



November 13, 2018

To: Sarasota County Planning Commission

Subject: Siesta Promenade Critical Area Plan

Dear Commissioners:

Siesta Key Association of Sarasota, Inc. (SKA) respectfully requests that you deny the pending Critical Area Plan (CAP) application submitted by Benderson Development for Siesta Promenade. SKA asserts that a CAP is not appropriate for this project as currently proposed and that the project should either be considered under normal rezoning and exception processes or a valid CAP application be submitted that accurately considers the area-wide impact. SKA is gravely concerned that the project as currently proposed would have an enormous detrimental impact on Siesta Key residents, visitors, and businesses due to the significant additional traffic generated within an already critically congested area.

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.”*

It is clear that the project currently being proposed by Benderson Development is a site-specific project that is absent the context of the overall area-wide plan that would be part of a valid CAP. In reviewing Sarasota County documents related to previously approved projects submitted under Critical Area Plans, all encompass a wide area surrounding proposed development sites, including existing residential and commercial entities. None are evident where the boundary is limited only to a proposed development site.

Further, the required process for a CAP has not been followed for Siesta Promenade. As the above referenced document 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 approves the CAP boundary. Only after a boundary has been approved can the studies and community engagement required in Step 2 be properly conducted.

For Siesta Promenade, the Board of County Commissioners decided to bypass the requirement for a defined CAP boundary to be approved and to consider the project and all of its related rezoning and

exception petitions as a unified entity. Clearly, this is not an appropriate implementation of the CAP process. Had the appropriate process been followed, the CAP boundary would at minimum encompass all existing residential and commercial developments adjacent to the Benderson site, including all four quadrants of the US-41 and Stickney Point Road intersection, and at least parts of Siesta Key. SKA asserts that the Benderson project as currently proposed has failed to properly consider the impact on this extended area, and that any large scale project at that location should not be considered for approval unless the overall area impact has been accurately assessed.

SKA also asserts that the project as currently proposed is based on invalid assumptions that changes will be made by entities outside the control of Benderson Development. For example, the current proposal continues to assume that FDOT will re-time traffic lights on US-41, which FDOT has clearly stated that it will not do. The FDOT position is appropriate because any change would have a major ripple effect on the entire corridor. Such impacts would have been part of the study area in a valid Critical Area Plan.

SKA proposes that a valid CAP boundary might potentially include all of US-41 between Stickney Point Road and Bee Ridge Road and Siesta Key between the south drawbridge on Stickney Point Road and the north drawbridge on Siesta Drive. There is already an electronic sign on the Benderson property directing drivers to use the north bridge to Siesta Key instead of the south bridge. However, this has major implications, including putting more traffic on US-41 north of Stickney Point Road and more traffic on the two-lane north bridge to Siesta Key. This increased traffic through at least one school zone on US-41 and on Siesta Drive, which is already dealing with deadly traffic issues, represents major safety hazards. Such impacts would have been part of the study in a valid Critical Area Plan.

The Benderson proposal also has recommended that FDOT increase the length of the left turn lanes from northbound US-41 to Stickney Point Road, which would shorten the left turn lanes on southbound US-41 onto Gulf Gate Drive. Implementing such a change would seriously affect the existing commercial businesses in the Gulf Gate area. This is yet another factor that was not properly considered as it would be in a valid Critical Area Plan.

Benderson asserts that their studies have shown that the impact of additional traffic generated by their development would be minimal, but their traffic studies have been conducted at times when observed traffic is already minimal instead of at actual observed peak times. Sarasota County's own studies have shown that there would be a projected increase of up to 8700 new cars a day in this already congested area. The many major discrepancies between the assumptions made in the Benderson proposal and the facts documented by relevant agencies should provide convincing evidence for why the CAP in its current form should be denied.



P. O. Box 35200 • Sarasota, Florida 34242 • (941) 364-4880  
[www.Siestakeyassociation.com](http://www.Siestakeyassociation.com)

In summary, SKA respectfully requests that the Planning Commission deny the current Benderson application and either require the project to be submitted under the normal rezoning and exception processes or to require a valid Critical Area Plan to be prepared with the mandated step-by-step implementation and a wide area boundary that includes all affected areas.

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.

Cc: The Sarasota Board of County Commissioners