Previously Approved Documents

Prepared by: City Clerk

ORDINANCE NO. 2017-25

AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA, PURSUANT TO REZONE PETITION NO. 16-07RZ, RELATING TO PROPERTY IN THE CITY OF VENICE LOCATED SOUTH OF LAUREL ROAD, NORTH OF BORDER ROAD AND BOTH EAST AND WEST OF JACARANDA BOULEVARD AND OWNED BY NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC, AND BORDER AND JACARANDA HOLDINGS, LLC, FOR THE REZONING OF THE PROPERTY DESCRIBED THEREIN, FROM CITY OF VENICE LAUREL LAKES PLANNED UNIT DEVELOPMENT (PUD) AND VICA PUD TO CITY OF VENICE MILANO PUD; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Rezone Petition No. 16-07RZ to rezone property described in Section 3 below, has been filed with the City of Venice to change the official City of Venice Zoning Map designation for the subject property from City of Venice Laurel Lakes Planned Unit Development (PUD) and VICA PUD to City of Venice Milano PUD; and

WHEREAS, the subject property described in Section 3 below has been found to be located within the corporate limits of the City of Venice; and

WHEREAS, the City of Venice Planning Commission has been designated as the local planning agency in accordance with F.S. 163.3174; and

WHEREAS, the Planning Commission held a public hearing on June 6, 2017, for which public notice was provided regarding the petition and based upon the evidence and public comment received at the public hearing, the staff report, and discussion by the Planning Commission, voted to recommend approval of Rezone Petition No. 16-07RZ; and

WHEREAS, the Venice City Council has received and considered the report of the Planning Commission concerning Rezone Petition No. 16-07RZ requesting rezoning of the property described herein; and

WHEREAS, City Council held a public hearing on the proposed rezoning of the property described herein, all in accordance with the requirements of city's code of ordinances, and has considered the information received at said public hearing; and

WHEREAS, City Council finds that Rezone Petition No. 16-07RZ is in compliance with and meets the requirements of the city's Land Development Regulations and Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA:

SECTION 1. The Whereas clauses above are ratified and confirmed as true and correct.

SECTION 2. The City Council finds as follows:

- A. The Council has received and considered the report of the Planning Commission recommending approval of Zoning Map Amendment Petition No. 16-07RZ.
- B. The Council has held a public hearing on the petition and has considered the information received at said public hearing.

C. The proposed rezoning of the property described herein is in accordance with and meets the requirements of the Land Development Code and is consistent with the City of Venice Comprehensive Plan.

<u>SECTION 3.</u> The Official Zoning Atlas is hereby amended, by changing the zoning classification for the following described property located in the City of Venice from City of Venice Laurel Lakes Planned Unit Development (PUD) and VICA PUD to City of Venice Milano PUD, subject to the following stipulations:

- 1. The applicant agrees to convey to the city or other governmental entity a strip of land along the southerly boundary of the Laurel Road right-of-way. The width of the strip of land shall be determined by the city on or before December 31, 2017. The compensation for which, if any, shall be determined and paid on or before December 31, 2019. Nothing herein shall prevent the parties from adjusting the amount of property to be conveyed. This provision shall expire if not acted upon by the city prior to the above date.
- 2. An updated listed species survey shall be conducted prior to any construction.
- 3. The applicant shall provide the city with the results of the updated listed species survey, and any correspondence with the United States Fish and Wildlife Service (USFWS) or the Fish and Wildlife Conservation Commission (FWC).
- 4. The applicant shall obtain all applicable state and federal listed species permits.
- 5. The applicant shall comply with FWC regulations regarding the survey and relocation of Gopher Tortoises and associated commensal species.
- 6. The applicant shall provide a tree survey and any other permits or documents related to tree removal to the city.
- 7. The applicant shall obtain all applicable state and federal environmental permits and provide wetland mitigation, as required.
- 8. Any nuisance species observed within project area wetlands and uplands shall be removed and replanted with native Florida species, as required to obtain SWFWMD permits.
- 9. Grand trees are present on the subject property. All Grand Trees, as defined by the Trees Code and verified by Sarasota County Environmental Protection Division staff, shall be shown on the preliminary plat and/or site and development plan. Consistent with the Trees Code, all impacts to Grand Trees shall be avoided by design, unless it is determined by staff that the tree(s) may adversely affect the public's health, safety, and welfare during Construction Plan review. Changes to the development concept plan may need to occur to ensure that all Grand Trees have full dripline protection.
- 10. The agreement regarding PUD obligations and concurrency shall be approved and executed by the developer and the city prior to any further development approvals.
- 11. In the event of common ownership between Milano PUD and the adjacent property to the west (currently known as Villa Paradiso), one or more optional interconnections between the properties shall be permitted.

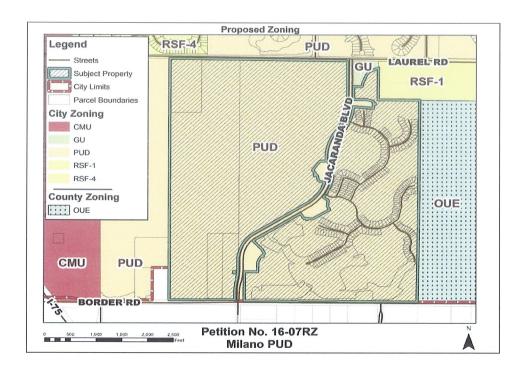
Property Description:

As depicted on the zoning map shown below consisting of approximately 527 acres and as further described:

A Parcel of land located in Section 34 and 35, Township 38 South Range 19 East more particularly described as follows; Commencing at the North 1/4 Corner of said Section 35 and considering the North line of the Northeast 1/4 of said Section 35 to bear South 89°28'20" East with all bearings contained herein relative thereto; thence South 00°23'03" West a distance of 139.90 feet along the West line of the Northeast 1/4 of said Section 35 to the true point of beginning;

thence continuing along the West line of the Northeast 1/4 of said Section 35 South 00°23'03" West, a distance of 690.17 feet; thence South 89°28'25" East, a distance of 807.08 feet; thence South 00°23'38"

West, along the East line of the West 807 feet of the East 1/2 of said Section 35 a distance of 4337.87 feet to a point on the North Right-of-Way of Border Road as described in Official Records Book 2404 at Page 2678, Sarasota County, Florida ; Thence along the North Right-of-Way of Border Road as described in Official Records Book 2404 at Page 2678, Sarasota County, Florida the next 5 calls; thence North 89°49'49" West, a distance of 1524.84 feet; thence North 00°10'11" East, a distance of 10.00 feet; thence North 89°49'49" West, a distance of 793.07 feet; thence South 00°10'11" West, a distance of 10.00 feet; thence North 89°49'49" West, to the easterly Right-of-Way of Jacaranda Boulevard as recorded in Official Records Instrument Number 2013007710, Sarasota County, Florida a distance of 1034.63 feet; thence North 84°06'47" West, to the Westerly Right-of-Way of Jacaranda Boulevard as recorded in Official Records Instrument Number 2013007710, Sarasota County, Florida a distance of 201.57 feet; thence South 89°40'40" West, along the North Right-of Way of Border Road as recorded in Official Records Instrument 2004242187, Sarasota County, Florida a distance of 1251.79 feet; thence North 00°08'51" West, along the West line of the E1/2 of the E1/2 of said Section 34 a distance of 5193.31 feet; thence South 89°32'09" East, along the North line of of the NE1/4 of the NE1/4 of said Section 34 a distance of 1359.82 feet; thence South 89°20'49" East, along the North line of the NW1/4 of said Section 35 a distance of 2055.54 feet to a point on the West Right-of-Way of Jacaranda Boulevard as recorded in Official Records Instrument Number 2013007710, Sarasota County, Florida; thence South 44°45'27" East, along said West Right-of-Way of Jacaranda Boulevard as recorded in Official Records Instrument Number 2013007710, Sarasota County, Florida a distance of 35.69 feet; thence South 00°10'09" East, along said West Right-of-Way of Jacaranda Boulevard as recorded in Official Records Instrument Number 2013007710, Sarasota County, Florida a distance of 532.10 feet; thence North 89°50'40" East, leaving said West Right-of-Way a distance of 282.32 feet; thence North 11°00'51" East, a distance of 81.98 feet; thence North 22°08'01" East, a distance of 183.81 feet; thence North 41°46'18" East, a distance of 94.62 feet; thence North 63°21'42" East, a distance of 93.59 feet; thence North 62°42'21" East, a distance of 101.00 feet to the Point of Beginning. Containing 553.39 Acres, more or less. Less and accept that portion of Jacaranda Boulevard as recorded in Official Records Instrument Number 2013007710, Sarasota County, Florida and a parcel as described in Official Records Book 2043 Page 2352 Sarasota County, Florida.



SECTION 4. Effective date. This ordinance shall take effect immediately upon its approval and adoption as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 22ND DAY OF AUGUST, 2017.

First Reading: July 11, 2017 Final Reading: August 22, 2017

Adoption: August 22, 2017

Atţest:

Lori Stelzer, MMC, City Gerk

I, Lori Stelzer, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the City of Venice Council, a meeting thereof duly convened and held on the 22nd day of August, 2017 a quorum being present.

WITNESS my hand and the official seal of said City this 22nd day of August, 2017.

Approved as to form:

David Persson, City Attorney

MILANO

PLANNED UNIT DEVELOPMENT (PUD) BINDING MASTER PLAN

March 10, 2017

ADOPTED BY ORDIN	IANCE NO	17
	, 2017	



PLANNING & ZONING

MILANO PUD

PROJECT NARRATIVE

The proposed Milano PUD is 527 +/- acre property located south of Laurel Road, north of Border Road, and bisected by the Jacaranda Boulevard Extension. The property is located within the South Laurel Neighborhood Planning Area, and consists of the previously approved VICA PUD (Ordinance No. 2014-16) and the previously approved Laurel Lakes PUD (Ordinance No. 2006-40). Together the two currently approved PUD's authorize up to 1,505 residential dwelling units with a mix of single-family, paired villas, and multi-family units, amenity centers, a small commercial component, and open space.

The applicant, Neal Communities of Southwest Florida, LLC, proposes a rezoning to Planned Unit Development (PUD) which would combine the Laurel Lakes PUD and the VICA PUD into a single PUD (Milano) for the development of a residential community consisting of detached single- family homes, paired villas, and multi-family homes, amenity centers and open space. The proposed density is for up to 1,350 residential units (approximately 2.5 dwelling units per acre), a 10% reduction in the currently approved density for the site. The circulation plan for the Milano PUD demonstrates excellent opportunities for multi-modal connectivity, including a linked sidewalk system for pedestrian connectivity from each of the development pods to an amenity center, as well as to the existing sidewalk and multi-use trail along Jacaranda Boulevard. Further sidewalk linkage along Laurel Road and Border Road will be provided to the project limits.

COMPLIANCE

The proposed Milano PUD plan is consistent with all applicable elements of the City's Comprehensive Plan. Specifically, the proposed Milano PUD is consistent with the Planning Intent of the South Laurel Neighborhood Planning Area, Policy 16.7; "... to develop an integrated mixed use neighborhood comprised of single-family and multi-family residential properties...", and with the South Laurel Neighborhood Planning Area Standards, Policy 16.8, concerning all applicable standards including density, transportation network, building envelope, parking standards, parks and public space, and architectural design. In addition, the Milano PUD plan is in compliance with the applicable Goals, Objectives and Policies of the Conservation and Open Space Element of the Comprehensive Plan regarding sustainable environmental practices, open space corridors, and habitat protection.

Finally, the proposed Milano PUD is in compliance with the City of Venice Land Development Code Sec. 86-130 requirements for Planned Unit Development (PUD) Districts as outlined in the below Land Use and Development Standards.

LAND USE AND DEVELOPMENT STANDARDS

The following identifies the proposed development standards for the Milano Planned Unit Development. In furtherance of the interpretation authority granted by the City of Venice Comprehensive Plan and Land Development Code, the Zoning Administrator shall have authority to administratively approve minor modifications of standards contained with the Milano Planned Unit Development, excluding standards related to density, building height, buffer widths, and the addition of permitted uses. Reasonable mitigation measures may be imposed by the Zoning Administrator to limit impacts from the requested adjustment of standards. Where the PUD master plan identifies areas for residential uses, the developer shall have the option to convert such residential use areas to open space uses.

Any standard not stated or otherwise addressed in the binding master plan is subject to Section 86-130, City of Venice PUD standards.

A. Land Uses

- 1) Permitted Principal Uses and Structures
 - Residential single-family dwellings (detached)
 - Residential single-family dwellings (attached)
 - Multi-family dwellings
 - Private club, community centers and civic and social organization facilities
 - Recreational areas
 - Open Space
- 2) Permitted accessory uses and structures
 - Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.
 - Are located on the same lot as the permitted or permissible use or structure or on a contiguous lot in the same ownership.
 - Do not involve operations or structures not in keeping with the character of the district.
 - Do not involve the conduct of business on residential premises, provided that accessory home occupations shall be allowed as accessory to residential uses.
- B. Density/Intensity
 - 1) Residential- Up to 1,350 residential units
 - 2) Commercial-None
 - 3) Open Space- Minimum 50%
- C. Maximum Height of Structures- 3 stories up to 42' including parking.

D. LOT DETAIL

1) Single-Family Detached

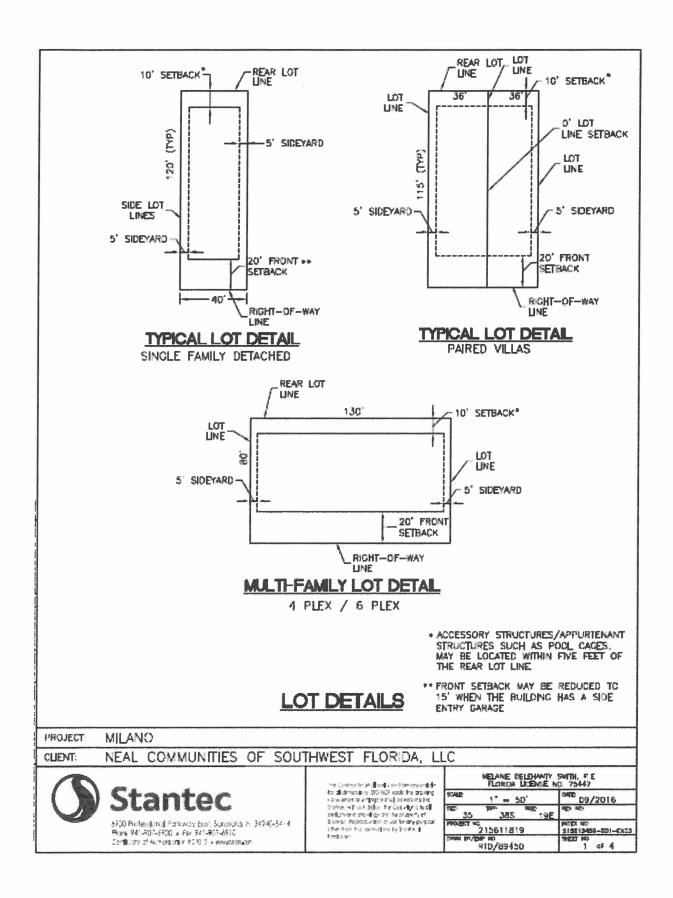
- Minimum Lot Size: 4,500 square feet
- Maximum Lot Coverage: None, except as required to meet other requirements set out in this section
- Lot Width: 40 feet
- Front Yard: 20 feet, or 15 feet when building has side entry garage
- Side Yard: 5 feetRear Yard: 10 feet
- Accessory structures/appurtenant structures including, but not limited to pool cages, may be located within five feet of the rear lot line

2) Single-Family Attached (Paired Villas)

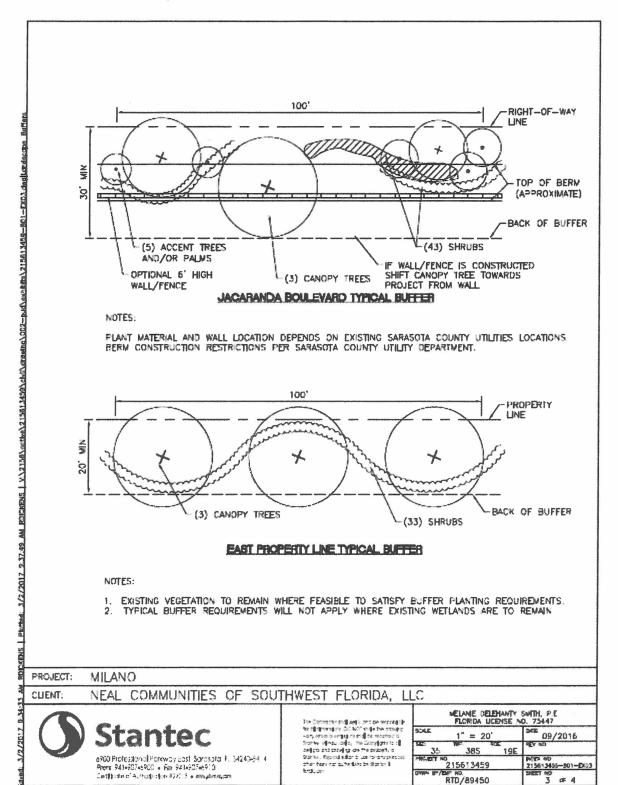
- Minimum Lot Size: 4,140 square feet
- Maximum Lot Coverage: None, except as required to meet other requirements set out in this section
- Lot Width: 36 feet
- Front Yard: 20 feet
- Side Yard: 5 feet
- Rear Yard: 10 feet
- Accessory structures/appurtenant structures including, but not limited to pool cages, may be located within five feet of the rear lot line

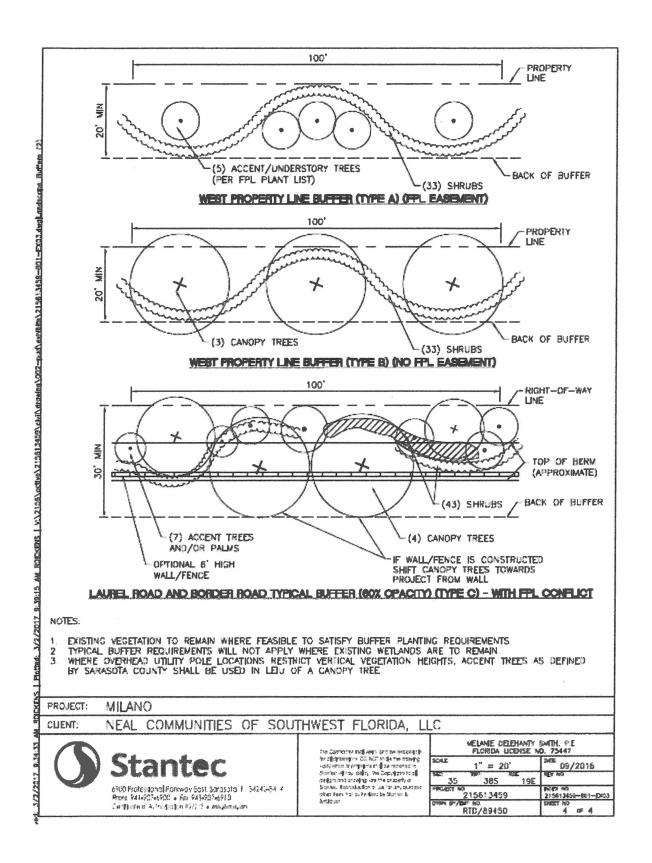
3) Multi-Family

- Minimum Lot Size: 10,400 square feet
- Maximum Lot Coverage: None, except as required to meet other requirements as set out in this section
- Lot Width: 130 feet
- Front Yard: 20 feet
- Side Yard: 5 feet
- Rear Yard: 10 feet
- Accessory structures/appurtenant structures including, but not limited to pool cages, may be located within five feet of the rear lot line



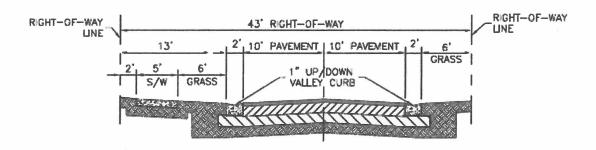
E. BUFFERS/LANDSCAPING





F. Roadway Design

- 1) The Milano PUD proposes an alternative neighborhood roadway design with the following standards (see typical roadway section below):
 - Right-of –Way: 43 feet
 - Travel Lanes: 10 feet
 - Sidewalk: 5 feet, one side of street only
 - 2 foot curb
 - One (1) tree per lot which may be placed within or adjacent to the ROW, minimum 3" caliper at installation
- 2) Pursuant to Sec. 86-233(3) City Council Approval of dead-end streets (cul-de-sacs) up to 1,200 feet in length is requested.
- Pursuant to City of Venice Comprehensive Plan, Housing and Neighborhood Development Policy 2.6, City Council approval of limited access gates for neighborhood roads is requested.



TYPICAL NEIGHBORHOOD ROADWAY SECTION

NOTES:

- ALL PRIVATE LOCAL STREET RIGHT OF WAYS TO BE INGRESS/EGRESS, UTILITY AND DRAINAGE EASEMENTS, AND PUBLIC UTILITY EASEMENTS.
- 2. NO UTILITY SERVICES IN SIDEWALK.
- 3. THERE SHALL BE NO ON-STREET PARKING PERMITTED.

- G. SIGNAGE: No signs are permitted in the Milano PUD except:
 - 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 community identification, monument-style ground sign, not to exceed nine (9) feet in height and twenty (20) feet in width, on each side, or in the median and one side, of each vehicular access point off Jacaranda Boulevard, including access points at the intersections of Laurel Road and Jacaranda Boulevard, and Border Road and Jacaranda Boulevard.
 - 3) One wall or monument-style ground sign, not over eight square feet in area, to identify a private club.
- H. Architectural Design Standards: Pursuant to City of Venice Comprehensive Plan, Future Land Use and Design Element, Policy 16.18.G.1, the Milano PUD will apply Northern Italian Architectural Design.



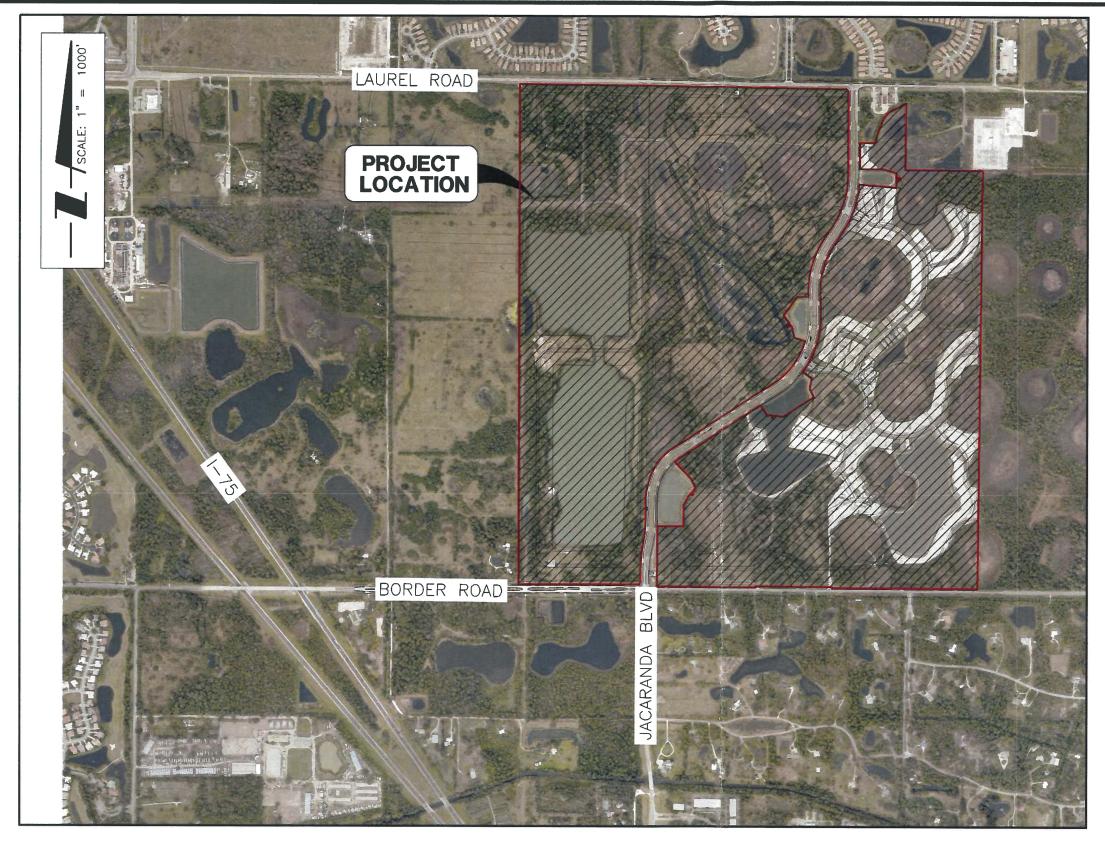
Building. Home. Life.

TYPICAL HOUSING STYLES



PROPOSED MILANO PUD MODIFICATION TO STANDARDS

- A modification to the requirements of Sec. 86-130 (q), concerning the requirement that no structure shall be located closer to any perimeter property line than two times the height of such structure, is requested. The proposed modification is to reduce the required setback from perimeter property lines to one times the building height.
 - The proposed modification request is justified based upon the low intensity of the development plan, the extensive perimeter buffers and the significant amount of open space otherwise provided.
- 2) A modification to the requirements of Sec 86-232(5) concerning the roadway design standards is proposed and an alternative neighborhood roadway design is proposed. The proposed modification reduces right-of way width from 52' to 43', allows for sidewalks on one side of the neighborhood roadway only, and eliminates bike lanes for the neighborhood roadways.
 - The proposed modification request is justified based upon the protection of wetlands and their buffers afforded by the modification, the low intensity of the development plan, and the circulation plan which demonstrate sidewalks on one side of the street will provide excellent pedestrian connectivity from each of the development pods to the amenity center and also to the sidewalk and multi-use trail along Jacaranda Boulevard.
- 3) A modification to Sec. 86-130 (h) is requested concerning building height. The proposed modification is to replace the Land Development Code standard of 35' over 10' of parking with the Comprehensive Plan standard of 3 stories up to 42' including parking.
 - The proposed modification, at the direction of City staff, is necessary to address an inconsistency between the City's Land Development Code and its Comprehensive Plan.





6900 Professional Parkway East, Sarasota, FL 34240-8414

Phone 941-907-6900 • Fax 941-907-6910

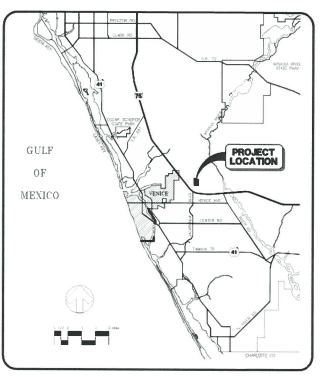
Certificate of Authorization #27013 • www.stantec.com

PLANNED UNIT DEVELOPMENT PLANS FOR

MILANO

PART OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA

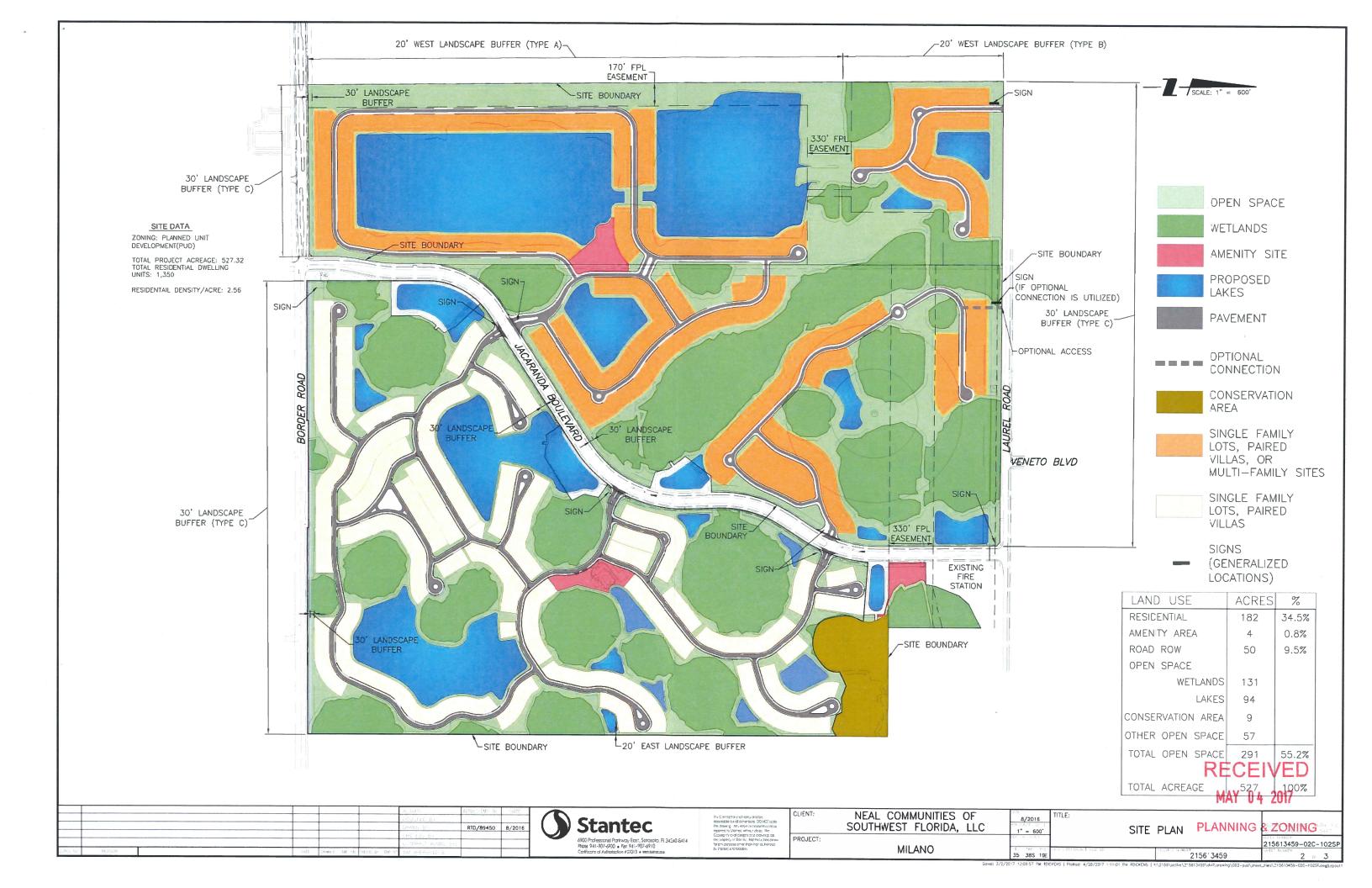
A DEVELOPMENT BY
NEAL COMMUNITIES OF
SOUTHWEST FLORIDA, LLC
5800 LAKEWOOD RANCH BOULEVARD NORTH
SARASOTA, FL 34240
941-328-1111

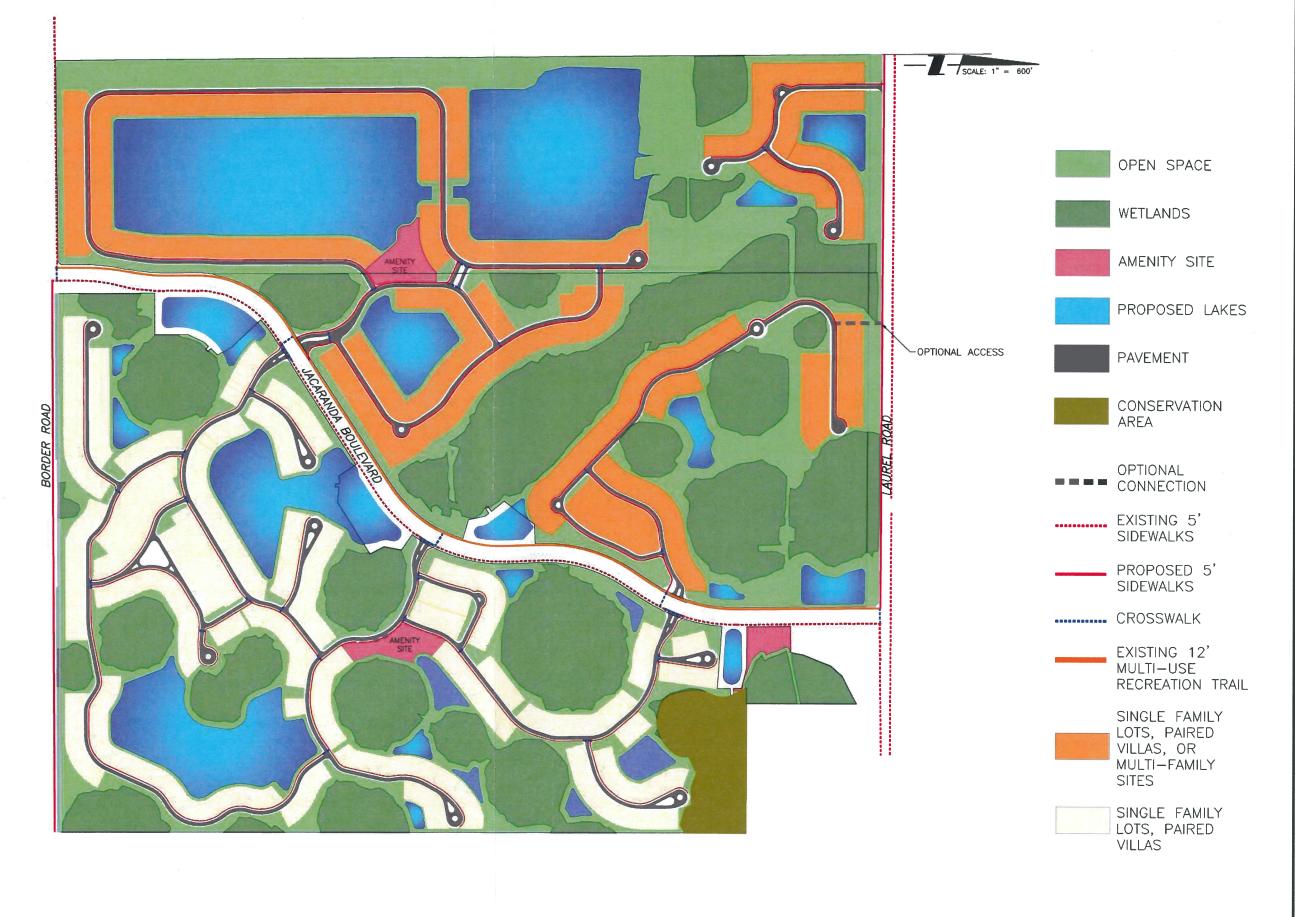


LOCATION MAP

SHEET NO.	SHEET DESCRIPTION					
1	COVER SHEET					
2	MASTER SITE PLAN					
3	CIRCULATION PLAN					
PROJECT PLANNER JIM COLLINS		PROJECT DEVELOPER NEAL COMMUNITIES		PROJECT CONSULTANT STANTEC		
	OJECT DESIGNER ISSELL DICKENS	MELANIE DELEHANTY SMITH, P.E. MILLARD		PROJECT MANAGER MILLARD J. YODER, P.E. FLORIDA LICENSE NO. 33765		
PROJECT NUMBER 215613459						
SEPTEMBER 2016			INDEX NUMBER 215613459-02C-001CV			

A REV. NO. DESCRIPTION DATE DRAWN BY





					ACTIVITY	INTIALS/EMP NO	DATE
					DESIGNED BY:		
					ORAWN BY:	RTD/89450	8/2016
					CHECKED BY:		
					CONTRACT ADMIN. BY:		
AREV NO	REVISION	DATE	ZRAN Et / DIP NE	CHECKED BY / BUP FIG.	WM AFFROVED BY		



	Carkacta stell refu and be
	portible lot of dimensions, 500 NOI radie
Ine	chiere - du écos or cuivious moi de
reg	arted to Startes without delay. The
Eò	pyrights to all cleages and crawings are
	company of Harried, Reproduction or use
ter	ary purpose other than that authorized
	Storage s Acroloden

CLIENT:	NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC	8/2016 HORECONTAL SCALE, 1" = 600'	TITLE: CIRCULATION PLAN	
PROJECT:		VERTICAL SCALE		
	MILANO	36 38C 10F	CROSS REFERENCE FILE ND.:	21561345

215613459-02C-103SP