



STAFF REPORT

Ordinance No. 2023-26

Rezone—Toledo Blade 320—ILW

From: Carl Bengé, AICP, Planner III

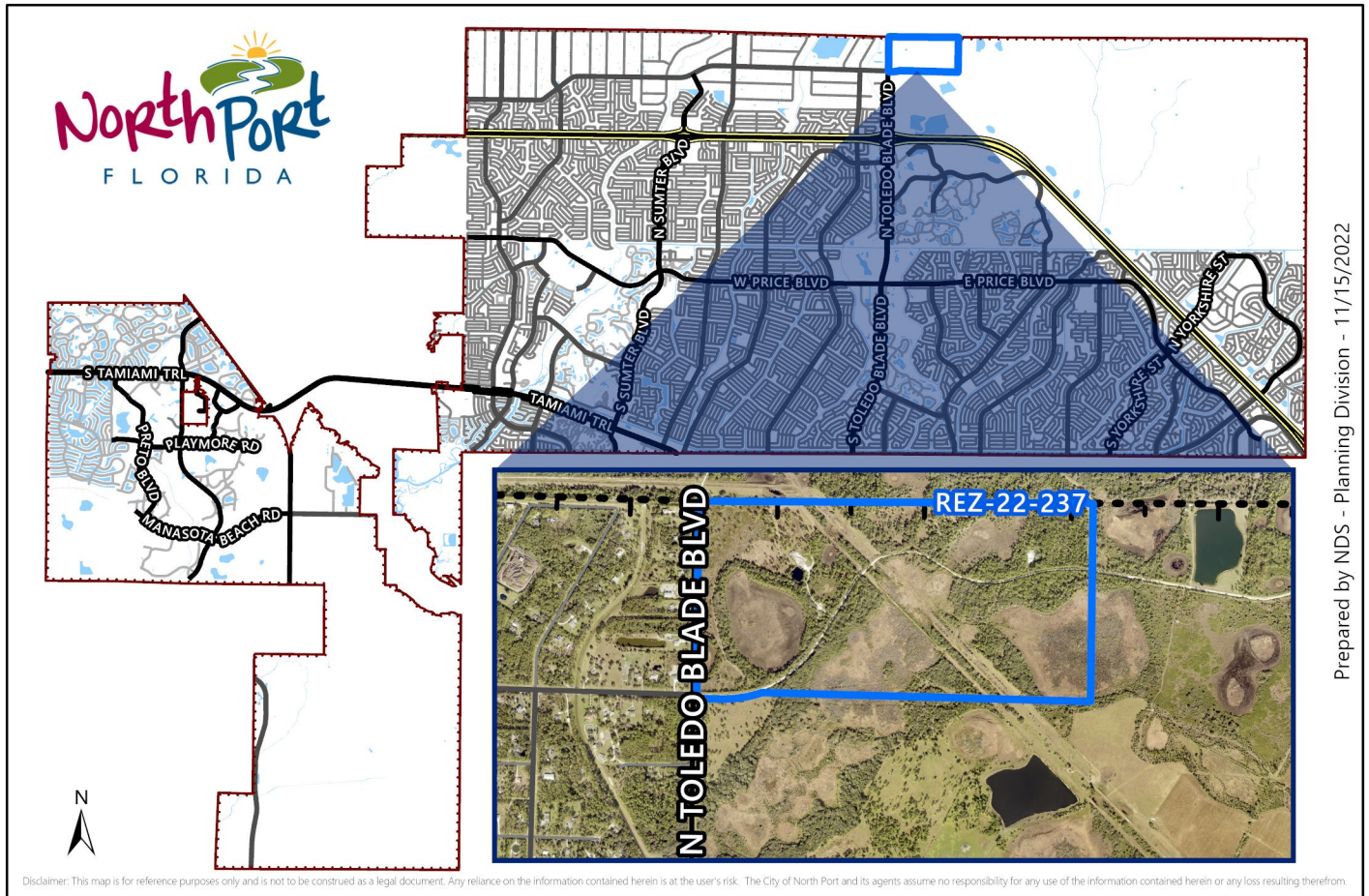
Thru: Lori Barnes, AICP, CPM, Assistant Director
Development Services

Thru: Alaina Ray, AICP, Development Services Director

Thru: Jason Yarborough, ICMA-CM, Assistant City
Manager

Thru: A. Jerome Fletcher II, ICMA-CM, MPA, City
Manager

Date: September 7, 2023



Prepared by NDS - Planning Division - 11/15/2022

PROJECT:	Toledo Blade 320, REZ-22-237
REQUEST:	To Rezone a portion of the subject property from No Zoning Designation (NZD) to Industrial Light Warehouse (ILW) District.
APPLICANT:	Kenrick Gallander, AICP, RWA, INC (Exhibit A)
OWNERS:	Deluxeton North Port LLC (Exhibit B)
LOCATION:	Located north of I-75 at the end of Toledo Blade Blvd. (PID 1091-00-1000
PROPERTY SIZE:	± 55.02 acres

I. BACKGROUND

Kenrick Gallander of RWA, INC, an agent for the applicant, on behalf of Deluxeton North Port LLC, has submitted a Rezone application to the City of North Port to Rezone a ± 55.02 acre portion of PID 1091-00-1000 currently zoned No Zoning Designation (“Nzd”) to Industrial/Light Warehouse (“ILW”).

The properties to the north are located outside the city, under Sarasota County’s jurisdiction. These parcels have a zoning designation of Open Use Agricultural. The properties to the east, west, and south are within the City of North Port and have a zoning designation of Agricultural (to the west and east) and Village (to the east and south).

This petition has two companion applications. Petition REZ-22-237, rezones 262.34 acres to “Residential Multi-Family,” and a Future Land Use Map Amendment (CPAL-22-247) to change the Future Land Use of the parcel to “Industrial” and “High Density Residential.

The subject property cannot be developed until it has a zoning designation.

II. PETITION

The applicant is petitioning the City to change the zoning of the property to allow Industrial uses on a portion of the project parcel.

REZONE

The property is currently zoned No Zoning Designation and is proposing a portion of the parcel be rezoned to Industrial Development. The rezone proposal is implemented through **Ordinance No. 2023-26** as attached in **Exhibit C**.

III. NEIGHBORHOOD MEETING

Pursuant to Section 53-5.E. of the Unified Land Development Code, the applicant held a neighborhood meeting on June 29 at 5:00 PM in person at the Shannon Staub Public Library located at 4675 Career Lane, North Port, FL 34289. The meeting documents, including public notice, are attached as **Exhibit D**.

IV. REVIEW PROCESS

A pre-application meeting for the project was held on July 6, 2022. The petition for the Rezone was processed for management review and distributed to all Directors, of which no objection was received.

The proposed ordinance for the Rezone petition has been reviewed and approved as to form and correctness by the City Attorney’s Office.

V. DATA & ANALYSIS

Staff has reviewed the proposed application for consistency with the Florida Statutes, the City’s Comprehensive Plan, and the City’s Unified Land Development Code (ULDC).

V. DATA & ANALYSIS (CONTINUED)

FLORIDA STATUTES

Florida Statutes § 166.041 Procedures for adoption of ordinances and resolutions.

The notice requirements pursuant to this Statute have been met and are detailed in Section VI of this Staff Report.

Staff concludes that the petition for rezoning is consistent with the requirements of § 166.041(3)(a) regarding ordinances that change the zoning map designation of a parcel of land.

COMPREHENSIVE PLAN

Future Land Use Element, Goal 1

Ensure that the character and location of land uses maximize the potential for economic benefit and the enjoyment of natural and man-made resources by citizens while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.

Staff Findings: The applicant is requesting to rezone the subject property to Industrial/Light Warehouse from NZD. The rezone will allow development of the land into a zoning district which supports one of the city's targeted industries. Other industrial uses are located along Toledo Blade Blvd. The location is ideal due to the proximity to the interstate and frontage along Toledo Blade Blvd. An industrial use will create an economic increase over the currently undeveloped parcel, as is. The proposed "Industrial" zoning uses will be required to be within a fully enclosed building.

Staff concludes that the proposed Rezone is consistent with Future Land Use Element Goal 1.

COMPREHENSIVE PLAN

Future Land Use Element, Goal 4

Support the City's diversity of neighborhoods by implementing targeted development and planning strategies for neighborhoods. This can be accomplished through methods including the establishment of City-wide and neighborhood specific policies addressing development and redevelopment efforts, safety, stability, property values, mobility and aesthetic controls including street trees, public art, and entry features.

Staff Findings: This petition is a part of a larger development concept. This petition consists of the 55.02 acres dedicated to industrial uses. The complete project consists of the both the 55.02 acres and the 262.34 acres for residential multi-family. In whole, the project is providing a complete mixed-use development.

The proposed residential portion of this parcel (not included in this petition) covers around 262.34 acres and will provide a range of

V. DATA & ANALYSIS (CONTINUED)

residential uses from multi-family, townhomes, and single-family detached dwellings.

Staff concludes that the proposed Rezone is consistent with Future Land Use Element Goal 4

COMPREHENSIVE PLAN

Future Land Use Element, Policy 4.2

Encourage the development of neighborhoods that provide safe vehicular and nonvehicular access and mobility, as well as convenient walkability and connectivity to parks, civic areas, schools, Activity Centers, and adjacent neighborhoods. Such connectivity may be achieved via the following transportation alternatives:

- Bridges (including vehicular and/or pedestrian only);
- Roadways;
- Sidewalks;
- Bikeways;
- Fitness trails;
- Golf cart paths
- Blueways

Staff Findings: The proposed petition is a portion of the complete development. As previously mentioned, the complete development will consist of a 55.02 acre Industrial portion and a 262.34 acre Residential Multi-Family area. The overall site plan submitted with the CPAL petition shows a street network that will be required to provide sidewalks. The proposed development will include multi-modal paths for other transportation connections.

Staff concludes that the proposed Rezone is consistent with Future Land Use Element Policy 4.2.

COMPREHENSIVE PLAN

Future Land Use Element, Policy 4.13

Ensure that neighborhood planning strategies are coordinated with the City's priorities for the development of:

- Parks and public spaces
- Infrastructure and public facilities
- Transportation network, including linkages, roads, bicycle-pedestrian, transit
- Natural open spaces
- Waterway areas and blueways

Staff Findings: As mentioned previously, the complete development will provide a park and public space. The proposed Toledo Blade 320 development will include multi-modal paths internal to the development.

Staff concludes that the proposed Rezone is consistent with Future Land Use Element Policy 4.13.

COMPREHENSIVE PLAN

Economic Development Element, Objective 1.1

Attraction, Retention, and Expansion of Targeted Businesses - The City shall plan, design, and implement programs, projects, and activities

V. DATA & ANALYSIS (CONTINUED)

that support and assist in the expansion of existing businesses in the City and the recruitment of new businesses.

Staff Findings: The proposed rezoning would allow ILW uses. The permitted uses within ILW zoning are currently some of the targeted industries for the City.

Staff concludes that the proposed Rezone is consistent with Economic Development Element Objective 1.1

COMPREHENSIVE PLAN

Economic Development Element, Policy 1.1.1

The City will support the continuation and expansion of existing commercial and manufacturing enterprises at appropriate locations through technical assistance, the provision of incentives, and/or other appropriate strategies.

Staff Findings: The location of this proposed zoning fits in perfect with the City of North Port's future plans for the area. The City was just recently awarded the Florida Job Growth Infrastructure Grant, which awarded the City up-to one million– six hundred ninety thousand dollars (\$1,690,000.00) for a utility extension north of I-75 along Toledo Blade Boulevard. As part of the agreement, the City must certify that at least 1,947 new jobs have been created as a result of the grant project (DEO Agreement No. G0077, Pg. 22).

Currently, there are no numbers on how many jobs will be created by this property being rezoned to industrial. However, it can be said that the proposed rezoning will allow uses that can contribute to the 1,947 required new jobs.

Staff concludes that the proposed Rezone is consistent with Economic Development Element Objective 1.1.1

COMPREHENSIVE PLAN

Economic Development Element, Policy 1.15

The City recognizes the value of continuing to establish land use regulations that allows industrial and commercial uses, in appropriate locations, that have limited options for locating in other areas of the County and region, if these uses employ best management practices that reduce negative on- and off-site impacts and are appropriately buffered from other potentially incompatible land uses.

Staff Findings: The proposed rezoning abuts Toledo Blade Boulevard which is a major local road with numerous industrial uses along it. This particular location is also only about a half-mile north of I-75 making it prime location for local and regional distribution, manufacturing, or other light industrial uses that can be contained indoors.

V. DATA & ANALYSIS (CONTINUED)

The proposed project will be properly buffered from the adjacent uses. The buffers will be required in future petitions.

Staff concludes that the proposed Rezone is consistent with Economic Development Element Objective 1.15

ULDC

Chapter 1—General Provisions, Article II.—Administration of Unified Land Development Code, Section 1-12.—Amendments.

E. Nature and requirements of Planning and Zoning Advisory Board report. (1) When pertaining to the rezoning of land, the report and recommendations of the Planning and Zoning Advisory Board to the City Commission required by Sec. 1-29 above shall show that the Planning and Zoning Advisory Board has studied and considered the proposed change in relation to the following, where applicable:

ULDC

(a) Whether the proposed change would be consistent with the adopted map series and goals, objectives and policies of the Comprehensive Plan.

Staff Findings: The current zoning of No Zoning Designation (“NZD”) restricts the subject parcels from being granted uses, which is done through zoning designations. The proposed rezone is compliant with multiple objectives and policies found within the City’s comprehensive code. Future development petitions will be required to show how development will minimize the impact to the natural surroundings while proposing to provide a multi-functional group of developments connected with various routes for multi-modal transportation.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(a).

ULDC

(b) The relationship of the proposed change to the existing land use pattern.

Staff Findings: The proposed rezone is consistent with the adjacent land uses, especially the parcels to the south that are currently zoned Village. The rezone would have little-to-no impact on the land use ability of the parcels adjacent to the proposed rezone and will not substantially change the land use pattern of the City.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(b).

ULDC

(c) Whether the proposed change would lead to the creation of an

V. DATA & ANALYSIS (CONTINUED)

isolated zoning unrelated to adjacent and nearby districts.

Staff Findings: The approval of the proposed rezone will not create an isolated zoning. Instead, the rezone would provide access to isolated parcels that are not currently developed. The proposed rezone would allow the applicant to move forward with future development petitions within the City.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(c).

ULDC

(d) The impact on the availability of adequate public facilities consistent with the level of service standards adopted in the Comprehensive Plan and as defined and implemented through the City's Concurrency Management System Regulations as set forth in Chapter 5 of this Unified Land Development Code.

Staff Findings: The applicant has received a Letter of Willingness to Serve Water, Sewer and eventually Reclaimed Water from the City of North Port Utilities Department. Additionally, the City Engineer has reviewed the project as to roadways and associated infrastructure with no objections. Last, Sarasota County Schools has seen the project, but the applicant is responsible for submitting the final school concurrency information later in the development process.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(d).

ULDC

(e) Whether the existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Staff Findings: The rezone would provide district boundaries that would facilitate access from Toledo Blade Blvd. to the entire proposed development. The portion of the rezone adjacent to Toledo Blade Blvd. will add an industrial aspect to a currently under-developed area.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(e).

ULDC

(f) Whether changed or changing conditions make the passage of the proposed zoning necessary.

Staff Findings: Any development on the subject property would require a rezone. The site is currently zoned No Zoning Designation ("NZD"), which restricts the relationship between the subject parcel

V. DATA & ANALYSIS (CONTINUED)

and those abutting the subject parcels. The proposed rezone would allow industrial uses on the 55.02 acre portion of the parcel.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(f).

ULDC

(g) Whether the proposed change will adversely influence living conditions in the neighborhood.

Staff Findings: The proposed rezone unifies the subject property with the adjacent properties to the east which will facilitate development in the area. The proposed rezone complements the development of neighboring properties, such as the Toledo Village, by providing connectivity and complementary functionality.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(g).

ULDC

(h) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

Staff Findings: The proposed rezone does not have a direct influence on traffic congestion or public safety. Currently, the surrounding area is mostly undeveloped so any future development has the potential to increase the traffic, however there will be an in-depth traffic impact study done for future development petitions for the site as a whole development. The required upgrades to intersections and roadways will be determined by the trips generated in-and-out of the proposed development. Future development on the proposed site will be conditioned that the upgrades on the impacted infrastructure be met.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(h).

ULDC

(i) Whether the proposed change will create a drainage problem.

Staff Findings: The proposed rezoning alone would have no effect on the drainage problem. Per the ULDC, all new development requires stormwater management to be equal or reduce the stormwater runoff to adjacent properties. Future applications will require a stormwater analysis be reviewed and approved by the City's Stormwater Engineer before allowing any proposed development to move forward.

Staff concludes that the proposed Rezone is consistent with ULDC Sec.

V. DATA & ANALYSIS (CONTINUED)

1-12.E.(1).(i).

ULDC

(j) Whether the proposed change will seriously reduce light and air or solar access to adjacent areas.

Staff Findings: The proposed project will be required to provide a Type D buffer between "Industrial" and "Village" zoning to the south that will reduce the impact of any built structures to the adjacent property. Any future development applications will be reviewed by staff for compliance to any and all approved conditions.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(j).

ULDC

(k) Whether the proposed change will adversely affect property values in the adjacent areas.

Staff Findings: Currently, the parcel is NZD zoned, which has no approved uses, or potential economic benefits. The proposed rezone is the industrial area adjacent to Toledo Blade Boulevard. The increased development on the parcel will help to promote more positive development. For this project the success of the Industrial development will play a direct role in the development timing of the residential portion of this parcel.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(k).

ULDC

(l) Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

Staff Findings: There are three proposed projects in this direct area. The three projects are on the same side of Toledo Blade Boulevard, and all have a mixed-use component in their development. Each of these proposed projects have either worked together in their designs, or they have used the development potential of each other's project for their development calculations.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(l).

ULDC

(m) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

Staff Findings: The granting of this proposed rezone would not grant

V. DATA & ANALYSIS (CONTINUED)

the applicant any special privilege that is outside of the Industrial zoning guidelines. The guidelines for Industrial zoning are based on a City of North Port Comprehensive Plan and ULDC.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(m).

ULDC

(n) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

Staff Findings: Currently, the property has identified as No Zoning Designation (NZD), which has no uses allotted to it. The potential use of the property is based on the entitlements granted to it through zoning. With the NZD zoning applied to the property, any proposed future development would require a rezoning, whether it be residential, commercial, industrial, or a mixture of uses. For any development a rezone is absolutely necessary.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(n).

ULDC

(o) Whether the change suggested is out of scale with the character of the neighborhood.

Staff Findings: As mentioned previously, there are two other large-scale projects in various stages of the review and development process that are similar in nature adjacent to the project associated with the proposed rezoning. The proposed area being rezoned is the industrial and connector portion of a larger development known as Toledo Blade 320. The proposed rezoning is a portion of a larger project that with the assistance of neighboring up-and-coming developments has the potential to truly define the neighborhood character of the area.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(o).

ULDC

(p) Whether the use causes a decrease in level of service, concurrency in any area listed in Chapter 5, or causes adverse effects on the health, safety and welfare of the citizens of North Port and its impossible to find other adequate sites in the City for the proposed use in districts already permitting such use that would maintain the adopted level of service, concurrency levels as listed in Chapter 5 or adequate services for the health, safety and welfare of the citizens of North Port.

V. DATA & ANALYSIS (CONTINUED)

Staff Findings: The proposed rezoning of this property will not decrease the level of service to the area, but will increase the usefulness of the area by developing a currently undeveloped area within the northeast of the City.

The proposed rezone is part of a larger project called Toledo Blade 320, which is a portion of the northeast quadrant of the Toledo Blade Blvd. and I-75. All future development proposals will be reviewed for concurrency during the potential process.

Staff concludes that the proposed Rezone is consistent with ULDC Sec. 1-12.E.(1).(p).

VI. PUBLIC

PUBLIC NOTICE

Notice of the public hearings were mailed to the owner and property owners within a 1,320 feet radius of the subject property on July 13, 2022. The petition for a Rezone was advertised in a newspaper of general circulation within the City of North Port on August 2, 2022 pursuant to the provisions of Section 166.041(3)(a), Florida Statutes and Section 7.01(c) of the Charter of the City of North Port, and Chapter 1, Article II., Section 1-12 of the City's Unified Land Development Code (ULDC) as amended (**Exhibit E**).

PUBLIC HEARING SCHEDULE

Planning & Zoning Advisory Board	September 7, 2023 9:00 AM or as soon thereafter
City Commission 1st Reading	September 26, 2023 6:00 PM or as soon thereafter
City Commission 2nd Reading	TBD

VII. RECOMMENDED MOTION

PLANNING AND ZONING ADVIOSRY BOARD—

The Planning and Zoning Division recommends that the Planning & Zoning Advisory Board recommend approval of REZ-22-237 and motion as follows"

I move to find Petition No. REZ-22-237, consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommended the City Commission approve REZ-22-237.

VII. RECOMMENDED MOTION (continued)

CITY COMMISSION—

The City Commission approve REZ-22-237 and motion as follows:

I move to find Petition No. REZ-22-237, via Ordinance No. 2023-26, Toledo Blade 320 Rezone, consistent with City of North Port Comprehensive Plan and Unified Land Development Code, and Florida Statutes based on the competent substantial evidence as presented and approve REZ-22-237.

VIII. ALTERNATIVE MOTIONS

PLANNING AND ZONING ADVISORY BOARD—

RECOMMEND DENIAL of Petition No. REZ-22-237.

I move to find Petition No. REZ-22-237, Toledo Blade 320 Rezone, not consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommend the City Commission deny REZ-22-237.

CITY COMMISSION—

DENIAL of Petition No. REZ-22-237.

I move to find Petition No. REZ-22-237, via Ordinance No. 2023-26, Toledo Blade 320 Rezone, not consistent with the City of North Port Comprehensive Plan [and/or Unified Land Development Code, and/or Florida Statutes] based on the competent substantial evidence as presented and deny CPAL-22-247:

The proposed Rezone is NOT specifically adapted and designed for the future land uses anticipated.

The proposed Rezone DOES NOT comply with the City of North Port Comprehensive Plan, the Unified Land Development Code, and other laws, ordinances, and regulations as requested.

IX. EXHIBITS

A.	Affidavit
B.	Deed
C.	Ordinance No. 2023-26 with Exhibits
D.	Neighborhood Meeting Documents
E.	Legal Ad

AFFIDAVIT

I (the undersigned), KENRICK S. GALLANDER being first duly sworn, depose and say that I am the owner, attorney, attorney-in-fact, agent, lessee or representative of the owner of the property described and which is the subject matter of the proposed application; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and accurate to the best of my knowledge and belief. I understand this application must be complete and accurate before the application can be processed or hearing can be advertised, and that I am authorized to sign the application by the owner or owners. I authorize City of North Port staff and agents to visit the site as necessary for proper review of this application. *If there are any special conditions such as locked gates, restricted hours, guard dogs, etc., please provide the name and telephone number of the individual who can allow access.*

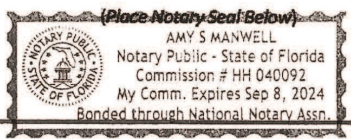
Sworn and subscribed before me this 22nd day of SEPTEMBER, 2022,

[Signature] KENRICK S. GALLANDER, PLANNER
Signature of Applicant or Authorized Agent Print Name and Title

STATE OF Florida COUNTY OF lee

The foregoing instrument was acknowledged by me this 22 day of September, 2022, by Kenrick S Gallander who is personally known to me or has produced Florida Driver license as identification.

[Signature]
Signature - Notary Public



AFFIDAVIT

AUTHORIZATION FOR AGENT/APPLICANT

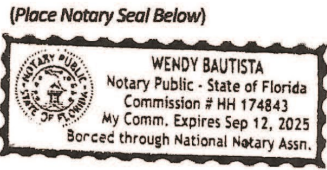
I, Christopher Curtis Bryson, property owner, hereby authorize Kenrick Gallander to act as Agent on our behalf to apply for this application on the property described as (legal description) 7020 Toledo Blade Boulevard, North Port Florida
The North Half of Section 6, Township 39 South, Range 22 East, Sarasota County Florida, PID 10910010000

[Signature] June 22, 2022
Owner Date

STATE OF Florida COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 23 day of June, 2022, by Christopher Bryson who is personally known to me or has produced Florida Driver license as identification.

[Signature]
Signature - Notary Public





LETTER OF AUTHORIZATION

TO WHOM IT MAY CONCERN:

PLEASE BE ADVISED THAT I AM AN AUTHORIZED REPRESENTATIVE OF RWA, INC. I HEREBY CONFIRM THAT KENRICK GALLANDER IS AUTHORIZED TO REPRESENT RWA, INC. THIS AUTHORITY EXTENDS TO ANY AND ALL DOCUMENTS REQUIRED BY THE PLANNING, REZONING, OR PERMITTING REQUESTS SUBMITTED TO THE CITY OF NORTH PORT, FLORIDA.

AUTHORIZED REPRESENTATIVE NAME:

CHRISTOPHER O. WRIGHT, CEO OF RWA, INC. OR MICHAEL A. WARD, VP OF RWA, INC.

PRINTED NAME

[Handwritten Signature]

SIGNATURE

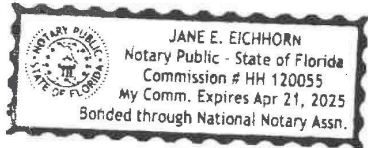
STATE OF: FLORIDA

COUNTY OF: LEE

This document has been acknowledged before me on this 23 day of June 2022 by Michael Ward, who is personally known to me, or has produced _____ as identification and did not take an oath.

My Commission Expires: April 21, 2025

(Seal)



[Handwritten Signature]
Notary Public

Jane E. Eichhorn
Printed Name of Notary

**RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2023042804 5 PG(S)**

3/16/2023 3:46 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT

SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 3000268

Doc Stamp-Deed: \$64,750.00

This instrument prepared by and return to:
J. Geoffrey Pflugner, Esq.
Icard, Merrill, Cullis, Timm,
Furen & Ginsburg, P.A.
8470 Enterprise Circle, Suite 201
Lakewood Ranch, FL 34202

SPECIAL WARRANTY DEED

This Special Warranty Deed is made the 6th day of March, 2023, from **R & K ENTERPRISES OF NP, LLC**, a Florida limited liability company, whose address is 10231 Metro Parkway, Unit 205, Ft. Myers, Florida 33956 (hereinafter referred to as "Grantor"), to **DELUXETON NORTH PORT LLC**, a Georgia limited liability company, whose address is 5940 Respite Ct., Johns Creek, Georgia 30097 (hereinafter referred to as "Grantee").

Grantor, in consideration of the sum of Ten and No/100 (\$10.00) Dollars and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants, bargains, sells, conveys, remises, releases and transfers to Grantee the following described real property in Sarasota County, Florida:

See attached Exhibit A

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, easements, taxes for the year 2023 and all subsequent years, and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

Grantor hereby covenants and warrants that the Property is vacant and unimproved and is not the homestead of any person nor is the Property contiguous, adjacent, or in close proximity to any homestead real property.

Grantor hereby covenants with Grantee that the Grantor is lawfully seized of the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey said Property without the joinder of any other person; and that the Grantor does hereby warrant and defend the title to the Property against the lawful claims of all persons claiming by, through, and under Grantor.

[Signatures on Following Pages]

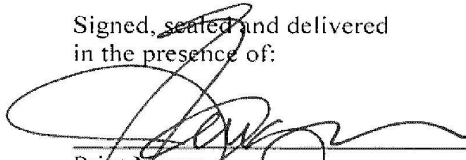

IN WITNESS WHEREOF, the said Grantor has hercunto executed this deed on the day and year first above written.

GRANTOR:

R & K Enterprises of NP, LLC, a Florida limited liability company

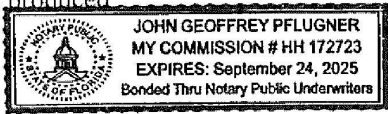
By: 
Chris Bryson, as Manager


Signed, sealed and delivered in the presence of:


Print Name: _____

Print Name: Deborah K. Martin

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 5th day of March, 2023, by Chris Bryson, as Manager of R & K Enterprises of NP, a Florida limited liability company, who is personally known to me or who has produced _____ as identification.




Notary Public, State of Florida
Print Name: _____
(Seal)

My Commission Expires:

EXHIBIT "A"
("Legal Description")

PARCEL A:

North 1/2 of Section 6, Township 39 South, Range 22 East, Sarasota County, Florida, being more particularly described as follows:

BEGINNING at the Northeast corner of said Section 6, Thence North 89 °42 '25 ° West along the North line of the North 1/2 of Section 6, a distance of 2655.22 feet to the Northeast corner of the Northwest Quarter of Section 6; thence run North 89° 42 ' 12 ' West, along the North line of the North 1/2 of Section 6, a distance of 2855.22 feet to the Northwest corner of Section 6; thence run South 00° 30' 07" West along the West line of Section 6, a distance of 2548.44 feet to the Southwest Corner of the North 1/2 of Section 6, thence run South 88° 26'46" East, a distance of 5299.99 feet to the Southeast Corner of the North 1/2 of Section 6, thence run, North 00° 44' 41" East, along the East line of Section 6, a distance of 2664.96 feet to the Northeast corner of Section 6, Township 39 South, Range 22 East, Sarasota County, Florida being the POINT OF BEGINNING Source of Description: Survey prepared by A L Van Buskirk, dated 4/7/00, Project No 99-857.

TOGETHER WITH AND SUBJECT TO THAT 100-foot wide easement for ingress, egress and utilities over, across and through portion of the North 1/2 of Section 4, the North 1/2 of Section 5, and the North' 1/2, of Section 6, Township 39 South, Range 22 East, Sarasota County, Florida, said easement lying 50 feet on each side and continuous with the following described centerline.

Commence at the Northwest corner of said Section 6, thence South 00°30'07" West along the west line of Section 6 a distance of 2498.43 feet to the POINT OF BEGINNING of said centerline, thence South 88°26'46" East a distance of 871.74 feet, thence North 72°30'11" East a distance of 92.72 feet to the point of curvature of a curve to the left having a radius of 500.00 feet, a central angle of 17°04'05", the chord of which bears North 63°58'09" East and a chord distance of 148.40 feet; thence along the arc of said curve a distance of 148.95 feet to the point of tangency; thence North 55°26'07" East a distance of 155.43 feet to the point of curvature of a curve to the left having a radius of 1000.00 feet, a central angle of 8°58'01", the chord of which bears North 50°57'06" East and a chord distance of 156.34 feet; thence along the arc of said curve a distance of 156.50 feet to the point of tangency, thence North 46°28'06" East a distance of 132.96 feet to the point of curvature of a curve to the left having a radius of 1000.00 feet, a central angle of 15°18'27", the chord of which bears North 38°48'52" East and a chord distance of 288.37 feet, thence along the arc of said curve a distance of 267.17 feet to the point of tangency, thence North 31°09'39" East a distance of 916.90 feet to the point of curvature of a curve to the right having a radius of 1000.00 feet, a central angle of 44°22'31", the chord of which bears North 53°20'55" East and a chord distance of 755.28 feet; thence along the arc of said curve a distance of 774.50 feet to the point of compound curvature of a curve to the right having a radius of 600.00 feet, a central angle of 48°54'13", the chord of which bears South 81°00'43" East and a chord distance of 477.57 feet, thence along the arc of said curve a distance of 491.17 feet to the point of tangency; thence South 57°33'36" East a distance of 294.45 feet to the point of curvature of a curve to the left having a radius of 1000.00 feet, a central angle of 49°39'20", the chord of which bears South 82°23'16" East and a chord distance of 839.78 feet, thence along the arc of said curve a distance of 866.65 feet to the point of tangency, thence North 72°47'04" East a distance of 187.48 feet to the point of curvature of a curve to the right having a radius of 2000.00 feet, a central angle of 27°00'27", the chord of which bears North 86°17'18" East and a chord distance of 934.04 feet, thence along the arc of said curve a distance of 942.74 feet to the point of tangency; thence South 80°12'29"

01700392-1

East a distance of 2116.26 feet to the point of curvature of a curve to the left having a radius of 1000.00 feet, a central angle of $25^{\circ}59'20''$, the chord of which bears North $86^{\circ}47'52''$ East and a chord distance of 449.71 feet, thence along the arc of said curve a distance of 453.59 feet to the point of tangency, thence North $73^{\circ}48'12''$ East a distance of 348.80 feet to the point of curvature of a curve to the right having a radius of 1000.00 feet, a central angle of $71^{\circ}05'17''$, the chord of which bears South $70^{\circ}39'10''$ East and a chord distance of 1162.66 feet, thence along the arc of said curve a distance of 1240.72 feet to the point of tangency; thence South $35^{\circ}06'31''$ East a distance of 852.30 feet to the point of curvature of a curve to the left having a radius of 900.00 feet, a central angle of $54^{\circ}11'59''$, the chord of which bears South $62^{\circ}12'31''$ East and a chord distance of 819.98 feet, thence along the arc of said curve a distance of 851.37 feet to the point of tangency; thence South $89^{\circ}18'31''$ East a distance of 425.08 feet to the point of curvature of a curve to the left having a radius of 1000.00 feet, a central angle of $46^{\circ}52'46''$, the chord of which bears North $67^{\circ}15'06''$ East and a chord distance of 795.57 feet; thence along the arc of said curve a distance of 818.20 feet to the point of reverse curvature of a curve to the right having a radius of 1500.00 feet, a central angle of $49^{\circ}42'34''$, the chord of which bears North $88^{\circ}40'00''$ East and a chord distance of 1260.96 feet, thence along the arc of said curve a distance of 1301.39 feet to the point of tangency, thence South $86^{\circ}28'43''$ East a distance of 659.10 feet to the point of curvature of a curve to the left having a radius of 700.00 feet, a central angle of $40^{\circ}39'47''$, the chord of which bears North $73^{\circ}11'24''$ East and a chord distance of 486.43 feet, thence along the arc of said curve a distance of 496.79 feet to the point of tangency; thence North $52^{\circ}51'30''$ East a distance of 87.36 feet to the point of curvature of a curve to the right having a radius of 700.00 feet, a central angle of $42^{\circ}43'39''$, the chord of which bears North $74^{\circ}13'20''$ East and a chord distance of 510.00 feet; thence along the arc of said curve a distance of 522.02 feet to the point of tangency, thence South $84^{\circ}24'50''$ East a distance of 175.45 feet to the point of curvature of a curve to the right having a radius of 900.00 feet, a central angle of $66^{\circ}42'46''$, the chord of which bears South $51^{\circ}03'27''$ East and a chord distance of 989.72 feet, thence along the arc of said curve a distance of 1047.92 feet to the point of tangency, thence South $17^{\circ}42'04''$ East a distance of 364.70 feet to the point of curvature of a curve to the left having a radius of 500.00 feet, a central angle of $15^{\circ}18'05''$, the chord of which bears South $25^{\circ}21'07''$ East and a chord distance of 133.13 feet; thence along the arc of said curve a distance of 133.53 feet to the point of tangency; thence South $89^{\circ}49'42''$ East a distance of 254.91 feet to the east line of the aforesaid Section 4 and the POINT OF TERMINATION of said centerline.

PARCEL B:

A portion of Section 6, Township 39 South, Range 22 East, Sarasota County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 6; thence South $00^{\circ}30'07''$ West along the West line of Section 6 a distance of 2548.44 feet to the Southwest corner of the North half of said Section 6 and the Point of Beginning; thence $88^{\circ}26'46''$ East, along the South line of said North half a distance of 877.49 feet to an intersection with a non-tangent curve concave to the North having a radius of 1630.00 feet; thence Southwesterly along said curve to the right through a central angle of $20^{\circ}33'29''$, an arc distance of 584.85 feet (chord = 581.72 feet bearing South $81^{\circ}16'29''$ West) to the end of said curve and a point on the line lying 103.82 feet South of and parallel with said South line of the North half; thence North $88^{\circ}26'46''$ west along said parallel line a distance of 303.20 feet to the aforesaid West line of Section 6; thence North $00^{\circ}30'07''$ East along said West line a distance of 103.82 feet to the Point of Beginning.

01700392-1

LESS AND EXCEPT THEREFROM THAT PART OF THE ABOVE DESCRIBED LAND CONVEYED TO SARASOTA COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY WARRANTY DEED RECORDED AT OFFICIAL RECORDS INSTRUMENT NUMBER 2015033509, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

That part of the Northwest Quarter (1/4) of Section 6, Township 39 South, Range 22 East, Sarasota County, Florida, being more particularly described as follows:

Begin at the Northwest corner of said Section 6; thence run S.89°42'24"E. along the North line of said Section 6 for a distance of 75.00 feet; thence run S.37°17'44"W. for a distance of 125.22 feet to the intersection with the West line of said Section 6; thence run N.00°30'01 'W. along said West line for a distance of 100.00 feet to the Point of Beginning.



City of North Port

ORDINANCE NO. 2023-26

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REZONING ± 55.02 ACRES LOCATED EAST OF TOLEDO BLADE BOULEVARD APPROXIMATELY 1 MILE NORTH OF I-75 IN SECTION 6, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AS DESCRIBED IN INSTRUMENT NO. 2023042804 IN OFFICIAL RECORDS OF SARASOTA COUNTY, FROM NO ZONING DESIGNATION DISTRICT (NZD) CLASSIFICATION TO INDUSTRIAL LIGHT WAREHOUSING DISTRICT (ILW) DISTRICT CLASSIFICATION; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR FINDINGS; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the subject property is currently zoned as No Zoning Designation (NZD), which is inconsistent with the Future Land Use classification; and

WHEREAS, Deluxeton North Port, LLC, is the property owner of a ±318.89 acre parcel identified on the attached "Exhibit A", and desires to rezone a portion of the parcel; and

WHEREAS, Petition REZ-22-237 ("Petition") requests rezoning of a ±55.02 acre portion of the subject parcel as identified on the attached "Exhibit B"; and

WHEREAS, Ordinance No. 2023-25 reclassified a portion of the subject parcel from Future Land Use classification of Agricultural, Estates to Industrial; and

WHEREAS, the public notice requirements provided in Florida Statutes Chapter 166 and the Unified Land Development Code have been adhered to and satisfied; and

WHEREAS, the Planning and Zoning Advisory Board considered the Petition at a public hearing on September 7, 2023, and made its recommendation to the City Commission; and

WHEREAS, the City Commission held properly-noticed public hearings at first and second reading of this ordinance, at which time all interested parties had an opportunity to appear and be heard, and the City Commission considered all relevant evidence presented, as well as the Planning and Zoning Advisory Board's recommendation; and

WHEREAS, the City Commission finds that competent substantial evidence supports the findings and actions herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

- 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 The City Commission finds this ordinance to be consistent with the adopted North Port Comprehensive Plan and Unified Land Development Code.
- 1.03 All exhibits attached to this ordinance are incorporated in this ordinance by reference.

SECTION 2 – REZONING

- 2.01 The City Commission hereby changes the zoning classification of the ± 55.02 acre area located in Section 6, Township 39 South, Range 22 East of Sarasota County and further described in “Exhibit B,” currently zoned No Zoning Designation (NZD) to Industrial Light Warehousing District (ILW).
- 2.02 The City Commission approves the revised Official Zoning Map, attached as “Exhibit C,” reflecting the zoning change approved in this ordinance.

SECTION 3 – FILING OF APPROVED DOCUMENTS

- 3.01 The City Clerk is directed to place in the City Clerk’s files an updated Official Zoning Map in accordance with the requirements of Sections 53-14, 53-16, and 53-17 of the Unified Land Development Code.
- 3.02 The City Clerk is directed to file this ordinance with the Clerk of the Circuit Court in and for Sarasota County, Florida in accordance with the requirements of Section 1-36 of the Unified Land Development Code.

SECTION 4 – CONFLICTS

- 4.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

SECTION 5 – SEVERABILITY

- 5.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

SECTION 6 – EFFECTIVE DATE

- 6.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida in public session on _____, 2023.

ADOPTED by the City Commission of the City of North Port, Florida on the second and final reading in public session on _____, 2023.

CITY OF NORTH PORT, FLORIDA

BARBARA LANGDON
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON, B.C.S.
CITY ATTORNEY

Exhibit A

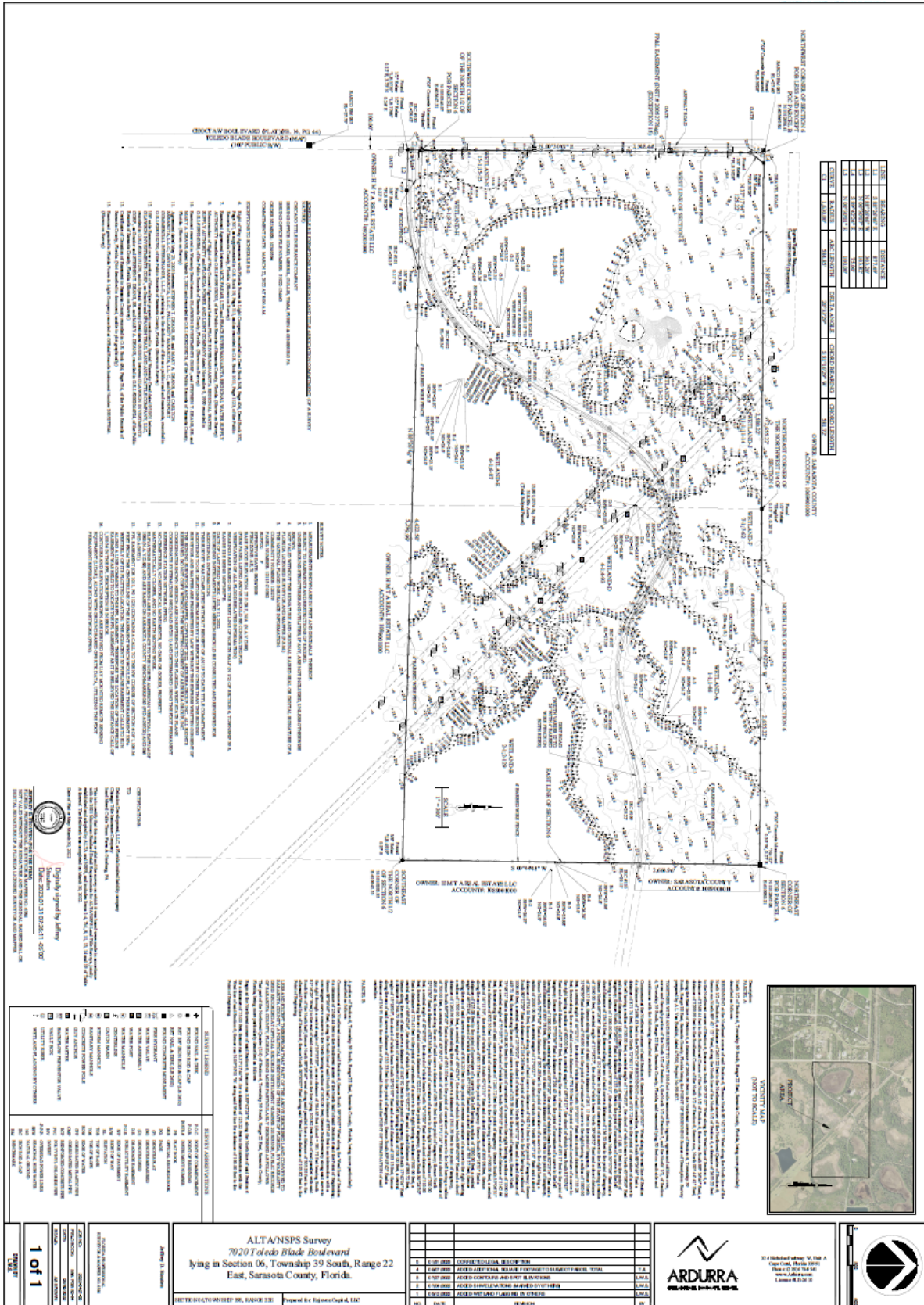
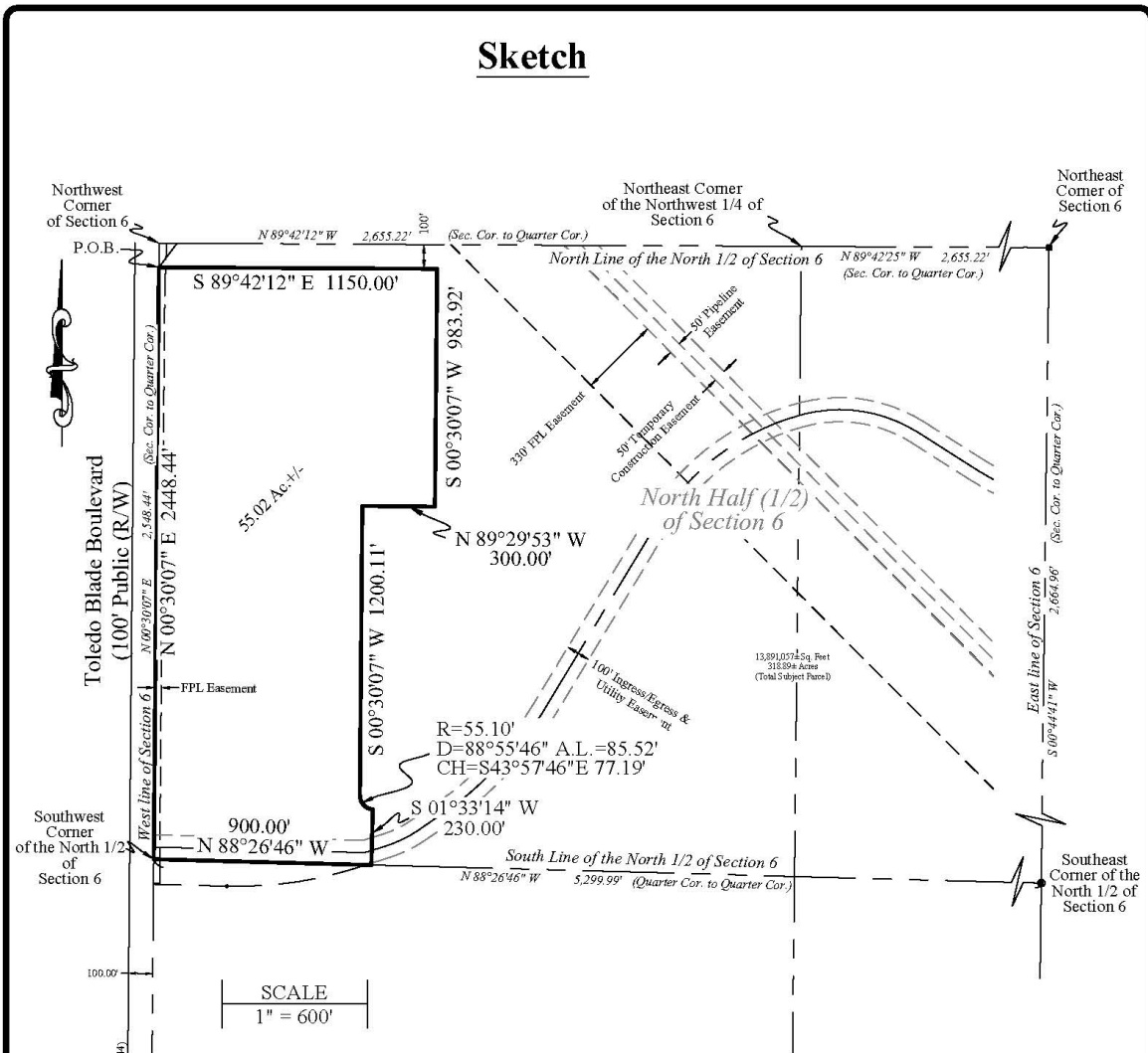


Exhibit B

Sketch



SURVEY NOTES:

1. BEARINGS ARE BASED ON THE WEST LINE OF THE NORTH HALF OF SECTION 6, AS MONUMENTED IN THE FIELD, BEING N00°30'07\"/>

LEGEND:

- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- P.B. = PLAT BOOK
- O.R. = OFFICIAL RECORDS BOOK
- PG. = PAGE
- INST. = INSTRUMENT
- R/W = RIGHT-OF-WAY
- AC. = ACRES

Sheet 1 of 2

<p style="text-align: center;">Sketch to Accompany Description</p> <p style="text-align: center;">Subject Parcel</p> <p style="text-align: center;"><i>A tract of land lying in Section 6, Township 39 South, Range 22 East, Sarasota County, Florida</i></p>	<p>THIS IS NOT A SURVEY</p> <p>324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #L.B-2610</p>	<p>I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 24, 2023 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 51-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.</p> <div style="text-align: right;"> <p>Digitally signed by Jeffrey Stouten Date: 2023.02.28 06:57:28 -05'00'</p> </div> <p><small>JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO 6584 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER</small></p>
<p>SHEET 1 OF 2</p> <p>JOB # 2022-0491-00 PREPARED FOR: Rejuven Capital, LLC</p> <p>SECTION 6, TOWNSHIP 39 S, RANGE 22 E</p>		

Exhibit B

Description

Subject Parcel Description:

A tract or parcel of land lying in Section 6, Township 39 South, Range 22 East, Sarasota County, Florida, being more particularly described as follows:

Beginning at a point lying 100.00 feet Southerly of the Northwest corner of Section 6, said point also being on the Westerly line of said section; thence S 89°42'12" E, along a line 100.00 feet Southerly and parallel (as measured on a perpendicular) with the North line of Section 6 for a distance of 1,150.00 feet; thence run S 00°30'07" W, along a line parallel with (as measured on a perpendicular) and 1150.00 feet Easterly of the West line of the North 1/2 of Section 6 for a distance of 983.92 feet; thence run N 89°29'53" W, for a distance of 300.00 feet to an intersection with a line 850.00 feet Easterly of the West line of said Section 6; thence run S 00°30'07" W, parallel with (as measured on a perpendicular) and 850.00 feet easterly of the West line of said Section for a distance of 1,200.11 feet to a point of curvature; thence run 85.52 feet along the arc of a curve to the left of radius of 55.10 feet, concave to the Northeast, having a delta of 88°55'46", a chord bearing of S 43°57'46" E, and a chord length of 77.19 feet to a point being 230.00 feet (as measured on a perpendicular) Northerly of the South line of the North 1/2 of said Section 6; thence run S 01°33'14" W, to the intersection with the South line of the North 1/2 of said Section for a distance of 230.00 feet; thence run N 88°26'46" W, along the South line of the North 1/2 of Section 6 for a distance of 900.00 feet to the Southwest Corner of the North 1/2 of Section 6; thence run N 00°30'07" E, along the West line of Section 6 for a distance of 2,448.44 feet to the POINT OF BEGINNING.

Said parcel contains 55.02+/- acres (more or less).


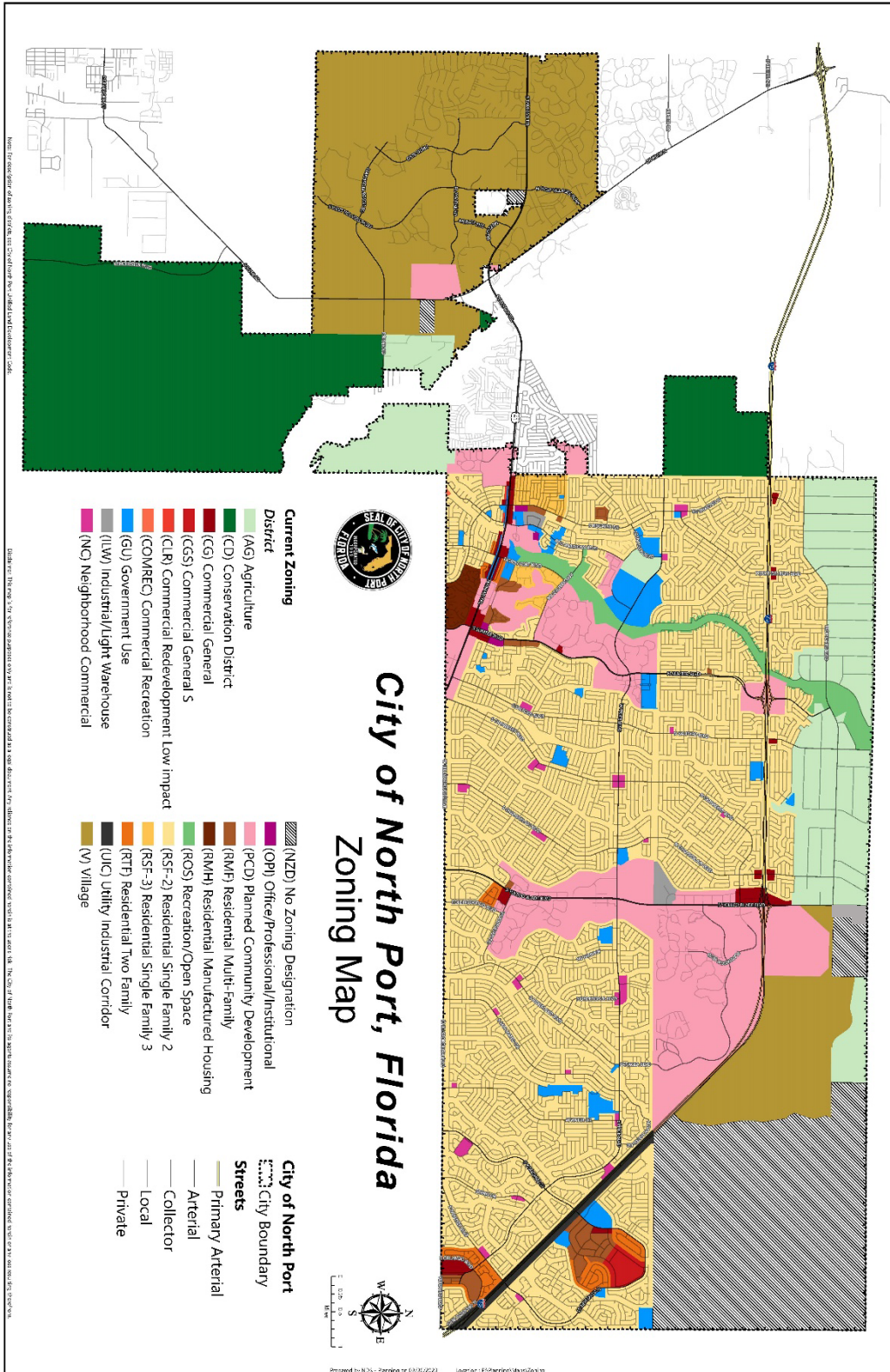
<p>THIS IS NOT A SURVEY</p>	<p>Description to Accompany Sketch Subject Parcel <i>A tract of land lying in Section 6, Township 39 South, Range 22 East, Sarasota County, Florida</i></p>	<p><i>Not Valid without Sheet 1 of 2</i></p>
<p><i>Sheet 2 of 2</i></p>	 <p>324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #LB-2610</p> <p>ARDURRA COLLABORATE. INNOVATE. CREATE.</p>	<p>I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 24, 2023 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 53-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.</p> <p><i>See Sheet 1 of 2 for Signature and Seal</i></p>
<p>JOB # 2022-0491-00</p>	<p>PREPARED FOR: Rejuven Capital, LLC</p>	<p>JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO 6584 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER</p>
<p>SECTION 6, TOWNSHIP 39 S, RANGE 22 E</p>		

Exhibit C



OCEANICA DE INVERSIONES S A
7A AV 5-62 SECTOR A-3SAN CRISTOBAL
ZONA 8
MIXCO 01057

HARNISH MARK (E LIFE EST)
1222 TROPICAIRE BLVD
NORTH PORT FL 34286

MOUBSIRE BONNIE L
1235 NESTOR CT
NORTH PORT FL 34286-9159

1383 TROPICARE BLVD
NORTH PORT FL 34286

BESSIRE JENNIFER M
1470 NESTOR CT
NORTH PORT FL 34286-9159

1519 TROPICAIRE BLVD
NORTH PORT FL 34286

NEUMAN JOSEPH T
1668 TROPICAIRE BLVD
NORTH PORT FL 34286

MANISH AND SONAL KAPADIA
REVOCABLE TRUST
1669 TROPICAIRE BLVD
NORTH PORT FL 34286-9202

WEST COAST PLAZA PROPERTIES LLC
1926 CLOW CT
NORTH PORT FL 34286-9117

HAYWARD DOUGLAS G
2021 IVOR AVE
NORTH PORT FL 34288-0853

KENNETH LEVY REAL ESTATE HOLDINGS
LLC
22901 BAYSHORE RD
PUNTA GORDA FL 33950

PATEL NISARG P
2505 HOBBLEBRUSH DR
NORTH PORT FL 34289

BRYCH YURIY
3827 TONKIN DR
NORTH PORT FL 34287

EVANS MARK W
4030 OLIVE AVE
SARASOTA FL 34231-7608

H M T A REAL ESTATE LLC
4524 SE 16TH PL STE 3
CAPE CORAL FL 33904-7475

CURRIE RANCH LIMITED PRSHP
5815 N DALE MABRY HWY
TAMPA FL 33614-5605

DELUXETON NORTH PORT LLC
5940 RESPITE CT
JOHNS CREEK GA 30097

THORPE DAVID K
6215 TOLEDO BLADE BLVD
NORTH PORT FL 34286

JORGE JOSHUA
6449 N TOLEDO BLADE BLVD
NORTH PORT FL 34286

BOUCHARD PETER M
6470 RAYMUR ST
NORTH PORT FL 34286

THOMAS SHANNON M
6574 RAYMUR ST
NORTH PORT FL 34286-9120

URBAN MICHELLE L
6633 N TOLEDO BLADE BLVD
NORTH PORT FL 34286-9156

DUGAN WILLIAM W
6686 RAYMUR ST
NORTH PORT FL 34286

MOORE MARTIN
6735 TOLEDO BLADE BLVD
NORTH PORT FL 34286

SMIECH ANDREW J
6778 RAYMUR ST
NORTH PORT FL 34286

6877 N TOLEDO BLADE BLVD
NORTH PORT FL 34286-9156

FREED STEPHEN R
6939 N TOLEDO BLADE BLVD
NORTH PORT FL 34286-9156

AGUILAR WALTER
720 JENNINGS AVENUE
WEST HEMPSTEAD NY 11552

MABRY CARLTON & SONS
9430 SIDELL RD
SIDELL FL 34266-0031

MABRY CARLTON RANCH INC
9430 SIDELL RD
SIDELL FL 34266-0031



NEIGHBORHOOD MEETING NOTICE

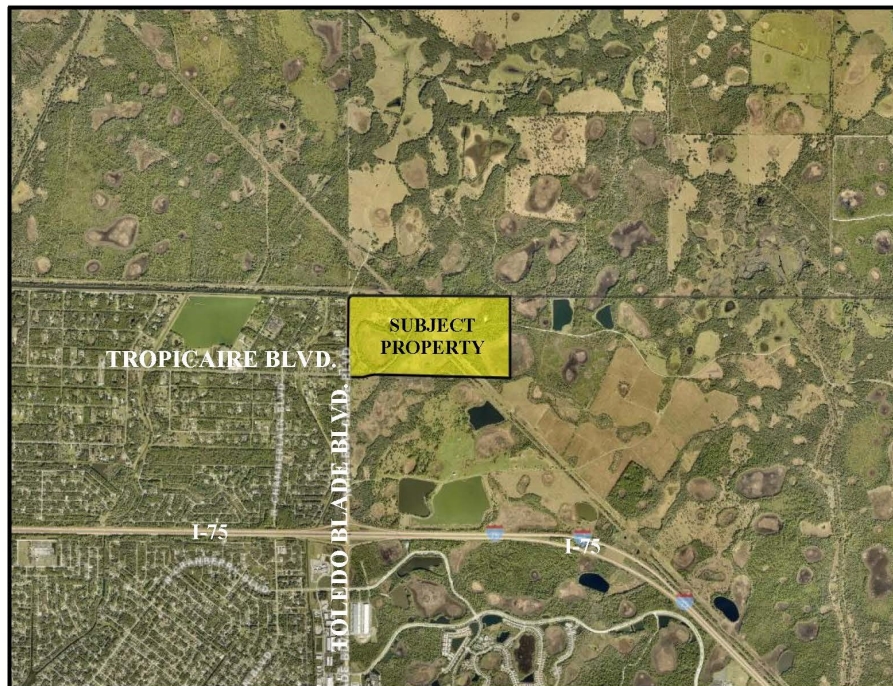
Dear Resident:

A neighborhood meeting is being held to inform the surrounding community about a proposed development project in the City of North Port.

DATE & TIME: June 29th, 2023, at 5:00 p.m.

LOCATION: Shannon Staub Public Library
4675 Career Lane
North Port, FL 34289

The subject property is located approximately 0.5 miles northeast of the intersection of Toledo Blade Blvd and Tropicaire Blvd at 7020 Toledo Blade Blvd. North Port, FL34298.



The property owner is petitioning the City of North Port for a Comprehensive Plan Amendment and a Rezoning to allow for a light industrial and residential development.


All residents are welcome to attend the meeting to hear further details about the petitions and the proposed development.



MEMORANDUM

DATE: July 14, 2023

TO: Carl Bengé, Planner III
Development Services Department – Planning & Zoning Division

FROM: Ken Gallander, AICP
RWA Engineering 

PROJECT NAME: Toledo Blade 320 – CPA and Rezones

SUBJECT: Neighborhood Meeting Summary

A Neighborhood Meeting was held on June 29th, 2023, at 5:00pm at the Shannon Staub Library located at 4675 Career Ln, North Port, FL 34289.

Attendees:

- Ken Gallander, AICP RWA Engineering – Applicant’s Agent
- Blake Finnegan, AICP RWA Engineering – Applicant’s Agent
- Tim Roane, P.E., RWA Engineering – Applicant’s Agent
- Terry Brannon Deluxeton Homes LLC – Applicant and Owner’s Agent
- Jeffery Boone, Boone, Boone, & Boone, P.A. – Applicant’s Attorney
- Members of the public (Please see attached Sign-in Sheet)

Summary (started at approximately 5:05 p.m.):

Mr. Gallander introduced the project team and provided a brief background on the subject property. He then detailed the request of the applicant with regards to their applications, a comprehensive plan map amendment and concurrent rezone. The presentation concluded with Mr. Gallander outlining the project status and potential timeline for future public hearings that will be held for the project.

Questions/Comments Summary:

Mr. Gallander opened the floor to public input. Members of the public provided the following questions and/or comments:

Q: Where is the nearest wastewater treatment plant that will serve this project? Where will utilities come from?
A: Wastewater will depend on where the city wants to send it. Water will come from the water main that will be extended to our project. We can say that we have confirmed the City has sufficient capacity to serve this project.



Q: I live on Toledo Blade, what is the advantage to me?

A: We will work with the City to provide compatibility measures such as proper setbacks and buffering to help alleviate any potential negative effects of this development on surrounding properties.

Q: What about the Gopher Tortoise's?

A: There were no such species on the property as indicated within the environmental assessment report. If one is found during construction; we will have to notify the state and they will come out and property remove the species.

Q: Why no commercial?

A: We are not proposing any commercial as a significant amount is already planned within another proposed developments within the northeast quadrant of I-75 and Toledo Blade interchange. The development is called North Port Gardens and it was approved in the early 2000's but has yet to be developed. With the anticipated increased traffic from the interstate, population growth for the area and improvements to the infrastructure, this will be the prime area for those uses.

Q: What happened to the four baseball fields?

A: This is still planned. Our development does not affect this proposed development.

Q: Where is Orange Hammock? Is this still happening?

A: Orange Hammock is to the east of our property and will remain. None of what is proposed under these applications will be impacting Orange Hammock. In fact, public access to Orange Hammock will be dramatically improved as a result of this project and others in the surrounding area.

Q: You said you have confirmed capacity for the utilities. Was this before or after Toledo Village?

A: We can't speak to Toledo Village. We have a commitment from the city for water and wastewater that we need.

Q: The economic study was supposed to bring commercial development to help with taxes. Seems to me that this multi-family with no commercial and just a little light industrial will only hurt us.

A: When you have a mix of uses in a development like this, it's usually the industrial component that provides higher tax return and brings in the jobs. In terms of the needs of here, the amount of light industrial proposed for this project is significant and will provide an economic benefit to the City and its residents as indicated within the city's economic development study.

Q: What is the definition of light industrial? You say just manufacturing or assembly. Will these uses result in any toxic chemicals being released in the water or ground?

A: There are specific permitted uses and prohibited uses listed in the city's ULDC. We are not proposing to allow any uses that would generate nuisances as listed in the ULDC for the ILW zoning district. We will work with the city if necessary to address this issue.

Q: What is the traffic impact on this two lane road?

A: The entire Toledo Blade Blvd and I-75 interchange is planned to be rebuilt. It will likely be signalized with more lanes and also wider. Depending on the traffic generated, all the developers of these surrounding areas will contribute to some of these improvements. Toledo Blade Blvd., has historically been planned to be widened when needed.



Q: Are there any intentions of putting up any type of sound barriers?

A: We don't know at this time, but we will have to comply with city decibel limits.

Q: Who is the developer?

A: The developer is Deluxeton North Port LLC.

Q: What type of light industrial use is proposed?

A: We do not know for sure this information at this time; however, the uses will be strictly limited to what is allowed within the light industrial zoning designation.

Q: There are five residents that live directly across from this property on Toledo Blade that will be heavily affected by this.

A: We are working to ensure we comply with the code and will work with staff and city Commissioners to address these concerns.

Q: Where are constructions entrances going to be?

A: Primarily on McCall Ranch Road.

Q: The light industrial is planned to be finished by 2024?

A: Yes.

Q: What is proposed for light industrial right now?

A: We don't know at this time. However, some of the allowed and desired uses may be boat equipment manufacturers, car part distribution, technology manufacturers, if possible, etc.

Q: Where are the boarders for Walton Preserve?

A: Map was pulled up on the overhead and shown the location with respect to Walton Preserve.

Q. I cannot fathom compatibility near a wildlife preserve – this has no business here in my opinion.

A: There will be measures in place to ensure compatibility with surrounding properties.

Q: Hypothetically, is there any issue that would arise that could seize development of this project, or is this a meeting just imposed on you by the city to have.

A: The purpose of this meeting is to let you all be aware of this project. It should be noted that if you're in a city as opposed to an unincorporated county, by state law, the growth is supposed to happen in cities. Cities were designed to be where the people are supposed to live. When near interstate interchange, the plan usually is to have this type of development. The purpose of this meeting is to understand what your concerns are and see what we can do to mitigate the issue. This along with other compatibility measures will be considered for this project. Some of the concerns are easier to address than others. We can tell you that there will be no smokestacks or steel cutting associated with heavy industrial use. We want you guys to understand what is going on.

Q: How can you control what kind of light industrial will come?

A: The light industrial zoning has approved uses under the ULDC. The use will have to be one listed within this section of the code.



Q: What is the name of the company that will develop the houses?

A: We will likely be developing the housing and someone else who specializes in industrial will likely develop that portion.

Q: What is the price range for the houses?

A: We can't say at this time. We can say there will be no low-income subsidized housing.

Q: Does the 3.4 dwelling units per acre include the wetlands?

A: Yes. We have clustered the development to result in as little impact as possible.

Q: I'm thinking about the people facing the light industrial. I'm wondering if Toledo Blade will have lots of trucks going along this road.

A: There will be a combination of cars and trucks for the first portion of the industrial development. Entrance and exit for the trucks will be south of future road for the residential.

Q: Where will those power lines go along Toledo Blade Blvd?

A: They will be relocated if needed.

Q: I'm worried about the lighting.

A: Generally, when these developments are done, the majority of space between the buildings will keep sound/light trapped. Buffering will also be considered. Lights will be permitted by the city and have to adhere to specific standards. We will work with them to ensure compatibility.

Q: You will have some significant wetland impacts for industrial portion; will you mitigate onsite?

A: It is no longer possible to mitigate onsite. All mitigation will be at Myakka mitigation bank. The overall site consists of approximately 317 acres – 122 of which are wetlands. The proposed development has taken great consideration using a clustered design to not develop or impact these areas and thus preserve these wetlands and other environmentally sensitive lands.

Q: The majority of the property is in a flood plain. How are you going to prevent water from going to the residence?

A: That will come into the engineering design phase once we go through water management district approvals.

Q: Is there any part of the development that will be government subsidized?

A: No.

Q: Why can't the light industrial be towards the back?

A: This would be impractical for the trucks associated with these uses to get back and forth from that location.

Q: You mentioned a study indicating the need for light industrial. What about an office park for tech companies? This would be better. Tech jobs pay higher than light industrial.

A: There is a lot of competition for these types of high tech manufacturing jobs. Having the appropriate zoning in place to allow for light industrial and potentially tech uses will only increase the chances and provide more opportunities for companies that the City desires to have either start-up, expand, and/or relocate here.

Q: What are your plans for landscaping on Toledo Blade?

A: This will be addressed further down the road. We will work with the city to ensure compatibility.



Q: You mentioned there would be potential for high paying jobs. What is the percentage of light industrial to residential?

A: About 25%/75% is our estimate.

A: Many of us live here because we expected nothing to come here. Why would you put this here?

A: This is the 2nd fastest growing city in America. Growth in this area is inevitable.

Q: As a developer do you make more money in commercial or residential?

A: They are totally different and have different risks associated with them such as timing and market trends.

Q: How many residents vs how many jobs?

A: Approximately 1,000 residents and approximately 2,500 jobs

Q: When you clear everything, will there be any animals or trees left?

A: This project has a very large amount of conservation land and wetlands.

The meeting concluded at approximately 6:15 p.m.

PLEASE SIGN IN

TOLEDO BLADE
320

<u>NAME</u>	<u>ADDRESS</u>	<u>EMAIL/PHONE</u>
- JOAN HAYDEN	6895 ESTATES DR	
-	N. PORT	
- CAROLYN PRICE	6877 TOLEDO BLADE	CJ Price 1758 @VERIZON.NET
Peter + Joanna Bouchard	6490 Raymond	joanneandpeter@verizon.net 941 626-0902
Randy + Sue Babma	2272 Chynna	RSB2272@verizon.net
Tom Totarz	5903 Berberstown	Ptotarz47@comcast.net
Kim Peeler	6155 Tidwell St	kim.peeler@verizon.net
Terry Peeler	6155 Tidwell St	linpeeler2@verizon.net
Paul Mann	6065 Tidwell St	pmjeep13@gmail
ANNE VANDERSCHUUR	2029 TROPICAIRES BVD	mondamp@yahoos.com
Lori Lohr	1777 Clow Ct.	Lsargent3@yahoo.com
DAN + Charlotte Anderson	2591 THymeway	205-478-8996
Simo + Catherine Tesla	1891 Tropicaires Blvd	ctesla1@gmail.com
Andy + Kitty Smiedh	6778 Raymond St.	Cate271@gmail.com
James Smith		
Joshua Wichers	1500 Musa Rd	jwichers11@gmail.com
Sandra Zimmierma	1766 Clow Ct	gkz123@yahoo.com
Paul - Alison	1402 6215 Toledo Blade	alisonh760@yahoo.
Bill Pegan	6686 Raymond St	
Dona Bank	3241 Elkem Ave	dbtotse@gmail.com 6077613487
Ron + Jennifer Nicol	1470 Nester Ct	941-423-3998

Toledo Blade 320
COMPREHENSIVE PLAN MAP AMENDMENT &
CONVENTIONAL REZONE

CITY OF NORTH PORT - NEIGHBORHOOD MEETING
JUNE 29, 2023
5:00PM

Project Team:

- **Property Owner(s):**
 - Deluxeton North Port, LLC
- **Legal Counsel:**
 - Boone, Boone & Boone, P.A.
- **Primary Agent:**
 - RWA Engineering - Planning & Civil Engineering

Neighborhood Meeting:

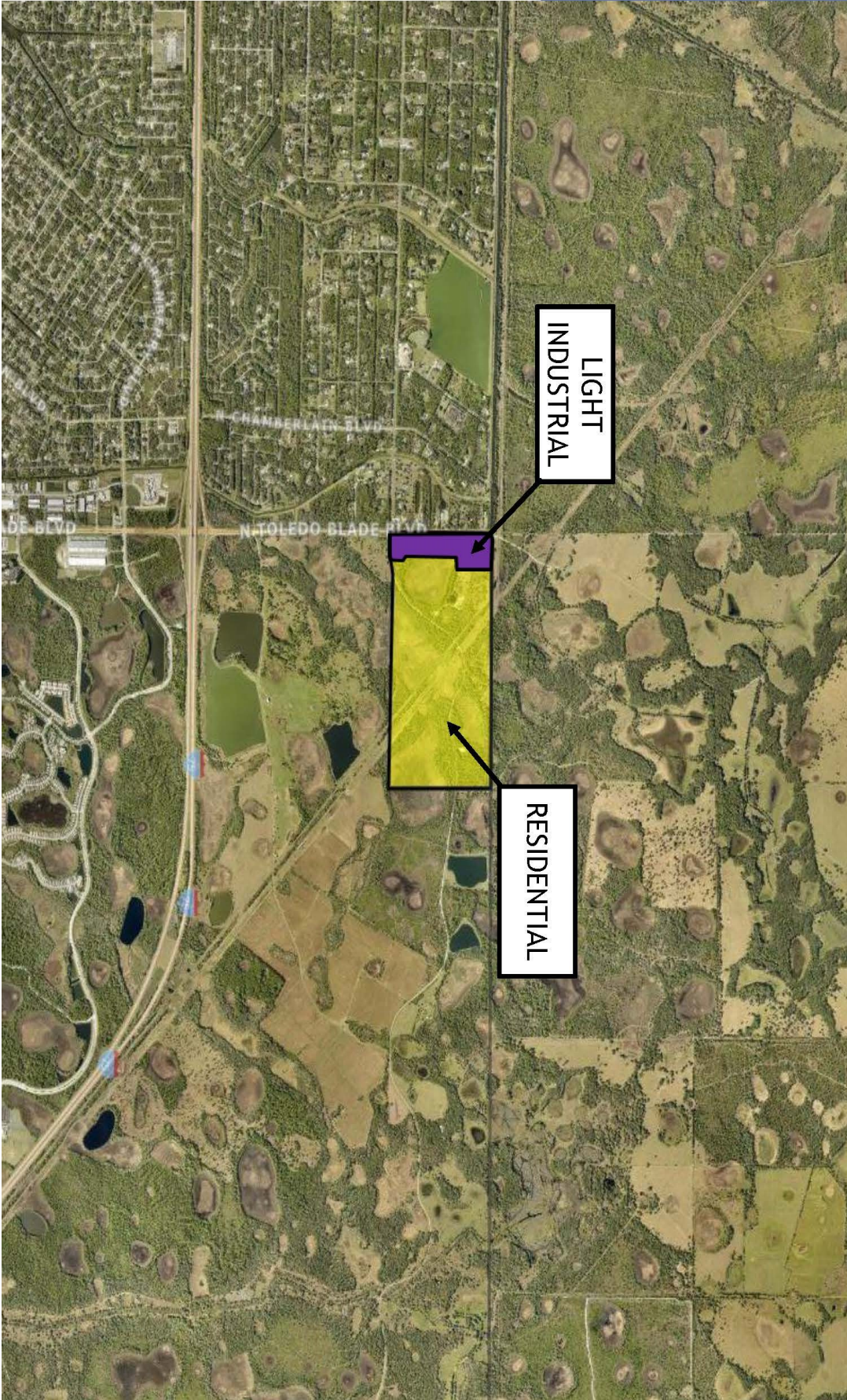
- Notify and inform the neighboring community about the project.
- Provide a general overview of the project.
- Allowing the public to ask questions and provide comments.

Subject Property:

- 1 Parcel; 318.89+/- acres
- Approximately 1 mile north of I-75 and Toledo Blade Boulevard
- Existing Future Land Use Map (FLUM) designation:
 - AGRICULTURAL, ESTATES
- Existing Zoning:
 - NO CITY ZONING DESIGNATION (NZD)
- Existing Use(s): Agriculture/Grazing

Project Requests:

- **Comprehensive Plan Map Amendment**
 - AGRICULTURAL, ESTATES to High Density Residential (HDR) and Industrial (IN)
- **Rezoning**
 - NO CITY ZONING DESIGNATION (NZD) to Residential Multi-family (RMF) and Industrial Light Warehousing (ILW)

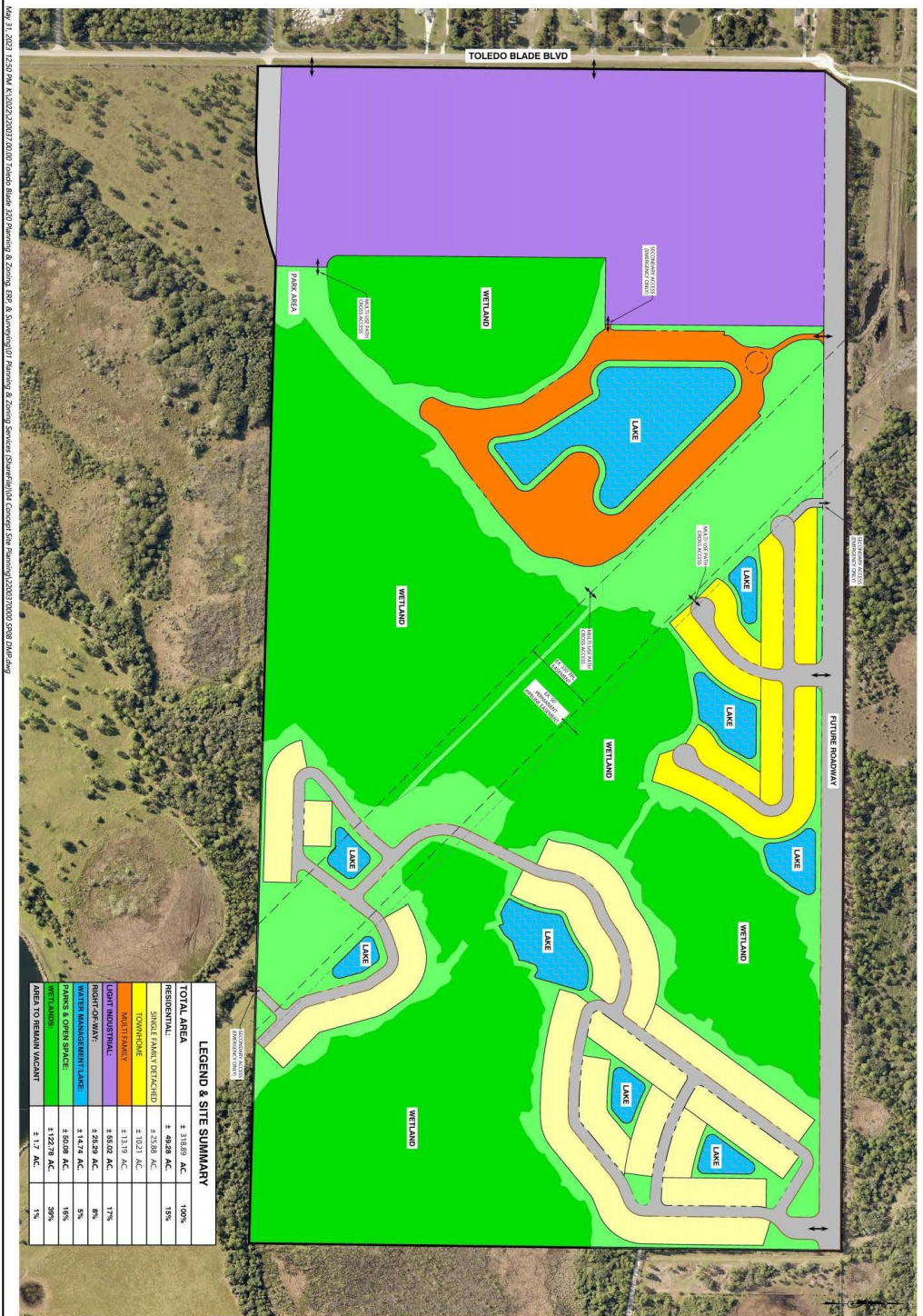


Comprehensive Plan Map Amendment

- **Change from AGRICULTURAL ESTATES to (HDR) AND (IN)**
 - **HIGH DENSITY RESIDENTIAL (HDR) - 262.34+/- acres**
 - **Max Density: 15 dwelling units/acre**
 - **Proposed: Overall approx. 3.4 du/acre**
 - **INDUSTRIAL (IN) - 55.02+/- acres**
 - **Max Floor Area Ratio (FAR): 0.95 (Max. 2,396,671.2 SF)**
 - **Proposed: approx. 0.37 (900,000 SF)**
 - **NO heavy industrial**
 - **Light manufacturing, assembly, warehousing, and distribution**

Residential Multi-family (RMF) and Industrial Light Warehousing (ILW) Rezone

- From NZD to RMF and ILW
 - RESIDENTIAL MULTI-FAMILY (RMF)
 - Mix of single-family, townhomes/attached single-family, and multi-family residential
 - Max Density: Up to 3.43 dwelling units/acre (Max allowed under HDR: 15 dwelling units/acre)
 - INDUSTRIAL LIGHT WAREHOUSING (ILW)
 - Up to 900,000 SF of light industrial uses
 - NO heavy industrial uses



LEGEND & SITE SUMMARY

TOTAL AREA	± 3,818.8 AC.	100%
RESIDENTIAL	± 4,828 AC.	15%
SINGLE FAMILY DETACHED	± 2,508 AC.	
TOWNHOME	± 1,021 AC.	
MULTI-FAMILY	± 1,119 AC.	
LIGHT INDUSTRIAL	± 8,608 AC.	7%
RIGHT-OF-WAY	± 4,474 AC.	9%
WATER MANAGEMENT LAKE	± 8,608 AC.	15%
PARKS & OPEN SPACE	± 1,927.78 AC.	39%
WETLANDS	± 1.7 AC.	1%
AREAS TO REMAIN VACANT		

CLIENT:	DELUXETON HOMES LLC
PROJECT:	TOLEDO BLADE 320 PROPERTY
TITLE:	DEVELOPMENT MASTER PLAN

RWA
ENGINEERING

6610 Willow Park Drive, Suite 200 / Naples, Florida 34109
(239) 597-0575 FAX: (239) 597-0578
www.consult-rwa.com
Florida Certificate of Authorization EB 7663 / LB6952

DATE	DESCRIPTION	BY	CHECKED	DATE

May 31, 2023 12:50 PM A:\2023\200720072007 Toledo Blade 320 Planning & Zoning - EIR & Survey\GIS\Planning & Zoning Services\Quantitative\Concept Site Planning\200720072007 2908 DMAP.dwg

Toledo Blade 320 Project:

Opportunities & Benefits:

- The general location and timing are ideal for the rapidly growing Toledo Blade Blvd./I-75 corridor;
- The mix of housing options at varying price points to growing population;
- Light industrial uses supporting the city's economic development goals;
- Strengthen & diversify the City's overall tax base - increase non-residential uses;
- Improve and expand existing and planned utility infrastructure;
- No well or septic for development
- Land development design - open/public spaces and environmental preservation;
- Implementation of development standards to ensure compatibility with existing and future surrounding uses; and
- Improvements to infrastructure and inter-development connectivity.

Process and Timeline:

- Applications under concurrent review with City Staff
- HDR and IN Comp Plan Map Amendment & ILW and RMF Rezone:
 - Planning and Zoning Advisory Board (PZAB):
 - Public Hearing
 - City Commission Hearing:
 - Transmittal Hearing to State (CPA Only)
 - Public Hearing
- Estimated Timing to City Commission Meeting: 3-4 months.

Questions?

PUBLIC NOTICE - CITY OF NORTH PORT

NOTICE OF PUBLIC HEARINGS FOR ORDINANCE

NUMBER 2023-26

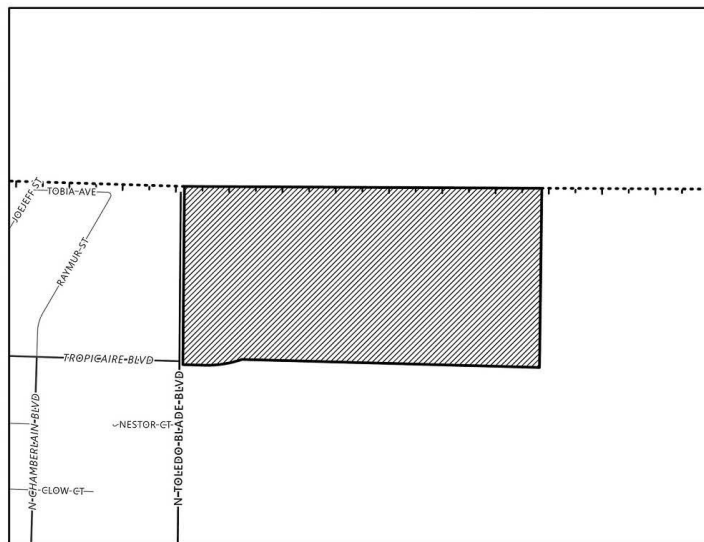
NOTICE IS HEREBY GIVEN, pursuant to Chapters 166 and 163 of the Florida Statutes, Section 7.01(c) of the Charter of the City of North Port, Florida that the City of North Port proposes to adopt Ordinance 2023-26 rezoning (changing the permitted use of) ± 55.02 acres from No Zoning Designation District (NZD) Classification to Industrial Light Warehousing District (ILW) District Classification.

Public Hearings will be held before the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) on **Thursday, September 7, 2023, at 9:00 a.m.** in the **City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286.**

A Public Hearing for the first reading of Ordinance 2023-26 will be held before the North Port City Commission in **City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286** on **Tuesday, September 26, 2023, at 6 p.m.**, The second and final reading will be held before the North Port City Commission in Commission Chambers on a date to be determined to consider enactment of Ordinance No. 2023-26.

ORDINANCE NO. 2023-26

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REZONING ± 55.02 ACRES LOCATED EAST OF TOLEDO BLADE BOULEVARD APPROXIMATELY 1 MILE NORTH OF I-75 IN SECTION 6, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AS DESCRIBED IN INSTRUMENT NO. 2023042804 IN OFFICIAL RECORDS OF SARASOTA COUNTY, FROM NO ZONING DESIGNATION DISTRICT (NZD) CLASSIFICATION TO INDUSTRIAL LIGHT WAREHOUSING DISTRICT (ILW) DISTRICT CLASSIFICATION; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR FINDINGS; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.



Note: Proposed Ordinance No. 2023-26 (boundary of the amendment area) is depicted on this map.

All interested parties are invited to appear and be heard in respect to these Ordinances at the public hearings in the City Hall Commission Chambers. Written comments filed with the City Commission will be heard and considered and will be made a matter of public record at the meeting. These public hearings may be continued from time to time as announced at the hearings, as may be found necessary. The files pertinent to Ordinance No. 2023-26, REZ-22-237 may be inspected by the public at the Neighborhood Development Services Department, Planning Division, and in the City of North Port City Clerk's Office, 4970 City Hall Boulevard, North Port, Florida 34286, during regular business hours.

NO STENOGRAPHIC RECORD BY A CERTIFIED COURT REPORTER IS MADE OF THESE MEETINGS. ACCORDINGLY, ANY PERSON WHO MAY SEEK TO APPEAL A DECISION INVOLVING THE MATTERS NOTICED HEREIN WILL BE RESPONSIBLE FOR MAKING A VERBATIM RECORD OF THE TESTIMONY AND EVIDENCE AT THESE MEETINGS UPON WHICH ANY APPEAL IS TO BE BASED (SEE F.S.S. 286.0105).

NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE 48 HOURS IN ADVANCE OF THE MEETING (SEE F.S.S. 286.26).

NONDISCRIMINATION: The City of North Port does not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status in administration of its programs, activities or services.

AMERICAN WITH DISABILITIES ACT OF 1990 - The North Port City Hall is wheelchair accessible. Special parking is available on the west side of City Hall and the building may be accessed from the parking area. Persons with hearing difficulties should contact the City Clerk to obtain a hearing device for use during meetings.

/s/
Heather Faust, MMC
City Clerk

Publish: Tuesday, August 22, 2022

adno-3900477-1