



City of Venice
Planning & Zoning Division
MEMORANDUM

To: Lori Stelzer, City Clerk
From: Kristin Ward, Planner
Date: April 22, 2021
Re: Transmittal of Petition for Council Action: Island Village Montessori School Site and Development Plan
Petition No. 20-55SP Including a Sidewalk Waiver Recommendation

On April 20, 2021, the Planning Commission made the following motion for the subject petition:

Petition No. 20-55SP

The following motion was **APPROVED** by a vote of 7-0:

Based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency, finds this Petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the record moves to Approve Site and Development Plan Petition No. 20-55SP, and recommend to city council approval of the request to not have a sidewalk on Kilpatrick Road.

As a part of their Site and Development Plan application, the applicant requested a waiver of the sidewalk requirement along Kilpatrick Road per **Section 86-520 as follows:**

(a) Sidewalks shall be required improvements along the following types of streets in connection with the construction of any new building or as a required condition to the approval of any site and development plan. The following sidewalk provisions shall apply in all zoning districts, except that no sidewalk shall be required for construction of single-family residences on existing platted lots or along local streets in the ILW industrial, light and warehousing district:

- (1)**Responsibility for construction; specifications.** Sidewalks shall be installed by the developer or at the developer's expense along all property abutting arterial, collector and local streets. The sidewalks shall be constructed in accordance with the city standard details and shall be at least five feet in width. Sidewalks shall be installed prior to the issuance of a certificate of occupancy for any adjoining building. If the sidewalks have not been installed, a certificate of occupancy may only be issued if the developer provides a satisfactory cash or surety bond to ensure completion of all remaining sidewalks within two years or at any other time completion is required by the city.*
- (2)**Alternative proposal.** The developer may, at his discretion, submit an alternative proposal to the requirements of subsection (1) of this section. The proposal shall reflect a sidewalk system along streets and lot line easements which links the property to activities such as school sites, shopping and other pedestrian systems. Final approval of this design alternative shall be with the planning commission.*

If the construction of sidewalks is deemed not feasible the applicant has the option to request one of the following alternatives per Section 86-520 to be reviewed and approved by Planning Commission:

*(b) **Cash deposit in lieu of construction.** Where the planning commission determines that circumstances exist, such as the planned future reconstruction of a street or the existence of a major surface drainage system, which make the immediate construction of an otherwise beneficial or useful sidewalk or portion thereof impractical within a reasonable time after completion of the project, the owner or developer may, in lieu of construction of such sidewalk or portion thereof, deposit with the city a sum of money established*

by the city council to represent the cost of constructing such sidewalk or portion thereof. All such sidewalk deposits shall be held in a special sidewalk fund which may be used by the city for construction of new sidewalks (but not maintenance of existing sidewalks) at any needed location in the city.

(c) Waiver of sidewalk requirements. *The planning commission may recommend to the city council waiver of the sidewalk requirement when the property owner can demonstrate that the required sidewalk will not be reasonably beneficial or useful because of the location of the subject property and the characteristics of the immediate neighborhood.*

Consistent with section (c) highlighted above, as part of their approval of Site and Development Plan Petition No. 20-55SP, Planning Commission recommended to City Council, approval of the applicant's request for a waiver of the required sidewalk along Kilpatrick Road. City Council has final decision authority on the requested waiver.

To continue the processing of the petition, please complete the following:

- Schedule the public hearings before City Council and provide our office with the legal advertisement when you send it to the Gondolier in order for us to prepare the notification sign and post on the property 15 days prior, per public notice requirements.
 - Legistar file CC 20-55SP has been created with the following attachments. Please reformat as needed for City Council:
 1. Staff Sidewalk Waiver Memo
 2. Staff Presentation
 3. Staff Report
 4. Application
 5. Narrative with Sidewalk Waiver Report
 6. Site Plans
 7. Color Renderings
 8. Elevations Classroom Building 2
 9. Elevations Classroom Building 3
 10. Classroom Building (Anna Maria) Exterior Elevations
 11. Classroom Building (Casey) Exterior Elevations
 12. Classroom Building (Longboat) Exterior Elevations
 13. Classroom Building (Manasota) Exterior Elevations
 14. Classroom Building (Marco) Exterior Elevations
 15. Landscape Plans
 16. Survey
 17. Waiver Request Documents
- The mailing list for the nearby properties is attached, but please note, if a significant amount of time passes before the notices are prepared, the list will need to be updated to ensure sales/transfers are accounted for. The Planning and Zoning Division may receive additional written correspondence on this petition, which will be forwarded to your office.

Attachments: Mailing Notification List & Registered Neighborhoods List
Zoning Map
Ad/ Location Maps
Legal Descriptions
Cc: Petition Nos.20-55SP