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

ZONING MAP AMENDMENT APPLICATION

ZONING MAP AMENDMENT 18-06RZ

Project Name:	Four Points by Sheraton - Parking
Parcel Identification No.:	0430020014
Address:	805 S. Tamiami Trail, Venice, FL
Parcel Size:	0.78 Acres
FLUM designation:	Mixed Use Corridor
Current Zoning:	County Based OPI Proposed Zoning: OPI
Property Owner's Name:	DAUS Capital LLC - Mr. Jag Pathirana
Telephone:	(818) 465-9085
Fax:	
E-mail:	JPathirana@Landeveloper.net
Mailing Address:	5950 Canoga Ave.#500, Woodland Hills,CA 91367
Project Manager:	RMEC, LLC - Daniel V. Scippo
Telephone:	(239) 898-2717
Mobile / Fax:	(239) 898-2717
E-mail:	Dan@RMEC-LLC.com
Mailing Address:	2223 McGregor Blvd., Fort Myers, FL 33901
Project Engineer :	RMEC, LLC - Ronald M. Edenfield, P.E.
Telephone:	(239) 789-1951
Mobile / Fax:	(239) 980-5588 - Mobile
E-mail:	Ron@RMEC-LLC.com
Mailing Address:	2223 McGregor Blvd., Fort Myers, FL 33901
Project Architect:	Leese & Associates - Mark Leese
Telephone:	(720) 443-9672
Mobile / Fax:	(720) 443-9672 -Mobile, (303)788-9333 -Fax
E-mail:	Mark@LeeseAssoc.net
Mailing Address:	21 Galapago St., Denver, CO 80223

Incomplete applications cannot be processed – See reverse side for checklist

Applicant Signature / Date: April 19, 2019

RECEIVED
APR 22 2019
PLANNING & ZONING

Revised 12/10

APPLICATION CHECKLIST

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

- [X] **Statement of Ownership & Control**
- [X] **Signed, Sealed and Dated Survey of Property**
- [X] **Agent Authorization Letter**
- [X] **Narrative describing the petition**
- [X] **Public Workshop Requirements.** Date held August 10, 2018
  - [X] Copy of newspaper ad.
  - [X] Copy of notice to property owners.
  - [X] Copy of sign-in sheet.
  - [X] 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.

Fees

Application filing fee $2,908.
Application filing fee for the following zoning districts $4,732: CMU, PUD, CSC, PCD, PID, RMH.
Public notice fee in excess of $50 will be billed to applicant and is not included in application fee.

Narrative and discussion of proposed rezoning

Narrative

The owner/applicant (applicant) also owns the adjacent property to the west, 775 S. Tamiami Trail (775 property). The applicant intends to develop the properties (775 and 805) together as a hotel, specifically to be branded as a Four Points by Sheraton. As currently proposed, the hotel, associated guest parking, and all other related facilities will be located on the 775 property, while the **Subject Property** is proposed to be overflow parking primarily intended to serve the hotel's employees.

The **Subject Property** is currently zoned by Sarasota County as Office, Professional, and Institutional (OPI), and the 775 property is currently zoned as Commercial, General (CG). The applicant is seeking a Zoning Map Amendment to change the zoning of the Subject Property from Sarasota County based OPI to City of Venice OPI zoning designation.

Following the re-zoning of the **Subject Property** to OPI, the applicant intends to seek approvals for the 775 property and the Subject Property for a Site & Development Plan application, a Concurrency Determination application, a Special Exception for hotel use in the CG and the Venetian Urban Design District (VUD) district, a Variance for building height, and a Waiver application from the VUD for limited parking in front of the hotel structure on the 775 property.

Below, we have provided responses to the checklist items provided on the City's Zoning Map Amendment Application. These items, labeled (a) through (p), are copied below, followed by the response in **bold.**

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

The Subject Property is within the Mixed-Use Corridor (MUC) future land use designation. The MUC supports non-residential uses that are limited to commercial and institutional-professional. The proposed rezone of the site to Office/Professional/Institutional (OPI) would continue to allow uses that are either commercial, institutional or professional.

The property is also within the Island Planning district which has a broad range of zoning districts and uses such as residential, commercial and professional.

The rezone would also allow for development that neither exceeds the maximum height of the MUC designation nor the total development percentage allowed within the MUC.

(b) The existing land use pattern.

RECEIVED
APR 2 2 2019
PLANNING & ZONING

The existing land use pattern of the surrounding area follows most development patterns along 4 or more lane roadways. Commercial and professional uses are along S. Tamiami Trail frontage and residential or quasi-residential uses are farther back from the roadway. The width of the roadway and the ADT of S. Tamiami Trail encourage non-residential development along the frontage. The rezone to OPI would allow uses that fit with the existing land use pattern along the S. Tamiami Trail frontage.

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

The application seeks to rezone the site from County based OPI to the City of Venice OPI. The property immediately to the southeast at 825 S. Tamiami Trail, is also zoned OPI.

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

The hotel will serve guests on a temporary basis and provide employment to City residents. While it is anticipated that the adjoining streets and City utilities will not be overtaxed by the hotel, the Site and Development Plan, and the Concurrency Determination applications will specifically address potential impacts to streets and utilities.

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

The subject property is immediately adjacent to both OPI and CG districts. Therefore, the property is properly positioned for either OPI or CG uses, and the existing boundaries do not appear to be illogically drawn.

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

The applicant is not aware of any changed or changing conditions that would make the Amendment from County OPI to City OPI for the Subject Property be unnecessary.

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

Changing the zoning for the Subject Property from County OPI to City of Venice OPI will not adversely influence the living conditions in the neighborhood.

The OPI zoning would allow a range of uses that are currently developed along the S. Tamiami Trail corridor. Additionally, the OPI zoning allows for less intense uses than other districts allowed in the MUC.

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

As currently zoned as County OPI, the Subject Property could be developed as a hospital, nursing home, museum, place of worship, etc. These uses would generally result in more traffic-trips than an employee parking lot at a hotel, as is the intended use of the property.

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

The site will ultimately be designed to properly manage all storm water on-site, and, if necessary, properly discharge the storm water to properly permitted facilities either with the City of Venice, or FDOT. All storm water management systems would be designed to meet or exceed the criteria of the City of Venice and the Southwest Florida Water Management District (SWFWMD).

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

The proposed change for the Subject Property from County OPI to City OPI would not result in a serious reduction in light and air to adjacent areas.

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

The subject property already has a zoning designation of County OPI. Rezoning to City OPI will allow the same level of zoning protection for property values to continue. As stated in item "(h)" above, as currently zoned, the Subject Property, as currently zoned, could be developed as a hospital, nursing home, museum, place of worship, amongst other permitted uses.

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

As proposed, the Subject Property will be an employee parking area for a hotel. The hotel will be an amenity for the community, and the hotel will be designed and constructed to the high standards of the Four Points by Sheraton brand. The hotel will be a job creator for the community, and we feel, would encourage additional development in the area, that is consistent with the intent of the VUD, the MUC future land use designation, and the Island Planning Community.

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

Changing the Subject Property's zoning designation from County OPI to City OPI would not 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.

Ultimately, the applicant seeks to develop the property as a parking lot for the hotel at 775 S. Tamiami Trail (adjacent property). The proposed change would ensure that the subject property has the City zoning designation going forward.

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

The Subject Property will be part of an up-scale hotel. We believe that the hotel is appropriate and will be useful to the City and its guests, and as we understand, the City generally believes that there is a need for a hotel in this portion of 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.

The applicant owns the Subject Property and the adjacent property at 775 S. Tamiami Trail. Very few properties remain available in the City that would be suitable for a hotel development such as is planned for these sites. The Subject Property is proposed to be bound together with the 775 S. property with an agreement for keeping the two parcels locked in use together.

Venice Sheraton by Four Point Comprehensive Plan Consistency

The Venice Sheraton by Four Points is a development at 775 and 805 S. Tamiami Trail. The development will consist of a four-story hotel, restaurant, and associated parking. The future land use designation of the development is Mixed Use Corridor and the site is in the Island Planning District.
The following is a list of examples that the "Venice Sheraton by Four Points" is consistent with the Vision, Intent, and Strategy of the City of Venice Comprehensive Plan. The list will provide the Vision, Intent, or Strategy and then provide a response demonstrating consistency.

Strategy LU 1.2.9. – Mixed Use Corridor

1. *Envisioned to be located in and support the Island Neighborhood, Laurel Road Corridor, Gateway and Knights Trail Neighborhood.*
2. *Non-Residential Uses are limited to Commercial and Institutional-Professional.*
3. *Industrial Use are not permitted*
4. *Intensity/Density: Non-Residential 0.5 (average) Designation-Wide; 1.0 maximum per individual property.*
5. *Typically developed utilizing form-based code concepts and standards for building placement, design, and parking.*

Response: The hotel is on a site that has Commercial General (CG) zoning. This district is compatible with the Mixed Use Corridor future land use designation. Additionally, the site at 805 S. Tamiami Trail is proposed for a rezone from Sarasota County Office, Professional, Institutional (OPI) to Venice OPI to provide further compatibility with the Mixed Use Corridor future land use designation.

The project will follow many of the development patterns found along the U.S. 41/S. Tamiami Trail corridor for sites with the Mixed-Use Corridor (MUC) future land use designation. Hotels are conventional commercial uses found along arterial roadways such as U.S. 41 / S. Tamiami Trail.

The Venice Sheraton by Four Points is on a site that is 63,000 sq. ft., however, a Right-of-Way (ROW) vacation was recently along U.S. 41/South Tamiami Trail that added 27,556 sq. ft. of land area to the site. The total site area will be 87,556 sq. ft.

The total size of the development will be 70,068 sq. ft. resulting in an FAR of 0.8. The development's FAR is below the maximum FAR of 1.0 and is consistent with this strategy.

RECEIVED
APR 2 2 2019
PLANNING & ZONING

RMEC, LLC
2223 McGregor Boulevard, Fort Myers, FL 33901
(239) 789-1951 | www.RMEC-LLC.com

A special exception for transient lodging has been filed to allow a hotel in the Venetian Urban District. Upon approval of the Special Exception, the hotel would be allowed in the CG and VUD.

Strategy LU 1.3.3 – Walkable Streets

The City shall promote walkable streets integrated within and between neighborhoods that designs a community based on reasonable walking distances, enhanced landscape design, the location of parking, and the design of streetlights, signs and sidewalks.

Response: The design of the development places the majority of off-street parking spaces behind the main building[1] which reduces the area between the sidewalk and the main building. This design should encourage or promote walkability by reducing the amount of the traffic between the front of the building and the sidewalk. Additionally, the project is proposing new sidewalks on both sides of Pine Grove Drive with crosswalks and sidewalk connections to US 41.

Strategy LU 3.1.1 – Coastal High Hazard – Density

The City shall direct future populations away from the Coastal High Hazard Area so as to achieve a no net increase in overall residential density within the CHHA.

Response: The project will not add any additional density or intensity within the established CHHA.

Figure LU-13 Planning Areas Summary

Island Professional Neighborhood shall have a maximum building height of 42' and shall adhere to the Northern Italian Renaissance architectural standards.

Response: The development is seeking a variance to the building height as allowed per the CG zoning district and waiver from the architectural requirements that implement the Northern Italian Renaissance style is being sought from the Venetian Urban Design (VUD) as allowed by the City's Land Development Code.

[1] Or on a nearby site.

Section IV Elements – Island Neighborhood

Strategy LU-IS 1.1.3 – Mixed Use Corridor (MUC)

This strategy describes the existing level of development and the potential development that can occur on properties with the MUC designation. Maximum FAR is 1.0 for individual sites and maximum square feet for development is 2,134,440.

Response: The proposed development will not exceed a FAR of 1.0 and will not exceed the maximum square footage that is allowed. The project will not add any additional residential units.

Strategy LU 4.1.1 – Policy 8.5

Site Plan Design and Architectural Review Procedures. Implement the City's architectural and design standards by working with the applicant to ensure that community architectural standards have been addressed.

Response: All procedures and requirements for Site and Development Plans are being followed to ensure that the project is compliant with all provisions of the City's Land Development Code.

Strategy LU 4.1.1. – 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.

Response: The Sheraton by Four Point is adjacent to properties with a residential future land use designation. The Sheraton by Four Points will provide several design elements to ensure that compatibility with the surrounding neighborhood is achieved. The development is providing a landscape buffer and screening between the residential units to the north. The development is also providing a 20-foot building setback to increase the separation between commercial and residential uses. The primary ingress/egress for the project is from the arterial roadway (U.S. 41) and will not be adjacent to the residential areas. This will minimize noise from vehicular traffic that could impact the residential uses. Additionally, the mechanical equipment, loading areas and refuse areas will be screened so that visual impacts are minimized.

Policy 8.2.A-N states the following:

Land Use Compatibility Review Procedures. Ensure that the neighborhood 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*

Response: The Sheraton by Four Points is not proposing any residential units (density) and the intensity of the site will not exceed the maximum FAR of 1.0.

B. *Building heights and setbacks*

Response: The site will meet all setbacks and the applicant is requesting a variance to allow the Sheraton at Four Points to develop with a height of 42 feet.

C. *Character or type of use proposed*

Response: The Sheraton by Four Points will be a hotel use. Hotels are an allowed use in the CG zoning district with approval of a special exception. An additional parcel will be used a parking area for the hotel.

D. *Site and architectural mitigation design techniques*

Response: The Sheraton by Four Point has utilized several design techniques to make the site compatible with the surrounding commercial and residential area. The development will be as close to US 41 as possible to increase separation from nearby homes and provide immediacy to the street. The development will also include extensive landscaping and an eight-foot masonry wall to buffer and shield the residents from noise and activities. The development's access is from US 41 to reduce traffic trips through local trips and increase separation from nearby homes.

E. *Protection of single-family neighborhoods from intrusion of incompatible uses*

Response: A hotel is not an outright incompatible use with a single-family neighborhood. As discussed earlier, the Sheraton by Four Points has been designed with the nearby residential area in mind. The development has reduced setbacks, enhanced landscaping, minimized access, and an eight-foot masonry wall for screening and buffering.

F. *Prevention of the location of commercial or industrial uses where such uses are incompatible with existing uses*

Response: Both parcels within the Sheraton by Four Points site have commercial entitlements either through the Future Land Use designation and/or the zoning district. Hotels are allowed in the CG zoning district with a

special exception that can be conditioned to make a development compatible with nearby residential areas. A hotel is not an industrial use and has the potential to much less intrusive than many other high intensity commercial uses.

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.*

Response: The Sheraton by Four Points will be developed on a vacant site that does not include any nonconforming uses.

H. *Densities and intensities of proposed uses as compared to the densities and intensities of existing uses*

Response: The Sheraton by Four Points will not include residential uses or density. Several developments in the nearby area along U.S. 41 have a similar intensity or FAR as the proposed Sheraton by Four Points.

I. *Providing open space, perimeter buffers, landscaping, and berms*

Response: As discussed earlier, the Sheraton by Four Points has provided a 20-foot wide landscape buffer and an eight-foot masonry wall. The nearby parking area will also have enhanced landscaping to provide further screening and buffering.

J. *Screening of sources of light, noise, mechanical equipment, refuse areas, delivery, and storage areas*

Response: The eight-foot masonry wall along the rear of the Sheraton by Four Points will screen all mechanical equipment, refuse areas, delivery, and storage areas from view. The development's lighting will be designed to direct light away from residential areas and will meet all applicable lighting regulations.

K. *Locating road access to minimize adverse impacts*

Response: The main access will be along U.S. 41. This access will limit the residential neighborhoods exposure to additional vehicular trips. Additional signage can be installed to direct customers/employees away from the local streets.

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

Response: The Sheraton by Four Points has been designed to have the smallest front setback while still allowing for proper use of the development. The reduced setback has placed the hotel closer to U.S. 41 and away from residential neighborhoods.

M. Applying step-down or tiered building heights to transition between different uses
Response: The form and function of the hotel does not allow for tiered building heights.

N. Lowering density or intensity of land uses to transition between different uses
Response: The Sheraton by Four Points does not have any density. The hotel is on a single parcel and does not allow for gradual intensity reductions.

Section III – Transportation and Mobility

The project has frontage along U.S. 41/S. Tamiami Trail. This section of roadway is classified as an Urban Major Arterial. According to the Comprehensive Plan, the roadway maintains a Level of Service (LOS) Standard of "C" for vehicular, pedestrian and bicycle traffic.

Response: The project will not generate enough vehicular trips to substantially impact the existing LOS for this roadway segment.

Strategy IN 1.2.5 – Infrastructure Utilization

The City shall maximize existing public utility infrastructure systems by encourage infill development and redevelopment of established service areas.

Response: The development is considered infill development that will utilize existing utility infrastructure for its water and wastewater needs.