



# City of Venice

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

## Meeting Minutes Planning Commission

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Tuesday, November 6, 2018

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 - Barry Snyder, Jerry Towery, Kit McKeon, Shaun Graser, Helen Moore and Tom Murphy

**Excused:** 1 - Janis Fawn

### Also Present

Liaison Council Member Charles Newsom, City Attorney Kelly Fernandez, Development Services Director Jeff Shrum, Planning Manager Roger Clark, Planner Katherine Woellner, and Recording Secretary Adrian Jimenez.

### III. Approval of Minutes

[18-3592](#)

Minutes of the October 16, 2018 Regular Meeting

A motion was made by Ms. Moore, seconded by Mr. McKeon, that the Minutes of the October 16, 2018 meeting be approved as written. The motion carried by voice vote unanimously.

### IV. Audience Participation

There was none.

### V. Public Hearings

[18-05SE](#)

SPECIAL EXCEPTION - VENETIAN WALK II

Staff: Roger Clark, AICP, Planning Manager

Agent: Brian Evjen, Norstar Development USA

Owner: Venice Housing Authority

Mr. Snyder stated Petition No. 18-05SE and 10-01SP.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. Graser disclosed site visit. There were no ex-parte communications.

Mr. Clark, being duly sworn, provided a presentation to include Venetian Walk background, aerial photograph, site and development plan amendment, proposed phase II, special exception, required parking spaces, parking proposal, 2013 approved plan, 2018 proposed plan, photographs of the site, future land use map, zoning map, surrounding properties, comprehensive plan consistency, transitional strategies, land development code (LDC) consistency, concurrency/mobility, special exception, comprehensive plan consistency, amendment findings, special exception findings, planning commission action, and answered board questions on parking space code, architecture color, and design.

Dean Paquet, Kimley-Horn Associates, being duly sworn, spoke regarding funding, existing senior building, phase II, elevation, site plan, and parking.

Brian Evjen, Northstar Development US, being duly sworn, spoke regarding application, tax credits, phase II, funding, Sarasota County funding, Community Development Block Grant (CDBG) funds, site infrastructure, underground utilities, stormwater utilities, Grove Terrace Apartments, no age restriction, income requirements, underwriting, and closing date for January.

Mr. Paquet spoke on site plan, parking, dumpster enclosure, stormwater management system, floodplain, utilities tested and certified, sidewalks, landscaping, and answered board questions on assigned parking, special exceptions, and phase I reduced parking spaces.

Don O'Connell, 500 Hauser Lane, being duly sworn, spoke on housing units, affordable rental units, workforce housing, retirees, land cost, impact fees, restricted density, and public housing.

Jeffery Boone, Boone Law Firm, being duly sworn, spoke on Mr. O'Connell's property, stipulation added to the approval of sidewalk connection, sidewalk stub outs, aerial photograph, access to the adjoining property, consistent with comprehensive plan, and answered board questions on original approval.

Mr. Paquet responded to board questions regarding stub out sidewalk and funding.

Mr. Boone spoke on request for access to adjoining property and site and

development plan.

Mr. Evjen spoke to no objection for stub out, easement, and answered board questions on future trespasses.

Mr. Clark spoke on stipulation of sidewalk connection to Mr. O'Connell's property, connection to be provided to the north, easement, and licenses.

Mr. Snyder closed the public hearing.

**A motion was made by Mr. Towery, 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, finds the petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative findings of fact in the record, and moved to approve special exception Petition No. 18-05SE. The motion carried by the following vote:**

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

**Excused:** 1 - Ms. Fawn

10-01SP.2

**SITE & DEVELOPMENT PLAN AMENDMENT - VENETIAN WALK II**

Staff: Roger Clark, AICP, Planning Manager

Agent: Brian Evjen, Norstar Development USA

Owner: Venice Housing Authority

This item was discussed under Petition No. 18-05SE.

**A motion was made by Mr. Graser, 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, 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 moved to approve site and development plan amendment Petition No. 10-01SP.2 with the stipulation that there be connectivity between the properties to the northwest. The motion carried by the following vote:**

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

**Excused:** 1 - Ms. Fawn

18-02PP

**PRELIMINARY PLAT - VICENZA (PORTION OF SJMR PUD)**

Staff: Katherine Woellner, Planner

Agent: Jeffery A. Boone, Esq.

Owner: Pamlico Point Management, 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 regarding ex-parte

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

Pat Wayman, 3071 Border Road, being duly sworn, requested affected party status, answered board questions on distance of affected property, and which side of Border Road is her property.

Mr. Boone had no objection at planning commission regarding her request for affected party; however he reserves the rights to object at city council meeting.

**A motion was made by Mr. Murphy, seconded by Mr. McKeon, granting affected party status to Pat Wayman. The motion carried by voice vote unanimously.**

Chad Lynn, 212 High Point Drive, being duly sworn, requested affected party status, spoke on entrance out of driveway south of project, answered questions from Mr. Boone regarding distance of property, length of living at property, impact of property, and traffic concern.

Mr. Boone stated no objection to Mr. Lynn's request and answered board questions of a mail notice of hearing.

**A motion was made by Ms. Moore, seconded by Mr. Murphy, granting affected party status to Chad Lynn. The motion carried by voice vote unanimously.**

Ms. Woellner, being duly sworn, provided a presentation to include preliminary plat application, property location, subject property, project proposal, code modification request, comprehensive plan, northeast neighborhood, wildlife corridors, mixed-use residential (MUR), land development regulations (LDR), SJMR binding master plan, planned unit development (PUD), site plan, stipulation on plat that multi-use recreational trail (MURT) be revised to eight feet on Border Road, conclusions/findings of fact, and planning commission action.

Mr. Shrum, being duly sworn, spoke regarding PUD, preliminary plat, SJMR binding master plan, stipulation required to be put back at eight feet, multi-use trail, answered board questions on binding master plan, eight feet MURT, roadways, comprehensive plan, strategies, PUD approval, sidewalks, bike lanes, preliminary plat, gate, and amenities.

Jeffery Boone, Boone Law Firm, being duly sworn, questioned Mr. Shrum on sidewalks, PUD modifications, bicycle lanes, entrance of PUD, crosswalk, conflict points, and answered board questions on width of sidewalk and roads.

Melanie Smith, Stantec Engineer, being duly sworn, spoke regarding asphalt, eight foot sidewalks, answered board questions on bicycle lane, increased traffic, roundabouts, safety, presented aerial photograph, access walkway, handicap ramp, exit access, balanced entry, aesthetics, binding

master plan, and safer design.

Mr. Shrum requested to amend the preliminary plat to provide for a continuous eight foot MURT from Border Road to Laurel Road.

Mr. Boone spoke regarding standard approvals on zoning, and minor modifications request.

Mr. Shrum spoke on minor amendment, PUD standards, and answered board questions on specific standards, zoning standards, modification of standards, and showed binding master plan.

Ms. Wayman questioned the staff on PUD road, city requirements, and main entrance approval.

Mr. Lynn questioned the staff on when entrance approval took place.

Mr. Boone requested to consider modification to Section 86-130 of the city code to allow issuance of building permits for project amenities for model homes prior to final plat approval, and standards to the MURT modification.

Ms. Smith spoke on traffic planning, rezoning, asking modification on eight foot MURT from Border Road to Laurel Road, safer design, and answered board questions on MURT, bicycle lanes, gated community, sidewalk gate, recommendation of approval for bicycle/pedestrian gate submitted, and design constraints.

Recess was taken from 3:30 p.m. until 3:38 p.m.

Mr. Boone spoke on modification request to withdraw minor modification, request to extend eight foot wide MURT for westside entrance on Border Road, and six foot wide on other side of Border Road and substitution to be shown on the plat.

Mr. Shrum spoke on consistency issue going away upon Mr. Boone's added stipulation, and Mr. Boone to request a stipulation.

Ms. Wayman questioned Ms. Smith on bicycle paths, turn lanes, safety of professional bike riders, and spoke on upcoming developments, city roads, joint planning agreement, neighborhood personalities, renegotiations, flood zones, construction vehicles, land development impact, drainage concerns, and setbacks.

Mr. Lynn spoke on rezoning, entrances, city limits, county responsibilities, traffic, bicycle trails, turn lane concerns, water concerns, dump trucks,



retaining wetlands, wildlife, and entry on Laurel Road.

Mr. Boone stated the traffic entrance on Laurel Road and Border Road are 50/50.

Mr. Shrum stated Laurel Road is a county road.

Mr. Snyder closed the public hearing.

**A motion was made by Mr. Towery, 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 the 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. 18-02PP with the stipulation suggested by staff to amend the preliminary plat to provide for a continuous, eight foot MURT from Border Road to Laurel Road. The motion carried by the following vote:**

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

**Excused:** 1 - Ms. Fawn

[18-03PP](#)

PRELIMINARY PLAT - CIELO (PORTION OF MILANO PUD)

Staff: Katherine Woellner, Planner

Agent: Jeffery A. Boone, Esq.

Owner: Border and Jacaranda Holdings, LLC

Mr. Graser left the dias at 4:07 p.m. and did not return.

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 regarding ex-parte communications and conflicts of interest. There were no ex-parte communications or conflicts of interest.

Ms. Woeller, being duly sworn, provided a presentation on preliminary plat, introduction, property location, subject project, project proposal, code modification request, comprehensive plan, northeast neighborhood, wildlife corridors, multi-use residential (MUR), land development regulations (LDR), Milano binding master plan, and conclusions/findings of facts.

Mr. Shrum, being duly sworn, answered board questions on cul-de-sac, minor modifications, and submitting revisions on minor amendment.

Ms. Woeller continued presentation on planning commission action, proposed stipulation consistent with code section 86-130 at the time of

final plat for the final phase of the Milano PUD, open space, including wetlands and answered board questions on cul-de-sac, future development, preliminary plat, and language on PUD.

Jeff Boone, Boone Law Firm, being duly sworn, spoke to the preliminary plat, cul-de-sac issues, stormwater, recommendation of planning committee, city council recommendations, dwelling units, and consistent with the comprehensive plan.

Mr. Snyder closed the public hearing.

A motion was made by Mr. McKeon, seconded by Mr. Towery, 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 the 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. 18-03PP, with the stipulation provided in the staff report to have the applicant submit to the planning director for review and approval for modification to the PUD for the extension of the cul-de-sac. The motion carried by the following vote:

**Yes:** 5 - Chair Snyder, Mr. Towery, Mr. McKeon, Ms. Moore and Mr. Murphy

**Excused:** 2 - Ms. Fawn and Mr. Graser

## VI. Comments by Planning Division

[18-3594](#)

Land Development Regulations Update

Staff: Jeff Shrum, AICP, Development Services Director

Mr. Shrum reminded members of the LDR workshop on November 14, 2018.

## VII. Comments by Planning Commission Members

There was none.

## VIII. New Business

[18-3593](#)

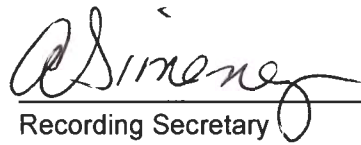
City Attorney Kelly Fernandez and City Clerk Lori Stelzer: Refresher on Public Records and Sunshine Laws as Required by the Settlement Agreement in the Citizens for Sunshine and Anthony Lorenzo Litigation

There was board consensus to discuss this item at the December 4, 2018 meeting.

## IX. Adjournment

There being no further business to come before this Board, the meeting was adjourned at 4:30 p.m.

  
Chair

  
Recording Secretary