

17-13RZ

SJMR Property Planned Unit Development  
Staff: Jeff Shrum, AICP, Development Services Director  
Agent: Jeffrey Boone, Esq.  
Owner: Pamlico Point Management, LLC

Chair Snyder announced this was a quasi-judicial hearing, read a memorandum regarding advertisement and written communications, opened the public hearing and confirmed speaker cards completed by all those who will offer testimony, or speak under audience participation.

Ms. Fernandez questioned commission members concerning ex parte communications and conflicts of interest. Mr. Snyder, Mr. McKeon and Mr. Towery had site visits with no communication. There were no conflicts of interest.

Mr. Shrum, being duly sworn, spoke regarding summary of project, zoning map amendment, planned unit development rezoning, property history, map, surrounding properties, photos of the area, zoning designations, comprehensive plan, future land use map, mixed use residential, property details, modifications, waiver request, master site plan, binding master plan, circulation plan, proposed amendment to application, land development code, concurrency, stormwater, sanitary sewers, public schools, pre-annexation agreement language, stipulations, findings of fact, recommendation to city council and staff suggestions for applicant's proposed language.

Mr. Clinch, being duly sworn, answered board questions regarding engineering stipulations, sidewalk on the north side, proposed multi-use recreational trail, limitations if approved and impacts on work being done on Edmondson Road.

Mr. Shrum answered board questions regarding north side connectors, road with full open access near Jacaranda Boulevard and I-75 and continued to speak regarding density.

Jeff Boone, Boone Law Firm, being duly sworn, conducted team introductions and spoke regarding site location, overview of proposed project, consistency with land development code, planning intent and modifications.

Alec Hoffner, ECo Consultants, being duly sworn, spoke regarding resume, description of project area, native habitats, fresh water wetlands, sustainable environmental practices, landscaping, open space corridors and habitat protection.

Pat Neil, Neil Communities, being duly sworn, spoke regarding history of

company, experience in Florida, community commitment, benefits of proposed right of way, multi-use recreational trail, exploring trail system enhancement, compliance with the comprehensive plan and land development code, no wetland activities, compatibility with the development next door and requesting commission approval.

Mr. Boone continued to speak regarding code modifications request and multi-use recreational trail.

Mr. Neil spoke further regarding residential standards, sidewalks and multi-use residential trails.

Mr. Boone continued to speak regarding staff revisions, location, subject to technical review committee, stipulations eight and nine, correcting language before going to city council, segment of Laurel Road, width of driveway, concurrency, turn lanes, requesting recommendation of approval without stipulation eight being approved, multi-use recreational trail and answered board questions regarding access for walkers into the property.

Mr. Neil answered board questions regarding clarification of driveway locations and continued to speak regarding code requirements and transportation improvements.

Frank Domingo, Stantec, being duly sworn, spoke regarding transportation responsibility, recommendations being shared between Sarasota County, residential standards, speed limits and speed bumps.

Mr. Neil continued to speak regarding the difference between his property and The Woods, independent developments, naming of the property and answered board questions regarding the new comprehensive plan.

Mr. Clinch spoke further regarding stipulations, requests from applicant, ownership, Peace River Water Authority, looking to county for answers on the road and answered board questions regarding Laurel Road and if the county received a copy of the application.

Mr. Shrum continued to speak regarding the responsibility of transportation improvements, impact on level of service and traffic impact studies.

Pat Wayman, 3071 Border Road, Venice, being duly sworn, spoke regarding map of The Woods, Sandra Hurt's property, density, changing height, Laurel Road, planned unit development, businesses on the county side, requesting signs on Border Road not be lighted, no response from county, no public access, Border is the gateway to The Preserves and increase in bikers.

Diane Maskil, 206 Medici Terrace, Venice, being duly sworn, spoke regarding her appreciation for the Neil Community, resolving road problems, Willow Chase, eliminate entrance on Laurel Road and making an emergency exit.

Mr. Boone spoke regarding audience participation comments, the term driveway being used, mobility fees, support decision with stipulations and having stipulation eight reviewed by city council.

Chair Snyder closed the public hearing.

Discussion took place regarding stipulation number 8, passing the stipulation to city council, comprehensive plan, public road needed rather than a private road, Jacaranda Boulevard and tracking improvements.

**A motion was made by Mr. Towery, 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 approval to City Council of Zoning Map Amendment Petition No. 17-13RZ, with the following stipulations:**

- 1. An updated listed species survey shall be conducted prior to any construction.**
- 2. The applicant shall provide the city with the results of the updated listed species survey, and any correspondence with the United States Fish and Wildlife Service (USFWS) or the Fish and Wildlife Conservation Commission (FWC).**
- 3. The applicant shall obtain all applicable state and federal listed species permits.**
- 4. The applicant shall comply with FWC regulations regarding the survey and relocation of Gopher Tortoises and associated commensal species.**
- 5. The applicant shall obtain applicable Sarasota County tree permits prior to removal of trees from the property.**
- 6. The applicant shall obtain all applicable state and federal environmental permits and provide wetland mitigation, as required.**
- 7. Consistent with Strategy OS 1.4.4 - Non-Native Invasive Species, any nuisance species observed within project area wetlands and uplands shall be removed and replanted with native Florida species, as required to obtain SWFWMD permits.**
- 8. Engineering Stipulation: Access must be upgraded to meet City Standard Details or alternate acceptable standards agreed upon by the City Engineer and Sarasota County for development entrance on E. Laurel Road.**
- 9. Conservation easement be provided as part of the final plat of the final phase of development for the entire SJMR property.**
- 10. Provide updated Binding Master Plan document based upon final approving ordinance (as necessary).**
- 11. Multi-Use Recreational Trail (MURT) internal to the project along the north/south road - Applicant shall provide an 8-foot MURT along one side of the spine road as generally depicted on Exhibit 'A', location to be determined subject to TRC review.**
- 12. Multi-Use Recreational Trail along Laurel Road system - Applicant shall provide an 8-foot MURT along the Laurel Road system as shown as generally**

depicted on Exhibit 'A', location to be determined subject to TRC/County review;

**Not recommending exclusion or inclusion of stipulation 8, but recommending City Council further determine whether this stipulation should be included. In addition, include approval for a gated community with gates to be constructed at the project entrances at Laurel and Border Roads and the following two code modifications:**

**1. A modification to the requirements of Sec. 86-130(q), concerning the requirement that no structure shall be located closer to any perimeter property line than two times the height of such structure. The modification is to reduce the required setback from perimeter property lines to one times the building height.**

**2. A modification to the requirements of Sec 86-232(5) concerning the roadway design standards and an alternative neighborhood roadway design. The modification reduced right-of-way width from 52' to 43', allows for sidewalks on one side of the neighborhood roadway only and eliminates bike lanes for the neighborhood roadways. The motion carried by the following vote:**

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