ORDINANCE NUMBER 2025 -

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AN ORDINANCE OF THE **BOARD** OF COUNTY OF CHARLOTTE COMMISSIONERS COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PD; **MAJOR** MODIFICATION OF THE EXISTING PD. ORDINANCE NUMBER 2023-009, BY: (1) AMENDING PD CONDITION b.iv. AND THE GENERAL PD CONCEPT PLAN IN ORDER TO REVISE THE LAYOUT OF SOME COMMERCIAL BUILDINGS, ADD SPECIFIC COMMERCIAL USES AND DEVELOPMENT STANDARDS FOR LOTS 2-A, 2-B, 2-C, 2-D, & 3; (2) ADOPTING THE REVISED GENERAL PD CONCEPT PLAN AND THE DETAIL PD CONCEPT PLAN FOR LOT 3: "CHICK-FIL-A", AND DETAIL PD CONCEPT PLAN FOR LOT 2-A: "TEXAS ROADHOUSE"; AND (3) DELETING PD CONDITIONS o, q AND r AND REVISING PD CONDITION p; FOR THE SUBJECT PROPERTY, CONTAINING 29.76± ACRES, WHICH IS PART OF THE 77± ACRES OF THE ORIGINAL PD, GENERALLY LOCATED NORTHEAST OF TAMIAMI TRAIL (US 41). SOUTH OF HILLSBOROUGH BOULEVARD, SOUTHEAST CRANBERRY BOULEVARD, AND WEST OF BOULEVARD, IN THE PORT CHARLOTTE AREA. CONTAINING 29.76± ACRES; COMMISSION DISTRICT IV; PETITION NO. PD-24-13; APPLICANT: JBCC DEVELOPMENT, LLC; PROVIDING AN EFFECTIVE DATE.

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RECITALS

30 WHEREAS, in a public hearing held on Tuesday, November 25, 31 2025, the Board of County Commissioners of Charlotte County, Florida ("Board") 32 reviewed Petition PD-24-13, submitted by applicant, JBCC Development, LLC ("Applicant"), which requested a rezoning from Planned Development (PD) to 33 34 PD; a major modification to the existing PD (Ordinance Number 2023-009) by: 35 (1) amending PD condition b,iv. and the General PD Concept Plan in order to 36 revise the layout of some commercial buildings and adding specific commercial 37 uses and development standards for Lots 2-A, 2-B, 2-C, 2-D, and 3; (2) adopting 38 the revised General PD Concept Plan and the Detail PD Concept Plan for Lot 3:

"Chick-fil-A", and the Detail PD Concept Plan for Lot 2-A: "Texas Roadhouse"; and (3) deleting PD conditions o, q, and r and revising PD condition p; for the subject property, containing 29.76± acres, which is part of the 77± acres of the original PD, generally located northeast of Tamiami Trail (US 41), south of Hillsborough Boulevard, southeast of Cranberry Boulevard, and west of Huge Boulevard, in the Port Charlotte area, containing 29.76± acres; Commission District IV; and more particularly described in Exhibit "A" attached hereto ("Property"); and

WHEREAS, Petition PD-24-13 was heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis provided by County Staff and the evidence presented to the P&Z Board, the P&Z Board recommended approval on October 13, 2025; and

WHEREAS, after due consideration, based on the findings and analysis provided by County Staff and the evidence presented to it, the Board finds that approval of Petition PD-24-13 is consistent with the County's Comprehensive Plan, and that it meets the requirements for rezoning; and

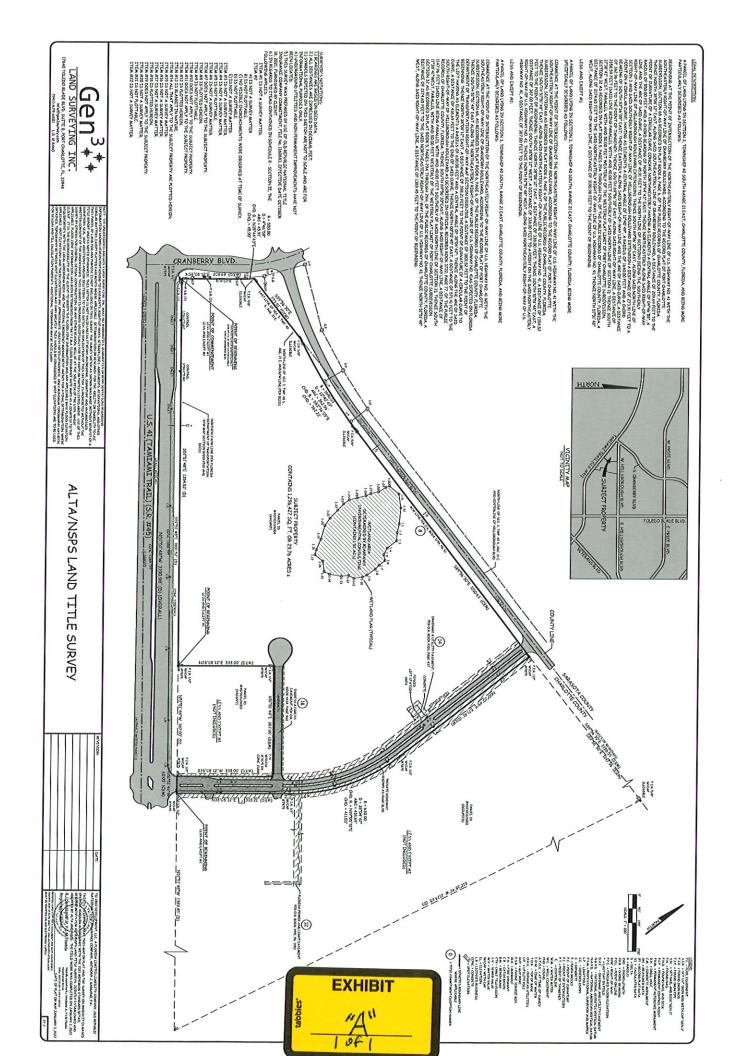
WHEREAS, based on the above findings, the Board finds that the Petition satisfies the requirements of Section 125.66, F.S. and that it is in the best interests of the County and its citizens to approve Petition PD-24-13.

NOW, THEREFORE, BE IT ORDAINED by the Board of County

Commissioners of Charlotte County, Florida:

60	SECTION 1. The following petition, made by applicant,
61	JBCC Development, LLC, to the Charlotte County Zoning Atlas is hereby
62	approved subject to the conditions contained in the attached Exhibit "B":
63	Petition PD-24-13 requesting rezoning from Planned
64	Development (PD) to PD; a major modification to the
65 66	existing PD (Ordinance Number 2023-009), by:
67	(1) amending PD condition b.iv. and the General PD
68	Concept Plan in order to revise the layout of some
69	commercial buildings, and adding specific commercial
70	uses and development standards for Lots 2-A, 2-B,
70	2-C, 2-D, and 3; (2) adopting the revised General PD Concept Plan and the Detail PD Concept Plan for Lot
72	3: "Chick-fil-A", and Detail PD Concept Plan for Lot 2-
73	A: "Texas Roadhouse"; and (3) deleting PD conditions
74	o, q, and r and revising PD condition p; for the subject
75	property, containing 29.76± acres, which is part of the
76	77± acres of the original PD, generally located
77	northeast of Tamiami Trail (US 41), south of
78	Hillsborough Boulevard, southeast of Cranberry
79	Boulevard, and west of Huge Boulevard, in the Port
80	Charlotte area, containing 29.76± acres;, Charlotte
81	County, Florida, Commission District IV, and more
82	particularly described in Exhibit "A" attached hereto.
83	¥ , — —
84	SECTION 2. That the zoning for this property shall run with the
85	property and shall apply to any subsequent owners, heirs and assigns.
86	SECTION 3. This Ordinance shall take effect upon filing in the
87	Office of the Secretary of State, State of Florida.
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90	[SIGNATURE PAGE FOLLOWS]
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94	PASSED AND DUL	_Y ADOPTED this <u>25th</u> day of <u>Novem</u>	<u>iber,</u> 2025.
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96		BOARD OF COUNTY COMMISSIO	
97		OF CHARLOTTE COUNTY, FLORII	DA
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100		By:	
101		By:	Chairman
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105	ATTEST:		
106	Roger D. Eaton, Clerk of the Circ	uit Court	
107	and Ex-Officio Clerk of the		
108	Board of County Commissioners		
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PD Conditions for Application PD-24-13 Revisions to PD Condition "b.iv and Transportation conditions "o", "p", "q" & "r" as Established in Ordinance Number 2023-009

b. Permitted uses, temporary uses, and signage:

iv. For parcel P1-3 which is located northwest of Huge Boulevard and northeast of US 41 and is named Cranberry Commons Subdivisions (Lots 1 through 3):

- a) Development shall occur as generally illustrated in the General PD Concept Plan (Attachment 1: Master Site Plan - Huge Boulevard - Outparcels 1-5Overall Site Plan, Commercial Development, Cranberry Blvd & U.S. 41) submitted by the applicant, prepared by Exceptional Engineering, Inc., Bowman dated November 29, 2022 August 28, 2025, and revised September 25, 2025, except such modifications as may be required to meet of the PD zoning district. In conditions conditions/comments indicated in the Site Plan Review (DRC-22-0020925-084) letter dated January 27, 2023, September 22, 2025, shall be met. Such General PD Concept Plan shall be valid until a Final Detail Site Plan is approved per Section 3-9-45, Planned Development (PD). Areas indicated for multi-family development and commercial development will be developed as such. Development standards on the General PD Concept Plan shall apply.
- b) Multi-family up to 340 dwelling units. The base density is 0 units. The subject property will require a total of 340 units of transferred density in order to achieve the residential development up to 340 units. 340 The transfer of density units must be have been approved by the Board of County Commissioners prior to Preliminary Plat approval or Final Detail Site Plan approval, whichever shall occur first via Resolution Number 2023-138.
- c) A pet center at 2,329 square feet and the maintenance building at 579 square feet Care center and maintenance building for residential development up to 2,138 square feet as shown on the General PD Concept Plan (Attachment 1).
- d) For commercial development as shown on the General PD Concept Plan:
 - 1. Outparcel 1Lot 3: Mini warehouse/self-storageChick-fil-A, oneThree-story building up to 105,0845,304 square feet. Development on outparcel 1 shall occur as generally illustrated in the Detail PD Concept Plan (Exhibit 1-1: Chick-fil-A Detail PD Concept Plan) submitted by the applicant, prepared by Bowman, dated August 6, 2025, and revised September 23, 2025, except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Site Plan Review comments of recommendation of approval per the letter dated September 11, 2025, are required to be met. Such Detail PD Concept Plan (DRC-25-081) shall be valid until a Final Detail Site Plan is approved per Section 3-9-45, Planned Development (PD). The Final Detail Site Plan shall be reviewed administratively by staff and, if approved, an approval letter shall be issued.



- The elevations for the proposed restaurant are illustrated on Exhibit 1-2: Elevations, and are subject to the provisions of Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code. In addition, at a minimum, each primary facade shall incorporate a minimum of five design treatments. All other requirements in Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code shall apply.
- Landscaping and buffers as shown on Exhibit 1-3: Landscape Plan.
- No development shall occur prior to Final Detail Site Plan approval. The Final Detail Site Plan shall be reviewed administratively by staff and, if approved, an approval letter shall be issued.
- 2. Outparcel Lot 2-D: Car wash, One-story building uUp to 5,231 square feet for the following uses:
 - Animal hospital, boarding facility.
 - Art, dance, music, photo studio or gallery.
 - Bank, financial services.
 - Business services.
 - Drug store, pharmacy.
 - Emergency services. vi.
 - νii. Essential services.
 - Gas station. viii.
 - General offices. ix.
 - General retail sales and services.
 - Government uses and facilities.
 - Medical or dental office, clinic. χij.
 - Mini-warehouses or storage facilities, but not bulk storage of xiii. flammable liquids.
 - Motor vehicle wash. xiv.
- 2.XV. Personal services.
- 3. Outparcel Lot 2-B and Lot 2-C3 &: Banks & financial institutions, Onestory building up to 2,700 square feet
- Outparcel 4: Restaurant commercial general uses up to a 4.3. total of 10,000 square feet, One-story building up to 920 square feet.
 - i.——Animal hospital, boarding facility. i.
 - ii. Art, dance, music, photo studio or gallery. ii.
- iii. Bank, financial services. iii.
- iv. Business services. iv.
- v. Drug store, pharmacy. V.
- vi. Emergency services.
 vii. Essential services. ٧i.
- vii.
- viii. ——Gas station. viii.
- ix. General offices. ix.
- x. General retail sales and services. Х.
- xi. Government uses and facilities. χİ.
- xii. Medical or dental office, clinic. xii.

- xiii. xiii. Mini-warehouses or storage facilities, but not bulk storage of flammable liquids.
- xiv. xiv. Motor vehicle wash.
- xv. xv.—Personal services.
- xvi. xvi. Restaurant.
- 4. Outparcel 5Lot 2-A: Texas Roadhouse, one-story building up to 8,400 square feet. Development shall occur as generally illustrated in the Detail PD Concept Plan (Exhibit 2-1: Site Plan, Cranberry Mixed Development Texas Roadhouse) submitted by the applicant, prepared by Bowman, dated August 6, 2025, and revised November 7, 2025, except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Site Plan Review comments of recommendation of approval per the letter dated September 15, 2025, are required to be met. Such Detail PD Concept Plan (DRC-25-082) shall be valid until a Final Detail Site Plan is approved per Section 3-9-45, Planned Development (PD). The Final Detail Site Plan shall be reviewed administratively by staff and, if approved, an approval letter shall be issued.
 - i. The elevations for the proposed restaurant are illustrated on Exhibit 2-2: Elevations, and are subject to the provisions of Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code. In addition, at a minimum, each primary facade shall incorporate a minimum of five design treatments. All other requirements in Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code shall apply.
 - ii. Landscaping and buffers as shown on Exhibit 2-3: Landscape Plan.
 iii. No development shall occur prior to Final Detail Site Plan approval.

The Final Detail Site Plan shall be reviewed administratively by staff and, if approved, an approval letter shall be issued.

- 5. Restaurant, One-story building up to 7,762 square feet. A ten-foot landscape buffer with a Type A buffer is required between uses on Lots 2-A, 2-B, 2-C, and 2-D.
- 5.6. Lots 2-B, 2-C, and 2-D shall have individual sidewalks connecting to the existing US 41 sidewalk.
- e) No Special Exception shall be allowed. <u>Outside storage and outside display</u> of items are prohibited.
- The maximum building height for the commercial portion of development shall be 35 feet. The maximum building height for the residential portion of the development shall be 60 feet. This height limit applies to all structural elements and all elevation points except for the maintenance building up to 20 feet.
- Within the required 25-foot PD seet back, at a minimum, a type D buffer is required along Hillsborough Boulevard between Access Road and Hauge Boulevard except for the wetland management area which a is required for type A buffer is required. At a minimum, an eight-foot wide landscape buffer without a wall or fence, including four canopy tree and two

accent/understory tree per 100 linear feet, and a perimeter hedge row which must be a minimum 36 inches in height upon planting (the minimum maintained height of 48 inches) to form a continuous, solid visual screen within one year of planting, shall be required along the north property boundary for Lots -2-B through 2-D and Lot 3, adjacent to Access Road. At a minimum, an eight-foot wide Type A landscape buffer with an opaque wall or fence shall be required along the north property boundary for Lot 2A; adjacent to the retention pond; the wall or fence may be located along the property line with landscaping internal to the side.

g)

- h) The developer is required to provide a five-foot sidewalk, on one side of each street, throughout the development site. An eight-foot-wide sidewalk is required along the property line on Hillsborough Boulevard, Huge Boulevard, and US 41 unless this requirement is altered or deleted by the County Engineer pursuant to Section 3-6-74 of the County Code, as may be amended.
- i) The onsite wetlands shall be preserved per Habitat Management Plan (Attachment 2: Preservation Management Plan). A minimum of 15-foot, and an average of 25-foot buffer is required along all wetlands.
- j) The development is subject to the provisions of Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code, as may be amended. In addition, at a minimum, each primary facade shall incorporate a minimum of five design treatments. All other requirements in Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code shall apply. All buildings within the commercial portion of the site shall be designed and constructed in a uniform architectural style. All buildings within the residential portion of the site shall be designed and constructed in a uniform architectural style.
- k) For the school concurrency issues:
 - 1. If the school concurrency process is still required under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the applicant/property owner must obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that sufficient capacity exists, or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.
 - 2. 2. If an agreement is required, the terms of both-the agreements shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.
 - o. The owner shall work with the FDOT staff in addressing all of their comments related to the conversion of the proposed directional median opening on U.S. 41 at the project entrance to Full-Median opening in order to minimize the impact of traffic at the intersection of U.S. 41 and Cornelius/ Cranberry Blvd.
- p. The developers at their own costs shall design, permit, and construct the US 41 left turn lane (the second left turn lane on US 41 SB to Cranberry Boulevard NB) at a

- timing determined by the County. A developer agreement acceptable to the county shall be required prior to approval of Final Detail Site Plan(s). The owner shall work with FDOT on mitigating traffic conditions at the intersection of U.S. 41 and Cornelius/Cranberry Blvd as a part of the Phase One of the development.
- q. The entire property shall contain interior connections to provide ease of access to all developments within the property without the need to travel on external roads. As an internal collector, the north and south portions of the property shall connect to Huge Boulevard.
- r. The proposed U.S. 41 and Huge Boulevard intersection should be signalized by the developer if approved by FDOT before the remainder of the Phase Two development receives a Certificate of Occupancy.

Attachment 1
General PD Concept Plan
Master Site Plan - Multi-Use
Development, Cranberry Blvd. &
Tamiami TrailHuge Boulevard
- Outparcels 1-5





PROJECT NAME	CONVERCIAL DEVELOPMENT				
PROJECT ACRESS	CRANGERRY BUILD BUIL 41				
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DETAILORS	PLAINED DELELOPWENT (PO)				
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OFE BLACKS HEIGHT	36				
BADING SETBACK	25' PO SETBACK				

	LOTSA				
PARCEL AREA	125, 392 SF (2.54 AC)				
BURGERS OF	Leggist				
REQUIRED PARKING SPACES					
RESTAURANTS	1100 SF OF FLOOR AREA				
TO THE REQUIRED:	IN SPACES				
TOTAL PROVIDED (167)	BET REGULAR (FYIN) BACK (12 X 12)				
RESTO, LANCACAPE BLATTERS					
FRONT (SOUTH & MEST)	•				
BEAR (NORTH)	•				
RENT EACT	12				

	LOT 3
PARCEL AREA	103.4E2 SF (3.373.4D)
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REQUIRED PARKING SPACES	1
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COMMERCIAL DEVELOPMENT
CRANGERREUL ALGA (TAMAM TRAU)
PORT CHARLOTTE, T.
CAMICITE COURT ONE

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Bowman

Exhibit 1-1 Chick-fil-A Detail PD Concept Plan

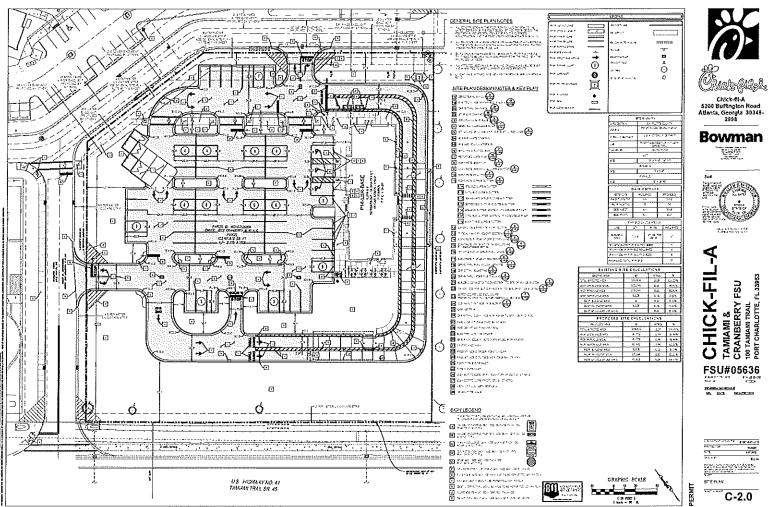
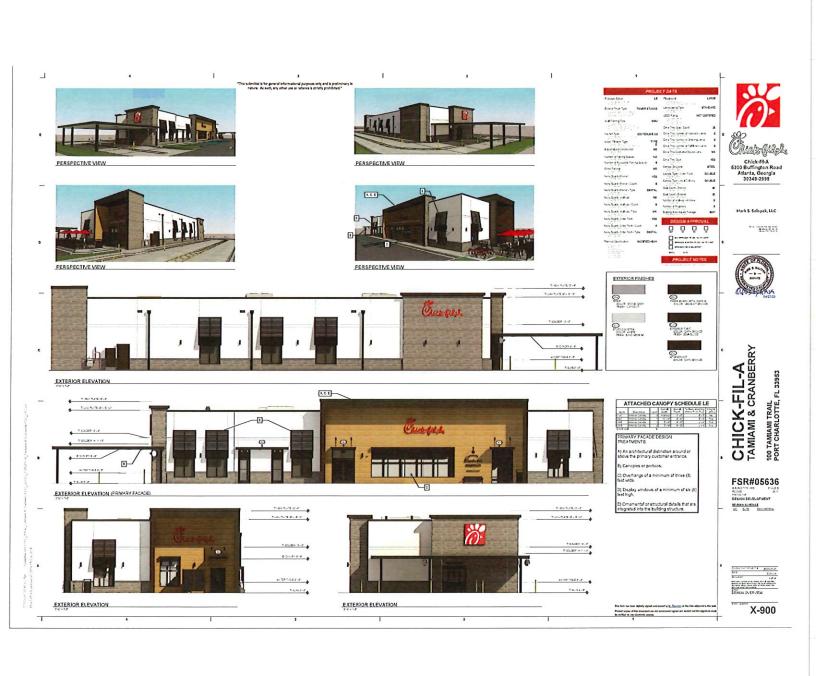




Exhibit 1-2 Elevations



<u>Exhibit 1-3</u> <u>Landscape Plan</u>

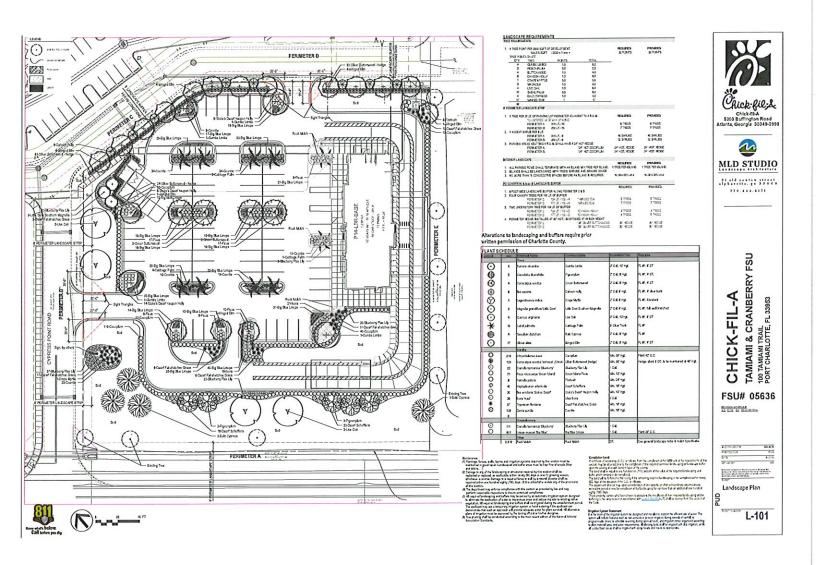


Exhibit 2-1 Site Plan Cranberry Mixed Development Texas Roadhouse

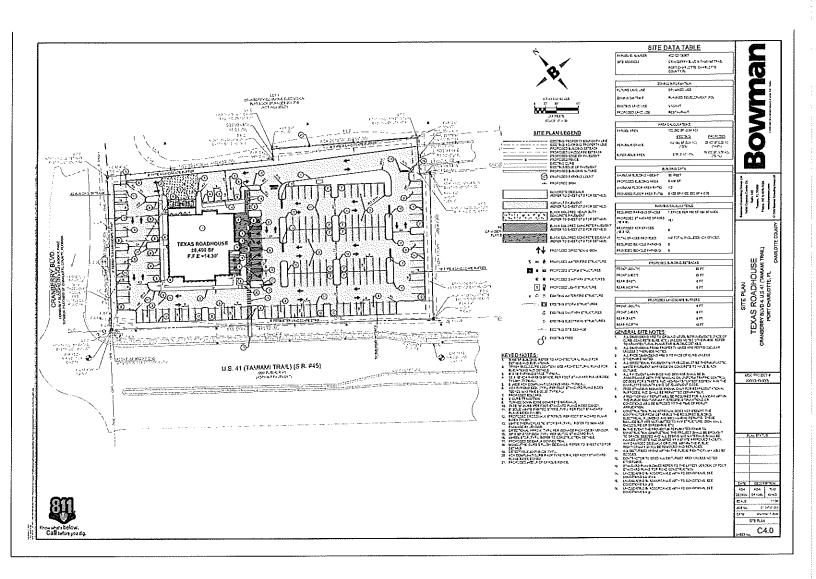


Exhibit 2-2 Elevations

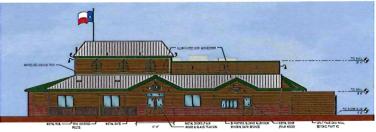


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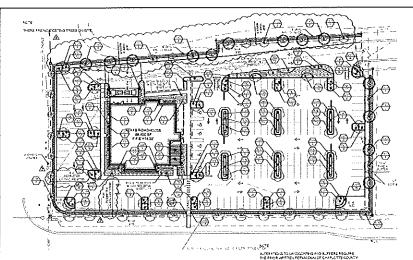




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<u>Exhibit 2-3</u> <u>Landscape Plan</u>



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ALOHA PACIFICA IIC







PLAN LANDSCAPE

TEXAS ROADHOUSE CRANBERRY MIXED DEVELOPMENT



