



City of Venice

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

Meeting Minutes Planning Commission

Tuesday, September 21, 2021

1:30 PM

Council Chambers

[21-5235](#)

Instructions on How to Watch and/or Participate in the Meeting

I. Call to Order

Chair Barry Snyder called the meeting to order at 1:30 p.m.

II. Roll Call

Present: 7 - Chair Barry Snyder, Shaun Graser, Kit McKeon, Richard Hale, Bill Willson, Richard Lawson and Jerry Jasper

Also Present

Liaison Mayor Ron Feinsod, City Attorney Kelly Fernandez, Information Technology Director Christophe St. Luce, Acting Planning Director Roger, Deputy City Clerk Mercedes Barcia, and Administrative Coordinator Toni Cone.

In-person: Mr. Hale, Mr. Lawson, Mr. McKeon, Mr. Willson, and Mr. Jasper

Via video-conference: Mr. Snyder and Mr. Graser

III. Approval of Minutes

[21-5236](#)

Minutes of the May 12, 2021 Workshop

These minutes were previously approved.

IV. Audience Participation

No one signed up to speak.

V. Public Hearings

[21-22AN](#)

FNG Holdings Annexation (Legislative)
Staff: Amy Nelson, AICP, Senior Planner
Agent: Jeffery A. Boone, Esq., Boone Law Firm
Applicant: FNG Holdings-Land, LLC

Mr. Snyder announced this is a legislative hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Ms. Nelson provided a presentation on Petition No. 21-22AN, including petition information, aerial map, site photos, surrounding, JPA/ILSBA Area 4, consistency with the land development code, conclusions and findings of fact, and answered a board question regarding the subsequent development.

Mr. Boone stated he would be requesting a continuance for the last two items on the agenda (21-32CP and 21-33RZ) and Ms. Fernandez recommended the planning commission address this request with a motion after the current petition was handled.

Mr. Boone and Annie Boone, agents, provided a presentation regarding in support of the application to include confirmation of the staff report consistent with land development regulations (LDRs), comprehensive plan, and concurrency.

There was no audience participation.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Jasper, seconded by Mr. Willson, to recommend to City Council approval of Annexation Petition No. 21-22AN. The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Lawson and Mr. Jasper

21-32CP

Faro Property Comprehensive Plan Amendment (Legislative)

Staff: Nicole Tremblay, Planner

Agent: Jackson R. Boone, Esq., Boone Law Firm

Applicant/Owner: Thomas & Beatrice Faro

Mr. Jeffrey Boone requested a continuance for 21-32CP and 21-33RZ due to illness.

A motion was made by Mr. Willson, seconded by Mr. Hale, that Comprehensive Plan Amendment Petition No. 21-32CP and Zoning Map Amendment Petition No. 21-33RZ be continued to the October 5, 2021 meeting. The motion carried by voice vote unanimously.

21-33RZ

Faro Property Zoning Map Amendment (Quasi-Judicial)

Staff: Nicole Tremblay, Planner

Agent: Jackson R. Boone, Esq., Boone Law Firm

Applicant/Owner: Thomas & Beatrice Faro

This item was continued under Petition No. 21-32CP.

21-23CP

FNG Holdings Comprehensive Plan Amendment (Legislative)

Staff: Amy Nelson, AICP, Senior Planner

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

Applicant: FNG Holdings-Land, LLC

Mr. Snyder announced this is a legislative hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Ms. Nelson provided a presentation with existing land use map and proposed future land use map, comprehensive plan consistency, land development code, pre-annexation agreement, and conclusions, and findings of fact.

Annie Boone, agent, provided a presentation including compatibility and consistency with comprehensive plan, satisfied Florida statutes, and requested recommendation to city council for approval.

There was no audience participation.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Willson, seconded by Mr. Lawson, 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 and in compliance with Florida Statutes Chapter 163, Part II, and therefore, recommends to City Council approval of Comprehensive Plan Amendment Petition No. 21-23CP. The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Lawson and Mr. Jasper

21-24RZ

FNG Holdings Zoning Map Amendment (Quasi-Judicial)

Staff: Amy Nelson, AICP, Senior Planner

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

Applicant: FNG Holdings-Land, LLC

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Ms. Fernandez questioned board members concerning ex-parte communications and conflicts of interest. Mr. Willson, Mr. Hale, Mr. Lawson, Mr. McKeon, and Mr. Graser disclosed site visits.

Ms. Nelson, being duly sworn, provided a presentation to include existing zoning map and proposed zoning map, comprehensive plan, land development code, concurrency and mobility, Venetian Gateway Overlay

District, and conclusions and findings of fact.

Mr. Clark, being duly sworn, spoke regarding the district and Venetian Overlay District standards cannot be imposed on this property.

Annie Boone, agent being duly sworn, requested RMF-2 zoning, noted consistency with comprehensive plan, Florida statutes and LDRs, and answered a board question regarding the zoning amendment request, and stated the applicant cannot be required to meet Venetian Gateway Overlay District.

Mr. Boone, being duly sworn, stated the pre-annexation agreement approved by city council did not require Venetian Gateway District standards, spoke about the history of the Venetian Gateway District, and answered a board question regarding the pre-annexation agreement and rezoning.

Discussion continued regarding overlay districts and the LDRs.

Discussion occurred regarding stipulations, architectural styles, council approval with or without stipulation.

Ms. Fernandez recommended that any stipulations added to approval of the petition that are not directly from the city code need to weigh the cost benefits, and stipulations should be specific.

Discussion ensued regarding Section 86-120(e)(4)a, Architectural Design Standards, sub-section 4a. Architectural Style, northern Italian Architecture is preferred, but not mandatory, asked city attorney if the planning commission could reference that section for consistency with surrounding properties and Ms. Fernandez stated they could.

Mr. Boone stated the standard stipulation the city has used is compliance with the Venetian Gateway Architecture Standards.

Mr. Boone stated he disagreed with the recommendation of Venetian Gateway District and noted concern for unintended consequences if the district standards were applied.

There was no audience participation.

Mr. Clark noted the Venetian Gateway District was his suggestion and that pre-annexation agreements have applied the Venetian Gateway standard, as well as the planning commission. This property is in the Eastern Gateway Corridor, a planning area, which at this point is required to do

northern Italian which supports the proposed potential stipulation.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Lawson, 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, recommends to City Council approval of Zoning Map Amendment Petition No. 21-24RZ, with the stipulation of compliance with, Sec. 86-120(e)(4)a, the Venetian Gateway Architecture Standards. The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Lawson and Mr. Jasper

21-13SP

Watermark at Venice Site and Development Plan (Quasi-Judicial)

Staff: Nicole Tremblay, Planner

Agent: Jackson R. Boone, Esq., Boone Law Firm

Applicant: Thompson Thrift Development, Inc.

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, and opened the public hearings.

Ms. Fernandez questioned board members concerning ex-parte communications and conflicts of interest. Mr. Hale noted friendships of two speakers in the audience today, and stated he can remain fair and unbiased in making a decision based on the evidence presented at today's hearing. Mr. Lawson, Mr. McKeon, and Mr. Graser disclosed site visits.

Ms. Tremblay, being duly sworn, provided a presentation on Petitions No. 21-13SP, 21-29 SE, and 21-14CU to include petition information, aerial map, background information, project description, overall site plan, site maps, existing land uses, current zoning districts, future land use map, comprehensive plan consistency, conclusions and findings of fact, LDC compliance elevations, special exceptions, estimated impact, and conclusions and findings of fact, presented conditional use, land development code compliance, concurrency and mobility confirmation, traffic study, planning commission report and action.

Jeffery Boone and Jim Collins, agents, being duly sworn, stated Sarasota Memorial Hospital will be done in a few months, noted request for six foot wall along Pinebrook, compliance of site and development plan, special exception for wall, consistent with comprehensive plan and zoning, and land development regulations.

Dick Rock, 1743 Kilruss Drive, being duly sworn, spoke against this site

and development plan and requested that the planning commission require applicant to maintain the same dense tree growth along the perimeter of the development that currently exists and gave a history regarding density.

James Nolan, 1775 Kilruss Drive, being duly sworn, spoke against the site and development plan and showed photos of the site and barrier.

Mr. Boone responded to the audience comments regarding the neighborhood meeting and foliage on the southern and eastern boundary.

Chris Cianfaglione, Kimley-Horn, being duly sworn, spoke regarding the trees, removal, city code, invasive Brazilian pepper, grapevine, and city code requiring removal of invasive species.

Mr. Boone noted the client would leave the invasive species, but it is the city's decision.

Mr. McKeon inquired whether the planning commission could approve leaving invasive species.

Mr. Boone responded the city code requires removal of invasive species and city staff can make an exception.

Ms. Fernandez noted that Mr. Clark would need to address this issue.

Discussion occurred regarding invasive species, mature trees, construction, stormwater pond, option of giving a recommendation regarding keeping invasives.

There was a request from an audience member to speak and Chair Snyder denied the request due to the public comment period being closed.

Mr. Clark spoke regarding invasive species, the comprehensive plan and open space during development and noted that the comprehensive plan calls for removal of invasive species.

Mr. Boone noted that the applicant would write a letter for the neighbors to bring to city council to make the request to leave the invasive species.

Ms. Fernandez stated the issue of invasive species does not affect the decision on the site and development plan.

Mr. Snyder closed the public hearing.

A motion was made by Mr. McKeon, seconded by Mr. Willson, 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 moves to approve Site and Development Plan Petition No. 21-13SP. The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Lawson and Mr. Jasper

21-29SE

Watermark at Venice Special Exception (Quasi-Judicial)

Staff: Nicole Tremblay, Planner

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

Applicant: Thompson Thrift Development, Inc.

This presentation was made under Petition No. 21-13SP.

A motion was made by Mr. Willson, seconded by Mr. Lawson, 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 moves to approve Special Exception Petition No. 21-29SE. The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Lawson and Mr. Jasper

21-14CU

Watermark at Venice Conditional Use(Quasi-Judicial)

Staff: Nicole Tremblay, Planner

Agent: Jackson R. Boone, Esq., Boone Law Firm

Applicant: Thompson Thrift Development, Inc.

This presentation was made under Petition No. 21-13SP.

A motion was made by Mr. Jasper, 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, recommends to city council approval of Conditional Use Petition No. 21-14CU. The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Lawson and Mr. Jasper

VI. Comments by Planning Division

21-5237

Land Development Regulations Update

Staff: Roger Clark, AICP, Acting Planning and Zoning Director

Mr. Clark gave an overview of land development regulations (LDRs) feedback from the advisory boards and noted the architectural review board (ARB) comment to not combine the ARB and historic preservation board (HPB).

HPB also stated that the ARB and HPB should not be combined. Environmental Advisory Board has provided comments and the planning and zoning department continues to receive comments from staff and public.

VII. Comments by Planning Commission Members

There were none.

VIII. Adjournment

There being no further business to come before this Commission, the meeting was adjourned at 3:40 p.m.



Chair



Administrative Coordinator