



City of Venice

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

Meeting Minutes City Council

Thursday, August 31, 2017

9:00 AM

Council Chambers

Comprehensive Plan Transmittal Public Hearing (Continued from June 23, 2017)

CALL TO ORDER

Mayor Holic called the meeting to order at 9:00 a.m. and announced this is a continuation from the June 23, 2017 public hearing.

ROLL CALL

Present: 7 - Mayor John Holic, Council Member Kit McKeon, Council Member Jeanette Gates, Council Member Bob Daniels, Council Member Deborah Anderson, Council Member Richard Cautero and Council Member Fred Fraize

ALSO PRESENT

Assistant City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavallee, Development Services Director Jeff Shrum, Planning Commission Chair Barry Snyder, and Recording Secretary Mercedes Barcia.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member McKeon.

I. PRESENTATION

Development Services Director Jeff Shrum and Planning Commission Chair Barry Snyder

Discussion took place regarding time for audience participation.

Ms. Gates noted leaving the meeting at 3:00 p.m. due to her business and Mr. Cautero noted leaving between 5:15 p.m. and 5:30 p.m.

Council had no objection having audience participation at the beginning of the meeting.

No one signed up to speak.

Mayor Holic thanked Mr. Snyder and Mr. Shrum for their work on the comprehensive plan.

Mr. Shrum spoke regarding the draft comprehensive plan, cover memorandum, Dan Lobeck's, attorney for Pinebrook South Home Owners Association, recommended revisions, data inventory analysis (DIA), comments and feedback received, and main topics of concern.

Discussion continued regarding draft plan transmittals, DIA, comments received, and redline version of draft.

Mr. Snyder commented on Mr. Lobeck's August 30, 2017 email received, document submittal procedures, and records request.

Discussion followed on Mr. Lobeck's email being addressed and included as part of the record.

Mr. Snyder spoke regarding the draft and current comprehensive plan, Mr. Lobeck's statement on neighborhood compatibility, Policy 8.2 Land Use Compatibility Review Procedures, land development regulations (LDR), Policies 10.2 Unified Community Character and 13.1 Residential Future Land Use (FLU), and zoning versus land use.

Mr. Shrum commented on Policy 13.1 language on future land use categories and compatibility.

Mr. Snyder spoke on Policy 13.1 and use of terms "shall" and "generally" in regards to densities, removal of Policies 10.2 and 13.1 from the proposed plan, Policy 8.2, LDR updates, Objective 8 Petition Review Criteria, and FLU Compatibility Review Matrix, and transitional language.

Discussion followed regarding compatibility remedies, Policy 8.2, and redundancies.

Mr. Snyder responded to Mr. Lobeck's comments regarding removal of restrictions on development and comprehensive plan versus LDRs, and spoke regarding petitions, regulatory items, plan elements and policies referenced by Mr. Lobeck, transitional language, planning commission's decision not to include restrictions in the proposed draft, language, level of service (LOS) standards, planned unit developments (PUDs), mixed use areas to include residential and non-residential, removed standards, density and areas for attainable housing, density cap and bonuses, and community housing.

Discussion followed regarding density for attainable housing to include other jurisdictions density bonus, public feedback, and concept in the current plan.

Mr. Snyder spoke regarding planning areas, high density residential land use categories, the city's development capacity, understanding of the current plan, maximum potential number of dwelling calculation, low density and mixed use residential, envisioning what the city will look like in the future, map changes, FLU acreage, and undeveloped land within the city.

Mr. Shrum commented on state concerns with population projections on land use allocations.

Discussion followed regarding the chart depicting land use allocations by acreage, density, and intensity.

Mr. Snyder spoke on reduction of roadway LOS standards from "C" to "D", and maintaining current level of standard "C".

Mr. Shrum commented on the change in LOS standard and number of vehicles on the road.

Discussion followed regarding roads with LOS "D" standard, Metropolitan Planning Organization (MPO) long range transportation plan model, roadway segments, Florida Department of Transportation (FDOT)'s five year plan, and rating criteria.

Clif Tate, Transportation Planner with Kimley-Horn & Associates, spoke on roadway LOS calculations and noted analysis was conducted to identify projected levels.

Discussion ensued regarding Venice Avenue and Center and Pinebrook Road enhancements, MPO's long range plan to include FY 2021 adopted roadway LOS, projected data analysis on future LOS standards, road improvements, Policy 5.1 Multi-Modal Accessibility, and traffic movement and speed limits.

Mr. Daniels left the dais at 10:32 a.m.

Discussion continued regarding road improvement funding, maintaining level "C" LOS standard requirements, and developer contributions to mitigate traffic enhancements.

Mr. Daniels returned to the dais at 10:38 a.m.

Mr. McKeon left the dais at 10:38 a.m.

Discussion ensued regarding developer contributions to mitigate traffic issues, impact and mobility fees, and bicycle LOS standards.

Mr. McKeon returned to the dais at 10:44 a.m.

Discussion took place on bicycle LOS standards, complete streets, collectors and arterials, developer contributions for traffic mitigation, and impact fees.

Ms. Fernandez clarified developer impact fees.

Discussion continued on maintaining level "C" LOS standard, concurrency, impact and mobility fees, state laws, hiring traffic analysis for development, developer proportion of fair share and contribution requirement, MPO and FDOT funding, state allocation funds, and concurrency statute.

Mr. Snyder spoke on environmental protection, consolidation of policies, strengthening language, wetlands, county schools, short term rentals, and Mr. Lobeck's comments.

Kelley Klepper, consultant with Kimley-Horn & Associates, spoke regarding the conducted surveys with other communities on the process of updating the comprehensive plan concurrently with LDRs.

Discussion followed on best practices, Mr. Lobeck's comments, LDR updates, concurrency chapter and land development code (LDC), plan drafts, incorporating resident input, neighborhood meetings, and draft transmittal to city council.

Recess was taken from 11:20 a.m. until 11:28 a.m.

Ms. Anderson returned to the dais at 11:30 a.m.

[17-2724](#)

Comprehensive Plan Transmittal

II. ATTORNEY RESPONSES

A motion was made by Council Member Daniels, seconded by Council Member Gates, to allow each attorney 30 minutes to respond.

Discussion followed on allowable attorney response time, Mr. Lobeck meeting with city staff regarding concerns, and Mr. Lobeck's correspondence dated August 30, 2017.

The motion carried by voice vote 4 to 3 with Mr. Causero, Mr. Fraize, and Ms. Anderson opposed.

Dan Lobeck spoke to developer controls, August transmittal voting, public hearings, growth control, neighborhood compatibility, Policies 10.2, 13.1,

and 8.2, Strategy LU 1.2.8 Compatibility Between Land Uses, LDRs, land use compatibility, density and intensity, Sarasota County's Comprehensive Plan, development restrictions, unified developer codes, comprehensive plan amendments, land use controls, site plan policies, postponing council action on ordinance, places of worship, placing parks within a quarter mile of residences, affordable housing and dwelling unit cap, mixed use densities, density cap and undeveloped land, transportation LOS, "C" and "D" roadway LOS, transportation concurrency, developer contributions for maintaining LOS, impact fees, Sarasota County's impact fee schedule, level "D" roadways, Florida Statute Chapter 163, environmental policies, open space, wetlands, and short term rentals.

Recess was taken from 12:13 p.m. until 1:30 p.m.

Dan Bailey, attorney for Gulf Coast Community Foundation and LR Development LLC, spoke regarding shifting the The Bridges property from the mixed use corridor (MUC) to the mixed use residential (MUR) category, single-family residential development, and floor area ratio (FAR).

Ms. Anderson returned to the dais at 1:32 p.m.

Mr. Bailey spoke regarding the definition of open space and recommended inserting the words "public or private", and revision to Strategy LU 1.2.17 MUR Open Space Connectivity on minimum corridor width.

Discussion took place regarding draft amendments, incorporating council's input, and public view of final draft.

Jeffery Boone, Boone Law Firm, inquired on council's procedure for addressing Mr. Shrum's memorandum and points made by Mr. Bailey.

Discussion took place on council's process for addressing attorney and staff comments.

Mr. Boone spoke on the language in Strategy TR-NE 1.1.4 New Roadways regarding the development of a road east and west of Jacaranda Boulevard, per parcel and area wide FARs, LDRs that control building heights, prohibition of single-family development in the MUC, moving The Bridges property out of the MUC, homeowner property rights, commercial properties and zoning, office professional industrial (OPI), removal of single-family development prohibition on the Hurt property (west of I-75), proposed comprehensive plan amendment, and residential capacity.

Jim Collins, planner with the Boone Law Firm, spoke on support of moving

The Bridges property into the MUC, Laurel Road MUC to include density, residential capacity, and zoning rights.

Mr. Boone spoke regarding maximum number of dwelling units in the MUC, development rights, additional capacity, The Bridges property, Fisherman's Wharf property designation, resident participation at the comprehensive plan public hearings, and supporting Mr. Bailey's comments.

Mr. Boone responded to council questions regarding roadway LOS standards to include developer's proportion of share, road improvements, traffic, impact fees, mobility fees, developer contribution towards road improvements, and road management law.

Discussion took place regarding area wide FAR limitation, whether FAR should be in the LDRs or comprehensive plan, per parcel FAR limitation, roadway LOS, Florida Statute (F.S.) Chapter 163, concurrency, and traffic improvements.

Discussion followed on Ms. Anderson's conversation with Ms. Fernandez regarding roadway LOS and developer contribution requirement towards road improvement.

Ms. Fernandez noted reviewing F.S. 163.3177 and 163.3180, commented on applying concurrency to a development project and mobility impact fees, and confirmed LOS has no relation to the impact fee.

Discussion continued on developer improvements, offsetting impact fees, funding sources, prompt share, transportation improvements, developer proportion of fair share, concurrency, and impact fees.

III. AUDIENCE PARTICIPATION

Dick Longo, 295 Marsh Creek Road, representing Sawgrass and Central Venice Homeowners Associations, commented on traffic LOS, road improvements, and alleviating traffic, responded to council questions regarding residents view of traffic, reducing roadway LOS from "C" to "D", and placing items in the plan that the city does not intend on funding to correct, and recommended notifying residents of the city's long term plan.

It was noted that Sarasota County and the City of North Port have a roadway LOS "D" standard.

Discussion followed regarding traffic enhancements and funding road improvements

Leslie Vilcone, 111 Auburn Woods Circle, commented on the current and

proposed comprehensive plan, guidelines, and residents input.

Recess was taken from 2:54 p.m. until 3:05 p.m.

IV. COUNCIL DISCUSSION

[17-2883](#)

Action on Staff's Listing of Possible Amendments

Discussion took place on The Bridges project to include changing the property to MUR and moving it from the Laurel Road neighborhood corridor to the northeast Venice neighborhood, single-family residences, and capacity in the Laurel Road corridor.

Amendment 1: A motion was made by Mr. Daniels, seconded by Ms. Gates, to accept proposed changes and amend the comprehensive plan to include changing The Bridges property to MUR and moving it from the Laurel Road neighborhood to the northeast Venice neighborhood.

Discussion followed regarding the land, single-family in the Laurel Road corridor, site and development plan, changing FLU, clarifying language and policy, commercial mixed use (CMU), MUR, and property rezoning.

The motion carried by voice vote 6 to 1 with Ms. Anderson opposed.

Discussion continued regarding transportation map in the current plan, adding road east and west of Jacaranda Boulevard running from Laurel to Border Road, Strategy TR-NE 1.1.4 New Roadways, property and road east of Jacaranda Boulevard, Hurt properties, annexation agreement, protecting wetlands, wildlife corridor, and road usage.

Amendment 2: A motion was made by Mr. McKeon, seconded by Mr. Daniels, to add one north/south road to the east and one north/south road to the west of Jacaranda Boulevard. The motion carried by voice vote 6 to 1 with Mr. Daniels opposed.

Discussion continued on whether the north/south roads need to be public or private roads, area development, public road perception, Jacaranda Boulevard, road connectivity, and developer impact fees.

Amendment 3: A motion was made by Mr. Daniels, seconded by Mr. McKeon, that the roads east and west of Jacaranda Boulevard be private roads.

Discussion followed regarding Jacaranda Boulevard and master FDOT plan, resident privacy, VICA, impact fees, land value, funding public roads, road accessibility during emergencies, development proposal and requirements, maintenance of private roads, and modifying language in Strategy 1.1.4.

The motion carried unanimously by voice vote.

A motion was made by Mr. McKeon, seconded by Mr. Daniels, to continue the meeting until done.

Discussion followed regarding the plan submittal deadline, continuing the meeting to another date, and meeting end time.

An amendment to the motion was made by Mr. Daniels, seconded by Ms. Gates, to end the meeting at 6:30 p.m.

Discussion ensued regarding meeting end time, plan deadline to Tallahassee, scheduling another meeting, project funding, staff schedule, and plan process and timeframe.

The amendment carried by voice vote 4 to 3 with Mr. Caetero, Mr. Fraize, and Ms. Anderson opposed.

The amended motion carried by voice vote 4 to 3 with Mr. Caetero, Mr. Fraize, and Ms. Anderson opposed.

Mr. Shrum spoke on comment received from the Gulf Coast Community Foundation regarding concerns with implementing multi-family and single-family plan definitions, and noted definitions may need to be revisited based on the LDC updates.

Amendment 4: A motion was made by Ms. Gates, seconded by Mr. Daniels, to follow staff recommendation on multi and single-family plan definitions. The motion carried by voice vote 6 to 1 with Ms. Anderson opposed.

Discussion took place on Strategy LU 1.2.17 MUR Open Space Connectivity to include corridor width, maintaining 25 feet minimum, variance, and adding language for flexibility.

Amendment 5: A motion was made by Mr. McKeon, seconded by Mr. Daniels, to maintain 25 feet minimum open space connectivity unless authorized by city council through development approval. The motion carried by voice vote 6 to 1 with Ms. Anderson opposed.

Mr. Shrum spoke regarding the definition of functional open space and Strategy LU 1.2.16 MUR to include language, LOS standards, comments received, and proposed change to the MUR.

Amendment 6: A motion was made by Mr. Daniels, seconded by Mr. McKeon, to accept the change in Strategy LU 1.2.16(6)(c) to include adding "(public or private)" after "Open space shall be comprised of a mix of Functional".

Discussion followed regarding residents input on open space.

The motion carried by voice vote 5 to 2 with Ms. Anderson and Mr. Fraize opposed.

Discussion took place on single-family residential in the Laurel Road MUC, vested rights, Portofino property, PUDs, The Bridges property, commercial development, corridor master plan, density and types of dwelling, S&J and Hurt properties, mixed use, compatibility, commercial development along Laurel Road, multi-family development, and the interstate.

Amendment 7: A motion was made by Ms. Gates, seconded by Mr. McKeon, to leave policy as is and not allow single-family residential in the Laurel Road MUC.

Discussion followed regarding stipulation on buffer zone, compatibility matrix, commercial developments, restrictions on the amount and type of development, corridor master plan, multi-family development, and resident input on density.

The motion carried by voice vote 5 to 2 with Mr. Cautero and Mr. Fraize opposed.

Mr. Snyder spoke on the maximum development potential in the MUC.

Mr. Daniels left the dais at 4:41 p.m.

Mr. Shrum commented on approved zoning.

Discussion followed on limiting growth, minimum and maximum development potential in the MUC, and S&J property zoning.

Mr. Daniels returned to the dais at 4:44 p.m.

Mr. Shrum commented on conversion factors, approved PUDs and commercial mixed use (CMU), and vested rights.

Ms. Fernandez spoke to the Bert Harris Act.

Discussion took place regarding annual monitoring, 25% maximum development, staff reporting and recommendations, comprehensive plan amendment, changing maximum development percentage, and revisiting at 75% for council determination.

Amendment 8: A motion was made by Ms. Gates, seconded by Mr. Daniels, to leave the maximum development percentage at 25% and modify the strategy to identify at 75% buildout.

Mr. Shrum noted monitoring permits and development approvals.

The motion carried unanimously by voice vote.

Mr. Cautero and Ms. Anderson left the dais at 4:56 p.m.

Discussion took place on the maximum development percentage in the Island Neighborhood MUC.

Ms. Anderson returned to the dais at 4:57 p.m.

Discussion ensued on the Island MUC, future residential development, mixed use residential and commercial, and corridor along Airport Avenue.

Mr. Cautero returned to the dais at 5:00 p.m.

Discussion continued on mixed use at the airport, zoning, airport master plan, Airport Road, north and south side mixed use areas, maximum density in the corridor, Venice Regional Hospital, changing maximum number of dwelling units, and the planning commission's recommendation.

A motion was made by Mr. McKeon, seconded by Mr. Daniels, to change the maximum development percentage to 85% in the Island Neighborhood MUC.

Discussion ensued on non-residential in the MUC, maximum potential residential units, corridor buildout, and increasing number of residents on the Island corridor.

Recess was taken from 5:11 p.m. until 5:17 p.m.

Mr. Shrum commented on the FLUM planning areas, development potential on the current plan, and density per acre reductions.

Discussion followed on current plan, decreasing overall maximum development potential, and Bert Harris Act.

Ms. Fernandez commented on plan changes and the Bert Harris Act.

Discussion continued on resident input and number of responses received, city growth and traffic, planning commission's decision on percentages, MUCs, tradeoff between residential and non-residential, airport corridor, annual reporting by planning staff, potential future development, leaving maximum development percentage as is, maximum units per acre, and development capability.

A motion was made by Ms. Anderson, seconded by Mr. Daniels, to call the question. The motion carried unanimously by voice vote.

The motion failed unanimously by voice vote.

Amendment 9: A motion was made by Mr. Daniels, seconded by Ms. Gates, to keep 70% maximum development in the Island Neighborhood MUC as stated in the plan. The motion carried by voice vote 6 to 1 with Ms. Anderson opposed.

Discussion took place on the Gateway and Seaboard areas to include 35% maximum and 10% minimum number of dwelling units, mixed use, area congestion, comments received, area redevelopment, residential percentage, shop keepers, rezoning, maximum percentage, resident input, and density.

Amendment 10: A motion was made by Mr. Daniels, seconded by Mr. Fraize, to keep 35% maximum development in the Mixed Use Seaboard (MUS) as stated in the plan. The motion carried by voice vote 6 to 1 with Ms. Anderson opposed.

Discussion took place on the Knights Trail MUC to include 15 units per acre and 50% maximum development.

Amendment 11: A motion was made by Council Member Gates, seconded by Council Member McKeon, to keep 50% maximum development in the Knights Trail MUC as stated in the plan.

Discussion followed on industrial area, traffic, compatibility matrix, mixed use area, 50% maximum development, opportunity to allow commercial activity, noise concerns, residential near industrial area, city annex, mitigation techniques, Policy 8.2 safeguards, proposed residential, low income housing, and John Nolen Gardens.

The motion carried by voice vote 4 to 3 with Ms. Anderson, Mr. Fraize, and Mr. Cautioner opposed.

Discussion took place on transportation and roadway LOS standards and Mr. Snyder noted this item was not discussed with the planning commission.

Amendment 12: A motion was made by Council Member Gates, seconded by Council Member McKeon, to have a LOS standard of "D".

Discussion followed regarding funding concerns, consistency with Sarasota County, gas tax, revenues, FDOT, arterials and collectors, establishing LOS for local roadways, traffic data, bicycle lanes, pedestrian and transit LOS standards, maintaining level "C" standard, characterizing local roads, county designation for local roads, city of North Port LOS, funding, impact fees, traffic, explaining LOS, statute, improving traffic, funding road improvements, consultant analysis, developers contributing to road improvements, mobility fees and developer's proportion of fair share.

Ms. Fernandez provided clarification on developer impact fees and proportion of fair share, and arterial and collector roadways.

A motion was made by Council Member Gates, seconded by Council Member McKeon, to call the question. The motion carried unanimously by voice vote.

Mr. Snyder noted motion would modify Strategy TR 1.2.2 Roadway LOS Standards to include "arterial and collector".

The motion carried by voice vote 5 to 2 with Ms. Anderson and Mr. Fraize opposed.

There was consensus to extend the meeting to complete the transportation portion of the plan.

Mr. Shrum spoke on proposed Strategy TR 1.2.2.a Comprehensive Plan Amendments to include plan amendments for transportation impacts.

Mr. Snyder noted this element was not discussed with the planning commission.

Discussion followed regarding state law, language reviewed by consultant, Sarasota County's comprehensive plan, referencing statutory rights, and identifying and improving deficiencies.

Amendment 13: A motion was made by Council Member Gates, seconded by Council Member Anderson, to accept staff's recommendation on additional verbiage in TR 1.2.2.a. The motion carried unanimously by voice vote.

Discussion took place on future meeting process, amendments, ordinance first reading, continuing public hearing to September 13, 2017 at 10 a.m., and map and table updates.

Ms. Gates left the dais at 6:42 p.m.

Mr. Stelzer stated Mr. Lavallee requested the meeting to start at 10:30 a.m.

Discussion followed regarding project funding and staff returning to council with a budget amendment.

There was council consensus for staff to advise council of money needed to continue with consultants.

Discussion ensued on project schedule and additional meetings.

A motion was made by Council Member Daniels, seconded by Council Member Gates, to direct the city manager and staff to fund up to \$20,000 for consultant

fees.

An amendment to the motion was made by Council Member Gates not to include a dollar amount.

Mr. Daniels withdrew his motion.

There was council consensus to authorize the city manager to provide council with the amount needed to pay consultants.

V. ORDINANCE

ORDINANCE - FIRST READING

[ORD. NO.](#)
[2017-22](#)

An Ordinance of the City of Venice, Florida, Adopting a 2017-2027 Comprehensive Plan Replacing the Adopted 2010 Comprehensive Plan in its Entirety; Providing for the Following Elements of the Comprehensive Plan: Introduction, Background, Land Use, Transportation and Mobility, Open Space, Housing, Infrastructure, Public Schools, and Neighborhoods; Providing for an Appendix; Providing for Severability; Providing for Repeal of all Ordinances in Conflict Herewith to the Extent of Such Conflict; and Providing an Effective Date

No action was taken.

VI. ADJOURNMENT

There being no business to come before council, the meeting was recessed to September 13, 2017 at 10:30 a.m.

ATTEST:

Mayor - City of Venice

City Clerk