

Prepared by: City Clerk

ORDINANCE NO. 2014-08

AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA RELATING TO REZONE PETITION NO. 13-3RZ, WINDWOOD, FOR THE REZONING OF THE PROPERTY DESCRIBED HEREIN FROM SARASOTA COUNTY OPEN USE, ESTATE (OUE) ZONING DISTRICT TO CITY OF VENICE PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Rezone Petition No. 13-3RZ to rezone property described in Section 2 below commonly referred to as Windwood, has been filed with the City of Venice to change the official City of Venice Zoning map from Sarasota County Open Use, Estate (OUE) to City of Venice Planned Unit Development (PUD); and

WHEREAS, the subject property described in Section 2 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 February 4, 2014, for which public notice was provided regarding the petition and based upon public comment received at the public hearing, the staff report, and discussion by the Planning Commission, voted unanimously to recommend approval of Rezone Petition No. 13-3RZ with restrictions and stipulations; and

WHEREAS, the Venice City Council has received and considered the report of the Planning Commission concerning Rezone Petition No. 13-3RZ 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. 13-3RZ is in compliance with and meets the requirements of the city's Land Development Regulations and Comprehensive Plan and any amendments thereto.

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 Official Zoning Atlas is hereby amended, by changing the zoning classification for

the following described property located in the City of Venice from Sarasota County Open Use, Estate (OUE) zoning district to Venice City Planned Unit Development (PUD) zoning district.

Property Description:

A parcel of land lying and being in section 32, township 38 south, range 19 east, Sarasota County, Florida and being more particularly described as follows:

Commence at the southeast corner of tract 12, according to the plat of "Sorrento Ranches" as recorded in plat book 26, pages 50 and 50a, of the public records of Sarasota County, Florida; thence N.01°06'50"E., along the east line of the west 1/2 of the east 1/2 of said section 32 as shown on the said plat of "Sorrento Ranches" and along the easterly line of the said plat of "Sorrento Ranches" a distance of 850.86 feet to the point of beginning; thence N.01°06'50"E., continue along the previously described line and its northerly extension a distance of 1735.65 feet to the northeast corner of the said plat of "Sorrento Ranches"; thence N.89°20'57"E., along the north line of the southeast 1/4 of the northeast 1/4 of said section 32, a distance of 1041.08 feet to the intersection with the westerly line of the Sarasota County detention pond area no. 2, as described in the order of taking recorded in official records book 2890 at page 2781 of the said public records; thence S.40°37'08"W., along the westerly and southerly lines of the said detention pond area no. 2 for the next four (4) calls a distance of 377.41 feet; thence S.00°16'17"W., a distance of 76.15 feet; thence S.68°16'42"E., a distance of 412.13 feet; thence S.89°55'39"E., a distance of 58.15 feet to the intersection with the westerly right of way line of Pinebrook Road, as recorded in the order of taking filed in official records book 2890 at page 2781 of the said public records; thence S.00°38'02"W., along the said westerly right of way line of Pinebrook Road for the next two (2) calls a distance of 793.20 feet; thence S.00°35'53"W., a distance of 444.92 feet to the northeast corner of detention pond area no. 1 as recorded in the said order of taking; thence N.89°43'15"W., along the northerly line of the said detention pond area no. 1 and tax parcels #0386-08-0001 to #0386-08-0004, inclusive, a distance of 1256.29 feet to the point of beginning.

Commonly known as the Windwood Site, along the west side of Pinebrook Road, south of Laurel Road, north of Kilpatrick Road, containing ±46.3 acres. Parcels ID 0385-09-0001 and 0385-16-0001.

SECTION 3. The "Windwood Rezoning Application", comprised of 37 pages, dated January 23, 2014, and all information and materials formally submitted with the application, together with any conditions, safeguards and stipulations made at the time of rezoning, are hereby adopted by reference as an amendment to the Land Development Code and shall become the standard of development for the Windwood planned unit development district.

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 8TH DAY OF APRIL, 2014.

First Reading: March 25, 2014

Second Reading: April 8, 2014

Adoption: April 8, 2014

John W. Holic, Mayor

ATTEST:

Lori Stelzer, MMC, City Clerk

(SEAL)

Approved as to form:

David Persson, City Attorney

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: 70 percent

Minimum Yard Requirements:

Minimum Lot Width: 52 feet

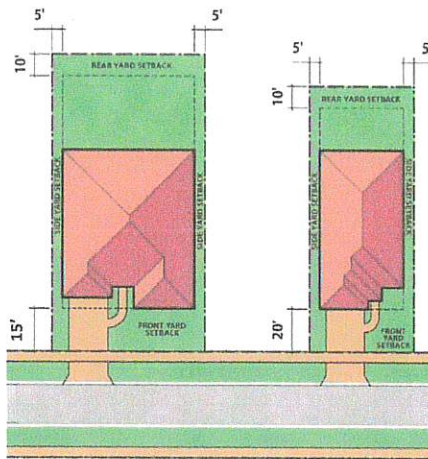
Minimum Lot Size: 6,500 sq.ft.

Front Yard: 15 feet minimum structure, 20 foot minimum driveway length

Side Yard: 5 feet

Rear Yard: 10 feet

Perimeter: As identified on the Conceptual Site Plan and Buffer Sections graphic



Yard Requirements

Setbacks shall be as illustrated on the attached lotting diagram; Setbacks for accessory structures/appurtenant structures such as air conditioning units, pool cages and pool equipment, may be located within the setbacks.

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.

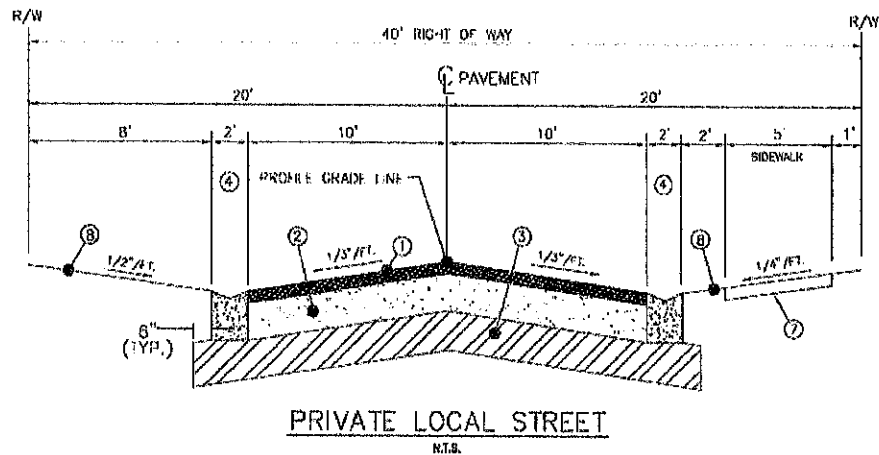
Sidewalks and pathways shall be provided on one side and shall be a minimum of five (5) feet in width extending from Pinebrook Road to the Public Gathering Space (identified on the Conceptual Site Plan), along the internal roadway network.

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



SPECIFICATIONS :

- ① 1 1/2" MINIMUM THICK TYPE B ASPHALTIC CONCRETE SURFACE (2 LIFTS)
- ② 10" MINIMUM CTD OR CDA
- ③ 12" MINIMUM THICK COMPACTED SUBGRADE (DOT, SEC. 160, TYPE B STABILIZATION, FOR 40 MIN.)
- ④ 2" TYPE "H" CURB
- ⑤ 2" TYPE "F" CURB
- ⑥ 1.35" TYPE "A" CURB
- ⑦ CONCRETE SIDEWALK WITH FIBER REINFORCEMENT (4" THICKNESS, 3,000 P.S.I. @ 28 DAYS)
- ⑧ GRASSING BY SOB AND SEED/MULCH. 2.67" SOB 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, VEREAS AND DISTURBED AREAS.

NOTE:
NO UTILITY SERVICES IN SIDEWALK.

NOTES:

1. ALL PRIVATE LOCAL STREET RIGHT OF WAYS TO BE INTERSECTED/ENCLOSED UTILITY & DRAINAGE EASEMENTS AND PUBLIC UTILITY EASEMENTS.
2. DETAIL PER CITY OF VENICE 2013 STANDARD DETAILS WITH MODIFIED ASPHALTIC SURFACE, SHEET PG-1 (SHEET R-10 THIS PLANSET)

Windwood – List of Waivers and Design Standards

- *Yard/Bulk Standards*

- Maximum Building Lot Coverage: 70 percent
- 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: As identified on the Conceptual Site Plan and Buffer Sections graphic
- Setbacks: accessory structures/appurtenant structures such as air conditioning units, pool cages and pool equipment, may be located within the setbacks.
- See also Yard Requirements graphic page 4 – Project Development Standards

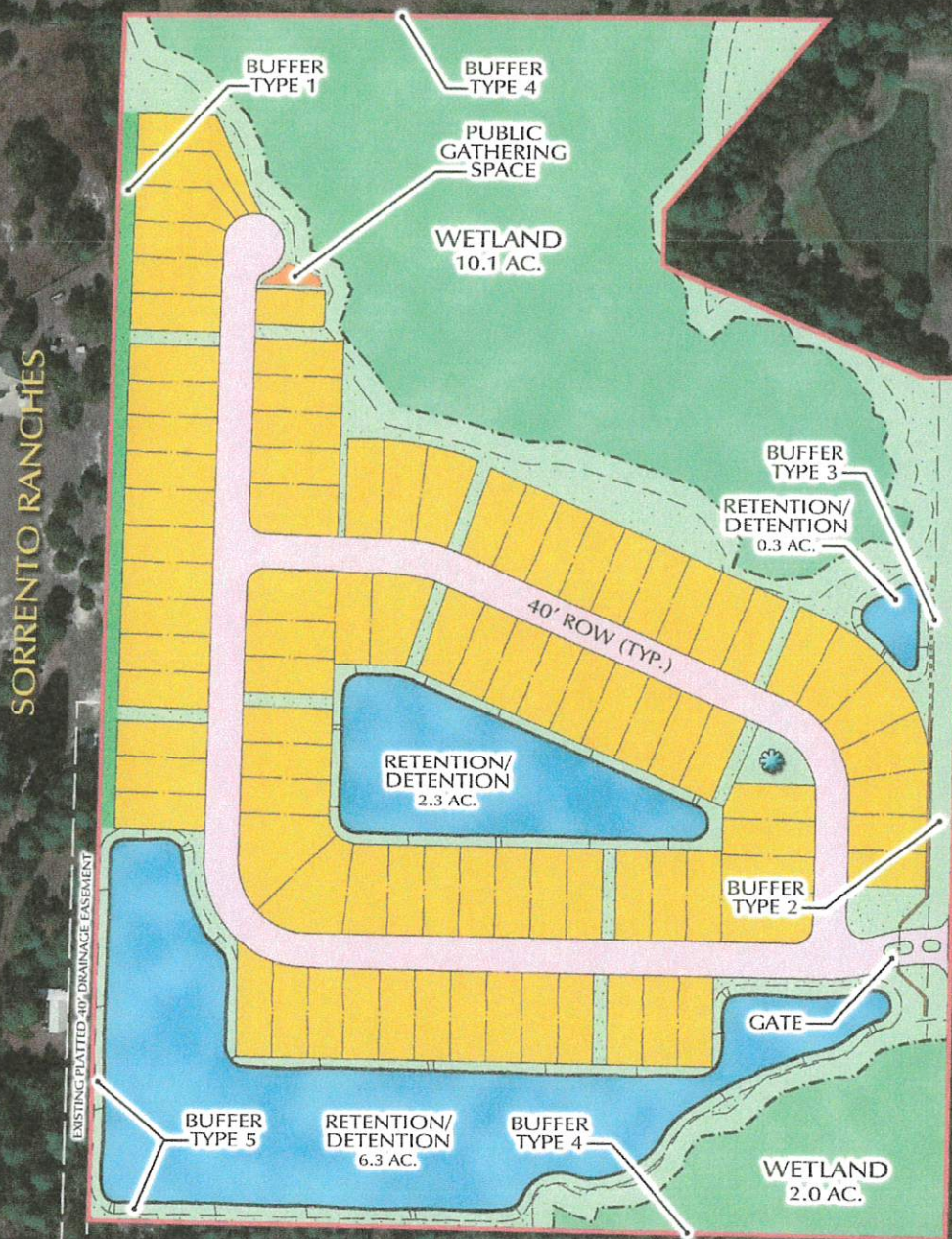
- *Signage*

- 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).

- *Residential Street Standards*

- Right-of-way: 40 feet
- Roadway/travel lanes: 10 feet each
- Curb/gutter (closed drainage)
- Sidewalk: 5'; one side only
- Parking: permitted; one side only
- See also Right-of-way cross section page 7 – Project Development Standards
- Streets may be privately owned/maintained
- Project may be gated; location shown on the attached Conceptual Site Plan

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



LEGEND

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

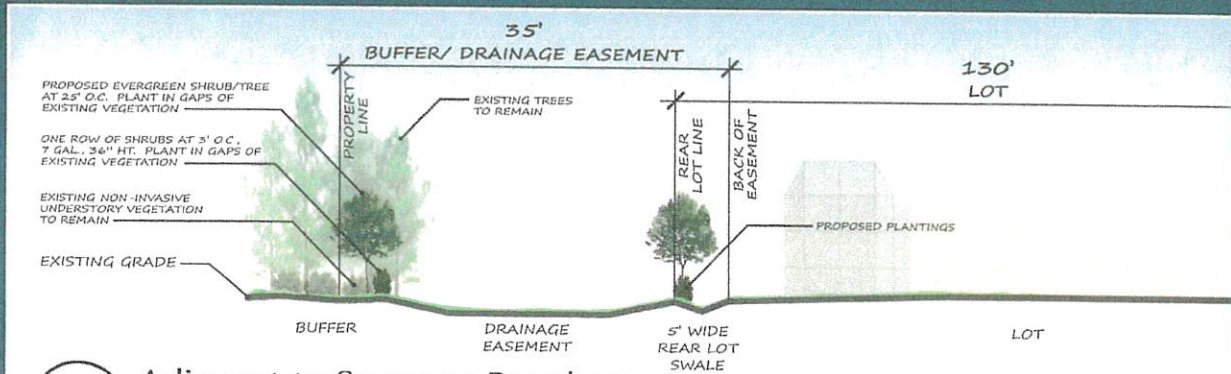
STATISTICS

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%)

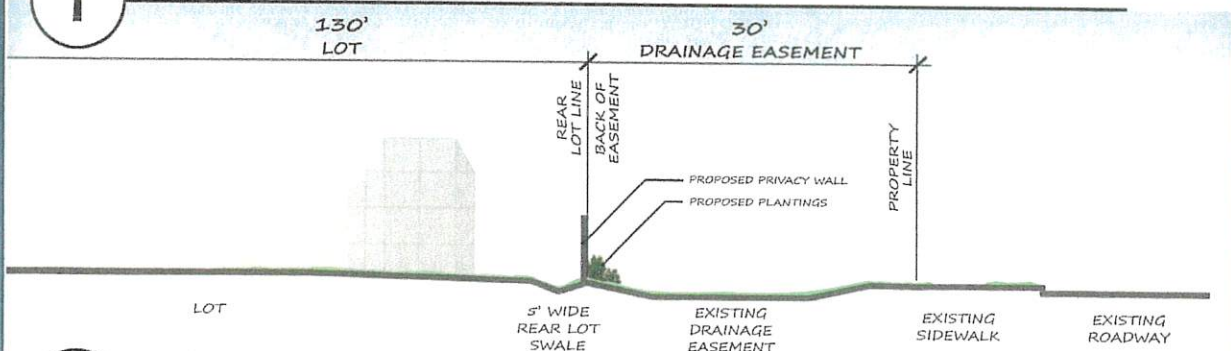
Windwood Property
Conceptual Site Plan (90 - LOTS)

CITY OF VENICE, FLORIDA

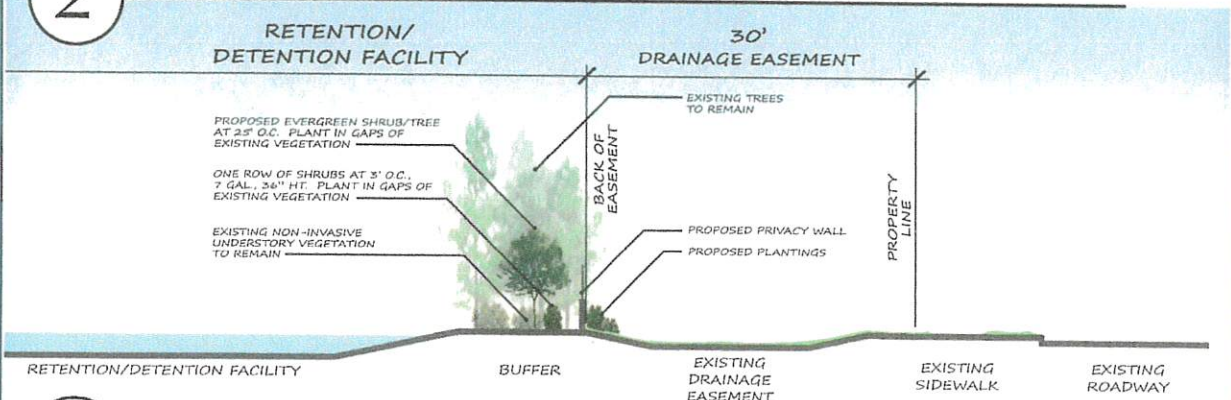




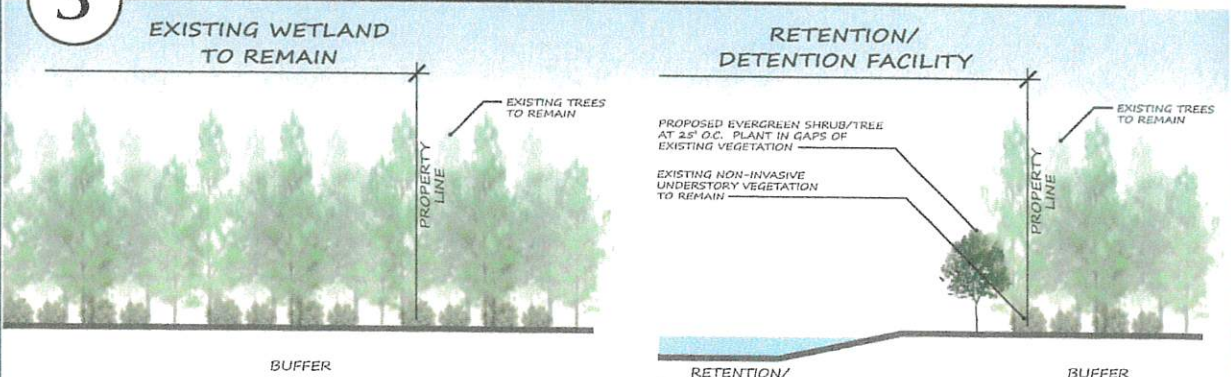
1 Adjacent to Sorrento Ranches



2 Full Wall adjacent to Pinebrook Road



3 Half Wall adjacent to Pinebrook Road



4 Existing Vegetation at Wetland Areas

5 Open Space at Retention/ Detention Areas



Windwood Property

Contextual Aerial

CITY OF VENICE, FLORIDA





Contextual Aerial

CITY OF VENICE, FLORIDA

AIRPHOTOGRAPHY © 2014 GEORGEAL EAGLE
CITY OF VENICE, FLORIDA

