

Zoning Map Amendment
2013

Windwood

Prepared for:

Neal Communities of SW Florida, LLC



Kimley-Horn
and Associates, Inc.



City of Venice
401 West Venice Ave., Venice, FL 34285
941-486-2626

DEVELOPMENT SERVICES - PLANNING & ZONING
ZONING MAP AMENDMENT APPLICATION

15-3RZ

RECEIVED

JAN 23 2014

PLANNING
& ZONING

ZONING MAP AMENDMENT - RZ

Project Name: Windwood

Parcel Identification No.: 0385-09-0001 0385-16-0001

Address: Pinebrook Road

Parcel Size: 46.3 acres

FLUM designation: Low Density Residential

Current Zoning: OUE **Proposed Zoning:** PUD

Property Owner's Name: Neal Communities of SW Florida, LLC c/o Jim Schier

Telephone: 941.328.1040

Fax:

E-mail: jschier@nealcommunities.com

Mailing Address: 5800 Lakewood Ranch Blvd, Sarasota, FL

Authorized Agent/ Attorney: Jeffery A. Boone, Esq.

Telephone: 941.488.6716

Mobile / Fax:

E-mail: jboone@boone-law.com

Mailing Address: 1001 Avenida Del Circo, Venice, FL

Project Engineer : Peter T. VanBuskirk, P.E., AICP

Telephone: 941.379-7600

Mobile / Fax:

E-mail: peter.vanbuskirk@kimley-horn.com

Mailing Address: 2601 Cattlemen Road, Ste 200 Sarasota, FL

Project Planner: Kelley Klepper, AICP

Telephone: 941.379.7600

Mobile / Fax:

E-mail: kelly.klepper@kimley-horn.com

Mailing Address: 2601 Cattlemen Road, Ste 200 Sarasota, FL

Incomplete applications cannot be processed - See reverse side for checklist

Applicant Signature / Date:

APPLICATION CHECKLIST

Required documentation (provide one copy of the following, unless otherwise noted):

- ☐ **Statement of Ownership & Control**
- ☐ **Signed, Sealed and Dated Survey of Property**
- ☐ **Agent Authorization Letter**
- ☐ **Narrative describing the petition**
- ☐ **Public Workshop Requirements.** Date held July 30, 2013
 - ☐ Copy of newspaper ad.
 - ☐ Copy of notice to property owners.
 - ☐ Copy of sign-in sheet.
 - ☐ Written summary of public workshop.

When pertaining to the rezoning of land, the report and recommendations of the planning commission to the city council shall show that the planning commission has studied and considered the proposed change in relation to the following, where applicable:

- a. Whether the proposed change is in conformity to the comprehensive plan.
- b. The existing land use pattern.
- c. Possible creation of an isolated district unrelated to adjacent and nearby districts.
- d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.
- e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
- f. Whether changed or changing conditions make the passage of the proposed amendment necessary.
- g. Whether the proposed change will adversely influence living conditions in the neighborhood.
- h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
- i. Whether the proposed change will create a drainage problem.
- j. Whether the proposed change will seriously reduce light and air to adjacent areas.
- k. Whether the proposed change will adversely affect property values in the adjacent area.
- l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.
- m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
- n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.
- o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
- p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Fees

Application filing fee \$2,908.

Application filing fee for the following zoning districts \$4,732: CMU, PUD, CSC, PCD, PID, RMH.

Public notice fee in excess of \$50 will be billed to applicant and is not included in application fee.

August 27, 2013

City of Venice
Attention: City Clerk
401 West Venice Avenue
Venice, Florida 34285

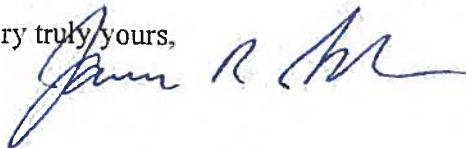
Re: Pinebrook Property

Ladies and Gentlemen:

This letter is submitted to designate Jeffery A. Boone, Esquire as authorized agent to act on our behalf with regard to the Rezone Petition and other matters relating to the above-referenced property.

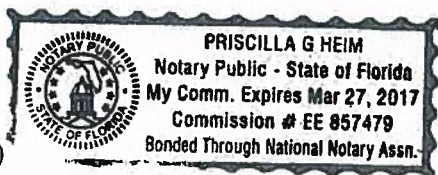
Thank you for your attention to these matters.

Very truly yours,



**STATE OF FLORIDA
COUNTY OF SARASOTA**

28 I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this day of August, 2013, by James R. Schier, who is personally known to me or produced _____ as identification.



(SEAL)

My Commission Expires:

NOTARY PUBLIC

Sign

Print



PRISCILLA G. HEIM

PROJECT NARRATIVE

The applicant, Neal Communities of SW Florida, LLC, proposes to rezone approximately 46.3 acres commonly referred to as "Windwood". The subject properties are located along the west side of Pinebrook Road, south of Laurel Road, north of Kilpatrick Road, within the City of Venice. The applicant proposes to develop a low density residential development with related open space. The site is comprised of two parcels (Parcel Identification Nos. 0385-16-0001, 0385-09-0001). The properties are currently zoned OUE – Open Use Estate and are requested to be rezoned to City of Venice Planned Unit Development.

Rezoning the property from OUE Open Use Estate to PUD is necessary to achieve the applicant's desired development program, unit types and allowable density. The PUD and the applicant's proposal support compatible residential uses to the developments (existing and proposed) located west of I-75. The current OUE Open Use Estate zoning designation prohibits new single family residential dwellings/developments that would be consistent with the City of Venice's vision for the area as expressed through the Comprehensive Plan.

The adopted City of Venice 2030 Future Land Use Map and Zoning Map are included to depict existing and proposed future development conditions as envisioned by the City. The property lies within an area designated for low density residential development permitting up to 5.0 dwelling units per acre. The proposed PUD zoning and proposed density of approximately 2.0 dwelling units per acre (per the attached conceptual site plan) is consistent with this standard. The intent of the neighborhood design utilized for this concept plan has been to provide a range of housing types within the City, but respecting the existing residential communities west of I-75. Consideration of this residential density supports the designation of the mixed residential areas within Windwood and demonstrates compatibility with surrounding area.

In addition, the low density residential and allowable density of up to 5.0 dwelling units per acre can be implemented directly through one of the following City of Venice Zoning Districts: Residential Single Family Districts 1 through 4, Residential Multi-Family District 1 and the Planned Unit Development (PUD) District. The applicant is requesting Planned Unit Development approach in order to allow for a mixture of housing types and sizes, and better design in concert with the existing natural features located on site.

PROJECT DEVELOPMENT STANDARDS

The Windwood PUD is proposed to consist of one (1) residential neighborhood with distinct character, development form, permitted uses and features. The Windwood PUD development standards and permitted and accessory uses are defined in this section and shall govern future development of the subject site consistent with the applicable provisions of the City of Venice Land Development Code.

1. Permitted and Accessory Land Uses
2. Density and Intensity of Development
3. Maximum Building Height Restrictions
4. Yard/Bulk Standards
5. Buffers and Landscaping
6. Signage
7. Residential Street and Connectivity Standards

1. *Permitted and Accessory Land Uses:*

Land Use shall be in accordance with the respective standards contained within this application and as noted below.

Land Use: Permitted uses within this sub-area shall include low density residential/single-family dwellings, recreational areas/open spaces, private clubs, civic and social organization facilities, essential services/utilities necessary to serve the development, and community spaces/areas.

- Permitted Accessory Uses And Structures. Permitted accessory uses and structures are uses and structures which:
 - 1) are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.
 - 2) are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership.
 - 3) do not involve operations or structures not in keeping with the character of the district.
 - 4) do not involve the conduct of business on residential premises, provided that accessory home occupations shall be allowed as accessory to residential uses.

2. *Density and Intensity of Development*

The permitted density and intensity of development shall be in accordance with the standards contained within this application and as noted below.

- **Density:** the PUD allows up to 4.5 dwelling units per gross acre; approximately 2.0 dwelling units per acre are proposed.
- **Non-residential Intensity:** not proposed except for an amenity center, recreational facility(s)/buildings and similar.
- **Open Space:** Pursuant to the requirements of Section 86-130, Subsection (k) (1), of the City of Venice Land Development Code a minimum of fifty (50) percent of Windwood will remain as open space and may include wetlands, easements, buffers and stormwater ponds/facilities.

3. *Maximum Building Height Restrictions*

The permitted maximum height of buildings shall be measured consistent with the provisions of Policies 9.2 and 9.3 of the Future land Use Element of the Comprehensive Plan and in accordance with the respective subarea standards contained within this application and as noted below.

Maximum Building Height: Two stories up to 35 feet

- **Accessory Structures**
 - (1) Accessory uses and structures shall not be located in required front or side yards, but may be located in required rear yards not less than five feet from the rear lot line.

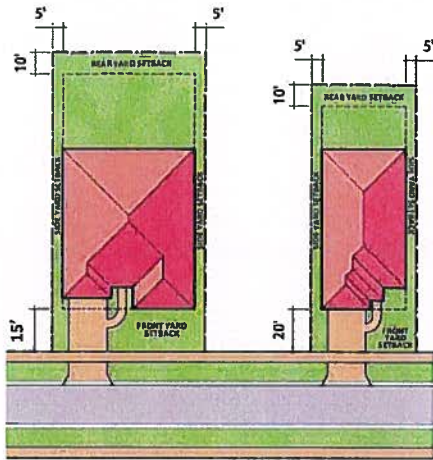
4. *Yard/Bulk Standards*

The permitted yard and bulk standards shall be in accordance with the respective subarea standards contained within this application and as noted below.

Maximum Building Lot Coverage: Subject to PUD standards and setbacks

Minimum Yard Requirements:

- Minimum Lot Width: 52 feet
- Minimum Lot Size: 6,500 sq.ft.
- Front Yard: 15 feet minimum structure, 20 foot minimum driveway length
- Side Yard: 5 feet
- Rear Yard: 10 feet
- Perimeter Setback: one times the height of the adjacent structure.



Yard Requirements

Setbacks shall be as illustrated on the attached lotting diagram; Setbacks for accessory structures/appurtenant structures such as pool cages, may be located within five feet of the lot line.

5. Buffers and Landscaping

The purpose of these provisions are to assure compliance with City of Venice buffering objectives as identified in the City of Venice 2010 Comprehensive Plan. The concept plan design has been specifically laid out to place like-units adjoining to like-units where neighboring residential developments have been approved and/or constructed. Although no residential developments have been approved and/or constructed, the applicant is proposing a low density residential development that is consistent with developments west of I-75/along Laurel Road.

Buffering shall be as provided on the attached Conceptual Site Plan and Buffer Sections graphic including where adjacent to Sorrento Ranches.

The following perimeter buffer and landscape design standards shall apply:

- a. *Buffer:* The landscaped buffer area shall be five (5) feet in width measured at right angles to property lines and shall be established along the entire length of and contiguous to the designated property lines and include a six-foot-high (6') opaque durable barrier set within the five-foot-wide landscaped buffer area. If such opaque durable barrier is of nonliving material, for each ten feet thereof, an average of one shrub or vine shall be planted abutting such barrier, but these need not be spaced ten feet apart. Such shrubs or vines shall be planted along the property line side of such barrier unless they are of sufficient height at the time of planting to be readily visible over the top of such barrier. The remainder of the required landscaped areas shall be landscaped with grass, ground cover or other landscape treatment. The opaque durable barrier shall be so located within the landscaped buffer area as to permit maintenance of such barrier and landscaping without trespass on adjacent property. Pedestrian and vehicular

interconnections to adjoining public and private roadways and properties shall be permitted.

- b. *Buffer (Alternative)*: The landscaped buffer area shall be ten (10) feet in width measured at right angles to property lines and shall be established along the entire length of and contiguous to the designated property lines. Pedestrian and vehicular interconnections to adjoining public and private roadways and properties shall be permitted.

(2) *Screening; plant material*. Each buffer area shall be so designed, planted and maintained as to be 80 percent or more opaque between two and six feet above average ground level when viewed horizontally. Plantings shall be of a size and type which will ensure the meeting of the 80 percent opacity requirement within no longer than 12 months of the date of first planting. Where questions may arise as to the suitability of proposed plant materials to meet this requirement, final determination of suitability shall be made by the City's Zoning Administrator.

(3) All buffer areas shall be covered by grass, vegetative ground coverings, or mulch in areas not utilized for tree and shrub plantings and include at least one canopy tree per each twenty-five (25) linear feet of buffer. Trees shall have a trunk diameter of at least three inches (measured at six inches above the ground) and be a minimum of 25-gallon container size or have a minimum two-foot root ball if field grown. Trees shall be Florida #1 or better quality as per Grades and Standards for Nursery plants (Florida Department of Agriculture and Consumer Services).

(4) Proposed developments adjacent to existing buffer yards may count the existing buffer yard and landscape material toward fulfilling required buffer yard requirements.

6. *Signage*

The purpose of these provisions are to identify sign design standards for application in the Windwood PUD. Signage within the Windwood shall be designed to complement the architecture and be of an appropriate scale to fit the community character. Monument style signage shall be permitted and materials should be complementary and consistent with the project's development themes.

Community entry signs shall be permitted on each side of vehicular access points and shall not exceed (face of sign) nine (9) feet in height or twenty (20) feet in length (per sign).

All ground signs shall adhere to the monument style requirements of the City of Venice, including base, cap and columns.

Within the residential areas of the Windwood PUD, the following signage is permitted:

- (1) One non-illuminated temporary construction project ground sign per street frontage, not exceeding 32 square feet in area. Such sign not to be erected more than 60 days prior to the time actual construction begins and to be removed upon completion of actual construction. If construction is not begun within 60 days or if construction is not continuously and actively prosecuted to completion, the sign shall be removed.
- (2) One wall or monument-style ground sign, not over eight square feet in area, to identify a private club or recreation area.

No sign shall be erected or maintained within 20 feet of any adjacent residential property line nor exceed nine feet in height. Where illuminated, all signs shall be externally illuminated, except for backlit or internally illuminated individual letters, characters, or logos. Sign materials may include stone, masonry, ceramic, glass, plastic or wood. Final design and location of signage on non-residential buildings will be determined at the time of site and development plan review by the City.

7. Residential Street and Connectivity Standards

The purpose of these provisions are to identify residential street design standards for application in the Windwood PUD. Street standards within Windwood shall be designed to complement the appropriate scale and fit the community character as a primarily low density residential development.

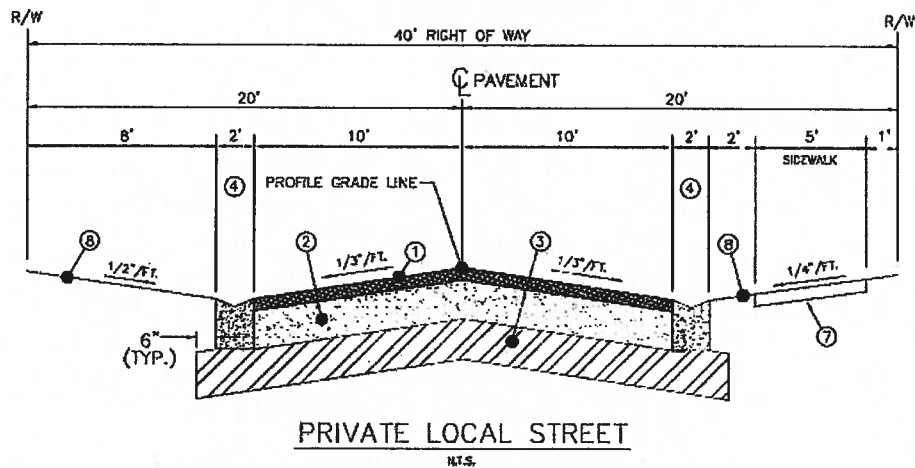
Sidewalks and pathways shall be provided on one side and shall be a minimum of five (5) feet in width extending from Pinebrook Road to the Public Gathering Space (identified on the Conceptual Site Plan), along the internal roadway network.

As provided in Policy 2.6 of the Housing and Neighborhood Development Element of the 2010 Comprehensive Plan, the Windwood is proposed to be a limited access community with the option for a manned or un-manned gate at the primary entrances off Pinebrook Road and secondary gated entry points and access controls within the development that meet the emergency access requirements of the City of Venice.

The limited access/gated entries are planned to maintain consistency with the other nearby residential communities and to improve the sense of internal security for future residents of Windwood.

All of the streets and roadways within Windwood are proposed to be privately maintained and not dedicated to the City of Venice for ownership or maintenance responsibility. All streets and drainage proposed will comply with Sec. 86-130 (n) (2) Streets and drainage facilities of the City Code of Ordinances. The road and right-of-way cross sections are proposed as follows and as illustrated on the Roadway Cross Section graphic provided:

- Right-of-way: 40 feet
- Roadway/travel lanes: 10 feet each
- Curb/gutter (closed drainage)
- Sidewalk: 5'; one side only
- Parking: no on-street parking
- Street Trees: Not Required per City Standards (Note: the Applicant will provide one (1) tree per lot which may be placed within or adjacent to the ROW, minimum 3" caliper at installation. These will be identified as part of the Plat).
- Gates: limited access/gated entry proposed



SPECIFICATIONS :

- ① 1 1/2" MINIMUM THICK TYPE II ASPHALTIC CONCRETE SURFACE (2 LIFTS)
- ② 10" MINIMUM CCB OR CCA
- ③ 12" MINIMUM THICK COMPACTED SUBGRADE (FOOT, SEC. 160; TYPE B STABILIZATION, LBR 40 MIN.)
- ④ 2" TYPE "M" CURB
- ⑤ 2" TYPE "T" CURB
- ⑥ 1.35" TYPE "A" CURB
- ⑦ CONCRETE SIDEWALK WITH FIBER REINFORCEMENT (4" THICKNESS; 3,000 P.S.I. @ 28 DAYS)
- ⑧ GRADING BY 500 AND SEED/MULCH 257 500 STRIPS SHALL BE USED ALONG ALL PAVEMENT EDGES, BACK OF CURBING, EACH SIDE OF SIDEWALK AND ON ALL SLOPES STEEPER THAN 4:1 RATIO'S. SEED AND MULCH SHALL BE USED FOR ALL OTHER SLOPES, MEDIAN AND DISTURBED AREAS.

NOTE:
NO UTILITY SERVICES IN SIDEWALK.

NOTES:

1. ALL PRIVATE LOCAL STREET RIGHT OF WAYS TO BE WORKS/FOREMAN UTILITY & DRAINAGE EASEMENTS AND PUBLIC UTILITY EASEMENTS.
2. DETAIL PER CITY OF VENICE 2013 STANDARD DETAILS WITH MODIFIED ASPHALTIC SURFACE, SHEET PS-1 (SHEET B-10 THIS PLANSET)
3. THERE SHALL BE NO ON-STREET PARKING.

REZONING AMENDMENTS SUPPORTING ANALYSIS

(Per Section 86-47 (f) (1) and 86-130, Venice Land Development Code)

Section 86-47, Amendments to the land development code, Subsection (f) Contents of planning commission report, Subsection (1) Rezoning amendments of the Venice Land Development Code specifies the considerations of the Planning Commission and City Council relative to a proposed rezoning and Section 86-130 specifies the requirements for consideration of a Planned Unit Development (PUD) rezoning. The following details responses and findings to these criteria based upon an independent analysis conducted by land use planning professionals holding certifications and with recognized experience as experts in the field of zoning and planning.

a. Whether the proposed change is in conformity to the comprehensive plan.

The City of Venice approved Ordinance No. 2010-08 adopting the City's Comprehensive Plan. The proposed rezoning of the property commonly referred to as the "Windwood" furthers the intent of the adopted Comprehensive Plan by providing development consistent with the intent and densities established within the low density future land use designation. Specifically, the proposed rezoning from OUE (Sarasota County) to PUD is consistent with and supports each of the following objectives and policies of the Comprehensive Plan noted below. Selected Comprehensive Plan Objectives and Policies are indicated in "*italics*" with the consistency statement (Response) indicated in "**bold**".

Future Land Use and Design Element.

Objective 8 Petition Review Criteria. Implement the City's livable community planning framework and development standards consistent with the City's Venice Strategic Plan 2030, Envision Venice Evaluation and Appraisal Report (EAR), Chapter 163, Part II, F.S., and Rule 9J-5, F.A.C. by utilizing the following planning practices, standards, review procedures, and criteria to evaluate annexation, rezoning, conditional use, special exception, and site and development plan petitions.

Response: The proposed rezoning specifically supports provisions of the City's Comprehensive Plan that call for the City's encouragement of a range of housing types. The Applicant proposes a low density residential development and related open space.

The Windwood has access to all required urban infrastructure and convenient access (close proximity) to Pinebrook Road, Laurel Road, Edmondson Road, E. Venice Avenue and I-75. In addition, it's in close proximity to existing/developing non-residential development including the Plaza Venezia development.

Policy 8.1 Smart Growth and Sustainable Development Practices. Ensure that all development projects utilize best practices for smart growth and sustainability by implementing the following sustainable development standards:

- A. Provide a balance of land use and infrastructure capacity in developed areas through a focus on infill and development projects consistent with the character of the City.*
- B. Foster compact forms of development within designated infill, development, and new growth corridors.*
- C. Protect natural habitats and environmental areas through conservation practices.*
- D. Minimize sprawl by discouraging growth and development in undeveloped areas where infrastructure does not exist and where inconsistent with the environmental character of the area.*
- E. Include transitioning and buffering between different heights, densities, and intensities.*

Response: The proposed rezoning supports a balance of land use and infrastructure capacity by facilitating development within the existing urban area and within an area designated by the Comprehensive Plan for residential development. The standards proposed reflect the adopted standards of the City of Venice 2010 Comprehensive Plan, including limits on building height, location of residential types adjoining similar existing low density residential development, open space and buffers, and land use compatibility.

Policy 12.1 Planning Coordination. Coordinate the planning and development of land, transportation, public facilities, and infrastructure systems with Sarasota County and other applicable local, regional, state, and federal private and public agencies. Development practices shall be sensitive to the City's design and architectural standards and environmental, historical, and cultural resources.

Response: The Applicant has demonstrated compliance with this policy through coordination efforts with the City on infrastructure systems. The design of Windwood is consistent with the existing physical features of the site.

b. The existing land use pattern.

Response: The subject property lies in close proximity to a range and mixture of land uses and public facilities/services including Plaza Venezia (retail/commercial uses - under construction), Sarasota Memorial Hospital property and additional (future) commercial uses. The proposed rezoning is consistent with the future land use pattern defined by the adopted Comprehensive Plan and reflects a density of residential development more suitable to the existing surrounding residential and vacant land uses.

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

Response: The property has generally been vacant and is proposed for a low density residential neighborhood. This density and development pattern are consistent with the density standards contained within the Comprehensive Plan. The Planned Unit Development district supports an integrated land use plan to provide compatible housing within close proximity to employment opportunities and needed services. As such, the proposed rezoning does not create an isolated district unrelated to adjacent and nearby districts.

d. The population density pattern and possible increase or overtaking of the load on public facilities such as schools, utilities, streets, etc.

Response: The proposed rezoning from OUE to PUD is consistent with residential development densities proposed within this and the adjacent areas. Meetings with City staff, including reviews of available public documents confirmed that adequate facilities exist to serve the development of the site.

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Response: The existing site and proposed PUD zoning designation is consistent with the property boundaries and are appropriate in light of the existing, surrounding land use pattern, and existing transportation, utility and stormwater improvements adjoining the site.

f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

Response: The City's data and analysis in support of the adopted Comprehensive Plan recognize the need for additional and a different variety of housing units to meet the needs of the community. This area, furthermore, was identified for residential development by the adopted Comprehensive Plan. The rezoning from OUE to PUD will support and further the City's

objective and provide for residential development at suitable density(s) that are currently inconsistent with the makeup of the area through the existing OUE zoning.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.

Response: No adverse impacts from the proposed rezoning were raised during the public workshop held prior to the submittal of the rezoning petition and none have been identified through the independent planning analysis. The Applicant has met with the adjacent property owners on numerous occasions to discuss the proposed development.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

Response: An independent analysis of transportation conditions and associated impacts from development of Windwood has been prepared and submitted under separate cover.

i. Whether the proposed change will create a drainage problem.

Response: Based on preliminary analysis, the proposed stormwater systems provide sufficient stormwater management capacity at the site to demonstrate compliance with Southwest Florida Water Management District regulations that will assure that a drainage problem will not be created.

j. Whether the proposed change will seriously reduce light and air to adjacent areas.

Response: The proposed rezoning from OUE to PUD and compliance with the density and other bulk development standards including those contained within the City's land development regulations and 2010 Comprehensive Plan will assure that there will be no serious impacts to light or air to the adjacent areas.

k. Whether the proposed change will adversely affect property values in the adjacent area.

Response: The subject site has historically been vacant. The development that is proposed through the requested zoning change from OUE to PUD provides for the inclusion of residential development and related open spaces which will aide in achieving design compatibility with existing and developing properties along Pinebrook Road and Laurel Road. The physical improvements and design are anticipated to have positive impacts to the surrounding community.

l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

Response: The development of the subject property is not anticipated to act as a deterrent for improvement or development of adjoining property(s). Properties adjacent to the site are (west and south) are currently developed with residential uses, to the east is Pinebrook Road and to the north is the developing Plaza Venezia commercial/retail center.

m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

Response: The rezoning from OUE to PUD will not grant a special privilege to an individual owner but will be supportive of the City's Comprehensive Plan and overall general public welfare by providing for residential development identified as appropriate for the local market conditions. The proposed development pattern and density(s) are consistent with those prescribed by the City's Comprehensive Plan.

n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

Response: The Comprehensive Plan envisions urban type development (low density residential) within this area. The PUD provides a tool for compatible development with the adjoining neighborhoods (existing and proposed) along Pinebrook Road and Laurel Road.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

Response: The City's adopted 2010 Comprehensive Plan identifies this site and surrounding areas as appropriate for residential development.

p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Response: The subject property is vacant and ideally situated to be developed for residential purposes. This development will be further supported by the existing and planned non-residential developments to the north at the intersection of Pinebrook Road and Laurel Road, or in close proximity to I-75.

The following items are provided in response to other required responses as outlined in Section 86-130, Planned Unit Development of the City of Venice Land Development Regulations:

1. Evidence of Unified Control; Development Agreements

Response: Provided under separate cover.

2. Designation of Public and Private Facilities

Response: With the exception of required dedications for public water and sanitary sewer service, the streets, roads, stormwater management, common areas, community areas and buildings shall remain under private ownership and for the use and enjoyment of residents and their guests of the Windwood. The applicant acknowledges the requirement to comply with the provisions of Section 86-130 (n) (1 through 7) of the City Land Development Regulations.

3. Access

Response: Every dwelling or use permitted in the Windwood PUD shall have access to roadways (i.e., Pinebrook Road) through the proposed network of internal roads, pedestrian way, court or other area dedicated to public or private use or common element guaranteeing access. Proposed traffic improvements (i.e. /decel lanes) will be provided as necessary and identified through the traffic study for vehicles entering the primary entrance to the project.

4. Lot Size

Response: Within the boundaries of the Windwood PUD, a minimum lot size of 6,500 square feet will be required and the yard requirements will be consistent with the standards included in the Project Narrative.

5. Underground Installation of Utilities

Response: Within the Windwood PUD, all utilities, including telephone, television cable and electrical systems shall be installed underground. Appurtenances to these systems and primary facilities providing service to the PUD which require above ground installation are excepted from this requirement.

6. Evidence of Unified Control

Response: Evidence of unified control of the Windwood PUD has been provided under separate cover to the City Attorney for review.

7. Previously Approved Developments

Response: Not applicable, there are no previously approved developments on the subject property.

The City Council is also required to make an affirmative finding on each consideration set forth in Policy 8.2 E through H which is relevant to the rezoning. The following supporting analysis and comments are provided to demonstrate consistency with the relevant provisions as noted.

Policy 8.2 Land Use Compatibility Review Procedures

Ensure that the character and design of infill and new development are compatible with existing neighborhoods.

Compatibility review shall include the evaluation of:

A. Land use density and intensity.

Response: The proposed density of approximately 2.0 dwelling units per acre is consistent with the provisions of the Comprehensive Plan – Low Density Residential future land use designation that allows up to 5.0 dwelling units per gross acre.

B. Building heights and setbacks.

Response: The proposed building heights are consistent with the provisions of the Comprehensive Plan and not exceed 2 stories or 35'.

C. Character or type of use proposed.

Response: The proposed residential development is consistent with the provisions of the Comprehensive Plan and the adjoining residential areas (existing and proposed).

D. Site and architectural mitigation design techniques.

Response: No architectural design techniques are required; however, the applicant has provided housing elevations for illustrative purposes to demonstrate proposed architectural standards for the community

E. Protection of single-family neighborhoods from the intrusion of incompatible uses.

Response: The design of the concept land use plan for the Windwood includes residential development and related open spaces.

F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.

Response: No commercial or industrial uses are proposed as part of the development of the subject property that would create incompatibility with existing uses; the applicant proposes a residential community.

G. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.

Response: There are no nonconforming uses on the subject property that are required to be phased out to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.

H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

Response: Please note the following joint response for 8.2 "H" and JPA Section 10 (I) below.

JPA Section 10 (I)

(I). The City agrees to use the County land use compatibility principles during the review of each zoning petition for any parcel located within the Joint Planning Areas set forth on Exhibit A and on properties with the City adjoining such areas...The land use compatibility reviews referenced above shall include an evaluation of land use density, intensity, character or type of use proposed, and an evaluation of site and architectural mitigation design techniques. Potential incompatibility shall be mitigated through techniques including, but not limited to: (i) providing open space, perimeter buffers, landscaping and berms; (ii) screening of sources of light noise, mechanical equipment, refuse areas, delivery areas and storage areas; (iii) locating road access to minimize adverse impacts, increased building setbacks, step-down in building heights; and (iv) increasing lot sizes and lower density or intensity land use

Response: Windwood is located in an area of urban type development including both residential and non-residential development. North of and adjacent to the Windwood property is Plaza Venezia, a Publix-based shopping center and related commercial outparcels. Densities for residential projects within the Laurel Road/Pinebrook Road corridors range from rural to urban residential densities. As identified on the City of Venice Zoning Map, adjacent properties within the City are zoned CG, RMF-1, RSF-3 and PUD. The underlying land use allows residential

densities up to 5.0 du/ac; however, Windwood proposes development at approximately 2.0 du/ac. In addition, Windwood provides extensive buffering and setbacks from the property perimeter as identified on the Conceptual Site Plan and Buffer Sections graphic.

Windwood – List of Waivers and Modifications

Justification:

The following list of waivers and modifications have been provided as part of the Windwood PUD consistent with comparable developments within the City of Venice, to address site specific conditions including the location, size and configuration of existing environmental features, and to address limitations based on the size and shape of the parcel. In addition, based on the information provided within the submittal, the Applicant has demonstrated that the granting of the waivers and design standards does not adversely affect the adjacent properties. In addition, the City's Code permits alternative street designs; the Applicant's proposal provides designs consistent with the intent of the zoning district.

- Perimeter Setback: one times the height of the adjacent structure [86-130(q)].
- Sidewalk: 5'; one side only [86-232(12)]



CONSULTANTS OF SARASOTA, LLC

NOVEMBER 14, 2013

WINDWOOD

ENVIRONMENTAL NARRATIVE

The subject tract consists of both wetland and upland habitats.

UPLANDS:

The upland habitat comprising the site consists largely of pine flatwoods with scattered live and laurel oaks, and a dense growth of saw palmetto.

This upland habitat shows signs of stress due to significant tree mortality which has consumed a significant portion of the pine trees on the site. The pine flatwood habitat has also not been managed or burned in many years and has allowed the invasion of hardwood species. The degree of tree mortality and the new growths of hardwoods has altered the pine flatwood habitat to the point of becoming a non-native upland forested mix of pine/oak.

WETLANDS:

Two wetlands are located on the project area: One to the north and one in the southeastern corner. Both wetlands exhibit a significant cover of nuisance and exotic vegetative species. The northern wetland has been invaded by *Melaleuca* trees, while the southern has been invaded by Brazilian pepper. These wetland systems show signs of altered hydrology which likely facilitated the degraded nature of these wetland areas. Both wetlands should be classified as severely degraded shrub/herbaceous wetland systems.

LISTED SPECIES:

The site has been surveyed for endangered, threatened and species of special concern. Due to the altered nature of both the upland and the wetland habitats, utilization of the site by listed species for nesting or for breeding purposes was found to a low probability. However, the listed species survey did identify the presence of a few active gopher tortoise burrows within open pockets of the otherwise dense palmetto.

1523 8th Avenue West, Suite B, Palmetto FL 34221 -- Telephone 941.722.0901 Fax 941.722.4931

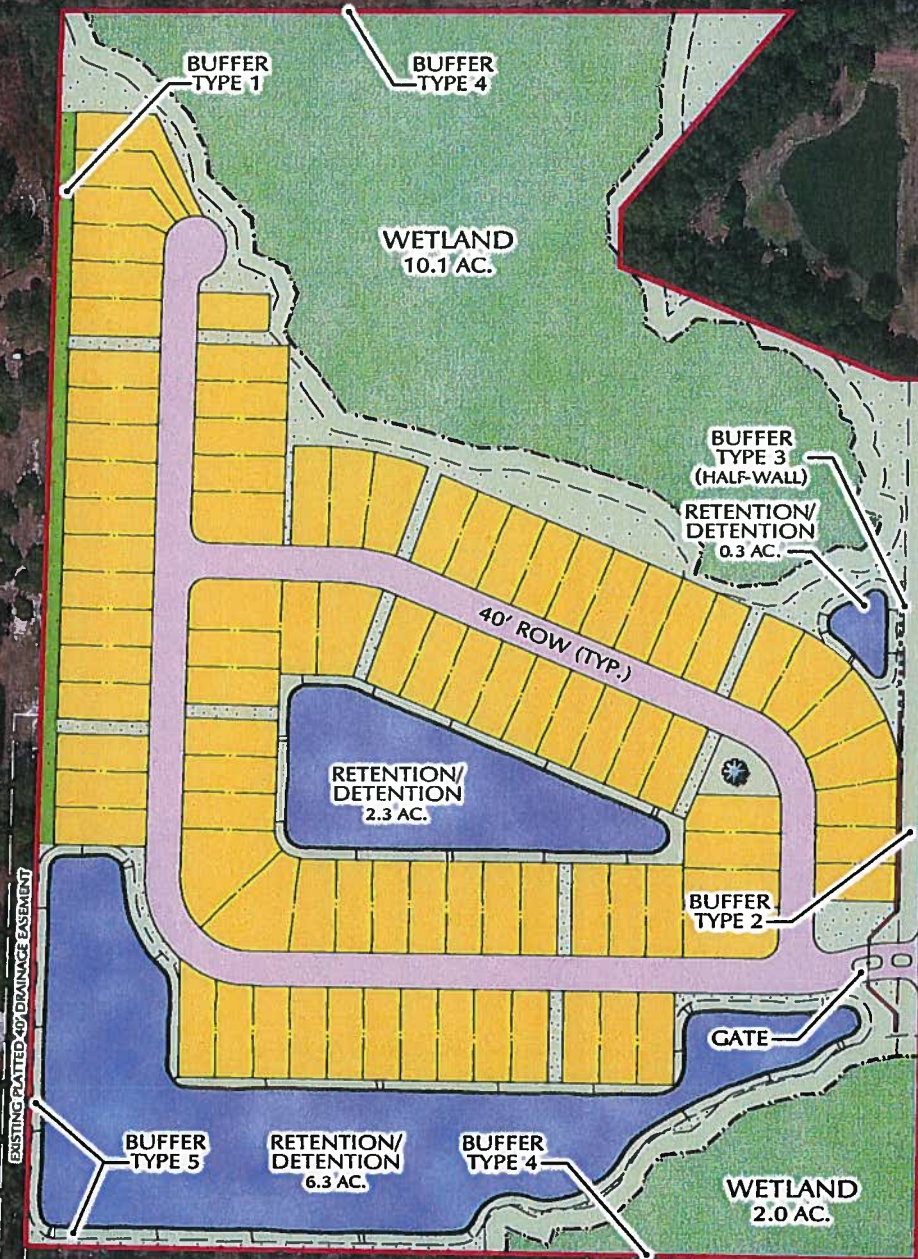
P.O. BOX 53106, Sarasota, FL. 34233-- Telephone 941.741.1187 Fax 941.722.4931

233 East Park Avenue, Suite 101, Lake Wales FL 33853 -- Telephone 863.676.8996 Fax 863.676.9897

This species is protected by the FFWCC, and will require relocation permits prior to the development of the site.

170' FP&L EASEMENT (O.R. BOOK 1041, PAGE 1037)

SORRENTO RANCHES



PINEBROOK ROAD

CURRY LAKE

WOODLAND DRIVE

LEGEND

- PROPERTY BOUNDARY
- SINGLE FAMILY HOME SITES
- LANDSCAPE BUFFER
- LAKE/ RETENTION POND
- WETLANDS
- OPEN SPACE
- LIFT STATION
- WALL / HALF-WALL

STATISTICS

TOTAL LAND AREA:	46.3 AC.
LAND USE:	RESIDENTIAL SINGLE FAMILY
NUMBER OF UNITS:	90 UNITS
DENSITY:	1.94 DU./AC.
OPEN SPACE:	24.8 AC. (53%)
(WETLANDS:	12.1 AC. (26%))
(RETENTION/ DETENTION:	8.8 AC. (19%))
(EASEMENTS/ BUFFERS/ OTHERS:	3.9 AC. (8%))

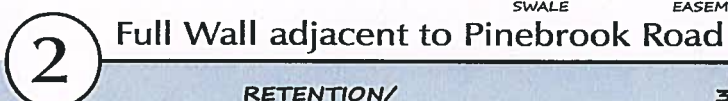
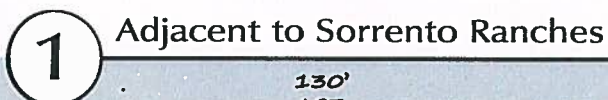
Windwood Property

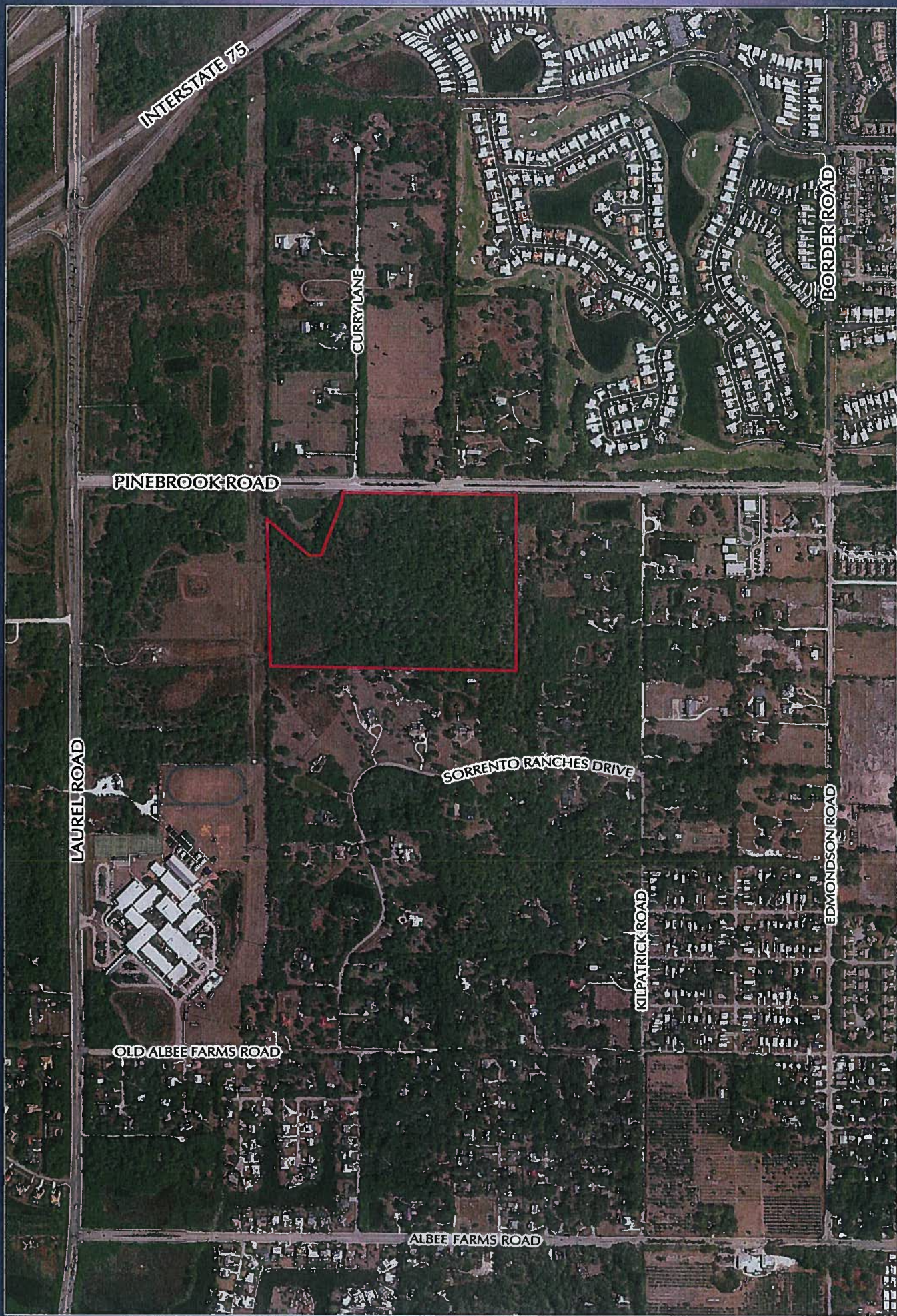
Conceptual Site Plan (90 - 1015)

CITY OF VENICE, FLORIDA

APRIL 11, 2014 2:00 PM
CONTACT: JILLIAN K. HILL, AICP 941.731.7400

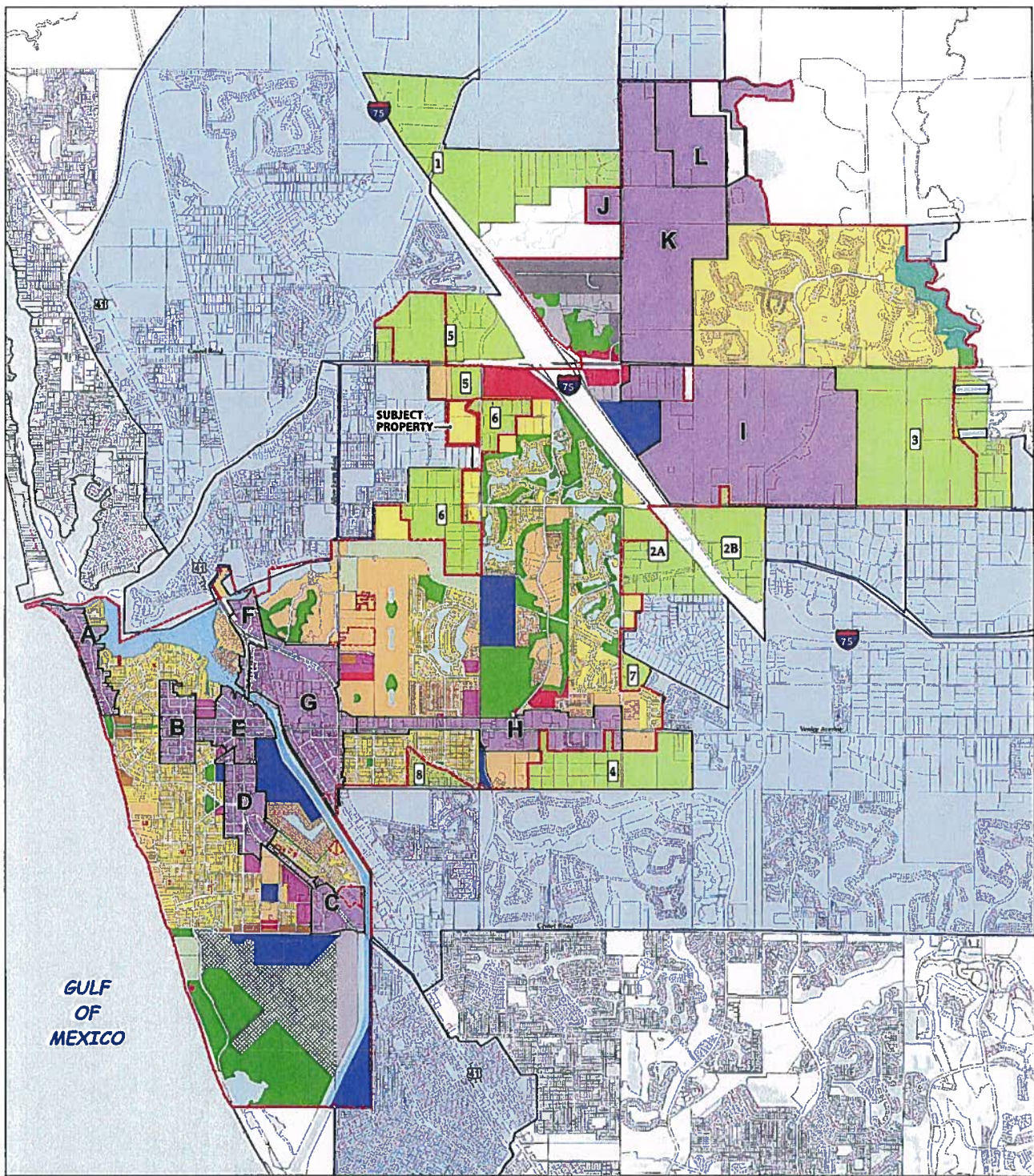






CITY OF VINCE, FLORIDA
PLANNING DEPARTMENT
GENERAL PLANNING DIVISION

Windwood Property
Contextual Aerial



Boundaries & Features		Planning Areas	JPA/ILSBA Areas
 CITY OF VENICE LIMITS, 2010 POTENTIAL VOLUNTARY ANNEXATION AREAS POTENTIAL COORDINATION AREAS PARCEL BOUNDARIES MAJOR ROADS PLANNING AREAS	Future Land Use LOW DENSITY RESIDENTIAL MEDIUM DENSITY RESIDENTIAL HIGH DENSITY RESIDENTIAL MIXED USE RESIDENTIAL COMMERCIAL INSTITUTIONAL-PROFESSIONAL AIRPORT OPERATIONS INDUSTRIAL INDUSTRIAL-COMMERCIAL GOVERNMENT USE RECREATION & OPEN SPACE CONSERVATION MARINE PARK GREENWAY/RIVER BUFFER WATERWAYS	Specific future land use designations apply to the following planning areas: A - TARPON CENTER/ESPLANADE* B - HERITAGE PARK* C - SOUTHERN GATEWAY D - ISLAND PROFESSIONAL* E - CITY CENTER* F - NORTHERN GATEWAY* G - SEABOARD H - EASTERN GATEWAY I - SOUTH LAUREL* J - SHAKETT CREEK K - KNIGHTS TRAIL L - GENE GREEN	The following areas have been designated as Potential Voluntary Annexation Areas under the Joint Planning & Interlocal Service Boundary Agreement between the City of Venice and Sarasota County: 1 - RUSTIC RD 2a - AUBURN RD TO I-75 2b - I-75/JACARANDA BLVD 3 - BORDER RD TO MYAKKA RIVER 4 - SOUTH VENICE AVE 5 - LAUREL RD MIXED USE 6 - PINEBROOK RD 7 - AUBURN RD 8 - GULF COAST BLVD



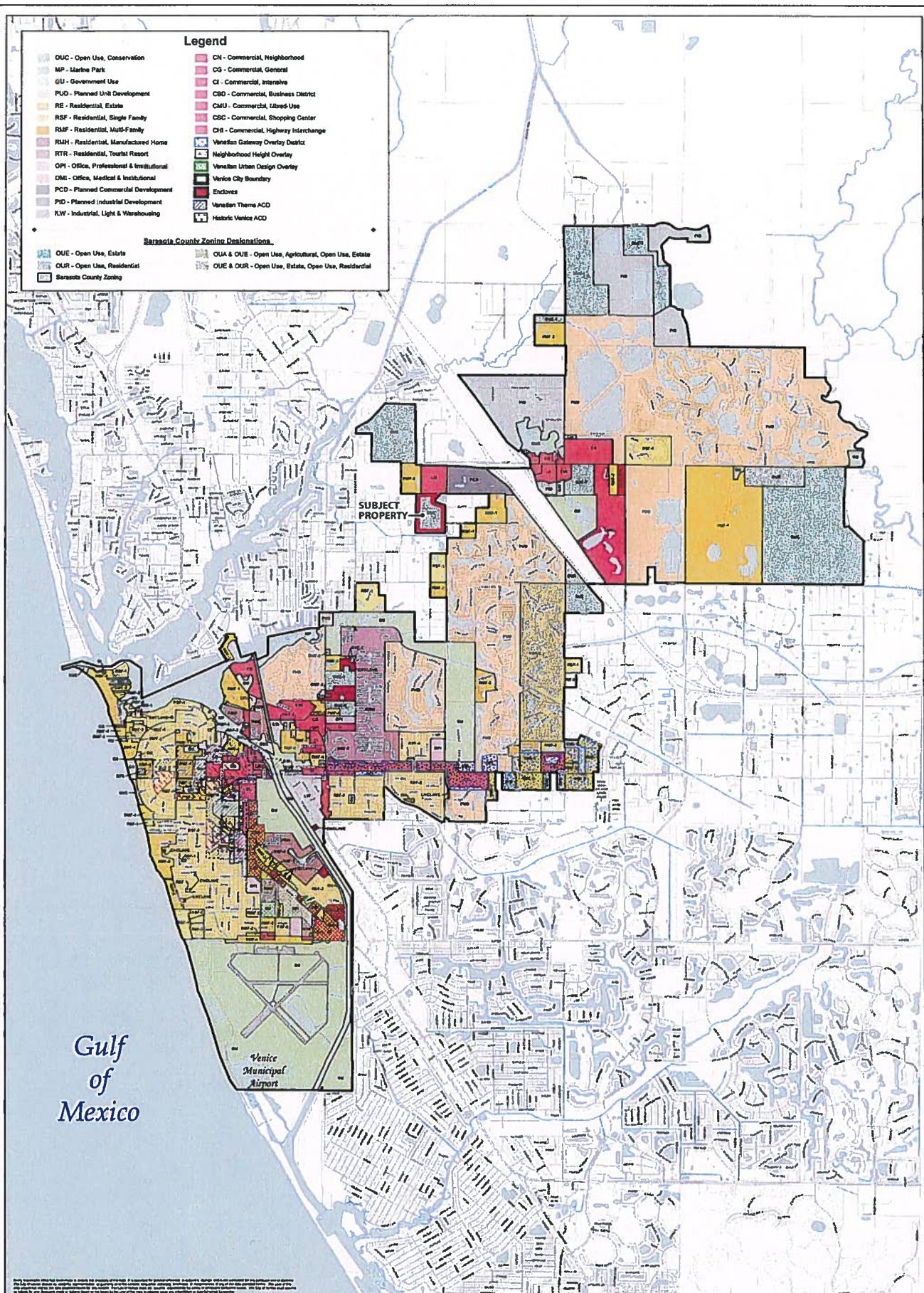
FEMA ZONES



ZONE X500



ZONE AE



Legend

- | | |
|--|---------------------------------------|
| OUC - Open Use, Conservation | CH - Commercial, Neighborhood |
| MP - Marine Park | CG - Commercial, General |
| GU - Government Use | CI - Commercial, Intensive |
| PUD - Planned Unit Development | CBD - Commercial, Business District |
| RE - Residential, Estate | CMU - Commercial, Mixed-Use |
| RSP - Residential, Single Family | CSC - Commercial, Shopping Center |
| RMP - Residential, Multi-Family | CHI - Commercial, Highway Interchange |
| RMH - Residential, Manufactured Home | Venice Gateway Overlay District |
| RTR - Residential, Tourist Resort | Neighborhood Height Overlay |
| OPI - Office, Professional & Institutional | Venice Urban Design Overlay |
| OMI - Office, Medical & Institutional | Venice City Boundary |
| PCD - Planned Commercial Development | Endzones |
| PID - Planned Industrial Development | Venice Theme ACD |
| I/W - Industrial, Light & Warehousing | Historic Venice ACD |

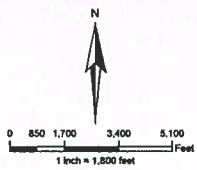
Sarasota County Zoning Designations

- | | |
|-----------------------------|--|
| OUE - Open Use, Estate | OUA & OUE - Open Use, Agricultural, Open Use, Estate |
| OUR - Open Use, Residential | OUE & OUR - Open Use, Estate, Open Use, Residential |
| Sarasota County Zoning | |

Gulf
of
Mexico

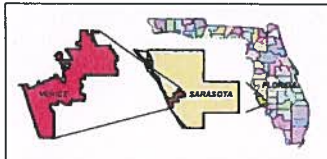
Venice
Municipal
Airport

SUBJECT
PROPERTY



City of Venice Zoning Map

February 2013

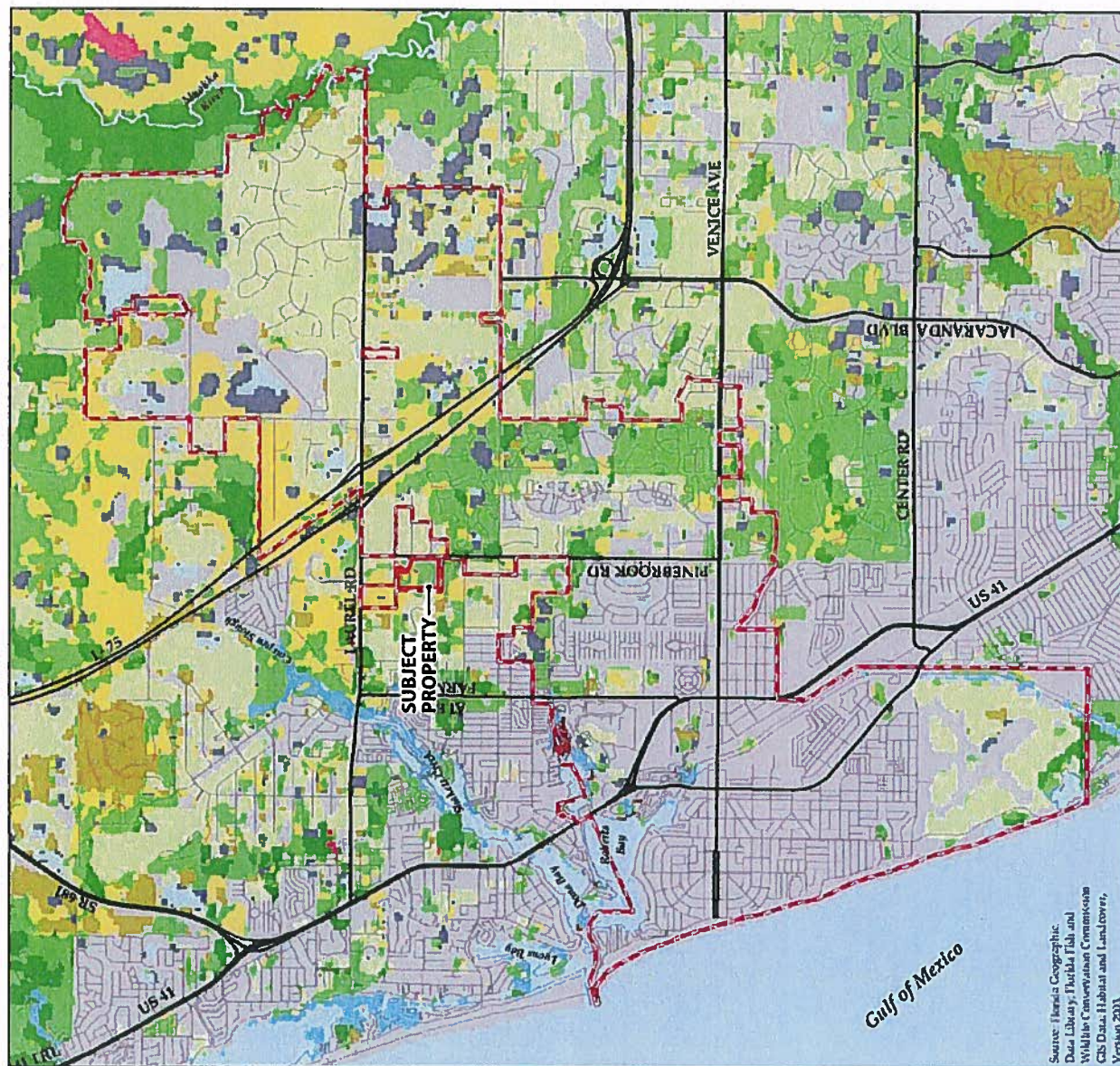




City of Venice

Map 4.12

Habitat and Land Cover



**Notice of Public Workshop for a proposed Rezoning
for an approximately 47 ± acre parcel located at
Pinebrook Road
Venice, Florida**

Date/Time: July 30, 2013, at 6:00 p.m.

Location: 5300 Laurel Road East
Venice, Florida 34275
Venice Fire Department Station #3

Neal Communities of Southwest Florida, LLC will hold a workshop to discuss its proposed rezoning petition to PUD Planned Unit Development relating to the parcels located on the west side of Pinebrook Road, south of Laurel Road, north of Kilpatrick Road, within the City of Venice (Parcel Identification Nos. 0385-16-0001, 0385-09-0001) for an approximate 47± acre parcel.

The applicant proposes a residential community with up to 90 dwelling units.

The purpose of this workshop is simply to provide neighboring residents and any other interested citizens information about the nature of the proposed development, discuss the rezoning petition for the property and to seek comments. We hope you are able to attend the workshop and would look forward to discussing the project with you.

If you have any questions, please feel free to contact the Boone Law Firm at 941.488.6716. Thank you.

Public Notice

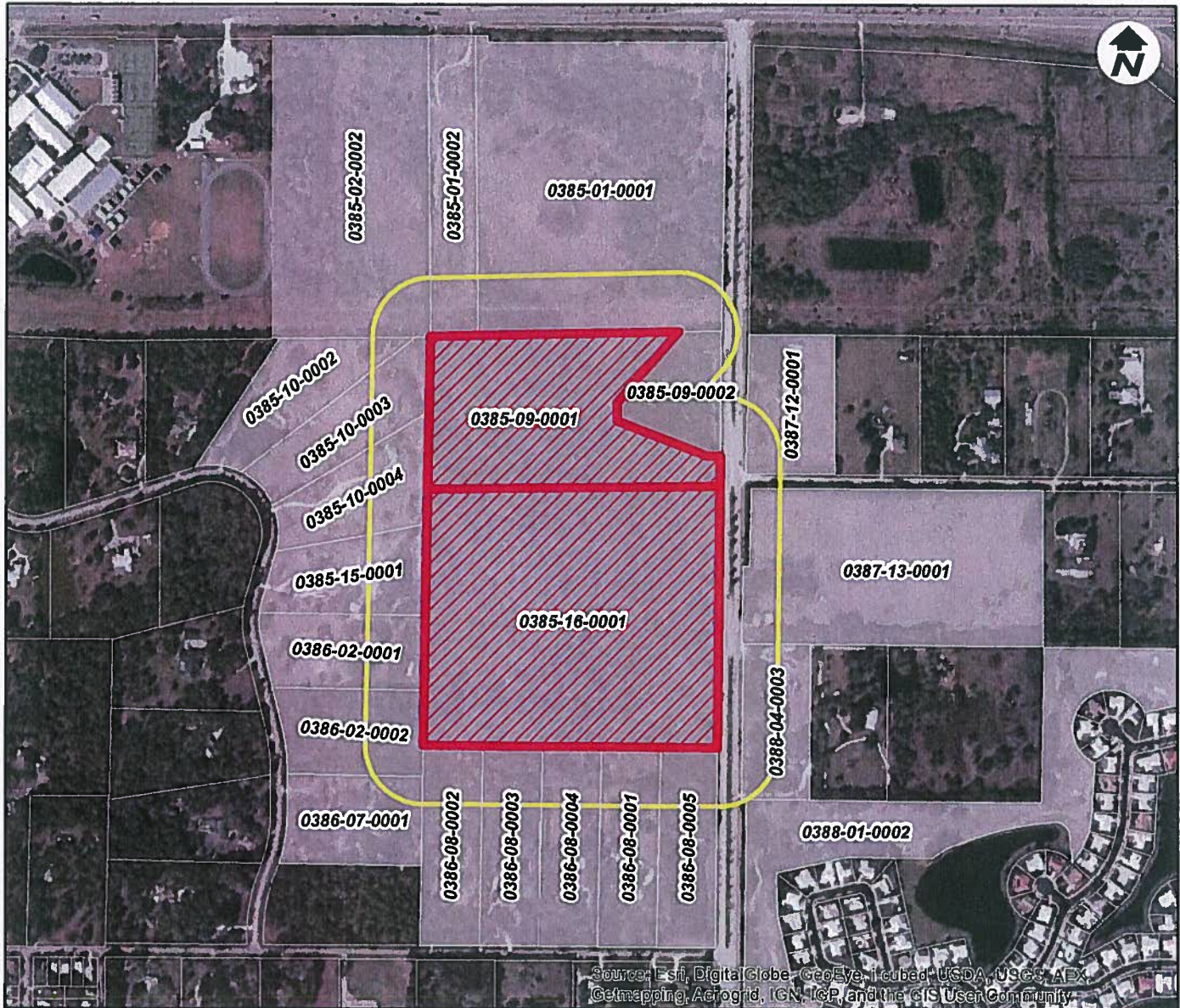
A neighborhood workshop will be held to discuss a rezone petition to PUD Planned Unit Development for an approximately 47-acre parcel proposed for residential development. The property is located on the west side of Pinebrook Road, south of Laurel Road, north of Kilpatrick Road, within the City of Venice (Parcel Identification Nos. 0385-16-0001, 0385-09-0001).

This is not a public hearing. The purpose of the workshop is to inform interested citizens about the nature of the proposed development, discuss the rezone petition and to seek comments. The workshop will be held Tuesday, July 30, 2013 at 6:00 p.m. at 5300 Laurel Road East, Venice, Florida 34275, Venice Fire Department Station #3. Contact: Boone Law Firm at 941.488.6716.

Publish: June 26, 2013

1980056_1

Bella Citta LLC Property



Legend

-  Proposed Rezone
-  250ft Buffer
-  Parcels within 250ft
-  Parcel Boundary



PARCEL ID	Owner Name	Address	CITY	ST	Zip Code
0385-01-0001	PRINCETON LAUREL LAND CO LLC	PO BOX 643361	VERO BEACH	FL	32964
0385-01-0002	S & J PROPERTIES OF SW FL LLC	1189 VERMEER DR	NOKOMIS	FL	34275
0385-02-0002	S & J PROPERTIES OF SW FL LLC	1189 VERMEER DR	NOKOMIS	FL	34275
0385-09-0001	BELLA CITTA LLC	7405 28TH ST CT E	SARASOTA	FL	34243
0385-09-0002	SARASOTA COUNTY	OFFICE OF MNGMT AND BUDGET	SARASOTA	FL	34230
0385-10-0002	TIMONEY JR JOHN J	340 SORRENTO SHORES DR	NOKOMIS	FL	34275
0385-10-0003	OBENDORF NEAL Q	1000 SHIRE ST	NOKOMIS	FL	34275
0385-10-0004	BURRUS JR ROBERT S	300 SORRENTO RANCHES DR	NOKOMIS	FL	34275
0385-15-0001	NAZARRO RICHARD	PO BOX 1787	NOKOMIS	FL	34274
0385-16-0001	BELLA CITTA LLC	7405 28TH ST CT E	SARASOTA	FL	34243
0386-02-0001	BOWSER SR DAVID I	260 SORRENTO RANCHES DR	NOKOMIS	FL	34275
0386-02-0002	HANSELL GARY A	265 PORTOFINO DR	NORTH VENICE	FL	34275
0386-07-0001	FROST SCOTT F	220 SORRENTO RANCHES DR	NOKOMIS	FL	34275
0386-08-0001	YUROSKO TTEE JOHN J	2400 KILPATRICK RD	NOKOMIS	FL	34275
0386-08-0002	NEAVES EST OF CELIA	C/O SUSAN NEAVES	NOKOMIS	FL	34275
0386-08-0003	RENTSEMA ERIC P	2310 KILPATRICK RD	NOKOMIS	FL	34275
0386-08-0004	BOWEN SANFORD R	2350 KILPATRICK RD	NOKOMIS	FL	34275
0386-08-0005	SARASOTA COUNTY	OFFICE OF MNGMT AND BUDGET	SARASOTA	FL	34230
0387-12-0001	JOHNSON JR TTEE OSCAR A	PO BOX 2187	ORLAND PARK	IL	60462
0387-13-0001	PIANA MINDY	3737 PRAIRIE DUNES DR	SARASOTA	FL	34238
0388-01-0002	CAPRI ISLES GOLF INC	849 CAPRI ISLE BLVD	VENICE	FL	34292
0388-04-0003	FORTUNE FAYE	494 R & F RANCH RD	NOKOMIS	FL	34275

Pinebrook Road Property Zoning Neighborhood Workshop
Venice Fire Station #3 – Laurel Road
July 30, 2013 6:00 p.m.

The Applicant was represented at the workshop by Mr. Jeff Boone of the Boone Law Firm, B. Kelley Klepper, AICP, Peter T. VanBuskirk, PE, AICP of Kimley-Horn and Associates, Inc.; John Henslick of ECo Consulting; Pat Neal, Maryann Grgic and Ivory Crofoot for the Applicant, Neal Communities of Southwest Florida.

Mr. Neal opened the workshop at 6:00 p.m. providing an overview of the project, history of Neal Communities and comparable projects, and Neal Communities' representatives. Mr. Neal asked each of the development team to provide an overview of the project. Mr. Henslick provided an overview of the environmental systems of the site including the locations of wetlands/wetland buffers, listed species, and regulatory requirements (SWFWMD and the City of Venice). Mr. Klepper gave an overview of project location, proposed development program (proposed site layout, residential land use, and density), the requested rezoning to Planned Unit Development (PUD) and an overview of the process from application submittal to the review by City Council. Mr. VanBuskirk reviewed the site and development process including design and engineering, stormwater reviews, utilities and processes required for construction and development of the site. Mr. Boone provided an overview of the existing zoning and future land use designation, City of Venice requirements per the land development code and comprehensive plan, comprehensive plan consistency, review process through the City including requirements for public hearings. Following the presentation, the team asked for public comment and questions.

Comments/Questions:

- What type of buffer will be between this proposed development and Sorrento Ranches?
Answer: Mr. Klepper reviewed the proposed buffer locations including the buffer adjacent to Sorrento Ranches (width, landscaping, setbacks, etc.).
- Are you considering a wall as a buffer between the development and Sorrento Ranches?
Answer: Mr. Klepper/Ms. Grgic noted there were no plans for one based on comments received previously from Sorrento Ranches residents.
- Will there be an emergency exit? Will it cut through the community behind it?
Answer: Mr. VanBuskirk noted that we would be working with the City of Venice to determine if a secondary/emergency access is required. He also noted no access is proposed to Sorrento Ranches.
- Will the proposed community be gated?
Answer: Mr. Klepper/Ms. Grgic noted that was still being reviewed at this time and we would reserve that option. Ms. Grgic explained similar type of developments and their monitored access provisions.

- What will the price range of the homes?
Answer: Ms. Grgic noted that was still being determined at this time and would depend on market conditions. Ms. Grgic later noted the size of the houses was projected to range between 1,700 – 2,200 +/- square feet.
- What architectural style will be represented by the homes? Square footage?
Answer: Ms. Grgic noted the photographs of some of Neal Communities housing types/styles. It was also noted that the houses would be similar in style to those located at Grand Palm.
- Will the homes be on a wetland or lake?
Answer: Mr. Henslick noted the wetlands are generally herbaceous wetlands and the blue areas on the conceptual site plan indicate the location of lakes. Homes are shown adjacent to the wetland and the lakes.
- Will there be a stop light in the future at the front of the community?
Answer: Mr. VanBuskirk noted that we would need to work with the City and determine if the project would warrant a traffic light. Although not determined at this time, based on the limited amount of traffic anticipated to be generated, a traffic light was not anticipated at this time.
- The drainage that runs down parallel to Sorrento Ranches, will it drain out into a retention pond?
Answer: Mr. VanBuskirk noted the Pinebrook stormwater system/lakes were separate from the drainage system running parallel to Sorrento Ranches. He provided an overview of the proposed stormwater modeling and requirements.
- Is the storm water being designed for the 100 year plan?
Answer: Mr. VanBuskirk noted that we would begin modeling and would be looking towards that standard. Ms. Grgic noted their direction to the engineer regarding this standard.
- After we get through the zoning process, how long until we break dirt?
Answer: Mr. Boone provided a generalized time frame from the time the application is submitted to review by City Council. Mr. Henslick also noted if approved at the zoning level, designs and permits would still need to be obtained before the project was constructed which could potentially commence next year.
- Are there a lot of trees on the property?
Answer: Mr. Henslick and Mr. Klepper noted there were some trees remaining on the property; however, a significant amount of trees had been damaged by blight.
- Will this cause a coyote disturbance? Where will the coyotes go?
Answer: Mr. Henslick noted that coyotes typically move from an area when construction commences.

Mr. Neal concluded the meeting at 7:00 p.m.

Public Workshop Sign-In

Project Name: Pinebrook Road Property
 Location: 5300 Laurel Road East, Venice, FL
 Date: Tuesday, July 30, 2013
 Time: 6:00 p.m.

Name: KELLY KEEPER	Address: 2601 CATTLEMEN RD, Suite 200 Sarasota	Telephone No. 379-7000
Name: NANCY STORNER	Email: KELLY.KEEPER@KIMLEY-HORN.COM Address: 11 N SUDRIN BLVD E (MAY 11, 2011)	Telephone No.
Name: ROBERT GRAFT	Email: 201 SOPRANO PAVEMENTS DR. Address: P.O. BOX 1601, VENICE, FL 34884 (201 Soprano Pavements)	Telephone No. 480-1970
Name: GENE HINES	Email: 6H1972 LT1 @msu.com Address: 3137 Prairie Dunes Dr	Telephone No. 416-4216
Name: ROY WINDY PANE	Email: 599 RT 1A VERO BEACH FL 34984 / SARAH VERO BEACH Address: 34275 / WENDY AARON	Telephone No. 484-3276
Name: KIM BLOOM	Address: 4964-4964	Telephone No.
Name:	Address:	Telephone No.
Name:	Email:	Telephone No.
Name:	Address:	Telephone No.
Name:	Email:	Telephone No.
Name:	Address:	Telephone No.
Name:	Email:	Telephone No.
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