

PRELIMINARY PLAT AMENDMENT

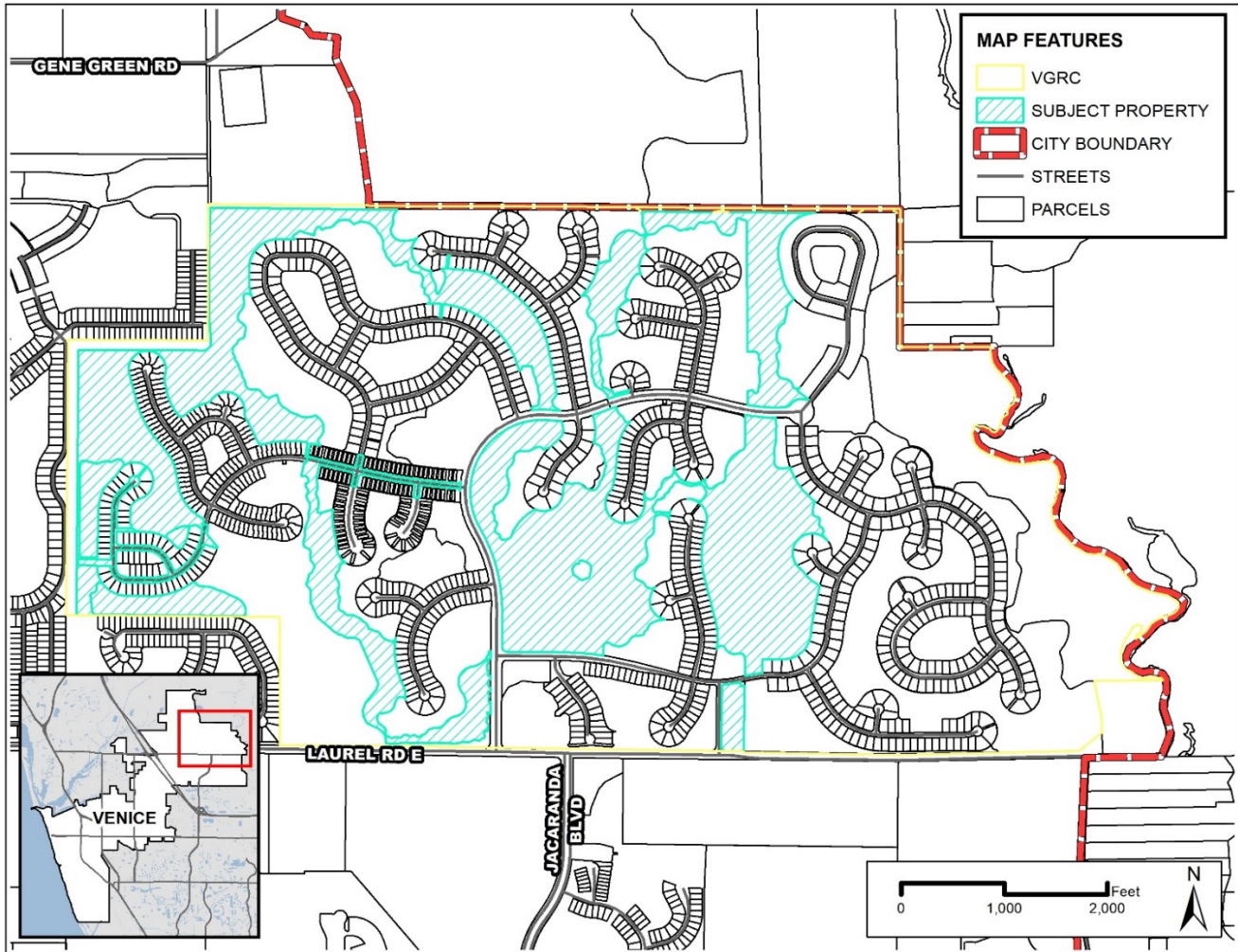
STAFF REPORT

VENETIAN GOLF & RIVER CLUB

PHASE 5-PALERMO

October 15, 2019

19-16PP



PETITION NO.: 19-16PP

REQUEST: Preliminary plat amendment petition to request modification of the landscape plan that was approved with the original subdivision.

GENERAL DATA

Owner: Lennar Homes, the Venetian Community Development District (VCDD), and Multiple Individual Homeowners in the Palermo Neighborhood

Agent: Edward Dean, Landscape Architect, Kimley-Horn & Associates

Location: North of E. Laurel Road in North Venice **Property ID:** Multiple

Property Size: Palermo: 17.10± acres

Future Land Use: Mixed Use Residential (MUR)

Neighborhood: Northeast Neighborhood

Existing Zoning: Planned Unit Development (PUD)

ASSOCIATED DOCUMENTS

- A. Application Information (completed petition)
- B. Three Sets of Plan Sheets
 - 2013 Approved Landscape Plans
 - 2019 Proposed Landscape Plans
 - Golf Course Planting Plan
- C. Venetian Golf & River Club PUD Binding Master Plan

I. BACKGROUND INFORMATION

Based on a review of city records, the following is an outline of the past development activity on the subject property.

- The Venetian Golf & River Club (VGRC) property, formerly known as Henry Ranch, was annexed into the City on February 8, 2000, through the adoption of Ordinance No. 2000-05.
- On March 13, 2001, a Comprehensive Plan Amendment was approved through the adoption of Ordinance No. 2001-48 providing a Future Land Use Map designation of City of Venice Low Density Residential.
- On September 11, 2001, Zoning Map Amendment Petition No. 01-01RZ was approved through the adoption of Ordinance No. 2001-110 changing the zoning designation from Sarasota County Open Use Rural to City of Venice PUD.
- On August 23, 2005, Preliminary Plat Petition No. 05-01PP was approved for 98 lots and was later amended in 2013 to reduce the number of lots to 78. The approvals included a landscape plan for the subject phase of the overall subdivision which is the subject of the proposed preliminary plat amendment.
- On May 8, 2019, the subject Preliminary Plat Amendment petition was filed.

II. EXECUTIVE SUMMARY

The subject property is the Phase 5 of the Venetian Golf and River Club (VG&RC), otherwise known as the Palermo neighborhood. It consists of 78 lots and is made up of single-family homes. Currently, in this area of the subdivision, the existing landscape material that is planted on both private lots and within common areas is not consistent with the landscape plan that was approved with the preliminary plat in 2013. This causes an outstanding compliance issue for this area of the VG&RC. As a result of this inconsistency and the current developers desire to resolve the issue, the subject application has been submitted for consideration of approval by the City. This amendment is being proposed by Lennar Homes in cooperation with the Venetian Community Development District (VCDD), and a majority of the residents in this area of the VG&RC. For the most part, the amended plan submitted for consideration depicts the existing conditions in the neighborhood, much of which, has been the condition since the original preliminary plat was approved and accomplished between 2005 and 2013. Additional trees necessary to maintain compliance with required tree count standards will be planted along the golf course. If this plan is approved, this will allow this area of the development to attain compliance with an approved landscape plan. It is important to note that the only aspect of the Palermo neighborhood that is under consideration in the subject petition is the landscape plan associated with the approved plat. All other aspects of the approved Preliminary Plat remain in full effect.

Based on the submitted application materials, staff data and analysis, and conclusions of this staff report, staff provides the following summary findings on the subject petition:

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

Due to minimal Strategies in the Comprehensive Plan relating to trees, the subject petition may be found consistent with the Comprehensive Plan.

2. Conclusions / Findings of Fact (Compliance with the Land Development Code):

The proposed modifications to the preliminary plat landscape plan is consistent with the requirements of the approved PUD and meet the minimum requirement of the City's codes regarding size and type of material proposed and therefore complies with the city's Land Development Code, including the subdivision standards.

3. Conclusions / Findings of Fact (Concurrency/Mobility):

Not applicable as there is no impact on concurrency or mobility.

III. PROJECT DESCRIPTION

Lennar Homes, the VCDD, and the existing residents in the Palermo neighborhood of the VG&RC are requesting approval of a modification to the landscape plan that was approved with the preliminary plat in 2013. The existing landscape material in the Palermo neighborhood is not in compliance with the approved landscape plan. The applicants have acquired the services of a consultant, Kimley-Horn & Associates, to resolve this issue.

It is indicated in the applicant's submittal that meetings were held with the Palermo residents to present options for resolution and approach the issue in the best manner for all involved. Lennar Homes indicated the following options to the residents as indicated in the project narrative:

- A. Install the trees per approved plan in areas owned by Lennar bringing the Lennar owned property into compliance and turn over the common areas to the VCDD leaving homeowners to address the non-compliance of their lots individually.
- B. Install the trees per approved plan in Lennar, VCDD, and resident owned property to bring the entire neighborhood into compliance.
- C. Modify the approved plan to match what was or was not installed throughout the neighborhood and meet the code requirements by locating trees elsewhere to meet overall required Sarasota County tree counts.

Residents expressed the following concerns as indicated in the project narrative:

- Owners have installed their own landscaping in areas where a tree is depicted.
- Owners have improvements such as pools in areas where a tree is depicted.
- Trees are specified and depicted in locations that would block premium lake views that residents paid premiums to have.

The applicant goes into detail, in the project narrative, regarding the consideration of the indicated options and resolution to the concerns of the neighborhood which this report will not go into. The option that was chosen by the majority of the homeowners in the Palermo neighborhood was a combination of B and C above. Option C was the choice of the majority of the residents with option B necessary to resolve issues reflected in the choices of six of the 78 property owners. These six residents were in favor of installing the trees as approved on the previous landscape plan. However, this solution was impossible based on limited common area remaining to plant trees in the Palermo neighborhood and the concerns raised by the VCDD regarding potential maintenance.

As a result of consideration of the preferences of all involved, it was determined that option C would be chosen and an amended landscape plan would be proposed for the neighborhood and, for those who preferred option B, trees consistent with the approved plan would be installed on their private lots at the cost of Lennar Homes.

One additional issue remained in that there is a deficit of trees on the proposed plan compared with the previously approved plan. Since there is not enough common area to accommodate the necessary trees to gain compliance with the County's required tree count minimums, it was determined that the additional trees would be planted on the golf course. Multiple reasons for this solution are provided in the project narrative as follows:

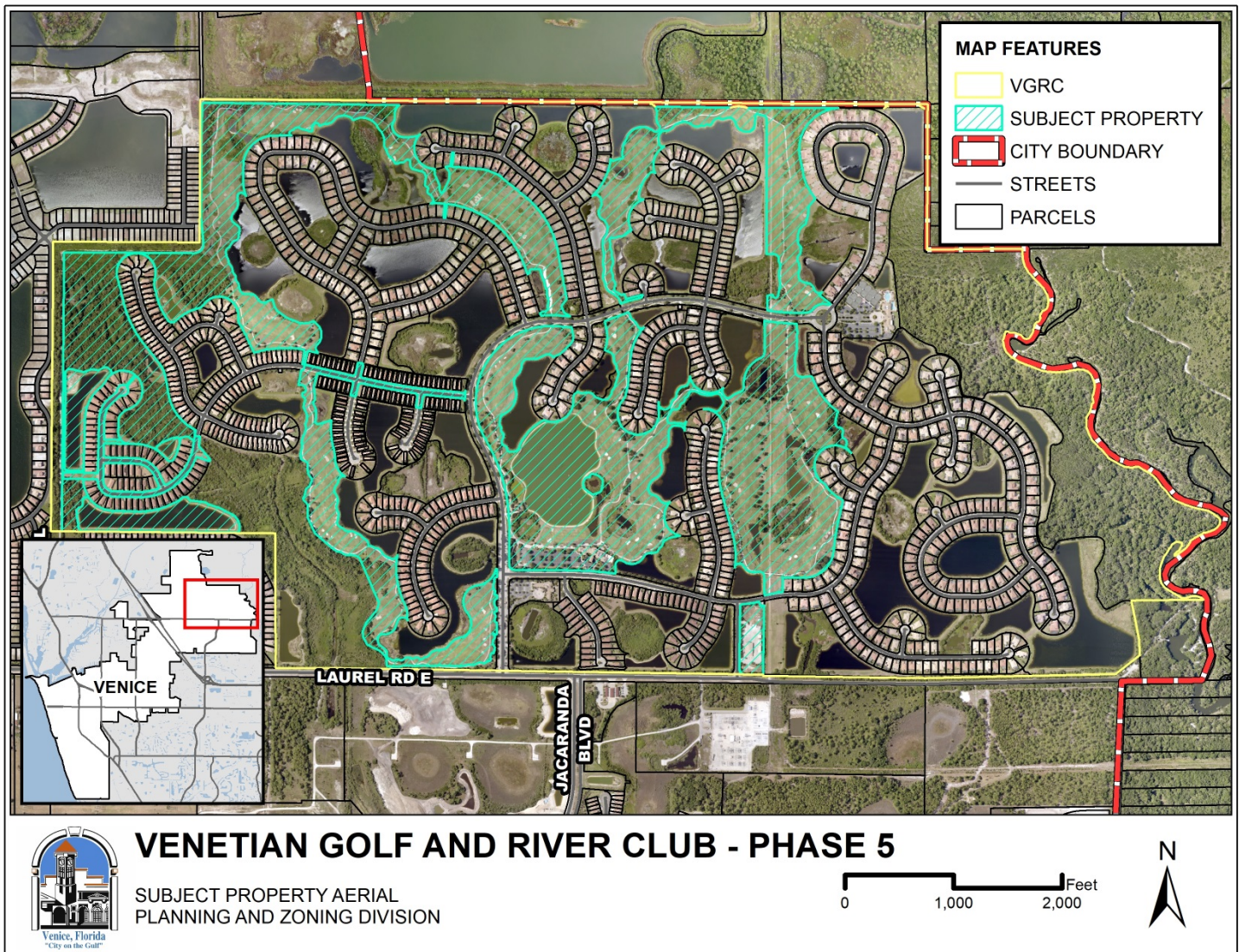
- The golf course is the only Lennar owned property within the development.
- The golf course staff can absorb the additional maintenance of trees.
- An irrigation system is already in place and would only require minor modifications for new trees.
- Many VG&RC residents have been expressing a desire for additional buffering along the perimeter of the golf course.

Based on the above indications, the applicant has submitted the proposed amended landscape plan along with the previously approved plan and an aerial depicting locations along the golf course where an additional 228 trees will be planted. These trees will be planted in locations that will fill in gaps in perimeter buffers and will not be planted in locations that would hinder any residents existing views. The applicant has indicated that the proposed plan includes one tree per lot which exist, for the most part, today as street trees. There is also flexibility in the proposed plan regarding species, as the strictly required live oaks in the previous plan have caused problems with underground infrastructure. Multiple tree species are now indicated as acceptable for front yard planting.

Finally, to confirm compliance and memorialize the proposed changes to the originally approved landscape plan, the applicant has proposed a modified landscape plan for consideration by the City. The plan has been reviewed by both City staff and County staff and no compliance issues have been identified. The newly proposed landscape plan will memorialize existing landscaping along with the proposed modifications and will provide opportunity for the Palermo neighborhood of the VG&RC community to gain compliance with an approved plan.

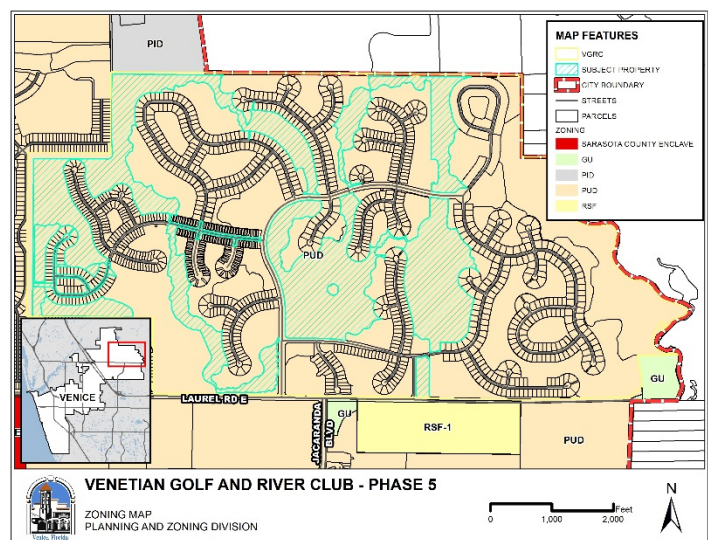
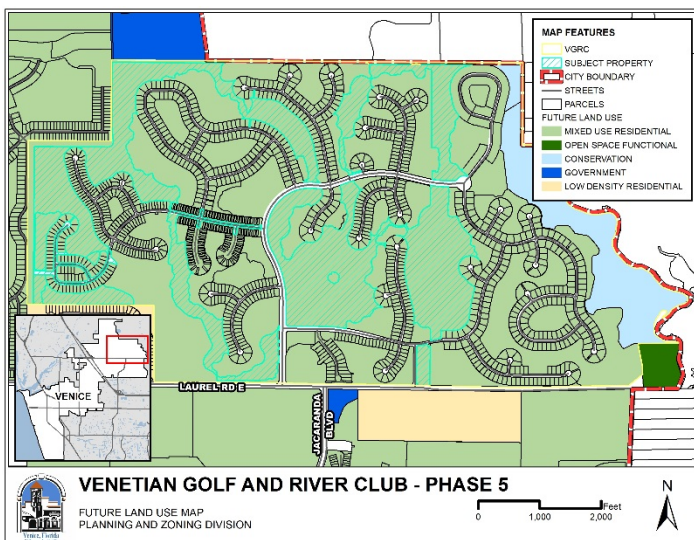
Future Land Use and Zoning

The aerial on the following page depicts entire Venetian Golf & River Club and highlights the subject property, the Palermo neighborhood, along with areas of the golf course that are also subject to the application in that the additional trees will be installed along the course. In addition, the future land use map depicting the VG&RC land use designation along with the zoning map which indicates the zoning designation of PUD is provided below.



Mixed Use Residential

Planned Unit Development



The site plan for Villa Place Community Park shows a large, irregularly shaped park area. The park is divided into several sections, with lot numbers ranging from 1 to 83. The park is bordered by 'PRESERVE' areas on the top, bottom, and right sides. Key features include:

- LAKE 49** on the left side.
- LAKE 55** in the center-right area.
- LAKE 48** at the bottom.
- PHASE 5 ENTRANCE SIGN** located on the right side of the park.
- COMMUNITY PARK PASSIVE OPEN SPACE** (0.18 ac.) and **SEVILLA PLACE COMMUNITY PARK PASSIVE OPEN SPACE** (0.88 ac.) are labeled in the center.
- Lot numbers** are distributed throughout the park, with some lots (144, 88, 134, 4) labeled with codes (BC, QV, BH, MG).
- Other labels** include 'SERVE' on the left, 'PRESERVE' on the top, bottom, and right, and 'COMM. PASSIVE 1.44' on the far right.

An inset diagram in the top right corner shows a cross-section of the entrance sign, labeled 'Entrance Sign (typ.)'. The scale is 1/32" = 1'-0". The sign is a rectangular structure with a decorative top and a central panel. It is supported by a base and has a signpost on top. The sign is located near a road and a building.

2019 Proposed Landscape Plan





PLANNING ANALYSIS

In this section of the report, analysis of the subject preliminary plat amendment petition evaluates 1) consistency with the comprehensive plan, and 2) compliance with the City's Land Development Code (LDC), and 3) compliance with requirements for Concurrency/Transportation Mobility.

A. Consistency with the Comprehensive Plan

The VG&RC subdivision is located within the 2,827 acre Northeast Neighborhood and contains mostly residential development. The Comprehensive Plan provides minimal Strategies related to the subject petition. A review of the Comprehensive Plan does not indicate any Intents, Visions or Strategies that the proposed petition would be in conflict with. In addition, although Policy 8.2 regarding compatibility is typically applicable to preliminary plats, in this case, the proposed petition does not impact compatibility as the majority of the landscaping is existing and the bulk of the modifications are internal to the subdivision. Therefore the proposed petition may be found consistent with the plan.

B. Compliance with the VG&RC PUD and the Land Development Code (LDC)

Staff has reviewed the approved PUD binding master plan regarding the proposed application. There are minimal standards provided in the plan. However, it does confirm that *"The intent of the landscape element is to be consistent with John Nolen's plan for the City of Venice. It includes features of palm lined streets, landscaped medians and pedestrian facilities."* The PUD indicates, for phases of the PUD that provide for type "C" lots (55' wide), one street tree is required at an average of one tree every other lot on each side of the roadway. The proposed landscape plan provides 70 hardwood trees and indicates 8 existing palm trees. This number exceeds the 39 trees that would be required by the PUD. Therefore, the proposed plan is in compliance with the approved PUD.

Regarding the LDC, the subject petition has been processed with the procedural requirements to consider an amendment to a preliminary plat. In addition, the petition has been reviewed by the Technical Review Committee and no issues regarding compliance with the Land Development Code were identified.

It is important to note that although an applicant is required to submit a landscape plan as part of a preliminary plat, there are no code standards specific to the provided plan in the LDC. There are no requirements for landscape elements such as street trees, buffers or common area plantings. Since this is a PUD, requirements have been provided as indicated above. Where landscape material is provided, the City does require that the material meet the minimum requirements in the LDC for size and type as follows:

- Trees – tree species shall be a minimum of ten feet in overall height and four feet in spread and a minimum of three inches in diameter measured six inches above the ground immediately after planting.

The “Proposed Planting List” provided in the revised landscape plan is consistent with these requirements. It is important to note that much of the material onsite will remain unchanged and will be confirmed compliant through this process. Therefore, the subject petition may be found consistent with the City’s LDC.

C. Compliance with the City’s Concurrency/Transportation Mobility Requirements

Concurrency/Transportation Mobility review is not applicable to the subject petition, as landscaping has no impact on concurrency or mobility.

V. CONCLUSION

Planning Commission Report and Recommendation to City Council

Upon review of the petition and associated documents, comprehensive plan, land development code, staff report and analysis, and testimony provided during the public hearing, there is sufficient information on the record for the Planning Commission to take action on Preliminary Plat Amendment Petition No. 19-16PP.