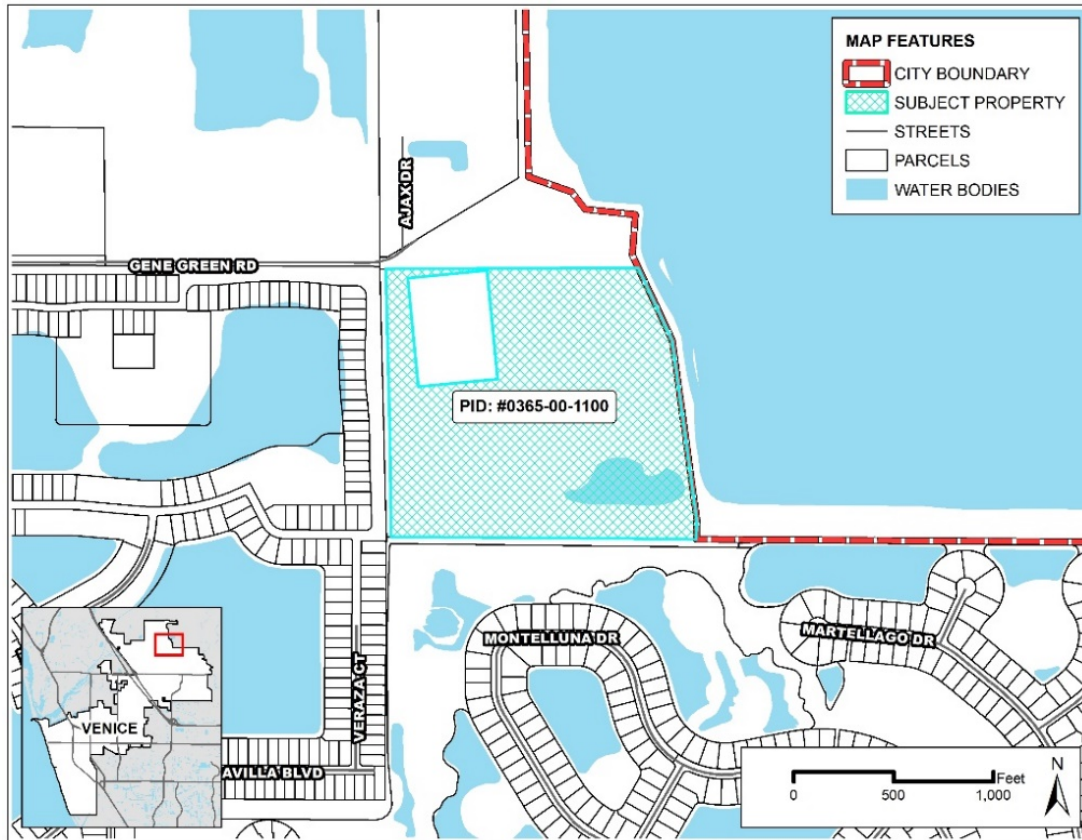




ZONING MAP AMENDMENT STAFF REPORT VENICE BOOSTER PUMP STATION

September 7, 2021
21-06RZ



GENERAL INFORMATION

Petition Numbers:	21-06RZ
Address:	Eastern terminus of Gene Green Road
Request:	Rezoning the subject property from Planned Industrial Development (PID) to Government Use (GU)
Owner:	City of Venice
Agent:	Bruce E. Franklin – Land Resource Strategies, LLC
Parcel IDs:	0365001100
Property Size:	44.34 ± acres
Future Land Use:	Government
Existing Zoning:	Planned Industrial Development
Proposed Zoning:	Government Use
Comprehensive Plan Neighborhood:	Knights Trail Neighborhood
Application Date:	April 13, 2021

RELATED PETITIONS

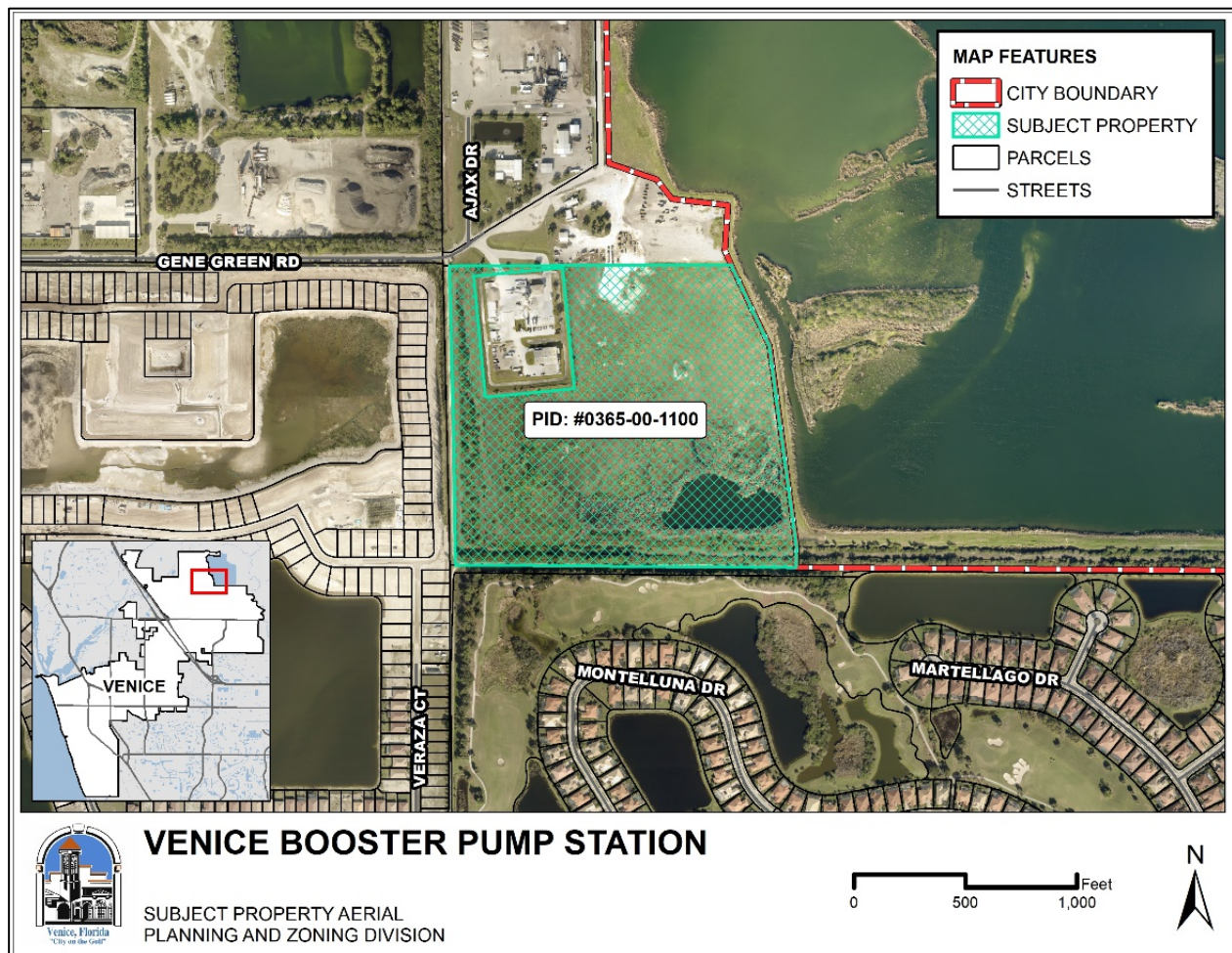
- Special Exception Petition No. 21-07SE
- Site and Development Plan Petition No. 21-08SP

I. PROJECT DESCRIPTION

Zoning Map Amendment

The subject property is currently zoned Planned Industrial Development, but is owned by the City of Venice and has a future land use designation of Government. The only implementing district for Government listed in the Comprehensive Plan is Government Use, and the request under petition 21-06RZ is to rezone the property to that implementing zoning district.

II. Existing Conditions



Site Photos



View of Subject Property from Adjacent Concrete Plant



Looking across Dona Bay Surface Water Storage Facility



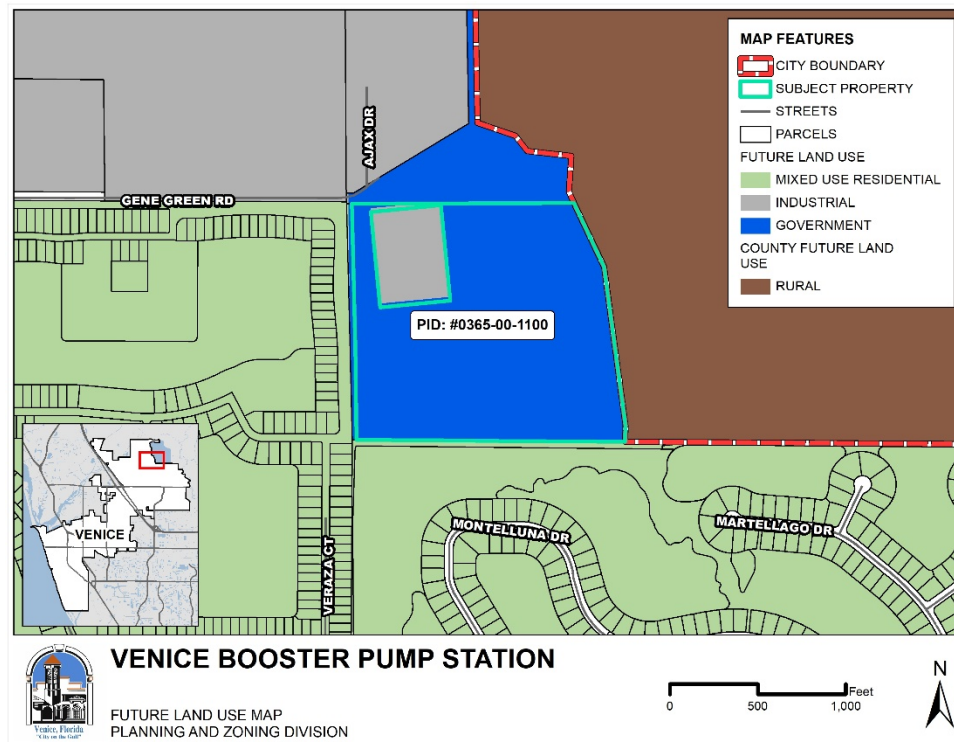
Looking down Proposed Access Road between Concrete Plant and Toscana Isles



View towards the South

Future Land Use

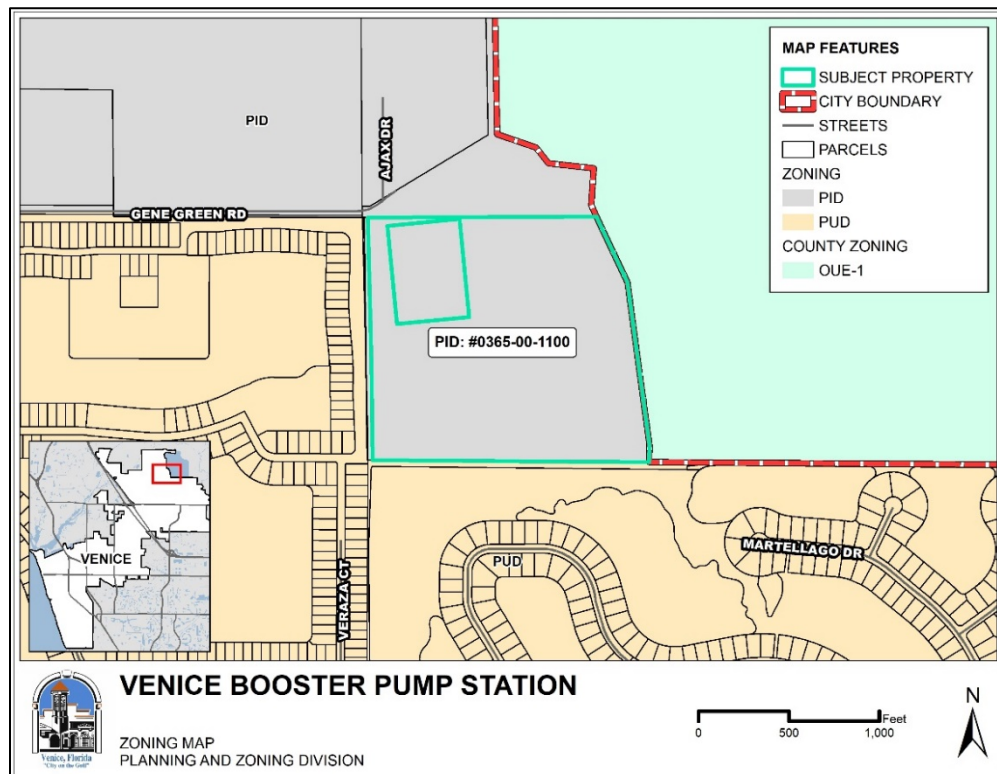
The Future Land Use (FLU) designation on the subject property is Government. To the west and south are Mixed Use Residential designations. North of the subject property is also designated Government, along with Industrial. To the east is a Sarasota County Rural FLU designation.



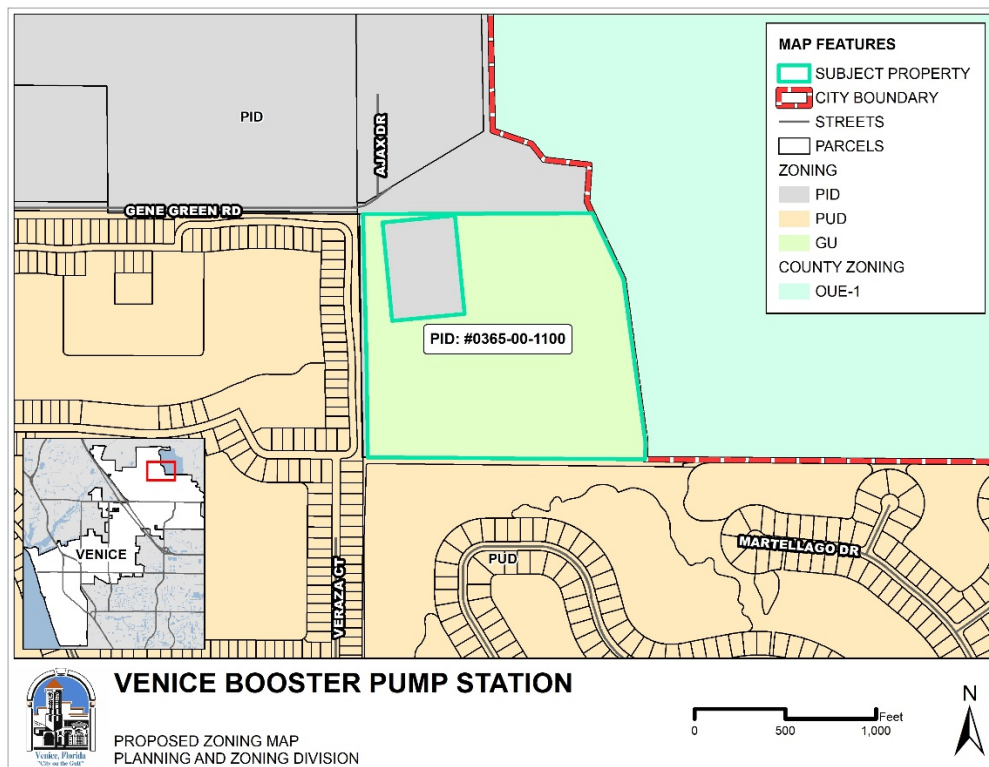
Zoning

The subject property is currently zoned Planned Industrial Development (PID). Properties to the west and south are zoned Planned Unit Development (PUD). To the north is also PID zoning, and the area east of the subject property is zoned Sarasota County Open Use Estate (OUE-1).

Existing Zoning



Proposed Zoning



Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Industrial (Titan America concrete – fka Miami Valley, Ajax Paving)	Planned Industrial Development (PID)	Industrial and Government
West	Residential (Toscana Isles)	Planned Unit Development (PUD)	Mixed Use Residential (MUR)
South	Residential (Venetian Golf & River Club)	PUD	MUR
East	Open Use (Dona Bay Surface Water Storage Facility)	County OUE-1	County Rural

III. PLANNING ANALYSIS

In this section of the report, analysis of the subject zoning map amendment petition evaluates 1) consistency with the Comprehensive Plan, 2) compliance with the City’s Land Development Code (LDC), and 3) confirmation of Concurrency/Mobility.

Consistency with the Comprehensive Plan

Regarding the Future Land Use Designation on the property, Strategy LU 1.2.4.d – Government does not provide any intensity limits or other restrictions. The table found in Strategy LU 1.2.4 indicates that Government Use (GU) is the only implementing zoning district for the Government FLU designation, and petition 21-06RZ seeks to align the two designations on this property. This property is included in Figure LU-13 as a former part of Planning Area L – Gene Green Neighborhood, but there are no requirements associated with this Planning Area.

The associated project proposed through 21-08SP is included in the City’s Capital Improvement Program (CIP), Capital Improvements Schedule (CIS) and the City’s 2019 Water Supply Work Plan as a needed improvement to maintain adequate water pressure and fire protection in the northeastern part of the city. However, the property needs to be rezoned to enable this project to proceed.

Per Strategy in 1.1.2 – Government Designations, the project has been deemed compliant with the Land Development Code and the appropriate review processes were completed. Also from the infrastructure element, the concurrently proposed site and development plan implements Strategy IN 1.1.4 regarding energy efficiency and renewable resources – particularly through the proposal of a solar field to operate the facility.

No strategies in the land use, infrastructure, or neighborhood elements have been found to conflict with the zoning map amendment request.

Comprehensive Plan Inconsistencies

No inconsistencies have been identified with this proposal.

Policy 8.2

Zoning Map Amendment applications require a review of Policy 8.2, per Strategy LU 4.1.1 – Land Use Compatibility Review Procedures, to ensure compatibility with surrounding properties. The applicant’s responses to the criteria in Policy 8.2 are reproduced verbatim with staff commentary.

A. Land use density and intensity.

Applicant Comment: The proposed BPS will be located in the GU zone District adjacent to PID zoned and utilized property. As an essential service, this facility is compatible with adjacent Industrial uses and is buffered by distance and landscaping from the residential communities to the southwest and south and is therefore compatible.

B. Building heights and setbacks.

Applicant Comment: The total building height of 20.33 feet is compatible with the adjacent PID zone districts as well as Toscana Isles PUD to the west/southwest. The building setback is in excess of the 25 foot PID setback and is over 650 feet to the nearest residence in Venetian Golf and river Club PUD to the south which is buffered by a 9 foot landscape berm, as well.

C. Character or type of use proposed.

Applicant Comment: The BPS is an essential service, is quiet and is by definition compatible with the community it serves.

Staff Comment: This property is owned by the City of Venice, and the proposed use is appropriate for a Government Use district as it provides a public service; the special exception petition addresses the use, which will be made possible by the zoning map amendment.

D. Site and architectural mitigation design techniques.

Applicant Comment: Even though the entire 44.34 acre site is being rezoned the proposed BPS is limited to the northerly ¼ of the property adjacent to existing industrial uses and is buffered from residential uses to the southwest and south.

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 Comment: The proposed BPS is an essential service compatible with and buffered from Toscana Isles and Venetian Golf and River Club.

Staff comment: Development of the site as a booster pump station will be reviewed for compatibility through the concurrently-processed site and development and special exception petitions.

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

Applicant Comment: The proposed BPS is an essential service and is permitted by Special Exception in the GU District.

Staff Comment: The use proposed is neither commercial nor industrial.

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 Comment: The proposed rezoning for the BPS is consistent with the Comprehensive Plan.

Staff Comment: The proposed change in zoning designation would make the FLU designation and the zoning consistent on this property, which implements the non-residential land use strategy in the Comprehensive Plan.

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

Applicant Comment: The rezoning is to permit the BPS adjacent to existing industrial uses. (Refer to B. above).

Potential incompatibility shall be mitigated through techniques including, but not limited to:

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

Applicant Comment: The rezoning to GU is not incompatible

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

Applicant Comment: These issues are addressed in the accompanying Site & Development Plan Application.

K. Locating road access to minimize adverse impacts.

Applicant Comment: Access is provided at the terminus of Gene green Road in an industrial area.

L. Adjusting building setbacks to transition between different uses.

Applicant Comment: Proposed building setbacks for the proposed BPS exceed the adjacent PID standard of 25 feet. Any future buildings will be evaluated based on Site & Development Plans submitted in the future.

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

Applicant Comment: The building is reflected in the Site& Development Plan Application.

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

Applicant Comment: The rezoning provides for an essential service. Density and intensity are addressed in the Site & Development Plan Application.

Summary Staff Comment: Potential mitigation needs for development of this site are being reviewed through the concurrent site and development and special exception 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 Government future land use designation, strategies found in the Knights Trail Neighborhood, Infrastructure element, and other plan elements. As indicated above, no inconsistencies have been identified. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

Compliance with the Land Development Code

The subject petitions have been processed with the procedural requirements to consider zoning map amendment petitions. In addition, the petition has been reviewed by the Technical Review Committee and no issues were identified regarding compliance with the Land Development Code.

Zoning Map Amendment

This amendment is proposed so that the Future Land Use designation, zoning district, and use of the property will

be consistent. Government Use (GU) is the only implementing district for the property's existing FLU designation of Government.

The proposed zoning map amendment has been reviewed for consistency with the Land Development Code and has been deemed compliant. The applicant has also provided responses to Sec. 86-47(f)(1) regarding criteria to approve a zoning map amendment petition, which are reproduced below.

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

Applicant Comment: Yes. The property is classified on the Future Land Use Map as Government which is implemented by the proposed Government Use (GU) Zoning District proposed.

Staff Comment: The proposed change will assign to the property the implementing zoning designation matching its land use designation in the Comprehensive Plan.

b. The existing land use pattern.

Applicant Comment: The property is zoned PID as it was utilized as a mining operation when the City acquired it in 2016. The property immediately adjacent to the proposed location of the BPS on the north is zoned PID and is an active mining operation. The property immediately adjacent on the west is also zoned PID and is an active concrete plant (Miami Valley). To the west of the southern portion of the City property is Toscana Isles a Residential Planned Unit Development (PUD) which is buffered by a 15 +/- foot high privacy wall. The property to the east is the Dona Bay Surface Water Storage facility/Borrow Pit zoned PID and the property to the south of the City property, (approximately 450 feet from the BPS to the golf course/buffer and 650 feet to the nearest residence) is the Venetian Golf and River Club PUD.

Staff Comment: Nearby land uses include a range of industrial and residential, and the proposed zoning change would allow government uses to serve these properties along with others in the northeast area of the city.

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

Applicant Comment: No. The GU District can be anywhere in the City in order to provide essential government services and in this case one of the Building Occupancy categories is industrial. The proposed BPS is adjacent on three sides to existing PIO zoning and is substantially buffered from residential zoning to the west and south. The southern approximately 3/4ths portion of the 44 acre City site south of the proposed BPS is, and will remain vacant, until such time as the City proposes any plans for development of the property which will be subject to Public Notice and Land Development procedures.

Staff Comment: The Government Use district is related to all districts in the city, as it provides for services and needs of the city.

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

Applicant Comment: No. The proposed BPS will actually increase/enhance the City Water Utility Level of Service (LOS) and does not affect the population density pattern which is regulated by existing zoning and Land Use policies of the Comprehensive Plan and the Land Development Code.

Staff Comment: This proposed change is intended to address the city's growing population and the effect of that growth on public facilities by providing increased capacity.

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

Applicant Comment: Yes. The existing PID district is not an implementing zoning district for the existing Government Land Use Classification of the Comprehensive Plan, Future Land Use Map.

Staff Comment: The existing district is not appropriate for the proposed use or for implementation of the Comprehensive Plan strategies related to government use and infrastructure.

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

Applicant Comment: Yes. The previous annexations and growth of the City eastward requires the construction of the proposed BPS to increase/enhance LOS for the eastern portion of the City which may be permitted by Special Exception in the GU District, as well as to render the Zoning of the property consistent with the future land use classification of the Comprehensive Plan.

Staff Comment: As the applicant has noted, and as evidenced by this project's inclusion in the City's Capital Improvements Program and Capital Improvements Schedule, population growth and annexations have created a need for increased water capacity in this area of the city.

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

Applicant Comment: No. The proposed rezoning to the GU District and the construction of the proposed BPS will not impact living conditions in either the Toscana Isles or the Venetian Golf and River Club residential communities. The proposed BPS will create virtually no noise and will be buffered by the Toscana Isles Privacy/Buffer Wall and the existing Miami Valley Concrete Plant on the west and a nine foot (9') landscaped berm/buffer to the south of the BPS portion of the site. The BPS will be like a tree falling in the forest that makes a noise nobody can hear. To the contrary of an adverse impact, the proposed BPS will enhance livability and potable water LOS standards for area neighborhoods.

Staff Comment: While site mitigation techniques will be evaluated through the concurrent site and development and special exception applications, the proposed zoning change is not expected to negatively influence the surrounding neighborhoods.

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

Applicant Comment: No. Refer to the description of functional utilization referenced above. There are, essentially, no traffic impacts.

Staff Comment: Development of the booster station is projected to generate 1 PM peak hour trip per day, and therefore is not expected increase congestion or impact traffic safety.

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

Applicant Comment: No. The proposed project has been designed to comply with all local and Water

Management District stormwater regulations and is being designed through Inter-Governmental coordination with the Sarasota County Dona Bay Stormwater Management program. Refer to the Stormwater Management Report included with the Site and Development Application.

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

Applicant Comment: No.

Staff Comment: The change in zoning district will not affect light and air to adjacent areas.

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

Applicant Comment: No. On the contrary, the proposed change, which will permit construction of the proposed BPS, will effectively increase property values by increasing/enhancing City water supply LOS.

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

Applicant Comment: No. It can be considered a catalyst.

Staff Comment: As mentioned, the proposed change has potential to allow for more development, as more public facilities capacity becomes available.

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

Applicant Comment: No. To the contrary, the proposed project will promote the general welfare of the City.

Staff Comment: The property is owned by the City and will be used for the public welfare to provide better water service.

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

Applicant Comment: The property could be sold by the City to the private sector for development of mining activities or other uses permitted by the existing PID zoning district if the City decides not to construct the proposed BPS. However, this would appear contrary to the purpose for which the property was acquired and would be inconsistent with the Comprehensive Plan.

Staff Comment: Government uses are not appropriate for the PID zoning district, and the proposed use is needed for the growth and maintenance of the city.

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

Applicant Comment: To the contrary, the proposed zoning change which will permit the proposed BPS to accommodate the needs of the eastern neighborhoods and the Venice community.

- p. Whether it is impossible to find other sites in the city in districts already permitting such use.*

Applicant Comment: Yes. To our knowledge, there is no other site in the City which could meet the engineering

design requirements to provide the function of the proposed BPS which the City either owns or could acquire and rezone to GU and which would be as compatible with the surrounding area as the proposed site. A public utility is only permitted in the GU District and the City acquired this property in 2016 specifically to accommodate the proposed project.

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

The proposed zoning map amendment is compliant, and no inconsistencies have been identified with the LDC.

Concurrency/Mobility

Regarding public facilities concurrency, no issues were identified by the Technical Review Committee regarding the zoning map amendment request.

Facility	Department	Estimated Impact	Status
Potable Water	Utilities	90 ERUs	Compliance confirmed by Utilities
Sanitary Sewer	Utilities	162 ERUs	Compliance confirmed by Utilities
Solid Waste	Public Works	6.8 lbs/day	Compliance confirmed by Public Works
Parks & Rec	Public Works	Non-residential	N/A
Drainage	Engineering	Will not exceed 25-year, 24-hour storm event	Compliance confirmed by Engineering
Public Schools	School Board	Non-residential	N/A

The estimated impact on transportation for this project is 1 PM peak hour trip per day; this is considered *de minimis* and does not require a traffic study.

Facility	Department	Estimated Impact	Status
Transportation	Planning & Zoning	1 PM Peak Hour Trips	Does not require traffic study

Conclusions / Findings of Fact (Concurrency):

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

Conclusions/Findings of Fact (Mobility):

No transportation issues have been identified.

IV. CONCLUSION

Planning Commission Report and Recommendation

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 Zoning Map Amendment Petition No. 21-06RZ.