

7-Eleven Zoning Map Amendment

Project Owner and Agent:

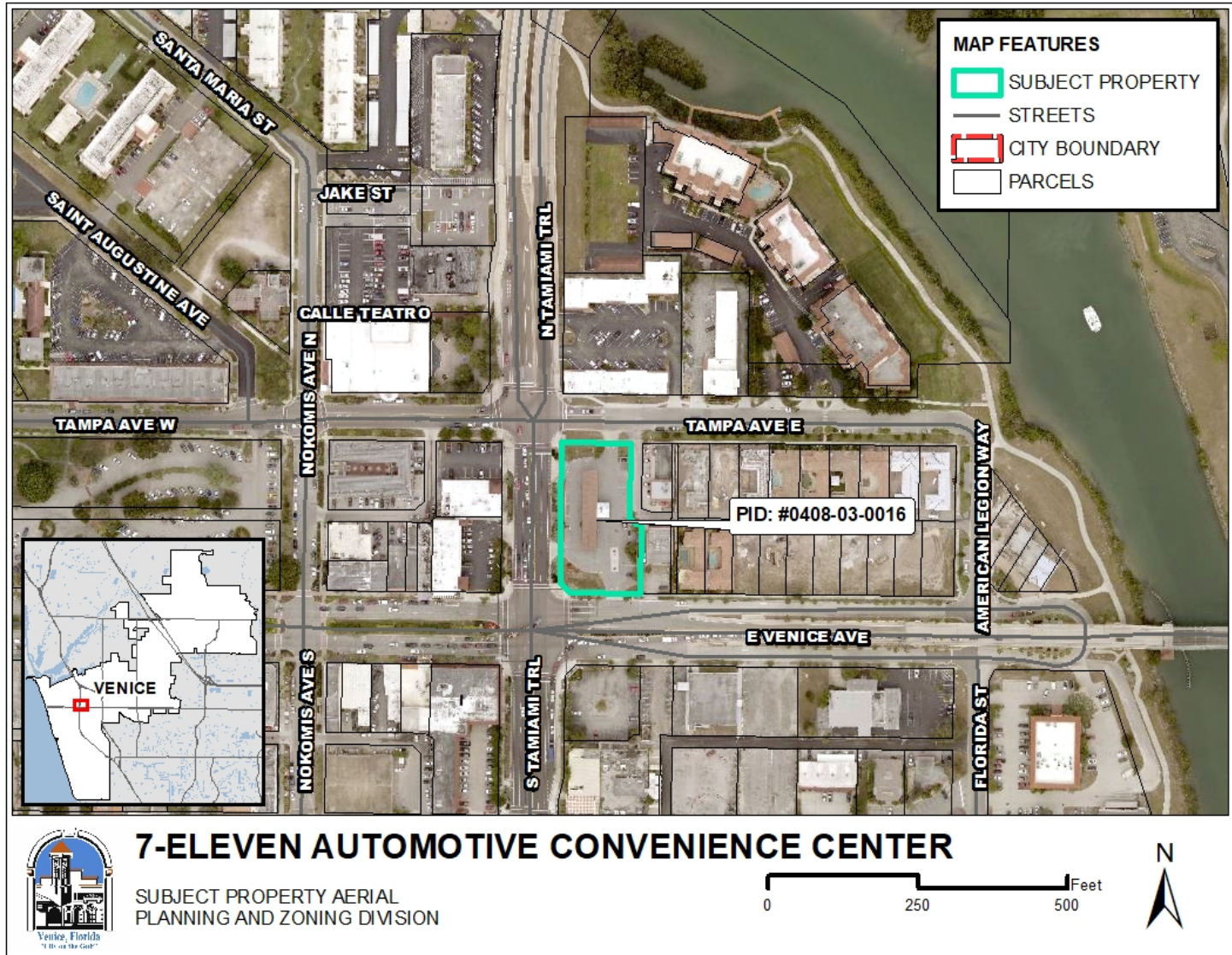
Owner: Venice Palm, Inc.

Agent: Jeffery Boone, Esq., Boone Law Firm



We serve with PRIDE

Aerial Photograph



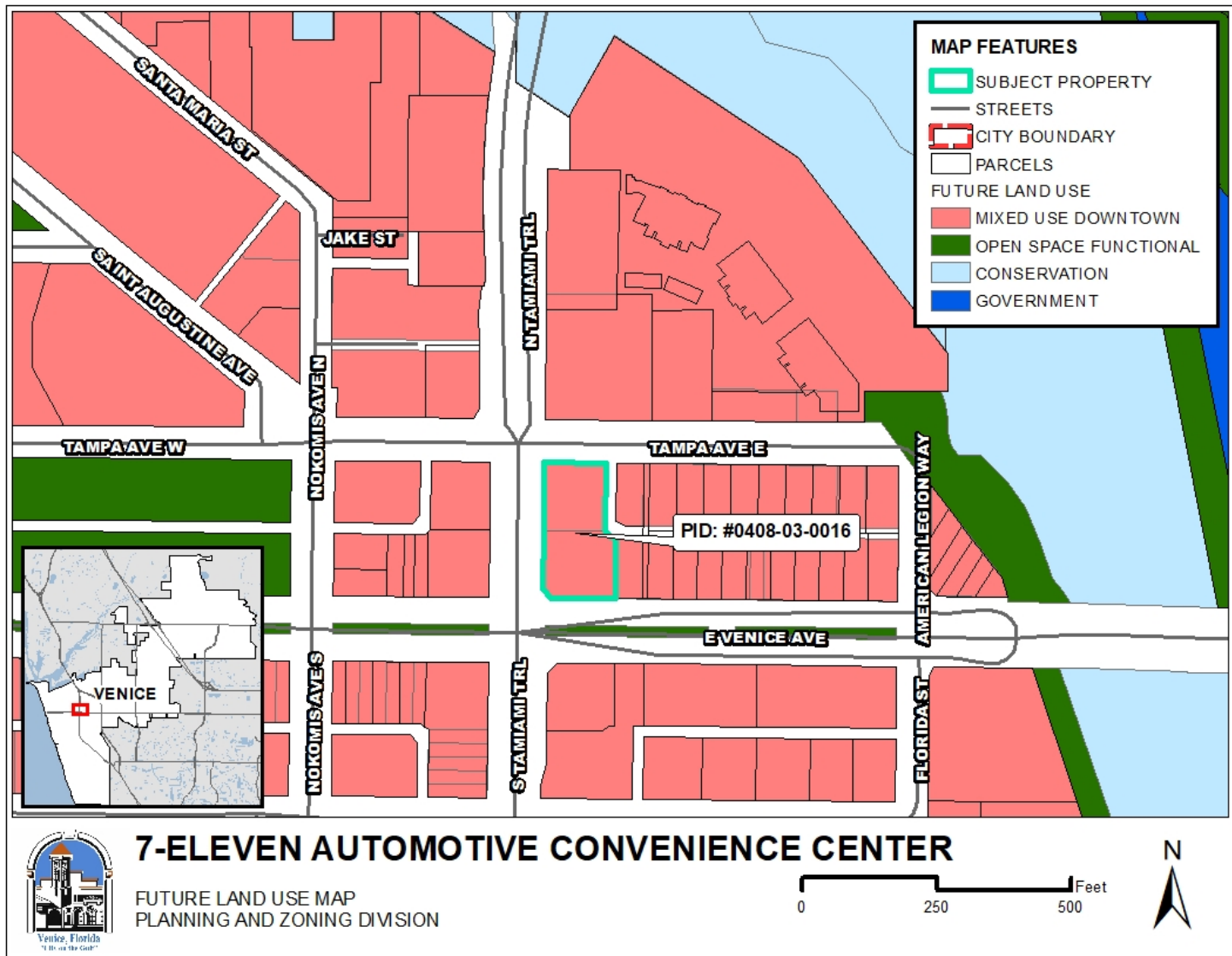
Photographs of the Site



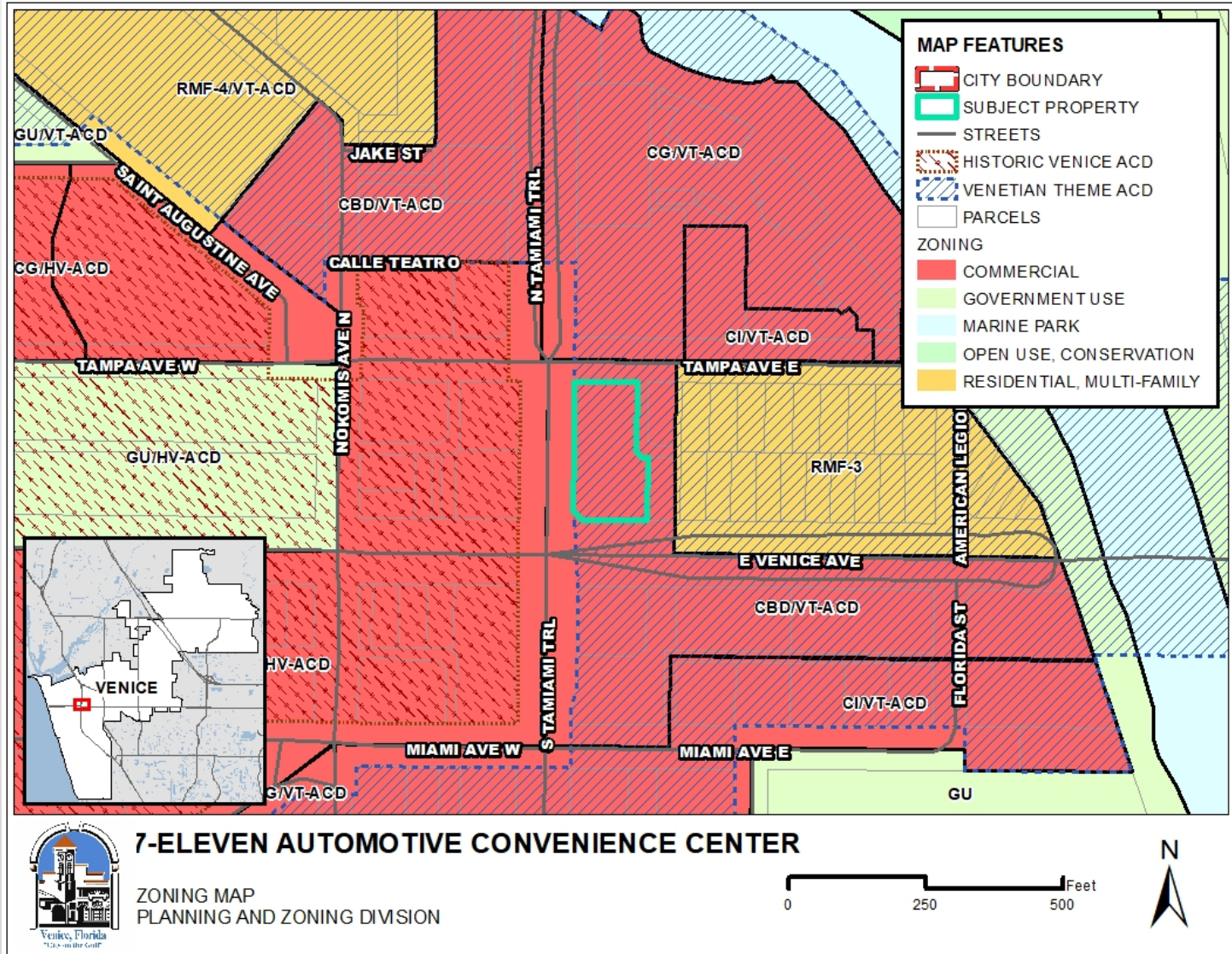
Surrounding Property Information

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Retail and service	CG/VT	MUD
West	Retail and service	CBD/HV	MUD
South	Vacant restaurant	CBD/VT	MUD
East	Auto repair and Insurance Agency	CBD/VT	MUD

Future Land Use Map



Existing Zoning Map

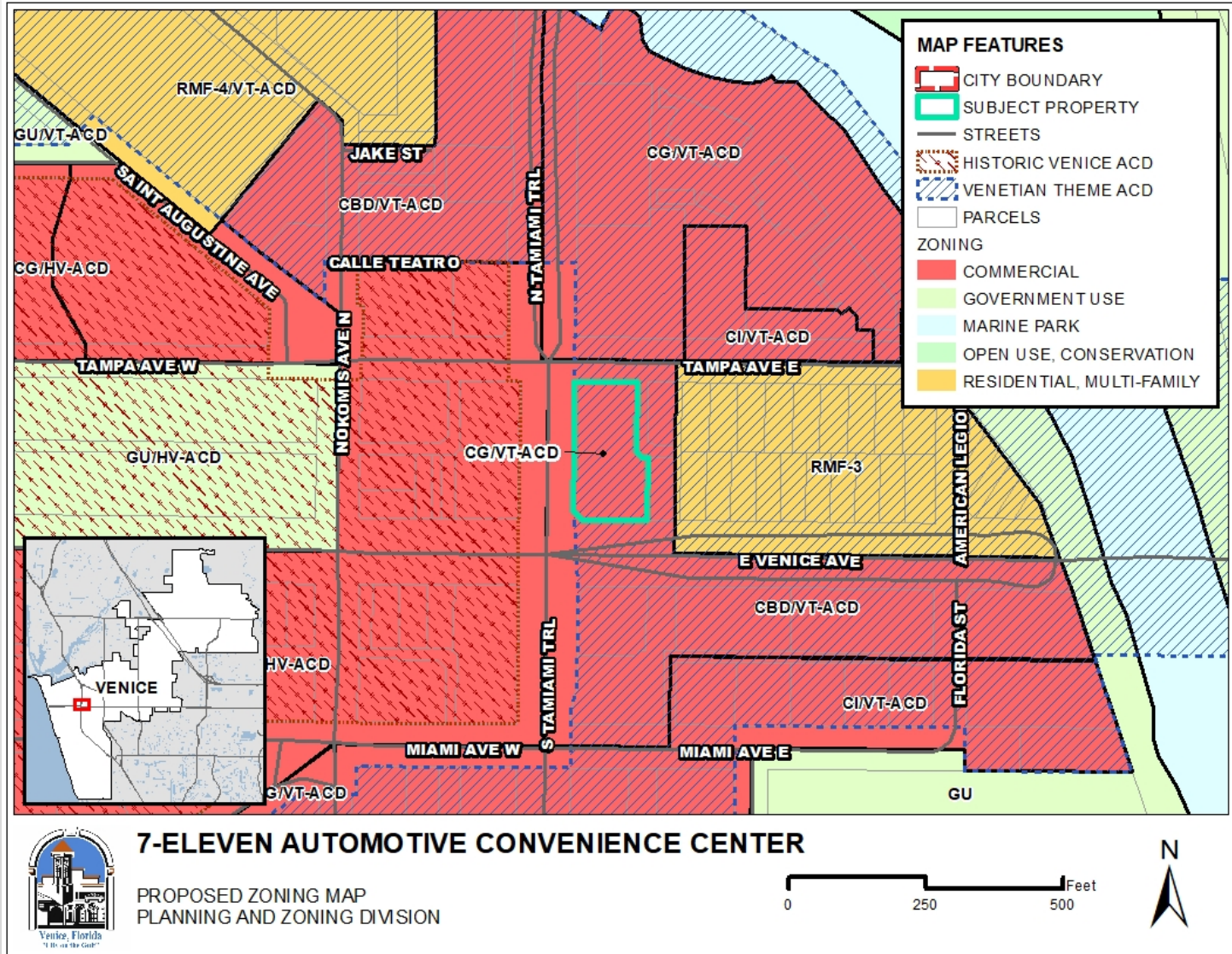


Zoning Map Amendment

7-Eleven

PETITION NO.:	18-02RZ	
REQUEST:	Zoning map amendment to rezone the subject 0.71± acre property from the Commercial, Business District (CBD) and Venetian Theme (VT) Architectural Control District to the Commercial, General (CG) district and Venetian Theme (VT) Architectural Control District.	
GENERAL DATA		
<i>Owner:</i>	Venice Palm, Inc.	Agent: Jeffery Boone, Esq., Boone Law Firm
<i>Address:</i>	116 N. Tamiami Trail	Property ID: 0408030016
<i>Property Size:</i>	0.71+ acres	
<i>Future Land Use:</i>	Mixed Use Downtown (MUD)	
<i>Comp Plan Neighborhood:</i>	Island Neighborhood	
<i>Existing Zoning:</i>	Commercial, Business District/Venetian Theme (CBD/VT)	
<i>Proposed Zoning:</i>	Commercial, General/Venetian Theme (CG/VT)	

Proposed Zoning Map



Use Category			
* indicates a permitted use, SE permitted use by special exception, blanks not a permitted use, Ac accessory use		CBD	CG
Government	Government Uses/Buildings	*	
Retail Commercial	Retail Sales	*	*
	Convenience Stores	*	*
	Grocery Stores	*	*
	Pharmacies	*	*
	Produce Markets	*	*
	Bakeries	*	*
	Florists	*	*
	Gift Shops	*	*
	Hobby Shops	*	*
	Automotive Convenience Centers		*
	Automotive Service Stations		SE
	Pet Shops		*
	Package Stores		SE
	Wholesaling from Sample Stocks	*	
	Sale of Second-hand Merchandise within Building		
	Pawnshops	*	
	Outdoor Display of Retail Merchandise		SE
Personal and Business Services	Hair and Beauty Care	*	*
	Pet Grooming		*
	Health Spas	*	*
	Shoe Repair	*	*
	Clothing Repair and Alteration	*	*
	Dry Cleaning and Laundry Services	*	*
	Copying and Duplication Services	*	*
	Photography Studios	*	*
	Pain Management Clinics		SE
	Funeral Home		*
	Radio or Television Stations		*
	Electronics Repair	*	*
	Interior Decorators	*	*
	Commercial Recreation, Entertainment	Studios for dance/music/yoga/ cheer/gymnastics/ etc.	
Movie Theatres			*
Bowling Alleys			*
Billiard Parlors			*
Swimming Pools			*
Miniature Golf Courses			SE
Auditoriums and Convention Centers		*	

Professional, Medical, and Business Offices	Medical and Dental Clinics		*
	Animal Hospitals and clinics		*
	Newspaper Offices		*
	Travel Agency	*	*
	Employment Office	*	*
	Professional Business Offices	*	
Bank, Financial Institutions	Banks and Financial Institutions	*	*
	Credit Unions	*	*
	Savings and Loans	*	*
	Credit Agencies	*	*
	Other Lending Institutions	*	*
Use Category (Continued)			
* indicates a permitted use, SE permitted use by special exception, blanks not a permitted use, Ac accessory use		CBD	CG
	Banks with Drive-Thru	SE	
Eating and Drinking Establishments	Restaurants	*	*
	Restaurants with Drive-Thru	SE	*
	Open-Air Cafes as accessory to Restaurants	*	
	Drive-In Restaurants		SE
	Brewpubs		SE
	Bars, lounges, nightclubs, etc.	*	*
Vocational, Trade, and Business Schools	Vocational, Trade, and Business Schools		*
Marinas, Docks, and Piers	Marinas		*
	Commercial and noncommercial piers and docks		*
	Boat rental, Marine Fuel sales, sale of fishing and marine related items.		Ac
	Boat Liveries		SE
Institutional	Houses of Worship		*
Civic, Service Organizations	Clubs such as civic, social		*
	Private Libraries		*
Parking Lots, Garages	Commercial Parking Lots		*
	Commercial Parking Garages		*
Residential	Existing Single-Family and Two-Family Structures		*
	Multi-Family Dwellings	SE	SE
	Dwelling Units above the First Floor	*	*
Temporary Lodging	Hotel/Motel	SE	SE
	Interval Occupancy Accommodations		SE
Automotive, Vehicular, Marine and Manufacturing	Motorbus Terminals	*	SE
	Automotive Service Station	SE	
Other	Electrical Substations		SE

Planning Analysis

Development Standard	Existing CBD District	Proposed CG District
Max. Residential Density	18 units per acre	18 units per acre
Max. Lot Coverage	Unrestricted, except 30% for multiple-family dwellings	Unrestricted, except 30% for multiple-family dwellings
Max. Building Height	35 feet	35 feet and an additional 10 feet for one story devoted primarily to parking within the structure
Conditional Use (Height)	Structures in excess of 35 feet but no more than 45 feet in height	Structures in excess of 35 feet but no more than 85 feet in height
Min. Yards (Setbacks)*	<p>Front yards: 1 foot (20 feet for multiple-family dwellings)</p> <p>Side yards: None (20 feet for multiple-family dwellings)</p> <p>Hoods, canopies, roof overhangs and marquees may extend beyond the front lot line to within two feet of the street curb.</p>	<p>Front yards: 20 feet</p> <p>Side yards: 0-15 feet 20 feet when abutting a residential district</p> <p>Buildings above 35 feet shall provide an additional side yard at a ratio of one foot for each three feet of building, and a front yard of 25 feet or ½ of the building height, whichever is greater</p>
Landscaping	No specific CBD required standards.	Landscape buffer required in minimum 20-foot wide side yards that abut residentially zoned property

Zoning map Amendment

Comprehensive Plan Consistency

- Island Neighborhood
 - **LU-1.2.9 Mixed Use Category:** Identifies the CG zoning district as an implementing district for the Mixed Use Downtown future land use designation.
 - **LU-IS 1.1.1 Redevelopment** relates strictly to the island neighborhood and provides the following:

The City recognizes this Neighborhood is primarily developed with minimal opportunities for new development. The City supports the redevelopment of underutilized properties to encourage a diversity of non-residential uses capable of supporting the adjacent residential areas. In support of this Strategy, the City shall utilize the land development regulations to require that redevelopment project are consistent with the historical character of those portions of the Island Neighborhood specifically regarding:

 - A. Historic Grid street patterns established by the Nolen Plan.
 - B. Building massing, form, layout, and setbacks.

Zoning map Amendment

Comprehensive Plan Consistency

- Island Neighborhood
 - **LU-IS 1.1.5 Mixed Use Designations and Form Based Codes.** This Strategy is similar to the previous LU-IS 1.1.1 in that it provides the following:

The City has identified that all mixed-use areas, excluding MUR, shall be implemented through Form Based Code. The implementing Code is intended to focus on the form of buildings rather than the land use; the physical character of buildings and the relationship of buildings to each other and to the street. Specific to the Island Neighborhood, characteristics shall include:

 - A. Historic design (John Nolen Plan)
 - B. Building Height
 - C. Architecture
 - D. Building form, massing, and setbacks
 - E. Parking
 - F. Mobility

Zoning map Amendment

Comprehensive Plan Consistency

- District Intent Statements
 - **Sec. 86-94. - CBD commercial, business district.**

(a) *Generally; intent.* The CBD district is intended to be applied only to that area which forms the city's center for financial, commercial, governmental, professional, cultural and associated activities. The standards are designed to protect and enhance the district's suitability for these activities and to discourage uses not requiring central city location or which are of a nature likely to create friction with pedestrian traffic and the primary activities for which the district is intended. High-density multiple-family structures are permitted, but heavily automotive-oriented uses are prohibited.
 - **Sec. 86-92. - CG commercial, general district.**

(a) *District intent.* The CG district is intended for general commercial activity. Businesses in this category require larger land area and a location convenient to automotive traffic. Pedestrian traffic will be found in this district. The district is not suitable for heavily automotive-oriented uses. It is not the intent of this district that it shall be used to encourage extension of strip commercial areas.

Zoning map Amendment

Comprehensive Plan Consistency

- East Venice Avenue Neighborhood
 - **LU-4.1.1 Transitional Language:** Policy 8.2 Land Use Compatibility
 - Land use density and intensity
 - Building heights and setbacks
 - Character or type of use proposed
 - Site and architectural mitigation design techniques
 - Considerations to determine compatibility
 - Protection of single-family neighborhoods from the intrusion of incompatible uses.
 - Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.
 - The degree to which the development phases out non-conforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.
 - Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

Zoning map Amendment

Comprehensive Plan Consistency

Mitigation techniques of Policy 8.2:

- Providing open space, perimeter buffers, landscaping and berms
- Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas
- Locating road access to minimize adverse impacts
- Adjusting building setbacks to transition between different uses
- Applying step-down or tiered building heights to transition between different uses
- Lowering density or intensity of land uses to transition between different uses.

Zoning Map Amendment Land Development Code Consistency

Applicable Rezone Considerations Provided in Code Section 86-47(f):

The applicant addressed each consideration in their submittal and a staff comment was provided for each consideration when appropriate in the staff report.

Section 86-47(f)(1): Findings for Rezoning Amendments

Consistency
(Applicants Response)

Requirement		Yes	No	N/A
1.	Whether the proposed change is in conformity to the Comprehensive Plan	✓		
2.	The existing land use pattern	✓		
3.	Possible creation of an isolated district unrelated to adjacent and nearby districts	✓		
4.	The population density pattern and possible increase or overtaxing of the loan on public facilities such as schools, utilities, streets, etc.	✓		
5.	Whether the existing district boundaries are illogically drawn in relation to the existing conditions on the property proposed for change.	✓		
6.	Whether changed or changing conditions make the passage of the proposed amendment necessary.	✓		
7.	Whether the proposed change will adversely influence living conditions in the neighborhood.	✓		
8.	Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.	✓		
9.	Whether the proposed change will create a drainage problem.	✓		
10.	Whether the proposed change will seriously reduced light and air to the adjacent area.	✓		
11.	Whether the proposed change will adversely affect property values in the adjacent area.	✓		
12.	Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.	✓		
13.	Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.	✓		
14.	Whether there is substantial reasons why the property cannot be used in accord with existing zoning.	✓		
15.	Whether the change suggested is out of scale with the needs of the neighborhood or city.	✓		
16.	Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitted such use.	✓		

Concurrency/Mobility

At the point of rezoning , staff conducts a **preliminary** review for concurrency. The following review agencies have reviewed the following public facilities: water, sewer, solid waste, stormwater/drainage and transportation.

No issues have been identified regarding facilities capacity regarding the proposed petition.

Findings of Fact

Based on analysis in the staff report:

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

Analysis has been provided to determine consistency with the Land Use Element strategies applicable to the Mixed Use Downtown future land use designation, Policy 8.2 regarding compatibility, strategies found in the Island Neighborhood and other plan elements. It is also noted that the analysis provided included identification of the intent statements for each of the subject districts. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

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 rezoning considerations contained in Section 86-47(f) of the Land Development Code.

Conclusions / Findings of Fact (Concurrency/Mobility):

Based on the preliminary concurrency analysis, no issues have been identified regarding current adequate public facilities capacity to accommodate the expected development of the subject property. Further evaluation will be required in conjunction with future development of the subject property.

City Council Determination:

Upon review of the petition and associated documents, comprehensive plan, land development code, staff report and analysis, testimony provided during the public hearing, and Planning Commission's unanimous recommendation of approval, there is sufficient information on the record for the City Council to take action on Zoning Map Amendment Petition No. 18-02RZ.