



CITY OF VENICE

DEVELOPMENT SERVICES DEPARTMENT - PLANNING AND ZONING DIVISION

401 W. Venice Avenue, Venice, FL 34285

(941) 486-2626 ext. 7434

www.venicegov.com

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: 925 Tamiami Trail - Off Street Parking Addition

Brief Project Description: Construct off street parking.

Address/Location: 925 Tamiami Trail, Venice, FL 34285

Parcel Identification No.(s): 0430-08-0004

Parcel Size: 1.30 Acres

Current Zoning Designation(s): CI/VUD
COUNTY

Proposed Zoning Designation(s): CI/VUD
CITY

☐ Residential ☒ Non-Residential

FLUM Designation(s): MIXED USE CORRIDOR

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:
☒ New \$2908

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:** ☒ APPLICANT ☐ AGENT (SELECT ONE)

Applicant/Property Owner Name: Leslie Dunn, DUNN HAVEN HOLDINGS LLC

Address: 925 Tamiami Trail, Venice, FL 34285

Email: srh@dunn-online.us

Phone: 703-989-1995

Design Professional or Attorney: Jeffery A. Boone, Esq.

Address: 1001 Avenida del Circo, Venice, FL 34285

Email: jboone@boone-law.com

Phone: 941-488-6716

Authorized Agent (1 person to be the point of contact): Timothy E. Roane, P.E., DMK ASSOCIATES, INC.

Address: 421 Commerical Court, Suite C-D, Venice, FL 34292

Email: troane@dmkassoc.com

Phone: 941-412-1293

Petition No. 19-06RZ

Fee:

Staff Use Only

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Application packages are reviewed by Planning Staff for completeness within 3 business days. Packages must be submitted via hard & electronic copies, and additional copies may be requested. Large plans should be collated and folded to allow the bottom right corner visible. Concurrently filed applications must be packaged separately. Please indicate N/A if the document is not being submitted.

<input checked="" type="checkbox"/> Application: (15 copies)
<input checked="" type="checkbox"/> 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 (15 copies).
<input checked="" type="checkbox"/> CD with Electronic Files: Provide PDF's of ALL documents, appropriately identified by name on one CD. <i>The legal description for each parcel must be submitted in text (copyable) format and will be verified by a consultant.</i>
<input checked="" type="checkbox"/> Agent Authorization Letter: A signed letter from the property owner, authorizing <u>one</u> 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).
<input checked="" type="checkbox"/> 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). <i>Warranty Deed</i>
<input checked="" type="checkbox"/> 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: 7/31/18
<input type="checkbox"/> School Concurrency (RESIDENTIAL ONLY): School Impact Analysis Receipt from Sarasota County dated within 10 days of petition submittal (1 copy). <i>NA</i>
<input checked="" type="checkbox"/> Public Workshop Requirements: (Section 86-41) <input checked="" type="checkbox"/> Newspaper advertisement <input checked="" type="checkbox"/> Notice to property owners <input checked="" type="checkbox"/> Sign-in sheet <input checked="" type="checkbox"/> Written summary of public workshop (1 copy)
<input checked="" type="checkbox"/> Planning Commission Report: (15 copies) Per Code Section 86-47(f)(1), prepare a statement for each of the following considerations/ findings: 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.
<input checked="" type="checkbox"/> Comprehensive Plan Compliance Report: Prepare a report addressing the appropriate areas of the Comprehensive Plan in order to determine compliance.

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: <u>TIMOTHY E. ROADE</u>	Applicant Name & Date:
Authorized Agent Signature: <u>[Signature]</u> 2/22/19	Applicant Signature:

Rezone Narrative – 925 Tamiami Trail

The subject property is located in Section 07, Township 39S, Range 19E in Sarasota County, Florida is owned by Dunn Have Holdings LLC. For proof of ownership and legal description of the parcel, please refer to a copy of the Deeds.

The Sarasota County parcel identification number is 0430-08-0004. More specifically, the project is located in the City of Venice at 925 Tamiami Trail S, Venice, Florida 34285 and contains 1.30 acres, more or less. The property is currently zoned Sarasota County (CI) with a City of Venice Overlay zoning of (VUD). An application to amend the zoning map to place a City of Venice zoning designation on the property has been requested by the City of Venice. The proposed City of Venice (CI) zoning is consistent with the Comprehensive Plan and Land Use Compatibility is consistent with existing neighborhoods.

The existing building is located in the southern corner of the property adjacent to US 41 (Tamiami Trail) and the easterly property line. The existing building contains a mixed use of office and residential which is consistent with the Mixed Use designation contained in the City's newly adopted Comprehensive Plan.

The adjacent zoning districts are as follows:

North	Residential, Single Family (RSF-3)
South	Office, Professional & Institutional (OPI/VUD)
East	Residential, Single Family (RSF-3)
West	Office, Professional & Institutional (OPI/VUD)

The purpose and intent of this project is to construct an additional parking for the existing 5,280 square foot office/residential building. The three (3) existing paved spaces located in front of the building do not sufficiently meet the needs of the current occupancy. A total of 67 parking spaces; 62 standard and 5 ADA compliant spaces will provide the building occupants with sufficient parking to carry out their business operations. Upon approval of the Rezoning the Property Owner will submit site plans for review and approval.

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Comprehensive Plan Consistency Analysis - 925 Tamiami Trail

The subject property is located at 925 Tamiami Trail within the Island Neighborhood of the City's Comprehensive Plan, and the property has a Future Land Use Designation of Mixed Use Corridor (MUC). The subject property is currently zoned Sarasota County (CI) with a City of Venice Overlay zoning of (VUD). The City has required the applicant to amend the zoning map to place a City of Venice zoning designation on the property, and the applicant proposes to place the City zoning designation of (CI) on the property. The proposed City of Venice (CI) zoning designation is consistent with Comprehensive Plan *Strategy LU 1.2.9- Mixed Use Category* which establishes (CI) as an implementing zoning district in the MUC land use designation.

The proposed rezoning will further implementation of *Strategy LU_IS 1.1.1 Redevelopment* wherein the City recognizes the minimal opportunities for development in the neighborhood, and supports the development of underutilized properties to encourage a diversity of non-residential uses capable of supporting the adjacent residential areas.

Finally, the proposed rezoning is consistent with Comprehensive Plan Transitional Policy 8.2 as analyzed below.

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:

Since the rezoning of the property from Sarasota County (CI) to City of Venice (CI) will not expand the uses currently permitted on the property, there is no compatibility issue. Nevertheless, the below responses are provided.

A. Land use density and intensity.

The proposed rezoning which seeks to place a City of Venice zoning designation (CI) on the property is consistent with the existing land use, will not expand the list of uses already permitted on the property, and is consistent with uses permitted on other nearby properties and therefore will not create an isolated district unrelated to adjacent and nearby districts.

B. Building heights and setbacks.

The proposed rezoning which seeks to place a City of Venice zoning designation (CI) on the property will not expand building heights and setbacks beyond those already permitted on the property.

C. Character or type of use proposed.

The proposed rezoning which seeks to place a City of Venice zoning designation (CI) on the property is consistent with the existing land use, will not expand the list of uses already permitted on the property, and is consistent with uses permitted on other nearby properties and therefore is compatible with the neighborhood

D. Site and architectural mitigation design techniques.

Site and architectural mitigation design techniques will be addressed at the time of a Site & Development plan application for development of the property.



Considerations for determining compatibility shall include, but are not limited to, the following:
Since the rezoning of the property from Sarasota County (CI) to City of Venice (CI) will not expand the uses currently permitted on the property, there is no compatibility issue. Nevertheless, the below responses are provided.

- E. Protection of single-family neighborhoods from the intrusion of incompatible uses.
The proposed rezoning which seeks to place a City of Venice zoning designation (CI) on the property is consistent with the existing land use, will not expand the list of uses already permitted on the property, and is consistent with uses permitted on other nearby properties and therefore is compatible with the neighborhood.
- F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.
The proposed rezoning which seeks to place a City of Venice zoning designation (CI) on the property is consistent with the existing land use, will not expand the list of uses already permitted on the property, and is consistent with uses permitted on other nearby properties and therefore is compatible with the neighborhood.
- 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 rezoning which seeks to place a City of Venice zoning designation (CI) on the property is consistent with the existing land use, will not expand the list of uses already permitted on the property, and is consistent with uses permitted on other nearby properties and therefore is compatible with the neighborhood

Potential incompatibility shall be mitigated through techniques including, but not limited to:
Since the rezoning of the property from Sarasota County (CI) to City of Venice (CI) will not expand the uses currently permitted on the property, there is no compatibility issue. Nevertheless, the below responses are provided.

- I. Providing open space, perimeter buffers, landscaping and berms.
Open space, perimeter buffers, landscaping and berms will be evaluated through the Site & Development Plan review process at the time development is proposed for the property.
- J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.
Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas will be evaluated through the Site & Development Plan review process at the time development is proposed for the property.
- K. Locating road access to minimize adverse impacts.
Road access will be evaluated through the Site & Development Plan review process at the time development is proposed for the property.
- L. Adjusting building setbacks to transition between different uses.
Building setbacks will be evaluated through the Site & Development Plan review process at the time development is proposed for the property.
- M. Applying step-down or tiered building heights to transition between different uses.

Step-down or tiered building heights will be evaluated through the Site & Development Plan review process at the time development is proposed for the property.

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

Lowering density or intensity of land uses will be evaluated through the Site & Development Plan review process at the time development is proposed for the property.

Sec. 86-47. (f) Contents of planning commission report.

- (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 compliance with the comprehensive plan. Please see attached Comprehensive Plan Consistency Analysis.
 - b. The existing land use pattern.
The proposed rezoning which seeks to place a City of Venice zoning designation (CI) on the property is consistent with the existing land use, and will not expand the list of uses already permitted on the property.
 - c. Possible creation of an isolated district unrelated to adjacent and nearby districts.
The proposed rezoning which seeks to place a City of Venice zoning designation (CI) on the property is consistent with the existing land use, will not expand the list of uses already permitted on the property, and is consistent with uses permitted on other nearby properties and therefore will not create an isolated district unrelated to adjacent and nearby districts.
 - d. The population density pattern and possible increase or overtaking of the load on public facilities such as schools, utilities, streets, etc.
The proposed rezoning which seeks to place a City of Venice zoning designation (CI) on the property is consistent with the existing land use, will not expand the list of uses already permitted on the property, and therefore will not increase or overtax the load on public facilities.
 - e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
The proposed rezoning to a City of Venice zoning designation seeks to place the (CI) designation on the property which the most similar designation to the current County designation on the property (CI), and therefore is not illogical.
 - f. Whether changed or changing conditions make the passage of the proposed amendment necessary.
Annexation of the property into the City of Venice makes the passage of the proposed amendment necessary.
 - g. Whether the proposed change will adversely influence living conditions in the neighborhood.
The proposed rezoning to a City of Venice zoning designation seeks to place the (CI) designation on the property which the most similar designation to the current County designation on the property (CI), and therefore 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.
The proposed rezoning to a City of Venice zoning designation seeks to place the (CI) designation on the property which the most similar designation to the current County designation on the property (CI), and therefore will not create or excessively increase traffic congestion or otherwise affect public safety.
 - i. Whether the proposed change will create a drainage problem.

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The proposed rezoning to a City of Venice zoning designation seeks to place the (CI) designation on the property which the most similar designation to the current County designation on the property (CI), and therefore will not create a drainage problem.

- j. Whether the proposed change will seriously reduce light and air to adjacent areas.
The proposed rezoning to a City of Venice zoning designation seeks to place the (CI) designation on the property which the most similar designation to the current County designation on the property (CI), and therefore will not seriously reduce light and air to adjacent areas.
- k. Whether the proposed change will adversely affect property values in the adjacent area.
The proposed rezoning to a City of Venice zoning designation seeks to place the (CI) designation on the property which the most similar designation to the current County designation on the property (CI), and therefore 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 rezoning to a City of Venice zoning designation seeks to place the (CI) designation on the property which the most similar designation to the current County designation on the property (CI), and therefore will not 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.
The proposed rezoning to a City of Venice zoning designation seeks to place the (CI) designation on the property which the most similar designation to the current County designation on the property (CI), and therefore 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.
The City has required a City of Venice zoning designation be placed on the property.
- o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
The proposed rezoning to a City of Venice zoning designation seeks to place the (CI) designation on the property which the most similar designation to the current County designation on the property (CI), and therefore will not be out of scale with the needs of the neighborhood or City.
- p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.
Not applicable, the City has required a City of Venice zoning designation be placed on the property.