



City of Venice

401 West Venice Avenue
Venice, FL 34285
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Meeting Minutes Planning Commission

Tuesday, January 7, 2025

1:30 PM

Community Hall

22-40SP

The Village at Laurel and Jacaranda Site and Development Plan
(Quasi-Judicial)

Staff: Nicole Tremblay, AICP, Senior Planner

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

Applicant/Owner: Border and Jacaranda Holdings, LLC

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. Ms. Schierberg, Mr. Hale and Mr. Young disclosed site visits. Chair Snyder disclosed being a resident in the Venetian Golf and River Club, comments from neighbors, emails from Property Owners Association (POA), review of draft stipulation from POA, site visit, site visits to neighboring Publix, conversation with Staff and City Attorney and affirmed he could remain fair and impartial.

City Attorney Fernandez provided opening comments on quasi judicial procedures, role of Planning Commission, definition of competent and substantial evidence, decision criteria, the petition being for the Site and Development Plan only, past re-zoning being final, Planning Commission authority, selection of presentation times, there being a registered designation representative, and affected party status standards.

Attorney Dan Lobeck, Agent representing Venetian Golf and River Club (VGRC) Property Owner Association (POA), presented the request for affected party status.

Attorney Jeffrey Boone, Agent for Applicant, had no objection.

A motion was made by Mr. McKeon, seconded by Vice Chair Willson, to approve the Request for Affected Party Status for Venetian Golf & River Club Property Owners Association, Inc. The motion carried unanimously by voice vote.

Gary Scott presented affected party request and proximity to property.

Attorney Boone noted applicant had no objection to affected party status for Mr. Scott.

A motion was made by Vice Chair Willson, seconded by Mr. McKeon, to approve

the Request for Affected Party Status for Gary Scott. The motion carried unanimously by voice vote.

Discussion took place regarding presentation times.

There was consensus to allow 25 minutes for staff and applicant's presentations and 15 minutes each for Affected Party's presentations.

Planning and Zoning Director Clark, being duly sworn, spoke on the petition being for site and development plan only, zoning and permitted uses having been reviewed in past, the adopted revised Binding Master Plan, Technical Review Committee review, consideration of compatibility, the impacted roads being Sarasota County facilities, transportation review process, and answered Commission questions on City's traffic consultants methodology, the planned Multi Use Recreation Trail (MURT), and consideration of traffic concerns.

Senior Planner Tremblay, being duly sworn, presented general information, petition submitted under old Land Development Code Chapter 86, project description, square footage limitation, aerial map, location map, site plan, elevations, retail buildings A and B details, future land use map, zoning map, site photos, FPL easement, surrounding land uses, Comprehensive Plan consistency, compliance with Land Development Code, development standards of Milano Binding Master Plan, findings of fact, concurrency and mobility, site access improvement requirements, and answered Commission questions on elevation view from VGRC, and County's distance limits between traffic lights.

Attorney Lobeck cross examined Planner Tremblay on the landscaping buffer on Laurel Road, and the buffer requirements in the code.

Mr. Scott cross examined Planner Tremblay on definition of intensity, Floor Area Ratio (FAR) application, staff comments regarding egress and ingress, and access analysis done by applicant. Attorney Boone objected to question regarding document not created by witness. Mr. Scott continued regarding safe access for VGRC residents.

Attorney Boone cross examined Planner Tremblay on consistency with Comprehensive Plan, standards for FAR, proposed square footage being within limits, definition of intensity, and involvement in traffic light decision.

Planner Tremblay answered Commission questions regarding intensity being applied only on non-residential properties, intensity using FAR compared to use, and review of landscaping during construction plan process.

Attorney Lobeck cross examined Planning and Zoning Director Clark on Technical Review Committee (TRC) review, whether there is sufficient

information for decision today, Attorney Boone objected for asked and answered. Mr. Lobeck continued regarding staff comments on stipulation of Laurel Road widening.

Mr. Scott cross examined Planning and Zoning Director Clark regarding staff report on egress and ingress. Attorney Boone objected beyond scope. Mr Scott continued regarding the TRC review findings. Attorney Boone objected for asked and answered.

Recess was taken at 2:35 p.m. until 2:40 p.m.

Attorney Jeffrey Boone, Agent, and Pat Neal, Applicant, being duly sworn, presented team, history of plan for property, meeting with Venetian Golf and River Club (VGRC) in 2023, current communication with VGRC, application meeting the standards of code, willingness to have stipulations, the site and development plan, open area on current plan, compliance with code, agreed upon stipulations, lights being shielded by measurable standards, security cameras, no overnight parking, no gas stations or pumps, and landscaping according to Milano Binding Master Plan requirements. Frank Domingo, Traffic Consultant, being duly sworn, spoke on POA proposed transportation stipulation, the variance requested with Sarasota County was denied, and inapplicability of roundabout, beacons and four way stops. Attorney Boone continued on transportation concerns and compatibility having been reviewed in rezoning appeal, and compliance with Land Development code, Binding Master Plan, and Comprehensive Plan.

Shawn Leins, Engineer, being duly sworn, answered Commission questions regarding direction of drainage for stormwater, approval from Southwest Florida Water Management District (SWFWMD), pond to the east, outflow to southern lakes, and knowledge of pond flooding during recent storms. Jim Collins, Planner, being duly sworn, answered Commission question on commercial buffering in Binding Master Plan. Ryan Sollars, Landscape Architect, being duly sworn, answered Commission question regarding consideration of using berms. Mr. Domingo answered Commission questions on crosswalks, opinion provided, County engineer's decision, traffic gaps created by traffic lights, increase in traffic regardless of shopping center, estimated traffic counts, consideration of the second exit from VGRC, exit on northwest of property, improvements to left turn lane, 2028 intersection delays predictions, and traffic predictions to I-75. Mr. Leins answered Commission question regarding responsible party for outgoing drainage management, and impact to downstreet properties.

Attorney Lobeck crossed examined Mr. Domingo regarding traffic light

petition, examples of previous variances granted, and Mr. Neal's involvement in petition. Attorney Boone objected for speculation.

Mr. Scott cross examined Mr. Domingo regarding narrative for traffic light variance, and safety of the planed two way stop.

Attorney Boone re-directed questions to Mr. Domingo regarding request by Mr. Neal for variance request, language used, and ability for homeowners to address Country Commissioners.

Attorney Lobeck, Agent, and Ruth Cordner, affected party representative, being duly sworn, presented past rezoning approval, requested stipulations, safety at Veneto intersection, two surveys done, past appeal, proposed stipulations by Property Owners Association (POA), meeting with Mr. Boone, and call with Mr. Neal.

Recess taken from 4:12 pm to 4:20 p.m.

Ms. Cordner continued regarding, traffic and pedestrian safety, landscape buffering, access point across Veneto, past request for a recreation park, compatibility, and impact on VGRC homeowners. Attorney Lobeck spoke on ingress and egress standards, applicants traffic analysis, traffic hazards, proposed stipulation for traffic light, landscape plan, and elevation view from Laurel Road.

Attorney Boone cross examined Ms. Cordner regarding communication between developer and the POA, whether POA approved the stipulations provided, and whether POA members contacted Sarasota County.

Gary Scott, Affected Party, presented about intensity and purpose of development, impact on neighborhood, intensity of use, ingress and egress to property, pedestrian safety, applicant traffic consultant narrative, and consideration of the ways the intersection can be entered. Attorney Boone objected due to testimony. Mr. Scott continued regarding consideration of a stop light, LDR Section 86.130r, language in applicant variance for traffic light, ordinance for rezone and PUD amendment, surrounding commercial developments, safety at intersection. Attorney Boone objected to strike that 86.130r was not included in appeal.

Kenneth Baron, Designated Representative, 209 Corelli Drive, being duly sworn, spoke against the petition, stormwater drainage, downstream community impact, floodplain compensation, peaking factors, rainfall models used, different data models for west pond, concerns for flooding, current flood zones, a video of site and current wetlands, and compatibility.

A motion was made by Vice Chair Willson, seconded by Ms. Schierberg, to limit public comment to three minute per person. The motion carried unanimously by

voice vote.

Anthony Demeo, 249 Mestre Place, being duly sworn spoke against the plan, communication with applicant, safety for traffic, widening of Laurel road, and view from Laurel Road.

Debbie Gericke, 146 Bella Vista Terrace, being duly sworn, spoke against the plan, Neal Communities' marketing plan, past disputes with Neal Communities, past hearings, and appeal for property rezone.

Morena McCormack, 125 Martellago Drive, being duly sworn, spoke against the plan due to traffic concerns.

Rick Cordner, 2465 Monteluna Drive, being duly sworn, spoke against the plan, history with North Venice Alliance (NVA), history of appeal, dedication of open space, changing of master plans, flooding, and traffic concerns.

Mary Taylor, 113 Asti Court, being duly sworn, spoke against the plan, concerns for traffic, applicants benefits not being sufficient, and noise and light pollution.

Rose Canepa, 294 Martellago Drive, being duly sworn, spoke on compatibility, and against the plan.

Diana Watters, 273 Mestre Place, being duly sworn, spoke against the plan, light and noise pollutions, traffic concerns, and past request for recreation park in Milano.

David McNevin, 212 Delicello Drive, being duly sworn, spoke against the plan, transfer of property from HOA, and impact on neighborhood.

Marcia Libster, 210 Martellago Drive, being duly sworn, spoke against the plan, and impact on neighborhood.

Olen Thomas, 248 Acerno Drive, being duly sworn, spoke against the plan, LDR section 86.130r serving needs of PUD not surrounding PUDs, and size of shopping center.

Barbara Puccia, 179 Valenza Loop, being duly sworn, spoke against the plan.

Ron Walters, 273 Bocelliu Drive, being duly sworn, spoke against plan, concern for traffic, pedestrian traffic, and flooding.

Attorney Lobeck provided final comments on stormwater drainage, traffic concerns, TRC review of traffic analysis, meetings with County Commission, impact on residents, and landscaping buffering.

Mr. Scott provided final comments on LDR Section 86.130r, review of rezoning appeal, Veneto intersection safety, incompatibility, lack of need for development, traffic concerns, and proposed two way stops.

Mr. Liens, provided rebuttal testimony on Mr. Baron's stormwater expert report. Attorney provided final comments on incorrect traffic report, landscaping plan being in compliance, agreed upon stipulations, POA members not meeting with Sarasota County Commission, appeal addressing LDR Section 86.130r, benefit of proximity for homeowners, County's denial of traffic light variance, and compliance with all codes and Master Plan.

Chair Snyder closed the public hearing.

Discussion took place regarding only the site and development plan under review today, the rezoning being final, decision based on compliance with the code, consideration of public opinion, concerns for intersection safety, communications between POA and Developer, compatibility, public's issues with marketing by Neal Communities, traffic light being beyond applicant and Planning Commission's control, LDR Section 86.130r serving more than the PUD, past approvals on land, compatibility, development size, PUD definition, old section 8.2 regarding compatibility mitigations, evidence being from experts, SWFWMD review and approvals, landscape buffering, increase traffic regardless of development, crosswalks, county control of road, other proposed development for area, and future need for the development.

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, 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. 22-40SP with the five agreed upon stipulations as presented by the applicant. The motion carried by the following electronic vote:

Yes: 6 - Mr. Hale, Mr. Willson, Mr. Jasper, Ms. Schierberg, Chair Snyder and Mr. McKeon

No: 1 - Mr. Young