



# City of Venice

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

## Meeting Minutes Planning Commission

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Tuesday, October 1, 2019

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

**There was consensus to excuse Mr. McKeon and Mr. Willson's absence.**

**Present:** 5 - Chair Barry Snyder, Shaun Graser, Tom Murphy, Richard Hale and Scott Williams

**Excused:** 2 - Kit McKeon and Bill Willson

### Also Present

Development Services Director Jeff Shrum, Planning Manager Roger Clark, City Attorney Kelly Fernandez, City Clerk Lori Stelzer and Deputy City Clerk Danielle Lewis.

### III. Approval of Minutes

[19-4180](#)

Minutes of the September 3, 2019 Regular Meeting

**A motion was made by Mr. Murphy, seconded by Mr. Hale, that the Minutes of the September 3, 2019 meeting be approved as written. The motion carried unanimously by voice vote.**

### IV. Audience Participation

There was none.

### V. Public Hearings

[19-04RZ](#)

Zoning Amendment - Ramsey Road Planned Unit Development

Staff: Roger Clark, AICP, Planning Manager

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

Applicant: The Gallina Companies

Mr. Snyder read memorandum of advertisement and written communications, and opened the public hearing.

Ms. Fernandez asked if there were any conflicts of interest or ex-parte

communications. There were none.

Mr. Snyder advised that Planning and Zoning received a request for affected party status from Darrin Hunt, 464 Ramsey Rd., Venice.

Mr. Hunt, being duly sworn, stated if the application is approved he would be adversely affected because he shares a property line with Ramsey Road and because of possible reduced setbacks.

**A motion was made by Mr. Murphy, seconded by Mr. Hale, to grant Mr. Hunt affected party status. The motion carried by the following vote:**

**Yes:** 5 - Chair Snyder, Mr. Graser, Mr. Murphy, Mr. Hale and Mr. Williams

**Excused:** 2 - Mr. McKeon and Mr. Willson

Mr. Shrum, being duly sworn, advised that not all documents are provided to the Planning Commission for review but they will be made part of the official record.

Mr. Clark, being duly sworn, provided a presentation on the PUD zoning amendment for the approximately 15-acre site for the construction of a multi-family residential project along with associated parking and amenities to include background information, aerial and site photographs, surrounding property information, future land use map (FLUM), zoning map, planning analysis of approved PUD and proposed PUD, comprehensive plan consistency, compatibility and mitigation techniques of Policy 8.2, land development code (LDC) consistency, requested code modification of 86-130(p), applicable rezone consideration provided in code section 86-47(f), concurrency/transportation mobility, findings of fact, and planning commission action.

Mr. Clark stated that the criteria for rezoning has been met by the applicant and is in compliance with the Land Development Code.

Discussion ensued on the traffic study that is currently under review and Mr. Clark indicated deficiencies would not be the applicant's responsibility.

Jeffrey Boone, Boone Law Firm, being duly sworn, stated that they are not requesting a zoning change, but a request to lower the density, lower the building height, have fewer buildings on-site, larger setbacks and larger buffers.

Mr. Boone stated if the proposed rezone is approved, the applicant will return with an approved site and development plan that is consistent with the revised binding master plan.

Discussion ensued on parking spaces and parking garages as well as buffering along the western property line.

In response to board member questions, Mr. Boone said the sales office will be combined with the clubhouse.

Discussion ensued on the easement to Aston Gardens and Mr. Boone confirmed that easement is still in effect.

Discussion continued on mailboxes, crosswalks and sidewalks and Mr. Boone commented that these will be indicated on the site plan.

Mr. Hunt explained his concerns with the eastern side setback, buffers and easement and because of the private roadway easement, the 25-foot setback is going to feel like a 10-foot setback. Mr. Hunt discussed the current proposed landscape plan and stated that his main concerns with this project revolve around the proposed landscape buffer between the private roadway easement and the development.

Mr. Hunt requested a stipulation that ensures an adequate buffer between the private road easement in the community parking lot and roadway.

Mr. Boone stated his agreement to the stipulation to have an adequate buffer in the site and development plan.

Board members requested that Mr. Hunt's materials be included in the record for the meeting.

Dottie Watkins, 1644 San Silvestro Drive, Venice, being duly sworn, asked if traffic studies have been reviewed and stated that a study should be conducted in February, not July.

Mike Loftus, 1187 Tuscany Boulevard, Venice, being duly sworn, expressed his concerns about traffic congestion and asked that more studies be done, particularly on Pinebrook Road and was concerned about surface water management and asked if any wetlands would be destroyed and where stormwater runoff would drain.

Carol Lehrman, 1093 Tuscany Boulevard, Venice, being duly sworn, spoke to traffic back up beyond Hatchett Creek and her concern about the level and potential increase in level of traffic.

John Bailey, 209 Bailey Road, Venice, being duly sworn, spoke to the location of the swale and drainage down Ramsey Road.

Mr. Boone responded that reducing the density from the currently approved plan will decrease the traffic impact.

Mr. Shrum advised that the site and development plan is in the staff review stage but there will be more details on water-sewer connections and drainage when presented to the planning commission.

Mr. Shrum suggested that the board develop standards for the desired landscape buffer.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Hale, seconded by Mr. Williams, 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, 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, to recommend approval of Zoning Amendment Petition 19-04RZ to City Council. The motion carried by the following vote:

**Yes:** 5 - Chair Snyder, Mr. Graser, Mr. Murphy, Mr. Hale and Mr. Williams

**Excused:** 2 - Mr. McKeon and Mr. Willson

## **VI. Comments by Planning Division**

Mr. Shrum requested board members requesting to be excused to contact Mr. Shrum and JoAnne Brewer.

Mr. Shrum noted that he needs six 4-hour sessions to discuss LDRs with the first session on October 21, 2019. Mr. Snyder requested the board members review their calendars for November and December for availability and advise staff.

Mr. Shrum discussed having two workshops in November, two in December and possibly January 2020.

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

There were none.

## **VIII. New Business**

### 19-4181

City Attorney Kelly Fernandez and City Clerk Lori Stelzer: Refresher on Public Records and Sunshine Laws as Required by the Settlement Agreement in the Citizens for Sunshine and Anthony Lorenzo Litigation

Ms. Fernandez advised that members must recuse themselves if there is monetary incentive and can abstain during quasi-judicial hearings if they

believe they will be prejudiced or biased.

Mr. Williams left the dais at 3:05 p.m. and returned at 3:08 p.m.

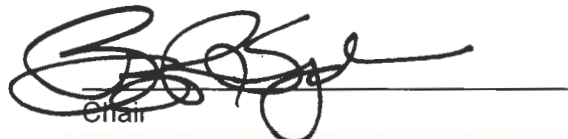
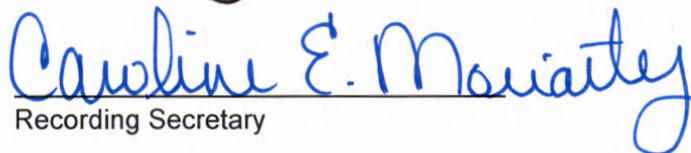
Discussion ensued on a member recusing themselves and then speaking as an affected party.

Ms. Fernandez spoke on articles regarding public records and sunshine law cases.

Ms. Fernandez updated that the city is still engaged in a lawsuit regarding text messages.

## IX. Adjournment

There being no further business to come before this Board, the meeting was adjourned at 3:25 p.m.

  
Chair  
Recording Secretary