



STAFF REPORT

Consent to Acquisition of Real Property

West Villages Improvement District (WVID)

CTA-21-009

From: Noah Fossick, Planner I

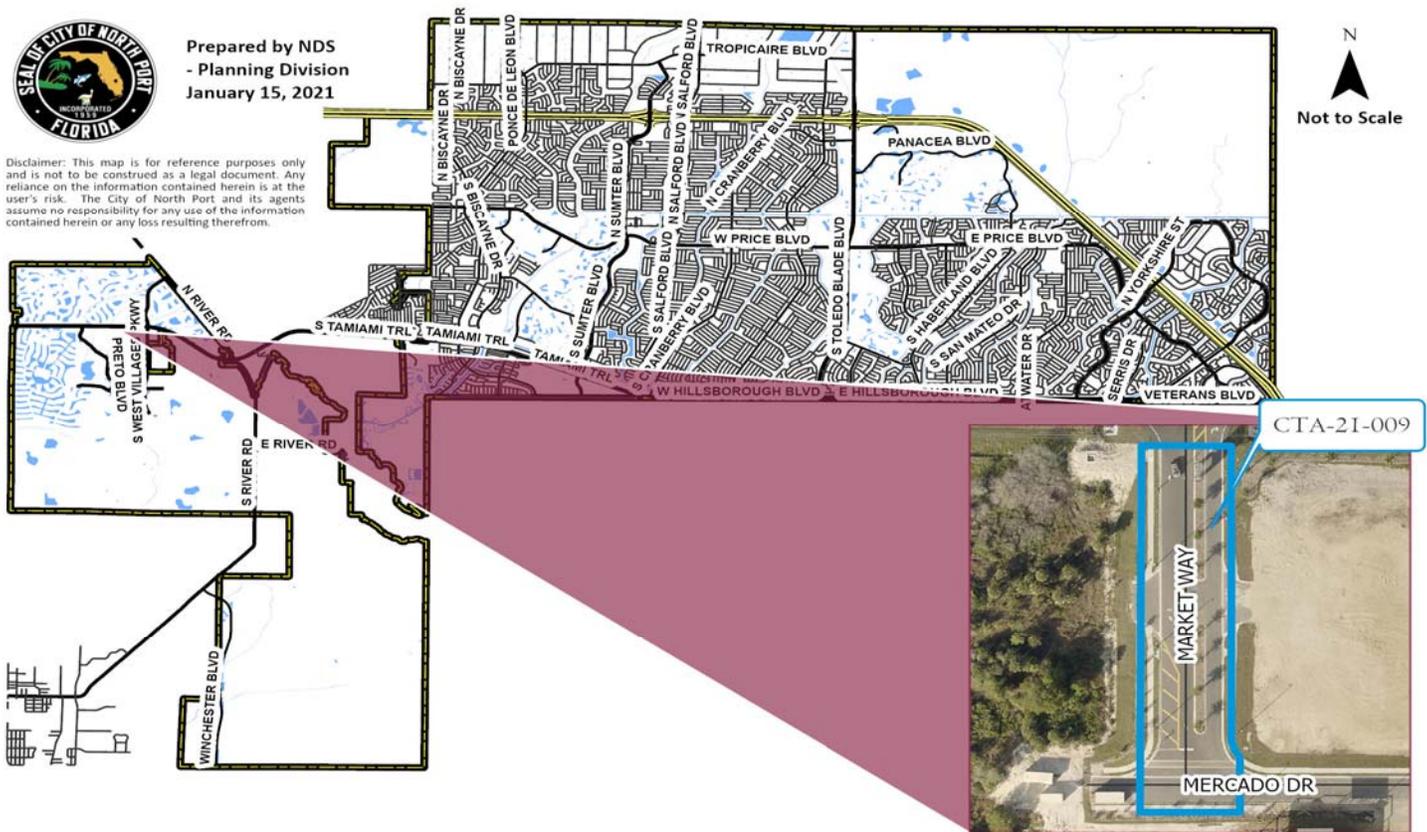
Thru: Nicole Galehouse, AICP, Planning & Zoning Manager
Juliana B. Bellia, Acting Assistant City Manager

Date: February 4, 2021



Prepared by NDS
- Planning Division
January 15, 2021

Disclaimer: This map is for reference purposes only and is not to be construed as a legal document. Any reliance on the information contained herein is at the user's risk. The City of North Port and its agents assume no responsibility for any use of the information contained herein or any loss resulting therefrom.



PROJECT: CTA-21-009

REQUEST: Approval of Conveyance of Real Property to the West Village Improvement District for property located within its jurisdictional boundary

APPLICANT: West Villages Improvement District

OWNER: US 41 Retail LLC

LOCATION: Northwestern corner of the West Villages Marketplace

PROPERTY SIZE: ±0.6642 acres

I. BACKGROUND

A requisite step in the process to acquire real property by the West Villages Improvement District is to receive consent from the North Port City Commission. The requested consent is for the Market Way roadway located in the northwest of the West Villages Marketplace plat (EXHIBIT A).

II. STAFF ANALYSIS

COMPLIANCE WITH LEGISLATION

Chapter 2004-456, House Bill No. 1567 is the enacting legislation for the West Villages Improvement District within the City of North Port, providing for the amendment process, the powers and duties, a governing board process, and general obligation bonds. It is also specific to the district boundaries as shown below:

(d) To acquire by grant, loan, purchase, gift, transfer, exchange, dedication, lease, devise, or, when reasonably necessary for the implementation of district-authorized public infrastructure works, facilities, or services by means of the exercise of the right of eminent domain pursuant to the laws of the state and in accordance with section 12 of this act, all property, real or personal, or any easement, license, estate, or interest therein necessary, desirable, or convenient for the purposes of this act, and to sell, convey, transfer, gift lease, rent, dedicate, forfeit, abandon, exchange, or assign all or any part thereof to or with other entities, including governmental entities and agencies, and to exercise all of its powers and authority with respect thereto. The district shall not have the right of eminent domain outside of the boundaries of the district. Notwithstanding anything contained herein, the district shall not obtain fee simple title to any real property within the district except by dedication on an approved plat, with the approval of the City of North Port Commission or its designee, or if otherwise required by another governmental entity or agency. Any property interests owned by the district which are used for nonpublic or private commercial purposes shall be subject to all ad valorem taxes, intangible personal property taxes, or non-ad valorem assessments, as would be applicable if said property were privately owned.

CITY SERVICES & ENVIRONMENTAL

Water and Sewer Services

Water and sewer services will be provided by the City of North Port Utilities.

Conservation

The site is not located within the Conservation Restricted Overlay.

Flood Zone

X-500, Firm Panel 0365F, Community 120279.

III. REVIEW PROCESS

The City Attorney reviewed and approved a template for the approval of Consent documents as to their form and correctness. This Consent to Acquisition of Real Property was prepared with the approved template.

IV. PUBLIC NOTICE & HEARING SCHEDULE

PUBLIC HEARING SCHEDULE	City Commission Public Hearing	February, 23, 2021 6:00 PM or soon thereafter
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V. RECOMMENDED ACTION

Staff recommends that the City Commission approve/consent to the acquisition of real property by the West Villages Improvement District.

VI. EXHIBITS

A	Consent to Acquisition and Legal Description
B	West Villages Index Map

Exhibit A

**CONSENT BY THE CITY OF NORTH PORT, FLORIDA
TO THE ACQUISITION OF REAL PROPERTY
BY THE WEST VILLAGES IMPROVEMENT DISTRICT**

The City of North Port, a Florida municipal corporation, acknowledges and consents to the following:

1. The West Villages Improvement District ("WVID") is an independent special district of the State of Florida, organized and operating in accordance with the provisions of Chapter 2004-456, Laws of Florida, as amended and supplemented (together the "Act").
2. WVID's jurisdiction encompasses real property, a substantial portion of which is located within the jurisdictional boundaries of the City of North Port, Florida (the "City"). The Act provides that the WVID shall not obtain fee simple title of any real property located within the City without first obtaining the approval of the City Commission for such acquisition.
3. The WVID has informed the City that it has entered into an agreement for the purchase of a portion of the real property, Sarasota County Property Identification Number 0783011000, (the "Property") and further described in the legal description attached as Exhibit "A" (the "Property"). The Property contains Market Way located at the Northwestern corner of the West Villages Marketplace.
4. WVID will record this instrument in the Public Records of Sarasota County, Florida, at its expense.

NOW, THEREFORE, the City of North Port, Florida, hereby consents to the West Villages Improvement District's acquisition of the Property.

Approved by the City Commission of the City of North Port, Florida on _____, 20__.

CITY OF NORTH PORT, FLORIDA

GISELE "JILL" E. LUKE
MAYOR

ATTEST

HEATHER TAYLOR, CMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON
CITY ATTORNEY

U.S 41/S.R. 45/S. TAMiami TRAIL

(100' WIDE PUBLIC RIGHT-OF-WAY, FDOT SECTION
17010-2508, ROAD PLAT BOOK 1, PAGE 1)
(ORDER OF TAKING - ORB 1039, PAGE 762)

SOUTH RIGHT-OF-WAY LINE

S89°38'31"E
79.11'

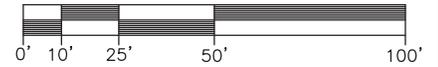
POINT OF BEGINNING
NORTHWEST CORNER OF TRACT A-1
WEST VILLAGES MARKETPLACE

LEGEND:

- L# = LINE TABLE NUMBER
- C# = CURVE TABLE NUMBER
- PID - PROPERTY IDENTIFICATION NUMBER
- ORI = OFFICIAL RECORD INSTRUMENT
- ORB = OFFICIAL RECORD BOOK



SCALE: 1"=50'



PID 0783011000

TRACT

28,853 SF OR
0.6624 ACRES±

MARKET WAY

TRACT A-1
WEST VILLAGES MARKETPLACE
PLAT BOOK 53, PAGE 141

PID 0783010010

LOT 1
WEST VILLAGES MARKETPLACE
PLAT BOOK 53, PAGE 141

WEST LINE OF LOT 1 &
EAST LINE OF TRACT A-1

10.00' PUBLIC UTILITY EASEMENT

WEST LINE AND ITS
SOUTHERLY EXTENSION
OF TRACT A-1

N00°00'00"W 359.14'

S00°00'00"E 284.97'

S00°00'00"E
54.00'

PID 0783011000

SOUTH LINE OF
TRACT A-1

PID 0783011000

MERCADO DRIVE

TRACT A-2
WEST VILLAGES MARKETPLACE
PLAT BOOK 53, PAGE 141

S90°00'00"W
86.80'

This is NOT a Survey and Not valid without all sheets.

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SKETCH & DESCRIPTION OF A
TRACT OF LAND LOCATED IN
SECTION 32, TOWNSHIP 39 S., RANGE 20 E.,
SARASOTA COUNTY, FLORIDA



Stantec

6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com
Licensed Business Number 7886

TASK CODE: 210	DRAWN BY: EDM	CHKED BY: JRJ	CAD FILE: 215615750v-spsk05	PROJECT NO: 215615750	SHEET 1 OF 2	DRAWING INDEX NO: 215615750v-spsk05	REV:
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Exhibit A

DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Tract A-1 of West Villages Marketplace recorded in Plat Book 53, Page 141 of the Public Records of Sarasota County, Florida, located in Section 32, Township 39 South, Range 20 East, Sarasota County, Florida, being more particularly described as follows:

BEGIN at the northwest corner of Tract A-1 of West Villages Marketplace recorded in Plat Book 53, Page 141 of the Public Records of Sarasota County, Florida; thence S.89°38'31"E. along the south right-of-way line of U.S.41/S.R.45/S. Tamiami Trail (100' wide public right-of-way, Florida Department of Transportation Section 17010-2508, Road Plat Book 1, Page 1) and along the north line of said Tract A-1, a distance of 79.11 feet to the northeast corner of said Tract A-1; the following three (3) calls are along the east line of said Tract A-1: (1) thence S.00°00'00"E., a distance of 248.97 feet to the point of curvature of a curve to the left having a radius of 29.00 feet and a central angle of 42°42'30"; (2) thence southerly along the arc of said curve a distance of 21.62 feet, to the end of said curve; (3) thence S.00°00'00"E., a distance of 54.00 feet to the south line of said Tract A-1; thence S.90°00'00"W. along said south line, a distance of 86.80 feet; thence N.00°00'00"W. along the west line and its southerly extension of said Tract A-1, a distance of 359.14 feet to the POINT OF BEGINNING.

Said tract contains 28,853 square feet or 0.6624 acres, more or less.

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	29.00'	42°42'30"	21.62'	21.12'	S21°21'15"E

NOTES:

1. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER, THIS SKETCH, DRAWING, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY.
2. BEARINGS SHOWN HEREON ARE RELATIVE TO THE SOUTH LINE OF TRACT A-2, BEING N90°00'00"W.
3. THIS IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY.



Digitally signed
by Joseph R
Jasper
Date: 2021.01.11
13:01:29 -05'00'

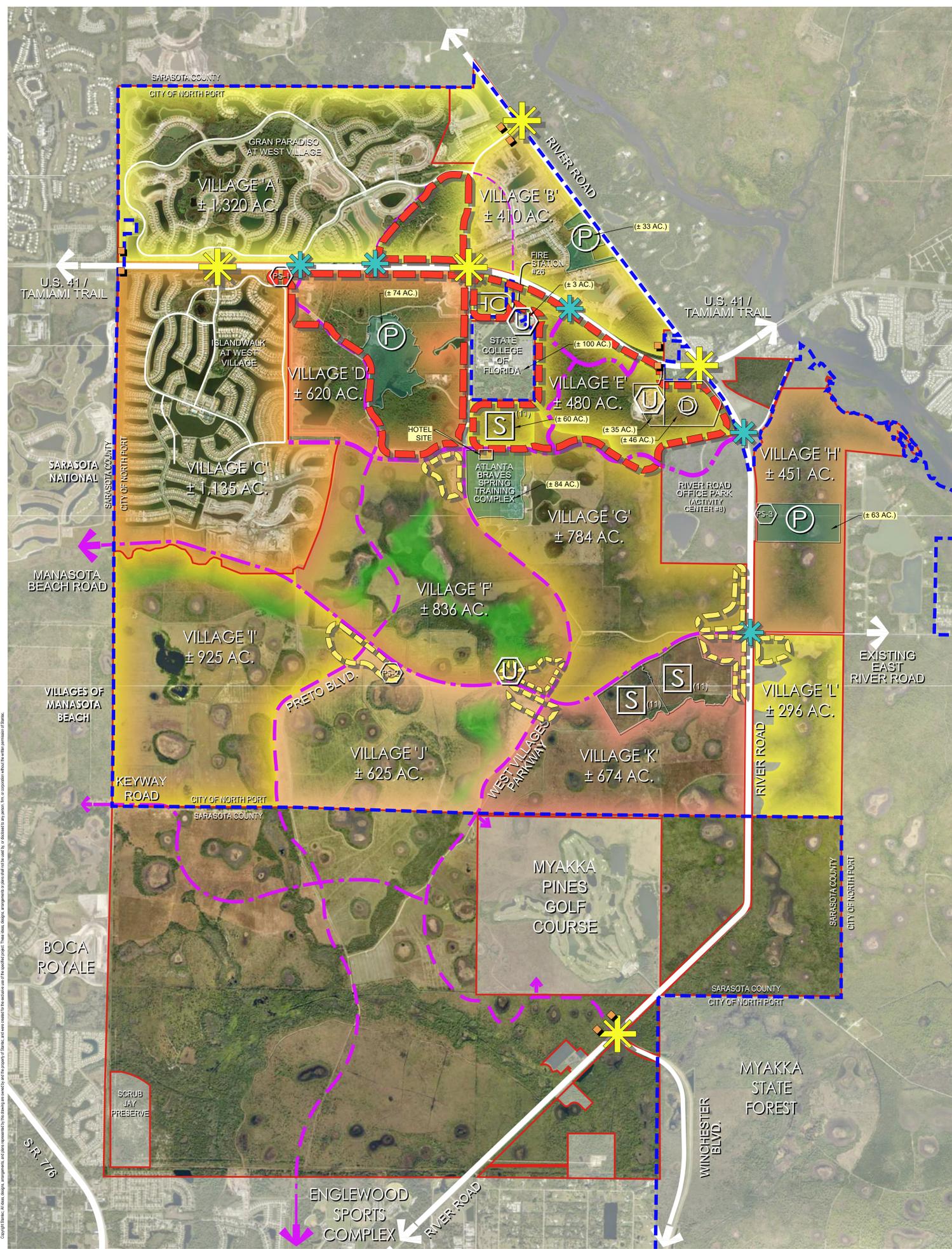
Joseph R. Jasper, P.S.M. Date of Signature
Florida Registration No. 7168

This is NOT a Survey and Not valid without all sheets.

Jan 11, 2021 - 09:23:29 EDMEJIA\w:\2156\active\215615750\survey\drawing\215615750v-spsk05.dwg

SKETCH & DESCRIPTION OF A TRACT OF LAND LOCATED IN SECTION 32, TOWNSHIP 39 S., RANGE 20 E., SARASOTA COUNTY, FLORIDA				<p>Stantec 6900 Professional Parkway East, Sarasota, FL 34240-8414 Phone 941-907-6900 • Fax 941-907-6910 Certificate of Authorization #27013 • www.stantec.com Licensed Business Number 7886</p>			
TASK CODE: 210	DRAWN BY: EDM	CHKED BY: JRJ	CAD FILE: 215615750v-spsk05	PROJECT NO: 215615750	SHEET 2 OF 2	DRAWING INDEX NO: 215615750v-spsk05	REV:

WEST VILLAGES INDEX MAP



LEGEND

	EXISTING ROADWAY		APPROXIMATE SCHOOL LOCATION (K-12) (11)		RECREATIONAL / OPEN SPACE / RECREATIONAL TRAIL SYSTEM		APPROXIMATE TOWN CENTER LOCATION (2)
	4 LANE W/ NEV & 8' SIDEWALKS		SARASOTA MEMORIAL HOSPITAL - HEALTH CARE SERVICES ± 28 AC.		POTENTIAL ROADWAY CONNECTION TO ADJACENT COMMUNITY		EXISTING TRAFFIC SIGNAL
	2 LANE W/ NEV, 8' SIDEWALK, & 5' SIDEWALK		APPROXIMATE UTILITIES / PUBLIC FACILITIES LOCATION (10)		STATE COLLEGE OF FLORIDA		APPROXIMATE FUTURE FULL MEDIAN OPENINGS; TRAFFIC CONTROL T.B.D.
	2 LANE W/ NEV, & 5' SIDEWALKS		APPROXIMATE PARK LOCATION (10)		APPROXIMATE VILLAGE CENTER LOCATION (2)		CITY OF NORTH PORT - CITY LIMITS
	POTENTIAL WEST VILLAGES GATEWAY LOCATIONS		DIOCESE OF VENICE LOCATION		FIRE / POLICE STATION LOCATIONS		

NOTES

- ACREAGES ARE APPROXIMATE. FINAL ACREAGE LOCATIONS SUBJECT TO REFINEMENT BASED UPON EXISTING SITE CONDITIONS AND FINAL VILLAGE DISTRICT PATTERN PLANS.
- AREAS DEFINED WITHIN THIS DESIGNATION WILL INCLUDE 300-1,000 ACRES OF TOWN CENTER AND MAY INCLUDE VILLAGE DEVELOPMENT AT THE DENSITY / INTENSITY ESTABLISHED IN THE V.D.P.B., CONSISTENT WITH SECTION 53-212 U.L.D.C. FINAL LOCATIONS WILL BE DETERMINED DURING THE V.D.P.P. PROCESS.
- THE INDEX MAP DEPICTS THE GREENBELT FRAMEWORK BY IDENTIFYING VILLAGE EDGES ADJACENT TO MAJOR ENVIRONMENTAL FEATURES OR ROADWAYS AND MULTI-USE PATHWAYS. ADDITIONALLY, THIS FRAMEWORK CONNECTS VILLAGE CENTERS AND TOWN CENTERS, CONSISTENT WITH COMPREHENSIVE PLAN POLICY 13.8 AND SEC. 53-216 OF THE U.L.D.C. COMPLIANCE WITH THESE POLICIES WILL BE FURTHER DEMONSTRATED WITH FUTURE VILLAGE DISTRICT PATTERN PLANS.
- LOCATION AND CONFIGURATION OF PARKS SHALL BE DETERMINED BY AGREEMENT BETWEEN THE PROPERTY OWNER AND THE CITY OF NORTH PORT, IN ACCORDANCE WITH THE PRINCIPLES OF AGREEMENT.
- MULTI-MODAL TRAILS MAY BE SATISFIED BY AN 8' SIDEWALK AND 4' BIKE LANES, AND SHALL BE FURTHER REFINED WITH FUTURE VILLAGE DISTRICT PATTERN PLANS.
- 8' - 12' TRAILS WILL BE DELINEATED ON V.D.P.P., AND MAY BE COMBINED WITH INTERNAL ROADWAYS.
- THE WEST VILLAGES IMPROVEMENT DISTRICT WILL COORDINATE WITH THE APPLICABLE GOVERNING AUTHORITY TO ESTABLISH ACCESS MANAGEMENT CRITERIA.
- FINAL LOCATIONS OF TOWN CENTERS, PUBLIC FACILITY SITES, SCHOOL SITES, VILLAGE BOUNDARIES AND ROADWAY CORRIDORS SHALL BE DETERMINED DURING THE V.D.P.P. PROCESS AND/OR DEVELOPERS AGREEMENT.
- FINAL ALIGNMENT OF CORRIDORS / ROADWAYS IS SUBJECT TO FINAL APPROVAL OF JURISDICTIONAL AGENCIES.
- FINAL SIZE, LOCATION, AND CONFIGURATION OF UTILITIES/PUBLIC FACILITIES SHALL BE DETERMINED BY AGREEMENT BETWEEN THE PROPERTY OWNER AND THE CITY OF NORTH PORT.
- SCHOOL SITE SHOWN IN VILLAGE E WILL BE REMOVED IN FAVOR OF SCHOOL SITES SHOWN IN VILLAGE K (130+/- AC.) UPON APPROVAL OF AN AGREEMENT WITH SARASOTA COUNTY SCHOOL BOARD. THE TRANSACTION TO CONVEY LAND IN VILLAGE K AND ACQUIRE LAND IN VILLAGE E WILL BE A CONCURRENT TRANSACTION.
- THE PROPERTY WITHIN VILLAGE "C" IS OUTSIDE OF THE OWNERSHIP OF WEST VILLAGES LLP OR ITS AFFILIATES. THEREFORE, THAT PORTION OF MANASOTA BEACH ROAD SHALL BE CONSTRUCTED BY OTHERS. THE WVVD AND CITY OF NORTH PORT ARE NOT REQUIRED TO CONSTRUCT THIS SEGMENT OF ROAD.

Approved July 2, 2020
 ORDINANCE 2020-16
 PETITION NUMBER VIA-20-038

West Villages Index Map