



## Meeting Minutes Planning Commission

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Tuesday, May 15, 2018

1:30 PM

Council Chambers

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### 17-02PP

Aria Preliminary Plat (Section of Milano Planned Unit Development)

Staff: Scott Pickett, AICP, Senior Planner

Attorney: Jeffery Boone, Esq.

Agent: Melanie Smith, P.E., LEED G.A., Stantec Consulting Services, Inc.

Applicant: Border and Jacaranda Holdings, LLC

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 concerning ex-parte communications and conflicts of interest. Mr. Snyder, Mr. McKeon and Mr. Graser disclosed site visits. There were no ex-parte communications.

Mr. Pickett, being duly sworn, reviewed the petition to include aerial and property area photographs, future land use and existing zoning maps, surrounding property information, preliminary plat master site plan review including property access, existing lake preservation, county owned property adjacent to the property, and future land swap and plat adjustment, residential lot type, size and density, and land use, Comprehensive Plan consistency, compliance with Milano Planned Unit Development (PUD), the Milano PUD Rezone stipulations, and the Land Development Code (LDC), concurrency, summary Findings of Fact, and planning commission determination. He responded to board questions regarding waste water lift station, non-residential space, enclave in 2B on the future land use map, proposed land swap, wetland and open space, and wildlife corridors.

Jeff Boone, Boone Law Firm, being duly sworn, spoke to the petition to include date application was filed, staff review, consistency with PUD zoning and binding conceptual master plan, concurrency approval, and addressed the land trade swap, the county owned parcel subject to land swap application, alternative to allow road to curve around county parcel, displayed expected revision to preliminary plat to straighten road out when land is traded, and requested the board recommend to city council Mr. Shrum to administratively approve revised preliminary plat once land trade is complete if compliant.

Melanie Smith, Stantec, being duly sworn, responded to board questions

regarding storm drainage, other service water (OSW) impact on lots, control features for lakes, and lake discharge locations.

Discussion took place regarding Southwest Florida Water Management District (SWFWMD) permitting, and OSW lot impact.

Ms. Smith responded to board questions regarding wetland impact, location for live oak planting, mitigating traffic on Jacaranda Blvd., fence buffer on Jacaranda Blvd., and entrance locations in regards to the potential need for signalization.

In response to board questions, Mr. Boone stated there was no plan for boat docks and commented on the procedure for the land swap.

Sandra Kenny, 213 Malina Court, being duly sworn, spoke to access to amenities.

Mr. Shrum, being duly sworn, provided clarification to previous discussion regarding property on the map included in 2B and spoke to administrative approval.

Mr. Snyder closed the public hearing.

**A motion was made by Mr. Murphy, 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 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, recommends approval to City Council Preliminary Plat Petition No. 17-02PP, with the following stipulations:**

- 1. The applicant agrees to convey to the city or other governmental entity a strip of land along the southerly boundary of the Laurel Road right-of-way. The width of the strip of land shall be determined by the city on or before December 31, 2017. The compensation for which, if any, shall be determined and paid on or before December 31, 2019. Nothing herein shall prevent the parties from adjusting the amount of property to be conveyed. This provision shall expire if not acted upon by the city prior to the above date.**
- 2. An updated listed species survey shall be conducted prior to any construction.**
- 3. 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).**
- 4. The applicant shall obtain all applicable state and federal listed species permits.**
- 5. The applicant shall comply with FWC regulations regarding the survey and relocation of Gopher Tortoises and associated commensal species.**

6. The applicant shall provide a tree survey and any other permits or documents related to tree removal to the city.

7. The applicant shall obtain all applicable state and federal environmental permits and provide wetland mitigation, as required.

8. Any nuisance species observed within project area wetlands and uplands shall be removed and replanted with native Florida species, as required to obtain SWFWMD permits.

9. Grand trees are present on the subject property. 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.

10. In the event of common ownership between Milano PUD and the adjacent property to the west (currently known as Villa Paradiso), one or more optional interconnections between the properties shall be permitted.

Additionally, recommends authorization for Mr. Shrum to consider and rule on relocation of the lift station shown on the preliminary plat.

The motion carried by the following vote:

Yes: 7 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Graser, Mr. Murphy, Ms. Fawn and Mr. McKeon