



City of Venice

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

Meeting Minutes Planning Commission

Monday, November 18, 2024

1:30 PM

Community Hall Room

I. Call to Order

Chair Snyder called the meeting to order at 1:30 p.m.

II. Roll Call

Present: 7 - Richard Hale, Bill Willson, Jerry Jasper, Pam Schierberg, Barry Snyder, Kit McKeon and Robert Young

Also Present

Council Liaison Jim Boldt, City Attorney Kelly Fernandez, Planning and Zoning Director Roger Clark, Planning Manager Amy Nelson, Senior Planner Nicole Tremblay, Planner Brittany Smith, Deputy Clerk Toni Cone, and Recording Secretary Amanda Hawkins-Brown.

III. Approval of Minutes

[24-0377](#) Minutes of the October 15, 2024 Regular Meeting

A motion was made by Mr. McKeon, seconded by Mr. Hale, to approve the minutes of the October 15, 2024 regular meeting as written. The motion carried unanimously by voice vote.

IV. Audience Participation

There was no one signed up to speak.

V. Public Hearings

[23-72CP](#) Curry Lane Apartments Comprehensive Plan Amendment (Legislative)
Staff: Nicole Tremblay, AICP, Senior Planner
Agent: Brian Lichterman, Vision Planning & Design
Applicant/Owner: Chris and Ella Knop

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

City Attorney Fernandez questioned Commission Board members concerning ex-parte communications and conflicts of interest. There were none.

Senior Planner Tremblay, being duly sworn, presented general information, project description, aerial map, future land use map, zoning map, site photos, surrounding land uses, Land Development Code compliance, compatibility matrix, Comprehensive Plan consistency, Florida Statute 163.3177(6)(a), findings of fact, and answered Commission questions on current RMF1 zoning, past combination of parcels, whether the request could be consider as a variance, and road connection to Capri Isles Boulevard.

Brian Lichterman, Agent, being duly sworn, presented professional experience, request for medium density residential, major project components, aerial photo, surrounding property uses, benefits of higher density near hospital, future land use map, Joint Planning Agreement (JPA) No.6, zoning map, potential traffic trips, site's infrastructure, and Comprehensive Plan compliance.

Ron Fazzalano 1424 Gleneagles Drive, being duly sworn, spoke on impact to Waterford Community, flooding in area, incompatibility with surrounding neighborhood, and a signature petition by neighbors submitted.

Dick Rock, 1743 Kilruss Drive, being duly sworn, spoke on traffic concerns, compatibility, change in area due to hospital construction, homeowners association committee formed to review new developments, proposed single family homes on neighboring property, and surrounding property zoning.

Jim Nolan, 1775 Kilruss Drive, being duly sworn, spoke on the applicants Justification for Zoning Map Amendment, hospital operations, apartments already constructed in area, and Chapter 87 1.2.C.10 compatibility.

Nancy Viggiano, 1785 Killruss Dr. being duly sworn, spoke on proximity to property, attendance at neighborhood workshops, image samples of townhomes and apartment buildings, incompatibility, and pedestrian traffic.

Pam Harvey, 1532 Belfry Drive, being duly sworn, spoke on concerns for flooding and drainage, density impact, drainage into Curry Creek, runoff from development, and impact to property values.

Steve Carr, 149 Avens Drive, being duly sworn, spoke on surrounding property zoning, density, Sophia apartment complex, adverse impacts, flooding, and potable water system.

Richard Gilland, 1779 Kilruss Drive, being duly sworn, spoke on proximity to property, against the petition, and the memorandum he submitted prior to meeting.

Senior Planner Temblay answered Commission question on compatibility matrix.

Mr. Lichterman spoke on past amendments of surrounding properties, visibility from behind hospital, RMF1 Zoning allowing 35 foot height, benefit to hospital employees, compatibility, occupancy rate in nearby similar developments, impact to Waterford Community, and landscape buffer.

Chair Snyder closed the public hearing.

Discussion took place regarding difference between variance and amendment, surrounding properties having RMF1 zoning, compatibility matrix, building height, impact of hospital, planned development on other side of I-75, whether there is a demand for more apartments at this time, available apartments in area, ability to build up to 35 feet in RMF1, concerns for flooding, and proximity to single family homes.

A motion was made by Vice Chair 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 and in compliance with Florida Statutes Chapter 163, Part II, and therefore, recommends to City Council approval of Comprehensive Plan Amendment Petition No. 23-72CP with the stipulation of building height limit of 35 feet. The motion failed by the following electronic vote:

No: 7 - Mr. Hale, Mr. Willson, Mr. Jasper, Ms. Schierberg, Chair Snyder, Mr. McKeon and Mr. Young

[23-73RZ](#)

Curry Lane Apartments Zoning Map Amendment (Quasi-Judicial)

Staff: Nicole Tremblay, AICP, Senior Planner

Agent: Brian Lichterman, Vision Planning & Design

Applicant/Owner: Chris and Ella Knop

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

City Attorney Fernandez questioned Commission members concerning ex-parte communications and conflicts of interest. Vice Chair Willson disclosed a site visit. Mr. McKeon and Chair Snyder disclosed site visits and research done on Property Appraiser's website. Ms Schierberg and Mr. Hale disclosed site visits and residing in the neighboring Waterford Community and both affirmed they could remain fair and unbiased.

Attorney Fernandez noted there was a registered designated representative.

Senior Planner Tremblay, being duly sworn, presented general information, future land use map, zoning map, site photos, surrounding land uses, district comparison, Comprehensive Plan consistency, findings of facts, Land Development Code compliance, and answered Commission questions regarding whether conditions for compatibility should be addressed now, and the current limitation of the RMF1 zoning.

Brian Lichterman, Agent, inquired whether the stipulation for five units per acre could be brought back to six units per acre in this hearing. Planning and Zoning Director clarified that would be a separate application.

Mr. Lichterman Agent, being duly sworn, presented the major project components, aerial photo, surrounding land uses, potential traffic, site photo, visibility from property, photo of Curry Lane, potential number of units, 35 feet height allowed, compliance with Comprehensive Plan, traffic impact analysis, aerial with proposed buildings, vegetative buffers, stormwater retention pond area, landscaping buffers planned, development concept plan, communication with Waterford Community, stipulation of buffering and height limits, and answered Commission questions on remaining vegetation, and whether it is market rate housing.

Dick Rock, 1743 Kilruss Drive, being duly sworn, spoke on preference for two story buildings, surrounding developments agreements, Joint Planning Agreement (JPA) 6, incompatibility, Waterford Community being against petition, occupancy of Sophia apartments, visibility, and adverse impacts.

Discussion took place regarding previous rezoning stipulation to limit to 5 units per acre, and applicant would need to do a separate petition to increase units per acres within RMF1.

Mr. Lichterman spoke on visibility, and less units would not equate to smaller buildings.

Chair Snyder closed the public hearing.

Discussion took place regarding building height concern, 5 units to 13 units per acre being too much of an increase, and both sides of Curry Lane having different uses.

A motion was made by Mr. McKeon, seconded by Vice Chair 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 that this petition is not consistent with the Comprehensive Plan and

is not in compliance with the Land Development Code because of potential incompatibility and current limitation of 5 units per acre and therefore, recommends to City Council denial of Zoning Map Amendment Petition No. 23-73RZ. The motion carried by the following electronic vote:

Yes: 7 - Mr. Hale, Mr. Willson, Mr. Jasper, Ms. Schierberg, Chair Snyder, Mr. McKeon and Mr. Young

[24-54AM](#)

Planned Unit Development (PUD) Code Amendment Land Development Regulations Text Amendment (Legislative)
Staff: Nicole Tremblay, AICP, Senior Planner
Applicant: City of Venice

Recess was taken from 3:32 p.m. until 3:42 p.m.

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

Planning Zoning Director Clark and Senior Planner Tremblay, both being duly sworn, presented work done by consultant, definition of unified control, complexity of issue, examples of minor amendment, examples of major amendments, applicants requirements for major amendments, terminology definitions, criteria for decisions, the time it can take for the development of a Planned Unit Development (PUD), consideration of both developer's and owner's rights, Table 1.1 changes, decision authorities, Section 1.7.3 changes, new Section C on what is consider a amendment, changes to Section D, lot coverage, net developable land, new Section E on unified control, and answered Commission questions on after 50% buildout rule, and clarification of ability to request versus given right.

Attorney Fernandez spoke on review criteria for major plan amendments, property rights, and concept of unauthorized delegation of legislative authority.

Discussion took place regarding net developable land versus open space qualification, examples of net developable land, giving petitioners the ability to ask, land use categories, and how the 60% of owner consent was determined.

Senior Planner Tremblay continued regarding definitions, and decision criteria in Section 9.

Discussion took place regarding broad language proposed, a definition of final plat, and open space designations.

Carl Carlson, 811 Waterside Drive #201, being duly sworn, spoke in favor of amendment, and the importance of open space.

Jeff Boone, PO Box 1596, being duly sworn, spoke on the importance having a process to amend a PUD, past contentious PUD amendments, concerns for unintended consequences, homeowners association requested changes, concern for consent of 60% of owners, and whether terms will make PUD undesirable.

Dan McBride, 678 Bird Bay Drive West, being duly sworn, spoke in favor of amendment, example of Bird Bay past petitions, in favor of the 60% consent rule and the net developable land definition.

Chair Snyder closed the public hearing.

Discussion took place regarding the need for amendments, popularity of PUDs, importance of open space, amendment addressing recent concerns, the importance of the Master Plan requirement, concerns for open ended language, and the complexity of the issue.

A motion was made by Vice Chair Willson, seconded by Ms. Schierberg, 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 Land Development Regulations Text Amendment Petition No. 24-54AM. The motion carried by the following electronic vote:

Yes: 7 - Mr. Hale, Mr. Willson, Mr. Jasper, Ms. Schierberg, Chair Snyder, Mr. McKeon and Mr. Young

[24-29AM](#)

Village on the Isle Campus Expansion Land Development Regulation Text Amendments (Legislative)
 Staff: Brittany Smith, Planner
 Agent: Annette M. Boone, Boone Law Firm
 Applicant: Southwest Florida Retirement Center, Inc.

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

City Attorney Fernandez questioned Commission members concerning conflicts of interest. There were none.

Planner Smith, being duly sworn, present request for amendment to Table 2.3.5.2, existing text, proposed text, Comprehensive Plan consistency, finding of facts, and Land Development Code compliance.

Attorney Annie Boone, Agent, being duly sworn, presented team, property information, aerial photo, and size of property.

Doug Feller, Applicant, being duly sworn, presented company history, need for project, and being a five star rated facility.

Attorney Boone continued presenting the proposed three new buildings, 54 living units, new wellness facility, language in Table 2.3.5.2, change in density standard, flexibility in application in density, current number of units by category, total permitted number of units, need for additional units, amendment being applied only to this property, only amending categories of units, consistency with Comprehensive Plan, and compliance with Land Development Code.

Chair Snyder closed the public hearing.

A motion was made by Mr McKeon, seconded by Mr. Hale, 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 Land Development Regulations Text Amendment Petition No. 24-29AM. The motion carried by the following electronic vote:

Yes: 7 - Mr. Hale, Mr. Willson, Mr. Jasper, Ms. Schierberg, Chair Snyder, Mr. McKeon and Mr. Young

[24-28SP](#)

Village on the Isle Campus Expansion Site and Development Plan
(Quasi-Judicial)

Staff: Brittany Smith, Planner

Agent: Annette M. Boone, Boone Law Firm

Applicant: Southwest Florida Retirement Center, Inc.

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

City Attorney Fernandez questioned Commission members concerning ex-parte communications and conflicts of interest. There were none.

Planner Smith, being duly sworn, presented general information, background and existing conditions, project description, wellness center, apartments, aerial map, site plan, elevations, future land use map, zoning map, site photo, surrounding land uses, Comprehensive Plan consistency, Land Development Code compliance, findings of fact, setbacks, parking standards, concurrency and mobility, traffic impact analysis, and answered Commission question on whether a stipulation is needed dependant on text amendment approval.

City Attorney Fernandez left the meeting and was replaced by Attorney Amy Farrington.

Attorney Annie Boone, Agent, being duly sworn, presented aerial map with site and development overlay, new wellness center building, two new living unit buildings, removal of two existing cottages, additional connectivity with existing building, no new access points, architectural design to match existing buildings, building heights, Comprehensive Plan consistency, compatibility, Land Development Regulations compliance, concurrency and mobility, stipulation for text amendment approval, plan to decommission existing units to be compliant with density requirements, and adding a net 52 units. Attorney Jeff Boone, Agent, being duly sworn, spoke on certificate of occupancy review, and upcoming bond pricing.

Ryan Hoppy, Engineer, being duly sworn, answered Commission question on Stormtech Waters System, and the runoff destination.

Chair Snyder closed the public hearing.

A motion was made by Vice Chair Willson, seconded by Ms. Schierberg, 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 moves to approve Site and Development Plan Petition No. 24-28SP. The motion carried by the following electronic vote:

Yes: 7 - Mr. Hale, Mr. Willson, Mr. Jasper, Ms. Schierberg, Chair Snyder, Mr. McKeon and Mr. Young

[24-39AM](#)

Annual Update of the City of Venice Capital Improvement Schedule
Comprehensive Plan Amendment (Legislative)
Staff: Amy Nelson, AICP, Planning Manager
Applicant: City of Venice

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

Planning and Zoning Director Clark and Planning Manager Nelson, both being duly sworn, presented the Capital Improvement Schedule (CIS) transportation improvements, Florida Statute 163.3177, requirement to update annually, level of service, facilities that have level of services, current schedule, purpose of CIS, transportation studies used, assumed roadway improvements, mobility fees collected, assumed intersection improvements and answered Commission questions on Northeast Park funding, Multiuse Recreation Trail (MURT) on Laurel Road, what agencies manage the waterways being accessible, roadway improvements on Table 7A, separating I-75 improvement in list, and impact of Wellfield Park on Pinebrook Road.

Discussion took place regarding grouping like items together, some items not being City facilities, working with Sarasota County, Laurel Road projects, cost of adding a traffic light, funding issues, and safety concerns being prioritized over level of service demands.

Chair Snyder closed the public hearing.

A motion was made by Vice Chair Willson, seconded by Mr. Hale, 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. 24-39AM. The motion carried by the following electronic vote:

Yes: 7 - Mr. Hale, Mr. Willson, Mr. Jasper, Ms. Schierberg, Chair Snyder, Mr. McKeon and Mr. Young

VI. Comments by Planning and Zoning Department

Planning and Zoning Director Clark spoke on working in Community Hall, and remaining meetings for the year. Recording Secretary Hawkins-Brown reminded Commission of upcoming Sunshine Law Training.

VII. Comments by Planning Commission Members

Discussion took place on Parks Master Plan and Seaboard Master Plan.

VIII. Adjournment

There being no further business to come before this Commission, the meeting was adjourned at 5:57 P.M.

Chair

Recording Secretary