

CITY OF VENICE, FLORIDA
CITY COUNCIL
ORDER NO. 22-39PP

AN ORDER OF THE VENICE CITY COUNCIL APPROVING PRELIMINARY PLAT AMENDMENT PETITION NO. 22-39PP FOR **CIELO**, A PORTION OF THE MILANO PLANNED UNIT DEVELOPMENT, CREATING A 10.42-ACRE PARCEL FOR COMMERCIAL DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Border and Jacaranda Holdings, LLC, through its agent, Jackson R. Boone, Esq., of Boone Law Firm, has submitted Preliminary Plat Amendment Petition No. 22-39PP for Cielo, for property located at the northeast corner of the plat, at the intersection of Laurel Road and Jacaranda Boulevard, Parcel Identification No. 0391041000 (further described in Exhibit A); comprised of **Preliminary Plat Amendment Plans**, prepared by D. Shawn Leins, P.E. of AM Engineering, LLC, consisting of **three sheets**, dated **June 8, 2022** and received by the City on **June 14, 2022**; **Boundary Survey** (signed and sealed), prepared by Brian C. Ritz, P.S.M., of AM Engineering, LLC, consisting of **one sheet**, dated **May 31, 2022** and received by the City on **June 14, 2022**.

WHEREAS, Petition No. 22-39PP was filed prior to the City's adoption of its new Land Development Regulations and, therefore, was reviewed and approved under the Land Development Code existing as of the date of its filing; and

WHEREAS, the Planning Commission held a noticed public hearing on September 5, 2023, during which the Planning Commission received the Petition, staff report, and testimony provided by staff, the applicant, and interested parties, and voted to recommend approval to City Council of Preliminary Plat Amendment Petition No. 22-39PP; and,

WHEREAS, on October 10, 2023, City Council held a noticed public hearing during which the City Council received the Petition, staff report, and testimony provided by staff, the applicant, and interested parties; and,

WHEREAS, the City Council finds that there is competent substantial evidence that the Petition demonstrates compliance with the applicable standards and criteria of the City Land Development Code, is consistent with the Comprehensive Plan, and is compliant with the Milano PUD Binding Master Plan, as amended; and,

WHEREAS, the City Council voted to approve Preliminary Plat Amendment Petition No. 22-39PP for Cielo.

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

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

Section 2. Preliminary Plat Amendment Petition No. 22-39PP for Cielo, as described above, is hereby approved.

Section 3. This Order shall become effective immediately upon adoption by City Council. The City Council or any aggrieved person may have recourse to such remedies in law and equity as may be necessary to ensure compliance with the provisions hereof.

Section 4. Should final resolution of the pending appeal of Zoning Map Amendment Petition No. 22-38RZ result in a denial of Petition No. 22-38RZ, this Order shall be automatically void.

ORDERED at a meeting of the Venice City Council on the 10th day of October, 2023.

ATTEST:

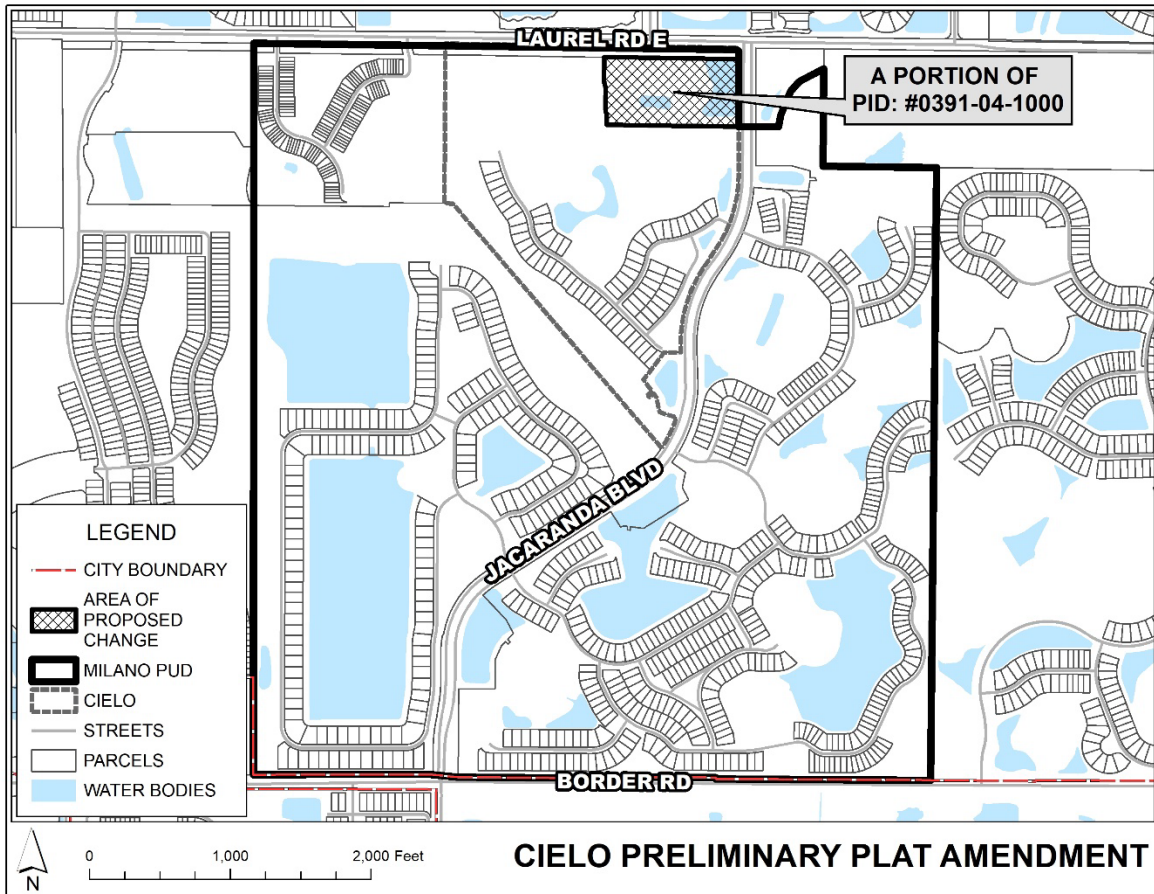
Kelly Michaels, MMC, City Clerk

Nick Pachota, Mayor

APPROVED AS TO FORM

Kelly Fernandez, City Attorney

Exhibit A – Legal Description



COMMENCING AT THE NORTHEASTERLY CORNER OF TRACT 700, CIELO SUBDIVISION AS RECORDED IN PLAT BOOK 53, PAGE 288 OF SARASOTA COUNTY OFFICIAL RECORDS, THENCE SOUTH 00°00'06" WEST, A DISTANCE OF 55.04 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF JACARANDA BOULEVARD TO THE POINT OF BEGINNING;
 THENCE CONTINUE ALONG THE SAID RIGHT-OF-WAY SOUTH 00°00'06" WEST, 478.24 FEET;
 THENCE DEPARTING SAID RIGHT-OF-WAY LINE, NORTH 89°14'10" WEST, 935.70 FEET;
 THENCE NORTH 00°45'50" EAST, 72.60 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 17.60 FEET AND WHOSE CHORD BEARS NORTH 11°25'30" WEST, 7.43 FEET;
 THENCE NORTHERLY 7.49 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 24°22'40", TO A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 110.67 FEET AND WHOSE CHORD BEARS NORTH 11°23'08" WEST, 46.88 FEET;
 THENCE NORTHERLY 47.24 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 24°27'24";
 THENCE NORTH 00°50'34" EAST, 130.16 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 63.00 FEET AND WHOSE CHORD BEARS NORTH 11°31'26" WEST, 26.97 FEET;
 THENCE NORTHERLY 27.18 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 24°43'15", TO A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 94.50 FEET AND WHOSE CHORD BEARS NORTH 11°58'28" WEST, 39.00 FEET;
 THENCE NORTHERLY 39.29 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 23°49'11";
 THENCE NORTH 00°03'52" WEST, 159.00 FEET TO THE SOUTH LINE OF TRACT 700 OF SAID CIELO SUBDIVISION;
 THENCE ALONG SAID SOUTH LINE, SOUTH 89°10'25" EAST, 957.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.42 ACRES OR 453,722 SQUARE FEET, MORE OR LESS.