



# City of Venice

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

## Meeting Minutes Planning Commission

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Tuesday, March 21, 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

Board members had no objection for Mr. Murphy and Mr. Graser's absence to be excused.

**Present:** 4 - Chair Barry Snyder, Helen Moore, Jerry Towery and Charles Newsom

**Excused:** 3 - Shaun Graser, Tom Murphy and Janis Fawn

### Also Present

Liaison Councilmember Kit McKeon, Assistant City Attorney Kelly Fernandez, Development Services Director Jeff Shrum, Senior Planner Scott Pickett, Senior Planner Roger Clark and Recording Secretary Mercedes Barcia.

### III. Approval of Minutes

There were no minutes to be approved.

### IV. Public Hearings

#### 17-01AM

ZONING CODE TEXT AMENDMENT - 3419 TECHNOLOGY DRIVE

Staff: Scott Pickett, AICP, Senior Planner

Applicant: PGT Industries, Inc. % Cate Wells, Esq., Shumaker, Loop & Kendrick, LLP.

Mr. Snyder read memorandum regarding advertisement, noted no written communication was received, and opened the public hearing.

Mr. Pickett spoke on the text amendment application for PGT, adding permitted uses for child care centers and principal parking, scheduling advertisement, Planned Industrial Development (PID), consistency with the comprehensive plan, Policy 13.3 Industrial Future Land Use and proposed permitted uses, expansion of plans, compliance with the Land Development Code (LDC), PID intent and purpose, staff findings, and

review for conflicts with previously approved PID districts.

Cate Wells, representative of applicant, spoke on basis for proposed amendment to include issue with retention of employees, employees working the third shift unable to have available daycare needs, PGT supporting their employees, feedback received from the sheriff's department and PGT employees, and request for daycare and parking.

Discussion followed regarding satisfying employee needs, other proposed options, decision on amending the LDC instead of the PID, special exception process, PGT purchase of property, potential of unintended consequences, service establishments, best use of limited PID property and space, strategic planning, traffic flow, employee parking, creating a safer environment, and PID districts and permitted uses.

Discussion continued on staff publication and advertising of parking, including definition of principal parking at the April 13, 2017 planning commission meeting, and submittal of site development plan.

Mr. Shrum requested pulling parking aspect of petition and voting on child care portion of the amendment, and responded to questions regarding special exceptions.

Mr. Snyder closed the public hearing.

**A motion was made by Mr. Towery, seconded by Ms. Moore, that based on the staff presentation 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 Land Development Code and the Comprehensive Plan and recommends to City Council approval of Land Development Code Text Amendment Petition 17-01AM relating to the child care portion of the amendment. The motion carried by the following vote:**

**Yes:** 4 - Chair Snyder, Ms. Moore, Mr. Towery and Mr. Newsom

**Excused:** 3 - Mr. Graser, Mr. Murphy and Ms. Fawn

17-2569

TEMPORARY USE PERMIT #17-1006 - 700 GENE GREEN ROAD

Staff: Roger Clark, Senior Planner

Applicant: 700 Gene Green, LLC.

Mr. Snyder announced this is a quasi judicial hearing, read memorandum regarding advertisement, noted one written email communication was received, and opened the public hearing.

Ms. Fernandez questioned board members on ex-parte communications and conflicts of interest. Mr. Snyder noted receiving a telephone call from Jerry Jasper regarding where to provide comments, and Mr. Towery noted site visit. There were no conflicts of interest.



Mr. Shrum, being duly sworn, provided a brief introduction and spoke on the referral for temporary use permit, board members considering general intent statement, types of uses, specifying a time frame on the temporary use permit, parking concerns, code enforcement complaint, adding recommended stipulations, permit design, and Technical Review Committee (TRC) comments.

Mr. Clark, being duly sworn, provided a presentation and spoke on the property's background and history. Discussion followed on the site preparation permit and crushing operation activities.

Mr. Clark presented an aerial photograph and spoke on property owner and zoning, nearest residential properties, site plan, proposed activities on site, TRC comments, and applicant responses. Discussion followed on stock pile, location of crushing, and proposed berms.

Mr. Clark presented photographs of on-site conditions and temporary use request. Discussion followed regarding pre-annexation agreement, changes, zoning standards, operations, ordinance, and stipulations that apply to PID zoning.

Mr. Clark continued his presentation and spoke on regulation documents used, staff findings on consistency with the comprehensive plan, and approved PID and LDC, temporary use criteria, and recommended stipulations.

Discussion followed on Mr. Jasper's email regarding denial of the temporary use permit, stockpiling, cement and concrete production and possessing permitted use, pre-annexation agreements, removal of modular building, site development plan, and city council's request.

Darenda Marvin, planner with Grimes, Goebel, Grimes, Hawkins and Gladfelter Law Firm, being duly sworn, spoke on procedural aspect of application, property use, applicant's site and development plan, staff report, communication between property owner and the city, site preparation permit, scope of improvements, Florida Department of Environmental (FDEP) permit, relocatable plant, rezoning ordinance, meeting with city staff, option to bring property into compliance, standards, agreement to stipulations, property previously used for mining, and conducting limited operations while waiting for city's approval.

James McLeod, property owner, being duly sworn, spoke on removing modular building and conducting precautionary test. Discussion followed regarding permit application approval, meeting with city permitting staff and contact with Mr. Clark, needing city's approval, Mr.

McLeod receiving all state permits, site and development permit for improvements being made, site preparation permit and ability to use portable crusher, work conducted based on demolition or temporary use permit being a common practice throughout the state, code enforcement, and bringing property into compliance.

Discussion continued regarding scope of improvements and stockpiling, permit application, letter from assistant city attorney Kelly Fernandez dated February 2, 2017, stop order, response from applicant with state and federal permits provided, staff work order, and recycled concrete.

John Moeckel, 188 Treviso Court, spoke regarding Mr. Jasper's comments, working with property owner on sound issues and building berm, testing process with crushing plant, operating permits, and removal of stockpile material at the Ajax property.

Discussion followed regarding resident concerns and identifying sound location.

Ms. Marvin spoke on neighborhood workshop, addressing residents' concerns, making distinction regarding noise concerns, and not being able to conduct sound simulation until the temporary use permit is received.

Discussion continued regarding issuance of permit, use of property, Ms. Fernandez's letter, state permits, site development plan process, recommended stipulations, purpose of code enforcement, permits required for site preparation, permit time frame, TRC's deadline for comments, response letter dated March 14, 2017, and establishing a duration period for the temporary use permit.

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 inconsistent with the PID zoning district and pre-annexation agreement, and therefore, moves to deny Temporary Use Permit No. 17-1006. The motion carried by the following vote:

Yes: 4 - Chair Snyder, Ms. Moore, Mr. Towery and Mr. Newsom

Excused: 3 - Mr. Graser, Mr. Murphy and Ms. Fawn

## **V. Unfinished Business**

17-2531

Comprehensive Plan Update Discussion  
Staff: Jeff Shrum, AICP, Development Services Director  
Public Comments Specific to Comprehensive Plan Update



Mr. Shrum reminded board members of the planning commission workshop meeting tomorrow and joint meeting with city council on March 30, 2017, and noted comments from the Historical Preservation Board and current information on the Planned Unit Development (PUD) will be reviewed at tomorrow's meeting.

Elliot Rose, Coldwell Banker Commercial, spoke regarding property on Tamiami Trail, compatibility, concern with replacing multi-family by commercial use, written communications to staff, modifying request to include multi-family be preserved as an option, working with Alliance Residential Company, and interest in developing a 55 and older apartment community on the site.

Discussion followed on mixed use corridor and property zoning designation.

#### **VI. Audience Participation**

No one signed up to speak.

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

Mr. Shrum noted transmittal hearing in April will be changed to a workshop meeting, and marked version of the comprehensive plan will be provided to board members.

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

There were no comments.

#### **IX. Adjournment**

There being no further business to come before this Commission, the meeting was adjourned at 3:24 p.m.

  
Chair

  
Recording Secretary