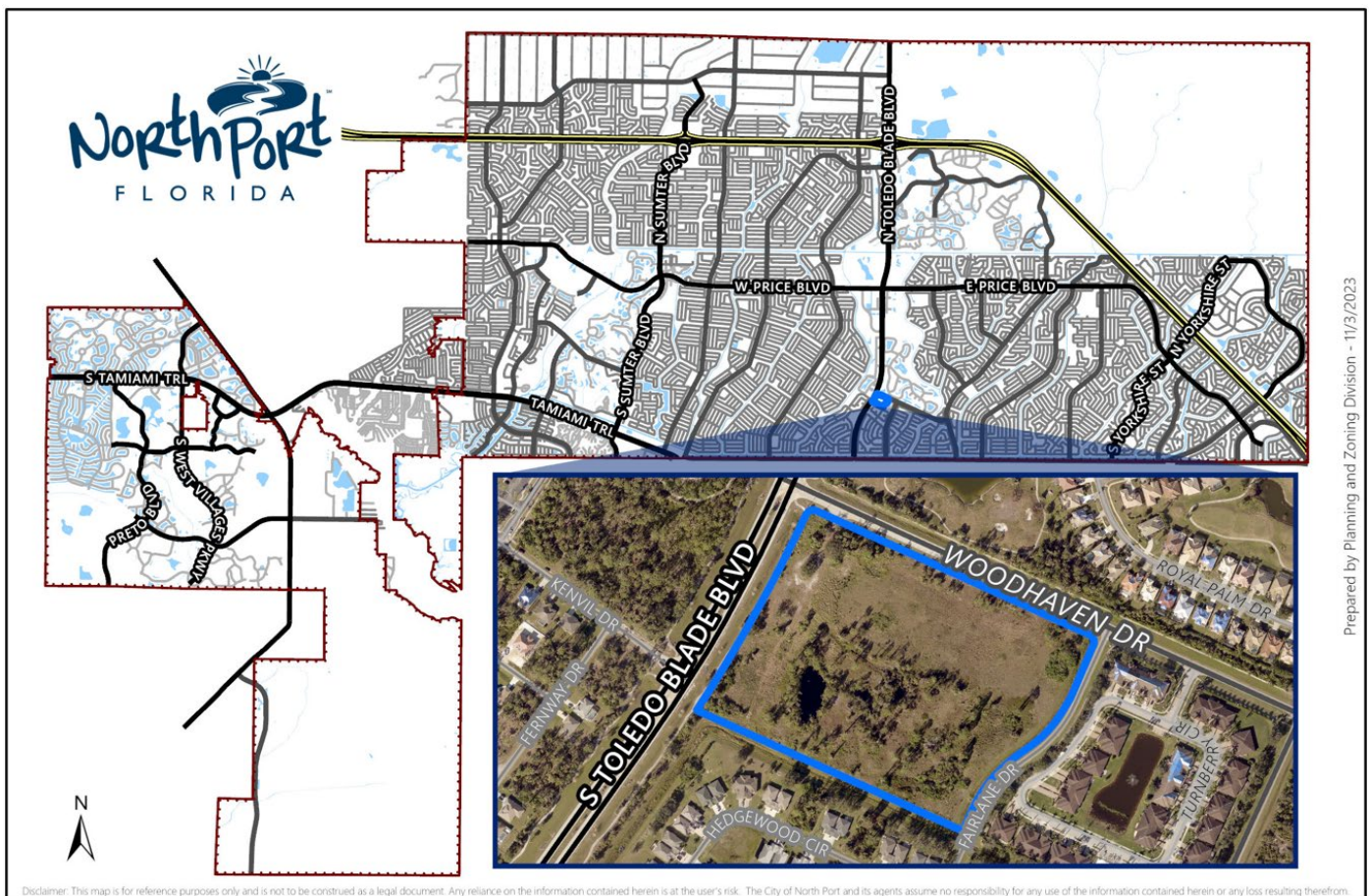




## STAFF REPORT

# Toledo Blade Commercial Center Special Exception (Petition No. SPX-23-053) Resolution No. 2026-R-20

- From:** Lori Barnes, AICP, CPM, Deputy Director, Development Services
- Thru:** Alaina Ray, AICP, Development Services Director
- Thru:** Jason Yarborough, ICMA-CM, Deputy City Manager
- Thru:** A. Jerome Fletcher II, ICMA-CM, MPA, City Manager
- Date:** April 2, 2026



Prepared by Planning and Zoning Division - 11/3/2023

**PROJECT:** Toledo Blade Commercial Center, SPX-23-053

**REQUEST:** Consideration of a Special Exception to allow for a Multi-Family Residential Use in the Commercial General (CG) Zoning District.

**APPLICANT:** Joe Medred, Genesis Planning and Development (**Exhibit A, Affidavit**)

**OWNERS:** Tavorb, LLC (**Exhibit B, Warranty Deed**)

**LOCATION:** Located at the southeast corner of S. Toledo Blade Blvd and Woodhaven Dr (PID 1007-25-6327)

**PROPERTY SIZE:** ± 15.97 acres

# I. INTRODUCTION

On March 17, 2023, Nicola Tavernese, of Tavorb, LLC, the property owner, submitted a written petition request for a special exception to authorize a multi-family residential use development with a maximum of 155 dwelling units, with an amenity area and pool on a 10.34-acre portion of a parcel located on S. Toledo Blade Boulevard at Woodhaven Drive. **(Exhibit C-Application)**. (Note, the application indicates a request for 182 dwelling units which has since been reduced to 155-units). As this application was submitted before the current Unified Land Development Code (ULDC) was effective on October 28, 2024, it has been evaluated in accordance with the provisions of the 2010 ULDC and applicable regulations at the time of submittal.

# II. SITE INFORMATION

The property subject to this request is a vacant ± 15.97 acres of previously disturbed land (formerly a par three golf course) located at the southeast corner of S. Toledo Blade Boulevard and Woodhaven Drive.

## 2010 ULDC LAND USE & ZONING

**Adopted Future Land Use Map Designation:** Commercial (C)

**Adopted Zoning Map Designation:** Commercial General (CG)

## CURRENT LAND USE & ZONING

**Adopted Future Land Use Map Designation:** Medium Intensity Corridor (MIC)

**Adopted Zoning Map Designation:** Corridor Transitional (CT)

## SURROUNDING LAND USE & ZONING

Direction	Existing Land Uses	Future Land Use Map Designation	Zoning Map Designation
North	Bobcat Trail Residential	Village	Village
South	Woodhaven Estates Villas 38 Units	Medium-Intensity Corridor	Residential, Medium (R-2)
East	Toledo Club MF 348 Units Vacant (97-unit potential)	Village High-Density Residential	Village Residential, High (R-3)
West	Turnberry Trace 60 Units	Medium Intensity Corridor	Residential, Medium (R-2)

### III. WRITTEN PETITION

Section 53-255 of the ULDC establishes the process and the materials required to accompany the petition for a special exception as follows:

- A. A written petition for a special exception shall be submitted to the Director of the City's department responsible for land development services indicating the section of these zoning regulations under which the special exception is sought and stating the grounds on which it is requested.

The applicant's most recent narrative dated December 8, 2025 (**Exhibit D**) nor other submittal documents indicate the section of the zoning regulations under which this special exception is sought. It should also be noted that the provided narrative includes justification to support the project based on the current Comprehensive Plan versus the 2017 Comprehensive Plan in effect at time of application submittal.

(Staff review has established that, based on the 2010 CG zoning district, the special exception is requested pursuant to Sec. 53-40, which specifies: Special exceptions. Any use not specifically permitted and not specifically prohibited in this zoning district may file for a special exception permit in accordance with Article XXII of this chapter, provided that the use applied for contributes to the intent of the zoning district as stated in the City's Comprehensive Plan and this Unified Land Development Code).

- (1) Specific references shall be made to the types of findings which the City Commission shall make under [Sec. 53-259](#) below.

The applicant's responses to required findings are included in Section VI and **Exhibit E**.

- (2) The petition shall include material necessary to demonstrate that the grant of special exception will be in harmony with the general intent and purpose of these zoning regulations, will not be injurious to the neighborhood or to adjoining properties or otherwise detrimental to the public welfare. Such material shall include but is not limited to the following, where applicable:
  - (a) A development master plan at an appropriate scale showing placement, square footage and height of existing or proposed structures on the property; provisions for ingress and egress, off-street parking and off-street loading areas, locations of refuse and service areas and required yards and other open spaces.

The applicant has provided a development master plan (**Exhibit F**) showing a multi-family development on a 10.34-acre portion of the site including five 3-story 31-unit multifamily buildings (total 155 units) with a 5,000 square foot office/amenity center and pool. The plan also shows

four proposed commercial out-parcels on remaining 5.63 acres of the proposed development property. (Note: As commercial is allowed by right in CG zoning, that component of the project is not subject to a special exception approval).

The submitted plan does not show the proposed building square footage or building height (maximum height shown). Via email, the applicant communicated the multi-family buildings are proposed at a total of 270,320 square feet with building heights of approximately 35-feet, along with the office/amenity center of 5,000 square feet.

- (b) Plans showing proposed locations for utilities hookup or wells and septic systems.

The submitted plans do not show the proposed locations of utility connections. However, the applicant provided a willingness to serve letter from North Port Utilities dated September 9, 2019. **(Exhibit G)**

- (c) Plans for screening and buffering with reference as to type, dimensions and character.

The development master plan dimensions and reflects a Type C buffer as provided for in the ULDC but does not specify the “character” of the buffer.

- (d) Proposed landscaping and provisions for trees protected by City regulations.

The application includes a landscape plan that reflects compliance with the landscaping requirements of the ULDC but does not reflect proposed preservation of existing trees onsite. **(Exhibit H)**

- (e) Proposed signs and lighting, including type, dimensions, height and character.

The application includes a photometric plan that reflects compliance with the maximum lighting footcandles at the property line and fixture type names but does not show dimensions, and height of lighting fixtures. **(Exhibit I)** A sign plan was not provided, but the development master plan shows generalized locations of proposed signage.

## IV. STAFF REVIEW

The following staff reviews were completed before hearings held by the Planning and Zoning Advisory Board and the City Commission:

1. Pre-Application Meeting (PRE-22-145) with the Staff Development Review (SDR) team held on August 10, 2022.
2. Formal Submittal (March 17, 2023) and resubmittals reviewed by SDR.
3. Review for consistency with the City's Comprehensive Plan (Comp Plan). See Section V.
4. Compliance with the City's Unified Land Development Code (ULDC). See Section VI (Special Exception Findings).

<b>Staff Development Review Summary</b>	
<b>DS- Building Arborist</b>	No Objection <sup>1</sup>
<b>DS-Building Structural</b>	No Objection
<b>Finance</b>	No Objection
<b>Fire/Rescue</b>	Meets Requirements with Conditions <sup>2</sup>
<b>DS-Planning and Zoning</b>	Recommends Denial
<b>Parks and Recreation</b>	No Objection
<b>Public Works/P&amp;Z Environmental</b>	Meets Requirements with Conditions <sup>3</sup>
<b>Public Works Engineering</b>	No Objection <sup>4</sup>
<b>Public Works Stormwater</b>	No Objection <sup>5</sup>
<b>Public Works Solid Waste</b>	No Objection
<b>Utilities</b>	No Objection <sup>6</sup>

<sup>1</sup> The City Arborist had no objection. However, standard comments concerning the placement of all trees and landscaping requirements will apply during site development.

<sup>2</sup> Fire conditions apply at the site development stage concerning compliance with the Florida Prevention Code and Chapter 60 of the ULDC regarding sprinkler systems, fire lines, and fire alarms.

<sup>3</sup> Environmental conditions apply at the site development stage concerning gopher tortoise removal and site assessment activities. These will be addressed at the major site and development stage. Development cannot occur until a development order is issued.

<sup>4</sup> Engineering notes that site development will be addressed at the major site and development stage.

<sup>5</sup> Stormwater notes that site development will be addressed at the major site and development plan.

<sup>6</sup> Utilities were approved with no objection. However, standard comments related to the site development, including DEP permit applications related to water and sewer, water lines, chlorination, pressure testing, and irrigation, apply during site development.

## V. COMPREHENSIVE PLAN CONSISTENCY ANALYSIS

### COMPREHENSIVE PLAN - CHAPTER 1 – ARTICLE I. PLANNING VISION

Planning begins with vision. This vision focuses on what a desirable future would include. When looking at the development and past planning for the City, the vision includes availability of jobs and business opportunities; the strength of existing and future neighborhoods; urban design; the provision of adequate utilities including potable water, sewer and solid waste disposal; the condition of streets; the quality of the Myakkahatchee Creek; the quality of open space and City parks; the availability of affordable living homes and diversified housing opportunities; and the accessibility and adequacy of health care, social services, employment, libraries, schools and protective services. In summary, the City should be a place where citizens can live, work, shop, learn, and recreate within the corporate limits of the City. These are some basic elements that contribute to the quality of life acceptable to the citizens of North Port.

Staff Analysis: Repurposing 10.34-acres of land zoned Commercial General to residential does not align with the planning vision related to availability of jobs, business opportunities, and employment. As shown on the planning study maps included in **Exhibit J**, approximately 3,648 diversified housing units (multi-family and two-family, some affordable) are developed, entitled, proposed, or permissible by right within 2.25 miles of the project site; this total does not include additional potential multi-family in Activity Center and Corridor zoning districts as part of mixed-use projects. Therefore, diversified housing opportunities are and will be available. Moreover, the application provides no indication that the proposed multi-family qualifies as affordable or attainable housing.

**Staff concludes the proposed project is NOT consistent with Chapter 1, Article I. of the Comprehensive Plan.**

**COMPREHENSIVE PLAN – CHAPTER 2 – FUTURE LAND USE**

**Future Land Use 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 Analysis: This goal generally describes strategic land use planning designed to balance economic growth with environmental protection and public safety. The staff analysis related to FLU Goal 1 follows below with a separate section focusing on each major theme of the goal cited above.

**Economic Benefit**

While the Comprehensive Plan does not define nor specify the applicability of the term “maximize economic benefit,” this has largely been held to align with the potential revenue to the city. The ad valorem revenue scenarios provided below demonstrate that the multi-family project as proposed does not maximize the economic benefit to the City.

Scenario 1 estimates the ad valorem tax revenue to the City in the first year following construction of the multi-family project. Scenario 2 reflects construction of the multi-family with the commercial out-parcels building square footage (per the transportation impact analysis), yet the time frame for build-out of those commercial out-parcels nor the building square footage can be enforced.

Scenario 3 reflects the maximum development potential under the Commercial future land use district following the guideline that residential shall not exceed 50% of the floor area. (As indicated in the analysis under Policy 1.1. below, while the intent of the 50% guideline may have been to encourage a vertically integrated mixed-use commercial/residential project, implementing land development regulations were never adopted into the 2010 Unified Land Development Code).

**Ad Valorem Estimate**

**Scenario 1**

*270,320 square feet of multifamily units with 5,000 square feet amenity center*

Residential Ad Valorem	\$	191,831.49
Amenity Center Ad Valorem	\$	3,410.15
Land	\$	9,060.44
<b>Scenario Total</b>		<b>\$ 195,241.65</b>

## Scenario 2

*270,320 square feet of multifamily units with 5,000 square feet amenity center and 73,500 square feet of commercial*

Residential Ad Valorem	\$	191,831.49
Amenity Center Ad Valorem	\$	3,410.15
Commercial Ad Valorem	\$	55,540.29
Land	\$	9,060.44
<b>Scenario Total</b>		<b>\$ 250,781.93</b>

## Scenario 3

*330,435 square feet of multifamily units and 330,435 square feet of commercial*

Residential Ad Valorem	\$	191,320.74
Commerical Ad Valorem	\$	249,693.26
Land	\$	9,060.44
<b>Scenario Total</b>		<b>\$ 441,014.00</b>

Scenario 3 clearly demonstrates that a development with the highest allowable intensity following the guideline of no more than 50% residential floor area maximizes the economic benefit to the city. Nevertheless, denial of the requested special exception does not guarantee a development that yields "maximum economic benefit" as the CG zoning district allows the following types of uses by right, which uses would yield little or no ad valorem tax revenue to the city.

- Houses of worship
- Libraries
- Parking lots and parking garages
- Post offices
- Urban market gardens
- Vocational, trade, business schools, colleges and universities

### Enjoyment of Natural and Man-Made Resources by Citizens

The development master plan (**Exhibit F**) shows an existing freshwater pond onsite, and the proposed site design as presented does not avoid impacts to, or contemplate utilizing, this existing feature. This, coupled with the absence of submittal documents providing for trees protected by city regulations, reflects no preservation of natural areas within the site design of the proposed project.

The plan does include a 2.18-acre wet retention pond for stormwater facilities and a 5-foot-wide sidewalk on the site's northern and eastern boundaries providing man-made resources for citizens to enjoy. However, this enjoyment would be limited to residents of the multi-family development and surrounding area.

As stated in the introduction of the staff analysis related to FLU Goal 1, this major theme (enjoyment of natural and man-made resources by citizens) relates to balancing economic growth with environmental protection. As this project contemplates residential with future commercial outparcel construction with no end users or timeline for completion, there is no measure of economic development (goods, services, employment) (man-made resources) for the citizens of the city as a whole to enjoy.

### **Hazards, Nuisances, and Incompatible Land Uses**

Staff finds no identifiable hazards associated with the proposed multi-family project. Providing emergency access only on Fairlane Drive and locating solid waste receptacles a significant distance from existing residential should minimize nuisances.

As to incompatible land uses, residential development, regardless of unit type is compatible development. The development master plan reflects the required buffers on the north, south, and eastern boundaries of the project site.

### **Environmental Degradation**

A review of available state records and historical aerial imagery indicates that the project area contains approximately 0.94 acres of Other Surface Waters (OSWs), consisting of man-made surface water ponds (FLUCCS 534) excavated between 1974 and 2012. These features were constructed entirely in uplands and are each under one acre in size; therefore, consistent with SWFWMD criteria, no wetland mitigation is required for the proposed 0.94 acres of permanent dredge and fill impacts. The site appears to be actively managed, with portions of the upland areas showing evidence of mowing.

Two FEMA AE floodplain areas, totaling approximately 1.7 acres (0.3 acres and 1.4 acres), are present within the project boundary. These areas must be incorporated into the stormwater design to ensure no adverse offsite impacts or reductions in existing floodplain storage.

A comprehensive environmental report and tree survey will be required if this project progresses to site development and infrastructure plan application. This report must document existing environmental conditions, evaluate listed species presence, and identify regulated or heritage trees. Opportunities for sensitive habitat and heritage tree avoidance shall be evaluated during future site design

refinements and mitigation will be required where avoidance is not feasible. Additional environmental requirements may apply as the project advances and more detailed site information becomes available.

### **Summary of Consistency with Future Land Use Element Goal 1**

**In consideration of the major themes of this goal, and because the goal does not assign weight to the various considerations, Staff concludes that the proposed development is NOT consistent with the Chapter 2, Future Land Use Goal 1 of the Comprehensive Plan.**

**Future Land Use Policy 1.1: Commercial – These lands are designated to provide areas in which customary and traditional conduct of trade, retail, services, commerce and residential uses may be carried on without disruption by the encroachment and intrusion of incompatible residential and other uses (0.95 FAR, 15DU/acre excluding bonuses, incentives or transfer of development rights. As a guideline, the residential use should not exceed 50% of the floor area).**

Staff Analysis: The Future Land Use Element of the City of North Port's Comprehensive Plan provides for trade, retail, services, commerce, and residential uses in the Commercial Future Land Use Category. High-density residential is a permitted land use at 15 dwelling units per acre. Policy 1.1 further states, "As a guideline, the residential use should not exceed 50% of the floor area."

The Future Land Use Policy does permit residential use. While the intent of the 50% guideline may have been to encourage a vertically integrated mixed-use commercial/residential project, implementing land development regulations were not adopted into the 2010 Unified Land Development Code. Furthermore, the Cambridge Dictionary defines guidelines as, "information intended to advise people on how something should be done or what something should be." Guidelines are recommendations that guide best practices, while regulations are binding rules that must be obeyed.

However, it should be noted that the proposed multi-family square footage (not including office/amenity center) is 78.62% of the total proposed building area significantly exceeding the 50% guideline. Furthermore, while the traffic impact analysis represented a proposed 73,500 square feet of commercial development on the four out-parcels fronting S. Toledo Blade, the development master plan does not reflect any non-residential square footage. Moreover, the plan as depicted appears to contemplate subdivision of the multi-family area and the outparcels.

**Because the policy includes only a guideline, not a requirement, Staff concludes that the proposed development is consistent with Chapter 2, Future Land Use Element Policy 1.1, of the Comprehensive Plan.**

### **Future Land Use Element Objective 3 and Policy 3.3.**

**Objective 3: The economic base shall be increased and diversified relative to the City's economic tax base through planning and development activities which attract new business and industries, while also encouraging the expansion of existing businesses and industries as indicated in the Economic Development Element.**

**Policy 3.3: To promote overall sustainability and tax base diversification, the City shall pursue a goal of at least 18% non-residential development.**

Staff Analysis: The zoning map in effect when this special exception was submitted provided only about 6% land area for non-residential development (currently 16%). The requested special exception for residential development in a Commercial General zoning district reduces the land area available for non-residential development by 10.34-acres. Enough land needs to be dedicated to providing for properly planned non-residential uses to support the residential needs of this area, avoid strip commercial, and longer trip lengths causing additional transportation congestion on major corridors.

When considering only the current entitled, proposed, and permitted by right residential units, the build-out population in the 2.25-mile radius around the proposed project site is currently estimated as 58,326. (Note, this population figure doesn't consider future residential units in Activity Centers and Corridor zoning districts). Based on a ratio of 45.5 square feet per person, 2,653,833 square feet of retail space alone is needed to support this area, which will likely increase as additional mixed-use projects with residential are proposed. (See retail planning ratio and shopping center description and population served below).

Today, only 467,020 square feet of retail/office space exists within 2.25 miles of the proposed project. Eliminating 10.34-acres of commercially zoned land reduces the available land to support the residential needs of the area and does not align with Policy 3.3. which establishes the intent to expand the land area available for non-residential development.

### **Retail Planning Ratio and Shopping Center Descriptions with Population Served**

Some studies suggest a common planning ratio for retail space is around 42 to 49 square feet per person, while other data supports a higher ratio. For example, In 2024 Charlotte County had approximately 67 square feet of commercial space per resident (a recent study indicates additional 2.9 million square feet of commercial building area are needed between 2024 and 2030 to meet unmet demand) and Cape Coral has 57 square feet per resident (a recent study indicates additional suggests 3.6 million square feet of commercial building area are needed between 2023 and 2030 to meet unmet demand). Careful planning is necessary to serve the commercial needs in proximity to the proposed project site. With Venice and legacy North Port containing the closest Community Centers and UTC/St. Armands Circle soon to be the only Regional Center option (Port Charlotte Town Center anticipated to close) additional commercial is needed to serve this area to avoid congestion. (See shopping center descriptions below).

Neighborhood shopping centers range in size from 60,000-150,000 square feet and occupy 6-20 acres, with an average of 17 acres. These centers usually serve clusters of neighborhoods and their daily needs. The most common commercial anchors are grocery stores such as Publix, Winn-Dixie, and ALDI. Neighborhood shopping centers also include ancillary retail and office uses which serve residents' daily/weekly needs, such as nail salons, gas stations, fast food/takeout, and gyms. Each neighborhood shopping center generally serves a population of approximately 15,526 people.

Community: Community shopping centers range from 151,000-400,000 square feet and 25-60 acres, with the average being 38 acres. Typical shopping center anchors include major department stores, such as Walmart, Target, and other destination retail locations. A destination retail location is a hub which attracts trips from residents looking for something specific, outside of their regular shopping habits (groceries, etc.). Community shopping centers generally serve a population of approximately 33,639 people.

Regional: Regional shopping centers range in size from 401,000-1 million square feet and 60-200 acres, with the average being 100 acres. Regional shopping centers typically serve a population of approximately 150,000 people.

**Staff concludes the proposed development is NOT consistent with Chapter 2, Future Land Use Element Objective 3 and Policy 3.3 of the Comprehensive Plan.**

## COMPREHENSIVE PLAN - CHAPTER 3 - TRANSPORTATION ELEMENT

**Policy 4.4:** The City shall continue to implement its Unified Land Development Code to provide adequate access management controls to limit the proliferation of commercial and residential driveways along arterial and collector roadways. Current platted lots with direct access to arterial and collector roadways may continue to develop. When acquiring rights-of-way for future expansions of arterial and collector roadways, the City shall also examine the feasibility of developing parallel access roads/drives that capture residential and non-residential driveway traffic and distribute the traffic to limited points along the arterial or collector roadway.

**Policy 5.4:** The City shall continue to implement the land development regulations, implementing standards which require that multi-family and commercial developments provide for pedestrian/bicycle pathways and bicycle parking facilities to the extent that such facilities are proportionate to the impacts created by such development.

Staff Analysis: The proposed development will be accessed by two means of ingress and egress. Access to the site is on the north side via Woodhaven Drive and the east side via S. Toledo Blade Boulevard. The development master plan reflects connectivity to the existing multi-modal sidewalk on S. Toledo Blade Boulevard will support pedestrian and bicycle transportation.

**Staff concludes that the proposed development meets the Comprehensive Plan Transportation Element Policies 4.4. and 5.4.**

### Chapter 8 HOUSING ELEMENT GOALS, OBJECTIVES, AND POLICIES.

**GOAL: 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 1.3:** The City shall continue to encourage private sector efforts through the provision of incentives in the Unified Land Development Code to construct housing alternatives to the single-family detached dwelling unit.

**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.

**Policy 1.9:** Consistent with the Future Land Use Element and the Capital Improvement Element, housing should be located within areas where supporting infrastructure is available or planned to include public transit, schools, parks, emergency services, hurricane shelters, and utilities.

**Policy 6.1:** Ensure a compatible relationship between new housing and circulation patterns and encourage pedestrian and bicycle interconnectivity and transit-friendly communities to minimize traffic impacts and promote healthy lifestyles.

Staff Analysis: The proposed project is in an area with supporting infrastructure and would provide a housing alternative to single-family-attached dwellings. The Utilities Department has provided written confirmation through a willingness to serve letter that they have the capacity at both water and sewage treatment to serve the development. Connectivity to the existing multi-modal sidewalk on S. Toledo Blade Boulevard will support pedestrian and bicycle transportation options. The Shoppes of Price Crossings are all within 1½ miles of walking and biking distance supporting the effort to minimize traffic impacts and promote healthy lifestyles. Bike Park North Port is located less than 1½ miles from the site and offers recreational opportunities. In addition, Toledo Blade Elementary, Woodland Middle School and, North Port High School are located within a 5-mile radius of the project site.

**Staff concludes that the proposed development is consistent with Chapter 8, Goal 1, Objective 1, and Policies 1.3, 1.7, 1.9, and 6.1 of the Comprehensive Plan.**

**Objective 7:** Increase housing options and community livability by establishing mixed-use development and design standards through which residential dwelling units, commercial, and office uses are intermixed with public amenities and aesthetics.

**Policy 7.2:** Collaborate with major employers, economic development professionals, government agencies, and developers to identify and implement live-work-housing strategies that enable the City's workforce to walk or bike to work.

Staff Analysis: The submitted development master plan does not represent a physically and functionally integrated mixed-use development; residential commercial and office uses are not intermixed with public amenities and aesthetics per the plan.

Policy 7.2. does not apply to this project as it does not incorporate live-work housing strategies. Live-work housing strategies integrate residential and professional spaces to boost local economies, support hybrid work, and enhance sustainability through adaptive reuse, flexible zoning, and mixed-use developments. Common models include "live-above" (commercial ground floor, residential above) and "live-within" (fully blended) designs, often utilizing ADUs,

retrofitted spaces, and prefabricated modular construction. These developments promote walkability, feature shared amenities like coworking spaces, and often leverage financial incentives like tax increment financing to create flexible, high-density environments.

**Staff concludes that the proposed development is NOT consistent with Chapter 8, Goal 1, Objective 7 and Policy 7.2. of the Comprehensive Plan.**

## **CHAPTER 11 ECONOMIC DEVELOPMENT ELEMENT GOALS, OBJECTIVES, & POLICIES.**

### **GOAL 1: PROMOTE AND MAINTAIN BALANCED AND ORDERLY ECONOMIC GROWTH.**

Objective 1.1: Attraction, Retention, and Expansion of Targeted Businesses - The City shall plan, design, and implement programs, projects, and activities that support and assist in the expansion of existing businesses in the City and the recruitment of new businesses.

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.

Policy 1.1.2: The City will support and encourage the establishment of new commercial and manufacturing enterprises at appropriate locations, with a focus on businesses that will be owned by and/or that will employ City residents, through technical assistance, the provision of incentives, and/or other appropriate strategies.

Policy 1.1.3: North Port may continue efforts to create mechanisms, including incentives and workforce training, to attract, retain and expand diverse, innovative and responsible businesses to the City.

Policy 1.1.4: Encourage and support regional collaboration to advance mutual economic goals, while maintaining competitive incentives and programs to attract and retain diverse industries to expand North Port's economic base.

Policy 1.1.5: The City recognizes the value of continuing to establish land use regulations that allows industrial and commercial uses, in appropriate locations, that have limited options for locating in other areas of the County and region, if these uses employ best management practices that reduce negative on- and off-site impacts and are appropriately buffered from other potentially incompatible land uses.

Policy 1.1.6: The City shall seek to diversify its tax base through the implementation of programs to attract additional commercial, industrial and mixed use

developments and encourage the development or redevelopment of vacant or underutilized parcels.

Staff Analysis: The property subject to this special exception request has been zoned CG since at least 1990. Allowing residential use to occupy 10.34-acres of the site does not align with policies to attract economic development and diversify the tax base.

**Staff concludes the proposed development is NOT consistent with the Economic Development Element, Goal 1, Objective 1.1. and Policies 1.1.1. through 1.1.6. of the Comprehensive Plan.**

**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.

**Policy 5.1.2:** Expand housing options that support the local workforce by planning for development near employment and transportation centers.

**Policy 5.1.5:** Attract young professionals by supporting urban, suburban, and neighborhood infill development and redevelopment as the city evolves and grows with new industries and new residents.

Staff Analysis: The project site is the former location of a par-three golf course. Redevelopment of the site for residential would provide housing options for the workforce near industrial uses and I-75 which are within 3.5 miles of the proposed project.

**Staff concludes that the proposed development is consistent with Chapter 11, Goal 5, and Policies 5.1.1, 5.1.2, and 5.1.5 of the Comprehensive Plan.**

## V. SPECIAL EXCEPTION - FINDINGS

ULDC Article XXII. Special Exceptions, Section 53-259. Findings. A. states, "Before any special exception shall be approved, the Planning and Zoning Advisory Board and City Commission shall determine that:

- (1) The granting of the special exception will not adversely affect the public interest, health, safety, and general welfare;

- 2) That the specific requirements in the Schedule of District Regulations (Part 2) governing the individual special exception, if any, have been met by the petitioner;

ULDC Section 53-259. A (3) includes a list of 16 findings (**listed as letters a-p**) that, if applicable, must be met. The findings will be listed separately for each special exception request as each must be able to stand on its own. Staff and the applicant's responses to each finding for the special exception are as follows:

**(a) The proposed use shall be consistent with the intent, goals, objectives, policies, and programs of the City of North Port Comprehensive Plan and the intent of the zoning district as defined in this Unified Land Development Code for the area in which the property is located.**

**Applicant Response:** *The proposed use is consistent with the intent, goals, objectives, policies and programs of the City of North Port Comprehensive Plan. The proposed plan is appropriately sized, all proposed access points, parking and service areas are depicted. The layout meets and exceeds the required setbacks which are "A. Front yard: None. B. Side yard: (1) Interior: none. (2) Abutting a road: None. C. Rear yard: Fifteen (15) feet. D. Waterfront yard: Twenty (20) feet. and open space will meet and or exceed the 2010 ULDC.*

*The proposed plan is for a mixed-use development consistent with Objective 7 and Policy 7.2 Objective 7: Increase housing options and community livability by establishing mixed-use development and design standards through which residential dwelling units, commercial, and office uses are intermixed with public amenities and aesthetics. Policy 7.2: Collaborate with major employers, economic development professionals, government agencies, and developers to identify and implement live-work-housing strategies that enable the City's workforce to walk or bike to work.*

**\*Note: The applicant referenced objective and policy above are contained in Chapter 8, Housing Element, of the 2017 Comprehensive Plan.**

**Staff Response:** Per the Comprehensive Plan analysis above, the proposed use is **NOT** consistent with the 2017 Comprehensive Plan.

**Staff Conclusion:** While the proposed multi-family special exception is consistent with Chapter 2, Future Land Use Element Policy 1.1, Chapter 3, Transportation Element Policies 4.4. and 5.4., Chapter 8, Housing Element, Goal 1, Objective 1, and Policies 1.3, 1.7, 1.9, and 6.1 Chapter 11, Economic Development Element, Goal 5, and Policies 5.1.1, 5.1.2, and 5.1.5 of the Comprehensive Plan, it is **NOT consistent** with Chapter 1, Article I. Planning Vision, Chapter 2, Future Land Use Element Goal 1, Objective 3, and Policy 3.3, Chapter 8, Housing Element Chapter 8, Goal 1, Objective 7 and Policy 7.2. of the Comprehensive Plan, and Chapter 11,

**Economic Development Element, Goal 1, Objective 1.1. and Policies 1.1.1. through 1.1.6. of the Comprehensive Plan. Staff concludes this finding has **NOT** been met.**

**(b) The density or intensity of the proposed use shall be consistent with the intended future use of the designated land use area in which the property is located, in accordance with the provisions of the Future Land Use Plan Map contained in the Comprehensive Plan.**

**Applicant Response:** *Although the current comprehensive plan was not in effect it's worth noting that the proposed plan is consistent with the density and intensity standards detailed in FLU POLICY 1.2.3 and 1.2.4. FUTURE LAND USE DENSITY & INTENSITY.*

*Also, the proposed layout provides 5.563 acres of commercial area which can build up to 50% building lot coverage. The 5.563 acres of commercial area fronts on are major arterial roadway and will have no issues meeting or exceeding the 50% residential FAR guideline stated in previous Comprehensive Policy 1.1. stated below:*

*Commercial - These lands are designated to provide areas in which customary and traditional conduct of trade, retail services, commerce and residential uses may be carried on without disruption by the encroachment and intrusion of incompatible residential and other uses (0.95 FAR, fifteen (15) DU/acre excluding bonuses, incentives or transfer of development rights. As a guideline, the residential should not exceed fifty percent (50%) of the floor area).*

*The subject property is 15.97 acres in size and designated Commercial on the future Land Use Map. Medium Density Residential surrounds the subject parcel to the north, east and south. To the west is Toledo Blade Blvd., which is a four-lane arterial roadway.*

**Staff Response:** Based on the application submittal date, the petition is evaluated based on the 2017 Comprehensive Plan, so the applicant's response regarding FLU Policy 1.2.3. and 1.2.4. is irrelevant. Regardless, this statement is false as Policy 1.2.4. provides that, "mixed-use development that includes residential must provide a minimum of 25% of the total building square footage for commercial, industrial, and/or office use" and the proposed project provides only 21.83% albeit part of a subdivided development plan rather than a physically and functionally integrated mixed-use development which would be required under the implementing land development regulation for this policy under the current ULDC.

Policy 1.1 of the Future Land Use Element Goals, Objectives, & Policies of the City of North Port's Comprehensive Plan provides for Commercial future land use to include customary and traditional conduct of trade, retail services, commerce, and residential uses may be carried on without disruption by the encroachment and intrusion of incompatible residential and other uses in the Commercial Future Land Use Category. Residential is permitted with a maximum of 15 dwelling units per acre. Section 53-41 of the ULDC provides the maximum density/intensity for the CG zoning district is 15 dwelling units per acre.

The proposed density of 15- dwelling units per acre for the multi-family use is consistent with the provisions for Commercial in the Comprehensive Plan. However, it should be noted that the proposed multi-family square footage (not including office/amenity center) is 78.62% of the total proposed building area significantly exceeding the 50% guideline. Furthermore, while the traffic impact analysis represented a proposed 73,500 square feet of commercial development on the four out-parcels fronting S. Toledo Blade, the development master plan does not reflect any non-residential square footage. Moreover, the plan as depicted appears to contemplate subdivision of the multi-family area and the outparcels.

**Staff Conclusion: The applicant is proposing a density that complies with the Commercial future land use per the Comprehensive Plan; because the guideline regarding a maximum 50% residential floor area component is not a binding regulation, Staff must conclude this finding has been met.**

**(c) The proposed use, singularly or in combination with other previously approved special exceptions, must not be detrimental to the health, safety, welfare, morals, order, comfort, convenience, appearance or prosperity of the neighborhood or adjacent uses; and shall be an economic benefit to the economy of the City.**

**Applicant Response:** *This parcel allows for commercial non-residential uses by right on the entire 15.97 acres today. The proposed layout is less intense and compatible with the existing residential across Fairlane & Wood Haven Drive. This proposed plan provides a step down in intensity, providing residential next to the existing residential instead of just commercial.*

*The proposed multifamily residential creates a horizontal mixed-land use alternative which is permitted in the newly adopted CT zoning district. The proposed plan creates a walkable community with a mix of land uses and provides a different range of housing opportunity for the area, which is consistent with POLICY FLU 1.1. PLANNING FRAMEWORK FOR DEVELOPMENT which states North Port shall utilize the following smart growth principles to guide the creation of land use policy and adoption of land development regulations: • Mix Land Uses • Take Advantage of Compact Building Design • Create a Range of Housing Opportunities and Choices • Create Walkable Communities • Foster Distinctive,*

*Attractive Communities with a Strong Sense of Place • Preserve Open Space, Farmland, Natural Beauty, and Critical Environmental Areas • Make Development Decisions as Predictable, Fair, and Cost-Effective as possible • Encourage Community and Stakeholder Collaboration in Development Decisions*

**\*Note:** The applicant referenced objective and policy above are contained in Chapter 1, Future Land Use Element of the 2024 Comprehensive Plan. Based on the special exception application date, this petition is to be reviewed according to the 2017 Comprehensive Plan.

**Staff Response:** Per the Comprehensive Plan analysis in Section V. of this report, the analysis of Future Land Use Element Goal 1, Objective 3, and Policy 3.3 indicates the proposed project does not provide the maximum economic benefit and the reduction of land available for commercial development would have a detrimental impact on the welfare, comfort, and convenience of the public.

**Staff Conclusion:** Staff concludes this finding has **NOT** been met.

**(d) The intensity of the proposed use shall be harmonious with the character of other uses in the neighborhood.**

**Applicant Response:** *The proposed plan will provide a horizontal mixed use alternative with residential next to the existing neighborhoods.*

**Staff Response:** The proposed multi-family development includes five 3-story buildings and an office/amenity center approximately 300-feet from S. Toledo Blade Boulevard buffered by landscaping from existing residential development along Woodhaven Drive and Fairlane Drive. If approved, this project would be a transitional use from the commercial adjacent to S. Toledo Blade Boulevard to the single-family attached development to the east. The proposed location is currently surrounded by Planned Community Development, Residential Multi-Family, and Residential Two-Family zone districts.

**Staff Conclusion:** Staff concludes this finding has been met.

**(e) The height and orientation of any proposed structure(s) shall be compatible with existing neighboring structures and uses.**

**Applicant Response:** *The neighboring zoning R-2 zoning maximum height limit is 35 feet which is compatible to the proposed three story height proposed for the apartment. The proposed plan is more compatible than what could be built by right today which allows for heights up to 70 feet on commercial uses in the CG zone district and 50 feet by right in CT. The orientation of the stormwater pond*

along the south boundary provides an increased setback and separation of 268 feet ±. The residential building sides are approximately 230 feet ± to the nearest residential structures to the east across Fairlane Drive and 200 feet± to the nearest residential structure to the north across Woodhaven Drive

**Staff Response:** The maximum building height in Commercial General is 70 feet, regardless of whether a commercial or multi-family building is located on the site. The applicant has indicated building heights will be approximately 35-feet.

**Staff Conclusion:** Staff concludes this finding has been met.

**(f) The subject parcel shall be adequate in shape and size to accommodate the proposed use and provide for appropriate separation between neighboring uses.**

**Applicant Response:** The subject parcel is 15.97 acres in size and adequately shaped to accommodate the proposed residential use as well as conform with the zoning district regulations. The proposed use is residential instead of commercial and will provide increased setbacks compared to the commercial use option which can be built closer to the property lines and neighboring residential uses.

**Staff Response:** The subject parcel contains 15.97 acres; the proposed multi-family development is located on the eastern 10.34-acre portion of the property. With setbacks, buffers, and separation by the right-of-way, drainage canal, and divided landscaped median, the parcel is adequate in shape and size to accommodate the proposed multi-family use, and accessory structures.

**Staff Conclusion:** Staff concludes this finding has been met.

**(g) The proposed use shall be adequately screened and buffered to effectively separate traffic, light and noise from existing or intended nearby uses.**

**Applicant Response:** : A landscape plan detailing screening and buffering has been submitted by a licensed landscape architect John Swen with the special exception application. Also a lighting plan has been submitted with the special exception application. Buffers and lighting are required to meet the applicable ULDC regulations at time of permitting as well as required to continue to be subject the applicable ULDC regulations after permitting and construction. The proposed development will abide by the applicable City provisions and the ULDC.

**Staff Response:** The submitted landscape plan (**Exhibit H**) meets the buffering requirements of the ULDC .

**Staff Conclusion:** Staff concludes this finding has been met.

**(h) The loading and/or refuse areas shall not impose negative visual, odor or noise impacts on abutting uses or thoroughfares.**

**Applicant Response:** *Loading and/or refuse areas are required to meet the applicable ULDC regulations at time of permitting as well as required to continue to be subject the applicable ULDC regulations after permitting and construction. The proposed development will abide by the applicable City provisions and the ULDC. The dumpsters will be behind a 6ft wall as required and the proposed location is approximately over 250 feet away from nearest adject residential structure which is across Fairlane Drive to ensure no negative visual, odor or noise impacts on abutting uses or thoroughfares.*

**Staff Response:** Two refuse areas are located on the site, one on the western portion of the site near the proposed commercial out-parcels and one central/southeasterly on the Fairlane Drive side of the property. The placement and compliance with corral and buffering requirements should result in no negative impacts on abutting uses or thoroughfares. Also, the Solid Waste Division has reviewed the proposed refuse area location and provided conditions to be met during the site development. The refuse area will meet the requirements for solid waste, including the dumpster corral requirements to be placed within a wall to mitigate noise. In addition, the dumpster corral will have front gates to prevent the refuse from posing a negative or visual impact.

**Staff Conclusion:** Staff concludes this finding has been met.

**(i) The size and location of proposed sign(s) shall be in compliance with Chapter 29, Sign Regulations of these regulations, and shall be compatible with the character of the existing neighboring uses.**

**Applicant Response:** *Signs are required to meet the applicable ULDC regulations at time of permitting as well as required to continue to be subject the applicable ULDC regulations after permitting and construction. The proposed development will abide by the applicable City provisions and the ULDC*

**Staff Response:** A sign plan was not submitted with this application. However, signage will be reviewed at the time of site development and infrastructure plan application and shall comply with the ULDC regulations governing signage.

**Staff Conclusion:** Staff concludes this finding is not applicable at this time.

**(j) Exterior lighting shall be harmonious with the character of existing neighboring uses, in terms of glare, and required foot candles.**

**Applicant Response:** *Lighting will be required to meet the applicable ULDC regulations at time of permitting as well as required to continue to be subject the applicable ULDC regulations after permitting and construction. The proposed development will abide by the applicable City provisions and the ULDC*

**Staff Response:** The application includes a photometric plan (**Exhibit I**) that reflects compliance with the maximum lighting footcandles at the property line and fixture type names, but does not show the dimensions, and height of lighting fixtures. However, lighting will be reviewed at the time of site development and infrastructure plan application and shall comply with the ULDC regulations governing site lighting.

**Staff Conclusion: Staff concludes this finding is not applicable at this time.**

**(k) The ingress and egress to the subject parcel and any structure involved shall not adversely affect traffic flow, safety or control.**

**Applicant Response:** *A TIS has detailing ingress and egress has been submitted and was prepared by TR Transportation Consultants, Inc. The ingress and egress will be in conformance with ULDC and will not adversely affect traffic flow, safety or control.*

**Staff Response:** The City Engineer and Fire/Rescue have reviewed the proposed ingress/egress and identified no concerns.

**Staff Conclusion: Staff concludes this finding has been met.**

**(l) The access and internal circulation shall be adequate in case of fire or emergency.**

**Applicant Response:** *A TIS has detailing ingress and egress has been submitted and was prepared by TR Transportation Consultants, Inc. The ingress and egress will be in conformance with ULDC and will not adversely affect traffic flow, safety or control*

**Staff Response:** Fire/Rescue reviewed the proposed access and internal circulation and have identified no concerns with the access and internal circulation or emergency access.

**Staff Conclusion:** Staff concludes this finding has been met.

**(m) The proposed use shall not adversely affect traffic flow, safety or control on the surrounding roadway system.**

**Applicant Response:** *A TIS has detailing access and internal circulation has been submitted and was prepared by TR Transportation Consultants, Inc. The access and internal circulation will be in conformance with ULDC will not adversely affect traffic flow, safety or control.*

**Staff Response:** The transportation impact statement dated October 7, 2025, indicates turn lanes are warranted as follows: A right turn lane at the proposed access drive on S. Toledo Blade Boulevard, a southbound left turn lane into the proposed S. Toledo Blade Boulevard access drive, and a right turn lane at the proposed access drive on Woodhaven Boulevard. The development master plan shows the warranted turn lanes on S. Toledo Boulevard but does not show a turn lane on Woodhaven Boulevard, which should be constructed to avoid adverse effects on traffic flow. See excerpt from the TIS below.

## VII. CONCLUSION

The proposed development is located at the southeast corner of South Toledo Blade Boulevard and Woodhaven Drive in the City of North Port, Florida. Based upon the roadway link Level of Service analysis conducted as a part of this report, the development of the subject site meets the requirements set forth by the City of North Port Comprehensive Plan and Land Development Code in that there is sufficient capacity available on the surrounding roadways to accommodate the new trips that will be generated by the proposed development.

Turn lane analysis was conducted at the proposed site access connections to South Toledo Blade Boulevard and Woodhaven Drive. Based on the results of the analysis, a separate right turn lane will be warranted at the proposed access drive on Woodhaven Drive. The taper/decel distance based on the speed limit of 40 mph should be 155 feet in accordance with the *Exhibit 212-1* of the Florida Design Manual. No storage distance is required since the right turn movement will operate under free-flow conditions.

On South Toledo Blade Boulevard, a northbound right turn lane will be provided. The taper/decel distance based on the speed limit of 4 mph should be 185 feet in accordance with the *Exhibit 212-1* of the Florida Design Manual. No storage distance is required since the right turn movement will operate under free-flow conditions. A southbound left turn southbound left turn approximately 250 feet on overall length should be constructed. No other turn lane improvements will be warranted.

**Staff Conclusion:** Staff concludes this finding has **NOT** been met.

(n) The location, type and availability of proposed potable water systems shall be adequate for the proposed use and shall not adversely affect neighboring potable water systems.

**Applicant Response:** *Acknowledged and understood.*

**Staff Response:** The Utilities Department has provided a willingness to serve letter to provide water, sewer, and eventually reclaimed water to the site (**Exhibit G**).

**Staff Conclusion:** Staff Concludes this finding has been met.

(o) The location, type, and availability of proposed wastewater systems shall be adequate for the proposed use and compatible with drainage conditions in the area and neighboring uses.

**Applicant Response:** *Acknowledged, and understood.*

**Staff Response:** The Utilities Department has provided a willingness to serve letter to provide water, sewer, and eventually reclaimed water to the site (**Exhibit G**).

**Staff Conclusion:** Staff Concludes this finding has been met.

**(p) The proposed use shall not cause or intensify flooding of neighboring uses.**

**Applicant Response:** *The stormwater system will be adequately sized to prevent flooding from occurring within the development and onto neighboring uses.*

**Staff Response:** The proposed site has been reviewed by the Public Works Department's Stormwater Engineering Division. Their comments state that detailed stormwater designs must meet all ULDC Chapter 18 criteria in future development petitions. If any issues arise at the time of the site development, they will be addressed and resolved at that time.

**Staff Conclusion:** Staff concludes this finding is not applicable at this time.

## VI. LEGAL REVIEW

The accompanying Resolution No. 2026-R-20 has been reviewed by the City Attorney as to form and correctness.

## VII. PUBLIC NOTICE

## VIII. PUBLIC HEARINGS

<b>Planning &amp; Zoning Advisory Board Public Hearing</b>	<b>April 2, 2026</b> <b>9:00 AM</b> or as soon thereafter
<b>City Commission Public Hearing</b>	<b>April 21, 2026</b> <b>6:00 PM</b> or as soon thereafter

Pursuant to ULDC Section 53-258 B., Notice of the public hearings was advertised in a newspaper of general circulation on Tuesday, March 17, 2026 (**Exhibit K**).

Pursuant to Section 53-258 C., notice was mailed to the subject property owner and all property owners within 1,320 feet of the subject property on Tuesday, March 17, 2026 (**Exhibit L**).

## IX. RECOMMENDED ACTION AND OPTIONS FOR COMMISSION

### Recommended Action

Option 1: Deny Resolution No. Resolution 2026-R-20.

### City Commission Options

Option 1: Deny Resolution No. Resolution 2026-R-20.

Pros: Denying the resolution aligns with the findings that this special exception petition does not meet all of the 16 standards listed in Section 53-259.A(3) of the Unified Land Development Code, reduces land available for non-residential development, is not consistent with the comprehensive plan, does not provide the maximum economic benefit to the city, and does not provide adequate transportation improvements.

Cons: Staff identifies no disadvantages to denying the resolution.

Option 2: Approve Resolution No. 2026-R-20.

Pros: Approval of the resolution will provide an additional 155 units to the city's multi-family housing stock.

Cons: Approves a special exception request that reduces land available for non-residential development, is not consistent with the comprehensive plan, does not

provide the maximum economic benefit to the city, and does not provide adequate transportation improvements.

## X. RECOMMENDED MOTIONS

### Planning and Zoning Advisory Board-

The Planning & Zoning Division recommends that the Planning and Zoning Advisory Board **deny** Petition SPX-23-053 via Resolution 2026-R-20, a special exception to allow a multi-family residential use in the Commercial General (CG) Zoning District, and motion as follows:

Motion To Deny:

I move to recommend denial of Resolution No. 2026-R-20, Petition No. SPX-23-053 and find that, based on the competent substantial evidence: granting the special exception will adversely affect the public interest, health, safety and general welfare; 1 or more of the 16 standards listed in Section 53-259.A(3) of the Unified Land Development Code have NOT been met; and:

[Select one or more WITH SUPPORTING SEASONS]

- (a) **The proposed use IS NOT consistent with the intent, goals, objectives, policies and programs of the City of North Port Comprehensive Plan and the intent of the zoning district as defined in this Unified Land Development Code for the area in which the property is located.**
- (b) The density or intensity of the proposed use IS NOT consistent with the intended future use of the designated land use area in which the property is located, in accordance with the provisions of the Future Land Use Plan Map contained in the Comprehensive Plan.
- (c) **The proposed use, singularly or in combination with other previously approved special exceptions, IS detrimental to the health, safety, welfare, morals, order, comfort, convenience, appearance or prosperity of the neighborhood or adjacent uses; and shall be an economic benefit to the economy of the City.**
- (d) The intensity of the proposed use IS NOT harmonious with the character of other uses in the neighborhood.
- (e) The height and orientation of any proposed structure(s) IS NOT compatible with existing neighboring structures and uses.
- (f) The subject parcel IS NOT adequate in shape and size to accommodate the proposed use and provide for appropriate separation between neighboring uses.

- (g) The proposed use **IS NOT** adequately screened and buffered to effectively separate traffic, light and noise from existing or intended nearby uses.
- (h) The loading and/or refuse areas **IMPOSES** negative visual, odor or noise impacts on abutting uses or thoroughfares.
- (i) The size and location of proposed sign(s) **IS NOT** in compliance with Chapter 29, Sign Regulations of these regulations, and **IS NOT** compatible with the character of the existing neighboring uses.
- (j) Exterior lighting **IS NOT** harmonious with the character of existing neighboring uses, in terms of glare, and required foot candles.
- (k) The ingress and egress to the subject parcel and any structure involved adversely **AFFECTS** traffic flow, safety or control.
- (l) The access and internal circulation **IS NOT** adequate in case of fire or emergency.
- (m) **The proposed use adversely AFFECTS traffic flow, safety or control on the surrounding roadway system.**
- (n) The location, type and availability of proposed potable water systems **IS NOT** adequate for the proposed use and adversely **AFFECTS** neighboring potable water systems.
- (o) The location, type and availability of proposed wastewater systems **IS NOT** adequate for the proposed use and compatible with drainage conditions in the area and neighboring uses.
- (p) The proposed use **CAUSE OR INTENSIFIES** flooding of neighboring uses.

Motion To Approve:

I move to recommend approval of Resolution No. 2026-R-20, Petition No. SPX-23-053 and find that, based on the competent substantial evidence: granting the special exception will **NOT** adversely affect the public interest, health, safety and general welfare; the specific requirements in the schedule of district regulations governing the individual special exception have been met; and the 16 standards listed in Section 53-259.A(3) of the Unified Land Development Code have been met.

Motion To Approve With Conditions:

I move to recommend approval of Petition No. SPX-23-053 via Resolution No. 2026-R-20, with conditions 1-6 listed on page 4 of the staff report; and find that, based on the competent substantial evidence: granting the special exception will **NOT** adversely affect the public interest, health, safety and general welfare; the specific requirements in the schedule of district regulations governing the individual special exception have been met; and the 16 standards listed in Section 53-259.A(3) of the Unified Land Development Code have been met.

## City Commission-

The Planning & Zoning Division recommends that the City Commission **deny** Resolution No. 2026-R-20, Petition SPX-23-053, a special exception to allow a multi-family residential use in the Commercial General (CG) Zoning District, and motion as follows:

Motion To Deny:

I move to deny Resolution No. 2026-R-20, and find that, based on the competent substantial evidence, granting the special exception will adversely affect the public interest, health, safety and general welfare; one or more of the 16 standards listed in Section 53-259.A(3) of the Unified Land Development Code have **NOT** been met; and:

[Select one or more WITH SUPPORTING REASONS:]

- (a) **The proposed use IS NOT consistent with the intent, goals, objectives, policies and programs of the City of North Port Comprehensive Plan and the intent of the zoning district as defined in this Unified Land Development Code for the area in which the property is located.**
- (b) The density or intensity of the proposed use **IS NOT** consistent with the intended future use of the designated land use area in which the property is located, in accordance with the provisions of the Future Land Use Plan Map contained in the Comprehensive Plan.
- (c) **The proposed use, singularly or in combination with other previously approved special exceptions, IS detrimental to the health, safety, welfare, morals, order, comfort, convenience, appearance or prosperity of the neighborhood or adjacent uses; and WILL NOT be an economic benefit to the economy of the City.**
- (d) The intensity of the proposed use **IS NOT** harmonious with the character of other uses in the neighborhood.
- (e) The height and orientation of any proposed structure(s) **IS NOT** compatible with existing neighboring structures and uses.
- (f) The subject parcel **IS NOT** adequate in shape and size to accommodate the proposed use and provide for appropriate separation between neighboring uses.
- (g) The proposed use **IS NOT** adequately screened and buffered to effectively separate traffic, light and noise from existing or intended nearby uses.
- (h) The loading and/or refuse areas **IMPOSES** negative visual, odor or noise impacts on abutting uses or thoroughfares.

- (i) The size and location of proposed sign(s) **IS NOT** in compliance with Chapter 29, Sign Regulations of these regulations, and **IS NOT** compatible with the character of the existing neighboring uses.
- (j) Exterior lighting **IS NOT** harmonious with the character of existing neighboring uses, in terms of glare, and required foot candles.
- (k) The ingress and egress to the subject parcel and any structure involved adversely **AFFECTS** traffic flow, safety or control.
- (l) The access and internal circulation **IS NOT** adequate in case of fire or emergency.
- (m) The proposed use adversely **AFFECTS** traffic flow, safety or control on the surrounding roadway system.**
- (n) The location, type and availability of proposed potable water systems **IS NOT** adequate for the proposed use and adversely **AFFECTS** neighboring potable water systems.
- (o) The location, type and availability of proposed wastewater systems **IS NOT** adequate for the proposed use and compatible with drainage conditions in the area and neighboring uses.
- (p) The proposed use **CAUSES OR INTENSIFIES** flooding of neighboring

Motion To Approve:

I move to approve Resolution No. 2026-R-20 and find that, based on the competent substantial evidence: proper notice was provided; granting the special exception will not adversely affect the public interest, health, safety and general welfare; the specific requirements in the schedule of district regulations governing the individual special exception have been met; and the 16 standards listed in Section 53-259.A(3) of the Unified Land Development Code have been met.

Motion To Approve With Conditions:

I move to approve Resolution No. 2026-R-20 with conditions 1-6 listed on page 4 of the staff report; and find that, based on the competent substantial evidence, proper notice was provided; granting the special exception will not adversely affect the public interest, health, safety and general welfare; the specific requirements in the schedule of district regulations governing the individual special exception have been met; and the 16 standards listed in Section 53-259.A(3) of the Unified Land Development Code have been met.

## XI. EXHIBITS

<b>Exhibits</b>
A. Affidavit
B. Warranty Deed
C. Application
D. Narrative
E. Applicant Response to Required Findings
F. Development Master Plan
G. Willingness to Serve Letter
H. Landscape Plan
I. Photometric Plan
J. Planning Study Maps
K. Legal Advertisement
L. Notice to Property Owners

**AFFIDAVIT**

I (the undersigned), Joseph Medred 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 4th day of December, 2024

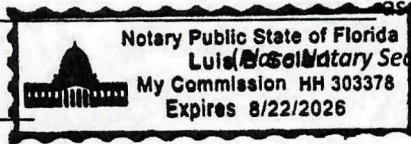
*Joseph Medred*  
Signature of Applicant or Authorized Agent

Joseph Medred - Genesis Planning and development Inc.  
Print Name and Title

STATE OF Florida COUNTY OF manatee

The foregoing instrument was acknowledged by me this 4 day of Dec, 2024, by Joe medred who is personally known to me or has produced

*[Signature]*  
Signature - Notary Public



**AFFIDAVIT**

**AUTHORIZATION FOR AGENT/APPLICANT**

I, NICOLA TAVERNESE, property owner, hereby authorize Joseph Medred - Genesis Planning and Development Inc. to act as Agent on our behalf to apply for this application on the property described as (legal description) 2000 S TOLEDO BLADE BLVD NORTH PORT, FL, 34288 TRACT C, 51ST ADD TO PORT CHARLOTTE, BEING SAME LANDS AS DESC IN ORI 2012081678 & 2012086262

*[Signature]*  
Owner

JANUARY 08, 2025  
Date

STATE OF PROVINCE OF ONTARIO COUNTY OF CANADA

The foregoing instrument was acknowledged by me this 8 day of JANUARY, 2025, by NICOLA TAVERNESE who is personally known to me or has produced

*[Signature]*  
Signature - Notary Public

(Place Notary Seal Below)

3

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2012086262 3 PGS  
2012 JUL 05 01:41 PM  
KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
FMILLER Receipt#1515323

Prepared by and return to:

Kevin R. Lottes  
Attorney at Law  
Quarles & Brady LLP  
1395 Panther Lane Suite 300  
Naples, FL 34109-7874

Doc Stamp-Deed: 2,695.00

Consideration: \$385,000.00



[Space Above This Line For Recording Data]

### Special Warranty Deed

**This Special Warranty Deed** made this 3rd day of July, 2012 between Stearns Bank, NA whose post office address is 22 South Links Avenue, Sarasota, FL 34236, grantor, and TAVORB, LLC, a Florida limited liability company whose post office address is 16655 Yonge Street, Suite 200, Newmarket, Ontario, Canada L3X1V6, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Sarasota County, Florida, to-wit:

**Tract C, 51ST ADDITION TO PORT CHARLOTTE SUBDIVISION, according to the Plat thereof as recorded in Plat Book 21, Page(s) 8, 8A-8GG, inclusive, of the Public Records of SARASOTA County, Florida.**

**LESS AND EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS:  
THE SOUTHEASTERLY PORTION OF TRACT C, 51ST ADDITION TO PORT CHARLOTTE SUBDIVISION, PER PLAT THEREOF AS RECORDED IN PLAT BOOK 21, PAGE (s) 8, 8A THROUGH 8GG, INCLUSIVE, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT C; THENCE SOUTH 65°45'00" EAST, ALONG THE SOUTHWESTERLY LINE OF SAID TRACT C, A DISTANCE OF 396.12 FEET TO THE POINT OF BEGINNING; THENCE NORTH 24°15'00" EAST, A DISTANCE OF 728.58 FEET TO THE NORTHEASTERLY LINE OF SAID TRACT C; THENCE SOUTH 65°45'00" EAST, ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 627.33 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING; A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00", A CHORD BEARING OF SOUTH 20°45'00" EAST, AND A CHORD LENGTH OF 35.36 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 39.27 FEET TO THE POINT OF TANGENCY OF SAID CURVE ON THE SOUTHEASTERLY LINE OF SAID TRACT C; THENCE SOUTH 24°15'00" WEST, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 185.28 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 370.00 FEET, A CENTRAL ANGLE OF 30°00'00", A CHORD BEARING OF SOUTH 39°15'00" WEST, AND A CHORD LENGTH OF 191.53 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 193.73 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 54°15'00" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 430.00 FEET, A CENTRAL ANGLE OF 30°00'00", A CHORD BEARING OF SOUTH 39°15'00" WEST AND A CHORD LENGTH OF 222.58 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 225.15

CONSIDERATION \$250,000.00  
DOC TAX \$ 1,750.00  
RECORD \$ 27.00

Prepared by and return to:  
Richard C. Lawrence, Esq.  
Williams, Parker, Harrison, Dietz & Getzen  
200 South Orange Avenue  
Sarasota, Florida 34236

Parcel ID#: 1007-25-6325

*of*  
Qualls + Brady  
1395 Panther Lane  
Suite 300  
Naples, FL 34109

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2012081678 3 PGS  
2012 JUN 25 04:05 PM  
KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
CEAGLETD Receipt#1512304  
Doc Stamp-Deed: 1,750.00

INDENTURE



This Indenture, made this 31<sup>st</sup> day of May 2012, by and between NEXT NINE HOLDINGS, LLC, a Florida limited liability company, hereinafter referred to as Grantor, whose post office address is 805 Idlewild Way, Sarasota, FL 34242, and TAVORB, LLC, a Florida limited liability company, hereinafter referred to as Grantee, whose post office address is 16655 Yonge Street, Newmarket, Ontario, Canada L3X 1V6.

**Witnesseth:** Grantor, in consideration of the sum of ten dollars (\$10.00) and other valuable considerations to it in hand paid by Grantee, receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to Grantee, its successors and assigns forever, all of Grantor's interest in the following described property situate in Sarasota County, Florida:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF;

Subject to covenants, easements, reservations, and restrictions of record; matters of plat; existing zoning and governmental regulations; oil, gas and mineral rights of record if there is no right of entry; and taxes for the current year and thereafter;

together with all appurtenances, privileges, rights, interests, dower, reversions, remainders and easements thereunto appertaining. Grantor hereby covenants with Grantee that Grantor is lawfully seized of said property in fee simple; that it is free of encumbrances except as above stated; that Grantor has good right and lawful authority to convey same; and that Grantee will have quiet enjoyment thereof. Grantor does hereby fully warrant the title to said property and will defend the same against the lawful claims of all persons whomsoever. As used herein, "Grantor" and "Grantee" will include their respective heirs, devisees, personal representatives, successors and assigns; any gender shall include all genders, the plural number the singular and the singular, the plural.

[Signature and notary page follows.]



**CITY OF NORTH PORT**  
Neighborhood Development Services  
Planning Division  
Planninginfo@cityofnorthport.com

## Special Exception Packet

The following items are to be included in the submission:

- Special Exception Application
- Affidavit(s)
- Special Exception Checklist
- Special Exception Fee Sheet
- Billable Fee Payment Agreement

**\*Note\***

Please be advised that each application is considered a separate petition and will be reviewed as such. Packets will not be processed if incomplete or missing requested information.

If there is more than one property owner of the subject property, all owners must complete an affidavit.

There are additional costs included with this application. Fees for legal advertisements and adjacent property owner notifications will be billed to the applicant at actual cost. These costs shall be paid in full before any development orders/orders of approval are issued.



# CITY OF NORTH PORT

Neighborhood Development  
Planning Division  
4970 City Hall Boulevard  
North Port, FL 34286-4100  
www.cityofnorthport.com  
Phone (941) 429-7156

DATE RECEIVED – DATE STAMP

**RECEIVED**

By Joy McRae-Fox at 5:26 pm, Mar 10, 2023

files received 3:46pm on  
03/10/23 **IMF**

## SPECIAL EXCEPTION APPLICATION

Upon making any application to the City for any reason, the applicant agrees to comply with all the requirements of the Unified Land Development Code and further agrees to allow authorized city staff and personnel to enter and inspect the property during normal business hours

The City Commission may approve Special Exceptions, subject to appropriate safeguards. When appropriate, the City Commission may waive or modify special regulations contained in the Unified Land Development Code on a case-by-case basis, to ensure that the special exception will promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or the general welfare.

Date Application Received: \_\_\_\_\_ Accepted by: \_\_\_\_\_ Project No: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

*Above to Be Completed by Planning Staff*

P.P. \_\_\_\_\_

Project Name: Toledo Blade Center

Name of Applicant: Nicola Tavernese

Name of Corporation/LLC (If Applicable): Tavorb, LLC

Street Address: 16655 Yonge Street, Suite 200

City: Newmarket State: Ontario, Canada Zip Code: L3X-1V6

Phone: 416-937-6476 FAX No. \_\_\_\_\_ E-mail: Nick\_Tavernese@hotmail.com

Name of Property Owner: (if different from the applicant above) (Same as above)

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX No. \_\_\_\_\_ E-mail: \_\_\_\_\_

Name of Architect: (If Applicable) (N/A)

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX No. \_\_\_\_\_ E-mail: \_\_\_\_\_

Name of Engineer: (If Applicable) Southwest Engineering and Design, Inc.

Street Address: 25450 Airport Road, Suite B  
City: Punta Gorda State: FL Zip Code: 33950  
Phone: 941-637-9655 FAX No. \_\_\_\_\_ E-mail: m.pricer@sedfl.com

Name of Attorney: (If Applicable) (N/A)

Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX No. \_\_\_\_\_ E-mail: \_\_\_\_\_

Name of Surveyor: (If Applicable) Strayer Surveying and Mapping

Street Address: 742 Shamrock Blvd

City: Venice State: FL Zip Code: 34293

Phone: 941-497-6186 FAX No. \_\_\_\_\_ E-mail: strayersurveymap@comcast.net

Name of Contractor: (If Applicable) (N/A)

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX No. \_\_\_\_\_ E-mail: \_\_\_\_\_

**Property Description:** (Please list additional PID's on a separate sheet of paper) (Information can be found at <http://www.sc-pa.com/testsearch/>)

Parcel I.D. No(s): 1. 1 0 0 7 - 2 5 - 6 3 2 7 2. - - - - -

Legal: Lot(s): - Block: - Addition: 51st Tract or Parcel: C

Subdivision: Port Charlotte Subdivision 51

Section: 36 Township: 39S Range: 21E Acreage: 15.97

Street Address: 2000 S Toledo Blade Blvd, North Port, FL 34288

**Purpose of Application:** Please briefly state what the intended use of the property will be or why you are making this application (e.g. general project description).

To allow Residential Multifamily use on a property zoned Commercial General.

**Has this property undergone previous City development review and approval?**

No: X Yes: \_\_\_\_\_ If yes, when? (Month/Date/Year) \_\_\_\_\_

Existing land use (e.g., house, commercial structure, vacant): Vacant Commercial

**Surrounding existing land uses/zoning of adjacent properties:**

North: Golf course/semi-private - PCDN

South: Residential Vacant Site, Single Family - RTF

East: Single Family, Residential Common Areas/Elements - PCDN

West: Single Family, Residential Vacant Site, Multi-family - RSF2 / PCD / PCDN

Adopted Future Land Use Map Designation: Incorporated Area - INCORP

Adopted Zoning Map Designation: CG- Commercial General

Is the property located in an Activity Center or Town Center? Yes  No  If yes, please indicate which one \_\_\_\_\_

**Provide the following information relative to the proposed development: (Answer all that apply)**

<u>15.97</u>	Total acres		
<u>0</u>	Total wetland acres		
<u>3.82</u>	Total commercial acres	<u>TBD</u>	Total building square footage of commercial use
<u>12.15</u>	Total residential acres	<u>182</u>	Total number of residential units
<u>N/A</u>	Total government acres	<u>N/A</u>	Total building square footage of government use
<u>N/A</u>	Total industrial acres	<u>N/A</u>	Total building square footage of industrial use
<u>N/A</u>	Total park acres		
<u>4</u>	Total number of lots		
<u>10</u>	Total number of buildings		
<u>15</u>	Floor area ratio or dwelling units / acre		
<u>TBD</u>	Percentage of lot coverage by buildings		
<u>TBD</u>	Building height measured in feet		
<u>916</u>	Minimum depth of property		
<u>728</u>	Minimum width of property		
<u>TBD</u>	Total maximum surface area of all impervious surfaces		
<u>TBD</u>	Percentage of lot coverage of all impervious surfaces		
<u>274</u>	Number of off-street parking spaces		
<u>12</u>	Number of handicapped parking spaces		
<u>    </u>	Drive-thru access (please check if applicable)		
<u>2.90</u>	Percentage of acres devoted to open space and storm water requirements		

**FIRE & RESCUE:**

Nearest Fire Hydrant: 22 (feet)

**TRAFFIC:**

List the Roadways immediately serving the site:

Woodhaven Drive \_\_\_\_\_

S Toledo Blade Blvd \_\_\_\_\_

Fairlane Drive \_\_\_\_\_

Nearest: Traffic Control Light: >500 (feet) Stop Sign: 60 (feet)

**UTILITIES:**

**How will Potable Water service be provided?** Please contact North Port Utilities (941) 240-8000.

\_\_\_\_\_ Private Well (Submit a letter or application from the Sarasota County Department of Health.)

North Port Utilities (Please provide a letter from the service provider stating that the proposed development is within their service area and that they have adequate capacity to serve the proposed development.)

**How will Sanitary Sewer service be provided?** Please contact North Port Utilities (941) 240-8000.

\_\_\_\_\_ Private Septic System (If property is located in the Conservation Restricted Overlay Zone a class 1 aerobic water treatment system is required for single family home sites. Submit a letter or application the Sarasota County Department of Health.)

North Port Utilities (Please provide a letter from the service provider stating that the proposed development is within their service area and that they have adequate capacity to serve the proposed development.)

**STORMWATER:** Please contact the City Stormwater Manager/Environmentalist at (941) 240-8321.

(Flood Information can be found at <http://www.cityofnorthport.com> Search: Flood Update)

Is the application site in a FEMA Hazardous Flood Zone? No:  Yes: \_\_\_\_\_

If yes, what zone? \_\_\_\_\_

Is the application site in the Conservation Restricted Zone? No:  Yes: \_\_\_\_\_

If yes, what zone? \_\_\_\_\_

Is the application site in the Big Slough Watershed Flood Zone? No:  Yes: \_\_\_\_\_

If yes, what is the 100-year 1-day flood elevation? \_\_\_\_\_ ft. NGVD

Does the application site contain wetlands? Yes \_\_\_\_\_ No  If yes, existing wetland acres: \_\_\_\_\_

Has the Department of Environmental Protection been notified of wetlands? Yes \_\_\_\_\_ No

Is the property located in the Myakka River Protection Zone? No:  Yes: \_\_\_\_\_

Is the property adjacent to the Myakka River jurisdictional wetlands? No:  Yes: \_\_\_\_\_

(If yes, please provide acreage and map of the area and schedule a meeting with City Stormwater Manager/Environmentalist.)

**ENVIRONMENTAL:**

**Are there any known Historical or Archaeological sites on the property?**

(If unsure, please contact Sarasota County – Division of Historical Resources, (941) 316-1115.)

No:  Yes: \_\_\_\_\_ Please describe: \_\_\_\_\_

**Has an Environmental Assessment Report/Review been prepared for this property?**

No \_\_\_\_\_ Yes  Date survey was conducted: January, 2018 / February, 2020

Does the property contain gopher tortoise burrows, scrub jay habit, or any plant or animal species listed as "rare", "threatened", "endangered", or "species of special concern" by State and /or Federal agencies? If yes, the applicant will be required to produce documents on how listed species or habitats will be protected or managed at the Site Development stage.

No:  Yes:  Please indicate which ones: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*All of the information provided on this application is true and correct to the best of my knowledge.



Signature of Applicant

JANUARY 20, 2023

Date

NIKOLA (NICK) TAUERNESE

Print Applicant Name

**AFFIDAVIT**

TOLEDO BLADE CENTER

I (the undersigned), MARK PRICER 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 20 day of JANUARY, 2021

[Signature]  
Signature of Applicant or Authorized Agent

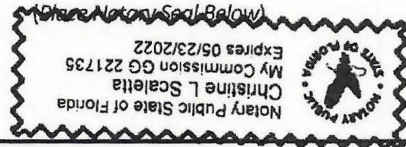
MARK PRICER - PROJECT MANAGER  
Print Name and Title SOUTHWEST ENGINEERING & DESIGN

STATE OF FLORIDA

COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged by me this 20 day of JANUARY, 2021, by \_\_\_\_\_ who is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
Signature - Notary Public



**AFFIDAVIT**

**AUTHORIZATION FOR AGENT/APPLICANT**

I, NICOLA TAVERNESE, property owner, hereby authorize Mark Pricer to act as Agent on our behalf to apply

for this application on the property described as (legal description) Sarasota County PID# 1007256327

Property Address: 2000 S Toledo Blade Blvd. North Port, FL 34288

[Signature]  
Owner

JANUARY 27, 2021  
Date

Province ontario  
STATE OF ontario

COUNTY OF Regional Municipality of York

The foregoing instrument was acknowledged by me this 27 day of January, 2021, by Nicola Tavernese who is personally known to me or has produced ontario Driver's licence as identification.

[Signature]  
Signature - Notary Public

**DANA KATHLEEN DYMENT**  
Notary Public (no expiry)  
in and for  
the Province of Ontario

(Place Notary Seal Below)



Revised 8-30-19 (Reviewed by CAO)

**DANA DYMENT**  
Barrister and Solicitor  
17665 Leslie Street, Unit 45  
Newmarket, Ontario L3Y 3E3

## Checklist of Required Submittal Items:

### SPECIAL EXCEPTION

Please digitally submit the following to [PlanningInfo@cityofnorthport.com](mailto:PlanningInfo@cityofnorthport.com):

- Exhibit A: Project Narrative** (Narrative shall include responses to Sec 53-259. A.(3)(a-p) of the Unified Land Development Code)
- Exhibit B: Area Map**
- Exhibit C: Boundary survey** (A legal description and boundary survey signed and sealed by a registered land surveyor in the State of Florida.)
- Exhibit D- Title Assurance/ Current Deed**
- Exhibit E- Articles of Corporation/Articles of Organization** (If Corporation or LLC is applicable)
- Exhibit F: Development Master Plan**
- Exhibit G- Signs and Lighting Plan**
- Exhibit H- Landscaping (Screening & Buffering) & Tree Protection Plan**
- Exhibit I: Certification of payment of taxes and assessments**
- Exhibit J: Utilities availability letter**
- Exhibit K: Traffic Impact Statement**
- Digital files:** The entire submittal package in PDF format to [PlanningInfo@cityofnorthport.com](mailto:PlanningInfo@cityofnorthport.com). Also, please submit all project related spatial information in either CAD .dwg , GIS Shapefile or File Geodatabase format as well. The data must have coordinates in at least 4 corners of the petition area. The Coordinate system must be: A Projected Coordinate System, State Plane, NAD 1983 StatePlane Florida West FIPS 0902 (US Feet).



# CITY OF NORTH PORT

## Special Exception Fee Sheet

Property Location (Address): 2000 S TOLEDO BLADE BLVD NORTH PORT, FL, 34288

PID(s) #: 1007256327

### Special Exception Calculation

Fees	Additional Fees	Total
\$2,500	\$11 per acre 15.97 acres	
<b>TOTAL</b>	2,675.67	

-All fees should be made payable to the City of North Port. Fees must be paid prior to the processing of the submittal.

-Other billable fees will be assessed and will be required to be paid by the applicant as stated on the billable fee agreement.

Please contact Planning Staff if you have any questions, 941.429.7156

**BILLABLE FEE PAYMENT AGREEMENT**

I/WE agree to pay all the costs associated with processing this application petition. Payment is due within 10 days of receipt of an invoice, and all processing of the petition will stop if payments are not made within 10 days.

Name(s): Tavorb, LLC

Billing Address: 16655 Yonge Street, Suite 200, Newmarket, Ontario, Canada, L3X 1V6

Contact Number: 416-937-6476

Contact E-mail: nick tavernese@hotmail.com

**I understand and agree to the conditions outlined in this agreement, and certify that all the information provided is correct.**

Signature: 

Witness: \_\_\_\_\_

Print Name: Tavorb, LLC

Print Name: \_\_\_\_\_

Date: January 20, 2023

Date: \_\_\_\_\_

**Applicants are billed for Legal Advertisement costs and actual postage costs for Adjacent Property Owner notifications. Fees will vary based on size of advertisement selected by the local newspaper, and amount of property owners to be notified.**

**To be filled out by Planning Staff**  
Petition Number: \_\_\_\_\_

## Special Exception Narrative

**SPX-23-053 Toledo Blade Center - PSE-23-0000053**

**November 25, 2025**

**PID No.:** 1007256327

**Total Subject Property Area:** 15.97 +/-

**Existing Zoning at time of application submittal:** CG (Commercial General)

**Proposed Special Exception:** Multi-Family Residential in the CG zone district

**Current Zoning:** CT (Corridor, Transitional)

The proposed special exception is for a multi-family housing development with up to 155 dwelling units on 10.34 acres of the 15.97 acre site. Commercial uses will utilize the remaining 5.63 acres, this area fronts on Toledo Blade frontage.

The special exception application was submitted in March of 2023. The subject parcel was zoned CG (Commercial General) at such time. The City initiated amendments to the Unified Land Development Code (“ULDC”) (Ordinance 2024-13) and the official zoning map (Ordinance 2024-15) in 2024. These amendments were adopted and subsequently changed the zoning of the 15.97 acre property from CG to CT (Corridor, Transitional). City planning staff confirmed the proposed special exception application was submitted at time of the existing regulations and the existing CG development standards regulations will apply to the proposed special exception application.

### **Current CT Zoning:**

The subject parcel would permit CT commercial uses by right today in conformance with ULDC on all 15.97 acres with a maximum height up to 50ft.

### **Proposed Development Concept Plan:**

The proposed residential portion of development concept plan is approximately 10.35 acres. This residential area is proposing five three-story apartment buildings with a 5,000 SF single story amenity / staff office building and pool. Proposed access will be from Toledo

Blade, Woodhaven Drive with an emergency only gated access on Fairlane Drive. Provided onsite parking will include 251 spaces in conformance with the ULDC.

The remaining 5.63 acre commercial area is depicted on the plan detailing four commercial parcels, these parcels are approximately .93 acres to 2.3 acres in size. One access point is proposed on Toledo Blade with an internal drive to provide access to these commercial parcels. The owners currently intend to utilize these commercial parcels with neighborhood commercial type of uses in the future.

A 2.18 acre stormwater pond is depicted on the south end of the site, the size and function will abide by the applicable State regulations together with the ULDC.

A signed and sealed landscape plan has been submitted by the landscape architect John Swen. The plan includes boundary and internal buffers for the entire 15.97 acres detailing the buffer widths and types in conformance with the ULDC.

The project will be served with water and sewer by the City of North Port Utilities. Electric service will be provided by FPL

### **Consistency and Compatibility**

This parcel currently permits commercial non-residential uses by right on the entire 15.97 acres today. This proposed plan provides a step down in intensity. The proposed layout is less intense and a compatible alternative by providing residential adjacent to residential instead of commercial adjacent to the existing residential across Fairlane & Wood Haven Drive. The proposed plan creates a mix of land uses that will and provide a different range of housing opportunity for the area which is consistent with *POLICY FLU 1.1. PLANNING FRAMEWORK FOR DEVELOPMENT* which states *North Port shall utilize the following smart growth principles to guide the creation of land use policy and adoption of land development regulations: **Mix Land Uses, Take Advantage of Compact Building Design, Create a Range of Housing Opportunities and Choices, Create Walkable Communities Foster Distinctive, Attractive Communities with a Strong Sense of Place, Preserve Open Space, Farmland, Natural Beauty, and Critical Environmental Areas, Make Development Decisions as Predictable, Fair, and Cost-Effective as possible, Encourage Community and Stakeholder Collaboration in Development Decisions***

The proposed layout of provides 5.563 acres of commercial area which can have up to 50% building lot coverage. The 5.563 acres is of adequate size to undoubtedly achieve consistency with previous Comprehensive Policy 1.1. which stated residential and non-residential development as indicated below:

*Commercial as These lands are designated to provide areas in which customary and traditional conduct of trade, retail services, commerce and residential uses may be carried on without disruption by the encroachment and intrusion of incompatible residential and other uses (0.95 FAR, fifteen (15) DU/acre excluding bonuses, incentives or transfer of development rights. As a guideline, the residential should not exceed fifty percent (50%) of the floor area).*

The CG and or CT zoning district has a maximum height of 50 and 70 feet. The proposed plan creates a much less intense development by providing a step down in intensity and heights for what could be currently built today. The proposed multi-family residential portion of the concept plan is consistent with the CG district regulations and standards for development. The entire 15.97 acre site layout also appears to meet the new CT zoning horizontal mixed used form of development standards defined within the ULDC.

The proposed plan is for a mixed-use development is consistent with Comprehensive plan **Objective 7 and Policy 7.2** below:

**Objective 7: Increase housing options and community livability by establishing mixed-use development and design standards through which residential dwelling units, commercial, and office uses are intermixed with public amenities and aesthetics.**

**Policy 7.2: Collaborate with major employers, economic development professionals, government agencies, and developers to identify and implement live-work-housing strategies that enable the City's workforce to walk or bike to work. ≥**

**Updated Compliance with Sec. 53-259. Findings**

- (1) **The granting of the special exception will not adversely affect the public interest, health, safety and general welfare;**

**RESPONSE:** The proposed special exception is consistent with the intent, goals, objectives, policies, guiding principles, and programs of the Comprehensive Plan public interest, health, safety and general welfare.

- (2) **That the specific requirements in the Schedule of District Regulations (Part 2) governing the individual special exception, if any, have been met by the petitioner;**

**RESPONSE:** The application has included compliance statements with Sec. 53-254. General provisions. [Amended 1-13-1997 by Ord. No. 96-18] of the ULDC.

- (3) **And that the following standards, where applicable, have been met:**

(a) **The proposed use shall be consistent with the intent, goals, objectives, policies and programs of the City of North Port Comprehensive Plan and the intent of the zoning district as defined in this Unified Land Development Code for the area in which the property is located.**

**RESPONSE:** The proposed use is consistent with the intent, goals, objectives, policies and programs of the City of North Port Comprehensive Plan. The proposed plan is appropriately sized, all proposed access points, parking and service areas are depicted. The layout meets and exceeds the required setbacks which are "A. Front yard: None. B. Side yard: (1) Interior: none. (2) Abutting a road: None. C. Rear yard: Fifteen (15) feet. D. Waterfront yard: Twenty (20) feet. and open space will meet and or exceed the 2010 ULDC.

The proposed plan is for a mixed-use development is consistent with **Objective 7 and Policy 7.2**

***Objective 7: Increase housing options and community livability by establishing mixed-use development and design standards through which residential dwelling units, commercial, and office uses are intermixed with public amenities and aesthetics.***

***Policy 7.2: Collaborate with major employers, economic development professionals, government agencies, and developers to identify and implement live-work-housing strategies that enable the City's workforce to walk or bike to work.***

(b) **The density or intensity of the proposed use shall be consistent with the intended future use of the designated land use area in which the property is located, in accordance with the provisions of the Future Land Use Plan Map contained in the Comprehensive Plan.**

**RESPONSE:** Although the current comprehensive plan was not in effect its worth noting that the proposed plan is consistent with the density and intensity standards detailed in FLU POLICY 1.2.3 and 1.2.4. FUTURE LAND USE DENSITY & INTENSITY.

Also the proposed layout provides 5.563 acres of commercial area which can build up to 50% building lot coverage. The 5.563 acres of commercial area fronts on a major arterial roadway and will have no issues meeting or exceeding the 50% residential FAR guideline stated in previous Comprehensive Policy 1.1. stated below:

*Commercial - These lands are designated to provide areas in which customary and traditional conduct of trade, retail services, commerce and residential uses may be carried on without disruption by the encroachment and intrusion of incompatible residential and other uses (0.95 FAR, fifteen (15) DU/acre excluding bonuses, incentives or transfer of development rights. As a guideline, the residential should not exceed fifty percent (50%) of the floor area).*

The subject property is 15.97 acres in size and designated Commercial on the future Land Use Map. Medium Density Residential surrounds the subject parcel to the north, east and south. To the west is Toledo Blade Blvd., which is a four-lane arterial roadway.

**(c) The proposed use, singularly or in combination with other previously approved special exceptions, must not be detrimental to the health, safety, welfare, morals, order, comfort, convenience, appearance or prosperity of the neighborhood or adjacent uses; and shall be an economic benefit to the economy of the City. [Amended 11-24-2003 by Ord. No. 2002-56]**

**RESPONSE:** This parcel allows for commercial non-residential uses by right on the entire 15.97 acres today. The proposed layout is less intense and compatible the existing residential across Fairlane & Wood Haven Drive. This proposed plan provides a step down in intensity, providing residential next to the existing residential instead of just commercial. The proposed multifamily residential creates a horizontal mixed-land use alternative which is permitted in the newly adopted CT zoning district. The proposed plan creates a **walkable community** with a **mix of land uses**, and **provides a different range of housing opportunity** for the area which is consistent with **POLICY FLU 1.1. PLANNING FRAMEWORK FOR DEVELOPMENT** which states *North Port shall utilize the following smart growth principles to guide the creation of land use policy and adoption of land development regulations:*

• **Mix Land Uses**

- *Take Advantage of Compact Building Design*
- *Create a Range of Housing Opportunities and Choices*

• **Create Walkable Communities**

- *Foster Distinctive, Attractive Communities with a Strong Sense of Place*
- *Preserve Open Space, Farmland, Natural Beauty, and Critical Environmental Areas*
- *Make Development Decisions as Predictable, Fair, and Cost-Effective as possible*
  - *Encourage Community and Stakeholder Collaboration in Development Decisions*

**(d) The intensity of the proposed use shall be harmonious with the character of other uses in the neighborhood.**

**RESPONSE:** The proposed plan will provide a horizontal mixed use alternative with residential next to the existing neighborhoods.

**(e) The height and orientation of any proposed structure(s) shall be compatible with existing neighboring structures and uses.**

**RESPONSE:** The neighboring zoning R-2 zoning maximum height limit is 35 feet which is compatible to the proposed three story height proposed for the apartment. The proposed plan is more compatible than what could be built by right today which allows for heights up to 70 feet on commercial uses in the CG zone district and 50 feet by right in CT. The orientation of the stormwater pond along the south boundary provides an increased setback and separation of 268 feet ±. The residential building sides are approximately 230 feet ± to the nearest residential structures to the east across Fairlane Drive and 200 feet± to the nearest residential structure to the north across Woodhaven Drive.

**(f) The subject parcel shall be adequate in shape and size to accommodate the proposed use and provide for appropriate separation between neighboring uses.**

**RESPONSE:** The subject parcel is 15.97 acres in size and adequately shaped to accommodate the proposed residential use as well as conform with the zoning district regulations. The proposed use is residential instead of commercial and will provide increased setbacks compared to the commercial use option which can be built closer to the property lines and neighboring residential uses.

**(g) The proposed use shall be adequately screened and buffered to effectively separate traffic, light and noise from existing or intended nearby uses.**

**RESPONSE:** A landscape plan detailing screening and buffering has been submitted by a licensed landscape architect John Swen with the special exception application. Also a lighting plan has been submitted with the special exception application. Buffers and lighting are required to meet the applicable ULDC regulations at time of permitting as well as required to continue to be subject the applicable ULDC regulations after permitting and construction. The proposed development will abide by the applicable City provisions and the ULDC.

**(h) The loading and/or refuse areas shall not impose negative visual, odor or noise impacts on abutting uses or thoroughfares.**

**RESPONSE:** Loading and/or refuse areas are required to meet the applicable ULDC regulations at time of permitting as well as required to continue to be subject the applicable ULDC regulations after permitting and construction. The proposed development will abide by the applicable City provisions and the ULDC. **The dumpsters will be behind a 6ft wall as required and the proposed location is approximately over 250 feet away from nearest adject residential structure which is across Fairlane Drive to ensure no negative visual, odor or noise impacts on abutting uses or thoroughfares.**

**(i) The size and location of proposed sign(s) shall be in compliance with Chapter 29, Sign Regulations of these regulations, and shall be compatible with the character of the existing neighboring uses.**

Signs are required to meet the applicable ULDC regulations at time of permitting as well as required to continue to be subject the applicable ULDC regulations after permitting and construction. The proposed development will abide by the applicable City provisions and the ULDC.

**(j) Exterior lighting shall be harmonious with the character of existing neighboring uses, in terms of glare, and required foot candles.**

Lighting will be required to meet the applicable ULDC regulations at time of permitting as well as required to continue to be subject the applicable ULDC regulations after permitting and construction. The proposed development will abide by the applicable City provisions and the ULDC.

**(k) The ingress and egress to the subject parcel and any structure involved shall not adversely affect traffic flow, safety or control.**

**RESPONSE:** A TIS has detailing ingress and egress has been submitted and was prepared by TR Transportation Consultants, Inc. The ingress and egress will be in conformance with ULDC and will not adversely affect traffic flow, safety or control.

**(l) The access and internal circulation shall be adequate in case of fire or emergency the ingress and egress to the subject parcel and any structure involved shall not adversely affect traffic flow, safety or control.**

**RESPONSE:** A TIS has detailing access and internal circulation has been submitted and was prepared by TR Transportation Consultants, Inc. The access and internal circulation will be in conformance with ULDC will not adversely affect traffic flow, safety or control.

**(m) The proposed use shall not adversely affect traffic flow, safety or control on the surrounding roadway system.**

**RESPONSE:** A TIS has detailing traffic flow has been submitted and was prepared by TR Transportation Consultants, Inc. The proposed use will not adversely affect traffic flow, safety or control on the surrounding roadway system.

**(n) The location, type and availability of proposed potable water systems shall be adequate for the proposed use and shall not adversely affect neighboring potable water systems.**

**RESPONSE:** Acknowledged, and understood.

**(o) The location, type and availability of proposed wastewater systems shall be adequate for the proposed use and compatible with drainage conditions in the area and neighboring uses.**

**RESPONSE:** Acknowledged, and understood.

**(p) The proposed use shall not cause or intensify flooding of neighboring uses.**

**RESPONSE:** The stormwater management systems shown will be required to be designed to meet the treatment and attenuation requirements for the 100-yr 24-hr, 25-yr, 10-yr 24-hr storm event per the ULDC for the changes in impervious surface coverage being proposed. This design will recognize and maintain historic drainage flow patterns. The storm water management system will provide both treatment and attenuation per the City of North Port ULDC. A SWFWMD permit will be obtained for the subject project. The stormwater design project shall meet the requirements of the City of Northport and the Southwest Florida Water Management District (SWFWMD).

Exhibit F to SPX-23-053

**SITE SUMMARY:**

**TOTAL PROPERTY AREA = 15.97 AC**  
**COMMERCIAL AREA=5.63 AC. (35%)**  
**RESIDENTIAL AREA=10.34 AC. (65%)**

**PROPOSED RESIDENTIAL:**  
**155 DWELLING UNITS**  
**CG REGULATIONS PER SEC. 53-41**  
**MAXIMUM DENSITY/INTENSITY = 15 DU/AC.**  
**10.34 AC. RESIDENTIAL X 15 DU/AC. = 155 UNITS**

**PARKING REQUIREMENTS:**  
**1.5 SPACES PER EACH DWELLING UNIT**  
**PLUS 2 SPACES PER OWNER/MANAGER**  
**PLUS 1 SPACE FOR EVERY 10 DWELLINGS**





**155 DWELLINGS x 1.5 = 233**  
**FOR OWNER/MANAGER = 2**  
**FOR EACH 10 DWELLINGS = 16**  
**TOTAL REQUIRED = 251 SPACES**  
**PARKING PROVIDED = 251**

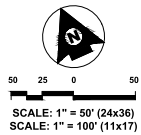
**SITE AMENITIES:**  
**OFFICE / CLUBHOUSE & POOL**

**MAXIMUM BUILDING HEIGHT = 70 FT.**

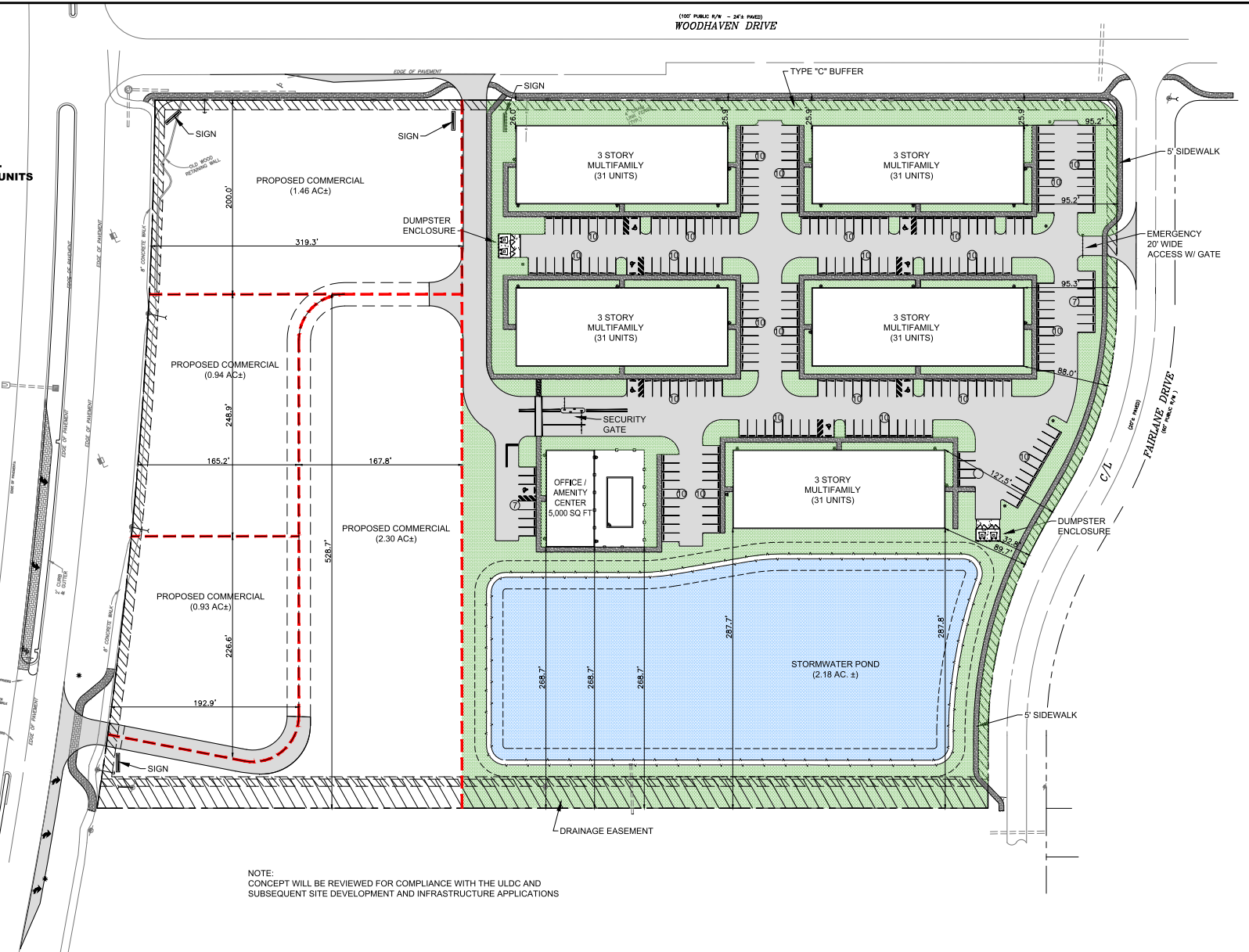
**COMMERCIAL AREA OPEN SPACE:**  
**OPEN SPACE WILL MEET REQUIREMENTS**  
**OF THE ULDC**  
**RESIDENTIAL OPEN SPACE ≥ 35%**  
**COMMERCIAL OPEN SPACE ≥ 20%**

**LEGEND:**

-  **BUILDING LIGHTING**
-  **SITE LIGHTING**
-  **SIGNAGE**
-  **OPEN SPACE**



NOTE:  
 CONCEPT WILL BE REVIEWED FOR COMPLIANCE WITH THE ULDC AND  
 SUBSEQUENT SITE DEVELOPMENT AND INFRASTRUCTURE APPLICATIONS



11/29/2025 3:04:23 PM - P:23-0624 - TOLEDO BLADE COMMERCIAL CENTER CONCEPT 2025-08-25 - CONCEPT DWG - REV GANESH

**SED** Southwest Engineering & Design  
 25450 Airport Road, Suite B  
 Punta Gorda, Florida 33950  
 Tel. (941) 637-9655 | Fax (941) 637-1149  
 www.sedfi.com  
 Certificate of Authorization No. 26551

REV.	DATE	BY	CK'D	DESCRIPTION

Project No.:	23-0624
Project Manager:	G.W.B.
Project Engineer:	M.A.P.
Project Designer:	M.P.C.
Checked By:	E.A.P.
Approved By:	G.W.B.

**TOLEDO BLADE COMMERCIAL CENTER**  
**11-25-25 CONCEPT**

NORTH PORT SECTION 36 TOWNSHIP 39 SOUTH, RANGE 21 EAST FLORIDA

DATE:	AUGUST, 2025	SCALE:	AS NOTED
SHEET:	1	PROJECT No.:	
		23-0624	



September 9, 2019

Exhibit G to SPX-23-053

Kevin Rainey  
Project Manager  
Southwest Engineering and Design  
660 Charlotte Street, Suite 8  
Punta Gorda Florida 33950

**Willingness to Serve Water, Sewer and eventually Reclaimed Water**

**RE: Property at PID 1007-25-6327**

Dear Mr. Rainey:

As requested, the City of North Port Utilities Department is submitting this letter to inform you of Service Availability for the above referenced property.

This project is within the City of North Port's "City" urban service boundary area and the City is willing to provide water, sanitary sewer and eventually reclaimed water capacity to the project. Currently, the City has capacity at its water treatment plant and sewage treatment plant to provide capacity for this project. The capacity will be made available at the time of payment for capacity, if applicable and may require contributions by the developer and/or the property owner. Although the City has capacity to serve this project, certain on-site and off-site utility improvements must be completed by the owner/developer and accepted by the City prior to water and wastewater service being available to this specific site.

The City of North Port does not guarantee or reserve capacity to any project unless the owner/developer enters into a Utility Developer's Agreement with the City of North Port, which may require approval by the City of North Port Commission.

Before a building permit can be issued, an application for service and capacity fees will be required, and the builder must provide a plumbing plan to the City's Utility Department for calculation of appropriate capacity fees and meter size. The City will not release a building permit until the required fees have been paid.

Our staff looks forward to working with you in the future to further develop plans for your utility needs. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,  
NORTH PORT UTILITIES

  
Jennifer Desrosiers  
Assistant Utilities Director

CC: Rick Newkirk, Utilities Director  
Michael Acosta, Engineering Division Manager  
Tracy France, Staff Assistant II  
Darrell Smith, Utilities Construction Supervisor

North Port Utilities: 941.240.8000, 6644 W. Price Boulevard, North Port, FL 34291-4106



Achieve Anything

[www.cityofnorthport.com](http://www.cityofnorthport.com)

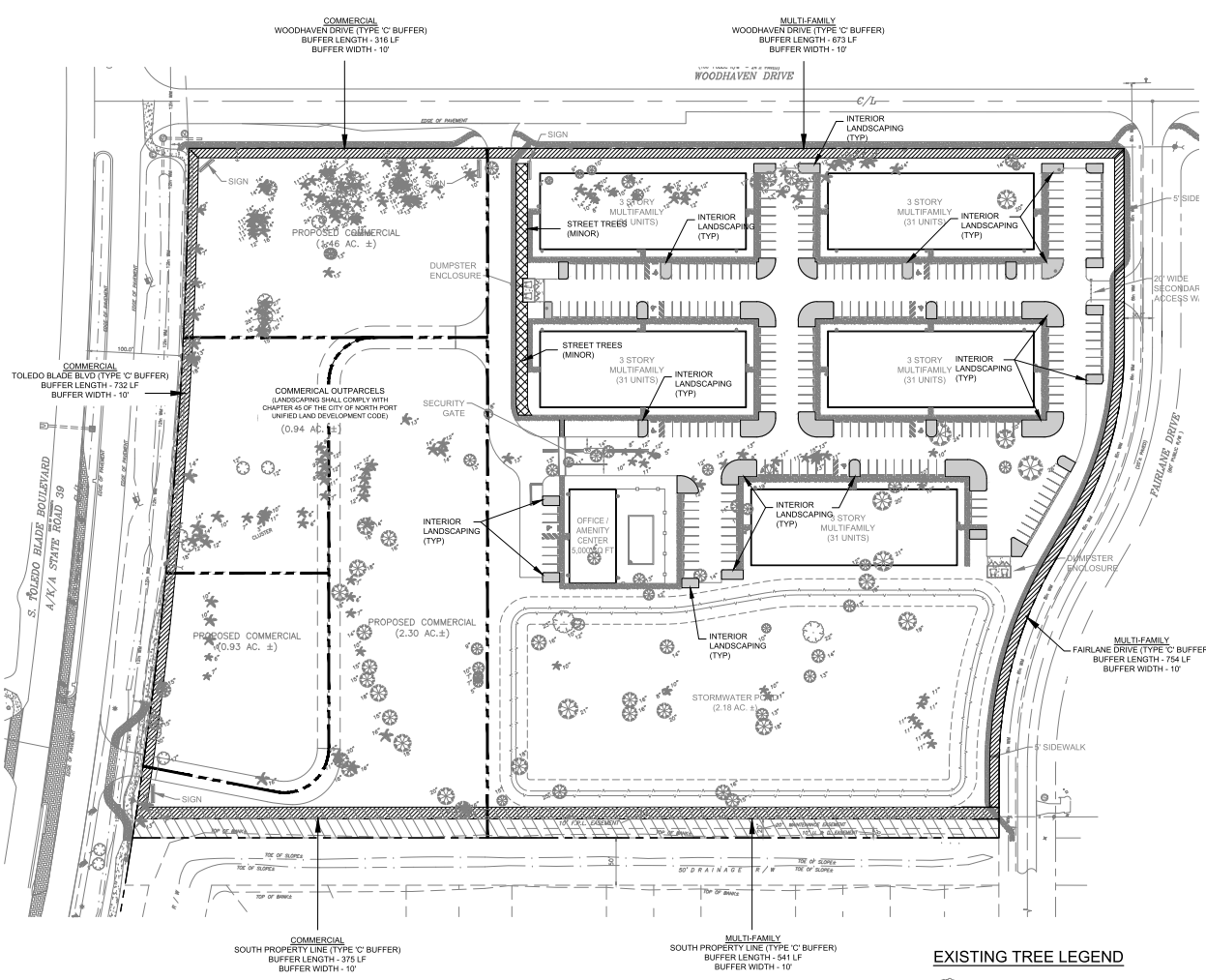
# Exhibit H to SPX-23-053

## GENERAL LANDSCAPING AND TREE PROTECTION NOTES

- All plant materials shall be Florida Grade No. 1 or better as specified in GRADES AND STANDARDS FOR BARELY PLANTS, Table 1, or the Division of the University, Florida Department of Agriculture and Consumer Services, and shall conform to current American Association of Nurserymen STANDARDS FOR BARELY STOCK, unless otherwise specified on the plans and specifications.
- All planting beds shall be mulched with Mulch Hardwood Mulch, to a minimum depth of 3 inches. All trees in isolated areas shall have a minimum 30 inch radius mulched tree ring. The tree ring shall be as specified in the specifications.
- All trees shall be healthy, full specimen types. All trees shall be single trunked, unless otherwise noted on the plans. All palms shall be fan palm.
- New plant material to be installed shall be field adjusted to approximate existing plant material, such as overhead tree canopies, underground trees and shrubs or groundcover. This will ensure existing plant material will remain in its natural state. The existing plant material shall be altered for removing, cutting, trimming, or destroying in order to install new plant material.
- Verticarp principles shall be utilized as outlined by the Southwest Florida Water Management District.
- All trees and plant material shall be as specified in the tree and plant details.
- All plant materials shall be guaranteed for a period of one year (365 days) after final acceptance. All replacement materials shall be guaranteed for an additional 365 days.
- Landscaping shall be installed by a fully-licensed irrigation system utilizing low volume nozzles where practical and equipped with a timer and rain sensor, automatic shut-off device.
- No permit shall be issued, or access to be conducted, the removal of protected trees, underneath or existing, until materials without that clearing a land clearing permit from the Community Development Department.
- A Tree Removal Permit is required for tree clearing in conjunction with a Building Permit as outlined under LDC 48.6.C.
- A land clearing permit shall be previously granted on the subject property from the local land clearing activity program through 10 days after land clearing activity is completed. The permit shall be posted so that the permit is clearly visible and readable from the street right-of-way.
- If no trees that are to be protected under the provisions of the Unified Land Development Code (LUDC) are located on the site to be developed, then the developer shall furnish a statement to the City of North Port.
- The developer, contractor and/or property owner are jointly responsible for the accuracy and types of trees to be saved and detailed on the tree location survey. This developer, contractor and/or property owner may request revisions to the tree location survey any necessary before the final clearing inspection without being charged a fee. Revisions that must be resubmitted as a result of the final inspection are subject to Chapter 45 of the LUDC.
- All plant material shall be installed in the vicinity of any protected tree that it provides a reference to the Department detailing why the protected trees are to be removed and the location of the trees to be removed. The developer shall provide the owner's agent or contractor should indicate in detail on the tree location survey the location, and type of all trees proposed for preservation.
- If the proposed location of any existing trees to be transplanted, together with a statement detailing that, and indicating how such trees are to be protected during land clearing and construction and maintenance after construction.
  - Identify and flag any proposed low retention program.
  - Identify any trees proposed to be removed with a red flag and schedule a Department field inspection.
- Plan to and during the land clearing stage of development and during development the owner, developer or agent shall install a fully certified erosion control plan around all protected trees.
- During development, the owner, developer or agent shall take all steps necessary:
  - To avoid the movement, storage, or placement of equipment, materials, debris or soil in damage to any protected tree.
  - To order the removal or permit the damage to any tree by means of any activity that may occur on the development site, including but not limited to: clearing and disposal site or construction debris, clearing of equipment or material or storage or disposal of waste materials, such as paints, oils, solvents, asphalt, motor oil, or other material that may be harmful to the life of any protected tree or group of trees.
- No signs or markers or anything that may be visible, other than support stakes for a tree, may be placed on any protected tree.
- The Community Development Department shall conduct periodic inspections of the site during development in order to ensure compliance with these General Landscaping and Tree Protection Notes and the LUDC.
- Best management practices shall be used to prevent soil erosion during the land clearing process.
- Landscaping buffer areas shall be maintained as follows:
  - Responsibility: The responsibility for maintenance of a required buffer shall remain with the owner of the property. The contractor, however, shall be responsible for the preservation and maintenance of a required buffer area if it is determined that the contractor's activities in the buffer area which include or otherwise result in the destruction of any protected tree or group of trees.
  - Maintenance requirements: All planting shall be completed as instructed on the site plan and shall include, but not be limited to: watering, staking, shading, fertilizing and pruning, mulching, weeding, removal of other and dead plant material and necessary pruning and trimming. In case of a major disaster, those planting located within the landscaped buffer area which were destroyed must be replaced within the following periods of time: in the case of a flood, within 90 days; in the case of a declared natural disaster (i.e., fire, hurricane, tornado, etc.), within 90 days; and in the case of other disasters, within 90 days of the date of the disaster. Those planting destroyed must be replaced in accordance with the provisions contained within Chapter 27 of the Unified Land Development Code.
- All existing trees to be preserved shall comply with the preservation standards as specified in the Unified Land Development Code (LUDC) 48-9.
- The quantities indicated on the plan shall be maintained as a guide for the contractor and does not release the CONTRACTOR from the providing a comprehensive material take off. In the event that a discrepancy exists between the quantities listed on the plan and the quantities indicated on the plan, the quantities indicated on the plan shall govern, and the contractor shall notify the LANDSCAPE ARCHITECT of the discrepancy.
- Root barriers shall be installed for any street or median shade tree that is planted within the 10' buffer or closer to any sidewalk, driveway, underground utility, or structure. Root barriers shall be installed for any underground or major shade tree that is planted within 10' of any street, sidewalk, underground utility, or structure.

## IRIGATION NOTES

- The contractor shall request himself with the related paving, the grading, and all utilities (including water, sewer, and electrical supply) to provide any reworking and to ensure a finished tree installation.
- The work consists of furnishing of permits, labor, equipment and materials necessary to provide a complete irrigation system that will supply 100% percent coverage of landscaped and lawn areas.
- All items implied, usually included, or required for the complete construction of this system shall be installed whether shown in the drawings or specification or not. All materials shall be installed per manufacturer's recommendations. As-built drawings are to be used for landscape architect and tree details. The contractor shall be responsible for the irrigation contract. Test and demonstrate to the Owner the operation of the system. Instruct the Owner in the operation of the system including adjustment of nozzles, controller, valves and manufacturer's manuals.
- All materials and equipment shall be installed in a neat and professional manner. The owner and/or the Landscape Architect reserves the right to direct the removal and replacement any items which, in their opinion, do not present a quality and safe work appearance, provided that such items can be installed properly using usual methods.
- The Irrigation Contractor shall be responsible for locating all utilities and underground obstructions prior to commencing work. The contractor shall be responsible for all repairs to damaged utilities related to work shown on the plan. All adjustments for these plans may be required in the field to accommodate underground utilities.
- All irrigation heads shall be installed using flexible pipe or equivalent.
- All main shall be class 200 PVC. All headers shall be schedule 40 PVC. Sizes (7/8") shall be installed under concrete, asphalt and brick pavers. All PVC pipe shall be made of nonmetal water pipe.
- All automatic electric valves and gate valves shall be installed in Ariswik valve boxes with purple painted water identification covers.
- The Irrigation Contractor shall be responsible for backfilling and compacting all trenches.



## LANDSCAPE REQUIREMENTS

COMMERCIAL OUTPARCELS  
(Detailed Landscape Plans that comply with Chapter 45 and Chapter 21 of the City of North Port Land Development Code shall be submitted with the MMS application for Development Approval of each Commercial Outparcel.)

- PERIMETER LANDSCAPE BUFFER REQUIREMENTS**
- WOODHAVEN DRIVE (Type 'C' Buffer) - Buffer Length - 316 LF, Buffer Width - 10'  
Trees Required (1 per 40 LF) - 316 / 40 = 8  
Shrub/Hedge (7 H) Required - Yes
- TOLEDO BLADE BLVD (Type 'C' Buffer) - Buffer Length - 732 LF, Buffer Width - 10'  
Trees Required (1 per 40 LF) - 732 / 40 = 19  
Shrub/Hedge (7 H) Required - Yes
- SOUTH PROPERTY LINE (Type 'C' Buffer) - Buffer Length - 375 LF, Buffer Width - 10'  
Trees Required (1 per 40 LF) - 375 / 40 = 10  
Shrub/Hedge (7 H) Required - Yes

**INTERIOR LANDSCAPE REQUIREMENTS (10 SF per Parking Space)**  
To be determined.

**MINIMUM TREE CANOPY REQUIREMENTS (10% of Previous Area)**  
To be determined.

**MINIMUM SHRUB REQUIREMENTS (10 Shrubs per Acre)**  
To be determined.

**NATIVE TREE REQUIREMENT**  
To be determined.

**TREE SPECIES MIX REQUIREMENT**  
To be determined.

**MULTI-FAMILY**  
(Detailed Landscape Plans that comply with Chapter 45 and Chapter 21 of the City of North Port Land Development Code shall be submitted with the MMS application for Development Approval for the Multi-Family improvements)

**PERIMETER LANDSCAPE BUFFER REQUIREMENTS**

- WOODHAVEN DRIVE (Type 'C' Buffer) - Buffer Length - 673 LF, Buffer Width - 10'  
Trees Required (1 per 40 LF) - 673 / 40 = 17  
Shrub/Hedge (7 H) Required - Yes
- FAIRLANE DRIVE (Type 'C' Buffer) - Buffer Length - 754 LF, Buffer Width - 10'  
Trees Required (1 per 40 LF) - 754 / 40 = 19  
Shrub/Hedge (7 H) Required - Yes

**SOUTH PROPERTY LINE (Type 'C' Buffer) - Buffer Length - 541 LF, Buffer Width - 10'**  
Trees Required (1 per 40 LF) - 541 / 40 = 14  
Shrub/Hedge (7 H) Required - Yes

**INTERIOR LANDSCAPE REQUIREMENTS (10 SF per Parking Space)**  
Total Parking Spaces - 248 Parking Spaces x 10 SF = 2,480 SF  
Interior Landscape Area Required - 2,480 SF

**MINIMUM TREE CANOPY REQUIREMENTS (10% of Previous Area)**  
(Buffer Trees and Street Trees are not included)  
Total Previous Area - 150,289 SF  
Minimum Tree Canopy Required - 15,029 SF

**MINIMUM SHRUB REQUIREMENTS (10 Shrubs per Acre)**  
Total Multi-Family Site Area - 13.36 Acres  
Minimum Shrubs Required - 13,36 x 10 = 134 Shrubs

**NATIVE TREE REQUIREMENT**  
To be determined.

**TREE SPECIES MIX REQUIREMENT**  
To be determined.

**STREET TREE REQUIREMENTS**  
Trees shall be selected from the Master Tree List in Section 45-14 of the City of North Port Unified Land Development Code  
Internal Roadway (Minor) - Medium/Intermediate Shade Tree, (25'-30' OC) 35'-50' OC

## EXISTING TREE LEGEND

- EXISTING OAK TREE
- EXISTING PINE TREE
- EXISTING CABBAGE PALM

A tree removal permit is required before any construction activity and/or the removal of native vegetation within the 60' line of a tree on any lot where development will take place or in any right-of-way.



Digitally signed by John T Swen  
Date: 2025.04.21  
08:54:10 -04'00'

**JOHN T. SWEN**  
LANDSCAPE ARCHITECT

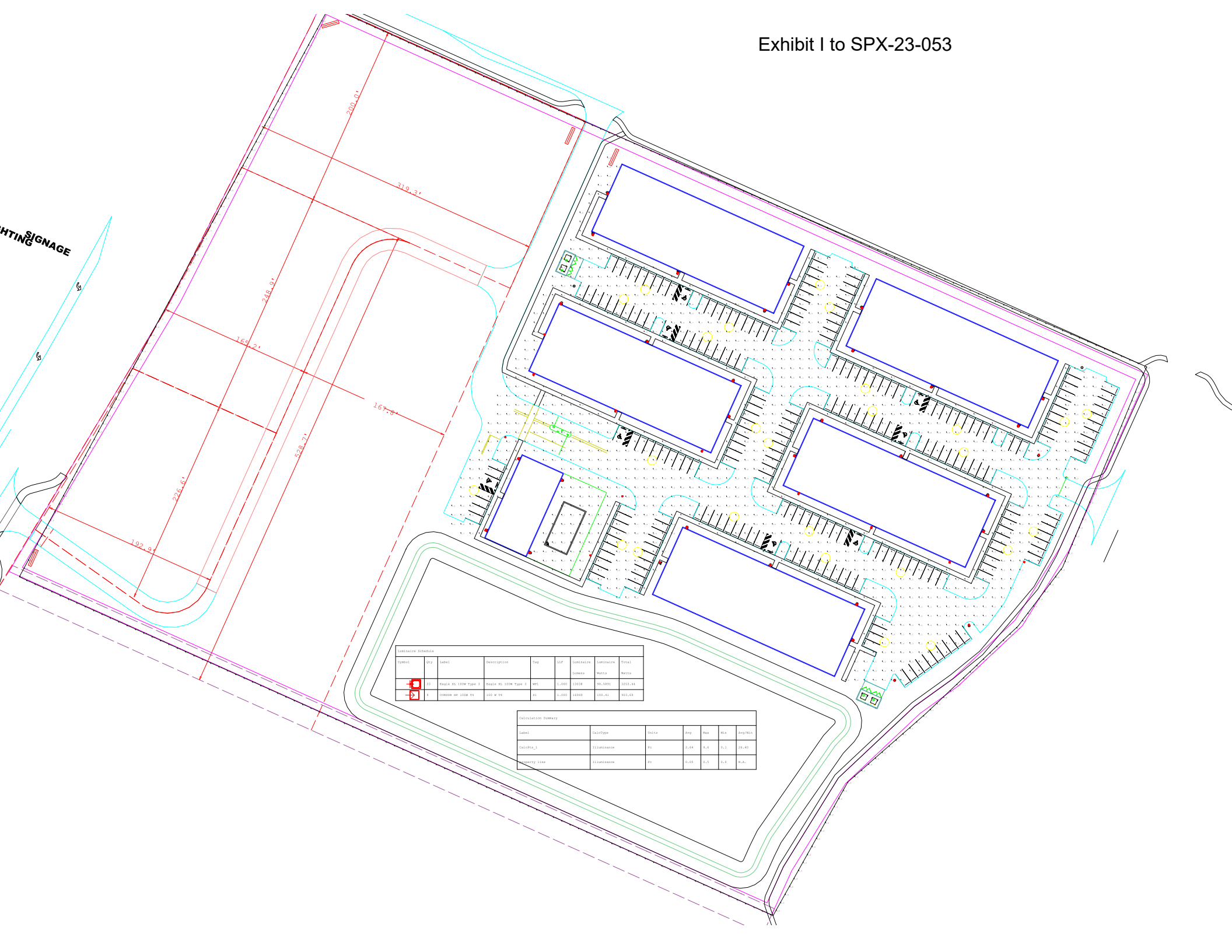
JOHN T. SWEN, P.A., P.O. Box 49466, Port Charlotte, FL 33949  
(813) 928-7265 johnswen@gmail.com LC 2606066

Landscape Concept Plan

Toledo Blade Center  
2000 S. Toledo Blade Blvd.  
North Port, Florida

FOR  
Southwest Engineering  
and Design  
25450 Airport Road, Suite B  
Punta Gorda, Florida 33950  
Phone: (941) 637-9655

Revisions:	Date:
	04/21/2025
	Scale: 1"=60'
	Drawn By: ---
	Checked By: JTS
	Project #: 24106



Submittal Schedule									
Symbol	Qty	Label	Description	Tag	SLP	Construction	Submittal	Total	
	1	Basic 30' CDM Type 1	Basic 30' CDM Type 1	W1	1,000	10018	W1,0001	1001,44	
	1	Concrete w/ 300M T4	100 M T4	A1	2,000	10040	100-41	1001,04	

Calculation Summary							
Label	CalcType	Units	SLP	Max	Min	Avrg	Avrg/Min
CalcPWA_2	Construction	sq	2,000	1,11	0,1	0,1	24,40
Property Size	Construction	sq	0,00	1,0	0,0	N/A	

# City of North Port

## Study Area

Exhibit J to SPX-23-053 (3 pages)

### Price and Toledo Blade

- Intersection

### Intersection Buffer

- ▭ 2 1/4 mile

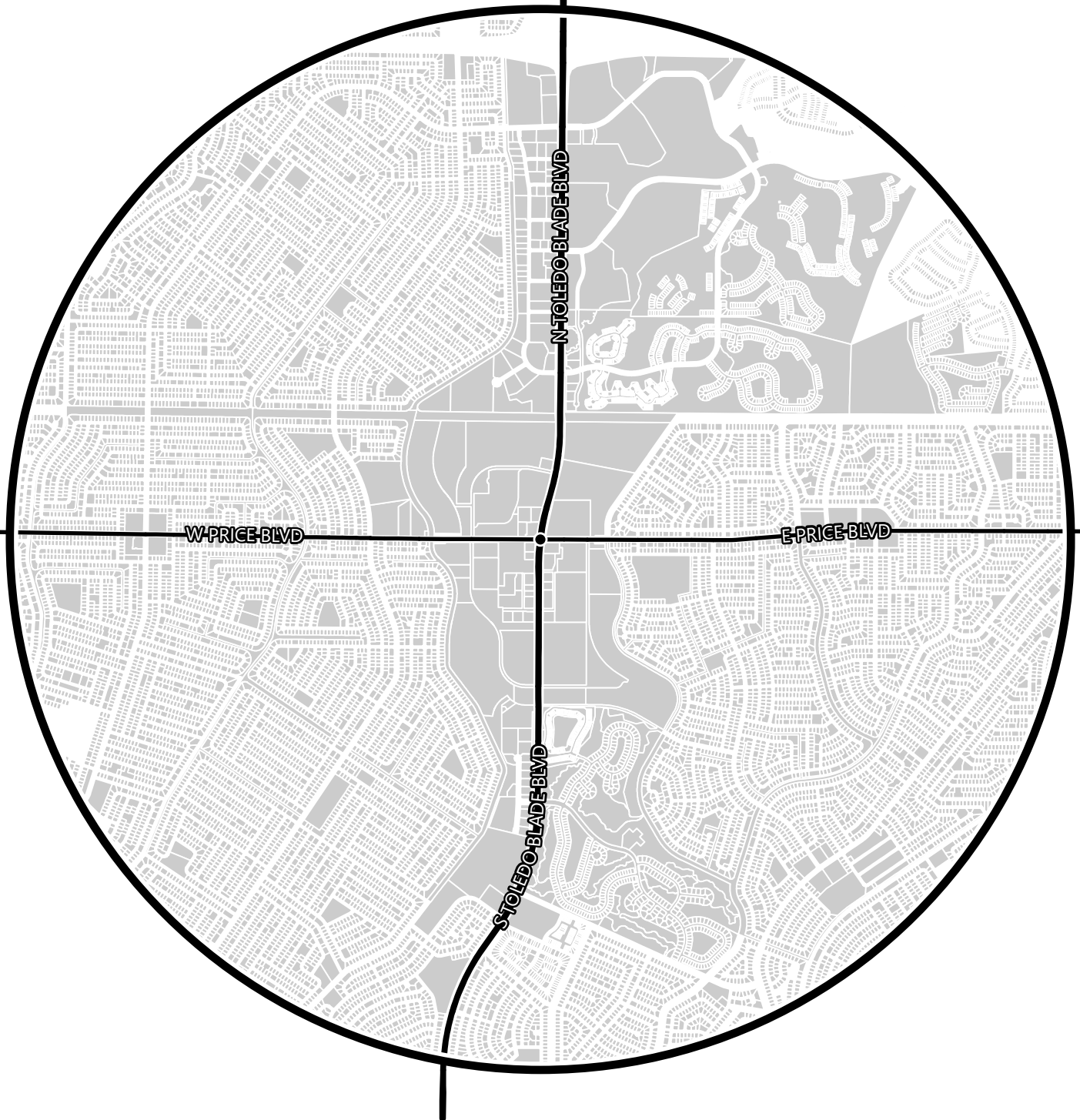
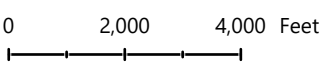
### Streets

- Centerline

### Property within Study Area

- Parcels

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



# City of North Port

## Study Area - Residential vs Nonresidential

### Price and Toledo Blade

- Intersection

### Intersection Buffer

- ▭ 2 1/4 mile

### Property

Type and percentage of land area

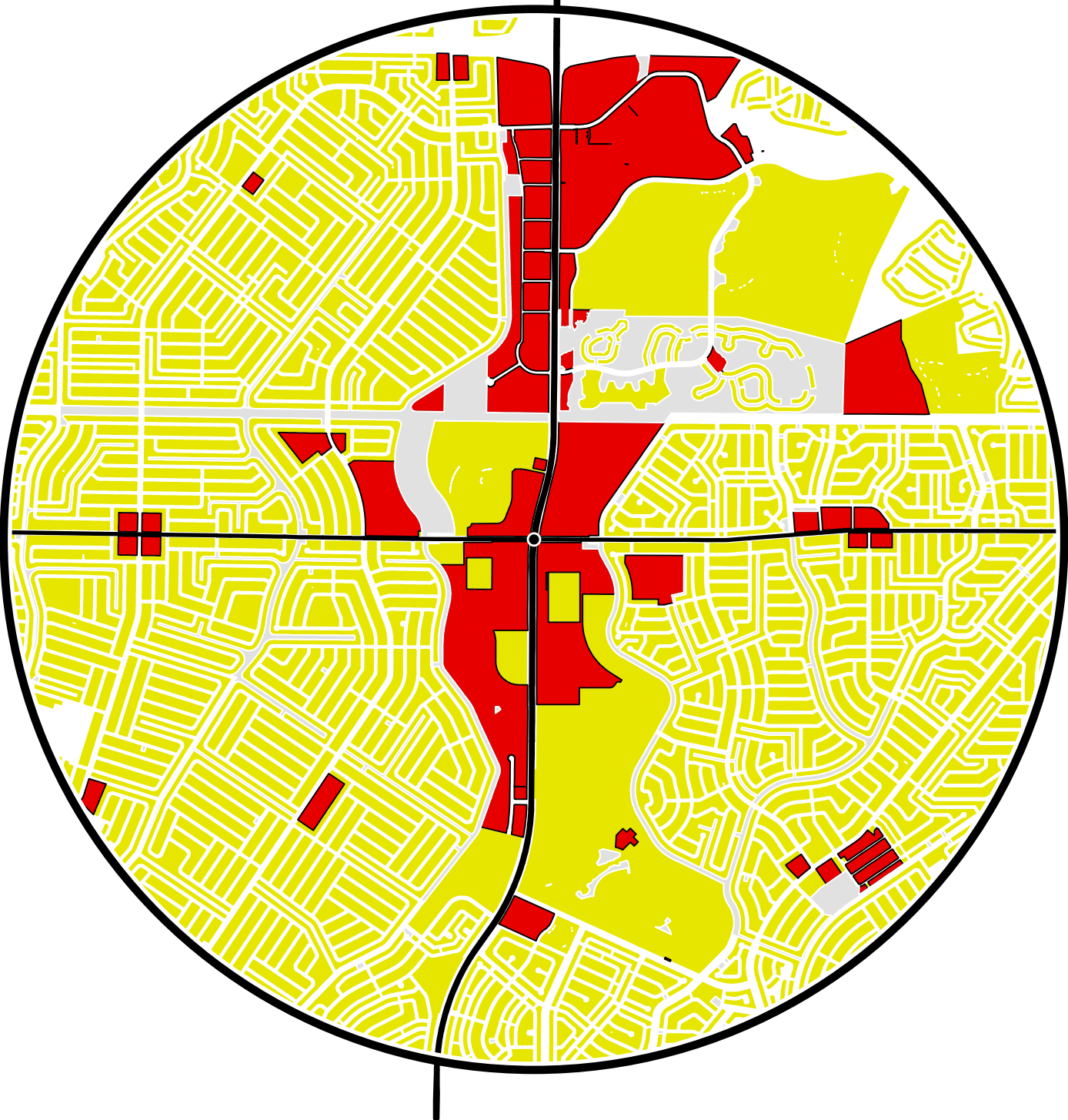
- ▭ Residential 78.7%
- ▭ Nonresidential 14.2%
- ▭ Other 7.1%

### Streets

- Centerline

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

0 2,000 4,000 Feet





**PUBLIC HEARING  
NOTICE OF INTENT TO CONSIDER  
SPECIAL EXCEPTION PETITION NO. PSE-23-0000053  
RESOLUTION NO. 2026-R-20**

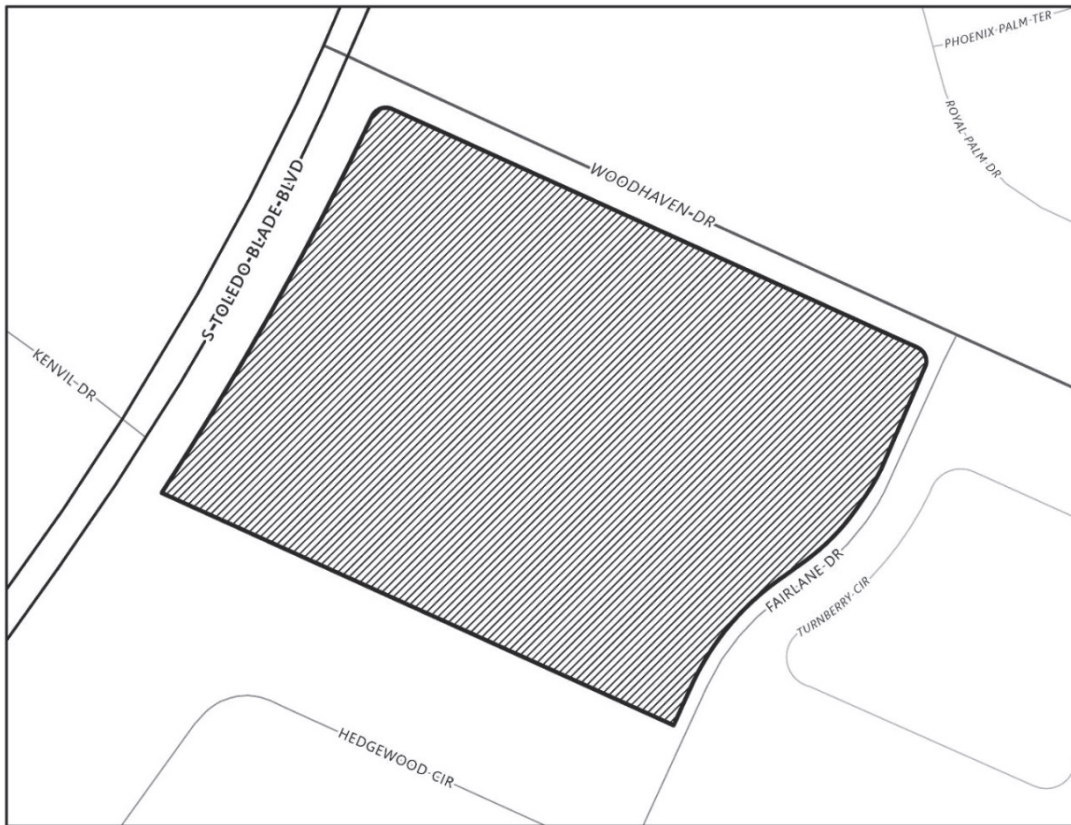
NOTICE IS HEREBY GIVEN, that the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) will hold a public hearing at 9:00 a.m. or shortly thereafter, on Thursday, April 2, 2026, in the City Chambers located at 4970 City Hall Boulevard, North Port, Florida to consider and act upon Petition No. PSE-23-0000053.

NOTICE IS HEREBY GIVEN, that the City Commission of the City of North Port will hold a public hearing at 6:00 p.m. or shortly thereafter, on Tuesday, April 21, 2026, in the City Chambers located at 4970 City Hall Boulevard, North Port, Florida to consider and act upon Petition No. PSE-23-0000053.

**SPECIAL EXCEPTION PETITION NO. PSE-23-0000053**

A Resolution Of The City Commission Of The City Of North Port, Florida, Granting A Special Exception To Allow A Multi-Family Residential Use Located Generally At The Southeast Corner Of S Toledo Blade Boulevard And Woodhaven Drive, In The Commercial General (Cg) Zoning District Pursuant To The City Of North Port Unified Land Development Code Section 53-40 And 53-259; Providing For Incorporation Of Recitals; Providing For Conflicts; Providing For Severability; And Providing An Effective Date.

Site Location Map



Note: Proposed SPE-23-0000053 (boundary of the area) is depicted on this map.

The documents pertinent to the proposed petition are on file in the Development Services Department, Planning & Zoning Division for inspection by the public between the hours of 8 a.m. to 4 p.m., Monday through Friday.

All interested parties may attend the hearing and be heard with respect to the proposed Petition.

This public hearing may be continued from time to time.

No stenographic record by a certified court reporter is made of these meetings. If a person decides to appeal any decisions made with respect to any matter considered at the meeting(s) or hearing(s) noticed herein, he/she will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which any appeal is to be based.

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 may contact the City Clerk to obtain a hearing device for use during meetings. Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to submit such a request at least 48 hours before the meeting by contacting the City Clerk's Office via email ([cityclerk@northportfl.gov](mailto:cityclerk@northportfl.gov)), fax (941-429-7008), or telephone (941-429-7270; this telephone voice number can be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711).

/s/  
Heather Faust, MMC  
City Clerk



City of North Port  
 Neighborhood Development Services  
 Planning & Zoning Division  
 4970 City Hall Boulevard  
 North Port, FL 34286

Exhibit L to SPX-23-053

**PUBLIC NOTICE - CITY OF NORTH PORT  
 NOTICE OF PUBLIC HEARINGS  
 FOR RESOLUTION NO. 2024-R-04  
 SPX-23-053**

NOTICE IS HEREBY GIVEN, that the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) will hold a public hearing at **9:00 a.m.** or shortly thereafter, on **Thursday, February 15, 2024** in the City Chambers located at 4970 City Hall Boulevard, North Port, Florida to consider and act upon **Special Exception Petition No. SPX-23-053**; special exception to allow a multi-family residential use in the Commercial General (CG) Zoning District.

«NAME1»  
 «NAME\_ADD2»  
 «NAME\_ADD3»  
 «NAME\_ADD4»  
 «NAME\_ADD5»  
 «CITY», «STATE» «ZIP»  
 «COUNTRY»

NOTICE IS HEREBY GIVEN that the City Commission of the City of North Port will hold a public hearing at **10:00 a.m.** or shortly thereafter, on **Tuesday, March 5, 2024**, in the City Chambers located at 4970 City Hall Boulevard, North Port, Florida to consider and act upon the adoption of the following proposed City Resolution:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, GRANTING A SPECIAL EXCEPTION TO ALLOW A MULTI-FAMILY RESIDENTIAL USE LOCATED GENERALLY AT THE SOUTHEAST CORNER OF TOLEDO BLADE BOULEVARD AND WOODHAVEN DRIVE IN THE COMMERCIAL GENERAL (CG) ZONING DISTRICT PURSUANT TO THE CITY OF NORTH PORT UNIFIED LAND DEVELOPMENT CODE SECTIONS 53-40 AND 53-259; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Location Map  
 City of North Port  
 RESOLUTION NO. 2024-R-04



City of North Port - Location Map  
 SPX-23-053, Toledo Blade Center

 Petition Boundary



0 200 400 Feet

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