



## Meeting Minutes Planning Commission

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Tuesday, December 4, 2018

1:30 PM

Council Chambers

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### 17-11RZ

Zoning Map Amendment - Fisherman's Wharf

Staff: Roger Clark, AICP, Planning Manager

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

Owner: Venice Marine Park, LLC

Mr. Snyder stated Petition Nos. 17-11RZ, 17-03SE, 17-02CU and 14-03SP.2 will be heard together, announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications and opened the public hearing.

Ms. Fernandez queried board members regarding ex-parte communications and conflicts of interest. Mr. Murphy, Mr. McKeon and Mr. Graser disclosed site visits. There were no ex-parte communications.

Mr. Clark, being duly sworn, provided a presentation to include Fisherman's Wharf background, aerial photograph, location and surrounding properties, site photos, future land use, existing zoning map, land use petitions, zoning map amendment, proposed zoning map, planning analysis, special exceptions, existing districts, proposed commercial general (CG) district, standards, comprehensive plan consistency, mitigation techniques, applicable rezone considerations, findings for rezoning amendments, concurrency/mobility review, findings of fact, planning commission determination, and answered board questions on zoning multi-family dwellings, flexibility and height, leases, submerged lands, Marine Park, commercial intensive (CI), CG, mixed use corridor, comprehensive plan, coastal high hazard areas, and future land use density.

Mr. Clark continued the presentation on Petition Nos. 14-03SP.2 and 17-03SE to include five stories over one level of parking, expansion to existing restaurant for storage, dock master, boat rental, boat club offices, restrooms, laundromat, 15 seat tiki bar, demolition of two existing commercial buildings, parking, landscaping, signage, drainage, utility improvements, and proposed site plan.

Recess was taken from 2:10 p.m. until 2:15 p.m.

Mr. Clark continued the presentation to include proposed location,

alternative sidewalk request, multiple driveway request, and answered board questions on sidewalks, special exceptions, multi-family residential use, modifications to code standards, four ground signs, garage setbacks, parking spaces, comprehensive plan consistency, transitional strategies, proposed residential density, non-residential density, existing residential density, mitigation techniques, land development code consistency, concurrency/mobility, findings of fact, special exception comprehensive plan consistency, land development code consistency, findings of fact, planning commission action, and answered board questions on alternative design characteristics, special exceptions, alternative sidewalk waiver, one foot setback, street frontage, ground sign, garages, ancillary structures, multi-family structures, parking, elevations, location of new entrance, auxiliary garages, visibility, landscaping requirements, and vehicle use area.

Mr. Clark continued the presentation on Petition No. 17-02CU to include additional building height, rear elevation photograph, height measurements, site photos, and answered board questions on stories and height, proposed site plan, location, comprehensive plan consistency, transitional strategies, and answered board questions of height and structure of bridge, mitigation techniques, findings of fact, conditions of approval, land development code consistency, and planning commission action with stipulation to include the conditional use will become effective upon approval of zoning map amendment Petition No. 17-11RZ by city council, and answered board questions on height and parking.

Recess was taken from 3:30 p.m until 3:35 p.m.

Jeffery Boone, Boone Law Firm, being duly sworn, spoke to the request to include rezoning commercial intensive dry land, Marine Park submerged land, CG, special exception to include multi-family residential, industrial uses, site plan, site and development plan consistency, condominium use, boat storage, conditional use request, building height request, three residential floors, one under structure parking, landscaping, permitting, construction, clean up cost, and Harbor Lights.

Mike Miller, Fisherman's Wharf, being duly sworn, provided a presentation on involvement of project, challenges of developing infill projects vs. raw land, addressed issues, public and private sector for solutions, zoning designation, 2016 development plan, history of plan, location, cost, value, environmental issues, habitat, wetland, soil conditions, assemblage of parcels, utilities to site, concurrency, existing building conditions, drainage, cost of relocation, access to site, existing easement and rezoning. He continued on maintaining the operating business, compatibility, completed infill areas, existing closed cement plant, Porto Vista Condominium Phase I

restaurant parking, Phase II condo site and Phase III marine parking, garages, signage, storage, infill challenges to include emergency access, access control gate, Harbor Lights, buffers, sidewalks, current access, drainage to include underground storage chambers, impervious concrete, building removal, arches, railings, shutters, color schemes and shadowing, fence, landscaping, right-of-way distances, building scale, ground height, parking, submerge land lease, and driveways.

Mr. Boone spoke on comprehensive plan consistency.

Mr. Miller spoke on driveway widths, emergency vehicle access, sidewalks, garage, leased land, parking lot widths and answered board questions on Harbor Lights, four story, 16 unit condominiums, and public boat ramp.

Ms. Fawn left the dais at 3:43 p.m.

Recess was taken from 3:45 p.m. until 3:57 p.m.

Mr. Boone spoke on clarification of proposed building height, building measurement, ground measurement, current existing zoning, ground building, parking, elevator shaft, land development regulations, air conditioning units, roof, and answered board questions on width parking spaces.

Mr. Miller answered board questions on parking spaces, garage spaces, distance setbacks, including Marine Park zoning map amendment, site of the building, impervious concrete parking, and drainage.

Pat McDonald, 250 Santa Maria, being duly sworn, spoke on height, unprovided photos, special exception front yard, proposed noted concern for planned use, dimensions, surrounding impacts, future traffic, cleanliness of water, hurricanes, air circulation, atmosphere, and nature.

Chris Smith, representing Harbor Lights, being duly sworn, spoke on emergency access agreement, modifying turn radius, landscaping, fencing, lighting scheme, traffic signal, and submerged lands.

Dawn Champiny, 601 Barcelona Avenue, being duly sworn, expressed concerns on aesthetics, zoning plans, code changes, FEMA heights, landscaping, designated flood zone, environmental disasters, typography of land, growth of Venice, properties for sale, future of Venice, challenges of infill, failure to address challenges by the public and city, project financials, land use, and waterways.

Robert Welton, 613 Tamiami Trail, being duly sworn, spoke to building

height, current and new codes, and Marine Park.

Richard Herman, 210 Santa Maria Street, being duly sworn, expressed concerns on building height, traffic concern, and emergency access.

Mr. Boone spoke on lighting plan, Harbor Lights, traffic concerns, extra building height, ownership of land, zoning code, comprehensive plan, runoff, Red Tide, and gravel parking lot.

Mr. Shrum, being duly sworn, answered board questions on Marine Park zoning districts, building structures over water, permits, comprehensive plan, mixed use corridor, water/land usage, parcel zoning, zoning maps, special exception site plan, rezoning, and alternative proposal.

Mr. Boone spoke on concern for Marine Park zoning and to work with staff on existing zoning boundaries.

Mr. Snyder closed the public hearing.

**A motion was made Ms. Fawn, seconded by Mr. Hale, that based on the 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, and recommends approval to city council zoning map amendment Petition No. 17-11RZ.**

Discussion took place on support of Commercial General (CG) instead of Commercial Intensive (CI), land parcel, and benefit to city.

**The motion carried by the following vote:**

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