



City of Venice

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

Meeting Minutes Planning Commission

Tuesday, November 5, 2013

1:30 PM

Council Chambers

I. Call To Order

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

II. Roll Call

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

Also Present

Ex-Officio Councilmember Kit McKeon, City Attorney Dave Persson, Airport Administrator Chris Rozansky, Senior Planner Scott Pickett, Planner Roger Clark and Recording Secretary Susan Schult.

III. Approval of Minutes

13-0215 September 17, 2013 Minutes

A motion was made by Mr. Towery and seconded by Mr. Graser, that the Minutes of the September 17, 2013 Regular Meeting be approved as written. Motion carried on voice vote unanimously.

13-0216 October 1, 2013 Minutes

A motion was made by Mr. Towery and seconded by Mr. Graser, that the Minutes of the October 1, 2013 Regular Meeting be approved as written. Motion carried on voice vote unanimously.

IV. Public Hearings

13-1CP COMP PLAN AMENDMENT-SOUTHERN GATEWAY

Owner: City of Venice

Staff: Scott Pickett

(1:33) Chair Snyder stated this is a quasi-judicial hearing; read a memorandum dated November 5, 2013, stated one written communication has been received regarding this petition; and opened the public hearing.

Mr. Pickett, being duly sworn, presented amendment 13-1CP, noted the airport is the applicant, the application proposes a deletion of the southern gateway corridor planning area comprehensive plan policy 16.6.B.1, read the policy, displayed the Future Land Use Map and an aerial map of the southern corridor, showed the three tracts of publically owned land, and noted one of the parcels is an enclave and is not city property. He stated there are a number of planning areas that have the same policy,

pointed to the areas on the map that have the same policy, stated this is a legislative matter, and the city has the obligation to formulate a policy.

He reported staff findings are that policy 16.6.B.1 prohibits many forms of development, it is unclear how public land can be developed, reviewed the criteria to evaluate the policy and the planning intent of the southern gateway corridor, noted it will significantly hinder implementation of policy 14.1.B of the Future Land Use and Design element, it limits the city's ability to implement policy 2.1 of the Future Land Use and Design element, and it hinders the city's ability to implement policy 4.4 of the Transportation Infrastructure and Service Standards element.

Mr. Rozansky, being duly sworn, stated the airport operates as an enterprise fund and receives no funding from the city's general fund, explained how the enterprise fund is funded, noted his concern with the loss of the Sharky's rental income, and stated council has identified a priority in their strategic plan to develop a plan for future development of under utilized airport properties. He compared the airport master plan with the comprehensive plan, stated the area in question is designated for non-aeronautical use, the Federal Aviation Administration (FAA) stipulates fair market value for lease of non-aeronautical properties, touched on the mitigation of public safety issues with the arena, renovation or use of the property benefits the airport and the community, and explained the policy hinders their ability to collect a fair market value in rent for airport property.

Mr. Pickett reviewed the alternatives for commission consideration.

Responding to questions, Mr. Pickett displayed the map of the three properties that are publically owned, stated the tract to the north is an enclave, and noted if the property were privately owned, the policy would not apply.

Discussion ensued on potential impact of the change, the same policy applying to five other planning areas, whether the arena property should be made a park, the fair market value of the property being approximately 5 million to purchase, the procedure to develop the properties, ownership of the property, council holding a workshop to discuss the future use of the arena site, the city's interest in redeveloping the airport property to generate revenue for the airport, the policy serving a purpose in three of the other four planning areas, and whether there are other commercial uses on the property that would be affected by this change.

Mr. Rozansky stated none of the airport businesses are in the proposed areas, and the trapeze academy continues to operate on the arena site.

Discussion continued on whether the restoration of the circus would conflict with the policy as it stands today, the limitation of the commercial acreage, the staff analysis of existing land use, and policy that allows for 75% of the planning area to be used for commercial use.

Audience Participation

Larry Ivey, 120 Base Avenue E., being duly sworn, stated in 2011 this section was pointed out to the city, council has been helpful to restore the arena, displayed and reviewed a chart of the comprehensive plan policies, questioned the FAA requirement for fair market value, stated the arena safety issues have been mitigated, suggested the arena could still be an outdoor pavilion and rented for conferences, and asked the commission to consider that the land be developed for public use.

Ed Martin, 409 Everglades, being duly sworn, explained the reason council added the

provision to the comprehensive plan, stated the comprehensive plan called for a study on how to develop the area, the arena site is eligible for federal funding, the goal that the public land not be commercially developed, talked about putting a canvas over the circus arena to act as a pavilion, noted this would be a perfect setting for the upcoming brew fest, and suggested a plan be developed before the change is made.

Mr. Pickett stated there is no definition for public use in the code and if the public use generated revenue it would be deemed commercial use.

Mr. Rozansky compared the arena site to the public golf course on airport property that has a commercial lease, commented state statutes clearly address the issue of businesses on the airport providing aeronautical services to the public, and noted there are commercial leases to each of those entities. He expressed his contrary point of view with Mr. Ivey on the community use issue, stated there is currently diminimus revenue on the arena property, reported FAA has expressed the unlikelihood of allowing community use on a property with frontage on U.S. Business 41, and reiterated the issue comes back to fair market value rent.

Mr. Pickett answered questions on the timeliness of the text amendment, commented on Mr. Martin's statements, stated the city has ownership and can control development of the property, and displayed and reviewed objective 14 - Redevelopment Areas, policy 14.1.

Discussion followed regarding the proposed study in the plan, whether the master plans will be developed, the city having the choice to delete policy 16.6.B.1 or to confine the area as public parks, the commercial use being defined in the code, and use of the land being compatible to the airport.

(2:19) Chair Snyder closed the public hearing.

A motion was made by Mr. Williams, seconded by Ms. Moore, that based on the staff report and the presentation, the Planning Commission, sitting as the local planning agency, finds this request consistent with the Comprehensive Plan, and recommends to City Council approval of Comp. Plan Amendment Petition No. 13-1CP. The motion carried by the following vote:

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

13-5AM

TEXT AMENDMENT Sign Code Update

(2:20) Chair Snyder stated this is a quasi-judicial hearing; read a memorandum dated November 5, 2013, stated five written communications have been received regarding this petition; and opened the public hearing.

Mr. Pickett, being duly sworn, gave a brief summary of the process in reviewing and amending the code, outlined highlights of the revisions made on portable, temporary, window and exempt signs, changeable copy, and provisions added for administrative relief.

Mr. Snyder reviewed the changes to the sign code including the intent section, the general administrative procedures, noted there are 18 different types of signs allowed without a permit, there are code requirements for the exempt sign as far as size and location, and touched the categories where exempt signs are included.

Discussion followed on the enforcement of real estate signs, developer real estate signs

in the median on divided roadways, current measures in place for enforcement, current provisions for window signage in the Commercial Business District (CBD), temporary window signage, and window signage not exceeding ten square feet or 10% of the window space.

Mr. Pickett requested to retain the 10% exemption currently in the code. There were no objections to the request.

Discussion followed on portable signage, whether the sculpture signs should be fixed, whether there should be an allotment for permanent or portable signs, sign entitlement, ground sign height, the Publix sign on Laurel Road, and sign design standards.

Mr. McKeon left the meeting at 2:56 p.m. and returned at 2:58 p.m.

Discussion took place on whether to include signage not allowed in the code, base cap and columns on monument ground signs, the parameters of monument ground signs, building signs and sculpture signs, murals as signage or art, whether the Sea Venice statues downtown are considered signs, whether sculpture signs should be added to the code, sign lighting standards and changeable copy parameters, whether changeable copy signage is a driving hazard, data as it relates to safety for drivers on changeable copy signage, whether a study should be conducted on this issue, the size or type of font being the issue, font size relating to zoning areas and roadway speed limits, needing graphics in the code to actually see the size, concern with the size and number of characters on a sign, where a 20 foot sign would be allowed, staff providing the diagram graphic to council, whether to allow changeable copy on building and window signs, time limitations on changeable copy signage, the code as it pertains to all the specific zoning districts, temporary event or activity signs, and prohibited signs including whirling, animated, human held mascot signs and illuminated portable signs.

Discussion continued regarding pole signs as being prohibited, adding a definition for commercial message, whether a commercial mascot is a sign, defining that the costume portrays a commercial message, problems with enforcement, whether signage in parades apply, nonconforming, unlawful, obsolete or unsafe signage, defining cabinet style signs, whether there should be a standard for safety, written notification on unsafe signage, appeals, deviations or variances from sign standards, lot frontage, and whether to reorganize the code to utilize code sections currently reserved.

Audience Participation

Bill Ahern, Brindley's Liquors, being duly sworn, commended the commission and staff on their efforts to maintain the integrity and architectural style in the city concerning signage, and stated the sign code is more user friendly to businesses.

Ed Martin, 409 Everglades, being duly sworn, complimented staff and the commission on their work on this effort, stated there is good balance in the revisions to the code, expressed his concern with possibly tarnishing the city's image by allowing sandwich board signs, pointed to entrances to the city, noted 50 percent coverage for window signage is not aesthetically pleasing, and stated Venice currently exceeds signage in comparison to similar coastal cities.

John Ryan, Venice Area Chamber of Commerce, being duly sworn, commended staff on their time and effort with the workshops to research how signage effects the community, stated the chamber viewed the proposed changes positively, noted no one can tell what U.S. 41 ByPass will look like until it is completed, enforcement is an issue, gave the example of temporary signage from an event at the Venice Community Center that is still up, and touched on commercial mascots that typically work the side of the

street and are not really in the parades.

Jeff Boone, Venice resident, being duly sworn, suggested caution in anticipating problems that may not occur, stated this is the third major sign revision the city has done, and reported he has three clients, Venice Theater, Venice Regional Medical Center and Bank of America that have issues on the sign code. He pointed to current signage in place on Venice Theater because of a variance, and suggested to amend the code to recognize the signage granted by variance.

(4:16) Chair Snyder closed the public hearing.

Discussion ensued on the amount of work Mr. Snyder and Mr. Graser did on the sign code revisions, the public participation in the workshops, and benefits to the business community.

Mr. Pickett thanked the commission for their participation on the revisions and answered questions on when the final revision of the code will be available for public review.

A motion was made by Mr. Murphy, seconded by Mr. Towery, that based on the staff report and the presentation, the Planning Commission, sitting as the local planning agency, finds this request consistent with the Comprehensive Plan, and recommends to City Council approval of Text Amendment Petition No. 13-5AM, consistent with the changes discussed today. The motion carried by the following vote:

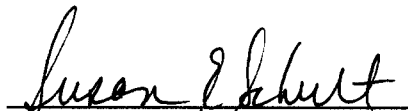
Yes: 7 - Chair Snyder, Ms. Moore, Mr. Williams, Mr. Towery, Mr. Graser, Mr. Murphy and Mr. Newsom

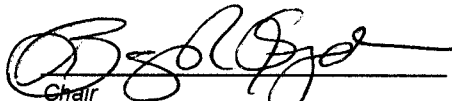
V. Project & Petitions Updates

Mr. Pickett noted there is an agenda item for the next meeting and queried the commission on a quorum for the remaining meeting dates this year.

VI. Adjournment

There being no further business to come before this Commission, the meeting was adjourned at 4:26 p.m.


Recording Secretary


Chair
