

CITY OF VENICE

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**APPELLANT GARY SCOTT'S STATEMENT TO THE
CITY COUNCIL IN THE MATTER OF 22-40SP**

STANDARDS FOR REVIEW BY CITY COUNCIL

Pursuant to Land Development Regulation 87-1.16(D) this appeal of the decision of the planning commission to approve the site plan application of Border and Jacaranda Holdings, LLC is a de novo review. The city council “shall hear testimony and argument from all parties and the public and shall then either approve, approve with conditions or deny the appeal.”

Under LDR 86-23(m) the planning commission when it considered the site plan of the applicant was to be guided by the standards identified in that regulation. The council should be guided by those same standards in making its decision on the site plan. (See standards, Tab 1)

The following statement shows that the applicant’s site plan should be denied by the city council, (the appeal should be approved) or in the alternative the hearing should be continued pending receipt of additional information and evidence described below.

THE PLANNED ACCESS TO THE DEVELOPMENT IS NOT SAFE

“It won’t be blood on our hands.....It will be blood on the hands of the county for not approving the stop light.” (Chairman Barry Snyder, Planning Commission hearing on 22-40SP, January 7, 2025)

Under LDR 86-23(m)(3) the city council should consider, “Ingress and egress to the development and proposed structures thereon, with particular reference to automotive and pedestrian safety.....” The council should apply that standard to the intersection of Laurel Road and Veneto Boulevard through which all vehicles must travel when entering or exiting the development off Laurel Road.

The site plan provides that the Laurel Road/Veneto Boulevard intersection is to be controlled by stop signs for those vehicles accessing Laurel Road southbound from Veneto Boulevard or northbound from the development. The evidence at the planning commission hearing was that the applicant’s own traffic consultant on an earlier occasion provided his opinion that if the intersection is controlled with stop signs it will not be safe.

In October of 2022, the applicant sought the approval of Sarasota County for the use of a traffic signal at the intersection. As part of that effort the applicant submitted a request for a variance from the county’s Unified Development Code that requires that there be at least 1,320 feet between signalized intersections. The intersection of Laurel Road and Veneto Boulevard is 690 feet from the intersection of Laurel Road and Jacaranda Boulevard to the east, which will be controlled by a traffic signal.

To support the variance request, which was ultimately denied by the county, Frank Domingo of Stantec Engineering, on behalf of the applicant submitted to the county a document entitled “Narrative for Laurel Road Investments, LLC Request-Laurel Rd. and Veneto Blvd. Traffic Signal.” (The Narrative and the county’s denial letter are attached, Tab 2, and Tab 3) Mr. Domingo testified at

the planning commission hearing that the statements in the Narrative were true and accurate. Those statements include the following: (Tab 2, pg. 2)

“The residents of Venetian Golf and River Club, the community to the north of the proposed development, will be the primary users of the development.” (This statement is not consistent with the argument made by the applicant before the city council at the rezoning hearing where the applicant claimed that it was its intention that the development would primarily serve the residents of the Milano PUD.)

“Interpreting the UDC requirement to prohibit the proposed traffic signal would serve to deprive the neighboring residents in Venetian Golf and River Club safe access to the proposed development.”

“Moreover, our public outreach with the communities to the north identified the southbound left and southbound through movements as of great concern, i.e., there is high discomfort for making these maneuvers without a traffic signal and protected phases.”

It is understandable that the residents of the VGRC have concerns about the intersection and that Mr. Domingo believed the intersection would be unsafe without a traffic signal. The intersection will have seven lanes of east/west traffic, four travel lanes and three turn lanes. **There will be 13 different ways that motor vehicles, including semi-trucks and delivery vehicles, can enter the intersection.**

The attached blowup of the intersection taken from the site plan, with the red markings added, shows those 13 different routes. (Tab 4) Additionally, there will be pedestrians and cyclists. (The developer has promoted this project by stating that those in the VGRC can ride their bikes, drive golf carts, or can walk to the commercial center.)

After the county denied the applicant’s request for a variance in January 2023, the Venetian Golf and River Club POA retained Michael Fury of the engineering firm of Patel, Greene and Associates to perform a traffic impact study and an evaluation of the intersection of Laurel Road and Veneto Boulevard. The purpose of the study was to respond to the county’s reasons for denying the request for a variance, and to convince the county that it should approve the use of a traffic signal at the intersection.

Mr. Fury completed his analysis and prepared a report dated August 2023. (Tab 5) Mr. Fury performed a preliminary ICE (intersection control evaluation) as part of his analysis. On page seven of his report Mr. Fury charted his findings as to that evaluation, assuming the intersection to be controlled by two stop signs. **The chart shows that two northbound lanes of the intersection scored an “F”.** According to AI, a score of an F on an ICE indicates that the intersection fails to meet the minimum acceptable standards for safety, operations, or other criteria evaluated. The score suggests that significant improvements are needed to enhance the intersection’s performance and safety.

The chart also shows that with a two-way stop control two southbound lanes of traffic at the intersection scored an “E”. A score of an E in an ICE indicates that the intersection is expected to

have an excess number of accidents, meaning that the intersection is expected to have more crashes than the average intersection.

Another aspect of Mr. Fury's ICE assumed the intersection to be controlled by a traffic signal. On the chart on page eight it is shown that under those circumstances the northbound lanes of traffic at the intersection scored an E on the ICE. So, even with a traffic signal, this intersection would not be as safe as it should be and would be expected to have more crashes than the average intersection.

The applicant could have elected to design an access to the development at some other location along Laurel Avenue farther to the west. It chose the location directly across from the VGRC for business reasons; the residents of the VGRC are intended to be the primary users of the commercial center. Although the location may make sense from a business perspective, it makes no sense from a safety perspective.

Another fact concerning this intersection and that relates to safety is that according to the Stantec Traffic Impact Analysis of November 2023 the northbound lane at the intersection scores a level of service of "F". This report was prepared by the applicant's own traffic engineering firm. **That report shows that during peak hours the residents of the VGRC will be required to wait on average approximately 63 seconds before being able to make a left turn onto Laurel Road.** (Tab 6) At the hearing before the planning commission in January the chairman's response was that such a delay seemed "unacceptable".

The LDR require the council to assure that ingress and egress to a development be safe for motor vehicles and pedestrians. And this council on numerous occasions has recognized the importance of public safety generally. Most recently, regarding the matter of a sidewalk along Bayshore Road, every member of the city council expressed sincere concern for safety issues, stating such things as "safety is very key"; "safety is very, very important"; "safety is a priority"; and "safety is paramount".

In this case it is practically undisputed that the intersection of Laurel Road and Veneto Boulevard will be unsafe as it is currently designed in the applicant's site plan. The applicant's own traffic consultant has given his opinion that without a traffic signal, the residents of the VGRC, the intended primary users of the commercial center, will not have safe access to that development.

No witness testified at the planning commission hearing that the intersection would be safe in the absence of a traffic signal. There was no competent and substantial evidence to that effect. And no member of the commission during deliberations provided an opinion that the intersection was safe.

At the close of the hearing, after the planning commission had approved the site plan, a statement was made that there would be blood on the hands of the commission, in reference to the unsafe intersection. The commission's chairman did not attempt to defend the safety of the intersection, instead saying that blood would not be on the hands of the commission but would be on the hands of the county, in reference to the county not approving a traffic signal for the intersection. There was no discussion as to whose blood it would be.

This council should not engage in discussion as to whose hands will be bloodied. The city council should instead do what it can to prevent there from being blood. This council should deny the applicant's site plan and approve the appeal on the grounds that the site plan does not provide for safe ingress and egress to and from the development for motor vehicles and pedestrians as required by 86-23(m)(3) of the LDR. The city council in the alternative should continue the hearing pending a review of the safety of the intersection by an outside independent traffic safety engineer engaged by the city of Venice.

STORMWATER

Under 86-23(m)(6) one of the standards that is to guide the city council in its decision on the site plan is the **"Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent nearby properties and the consequences of such drainage on overall public drainage capacities."**

A. THE STORMWATER MANAGEMENT STANDARDS ARE OUTDATED

"I am just having heartburn with our stormwater and the data I am receiving. I am having some heartburn that we are using 1992 standards." (County Commissioner Joe Neunder, August 27, 2024.)

"Regardless, the current regulatory design storm criteria utilized by SEU (Sarasota Environmental Utility) and established by the SWFWMD is based upon the evaluation of rainfall data and records prior to 1996. As such, the current design criteria do not consider the last 29 years of rainfall data." (Stephen Suau, P.E., November 19, 2024)

At the hearing before the planning commission on January 7 the applicant's stormwater engineer was asked by the commission if the Southwest Florida Water Management District (SWFWMD) had issued a permit for the project. The consultant answered that a permit had been issued. But the issuance of a permit should not end consideration of the adequacy of the applicant's stormwater management plan, especially since the standards applied by SWFWMD to that plan are based in part upon rainfall data that is critically outdated and understated.

The standards that were applied by the SWFWMD were promulgated nearly 30 years ago. The standards utilized by Sarasota County's permitting agency, the Sarasota Environmental Utility, are more stringent than those applied by SWFWMD, but they likewise are outdated. Recently, some of the county's commissioners expressed concern about that, with Commissioner Neunder stating that the fact that the county is working under standards from 1992 gives him heartburn. Commissioner Cutsinger stated, "...part of the solution may be to revise those standards higher based on more current data." He suggested that the county was going to get a third-party involved, presumably an engineering consulting firm. (Tab 7)

Last year professional engineer and hydrologist and the former General Manager of Sarasota County's Watershed Management Program, Stephen Suau presented his independent study and preliminary findings regarding the flooding caused by Tropical Storm Debby to the Sarasota Citizens

Action Network (SCAN) at its meeting of October 24. Included in his findings was that SWFWMD standards as well as the standards of SEU are based upon rainfall data that is nearly 30 years old. Mr. Suau recommended that SEU and SWFWMD and other appropriate authoritative and academic agencies work together to update the design rainfall volumes for planning and regulatory purposes. (The relevant portion of Suau's report and his resume are attached, Tab 8)

B. THE APPLICANT'S DRAINAGE PLANS HAVE ISSUES

In stormwater management, floodplain compensation is designed to offset any loss of natural floodplain storage capacity caused by a project's development by creating replacement storage areas that mimic the original floodplain's function, thus making up for what has been lost in natural storage. Even though this project proposes to fill and surface 10.42 acres, including retention pond LL4 and over six acres of wetlands, there will be no floodplain compensation. There will not be additional or replacement ponds constructed and the remaining storage pond, LL7, will not be enlarged or otherwise modified. The pond and the wetlands currently existing on this parcel have historically retained large volumes of stormwater and have most likely prevented the flooding of adjacent properties.

During Tropical Storm Debby and Hurricane Ian last year the wetland and LL4 were inundated as was the adjacent wetland across the FPL access road which backs up to homes in the Cielo Subdivision. See drone footage of conditions after Tropical Storm Debby:

<https://youtu.be/TZw15RLs2ns?feature=shared>

The link below is satellite imagery of flooding on the East Laurel Road corridor after Hurricane Ian. Note the inundation of the wetland on the subject 10.4 acres, as well as the condition of the wetland behind homes in Cielo.

<https://storms.ngs.noaa.gov/storms/ian/index.html#17/27.135683/-82.37963>.

Without any floodplain compensation planned for this project, the question is after the completion of this project and after 10.42 acres of functional wetland and a retention pond are replaced with an impervious surface, where is all the water from a similar or more intense storm going to go? The applicant contends that it will all be drained away into pond LL7. But there are reasons to question that contention.

Last summer the North Venice Neighborhood Alliance retained professional engineer Jennifer Menendez of Catalyst Engineering to evaluate the drainage design of the applicant for this development. Upon completion of that evaluation Ms. Menendez prepared her report dated July 13, 2024, a copy of which is attached. (Tab 8) Ms. Menendez in her report makes note of the fact that the project proposes no floodplain compensation, the utilization of outdated rainfall data, and the inaccuracy and shortcomings of some of the calculations submitted to SWFWMD by the applicant.

Following is a summary of some of the key points of Ms. Menendez's report, a copy of which is attached.

1. When calculating the flowrate of potential stormwater runoff from the project applicant's consultant used a peaking factor (a representation of the runoff from a rainfall event over time) generally used for flat, natural land with depressions providing areas for rainfall runoff

to collect and slow down on its way to the pond. A more appropriate factor would have been one used for developed areas with impervious surfaces and a storm drain system that will direct the rainfall to inlets and pipe it to the pond. The applicant's model assumed that rainfall from a storm will be slowed down on site, thus reducing the peak flow runoff rate. That is an assumption that should not have been made. When runoff gets to a pond faster the pond will fill up more quickly than if the runoff was coming at a slower rate that is spread out over a longer time period. (Under Section 87-3.3(c)(6) of the LDR, "Drainage calculations must be provided to verify that the peak flow rate and total volume do not exceed the pre-developed runoff." Those calculations should be accurate. The peak flow rate and the total volume for this project should be calculated using the appropriate peaking factor).

2. Current rainfall models were not used in creating the applicant's stormwater model. When current rainfall data (NOAA ATLAS-14) is used, the estimate for the 100-year, 24 hour storm is 11.4 inches. The applicant's model shows the 100-year, 24 hour storm yielding 10 inches of rain, a difference of 14%. Current rainfall data should be applied to the applicant's model. (The NOAA-14 standards were presented to the Sarasota County Commissioners on March 12 and to the SWFWMD on March 25. Both of those bodies have recognized the need to update the rainfall standards and are in discussions to accomplish that.)

3. The calculations of A.M. Engineering for the storm drain in place used a rainfall intensity of 6.9 inches/hour. The current NOAA ATLAS shows a 25-year event to have an intensity of 8.81 inches/hour. The data used by AM Engineering yields a value that is almost 2 inches less than what the 25-year value should be. This suggests that the on-site storm drain system could potentially be undersized.

4. The Cielo Subdivision as-built drawings show a grate inlet at the end LL7, to which the project's stormwater is designed to drain. When comparing the as-built plans with the applicant's model it appears that the water in LL7 will be unable to leave that pond as quickly as the applicant's model is showing. The outfall structure may be inaccurately modeled.

5. There is a question of whether the correct elevation was used throughout the applicant's stormwater drainage model. The starting water level value for pond LL7 is different in the applicant's plan than it is in the existing Cielo Subdivision plan. The difference is approximately 1.1 feet, which is not insignificant. Since the applicant's plan does not propose any physical modification of pond LL7 this difference in water level values in the two models should not exist.

6. The stormwater documentation submitted by the applicant to SWFWMD consists of 13,517 pages. A clear and concise summary of the relevant data for this small section of the large model was not provided by AM Engineering for the project, even though a summary table and index were requested by SWFWMD. Something will surely be missed by anyone attempting to review a 13,000 page document, especially given the unprecedented level of development in southwest Florida.

The last few years have served as proof that storms are becoming a more frequent and more severe occurrence in southwest Florida. Stormwater calculations need to be held to a more current and more rigorous standard, not the minimum standard and not outdated standards. Stormwater models should be applied, which in the very least factor in changing environmental conditions and increased development in a given area.

In Land Development Regulation Chapter 74, Article V, Stormwater Management, Section 74-292, it states:

“Stormwater management is applicable and needed throughout the corporate limits of the city. While specific service and facility demands may differ from area to area at any given point in time, a stormwater management service area encompassing lands and waterbodies within the corporate limits of the city is consistent with the present and future stormwater management needs of the community. **The stormwater management needs generally include, but are not limited to, protecting the public's health, safety, welfare and property.** The city's stormwater management services and facilities render and/or result in both service and benefit to all property owners within the city”

In the city council meeting of February 11, 2025, a motion was made for the planning staff to engage an outside expert to evaluate the Bayshore Road issues. That motion passed unanimously. In this case the potential flooding of residential neighborhoods is as critical as the Bayfront Road safety issues.

Because the stormwater issues relating to this development have the potential to significantly affect the health, safety, welfare and property of hundreds of the residents of Venice, the city council should direct the planning staff to engage an outside expert to review the data submitted by the applicant to the SWFWMD, the rainfall data utilized by the SWFWMD, the concerns expressed by Ms. Menendez, and evaluate the effect of the project's drainage upon the city's overall drainage capacities. Given what is at stake, the cost of engaging a consultant would be money well spent.

The city council should deny the applicant's site plan and approve the appeal on the grounds that the stormwater drainage resulting from the development will more likely than not have an adverse effect on the adjacent and nearby properties as well as the overall public drainage capacities, contrary to standard stated in 86-(m)(6) of the LDR. The city council in the alternative should continue the hearing pending receipt of the findings of a qualified independent engineer engaged by the planning department.

THE DEVELOPMENT'S INTENSITY OF USE IS NOT COMPATIBLE WITH THE NEIGHBORHOOD

A. INFORMATION ON INTENSITY OF USE IS REQUIRED

“I don't think it was ever anticipated that this size of a commercial activity would be put on the corner of Jacaranda and Laurel.” (Chairman Barry Snyder, Planning Commission hearing on 22-38RZ, March 21, 2023)

Under LDR 86-23(m)(2) the city council is to consider as a standard the, **“Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon...”** This standard addresses the requirement that the development be compatible with the surrounding residential neighborhoods.

In addressing this standard, the applicant in its Project Narrative asserted that the FAR (floor area ratio) for the project is .15, well below the maximum of .50 allowed under the Comprehensive Plan. And the staff’s comment in its report to the planning commission also simply addressed the size of the commercial buildings.

“The proposed intensity is much lower than the maximum allowed for this property through the MUR future land use designation, and the total square footage will not exceed the 70,240 ft, limit set by Ordinance 2023-11 and the adopted revised Binding Master Plan.”

But FAR does not by itself answer the question as to whether this commercial development as proposed is compatible with the nearby properties. The “intensity of use” that is referenced in 86-23(m)(2) relates not only to FAR; it concerns the purpose of the development, and the overall level of activity that will result from that development. This is acknowledged by Mr. Domingo in his Narrative to Sarasota County wherein he states, “The variance being requested is necessary to provide the proposed **intensities** for commercial and retail uses for which the property is planned. (Tab 2, pg. 2) Mr. Domingo was referencing the number of vehicles and the number of customers, not the size or floor area of the commercial buildings.

Regulation 86-23(m)(2) references the “purpose of the proposed development”. FAR makes no distinction and provides no information as to the purpose of the buildings measured by FAR. When considering the standard of 86-23(m)(2) the purpose of the development is more critical than simply the size of the development’s buildings.

In this case the commercial center will have restaurants and retail stores whose owners and managers will want to attract paying customers to the area. The development is a financial investment; its purpose will be to attract paying customers. The more customers the better; the more traffic the better; the more activity the better.

Regulation 86-23(m)(2) requires that the intensity of use and purpose of the development be assessed “in relation to adjacent and nearby properties...” The city council should contrast the proposed commercial center and its noise, traffic, lighting and all its activity with the low density and activity levels of the nearby properties. The nearby properties are residential neighborhoods with low densities. The VGRC immediately across Laurel Road has a density of 1.52; Milano is 2.68; Vicenza just to the east of Milano has a density of 1.8; Visterra is 4.3; and Willow Chase has 150 homes on approximately the same number of acres.

One year ago, the city council denied the request of a developer to increase the density of the GCCF PUD (Visterra) from 4.3 units per acre to 5.0. The council denied that request partly on the grounds that the nearby residential developments had lower density. The council noted that the Milano PUD, which is adjacent to Visterra, has a density of 2.68 units per acre. The requested increase in density would, in the opinion of the majority of the city council, result in the Visterra development being incompatible and the application was denied. The minutes of that April 9,

2024, hearing indicate that the following motion was made and approved by a majority of the council:

"A motion was made by Mayor Pachota, seconded by Mr. Howard, that based on the evidence in the record, City Council deny Petition No. 23-63RZ on the basis that the petition is not consistent with the Comprehensive Plan and is not in compliance with the Land Development Code because per Section 1.2.C.8.b.IV densities and intensities of proposed uses compared with densities and intensities of existing uses is not compatible, and Section 1.7.4, Decision Criteria A. 1, the amendment is not compatible with the existing development pattern of nearby properties."

If the proposed expansion of a residential development in this area has been determined to be incompatible as having too high a density, a 70,000 square foot commercial center with its high-level intensity is also incompatible.

LDR 86-23(m)(2) further provides that the council is to consider the effect of a proposed development on adjacent and nearby properties. It is expected that prior to and at the time of the hearing on this appeal, residents of North Venice will address how their properties and the quality of their lives will be affected by the proposed commercial center. The testimony and the written statements of those residents are relevant under the LDR and should be given consideration by the council.

Importantly, the planning commission was not provided information about the intensity of use or purpose of the development in relation to the surrounding residential neighborhoods, nor was the commission given any information by the planning staff on the effect of the development on the nearby properties. This is information that was needed by the planning commission for it to properly consider the standard stated in 86-23(m)(2), which is the only standard within 86-23(m) that concerns compatibility. And it is information that is needed by the city council.

The planning staff did not provide that information to the commission because the staff equated "intensity of use" to FAR. The only information that the staff provided to the commission relevant to 86-23(m)(2) was the FAR for the development. At the planning commission hearing Nicole Tremblay of the planning department was asked what definition of "intensity of use" the staff applied. Ms. Tremblay responded that the only consideration was floor area ratio, nothing else. Ms. Tremblay stated that the staff used the definition of intensity that appears in the Comprehensive Plan.

In the Comprehensive Plan, "Intensity" is defined to mean, "**A measure of land use activity** based on density, use, mass, size, and impact. May be used synonymously with or measured by FAR."

A reasonable interpretation of that definition is the intensity of a property relates to the level of activity on that property. And in those instances where FAR is an accurate indicator of that level of activity, intensity may be measured by FAR.

In this instance the FAR of the proposed development is not an accurate indicator of the level of activity that will be associated with the 70,000 square foot commercial center. The FAR of the proposed development provided the planning commission and provided this council with no information relating to "land use activity based on density, use, mass, size, and impact."

This council cannot properly apply or be guided by the standard described in 86-23(m)(2) until the planning staff provides it with information relating to the true intensity of use and purpose of the development. That information should include much more than the size of the commercial buildings in relation to the size of the lot. It should include such things as the number and type of expected vehicles in and around the development, the size of the parking lot, the hours of operation for the stores and restaurants in the commercial center, the delivery hours and the type of delivery vehicles, the expected sources of noise and the volume and intensity of that noise, the hours that the parking lot lights will be on, how far and how brightly will those lights shine, the extent of any planned security measures, etc.

The staff should also provide information as to the anticipated effect of the development upon the adjacent and nearby properties. That information should include the effect on property values and the effect upon the quality of the lives of those living in the nearby neighborhoods.

Until the information required by 86-23(m)(2) is provided, the city council cannot properly apply and be guided by the standard stated in that regulation.

B. THE DEVELOPMENT IS NOT PERMITTED UNDER LDR 86-130(r)

QUESTION: Then would it be your conclusion that this PUD amendment violates 86-130(r) of the Land Development Code?

ROGER CLARK: I would say it's certainly not consistent with that language.

QUESTION: If it's not consistent with that language, does it violate that provision of the Code?

ROGER CLARK: Yes. (Hearing on 22-38RZ before the City Council)

Related to the question of compatibility and intensity of use, and specifically the size of the proposed commercial development is LDR 86-130(r) that reads as follows:

(r) Commercial uses. **Commercial uses located in a PUD are intended to serve the needs of the PUD and not the general needs of the surrounding area.** Areas designated for commercial activities shall not front on exterior or perimeter streets, but shall be centrally located within the project **to serve the residents of the PUD.**

The developer's traffic consultant in his written submission to the county in October of 2022 stated that it was intended that the primary users of the commercial center would be people living outside the Milano PUD. It apparently has always been intended by the developer that the primary users of the commercial center would be the residents of the VGRC. That explains why the developer elected to have an access to the commercial center directly across Laurel Road from the VGRC entrance.

The developer's counsel argued before the planning commission that the circuit court's decision on the appeal of 22-38RZ authorized the commercial development described in the site plan. That is not correct. The issue before the court in that appeal only related to whether the 10.42 acres could be converted from open space to commercial.

“In their Amended Petition, Petitioners “seek judicial review of a quasi-judicial rezoning.” More specifically, Petitioners request this Court to quash Ordinance No. 2023-11, the City of Venice Ordinance which approved Respondent, Border and Jacaranda Holdings’ application for a zoning amendment of the Milano Planned Unit Development in the City of Venice.” Circuit Court Order of June 12, 2024.

And the ordinance that was challenged reads as follows:

ORDINANCE NO. 2023-11

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, GRANTING ZONING MAP AMENDMENT PETITION NO. 22-38RZ FOR THE MILANO PLANNED UNIT DEVELOPMENT (PUD) LOCATED AT LAUREL ROAD AND JACARANDA BOULEVARD, **BY CHANGING THE LAND USE DESIGNATION FOR AN APPROXIMATELY 10.42 ACRES PARCEL FROM OPEN SPACE TO COMMERCIAL AND AMENDING THE MILANO PUD BINDING MASTER PLAN (BMP) TO ALLOW FOR COMMERCIAL DEVELOPMENT**; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The court said that 86-130(r) did not prevent the city from converting the 10.42 acres from open space to commercial. The court made no ruling on the size, type, intensity or compatibility of the commercial use that is detailed in the applicant’s site plan. The site plan was not before the court, and it is the site plan that discloses the type and size and intensity of use of the commercial development. At the time of the court’s decision the applicant’s site plan had not even been finalized. The court made no ruling on whether this particular 70,000 square foot commercial center would be permitted under the LDR and could not have properly made such a ruling as that question was not before the court.

LDR 86-130(r) was intended to limit the size and intensity of any commercial development within a PUD. It was intended that any commercial development within a PUD would be small, consistent with the requirement that it primarily serve those within the PUD. It was intended that any commercial development would have a low intensity of use to allow it to be compatible with the surrounding residential homes.

This site plan is for a 70,000 square foot commercial center including a full-sized grocery store. It will have a high intensity of use. And it is intended to primarily serve people outside of the PUD. Planning and Zoning Director Roger Clark has testified that a commercial center of this size at this location would be in violation of the LDR. (Tab. 8) Mr. Clark is correct.

This council should deny the site plan application and approve the appeal on the grounds that the intensity of use of the proposed development is not compatible with the adjacent and nearby properties, that the development will have an adverse effect upon those properties, contrary to the standard stated in 86-23(m)(2) of the LDR, and that the site plan is in violation of LDR 86-130(r) as it is too large with too high of intensity and it is intended to primarily serve people outside of the Milano PUD. The city council in the alternative should continue the hearing until it is provided by the planning staff the information required by LDR 86(m)(2).

THE NEARBY NEIGHBORHOODS ARE DESERVING OF JUSTICE

The 10.42 acre parcel upon which the proposed commercial center is to be constructed has been the subject of a long, and what many in the surrounding neighborhoods believe to be a frustrating story; a story that began with the approval of the Milano PUD.

- In 2014 the developer approached the Venetian Golf and River Club, requesting their support for the planned Milano PUD. In June of that year the director of the VGRC Community Association wrote to the city council informing the council that the Association supported the planned residential development. The director stated that the planned community with only two homes per acre would be compatible with the nearby VGRC. The Association gave its support on the stated condition that there would not be any entrance to the PUD off Laurel Road unless the city required it. The developer agreed to that condition. That agreement has conveniently been forgotten. Now, not only will there be access to Milano off Laurel, that access will be directly across the street from the VGRC entrance. And it will not be an entrance to a community with two homes per acre; it will be an entrance to a 70,000 square foot commercial center.
- The Milano Binding Master Plan of 2017 indicated no commercial development within the PUD. The master plan turned out not to be binding. After nearly all the lots within the PUD had been sold the developer revealed its plans for a 70,000 square foot commercial center.
- It was represented in marketing material to potential home buyers within the Cielo Subdivision that this parcel was a “preserve.” A common definition of a “preserve” is “An area restricted for the protection and preservation of natural resources such as animals or plants.” (Merriam-Webster) The developer now, after all the homes within Cielo have been sold, says this parcel of land is a dying wetland with a drainage pond, not worthy of being preserved.
- The developer, while it still controlled the Cielo POA, removed the 10.42 acres of open space from the protection of the Cielo Covenants in October 2022. It was a transaction which the POA residents and its one POA board member learned about many months later. The document which purported to remove the parcel from the covenants, on its face states that the developer and the POA agree that the removal of what was 10.42 acres of open space was “in the best interests of the landowners” of Cielo. The Cielo residents had no say as to whether the transaction was in their best interest. Most would say it was not.
- The parcel was allowed to be converted from open space to commercial because the planning department did not at the time the Cielo final plat was approved require the developer to dedicate the open space shown on that plat in perpetuity as referenced in LDR 86-130(j). The planning department explained that it was only a final plat, not a final, final plat. The unauthorized practice of the city of not requiring the dedication of all open space shown on the final plat has now been rectified, but with no benefit to those within Cielo and the surrounding neighborhoods who lost 10.42 acres of undedicated open space.
- The parcel was allowed to be rezoned to commercial based in part upon the developer’s contention that the commercial center was intended to primarily serve the needs of those within the Milano PUD as required by LDR 86-130(r). We now learn from a statement of the developer’s traffic consultant submitted to the county in October 2022 that it was always

intended that the primary users of the commercial center would be the residents of the Venetian Golf and River Club, people living outside the Milano PUD.

- At the site plan hearing before the planning commission, the commission was to assure that the site plan provided for safe access to the development. The developer's traffic consultant had earlier submitted a statement to the county that without a traffic signal the primary users of the development would be denied safe access. The commission nevertheless approved the site plan, saying that blood would be on the hands of the county for not approving a traffic signal, ignoring its responsibility to help protect the residents of Venice.

The residents of the neighborhoods surrounding the proposed development deserve justice. The city council should not saddle these people with an unsafe intersection at the development's Laurel Road access. The council should do what it can do to assure these people that the drainage plans of the developer are adequate to handle future storms and that their properties will not be flooded. And the council should require the planning staff to provide it with the information necessary for it to make an informed decision concerning the compatibility of the 70,000 square foot commercial center. The proposed commercial development is too large and is primarily intended to serve those outside the Milano PUD in violation of 86-130(r). The proposed development as described in the site plan should not be permitted. The neighborhoods of northeast Venice are deserving of that.

Respectfully submitted, Gary Scott

(k) *Recommendation on proposed annexations.* Before taking any final affirmative action on any proposed annexation or enlargement of city boundaries, whether by petition of the owners of contiguous property or by an election called pursuant to law, or otherwise as provided by general law, if such proposed annexation proposal shall involve one or more acres of undeveloped, contiguous land outside the potential planning service area as identified in Figure LU-2 of the comprehensive plan, the city council shall first certify such proposal (including any proposed collateral agreement in that regard) to the planning commission. The commission shall consider the proposal in relation to its established comprehensive plan for city-wide development and control or by applying such other criteria as may have been established under its own rules and procedures and shall recertify the proposal to the city council with its recommendation for approval, rejection or modification in whole or in part. The city council may, by resolution, extend the time for such action by the planning commission when requested and if good cause therefor shall be made to appear.

(l) *Local planning agency designation.* Pursuant to and in accordance with F.S. § 163.3174, the planning commission is hereby designated and established as the local planning agency for the city.

* (m) *Duties in site and development plan approval.* The planning commission shall review and act upon site and development plan applications in accordance with the provisions contained in section 86-49. In reaching a decision as to whether or not the site and development plan as submitted should be approved or approved with changes, the planning commission shall follow the procedures set out herein and shall be guided in its decision and the exercise of its discretion to approve, approve with conditions, or to deny by the following standards:

(1) Sufficiency of statements on ownership and control of the development and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the city.

* (2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the planning commission the authority to reduce residential densities below that permitted by the schedule of district regulations set out in this code.

* (3) Ingress and egress to the development and proposed structures thereon, with particular reference to automotive and pedestrian safety, separation of automotive traffic and pedestrian and other traffic, traffic flow and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe or emergency.

(4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the proposed development, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

(5) Sufficiency of proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the proposed development.

* (6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall public drainage capacities.

(7) Adequacy of provision for sanitary sewers, with particular relationship to overall city sanitary sewer availability and capacities.

(8) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

NARRATIVE FOR LAUREL ROAD INVESTMENTS LLC.
REQUEST – LAUREL RD. AND VENETO BLVD. TRAFFIC SIGNAL

In accordance with Section 124-253 of the Sarasota County Unified Development Code (UDC), Laurel Road Investments LLC., ("Applicant") requests an administrative adjustment from the provisions of Section 124-253(d)(4)a.1., Access Standards Table. The Applicant seeks relief from the requirement to provide traffic signal spacing at no less than 1,320 feet on a Class 5 roadway with a posted speed of 45 mph or less. The Applicant requests to provide a traffic signal on Laurel Road at the intersection of Veneto Boulevard. This traffic signal will be located approximately 690 feet to the west of the future Laurel Road and Jacaranda Boulevard traffic signal. The request is to serve both the residents of the Venetian Golf and River Club on the north side of Laurel Road and the proposed commercial development on the south side of Laurel Road.

The Applicant is the contract purchaser of a portion of Parcel 0391041000, located at the southwest corner of the Laurel Road and Jacaranda Boulevard intersection within the City of Venice ("the Property"). As shown in Exhibit A, the Applicant proposes to develop a 47,000 SF grocery store, 18,000 SF of retail, and a 5,000 SF restaurant. Two full access points and two right-in/right-out access points are proposed for this project. One right-in/right-out access point and one full access point are proposed along Laurel Road; one right-in/right-out access point and one full access point are proposed along Jacaranda Boulevard. These proposed access points were previously approved by Sarasota County via Variance Nos. 21-167588 DV and 21-167593 DV.

The Applicant requests that the County grant relief from the provisions of Section 124-253(d)(4)a.1. of the UDC to allow for a traffic signal to serve this proposed development as well as the residents of the Venetian Golf and River Club spaced at less than the required 1,320 feet for a Class 5 roadway. The proposed traffic signal on Laurel Road at Veneto Boulevard located approximately 690 feet west of the future Laurel Road and Jacaranda Boulevard traffic signal is needed for safe and efficient access.

Applicable Code Provisions re: Traffic Signal Spacing

UDC Section 124-253(d)(4)a.1., Access Standards Table provides that an Access Classification of 5 roadway with travel speeds at 45 mph or less have traffic signals spaced at a minimum of 1,320 feet. Laurel Road is a two-lane undivided roadway, classified as a Minor Collector. The proposed development would provide a traffic signal approximately 690 feet west of the future traffic signal at the Laurel Road and Jacaranda Boulevard intersection. The latter traffic signal is to be constructed as part of the Laurel Road widening project currently being designed/permitted via an agreement between the City of Venice and the Laurel Road Community Development District.

Requested Relief

Determine Proposed Traffic Signal Spacing complies with the UDC. The Applicant submits that the proposed spacing for the traffic signal at Veneto Boulevard and Laurel Road represents safe and reliable access, and thus, may be administratively approved by the County Engineer. If the County is satisfied that safe and reliable access would be provided based upon the information contained in this Application, as well as the accompanying Traffic Analysis, we respectfully request such a determination to authorize and approve it. If relief from the traffic signal spacing standards are not granted, there will be a greater risk to pedestrians, bicyclists, and vehicles crossing Laurel Road between the complimentary residential and commercial land uses.

Alternatively, grant Variance from the UDC. The Applicant, alternatively, requests a variance be granted from Section 124-253(d)(4)a.1. of the UDC, based upon the following information:

- a. That special conditions and circumstances exist which are peculiar to the land, structures, or required improvements involved:

The Property is located at the southwest corner of the intersection of Laurel Road and Jacaranda Boulevard. This intersection is the northern end of Jacaranda Boulevard which terminates at Laurel Road. Approximately 5,800 feet to the east, Laurel Road terminates at the Venice Myakka River Park. Residential development exists to the north, west, and south of the subject property. A fire station exists to the east, across Jacaranda Boulevard.

The boundary conditions of the Property limit how far a traffic signal can be located from the Laurel Road and Jacaranda Boulevard intersection. Because of that, aligning it with Veneto Boulevard, makes the most sense operationally. Along Laurel Road, the site's frontage is approximately 930 feet from the Jacaranda Boulevard intersection. Meeting the 1,320 feet spacing requirement is not possible due to the site constraints. Constructing a traffic signal at the Veneto Boulevard intersection will provide the safest and most efficient location for bicyclists and pedestrians to interact between the residential and commercial land uses at both development's main access point. This will further encourage the concentration and organization of vehicular and non-vehicular traffic flow on the roadway network. It will provide the safest and most efficient location for bicyclists and pedestrians to interact between the residential and commercial land uses. Thus, this qualifies as a special condition or circumstance that inhibits compliance with the UDC requirement to provide traffic signal spacing at 1,320 feet.

- b. That a literal interpretation of the provisions of these regulations would deprive the applicant of reasonable use of this property:

Prohibiting the Property from being served by a traffic signal would limit and restrict the development on the Property and, in combination with the other site constraints and regulatory requirements, make the construction of the proposed commercial project significantly less financially feasible. According to the Traffic Analysis, a majority of the project traffic (60%) accesses the site to/from the south while 35% accesses it from the west/north (Venetian Golf and River Club).

Although the subject property is located within the City of Venice, Jacaranda Boulevard and Laurel Road are Sarasota County roads; thus, a variance is needed. The variance being requested is necessary to provide the proposed intensities for commercial and retail uses for which the property is planned.

Additionally, Sarasota County has granted similar relief from this UDC requirement for a number of projects. Interpreting the UDC requirement to prohibit the proposed traffic signal would serve to deprive the neighboring residents in Venetian Golf and River Club safe access to the proposed development and also not allow it to be developed in a manner consistent with the City of Venice's plans. Providing uses that meet the daily or weekly needs in proximity to residential uses, and to limit traffic, as well as to provide safe travel, are goals of both Sarasota County and the City of Venice.

- c. That the special conditions and circumstances do not result from the actions of the applicant:

While the four-lane widening of Laurel Road includes a 30-ft wide refuge area, the property is located within the City of Venice. According to the US Census Bureau, the median age is 68.7 years with 70% of the population over the age of 65 years (reference: Table S0101, 2020 ACS 5-Year Estimate.) Moreover, our public outreach with the communities to the north identified the southbound left and southbound through movements as of great concern, i.e., there is high discomfort for making these maneuvers without a traffic signal and protected phases. The residents of Venetian Golf and River Club, the community to the north of the proposed development, will be the primary users of the development. In addition to using their vehicles, residents of Venetian Golf and River Club will have the option to walk, bike, and travel in golf carts to interact with the project site. Further, the planned Multi-Use Recreational Trail (MURT) system in this area will be enhanced with the MURT included in the Laurel Road Widening Project. This effectively connects to the existing system on Jacaranda Boulevard and Border Road. The existing facilities are already used,

and usage is expected to increase over time along with active transportation crossings of Laurel Road. A traffic signal provides safer access to the project site. Otherwise, in order for pedestrians and bicyclists to cross Laurel Road at a traffic signal, residents from Venetian Golf and River Club will need to travel east to the future traffic light at Laurel Road and Jacaranda Boulevard. The most efficient and safe location to access the project site is via a traffic signal directly at the entrance to the Venetian Golf and River Club development, providing direct access to the proposed project.

The project site lacks the necessary frontage to provide the spacing requirements for a traffic signal required by the UDC. None of these result from actions of the Applicant. The site location and conditions, as well as the aging population of the immediate users, limit access opportunities for the development.

- d. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, structures, or required improvements under similar conditions. No pre-existing conditions on neighboring lands, which are contrary to these regulations, shall be considered grounds for the issuance of a variance;

Similar traffic signal spacing has been permitted within the County. Specifically, the Cattlemen Road and Packinghouse Road signalized intersections on Palmer Boulevard are spaced at +/-475 feet and the Cattleridge Boulevard and Bee Ridge Road signalized intersections on Cattlemen Road are spaced at ±745 feet.

Most significantly, the Applicant contends that the proposed traffic signal provides for safe and reliable travel for neighboring residents, thus meeting the standard that is applied by the County to every other development. As a result, the Applicant would be conferred no special privilege that is denied to other lands.

- e. That, with respect to a right-of-way or improvement requirement, such requirement does not bear a reasonable relationship or rational nexus between the need for additional capital facilities and the demands generated by the development along with other development within the area.

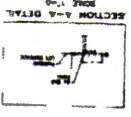
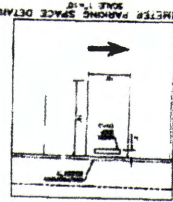
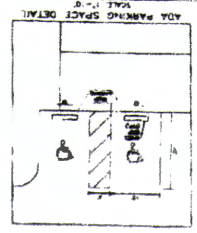
There are no additional capital facilities or demands created by the granting of this variance.

Conclusion

The Applicant requests that the County determine the traffic signal at Laurel Road and Veneto Boulevard satisfies the terms of Section 124-253 and, therefore, represents safe and reliable travel for neighboring residents which shall be administratively approved by the County Engineer. Alternatively, if the request is denied, the Applicant requests a variance be granted from Section 124-253(d)(4)a.1. of the Unified Development Code.

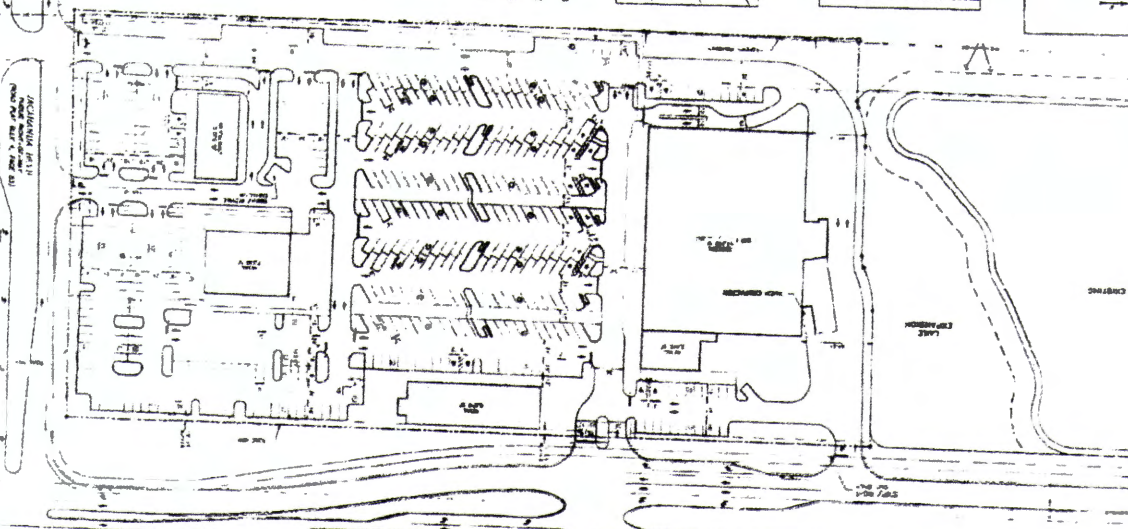
EXHIBIT A

ADA PARKING
STANDARD
9245.94-03



SECTION A-A DETAIL
SCALE 1/4" = 1'-0"

1. THE PARKING SPACE SHALL BE A MINIMUM OF 10' WIDE.
2. THE PARKING SPACE SHALL BE A MINIMUM OF 10' LONG.
3. THE PARKING SPACE SHALL BE A MINIMUM OF 10' HIGH.
4. THE PARKING SPACE SHALL BE A MINIMUM OF 10' DEEP.
5. THE PARKING SPACE SHALL BE A MINIMUM OF 10' WIDE.
6. THE PARKING SPACE SHALL BE A MINIMUM OF 10' LONG.
7. THE PARKING SPACE SHALL BE A MINIMUM OF 10' HIGH.
8. THE PARKING SPACE SHALL BE A MINIMUM OF 10' DEEP.



NEAL COMMUNITIES
312 WILSON
AT LANSING AND JOHNSON
MASTER SITE PLAN
SCALE 1/4" = 1'-0"

PERMITTING
09/07/2022
JOHNSON PARKING CENTER
SCALE 1/4" = 1'-0"

PERMITTING
09/07/2022
JOHNSON PARKING CENTER
SCALE 1/4" = 1'-0"

PERMITTING
09/07/2022
JOHNSON PARKING CENTER
SCALE 1/4" = 1'-0"

PERMITTING
09/07/2022
JOHNSON PARKING CENTER
SCALE 1/4" = 1'-0"



January 10, 2023

Matthew Crim, P.E.
Stantec Consulting Services Inc.
6920 Professional Parkway East
Sarasota, FL 34240

SUBJECT: Administrative Variance No. 22-159875 DV Laurel Road & Veneto Boulevard
Traffic Signal Spacing
Request: Variance to Unified Development Code (UDC), Article 13, Section 124-253, d.4.a.1., Access Standards Table
Applicant: Stantec Consulting Services, Inc.; Matthew Crim, P.E.

Mr. Crim,

Sarasota County's Unified Development Code (UDC), Article 13, Section 124-253, d.4.a.1. describes criteria applicable to all access facilities, including the allowable number of access facilities and their permissible location with respect to adjacent access facilities and intersecting streets.

Application for the subject variance is requesting a reduced separation distance between traffic signals along Laurel Road for a proposed development that will consist of a 47,000-square-foot grocery store, 18,000 square feet of retail, and a 5,000-square-foot restaurant. Laurel Road is designated as a four (4) lane major arterial roadway in the county's Future Thoroughfare Plan. The design for the roadway widening improvement is funded in the Sarasota County Five-Year Capital Improvement Program (CIP) Project #95862. The segment of Laurel Road from Knights Trail Road to Jacaranda Boulevard is identified as an Access Class 5 roadway. The segment has a posted speed limit of 45 miles per hour (mph) and an Annual Average Daily Traffic volume of 5,551 vehicles.

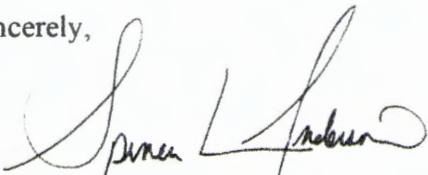
Sarasota County's access spacing standards require that all Access Class 5 roadways having a posted speed limit of less than or equal to 45 mph have a minimum spacing separation distance of 1,320 feet between signalized intersections. The development is proposing to provide a traffic signal at the Laurel Road and Veneto Boulevard intersection. The Laurel Road at Veneto Boulevard intersection is approximately 690 feet west of the Laurel Road at Jacaranda Boulevard intersection which will be constructed with a traffic signal during the Laurel Road Improvement project. The current spacing and Laurel Road Improvement project design plans allow for a directional median opening at the Laurel Road and Veneto Boulevard intersection. The application includes a transportation analysis of the intersection for the build-out year 2025 with stop-controlled conditions (no traffic signal). The analysis indicates that a full median intersection will operate at Level of Service (LOS) B with the current two (2) lane configuration.

Administrative Variance No. 22-159875 DV, as submitted, is denied for the following reasons:

1. The subject parcel does not have sufficient frontage along Laurel Road to meet the required traffic signal standard spacing requirements between Jacaranda Boulevard and Veneto Boulevard.
2. The application does not include an Intersection Control Evaluation to appropriately evaluate the proper intersection control solution.
3. The application does not evaluate the proposed impacts of the intersection with a traffic signal nor does it evaluate the existing/allowable geometry of the intersection (directional median openings).
4. The application does not provide any valid justification that a traffic signal is an appropriate solution.
5. The development proposes one additional access to Laurel Road and two additional access points to Jacaranda Boulevard. The northern adjacent development (Venetian Golf & River Club) has a second access to Laurel Road at Ciltadella Drive (approximately 1 mile east of the intersection of Laurel Road and Jacaranda Boulevard). Denial of the proposed signalized intersection would not deprive either property of reasonable access.
6. Laurel Road will be improved to a four-lane roadway in the near future. The proposed analysis does not evaluate the four-lane configuration.

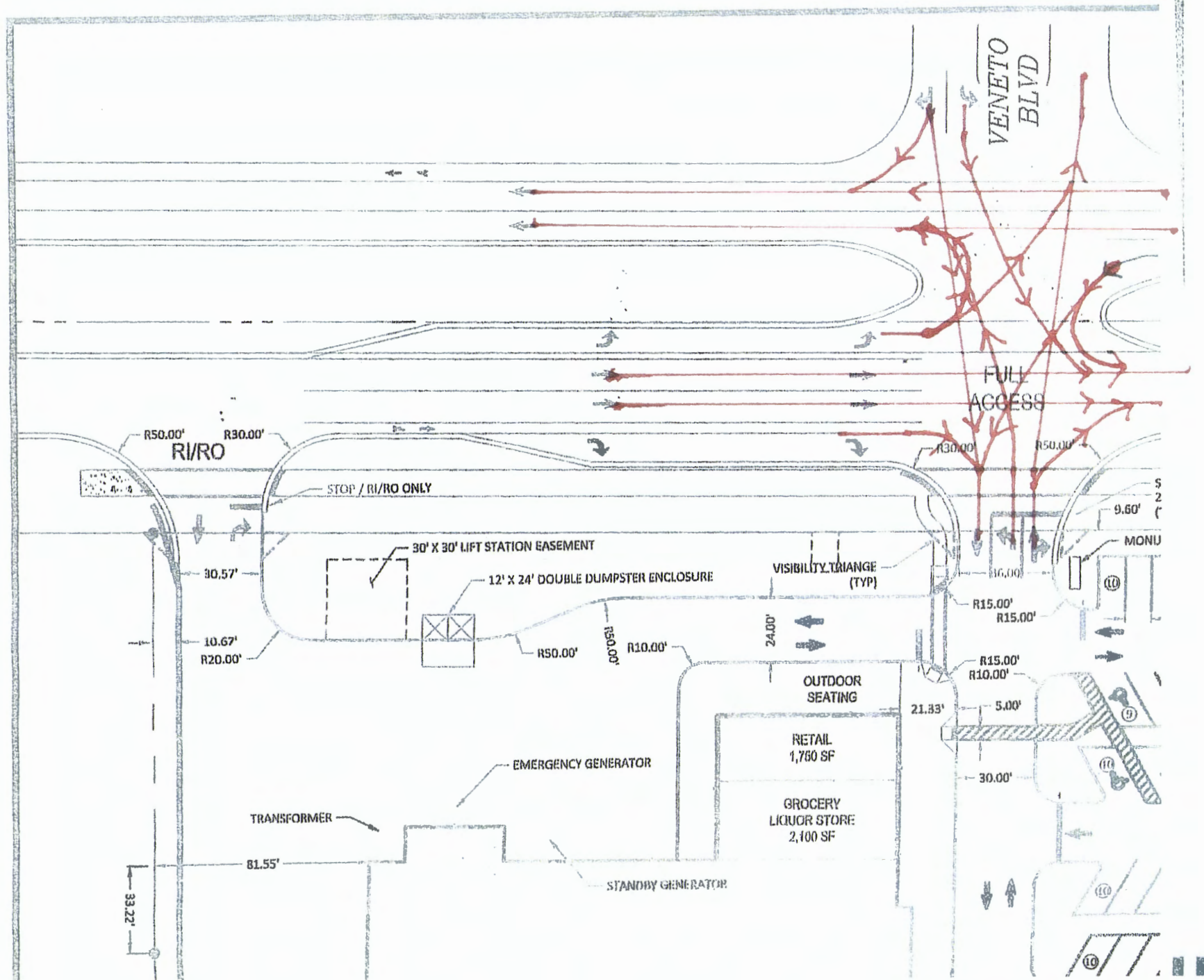
If you have any questions or require further information, please contact Mark Loveridge, Land Development Manager, at 941-861-0826.

Sincerely,

A handwritten signature in black ink, appearing to read "Spencer L. Anderson", with a stylized flourish at the end.

Spencer L. Anderson, P.E.
Public Works Director/County Engineer

Cc: Mark Loveridge, Land Development Manager



Traffic Impact Study and Intersection Control Evaluation (ICE) analysis

Laurel Road and Veneto Boulevard

Venice, FL | August 2023

PREPARED BY:



PATEL, GREENE AND ASSOCIATES
12570 Telecom Drive
Temple Terrace, FL 33637

Michael J. Fury, P.E. NO. 86909

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY:

Michael J Fury
2023.09.15
08:01:49-04'00'

ON THE DATE ADJACENT TO THE SEAL.
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED
SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED
ON ANY ELECTRONIC COPIES.

THE ABOVE NAMED PROFESSIONAL ENGINEER SHALL BE
RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE
WITH THE RULE 61G15-23.004, F.A.C.

Appendix 1: Traffic Volume Worksheets

Appendix 2: Intersection Analysis Files

Appendix 3: Intersection Control Evaluation

Appendix 4: County Correspondence

Appendix 5: Stantec Reports and Correspondence

Appendix 6: Traffic Review Memorandum

ABBREVIATIONS

Abbreviation	Definition
AADT	Average Annual Daily Traffic
CAP-X	Capacity Analysis for Planning of Junctions
FDOT	Florida Department of Transportation
FHWA	Federal Highway Administration
HCM	Highway Capacity Manual
ICE	Intersection Control Evaluation
LOS	Level of Service
MUT	Median U-Turn
MUTCD	Manual on Uniform Traffic Control Devices
PUD	Planned Unit Development
RCUT	Restricted Crossing U-Turn
SPICE	Safety Performance for Intersection Control Evaluation
SSI	Safe System for Intersection
TWSC	Two-Way Stop Control

INTRODUCTION AND SUMMARY

Venetian Golf and River Club Homeowners Association retained the services of Patel, Greene & Associates, LLC to conduct an independent review of a traffic analysis and traffic signal variance request for the Milano PUD Amendment completed by Stantec Consulting Services Inc. The original scope was to review the Stantec report dated October 2021, however, an updated report was completed by Stantec in February 2023. The memorandum documenting the findings from the February 2023 report review was produced under separate cover. Both Stantec reports and traffic review memorandum can be found in Appendix 5 and 6 respectively. This report provides substantive background information for the improvement of the intersection of Laurel Road and Veneto Boulevard to offset the associated impacts to the community which will be created by the Stantec development.

As stated in the PUD amendment, the developer will still be required to produce a detailed Traffic Impact Analysis which examines the overall impacts to the roadway network and intersections in detail. The details from this report are in no way intended to override or relieve the developer from the need to analyze the impacts to the intersection of Laurel Road and Veneto Boulevard.

As part of this study, 24-hour traffic counts were conducted in February 2023 to compare the anticipated AADT with the actual roadway volumes to ensure that the projections of the volumes match the experienced growth rate in this area. These counts are available in the Appendix 2 for review.

BACKGROUND INFORMATION

The original Milano PUD was initially approved for 1,350 dwelling units (1,055 single-family detached and 295 single-family attached) over +/- 504 acres. The anticipated number of trips based on this projected land use is as follows:

ITE Land Use Code	Land Use	Number of Units	ADT	PM Peak Hour Trip Ends Total / Enter / Exit (%) / (%) / (%)
210	Single-family Detached	1,055	8,817	910 / 573 / 337 (100%) / (63%) / (37%)
215	Single-family Attached	295	2,197	173 / 102 / 71 (100%) / (59%) / (41%)
Development Total:			11,014	1,083 / 675 / 408

Table 1 Original Trip Allocations

The PUD amendment has requested that the following uses be allowed on the southwest corner (~10 acres) of the intersection of Laurel Road and Jacaranda Boulevard which would result in the following new external trips along the network:

ITE Land Use Code	Land Use	KSF	ADT	PM Peak Hour Trip Ends Total / Enter / Exit (%) / (%) / (%)
822	Strip Retail Plaza	18.0	989	74 / 36 / 38 (100%) / (49%) / (51%)
850	Supermarket	47.24	4,479	263 / 129 / 134 (100%) / (49%) / (51%)
934	Fast-Food Restaurant with Drive Thru	5.0	2,337	76 / 43 / 33 (100%) / (57%) / (43%)
Proposed Trip Addition:			7,805	704 / 355 / 349
Pass-by Capture (25%) + Internal Capture (16%):			3,200	291 / 147 / 144
New daily trips			4,605	413 / 208 / 205

Table 2 Proposed Land Use Changes and Associated Trips

Intersection Control Evaluation Analysis | Laurel Road at Veneto Boulevard | Venetian Golf and River Club

The development has already platted 1,021 dwelling units (769 single-family detached and 252 single-family attached). Based on information provided in the updated report the proposed new land uses would be in lieu of the remainder of the 329 dwelling units (286 single-family detached and 43 single-family attached). This would reduce the number of vested trips from the original Milano PUD by the amount shown in Table 3.

ITE Land Use Code	Land Use	Number of Units	ADT	PM Peak Hour Trip Ends Total / Enter / Exit (%) / (%) / (%)
210	Single-family Detached	286	2,653	267 / 168 / 99 (100%) / (63%) / (37%)
215	Single-family Attached	43	277	22 / 13 / 9 (100%) / (59%) / (41%)
Proposed Trip Removal:			2,930	289 / 181 / 108

Table 3 Proposed reduction in original trips

Assuming that the internal capture and pass-by capture rates specified in the PUD Amendment are correct, the net anticipated change in trips are shown in Table 4 below.

Description	ADT	PM Peak Hour Trip Ends Total / Enter / Exit (%) / (%) / (%)
Proposed Trip Addition:	+ 7,805	704 / 355 / 349
Pass-by Capture (25%) + Internal Capture (16%)	- 3,200	291 / 147 / 144
New daily trips	= 4,605	413 / 208 / 205
Previous Trip Allocation	- 2,930	289 / 181 / 108
Increase in trips	= 1,675	124 / 27 / 97

Table 4 Net change in trip allocations

Given the anticipated driveway configuration shown in the concept plans and the trip distributions shown in the FDOT District 1 Regional Planning Model it can be asserted that approximately 40 percent of the proposed trips will utilize the northern site driveway and median opening currently serving the Venetian Golf and River Club. This was the basis for the intersection analysis.

FEEDBACK FROM SARASOTA COUNTY REGARDING STANTEC SIGNAL VARIANCE REQUEST

Sarasota County provided a response letter, dated Jan 10, 2023, to the Stantec variance request for a traffic signal. The items cited for denial are outlined below:

1. The subject parcel does not have sufficient frontage along Laurel Road to meet the required traffic signal standard spacing requirements between Jacaranda Boulevard and Veneto Boulevard.
2. The application does not include an Intersection Control Evaluation to appropriately evaluate the proper intersection control solution.
3. The application does not evaluate the proposed impacts of the intersection with a traffic signal nor does it evaluate the existing/allowable geometry of the intersection (directional median openings).
4. The application does not provide any valid justification that a traffic signal is an appropriate solution.
5. The development proposes one additional access to Laurel Road and two additional access points to Jacaranda Boulevard. The northern adjacent development (Venetian Golf & River Club) has a second access to Laurel Road at Ciltadella Drive (approximately 1 mile east of the intersection of Laurel Road and Jacaranda Boulevard). Denial of the proposed signalized intersection would not deprive either property of reasonable access.

6. Laurel Road will be improved to a four-lane roadway in the near future. The proposed analysis does not evaluate the four-lane configuration.

The full letter from Sarasota County can be found in Appendix 4.

INTERSECTION ANALYSIS

Utilizing the 24-hour traffic counts collected as part of this study and the proposed trip generation and distributions provided by the Stantec report, a traffic signal warrant analysis and ICE analysis were completed.

Based on the existing roadway volumes from the collected counts, traffic signal warrants #1 and 2 are met utilizing the existing roadway geometry (2 or more lanes / 1 lane). When the additional volumes from the PUD were added and the addition of the Laurel Road widening were taken into account (2 or more lanes / 2 or more lanes), warrants #1, 2, and 3 are projected to meet the associated criteria.

Once the traffic signal warrant criterion was shown to be met, an Intersection Control Evaluation, Stage 1, was completed looking at a Two-Way Stop Control, Traffic Signal, and 2x1 Roundabout (E-W) as possible alternatives. This ICE analysis shows that the 2x1 Roundabout has the best volume to capacity and pedestrian / bicycle accommodations; the traffic signal comes in a close second and both are better than the TWSC. However, it is not recommended to move forward with a roundabout design in this location due to the required footprint.

Finally, a SYNCHRO analysis of the intersection was completed examining the TWSC and traffic signal level of service and delay using the Highway Capacity Manual 6th Edition. Based on this analysis, the TWSC shows a side street level of service which fails in the northbound direction. The traffic signal analysis shows an acceptable level of service for all directions using a fully permissive signal operation plan.

For clarity, the intersection analyses were broken into four different scenarios:

- Scenario 1 – No PUD Amendment and TWSC
- Scenario 2 – PUD Amendment approved and TWSC
- Scenario 3 – No PUD Amendment and traffic signal control
- Scenario 4 – PUD Amendment approved and traffic signal control

For each scenario, anticipated volumes and level of service for current year (2023), opening year (2028), and design year (2043). Since the widening of Laurel Rd is already under design it will be assumed as completed for each of the scenarios.

SCENARIO 1 – NO PUD AMENDMENT (STOP CONTROL)

OPERATIONAL ANALYSIS

Approach	Current Year		Opening Year		Design Year	
	Volumes	LOS	Volume	LOS	Volume	LOS
EB LT	124	A	132	A	135	A
EB Thru	265	A	285	A	345	A
EB RT	0	N/A	0	N/A	0	N/A
NB LT	0	N/A	0	N/A	0	N/A
NB Thru	0	N/A	0	N/A	0	N/A
NB RT	0	N/A	0	N/A	0	N/A
WB LT	0	N/A	0	N/A	0	N/A
WB Thru	187	A	201	A	244	A
WB RT	92	A	98	A	100	A
SB LT	38	C	40	C	41	C
SB Thru	0	N/A	0	N/A	0	N/A
SB RT	92	A	96	A	98	B

Table 5: Laurel Rd at Veneto Blvd PM Peak Hour (Scenario 1)

SCENARIO 2 – PUD AMENDMENT (STOP CONTROL)

OPERATIONAL ANALYSIS

Approach	Current Year		Opening Year		Design Year	
	Volumes	LOS	Volume	LOS	Volume	LOS
EB LT	124	A	132	A	143	A
EB Thru	265	A	302	A	328	A
EB RT	0	N/A	89	A	97	A
NB LT	0	N/A	88	F	96	F
NB Thru	0	N/A	35	F	38	F
NB RT	0	N/A	17	A	18	A
WB LT	0	N/A	37	A	40	A
WB Thru	187	A	227	A	247	A
WB RT	92	A	52	A	57	A
SB LT	38	C	33	D	36	E
SB Thru	0	N/A	16	D	17	E
SB RT	92	A	81	A	88	A

Table 6: Laurel Rd at Veneto Blvd PM Peak Hour (Scenario 2)

SCENARIO 3 – NO PUD AMENDMENT (SIGNAL CONTROL)

OPERATIONAL ANALYSIS

Approach	Current Year		Opening Year		Design Year	
	Volumes	LOS	Volume	LOS	Volume	LOS
EB LT	124	B	132	B	135	B
EB Thru	265	B	285	B	345	B
EB RT	0	N/A	0	N/A	0	N/A
NB LT	0	N/A	0	N/A	0	N/A
NB Thru	0	N/A	0	N/A	0	N/A
NB RT	0	N/A	0	N/A	0	N/A
WB LT	0	N/A	0	N/A	0	N/A
WB Thru	187	B	201	B	244	B
WB RT	92	B	98	B	100	B
SB LT	38	A	40	A	41	A
SB Thru	0	N/A	0	N/A	0	N/A
SB RT	92	A	96	A	98	A

Table 7: Laurel Rd at Veneto Blvd PM Peak Hour (Scenario 3)

SCENARIO 4 – PUD AMENDMENT (SIGNAL CONTROL)

OPERATIONAL ANALYSIS

Approach	Current Year		Opening Year		Design Year	
	Volumes	LOS	Volume	LOS	Volume	LOS
EB LT	124	B	132	B	143	B
EB Thru	265	B	302	B	328	B
EB RT	0	N/A	89	B	97	B
NB LT	0	N/A	88	D	96	E
NB Thru	0	N/A	35	A	38	A
NB RT	0	N/A	17	A	18	A
WB LT	0	N/A	37	B	40	B
WB Thru	187	B	227	B	247	B
WB RT	92	B	52	B	57	B
SB LT	38	A	33	B	36	B
SB Thru	0	N/A	16	A	17	A
SB RT	92	A	81	A	88	A

Table 8: Laurel Rd at Veneto Blvd PM Peak Hour (Scenario 4)

SAFETY COMPARISON

As part of this study a preliminary ICE was conducted, this included CAP-X and SPICE analyses per the FDOT requirements. Based on the results of the CAP-X and SPICE, found in Appendix 3, the traffic signal has a better SSI score than the TWSC.

SCENARIO COMPARISON

Scenario	Description	Approach	Current Year	Opening Year	Design Year
1	No PUD TWSC	EB	A	A	A
		NB	N/A	N/A	N/A
		WB	A	A	A
		SB	C	C	C
2	PUD TWSC	EB	A	A	A
		NB	N/A	F	F
		WB	A	A	A
		SB	C	D	E
3	No PUD Signal	EB	B	B	B
		NB	N/A	N/A	N/A
		WB	B	B	B
		SB	A	A	A
4	PUD Signal	EB	B	B	B
		NB	N/A	D	E
		WB	B	B	B
		SB	A	B	B

Table 9 Laurel Rd at Veneto Blvd Scenario comparison

RECOMMENDATIONS/CONCLUSIONS

Patel, Greene and Associates, LLC was retained by the Venetian Golf and River Club Homeowners Association to review and analyze the impacts associated with the Milano PUD as it relates to the intersection of Laurel Road and Veneto Boulevard. This report has reviewed and analyzed the available information as well as gathered count data to verify existing conditions in this area. Based on the analysis performed, it is recommended to allow for the inclusion of a traffic signal at the PUD entrance which coincides with Veneto Blvd. While it is understood that a traffic signal may be warranted in this location, the Venetian Golf and River Club is unable to provide the required funding (~\$900,000). With this in mind, the community is open to finding alternative means to getting a traffic signal installed.

PROPOSED RESPONSE TO SARASOTA COUNTY COMMENTS:

1. The frontage along Laurel Road for the proposed PUD amendment does not have enough space for an independent traffic signal. This should not preclude the use of a connected traffic signal at the entrance to Venetian Golf and River Club, this type of connection can be seen in many alternative intersection types such as RCUT and MUT intersections.
2. A stage 1 ICE was completed with this report and a traffic signal is a feasible option given the available right of way.
3. This report has reviewed the operational improvements for the intersection and found that the traffic signal provides better LOS than the proposed TWSC.
4. This report has outlined why a traffic signal would be appropriate for this intersection to control traffic flow and enhance safety for the residents of the Venetian Golf and River Club.
5. Reconstruction of Laurel Road and the proposed PUD amendment have increased the conflicting traffic for the residents of the Venetian Golf and River Club. The use of Citadella Drive as an alternative route is not reasonable as it is a gated exit-only access which is required for emergency service access.
6. This report analyzed the laurel road 4 lane widening in the analysis.

Milano PUD Commercial

Traffic Impact Analysis



Prepared for:
Laurel Road Investments, LLC
5800 Lakewood Ranch Blvd
Sarasota, FL 34240

Prepared by:
Stantec Consulting Services Inc.
6920 Professional Parkway East
Sarasota, Florida 34240

November 2023

Professional Engineer's Certification

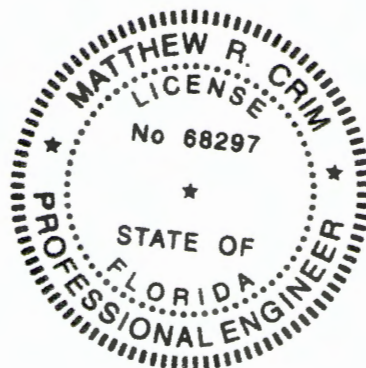
I hereby certify that I am a Licensed Professional Engineer in the State of Florida practicing with Stantec Consulting Services Inc. and that I have supervised the preparation of and approve the evaluations, findings, opinions, conclusions, and technical advice hereby reported for:

PROJECT: Milano PUD Commercial
Traffic Impact Analysis
215811383

LOCATION: Southwest corner of the Laurel Road & Jacaranda Boulevard intersection,
Venice, Florida

This document titled Milano PUD Commercial Traffic Impact Analysis was prepared by Stantec Consulting Services Inc. for the account of Laurel Road Investments, LLC. The material in it reflects Stantec's best judgment in light of the information available to it at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions made based on it, are the responsibilities of such third parties. Stantec Consulting Services Inc. accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

Prepared by:



Digitally signed
by Matthew
Crim
Date:
2023.11.10
14:28:56 -05'00'

NOV 2023



a level-of-service D or better, grade separation is required, which does not appear to be cost feasible. Please note that the Lorraine Road extension from Clark Road to Knights Trail Road is anticipated to be complete in 2028. This project will help to alleviate the traffic demand at the Knights Trail Road & Laurel Road intersection by allowing a second means of access for traffic on the Knights Trail Road corridor.

At the Veneto Boulevard & Laurel Road intersection, the northbound left turn movement is operating at level-of-service F and the southbound left turn movement is operating at level-of-service E; however, the v/c ratios are both less than 1.0. Given the close proximity of the Veneto Boulevard intersection to the future signal at the Jacaranda Boulevard intersection, Sarasota County has denied a variance application to install a traffic signal at this location. While a traffic signal would improve the delay from the minor street left turn movements, delays resulting in level-of-service E or F at unsignalized minor street approaches are not unexpected during peak periods. At the Jacaranda Boulevard & I-75 SB Ramps, the southbound left turn movement is operating at level-of-service E; however, the v/c ratio is less than 1.0. Adding a second southbound left turn lane is not feasible because it would require the reconstruction of the I-75 overpass to allow a second lane to fit under the bridge. No intersection improvements are required in conjunction with this project.

Table 11: 2028 Total Traffic Intersection Conditions

Intersection	Type	Overall Intersection LOS		Delay (sec/veh)	Max v/c Ratio	Approach LOS			
		Standard	Total			EB	WB	NB	SB
Knights Trail Rd & Laurel Rd	Signalized	D	D	47.8	0.95	D	E	E	D
Project RI/RO & Laurel Rd	TWSC	D	n/a	13.1 ¹	0.01	— ²	— ²	B	
Veneto Blvd & Laurel Rd	TWSC	D	n/a	62.9 ¹	0.72	A ³	B ³	F	D
Jacaranda Blvd & Laurel Rd	Signalized	D	A	8.0	0.80	A	A	B	
Jacaranda Blvd & Project RI/RO	TWSC	D	n/a	17.7 ¹	0.21	C		— ²	— ²
Jacaranda Blvd & Project Full Access	TWSC	D	n/a	25.2 ¹	0.39	D		B ³	— ²
Jacaranda Blvd & Border Rd	Signalized	D	D	39.0	0.94	D	D	C	D
Jacaranda Blvd & I-75 NB Ramps	Signalized	D	B	16.8	0.84		C	B	B
Jacaranda Blvd & I-75 SB Ramps	Signalized	D	C	32.7	0.92	D		C	C

1. Delay shown for the worst approach.

2. No left-turn movement for approach.

3. Left-turn movement level-of-service.

Residents call for pause on development after significant flooding in Sarasota County

by: [Allyson Henning](#)

Posted: Aug 27, 2024 / 07:42 PM EDT

Updated: Aug 28, 2024 / 06:58 AM EDT

SHARE



SARASOTA COUNTY (WFLA) – Residents from across Sarasota County showed up at the south county commission chambers Tuesday morning for a chance to speak face to face with their elected officials during the first public meeting since Hurricane Debby devastated neighborhoods with floodwaters.

Vicki Nighswander presented county officials with a [petition](#) during her public comments.

NHC Director Dr. Michael Brennan joins Tracking the Tropics >

The [petition](#), signed by more than 1,200 people, requested the county conduct a third-party hydrology study, pause land-use changes relating to development in vulnerable areas, and conduct a waste water spillage analysis report and [prevention plan](#).

"I am going to request like some of the other folks did, to please consider a pause until you have the solutions, and you can prove to a wider area, not just a community, that we will all be safe," Inganamort said, referring to residents in the hard-hit Laurel Meadows neighborhood. "It is just heartbreaking their lifelong belongings thrown out to the road as they were trash. It was a really bad situation that we feel those in charge should have prevented, so we hope can do that next time."

During an unrelated rezoning petition later in the meeting, commissioners expressed concerns surrounding the existing standards in place relating to stormwater.

"I have a lot of heartburn here, to be perfectly honest, when I am out in my community seeing the images, seeing the devastation," Commissioner Joe Neunder said. "I am just having heartburn with our stormwater and the data I am receiving, I am having some heartburn that we are at 92 standards. [In] 1992 I was in high school. I think we need to have a larger conversation, a broader conversation. Water is incredibly destructive, and we are all Sarasota County residents. We are all neighbors. We are all family. I feel like I need more information. This is something that, as far as I am concerned, I really need to dive into in greater detail."

Commissioner Ron Cutsinger pointed out Sarasota County has some of the strongest standards in the state when it comes to storm water but acknowledged it may be time to make some revisions.

"That is one of our agenda items for the year is to look at storm water, and certainly we are going to look at all of the issues associated with it," Cutsinger said. "We are going to take a lot of time and be very deliberate. We are going to get a third-party involved, and we are going to make sure we do everything we can as a county to see what happened and then look at solutions. See what we can do reasonably, and part of the solution may be to revise those standards higher based on more current data. I think that is a good thing, and I think that is the right thing."

Residents said they will continue pushing for answers and accountability.

"If they still want people to move to Sarasota, we need to address these points," said Nighswander. "I am not going to drop it, and neither are these other people, and it is going to snowball into probably suits along the way."

Recommendations from hydrologist Stephen Suau in the wake of Tropical Storm Debby

November 19, 2024

At the 10/24/24 SCAN meeting, professional engineer and hydrologist Stephen Suau presented his independent study and preliminary findings following Tropical Storm Debby. He has now prepared and submitted constructive recommendations to the Sarasota County Stormwater Department which is provided below.

If any of these recommendations ring true to you or your community, SCAN encourages to let your County Commissioners know that the County should consider if not embrace them at a minimum to protect existing and future residents from flood damage and improve stormwater service to its customers.



Teresa Mast	Mark Smith	Tom Knight	Joe Neunder	Ron Cutsinger
District 1	District 2	District 3	District 4	District 5

- For rezoning proposals that do not include a binding site plan, it should be stipulated that the development will be clustered so that no encroachment into the 100-year would occur or be allowed. However, the applicant may elect to demonstrate that adequate onsite floodplain mitigation measures would be provided using the applicable flood model to offset any potential increases in flood elevation for the 100-year design storm as part of the rezoning process.
- For rezoning proposals that include a binding site plan, a binding floodplain encroachment map shall be included with the application clearly identifying the proposed development footprint overlaid with the limits of the County established and adopted floodplain. The percentage of the horizontal extent of each 100-year floodplain category (AE, AH, etc.) which would remain and be lost based on the proposed development footprint should be determined and displayed on the map. If greater than 5%, the applicant shall demonstrate using the applicable flood model that such encroachment will not result in an increase in offsite flood elevation for the 100-year design storm.

*** 9. Update Design Storm Criteria**

While the Southwest Florida Management District (SWFWMD) and other municipalities in the region utilize 8 inches of rainfall corresponding to the 25-year, 24-hour design storm for regulatory purposes, SEU utilizes 10 inches of rainfall corresponding to the 100-year, 24-hour design storm. However, all federal, state and local municipalities typically require that the finished floor of habitable structures be set at or above the 100-year flood level (aka base flood elevation). Regardless, the current regulatory design storm criteria utilized by SEU and established by the SWFWMD is based upon the evaluation of rainfall data and records prior to 1996. As such, the current design criteria do not consider the last 29 years of rainfall data. Several authoritative rainfall analyses have been conducted since 1996 including by the University of Central Florida's Stormwater Management Academy in 2011, the National Oceanic and Atmospheric Administration (NOAA) in 2013, and the United States Geological Survey (USGS) and South Florida Water Management District (SFWMD) in 2022.

It is recommended that SEU engage with the SWFWMD, United States Geological Survey, and any other appropriate authoritative and academic agencies to update the design rainfall volumes for planning and regulatory purposes.

10. Engagement of Stormwater Environmental Utility Advisory Committee

The Stormwater Environmental Utility Advisory Committee (SEUAC) consists of 10 Sarasota County residents appointed by the Board of County Commissioners. Pursuant to Sarasota County Resolution No. 2022-205, SEUAC "shall act solely in an advisory capacity, without compensation, reporting directly to the Board" with the purpose "to support and advise the SEU in the development of the stormwater related goals and objectives, and serves a



July 13, 2024

North Venice Neighborhood Alliance, Inc.
Mr. Ken Baron
PO Box 104
Laurel, FL 34272

Re: The Village at Laurel and Jacaranda
Southwest Florida Water Management District Application 41590-014

Dear Mr. Baron:

Catalyst Engineering has completed the review of The Village at Laurel and Jacaranda to evaluate the drainage design of the new commercial development and confirm that the impacts this development will have downstream have been accurately represented in the permitted documents.

Available Data:

This report has been prepared based on review of the following:

- Cielo Drainage Calculations, August 28, 2018; Permit 41590-006
- Cielo – Lake LL-7 Short Form Modification documentation; Permit 41590-009.
- Laurel Road Drainage Calculations, December 28, 2022; ERP Permit Application 862122
- The Village at Laurel and Jacaranda Permitted Plans, signed and sealed 3/11/24; 41590-014
- The Village at Laurel and Jacaranda Original Calculations Dated: September 6, 2023; 41590-014
- 3/8/24 Responses to Request for Additional Information & Comments 10-19-23
- Notice of Agency Action – Approval ERP Individual Construction Major Modification for The Village at Laurel and Jacaranda 43041590.014

Overview:

The proposed project, The Village at Laurel and Jacaranda (referred to as The Village in the report) is a commercial development on 10.42 Acres of Cielo, a 125.5 Ac. permitted master development. Construction of The Village requires filling in 6.6 Acres of wetlands and an existing permitted stormwater management facility, SWMF LL-4. The FEMA flood maps show this area as Flood Zone X, however, based on the ICPR modeling of the 100-year 24-hour event, the area does have floodplain storage and construction of this project proposes fill of 10.5 Ac-ft. The project proposes no floodplain compensation, but was approved based on stormwater modeling showing no adverse impacts.

Jennifer Menendez of Catalyst Engineering was contacted by Ken Baron, representing the North Venice Neighborhood Alliance, regarding concerns about potential impacts of the proposed commercial development that could result from replacing/filling in the natural storage of the wetland area and the

storage provided in stormwater management facility LL-4 with impervious area. The project includes no compensatory storage volume.

It was agreed that Catalyst Engineering would provide a review of The Village's stormwater calculations and a letter of opinion with requests that can be made to help assure the Cielo HOA will not experience adverse flooding effects in their stormwater infrastructure due to the additional runoff generated by The Villages.

ICPR Stormwater Modeling Analysis:

Stantec created an ICPR model for the Cielo Development master plan by combining existing models obtained from Sarasota County, and modifying the project area for the Cielo development. The model was later modified by Stantec to include Laurel Road widening improvements. AM Engineering used the modified Cielo model as the existing condition, and edited it for the proposed to include The Villages development.

Looking at the 13,517 page report submitted to FDEP by AM Engineering, and the original Cielo development model, the following items have been noted:

- In the models, the Unit Hydrograph Peaking Factor used is either a UH100C or a UH256. These factors are typically applied in flat, rural areas with depressional storage so that the landscape's ability to retain and delay the peak flow is included in the model. The typical SCS peaking factor is 484 and is used for most developed areas, especially areas that have a formal conveyance system. It is not appropriate to continue to use peaking factors of 100 or 256 for The Village site since it is mostly impervious and has a storm drain system. There is no longer any ability for the land to retain or delay the peak flow, so a 484 factor would more accurately represent the runoff in a model. This can have a significant effect on pond modeling, resulting in larger ponds needed.
- Different types of drainage systems fail under different types of rainfall events. A single storm approach can miss the critical storm and result in downstream flooding. Other agencies and municipalities use a critical duration approach for stormwater quantity evaluation, which requires modeling of multiple storms to evaluate and compare pre vs. post runoff. For example, the FDOT requires modeling of a range of events for connections to their existing system. Since flooding is already an issue in this neighborhood, based on conversations with Ken Baron, modeling a wider range of storm events would help ensure that this new development would not make the current situation worse and cause additional flooding to a system that has already known to have issues.
- The NOAA Atlas 14 data is the most current rainfall estimate data available. The rainfall data in The Villages model on page 5116/13517 shows the 100 year 24 hour rainfall as 10 inches. The NOAA Atlas 14 data for this site has 11.4 inches, which is 14% greater. Current rainfall data needs to be applied to the model.
- The original Cielo and The Villages model have different input for Pond LL7. This is the pond that The Village discharges into and is relied upon for treatment and attenuation of the new project. In the original master plan, the normal water level was set to elevation 12.4, and that was the initial stage as well. At some point, part of the model seems to have been modified to

reflect a datum error, and converts elevations from NGVD to NAVD. Pond LL7's stages and water surface were dropped 1.1 ft. This brings up the question of whether this ICPR model is using a consistent datum throughout the entire model. The wetland 09230 to which the pond discharges was not modified, starting water surface or stages. The stages were likely set up using the same Lidar information, so why would the stages of LL7 be modified? Also, was the original water surface from the wetland evaluation given in NGVD or should this have remained NAVD? It would explain dropping the starting water surface of only Pond LL7 since the as-built was in NGVD, because the control structure would set the water surface in the pond. A detailed explanation of which pieces were updated and why in this very large model would be helpful. A difference of 1.1 ft. is significant.

- In The Villages model, the outfall structure (LL7CS1) weir invert was changed from 11.29 in the existing to 11.31 in the proposed, the pipe inverts were changed, and the size of the weir was changed from 280 to 259. Since nothing is proposed to be modified in Pond LL7, the model from existing to proposed should be consistent and the existing should have been changed as well if an error was discovered. A survey of the outfall structure would clear up any discrepancies and ensure that the pond is being modeled correctly.
- The as-built drawings from Cielo show a grate inlet at the end of the outfall structure (LLCS1) from LL7. The plans imply that this is a bubble up structure, and it is modeled as a drop structure in ICPR. That could work as a modeling technique, but the pipe elevations are set much lower than the outfall grate, and the starting water surface of 09230 is lower than the grate as well. The water in reality is not able to leave the pond as soon as the model is showing if the grate elevation in the as-built plans is correct. This outfall structure needs to accurately modeled.
- The storm drain calculations begin with a time of concentration of 10 minutes and an intensity of 6.9 in/hr. This equates to less than the 5-year event in the NOAA Atlas 14 data. The 25-year event would have an intensity of 8.81 in/hr, and the calculations state that 25 year is the intended design frequency. It is possible that the onsite storm drain system is undersized.
- The Villages stormwater documentation 13,517 pages long. Presenting the entire model input and output in this way is overwhelming to review. Because the majority of the model is unchanged, at some point downstream parts of the model become irrelevant to the goal of presenting impacts from the project improvements. It would be helpful if the Engineer of Record would analyze the results and cut out the unnecessary data that is not relevant to this project, or at least provide relevant and clear summary tables. Stantec did this in both the Cielo report and the Laurel Road report. This was also requested by FDEP in their review, but was not done by AM Engineering. In general, presenting massive quantities of data does not lead to a thorough review due to time constraints of the reviewer. It is good practice to present information in a clear and concise way. As engineers, we want our designs to be accurate and it is always helpful to have our calculations and data easily reviewable so that mistakes that could cause flooding or failures can be avoided.

Recommendations:

In Part III – Stormwater Quantity/Flood Control, 3.0 General Stormwater Quantity and Flood Control Requirements of the Southwest Florida Water Management District Environmental Resource Permit Applicant's Handbook Volume II, it explains the intent of the law as to the requirements of a new project

discharging runoff downstream. The proposed construction should not cause any impacts or flooding and is normally regulated by modeling the 25-year 24-hour storm. The last paragraph explains that in areas with credible evidence of past flooding, additional analyses using storm events of different duration and frequency would be required to provide reasonable assurance of compliance. This project was permitted with only the single event being modeled, but if credible evidence of flooding can be presented, it seems reasonable for the HOA to request comparison of additional events. FDOT requires the following, based on Suwanee River Water Management District's methodology:

Table 4-1

Duration	Design Storms					
	Frequency					
	3-Year	5-Year	10-Year	25-Year	50-Year	100-Year
1-Hour	Required	Required	Required	Required	Required	Required
2-Hour	Required	Required	Required	Required	Required	Required
4-Hour	Required	Required	Required	Required	Required	Required
8-Hour	Required	Required	Required	Required	Required	Required
1-Day	Required	Required	Required	Required	Required	Required
3-Day	Required	Required	Required	Required	Required	Required
7-Day	Closed Basin	Closed Basin	Closed Basin	Closed Basin	Closed Basin	Closed Basin
10-Day	Closed Basin	Closed Basin	Closed Basin	Closed Basin	Closed Basin	Closed Basin

The following is a summary of recommendations for the HOA:

- Request the design storms in Table 4-1 from the FDOT Drainage Connection Permit Handbook be modeled.
- Request a current survey of the outfall structure for Pond LL7 be completed so that the accuracy of that critical point in the model can be verified.
- Obtain responses to each of the bulleted points above and ask for an updated report to show changes in the model resulting from comments.
- Request clear and concise summary tables that are relevant to your neighborhood infrastructure. They should be able to show you the critical points and elevations that are relevant to your neighborhood, and you should be able to look at the table and see how much they are raising elevations and increasing discharges. You want to see top of bank or structure elevations compared to model stages at those points. You also want to see pre and post discharge rates for each storm event. This should all be in a table at the beginning or as a supplement to the report. They have some of this at the end of their report, but it is mixed in with a lot of irrelevant data that is not helpful.

Please let me know if you have any questions or would like any additional information.

Sincerely,



Jennifer L. Menendez, P.E.
Catalyst Engineering, LLC

Jennifer Menendez, P.E

CONTACT INFORMATION

Email: Jennifer.menendez@gmail.com
2064 Trescott Drive, Tallahassee, FL 32308
(850) 508-5494

PROFILE SUMMARY

Jennifer Menendez is an experienced Civil Engineer with over 20 years of expertise in project management, design, permitting, and plan production. She has a wide range of experience in both the public and private sectors. She has also contributed to education by teaching the FDOT bridge hydraulics class and participated in a research project on model selection methods for bridge hydraulics.

EDUCATION

Bachelor of Science in Civil Engineering, May 2003
University of Florida, Gainesville, FL

CERTIFICATIONS

Professional Engineer (P.E.)
Advanced Work Zone Traffic Control

EMPLOYMENT

Catalyst Engineering, LLC

February 2009 – Present

- Founded and manage a successful civil engineering consultancy specializing in drainage design services for roadway design projects.
- Expertise includes drainage design, stormwater permitting, and maintenance of traffic.
- Provide strategic leadership, project management, and technical oversight to ensure high-quality deliverables.

Inovia Consulting Group

August 2005 – February 2009

- Managed and executed land development projects in Tallahassee and surrounding regions.
- Responsibilities included roadway design, stormwater design, utility design, permitting, cost estimation, and proposals.
- Delivered comprehensive services for FDOT resurfacing projects, including pavement design, ADA compliance, utility coordination, public involvement, plans production, and electronic delivery.

H.W. Lochner, Tallahassee, FL

June 2003 – August 2005

- Worked on drainage design on various stages of roadway widening and new alignment projects.
- Responsibilities included hydrologic evaluation, pond siting, pond routing models, bridge hydraulics, urban and rural stormwater conveyance system design, and permitting.
- Helped teach the Bridge Hydraulics class for the FDOT.

SKILLS

- Basin analysis and modeling
- Rural and Urban Stormwater Conveyance Design
- Pond Siting Analysis
- Stormwater Management System Design for Treatment and Attenuation
- Bridge Hydraulics Analysis
- Culvert Analysis and Design
- Roadway Design
- Commercial Site Design and Permitting
- Residential Subdivision Design and Permitting
- Wastewater Collection System Design
- Pump Station Design
- Water Distribution System Design
- Sediment and Erosion Control
- Bid Administration
- Project Reviews

COMPUTER SOFTWARE EXPERTISE

- StormWise (Formerly ICPR)
- OpenRoads Designer
- HEC-RAS
- HY-8
- PONDS

SELECT PROJECT EXPERIENCE

- FDOT District 3 Districtwide Drainage Consultant
- 17th Street Outfall Basin Study, Lynn Haven, FL
- 11th Street Outfall Basin Study, Lynn Haven, FL
- George L. Sands Memorial Park Stormwater Management Facility, Carrabelle, FL
- Victory Garden Sidewalk Improvements - Drainage Design, Tallahassee, FL
- Miccosukee Road over Alford Arm Branch - Bridge Hydraulics Analysis, Tallahassee, FL
- SR 85 / SR 123 Interchange - Drainage Design and Stormwater Management, Okaloosa County, FL
- SR 83 from US 98 to Choctawhatchee Bay Bridge - Drainage Design and Stormwater Management, Walton County, FL
- Capital Circle Extended PD&E Pond Siting, Tallahassee, FL
- NCHRP Bridge Hydraulics Selection Method Research Project

1 general surrounding area, but like I said, all
2 the PUDs that have nonresidential uses that
3 have been approved in the City, by the
4 decision-makers, all of those PUDs serve their
5 surrounding areas.

6 MR. LOBECK: Well, we'll get into what's
7 been done before, but just dealing with the
8 text before you --

9 MR. CLARK: Uh-huh.

10 MR. LOBECK: -- this is a mandatory
11 requirement of the Land Development Code; is
12 that correct?

13 MR. CLARK: It is a requirement of the
14 Code.

15 MR. LOBECK: Right.

→ 16 So this proposed amendment to the Milano
17 PUD, is this -- by the evidence that we have,
18 that you have, the knowledge you have, is this
19 intended to serve the general needs of the
20 surrounding area?

21 MR. CLARK: I believe it will serve the
22 general needs of the surrounding area.

23 MR. LOBECK: Do you believe that, based on
24 the scope of commercial development that would
25 be allowed by this, that that demonstrates an

1 intent to serve the general needs of the
2 surrounding area?

3 MR. CLARK: Yes.

4 MR. LOBECK: Then would it be your
5 conclusion that this PUD amendment violates
6 86-130(r) of the Land Development Code?

7 MR. CLARK: I would say it's certainly not
8 consistent with that language.

9 MR. LOBECK: If it's not consistent with
10 that language, does it violate that provision
11 of the Code?

12 MR. CLARK: Yes.

13 MR. LOBECK: So as to the -- the view that
14 there have been other violations of this Code,
15 do you -- do two wrongs make a right when it
16 comes to enforcing the Land Development Code?

17 MR. CLARK: I didn't say there have been
18 other violations of this Code. You said that.

19 MR. LOBECK: Well, you just testified that
20 a PUD that serves the general needs of the
21 surrounding area, rather than being intended to
22 serve the needs of the PUD, violates the Code.
23 That was your testimony just now, correct?

24 MR. CLARK: Uh-huh. Yes.

25 MR. LOBECK: And so -- but then you