



# City of Venice

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

## Meeting Minutes Planning Commission

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Tuesday, August 18, 2020

1:30 PM

Council Chambers and Virtual Meeting

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[20-4632](#)

Instructions on How to Watch and/or Participate in the Meeting

### I. Call to Order

Chair Barry Snyder called the meeting to order at 1:31 p.m.

### II. Roll Call

**Present:** 7 - Chair Barry Snyder, Shaun Graser, Kit McKeon, Richard Hale, Scott Williams, Bill Willson and Richard Lawson

### Also Present

Liaison Council Member Mitzie Fiedler, City Attorney Kelly Fernandez, Deputy City Clerk Danielle Lewis, Development Services Director Jeff Shrum, Planning Manager Roger Clark, Planner Nicole Tremblay and Recording Secretary Mercedes Barcia.

### III. Approval of Minutes

[20-4618](#)

Minutes of the June 16, 2020 and June 30, 2020 Meetings

A motion was made by Mr. Hale, seconded by Mr. Willson, that the Minutes of the June 16, 2020 and June 30, 2020 meetings be approved as written. The motion carried unanimously by voice vote.

### IV. Audience Participation

Ms. Fernandez referenced Executive Order No. 20-69 issued by Governor DeSantis and Executive Order No. 2020-04 issued by the city regarding public meetings, and commented on public participation in public meetings.

Recess was take at 1:36 p.m. until 1:43 p.m. due to technological issues.

Steve Carr, President of the Windwood Neighborhood Association, spoke regarding compatibility and language concerns with Comprehensive Plan Amendment Petition No. 20-05CP, applying Office, Professional, and Institutional (OPI) zoning designation to Joint Planning Agreement (JPA) area six, and requested board to table item.

### V. Public Hearings

20-05CP

Venice M.O.B. (Casto Property) Comprehensive Plan Amendment

Staff: Nicole Tremblay, Planner

Agent: Jeffery A. Boone, Esq., Boone Law

Applicant: Casto Southeast Realty, LLC

Owners: Brian McMurphy and Marilyn Johnson

Mr. Snyder announced this is a legislative hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Ms. Tremblay provided a presentation on the comprehensive plan amendment petition to include aerial and site photographs, future land use map (FLUM), proposed FLUM, summary of surrounding land uses, coordination with Sarasota County, amendment request, proposed Pinebrook Neighborhood element revisions, planning analysis, JPA Area six boundaries, applicant's and the city's proposed changes, Florida Statutes (F.S.) Chapter 163, discouragement of urban sprawl, comprehensive plan and land development code (LDC) consistency, conclusions/findings of fact, proposed stipulations to include (1) the comprehensive plan amendment is dependent on Sarasota County Commission approval of the proposed amendment to JPA/Interlocal Service Boundary Agreement (ILSBA) area six and (2) maximum floor area ratio (FAR) for this property is 0.5, consistent with the proposed JPA amendment, and planning commission recommendation.

Mr. Shrum noted JPA amendment was approved by city council on May 26, 2020, and commented on applicant's and staff's proposals, stipulations, and responded to board questions regarding language on maximum 0.5 FAR and maximum three units per acre for all properties west of Pinebrook Road and 13 units per acre for all properties east of Pinebrook Road in the Pinebrook Road neighborhood, comments received from the county, requested applicant responses, and providing all comprehensive plan changes.

Mr. Shrum noted changes can be included in staff's report.

Discussion followed regarding staff's proposed stipulations.

Ms. Fernandez explained neither stipulations are needed.

Jeffery Boone, Boone Law Firm, spoke to proposed comprehensive plan amendment, applicant's analysis of F.S. Chapter 163.3177(6)(a)2 criteria, JPA, and changes to residential density.

Recess was taken at 2:27 p.m. until 2:34 p.m. due to technological issues.

Tim Montgomery, 229 Cohosh Road, commented on the property's current zoning, Curry Lane properties setting a precedent, using adjacent county lands as a profit source, the city's economic return on investment from annexations, and providing existing homeowners an opportunity to review project proposal.

Clifford Snyder, 145 Avens Drive, spoke regarding council's approval of the JPA amendment, surrounding developments, and neighborhood density.

Mr. Shrum noted the JPA amendment was on the May 26, 2020 city council agenda.

Mr. Snyder closed the public hearing.

**A motion was made by Mr. Hale, seconded by Mr. Willson, that based on review of the application materials, the staff report and testimony provided during the public hearing, the planning commission, sitting as the local planning agency, finds this petition consistent with the comprehensive plan and in compliance with Florida Statutes Chapter 163, Part II, and therefore recommends to city council approval of Comprehensive Plan Amendment Petition No. 20-05CP. The motion carried by the following vote:**

**Yes:** 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Williams, Mr. Willson and Mr. Lawson

20-06RZ

Venice M.O.B. (Casto Property) Zoning Map Amendment

Staff: Nicole Tremblay, Planner

Agent: Jeffery A. Boone, Esq., Boone Law

Applicant: Casto Southeast Realty, LLC

Owners: Brian McMurphy and Marilyn Johnson

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Ms. Fernandez queried board members on ex-parte communications and conflicts of interest. Mr. McKeon, Mr. Graser, Mr. Lawson, and Mr. Hale disclosed site visits. There were no conflicts of interest.

Ms. Tremblay, being duly sworn, provided a presentation to include aerial and site photographs, current and proposed zoning maps, surrounding land uses, planning analysis, comprehensive plan and LDC consistency, conclusions/findings of fact, concurrency, mobility, stipulation, and planning commission recommendation.

Jeffery Boone, Boone Law Firm, being duly sworn, commented on proposed rezone and noted request is consistent with the pre-annexation agreement, JPA, comprehensive plan and all applicable city codes.

No one signed up to speak.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Willson, seconded by Mr. McKeon, that based on review of the application materials, the staff report and testimony provided during the public hearing, the planning commission, sitting as the local planning agency, finds this petition consistent with the comprehensive plan, in compliance with the land development code and with the affirmative Findings of Fact in the record, and recommends to city council approval of Zoning Map Amendment Petition No. 20-06RZ.

Discussion followed regarding allowable uses in the OPI zoning district.

The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Williams, Mr. Willson and Mr. Lawson

20-08SP

1460 E. Venice Ave. (Galleria - Out Parcel) Site & Development Plan Amendment

Staff: Roger Clark, AICP, Planning Manager

Agent: Jackson Boone, Esq., Boone Law Firm

Owner: Galleria Shops, LLC

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Ms. Fernandez queried board members on conflicts of interest and ex-parte communications. Mr. Hale, Mr. Graser, Mr. McKeon, and Mr. Willson disclosed site visits. There were no conflicts of interest.

Mr. Clark, being duly sworn, provided a presentation on the site and development plan amendment petition to include aerial and site photographs, surrounding property information, FLUM, zoning map, Galleria Plaza project area, Northern Italian architecture style, comprehensive plan and planned unit development (PUD) consistency, concurrency, mobility, findings of fact, planning commission action, and responded to board questions regarding drive-thru, outdoor seating, and landscaping near Venice Avenue.

Jackson Boone, Boone Law Firm, being duly sworn, spoke to project area, proposal, site and development plan, site access, drive-thru, outdoor seating area, building tenants, architectural elevations, landscape plan, building signage, and proposed traffic.

Tim Roane, DMK Associates, being duly sworn, responded to board questions regarding dumpster exposure.

Discussion followed on drive-thru lane location, The Eye Associates building, parking location, and site access.

Ms. Lewis advised Frank Cho Chung Hing, Galleria of Venice Condo Association President, had signed up to speak but left the meeting.

Mr. Snyder closed the public hearing.

**A motion was made by Mr. Hale, seconded by Mr. Willson, that based on review of the application materials, the staff report and testimony provided during the public hearing, the planning commission, sitting as the local planning agency, finds this petition consistent with the comprehensive plan, in compliance with the land development code and with the affirmative Findings of Fact in the record, and moves to approve Site and Development Plan Amendment Petition No. 20-08SP.**

Discussion followed regarding site and development plan code criteria and drive-thru lane.

**The motion failed by the following vote:**

**Yes:** 3 - Mr. McKeon, Mr. Hale and Mr. Williams

**No:** 4 - Chair Snyder, Mr. Graser, Mr. Willson and Mr. Lawson

## **VI. Comments by Planning Division**

### 20-4633

Justifications for Administrative Approvals of Minor Site & Development Plans

Staff: Nicole Tremblay, Planner & Roger Clark, AICP, Planning Manager

Ms. Tremblay spoke on administrative approval for the construction of a pole-barn for the Venice Police Station renovation for use by Public Works Site and Development Plan Amendment Petition No. 20-27SP.

Mr. Clark spoke on administrative approval for modifications to replace wheel stops for parking spaces adjacent to the store front with bollards for 7-Eleven Site and Development Plan Amendment Petition No. 20-25SP.

### 20-4634

Land Development Regulations Update

Staff: Jeff Shrum, AICP, Development Services Director

Mr. Shrum spoke on cancelling the September 15, 2020 meeting to allow staff time to review the completed land development regulations (LDR) draft received from consultant.

There was no objection by planning commission members to cancel the September 15, 2020 meeting.

Mr. Shrum spoke to obtaining input from advisory boards and the public.

## VII. Comments by Planning Commission Members

There were none.

## VIII. New Business

20-4620

Election of Chair and Vice Chair

A motion was made by Mr. Graser, seconded by Mr. Willson, to nominate Mr. Snyder as chair. The motion carried unanimously by voice vote.

A motion was made by Mr. Graser, seconded by Mr. Willson, to nominate Mr. McKeon as vice chair. The motion carried unanimously by voice vote.

## IX. Adjournment

There being no further business to come before this Commission, the meeting was adjourned at 3:43 p.m.



Barry R. Snyder (Sep 2, 2020 16:57 EDT)

Chair

  
Recording Secretary