

CITY OF VENICE, FLORIDA

CITY COUNCIL

ORDER NO. 25-40SP

AN ORDER OF THE VENICE CITY COUNCIL APPROVING SITE AND DEVELOPMENT PLAN PETITION NO. 25-40SP FOR THE PROPERTY LOCATED AT 500 AND 504 GENE GREEN RD., PID NO. 0365-00-1050 AND 0365-00-1030, FOR THE CONSTRUCTION OF SITE IMPROVEMENTS FOR AJAX PLANT OPERATION AND USE AND ASSOCIATED IMPROVEMENTS; SUPERSEDING AND REPLACING ORDER NO. 25-40SP RENDERED BY THE PLANNING COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, MAH Venice Investments, LLC, through its agent Annettee M. Boone, of Boone Law Firm, submitted Site and Development Petition No. 25-40SP for AJAX, Parcel Identification No. 0365-00-1050 and 0365-00-1030 (further described in Exhibit A); comprised of **Site and Development Plan** (signed and sealed), prepared by Robert G. Fisher, P.E., of Fisher Engineering, consisting of **thirteen sheets**, dated **November 11, 2025**; **Landscape Plan** (signed and sealed), prepared by Yvonne R. Hall, ASLA, consisting of **one sheet**, signed **November 4, 2025**; **Photometric Plan**, prepared by Bryan P. Zapf, of ME3 Consulting Engineers, LLC, consisting of **seven sheets**, dated **January 13, 2026**; **Architectural Elevations Building 1** (signed and sealed), prepared by T.A. Krebs, consisting of **one sheet**, dated **March 27, 2025**; **Architectural Elevations Building 2** (signed and sealed), prepared by T.A. Krebs, consisting of **one sheet**, dated **July 18, 2025**; **Architectural Elevations Building 3** (signed and sealed), prepared by Walter E. Wood, consisting of **thirty sheets**, dated **September 20, 2024**; **Architectural Elevations Building 4&5**, prepared by J2 Solutions, consisting of **three sheets**, dated **August 26, 2025**; **Survey** (signed and sealed), prepared by Randalle E. Britt, P.L.S., of Britt Surveying, Inc., consisting of **four sheets**, signed **August 17, 2023**; **Survey** (signed and sealed), prepared by Randalle E. Britt, P.L.S., of Britt Surveying, Inc., consisting of **one sheet**, signed **November 11, 2022**; **Alternative Parking Plan**, prepared by Robert G. Fisher, P.E., of Fisher Engineering, consisting of **three sheets**, dated **March 28, 2025**; and,

WHEREAS, the Planning Commission held a noticed public hearing on March 3, 2026, 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. 25-40SP; and

WHEREAS, on March 12, 2026, Derin Park, of Grimes Galvano, PL on behalf of 700 Gene Green, LLC, timely filed a de novo appeal of the approval by the Planning Commission to City Council; and

WHEREAS, 700 Gene Green, LLC, was granted standing to appeal by vote of City Council; and

WHEREAS, the City Council held a noticed public hearing on May 12, 2026, during which the City Council received the application, staff report, and testimony and evidence provided by staff, the applicant, appellant, and the general public; and

WHEREAS, in the performance of its duties, the City Council applied the criteria contained in Chapter 87, Sec.1.9.4 of the Land Development Code to the Petition; 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 is consistent with the City Comprehensive Plan.

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

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

Section 2. Based on the testimony and evidence presented, Site and Development Plan Petition No. 25-40SP is hereby approved with the following stipulation:

1. The Applicant shall amend the existing easements that will be obstructed by certain Site and Development Plan improvements so that such easements are relocated to become consistent with the access proposed through the Site and Development Plan. The relocated access shall be fully constructed, permitted, and open for use prior to the existing access being closed and prior to any permits being issued for construction that would obstruct or impede the existing access. All such amended easements shall be recorded in the Public

Records of Sarasota County and the Applicant shall provide notice to the City Planning Department of same upon recording. Consistent with this stipulation, the Applicant may proceed with permitting and construction of site improvements prior to all applicable easements being amended and recorded so long as all easement holders' rights of access are maintained.

Section 3. This Order shall supersede and replace the Development Order rendered by the Planning Commission on March 3, 2026.

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

Section 5. This Development Order shall expire and be void 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 12th day of May, 2026.

Attest:

Kelly Michaels, MMC, City Clerk

Nick Pachota, Mayor

Approved as to form:

Kelly M. Fernandez, City Attorney

EXHIBIT A

0365-00-1030

Fee Simple Title Parcel:

A parcel of land lying in Section 22, Township 38 South, Range 19 East Sarasota County, Florida, more particularly described as follows:

Point of commencement, Southwest corner of the Southeast quarter of the Southeast quarter of Section 22, Township 38 south, Range 19 east; thence N.01 04'13"W., along the west line of the Southeast quarter of the Southeast quarter of Section 22 a distance of 1398.48 feet to the Point of Beginning; thence N. 01 04'13"W., along the west line of the Northeast quarter of the Southeast quarter of Section 22 a distance of 1278.44 feet; N.01 04'13"W., along the west line of the Southeast quarter of the Northeast quarter of Section 22 a distance of 1338.57 feet; thence N.89 24'53"W., along the south line of the Northwest quarter of the Northeast quarter of Section 22 a distance of 1327.78 feet; thence N.00 44'08"W., along the west line of the Northwest quarter of the Northeast quarter of Section 22 a distance of 1309.28 feet; thence S.89 22'29"E., a distance of 1120.07 feet; thence S.01 04'13"E., a distance of 1108.61 feet; thence S.89 24'53"E., a distance of 400.17 feet; thence S.01 04'13"E., a distance of 650.27 feet; thence S.89 24'53"E., a distance of 500.21 feet; thence S.01 04'13"E., 1765.76 feet; thence S.59 15'45"W., a distance of 771.08 feet; thence N.89 29'19"W., a distance of 30.01 feet to the Point of Beginning.

Parcel contains 3,023,111 square feet or 69.40 acres, more or less.

Easement Parcel:

Along with a nonexclusive perpetual easement for ingress and egress over, under, across and upon the following described parcel:

Point of Commencement. Southwest Corner of the Southeast Quarter of the Southeast Quarter of Section 22, Township 38 South, Range 19 East; thence N.01 04'13"W., along the West line of the Southeast Quarter of the Southeast Quarter of Section 22, a distance of 1338.46 feet; to the Point of Beginning of an easement, thence N.01 04'13"W., a distance of 60.02 feet; thence S.89 29'19"E., a distance of 30.01 feet; thence S.01 04'13"E., a distance of 60.02 feet; thence N.89 29'19"W., a distance of 30.01 feet to the Point of Beginning, all lying and being in Sarasota County, Florida.

0365-00-1050

A parcel of land lying in Sections 22 & 23, Township 38 South, Range 19 East, Sarasota County, Florida, described as follows:

COMMENCE at the Southwest Corner of the East Half of the Southeast Quarter of Section 22, Township 38 South, Range 19 East, Sarasota County, Florida; thence N.89°49'49"E. along the South line of said Section 22, a distance of 30.01 feet to the POINT OF BEGINNING; thence N.01°24'20"W., a distance of 1338.37 feet;

to the North line of the Southeast Quarter of the Southeast Quarter of said Section 22; thence N.89°47'39"W., along said North line of the Southeast Quarter of the Southeast Quarter of Section 22, a distance of 30.01 feet to the Southwest Corner of the Northeast Quarter of the Southeast Quarter of said Section 22; thence N.01°24'20"W., along the West line of the Northeast Quarter of the Southeast Quarter of said Section 22, a distance of 60.04 feet to the Southwest Corner of lands described in Official Records Book 2938, Page 2825, of the Public Records of Sarasota County, Florida; thence along the boundary line of said lands described in Official Records Book 2938, Page 2825, of the Public Records of Sarasota County, Florida, the following three (3) courses: (1) thence S.89°09'12"W., a distance of 30.01 feet; (2) thence S.58°55'38"W., a distance of 771.07 feet; (3) thence N.01°24'52"W., a distance of 1765.21 feet; thence N.89°44'29"W., a distance of 3.65 feet to the Southeast corner of lands described in Official Records Instrument No. 2013131920 of the Public Records of Sarasota County, Florida; thence continue along the boundary line of lands described in Official Records Instrument No. 2013131920, the following fourteen (14) courses: thence with a curve to the left having a radius of 75.00 feet, a central angle of 39°33'18"; a chord bearing of N.43°58'20"W., and a chord length of 50.76 feet; (1) thence along the arc of said curve an arc length of 51.78 feet; (2) thence N.63°45'01"W., a distance of 61.29 feet; (3) thence N.53°00'55"W., a distance of 84.37 feet; (4) thence N.43°34'09"W., a distance of 35.51 feet; (5) thence N.42°00'45"W., a distance of 89.90 feet to a point on a curve to the right having a radius of 85.00 feet, a central angle of 35°35'49"; a chord bearing of N.24°12'50"W., and a chord length of 51.96 feet; (6) thence along the arc of said curve an arc length of 52.81 feet; (7) thence N.06°24'51"W., a distance of 390.15 feet; (8) thence N.15°17'02"W., a distance of 86.37 feet; (9) thence N.18°16'12"W., a distance of 31.34 feet; (10) thence N.27°55'30"W., a distance of 77.27 feet to a point on a curve to the right having a radius of 55.00 feet, a central angle of 60°01'02"; a chord bearing of N.02°05'01"E., and a chord length of 55.01 feet; (11) thence along the arc of said curve an arc length of 57.61 feet; (12) thence N.32°07'20"E., a distance of 50.23 feet; (13) thence N.89°44'01"W., a distance of 122.13 feet; (14) thence S.01°25'26"E., a distance of 219.47 feet to a point on the boundary line of lands Deeded to Sarasota County as described in Official Records Instrument No. 2012117172 of the Public Records of Sarasota County, Florida; thence continue along the boundary line of said lands described in Official Records Instrument No. 2012117172, the following three (3) courses: (1) thence N.89°44'01"W., a distance of 398.83 feet; (2) thence N.01°25'28"W., a distance of 1001.51 feet; (3) thence S.89°41'55"E., a distance of 313.33 feet to the westerly line of lands described in Official Records Instrument No. 2005120325, of the Public Records of Sarasota County, Florida; thence continue along said westerly line the following two (2) courses: (1) thence S.62°10'20"W., a distance of 84.64 feet; (2) thence S.24°18'58"W., a distance of 181.39 feet to the Southwest Corner of said lands described in Official Records Instrument No. 2005120325; thence S.86°04'46"E., along the southerly line of said lands described in Official Records Instrument No. 2005120325, a distance of 1018.82 feet; thence S.00°49'42"W., along said boundary line of lands described in Official Records Instrument No. 2005120324, a distance of 222.51 feet to the boundary line of lands described in Official Records Instrument No. 2004206843; thence along said boundary of lands described in Official Records Instrument No. 2004206843, the following twenty (20) courses: (1) thence N.78°43'27"W., a distance of 284.04 feet; (2) thence S.44°23'46"W., a distance of 441.21 feet; (3) thence S.26°32'41"W., a distance of 115.98 feet; (4) thence S.33°39'43"E., a distance of 50.94 feet; (5) thence S.18°02'45"E., a distance of 64.81 feet; (6) thence S.15°13'35"E., a distance of 91.55 feet; (7) thence S.06°23'33"E., a distance of 397.41 feet; (8) thence S.38°40'25"E., a distance of 115.21 feet; (9) thence S.50°08'19"E., a distance of 111.81 feet; (10) thence S.63°41'34"E., a distance of 111.67 feet to a point on a curve to the right having a radius of 50.00 feet, a central angle of 62°19'35", a chord bearing of S.32°31'46"E., and a chord length of 51.75 feet; (11) thence

along the arc of said curve an arc length of 54.39 feet; (12) thence S.01°21'59"E., a distance of 1762.71 feet; (13) thence S.71°19'54"E., a distance of 227.79 feet; (14) thence S.38°21'25"E., a distance of 109.73 feet; (15) thence S.84°03'47"E., a distance of 252.53 feet; (16) thence S.12°42'27"E., a distance of 22.40 feet; (17) thence S.05°41'04"W., a distance of 182.64 feet; (18) thence S.25°24'01"E., a distance of 471.53 feet; (19) thence S.08°02'31"E., a distance of 905.97 feet; (20) thence S.01°23'05"W., a distance of 94.48 feet to the South line of Section 23; thence N.89°22'51"W., along said South line of Section 23, a distance of 204.68 feet to the Southeast Corner of Section 22; thence N.89°49'49"W., along said South line of Section 22, a distance of 1317.67 feet to the POINT OF BEGINNING.

LESS: (Lands described in Official Records Instrument #2000030545)

A parcel of land lying in the East Half of the Southeast Quarter of Section 22, Township 38 South, Range 19 East, Sarasota County, Florida, more particularly described as follows:

COMMENCE at the Southwest Corner of the East Half of the Southeast Quarter of Section 22; thence N.01°04'13"W., along the West line of said East Half a distance of 748.95 feet; thence N.88°55'47"E., a distance of 177.35 feet for a POINT OF BEGINNING of the herein described Parcel of land; thence N.05°34'02"W., a distance of 545.10 feet; thence N.84°26'17"E., a distance of 400.00 feet; thence S.05°34'02"E., a distance of 545.10 feet; thence S.84°26'17"W., a distance of 400.00 feet to the POINT OF BEGINNING.

Together with the right to use the Non-Exclusive Easement described in Official Records Book 1084, Page 1584, Public Records of Sarasota County, Florida.