



# City of Venice

401 West Venice Avenue  
Venice, FL 34285  
www.venicegov.com

## Meeting Minutes Planning Commission

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Tuesday, April 15, 2014

1:30 PM

Council Chambers

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### I. Call To Order

A Regular Meeting of the Planning Commission was held this date in Council Chambers at City Hall. Chair Barry Snyder called the meeting to order at 1:30 p.m.

### II. Roll Call

**Present:** 7 - Chair Barry Snyder, Helen Moore, John Williams, Jerry Towery, Shaun Graser, Tom Murphy and Charles Newsom

### Also Present

Ex-Officio Councilmember Kit McKeon, City Attorney Dave Persson, Community Development Director Jeff Shrum, Director of Utilities Len Bramble, and Recording Secretary Heather Taylor.

### III. Approval of Minutes

**14-0539** March 18, 2014 Regular Meeting Minutes

A motion was made by Mr. Murphy, seconded by Ms. Moore, that the Minutes of the March 18, 2014 meeting be approved as written. The motion carried by voice vote unanimously.

**14-0540** April 1, 2014 Regular Meeting Minutes

A motion was made by Mr. Murphy, seconded by Ms. Moore, that the Minutes of the April 1, 2014 meeting be approved as written. The motion carried by voice vote unanimously.

### IV. Public Hearings

**14-1RZ** VICA  
PRE-HEARING CONFERENCE - REZONING  
Owner: Neal Communities of SW Florida, LLC  
Agent: Jeffery A. Boone, Esq.  
Staff: Jeff Shrum, Community Development Director

(3:35) Chair Snyder stated this is a quasi-judicial hearing; read a memorandum dated April 15, 2014, stated two written communications have been received regarding this petition; and opened the public hearing.

Mr. Persson queried commissioners on conflicts of interest and ex-parte communications. Mr. Snyder disclosed he lives in the area, site visits, and a series of non-decision making questions from residents. Mr. Newsom disclosed site visits and questions from neighbors. Mr. Graser, Mr. Williams, and Ms. Moore disclosed site visits with no communications.

Mr. Shrum, being duly sworn, referenced Venice Industrial Commerce Association (VICA) rezone petition number 14-1RZ staff report, provided a summary of changes requested in the petition, emphasized the need for substantial finding of facts, displayed a map of geographical location, and noted the existing and future land use. He provided use and zoning information on surrounding property, summarized the proposed Planned Unit Development (PUD) zoning plan, pointed out the language in the staff report that provides authority to staff to make minor modifications to the plan, explained the four proposed zoning modifications; setbacks, roadway design, building height, and signage, the pre-annexation agreement, the environmental narrative, and provided concurrency information; noting the five identified transportation impacts and improvements. Mr. Shrum displayed photos of the properties, discussed the items for consideration; details of uses, lack of detail on the site plan, off site signage, sidewalks on each side of the street, street lighting, and noted staff recommendations.

Discussion followed regarding the term "binding master plan", street light requirements, well sites, traffic impact studies, roadway width reduction, the pre-annexation agreement, potable water, sanitary sewer, and open space buffers.

Mr. Shrum responded to commission questions related to traffic improvements, well site location, traffic impact studies, and county and developer responsibilities regarding traffic improvements.

Responding to discussion, Mr. Bramble, being duly sworn, indicated the need to secure sources of future water supply, mentioned four well site locations for future expansion across the street from VICA, and stated the preference in having a raw water main on Laurel Road.

Discussion ensued on referenced improvements, minor modifications to standards, past PUDs, and required submissions.

Mr. Shrum expressed staff's concern referencing modifications and stated signage is not in compliance due to location.

Mr. Boone, being duly sworn, representing Neal Communities, provided a historical perspective on the property, stated the 2008 RMF-1 zoning

provided no maximum or minimum for open space, noted the significant down zoning with the PUD, the PUD requires the greatest amount of open space, and the property owner has given land to the public allowing the right-of-way for Jacaranda Boulevard, Laurel Road and the fire station site, and clarified significant changes have been made from the start to where they are today with only four issues.

Jim Collins, being duly sworn, representing Neal Communities, pointed out significant areas of the site plan, noted there will be less than two units per acre to include single family homes, paired villas, and multi-family homes, detailed locations of buffers, right-of-way dedication, and further clarified the four proposed modifications.

Millard Yoder, project engineer, being duly sworn, commented on the benefits of having sidewalks on one side of the street, spoke to impervious surfaces, the minimized impact to wetlands, reduced right-of-way width, and referenced other projects with sidewalks on only one side of the street.

Mr. Boone referenced past attempts in Venice to place sidewalks on both sides of the street, addressed off site signage, stated that the alternative placement of the sign would be by the fire station, presented a photo of a Capri Isles sign located on a median, disclosed an additional request for signage located at the optional connection road, and stated he will work with staff on the request.

Lisa Weintraub, Neal Communities, being duly sworn, described the vision to create a beautiful thriving community, stated it would have a northern Italian theme inspired by nature, and touched on landscaping, formal entries, and amenities.

Maryann Grgic, Neal Communities Community Relations, being duly sworn, talked about Home Owner Association (HOA) meetings and neighborhood workshops conducted, and stated that an important element in working in Venice is to be able to do what they say will be done.

Pat Neal, Neal Communities president, being duly sworn, provided an overview of his company, referenced properties purchased by his company, and stated he is anxious to proceed with this project.

Discussion followed regarding the property being a gated community, reduction of road width due to the sidewalk, consideration of 80% opacity, constructive walls inclusive of a buffer, project consistency and compatibility, street light locations, whether there will be sub streets, and open space recreation requirements.

Mr. Neal stated it is his intention to have a gate on each side of Jacaranda Boulevard.

In response to questions, Mr. Boone stated that there is no intention for commercial use, and that under the PUD rezone the RMF-1 rezoning stipulations would be lost.

Frank Domingo, being duly sworn, Stantec representative, answered questions regarding recording of easements.

Responding to questions, Mr. Boone stated buffers are adequate for the size of the homes, a multi-family unit represents 40% of the traffic of a single unit.

Mr. Neal responded to questions regarding flexibility in accordance with economy, noted his purchase of adjoining parcels, would like the flexibility to mix multi-family with single family, and stated his other communities have a village appearance, and would like to have consistent compatible communities.

In response to questions, on whether the signs at each of the five connectors are enough, Mr. Neal voiced his reasoning as to sign location, would like to request six signs but may not use all of them, and addressed previous commission questions regarding trees, Verizon and Comcast's huge economic interest, and street lights, stating there will be lamp posts at each home.

Mr. Boone spoke to administrative approval authority, eliminating the need to come before the commission to amend zoning ordinances such as connectors and approval of multi-family locations.

Recess was taken from 3:50 p.m. until 3:59 p.m.

#### Audience Participation

Fred Whitehouse, being duly sworn, spoke to Curry Creek/Blackburn Canal, and asked for assistance in breaking the deadlock between the city and county in order to provide maintenance to the creek/canal.

Jerry Jasper, being duly sworn, Venetian Golf and River Club Community Association Representative, ~~stated that the three associations defined the organizations within the community and stated~~ the Community Association is ~~are~~ in support of this project with the exception of the optional access onto Laurel Road unless it is required for public safety reasons.

Karen Murdock, being duly sworn, expressed her concerns with the cost

of water and sewer being covered by the owner, stated she believes as a taxpayer she will absorb some of the cost of the development, asked the commission to limit one house per five acres, expressed further concern with traffic congestion and drainage issues, and recommended an independent and ecological review for the area.

Pat Wayman, being duly sworn, presented a google map showing preserve areas, informed the commission that Border Road is the through way to the preserves, asked for consideration that all homes on Border Road are one home per five acres, spoke to compatibility, recommended the commission be careful in regards to the gateway to preserves.

Anthony Bruno, being duly sworn, spoke to past flooding, and asked how to obtain emails and election finance records of all panel members from 2007 to date.

Mr. Persson stated that the City Clerk's office has public records.

Emma Bruno, being duly sworn, spoke to bad growth in the community, stated that as of April 4, 2014 there has been a construction site on Border Road, and questioned the board process.

Walter Rossman, being duly sworn, asked that the city respect their county royal status, would like to see no sidewalks, signs or lights on Border Road, opined the buffers should be larger, and questioned who is responsible for providing sewer, water and infrastructure to the development, and questioned the plan for clearing their property.

Kevin Barton, being duly sworn, Wildlife Center representative, displayed a map of the project plan, stated he is fighting for the wildlife, opines there should be major wildlife panther accessible corridor from plan b on Neals Community property past Jacaranda Boulevard extension, noted the parklands are getting isolated, would like to see a buffer around the whole block, and spoke to density reduction. Mr. Barton clarified he is asking for a 300 foot wide corridor.

Without objection Planning Commission approved Mr. Barton speaking on behalf of Dee Ann Riechmutter and referenced the April 15, 2014 Sarasota Herald Growth in Venice article correcting the math, and commended the two commissioners who voted against the Portofino development.

Sasha Donato, being duly sworn, questioned city expenses regarding the police and fire department that is currently understaffed, stated that more homes and people will require more staffing.

Shannon Thinnies, being duly sworn, stated commissioners should ask how this project benefits Venice, opined expenses will be paid to bring resources out to the area, the development is environmentally bad, there is no way to reduce the impact of 700 homes, stated this sets precedence for other Neal Community purchases, expressed concern with difficulty finding notices, major flooding issues, wildlife preservation, and noted this land currently floods.

Laura Cardoza, being duly sworn, stated it is the commission's job to protect Venice, citizens choose to live in a small town, referenced Sarasota and Bradenton's development, and opined the city has to stop the rezoning, approve and remodel what already exists.

Mr. Yoder stated the project will be designed to meet all criteria, spoke to Sarasota hydro dynamic water shed models, addressed issues with stormwater and flooding, and discharge rate, opined this site will not cause flooding, responded to questions regarding water retention ponds, the direction of water flow, and the need for flooding concerns to be made known to the county.

Mr. Boone noted that the same rules that apply in other communities apply with this project, models are more sophisticated, and that Curry Creek/Blackburn Canal issues are not related to this development project. He emphasized that this was previously planned for development, the main opposition was that the city would pay the cost for development, stated the developer will be responsible for costs incurred to extend water and sewer lines, internal lift stations, roads, curbs, and sidewalks, and addressed the project being done in stages.

Mr. Boone provided clarification that no permits have been issued, no construction is being done, and that truck traffic may be related to cattle grazing. Mr. Neal stated that seed harvesting and sod cutting has taken place.

(4:58) Chair Snyder closed the public hearing.

Discussion took place following the motion regarding lighting being present at each home, alternative options for signage, optional community entrances, the concept of one multi-purpose sidewalk, the drastic reduction of the intensity of use of the property, PUD requirements, and the extent of staff flexibility that should be authorized for modifications.

After the motion was made Mr. Murphy MODIFIED his motion to remove the stipulation regarding street lights located at each intersection.

**A motion was made by Mr. Murphy, seconded by Mr. Towery, that based on the staff report and the presentation, the Planning Commission, sitting as local**

planning agency, finds this request consistent with the Comprehensive Plan, City development standards and with the affirmative Findings of Fact in the record and, therefore, moves to approve Order No. 14-1RZ with the following stipulations; sidewalks will be required on one side of the street, only in locations where residential lots are present on only one side of the street or where there are no residential lots present, no sign will be placed on the Jacaranda Boulevard median at Laurel Road, and approval of only the first two sentences, page five staff summary, regarding staff authority as follows: "the Zoning Administrator shall have authority to administratively approve minor modifications of standards contained within the VICA 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". The motion carried by the following vote:

**Yes:** 7 - Chair Snyder, Ms. Moore, Mr. Williams, Mr. Towery, Mr. Graser, Mr. Murphy and Mr. Newsom

## **V. Audience Participation**

There was no audience participation.

## **VI. Comments by Planning Commission Members**

Mr. McKeon and Mr. Persson clarified the role of the planning commission liaison.

Mr. Snyder spoke to the detail involved in the previous site plans, concern with too much flexibility in the site plans, and the need for application process improvement.

Mr. Persson spoke to property owner assurances as to what will be built in surrounding areas.

Mr. Graser stated that he reviewed the materials to be submitted, noted the ecological survey was the only thing missing, agrees he would like to see a more detailed plan, and understands the flexibility of the market.

Mr. Williams commended the staff summary.

Mr. Murphy left the dais at 5:28 p.m and did not return.

Mr. Newsom commented on training, stated it's not appropriate to insist on anything that is not in the comprehensive plan or in the land development code.

Ms. Moore referenced a training visual regarding the city 50 years from now.

## **VII. Comments by Planning Department Staff**

Mr. Shrum spoke to the discussion regarding language for administrative review and approval for revisions to various petition types and stated he would be working with Mr. Persson on revised language for the review of variances.

### **VIII. Adjournment**

There being no further business to come before this Commission, the meeting was adjourned at 5:34 p.m.

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Chair

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Recording Secretary

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