



October 2, 2023

State Land Planning Agency
Department of Economic Opportunity, Bureau of Comprehensive Planning
Attention: Ms. Barbara Powell, Plan Processing Administrator
Caldwell Building
107 East Madison - MSC 160
Tallahassee, Florida 32399-4120

RE: Transmittal of Proposed Comprehensive Plan Amendment CPAL-22-247, Toledo Blade 320

Ms. Powell:

The City of North Port Commission hereby transmits to the Department of Economic Opportunity (DEO), Comprehensive Plan Amendment CPAL-22-247 for review and comment. The Planning and Zoning Advisory Board, acting as the City's Local Planning Agency, held a public hearing for the amendment on September 7, 2023, and recommended approval of the amendment. On September 26, 2023, the North Port City Commission held a public hearing, and approved the Comprehensive Plan Amendment for transmittal to the Department of Economic Opportunity for review and comment.

CPAL-22-247 is an amendment to the City of North Port Comprehensive Plan, to change the land use of ± 320 acres from Agricultural, Estates to Industrial and High Density Residential Future Land Use.

All files of the transmittal package are submitted as pdf with this letter electronically through the submittal portal. By this letter, we certify that one copy of the transmittal materials has been submitted simultaneously to the following agencies:

- Florida Department of Environmental Protection
- Florida Department of State
- Florida Department of Transportation
- Southwest Florida Regional Planning Council
- Southwest Florida Water Management District
- Planning and Development Services, Sarasota County

The amendment is anticipated to be heard for adoption on November 14, 2023, following receipt of the comment letter from the State Land Planning Agency.

If you have any questions concerning the comprehensive plan amendment, please contact Lori Barnes, Planning & Zoning Division Manager, at lbarnes@northportfl.gov, City of North Port, Florida, Neighborhood Development Services, Planning & Zoning Division, 4970 City Hall Boulevard, North Port, Florida 34286, (941) 429-7221.

Sincerely,

Lori Barnes

Lori Barnes, AICP, CPM
Planning & Zoning Division Manager



Attachments (4):

1. Comprehensive Plan Amendment Narrative CPAL-22-247
 2. Cover Memo to City of North Port Commission
 3. Commission Staff Report (Transmittal Hearing)
 4. Draft Ordinance 2023-25
- c:
- A. Jerome Fletcher II, ICMA-CM, City Manager, City of North Port
 - Plan Review, Florida Department of Environmental Protection, Office of Intergovernmental Programs
 - Timothy A. Parsons, Ph.D., Preservation Officer, Florida Department of State, Bureau of Historic Preservation
 - Vitor Suguri, Growth Management Coordinator, Florida Department of Transportation, District One
 - Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council
 - Trisha Neasman, AICP, Planning Supervisor, Southwest Florida Water Management District
 - Matthew R. Osterhoudt, Director, Planning and Development Services, Sarasota County



September 27, 2023

Proposed Expedited State Review Comprehensive Plan Amendment CPAL-23-247

Proposed Amendment Package Narrative

1. All proposed text in a strike-through/underline format (or similar easily identifiable format).

See attached draft Ordinance 2023-25.

2. Staff, local planning agency, and local governing body recommendations.

Staff recommends approval of the proposed Comprehensive Plan Amendment. The Local Planning Agency voted 5-1 to recommend approval of Ordinance 2023-25. The City Commission voted 3-2 to recommend approval of transmittal of Ordinance 2023-25.

3. Support documents or summaries of the support documents on which the recommendations regarding the proposed plan amendment(s) are based.

The Staff Report has been included in transmittal packet, as well as the Cover Memo to the City of North Port City Commission.

4. For future land use map amendments, color maps depicting:
 - a. The proposed future land use designation of the subject property.
 - b. The boundary of the subject property and its location in relation to the surrounding street and throughfare network.
 - c. The present future land use map designations of the subject properties and abutting properties.

Maps related to this project are included in the Staff Report and Ordinance

5. An existing land use map depicting:
 - a. The existing land use(s) of the subject property and abutting properties.
 - b. The size of the subject property in acres or fractions thereof.

Maps related to this project are included in the Staff Report and Ordinance

6. A description of availability of and the demand on sanitary sewer, solid waste, drainage, potable water and water supply, traffic circulation, schools (if local government has adopted school concurrency), and recreation, as appropriate.

The City of North Port will serve the site solid waste, along with sewer and water. A traffic impact study was submitted with this application to the City's engineers with no objections. The project has no proposed uses at this time, so no school concurrency application has been submitted.



7. *Information regarding the consistency of the proposed land use amendments with the future land use element goals, objectives, and policies, and those of other affected elements.*

This information can be found within the attached Staff Report.

8. *If a local government relies on data and analysis from a previous amendment, a reference to the specific portions of the previously submitted data and analysis on which the local government relies to support the amendment.*

Not applicable.

9. *If previous data and analysis is no longer the best available existing data or no longer supports the plan, copies of updated and reanalyzed data and analysis to support the proposed amendment.*

Not applicable.

10. *A submittal cover letter transmitting the proposed amendment that includes the following:*
 - *The date(s) the local planning agency and the commission held public hearings*
 - *A statement certifying that the proposed amendment(s) have been submitted to the appropriate agencies identified above. Certification means that the letter must state that a copy of the complete amendment package including supporting data and analysis has been mailed to these agencies and the date it was mailed*
 - *A summary of the plan amendment(s) including that the amendment is being submitted under the expedited state review process*
 - *The month the local government anticipates the amendment will be adopted*
 - *A statement indicating that the amendment is not applicable to an area of state concern*
 - *The name, title, address, telephone, fax number, and e-mail of the local contact person*

The electronic submittal includes the required transmittal cover letter.

TO: Planning and Zoning Advisory Board

FROM: Carl Bengel, AICP, Planner III

SUBJECT: Consideration of Petition No. CPAL-22-247, Toledo Blade 320 (QUASI-JUDICIAL)

Recommended Action

The Planning & Zoning Advisory Board recommends that the City Commission **approve** CPAL-22-247, Toledo Blade 320

General Information

Kenrick Gallander, AICP with RWA, Inc., on behalf of the property owner, Xin Xue, with Deluxeton North Port, LLC (**Exhibit A**) has submitted a request for a Comprehensive Plan Amendment (CPA) to change the Future Land Use (FLU) designation of the ±320-acre subject property from Agricultural, Estates to Industrial and High Density Residential (HDR).

The subject property is adjacent to S. Toledo Blade Boulevard and approximately .5 miles from I-75.

The property to the north of the site is located in Sarasota County and zoned Open Use Agricultural (OUA). The properties to the east have a FLU of Agricultural, Estates and Village, to the west a FLU of Agricultural, Estates, and to the south a FLU of Village.

Strategic Plan

Economic Development & Growth Management

Financial Impact

N/A

Procurement

N/A

Attachments:

1. Staff Report with Exhibits
2. Ordinance No. 2023-25 with Exhibits
3. Survey
4. Sketch and Description – Industrial
5. Sketch and Description – High Density Residential
6. Future Land Use – Parcel
7. Aggrieved Party

Prepared by:

Carl Bengel, AICP, Planner III
Lori Barnes, AICP, CPM, Assistant Development Services Director

Department Director:

Alaina Ray, AICP, Development Services Director

TO: Honorable Mayor & Members of the North Port City Commission

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

SUBJECT: Consideration of Petition No. CPAL-22-247, Toledo Blade 320 (QUASI-JUDICIAL)

Recommended Action

The City Commission **approve** CPAL-22-247, Toledo Blade 320

General Information

Kenrick Gallander, AICP with RWA, Inc., on behalf of the property owner, Xin Xue, with Deluxeton North Port, LLC (**Exhibit A**) has submitted a request for a Comprehensive Plan Amendment (CPA) to change the Future Land Use (FLU) designation of the ±320-acre subject property from Agricultural, Estates to Industrial and High Density Residential (HDR).

The subject property is adjacent to S. Toledo Blade Boulevard and approximately .5 miles from I-75.

The property to the north of the site is located in Sarasota County and zoned Open Use Agricultural (OUA). The properties to the east have a FLU of Agricultural, Estates and Village, to the west a FLU of Agricultural, Estates, and to the south a FLU of Village.

This petition went before the Planning and Zoning Advisory Board on September 7, 2023 with a vote of 5-1 to recommend approval.

Strategic Plan

Economic Development & Growth Management

Financial Impact

N/A

Procurement

N/A

Attachments:

1. Staff Report with Exhibits
2. Ordinance No. 2023-25 with Exhibits
3. Survey
4. Sketch and Description – Industrial
5. Sketch and Description – High Density Residential
6. Future Land Use – Parcel
7. Aggrieved Party
8. PZAB Action Report Sept 7, 2023

Prepared by:

Carl Bengé, AICP, Planner III
Lori Barnes, AICP, CPM, Assistant Development Services Director

Department Director:

Alaina Ray, AICP, Development Services Director



STAFF REPORT

Toledo Blade 320

Comprehensive Plan Amendment (CPAL-22-247)

From: Carl Bengé, AICP, Planner III

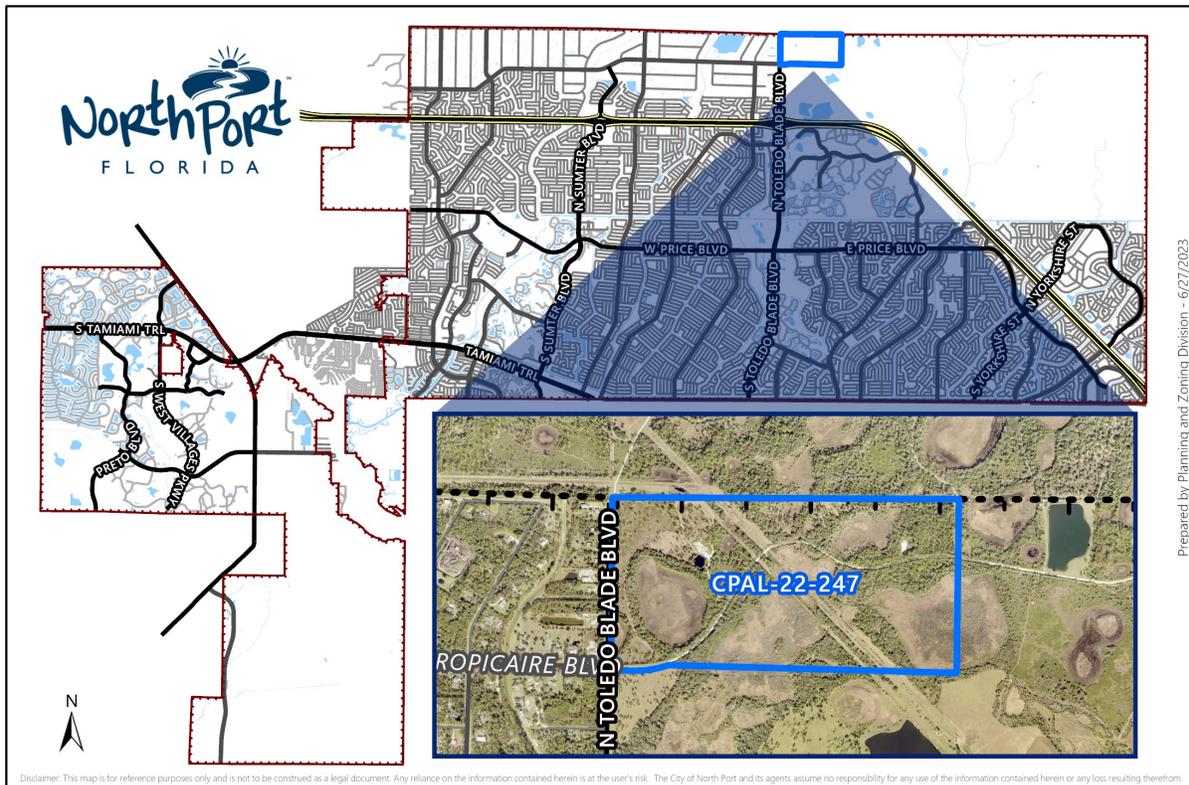
Thru: Lori Barnes, AICP, CPM, Assistant Director Development Services

Thru: Alaina Ray, AICP, Development Services Director

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

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

Date: September 7, 2023



Prepared by Planning and Zoning Division - 6/27/2023

PROJECT: CPAL-22-247 Toledo Blade 320

REQUEST: Approval to change the Future Land Use from Agricultural, Estates to Industrial and High Density Residential

APPLICANT: Kenrick Gallander, Agent (Exhibit A—Affidavit)

OWNERS: Deluxeton North Port LLC (Exhibit B—Deed)

LOCATION: Located north of I-75 at the end of Toledo Blade Blvd. (PIDs 1091-00-1000)

PROPERTY SIZE: ± 318.89-acres

I. BACKGROUND

On September 27, 2023, the Planning & Zoning Division received a Comprehensive Plan Amendment (CPA) petition from Kenrick Gallander from RWA, Inc., on behalf of Deluxeton North Port LLC. To change the Future Land Use (FLU) designation of the ±318.89-acre subject property from Agricultural, Estates to Industrial and High Density Residential (HDR).

The subject property is adjacent to S. Toledo Blade Boulevard and approximately .5 miles from I-75.

The property to the north of the site is located in Sarasota County and zoned Open Use Agricultural (OUA). The properties to the east have a FLU of Agricultural, Estates and Village, west FLU Agricultural, Estates, and south have a FLU of Village.

II. PETITION

The applicant is requesting to change the future land use of the subject property to allow industrial and multi-family residential development on the site.

- Large Scale Comprehensive Plan Amendment (CPAL-22-247) (Over 50 Acres)

COMPREHENSIVE PLAN AMENDMENT

The applicant is requesting a Large-Scale Comprehensive Plan Amendment to change the land use of ± 318.89-acres within the City of North Port. The subject property currently has a Future Land Use of “Agricultural, Estates.” The applicant is proposing a future land use of “Industrial” and “High Density Residential” by amending the Future Land Use Map (**Exhibit B**).

III. NEIGHBORHOOD MEETING

Pursuant to Section 53-5.E. of the Unified Land Development Code, the applicant held a neighborhood meeting on June 29, 2023 at 5pm at the Shannon Staub Public Library located at 4675 Career Lane, 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 (PRE-22-126) was held on July 6, 2022. The petition for the Comprehensive Plan Amendment was processed for management review and distributed to all Directors, of which no objection was received.

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

V. DATA & ANALYSIS

FLORIDA STATUTES

FLA. STAT. § 163.3184(3) Expedited State review process for adoption of comprehensive plan amendments

The subject petition qualifies as a large-scale comprehensive plan amendment which utilizes the expedited review process for state agency review. The expedited review process requires city staff to transmit the application to the state for review by the applicable state agencies within ten (10) days of the first City Commission hearing. State agencies then review the application and either provide comments or issue a letter of no objection. The adoption hearing will be scheduled once the state review is complete.

COMPREHENSIVE PLAN

Future Land Use Element, Goal 1

The first goal of the Future Land Use Element is to properly locate land uses so as to 'maximize the economic benefit and enjoyment of natural and man-made resources' while 'minimizing the threat to health, safety and welfare.'

Staff Findings and Conclusion: The applicant proposes to change the future land use from "Agricultural, Estates" to "Industrial" and "High Density Residential." The proposed FLU change will complement the adjacent AC and Village designations. The subject property is located on Toledo Blade Boulevard, a major collector street for the city, which will easily accommodate new traffic. Additionally, the property will be buffered from the adjacent, less intense uses across Toledo Blade. The reclassification to "Industrial" and "High Density Residential" has potential to increase the economic benefit of the property by providing tax revenue, jobs, and other similar benefits to existing and new residents in the area.

Staff concludes that the proposal is consistent with FLU Goal 1.

COMPREHENSIVE PLAN

Future Land Use Element Policy 1.2

Expansion, reclassification, or replacement of land uses shall be compatible and consistent with the Future Land Use Map.

Staff Findings and Conclusion: The proposed "Industrial" and "High Density Residential" Future Land Use for the property would be consistent with the surrounding Future Land Uses: Sarasota County's Open Use Agricultural, which allows industrial uses (north), Village (south), and Village and Agricultural, Estates (east). Reclassifying the subject parcel's Future Land Use would make it more consistent with the surrounding zoning. "Village" zoning is the zoning that abuts the parcel the most and "Village" zoning allows all the uses that are being proposed with this CPAL.

V. DATA & ANALYSIS (CONTINUED)

Staff concludes that the proposal is consistent with FLU Policy 1.2.

COMPREHENSIVE PLAN

Future Land Use Element Policy 4.12

The City shall preserve and promote community desired neighborhood character through subsequent zoning and land development regulation amendments.

Staff Findings and Conclusion: The FLU amendment would allow for cohesive development of the subject property and adjacent AC and Village. This amendment would allow more consistency with the neighboring "Village" FLU.

Staff concludes that the proposal is consistent with FLU Policy 4.12.

COMPREHENSIVE PLAN

Future Land Use Element Policy 5.5

Prior to any further development approval for properties located within the northeast quadrant of the City shall encourage an area wide quadrant plan that establishes the guidelines for the coordinated development of the quadrant.

Staff Findings and Conclusion: The reclassification of this property is requested in conjunction with a larger plan for the area. The city is extending City utilities to the area. Development of this property after the FLU amendment would be required to connect the city utilities, providing greater access to utilities in the city. The Toledo Blade 320 development will provide an opportunity for both "Industrial" and "High Density Residential" development and their uses to the area.

Staff concludes that the proposal is consistent with FLU Policy 5.5.

COMPREHENSIVE PLAN

Economic Development Element, Policy 1.1.1

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

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

Currently, there are no numbers on how many jobs will be created by this property's future land use change. However, it can be said that the proposed FLU change will allow uses that can contribute to the 1,947 required new jobs.

V. DATA & ANALYSIS (CONTINUED)

Staff concludes that the proposal is consistent with Economic Development Element Policy 1.1.1

VI. PUBLIC

PUBLIC NOTICE

The petition for Large Scale Comprehensive Plan Amendment was advertised in a newspaper of general circulation within the City of North Port on August 22, 2023 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	September 7, 2023 9:00 AM or as soon thereafter
City Commission 1st Reading	September 26, 2023 6:00 PM or as soon thereafter
City Commission 2nd Reading	TBD

VII. RECOMMENDED ACTION

PLANNING AND ZONING ADVIOSRY BOARD—

The Planning and Zoning Division recommends that the Planning & Zoning Advisory Board recommend approval of CPAL-22-247 and motion as follows"

I move to find Petition No. CPAL-22-247, consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommended the City Commission approve CPAL-22-247.

CITY COMMISSION—

The City Commission approve CPAL-22-247 and motion as follows:

I move to find Petition No. CPAL-22-247, via Ordinance No. 2023-25, Toledo Blade 320 Comprehensive Plan Amendment, 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 CPAL-22-247.

VIII. ALTERNATIVE ACTIONS

PLANNING AND ZONING ADVISORY BOARD—

RECOMMEND DENIAL of Petition No. CPAL-22-247.

I move to find Petition No. CPAL-22-247, Toledo Blade 320 Comprehensive Plan Amendment, not consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommend the City Commission deny CPAL-22-247.

CITY COMMISSION—

DENIAL of Petition No. CPAL-22-247.

I move to find Petition No. CPAL-22-247, via Ordinance No. 2023-25, Toledo Blade 320 Comprehensive Plan Amendment, not consistent with the City of North Port Comprehensive Plan [and/or Unified Land Development Code, and/or Florida Statutes] based on the competent substantial evidence as presented and deny CPAL-22-247:

The proposed Comprehensive Plan Amendment is NOT specifically adapted and designed for the future land uses anticipated.

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

IX. EXHIBITS

A.	Affidavit
B.	Ordinance No. 2023-25 with Exhibits
C.	Neighborhood Meeting
D.	Legal Advertisement

AFFIDAVIT

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

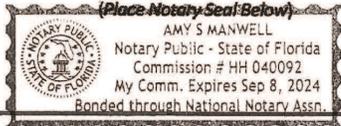
Sworn and subscribed before me this 22nd day of SEPTEMBER, 20 22,

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

STATE OF Florida COUNTY OF lee

The foregoing instrument was acknowledged by me this 22 day of September, 20 22, by Kenrick S Gallander who is personally known to me or has produced Florida Driver license as identification.

[Signature]
Signature - Notary Public



AFFIDAVIT

AUTHORIZATION FOR AGENT/APPLICANT

I, Christopher Cuntis Bryson, property owner, hereby authorize Kenrick Gallander to act as Agent on our behalf to apply

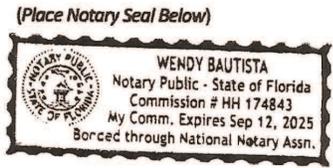
for this application on the property described as (legal description) 7020 Toledo Blade Boulevard, North Port Florida
The North Half of Section 6, Township 39 South, Range 22 East, Sarasota County Florida, PID 10910010000

[Signature] _____ June 22, 2022
Owner Date

STATE OF Florida COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 23 day of June, 20 22, by Christopher Bryson who is personally known to me or has produced Florida Driver license as identification.

[Signature]
Signature - Notary Public



Revised 8-30-19 (Reviewed by CAO)



LETTER OF AUTHORIZATION

TO WHOM IT MAY CONCERN:

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

AUTHORIZED REPRESENTATIVE NAME:

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

PRINTED NAME

SIGNATURE

STATE OF:

FLORIDA

COUNTY OF:

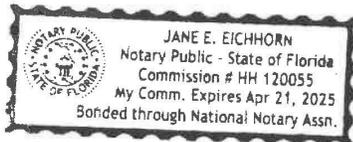
LEE

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

My Commission Expires:

April 21, 2025

(Seal)



Notary Public

Jane E. Eichhorn

Printed Name of Notary



City of North Port

ORDINANCE NO. 2023-25

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE FUTURE LAND USE DESIGNATION FROM AGRICULTURAL, ESTATES TO INDUSTRIAL FOR A ±55.02 ACRE AREA AND TO HIGH DENSITY RESIDENTIAL FOR A ±262.34 ACRE AREA GENERALLY LOCATED NORTH OF INTERSTATE 75 AND EAST OF TOLEDO BLADE BOULEVARD; AMENDING THE CITY OF NORTH PORT COMPREHENSIVE PLAN CHAPTER 2, FUTURE LAND USE MAP 2-7; PROVIDING FOR FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR TRANSMITTAL OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Port is committed to planning and managing the future growth and development of the City; and

WHEREAS, pursuant to Article VIII, Section 2(b) of the Constitution of the State of Florida, the North Port City Charter, and the Community Planning Act, Florida Statutes Chapter 163, Part II, the City is authorized and required to adopt a Comprehensive Plan; and

WHEREAS, on March 15, 1989, the City Commission adopted Ordinance No. 89-3, establishing the North Port Comprehensive Plan ("Comprehensive Plan"), as revised and updated in its entirety; and

WHEREAS, on June 27, 2017, the City Commission adopted Ordinance No. 2016-34, approving the Evaluation and Appraisal Report-based Comprehensive Plan Amendment; and

WHEREAS, Deluxeton North Port LLC, the property owner of a ±318.89 acre parcel attached as "Exhibit A", authorized the petition for a future land use map amendment on a portion of the parcel; and

WHEREAS, petition CPAL-22-247 seeks to change the designation of a ±317.36 acre portion of the parcel from Agricultural, Estates to Industrial for a ±55.02 acre area, and to High Density Residential for a ±262.34 acre area, and amend the Comprehensive Plan Future Land Use Map 2-7 (Amendment); and

WHEREAS, on September 7, 2023, the Planning and Zoning Advisory Board, acting as the Local Planning Agency for the City of North Port, held a duly advertised public hearing and recommended approval of the proposed Amendment to the City Commission; and

WHEREAS, the City Commission of the City of North Port held a duly noticed public hearing at first and second reading of this ordinance to review the recommendations of the Planning and Zoning Advisory Board and to receive public comment on the subject matter of this ordinance: and

WHEREAS, the City Commission of the City of North Port approved the transmittal of the proposed Amendment, together with supporting documentation, which was transmitted to the State Land Planning Agency of the Florida Department of Economic Opportunity and the various agencies and governments as appropriate for review and comment; and

WHEREAS, pursuant to Florida Statute Section 163.3184(3)(b)2., the State Land Planning Agency of the Florida Department of Economic Opportunity reviewed the proposed Amendment for impacts to important state resources and facilities not within the jurisdiction of other state agencies; and

WHEREAS, the City Commission has determined that the proposed Amendment serves the public health, safety, and welfare of the citizens of the City of North Port, Florida.

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

SECTION 1 – FINDINGS

- 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 Pursuant to Florida Statutes Section 163.3184(3), the City followed the expedited state review process for large scale land use designation changes and map amendments to a local government’s comprehensive plan, as follows:
 - 1. Within ten (10) working days after the initial public hearing, the City transmitted the amendment and appropriate supporting data and analyses to the reviewing agencies and other local governments that filed a written request;
 - 2. Not later than thirty (30) days after the date the reviewing agencies and local governments first received the amendment, the City received the reviewing agencies and local governments’ comments;
 - 3. The adoption hearing was held within 180 days after receipt of the agency comments; and
 - 4. Within ten (10) working days after the second public hearing, the City transmitted the adopted comprehensive plan amendment and supporting data and analyses to the state land planning agency and any affected person that provided comments; and
 - 5. The City did not receive notice of any deficiencies within five (5) working days after the agency’s receipt of the amendment.
- 1.03 All identified exhibits are incorporated in this ordinance by reference.

SECTION 2 – ADOPTION

- 2.01 The City Commission hereby amends the City of North Port Comprehensive Plan Future Land Use designation from Agricultural, Estates to Industrial for a ±55.02 acre area as attached in “Exhibit B”.

- 2.02 The City Commission hereby amends the City of North Port Comprehensive Plan Future Land Use from Agricultural, Estates to High Density Residential for a ±262.34 acre area as attached in “Exhibit C”.
- 2.02 The City Commission hereby amends the North Port Comprehensive Plan Future Land Use Map 2-7 as attached in “Exhibit D”.

SECTION 3 – TRANSMITTAL OF DOCUMENTS

- 3.01 Pursuant to Florida Statutes Section 163.3184, the City Clerk is directed to transmit, within ten (10) days after first reading, this ordinance and the appropriate supporting data and analyses provided by the City Manager or designee to:
 - a. Florida Department of Economic Opportunity;
 - b. Southwest Florida Regional Planning Council;
 - c. Southwest Florida Water Management District;
 - d. Florida Department of Environmental Protection;
 - e. Florida Department of State;
 - f. Florida Department of Transportation;
 - g. Sarasota County, Florida; and
 - h. Any other local government or governmental agency who has filed a request with the City.
- 3.02 Pursuant to Florida Statutes Section 163.3184, the City Clerk is directed to transmit, within ten (10) days of final adoption of this ordinance, all documents to the Florida Department of Economic Opportunity and any other agency or local governments that provided timely comments.

SECTION 4 – CONFLICTS

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

SECTION 5 – SEVERABILITY

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

SECTION 6 – EFFECTIVE DATE

- 6.01 If not timely challenged, this ordinance takes effect thirty-one (31) days after the Florida Department of Economic Opportunity notifies the City that the Amendment package is complete, as provided in Florida Statutes Section 163.3184(3)(c).

6.02 If timely challenged, this ordinance takes effect upon the Florida Department of Economic Opportunity or Administration Commission entering a final order determining the adopted Amendment complies with Florida Statutes Section 163.3184(3)(c).

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

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

CITY OF NORTH PORT, FLORIDA

BARBARA LANGDON
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

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

Exhibit B to Ordinance No. 2023-25 - CPAL-22-247

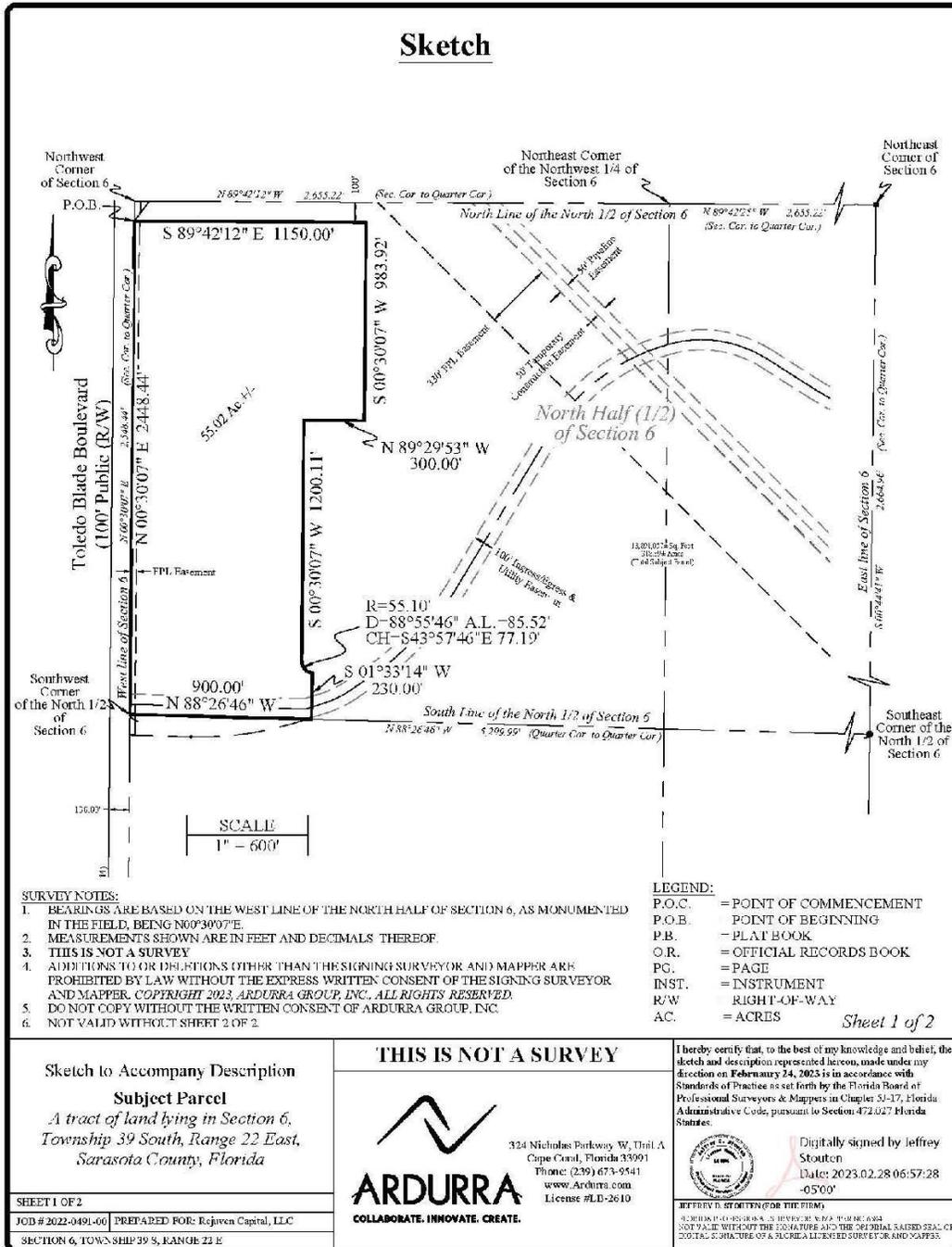


Exhibit B to Ordinance No. 2023-25 - CPAL-22-247

Description

Subject Parcel Description:

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

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

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

<p>THIS IS NOT A SURVEY</p>	<p>Description to Accompany Sketch Subject Parcel <i>A tract of land lying in Section 6, Township 39 South, Range 22 East, Sarasota County, Florida</i></p>	<p><i>Not Valid without Sheet 1 of 2</i></p>
<p><i>Sheet 2 of 2</i></p>	 <p>324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #LB-2610</p> <p>ARDURRA COLLABORATE. INNOVATE. CREATE.</p>	<p>I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 24, 2023 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.</p> <p><i>See Sheet 1 of 2 for Signature and Seal</i></p>
<p>JOB # 2022-0491-00 PREPARED FOR: Rejuven Capital, LLC SECTION 6, TOWNSHIP 39 S, RANGE 22 E</p>		<p>JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6584 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.</p>

Exhibit C to Ordinance No. 2023-25 - CPAL-22-247

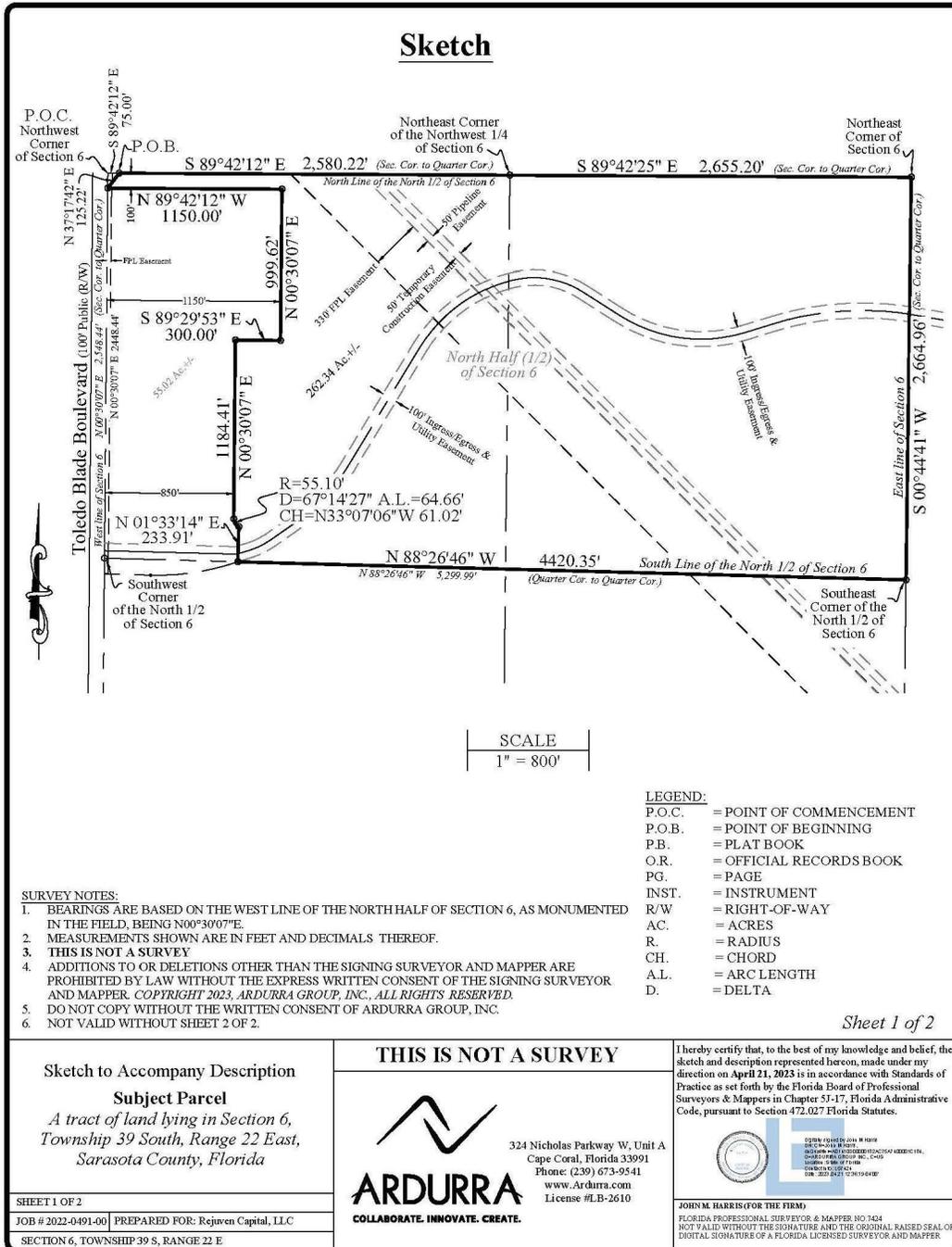


Exhibit C to Ordinance No. 2023-25 - CPAL-22-247

Description

Subject Parcel Description:

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

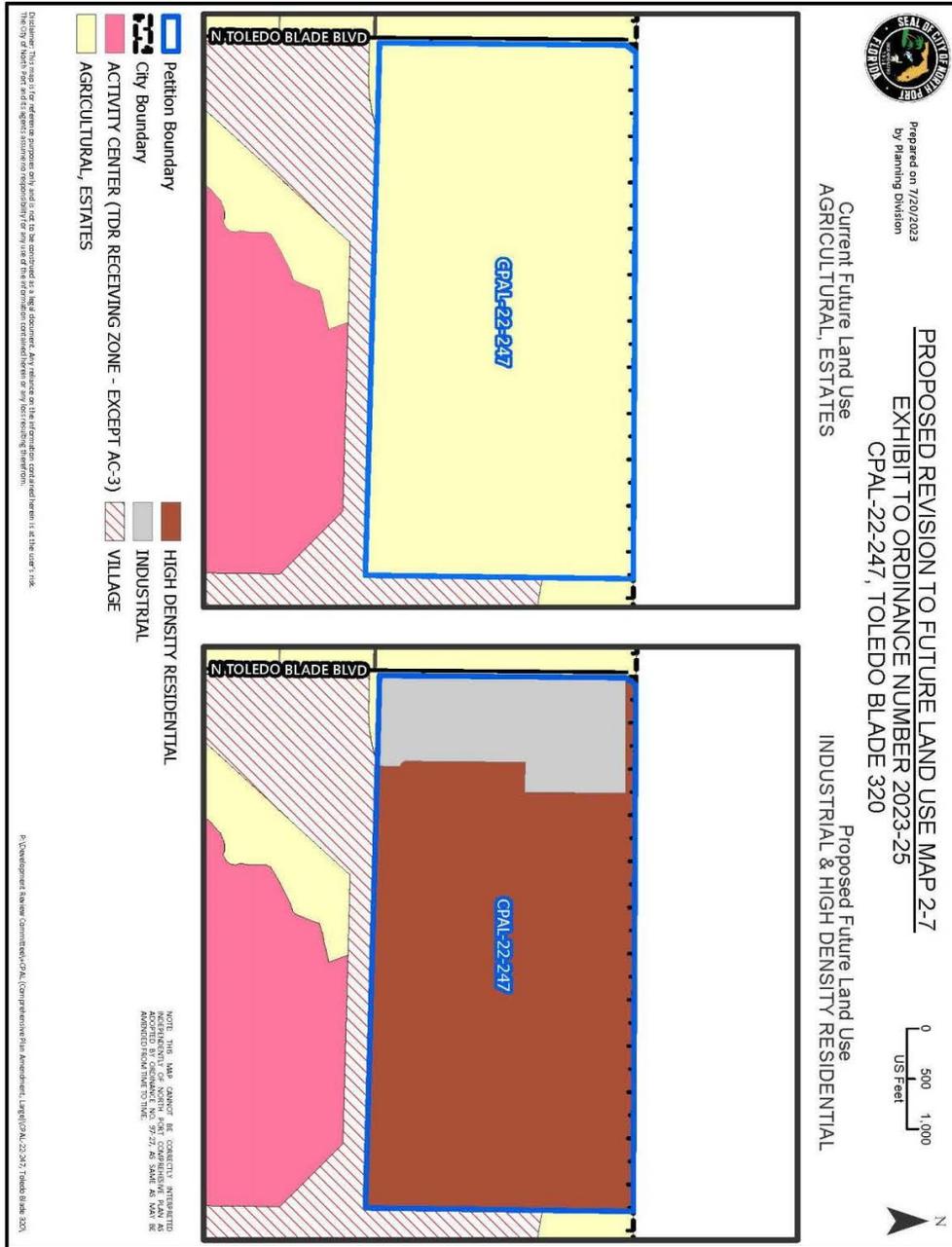
Commencing at the Northwest Corner of Section 6, Township 39 South, Range 22 East run S89°42'12"E, along the North line of the Northwest Quarter of said Section 6 for a distance of 75.00 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue S89°42'12"E, along the North line of the Northwest Quarter of said Section for a distance of 2,580.22 feet to the Northeast Quarter Corner of said Section; thence run S89°42'25"E, along the North line of the Northeast Quarter of said Section for a distance of 2,655.20 feet to the Northeast Corner of said Section 6; thence run S00°44'41"W, along the East line of said section for a distance of 2,664.96 feet to the East Quarter Corner of said Section 6; thence run N88°26'46"W, along the South line of the North 1/2 of said Section 6 for a distance of 4,420.35 feet; thence run N01°33'14"E, for a distance of 233.91 feet to a point being 233.91 feet (as measured on a perpendicular) Northerly of the South line of the North 1/2 of said Section 6, also being a point on a non-tangent curve; thence run 55.10 feet along the arc of a curve to the right of radius 55.10 feet, concave to the Northeast, having a delta of 67°14'27", a chord bearing of N33°07'06"W, and a chord length of 61.02 feet to a point of tangency; thence run N00°30'07"E, parallel with (as measured on a perpendicular) and 850.00 feet easterly of the West line of said Section for a distance of 1,184.41 feet; thence run S89°29'53"E, for a distance of 300.00 feet; thence run N00°30'07"E, along a line parallel with (as measured on a perpendicular) and 1150.00 feet Easterly of the West line of the North 1/2 of Section 6 for a distance of 999.62 feet; thence run N89°42'12"W, along a line parallel with (as measured on a perpendicular) and 100.00 feet Southerly of the North line of the Northwest Quarter of Section 6 for a distance of 1,150.00 feet to an intersection with the West line of the Northwest Quarter of said Section; thence run N37°17'42"E, for a distance of 125.22 feet to the POINT OF BEGINNING.

Said parcel contains 262.34+/- acres

<p>THIS IS NOT A SURVEY</p>	<p>Description to Accompany Sketch Subject Parcel <i>A tract of land lying in Section 6, Township 39 South, Range 22 East, Sarasota County, Florida</i></p>	<p><i>Not Valid without Sheet 1 of 2</i></p>
<p><i>Sheet 2 of 2</i></p>	 <p>324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #FLB-2610</p> <p>ARDURRA COLLABORATE. INNOVATE. CREATE.</p>	<p>I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 24, 2023 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 53-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.</p> <p><i>See Sheet 1 of 2 for Signature and Seal</i></p>
<p>JOB # 2022-0491-00 PREPARED FOR: Rejuven Capital, LLC SECTION 6, TOWNSHIP 39 S, RANGE 22 E</p>	<p>JOHN M. HARRIS (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO 7424 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER</p>	

K:\Land\SEC 06-39-22\DWG\7020 Toledo Blade Blvd Residential Tract (Sketch and Desc).dwg, 4/21/2023 12:23:31 PM.

Exhibit D to Ordinance No. 2023-25 - CPAL-22-247



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

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

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

1383 TROPICARE BLVD
NORTH PORT FL 34286

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

1519 TROPICAIRE BLVD
NORTH PORT FL 34286

NEUMAN JOSEPH T
1668 TROPICAIRE BLVD
NORTH PORT FL 34286

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

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

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

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

PATEL NISARG P
2505 HOBBLEBRUSH DR
NORTH PORT FL 34289

BRYCH YURIY
3827 TONKIN DR
NORTH PORT FL 34287

EVANS MARK W
4030 OLIVE AVE
SARASOTA FL 34231-7608

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

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

DELUXETON NORTH PORT LLC
5940 RESPITE CT
JOHNS CREEK GA 30097

THORPE DAVID K
6215 TOLEDO BLADE BLVD
NORTH PORT FL 34286

JORGE JOSHUA
6449 N TOLEDO BLADE BLVD
NORTH PORT FL 34286

BOUCHARD PETER M
6470 RAYMUR ST
NORTH PORT FL 34286

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

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

DUGAN WILLIAM W
6686 RAYMUR ST
NORTH PORT FL 34286

MOORE MARTIN
6735 TOLEDO BLADE BLVD
NORTH PORT FL 34286

SMIECH ANDREW J
6778 RAYMUR ST
NORTH PORT FL 34286

6877 N TOLEDO BLADE BLVD
NORTH PORT FL 34286-9156

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

AGUILAR WALTER
720 JENNINGS AVENUE
WEST HEMPSTEAD NY 11552

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

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

CARLTON SARASOTA LLC
C/O LEE F PALLARDY III 609 E JACKSON
ST STE 200
TAMPA FL 33602-4933

SARASOTA COUNTY
PO BOX 8
SARASOTA FL 34230-0008

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

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



NEIGHBORHOOD MEETING NOTICE

Dear Resident:

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

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

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

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



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

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



MEMORANDUM

DATE: July 14, 2023

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

FROM: Ken Gallander, AICP
RWA Engineering 

PROJECT NAME: Toledo Blade 320 – CPA and Rezones

SUBJECT: Neighborhood Meeting Summary

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

Attendees:

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

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

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

Questions/Comments Summary:

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

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



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

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

Q: What about the Gopher Tortoise's?

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

Q: Why no commercial?

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

Q: What happened to the four baseball fields?

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

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

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

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

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

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

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

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

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

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

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



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

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

Q: Who is the developer?

A: The developer is Deluxeton North Port LLC.

Q: What type of light industrial use is proposed?

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

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

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

Q: Where are constructions entrances going to be?

A: Primarily on McCall Ranch Road.

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

A: Yes.

Q: What is proposed for light industrial right now?

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

Q: Where are the boarders for Walton Preserve?

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

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

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

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

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

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

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



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

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

Q: What is the price range for the houses?

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

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

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

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

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

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

A: They will be relocated if needed.

Q: I'm worried about the lighting.

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

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

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

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

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

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

A: No.

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

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

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

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

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

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



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

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

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

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

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

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

Q: How many residents vs how many jobs?

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

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

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

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

PLEASE SIGN IN

TOLEDO BLADE
320

<u>NAME</u>	<u>ADDRESS</u>	<u>EMAIL/PHONE</u>
- JOAN HAYDEN	6895 ESTATES DR	
-	N. PORT	
- CAROLYN PRICE	6877 TOLEDO BLADE	CJ Price 1758 @VERIZON.NET
Peter + Joanna Bouchard	6470 Raymond	joannabouchard@verizon.net 941 626-0902
Randy + Sue Balma	2272 Chynna	RSB2272@verizon.net
Tom Tokarz	5903 Bersterstown	PTokarz47@comcast.net
Kim Peeler	6155 Tidwell St	kim.peeler@verizon.net
Terry Peeler	6155 Tidwell St	linapeeler2@verizon.net
Paul Mann	6065 Tidwell St	pmjeep13@gmail
ANNE VANDERSCOUR	2029 TROPICALE BLVD	mom2mpr@yahoo.com
Lori Lohr	1777 Clow Ct.	lsargent3@yahoo.com
DAN + Charlotte Anderson	2591 THymeway	205-478-8996
Simo + Catherine Teske	1891 Tropicaine Blvd	ctesla1@gmail.com
Andy + Kathy Smiech	6778 Raymond St.	late271@gmail.com
James Smith		
Joshua Wickers	1500 Musa Rd	jwickers11@gmail.com
Sandra Zimmierma	1766 Clow Ct	gkz123@yahoo.com
Paul + Alison	16215 Toledo Blade	alisonh760@yahoo.
Bill Pagan	6686 Raymond St	
Dona Beink	3241 Elkem Ave	dbtotse@gmail.com 6077613487
Ron + Jennifer Nicol	1470 Nestor Ct	941-423-3998

Toledo Blade 320
COMPREHENSIVE PLAN MAP AMENDMENT &
CONVENTIONAL REZONE

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

Project Team:

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

Neighborhood Meeting:

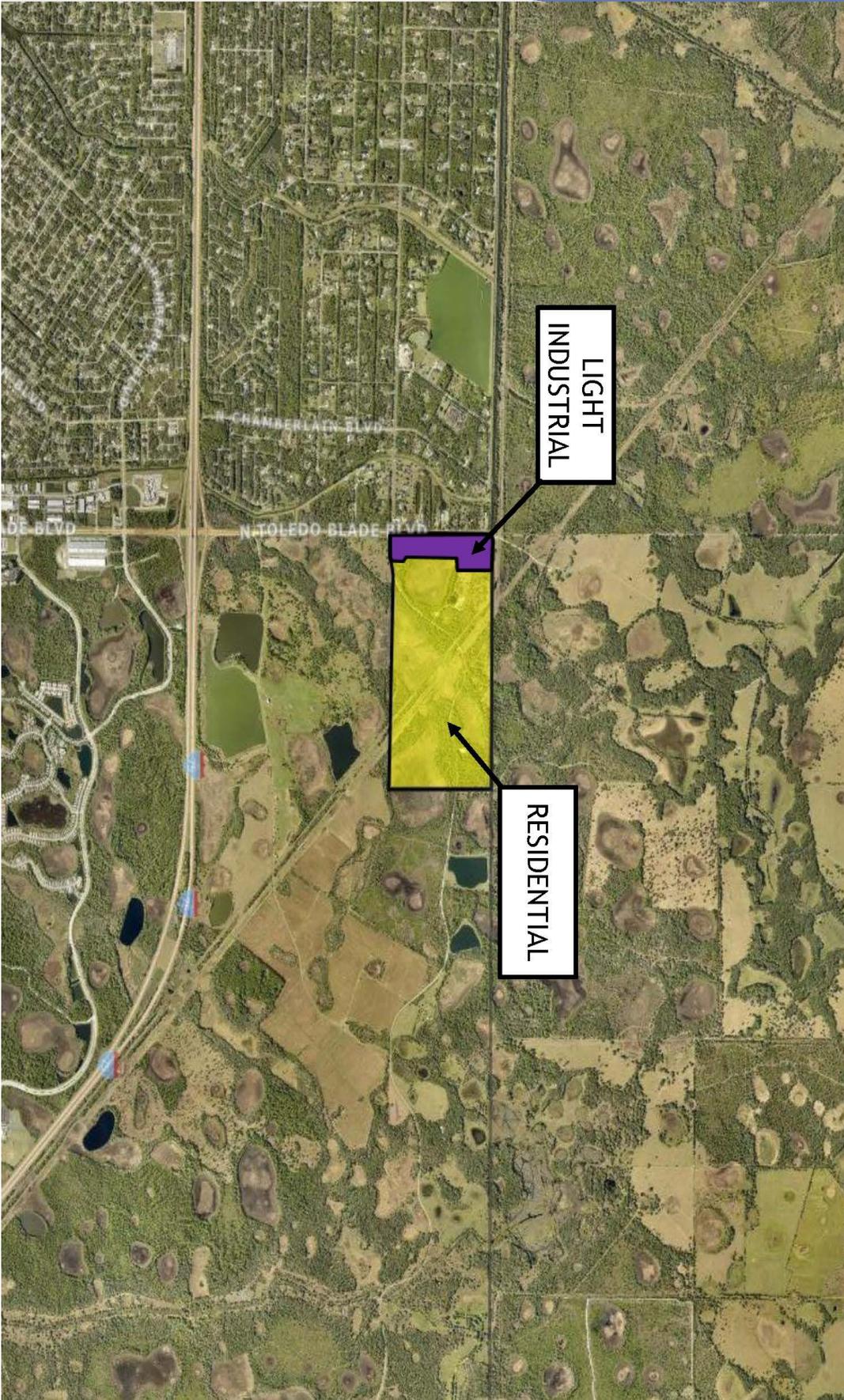
- Notify and inform the neighboring community about the project.
- Provide a general overview of the project.
- Allowing the public to ask questions and provide comments.

Subject Property:

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

Project Requests:

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



Comprehensive Plan Map Amendment

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

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

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

Toledo Blade 320 Project: Opportunities & Benefits:

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

Process and Timeline:

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

Questions?

PUBLIC NOTICE - CITY OF NORTH PORT

NOTICE OF PUBLIC HEARINGS

FOR ORDINANCE NUMBER 2023-25

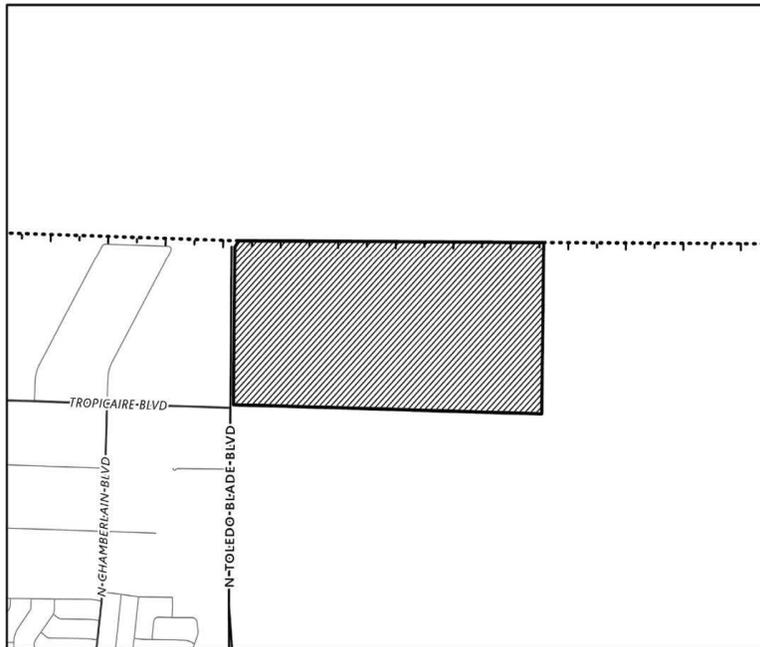
NOTICE IS HEREBY GIVEN, pursuant to Chapters 166 and 163 of the Florida Statutes, Section 7.01(c) of the Charter of the City of North Port, Florida that the City of North Port proposes to adopt Ordinance No. 2023-25, amending the comprehensive plan to change the property from their current Agricultural future land use category to Industrial and Residential Multi-Family future land use.

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

A Public Hearing for the first reading of Ordinance No. 2023-25 will be held before the North Port City Commission on **Tuesday, September 26, 2023, at 6:00 p.m.**, in the **City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286.** The second and final reading will be held before the North Port City Commission in Commission Chambers at a date to be determined to consider enactment of Ordinance No. 2023-25.

ORDINANCE NO. 2023-25

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE FUTURE LAND USE DESIGNATION FROM AGRICULTURAL, ESTATES TO INDUSTRIAL AND HIGH DENSITY RESIDENTIAL FOR A ± 318.89 ACRE AREA GENERALLY LOCATED NORTH OF INTERSTATE 75 AND EAST OF TOLEDO BLADE BOULEVARD; AMENDING THE CITY OF NORTH PORT COMPREHENSIVE PLAN CHAPTER 2, FUTURE LAND USE MAP 2-7; PROVIDING FOR FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR TRANSMITTAL OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.



Note: Proposed Ordinance No. 2023-25 (boundary of the amendment area) is depicted on this map.

All interested parties are invited to appear and be heard in respect to this Ordinance at the public hearings in the City Hall Commission Chambers. Written comments filed with the City Commission will be heard and considered and will be made a matter of public record at the meeting. These public hearings may be continued from time to time as announced at the hearings, as may be found necessary. The files pertinent to Ordinance No. 2023-25, CPAL-22-247, may be inspected by the public at the City of North Port Neighborhood Development Services Department, Planning & Zoning 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: Friday, August 22, 2023

adno=3899091-1



City of North Port

ORDINANCE NO. 2023-25

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE FUTURE LAND USE DESIGNATION FROM AGRICULTURAL, ESTATES TO INDUSTRIAL FOR A ±55.02 ACRE AREA AND TO HIGH DENSITY RESIDENTIAL FOR A ±262.34 ACRE AREA GENERALLY LOCATED NORTH OF INTERSTATE 75 AND EAST OF TOLEDO BLADE BOULEVARD; AMENDING THE CITY OF NORTH PORT COMPREHENSIVE PLAN CHAPTER 2, FUTURE LAND USE MAP 2-7; PROVIDING FOR FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR TRANSMITTAL OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

1
2 **WHEREAS**, the City of North Port is committed to planning and managing the future growth and
3 development of the City; and

4
5 **WHEREAS**, pursuant to Article VIII, Section 2(b) of the Constitution of the State of Florida, the North Port
6 City Charter, and the Community Planning Act, Florida Statutes Chapter 163, Part II, the City is authorized
7 and required to adopt a Comprehensive Plan; and

8 **WHEREAS**, on March 15, 1989, the City Commission adopted Ordinance No. 89-3, establishing the North
9 Port Comprehensive Plan (“Comprehensive Plan”), as revised and updated in its entirety; and

10 **WHEREAS**, on June 27, 2017, the City Commission adopted Ordinance No. 2016-34, approving the
11 Evaluation and Appraisal Report-based Comprehensive Plan Amendment; and

12 **WHEREAS**, Deluxeton North Port LLC, the property owner of a ±318.89 acre parcel attached as “Exhibit
13 A”, authorized the petition for a future land use map amendment on a portion of the parcel; and

14 **WHEREAS**, petition CPAL-22-247 seeks to change the designation of a ±317.36 acre portion of the parcel
15 from Agricultural, Estates to Industrial for a ±55.02 acre area, and to High Density Residential for a ±262.34
16 acre area, and amend the Comprehensive Plan Future Land Use Map 2-7 (Amendment); and

17
18 **WHEREAS**, on September 7, 2023, the Planning and Zoning Advisory Board, acting as the Local Planning
19 Agency for the City of North Port, held a duly advertised public hearing and recommended approval of the
20 proposed Amendment to the City Commission; and

21
22 **WHEREAS**, the City Commission of the City of North Port held a duly noticed public hearing at first and
23 second reading of this ordinance to review the recommendations of the Planning and Zoning Advisory
24 Board and to receive public comment on the subject matter of this ordinance: and

25
26 WHEREAS, the City Commission of the City of North Port approved the transmittal of the proposed
27 Amendment, together with supporting documentation, which was transmitted to the State Land Planning
28 Agency of the Florida Department of Economic Opportunity and the various agencies and governments as
29 appropriate for review and comment; and

30
31 **WHEREAS**, pursuant to Florida Statute Section 163.3184(3)(b)2., the State Land Planning Agency of the Florida
32 Department of Economic Opportunity reviewed the proposed Amendment for impacts to important state
33 resources and facilities not within the jurisdiction of other state agencies; and

34
35 **WHEREAS**, the City Commission has determined that the proposed Amendment serves the public health,
36 safety, and welfare of the citizens of the City of North Port, Florida.

37
38 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**

39
40 **SECTION 1 – FINDINGS**

41
42 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.

43
44 1.02 Pursuant to Florida Statutes Section 163.3184(3), the City followed the expedited state review
45 process for large scale land use designation changes and map amendments to a local
46 government’s comprehensive plan, as follows:

- 47
48 1. Within ten (10) working days after the initial public hearing, the City transmitted the
49 amendment and appropriate supporting data and analyses to the reviewing agencies and
50 other local governments that filed a written request;
- 51
52 2. Not later than thirty (30) days after the date the reviewing agencies and local governments
53 first received the amendment, the City received the reviewing agencies and local
54 governments’ comments;
- 55
56 3. The adoption hearing was held within 180 days after receipt of the agency comments; and
- 57
58 4. Within ten (10) working days after the second public hearing, the City transmitted the
59 adopted comprehensive plan amendment and supporting data and analyses to the state land
60 planning agency and any affected person that provided comments; and
- 61
62 5. The City did not receive notice of any deficiencies within five (5) working days after the
63 agency’s receipt of the amendment.

64
65 1.03 All identified exhibits are incorporated in this ordinance by reference.

66
67 **SECTION 2 – ADOPTION**

68
69 2.01 The City Commission hereby amends the City of North Port Comprehensive Plan Future Land Use
70 designation from Agricultural, Estates to Industrial for a ±55.02 acre area as attached in “Exhibit
71 B”.

72

73 2.02 The City Commission hereby amends the City of North Port Comprehensive Plan Future Land Use
74 from Agricultural, Estates to High Density Residential for a ±262.34 acre area as attached in
75 “Exhibit C”.

76
77 2.02 The City Commission hereby amends the North Port Comprehensive Plan Future Land Use
78 Map 2-7 as attached in “Exhibit D”.

79
80 **SECTION 3 – TRANSMITTAL OF DOCUMENTS**

81 3.01 Pursuant to Florida Statutes Section 163.3184, the City Clerk is directed to transmit, within ten
82 (10) days after first reading, this ordinance and the appropriate supporting data and analyses
83 provided by the City Manager or designee to:

- 84 a. Florida Department of Economic Opportunity;
- 85 b. Southwest Florida Regional Planning Council;
- 86 c. Southwest Florida Water Management District;
- 87 d. Florida Department of Environmental Protection;
- 88 e. Florida Department of State;
- 89 f. Florida Department of Transportation;
- 90 g. Sarasota County, Florida; and
- 91 h. Any other local government or governmental agency who has filed a request with the City.

92
93 3.02 Pursuant to Florida Statutes Section 163.3184, the City Clerk is directed to transmit, within ten
94 (10) days of final adoption of this ordinance, all documents to the Florida Department of Economic
95 Opportunity and any other agency or local governments that provided timely comments.

96
97 **SECTION 4 – CONFLICTS**

98
99 4.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in
100 whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

101
102 **SECTION 5 – SEVERABILITY**

103
104 5.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phase, or
105 provision of this ordinance is for any reason invalid or unconstitutional that provision will be
106 deemed a separate, distinct, and independent provision and will not affect the validity of the
107 remaining portions of the ordinance.

108
109 **SECTION 6 – EFFECTIVE DATE**

110
111 6.01 If not timely challenged, this ordinance takes effect thirty-one (31) days after the Florida
112 Department of Economic Opportunity notifies the City that the Amendment package is complete,
113 as provided in Florida Statutes Section 163.3184(3)(c).

114
115 6.02 If timely challenged, this ordinance takes effect upon the Florida Department of Economic
116 Opportunity or Administration Commission entering a final order determining the adopted
117 Amendment complies with Florida Statutes Section 163.3184(3)(c).
118

119 READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida in public
120 session on _____, 2023.
121

122 ADOPTED by the City Commission of the City of North Port, Florida on the second and final reading in
123 public session on _____, 2023.
124

125
126 CITY OF NORTH PORT, FLORIDA
127

128
129 _____
130 BARBARA LANGDON
131 MAYOR
132

133 ATTEST
134

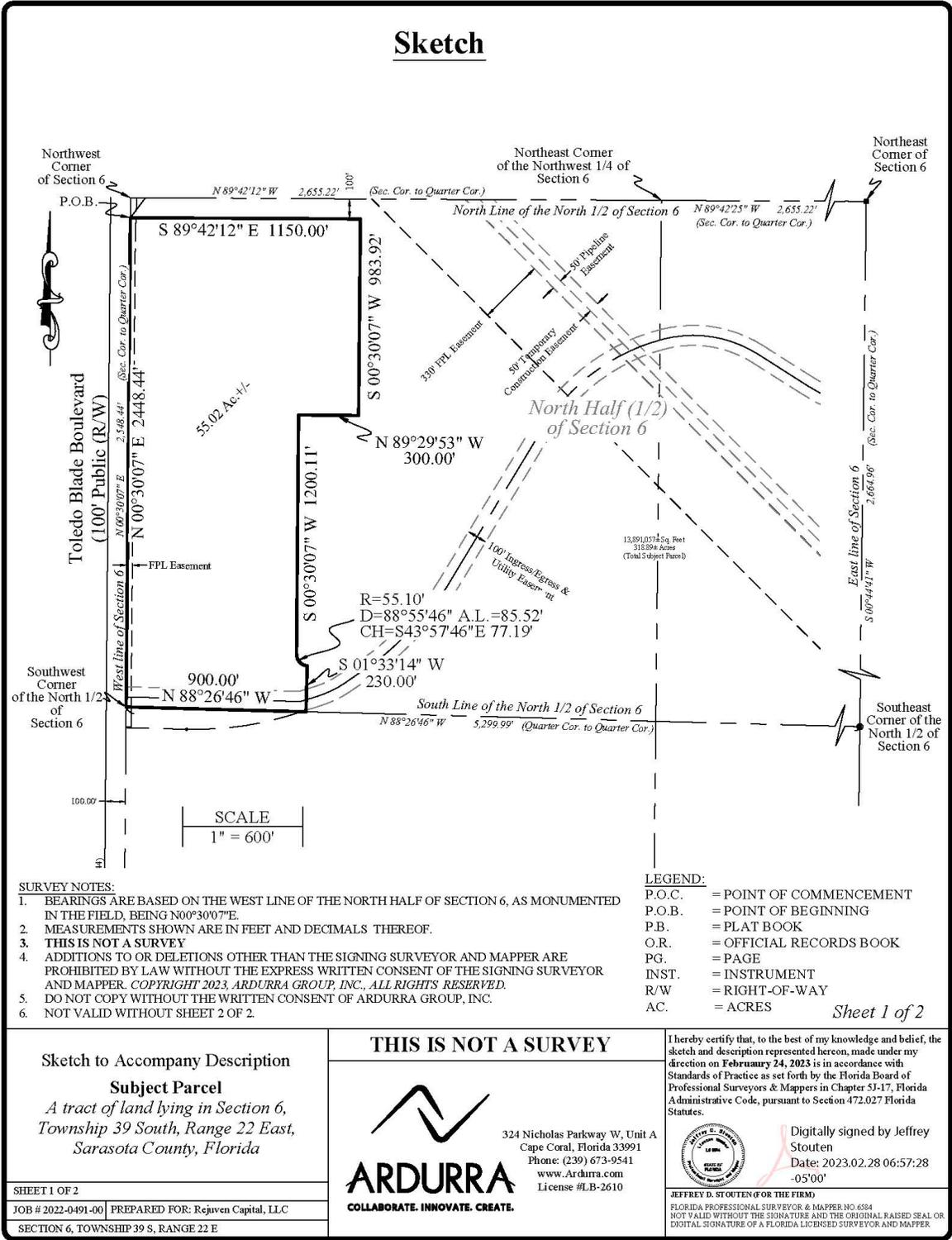
135
136 _____
137 HEATHER FAUST, MMC
138 CITY CLERK
139

140
141 APPROVED AS TO FORM AND CORRECTNESS
142

143
144 _____
145 AMBER L. SLAYTON, B.C.S.
146 CITY ATTORNEY
147
148
149
150

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155
156

Exhibit B to Ordinance No. 2023-25 - CPAL-22-247



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158

Exhibit B to Ordinance No. 2023-25 - CPAL-22-247

Description

Subject Parcel Description:

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

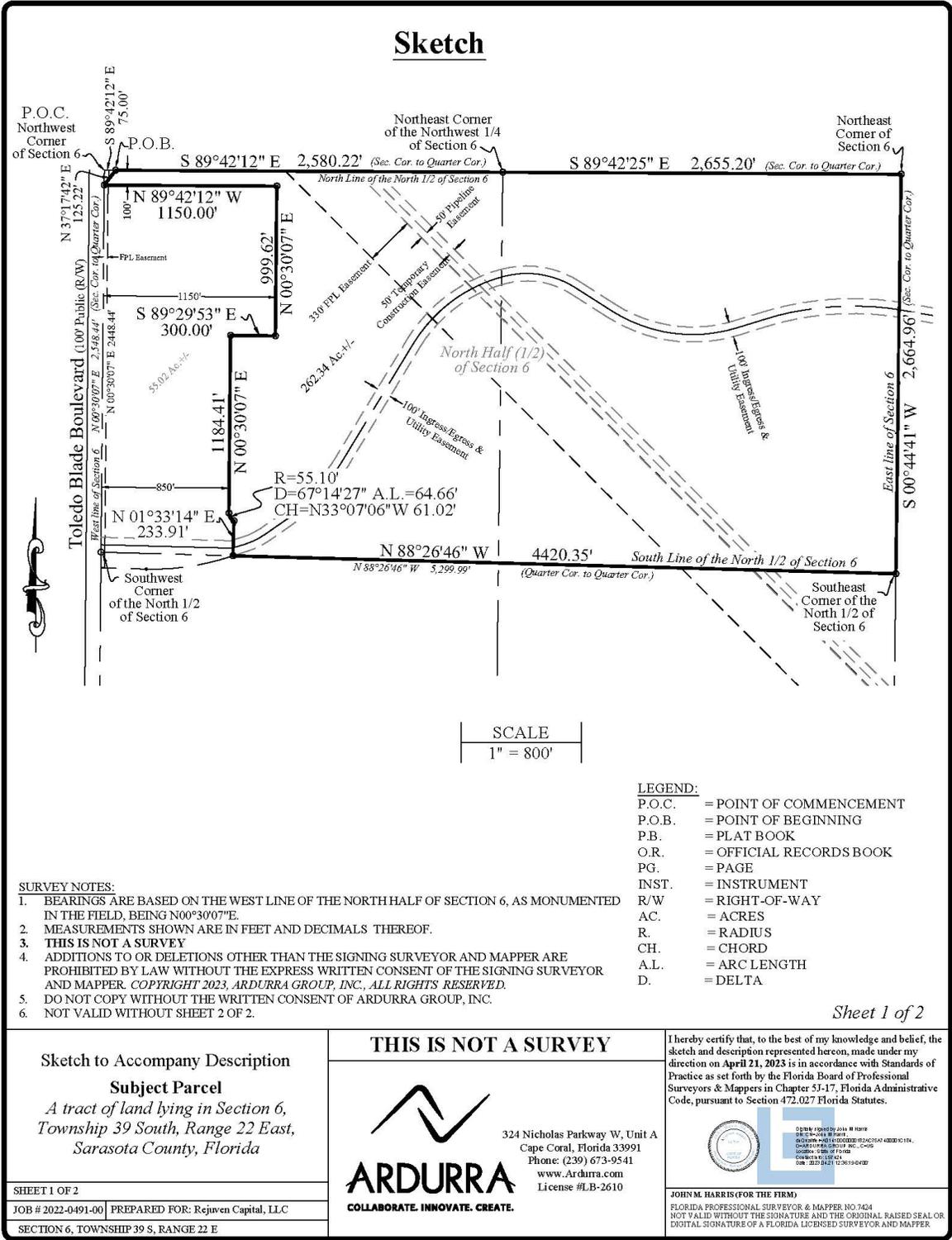
Beginning at a point lying 100.00 feet Southerly of the Northwest corner of Section 6, said point also being on the Westerly line of said section; thence S 89°42'12" E, along a line 100.00 feet Southerly and parallel (as measured on a perpendicular) with the North line of Section 6 for a distance of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

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

THIS IS NOT A SURVEY	Description to Accompany Sketch Subject Parcel <i>A tract of land lying in Section 6, Township 39 South, Range 22 East, Sarasota County, Florida</i>	<i>Not Valid without Sheet 1 of 2</i>
<i>Sheet 2 of 2</i>	 324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #LB-2610 ARDURRA COLLABORATE. INNOVATE. CREATE.	I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 24, 2023 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 53-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes. <i>See Sheet 1 of 2 for Signature and Seal</i>
JOB # 2022-0491-00 PREPARED FOR: Rejuven Capital, LLC SECTION 6, TOWNSHIP 39 S, RANGE 22 E		JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6384 <small>NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.</small>

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Exhibit C to Ordinance No. 2023-25 - CPAL-22-247



165

Exhibit C to Ordinance No. 2023-25 - CPAL-22-247

Description

Subject Parcel Description:

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

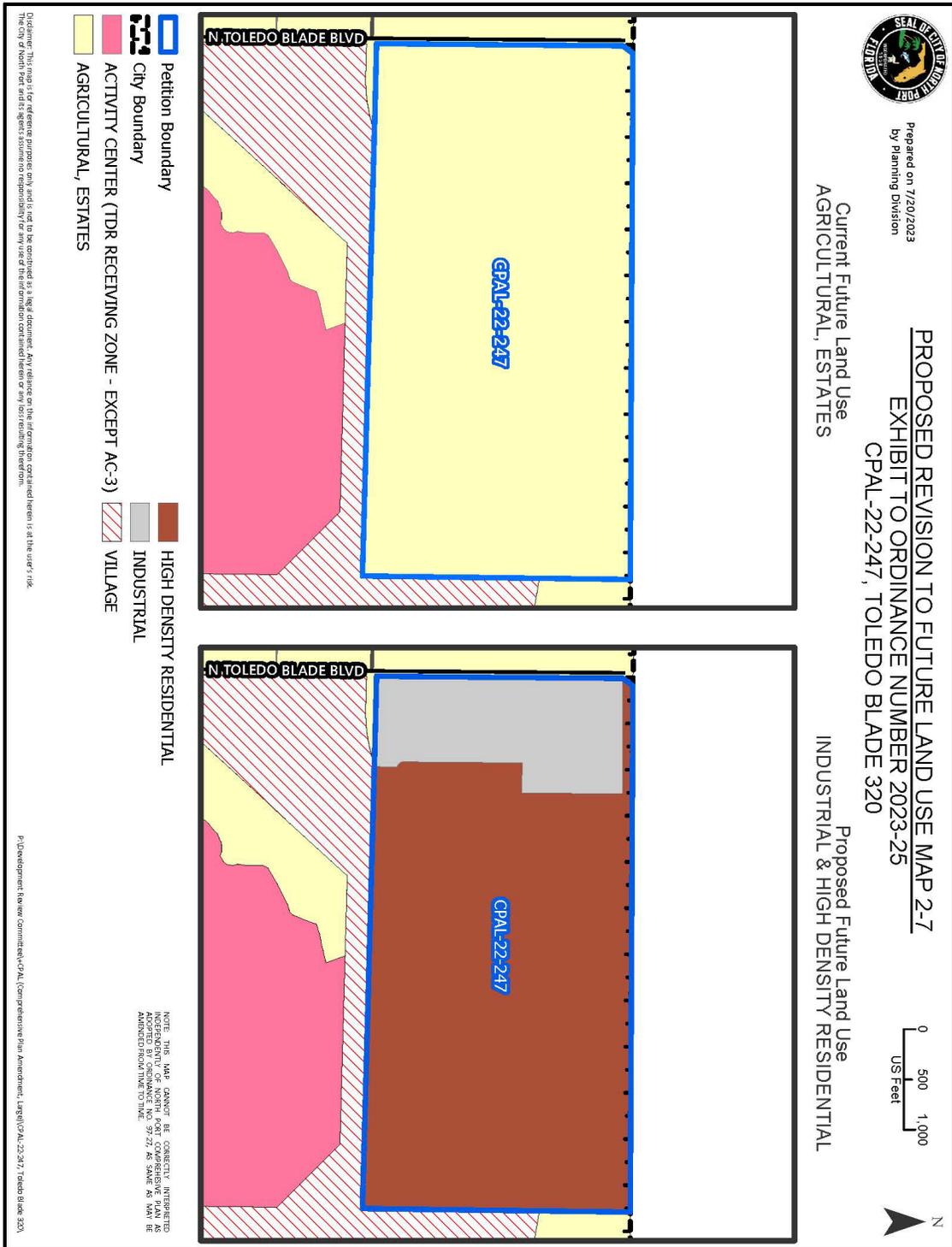
Commencing at the Northwest Corner of Section 6, Township 39 South, Range 22 East run S89°42'12"E, along the North line of the Northwest Quarter of said Section 6 for a distance of 75.00 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue S89°42'12"E, along the North line of the Northwest Quarter of said Section for a distance of 2,580.22 feet to the Northeast Quarter Corner of said Section; thence run S89°42'25"E, along the North line of the Northeast Quarter of said Section for a distance of 2,655.20 feet to the Northeast Corner of said Section 6; thence run S00°44'41"W, along the East line of said section for a distance of 2,664.96 feet to the East Quarter Corner of said Section 6; thence run N88°26'46"W, along the South line of the North 1/2 of said Section 6 for a distance of 4,420.35 feet; thence run N01°33'14"E, for a distance of 233.91 feet to a point being 233.91 feet (as measured on a perpendicular) Northerly of the South line of the North 1/2 of said Section 6, also being a point on a non-tangent curve; thence run 55.10 feet along the arc of a curve to the right of radius 55.10 feet, concave to the Northeast, having a delta of 67°14'27", a chord bearing of N33°07'06"W, and a chord length of 61.02 feet to a point of tangency; thence run N00°30'07"E, parallel with (as measured on a perpendicular) and 850.00 feet easterly of the West line of said Section for a distance of 1,184.41 feet; thence run S89°29'53"E, for a distance of 300.00 feet; thence run N00°30'07"E, along a line parallel with (as measured on a perpendicular) and 1150.00 feet Easterly of the West line of the North 1/2 of Section 6 for a distance of 999.62 feet; thence run N89°42'12"W, along a line parallel with (as measured on a perpendicular) and 100.00 feet Southerly of the North line of the Northwest Quarter of Section 6 for a distance of 1,150.00 feet to an intersection with the West line of the Northwest Quarter of said Section; thence run N37°17'42"E, for a distance of 125.22 fee to the POINT OF BEGINNING.

Said parcel contains 262.34+/- acres

<p>THIS IS NOT A SURVEY</p>	<p>Description to Accompany Sketch Subject Parcel <i>A tract of land lying in Section 6, Township 39 South, Range 22 East, Sarasota County, Florida</i></p>	<p><i>Not Valid without Sheet 1 of 2</i></p>
<p><i>Sheet 2 of 2</i></p>	 <p>324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #LB-2610</p> <p>ARDURRA COLLABORATE. INNOVATE. CREATE.</p>	<p>I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 24, 2023 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 53-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.</p> <p><i>See Sheet 1 of 2 for Signature and Seal</i></p>
<p>JOB # 2022-0491-00 PREPARED FOR: Rejuven Capital, LLC SECTION 6, TOWNSHIP 39 S, RANGE 22 E</p>	<p>JOHN M. HARRIS (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO 7424 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER</p>	

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Exhibit D to Ordinance No. 2023-25 - CPAL-22-247



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