

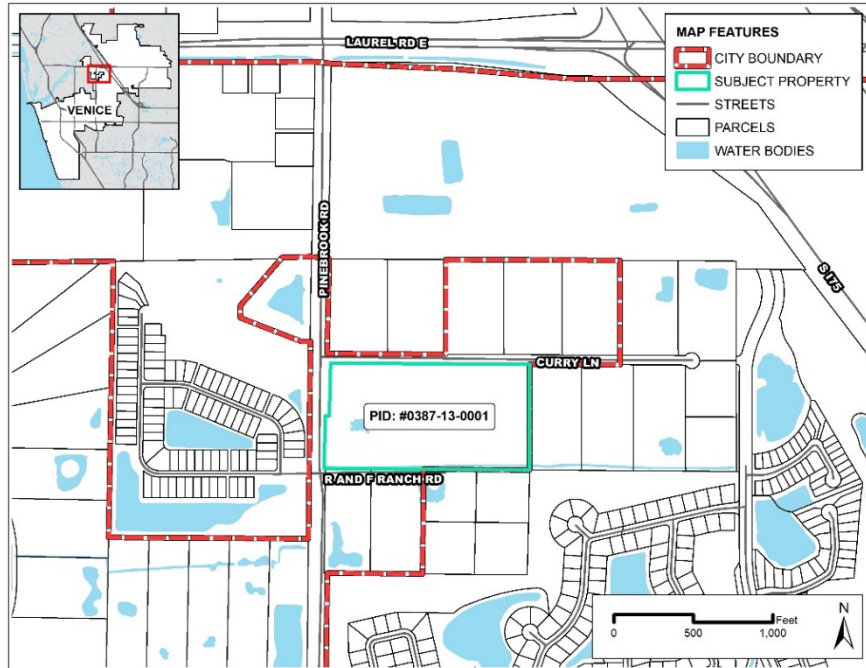


# COMPREHENSIVE PLAN AMENDMENT

## STAFF REPORT

### WATERMARK

February 2, 2021  
20-46CP



#### GENERAL INFORMATION

<b>Address:</b>	500 R&F Ranch Road
<b>Request:</b>	Comprehensive Plan Amendment to change the existing Sarasota County Moderate Density Residential (MODR) future land use designation of the property to City of Venice Medium Density Residential (MEDR), to include applicable text in the Pinebrook Neighborhood section of the Plan, and to revise all affected maps and graphics in the Plan.
<b>Owner:</b>	Piana Revocable Trust
<b>Applicant:</b>	Thompson Thrift Development, Inc.
<b>Agent:</b>	Jeffery Boone, Esq., Boone Law Firm
<b>Parcel ID:</b>	0387-13-0001
<b>Property Size:</b>	19.35 ± acres
<b>Existing Future Land Use:</b>	Sarasota County Moderate Density Residential (MODR)
<b>Existing Zoning:</b>	Sarasota County Open Use Estate 1 (OUE-1)
<b>Comprehensive Plan Neighborhood:</b>	Pinebrook Neighborhood
<b>Application Date:</b>	9/22/2020

## I. EXECUTIVE SUMMARY

The subject 19.35± acre property currently has a Sarasota County Moderate Density Residential future land use designation and the applicant is requesting the City's future land use designation of Medium Density Residential for the future development of multifamily housing. This is necessitated by the concurrent application for annexation of the subject property into the jurisdiction of the City of Venice based on its inclusion within Area 6 of the Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA) between the City and County. The City's policy is that upon annexation, a property must obtain a City of Venice FLU designation and be rezoned to a City of Venice zoning designation. A concurrent Zoning Map Amendment to provide Residential, Multi-Family 3 (RMF-3) zoning for the property has also been submitted. All other impacted text, maps and graphics will also be revised through the subject amendment.

Other land development applications associated with the development project and currently on file with the Planning and Zoning Division include the following:

- Annexation Petition No. 20-45AN
- Zoning Map Amendment Petition No. 20-47RZ

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

**Conclusions/Findings of Fact:** *Staff has provided analysis of the proposed Comprehensive Plan Amendment regarding consistency with the Comprehensive Plan, the Land Development Code (LDC), and other relevant city ordinances, resolutions or agreements. In addition, analysis has been provided by the applicant regarding impact on the financial feasibility of the Comprehensive Plan, and by staff regarding compliance with the applicable requirements of Chapter 163 Florida Statutes. The analysis provided should be taken into consideration regarding determination on the proposed Comprehensive Plan Amendment.*

## II. ASSOCIATED DOCUMENTS

- A. Application Information (completed petition)
- B. Joint Planning Area/Interlocal Service Boundary Agreement (JPA/ILSBA)

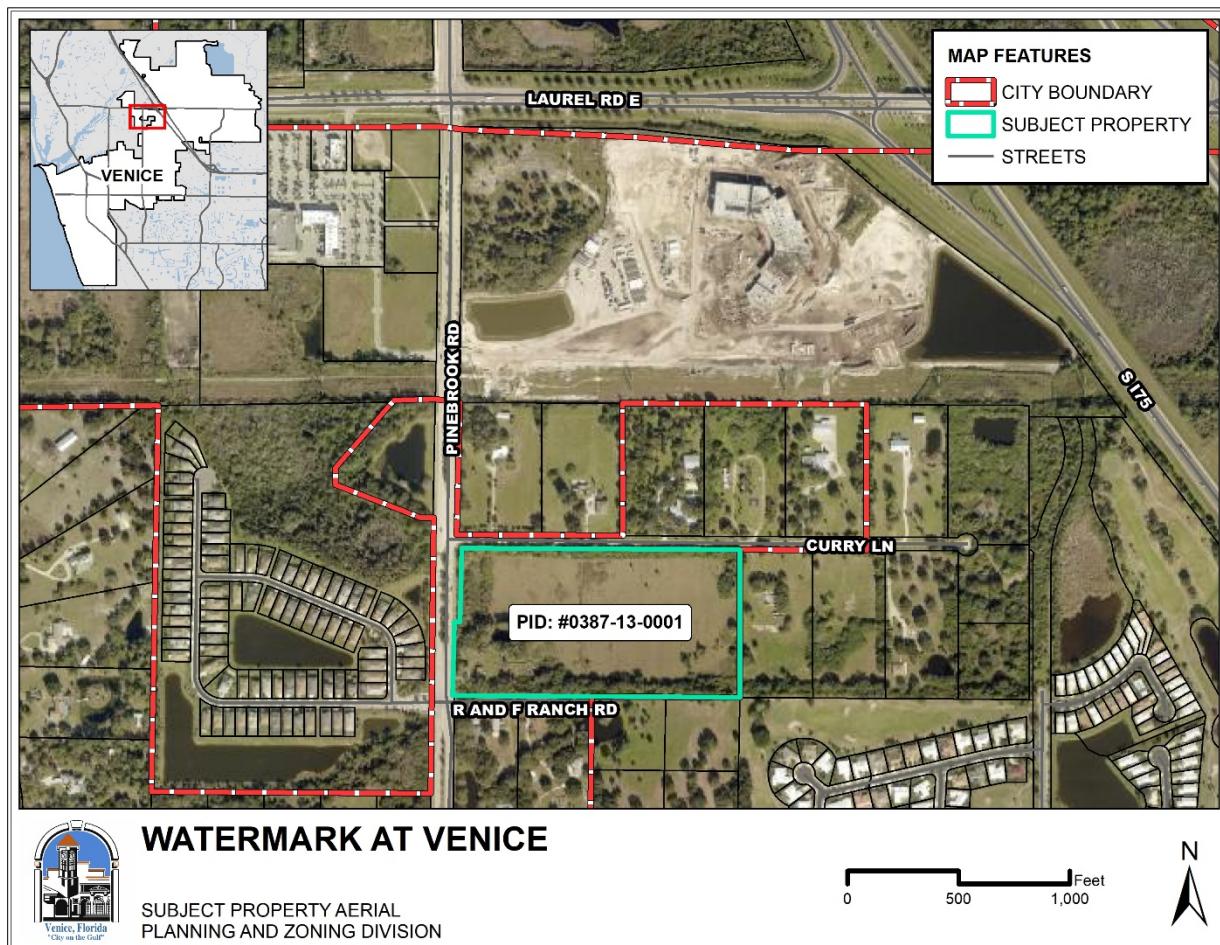
## III. NOTIFICATION OF PROPOSED COMPREHENSIVE PLAN AMENDMENT TO SARASOTA COUNTY

The JPA/ILSBA provides that the City will forward submittals for Comprehensive Plan Amendments for property located within the JPA within thirty days of receipt to Sarasota County for review. The subject application was deemed complete on September 22, 2020 by the City's Planning and Zoning Division and was forwarded to Sarasota County staff on September 28, 2020. The agreement indicates that the County will provide comments within 20 working days of receipt. The County provided comments and application review comments on October 27, 2020. Staff has forwarded all County comments to the applicant. The JPA/ILSBA indicates that the "*The City's recommendation to the City Planning commission and City Council to approve, approve with conditions, or deny a proposed Development of Extrajurisdictional Impact will set forth all County-proposed stipulations that are based on adopted County standards, neighborhood and community plans, industry standards, or common agreement between the City and County.*" City staff has maintained the position that County stipulations will be forwarded to Planning Commission and City Council. However, no stipulations or conditions have been provided

as of the writing of this report. If they are received prior to the scheduled public hearing, staff will provided them at the hearing.

#### IV. EXISTING CONDITIONS

The subject property is made up of one undeveloped parcel. The survey of this parcel appears to show no significant environmental features to consider, such as wetlands or surface water. The subject property is bounded by Pinebrook Road to the west and Curry Lane to the north. To the south of the property are more parcels within JPA/ILSBA Area 6, along with residential properties within the City boundary. To the east are residential parcels within the City as well. Vehicular access is provided from R&F Ranch Road.







*Views from Curry Lane*

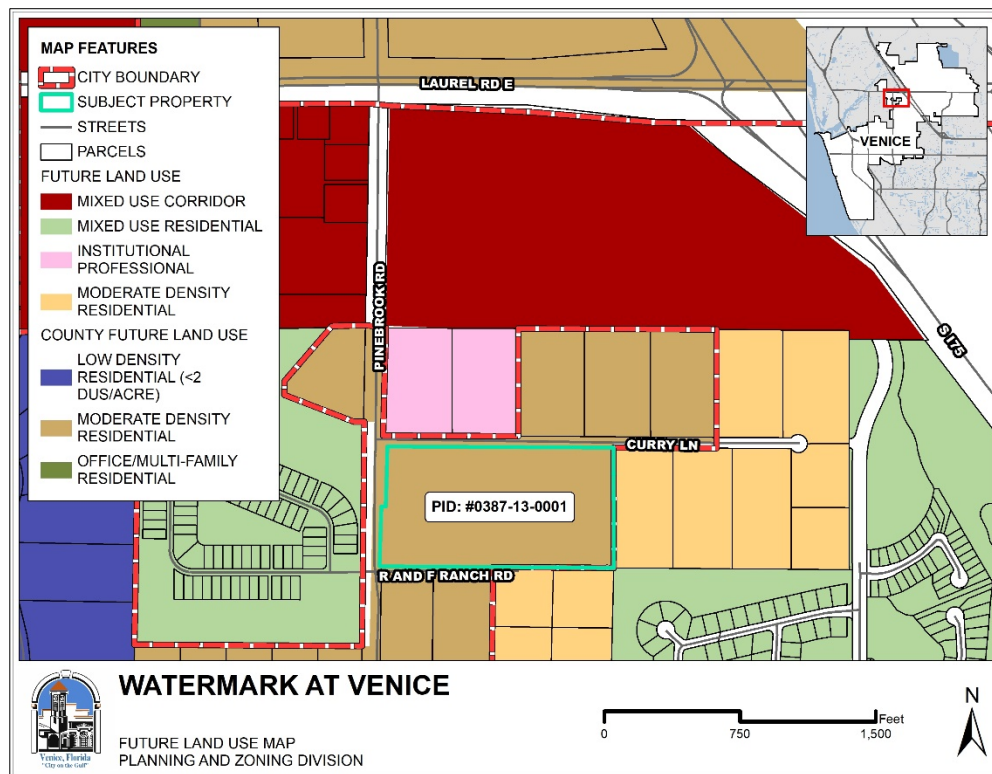


*Views from R&F Ranch Road*

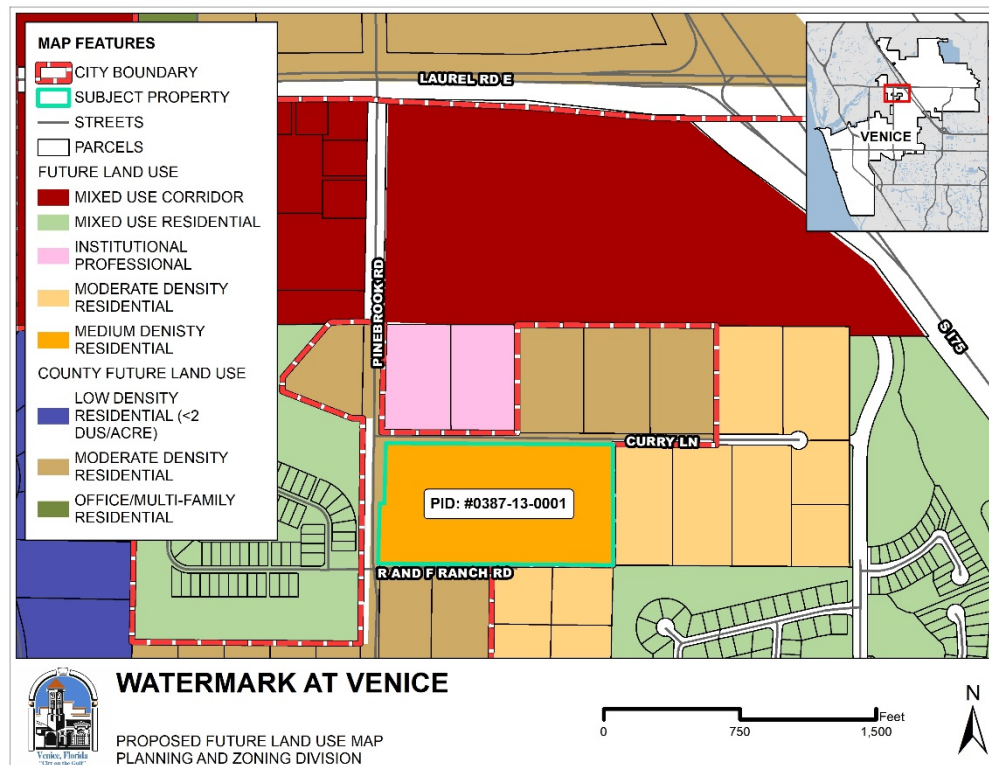
### **Future Land Use**

The subject property is designated as Moderate Density Residential (MODR) on the County's Future Land Use (FLU) map. Some properties to the south are in Sarasota County and also have designations of MODR. A City of Venice Mixed Use Residential designation lies to the west across Pinebrook Road. Properties to the south and east that are within the City of Venice have City Moderate Density Residential designations. Two parcels to the north across Curry Lane have an FLU designation of Institutional Professional.

*Existing Future Land Use Map*



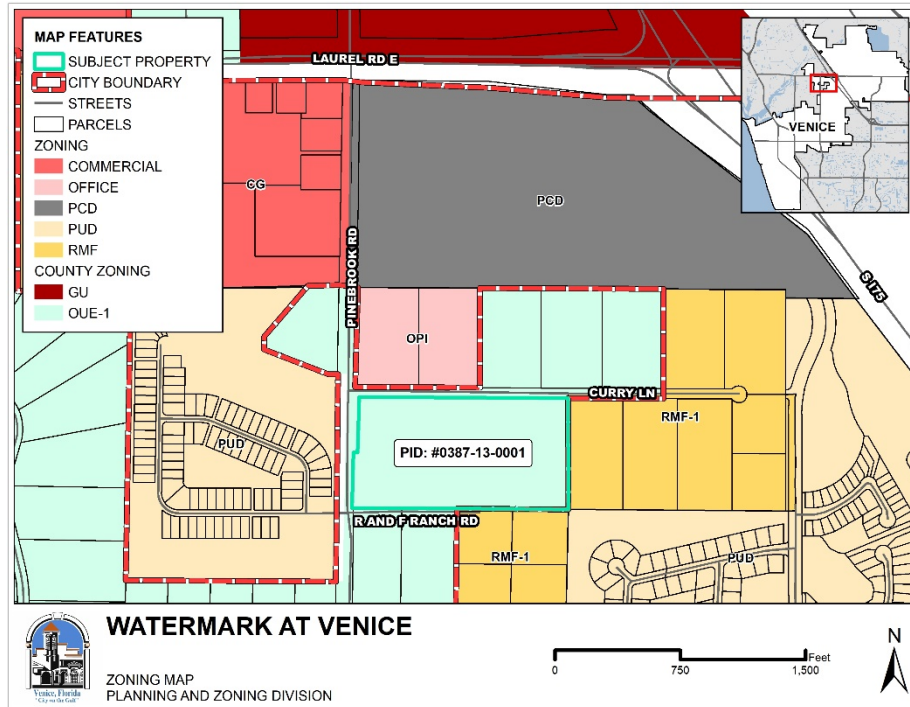
*Proposed Future Land Use Map*





### Zoning Designation

The zoning map below shows the existing county and city zoning of the subject and adjacent properties. The subject property and some properties to the south are zoned County Open Use Estate-1 (OUE-1). The property west of the subject property across Pinebrook Road has a City Planned Unit Development (PUD) zoning designation. The property to the east and south within city limits is zoned City Residential, Multi-family 1 (RMF-1). Two properties to the north along Curry Lane have an Office, Professional and Institutional designation.



The table below summarizes the existing uses, current zoning, and future land use designations on properties adjacent to the subject property.

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Residential/undeveloped	Sarasota County OUE-1	Sarasota County Moderate Density Residential (JPA Area 6), proposed Institutional Professional
West	Residential (Windwood)	PUD	MUR
South	Residential	Sarasota County OUE-1, City RMF-1	Sarasota County MODR (JPA Area 6)/City MODR
East	Residential	City of Venice Residential, Multi-family 1 (RMF-1)	Sarasota County Moderate Density Residential (MODR)

## V. COMPREHENSIVE PLAN AMENDMENT REQUEST

The proposed Comprehensive Plan Map Amendment is being requested as a result of annexation to accomplish the following:

1. Add the subject properties to the Comprehensive Plan's Pinebrook Neighborhood, which requires adjustments to be made to the neighborhood tables throughout the document (shown in strikethrough/underline format below, taken directly from the applicant's submittal).
2. Assign a City of Venice future land use of Medium Density Residential to the subject property.
3. Revise all impacted maps, graphics, text, and data throughout the Comprehensive Plan.

The chart below, provided by the applicant, shows changes to data in the Pinebrook Neighborhood Element of the Comprehensive Plan.

### *Future Land Use*

Pinebrook				City-Wide		
FLU	Acreages	Intensity	Density	Acreages	Intensity	Density
COMMERCIAL	11	479,160	0	184	8,015,040	0
CONSERVATION	224	0	0	608	0	0
GOVERNMENT	2	0	0	634	0	0
HIGH DENSITY RESIDENTIAL	4	0	72	134	0	2,412
INDUSTRIAL	0	0	0	523	45,563,760	0
INSTITUTIONAL PROFESSIONAL	32	696,960	0	96	2,090,880	0
LOW DENSITY RESIDENTIAL	119	0	595	1,021	0	5,105
MEDIUM DENSITY RESIDENTIAL	<del>67</del> <u>87</u>	0	<del>871</del> <u>1,131</u>	<del>244</del> <u>264</u>	0	<del>3,172</del> <u>3,432</u>
MIXED USE CORRIDOR	0	0	0	621	11,194,920	3,475
<i>Areas of Unique Concern</i>				49		0
MIXED USE DOWNTOWN	0	0	0	84	1,902,701	756
MIXED USE SEABOARD	0	0	0	67	1,970,001	422
MIXED USE AIRPORT	0	0	0	127	1,936,242	0
MIXED USE RESIDENTIAL	1,267	<del>1,103,81</del> <u>0</u>	6,335	3,909	3,405,521	19,545
MODERATE DENSITY RESIDENTIAL	334	0	3,006	543	0	4,887
OPEN SPACE FUNCTIONAL	79	0	0	568	0	0
	<del>2,139</del> <u>2,159</u>	2,279,93	<del>40,879</del> <u>11,139</u>	<del>9,412</del> <u>9,432</u>	76,079,065	<del>38,774</del> <u>40,034</u>
ROW	227			887		
Total City Boundary	<del>2,366</del> <u>2,386</u>			<del>40,289</del> <u>10,319</u>		

## VI. PLANNING ANALYSIS

### Land Development Code

Section 86-33(5) of the Land Development Code directs Planning and Zoning staff in its review of a comprehensive plan amendment application. The code provision specifies that:

*This review will be done to determine consistency with the comprehensive plan and other relevant city ordinances, resolutions or agreements, and assess the effect of the proposed amendment upon the financial feasibility of the comprehensive plan. This analysis shall also address the proposed amendment's consistency with the applicable requirements of F.S. ch.163.*

### Comprehensive Plan

#### Compatibility

Strategy LU 1.2.8 relates to compatibility between land uses and includes a review matrix to determine compatibility between adjacent future land use (FLU) designations. The proposed Medium Density Residential (MEDR) FLU designation is shown in the matrix as “presumed compatible” with City of Venice Moderate Density Residential (MODR) FLU designations. However, some of the adjacent MODR designations are Sarasota County, which is less intense than City of Venice MODR (2.0-4.9 du/acre compared to 5.1-9.0 du/acre). This is information to consider when determining compatibility, but it is important to note that any inconsistencies identified could be addressed through mitigation techniques in subsequent rezoning and site and development applications. The compatibility matrix is reproduced below:

		Adjacent (Existing) FLU									
		LDR	MODR	MEDR	HDR	IP	COMM	GOVT	IND	OS-F	OS-C
FLU Proposed	LDR										
	MODR										
	MEDR										
	HDR										
	IP										
	COMM										
	GOVT										
	IND										
	OS-F										
	OS-C										

Presumed Compatible

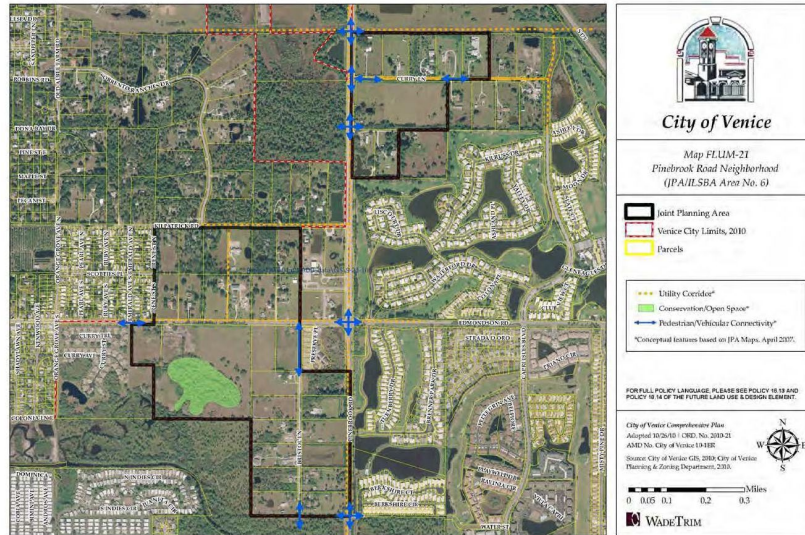
Potentially Incompatible

The applicant has noted consistency with Strategy HG 1.1.1 regarding the promotion of a range of housing options, and states that the proposed FLU designation will advance Comprehensive Plan Intent HG 1.5.2 to ensure housing options are available to meet the needs of working families.



## JPA/ILSBA

As indicated above, the applicant is requesting the City's future land use designation of MEDR for the subject property. The subject property is included within Joint Planning Area 6, and the permitted density for MEDR (9.1-13.0) is consistent with the most current version of the JPA/ILSBA. The figure below (from the Comprehensive Plan Appendix 4) depicts JPA Area 6.



The full text of the JPA for Area 6 reads as follows:

*Area 6 – Pinebrook Road Neighborhood: The land use ~~adopted in the Venice Comprehensive Plan~~ for this Area is a maximum of 3 units per acre for all properties West of Pinebrook Road and 13 units per acre for all properties East of Pinebrook Road, calculated on a gross acreage basis. Nonresidential uses shall not be permitted in this Area, except Institutional-Professional uses are permitted for all properties East of Pinebrook Road. The square footage of any such Institutional-Professional uses shall not exceed a FAR of 0.5. Development shall be served by City water and sewer. The Party having jurisdiction over the development application shall require dedication of right of way for the future four-laning of Pinebrook Road if the City and County agree that such an improvement is necessary. The improvement shall be constructed, with appropriate contributions from the developer, consistent with the standards in the County land development regulations.*

## Other Relevant City ordinances, resolutions or agreements

Other ordinances and agreements relevant to the application are the annexation ordinance and the concurrently submitted and negotiated Pre-Annexation Agreement (PAA). The PAA was included on City Council's agenda on January 12, 2021 and was approved. The PAA indicates that the Owners will provide at their cost, all access to the site including roadways, utilities and common area improvements, internal roadways, and stormwater facilities. Consistency with this document will be confirmed as the property develops. Staff is not aware of any other city ordinance, resolution or agreement that is directly relevant to the proposed comprehensive plan amendment.

## Florida Statutes

Due to the size of the subject property and the scope of the amendment request, the Florida Statutes section 163.3187 indicates that the proposed comprehensive plan amendment will be processed through the State's

expedited review process. This will require a recommendation from Planning Commission to City Council. Upon initial approval by City Council, the amendment will be transmitted to the State Department of Economic Opportunity (DEO) and various other agencies for review prior to final adoption by City Council.

Three provisions in Section 163.3177(6)(a) specify how amendments to the future land use element and future land use map are to be evaluated.

**Section 163.3177(6)(a)2**

Fla. Stat. § 163.3177(6)(a)2 contains ten criteria for evaluating future land use plan amendments, and this section of the report will respond to each with staff comments.

*2. The future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area, as applicable, including:*

*a. The amount of land required to accommodate anticipated growth.*

**Staff Response:** The subject property, through its inclusion in the JPA/ILSBA, was identified as early as 2007 for potential annexation and development. According to maps in the Comprehensive Plan, the subject property is identified as being within Area 6. Therefore, this property may be considered to accommodate anticipated growth of the City if annexed.

*b. The projected permanent and seasonal population of the area.*

**Staff Response:** The provision of multifamily housing in a growing section of the city could provide for expected increases in permanent population, and may be capable of accommodating seasonal population growth as well.

*c. The character of undeveloped land.*

**Staff Response:** The property is currently vacant.

*d. The availability of water supplies, public facilities, and services.*

**Staff Response:** The project has been reviewed by the City's Technical Review Committee and no issues have been raised regarding the ability to provide services to the site. The developer will be responsible for the cost and construction of necessary facilities to bring services to the site and provide all infrastructure regarding roadway, utility and stormwater improvements to serve the entire development.

*e. The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.*

**Staff Response:** Not applicable, as staff is not aware of any nonconforming uses or determinations of blight on the subject property.

*f. The compatibility of uses on lands adjacent to or closely proximate to military installations.*

**Staff Response:** Not applicable, as there are no military installations near the subject property.

*g. The compatibility of uses on lands adjacent to an airport.*

**Staff Response:** Not applicable, as the subject property is not adjacent to an airport.

*h. The discouragement of urban sprawl.*

**Staff Response:** See pages 11-12 for staff's determination, required by Fla. Stat. § 163.3177(6)(a)9.b, that the proposed amendment discourages the proliferation of urban sprawl.

- i. The need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.*

**Staff Response:** The land use sought here is residential, which does not directly encourage job creation and economic development. However, development of a hospital just north of the subject property is expected to drive economic development and demand for related services in this area, and the proposed use would be complementary to these anticipated economic and community needs by providing housing for employees and new residents drawn by the development.

- j. The need to modify land uses and development patterns within antiquated subdivisions.*

**Staff Response:** The subject property is not part of an antiquated subdivision.

**Section 163.3177(6)(a)8**

The second of the three statutory provisions that provide direction on how plan amendments should be reviewed is contained in Fla. Stat. § 163.3177(6)(a)2, provided in this section. A staff response is provided for each of the three considerations.

- 8. Future land use map amendments shall be based upon the following analyses:*

- a. An analysis of the availability of facilities and services (Level of Service Analysis for Public Facilities).*

**Staff Response:** The City of Venice Comprehensive Plan establishes Level of Service standards for the following public facilities:

- Potable water
- Wastewater
- Parks and public spaces
- Stormwater
- Solid Waste
- Transportation/Roadways
- Schools

See answer to “d” above. Availability of public facilities and services will be accomplished and the adopted level of service standards for each of the above public facilities is required to be maintained.

- b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.*

**Staff Response:** Confirmation regarding the character of the undeveloped land will be determined at the point of development. There are no structures on the property listed on either the City of Venice Local Register of Historical Resources or the National Register of Historic Places.

- c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.*

**Staff Response:** As indicated above, through the City and County approval of JPA/ILSBA, the subject property is included in the JPA/ILSBA for potential development in a manner consistent with the agreement. The proposed land use designation of Medium Density Residential, along with an appropriate rezoning of the property, will allow development of this property.



### **Section 163.3177(6)(a)9**

The third statutory provision that provides direction for reviewing plan amendments is contained in Fla. Stat. § 163.3177(6)(a)9:

- 9. The future land use element and any amendments to the future land use element shall discourage the proliferation of urban sprawl.*

Subsection (a) provides nine indicators related to discouraging the proliferation of urban sprawl, and subsection (b) states that if four or more indicators are achieved, the plan amendment is confirmed to discourage urban sprawl. The applicant was asked to determine four indicators that relate to their project, but has not responded to the request. Staff has identified the following four indicators that could apply to the subject petition, along with responses:

- I. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.*

**Staff Response:** As indicated above, through the City and County approval of JPA/ILSBA, the subject property is included in the JPA Area 6 for potential development in a manner consistent with the agreement. The proposed land use designation of Medium Density Residential, along with an appropriate rezoning of the property, will allow development of the property. The subject property has already been impacted by agricultural uses and some structural additions. It appears from aerial photos that the majority of the property remains natural. The applicant will be required to submit an environmental assessment at the point of development.

- II. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.*

**Staff Response:** The JPA/ILSBA established service providers and this area is identified to be served by the City. The project has been reviewed by the City's Technical Review Committee and no issues have been raised regarding the ability to provide services to the site. The developer will be responsible for the cost and construction of necessary facilities to bring services to the site and provide all infrastructure regarding roadway, utility and stormwater improvements to serve the entire development.

- III. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.*

**Staff Response:** The future land use requested for the property would alter a pattern of single-family estate development, with low density and high automobile dependence. Allowing for denser residential uses may create the potential for co-location of residential and employment uses and provide an opportunity for multimodal transportation.

- IV. Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.*

**Staff Response:** The land use being requested for the property can address some of the increased demand for residential uses in this area. At the point of development of the site, review regarding other aspects of this criteria such as connectivity and compatibility may be accomplished to confirm consistency with the requirements of the City's Comprehensive Plan.

***Finding of Fact:*** Staff has provided analysis of the proposed Comprehensive Plan Amendment regarding consistency with the Comprehensive Plan, the Land Development Code (LDC), and other relevant city ordinances, resolutions or agreements. In addition, analysis has been provided by the applicant regarding impact on the financial feasibility of the Comprehensive Plan, and by staff regarding compliance with the applicable requirements of Chapter 163 Florida Statutes. The analysis provided should be taken into consideration regarding determination on the proposed Comprehensive Plan Amendment.

## VII. CONCLUSION

### **Planning Commission Recommendation**

Pursuant to Section 86-33(7), the Planning Commission, sitting as the local planning agency, shall hold an advertised public hearing on a proposed comprehensive plan amendment to review the amendment and provide recommendations to city council. The Planning Commission's recommendation shall be based, in part, on staff's planning analysis and findings related to the proposed comprehensive plan amendment. Section VI of this report includes a review of factors required by Section 86-33(5) of the Land Development Code and Florida Statutes Section 163.3177(6)(a) and provides the Planning Commission with competent and substantial evidence to support a recommendation to City Council.