

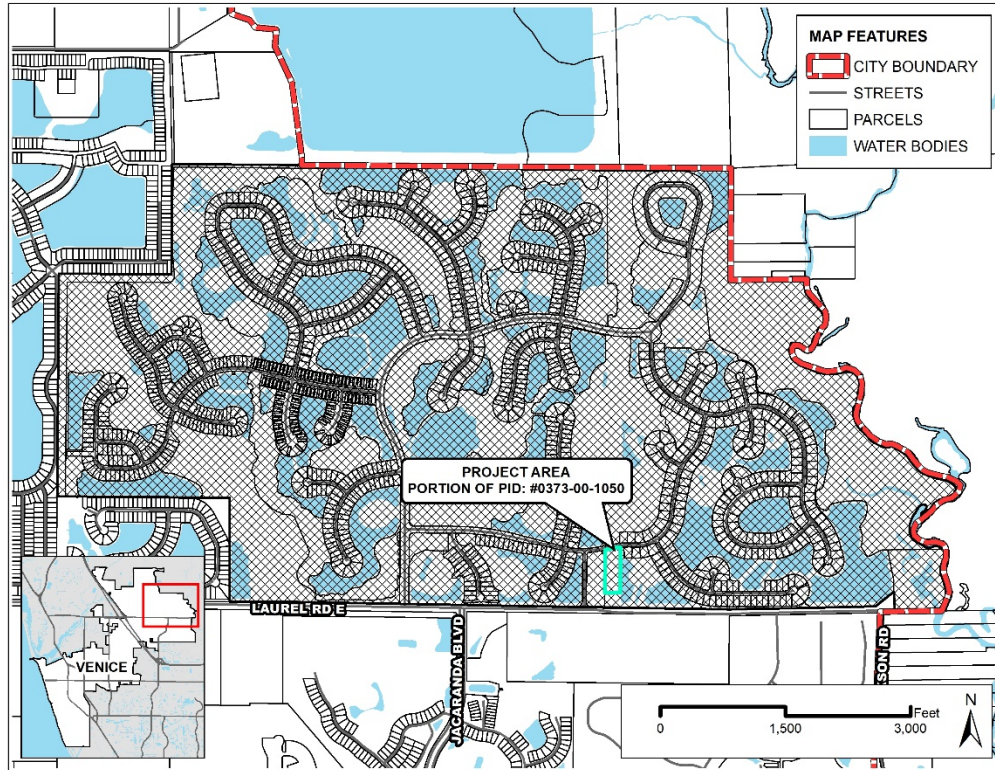


SITE AND DEVELOPMENT PLAN

STAFF REPORT

VENETIAN GOLF AND RIVER CLUB

February 2, 2021
20-38SP



GENERAL INFORMATION

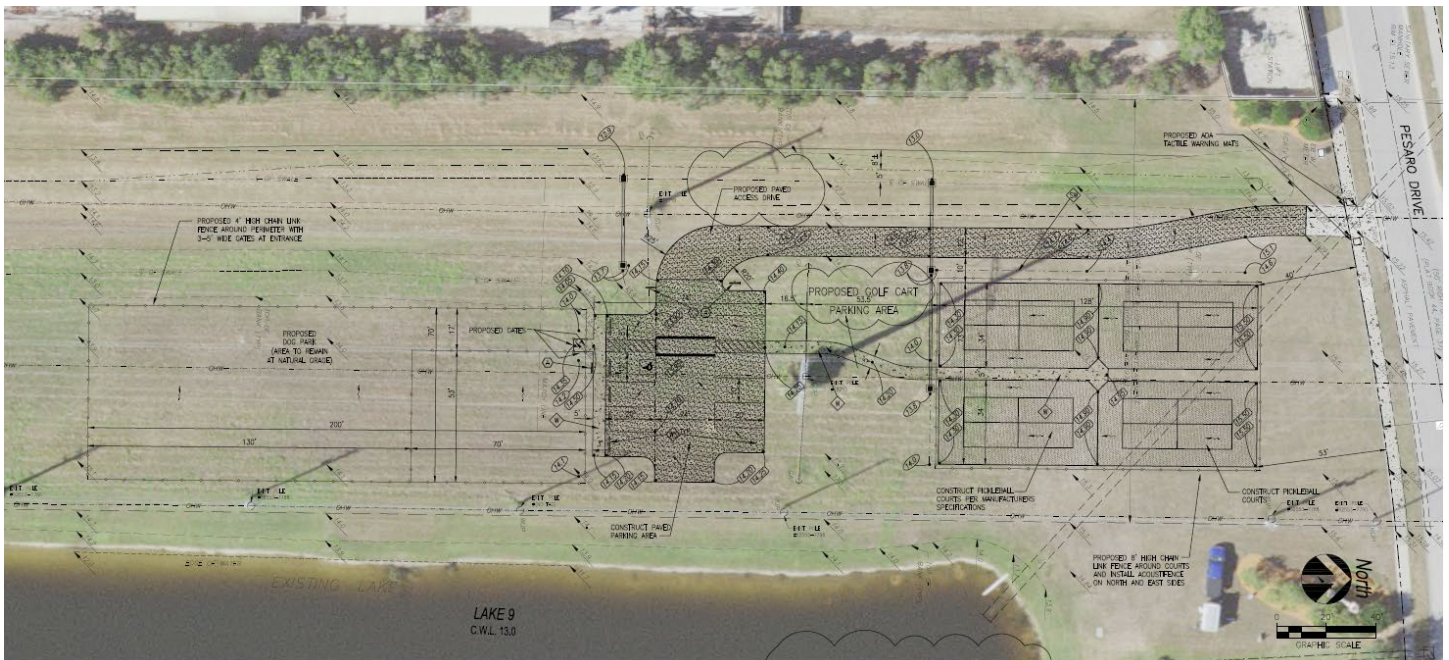
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|---|---|
| Address: | 200 Pesaro Drive |
| Request: | Construction of pickleball courts and a dog park, along with associated parking and landscaping, within the Venetian Golf and River Club. |
| Owner: | Venetian Community Development District |
| Agent: | Rick Schappacher, PE – Schappacher Engineering, LLC |
| Parcel ID: | 0373001050 |
| Property Size: | 12.07± acres (Total PUD size: 1,039± acres) |
| Zoning: | Planned Unit Development (PUD) |
| Future Land Use: | Mixed Use Residential |
| Comprehensive Plan Neighborhood: | Northeast Neighborhood |
| Application Date: | 8/24/2020 |

I. ASSOCIATED DOCUMENTS

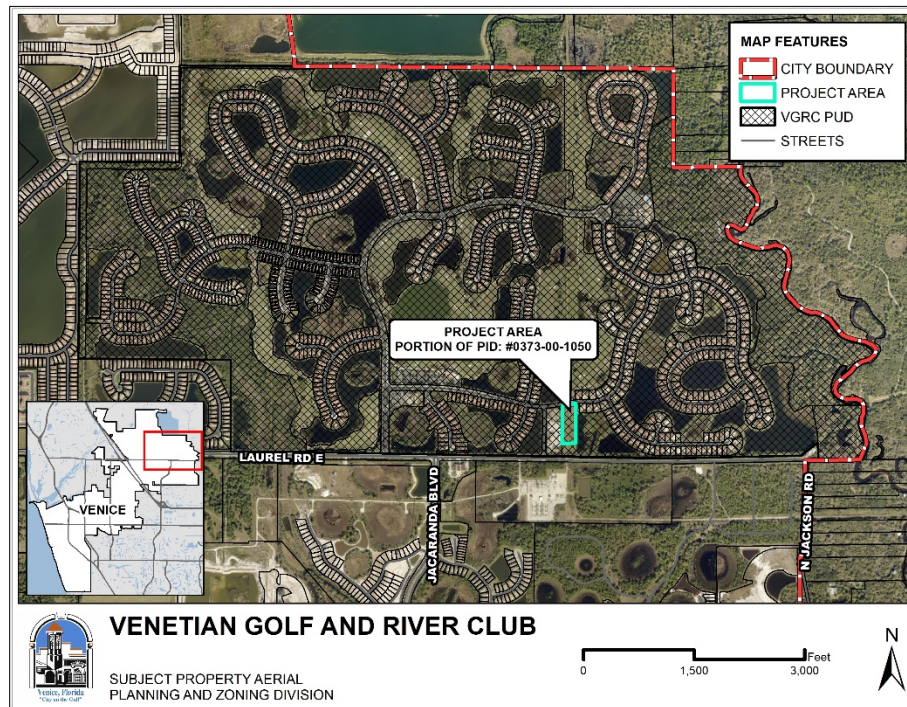
- A. Application Information (completed petition)
- B. Site and Development Plans
- C. Landscaping Plans
- D. PUD Amendment Petition No. 20-37RZ

II. PROJECT DESCRIPTION

The proposed site and development plan would add four pickleball courts and a dog park to the amenities in the VGRC Planned Unit Development (PUD) on a parcel bordering Pesaro Drive. The parcel lies within a utility easement for Florida Power and Light (FPL), which limits development regarding physical improvements within the easement. Other aspects of the site plan include an eight-foot fence with acoustical paneling around the pickleball courts, a four-foot chain link fence around the dog park, and eleven parking spaces with additional stabilized grass parking. No lighting is proposed, as the amenities are proposed to operate from dawn until dusk only.



III. EXISTING CONDITIONS



Site Photographs

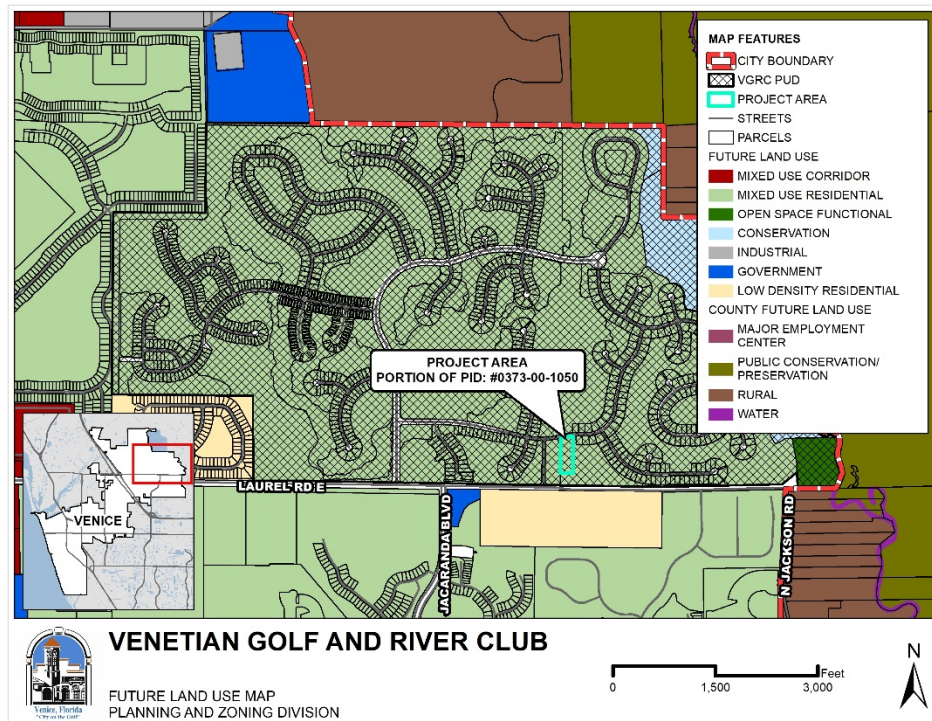




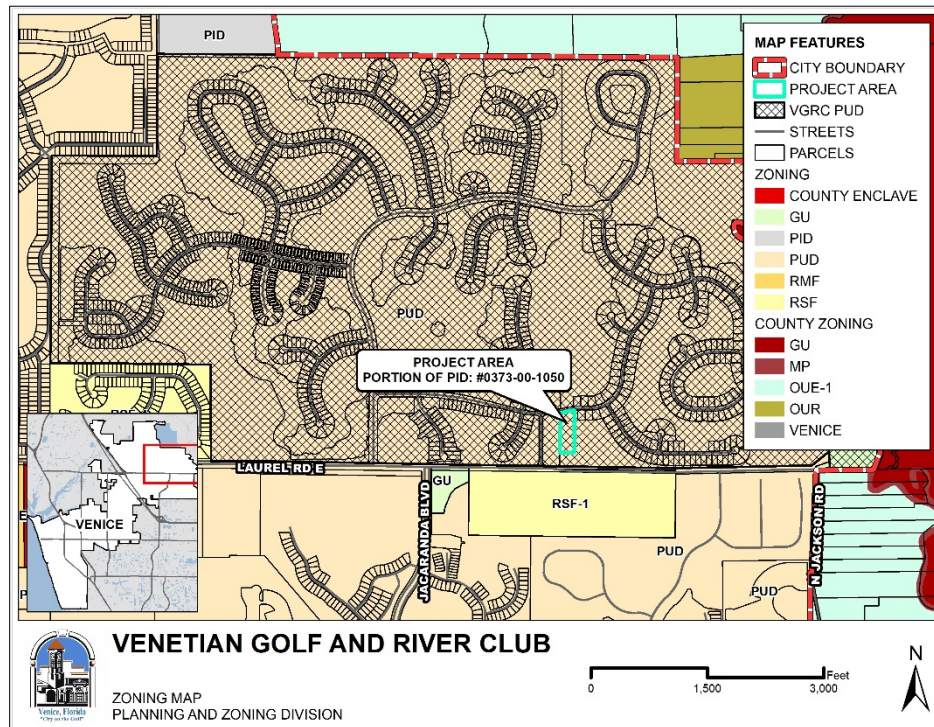
Future Land Use & Zoning Designations

The subject parcel is entirely contained within the PUD limits. To the south is Laurel Road. West of the parcel is an open space area dedicated for maintenance on the VGRC Master Site Plan, and east is open space that includes a small lake. North of the subject parcel is Pesaro Drive, and across this street is land dedicated for residential and golf course use.

Mixed Use Residential



Planned Unit Development



IV. PLANNING ANALYSIS

In this section of the report, analysis of the subject site and development petition evaluates A) consistency with the Comprehensive Plan, B) compliance with the Land Development Code and VGRC Binding Master Plan, and C) compliance with the City's concurrency management and transportation mobility regulations and the project's expected impacts on public facilities.

Consistency with the Comprehensive Plan

The proposed use of "pickleball courts and dog park" falls within the functional open space land use required by Strategy 1.2.16 – Mixed Use Residential (MUR).

Strategy LU 4.1.1 in the Comprehensive Plan includes Policy 8.2 - Land Use Compatibility Review Procedures. When a site and development plan is proposed, evaluation is required to ensure compatibility with adjacent uses. Compatibility review requires evaluation of the following as listed in Policy 8.2:

A. Land use density and intensity.

Applicant Response: There are no proposed changes to the land use density and intensity. The residents of Venetian Golf & River Club have expressed an interest in adding new amenities for Pickleball Courts and Dog Park.

B. Building heights and setbacks.

Applicant Response: There are no proposed changes to building heights or setbacks for the community.

C. Character or type of use proposed.

Applicant Response: The residents of Venetian Golf & River Club have expressed an interest to add the increasingly popular amenities of Pickleball Courts and a Dog Park. The available land for these amenities is limited within the community and the FPL easement appears to be the only available options to meet the requirement for the proposed amenities.

D. Site and architectural mitigation design techniques.

Applicant Response: There are no proposed changes to the site and architectural design techniques with the proposed Pickleball Courts and Dog Park. The new amenities will be adequately screened from the adjacent residents.

Considerations for determining compatibility shall include, but are not limited to, the following:

E. Protection of single-family neighborhoods from the intrusion of incompatible uses.

Applicant Response: The proposed amenities within the existing FPL easement will be adequately screened and should be considered a compatible use within the Venetian Golf & River Club community. The residents of the community have expressed a desire to add these popular amenities to their community for the use by the residents of Venetian.

***Staff Comment:** The PUD is primarily a single-family residential development, and the applicant has considered this in the design of the project by incorporating noise-dampening measures and minimizing the extent of improvements.*

F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.

Applicant Response: The proposed Pickleball Courts and Dog Park are not considered commercial or industrial uses and the amenity should be considered compatible within the community.

***Staff Comment:** No commercial or industrial uses are proposed through this site and development plan.*

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.

Applicant Response: The proposed Pickleball Courts and Dog Park are consistent with the current Comprehensive Plan and these popular amenities are being installed in most new residential development. The residents of Venetian Golf & River Club have expressed an interest in adding these popular amenities to their community.

Staff Comment: *Staff is not aware of any nonconforming uses existing on the property.*

H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

Applicant Response: There are no proposed changes to the densities and intensities of the proposed uses.

Staff Comment: *The proposal will increase in activity in the area, and the applicant has proposed noise-dampening panels to mitigate impacts to neighboring residential uses.*

Based on the above evaluation there is adequate information to make a determination regarding compatibility with the surrounding properties and to make a finding on considerations E. thru H.

Any potential incompatibilities may be addressed using the following mitigation techniques provided in Policy 8.2-I through N:

I. Providing open space, perimeter buffers, landscaping and berms.

Applicant Response: The proposed Pickleball Court has been proposed to be as far away from the adjacent resident as possible. The existing FPL transmission pole prohibits us from moving the courts any closer to the pole. The Dog Park is located even further away from any residential unit. The proposed plan includes a sound panel to be installed on the north and east sides of the Pickleball Court fence and landscaping has been added along the outside of the fence.

Staff Comment: *Landscaping has been provided according to the requirements of the Land Development Code, and fencing will be provided.*

J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.

Applicant Response: There are no lights proposed, there is no mechanical equipment proposed and there are no refuse, delivery or storage areas proposed.

Staff Comment: *The courts and park are proposed to be open from dawn until dusk, so no lighting is required.*

K. Locating road access to minimize adverse impacts.

Applicant Response: Currently there is an existing shell roadway within the FPL easement and we are paving a portion of this existing roadway up to the proposed parking area. There should not be any adverse impacts with paving the existing shell roadway.

Staff Comment: *The access is existing and will be improved from shell to pavement.*

L. Adjusting building setbacks to transition between different uses.

Applicant Response: There are no proposed adjustments to building setbacks or transitions between different uses.

M. Applying step-down or tiered building heights to transition between different uses.

Applicant Response: There are no proposed buildings with the addition of the Pickleball Courts and Dog Park, therefore no step-down or tiered building heights are required.

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

Applicant Response: There is no change requested in density or intensity of land uses by adding the popular Pickleball Courts or Dog Park amenities to the Venetian Golf & River Club community.

Summary Staff Comment: *Mitigation techniques have been used in this proposal to the extent allowed by FPL constraints, and the applicant has gained support from VGRC residents in seeking this change of permitted uses in an attempt to mitigate any incompatibility with nearby single-family homes. Planning Commission may use its discretion to require additional mitigation techniques at the point of PUD amendments or site and development plans.*

• **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 Residential future land use designation, Policy 8.2 regarding compatibility, and strategies found in the Northeast Neighborhood and other plan elements. No inconsistencies have been identified. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

Compliance with the Land Development Code and VGRC Binding Master Plan

Section 86-23(m) of the Land Development Code states that the Planning Commission should use twelve standards to guide its decision to approve, approve with conditions, or deny a site and development plan. The Planning Commission materials include the applicant's response to each of the considerations.

- 1) Sufficiency of statements on ownership and control of the development and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the city.

Applicant Response: The CDD and the Master POA has full ownership and control of the development. The lands where the Pickleball Courts & Dog Park is to be located is owned by the CDD and the amenities will be maintained by the CDD.

- 2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the planning commission the authority to reduce residential densities below that permitted by the schedule of district regulations set out in this code.

Applicant Response: The Venetian community is a well-established community of nearly 20 years. This community was the first development built along Laurel Road east of I-75 and was constructed on vacant lands and adjacent to a mining operation on the north side of the community. Since the development was

constructed there have been additional housing developments built in the vicinity along Laurel Road and just south along Jacaranda Boulevard. The community has a number of amenities and is wanting to add these amenities since the nearby communities offer these amenities. There should not be any effect of these additional amenities to the nearby properties as these amenities are for the residents of Venetian Golf & River Club.

Staff Comment: *The proposal will increase in activity in the area, and the applicant has proposed noise-dampening panels to mitigate impacts to neighboring residential uses, but there will be no increase in building intensity.*

- 3) Ingress and egress to the development and proposed structures thereon, with particular reference to automotive and pedestrian safety, separation of automotive traffic and pedestrian and other traffic, traffic flow and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe or emergency.

Applicant Response: The Ingress and egress to the development will not change and the access to the new amenities already exists via Pesaro Drive. Currently there is a shell access road within the FPL easement that will be paved to the proposed amenities. The traffic flow should be minimal and we expect a number of residents to use their personal golf carts to access the new amenities. The maintenance of the facility will be performed by the CDD and will include trash cans that will be taken to a nearby dumpster.

Staff Comment: *No changes in access points are proposed for this project, and additional parking space depth has been proposed to separate automobile traffic from pedestrian traffic where wheel stops are not permitted by FPL.*

- 4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the proposed development, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

Applicant Response: There are no proposed changes to the off-street parking and off-street loading facilities to thoroughfares and no proposed changes to the internal traffic pattern with the proposed development. The new amenities will include a small parking lot to accommodate the residents that will be using the new facilities. In addition we anticipate residents will be using their golf carts to access the new amenities.

Staff Comment: *The parking area will be internal to the development and the project has been designed to maximize pedestrian safety and minimize improvements. Parking will be screened according to requirements in the Land Development Code.*

- 5) Sufficiency of proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the proposed development.

Applicant Response: The proposed Pickleball Courts will have a sound barrier attached to the perimeter fence along the east and north sides, where there are residential units. In addition, we are proposing landscaping along the fence of the Pickleball Courts and along the access road. The proposed screens and

landscaping will provide adequate buffers to preserve internal and external harmony within the existing development.

- 6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall public drainage capacities.

Applicant Response: The drainage pattern within the FPL easement will remain the same. The current land slopes from east to west. We are proposing a minor swale along the access road which will be piped to the existing swale on the west side.

- 7) Adequacy of provision for sanitary sewers, with particular relationship to overall city sanitary sewer availability and capacities.

Applicant Response: There are no proposed sewer facilities for the Pickleball Courts or Dog Park.

Staff Comment: The TRC has reviewed the proposal and has not identified any issues with public service provision.

- 8) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

Applicant Response: There are no proposed utilities proposed for the Pickleball Courts or Dog Park.

- 9) Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the proposed development, and relationship to community or citywide open spaces and recreational facilities.

Applicant Response: The proposed Pickleball Courts and Dog Park will be installed within the existing FPL easement along the south side of Pesaro Drive. The location of the Pickleball Court is contingent upon the clearance distance from the existing FPL transmission poles. The courts were located as far from Pesaro Drive as possible to minimize the impacts to the nearby residents. The courts will have a sound panel attached to the north and east sides of the fence as well as installing vegetation along the outside of the fence and along the west side of the access road. West of the proposed amenities is the golf course maintenance facility and there is no effect to this facility by the addition of the Pickleball Courts and Dog Park. These proposed amenities have little effect on the overall open space for the Venetian community. These amenities have been requested by a survey provided to the residents of the Venetian community as new neighboring communities now provide the increasingly popular Pickleball Courts and Dog Parks.

- 10) General site arrangement, amenities and convenience, with particular reference to ensuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be so at variance with other development in the area as to cause substantial depreciation of property values.

Applicant Response: There are no proposed changes to the general site arrangements, amenities or the convenience with the addition of Pickleball Courts and Dog Park. These amenities will be provided for

the residents of the community and the proposed location will not cause any substantial depreciation of property values.

Staff Comment: *The applicant has proposed noise-dampening panels to mitigate impacts to neighboring residential uses, and the project will provide amenities for the existing residents.*

- 11) Such other standards as may be imposed by the city on the particular use or activity involved.

Applicant Response: Noted

- 12) In the event that a site and development plan application is required, no variance to the height, parking, landscape, buffer or other standards as established herein may be considered by the planning commission. The planning commission may consider modifications to these standards under the provisions and requirements for special exceptions.

Applicant Response: Noted

Staff Comment: *Nothing that would require a special exception has been proposed through this site and development plan application.*

The subject petition has been processed with the procedural requirements contained in Section 86-49 of the Land Development Code (LDC). In addition, the petition has been reviewed by the Technical Review Committee and no issues regarding compliance with the Land Development Code were identified. Future development of the subject property will require confirmation of continued compliance with all applicable LDC standards.

The proposed site and development plan has also been reviewed for consistency with the Binding Master Plan for the VGRC PUD. The proposed changes to the Binding Master Plan would allow this site and development plan under the new permitted use “Pickleball Courts and Dog Park,” and the relevant code standards have been addressed in the revisions proposed through PUD Amendment Petition No. 20-37RZ. These standards include tree height, parking, wheel stops/protection of landscaping, and access to the site. No inconsistencies have been identified between the proposed site and development plan and the proposed PUD amendment.

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

The subject petition complies with all applicable Land Development Code standards and the VGRC Binding Master Plan, and there is sufficient information to reach a finding for each of the site and development plan considerations contained in Section 86-23(m) of the Land Development Code.

Concurrency/Mobility

Regarding public facilities concurrency and transportation concurrency, no issues were identified by the Technical Review Committee regarding the site and development plan request.

Conclusions / Findings of Fact (Concurrency):

No issues have been identified regarding adequate public facilities capacity to accommodate the development of the project per Chapter 94 of the Land Development Regulations.

Conclusions/Findings of Fact (Mobility):

No issues have been identified regarding transportation concurrency as it relates to the proposed site and development plan.

V. CONCLUSION

Planning Commission Report and Action

Upon review of the petition and associated documents, Comprehensive Plan, Land Development Code and the VGRC Binding Master Plan, 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 Site and Development Plan Petition No. 20-38SP.