



Staff Report for: PAS-25-02 and PD-25-14

Meeting Date: March 9, 2026/May 26, 2026

To: Planning and Zoning Board /Board of County Commissioners

From: Jie Shao, AICP, MCP, Planner, Principal (see Exhibit 1 for professional qualifications)

Regarding: A request to amend the 2030 Future Land Use Map and the Zoning Atlas

Part 1 – General Information

Applicant: 5905 Duncan Road LLC, 210 Wood Street, Punta Gorda, FL 33950

Agent: Attorney Derek Rooney, Esq. of Gray Robinson, P.A., 1404 Dean Street, Fort Myers, FL 33901

Owner: 5905 Duncan Road LLC, 210 Wood Street, Punta Gorda, FL 33950

Request: A privately initiated request to:

- Amend the 2030 Future Land Use Map (FLUM) designations from Low Density Residential (LDR) (4.64± acres) and Agriculture (AG) (8.21± acres) to Commercial (COM).
- Amend the Charlotte County Zoning Atlas from Residential Estate 1 (RE-1) (8.21± acres) and Agriculture (AG) (4.64± acres) to Planned Development (PD) to allow for commercial general uses.
- Adopt a General PD Concept Plan.

Location: **Commission District II:** The property is located at 5905 Duncan Road (US 17), in the Punta Gorda area.

Area: The subject property contains a total of 12.85± acres.

Public Notice: Public Notice has been given as required by Charlotte County Code, Section 3-9-10; subsections (d) Published Notice; (e) Mailed Notice (1,000-foot Mailed Notice Map); and (f) Posted Notice.

Part 2 – Analysis and Conclusion

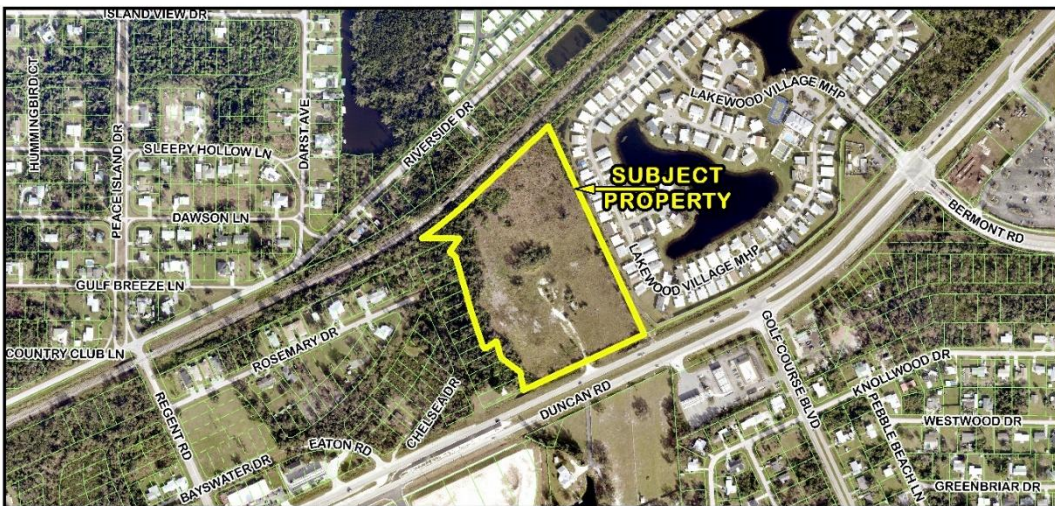
Request

The applicant/property owner, 5905 Duncan Road LLC, is requesting a small scale plan amendment from Low Density Residential (LDR) (4.64± acres) and Agriculture (AG) (8.21± acres) to Commercial (COM).

Currently, the applicant is requesting a Planned Development (PD) rezoning to rezone the property from Residential Estate 1 (RE-1) (8.21± acres) and Agriculture (AG) (4.64± acres) to PD to allow for commercial general uses. The subject property is located on the north side of Duncan Road (US 17), in the Punta Gorda area and within the South County area.



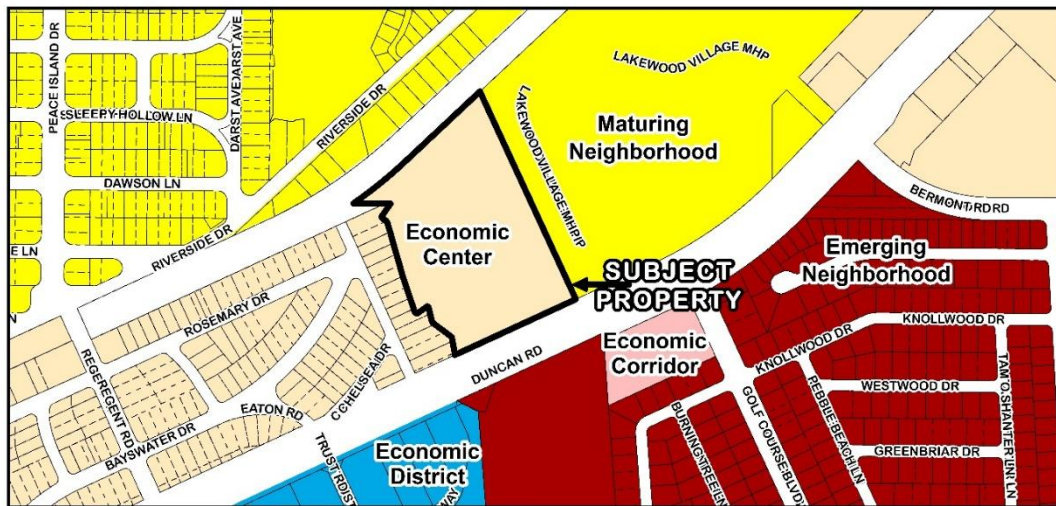
PAS-25-02 and PD-25-14 Area Image (Mid-Range)



PAS-25-02 and PD-25-14 Area Image

Consistency with the County's Comprehensive Plan

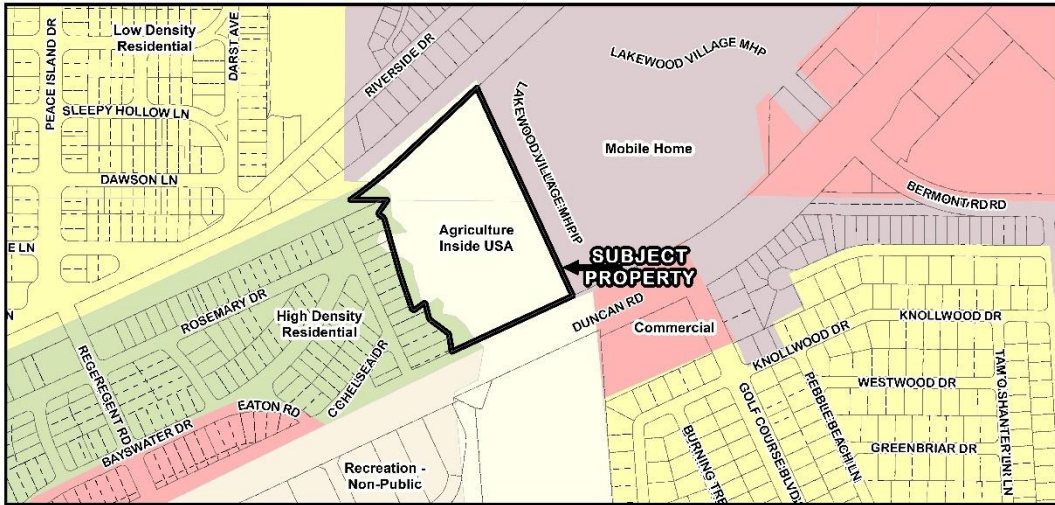
The site is designated on the 2050 Framework Map (FLUM Map #2 2050 Framework) as Economic Center. **Future Land Use (FLU) Policy 5.3.1: Economic Centers**, states that: *“Economic Centers are focused locations of regional commercial and employment uses. Although these Centers have yet to fully develop and currently lack the intensity and mix of use that would maximize their economic benefit and create more walkable and transit supportive places, these areas will be encouraged to change and redevelop over time into economically vibrant, walkable, mixed use, centers with unique and identifiable character.”*



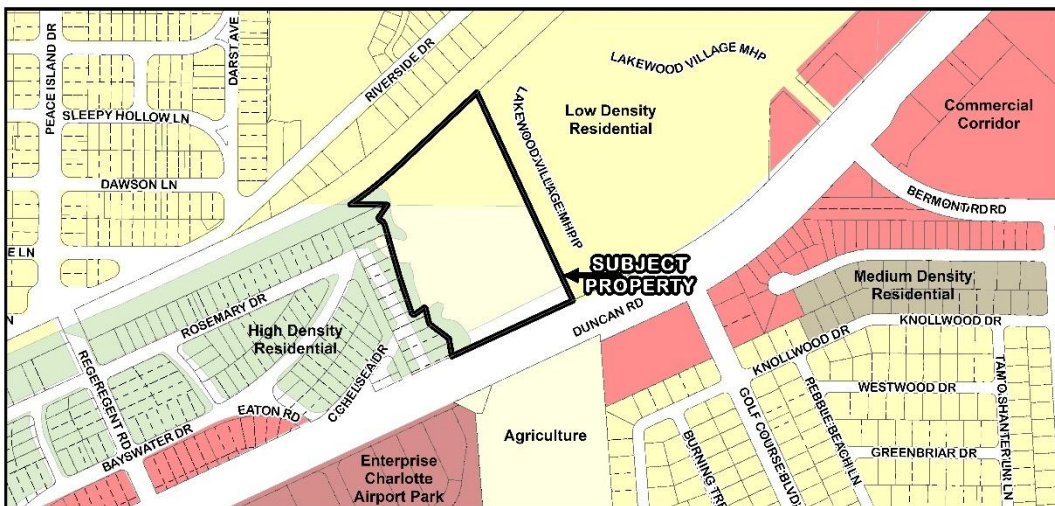
PAS-25-02 and PD-25-14 Framework

The subject property is located on Duncan Road (US 17), one of the County's major thoroughfares. The property was designated as Agriculture within the Urban Service Area (USA) on the County's 1988 Future Land Use Map. On the 1997–2010 Future Land Use Map, a portion of the property was designated as Low Density Residential, with the remaining portion designated as Agriculture. No changes have been proposed since 1997; as of today, approximately 8.21 acres of the property are designated as Agriculture (AG) on the 2030 Future Land Use Map, a designation intended primarily for agricultural activities.

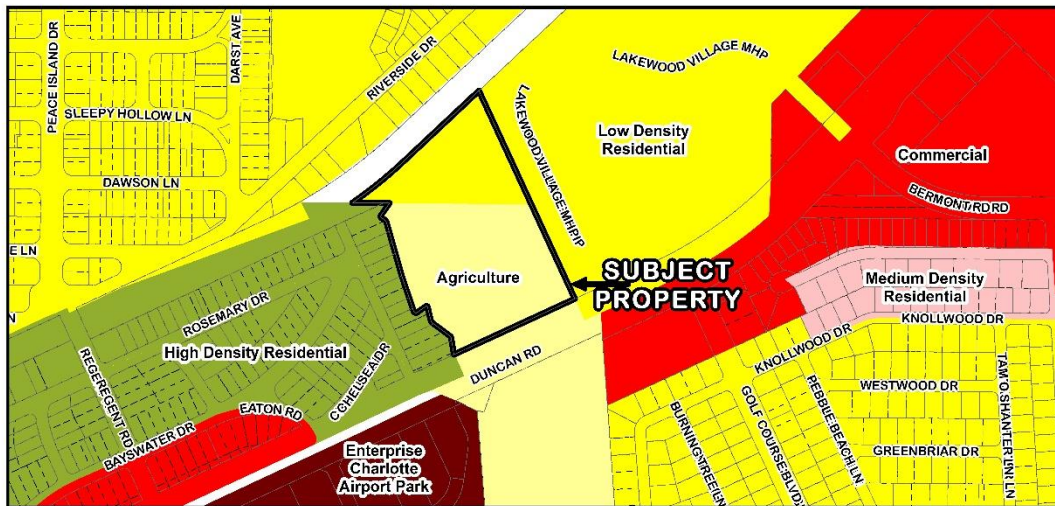
As part of the County's Comprehensive Plan rewrite in 2008 and 2009, the County's existing Comprehensive Plan was adopted by the Board of County Commissioners in July 2010 and took effect in June 2011. The Comprehensive Plan established the 2050 Framework Map to illustrate the County's long-term vision. The area in which the subject property is located is designated as an Economic Center on the 2050 Framework Map. It is staff's professional opinion that the Agriculture (AG) land use category is not an appropriate Future Land Use Map designation to implement the intent of the "Economic Centers" Framework designation.



PAS-25-02 and PD-25-14 1988 FLUM Designations



PAS-25-02 and PD-25-14 1997-2010 FLUM Designations



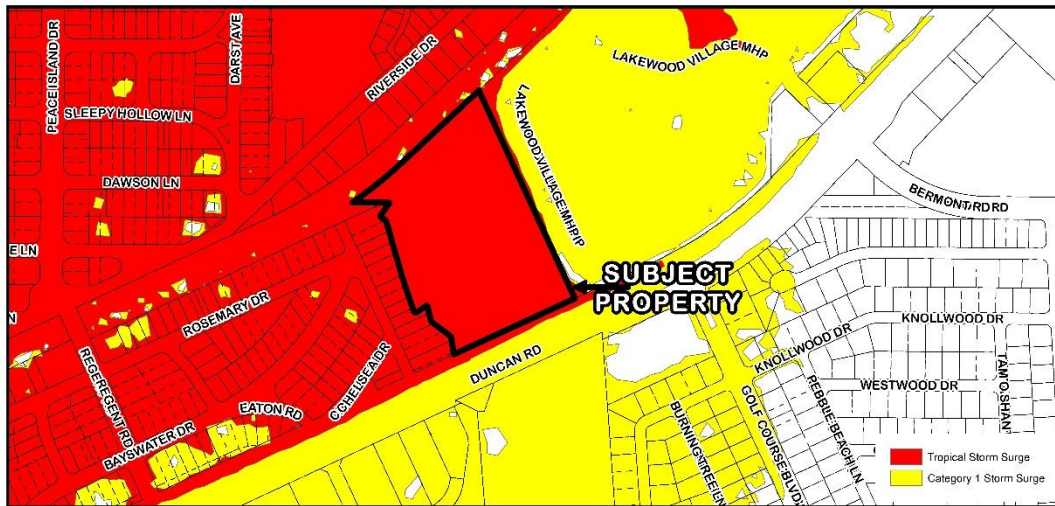
PAS-25-02 and PD-25-14 Existing FLUM Designations

On the County’s 1987 Zoning Atlas (Attachment 1), a portion of the property was zoned Agriculture (AG), and the remaining portion was zoned Agriculture Estate (AE). As part of the County’s Land Development Regulations rewrite in 2014, the AE zoning district was replaced by the Residential Estate 1 (RE-1) zoning district. Accordingly, since that time, approximately 4.64 acres of the property have been zoned Residential Estate 1 (RE-1), and approximately 8.21± acres have been zoned Agriculture (AG), as shown on Attachment 2 (2015 Zoning).

Additionally, the subject property is also located within the US 17 Area Plan, where the County encourages development that promotes job creation while preserving and enhancing the natural environment. **FLU Policy 6.3.9: Encouraged Uses**, under **FLU Objective 6.3: U.S. 17 Corridor Planning Area**, states that “in order to revitalize and promote the U.S. 17 commercial and business areas, including Solana and Cleveland, and to reduce trip generation, the County shall encourage mixed use developments, conversion of mobile homes to conventionally-built homes, live/work spaces, bed and breakfasts, and multi-family developments along the U.S. 17 Corridor”. The proposed commercial general use development is consistent with and represents an encouraged use within the U.S. 17 Corridor Planning Area.

Furthermore, **FLU Policy 5.3.1: Economic Centers requires** that: *Economic Centers are focused locations of regional commercial and employment uses. Although these Centers have yet to fully develop and currently lack the intensity and mix of use that would maximize their economic benefit and create more walkable and transit supportive places, these areas will be encouraged to change and redevelop over time into economically vibrant, walkable, mixed use centers with unique and identifiable character.* Properties immediately west of the subject site are designated for High Density Residential, while properties to the north and east are designated as Low Density Residential. It is staff’s professional opinion that the proposed commercial general uses will further the intent and goal of the “Economic Centers” by supporting a mixed use development in nature in that area, contingent upon approval by the Board of County Commissioners of the proposed changes.

Moreover, the entire subject property is located within the Tropical Storm Surge of the Coastal High Hazard Area (CHHA). If approved, the proposed commercial general uses would eliminate 12 CHHA residential units. The proposed changes are consistent with **Coastal Planning CST GOAL 3: DEVELOPMENT IN HIGH HAZARD AREAS**, which seeks to “direct population concentrations away from the Coastal High Hazard Area (CHHA).



PAS-25-02 and PD-25-14 Coastal High Hazard Area

Additionally, a Native Habitat Management Plan has been drafted as part of the PD rezoning to restore, preserve and protect approximately 1.91 acres of onsite wetland and its upland area. The proposed PD condition requires, at a minimum, a 25-foot buffer along all wetlands, which is more restrictive than the wetland buffer requirement established in *ARTICLE XV of the County Code, - Surface water and Wetland Protection* which requires that: *The buffer shall be a minimum of fifteen (15) feet in width as measured from the landward limit of the wetland or surface water.*

Therefore, it is staff’s professional opinion that the proposed changes to commercial general uses are consistent with the County’s Comprehensive Plan.

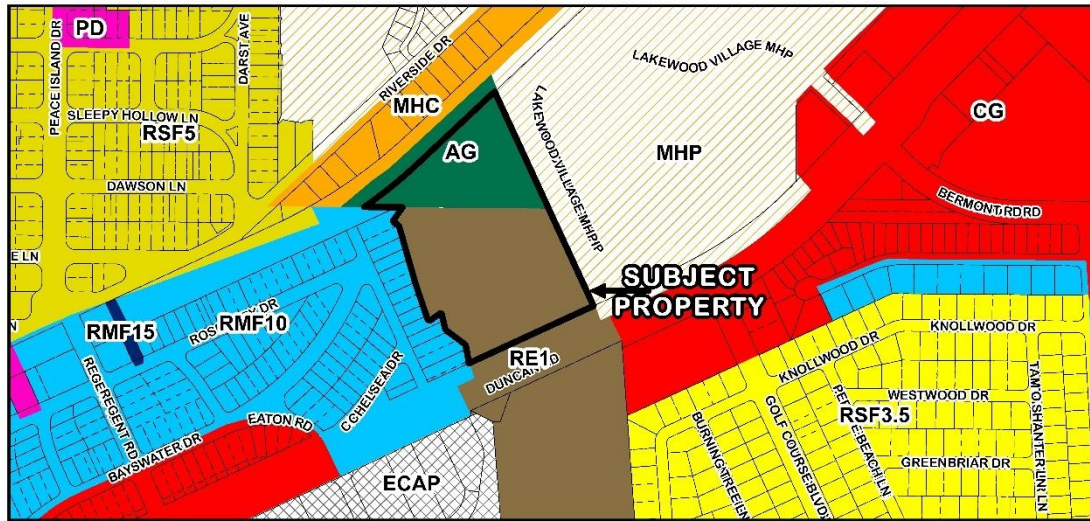
Surrounding Uses and Compatibility Issues

The property is located in the South County area. Lands to the west of the subject property include vacant parcels and single-family residences. This area is designated High Density Residential (HDR) on the Future Land Use Map and is zoned Residential Multi-Family-10 (RMF-10).

The CSX Railroad right-of-way is located immediately north of the subject property. Further north are vacant lands and single-family residences designated Low Density Residential (LDR), with Manufactured Home Conventional (MHC) and Manufactured Home Park (MHP) zoning.

To the east, there is an established residential neighborhood known as Lakewood Village MHP, which is designated Low Density Residential (LDR) and zoned Manufactured Home Park (MHP).

Across U.S. 17, to the south, the area includes vacant residential and commercial lands, single-family residences, and developed commercial uses. This area contains Agriculture (AG), Commercial (COM), and Low Density Residential (LDR) Future Land Use Map designations and is zoned Residential Estate-1 (RE-1), Commercial General (CG), and Residential Single-Family-3.5 (RSF-3.5).



PAS-25-02 and PD-25-14 Existing Zoning Designations

The proposed PD rezoning will allow the County to impose specific conditions to minimize potential adverse impacts from the proposed Commercial General use development on adjacent properties, including the following:

- *Limiting intensity and use* by restricting the maximum combined square footage of Commercial General uses on Lots 1–3 to 70,000 square feet, and allowing only 22 specific Commercial General uses, compared to 46 permitted uses, seven conditional uses, and 19 special exception uses allowed under the Commercial General (CG) zoning district.
- *Restricting Lot 4 uses* to either a hotel with a maximum of 125 hotel rooms or an indoor storage facility with a maximum building area of 140,000 square feet within a single building.
- *Limiting development intensity* by establishing a maximum Floor Area Ratio (FAR) of 0.375, compared to the maximum FAR of 1.0 allowed under the proposed Commercial (COM) Future Land Use Map designation.
- Preserving environmental resources by protecting approximately 1.91 acres of onsite wetlands and associated upland buffer areas and requiring implementation of a Native Habitat Management Plan to restore, preserve, and protect these resources.
- *Restricting building heights* by limiting the maximum height to 60 feet for the hotel, 45 feet for the indoor storage facility, and 35 feet for all other structures.
- *Enhancing architectural compatibility* by requiring primary building façades to incorporate a minimum of five architectural design treatments, exceeding standard Code requirements.

- *Strengthening landscape buffering* by requiring, at a minimum, a Type “A” buffer with accent and canopy trees and a perimeter hedge row along U.S. 17, in lieu of the Code-required perimeter landscape and buffer standards.

With these proposed PD conditions, it is staff’s professional opinion that the proposed Future Land Use Map (FLUM) amendment to Commercial (COM) and the associated PD rezoning are not contrary to the County’s Comprehensive Plan.

Concurrency issues

- *Water and Sewer:* A letter from the City of Punta Gorda, dated February 19, 2025, states that: *“A preliminary review based on viewing the subject parcel(s) on the Charlotte County GIS site, ccgis.com, indicates the property is undeveloped. Utility improvements may be necessary to obtain utility service to the subject parcel(s). We recommend meeting in our office to determine site specific information, and review capacity and location of existing utility lines. Off-site utility improvements may be required to obtain utility service to the subject parcel. Off-site utility line extensions will be required to meet the future development scenarios consistent with the Utility planning scenarios.*
 - *The nearest water main is located in Regent Rd, and in Golf Course Blvd.*
 - *The nearest force main is located at Piper Rd and Madaca Dr.”*

A PD condition is drafted to ensure that the proposed commercial general uses development must utilize centralized potable water and sanitary sewer utilities.

- *Traffic:* After reviewing the Traffic Analysis for Rezoning report prepared by Atwell, LLC, dated March 6, 2025, and revised February 27, 2026, the County Transportation Engineer and Project Manager concurred with the report’s conclusion that *“the new trips generated by the proposed U.S. 17 Property project can be accommodated within the available capacity of the existing roadway network and will not create any adverse impacts to level of service (LOS).”* Transportation review comments indicate that coordination with, and permits from, the Florida Department of Transportation (FDOT) will be required for the project entrance on Duncan Road (U.S. 17). At the time of Final Detailed Site Plan submittal, the developer/applicant shall prepare an updated traffic impact study, and the final location and design of the access point on Duncan Road (U.S. 17) shall be subject to approval by the County and FDOT
- *School:* The proposed PD rezoning does not involve residential development; therefore, the student population will not be changed as a result of this rezoning.

It is staff’s professional opinion that, as conditioned, the proposed development will meet concurrency requirements.

PD Concept Plan

The General PD Concept Plan associated with this PD rezoning was submitted for Site Plan Review. The petition number is DRC-25-050. A recommendation letter was issued on June 19, 2025, 2025. (Attachment 3).

Conclusion

It is staff's professional opinion that this proposed small scale plan amendment to Commercial (COM) and the companion PD rezoning with recommended conditions contained in Exhibit "A" attached are generally consistent with the County's Comprehensive Plan and, as conditioned, will minimize potential adverse impacts on the surrounding existing residential neighborhoods and future single-family development.

Part 3 – Summary and Recommendation

Staff Summary:

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application (Application No. PAS-25-02) is generally consistent with Charlotte County's Comprehensive Plan, and Charlotte County's Code of Laws and Ordinances and other applicable guidelines.

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application (Application No. PD-25-14) is generally consistent, as conditioned, with Charlotte County's Comprehensive Plan, Charlotte County's Code of Laws and Ordinances and other applicable guidelines.

Recommendation of the Planning and Zoning Board on March 9, 2026

*Approve a motion to forward application PAS-25-02 to the Board of County Commissioners with a recommendation of **Approval**, based on the findings and analysis in the staff report dated February 28, 2026, Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

*Approve a motion to forward application PD-25-14 to the Board of County Commissioners with a recommendation of **Approval with conditions "a" through "m"**, based on the findings and analysis in the staff report dated February 28, 2026, Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

Part 4: Research and Findings

- 1. 2050 Framework Map Designation:** Economic Center (FLUM Map #2 - 2050 Framework)
- 2. 2030 Service Area Delineation:** In the Urban Service Area
- 3. Existing Land Use on the Site:** The subject property is currently vacant. (See attached Site Image and Boundary Survey.)

4. Existing Future Land Use and Zoning Designations:

(See attached Future Land Use Map and Zoning Map)

FLUM:	Development Standards:
<p>Agriculture (AG)</p>	<p>General Range of Uses Ranching, crop farming including citriculture, silviculture, aquaculture, and row crops, as well as rural residential, rural recreational uses, rural industrial uses and public services and facilities.</p> <p>Maximum Density/Intensity</p> <p>Density: Agricultural lands may not exceed a maximum residential density of one dwelling unit per ten acres when developing under an Agriculture zoning or one dwelling unit per five acres when developing in accordance with FLU Policy 3.1.2 and Conservation Subdivision zoning.</p> <p>Intensity: The maximum FAR is 0.10.</p>
<p>Low Density Residential (LDR)</p>	<p>General Range of Uses Single-family residential, multi-family residential, manufactured residential dwelling units, recreational vehicle parks, sub-neighborhood commercial uses, recreational facilities in association with residential development, schools, and public services and facilities.</p> <p>Maximum Density Residential densities shall not exceed five dwelling units per acre. If zoned Environmentally Sensitive, the density is one dwelling unit per ten acres.</p> <p>Maximum Intensity for Sub-neighborhood Commercial Uses</p> <ul style="list-style-type: none"> • Range of acreage: 0.4 to 3 acres • Maximum building coverage of a site: 60% • Maximum floor area ratio: 0.6
Zoning:	Development Standards:
<p>Residential Estate 1 (RE-1)</p>	<p>The purpose and intent of this district is to allow low-density, large-lot residential and related uses.</p> <ul style="list-style-type: none"> • Minimum lot area is one acre. • Minimum lot width is 125 feet. • Setbacks: <ul style="list-style-type: none"> ○ Front: 40 feet ○ Side: 20 feet ○ Rear: 15 feet ○ Rear (accessory buildings): 10 feet ○ Rear (street): 25 feet ○ Abutting greenbelt: 15 feet ○ Abutting greenbelt: 10 feet for all accessory structures ○ Abutting water: 20 feet • Maximum lot coverage of all buildings is 20 percent. • Maximum building height is 38 feet. • Maximum density (units per acre): one unit per acre

Agriculture (AG)	<p>The purpose and intent of this district is to allow agriculture, very-low-density residential, rural recreation, and other rural uses. Agriculture and agricultural activities are frequently associated with noise, odors, dust, aerial chemical spraying, and other activities generally incompatible with urban-style living. However, agriculture forms a vital segment of the economy of the state, and provides diversity of economic opportunity and lifestyles for the county. Therefore, it is the purpose of this district to provide areas for the establishment and/or continuation of agricultural operations with residential uses being permitted only at very low densities and to accommodate those individuals who understand and desire to live in an agricultural environment.</p> <ul style="list-style-type: none"> • Minimum lot area is 10 acres. • Minimum width is 250 feet. • Setbacks: <ul style="list-style-type: none"> ○ Front: 40 feet ○ Side: 20 feet ○ Rear: 20 feet ○ Abutting water: 20 feet • Lot coverage of all buildings: 10% • Lot coverage of structures related to process of hydroculture or similar uses excluding warehouses is 80% • Height: 38 feet • Density: One unit per ten acres
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Table 1

5. Proposed Future Land Use and Zoning Designations:
(See attached Future Land Use Map and Zoning Map)

FLUM:	Development Standards:
Commercial (COM)	<p><u>General Range of Uses</u> This category provides for full range of sales and service activities. These uses may occur in self-contained centers, multi-story structures, campus parks, municipal central business districts, or along arterial highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and design will depend on location factors, particularly compatibility with adjacent uses, availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be located to protect adjacent residential use from such impacts as noise or traffic. In wellfield protection areas uses are prohibited that involve the use, handling, storage, generation or disposal of hazardous toxic material or substances, or waste or petroleum products.</p> <p><u>Maximum Intensity</u> Maximum FAR shall not exceed 1.0. Development should be consistent with the applicable underlying zoning classification standards and land development regulations.</p>

Zoning:	Development Standards:
Planned Development (PD)	<p>The purpose and intent of this district is to provide flexibility and to encourage concentrated, energy-efficient land development, and to provide opportunities to impose conditions to ensure that the proposed development is consistent and compatible with the surrounding neighborhood.</p> <p><u>Minimum lot and yard requirements.</u> Internal lot and yard requirements shall be established through the PD rezoning process. Unless otherwise approved by the BCC or provided in section 3-9-45.1, no structure shall be located closer to the peripheral property line of the PD than twenty-five (25) feet or as required by section 3-9-88, "Waterfront property," as the same may be amended, whichever is greater.</p> <p><u>Maximum height of structures.</u> The maximum height for structures shall be established through the PD rezoning process.</p> <p><u>Open space.</u> Unless otherwise approved by the BCC or as provided in section 3-9-45.1, a minimum of twenty (20) percent of the entire PD parcel or phase shall be retained as open space.</p> <p><u>Internal circulation.</u> All streets shall be designed to provide safe, efficient and convenient access to land uses within the development and to roadways adjacent to the development. In addition to vehicular thoroughfares, functional pedestrian and bicycle-path systems are required in accordance with the county's land development regulations.</p>

Table 2

6. Surrounding Land Uses and their Future Land Use and Zoning Designations:

Direction:	Existing Land Use:	FLUM Designation:	Zoning District Designation:
North	CSX Railroad right-of-way Vacant platted residential lots Single-family homes	Low Density Residential (LDR)	Manufactured Home Conventional (MHC) Manufactured Home Park (MHP)
East	Lakewood Village MHP	Low Density Residential (LDR)	Manufactured Home Park (MHP)
South	U.S. 17 Vacant residential and commercial lands Single-family residences Developed commercial uses	Agriculture (AG) Commercial (COM) Low Density Residential (LDR)	Residential Estate-1 (RE-1) Commercial General (CG) Residential Single-Family-3.5 (RSF-3.5).
West	Vacant parcels Single-family residences	High Density Residential (HDR)	Residential Multi-family 10 (RMF-10)

Table 3

7. Buildout Calculations (square footage or density):

The proposed FLUM amendment to Commercial (COM) and a companion rezoning to Planned Development (PD) for the entire site would develop a commercial subdivision, including the maximum of 70,000 square feet of commercial general uses for Lots 1–3, and a maximum of 125 hotel rooms or an indoor storage facility with a maximum building area of 140,000 square feet within a single building for Lot 4.

8. Is subject property in a Community, Special Planning Area or Overlay District?Yes

The subject property is not located in any special planning area. (FLUM Maps #8, #9, #10 or #11)

9. Is subject property located adjacent to existing or proposed Federal, State, or County wildlife management areas, parks, preserves or reserves?Yes

The subject property is located adjacent to the SWFWMD-owned lands. (SPAM Maps, #35, #74 and #75)

10. Is the proposed land use designation consistent with the provisions of the:

a. Charlotte Harbor Aquatic Preserves Management Plan? (SPAM Map #36)

The subject property is located outside the boundary of the Charlotte Harbor Aquatic Preserves.

b. Lemon Bay Aquatic Preserve Management Plan? (SPAM Map #36)

The subject property is located outside the boundary of the Lemon Bay Aquatic Preserve.

11. Does subject property contain archaeological or historic resources? (SPAM Map #3, #27 & #53)

A letter from the applicant’s attorney, Derek P. Rooney dated August 25, 2025 states that: *“In support of the small-scale plan amendment and companion rezoning applications submitted by 5905 Duncan Road LLC a search was conducted of the National Register of Historic Places, as well as a search was requested from the Florida Division of Historical Resources of the Florida Master Site. The results of both searches found no archeological or historical resources on the subject properties.”*

12. Are there wetlands on the property?Yes, according to the submitted “Environmental Assessment Report”, dated May 2024 and prepared by Bearpaws Environmental Consulting, approximately 0.59 acres of the subject property contain surface waters, which are classified as wetland.

a. Number of acres of Category I:Possible

b. Number of acres of Category II:Possible

a. Significant natural resources or critical habitat for endangered species:

The submitted “Environmental Assessment Report”, dated May 2024 and prepared by Bearpaws Environmental Consulting, states that *“A formal protected species survey has not been conducted on the site at this time; however, during the initial field survey, no protected species or signs thereof were observed. There were a few stick nests or tree cavities noted. There were several burrows, believed to belong to that of the eastern nine-banded armadillo (Dasypus novemcinctus), that were identified, but not flagged in the field; there was no evidence indicating that gopher tortoise (Gopherus polyphemus) would be utilizing these burrows.”*

- b. Possible impacts to groundwater, surface water, wetlands or other significant natural resources: **No**, onsite wetlands will be protected and preserved in perpetuity.
- c. Is subject property in the Watershed Overlay District? (FLUM Map #4)**No**
- d. Is subject property in the **Surface Water Protection Overlay District?** (FLUM Map #5)**No**
- e. Is subject property in the **Prime Aquifer Recharge Area?** (FLUM Map #6).....**No**
- f. Is subject property in a **Wellhead Protection Area?** (FLUM Map #7).....**No**

13. Coastal Planning:

- a. Is the subject site within the **Coastal Planning Area?** (FLUM Map #13).....**No**
The subject property is located Zone 2 of the Coastal Planning Area.
- b. Could the proposed changes impact beach accessibility?**No**
- c. Could the proposed change affect other waterfront access?**No**
- d. Flood Zone: The subject site is in Flood Zone "10AE". Flood Zone "10AE" is an area in which areas determined the Base Flood Elevations of 10 feet. (per FEMA Codes).
- e. Storm Surge Evacuation Zone: The site is located within Evacuation Zones "A".
- f. Is the subject site within the Coastal High Hazard Area? (FLUM Map #14)**Yes**
- g. Could the proposed changes impact evacuation times?**No**

14. Charlotte County Facilities and Services:

- a. Nearest Park:**South County Regional Park** (SPAM Map #74)
Address:.....670 Cooper Street, Punta Gorda
Distance:approximately 3.2 miles to the southwest of subject property
- b. Nearest Police Station:.....**District 4 Charlotte County Sheriff's Office** (SPAM Map #25)
Address:.....7474 Utilities Road, Punta Gorda
Distance:approximately 2.1 miles to the south of subject property
- c. Nearest Fire/EMS Station:**Charlotte County Fire Station No. 6** (SPAM Map #22)
Address:.....29400 Palm Shores Boulevard, Punta Gorda
Response Time:approximate response time is 4-6 minutes (SPAM Map #39)
- d. Nearest Library:.....**Punta Gorda Charlotte Library** (SPAM Map #73)
Address:.....401 Shreve Street, Punta Gorda
Distance:approximately four miles to the southwest of subject property
- e. Nearest Hospital:**AdventHealth Port Charlotte** (SPAM Map #24)
Address:.....2500 Harbor Boulevard, Port Charlotte
Distance:approximately 7.7 miles to the northwest of subject property
- f. Nearest Emergency Shelter: ..**Kingsway Elementary School** (SPAM Map #21)
Address:.....23300 Quasar Boulevard, Port Charlotte

Distance:approximately 8.8 miles to the northwest of subject property

g. Public School Attendance Boundary: N/A

15. Concurrency:

a. **Roads Level of Service:**.....After reviewing the Traffic Analysis for Rezoning report prepared by Atwell, LLC, dated March 6, 2025, and revised February 27, 2026, the County Transportation Engineer and Project Manager concurred with the report’s conclusion that *“the new trips generated by the proposed U.S. 17 Property project can be accommodated within the available capacity of the existing roadway network and will not create any adverse impacts to level of service (LOS).”* Transportation review comments indicate that coordination with, and permits from, the Florida Department of Transportation (FDOT) will be required for the project entrance on Duncan Road (U.S. 17). At the time of Final Detailed Site Plan submittal, the developer/applicant shall prepare an updated traffic impact study, and the final location and design of the access point on Duncan Road (U.S. 17) shall be subject to approval by the County and FDOT.

b. **Potable Water and Sanitary Sewage Level of Service:**

1. *Analysis:* A letter from the City of Punta Gorda, dated February 19, 2025, states that: *“A preliminary review based on viewing the subject parcel(s) on the Charlotte County GIS site, ccgis.com, indicates the property is undeveloped. Utility improvements may be necessary to obtain utility service to the subject parcel(s). We recommend meeting in our office to determine site specific information, and review capacity and location of existing utility lines. Off-site utility improvements may be required to obtain utility service to the subject parcel. Off-site utility line extensions will be required to meet the future development scenarios consistent with the Utility planning scenarios.*
 - *The nearest water main is located in Regent Rd, and in Golf Course Blvd.*
 - *The nearest force main is located at Piper Rd and Madaca Dr.”*

c. **Park and Recreation Level of Service:**

1. *Level of Service:*.....**Adopted Level of Service is 16 Park, Recreation & Open Space points (16 PROS points) per 1,000 population.**
2. *Analysis:***A 2009 analysis shows that the County currently has 17.2 PROS points per 1,000 population.**

d. **Schools:**.....N/A

e. **Solid Waste:**

1. *Refuse Collector:***Waste Management Inc. of Florida or another provider**
2. *Solid Waste Provider:***Public Works Dept. - Municipal Solid Waste Management**
3. *Level of Service:* Zemel Road landfill currently has capacity to dispose of 4.6 million cubic yards of waste. The landfill has a projected remaining lifespan to the year 2027.

An estimated 170 acres for future disposal cells will provide disposal capacity beyond the year 2050.

- Solid Waste (Landfill) 5.0 pounds per day per equivalent fulltime resident
- Solid Waste (Recycle) 2.2 pounds per day per equivalent fulltime resident

f. Drainage: Level of Service:

New arterials: flood free in the 100-year rainfall event.

New and improved collectors: not less than one lane of traffic in each direction above the design high water elevation from a 25-year, 24-hour rainfall.

New local residential streets: designed and constructed with the pavement centerline at or above the design high water elevation resulting from a 5-year, 24-hour rainfall.

Storm-water management facilities: in all new subdivisions manage a 25-year, 24-hour rainfall.

New parking facilities: maximum temporary detention depth of nine inches (9”) resulting from a 5-year, 24-hour rainfall.

New development on existing platted lots (except single-family, duplex, and triplex dwellings):
on-site storm-water management for a 25-year, 24-hour rainfall.

Analysis: The SW Florida Water Management District and the Community Development Department review storm-water management plans on a project specific basis.

16. Capital Improvements Program:

Are any updates to the CIP required because of this petition?**No**

17. Intergovernmental Coordination:

Does this amendment require comments from, or coordination with adjacent governments or other governmental agencies?**No**

18. Has a public hearing been held on this property within the last year?No

19. 2050 Comprehensive Plan: Goals, Objectives, and Policies that may be relevant to the proposed amendment:

Various goals, objectives, and policies set forth in the County’s Comprehensive Plan as analyzed above.

Part 5 – Approval Criteria

20. Standards for Rezoning Approval: For the rezoning of land, the final action of the Board shall be made after giving due consideration to the following criteria:

a. Would the proposed change be consistent with the Comprehensive Plan?

Finding: The proposed rezoning to Planned Development (PD) in order to allow for some commercial general uses on the subject property would be consistent with the County’s

Comprehensive Plan provided that the proposed Future Land Use Map (FLUM) amendment to Commercial (COM) is also approved.

b. The existing land use pattern in adjacent areas:

Finding: The site is located within the Urban Service Area and within the boundary of US 17 Area Plan area. The property is also located in the South County area. Lands to the west of the subject property include vacant parcels and single-family residences. The CSX Railroad right-of-way is located immediately north of the subject property. Further north are vacant lands and single-family residences. To the east, there is an established residential neighborhood known as Lakewood Village MHP. Across U.S. 17, to the south, the area includes vacant residential and commercial lands, single-family residences, and developed commercial uses.

c. The capacity of public facilities and services, including but not limited to schools, roads, recreational facilities, wastewater treatment, water supply, and storm-water drainage facilities:

Finding: The proposed PD rezoning involves no permanent residential density and so student populations are not expected to increase as a result of this rezoning.

After reviewing the Traffic Analysis for Rezoning report prepared by Atwell, LLC, dated March 6, 2025, and revised February 27, 2026, the County Transportation Engineer and Project Manager concurred with the report's conclusion that *"the new trips generated by the proposed U.S. 17 Property project can be accommodated within the available capacity of the existing roadway network and will not create any adverse impacts to level of service (LOS)."* Transportation review comments indicate that coordination with, and permits from, the Florida Department of Transportation (FDOT) will be required for the project entrance on Duncan Road (U.S. 17). At the time of Final Detailed Site Plan submittal, the developer/applicant shall prepare an updated traffic impact study, and the final location and design of the access point on Duncan Road (U.S. 17) shall be subject to approval by the County and FDOT.

A letter from the City of Punta Gorda, dated February 19, 2025, states that: *"A preliminary review based on viewing the subject parcel(s) on the Charlotte County GIS site, ccgis.com, indicates the property is undeveloped. Utility improvements may be necessary to obtain utility service to the subject parcel(s). We recommend meeting in our office to determine site specific information, and review capacity and location of existing utility lines. Off-site utility improvements may be required to obtain utility service to the subject parcel. Off-site utility line extensions will be required to meet the future development scenarios consistent with the Utility planning scenarios.*

- *The nearest water main is located in Regent Rd, and in Golf Course Blvd.*
- *The nearest force main is located at Piper Rd and Madaca Dr."*

A PD condition is drafted to ensure that the proposed commercial general uses development must utilize centralized potable water and sanitary sewer utilities.

d. Would the proposed change adversely influence living conditions or property values in adjacent areas?

Finding: The proposed General PD Concept Plan and its associated proposed PD conditions will allow the County to place sufficient conditions to ensure that no adverse impacts will be created by the proposed development on neighboring property owners via:

- Restricting the maximum combined square footage of Commercial General uses on Lots 1–3 to 70,000 square feet, and allowing only 22 specific Commercial General uses, compared to 46 permitted uses, seven conditional uses, and 19 special exception uses allowed under the Commercial General (CG) zoning district.
- *Restricting Lot 4 uses* to either a hotel with a maximum of 125 hotel rooms or an indoor storage facility with a maximum building area of 140,000 square feet within a single building.
- Establishing a maximum Floor Area Ratio (FAR) of 0.375, compared to the maximum FAR of 1.0 allowed under the proposed Commercial (COM) Future Land Use Map designation.
- Protecting approximately 1.91 acres of onsite wetlands and associated upland buffer areas and requiring implementation of a Native Habitat Management Plan to restore, preserve, and protect these resources.
- Limiting the maximum height to 60 feet for the hotel, 45 feet for the indoor storage facility, and 35 feet for all other structures.
- Requiring primary building façades to incorporate a minimum of five architectural design treatments, exceeding standard Code requirements.
- Requiring, at a minimum, a Type “A” buffer with accent and canopy trees and a perimeter hedge row along U.S. 17, in lieu of the Code-required perimeter landscape and buffer standards.

Therefore, it is staff’s professional opinion that the proposed PD rezoning shall not create any negative impacts on surrounding existing and future residential uses.

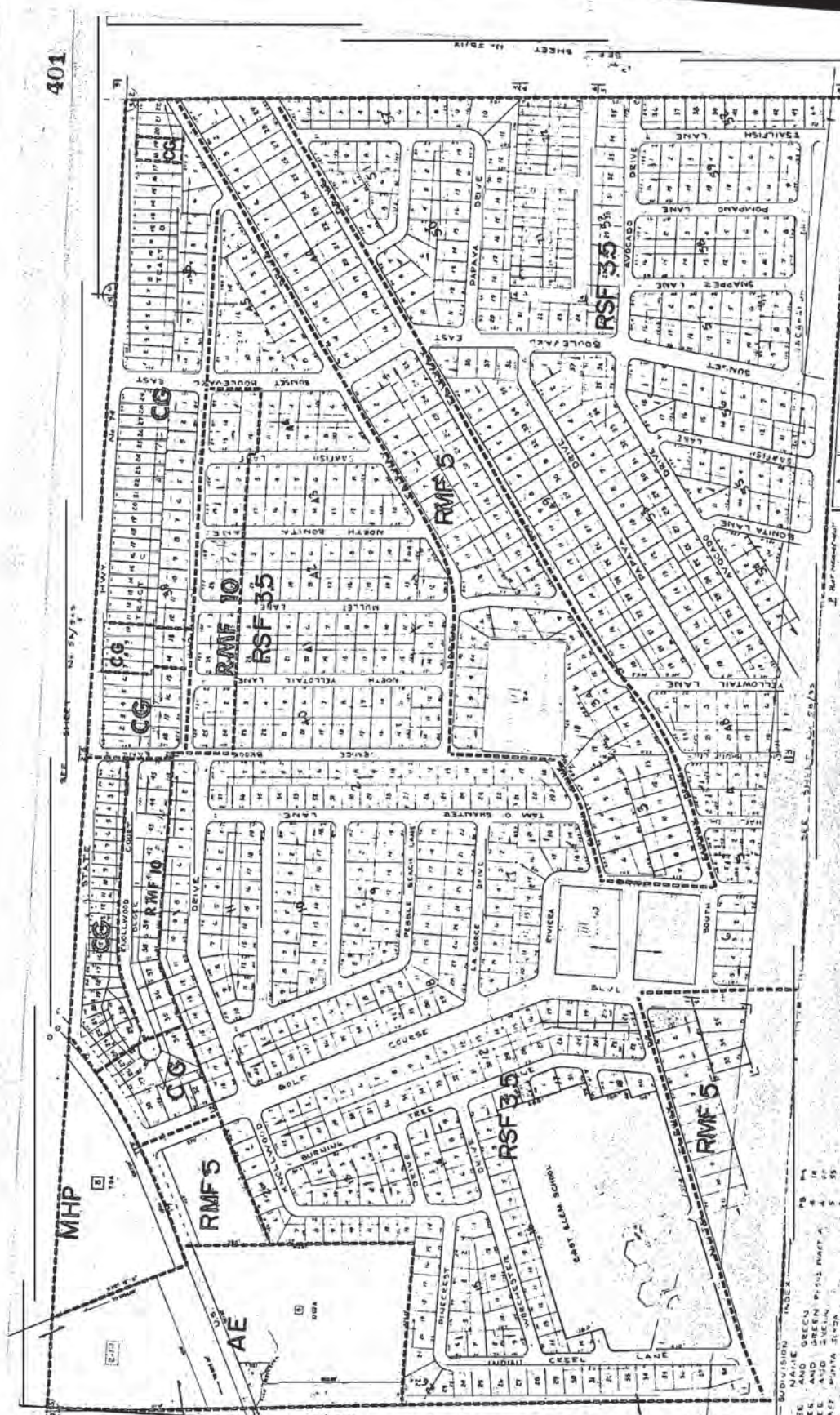
e. Would the proposed change affect public safety?

Finding: Public safety should not be affected by this proposed zoning change from RE-1 and AG to PD.

Attachment 1

1987 Zoning

THIS MAP HAS BEEN PREPARED BY THE PLANNING AND ZONING DEPARTMENT OF CHARLOTTE COUNTY, FLORIDA, AND IS SUBJECT TO THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS.

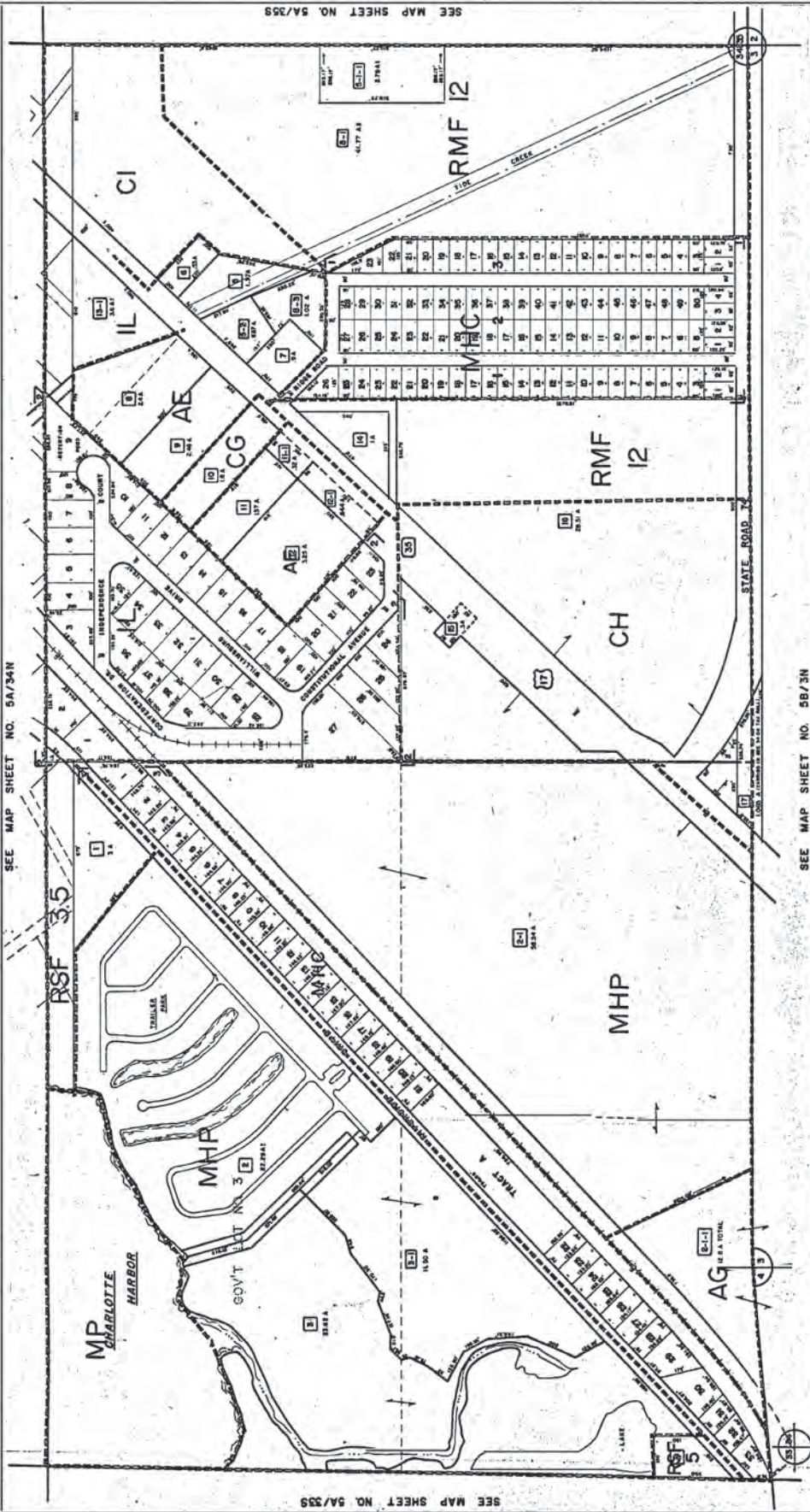


SECTION 17 17 OF 3
SHEET NUMBER
5B
3N

ASSISTANT CITY ENGINEER
CHARLOTTE COUNTY, FLORIDA
COMPILED & DRAWN BY
MICHAEL J. HARRIS, INC.
ST. PETERSBURG, FLORIDA



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SEE MAP SHEET NO. 5A/358

SEE MAP SHEET NO. 5A/34N

SEE MAP SHEET NO. 5B/3N

SEE MAP SHEET NO. 5A/339

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METERS
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 ACRES
 SQUARE FEET
 SQUARE METERS



APPRAISAL MAP
 CHARLOTTE COUNTY
 FLORIDA

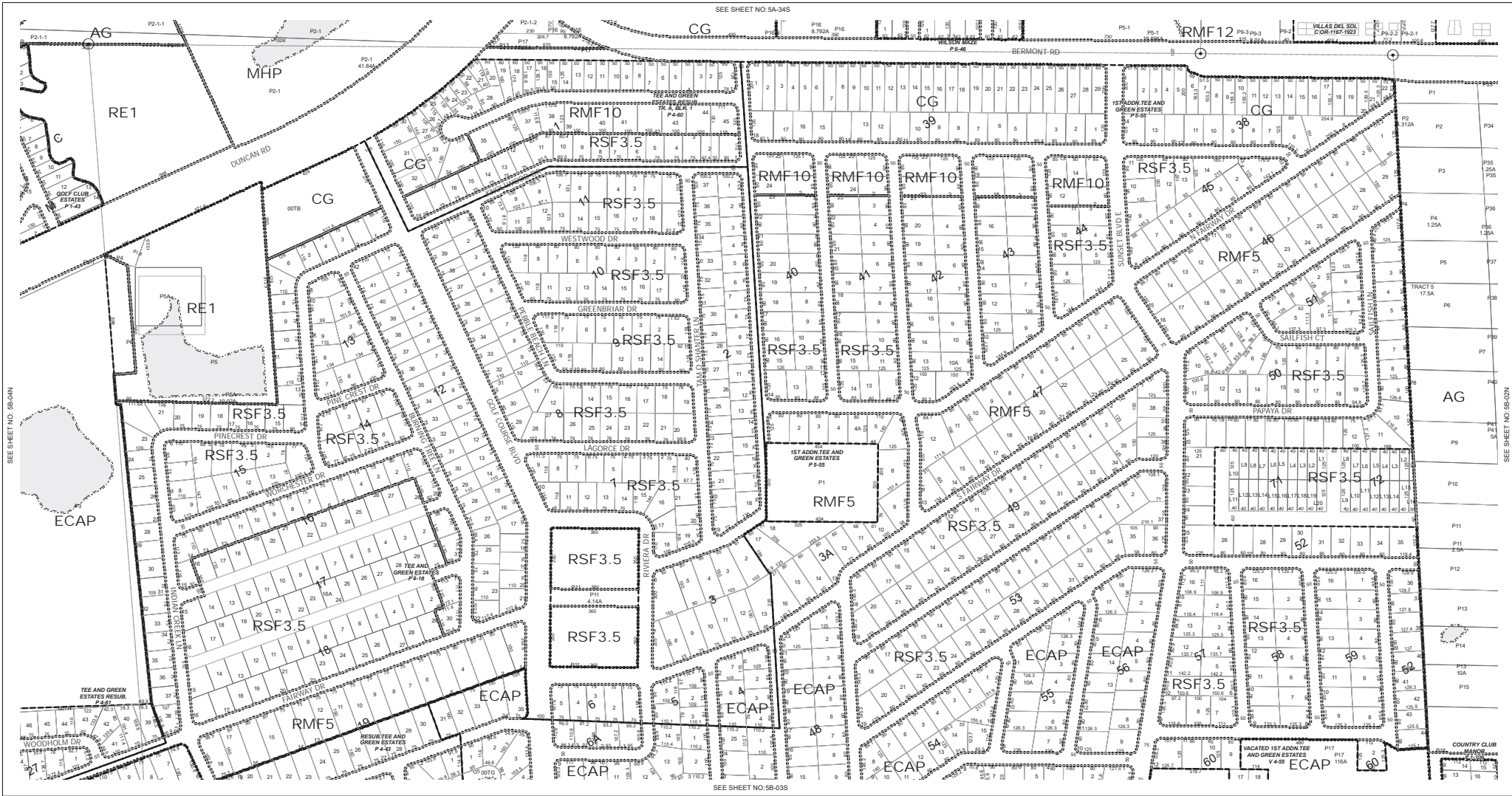
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 TOWNSHIP 40S
 RANGE 23E

5A

34S

Attachment 2

2015 Zoning



This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose. No liability is assumed by the compiler for any errors or omissions. This is not a warranty or a contract for any specific purpose. For precise dimensions, please refer to recorded plats and related documents.

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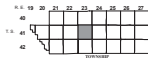


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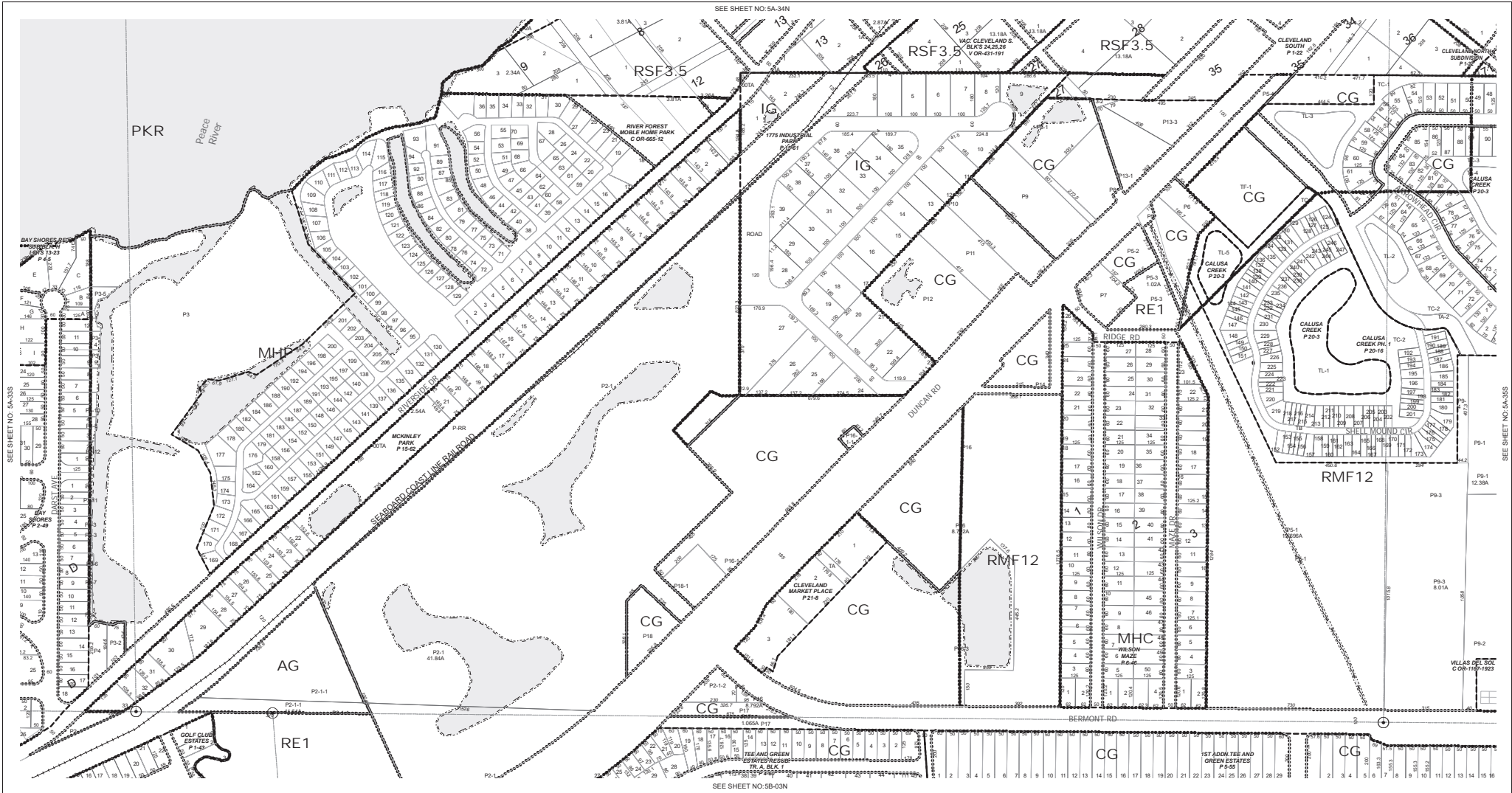
N 1/2 Sec. 03 T.41S R.23E
Charlotte County, Florida



MAP PAGE
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This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose. No Charlotte County and the information made no guarantee, express or otherwise, for the accuracy or completeness. We, therefore, do not accept any responsibility as to the use. This is not a survey or as to be used for any other purpose. Referenced dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents.

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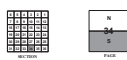
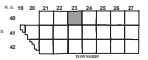


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Charlotte County, Florida



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Attachment 3

DRC Recommendation Letter



June 19, 2025

Atwell, LLC
Attn: Heather Polito
4161 Tamiami Trail, Bldg. 5, Unit 501
Port Charlotte, FL. 33952

Re: DRC-25-050 US 17 Property – General PD Concept Plan
April 3, 2025, Site Plan Review agenda

County staff has reviewed the General PD Concept plan for US 17 Property. The project consists of a commercial subdivision with one access point off Duncan Rd. This project site is 12.85± acres and is located at 5905 Duncan Road, Punta Gorda, FL.

It is the decision of the Zoning Official to forward DRC-25-050 to the Board of County Commissioners with a recommendation of approval. The following comments must be met prior to submit Final Detail Site Plan:

1. Please be advised that the subject project will require Stormwater Plan Approval per Charlotte County Stormwater Management Ordinance No. 89-37 / County Code 3-5-111 to 3-5-123. The following link provides the Stormwater Plan Approval submittal procedures & requirements, and a downloadable Stormwater Plan Approval Application:

<https://www.charlottecountyfl.gov/departments/community-development/building-construction/permits/stormwater-permit.shtml>

Please call 941-575-3650 with any questions

2. Prior to or at the time of building permit application, provide a completed Tree Permit Application as appropriate for this site, along with a tree inventory of location, types, sizes of trees overlaid on a site plan of the building, parking, and other site amenities. Identify the trees proposed to be removed and preserved. All trees to be preserved or removed must be in accordance with Section 3-9-100: Buffers, Landscaping, and Tree Requirements, of the County Code. Tree permits must be obtained prior to any land clearing/ fill activity or the issuance of any building permits.

3. Within 90 days prior to land clearing / Tree Permit Application, applicant shall conduct a species survey focusing on locating potential gopher tortoise burrows. If burrows are found that can't be avoided by a 25' buffer, applicant shall obtain a Relocation Permit from the Florida Fish & Wildlife Conservation Commission. Applicant will need to provide a Gopher Tortoise After-Action Report stating the burrows have been excavated / bucket-trapped and tortoise moved out of harm's way for Tree Removal Approval.
4. At the time of development, the project must comply with Chapter 3-5, Article IV, Clearing, Filling and Soil Conservation requirements of the County Code. Best Use Management Plans must be documented on final site plans and utilized during all land clearing and development activities.
5. The project must also comply with Chapter 3-5, Article XVI, Open Space/Habitat Reservation Trust requirements of the County Code. Given the presence of habitat for use by listed species, the Final site and Landscape plans should depict, and label as preserved, in perpetuity a minimum of 5% of the development area for preservation area with calculations shown to meet or exceed requirements OR absence of preservation of habitat, the applicant must contribute an equal amount of \$300 per acre or fraction thereof, to the Open Space/Habitat Reservation Fund.
6. There is not enough level of detail for review. Subject to further review in future submittals.
7. Rezone to PD. Provide PD conditions at the Final Detail Site Plan.
8. Comments may change due to final submission.
9. Fire hydrant required to within 300' of each building, additional fire hydrants may be required.
10. If the building(s) is required to have a fire sprinkler system, then the FDC (Fire Dept. Connection) shall be within 100' of the fire hydrant.
11. FDC shall be a 5" Storz connection with a height of 30" above finish grade and at a 30-degree angle.
12. Roadways shall be at least 20' wide of clear space for fire department access.
13. Gates/access arms shall be installed with an EVAC System for emergency operation use.
14. The property appraiser record shows an FPL easement in Book 1422, Page 1035. Real Estate did not find any public easements. If you haven't already done so we suggest a title search to be sure there are no additional easements. Any encroachments into public easements may require an occupation and/or a release of easement. Any encroachments into private easements are the sole responsibility of the owner to obtain permission.
15. Landscaping, buffers, and tree requirements must be consistent with the conditions established in the PD rezoning and meet all applicable regulations of Section 3-9-100: Buffers, Landscaping, and Tree Requirements (informational comment). Proposed PD conditions have not been provided for review.
16. Staff recommends a perimeter landscape strip with a continuous hedge row, along the south property line abutting Duncan Road, rather than a Type A buffer. This would be consistent with Section 3-9-100 and provide more screening along the ROW than a Type A buffer.

17. Staff recommends a Type C buffer, without a fence/wall, along the rear (north) property line. This would be consistent with requirements of Section 3-9-100.
18. Staff recommends any outdoor storage uses be prohibited as part of the PD. If outdoor storage is proposed, a Type D buffer with a 6-foot-tall opaque fence/wall would be required around all property lines.
19. A full landscape plan will be required at time of PD Final Detail.
20. The proposed General PD Concept plan shall comply with conditions as established in the PD rezoning.

**The General PD concept plan approval shall be valid until Final Detail Site Plan.
Concept Plans are approved by the Board of County Commissioners.**

Sincerely,

Shaun Cullinan

Shaun Cullinan
Planning and Zoning Official

Exhibit “A”

Proposed PD Conditions

PD Conditions for Application PD-25-14

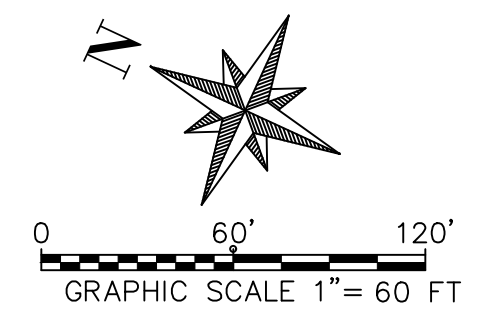
This proposed development shall comply with all applicable requirements as set forth in Charlotte County's Code of Laws and Ordinances. In addition, the following shall apply:

- a. Development on the subject property shall occur as generally illustrated in the General PD Concept Plan (Attachment 1: US 17 Property PD Concept Plan) submitted by the applicant, prepared by Atwell, Inc., dated March 6, 2025, and completed on February 17, 2026. The General PD Concept Plan may be modified to meet the conditions of the PD zoning district. In addition, the Site Plan Review comments contained in the recommendation of approval per the letter dated June 19, 2025, are required to be met. Such General PD Concept Plan (DRC-25-050) shall remain valid until a Final Detail Site Plan is approved per Section 3-9-45, Planned Development (PD).
- b. No development shall occur prior to Final Detail Site Plan approval, which will be scheduled on the Board of County Commissioners land use consent agenda.
- c. Permitted uses and structures for Lots 1 through 3 and the maximum square footage shall be no more than 70,000 square feet collectively:
 1. Animal hospital, boarding facility.
 2. Art, dance, music, photo studio or gallery.
 3. Assisted living facility or day care center, adult.
 4. Bank, financial services.
 5. Bar, cocktail lounge, tavern.
 6. Business services.
 7. Day care center, child.
 8. Drug store, pharmacy.
 9. Dry cleaner.
 10. Funeral homes, crematoria.
 11. General offices.
 12. General retail sales and services.
 13. Hospital.
 14. Laundromat.
 15. Medical or dental office, clinic.
 16. Motor vehicle wash.
 17. Nursing home.
 18. Personal services.
 19. Place of worship.

- 20. Professional services.
- 21. Recreation, indoor.
- 22. Restaurant.
- d. Permitted uses and structures for Lot 4:
 - 1. A hotel with 125 rooms, or
 - 2. An indoor storage facility up to 140,000 square feet within one building and no more than 3 stories (45 feet).
- e. The maximum building height for the proposed hotel is 60 feet measured from the base flood elevation. The maximum building height for all other structures is 35 feet from the base flood elevation except for the maximum height requirement under d.2.
- f. Special exceptions shall not be allowed.
- g. Outside storage and outside display of items are prohibited.
- h. All buildings are subject to the provisions of Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code. All other requirements in Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code shall apply. At a minimum, primary facades shall incorporate five design treatments.
- i. There shall be one proposed right in/right out and directional left access point on Duncan Road (US 17) subject to the County and the Florida Department of Transportation approval.
- j. The development must utilize centralized potable water and sanitary sewer utilities. The water and sanitary sewer lines must be connected to the site prior to the issuance of any Certificate of Occupancy (CO).
- k. The area designated as "Wetland Area", containing 1.91± acres on the General PD Concept Plan, shall be preserved per Native Habitat Management Plan (Attachment 2: Native Habitat Management Plan). A minimum of 25-foot buffer is required along the wetland as on the General PD Concept Plan (Attachment 1).
- l. Landscaping and buffers: The 25-foot PD setback will be provided along the property boundary. No pavement or other structures are permitted in the PD buffer, except for vehicular entrances and exits, landscaping buffers, stormwater ponds, and parking. The PD setback must include the following:
 - 1. At a minimum, planting equivalent to type A buffer for two canopy trees and one accent/understory tree per 100 linear feet, and the 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 southern property boundary, adjacent to Duncan Road (US 17) and within the 25-foot PD setback as shown on the General PD Concept Plan (Attachment 1).

2. At a minimum, planting equivalent to type C buffer for canopy trees and accent/understory tree and the 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 northern property boundary of Lot 4, adjacent to the proposed stormwater pond, as shown on the General PD Concept Plan (Attachment 1); such buffer shall end at the 25-foot wetland buffer.
 3. At a minimum, planting equivalent to Type C buffer is required within the 25-foot PD setback and along the eastern property boundary immediately adjacent to properties zoned MHP.
 4. A ten-foot landscape buffer is required between lots allowing for internal connections as shown on the General PD Concept Plan (Attachment 1).
 5. If Conditions I.1. through I.4, regarding the location and type of buffers, creates any perceived ambiguity or confusion, the General PD Concept Plan (Attachment 1) shall control.
- m. One monument sign shall be allowed for this project.

Attachment 1
US 17 Property PD Concept Plan



SITE PLAN SUMMARY

- 1) **PROPERTY INFORMATION:**
CURRENT ZONING AND LAND USE: AG, RE1 / VACANT
PROPOSED USE: COMMERCIAL PLANNED DEVELOPMENT (PD)
- 2) **PROJECT LAND USE**
PROPERTY AREA: 12.85 AC (100%)
DEVELOPMENT AREA (PD AREA) : 12.85 AC (100.0%)
WETLAND / WETLAND BUFFER AREA: 1.91 AC (14.9%)
COMMERCIAL TRACT AREA: 6.86 AC (53.3%)
STORMWATER LAKE AREA: 3.29 AC (25.6%)
COMMON OPEN SPACE AREA: 0.79 AC (6.2%)
- 3) **FLOOD ZONE**
THE PARCEL LIES ENTIRELY IN FLOOD ZONE "10AE"
- 4) **PARKING REQUIREMENTS:**
PARKING WILL BE PROVIDED AT FINAL DETAIL PLAN APPROVAL PER CHARLOTTE COUNTY DEVELOPMENT REGULATIONS SECTION 3-9-79.
- 5) **OPEN SPACE**
OPEN SPACE REQUIRED: 12.85 AC X 20% = 2.57 AC
OPEN SPACE PROVIDED: = WETLAND / WETLAND BUFFER AREA + COMMON OPEN SPACE AREA
= (1.91 AC + 0.79 AC) / 12.85 AC
= (2.70 AC / 12.85 AC) = 21.0%
- 6) **OPEN HABITAT SPACE**
REQUIRED: 5% OF PROPERTY AREA = (12.85 AC x 0.05) = 0.64 AC
PROVIDED: WETLAND + WETLAND BUFFER AREA
= 1.91 AC / 12.85 AC = 14.9%

DEVELOPMENT STANDARDS:

DESCRIPTION	COMMERCIAL
REQUIRED PARKING	PER 3-9-79
MIN. LOT REQUIREMENT (SQ. FT.)	12,000
MAX. PERCENTAGE OF LOT COVERAGE (%)	55
MIN. WIDTH (FT.)	100
MIN. FRONT YARD (FT.)	25
MIN. SIDE YARD INTERIOR (FT.)	0
MIN. SIDE YARD ABUTTING A PROPERTY LINE (FT.)	25 *
MAX. BUILDING HEIGHT (FT.)	35 **
MIN. REAR YARD ABUTTING A LOT (FT.)	10
MIN. REAR YARD ABUTTING WATER (FT.)**	20
MIN. REAR YARD ABUTTING A ROAD (FT.)	15
SETBACK FOR ACCESSORY STRUCTURE FROM REAR LOT LINE (FT.)	SAME AS PRINCIPLE
SETBACK FOR ACCESSORY STRUCTURE FROM SIDE YARD (FT.)	SAME AS PRINCIPLE
SETBACK FOR ACCESSORY STRUCTURE ABUTTING A ROAD (FT.)	SAME AS PRINCIPLE
SETBACK FOR ACCESSORY STRUCTURE ABUTTING WATER (FT.)**	SAME AS PRINCIPLE

* SIDE YARD FOR ANY BUILDING ABUTTING A PROPERTY LINE IS 25 FEET OR 1/2 THE HEIGHT OF THE BUILDING, WHICHEVER IS GREATER.
** EXCEPTION: LOT 4 IS ALLOWED A MAX HEIGHT OF 80 FEET FOR A HOTEL USE AND/OR 45 FEET (3 STORIES) FOR AN INDOOR STORAGE FACILITY.
*** PROPOSED SETBACK IS FROM SEASONAL HIGH WATER LINE OF LAKE.

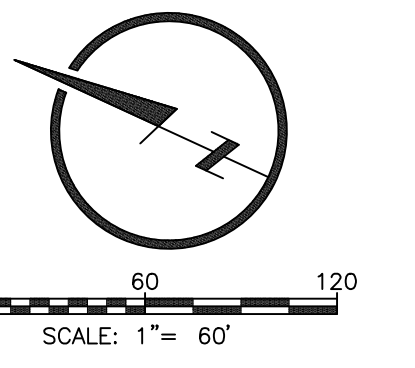
PLANNED DEVELOPMENT NOTES:

1. ALL TRACT LINES SHOWN ARE PRELIMINARY & MAY BE CHANGED DUE TO MARKET CONDITIONS, DESIGN CONSTRAINTS OR PERMITTING REQUIREMENTS AT FINAL DETAIL SITE PLAN APPROVAL.
2. WHERE A LANDSCAPE BUFFER IS REQUIRED, DEVELOPER TO WORK WITH COUNTY STAFF TO DETERMINE IF EXISTING TREES & VEGETATION MEET BUFFER REQUIREMENTS & DETERMINE WHAT ADDITIONAL TREES WILL BE REQUIRED TO MEET COUNTY LANDSCAPE BUFFER MINIMUM REQUIREMENTS.
3. ALL ON-SITE LAKES WILL BE A PART OF THE STORM WATER MANAGEMENT SYSTEM.
4. PROPOSED PROJECT SHALL BE SERVICED BY CENTRAL WATER & SEWER.
5. SIDEWALK IS NOT PROPOSED ON DUNCAN ROAD FRONTAGE.

LEGEND

	COMMERCIAL TRACT AREA
	LAKE AREA
	WETLAND AREA
	25' WETLAND BUFFER AREA

ATWELL
866.850.4200 www.atwell-group.com
4161 TAMAMI TRAIL, BLDG 5, UNIT 501
PORT CHARLOTTE, FL 33952
941.625.1165



PD CONCEPT PLAN

US 17 PROPERTY
CHARLOTTE COUNTY, FLORIDA

NO.	DATE	REVISION DESCRIPTION	BY

811
Know what's below.
Call before you dig.

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY

ON THE DATE ADJACENT TO THE SEAL. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

TODD R. REBOL, P.E. LICENSE NO. 64040		
DRAFTED BY: TBV	DESIGNED BY: TBV	REVIEWED BY: TRR
PROJECT NUMBER: 24003194	COMPLETION DATE: 2-17-26	SURVEY DATUM:
BOOK AND PAGE:		
SHEET		
3	OF	3

S:\Units\24003194 - US 17 Property - 866.850.4200\PD CONCEPT PLAN\24003194_P000.dwg, 2/19/2026 14:44:44 PM, 2026, ATWELL, LLC

Attachment 2

Native Habitat Management Plan

5905 DUNCAN ROAD

NATIVE HABITAT MANAGEMENT PLAN

Charlotte County Parcel ID #: 412303101001

February 2026

Prepared For:

Anthony Consulting Services
c/o: David Anthony
PO Box 510240
Punta Gorda, FL. 33951-0240
Phone: (941) 628-2073
Email: anthony0429@gmail.com

Prepared By:



BearPaws Environmental Consulting
1599 Covington Circle East Fort Myers FL 33919
Phone: (239) 340-0678
Email: BearPaws.Env.Consulting@GMail.com

Introduction

The following plan has been prepared for the proposed 12.85± acre property located at 5905 Duncan Road. The purpose of the following Native Habitat Management Plan is to address the long-term management of the upland and wetland preservation areas for the proposed development.

The site is located in Section 34, Township 40S, and Range 23E, of Charlotte County, Florida. More specifically, the site is located north of US Highway 17 (Duncan Road), east of Regent Road, and south of Riverside Drive, and west of Lakewood Mobile Home Park, in Punta Gorda, Florida. Please see the attached Project Location Map (Exhibit A).

Wetland Classification Discussion

Charlotte County ENV Policy 3.1.3 defines wetland categories, with particular emphasis on wetlands that have a permanent surface water connection to natural waterbodies with special water status. The policy establishes the framework for classifying and protecting wetlands, including Class 2 wetlands, under the County's Comprehensive Plan. The County requires protection of wetlands during development, typically through buffers, and reserves the right to deny permits for activities that adversely affect these areas. All development projects are subject to environmental review to avoid and mitigate impacts to sensitive aquatic ecosystems. The overall objective is to maintain ecological integrity while allowing responsible land use planning.

Under the Comprehensive Plan, wetlands are categorized based on ecological value and functional integrity. Class 2 wetlands are natural systems that are not pristine but continue to provide significant ecological functions, such as habitat for listed species and water filtration. Although these wetlands may have been affected by human activity or invasive species, they retain functional value. They typically contain some invasive or exotic vegetation and/or exhibit minor alterations to natural hydrology.

ENV Policy 3.1.5 limits development and other activities that could degrade wetland functions and emphasizes protection of ecological values. Projects affecting Category 2 wetlands must first demonstrate that impacts have been avoided to the greatest extent practicable. If complete avoidance is not feasible, impacts must be minimized. The County generally requires a 25-foot natural buffer around wetlands to protect them from adjacent development. Any unavoidable impacts to Class 2 wetlands must be mitigated through restoration, enhancement, creation of wetlands, or the purchase of credits from an approved mitigation bank.

The project proposes preservation of the entire 1.91± acres of on-site wetlands, along with 0.79± acres of upland buffer. The wetland preserve area includes a portion of the natural waterway, the adjacent wetlands, and the upland buffer. The 25-foot upland buffer consists of the area between the development area and the wetland preserve. Therefore, as proposed, the project meets the requirements of the County's Comprehensive Plan through preservation of on-site wetlands, removal of exotic and invasive species (as included in the Habitat Management Plan), and establishment of a 25-foot natural upland buffer around the wetland.

Preserve Establishment and Maintenance Schedule

Control of exotics shall be implemented on a yearly basis, in addition, this plan will describe specific techniques to prevent reinvasion by prohibited exotic vegetation of the site in perpetuity. Exotic and nuisance vegetation will be zero-percent (0%) coverage immediately subsequent to treatments and no more than 10% between maintenance events. Non-native vegetation and nuisance or invasive plants shall be removed from the preserve area. All existing native trees located within the preserve area will be preserved and shall not be impacted during any of the exotic eradication efforts. Should any native trees die as a result of the surrounding exotic treatment, they will be replaced with a similar tree in like size. Following the initial removal of exotics, the establishment of the preserve maintenance will occur annually; all indigenous vegetation will be required to be maintained in perpetuity.

Exotic Plant Eradication and Nuisance Treatment

The purpose of this plan is to ensure that exotic and nuisance species within the preserves are maintained to healthy levels through a scheduled maintenance program in perpetuity. This program is incorporated into a two-phase process: the initial exotic removal and the subsequent annual maintenance. The exotic and nuisance plant removal and maintenance program will ensure the viability, value, and aesthetics of the preserve. The exotic plant removal and maintenance program will be implemented by and the responsibility of the owner or their successor. Exotic and nuisance plants often dominate native plants, which in return reduces habitat values, consequently, negatively impact aesthetic values.

Exotic and nuisance plants will be treated in a manner consistent with current approved removal practices; all removal practices will be conducted according to current standards and applied by a licensed herbicide applicator. All exotics within the first 75 feet of the outer edge of the preserve shall be physically removed, or the tree cut down to grade and the stump treated. Exotics within the interior of the preserve may be approved to be treated in place if it is determined that physical removal might cause more damage to the native vegetation in the preserve. When prohibited exotic vegetation is removed, but the base of the vegetation remains, the base shall be treated with a U.S. Environmental Protection Agency (EPA) approved herbicide, utilizing a visual tracer dye. All exotic vegetation removed from the preserve area will be to be taken off-site and disposed of; there will be no exotics stockpiled within the preserve area. Any staging areas for the removal of exotic debris will be placed outside of the preserve, and the exact location will be determined by the contractor.

Supplemental Plantings

Planting of non-native vegetation on slopes adjacent to a preserve are prohibited; only 100% native vegetation can be planted on slopes adjacent to all preserve areas. The planting of any non-native vegetation in preserve areas is not allowed. There are no supplemental plantings proposed at this time. The proposed mitigation areas will be enhanced through the removal of exotic species, monitored, and maintained on a regular schedule for five years. After this time, perpetual management will include continued removal of exotic species. If at the end of two (2) years, there are any areas that do not recruit naturally, a planting plan will be established for these areas, which will include proposed size, spacing, and species to supplement these areas.

Vegetation Trimming & Control of Vines

The trimming of vegetation in the preserve area is prohibited except dead limbs, dead saw palmetto fronds, and dead palm fronds that are located within 20 feet of a property line may be removed. The control of vines is allowed in the preserve areas. This management activity includes both exotic and native vine species. In the wetland area portion of the preserve areas the stems of the vines must be cut and treated with an EPA approved herbicide. In the saw palmetto area of the preserve areas, locating the stem and removing both the root and vines while minimizing damage to the surrounding native vegetation will physically remove the vines.

Allowable Uses and Activities

Allowable uses within preserve areas. Passive recreational uses such as pervious nature trails or boardwalks are allowed within the preserve areas, as long as any clearing required to facilitate these uses does not impact the minimum required vegetation. For the purpose of this section, passive recreational uses are those uses that would allow limited access to the preserve in a manner that will not cause any negative impacts to the preserve, such as pervious pathways, benches and educational signs. Fences may be utilized outside of the preserves to provide protection in the preserves. Fences and walls are not permitted within the preserve area.

No buildings, structures or impediments of any nature may be constructed, placed or permitted in the preserve areas. Preserves must be maintained in their natural state and must be kept free of refuse and debris. No dumping or placing of soil or other substances such as trash or unsightly or offensive materials is allowed in the preserve areas. No removal or destruction of trees, shrubs or other vegetation is allowed, with the exception of exotic/nuisance vegetation removal. No Excavation, dredging or removal of soil material, peat, rock or other material substance is allowed if it affects the surface in the preserve areas. Dikes or fencing are not permitted in the preserve areas. The preserve areas must not be altered from its natural or permitted state. Preserve signage will be installed approximately every 200' along the perimeter of preserve areas, especially where they abut residential lots. Potential preserve signage will state that the area is a protected preserve and that no dumping or debris is allowed. Please see the approximate location of the signage on the Concept Plan (Exhibit B).

Monitoring Plan

Monitoring Methodology

The proposed monitoring of the enhanced wetland preserve area will begin concurrently with construction and will consist of baseline, time-zero, and annual monitoring of vegetation, wildlife, rainfall, and wetland water levels. The baseline monitoring report will document conditions on the project site as they currently exist. The time-zero report will document the conditions immediately following completion of mitigation activities. The annual reports will document the extent of success of the project and, if needed, identify specific actions to be taken to improve the conditions within the project area. Sampling transects and methodology for the baseline, time-zero, and annual reports will utilize identical methods of data collection from identical sampling stations.

Vegetation Monitoring

Wetland vegetation will be monitored prior to and following enhancement and restoration activities. Sampling in wetland area will involve canopy, sub-canopy, and ground cover species established within the preserve area. Species richness and a visual estimate of percent cover will be calculated for canopy and sub-canopy stratum.

Sampling point locations will be established in several areas within the preserve area. During each monitoring event, these areas will be walked and any exotic vegetation observed will be noted within the report. These annual reports will include the approximate percent coverage of any exotic and nuisance vegetation identified within the preserves. Vegetation will be sampled in each of the areas from where the monitoring photographs were taken; this vegetative sampling will include canopy, sub-canopy, and herbaceous species.

Wildlife Monitoring

Regular observations of wildlife will be made during the monitoring event by qualified ecologists. Observations will consist of recording evidence and signs of wildlife (i.e., direct sightings, vocalizations, burrows, nests, tracks, droppings, etc.).

Photographic Documentation

Permanent fixed-point photograph stations will be established in the preserve area providing physical documentation of the condition and appearance of an area, as well as any changes taking place within it. Monitoring photographs will accompany vegetation data in each report. Locations of photograph stations will remain the same throughout the duration of the monitoring program.

Rainfall Monitoring

Rainfall readings will also be recorded from an official rain gauge at a nearby location. These readings will be included in all future monitoring reports. Preserve water level data obtained concurrently with each monitoring event and will be included in their respective annual wetland mitigation monitoring reports.

Monitoring Reports

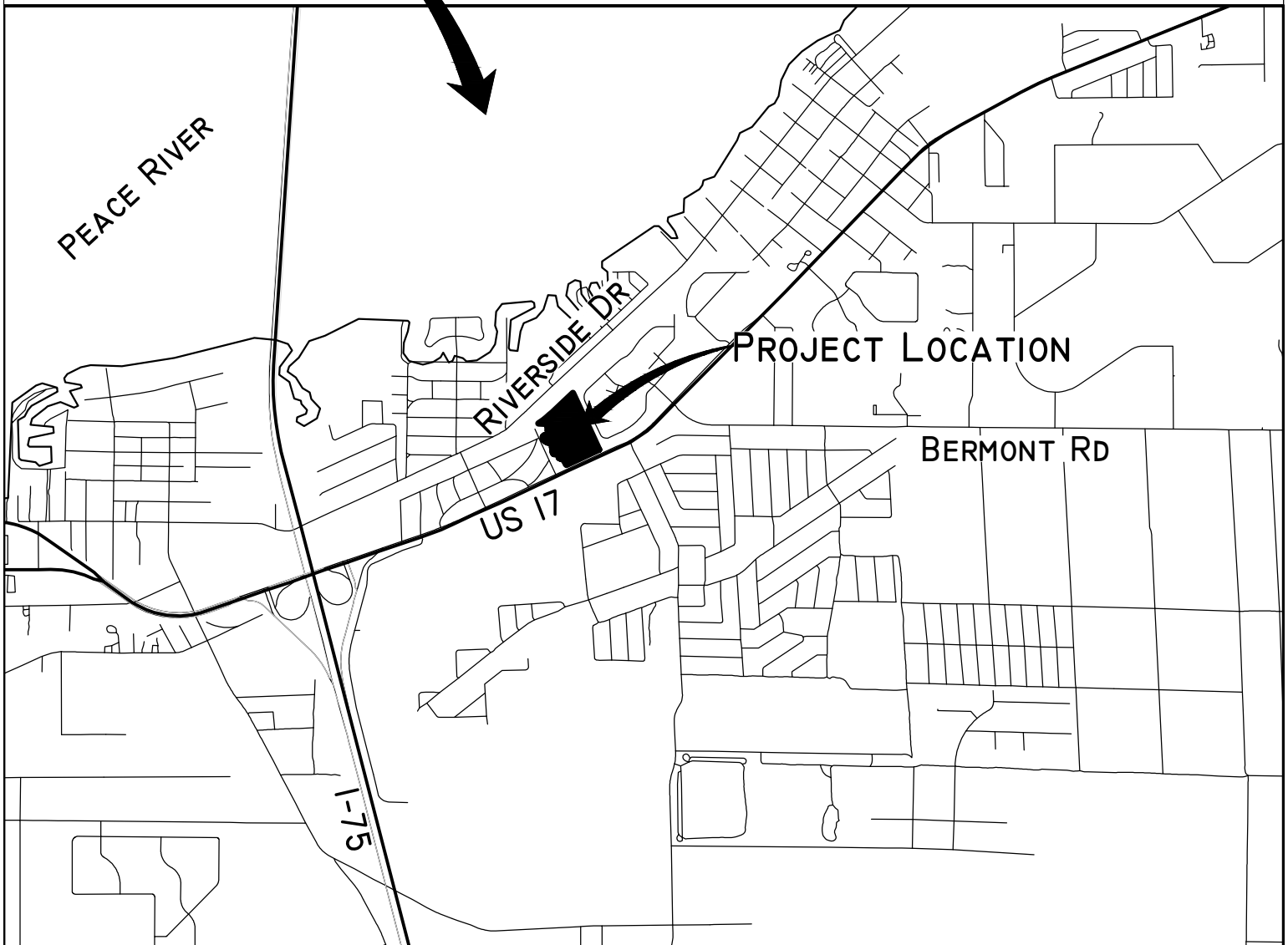
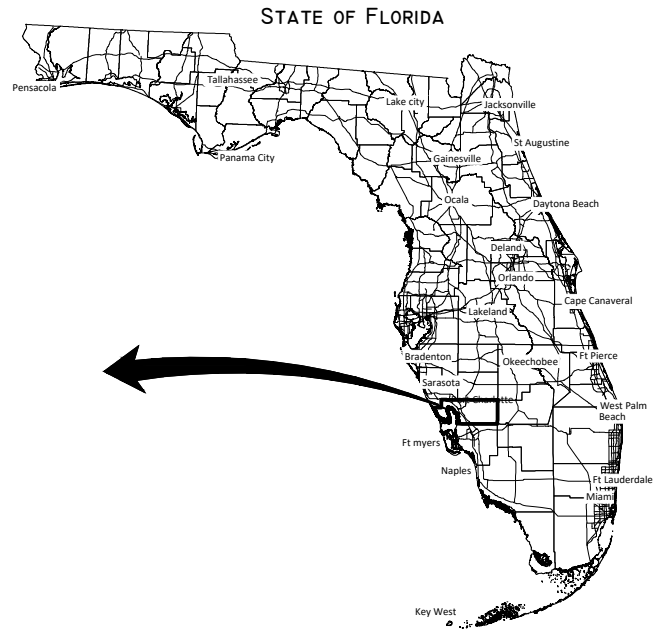
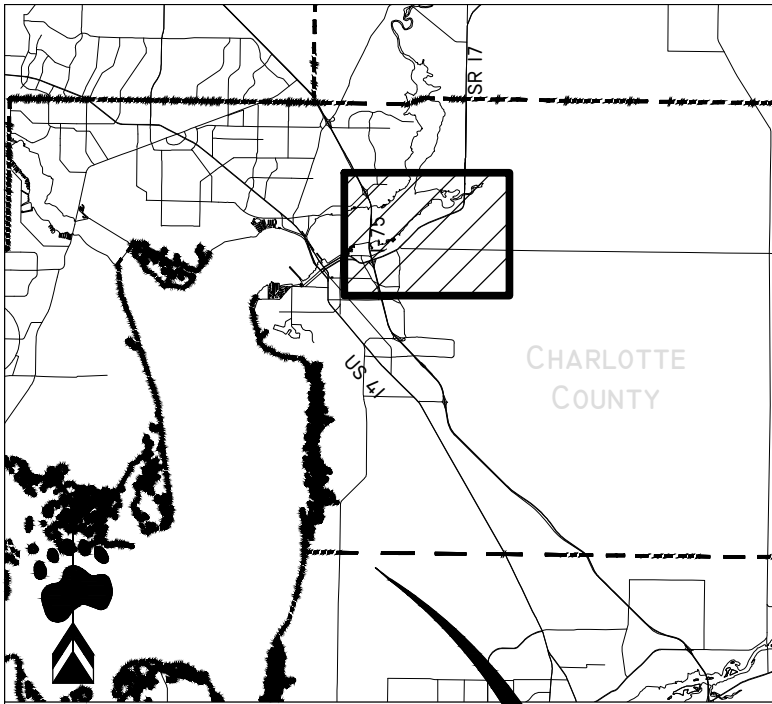
Concurrently with construction, the permittee will submit annual monitoring reports to the County documenting the success of the mitigation program and general condition of the preserve area. Within 45 days of permit issuance or modification, the baseline wetland monitoring for the preserve area will be submitted to the County. The time-zero monitoring report will be submitted within 30 days of completion of enhancement activities. Annual monitoring reports will include the following information:

- Brief description of mitigation and maintenance work performed since the previous report along with a discussion of any modifications to the mitigation or maintenance program.
- Brief description of anticipated mitigation and maintenance work to be conducted over the next year.
- Results of quantitative vegetation monitoring conducted in the preserved wetland area.
- Approximate percent coverage of exotic and nuisance species within the preserve area.
- A list of observed wildlife species.
- Monitoring photographs taken at photograph stations within the preserved wetlands area.
- Available local rainfall data.

If the assessment of the preserve areas demonstrates that the success criteria have been achieved, the responsible party shall provide written certification by an Environmental Scientist, Biologist, registered Engineer, or Landscape Architect that the maintenance efforts have met applicable success criteria. If certification of success is not submitted or is not approved by the County, then annual monitoring shall continue until the criteria has been met and deemed successful. The monitoring program and any corrective actions to maintain the preserve areas shall be at the sole expense of the property owner(s) or developer.

EXHIBIT A

Location Map



DRAWN BY:	DATE:	CATEGORY
BWS	5/20/24	LOCATION
JOB NUMBER		SCALE:
		NTS
S/T/R		COUNTY
34/40S/23E		CHARLOTTE

5905 Duncan Road

Location Map

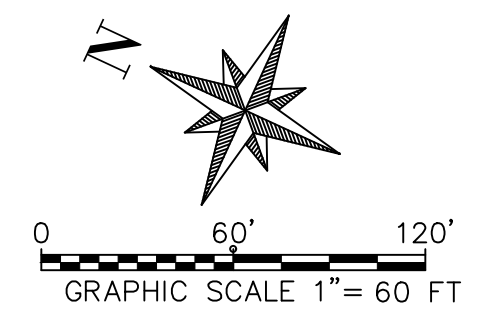
1599 COVINGTON CIRCLE EAST, FORT MYERS, FL 33919
(239) 340-0678 BEARPAWS.ENV.CONSULTING@GMAIL.COM

PAGE

EXHIBIT

EXHIBIT B

Concept Plan



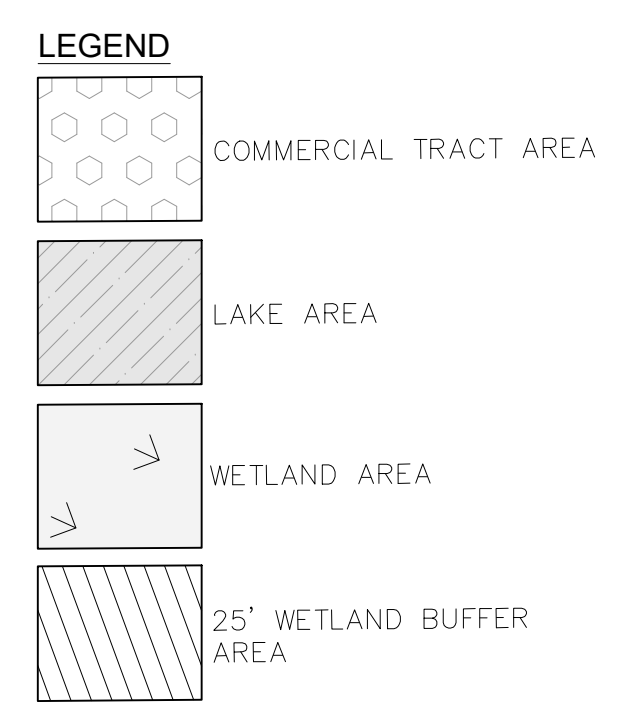
SITE PLAN SUMMARY

- 1) PROPERTY INFORMATION:**
CURRENT ZONING AND LAND USE: AG, RE1 / VACANT
PROPOSED USE: COMMERCIAL PLANNED DEVELOPMENT (PD)
- 2) PROJECT LAND USE**
PROPERTY AREA: 12.85 AC (100%)
DEVELOPMENT AREA (PD AREA) : 12.85 AC (100.0%)
WETLAND / WETLAND BUFFER AREA: 1.91 AC (14.9%)
COMMERCIAL TRACT AREA: 6.86 AC (53.3%)
STORMWATER LAKE AREA: 3.29 AC (25.6%)
COMMON OPEN SPACE AREA: 0.79 AC (6.2%)
- 3) FLOOD ZONE**
THE PARCEL LIES ENTIRELY IN FLOOD ZONE "10AE"
- 4) PARKING REQUIREMENTS:**
PARKING WILL BE PROVIDED AT FINAL DETAIL PLAN APPROVAL PER CHARLOTTE COUNTY DEVELOPMENT REGULATIONS SECTION 3-9-79
- 5) OPEN SPACE**
OPEN SPACE REQUIRED: 12.85 AC X 20% = 2.57 AC
OPEN SPACE PROVIDED: = WETLAND / WETLAND BUFFER AREA + COMMON OPEN SPACE AREA
= (1.91 AC + 0.79 AC) / 12.85 AC
= (2.70 AC / 12.85 AC) = 21.0%
- 6) OPEN HABITAT SPACE**
REQUIRED: 5% OF PROPERTY AREA = (12.85 AC x 0.05) = 0.64 AC
PROVIDED: WETLAND + WETLAND BUFFER AREA
= 1.91 AC / 12.85 AC = 14.9%

DEVELOPMENT STANDARDS:

DESCRIPTION	COMMERCIAL
REQUIRED PARKING	0
MIN. LOT REQUIREMENT (SQ. FT.)	12,000
MAX. PERCENTAGE OF LOT COVERAGE (%)	55
MIN. WIDTH (FT.)	100
MIN. FRONT YARD (FT.)	25
MIN. SIDE YARD INTERIOR (FT.)	0
MIN. SIDE YARD ABUTTING A PROPERTY LINE (FT.)	25 *
MAX. BUILDING HEIGHT (FT.)	35 **
MIN. REAR YARD ABUTTING A LOT (FT.)	10
MIN. REAR YARD ABUTTING WATER (FT.)***	20
MIN. REAR YARD ABUTTING A ROAD (FT.)	15
SETBACK FOR ACCESSORY STRUCTURE FROM REAR LOT LINE (FT.)	SAME AS PRINCIPLE
SETBACK FOR ACCESSORY STRUCTURE FROM SIDE YARD (FT.)	SAME AS PRINCIPLE
SETBACK FOR ACCESSORY STRUCTURE ABUTTING A ROAD (FT.)	SAME AS PRINCIPLE
SETBACK FOR ACCESSORY STRUCTURE ABUTTING WATER (FT.)***	SAME AS PRINCIPLE

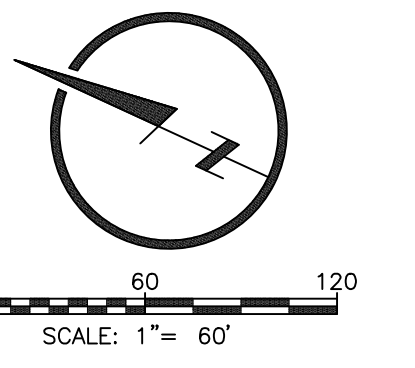
* SIDE YARD FOR ANY BUILDING ABUTTING A PROPERTY LINE IS 25 FEET OR 1/2 THE HEIGHT OF THE BUILDING, WHICHEVER IS GREATER.
** EXCEPTION: LOT 4 IS ALLOWED A MAX HEIGHT OF 80 FEET FOR A HOTEL USE AND/OR 45 FEET (3 STORIES) FOR AN INDOOR STORAGE FACILITY.
*** PROPOSED SETBACK IS FROM SEASONAL HIGH WATER LINE OF LAKE.



PLANNED DEVELOPMENT NOTES:

- ALL TRACT LINES SHOWN ARE PRELIMINARY & MAY BE CHANGED DUE TO MARKET CONDITIONS, DESIGN CONSTRAINTS OR PERMITTING REQUIREMENTS AT FINAL DETAIL SITE PLAN APPROVAL.
- WHERE A LANDSCAPE BUFFER IS REQUIRED, DEVELOPER TO WORK WITH COUNTY STAFF TO DETERMINE IF EXISTING TREES & VEGETATION MEET BUFFER REQUIREMENTS & DETERMINE WHAT ADDITIONAL TREES WILL BE REQUIRED TO MEET COUNTY LANDSCAPE BUFFER MINIMUM REQUIREMENTS.
- ALL ON-SITE LAKES WILL BE A PART OF THE STORM WATER MANAGEMENT SYSTEM.
- PROPOSED PROJECT SHALL BE SERVICED BY CENTRAL WATER & SEWER.
- SIDEWALK IS NOT PROPOSED ON DUNCAN ROAD FRONTAGE.

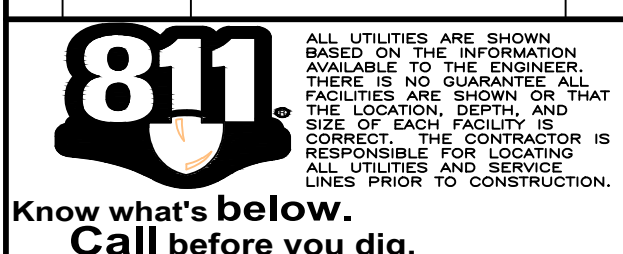
ATWELL
866.850.4200 www.atwell-group.com
4161 TAMAMI TRAIL, BLDG 5, UNIT 501
PORT CHARLOTTE, FL 33952
941.625.1165



PD CONCEPT PLAN

US 17 PROPERTY
CHARLOTTE COUNTY, FLORIDA

NO.	DATE	REVISION DESCRIPTION	BY



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY

ON THE DATE ADJACENT TO THE SEAL. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

TODD R. REBOL, P.E. LICENSE NO. 64040		
DRAFTED BY: TBV	DESIGNED BY: TBV	REVIEWED BY: TRR
PROJECT NUMBER: 24003194	COMPLETION DATE: 2-17-26	SURVEY DATUM:
BOOK AND PAGE:		
SHEET		
3	OF	3



CHARLOTTE COUNTY

Community Development

Qualifications of Jie Shao

Position: Principal Planner

Years with Charlotte County: 22

Position Summary & Experience: I have worked as a Planner for Charlotte County Community Development Department since January 2004. My main duties include reviewing and making recommendations on plan amendments, zoning map changes and text amendments to the County's Comprehensive Plan, and amendments to the County's Land Development Regulations. I prepare and present staff reports and recommend actions to the Planning and Zoning Board and the Board of County Commissioners.

I evaluate Site Plan Review applications specifically related to development within Development of Regional Impacts for consistency with the County's Comprehensive Plan and Development Orders. I review all development within the Planned Development zoning district. I review applications for establishment of Community Development Districts, applications under the Transfer Density Units (TDU) program and track all TDUs.

In addition, I created the US 41 Zoning District Overlay Code in 2004. I worked with the planning Advisory Committee to successfully create the Little Gasparilla Island Community Plan in 2007 and also created the Little Gasparilla Island Zoning District Overlay Code and the Bridgeless Barrier Island Zoning District in 2013. As a project manager, I successfully completed the US 17 Corridor Planning Study in 2009-2010. I served as a liaison for the South Gulf Cove Advisory Committee and the Little Gasparilla Island Advisory Committee in 2006-2009. I hosted roundtable meetings to solicit public's input. As a team member, I revised and rewrote the County's Land Development Regulations in 2013-2014. Further, I worked on the County's Comprehensive Plan rewrite in 2009-2010, and EAR-based amendments for the County's Comprehensive Plan in 2007, 2014, and 2022.

Education:

- September 1997 to December 2001
University of Cincinnati; Cincinnati, Ohio; Obtained a M.S. degree in Community Planning
- September 1986 to July 1990
Chongqing University China; Obtained a B.S. degree in Architecture

Professional Associations and Certifications:

- AICP, American Association of Certified Planners since 2017
- American Planning Association (APA), Member since 2004

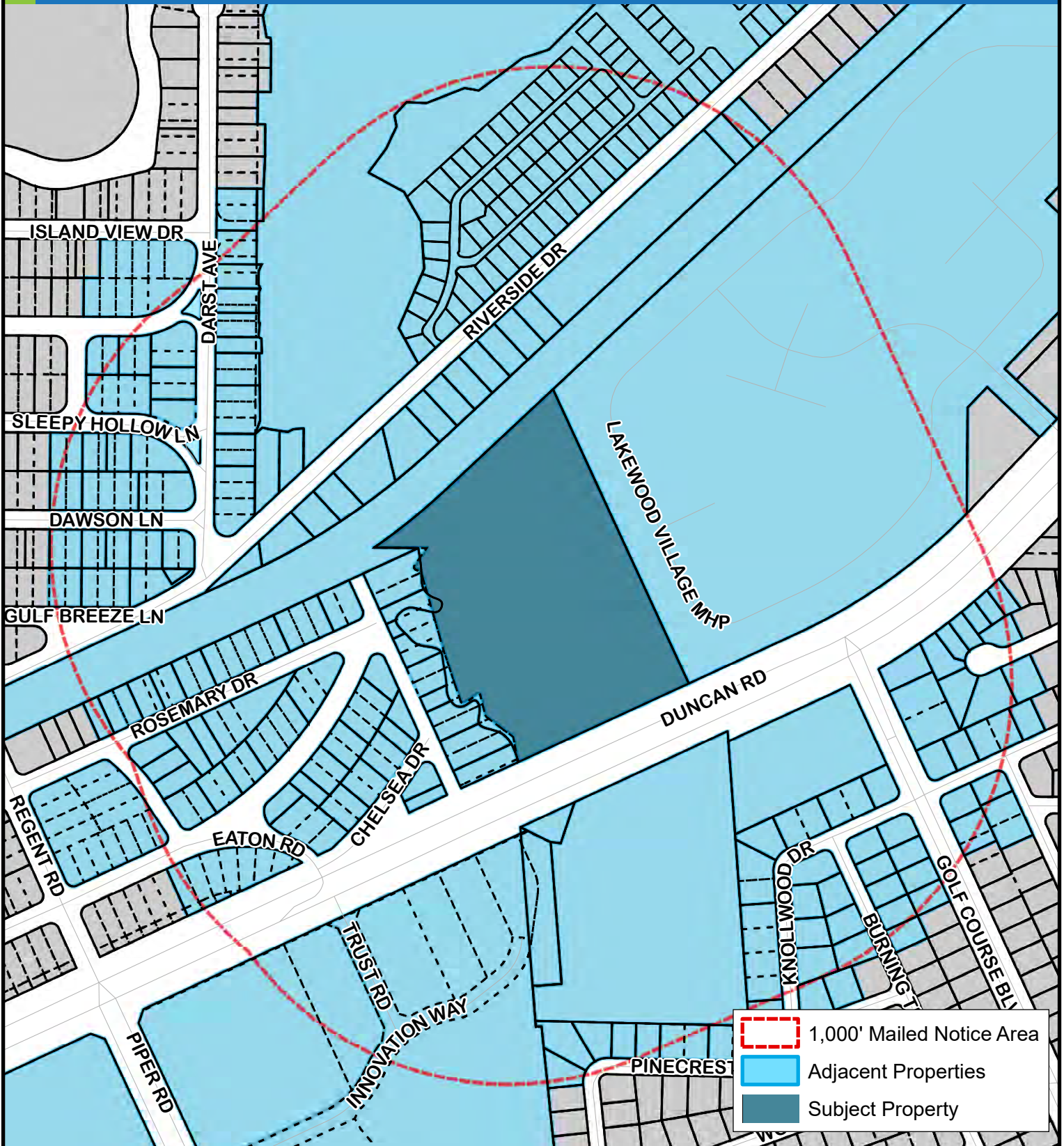
Related Past Experience:

- Planner, Architectural Graphics Designer, University Instructor in Architecture, Suzhou Planning Bureau/Institute of Urban Construction & Environmental Protection (1990-1994)

Exhibit 1

CHARLOTTE COUNTY

1,000' Foot Mailed Notice of PAS-25-02 and PD-25-14



	1,000' Mailed Notice Area
	Adjacent Properties
	Subject Property

34/41/23 South County



This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents.


CHARLOTTE COUNTY

Location Map for PAS-25-02 and PD-25-14



CHARLOTTE COUNTY
Community Development



 Punta Gorda Boundary

34/41/23 South County



(NOT TO SCALE)

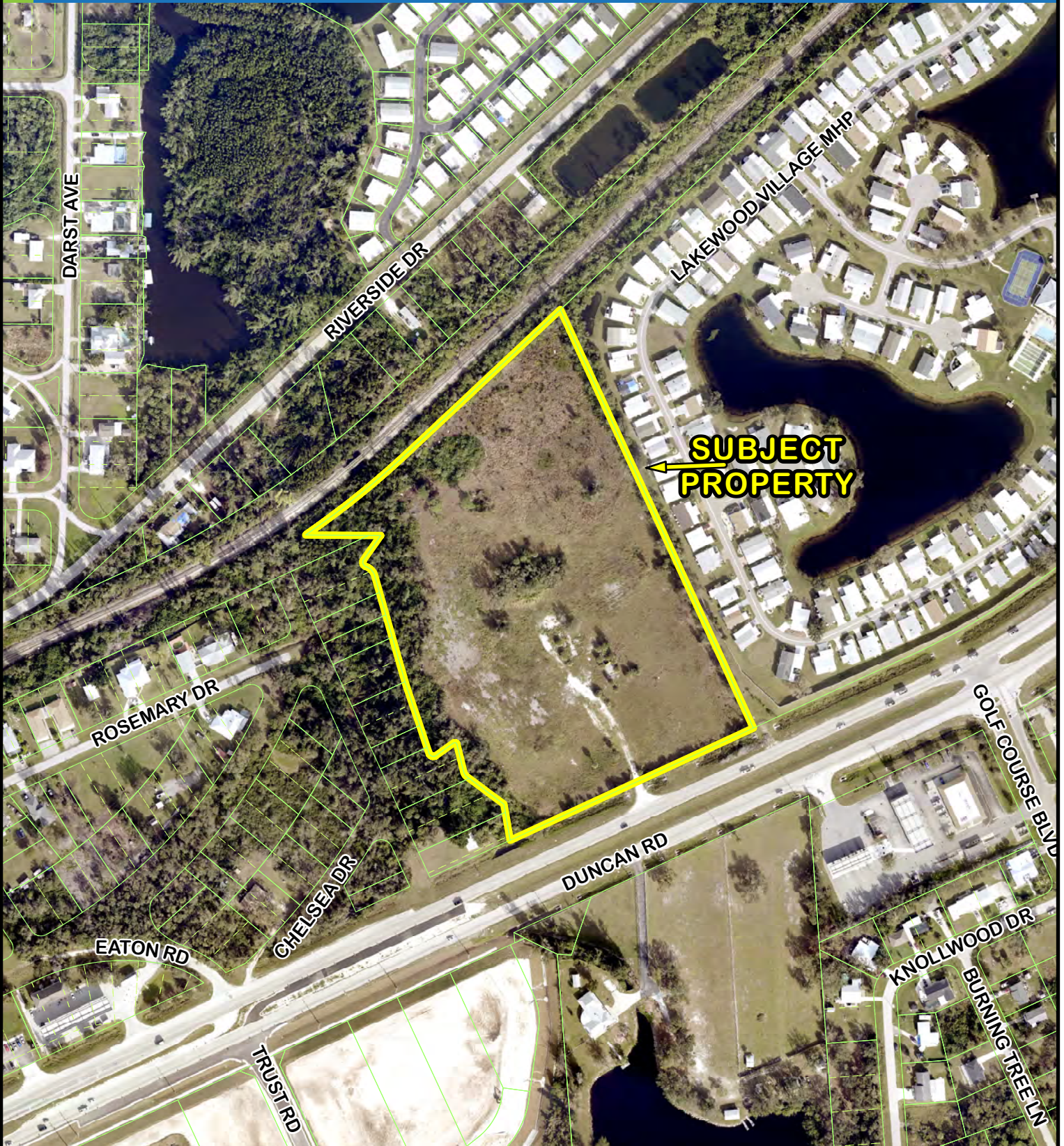
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CHARLOTTE COUNTY

Area Image for PAS-25-02 and PD-25-14



**SUBJECT
PROPERTY**

34/41/23 South County



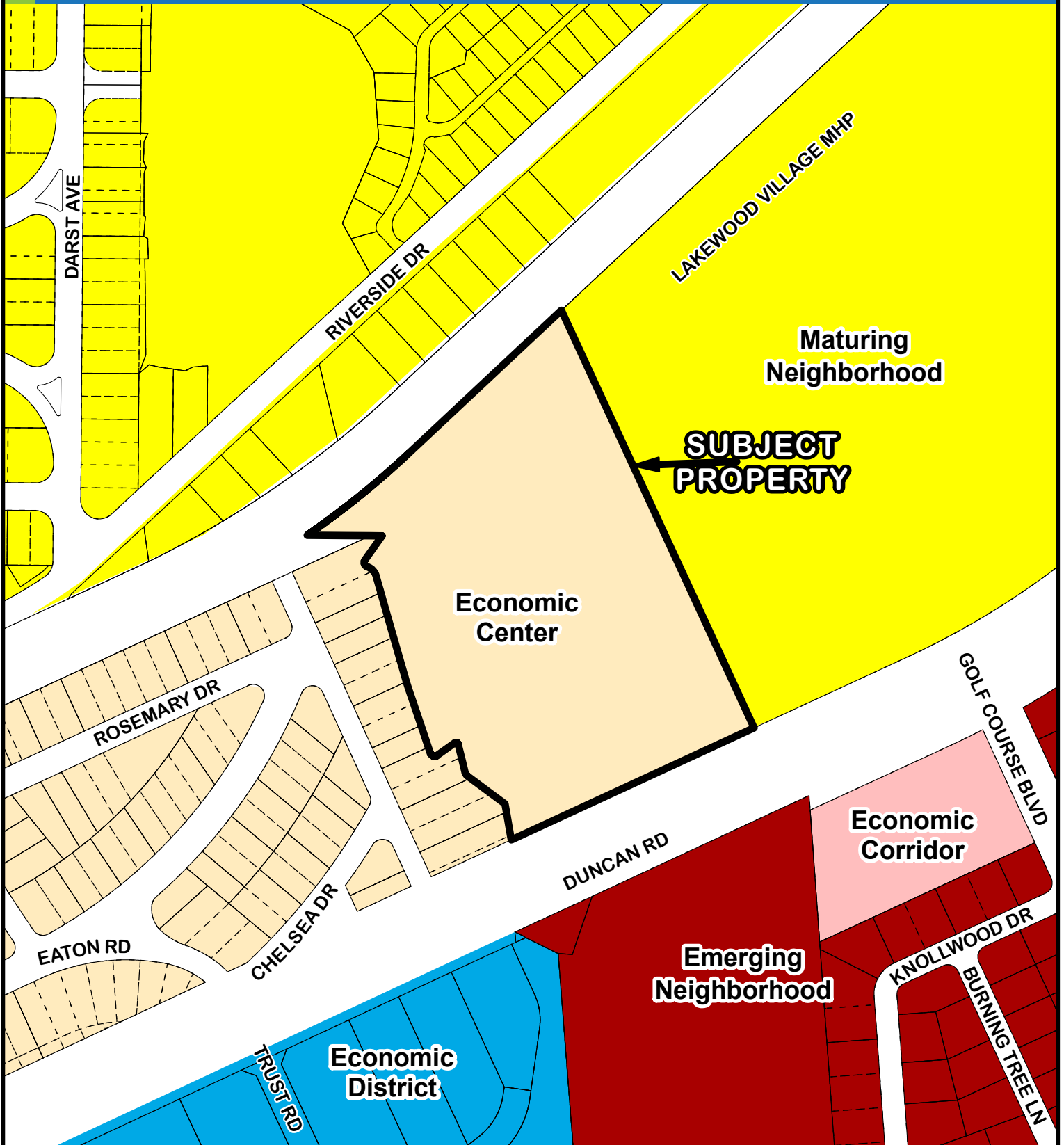
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CHARLOTTE COUNTY

Framework for PAS-25-02 and PD-25-14



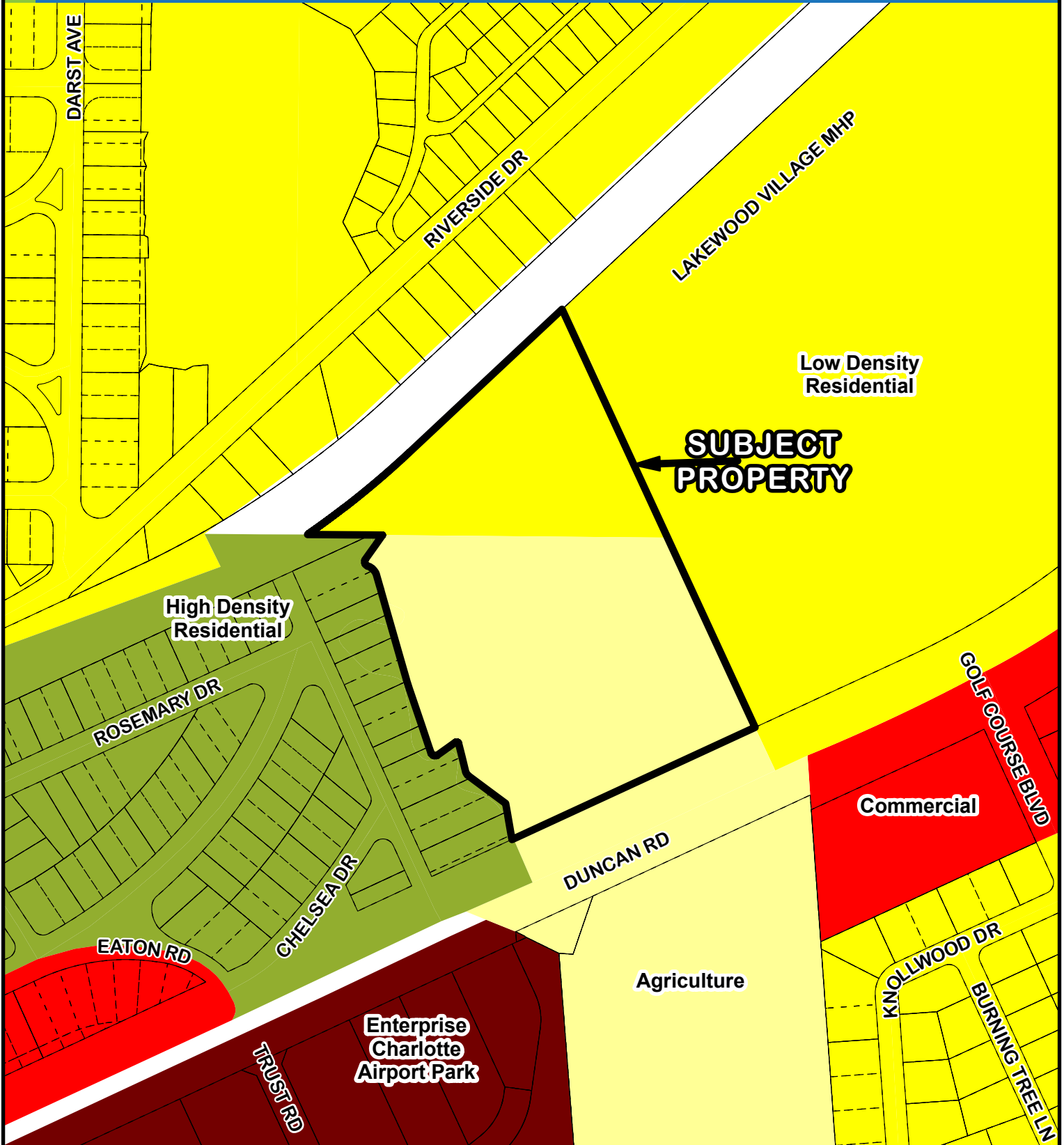
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CHARLOTTE COUNTY

FLUM Designations for PAS-25-02 and PD-25-14



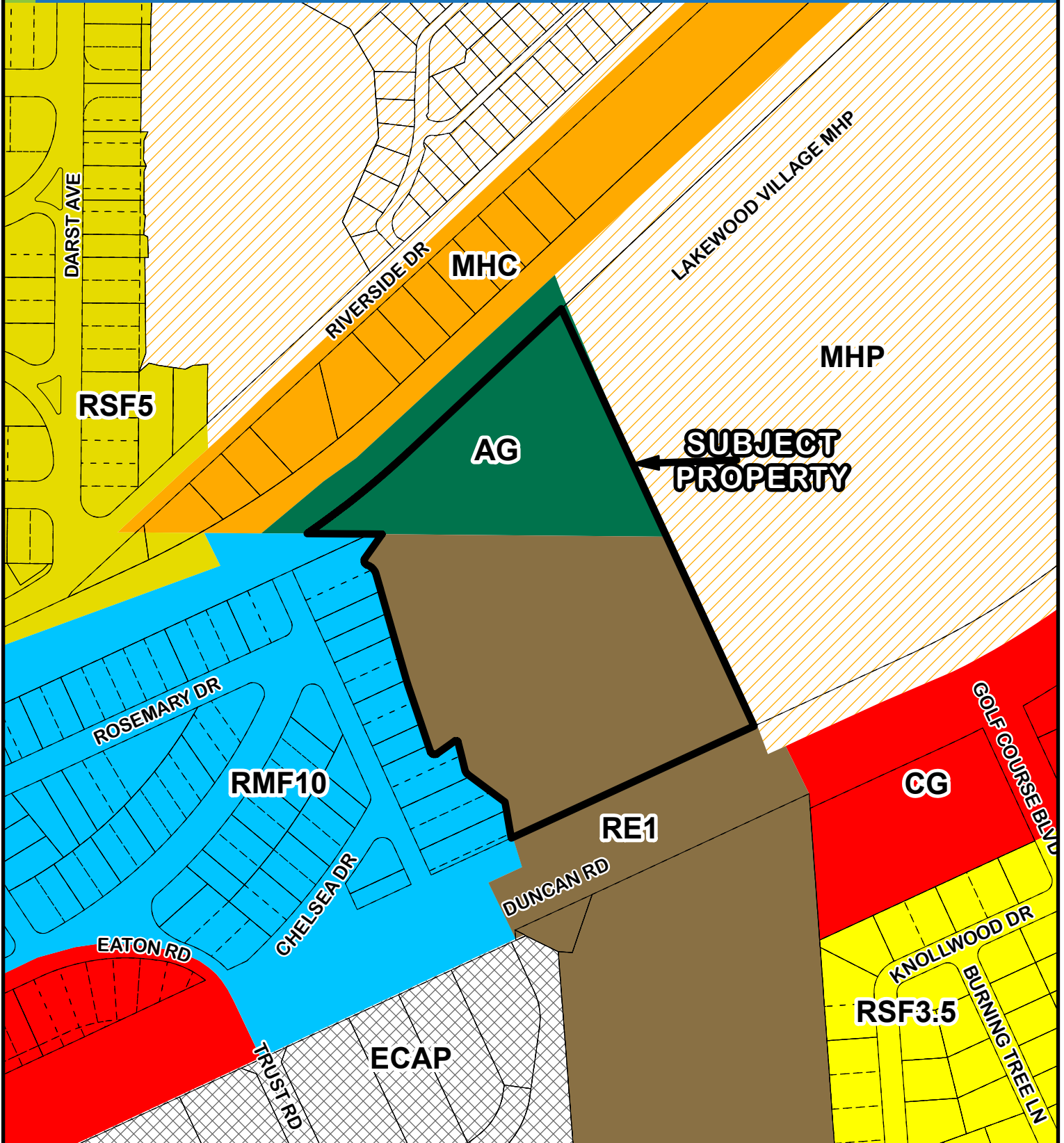
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CHARLOTTE COUNTY

Zoning Designations for PAS-25-02 and PD-25-14



34/41/23 South County



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