

### **Presidium Apartments**

### Development Master Plan

From: Noah Fossick, AICP, Planner II

Thru: Lori Barnes, AICP, CPM, Planning & Zoning

Manager

Thru: Alaina Ray, AICP, Development Services Director

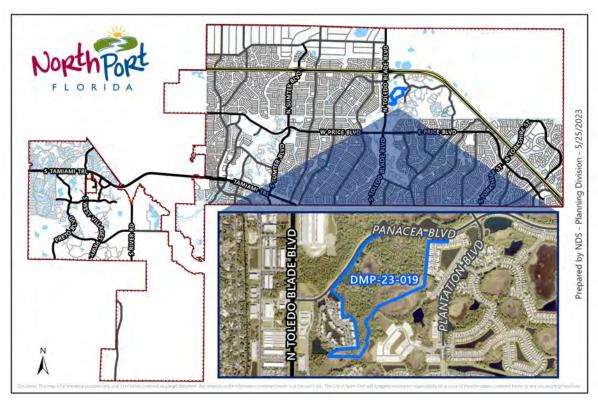
Thru: Jason Yarborough, ICMA-CM, Assistant City

Manager

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

Manager

Date: July 20, 2023



**PROJECT:** DMP-23-019, Presidium Apartments

**REQUEST:** To construct 660 multi-family units with associated infrastructure and

amenities

APPLICANT: Mark Ferrell, PG Investco LLC (Exhibit A—Warranty Deed and Affidavit)

**OWNERS:** Panacea Gulf Coast Investments LLC and Buffalo-Northport Assoc LLC

**LOCATION:** 2010 Plantation Blvd (PIDs 1115-00-1300, 1115-00-1400, & 1115-00-1150)

**PROPERTY SIZE:** ± 75.56 Acres

**ZONING:** Planned Community Development (PCD)

**FUTURE LAND USE:** Activity Center (Activity Center #4)

### I. BACKGROUND & PROJECT SUMMARY

On December 20, 2022, the Planning & Zoning Division received an application petitioning the City of North Port to approve a Development Master Plan to construct 660 multi-family units on approximately 75.56 acres located at Parcel Identification Numbers ("PID") 1115-00-1300, 1115-00-1400, and 1115-00-1150. The Property is located south of Panacea Blvd, north and west of the Cypress Falls community, and east and northeast of the Lakes at North Port community. The Property is zoned Planned Community Development ("PCD") with a future land use designation of Activity Center, specifically located in Activity Center 4 ("AC4"). Future Land Use Element Figure 1 permits up to five percent (5%) of Activity Center 4 (AC#4) to be medium density residential (more than 4 units/acre, but not more than 10 units/acre). At 5% of AC#4, medium density residential can constitute up to 80.835 acres. The proposed development includes 660 units on approximately 75.56 acres at a density of 8.73 units/acre. Thus, the development qualifies as medium density residential and as no other medium density residential developments exist within AC#4, the 75.56 acres is within the 80.835 acres allowable.

The site is also a part of the Woodlands/Panacea Development of Regional Impact ("DRI"). On the Panacea Master Development Plan ("Map H"), the Property is identified within the Residential pod ("R"), Activity Center pod ("A"), and the Open Space pod ("OSP"). However, Exhibit B of Resolution No. 2000-R-26, Conditions of Approval, Land Use, number 2 indicates that the timing, location, and character of land uses are to be determined at the time of site development (**Exhibit G**). The portions of the property identified as OSP are preserved wetlands in accordance with the DRI. All site development is limited to the Activity Center and Residential pods.

The multi-family units are proposed in ten (10) residential structures that are either three or four stories, ranging from forty (40) feet to fifty-five (55) feet in height. The proposed development includes a stormwater system, utilities construction, and all requisite infrastructure. There are also several wetlands preserved on site and several upland preserve areas.

### II. MODIFICATION OF REGULATIONS

Through the Development Master Plan process, applicant(s) may request modifications of regulations in accordance with ULDC Sec. 53-118. The applicant is requesting one modification with their Development Master Plan.

MODIFICATION REQUEST

ULDC Sec. 53-106.B.(1)

"B. For lands proposed as residential, the following minimum requirements shall apply:

### II. MODIFICATION OF REGULATIONS (CONTINUED)

(1) Multifamily, cluster housing or townhouses. No minimum lot size shall be required; provided, however, that no structure shall be located closer to any peripheral property line than two (2) times the height of such structure, that maximum density shall be maintained in accordance with Sec. 53-107 of these regulations and that thirty percent (30%) of the total gross residential acreage be provided as usable open space."

### APPLICANT REQUEST

The following is the request as provided to Staff by the applicant:

"Applicant is proposing to modify the requirement that 'no structure shall be located closer to any peripheral property line than two (2) times the height of such structure" in a Planned Community Development District as related to buildings A, B [sic] and K, as shown on the Development Master Plan. The setback distances between those buildings and the peripheral property lines vary, but in no case will be less than 80 feet. Based on the proposed height of the buildings of 55 feet. Applicant is requesting a modification of approximately 30 feet, or 27% of the 110-foot setback requirement imposed by Code. Importantly, Section 53-106B.(1)(b) [sic] specifically contemplates and provides that the 2x requirement can be modified in the Development Master Plan."

The applicants full justification for their modification request can be found in **Exhibit F**.

### **STAFF RESPONSE**

The modification request is consistent with ULDC Sec. 53-106.B.(1)(b) and ULDC Sec. 53-118. The applicant is seeking a reduction of the minimum setback that is a maximum of one hundred and ten (110) feet from the front property line to permit buildings A, B, and K to be constructed no closer than eighty (80) feet from the front property line. The applicant has argued that the reduction in setbacks would allow for additional wetland preservation by allowing the structures closer to the roadway. This is consistent with Housing Element Policy 6.3, which states "foster flexibility in site design for the development of housing to minimize new development's impacts on environmentally

### II. MODIFICATION OF REGULATIONS (CONTINUED)

**STAFF RESPONSE** 

sensitive land." It is important to note, that the development could achieve the same end by altering the form and massing of the structures. The current structures are proposed at three- and four-stories (40 and 55 feet in height), which do not meet or exceed the maximum height allowable in the district (70 feet). Thus, the applicant could reconfigure the proposed design to utilize the maximum height allowed in the zoning district while still providing the same number of units. Alternatively, the number of units could be reduced to minimize the footprint of the buildings and better preserve the wetlands.

Nonetheless, Staff encouraged the applicant to further reduce the front setback to support walkability and alternative modes of transportation; however, the applicant opted to request only the minimum reduction required. Per the study Walking Distance by Trip Purpose and Population Subgroups from 2012 published with the National Institute of Health, the mean walking trip length is 0.7 miles, but is typically longer for walking trips for work. With the significant employment center located along Toledo Blade Blvd approximately any reduction in travel distance 0.5 to the west, encourage the residents to walk, bike, or utilize other means of nonmotorized transportation instead of driving. This improved mobility would achieve the "highest standards quality in the urban environment" as stated in Goal 2 of the Comprehensive Plan Future Land Use Element. Moreover, Housing Element Policy 6.1 states that the City shall "ensure a compatible relationship between new housing and circulation patterns and encourage pedestrian and bicycle interconnectivity and transit friendly communities in order to minimize traffic impacts and promote healthy lifestyles." Reducing the front setbacks as much minimize travel distances would possible to improve circulation and promote healthy lifestyles. Per ULDC Sec. 53-109, the minimum setback requirement for a multi-family development would ordinarily be twenty-five (25) feet outside of the PCD zone district. Therefore, it is preferable for the applicant to provide the structures as close to Panacea Blvd as feasible (i.e., 25 feet).

The provided applicant justification states that the applicant intends to install "substantial landscaping" in the front setback areas (**Exhibit**  $\mathbf{F}$ ). The enhanced buffering along the front of the property has aesthetic benefits, but<sub>4</sub> may also create an additional barrier to

### II. MODIFICATION OF REGULATIONS (CONTINUED)

### **STAFF RESPONSE**

mobility; design and hedge height should be carefully considered does not discourage walking create psychological barrier. Lastly, a reduced front setback would improve mobility by advancing the physical and functional integration of land uses as stated in ULDC Sec. 53-102.

Staff supports this modification request of a reduced setback to eighty (80) feet but would encourage a further reduced front setback consistent with ULDC Sec. 53-109.A. Group 4—Residential (RSF, RTF, RMF).

### III. NEIGHBORHOOD MEETING

Pursuant to ULDC Section 53-5.E., the applicant held a neighborhood meeting on April 24, 2023 at 5:00 PM at Shannon Staub Public Library located at 4675 Career Lane, North Port, FL, 34289. The meeting documents including the public notice, agenda, and minutes have been provided and attached as **Exhibit C**.

### IV. STAFF REVIEW

The following staff reviews are required for all Development Master Plan submittals prior to hearings held by the Planning and Zoning Advisory Board and City Commission:

- Sufficiency review to verify all materials have been provided prior to review by Staff.
- Pre-Application meeting with the Staff Development Review ("SDR") team.
- Formal submittal (and any requisite Resubmittals) and approval by SDR.
- Fiscal Impact Analysis (See Section VI).

All reviews by Staff check for consistency with the Comprehensive Plan and the Unified Land Development Code (See Section VI), as well as any other applicable regulatory documents. For this proposed development, Staff reviewed for conformance with the Urban Design Standards Pattern Book and the Development Order for the Woodlands/Panacea Development of Regional Impact (Resolution No. 2000-R-26/Exhibit G).

The following table details all relevant reviews and any conditions for future submittals. Public Works—Stormwater and Planning & Zoning have required conditions.

### IV. STAFF REVIEW (CONTINUED)

Staff Development Review			
Finance	No Objection		
Fire/Rescue	Meets Requirements		
NDS/Planning & Zoning	Meets Requirements with Conditions		
NDS/Building-Arborist	No Objection		
NDS/Building-Structural	No Objection		
Parks & Recreation	No Objection		
PW/Engineering-Infrastructure	Meets Requirements		
PW/Engineering-Stormwater	Meets Requirements with Conditions		
PW/Solid Waste	No Objection		
PW-PZ/Environmental	Meets Requirements		
Utilities	Meets Requirements with Conditions		

### V. CONDITIONS & SAFEGUARDS

After review, Staff has determined the Development Master Plan has met requirements with the following conditions to be accomplished through future submittals:

### Planning and Zoning—

- 1. During the review of the Major Site and Development Plan, the following Energy Conditions must be incorporate
  - a. (b) Provision of bicycle racks or storage facilities.
  - b. (c) Coordinate with SCAT in locating bus stops, shelters, etc.
  - c. (i) Installation of energy-efficient lighting for streets, parking areas, recreation areas, and other interior and exterior public areas.
  - d. (k) Selection of native plants.
  - e. (I) Planting of native shade trees in all recreation areas, streets, and parking. (p) Wherever, trees are not practical, structural shading shall be provided (i.e., awnings, wind-sails, overhangs, etc.).
- 2. A bond will be required prior to approval of the Major Site and Development Plan. Provide an Engineer's Opinion of Probable Cost (EOPC) to Public Works and Utilities for approval.
- 3. An Urban Design Standards Review must be completed prior to approval of the Major Site and Development Plan. The architectural design shall meet the requirements in the Urban Design Standards Pattern Book for Activity Center 4.
- 4. Public art shall be provided per ULDC Sec. 55-9 and Sec. 59-2. that complies with Chapter 59.

### V. CONDITIONS & SAFEGUARDS (CONTINUED)

- 5. During building permit review the following Energy Conditions must be incorporated
  - a. (d) Use of energy-efficient features in window design.
  - b. (e) Use of operable windows and ceiling fans.
- 6. See Water Supply/Wastewater Treatment Condition 5. All non-potable water demand (i.e., irrigation) shall be met using alternate sources such as retention/detention facilities, wells, and treated wastewater effluent.
- 7. Any tree from the median of Panacea Blvd impacted during the construction of the full access points shall be relocated and replanted in the median of Panacea Blvd adjacent to its previous location. If harmed, the tree shall be replaced with a like tree.

### Stormwater—

8. The future detailed design of the stormwater management system must meet all requirements in the City of North Port Unified Land Development Code (ULDC) Stormwater Regulations. Detailed stormwater quality treatment calculations and water quantity attenuation analysis must be provided in the later INF or MAS applications. If the later SDR applications for INF or MAS include hydraulic modeling that shows additional pond footprint will be needed, changes will need to be made to the DMP plans and go through the entire DMP approval process again.

### VI. DATA & ANALYSIS

Staff has reviewed the proposed Development Master Plan for consistency with the City's Comprehensive Plan, the Unified Land Development Code ("ULDC"), the Urban Design Standards Pattern Book, and the Development Order of the Woodlands/Panacea Development of Regional Impact. All regulations within the City's regulatory documents apply; however, an analysis of the most relevant regulations to the project are provided below.

COMPREHENSIVE PLAN

### **Future Land Use Element Goal 2**

"To promote an intensive mixture of employment, goods and services, and residential uses in Activity Centers; to promote a wide variety of residential and employment alternatives; to achieve the highest standards of quality in the urban environment; and to provide a balanced and healthy tax base."

**Staff Response:** The Development Master Plan proposes to add 660 multi-family rental units approximately 0.5 miles from Toledo Blade Blvd, a major employment center. There is currently only one

# COMPREHENSIVE PLAN

multifamily community in the area (Lakes at North Port) containing only 312 units total. The proposed development would add another housing option to the area and the City. The proposed development also adds to the general mixture of uses within the Activity Center.

Staff concludes that the Development Master Plan is consistent with Future Land Use Element Goal 2.

# COMPREHENSIVE PLAN

Future Land Use Element Figure 1: Standards for Activity Centers

"AC#4 Toledo Blade/I-75/Panacea...

Medium Density Res. 10.0 / 5 %

Staff Response: Future Land Use Element Figure 1 permits up to five percent (5%) of Activity Center 4 (AC#4) to be medium density residential (more than 4 units/acre, but not more than 10 units/ acre). At 5 % of AC#4, medium density residential can constitute up to 80.835 acres. The proposed development includes approximately 75.56 acres at a density of 8.73 units/ units acre. Thus, the development qualifies as medium density residential and as no other medium density residential developments exist within AC#4, the 75.56 acres is within the 80.835 acres allowable. Should the Development Master Plan be approved, approximately 5.28 acres would remain available for future medium density residential development in AC#4.

Staff concludes that the Development Master Plan is consistent with Future Land Use Element Figure 1.

# COMPREHENSIVE PLAN

### **Future Land Use Element Policy 2.4.1**

"AC#4 I-75/Toledo Blade Blvd./Panacea—This Activity Center shall be established to provide a large concentrated area of a mixture of residential, commercial, office, medical, industrial, recreational and 8

### COMPREHENSIVE PLAN

cultural facilities at a scale which serves the entire City, and the regional market due to its proximity to I-75. The area of this Activity Center which lies within the Panacea DRI shall be developed consistent with Map H of the DRI Development Order, as revised."

**Staff Response:** The proposed development contributes 660 multifamily units to the mixture of uses within the Activity Center. Much of AC#4 has been developed with non-residential uses such as warehousing, light manufacturing, offices, public buildings, and retail. Currently, the Lakes at North Port is the only existing residential development within this Activity Center. The new residential units may provide valuable housing to the workforce and other socioeconomic groups.

Additionally, the proposed development is in compliance with Map H and land use conditions of the DRI Development Order. See Zoning Determination Letter is attached as **Exhibit E**.

Staff concludes that the Development Master Plan is consistent with Future Land Use Element Policy 2.4.1.

# COMPREHENSIVE PLAN

### Future Land Use Element Policy 2.19

"All commercial and medium/high density residential developments shall continue to include adequate off-street parking, loading facilities and pedestrian circulation."

**Staff Response**: The proposed development provides 1,060 parking spaces, the minimum number required by ULDC Sec. 25-17. Additionally, the development includes an extensive pedestrian system to facilitate movement in and out of the community. There are additional trails for recreation around the stormwater ponds as required by the Urban Design Standards Pattern Book ("NPPB") page 77.

### COMPREHENSIVE PLAN

Staff concludes that the Development Master Plan is consistent with Future Land Use Element Policy 2.19.

### COMPREHENSIVE PLAN

### **Future Land Use Element Policy 9.4**

"The developer/owner of any site, except single-family residential, shall be responsible to meet stormwater regulations and other appropriate regulations, as applicable."

**Staff Response:** The City Stormwater Engineer has reviewed the conceptual stormwater system and deemed it sufficient. Future submittals will require technical stormwater calculations which will inform the design of the detention and retention facilities that will adequately account for all on-site run-off.

Staff concludes that the Development Master Plan is consistent with Future Land Use Element Policy 9.4.

# COMPREHENSIVE PLAN

### **Housing Element Objective 1**

"To provide a variety of housing types and affordability levels to accommodate the present and future housing needs of North Port residents."

Staff Response: The proposed development would provide ten (10) garden-style apartment buildings totaling 660 units. The units are not intended to be "affordable" units as defined by State Statutes, they are proposed as market rate for-rent units. The existing housing stock in the surrounding area is a low-income housing complex (Lakes at North Port), for-sale townhomes, for-sale single-family attached, and for-sale single-family detached units. The closest market rate rental community is approximately two (2) miles from the location of this proposed development (Flats at Sundown) and is approximately four (4) miles from the nearest market rate multi-family community under

# COMPREHENSIVE PLAN

development. There is a clear gap for market-rate multi-family residential communities in the City's housing stock. The proposed development will provide 660 units towards diversifying the housing of the City.

Staff concludes that the Development Master Plan is consistent with Housing Element Objective 1.

### COMPREHENSIVE PLAN

### **Economic Development Element Policy 5.1.2**

"Expand housing options that support the local workforce by planning for development near employment and transportation centers."

**Staff Response:** The proposed development is located approximately 0.5 miles from Toledo Blade Blvd, which is one of the City's major employment and transportation centers. Via Toledo Blade Blvd, the proposed development is interconnected with some of the City's major employment areas such as the North Port Business Park, North Port Industrial Park, North Port Park of Commerce, Woodlands Office Park, Toledo Blade Professional Center and Suncoast Technical College. Through Toledo Blade Blvd., residents will also be able to quickly access the rest of the City via arterial roadways such as Price Blvd. Finally, an interchange with Interstate 75 is only roughly one (1) mile from the proposed development, which gives convenient access to the region for the residents.

Staff concludes that the Development Master Plan is consistent with Economic Development Element Policy 5.1.2.

UNIFIED LAND
DEVELOPMENT
CODE

ULDC Sec. 21-9.—Landscaping the perimeter of abutting land uses.

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<sup>&</sup>quot;Table 1 Perimeter buffer required adjacent to abutting existing uses"

# UNIFIED LAND DEVELOPMENT CODE

**Staff Response:** As all abutting uses are either multi-family or road right-of-way, the proposed development was not required any particular perimeter landscaped buffer; however, the developer is providing an optional Type C landscape buffer to the north along Panacea Blvd. A Type C buffer is ten (1) feet in width with one tree every 40 linear feet on center and shrubs every three (3) feet on center.

Staff concludes that the Development Master Plan is consistent with ULDC Sec. 21-9.

# UNIFIED LAND DEVELOPMENT CODE

ULDC Sec. 25-17.—Minimum off-street parking requirements.

. . .

"B. The following minimum off-street parking requirements are applicable to all zoning districts: ...

Multiple-family dwelling—1.5 for each dwelling unit, plus 2 for owner or manager, plus 1 for every 10 dwelling units to accommodate guests."

**Staff Response:** As the proposed development includes 660 multifamily units and is proposed to have two (2) separate management companies, 1,060 parking spaces are required. The proposed development includes precisely 1,060 parking spaces in accordance with this requirement.

Staff concludes that the Development Master Plan is consistent with ULDC Sec. 25-17.B.

UNIFIED LAND
DEVELOPMENT
CODE

ULDC Sec. 53-7.—Development Master Plan submission.

This section lists all submittal requirements for a Development Master Plan.

# UNIFIED LAND DEVELOPMENT CODE

**Staff Response:** Staff has conducted a sufficiency review and confirmed that all listed required materials in ULDC Sec. 53-7. were provided.

Staff concludes that the proposed Development Master Plan is consistent with ULDC Sec. 53-7.

# UNIFIED LAND DEVELOPMENT CODE

ULDC Sec. 53-103.—Permitted principal uses and structures.

"A. Any development located within an Activity Center which is located within a Planned Community Development (PCD) shall be regulated by this section, Chapter 55, Activity Center Design Regulations, and the Urban Design Standards Pattern Book."

Chapter 55—Activity Center Design Regulations, Article IV.—Panacea (Activity Center #4), ULDC Sec. 55-31.—Permitted principal uses.

- "B. Permitted uses are as follows:
- (42) Multi-family and single-family dwellings."

**Staff Response:** Multi-family dwellings are identified as a permitted use in Activity Center 4.

Staff concludes that the Development Master Plan is consistent with ULDC Sec. 53-103 and ULDC Sec. 55-31.

# UNIFIED LAND DEVELOPMENT CODE

ULDC Sec. 53-106.—Minimum lot requirements.

"B. For lands proposed as residential, the following minimum requirements shall apply: Multifamily, cluster housing or townhouses. No minimum lot size shall be required; provided, however, that no structure shall be located closer to any peripheral property line than two (2) times the height of such structure, that maximum density shall be maintained in accordance with Sec. 53-107 of these regulations and that thirty percent (30%) of the total gross residential acreage be

UNIFIED LAND DEVELOPMENT CODE

provided as usable open space."

Staff Response: The proposed development has no minimum lot size provided the development meet the requirements for setbacks two (2) times the building height. The applicant is requesting a modification from subsection B.(1), as discussed on pages 2 through 4 of this Staff Report. The Development Master Plan allocates 52.30 acres of open space (or 69.2% of the total area), which exceeds the minimum thirty percent (30%) usable open space requirement. Subsection B.(3), requires a mix of housing units except for apartment buildings. As the proposed development is comprised of apartment buildings, the mixed housing units requirement does not apply.

Staff concludes that the Development Master Plan is consistent with ULDC Sec. 53-106.

UNIFIED LAND
DEVELOPMENT
CODE

Site Development requirements—

ULDC Sec. 53-107.—Maximum lot coverage.

"A...(4) Group 4, Residential (RSF, RMF, RTF): Fifty percent (50%)."

ULDC Sec. 53-109.—Minimum setback requirements.

"A. Minimum setback requirements shall be as follows, unless otherwise modified in the Development Master Plan: ... Group 4—Residential (RSF, RTF, RMF)...Side Yards (feet): 10...Rear Yards (feet): 10...

ULDC Sec. 53-110.—Maximum building height.

"No buildings or structures in an land use group within a PCD District shall exceed a maximum height of seventy (70) feet, unless otherwise modified in the Development Master Plan."

**Staff Response**: The proposed development has the following site data—

• Lot coverage is 7.42 acres, or 9.8%.

# UNIFIED LAND DEVELOPMENT CODE

- All side and rear setbacks have exceeded the minimum ten (10) foot requirement. The required front setback is established by ULDC Sec. 53-106.B.(1), but the applicant has requested a modification.,
   All front setbacks will be at least twenty-five (25) feet.
- The tallest structure proposed is fifty-five (55) feet in height with several structures proposed at forty (40) feet in height. The garages and maintenance buildings are proposed at twenty (20) feet in height.

Staff concludes that the Development Master Plan is consistent with ULDC Sec. 53-107., Sec. 53-109., and Sec. 53-110.

# UNIFIED LAND DEVELOPMENT CODE

ULDC Sec. 53-113.—General development regulations.

"A. Perimeter buffer area...Areas to be classified as Planned Community Development shall maintain a minimum buffer area of forty (40) feet measured from the property line...This buffer shall only apply to the perimeter which abuts existing single-family recorded lots or drainage area.

. . .

B. Open space...A minimum of thirty percent (30%) open space shall be required for the entire area unless modified by the DMP."

**Staff Response:** The proposed development does not abut single-family recorded lots or a drainage area; thus, no perimeter buffer was required. The development does provide 52.30 acres of open space, which is 69.2% of the total area.

Staff concludes that the Development Master Plan is consistent with ULDC Sec. 53-113.

URBAN DESIGN STANDARDS PATTERN BOOK Urban Design Standards Pattern Book Pages 9 to 14 —Site design

Staff Response: At the conceptual plan stage, only the generalized location of structures and associated infrastructure and conceptual elevations are provided. The proposed development does focus the structures around a coordinated pedestrian, bicycle, and vehicular network that connects to Panacea Blvd at various ingress/egress points. The conceptual elevations show the general requirements for the Mediterranean architectural style. Thus, the conceptual site plans and elevations meet the general requirements of the site design section, particularly providing for pedestrian circulation and providing multi-story structures that are Mediterranean in style.

Staff concludes that the Development Master Plan is consistent with the Urban Design Standards Pattern Book Site Design requirements.

URBAN DESIGN
STANDARDS
PATTERN BOOK

Urban Design Standards Pattern Book Pages 70 to 77—Panacea Activity Center #4

"Architectural Style: SE Quad—Spanish Mediterranean

. . .

Walking trails shall be incorporated around pond areas and within all developments to provide pedestrian amenities and transition to sidewalk areas."

**Staff Response**: The conceptual elevations meet a general interpretation of "Spanish Mediterranean" architecture. Additionally, the proposed development provides walking trails around all pond areas.

Staff concludes that the Development Master Plan is consistent with the Urban Design Standards Pattern Book for Panacea Activity Center 4.

### PANACEA DRI DEVELOPMENT ORDER

Resolution No. 2000-R-26—Amended and Restated Development Order for Panacea—A Development of Regional Impact

"Exhibit B: Conditions of Approval...

### Land Use

- 1. This Development Order grants to the Applicant approval to develop 3500 residential units..." consistent with Map H.
- 2. The precise hat the timing, location, and character of land uses shall be apportioned and determined at time of Site and Development Plan submittal.

**Staff Response:** At the time the proposed Development Master Plan was reviewed for sufficiency, 2,777 residential units were either built or approved within the Panacea Development of Regional Impact ("DRI"). The 660 residential units is within the 723 remaining entitled residential units.

Staff concludes that the Development Master Plan is consistent with Resolution No. 2000-R-26, Exhibit B., Land Use 1 and 2.

### PANACEA DRI DEVELOPMENT ORDER

Resolution No. 2000-R-26—Amended and Restated Development Order for Panacea—A Development of Regional Impact

"Exhibit B: Conditions of Approval...

### Energy

- 1. The Panacea DRI will incorporate the following energy conservation features:
- a. Provision of a bicycle/pedestrian system connecting all land uses, to be placed arterial and collector roads within the project...
- b. Provision of bicycle racks or storage facilities in office, commercial, recreation, and multi-family residential areas.
- h. Reduced coverage by asphalt, concrete, rock and similar substances in streets, parking lots and other areas to reduce local air temperatures and reflected light and heat.
- o. Orientation of structures, as possible, to reduce solar heat gain by walls and to utilize natural cooling effects of the wind."

PANACEA DRI DEVELOPMENT ORDER Staff Response: The proposed Development provides a system of sidewalks and wider multi-modal paths internal to the site that connect with the bicycle lane and sidewalks along Panacea Blvd. The bicycle lane and sidewalks along Panacea Blvd connect broadly to the entire DRI area. The developers will be required to provide bicycle racks internal to the site with the formal location to be determined at the time of site plan approval. Moreover, the site is designed to limit asphalt coverage and only provides the minimum number of parking spaces. Walking trails around the pond areas may be built with pervious surfaces such as permeable pavement, gravel, or other improved surfaces. Lastly, the structures are predominantly oriented on an east-west axis, which is the most suitable for energy conservation.

Staff concludes that the Development Master Plan is consistent with Resolution No. 2000-R-26, Exhibit B., Energy 1a, 1b, 1h, and 1o.

FISCAL IMPACT ANALYSIS

Staff has performed a Fiscal Impact Analysis of the proposed Development Master Plan. The results of the analysis are an estimate based on the data and assumptions from the applicant and staff.

<u>Staff Findings</u>: Using the aforementioned assumptions, the model estimates that the project will generate a net fiscal impact of \$7,364,921.00 over the first five year period, primarily over the first three years. The net fiscal impact continues to increase over time. The full table can be found below.

For the full table, see the next page or Exhibit D.

DMP 23-019, Presidium Apartments

		Year 1	Year 2	Year 3	Year 4	Year 5
6	General Governmental Services	\$ 865,920.00	\$ 919,759.42	\$ 976,946.36	\$ 1,037,688.95	\$ 1,102,208.28
Costs	Utility Services	\$ 729,960.00	\$ 770,094.34	\$ 812,435.32	\$ 857,104.28	\$ 904,229.21
_ 0	Total Costs:	\$ 1,595,880	\$ 1,689,854	\$ 1,789,382	\$ 1,894,793	\$ 2,006,437
	Property Ad Valorem	\$ 182,248	\$ 191,360	\$ 200,928	\$ 210,975	\$ 215,194
	Miscellaneous Taxes & Fees	\$ 1,262,580	\$ 1,287,832	\$ 1,313,588	\$ 1,339,860	\$ 1,366,657
	Utility Franchise Fees	\$ 67,320	\$ 68,666	\$ 70,040	\$ 71,441	\$ 72,869
Je.	Utility Revenue	\$ 672,540	\$ 685,991	\$ 699,711	\$ 713,705	\$ 727,979
Revenue	Communications Services Taxes	\$ 34,320	\$ 35,006	\$ 35,707	\$ 36,421	\$ 37,149
se,	Utility Service Taxes	\$ 18,480	\$ 18,850	\$ 19,227	\$ 19,611	\$ 20,003
	State Shared Revenue	\$ 196,680	\$ 200,614	\$ 204,626	\$ 208,718	\$ 212,893
	Impact Fees	\$ 1,207,160	\$ 1,207,160	\$ 1,207,160		
	Total Revenue:	\$ 3,641,328	\$ 3,695,479	\$ 3,750,986	\$ 2,600,730	\$ 2,652,745
Net Fiscal Impact:		\$ 2,045,448	\$ 2,005,625	\$ 1,961,604	\$ 705,937	\$ 646,307

### VII. RECOMMENDED MOTIONS

### PLANNING AND ZONING ADVISORY BOARD—

The Planning and Zoning Division recommends that the Planning & Zoning Advisory Board recommend approval of DMP-23-019 and motion as follows:

I move to find Petition No. DMP-23-019, consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommend the City Commission approve DMP-23-019 with the conditions included in the Staff Report and the modification request.

### CITY COMMISSION—

The City Commission approve DMP-23-019 and motion as follows:

I move to find Petition No. DMP-23-019, the Presidium Apartments Development Master Plan, consistent with City of North Port Comprehensive Plan, Unified Land Development Code, and Florida Statutes based on the competent substantial evidence as presented and approve DMP-23-019 with the conditions included in the Staff Report and the modification request.

### VIII. ALTERNATIVE MOTIONS (CONTINUED)

### PLANNING AND ZONING ADVISORY BOARD—

 RECOMMEND APPROVAL WITH CERTAIN CONDITION(S) OR MODIFICATION(S) of Petition No. DMP-23-019.

I move to find Petition No. DMP-23-019, the Presidium Apartments Development Master Plan, consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommend the City Commission approve DMP-23-019 with conditions [pick conditions 1-8] and with/without the modification of regulation request.

2. **RECOMMEND DENIAL** of Petition No. DMP-23-019.

I move to find Petition No. DMP-23-019, the Presidium Apartments Development Master Plan, not consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommend the City Commission deny DMP-23-019.

### CITY COMMISSION—

1. **APPROVAL WITH CERTAIN CONDITION(S) OR MODIFICATION(S)** of Petition No. DMP-23-019.

I move to find Petition No. DMP-23-019, the Presidium Apartments Development Master Plan, 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 DMP-23-019 with the condition(s) [select conditions to approve with] included in the Staff Report and with/without the modification of regulation as requested.

2. **DENIAL** of Petition No. DMP-23-019.

I move to find Petition No. DMP-23-019, the Presidium Apartments Development Master Plan, 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 DMP-23-019:

- The proposed Development Master Plan is NOT specifically adapted and designed for the uses anticipated, including but not limited to lot configuration, access, and internal circulation.
- The proposed Development Master Plan **DOES NOT** comply with the City of North Port Comprehensive Plan, the Unified Land Development Code, and other laws, ordinances, and regulations. [insert section #]

### IX. PUBLIC HEARING SCHEDULE

Planning & Zoning Advisory Board Public Hearing	July 20, 2023 9:00 AM or as soon thereafter
City Commission Public Hearing	July 25, 2023 10:00 AM or as soon thereafter

### X. EXHIBITS

A.	Warranty Deed and Affidavit
B-1.	Development Master Plan
B-2.	Elevations
C.	Neighborhood Meeting Documents
D.	Fiscal Impact Analysis
E.	Zoning Determination Letter
F.	Applicant justification for modification request
G.	Resolution No. 2000-R-26

This Document Prepared by and Return to:
Alicia H. Gayton, Esq.
8441 Cooper Creek Blvd.
University Park, Florida 34201
Parcel ID Number: 1094-00-3000

Grantee TIN: 51 - 0472263

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2003215256 3 PGS
2003 OCT 23 03:00 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY,FLORIDA
FMILLER Receipt#391291
Doc Stamp-Deed: 0.70

2003218286

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 21 day of \_\_\_\_\_\_, 2003, between WILL-RIDGE ASSOCIATES, LLC., a New York limited liability company, whose address is 570 Delaware Avenue, Buffalo, New York, 14202 ("GRANTOR"), and BUFFALO-NORTHPORT ASSOCIATES, LLC., a Florida limited liability company, whose address is 570 Delaware Avenue, Buffalo, New York, 14202 ("GRANTEE").

WITNESSETH: That the GRANTOR, in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, an UNDIVIDED 55% INTEREST as tenant in common in and to the following described land, situate, lying and being in the County of SARASOTA, State of FLORIDA, to wit:

SEE ATTACHED EXHIBIT "A" - LEGAL DESCRIPTION.

SUBJECT TO easements, restrictions and reservations of record, and real property taxes and assessments for the year 2003 and subsequent years, which are not yet due and payable.

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. TO HAVE AND TO HOLD, the same in fee simple forever. AND the GRANTOR hereby covenant with said GRANTEE that GRANTOR is lawfully seized of said land in fee simple; that GRANTOR has good right and lawful authority to sell and convey said land; that GRANTOR hereby fully warrants the title to said land will defend the same against the lawful claims of all persons claiming by, through or under GRANTOR.

same against the lawful claims of all persons claiming by, through or under GRANTOR. IN WITNESS WHEREOF, the GRANTOR has hereunto set its hand and seal the day and year first above written. WILL-RIDGE ASSOCIATES, LLC Witness Printed Name: Witness Frinted Name: David H. Baldauf, Manager STATE OF NEW YORK **COUNTY OF ERIE** ) SS: The foregoing instrument was acknowledged before me this distribution and the desired transfer of the David H. Baldauf, Manager of Will-Ridge Associates, LLC, a New York limited liability company, on behalf of the company. He is personally known to me.. LARAE L. TAYLOR
NOTARY PUBLIC, STATE OF NEW YORK
Reg. No. 01TA6094409
QUALIFIED IN GENESEE COUNTY Printed Name: Notary Public My Commission Expires June 16. 2007 My Commission Expires:

3.10

# **EXHIBIT "A" Pg. 1 of 2**

THAT CERTAIN PARCEL OF LAND LYING IN SECTIONS 7, 8, 9, 16, 17 AND 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST; THENCE S 89°42′41° E, ALONG THE SOUTH LINE OF SAID SECTIONS 18 AND 17. A DISTANCE OF 6522.16 FEET TO THE SOUTHEAST CORNER OF LAKESIDE PLANTATION SUBDIVISION AS RECORDED IN PLAT BOOK 41, PAGE 17, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA FOR A POINT OF BEGINNING;

FOLLOWING XI (6) COURSES: N 405530°, E, A DISTANCE OF 258.3) FEET TO A POINT OF CREATURE ALONG THE ROTH HENCE NORTHEASTERLY HANNIG A RADIUS OF 916.85 FEET THENCE NORTHEASTERLY HANNIG A RADIUS OF 916.85 FEET TO A POINT OF REVERS OF 640221" A DISTANCE OF 1024.57 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 916.85 FEET THENCE NORTHEASTERLY HANNIG A RADIUS OF 916.85 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 916.85 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 916.85 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 916.85 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A RADIUS OF 930.05 FEET TO A POINT OF REVERSE NORTHEASTERLY HANNIG A POINT OF ROTH-TANGENCY, THENCE NORTHEASTERLY HANNIG A POINT OF REVERSE NORTHEASTERLY HANNIG A POINT OF REVERSE NO THENCE S 24"24"32" E. A DISTANCE OF 870.87 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 620.00 FEET; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 75"52"26" A DISTANCE OF 821.03 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 500.00 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 51"18"02" A DISTANCE OF 447.68 FEET TO A POINT OF TANGENCY; THENCE S 00"09"52" W. A DISTANCE OF 20.52 FEET; THENCE N 89"42"41" W. A DISTANCE OF 5557.69 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTIONS 7, 8, 9, 16, 17 AND 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA. POINT OF TANGENCY; THENCE S 08'40'19" E, A DISTANCE OF 202.87 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1000.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 15'44'13" A DISTANCE OF 274.66 FEET TO A POINT OF TANGENCY; EASTERLY HAVING A RADIUS OF 500.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 52°36'34" A DISTANCE OF 459.10 FEET TO A POINT OF TANGENCY; THENCE S 33°58'02 E, A DISTANCE OF 276.35 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1120.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 25°17'43" A DISTANCE OF 494.47 FEET TO A FOLLOWING FOUR (4) COURSES: N 75'28'32" W, A DISTANCE OF 2441.83 FEET; THENCE N 89'42'41" W, A DISTANCE OF 2581.30 FEET; THENCE N 08'31'51" E, A DISTANCE OF 142.59 FEET TO THE SOUTHEAST CORNER OF FIRST ADDITION TO LAKESIDE PLANTATION AS RECORDED IN PLAT BOOK 41, COURSES: N 16'07'12" E, A DISTANCE OF 40.82 FEET; THENCE N 51'21'39" E, A DISTANCE OF 525.59 FEET; THENCE N 51'21'39" E, A DISTANCE OF 65.57 FEET; THENCE N 85'38'04" E, A DISTANCE OF 101.05 FEET; THENCE N 85'12'29" W, A DISTANCE OF 17.56 FEET; THENCE N 32'08'49" W, A DISTANCE OF 167.90 FEET; THENCE N 88'12'22" W, A DISTANCE OF 476.82 FEET; THENCE N 06'28'20" W, A DISTANCE OF 167.90 FEET; THENCE S 82'44'41" W, A DISTANCE OF 166.91 FEET; THENCE N 62'01'59" W, A DISTANCE OF 167.90 FEET; THENCE N 62'01'59" W, A DISTANCE OF 168.91 FEET; THENCE N 62'01'59" W, A DISTANCE OF 167.90 FEET; THENCE N 62'01'59" W, A DISTANCE OF 168.91 FEET; THENCE N 62'01'59" W 136°59'34" A DISTANCE OF 3395.19 FEET TO A POINT OF TANGENCY; THENCE S 18°38'31" W, A DISTANCE OF 328.77 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE 28.42 FEET; THENCE N 06"52"26" W, A DISTANCE OF 137.48 FEET; THENCE N 01"19"42" E, A DISTANCE OF 264.87 FEET; THENCE N 49"04"31" W, A DISTANCE OF 457.45 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT—OF—WAY OF PANACEA BOULEVARD, A 100 FOOT WIDE RIGHT—OF—WAY; THENCE ALONG SAID NORTHERLY RIGHT—OF—WAY LINE, THE THENCE N 00"7"19" E, ALONG THE EAST LINE OF SAID LAKESIDE PLANTATION, A DISTANCE OF 1554.59 FEET; THENCE ALONG THE NORTH LINE OF SAID LAKESIDE PLANTATION

CONTAINING 1,360.94 ACRES (59,282,552 SQUARE FEET)

EXHIBIT "A" Pg. 2 of 2

INSTRUMENT # 2003215256 3 PGS

THAT CERTAIN PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST; THENCE S 89°42'41" E, ALONG THE SOUTH LINE OF SAID SECTION 18, A DISTANCE OF 100.00 FEET TO THE INTERSECTION WITH THE EASTERLY RIGHT—OF—WAY OF TOLEDO BLADE BOULEVARD (200' WIDE PUBLIC RIGHT—OF—WAY) AS DESCRIBED IN F.D.O.T. RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 1353, PAGE 876, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N 00°31'41" E, ALONG SAID EASTERLY RIGHT—OF—WAY, SAID LINE BEING PARALLEL WITH AND 100 FEET EASTERLY OF THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 3661.73 FEET FOR A POINT OF BEGINNING;

THENCE CONTINUE N 00'31'41" E, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 1473.36 FEET; THENCE S 89'28'19" E, LEAVING SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 927.64 FEET; THENCE S 02'39'36" W, A DISTANCE OF 183.12 FEET; THENCE S 23'00'34' W, A DISTANCE OF 80.46 FEET; THENCE S 10'00'13" E, A DISTANCE OF 225.23 FEET; THENCE S 55'26'32" E, A DISTANCE OF 282.99 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHWESTERLY, WHOSE RADIUS POINT LIES N 55'25'45" W, A DISTANCE OF 4305.80 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06'21'15" A DISTANCE OF 477.51 FEET TO A POINT OF TANGENCY; THENCE S 40'55'30" W, A DISTANCE OF 258.31 FEET; THENCE S 49'55'29" E, A DISTANCE OF 10.06 FEET; THENCE S 40'55'29" W, A DISTANCE OF 124.19 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 450.00 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49'36'25", A DISTANCE OF 389.61 FEET TO A POINT OF TANGENCY; THENCE N 89'28'06" W, A DISTANCE OF 389.61 FEET TO A POINT OF TANGENCY; THENCE N 89'28'06" W, A DISTANCE OF 293.88 FEET TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF SAID TOLEDO BLADE BOULEVARD AND THE POINT OF BEGINNING. BEING AND LYING IN SECTION 18, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA.

CONTAINING 29.92 ACRES (1,303,472 SQUARE FEET).

### **AFFIDAVIT**

I (the undersigned), Mark Farrell, PG Investo, LLC	being first duly sworn, depose and say that
I am the owner, attorney, attorney-in-fact, agent, lessee or it is the subject matter of the proposed application; that all are and other supplementary matter attached to and made a page 1.	representative of the owner of the property described and which nswers to the questions in this application, and all sketches, data 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
individual who can allow access.	gs, etc., please provide the name and telephone number of the
Sworn and subscribed before me this 12th day of De	ecember
~~ ) )	rk Farrell, Registered Agent
Signature of Applicant or Authorized Agent Prin	t Name and Title
STATE OF TEXAS COU	Dallas
STATE OF TOWNS COU	NTY OF DUILUS
The foregoing instrument was acknowledged by me this _	INTY OF <u>DALIAS</u> 120 <sup>22</sup> by
Mark Famell	who is personally known to me or has produced
DL	as identification.
Constitution of the	(Place Notary Seal Below)
Signatura D. Hill	CYNTHIA PALOMO Notary Public
Signature Notary Publid	STATE OF TEXAS ID#132253817
AFFIC	DAVIT
	R AGENT/APPLICANT
I, Stephen C. Scalione, Buffalo-NorthPort Associates	s, LLC property owner, hereby
authorize Mark Farrell, PG Investco, LLC	to act as Agent on our behalf to apply
for this application on the property described as (legal descrip	otion)
l h	
Owner	
	NTY OF Manatee
The foregoing instrument was acknowledged by me this Stephen C. Scalione	
Beephen C. Beattone	who is personally known to me or has produced
	as identification.
Cheryl L. Owen	(Place Notary Seal Below)
Signature - Notary Public	CHERYL LEA OWEN
,	MY COMMISSION #HH033598
Revised 8-30-19 (Reviewed by CAO)	EXPIRES: SEP 24, 2024  Roaded through 1st State Insurance



### DEVELOPMENT MASTER PLAN

# PRESIDIUM APARTMENTS **NORTH PORT**

SECTION 18 TOWNSHIP 39S, RANGE 22E SARASOTA, FLORIDA

MAY 2023

SITE DATA

PROJECT AREA: 75.56± AC.

ZONING: PLANNED COMMUNITY DEVELOPMENT FUTURE LAND USE (FLU): ACTIVITY CENTER #4 - PANACEA PROPOSED USE: MEDIUM DENSITY RESIDENTIAL/HIGH DENSITY RESIDENTIAL

WITHIN WOODLANDS DEVELOPMENT OF REGIONAL IMPACT (DRI)

PROPOSED RESIDENTIAL UNITS = 8,7 UNITS IACRE, 660 UNITS (MAXIMUM)

MAXIMUM BUILDING HEIGHT 4 STORIES, 55 FEET

SETBACKS GREATER OF 20' OR 2 TIMES BUILDING HEIGHT (EXCEPT AS MODIFIED ALONG PANACEA BOULE VARO)

FLOOD HAZARD DESIGNATION FLOOD ZONE X, AE, AND AF PER FEMA PANEL 12115C0084F, EFFECTIVE 11442016

LAND COVER SUMMARY:

BUILDINGS: 7,42 ACRES

IN SPACE
WETLAND PRESERVE AREAS = 25.67 ACRES
STORMWITER MANAGEMENT AREAS = 8,42 ACRES
OTHER OPEN SPACE (LANDSCAPE BUFFER, PARKLETS, ETC.) = 18.21 ACRES

MAXIMUM ALLOWABLE LOT COVERAGE = 37.80 ACRES (50.0%) PROPOSED LOT COVERAGE = 7.42 ACRES (9.8%)

RECURRED PARKING SPACES

1.5 SPACES PER UNIT = 990 SPACES 2 SPACES FOR DWINER MANAGER - 4 SPACES (2 PER PHASE) 1 SPACE PER 10 UNITS = 66 SPACES TOTAL REQUIRED SPACES = 1,060 SPACES

MODIFICATIONS

1. REDUCTION IN FRONT YARD SETBACK ALONG PANACEA BOULEVARD FROM 2 TIMES THE BUILDING HEIGHT TO 80 FEET AS DEPICTED ON THE DEVELOPMENT MASTER PLAN FOR THE BUILDINGS A. B. AND K.

#### PROJECT CONTACTS:

### APPLICANT

PGINVESTCO LLC 3100 MCKINNON STREET, SUITE 250 DALLAS TX 75201

#### CIVIL ENGINEER

KIMLEY-HORN AND ASSOCIATES, INC. 1777 MAIN STREET, SUITE 200 SARASOTA, FL. 34236 PHONE: (941)-379-7600 CONTACT: TRENTON T. STRACKBEIN, P.E.

#### LANDSCAPE ARCHITECT

SARASOTA, FL 34236 PHONE: (941)-379-7600 CONTACT: CHRISTOPHER D. CIANFAGLIONE, P.L.A.

#### ENVIRONMENTAL CONSULTANT

KIMLEY-HORN & ASSOCIATES, INC. SARASOTA, FL 34236 PHONE: (941)-379-7600 CONTACT: RONNIE VAN FLEET, P.W.S.

#### LAND USE ATTORNEY

ICARD MERRILL 2033 MAIN STREET, SUITE 600 SARASOTA, FL 34237 PHONE: 981-366-8100 CONTACT: PATRICK SEIDENSTICKER, ESQ.

#### SURVEYOR

BRITT SURVEYING, INC. 580 US-41 BYPASS NORTH, SUITE 1 VENICE, FL 34285 CONTACT: RANDALL E. BRITT, P.L.S.

#### GEOTECHNICAL ENGINEER

PROFESSIONAL SERVICE INDUSTRIES INC. PROFESSIONAL SERVICE INJUSTRIES, INC. 5801 BENJAMIN CENTER DRIVE, SUITE 113 TAMPA, FL 33634 PHONE: (813)-886-1075 CONTACT: LLOYD T, LASHER, JR. P.E.

#### UTILITY INFORMATION:

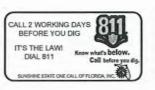
PUBLIC UTILITIES (WATERWASTEWATER) PHONE: (941)-240-8008



VICINITY MAP

SHE	ET LIST TABLE
SHEET NUMBER	SHEET TITLE
01	TITLE SHEET
02	AERIAL LOCATION MAP
03	SHEET INDEX PLAN
04	EXISTING CONDITIONS
05	EXISTING CONDITIONS
06	EXISTING CONDITIONS
07	EXISTING DRAINAGE AND SOIL
08	DEVELOPMENT MASTER PLAN
09	DEVELOPMENT MASTER PLAN
10	DEVELOPMENT MASTER PLAN
11	PRELIMINARY DRAINAGE PLAN
12	PRELIMINARY UTILITY PLAN
13	PRELIMINARY UTILITY PLAN
14	EVACUATION PLAN

PREPARED BY © 2023 KIMLEY-HORN AND ASSOCIATES, INC. 1777 MAIN STREET, Suite 200, Sarasota, FL 34236





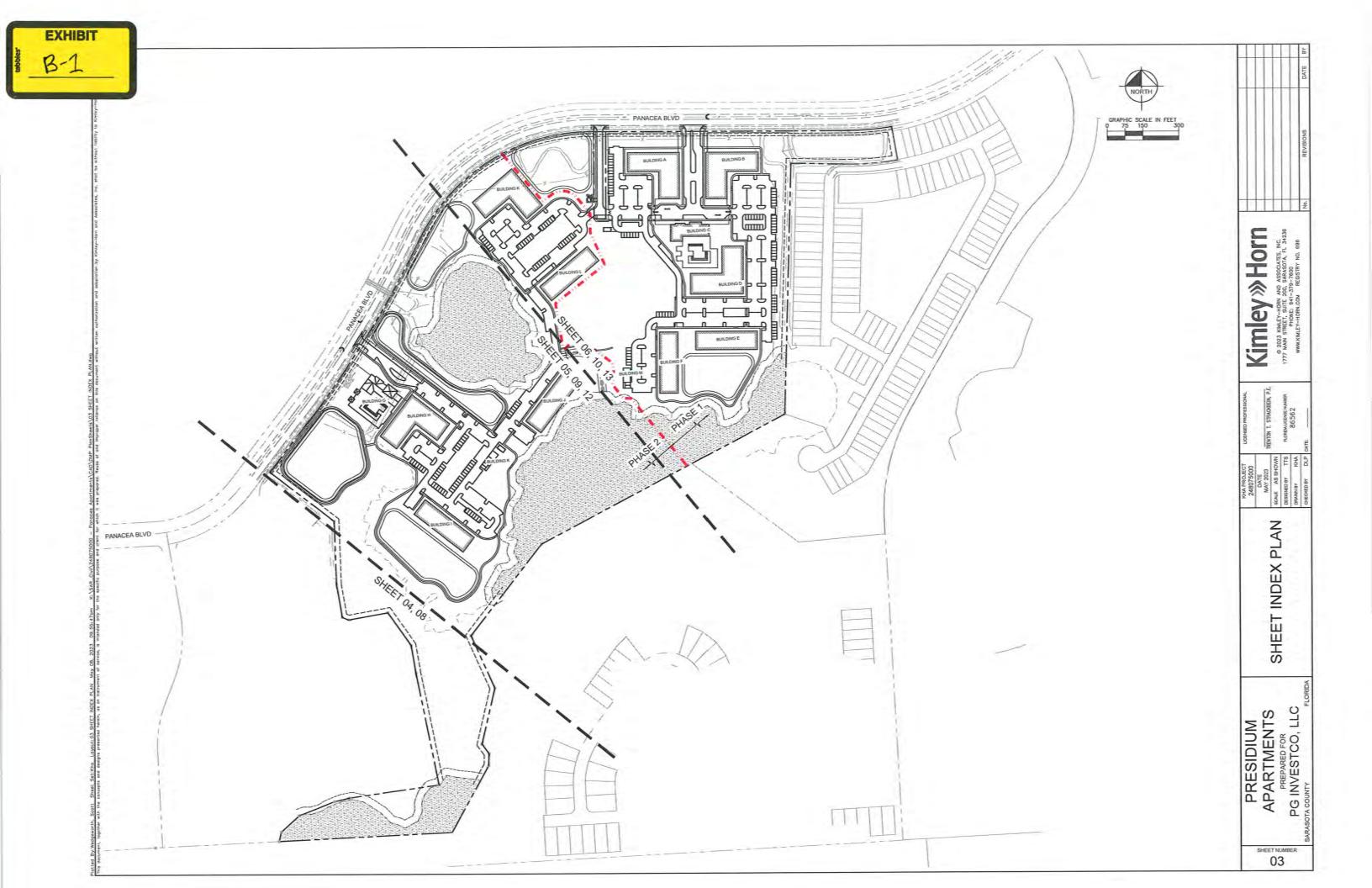
THEREBY CERTIFY THAT TO THE BEST OF MYNOWILLOGE AND BELIFF THE DESIGN OF THIS PROJECT, AS PREPARED UNDER MY PERSONAL DIRECTION AND CONTROL COMPILES WITH ALL APPLICABLE STANDARDS, INCLUDING MY PERSONAL DIRECTION AND CONTROL COMPILES WITH ALL APPLICABLE STANDARDS, INCLUDING THE "MANUAL OF UNFORM MINIMUM STANDARDS FOR THE DESIGN, CONSTRUCTION AND MAINTENANCE FOR THE STREETS AND HIGHWAYS" AS ADOPTED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION PURSUANT TO SUBSECTION 335.075(1) AND (4), FLORIDA STATUTES AND THE CITY OF NORTH PORT LAND DEVELOPMENT REGULATIONS.

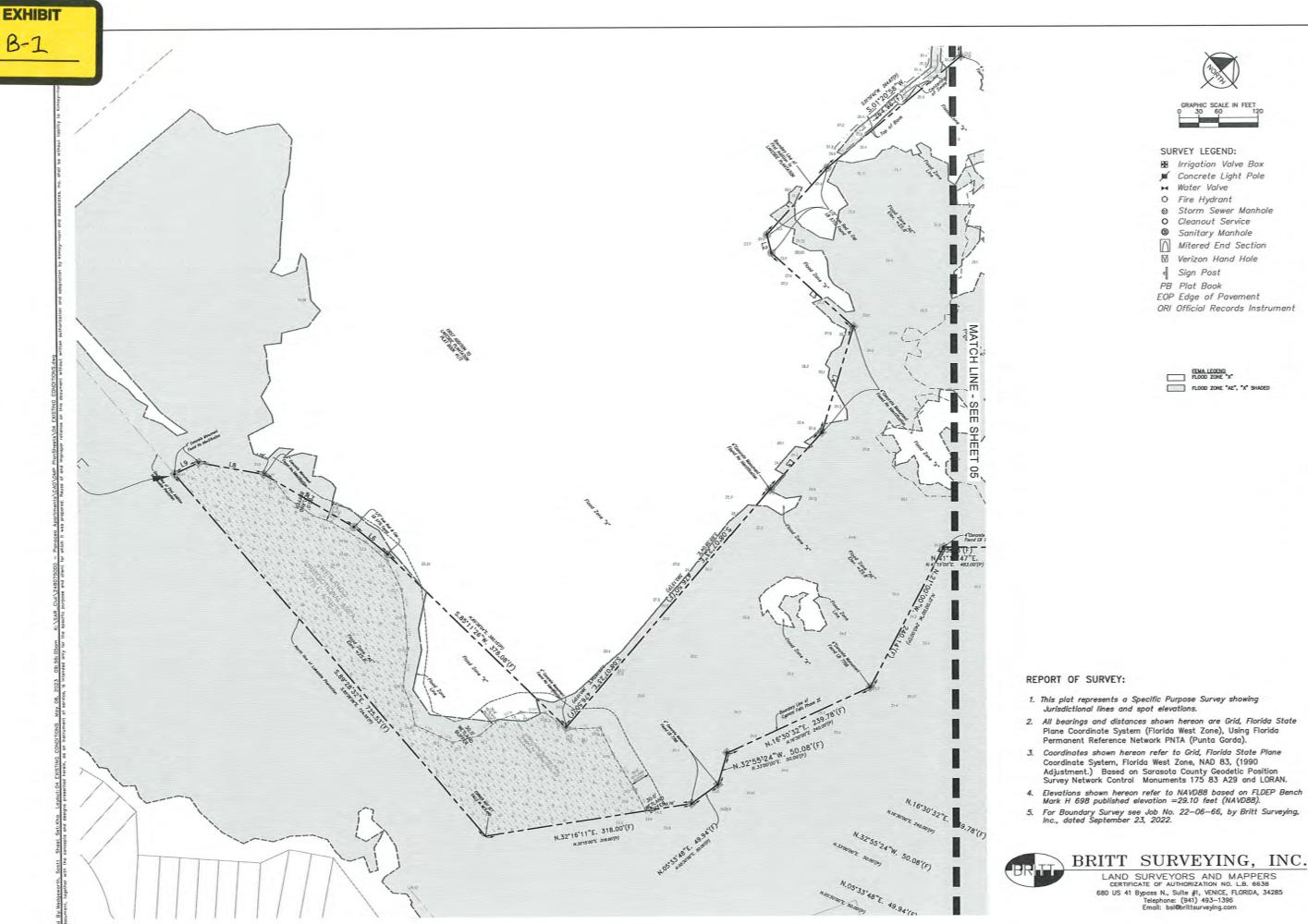
I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE DESIGN OF THIS PROJECT. AS

Kimley >>> Horn © 2023 KINEY-HORN AND ASSOCIATE, INC. 1777 MAIN STREET, SUITE 200, SARASOTA, P.J. 34236 PHONE: 941-379-7000 WWW.KINLEY-HORN, COM. REGISTRY NO. 696 AERIAL LOCATION MAP

APARTMENTS
PREPARED FOR
PG INVESTCO, LLC

SHEET NUMBER





Kimley»Horn

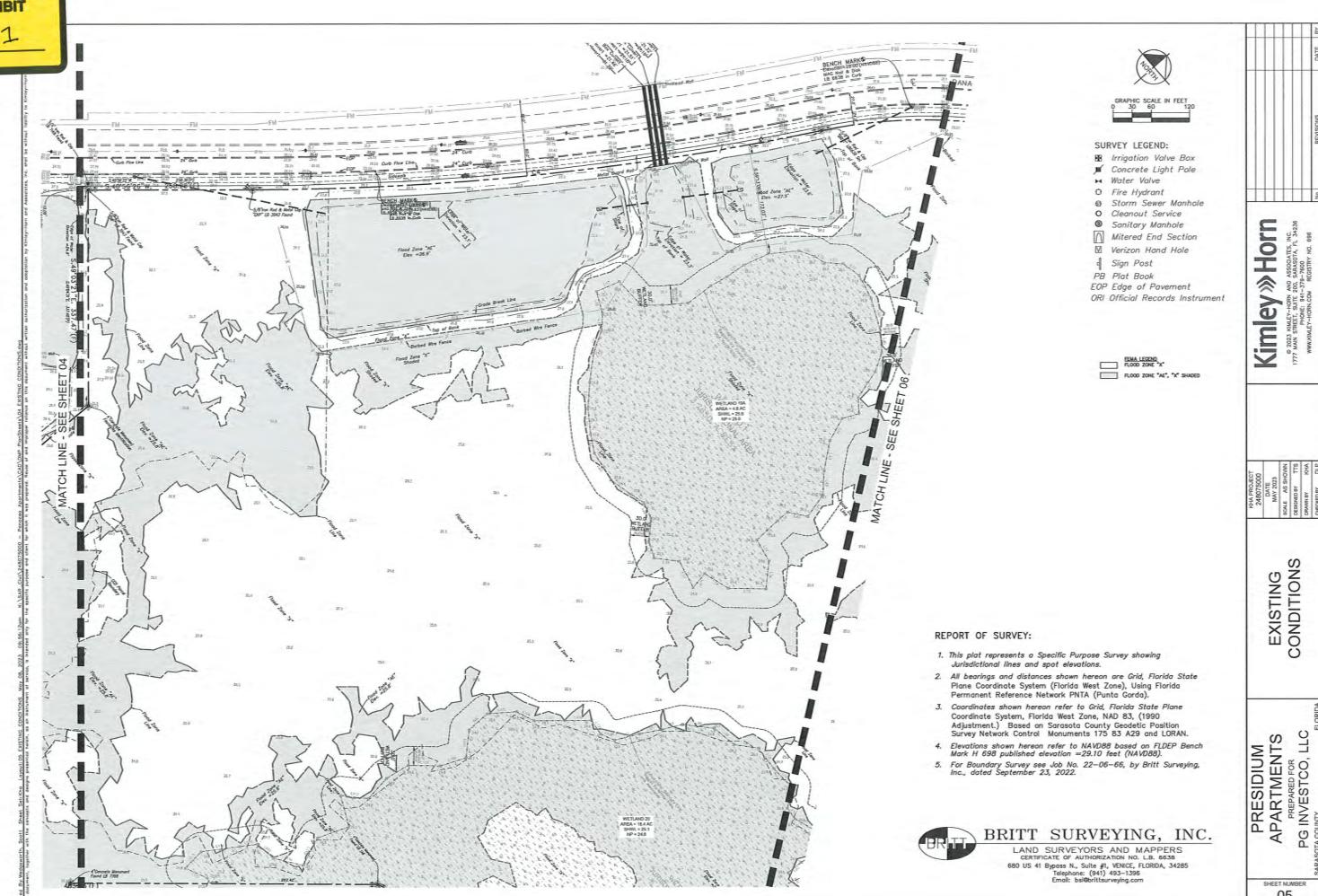
© 2023 KIMLEY-HORN AND ASSOCIATES, INC.
1777 MAIN STREET, SUIT 200, SARSOTA, P. 34236
PHONE, 941–379–7600
WWW.KIMLEY-HORN.COM REGISTRY NO. 696

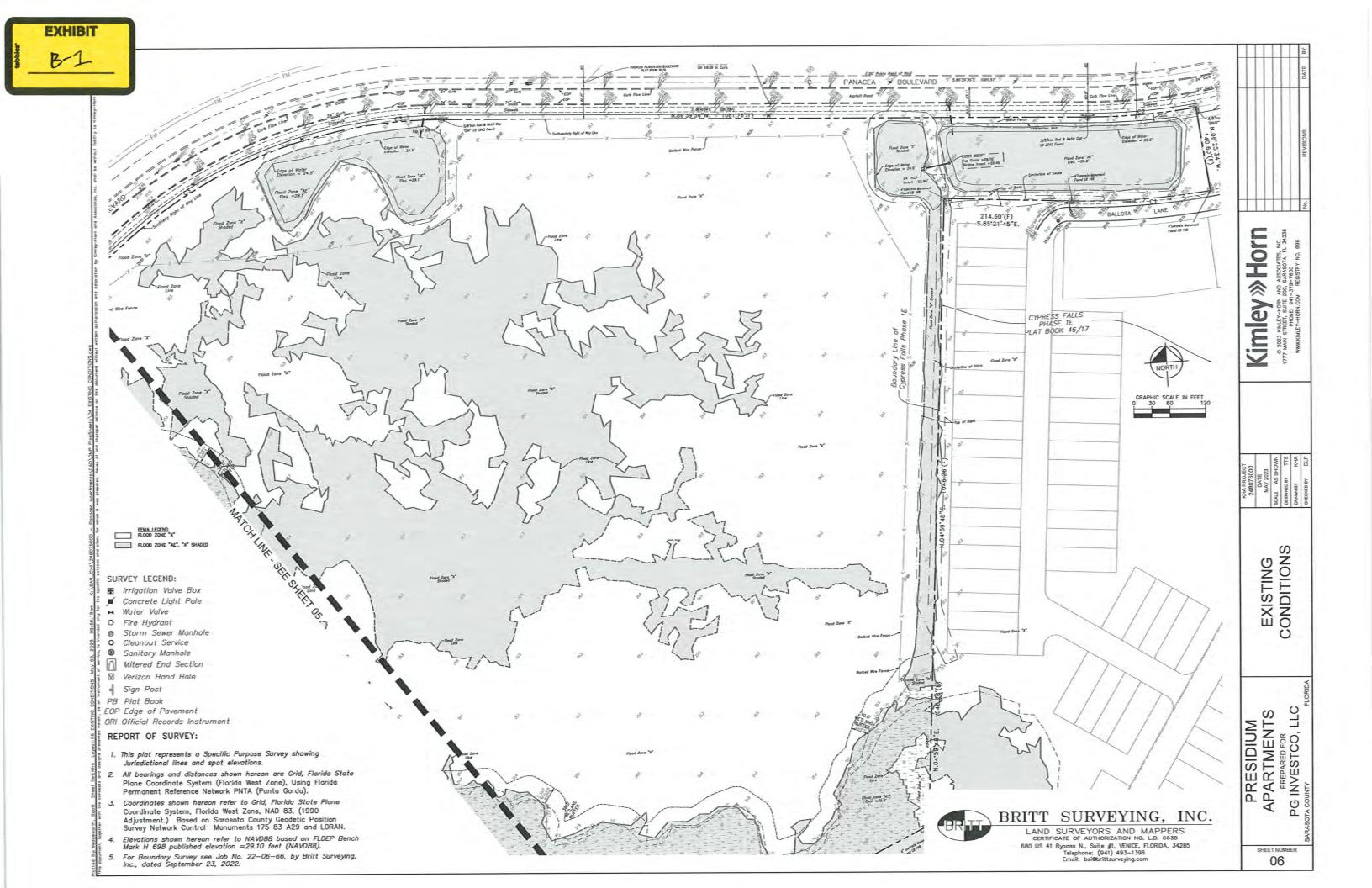
PRESIDIUM APARTMENTS PREPARED FOR PG INVESTCO, LLC

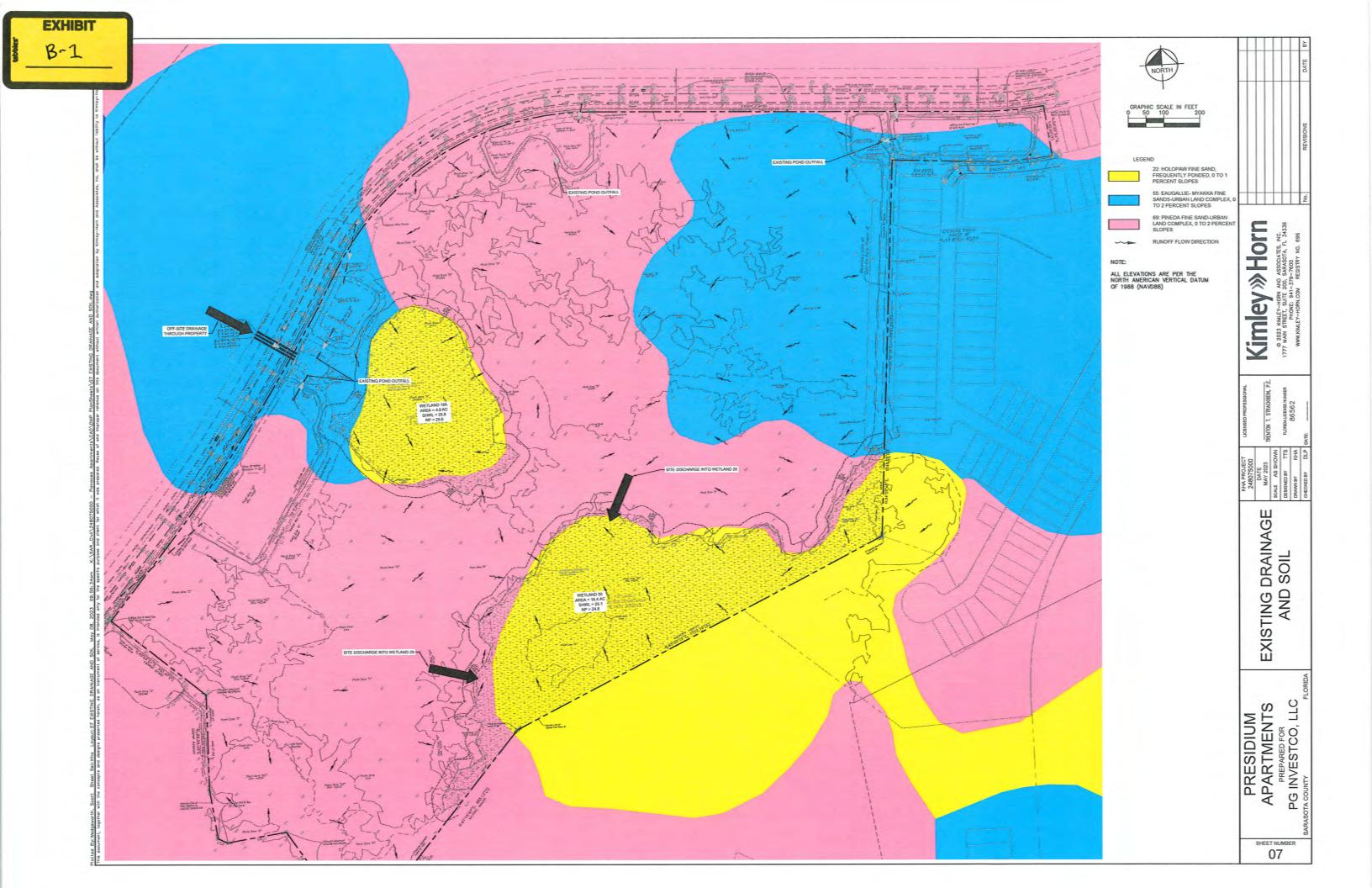
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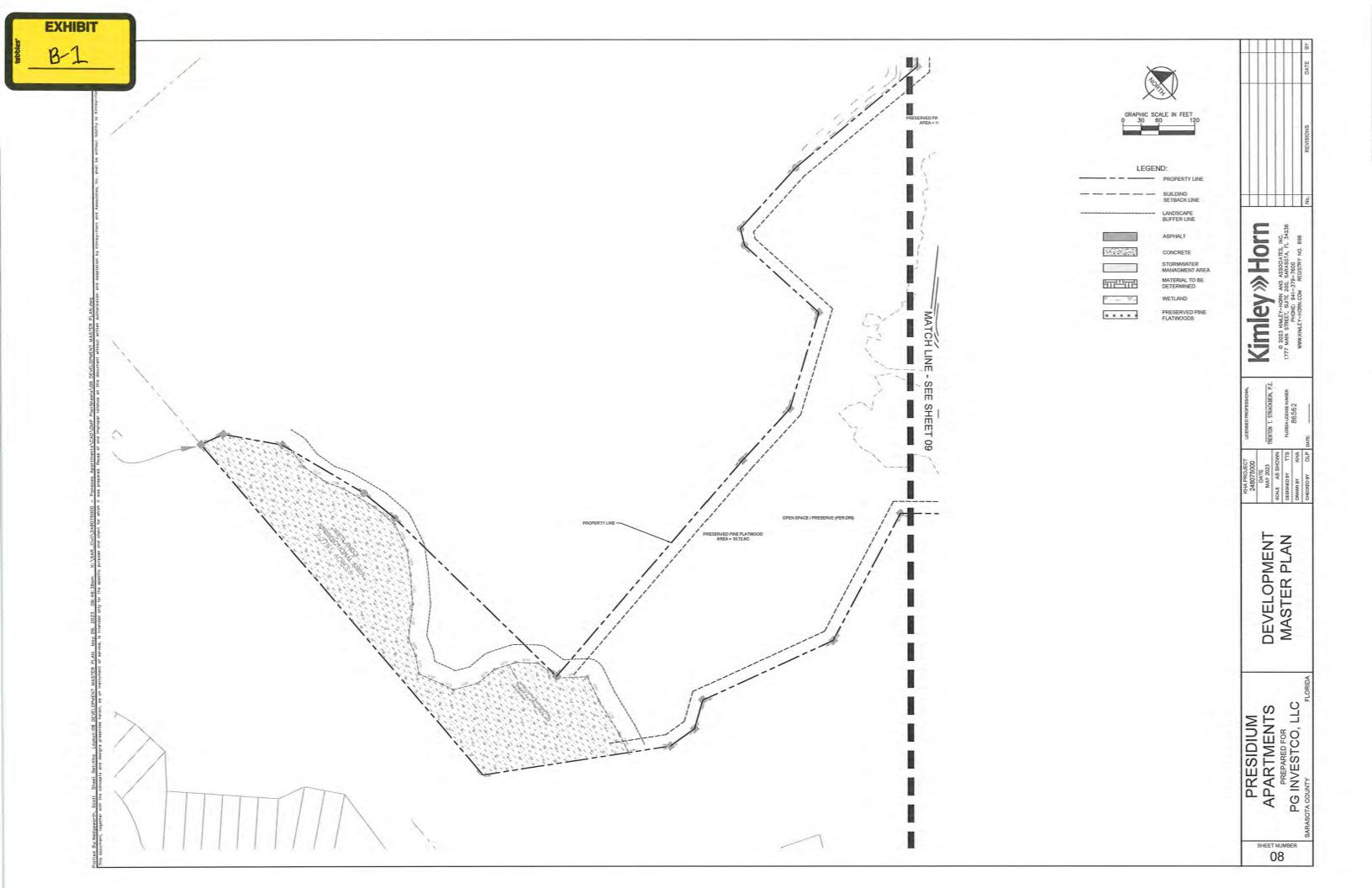
EXISTING CONDITIONS

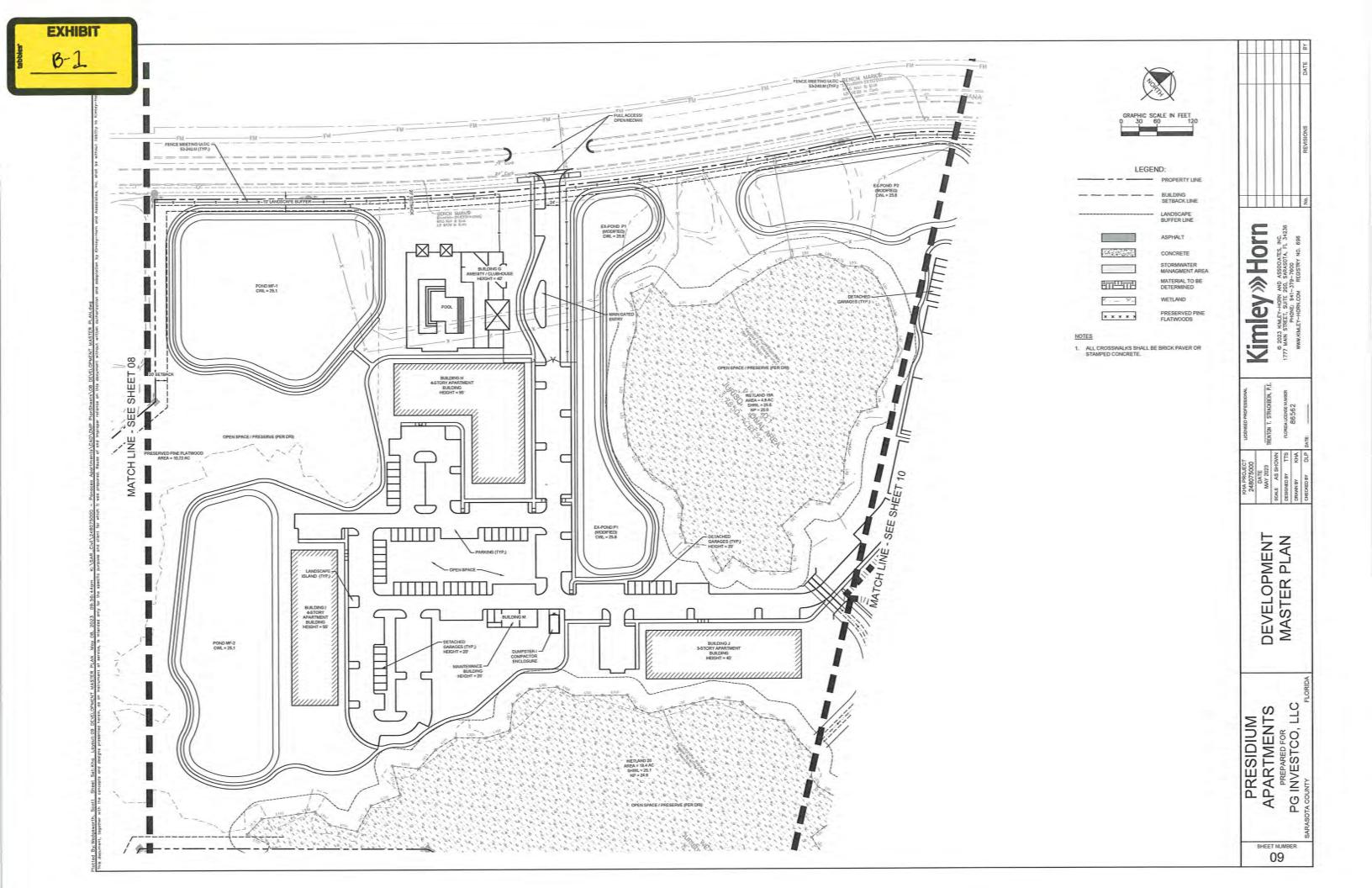
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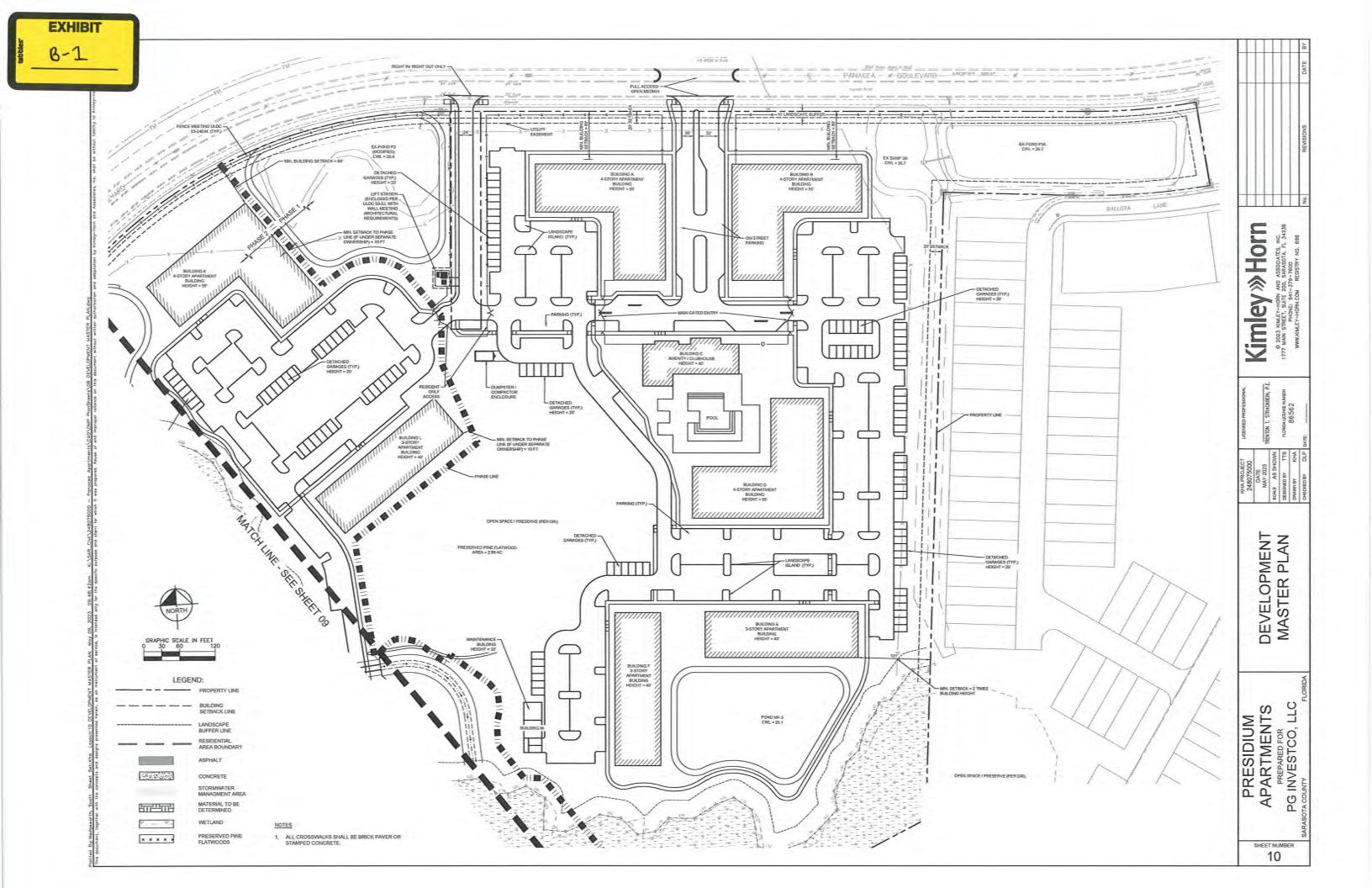


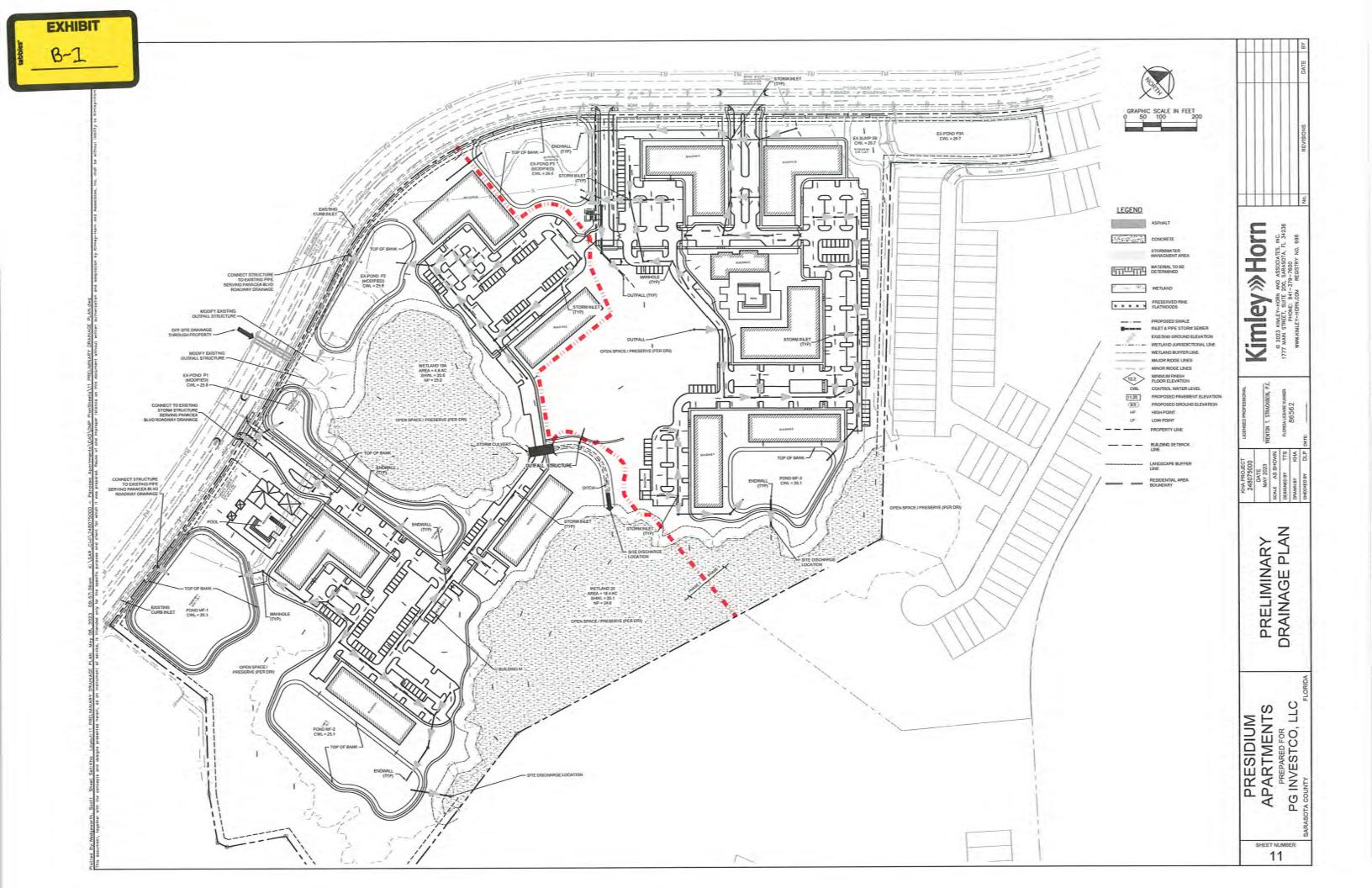


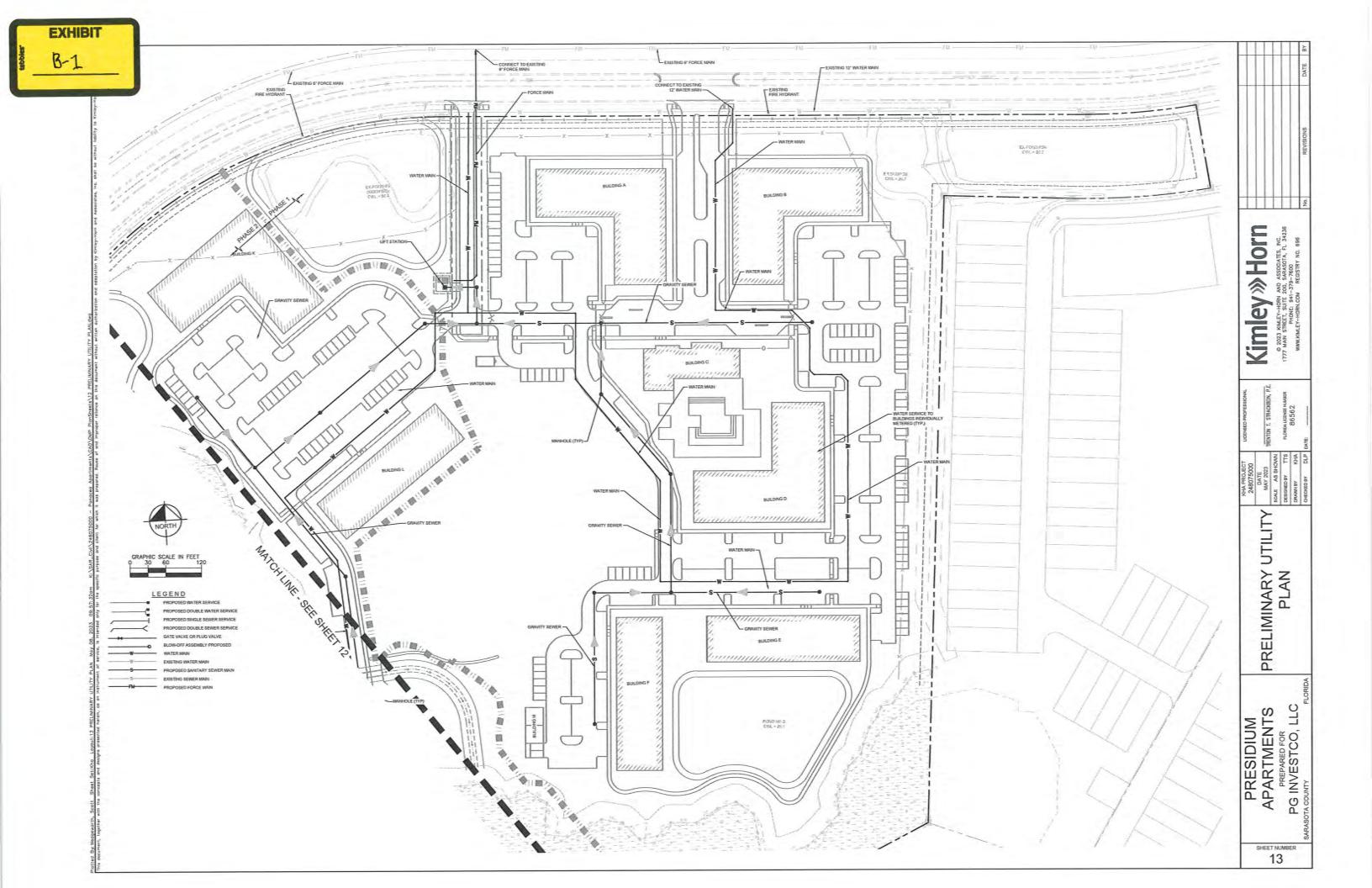


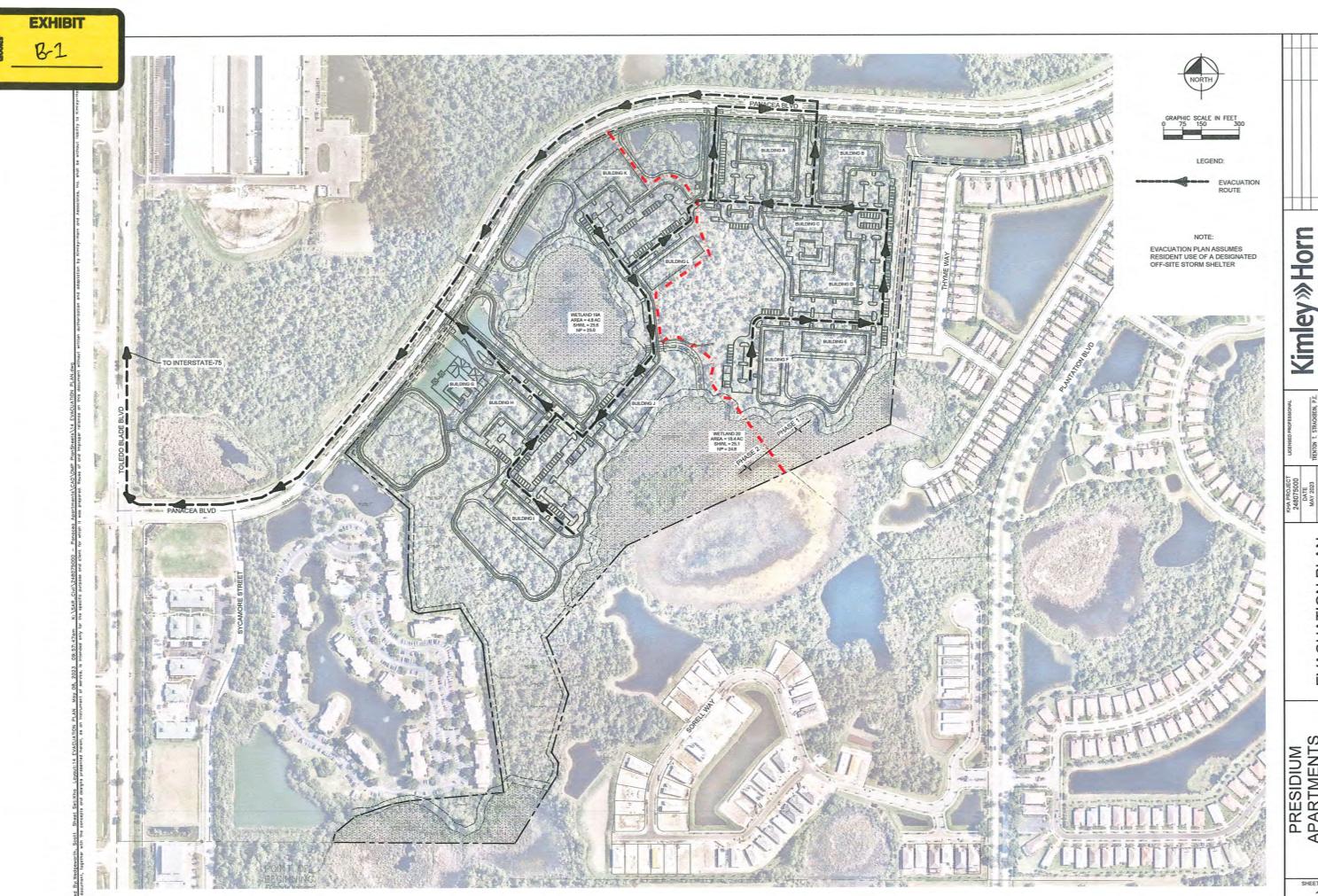












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**EVACUATION PLAN** 

PRESIDIUM
APARTMENTS
PREPARED FOR
PG INVESTCO, LLC

14

# Presidium Panacea

North Port, Florida 12-09-2022







## Exhibit B-2





Page 3 OF 8

### Exhibit B-2





**Building Elevations** 

**Building Type A1 - Elevation - East Side** 

Scale: 1/8" = 1'-0"

#### Material Legend - Typical Both Building Types

- Thin-Set Cast Stone (Limestone)
- 2. Stucco- Smooth Finish 1 (Beige)
- 3. Stucco- Smooth Finish 2 (Grey) (at Recessed areas)
- 4. 3' x 6' Vinyl Windows Bronze Finish Typical
- 5. Barrel Tile Roofing System
- 6. Painted "wood-look" Brackets
- 7. 8" Built up Trim Stucco (Grey) Top of Parapet & Top of Level one
- 8. 5" Built up Trim- Stucco (Grey)
- 9. Steel Railing System Typical (Black)
- O. Wood Trim Painted (At Balconies/Misc.)



Page 4 OF 8

## Exhibit B-2



**Building Type A1 - Elevation - South Side** 

Scale: 1/8" = 1'-0"



Building Type A1 - Elevation - West Side

Scale: 1/8" = 1'-0"



Page 5 OF 8



Building Type B1 - Elevation - North Side Scale: 1/8" = 1'-0"



Building Type B1 - Elevation - East Side Scale: 1/8" = 1'-0"

dwell design studio Page 6 OF 8



Building Type B1 - Elevation - South Side Scale: 1/8" = 1'-0"



Building Type B1 - Elevation - West Side Scale: 1/8" = 1'-0"



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#### PUBLIC NOTICE OF NEIGHBORHOOD MEETING

Neighborhood Workshop location: Shannon Staub Public Library 4675 Career Lane North Port, FL 34289

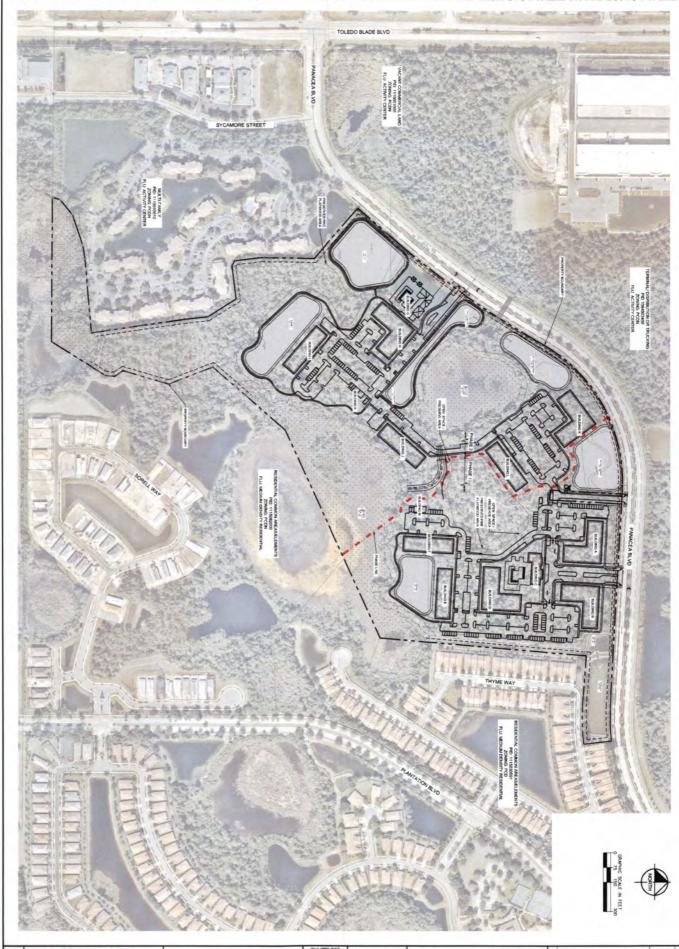
Presidium Group, LLC ("Applicant") will be hosting a neighborhood workshop at the Shannon Staub Public Library to review the proposed project currently referred to as the Presidium Apartments. The subject property is located at Panacea Blvd, North Port, FL 34289 (south of Panacea Blvd, east of Toledo Blade Blvd), more particularly described as PID Nos. 1115001300, 1115001150, and 1115001100. The proposed project is for the development of approximately 660 multifamily units in two phases, along with resident amenities and ample green and open spaces. The workshop presentation will begin at 5 pm on Monday, April 24, 2023, with an opportunity to ask questions following the presentation.

Topic: Presidium Apartments Neighborhood Meeting

Time: April 24, 2023 from 5:00 PM to 7:00 PM Eastern Time

This is not a public hearing. The purpose of the neighborhood meeting is for the applicant to inform the neighboring residents of the nature of the proposed development and to solicit suggestions/questions, and to explain the development master plan which proposes the development of approximately 660 multifamily units.

We look forward to meeting interested neighbors and discussing the project with you.



PRESIDIUM APARTMENTS PREPARED FOR

02

PREPARED FOR
PG INVESTCO, LLC
SARASOTA COUNTY
FLORI

AERIAL LOCATION MAP

KHA PROJECT
248075000
DATE
MARCH 2023
SCALE AS SHOWN
DESIGNED BY TTS

ENTON T. STRACKBEN, P.E.

PLOMGALICEMSE WAMSER 1777

Kimley» Horn

No. REVSONS DATE OF



#### Safe and Secure Self Storage Neighborhood Workshop Minutes

Situs Address: 1797 Englewood Road, Englewood, Florida 34223

Date: April 24, 2023

Time: 5:00 PM

Location: Shannon Staub Public Library – 4675 Career Lane, North Port, LF 34289

The neighborhood workshop began at 5:00 on Monday, April 24, 2023.

Attorney Patrick Seidensticker opened the meeting at 5:00 and introduced himself as an attorney with the law firm of Icard Merrill who is presenting on behalf of the Applicant, Presidium. He also introduced Mark Farrell, Miller Farrell, Grant Saxon and Josh Eames from Presidium as well as Scott Wedgeworth and Peter Vanbuskirk with Kimley Horn. Approximately 80 neighborhood residents attended the workshop.

Attorney Seidensticker stated the purpose of this neighborhood workshop is for discussion regarding a Development Master Plan for three parcels located along Panacea Blvd. The proposed development consists of 660 Class A multifamily units in two phases with resident amenities for each. Attorney Seidensticker discussed the meeting structure and the approval process, including public meetings in front of the Planning Board and the City Commission. Attorney Seidensticker advised the meeting would be recorded. Attorney Seidensticker stated that there would be a presentation by Grant Saxon and then that they would be sharing the proposed Site Plan followed by time for Q&A. Attorney Seidensticker requested attendees with questions stand and state their name and where they lived in the community.

Grant Saxon of Presidium thanked the group for coming out and indicated snacks in the back of the room. He then described the history and philosophy of their company. He emphasized that Presidium prides itself on building "best in class" developments. He then described in detail multiple complete developments from around the Country. He then described the proposed project in detail, which includes 660 units, 336 units in Phase 1 spread across 3 and 4 story buildings. He discussed the open space, green space, and amenities. Mr. Saxon then walked the group through renderings of the proposed buildings. Mr. Saxon then put up a slide of the site plan and opened the discussion up to questions.

Jim Anderson asked what, if any, approvals have been received from the City of North Port.

Mr. Saxon answered that they are in the DMP approval phase where staff provides comments on the submitted plans. He also indicated that some disciplines have already provided sign off, but no full approval.

Mr. Anderson followed up with a question about Planning Board or City Council approvals.



Attorney Seidensticker described the process of application submittal, County Staff review of application sufficiency, and the different review disciplines. Then he described that next step is Planning Board public meeting after which time the Planning Board would make a recommendation. He went on to describe the next step, the City Commission meeting at which the neighbors would be able to speak on the project, after which the City Commission would vote on approval or denial.

Attendee asked about plan for Thyme Way and buffers shown on the site plan. Attorney Seidensticker described that they were showing setbacks, landscaping and surface parking. Mr. Saxon added that there would be surface garages. Attendee followed up with question about location of garages. Mr. Saxon identified the property line on the site plan and confirmed that the area in question was outside of the project area. Attendee asked a follow up question about buffer. Mr. Saxon confirmed there would be a buffer between the property line and the garages. Attorney Seidensticker then described the minimum setback required by code. The setback would be filled with grass and trees, though no wall is planned. Attendee asked if there is a planned berm, or if there could be. Attorney Seidensticker stated that there is no berm planned on the site plan but that it could be reviewed.

Attendee asked question about residents on Thyme Way and their potential view of the garage. Attorney Seidensticker indicated that though there was no final landscape plan, the intent was to include landscape within buffer. Mr. Saxon indicated that they would perform a site line study. Attendee expressed concerns about the view of the garages for neighboring residents. Attorney Seidensticker indicated that the code requires certain minimum standards for the buffer.

Mark Farrell confirmed that there will be landscaping that obscures the garages but that the landscape plan had not been started in any detail. He confirmed that the purpose of the meeting was to discuss the concerns of the neighbors and he was hearing that his is an issue for them. He indicated that they will study and look to the best solution for buffering.

Attendee asked if Presidium had put in a formal bid for the property. Mr. Saxon and Mr. Farrell confirmed they were under contract to purchase. Attendee asked follow up question about price of purchase. Mr. Saxon indicated that the meeting was about development and we would like to focus on that.

Attendee asked about meaning of "Class A." Mr. Saxon described the design and materials used to create best in class development. Attendee expressed concern about "high density property" putting a lot of stress on the roads and traffic by putting 660 homes on 76 acres, and that single family homes would cause significantly less stress. Attorney Seidensticker described the DRI and Activity Center in regards to specific land uses and densities allowed therein and how they relate to these parcels. He stated that the density on the project is about 8.5 units and considered medium density, though the DRI allows for higher density. He stated it was Presidium's intention not to utilize the properties for as much density as could be allowed.

Attendee who lives on Thyme Way stated that he would prefer a better drawing with elevations, expressed his desire for a berm on the eastern project edge. He asked why the buildings couldn't be moved from edges of the property to the interior. Attorney Seidensticker responded that areas of the



map that are earmarked as Open Space in which no improvements are allowed, and have been left open on the Plan. The attendee then asked if the Applicant is requesting any variances. Attorney Seidensticker responded that the Applicant is making a request to modify the setbacks along Panacea. He described the code requirement of 2x building height and stated that Applicant has requested to reduce the setback. He continued that the City Staff has requested the buildings be moved all the way to Panacea Blvd 20-foot setback. Multiple attendees indicated that they did not agree with eliminating the setbacks.

Charlotte Anderson lives on Thyme Way. She complemented the building elevations and asked how the Applicant settled on the specific location, adding that her feeling was that there were more suitable locations for the type of development proposed, like Toledo Blade. She asked why the buildings were 4 stories, when surrounded by one- and two-story homes. Mr. Saxon described the site selection process, stating that the site was presented to Applicant by a broker because of its multifamily entitlements. He added that they very much like the market. He then identified additional three- and four-story developments neighboring the subject site. Ms. Anderson again stated that in her neighborhood, there are no tall buildings. Mr. Saxon reiterated that the Applicant was going to do their best to reduce any impacts, including the view of the buildings from neighboring properties. Ms. Anderson added that she had concerns about this and a similar project in the area devaluing her home. Attorney Seidensticker discussed again the DRI and how the entitlements are spread across the area, and which entitlements are remaining.

Ms. Anderson asked if the apartments would be marketed to a specific age level. Mr. Saxon replied that they would be open to anyone at market rate. Ms. Anderson asked about the number of children and possible impacts on schools and roads. Mr. Saxon responded that the Applicant would be paying significant impact fees.

Attendee who lives on Thyme Way asked about garages abutting Thyme Way and if there was a street behind them. Mr. Saxon indicated that the garages face the proposed project and doors would face away from Thyme Way. Follow up question about any partition for safety. She indicated that when she bought her house, she was told that the area behind was preserve land.

Another Attendee asked where the property line of the Subject Property line falls in regard to a drainage swale. Mr. Saxon indicated he would have to review the survey, but thought that the line fell outside of the swale and the swale was on the Subject Property.

Attendee asked how far the back of the garages are from the property line. Mr. Saxon indicated that they do not have exact measurements, but that the site plan would abide by all required setbacks.

Attendee asked about the eastern property line and indicated that their neighborhood is a 50+ community and that the plan did not show any type of barrier between the communities. He stressed that no children in their development but that the apartments would bring kids who invade their community. He again requested a barrier. Mr. Eames indicated that the entire property would be surrounded by a fence. He also indicated that Applicant does significant checks and that the general tenant is a young professional and they do not expect many kids.



Mr. Eames continued that their concerns are aligned and they want to be sure that the proposed communities and surrounding communities feel safe. Attendee expressed concerns about privacy from the closest buildings. Mark Farrell said that applicant would be reviewing garage locations, adding landscaping and fences to ensure security. He discussed the internal and external amenities and stated an average rent is approximately \$2400.00 with an average size of 1000 sq feet. He stressed that there would be very few 3-bedroom units and reiterated that they were not expecting lots of kids, rather mostly professionals. He specified that their market is 25-45 years old. He discussed historic and present trends in renting versus/owning. Mr. Farrell then discussed the site selection process and the due diligence undertaken by the Applicant. He confirmed that they intend to develop and he really wants feedback to improve the development should it be approved. He confirmed that buffers are a concern and that they would review the site plan and make possible changes.

Attendee asked if there was any possibility that the buildings aren't 4 stories tall. Mr. Farrell responded that there are 3 and 4 story buildings. He confirmed that the economics of the project required the proposed height to make it work.

Attendee who lives along Thyme Way asked where the clubhouse and pool area are located and how the lighting would be controlled on the site. Mr. Eames identified the clubhouse and pool on the site plan. He then discussed the City requirements for lighting and control of same to not disturb surrounding neighbors.

Attendee asked about timing of phases. Mr. Saxon indicated Phase II was planned for 2026. He asked who owns the stormwater ponds. Mr. Eames indicated that the survey shows it is on the Subject Property and they would follow up to confirm. Attendee expressed that they have recently paid funds to improve the stormwater ponds. Mr. Eames indicated that the development doesn't plan to effect the stormwater ponds in question.

Attendee asked if SWFWMD owns the ponds. Mr. Eames indicated that they were privately owned and that there are presumably maintenance agreements in place. Attendee asked again if swales and ponds are owned by SWDWMD and Mr. Eames confirmed they would not. He indicated Applicant would clean out the ditch.

Attendee asked if there would be a required elevation change. Mr. Saxon indicated there would be required infill but that there would not be significant change. Mr. Eames added that all the runoff is required to be maintained on the site. Mr. Vanbuskirk then described the stormwater system and requirements in detail, including that the site is designed for a 100-year storm. Mr. Wedgeworth described the system and showed anticipated flows on the site plan.

Attendee asked about unused space to the south and if Applicant would consider adding a 100 green buffer on the eastern boundary and moving development away from the eastern line. Mr. Eames stated that it could be looked into, but that actual buildable area on the site is limited.



Attendee asked about how many parking spaces and if it is surface or garage. Mr. Saxon answered that it will be a mix of surface and garage and that the number of spaces is based on 1.5 spaces per unit. Mr. Eames clarified that there are no parking structures.

Attendee asked if trees would be cut down or burned. She was concerned about her asthma. Mr. Saxon answered that he believed they would be cutting trees. Mr. Eames indicated they would talk to GC.

Attendee asked about steps before starting building and timeline. Mr. Saxon indicated they would like to start Phase I by end of year.

Attendee asked about parking along Thyme Way and expressed concerns about lights shining toward Thyme Way. Mr. Eames indicated that they would use buffering and other methods to reduce the impact.

Attendee expressed concern about water pressure. Mr. Vanbuskirk indicated that the system had not been designed specifically but that the lines would be looped though the project to minimize impact. He added that we review with the City to ensure proper water supply and additional in process infrastructure. Mr. Eames indicated the DRI has been in place for decades and that the City would have considered these issues.

Attorney Seidensticker indicated that the meeting notes would be provided to Staff so that they can see that these are concerns of the neighbors and community.

Attendee asked if dry or wet dry sprinkler system. Mr. Eames answered that he did not know but he believed it would be wet based on all applicable codes.

Attendee asked if units would be sold or for rent. Mr. Saxon answered all would be for rent.

Attendee asked if buildings could be shortened. Mr. Saxon answered that they would take a look but were happy with current design as related to the site. Mr. Eames added that they were under the current height restrictions allowed and explained the constraints of building area in concert with open space, parking, etc and the Applicant tried to do their best to find a middle ground.

Attendee asked which buildings would be 3 stories and 4 stories. Mr. Eames identified each building on the site plan. Attendee again expressed consternation that they were sold a preserve "view" when they bought their home.

Attendee asked if entrances would be gated. Mr. Saxon confirmed that all entrances to residential areas would be gated. Attendee followed up with questions about parking areas. Mr. Eames identified them on the site plan and reiterated that they would take steps to minimize impacts to Thyme Way.

Attendee asked if the Phases could be switched. Mr. Eames stated that it could be looked into and reiterated that the purpose of the meeting was to hear these types of concerns.

Attendee asked about affordable housing. Mr. Eames indicated the intention was for market rent.



Paul Whittaker, President of the Board, stated that there are shared concerns about buffer and lighting and asked how he could follow up and communicate with Applicant after the meeting.

Attorney Seidensticker stated that any changes would be part of the public record leading up to the public hearings. He then provided North Port Staff as a point of contact and indicated he would also provide his own contact so that they could contact him directly. He confirmed that everyone noticed for the Neighborhood Meeting would also get notice of the subsequent public meetings.

Mr. Mitchell asked if another Neighborhood Meeting could be held. Attorney Seidensticker said it was possible but that the intent of the public hearings was for neighbors and other members of the public to provide input. Mr. Mitchell asked the anticipated timeframe for those meetings. Attorney Seidensticker provided an estimated timeline. Attorney Seidensticker offered to contact Mr. Whittaker directly to open a line of communication which could be disseminated to the rest of the community.

Attendee asked if Applicant would consider changing heights of buildings along Thyme Way. Mr. Eames answered that it could certainly be studied, though he could not make any promises.

Greg Neely asked again which buildings were 3 and 4 stories. Mr. Eames identified them again on the site plan. Mr. Neely asked how many units in each. Mr. Eames stated approximately 80 units in 4 stories and 45 in 3 stories.

Attendee asked where irrigation water would come from. Mr. Vanbuskirk indicated he assumed it would be pulled from stormwater lakes and recharged with underground well.

Daniel Brien asked if trees in the wetlands. Mr. Eames indicated they intended to put in footpaths. Attorney Seidensticker stated that the Applicant cannot effect the wetlands or open space, with except for exotic species.

Attendee asked if there had been an environmental study completed. Mr. Eames indicated that multiple environmental surveys had been completed. Attorney Seidensticker added that a full environmental assessment report had been completed by Kimley Horn and that it would be submitted. Mr. Vanbuskirk added that an additional study, including gopher tortoises, would have to happen before construction.

Attendee asked about different labels on mailed site plan and the site plan shown. Mr. Eames detailed the difference.

Attendee asked how many apartments would be facing Thyme Way. Mr. Eames estimated approximately 20 units. He added that he estimated approximately 200 feet between the buildings and the neighboring structures.

Attendee asked about parking lot islands. Mr. Eames identified them as trees.

Attendee asked if Applicant intended on purchasing any more properties. Mr. Eames replied in the negative.



Attendee asked about ownership of stormwater ponds again and stated the property lines were illogically drawn.

Attendee described actions previously taken by SWFWMD, including tree removal, and actions taken by neighbors to maintain the existing ponds and swales.

Attendee asked again about eastern property line. Mr. Eames confirmed that the drainage ditch is on the Subject Property.

Attendee asked to confirm that the garages would be on the west side of the ditch. Mr. Eames stated that we can look at garage locations.

Mr. Eames asked if there were any further questions. Hearing none, the meeting was adjourned.

ABNEY DENNIS C ACHESON PAUL C ADELHOCH CATHERINE 1385 KELP CT 2643 PEACH CIR 1291 RASPBERRY DR NORTH PORT, FL, 34289-9463 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-5035 ALLEN FAMILY TRUST AGREEMENT AMBERG THOMAS L SR ANDERSON DANNY R 2582 OSWEGO DR 2556 ARUGULA DR 2571 THYME WAY NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-5252 NORTH PORT.FL.34289 ANDERSON MARGIT J ANDERSON REVOCABLE TRUST ANN SHUKI LIVING TRUST 2428 MAGNOLIA CIR 1285 BALLOTA LN 2501 MAGNOLIA CIR NORTH PORT, FL, 34289-9460 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-9486 AURELIO G ANTUNA AND ROSA MARIA AUSTIN SHARON J BABER JOHN ALAN ANTUNA REVOCABLE TRUST 1301 BALLOTA LN 2626 OSWEGO DR 1996 SCARLETT AVE NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 **BAILEY ANNE BANGS JAMES S** BARBARA C GATEWOOD REVOCABLE **TRUST** 2615 PEACH CIR 1452 S DEMETER DR 2515 THYME WAY NORTH PORT, FL, 34289-9463 FREEPORT, IL, 61032-6216 NORTH PORT, FL, 34289-5021 BARTENFELDER DAVID EDWARD BARTHELME-KAUFFMAN FAMILY BATES DAVID WARREN 2483 MAGNOLIA CIR REVOCABLE TRUST 1319 SORRELL WAY NORTH PORT, FL, 34289 11350 LINDBERGH LN NORTH PORT, FL, 34289 POPLAR GROVE, IL, 61065 BEABER FAMILY TRUST BECKER NEAL H **BEDNARSKI THOMAS** 1289 BALLOTA LN 2538 ARUGULA DR 52074 ELIZABETH LN NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-5252 NEW BALTIMORE, MI, 48047-1187 BEN J MALTESE AND TERESA MALTESE BERUBE ROGER R **BIG JIM VIII LLC** 

TRUST

62173 HIDDEN POND DR

BIMMELPUNTA GORDA LLC

PUNTA GORDA, FL, 33950

517 TAMIAMI TRAIL

WASHINGTON TOWNSHIP, MI, 48094

BERUBE ROGER R 1983 SCARLETT AVE NORTH PORT,FL,34289-9400

BLAW ORA 2500 MAGNOLIA CIR NORTH PORT,FL,34289-9461 3665 BEE RIDGE RD STE 310 SARASOTA,FL,34233

BLIVEN RICHARD C 2023 SCARLETT AVE NORTH PORT,FL,34289-9489

**BLOOM BRUCE R BOBIC RALPH M BOGGS MARK A** 178 N SNOW PRAIRIE RD 1289 SORRELL WAY **2016 SCARLETT AVE** NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 COLDWATER, MI, 49036 **BOISVERT SANDRA J BOLLMAN JOHN D** BOOSE SHARON A (LIFE EST) 2630 OSWEGO DR 2474 OSWEGO DR 2599 THYME WAY NORTH PORT, FL, 34289-4289 NORTH PORT, FL, 34289-5013 NORTH PORT.FL.34289-5021 **BOTT CRAIG STEPHEN BOWMAN JOHN E BOZELL RONALD R** 2570 THYME WAY 1935 SCARLETT AVE 1279 RASPBERRY DR NORTH PORT, FL, 34289 NORTH PORT.FL.34289 NORTH PORT, FL, 34289 **BRADLEY DONALD A** BRADY PATRICE **BRANSON JOHN PHILLIP** 2460 MAGNOLIA CIR 1330 BALLOTA LN 5513 W SAWGRASS WAY NORTH PORT, FL, 34289-9461 NORTH PORT, FL, 34289 **MUNCIE, IN, 47304** BRIDGETT KATE (E LIFE EST) BRUCE W TREWIN AND NANCY I TREWIN **BUCCIERO DIANE M TRUST REVOCABLE LIVING TRUS** 2546 ARUGULA DR **1393 KELP CT** 2414 MAGNOLIA CIR NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-5252 NORTH PORT, FL, 34289 **CAMERON JOYCE A BUEHLER GARY M BURCH STEVEN** 1995 SCARLETT AVE 2012 SCARLETT AVE 2566 THYME WAY NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 CANDIANO JOSEPH P CARDONA GADIEL CARL A IMPASTATO REVOCABLE LIVING TRUST 2636 PEACH CIR 2443 MAGNOLIA CIR 2574 THYME WAY NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-9462 NORTH PORT, FL, 34289-5020 CARRIAGE HOMES OF LAKESIDE CARR DIANNE C CARROLL MARK D 2518 MAGNOLIA CIR PLANTATION HOMEOWNERS ASSN I 1295 RASPBERRY DR C/O ADVANCED MANAGEMENT OF SW FL NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 INC VENICE,FL,34293

**CELESTE ROCCO JAMES** 

1255 GREENFIELD DR

ALDEN, NY, 14004

**CENTEX HOMES** 

24311 WALDEN CENTER DR STE 300

**BONITA SPRINGS, FL, 34134** 

CEAI LAKES AT NORTH PORT LLC

6800 W 64TH STE 101

OVERLAND PARK, KS, 66202

CHARLES S AND EDNA SCHANTZ REVOCABLE TRUST 1377 KELP CT NORTH PORT,FL,34289-5035 CHICHELLI ROBERT 2487 MAGNOLIA CIR NORTH PORT,FL,34289-9462 CLEMENTE JAMES 2401 MAGNOLIA CIR NORTH PORT,FL,34289

**COPLEY THOMAS RAY** 

CLEVENGER CURTIS N 2408 MAGNOLIA CIR NORTH PORT,FL,34289 COMBS LORRIE M 2452 MAGNOLIA CIR NORTH PORT.FL.34289

2612 PEACH CIR NORTH PORT.FL.34289-9485

CORDES DONALD LAVERN 1636 FLEETWOOD DR SARASOTA,FL,34232 CORDOVA JOSEPH D 2418 MAGNOLIA CIR NORTH PORT,FL,34289-9460

CORPORATE AVE LLC 53 W JACKSON BLVD STE 530 CHICAGO,IL,60604-3422

CORPORATE AVE LLC 53 W JACKSON BLVD STE 530 CHICAGO,IL,60604 COURTNEY VENTURES LLC 119 BARRE DR NW PORT CHARLOTTE,FL,33952

PO BOX 151 ELIZABETH,WV,26143-0151

COX DAVID

CRECRAFT DEBORAH S (E LIFE EST) 2498 OSWEGO DR NORTH PORT,FL,34289 CROWELL JUDITH A 2558 OSWEGO DR NORTH PORT,FL,34289-5017 CRUZEIRO FAMILY REVOCABLE TRUST 2357 ARUGULA DR NORTH PORT,FL,34289-5247

CSATARI ROGER S 2543 THYME WAY NORTH PORT,FL,34289-5021 CURRY THOMAS 36 BOYCE AVE STATEN ISLAND,NY,10306-1140 CYPRESS FALLS AT THE WOODLANDS HOMEOWNERS 2605 ARUGULA DR NORTH PORT,FL,34289

D AND C AYER TRUST 2575 THYME WAY NORTH PORT,FL,34289 DAHLIN TERROL 2631 PEACH CIR NORTH PORT,FL,34289-9463 DANGELO SALVATORE 1338 SORRELL WAY NORTH PORT,FL,34289

DANIEL L OBRIEN TRUST 1344 RASPBERRY DR NORTH PORT,FL,34289 DANIEL MARTIN & BARBARA CARRELL DELANEY AB LIVI TR 1308 RASPBERRY DR NORTH PORT,FL,34289 DANNY F ORR AND JUDITH A ORR TRUST 653 ZION CT HOWELL,MI,48843

DATTILIO ROBERT R 2554 OSWEGO DR NORTH PORT,FL,34289 DAVIS ROBERT 2705 MYRRH PL NORTH PORT,FL,34289 DENNIS J LIEBICH AND LOIS B LIEBICH REVOCABLE LIVING AG 2582 THYME WAY NORTH PORT,FL,34289

**DEVIER JEFFRY M DEVILLIER BECKY** DI RISIO NICHOLAS 2555 COTTONWOOD LN 2563 ARUGULA DR 19 B FAIRWAY NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-5251 BATAVIA, NY, 14020 **DICKSON PROPERTIES LLC** DICKSON PROPERTIES LLC **DOLLAR TREE STORES INC** 1045 TRUMAN ST 2571 N TOLEDO BLADE BLVD STE 2 **500 VOLVO PKWY** NOKOMIS,FL,34275-4402 NORTH PORT, FL, 34289 CHESAPEAKE, VA, 23320 DONAHUE JOAN D (TTEE) DONALD D FOSTER LIVING TRUST DONALD G PEACOCK LIVING TRUST 137 KELP CT **1963 SCARLETT AVE** 49788 CRANBERRY CREEK DR NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-9400 MACOMB, MI, 48042 DONNELLY EDWARD J DONNA L RSTOM TRUST DONNA P LOVERIN REVOCABLE TRUST 505 DIAMOND CREEK RD 2579 THYME WAY 3679 SANCTUARY LOOP MANKATO, MN, 56001 NORTH PORT, FL, 34289 HILLIARD, OH, 43026 **DOOLEY VIRGINIA A** DRAWBAUGH SUE G **DURANTE DONNA** 2590 THYME WAY 2518 ARUGULA DR 1326 BALLOTA LN NORTH PORT, FL, 34289-5020 NORTH PORT,FL,34289-5252 NORTH PORT, FL, 34289 **EARL THOMAS J EBNER DIANE EDENBERG ROBERT A** 2547 THYME WAY SILVERMINE CROSSING 17221 RAPIDS DR NORTH PORT, FL, 34289-5021 NORWALK,CT,06850-1379 HERSEY, MI, 49639 **EINECKER NEIL A ELECH SUZANNE EMERSON JAMES NORMAN** 2610 OSWEGO DR **1987 SCARLETT AVE** 1315 RASPBERRY DR NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 **EMERSON JOHN ENRIGHT JOHN JOSEPH JR ESCHLER CHARLES 1945 SCARLETT AVE** 1361 KELP CT 2587 THYME WAY NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-5021 **EVANS LAURIE ANN FANTINI FAMILY TRUST** FEFEL JOHN O **2611 THYME WAY** 1953 SCARLETT AVE 2003 SCARLETT AVE

NORTH PORT, FL, 34289-9400

NORTH PORT, FL, 34289-9489

NORTH PORT, FL, 34289-5023

FELTZER JAMES E (E LIFE EST) FREDERICK K AND NORA J BERGER FREDERICK SUSAN E (E LIFE EST) REVOCABLE LIVING TRUST 2514 THYME WAY 2039 SCARLETT AVE 2578 THYME WAY NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-5020 **FUKSA TRACI** GAJDA EDWARD S GAJDA GRAZYNA 2743 LAVANDULA CT 1334 BALLOTA LN 2485 MAGNOLIA CIR NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-4289 NORTH PORT, FL, 34289 **GARRITY RALPH** GENERSICH PETER S GERLINGER LINDA M 2490 OSWEGO DR 5618 AMERICA DR 2567 THYME WAY NORTH PORT, FL, 34289-5013 SARASOTA, FL, 34231-4106 NORTH PORT, FL, 34289-5021 GG PLANNING TRUST GIANNOTTI ANTHONY GISSELMAN KIMBERLY M 2590 OSWEGO DR 2607 THYME WAY 2526 THYME WAY NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-5020 GOCHIN JAY M (E LIFE EST) **GRACZYK LINDA GREEN HELEN** 1273 SORRELL WAY 1305 BALLOTA LN 2453 MAGNOLIA CIR NORTH PORT, FL, 34289-9462 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 **GREENE JAMES GRINDEL DAVID EARL** GRESHAM GILBERT L (E LIFE EST) 1503 UNION COURT 1974 SCARLETT AVE 2491 COTTONWOOD LN VALENCIA, PA, 16059 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-9456 **GULFSTAR HOMES LLC** HALSEY DANIEL HANZEL DENISE ELAINE 2584 COMMERCE PKWY **1353 KELP CT** 1951 SCARLETT AVE NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 HAPPE PATRICIA N HARDIN PROPERTIES LLC HARRISON JOSEPH E **1984 SCARLETT AVE** 6416 DUNBARTON ST 1342 BALLOTA LN NORTH PORT, FL, 34289 NORTH PORT, FL, 34291-4639 NORTH PORT, FL, 34289-4289 **HAVENS EDWARD Y** HAWKINS JOEL K HEFLIN BARBARA ELIZABETH 1305 SORRELL WAY 2507 COTTONWOOD LN **2019 SCARLETT AVE** 

NORTH PORT, FL, 34289

NORTH PORT, FL, 34289

NORTH PORT, FL, 34289

HELEN B DYER REVOCABLE TRUST **HELLAND TERRI** HENNESSY FAMILY TRUST 2405 MAGNOLIA CIR 707 ABERCORN CT **2011 SCARLETT AVE** NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 DAYTON, OH, 45458-4193 **HERZOG TERRENCE HETZEL FAMILY TRUST** HOFFMAN KEVIN DOUGLAS 411 WALNUT ST # 15157 2543 ARUGULA DR 4941 HOWARD LAKE RD NW GREEN COVE SPRINGS, FL, 32043 NORTH PORT.FL.34289 AKELEY, MN, 56433 HOLCOMBE DENNIS C HOLLSTADT SCOTT ALAN HOLT DAVID R 2727 LAVANDULA CT 2474 MAGNOLIA CIR 1317 BALLOTA LN NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-9461 NORTH PORT, FL, 34289 HOOVER SCOTT R HORGOS REVOCABLE TRUST HORTON CHARLES ALPHEUS 2506 ARUGULA DR 2562 OSWEGO DR 1310 BALLOTA LN NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-5017 NORTH PORT, FL, 34289 HOWARD TIMOTHY L (TTEE) **HULET RICHARD D HUMBERT MARK A** 1244 EAGLES FLIGHT WAY 138 COUSLEY DR SE 1306 BALLOTA LN NORTH PORT, FL, 34287 PORT CHARLOTTE, FL, 33952-9152 NORTH PORT, FL, 34289 **HUNTINGTON NATIONAL REAL ESTATE HUNTINGTON NATIONAL REAL ESTATE HUNTER AMY S** INVESTMENTS LLC INVESTMENTS LLC 4156 LITTLE WYTHEVILLE RD 5800 LAKEWOOD RANCH BLVD N 5800 LAKEWOOD RANCH BLVD N DRAPER, VA, 24324 SARASOTA, FL, 34240 LAKEWOOD RANCH, FL, 34240-8479 **HUNTINGTON NATIONAL REAL ESTATE HUSSEY ROBERT W (E LIFE EST) HUTCHINS MELISSA J** INVESTMENTS LLC 1943 SCARLETT AVE 2526 OSWEGO DR C/O BENDERSON DEVELOPMENT NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 BUFFALO, NY, 14202 IMAGINE SCHOOL AT NORTH PORT INC **IRVINE ALAN** JICHA THOMAS R 1000 INNOVATION AVE 2036 SCARLETT AVE 2494 OSWEGO DR NORTH PORT, FL, 34289-9308 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 JM SQUARED LLC JM SQUARED LLC JOAN H LOIA REVOCABLE TRUST

2579 N TOLEDO BLADE BLVD # 8

NORTH PORT, FL, 34289

2424 MAGNOLIA CIR

NORTH PORT, FL, 34289-9460

2579 N TOLEDO BLADE BLVD

NORTH PORT, FL, 34289

JOHN AND ROSEMARY RIDAL LIVING TRUST JOSEPH M WAJCHERT REVOCABLE LIVING JOSEPH W JONES REVOC LIVING TRUST 1285 RASPBERRY DR TRUST 13326 RINELLA ST 2624 PEACH CIR NORTH PORT, FL, 34289 VENICE, FL, 34293 NORTH PORT, FL, 34289-9485 KADYAEV OLEG KANBAR BRENDA ANN KILMER JOHN M 2484 MAGNOLIA CIR 1952 SCARLETT AVE 2751 LAVANDULA CT NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 KIPNIS NORMAN **KNOLLHOFF OTTO** KNUDSEN LESLIE 2445 MAGNOLIA CIR 2545 COTTONWOOD LN 2602 OSWEGO DR NORTH PORT, FL, 34289-9462 NORTH PORT, FL, 34289-9459 NORTH PORT, FL, 34289 KOOLIMAN PETER R KOPS JOANNE CLARK KRAMARZ JACK 2583 THYME WAY 2479 COTTONWOOD LN 5 RIDGE DR NORTH PORT, FL, 34289-5021 NORTH PORT, FL, 34289 DUDLEY, MA, 01571-6011 KUNSTMANN KATHLEEN M (E LEFE EST) **KUZARA REVOCABLE TRUST** LAKESIDE PLANTATION COMMUNITY **DEVELOP DIST** 2363 ARUGULA DR 2457 MAGNOLIA CIR 219 E LIVINGSTON STREET NORTH PORT,FL,34289-9462 NORTH PORT, FL, 34289-5247 ORLANDO, FL, 32801 LANDWEHR ROGER LANZANO JOHN (E LIFE EST) LEAL CHRISTIANA 2721 ITASCA DR 2559 THYME WAY 2735 LAVANDULA CT MANKATO, MN, 56001 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 LEBEAU DONALD L (LIFE EST) LEON S BLATTEL REVOCABLE TRUST LEONARD BOMWELL SR REVOCABLE LIVING **TRUST** 915 HATHAWAY RD UNIT 308 **260 SAVNNAH TER** 1325 BALLOTA LN **NEW BEDFORD, MA, 2740** WENTZVILLE, MO, 63385 NORTH PORT, FL, 34289-4289 LIFE STORAGE LP LITTLE SHARKS INC LIZA COMMERCIAL LLC **6467 MAIN ST** 102 24TH ST #1112 C/O ALEXANDER ZINGERMAN BUFFALO, NY, 14221 MIAMI BEACH, FL, 33139 PHILADELPHIA, PA, 19116 LOFFLER JOHN T LOFFLER JOSEPH R LOMBARDI RICHARD ALBERT JR

2510 OSWEGO DR

NORTH PORT, FL, 34289-5017

207 SHADY BLUFF PT

WILLIAMSBURG, VA, 23188

2558 THYME WAY

NORTH PORT, FL, 34289-5020

LOVE REVOCABLE LIVING TRUST LUCTER MARC D LUNDBERG ALAN G 7038 CHARLES ST 6 DANDY DR 2759 LAVANDULA CT COS COB, CT, 06807-2203 NORTH PORT, FL, 34289 PIGEON, MI, 48755 LYKINS BRENDA SUE LYKINS ROBERT JOE M E STAUFFER FARMS INC 5816 TIMBERAIL LN 1277 BALLOTA LN 200 KING PALM CT MASON, OH, 45040 NORTH PORT.FL.34289-5001 VENICE, FL, 34292 MA & DL HARMS JOINT AND MUTUAL MACIAG VICTORIA J MAGINN DANIEL **REVOCABLE TRUST NO 12065** 2767 LAVANDULA CT 7 WHITETAIL RISE 2496 MAGNOLIA CIR NORTH PORT, FL, 34289 ROCHESTER, NY, 14622 NORTH PORT, FL, 34289 MALATESTA ALBERT M MALTESE FRANCIS R JR MAMMOLA JOYCE 2518 THYME WAY 2410 MAGNOLIA CIR 1313 SORRELL WAY NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 MANGIERI JOHN MARKOWSKI JOZEF A MARY JOANNE SCHUETZ LIVING TRUST 2505 MAGNOLIA CIR 2000 SCARLETT AVE 1378 RASPBERRY DR NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 MC ADAMS JOSEPH P MC CARTNEY HOLDINGS LLC MARZKE KURT RICHARD 3325 WYNDWICKE DR 2586 THYME WAY 4867 ANCIENT MARBLE DRIVE SAINT JOSEPH, MI, 49085 NORTH PORT, FL, 34289-5020 SARASOTA, FL, 34240 MC COOMB EDWARD J MC ELLIGOTT DENISE Y MC QUADE DENNIS 2593 COTTONWOOD LN 2004 SCARLETT AVE 1971 SCARLETT AVE NORTH PORT,FL,34289-9459 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 MCQUILLAN DOUG MCSORLEY JAMES A III MEDEIROS DENNIS W 1525 BLACKHAWK TRL **703 PIER AVE B214** 2427 MAGNOLIA CIRCLE BENTON HARBOR, MI, 49022 HERMOSA BEACH, CA, 90254 NORTH PORT, FL, 34289 MICHAEL & MARGARET BENEVIDES LIVING MEEHAN ANN E MELEMSETER DAVID H (CO-TTEE) **TRUST** 2488 MAGNOLIA CIR 2504 S 4 AVE 2454 OSWEGO DR

SIOUX FALLS, SD, 57105

NORTH PORT, FL, 34289-5013

NORTH PORT, FL, 34289-9461

MICHAEL AND DARBY OHARA MICHAELS JOSEPH A MICHALSKI EDWARD L IRREVOCABLE TRUST 2644 PEACH CIR 2468 MAGNOLIA CIR 126 MOTTHAVEN DR NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 CROSSVILLE, TN, 38558 MIHOK PATRICIA M MIKUTA DANIEL K MIMERCY LLC 1322 BALLOTA LN 1948 SCARLETT AVE 9190 MARIGOLD CT NORTH PORT, FL, 34289 NORTH PORT.FL.34289 FORT MYERS, FL, 33919 MITCHELL DAVID P MITCHELL RUSSEL E JR MOELY GREG C 1937 SCARLETT AVE 2537 ARUGULA DR 1332 RASPBERRY DR NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 MONE DAVID I MONE DAVID J MOREA JOSEPH D 1959 SCARLET AVE 1959 SCARLETT AVE 1979 SCARLETT AVE NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 MULLIKIN RYAN MYERS RONALD J NEELY ANNETTA (E LIFE EST) 214 4TH AVE NW 22025 HOLLOW LAKE CT 2403 MAGNOLIA CIR NORTH PORT, FL, 34289-9462 DILWORTH, MN, 56529 GRAFTON, OH, 44044 NTP HOLDINGS LLC **NELSON CAROL A TTEE** NUSZ DOUGLAS E 2616 PEACH CIR 4146 HEARTHSTONE DR 10 NEWBURY PL NORTH PORT, FL, 34289-9485 SARASOTA, FL, 34238 NAPLES, FL, 34104-7801 **NUTTER MARY ANNE** NYFIELD PAUL O CONNOR ROBERTA A 2569 COTTONWOOD LN **1938 SCARLETT AVE** 2455 MAGNOLIA CIR NORTH PORT,FL,34289-9459 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 O NEIL CAROLYN L (E LIFE EST) OBERSKI DALE (E LIFE EST) OLIVER EDWIN D 2432 MAGNOLIA CIR 34462 MORNINGDALE 1337 SORRELL WAY NORTH PORT, FL, 34289-9460 STERLING HEIGHTS, MI, 48312 NORTH PORT, FL, 34289 **P2H PROPERTIES LLC** OLSON DONALD R (E LIFE EST) OYAGA ENRIQUE J 2554 THYME WAY 2473 MAGNOLIA CIR **PO BOX 536** NORTH PORT, FL, 34289-5020 NORTH PORT, FL, 34289-9462 MOMENCE, IL, 60954

PALMETTO NORTH PORT-EXECUTIVE AVE PALUMBO FRANK PANACEA GULF COAST INVESTMENTS LLC C/O BENDERSON DEVELOPMENT LLC 1319 RASPBERRY DR 221 S CRAWFORD ST BUFFALO, NY, 14202 NORTH PORT, FL, 34289 THOMASVILLE, GA, 31792 PARADY FAMILY IRREVOCABLE TRUST PARK CHERYL PAUL J BURKE TRUST 2022 SCARLETT AVE 2035 SCARLETT AVE **E4524 WEST REDSTONE DR** NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 LA VALLE, WI, 53941 PAUL S AND BARBARA J ZETZSCHE PECORARO FRANCIS C PELTO RICHARD A **DECLARATION OF TRUST** 39 GLENFIELD DR 2632 PEACH CIR 2523 THYME WAY NORTH PORT, FL, 34289-9485 WEST SENECA, NY, 14224 NORTH PORT, FL, 34289-5021 PERRY JAMES R PETTIGROVE RUSSELL E JR PGCLILLIC. 2140 LAKE BREEZE RD 1281 BALLOTA LN 5800 LAKEWOOD RANCH BLVD N SHEFFIELD VILLAGE, OH, 44054-2540 NORTH PORT, FL, 34289 LAKEWOOD RANCH, FL, 34240-8479 PIPITONE ROBERT PIPP JACK PIRANHA REAL ESTATE LLC 2563 THYME WAY 1201 OAKFIELD DR STE 109 2542 OSWEGO DR NORTH PORT, FL, 34289-5021 NORTH PORT, FL, 34289-5017 BRANDON,FL,33511-4932 PITTMAN LAWRENCE JAMES JR POHLMAN REVOCABLE TRUST POOLE DANIEL L 8486 NOBLE LOON ST NW 2411 MAGNOLIA CIR 1315 BALLOTA LN NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-4289 MASSILLON, OH, 44646-7953 PULTE HOME COMPANY LLC RAFFENSPERGER DONALD J **RALPH AND SANDRA BECKER 2005 TRUST** 2458 OSWEGO DR 24311 WALDEN CENTER DR STE 300 1314 BALLOTA LN NORTH PORT, FL, 34289 BONITA SPRINGS, FL, 34134 NORTH PORT, FL, 34289-4289 RANDALL G FRITZ AND KARI K FRITZ RALPH F FISH REVOCABLE TRUST RANDIN BRIAN DAVID 2719 LAVANDULA CT **REVOCABLE TRUST** 2007 SCARLETT AVE

2400 S CANYON AVE

RASPA VICTORIA R

2622 OSWEGO DR

NORTH PORT, FL, 34289-4289

SIOUX FALLS, SD, 57110

NORTH PORT, FL, 34289

NORTH PORT, FL, 34289

RAWLINGS JOHN J 2426 MAGNOLIA CIRCLE

NORTH PORT, FL, 34289

RASPA ELIZABETH A

1992 SCARLETT AVE

NORTH PORT, FL, 34289

REILLY JOHN R **REIS WILLARD J** REJEK MIECZYSLAW 2412 MAGNOLIA CIR **1401 KELP CT** 2598 OSWEGO DR NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 REUSS EDWARD J RICE JOHN M RICKETT LARRY L 2470 OSWEGO DR 2439 MAGNOLIA CIR 2516 MAGNOLIA CIR NORTH PORT, FL, 34289-5013 NORTH PORT.FL.34289 NORTH PORT, FL, 34289-9461 ROBERT ANTHONY VINCENTI & FLORENCE RIDDELL EILEEN E **RIVEST JIM** ANN VINCENTI REVOCAB 2591 THYME WAY 2603 PEACH CIR C/O VINCENTI ROBERT ANTHONY TTEE NORTH PORT,FL,34289-9463 NORTH PORT, FL, 34289-5021 GRAND HAVEN, MI, 49417-8333 RONALD LIVING TRUST **ROSE WILLIAM T** ROUFS SUSAN K (E LIFE EST) 420 MOSSY BROOK DRIVE 14583 W CHERRY LYNN DR 129 VIKING CT OFALLON, MO, 63366 GOODYEAR, AZ, 85395-8307 MANKATO, MN, 56001 **RUDOLPH FAMILY TRUST** RUSSELL DIANE P **RUSSO MARTIN** 1384 RASPBERRY DR 2634 OSWEGO DR 853 UNIVERSITY BLVD UNIT 207 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 JUPITER, FL, 33458 RUTH E BENNETT AND DORIS E LANDRY RYBICKI ALEXANDER A JR SABATINI LOUIS M REVOCABLE TRUST **1369 KELP CT** 2429 MAGNOLIA CIR 2462 OSWEGO DR NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-9462 NORTH PORT, FL, 34289 SACHELI GARRY J SADLER LUCILLE SANDP2565 LLC 2506 MAGNOLIA CIR 1321 BALLOTA LN 5988 RACHELE DR NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 SARASOTA, FL, 34243

SCIUTO STEPHEN A

2519 THYME WAY

NORTH PORT,FL,34289-4289

NORTH PORT, FL, 34289-5021

SCHAPEKAHM RICHARD C 9202 OVERLOOK LN MONTICELLO,MN,55362

SECORD PAUL 3565 LATHROP BERKEY,OH,43504 SCHRADER CHARLES E 2527 THYME WAY NORTH PORT,FL,34289

SERGOT JOHN F 2703 LAVANDULA CT NORTH PORT,FL,34289

SERRA JOHN D SESSA JAMES SHIRLEY PRESTON TRUST 283 EVANS AVE 14 SPRINGDALE RD 2500 ARUGULA DR DRACUT, MA, 01826-2438 OCEANSIDE, NY, 11572 NORTH PORT, FL, 34289 SHIVICK RICHARD J SHROYER CAROL K SIEH NANCY 2635 PEACH CIR 1978 SCARLETT AVE 1406 COUNTRY CLUB LN NORTH PORT, FL, 34289-9463 NORTH PORT, FL, 34289-9490 SPENCER, IA, 51301 SIMPSON GEORGE N (TTEE) SINCLAIR WILLIAM SIPLE BEVERLY G 2868 ARUGULA DRIVE **18 SHIRLEY AVE** 2446 MAGNOLIA CIR DENNISPORT, MA, 2369 NORTH PORT, FL, 34289-9460 NORTH PORT, FL, 34289 SIRICO STEVEN M SIROTA STEPHEN M (LIFE EST) SJOGREN KENNETH 2586 OSWEGO DR 2619 PEACH CIR 2603 THYME WAY NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 SMAGULA REVOCABLE TRUST SMITH ROYAL W JR SPADA KAREN 2351 ARUGULA DR 1949 SCARLETT AVE 2030 SCARLETT AVE NORTH PORT, FL, 34289-5247 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 STEC CHARLES SR STEAD JOHN L (E LIFE EST) STEINES ANNA MARIE 2459 MAGNOLIA CIR 1330 SORRELL WAY 2430 MAGNOLIA CIR NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 STELMOK ALFRED P STEPHEN GEORGE & LEIGH REDDING JOINT STEWART CHARLES DEAN III TRUST 1313 BALLOTA LN 2502 OSWEGO DR 1352 RASPBERRY DR NORTH PORT, FL, 34289 NORTH PORT, FL, 34289-5017 NORTH PORT, FL, 34289 STEWART RICHARD V STRIETELMEIER ART STUART PETRO HOLDINGS LLC 1333 SORRELL WAY 3031 ROUND HILL CT 17240 NORTHWAY CIR NORTH PORT, FL, 34289 EDGEWOOD, KY, 41017-2675 BOCA RATON, FL, 33496 SUSAN J BEAL REVOCABLE TRUST **SVENSSON PAUL E** TAPOGNA KATHLEEN 2555 THYME WAY 1329 SORRELL WAY 12 E MADISON ST

NORTH PORT, FL, 34289

EAST ISLIP, NY, 11730-1606

NORTH PORT, FL, 34289-5021

TERAMO ELIZABETH M **TERAMO LEON** THOMPSON CHARLES 2478 OSWEGO DR 2548 OSWEGO DR 1273 BALLOTA LN NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 TINDARO RUSSO & CAROL Y RUSSO TIMOTHY F DEUBERRY LIVING TRUST THORNHILL GAIL REVOCABLE LIVING TRUST 1955 SCARLETT AVE 1309 BALLOTA LN 2466 OSWEGO DR NORTH PORT, FL, 34289-9400 NORTH PORT.FL.34289 NORTH PORT,FL,34289-5013 TINKHAM LAWRENCE **TINOLY LINDA** TOLEDO BLADE DEVELOPERS LLC 2594 THYME WAY 5242 W GRACE ST 5215 SR 64 E NORTH PORT, FL, 34289-5020 CHICAGO, IL, 60641-3355 BRADENTON, FL, 34208 **TOLEDO BLADE PROFESSIONAL CENTER** TORRANCE MICHAEL K TOSCANO DOLORES (E LIFE EST) ASSOCIATION INC 2112 E RIVER RD 2551 THYME WAY C/O CASEY CONDO MANAGEMENT GRAND ISLAND, NY, 14072 NORTH PORT, FL, 34289-5021 SARASOTA, FL, 34231 TREBILCOCK NORMAN J **TUCCI GLEN S** TURK DANIEL J 6660 MANGROVE WAY 1304 RASPBERRY DR 1147 COUNTRYSIDE DR NAPLES, FL, 34109-7814 NORTH PORT, FL, 34289 FINDLAY, OH, 45840 TYLER WILLIAM P **TURNER MARSHA** UKLEJA MATTHEW F 9528 9 MILE RD **1988 SCARLETT AVE** 1345 SORRELL WAY MODESTO, IL, 62667 NORTH PORT, FL, 34289-9490 NORTH PORT, FL, 34289 VAN LOO JOHAN WILHELM (E LIFE EST) VERNASCO DAVID G VICTOR ANTHONY CIMARUSTI LIVING **TRUST** 2594 OSWEGO DR 2604 PEACH CIR 1317 EDGEWATER DR # 596 NORTH PORT, FL, 34289 NORTH PORT, FL, 34289 ORLANDO, FL, 32804 VILLAS AT LAKESIDE PLANTATION VINCENTI DONALD VISCUSI DONALD J HOMEOWNERS ASSN INC **1345 KELP CT** 480 LORD RD

NORTH PORT, FL, 34289

2440 MAGNOLIA CIR

NORTH PORT, FL, 34289-9460

VOSS ALAN R

FAIRVIEW, PA, 16415

VREDEVOOGD LOIS E

2422 MAGNOLIA CIR

NORTH PORT, FL, 34289-9460

LIGHTHOUSE PROPERTY MGMNT

VISTA WAREHOUSES CONDO ASSOC INC

OSPREY,FL,34229-9349

MIAMI,FL,33186-5862

13501 SW 128TH ST STE 110

WAKEFIELD FAMILY REVOCABLE TRUST 2450 MAGNOLIA CIR

NORTH PORT, FL, 34289-9460

WALLIS PROPERTIES LLC 681 VERNON ST OAKLAND, CA, 92610

WALTER R JENNINGS REVOCABLE TRUST 5218 HANNA RD WILLIAMSBURG, MI, 49690

WALTON CECELIA 1346 BALLOTA LN NORTH PORT, FL, 34289 WARD DONALD M 2040 SCARLETT AVE NORTH PORT, FL, 34289 WARD REVOCABLE TRUST 2512 ARUGULA DR NORTH PORT, FL, 34289-5252

WAXMAN FRANK J 2595 THYME WAY NORTH PORT, FL, 34289-5021 WEBB WESLEY CHARLES 2538 OSWEGO DR NORTH PORT, FL, 34289

WEHMILLER LARRY PO BOX 58 SEYMOUR, IN, 47274

**WEISS SYLVIA** 2506 OSWEGO DR NORTH PORT, FL, 34289-5017 **WELLS SYLVAN R** 2518 OSWEGO DR NORTH PORT, FL, 34289 WERRING KENNETH F (LIFE EST) 2598 THYME WAY NORTH PORT, FL, 34289

WEXFORD NORTH PORT LLC 32 CASTLEBRIDGE LN HILTON HEAD ISLAND, SC, 29928 WEXFORD PARKWAY LLC 32 CASTLEBRIDGE LN HILTON HEAD ISLAND, SC, 29928 WHITING JIMMY 1320 RASPBERRY DR NORTH PORT, FL, 34289

WHITTAKER REVOCABLE TRUST 2715 MYRRH PL NORTH PORT, FL, 34289

WILLIAMS BILLY FARRIS 2470 MAGNOLIA CIR NORTH PORT, FL, 34289

WILLMAN CAROL J 2611 PEACH CIR NORTH PORT, FL, 34289

WILSON JANICE W 813 S CASCADE ST NEW CASTLE, PA, 16101 WOODOFF LLC 7978 COOPER CREEK BLVD STE 100 UNIVERSITY PARK, FL, 34201-2141

**ZAMMIT EDWIGE** 1975 SCARLETT AVE NORTH PORT, FL, 34289-9400

ZEMKE JOEL L **1368 KELP CT** NORTH PORT, FL, 34289

**ZETTS KAREN S** 1293 BALLOTA LN NORTH PORT, FL, 34289

## Exhibit D

DMP 23-019, Presidium Apartments

		Year 1	Year 2	Year 3	Year 4	Year 5
(-	General Governmental Services	\$ 865,920.00	\$ 919,759.42	\$ 976,946.36	\$ 1,037,688.95	\$ 1,102,208.28
Costs	Utility Services	\$ 729,960.00	\$ 770,094.34	\$ 812,435.32	\$ 857,104.28	\$ 904,229.21
<u> </u>	Total Costs:	\$ 1,595,880	\$ 1,689,854	\$ 1,789,382	\$ 1,894,793	\$ 2,006,437
	Property Ad Valorem	\$ 182,248	\$ 191,360	\$ 200,928	\$ 210,975	\$ 215,194
	Miscellaneous Taxes & Fees	\$ 1,262,580	\$ 1,287,832	\$ 1,313,588	\$ 1,339,860	\$ 1,366,657
	Utility Franchise Fees	\$ 67,320	\$ 68,666	\$ 70,040	\$ 71,441	\$ 72,869
Revenue	Utility Revenue	\$ 672,540	\$ 685,991	\$ 699,711	\$ 713,705	\$ 727,979
iens	Communications Services Taxes	\$ 34,320	\$ 35,006	\$ 35,707	\$ 36,421	\$ 37,149
se,	Utility Service Taxes	\$ 18,480	\$ 18,850	\$ 19,227	\$ 19,611	\$ 20,003
	State Shared Revenue	\$ 196,680	\$ 200,614	\$ 204,626	\$ 208,718	\$ 212,893
	Impact Fees	\$ 1,207,160	\$ 1,207,160	\$ 1,207,160		
	Total Revenue:	\$ 3,641,328	\$ 3,695,479	\$ 3,750,986	\$ 2,600,730	\$ 2,652,745
Net Fiscal Impact:		\$ 2,045,448	\$ 2,005,625	\$ 1,961,604	\$ 705,937	\$ 646,307





# City of North Port

## **Neighborhood Development Services Department**

4970 City Hall Boulevard North Port, Florida 34286

www.cityofnorthport.com Phone: (941) 429-7156 Fax: (941) 429-7164

DATE: December 12, 2022

RE: DET-22-246

Cynthia Linden National Due Diligence Services 3191 Maguire Blvd, Suite 200 Orlando, FL 32803

Subject Property: PID 1115-00-1300, 1115-00-1150, and 1115-00-1100 (The Presidium)

To Whom It May Concern:

In response to your request for information regarding the above-referenced property, we have researched our files and present the following:

West:

4. Conformance: Per current zoning ordinances and regulations applicable to the subject property, the current structure(s) is:

(PCD)

Legal Conforming (complies with, or is otherwise exempt from, applicable zoning regulations, including parking)

Planned

Community

Development

Legal Non-Conforming (does not meet the current zoning requirements due to amendments, re-zoning, variance granted or other changes. See comments)

Grandfathered (developed prior to the adoption of the zoning code/ordinance)

	Non-Conforming (see comments)									
	In accordance with Approved Site Plan and is Legal Conforming to approved site plan. If any non-conforming issues exist with respect to current zoning requirements, the subject property would be considered legal non-conforming (see semment)									
	conforming (see comment).  Comment: The subject property is vacant.									
	- The Sangest property is vacant.									
5.	Information regarding variances, special permits/exceptions, ordinances, or conditions:									
	☐ There do not appear to be any variances, special permits/exceptions, ordinances, or conditions that apply to the subject property.									
	The following apply to the subject property:  Variance Special Permit/Exception Conditions									
	Comments: The property is zoned Planned Community Development (PCD) with a Future Land Use designation of Activity Center (located in Activity Center #4-Panacea) and falls under the Panacea DRI. Thus, the subject parcel is subject to all regulations of the zoning district and the future land use designations, Panacea DRI, as well as all relevant regulations within the Unified Land									
	Development Code of the City of North Port, Florida, and the Urban Design Standards Pattern  Book for the aforementioned Activity Center.									
6.	Rebuild: In the event of casualty, in whole or in part, the structure located on the subject property:									
	<ul> <li>May be rebuilt in its current form (i.e., no loss of square footage, same footprint, with drive-through (s), if applicable).</li> <li>May not be rebuilt in its current form, except upon satisfaction of certain conditions, limitations, or requirements. Please see Sectionof the current zoning code/ordinance for details.</li> </ul>									
	Comment: The subject property is vacant.									
7.	Code Violations Information:									
	There do <b>NOT</b> appear to be any outstanding/open zoning or building code violations that apply to the subject property.									
	The following outstanding/open zoning / building code violations apply to the subject property:									
8.	Certificate of Occupancy, status:									
	A valid Certificate of Occupancy has been issued for the subject property and is attached.  A valid Certificate of Occupancy has been issued for the subject property (approximate issuance date: however, we are unable to locate a copy in our records. The absence of a Certificate of Occupancy will not give rise to any enforcement action affecting the property.									
	A Certificate of Occupancy is not required for the subject property.  Comment: The subject property is vacant.									
9.	Site Plan Information:									
7)	☐ The subject property was not subject to a site plan approval process. ☐ The subject property was subject to site plan approval. Copies of the approved site plan are attached. ☐ The Planning & Zoning Division does not presently have access to the site plan for the development of the subject property.									
	Other (as noted here):									

Comment: The subject property is vacant.



#### 10. Additional Comments:

The subject property is zoned Planned Community Development (PCD) and is located in Activity Center #4-Panacea. As such, it is subject to the Panacea DRI development order, design standards, and regulations, including uses. For questions regarding road expansion and infrastructure projects, please contact the Department of Public Works via phone at 941-240-8050 or via email at pwcustservice@cityofnorthport.com.

#### Addendum:

The applicant has requested confirmation of the following:

1. The intended use to develop 660 multi-family units in 2 phases along with residential amenities for each phase, including the leasing office and club, is permissible within Activity Center #4.

Response: The properties identified above fall under the development order for the Panacea Development of Regional Impact (DRI) through Resolution No. 2000-R-26, as well as the City of North Port Comprehensive Plan and Chapter 55 of the Unified Land Development Code. In reviewing the development order for the Panacea DRI conditions of approval (Exhibit B), it states, "Land Use provides that the approval to develop 3,500 residential units, 987,000 square feet of commercial, 871,200 square feet of light industrial, and 365,000 square feet of office use in accordance with Map "H."

The City of North Port Comprehensive Plan Policy 2.4.1: AC #4 I-75/Toledo Blade Blvd./ Panacea) - This Activity Center shall be established to provide a large concentrated area of a mixture of residential, commercial, office, medical, industrial, recreational and cultural facilities at a scale which serves the entire City and the regional market due to its proximity to I-75. The area of this Activity Center, which lies within the Panacea DRI, shall be developed consistent with Map H of the DRI Development Order, as revised.

<u>Conclusion:</u> The 660 multi-family units with residential amenities, including the clubhouse, are permissible within the potential development area identified by: PID 1115-00-1300, 1115-00-1150, and 1115-00-1100 and are consistent with Map H of the Panacea DRI.

 Any portion of the intended use that lies within an area identified as an "Activity Center Development Pod" on Map "H" of the Panacea DRI would not require a mixed-use component or would otherwise be satisfied by the amenities provided to the residential multi-family units which make the intended use.

Response: The subject property is located within the Panacea DRI. The proposed development site would not require a mixed-use component as the entire Panacea DRI area consists of integrated mixed-use development.

3. Sufficient density remains within the Panacea DRI to allow for the intended use.

Response: There is sufficient residential density remaining within Activity Center #4 (Panacea DRI). The 660 multi-family units proposed would fall within the threshold of the remaining units.

The undersigned researched this information on November 22, 2022, per request and as a public service. The undersigned certifies that the above information contained herein is believed to be accurate and based on or relates to the information supplied by the requestor. The Authority assumes no liability for errors and omissions. All information was obtained from public records, which may be inspected during regular business hours.

I can be reached at 941-429-7087 or by email at <a href="mailto:swillette@northportfl.gov">swillette@northportfl.gov</a> should you have any further questions or require any other assistance.



## Sincerely,

Sherry

Willette

Digitally signed by Sherry Willette Date; 2022.12.12 15:39:33 -05'00'

Sherry Willette-Grondin, Planner III Planning & Zoning Division – Neighborhood Development Services

Planning Manager Approval: Lori Barnes AICP, CPM, Planning & Zoning Division Manager

Lori Barnes Digitally signed by Lori Barnes Date: 2022.12.13 14:08:26 -05'00'

## Exhibit F



Patrick C. Seidensticker, Esq.

2033 Main Street, Suite 600 Sarasota, Florida 34237 941.366.8100

Fax: 941.552.0108 pseidensticker@icardmerrill.com

For your consideration, Presidium North Port offers the following Modification Request as related to the DMP submission under the same name.

**1.** Request to modify Section 53-106 Minimum lot/setback requirement – See DMP sheets 8 and 9.

Code Reference: Sec. 53-106B. Minimum Lot Requirements

(1) Multifamily, cluster housing or townhouses. No minimum lot size shall be required; provided, however, that no structure shall be located closer to any peripheral property line than two (2) times the height of such structure....

\*\*\*

(b) The foregoing may be modified in the Development Master Plan.

#### Relief Requested

Applicant is proposing to modify the requirement that "no structure shall be located closer to any peripheral property line than two (2) times the height of such structure" in a Planned Community Development District as related to buildings A, B and K, as shown on the Development Master Plan. The setback distances between those buildings and the peripheral property lines vary, but in no case will be less than 80 feet. Based on the proposed height of the buildings of 55 feet, Applicant is requesting a modification of approximately 30 feet, or 27% of the 110-foot setback requirement imposed by the Code. Importantly, Section 53-106B.(1)(b) specifically contemplates and provides that the 2x requirement can be modified in the Development Master Plan.

#### **Justification**

The modification request is consistent with the intent and purpose of Chapter 53 of the North Port Unified Development Code, Comprehensive Plan and regulations governing Activity Centers, and would not adversely affect the public interest.

The minimum required setback in PCD zoning districts for Residential developments, including multi-family are 25 feet, which are well exceeded here at over 3 times that requirement. Additionally, all other landscape and other buffers required under Chapter 55 of the UDC have been met, reducing any impact to surrounding parcels and the abutting road. The Applicant intends to install substantial landscaping and other aesthetic design elements in the setback areas between Buildings A, B and K and Panacea Boulevard to ensure an attractive view, both for residents and guests entering the development, as well as anyone traveling along Panacea Boulevard.

The reduction is consistent with the Comprehensive Plan in that it will minimize impact on surrounding environmentally sensitive areas and wetlands and maximize open and green space which would otherwise be necessitated by the reconfiguration of the site. See Objective 6 of Chapter 5 of the Comprehensive Plan. The Applicant also intends to encourage internal and external connectivity and pedestrian and bicycle travel by

## Exhibit F

installing six (6) foot wide sidewalks throughout the project which will provide seamless and ample ingress and egress from the existing eight (8) foot wide multi use trail along Panacea Boulevard. To that end, each and every residential building will include bicycle storage and repair stations to encourage bicycle travel. The project also includes ample sidewalks and footpaths provided throughout the site and from Panacea Boulevard. The proposed setback modification will strike a sufficient balance between the Comprehensive Plan's simultaneous goals of walkability and pedestrian friendly development (see Goal 2, Objective 2) and the need for Activity Center #4 to provide sufficient vehicular access due to its proximity to I-75 (see Policy 2.4.2.

The reduction would not adversely affect the public interest. During the neighborhood meeting to discuss the proposed development, neighbors expressed their shared and unanimous preference to have the residential buildings set back from Panacea Boulevard. The proposed setbacks are large enough to align with the wishes of the neighbors and to provide space sufficient to include landscaping in line with the existing character of the "Woodlands/Panacea" area, without detracting from the walkability of the development as related to the surrounding neighborhoods.



## City of North Port

## AMENDED AND RESTATED DEVELOPMENT ORDER FOR

# PANACEA A DEVELOPMENT OF REGIONAL IMPACT

#### **AMENDMENT TO**

#### RESOLUTION NO. 2000-R-26

A RESOLUTION OF THE CITY OF NORTH PORT, FLORIDA PROVIDING FOR AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR PANACEA, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL FOR OTHER RESOLUTIONS PROVIDING INCORPORATED IN, AND RATIFIED BY, THIS AMENDED AND RESTATED DEVELOPMENT ORDER; PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING CONDITIONS OF APPROVAL: PROVIDING ADDITIONAL LOCAL CONDITIONS: PROVIDING ENFORCEMENT: PROVIDING SEVERABILITY: PROVIDING FOR THE RATIFICATION OF THE ORIGINAL EXPIRATION DATE: AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 21, 1986, Resolution No. 86-R-96, the Development Order for Panacea, a Development of Regional Impact (hereafter DRI), was approved by the City Commission of the City of North Port, Florida (hereafter North Port City Commission), pursuant to Section 380.06, of the Florida Statutes;

WHEREAS, Resolution No. 86-R-96 was subsequently amended by Resolution Nos. 86-R-100, 88-R-14 and 91-R-13;

WHEREAS, the North Port City Commission approved the Development Concept Plan, the Preliminary Subdivision Plan, and the Final Subdivision Plan for Lakeside Plantation as part of the Phase I of the development of Panacea;

WHEREAS, the North Port City Commission, pursuant to Section 380.06, Florida Statutes, approved Resolution No. 99-R-14 (hereafter First Notice of Proposed Change) to change the commencement date of development construction and address some transportation and wildlife issues:

WHEREAS, the First Notice of Proposed Change specifies the submittal of the Second Notice of Proposed Change, which addresses all the remaining regional and any local impacts from the entire Panacea DRI site. Since densities and intensities associated with the Panacea DRI are modified to reflect current marketing conditions, the Second Notice of Proposed Change (hereafter NOPC) is intended to further amend and provide a complete update of the original Development Order (Resolution No. 86-R-96, as amended);

WHEREAS, the Master Development Plan (Map "H") submitted as part of the Second NOPC reflects acreage and magnitude of each land use, open space and all other components specified under Rule 9J-2.025(3)(b)5, F.A.C.

WHEREAS, the City approved on August 28, 2000 Resolution No. 2000-R-26 that constitutes the Amended and Restated Development Order for Panacea, a Development of Regional Impact.

WHEREAS, subsequent to the adoption date and within the lawful appeal period, the Florida Department of Community Affairs and the Southwest Florida Regional Planning Council staffs recommended additional modifications to the transportation conditions contained herein that address regional roadways and intersections.

WHEREAS, for the purpose of clarity, the City promulgates this resolution as the Amended and Restated Development Order for Panacea, a Development of Regional Impact, incorporating all modifications to Resolution No. 86-R-96 within this document.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, TO WIT:

#### SECTION 1: FINDINGS OF FACT

- 1.1 On June 1, 2000, KEB Panacea, Inc., Panacea Funding, LLC, and KEB Bobcat, Inc., (hereafter the Applicant or Applicants), through their authorized agent Messrs. William L. Murray, submitted a Second NOPC to the City of North Port.
- 1.2 The legal description of the property comprising the Panacea development is attached hereto as Exhibit A and incorporated herein by reference.
- 1.3 The current owners of the subject parcel include KEB Panacea, Inc., Panacea Funding, LLC, KEB Bobcat, Inc., and Panacea Properties, Inc.
- 1.4 The North Port Planning and Zoning Advisory Board, designated as the Local Planning Agency, held a public hearing on August 17, 2000 with regard to the Second NOPC. The Board recommended approval of the conditions contained in this amended and restated Development Order, to the North Port City Commission.
- 1.5 The North Port City Commission, after due public notice, held a public hearing on August 28, 2000 with regard to the Second NOPC at which all interested parties had the opportunity to appear and be heard.
- 1.6 Subsequent to that approval, the North Port City Commission, after due public notice, held a public hearing on October 16, 2000 with regard to modifications to regional transportation conditions at which all interested parties had the opportunity to appear and be heard.
- 1.7 The North Port City Commission has received and reviewed the report and recommendations of the Southwest Florida Regional Planning Council (SWFRPC) which

recommends approval of the conditions contained in this amended and restated Development Order.

#### SECTION 2: CONCLUSIONS OF LAW

- 2.1 The conclusions of law identified for the original Development Order (Resolution No. 86-R-96) are not affected by the changes and remain valid.
- 2.2 The Applicant has provided substantial evidence that the changes do not create any reasonable likelihood of additional regional impact, do not exceed any of the inclusive criteria constituting a substantial deviation, and are not otherwise a substantial deviation in accordance with Chapter 380.06(19)(a),(b),(c),(d) and(e), Florida Statutes.
- 2.3 The Panacea development, subject to the conditions imposed herein, remains consistent with the State Comprehensive Plan, the report and recommendations of the Southwest Florida Regional Planning Council submitted pursuant to Section 380.06(12), Florida Statutes, the City of North Port Comprehensive Plan and all applicable City Land Development Regulations.

#### SECTION 3: CONDITIONS

- 3.1 The Panacea DRI is subject to all provisions of this development order including the list of general and specific conditions listed in Exhibit B and the Master Development Plan (Map "H" contained in Exhibit C) attached hereto and incorporated herein by reference. The provisions carried forward from prior Resolutions relating to the Panacea DRI, are hereby incorporated in, and ratified by, this development order. The provisions of this Resolution are intended to constitute all revised and updated conditions which shall govern subsequent development plan approvals within the Panacea DRI.
- 3.2 This Resolution shall take effect upon adoption by the City Commission and the execution of the consent provision of the Application in accordance with Section 8 herein. Unless due cause is shown to justify additional extension, and such extension is granted by the City Commission, if the Applicant does not commence site development within 2 years of August 28, 2000 (the effective date of the Panacea Amended and Restated Development Order as amended by this Resolution), development approval shall lapse and this Development Order shall be deemed terminated.
- 3.3 This order shall be binding upon the Applicant, assignees, or successors in interest.
  The rights and obligations of this order shall run with the land legally described herein.
- 3.4 Any reference herein to any government agency shall be understood to mean any future instrumentality which may be created and designated as successor in interest to, or which otherwise assumes any of the powers and duties of the referenced government agency.
- 3.5 This Development Order shall not exempt the Applicant from compliance with all applicable State and Local regulations now in effect or hereafter adopted. This Resolution shall not be construed as an agreement on the part of the City of North Port to exempt the Applicant, its successors and assigns, from the operation of any ordinance (or regulation) hereinafter adopted by the City for the purpose of protection of the public health, welfare and safety, which said ordinance shall be generally and equally applicable throughout the City of North Port and is not calculated to impair or otherwise frustrate the Development herein approved.
- 3.6 This Resolution amends the Development Order for the Panacea DRI pursuant to Section 380.06, Florida Statutes. The Panacea ADA, Sufficiency Responses, and other Applicant commitments previously approved by other Resolutions are hereby incorporated in, and ratified by, this development order, excepting those parts which are in conflict with the terms and conditions herein or subsequently issued permits.

- 3.7 Unless otherwise specifically provided in Exhibit B and Map "H", any change proposed by the Applicant which exceeds the limits established in Section 380.06 (19), Florida Statutes, shall be submitted to the North Port City Commission for a determination whether such change constitutes a substantial deviation and, therefore, requires further review pursuant to Section 380.06, Florida Statutes.
- 3.8 The Applicant shall submit an annual report in accordance with Section 380.06 (18), Florida Statutes and Chapter 9J-2, Florida Administrative Code. Copies of the annual report shall be submitted to the City of North Port Community Development Department, the Southwest Regional Planning Council, and the Florida Bureau of State Planning on the anniversary of the effective date of this amended and restated Development Order for each following year, until and including such time that all terms and conditions of the development order are satisfied. The frequency of submittal for these reports and other requirements shall be adjusted in accordance to any amendments adopted for the specified governing rules. The annual report shall contain the following elements:
  - a. Any changes in the plan of development, or in the representations contained in the ADA as amended by this development order, or in the phasing for the reporting year and for the next year;
  - A summary comparison of development activity proposed and actually conducted for the year;
  - Identification of undeveloped tracts of land, other than individual single-family lots, that have been sold to a separate entity or developer;
  - Identification and intended use of lands purchased, leased or optioned by the Applicant adjacent to the original DRI site since this development order was adopted;
  - An assessment of compliance by the Applicant and by the City with the conditions
    of approval contained herein, and with the commitments contained in the ADA as
    amended by this development order;
  - Any changes in local government jurisdiction for any portion of the development since the adoption of this development order;
  - g. A list of local, state and federal permits which have been obtained or which are pending by agency, type of permit, permit number and purpose of each;
  - A statement that all persons have been sent copies of the annual report in accordance with Section 380.06 (18), Florida Statutes;
  - A copy of any recorded notice of the adoption of a development order or the subsequent modification of an adopted development order recorded by the Applicant pursuant to Section 380.06 (15) (f), Florida Statutes;
  - Requests for substantial deviation determinations that were filed in the reporting year and are anticipated to be filed during the following year;
  - k. Monitoring reports as required by this development order including:
    - 1. Traffic monitoring report containing actual traffic counts taken at the access points on the Panacea site, at all roadway segments and turning movements to each of the intersections that are identified in Exhibits B and D of this development order and using the current professional standards to determine necessary improvements. The purpose of this traffic report shall be to indicate when less than Level of Service "C" is expected on impacted roadways and/or intersections, and to provide updated information to more accurately forecast project buildout traffic and total traffic for determination of proportional share. This report shall contain p.m. peak hour, peak season, trip generation estimates and turning movements at each intersection listed in Exhibit B and a calculation of the existing peak season level of service at these intersections and on the road segments indicated in Exhibits B and D. The report also shall provide a calculation of the existing level of service on the facilities and the estimated levels of service and project impact for the next three years.

Additionally, this report shall provide a status of the guaranteed improvements as specified under developer agreements pursuant to Chapter 163.3227, Florida Statutes. Such developer agreements shall provide a schedule ensuring that each and every roadway improvement which is necessary to achieve the adopted level of service standard for each phase is guaranteed to be in place and operational, or under actual construction for the entire improvement, at build-out of each phase that creates the significant impact. The City of North Port shall cause further issuance of building permits to cease immediately at the time the annual monitoring reveals that any needed transportation improvements guaranteed by the relevant developer's agreement pursuant to Chapter 163.3227, Florida Statutes, is no longer scheduled or guaranteed, or has been delayed in schedule such that it is no longer consistent with the timing criteria as identified herein.

- Stormwater management maintenance programs status. This shall include measures instituted regarding "Best Management Practices" for soil erosion and sedimentation controls, and lakes and riverine system maintenance, pursuant to the requirements the City of North Port and Southwest Florida Water Management District (SWFWMD).
- Water quality monitoring report including any required baseline water quality data and ongoing monitoring of the required parameters pursuant to all applicable permits containing water quality monitoring requirements.
- 4. Potable water supply report, in coordination with the City of North Port, that updates (a) project-related demand, (b) available potable water capacity needed to supply all project-related development likely to be permitted during the next year, (c) status of development utility agreement(s) guaranteeing capacity, and (d) review of the actual status of guaranteed improvements scheduled for construction and operation to serve the Panacea development. The potable water demand for the Panacea DRI is already evaluated and incorporated into the City of North Port's Comprehensive Plan. An increase in the overall potable water demand from the approved Panacea DRI, as opposed to a change to the schedule of needed improvements, such that the increased demand can not be accommodated, will need to be addressed through the notification of proposed change provisions of Section 380.06(19), F.S.

If the annual report meeting the above requirements is not received by the Southwest Florida Regional Planning Council or the Florida Bureau of State Planning, these agencies shall notify the City of North Port. Upon such notification or upon non-receipt by the City of North Port of the annual report, the City shall request in writing that the Applicant submit the report within 30 days. Failure to submit the report within 30 days of said request shall constitute a violation of this development order and no further development permits shall be granted until the requirements of this subsection are complied with.

3.9 The City of North Port Community Development Department shall have responsibility for monitoring the Panacea development to assure compliance with this development order.

#### SECTION 4: ADDITIONAL LOCAL CONDITIONS

- 4.1 The Applicant shall construct a maximum of six (6) sheltered bus stops. Two shall be located on along the project's Toledo Blade frontage. The remaining four (4) shall be located on the internal collector system. Locations and timing shall be mutually agreed upon between the City and the Applicant.
  - 4.2 The Applicant has proposed Community Development District(s) as a tool to fund

the maintenance of infrastructure, including private internal roads and lighting. Should any change occur to the Community Development District(s) that include a provision for the City of North Port to become a responsible entity for maintenance for any infrastructure identified in the Economy Condition No. 2, a public hearing before the City of North Port shall be held in accordance with the most current rules and regulations that govern Community Development Districts.

4.3 The Applicant shall promote efficient pedestrian and bicycle movement within the development. This shall be achieved through the design of bike lanes, shade trees and provisions for bicycle racks in the non-residential areas of the development. Bike lanes will be designed to be either on-street, off-street or other design acceptable to the City of North Port.

#### SECTION 5: ENFORCEMENT

All conditions, restrictions and requirements contained herein shall be enforced by the City of North Port. Should the City prevail in any legal proceedings related to this Development Order, the City shall be awarded all related costs, including reasonable attorney's fees.

#### SECTION 6: SEVERABILITY

If any section, subsection, sentence, clause, phrase, word or portion of this Resolution is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and the remaining portion of the Resolution shall remain valid and continue in full force in effect.

#### SECTION 7: EXPIRATION DATE

The expiration date of the original Development Order (Resolution No. 86-R-96, as amended by 88-R-14) shall remain in effect which is for a period of 30 years from the effective date of that order or June 6, 2016. An extension may be granted at the discretion of the City Commission if the project is found to be developing in accordance with the terms and conditions of this order, and no new significant local and/or regional impacts will be created by such extension.

#### SECTION 8: EFFECTIVE DATE

The effective date of this Resolution shall remain August 28, 2000, the original adoption date of the Panacea DRI Amended and Restated Development Order.

PASSED AND DULY ADOPTED BY THE City Commission of the City of North Port, Florida this 16th day of October 2000.

1 157-1
JOSERH E FINK, COMMISSIONER
Chairman
ATTEST
Gity Clerk
Approved as to form and correctness:
City Attorney
The Applicant, KEB Panacea, Inc., Panacea Funding, LLC, and KEB Bobcat, Inc., do hereby approve and consent to all the terms, conditions, and provisions of the above and foregoing development order and do acknowledge that the same are binding upon the Applicants, their successors and assigns.
KEB PANACEA, INC., PANACEA FUNDING, LLC, AND KEB BOBCAT, INC.
BY:
NAME: KENTE IRNOLD TITLE: President
/ MICANIIII

This foregoing instrument was acknowledged before me this

behalf of said partnership.

Notary Public

Dianne C McLane

My Commission CC790674

Expires November 12, 200

October 2000, by \_\_\_\_\_\_ of KEB Panacea, Inc., et al. who acknowledged before me that he executed the same, as its authorized agent, for and in

## CERTIFICATE OF SERVICE

the U.S. Mail to t		of Community Affairs	, Southwest Florida Regional
City Clerk	s Driggo		
	CERTIFICATE OF ACC	CURATE AND COMPLE	ETE COPY
adopted by the City amended on the 16	y Commission of the City of day of October 2000.	y of North Port, Florida	of Resolution No. 2000-R-26 on the 28th day of August and
WITNESS my han	nd and the official seal	of the City of North P	ort, Florida this 17 day of
Oru.	Druggs		

**EXHIBIT A** 

01/29/99 - K.E.B., INC.

## SURVEYOR'S DESCRIPTION:

A parcel of land lying in Sections 7, 8, 9, 15, 16, 17, and 18, Township 39 South, Range 22 East, Sarasota County, Florida being more particularly described as follows:

Commence at a 4" x 4" concrete monument (D.O.T.) at the Southwest corner of said Section 18, thence, South 89°42'41" East, along the South Line of said Section 18, a distance of 100.00 feet to a 5%" iron rod and cap (D.O.T.) on the monumented East Right-of-Way Line of Toledo Blade Boulevard, having a width of 200 feet, and the Point of Beginning.

Thence, continue South 89°42'41" East, along the South Line of said Sections 18, 17, 16 and 15, a distance of 16,774.63 feet to the Southwesterly Limited Access Right-of-Way Line of State Road 93 (Interstate 75) according to the Florida Department of Transportation Right-of-Way Map of State Road 93, Section 17075-2401 (2402); thence, North 44°57'37.51" West, along said Right-of-Way Line, a distance of 7,571.37 feet to the Point of Curvature of a circular curve concave Southwesterly, having as elements a central angle of 44°14'37.88", a radius of 9,073.325 feet and a chord bearing of North 67°04'04.57" West; thence, Northwesterly along said Right-of-Way and the arc of said curve a distance of 7,006.42 feet; thence, North 89°12'15.39" West, along said Right-of-Way, a distance of 2,529.688 feet; thence, South 89°38'59.86" West, along said Right-of-Way Line, a distance of 899.240 feet to the Point of Curvature of a circular curve concave Southerly having as elements a central angle of 09°37'40.29", a radius of 3,180.045 feet, and a chord bearing of South 84°50'10.12" West; thence, Westerly, along said Right-of-Way and the arc of said curve a distance of 534.368 feet; thence, South 80°01'19.57" West, along said Right-of-Way Line, a distance of 680.069 feet; thence, South 77°02'07.68" West, along said Right-of-Way Line, a distance of 227.862 feet; thence, South 57°54'30.89" West, along said Right-of-Way Line, a distance of 141.550 feet; thence, South 19°39'17.30" West, along said Right-of-Way Line, a distance of 141.550 feet; thence, South 03°29'35.25" West, along said Right-of-Way Line, a distance of 502.521 feet; thence, South 02°58'54.96" West, along said Right-of-Way Line, a distance of 350.324 feet to the aforementioned East Right-of-Way Line of Toledo Blade Boulevard; thence, South 00°31'54" West, along said Right-of-Way Line, a distance of 6,687.23 feet to the Point of Beginning; said lands containing 2,285.239 Acres, more or less.

#### **EXHIBIT B: CONDITIONS OF APPROVAL**

#### **GENERAL CONDITIONS**

- The Panacea development shall occur in substantial compliance with all commitments and impact-mitigating actions specified by the Applicant in the Application for Development Approval (ADA), subsequent sufficiency responses and other documents referenced under Section 3.6 of the adopting Resolution, that are not in conflict with this Amended and Restated Development Order (hereafter DO).
- All references made herein to "Applicant" shall also include any successors in interest or assigns of areas covered under this Development Order.
- References to Site and Development Plan procedures shall include Preliminary Plan procedures where applicable to the development.
- 4. The development Phasing Schedule presented within the updated transportation analysis of the second NOPC shall be incorporated as a condition of approval. If Development Order conditions and Applicant Commitments incorporated within the Development Order to mitigate project impacts, are not carried out as indicated, to the extent of or in accord with the timing schedules specified within the Development Order and this phasing schedule, as adjusted to the date of the development order, a substantial deviation in accordance with statutory criteria may be determined, thereby retriggering a DRI review process.
- 5. Pursuant to Chapter 380.06(16), F.S., the Applicant may be subject to credit for contributions, construction, expansion, or acquisition of public facilities, if the developer is also subject by local ordinances to impact fees or exactions to meet the same needs. In addition, the local government and the Applicant may enter into a capital contribution front-ending agreement to reimburse the Applicant for voluntary contributions in excess of its fair share.
- 6. The Panacea DRI shall not be subject to down-zoning, unit density reduction or intensity reduction prior to June 6, 2016, unless the City of North Port can demonstrate that substantial changes in the conditions underlying the approval of this Development Order have occurred, or that the Development Order was based on substantially inaccurate information provided by the Applicant or that the change is clearly established by City of North Port to be essential to the public health, safety, or welfare.

#### LAND USE

- This Development Order grants to the Applicant approval to develop 3500 residential units, 987,000 square feet of commercial, 871,200 square feet of light industrial, and 365,000 square feet of office use in accordance with Map "H".
- The precise timing, location and character of land uses within the DRI shall be apportioned and determined at the time of Site and Development Plan submittal. Timing shall be consistent with the phasing schedule identified in General Condition No. 4 herein.
- All land use and development within the Panacea shall be implemented in accordance with the current version of City of North Port Planned Community Development District (PCD) and consistent with the conditions of this Development Order.

#### LAND/SOILS

Effective erosion and sedimentation control devices and procedures employing the best management practices available shall be provided for by the Applicant, and shall be reviewed by the City of North Port at the site and development plan stage.

### WETLANDS

- The wetland areas included as Open Space/Preserve area shall be preserved, maintained and enhanced if possible in their entirety.
- 2. Measures for protecting wildlife (e.g., signage, fencing, and bridge/culvert openings) will be considered in the design of roadways when they cross wetlands. Best Management Practices shall be utilized during the construction of road crossings through wetland areas to ensure that construction impacts are limited to the road right-of-way and recreational crossings. Bridges or box culverts shall be used at these crossings unless otherwise approved by the appropriate permitting agencies. Causeways or excessive fill shall not be used.
- The Applicant shall incorporate wetlands, located outside the Open Space/Preserve area, into the stormwater management system in accordance with SWFWMD and U.S. Army Corps of Engineers requirements and approval.
- Littoral zones within lake systems proposed to receive stormwater discharges shall be designed in accordance with that specified under applicable permits issued by the SWFWMD.
- Sedimentation and erosion control measures shall be instituted and maintained around wetlands during construction activities, until appropriate vegetative cover is established to trap sediments and nutrients.
- Spray irrigation of the wetland and preservation areas shall not be allowed if off-site discharge from these areas into the Snover Waterway is possible, unless advanced wastewater treatment of effluent is utilized.
- 7. Prior to the implementation of each phase of the development, more detailed information shall be submitted to the SWFWMD and the City of North Port as part of permit review, which provides the following information:
  - a. Ecological health condition and function of each wetland to be impacted.
  - b. A more precise identification of which wetland areas will be destroyed, based on the above survey and the application of the proposed wetland resource management guidelines.
  - Specific mitigation measures to offset proposed impacts.
  - d. Historic water levels to be maintained within wetland preserves to serve as a design and review guide.
  - More detailed information on how the water management system will maintain historic water levels within each wetland preserve. (Placement and design of the adjustable structures, equalizer swales and culverts).
  - f. A maintenance plan to maintain the overall ecological integrity of wetland preserve areas.
- 8. All preserved or created wetlands and upland buffer areas connected to the stormwater management system, will be set aside as drainage and/or conservation easements on the recorded final plat. Deed restrictions (e.g., pet control and landscaping) will be established that serve to protect the ecological integrity of the wetland preserve areas and associated native wildlife.

#### **VEGETATION AND WILDLIFE**

- The Applicant should relocate the collector roadways to mitigate adverse impacts to the Temperate Hammock and Marsh habitats. Approval of construction plans for these roads will be contingent on sufficient impact mitigation.
- Each Site and Development Plan shall provide for conservation within the Temperate Hammock and Cabbage Palm Habitats, including tree protection and orientation and layout of site improvements.
- Harmful exotic plants species, such as Melaleuca, shall be removed during each phase of construction, from development areas and open space areas.
- 4. Should any rare, threatened or endangered species of flora or fauna be found on the site, the Applicant shall notify the proper authorities and take necessary steps to protect the species in accordance with the listed species management plan contained in Exhibit E herein.
- The Applicant shall, prior to construction within each development pod, coordinate with the Florida Fish and Wildlife Conservation Commission regarding the taking of any gopher tortoises and shall follow the measures provided in Exhibit E herein.
- 6. No development-related intrusion shall occur within the conceptual primary and secondary protection zones of the on-site bald eagle nest as shown on Map H until an eagle management plan is developed in accordance with the eagle protection guidelines in effect at the time. The eagle management plan approved by the U.S. Fish and Wildlife Service and Florida Fish and Wildlife Conservation Commission, shall be incorporated by reference into this development order.
- 7. The above-referenced management plans will include how the on-site preserve habitat will be protected in perpetuity and if conservation easements are used, establish who will hold these easements and that protected areas will not be voided due to the absence of listed species without review and consent by the easement holding entity.

#### HISTORICAL AND ARCHEOLOGICAL SITES

In the event of inadvertent discoveries of human remains and/or associated artifacts, all work that may disturb the remains will cease immediately and the Applicant will notify the proper authorities in accordance with Section 872.05, F.S.

#### **ECONOMY**

- Prior to any site development or construction, a Community Development District (CDD) or another acceptable source of funding shall be established by the Applicant to finance costs of providing the support services necessary for the Panacea development, as committed under Economy Condition No. 2.
- 2. The necessity for protecting present and future residents of the City from the burden of assuming costs of services that should be bome by the Applicant is recognized by the requirements for establishment of a Community Development District(s), and by the following schedule which sets out the responsibility for original construction of facilities, and provisions for bearing future maintenance costs of such facilities:

RESPONSIBILITY **FACILITY** RESPONSIBILITY FOR FUTURE FOR CONSTRUCTION MAINTENANCE Public safety Construction determined at City of North Port services and facilities site and development plan stage (including police, fire, or City agreement(s) with Applicant ambulance, and solid to bear that fair-share portion of expense in direct proportion to service waste) demand generated by Panacea. Applicant, Property Owners Applicant, Property Private recreation Association, or Community Owners Assoc., or facilities, (i.e. golf course, tennis and Development District (CDD) CDD clubhouse facilities) Buffer areas and common Applicant or CDD Applicant or CDD open space **Drainage Systems** Applicant or CDD Applicant or CDD (including lakes, retention ponds and wetlands) Water supply and Applicant, City of North Port Applicant. distribution lines Utility Department, or CDD City of North Port Utility Department, or CDD Wastewater management Applicant, City of North Port Applicant, City of North Port Utility Department, or CDD system Utility Department, or CDD Platted public roads Applicant City of North Port as depicted on the Panacea Master Development Plan, including transportation improvements and bike paths External roads and Construction by appropriate State, Applicable State, County or City agency (or by County or City transportation improvements agreement between the City and agency Applicant) with Applicant to bear that fair-share portion of expense in proportion to traffic generated by Panacea relative to total traffic. Installation to be in accordance with the Transportation conditions herein.

Traffic signalization and

intersection improvements including street signs – on site Applicant

City of North Port

FACILITY

RESPONSIBILITY FOR CONSTRUCTION RESPONSIBILITY FOR FUTURE

Traffic signalization and intersection improvements including street signs – off site

Construction by appropriate State, County or City agency (or by agreement between the City and Applicant) with Applicant to bear that fair-share portion of expense in proportion to traffic generated by Panacea relative to total traffic. Applicable State, County or City agency

Street lighting - on site

Applicant or CDD

Applicant or CDD

Internal platted private roads and transportation improvements including bike and pedestrian Applicant or CDD

Applicant or CDD

paths

#### WATER SUPPLY/WASTEWATER TREATMENT

- Prior to any site development or construction, the Applicant shall document the availability and sufficiency of the following to serve the proposed development:
- a. A central potable water supply and distribution system, and
- A central wastewater collection and treatment system.
- 2. Relevant elements of the City's Master Utility Plan that address potable water supply for the Panacea development will continue to be incorporated into the Comprehensive Plan through appropriate City-initiated amendments. In addition, the City will continue to implement the associated Capital Improvement Program (CIP) that concurrently guarantees the provision of water that is necessary to supply capacity to the Panacea DRI as incorporated into the City's Comprehensive Plan. Prior to the construction of each phase, the Applicant shall submit a more detailed potable water distribution and supply plan to the City of North Port Utility Department that demonstrates consistency with the City's Master Utility Plan and adopted CIP. The Applicant shall comply with the existing agreements executed by the City in 1999 that concurrently guarantee the provision of water necessary to supply capacity to the Subphase 1 development of the Panacea DRI. Prior to the construction of each phase beyond the Subphase 1 development, additional agreements (or amendments) for the City to provide water service shall be executed.
- Each Site and Development Plan shall provide for extension of water and sewer lines to serve all development proposed in the Plan.
- Construction plans and specifications for all water and sewer facilities shall be approved by the City prior to construction.
- Non-potable water demand shall be met through the use of alternate sources such as retention/detention facilities, wells and treated wastewater effluent. All sources of non-potable water supply shall be subject to permitting by the appropriate agencies.
- No wastewater effluent disposal shall be permitted to degrade existing water quality in the Snover Waterway.

- 7. The Applicant shall provide assurance that wastewater generated by manufacturing processes (and therefore potentially containing hazardous waste) be segregated from everyday wastewater. Any potentially hazardous wastewater generated shall in accordance with the hazardous waste provisions of the solid waste section of this development order.
- 8. The Applicant shall provide 20 acres for a wastewater treatment plant on-site. The Applicant shall reserve additional lands for future needs of the City of North Port Utility Department. This reservation shall be held until the first day of 2005. The Applicant and City, by separate agreement, shall determine an acceptable price, or a methodology for establishing a fair price, for the reserved lands. All required setbacks between wastewater treatment facilities and potential residential areas shall be internally accommodated within lands acquired by or donated to the City of North Port. Should the City of North Port not acquire all of the reserved lands, the Applicant may allocate land use intensities and densities approved as part of the Panacea DO into those remaining areas without the need for a State amendment process (e.g., substantial deviation determination or a NOPC). A revised Map "H" will be provided to the City of North Port, the Florida Department of Community Affairs and the Southwest Florida Regional Planning Council.

#### DRAINAGE/WATER QUALITY

- Site drainage plans shall be compatible with the Master Drainage Plan and shall require approval at the Site and Development Plan stage.
- The Applicant shall comply with all applicable rules, regulations, and requirements of the Southwest Florida Water Management District and the City of North Port in the design, construction and operation of the stormwater drainage system.
- The drainage system for the Panacea site shall implement the design standards and water quality best management practices outlined in the ADA and refined through subsequent permitting.
- 4. The Applicant shall implement an ongoing maintenance program that regularly inspects and maintains the stormwater drainage system during and after buildout of the project. All drainage, retention, and detention facilities shall be kept free of weeds and other drainage obstructions. The Applicant shall establish the legal entity which will carry out this program prior to any construction.
- The Applicant shall not, under any circumstances, obstruct access to the water control structures located along the North bank of the Snover Waterway.

#### SOLID WASTE/HAZARDOUS WASTE

- The Applicant shall provide to the City a hazardous waste manifest to monitor the types and amounts of waste generated. This manifest shall be updated as industrial development proceeds.
- 2. In the event that hazardous wastes are generated or used:
  - Adequate standards and criteria shall be met by all project tenants and/or users for accident prevention, mitigation and response;
  - Project tenants and/or users shall provide adequate pretreatment facilities to assure segregated retention of hazardous wastes and their removal and disposal in accordance with local, state and federal requirements;
  - All hazardous materials or pretreatment wastes shall be stored appropriately labeled accurately;

d. A hazardous materials spill contingency and response plan shall be developed.

#### **ENERGY**

- 1. The Panacea DRI will incorporate the following energy conservation features:
  - a. Provision of a bicycle/pedestrian system connecting all land uses, to be placed along arterial and collector roads within the project. This system is to be consistent with local government requirements.
  - Provision of bicycle racks or storage facilities in office, commercial, recreation, and multi-family residential areas.
  - c. Cooperation with the Sarasota County Area Transit Authority in the locating of bus stops, shelters, and other passenger and system accommodations when a transit system is developed to serve the project area.
  - d. Use of energy-efficient features in window design.
  - e. Use of operable windows and ceiling fans.
  - f. Installation of energy-efficient appliances and equipment.
  - g. Prohibition of deed restrictions or covenants that would unreasonably prevent or unnecessarily hamper energy conservation efforts (e.g., building orientation and solar water heating systems).
  - Reduced coverage by asphalt, concrete, rock and similar substances in streets, parking lots and other areas to reduce local air temperatures and reflected light and heat.
  - Installation of energy-efficient lighting for streets, parking areas, recreation areas, and other interior and exterior public areas.
  - j. Use of water closets with a maximum flush of 3.5 gallons and shower heads and faucets with a maximum flow rate of 3.0 gallons per minute (at 60 pounds of water pressure per square inch).
  - k. Selection of native plants, trees and other vegetation and landscape design features that reduce requirements for water, fertilizer, maintenance and other needs.
  - Planting of native shade trees to provide reasonable shade for all recreation areas, streets and parking.
  - m. Placement of trees to provide needed shade in the warmer months, while not overly reducing the benefits of sunlight in the cooler months.
  - n. Planting of native shade trees for each residential unit.
  - Orientation of structures, as possible, to reduce solar heat gain by walls and to utilize natural cooling effects of the wind.
  - Provision for structural shading wherever practical when natural shading cannot be used effectively.

- q. Inclusion of porch/patio areas in residential units.
- r. Consideration by the project architectural review committee(s) of energy conservation measures (both those noted here and others) to assist builders and residents in their efforts to achieve greater energy efficiency in the development.

The incorporation of those energy conservation measures in this Development of Regional Impact does not preclude the provision of additional energy conservation measures by the Applicant. It also does not prevent the local government of jurisdiction or any state, regional, or other agency under whose jurisdiction this project falls from requiring additional energy measures or measures that may be more stringent.

#### UTILITIES

Prior to any site development or construction, the Applicant shall demonstrate the availability and sufficiency of telephone and electric power services to serve the development.

#### **EDUCATION**

- The Applicant shall enter into an agreement with the Sarasota County School Board relative to the following matters:
  - a. Dedication to said School Board of a thirty seven (37) acre school site which is depicted on the Panacea Master Development Plan Map H, and agreed to by said School Board for utilization as a school site.
  - b. The Applicant shall reserve additional lands for future school needs of the Sarasota County School Board. This reservation shall be held until the fifteenth day of December 2000, contingent upon an agreement between the Applicant and School Board. This separate agreement shall determine an acceptable price, or a methodology for establishing a fair price, for the reserved lands. Should the School Board or the City of North Port not acquire all of the reserved lands, the Applicant may allocate land use intensities and densities approved as part of the Panacea DO into those remaining areas without the need for a State amendment process (e.g., substantial deviation determination or a NOPC). A revised Map "H" will be provided to the City of North Port, the Florida Department of Community Affairs and the Southwest Florida Regional Planning Council.
  - c. Said agreement shall specify the timing for the dedication of said school site and the timing for the purchase of additional lands by the Sarasota County School Board or the City of North Port for additional schools or park sites.

#### RECREATION AND OPEN SPACE

- The Applicant shall dedicate to the City of North Port a total of 25 acres of land designated for community park and conservation needs.
- As determined the Site and Development Plan stage, and as site conditions allow, passive recreational open space/lakes/preserve areas as shown on the Panacea Development Plan (Map H), may provide for public access and passive recreational facilities including scenic overlooks, hiking areas, nature walks, boardwalks, and similar type facilities.

#### FIRE/RESCUE

The Applicant shall dedicate to the City of North Port, a 2.67-acre <u>+</u> site shown on the Panacea Master Development Plan (Map H) for the provisions of fire/rescue to service the Panacea development and surrounding area.

#### **TRANSPORTATION**

- The Applicant shall construct, or cause to be constructed, internal roadways, bike paths, and
  pedestrian paths in accordance with the Panacea Master Development Plan (Map H) and
  requirements of the City of North Port. The sufficiency of these transportation facilities shall be
  demonstrated at the site and development plan stage.
- 2. Those collector roadways depicted on the Panacea Master Development Plan (Map H) and associated bike and pedestrian paths shall, upon completion, be dedicated to the City of North Port for maintenance. In addition, and in order to best serve the public interest as the Panacea development evolves, the Applicant agrees that at each stage of development, the City shall have the right to determine which newly proposed streets and related transportation improvements shall be public and which shall be private. Such determinations shall be made at the Site and Development Plan stage, in coordination with the Applicant. Accordingly, public facilities shall be dedicated to the City for maintenance and private facilities shall be dedicated to the Applicant's Community Development District or other maintenance entity, for maintenance.
- The Applicant shall bear the cost of all internal transportation improvements including signalization, and street signage as required by appropriate City of North Port ordinances.
- 4. The Applicant shall provide, or cause to be provided, a bridge over the Snover Waterway to allow access to the Panacea Site via Haberland Boulevard. The timing for this bridge construction shall be addressed through agreements between the Applicant and appropriate parties (e.g., the Sarasota County School Board and/or the City of North Port) who have regulatory authority in the planning and construction of future school campuses and wastewater treatment facilities.
- The Applicant shall bear full cost of the project's access points onto Toledo Blade Blvd. All improvements shall be designed to accommodate project build-out requirements.
  - Intersection signalization, when warranted, shall be based on proportionate share in recognition of other previously approved large-scale but sub-DRI threshold projects that share access points with the project.
- 6. The Applicant shall become obligated to pay a proportionate share of the cost of the total improvement necessary, including right-of-way, to maintain level of service "C" (annual average daily traffic) for the significantly impacted roadways through project build-out to the agency responsible for the roadway (or its designated receiver). Should the local jurisdiction decide to manage portions of the roadway system at a lower level of service, the development's effect on the significantly impacted roadways listed herein may be re-evaluated without triggering a substantial deviation review.

The Applicant's proportionate share shall be determined by the forecast of the proportion of the project's traffic on the road segment by buildout. The updated transportation analysis provided as part of the Second NOPC presents estimated project traffic and total traffic forecasted through buildout based on current available data. These projections shall be used to estimate proportional share until updated by annual monitoring reports. Proportionate share shall be determined using the adopted State Transportation Rule. The City of North Port, in cooperation with the Applicant, will seek agreements involving all parties that will significantly impact the affected roadway segments pursuant to Chapter 380.06(15)(e)1, F.S. and the City's Land

Development Regulations. Such agreements, at a minimum, will address time of improvement, right-of-way, and cost-sharing for the necessary roadway improvements.

As an alternative to proportionate share payments to address impact to regional roadways in Charlotte County, the City of North Port, in conjunction with Charlotte County, may require the Applicant to concentrate (or "pipeline") all proportionate share contributions for Charlotte County into the Toledo Blade Boulevard corridor based on the State Transportation Rule. Such an alternative will address the proportionate share payment for any necessary improvements in the future within Charlotte County including Toledo Blade Boulevard from U.S. 41 to Collingswood Boulevard; U.S. 41 from Toledo Blade Boulevard to Enterprise; Haberland Boulevard from south of Hillsborough Boulevard to north of Murdock Loop; Atwater from Veterans Boulevard to Peachland Boulevard; and SR 776 extension (Veterans Highway east-west extension) to Orlando Boulevard. Any such agreement shall meet the requirements of Chapter 163.3227, Florida Statutes. In addition, the City of North Port may enter into a developer agreement, pursuant to Chapter 163.3227, Florida Statutes, with the Applicant that addresses the Toledo Blade Boulevard improvement commensurate with mitigation for future impacts to other roadway segments and intersections within the jurisdiction of the City of North Port as provided herein.

The City of North Port and the Applicant will take all steps necessary, including impact fee credit agreements, to reimburse the Applicant for the actual cost of design, permitting and construction of needed improvements (or proportionate-share contribution or fair market value for land dedication) for the following roadway segments:

- -Toledo Blade Boulevard as a 4-lane road between I-75 and the North Port City limits
- -Price Boulevard as 4-lane road segments between Sumter Boulevard and Atwater
- -Sumter Boulevard as a 4-lane road between I-75 and U.S. 41
- -Cranberry Boulevard as a 4-lane road between Creighton Waterway and Toledo Blade Boulevard

The following local road segments predominately serve established residential areas and as such are of special concern. If the annual monitoring report indicates a drop in level of service on any of the below listed roads, the Applicant and City shall enter into a developer agreement, pursuant to Chapter 163.3227, Florida Statutes for the purpose of identifying appropriate mitigating action.

- Biscayne Drive between Price Boulevard and U.S. 41
- -Chamberlain Boulevard north of Price Boulevard to Cranberry Boulevard
- -Haberland Boulevard between the Panacea parcel and Hillsborough Boulevard
- -Atwater from south of Price Boulevard to north of Hillsborough Boulevard

Upon construction of each specified improvement or provision thereof under a future developer's agreement(s) with the City of North Port, a p.m. peak hour external trip volume generated by the Panacea development as specified under Exhibit "D" herein shall be considered concurrent and consistent with the City's Comprehensive Plan.

Based on the findings of annual monitoring reports, the City and Applicant shall enter into a developer's agreement(s) that identifies needed improvements, scheduling, funding and amount of concurrency vesting for project related transportation volumes. All future developer's agreements on needed roadway system improvements shall be referenced as part of this development order.

7. The Applicant shall become obligated to pay a proportionate share of the cost of signalization, turn lanes, and other intersection improvements, including right-of-way, deemed necessary by the City of North Port or FDOT as appropriate when such intersections/interchanges are projected within the next three years to exceed level of service "C" based on annual average daily traffic.

- -Toledo Blade Boulevard at I-75 North Ramps
- -Toledo Blade Boulevard at I-75 South Ramps
- -Toledo Blade Boulevard at North Site Entrance/Cranberry Boulevard
- -Toledo Blade Boulevard at Middle Site Entrance
- -Toledo Blade Boulevard at South Site Entrance/Plantation Boulevard
- -Toledo Blade Boulevard at Price Boulevard
- -Toledo Blade Boulevard at Hillsborough Boulevard
- -Price Boulevard at Biscayne Drive
- -Price Boulevard at Sumter Boulevard
- -Price Boulevard at Cranberry Boulevard
- -Price Boulevard at Chamberlain Boulevard
- -Price Boulevard at Haberland Boulevard
- -Price Boulevard at San Mateo
- -Hillsborough Boulevard at Chamberlain Boulevard
- -Hillsborough Boulevard at Haberland Boulevard
- -Hillsborough Boulevard at Atwater
- -Hillsborough Boulevard at Yorkshire
- -Sumter Boulevard at I-75 North Ramps
- -Sumter Boulevard at 1-75 South Ramps
- -Chamberlain Boulevard at Cranberry Boulevard

Proportionate share shall be determined using the adopted State Transportation Rule. The City of North Port, in cooperation with the Applicant, will seek agreements involving all parties that will significantly impact these intersections. Such agreements, at a minimum, will address time of improvement, right-of-way, and cost-sharing for the necessary intersection improvements.

The City of North Port and the Applicant will take all steps necessary, including impact fee credit agreements, to reimburse the Applicant for the actual cost of design, permitting and construction of the needed improvements (or proportionate-share contribution or fair market value for land dedication) for the intersections/interchanges outlined above. All future developer's agreements on needed intersection improvements shall be referenced as part of this development order.

8. Each roadway segment/intersection outlined above that is confirmed to be necessary to mitigate for the level of service impacts generated by the Panacea development shall be in place and available to serve the new development no later than three years after the submittal of the annual report that documents a deficiency in the adopted level-of-service. However, any delay in the construction of necessary off-site roadway/intersection improvements due to agreement negotiations between outside parties and the effected local jurisdiction(s), right-of-way acquisition, budgeting or permitting that is outside the control of the Applicant, will not affect the transportation concurrency status of the Panacea development. To determine both the need for the improvement in a timely manner, and the Applicant's fair share, the Applicant shall submit an annual monitoring report to the agencies identified under Section 3.8 of the amended and restated development order for review. The first monitoring report shall be submitted three years after the issuance of the amended and restated development order for Panacea (no later than August 28, 2003). Reports shall be submitted annually thereafter until buildout of the project. This report shall contain actual traffic counts taken at the access points on the site, and turning movement counts at each of the intersections listed above. The level of service thresholds provided by Sarasota County/City of North Port, Charlotte County and FDOT shall be used in annual monitoring for determining available capacity of the affected roadway network.

The purpose of the monitoring report shall be to indicate when less than LOS "C" is expected on impacted roadways and/or intersections and to provide updated information to more accurately forecast project buildout traffic and total traffic for determination of proportional share. The following regional roadways and intersections shall be monitored to identify the status of possible needed improvements as specified below:

By End of Phase I (May 1, 1999 to April 30, 2006)

Regional Roadways:

-Toledo Blade Boulevard from I-75 to Collingswood Boulevard 2 to 4 Lanes
-Sumter Boulevard between Sylvania and U.S. 41 2 to 4 Lanes
-Cranberry Boulevard between Creighton Waterway
and Toledo Blade Boulevard 2 to 4 Lanes
-U.S. 41 from Cranberry Boulevard to Enterprise 4 to 6 Lanes
-Atwater from Veterans Boulevard to Peachland Boulevard 2 to 4 Lanes

#### Regional Intersections:

- Toledo Blade Boulevard at I-75 North Ramps
- Toledo Blade Boulevard at I-75 South Ramps
- Toledo Blade Boulevard at North Site Entrance/Cranberry Boulevard
- Toledo Blade Boulevard at South Site Entrance/Plantation Boulevard
- Toledo Blade Boulevard at Price Boulevard
- Price Boulevard at Biscayne Drive
- Price Boulevard at Sumter Boulevard
- Price Boulevard at Chamberlain Boulevard
- Sumter Boulevard at I-75 North Ramps
- Sumter Boulevard at I-75 South Ramps
- Chamberlain Boulevard at Cranberry Boulevard

By End of Phase II (May 1, 2006 to April 30, 2013)

Regional Roadways:

Regional Roadways.	
-Price Boulevard between Sumter Boulevard and Atwater	2 to 4 Lanes
-Haberland Boulevard from south of Hillsborough Boulevard	
to north of Murdock Loop	2 to 4 Lanes
-SR 776 extension (Veterans Highway east-west extension)	
to Orlando Boulevard	4 to 6 Lanes
-I-75 from Kings Highway to Harborview Drive	4 to 6 Lanes

#### Regional Intersections:

- -Toledo Blade Boulevard at Middle Site Entrance
- -Toledo Blade Boulevard at Hillsborough Boulevard
- Price Boulevard at Cranberry Boulevard
- Price Boulevard at Haberland Boulevard
- Price Boulevard at San Mateo

#### HOUSING

The provisions of residential units and densities submitted for Site and Development Plan approval shall be in compliance with the provision of residential units identified in the Panacea Master Development Plan (Map H), and that provided under the City of North Port's Planned Community Development (PCD) District.

**EXHIBIT C** 

Master Development Plan

EXHIBIT D

Exhibit D

Peak Hour Traffic Generated by Panacea DRI on Regional Roadways at Final Build-out (two-way traffic volumes)

	5.5 5. 5. 5.					
	Toledo Blade		Haberland		San Mateo	
	Segment	<u>Volume</u>	Segment	Volume	Segment	Volume
	Tropicaire to 1-75	484	No of Price	1446	So of Price	16
	I-75 to N Sile Entrance	1533	So of Price	655	No of Hillsb	9
	N to Mid Site Entrance	1551	No of Hillsb	650		
	Mid to S Site Entrance	1014	So of Hillsb	562	SR 776	
	S Site Entrance to Price	1096	No of Loop	113	Segment	Volume
	Price to Hillsb	1068	South Entrance	55	US 41 to Murdock	137
	Hillsb to US.41	768			Murdock to Collingswood	193
Ź	US 41 to SR 776	353	Hillsborough		Collingswood to Toledo	90 .
	SR 776 to Collings.	108	Segment	Volume	Toledo to Como	218
			Cranb to Chamberlain	16	Como to Biscayne	115
	Price		Chamberlain to Flamingo	69	Biscayne to Comelius	187
	Segment	Volume	Flamingo to Toldeo Blade	70	Cornellus to Gillot	132
	Blsc to Sumter	163	Toledo Blade to Collingswood	259	Gillot to 771	94
	Sumter to 3	246	Collingswood to Haberland	160	771 to Ent. 1	96
	3 to Crenb	320	Haberland to SanMateo	118		
	Cranb to 1	139	SanMateo to Guthrie	87	Tropicaire	
	1 to Toledo BI	273	Guthrle to Yorkshire	213	Segment	Volume
	Toledo Bl to Hab	273	Yorkshire to SR 776 Ext	293	Bisc to Sumter	187
	Hab to San Mateo	547	SR 776 Ext to Orlando	182	Sumter to Salford	44
	San Mateo to Atwater	531	Orlando to Veterans	184	Salford to Chamb	44
1	Atwater to Yorkshire	81			Chamb to TB	275
			1-75			
	Atwater		Segment	Volume	US 41	
	Segment	Volume	River to Sumter	28	Segment	Volume
	So of Price	452	Sumter to Toledo	505	River to Biscayne	111
	No of Hillsb	417	Toledo to Kings	449	Biscayne to Sumter	191
	Hillsb to El Jobean	265	Kings to Harbor	239	Sumter to Cranberry	7
	El Jobean to Peachland	224			Cranb to Chamberlain	6
			1-75 Ramps	1-way	Chamberlain to Toledo Blade	50
	Biscayne		1-75 Southbound	Volume	Toledo Blade to Collingswoo	d 334
	Segment	Volume	Sumter Exit	16		383
	Tropicaine to 1-75	115	Sumter Entrance	289		260
	I-75 to Price	14	Toldeo Blade Exit	304		273
	Price to US 41	151	Toledo Blade Entrance	260		429
	(1100 10 00 1)	,	Kings Exit	135		270
	Chamberlain		Kings Entrance	14		
	Segment	Volume			Yorkshire	
	Tropicalie to Cranb	310	Control of the Contro	15		Volume
	South of Cranberry	314		130		156
	North of Price	301		241		100
	South of Price	216		258		
	North of Hillsborough	131		243		ment
	Hills. to US 41	121			경기 :	ili siit
	111118. 10 03 41	121	Sumer Emance		descriptions	
	Cranberry		Peachland			
	Segment	Volume		Volume		
	TB to Chamberlain	1076		3		
	Chamb to Ent. 1	480		8		
	Ent. 1 to Ent. 2	291		7		
	Ent. 2 to Price	8				
	Price to Hillsb	22				

**EXHIBIT E** 

## EXHIBIT E LISTED SPECIES MANAGEMENT PLAN

#### **Bald Eagle**

Continue to monitor the active bald eagle nest during nesting season. Prepare a management
plan based on the technical observations obtained by a professional environmental scientist(s).
 Prior to any development-related intrusion into the conceptual protection zones shown on Map H,
a management plan shall be submitted to the agencies for review and approval.

#### Gopher Tortoise

Protect gopher tortoise burrows that are located within open space/preserve areas. Work with
agencies on appropriate permitting strategies. Gopher tortoises are to be relocated on-site to
upland preserves that are established and maintained under management plan. Continue
program for removing nuisance plant species that reduce the quality of habitats utilized by gopher
tortoises.

#### Florida Sandhill Crane

Prior to initiating Phase II, arrange for a wildlife survey during the nesting season to be performed
by a professional environmental scientist and submit survey to the Florida Fish and Wildlife
Conservation Commission. Maintain wetland, upland buffer preserves and other open space
areas that are available for foraging. Continue program for removing nuisance plant species that
reduce the quality of habitats utilized by sandhill cranes.

#### White Ibis, Little Blue Heron, Wood Stork, and American Alligator

 Maintain wetland and upland buffer preserves. Continue program for removing nuisance plant species that reduce the quality of habitats utilized by these species.

#### American Kestrel

 Prior to initiating Phase II, arrange for a wildlife survey during the nesting period to be performed by a professional environmental scientist and submit survey to the Florida Fish and Wildlife Conservation Commission.

#### Great Blue Heron Rockery

Maintain Wetland 15A and associated 30-feet wide buffer as a preserve area. Prepare a
management plan, subject to approval by the Florida Fish and Wildlife Conservation Commission,
that addresses buffer marking, lighting issues, and buffer screening. The approved management
plan will be incorporated by reference into this development order.

#### Wild Coco (Pteroglossaspis ecristata)

Avoid disturbance to the extent possible through the incorporation of plants into wetland buffer
preserves, or relocation into established wetland buffers or other open spaces that provide
suitable growing conditions. Work with the City of North Port on retaining plants along the I-75
perimeter buffer within the future park site. Continue program for removing nuisance species that
could out-compete this plant species.

