



PUD ZONING MAP AMENDMENT APPLICATION

Submit a complete application package to the Planning and Zoning Division. All information must be legible and will become a permanent part of the public record. Incomplete applications will not be reviewed and will be returned to the applicant/agent. Refer to the City of Venice Code of Ordinances Section 86-130 for Planned Unit Development district submittal requirements. After this application package is deemed complete, any new development will be scheduled for a Pre-Hearing Conference at the Planning Commission (Section 86-130(t)(4)).

Project Name: Rustic Road PUD	
Brief Project Description: Residential	
Address/Location: Rustic Road	
Parcel Identification No.(s): Please See Attached	
Proposed Numbers/Types of Dwelling Units: Upt to 1,000 units w/ a mix of single-family and multi-family	
Parcel Size: 318.7 acres	
Current Zoning Designation(s): Sarasota County OUE	FLUM Designation(s): Proposed- Mixed Use Residential
Fee: The Zoning Administrator determines if a project is a minor or major amendment. A 35% reduction will be applied to concurrently filed land use petitions that qualify. Some projects may be assessed an extended technical review fee of \$1400: <input type="checkbox"/> New \$4732 <input type="checkbox"/> Major Amendment to PUD \$2300 <input type="checkbox"/> Minor Amendment to PUD \$533	
Additional fees: Per Code Section 86-586, legal advertising and public notice fees in excess of \$50 will be billed after all public hearings, regardless of approval status. Other fees may include review of transportation/environmental reports and studies by the City's consultant, verification by a consultant of the accuracy of the legal description provided by the applicant/agent and City Attorney fees. These fees are billed separately and must be paid before the Planning Commission public hearing. If these fees are not paid, approvals and further City of Venice permits are subject to delay.	
BILL TO: <input checked="" type="checkbox"/> APPLICANT <input type="checkbox"/> AGENT (SELECT ONE)	
Applicant/Property Owner Name: Please See Attached Complete List: for Billing: Rustic Road Partners, LLC.	
Address: 1515 Ringling Boulevard, Ste. 890, Sarasota, FL 34236	
Email:	Phone:
Design Professional or Attorney: Waldrop Engineering	
Address: 28100 Bonita Grnade Dr, Ste 305, Bonita Springs, FL 34135	
Email: sean.crowell@waldropengineering.com	Phone: (941) 379-8400
Authorized Agent (1 person to be the point of contact): Jeffery A. Boone, Esq.	
Address: 1001 Avenida Del Circo, Venice, FL 34285	
Email: jboone@boone-law.com	Phone: 941-488-6716

RECEIVED**OCT 26 2018****PLANNING & ZONING****Staff Use Only****Petition No.** P2 18-157**Fee:**

Oper: CASHIERMM Type: OC Drawer: 1
Date: 10/26/18 00 Receipt no: 10085
2018 157
PZ PLANNING & ZONING
CK CHECK 1027 \$4137.90
\$7213.70
Trans date: 10/26/18 Time: 10:27:33
Page 1 of 2

Application packages are reviewed by Planning Staff for completeness within 3 business days, as outlined in the Technical Review Committee (TRC) Calendar. Packages must be submitted via hard & electronic copies, and additional copies may be requested. Plans should be collated and folded to allow the bottom right corner visible. Concurrently filed applications must be packaged separately. Please indicate if the document is not being submitted.

☒ **Application: (15 copies)**

☒ **Project Narrative:** Provide A statement describing in detail the character and intended use of the development, in addition to the short description on page one of the application. All modifications to PUD standards must be listed with each applicable Section of Code (15 copies).

☒ **CD with Electronic Files:** Provide PDF's of ALL documents, appropriately identified by name on one CD. The legal description for each parcel must be submitted in text format and will be verified by a consultant.

☒ **Agent Authorization Letter:** A signed letter from the property owner, authorizing one individual to submit an application and represent the owner throughout the application process. This individual will be the single point of contact for staff (1 copy).

☒ **Statement of Ownership and Control:** Documentation of ownership and control of the subject property (deed). Sarasota County Property Appraiser or Tax Collector records will not suffice. Corporations or similar entities must provide documents recognizing a person authorized to act on behalf of the entity (1 copy).

☒ **Survey of the Property:** Signed and sealed survey that accurately reflects the current state of the property. Each parcel must have its own legal description listed separately on the survey, correctly labeled by parcel id. (1 copy) **Date of Survey:** see attached

☒ **Concurrency Application and Worksheet: (15 copies).** *If a traffic study is required, contact Planning staff to schedule a methodology meeting. After the methodology meeting, two copies of the traffic study (signed, sealed, and dated), and electronic files (SYN, HCS files etc.) will be required. See attached

☒ **School Concurrency:** School Impact Analysis Receipt from Sarasota County dated within 10 days of petition submittal (1 copy). see attached

☒ **Public Workshop Requirements:** (Section 86-41) ☒ Newspaper advertisement ☒ Notice to property owners ☒ Sign-in sheet ☒ Written summary of public workshop (1 copy)

☒ **Common Facility Statements:** if common facilities, such as recreation areas or structures, private streets, common open space, parking areas, access drives, etc., are to be provided for the development, statements as to how such common facilities are to be provided and permanently maintained (1 copy). n/a

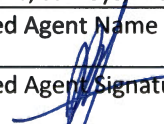
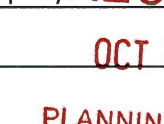
☒ **Planning Commission Considerations/Findings:** Per Code Section 86-47(f)(1), prepare a statement for each of the following considerations/findings(15 copies):

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

☒ **Master Plan** containing the following (15 copies): 1. The title of the project and the names of the professional project planner and the developer; 2. Scale, date, north arrow and general location map; 3. Boundaries of the property involved, and all existing streets, buildings, watercourses, easements, section lines and other existing important physical features in and adjoining the project.; 4. Master plan locations of the different uses proposed, by dwelling types, open space designations, recreational facilities, commercial uses, other permitted uses, and off-street parking and off-street loading locations; 5. Master plan showing access and traffic flow and how vehicular traffic will be separated from pedestrian and other types of traffic; 6. Tabulations of total gross acreage in the development and the percentages thereof proposed to be devoted to the several dwelling types, other permitted uses, recreational facilities, streets, parks and other reservations; 7. Tabulations demonstrating the relationship of the development to proposed land use intensity and proposed numbers and types of dwelling units; 8. Where required by the planning commission, an ecological survey in accordance with the standards of the state department of environmental protection and the water and navigation control act of the county, as they may from time to time be amended.

If the PUD zoning map amendment is approved, after all public hearings a final Binding Master Plan with any revisions will be required.

Technical compliance must be confirmed 30 days before a public hearing will be scheduled. The applicant or agent MUST be present at the public hearing and will be contacted by staff regarding availability. By submitting this application the owner(s) of the subject property does hereby grant his/her consent to the Zoning Official and his/her designee, to enter upon the subject property for the purposes of making any examinations, surveys, measurements, and inspections deemed necessary to evaluate the subject property for the duration of the petition.

Authorized Agent Name & Date: Jeffery A. Boone, Esq.	Applicant Name & Date:
Authorized Agent Signature:  10/24/18	Applicant Signature: 

RECEIVED
OCT 26 2018
PLANNING & ZONING

RUSTIC ROAD ANNEXATION PARCELS

	<u>OWNER</u>	<u>PID</u>	<u>ADDRESS</u>	<u>ACRES</u>	<u>THE FUND ORDER #</u>
1)	Free Flying Investments, LLC	0361-00-1002	Ranch Rd	31.458	649652
2)	Rustic Road Partners, LLC	0361-00-1001	Ranch Rd	97.688	649677
		0361-00-1003			649677
		0361--00-1004			649677
		0364-04-0001	Rustic Rd	0.914	649651
3)	Ronald & Carol Perkins	0362-00-1007	2600 Rustic Rd	12.003	649654
		0362-00-1015			652020
4)	Caroline Martin	0362-00-1002	1700 Ranch Rd	6.542	649656
5)	Philip V. Burket Trust	0364-04-0002	2940 Rustic Rd	170.101	649681
		0362-00-1010			649681
Total				318.706	

PROJECT NARRATIVE

The proposed Rustic Road PUD is 318 +/- acre property generally located north of Laurel Road, west of Knights Trail Road, and east of I-75, along Rustic Road and Ranch Road. The property is located within the Rustic Road Neighborhood of the JPA/ILSBA (Area No. 1) as identified in the Comprehensive Plan, and a concurrent Annexation Application, and Comprehensive Plan Amendment has been filed with the City. The JPA/ILSBA identifies the potential uses for the property as residential, up to 9 dwelling units per acre, with up to 50% of the acreage available for non-residential uses.

The applicant, Rustic Road Partners, LLC, proposes a rezoning to Planned Unit Development (PUD) which would allow for the development of a residential community consisting of detached single-family homes, paired villas, and multi-family homes, amenity centers and open space. The proposed density is for up to 1,000 residential units (approximately 3.14 dwelling units per acre), at the midpoint of the range for PUD's and significantly lower than the density range established through the JPA/ILSBA. The circulation plan for the Rustic Road PUD demonstrates excellent opportunities for multi-modal connectivity, including a linked sidewalk system for pedestrian connectivity from each of the development pods to an amenity center, as well as to the existing Rustic Road, which the applicant proposes to improve from the site to its connections at Knights Trail Road and Honore Avenue.

All internal roadways will be privately owned and maintained. The on-site stormwater management system will be privately owned and maintained. Water and wastewater facilities will be dedicated to the City of Venice.

COMPLIANCE

The proposed Rustic Road PUD plan is consistent with all applicable elements of the JPA/ILSBA between the City and Sarasota County, including *Paragraph 6.B.1 Agreements on Parcels, and Exhibit B* regarding land uses, water and sewer provider, timing of infrastructure availability, transportation improvements and environmental considerations, and Paragraph 10 (I) regarding land use compatibility. Upon approval of the concurrent Comprehensive Plan Amendment which proposes a Future Land Use designation for the property of *Mixed Use Residential* the proposed Rustic Road PUD will be consistent with all applicable elements of the Future Land Use Element of the Comprehensive Plan. In addition, the Rustic Road PUD plan is in compliance with the applicable Visions, Intents, and Strategies of the Open Space Element of the Comprehensive Plan regarding sustainable environmental practices, open space corridors, and habitat protection as evaluated in the October 19, 2018, Ecological Narrative by Steinbaum & Associates.

Policy 8.2 Analysis & JPA /ILSBA Section 10(l) Analysis

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 the following items with regard to annexation, rezoning, conditional use, special exception, and site and development plan petitions:

- A. Land use density and intensity.
The proposed residential land use at a maximum density of 3.1 du/ac is compatible with the existing neighborhood and consistent with the requirements of the JPA/ILSBA which allow for up to 9 du/ac for the subject property.
- B. Building heights and setbacks.
Building heights will be limited to 3 stories and a maximum of 42'. Setbacks from adjacent properties will be a minimum of one times the building heights and will be comparable and compatible with permitted building heights in the existing neighborhood.
- C. Character or type of use proposed.
The proposed residential land use is compatible with the existing neighborhood and consistent with the requirements of the JPA/ILSBA.
- D. Site and architectural mitigation design techniques.
The proposed PUD will require a minimum of 50% open space, and substantial setbacks and buffering from existing neighborhoods to ensure compatibility.

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.
- 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 PUD rezoning will limit density to 3.1 du/ac., is compatible with the existing neighborhood, and consistent with the requirements of the JPA/ILSBA which allow up to 9 du/ac. for the property.

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

- I. Providing open space, perimeter buffers, landscaping and berms.
The proposed PUD will require a minimum of 50% open space and substantial setbacks and buffering from existing neighborhoods to ensure compatibility.
- J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.

The PUD plan will not result in impacts to the existing neighborhood as a result of light, noise, mechanical equipment, refuse areas, or delivery and storage areas.

- K. Locating road access to minimize adverse impacts.

Road access to the property has been designed to minimize impacts.

- L. Adjusting building setbacks to transition between different uses.

Building setbacks will be a minimum of one time the building height between different uses.

- M. Applying step-down or tiered building heights to transition between different uses.

Building heights will be limited to 3 stories and a maximum of 42' and will be comparable and compatible with permitted building heights in the existing neighborhood.

- N. Lowering density or intensity of land uses to transition between different uses.

The maximum density established by the PUD (3.1 du/ac) is a reduction from the JPA permitted density of 9 du/ac. to ensure compatibility with the existing neighborhood.

JPA/ILSBA

Section 10(I)

The City agrees to use the County land use compatibility principles during the review of each zoning petition for any parcel located within the Joint Planning Areas set forth on Exhibit A and on properties within the City adjoining such areas.

Within the Coordination and Cooperation Areas set forth on Exhibit A, the County agrees not to revise its future land uses prior to confirmation of compatibility by the City. The land use compatibility reviews referenced above shall include an evaluation of land use density, intensity, character or type of use proposed, and an evaluation of site and architectural mitigation design techniques. Potential incompatibility shall be mitigated through techniques including, but not limited to: (i) providing open space, perimeter buffers, landscaping and berms; (ii) screening of sources of light, noise, mechanical equipment, refuse areas, delivery areas and storage areas; (iii) locating road access to minimize adverse impacts, increased building setbacks, step-down in building heights; and (iv) increasing lot sizes and lower density or intensity of land use.

The requirements of JPA/ILSBA Section 10(I) are substantially the same as City of Venice Comprehensive Plan Policy 8.2 and therefore the above analysis of Policy 8.2 also applies to section 10(I) of the JPA/ILSBA.

Sec. 86-47. (f) (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 proposed change is in conformity with the proposed concurrent Comprehensive Plan Amendment designating the property Mixed Use Residential.
- B. The existing land use pattern.
The proposed residential PUD is consistent with the land use pattern in the area which consists of low density residential and Ag uses.
- C. Possible creation of an isolated district unrelated to adjacent and nearby districts.
The proposed residential PUD will not create an unrelated isolated district as it is adjacent to nearby districts with wide mix of uses which provide convenient services to future residents.
- D. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.
The proposed residential PUD will not overtax the load on public facilities such as schools, utilities and streets, and will pay impact fees in order to support such public facilities.
- E. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
The current County zoning designation is illogical for a property annexed by the City of Venice and a City zoning designation is needed prior to commencing development.
- F. Whether changed or changing conditions make the passage of the proposed amendment necessary.
Annexation of the property by the City of Venice consistent with the JPA/ILSBA makes the proposed amendment necessary.
- G. Whether the proposed change will adversely influence living conditions in the neighborhood.
The proposed change will not adversely affect living conditions in the neighborhood as appropriate buffering is proposed from adjacent properties.
- H. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
The proposed change will not excessively increase traffic congestion or otherwise affect public safety, and it will in fact improve the transportation network in the area to the benefit of the public.
- I. Whether the proposed change will create a drainage problem.
The proposed change will not create a drainage problem and will be required to meet all City of Venice standards related to drainage.
- J. Whether the proposed change will seriously reduce light and air to adjacent areas.
The proposed development includes substantial setbacks and open space so as to ensure preservation of 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 the area.
- 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 and is consistent with the long term plan for the property as determined by the JPA/ILSBA between the City and Sarasota County.

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

Annexation of the property by the City of Venice requires a rezoning to a City zoning designation.

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

The change is not 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.

There are limited adequate areas within the City which are currently zoned for the proposed use.