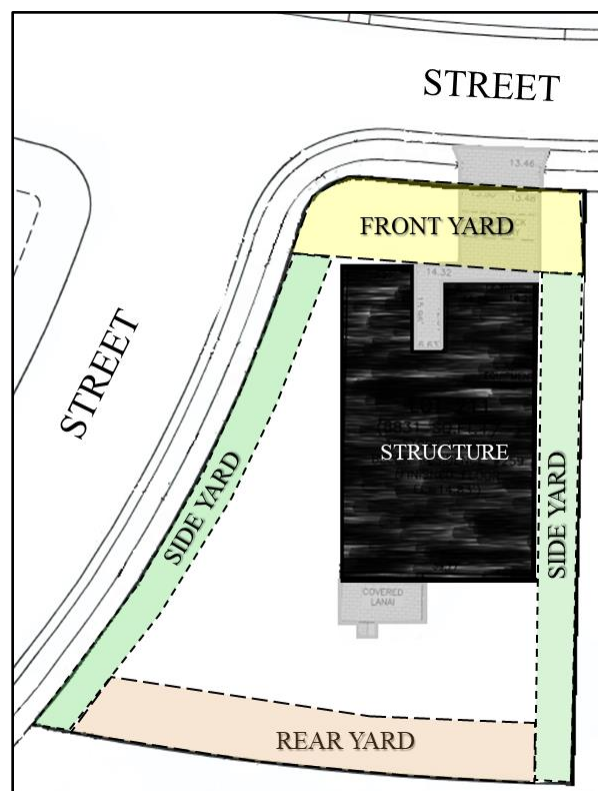


FIGURE 1: Yard Locations for Section 4 Modification of Yard Standards

Modify Section 7, Residential Street and Connectivity Standards to:

7. Residential Street and Connectivity Standards

The purpose of these provisions are to identify residential street design standards for application in the Toscana Isles PUD. Street standards within Toscana Isles shall be designed to complement the appropriate scale and fit the community character of Toscana Isles as a primarily low density residential development.

A sidewalk and pathway system shall be included within Toscana Isles PUD to implement the provisions of Policy 16.22 of the Future Land Use Element of the 2010 Comprehensive Plan. Sidewalks and pathways shall be provided as reflected in the following Connectivity Concept Plan and shall be a minimum of five (5) feet in width along all roadways adjoining residential and commercial uses, where no use is proposed, the sidewalk and pathway may continue along only the side with active uses.

As provided in Policy 2.6 of the Housing and Neighborhood Development Element of the 2010 Comprehensive Plan Toscana Isles is proposed to be a limited access community with the option for a manned or un-manned gate at the primary entrances off Knights Trail Road and secondary gated entry points and access controls within the development that meet the emergency access requirements of the City of Venice.

The limited access/gated entries are planned to maintain consistency with the other nearby residential communities and to improve the sense of internal security for future residents of Toscana Isles. The generalized proposed alternative locations of the limited access gated entry points are depicted on the Connectivity Concept Plan.

All of the streets and roadways within Toscana Isles are proposed to be privately maintained and not dedicated to the City of Venice for ownership or maintenance responsibility. All streets and drainage proposed will comply with Sec. 86-130(n)(2) Streets and Drainage facilities of the City of Venice Code of Ordinances.

Location of driveways. No driveway shall be constructed with its center closer than 20 feet to a property line, except when the drive is jointly used by the adjoining properties, or 50 feet to the intersection of the edge of the pavement of two streets, or 30 feet to the center of the next nearest entrance driveway; provided that, for one- and two-family dwellings, no portion of any driveway shall be constructed closer than five feet to a property line, except when the drive is jointly used by the adjoining properties, or 30 feet to the intersection of the edge of the pavement of two streets, or ten feet to the edge of the next nearest driveway. See Figure 2 for graphic representation.

Staff Comment: Per Code Section 86-423, typically one- and two-family dwellings require 40ft to the intersection of the edge of pavement of two streets. The smaller lots within the Toscana PUD cannot always accommodate the larger separation requirement.

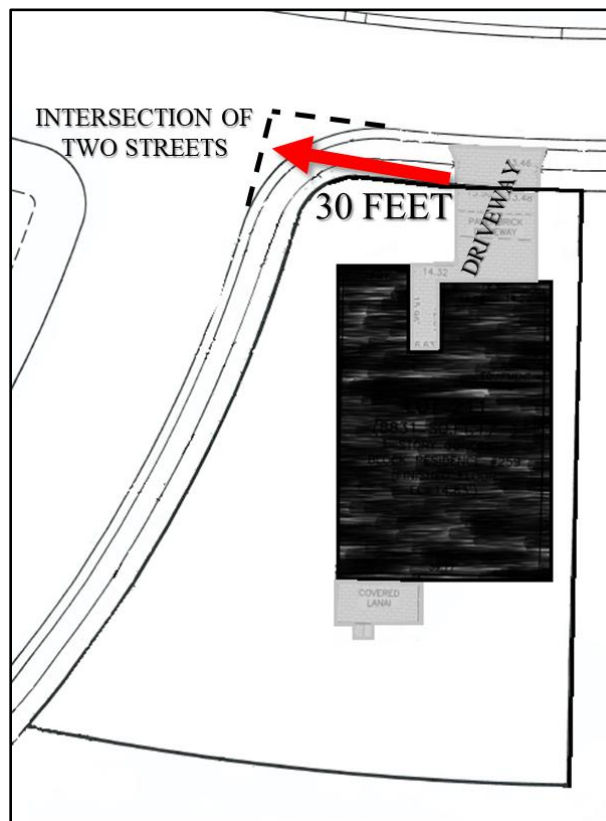
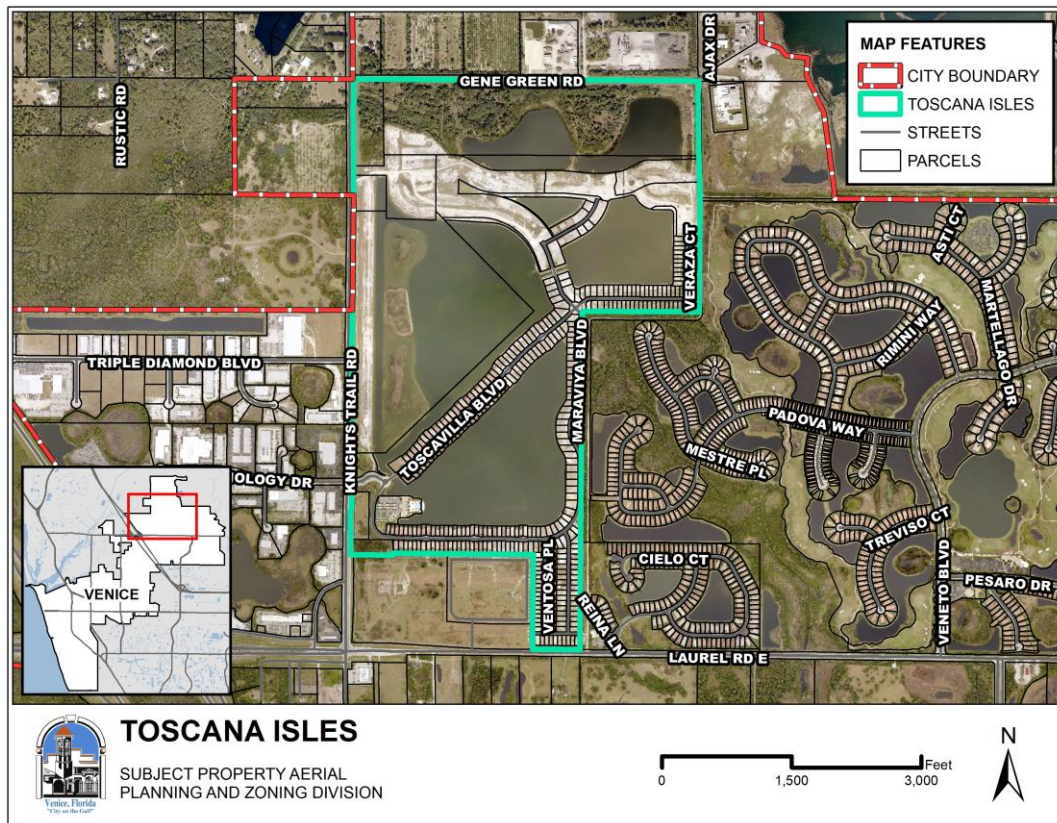


FIGURE 2: Driveway/Intersection Separation per Revision to Section 7

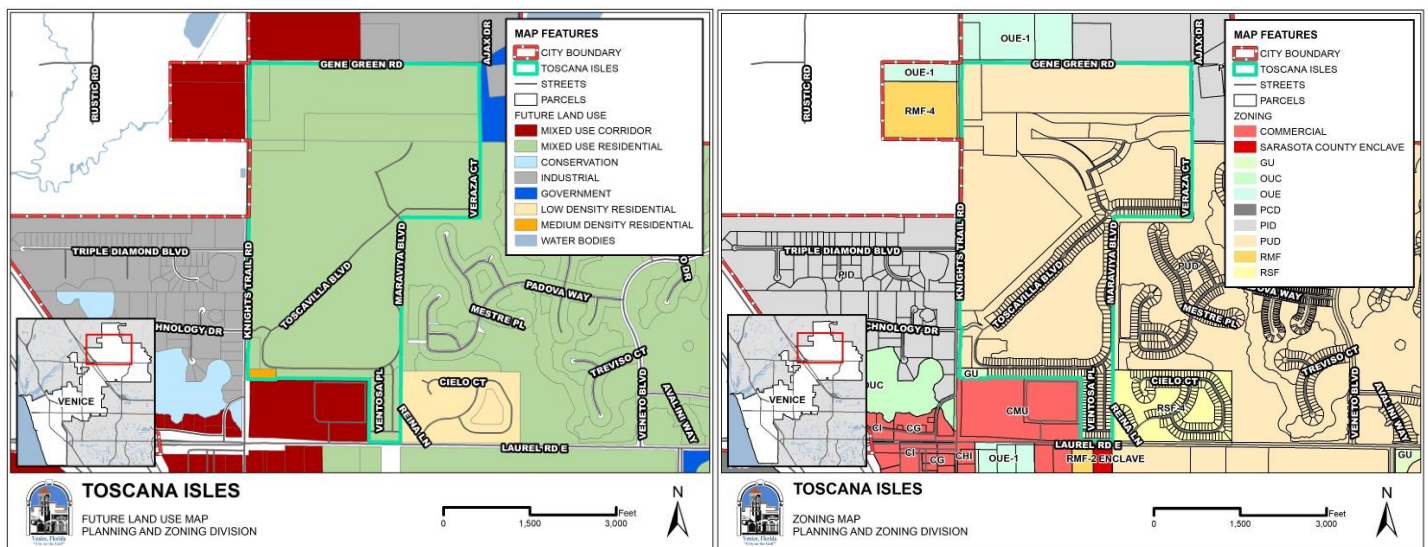
EXISTING CONDITIONS

The subject property is partially developed under the Toscana Isles PUD Binding Master Plan. See aerial map below for status on number/location of parcels and general development.



Future Land Use

The subject property has a Future Land Use Designation of Mixed-Use Residential (MUR), which was created in the 2017-2027 *Comprehensive Plan* to designate areas of existing or proposed Planned Unit Developments (PUD). The project is consistent with the Toscana Isles Binding Master Plan.



Zoning Designation

The subject property is zoned Planned Unit Development through Ordinance # 2011-11 (Petition 11-01RZ) and amended with Ordinance # 2012-13 (Petition 11-03RZ). The first rezone established the Toscana Isles Binding Master Plan as zoning standards for the entire Toscana Isles property. The second added approximately 25 acres of land to the PUD.

PLANNING STAFF ANALYSIS

2017-2027 Comprehensive Plan

The *2017-2027 Comprehensive Plan* contains numerous strategies to examine when a rezone occurs, however the subject petition is not changing the zoning on the subject properties. The Toscana Isles PUD is existing and the proposed amendment does not change the density, intensity, or use of the subject properties.

Land Development Regulations Section 86-47(f)(1)a-p: Rezoning Amendments

The subject petition is to amend existing zoning, the Binding Master Plan, within Toscana Isles PUD. Per Section 86-47(f)(1), Planning Commission is required to consider the following 16 criteria in their recommendation to City Council. The applicant has responded to each. Staff responses are included where relevant.

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

Applicant Response: The subject property is designated Mixed Use Residential and the proposed PUD Amendment is consistent with the future land use designation and all other applicable elements of the Comprehensive Plan.

Staff Response: The proposed amendment does not change the density or use-type of the subject properties. The intent is to clarify existing standards/conditions for staff review of Building Permits and to provide the Zoning Administrator the ability to consider minor modifications.

b. The existing land use pattern.

Applicant Response: The proposed PUD Amendment will not change the land use pattern.

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

Applicant Response: The proposed PUD Amendment will not create an isolated district unrelated to adjacent nearby districts.

Staff Response: The proposed amendment does not change the boundaries of the existing PUD zoning district.

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

Applicant Response: The proposed PUD Amendment will not result in an overtaxing of the load on public facilities.

Staff Response: The proposed amendments will not change the allowed density in the PUD.

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

Applicant Response: The proposed PUD Amendment does not seek to change district boundaries.

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

Applicant Response: The PUD Amendment seeks to clarify certain zoning standards and to provide the Zoning Administrator the authority to approve minor modifications.

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

Applicant Response: The proposed PUD Amendment 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.

Applicant Response: The proposed PUD Amendment will not excessively increase traffic congestion or otherwise affect public safety.

Staff Response: The proposed amendment does not change the density or intensity of the PUD.

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

Applicant Response: The proposed PUD Amendment will not create a drainage problem.

Staff Response: The proposed amendment does not change the density or intensity of the PUD.

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

Applicant Response: The proposed PUD Amendment will not seriously reduce light and air to adjacent areas.

Staff Response: The proposed amendment will not change standards associated with this criterion.

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

Applicant Response: The proposed PUD Amendment will not 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.

Applicant Response: The proposed PUD Amendment 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.

Applicant Response: The proposed PUD Amendment 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.

Applicant Response: The PUD Amendment will not alter the existing uses permitted on the property.

Staff Response: The proposed amendments clarify standards in the Binding Master Plan.

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

Applicant Response: The proposed PUD Amendment is not out of scale with the needs of the neighborhood.

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

Applicant Response: Not applicable, the proposed use already exists on site.