



Staff Report for: PD-25-08

Hearing Date: September 8, 2025/October 28, 2025

To: Planning and Zoning Board/Board of County Commissioners

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

Regarding: A request to amend the Zoning Atlas

Part 1 – General Information

Applicant: KL JAK WP, LLC, 105 NE 1st Street, Delray Beach, FL 33444

Agent: Morris Engineering & Consulting, LLC, 6901 Professional Parkway, Suite 103, Sarasota, FL 34240

Owner(s): KL WP Village LLC, 105 NE 1st Street, Delray Beach, FL 33444
Murdock Village Community Redevelopment Agency, 18500 Murdock Circle, Port Charlotte, FL 33948

Request: A privately initiated request to amend the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification amending Ordinance Number 2025-007 (Attachment 1) to revise development standards for townhomes by reducing the “minimum lot width” from 20 feet to 16 feet and the “minimum side yard abutting road” from 15 feet to ten feet.

Location: **Commission District IV:** The subject property includes multiple parcels and is generally located north of El Jobean Road (SR 776), south of Seymour Avenue, east of the Como Waterway, and west of Collingswood Boulevard, within the boundary of the Murdock Village Community Redevelopment Area (CRA), in the Port Charlotte area.

Land Area: The subject property contains a total of 154.93± acres.

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

Part 2 - Analysis and Conclusion

Analysis:

Request

The applicant, KL JAK WP, LLC, is requesting a major modification to amend Ordinance Number 2025-007 (Attachment 1) to revise development standards for townhomes by reducing the “minimum lot width” from 20 feet to 16 feet and the “minimum side yard abutting road” from 15 feet to ten feet.

The subject property includes multiple parcels and is generally located north of El Jobean Road (SR 776), south of Seymour Avenue, east of the Como Waterway, and west of Collingswood Boulevard, within the boundary of the Murdock Village Community Redevelopment Area (CRA), in the Port Charlotte area, and in Commission District IV. It contains a total of approximately 154.93 acres.



PD-25-08 Area Image

History of the Subject Property

On January 28, 2020, the Board of County Commissioners (Board) approved Ordinance Number 2020-008 (Attachment 2) to allow for the construction of a mixture of retail, entertainment, and hotel uses, including a water park, including:

- 2,000,000 square feet of commercial, retail, restaurant, destination entertainment, and accessory storage uses.
- Two hotels with conference centers, 500 keys total.
- Five hotels, 750 keys total.
- 45 acres for a water park.

On March 25, 2025, the Board approved Ordinance Number 2025-007 (Attachment 1) to amend the adopted PD Concept Plan, and its associated PD conditions; converting through the adopted equivalency matrix the previously approved 84,745.76 square feet of regional commercial uses to

350 units of single-family units and the previously approved 58,394.16 square feet of regional commercial uses to 320 multi-family units; in order to have a mixture of residential and commercial development up to:

- 670 residential units.
- 250,000 square feet of regional commercial uses.
- 150 keys of hotel use.
- 150,000 square feet of other commercial uses, including governmental uses.

Reason for this Request

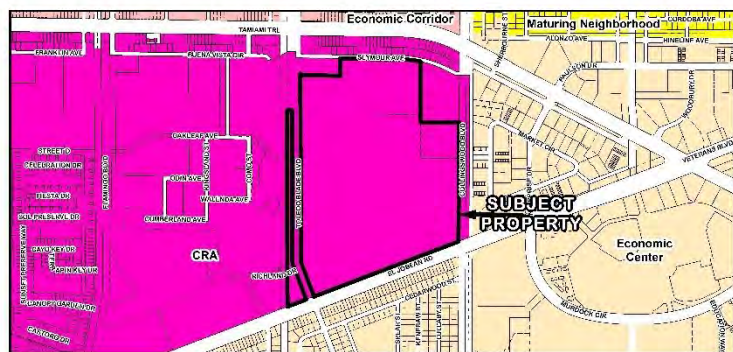
In order to be consistent with the development standards of the “minimum lot width” and the “minimum side yard abutting road” for townhomes as established for the West Port Planned Development project located immediately to the west of the subject property and within the Murdock Village Community Redevelopment Area (CRA), the applicant is requesting to reduce the “minimum lot width” from 20 feet to 16 feet and the “minimum side yard abutting road” from 15 feet to ten feet for townhomes.

Surrounding Uses and Compatibility Issues

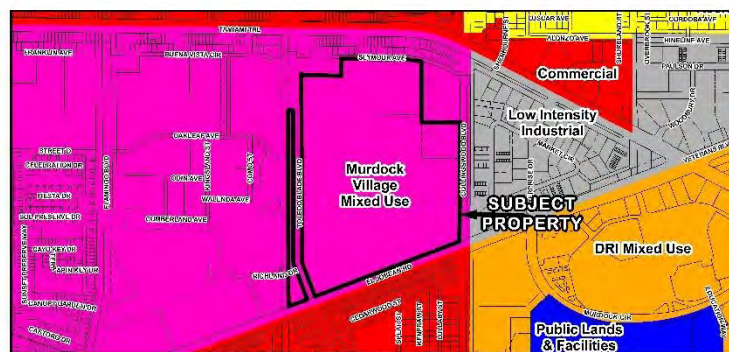
The proposed changes will not increase or decrease the existing approved development rights for the subject property. Therefore, it is staff’s professional opinion that the proposed revisions to the PD conditions shall not have any detrimental impacts on surrounding uses and be compatible with townhomes developed to the west of the subject property.

Consistency with the County’s Comprehensive Plan

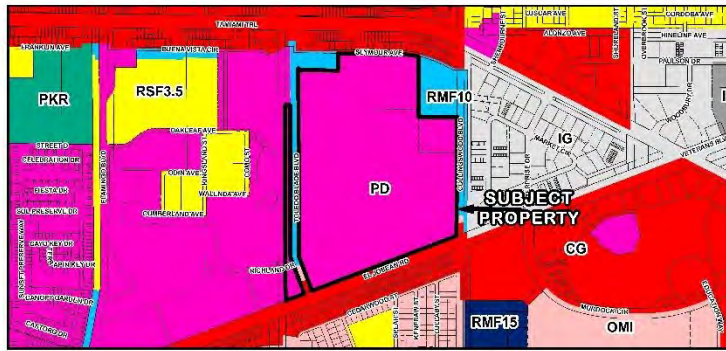
The subject property is part of the Murdock Village CRA as depicted on Charlotte 2050 FLUM Series Map #2: 2050 Framework. This CRA was created in 2003 to address conditions of blight that included an inadequate street layout, faulty lot layout, outdated density patterns, and the deterioration of site improvements. The property is designated Murdock Village Mixed Use (MVMU) with the PD zoning. As mentioned before, the proposed changes are to only amend the development standards, and no changes are proposed to the approved development rights. Therefore, it is staff’s professional opinion that the proposed changes are consistent with the County’s Comprehensive Plan.



PD-25-08 Framework



PD-25-08 FLUM Designations



PD-25-08 Zoning Designations

Concurrency issues

- **Water and Sewer:** According to Charlotte County Utilities Availability Request Form dated September 4, 2024, the potable water and sewer services are available to the subject property through a developer's agreement with Charlotte County Utilities. Charlotte County Utilities has sufficient capacity to serve the proposed development. Furthermore, the approved development rights will remain the same.
- **Traffic:** The proposed changes do not change the overall development rights for the subject property; therefore, there shall be no negative impacts on the County's roadways as a result of this major modification to the PD rezoning.
- **Schools:** The proposed changes do not change the overall residential development rights for the subject property; therefore, there shall be no negative impacts on the school concurrency.

PD Concept Plan

No revisions to the approved General PD Concept Plan are proposed for this application.

Conclusion:

It is staff's professional opinion that this major modification to revise development standards for townhomes by reducing the "minimum lot width" from 20 feet to 16 feet and the "minimum side yard abutting road" from 15 feet to ten feet contained in Exhibit "A" attached is consistent with the MVMU FLUM category, and various goals, objectives, and policies set forth in the County's Comprehensive Plan.

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. PD-25-08) is generally consistent with Charlotte County's Comprehensive Plan, Charlotte County's Code of Laws and Ordinances and other applicable guidelines.

The Planning and Zoning Board recommendation on September 8, 2025:

*A motion to forward application No. PD-25-08 to the Board of County Commissioners with a recommendation of **Approval**, based on the findings and analysis in the staff report dated August*

Part 4: Research and Findings

1. **2050 Framework Map Designation:** Community Redevelopment Area (CRA) (FLUM Series 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)
4. **Existing Future Land Use and Zoning Designations:**
(see attached Future Land Use Map and Zoning Map.)

FLUM:	Development Standards:
Murdock Village Mixed Use (MVMU)	Maximum Development Total development within the MVMU shall be limited to 3,023,882 square feet of commercial uses, 538 multi-family dwelling units and 2,744 single-family dwelling units, provided that these uses and development totals may be modified in accordance with the MVMU Equivalency Matrix, provided in FLU Section A-6. Table A-7, Murdock Village Mixed Use Densities/Intensities, provides additional development parameters for the primary use areas located within MVMU. The maximum residential density shall not exceed 5,800 dwelling units total. General Range of Uses Within the MVMU classification, the County shall allow a combination of residential, retail commercial, hotels/motels, medical, office, office showroom, educational, recreational, entertainment, and institutional facilities in order to encourage long-term sustainable development. Manufactured homes are prohibited within the MVMU. The following types of uses are permitted in MVMU: <i>Neighborhood Residential:</i> a. MVMU may include distinct interconnected, multi-generational, residential neighborhoods. b. Residential neighborhoods may feature easy access to a network of open space which may include bicycle/pedestrian facilities, greenways and blueways. c. Assisted Living Facilities shall be permitted within areas designated as Neighborhood Residential. d. Non-residential land uses located within areas designated as Neighborhood Residential shall be designed and developed to protect the integrity of the surrounding residential land uses. e. Internal Commercial sites shall only be built within the Neighborhood Residential areas to provide for local daily convenience goods, retail, professional, office showrooms, healthcare, personal and business services. f. Both single-use and multi-use development sites can be located within Internal Commercial areas. g. Medium- to high-density residential will be permitted in areas designated as Neighborhood Residential. <i>General Commercial:</i> General Commercial is intended for activities predominately connected with the sale, rental and distribution of products or performance of services. Healthcare, hotels, assisted living facilities, and offices can also be located within these areas. a. Medium to high density residential shall be permitted in these areas.

	b. Multi-use development on a single parcel shall be compatible with surrounding land uses. <i>Community Commercial:</i> Community Commercial is intended to provide for daily and lifestyle needs and services for the residents of Murdock Village, as well as the residents of the general community. Uses may include general retail, offices, hotels/motels, professional services, residential, healthcare, assisted living facilities, restaurants, and business services. <i>Office Showroom:</i> Office Showroom is intended for activities that diversify the economic base of the community and are limited to light fabrication, service, printing, storage and packaging uses which will not have nuisance impacts on adjacent uses from dust, odor, noise, vibration or glare to adjacent uses. Office Showroom shall be designed and developed to protect the integrity of any surrounding residential land uses. <i>University/College Campus:</i> University/College Campus is intended to provide educational and residential opportunities in an urban, rather than suburban campus. Uses allowed include buildings for academic, administrative, dormitories and support services; parking garages and surface parking lots; and other uses customarily part of a university/college campus. Such campus areas should be integrated with adjacent uses to facilitate pedestrian access, minimize parking requirements, and to protect the integrity of the surrounding land uses. Maximum Density/Intensity <table><tr><th colspan="4">FLU Table A-7: Murdock Village Mixed Use Densities/Intensities</th></tr><tr><th>Land Use Area</th><th>Type</th><th>Maximum Density /Acre</th><th>Maximum Intensity (FAR)</th></tr><tr><td rowspan="2">Neighborhood Residential</td><td>Single Family</td><td>3-6</td><td></td></tr><tr><td>Multi-family</td><td>6-15</td><td></td></tr><tr><td>Internal Commercial</td><td>Non-residential</td><td></td><td>2.0</td></tr><tr><td>Community Commercial</td><td>Residential</td><td>6-15</td><td>3.0</td></tr><tr><td rowspan="2">General Commercial</td><td>Residential</td><td>Up to 15</td><td>3.0</td></tr><tr><td>Non-residential</td><td></td><td></td></tr><tr><td>Office Showroom</td><td>Non-residential</td><td>N/A</td><td>2.0</td></tr><tr><td>University/College Campus</td><td>Non-residential</td><td>N/A</td><td>4.0</td></tr><tr><td>Primary and Secondary Education Facilities</td><td>Non-residential</td><td>N/A</td><td>4.0</td></tr></table>	FLU Table A-7: Murdock Village Mixed Use Densities/Intensities				Land Use Area	Type	Maximum Density /Acre	Maximum Intensity (FAR)	Neighborhood Residential	Single Family	3-6		Multi-family	6-15		Internal Commercial	Non-residential		2.0	Community Commercial	Residential	6-15	3.0	General Commercial	Residential	Up to 15	3.0	Non-residential			Office Showroom	Non-residential	N/A	2.0	University/College Campus	Non-residential	N/A	4.0	Primary and Secondary Education Facilities	Non-residential	N/A	4.0
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Planned Development (PD)	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. <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. <u>Maximum height of structures.</u> The maximum height for structures shall be established through the PD rezoning process. <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.																																										

	<i>Internal circulation.</i> 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.
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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:
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Table 2

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

Direction:	Existing Land Use:	FLUM Designation:	Zoning District Designation:
North	Vacant commercial; Warehousing, distribution terminals, trucking terminals, van and storage warehousing; Professional services buildings; Stores; Office buildings; Acreage not classified as agricultural	Murdock Village Mixed Use (MVMU), Commercial (COM)	Residential Multifamily 10 (RMF10), Commercial General (CG)
East	Stores; Professional services buildings; Auto sales, auto repair and storage, auto service shop, body and fender shops, commercial garages, farm and machinery sales; Warehousing, distribution terminals, trucking terminals, van and storage warehousing; Utility, gas and electricity, telephone and telegraph, locally assessed railroads, water and sewer service, pipelines; Warehouse condominium	Murdock Village Mixed Use (MVMU), Low Intensity Industrial (LII)	Residential Multifamily 10 (RMF-10), Industrial General (IG)
South	SR 776 Stores; Vacant commercial; Light manufacturing, small equipment, manufacturing plants, small machine shops, instrument manufacturing printing plant; Convenience store with gas; Duplex	Commercial (COM)	Commercial General (CG)
West	Single-family homes Vacant lands for commercial and residential development	Murdock Village Mixed Use (MVMU)	Planned Development (PD)

Table 3

7. Buildout Calculations (square footage or density):

The proposed changes will not increase or decrease the existing approved development rights for the subject property.

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

The subject property is located within the Murdock Village Community Redevelopment Area.

9. Is subject property located adjacent to existing or proposed Federal, State, or County wildlife management areas, parks, preserves or reserves?No
However, the County's Centennial Park is located to the west of the subject property. (SPAM Maps, #52, #92 and #93)

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

- a. Charlotte Harbor Aquatic Preserves Management Plan? (SPAM Map #53)
The subject property is located outside the boundary of the Charlotte Harbor Aquatic Preserves.
- b. Lemon Bay Aquatic Preserve Management Plan? (SPAM Map #53)
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, #44 & #70) In 2019, as part of the original PD rezoning application, a report from Panamerican Consultants, Inc., stating that the Florida Master Site File (FMSF) lists six Cultural Resources near subject property, with four of them bounding the property (see PCI Letter dated June 28, 2018). This research does not constitute a detailed review. If any archeological or historical resources are found, state laws require that the applicant contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.

12. Are there wetlands on the property? Yes, wetlands are located on subject property.

- a. Number of acres of Category I: None.
- b. Number of acres of Category II:4.41 acres

13. Natural Resources:

- a. **Significant natural resources or critical habitat for endangered species:** According to the submitted "Protected Species Assessment" report prepared by IVA Environmental Services, dated January 2025, *"search of available online resources revealed that the subject property is located within an 18.6-mile radius designated as Core Foraging Area of several wood stork (Mycteria americana) nesting colonies. Each of the documented colonies appear to be greater than 3 miles from the subject property. Under current regulations, the proximity of the off-site nesting colonies is not likely to affect the future development of the subject property. However, any impacts which require federal review may trigger additional coordination relative to the species.*

Search of available online resources revealed that the subject property is located within the Consultation Area of the Florida scrub jay (Aphelocoma coerulescens). However, review of the Charlotte County Natural Resources Department Florida Scrub Jay Territory Search Database revealed that the subject property does not contain any scrub jay review area parcels. No evidence of utilization by the species was observed on the subject property. Therefore, the Florida scrub jay is not likely to affect the future development of the property.

Search of the Audubon Society Bald Eagle Nest Locator website revealed no nests within a mile radius of the subject property. No eagles or nests were observed on or around the subject property. Bald eagles should therefore not likely affect the future development of the subject property.

The subject parcel is located within the FWS Consultation Area of the Florida bonneted bat (Eumops floridanus). No evidence of utilization by the Florida bonneted bat was observed onsite during the site inspection. The Florida bonneted bat is not anticipated to be utilizing the subject property, and therefore, is not likely to affect the future development of the property. However, any impacts which require federal review may trigger additional coordination relative to the species.

A search of available online resources did not reveal documentation of any other listed wildlife species currently utilizing the subject property. The subject site contains upland habitats which are being utilized by the gopher tortoise (Gopherus polyphemus). Fifty (50) potentially occupied gopher tortoise burrows were observed on the parcel. A 100% gopher tortoise survey and relocation permit from the Florida Fish and Wildlife Conservation Commission will be required prior to development of the site if the gopher tortoise burrow cannot be avoided during construction.

No other protected species or evidence of protected species utilization which would require permits from the FWC or FWS were observed onsite during the site inspection."

- b. Possible impacts to groundwater, surface water, wetlands or other significant natural resources:** None have been identified.
- 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

14. Coastal Planning:

- a.** Is the subject site within the **Coastal Planning Area?** (FLUM Map #13).....Yes
Subject Property is located within Zone 3 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 property is mostly located within Flood Zone "X", which is an area determined to be outside of the 0.2 percent annual chance flood. A small portion of subject property is located within Flood Zone "9AE", which is an area determined with a determined base flood elevation of nine feet. (per FEMA Codes)
- e.** Storm Surge Evacuation Zone: The site is located within Evacuation Zone "B".
- f.** Is the subject site within the Coastal High Hazard Area? (FLUM Map #14)No
- g.** Could the proposed changes impact evacuation times?No

15. Charlotte County Facilities and Services:

- a.** Nearest Park:**Centennial Park**, (SPAM Map #74)
Address:.....1185 Centennial Boulevard, Port Charlotte
Distance:approximately two miles to the west of subject property
- b.** Nearest Police Station:.....**District 2 Charlotte County Sheriff's Office** (SPAM Map #25)

- Address:*.....3280 Tamiami Trail, Port Charlotte
Distance:approximately five miles to the southeast of subject property
- c. Nearest Fire/EMS Station:**Charlotte County Fire Station No. 2** (SPAM Map #22)
Address:.....1493 Collingswood Boulevard, Port Charlotte
Response Time:approximate response time is 4-6 minutes (SPAM Map #39)
- d. Nearest Library:.....**Mid-County Regional Library** (SPAM Map #73)
Address:.....2050 Forrest Nelson Boulevard, Port Charlotte
Distance:approximately 3.2 miles to the southeast of subject property
- e. Nearest Hospital:**ShorePoint Health Port Charlotte** (SPAM Map #24)
Address:.....2500 Harbor Boulevard, Port Charlotte
Distance:approximately 5.4 miles to the southeast of subject property
- f. Nearest Emergency Shelter: ..**Murdock Middle School** (SPAM Map #38)
Address:.....17325 Mariner Way, Port Charlotte
Distance:approximately 0.83 miles to the southeast of subject property
- g. Public School Attendance Boundary:
1. Elementary School:**Meadow Park Elementary School** (SFAM Map #1)
Address:.....750 Essex Avenue, Port Charlotte
Distance:approximately 3.39 miles to the southeast of subject property
 2. Middle School:**Murdock Middle School** (SFAM Map #2)
Address:.....17325 Mariner Way, Port Charlotte
Distance:approximately 0.83 miles to the southeast of subject property
 3. High School:**Port Charlotte High School** (SFAM Map #3)
Address:.....18200 Cochran Boulevard, Port Charlotte
Distance:approximately 1.35 miles to the southeast of subject property

16. Concurrency:

- a. **Roads Level of Service:**.....The proposed changes do not change the overall development rights for the subject property; therefore, there shall be no negative impacts on the County's roadways as a result of this PD rezoning.
- b. **Potable Water Level of Service:**
1. *Provider's Name:* Charlotte County Utilities (SPAM Map #66)
 2. *Analysis:* According to Charlotte County Utilities Availability Request Form dated September 4, 2024, the potable water service is available to the subject property through a developer's agreement.

c. Sanitary Sewage Level of Service:

1. *Provider's Name:* Charlotte County Utilities (SPAM Map #69)
2. *Analysis:* According to Charlotte County Utilities Availability Request Form dated September 4, 2024, the sewer service is available to the subject property through a developer's agreement.

d. 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.**

e. Schools:.....The proposed major modification to the approved PD conditions shall not increase or decrease the approved residential development rights. Therefore, the student population shall not be changed as a result of this application.

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.

17. Capital Improvements Program:

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

18. Intergovernmental Coordination:

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

However, the advertisement of this application will be emailed to the City of Punta Gorda.

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

20. 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

21. 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 subject property is designated as Murdock Village Mixed Use (MVMU) on the 2030 Future Land Use Map. The proposed major modification to the existing Planned Development (PD) to revise development standards for townhomes by reducing the “minimum lot width” from 20 feet to 16 feet and the “minimum side yard abutting road” from 15 feet to ten feet will not increase or decrease the permitted development rights for the subject property. Therefore, the proposed changes shall be consistent with the County's Comprehensive Plan.

b. The existing land use pattern in adjacent areas:

Finding: The subject property is vacant. The site is surrounded by a variety of vacant and developed lands. To the north, subject property is bordered by various commercial uses and vacant commercial lands. To the east, across Collingswood Boulevard and the Auburn Waterway, there are various commercial and light industrial uses. To the south, across SR 776 (El Jobean Road), there are various commercial uses and vacant commercial lands. To the west, across the Como Waterway, there are vacant lands for a mixture of single-family, multi-family and commercial uses within the Murdock Village Community Redevelopment Area.

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 changes do not change the overall residential development rights for the subject property; therefore, there shall be no negative impacts on the school concurrency.

The proposed changes do not change the overall development rights for the subject property; therefore, there shall be no negative impacts on the County's roadways as a result of this PD rezoning.

According to Charlotte County Utilities Availability Request Form dated September 4, 2024, the potable water and sewer services are available to the subject property through a developer's agreement with Charlotte County Utilities. Charlotte County Utilities has sufficient capacity to serve the proposed development. Furthermore, the approved development rights will remain the same.

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

Finding: The proposed commercial uses will be generally located along SR 776 and southern portion of Toledo Blade Boulevard. SR 776 is one of the major thoroughfares within the County. In addition, the proposed PD rezoning allows the County to place sufficient conditions to minimize any negative impacts on surrounding properties. For example, the proposed PD condition "z" requires more plantings within the 25-foot buffer than are typically required in a "perimeter landscape strip" for commercial development along SR 776. Therefore, it is staff's professional opinion that the proposed development shall not adversely influence living conditions or property values in adjacent area.

e. Would the proposed change affect public safety?

Finding: Public safety should not be affected by the proposed changes.

Attachment 1

Ordinance Number 2025-007

ORDINANCE
NUMBER 2025-007

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PD; A MAJOR MODIFICATION TO THE EXISTING PD, ORDINANCE NUMBER 2020-008, THE ADOPTED PD CONCEPT PLAN, AND ITS ASSOCIATED PD CONDITIONS; CONVERTING THROUGH THE ADOPTED EQUIVALENCY MATRIX PREVIOUSLY APPROVED 84,745.76 SQUARE FEET OF REGIONAL COMMERCIAL USES TO 350 UNITS OF SINGLE-FAMILY UNITS AND PREVIOUSLY APPROVED 58,394.16 SQUARE FEET OF REGIONAL COMMERCIAL USES TO 320 MULTI-FAMILY UNITS, IN ORDER TO HAVE A MIXTURE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT UP TO 670 RESIDENTIAL UNITS, 250,000 SQUARE FEET OF REGIONAL COMMERCIAL USES, 150 KEYS OF HOTEL USES, AND 150,000 SQUARE FEET OF OTHER COMMERCIAL USES FOR GOVERNMENTAL USES; ADOPTING A GENERAL PD CONCEPT PLAN; FOR MULTIPLE PARCELS, GENERALLY LOCATED NORTH OF EL JOBEAN ROAD (SR 776), SOUTH OF SEYMOUR AVENUE, EAST OF THE COMO WATERWAY, AND WEST OF COLLINGSWOOD BOULEVARD, WITHIN THE BOUNDARY OF THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AREA, IN THE PORT CHARLOTTE AREA; CONTAINING 154.93± ACRES; COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION NUMBER PD-24-17; APPLICANT, KOLTER GROUP ACQUISITIONS, LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, March 25, 2025, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition PD-24-17, submitted by applicant, Kolter Group Acquisitions, LLC ("Applicant"), which requested a rezoning from Planned Development (PD) to PD; a major modification to the existing PD (Ordinance Number 2020-008), the adopted PD Concept Plan, and its associated PD conditions; converting through the adopted equivalency matrix previously approved 84,745.76 square feet of

40 regional commercial uses to 350 units of single-family units and previously
41 approved 58,394.16 square feet of regional commercial uses to 320 multi-family
42 units, in order to have a mixture of residential and commercial development up to
43 670 residential units, 250,000 square feet of regional commercial uses, 150 keys
44 of hotel uses, and 150,000 square feet of other commercial uses for
45 governmental uses; adopting a General PD Concept Plan; for multiple parcels,
46 generally located north of El Jobean Road (SR 776), south of Seymour Avenue,
47 east of the Como Waterway, and west of Collingswood Boulevard, within the
48 boundary of the Murdock Village Community Redevelopment Area; in the Port
49 Charlotte area; containing 154.93± acres; Commission District IV; and more
50 particularly described in Exhibit "A" attached hereto ("Property"); and

51 WHEREAS, Petition PD-24-17 was heard by the Charlotte County
52 Planning and Zoning Board ("P&Z Board") and, based on the findings and
53 analysis provided by County Staff and the evidence presented to the P&Z Board,
54 the P&Z Board recommended approval on February 10, 2025; and

55 WHEREAS, after due consideration, based on the findings and
56 analysis provided by County Staff and the evidence presented to it, the Board
57 finds that approval of Petition PD-24-17 is consistent with the County's
58 Comprehensive Plan, and that it meets the requirements for rezoning and
59 adopting the associated General PD Concept Plan; and

60 WHEREAS, the Board finds that approval of Petition PD-24-17 to
61 rezone the Property from PD to PD is in the best interests of the County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County
Commissioners of Charlotte County, Florida:

SECTION 1. The following petition, made by applicant,
Kolter Group Acquisitions, LLC, for an amendment to the Charlotte County
Zoning Atlas is hereby approved subject to the conditions contained in the
attached Exhibit "B":

Petition PD-24-17 requesting rezoning from Planned
Development (PD) to PD; a major modification to the
existing PD (Ordinance Number 2020-008), the
adopted PD Concept Plan, and its associated PD
conditions; converting through the adopted
equivalency matrix previously approved 84,745.76
square feet of regional commercial uses to 350 units
of single-family units and previously approved
58,394.16 square feet of regional commercial uses to
320 multi-family units, in order to have a mixture of
residential and commercial development up to 670
residential units, 250,000 square feet of regional
commercial uses, 150 keys of hotel uses, and
150,000 square feet of other commercial uses for
governmental uses; adopting a General PD Concept
Plan; for multiple parcels, generally located north of El
Jobean Road (SR 776), south of Seymour Avenue,
east of the Como Waterway, and west of
Collingswood Boulevard, within the boundary of the
Murdock Village Community Redevelopment Area; in
the Port Charlotte area; containing 154.93± acres;
Commission District IV, Charlotte County, Florida, and
more particularly described in Exhibit "A" attached
hereto.

SECTION 2. That the zoning for this property shall run with the
property and shall apply to any subsequent owners, heirs and assigns.

SECTION 3. This Ordinance shall take effect upon filing in the
Office of the Secretary of State, State of Florida.

PASSED AND DULY ADOPTED this 25th day of March, 2025.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____

Joseph M. Tiseo, Chairman

ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: _____

Deputy Clerk

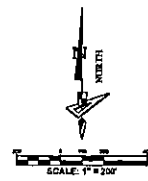
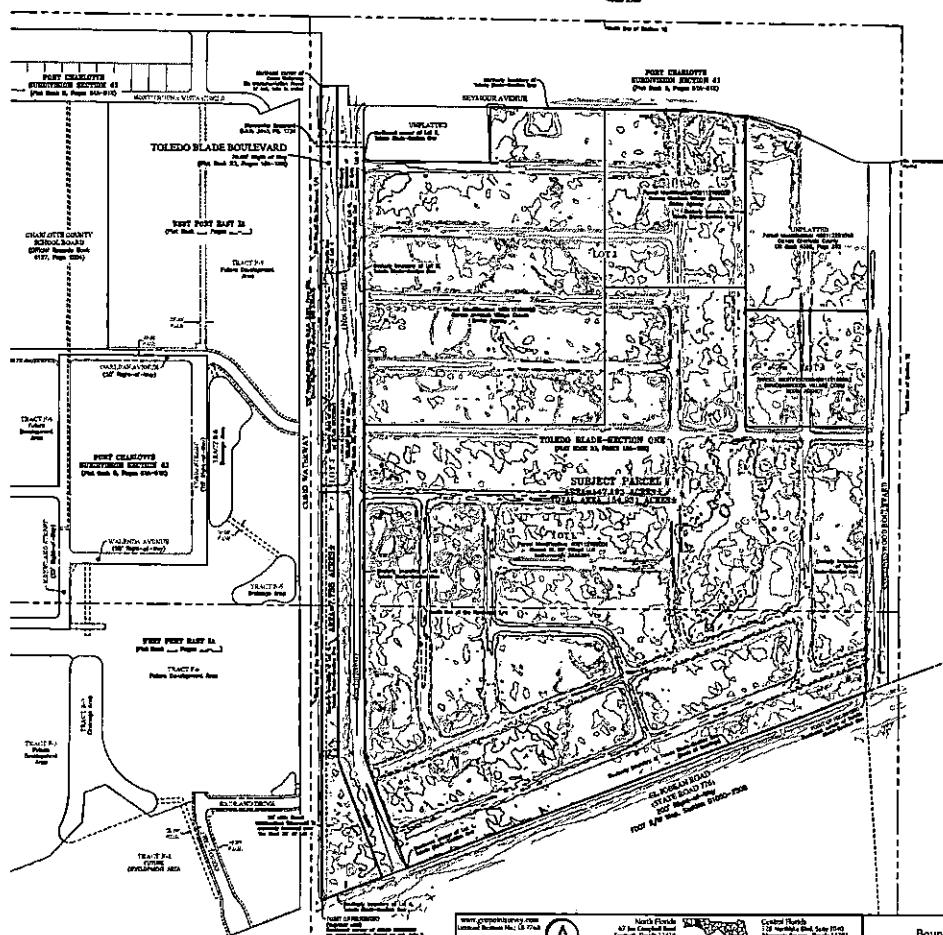
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____

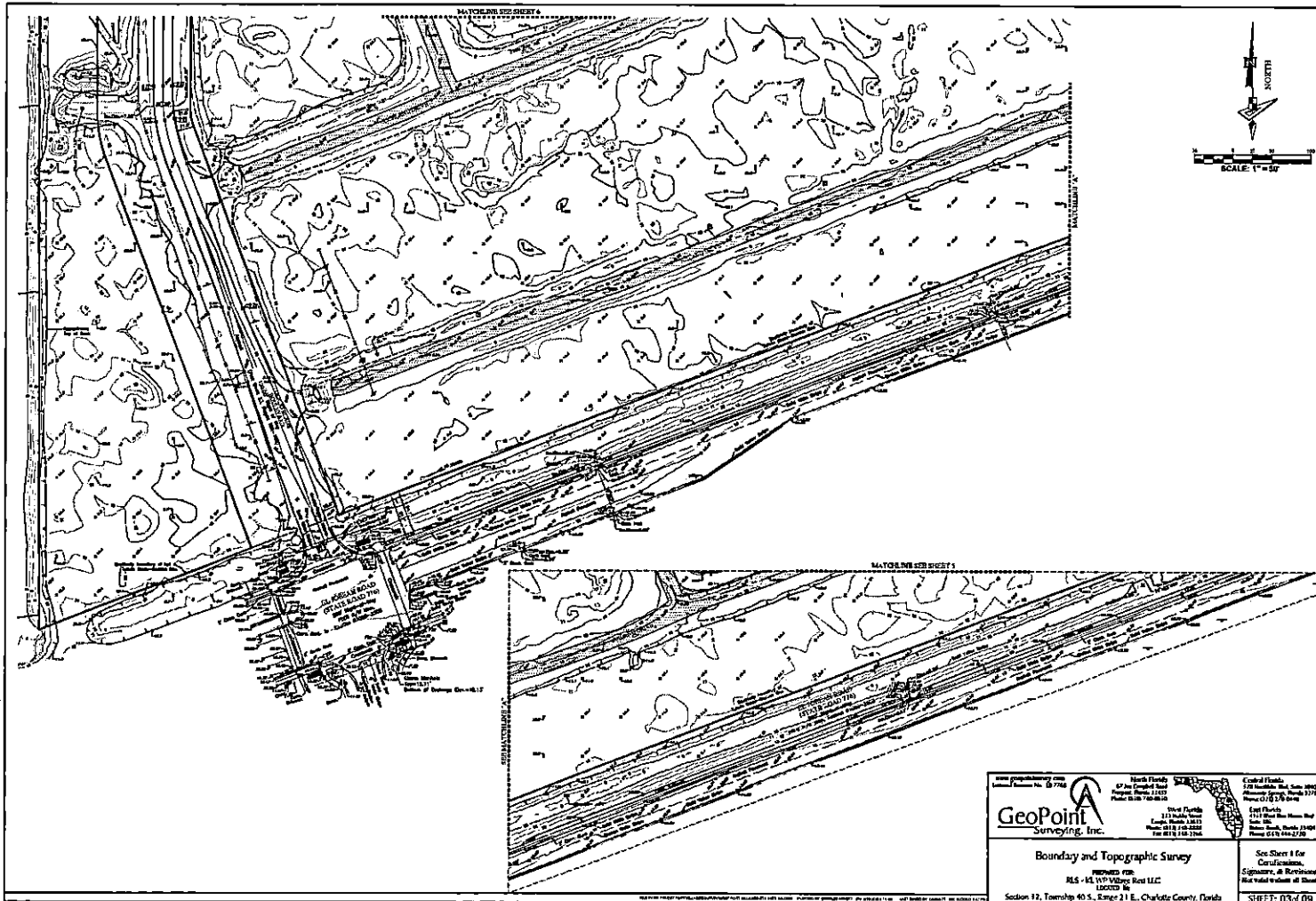
Janette S. Knowlton, County Attorney

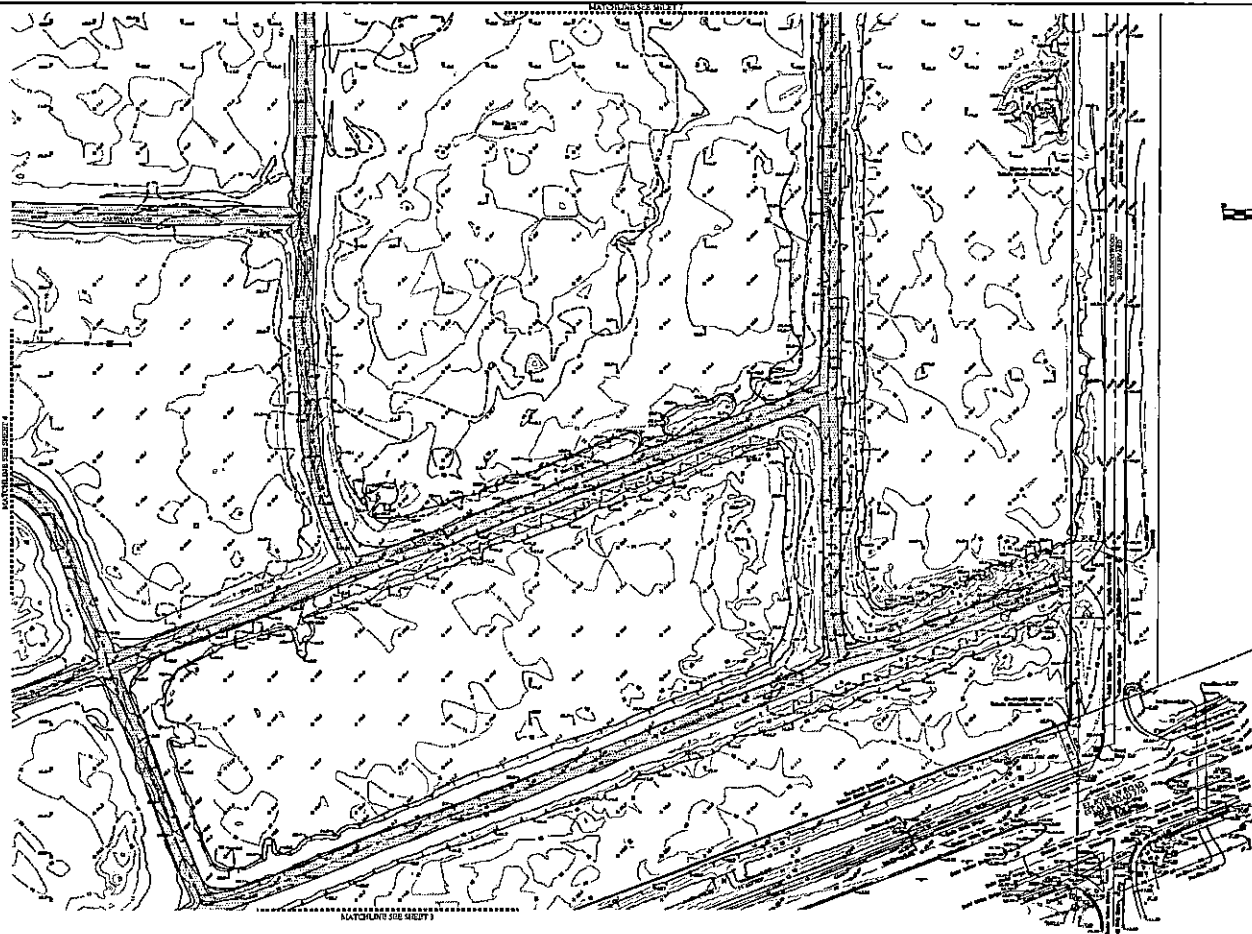
LR2024-0853

Knowlton



	North Florida 6701 North US Highway 1 Jacksonville, FL 32217 Phone: 904.744.1111	Central Florida 1200 North US Highway 1 Orlando, FL 32817 Phone: 407.251.1111	See Sheet 1 for Continuance, Signature, & Revision. Not valid without all sheets.
	South Florida 1111 South US Highway 1 Miami, FL 33133 Phone: 305.375.1111	East Florida 1111 East US Highway 1 Fort Lauderdale, FL 33315 Phone: 954.375.1111	
	Boundary and Topographic Survey PREPARED FOR: M/S - KLPV VCC, Inc. LLC LOT 10000		
	Section 12, Township 40 S., Range 21 E., Charlotte County, Florida SHEET: 02 of 09		





www.geopointinc.com
 GeoPoint
 Surveying, Inc.

North Florida
 4700 NW 13th Ave
 Fort Lauderdale, FL 33304
 Phone: (954) 740-0816

Central Florida
 1200 NW 13th Ave, Suite 1000
 Fort Lauderdale, FL 33304
 Phone: (954) 740-0816

South Florida
 2111 NW 13th Ave
 Fort Lauderdale, FL 33304
 Phone: (954) 740-0816

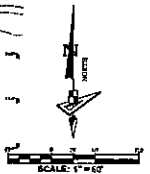
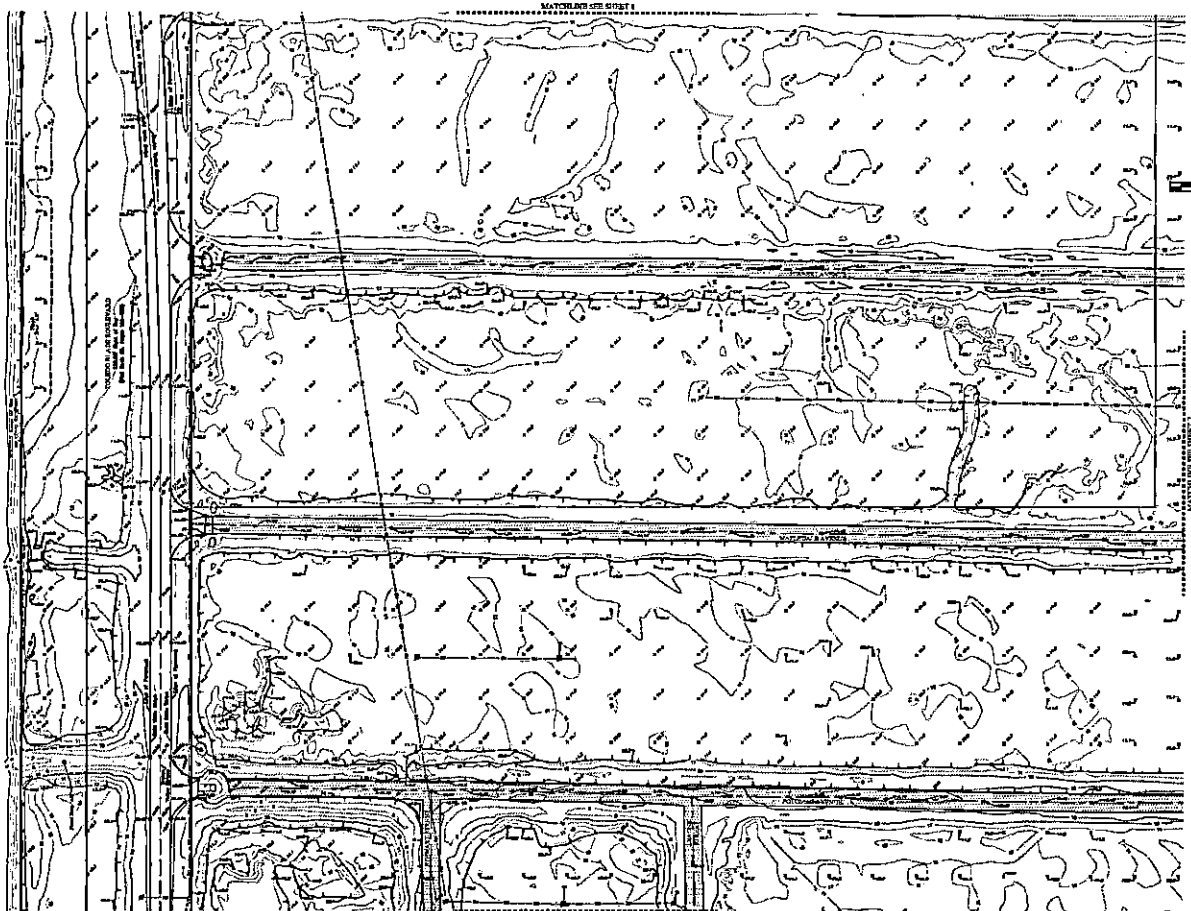
East Florida
 1111 NW 13th Ave, Suite 1000
 Fort Lauderdale, FL 33304
 Phone: (954) 740-0816

Boundary and Topographic Survey

RLS - RT, W/V, M/V, P/V, S/V, L/C
 (2000) 16

Section 12, Township 40 S., Range 21 E., Charlotte County, Florida

See Sheet 1 for
 Certificate
 Signature, & Notarization
 SHEET: 05 of 09



GeoPoint
Surveying, Inc.

Academy Florida
10100 Academy Road
Tampa, Florida 33617
Phone: 813.944.7400

Orlando Florida
12100 Orlando Road
Orlando, Florida 32817
Phone: 407.276.0000

Fort Myers Florida
11111 Fort Myers Road
Fort Myers, Florida 33907
Phone: 941.934.1111

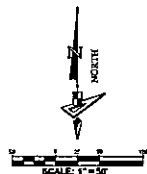
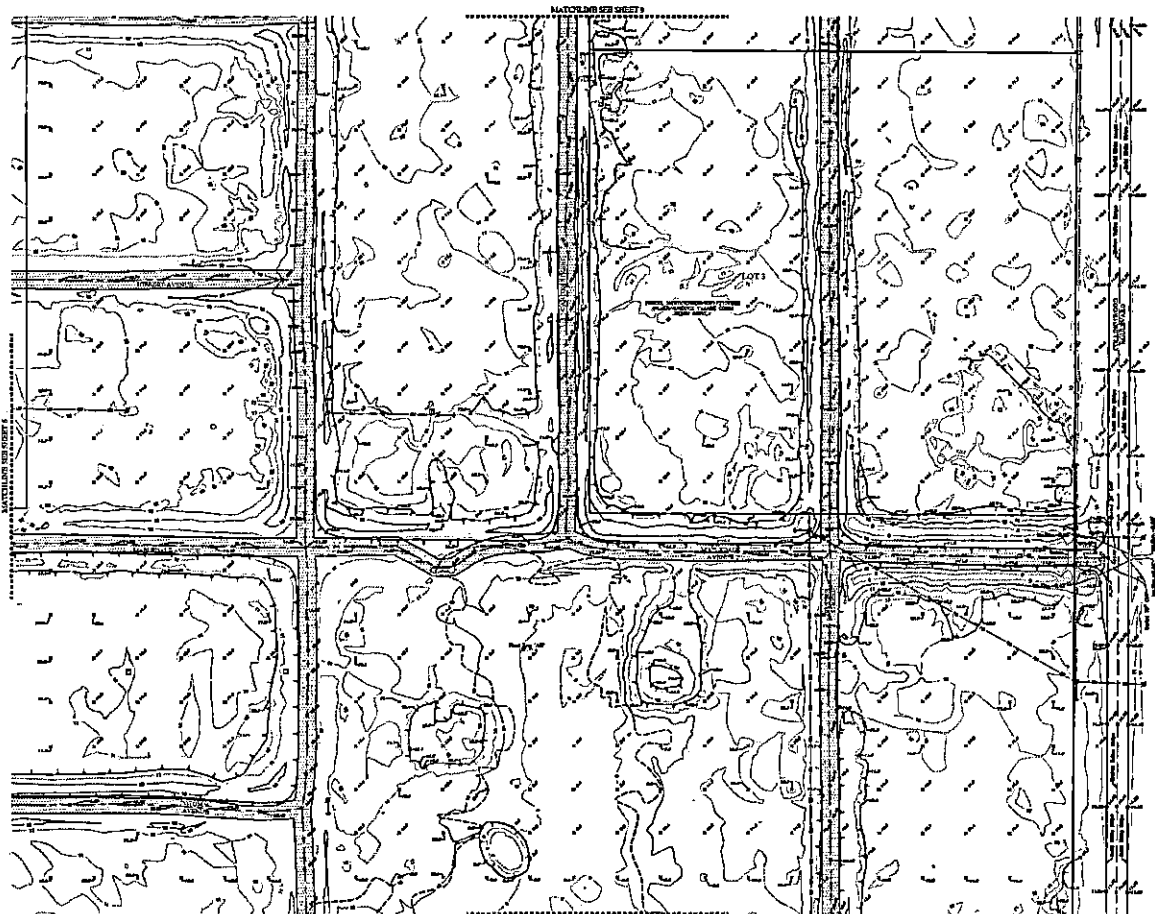
Boundary and Topographic Survey

RECEIVED 10/16/10
R.L.S. - 101100 Valley Road LLC

Section 12, Township 40 S., Range 21 E., Charlotte County Florida

See Sheet 1 for
Continuation
Signature & Seal
This is a true and correct copy of the original.

SHEET: 08-109



www.geopointinc.com
 GeoPoint
 Surveying, Inc.

North Florida
 4700 Campbell Road
 Panama City, FL 32377
 Phone: 904.776.0000

West Florida
 3115 South Street
 Tampa, FL 33610
 Phone: 813.114.0000
 Fax: 813.114.0000

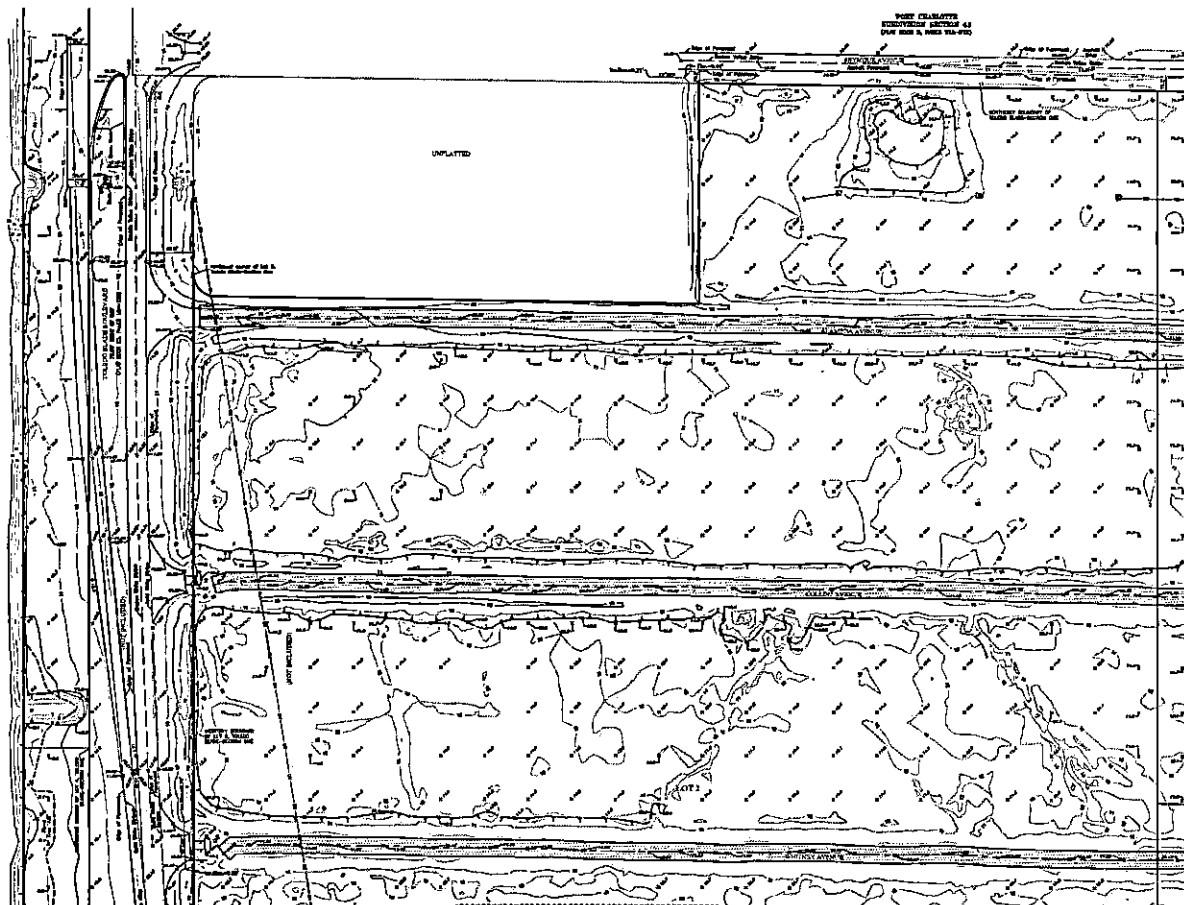
Central Florida
 515 West Lake Blvd., Suite 1000
 Altamonte Springs, FL 32714
 Phone: 407.255.0000

East Florida
 1111 West 1st Street, Suite 8-4
 Ft. Lauderdale, FL 33304
 Phone: 954.344.7700

Boundary and Topographic Survey

PROJECT FILE:
 RLS - RT WP Village Rest 11.C
 000012 11
 Section 12, Township 40 S., Range 21 E., Charlotte County, Florida

See Sheet 1 for
 Certificate,
 Signature, & Notarization.
 Not valid without all sheets.
 SHEET: 07 of 09



GeoPoint
 Surveying, Inc.

North Florida
 6730 Campbell Road
 Panama City, FL 32404
 Phone: 904.748.0146

South Florida
 2111 N. Dixie Hwy.
 Fort Lauderdale, FL 33305
 Phone: 954.344.8812

Central Florida
 128 South St. Suite 1000
 Orlando, FL 32801
 Phone: 407.251.1111

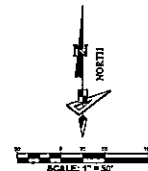
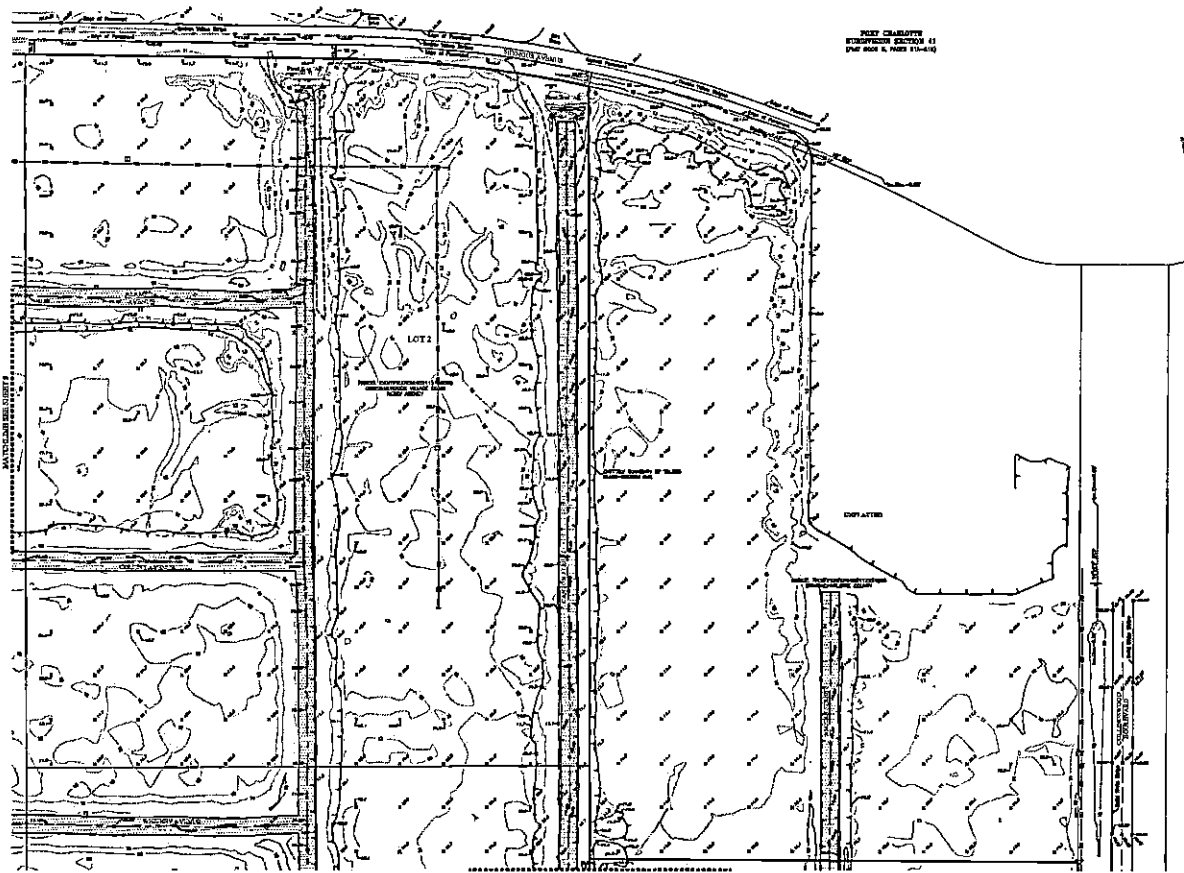
East Florida
 6111 E. US Highway 90
 Jacksonville, FL 32217
 Phone: 904.444.1111

Boundary and Topographic Survey

PREPARED FOR
 BLS - ELY VILLAGE HOLD LLC
 LOT 10 & 11
 Section 12, Township 30 S., Range 21 E., Charlotte County, Florida

See Sheet 1 for
 Certification,
 Signature, & Remarks.
 Date of Survey: 08/09

SHEET: 08 of 09



GeoPoint
Surveying, Inc.

North Florida
6700 W. Campbell Road
Tampa, Florida 33611
Phone: (813) 744-0616

Central Florida
322 Southside Blvd., Suite 100
Maitland, Florida 32751
Phone: (407) 776-8940

South Florida
1111 West West Street
Suite 200
Miami Beach, Florida 33134
Phone: (305) 864-2700

Boundary and Topographic Survey

PREPARED FOR:
BLS - KL 189 VCHRY Real LLC
LOCATED IN:
Section 12, Township 40 S., Range 21 E., Charlotte County, Florida

See Sheet 1 for
Continuation,
Signature, & Revisions.
For real values of Sheet
SHEET: 09 of 09

PD Conditions for Application PD-24-17

Revisions to PD Conditions as Established in Ordinance Number 2020-008

Recommended Conditions of Approval:

Entitlements: 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 entitlements:

Project Summary

<u>Area</u>	<u>154.93± Acres</u>
<u>Residential Uses</u>	
Single Family	350 Units
Multi-Family	220 Units
Multi-Family (Affordable)	100 Units
<u>Total Residential</u>	<u>670 Units</u>
<u>Commercial Uses</u>	
Regional commercial space (retail/service)	250,000 square feet
<u>Total Commercial Space</u>	<u>250,000 square feet</u>
<u>Regional commercial space (hotel)</u>	<u>150 keys</u>
<u>Governmental Use</u>	<u>150,000 square feet</u>

a)

- i) As established in the Preliminary Decision of Determination of Vested Rights for Murdock Village, dated March 25, 2009 and effective as final April 9, 2009, the initial development entitlements granted include:
 - (1) 432,434.00 square feet of Regional commercial space
 - (2) 802,396.94 square feet of Other commercial space
- ~~ii) As established in the Agreement for Purchase and Sale between the Murdock Village Community Redevelopment Agency and Lost Lagoon Development LLLP, dated October 24, 2017, the final development entitlements include:~~
 - ~~(1) 2,000,000 square feet of commercial, retail, restaurant, destination entertainment, and accessory storage uses.~~
 - ~~(2) Two conference centers.~~
 - ~~(3) Hotels totaling 1,250 keys.~~
 - ~~(4) 45 acres for a water park.~~
- ~~iii) Entitlements established in the Agreement for Purchase and Sale may be considered Regional Commercial, Community Commercial, or General Commercial, as established according to the Murdock Village Equivalency Matrix included in Section 6 of Charlotte 2050 FLU Appendix I: Land Use Guide. Specific uses shall be classified as follows:~~



- ~~(1) Commercial uses may be considered Community Commercial or General Commercial.~~
- ~~(2) Retail uses may be considered Community Commercial or General Commercial.~~
- ~~(3) Restaurant uses may be considered Community Commercial or General Commercial.~~
- ~~(4) Destination entertainment uses may be considered Regional Commercial only.~~
- ~~(5) Accessory storage uses may be considered Community Commercial or General Commercial.~~
- ~~(6) Hotels with conference centers may be considered Regional Commercial only.~~
- ~~(7) Other hotels may be considered Community Commercial or General Commercial.~~
- ~~(8) Water park uses, including offices, maintenance areas, and other "back of house" uses, may be considered Regional Commercial only.~~

iv)ii) Initial Approved development entitlements may be increased in one land use category and concurrently reduced in another land use category to achieve the final development entitlements according to the Murdock Village Equivalency Matrix included in Section 6 of Charlotte 2050 FLU Appendix I: Land Use Guide through the procedure established in Article XXVI: Vested Rights of the Charlotte County Code of Laws and Ordinances (County Code). All applications for Preliminary Final Detail Site Plan Approval shall include calculations supporting any proposed exchanges using the Equivalency Matrix, together with a running total of remaining entitlements.

v) ~~Commercial use types shall not exceed the following maximums:~~

- ~~(1) Regional Commercial uses shall not exceed 1,200,000 square feet gross leasable area.~~
- ~~(2) Community Commercial uses shall not exceed 400,000 square feet gross leaseable area.~~
- ~~(3) Other Commercial uses shall not exceed 2,291,448 square feet gross leasable area.~~

vi) ~~Uses established within a hotel structure or site such as restaurants, bars, limited retail, or personal services including spas or salons shall be considered accessory uses of the hotel and be included in the hotel's development entitlements, not as separate commercial uses.~~

b) ~~Land use categories within this Planned Development shall be considered General Commercial, Community Commercial, or Regional Commercial, as established in the Murdock Village Mixed Use Future Land Use Map designation contained in FLU Appendix I.~~

Development and Phasing:

e)b) Development on the subject property shall occur as generally illustrated on the General Planned Development Concept Plan (Attachment 1: Planned Development Concept Plan for West Port Village) submitted by the applicant, prepared by Morris Engineering & Consulting, LLC Banks Engineering, dated January 28, 2019 January 24, 2025, except such modifications as may be required to meet the conditions of the Planned Development zoning district. In addition, the Site Plan Review (Petition No. DRC-18-0004624-234) conditions comments of approval according to the letter dated February 43, 2019 2025, and signed by Shaun Cullinan, Charlotte County Zoning Official, are required to 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).

d)c) No development activity shall occur prior to Final Detail Site Plan approval for each phase of the development. A request for Final Detail Site Plan approval will be placed on the Board of County Commissioner's consent agenda.

e)d) _____ This Planned Development may be developed in phases, and a phase may consist of one building or of multiple buildings and structures. Each phase ~~shall~~ may submit a concept plan for review through the Site Plan Review process.

f) ~~Each phase shall submit the following as part of its Preliminary Site Plan approval:~~

- i) ~~Anticipated land uses within the conceptual plan boundaries, including entitlements used.~~
- ii) ~~Tract boundaries, where applicable.~~
- iii) ~~Conceptual design of the vehicular, pedestrian, and bicycle transportation networks, including designation of street types as established in Condition "p".~~
- iv) ~~Landscaping plans.~~
- v) ~~Parking studies.~~
- vi) ~~Lighting plans.~~
- vii) ~~Signage plans.~~
- viii) ~~Utility layouts.~~
- ix) ~~Stormwater management plans.~~
- x) ~~Any additional details deemed necessary.~~

Uses:

g)e) _____ The following uses may be permitted:

- i) ~~Amphitheater~~ Animal hospital.
- ii) Art, dance, music, photo studio or gallery.
- iii) Auditorium, convention center, performing arts center.
- iv) Bank, financial services.
- v) Bar, cocktail lounge, nightclub, tavern.
- vi) Boat, travel trailer and motor vehicle sales, including recreational vehicles and campers, provided that the use is showroom-only and no vehicles are stored on-site.
- vii) Business services.
- viii) Clubhouse, community center.
- vi)ix) Cluster housing.
- viii)x) Day care center, child.
- ix)xi) Drive-through uses, subject to the following conditions:
 - (1) All drive-through lanes shall only be accessed from an alley.
 - (2) Stacking lanes shall not encroach on any public right-of-way.
 - (3) Drive-through uses shall not be located at intersections.
- x)xii) Drug store, pharmacy.
- xi)xiii) Dry cleaner.
- xii)xiv) Emergency services.
- xiii)xv) Essential services (see Section 3-9-71, essential services.).
- xiv)xvi) Fences or walls, which may be permitted prior to the principal uses and structures.
- xv) Gas stations, subject to the following conditions:
 - (1) ~~Pumps must be placed behind or to the side of the primary structure.~~
 - (2) ~~If located at an intersection, the primary structure must be placed at the property corner abutting the intersection.~~
 - (3)xvii) All street frontages of the primary structure must have customer entrances.

- ~~xvi)~~~~xviii)~~ _____ General offices.
- ~~xvii)~~~~xix)~~ General retail sales and services (see Section 3-9-61, accessory outdoor retail sales, display, and storage).
- ~~xx)~~ _____ Government uses and facilities.
- ~~xxi)~~ _____ Hospital.
- ~~xviii)~~~~xxii)~~ _____ Hotel, motel, inn.
- ~~xxiii)~~ _____ Laboratories, class 1, 2, 3.
- ~~xxiv)~~ _____ Laundromat.
- ~~xi)~~~~xxv)~~ Liquor, package store.
- ~~xxvi)~~ _____ Medical or dental office, clinic.
- ~~xxvii)~~ _____ Model homes.
- ~~xxviii)~~ _____ Motor vehicle wash.
- ~~xxix)~~ _____ Multi-family residential buildings, including duplex, triplex, and townhomes.
- ~~xx)~~~~xxx)~~ Noncommercial vehicle rental.
- ~~xxi)~~~~xxxi)~~ Outdoor market or exhibition space, including but not limited to 4H-type exhibitions.
- ~~xxii)~~~~xxxii)~~ _____ Paid or public parking lot, garage, structure.
- ~~xxiii)~~~~xxxiii)~~ _____ Private off-site parking.
- ~~xxiv)~~~~xxxiv)~~ _____ Personal services.
- ~~xxv)~~ _____ Place of worship, the minimum property size for such use is two acres.
- ~~xxvii)~~ _____ Post office.
- ~~xxviii)~~ _____ Private club.
- ~~xxv)~~~~xxxviii)~~ _____ Professional services.
- ~~xxvi)~~~~xxxix)~~ _____ Recreation, indoor.
- ~~xxvii)~~~~xl)~~ Recreation, outdoor.
- ~~xli)~~ _____ Restaurant.
- ~~xlii)~~ _____ Single-family attached homes.
- ~~xxviii)~~~~xliii)~~ _____ Single-family detached homes, which may have a guest suite that is structurally attached, with or without cooking facilities.
- ~~xxix)~~ _____ Uses and structures which are customarily accessory and clearly incidental to primary uses and structures, including but not limited to the following:
- ~~(1)~~ _____ Infrastructure associated with alternative energy production for the development, including as part of parking lot landscaping consistent with condition "vv".
 - ~~(2)~~ _____ Telecommunications facilities for the internal operations of the development, including management, maintenance, and similar activities.
 - ~~(3)~~ _____ Vehicle fueling, repair, and washing facilities for use by the internal operations of the development. These facilities shall not be open to the general public.
- ~~xxx)~~~~xliv)~~ Water park with a recreational vehicle park as an accessory use subject to the following conditions:
- ~~(1)~~ This use shall contain no more than 20 recreational vehicle sites at no more than one location within this Planned Development.
 - ~~(2)~~ Development standards:

Minimum site area (s.f.)	3,000
Minimum site width (ft.)	40
Minimum setbacks (ft.)	

Park:	
Outer boundary	25
Abutting water	20
Sites:	
Street sides	10
Interior sides	5
Maximum percent coverage	
Park	60
Sites	40
Maximum height (ft.)	38

~~(3) Each site shall be connected to public potable water and sanitary systems. If recreational vehicle sites are to be provided to recreational vehicles that have no bath or toilet facilities, then those sites shall be located not more than 200 feet from approved shower and toilet facilities.~~

~~(4) The park shall have an appropriate fire protection plan and appropriate base facilities for fighting fire, approved by Charlotte County Fire/EMS.~~

~~h) Vertical mixed use of permitted uses shall be allowed, provided that the design, form, and size limitations established in these conditions are followed.~~

Streets and Circulation:

~~i)f) All new development shall have access to an improved public street, private street, recorded easement, or alley or be part of a common fire access plan. A private access easement that provides the opportunity for a future street connection shall not be considered a driveway for the purpose of determining access.~~

~~j)g) Streets shall be designed to prioritize the ease of pedestrian and bicycle movement and safety, and to encourage slower vehicular operating speeds.~~

~~k)h) Unless otherwise established by these conditions, all roadways within the subject property shall be constructed to Charlotte County standards. All private roadways shall be required to be maintained by the developer, and subsequently, a property owners association, Community Development District or a similar entity.~~

~~l)i) Road surfaces may be constructed of alternative materials such as pavers, subject to approval by the County Engineer and Charlotte County Fire/EMS and, if intended to be publicly dedicated, a maintenance agreement with the County.~~

~~m) A variety of curb types may be used, subject to approval by the County Engineer, including vertical or ribbon curbs, subject to stormwater needs, or mountable curbs where necessary for fire access.~~

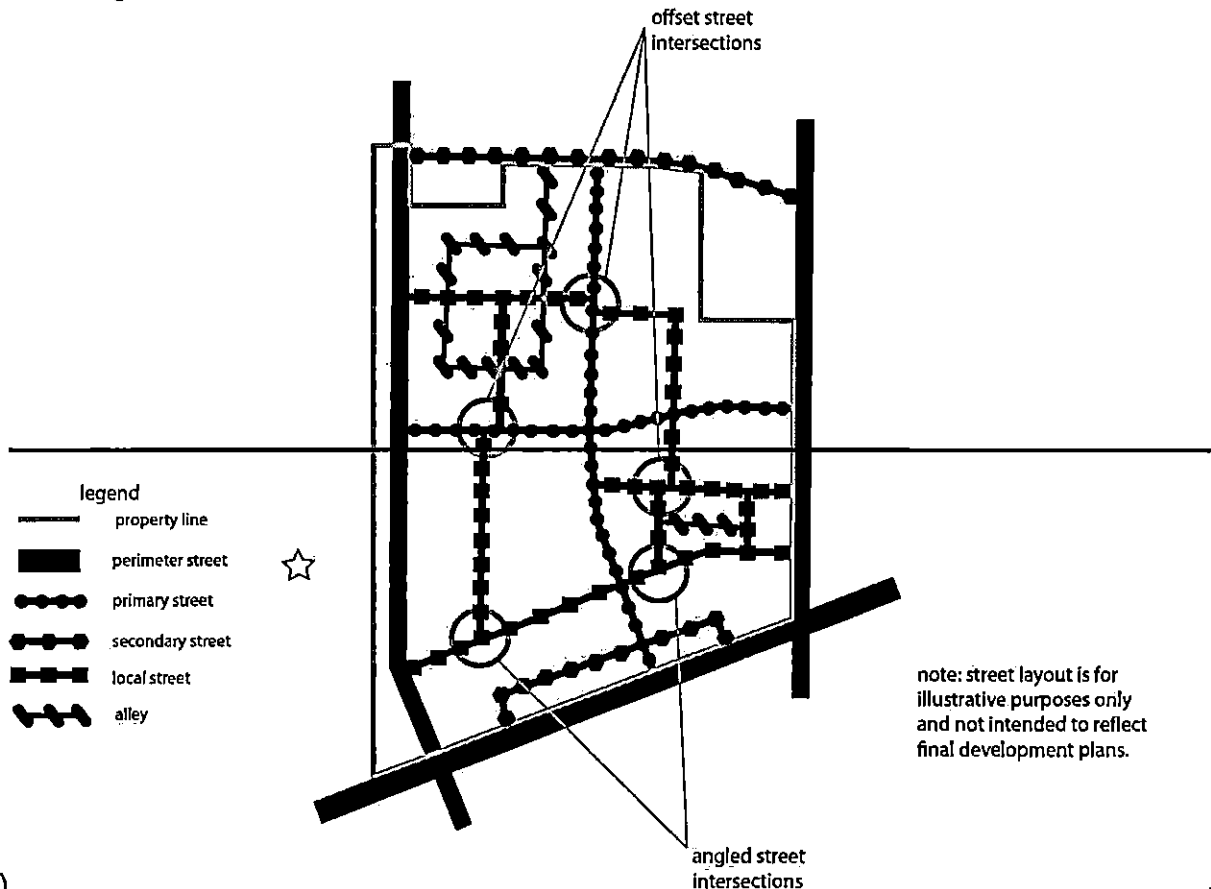
~~n) Streets shall be classified according to the following types:~~

~~i) Perimeter Streets: Existing streets bounding the perimeter of the site, including El Jobean Road (SR 776), Toledo Blade Boulevard, and Collingswood Boulevard.~~

~~ii) Primary Streets: Streets that provide connections from the Secondary and Local Streets to the Perimeter Streets.~~

~~iii) Secondary Streets: Streets that provide access to commercial, workplace, and mixed use properties. Existing Seymour Avenue, or as it may be realigned or renamed, shall be considered a Secondary Street.~~

- iv) ~~Local Streets: Streets that provide access to businesses and entertainment uses. These streets are intended to maintain low vehicle speeds and facilitate pedestrian and bicycle movements.~~
- (1) ~~Angled roadways and offset intersections are acceptable on Local Streets.~~
- (2) ~~Local streets should be laid out in a connected network. The use of cul-de-sacs should be minimized.~~
- (3)j) ~~Driveway access is not limited, but alley access and shared driveways are encouraged.~~



- v)k) ~~Alleys: Alleys provide rear access to sites for parking access, refuse collection, utilities, and other services.~~
- (1) ~~The use of alleys is encouraged.~~
- (2) ~~Alley access points are permitted only onto Secondary Streets and Local Streets.~~
- (3) ~~Fire access shall not be required for alley design where adequate emergency service access exists along another street frontage.~~
- o)l) Traffic calming solutions appropriate to each street type shall may be undertaken in the project to lower vehicular speeds and ensure a safe and comfortable environment for pedestrians, bicyclists, community electric vehicles, golf carts, and all road uses. All traffic calming solutions must be approved by the County Engineer. Acceptable traffic calming solutions include, but are not limited to:

- i) Roundabouts designed according to the criteria set forth in the latest edition of "Roundabouts, an Informational Guide," published by the Federal Highway Administration.
- ii) Centerline offsets.
- iii) Street trees.
- iv) Intersection control.
- v) Bump-outs.
- vi) Parking offsets.
- vii) Roadway curvature.
- viii) Low design speeds.
- ix) Other urban design approaches.

x) ~~Speed humps are not an acceptable traffic calming solution.~~

~~Right-of-way lines may intersect without a radius.~~

Blocks:

~~All block dimensions shall be measured from curb to curb. Right of way widths shall not be included in the measurement of block widths or depths.~~

~~Unless otherwise stated, block dimensions shall not exceed 660 feet by 400 feet and block depth to width ratios shall not exceed 1 to 4.~~

~~On sites 15 acres or larger, the site may contain one block with a maximum dimension of 660 feet by 660 feet for every 30 acres.~~

~~All sites shall have an internal circulation system connecting the blocks, forming an interconnected, grid-like system. This system may be made up of publicly dedicated rights-of-way, private streets, or a combination of both.~~

~~When a block dimension exceeds 660 feet, a mid-block pedestrian plaza shall be provided, allowing access to the opposite side of the block. This pedestrian plaza does not need to be placed at the exact mid-point of the block, but shall be located no nearer any end of the block than one-third of the block dimension.~~

~~Contiguous green spaces are not subject to the block length requirements, but if the green space is longer than 150 feet it must include a pedestrian walkway with shared bicycle use as a mid-block connection every 150 feet.~~

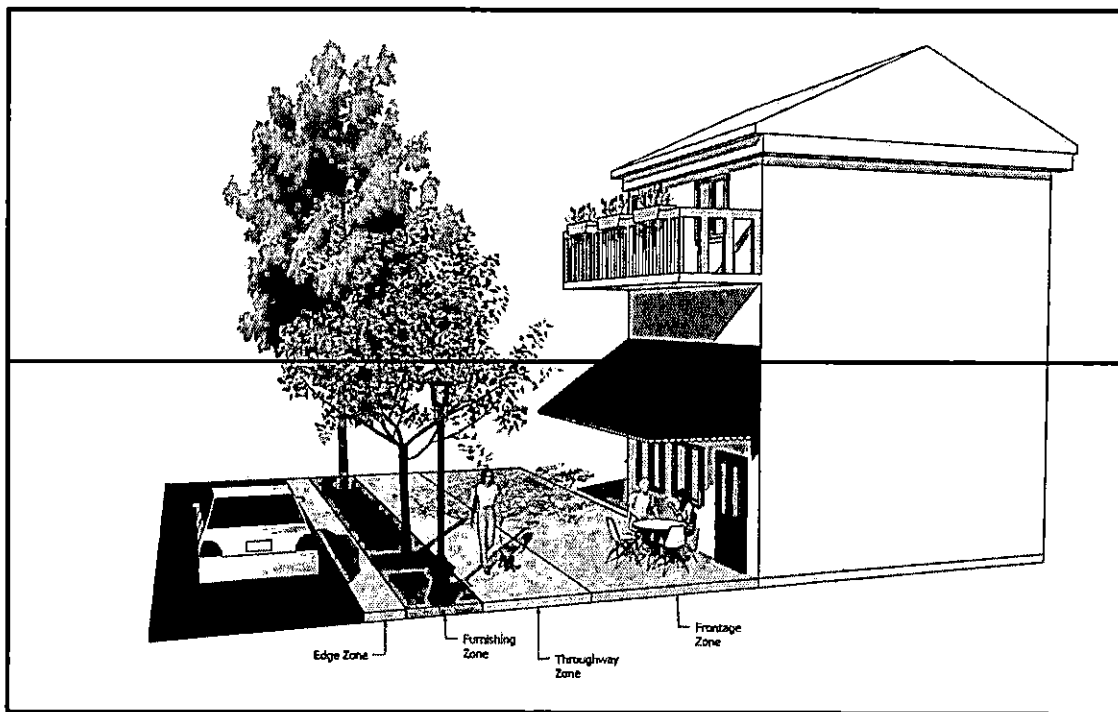
x) ~~The water park site shall be exempt from any maximum block size standards.~~

p)m) ~~Sidewalks or landscaped rights-of-way may be used for commercial or entertainment activities including, but not limited to, musical entertainment, sidewalk dining, sidewalk sales, display of merchandise, or temporary festivals.~~

q) ~~Sidewalk element zones are established as follows:~~

Zone	Required	Minimum Width (ft.)	Location	Purpose	Uses
Edge	Y	2	Closest to curb	Prevent damage by parking or passing cars to streetscape elements	Must be clear of permanent obstructions.
Furnishing	N	4	Between Edge and Throughway zones	Provide a buffer between pedestrians and vehicles	Public uses such as landscaping, street furniture, public signage, and street lighting.

					Private uses such as temporary signage and sidewalk dining.
Throughway	Y	6	Between Furnishing and Frontage	Provide unobstructed passage for pedestrians	Must be clear of permanent obstructions.
Frontage	N	0	Between Throughway and building facade	Provide outdoor accessory uses for primary uses fronting the street. May be partially or entirely outside of the right-of-way.	Private uses such as street furniture, temporary signage, merchant displays, and sidewalk dining.



Parking:

- r) ~~Parking in relation to the principal entrance of a use shall be provided according to the following standards:~~
- i) ~~All parking must be within 1,200 feet of the principal entrance of the use served.~~
 - ii) ~~No more than 50 percent of the required parking may be located more than 600 feet away from the principal entrance of the use served~~
 - iii) ~~On-street parking may be included, provided that the on-street spaces are located within 600 feet of the principal entrance of the use served.~~

- ~~iv) Parking for the water park is exempt from these conditions, provided that all parking for the water park is located on the same parcel as the water park following Final Site Plan approval or any modifications thereto.~~
- ~~sn) Required parking shall be provided according to Section 3-9-79, Off-street parking and loading facilities, or through a parking study acceptable to the County. Such studies shall include considerations such as a joint parking and shared parking agreements, prepared to the satisfaction of the County Attorney, between two or more property owners establishing how parking areas will be shared, interconnected, how bicycle parking may be provided to reduce the number of automobile spaces, and how parking spaces used for electric vehicles, compact cars, motorcycles, golf carts or similar forms of transportation may be counted towards the minimum required amount of parking. On street, parallel parking in front of residential structures may be permitted. Residential buildings located along an alley may utilize their parking from the alley or the roadway as may be designed with individual tracts.~~
- ~~to) Parking lots may be used for temporary events such as outdoor seating, where applicable, provided that such temporary use does not result in a reduction of usable parking spaces to fewer than the minimum required parking for the site as established by Section 3-9-79, Off-street parking and loading facilities, or a parking study prepared in accordance with County regulations and condition "u".~~
- ~~up) Consolidated driveways are encouraged, with cross-access agreements between adjacent parking areas.~~
- ~~v) Driveways shall have a 15-foot radius.~~
- ~~w)g) Parking spaces other than handicapped-accessible spaces may be a pervious material, approved by the County Engineer.~~
- ~~r) Parking areas designated for limited use or overflow, such as for special events, may be grass or gravel.~~
- ~~x)s) Dedicated spaces for electric vehicle charging may be placed within the residential and commercial areas.~~

Site and Building Design:

- ~~y)t) All development shall connect to public potable water and sanitary sewer service.~~
- ~~z) An applicant for a new phase shall include a Design and Development Standards (DDS) manual with the application for Site Plan Review. Alternatively, the applicant may choose to conform to the adopted DDS manual of an immediately adjacent phase. The DDS manual shall include an architectural pattern book prepared by a licensed architect, establishing the required architectural details for all structures within the phase. The costs of preparing the DDS manual shall be borne by the applicant.~~
- ~~aa) Lots:~~
 - ~~i) There shall be no minimum lot size.~~
 - ~~ii) There shall be no maximum lot coverage.~~
 - ~~iii) Setbacks are established based upon the street frontage of the lot, according to the street types established in Condition "p", and the following standards:~~
 - ~~(1) There are no required minimum setbacks along any lot line except along Perimeter streets, where there shall be a minimum setback of 10 feet.~~
 - ~~(2) The following maximum setbacks shall be required:~~

Street Type	Front	Side	Rear
Perimeter	20	20	None

Primary	15	40	20
Secondary	15	40	20
Local	40	40	20
Alley	N/A	None	None

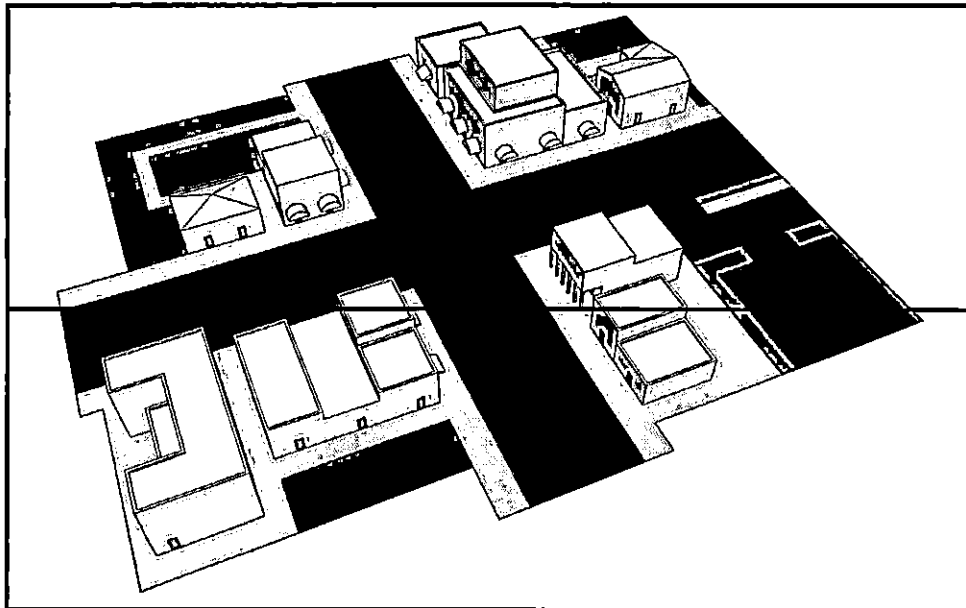
The following development standards shall be applied:

<u>Use</u>	<u>Single-family detached</u>	<u>Single-family attached</u>	<u>Multi-family</u>	<u>Townhomes</u>	<u>Commercial</u>	<u>Amenities</u>
<u>Required Parking (spaces)</u>	<u>2/unit</u>	<u>2/unit</u>	<u>As Section 3-9-79</u>	<u>2/unit</u>	<u>As Section 3-9-79</u>	<u>One-half that required by Section 3-9-79</u>
<u>Minimum lot size (s.f.)</u>	<u>4,000</u>	<u>3,200</u>	<u>7,500</u>	<u>2,000</u>	<u>12,000</u>	<u>None</u>
<u>Minimum lot width (ft.)</u>	<u>40</u>	<u>35</u>	<u>80</u>	<u>20</u>	<u>100</u>	<u>None</u>
<u>Minimum front yard (ft.)</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>15</u>	<u>20</u>
<u>Minimum interior side yard (ft.)</u>	<u>5</u>	<u>5 exterior</u> <u>0 interior</u>	<u>Half building height, not less than 7.5</u>	<u>5 exterior</u> <u>0 interior</u>	<u>0</u>	<u>Half building height, not less than 7.5</u>
<u>Minimum side yard abutting road (ft.)</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>10</u>	<u>15</u>
<u>Minimum interior rear yard (ft.)</u>	<u>10</u>	<u>10</u>	<u>Half building height, not less than 7.5</u>	<u>10</u>	<u>10</u>	<u>Half building height, not less than 7.5</u>
<u>Minimum rear yard abutting road or alley (ft.)</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>10</u>	<u>15</u>
<u>Minimum rear yard abutting water (ft.)</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>20</u>	<u>15</u>
<u>Maximum building height (ft.)</u>	<u>38</u>	<u>38</u>	<u>60</u>	<u>38</u>	<u>60</u>	<u>38</u>
<u>Maximum lot coverage (%)</u>	<u>65</u>	<u>70</u>	<u>45</u>	<u>75</u>	<u>55</u>	<u>65</u>
<u>Accessory structure setbacks</u>	<u>Same as principal structure, except that provided there is at least 15 feet between the rear property line and the top of bank when adjoining water, the rear setback may be reduced to 5</u>					

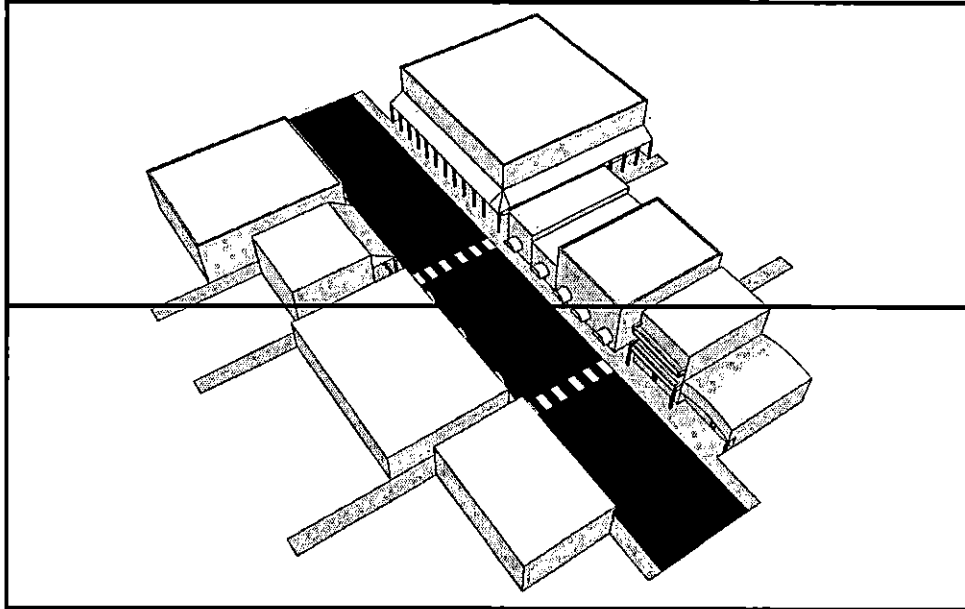
b)u) Building height:

- i) Maximum building heights shall be as noted in table above ~~150~~ 450 feet.

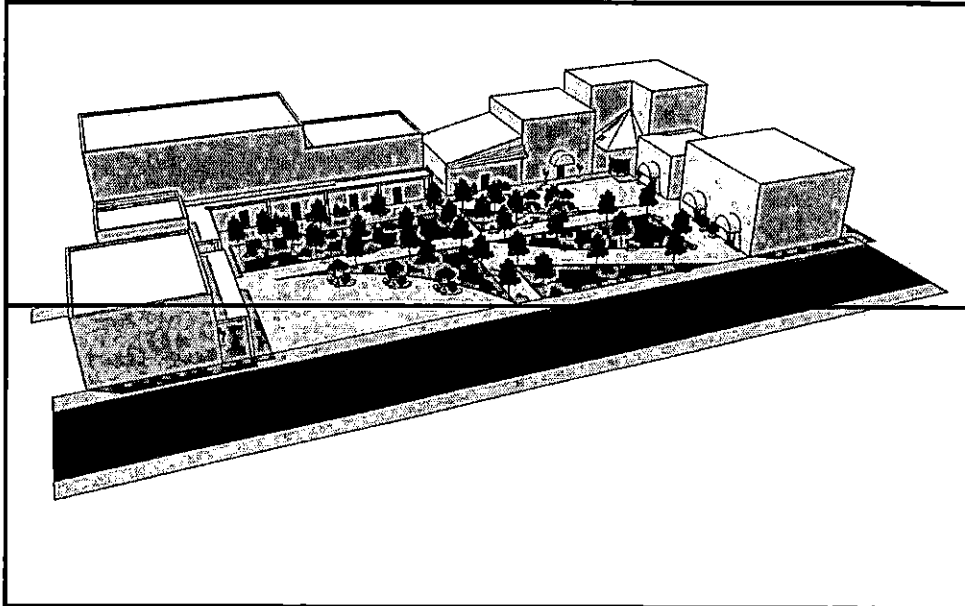
- v) All non-residential and multi-family development except for affordable housing is subject to the provisions of Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code, as may be amended. In addition, at a minimum, each primary facade shall incorporate a minimum of five design treatments. All other requirements in Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code shall apply.
- ii) ~~Alternative structures, including rides or structures within the water park, may reach a maximum height of 170 feet.~~
- ee) Building orientation:
- i) ~~No building shall have its rear facade facing a Perimeter Street. Facades facing Perimeter Streets shall be considered side or front facades and be designed with customer entrances and architectural features consistent with side or front facades. Along Collingswood Boulevard, buildings may have its rear facade face the street, provided that a Type "D" buffer with a wall, as defined in Section 3-9-100, is installed along the right of way.~~
 - ii) ~~Building orientation along streets shall be designed to reinforce a sense of consistent streetscape.~~
 - iii) ~~Buildings shall be aligned with neighboring buildings in order to reinforce the street edge. Landscaping may be used to reinforce this line.~~
 - iv) ~~Buildings shall always be oriented so that the main entrances and windows are parallel to the street that serves the subject property. Main entrances shall be clearly identifiable from the street.~~
 - v) ~~When a phase involves more than one building, including proposed outparcel buildings, all primary and outparcel buildings shall be arranged and grouped so that their primary orientation complements the adjacent existing development and does one of the following:~~
 - (1) ~~Frames the corner of an adjacent street intersection.~~



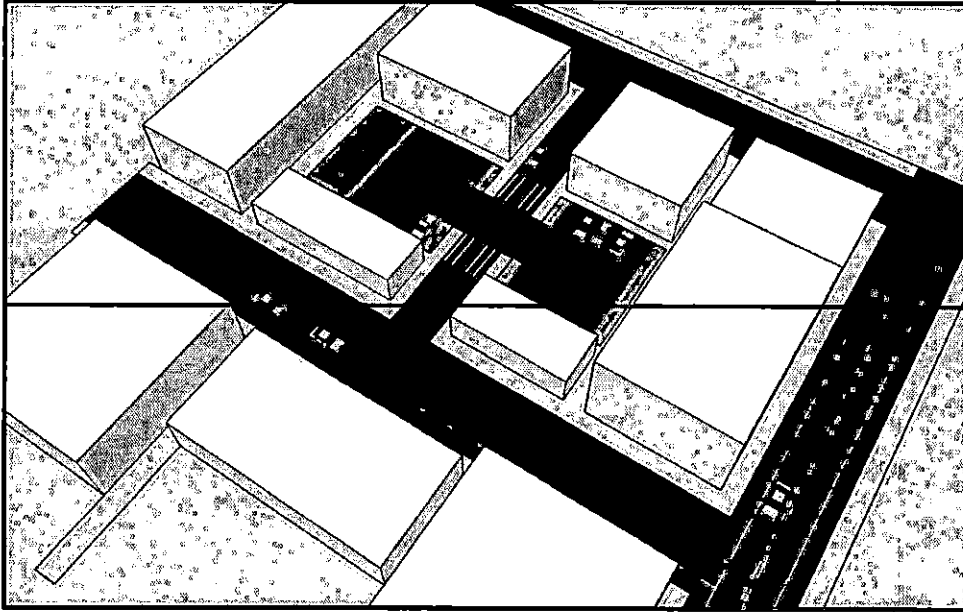
(2) Frames and encloses a "main street" pedestrian and vehicle access corridor within the phase.



(3) Frames and encloses on at least three sides public spaces or other site amenities.



~~(4) Frames a parking area where the buildings face the outer edge of the parcel.~~



- ~~vi) Corner lots shall place as much building mass near the intersection as possible to help anchor the lot and take advantage of high visibility.~~
- ~~vii) Buildings may front along a pedestrian plaza in place of fronting along a street. Any building located at the corner of a street and a pedestrian plaza shall include a public entrance along the street facade, even if the main entrance faces the pedestrian plaza.~~
- ~~viii) Buildings within the water park, as established through Final Site Plan approval, are exempt from these conditions.~~
- ~~dd) Roofs:~~
 - ~~i) Rooflines and roof features shall be consistent with the building's mass and scale.~~
 - ~~ii) To the maximum extent possible, all rooftop equipment shall be concealed from public view in a manner consistent with the architectural design of the building.~~
 - ~~iii) Mansard and shed roofs are prohibited.~~
 - ~~iv) Buildings with sloped roofs shall include dormers and gables along the front to maintain a prominent facade, when feasible.~~
 - ~~v) Buildings with sloped roofs shall provide roof overhangs.~~
- ~~ee) Refuse storage and dumpsters shall be enclosed from view, with a minimum six-foot high stockade fence or masonry wall and gate, or located within a concealing structure, except those that are placed on-site for construction purposes or are located on an alley.~~

- ~~ff) To the extent practicable, loading areas will be screened by buildings or other acceptable design solutions.~~
- ~~gg) Commercial outdoor displays of merchandise shall be permitted as an accessory use within the Frontage zone as established in Condition "v", subject to the following conditions:~~
 - ~~i) Such displays are only permitted during hours when the business is open.~~
 - ~~ii) Merchandise shall be stored indoors at night or be located within a secured area not located on the sidewalk or in front of the building.~~
- ~~hh) Utility easements shall generally be provided along all front and side lot lines, adjacent to the road right of way. They may be provided along other side and rear lot lines as deemed necessary for utility mains.~~
- ~~ii) Where practical, gravity sewer lines should be located within a single street lane to minimize road closures in the event of repair activities. Manholes for those lines should be located in the center of the driving lane to allow vehicles to avoid them.~~
- ~~jj) All phases shall submit a lighting plan that meets the standards of Section 3-5-512.~~
- ~~kk) All phases shall submit a signage plan that meets the standards of Section 3-9-85 except as detailed below, which shall supersede the general standards.~~
 - ~~i) Monument signs are required.~~
 - ~~ii) Signs within a phase shall maintain a consistent design.~~

Landscaping:

- ~~ll) Each phase shall be developed with a unified landscaping theme.~~
- w)
- ~~mm) All development within a phase shall be designed in a manner that takes advantage of the presence of existing heritage trees by including them as focal points within the development.~~
- ~~nn) Large canopy trees shall not be planted or located within eight feet of any potable water or sanitary sewer mains except where approved special provisions for root impacts are incorporated.~~
- ~~oo) Low Impact Development design criteria shall be used in the development and construction of all stormwater management facilities subject to approval by the County Engineer and the Southwest Florida Water Management District.~~
- ~~pp) The area between a building's facade and the sidewalk should be landscaped with a balance of hardscape and softscape or be designed for activating uses such as sidewalk dining or street furniture.~~
- ~~qq) Landscaped areas should be configured as usable open space for the enjoyment of tenants, employees, and the public to the extent practicable rather than solely as visual buffers.~~
- ~~rr) Landscaped buffers shall not generally be required to separate lots, uses, or areas. Screening elements may be used to screen parking areas and to screen service yards, dumpsters, and other similar areas from public view.~~
- ~~ss) Landscaping requirements may be met by plantings in containers, or with contributions to landscaping in the right of way or in adjacent civic space.~~
- ~~tt) Parking lot landscaping shall meet the standards of Section 3-9-100.2 except as detailed below, which shall supersede the general standards:~~
 - ~~i) Trees may be contained in tree wells or other arrangements as long as trees have sufficient non-compacted soil for healthy growth or are of a species that grows well in compacted soil.~~
 - ~~ii) Earthen berms are prohibited.~~
 - ~~iii) Landscape areas are not required to have curbs.~~

iv) ~~Landscape islands may be combined as a component of a stormwater management plan.~~

v) ~~Landscape islands may be omitted for solar panel installations or other shading structures of equal or greater coverage.~~

x) Alternative landscaping designs for parking areas may be approved if they meet the intent of Section 3-9-100.2 and this Planned Development. Such alternative designs shall be reviewed as part of the Site Plan Review process, and approved as part of the Final Detail Site Plan by the Board on its consent agenda.

y) The five percent open space/habitat reservation is not required, nor is the payment in lieu of reservation, provided that each development tract provides at least 20 percent open space.

z) A 25-foot perimeter setback for the entire PD site is not required except for portion of the property located along SR 776.

The following standards shall apply to the 25-foot buffer for commercial/retail development on parcels abutting SR 776:

<u>Buffer</u>	<u>Depth</u>	<u>Supplemental Landscaping</u>	<u>Signs per Section 3-9-85</u>
<u>Area 1 (the area immediately adjacent to SR 776)</u>	<u>15 feet</u>	<u>Accent trees and canopy trees shall be allowed.</u>	<u>Permitted</u>
<u>Area 2</u>	<u>5 feet</u>	<u>Accent trees and canopy trees shall be allowed. Perimeter hedge row shall be a minimum height of 36 inches upon planting.</u>	<u>Not permitted</u>

1. Removal of all exotic and invasive vegetation is required in Area 1 and Area 2. All vegetation shall be retained in Area 1 during construction until installation of any building roof structures has commenced.

2. Preservation of existing native trees if applicable shall be required, except as provided below.

3. Accent trees and canopy trees shall be incorporated with the existing native trees to achieve the equivalent of Type B buffer, including three canopy trees and one accent/understory tree per 100 linear feet. Perimeter hedge row (the minimum maintained height of 48 inches) to form a continuous, solid visual screen within one (1) year of planting shall be required.

4. Tree points are subject to the County code, section 3-9-100.3: Tree requirements.

5. Tree removal is subject to the County code, section 3-9-100.3: Tree requirements, except that:

- All trees less than eight inches DBH and palms less than 12 inches DBH, may be removed from Area 1.
- All trees may be removed from Area 2.
- Tree permits are required for removal of any trees with equal or greater than four-inch caliper and any palm with equal or greater than six (6) feet of clear trunk.

6. A tree barrier, which is used to prevent damage to tree root systems, shall be placed at grade and at the boundary of Area 1 ~~for the~~ for the duration of construction of the project.

However, the tree barrier shall be installed after consultation with county staff so that the tree barrier will not impact the existing tree root systems.

aa) Regarding the school concurrency issues:

- i) 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.
- ii) If an agreement is required, the terms of both agreements shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.

Attachment 1
Planned Development Concept Plan
for West Port Village

vi)



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

March 26, 2025

Roger D. Eaton
Clerk of the Circuit Court
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2025-007, which was filed in this office on March 26, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp



Ticket# 3954818-1
BCC Pg 2
5 x 11.5
Submitted by: Kimberly Sargent
Publish: 03/10/2025
163352 3954820

**PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA COUNTY
OF CHARLOTTE:**

Before the undersigned authority personally appeared Jill Kelli Di Benedetto, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

03/10/25

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Sworn and subscribed before me this 10th day of
March, 2025

(Signature of Notary Public)



Personally known X OR Produced Identification

CRIME

CCSO: Impaired driver had kids in the car

FRANK DIFIORE
Staff Writer

PUNTA GORDA — Authorities arrested a man for allegedly driving while impaired with two children in his car.

Thomas Henry Desimone Jr., 38, was charged with one count of driving under the influence and two counts of child neglect without great harm.



Desimone Jr.

One witness said Desimone stopped at a house and picked up a second child, after his vehicle rear-ended another car.

The Punta Gorda Police Department received a call at 3:41 p.m. on March 2, reporting a reckless driver

near Pompano Terrace and Shreve Street.

The caller said that she had nearly been side-swiped by a minivan. She followed the minivan when it seemed to drive irregularly, and she later saw rear-end another vehicle.

The rear-ended vehicle left "on their own accord," according to the report, as did the minivan. The caller also reported seeing a child

in the minivan.

The minivan driver then stopped at another house, still being followed, and picked up another child before driving again.

Police located a minivan matching the caller's description and stopped the driver on Tamiami Trail.

According to the report, police observed two children in the car without age-appropriate car seats. The driver, identified as Desimone, allegedly had slurred speech and slow movement. Police did not report the smell of alcohol in the car.

Desimone admitted to the rear-end crash, stating both parties had agreed not to contact law enforcement as it was a minor crash, according to the police report.

He agreed to several field sobriety tests, after allegedly saying he was on a prescription medication. The name of the medication was redacted in the report, per state law. According to the report, Desimone failed three tests for sobriety and officers

chose to place him under arrest.

During that search, two prescription bottles were found in his pocket as well as a black vape pen. One bottle was empty, while another had two white pills inside.

The items were placed back in Desimone's pockets as he was put in the back of a patrol car. He was then left alone in the car while police consulted with Charlotte County Jail staff about medical clearance.

When medical personnel arrived at the scene, police found Desimone with the black vape pen in his mouth and the white pills gone.

After noting that his eyes had contracted, the suspect was transported to a hospital for medical clearance and treatment.

At the hospital, Desimone allegedly consented to a blood sample for substance testing. Due to the move to Port Charlotte, a Charlotte County Sheriff's Office deputy had to be summoned to read him the implied consent form. PGPD also reviewed

internal video footage from the patrol vehicle, where they saw Desimone moving his handcuffed arms to be able to put the vape pen in his mouth.

While it was not seen on video, the report also alleges that the video includes the sound of packaging being opened.

Police later took Desimone to the county jail, but he was sent back to the hospital for medical clearance again when it appeared that he had trouble walking unaided.

He was taken to Charlotte County Jail on Monday.

At the time of his arrest, Desimone was on probation for a previous no contest plea on charges of grand theft, criminal mischief, and driving with a suspended license.

He was subsequently charged with two counts of probation violation and is currently being held without bond.

Desimone's next court appearance is scheduled for April 7.

frank.difiore@yoursun.com

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Annette Neumann, D.D.
Board Certified Family Medicine

POLICE BEAT

Charlotte County Sheriff's Office reported the following arrests:

- Jennifer Monice Tyson,

37, 25100 block of Nocturne Lane, Punta Gorda. Charge: failure to appear. Bond: none.

- Cynthia Elizabeth Halye, 37, 400 block of Carahena St., Punta Gorda. Charge: battery. Bond: none.

- Shamane Brendyn Green, 31, 24100 block of Beatrix Blvd., Port Charlotte. Charges: DUI, refusal to accept or sign summons, refusal to accept testing after license suspended, possession of drug paraphernalia, possession of marijuana less than 20 grams, knowingly driving while license suspended. Bond: \$15,500.

- Daniel Lyn Fuller, 43, 4300 block of Eaglet Road, Port Charlotte. Charges: two counts of violation of pretrial release. Bond: none.

- Richard Lee Patterson III, 28, 2200 block of Lake-shore Circle, Port Charlotte. Charge: failure to appear. Bond: none.

- Ronald Allen Baugher, 52, 21900 block of Catherine Ave., Port Charlotte. Charges: fleeing or eluding law enforcement, resisting officer without violence. Bond: none.

- Michael Ray Gray, 57, 3100 block of Toluca Terrace, North Port. Charge: DUI. Bond: \$750.

- Shawn Anthony Rice, 40, 3200 block of Smith St., Englewood. Charge: out-of-county warrant. Bond: none.

- Kyle Dean Dunda, 74, of Tampa. Charges: possession of a controlled substance, possession of drug paraphernalia. Bond: none.

- Timothy Joseph Raymond, 26, 100 block of Charlotte St., Punta Gorda. Charge: possession of a controlled substance. Bond: none.

- James Edward Wutke, 61, homeless of Port Charlotte. Charge: trespassing. Bond: \$10,000.

- Ashlynn Huffman, 36, 12200 block of Malta Ave., Port Charlotte. Charge: DUI. Bond: \$500.

- Justin Thomas Blosser, 36, 21300 block of Hepner Ave., Port Charlotte. Charge: resisting officer without violence, knowingly driving while license suspended. Bond: none.

- Johnny Junior Sanchez, 43, 18500 block of Ebb Ave., Port Charlotte. Charges: possession of a controlled substance, possession of drug paraphernalia, violation of probation. Bond: none.

—Compiled by Frank Difiore

NOTICE OF PUBLIC MEETING AND HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, MARCH 25, 2025, AT 2:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 1850 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT SOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.gov/boards-committees/planning-zoning-board/agenda.html>.

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK; TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITIONS LAND USE REGULAR AGENDA PAL-24-07

Legislative Commission District I

Pursuant to Section 163.118(4)(3), Florida Statutes, transmit to the Florida Department of Commerce and other State agencies for review and comment a Large Scale Plan Amendment to Charlotte County FLUM Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource Extraction (MRE), for property located at: 42811 Neal Road, 3300, 3440, 3450 and 3460 SR 31, in the Punta Gorda area and within the East County area; containing 308.01 acres; Commission District I; Petition No. PAL-24-07; Applicant: Bluegrass Land & Mines; providing an effective date.

PD-24-17

Quasi-Judicial Commission District IV

An Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification amending Ordinance Number 2020-008, the adopted PD Concept Plan, and its associated PD conditions; converting from the adopted equivalency matrix approved 84,743.79 square feet of regional commercial uses to 350 units of single-family units and approved 58,394.16 square feet of regional commercial uses to 320 multi-family units, in order to have a mixture of residential and commercial development up to 670 residential units, 250,000 square feet of regional commercial uses, 150 keys of hotel uses, and 150,000 square feet of other commercial uses for governmental uses; adopting a General PD Concept Plan; for multiple parcels, generally located north of El Jobean Road (SR 776), south of Seymour Avenue, east of the Como Waterway, and west of Collingswood Boulevard, within the boundary of the Murdock Village Community Redevelopment Area; in the Port Charlotte area; containing 154.93 acres; Commission District IV; Petition No. PD-24-17; Applicant: Kolter Group Acquisitions, LLC; providing an effective date.

TCF-24-03

Legislative Commission District IV

Pursuant to Section 163.118(4)(3), Florida Statutes, an application to transmit a Large Scale Plan Amendment (Text Amendment) to the Department of Commerce and other State agencies for review and comment to amend Future Land Use (FLU) Appendix VII: Compact Growth Mixed Use Master Development Plan by revising Section 1: West County Town Center, specifically: 1) changing the name of Section 1 from "West County Town Center" to "Harbor Village"; 2) amending the total acreage of this project from 1,187.6 to 1,174.14 acres; amending a) 1.A: Base Residential Density to decrease the base density from 1,831 units to 1,790 units; b) 1.B: Maximum Residential Density to reduce the residential development rights from 3,960 units to 3,475 units; c) 1.C: to rename and amend "Maximum Floor Area Ratio" to "Maximum Commercial and Light Industrial Intensity"; d) 1.D: to remove "Preparatory Construction Easement" and replace with "Uses Permitted Within Area A As Shown on Figure 1-C, Above"; and e) 1.E: Master Development Plan to adopt a new Master Land Use Plan/Patent Book, for properties generally located southeast of McCall Road (SR 776) and southwest of the Myakka River, in the West County area; Petition No. TCF-24-03; Applicant: Maranda Homes LLC, of Florida; providing an effective date.

PAL-24-04

Legislative Commission District IV

Pursuant to Section 163.118(4)(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Florida Department of Commerce and other State agencies for review and comment; the amendment request is to 1) amend Charlotte County FLUM Series Map #1: 2030 Future Land Use from Compact Growth Mixed Use (CGMU) (1,081,756 acres) and Preservation (PR) (92,396 acres) to CGMU (1,010,692 acres) and PR (163,454 acres) in order to allow for a mixture of residential up to 3,475 units (a reduction of 485 units), commercial and light industrial uses up to 1,400,000 square feet (a reduction of 109,807 square feet); increasing the base density from 1,831 units or 1,790 units with an approved PD ordinance restricting development on Area A as identified on Figure 1-A under Section 1 of FLU Appendix VII: Compact Growth Mixed Use Master Development Plan to low Impact recreational use/supervisory recreational uses; 2) amend Charlotte County FLUM Series Map #1: 2030 Framework, from Agricultural/Rural to Emerging Neighborhood for 28.012 acres of properties and 99.132 acres of properties from Emerging Neighborhood to Agricultural/Rural; and 3) amend Charlotte County FLUM Series Map #1: 2030 Service Area Determination, to extend the Urban Service Area boundary to include 28.012 acres of properties and to concurrently remove 99.132 acres of properties from the Urban Service Area; for properties generally located southeast of McCall Road (SR 776) and southwest of the Myakka River, in the West County area, containing 1,174.14 acres; Commission District IV; Petition No. PAL-24-04; Applicant: Maranda Homes LLC, of Florida; providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Any person needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.764.4191, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.

Publish: March 10, 2025



Attachment 2

Ordinance Number 2020-008

CHG
BCE



ORDINANCE
NUMBER 2020 - 008

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL MULTI-FAMILY 10 (RMF-10), RESIDENTIAL SINGLE-FAMILY 3.5 (RSF-3.5), OFFICE MEDICAL INSTITUTIONAL (OMI), AND COMMERCIAL GENERAL (CG) TO PLANNED DEVELOPMENT (PD), FOR PROPERTY BOUND BY SEYMOUR AVENUE TO THE NORTH, COLLINGSWOOD BOULEVARD TO THE EAST, EL JOBEAN ROAD (SR 776) TO THE SOUTH, AND THE COMO WATERWAY TO THE WEST, IN THE PORT CHARLOTTE AREA, CONTAINING 153.46 ACRES MORE OR LESS AND INCLUDING RIGHTS OF WAY FOR TOLEDO BLADE BOULEVARD AND THE COMO WATERWAY, FOR A TOTAL OF 173.31 ACRES MORE OR LESS; COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION Z-18-07-35; APPLICANT, LOST LAGOON DEVELOPMENT, LLLP; PROVIDING AN EFFECTIVE DATE.

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4533 PAGE 917 PAGE 1 OF 20
I/I STR # 2781844 Doc Type: GOV
Recorded 1/30/2020 at 10:05 AM
Rec Fee RECORDING \$171.50
Cashier By: CARLEIEG

RECITALS

WHEREAS, in a public hearing held on Tuesday, January 28, 2020, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition Z-18-07-35, submitted by applicant, Lost Lagoon Development, LLLP ("Applicant"), which requested a rezoning from Residential Multi-family 10 (RMF-10), Residential Single-family 3.5 (RSF-3.5), Office Medical Institutional (OMI), and Commercial General (CG) to Planned Development (PD) for property owned by Murdock Village Community Redevelopment Agency, whose address is 18500 Murdock Circle, Port Charlotte, Florida 33948, and described as property bound by Seymour Avenue to the north, Collingswood Boulevard to the east, El Jobean Road (SR 776) to the south, and the Como Waterway to the west, in the Port Charlotte area, containing 153.46 acres more or less and including rights of way for Toledo Blade Boulevard and the Como Waterway, for

M.W.
20

35 a total of 173.31 acres more or less; Commission District IV, Charlotte County,
36 Florida, and more particularly described in Exhibit "A" which is attached hereto
37 and provided herein ("Property"); and

38 WHEREAS, the Applicant seeks a rezoning from Residential Multi-
39 family 10 (RMF-10), Residential Single-family 3.5 (RSF-3.5), Office Medical
40 Institutional (OMI), and Commercial General (CG) to Planned Development (PD)
41 in order to allow for the construction of a mixture of retail, entertainment, and
42 hotel uses, including a water park, on the Property; and

43 WHEREAS, Petition Z-18-07-35 has previously been heard by the
44 Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the
45 findings and analysis provided by County Staff and the evidence presented to the
46 P&Z Board, has been recommended for approval on January 13, 2020; and

47 WHEREAS, after due consideration, based on the findings and
48 analysis provided by County Staff and the evidence presented to it, the Board
49 has found that approval of Petition Z-18-07-35 is consistent with the County's
50 Comprehensive Plan, and that it meets the requirements for the granting of a
51 rezone; and

52 WHEREAS, based on the above findings, the Board has
53 determined it to be in the best interests of the County to rezone the subject
54 property from Residential Multi-family 10 (RMF-10), Residential Single-family 3.5
55 (RSF-3.5), Office Medical Institutional (OMI), and Commercial General (CG) to
56 Planned Development (PD).

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Charlotte County, Florida:

SECTION 1. The following petition, made by applicant, Lost Lagoon Development, LLLP, for an amendment to the Charlotte County Zoning Atlas is hereby approved subject to the conditions contained in the attached Exhibit "B":

Petition Z-18-07-35 requesting rezoning from Residential Multi-family 10 (RMF-10), Residential Single-family 3.5 (RSF-3.5), Office Medical Institutional (OMI), and Commercial General (CG) to Planned Development (PD) for property bound by Seymour Avenue to the north, Collingswood Boulevard to the east, El Jobean Road (SR 776) to the south, and the Como Waterway to the west, in the Port Charlotte area, containing 153.46 acres more or less and including rights of way for Toledo Blade Boulevard and the Como Waterway, for a total of 173.31 acres more or less; Commission District IV, Charlotte County, Florida, and more particularly described in Exhibit "A".

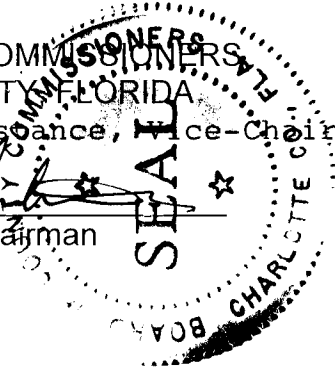
SECTION 2. That the zoning for this property shall run with the property and shall apply to any subsequent owners, heirs and assigns.

SECTION 3. This Ordinance shall take effect upon filing in the Office of the Secretary of State, State of Florida.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 28th day of January, 2020.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA
Christopher G. Constance, Vice-Chair
By: Christopher G. Constance
for William G. Truex, Chairman



ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: Michelle DiBerardino
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
SB LR2018-0534

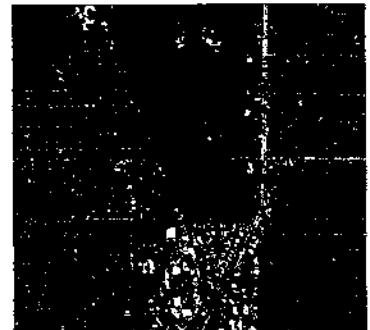
TOLEDO BLADE-SECTION ONE

SECTION 12 TOWNSHIP 30 SOUTH RANGE 21 EAST

CHART OF 11 COUNTY 4168800A

NOTICE

TO ALL WHOM THESE PRESENTS SHALL COME, I, the undersigned, Clerk of the County of Lucas, Ohio, do hereby certify that the within and foregoing plat of the Toledo Blade-Section One, Township 30 South, Range 21 East, County of Lucas, Ohio, is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio, and that the same is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio.



LOCATION MAP
T = 3005

CERTIFICATE OF APPROVAL OF COUNTY ENGINEER

I, the undersigned, County Engineer of Lucas County, Ohio, do hereby certify that the within and foregoing plat of the Toledo Blade-Section One, Township 30 South, Range 21 East, County of Lucas, Ohio, is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio, and that the same is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio.

CERTIFICATE OF APPROVAL OF PLANNING AND ZONING BOARD

I, the undersigned, Planning and Zoning Board of Lucas County, Ohio, do hereby certify that the within and foregoing plat of the Toledo Blade-Section One, Township 30 South, Range 21 East, County of Lucas, Ohio, is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio, and that the same is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio.

CERTIFICATE OF APPROVAL OF COUNTY PUBLIC HEALTH UNIT

I, the undersigned, County Public Health Unit of Lucas County, Ohio, do hereby certify that the within and foregoing plat of the Toledo Blade-Section One, Township 30 South, Range 21 East, County of Lucas, Ohio, is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio, and that the same is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio.

CERTIFICATE OF APPROVAL OF COUNTY BOARD OF SUPERVISORS

I, the undersigned, County Board of Supervisors of Lucas County, Ohio, do hereby certify that the within and foregoing plat of the Toledo Blade-Section One, Township 30 South, Range 21 East, County of Lucas, Ohio, is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio, and that the same is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio.

CERTIFICATE OF APPROVAL OF COUNTY BOARD OF COMMISSIONERS

I, the undersigned, County Board of Commissioners of Lucas County, Ohio, do hereby certify that the within and foregoing plat of the Toledo Blade-Section One, Township 30 South, Range 21 East, County of Lucas, Ohio, is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio, and that the same is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio.

CERTIFICATE OF APPROVAL OF COUNTY BOARD OF HEALTH

I, the undersigned, County Board of Health of Lucas County, Ohio, do hereby certify that the within and foregoing plat of the Toledo Blade-Section One, Township 30 South, Range 21 East, County of Lucas, Ohio, is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio, and that the same is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio.

CERTIFICATE OF APPROVAL OF COUNTY BOARD OF EDUCATION

I, the undersigned, County Board of Education of Lucas County, Ohio, do hereby certify that the within and foregoing plat of the Toledo Blade-Section One, Township 30 South, Range 21 East, County of Lucas, Ohio, is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio, and that the same is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio.

CERTIFICATE OF APPROVAL OF COUNTY BOARD OF AGRICULTURE

I, the undersigned, County Board of Agriculture of Lucas County, Ohio, do hereby certify that the within and foregoing plat of the Toledo Blade-Section One, Township 30 South, Range 21 East, County of Lucas, Ohio, is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio, and that the same is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio.

CERTIFICATE OF APPROVAL OF COUNTY BOARD OF MINES

I, the undersigned, County Board of Mines of Lucas County, Ohio, do hereby certify that the within and foregoing plat of the Toledo Blade-Section One, Township 30 South, Range 21 East, County of Lucas, Ohio, is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio, and that the same is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio.

CERTIFICATE OF APPROVAL OF COUNTY BOARD OF TRADE

I, the undersigned, County Board of Trade of Lucas County, Ohio, do hereby certify that the within and foregoing plat of the Toledo Blade-Section One, Township 30 South, Range 21 East, County of Lucas, Ohio, is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio, and that the same is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio.

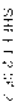
CERTIFICATE OF APPROVAL OF COUNTY BOARD OF ARTS AND CRAFTS

I, the undersigned, County Board of Arts and Crafts of Lucas County, Ohio, do hereby certify that the within and foregoing plat of the Toledo Blade-Section One, Township 30 South, Range 21 East, County of Lucas, Ohio, is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio, and that the same is a true and correct copy of the original plat of the same, as the same appears on the records of the County of Lucas, Ohio.

EXHIBIT
"A"
163

6.

1. **Age** of person of concern
 2. **Sex**
 3. **Place of birth**
 4. **Country of birth**
 5. **Country of residence**
 6. **Language spoken**
 7. **Religion**
 8. **Education**
 9. **Occupation**
 10. **Political views**
 11. **Family situation**
 12. **Health**
 13. **Other information**
 14. **Notes**
 15. **Signature**
 16. **Date**
 17. **Initials**
 18. **Printed name**
 19. **Address**
 20. **Phone number**
 21. **Telex number**
 22. **Facsimile number**
 23. **Other contact information**
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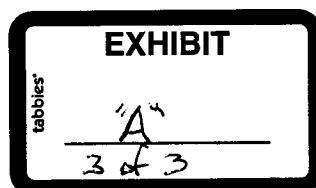
Description: Overall Plat Boundary

A tract or parcel of land lying in Section 12, Township 40 South, Range 21 East, which tract or parcel is more particularly described as follows:

Commencing at the Southeast corner of said Section 12, thence N03°28'25"W a distance of 2307.82 feet to a point on the northerly right of way (ROW) line of State Road 776 (El Jobean Road)(200 foot Public ROW) and the Point of Beginning.

From said Point of Beginning, thence N00°16'35"E a distance of 1733.67 feet; thence N89°43'25"W a distance of 559.48 feet; thence N00°07'03"W a distance of 879.36 feet to a point of curvature; said point also being on the south right of way line of Seymour Avenue (50 foot Public ROW); thence along the arc of a non-tangent curve to the left for a length of 292.38 feet, having a radius of 1509.86 feet, (delta of 11°05'42") (chord bearing of N83°39'11"W) (chord length of 291.92 feet) to a point of tangency; thence N89°12'05"W along said south right of way line for a distance of 880.80 feet; thence S00°07'03"E a distance of 250.00 feet; thence N89°12'05"W a distance of 555.40 feet to a point of curvature; thence along the arc of a curve to the right for a length of 38.87 feet, having a radius of 25.00 feet, (delta of 89°05'02") (chord bearing of N44°39'34"W) (chord length of 35.07 feet) to a point of cusp; thence N00°07'03"W a distance of 199.99 feet to a point of curvature; thence along the arc of a curve to the right for a length of 39.67 feet, having a radius of 25.00 feet, (delta of 90°54'58") (chord bearing of N45°20'26"E) (chord length of 23.37 feet) to a point of cusp; thence N89°12'05"W a distance of 94.41 feet; thence N00°07'03"W for a distance of 89.49 feet; thence S89°52'57"W for a distance of 125.00 feet; thence S59°09'38"W for a distance of 117.42; thence S00°07'03"E for a distance of 3684.69 feet to a point on said northerly right of way line of State Road 776; thence along said right of way line N69°10'05"E for a distance of 2773.46 feet to the Point of Beginning.

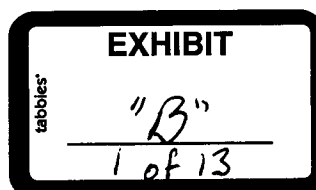
Containing 173.31 acres, more or less.



Conditions of Approval:

Entitlements:

- a) Development entitlements:
 - i) As established in the Preliminary Decision of Determination of Vested Rights for Murdock Village, dated March 25, 2009 and effective as final April 9, 2009, the initial development entitlements granted include:
 - (1) 432,434.00 square feet of Regional commercial space
 - (2) 802,396.94 square feet of Other commercial space
 - ii) As established in the Agreement for Purchase and Sale between the Murdock Village Community Redevelopment Agency and Lost Lagoon Development LLLP, dated October 24, 2017, the final development entitlements include:
 - (1) 2,000,000 square feet of commercial, retail, restaurant, destination entertainment, and accessory storage uses.
 - (2) Two conference centers.
 - (3) Hotels totaling 1,250 keys.
 - (4) 45 acres for a water park.
 - iii) Entitlements established in the Agreement for Purchase and Sale may be considered Regional Commercial, Community Commercial, or General Commercial, as established according to the Murdock Village Equivalency Matrix included in Section 6 of Charlotte 2050 FLU Appendix I: Land Use Guide. Specific uses shall be classified as follows:
 - (1) Commercial uses may be considered Community Commercial or General Commercial.
 - (2) Retail uses may be considered Community Commercial or General Commercial.
 - (3) Restaurant uses may be considered Community Commercial or General Commercial.
 - (4) Destination entertainment uses may be considered Regional Commercial only.
 - (5) Accessory storage uses may be considered Community Commercial or General Commercial.
 - (6) Hotels with conference centers may be considered Regional Commercial only.
 - (7) Other hotels may be considered Community Commercial or General Commercial.
 - (8) Water park uses, including offices, maintenance areas, and other "back of house" uses, may be considered Regional Commercial only.
 - iv) Initial development entitlements may be increased in one land use category and concurrently reduced in another land use category to achieve the final development entitlements according to the Murdock Village Equivalency Matrix included in Section 6 of Charlotte 2050 FLU Appendix I: Land Use Guide through the procedure established in Article XXVI: Vested Rights of the Charlotte County Code of Laws and Ordinances (County Code). All applications for Preliminary Site Plan Approval shall include calculations supporting any proposed exchanges using the Equivalency Matrix, together with a running total of remaining entitlements.
 - v) Commercial use types shall not exceed the following maximums:
 - (1) Regional Commercial uses shall not exceed 1,200,000 square feet gross leasable area.



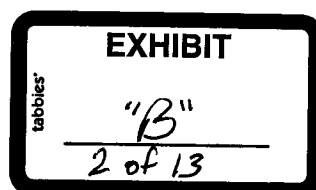
- (2) Community Commercial uses shall not exceed 400,000 square feet gross leaseable area.
- (3) Other Commercial uses shall not exceed 2,291,448 square feet gross leaseable area.
- vi) Uses established within a hotel structure or site such as restaurants, bars, limited retail, or personal services including spas or salons shall be considered accessory uses of the hotel and be included in the hotel's development entitlements, not as separate commercial uses.
- b) Land use categories within this Planned Development shall be considered General Commercial, Community Commercial, or Regional Commercial, as established in the Murdock Village Mixed Use Future Land Use Map designation contained in FLU Appendix I.

Development and Phasing:

- c) Development on the subject property shall occur as generally illustrated on the Planned Development Concept Plan submitted by the applicant, prepared by Banks Engineering, dated January 28, 2019, except such modifications as may be required to meet the conditions of the Planned Development zoning district. In addition, the Site Plan Review (Petition No. DRC-18-00046) conditions of approval according to the letter dated February 4, 2019, and signed by Shaun Cullinan, Charlotte County Zoning Official, are required to be met.
- d) No development activity shall occur prior to Final Site Plan approval.
- e) This Planned Development may be developed in phases, and a phase may consist of one building or of multiple buildings and structures. Each phase shall submit a concept plan for review through the Site Plan Review process.
- f) Each phase shall submit the following as part of its Preliminary Site Plan approval:
 - i) Anticipated land uses within the conceptual plan boundaries, including entitlements used.
 - ii) Tract boundaries, where applicable.
 - iii) Conceptual design of the vehicular, pedestrian, and bicycle transportation networks, including designation of street types as established in Condition "p".
 - iv) Landscaping plans.
 - v) Parking studies.
 - vi) Lighting plans.
 - vii) Signage plans.
 - viii) Utility layouts.
 - ix) Stormwater management plans.
 - x) Any additional details deemed necessary.

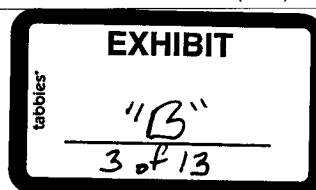
Uses:

- g) The following uses may be permitted:
 - i) Amphitheater.
 - ii) Art, dance, music, photo studio or gallery.
 - iii) Auditorium, convention center, performing arts center.
 - iv) Bank, financial services.
 - v) Bar, cocktail lounge, nightclub, tavern.
 - vi) Boat, travel trailer and motor vehicle sales, including recreational vehicles and campers, provided that the use is showroom-only and no vehicles are stored on-site.



- vii) Business services.
- viii) Day care center, child.
- ix) Drive-through uses, subject to the following conditions:
 - (1) All drive-through lanes shall only be accessed from an alley.
 - (2) Stacking lanes shall not encroach on any public right-of-way.
 - (3) Drive-through uses shall not be located at intersections.
- x) Drug store, pharmacy.
- xi) Dry cleaner.
- xii) Emergency services.
- xiii) Essential services (see Section 3-9-71, essential services.).
- xiv) Fences or walls, which may be permitted prior to the principal uses and structures.
- xv) Gas stations, subject to the following conditions:
 - (1) Pumps must be placed behind or to the side of the primary structure.
 - (2) If located at an intersection, the primary structure must be placed at the property corner abutting the intersection.
 - (3) All street frontages of the primary structure must have customer entrances.
- xvi) General offices.
- xvii) General retail sales and services (see Section 3-9-61, accessory outdoor retail sales, display, and storage).
- xviii) Hotel, motel, inn.
- xix) Liquor, package store.
- xx) Noncommercial vehicle rental.
- xxi) Outdoor market or exhibition space, including but not limited to 4H-type exhibitions.
- xxii) Paid or public parking lot, garage, structure.
- xxiii) Private off-site parking.
- xxiv) Personal services.
- xxv) Professional services.
- xxvi) Recreation, indoor.
- xxvii) Recreation, outdoor.
- xxviii) Restaurant.
- xxix) Uses and structures which are customarily accessory and clearly incidental to primary uses and structures, including but not limited to the following:
 - (1) Infrastructure associated with alternative energy production for the development, including as part of parking lot landscaping consistent with condition "vv".
 - (2) Telecommunications facilities for the internal operations of the development, including management, maintenance, and similar activities.
 - (3) Vehicle fueling, repair, and washing facilities for use by the internal operations of the development. These facilities shall not be open to the general public.
- xxx) Water park with a recreational vehicle park as an accessory use subject to the following conditions:
 - (1) This use shall contain no more than 20 recreational vehicle sites at no more than one location within this Planned Development.
 - (2) Development standards:

Minimum site area (s.f.)	3,000
--------------------------	-------



Minimum site width (ft.)	40
Minimum setbacks (ft.)	
Park:	
Outer boundary	25
Abutting water	20
Sites:	
Street sides	10
Interior sides	5
Maximum percent coverage	
Park	60
Sites	40
Maximum height (ft.)	38

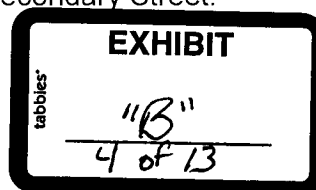
(3) Each site shall be connected to public potable water and sanitary systems. If recreational vehicle sites are to be provided to recreational vehicles that have no bath or toilet facilities, then those sites shall be located not more than 200 feet from approved shower and toilet facilities.

(4) The park shall have an appropriate fire protection plan and appropriate base facilities for fighting fire, approved by Charlotte County Fire/EMS.

h) Vertical mixed use of permitted uses shall be allowed, provided that the design, form, and size limitations established in these conditions are followed.

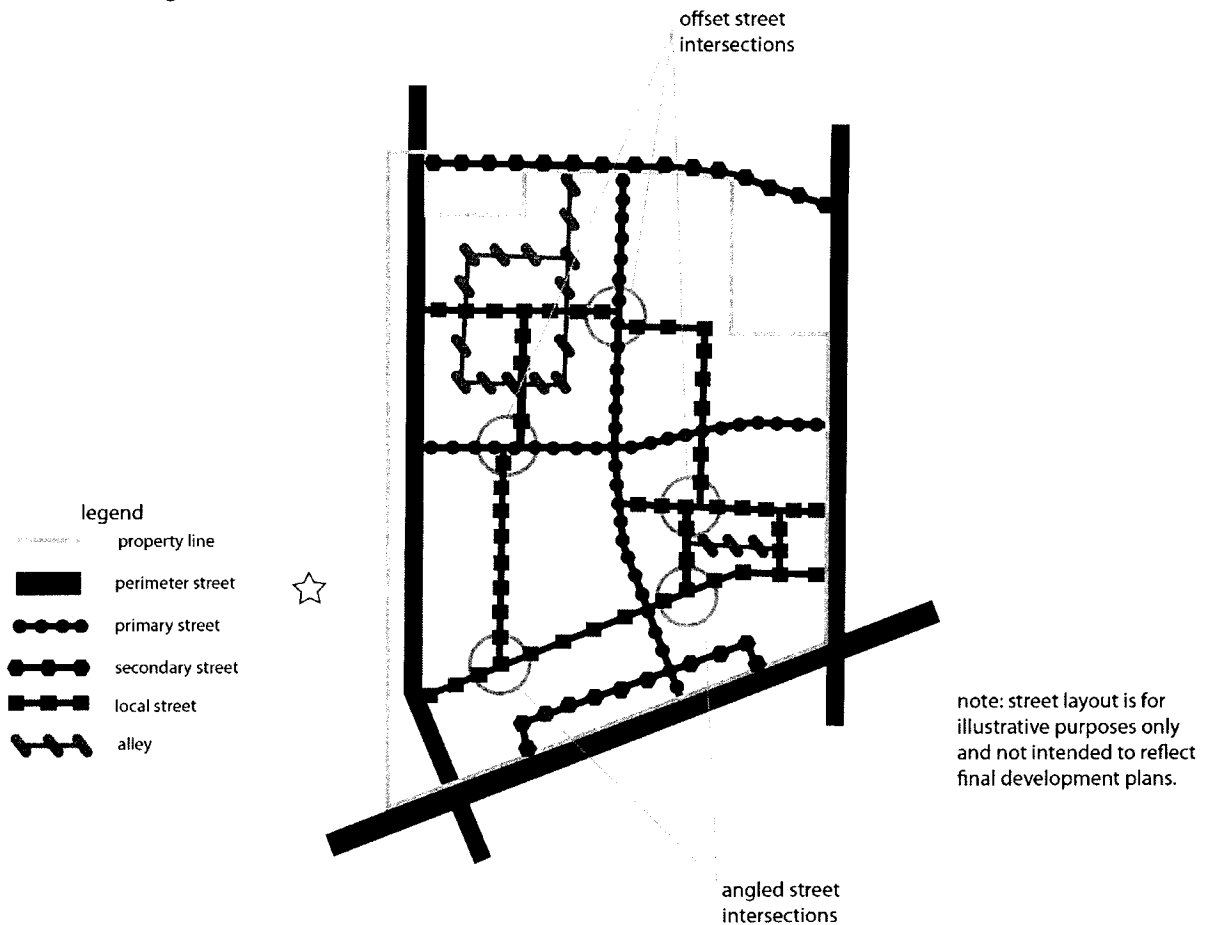
Streets and Circulation:

- i) All new development shall have access to an improved public street, private street, recorded easement, or alley or be part of a common fire access plan. A private access easement that provides the opportunity for a future street connection shall not be considered a driveway for the purpose of determining access.
- j) Streets shall be designed to prioritize the ease of pedestrian and bicycle movement and safety, and to encourage slower vehicular operating speeds.
- k) Unless otherwise established by these conditions, all roadways within the subject property shall be constructed to Charlotte County standards. All private roadways shall be required to be maintained by the developer, and subsequently, a property owners association.
- l) Road surfaces may be constructed of alternative materials such as pavers, subject to approval by the County Engineer and Charlotte County Fire/EMS and, if intended to be publicly dedicated, a maintenance agreement with the County.
- m) A variety of curb types may be used, subject to approval by the County Engineer, including vertical or ribbon curbs, subject to stormwater needs, or mountable curbs where necessary for fire access.
- n) Streets shall be classified according to the following types:
 - i) Perimeter Streets: Existing streets bounding the perimeter of the site, including El Jobean Road (SR 776), Toledo Blade Boulevard, and Collingswood Boulevard.
 - ii) Primary Streets: Streets that provide connections from the Secondary and Local Streets to the Perimeter Streets.
 - iii) Secondary Streets: Streets that provide access to commercial, workplace, and mixed-use properties. Existing Seymour Avenue, or as it may be realigned or renamed, shall be considered a Secondary Street.



iv) Local Streets: Streets that provide access to businesses and entertainment uses. These streets are intended to maintain low vehicle speeds and facilitate pedestrian and bicycle movements.

- (1) Angled roadways and offset intersections are acceptable on Local Streets.
- (2) Local streets should be laid out in a connected network. The use of cul-de-sacs should be minimized.
- (3) Driveway access is not limited, but alley access and shared driveways are encouraged.



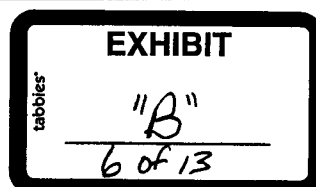
v)

Alleys: Alleys provide rear access to sites for parking access, refuse collection, utilities, and other services.

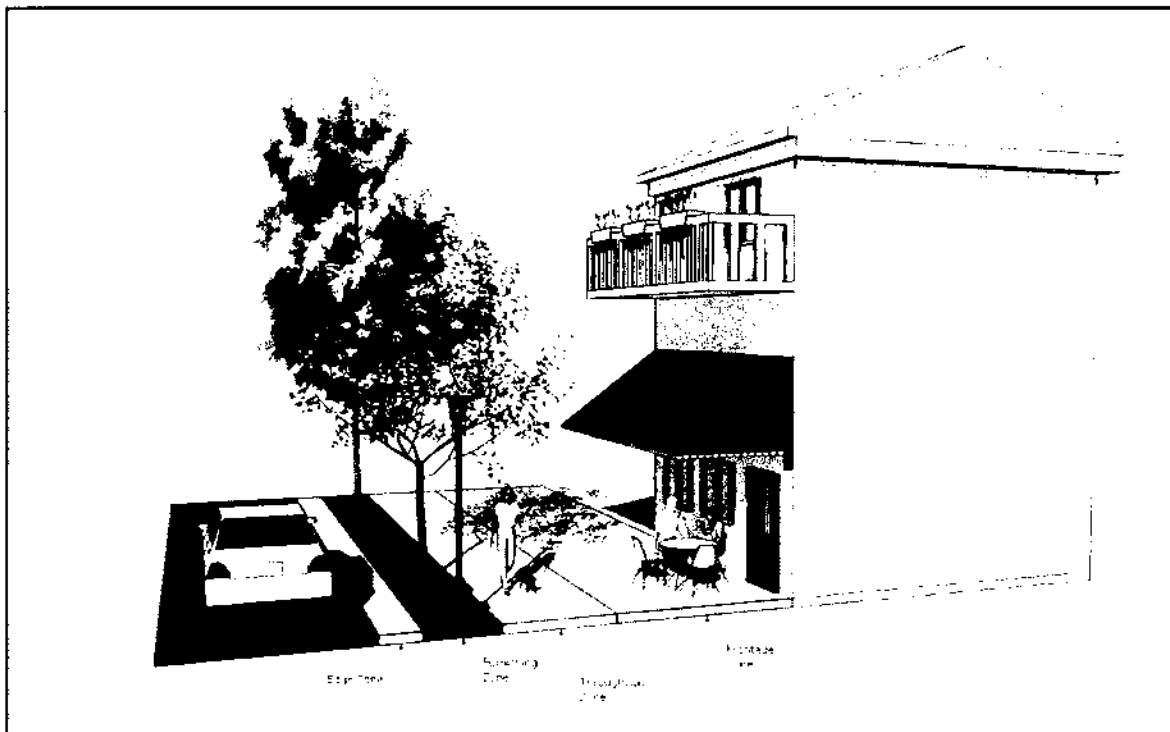
- (1) The use of alleys is encouraged.
 - (2) Alley access points are permitted only onto Secondary Streets and Local Streets.
 - (3) Fire access shall not be required for alley design where adequate emergency service access exists along another street frontage.
- o) Traffic calming appropriate to each street type shall be undertaken in the project to lower vehicular speeds and ensure a safe and comfortable environment for pedestrians, bicyclists, community electric vehicles, and all road uses. All traffic calming solutions must be approved by the County Engineer. Acceptable traffic calming solutions include, but are not limited to:

- i) Roundabouts designed according to the criteria set forth in the latest edition of "Roundabouts, an Informational Guide," published by the Federal Highway Administration.
 - ii) Centerline offsets.
 - iii) Street trees.
 - iv) Intersection control.
 - v) Bump-outs.
 - vi) Parking offsets.
 - vii) Roadway curvature.
 - viii) Low design speeds.
 - ix) Other urban design approaches.
 - x) Speed humps are not an acceptable traffic calming solution.
- p) Right-of-way lines may intersect without a radius.
- q) Blocks:
- i) All block dimensions shall be measured from curb to curb. Right of way widths shall not be included in the measurement of block widths or depths.
 - ii) Unless otherwise stated, block dimensions shall not exceed 660 feet by 400 feet and block depth-to-width ratios shall not exceed 1 to 4.
 - iii) On sites 15 acres or larger, the site may contain one block with a maximum dimension of 660 feet by 660 feet for every 30 acres.
 - iv) All sites shall have an internal circulation system connecting the blocks, forming an interconnected, grid-like system. This system may be made up of publicly-dedicated rights of way, private streets, or a combination of both.
 - v) When a block dimension exceeds 660 feet, a mid-block pedestrian plaza shall be provided, allowing access to the opposite side of the block. This pedestrian plaza does not need to be placed at the exact mid-point of the block, but shall be located no nearer any end of the block than one-third of the block dimension.
 - vi) Contiguous green spaces are not subject to the block length requirements, but if the green space is longer than 150 feet it must include a pedestrian walkway with shared bicycle use as a mid-block connection every 150 feet.
 - vii) The water park site shall be exempt from any maximum block size standards.
- r) Sidewalks or landscaped rights-of-way may be used for commercial or entertainment activities including, but not limited to, musical entertainment, sidewalk dining, sidewalk sales, display of merchandise, or temporary festivals.
- s) Sidewalk element zones are established as follows:

Zone	Required	Minimum Width (ft.)	Location	Purpose	Uses
Edge	Y	2	Closest to curb	Prevent damage by parking or passing cars to streetscape elements	Must be clear of permanent obstructions.
Furnishing	N	4	Between Edge and	Provide a buffer between	Public uses such as

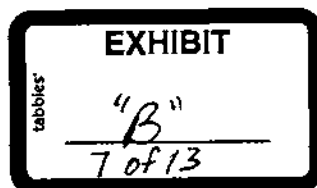


			Throughway zones	pedestrians and vehicles	landscaping, street furniture, public signage, and street lighting. Private uses such as temporary signage and sidewalk dining.
Throughway	Y	6	Between Furnishing and Frontage	Provide unobstructed passage for pedestrians	Must be clear of permanent obstructions.
Frontage	N	0	Between Throughway and building facade	Provide outdoor accessory uses for primary uses fronting the street. May be partially or entirely outside of the right-of-way.	Private uses such as street furniture, temporary signage, merchant displays, and sidewalk dining.



Parking:

- t) Parking in relation to the principal entrance of a use shall be provided according to the following standards:

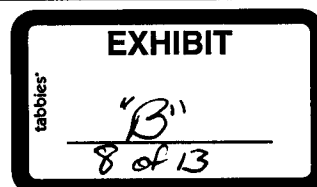


- i) All parking must be within 1,200 feet of the principal entrance of the use served.
- ii) No more than 50 percent of the required parking may be located more than 600 feet away from the principal entrance of the use served
- iii) On-street parking may be included, provided that the on-street spaces are located within 600 feet of the principal entrance of the use served.
- iv) Parking for the water park is exempt from these conditions, provided that all parking for the water park is located on the same parcel as the water park following Final Site Plan approval or any modifications thereto.
- u) Required parking shall be provided according to Section 3-9-79, Off-street parking and loading facilities, or through a parking study acceptable to the County. Such studies shall include considerations such as a joint parking agreement, prepared to the satisfaction of the County Attorney, between two or more property owners establishing how parking areas will be shared, how bicycle parking may be provided to reduce the number of automobile spaces, and how parking spaces used for electric vehicles, motorcycles, or similar forms of transportation may be counted towards the minimum required amount of parking.
- v) Parking lots may be used for temporary events such as outdoor seating, where applicable, provided that such temporary use does not result in a reduction of usable parking spaces to fewer than the minimum required parking for the site as established by Section 3-9-79, Off-street parking and loading facilities, or a parking study prepared in accordance with Condition "u".
- w) Consolidated driveways are encouraged, with cross-access agreements between adjacent parking areas.
- x) Driveways shall have a 15-foot radius.
- y) Parking spaces other than handicapped-accessible spaces may be a pervious material, approved by the County Engineer.
- z) Parking areas designated for limited use or overflow, such as for special events, may be grass or gravel.

Site and Building Design:

- aa) All development shall connect to public potable water and sanitary sewer service.
- bb) An applicant for a new phase shall include a Design and Development Standards (DDS) manual with the application for Site Plan Review. Alternatively, the applicant may choose to conform to the adopted DDS manual of an immediately adjacent phase. The DDS manual shall include an architectural pattern book prepared by a licensed architect, establishing the required architectural details for all structures within the phase. The costs of preparing the DDS manual shall be borne by the applicant.
- cc) Lots:
 - i) There shall be no minimum lot size.
 - ii) There shall be no maximum lot coverage.
 - iii) Setbacks are established based upon the street frontage of the lot, according to the street types established in Condition "p", and the following standards:
 - (1) There are no required minimum setbacks along any lot line except along Perimeter streets, where there shall be a minimum setback of 10 feet.
 - (2) The following maximum setbacks shall be required:

Street Type	Front	Side	Rear
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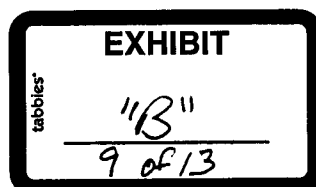
Perimeter	20	20	None
Primary	15	10	20
Secondary	15	10	20
Local	10	10	20
Alley	N/A	None	None

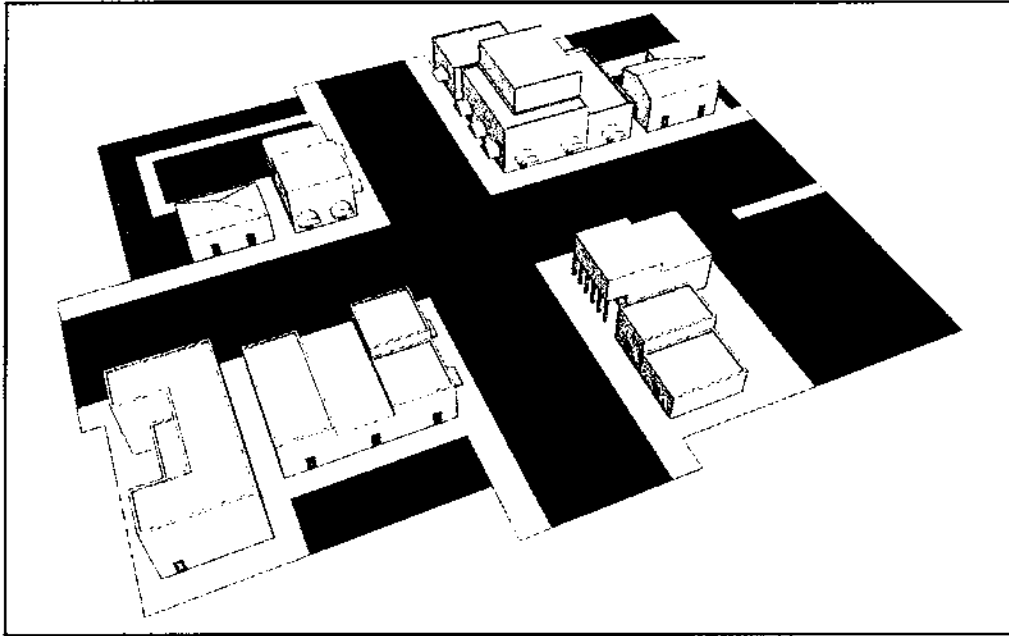
dd) Building height:

- i) Maximum building heights shall be 150 feet.
- ii) Alternative structures, including rides or structures within the water park, may reach a maximum height of 170 feet.

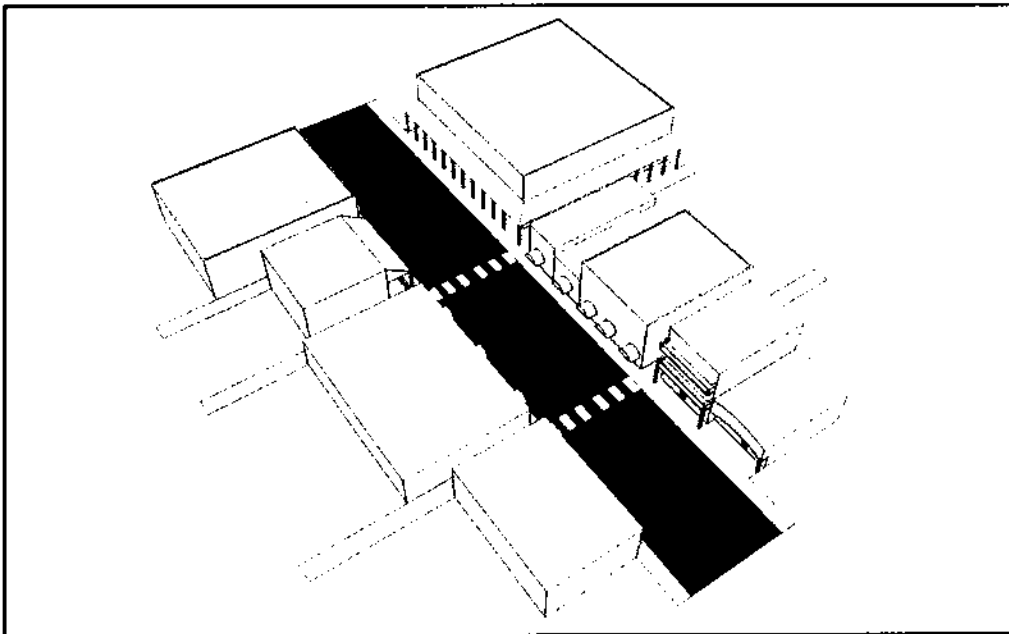
ee) Building orientation:

- i) No building shall have its rear facade facing a Perimeter Street. Facades facing Perimeter Streets shall be considered side or front facades and be designed with customer entrances and architectural features consistent with side or front facades. Along Collingswood Boulevard, buildings may have its rear facade face the street, provided that a Type "D" buffer with a wall, as defined in Section 3-9-100, is installed along the right of way.
- ii) Building orientation along streets shall be designed to reinforce a sense of consistent streetscape.
- iii) Buildings shall be aligned with neighboring buildings in order to reinforce the street edge. Landscaping may be used to reinforce this line.
- iv) Buildings shall always be oriented so that the main entrances and windows are parallel to the street that serves the subject property. Main entrances shall be clearly identifiable from the street.
- v) When a phase involves more than one building, including proposed outparcel buildings, all primary and outparcel buildings shall be arranged and grouped so that their primary orientation complements the adjacent existing development and does one of the following:
 - (1) Frames the corner of an adjacent street intersection.

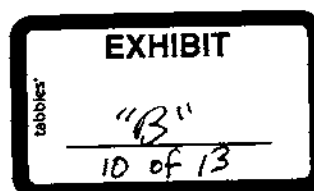


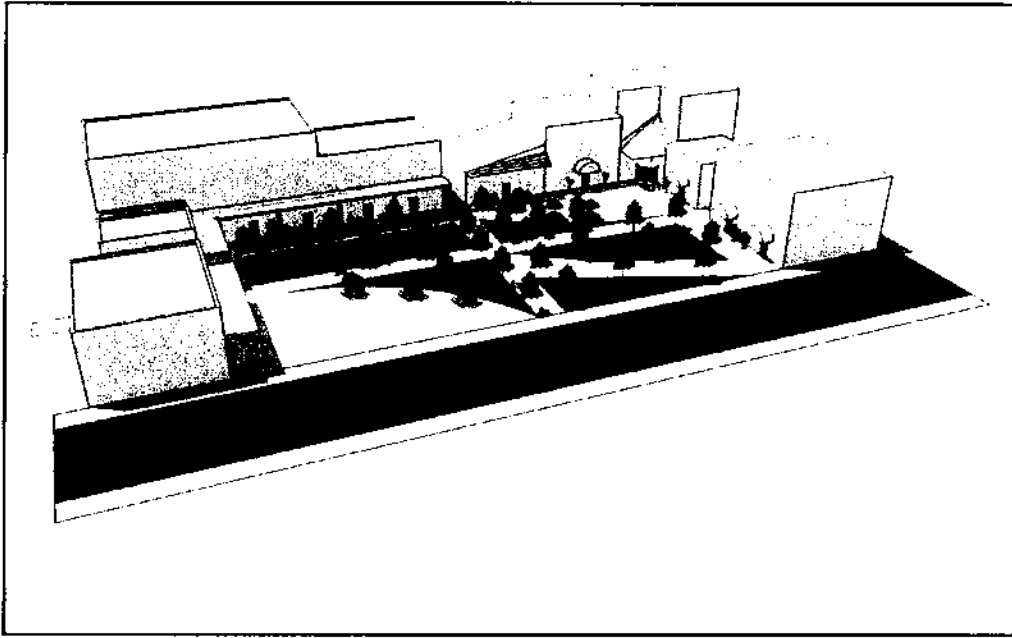


- (2) Frames and encloses a "main street" pedestrian and vehicle access corridor within the phase.

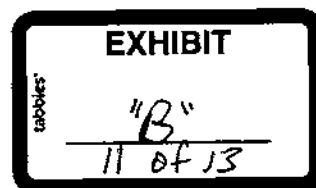
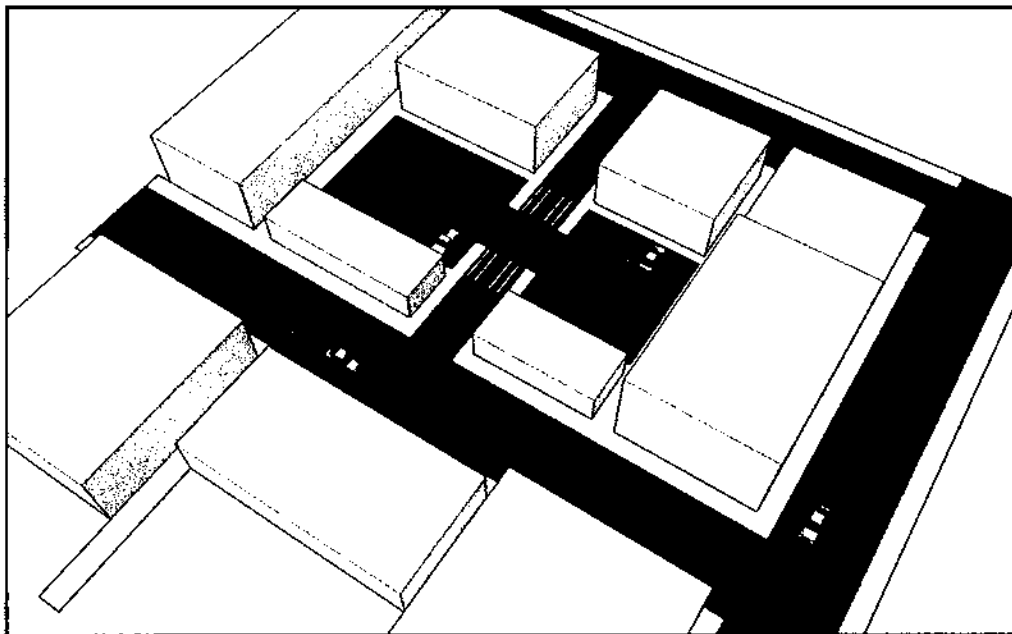


- (3) Frames and encloses on at least three sides public spaces or other site amenities.





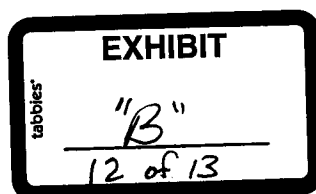
(4) Frames a parking area where the buildings face the outer edge of the parcel.



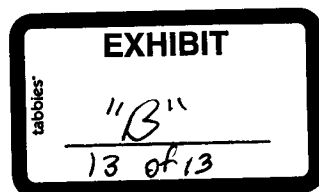
- vi) Corner lots shall place as much building mass near the intersection as possible to help anchor the lot and take advantage of high visibility.
 - vii) Buildings may front along a pedestrian plaza in place of fronting along a street. Any building located at the corner of a street and a pedestrian plaza shall include a public entrance along the street facade, even if the main entrance faces the pedestrian plaza.
 - viii) Buildings within the water park, as established through Final Site Plan approval, are exempt from these conditions.
- ff) Roofs:
- i) Rooflines and roof features shall be consistent with the building's mass and scale.
 - ii) To the maximum extent possible, all rooftop equipment shall be concealed from public view in a manner consistent with the architectural design of the building.
 - iii) Mansard and shed roofs are prohibited.
 - iv) Buildings with sloped roofs shall include dormers and gables along the front to maintain a prominent facade, when feasible.
 - v) Buildings with sloped roofs shall provide roof overhangs.
- gg) Refuse storage and dumpsters shall be enclosed from view, with a minimum six-foot high stockade fence or masonry wall and gate, or located within a concealing structure, except those that are placed on-site for construction purposes or are located on an alley.
- hh) To the extent practicable, loading areas will be screened by buildings or other acceptable design solutions.
- ii) Commercial outdoor displays of merchandise shall be permitted as an accessory use within the Frontage zone as established in Condition "v", subject to the following conditions:
 - i) Such displays are only permitted during hours when the business is open.
 - ii) Merchandise shall be stored indoors at night or be located within a secured area not located on the sidewalk or in front of the building.
 - jj) Utility easements shall generally be provided along all front and side lot lines, adjacent to the road right of way. They may be provided along other side and rear lot lines as deemed necessary for utility mains.
 - kk) Where practical, gravity sewer lines should be located within a single street lane to minimize road closures in the event of repair activities. Manholes for those lines should be located in the center of the driving lane to allow vehicles to avoid them.
 - ll) All phases shall submit a lighting plan that meets the standards of Section 3-5-512.
 - mm) All phases shall submit a signage plan that meets the standards of Section 3-9-85 except as detailed below, which shall supersede the general standards.
 - i) Monument signs are required.
 - ii) Signs within a phase shall maintain a consistent design.

Landscaping:

- nn) Each phase shall be developed with a unified landscaping theme.
- oo) All development within a phase shall be designed in a manner that takes advantage of the presence of existing heritage trees by including them as focal points within the development.
- pp) Large canopy trees shall not be planted or located within eight feet of any potable water or sanitary sewer mains except where approved special provisions for root impacts are incorporated.



- qq) Low Impact Development design criteria shall be used in the development and construction of all stormwater management facilities subject to approval by the County Engineer and the Southwest Florida Water Management District.
- rr) The area between a building's facade and the sidewalk should be landscaped with a balance of hardscape and softscape or be designed for activating uses such as sidewalk dining or street furniture.
- ss) Landscaped areas should be configured as usable open space for the enjoyment of tenants, employees, and the public to the extent practicable rather than solely as visual buffers.
- tt) Landscaped buffers shall not generally be required to separate lots, uses, or areas. Screening elements may be used to screen parking areas and to screen service yards, dumpsters, and other similar areas from public view.
- uu) Landscaping requirements may be met by plantings in containers, or with contributions to landscaping in the right-of-way or in adjacent civic space.
- vv) Parking lot landscaping shall meet the standards of Section 3-9-100.2 except as detailed below, which shall supersede the general standards:
 - i) Trees may be contained in tree wells or other arrangements as long as trees have sufficient non-compacted soil for healthy growth or are of a species that grows well in compacted soil.
 - ii) Earthen berms are prohibited.
 - iii) Landscape areas are not required to have curbs.
 - iv) Landscape islands may be combined as a component of a stormwater management plan.
 - v) Landscape islands may be omitted for solar panel installations or other shading structures of equal or greater coverage.
 - vi) Alternative landscaping designs for parking areas may be approved if they meet the intent of Section 3-9-100.2 and this Planned Development. Such alternative designs shall be reviewed as part of the Site Plan Review process.





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

January 29, 2020

Mr. Roger D. Eaton
Clerk of the Circuit Court
County Comptroller
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Attention: Ms. Michelle DiBerardino

Dear Mr. Eaton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2020-008, which was filed in this office on January 29, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb



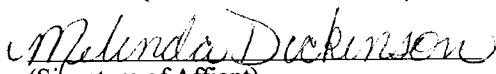
PUBLISHER'S AFFIDAVIT OF PUBLICATION
STATE OF FLORIDA COUNTY OF
CHARLOTTE:

Before the undersigned authority personally appeared **Melinda Dickinson**, who on oath says that she is an employee of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a **Legal Notice** was published in said newspaper in the issues of:

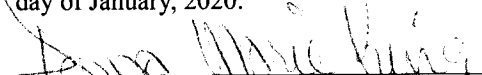
01/13/2020

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

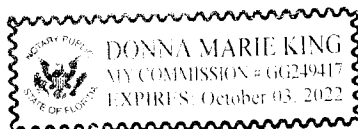
Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement ; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


(Signature of Affiant)

Sworn and subscribed before me this 13th
day of January, 2020.


(Signature of Notary Public)

Personally known X OR ___ Produced
Identification



NOTICE OF PUBLIC MEETING AND HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON **TUESDAY, January 28, 2020, at 2:00 P.M.** OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: [http:// www.charlottecountyfl.gov/Pages/BCC-meeting-agendas.aspx](http://www.charlottecountyfl.gov/Pages/BCC-meeting-agendas.aspx)

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK; TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITIONS

LAND USE PUBLIC HEARING AGENDA

Z-18-07-35

Quasi-Judicial

Commission District IV

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family 10 (RMF-10), Residential Single-family 3.5 (RSF-3.5), Office Medical Institutional (OMI), and Commercial General (CG) to Planned Development (PD), for property bound by Seymour Avenue to the north, Collingswood Boulevard to the east, El Jobean Road (SR 776) to the south, and the Como Waterway to the west, in the Port Charlotte area, containing 153.46± acres and including rights of way for Toledo Blade Boulevard and the Como Waterway, for a total of 173.31± acres; Commission District IV; Petition No. Z-18-07-35; Applicant: Lost Lagoon Development, LLLP; providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.764.4191, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.

Publish: January 13, 2020



adno=3731181-1

Exhibit “A”

Application PD-25-08

Revisions to PD Conditions as Established in Ordinance Number 2025-007

The following development standards shall be applied:

Use	Single-family detached	Single-family attached	Multi-family	Townhomes	Commercial	Amenities
Required Parking (spaces)	2/unit	2/unit	As Section 3-9-79	2/unit	As Section 3-9-79	One-half that required by Section 3-9-79
Minimum lot size (s.f.)	4,000	3,200	7,500	2,000	12,000	None
Minimum lot width (ft.)	40	35	80	20 <u>16</u>	100	None
Minimum front yard (ft.)	20	20	20	20	15	20
Minimum interior side yard (ft.)	5	5 exterior 0 interior	Half building height, not less than 7.5	5 exterior 0 interior	0	Half building height, not less than 7.5
Minimum side yard abutting road (ft.)	15	15	15	15 <u>10</u>	10	15
Minimum interior rear yard (ft.)	10	10	Half building height, not less than 7.5	10	10	Half building height, not less than 7.5
Minimum rear yard abutting road or alley (ft.)	15	15	15	15	10	15
Minimum rear yard abutting water (ft.)	15	15	15	15	20	15
Maximum building height (ft.)	38	38	60	38	60	38
Maximum lot coverage (%)	65	70	45	75	55	65
Accessory structure setbacks	Same as principal structure, except that provided there is at least 15 feet between the rear property line and the top of bank when adjoining water, the rear setback may be reduced to 5					

All other PD conditions as established in Ordinance Number 2025-007 shall apply to this development.



Qualifications of Jie Shao

Position: Principal Planner

Years with Charlotte County: 21

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

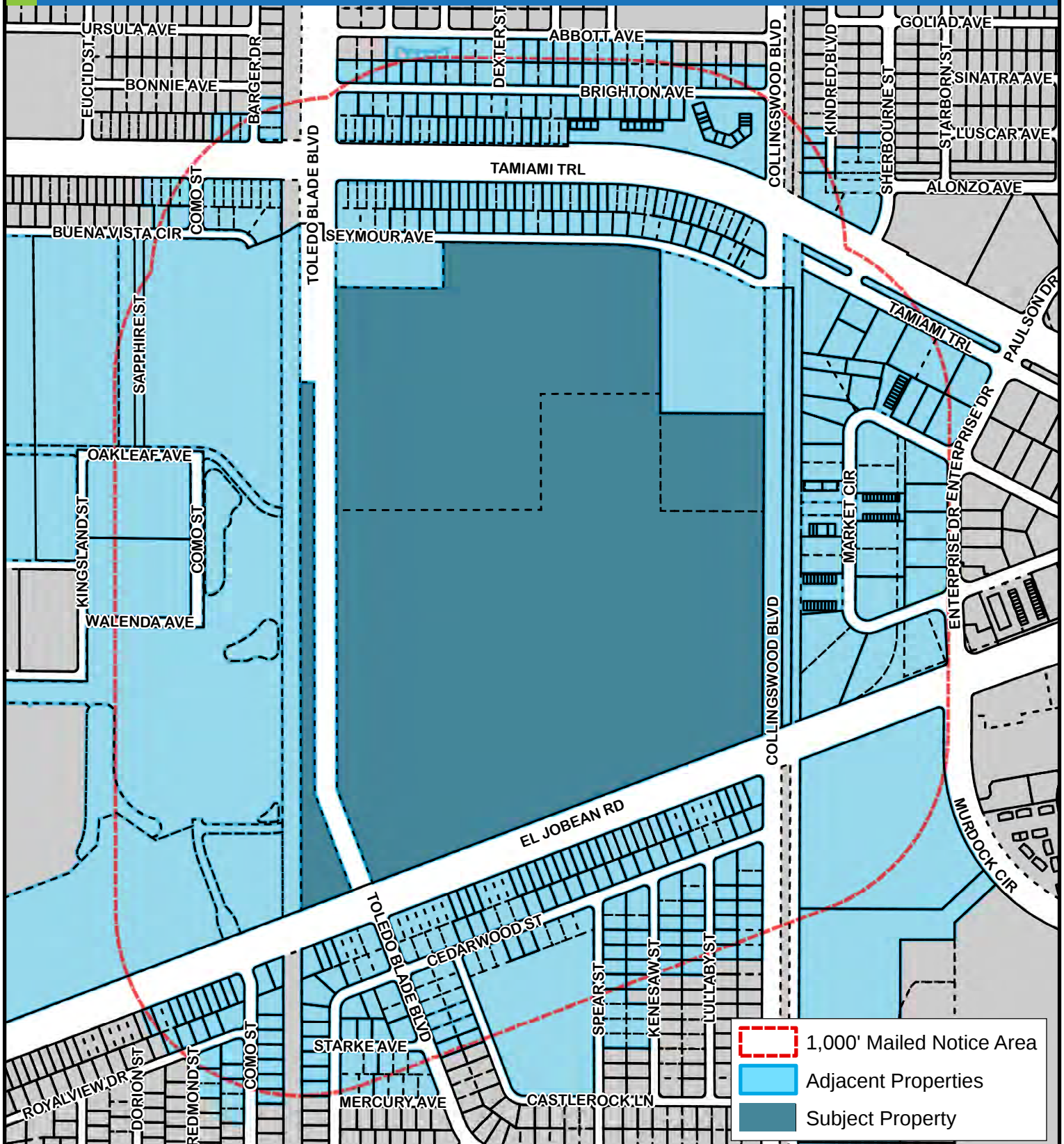
Related Past Experience:

- 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 PD-25-08



12/40/21 Mid-County



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CHARLOTTE COUNTY

Location Map for PD-25-08



CHARLOTTE COUNTY
Community Development

**SUBJECT
PROPERTY**



 Punta Gorda Boundary

12/40/21 Mid-County



(NOT TO SCALE)

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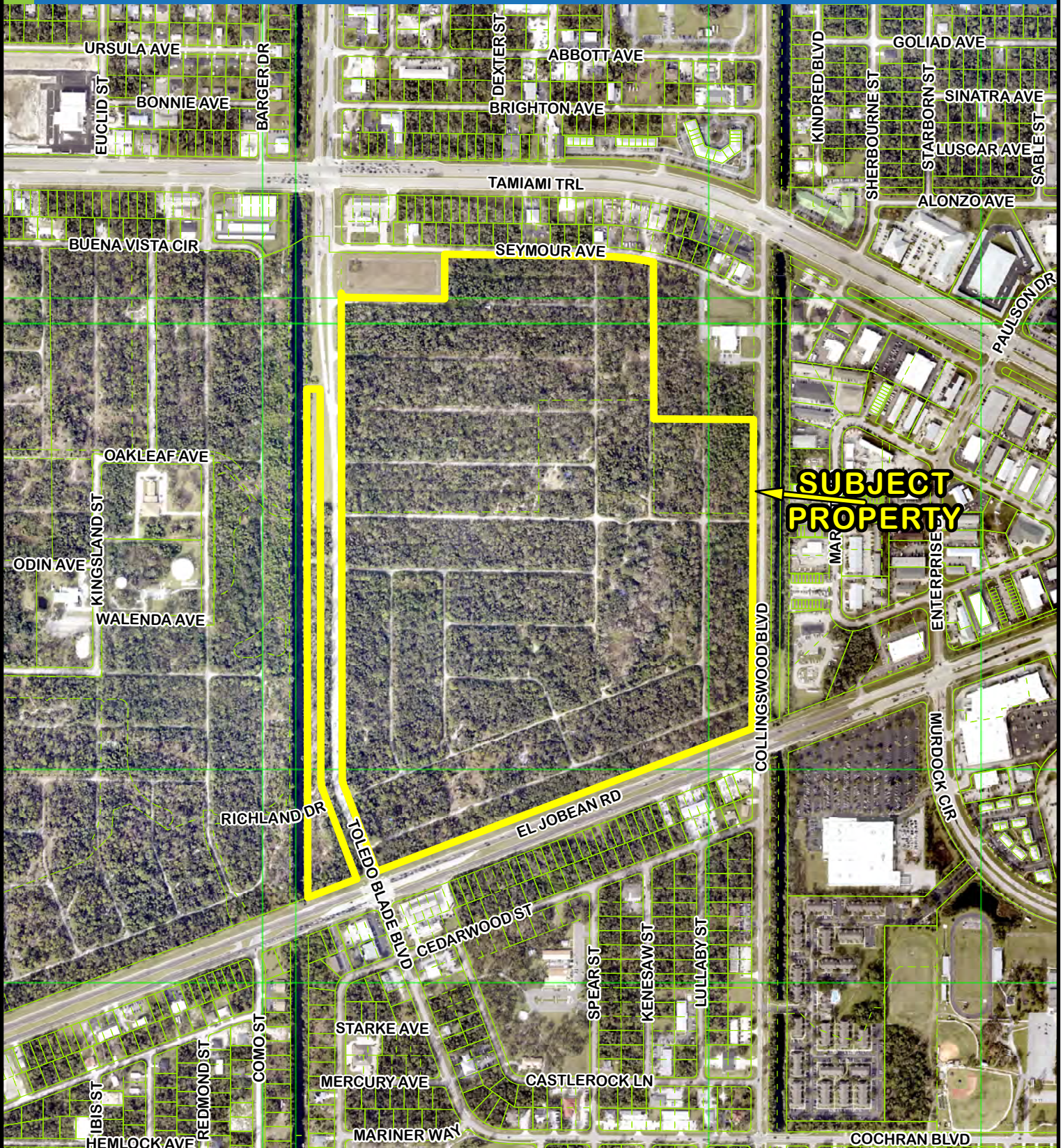
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CHARLOTTE COUNTY

Framework for PD-25-08



12/40/21 Mid-County



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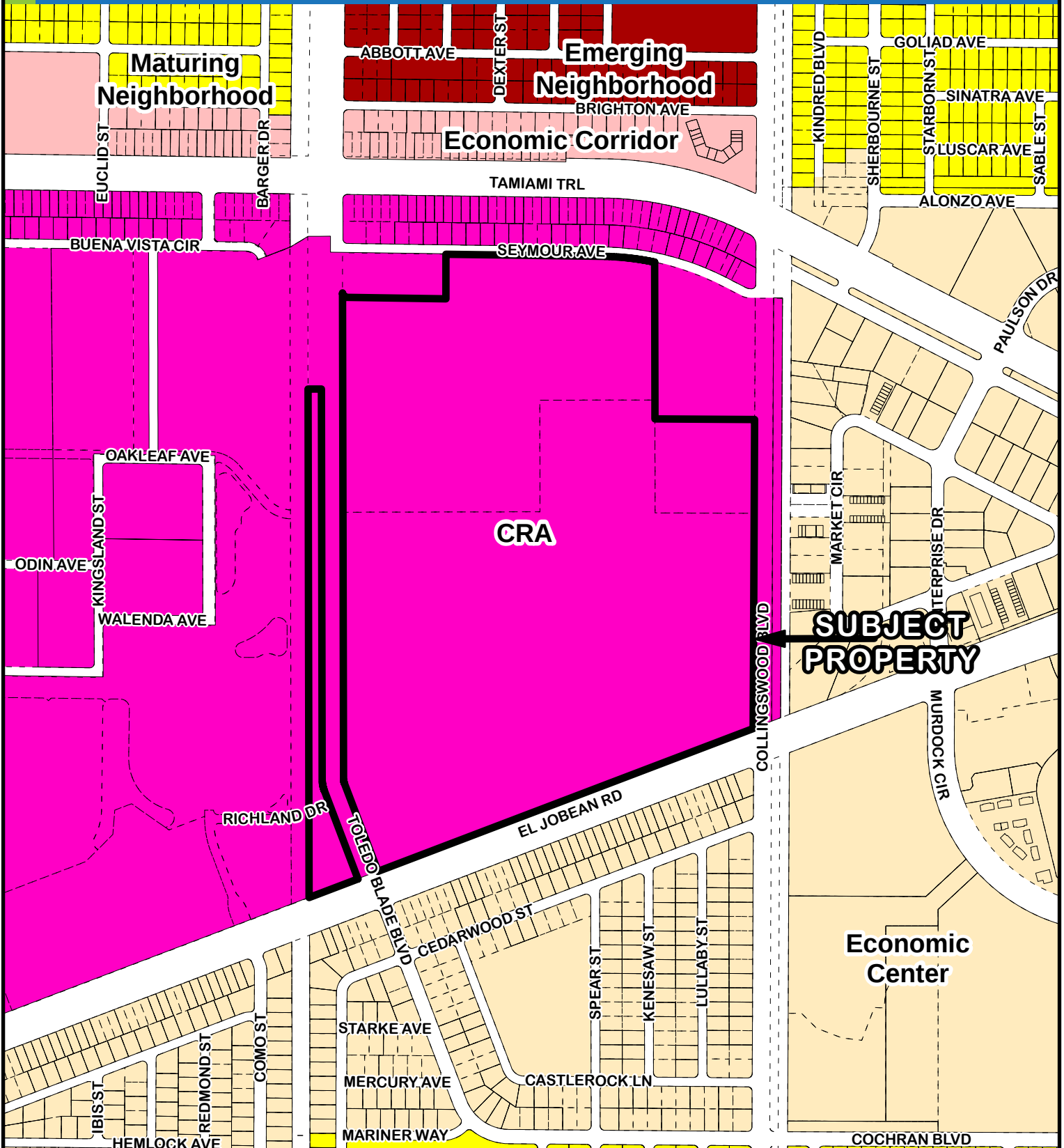
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CHARLOTTE COUNTY

Framework for PD-25-08



12/40/21 Mid-County



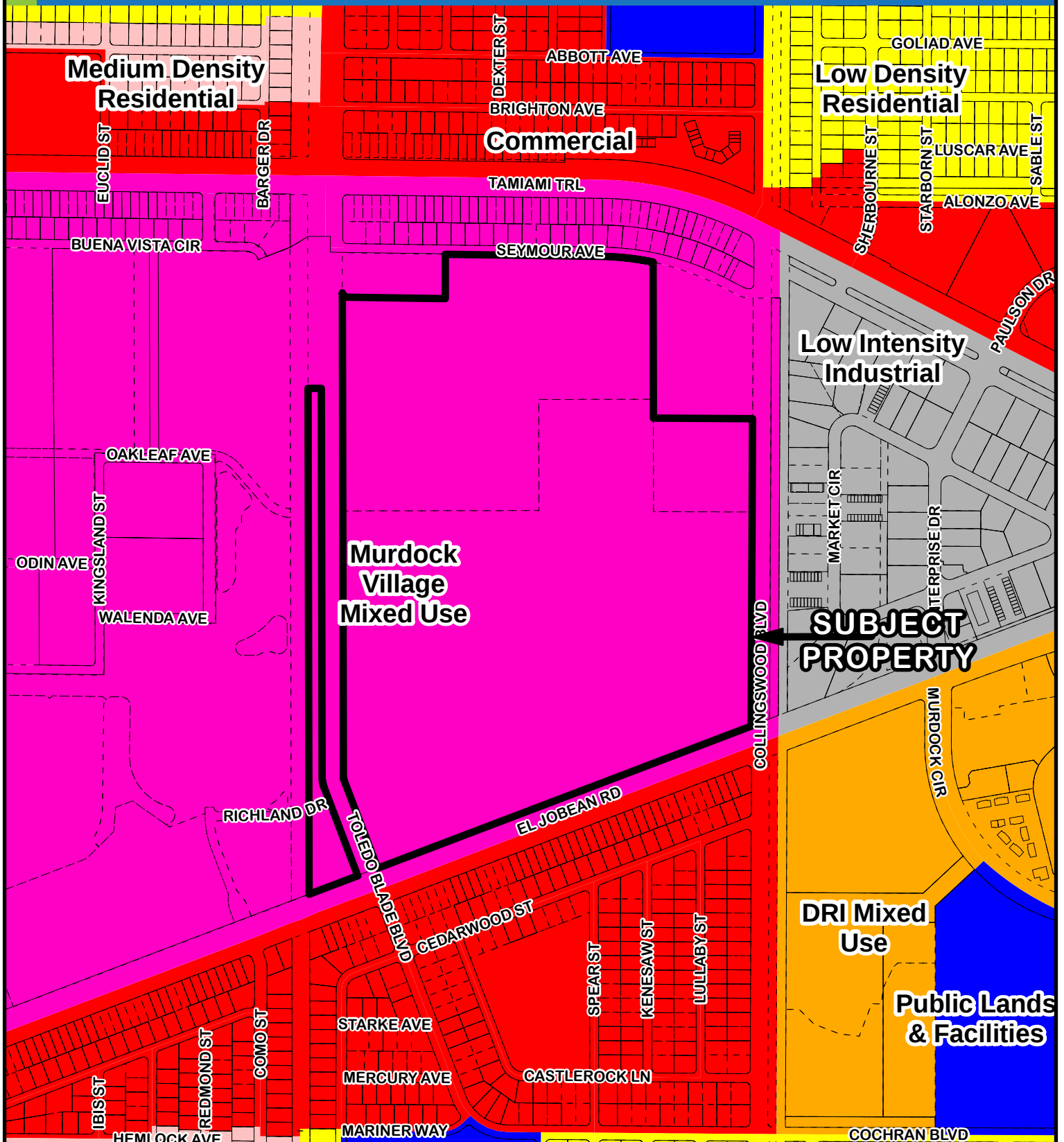
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CHARLOTTE COUNTY

FLUM Designations for PD-25-08



12/40/21 Mid-County



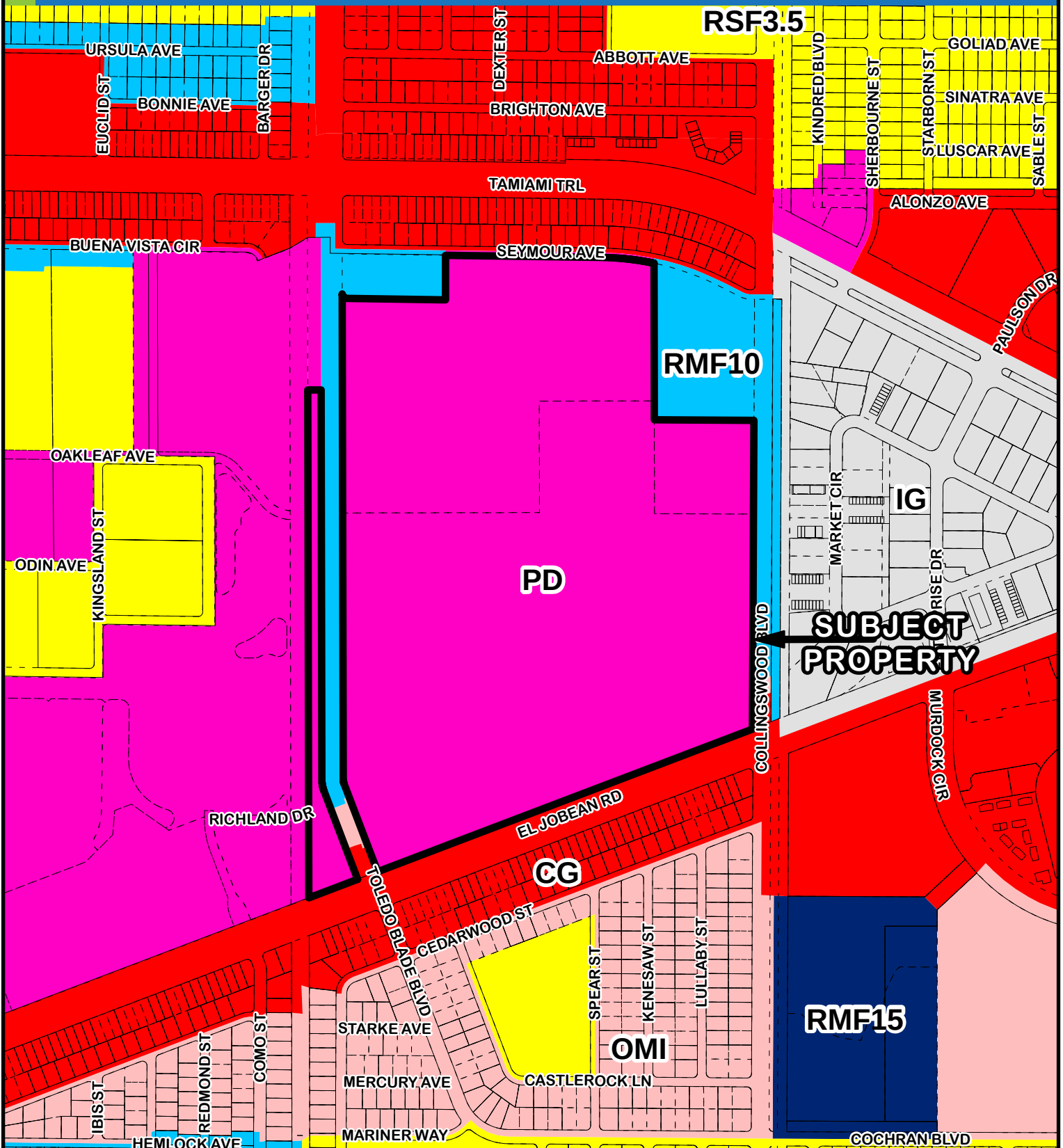
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CHARLOTTE COUNTY

Zoning Designations for PD-25-08



12/40/21 Mid-County



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