



December 3, 2018

To: The Board of County Commissioners
The Honorable Nancy C. Detert, Chair
The Honorable Charles D. Hines, Vice-Chair
The Honorable Alan Maio
The Honorable Michael A. Moran
The Honorable Christian Ziegler

Subject: Siesta Promenade Impact on Siesta Key

Honorable Commissioners:

Siesta Key Association of Sarasota, Inc. (SKA) respectfully requests that you do not approve the Critical Area Plan (CAP) application for Siesta Promenade in its current form. The SKA Board of Directors and the majority of SKA members are gravely concerned that the project as proposed would have an immense detrimental impact on Siesta Key residents, property owners, businesses, and visitors, and that this area-wide impact has not been properly considered in the current plan.

According to the Sarasota County Planning and Development Services Cutsheet on Critical Area Plans as Updated August 2014:

“Critical Area Plans (CAPs) help determine the location and number of different land uses (i.e., residential, commercial, office). This area-wide planning approach assesses impacts on a cumulative basis rather than a site-specific basis.”

Clearly, the project currently being proposed by Benderson Development is a site-specific project that is absent the context of the overall area-wide plan required by our county ordinances. In reviewing Sarasota County public documents related to previously approved projects submitted under Critical Area Plans, all encompass a wide area surrounding proposed development sites and include all existing and potential residential and commercial entities within that area in the process. None are evident where the boundary is limited to a single development site without consideration of its surroundings.

SKA supports objections raised by other concerned parties that the required process for a CAP has not been followed for Siesta Promenade. As the above referenced cutsheet states, a CAP involves a three-step process. Step 1 is completed *“when the Sarasota County Commission approves the CAP boundary and project scope.”* In the previously approved projects implemented under a CAP, there is a distinct ordinance recorded that defines and approves the CAP boundary. Only after a boundary has been approved can all of the relevant studies and community engagements required in Step 2 be properly conducted to assess the true impact of the project on all affected parties.



For Siesta Promenade, the Board of County Commissioners deviated from the prescribed process and chose to consider the project and all of its related rezoning and exception petitions as a single package. SKA believes that under the prescribed process, the CAP boundary should have encompassed all four quadrants of the US-41 and Stickney Point Road intersection, and at least parts, if not all of Siesta Key. Because the proposed project has failed to consider the significant impact on Siesta Key, SKA respectfully requests that the project not be allowed to proceed until such impacts have been properly documented and addressed.

But beyond the technicalities of the CAP process, the Board of County Commissioners frequently remind us that they represent all of the residents of Sarasota County. Whether considered under a CAP process or not, and irrespective of how the boundaries are drawn, SKA believes that the Commissioners have a fundamental responsibility to consider the safety and welfare of all residents, property owners, businesses and visitors potentially affected by this project above all else in deciding how the project should proceed. SKA sincerely believes that in that context, the Commissioners must in good conscience insist that the project not proceed until significant changes are made to mitigate the impact on this vital area of Sarasota County.

While the traffic issues that would arise if the proposed project were allowed to proceed have been discussed at length, the focus has been mainly on the area immediately surrounding the site. SKA continues to believe that there are many unresolved issues related to traffic light timing and the practicality of implementing some of the roadway changes proposed for that area, but we respectfully request that the Commissioners thoroughly consider the realistic impact on the entire area that would be affected. Congestion at the intersection of US-41 and Stickney Point Road would no doubt increase traffic on US-41 between Stickney Point Road and Bee Ridge Road as well as on the two-lane north bridge to Siesta Key. The increased traffic on US-41 and on Siesta Drive, which is already dealing with deadly traffic issues, would create unacceptable safety hazards for our community. Provisions must be made to be sure this does not happen before the project is allowed to proceed.

It is commonly acknowledged that the traffic situation on Stickney Point Road between US-41 and Siesta Key is already at critically unsafe levels during busy seasons and holidays, which now extend throughout the year rather than just the winter months. It is not unreasonable to state that it has become life-threatening in some cases. Sarasota County Staff has stated that traffic should not be an impediment to approval of this project because a developer cannot be required to correct an existing problem. While we accept the basic principle they cite, we strongly believe that **a developer should under no circumstances be allowed to proceed with a project that will most certainly make an already critical situation much worse.** SKA believes the Commissioners must in good conscience put the safety and welfare of the community first and foremost in making their decision on this project.



In summary, SKA sincerely respects the right of Benderson Development to utilize their property in a profitable way, but we also must insist that they be required to do it in a way that is not damaging to the Siesta Key community. Ideally, they would do it in a way that is mutually beneficial, as is their common practice at other sites. Quoting again from the cutsheet on Critical Area Plans, *“The County Commission then holds a public hearing and makes a final determination whether to approve the CAP, approve the CAP with changes, or not approve it.”* SKA respectfully requests that the Board of County Commissioners, acting in the best interests of the community, either deny the current CAP proposal and require the project to be submitted subject to the density limits of normal rezoning and exception processes or require significant changes to the Critical Area Plan that will mitigate the effects of the development on the surrounding neighborhood and the entire affected area, including Siesta Key. Bringing the density into conformance with typical limits for a site of this size seems to be the logical approach to addressing both the compatibility and traffic issues.

Thank you for your consideration in this matter.

On behalf of the Board of Directors,

Eugene F. Kusekoski

President

The Siesta Key Association of Sarasota, Inc.