

# ***Four Points by Sheraton Zoning Map Amendment***

## **Project Owner and Agent:**

**Owner:** DAUS Capital, LLC

**Agent:** R.M Edenfield, P.E., RMEC, LLC



*We serve with PRIDE*

<b>PETITION NO.:</b>	<b>18-06RZ</b>	
<b>REQUEST:</b>	Zoning map amendment to rezone the subject 0.78 acre $\pm$ property from the Sarasota County Office, Professional and Institutional (OPI) district to City of Venice Office, Professional and Institutional (OPI) district and retaining the Venetian Urban Design (VUD) overlay district. <u>It is a requirement that the property be rezoned to a City designation prior to any development of the site.</u>	
<b>GENERAL DATA</b>		
<b>Owner:</b>	DAUS Capital, LLC	Agent: R.M Edenfield, P.E., RMEC, LLC
<b>Address:</b>	805 S. Tamiami Trail	Property ID: 0430020014
<b>Property Size:</b>	0.78 acres $\pm$	
<b>Future Land Use:</b>	Mixed Use Corridor (MUC)	
<b>Neighborhood:</b>	Island Neighborhood	
<b>Existing Zoning:</b>	Sarasota County Office, Professional and Institution (OPI) District and Venetian Urban Design (VUD) Overlay District	
<b>Proposed Zoning:</b>	City of Venice Office, Professional and Institutional District and Venetian Urban Design (VUD) Overlay District	

# Background

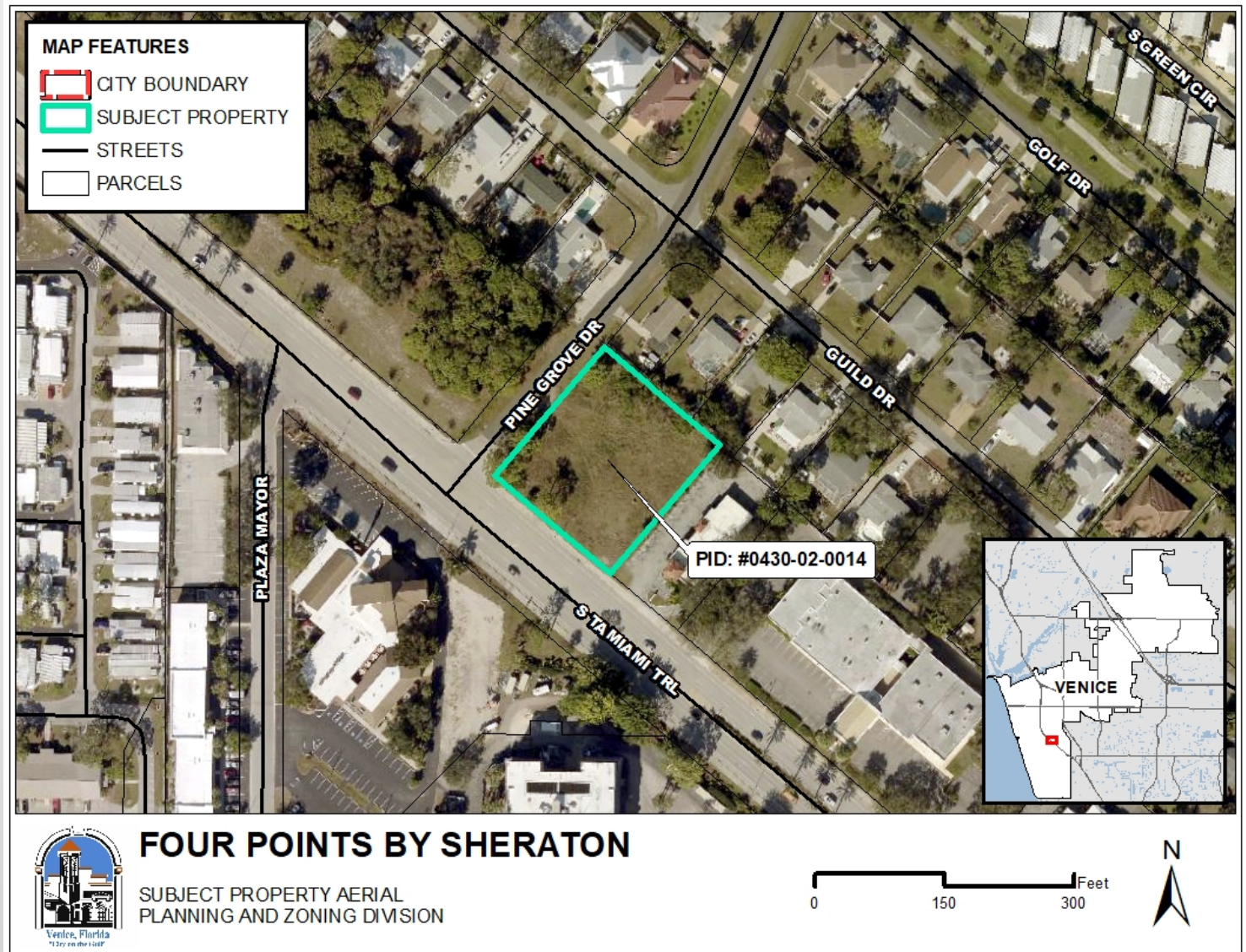
- Prior to 2002, non-residential uses were developed on the subject property, an unincorporated enclave.
- On October 9, 2002, through the adoption of Resolution No. 2002-26, the subject property was annexed into the city.
- In 2009, through the issuance of a city demolition permit, all buildings and other improvements were removed from the site.
- On March 31, 2017, Zoning Map Amendment Petition No. 17-07RZ was submitted to the Planning and Zoning Division, proposing to rezone the subject property to the Commercial, General (CG) zoning district. This petition was denied by City Council on June 12, 2018 based on Comprehensive Plan Strategy LU 4.1.1 regarding Policy 8.2 and compatibility.
- On March 13, 2018, through the adoption of Resolution No. 2018-03, City Council approved the vacation of right-of-way fronting 775 S. Tamiami Trail, a property adjacent to the subject property and under the same ownership as the subject property. The vacated right-of-way has a land area of 24,884 square feet.
- On March 15, 2018, Site and Development Plan Petition No. 18-02SP, Special Exception Petition No. 18-02SE, and VUD Waiver Petition No. 18-01WV were submitted, and on July 13, 2018, Variance Petition No. 18-02VZ was submitted to the Planning and Zoning Division. These petitions are for a 4-story hotel with 103 guest rooms and a 30-seat restaurant. A hotel parking facility is proposed on the property across Pine Grove Drive.
- On October 3, 2018, Zoning Map Amendment Petition No. 18-06RZ was submitted to the City for the parking lot property.

# Summary of Petitions Considered by Planning Commission:

- Special Exception Petition No. 18-02SE (DENIED)
  - Hotel use
- Zoning Map Amendment 18-06RZ (RECOMMENDED APPROVAL)
- VUD Waiver Petition No. 18-01WV RECOMMENDED APPROVAL)
  - Parking visible at street level
  - Parking in front of a building
  - Front setback in excess of the maximum
  - Architectural design
- Variance Petition No. 18-02VZ (DENIED)
  - Additional building height
- Site and Development Plan Petition No. 18-02SP (DENIED)
  - Design alternative
    - Driveway width in excess of code requirement
  - Offsite parking agreement



# Aerial Photograph



# Photographs of the Site



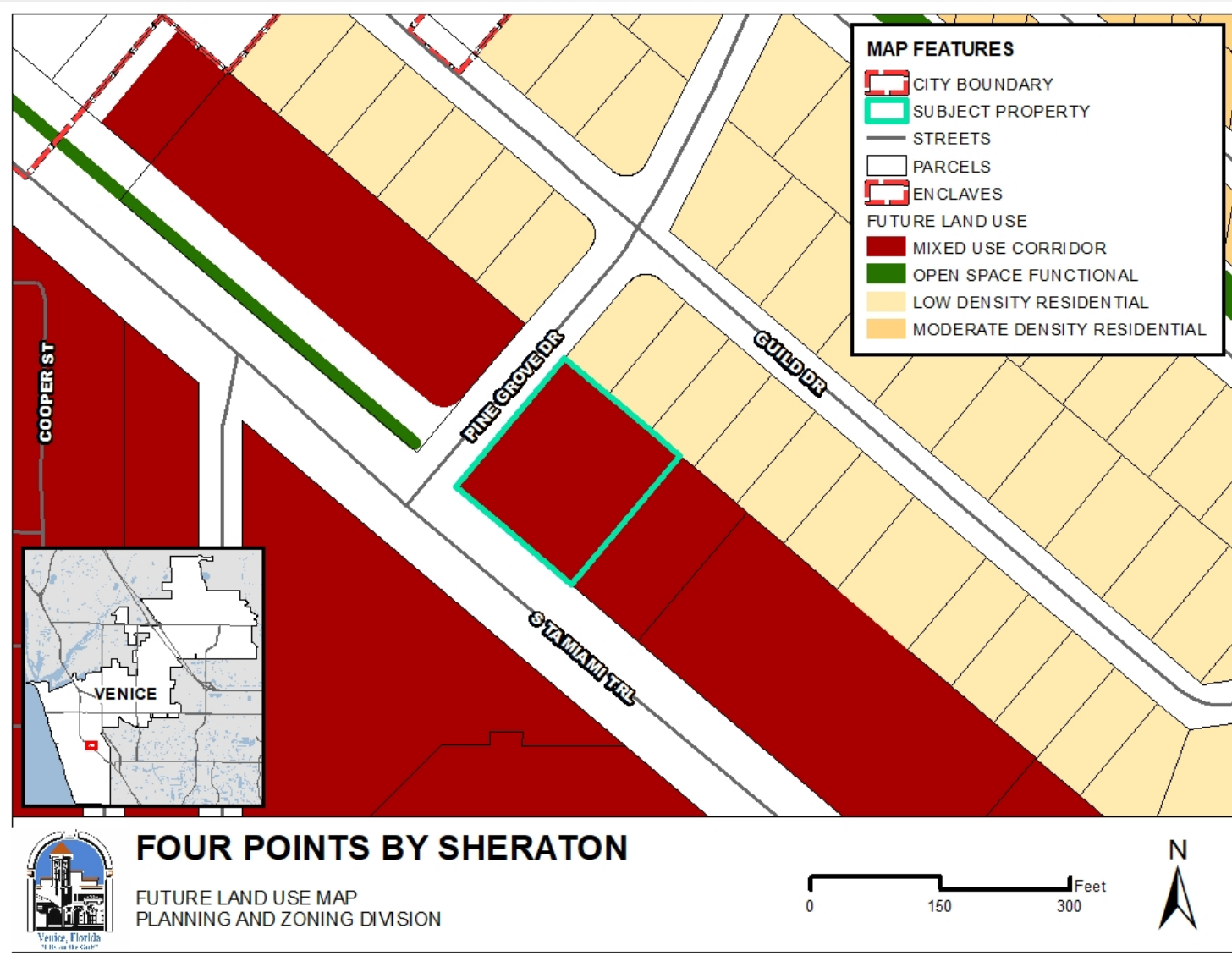


# Surrounding Property Information

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Residential	County RSF-3/VUD* and City VUD	Low Density Residential
West	Vacant	County CG/VUD* and City CG/VUD	MUC
South	House of Worship and Senior Housing (Emanuel Lutheran Church and Village on the Isle)	County OPI/VUD* and City OPI/VUD	MUC
East	Professional Office (Beebe Design Studio)	County OPI/VUD*	MUC

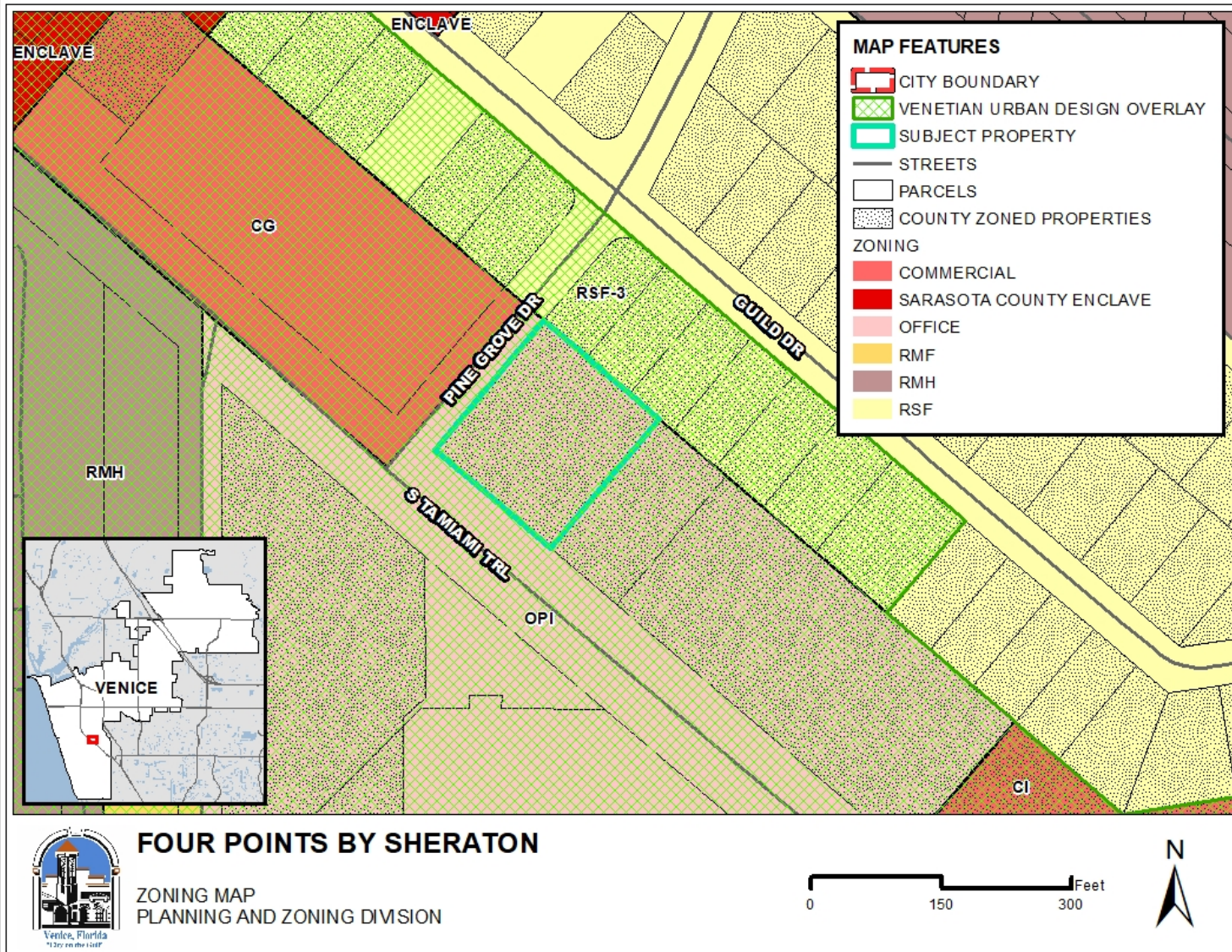
**\*The VUD is a City overlay district.**

# Future Land Use Map



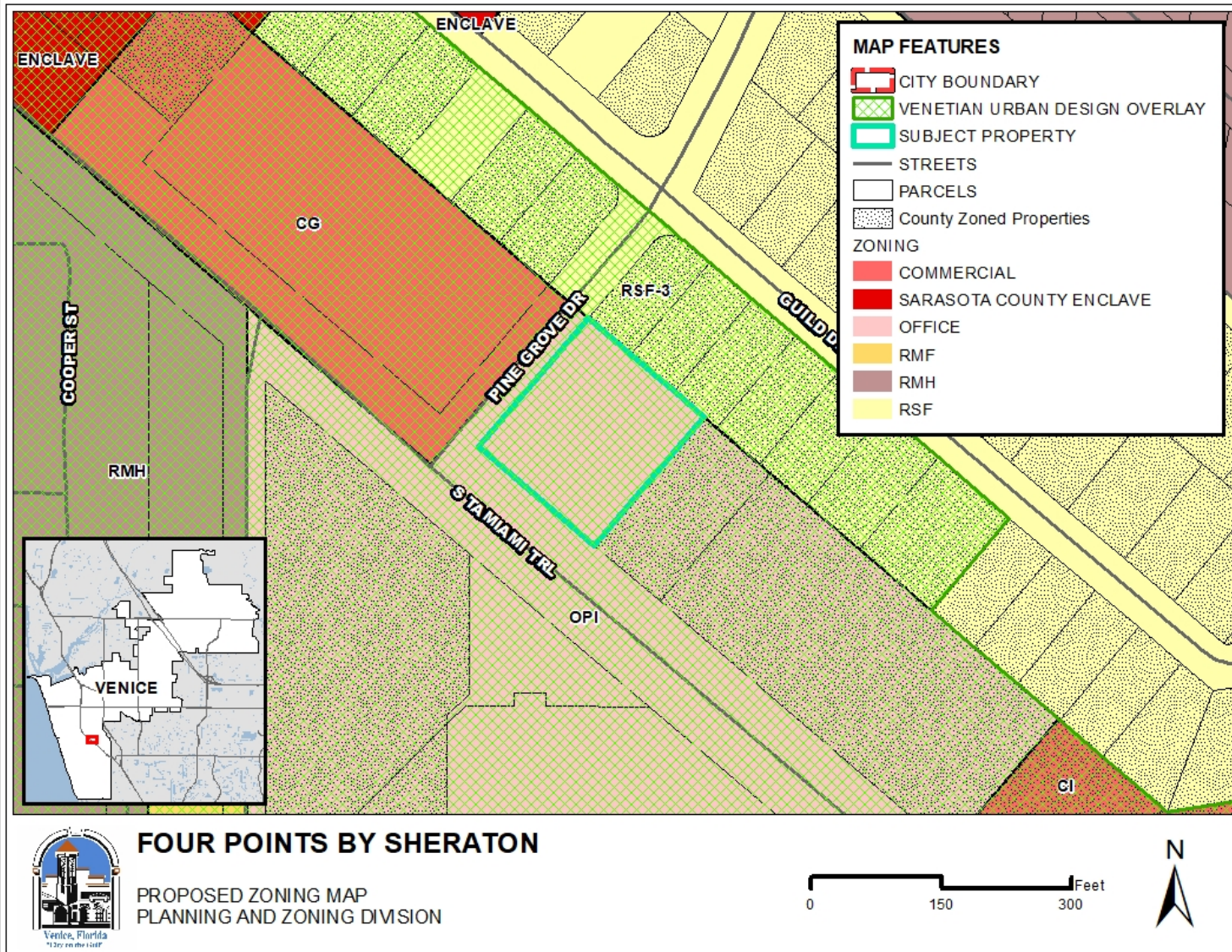


# Existing Zoning Map

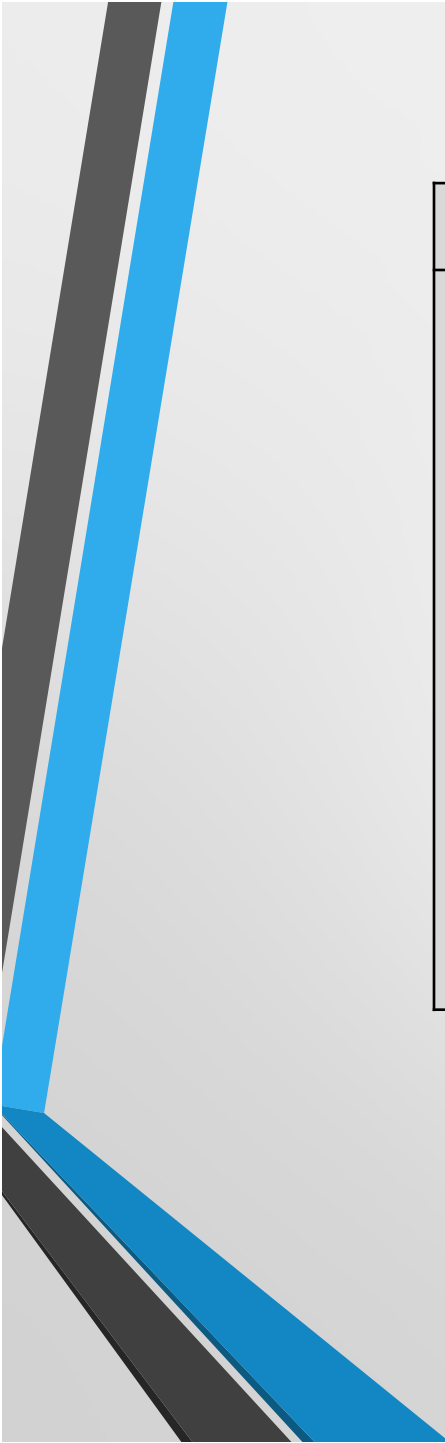




# Proposed Zoning Map



Zoning District	City of Venice OPI District	Sarasota County OPI District
Permitted Uses	Professional and business offices Medical and dental clinics & laboratories Banks and financial institutions Private clubs Houses of worship Existing one- and two-family dwellings Hospitals, rest homes, nursing homes, homes/housing for the aged, convalescent homes, homes for orphans Townhouses Art galleries, libraries, museums, community centers, publicly owned and operated recreational facilities, theaters for live stage production Research laboratories Dance, art and music studios Funeral homes Animal hospitals One-, two-, and multiple-family dwellings eligible for listing on the local register of historical resources	Multifamily (multiplex, apartment) * Live-work unit * Upper story residential * Group living * Community Service Family day care home Day care facility * Adult day care home and facility College or university Day facility Elementary, middle or high school Vocational, trade or business school Medical facilities Patient family accommodations * Bank, financial institutions Institutional Civic, service organizations Existing single- and two-family dwellings Parks and open areas, except cemetery, columbaria, mausoleum, memorial park and wild animal sanctuary Passenger terminals Airport, heliport * Places of worship Neighborhood resource center * Minor utilities Stormwater facility in different zoning district than principal use Clubs and lodges Offices Community recreation facility Commercial parking Research laboratory without manufacturing facility



<b>Zoning District</b>	<b>City of Venice OPI District</b>	<b>Sarasota County OPI District</b>
<b>Special Exception Uses</b>	<p>Pain management clinic</p> <p>Multi-family dwellings</p> <p>Child care centers</p> <p>Colleges and universities</p> <p>Vocational, trade or business schools</p> <p>Sanitariums</p> <p>Detoxification centers</p> <p>Limited commercial &amp; service activities directly related to in support of institutional and office uses</p> <p>Off-street parking in connection with nearby commercial uses without an intervening street</p> <p>Assisted living facilities</p> <p>Banks and financial institutions with drive-in facilities</p>	<p>Pain management clinic</p> <p>Social service institutions</p> <p>Major utilities *</p> <p>Special events in conjunction with an approved outdoor recreation use</p> <p>Animal hospital, veterinary clinic, with or without animal boarding; Pet Resort</p> <p>Medical marijuana dispensary</p> <p>Self-service storage</p>



Development Standard	City of Venice OPI District	Sarasota County OPI District
<b>Max. Residential Density</b>	9 units per acre for townhouses and multiple-family dwellings See Exhibit A for max. density standards for Adult Congregate Living Facilities	9 units per acre for multi-family (multiplex, apartment) and assisted living facilities
<b>Max. Lot Coverage</b>	30%, including 50% of the area of detached one story parking (carports)	30%
<b>Max. Building Height</b>	35 feet	35 feet
<b>Provisions for Building Height in Excess of the Maximum Height</b>	Conditional Use. Structures in excess of 35 feet but no more than 85 feet in height	Special Exception. Structures in excess of 35 feet but no more than 85 feet in height
<b>Min. Yards (Setbacks)<sup>1</sup></b>	Front yards: 20 feet Side yards: 10 feet Buildings above 35 feet shall provide an additional side yard at a ratio of one foot for each four feet of building, and a front yard of 30 feet or ½ of the building height, whichever is greater	Front yards: 25 feet Side yards: 10 feet <sup>2</sup> 20 feet when abutting a residential district Buildings above 35 feet shall provide an additional side yard at a ratio of one foot for each four feet of building, and a front yard of 25 feet or ½ of the building height, whichever is greater
<b>Landscaping</b>	Min. 10 feet of the required front yard; no specifications for landscaping	No landscaping requirements specific to OPI district

1. Rear yard (setbacks) are excluded due to the fact that the subject property is a corner lot with two side yards and no rear yard.

2. Where fire-resistive construction is used, side yard may be reduced to 0 feet if set to the side property line, or not less than 4 feet from the side property line.



# Zoning map Amendment

## Comprehensive Plan Consistency

- Gateway Neighborhood
  - **LU-1.2.9 Mixed Use Category.** Identifies the proposed OPI district as an implementing zoning district for the Mixed Use Corridor designation.
  - **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



# Zoning map Amendment

## Comprehensive Plan Consistency

- **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/Transportation Mobility

At the point of rezoning , staff conducts a **preliminary** review for concurrency and transportation mobility. 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 Corridor future land use designation, Policy 8.2 regarding compatibility, strategies found in the Island Neighborhood and other plan elements. 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.*

### **Conclusion / Findings of Fact (Concurrency):**

*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 concurrency review, including the issuance of a certificate of concurrency, will be required in conjunction with future development (preliminary plat and/or site and development plan) of the subject property.*

### **Conclusion / Findings of Fact (Mobility):**

*The applicant has provided a full traffic analysis that has been reviewed by the City's transportation consultant through the site and development plan process and found to be in compliance with applicable traffic standards. Mobility fees will be applicable to this project.*

## **Planning Commission Determination:**

Upon review of the petition and associated documents, comprehensive plan, land development code, staff report and analysis, testimony provided during the public hearing, there is sufficient information on the record for the Planning Commission to take action on Zoning Map Amendment Petition No. 18-06RZ.