

ORDINANCE NO. 2021-17

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, PURSUANT TO ZONING MAP AMENDMENT PETITION NO. 20-37RZ, AMENDING THE EXISTING VENETIAN GOLF AND RIVER CLUB PLANNED UNIT DEVELOPMENT (PUD), GENERALLY LOCATED EAST OF I-75 AND NORTH OF LAUREL ROAD (1039± ACRES), TO ALLOW FOR PICKLEBALL COURTS AND A DOG PARK AS PERMITTED USES, ALONG WITH ASSOCIATED 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. 20-37RZ (“Petition”) has been filed by Venetian Community Development District to amend the existing Planned Unit Development (PUD) for the property described in Section 3 below to allow for pickleball courts and a dog park as permitted uses in the binding master plan, along with associated 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; and

WHEREAS, the Planning Commission held a noticed public hearing on February 2, 2021 regarding the Petition and, based upon the evidence and testimony received at the public hearing, recommended that city council deny 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:

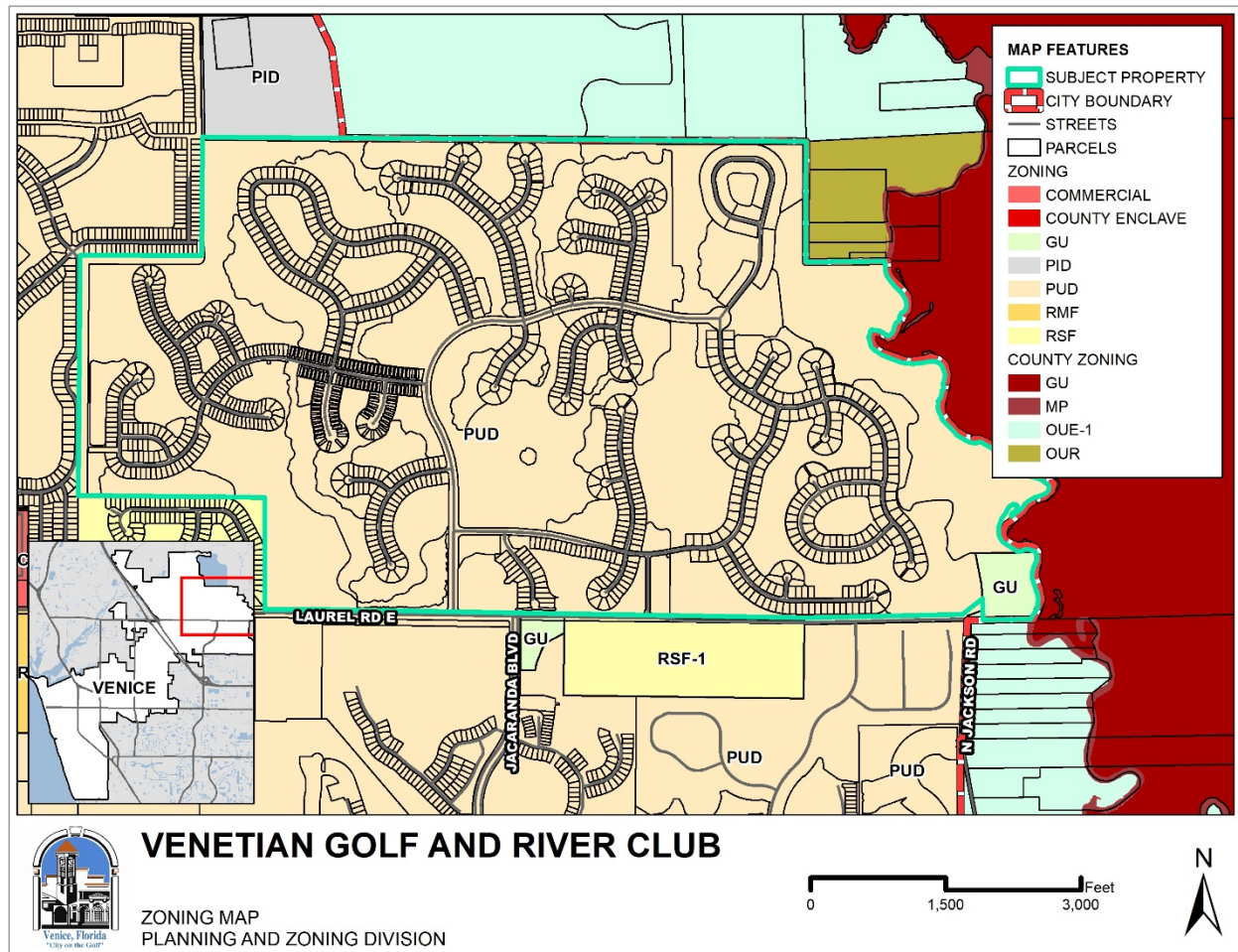
A. The Council has received and considered the report of the Planning Commission recommending denial of the Petition.

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 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.

SECTION 3. The revised Venetian Golf and River Club Planned Unit Development (PUD) Binding Master Plan attached hereto as Exhibit “A” is hereby adopted and incorporated by reference, amending the following described property to allow for pickleball courts and a dog park as permitted uses, along with associated development standards

The subject 1039± acre PUD is comprised of various parcels as is described in Exhibit “B” and depicted on the location map below.



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 25th DAY OF MAY 2021.

First Reading: May 11, 2021

Final Reading: May 25, 2021

Adoption: May 25, 2021

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 25th of May 2021, a quorum being present.

WITNESS my hand and the official seal of said City this 25th day of May 2021.

Lori Stelzer, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney



Rezone Petition
City of Venice, 01-1RZ

REVISED 12/10/20

Venetian Golf and
River Club,
A Watermark
Communities, Inc.
Development

Prepared for:
Watermark Communities, Inc.

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Kimley-Horn
and Associates, Inc.

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Small Lot, Single Family- Designated as Type C units on the Land Use Element, these units consist of single family or duplex residential homes constructed on lots having a typical width of 55 feet.

Multi-Family, Quad- Designated as Type D units on the Land Use Element, these units consist of multi-family residential homes constructed on parcels rather than individually described lots,

- **Neighborhood Commercial**

The commercial activity within the development is intended to serve some of the needs of the residents within the Venetian Golf & River Club. Although the commercial activity within the project may help serve the needs of the residents from surrounding areas, it is intended to primarily serve the residents of the project. A modification to the existing Neighborhood Commercial standards proposed by this development is the inclusion as a permitted principal use Assisted Living Facilities.

- **Passive Recreation**

Passive recreation is described as a recreational activity which does not require involvement in a prescribed event or active effort. Passive recreation uses proposed to occur within Venetian Golf & River Club include hiking, bird watching, canoeing, quiet reflection and like uses.

- **Active Recreation**

Active recreation is described as providing for persons to be engaged actively in recreational activities. The active recreational uses proposed to occur within Venetian Golf & River Club include golf, tennis, pickleball, and a dog park.

AMENITIES

Within the proposed development, and consistent with the Annexation Agreement as well as the City of Venice Comprehensive Plan there are included several amenities. These include the following:

Conservation Areas

The area immediately adjacent to the Myakka River will be maintained as a Greenway / Buffer in a manner to allow passive uses within the natural setting of the river and its' wetlands and forests. As indicated within the City of Venice Comprehensive Plan, the maintenance of the Greenway / Buffer is required to be as indicated within the proposed development and allows for the launching of canoes, hiking, enjoyment of the natural setting and like uses.

Multi-Family Residential, as previously described herein, is a principal permitted use and structure within these standards. The provision of multi-family residential within neighborhood commercial areas will allow the roadways, pathways and amenities proposed within the Venetian Golf & River Club to be more efficiently utilized. It facilitates the conversion of Commercial Neighborhood to multi-family residential more efficiently should market conditions within the City warrant it. This would address the housing goals of the Comprehensive Plan.

Community Center or Clubhouse is a permitted use and structure within these standards. This use is compatible with the neighborhood commercial activities which may occur within the development such as professional and business offices, private clubs and libraries.

Parks, playgrounds, playfields, golf courses and public libraries are permitted uses and structures throughout the development. It is expected that the inclusion of these uses throughout the development will help to provide a community atmosphere and will provide more efficient access and utilization of the proposed amenities by the development.

Housing for the Aged is a principal permitted use and structure within these standards. The provision of housing for the aged within the neighborhood commercial areas will help meet the housing goals established by the City of Venice Comprehensive Plan. It will provide more convenient access from the Housing for the Aged to the neighborhood commercial activities within the development.

Assisted Living Facility is a principal permitted use and structure within these standards. The inclusion of Assisted Living Facility within neighborhood commercial areas helps meet the housing goals established in the City of Venice Comprehensive Plan.

Minimum setback of driveway from the property has been set at 0 feet for this development. This will facilitate the inclusion of multiple access or common drives rather than several drives to each of several uses within the neighborhood commercial area.. In addition, a reduction in minimum driveway setback will allow landscape and driveway designs to be more effectively combined. It is anticipated that drives will connect onto the internal roadway system. However, it may become necessary to allow access onto Laurel Road directly from within the development. Should this become necessary, any such access will be subject to review and approval by the Zoning Administrator and others as deemed necessary by the Zoning Administrator.

7. **WETLANDS**

Wetlands have been preserved where possible through the provision of conservation easements and buffers. As previously indicated a wetland delineation was completed for the development. This delineation was the basis for the creation of the wetland conservation and buffer areas. There are 108.2 acres of wetland conservation and buffer areas within the Venetian Golf and River Club.

8. **OPEN SPACE**

As indicated previously, the density proposed within the development is 1,599 equivalent dwelling units per 1,049 gross acres or less than 1.6 dwelling units per gross acres. The open space provided within the proposed development is 63.82 percent. This is being met through the use of Preservation Areas, Public and Private Park Areas, Wetland Conservation Areas, Golf Course, and the project stormwater management system.

9. **MYAKKA RIVER CONSERVATION AND BUFFER AREA**

A Greenway / River Buffer has been provided along the Myakka River to provide a greenway through the City and to help preserve the Myakka River, in accordance with the FLUM objectives. Furthermore, as agreed to in the Annexation Agreement at Paragraph 20 and Paragraph 21, a Regional Park consisting of 10 acres is set aside for Public Use within the river buffer area and has been removed from the development calculations.

10. **GOLF COURSE / AMENITIES**

The development is designed to provide both public and private amenities. The proposed amenities include an 18 hole golf course with a clubhouse open to the public. The golf course occupies 158.9 acres within the development and provide a portion of the required open space. There are tennis courts, which may be reserved for the use of residents only, located near the main entrance to the project.

11. **PICKLEBALL COURTS / DOG PARK AMENITIES**

The Pickleball Court and Dog Park are located within an FPL easement and there are strict restrictions on use of these easements by FPL. The tree height and sizes are restricted under power lines and the grade changes are minimal per FPL requirements. Due to FPL requirements that prevent wheel stops within 75 feet of electrical equipment, wheel stops are not required adjacent to the Pickleball Courts. With the elimination of wheel stops the sidewalk directly in front of the parking stalls without wheel stops has been eliminated to protect pedestrian from vehicles no remaining within the parking stall. The access drive is a 12' wide paved surface to the Pickleball Court and Dog Park within the FPL easement. The stabilized grass provides the ability for vehicles to pass along the access drive within the FPL easement. The fence around the Pickleball

Courts is 8' high with acoustical panels adjacent to residents to help minimize sound. The four Pickleball Courts is expected to have two courts playing doubles and two courts playing singles which yields 12 players. It is anticipated that players will be carpooling or driving their personal golf carts to the site. The golf cart parking is on the grass between the parking lot and the Pickleball Courts. By minimizing the amount of improvement per FPL requests the designed 11 parking spaces should suffice.

LAND USE SUMMARY TABLE

		Minimum Setbacks					Percent of Project	
Land Use	Area (acres)	Units	Front	Side	Rear	Drive	Required	Provided
<u>RESIDENTIAL</u>								
Single-Family*	256.7	1,100	20'	0'/7.5'	10'	0'	N/A	24.47%
Multi-Family*	75.5	400	20'	N/A	20'	0'	N/A	7.20%
TOTAL RESIDENTIAL	332.2	1,500						31.67%
<u>COMMERCIAL</u>								
Neighborhood	9.9	99					5% max	0.94%
TOTAL COMMERCIAL	9.9	99						0.94%
<u>BOULEVARD/ STREETS & LAUREL</u>								
<u>ROAD</u>	33.7	A cres					N/A	3.21%
TOTAL ROADWAYS	33.7	A cres						3.21%
<u>OPEN SPACE</u>								
Proposed Lakes	165.9	A cres						15.97%
Parks	6.8	A cres						0.65%
Wetlands	108.2	A cres						10.41%
Reserved Open Space	146.8	A cres						14.13%
Greenway/Buffer	74.7	A cres						7.19%
Golf Course	158.9	A cres						15.29%
Pickleball Courts & Dog Park	1.9	A cres						0.18%
TOTAL OPEN SPACE	663.2	A cres						63.82%
PROJECT TOTAL	1,039.0	A cres						100.00%

*THE UNIT BREAKDOWN OF SINGLE FAMILY, MULTI-FAMILY AND COMMERCIAL NEIGHBORHOOD IS ESTIMATED, ACTUAL NUMBERS OF EACH MAY VARY DEPENDING ON MARKET CONDITIONS; HOWEVER, IN NO CASE SHALL THE TOTAL EXCEED 1,559 TOTAL RESIDENTIAL UNITS.

Legal Description

A PARCEL OF LAND LYING AND BEING IN SECTION 26, TOWNSHIP 38 SOUTH, RANGE 19 EAST, CITY OF VENICE, SARASOTA COUNTY, FLORIDA.

BEGIN AT THE NORTHWEST CORNER OF LOT 1, VENETIAN GOLF & RIVER CLUB, PHASE 3-I, AS RECORDED IN PLAT BOOK 45 AT PAGES 6 TO 6-B OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S.32°48'24"E., ALONG THE SOUTHWESTERLY PLAT LIMITS OF SAID PHASE 3-I A DISTANCE OF 245.24 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 805.00 FEET, A CENTRAL ANGLE OF 57°52'54", A TANGENT LENGTH OF 445.13 FEET, A CHORD BEARING OF S.61°44'51"E. AND A CHORD LENGTH OF 779.09 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 813.23 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.89°18'42"E., ALONG THE SOUTHERLY BOUNDARY OF SAID PHASE 3-I, A DISTANCE OF 150.82 FEET; THENCE N.87°22'47"E., ALONG THE SOUTHERLY BOUNDARY OF SAID PHASE 3-I A DISTANCE OF 777.83 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 190.00 FEET, A CENTRAL ANGLE OF 43°44'47", A TANGENT LENGTH OF 76.28 FEET, A CHORD BEARING OF N.65°30'23"E. AND A CHORD LENGTH OF 141.57 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 145.07 FEET TO THE END OF SAID CURVE; THENCE S.46°22'00"E., A DISTANCE OF 3.97 FEET TO A POINT ON A CURVE TO THE LEFT, HAVING: A RADIUS OF 35.00 FEET, A CENTRAL ANGLE OF 106°23'01", A TANGENT LENGTH OF 46.77 FEET, A CHORD BEARING OF S.39°25'43"E. AND A CHORD LENGTH OF 56.05 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 64.99 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.87°22'47"E., A DISTANCE OF 9.37 FEET; THENCE S.46°22'00"E., A DISTANCE OF 41.53 FEET TO THE INTERSECTION WITH THE NORTHERLY LINE OF LAUREL ROAD, A 160.00 FOOT WIDE PUBLIC RIGHT OF WAY; THENCE S.87°22'47"W., ALONG THE SAID NORTHERLY R/W LINE A DISTANCE OF 984.05 FEET; THENCE S.89°18'42"W., ALONG THE SAID NORTHERLY R/W LINE A DISTANCE OF 1489.38 FEET TO THE INTERSECTION WITH THE WESTERLY LINE OF A 170.00 FOOT WIDE FLORIDA POWER & LIGHT CO. EASEMENT AS RECORDED IN O.R. BOOK 866, AT PAGE 973 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.01°10'15"W., ALONG SAID WESTERLY LINE A DISTANCE OF 678.37 FEET TO A POINT ON THE SOUTHERLY PLAT LIMITS OF VENETIAN GOLF & RIVER CLUB, PHASE 3-C/D, AS RECORDED IN PLAT BOOK 44 AT PAGES 37 TO 37-B, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.77°38'12"E., ALONG SAID SOUTHERLY PLAT LIMITS FOR THE NEXT (5) FIVE CALLS A DISTANCE OF 90.79 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1000.00 FEET, A CENTRAL ANGLE OF 07°34'01", A TANGENT LENGTH OF 66.13 FEET, A CHORD BEARING OF N.81°25'13"E. AND A CHORD LENGTH OF 131.97 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 132.07 FEET TO THE END OF SAID CURVE; THENCE S.04°47'47"E., A DISTANCE OF 130.00 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING: A RADIUS OF 870.00 FEET, A CENTRAL ANGLE OF 07°03'14", A TANGENT LENGTH OF 53.62 FEET, A CHORD BEARING OF N.88°43'50"E. AND A CHORD LENGTH OF 107.04 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 107.11 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 580.00 FEET, A CENTRAL ANGLE OF 19°33'50", A TANGENT LENGTH OF 100.00 FEET, A CHORD BEARING OF N.82°28'32"E. AND A CHORD LENGTH OF 197.08 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 198.04 FEET TO THE END OF SAID CURVE AND TO THE POINT OF BEGINNING AND CONTAINING 525,838 SQUARE FEET, MORE OR LESS.