

# WATERMARK AT VENICE

## SPECIAL EXCEPTION

### PROJECT NARRATIVE

The subject property consists of three adjacent parcels (PID Nos. 0387-13-0001, 0387-14-0003, and 0387-14-0004), all located along the south side of Curry Lane with the westernmost parcel (PID No. 0387-13-0001) located at the southwest quadrant of Pinebrook Road and Curry Lane, which together create a combined area totaling approximately 29.4 acres (the “Property”). The Property is designated Medium Density Residential (PID No. 0387-13-0001) and Moderate Density Residential (PID No. 0387-13-0001) on the Future Land Use Map and is zoned Residential Multi-Family-3 (PID Nos. 0387-14-0003 and 0387-14-0004) and Residential Multi-Family-1 (PID Nos. 0387-14-0003 and 0387-14-0004).

The Applicant’s Site & Development Plan (Petition No. 21-13SP) proposes a 244-unit multi-family residential project of paired villas, for which the Applicant is also seeking a Conditional Use approval (via Petition No. 21-14CU) to gate the community (the “Project”).

Given that the Property and Project has frontage along two rights-of-way, Pinebrook Road and Curry Lane, the Project has two required front yards. The City’s land development regulations require 20-foot front yard setbacks in all residential zoning districts. As shown on the Project’s Landscape Plans filed with Petition No. 21-13SP, the Applicant has proposed a 6-foot-tall masonry wall located in its 10-foot-wide Pinebrook Road landscape buffer, which is also within the Property’s required 20-foot front yard setback.

Sec. 86-497(b) prohibits solid fences that are greater than 6-feet in height from the existing ground elevation when located within a required front yard in all residential zoning districts. Pursuant to Sec. 86-23(m)(12), the Applicant is hereby requesting a modification from Sec. 86-497(b) to allow for the City’s approval of the Project’s proposed wall as designed per the plans accompanying Petition No. 21-13SP.

The Applicant held multiple public workshop meetings to address specific concerns of and questions from neighboring residents of the Property. The Applicant’s proposed 6-foot wall along Pinebrook Road—the subject of this Special Exception petition—was a result of these meetings and the Applicant’s response to address the neighboring residents’ request for such a wall. During special meetings held with residents of the nearby Windwood development, the Applicant specifically agreed to propose this 6-foot wall along Pinebrook Road when filing its Site and Development Plans; the residents responded positively and voiced support of the proposed development plans. In addition to generating a positive response from neighboring residents, the proposed wall is similar to those of other developments in the area.

Finally, the proposed special exception is consistent with Comprehensive Plan Policy 8.2 as described below in bold font:

Policy 8.2 Land Use Compatibility Review Procedures. Ensure that the character and design of infill and new development are compatible with existing neighborhoods.

Compatibility review shall include the evaluation of the following items with regard to annexation, rezoning, conditional use, special exception, and site and development plan petitions:

- A. Land use density and intensity.
- B. Building heights and setbacks.
- C. Character or type of use proposed.
- D. Site and architectural mitigation design techniques.

**Whereas, in the City of Venice walls are typically utilized in residential developments for the purpose of buffering and mitigating against potential incompatibility, the proposed six-foot wall located in the Project's western landscape buffer provides enhanced buffering beyond code requirements and consequently supports a finding of compatibility when evaluating items A through C above.**

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.
- F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.
- 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.
- H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

**To the extent that considerations E through H above could be found relevant to the Project and this special exception, the proposed six-foot wall located in the Project's western landscape buffer provides enhanced buffering beyond code requirements and consequently supports a finding of compatibility for the Project and existing properties in the area.**

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

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

- J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.
- K. Locating road access to minimize adverse impacts.
- L. Adjusting building setbacks to transition between different uses.
- M. Applying step-down or tiered building heights to transition between different uses.
- N. Lowering density or intensity of land uses to transition between different uses.

**To the extent that potential incompatibility could result from the Project's use and design, walls are often utilized as a mitigation technique in residential developments to provide effective buffering, screening, and transitioning. The proposed six-foot wall located in the Project's western landscape buffer provides enhanced buffering beyond code requirements, which in combination with other details of the proposed Project design that encompass the considerations under items I through N above, and for which do not require a special exception, facilitates compatibility.**