



Meeting Minutes Planning Commission

Tuesday, May 16, 2017

1:30 PM

Council Chambers

[17-08RZ](#)

ZONING MAP AMENDMENT - JOHN NOLEN GARDENS

Owner: ROWCO, LLC

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

Staff: Roger Clark, Senior Planner

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

Ms. Fernandez queried board members on ex-parte communications and conflicts of interest. All board members disclosed site visits with no communication.

Mr. Clark, being duly sworn, reviewed the project to include petition summary information, existing zoning with stipulations, proposed zoning without stipulations, aerial photograph of property, site photographs, surrounding property information, future land use and proposed zoning map, planning analysis, comprehensive plan consistency, mitigation techniques, applicant's intent, comprehensive plan housing policies, proposed zoning and comprehensive plan, concurrency, applicable rezone considerations, and findings of fact, and responded to board questions regarding agriculture and transportation concurrency.

Jeff Boone, Boone Law Firm, being duly sworn, spoke to the apartment complex proposal.

Edward Pinto, Economical Housing Development, LLC., being duly sworn, spoke to his experience, factors that support the concept of John Nolen Gardens, agreement with Sheriff Tom Knight for officers and employee rentals, and the justification for the zoning change.

Mr. Boone spoke to proposed stipulations that should rezone be approved the entire property will be for rental property only, maximum building height will be three stories, and no under structure parking, unique aspects of the proposal, and John Nolen's Plan in regards to apartments and responded to board questions regarding footage of three stories to be up to 35 feet, anticipated need for variances, SCAT bus routes, and estimated relief needed from the city.

Discussion took place regarding open space requirements,

comprehensive plan compatibility, number of proposed units, and fees per unit.

Mr. Boone responded to board questions regarding mixed use, surrounding neighborhoods, proposed stipulation regarding rental units, site plan contingency on zoning approval, guarantee of stipulations, establishing a timeframe, and public hearing with Sarasota County to establish reduction in fee.

Mr. Pinto spoke to city council and county actions required for the project to move forward and proposed stipulations.

Discussion took place regarding fee reductions and apartment size.

Ms. Fernandez spoke to the board's responsibilities regarding rezone petitions, proposed stipulations, and inability to make approval contingent on county approval.

Mr. Pinto responded to board questions regarding employee agreements and housing subsidies.

Discussion took place regarding types of subsidies, building with the current zoning, and zoning code allowances.

John Minder, Minder & Associates Engineering Corporation, being duly sworn, encouraged the board to review the zoning map amendment and expressed his support of affordable housing in Sarasota County.

John Peshkin, LALP Development, LLC., being duly sworn, expressed his opposition to the project due to the incompatibility with surrounding home values and area intensity and density, and concerns with subsidies.

John Moeckel, Venice Golf and River Club Community Association, being duly sworn, spoke to a letter he sent to the commission regarding for profit housing, reduced fees, costs to taxpayers for subsidies, and concern with proposed number of units.

Thomas Gerson, 184 Maraviya Boulevard, being duly sworn, expressed his opposition to the project due to decrease in property values, and increased traffic.

Pamela Gudas, 142 Toscavilla Boulevard, being duly sworn, expressed concern with proposed density, building height, parking, water usage, and transportation.

Bill Rowland, 217 Bayshore Road, being duly sworn, spoke to his sale

of the property, responsibility of planning commission to determine if the rezone is consistent, generated revenue of the proposed project, and industries that surround the current developments.

Mr. Pinto spoke to the surrounding area uses and the John Nolen concept.

Mr. Boone spoke to public meeting requirements for fee discussions, obligation to provide justification of a parking reduction waiver, conducting a traffic analysis, and the intended renters.

Mr. Shrum, being duly sworn, clarified that once zoning is approved it cannot be reverted back to original zoning, the stipulations provided were not vetted through staff, and the need to ensure stipulations are clear in the motion.

Mr. Boone clarified the term rental is for multi-family use and establishing a timeframe to be presented to city council.

Ms. Fernandez spoke to there not being a need to include a timeframe in the rezone.

Discussion took place regarding ensuring the housing is workforce housing, height limit stipulation, intent for timeframe for units to remain rental units (perpetuity).

Mr. Snyder closed the public hearing.

A motion was made by Ms. Moore, seconded by Mr. Graser, 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 and land development regulation commission, 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 Zoning Map Amendment Petition No. 17-08RZ with the following stipulations: the entire property will be for rental property only, the maximum building height will be 35 feet, and there will be no under structure parking.

Discussion took place regarding comprehensive plan input and the need for more housing for lower income residents, keeping Venice a sustainable community, timing of zoning, having site plan heard with rezone contingent on site plan, and the need for guarantee of workforce housing.

The motion carried by the following vote:

Yes: 4 - Ms. Moore, Mr. Graser, Mr. Murphy and Mr. Newsom

No: 1 - Chair Snyder

Excused: 2 - Mr. Towery and Ms. Fawn