



# City of Venice

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

## Meeting Minutes Planning Commission

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Tuesday, June 6, 2017

1:30 PM

Council Chambers

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### 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 Councilmember Kit McKeon, Assistant City Attorney Kelly Fernandez, Development Services Director Jeff Shrum, Senior Planner Scott Pickett, and Assistant City Clerk Heather Taylor.

### III. Approval of Minutes

#### [17-2730](#)

Minutes of the May 2, 2017 and May 16, 2017 Regular Meetings and May 3, 2017 Comprehensive Plan Transmittal Hearing

Discussion took place regarding the May 16, 2017 minutes to include the 16 stipulations and proximity notifications and buffering along Auburn Road.

**A motion was made by Ms. Moore, seconded by Mr. Graser, that the Minutes of the May 2, May 3, and May 16, 2017 meetings be approved as written. The motion carried by voice vote unanimously.**

### IV. Public Hearings

#### [17-06RZ](#)

409 PARK LANE DRIVE - CITY ZONING MAP AMENDMENT

Owner: Richard and Jeanne Davis

Staff: Scott Pickett, AICP, Senior Planner

Application Date: 3/13/17

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

Ms. Fernandez queried board members on ex-parte communications

and conflicts of interest. Mr. Newsom and Mr. Graser disclosed site visits with no communication.

Mr. Pickett, being duly sworn, reviewed the petition to include property information, existing and proposed zoning from Sarasota County Residential, Single-Family 2 (RSF-2) to City of Venice Residential, Single-Family 2 (RSF-2), annexation procedures, aerial photograph of property, future land use designation and existing zoning maps, comparison of existing and proposed zoning use regulations, district development standards, and staff summary and findings of fact, and responded to board questions regarding property size.

Mr. Shrum, being duly sworn, responded to board questions regarding lot coverage.

Mr. Pickett responded to board questions regarding whether a building permit application triggered the petition. Mr. Shrum stated that future petitions will have permit application information in the staff report. Discussion took place regarding the permit issued and other properties in the surrounding area.

Mr. Snyder closed the public hearing.

**A motion was made by Mr. Towery, 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 recommends approval to City Council Zoning Map Amendment Petition No. 17-06RZ. 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

#### 16-07RZ

#### MILANO ZONING MAP AMENDMENT

Owner: Neal Communities of SW FI, LLC and Border and Jacaranda Holdings, LLC

Agent: Jeffery A. Boone, Esq.

Staff: Scott Pickett, AICP, Senior Planner

Application Date: 11/18/16

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

Ms. Fernandez queried board members on ex-parte communications and conflicts of interest. Mr. Graser, Mr. Newsom and Mr. Snyder disclosed site visits with no communication.

Mr. Pickett, being duly sworn, reviewed the petition to include property location, existing and proposed zoning districts from Planned Unit Development (PUD), Laurel Lake PUD and VICA PUD to Planned Unit Development (PUD), Milano PUD, proposal summary, aerial photograph of property, existing and future land use maps, proposed zoning map, comparison of use regulations, Planned Unit Development (PUD) standards, binding concept plans, and existing and proposed zoning, environmental assessment, reviewed stipulations, pre-annexation agreements, consistency with the comprehensive plan, findings of fact regarding comprehensive plan, compliance with the land development code (LDC), finding of fact regarding LDC, concurrency, and summary of findings. He discussed staff's recommendations should the planning commission recommend approval, and responded to board questions regarding Laurel Road improvements, dedication of right-of-way, and landscape buffer and setback requirements.

Jeff Boone, Boone Law Firm, representing applicant, being duly sworn, reviewed the petition to include VICA rezone, building height, mixture of multi-family and single family, interconnection between the two PUDs, maximum number of units, density reduction, and benefits of combining the two PUDs.

Jim Collins, Boone Law Firm, being duly sworn, reviewed the proposed PUD changes, interconnection, development of eastern portion of the property, changes to western portions are the three connections, one change in standard for reduction in lot size for multi-family, reduced heights, and buffer standards.

Pat Neal, Neal Communities, being duly sworn, responded to board questions regarding use of amenity centers and dog park, and joint gate access between the two PUDs.

Discussion took place regarding Florida Power and Light (FPL) easement, number of signs, parks and public space, commercial zoning, previous height requirements, number of units in the final plat for the east side, construction of the buffer along Laurel and Border Roads, proposed signage, proposed optional entrance, tiered effect on Border and Laurel Roads, and binding master plan modifications.

Mr. Boone stated he is in agreement with the environmental stipulations presented by staff, and discussed the Laurel Road stipulations presented by staff to include dedication of right-of-ways, impact fee credits, pre-annexation agreement requirements, constitutional laws regarding private property owners dedicating right-of-ways, impact fee credits, and agreement with the stipulation if the applicant will be

compensated.

Mr. Neal spoke to the stipulations regarding the land owners contribution on Laurel Road, avoiding conflict with the city, and proposal to build four lane section, median and landscaping for right-of-way adjacent to property on Laurel Road if entered into a public private partnership including compensation.

Discussion took place regarding construction on the south side of the road, compensation requirements, and pre-annexation agreement regarding the dedication of the right-of-way.

Mr. Shrum, being duly sworn, spoke to staff's proposed stipulations.

Discussion continued regarding presenting Neal Communities' proposal to city council, and transportation analysis results.

Jerry Jasper, 130 Burano Court, Venetian Golf and River Club Community Association, expressed support of the Laurel Road concept and combining the two PUDs.

Recess was taken from 3:21 p.m. until 3:34 p.m.

Mr. Boone clarified minimum lot widths and the number of multi-family units allowable.

Mr. Pickett spoke to the communities being gated.

Mr. Snyder closed the public hearing.

**A motion was made by Mr. Newsom, seconded by Mr. Towery, 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. 16-07RZ with the following stipulations:**

- 1. An updated listed species survey shall be conducted prior to any construction.**
- 2. The applicant shall provide the city with the results of the updated listed species survey, and any correspondence with the United States Fish and Wildlife Service (USFWS) or the Fish and Wildlife Conservation Commission (FWC).**
- 3. The applicant shall obtain all applicable state and federal listed species permits.**
- 4. The applicant shall comply with FWC regulations regarding the survey and relocation of gopher tortoises and associated commensal species.**
- 5. The applicant shall provide a tree survey and any other permits or documents related to tree removal to the city.**
- 6. The applicant shall obtain all applicable state and federal environmental permits and provide wetland mitigation, as required.**

7. Any nuisance species observed within project area wetlands and uplands shall be removed and replanted with native Florida species, as required to obtain Southwest Florida Water Management District (SWFWMD) permits.

8. The applicant is required to dedicate necessary right-of-way along Laurel Road and construct the eastbound lanes of Laurel Road along the development from the westernmost property line to the easternmost property line of the site.

9. All Grand Trees, as defined by the Trees Code and verified by Sarasota County Environmental Protection Division staff, shall be shown on the preliminary plat and/or site and development plan. Consistent with the Trees Code, all impacts to Grand Trees shall be avoided by design, unless it is determined by staff that the tree(s) may adversely affect the public's health, safety, and welfare during construction plan review. Changes to the development concept plan may need to occur to ensure that all Grand Trees have full dripline protection.

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

01-03PP.2

TRIPLE DIAMOND COMMERCE PARK PRELIMINARY PLAT  
AMENDMENT - PGT CHILDCARE

Owner: PGT Industries, Inc.

Agent: Shawn Leins, P.E., AM Engineering, Inc.

Staff: Scott Pickett, AICP, Senior Planner

Application Date: 1/9/17

Mr. Snyder stated this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, stated petition 01-03PP.2 and 05-07SP.2 would be presented together, and opened the public hearing.

Ms. Fernandez queried board members regarding ex-parte communications and conflict of interest. Mr. Snyder, Mr. Newsom and Mr. Graser disclosed site visits with no communication.

Mr. Pickett being duly sworn, reviewed the petitions to include summary of preliminary plat amendment and preliminary plat drawing, site and development plan amendment summary and site plan drawing, aerial and existing land use photograph, surrounding property information, future land use map, consistency with the comprehensive plan and land development code, concurrency review, summary of findings, code modification need to be included in motion if requesting approval, and stipulation contingencies, and responded to board questions regarding phase one and two, entrance on Triple Diamond Boulevard, and appropriate time to discuss traffic flow concerns.

Shawn Leins, AM Engineering, being duly sworn, responded to board questions regarding maintenance of existing parking spaces.

Bruce Wesner, PGT, being duly sworn, spoke to modifications to ensure

a smooth flow of traffic.

Discussion took place regarding space of entrance and restrictions regarding alcohol being served within a certain distance of a child care facility.

Mr. Pickett informed the applicant that there is a two year expiration of the site and development plan if approved.

Mr. Snyder closed the public hearing.

**A motion was made by Ms. Moore, seconded by Mr. Murphy, 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 of Preliminary Plat Petition No. 01-03PP.2.**

Ms. Fernandez reminded the board to include the stipulation regarding open space to the motion.

**Ms. Moore amended her motion to include recommendation of approval of a requested variance or code modification from Section 86-132(h)(3) to reduce the minimum landscaped open space on Proposed Lot 52B from 20% to 16.3%. The motion as amended carried by the following vote:**

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

**Excused:** 1 - Ms. Fawn

#### [05-07SP.2](#)

#### PGT CHILDCARE SITE & DEVELOPMENT PLAN AMENDMENT

Owner: PGT Industries, Inc.

Agent: Shawn Leins, P.E., AM Engineering, Inc.

Staff: Scott Pickett, AICP, Senior Planner

Application Date: 1/9/17

This item was discussed under petition no. 01-03PP.2.

**A motion was made by Ms. Moore, seconded by Mr. Murphy, 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 approves Site and Development Plan Petition No. 05-07SP.2 with the following stipulation: Approval is contingent on approval and recordation of the final plat associated with Preliminary Plat Amendment Petition No. 01-03PP.2. 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

#### [17-01SE](#)

#### FURNITURE WAREHOUSE SPECIAL EXCEPTION

Owner: The Furniture Warehouse  
Agent: D. Shawn Leins, P.E., AM Engineering, Inc.  
Staff: Scott Pickett, AICP, Senior Planner  
Application Date: 1/20/17

Mr. Snyder stated this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, stated that petition nos. 17-01SE and 17-02SP would be presented together, and opened the public hearing.

Ms. Fernandez queried board members regarding ex-parte communications and conflict of interest. Mr. Graser, Mr. Newsom and Mr. Snyder disclosed site visits with no communication.

Mr. Pickett, being duly sworn, reviewed the projects to include site and development plan project and special exception summaries, aerial photograph, photograph of on and off-site conditions, surrounding property information, future land use and existing and proposed zoning maps, consistency with the comprehensive plan, requested code modifications regarding rear yard setback and off-street parking, staff summary, and findings of fact. concurrency, and recommended stipulations.

He responded to board questions regarding access to property owned by Sarasota County, inability to annex, differences between parking standards, use of property by the auto sales business next to the property, parking width standards, proximity of the connecting wall to the property line, and ownership of the fence on the north side of the property.

Mark Richmond, The Furniture Warehouse, being duly sworn, responded to board questions regarding daily parking usage, dividing wall located on the property, ownership of the fence, and maintenance access with the county.

Stephany Richmond, The Furniture Warehouse, being duly sworn, responded to board questions regarding leasing parking spaces to the Nissan dealership, and ownership of the property to the north of the warehouse.

Mr. Snyder closed the public hearing.

**A motion was made by Mr. Murphy, 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 approves Special Exception Petition No. 17-01SE. 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

[17-02SP](#)

**FURNITURE WAREHOUSE SITE & DEVELOPMENT PLAN**

Owner: The Furniture Warehouse

Agent: D. Shawn Leins, P.E., AM Engineering, Inc.

Staff: Scott Pickett, AICP, Senior Planner

Application Date: 1/20/17

This item was discussed under petition no. 17-01SE.

**A motion was made by Mr. Towery, seconded by Mr. Murphy, 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 approves Site and Development Plan Petition No. 17-02SP with the following stipulation: Approval shall become effective with the adoption of a City of Venice ILW zoning designation on the subject property. 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

## **V. Audience Participation**

No one signed up to speak.

## **VI. Unfinished Business**

[17-2731](#)

Discussion - Combining and/or Collaboration with the Planning Commission with the Architectural Review Board

Discussion took place regarding this item being premature in regards to the land development code (LDC) modifications, form based codes for mixed use areas and the need for architectural input, and contributions of architectural review board (ARB) members in the LDC process.

Mr. Shrum spoke to discussion with the ARB, city council discussion, and review during the LDC.

Discussion continued regarding joint workshops versus combining boards and the needs depending on project type.

## **VII. Comments by Planning Division**

Mr. Shrum noted a correction in the last meeting regarding the need for an affirmative vote of four members not being a planning commission requirement, and reminded the board of the comprehensive plan



transmittal hearing on June 12, 2017.

### **VIII. Comments by Planning Commission Members**

There were none.

### **IX. Adjournment**

There being no further business to come before this Commission, the meeting was adjourned at 4:54 p.m.

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Chair

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Recording Secretary