

"City on the Gulf"

CITY OF VENICE

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August 26, 2008

Jeffery A. Boone, Esquire
P.O. Box 1596
Venice, FL 34284-1596

RE: Site & Development Plan Petition (No. 07-15SP)
Renaissance – Retail Center

Dear Mr. Boone:

On August 12, 2008 the Venice City Council voted that based on the Staff Report, Presentation, and Evidence and Testimony on the Record, City Council Finds this Request Consistent with the Comprehensive Plan, City Development Standards and with the Affirmative Findings of Fact in the Record, and APPROVES Order No. 07-15SP with the conditions set forth in Exhibit A: Proposed Stipulations, Including Ten Stipulations of Approval and Dated 8/12/08, and Enhanced Site Plan Dated 8/12/08 (including four pages color architectural elevations depicting the retail building, site plan, an enlarged site section and site elevation A).

If you have any questions, or if we can be of additional assistance, please feel free to contact me at 486-2626, extension 28001.

Sincerely,

Tom Slaughter, AICP
Planning & Zoning Director

cc: Michael W. Miller, Waterford Companies
File No. 07-15SP

**CITY OF VENICE, FLORIDA
CITY COUNCIL, SITTING AS PLANNING COMMISSION
ORDER NO. 07-15SP**

AN ORDER OF THE VENICE CITY COUNCIL, SITTING AS PLANNING COMMISSION APPROVING A SITE AND DEVELOPMENT PLAN FOR RENAISSANCE – RETAIL CENTER, PROVIDING FOR THE CONSTRUCTION OF A 200,000 SQUARE FOOT RETAIL CENTER AND ASSOCIATED PARKING, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Judson Pankey, P.E., CPH Engineers, has submitted Site and Development Plan No. 07-15SP as agent for Renaissance – Retail Center, signed, sealed and dated July 9, 2007, and comprising 25 sheets as marked and received by the City on July 9, 2007 and three pages color architectural signed, sealed and dated July 6, 2007 and received by the City on July 9, 2007; and,

WHEREAS, In response to TRC comments, Judson Pankey, P.E., CPH Engineers, has submitted a revised Site and Development Plan No. 07-15SP as agent for Renaissance – Retail Center, signed, sealed and dated August 24, 2007 and comprising 22 sheets as marked and received by the City on August 27, 2007; and,

WHEREAS, In response to additional TRC comments, Judson Pankey, P.E., CPH Engineers, has submitted a revised Site and Development Plan No. 07-15SP as agent for Renaissance – Retail Center, signed, sealed and dated September 14, 2007 and comprising 23 sheets as marked and received by the City on September 14, 2007, and two pages color architectural elevations depicting building and signage, signed, sealed and dated October 3, 2007 and received by the City on October 5, 2007; and,

WHEREAS, In response to additional comments, Judson Pankey, P.E., CPH Engineers, has submitted a revised Site and Development Plan No. 07-15SP as agent for Renaissance – Retail Center, signed, sealed and dated October 29, 2007 and comprising 24 sheets as marked and received by the City on October 29, 2007, and five pages color architectural elevations depicting building and signage, signed, sealed and dated October 29, 2007 and received by the City on October 29, 2007; and,

WHEREAS, the Zoning Administrator has accepted the application and referred same to the Technical Review Committee for review and comment; and,

WHEREAS, the Planning Commission has held a public meeting on October 16, 2007 and November 6, 2007, and has received the application together with support documentation and the recommendations of staff, and has heard comment on behalf of the applicant and interested parties; and, the Planning Commission DENIED the Site & Development Plan Petition.

WHEREAS, the City Council has held a public meeting on August 12, 2008 to hear a de novo appeal of the Planning Commission's decision and finds that the application demonstrates compliance with the applicable standards and criteria of the Venice Comprehensive Plan and land development regulations.

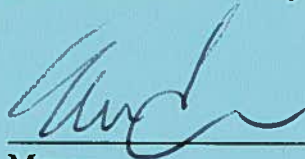
NOW, THEREFORE, BE IT ORDERED BY CITY COUNCIL, THAT:

Section 1. The Site and Development Plan No. 07-15SP as agent for Renaissance – Retail Center, signed, sealed and dated October 29, 2007 and comprising 24 sheets as marked and received by the City on October 29, 2007, and four pages color architectural elevations depicting the retail building, site plan, an enlarged site section and site elevation A received by the City on August 12, 2008 are hereby approved along with the proposed stipulations offered by the applicant and agreed to by Venetian Golf & River Club representatives dated August 12, 2008.

Section 2. This Order shall become effective immediately upon adoption.

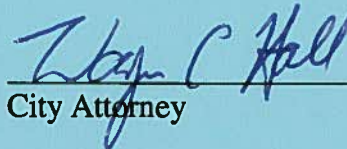
Section 3. This Order shall be voided two years after approval unless a building permit has been issued under the approved plans. This time period may be extended by the Planning Commission for a period not to exceed one six-month period after showing that a building permit is being actively pursued.

ADOPTED at a meeting of the City Council on the 12th day of August, 2008.



Mayor

APPROVED AS TO FORM:



City Attorney

PROPOSED STIPULATIONS

Petitioner, for itself, its successors and assigns, agrees that the following Stipulations shall be included in Petition #07-15SP, if and as approved by the City of Venice:

1. There shall be an Advisory Board (herein, "Advisory Board") which shall consist of residents of Willow-Chase and Venetian Golf & River Club (in equal numbers from each) and shall be chosen by those residents, to advise Petitioner on all subsequent phases of the Renaissance development, including without limitation, all issues relating to the proper buffering of the 22 acres residential portion of the Renaissance development from the Phase 1B area, and the buffering of the Renaissance development from the Willow-Chase and the Venetian Golf & River Club residential developments.
2. The Site and Development Plan for the Renaissance Development, including but not limited to the Site Plan and Elevations, shall be revised as submitted to the City Council during the denovo appeal on August 12, 2008, herein referred to as "Revised Site and Development Plan".
3. The Gazebo Park shall be relocated to the east entryway and the second east entrance removed, as shown on the Revised Site and Development Plan.
4. Laurel Road Linear Park shall be expanded from 40' wide to 50' wide, including an 8' sidewalk and the berm height increased from 3' to 4' high, plus 4' shrubs and 12'-18' trees on top of berm, as shown on the Revised Site and Development Plan.
5. The front elevation shall be enhanced as shown on the Revised Site and Development Plan and the elevations at the sides and the rear shall be comparably enhanced to conform with said front elevations, subject to review for technical compliance by City Staff at the construction design phase.
6. Retail Center Requirements:
 - (a) The parking lot lights shall be incandescent lighting, shielded, 15' maximum height.
 - (b) Security cameras shall cover the entire parking lot and shall be monitored at all times.
 - (c) All overnight parking, including but not limited to boats and recreational vehicles, shall be prohibited and that restriction shall be noted by appropriate signage, with compliance monitored by security cameras and enforced by Venice Police.

(d) Petitioner shall exercise reasonable commercial efforts to restrict all deliveries to daylight hours only.

(e) Petitioner shall exercise reasonable commercial efforts to restrict all back-up alarms on delivery vehicles to silent laser type alarms or similar silent alarms.

(f) Petitioner shall consult with Advisory Board to determine, implement and provide the best combination of walls and/or landscaping to surround the delivery areas of Phase 1B to buffer to the greatest extent commercially reasonable any noise emanating therefrom.

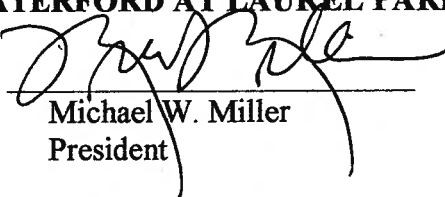
7. Petitioner shall restrict future land use on the east 22 acre parcel to a maximum three stories for residential use. Office use may also be allowed if approved by Advisory Board and the City of Venice. Residential condominiums shall be limited to three stories, with no underneath parking and with buildings staggered in a similar manner as shown on the Revised Site and Development Plan.

8. No gas station shall be allowed on the out-parcel shown on the Revised Site and Development Plan for Phase 1B.

9. Petitioner shall, at its expense, widen Laurel Road from two lanes to four lanes along the entire frontage of the 73 acres of the Renaissance property, install a traffic light at the center entrance and install street lighting along Laurel Road to match the Venetian Golf & River Club street lighting.

10. Petitioner shall provide the City of Venice with satisfactory evidence that the existing and funded road infrastructure is sufficient to provide concurrency for the traffic to be generated by the proposed development.

WATERFORD AT LAUREL PARK NORTH, LLC, Petitioner

By: 
Michael W. Miller
President

Date Signed: 8/2/08

AGREED:

The undersigned, M. Marshall Happer III, Appellant and VG&RC Community Association, Inc., a voluntary association of some of the residents of the Venetian Golf & River Club development, in consideration of the revisions of the plans for Phase 1B of the Renaissance development as set forth in the Revised Site and Development Plan described above and the agreement of the Petitioner to the foregoing Stipulations, join in support of Petition #07-16SP as revised, and subject to these Stipulations and said Revised Site and Development Plan.



M. Marshall Happer III
Appellant

Date Signed: 8-12-08

VG&RC COMMUNITY ASSOCIATION, INC.

By: 

Michael Rigdon
Vice President

Date Signed: 8-12-08