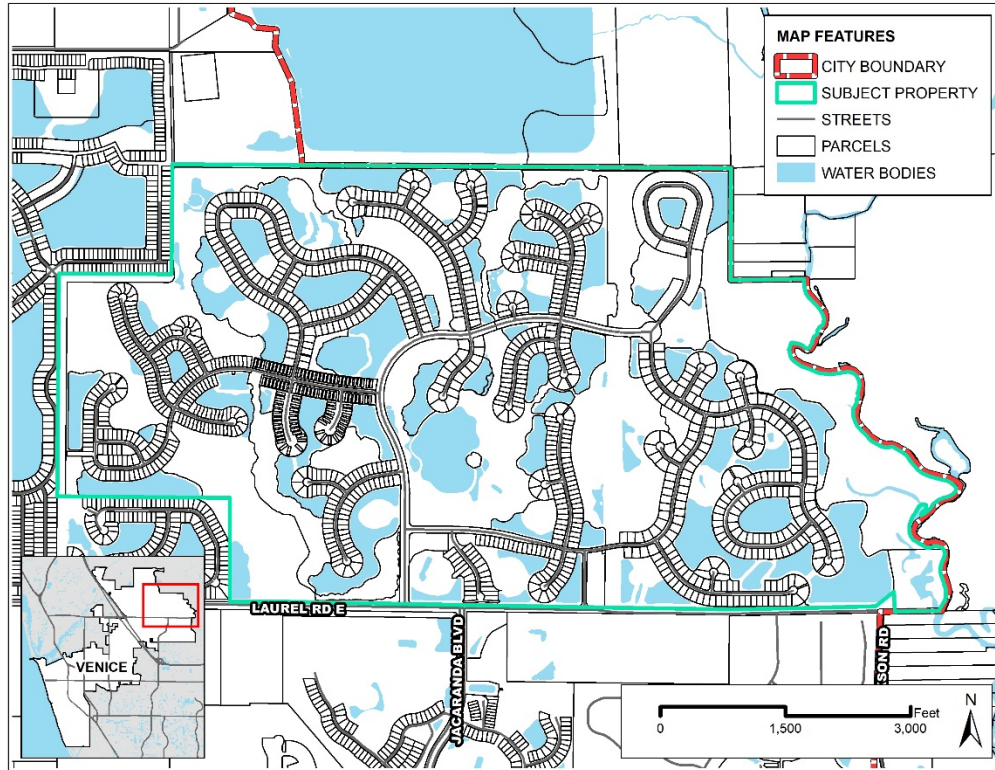




# PUD AMENDMENT STAFF REPORT VENETIAN GOLF AND RIVER CLUB

February 2, 2021  
20-37RZ



GENERAL INFORMATION	
<b>Location:</b>	Venetian Golf and River Club Planned Unit Development
<b>Request:</b>	Planned Unit Development (PUD) amendment to allow pickleball courts and a dog park as permitted uses in the binding master plan for Venetian Golf and River Club, along with associated development standards.
<b>Owner:</b>	Venetian Community Development District
<b>Agent:</b>	Rick Schappacher, PE – Schappacher Engineering, LLC
<b>Parcel ID:</b>	0373001050
<b>Property Size:</b>	1039± acres
<b>Zoning:</b>	Planned Unit Development (PUD)
<b>Future Land Use:</b>	Mixed Use Residential
<b>Comprehensive Plan Neighborhood:</b>	Northeast Neighborhood
<b>Application Date:</b>	8/24/2020

## I. ASSOCIATED DOCUMENTS

- A. Application Information (completed petition)
- B. Proposed Binding Master Plan changes

## II. PROJECT DESCRIPTION

The proposed PUD amendment would add a new permitted use to the text of the Venetian Golf and River Club (VGRC) binding master plan, defined as “pickleball courts and dog park” and limited to an approximately 12-acre parcel accessed from Pesaro Drive. The intent is to allow construction of these recreational uses on that parcel within the VGRC Planned Unit Development (PUD). The binding master plan must be amended to accomplish this, as current permitted uses do not cover the proposed pickleball courts and dog park. In addition to the proposed text explaining the new use and relevant standards, the applicant has provided revised land use calculations, both on the Conceptual Master Site Plan and in the text of the binding master plan.

Some of the proposed standards for this new land use are influenced by Florida Power and Light (FPL) requirements, as the parcel intended for the pickleball courts and dog park is within an FPL easement and directly adjacent to FPL equipment. Standards that must conform to the utility provider’s requirements include a restriction against wheel stops within 75’ of equipment and use of understory trees where canopy trees would normally be required by the City. To accommodate the wheel stop provision, there will be no sidewalk proposed for pedestrian traffic adjacent to the parking spaces that fall within 75’ of the FPL equipment. The 12’ wide access that is currently shell will be paved but not widened, per the FPL stipulation for minimum improvements, and this is reflected in the proposed text in the binding master plan.

Other proposed standards for this new use include an eight-foot fence with acoustical paneling and eleven parking spaces with additional stabilized grass parking. Absent a clear comparison in the Code for parking standards, the applicant has provided their justification for the number of spaces needed, which has been proposed at eleven. This accounts for some carpooling and golf cart travel to the amenity site, and the calculation is based on partial occupancy of the pickleball courts (four courts, assuming two sets of doubles players and two sets of singles players). No lighting is proposed, as the amenities are proposed to operate from dawn until dusk only.

Text of the new permitted use language is reproduced below:

### *11. PICKLEBALL COURTS / DOG PARK AMENITIES*

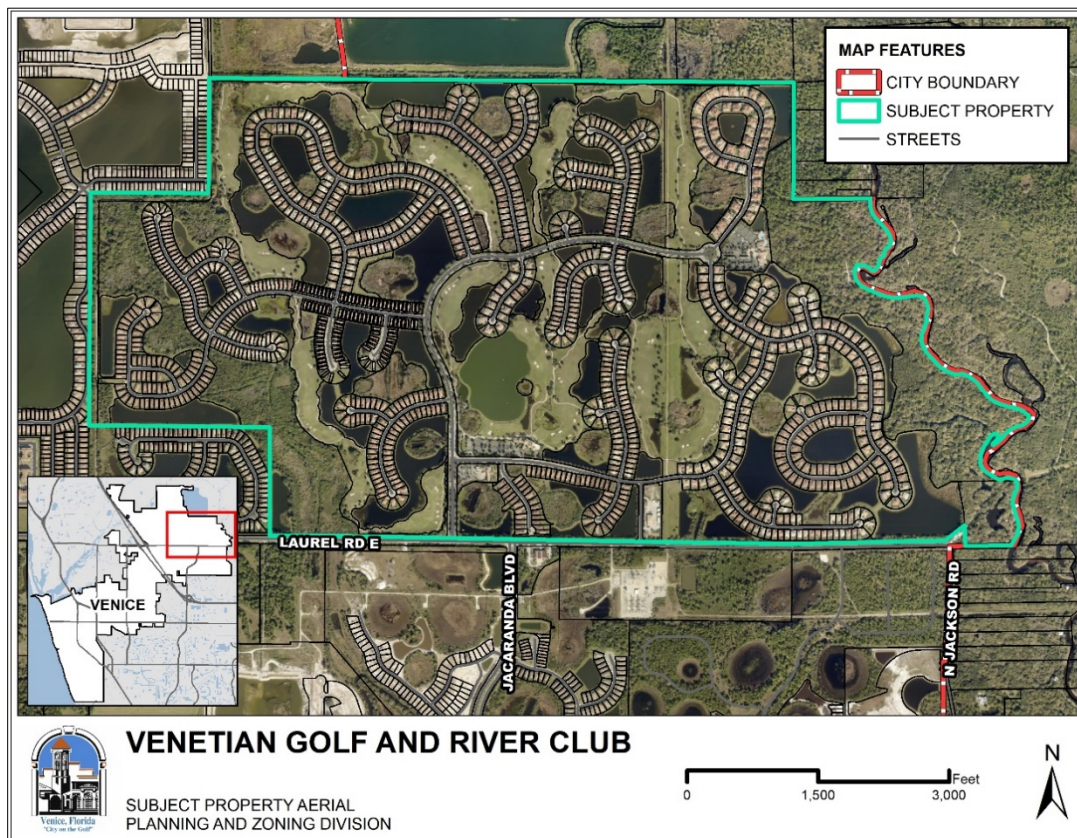
*The Pickleball Court and Dog Park are located within an FPL easement and there are strict restrictions on use of these easements by FPL. The tree height and sizes are restricted under power lines and the grade changes are minimal per FPL requirements. Due to FPL requirements that prevent wheel stops within 75 feet of electrical equipment, wheel stops are not required adjacent to the Pickleball Courts. With the elimination of wheel stops the sidewalk directly in front of the parking stalls without wheel stops has been eliminated to protect pedestrian from vehicles no[t] remaining within the parking stall. The access drive is a 12’ wide paved surface to the Pickleball Court and Dog Park within the FPL easement. The stabilized grass provides the ability for vehicles to pass along the access drive within the FPL easement. The fence around the Pickleball Courts is 8’ high with acoustical panels adjacent to*

*residents to help minimize sound. The four Pickleball Courts is expected to have two courts playing doubles and two courts playing singles which yields 12 players. It is anticipated that players will be carpooling or driving their personal golf carts to the site. The golf cart parking is on the grass between the parking lot and the Pickleball Courts. By minimizing the amount of improvement per FPL requests the designed 11 parking spaces should suffice.*

### III. EXISTING CONDITIONS

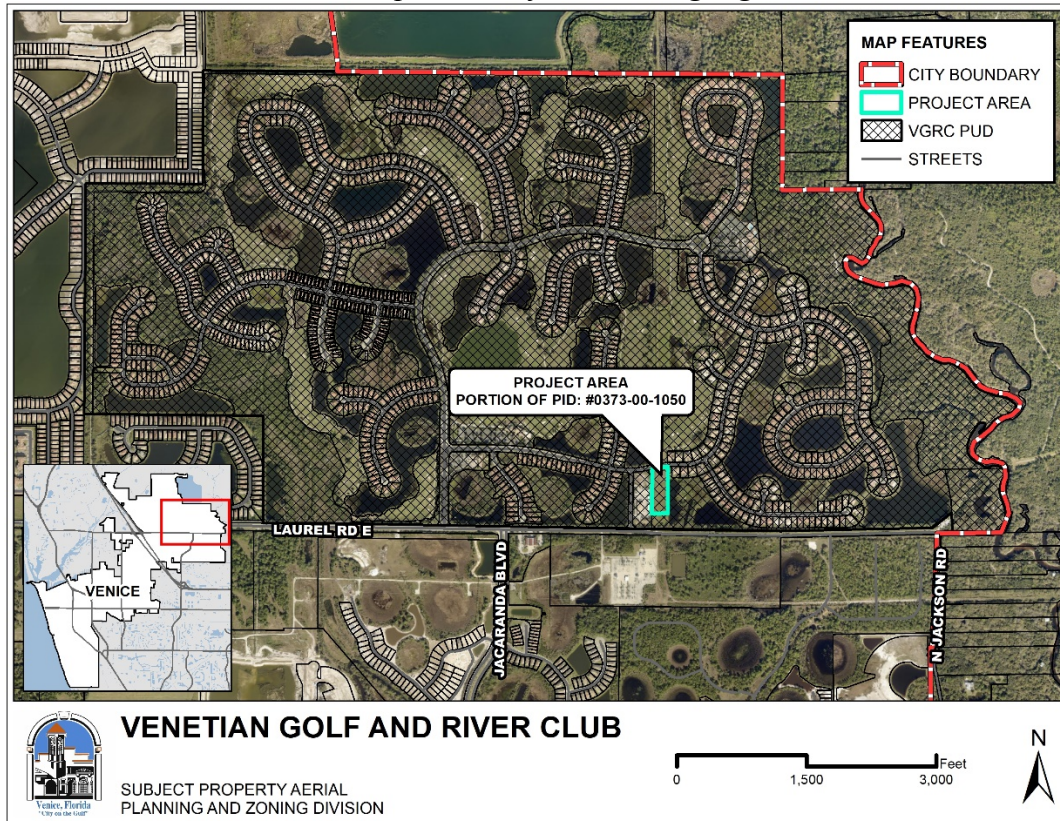
The proposed amendment applies to the entire PUD, which lies along the northeastern border of the city boundary and is part of the Northeast Neighborhood in the Comprehensive Plan, and revises the PUD Binding Master Plan to include the indicated uses on the depicted site.

*Aerial Map*





*Aerial Map with Project Area Highlighted*



*Site Photographs*



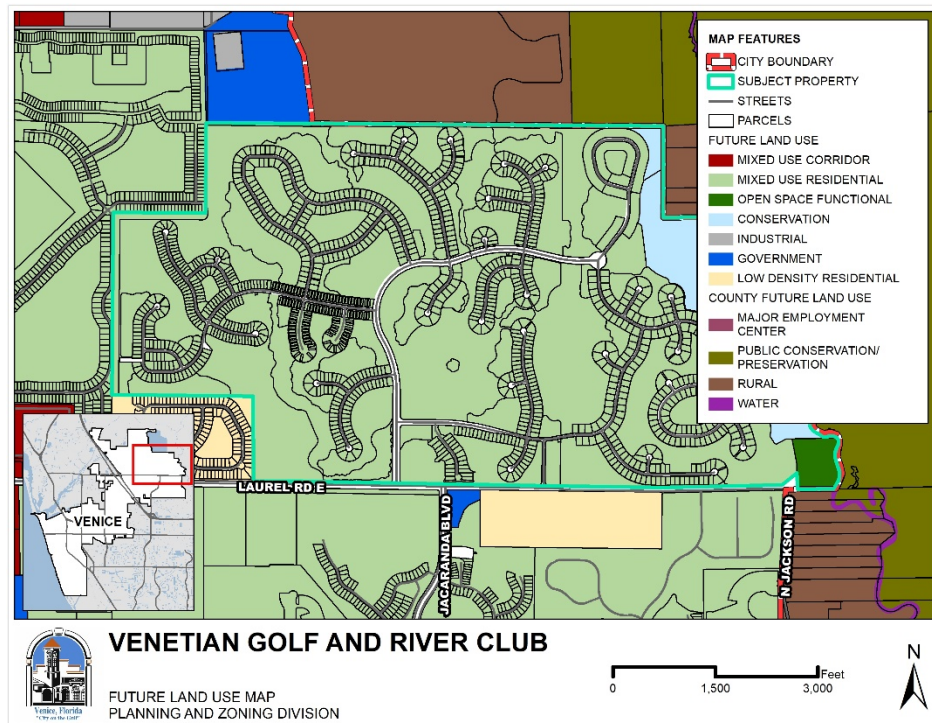




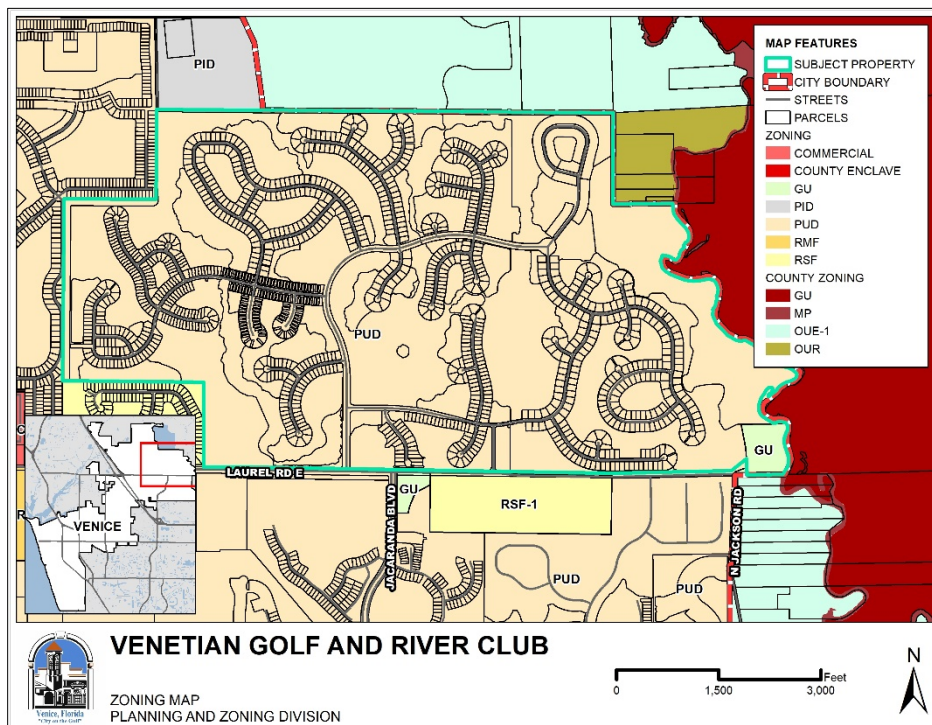
### ***Future Land Use & Zoning Designations***

The subject property has a Mixed Use Residential (MUR) future land use (FLU) designation and is zoned Planned Unit Development (PUD). Property to the east also has an MUR designation and is zoned PUD; this is the Toscana Isles neighborhood. To the west is Sarasota County property, zoned Open Use Rural (OUR) and Government Use (GU) designated Rural and Public Conservation/Preservation on the County's future land use map. South of VGRC lies property within the Milano PUD (also designated MUR), including the neighborhoods of Cielo and Villages of Milano. North of VGRC is industrial property zoned Planned Industrial Development (PID) with a Government FLU designation. To the north is also property in the County, zoned Open Use Estate (OUE-1) and designated Rural on the western side and Public Conservation/Preservation on the eastern side; this property is used as a reservoir for the County. The Vicenza PUD (designated MUR) also lies to the south, along with two areas of traditional zoning: one parcel zoned Residential, Single Family 1 (RSF-1) and the Willow Chase neighborhood, zoned RSF-4. These two traditionally-zoned areas have Low Density Residential FLU designations. In the southeast corner of this PUD is a 10-acre parcel zoned GU with an Open Space Functional FLU designation, which is part of the Myakka Regional Park. Fire Station 3 is also along the southern border of this property across Laurel Road and is zoned GU with a Government FLU designation.

### ***Mixed Use Residential***



### Planned Unit Development



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	Industrial (Ajax Paving Industries), Sarasota County water storage facility	PID, Sarasota County OUE-1	Government, Sarasota County Rural, Public Conservation/Preservation
West	Toscana Isles	PUD	MUR
South	Residential (Milano, Vicenza, Willow Chase), Government (Fire Station 3), Vacant (parcel zoned RSF-1)	PUD, RSF-4, GU, RSF-1	MUR, Low Density Residential, Government
East	Sarasota County Open Space, Myakka River & Myakka Regional Park	Sarasota County OUR, GU	Sarasota County Rural, Public Conservation/Preservation

## IV. PLANNING ANALYSIS

In this section of the report, analysis of the subject PUD amendment petition evaluates A) consistency with the Comprehensive Plan, B) compliance with the Land Development Code, 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 PUD amendment 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:** *Strategy LU 1.2.16 requires that MUR-designated properties retain a minimum of 50% dedicated open space, including functional open space that is available for either public or private use. This proposed land use falls within that category.*

*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 zoning amendment.*

*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.

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.



At the point of a development application on the subject property, a full review of the project, including compatibility with adjacent properties will be performed. If, during that review, potential incompatibilities are identified, the following mitigation techniques provided in Policy 8.2-I through N may be considered. Doing so would ensure the application of appropriate mitigation measures in response to specific development characteristics of an actual development proposal. However, this does not mean that mitigation techniques cannot or should not be considered at this point.

*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.

*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.

*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.

*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***

Section 86-47(f) of the Land Development Code states that, 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 considerations listed below. The Planning Commission materials include the applicant's response to each of the considerations. Staff comments have also been provided where applicable.

(a) Whether the proposed change is in conformity to the comprehensive plan.

**Applicant's Response:** The proposed change for the added amenities for the Venetian CDD is in conformity to the comprehensive plan as many new developments include Pickleball Courts and Dog Parks as standard amenities for their residents.

(b) The existing land use pattern.

**Applicant's Response:** The proposed change for the added amenities for the Venetian CDD is in conformity to the existing land use pattern as many new developments include Pickleball Courts and Dog Parks.

(c) Possible creation of an isolated district unrelated to adjacent and nearby districts.

**Applicant's Response:** It is not feasible to create an isolated district for the addition of Pickleball Courts or a Dog Park for the Venetian CDD. The Venetian CDD is wanting to offer these amenities to stay competitive with the newer communities in close proximity.

**Staff Comment:** *The proposed change is not a zoning map amendment but a PUD amendment, and so will not create an isolated zoning district, only a change in allowable uses within the existing planned development.*

(d) The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

**Applicant's Response:** There is no population density pattern or increases or overtaxing of the load on public facilities as the proposed amenities are for the residents of the Venetian CDD.

(e) Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

**Applicant's Response:** The proposed added amenities have no impact on the district boundaries as the amenities are being added within district boundaries.

- (f) Whether changed or changing conditions make the passage of the proposed amendment necessary.

**Applicant's Response:** There are no changed or changing conditions that will impact the passage of the proposed amendment of the added amenities.

- (g) Whether the proposed change will adversely influence living conditions in the neighborhood.

**Applicant's Response:** The added amenities will have a positive impact on the community as a whole as the newer developments are now offering these specific amenities in their communities. The added amenities will enable the Venetian community to remain competitive with nearby developments as well as providing much needed amenities within the district boundary for their residents. As with any change there may be a select few that will object with any new amenity constructed in close proximity to their home, but both the Pickleball and Dog Park committees have received overwhelming support from the community.

- (h) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

**Applicant's Response:** The traffic impact for the added amenities will be minimal. It is anticipated that many residents will walk with their dogs to the Dog Park or ride their personal golf carts. Similar for Pickleball, it is anticipated that a good number of residents will use their golf carts. The location of the proposed parking lot between the two added amenities will provide adequate parking and have it well off the main roadway to minimize any impact on traffic or public safety.

**Staff Comment:** *Technical Review Committee review of the petition identified no public safety impacts generated by the subject petition. Transportation will be evaluated through the proposed site and development plan.*

- (i) Whether the proposed change will create a drainage problem.

**Applicant's Response:** The proposed plans have been submitted and approved by SWFWMD. The existing drainage system of the overall community is adequate to handle the minimal amount of added impervious area of the Pickleball Courts and parking lot.

**Staff Comment:** *TRC has reviewed this project and has identified no issues. Further analysis will be completed for the proposed site and development plan.*

- (j) Whether the proposed change will seriously reduce light and air to adjacent areas.

**Applicant's Response:** The proposed amenities will not reduce light or air to adjacent areas.

- (k) Whether the proposed change will adversely affect property values in the adjacent area.

**Applicant's Response:** There is only one home located adjacent to the east side of the proposed amenities. There is a golf course maintenance facility located immediately west of the proposed amenities and there is no effect to this property. The added amenities should not have a negative effect on the property values of the



adjacent property owners. The added amenities in close proximity to residents typically has a positive impact on property values. The added amenities for the community will have an overall positive impact on property values for the Venetian community.

- (l) Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

**Applicant's Response:** The community is fully constructed in this area, therefore there will not be any deterrent to the proposed amenities.

- (m) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

**Applicant's Response:** The proposed amenities does not constitute a grant of special privilege to any individual owner of the Venetian community.

- (n) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

**Applicant's Response:** The proposed amenities are consistent with the existing zoning of the PUD. The reason for the PUD amendment is that the original approval did not specify Pickleball or Dog Park as a proposed amenity to the community. The zoning does not change.

- (o) Whether the change suggested is out of scale with the needs of the neighborhood or the city.

**Applicant's Response:** The proposed amenities are being added so that the Venetian community can compete with nearby developments by offering their residents both Pickleball Courts and Dog Parks, which are becoming a typical offering for new developments and their residents.

- (p) Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

**Applicant's Response:** The committees did an extensive search of the best location for the proposed amenities. Plans were prepared to show Pickleball Courts near the existing Tennis Courts, however there is not adequate room to add any courts without removing parking stalls. With the proposed four Pickleball Courts we would have lost considerable parking spaces and there are a number of event at the River Club where the parking lot is full and losing parking spaces was not a viable option. The community was Master Planned and the developer used pretty much all available uplands for houses or amenities, leaving the CDD with limited options to locate the much desired amenities for their residents. The proposed location is the only CDD owned property that can accommodate the new amenities within the CDD district boundaries.

The subject petition has been processed with the procedural requirements contained in Section 86-47 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.

**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.*

**Concurrency/Mobility**

Regarding public facilities concurrency and transportation concurrency, no issues were identified by the Technical Review Committee regarding the PUD amendment 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 PUD amendment.*

## V. CONCLUSION

***Planning Commission Report and Recommendation to City Council***

Upon review of the petition and associated documents, Comprehensive Plan, Land Development Code, Staff Report and analysis, and testimony provided during the public hearing, there is sufficient information on the record for the Planning Commission to make a recommendation to City Council on PUD Amendment Petition No. 20-37RZ.