

From: [Nicholas Pachota](#)
To: [Lee Dubé](#)
Cc: [City Council](#)
Subject: Re: Milano PUD Zoning Map Amendment 22-38RZ - quasi-judicial
Date: Monday, March 20, 2023 4:55:28 AM

Thank you for your e-mail. The City Council sits as a quasi-judicial body in land use matters (such as rezonings and conditional uses) and must behave as judges in making such decisions. As in judicial matters, decisions must be based on factual information made part of the record during the public hearing. The due process rights of all participants include notice, the opportunity to be heard, and the right to be advised of all facts on which the decision makers rely.

For this reason, our Council Members are advised by the City Attorney's Office to not respond to letters, phone calls, e-mails, or requests for meetings with constituents outside the applicable public hearing.

Your correspondence is an important part of the public process and will be placed in the public record for all concerned to read. It is important that you know your correspondence will be read by every City Council Member prior to the public hearing and given its due consideration. You are encouraged to attend the public hearing on this matter and may speak during audience participation.

Nick Pachota
Mayor
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2020 Census Population: 25,463

From: Lee Dubé <leedube0925@gmail.com>
Sent: Friday, March 17, 2023 2:37:34 PM
To: planningcomission@venicefl.gov <planningcomission@venicefl.gov>
Cc: City Council <citycouncil@venicefl.gov>
Subject: Milano PUD Zoning Map Amendment 22-38RZ

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Respected members of the Planning Commision,

Please allow me to begin by thanking you for your efforts and service to the community! Having served on many boards myself, I have a profound respect and appreciation for important, and often thankless, work you perform. Yours is a heavy burden to bear.

I am writing to you today to express my concerns regarding the request for a zoning map amendment to the Milano PUD. I request that you issue a recommendation to deny the request to the City Council.

My family and I have called Venice home for two years, prior to that it was our home on a part time basis for 12 years. We are from a small community in New Hampshire where we were active in the local community (government, youth sports, volunteer organizations) as well as being involved in the preservation of our natural resources and open space. We chose Venice as our future home many years ago not only because of its beauty and rich history, but also because of the city's commitment to the preservation of open space and its natural resources. We purchased our home in Cielo (a Neal Community) because it is surrounded by "PRESERVED" open space, in fact our contract with Neal Communities represents the preserve area quite well (see attached). Because "Where you live matters", we chose Cielo so that we could enjoy the expansive preserve area that was promised to us and that preserve areas wildlife.

Again, our contract with Neal Communities commits the area in question as a preserve area which, if I am not mistaken, involves a 99-year commitment that the land shall not be altered. The request to now re-zone and alter the land clearly is being done in bad faith, and perhaps in breach of contract with myself and other Cielo residents but that is a question for another legal venue. If nothing else, the contract I, and others, are engaged in would appear to be quite disingenuous. Which would lead me to question what other unscrupulous actions the applicant would take, and to the detriment of who else (the City included), in order to achieve their desired outcome. Calling integrity further into question, Pat Neal presented to the Planning Commission in January stating the residents of Cielo were not opposed to this change and in fact only requested a barrier be provided. This is patently false and a misrepresentation of his meeting with the Cielo residents, a meeting which I was present at. This meeting was a veiled attempt to dupe residents into a quid pro quo agreement in support of the re-zoning and development.

The approval of the applicants requests, in addition to being illegal, would present environmental, quality of life, and safety issues. While the applicant would have you believe each of these areas of concern is sufficiently addressed in the development plan, I question its veracity. Having lived in Cielo since October of 2021 I have witnessed many issues impacting each of these areas...how would re-zoning and developing the land improve this? In our small community of less than 80 homes, many still under construction, I've witnessed the effects of pollution on our preserve areas and lakes in the form of debris (concrete, glass, wood, etc.) from construction sites, gasoline and oil run off, and more. If Neal Communities so poorly mitigated pollution from the construction of a small community how can residents entrust them to mitigate this risk in a larger commercial development and provide adequate infrastructure to support it post completion? What can we expect with a larger commercial

development...destruction of promised preserve space, environmental pollution, and disruption to our daily lives from ongoing construction over the next several years. Moreover, what can we expect during the course of regular daily operations from a commercial development once it is complete...noise and light pollution, additional traffic, vehicle pollution from fluids.

From a quality of life and safety vantage point, Cielo has only one egress point which is situated in such a way that seeing oncoming traffic from the north is extremely difficult and often not until we've entered the roadway. To my knowledge, thankfully, there have been no accidents yet! What will happen when traffic is introduced as a result of patrons flocking to this new commercial area? We've heard that this development will reduce traffic. Perhaps in some areas it will, however that is not true for Cielo! This will result in increased traffic passing our only egress point. Residents from Milano, Aria, and other communities will most certainly drive past Cielo to travel to and from this development. It is not a stretch of the imagination to also consider that crime will increase. Where commerce is involved, commerce of any kind, crime will follow. In a town of 6,000 residents, ranked safest in the state of New Hampshire for several years, we too saw an increase in crime with the growth of commerce in the town. Crimes of opportunity will not take place when the opportunity is not present.

There are many factors to consider when determining your recommendation. But the most important of them all, is the law as it is written today. I respectfully ask that you deny the applicants request.

Respectfully,

Lee Dube
268 Caserta Ct
Venice, FL 34275
503-489-7736

From: [Nicholas Pachota](#)
To: [Susie](#); [City Council](#)
Subject: Re: Developers dream - quasi-judicial
Date: Tuesday, March 7, 2023 6:49:45 PM

Thank you for your e-mail. The City Council sits as a quasi-judicial body in land use matters (such as rezonings and conditional uses) and must behave as judges in making such decisions. As in judicial matters, decisions must be based on factual information made part of the record during the public hearing. The due process rights of all participants include notice, the opportunity to be heard, and the right to be advised of all facts on which the decision makers rely.

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From: Nicholas Pachota <NPachota@Venicefl.gov>
Sent: Tuesday, March 7, 2023 4:58:29 PM
To: Susie <ontheporch4231@comcast.net>; City Council <citycouncil@venicefl.gov>
Subject: Re: Developers dream - quasi judicial

Nick Pachota
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From: Susie <ontheporch4231@comcast.net>
Sent: Tuesday, March 7, 2023 3:59:35 PM

To: City Council <citycouncil@venicefl.gov>

Subject: Developers dream

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I sincerely hope you are actually reading our letters of concern of a developer's take over of North Venice.

From the thousands of homes to an unwanted shopping center, it does seem as if the council has on blinders for the wants and concerns of the citizens in this area. After having proof of the property agreement to remain the same for 99 yrs, a sudden change or well thought out change of the property on Laurel Road to turn into a shopping complex with all the problems it will bring it, would make a turn down of the proposal an easy one. A promise that no commercial building would take place to a large Publix and a gas station (thought Venice was going all electric with our tax dollars paying for free charging in the park in what use to be handicap parking!) shouldn't have taken lawyers time and money, citizens time and efforts to simply say no and hold to the agreed on the future of the land. With many checking on surrounding development before buying, they replied on you to keep the agreement.

The old saying not in my backyard would apply here with developers not living where they are ruining. You must hear from so many citizens growing so tired of your allowance for over development or do you just not care enough to pay attention? To say the deep love the council and mayor have for developers than the voices of your citizens in this area is a great disappointment for us all. There is a plaza on Knights Trail that has been unused for years and an eyesore to all, but you are ready to hit the "go ahead" button for another one. (Maybe you simply never come out this way.....) Is it your interest for tax revenue over leaving some land of peace and quiet or is it that the developers have more power than the people who elected you? Turning Laurel into 4 lanes should be enough to change this area (oh yes, the developers are helping with that as well aren't they and even get to help plan the look of a public road!) Gotta be one or the other to support your unthoughtful and uncaring for this area... very sad. I may not be able to say "I never loose" but I can say I never went down without a battle.

Susan Taylor

Mestre Place, Sadly Changing North Venice, Florida

The porch sitter request: Be kind to everyone you meet, you never know the burdens they may be carrying..... a smile to a stranger may be the kindest thing that happened to them all day... you can make the change

Sent from [Mail](#) for Windows 10