

**From:** [Roger Clark](#)  
**To:** [Mitzie Fiedler](#)  
**Cc:** [City Council](#); [Edward Lavallee](#); [Jeff Shrum](#); [Kelly Fernandez](#); [Nicole Tremblay](#)  
**Subject:** Venetian Golf & River Club Site and Development Plan Petition No. 20-38SP Denial  
**Date:** Wednesday, February 10, 2021 4:26:00 PM  
**Attachments:** [20-38SP Development Order Venetian CDD Denial - signed.pdf](#)  
[image002.png](#)

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Dr. Fiedler,

Per your request, highlighted below are the City's code sections referenced in Section 2 of the attached Development Order, that was issued for the denial of the proposed VGRC Site and Development Plan Petition No. 20-38SP to add pickle ball courts and a dog park. This is a good request, hence I have copied all council members on this email. Contact us if we can be of further assistance.

**Sec. 86-23. - Planning commission.**

(m) *Duties in site and development plan approval.* The planning commission shall review and act upon site and development plan applications in accordance with the provisions contained in [section 86-49](#). In reaching a decision as to whether or not the site and development plan as submitted should be approved or approved with changes, the planning commission shall follow the procedures set out herein and shall be guided in its decision and the exercise of its discretion to approve, approve with conditions, or to deny by the following standards:

(1) Sufficiency of statements on ownership and control of the development and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the city.

(2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the planning commission the authority to reduce residential densities below that permitted by the schedule of district regulations set out in this code.

(3) Ingress and egress to the development and proposed structures thereon, with particular reference to automotive and pedestrian safety, separation of automotive traffic and pedestrian and other traffic, traffic flow and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe or emergency.

(4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the proposed development, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

(5) Sufficiency of proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the proposed development.

(6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall public drainage capacities.

(7) Adequacy of provision for sanitary sewers, with particular relationship to overall city sanitary sewer availability and capacities.

(8) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

(9) Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the proposed development, and relationship to community or citywide open spaces and recreational facilities.

(10) General site arrangement, amenities and convenience, with particular reference to ensuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be so at variance with other development in the area as to cause substantial depreciation of property values.

(11) Such other standards as may be imposed by the city on the particular use or activity involved.

(12) In the event that a site and development plan application is required, no variance to the height, parking, landscape, buffer or other standards as established herein may be considered by the planning commission. The planning commission may consider modifications to these standards under the provisions and requirements for special exceptions.

Thanks,  
Roger

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