From: Karen Wilson
To: Planning Commission
Subject: Venice Planning Commission

Date: Wednesday, February 3, 2021 6:26:00 AM

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the desire of the majority of the residents of the community.

My name is Karen Wilson and I am a resident of The Venetian Golf & River Club. I am appalled that the members of your unelected body saw fit to override the legal vote of the VCDD. The elected members of the CDD approved the plan for Pickleball and a dog park as the representatives of our community. Their vote of 4 to 1 in favor of the plan clearly reflects

It is clear that you have overstepped your reach which certainly happened when an appointed body feels no need to respond to the wishes of the majority.

Sincerely, Karen Wilson karenwils@gmail.com

From: <u>Karen Wilson</u>
To: <u>Planning Commission</u>

Cc: <u>City Council; rcautero@gmail.com; ebooker@fukblaw.com; Bruce Fiedler; Rick McCafferty;</u>

thebraccos@gmail.com; denisepayton@venetianriverclub.com

Subject: Venetian Golf & River Club Pickleball & Dog Park **Date:** Wednesday, February 3, 2021 9:15:07 PM

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This morning I sent an email to the Planning Commision about their decision to vote against the plan to create these amenities in our community and my concern about their decision. In brief, it concerned overreach of their mission.

After careful reflection, there is another more serious issue that needs to be addressed.

The chairman of the commission, Mr. Barry Snyder, committed an egregious ethical breach when he publicly stated during the meeting, and I quote, "There is no need for more amenties in The Venetian." He was clearly speaking as a resident who did not want pickleball courts or a dog park in his community. He was clearly no longer representing the mission of the Planning Commission when he made that statement.

Sincerely, Karen Wilson karenwils@gmail.com

From: <u>Debbie Gericke</u>

To: Planning Commission; Rich bracco; rick@schappachereng.com

Subject: Venice Planning Commission / Venetian Golf and River Club Pickle ball and dog park decision

Date: Thursday, February 4, 2021 9:20:43 AM

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Morning all,

As I sat in the audience on Tuesday and listened to what was said I felt strongly that you either missed the amount of research which has gone into this project or voted based on your emotions in lieu of logic.

This has been a three year project. Time, money and many many meetings with the community to determine the relevance and possibility of the project. I am a real estate broker with 31 years new home sales management working directly for Pat Neal and Bill Pulte during this time. A golf course or dining room is no longer a draw nationally. People are looking for places to gather and the both the dog park and pickle ball would allow for this.

The VGRC is a dated aged population of homeowners who many of the new members in the community fondly call the founding settlers. They originally came to the VGRC in their 60's and now in their 80's are not aware nor concerned about amenities nor property values. We pay much higher fees then competing communities and are suffering from a real estate bell curve. Your decision on Tuesday did not help that bell curve.

The location site selected is the ONLY location viable for the suggested amenity. I believe you will receive many emails from

homeowners who wish you would take another look at our extensive engineers research and current real estate master plan trends. Help the VGRC stay relevant.

Thank you

Debbie Gericke 146 Bella Vista Terrace Cell 850-217-5958



PERSSON, COHEN & MOONEY, P.A.

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* Board Certified City, County and Local Government Law

** Of Counsel

Reply to: Lakewood Ranch

TO:

Chairman Bracco and Venetian Community Development District

Board of Supervisors

FROM:

Andrew Cohen

REPORT DATE:

July 24, 2020

SUBJECT:

Pickleball/Dog Park - FPL Right of Way Consent Agreement

Before the last CDD meeting on July 13, 2020, a resident and retired attorney (Anthony J. Pirotti, Esq.) sent a July 8, 2020 e-mail raising a number of questions regarding the FPL Right of Way Consent Agreement ("Agreement") previously approved by the Board of Supervisors on April 27, 2020. I understand Mr. Pirotti raised similar issues during public comment at the July 13, 2020 meeting and I have reviewed the draft minutes from that meeting. The Board asked that our office please generate a memo responding to the individual issues raised by Mr. Pirotti in his e-mail. Please recall that the Agreement is a significant document and rather than have it routinely executed, the document was brought before the Board and discussed at length. I agree that the Agreement has some provisions that I would have liked to see revised but FPL was very loathe to make changes and we negotiated what we felt we could at the time (I am glad to go back and try for additional revisions if the Board so chooses). I explained the pitfalls to the Board and the Board made a reasoned decision to move forward.

1. The CDD may not act as a Licensee: First, I would point out that the land in question is CDD property and FPL was only historically granted an easement over the lands. The CDD still retains ownership of the subject property. Previously, the CDD was granted special powers by the City of Venice pursuant to Section 190.012, Fla. Stat., for "parks and facilities for indoor and outdoor recreational, cultural, and educational uses." Therefore, the CDD has recreational powers to construct the dog park and pickle ball courts. While Chapter 190 may not specifically refer to this

Lakewood Ranch 6853 Energy Court Lakewood Ranch, Florida 34240

Venice 236 Pedro Street Venice, Florida 34285 exact issue of a CDD being a licensee of FPL, there are multiple references in Section 190.011, Fla. Stat., (general powers of a CDD) referring to the ability to hold, control, acquire and lease property interests. Moreover, Section 190.011(15), Fla. Stat., provides a CDD the general power to "exercise all of the powers necessary, convenient, incidental, or proper in connection with any of the powers, duties, or purposes authorized by this act." Executing the Agreement as a Licensee is "necessary" for executing the CDD's previously granted special recreational powers if it chooses to provide for construction of the recreational areas at this particular site.

- 2. Overhead Lighting: This is not a legal issue (if the lighting is installed within the height and other parameters of the Agreement) but a policy decision of the Board. To my recollection, the Board previously decided not to install lights at this time but to provide the necessary conduit should a future decision be made to proceed with installation.
- 3. Assignment: I do not believe there are any intentions for the CDD to assign its rights. Should the CDD express such an intention in the future, we can examine whether it has the legal right to do so.
- 4. Liability from High Voltage Wires: This issue has been discussed in the past and the Board made the policy decision to proceed forward. While the CDD does provide indemnity to FPL in the Agreement (an issue from my notes that was discussed with the Board at its April meeting), I worked with FPL and their representatives to insert multiple provisions into the Agreement referencing the CDD's sovereign immunity protections. We even passed the insurance language by the CDD's insurer and negotiated language that would be acceptable to both the CDD's insurer and FPL.
- 5. Termination of the Right of Way Agreement: I agree with Mr. Pirotti that this is a significant provision in that FPL could terminate the Agreement for default or otherwise. I specifically pointed this out to the Board at the April meeting together with the fact that FPL can make us relocate, alter or remove facilities with 30 days' notice at the CDD's sole cost but the policy decision was made to move forward based on the conversation among the Board that the foregoing risks were minimal and the site was one of few available in the community for the contemplated amenities.

As always, please let me know if we can assist further. I am glad to discuss any of the above issues or related concerns with the Board at a meeting or any individual Supervisor separately.

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Thank-you for your support!

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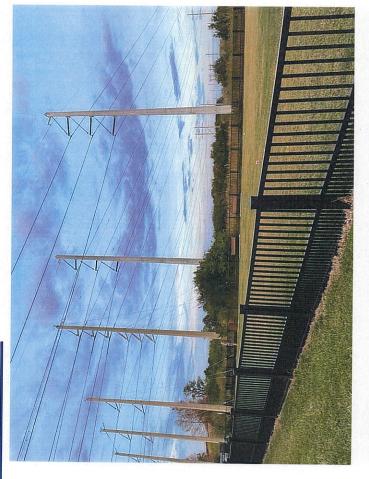
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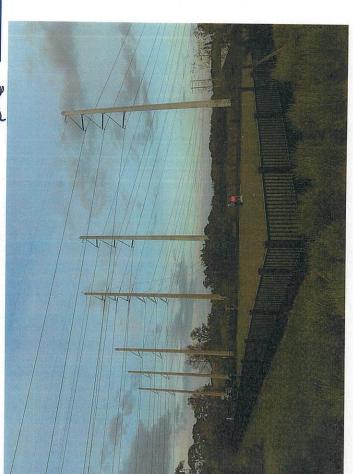
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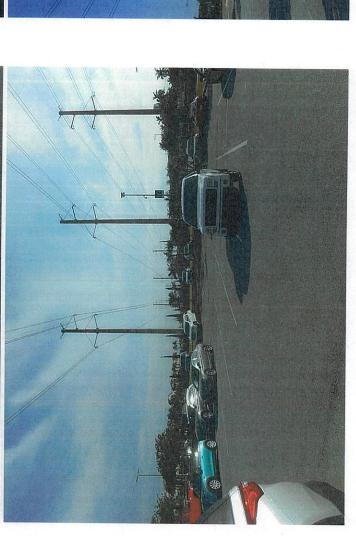




Milano Dog Park – Power Lines 3604 53rd Ave. East - Bradenton, Florida 34203; Phone: (941) 251-7613





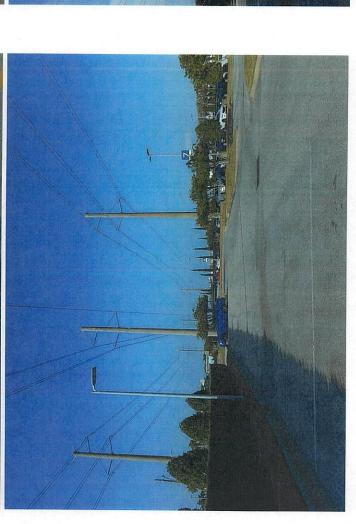




UTC Mall - Power Line & Parking Lots - Page 1 3604 53rd Ave. East - Bradenton, Florida 34203; Phone: (941) 251-7613

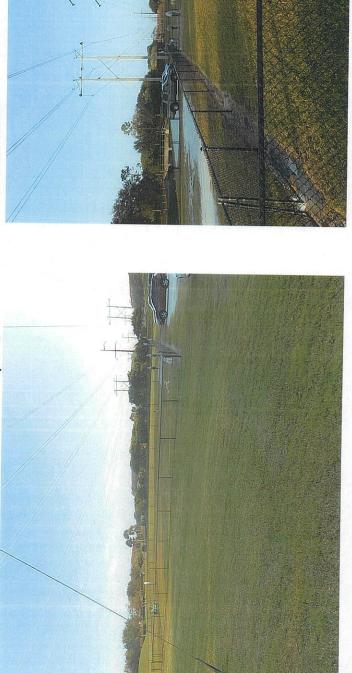


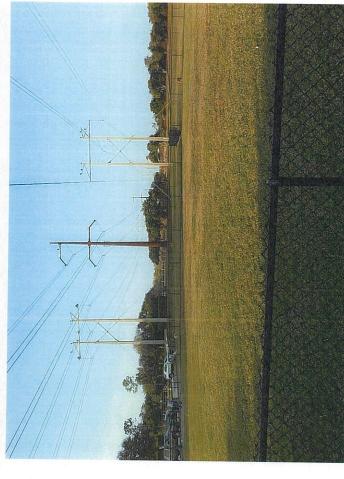






UTC Mall - Power Line & Parking Lots - Page 2 3604 53rd Ave. East - Bradenton, Florida 34203; Phone: (941) 251-7613







Heritage Harbour Dog Park – Power Lines 3604 53rd Ave. East - Bradenton, Florida 34203; Phone: (941) 251-7613

From: <u>Lori Stelzer</u>
To: Planning Commission

Subject: FW: Impact on Site Close Residents not considered related to Dog Park & Pickle Ball Court Proposal

Date: Tuesday, February 2, 2021 1:01:40 PM

See email received after the noon cutoff. Thanks.

From: Suzanne Holway Jerry <schkitchen58@gmail.com>

Sent: Tuesday, February 2, 2021 12:17 PM **To:** Lori Stelzer <LStelzer@Venicegov.com> **Cc:** Suzanne Jerry <schkitchen58@gmail.com>

Subject: Impact on Site Close Residents not considered related to Dog Park & Pickle Ball Court Proposal

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

Lori,

Please forward to Venice Council Commission Members:

The site plan stated that Construction of a high chain link fence with mesh on just two sides the Northern and Eastern sides with simple screening panels will not suffice as proper Noise muffling devices. We vehemently disagree. All studies show the need to locate courts over a Thousand feet away from Courts given the sound carries far and land contour plays into the amplification of this sound. Acoustic Engineers need to be hired to assure sound is properly mitigated. Just Google PickleBall Court complaints in Communities and you will be shocked to see that it plagues home owners with the popping and gun shot sounds the hard rubber ball makes hitting that racket and this impact is far reaching in the proposed site considering all of the residents whose lanais face this property on Savona Way, Persaro Drive and Medici Terrace. This is definitely an land intensity use alteration with Noise disturbance issues that negate the Communities ordinance provisions. Motorcycles are not permitted in the community due to the noise ordinances yet two incredibly noisy amenities will be paired together on one site that have the potential for all day long use without the proper mitigating barriers in the design plan. Simply not enough sound buffers in this proposal and an specialist an acoustic engineering study & architect plan needs to be conducted & submitted to determine a better sound reduction solution to this proposal.

A requirement for permitting states the Venetian CDD would hold a public workshop. That worksop was held on July 13, 2020. We didn't notice receive notifications, could have missed an email but we certainly did not receive a notice by mail. We do not live 250 ft from the site proposed so perhaps that is why we didn't receive notification. How many residents were notified? What was the attendance? We are impacted because Pickle Ball Court sound can reach homes within several hundred yards 600-700 yards on a fair weather day but 1,000 yards on a calm quiet still day Edie silly with ponds amplifying that sound.

We feel an acoustic study by a different engineer needs to be enlisted to insure residents are mot detrimentally impacted which all Google sites related to Pickle Ball sites related as a problematic plague the NOISE irritant.

The Scappacher Engineering Document response dated Jan 6, 2021 addresses the compatibility criteria directives And reference LU Strategy 4.11 Policy 8.2 in the future land use element of comprehensive plans regarding compatibility. Article D states in this response report states there are no proposed changes to the site abd that the new amenities will be adequately screened . Our big objection is this is mot true . A chain link open air fence with a mesh screen is not adequate . We are not an adequate community here at VRGC we are supposedly a considerate 4 star community. A cement wall would be sufficient and adequate on all sides of this proposed PickleBall area because it is park recreational designated use parcel but borders several neighboring homes .



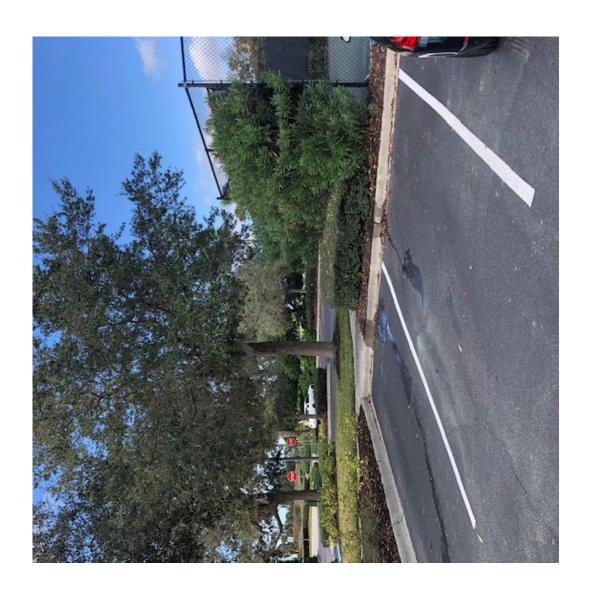




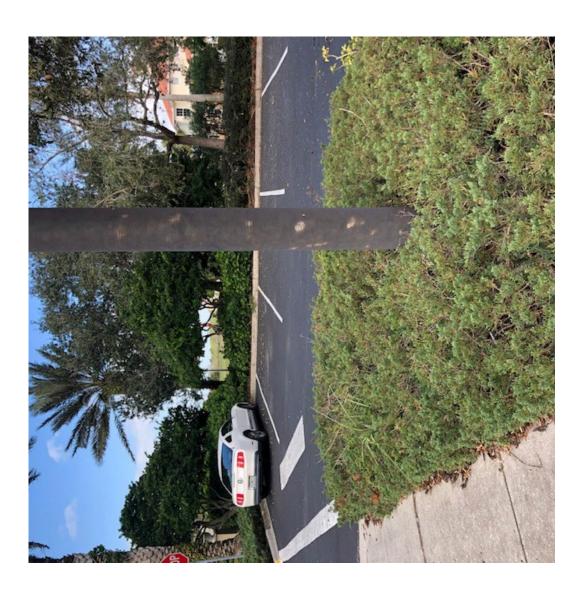




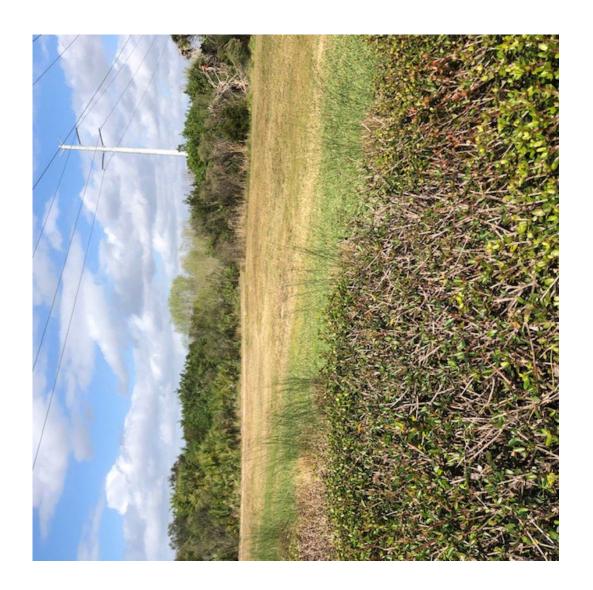
















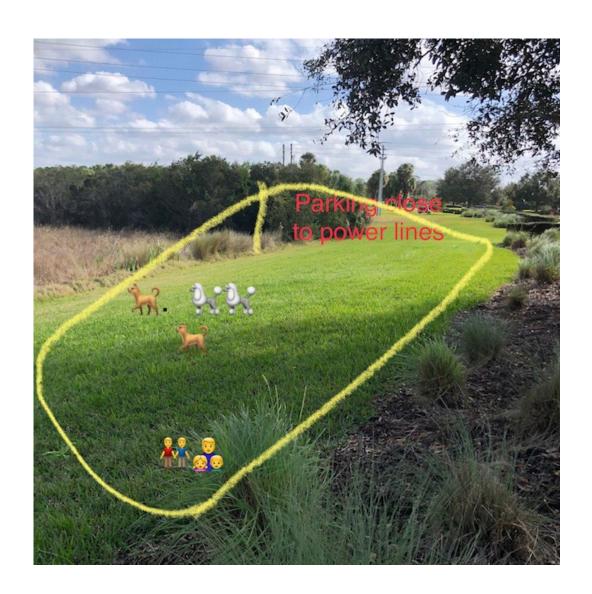


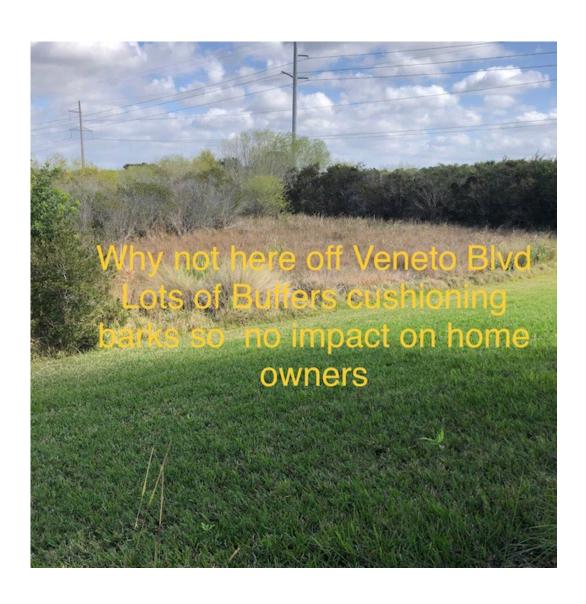






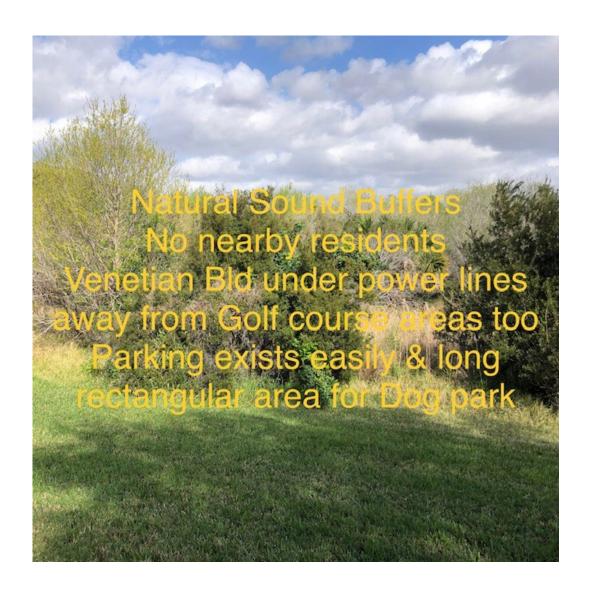


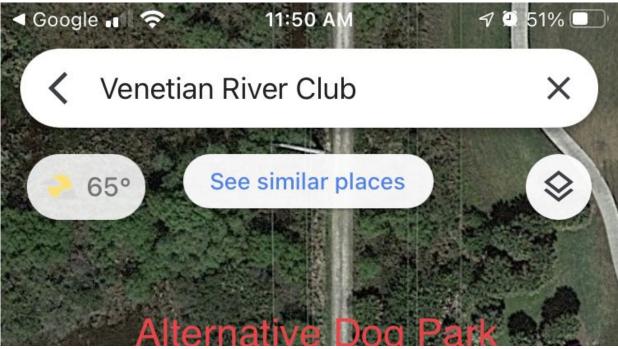














Venetian River Club

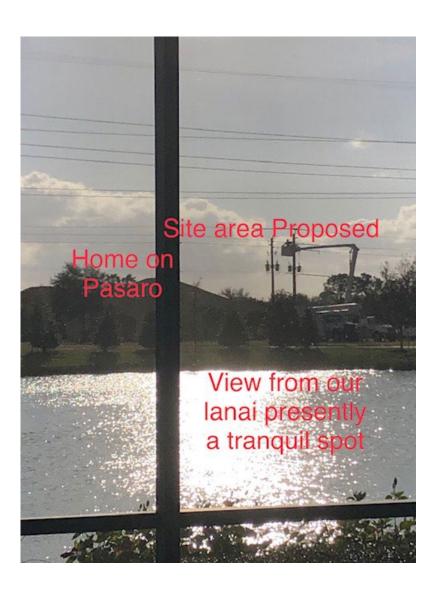
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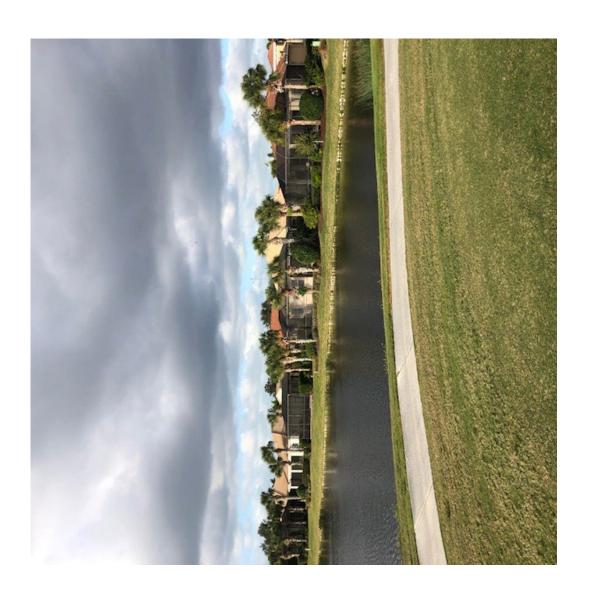


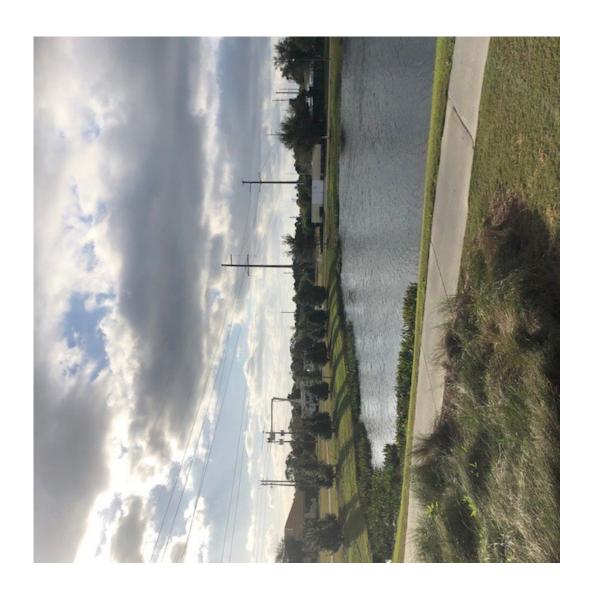






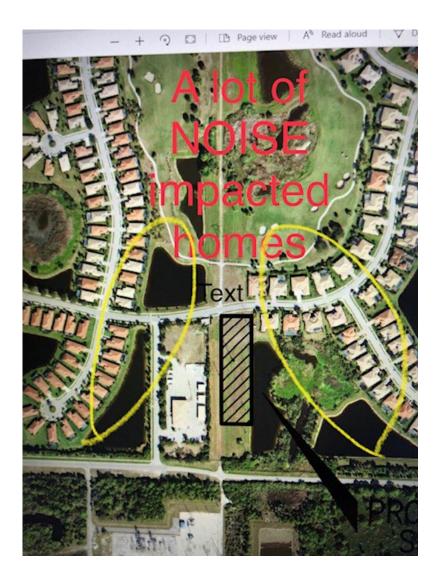












Sent from my iPhone Suzanne

From: Lori Stelzer 44.

To: <u>Lisa Olson</u>; <u>Rebecca Paul</u>

Subject: FW: Planning Commission meeting **Date:** Tuesday, February 2, 2021 2:33:48 PM

For the record. Thanks.

From: Jim Cederna <jim@cedernainternational.com>

Sent: Tuesday, February 2, 2021 2:30 PM **To:** Lori Stelzer < LStelzer@Venicegov.com> **Subject:** Re: Planning Commission meeting

Lori

I have been on this Zoom mtg since the beginning. I didn't realize how long the meeting would past. Unfortunately I have another business meeting starting at 2:30. I'm sorry if I can't speak.

My message would have been that I am very supportive of these motions being approved. I'm quite knowledgeable of PickleBall from many dimensions: my entire family plays (7 year old grandson to my sisters at 80), member of USA PickleBall association, have lead effort in another town to put in courts, My son plays on the PB pro circuit. Please approve this motion. Thank you.

Jim Cederna Cederna International, Inc. 412-736-8310

On Feb 1, 2021, at 4:53 PM, Lori Stelzer < LStelzer@venicegov.com > wrote:

Jim,

I will call you to speak for the site plan then. The rezone is the first item to be considered; however, staff may combine their presentations and they may combine the public hearings. That will solve my problem! Then they do two separate votes – one for each petition.

Here's the information on participating virtually:

Zoom Instructions:

For the February 2, 2021 meeting, please use the meeting link https://us02web.zoom.us/j/82768110864 to virtually attend using a computer, tablet, or smartphone. Individuals who have pre-registered to speak will be called upon.

If joining from a tablet or smartphone, you will need to download the free Zoom app from your device's app store.

If joining from a computer, your computer will automatically download and install (if needed) the Zoom program. If you currently have Zoom installed on your computer, tablet, or smartphone, you may join the meeting by entering the meeting ID 827 6811 0864.

Be sure to sign in with your name so I know it's you. Thank you!

Lori Stelzer, MMC City Clerk City of Venice 401 W. Venice Avenue Venice, FL 34285 941-882-7390 941-303-3486 (cell)

From: Jim Cederna < jim@cedernainternational.com>

Sent: Monday, February 1, 2021 4:42 PM **To:** Lori Stelzer < <u>LStelzer@Venicegov.com</u>> **Subject:** Re: Planning Commission meeting

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Lori,

Thank you for confirming that I can speak during the planning commission meeting.

I would like to participate virtually. Can you forward a link to connect?

My comments I think will relate to both petitions, but maybe more to the site plan petition.

Jim Cederna Cederna International, Inc. 412.736.8310 jim@cedernainternational.com

On Feb 1, 2021, at 4:22 PM, Lori Stelzer < LStelzer@Venicegov.com > wrote:

Mr. Cederna,

Thank you for signing up to speak at the planning commission meeting. There are two petitions relative to the Pickleball courts at Venetian Golf and River Club. Your speaker card does not indicate which petition(s) you would like to speak on. There is a rezone (30-37RZ) and a site plan petition (20-38SP). Can you please advise which petitions you would like to speak to. And, are you planning on attending in person or virtually. We are recommending virtual whenever possible. Thank you.

Lori Stelzer, MMC City Clerk City of Venice 401 W. Venice Avenue Venice, FL 34285 941-882-7390 941-303-3486 (cell)

Need to Report an Issue? SeeClickFix Venice Connect is available as an app for Android and iPhone. Select SeeClickFix from your app store on your device and choose Venice, Florida. There is also a link to the program on the city's website, www.venicegov.com, or go directly to SeeClickFix at https://venice.seeclickfix.com/venice

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