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October 8, 2020

VIA EMAIL

Ms. Lori Stelzer, MMC
City Clerk
City of Venice
401 West Venice Avenue
Venice, Florida 34285

Re: Galleria Shops, LLC – Order No. 20-08SP, Appeal of Planning Commission
Decision to City Council Pursuant to City Code Sec. 86-21, Request for Remand
to Planning Commission

Dear Ms. Stelzer:

As you are aware, we represent Galleria Shops, LLC, in connection with the above-referenced matter.

City Attorney Kelly Fernandez has requested that we provide an additional letter stating our request to be remanded back to the Planning Commission for consideration of Order No. 20-08SP (the “Order”).

As stated in our September 1, 2020, letter to the City, Per the Order, the Planning Commission’s denied the Petition due to concerns with the orientation of the building and the potential negative impact of the drive-thru lane on motorists on E. Venice Avenue. We believe an in-person Planning Commission meeting, as opposed to the virtual meeting conducted via Zoom, would have allowed the applicant to more sufficiently understand and address the concerns raised by the Planning Commissioners. As you are aware, we have participated in numerous Planning Commission public hearings over the years, and the types of issues that arose are those that we have routinely been able to address to resolve the Planning Commissioners’ concerns at the public hearing.

We have made certain changes to the Petition to address the concerns raised by the Planning Commissioners. We believe, and hereby request, a remand back to the Planning Commission to allow their review of the revised Petition. Should the Planning Commission not approve the revised Petition, they still have the authority to issue a denial. At this juncture, and with changes

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made to the Petition in direct response to concerns raised by the Planning Commission, we believe a remand to allow their review is an appropriate procedure.

Should the Petition be remanded back to the Planning Commission, we believe this will eliminate a potential multiple hour public hearing on the Petition before the City Council. If the Petition is remanded back to the Planning Commission and they would vote to deny the Petition, the City Council would still have the opportunity to hear the Petition if appealed.

If you have any questions or wish to discuss this matter further, please do not hesitate to contact us.

Kind regards.

Very truly yours,

Jeffery A. Boone

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