

ORDINANCE NO. 2020-40

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, PURSUANT TO ZONING MAP AMENDMENT PETITION NO. 19-41RZ, AMENDING THE EXISTING MILANO PLANNED UNIT DEVELOPMENT (PUD) ZONING DESIGNATION TO ALLOW FOR TOWNHOMES AND, IN FIORE, THE NORTHWEST CORNER OF THE MILANO PUD, TO ALLOW AN ADDITIONAL ACCESS POINT AND SIGNAGE ON LAUREL ROAD, AN AMENITY AREA, AND SUPPLEMENTAL DEVELOPMENT STANDARDS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Zoning Map Amendment Petition No. 19-41RZ ("Petition") has been filed by Border and Jacaranda Holdings, LLC to amend the existing Planned Unit Development (PUD) for the property described in Section 3 below to allow for townhomes as a permitted use, an additional access drive and signage on Laurel Road, an amenity area, and supplemental development standards; and

WHEREAS, the subject property 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;

WHEREAS, the Planning Commission held a noticed public hearing on October 6, 2020 regarding the Petition and, based upon the evidence and testimony received at the public hearing, voted to recommend approval of the Petition; and

WHEREAS, the Venice City Council has received and considered the report of the Planning Commission concerning the Petition; and

WHEREAS, City Council held a duly noticed public hearing on the Petition in accordance with the requirements of the City's Code of Ordinances, and has considered the evidence and testimony received at said public hearing.

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 hereby makes the following findings of fact:

A. The Council has received and considered the report of the Planning Commission recommending approval of the Petition.

B. The Council held, after due public notice, a public hearing on the Petition and considered the evidence and testimony received at said public hearing.

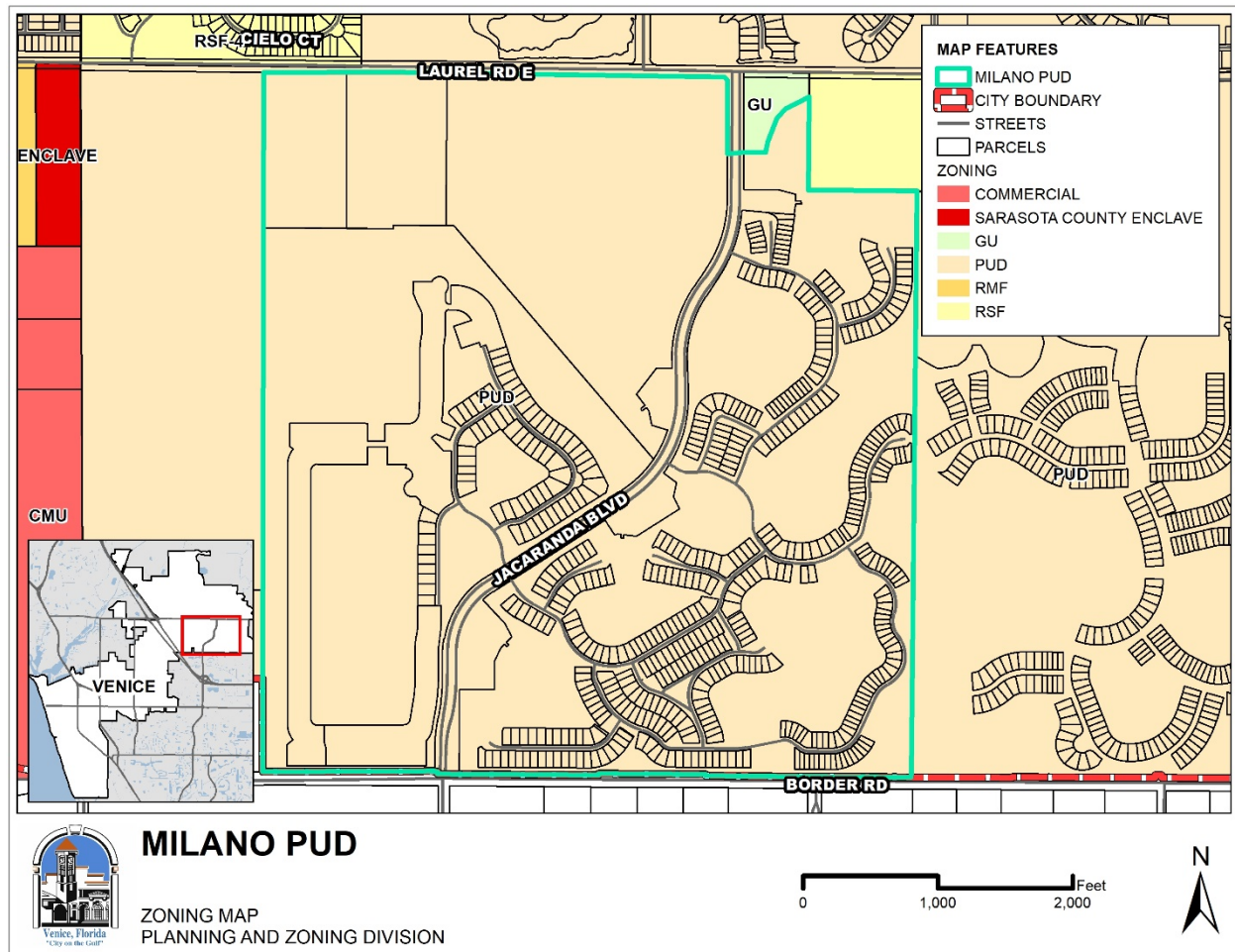
C. The proposed amendment of the PUD described herein is in accordance with and meets the requirements of the Land Development Code and is consistent with the City of Venice Comprehensive Plan.

SECTION 3. The “Milano Planned Unit Development (PUD) Binding Master Plan Amendment” attached hereto as Exhibit “A” is hereby adopted and incorporated by reference, amending the following described property to allow for townhomes as a permitted use, an additional access drive and signage on Laurel Road, an amenity area, and supplemental development standards.

The subject 553.39± acre PUD is comprised of various parcels as depicted on the location map shown below and is further described as follows:

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.

Any discrepancy between the legal description and the map shall resolve in favor of the map.



SECTION 4. All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 5. If any part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 6. 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 8TH DAY OF DECEMBER 2020.

First Reading: November 17, 2020

Final Reading: December 8, 2020

Adoption: December 8, 2020

Ron Feinsod, Mayor

Attest:

Lori Stelzer, MMC, City Clerk

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 8th day of December 2020 a quorum being present.

WITNESS my hand and the official seal of said City this 8th day of December 2020.

Lori Stelzer, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney

MILANO
PLANNED UNIT DEVELOPMENT (PUD)
BINDING MASTER PLAN AMENDMENT

May 14, 2020

ADOPTED BY ORDINANCE NO. 2020-40
December 8, 2020

MILANO PUD AMENDMENT

PROJECT NARRATIVE

The 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 Northeast Neighborhood of the Comprehensive Plan and has a Future Land Use Designation of Mixed Use Residential (MUR). The Milano PUD approved by Ordinance No. 2017-25 is a residential community consisting of detached single- family homes, paired villas, multi-family homes, amenity centers and open space. The density approved for the Milano PUD is up to 1,350 dwelling units.

This proposed amendment to the current Milano PUD, consists of changes which are all located within the approximately 36 acre development pod at the northwest corner of the Milano PUD, and are limited to the addition of one access point along Laurel Road and the restriction of the existing access point to egress only, the addition of project signage at the new access point, the addition of lot standards for townhomes, a modification of driveway standards for townhomes, the addition of an Amenity Area, the addition of alternative roadway sections to allow for on street parking, and minor modifications to conceptual stormwater pond configurations.

COMPLIANCE

The proposed amendment to the Milano PUD plan remains consistent with all applicable elements of the City's updated 2017 Comprehensive Plan. Specifically, the proposed amendment to the Milano PUD is consistent with *Land Use Element and Northeast Neighborhood Element Strategies LU 1.2.16, LU 1.2.17, and LU NE 1.1.1.A and C.*, with respect to density and open space, and with *Open Space Element Intents OS 1.1, OS1.2, OS 1.3, OS1.4, OS 1.5 and OS 1.6* with respect to open space uses, wetlands, native habitats and open space corridors, and with *Land Use Element Intent LU 4.1.*, with respect to transitional strategies related to compatibility, and development standards.

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)
- Townhomes
- 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 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

2) Single-Family Attached (Paired Villas)

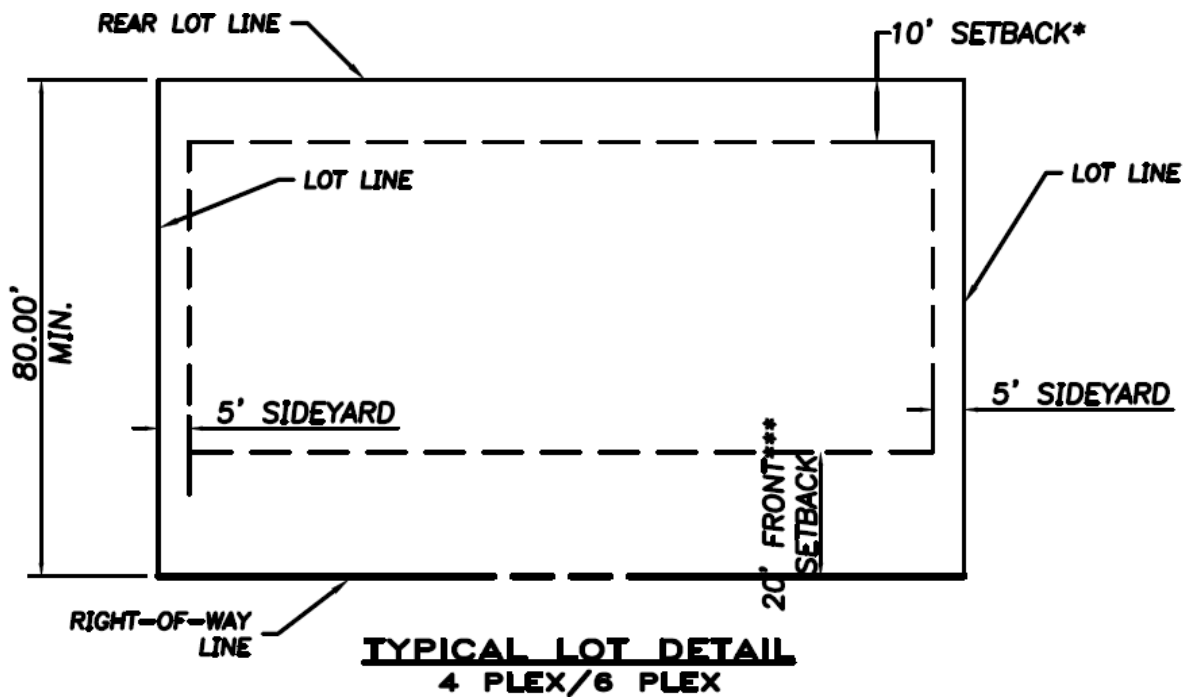
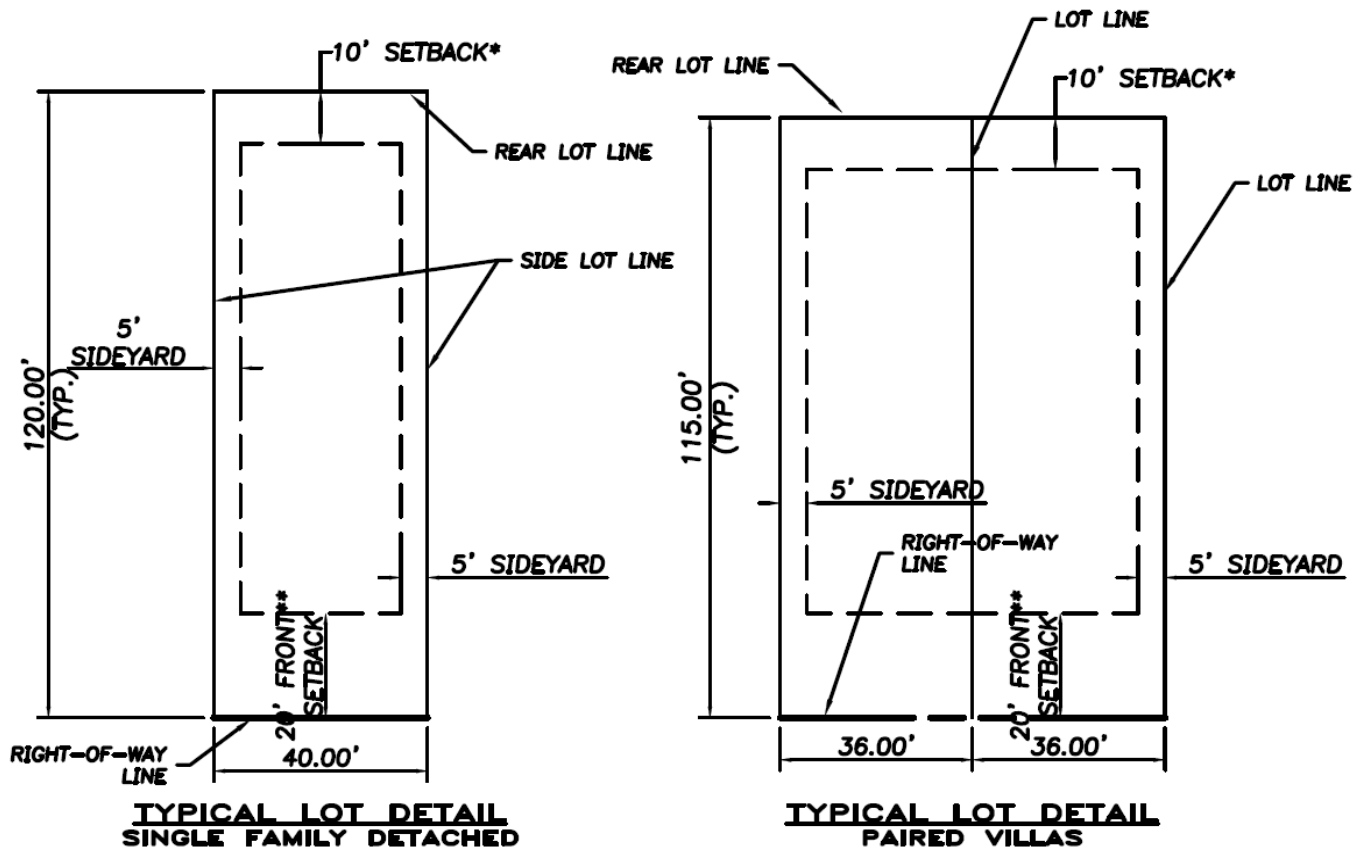
- Minimum Lot Size: 4,140 square feet
- Maximum Lot Coverage: None, except as required to meet other requirements set out in this section
- Lot Width: 36 feet
- Front Yard: 20 feet
- Side Yard: 5 feet
- Rear Yard: 10 feet
- Accessory structures/appurtenant structures including, but not limited to pool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

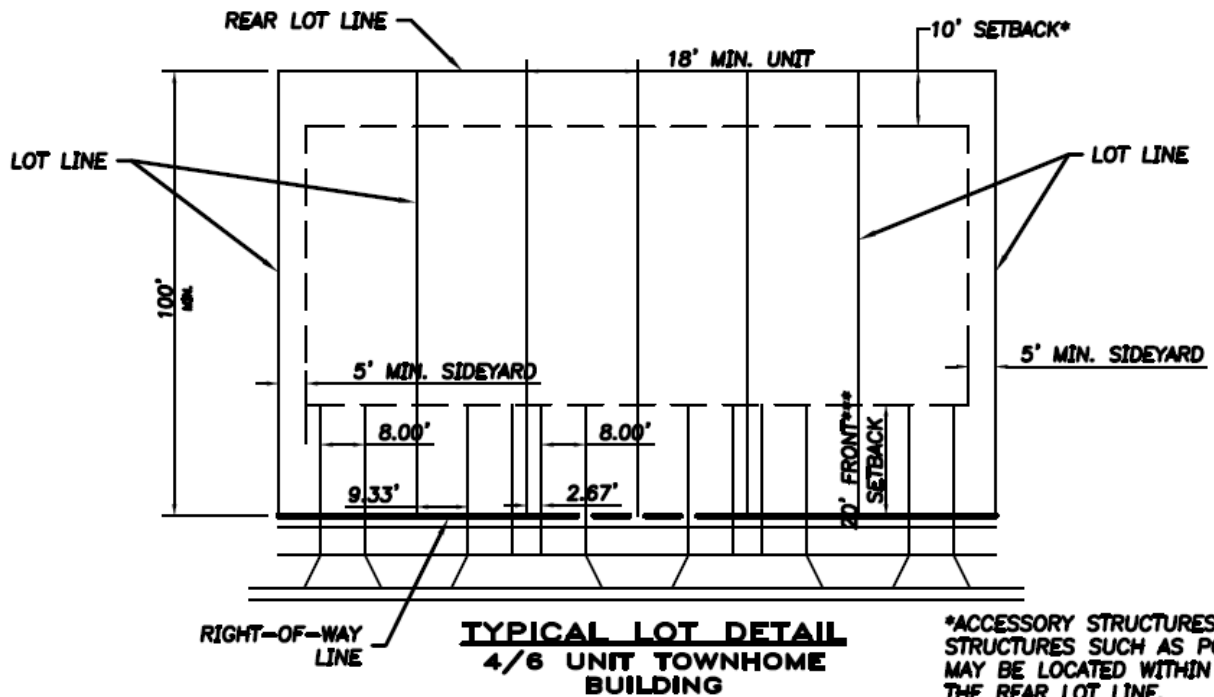
3) Townhomes

- Minimum Lot Size: 1,800 square feet
- Maximum Lot Coverage: None, except as required to meet other requirements set out in this section
- Lot Width: 18 feet
- Front Yard: 20 feet
- Side Yard: none
- 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

4) 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



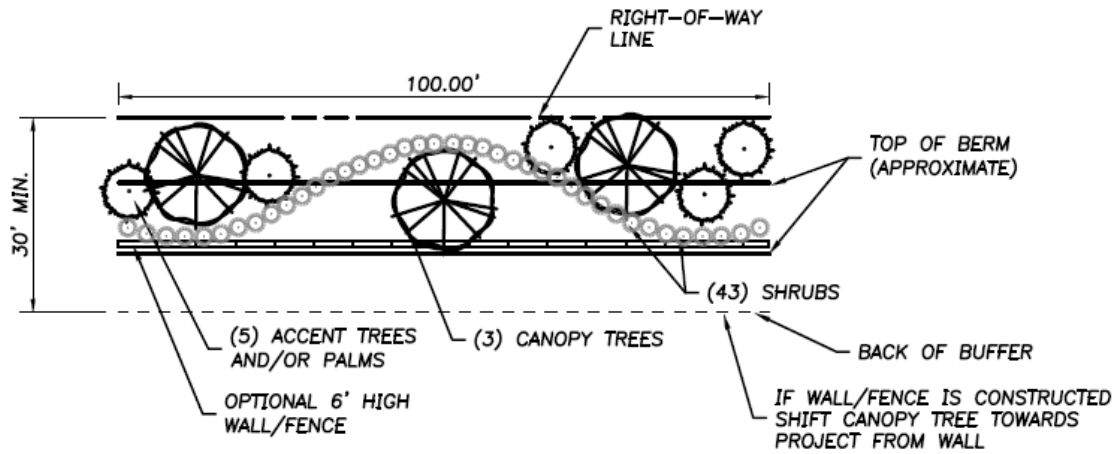


*ACCESSORY STRUCTURES/APPURTENANT STRUCTURES SUCH AS POOL CAGES, MAY BE LOCATED WITHIN FIVE FEET OF THE REAR LOT LINE.

**FRONT SETBACK MAY BE REDUCED TO 15' WHEN THE BUILDING HAS A SIDE ENTRY GARAGE

***SETBACKS ARE MINIMUMS AND MAY BE EXCEEDED WHERE NECESSARY

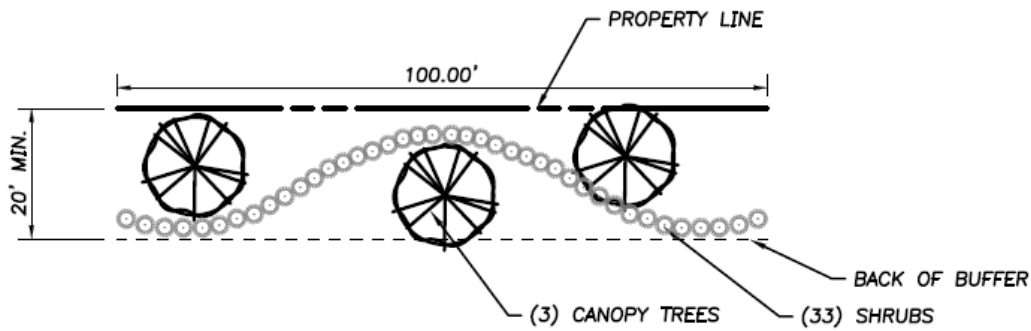
E. BUFFERS/ LANDSCAPING



JACARANDA BOULEVARD TYPICAL BUFFER

NOTES:

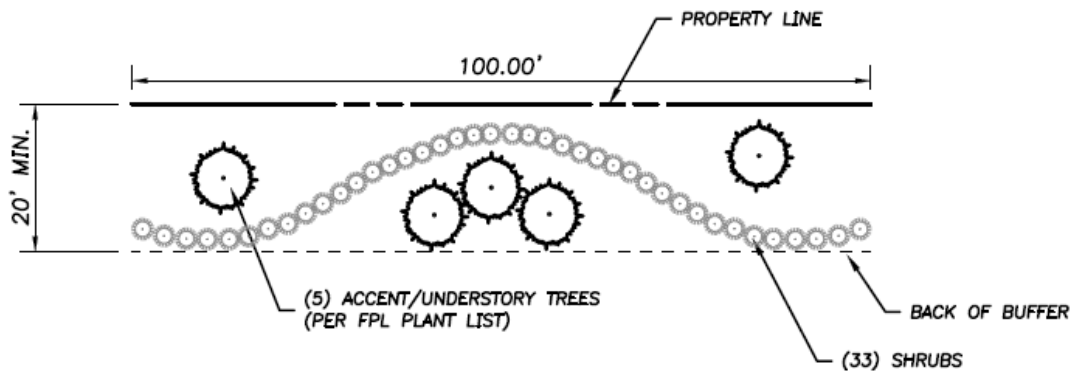
PLANT MATERIAL AND WALL LOCATION DEPENDS ON EXISTING SARASOTA COUNTY UTILITIES LOCATIONS BERM CONSTRUCTION RESTRICTIONS PER SARASOTA COUNTY UTILITY DEPARTMENT.



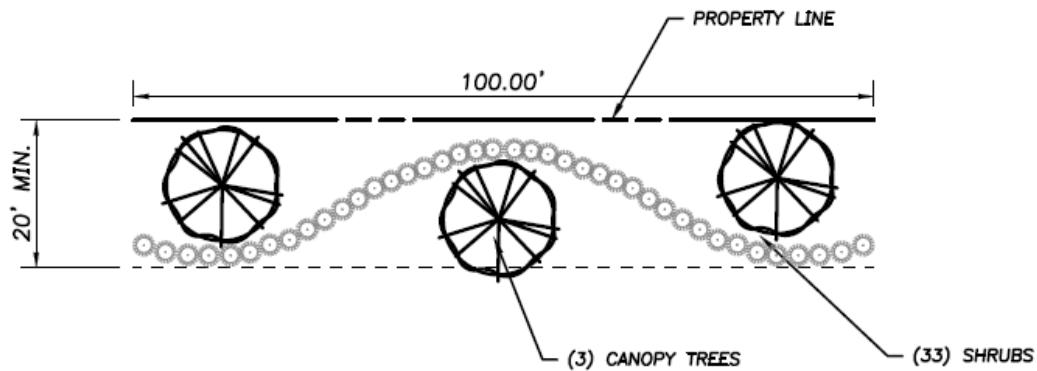
EAST PROPERTY LINE TYPICAL BUFFER

NOTES:

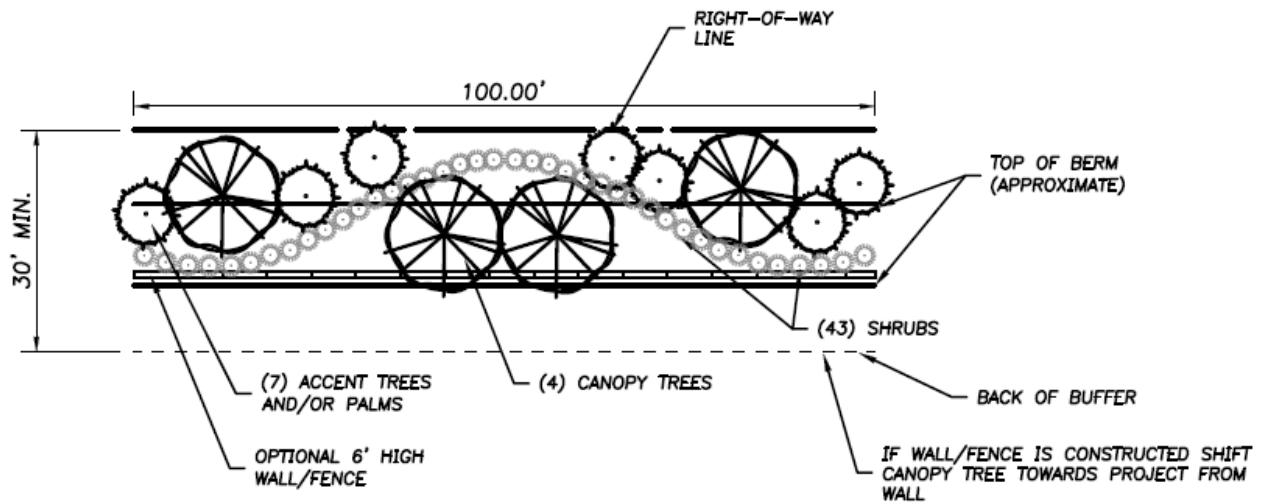
1. EXISTING VEGETATION TO REMAIN WHERE FEASIBLE TO SATISFY BUFFER PLANTING REQUIREMENTS
2. TYPICAL BUFFER REQUIREMENTS WILL NOT APPLY WHERE EXISTING WETLANDS ARE TO REMAIN.



WEST PROPERTY LINE BUFFER (TYPE A)(FPL EASEMENT)



WEST PROPERTY LINE BUFFER (TYPE B)(NO FPL EASEMENT)



LAUREL ROAD AND BORDER ROAD TYPICAL BUFFER (60% OPACITY) (TYPE C) - WITH FPL CONFLICT

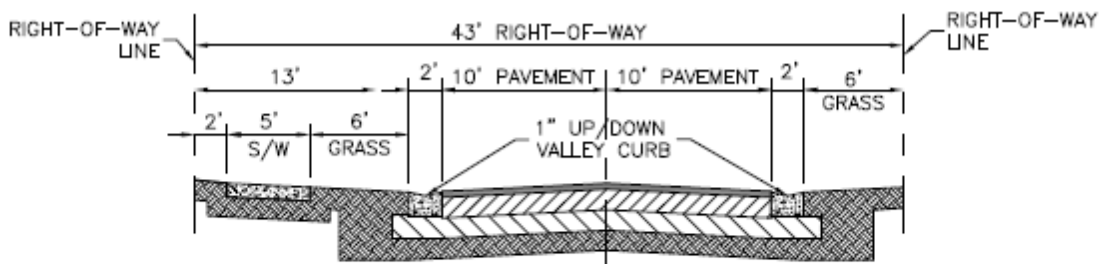
NOTES:

1. EXISTING VEGETATION TO REMAIN WHERE FEASIBLE TO SATISFY BUFFER PLANTING REQUIREMENTS
2. TYPICAL BUFFER REQUIREMENTS WILL NOT APPLY WHERE EXISTING WETLANDS ARE TO REMAIN.
3. WHERE OVERHEAD UTILITY POLE LOCATIONS RESTRICT VERTICAL VEGETATION HEIGHTS, ACCENT TREES AS DEFINED BY SARASOTA COUNTY SHALL BE USED IN LIEU OF A CANOPY TREE.

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



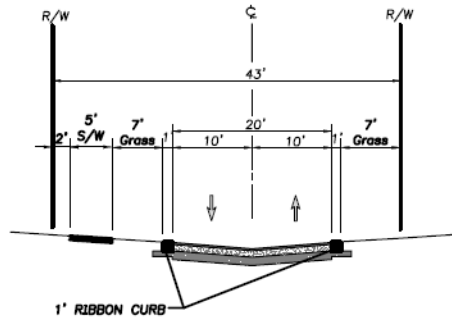
TYPICAL NEIGHBORHOOD ROADWAY SECTION

NOTES:

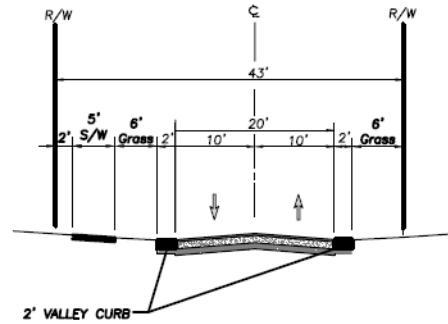
1. ALL PRIVATE LOCAL STREET RIGHT OF WAYS TO BE INGRESS/EGRESS, UTILITY AND DRAINAGE EASEMENTS, AND PUBLIC UTILITY EASEMENTS.
 2. NO UTILITY SERVICES IN SIDEWALK.
 3. THERE SHALL BE NO ON-STREET PARKING PERMITTED.
- 2) Pursuant to Sec. 86-233(3) City Council Approval of dead-end streets (cul-de-sacs) up to 1,200 feet in length is requested.
- 3) 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.

- 4) The Milano PUD proposes the additional alternative roadway design standards for the 36 acre development pod at the northwest corner of the Milano PUD.

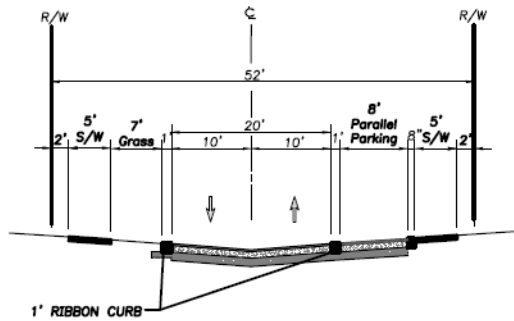
ROADWAY SECTIONS



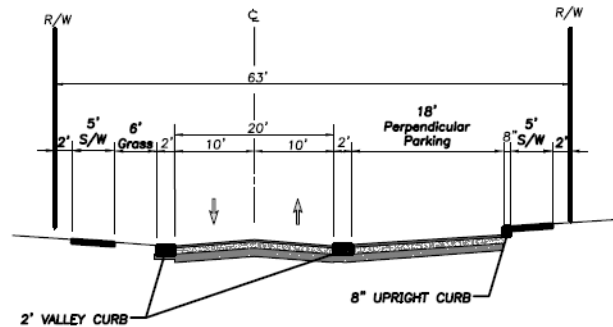
INVERTED CROWN 43' RIGHT-OF-WAY SECTION
20' PAVEMENT
— NO SCALE —



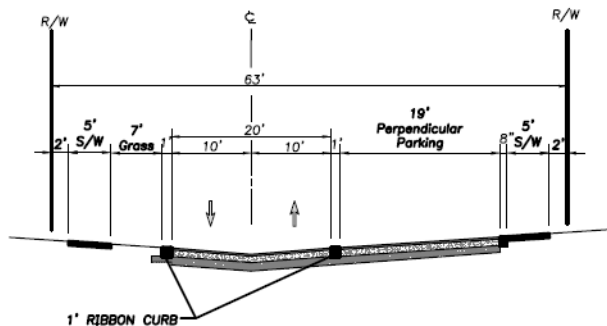
TYPICAL NEIGHBORHOOD ROADWAY SECTION
20' PAVEMENT
— NO SCALE —



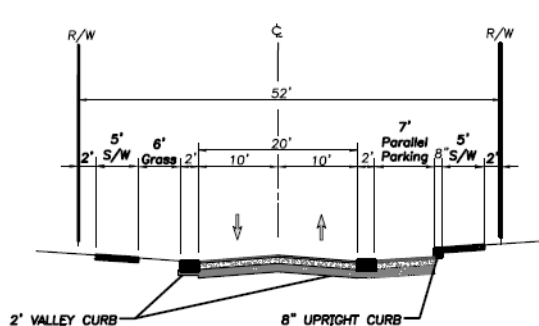
INVERTED CROWN 52' RIGHT-OF-WAY SECTION
PARALLEL PARKING
20' PAVEMENT
— NO SCALE —



CROWN 63' RIGHT-OF-WAY SECTION
PERPENDICULAR PARKING
20' PAVEMENT
— NO SCALE —



INVERTED CROWN 63' RIGHT-OF-WAY SECTION
PERPENDICULAR PARKING
20' PAVEMENT
— NO SCALE —



CROWN 52' RIGHT-OF-WAY SECTION
PARALLEL PARKING
20' PAVEMENT
— NO SCALE —

NOTES:

1. 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.

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 Laurel Road and 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



NEAL COMMUNITIES
SOUTHWEST FLORIDA'S MOST EXPERIENCED BUILDER

PROPOSED MILANO PUD MODIFICATION TO STANDARDS

- 1) 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.

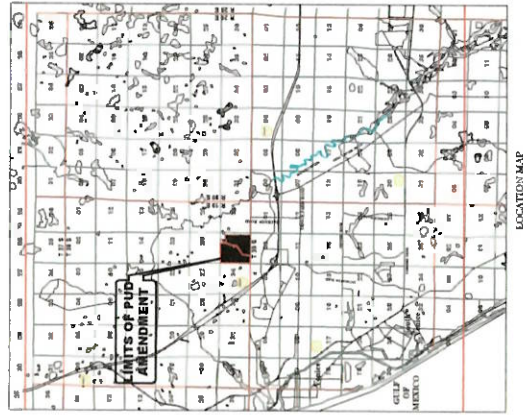
- 4) A modification to Sec. 86-423(b) is requested concerning driveway standards for Townhomes. The proposed modification is to substitute the driveway dimension as depicted on the Typical Lot Detail for Townhomes (Page 6), and to reduce the required minimum distance from the edge of pavement of two intersecting streets from 40 feet to 30 feet.

The proposed modification is justified based upon the width of Townhome lots, and the limited number of driveways which will be located in proximity to the intersection of two streets, and the number of lots that would not meet the 40 foot standard (one lot).

PLANNED UNIT DEVELOPMENT PLANS FOR
MILANO PUD

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

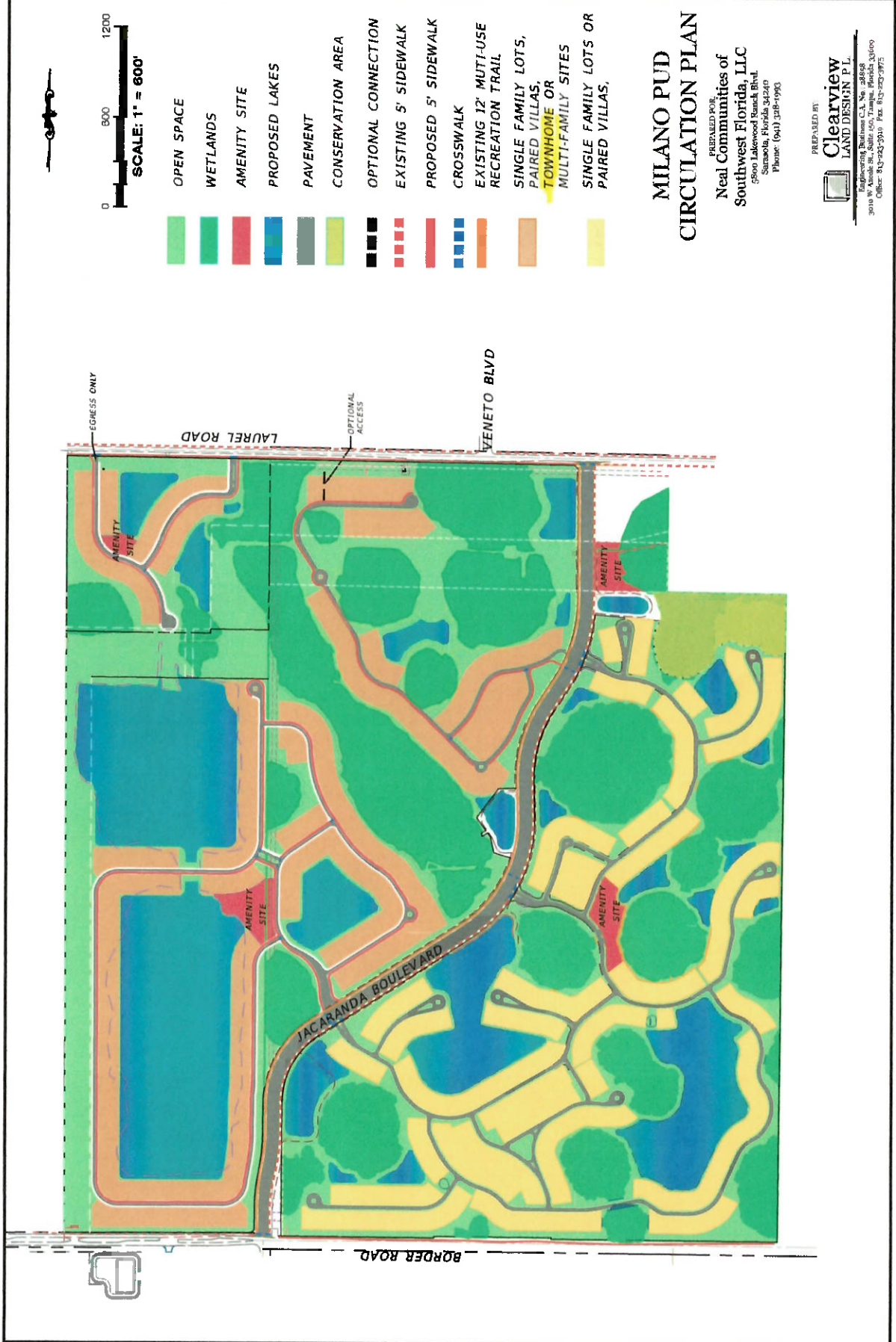
A DEVELOPMENT BY
**NEAL COMMUNITIES OF
SOUTHWEST FLORIDA, LLC**
5800 LAKEWOOD RANCH BOULEVARD NORTH
SARASOTA, FL 34240
941-328-1111



PREPARED BY
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LAND DESIGN, P.L.L.C.
Engineering Business C.A. No. 38858
3905 N. McDiarmid Avenue, Suite 100
Office: 813-223-9000 Fax: 813-223-9075







MILANO PUD CIRCULATION PLAN

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Phone: (941) 348-1993

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