

From: [Nicholas Pachota](#)
To: [A L](#); [Ronald Smith](#); [Helen Moore](#); [Rick Howard](#); [Rachel Frank](#); [Joan Farrell](#); [Jim Boldt](#)
Subject: Re: Opposition to - sunshine law
Date: Saturday, August 24, 2024 10:21:11 PM

Thank you for your comments. Due to Florida's Sunshine Law and a City Council policy, neither I nor any other Council Member copied on this e-mail can reply substantively to your e-mail in writing. The Sunshine Law prohibits two or more members of City Council from discussing any matter which will foreseeably come before Council outside of a publicly noticed meeting. Any Council Member may address the topic of this e-mail at a future meeting.

If you wish to contact council members individually, you may email or call them. Contact information can be found at <https://www.venicegov.com/government/mayor-city-council>.

Nick Pachota
Mayor, City of Venice

Nick Pachota
Mayor
City of Venice
401 W Venice Avenue
Venice FL 34285
Office: (941) 882-7407
Cell: (941) 303-3485
E-mail: npachota@venicefl.gov
2020 Census Population: 25,463

From: A L <yogawithamelia@gmail.com>
Sent: Saturday, August 24, 2024 10:39:53 AM
To: Ronald Smith <rsmith@venicefl.gov>; Helen Moore <HMoore@Venicefl.gov>; Rick Howard <rhoward@venicefl.gov>; Rachel Frank <rfrank@venicefl.gov>; Joan Farrell <jfarrell@venicefl.gov>; Jim Boldt <jboldt@venicefl.gov>; Nicholas Pachota <NPachota@Venicefl.gov>
Subject: Opposition to

Some people who received this message don't often get email from yogawithamelia@gmail.com. [Learn why this is important](#)

Caution: This email originated from an external source. **Be Suspicious of Attachments, Links and Requests for Login Information**

Please vote NO when the Venice City Council will be voting on the proposed development north of Fox Lea Farm.

Overdevelopment is destroying our environment and homes. We need green space for drainage during storms. What happens if I75 is flooded due to this and people can't evaluate safely.

There are three critical issues the developer must address:

ADEQUATE BUFFER ZONE with opacity that is maintained in perpetuity

NO IMPACT TO OUR WATER with no drawdown of water table and no additional runoff that could cause flooding

MINIMIZE IMPACT OF CONSTRUCTION activity to ensure the safety of our horses, exhibitors, and spectators

Our community, NOT BILLIONAIRE DEVELOPERS, need your support, keep Fox Lea Farm area safe and enjoyable for everyone!

From: [President Windwood](#)
To: [City Council](#)
Cc: [Edward Lavalley](#); [James Clinch](#); [Roger Clark](#); [Board and Council Messages](#)
Subject: Cassata Oaks - Zoning Map Amendment Request
Date: Sunday, August 25, 2024 8:18:21 PM
Attachments: [City Council Statement - Cassata Oaks.pdf](#)

Caution: This email originated from an external source. **Be Suspicious of Attachments, Links and Requests for Login Information**

Mayor Nick Pachota and City Council Members,

Attached please find a statement regarding the proposed Zoning Map Amendment Request for Cassata Oaks that is on the August 27, 2024 City Council Meeting Agenda. Thank you for your time and consideration.

Sincerely,

Steve Carr

Chairperson, Central Venice Coalition

Central Venice Coalition

Scope: Bordered on the South by East Venice Avenue, on the North by Laurel Road, on the West by the Pinebrook South Community and Bay Indies Community and on the East by Auburn Road, including Capri Isles Boulevard. Formed in 2016, the Coalition will seek participation from the Board of Directors of the Central Venice HOAs and COAs to ensure common and broad-reaching goals are identified and achieved.

August 25, 2024

To: Mayor Nick Pachota
City of Venice City Council

My name is Steve Carr, Chairperson of the Central Venice Coalition, and I am contacting you regarding the Zoning Map Amendment Request (24-11RZ) to assign a City of Venice Zoning Designation of Residential Single Family (RSF-3) to the Cassata Oaks project at 0 Border Road.

As you are aware, this property has a unique history of attempted development and is next to Fox Lea Farm, a premier, internationally known horse show facility. They host a variety of over 40 events per year for national and international competitors. Fox Lea Farm has brought and continues to bring thousands of visitor dollars and positive recognition to the City of Venice and Sarasota County.

As one can imagine, it is likely the owners of Fox Lea Farm are quite concerned that any development in the immediate area of their facility may affect their livelihood and the overall success of their business. They have challenged earlier zoning/development requests as being incompatible with their operation. It is anticipated their position of incompatibility with this proposal will once again be the same.

In contrast, the Owner of the subject 39.62 acre property, which was previously annexed into the City of Venice as per a Joint Planning Agreement with Sarasota County, has submitted a binding concept plan with a low 1.5 units per acre density and a total of 60 single-family homes.

On the surface, this binding concept plan of low density and 60 houses is quite a bit different than any previously proposed concept and as a result has received support from the majority of the City of Venice Planning Commission and many others in the community. It's almost as if there is a general sigh of relief that FINALLY, there is a concept that people can live with. Sixty (60) homes??? No big deal. They can easily fit into the property. No need for long drawn-out challenges. No need for expensive legal action. This concept can work!

However, in our opinion and likely in the opinion of the Owners of Fox Lea Farms, the problems of the past were not just with the density and number of houses. There were serious issues of compatibility that were identified during previous attempts at development, and those concerns remain today. **Incompatibility is at the core of the problems with development of the subject property.**

Fox Lea Farm is a well-established, shining example of a successful business. The Owners and staff have worked tirelessly to develop the programs and services offered to and used by people from all over the world. The Owners know their business. They know about the noise, smells, traffic and general demands required to operate their facility. They are concerned about issues of compatibility with development and seek resolution to safeguard their business, maintain a pleasant experience for their event participants and live in harmony with immediate neighbors.

To that end, it is our belief the City Council should make every effort to address the incompatible issues that are of concern to the Owners of one of the most successful businesses in the City and County. These Owners have earned and deserve Council's time and attention to acknowledge the incompatibility issues and take action to include specific stipulations that will resolve their concerns.

We are sure the Fox Lea Farm Owners will have their own set of compatibility issues with suggestions for resolution and will present them to Council for consideration and hopefully support. We too, in support of Fox Lea Farm, would like to offer the following comments and suggestions for consideration.

In our opinion, the applicant has put forth a great deal of thought and consideration of the surrounding area in developing the proposed binding concept plan. **However, the plan as presented has fallen short of fully addressing major issues of incompatibility. Those issues are related to the topics of Sound and Water.**

SOUND

Extremely high levels of sound from the combination of the Fox Lea Farm operation and traffic noise from Interstate 75, Border Road and Auburn Road require mitigation other than currently listed in the Applicant's Binding Concept Plan.

As part of the Planning Commission presentation, test results performed by the Applicant's professional acoustical engineer were reviewed. The focus of the tests was whether the level of noise created by construction activities such as Site Cleaning, Digging of Ponds, etc. would have a negative impact on the Fox Lea Farm operation. Although the sound tests arguably showed the construction activities to be compatible with the Fox Lea Farm operation, our Sound concern is something else altogether different.

Our concern is the negative impact on the Cassata Oaks community of the long-term exposure to the high levels of sound coming from a combination of the activities of the Fox Lea Farm operation AND the road noise from traffic on I-75 highway, Auburn Road and Border Road.

It is our unprofessional contention that the combined noise from the Fox Lea Farm operation and adjacent road traffic will result in such a constant high level that it will ultimately become a source of discontent and unhappiness to the homeowners in the community.

Yes, a stipulated Notice of Proximity will alert possible homeowners to this issue, but until you live near the steady traffic and constant noise, you do not understand how annoying and disruptive it is. Although this is an unprofessional opinion, it is an anecdotal fact. Many, many Central Venice Coalition members live near one or more of these roads and can confirm the high level of noise is always present, often deafening and always annoying.

Although landscape, berms and walls are mentioned in the binding concept plan, we suggest the specific details of these items as presented are not sufficient to resolve the issue of effectively buffering the high level of sound. The walls are of special concern. On the submitted Site Plan and Revised Concept Plan, along Auburn Road to the West and Border Road to the North, the fence is listed to be six (6) feet in height. Along the I-75 highway to the East and Fox Lea Drive to the South, the fence is listed to be eight (8) feet in height. Although these heights may be within City regulations, they are inadequate at blocking or even reducing the sound coming from Fox Lea Farm and the road traffic.

The composition of the walls is also a concern. Although not listed in the binding concept plan, we suspect the composition of the fence is planned to be PVC material. This too will be inadequate at blocking or reducing the noise level.

Based on these concerns, it is our contention that a twelve (12) foot masonry wall or an actual sound reducing barrier wall should be installed around the entire perimeter of the Cassata Oaks property to reduce the negative impact of the area noise on the homeowners. We therefore encourage the Venice City Council to add this stipulation to any action taken regarding the development of Cassata Oaks.

WATER

Water is the lifeblood of the Fox Lea Farm operation. A change in available water or any impact on the surrounding water table will have immediate and possibly devastating effects on the business. There are several concerns to address and questions to be answered relative to this topic before action should be taken by Council.

1. Irrigation of residential Lots and Common Area is a concern.

What is the plan for watering lawns, plants and shrubs?

Will the City of Venice Reclaimed Water System be available for irrigation?

If not, will pond water be used for irrigation purposes?

Any method used to irrigate the community other than using reclaimed water will result in a change in the water table and impact negatively on the Fox Lea Farm operation.

2. We noticed a "Proposed 25' X 25' City of Venice Well Site" is listed on the Northwest corner of the submitted Site Plan and Revised Concept Plan.

Does this mean there are plans to dig a well on the site of the Cassata Oaks property?

What will the water from a well be used for?

A well dug for any reason, anywhere near the Fox Lea Farm property, is highly objectionable because it will result in a change in the water table and impact negatively on the Fox Lea Farm operation.

3. An individual stormwater drainage pond per Estate Lot is an aesthetically pleasing concept, however, as a practical matter, there are issues.

Regardless of whether there are separate ponds or one large pond, it is likely ground water will be pulled into the pond(s) as nature takes its course. A proposed liner certainly has a life expectancy and will ultimately deteriorate and leak over time.

Once the liner fails, the water table changes and there is a negative impact on the Fox Lea Farm operation.

4. Based on these concerns, we encourage the Venice City Council to add a stipulation to the binding concept plan that any and all actions resulting in any change in the water table available to the operation of Fox Lea Farm will immediately cease until mitigation measures can be implemented to resolve the issues and return the water table to its original state.

In summary, one might say that some or all of our concerns and requests should not be considered at this time and may/will be addressed as part of the Site Development Plan that will happen after the Zoning Map Amendment request is approved. We would however like to point out that the Applicant and the Planning Commission have already opened the door for consideration of additional stipulations to the original Binding Concept Plan. Specifically, the Applicant has agreed to, and the Planning Commission has approved stipulations for the inclusion of a Notice of Proximity and use of Construction Best Practices. As a result, we believe it is fair and appropriate for Council to consider other requests for additional stipulations prior to taking action on the proposed amendment.

In conclusion, the binding concept plan including approved stipulations from the Planning Commission, added with stipulations regarding Sound and Water and other stipulations from the Owners of Fox Lea Farm will result in consistency and compatibility with the immediate and surrounding area businesses and communities, as well as provide a comprehensive list of specific development details.

Until all questions are answered, all stipulations identified, and all cost responsibilities made clear, we believe it is not in the best interest of city taxpayers for City Council to approve the Zoning Map Amendment request.

Thank you for your time and consideration.

Sincerely,
Steve Carr, Chairperson, Central Venice Coalition

Cc: Edward Lavalley, City Manager, City of Venice
James Clinch, Assistant City Manager, City of Venice
Roger Clark, Director of Planning and Zoning, City of Venice