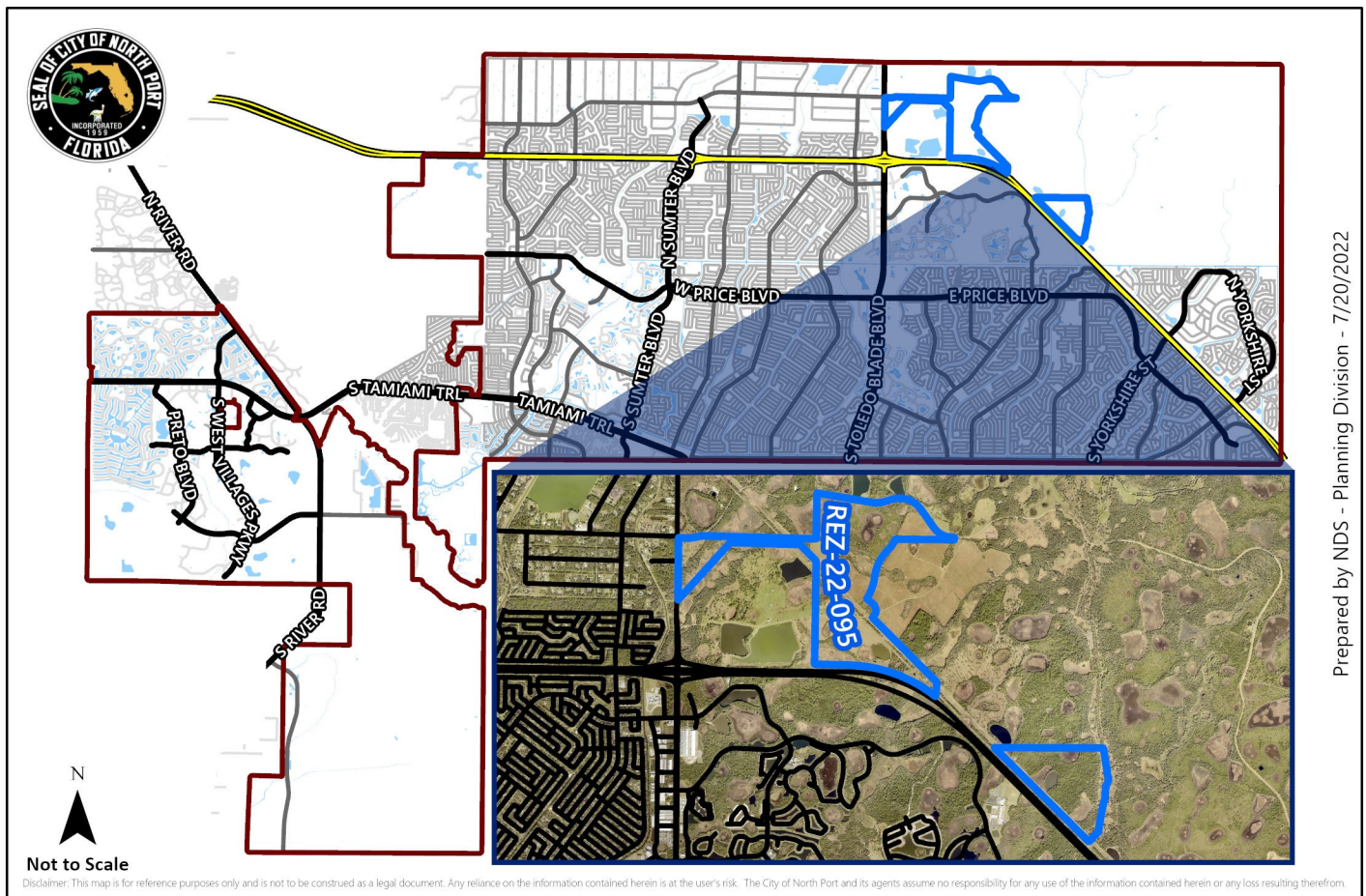




STAFF REPORT

Ordinance No. 2022-21 Rezone—Toledo Village

- From:** Carl Bengé, Planner III
- Thru:** Lori Barnes, AICP, Planning and Zoning Division Manager
- Thru:** Alaina Ray, AICP, Neighborhood Development Services Director
- Thru:** Jason Yarborough, ICMA-CM, Assistant City Manager
- Thru:** A. Jerome Fletcher II, ICMA-CM, MPA, City Manager
- Date:** August 18, 2022



Prepared by NDS - Planning Division - 7/20/2022

PROJECT: Toledo Village, REZ-22-095

REQUEST: Consideration of Rezone Application from No Zoning Designation (NZD) to Village (V) District

APPLICANT: Tony Squitieri, Forestar (**Exhibit A**)

OWNERS: H.M.T.A. Real Estate LLC

LOCATION: Located northwest of I-75 and Toledo Blade Blvd. interchange (PIDs 1111-00-1000, 1089-00-1000, 1092-00-2000, 1092-00-3000, and portions of 1090-00-2000, 1090-00-1000, and 1095-00-1000)

I. BACKGROUND

Tony Squitieri, on behalf of Forestar and H.M.T.A. Real Estate LLC, has formally submitted a Rezone application to the City of North Port to Rezone ± 789 acre site zoned No Zoning Designation (“Nzd”) to Village (“V”). The surrounding properties are zoned No Zoning Designation (“Nzd”) to the north, Agriculture (“AG”) to the east across Toledo Blade Boulevard, Planned Community Development (“PCD”) to the south, and Village (“V”) to the east. The subject parcels have a Future Land Use of Agricultural, Estates, Village, and Activity Center—with a portion of the property located within Activity Center Four (“AC4”). The subject parcel has a companion Future Land Use application to assign “Village” zoning district, currently under consideration, to establish “Village” Future Land Use across all owned parcels.

II. PETITION

The applicant is petitioning the City to change the zoning of the property to provide for a unified Toledo Village zoning designation for all of the project parcels.

REZONE

The applicant is proposing to rezone the property to implement the Village Future Land Use. The property is currently zoned No Zoning Designation and is proposed to be rezoned to Village (**Exhibit B**). The rezone proposal is implemented through **Ordinance No. 2022-21** as attached in **Exhibit B**.

III. NEIGHBORHOOD MEETING

Pursuant to Section 53-5.E. of the Unified Land Development Code, the applicant held a neighborhood meeting on July 13 at 5:00 PM in person at the North Port Public Library located at 13800 Tamiami Trail, North Port, FL 34287. The meeting documents, including public notice, are attached as **Exhibit C**.

IV. REVIEW PROCESS

A pre-application meeting for the project was held on February 16, 2022. The petition for the Rezone was processed for management review and distributed to all Directors, of which no objection was received.

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

V. DATA & ANALYSIS

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

V. DATA & ANALYSIS (CONTINUED)

FLORIDA STATUTES

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

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

Staff concludes that the petition for rezoning is consistent with the requirements of § 166.043(3)(a) regarding ordinances that change the zoning map designation of a parcel of land.

COMPREHENSIVE PLAN

Future Land Use Element, Goal 1

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

Staff Findings: Rezoning the subject parcel would unify the zoning designation from Toledo Blade Boulevard to the adjacent Village-zoned parcels to the east, also owned by the applicant. The property cannot currently be developed without a zoning designation. Rezoning the property to Village would allow for development. Without access for development, the full potential of the currently zoned Village parcels could not be attained. The subject parcels providing access are narrow in nature, which help to minimize the impact to health, safety, and welfare.

Any future development will be required to meet all state and local regulations regarding health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.

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

Future Land Use Element, Goal 4

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

Staff Findings: The rezoning to Village requires various departments and disciplines to generate a functional multi-neighborhood development. All future development on the property designated "Village" require design criteria be reviewed and approved during the planning stages of

V. DATA & ANALYSIS (CONTINUED)

COMPREHENSIVE PLAN

development. These designs require multimodal transportation routes, street tree requirements, with planned public art.

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

Future Land Use Element, Policy 4.2

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

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

Staff Findings: The Village district requires the aforementioned attributes. All Village developments are regulated. Future development may not proceed until the approval of a Village District Pattern Book and Village District Pattern Plan.

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

Future Land Use Element, Policy 4.13

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

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

Staff Findings: The Village district requires the forementioned attributes to be planned and a functional part of the proposed Village development. The guidelines and criteria are identified in the required documents (VDPP and VDPB) that regulate the development within the Village district, all of which include criteria for connectivity.

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

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

E. Nature and requirements of Planning and Zoning Advisory Board report. (1) When pertaining to the rezoning of land, the report and recommendations of the Planning and Zoning Advisory Board to the

V. DATA & ANALYSIS (CONTINUED)

COMPREHENSIVE PLAN

City Commission required by Sec. 1-29 above shall show that the Planning and Zoning Advisory Board has studied and considered the proposed change in relation to the following, where applicable:

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

ULDC

Applicant Findings: **FUTURE LAND USE ELEMENT—VILLAGE: Objective 13: *In order to fulfill the build-out vision for the City of North Port, any property under unified ownership or united application within the City, which can meet the minimum requirements to form a village, town center, and neighborhoods contributing to the formation of a village, may receive a Village Land Use Classification.***

Project Response: With the addition of the properties included with this rezoning application, the currently approved Toledo Village project will benefit from additional lands that will serve to accommodate necessary connections to City utilities and provide the main Toledo Village entrance via a parkway/Blvd., from Toledo Blade Blvd., to and throughout the project, helping to ensure necessary requirements are met/maintained for the Village land use classification.

TRANSPORTATION ELEMENT: Objective 5: *The City shall promote the development of an integrated bicycle/pedestrian/multiuse pathway system*

Policy 5.5: *The City shall continue to implement the land development regulations, implementing City standards which require developers to provide bicycle/pedestrian pathways, where appropriate, in new subdivision developments.*

Project Response: The properties included with this rezoning application are integral to Village project by providing additional opportunities for vital mobility connectivity from Toledo Blade Blvd., to the majority of the Toledo Village properties to the east and possible connection to the North Port Gardens property.

CONSERVATION AND COASTAL ZONE MANAGEMENT ELEMENT: GOAL 1: *The City of North Port shall protect, conserve and enhance its natural, environmental and historic resources to ensure sustainable environmental quality for the future. -Natural Communities and Wildlife*

Objective 1: *Upon adoption of the Comprehensive Plan, the City will review all applicable ordinances which provide for the protection and*

V. DATA & ANALYSIS (CONTINUED)

ULDC

enhancement of its critical water resources and biologically productive flora and fauna, and wildlife habitats and initiate the deletion, revision or adoption of ordinances, based upon supporting data and analysis, which shall include state and federal regulations and guidelines.

Policy 1.8: The City shall work with developers and land owners to preserve natural wetlands to the greatest extent possible in order to preserve wetland habitat vital to wading birds and wildlife, especially listed species, and to maintain natural surface water levels in wetland systems and associated habitat. Where appropriate and feasible, the City shall continue to support the acquisition of important wetland habitats/systems, and it is also preferred that mitigation for any wetlands that are taken due to development activity be located within the City of North Port or in mitigation banks adjacent to the City.

Objective 4: The surface waters and groundwater resources of the City shall be protected to ensure that their biological, ecological, and hydrological functions are maintained, conserved, or improved.

Policy 4.1: All protected wetlands shall include upland buffers, pursuant to State and Federal requirements, adjacent to these wetlands for habitat diversity, edge enhancement, and the promotion of wildlife conservation.

Policy 4.4: Protection of wetland quality and function will be prioritized as follows: Avoidance of impacts • Minimization of impacts • Mitigation of impacts

Objective 6: The City of North Port shall continue to enforce the City's wetland ordinance that conserves and protects the health, function and biological integrity of all remaining viable wetland systems as defined by State agencies in order to prevent the violation of State water quality standards; maintain freshwater storage capabilities; reduce damage to property and loss of life due to flooding; maintain the viability and diversity of native plants and animals and their habitats; and assure the continued conservation of irreplaceable natural resources.

Policy 6.1: No wetland alteration or removal shall be permitted unless reasonable use of the property is dependent upon said alteration or removal. Appropriate, equitable and compensating mitigation or restoration shall be required for all wetland disturbances, pursuant to State and Federal guidelines. Consistent with Policy 1.8 and Policy 4.4 of this Element, the City shall work with developers to minimize the impacts of developments upon wetland systems. It is also preferred

V. DATA & ANALYSIS (CONTINUED)

ULDC

that mitigation for any wetlands that are taken due to development activity be located within the City of North Port or in mitigation banks adjacent to the City.

Project Response:

There are 322+/- acres of wetlands on the subject properties included with this rezoning application that provide both challenges and opportunities for the design of greenbelts, walking and bicycle trails and facilities, natural buffer areas, and vehicular access. The subject properties will serve to provide an integral enhancement and expansion of the overall Toledo Village projects environmental character through the integration of greenbelts and conservation tracts to define the Village edges and to create definable community limits.

RECREATION AND OPEN SPACE ELEMENT: GOAL 1: *To develop and maintain a community park and recreation system that will provide a diverse range of active and passive recreational opportunities and facilities to meet the needs of the present and future residents of the City of North Port.*

Objective 1: *To plan, acquire and improve community parks and open space lands consistent with the needs of North Port's resident population, as determined by the City's recreation level of service and the recommendations of the City of North Port Parks and Recreation Master Plan.*

Policy 1.12: *The City shall continue its efforts to create an interconnected network of blueways, greenways, hiking paths and sidewalks that links parks, open spaces, schools, commercial areas, and neighborhoods in order to create a pedestrian- and bicyclist-friendly environment.*

Objective 2: *Establish general priorities for the development of a community park system to meet the park and recreational needs of present and projected resident populations, to include operations and maintenance needs for the City's park system.*

Policy 2.1: *Establish recreational linkages between neighborhoods, activity centers, and existing and proposed community parks, schools, government facilities, multi-purpose buildings, and conservation areas by utilizing facilities including but not limited to: roadways, pathways, greenways, pedestrian bridges, and waterways*

Project Response: Parks, greenbelts and conservational tracts are an important element of the Village concept and the use of such areas for passive recreation including trails for biking and hiking be included

V. DATA & ANALYSIS (CONTINUED)

ULDC

in the 83 acres as part of this comprehensive plan amendment. The subject properties also provide a vital and necessary connection to the overall project for wetland preservation, open space connectivity and passive and active recreational areas.

HOUSING ELEMENT: Goal 1: To promote the preservation and development of high-quality, balanced, and diverse housing options for persons of all income levels throughout the City of North Port.

Objective 1: To provide a variety of housing types and affordability levels to accommodate the present and future housing needs of North Port residents.

Policy 1.7: Accommodate the production of a diversity of type and price of housing through the land use and zoning process to encourage a broad range of housing opportunities, including single/multi-family, owner/rental, and permanent/seasonal, to meet the community's residential and economic needs.

Project Response: The General Vision for Toledo Village is to promote diversified housing mixed functionally with the compatible and desirability for established neighborhoods. The zoning amendment for the 789+/- acres included in this amendment will supplement the existing Toledo Village project with additional opportunities for higher residential density options and will provide a variety of housing types and affordability including housing types such as single family attached, townhomes, and/or multi-family buildings in alignment with the above GOP's.

ECONOMIC DEVELOPMENT ELEMENT: Goal 5: ACHIEVE AN ECONOMICALLY STABLE COMMUNITY WITH A SUPERIOR QUALITY OF LIFE.

Policy 5.1.1: Expand urban, sub-urban and neighborhood infill development and redevelopment housing options that support the workforce by planning for development near employment and transportation centers

Project Response: The Subject property is located adjacent to one of the City's significant commercial/non-residential Activity Centers (AC-4). The Village land use and development concept will help to provide necessary residential development which in turn will help to satisfy necessary market triggers to promote development of and sustainability for this Activity Center.

Staff Findings: The current zoning of No Zoning Designation ("NZD") restricts the subject parcels from being granted uses, which is done

V. DATA & ANALYSIS (CONTINUED)

ULDC

through zoning designations. The proposed rezone would unify the applicant's land under Village ("V") zoning, thus allowing the applicant to move forward with other applications for future development. The proposed rezone is compliant with multiple objectives and policies found within the City's comprehensive code. Pattern plans will be required to show how development will minimize the impact to the natural surroundings while proposing to provide a multi-functional group of developments connected with various routes for multi-modal transportation.

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

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

Applicant Findings: With the exception of 83+/- acres, the properties included in this rezoning application have an existing Village Future Land Use designation that only permits a corresponding Village zoning designation. As result, the amendment is proposed to provide consistency with the existing future land use designation for a majority of the subject properties and is consistent with the surrounding land use patterns to support and enhance the North Port Gardens DRI adjacent to and immediately west and south of the subject properties that are also part of the City's Activity Center (AC-4).

Staff Findings: The proposed rezone is consistent with the adjacent land uses, especially the parcels to the east that are currently zoned Village. The rezone would provide more connectivity by creating an access from Toledo Blade Boulevard to the existing Village ("V") zoning parcels. The rezone would have little-to-no impact on the land use ability of the parcels adjacent to the proposed rezone and will not substantially change the land use pattern of the City.

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

(c) Whether the proposed change would lead to the creation of an isolated zoning unrelated to adjacent and nearby districts.

Applicant Findings: As previously indicated, this rezoning application brings consistency with the current "Village" Future Land Use designation for all of the properties except the 83+/- acres that have a pending future land use map amendment pending with the City. The Village zoning designation will allow for the appropriate inclusion of these properties with the existing Village zoned properties thereby

V. DATA & ANALYSIS (CONTINUED)

ULDC

reducing the potential to potentially have isolated and unrelated adjacent districts.

Staff Findings: The approval of the proposed rezone will not create an isolated zoning. Instead, the rezone would provide access to isolated parcels that are currently zoned Village ("V"). The access granted by the proposed rezone would allow the applicant to move forward with future development within the existing Village zoned parcels.

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

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

Applicant Findings: The Village process in the City of North Port is unique and different from typical rezoning amendment request in that there are required subsequent procedures that must be followed and that are specifically designed to address/define the specific details, layout, and configuration of the overall Village Project. These procedures define that concurrency and adopted level of service standards are addressed at the appropriate "Development Permit" stage of the Village project. As discussed with City staff the subsequent Village District Pattern Plan process will address the required concurrency review and verifications that required and adopted Level of Service Standards will be met consistent with the Unified Land Development Code. As there is no approval for development as a result of this rezoning, the amendment is consistent with the adopted level of service standards and the City's concurrency Management System regulations.

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

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

(e) Whether the existing district boundaries are illogically drawn in

V. DATA & ANALYSIS (CONTINUED)

ULDC

relation to existing conditions on the property proposed for change.

Applicant Findings: The existing Village zoning boundaries were drawn as a result of Statutory DRI limitations in place at the time of the rezoning. As a result, the boundaries for the existing zoning do not match the existing parcel boundaries, creating existing illogically drawn zoning boundaries. This proposed zoning amendment seeks to correct the zoning boundaries to bring them in line and be consistent with the property boundaries.

Staff Findings: The rezone would provide district boundaries that would facilitate access from Toledo Blade Blvd. to the existing "Village" zoned properties. The portion of the rezone adjacent to Toledo Blade Blvd. will potentially add a commercial aspect to a currently under-developed area.

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

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

Applicant Findings: As mentioned, the existing Village future land use for much of the property included in this rezoning amendment necessitate the appropriate Village zoning designation. For those properties not having an existing Village future land use designation, they provide much needed and appropriate access and utility connection opportunity directly to Toledo Blade Blvd..

Staff Findings: Any development on the subject property would require a rezone. The site is currently zoned No Zoning Designation ("NZD"), which restricts the relationship between the subject parcels and those abutting the subject parcels. The proposed rezone would unify the adjacent Village ("V") zoning and compliment the Planned Community Development ("PCD") zoning abutting the subject properties.

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

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

Applicant Findings: The Village zoning will allow for the Toledo Village project to provide needed and a variety of housing types at different price points to the City while providing a necessary market

V. DATA & ANALYSIS (CONTINUED)

ULDC

component to facilitate the North Port Gardens DRI and overall economic development goals for the City to provide a diversity of business and employment types as an integral part of the City's Activity Center (AC-4)

Staff Findings: The proposed rezone unifies the subject property with the adjacent properties to the east which will facilitate development in the area. The proposed rezone complements the development of neighboring properties, such as the Toledo Gardens DRI, by providing connectivity and complementary functionality. For example, the proposed project would allow for commercial uses that are close to Toledo Gardens which residents may frequent without leaving the neighborhood.

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

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

Applicant Findings: As indicated response d. above, the impact on traffic and public safety will be thoroughly evaluated as part of the subsequent Village approval procedures. The Village reasoning itself does not provide for or have a direct approval to permit the development of land that would potentially have an impact or change on traffic and public safety.

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

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

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

Applicant Findings: Similar to the response provided in g. and d. above, the zoning change to Village zoning designation does not

V. DATA & ANALYSIS (CONTINUED)

ULDC

permit the development of land and the subsequent Village procedures as defined in the City's Comprehensive Plan and Unified Land Development Code requires the impact of development including drainage be addressed with the appropriate Village appropriate. The rezoning application does not itself propose a change or create a drainage problem.

Staff Findings: The proposed rezoning alone would have no effect on the drainage problem. The proposed rezoning would unify the applicant's already Village ("V") zoned properties. Per the ULDC, all new develop requires stormwater management, and the unified land would provide more opportunities for safely distributing stormwater among the shared parcels to reduce the stormwater runoff to adjacent properties. Future applications will require a stormwater analysis be reviewed and approved by the City's Stormwater Engineer before allowing any proposed development to move forward.

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

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

Applicant Findings: As indicated the zoning change to the Village zoning district will not change or seriously reduce light and air to adjacent areas. Subsequent Village applications and requirements will ensure detailed review of impact to adjacent areas including light and air are adequately addressed.

Staff Findings: The proposed zoning Village has greenbelt requirements that will reduce the impact of any built structures to adjacent properties. The proposed Village zoning does not allow building heights taller than the ULDC allows. Any future development applications will be reviewed by staff for compliance to any and all approved conditions.

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

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

Applicant Findings: Providing the Village zoning designation for the subject properties will afford the Toledo Village project to move

V. DATA & ANALYSIS (CONTINUED)

ULDC

forward providing significant opportunity for increasing property values in the adjacent areas through onsite and public amenities and the added benefit of central public infrastructure to the area.

Staff Findings: Currently, there is no development on the east-side of Toledo Blade Boulevard. The rezone would allow the connection from Toledo Blade Blvd. to the existing parcels to the east currently zoned Village, which is also owned by the applicant, that would promote development within the area.

A portion of the proposed rezone would include the commercial area adjacent to Toledo Blade Boulevard. The proposed project has the potential to create a desired destination, which has positive influences on neighboring property values. The proposed rezone also makes a connection from Toledo Blade Blvd. to parcels currently zoned Village expanding the area of the proposed development and allowing the potential for growth in rooftops, which would also have a positive influence on neighboring properties.

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

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

Applicant Findings: To the contrary, as indicated in prior approvals for the Toledo Village Project and the adjacent North Port Gardens Project, this zoning change will promote and make viable the development of the adjacent properties in accordance with existing regulations. The Toledo Village residential will provide the necessary rooftops to facilitate and meet market indicators to attract the desired non-residential development envisioned for this integral piece of the City's Activity Center (AC-4).

Staff Findings: Currently, there is no development on the east-side of Toledo Blade Boulevard. The proposed rezone of these parcels would allow the connectivity needed for from Toledo Blade Blvd. to existing parcels, owned by the applicant, already zoned Village. The applicant fully intends on moving forward with development assuming all future formal applications are reviewed and approved.

There are four proposed projects in this direct area. Three on the same side of Toledo Blade Boulevard, and one just across the street. Each of these proposed projects have either worked together in their designs, or they have used the development potential of each

V. DATA & ANALYSIS (CONTINUED)

ULDC

other's project for their development calculations.

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

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

Applicant Findings: The proposed change will not grant a special privilege to the property owner contrasted with the public welfare. As stated, the Village zoning is one step in a list of required Procedures defined by current City regulations that must be proposed and approved by the City Commission. The public welfare is an integral part of each of those required procedures to be analyzed and addressed for each specific step toward the Village designation and approval.

Staff Findings: The granting of this proposed rezone would not grant the applicant any special privilege that is outside of the Village zoning guidelines. The guidelines for Village zoning are based on an approved VDPB and VDPP. The process is the same as those that were followed by Wellen Park's Village zoning approvals.

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

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

Applicant Findings: As previously indicated, with the exception 83+/- acres (currently pending Future Land Use Amendment), these properties must have the corresponding Village zoning designation consistent with their current Village future land use designation. The properties cannot be further developed without this change.

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

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

V. DATA & ANALYSIS (CONTINUED)

ULDC

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

Applicant Findings: The Village designation by the City necessitates and envisions a development of large scale that is designed to integrate and be located in proximity to other land use types to produce and become a collection of connected and planned neighborhoods. This area of the City of North Port has continued to have the existing approved and planned Toledo Village project along with the adjacent North Port Gardens DRI as an overall development area intended to provide additional housing and non-residential uses options for this area of the City. The scale of these developments is intended and in line with the City's designation of Activity Center (AC-4) designation of this northeast area of the City in proximity to I-75.

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

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

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

Applicant Findings: The Zoning step in the overall Village process of the City of North Port will not decrease the level of service and concurrency of any area listed in Chapter 5 or cause the adverse effects on citizens. Concurrency and impact to levels of service and the impact to citizens of North Port will be specifically evaluated through subsequent Village application requirements where the applications will provide for the necessary project detail to afford the

V. DATA & ANALYSIS (CONTINUED)

ULDC

evaluation of these impacts. The rezoning of the subject properties will not cause the adverse impact to level of service, concurrency or health, safety, welfare of citizens. Additionally, this zoning amendment provides for the consistent zoning designation for the already approved Village future land use designation while adding the much-needed 83+/- acres of frontage along Toledo Blade Blvd., to provide for transportation and utility connectivity to the Toledo Village project.

Staff Findings: The proposed rezoning of this property will not decrease the level of service to the area, but will increase the usefulness of the area by creating a Village zoned corridor from Toledo Blade Blvd. to the existing Village zoned parcels to the east.

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

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

VI. PUBLIC NOTICE & HEARING SCHEDULE

PUBLIC NOTICE

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

PUBLIC HEARING SCHEDULE

Planning & Zoning Advisory Board	August 18, 2022 9:00 AM or as soon thereafter
City Commission 1st Reading	September 13, 2022 10:00 AM or as soon thereafter
City Commission 2nd Reading	November 22, 2022 6:00 PM or as soon thereafter

VII. RECOMMENDED MOTION

The Planning & Zoning Division recommends that the Planning & Zoning Advisory Board recommend approval of REZ-22-095 and motion as follows:

I move to recommend approval of Ordinance No. 2022-21, Petition REZ-22-095, and find that, based on competent substantial evidence, the Rezoning meets the standards in Florida Statutes § 166.041, the City of North Port's Comprehensive Plan, and Section 1-33 of the Unified Land Development Code.

VIII. ALTERNATIVE MOTIONS

1. **DENIAL** of Ordinance No. 2022-21, Petition REZ-22-095, Toledo Blade Flats.

I move to recommend denial of Ordinance No. 2022-21, Petition REZ-22-095, and find that, based on the competent substantial evidence:

- The proposed Rezoning **DOES NOT COMPLY** with the City of North Port Comprehensive Plan, the zoning regulations, and other sections of the Unified Land Development Code and other laws, ordinances, and regulations. [insert section#]

IX. EXHIBITS

A.	Affidavit
B.	Ordinance No. 2022-21 with Exhibits
C.	Notice of Public Hearing
D.	Legal Advertisement

AFFIDAVIT

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

Sworn and subscribed before me this 3rd day of February, 2022

[Signature] Jeffery A. Boone, Esq.
Signature of Applicant or Authorized Agent Print Name and Title

STATE OF Florida COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 3rd day of Febraury, 2022, by Jeffery A. Boone, Esq. who is personally known to me or has produced NA as identification.

[Signature]
Signature - Notary Public



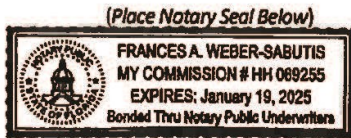
**AFFIDAVIT
AUTHORIZATION FOR AGENT/APPLICANT**

I, H.M.T.A. Real Estate LLC, property owner, hereby authorize Forestar Group, Atwell, RVI Planning and Jeffery Boone, Esq. to act as Agent on our behalf to apply for this application on the property described as (legal description) see attached.

[Signature] 01/31/2022
Owner Ronald A. York, Vice President of H.M.T.A. Real Estate, Inc., as manager of H.M.T.A. Real Estate, LLC, Date
STATE OF Florida COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 31st day of January, 2022, by Ronald A. York, Vice President of H.M.T.A. Real Estate, Inc., as manager of H.M.T.A. Real Estate, LLC who is personally known to me or has produced _____ as identification.

[Signature]
Signature - Notary Public
Frances A. Weber-Sabutis



Revised 8-30-19 (Reviewed by CAO)



City of North Port

ORDINANCE NO. 2022-21

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REZONING ± 789 ACRES LOCATED IN SECTION 6, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AS DESCRIBED IN INSTRUMENT NO. 2003102705 IN OFFICIAL RECORDS OF SARASOTA COUNTY; SECTION 5 AND SECTION 8, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AS DESCRIBED IN INSTRUMENT NO. 2003102706 IN THE OFFICIAL RECORDS OF SARASOTA COUNTY; AND SECTION 15 AND 16, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AS DESCRIBED IN INSTRUMENT NO. 2003102706, FROM NO ZONING DESIGNATION DISTRICT (NZD) TO VILLAGE DISTRICT (V); AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR FINDINGS; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

1 **WHEREAS**, a portion of the subject property consisting of ± 83.417 acres was reclassified from Future Land
2 Use classification of Activity Center (AC) and Agricultural Estates (AG) to Village (V) by adoption of
3 Ordinance No. 2022-21; and

4
5 **WHEREAS**, the remainder of the subject property consisting of ± 706.982 acres is designated as Future
6 Land Use classification of Village; and

7
8 **WHEREAS**, the subject property is currently zoned as No Zoning Designation (NZD), which is inconsistent
9 with the Future Land Use classification; and

10
11 **WHEREAS**, Petition REZ-22-095 (“Petition”) requests that the subject property be rezoned; and

12
13 **WHEREAS**, the public notice requirements provided in Florida Statutes Chapter 166 and the Unified Land
14 Development Code have been adhered to and satisfied; and

15
16 **WHEREAS**, the Planning and Zoning Advisory Board considered the Petition at a public hearing on August
17 18, 2022, and made its recommendation to the City Commission; and

18
19 **WHEREAS**, the City Commission held properly-noticed public hearings at first and second reading of this
20 ordinance, at which time all interested parties had an opportunity to appear and be heard, and the City
21 Commission considered all relevant evidence presented, as well as the Planning and Zoning Advisory
22 Board’s recommendation; and

23

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

26
27 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**
28

29 **SECTION 1 – FINDINGS**

30
31 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
32

33 1.02 The City Commission finds this ordinance to be consistent with the adopted North Port
34 Comprehensive Plan and Unified Land Development Code.
35

36 1.03 All exhibits attached to this ordinance are incorporated in this ordinance by reference.
37

38 **SECTION 2 – REZONING**

39
40 2.01 The City Commission hereby changes the zoning classification of ± 789 acres from No Zoning
41 Designation (NZD) to Village District (V) for the parcels, as follows:
42

43 a. Parcel A: Being a part of the South 1/2 of Section 06, Township 39 South, Range 22 East,
44 of Sarasota County, Florida as described in Instrument No. 2003102705 in the Official
45 Records of Sarasota County; and
46

47 Parcel B: Being a part of the South 1/2 of Section 6, Township 39 South, Range 22 East,
48 of Sarasota County, Florida as described in Instrument No. 2003102705 in the Official
49 Records of Sarasota County; and
50

51 b. A part of Section 5 and 8, Township 39 South, Range 22 East, of Sarasota County, Florida
52 as described in Instrument No. 2003102706 in the Official Records of Sarasota County;
53 and
54

55 c. A part of Section 15 & 16, Township 39 South, Range 22 East, Sarasota County, Florida
56 as described in Instrument No. 2003102706 in the Official Records of Sarasota County.
57

58 2.02 The boundary survey for the parcels is attached as “Exhibit A”.

59
60 2.03 The City Commission approves the revised Official Zoning Map, attached as “Exhibit B,”
61 reflecting the zoning change approved in this ordinance.
62

63 **SECTION 3 – FILING OF APPROVED DOCUMENTS**

64
65 3.01 The City Clerk is directed to place in the City Clerk’s files an updated Official Zoning Map in
66 accordance with the requirements of Sections 53-14, 53-16, and 53-17 of the Unified Land
67 Development Code.
68

69 3.02 The City Clerk is directed to file a certified copy of this ordinance with the Clerk of the Circuit
70 Court in and for Sarasota County, Florida, and with the Florida Department of State in
71 accordance with the requirements of Section 1-36 of the Unified Land Development Code.
72

73 **SECTION 4 – CONFLICTS**

74

75 4.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in
76 whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

77

78 **SECTION 5 – SEVERABILITY**

79

80 5.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase,
81 or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be
82 deemed a separate, distinct, and independent provision and will not affect the validity of the
83 remaining portions of the ordinance.

84

85 **SECTION 6 – EFFECTIVE DATE**

86

87 6.01 This ordinance takes effect immediately upon adoption.

88 READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida in public
89 session on September 13, 2022.

90

91 ADOPTED by the City Commission of the City of North Port, Florida on the second and final reading in
92 public session on _____, 2022.

93

94

CITY OF NORTH PORT, FLORIDA

95

96

97

98

PETE EMRICH

99

MAYOR

100

101 ATTEST

102

103

104

HEATHER FAUST, MMC

105
106 CITY CLERK

107

108 APPROVED AS TO FORM AND CORRECTNESS

109

110

111

AMBER L. SLAYTON

112
113 CITY ATTORNEY

114

115

116

117

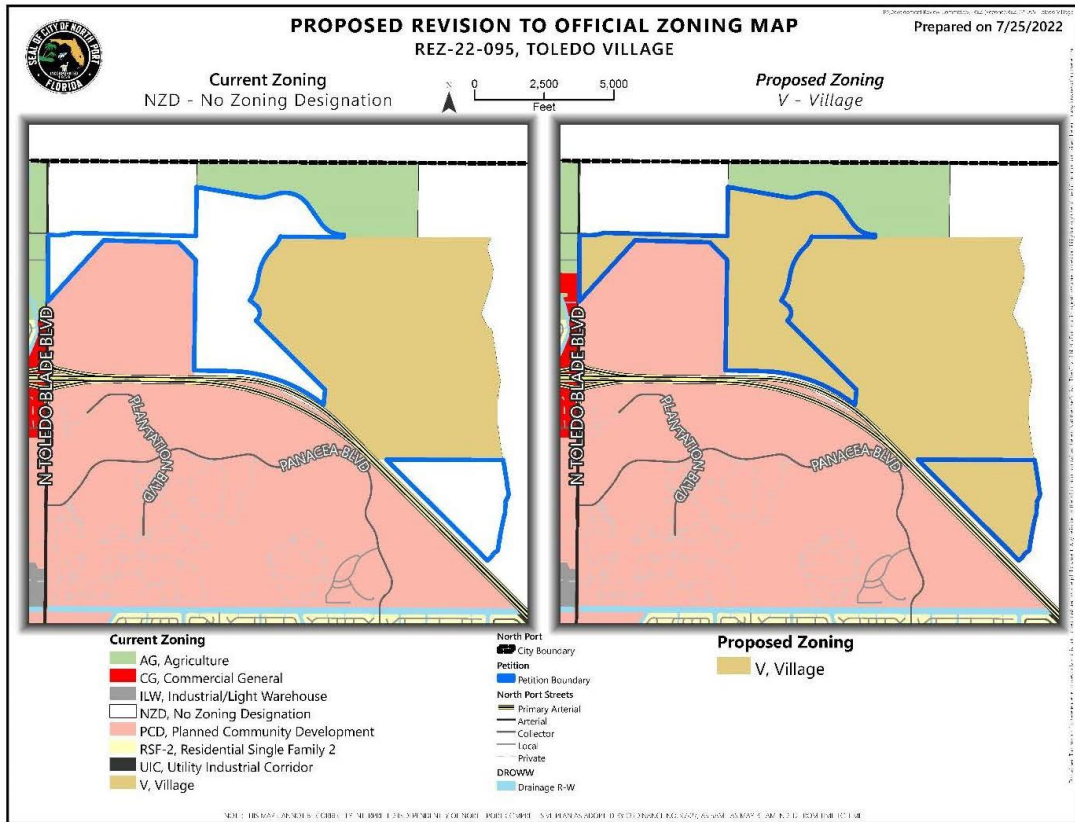
118

119

120

121

Exhibit A



122



**Toledo Village CPA / REZ / VIA / VDPB / VDPP
Neighborhood Meeting**

**Wednesday, July 13, 2022, 5:00 p.m.
North Port Public Library, 13800 Tamiami Trail, North Port, FL 34287**

Forestar and their consultant team hosted a Neighborhood Meeting at the North Port Public Library, at 5:00 p.m., on Wednesday, July 14, 2022. The meeting was held for the Comprehensive Plan Amendment, Rezone, Village Index Map, Village District Pattern Book, and Village District Pattern Plan applications for the Toledo Village development ("Project"), that are under review or planned to be submitted in the near future. The meeting was noticed to property owners listed on Exhibit "A" attached, per the requirements of Section 53-5 and 37-55 of the Unified Land Development Code (ULDC). The meeting notice is provided as Exhibit "B".

The list of participants is attached as Exhibit "C" and demonstrates approximately 13 in-person attendees were present at the meeting. The applicant and consultant team included an additional 10 attendees.

Jeff Boone, John Barnott, and Alexis Crespo welcomed attendees, introduced the team, and provided an overview of the project. Four stations were set up each covering a different aspect of the Project, and attendees were directed to move freely around the room and visit these stations. The four stations covered (1) General Planning & Zoning, (2) Transportation, (3) Engineering & Environmental, and (4) Community Vision and Design. The introductory presentation and images of the Stations and meeting are included as Exhibit "D".

The Applicant explained that the Project builds on prior approvals from 2007, under a new developer, Forestar. It was noted that Forestar has a vision for a master-planned residential community which caters to demographics of all ages. The community is planned with interconnected residential neighborhoods, maximum protection to environmentally sensitive habitat and active and passive recreational amenities. The project also includes a public park, which will be dedicated to the City of North Port. The Applicant also explained the next steps in the review and approval process.

Discussion at the Stations are summarized below:

(1) General Planning & Zoning

- There were questions on the types of housing, and it was explained where townhomes would be located as well as single-family communities.
- There were questions on the park locations, and those were provided.
- There was a question on if the project would impact the Orange Hammock wildlife preserve to the east and it was indicated the project would not impact the preserve, and coordination would occur prior to development with the FWC. It was also noted that homebuyers would be notified of the preserve and allowed hunting activity.

- There was a question on the trail system in the FPL easement and it was explained this will be open to the public.

(2) Transportation

- There were questions on whether or not there will be bridge/flyover to connect the project to the south side of I-75. It was indicated this type of improvement is not planned.
- There were questions on the road widening improvements to Toledo Blade Blvd. and Tropicaire. It was explained that a transportation study will be required for the project and based on the results of that study required improvements will be identified. The developer will be responsible for funding identified improvements as required by the City Code. The developer will also work with surrounding property owners who will also be funding these improvements based on their development.
- There were also questions on Toledo Blade Blvd. improvements in the 2040 Transportation Plan.
- An attendee inquired whether there any other interchanges planned near the site.

(3) Engineering & Environmental

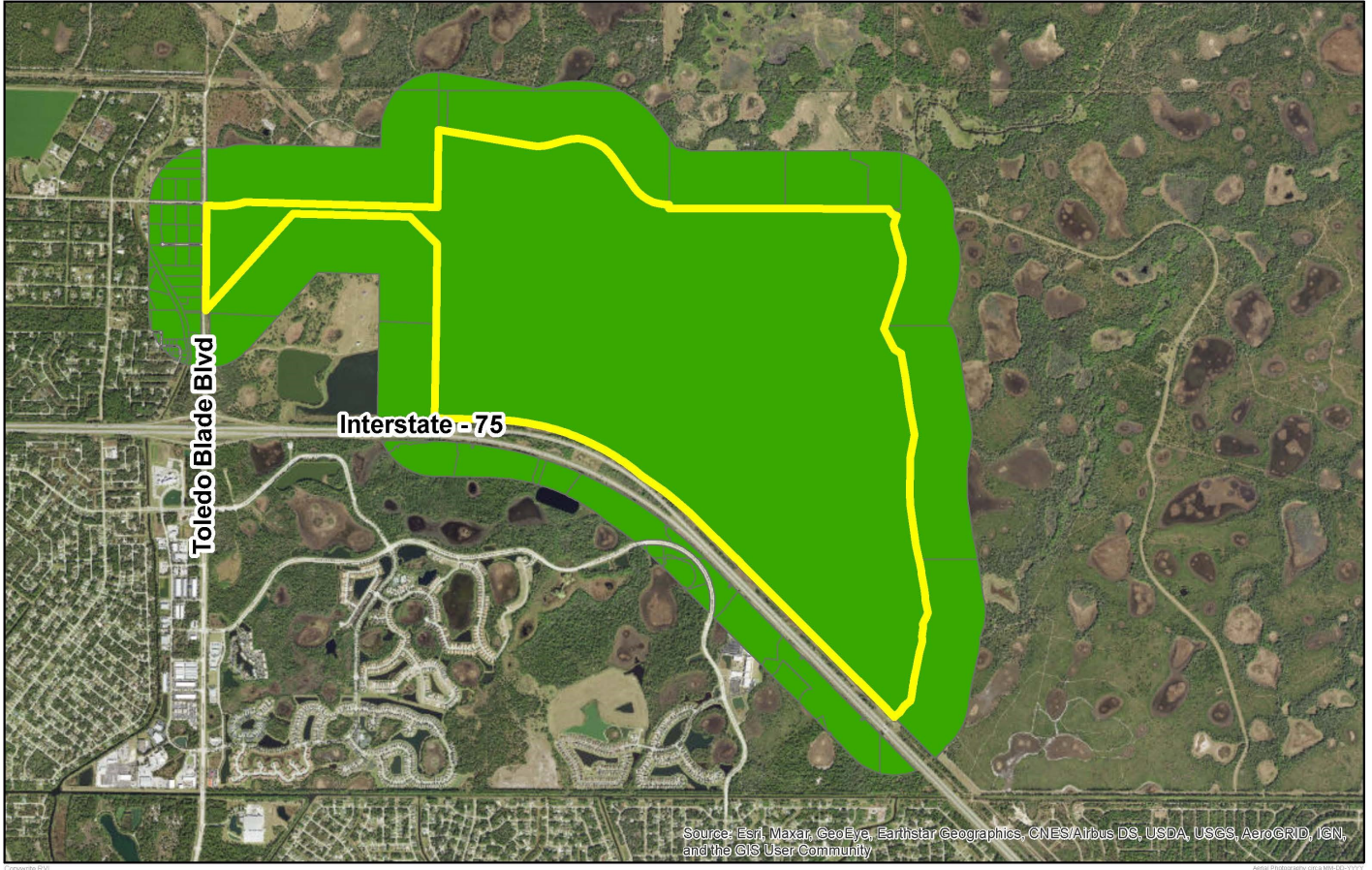
- An attendee inquired whether the development would affect their property rights, it was clarified that there would be no impacts.
- There were questions on the location of greenbelts and conservation areas, which the team was able to provide details on.
- There was concern whether the project would impact drainage, especially west of Toledo Blade Blvd. It was explained the after development the runoff/flow will be less than the current sheet flow conditions. Through the permitting process there can be no adverse impacts to off-site properties.

(4) Community Vision and Design

- There were questions on the planned phasing of the project.
- There was discussion on buffers planned to the north of the development, adjacent to agricultural properties, through landscaping and site design.
- There was positive feedback regarding the planned public park and trail along the FPL easement corridor.
- A resident provided input on the history of the site and its natural features, from his experience as well as the use of property to the north as a hunting ground.
- The team responded to questions on site design considerations including protection of wetlands, trees, flowways and situating wildlife corridors.
- There were concerns regarding high-density multi-family development on the Toledo Blade Boulevard frontage. The team explained that townhomes are planned for this area, which addressed these concerns.
- There was a discussion regarding roadway design and whether the neighborhoods would be gated.

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

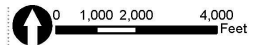
EXHIBIT A



RVi
 551 N Cattleman Rd
 Suite 304
 Sarasota, FL 324292
 Tel: 941.379.8400
 www.rviplanning.com

TOLEDO VILLAGE • BUFFER MAP

- 📍 City of North Port, FL
- 📅 Date: 6/14/2022
- 🏠 # 220001261
- 🏢 ▲ Forestar Group, Inc.
- 📐 Subject Boundary
- 🟢 1320ft. Buffer



Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

DENICE HAGGERTY INC
1861 PRIMROSE LN
WELLINGTON FL 33414

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

NORTH PORT CITY OF
4970 CITY HALL BLVD
NORTH PORT FL 34286-4100

MYERS RICHARD L JR
1565 MUSA RD
NORTH PORT FL 34286-9168

NEMBARD AVERIL E
2728 PAULDING AVE FL 2
BRONX NY 10469

WONG LORNA ARLENE
11 MILLER PL
HEMPSTEAD NY 11550

BALDASSARI MARJORIE M
1620 OVERLOOK RD
BELLE ISLE FL 32809-6139

INTERCHANGE THIRTY-TWO INC
701 J C CENTER CT UNIT 7
PORT CHARLOTTE FL 33954-2826

WICHERS JOSHUA
3498 ALBIN AVE
NORTH PORT FL 34286

MACEY DONNA L
1600 SOUTH MAY AVE
NORTH PORT FL 34286

NORTH PORT ROAD & DRAINAGE DISTRICT
4970 CITY HALL BLVD
NORTH PORT FL 34286-4100

I-75 INTERCHANGETHIRTYTWO LLC
182 ISLAND CIR
SARASOTA FL 34242

MOFFAT ROBERT
1448 DUFFERIN AVE
NORTH PORT FL 34286

LUCAS DON E
5646 N CHAMBERLIN BLVD
NORTH PORT FL 34286

STRELKOV YEVGENIY
200 ROOSEVELT CIR
EPHRATA PA 17522

C-NOTE INVESTMENTS LLC
3600 JACKSON ST APT 28
HOLLYWOOD FL 33021

BETHEL BAPTIST CHURCH OF NORTH PORT
INC
PO BOX 7259
NORTH PORT FL 34290-0259

TEN POW GEORGE S
1244 CASTLE TRAIL DR
ST JOHNS FL 32259

YUPONCE LEO R
6201 BELVA WAY
NORTH HIGHLANDS CA 95660-4103

BRYCH YURIY
3827 TONKIN DR
NORTH PORT FL 34287

I-75 INTERCHANGETHIRTYTWO LLC
182 ISLAND CIR
SARASOTA FL 34242

VELASCO JULIA
10504 S AVENUE G
CHICAGO IL 60617-6321

NGUYEN LAN ANH
759 FORDINGBRIDGE WAY
OSPREY FL 34229

COMIAN XII TAX LIEN FUND LLC
700 RTE 130 N STE 101
CINNAMINSON NJ 08077

BACHOFNER WILLIAM E
12 CENTER ST
ROCKLAND ME 04841-2247

PATEL NISARG P
2505 HOBBLEBRUSH DR
NORTH PORT FL 34289

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

OCEANICA DE INVERSIONES S A
7A AV 5-62 SECTOR A-3
MIXCO 01057

NORTH PORT CITY OF
4970 CITY HALL BLVD
NORTH PORT FL 34286-4100

I-75 INTERCHANGETHIRTYTWO LLC
182 ISLAND CIR
SARASOTA FL 34242

COURTNEY LANA TOM TR UW WILMA
HOWELL TRUST
1519 TROPICAIRE BLVD
NORTH PORT FL 34286

I-75 INTERCHANGETHIRTYTWO LLC
182 ISLAND CIR
SARASOTA FL 34242

WILLIAM G WELK REAL ESTATE TRUST
PO BOX 2312
BONITA SPRINGS FL 34133

EVANS MARK W
4030 OLIVE AVE
SARASOTA FL 34231-7608

BEAL CRAIG G
1568 CLOW CT
NORTH PORT FL 34286-9139

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

WILLIAM G WELK REAL ESTATE TRUST
PO BOX 2312
BONITA SPRINGS FL 34133

NORTH PORT ROAD & DRAINAGE DISTRICT
4970 CITY HALL BLVD
NORTH PORT FL 34286-4100

AKIYAMA TOMOKA
BLUESKY 202 3-19-18 AIHARA MIDORI-KU
SAGAMIHARA-SHI KANAGAWA 25

POMERLEAU ERIC
1713 MAY AVE
NORTH PORT FL 34286

BARACK JOSEPH A
8301 SHARALYN DR
BRIDGEVILLE PA 15017

PAXSON LLC
2240 BAY VILLAGE CT
PALM BEACH GARDENS FL 33410

PAXSON LLC
2240 BAY VILLAGE CT
PALM BEACH GARDENS FL 33410

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

KAPADIA MANISH K
1669 TROPICAIRE BLVD
NORTH PORT FL 34286-9202

SWEERIS LARRY WAYNE
5896 N CHAMBERLAIN BLVD
NORTH PORT FL 34286

AGUILAR WALTER
720 JENNINGS AVENUE
WEST HEMPSTEAD NY 11552

TEIXEIRA MARK
1655 CLOW CT
NORTH PORT FL 34286-9142

CICAK MICHAEL P
1581 CLOW CT
NORTH PORT FL 34286-9141

BUFFALO-NORTHPORT ASSOCIATES II LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

HARNISH MARK E
1222 TROPICAIRE BLVD
NORTH PORT FL 34286-9122

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUN
C/O FLORIDA DEPARTMENT OF
ENVIRONMENTAL P
TALLAHASSEE FL 32399
NORTH PORT CITY OF
4970 CITY HALL BLVD
NORTH PORT FL 34286-4100

HUNTINGTON NATIONAL REAL ESTATE
INVESTMENTS LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

PANACEA GULF COAST INVESTMENTS LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

SARASOTA COUNTY
PO BOX 8
SARASOTA FL 34230-0008

KANG JOHN S
3651 CORONADO DR
FULLERTON CA 92835-1527

THORPE DAVID K
6215 TOLEDO BLADE BLVD
NORTH PORT FL 34286

JORGE MARY T
6449 TOLEDO BLADE BLVD
NORTH PORT FL 34286-9155

BUFFALO-NORTHPORT ASSOCIATES II LLC
C/O E JOHN WAGNER II
SARASOTA FL 34236-6802

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUN
C/O FLORIDA DEPARTMENT OF
ENVIRONMENTAL P
TALLAHASSEE FL 32399

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

I-75 INTERCHANGETHIRTYTWO LLC
182 ISLAND CIR
SARASOTA FL 34242

NORTH PORT CITY OF
4970 CITY HALL BLVD
NORTH PORT FL 34286-4100

SARASOTA COUNTY
PO BOX 8
SARASOTA FL 34230-0008

PANACEA GULF COAST INVESTMENTS LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

PANACEA GULF COAST INVESTMENTS LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

NORTH PORT CITY OF
4970 CITY HALL BLVD
NORTH PORT FL 34286-4100

ALAN AND LISA KURECKI REVOCABLE
TRUST
1700 MAY AVE
NORTH PORT FL 34286-9134

NORTH PORT CITY OF
4970 CITY HALL BLVD
NORTH PORT FL 34286-4100

SCHOOL BOARD OF SARASOTA CO
C/O MGR OF PROPERTY RECORDS
SARASOTA FL 34231-3330

PANACEA PROPERTIES LTD
570 DELAWARE AVE
BUFFALO NY 14202

PANACEA GULF COAST INVESTMENTS LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

SARASOTA COUNTY
PO BOX 8
SARASOTA FL 34230-0008

SCHOOL BOARD OF SARASOTA CO
C/O MGR OF PROPERTY RECORDS
SARASOTA FL 34231-3331

HEYWARD DEVELOPMENT LLC
7978 COOPER CREEK BLVD
UNIVERSITY PARK FL 34201

HEYWARD DEVELOPMENT LLC
C/O ACCOUNTS PAYABLE
BUFFALO NY 14202

HEYWARD DEVELOPMENT LLC
7978 COOPER CREEK BLVD
UNIVERSITY PARK FL 34201

EMPIRE NATIONAL ADVERTISING GROUP
LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUN
C/O FLORIDA DEPARTMENT OF
ENVIRONMENTAL P
TALLAHASSEE FL 32399

CARLTON SARASOTA LLC
C/O LEE F PALLARDY III
TAMPA FL 33602-4933

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUN
C/O FLORIDA DEPARTMENT OF
ENVIRONMENTAL P
TALLAHASSEE FL 32399

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

SCHOOL BOARD OF SARASOTA CO
C/O MGR OF PROPERTY RECORDS
SARASOTA FL 34231-3330

EMPIRE NATIONAL ADVERTISING GROUP
LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

PANACEA GULF COAST INVESTMENTS LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

EMPIRE NATIONAL ADVERTISING GROUP
LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

BUFFALO-NORTHPORT ASSOCIATES II LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

PANACEA GULF COAST INVESTMENTS LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

PANACEA GULF COAST INVESTMENTS LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

EMPIRE NATIONAL ADVERTISING GROUP
LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

HUNTINGTON NATIONAL REAL ESTATE
INVESTMENTS LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

HEYWARD DEVELOPMENT LLC
C/O ACCOUNTS PAYABLE
BUFFALO NY 14202

CURRIE RANCH LTD PRTSHP
5815 N DALE MABRY HWY
TAMPA FL 33614-5605

DEER HAMMOCK LLC
7111 SADDLE CREEK WAY
SARASOTA FL 34241-9797

CARLTON SARASOTA LLC
C/O LEE F PALLARDY III
TAMPA FL 33602-4933

CURRIE RANCH LIMITED PRTSHP
457 3RD AVE N
TIERRA VERDE FL 33715-1722

PANACEA GULF COAST INVESTMENTS LLC
C/O BENDERSON DEVELOPMENT
BUFFALO NY 14202

R&K ENTERPRISES OF NP LLC
4449 WEBB RD
CHATTANOOGA TN 37416

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

EXHIBIT B



June 29, 2022

RE: Toledo Village Neighborhood Meeting

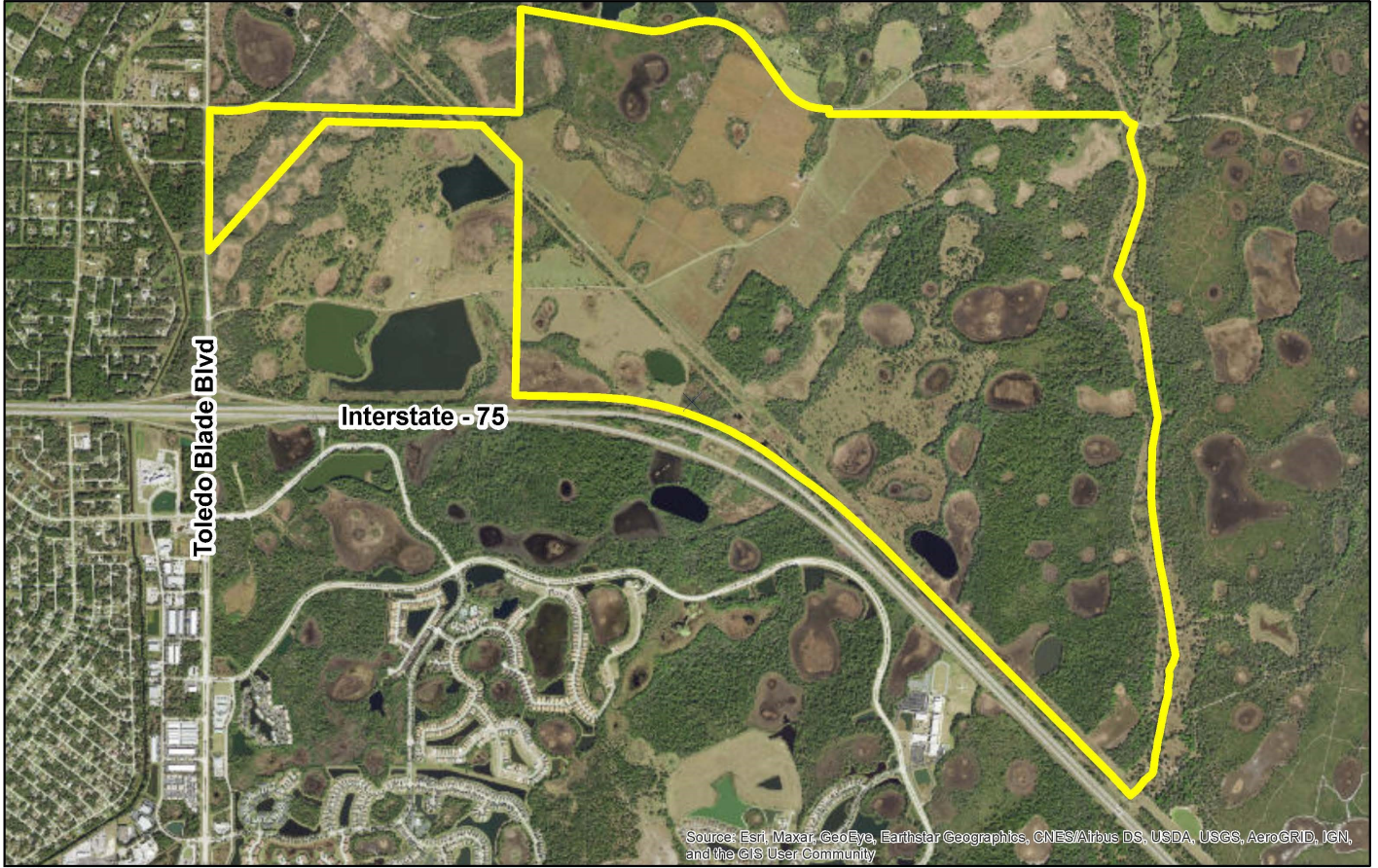
Dear Property Owner:

In compliance with the City of North Port Unified Land Development Code requirements relating to Section 53-5 and 37-55, Forestar Group Inc., the owner of the above-referenced properties, is holding the required Neighborhood Meeting in relation to Toledo Village ("Project"). The meeting is in regard to the Comprehensive Plan Amendment, Rezoning, Village Index Map, and Village District Pattern Book applications under review by the City of North Port.

The Toledo Village Project consists of 2,086 +/- acres located in northeast section of the City of North Port, east of Toledo Blade Blvd., and approximately one (1) mile north of the I-75 interchange. The development is planned with a series of residential neighborhoods with civic components, and requisite infrastructure, arranged to preserve and take advantage of the natural features of the site. The purpose of the meeting is to educate community members and nearby landowners about the proposed Project and to address any questions.

The Neighborhood Meeting will be held on Wednesday, July 13th, 2022, at 5:00 p.m. at the North Port Public Library located at 13800 Tamiami Trail, North Port, FL 34287.

For questions, please contact Lindsey Craig at LCraig@RViPlanning.com or (407) 488-0051.



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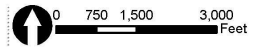
Aerial Photography ©2022 Esri

RVi
 551 N. Cattleman Rd
 Suite 304
 Sarasota, FL 324232
 Tel: 941.379.8400
 www.rvplanning.com

TOLEDO VILLAGE • AERIAL MAP

- 📍 City of North Port, FL
- 📅 Date: 4/27/2022
- # 220001261
- ▲ Forestar Group, Inc.

Subject Boundary



Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

EXHIBIT C

TOLEDO VILLAGE NEIGHBORHOOD MEETING

July 13, 2022 – 5:00 p.m.

Name	Address	E-Mail Address (PLEASE PRINT CLEARLY)
Billy + Rhonda Currie	2005	IMap Ⓢ rbcurrie@verizon.net Currietreefarm@verizon.net
Bend + Christina Bucknell		Christina bucknell@gmail.com
Marc Knoedler	6541 N. Toledo Blv	marckno@gmail.com
Alan + Lisa Kurecki		
Craig Garrett		Craig.garrett@yowsun.com
Craig Beal	1568 Clow Ct North Port, FL	ELSA.BEAL@VERIZON.NET
Jennifer Strieby	1366 Creekview Dr	JANSTRIBBY@yahoo.com
NISARA PATEL	NESTOR CT PROPERTY	

**TOLEDO VILLAGE
NEIGHBORHOOD MEETING**

July 13, 2022 – 5:00 p.m.

Name	Address	E-Mail Address (PLEASE PRINT CLEARLY)
Bill Welk	2569 Tropicana	
Manish Kapadia	1669 Tropicana	
Kerri Mac Nutt	ECT	

EXHIBIT D



TOLEDO VILLAGE

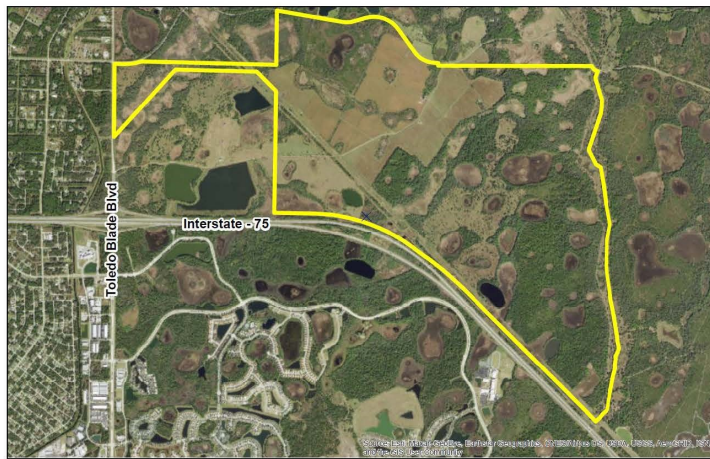
NEIGHBORHOOD MEETING
JULY 13, 2022



WELCOME & INTRODUCTIONS

- John Barott & Mike Campbell - Forestar
- Jeffrey Boone & Jackson Boone – Boone Law Firm
- Alexis Crespo, Sabrina McCabe, Lindsey Craig & Rhea Lopes – RVi Planning + Landscape Architecture
- Sean Crowell – ATWELL Group
- Kerri MacNutt – Environmental Consulting & Technology (ECT)
- Chris Hatton & Tarek Elfallah – Kimley Horn

AERIAL LOCATION MAP

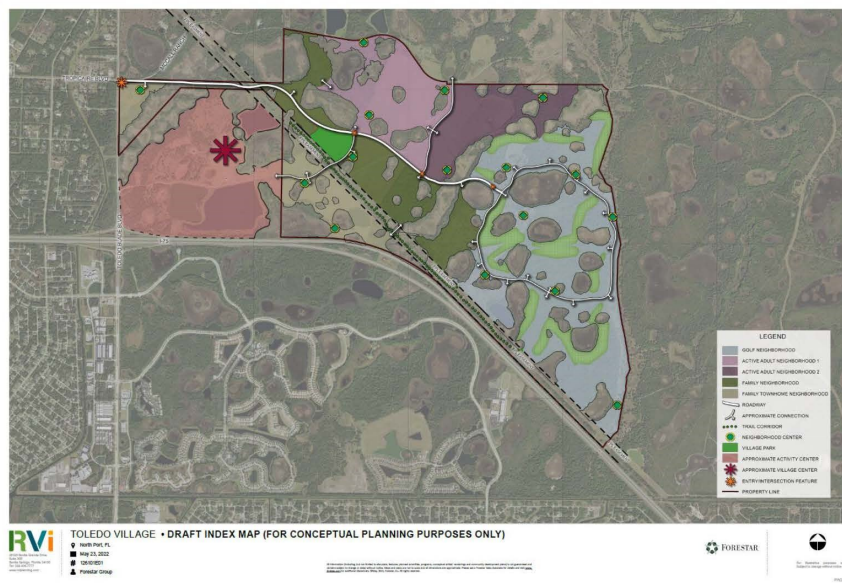


TOLEDO VILLAGE • AERIAL MAP
 City of North Port, FL
 Date: 4/27/2022
 # 220001251
 Forestar Group, Inc.



750 1,500 3,000 Feet
 Information furnished regarding this property is for informational purposes only. It does not constitute an offer of insurance or any other financial product. Please consult your agent for more information. © 2022 RVI. All rights reserved.

INDEX MAP/CONCEPTUAL PLAN



JULY 13, 2022

TOLEDO VILLAGE – NEIGHBORHOOD MEETING

4

QUESTIONS?

ACRESPO@RVIPLANNING.COM

(239) 850-8525

MEETING STATIONS



JULY 13, 2022



TOLEDO VILLAGE

1

MEETING IN-PROGRESS



JULY 13, 2022



TOLEDO VILLAGE

PUBLIC NOTICE - CITY OF NORTH PORT NOTICE OF PUBLIC HEARINGS FOR ORDINANCE NUMBER 2022-21

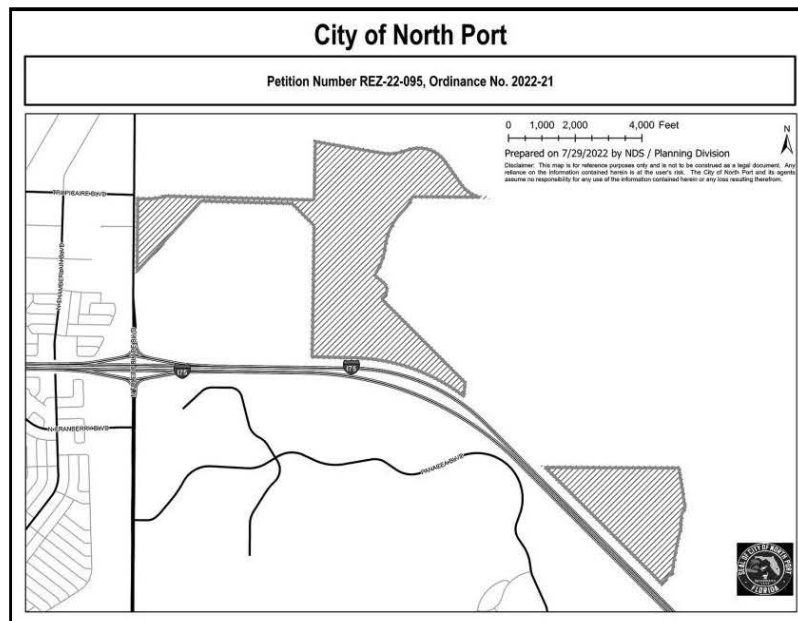
NOTICE IS HEREBY GIVEN, pursuant to Chapters 166 and 163 of the Florida Statutes, Section 7.01(c) of the Charter of the City of North Port, Florida that the City of North Port proposes to adopt Ordinance 2022-21 rezoning (changing the permitted use of) ±789 acres from "No Zoning Designation" (NZD) to "Village" (V) designation.

Public Hearings will be held before the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) on **August 18, 2022, at 9:00 a.m.**, or as soon thereafter as the matter may be heard in the **City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286.**

A Public Hearing for the first reading of Ordinance 2022-21 will be held before the North Port City Commission in **City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286 on Tuesday, September 13, 2022, at 10:00 a.m.**, The second and final reading will be held before the North Port City Commission in Commission Chambers on a date to be determined to consider enactment of Ordinance No. 2022-21.

ORDINANCE NO. 2022- 21

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REZONING ± 789 ACRES LOCATED IN SECTION 6, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AS DESCRIBED IN INSTRUMENT NO. 2003102705 IN OFFICIAL RECORDS OF SARASOTA COUNTY; SECTION 5 AND SECTION 8, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AS DESCRIBED IN INSTRUMENT NO. 2003102706 IN THE OFFICIAL RECORDS OF SARASOTA COUNTY; AND SECTION 15 AND 16, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AS DESCRIBED IN INSTRUMENT NO. 2003102706, FROM NO ZONING DESIGNATION DISTRICT (NZD) TO VILLAGE DISTRICT (V); AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR FINDINGS; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.



Note: Proposed Ordinance No. 2022-21.

All interested parties are invited to appear and be heard in respect to these Ordinances at the public hearings in the City Hall Commission Chambers. Written comments filed with the City Commission will be heard and considered and will be made a matter of public record at the meeting. These public hearings may be continued from time to time as announced at the hearings, as may be found necessary. The files pertinent to Ordinance 2022-21, REZ-22-095 may be inspected by the public at the Neighborhood Development Services Department, Planning Division, and in the City of North Port City Clerk's Office, 4970 City Hall Boulevard, North Port, Florida 34286, during regular business hours.

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

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

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

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

/s/
Heather Faust, MMC
City Clerk

Publish: August 2, 2022

adno=3857145-1