

Arguments made that County Commission not following county policy and appropriate procedure with Siesta Promenade proposal

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Former senior planner for the county and a Pine Shores resident plead for changes to ensure all potentially affected areas can be given adequate consideration

As a senior planner for Sarasota County for 22 years, Brian Lichterman told *The Sarasota News Leader*, he was the primary person responsible for implementing a process that Benderson Development has initiated for its proposed Siesta Promenade project.

“I’ve done over 30 of those things,” he said in a Jan. 25 interview, referring to a Critical Area Plan, or CAP.

That expertise, he pointed out, lay behind his assertion to the County Commission last week that it was **taking the incorrect approach on Siesta Promenade.**

The purpose of establishing a boundary for a CAP project, Lichterman explained, is to insure that all the important changes a proposed development will bring to a specific area are addressed.

The boundary, he added, is not intended to encompass just the area of the project. Yet, that is exactly what Benderson has sought in its application for

a CAP for Siesta Promenade, Lichterman told the County Commission during the Open to the Public part of the board's afternoon session on Jan. 25.

As the owner of Vision Planning & Design in Sarasota, Lichterman was representing the Pine Shores Neighborhood Alliance, a coalition of six neighborhood associations and commercial property owners in the vicinity of the 24-acre site for Siesta Promenade.

The project would stand on the northwest corner of the Stickney Point Road/U.S. 41 intersection, just east of Siesta Key.

A discussion on the scope of work county staff planned to require of Benderson was the next item on the agenda following Open to the Public.

"I'm here to respectfully but strongly urge you to significantly expand the boundaries," Lichterman told the board.

A failure to look at all four quadrants of the Stickney Point Road/U.S. 41 intersection as part of the CAP boundary for Siesta Promenade, Lichterman said, "is like looking through a hole in a wooden fence: You're not seeing the whole picture."

"This is a critically important, regional intersection," Lichterman stressed. The CAP process, he added, was intended to create a comprehensive planning tool to address area-wide solutions in regard to future land use, compatibility, transportation, traffic circulation, cut-through traffic, walkability, drainage, utilities and urban design.

He referenced a comment by architect Daniel Burham, who — with John Root — planned the 1983 World’s Columbian Exposition in Chicago: “Make no little plans; they have no magic to stir men’s blood.”

Another plea

Sura Kochman, a Pine Shores resident who has lived part- or full-time in the county for the past 60 years, added another layer to Lichterman’s argument.

Holding up a copy of what she called the “flow chart” designed to lead to approval of a CAP, Kochman said, “It clearly notes that there should be a decision by [the commissioners] on a CAP boundary before the application can proceed.”

However, [the board chose not to settle on the boundary when it held an Oct. 11, 2016 public hearing on the issue](#), she pointed out. Instead, the commissioners continued that hearing, agreeing to hold one public hearing on the CAP boundary, Benderson’s request for the CAP and the petition for the rezoning of the property, Kochman added.

A staff memo prepared for the commissioners in advance of the Jan. 25 agenda item also did not call for the boundary decision to be handled at the outset of the process, she noted.

Yet, the boundary Benderson has proposed “does not include *neighborhoods* or retail businesses nearby, which a real CAP is supposed

to encompass in the true sense of the concept,” Kochman emphasized to the commissioners.

A Dec. 19, 2016 neighborhood workshop staff conducted on the project “was held prematurely,” she said, as the boundary at the focus of that session was just the one Benderson has proposed.

The appropriate step, she said, would be for the board to ask staff to come back to it after the studies called for in the scope of work were completed. Then, the commissioners could approve the boundary or decide whether a CAP even is appropriate for the site, she pointed out. If the board approved the boundary then, that would enable the requirements outlined in the flow chart to proceed as specified by county ordinance, she continued; the very next step would be a public workshop.

Under the *Next Steps* heading, the staff memo says that after the scope of work has been approved, “the Applicant will compile the required analysis and information and submit a new CAP application.” Following submission of that material, the memo continues, staff will review it to determine whether the application has been completed. Such a review would be expected to take 30 to 45 days, the memo points out.

After the application has been deemed complete, the memo says, the formal review of the CAP application and rezoning petition “will commence.”

The memo adds that staff anticipates the first public hearing — which would be before the county’s Planning Commission — to occur about 60 days after staff

begins the formal review of the application. The final hearing before the County Commission would be expected approximately 45 days after the Planning Commission addressed the issue.

Board response

Chair Paul Caragiulo questioned county staff about Kochman's comments regarding what Caragiulo called "the integrity of the Critical Area Plan process." County Planner Todd Dary responded, "We have been following [the process], per the rules."

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The Siesta Promenade proposal, Dary continued, "doesn't fit perfectly with the traditional development or plan that CAPs have been used for ..." For example, Dary noted, most of the existing CAPs have been initiated by the county and have evolved into public/private collaborations. While Siesta Promenade would have a regional impact, as those did, Dary said, the process has been initiated by the private sector. By requiring the studies the board was as the scope of work, Dary added, he believed staff members were "adhering to [the CAP ordinance] and have adhered to it."

No other board member raised concerns about the issue.

Parks, recreation and alternatives

One further concern Kochman voiced focused on a change in the parks and recreation requirements for the scope of work.

The original staff recommendation, she told the commissioners, called for 1 acre set aside for recreational purposes for each 47 dwelling units. “Your new scope of work has omitted that and put in nebulous wording,” she said during her Jan. 25 public comments.

The number of dwelling units for Siesta Promenade has been touted by county staff and document in a range from about 501 to almost 600; 150 of them would be hotel rooms.

In a Jan. 20 email to the board members, Kochman pointed out that the scope of work says, “The developer shall utilize the most applicable [her emphasis] proposed [level of service] in the 2016 Parks, Preserves and Recreation Strategic Master Plan, as a benchmark for park and recreation analysis.”

She had asked for a clarification from Carolyn Brown, director of the county’s Parks, Recreation and Natural Resources Department, she added.

In a Dec. 22, 2016 email to Kochman — which Kochman shared with the *News Leader*— Brown wrote that the county standards for parks and recreation levels of service take into consideration the type of development being planned. For example, Brown continued, if families with children were expected to live in a new community, “playgrounds would be important. If, on the other hand, future residents will mostly be active seniors, tennis courts, pickleball courts, trails, etc. may be more appropriate than large playgrounds ...”

As for the amount of area specified for parks and recreation: Brown explained the 1:47 ratio Kochman referenced on Jan. 25: “[I]f there are 100 dwelling

units/houses/apartments on site, the developer would be required to build a 2.12 acre ... park site with the appropriate type of facilities to meet the needs of on-site residents.”

However, in a Dec. 20, 2016 email that Kochman also shared with the *News Leader*, county Planner Dary had a different interpretation. He wrote that the analysis regarding park and recreational space would take into consideration such facilities already in an area, instead of focusing on the new development. “We’ll require a minimal amount to be provided onsite for the apartments,” Dary wrote, “and the remainder of the analysis [will] address the connectivity to the surrounding area amenities, e.g., Phillippi [Estate Park on South Tamiami Trail in Sarasota and] beach access points.”

“It seems inappropriate to use the recreation of Siesta Beach, etc. to count towards the recreation needs of this 24 acre development,” Kochman wrote in her Jan. 20 email to the commissioners.”

No commissioner addressed the parks and recreation points during the Jan. 25 discussion.