

**CITY OF VENICE, FLORIDA
CITY COUNCIL
ORDER NO. 22-40SP**

AN ORDER OF THE VENICE CITY COUNCIL APPROVING SITE AND DEVELOPMENT PLAN PETITION NO. 22-40SP FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LAUREL ROAD AND JACARANDA BOULEVARD IN THE MILANO PLANNED UNIT DEVELOPMENT, PID NO. 0391040072, FOR DEVELOPMENT OF A COMMERCIAL RETAIL CENTER AND ASSOCIATED IMPROVEMENTS; SUPERSEDING AND REPLACING ORDER NO. 22-40SP RENDERED BY THE PLANNING COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Border and Jacaranda Holdings, LLC, through its agent Jeffrey A. Boone, Esq. of Boone Law Firm, submitted **Site and Development Plan Petition No. 22-40SP** for **Village at Laurel and Jacaranda**, located at the southwest corner of Laurel Road and Jacaranda Boulevard in the Milano planned unit development, Parcel Identification No. 0391040072, (further described in Exhibit A); comprised of **Site and Development Plans** (signed and sealed), prepared by D. Shawn Liens, P.E., of AM Engineering, LLC, consisting of **seven sheets**, received by the City on **June 18, 2024**; **Landscape Plans** (signed and sealed) prepared by Ryan W. Sollars, RLA, of Stewart Washmuth Sollars Landscape Architecture, consisting of **nine sheets**, received by the City on **June 18, 2024**; **Survey** (signed and sealed) by Brian C. Ritz, P.S.M., of AM Engineering, LLC., consisting of **three sheets**, received by the City on **June 28 2022**; **Color Elevations and Signage Plans** prepared by Fisher and Associates, LLC, consisting of **four sheets**, received by the City on **April 1, 2024**; and,

WHEREAS, Petition No. 22-40SP was filed on June 28, 2022, prior to the City's adoption of its new Land Development Regulations and, therefore, was reviewed and approved under the Land Development Code existing as of the date of its filing; and

WHEREAS, the Planning Commission held a noticed public hearing on January 7, 2025, during which the Planning Commission received the Petition, staff report, and testimony provided by staff, the applicant, and interested parties; and,

WHEREAS, the Planning Commission voted to approve Site and Development Plan Petition No. 22-40SP; and

WHEREAS, on January 22, 2025, Gary Scott timely filed a *de novo* appeal of the approval by the Planning Commission to City Council; and

WHEREAS, the City Council held a noticed public hearing on April 9, 2025, during which the City Council received the application, staff report, and testimony and evidence provided by staff, the applicant, interested parties, and the general public; and

WHEREAS, Gary Scott was granted affected party status for the public hearing by vote of City Council; and

WHEREAS, in the performance of its duties, the City Council was guided in its decision and exercise of its discretion to approve, approve with conditions, or to deny the Petition by the standards contained in Section 86-23(m)(1 through 12) of the Land Development Code and other applicable sections of the City Code of Ordinances; and

WHEREAS, the City Council finds that there is competent substantial evidence that the Petition demonstrates compliance with the applicable standards and criteria of the City Land Development Code and consistency with the City Comprehensive Plan.

NOW, THEREFORE, BE IT ORDERED BY THE VENICE CITY COUNCIL, THAT:

Section 1. The above whereas clauses are ratified and confirmed as true and correct.

Section 2. Site and Development Plan Petition No. 22-40SP for Village at Laurel and Jacaranda, as described above, is hereby approved with the following stipulations:

1. The parking lights shall be shielded and of a height and type that does not spill over light outside of the shopping center (i.e., does not exceed a measurement of 0.5 footcandles at the property line).
2. Security cameras shall cover all parking lots.
3. All overnight parking, including but not limited to boats and recreational vehicles, shall be prohibited and that restriction shall be noted by appropriate signage.
4. No gas station or gas pumps shall be allowed.
5. Landscaped buffer shall be provided in compliance with the Milano Planned Unit Development Binding Master Plan, as amended by Ordinance No. 2023-11.

Section 3. This Order shall supersede and replace the Development Order rendered by the Planning Commission on January 9, 2025.

Section 4. This Order shall become effective immediately upon adoption.

Section 5. This Development Order shall expire two years after approval for all or any portion of the project that has not been issued a building permit consistent with the approved plans. This time period may be extended up to one additional year upon application and approval by the City Planning Commission where it can be shown by competent substantial evidence that financial or legal constraints or other events beyond the control of the applicant prevented application for a building permit.

ORDERED at a meeting of the Venice City Council on the 9th day of April, 2025

Nick Pachota, Mayor

ATTEST:

Kelly Michaels, MMC, City Clerk

APPROVED AS TO FORM

Kelly Fernandez, City Attorney

Exhibit A

LEGAL DESCRIPTION

COMMENCING AT THE NORTHEASTERLY CORNER OF TRACT 700, CIELO SUBDIVISION
AS RECORDED IN PLAT BOOK 53, PAGE 288 OF SARASOTA COUNTY OFFICIAL RECORDS,
THENCE SOUTH 00°00'06" WEST, A DISTANCE OF 55.04 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF JACARANDA
BOULEVARD TO THE POINT OF BEGINNING;
THENCE CONTINUE ALONG THE SAID RIGHT-OF-WAY SOUTH 00°00'06" WEST, 478.24 FEET;
THENCE DEPARTING SAID RIGHT-OF-WAY LINE, NORTH 89°14'10" WEST, 935.70 FEET;
THENCE NORTH 00°45'50" EAST, 72.60 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 17.60
FEET AND WHOSE CHORD BEARS NORTH 11°25'30" WEST, 7.43 FEET;
THENCE NORTHERLY 7.49 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 24°22'40", TO A REVERSE
CURVE TO THE RIGHT HAVING A RADIUS OF 110.67 FEET AND WHOSE CHORD BEARS NORTH 11°23'08" WEST, 46.88 FEET;
THENCE NORTHERLY 47.24 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 24°27'24";
THENCE NORTH 00°50'34" EAST, 130.16 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 63.00
FEET AND WHOSE CHORD BEARS NORTH 11°31'26" WEST, 26.97 FEET;
THENCE NORTHERLY 27.18 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 24°43'15", TO A REVERSE
CURVE TO THE RIGHT HAVING A RADIUS OF 94.50 FEET AND WHOSE CHORD BEARS NORTH 11°58'28" WEST, 39.00 FEET;
THENCE NORTHERLY 39.29 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 23°49'11";
THENCE NORTH 00°03'52" WEST, 159.00 FEET TO THE SOUTH LINE OF TRACT 700 OF SAID CIELO SUBDIVISION;
THENCE ALONG SAID SOUTH LINE, SOUTH 89°10'25" EAST, 957.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.42 ACRES OR 453,722 SQUARE FEET, MORE OR LESS.