

September 14, 2009

Secretary Tom Pelham
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Reference: City of Venice, Florida Comprehensive Plan submission of 25 August, 2009

We are tenants and operators of aircraft at the Venice Airport (VNC). The City of Venice has proposed inclusion of policies in the recently transmitted comprehensive plans that are inconsistent with state and national policy. We assert standing as substantially effected and interested parties to the proposed comprehensive plan and ask the Department to formally object to these provisions.

We have tried to engage in the process of the development of this plan. We made presentations to the City Planning Commission as well as submissions to the City seeking modifications. The Comprehensive Plan ignores the City's deed and grant obligations to the Airport. The Plan should outline comprehensive planning initiatives that would implement those obligations. Obligations to the Venice Municipal Airport derive from deed restrictions contained in the deeds of airport land from the U.S. Government to the City of Venice. Further the City has incurred additional obligations as a condition of Federal grants for airport improvements. Nothing has changed to alter the City's responsibilities to the Airport. The Comprehensive Plan should provide in the Capital Improvements Element provisions to match Capital needs and projects in the approved 2000 Airport Master Plan for a five year period and then additional analysis for at least another five year period. There should be consistency between the approved 2000 Master Plan, the proposed Comprehensive Plan their respective capital improvement plans and the City and Airport budget. Rather than focusing on marginalizing the airport the Plan should outline constructive and measurable "planning steps" to modernize and maintain the airport.

While the Plan notes an intention to comply with FAA regulations in actuality and to the contrary the Plan focuses more on steps inimical to the best interest of the airport. In addition to our comments and recommendations also included is a copy of the results of a recent FAA report on the City management of the airport to further support our recommendations.

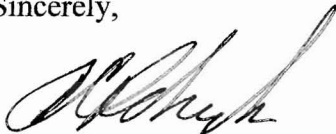
As an example and in particular, in the Future Land Use & Design section, Policy 15.6 Southern Gateway Corridor Standards, Development in the Southern Gateway. Policy 15.6, sub B, 1. Southern Gateway Corridor (page 45 of the Future Land Use and Design Element) provides that "...public lands shall not be developed for residential, commercial, office, or industrial purposes." The Venice City Council specifically reviewed these provisions during their transmittal hearing and took affirmative action to include these limits within the plan and has proposed applying them to publically owned property wholly within the boundary of the existing airport and existing airport master plan.

No other publically owned lands by the City of Venice are included within the boundary of the Southern Gateway so it is clear that these provisions are intended to specifically limit the use of airport property. In response to petitions by other community members during the transmittal hearing process, similar provisions within other infill and redevelopment areas proposed by the city were modified to eliminate or modify these restrictions.

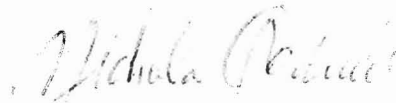
The portions of the Venice Airport property included in the Southern Gateway along US Business 41 and Airport Boulevard are under lease by the airport to other tenants and in use for both aeronautical and non-aeronautical uses. Consequently upon the approval of the Comprehensive Plan the city has de facto taken and separated this valuable airport property from the airport for non-aeronautical, non-revenue producing purposes without the approval or knowledge of the Federal Aviation Administration (FAA). This is a clear violation of the city's airport deed restrictions and grant obligations to the federal government. The city is currently seeking to resolve past issues of this nature with the FAA (see attached). Consequently this action is all the more grievous and is an illegal property and revenue diversion.

Prohibiting all uses except for open space or recreational use renders these properties inconsistent with state policies intended to encourage economic development through use of regional transportation assets, limits the airport's future ability to serve as a staging area for emergency operations and creates internal inconsistencies with other provisions of the proposed comprehensive plan that are prohibited by Rule 9J-5, Florida Administrative Code. In addition, the city provided no surveys, studies, data or analysis to support this proposed change in future land use as required by Chapter 163, F.S. and Rule 9J-5, F.A.C. The proposed change is inconsistent with the provisions of HB 697 that require all plan amendments transmitted after July 2008 to encourage energy efficiency and discourage urban sprawl. The proposed prohibitions of all economic uses of airport property within the Southern Gateway do not represent an efficient land use pattern. Principal point of contact for this submission is Paul Hollowell, 941-484-0718.

Sincerely,



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Attachments:

Comprehensive Plan Comments and Recommendations
FAA Report of Audit Results

cc: FAA, FDOT, AOPA, Brenda Willingham - DCA