

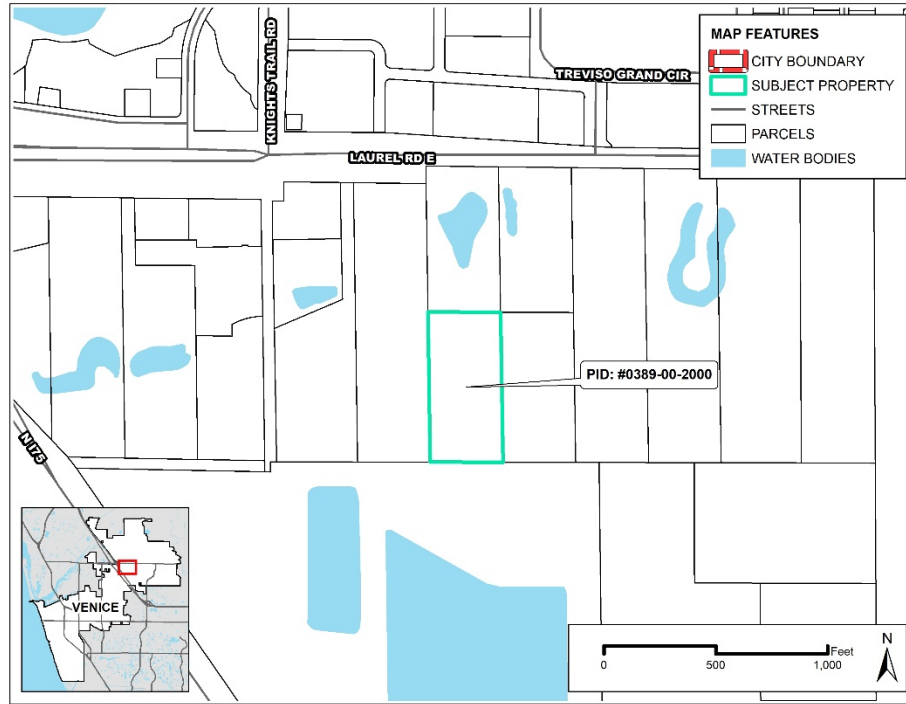


# COMPREHENSIVE PLAN AMENDMENT

## STAFF REPORT

### FARO PROPERTY

September 21, 2021  
21-32CP



#### GENERAL INFORMATION

<b>Address:</b>	3530 Laurel Road East
<b>Request:</b>	To amend the text of the Comprehensive Plan to allow properties with industrial uses existing prior to 2017 in the East Venice Avenue Neighborhood with a Mixed Use Corridor designation to rezone said properties to Industrial, Light and Warehousing.
<b>Owner:</b>	Thomas and Beatrice Faro
<b>Agent:</b>	Jackson R. Boone, Esq., Boone Law Firm
<b>Parcel ID:</b>	0389002000
<b>Property Size:</b>	5 ± acres
<b>Future Land Use:</b>	Mixed Use Corridor
<b>Existing Zoning:</b>	Sarasota County Open Use Estate (OUE)
<b>Comprehensive Plan Neighborhood:</b>	Laurel Road Neighborhood
<b>Application Date:</b>	July 22, 2021

## RELATED PETITIONS

Zoning Map Amendment Petition No. 21-33RZ

## ASSOCIATED DOCUMENTS

- A. Application Information (completed petitions)
- B. Strikethrough-Underline Text Revisions

## I. PROJECT DESCRIPTION

Following is the text that provides the minimum and maximum targeted land uses, densities, and intensities of the Mixed Use Corridor (MUC):

### **Strategy LU 1.2.9.c - Corridor (MUC)**

1. Envisioned to be located in and support the Island Neighborhood, Laurel Road Corridor, Gateway and Knights Trail Neighborhood.
2. Supports mixed use (horizontal and vertical).
3. Moderate to Medium Density Residential uses are permitted; low density/single family uses are not permitted.
4. Non-Residential uses are limited to Commercial and Institutional-Professional.
5. Industrial Uses are not permitted except as noted below.
6. Designation Total Development (Min/Max Percentages) as follows:
  - a) Non-Residential: See Specific Neighborhood for Min/Max Percentages
  - b) Residential: See Specific Neighborhood for Min/Max Percentages
7. Intensity/Density:
  - a) Non-Residential Intensity (FAR): 0.5 (average) Designation-Wide; 1.0 maximum per individual property
  - b) Residential Density: 5.1 - 13.0
8. Typically developed utilizing form based code concepts and standards for building placement, design, and parking; "campus-style" design may be used.
9. Except for MUC located within the Laurel Road Corridor, Large-scale, single use commercial buildings and uses including those requiring outdoor display of goods are not permitted within this Designation.
10. Within the Laurel Road Corridor existing ILW Zoned properties shall be permitted to remain as "grandfathered".

The applicant is requesting that the text of the Mixed Use Corridor designation in Strategy LU 1.2.9.c be amended to include the following:

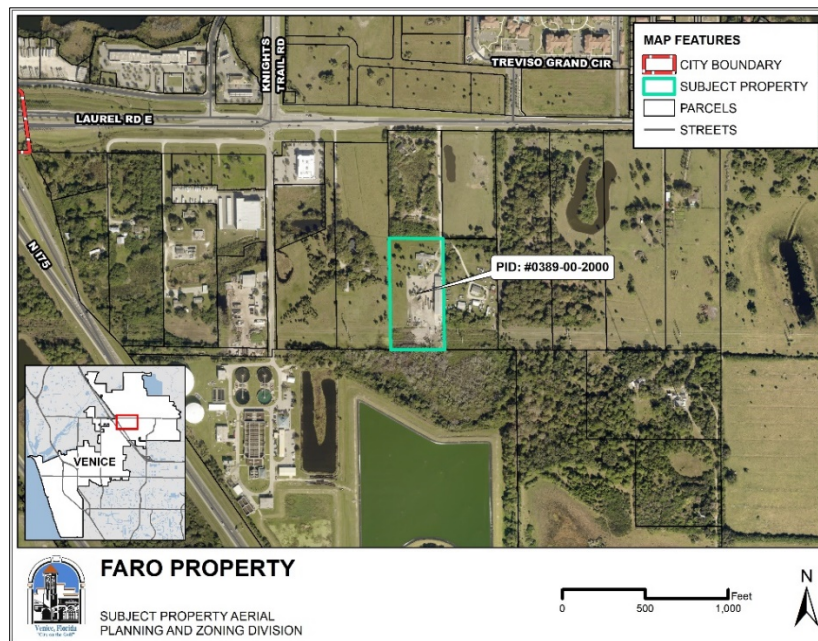
*10. Within the Laurel Road Corridor existing ILW Zoned properties shall be permitted to remain as "grandfathered" ~~and properties with existing industrial uses at the time of adoption of the 2017 Comprehensive Plan shall be permitted to be rezoned to the ILW zoning district.~~*

The property owner operates an industrial business offering welding, fabricating, and maintenance, and states that they have been in operation since before the property was annexed into the city in 2006. The property was not assigned a City zoning district upon annexation, and the owner wishes to rezone to City Industrial, Light

and Warehousing (ILW). This would currently be inconsistent with the Comprehensive Plan, which states in item 5 of the list under the same strategy that “[i]ndustrial uses are not permitted except as noted below [referring to item 10].”

There is one existing property with the MUC designation that was industrial and were already zoned ILW at the time of Comprehensive Plan adoptions. There is another industrial property in the Laurel Road MUC; however, this property has a zoning designation of Planned Industrial Development (PID).

## II. EXISTING CONDITIONS



### Site Photographs



View from Laurel Road



View from Driveway at Laurel Road



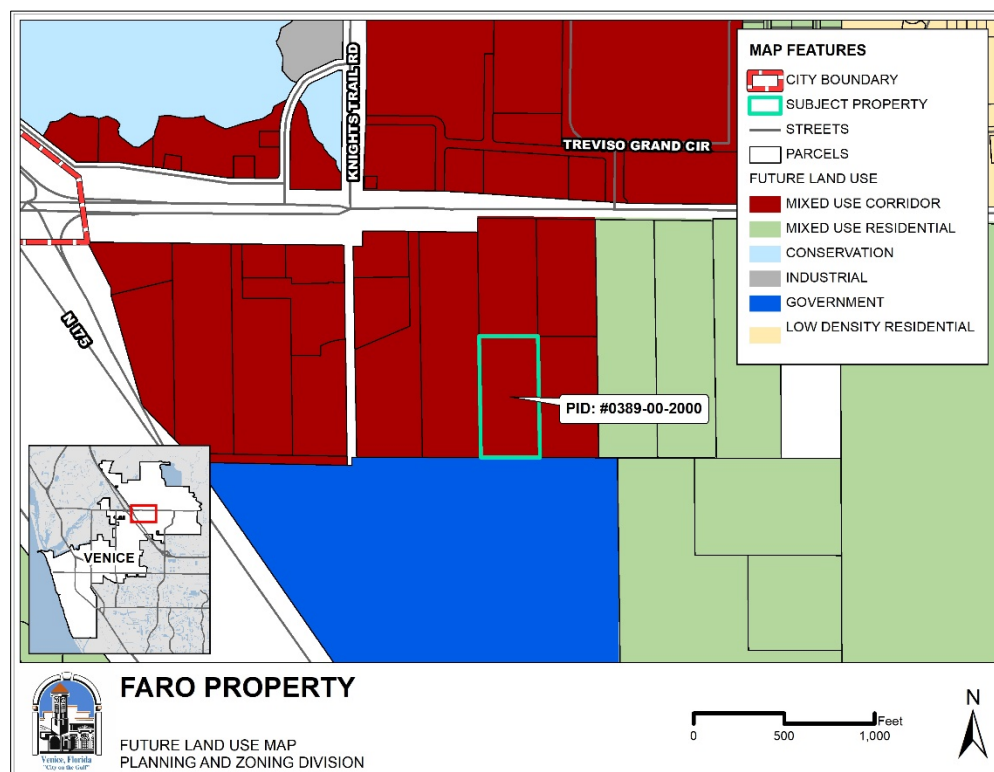
*View of Development on Property*



*Alternate View of Development on Property*

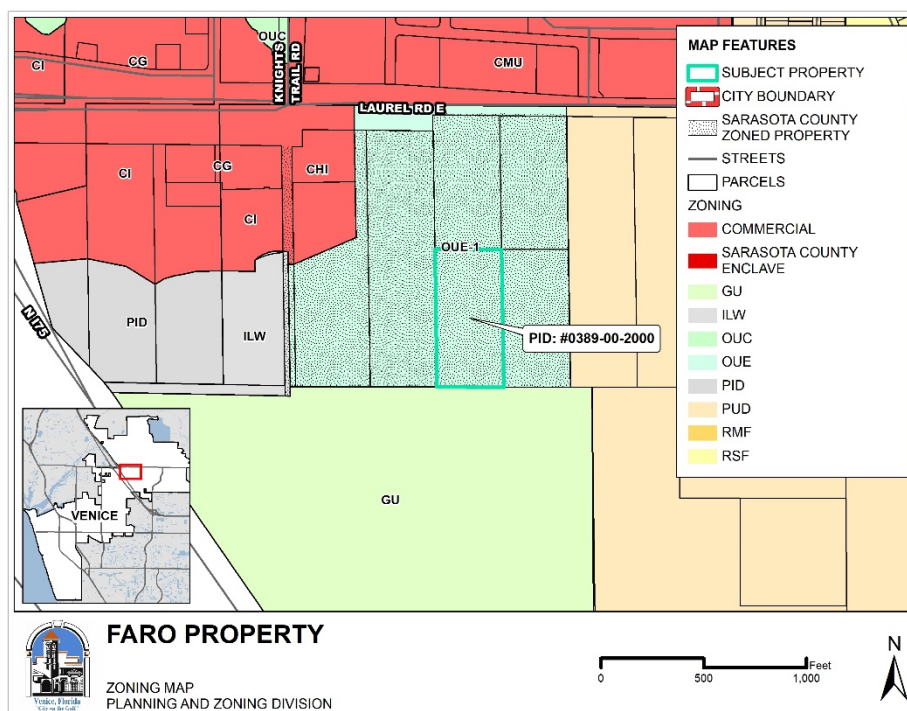
### Future Land Use

The subject property has a Future Land Use (FLU) designation of Mixed Use Corridor and is surrounded by the same designation on three sides (east, west, and north). To the south is a parcel with a Government FLU designation.



### Zoning Designation

Existing zoning on the subject property is Sarasota County Open Use Estate (OUE-1), and again it is surrounded by the same OUE-1 zoning on three sides to the east, west, and north. Property to the south is zoned Government Use.



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	Residential (single-family)/vacant	Sarasota County Open Use Estate (OUE-1)	Mixed Use Corridor
West	Residential (single-family)	Sarasota County OUE-1	Mixed Use Corridor
South	Public Utilities	Government Use (GU)	Government
East	Residential (single-family)	Sarasota County OUE-1	Mixed Use Corridor

## III. PLANNING ANALYSIS

### Land Development Code

Section 86-33(5) of the Land Development Code directs Planning and Zoning staff in its review of a comprehensive plan amendment application. The code provision specifies that:

*This review will be done to determine consistency with the comprehensive plan and other relevant city ordinances, resolutions or agreements, and assess the effect of the proposed amendment upon the financial feasibility of the comprehensive plan. This analysis shall also address the proposed amendment's consistency with the applicable requirements of F.S. ch.163.*

## **Comprehensive Plan**

### *Strategy LU 1.2.9c*

*This petition requests to amend the text of the Mixed Use Corridor Future Land Use designation. Currently, the designation does not allow industrial uses except where properties were already zoned ILW at the time the 2017 Comprehensive Plan was adopted. The designation supports horizontal and vertical mixed use and permits moderate to medium density residential, along with commercial and institutional professional uses. Low density residential/single-family development is not permitted in the MUC designation, either.*

### *Laurel Road Neighborhood*

The project proposes a text change, so no impact on intensity is expected through this petition. The Comprehensive Plan describes an intention to make the Laurel Road neighborhood a visual gateway to the City and for the neighborhood to support new residential development with non-residential uses.

## **Other Relevant City ordinances, resolutions or agreements**

Other ordinances and agreements relevant to the application are the annexation ordinance. The annexation was approved on April 26, 2006, and did not address existing uses on the property. Staff is not aware of any other city ordinance, resolution or agreement that is directly relevant to the proposed comprehensive plan amendment.

## **Florida Statutes**

Due to the scope of the amendment request, the Florida Statutes section 163.3184(3) indicates that the proposed comprehensive plan amendment will be processed through the State's expedited review process. This will require a recommendation from Planning Commission to City Council. City Council will then hold a reading of the ordinance and transmit the results of that hearing to the State for approval before holding a final adoption hearing.

### *Section 163.3177(6)(a)2*

Fla. Stat. § 163.3177(6)(a)2 contains ten criteria for evaluating future land use plan amendments, and this section of the report will respond to each with staff comments.

*2. The future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area, as applicable, including:*

*a. The amount of land required to accommodate anticipated growth.*

**Staff Response:** The Comprehensive Plan addresses the need for non-residential uses in this neighborhood that will support residential growth in the area.

*b. The projected permanent and seasonal population of the area.*

**Staff Response:** Not applicable.

*c. The character of undeveloped land.*

**Staff Response:** The property is currently developed and operating as an industrial business.

*d. The availability of water supplies, public facilities, and services.*

**Staff Response:** The project has been reviewed by the City's Technical Review Committee and no issues have been raised regarding the ability to provide services to the site. There is no development proposed at this time.

*e. The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.*

**Staff Response:** The applicant is proposing a text amendment that would allow a zoning change to make the existing use conforming.

*f. The compatibility of uses on lands adjacent to or closely proximate to military installations.*

**Staff Response:** Not applicable, as there are no military installations near the subject property.

*g. The compatibility of uses on lands adjacent to an airport.*

**Staff Response:** Not applicable, as the subject property is not adjacent to an airport.

*h. The discouragement of urban sprawl.*

**Staff Response:** The subject property is already within the City of Venice.

*i. The need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.*

**Staff Response:** The proposed text amendment would allow industrial uses to be formalized or made conforming, which is not likely to contribute to the economy as it addresses existing businesses. If existing businesses were to use this change to rezone and expand their properties, it could contribute to the city's economy, albeit with uses currently discouraged in the area by the Comprehensive Plan.

*j. The need to modify land uses and development patterns within antiquated subdivisions.*

**Staff Response:** The subject property is not part of an antiquated subdivision.

**Finding of Fact:** Staff has provided analysis of the proposed Comprehensive Plan Amendment regarding consistency with the Comprehensive Plan, the Land Development Code (LDC), and other relevant city ordinances, resolutions or agreements. In addition, analysis has been provided by staff regarding compliance with the applicable requirements of Chapter 163 Florida Statutes. The analysis provided should be taken into consideration regarding determination on the proposed Comprehensive Plan Amendment.

## IV. CONCLUSION

### Planning Commission Recommendation

Pursuant to Section 86-33(7), the Planning Commission, sitting as the local planning agency, shall hold an advertised public hearing on a proposed comprehensive plan amendment to review the amendment and provide recommendations to city council. The Planning Commission's recommendation shall be based, in part, on staff's planning analysis and findings related to the proposed comprehensive plan amendment. Section VI of this report includes a review of factors required by Section 86-33(5) of the Land Development Code and Florida Statutes Section 163.3177(6)(a) and provides the Planning Commission with competent and substantial evidence to support a recommendation to City Council on petition 21-32CP.