



City of Venice

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

Meeting Minutes Planning Commission

Tuesday, March 19, 2019

1:30 PM

Council Chambers

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 - Chair Barry Snyder, Tom Murphy, Janis Fawn, Kit McKeon, Richard Hale and Jerry Towery
Absent: 1 - Shaun Graser

Also Present

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

III. Approval of Minutes

[19-3831](#) Minutes of the March 5, 2019 Regular Meeting

A motion was made by Ms. Fawn, seconded by Mr. Hale, that the Minutes of the March 5, 2019 meeting be approved as written. The motion carried by voice vote unanimously.

IV. Audience Participation

There was none.

V. Public Hearings

[18-11SP](#) Site & Development Plan - Aria Entry Gatehouse, Walls and Signage
Staff: Isaac Anderson, Planner
Agent: Jeffery A. Boone, Esq.

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. Snyder and Mr. McKeon disclosed site visits. There were no conflicts of interest.

Mr. Anderson, being duly sworn, provided a presentation on Aria entry gatehouse, walls and signage, summary of project, associated landscaping, aerial photograph, location, background, existing conditions, future land use, zoning map, proposed improvements to include signage, landscaping, comprehensive plan and Land Development Code (LDC) consistency, and planning commission action.

Jeffrey Boone, Boone Law Firm, being duly sworn, spoke on site and development plan, Neal Communities, consistency with standards and codes, and answered board questions on signage, size and height of logo, and Planned Unit Development (PUD) standards.

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 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 moves to approve Site and Development Plan Petition No. 18-11SP. The motion carried by the following vote:

Yes: 6 - Chair Snyder, Mr. Murphy, Ms. Fawn, Mr. McKeon, Mr. Hale and Mr. Towery

Absent: 1 - Mr. Graser

[16-02PP.1](#)

Preliminary Plat Amendment - Toscana Isles Unit 2

Staff: Katherine Woellner, Planner

Agent: D. Shawn Leins, P.E.

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 communication and conflicts of interest. There were none.

Ms. Woellner, being duly sworn, provided a presentation on preliminary plat amendment, property location, no changes to final plat, property photograph, expanded unit two, single family and multi-family units, sidewalks, no code modifications or variances, permitted uses, PUD approval, market changes, setbacks, Toscana Isles PUD, open spaces, comprehensive plan, mixed use residential (MUR), transportation and mobility, level of services, sidewalks, northeast neighborhoods, land development regulations, binding master plan, lot size, width, buffers, usage for single and multi-family units, finding of facts, and planning

commission action.

Jeffery Boone, Boone Law Firm, being duly sworn, spoke on Toscana Isles, preliminary plat amendment, consistency with development plan, standards, zoning codes and comprehensive plan consistency, multi-family units, site and development plan for approval, historical property, ordinance, stipulations to include lot dimensions, lot count, administrative approval, and answered board questions on material impacts, and site plan and platting.

Mr. Shrum, being duly sworn, spoke on construction plans, road alignments, Technical Review Committee (TRC) reviews, and buffers.

Mr. Snyder closed the public hearing.

A motion was made by Ms. Fawn, seconded by Mr. Hale, 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 recommends approval to city council of Preliminary Plat Amendment Petition No. 16-02PP.1 with the following stipulation:

1. The zoning administrator may administratively approve adjustments to lot dimensions that result in increasing or decreasing the total lot count by up to 10 units, consistent with the approved density of the Toscana Isles PUD. Administrative approval shall not be allowed if any adjustment in total lot count results in material impacts to lakes, perimeter buffers, or road alignments.

The motion carried by the following vote:

Yes: 6 - Chair Snyder, Mr. Murphy, Ms. Fawn, Mr. McKeon, Mr. Hale and Mr. Towery

Absent: 1 - Mr. Graser

18-15SP

Site & Development Plan Amendment - Eggs-traordinary Cafe

Staff: Katherine Woellner, Planner

Agent: Jeffery A. Boone, Esq.

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 none.

Ms. Woellner, being duly sworn, provided a presentation on site and development plan, location, existing conditions, comprehensive plan, commercial general use, land development regulations (LDRs), balconies, building form, colors, property photograph, parking lot, front of building,

main entrance, rear of building, findings of fact, and planning commission action.

Michael Courville, Courville Creative Concepts, being duly sworn, spoke on Mediterranean theme, tiles, front entrance, landscaping, signage, lighting, store front windows, monument sign, and answered board questions on signage, outdoor dining, and roof material and color.

Mr. Snyder closed the public hearing.

Recess was taken from 2:21 p.m. until 2:43 p.m.

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, 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 moves to approve Site and Development Plan Amendment Petition No. 18-15SP. The motion carried by the following vote:

Yes: 6 - Chair Snyder, Mr. Murphy, Ms. Fawn, Mr. McKeon, Mr. Hale and Mr. Towery

Absent: 1 - Mr. Graser

18-04PP

Preliminary Plat - Arcata Del Sol
Staff: Katherine Woellner, Planner
Agent: Jeffery A. Boone, Esq.

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. Hale, Mr. Murphy and Mr. Snyder disclosed site visits. There were no conflicts of interest.

Ms. Woellner, being duly sworn, provided a presentation on preliminary plat, single family lots, townhouses, variances, existing conditions, location, southern property lines, no rear setback or yards, 49 lot measurements, proposed plat, parking areas, rear access drive, stormwater facilities, alleys, stipulations, elevation drawings, proposed lot setbacks, lot coverage detail, code modifications, minimum lot widths and lot area, parking sizes, comprehensive plan, vested rights, East Venice Avenue neighborhoods, transportation and mobility, LDRs, Office Professional and Institutional (OPI) codes, maximum lot coverage, yard requirements, Venetian overlay, no open space requirements, plat requirements, findings of fact, and planning commission action.

Mr. Shrum, being duly sworn, answered board question on vested rights

details.

Ms. Woellner answered board question on additional required codes for parking spaces.

Ms. Weeden, being duly sworn, answered board questions on parking lot, and spoke on proposed stormwater swale, paved alley, inlets, drainage, swale system, city easement, operation and maintenance in Homeowner Association (HOA) documents.

Ms. Weeden answered board questions on procedure of swale, landscaping plan, infill, utilities, and spoke on stipulations.

Discussion took place on platting process.

Jeffrey Boone, Boone Law Firm, being duly sworn, spoke on preliminary plat, vested rights determination, comprehensive plan, commercial designated properties, multi-family properties, residential development, regulations, permitted principal use townhouse, platted lots, site and development plan, modifications, improved alley, single family lots, alley swale, compatibility policy, PUD options, retention pond, open spaces, parking aisle dimensions, solid waste staff, minimum lot requirements, individual lots, driveway width, garages, setback reductions, stormwater systems, maintaining swales, vegetation removal, landscape plans, and answered board question on residential compatibility.

Mike Miller, MPS Development and Construction, LLC, being duly sworn, answered board questions on range of units in square footage, setbacks, and spoke on development challenges, setbacks, zero lot lines, alleys in the rear, height, coverage, parking spots, lot sizes, property value, and fire access.

Mr. Boone spoke on open spaces.

Mr. Miller spoke on open spaces, alleys, and answered board questions regarding number of units per code requirements.

Mr. Boone spoke on number of units and answered board question on type of units.

Mr. Miller spoke on number of units and answered board question on swales.

Paul Sherma, Engineer, being duly sworn, answered board questions on stormwater, swales, drainage, inlets, retention base, site plans,

landscaping buffers, paving, fence lines, and roadways.

Mr. Boone and Mr. Miller answered board questions on parking.

Mr. Sherma spoke on different car and parking sizes and spaces, physical barriers, and landscape buffers.

Mr. Miller answered board question on neighborhood public meetings.

Mr. Boone spoke on neighborhood meetings, paved alleys, swales, and vegetation impact.

Mr. Miller answered board questions on number of modifications and exceptions.

Mr. Boone spoke on exceptions, paved alleys, standards, form based codes, and life safety issues.

Mr. Miller spoke on requirements, parcels, modifications, fire access, alleys, green space, and coverage.

Mr. Snyder spoke on government process, alleyways, downtown area, form based codes, swales, paved roads, neighborhood impacts, drainage, vested rights, and changing comprehensive plans.

Michael Furlongo, 921 Cypress Avenue, being duly sworn, spoke on cross points, swales, seasonal flooding, lot coverage, immediate water runoff, house elevations, flooding issues, site impacts, access, high beam flashlights, and vegetation removal.

Katherine Dewey, 909 Cypress Avenue, being duly sworn, spoke on density, height, impact surrounding area, flooding, swales, ditches, piping, alleyways, potholes, city maintenance; reconnecting wires, entrance location, and noise level.

Ted Nicholls, 953 Cypress Avenue, being duly sworn, spoke on vegetation, garage, head lights, swales, flooding, removal of dead trees, and footage of yard to driveway.

Linda Troemel, 957 Cypress Avenue, being duly sworn, spoke on flooding, sewage lines, drainage issues, privacy walls, driveways, and telephone lines.

Mr. Sherma spoke on water management district, flood studies, service water permitting department, drainage, ditch, pipes, ponds, Robert Spay

Model, existing elevations, minor flood events, lower stream events, adverse impacts, storage spaces, swales, standard waters, conveyance, Enterprise Resource Planning (ERP), and driveway permit.

Mr. Boone spoke on six foot high fence and trees planted.

Mr. Shrum, being duly sworn, spoke on stipulations, right-of-way usage, and answered board questions on utilities, platting process, and HOA documents.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Murphy, 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 of Preliminary Plat Petition No. 18-04PP with the following stipulation:

1. That a 10 foot by 18 foot parking space measurement and the engineer's stipulations from the letter dated 03/19/19 be included.

The motion carried by the following vote:

Yes: 6 - Chair Snyder, Mr. Murphy, Ms. Fawn, Mr. McKeon, Mr. Hale and Mr. Towery

Absent: 1 - Mr. Graser

Discussion took place on parking space size.

A motion was made by Mr. McKeon, seconded by Ms. Fawn, 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 recommends approval to city council of Preliminary Plat Petition No. 18-04PP with the following modified stipulations:

- 1. Authorization for the use of city property to convert a right-of-way (ROW) to a swale in perpetuity.**
- 2. Modification to the homeowner's documents and plat stating that operation and maintenance of the swale on city-owned property for the benefit of the development will be the responsibility of the property owner.**
- 3. Resolution of conflicting narrative related to minimum impacts to ROW serving as a buffer to the neighbors.**
- 4. Tree replacement for trees on public property and any vegetation restoration.**
- 5. Following the requested parking space size.**

The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Fawn, Mr. McKeon, Mr. Hale and Mr. Towery

No: 1 - Mr. Murphy

Absent: 1 - Mr. Graser

Discussion took place on flooding issues and raising elevations.

VI. Comments by Planning Division

19-3832

Land Development Regulations Update

Staff: Jeff Shrum, AICP, Development Services Director

Mr. Shrum spoke on LDR Workshop on April 3, 2019 and city council workshop on April 9, 2019.

A motion was made by Mr. McKeon, seconded by Mr. Murphy, that Mr. Snyder attend the city council workshop on April 9, 2019. The motion carried by voice vote unanimously.

Mr. Shrum spoke on city council workshop and process, and answered board questions on location and time, tree ordinance workshop, mixed use district LDR draft, and future workshops.

VII. Comments by Planning Commission Members

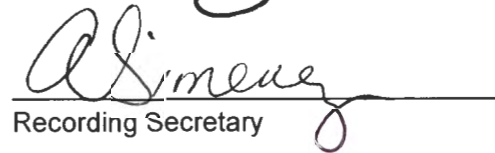
There were none.

VIII. Adjournment

There being no further business to come before this Board, the meeting was adjourned at 4:50 p.m.



Chair



Recording Secretary