



"City on the Gulf"

City of Venice

Request to Speak (print legibly)

Name: Elaine Lawson Date: 04/03/2018
Address: 1350 Lucaya Ave
City: Venice State: FL Zip: 334285
Telephone: 802 999-5389

Organization (if any): Pinebrook HOA (member)

Please Check One

☐ Audience Participation

☒ Agenda - Topic: 16-0422 Pinebrook Park

If you are going to present evidence and/or testimony during a public hearing, you are required to complete and sign the following oath. You are not required to sign the oath if you are speaking at Audience Participation or at a workshop.

I swear or affirm, under penalty of perjury, that the evidence or factual representation, which I am about to give or present at the public hearing, held this 3 day of Apr. 2018 is truthful.

Signature: Elaine J. Lawson

Comments at public hearing and during audience participation are limited to five minutes per speaker unless otherwise noted.

Presentation to the Planning/Zoning Board,
Venice City
April 3, 2018

Read and submitted by:
Elaine F. Lawson
1350 Lucaya Avenue, Venice, FL 34285

Good afternoon. My name is Elaine Lawson. My husband Roger and I are Florida residents. Our primary home is at 1350 Lucaya Avenue, located in Unit 2 of the Pinebrook HOA. This location makes our property, along with the 5 others on Lucaya and three homes on Sleepy Hollow Road, the most affected properties in this rezoning petition.

I am here to ask the Commission to deny the application. Approval would mean the potential for a maximum density rental complex which could accommodate up to 18 units per acre. This property is a 2.39-acre parcel, which would, with your rezoning approval, allow up to 44 rental units, a gross incompatibility with the surrounding established homes in our neighborhood.

If one plays out the potential infill, we could be looking at their need for 90 - 120 parking spaces, some 37 possibly lined up along the north side of our Lucaya back yards, 8 feet from our pool cage and patio.

Rental units allow for an ever-shifting population who likely care less about their neighbors' privacy than do our current neighbors here on Lucaya and in the Pinebrook HOA in general. Shifting populations require moving companies, vans, trailers, etc. This is very hard to envision given the tight spacing required within the 2.39 acres, should it be developed to 43 potential units, to say nothing about concern regarding emergency vehicle access. For us, such an infill would provide for no setback or protections from noise, light, or constant commotion whatsoever. All homes surrounding the subject property are single-story, as is the Pinebrook Nursing Home on the north side. I can't help but wonder how many of you, considering the plan first

submitted by the petitioner, would like to entertain the prospect of having that development 8- 10 feet from your property line, wall or no wall.

The current zoning for a nursing home or a home for the aged should remain intact. Our home looks across the 209.63 feet to the Genesis Nursing Home. We experience the coming and going of visitors and caregivers and attendant vehicles already, a mere 210 feet away and do not consider these an invasion of privacy. Residents and their attendants, as well as necessary emergency vehicles there are quiet and respectful neighbors. Another such building in the adjacent lot would be far less intrusive than a high-density, 2-story, 43 - unit possibility that a rezoning to residential would permit. A nursing home or home for the aged does not operate in large part with 24/7 comings and goings, other than shift changes and ambulances, etc., which, when arriving at night, run lights easily blocked by our shutters. They do not run sirens. There is no attendant noise. An extension of such a facility, or an additional care facility of a similar type would be far more welcomed here than would the potential infill residential use which is simply incompatible with its surroundings.

Minutes from the Sept. 6, 1988 Planning Commission discussion clearly reflect Chairman Timothy Gaus's thinking that "housing for the aged produces less impact on roads and utilities and other types of infrastructures" .. "than multifamily housing."

Again, I respectfully ask the Council to deny the application for the rezoning of the property in question. Please protect your current residents against the onslaught that such a zoning change would likely bring into our lives. Thank you.

From: **jackie rouff** <jjrouff@gmail.com>
Subject: Fwd: Request Affected Person Status
Date: March 27, 2018 at 11:06 AM
To: elainefullawson5@gmail.com

JR

----- Forwarded message -----

From: **jackie rouff** <jjrouff@gmail.com>
Date: Tue, Mar 27, 2018 at 10:04 AM
Subject: Re: Request Affected Person Status
To: Christina Rimes <CRimes@venicegov.com>

Dear Ms.Rimes,

Unfortunately, it is not possible for us to attend the meeting in person. However, we have asked our neighbors, Elaine and Roger Lawson, to read a brief statement to the commission members at the meeting in our absence.

It should be obvious to the planning commission members that such a high density development that is in direct contact with our property will very much affect our property value and quality of life.

Thank you very much for your assistance.

Jacqueline Rouff

On Mon, Mar 26, 2018 at 3:20 PM, Christina Rimes <CRimes@venicegov.com> wrote:

Mrs. Rouff:

I just wanted to confirm your request for affected party status so that I can add your request to the Planning Commission agenda. Do you have any documents that you would like to provide to me as well? If you do, I need to have the documents by Wednesday at 12. If not, you can bring the documentation to the meeting on 4/3.

Thank you,

Christina Rimes

Planning and Zoning Division

City of Venice

401 W. Venice Ave.

Venice, FL 34285

941-882-7434

crimes@venicegov.com

From: **Jackie rouff** jjrouff@gmail.com
Subject: Comments on rezoning petition
Date: March 22, 2018 at 5:39 PM
To: elainefullawson5@gmail.com

JR

I will send this email to the members of the planning committee. Please read at the meeting if appropriate.

Dear Planning and Zoning Commission Board,

We own a home at 1354 Lucaya Avenue, which is adjacent to the property for which the Boone Law firm has submitted Rezone Petition NO. 16-04RZ. Such a high density development of multi-story rental units is inappropriate for this narrow strip of land bordered by single family, single story homes and an extended care facility. The Venice City Comprehensive Plan calls for the "protection of single family neighborhoods from the intrusion of incompatible uses" and for consideration of "densities and intensities of proposed uses as compared to the densities and intensities of existing uses" (Elements – Land Use, Section III, Policy 8.2 E and H).

Placing multi-story rental units in the middle of a long-established single-family neighborhood would clearly present an incompatible intrusion and too abrupt a transition to constitute responsible zoning. In addition, it will most certainly decrease the property value of existing homes in Pinebrook South.

We realize that the owners of this property have the right to develop it. The fact that high density rental units enhance the developer's economic interest is not a sufficient reason to approve this change. If a change to residential zoning is considered, the only appropriate change would be to low density single family homes consistent with the existing long established neighborhoods.

We hope that you will respect the wishes and well-being of the residents of Pinebrook South and the wisdom of the Venice City Comprehensive Plan . Please deny the change of zoning to high density multi-family rental units requested in Rezone Petition NO. 16-04RZ.

Respectfully,

Jacqueline and Steven Rouff



"City on the Gulf"

Affected Person
City of Venice

Request to Speak (print legibly)

Name: Roger Lawson Date: 7/3/18
Address: 1350 LUCAYA AVE
City: VENICE State: FL Zip: 34285
Telephone: 802 999-5390

Please Check One

☐ Audience Participation.

☐ Agenda - Topic:

Organization (if any): Retired

Pinebrook Regime

If you are going to present evidence and/or testimony during a public hearing, you are required to complete and sign the following oath. You are not required to sign the oath if you are speaking at Audience Participation or at a workshop.

I swear or affirm, under penalty of perjury, that the evidence or factual representation, which I am about to give or present at the public hearing, held this 3 day of MARCH 19 is truthful.

Signature: Roger Lawson

APRIL

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Hand-in

My name is Roger Lawson. My wife Elaine and I live on Lucaya Avenue in Pinebrook South. We are Florida residents; we pay taxes and we vote.

Eight years ago, after considerable research, we chose to live in Venice because of its history of thoughtful urban planning with its emphasis on green space and quality of life. When we were shopping for a home, we were told that Venice was different from most Florida cities in that it was planned to optimize quality of life — and not designed by developers to maximize profit.

We purchased in Pinebrook South because we liked the peaceful, friendly, beautiful, and safe neighborhood of amiable people and their well-maintained homes and gorgeous landscapes. Deed restrictions have ensured that this pleasant ambiance has been maintained. And our neighbors are wonderful.

While the vacant lot behind our house initially worried us, our concerns were allayed when subsequent research revealed that the zoning was for a nursing home. Also, the existing nursing facility has been very quiet with only a modicum of traffic.

Furthermore, the vacant lot had been zoned institutional-professional for many years — precisely as it was when it was purchased by Pinebrook Park LLC in 2004. Appropriate uses were allowed under this zoning, but the owner failed to market the lot successfully.

Rezone?

Now the lot owner wants to change the zoning to high-density residential. Rezoning would be a gift to the lot owner, but, in turn, would unfairly change the character of our neighborhood thereby damaging the value of existing Pinebrook South homes, especially those abutting the vacant lot. [photo of back yard]

In our case the proposed high-density apartment complex would be directly on our boundary, a mere 8 feet from our patio, compromising our privacy and eroding our quality of life.

This would constitute, as real estate agents term it, an “incurable defect”. I know that we would never have purchased our Lucaya Avenue home had it bordered on a high-density rental housing complex — nor would any of our friends. The looming threat of an adjacent apartment complex already makes the our properties harder to market.

Incompatible intrusion

The Comprehensive Plan calls for the “protection of single-family neighborhoods from the intrusion of incompatible uses and activities.”

Pinebrook South single-family homes are predominantly owned by older citizens who have purchased homes in this desirable low-density neighborhood expecting a peaceful, relaxed life. Allowing high-density multi-story rental units to be forced into a long-established single-family neighborhood would clearly present an incompatible intrusion.

While there are a few medium-density condos within Pinebrook South, a lake separates them from the single family homes. None of the condos abut single-family homes. In the case of this proposed high-density rezone, no separation from the high-density multi-story apartments would be feasible.

Contrary to the statement of the applicant, nowhere in PBS are single family homes abutted by multi-family condos let alone high-density rental housing. In multiple meetings we were assured by Planning Commission members that the protection of low-density housing against high-density incursion would be sustained. Given the small size of the lot, we believe that NO amount of buffering could adequately protect us from such high-density development.

Common sense, and common courtesy, would suggest that the space adjacent to a nursing home be a quiet zone, and not for high-density rental housing. Also, that space should be available for nursing home expansion or related medical facilities.

Managed Growth and Quality of Life

We have seen discussion of the need to control growth in the papers and occasionally on the Venice City website. We are not against growth, just against poorly managed, thoughtless growth. Already Venice is suffering from poorly managed growth — albeit much of it coming from outside the City. But what about Venice City’s role in controlling our own growth or in preserving residents’ quality of life? Allowing high-density rental housing in the midst of a low-density PUD will feed, not control, growth; will damage, not preserve, quality of life.

The Pinebrook South PUD has been a well managed deed-restricted neighborhood for over 40 years. Overriding the thoughtful PUD planning to suit the needs of a land speculator would be contrary to good planning. The lot was intended for, and zoned for, a nursing home and related expansion. To change the zoning now would effectively throw the growing population of senior citizens under the bus for the benefit of the lot owner.

Why has the lot not been used for its intended purpose? It's hard to know, but it appears from the for-sale signs posted on the property, that the owner had been improperly marketing the lot for commercial or high-density residential (which were not permitted) and seeking a price higher than the market will bear for institutional-professional use. (3.8 times what they paid in 2004).

Who will require housing — Everyone.

While there may well be a need for workforce housing, trying to shoehorn multiple apartment buildings into the midst of a well-managed, deed-restricted neighborhood would be a unwise, unfair, and not consistent with Venice's Comprehensive Plan.

Ongoing Need for Skilled Nursing Facilities

Currently the Venice median age is over 69 and rising. The demand for more nursing home space can surely be expected to increase. Fortunately, early planners zoned the lot to meet the now incipient need for skilled nursing facilities. Rezoning would result in a windfall profit for the land speculator, while likely making the lot unaffordable for its intended purpose.

Planning for Suitable Housing

While the onus is not on us to determine how to best meet this need, we would suggest that serving various housing needs could part of a larger, unified planning effort. It should not be determined by the ad hoc pressure from a land speculator. New developments could be designed with adequate space to meet a range of economic needs while incorporating appropriate setbacks, green space, and quality of life for all the residents.

Pinebrook Road

Traffic on Pinebrook Road already exceeds its design capacity. Recently, we have observed traffic backed up from Venice Avenue to Edmundson Rd (1.5 mile). The proposed apartment complex is directly across the road from the Wellfield and the Pinebrook Nature Parks which are used mostly by school children, their families and senior citizens. This part of Pinebrook Road is already dangerous, with speeders, reckless drivers, and no crosswalk. No additional residential development should be allowed in this area until the Pinebrook Road traffic and safety issues have been addressed. Venice already has traffic issues during peak season — why intentionally create new ones?

Venice has plans to increase Pinebrook Road to four lanes. While it is not clear where the extra land will come from, it is likely that some would be carved out of the vacant lot. Does it make sense to facilitate development that would need to be condemned to make way for road widening?

Parking space?

Already visitors to the Pinebrook Center nursing home park on the verge and on the side of Pinebrook Rd. They need more parking space. What will happen when the parking demand for 43 units exceeds their space? We fear that they will park along Sleepy Hollow and other Pinebrook South streets.

Conclusion/Suggestion

Land speculators will be speculators; developers will be developers. We can't fault them for doing what comes naturally, but planners must still be able to plan. Our civic leaders' role is to serve the needs of the residents, NOT to be servants to developers, speculators, or their legal counsel.

We need to honor Venice's exceptional urban planning legacy and maintain the original thoughtful PUD planning; we must reject this attempt to damage a long established neighborhood. ***We're relying on you to do the right thing.***

I'll leave you with a few quotes from
John Nolen (Venice's planning patron saint):

*"Venice offers an inspiration to those
who would make this world a better place to live."*

*Nolen's plans rest on the
"adequate control of private development."*

*"It has been said, and with reason, that man is the only animal
who desecrates the surroundings of his own habitation."*

*"Venice, [is] an opportunity better...than any other in Florida
to apply the most advanced and most practical ideas of regional
planning."*

*"It was not to be a new Utopia. But it was to be a convenient,
practical, and beautiful town; practical from the point of view of
use; beautiful from the point of view of appearance."
(about another Nolen project)*

1350 Lucaya Ave



1354 Lucaya Ave.



Boundary fence behind 1350 Lucaya (8 feet from pool cage / patio)



Vacant lot+Nursing Home from boundary fence behind 1350 Lucaya



1131 Sleepy Hollow viewed from vacant lot



Vacant lot viewed between 1332 & 1336 Lucaya Ave



1328 Lucaya home viewed from vacant lot



1332 Lucaya Ave.



1340 Lucaya Ave



View of lot from Sleepy Hollow



Vacant lot viewed from Pinebrook Road (through chainlink fence)



1336 Lucaya Ave.



1344 Lucaya Ave





"City on the Gulf"

City of Venice
Request to Speak (print legibly)

EFFECTED PARTY

Name: Lowell Beatty Date: 4/3/18
Address: 1328 LUCAS AVE
City: Venice State: FL Zip: 34285
Telephone: 786 202-1866

Please Check One

☐ Audience Participation.

☐ Agenda - Topic: _____

Organization (if any): _____

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I swear or affirm, under penalty of perjury, that the evidence or factual representation, which I am about to give or present at the public hearing, held this _____ day of _____ 20____ is truthful.

Signature: _____

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Lowell Beatty

I moved here, 8 years ago because Pinebrook South seemed the ideal spot to retire after many years of hard work.

In talking to others who lived here, they confirmed **what** I was looking for quiet, peaceful and safe neighborhood.

My neighbors and I are quite astounded that the City is now considering putting a high density apartment complex in our low density backyards. 18 units per acre is an incredible increase compared to our current density of 3.25 units. Why would the City even consider that proposal, the proposal to allow 43 residential apartments in a residential neighborhood designated Mixed Use Residential sounds good on paper.

The apt complex is not compatible with our single family neighborhood.

That greater activity may also negatively effect the elderly, infirm residents of the nursing home immediately next door to the apartment complex. I am suggesting that the proposal is utterly incompatible with its immediate neighbors or for that matter with the wider surrounding 41 homes (as shown on the applicant's map which indicates the number of homes in each of the Pinebrook South neighborhood areas.