



City of Venice

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

Meeting Minutes Planning Commission

Tuesday, March 7, 2017

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: 6 - Chair Barry Snyder, Helen Moore, Jerry Towery, Shaun Graser, Tom Murphy and Charles Newsom

Excused: 1 - Janis Fawn

Also Present

Liaison Council Member Kit McKeon, City Attorney Dave Persson, Development Services Director Jeff Shrum, Senior Planner Scott Pickett, Senior Planner Roger Clark, Assistant City Engineer James Clinch, and Recording Secretary Michelle Girvan.

III. Approval of Minutes

[17-2527](#)

Minutes of the February 7, 2017 Regular Meeting

A motion was made by Mr. Towery, seconded by Mr. Murphy, that the Minutes of the February 7, 2017 meeting be approved as written. The motion carried by voice vote unanimously.

IV. New Business

[17-2528](#)

Election of Officers

Mr. Graser nominated Mr. Snyder as Chair of the Planning Commission. Seconded by Mr. Murphy. The motion carried by voice vote unanimously.

Mr. Graser nominated Mr. Newsom as Vice Chair of the Planning Commission. Seconded by Ms. Moore. The motion carried by voice vote unanimously.

V. Public Hearings

[16-04PP](#)

PRELIMINARY PLAT - GULF HARBOR ESTATES

Planner: Scott Pickett, AICP, Senior Planner

Agent: Tom Ballenger, P.E., GAP Engineering & Planning, LLC.

Owner: Southbridge Investments, LLC.

This item was continued until the April 18, 2017 meeting.

[16-01SE](#)

SPECIAL EXCEPTION - LAUREL ROAD STORAGE - 3496 & 3500 LAUREL RD. EAST

Planner: Scott Pickett, AICP, Senior Planner

Agent: Jeffery A. Boone, Esq.

Owner: Gaylon & Laura Peters, Laurel Road Storage, LLC.

This item was continued until the April 18, 2017 meeting.

[16-01SP](#)

SITE & DEVELOPMENT PLAN - LAUREL ROAD STORAGE - 3496 & 3500 LAUREL RD. EAST

Planner: Scott Pickett, AICP, Senior Planner

Agent: Jeffery A. Boone, Esq.

Owner: Gaylon & Laura Peters, Laurel Road Storage, LLC.

This item was continued until the April 18, 2017 meeting.

[16-04SE](#)

SPECIAL EXCEPTION - PINKELLY - 304 WEST VENICE AVE.

Planner: Roger Clark, Senior Planner

Agent: Jeffery A. Boone, Esq.

Owner: Venetian Plaza, LLC.

Mr. Clark, being duly sworn, requested to combine this petition and 12-03SP.1 into one presentation with separate motions.

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum of advertisement, stated there were no written communications received, and opened the public hearing.

Mr. Perrson questioned board members regarding conflicts of interest and ex-parte communications. Mr. Towery noted conflict of interest and recused himself. Mr. Newsom, Mr. Snyder, Mr. Graser, and Ms. Moore noted site visits with no communications.

Mr. Clark provided a presentation and spoke on the site and development plan petition, aerial photograph, photos of on-site conditions, surrounding property information, future land use map, existing zoning map, consistency with the comprehensive plan, compliance with the land development code (LDC), concurrency, the property being designated as commercial mixed use, compatibility with the city's comprehensive plan, staff findings of fact, special exception request, code modifications, loading zones, and the planning commission's evaluation of the special exception.

Discussion took place on number of loading zones and designated disabled parking.

Jeffery Boone, representing applicant, being duly sworn, spoke on the

site and development plan.

Scott Pinkerton, applicant, being duly sworn, spoke on the proposed project and relocation.

Mark Beebe, project architect, being duly sworn, provided a brief overview of the property, photo of what the building looked like, historic details, and noted following the John Nolen style of architecture and keeping with the style of surrounding buildings.

Mr. Boone spoke on the special exceptions, drive aisle width, stairwells, age of the current Bank of America building and how it relates to current drive aisle width, a third loading zone not being necessary, site and development plan being consistent with current codes and comprehensive plan, excluding the two requested exceptions.

Discussion took place regarding the property, occupants, walkways, building access, sidewalk width, covered walkway, setbacks, and armored bank car loading zones.

Jeff Charlotte, project contractor, being duly sworn, spoke on the armored trucks and the location of their loading zones, bank drive through being used for parking, and lease with Bank of America.

Mr. Beebe spoke on the staircases and the similarities to Sarasota Memorial Emergency Care Center.

Discussion continued on the staircase, design, proposed stipulation, and the Architectural Review Board's (ARB) approval.

Michael Hertel, director of facilities at Epiphany, being duly sworn, spoke on the shared property, adequate parking, bank drive through being used for parking, and traffic flow.

Discussion took place on the petition requiring ARB review.

Mr. Shrum, being duly sworn, spoke regarding approval of the site and development plan being the responsibility of the planning commission, and the order of approval being included in the codes.

Discussion took place on including a stipulation that allows for ARB's approval, code procedures, clarification, and conflicts.

Mr. Perrson clarified that the planning commission is limited by code and is concerned with setbacks and the footprint, and does not have the authority to approve certain specifics.

Mr. Boone stated that a stipulation dependent on the ARB would force the project to return to the planning commission should there be any changes, and requested that the stipulation be left out.

A motion was made by Mr. Graser, seconded by Ms. Moore, 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 moves to approve Special Exception Petition No. 16-04SE to include staff stipulation on the special exceptions that any loading or unloading associated with this property is prohibited in the right-of-way. The motion was approved by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Graser, Mr. Murphy and Mr. Newsom

Excused: 1 - Ms. Fawn

Abstain: 1 - Mr. Towery

[12-03SP.1](#) SITE & DEVELOPMENT PLAN - PINKELLY - 304 WEST VENICE AVE.
Planner: Roger Clark, Senior Planner
Agent: Jeffery A. Boone, Esq.
Owner: Venetian Plaza, LLC.

This item was discussed under 16-04SE.

A motion was made by Ms. Moore, seconded by Mr. Newsom, 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 moves to approve Site and Development Plan Amendment Petition No. 12-03SP.1 The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Graser, Mr. Murphy and Mr. Newsom

Excused: 1 - Ms. Fawn

Abstain: 1 - Mr. Towery

[16-04PP](#) PRELIMINARY PLAT - GULF HARBOR ESTATES
Planner: Scott Pickett, AICP, Senior Planner
Agent: Tom Ballenger, P.E., GAP Engineering & Planning, LLC.
Owner: Southbridge Investments, LLC.

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum of advertisement, noted written communications received, and opened the public hearing.

Mr. Persson questioned board members on conflicts of interest and ex-parte communications. Ms. Moore, Mr. Snyder, Mr. Newsom and Mr. Graser noted site visits with no communications. There were no conflicts

of interest.

Mr. Pickett, being duly sworn, provided a presentation and spoke on the proposed preliminary plat petition, date of completed application, zoning designations and standards, change in property zoning from county Residential Single Family (RSF) 2 to city RSF-3, summary of proposed preliminary plat, aerial photograph, future and existing land use, surrounding property information, consistency with the comprehensive plan, RSF-2 versus RSF-3 lot sizes, compliance with the LDC, concurrency, summary of staff findings of fact, and city action on preliminary plat petition.

Discussion took place regarding zoning designations and plat approval.

Mr. Shrum, being duly sworn, spoke in regards to including stipulations in the proposed plat and editing the preliminary plat based on the zoning designation.

Discussion took place regarding properties that were annexed into the city and have retained an outdated zoning designation, addressing the outdated zoning designations, LDC, zoning issues, resolving zoning codes/issues before approving plats, percentage of lot coverage based on zoning, cost to applicant while determining zoning designations, and hearing from the applicant before making a decision.

Mr. Pickett's presentation was suspended to hear from the applicant.

Greg Roberts, representing the applicant, being duly sworn, spoke on the preliminary plat, zoning, neighborhood workshop, conflict with zoning designations, objection to postpone hearing, moving forward with the preliminary plat approval prior to rezoning approval, RSF-2 and RSF-3 combination, lot width differences based on zoning, and proceeding with the plat despite associated risks.

Mr. Pickett proceeded with his presentation on the preliminary plat, surrounding and nearby property information, existing zoning map, proposed site plan, access, consistency with the comprehensive plan, staff report and study, average lot size, compliance with the LDC, sidewalk waiver, justification for the request, concurrency review, summary of staff findings of fact, and request for planning commission's approval.

Discussion took place on the residential density, compliance, RSF-3 and lot sizes, section of Sunset Drive being city or county owned, current LDC, setbacks, "street" being defined as providing a means of access, and structures being built on the proposed plat negatively impacting existing properties.

Mr. Clinch, being duly sworn, spoke on the preliminary plat, road transfer agreement, and streets being county owned but being transferred to the city in the future.

Discussion took place regarding Sarasota County property, county owned right-of-way, privately owned and maintained property, Deertown Gully water levels being monitored by the city, maintenance of the Gully by property owners, outfalls, drainage plan, and Sunset Drive sidewalks.

Ronald Piccone, GAP Engineering and Planning, being duly sworn, spoke regarding the preliminary plat, pre-application meetings, neighborhood workshop, comments from neighborhood residents, plat size, lot coverage, property zoning, ordinances, plat design, parcel size, drainage design, maximized stormwater treatment, landscaping, and understanding applicant's predicament.

Tom Ballenger, GAP Engineering and Planning, being duly sworn, spoke on the preliminary plat, low impact stormwater design, and drainage.

Mr. Roberts spoke on the preliminary plat and staff findings, compliance with comprehensive plan, waiver of sidewalks, compliance with the LDC, and noted objection to any discussion or public input regarding zoning as the purpose of the meeting is for approval of the preliminary plat.

Mr. Snyder spoke on the proposed drainage system and approval from Southwest Florida Water Management District (SWFWMD).

Mr. Snyder clarified this is a hearing for the preliminary plat not the rezoning, and noted the plat will have a stipulation if approved that requires rezoning.

Leora Nelson, 1104 Sunset Drive, being duly sworn, spoke on the preliminary plat, Sarasota County property appraiser designating the property as RSF-2 in 2016, property frontage, vacant lot, annexations, zoning changes, never receiving notification for city RSF-3 zoning change, property location, lot sizes, city code, Deertown Gully drainage, SWFWMD's response regarding the drainage plan development, and property sign.

Chuck Malkerson, 409 Shore Road, being duly sworn, spoke on natural habitat, tax laws, concern of zoning changes, risk of project not going through and other projects taking advantage of the zoning change, Deertown Gully drainage and water flow, insufficient land to absorb water flow in the event of flooding or a natural disaster, improvement of coverage area, loss of natural coverage, and concern with the maximum

units available.

Janice Sicilian, 1408 Harbor Drive, being duly sworn, spoke on wildlife in the area, loss of the gully and wildlife habitats if plat is approved, and sidewalks.

Arthur Fox, 413 Gulf Drive, being duly sworn, spoke on zoning and definitions, Deertown Gully needing development, interest in the development of property, property value, and taxes.

Mr. Piccone spoke on the drainage of Deertown Gully, low impact development drainage, property swales, treatment of water in the swales before being discharged, and water retainment in swales for 72 hours.

Discussion took place on drainage and the gully, backflow, drainage coming back onto the property in the event of a tidal surge, treatment of backflow into the gully, sidewalks, zoning consistency, inconsistency with the neighborhood, number of lots on southside, proposed lots and footage, and RSF-2 and RSF-3 county and city zoning.

Mr. Snyder spoke on coastal high hazard areas and requirements.

Mr. Shrum noted coastal high hazard areas are in relation to the comprehensive plan and density.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Towery, seconded by Mr. Newsom, 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 moves to approve Preliminary Plat Petition No. 16-04PP contingent on this property being rezoned to RSF-3. The motion carried by the following vote:

Yes: 6 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Graser, Mr. Murphy and Mr. Newsom

Excused: 1 - Ms. Fawn

VI. Unfinished Business

17-2531

Comprehensive Plan Update Discussion

Staff: Jeff Shrum, AICP, Development Services Director

Public Comments Specific to Comprehensive Plan Update

Mr. Shrum spoke on the comprehensive plan, workshop times and dates, number comparison of the acreage from the current to future comprehensive plan, update of public input, and joint meeting with city council.

VII. Audience Participation

No one signed up to speak.

VIII. Comments by Planning Division

There were none.

IX. Comments by Planning Commission Members

Ms. Moore spoke regarding documents received during the meeting and not having enough time to review the handouts.

X. Adjournment

There being no further business to come before this Commission, the meeting was adjourned at 4:13 p.m.

Chair

Recording Secretary